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Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, FEBRUARY 17, 1965

The Senate met at 12 o'clock meridian, and was called to order by Hon. DANIEL K. INOUYE, a Senator from the State of Hawaii.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, in whose peace our restless spirits are quieted: From the flickering torches of our own understanding, we would lift the difficult decisions of the public service into Thy holy light.

In the brooding silence of this still moment, may the open windows of faith flood our darkness with the radiance of the eternal, that in Thy sunshine's blaze this day may brighter, fairer be.

In this troubled and uncertain day, when the seamless robe of our common humanity is rent by inner strife and fears and outward foes, teach us to be ministers of reconciliation, and to be anxious for nothing but to do the right and our best.

Grant us inner greatness of spirit and clearness of vision to meet and match the large design of this demanding, yet glorious, day, that we may keep step with the drumbeat of Thy truth, which is marching on to the coming kingdom for which we pray.

In the dear Redeemer's name we ask it. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 17, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DANIEL K. INOUYE, a Senator from the State of Hawaii, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. INOUYE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 11, and Monday February 15, 1965, was dispensed with.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of Thursday, February 11, 1965,

The Secretary of the Senate reported that on February 12, 1965, he received the following message from the House of Representatives:

That, pursuant to section 194 of title 14, United States Code, the chairman of the Committee on Merchant Marine and Fisheries had appointed the following members of said committee to serve as members on the part of the House of the Board of Visitors to the U.S. Coast Guard Academy for the year 1965: Mr. GARMATZ, of Maryland, Mr. LENNON, of North Carolina, and Mr. GROVER, of New York; and that Mr. BONNER, as chairman of the committee, was authorized to serve as an ex officio member of the Board.

The message also announced that, pursuant to the provisions of Public Law 101, 78th Congress, the chairman of the Committee on Merchant Marine and Fisheries had appointed the following members of said committee on the part of the House to serve as members of the Board of Visitors to the U.S. Merchant Marine Academy for the year 1965: Mr. DOWNING, of Virginia, Mr. MURPHY of New York, and Mr. MOSHER, of Ohio; and that Mr. BONNER, as chairman of the committee, was authorized to serve as an ex officio member of the Board.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries.

REPORT ON NATIONAL PROGRAM FOR DEVELOPMENT AND APPLICATION OF THE COMMUNICATIONS SATELLITE TECHNOLOGY TO THE SERVICES OF MANKIND—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 87)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

The past year has seen important advances in the program to develop a global communications satellite system. The first launch of a commercial satellite is to take place in the early months of this year.

Through the initiative of the United States, an international joint venture has been established. Under the law I have designated the Communications Satellite Corp. as the U.S. participant. The corporation is to be the manager on behalf of all participants.

The corporation has now been financed, has constituted its first board of directors to replace the original incorporators and has moved forward with its program. All agencies of the Government with responsibilities under the act have made important and faithful contributions with the sympathetic assistance of the congressional committees concerned.

The new and extraordinary satellite telecommunications medium bringing peoples around the globe into closer relationship is nearer to fulfillment, heralding a new day in world communications.

As required by section 404(a) of the Communications Satellite Act, I herewith transmit to the Congress a report on the national program for development and application of the communications satellite technology to the services of mankind.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1965.*

REPORT ON U.S. PARTICIPATION IN INTERNATIONAL ATOMIC ENERGY AGENCY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 88)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Joint Committee on Atomic Energy:

To the Congress of the United States:

I transmit herewith, pursuant to the International Atomic Energy Agency Participation Act, the Seventh Annual Report covering U.S. participation in the International Atomic Energy Agency for the year 1963.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1965.*

REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 89)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United

States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit to the Congress the Annual Report for fiscal year 1964 of the National Science Foundation as required by the National Science Foundation Act of 1950.

At the end of the war the advance of science was a source of pervading pessimism in our land—and around the world. There were fears that the onrush of man's knowledge would outrun man's wisdom and speed humanity toward its own extinction. With the establishment of the NSF, we committed ourselves to the development of peaceful science, and now our times are marked and moved by an optimism and hopefulness rare in all the history of mankind.

At its source much of our optimism flows from the confidence which both the advance and application of scientific knowledge permits. As science has provided us with new insights into man's antecedents, so science also has unlocked for us new visions of man's possibilities. Science has given us new knowledge of matter and of living things, a better understanding of natural processes, new and unexpected glimpses into what we can achieve in the future. The power over nature which science is giving our generation permits us to look forward with hope toward the solution of many age-old problems, if we apply results of the scientific advance well and wisely.

In the gains and change of these postwar years, American science has played a central role. Science has flourished in America as never before. While human knowledge has never known—and must never know—national boundaries, it is a fact that our Nation's resources, stability, and political purposes have permitted American science to benefit the world to an extent unique in modern times.

A vital factor in our achievements has been our national effort toward understanding, anticipating and supporting the creative force and constructive ends of science dedicated to peace, not conquest—to elevating human life, not oppressing it. This responsible approach toward science has come broadly, throughout our society, but a key role has been taken by the Federal Government.

While possessed of no special gift of foresight, the Federal Government has taken a forward-looking role, exercising both desirable initiative and appropriate self-restraint. Support for science has come from the Government without thought of making science subservient to the Government. The virtually undisputed leadership held by America today in the realm of science and technology is a conspicuously visible testament to the greater compatibility a free society affords to the spirit of free inquiry.

If balance has been approached in our overall support of our free science, credit is abundantly due the unheralded and frequently underestimated role of the National Science Foundation. Under its first Director, Dr. Alan T. Waterman, and now under the outstanding leadership of Dr. Leland Haworth, whose first annual report I am transmitting, the Foundation has fulfilled many times over the intent and hopes of the Congress which established it at the beginning of the last decade.

Close and understanding accord between science and public affairs is an imperative for free societies today. As I am so acutely aware, no national policy or purpose of the United States is unaffected by the present state or prospective scope of our scientific knowledge.

We look to it—

For the technology and industry which will supply us with new products and new jobs to meet our needs.

For the health programs which will eventually conquer disease and disability.

For the purposeful and useful exploration of the seas around us and the space above us.

And, most especially, for the guidance that will permit us to proceed with greater security and greater confidence toward our goals of peace and justice in a free world.

As no other force has contributed more materially to our effective pursuit of happiness in America, so it is true that no other force is now requiring of us the more careful examination and reexamination of the workings, values, and aspirations of our society. Science is changing many of the very premises on which our greatly successful American society has been built over the past two centuries. If we are to strive toward our society's continuing success and further greatness, we must not merely commit ourselves to its support—we must involve ourselves in seeking to understand the profound changes which it promises.

For all that has been wrought in this land, we must understand that these are the infant years of a new age—not the aging days of an old era.

Our wisdom must be always the equal of our knowledge and information. For that reason, I commend to you this report from the National Science Foundation, created and supported by the Congress, and encourage your unchanging steadfastness in support of what is required to assure America's continuing leadership in the science and technology of our times.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1965.*

THE NATION'S CAPITAL—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 86)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on the District of Columbia:

To the Congress of the United States:

The Nation's Capital should be a city in which every American can take justifiable pride, for the District of Columbia is more than a city—it is the seat of the Federal Government and the home of our most meaningful national shrines.

Our Founding Fathers not only planned a great nation but a great capital city for that nation. Their foresight and dedication—and the patient work of generations of Americans—have built a beautiful and inspiring National Capital. But for cities, as for men, there is no standing still. We progress or we fall back. This administration will not fail in the stewardship vested in it for the Nation's Capital. It is dedicated to enhancing and preserving the beauty and dignity of our Capital and to the improvement of the lives of its citizens.

There is much to be done. The programs that I propose envision immediate as well as long-range changes and improvements. We must continue and strengthen our efforts and more effectively marshal our resources to achieve the goals of an even better city. Every American must always be able to point to his Nation's Capital as a living expression of the highest ideals of democratic government.

I. HOME RULE

The most significant requirement, and one which can be accomplished immediately, is the restoration to the citizens of the District of Columbia of the direction and control of their own local affairs. I have already set out my recommendations in this respect in a message to the Congress proposing the necessary legislation.

II. MUNICIPAL SERVICES

The Federal Government, until home rule has been achieved, and the District government thereafter, must attack the deficiencies in programs which now exist. Those deficiencies which follow are only the most important and the most urgent.

A. Education: No more important responsibility rests on any local government than the provision of adequate educational facilities for its younger citizens. No need is more urgent than that of providing for all boys and girls the opportunity to secure the highest and best education of which they are capable.

1. The public school system of the District, which already has many achievements to its credit, must become one of the great school systems in the Nation.

Curriculums and teaching methods must reflect the best experience available in the United States, particularly as it is related to young people who come to the schools from disadvantaged circumstances at home. The most highly qualified teachers must be recruited, and teachers in temporary category reduced to a minimum. More supporting personnel, particularly counselors, are needed. No child should lack adequate textbooks and no school should lack either an adequate library or a trained librarian. Vocational education must be more closely related to the demands of the modern world, as well as to the opportunities for further training which will be afforded by the community college. Improvements can be made in the training of the physically and mentally handicapped which will enable many more to achieve full or partial self-sufficiency.

The physical plant, within a decade at most, should be made adequate. New buildings should continue the principles of modern school design now being pursued. More immediately, there must be adequate space for every child, including, needless to say, those whom improved facilities, improved educational measures, and improved economic conditions will prevent becoming dropouts. The capital of the richest nation on earth cannot tolerate part-time classes, classes in makeshift rooms, and classes so large that instruction becomes difficult or impossible.

2. A committee of nationally recognized educators, after careful examination of the District's situation, has recommended that the District should establish immediately a community college and a college of liberal arts and sciences, under a Board of Higher Education. The former institution would provide a 2-year program, including both the first 2 years of college work and advanced technical training in a variety of subprofessional skills. The latter, which would absorb the present District of Columbia Teachers College, would emphasize teacher training but would also provide instruction in the liberal arts and sciences, growing as the need developed. These two institutions should be brought into being without delay. I will shortly recommend to the Congress the necessary legislation.

3. The District should participate in the residential vocational school program authorized by the Vocational Education Act of 1963. Such a school can demonstrate the advantages of combining the most modern vocational education with the healthy and stimulating living environment now missing from the lives of many District children. It is my hope that plans for a school will be made immediately with the help of the Commissioner of Education.

B. Health and welfare: The public health effort in the District has been impressive in recent years, and the momentum must be continued. Health is essential to the productivity and financial independence of individuals, and to a sound economy. Adequate programs to prevent disease and disability, to combat mental retardation, to reduce preventable deaths, especially among infants, and to provide medical care and related services to those unable to pay for them, are essential District needs.

The reconstruction and enlargement of the District of Columbia General Hospital now underway will ease the congestion there, but urgent need exists for the establishment of community health centers in several parts of the city, to bring health services closer to the people for whom they are designed. These centers, by including the facilities needed for comprehensive community-based mental health services, will also bring the District to the forefront in carrying out both the present national mental health program and the additional programs which I have recently recommended.

Improvements in physical plant must be matched by increased availability of services. We know now that denial of preventive services, based on unrealistic standards of medical indigency, are not measures of economy, but rather guarantees of increasing costs of social services later on. The provision of prenatal care is a classic example. Children's Hospital, which by reason of its specialized facilities for the young is unique, and stands among the best in its field in the United States, must be put on a sound financial basis.

A proper welfare program must not only be tightly administered and free of cheating and fraud, but also must insure that those in actual need of aid are provided for in a manner and at a level consistent with decency and humanity. Not only is this in the American tradition, but it is also prudent. Inadequate programs inadequately staffed exact a price we cannot afford to pay, in delinquency, crime, disease, broken homes, and broken lives. Nor can we ignore the added costs of institutional care for the children and the elderly from families whose resources, tenuous at best in many cases, collapse and are lost in extremes of poverty. Further District participation in the programs made possible by the 1961 and 1962 amendments to the Social Security Act should no longer be delayed.

C. Public safety: The District has not been spared in the general increase in crime now being experienced throughout the United States. The impairment of the security of person and property, and the mounting rates of juvenile crime, are matters of major concern.

The problems run deep, and will not yield to quick and easy answers. We must not weaken our resolve to identify and eliminate the causes of criminal activity. This is the thrust of the District's program to combat juvenile delinquency in the Cardozo area—a program which must be extended as needed throughout the District as rapidly as its component parts can be evaluated. This is an important aspect of the program to combat poverty, and of the programs for improvement in education, health, welfare, housing, and recreation.

All these are vital, but they are not enough. Crime will not wait while we pull it up by the roots. We must have a fair and effective system of law enforcement to deal with those who break our laws. We have given too low a priority to our methods and institutions of law enforcement—our police, our criminal courts and our correctional agencies. This neglect must not continue, and the District should be the first to remedy it.

The police are our front line, both offensive and defensive, in the fight against crime. We ask the policeman to fit our principles to hard realities, to make our rules just in their operation, to apply our laws to an infinite variety of human situations. Because he represents the law to the great majority of our people, we ask him to impart respect for law in his every act. As the representative of government whom we send out in the streets, we impose on him a job of social aid and accommodation as many sided as government itself.

To do all of these things well, the policeman must be a man of high caliber, attracted to police work by sufficiently strong incentives, and trained beyond anything we have heretofore thought necessary. The police department must have a closer working relationship with the social agencies of the community, for their problems and objectives are so often connected or concurrent. There is a great need for all people to learn about, to understand, and to assist the policeman in his work.

The courts have traditionally been the symbol and the guardian of our cherished freedoms, but local criminal courts are so overloaded that their image is tarnished, their functioning impeded, and their effectiveness weakened. More courts and judges is one answer, but need not be the only one. Full-scale court proceedings might be eliminated for minor offenses which could be handled by administrative arrangements under close judicial supervision. Certain types of offenders might be referred directly to social agencies for nonjudicial treatment. Some conduct which we now label criminal might better be removed from the criminal system and dealt with more effectively and appropriately elsewhere. Every possibility must be explored.

Correctional agencies charged with responsibility for those who have been found guilty of a criminal offense face enormously complex problems. Some of the time-honored methods are proving to be inadequate. Many new ideas are being developed and applied, with still uncertain results. We cannot wait until they are certain. We should put to work in the District the most promising attempts to cure the maladjustments which lead to crime. We cannot tolerate an endless, self-defeating cycle of imprisonment, release and reimprisonment which fails to alter undesirable attitudes and behavior. We must especially find ways to help the first offender avoid a continuing career of crime.

These needs are urgent, and our responses in the District will aid and encourage efforts throughout the Nation. It will not do merely to attempt minor changes; the problem is too big and too important to the community. We must seek the broadest and most imaginative improvements in the entire legal and social structure of our criminal law and its administration. To do this, I shall establish a commission which will concern itself specifically with crime and law enforcement in the District. It will enlist the best advice and assistance available, both in and out of the Federal Government, and will work closely with the national panel to be created shortly. Our goal must be no less than the planning and establishment in the District of a model system which will best achieve fair and effective law enforcement.

There are, in addition, opportunities for immediate action. Some control of firearms within the District is urgently needed. Legislation providing for the registration of pistols, which is an appropriate first step, will shortly be transmitted to the Congress by the Commissioners. The Police Department should be enlarged, as I have recommended in the District's budget. Moreover, it should be afforded authority and funds to pay for overtime work, and to employ clerical and other workers to permit officers to use their police training to full advantage. Both would increase its effective strength.

D. Recreation: The District has not yet caught up with the needs of its citizens—either young or old—for facilities which permit them to relax and to play. Some areas of the city lack these facilities, particularly areas where incomes are low, and where residents are generally lacking in the resources to enable them to take advantage of recreational facilities elsewhere. The goal must be an adequate system of recreational facilities throughout the District within the next decade.

The John F. Kennedy Playground, largely equipped by private citizens, demonstrates not only the possibilities but also the enthusiastic response of the community to adequate play space. Equally desirable facilities should be provided in other parts of the District, particularly in areas now inadequately served.

E. Housing and urban renewal: The District, in common with other American cities, suffers badly from a major shortage of housing adequate for its lower income groups. Public housing is being supplied for low-income families displaced by public projects; but nonpriority families and large families even with priority are afforded little relief. More public housing is an urgent necessity. Devices such as the housing of large families in individual houses by means of rent subsidies must be continued and expanded. New solutions must be developed and applied.

Equally important are measures to secure decent housing for the families whose incomes are high enough to make them ineligible for public housing, but who cannot find decent, safe, and sanitary private accommodations at prices or rents they can afford. There must be more vigorous efforts in the District, both public and private, to take advantage of all the programs now available under the national housing laws.

The District's urban renewal program must make a major effort in the years ahead to provide decent housing for low- and moderate-income families. The rehabilitation and renewal project now underway in Northwest urban renewal area project No. 1 may well offer an approach which can provide experience for similar projects elsewhere. There must be vigorous and prompt enforcement of the housing code, particularly in those areas where continuing deterioration may escalate into irrecoverable slums. Too little effort has been exerted to assure that violations are detected and corrected promptly. Both tenants and landlords must be made aware of their responsibilities as well as their rights.

Urban renewal powers must be made available to the District, as they are to other cities, to aid in the development of blighted commercial areas. They are particularly needed in the central city, where the demonstrated interest of the business community insures a fruitful cooperation between public and private efforts.

There is need, too, for a reorganization of the urban renewal and public housing machinery of the District, in order that it may be more responsive to the District's multiple needs. Immediate attention must be given to changes which will focus appropriate responsibility, and commensurate authority, in the District's Board of Commissioners. Some delays are inherent in major urban projects, and no doubt this has been particularly true during the early years of the urban renewal program, but we can no longer afford or tolerate such delays.

F. Poverty: The District can and should be a leader and an example to the Nation in the attack on poverty. Already there is a bold beginning, coordinated by the United Planning Organization, and using the combined resources of the Federal and District Governments and generous aid from both the Ford and the Eugene & Agnes E. Meyer Foundations. But the war on poverty is not to be won in one cataclysmic battle. It is more a war of attrition—in which there must be no letup of effort. The District must continue to provide training, counseling, employment services, and other aid on a coordinated and more intensive basis to those who are now unemployed or so underemployed that they cannot provide support for their families. It must have a minimum-wage law expanded to cover men, as well as women and children. It must provide the educational help and other aids which will insure that the next generation—the potential welfare clients of the 1970's and 1980's—meet the challenge of our new technology and becomes self-supporting. We must break the cycle of poverty and dependency. It can be done. It will, in the long run, be far less expensive than any other course.

III. THE DISTRICT AND THE NATIONAL CAPITAL REGION

The District of Columbia is no longer the largest element of the Washington metropolitan region, either in number of residents or in area. Increasingly, the problems of the District blend into and become a part of regional problems. Transportation, water, air pollution, sewage and waste disposal, fire and police protection, recreation, employment, and economic development are only a partial list of matters in which neither the District nor any other part of the area can proceed behind its own jurisdictional curtains.

A. Transportation: The most critical of the regional development needs is transportation. Washington is now the only major capital in the Western World lacking a rail rapid transit system. There is urgent need to begin the construction of such a system—largely within the District at the beginning, but eventually extending into the suburbs of Maryland and Virginia. I have already transmitted to the Congress proposed authorizing legislation.

The highway program, both within and without the District, must likewise not be allowed to lag. The cooperative efforts of District and Federal agencies through the Policy Advisory Committee to review some elements of the program should be continued. Construction should proceed as rapidly as funds can be made available.

B. Regional development: I have already indicated my hopes that the Potomac River will become a model of beauty and usefulness for the Capital and the Nation. There are, however, many other problems of the Washington metropolitan area for which long-range metropolitan solutions are necessary. The interest of the Federal Government in the best development of the region is manifest, and its cooperation in resolving regional problems is essential. We must encourage and facilitate local efforts to create effective organs of regional cooperation. In addition, the Federal Government must utilize its own policies and programs to assist the region to develop in a way which will maximize the efficiency and economy of Federal Government operations, and which will permit this region to exemplify to the United States and to the world the best in regional cooperation and metropolitan growth.

IV. WASHINGTON AS A NATIONAL CAPITAL

The District, as the Nation's Capital, must meet the special requirements imposed on the capital city of a great nation. We are committed to preserving and enhancing the great avenues, the great museums and galleries, the great sweep of the Mall.

Legislation is being prepared in connection with the proposals to transform Pennsylvania Avenue from its present shabby state to a new dignity and grandeur. As long as blight and ugliness disfigure any part of this historic link between the Capitol and the White House, it cannot suitably serve as the main ceremonial avenue of the Nation, either to American citizens or to visitors from abroad. The proposal need not be undertaken at once in all of its aspects, but every aid and encouragement should be given to further study and refinement of its details and to the establishment of the creative partnership of Government and private enterprise needed to convert the avenue into a thoroughfare worthy of the Nation's pride.

There are other areas where needed improvements can also be accelerated. The Washington Monument can be given the setting it deserves as soon as the development of the freeway from the Roosevelt Bridge to the 14th Street Bridge, and the 9th and 14th Street underpasses of the Mall permit the elimination of the 15th Street traffic from near the base of the monument. The temporary buildings which huddled at its base are already gone, and the plans to improve its immediate surroundings must be pushed forward.

The Lincoln Memorial, long throttled by a circle of heavy automobile traffic, can be freed of its noose as soon as the freeway running beneath its grounds permits the area facing the reflecting pool and the monument to be reserved for the visitor on foot. The memorial will not achieve its proper setting, however, until the remaining obsolete and temporary buildings on Constitution Avenue are eliminated.

There are many other projects. Temporary buildings on public space throughout the monumental area must be removed. There is need to carry forward the plans to develop the potential of the Mall, so that it may be a place of life and beauty, of pleasure and relaxation. There is need for a vistors' center which will provide perspective and understanding regarding the Federal Government to the myriad students and tourists who come to Washington to see and learn.

There is also urgent need to proceed with the improvement of the central business district in a way which permits full coordination with the progress on Pennsylvania Avenue. The full potential of Pennsylvania Avenue from the Capitol to the Anacostia River as a major entranceway to the city has not been realized. There is the development of Washington's waterfront in connection with the new aquarium. There is the need to identify landmark buildings and places, and to work out means by which to encourage their preservation.

The District presents both a challenge and an opportunity. Here we have natural beauty as well as buildings of historic and architectural value. The great sweep of the Potomac River, Rock Creek Park, and the ring of parks where the old Civil War forts stood make the District a city in a park. In its heart the grandeur of the Mall, the many circles and squares and the great street trees carry natural beauty to everyone.

Today there is new awareness of our urban environment. We can, if we will, make the District the symbol of the best of our aspirations. We can make it a city in which our citizens will live in comfort and safety, and with pride, and in which commerce and industry will flourish. We can make it a capital which its millions of visitors will admire. All this we must do. I am sure the Congress will join me in accepting the challenge.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1965.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

On request by Mr. DOMINICK, and by unanimous consent, the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

SUBCOMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. SMATHERS, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary was authorized to meet tomorrow while the Senate is in session.

LEGISLATIVE PROGRAM

Mr. LONG of Louisiana. Mr. President, I believe it would be well to state what the plans are for legislative business.

After the morning hour it is planned to lay before the Senate the unfinished business, Calendar Order No. 61, the bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

It is my understanding that that bill was unanimously reported by the Committee on Banking and Currency. I hope that the bill can be disposed of today, perhaps even without a yea-and-nay vote, in view of the fact that there is very strong support for the measure and, I believe, very little opposition.

In addition, the leadership would like to consider Senate Joint Resolution 1, Calendar Order No. 62, proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office. That measure will be the legislative business for Thursday, February 18, when it is hoped it can be disposed of.

On the following day, Friday, February 19, we hope to take up Calendar Order No. 63, a bill (S. 805) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

It is planned to recess at the close of business today.

Mr. DIRKSEN. Mr. President, will the acting majority leader yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. I believe it has been agreed that tomorrow the question of the reference of the so-called labeling and packaging bill—which, is expected, will be referred to the Committee on Commerce—will be placed on the calendar. Probably it will be the first order of business. Consideration of that question will not take very long, but I feel that the record ought to be made in view of what has happened in the past 2 years in respect to that measure.

Mr. LONG of Louisiana. I believe commitments have been made on the subject. Though I am not aware of them, I shall try to find out what they are and convey them to the minority leader.

Mr. DIRKSEN. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. I believe the leadership knows that the senior Senator from Louisiana [Mr. ELLENDER], the junior Senator from California [Mr. MURPHY], and I desire to discuss on the floor of the Senate tomorrow questions related to the agricultural labor situation in our country. I do not wish to describe them in greater detail now. Rather than have our appearances injected into the discussion of whatever the pending business may be, I hope that the leader will bring the Senate in early tomorrow morning with the understanding that we shall proceed with all expedition so that our business can be transacted, and then the pending question before the Senate can be disposed of without interruption, at least from the group I have mentioned. I hope that that course may be followed.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate finishes its business today, it stand in recess until 10 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF GERMANENESS RULE FOR TOMORROW

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the germaneness rule be waived for tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. The Senator from Louisiana is not requesting that the rule be waived today?

Mr. LONG of Louisiana. No.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters which were referred as indicated:

NATIONAL CAPITAL TRANSPORTATION ACT OF 1965

A communication from the President of the United States, transmitting, for the information of the Senate, a report entitled "Rail Rapid Transit for the Nation's Capital," dated January 1965, together with a report entitled "Engineering Plans and Cost Estimates, Engineering Supplemental, Transit Development Program 1965," dated January 1965, and a draft of proposed legislation to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960 (with accompanying papers); to the Committee on the District of Columbia.

REPORTS OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration,

Washington, D.C., reporting, pursuant to law, on the transfer of research and development funds to the construction of facilities appropriation for the installation of an FPQ–6 radar at the Bermuda Station of the Manned Space Flight Network; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the transfer of research and development funds to the construction of facilities appropriation to be used for the purchase of the electric power substation at Goddard Space Flight Center, Greenbelt, Md.; to the Committee on Aeronautical and Space Sciences.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on contracts negotiated for experiment, development, or research work, for the 6-month period ended June 30, 1964 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Military Construction Authorization Act, 1966

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction at military installations, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Amendment of Section 2575(a) of Title 10, United States Code, Relating to Disposition of Certain Personal Property

A letter from the Acting General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions (with an accompanying paper); to the Committee on Armed Services.

Continuation of Authority of Domestic Banks To Pay Interest on Certain Deposits of Foreign Governments

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors (with accompanying papers); to the Committee on Banking and Currency.

Amendment of Inland, Great Lakes, and Western Rivers Rules Relating to Certain Vessels

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length (with accompanying papers); to the Committee on Commerce.

Report of Civil Aeronautics Board

A letter from the Vice Chairman, Civil Aeronautics Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year 1964 (with an accompanying report); to the Committee on Commerce.

Proposed Legislation Relating to District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the establishment of a school of nursing within the District of Columbia General Hospital, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 13 of the District of Columbia Redevelopment Act of 1945, as amended (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Chief of Police to expend funds for the prevention and detection of crime under his certificate, approved by the Board of Commissioners of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

Report on Potential Savings Through Procurement of Certain Supplies From General Services Administration Sources

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through procurement of operating supplies from General Services Administration sources by Martin-Marietta Corp., Denver Division, Denver, Colo., Department of the Air Force, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

Amendment of Federal Property and Administrative Services Act of 1949

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed 5 years, and for other purposes (with accompanying papers); to the Committee on Government Operations.

Authorization for Secretary of the Interior To Employ Certain Aliens

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to employ aliens in a scientific or technical capacity (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Restoration to Heirs of the Indian Grantor Certain Tribal Land

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to restore to the heirs of the Indian grantor certain tribal lands of the Iowa Tribe of Oklahoma (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution of the Senate of the State of Washington; to the Committee on Appropriations:

"Senate Resolution 16

"Whereas the federally financed Columbia River fishery development program operated jointly with the States has proven the most effective beneficial means of rebuilding the waning Columbia River fish runs; and

"Whereas the installation of the Willamette Falls fishways is the most important development under this program; and

"Whereas new Willamette Falls fishways at Oregon City, Oreg., would improve the economy of the States of Washington and Oregon by increasing the annual production of salmon and steelhead trout by some 320,000 fish valued at $4 million; and

"Whereas this project is now designed and federally licensed, with construction scheduled to begin with funds made available in fiscal year 1966; and

"Whereas the required funds of $1,600,000 are not now provided in the fiscal year budget of 1966; and

"Whereas it is the consensus of the Senate of the State of Washington, in which the Legislature of the State of Oregon concurs, that it is essential that these funds be provided in fiscal year 1966 to obtain the maximum benefits of this long planned improvement to the fishery economy of these States; and

"Whereas large numbers of juvenile salmon already have been transplanted above this obstruction from which adult fish will return in 1966, requiring efficient passage at Willamette Falls, Oreg.: Now, therefore, be it

"*Resolved, by the Senate of the State of Washington*, That we do respectfully petition the Congress of the United States, and those committees thereof concerned with appropriations, to consider this joint request for restoration of these funds in the Department of the Interior's budget for the Columbia River fishery development program; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

"Ward Bowden,
"*Secretary of the Senate.*"

A joint resolution of the Legislature of the State of Nevada; to the Committee on the Judiciary:

"Joint Resolution 2

"Whereas the Supreme Court of the United States has ruled that membership in both houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

"Whereas this rule denies to the people of the respective States the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

"Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed; and

"Whereas the implications of this action by the Supreme Court has raised serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the States: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of Nevada (jointly)*, That this legislature respectfully requests the Congress of the United States to propose an amendment to the U.S. Constitution which would provide:

"Article —

"Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

"Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.

"*And be it further resolved,* That certified copies of this resolution be immediately transmitted by the secretary of state to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State."

A joint resolution of the Legislature of the State of Montana; to the Committee on the Judiciary:

"A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR THE PURPOSE OF AMENDING THE CONSTITUTION OF THE UNITED STATES SO AS TO PROVIDE THAT A STATE HAVING A BICAMERAL LEGISLATURE MAY APPORTION MEMBERSHIP IN ONE HOUSE OF ITS LEGISLATURE ON OTHER THAN A POPULATION BASIS

"Whereas the Supreme Court of the United States has ruled that States having a bicameral legislature may not apportion membership in either house thereof on other than a population basis without violating the Constitution of the United States; and

"Whereas the Constitution of Montana provides for the apportionment of the Senate on other than a population basis: Now, therefore, be it

"*Resolved by the Senate and the House of Representatives of the State of Montana,* That the 39th Legislative Assembly of the State of Montana respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

" 'ARTICLE —

" 'SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress'; be it further

"*Resolved,* That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved,* That a duly certified copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Labor and Public Welfare:

"SENATE JOINT RESOLUTION 7

"*Be it resolved by the Legislature of the State of Alaska:*

"Whereas the Administrator of the Veterans' Affairs has announced the closure of the Alaska regional office and the transfer of its functions to the Seattle, Wash., office; and

"Whereas the services to which the veterans in Alaska are legally entitled cannot be efficiently and fairly administered from the State of Washington because of the time lapses caused by distance, the chances of interrupted mail service, the expense of long-distance communication, the lack of knowledge of the problems and conditions peculiar to Alaska, the inherent insufficiency of written communication in regard to continuing problems, and the isolation of the beneficiaries of the veteran's programs from their advisers; be it

"*Resolved,* That the Administrator of Veterans' Affairs is requested to rescind the decision to close the Alaska regional office; and be it further

"*Resolved,* That copies of this resolution be sent to the Honorable HUBERT H. HUMPHREY, Vice President of the United States and President of the Senate; the Honorable CARL HAYDEN, President pro tempore of the Senate; the Honorable JOHN W. MCCORMACK, Speaker of the House; the Honorable LISTER HILL, chairman, Senate Labor and Public Welfare Committee; the Honorable OLIN E. TEAGUE, chairman, House Committee on Veterans' Affairs; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable W. J. Driver, Administrator of Veterans' Affairs; and the members of the Alaska delegation in Congress."

A joint resolution of the Legislature of the State of Idaho; to the Committee on Post Office and Civil Service:

"SENATE JOINT MEMORIAL 4

"A joint memorial to the Honorable President of the United States, the Honorable Senate and House of Representatives of the United States in Congress assembled and to the Honorable Postmaster General of the United States

"We, your memorialists, the members of the Senate and House of Representatives of the State of Idaho, assembled in the 38th session thereof, do respectfully represent that:

"Whereas the late Senator William E. Borah, now deceased, is illustrious for his historic renown, distinguished civic services and lasting contributions to the State of Idaho, the United States of America, and to the people of the world; and

"Whereas Senator William E. Borah was the State of Idaho's most famous and widely acclaimed statesman for his contributions to the welfare of our Nation; and

"Whereas the contributions and accomplishments of Senator William E. Borah, during his lifetime and the high esteem in which his name is now held by the people of this State and Nation, do give rise to the merit of a commemorative postage stamp bearing his likeness, to be issued in honor of the late Senator William E. Borah: Now, therefore, be it

"*Resolved, by the Senate, State of Idaho (the House of Representatives concurring),* That we most respectfully urge the President of the United States, the Congress of the United States and the Postmaster General of the United States to take appropriate action, that a commemorative stamp be issued to honor the late Senator William E. Borah; and be it further

"*Resolved,* That the secretary of state of the State of Idaho is hereby authorized and he is hereby directed to immediately forward certified copies of this memorial to the President of the United States, the Senate and House of Representatives of the United States, to the Postmaster General, and to the Senators and Representatives in Congress from this State.

"W. E. DREVLOW,
"*President of the Senate.*
"PETE T. CENARRUSA,
"*Speaker of the House of Representatives.*
"ARTHUR WILSON,
"*Secretary of the Senate.*"

PRESIDENT'S MESSAGE ON BEAUTIFICATION OF AMERICA

Mr. MONRONEY. Mr. President, the proposals recently made in a special message to the Congress by the President of the United States looking toward the beautification of America have been brought to the attention of the Oklahoma State Legislature now in session. They have by appropriate concurrent resolution memorialized the President for his efforts in behalf of beautification of our country and development of its natural resources, particularly outdoor recreational resources of the Nation.

I send to the desk for appropriate referral a concurrent resolution properly enrolled and adopted by the senate and the house of representatives of the Oklahoma State Legislature and ask that it be printed in the body of the RECORD at this point.

There being no objection, the concurrent resolution was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 14

A concurrent resolution relating to the new era of conservation proposed by President Lyndon B. Johnson in November of 1964; commending President Johnson for his perceptive and progressive policy regarding the conservation and development of our natural resources, particularly the outdoor recreation resources of the Nation; directing that copies of this resolution be transmitted to President Lyndon B. Johnson, to Mr. John T. Koen, and to each member of the Oklahoma delegation

Whereas President Lyndon B. Johnson in his policy paper last November dealing with major domestic problems drew attention to fundamental conservation problems; and

Whereas the President pointed out that a growing population is a challenge of our era in that "increasing pressure will take our resources and increasing leisure will tax our recreation"; and

Whereas the President lauded the 88th Congress as the "greatest conservation Congress in our entire history," with the passage of more than 30 important conservation bills including the Land and Water Conservation Fund Act and the Wilderness Act, as well as the inception of a new Bureau of Outdoor Recreation; and

Whereas said statement further pointed out that "We must act boldly or our future will be barren. We will move vigorously under our recent laws to acquire and develop new areas for recreation. We will expand our programs to meet developing needs. A national program of scenic highways and riverways is on the horizon."; and

Whereas the President's position on these matters, as on other conservation matters, is designed to benefit our Nation's heritage; and

Whereas the President's program regarding conservation and outdoor recreation is of special significance to Oklahoma, particularly as regards the responsibility of the Ouachita National Forest to administer and develop multiple resources and such projects as the Scenic Highway on Winding Stair Mountain, the Job Corps Conservation Centers, and other special projects as related to outdoor recreation: Now, therefore, be it

Resolved by the Senate of the 30th Legislature of the State of Oklahoma (the House of Representatives concurring therein):

SECTION 1. That President Lyndon B. Johnson be and is hereby commended for his perceptive and progressive policy regarding the conservation and development of our natural resources, particularly the outdoor recreation resources of the Nation.

SEC. 2. That a duly authenticated copy of this resolution be transmitted to President Lyndon B. Johnson, to Mr. John T. Koen, supervisor, Ouachita National Forest, and to each member of the Oklahoma congressional delegation.

LEO WINTERS,
President of the Senate.
REX PRIVETT,
Speaker pro tempore of the House of Representatives.

RESOLUTIONS OF HOUSE AND SENATE OF THE STATE OF IDAHO

Mr. CHURCH. Mr. President, the Senate and House of the Idaho State Legislature have each sent to this body two joint resolutions which I would like to present for appropriate reference at this time. They spotlight two subjects of the greatest importance to the Gem State: An adequate forest road system and proper development of the water resources of the State.

The first memorial from the house of representatives recites the fact that an adequate road system is fundamental to harvesting the natural resources of the State, and that, at the present rate, it will take 100 years to develop a completely adequate forest highway transportation system. It asks that adequate funds be made available to the several Federal agencies involved, to expand the road network. This is unquestionably a matter of high priority, and I commend it to the attention of the Senate.

The second memorial calls for the early budgeting and appropriation of sufficient funds to build the Fremont Dam in southeastern Idaho. I worked hard to get this project authorized last year, and want to see it built at the earliest possible moment.

Until it is built, the threat of loss of property and life from flooding will hang over the valley below the dam site. That is why I intend to ask the Senate Appropriations Committee for funds to start the project this year.

I concur heartily in these memorials of the Idaho Legislature, and ask for their inclusion at this point in the RECORD.

There being no objection, the joint resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Public Works:

"HOUSE JOINT MEMORIAL 1

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas an adequate transportation system is necessary in the proper harvest and use of our natural resources; and

"Whereas the lack of an adequate transportation system is the greatest deterrent to the full use of our natural resources in the State of Idaho; and

"Whereas under the present rate of road construction, it will take 100 years to complete an adequate forest highway transportation system: Now, therefore, be it

"*Resolved, by the 38th session of the Legislature of the State of Idaho, now in session (the Senate and House of Representatives concurring)*, That we most respectfully urge the Congress of the United States of America, to proceed at the earliest possible date to enact legislation requiring all Government agencies involved to make sufficient funds available to expedite completion of an adequate transportation system on the main roads of national forests and public domain; be it further

"*Resolved*, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

"PETE T. CENARRUSA,
"*Speaker of the House of Representatives.*
"JACK M. MURPHY,
"*President of the Senate.*"

To the Committee on Interior and Insular Affairs:

"SENATE JOINT MEMORIAL 5

"We, your memorialists, the members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the 38th Session thereof, do respectfully represent that:

"Whereas the 88th Congress of the United States of America, by an act, approved September 7, 1964, entitled 'Teton Basin Reclamation Project, Idaho,' and known as Public Law 88–583; 78 Stat. 925, authorized to be appropriated for the construction of the Fremont Dam and other facilities of the lower division of the Teton Basin Federal reclamation project, the sum of $52,000,000 plus or minus justifiable amounts for ordinary fluctuations in construction costs and for operation and maintenance costs; and

"Whereas said project received the overwhelming support of Congress and all persons in the affected areas, of both political faiths, as being necessary and within the public interest to arrest the flooding waters of the Teton River and its tributaries by the construction of a dam and reservoir to use the impounded water, most of which in high run-off periods in the past has gone rushing down through the lower valleys eroding valuable farmlands and damaging and destroying homes and other properties; for the irrigation of arid and semiarid lands, the development of river power opportunities, the providing for recreation facilities and the conservation of fish and wildlife: Now, therefore, be it

"*Resolved by the 38th session of the Legislature of the State of Idaho, now in session (the senate and house of representatives concurring)*, That the Congress and its respective committees and subcommittees and the President of the United States in this session of Congress be respectfully petitioned to give the very earliest consideration, approval and authorization to the making of the appropriation of the funds necessary to commence construction of the Fremont Dam, reservoir and other facilities of the Teton Basin reclamation project, Idaho; be it further

"*Resolved*, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to immediately forward certified copies of this memorial to the Senate and House of Representatives and the President of the United States of America, and to the Senators and Representatives in Congress from this State.

"W. E. DREVLOW,
"*President of the Senate.*
"PETE T. CENARRUSA,
"*Speaker of the House of Representatives.*"

The ACTING PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Idaho, identical with the foregoing, which was referred to the Committee on Interior and Insular Affairs.

CONDEMNATION OF SOVIET ANTI-SEMITISM

Mr. SCOTT. Mr. President, I have been presented with a resolution adopted by the House of Representatives of Pennsylvania condemning Soviet anti-Semitism. This comes at a time when there is increasing awareness throughout the free world of the plight of persons of the Jewish faith who reside in the Soviet Union.

As Elehie Skoczylas wrote recently in a paper, "The Realities of Soviet Anti-Semitism" for the Foreign Policy Research Institute of the University of Pennsylvania:

> Today more sophisticated forms of coercion have replaced the terror of the Stalin era, which threatened the physical existence of the individual. The reply of Tass to the American Senators' charges of anti-Semitism in the U.S.S.R. attempts to cloud the issue but only accentuates the new subtlety of discrimination. Of the Soviet Jews Tass says: "Are they attacked by police dogs?" "Are they being lynched?" Repressive measures of course are not that obvious; they are adopted after an extensive press campaign in which the population "demands" that the Government take steps to eliminate undesirable elements in Soviet society. These demands are written and presented by government officials but the signatures are those of the man-in-the-street. The Soviet Government, although seemingly absolute and unchallenged in its domestic powers, prefers to present itself as the champion of the will of the people rather than as the oppressor of the Soviet citizen.
>
> Its great capacity for subterfuge, however, makes it more difficult in modern times—unlike the period of tzars when the police openly connived in pogroms—to assess direct governmental involvement in anti-Semitism. The crucial matter to determine is whether the Soviet Government merely acquiesces in the numerous manifestations of personal anti-Semitism in the Soviet Union, or actually encourages them. Does the Soviet Government merely tolerate anti-Semitism as a vestige of the past, or does it engender it for its own purposes?
>
> It is the conclusion of this study that the Soviet Government supports anti-Semitism in the Soviet Union.

It seems clear that anti-Semitism is a policy of the Soviet Union and it is incumbent upon people everywhere to condemn it and put whatever pressure is possible on the Soviet Union to change its policies.

I ask unanimous consent to insert into the RECORD and have appropriately referred, the resolution from the Pennsylvania House of Representatives.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

A resolution of considerations of humanity and justice compel the General Assembly of the Commonwealth of Pennsylvania to register this protest against the wrongs and sufferings of Soviet Jewry

We call upon the Soviet Union—

To declare its policy of eradicating anti-Semitism through government and party; to eliminate discrimination against Jews in all areas of Soviet public life; to end all propaganda campaigns which use anti-Semitic stereotypes, implied or overt; and to halt the discriminatory application of maximum penalties, including the death sentence, against Jews for alleged economic crimes.

To permit the practice of Judaism, synagogue worship, the training of rabbinical students in religious seminaries, the publication and distribution of prayer books, and the production and distribution of religious articles, kosher foods, and matzohs.

To permit the organization of a nationwide federation of synagogues and to sanction the association of such a federation with organizations of coreligionists abroad.

To permit Jews to make religious pilgrimages to the Holy places in Israel, and permit free emigration for those who wish to leave the U.S.S.R.

To end the suppression of Jewish culture in the Soviet Union by permitting writers and other Jewish intellectuals to express themselves in the Yiddish language through books, periodicals, newspapers, and the theater.

We also call upon the United States and the United Nations to exert every influence with the Soviet Union to bring about full equality and security for Soviet Jewry: Therefore be it

Resolved, That a copy of this resolution be forwarded to the U.S. Senators from Pennsylvania, the Honorable Adlai E. Stevenson, the U.S. Ambassador to the United Nations, the Honorable Dean Rusk, Secretary of State, and the Soviet Ambassador to the United States.

ROBERT K. HAMILTON,
Speaker.
ANTHONY J. PETROSKY,
Chief Clerk.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. CARLSON (for Mr. JOHNSTON), from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated January 26, 1965, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

John A. Gronouski, of Wisconsin, to be Postmaster General.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROUTY (for himself and Mr. JORDAN of Idaho):

S. 1130. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Finance.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 1131. A bill to authorize the Secretary of the Treasury to allow late claims for payments for gasoline used on farms where there is good cause for failure to file timely claims; to the Committee on Finance.

By Mr. BOGGS:

S. 1132. A bill to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; and

S. 1133. A bill to amend title II of the Social Security Act so as to permit child's insurance benefits to continue after age 18 in the case of certain children who are full-time students after attaining such age; to the Committee on Finance.

By Mr. RIBICOFF:

S. 1134. A bill to further amend section 5 of the Reorganization Act of 1949, as amended; to the Committee on Government Operations.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN:

S. 1135. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1967; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. MUNDT, Mr. RIBICOFF, Mr. GRUENING, and Mr. YARBOROUGH):

S. 1136. A bill for the establishment of a Commission on Science and Technology; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 1137. A bill for the relief of Dr. Rafael P. Martinez; to the Committee on the Judiciary.

By Mr. MONRONEY:

S. 1138. A bill for the relief of Lt. Robert C. Gibson; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 1139. A bill to provide for the free entry of one multigap magnetic spectrograph for the use of Yale University; to the Committee on Finance.

By Mr. JAVITS (for himself, Mr. KENNEDY of New York, Mr. CLARK, Mr. HART, Mr. KENNEDY of Massachusetts, Mr. MUSKIE, Mr. McINTYRE, and Mr. TOWER):

S. 1140. A bill to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. COTTON) (by request):

S. 1141. A bill to conform the penalties of the Intercoastal Shipping Act, 1933, with the Shipping Act, 1916; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1142. A bill to amend sections 20a and 214 of the Interstate Commerce Act;

S. 1143. A bill to amend part III of the Interstate Commerce Act to authorize the Interstate Commerce Commission to revoke, amend, or suspend water carrier certificates or permits under certain conditions;

S. 1144. A bill to repeal the Medals of Honor Act applicable to outstanding acts of heroism involving railroads and motor carriers;

S. 1145. A bill to amend section 1(22) of the Interstate Commerce Act so as expressly to include within the exemption provided therein, the construction, acquisition, operation, abandonment, and joint ownership or joint use of spur, industrial, team, switching or side tracks, and terminals incidental thereto, and for other purposes;

S. 1146. A bill to amend section 5(1) of the Interstate Commerce Act to eliminate the requirement for approval of pooling arrangements between motor common carriers of household goods, and for other purposes;

S. 1147. A bill to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph;

S. 1148. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency;

S. 1149. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes;

S. 1150. A bill to amend section 20a(12) of the Interstate Commerce Act to eliminate the necessity for prior approval of the Commission for a person to hold the position of officer or director of more than one carrier when such carriers are in a single integrated system of carriers lawfully operated under common control, and for other purposes;

S. 1151. A bill to amend part II of the Interstate Commerce Act, as amended, so as to authorize exemption from the provisions of such part, of services and transportation of such nature, character, or quantity as not substantially to affect or impair uniform motor carrier regulation;

S. 1152. A bill relating to the use of Interstate Commerce Commission records and testimony of Commission personnel in regard to accidents involving motor carriers and railroads; and

S. 1153. A bill to amend the Interstate Commerce Act and certain supplementary and related acts with respect to the requirement of an oath for certain reports, applications, and complaints filed with the Interstate Commerce Commission; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under a separate heading.)

By Mr. DODD (for himself, Mr. CURTIS, Mr. AIKEN, Mr. ALLOTT, Mr. BAYH, Mr. BYRD of Virginia, Mr. CARLSON, Mr. CASE, Mr. DIRKSEN, Mr. DOMINICK, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HRUSKA, Mr. JAVITS, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MILLER, Mr. MONRONEY, Mr. NELSON, Mr. PROUTY, Mr. PROXMIRE, Mr. RIBICOFF, Mrs. SMITH, Mr. SPARKMAN, Mr. THURMOND, and Mr. TOWER):

S. 1154. A bill to incorporate the American Academy of Actuaries; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 1155. A bill authorizing certain beach erosion control at Haleiwa Beach, Oahu, Hawaii; and

S. 1156. A bill authorizing certain beach erosion control at Waikiki Beach, Oahu, Hawaii; to the Committee on Public Works.

By Mr. CARLSON:

S. 1157. A bill to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MUNDT (for himself and Mr. YOUNG of North Dakota):

S. 1158. A bill to provide additional Federal financial participation in State public assistance programs approved under titles I, IV, X, XIV, and XVI of the Social Security Act with respect to expenditures under such programs which are attributable to providing benefits to Indians residing on reservations or on allotted or trust lands, and for other purposes; to the Committee on Finance.

By Mr. SMATHERS:

S. 1159. A bill to amend the Internal Revenue Code of 1954 with respect to the classification of cigars for purposes of determining the applicable tax; to the Committee on Finance.

By Mr. LONG of Missouri (for himself, Mr. Bartlett, Mr. Bayh, Mr. Boggs, Mr. Burdick, Mr. Case, Mr. Dirksen, Mr. Ervin, Mr. Fong, Mr. Hart, Mr. Metcalf, Mr. Morse, Mr. Moss, Mr. Nelson, Mrs. Neuberger, Mr. Proxmire, Mr. Ribicoff, Mr. Smathers, and Mr. Symington):

S. 1160. A bill to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Long of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA:

S. 1161. A bill providing for the reduction of the basis of representation of States denying or abridging the right of its citizens to vote, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1162. A bill for the relief of Mrs. Amor Llao McGuinness;

S. 1163. A bill for the relief of Matilda Berger; and

S. 1164. A bill for the relief of Cristina Franco; to the Committee on the Judiciary.

S. 1165. A bill to amend part II of the Interstate Commerce Act to require the installation of seat belts in motor vehicles used in the transportation of passengers by common carrier; to the Committee on Commerce.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1166. A bill to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits; to the Committee on Finance.

By Mr. HAYDEN:

S. 1167. A bill to authorize the construction, operation, and maintenance of the Buttes Dam and Reservoir, Middle Gila River project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FONG:

S. 1168. A bill for the relief of Timothy William O'Kane; and

S. 1169. A bill for the relief of Artemio D. Lacar; to the Committee on the Judiciary.

By Mr. HART:

S. 1170. A bill for the relief of Chung J. Clark and her daughter, Anna Maria Clark; to the Committee on the Judiciary.

By Mr. TOWER:

S. 1171. A bill to amend title 3 of the United States Code to provide for succession to the powers and duties of the office of President; to the Committee on Rules and Administration.

By Mr. NELSON (for himself and Mr. McGovern):

S. 1172. A bill to establish a National Teacher Corps; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S.J. Res. 50. Joint resolution to require reasonable standards of fire prevention and protection in the institutional care of public assistance recipients; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Young of Ohio when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

MAINTENANCE OF DIPLOMATIC RELATIONS WITH LATVIA, LITHUANIA, AND ESTONIA

Mr. WILLIAMS of New Jersey submitted a concurrent resolution (S. Con. Res. 20) relative to maintaining diplomatic relations with Latvia, Lithuania, and Estonia, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Williams of New Jersey, which appears under a separate heading.)

HUMAN INVESTMENT ACT OF 1965

Mr. PROUTY. Mr. President, on behalf of myself and the junior Senator from Idaho [Mr. Jordan], I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees. I ask unanimous consent that the bill remain at the desk for a period of 1 week in order that Senators who wish to do so may join as cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Vermont.

The bill (S. 1130) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees introduced by Mr. Prouty (for himself and Mr. Jordan of Idaho), was received, read twice by its title, and referred to the Committee on Finance.

Mr. PROUTY. Mr. President, 2½ years ago Congress passed the Revenue Act of 1962, a measure that I was happy to support.

In his testimony advocating the enactment of that measure, Secretary of the Treasury Douglas Dillon told the Senate Finance Committee:

> The central element in this bill is the tax credit for investment in depreciable machinery and equipment. This matter has top priority in the agenda for tax reform.

Mr. President, this bill is patterned after the central element of that Revenue Act of 1962, but with an important change of emphasis. Where the act of 1962 offered businesses a tax credit for their investment in machinery and equipment, this bill would offer them a tax credit for something even more important—their investment in human beings.

For some years now Congress has evidenced a genuine concern for the upgrading of the skills of America's labor force to meet the job demands of an increasingly technical, automated industrial economy. Results of that concern have been, most notably, the Vocational Education Act of 1963 and the Manpower Development and Training Act of 1962. These bills in particular were milestones in the history of congressional concern for education, and I am proud, as a member of the Senate Subcommittee on Education, to have had the opportunity to contribute to their drafting and to urge their adoption on the floor of the Senate.

But valuable as these programs are, they are not enough. The steady march of automation and advanced technology—made possible by the genius of the American system of free enterprise—is constantly lifting the levels of skills that the men and women in our labor force must acquire. Workers temporarily displaced by technological progress must learn new and urgently needed skills to continue their contributions to the progress of our Nation, and to provide themselves and their families with a decent and rising standard of living. Unskilled workers must become semiskilled; the semiskilled must become skilled. New entrants into the labor force—mainly youths in the process of learning productive skills—are increasing its size by about 1.2 million workers a year. By the end of this decade, when the full impact of the post-World War II baby boom is felt in the labor force, the net annual increase in new workers is expected to rise to over 1.4 million. Few national goals are more urgent than that of insuring that the skills of America's labor force rise to meet the challenge of our advancing technology.

To help us effectively meet the employment challenges of the sixties, I propose that, in addition to these programs we have already enacted, we enlist in the fight nothing less than the strength and vigor of America's free enterprise system itself.

My bill, entitled the Human Investment Act of 1965, would offer an incentive to American business and industry to invest in the improvement of our Nation's invaluable human resources. Basically, the Human Investment Act offers an employer a Federal tax credit of 7 percent of his expenditures for the training of his current or prospective employees. The act is in the form of an amendment to chapter 1 of the Internal Revenue Code.

The training expenses for which a tax credit would be granted include, but are not limited to, expenses for the purchase or lease of books, testing and training materials, and classroom equipment and related items, and expenses for instructors' fees and salaries. In addition, an employer could receive credit for a reasonable portion of the overhead expenses involved in training programs, determined by regulations prescribed by the Secretary of the Treasury.

Four other types of tax credits—those relating to foreign taxes paid, partially tax-exempt interest, retirement income, and investment in certain depreciable property—would continue unchanged as under existing law. Furthermore, amounts expended by an employer in these training programs would continue to be 100 percent deductible from his gross income.

The basic amount of the tax credit would be, as I have said, 7 percent of the total training expenses incurred. The maximum amount of the credit, however, would not exceed $25,000 plus 25 percent of the tax liability in excess of $25,000.

To qualify for the credit, the employer must, in the case of trainees not initially employed with the firm, hire the trainees upon completion of their training and keep them on the payroll for at least 12 months thereafter. If the trainee is employed with the firm when his training begins, he must remain with the firm at least 12 more months for the employer to claim the tax credit. In case the trainee becomes disabled or dies, of course, this requirement does not apply. Only expenses which are tax deductible as trade or business expenses may be included in computing the amount of the credit.

As in the existing personal property investment credit provisions, the Human Investment Act of 1965 contains a carryback and carryover feature. If the computed credit under the act for a given year exceeds the allowable amount for that year, the excess may be applied to the earliest of the 8 years beginning with the third previous year. That is, a 3-year carryback and a 5-year carryover are permitted. An unused credit carried back or ahead may not be applied in excess of the allowable maximum credit amount for the other year.

In cases where such unused credit may not be fully used in the year to which it has been carried, the excess remaining may be carried to successive specified years until it has been completely applied. Language is also included to provide that, where a net operating loss carryback is involved, credits carried back under this act shall not result in a tax amendment for any year more than 3 years in the past. In all these carryback and carryover provisions my bill is almost identical to the investment credit plan enacted into law by the Revenue Act of 1962.

Where the employer is not a corporation but a sole proprietorship, a partnership, or an affiliated group, my bill provides that such entity shall get no more than the credit allowed single business entities. A small business corporation may elect to apportion its training expenses pro rata among its shareholders for tax credit purposes. Similar provisions apply to estates and trusts.

The cost of this bill, in the form of reduced Federal revenues, is modest. Labor Secretary Wirtz has estimated that under the Manpower Development and Training Act it costs from $1,000 to $1,250 to train one trainee. Since on-the-job training is known to cost substantially less than the specialized programs under Manpower Development and Training Act, I have based my cost calculations on the lower figure in the range, $1,000 per trainee. Under my bill, the employer who provides the training would thus be allowed to claim a tax credit of about $70 per trainee. If 2 million workers were trained under the Human Investment Act provisions, the revenue loss would be in the neighborhood of $140 million—surely not an excessive amount in view of the substantial and widespread benefits to employers, employees, and the Nation as a whole.

The merits of this bill, it seems to me, are substantial and apparent.

It would help to upgrade the skills of America's labor force.

It would train workers for jobs that needed to be filled—and it would go far to guarantee their actual employment after training.

It would encourage training right on the job, supervised by the employer with a constant attention to his own specific needs.

It would insure that the new trainee would not have to move to accept a job after the training period—he would take a job in the same community with the same employer.

It would require no elaborate public training centers and no new Government office buildings.

It would cost practically nothing to administer; an employer's eligibility for credit would be determined as a part of the existing tax administration procedure.

It would minimize redtape, staffs, counsels, advisory committees, and all the other accessories of a burgeoning bureaucracy.

And rather than creating a new, publicly administered, specialized program, my bill would harness the might of American free enterprise to the service of American workers seeking a more productive and rewarding life for themselves and their families.

Mr. President, I earnestly hope that full hearings will be held on the Human Investment Act of 1965, and that before this session of Congress adjourns it will be voted into law.

TECHNICAL EXPLANATION

This measure is patterned after the investment credit provisions added to the tax law by the Revenue Act of 1962. It is analogous to that provision in almost every respect.

The Revenue Act of 1962 provided a credit against taxes for investment in certain depreciable property. The credit amounted to 7 percent of the qualified investment. There were, however, top limits of the credit measured by so much of the tax liability as does not exceed $25,000, plus 25 percent of the tax liability in excess of $25,000. Tax liability in this frame of reference meant the tax imposed without reference to personal holding company or accumulated earnings increments less credits against tax already provided for by law—foreign tax credit, dividend credit, tax exempt interest and retirement income credit.

In the case of a husband or wife filing a separate return the top limit is measured in terms of $12,500 of tax liability instead of $25,000 except where the spouse of the taxpayer has no qualified investment for or no unused carryback or carryover credit credits for such earlier investment to that tax year. The effect of this limitation is to put the same limit on sole proprietorships and partnerships as would be imposed on corporations.

Affiliated groups must reduce the top limit available to them individually by apportioning the top limit among the members of the group. Once again, this provision provides that related corporations or business groups shall get no more than the credit allowed single business entities.

A carryback and carryover are provided for any year in which the credit exceeds the limitations imposed. The excess is carried back to each of the 3 taxable years preceding the unused credit year and carried over to the 5 taxable years following the unused credit year. However, the top limit applies to the amounts allowable for credit for those carryback and carryover years. For example, if the tax credit for 1969 exceeded the limitation for 1969 by $10,000 then that $10,000 could be carried back to 1966. If, in 1966 the credit allowed amounted to $25,000 and the top limit for that year was $30,000 only $5,000 of the $10,000 carryback could be applied to the tax year 1966. The remaining $5,000 of unused credit could be applied to the 1967 tax year if there was any leverage between the credit for that year and the top limitation.

Where a net operating loss carryback causes an excess of credit over the top limitation the carryback provisions on the excess for that year are not available. In other words, where a net operating loss carryback to 1968 from 1965 wiped out or reduced taxable income for that year and a credit for investment in qualified property had been allowed for that year, 1965, the loss of the credit for that year because of its excess over the top limit—which was reduced by the application of the net operating loss carryback—cannot be recouped by a carryback to the 3 tax years preceding 1965, but can only be applied as a carryover to the succeeding 5 tax years. This restriction eliminates the possibility that tax returns would be subject to amendment for a full 6 prior years—3 carryback years for net operating loss plus 3 carryback years for unused investment credit.

To this point the Prouty plan and the investment credit plan of the Revenue Act of 1962 for investment in certain depreciable property are almost identical. Under the Prouty plan credit against taxes of 7 percent is allowed instead for investment in training programs for employees and prospective employees. Otherwise, the top limitation is computed in the same way. The same treatment is accorded married persons and affiliated groups. The same carryback and carryover provisions are made and the impact of net operating loss carrybacks which reduce or eliminate the credit allowable is the same. Unlike the provisions for phasing in the credit for investment in property over the first year of the plan, however, a full credit is allowed for training expenses incurred in 1965.

The sole difference of substance between the Prouty plan and the credit for investment in property is in the nature of the investment or expenditure for which the credit applies training expenses.

Under the Prouty plan training expenses on which the credit is based includes expenses incurred for training any unemployed individual for employment with the taxpayer in a job requiring skills which the individual does not possess and expenses incurred for retraining a person already employed so that he can upgrade his skills and maintain the level of competence necessary for his continued employment with the taxpayer. In other words, it includes sums spent for training an employee so that he will not be displaced by automation.

Also included within the expenditures on which the credit is computed is a reasonable allowance for expenses of overhead, incurred by the taxpayer, which can be attributed to training programs. Under rules prescribed by the Secretary of the Treasury a credit shall be allowed for expenses for the purchase or lease of books, testing and training materials, classroom equipment, instructor's fees, and salaries and related items.

A credit will not be allowed on expenses which do not qualify as ordinary and necessary business expenses; nor will it be available where the trainee fails to acquire employment status with the taxpayer for at least a 12-month period or, if already employed, leaves the taxpayer's employment within a 12-month period immediately following completion of his training, except, in each instance, where the failure to employ or the termination of employment results from the death or disability of the trainee involved.

Finally, similar in spirit to the amendment of the investment credit provisions which appeared in the Revenue Act of 1964 and which eliminated a section requiring a reduction in the value of the property, when computing depreciation to the extent of the credit taken, the Prouty plan in no way reduces or limits the deductibility of expenses of training incurred merely because a credit is also available based on those expenses. Such qualified expenses remain 100 percent deductible while at the same time a credit against tax in the amount of 7 percent of these expenses is fully allowed.

PROPOSED EXTENSION OF REORGANIZATION ACT OF 1949

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to further amend section 5 of the Reorganization Act of 1949, as amended.

President Johnson has clearly indicated his intention to reshape much of the organizational structure of the executive branch in order to more effectively carry out the programs and policies of his administration. To a large extent the goals of the Great Society are dependent on proper organization of the various Federal agencies responsible for translating the President's proposals into action. As the President pointed out in the state of the Union message:

> For Government to serve these goals it must be modern in structure, efficient in action, and ready for any emergency. I am currently reviewing the structure of the executive branch. I hope to reshape and reorganize it to meet more effectively the tasks of today.

On February 8 the President submitted to the Senate his first reorganization legislative request in which he seeks permanent authority to transmit reorganization plans to effect changes in the Government's structure. The bill I introduce today would provide the President with the permanent reorganization authority he seeks. Any reorganization plan submitted to Congress under this authority would become law if not disapproved within 60 days by either the House or Senate.

In the past, Congress has limited the President's authority to submit reorganization plans to specified periods. The President's current authority was renewed last year but expires this coming June 1. It is necessary, therefore, to expedite consideration of the administration's request. As chairman of the Subcommittee on Executive Reorganization, I will begin public hearings on the subject soon. I have consulted with the chairman of the Committee on Government Operations, the Senator from Arkansas [Mr. McClellan], who has given this question much thought and personal attention over the years. We are agreed that on so crucial a question, involving the basic relationships between the executive and legislative branches of our Government, serious consideration should be given not only the President's request, but also to the point of view of those who would limit this grant of authority to a specified period of time.

I ask unanimous consent to have printed at this point in the Record a copy of the President's letter transmitting his proposal.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 1134) to further amend section 5 of the Reorganization Act of 1949, as amended, introduced by Mr. Ribicoff, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. Ribicoff is, as follows:

Letter From President Johnson to Vice President Hubert Humphrey and Speaker McCormack

Dear Mr. President (Dear Mr. Speaker): In my recent budget message I stated that "I will ask that permanent reorganization authority be granted to the President to initiate improvements in Government organization, subject to the disapproval of the Congress."

Accordingly, there is forwarded herewith a draft of legislation "to further amend section 5 of the Reorganization Act of 1949." The bill would eliminate the expiration date for the authority to transmit reorganization plans to the Congress under the act.

Under section 2(a) of the Reorganization Act of 1949, the President has a duty to "examine and from time to time reexamine the organization of all agencies of the Government and * * * determine what changes therein are necessary. * * *" This responsibility under the statute is permanent. However, the authority to transmit reorganization plans to effect changes in the Government's structure has been limited to specified periods. The Congress has periodically extended that authority and last year renewed it until June 1, 1965.

With only a few lapses since 1932, authority generally similar to that conferred by the present Reorganization Act has been available to the Presidents then in office. The usefulness of the authority to transmit reorganization plans to the Congress and the continuing need for such authority to carry out fully the purposes of the Reorganization Act have been clearly demonstrated. The time has now come, therefore, to eliminate any expiration date with respect to that authority; the authority should be made commensurate with the responsibility of the President under the same statute.

From this authority will come benefits for the people whose government this is.

The people expect and deserve a government that is lean and fit, organized to take up new challenges and able to surmount them. Reorganization can mean a streamlined leadership, ready to do more in less time for the best interests of all the people.

Reorganization authority is not a whim or a fancy. It is the modern approach to the hard, sticky problems of the present and the future. Government has a responsibility to its citizens to administer their business with dispatch, enthusiasm, and effectiveness.

The Congress itself recognizes these ideals, and has many times approved the ideas and hopes of this request. It is in that spirit of the Congress I respectfully urge the Congress to an early and favorable consideration of the proposed legislation.

Sincerely,

Lyndon B. Johnson.

PROPOSED FURTHER AMENDMENT OF SECTION 5 OF THE REORGANIZATION ACT OF 1949

Mr. McCLELLAN. Mr. President, on February 8, 1965, the President of the United States submitted a communication to the U.S. Senate with which he enclosed a draft of proposed legislation to further amend section 5 of the Reorganization Act of 1949. This proposed legislation would grant authority to the President to submit reorganization plans to the Congress, which would become law, if not disapproved by a majority of the Members of either House of the Congress, within 60 days after submission thereof. Under existing law, the President's authority will expire on June 1, 1965. Senator Abraham A. Ribicoff, who has been designated as chairman of the Subcommittee on Executive Reorganization of the Committee on Government Operations, has introduced the bill in the Senate to accord with the President's recommendations.

I desire to call the attention of this body to the fact that, with the exception of the initial Reorganization Act of 1932, every subsequent act has granted reorganization authority to the President for a limited period of time, varying from 1 to 4 years. Although the 1932 act granted permanent authority, some 9 months later it was amended and superseded by the acts of March 3, 1933 and March 20, 1933, which limited the President's authority to a period of 2 years.

Except for the 83d Congress, I have served as chairman of both the Committee on Government Operations and its predecessor, the Committee on Expenditures in the Executive Departments, since 1949, when the present act was approved. I also served on both Commissions on the Reorganization of the Executive Branch of the Government known as the first and second Hoover Commissions.

In 1949, the then-President requested permanent authority and submitted a draft bill to that effect. Extensive hearings were held by the committee and, after careful consideration, recommended that temporary, rather than permanent, authority should be granted. This recommendation, which was approved by the Congress, was based upon two considerations: First, that the granting of permanent authority would amount to an abdication of the legislative authority and responsibility vested by the Constitution in the Congress, and second, that the Congress should retain some control which would permit periodic examinations of the authority. Approval of the latter restriction afforded the Congress an opportunity to examine effectiveness of the act through reports from the President relative to reorganizations effected thereunder and savings and efficiency attained through such reorganization. By limiting the extensions to 2 years, each succeeding Congress was afforded an opportunity to determine whether the basic authority should be further extended or restricted as required to meet the then-existing circumstances.

In the initial enactment, however, the committee recommended that the Congress grant the authority for a period of 4 years, rather than limiting its life to the 81st Congress, because the committee then took the view that the 2-year period would not afford sufficient time for the President to prepare reorganization plans for submission to the Congress to fully implement the recommendations of the first Hoover Commission.

In the first 5 years following the approval of the Reorganization Act of 1949, there was a total of 51 reorganization plans transmitted to the Congress under authority of the act, of which 40 were permitted to become law by the Congress, or were incorporated in other acts. In the past 10 years, although the act was extended three times for periods of 2 years each, and the last for 1 year, 17 plans were submitted, of which 7 were rejected. This reflects a total of 50 plans which have become law since the approval of the act of 1949. In some instances the plans were disapproved because the House of Representatives or the Senate held that they were not in accord with the basic purposes of the act, going beyond reorganizations into areas of policy, which was in conflict with the intent of the Congress in approving the act in 1949.

Since the 81st Congress, the Committee on Government Operations has taken the position that the Congress shall neither surrender nor abdicate its constitutional legislative authority over matters of such significance on a permanent basis. This decision was further emphasized by the committee in its report on the bill which extended the President's authority for 2 additional years in the 86th Congress, following President Eisenhower's request for permanent reorganization authority. After noting the committee's earlier position, that the Congress should not surrender its authority over such important matters on a permanent basis, the report stated:

> In reaffirming its position at the present time, it is the consensus of the committee that the present Congress should not commit succeeding Congresses to the provisions of the Reorganization Act, but that each Congress should have the right to extend this authority to the President or to withdraw it as the necessity dictates at the time.

Mr. President, nothing that has occurred since the committee first took this position has altered the situation in any manner, and I know of no compelling reason why this policy should be changed at this time. Accordingly, I introduce for appropriate reference a bill to extend the President's authority to submit reorganization proposals from its present expiration date, June 1, 1965, to June 1, 1967, for a period of 2 years.

Mr. President, in the committee's report on the last extension of the Reorganization Act approved in the 88th Congress—H.R. 3496—the report on the bill submitted to the Senate —Senate Report No. 1057, 88th Congress—contained, first, a comprehensive legislative history of reorganization acts approved from 1932 through 1963; second, the executive reorganizations attempted or accomplished under the authority of these statutes; third, reorganizations and reorganization proposals which occurred from the 80th through the 88th Congresses; fourth, action taken on reorganization plans under the authority of the Reorganization Act of 1949; and, fifth, such additional information relative to reorganizations, proposed or accomplished, from the 80th through the 88th Congresses.

Finally, in order to shed additional light on the constitutional validity of the procedures provided for in the Reorganization Act of 1949, as amended, I directed the staff of the Committee on Government Operations to prepare a comprehensive analysis dealing with constitutional and legal aspects of that statute and of the procedures provided therein, which was issued as staff memorandum No. 89-1-6, on February 9, 1965. Mr. President, I ask unanimous consent that this study, which I believe will prove of interest to all Members of Congress, be printed at this point in the body of the RECORD.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the material will be printed in the RECORD.

The bill (S. 1135) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1967, introduced by Mr. MCCLELLAN, was received, read twice by its title, and referred to the Committee on Government Operations.

The material presented by Mr. MCCLELLAN is as follows:

STAFF MEMORANDUM NO. 89-1-6, SENATE COMMITTEE ON GOVERNMENT OPERATIONS, FEBRUARY 9, 1965

Subject: Constitutional and legal aspects of Reorganization Act procedures, pursuant to the Reorganization Act of 1949, as amended

INTRODUCTION

The Reorganization Act of 1949, as amended, authorizes the President to submit reorganization plans to the Congress in order to accomplish certain stated purposes. Section 2 sets forth these purposes; section 3 lists the types of reorganizations which are authorized; section 4 specifies certain provisions which a reorganization plan may or must contain; section 5 contains limitations with respect to the reorganizations which may be accomplished; and section 6 provides that such plans shall become law unless they are disapproved by either House of the Congress by a majority of those present and voting, within 60 days of continuous session of the Congress, following the date of their submission.

From time to time, it has been contended that this act and some of its predecessor acts are unconstitutional because (1) the procedures provided therein constitute an unlawful delegation of its legislative powers by the Congress to the President; and (2) the Congress, in disapproving a reorganization plan, is exercising a legislative function in a manner not authorized by the Constitution. Although there have been no determinations by the courts of these questions, as they relate to the Reorganization Act of 1949, as amended, the underlying principle of unconstitutional delegations, as well as the so-called congressional veto, have been passed upon by the U.S. Supreme Court in a long line of cases, and the precise question, with respect to delegations, as it relates to earlier reorganization acts, has been dealt with in two lower court cases. It has also been discussed in a 1933 opinion of the Attorney General, and commented on in a 1949 memorandum prepared by the Department of Justice.

It is the purpose of this memorandum to examine briefly the cases referred to with a view to determining the constitutionality of the Reorganization Act of 1949, as amended.

BACKGROUND

The development of the doctrine of valid delegations of legislative authority

Article I, section 1 of the Constitution provides that "all legislative powers herein granted shall be vested in the Congress of the United States." Those who contend that the Reorganization Act procedures are unconstitutional argue that when the President submits plans which ultimately became law, unless disapproved in the manner required by the statute, he is legislating; therefore, the action of the Congress in authorizing such procedures contravenes article I, section 1 of the Constitution, and is an unconstitutional delegation of legislative powers.

An analysis of the applicable cases reveals that it has long been established that the Congress cannot delegate its legislative power to another branch of the Government, and this principle is embodied in the ancient maxim "delegata potestas non potest delegari" (a delegate cannot delegate or transfer his powers). However, the Supreme Court of the United States has, since the earliest times, distinguished between valid and invalid delegations, and has interpreted this maxim to mean only that if the Congress attempts to abdicate its legislative authority by transferring it to another branch, such a delegation would be held invalid.[1] On the other hand, where the Congress, having jurisdiction over the subject matter, has limited the delegation by a definite statement of congressional policy, defining the subject of the delegation and establishing definite standards and guides, leaving to other instrumentalities of the Government the exercise of judgment and discretion and, in the event of contingent legislation, the finding of the facts necessary to bring the stated congressional policy into operation, such action has uniformly been held to be valid.[2]

Thus, in a long line of cases, dating back to 1813, the Court has consistently upheld various broad delegations, authorizing the President or executive branch officers or agencies to promulgate regulations or to take whatever action they deem necessary, subject to specified limitations, to carry out the congressional policy established in the statute. In only three cases, during that entire period, has the Court declared invalid attempted delegations which, in its opinion, exceeded the bounds of proper delegation and constituted an abdication of its legislative authority.[3]

The development of this interpretation by the U.S. Supreme Court appears to be based upon a recognition of the ever-growing complexity of our National Government and the problems encountered by the Congress in attempting to cover, in detail, every possible situation and contingency which may occur. Thus, in *Panama Refining Co.* v. *Ryan*,[4] Mr. Chief Justice Hughes said:

"The Constitution provides that 'all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives'. * * * And the Congress is empowered 'To make all laws which shall be necessary and proper for carrying into execution' its general powers. * * * The Congress manifestly is not permitted to abdicate, or transfer to others, the essential legislative functions with which it is * * * vested. Undoubtedly legislation must often be adopted to complex conditions involving a host of details with which the National Legislature cannot deal directly. The Constitution has never been regarded as denying to the Congress the necessary resources of flexibility and practicality, which will enable it to perform its functions in laying down policies and establishing standards, while leaving to selected instrumentalities the making of subordinate rules within prescribed limits and the determination of facts to which the policy as declared by the Legislature is to apply. Without capacity to give authorization of this sort we should have the anomaly of a legislative power which in many circumstances calling for its exertion would be but a futility. * * *"[5]

In another leading case, *Yakus* v. *United States*,[6] Mr. Chief Justice Stone, in upholding the constitutionality of a statute which delegated to an executive agency certain regulatory authority, said:

"The Constitution as a continuously operative charter of government does not demand the impossible or the impracticable. It does not require that Congress find for itself every fact upon which it desires to base legislative action or that it make for itself detailed determinations which it has declared to be prerequisite to the application of the legislative policy to particular facts and circumstances impossible for Congress itself properly to investigate. The essentials of the legislative function are the determination of the legislative policy and its formulation and promulgation as a defined and binding rule of conduct * * *. These essentials are preserved when Congress has specified the basic conditions of fact upon whose existence or occurrence, ascertained from relevant data by a designated administrative agency, it directs that its statutory command shall be effective. It is no objection that the determination of facts and the inferences to be drawn from them in the light of the statutory standards and declaration of policy call for the exercise of judgment, and for the formulation of subsidiary administrative policy within the prescribed framework.[7]

"Nor does the doctrine of separation of powers deny to Congress the power to direct that an administrative officer properly designated for that purpose have ample latitude within which he is to ascertain the conditions which Congress has made prerequisite to the operation of its legislative command. * * *

"[T]he only concern of courts is to ascertain whether the will of Congress has been obeyed. This depends not upon the breadth of the definition of the facts or conditions which the administrative officer is to find but upon the determination whether the definition sufficiently marks the field within which the Administrator is to act so that it may be known whether he has kept within it in compliance with the legislative will. * * *[8]

"Congress is not confined to that method of executing its policy which involves the least possible delegation of discretion to administrative officers. * * * It is free to avoid the rigidity of such a system, which might well result in serious hardship, and to choose instead the flexibility attainable by the use of less restrictive standards. * * *

"Only if we could say that there is an absence of standards for the guidance of the Administrator's action, so that it would be impossible in a proper proceeding to determine whether the will of Congress has been obeyed, would we be justified in overriding its choice of means for effecting its declared purpose * * *."[9]

In *Hampton* v. *United States*,[10] the Supreme Court sustained as constitutional a statute which authorized the President to increase or decrease tariff rates, following certain findings of fact and in accordance with specific criteria, holding that legislative action laying down an intelligible principle to which a person or body is to conform does not constitute a forbidden delegation of legislative power.

Mr. Chief Justice Taft, addressing himself to the argument that the statute constituted an unconstitutional delegation of legislative powers, said:

"The field of Congress involves all and many varieties of legislative action, and Congress has found it frequently necessary to use officers of the executive branch, within defined limits, to secure the exact effect intended by its acts of legislation, by vesting discretion in such officers to make public regulations interpreting a statute and directing the details of its execution, even to the extent of providing for penalizing a breach of such regulations. * * *[11]

"Congress may feel itself unable conveniently to determine exactly when its exercise of the legislative power should become effective, because dependent upon future conditions, and it may leave the determination of such time to the decision of the executive * * *."[12]

The foregoing cases all dealt with the question of a proper as against an improper delegation, and involved the validity of statutes by which the Congress delegated certain authority to the executive branch. In none of them was the question of the so-called congressional veto involved. This question was dealt with in *Sibbach* v. *Wilson, Inc.*,[13] a leading case in which the validity of a congressional delegation to the judicial branch was questioned. In this case, a statute, which authorized the Supreme Court of the United States to prescribe rules for the district courts of the United States, was challenged as an unconstitutional delegation of legislative power. The statute set forth congressional policy and provided that the rules prescribed were not to become effective until they had been submitted to the Congress "at the beginning of a regular session and until after the close of such session." Two of the rules were challenged as unauthorized on the ground that they exceeded the authority granted to the Supreme Court by the statute and failed to conform to the policy laid down by the Congress in the statute.

In holding these rules to be a valid exercise by the Supreme Court of its authority, the Court said (Mr. Justice Roberts):

"The new policy envisaged in the enabling act of 1934 was that the whole field of court procedure be regulated in the interest of speedy, fair, and exact determination of the truth. The challenged rules comport with this policy. Moreover, in accordance with the act, the rules were submitted to the Congress so that that body might examine them and veto their going into effect if contrary to the policy of the legislature.

"The value of the reservation of the powers to examine proposed rules, laws, and regulations before they become effective is well understood by Congress. It is frequently, as here, employed to make sure that the action under the delegation squares with the congressional purpose. * * *[14]

The doctrine of valid delegations of legislative power is applied to Reorganization Act procedures

As previously stated, the precise question of the constitutionality of delegation procedures established by reorganization acts was before the courts in two cases, both of which involved an interpretation of the Executive Department Reorganization Act of 1932, as amended.[15] The original 1932 act was substantially identical with the 1949 act, as amended, in that it set forth congressional policy and provided for a Presidential finding of facts, following which the President was authorized to reorganize executive agencies by issuing an Executive order which would become law unless disapproved, within 60 days after submission, by a resolution approved by a simple majority of either House of the Congress. A 1933 amendment to this act removed the congressional control and provided that such plans would become law upon the expiration of the 60-day period, unless the Congress provided by law for an earlier effective date.

In the first case, *Isbrandtsen-Moller Co., Inc.* v. *United States*,[16] acting pursuant to the provisions of the act, the President issued an Executive order abolishing the U.S. Shipping Board and transferring its functions to the Department of Commerce. The order was transmitted to the Congress, as required by the act, and became law on April 10, 1933. In November 1935, the Secretary of Commerce issued an order directing the Isbrandtsen-Moller Co. to file with the appropriate bureau of the Department of Commerce, a list of the actual rates charged by it during a specified period. Under the Shipping Act of 1916, failure to comply was punishable for a fine of $100 per day for each day of noncompliance. The company thereupon brought an action for an injunction to prevent the Secretary of Commerce from enforcing the order, on several grounds, among them that the Congress could not constitutionally authorize the President to transfer to the Department of Commerce functions which had been conferred by statute on the Shipping Board, and that, therefore, the Executive Department Reorganization Act of 1932, as amended, under which the President acted, constituted an unconstitutional delegation to the President of legislative power. The Court found that the Reorganization Act was constitutional, denied the injunction and dismissed the case.

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[1] The leading cases are reviewed in *Panama Refining Co.* v. *Ryan*, 293 U.S. 388 (1935).

[2] *The Brig "Aurora,"* 7 Cranch 832 (1813); *Field* v. *Clark*, 143 U.S. 649 (1892); *Buttfield* v. *Stranahan*, 192 U.S. 470 (1904); *Hampton & Co.* v. *United States*, 276 U.S. 394 (1928); *A.L.A. Schechter Poultry Corp.* v. *United States*, 295 U.S. 495 (1935); *Currin* v. *Wallace*, 306 U.S. 1 (1939); *Yakus* v. *United States*, 321 U.S. 414 (1944).

[3] *Panama Refining Co.* v. *Ryan*, 293 U.S. 388 (1935); *A.L.A. Schechter Poultry Corp.* v. *United States*, 295 U.S. 495 (1935); *Carter* v. *Carter Coal Co.*, 298 U.S. 283 (1936).

[4] 293 U.S. 388 (1935).

[5] Id., at 421.

[6] 321 U.S. 414 (1944).

[7] Id., at 424–5.

[8] Id., at 425.

[9] Id., at 425–6.

[10] 276 U.S. 394 (1928).

[11] Id., at 406.

[12] Id., at 409.

[13] 312 U.S. 1 (1940).

[14] Id., at 14–15.

[15] *Isbrandtsen-Moller Co., Inc.* v. *United States*, 14 F. Supp. 407 (S.D.N.Y., 1936), affirmed on other grounds, 300 U.S. 139 (1937); *Swayne & Hoyt, Limited* v. *United States*, 18 F. Supp. 25 (D.C. 1936), affirmed on other grounds, 300 U.S. 297 (1937).

[16] 14 F. Supp. 407 (S.D.N.Y., 1936).

In discussing the question of whether the Congress had authority to delegate reorganization authority to the President, the Court said:

"There remains only the question of the power of Congress to do that. On this point we are concerned with power regardless of the wisdom or effect of its exercise as a matter of good public policy. Much of the complainant's argument has been directed to the public benefit which would flow from keeping the functions formerly of the Shipping Board independent and free from the direct control an Executive can exert over the Department of Commerce. Perhaps that is so, but that is for Congress to decide in the performance of its duty to legislate in the public interest, and so long as it acts within the scope of its power as the National Legislature its choice of means and methods is to be given effect.

"It is not, nor could it successfully be disputed that Congress had the power to delegate to the Shipping Board in the manner it did so, the powers and duties that Board possessed before Executive Order No. 6166 was promulgated. The change which has been made clothes an executive department with the same powers and duties to be exercised in the same way as before. We think that the same powers and duties which were properly delegated to the Shipping Board could be so delegated to any other person or body to which Congress should see fit to cause them to be transferred. It elected to have the President investigate and see what should be done in this regard in the furtherance of efficiency and economy and then adopted his decision. The result was to abolish the Board whose existence was dependent upon the will of Congress and to delegate to the Department of Commerce the same powers and duties the Board had possessed. This seems in accord with correct standards as to delegation of authority to act within proper limits prescribed by Congress. * * * Whether the delegation, assuredly proper in subject-matter and lawfully defined in scope, purpose, and manner of exercise, should have been to an executive department, was within the sound discretion of Congress. As it did not confer upon anyone functions it was bound to keep and exercise for itself, there was no failure to preserve the required separation of governmental powers. * * *"[17]

In the second case, Swayne & Hoyt, Limited,[18] the authority of the Secretary of Commerce to regulate shipping under the Shipping Act of 1916 was again challenged on the ground, among others, that the transfer of these functions from the Shipping Board to the Secretary of Commerce by Executive Order was unlawful. In sustaining the validity of the 1932 Reorganization Act, as amended, the Court said:

"The transfer of the former functions of the U.S. Shipping Board by Executive order to the Department of Commerce was, in our opinion, in all respects legal and effective to confer on the Secretary all the regulatory powers of the statute. The question is not new. Precisely the same point was urged in *Isbrandtsen-Moller Company, Inc.* v. *United States et al.* (D.C.) 14 F. Supp. 407; and the opinion of Judge Chase so fully and, as we think, satisfactorily answers it that nothing more need be said, except to refer to that case and adopt its reasoning which we do."[19]

Reference was made earlier to a discussion of the constitutionality of Reorganization Act procedures in a 1933 opinion of the Attorney General. In January 1933, Attorney General Mitchell, responding to a request from President Hoover for an opinion, held that a proviso in an appropriation act, awaiting the President's signature, was unconstitutional. The act provided, among other things, for the appropriation of funds to refund taxes illegally or erroneously collected. The proviso provided that no tax refunds in excess of $20,000 could be made until the Joint Committee on Internal Revenue Taxation had examined, approved, and fixed the amount of the proposed refund and so notified the Commissioner of Internal Revenue. The Attorney General held that a proviso authorizing a joint committee of the Congress to make the final decision as to whether such refunds of taxes shall be made and to fix the amount thereof, was obnoxious to the Constitution because it attempted to entrust to members of the legislative branch executive functions in the execution of the law, and it further attempted to give a committee of the legislative branch power to approve or disapprove Executive acts.[20]

In the course of his discussion and analysis, and by way of example of alleged congressional encroachment upon executive functions, the Attorney General discussed the provisions of the Executive Reorganization Act of 1932, enacted as title IV of the Legislative Appropriation Act for fiscal year 1933, and concluded that there was grave doubt as to its constitutionality.[21] As noted earlier, that act authorized the President, by Executive order, to consolidate, redistribute, and transfer various Government agencies and functions. It provided further for the transmittal of the President's reorganization orders to the Congress to become effective after 60 days, unless either branch of Congress, "within such 60 calendar days shall pass a resolution disapproving of such Executive order or any part thereof," in which event it "shall become null and void to the extent of such disapproval." Mr. Mitchell appeared to be particularly concerned over that portion of the act which authorized nullification of the order by resolution of either House of Congress.

In arriving at his conclusion, Attorney General Mitchell stated:

"It must be assumed that the functions of the President under this act were executive in their nature or they could not have been constitutionally conferred upon him, and so there was set up a method by which one House of Congress might disapprove Executive action. No one would question the power of Congress to provide for delay in the execution of such an administrative order, or its power to withdraw the authority to make the order, provided the withdrawal takes the form of legislation. The attempt to give to either House of Congress, by action which is not legislation, power to disapprove administrative acts, raises a grave question as to the validity of the entire provision in the act of June 30, 1932, for Executive reorganization of governmental functions."[22]

It is apparent that Attorney General Mitchell's observations concerning the validity of the Executive Reorganization Act of 1932 (title IV of the act of June 30, 1932) were nothing more than obiter dictum, since they were entirely collateral or incidental to the issue before him. His official opinion was concerned only with the constitutionality of proposed legislation dealing with tax refunds, and his objection to the reorganization provisions of the act of June 30, 1932, were stated by him merely as an example, that act having become law some 6 months prior to the issuance of his opinion. Accordingly, those remarks are in no way controlling and did not constitute either an official opinion, a precedent, or even a guide. This is further borne out by the fact that this opinion was neither cited nor referred to in the two cases referred to above, which dealt specifically with the validity of the Executive Reorganization Act of 1932, as amended by the act of March 3, 1933.

Attorney General Mitchell's remarks concerning the validity of the reorganization procedures prescribed in the 1932 act have been referred to and discussed in this memorandum, not because they are considered authoritative, but because they have been relied upon, from time to time, to support the position of those who contend that these and similar procedures provided for in subsequent reorganization acts are either unconstitutional or of doubtful validity.[23] Furthermore, during hearings by this committee on S. 526, a companion bill to H.R. 2361, ultimately enacted as the Reorganization Act of 1949,[24] the Mitchell opinion was referred to on several occasions. In addition, the question of the constitutionality of a procedure by which the Congress would be authorized to disapprove a reorganization plan by either a simple resolution of one House of Congress or a concurrent resolution of both Houses was raised and discussed.[25]

Following the close of the hearings, in an effort to clarify this issue, the chairman of the committee addressed a letter to Attorney General Tom C. Clark, calling his attention to the Mitchell opinion, and requesting Mr. Clark's opinion as to the constitutionality of such procedures, in view of the language contained in the Mitchell opinion casting doubt on the validity of that portion of the 1932 act which provided for disapproval of reorganization orders by simple resolution of either House. More specifically, Attorney General Clark was requested to submit his opinion on two questions: (1) Can congressional disapproval be effected constitutionally by a simple resolution of either House of the Congress? (2) Can such disapproval be effected constitutionally by a concurrent resolution of both Houses of the Congress?

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[17] Id., at 412–13.

[18] 18 F. Supp. 25 (D.C. 1936).

[19] Id., at 28.

[20] 37 Ops. Atty. Gen. 56 (Jan. 24, 1933).

[21] Id., at 63–4.

[22] Ibid.

[23] H. Rept. No. 187, 82d Cong., pp. 12–17; H. Rept. No. 6, 83d Cong., pp. 13–23; H. Rept. No. 657, 85th Cong., pp. 12–13; H. Rept. No. 195, 87th Cong., pp. 13–14.

[24] Public Law 109, 81st Cong.

[25] Hearings before the Committee on Expenditures in the Executive Departments, 81st Cong., 1st sess., on S. 526, pp. 15, 26–27, and 37.

In its report on S. 1120, 79th Cong., later enacted, with amendments, as the Reorganization Act of 1945, the Senate Committee on the Judiciary, referring to the provision for disapproval by either House, stated that "Such a delegation of legislative power does not operate to deprive either House of the Congress of its constitutional right to have no change made in the law relating to the organization of the Government without the assent of at least a majority of its numbers present and voting." S. Rept. 638, 79th Cong., p. 3.

See also, Ginnane, Robert W., "The Control of Federal Administration by Congressional Resolutions and Committees," 66 Harv. L. Rev. 569, 576–82 (1953).

The Department of Justice, after noting that the Attorney General was not authorized to furnish opinions to Members of Congress or committees thereof, submitted a memorandum, in lieu of testimony before the committee, which was incorporated in the committee's report on S. 526.[36] Following a review of the Mitchell opinion and a statement to the effect that his remarks concerning reorganization procedures were obiter dictum, the memorandum stated:

"Attorney General Mitchell's opinion, insofar as it intimated the unconstitutionality of the reorganization provisions of the act of June 30, 1932, was based upon an unsound premise; namely, that the Congress in disapproving a reorganization plan is exercising a legislative function in a nonlegislative manner. But the Congress exercises its full legislative power when it passes a statute authorizing the President to reorganize the executive branch of the Government by means of reorganization plans. At that point the Congress decides what the policy shall be and lays down the statutory standards and limitations which shall be the framework of Executive action under the Reorganization Act. If the legislation stops there, with no provision for future reference to the Congress, the President's authority to reorganize the Government is complete. Indeed, such authority was given in full to President Roosevelt in the Reorganization Act of 1933 (47 Stat. 1517).

"The question of the legality of the delegation by the Congress of the power to the President to reorganize the executive branch of the Government has been resolved not only by previous Congresses but also by the courts. Witness the Reorganization Acts of 1933, 1938, and 1945. (See also *Isbrandtsen-Moller Co.* v. *United States,* 14 F. Supp. 407 (3–Judge Dist. Ct., S.D. N.Y.), affirmed on other grounds, 300 U.S. 139; *Sayne & Hoyt* v. *United States,* 18 F. Supp. 25 (3–Judge Dist. Ct., D.C.), affirmed on other grounds, 300 U.S. 297; *Sibbach* v. *Wilson & Co.,* 312 U.S. 1, 15.)

"The pattern of the 1939 and 1945 Reorganization Acts has been to give the reorganization authority to the President, and then provide machinery whereby the Congress may approve or disapprove the plans proposed by the President. Such approval or disapproval by the Congress or either House thereof is not a legislative act. Nor is it, in the circumstances, an improper legislative encroachment upon the Executive in the performance of functions delegated to him by the Congress. As indicated above, the authority given to the President to reorganize the Government is legally and adequately vested in the President when the Congress takes the initial step of passing a reorganization act.

"The question here raised relates to the reservation by the Congress of the right to disapprove action taken by the President under the statutory grant of authority. Such reservations are not unprecedented. There have been a number of occasions on which the Congress has participated in similar fashion in the administration of the laws. An example is to be found in section 19 of the Immigration Act of 1917, as amended (8 U.S.C. 155(c); Public Law 863, 80th Cong.), which requires the Attorney General to report to the Congress cases of suspension of deportation of aliens and which provides further that 'if during the session of the Congress at which a case is reported * * * the Congress passes a concurrent resolution stating in substance that it favors the suspension of such deportation, the Attorney General shall cancel the deportation proceedings. * * * If prior to the close of the session of the Congress next following the session at which a case is reported, the Congress does not pass such a concurrent resolution, the Attorney General shall thereupon deport such alien * * *.' The Congress has thus reserved the opportunity to express approval or disapproval of executive actions in a described field.

"Still other examples may be found in the laws relating to the administration by the Secretary of the Navy of the naval petroleum reserves, which require consultation by him with the Armed Services Committees of the Congress before he takes certain types of action, such as entering into certain contracts relating to those reserves, starting condemnation proceedings, etc. (34 U.S.C. 524); and in the statute which requires the Joint Committee on Printing to give its approval before an executive agency may have certain types of printing work done outside of the Government Printing Office (44 U.S.C. 111).

"It cannot be questioned that the President in carrying out his executive functions may consult with whom he pleases. The President frequently consults with congressional leaders, for example, on matters of legislative interest—even on matters which may be considered to be strictly within the purview of the Executive, such as those relating to foreign policy. There would appear to be no reason why the Executive may not be given express statutory authority to communicate to the Congress his intention to perform a given executive function unless the Congress by some stated means indicates its disapproval. The Reorganization Acts of 1939 and 1945 gave recognition to this principle. The President, in asking the Congress to pass the instant reorganization bill, is following the pattern established by those acts, namely by taking the position that if the Congress will delegate to him authority to reorganize the Government, he will undertake to submit all reorganization plans to the Congress and to put no such plan into effect if the Congress indicates its disapproval thereof. In this procedure there is no question involved of the Congress taking legislative action beyond its initial passage of the Reorganization Act. Nor is there any question involved of abdication by the Executive of his Executive functions to the Congress. It is merely a case where the Executive and the Congress act in cooperation for the benefit of the entire Government and the Nation.

"For the foregoing reasons, it is not believed that there is constitutional objection to the provision in section 6 of the reorganization bills which permits the Congress by concurrent resolution to express its disapproval of reorganization plans."

Summary and conclusion

Summarizing the holdings of the leading cases discussed herein, it appears that a statute which delegates authority to the President or to an executive or judicial agency will be held to be constitutional if the following requirements are met: (1) Congress must itself have jurisdiction over the subject matter; (2) the delegation must be made to a public official or agency; (3) the statute must contain a definite statement of congressional policy, clearly defining the subject and extent of the delegation; and (4) if the legislation is to take effect in the future, there must be a statement of the facts which must be found to exist before the delegation can become operative. If these requirements are met, the delegation is valid, even though the statute gives the official or agency to whom authority is delegated considerable latitude in the exercise of judgment or discretion within which to ascertain the conditions which the Congress has made prerequisite to the delegation. However, such official or instrumentality must remain within the prescribed framework, and a reservation by the Congress, to review the action taken to determine if it is within the prescribed framework and policy of the delegation, is a further safeguard to insure compliance with the congressional mandate.

An analysis of the provisions of the Reorganization Act of 1949, as amended, reveals that it appears to meet all of the requirements for valid delegations developed by the courts during the past 150 years. Applying these tests to specific provisions of the act, it will be seen that (1) Congress has authority to prescribe the organization and structure of the executive branch departments and agencies and thus has jurisdiction over the subject matter; (2) the delegation made in the act is to the President and not to private individuals or groups; (3) specific congressional policy and the various objectives sought to be accomplished by the statute are clearly set forth in section 2, which, together with sections 3, 4, and 5, define the subject and extent of the delegation; and (4) section 3 requires the necessary findings of fact and certification thereof to the Congress, before the authority delegated to the President can become operative. Finally, section 5 limits the duration of the authority delegated, and, section 6 provides for a congressional review of the action contemplated by the President, prior to its becoming effective, and enables the Congress to make certain that the action contemplated is within the prescribed framework and policy of the delegation.

As indicated earlier, the contention that the Reorganization Act of 1949, as amended, and its predecessor acts, are of doubtful constitutional validity has been based upon the nature and extent of the congressional delegations, and the procedure by which the Congress may reject Presidential reorganization proposals. Concerning the nature and extent of delegations, it has been shown that the U.S. Supreme Court will sustain those which meet the requirements set forth above, provided they do not amount to an abdication of its powers by the Congress.[37] In this connection, it should be noted that most of the recent delegations sustained by the Court have involved either complex regulatory matters, or wartime or other emergency legislation, which could be handled effectively only by the President or other executive branch agencies, and in which, for these reasons, the Court showed a willingness to acquiesce.[38]

On the other hand, the delegations authorized by the reorganization acts are admittedly extremely broad in scope, delegating, as they do, to the President, a very substantial amount of authority which has been vested by the Constitution in the Congress, and which the Congress is quite capable of handling through normal legislative procedures. Furthermore, the elements of emergency and wartime requirements are absent, and delegations of great breadth and scope, which the Court was willing to sustain during periods of great national stress, as valid legislative delegations, might well be considered as legislative abdication when they involve the organization, structure, and functions of the executive branch of the Government, in the absence of a national emergency.

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[36] S. Rept. No. 232, 81st Cong., pp. 18–20. This memorandum replied only to the question of congressional disapproval by concurrent resolution and not to the inquiry concerning simple resolutions, probably due to the fact that both the Senate and House bills as introduced, provided for disapproval by concurrent resolution.

[37] "The Congress manifestly is not permitted to abdicate or transfer to others, the essential legislative functions with which it is * * * vested." Hughes, C. J., *Panama Refining Co.* v. *Ryan,* 293 U.S. 388, 421 (1935).

[38] "Undoubtedly legislation must often be adopted to complex conditions involving a host of details with which the national legislature cannot deal directly." Hughes, C. J., *Panama Refining Co.* v. *Ryan, op. cit, supra.* See also, *Hampton* v. *United States, supra; Currin* v. *Wallace, supra; Yakus* v. *United States, supra.*

In an effort to give the President adequate authority to accomplish the objectives of the legislation, without abdicating its legislative authority and responsibility, the Congress, in enacting the Reorganization Act of 1949, incorporated provisions which enabled it to exercise control over the delegated authority without the consent of the individual to whom it had been delegated. This was accomplished by providing first, that the authority delegated to the President was of limited duration and not permanent, and second, a procedure whereby the Congress could disapprove reorganization proposals submitted by the President.[29]

In connection with limiting the duration of the President's reorganization authority, the Senate Committee on Expenditures in the executive departments, predecessor of the Committee on Government Operations, at whose insistence this provision was added, explained its action in its report to the Senate, as follows:

"The House bill contained the administration's recommendation relative to eliminating time limitations included in previous acts; granting reorganization authority to the President on a permanent basis. The general consensus of witnesses appearing before this committee relative to this provision of the pending bills was that the 2-year limitation included in prior acts did not permit sufficient time for the President to prepare reorganization plans and submit them to Congress for action.

"This committee agreed with the latter point of view, but was of the opinion that Congress should retain some control which would permit periodical examinations of the authority, with a view to determining its effectiveness through reports from the President relative to reorganizations effected thereunder and savings and efficiency attained through such reorganizations, so that the basic authority might be either extended or restricted, as may be required to meet the then existing circumstances. To assure such review by Congress an amendment was adopted to provide for the expiration of the act as of April 1, 1953." [30]

It may be of interest to note, in connection with the above statement, that since the enactment of the Reorganization Act of 1949, the Committee on Government Operations, as well as its predecessor, the Committee on Expenditures in the Executive Departments, has taken the position that the Congress should neither surrender nor abdicate its legislative authority over matters of such significance, on a permanent basis.

In its report to the Senate in the 86th Congress the committee stated that it was "* * * the consensus of the committee that the present Congress should not commit succeeding Congresses to the provisions of the Reorganization Act, but that each Congress should have the right to extend this authority to the President or to withdraw it as the necessity dictates at the time." [31]

As a matter of further interest, it may be noted that the position of this committee, as adopted by the Congress, was completely in accord with prior congressional action and precedent, since, with the exception of the initial act, the act of June 30, 1932, every subsequent reorganization act has granted reorganization authority to the President for a limited period of time. Although the 1932 act granted permanent authority, it was amended and superseded by the acts of March 3, 1933, and March 20, 1933, which limited the President's authority under the act to a period of 2 years.

With respect to disapproval procedures provided for by the Reorganization Act, the contention that the procedure which authorizes disapproval of a reorganization plan by one House of the Congress is of doubtful constitutionality, because it authorizes the Congress to legislate in a maner not provided for in the Constitution, appears to be without merit. When the Congress enacts the statute which authorizes the President to reorganize the executive branch of the Government, it has exercised its full legislative powers and the legislative process is complete. The subsequent actions required by the statute, including Presidential findings of fact, certification and submission to the Congress, are simply part of a conditional delegation of authority, designed to enable the Congress to determine whether the President is exercising his delegated authority within the terms of the delegation and in conformity with the congressional purpose.[32]

In closing, it should be noted that the purpose of this memorandum was to determine the constitutionality of the Reorganization Act of 1949, as amended, in the light of existing cases. Since that act provides for a delegation of reorganization authority by the Congress to the President of limited duration and for a fixed term, the conclusions arrived at in the foregoing discussion are not necessarily determinative or applicable to legislation which would grant such authority on a permanent basis. Furthermore, in the only two Court decisions which dealt with the validity of delegations under a reorganization act and upheld such delegations, the authorizing legislation limited the President's authority to submit reorganization proposals to a period of 2 years.[33]

In view of the foregoing discussion, the delegation by the Congress to the President of the authority to reorganize departments and agencies of the Federal Government containing the safeguards now provided for in the Reorganization Act of 1949, as amended, is a valid delegation and does not violate the constitutional prohibitions against the delegation of legislative power.

ELI E. NOBLEMAN,
Professional Staff Member.

Approved:

WALTER L. REYNOLDS,
Chief Clerk and Staff Director.

PROPOSED COMMISSION ON SCIENCE AND TECHNOLOGY

Mr. McCLELLAN. Mr. President, on behalf of myself as chairman of the Committee on Government Operations and of Senators MUNDT, RIBICOFF, GRUENING, and YARBOROUGH, I introduce, for appropriate reference, a bill proposing the establishment of a Commission on Science and Technology.

This proposed legislation was perfected after 8 years of study by the committee and its subcommittees in an effort to strengthen Federal programs in the fields of science and technology, and to effect necessary Federal reorganizations to eliminate duplication and overlapping between Government departments and agencies engaged in scientific and technological research.

The bill is the result of three separate hearings before the committee, beginning in 1958. In 1959 a somewhat similar bill was reported to the Senate. Further hearings were held on a revised bill, S. 2771, in the 87th Congress, in May and July 1962. These hearings reflected that there has been a steady and relentless increase in the cost of research and development programs of the Federal departments and agencies, amounting to $10 billion in fiscal year 1962, exceeded $12 billion in fiscal year 1963, or more than the entire expenditures of the Federal Government prior to World War II, and in excess of $15 billion for fiscal year 1964.

Mr. President, this bill provides for the establishment of a Hoover-type commission composed of representatives from the legislative and executive branches of the Government and of persons from private life who are eminent in one or more fields of science or engineering, or who are qualified and experienced in policy determination and administration of industrial scientific research and technological activities.

The objectives of the proposed Commission, which are set forth in detail in the report filed in the 87th and 88th Congresses—Senate Reports Nos. 1828 and 16, respectively—provide for a study of all of the programs, methods, and procedures of the Federal departments and agencies which are operating, conducting, and financing scientific programs, with the objective of bringing about more economy and efficiency in the performance of these essential activities and functions. Deficiencies in some of these programs and the problems relating thereto have been outlined on numerous occasions before various committees of the Congress by informed authorities, who have stressed the urgent need for improvement in effecting necessary reorganizations and better coordination of existing programs. Emphasis has also been directed toward the need for developing a program for the elimination of duplication in science efforts, where one agency of Government works on programs which are underway in other agencies, or where research is being done on problems which have already been solved by other scientists. There is reason to believe that this occurs extensively, due primarily to serious deficiencies in the science information retrieval programs of the Federal Government.

The Commission, if established, would be specifically directed to study and recommend ways and means of meeting our scientific manpower needs, which President Kennedy described as one of the most critical problems facing our Nation. There are probably many other critical needs which need study and exploration, even beyond those included in the objectives of the proposed legislation.

In undertaking its studies the Commission would be vested with authority to set up a Science Advisory Panel of outstanding science, engineering, and technological authorities from all sections of the Nation to assist it in the performance of the functions outlined in the bill. The Commission would be further directed to conduct a study of Federal scientific and technical activities, such as the deficiencies in scientific engineering, and technical information programs, including acquisition, processing, documentation, storage, retrieval, and distribution of scientific information, the promotion of programs for the economic and efficient operation and utilization of automatic data processing equipment by Federal departments and agencies and by defense, research, and development contractors; the urgency for accelerating scientific, engineering, and technical progress in a number of Federal agencies which perform some functions in these areas; and to recommend necessary reorganizations of scientific and technological activities of the Federal Government to improve their operations and to better coordinate their activities.

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[29] Public Law 109, 81st Cong., secs. 5(b) and 6(a).

[30] S. Rept. No. 232, 81st Cong., p. 17.

[31] S. Rept. No. 239, 86th Cong., p. 2.

[32] See remarks of the Senate Committee on the Judiciary in S. Rept. No. 638, 79th Cong., quoted supra, note 25.

[33] See cases cited supra, note 15. See also act of June 30, 1932 (47 Stat. 413), as amended and superseded by the act of Mar. 3, 1933 (47 Stat. 1517), as amended by the act of Mar. 20, 1933 (48 Stat. 16).

Witnesses at the hearings held in previous Congresses suggested that a panel of experts in the fields of science and technology should be set up to serve the committees of Congress which deal with those problems. The enactment of the pending bill, and the establishment of the Science Advisory Panel provided for therein would enable the Congress to continue to call upon the experts named to such a panel after the proposed Commission has completed its work and submitted its report and recommendations.

One of the basic objectives of the bill is to provide a medium through which individual Members and committees of the Congress can obtain information which is not now available to enable them to take appropriate legislative action to establish definite Federal policies in the field of science and technology. The reports and recommendations of the Commission will also provide a basis for an evaluation of programs which are presently in operation as well as those which are being proposed.

Evidence was also submitted at the hearings on S. 2771 in the 87th Congress which indicated that the Bureau of the Budget has reported that a detailed evaluation of existing science and technological operations of the numerous agencies operating in these fields has been found to be too difficult. The result has been that the agencies interested in procuring appropriated funds are not required to submit an evaluation of achievement under existing programs, but merely attempt to justify further appropriations of funds. Under this procedure, it was pointed out that Congress is required to appropriate funds on faith alone, since the appropriate committees and individual Members of Congress have no information which would permit them to evaluate the programs or to take the necessary action to eliminate excessive duplication and waste.

Should the Congress enact the bill into law, it will be provided with a means of obtaining information upon which it can develop facts, thus enabling it to perform its normal constitutional functions. The Committee on Government Operations is firmly convinced that there is a real need for a bipartisan Commission to study all of the science and technological programs of the Federal Government as proposed by this bill. It is further convinced that its enactment will insure maximum utilization of the resources of private industry and nonprofit research organizations, including universities and other educational or technological institutions, in the formulation of a properly coordinated program with the maximum utilization of the resources of private industry, nonprofit, and other technological institutions at a reduced cost.

The committee in recommending this legislation in past Congresses considered it to be an essential first step in achieving these objectives so that the Congress and the President may have the benefit of the recommendation of qualified experts in the fields of science, engineering, and technology upon which appropriate legislative action may be taken to promote more efficiency in the operation of these programs and to effect economies that are essential in conserving Federal funds and technological manpower. Further, the bill specifically provides that the Commission shall make an assessment of how the executive and legislative branches can more effectively achieve common objectives in the legislative process.

Dr. Jerome B. Wiesner, Director, Office of Science and Technology, appeared before the Military Operations Subcommittee of the House Committee on Government Operations on July 31, 1962, approximately 7 weeks after reorganization plan No. 2 of 1962, creating that Office became effective, in connection with the subcommittee's inquiry into Government contracting for research and development. The following are extracts from Dr. Wiesner's testimony:

> There has been concern, first as to whether a Department of Science was needed to centralize science programs and operations that are now integrated in various departments and agencies, perhaps by combining National Science Foundation, Atomic Energy Commission, National Aeronautics and Space Administration, National Bureau of Standards, and so forth; and second, concern expressed in these studies as to whether staff resources in the Office of the President were adequate to meet his needs.
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> As I have said many people believe that the present system is inevitably evolving toward a Department of Science. However, I don't believe that a single Department of Science with the responsibility for all of the scientific activities of the Federal Government would be a workable arrangement because most of the scientific activities of the individual agencies are carried out in support of their specific missions. If, as has been proposed, a less comprehensive Department of Science were created—by consolidation of the Atomic Energy Commission, National Science Foundation, National Bureau of Standards, and other agencies I talked about earlier—their operations might be made more effective. There would still be need, however, to coordinate and integrate their activities with that of the mission-oriented agencies having related scientific and technical programs. In other words, the OST is neither a substitute for nor in competition with a Federal Department of Science.

This statement by Dr. Weisner is in accord with the views expressed repeatedly by this committee, and conforms to the objectives set forth in the bill I am introducing today. The committee has always taken the view that a comprehensive study must be made by a commission composed of qualified persons who are familiar with the problems relating to the operation and support of science and technological programs by the Federal Government. The committee has also repeatedly pointed out that such a study is vital in order to determine whether there is a need for a Department of Science and Technology. Also that, if such a department is necessary, to recommend what Federal activities should be incorporated therein, and a determination made as to those which would better perform their allocated tasks as independent agencies or as components identified as an important function related to the mission of existing departments. These are among the major objectives of the proposal which I am submitting to the Senate today.

The continued safety and growth of our Nation is the prime concern of the committee in reporting S. 2771 and its passage in the Senate in the 87th Congress, and S. 816 in the 88th Congress, and of the sponsors of the subject bill in the 89th Congress. This bill is being introduced with the sincere hope that it will be enacted into law in the present Congress so that improved programs in science and technology may be developed which will assist us, as a nation, to meet the challenge of world communism.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1136) for the establishment of a Commission on Science and Technology, introduced by Mr. McClellan (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

AID TO CERTAIN GOVERNMENT EMPLOYEES AFFECTED BY CLOSING OF FEDERAL INSTALLATIONS

Mr. JAVITS. Mr. President, on behalf of myself and my colleague from New York [Mr. Kennedy], and the Senator from Pennsylvania [Mr. Clark], the Senator from Michigan [Mr. Hart], the Senator from Massachusetts [Mr. Kennedy], the Senator from Maine [Mr. Muskie], the Senator from New Hampshire [Mr. McIntyre], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Texas [Mr. Tower], I send to the desk a bill, for appropriate reference, to aid Government employees who may lose their jobs because of the closing of Federal installations.

The bill would permit Government employees, who have been involuntarily separated from Federal Government service by reason of the abolition or relocation of their jobs, to obtain their full civil service retirement benefits after 20 years of service, without having to meet the existing 50-year age requirement.

The wave of closings which have occurred throughout the country, especially in defense installations, which have been hardest hit, involving the elimination of 149,000 job positions in the past 4 years, necessitates action of this character.

The legislation would ease the impact on thousand of Government employees affected by the administration's recent decisions to close Federal installations in many parts of the country. The need is urgent and deserves the highest priority attention of the Congress. Thousands of Federal employees who have given a substantial part of their lives to serving the people faithfully are now being compelled as a result of installations' closings, to move from their long-established homes in order to take other comparable Federal jobs, or to accept reductions in pay to fill other Federal jobs in order not to lose their service retirement benefits.

New York has been among those hit hard by these decisions. The closing of the New York Naval Shipyard in Brooklyn alone will have directly affected the jobs of 9,600 Federal employees. In addition, the closing or relocating of operations at the Brooklyn Army Terminal, DSA Medical Center in Brooklyn, 1st Army Headquarters at Governors Island, Navy Training Devices Center in Port Washington, the Rome Air Material Area in Rome, N.Y., the Schenectady Army Depot, and others, will have affected thousands of additional Federal workers.

Although some job opportunities have been offered by the Department of Defense, many of these opportunities will be outside the local community areas of the affected workers. The Civil Service Commission Regional Office in New York has advised that most likely only a small proportion of the employees at the Brooklyn Navy Yard will accept job offers outside of the local area. Many of those remaining will face separation through reductions in force.

The difficulty of effective placement at the Brooklyn Navy Yard, as in the case of many other similar installations, is that many of the employees have extremely specialized jobs in the construction trades for which there may be relatively little demand in the civil service and in the private sector. The average employee there has between 15 and 20 years of Federal service, is between 40 and 52 years of age and many have substantial leave accumulations. These workers should not be compelled to lose their jobs and part of their civil service retirement benefits, too.

I believe the Federal Government has a responsibility to assist workers affected by these closings, as well as those in other parts of the country, to insure that their lives are not irreparably disrupted and their opportunity for full retirement benefits impaired.

The present civil service retirement law provides an annuity payable upon an involuntary separation, if the employee has 25 years of service, regardles of age, or 20 years of service and has attained the age of 50. The annuity is reduced by one-half to 1 percent for each full month the age of the employee is less than 60, but not less than 55, plus one-sixth of 1 percent for each full month the age is less than 55. If neither of these conditions is met, the employee is entitled to a deferred annuity commencing at age 62, provided he does not elect a refund of his retirement deductions.

This bill, which would amend the Civil Service Retirement Act, would provide a full unreduced annuity to Federal employees who have been involuntarily separated from the civil service because of either the abolition or the relocation of their employment.

This bill has the support of the entire New York State congressional delegation. A parallel bill in the House of Representatives is sponsored by Congressman MULTER, of New York.

The least we can do with respect to these matters is to afford this elementary measure of justice to the workers concerned. I hope the Congress will give this legislation serious consideration.

Mr. President, I ask unanimous consent that this bill be held at the desk for additional cosponsors until February 19.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I also ask unanimous consent to have printed in the RECORD a Civil Service Commission memorandum which I requested, on cost to the Civil Service Retirement Fund which would be entailed under this bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The memorandum presented by Mr. JAVITS is as follows:

U.S. CIVIL SERVICE COMMISSION,
BUREAU OF RETIREMENT AND INSURANCE,
Washington, D.C., February 11, 1965.
Hon. JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: Present law provides an immediate annuity payable upon involuntary separation, not for misconduct or delinquency, if the employee has (a) 25 years of service, regardless of age; or (b) 20 years of service and has attained age 50. The annuity is reduced by one-twelfth of 1 percent for each full month the age of the employee is less than 60 but not less than 55, plus one-sixth of 1 percent for each full month the age is less than 55. If neither of these conditions is met, the employee is entitled to a deferred annuity commencing at age 62, provided he does not elect a refund of his retirement deductions.

We were asked to estimate the cost to the Government, in an individual case, if the age 50 requirement and the reduction for under age 60 were eliminated, with (a) retention of the 20-year service requirement; and (b) reduction of the service requirement to 15 years.

In the following examples, the annual rate of annuity is based on a high 5-year average salary of $6,500; it does not reflect the nominal reduction required to provide a survivor annuity, nor does it include the increases under present law if the annuity commences in 1965 (2 percent) or 1966 (1 percent). The present value is the sum needed at separation, which if invested at 3½ percent interest, would cover the cost of annuity payments for life. Mortality rates are based on recent Civil Service annuitant experience.

	Age when annuity commences	Annual rate of annuity	Present value (cost)
A. 20 YEARS OF SERVICE			
1. Age 50 at separation:			
Proposed	50	$2,352	$36,400
Present	50	2,004	31,000
Difference		348	5,400
2. Age 45 at separation:			
Proposed	45	2,352	40,100
Present	62	2,352	12,900
Difference		0	27,200
B. 15 YEARS OF SERVICE			
1. Age 60 at separation:			
Proposed	60	1,704	20,600
Present	62	1,704	17,600
Difference		0	3,000
2. Age 50 at separation:			
Proposed	50	1,704	26,400
Present	62	1,704	11,400
Difference		0	15,000
3. Age 40 at separation:			
Proposed	40	1,704	31,600
Present	62	1,704	7,800
Difference		0	23,800

In every case, the difference in the present value column represents the additional Government cost, per case, if the proposal were enacted. The contributions made by the employee would meet the same dollar portion of the total cost under both present law and the proposal, and hence do not affect the difference.

Sincerely yours,
MAURICE S. BROWN,
Chief Actuary.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1140) to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment; introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. KENNEDY of New York. Mr. President, I am happy to join Senator JAVITS in introducing this bill. The announced intention of the Defense Department to close some 95 defense installations around the country has put thousands of long-time Government employees in a position where they may have to leave Government service and accept less desirable employment. The Defense Department, in conjunction with the Civil Service Commission and other Federal agencies, is doing its utmost to find other Federal employment for workers at these installations, but many of the jobs offered will involve relocation to other communities and many of the workers displaced will be unwilling to move. As a result, these people will have to seek private employment.

Only those who are over 50 years old and have 20 years service in, or who have 25 years in, will receive immediate Federal retirement benefits to help take up the slack until another job is found or to compensate for decreased wages in a new job. The rest will have to wait until age 62 to receive their Federal retirement benefits.

The bill we introduced today and the parallel bill introduced by Congressman Multer in the House, H.R. 1099, would permit Government employees involuntarily separated by the abolition or relocation of their jobs to obtain immediate civil service retirement benefits after 20 years of service, regardless of their age. I have asked labor at the Brooklyn Navy Yard for their opinion about this bill, and have found that it will greatly ease the burden on those who will be hurt most seriously if the yard is closed.

Given the tremendous impact of the defense closings around the country, I think the least we in Congress can do is make sure that the disruption of the lives of longtime Government employees is as minimal as possible.

CONFORMATION OF 1933 INTERCOASTAL SHIPPING ACT WITH THE 1916 SHIPPING ACT, RELATING TO CERTAIN PENALTY PROVISIONS

Mr. MAGNUSON. Mr. President, on behalf of myself and the senior Senator from New Hampshire [Mr. Cotton], I introduce, by request, for appropriate reference, a bill which would conform the 1933 Intercoastal Shipping Act with the 1916 Shipping Act with respect to the penalty provisions that apply to violations of the tariff filing provisions of each act. Under the present law, a U.S. carrier in the domestic trade is subject to a penalty of not less than $1,000 a day for a violation of the tariff filing requirement of the 1933 act. On the other hand a carrier in the foreign trade is subject to the same type of tariff filing provisions with the maximum penalty of $1,000 a day for the same type offense.

The proposed legislation is identical to the bill that the senior Senator from New Hampshire and I introduced, by request, last session, S. 2896. I ask unanimous consent that the explanation of the bill provided by the Pacific American Steamship Association be included in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 1141) to conform the penalties of the Intercoastal Shipping Act, 1933, with the Shipping Act, 1916, introduced by Mr. Magnuson (for himself and Mr. Cotton), by request, was received, read twice by its title, and referred to the Committee on Commerce.

The explanation presented by Mr. Magnuson is as follows:

Pacific American Steamship Association

This bill would conform the 1933 Intercoast Shipping Act (the regulatory act for ocean carriers servicing the domestic commerce between the continental United States and the noncontiguous States and territories) with the 1916 Shipping Act (the regulatory act principally for ocean carriers engaged in foreign commerce), by equalizing the penalty provisions applicable to the tariff filing requirements of each.

Both acts are administered by the Federal Maritime Commission. At present, section 2 of the 1933 act (46 U.S.C. 844) provides for penalties of not less than $1,000 or more than $5,000 for each day of a violation of the tariff filing provisions, while section 18 of the 1916 act (46 U.S.C. 817(b)(6)) provides for penalties of not more than $1,000 for each day of violation. There is no legislative history in support of such a disparity and it is apparently a legislative oversight.

Congressional intent, in the matter of penalties, was most recently expressed in the 1961 amendments to the 1916 act (the dual rate bill—Public Law 87–346). In Public Law 87–346 penalty provisions twice received attention. The penalty for a violation of section 15 of the 1916 act (46 U.S.C. 814) requiring certain agreements of common carriers to be filed and approved by the Federal Maritime Commission was changed from "$1,000 for each day such violation continues" to "not more than $1,000 for each day such violation continues." And the penalty for a violation of the newly enacted tariff filing provisions of section 18 of the 1916 act (46 U.S.C. 18(b)) was also fixed at "not more than $1,000 for each day such violation continues."

Paradoxically, under present law, carriers serving the foreign trades have a ceiling of $1,000 per day while carriers operating in noncontiguous domestic ocean trades are saddled with "not less than" $1,000 per day. It was an oversight on the part of the affected carriers not to have sought an equalizing amendment in the 1933 act at the time the 1916 act was undergoing amendment in 1961. Therefore, carriers engaged in the trade to Hawaii, Alaska, Guam, and Puerto Rico are now seeking such an amendment so as to remove from law an inadvertent discrimination which presently exists.

AMENDMENTS TO THE INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, I introduce, by request, for appropriate referral, 12 bills containing amendments to the Interstate Commerce and related and supplementary acts. The Commission's statements of justification for these bills indicate that their primary purpose is to improve Federal regulation of domestic surface transportation by eliminating provisions of present law which are no longer necessary or appropriate to the proper performance of the Commission's regulatory functions. The Commission indicates that such streamlining of regulation will not only improve its overall administrative efficiency, but also save carriers considerable time and expense.

Four of these 12 bills are designed to eliminate the necessity of carriers filing for Commission approval in situations where the Commission has long approved such applications as a matter of course: First, financial transactions of State-owned carriers; second, officers seeking to hold positions with railroads which are part of a single integrated system; third, acquisition or operation of spur, industrial, team, switching, or side tracks; and fourth, pooling agreements among household goods carriers.

Three of these bills are designed to remove provisions of the Interstate Commerce Act that the Commission believes are no longer necessary: First, repeal of the Medals of Honor Act; second, elimination of certain mandatory valuation requirements; and third, removal of the requirement that carriers file annual reports under oath.

Two of these bills primarily pertain to Commission personnel: First, allow the Commission to delegate to Commission specialists the handling of routine and specialized matters; and second, protect Commission investigators and their reports from unnecessary involvement in private law suits.

Other proposals of the Commission would allow it to revoke unused water carrier certificates; to exempt from economic regulation the interstate hauling of such commodities as homing pigeons and trash; and, to use a simpler test to determine whether small motor carrier unifications are exempt from approval requirements.

Mr. President, I ask unanimous consent to insert in the Record a letter from the Chairman of the Interstate Commerce Commission and the Commission's justification statement for each of these bills.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the letter and accompanying recommendations will be printed in the Record.

The letter from the Chairman of the Interstate Commerce Commission, presented by Mr. Magnuson, is as follows:

Interstate Commerce Commission,
Washington, D.C., February 3, 1965.
Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

Dear Chairman Magnuson: I am submitting herewith for your consideration 40 copies each of draft bills (together with statements of justification therefor) which would give effect to legislative recommendations Nos. 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 17, and 18 in the Commission's 78th annual report.

We would very much appreciate your assistance in having these bills introduced and scheduling hearings thereon.

Sincerely yours,
Charles A. Webb,
Chairman.

The bills, introduced by Mr. Magnuson, by request, were received, read twice by their titles, and referred to the Committee on Commerce, as follows:

S. 1142. A bill to amend sections 20a and 214 of the Interstate Commerce Act.

The recommendation accompanying Senate bill 1142 is as follows:

Recommendation No. 1

This proposed bill would give effect to legislative recommendation No. 1 of the Interstate Commerce Commission as set forth on page 60 of its 78th annual report as follows: "We recommend that sections 20a and 214 be amended so as expressly to exempt from the Commission's jurisdiction thereunder, securities issued by States, municipalities, or other governmental bodies which are carriers as defined in part I or II of the act."

JUSTIFICATION

The purpose of the draft bill is to make certain that securities issued by the Federal Government, States, municipalities or other governmental bodies which acquire the status of common carriers are not subject to the requirements of sections 20a or 214 of the Interstate Commerce Act. Although these requirements do not apply to securities issued for nontransportation purposes such as highway, school, and housing bonds, it is doubtful whether securities issued to finance the construction, acquisition, and operation of interstate common carrier transportation facilities are likewise exempt.

Under sections 20a and 214 of the act carriers must obtain Commission approval and authorization for stock and security issues and for assumptions of obligations. Except for certain relatively minor transactions, neither section exempts or authorizes the Commission to exempt, any issues or assumptions.

When section 20a was enacted into law as a part of the Transportation Act of 1920, interstate rail transportation was almost exclusively performed by private individuals or corporations. In recent years, however, public ownership and operation of common carriers has become more common. A number of port authorities are now served by publicly owned and operated carriers such as the State-owned California Belt Railroad and by subsidiary corporations such as the Port Authority Trans-Hudson Corp., a wholly owned subsidiary of the Port of New York Authority. In addition, a number of cities own and operate rail lines. The city of Galveston, Tex., operates a line of railroad in interstate commerce known as the Galveston Wharves. The city of Cincinnati, Ohio, owns a railroad line and recently floated a sizable bond issue in connection therewith, without requesting or receiving authorization from the Commission. Moreover, in view of the recent passage of the Urban Mass Transportation Act of 1964 (Public Law No. 88–365) the number of such instances is almost certain to increase.

The Commission believes that its approval should not be required for the issuance of transportation securities and the assumption of obligations by political entities or their instrumentalities. Financial transactions of this nature are generally backed by the credit of a governmental body and are not as subject to manipulation as those of private corporations.

However, in the absence of an explicit statutory exemption, the legality of such transactions accomplished without Commission approval and authorization is susceptible to challenge in the courts. Enactment of the draft bill would eliminate this vulnerability by exempting these transactions from the requirements of sections 20a and 214 of the act.

S. 1143. A bill to amend part III of the Interstate Commerce Act to authorize the Interstate Commerce Commission to revoke, amend, or suspend water carrier certificates or permits under certain conditions.

The recommendation accompanying Senate bill 1143 is as follows:

RECOMMENDATION No. 4

This proposed bill would give effect to legislative recommendation No. 4 of the Interstate Commerce Commission as set forth on page 62 of its 78th annual report as follows: "We recommend that part III of the act be amended to provide for revocation of water carrier certificates or permits for nonuse."

JUSTIFICATION

The purpose of the attached draft bill is to grant the Interstate Commerce Commission specific authority to revoke water carrier certificates and permits for nonuse. It would also specifically authorize the Commission, in its discretion, to amend or revoke, in whole or in part, a certificate or permit upon the application of the holder thereof.

At present 268 water carrier certificates and permits issued by the Commission remain in effect. Of this number, 84 or 31.2 percent are not being used, 10 of which have been dormant since World War II. Although the Commission may, upon proper application, grant identical operating authority to other carriers, the mere existence of these dormant certificates and permits under which operations can be lawfully reactivated at any time acts as a deterrent to the institution of new operations by other carriers and in some instances is a threat to the economic wellbeing of the transportation industry. While water carriers should have reasonable protection against loss of their operating rights where abnormal or special conditions have hindered resumption or continuance of operations, it is not in the public interest that unused operating authorities be allowed to remain in effect indefinitely.

Part III of the Interstate Commerce Act does not specifically provide revocation authority and procedure such as are found in parts II and IV thereof, which apply to motor carriers and freight forwarders, respectively. In this connection, the Supreme Court, in *United States* v. *Seatrain Lines, Inc.*, 329 U.S. 424, indicated that in the absence of express authority granted by Congress the Commission does not have the authority to revoke, in whole or in part, water carrier certificates or permits issued under part III of the act, once they have become effective and the time for requesting rehearing or reconsideration has expired.

Accordingly, the proposed measure would give the Commission specific authority to determine upon the facts in each case whether a certificate or permit should be revoked for nonuse. It would also confirm the Commission's power to revoke water carrier certificates and permits when tendered by the holder for cancellation.

The authority sought is limited to the revocation of certificates and permits only in those cases of willful failure to operate or when requested by the holder. It is not contemplated that operating authorities would be revoked for nonuse without allowing a reasonable period of time for resumption of service.

S. 1144. A bill to repeal the Medals of Honor Act applicable to outstanding acts of heroism involving railroads and motor carriers.

The recommendation accompanying Senate bill 1144 is as follows:

RECOMMENDATION No. 5

This proposed bill would give effect to legislative recommendation No. 5 of the Interstate Commerce Commission as set forth on page 62 of its 78th annual report as follows: "We recommend that the Medals of Honor Act applicable to outstanding acts of heroism involving railroads and motor carriers be repealed."

JUSTIFICATION

The Medals of Honor Act was enacted in 1905 and, as amended, it has adequately served its purpose of providing a means of according due recognition to unusual acts of heroism which might have otherwise gone unnoticed.

At the present time, however, a much more comprehensive recognition of heroism is afforded by the Carnegie Hero Fund Commission—an organization having a permanent staff of investigators constantly in travel status who investigate all reported acts of heroism. Potential recipients of Carnegie Awards are not required to file applications.

As of the end of 1963 pecuniary awards by the Carnegie Hero Fund Commission covering acts of heroism in all types of situations totaled nearly $10 million, and 4,694 medals (bronze, silver, or gold) have been awarded. Only a bronze medal may be awarded under the Medals of Honor Act, and no pecuniary award is possible.

In these circumstances, we believe that repeal of the Medals of Honor Act would avoid needless duplication of effort and expense to the Commission without depriving deserving individuals of the recognition and honor due them for their heroic acts.

S. 1145. A bill to amend section 1(22) of the Interstate Commerce Act so as expressly to include within the exemption provided therein, the construction, acquisition, operation, abandonment, and joint ownership or joint use of spur, industrial, team, switching or sidetracks, and terminals incidental thereto, and for other purposes.

The recommendation accompanying Senate bill 1145 is as follows:

RECOMMENDATION No. 7

This proposed bill would give effect to legislative recommendation No. 7 of the Interstate Commerce Commission as set forth on page 64 of its 78th annual report as follows: "It is recommended (a) that section 1(22) be amended so as expressly to include within the exemption from the Commission's jurisdiction contained in that section, the construction, acquisition, operation, abandonment, and joint ownership or joint use of spur, industrial, team, switching, or side tracks, and terminals incidental thereto, whether located in one or more States and (b) that section 5(2)(a)(ii) be amended so as to conform to section 1(22), as so amended, and to section 1(18)."

JUSTIFICATION

Section 1(22) of the Interstate Commerce Act, among other things, exempts from the Commission's jurisdiction the construction or abandonment of spur, industrial, team, switching, or side tracks located wholly within one State.

The proposed measure would expand this exemption to include the acquisition, operation, joint ownership or joint use of such intrastate trackage and would extend this broadened exemption to trackage of this nature located in two or more States.

Applications seeking Commission approval of the acquisition and operation of spur, industrial, team, etc., tracks located wholly within one State are nearly always granted. They are filed for the purpose of rendering necessary service to a particular industry or industries. The type of trackage involved generally is located in terminal or station areas, and is short in length and of relatively little monetary value. Under these circumstances, we believe that the processing and consideration of such applications unnecessarily adds to the workload of the Commission, and requires the expenditure of time and money by carriers and the Commission which could be devoted to other purposes.

Since as a practical matter the essential characteristics of spur, industrial, team, switching or side tracks are the same whether they are located wholly within a single State or in two or more States, we also urge that the exemption be made applicable without regard to the number of States involved. The number of transactions relating to such interstate trackage is negligible and, in our judgment, the public interest would not be adversely affected if they were accomplished without the Commission's approval.

The last sentence of section 1(18) specifically excludes from the Commission's jurisdiction, both under that paragraph and under section 5, transactions between two or more railroads for the joint ownership or joint use of spur, industrial, team, switching or side tracks. However, in section 5(2)(a)(ii) authority is conferred over such acquisition and operation without mention of the limitation on our jurisdiction under section 1(18). Also, it should be noted (1) that the exclusion in section 1(18) applies regardless of whether the involved trackage is located in one or more States, (2) that the section 1(22) exemption does not embrace terminals incidental to spur, industrial, team, etc., tracks, and (3) that section 1(22) refers to trackage of "street, suburban, or interurban electric railways, * * *," while section 5(a)(2)(ii) does not. We believe it most desirable that the language of these three sections be as comparable as possible. The proposed measure would accomplish this result.

S. 1146. A bill to amend section 5(1) of the Interstate Commerce Act to eliminate the requirement for approval of pooling arrangements between motor common carriers of household goods, and for other purposes.

The recommendation accompanying Senate bill 1146 is as follows:

Recommendation No. 8

This proposed bill would give effect to legislative recommendation No. 8 of the Interstate Commerce Commission as set forth on page 64 of its 78th annual report as follows: "We recommend that section 5(1) be amended so as to exempt contracts, agreements, or combinations affecting the transportation of household goods to which any common carrier by motor vehicle may be a party with other such carrier or carriers for the pooling or division of traffic, service, or earnings."

JUSTIFICATION

Cooperative practices of household goods carriers were described by the Commission in Practices of Property Brokers, 53 M.C.C. 633, 636–637, as follows:

"The transportation of small shipments at reasonable rates and the relatively high ratio of empty to loaded mileage are persistent economic problems with which the industry has always been faced and which it has had to overcome. This has required constant efforts within the industry for cooperative handling of shipments. Extremes in light and heavy traffic of individual carriers are frequent and are met by arrangements whereby inactive vans and trained personnel are diverted to those carriers who are experiencing above-normal demands for service. The carriers are unable to predict in advance the amount of equipment and personnel they will need to meet demands for service. They are especially confronted with the problem of maintaining employment for personnel who have to be trained for several years before being assigned to vehicles which operate for extended periods away from their home terminals. The drivers character and their skill in handling valuable and fragile shipments are said to be more important than their ability to drive and, since the number of qualified drivers is limited, the carriers are interested in keeping them in gainful employment.

"The practice of diverting small shipments from one carrier to other carriers has long been an inherent part of, and essential to, the economy and efficiency of the Nation's household-goods moving service. In many instances, economy and expeditious handling require the services of two carriers, although but seldom is joint carriage physically performed by both carriers over the highway. The services of one of the carriers may consist only of the use of its established terminal for the preparation of shipping documents, packing, and the performance of other services necessary to prepare the shipment for loading onto the line-haul vehicle. Whether or not two carriers are used is determined by the size of the shipment and the desired time of movement, and the relating of these factors to economy of operation by the booking carrier. For instance, a small shipment may be diverted, under a joint agency tariff, to a carrier satisfactory to the booking carrier which at the moment is in a position to provide immediate transportation and the use of which will save the shipper the cost of storage or the weight penalty assessed for so-called expeditious handling and obviate the operation by the booking carrier of empty return mileage. The compensation of commissions received in such cases by the booking carrier from the line-haul carrier are described as a division of the revenue based upon the performance by it of the terminal portion of the "joint carriage." Most shippers have but infrequent need for the services of a household-goods carrier and are unversed in how the carriers operate and the laws and regulations governing them. Accordingly, when a shipper requires service, he usually consults and obtains the service of a local carrier with which he is acquainted and to which he will look for redress in case the shipment is not handled satisfactorily, the local booking carrier accepting with the line-haul carrier joint responsibility under the bill of lading for the safe delivery of the shipment."

The described practices provide the public with a more expeditious and economical service than would otherwise be possible, and the carriers are enabled to utilize their equipment more fully, maintain a more reasonable level of rates, hold down empty mileage, and otherwise bring stability to their operations. In short, the requirements for approval under the pooling provisions of section 5(1) of being "in the interest of better service to the public or of economy in operation" would seem to have been met generally by present cooperative practices among groups of household goods carriers.

The pooling provisions of the act require a hearing and approval by the Commission before agreements may lawfully be entered into. Strict enforcement of this provision as to household goods carriers has not been practicable. Combinations whereby they divert, surrender, or exchange shipments, allocate or control solicitation, use service facilities and instrumentalities or employees cooperatively, and divide proceeds of diverted traffic, are so flexible that before agreements can be filed and approved, many are terminated or changed and new arrangements entered into involving new or different participating carriers. At one time the Commission instituted a proceeding intended to prescribe general rules governing such arrangements under section 5(1), but, after further study, it was deemed impractical to prescribe general rules which would be workable and enforceable.

Under arrangements with noncarriers, and compliance with the leasing rules of the Commission, carriers may obtain most or all of the advantages of pooling arrangements with carriers, without the disadvantages incident to filing applications for approval under section 5(1). The proposed exemption would place carriers on an equal basis with noncarriers in making arrangements with other carriers essential to their economical and efficient operations.

S. 1147. A bill to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph.

The recommendation accompanying Senate bill 1147 is as follows:

Recommendation No. 9

This proposed bill would give effect to legislative recommendation No. 9 of the Interstate Commerce Commission as set forth on page 65 of its 78th annual report as follows: "We recommend that section 5(10) be amended so as to make gross operating revenue, instead of the number of vehicles owned or operated, the basis for determining whether a proposed unification or acquisition of control is exempt from the provisions of section 5."

JUSTIFICATION

The attached draft bill would provide a more reliable criterion for determining whether a proposed unification or acquisition of control involving only motor carriers comes within the exemption of subsection (10) of section 5 of the Interstate Commerce Act.

One of the tests for determining whether a proposed transaction is exempt from the requirements of section 5 is whether or not the aggregate number of motor vehicles owned, leased, controlled, or operated by the parties, for purposes of transportation subject to part II of the act exceeds 20. In applying this test, numerous questions have arisen as to whether certain vehicles should or should not be included, as, for example, (a) those used in intrastate commerce, exempt transportation, or private carriage, but which are available or suitable for regulated interstate service, (b) equipment of noncarrier affiliates, (c) vehicles leased for short periods, (d) disabled vehicles, and (e) combinations of vehicles. The amount of time and effort expended in establishing the number of vehicles on which jurisdiction depends, has, where the question is close, proved to be disproportionate to the benefits intended by the exemption. Moreover, in many instances, it has been virtually impossible to check whether the exemption was, in fact, applicable to transactions purportedly consummated thereunder.

The proposed amendment would substitute a more definite and practical basis for the exemption. Gross operating revenues are, in most cases, readily ascertainable from the annual reports which, with certain exceptions, are required of all for-hire carriers, and the quarterly reports required of such carriers with average gross revenues of $200,000 or more. On the basis of a limited study, it appears that the proposed $300,000 restriction on the exemption corresponds roughly to the present scope of the exemption in paragraph (10).

S. 1148. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency.

The recommendation accompanying Senate bill 1148 is as follows:

Recommendation No. 10

This proposed bill would give effect to legislative recommendation No. 10 of the Interstate Commerce Commission as set forth on page 65 of its 78th annual report as follows: "We recommend that section 17(2) be amended so as to authorize the Commission to delegate to qualified individual employees, including transportation economists and specialists, those matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits."

JUSTIFICATION

In addition to a voluminous number of formal cases, the Commission's responsibilities under the act extend to numerous matters of relatively routine and specialized nature. For example, matters relating to extensions of time for filing annual, periodical, or special reports; rejection of tariff publications for failure to give lawful notice or failure to comply with the Commission's regulations; and orders assigning cases for hearing, extending dates for the filing of pleadings and postponing compliance dates. Except with respect to assignments to a division or an individual Commissioner, under the present provisions of section 17(2), the Commission may delegate such functions only to three-man boards, and the only employees eligible to serve on these boards are "examiners, directors or assistant directors of bureaus, chiefs of sections, and attorneys."

When applied to matters of the type described above, we believe that the mandatory requirements of section 17(2) are unnecessary and unduly limit our authority in what essentially is an administrative area.

The proposed bill has been narrowly drawn so as to affect only the processing of matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits.[1] In this limited area the draft bill (1) would authorize the Commission to refer such matters to eligible individual employees, and (2) would expand the list of eligible employees to include assistant chiefs of sections, chiefs and assistant chiefs of branches, accountants, transportation economists and specialists, and other qualified persons designated by the Commission.

In our judgment, enactment of the proposed legislation would enable us to utilize key employees more effectively and would contribute significantly to improved overall administrative efficiency. In this respect, a preliminary estimate indicates that as many as 22,000 matters of a routine or specialized nature could be handled each year by qualified Commission employees.

APPENDIX

LIST OF COMMISSION WORK, BUSINESS, AND FUNCTIONS WHICH COULD BE DELEGATED TO INDIVIDUAL EMPLOYEES

BUREAU OF ACCOUNTS

1. Authority to permit the use of prescribed accounts which by provisions of their own texts require special authority.
2. Authority to permit departures from general rules prescribing uniform systems of accounts.
3. Authority to prescribe by order, rates of depreciation to be used by individual carriers by railroad, water, and pipeline.
4. Authority to issue special authorizations permitted by the prescribed regulations governing the destruction of records of carriers.
5. Annual valuation of pipelines.
6. Approval of protective service contracts.

It is apparent that matters arising under these items (about 125 a year) are of a highly technical nature; and in this circumstance, we believe that the professional judgment of the bureau director or qualified members of his staff could be relied upon for their disposition.

BUREAU OF MOTOR CARRIERS

Authority for BMC district supervisors to approve one-time shipment motor carrier temporary authorities, in bona fide emergencies, in the field.

In about 100 cases annually, authorization is given for one-time shipments in severe emergencies; e.g., replacement parts for a transformer which has interrupted electrical power in a community; a bridge span portion to repair a bridge closed to traffic until repaired.

BUREAU OF OPERATING RIGHTS

1. Areas where orders now are entered in the name of a single Commissioner or division I, such as orders assigning cases for hearing, orders extending dates for the filing of pleadings, orders postponing compliance dates, effective dates, and orders authorizing the changing of name of a carrier, etc.
2. Noncontested motor, water, and freight forwarder application cases of the type now handled by Operating Rights Board No. 1.

Item No. 1 would relieve Commissioners of the possibility of dealing personally with up to 10,000 items a year. Item No. 2 appears desirable since actions of Board No. 1, about 1,200 a year, are seldom questioned by the filing of petitions for reconsideration, and it is believed that the nature of the cases is such that delegations to an individual would be just as effective.

BUREAU OF TRAFFIC

Approval of special permission applications, now handled by the Special Permission Board, consisting of three members.

There are about 10,000 of these items coming before the Special Permission Board each year. If this work is delegated to individuals, it probably would be divided among as many as three persons because of the volume. However, rather than have two or three board members look at each request for special permission (e.g., each Board member now reviews about 6,700 a year), each of three individual delegates would look at one-third of the total number or about 3,300.

BUREAU OF TRANSPORT ECONOMICS AND STATISTICS

1. Matters relating to annual, periodical or special reports of carriers, lessors, brokers, freight forwarders, and other persons under parts I, II, III and IV, presently assigned to Division 2. For example, approval of changes in the reporting forms and other requirements which often are made to conform them to corresponding changes in the Commission's accounting rules governing the respective types of carriers.
2. Extensions of time for filing annual, periodical, or special reports; exemption of individual carriers and others from reporting requirements, access to waybills or photostat copies thereof; and public inspection of monthly accident reports, now assigned to the Vice Chairman. These items are routine in nature. For example, the extension of filing dates is essentially an administrative matter, as is the granting of access to waybills or to accident reports. These delegations would relieve division 2 of the necessity of passing upon some 25 report matters each year, and the Vice Chairman of acting on 200 applications per year in matters currently assigned to him.

S. 1149. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain evaluation requirements, and for other purposes.

The recommendation accompanying Senate bill 1149 is as follows:

RECOMMENDATION NO. 11

This proposed bill would give effect to legislative recommendation No. 11 of the Interstate Commerce Commission as set forth on page 66 of its 78th annual report as follows: "We recommend that section 19a be amended in the following respects: (1) To eliminate the requirement that the Commission determine the present value of land; (2) to eliminate the requirement that the Commission determine the valuation of property held by carriers for purposes other than for use in common carrier service; (3) to eliminate the requirement that the Commission ascertain and report the amount, value, and disposition of aids, gifts, grants, and donations and the amount and value of concessions and allowances made by carriers in consideration thereof; and (4) to make optional the requirement that the Commission keep itself informed of changes in the quantity of the property of carriers, following the completion of the original valuation of such property."

JUSTIFICATION

The purpose of the attached draft bill is to eliminate or make optional certain mandatory valuation requirements which are no longer considered necessary or appropriate to the proper performance of the regulatory functions of the Interstate Commerce Commission. Foremost among these are the requirements (1) that the Commission determine the present value of carrier landholdings, and (2) that the Commission keep itself informed of changes in the quantity of the property of carriers following the completion of the original valuation of such property.

The requirement that the Commission determine the present value of land was appropriate in finding original property valuations under an earlier concept which also gave consideration to the reproduction cost of property other than land. Accounting methods have changed, however, and today the concept of "reproduction cost" generally is in disuse by this Commission for rail ratemaking purposes. In this respect, it is significant that the Commission, in establishing a base for measuring rate of return for railroads, now uses the original cost of property other than land less depreciation thereon as shown on the books of the carrier, and to this sum is added an allowance for working capital and the estimated present value of land. Clearly, this formula would be more logical and consistent if the original cost of land were substituted for a determination of present value.

There has been considerable latitude for a number of years with respect to what might properly be considered in arriving at a rate base, and the wide choice available to regulatory agencies in this connection has been recognized by the Supreme Court. In *Federal Power Commission* v. *Natural Gas Pipeline Co.*, 315 U.S. 586 (1942), the Court held that "The Constitution does not bind ratemaking bodies to the service of any single formula or combination of formulas. * * *," and in *Federal Power Commission* v. *Hope Natural Gas Co.*, 320 U.S. 602 (1944), the Court amplified its opinion in the Natural Gas Pipeline Co. case by holding that "it is not the theory but the impact of the rate order which counts. If the total effect of the rate order cannot be said to be unjust and unreasonable, judicial inquiry under the act is at an end. The fact that the method employed to reach that result may contain infirmities is not then important."

In the absence of a continuous need for present value of land data by the Commission, it is not in the public interest to spend large sums of money to develop the information and keep it reasonably current as contemplated by the present statutory requirement.

At the present time, by virtue of regulations issued by the Commission pursuant to the mandatory requirement in section 19a (f) of the Interstate Commerce Act, railroads and pipeline companies must report annually the number of units of property acquired or retired during the year. This information is utilized in determining the cost of reproduction of such property. As indicated above, however, the concept of reproduction value is no longer the dominant consideration in the determination of a rate base for railroads; and, in this circumstance, we believe that this reporting requirement represents an unnecessary burden upon rail carriers.

The situation with respect to the reporting of units of property changes by pipeline carriers, however, is unlike that of the railroads. The Commission finds property valuations for pipeline carriers each year; and, in this process, property units are used in the development of the cost of reproduction—new, an element which is considered by the Commission in arriving at rate bases for pipelines. For this reason, we recommend that, in lieu of repeal, the mandatory requirement in section 19a(f) be made optional as the needs of the Commission dictate.

The Commission has made adequate provision for the proper accounting and financial reporting of noncarrier property, and the value of such property is not considered for valuation or ratemaking purposes. Therefore, we see no need to value noncarrier property as is presently required by the third subparagraph of section 19a(b) of the act.

Insofar as aids, gifts, grants, and donations are concerned, practically all property in this category is of record in the original valuations found by the Commission for railroads. The significance of this information has diminished over the years, and carriers have long since discontinued the granting of concessions in the form of land-grant rates in consideration of such gratuities. Accordingly, the draft bill would also repeal subparagraph "Fifth" of section 19a(b) of the act.

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[1] Matters of a type included in this category, together with brief comments pertaining thereto, are listed in an attached appendix.

Enactment of this draft bill would, in our opinion, result in a considerable saving to the railroad industry and, in principal effect, would eliminate a statutory requirement no longer necessary nor feasible because of the magnitude of the undertaking necessary to keep reasonably current.

S. 1150. A bill to amend section 20a(12) of the Interstate Commerce Act to eliminate the necessity for prior approval of the Commission for a person to hold the position of officer or director of more than one carrier when such carriers are in a single integrated system of carriers lawfully operated under common control, and for other purposes.

The recommendation accompanying Senate bill 1150 is as follows:

Recommendation No. 12

This proposed bill would give effect to legislative recommendation No. 12 of the Interstate Commerce Commission as set forth on page 67 of its 78th annual report, as follows: "We recommend that section 20a(12) be amended so as (a) to eliminate the necessity for prior approval of the Commission for a person to hold the position of officer or director of more than one carrier when such carriers are in a single integrated system of carriers lawfully operated under common control, and (b) to make it clear that the prohibition against the holding by 'any person' of the position of officer or director of more than one carrier applies to the holding of such positions by different members, officers, employees, or directors, of the same firm, copartnership, corporation, association, or joint stock association, or to the representation of a person on the board of directors of more than one carrier through an agent or nominee."

JUSTIFICATION

The first sentence of section 20a(12) requires persons desiring to serve as an officer or director of more than one carrier to file an application and obtain approval from the Commission even though the carriers involved are affiliated members of the same system of carriers. Where railroads are under lawful common control, they form essentially a single system. *Louisville & J.B.R. Co. Merger*, 295 I.C.C. 11. In this circumstance, the holding of intrasystem interlocking officer positions and directorships is a natural aid to coordination of operations, and the Commission has long approved such applications as a matter of course. Nevertheless, the filing and processing of formal applications for such authority entail considerable time and expense both for the applicant and the Commission, which could be saved without adversely affecting the public interest.

A total of 851 interlocking directorship applications were filed during the period covered by the Commission's 74th, 75th, 76th, and 77th annual reports to Congress (1960 through 1963). Since only about 2 percent of these applications involved positions in unaffiliated carriers, the time and money consumed in filing and processing approximately 98 percent of these applications could have been saved if the section were revised as recommended. Moreover, a considerable reduction in recordkeeping expenses would have been realized.

Regulation of the holding of officer positions and directorships in two or more unaffiliated carriers under section 20a(12) should, of course, be continued in order, among other things, to prevent the acquisition of control by one carrier over another, or the control or management of two carriers in a common interest without prior approval of the Commission under section 5 of the act. However, we believe that section 20a(12) should be strengthened by making it also apply when an officer, director, or partner of a noncarrier (for example, a holding company or brokerage firm) also holds a position as an officer or director of a carrier and another officer, director, or partner of the same noncarrier holds a similar position with another, and unaffiliated, carrier.

There is, in our opinion, little difference between (a) two directors or partners in a noncarrier separately holding positions with two different carriers, and (b) an individual holding such positions. The possibilities of achieving common control of the carriers and the undesirable practices which section 20a (12) was designed to prevent, are practically the same in both situations. The use of different officers of noncarrier holding companies and brokerage firms to control the affairs of two or more unaffiliated carriers can thus circumvent the present section and defeat its purpose.

S. 1151. A bill to amend part II of the Interstate Commerce Act, as amended, so as to authorize exemption from the provisions of such part, of services and transportation of such nature, character, or quantity as not substantially to affect or impair uniform motor carrier regulation.

The recommendation accompanying Senate bill 1151 is as follows:

Recommendation No. 13

This proposed bill would give effect to legislative recommendation No. 13 of the Interstate Commerce Commission as set forth on page 68 of its 78th annual report as follows: "We recommend that part II be amended so as to authorize the Commission to exempt from the requirements of that part, or any provision thereof, such service and transportation as may be determined by the Commission in appropriate rulemaking proceedings to be of such nature, character, or quantity as not substantially to affect or impair uniform regulation of motor carriers engaged in interstate or foreign commerce in effectuating the national transportation policy."

JUSTIFICATION

At present, the for-hire motor transportation of passengers and property in interstate or foreign commerce is, with a number of exceptions specified in the statute, subject to full economic regulation under part II of the Interstate Commerce Act. The current statutory exemptions vary in purpose, scope, and applicability, but plainly do not embrace all transportation functions which seem worthy of regulatory exemption. As a consequence, the Commission regularly is called upon to apply and enforce the requirements of part II with respect to certain motor carrier operations and activities which contribute but slightly to the national transportation system and which cannot be said to be of significance in the overall design of regulation contemplated by the act. For example, the interstate motor movement of such commodities as homing pigeons or trash and garbage would appear to be of such nature, character, or quantity as not substantially to affect or impair uniform regulation, and exemption of such transportation from regulation would in no way hinder the effectuation of the national transportation policy or affect materially the welfare of regulated transportation. Likewise, the exclusion from interstate regulation of local mass transit motorbus operations conducted within precisely defined territorial limits would in certain circumstances appear to have little or no effect upon uniform regulation of that segment of the for-hire industry.

While individual and specific legislative recommendations could be submitted from time to time with respect to each commodity or transportation service found by the Commission to be susceptible of statutory exemption, enactment of the proposed general exempting power is believed to be in the best interests of all concerned. Not only would such authority relieve the Commission and the affected carriers of what seems to be an undue regulatory burden, but also would tend to free the Congress of much of the legislative workload that would be encountered by a piecemeal approach. As an example, such authority probably would have eliminated the need for the recently enacted Public Law 88–208 (H.R. 2906) partially exempting from regulation the emergency transportation of accidentally wrecked or disabled motor vehicles. Additionally, the recommended authority would result in increased flexibility, since any exemption created thereunder would be subject to continuous administrative review and to repeal or modification upon a finding of changed circumstances.

The approach taken in the draft bill does not represent a marked departure from previous legislative techniques. Comparable exempting authority is conferred upon the Commission by section 204(a)(4a) of the act with respect to motor carriers lawfully engaged in operation solely within a single State, and the Civil Aeronautics Board is empowered by 49 U.S.C. 1386 to establish similar exemption from air carrier economic regulation.

Finally, to safeguard against possible abuse of the powers and privileges to be conferred upon the Commission, the draft bill imposes important limitations and conditions upon the exercise of the authority to exempt. Thus, an order of exemption may be issued or revoked only after all interested persons have been accorded a reasonable opportunity to be heard and only upon definitive Commission findings, based upon a thorough analysis of the nature, character, and quantity of the involved transportation, as to the effect which such action may have upon uniform Commission regulation of motor carrier transportation in effectuating the national transportation policy. These findings will, of course, be subject to appropriate judicial review, while still other safeguards in the bill would, upon revocation of an exemption, restore affected carriers to the status quo enjoyed by them prior to the creation of the exemption.

A primary goal of the proposed measure is to relieve both this Commission and the affected carriers of the burdens of regulation in those situations in which continued economic regulation is neither necessary nor desirable. So long as the limitations and safeguards are retained, we believe that the proposed measure would benefit the public as well as affected individuals and carriers.

S. 1152. A bill relating to the use of Interstate Commerce Commission records and testimony of Commission personnel in regard to accidents involving motor carriers and railroads.

The recommendation accompanying Senate bill 1152 is as follows:

Recommendation No. 17

This proposed bill would give effect to legislative recommendation No. 17 of the Interstate Commerce Commission as set forth on page 71 of its 78th annual report as follows: "We recommend that section 220(f) of the Interstate Commerce Act, section 8 of the Locomotive Inspection Act, and section 4 of the Accident Reports Act be amended so as to (a) incorporate in the Locomotive Inspection Act a prohibition against use in a damage suit of any report sent by a carrier under that act; (b) prohibit the introduction in evidence in any damage suit of the report submitted to the

Commission by its accident investigators; (c) prohibit expert opinion testimony by the Commission's accident investigators in damage suits; and (d) restrict factual testimony by the Commission's accident investigators to cases where factual evidence is not reasonably available from other sources."

JUSTIFICATION

This Commission faces the same problems as those outlined by the Civil Aeronautics Board (Congressional Record, vol. 109, pt. 4, pp. 4491–4492) in regard to efforts of litigants to compel Commission employees who have investigated an accident to testify in damage suits. In this respect, therefore, our draft bill follows the same lines as proposed in companion bills S. 1136 and H.R. 5200, introduced during the 88th Congress at the request of the CAB. In addition, our proposed measure would resolve a related problem which arises from differences in the wording of similar sections in acts we administer, and involves efforts of litigants to compel the production of accident reports submitted by Commission investigators and, in the case of rail accidents, the reports submitted by the carriers as well.

Section 25(f) of the Interstate Commerce Act, 49 U.S.C. 26(f); sections 1 to 3 of the Accident Reports Act, 45 U.S.C. 38 to 40; and section 8 of the Locomotive Inspection Act, 45 U.S.C. 32, require rail carriers subject to Commission regulation to report to the Commission all accidents in which such carriers may be involved, and charge the Commission with the duty of investigating and making reports concerning such accidents. Under authority of section 204(a) of the act, 49 U.S.C. 304(a), motor carriers are required by regulation to report accidents of a certain severity, and investigations and reports on many of these are made. The Commission's investigation is performed in large measure by investigators employed by the Commission's Bureau of Motor Carriers and Bureau of Safety and Service. Written reports are prepared by these investigators as to all accidents investigated by them, which embody their factual observations and conclusions. These reports are submitted to the Commission and form the basis for the Commission's accident reports.

Section 220(f) of the Interstate Commerce Act, section 4 of the Accident Reports Act, and section 8 of the Locomotive Inspection Act prohibit the introduction in evidence or the use for any purpose in damage suits of the Commission's report of investigation. The first two acts mentioned also prohibit such use of the report of carriers. The congressional purpose in excluding such reports clearly is to protect the integrity of the Commission's accident investigation function and to facilitate the securing of full and complete accident reports from the carriers involved. The statutes as now worded, however, do not literally cover the report which the investigator submits to the Commission nor do they cover expert opinion evidence given by way of live testimony by the Commission investigator. Also, the Locomotive Inspection Act does not literally cover the report submitted by the carriers.

Efforts of litigants to subpena the report of Commission investigators, and to compel such investigators to give expert testimony in damage suits, have uniformly been resisted by the Commission on the ground that the purpose and policy of the cited statutes require that such information not be disclosed in damage suits. For the most part, our resistance has been successful, but we have been handicapped by the absence of a clear statutory provision governing the situation. The number of such subpenas could be expected to decline sharply upon the enactment of a clear-cut statutory provision, with a resultant saving in the time which the Commission and its staff must devote to such matters.

The bill proposed by the CAB is based upon the principles enunciated by the Court in *Universal Airlines* v. *Eastern Air Lines*, 188 F. 2d 993, and the Commission concurs in those principles and the procedure therein suggested. Under such procedures, no private litigant will be denied factual testimony essential to establishing his case. At the same time, requests for testimony of accident investigators would be kept to a minimum and the integrity of the Commission's investigation function would be protected. Moreover, advance requests for permission to take an investigator's deposition or for his appearance in court will permit a more efficient scheduling of duties within the Commission with resulting savings in time, effort, and expense.

S. 1153. A bill to amend the Interstate Commerce Act and certain supplementary and related acts with respect to the requirement of an oath for certain reports, applications, and complaints filed with the Interstate Commerce Commission.

The recommendation accompanying Senate bill 1153 is as follows:

Recommendation No. 18

This proposed bill would give effect to legislative recommendation No. 18 of the Interstate Commerce Commission as set forth on page 7. of its 78th annual report as follows: "We recommend, in view of the prohibitions in section 1001 of title 18, United States Code, that the Interstate Commerce Act and various related acts be amended to eliminate the mandatory requirement that certain reports, applications, and complaints be filed with the Commission under oath, and that such oath provisions be made discretionary with the Commission."

JUSTIFICATION

The purpose of the attached draft bill is to eliminate from various statutes administered by the Interstate Commerce Commission the mandatory requirement that certain reports, applications, and complaints be made under oath, and to authorize the Commission to impose such requirements at its discretion.

Under section 20(2) of part I and comparable provisions in other parts of the Interstate Commerce Act, the annual reports of the carriers are required to be filed with the Commission under oath. The oath requirement is also mandatory for reports filed under section 1 of the Accident Reports Act, and section 9 of the Locomotive Inspection Act. By contrast, such requirement is discretionary with the Commission with respect to periodical or special reports filed under section 20(2) and various other provisions of the Interstate Commerce Act, and there is no statutory requirement at all of an oath for reports submitted by conferences, bureaus, and other organizations formed pursuant to section 5a of the act or for periodical and special reports filed under section 20b(6), relating to railroad securities modifications.

In addition to the mandatory requirement of an oath for the above-mentioned reports, an oath is also required for applications filed by railroads and motor carriers under sections 20a(4) and 214 of the act, respectively, for authority to issue securities, and for applications for exemption from regulation filed under section 204(a)(4a) by motor carriers operating solely within a single State. An oath is similarly required with respect to applications filed under section 77(p) of the Bankruptcy Act for Commission approval to solicit, use, or act under proxies, authorizations, or deposit agreements in railroad reorganization proceedings.

Other mandatory oath requirements are found in those provisions of the act governing the filing of applications for motor carrier, water carrier, and freight forwarder operating authorities and complaints involving the rates of motor contract carriers and water common and contract carriers. No comparable requirements are imposed, however, with respect to complaints involving the rates of railroads, pipelines, or express companies subject to part I; motor common carriers subject to part II; or freight forwarders subject to part IV of the act, respectively.

The foregoing oath requirements are, in the Commission's opinion, both unnecessary and burdensome. Section 35 of the Criminal Code (18 U.S.C. 1001) imposes penalties of fine and imprisonment for knowingly making false statements or representations to Federal administrative agencies, and these provisions have been construed to apply to the giving of false information even though not under oath. Moreover, penalties for knowingly making false statements in carrier reports are contained in section 20(7)(b) and comparable provisions in other parts of the Interstate Commerce Act. In view of these statutory provisions against the giving or filing of false information, it seems clear that the mandatory oath requirements in the laws administered by the Commission are no longer necessary. Moreover, they are burdensome to the carriers and cause delays and inconveniences in the processing of reports and other documents because of the necessity of returning them to the carriers for authentication when the oath has been inadvertently omitted.

The Commission therefore recommends enactment of the provisions in the attached draft bill which would make the present mandatory oath requirements discretionary with the Commission. Retention of discretionary authority would enable the Commission to require an oath should the need arise.

INCORPORATION OF AMERICAN ACADEMY OF ACTUARIES

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill which would provide for a Federal charter for the American Academy of Actuaries.

Twenty-six other Senators have joined with me in sponsoring this bill: Mr. Curtis, Mr. Aiken, Mr. Allott, Mr. Bayh, Mr. Byrd of Virginia, Mr. Carlson, Mr. Case, Mr. Dirksen, Mr. Dominick, Mr. Gruening, Mr. Hart, Mr. Hartke, Mr. Hruska, Mr. Javits, Mr. Kuchel, Mr. Long of Missouri, Mr. Miller, Mr. Monroney, Mr. Nelson, Mr. Prouty, Mr. Proxmire, Mr. Ribicoff, Mrs. Smith, Mr. Sparkman, Mr. Thurmond, and Mr. Tower.

The bill is identical to the one which was passed unanimously by the Senate on August 1964. No action was taken on it in the House however, but the introduction in that body of a similar bill this year encourages me that perhaps the House too will take favorable action this Congress.

Over the years Congress has found it to be in the public interest to grant Federal charters to various organizations in the scientific and professional fields.

Examples of this are the American Chemical Society, the American Historical Association, the American Society of International Law, the Foundation of the Federal Bar Association, and the National Academy of Sciences.

Federal charters have been helpful to these individual organizations, but they also have served a general public purpose in that a national organization can and does inform the public of its professional and scientific aims, purposes, and standards.

The profession of actuary is an old one, dating back to the establishing of the life insurance business.

It is due to the development of the theory of "life contingencies" by the early actuaries that the system of legal reserve life insurance became possible and, as the life insurance field has grown the actuary profession has grown with it.

Actuaries undergo a long and rigorous training, both academic and practical, in order to perform their duties, and I understand that the examinations of the Society of Actuaries and of the Casualty Actuarial Society are considered to be at least as difficult as those of any other profession.

And the profession is largely responsible for the technical methods and framework leading to the large amount of economic protection available today against the hazards of death, disability, retirement, and property loss.

In addition to the Society of Actuaries and the Casualty Actuarial Society, there are the Conference of Actuaries in Public Practice and the Fraternal Actuarial Association.

The four groups have endorsed the American Academy of Actuaries, by resolution of their governing bodies and by vote of their members.

There are almost no legal provisions, Federal or State, specifying the technical education and experience that an individual should have in order to present himself to the public as an actuary.

The creation of the academy, with a nationwide basis, would be helpful in that it would be easier for the profession, and for Federal, State, and local governments to establish appropriate accreditation procedures for this field.

I do not wish to detain my colleagues any longer, by going into the background of this bill in more detail, so I ask unanimous consent to have reprinted in the RECORD my remarks of July 24, 1964, when I first introduced this legislation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the remarks will be printed in the RECORD.

The bill (S. 1154) to incorporate the American Academy of Actuaries, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

The remarks presented by Mr. DODD are as follows:

FLOOR STATEMENT MADE ON JULY 24, 1964, APPEARING IN THE CONGRESSIONAL RECORD, VOLUME 110, PART 12, PAGE 16890

Mr. President, over the years the Congress has found it desirable and in the public interest to grant Federal charters to a number of organizations in the scientific and professional field when their activities have been on a nationwide basis. For example, this has been done for such organizations as the American Chemical Society, the American Historical Association, the American Society of International Law, the Foundation of the Federal Bar Association, and the National Academy of Sciences. Such Federal charters have been of value not only to the organizations involved, but also they are very much in the public interest in that the professional and scientific aims and purposes of the groups involved are made known to the general public.

The profession of actuary is an old one, dating from the foundation of the business of life insurance. An actuary is one who practices actuarial science, which has been defined as the science which had its origin in the application of the doctrine of probabilities to human affairs and from which life insurance, pension plans, casualty insurance and other analogous institutions derive their principles of operation. It was entirely due to development of the theory of "life contingencies" by the early actuaries that the system of legal reserve life insurance became possible and, as the practice of life insurance grew, the profession grew with it. Actuaries undergo a long and rigorous training, both academic and practical, in order to be able to perform their duties. The examinations of the Society of Actuaries and of the Casualty Actuarial Society are generally considered at least as difficult as those of any other profession.

The actuarial profession is largely responsible for the technical methods and framework leading to the enormous aggregate of today's economic protection against the hazards of death, disability, retirement, and property loss. The field of actuarial science and its influence on the social and economic affairs of the Nation have been growing rapidly in recent years with the great expansion that has taken place in all phases of the insurance business.

The lives of some 130 million persons in the United States are insured by life insurance companies, and at least as many persons are protected under casualty insurance contracts. These life and casualty insurance companies must compute and establish reserve liabilities which guarantee the fulfillment of policy contract obligations. These reserves are determined in accordance with actuarial theory and techniques.

Retirement plans in the United States have experienced a tremendous growth in recent years. The number of persons covered by private and public plans—other than social security—has increased more than 600 percent since 1930. In 1930, less than 5½ million people were covered by retirement plans; at the end of 1962 the number was over 35 million. Assets and reserves in 1930 were less than $1½ billion; at the end of 1962 they were more than $100 billion. The longrun security of the employees covered is dependent upon contributions made and reserves accumulated under such plans and it is the actuary, with calculations based on actuarial theory and techniques, who makes the recommendations for these contributions and reserves.

Among other fields requiring the services and calculations of the actuary are Blue Cross and Blue Shield plans, workmen's compensation insurance, and the many other forms of casualty insurance, such as automobile liability. The actuary, too, advises the Federal Government on financing problems of the social security system and other retirement systems and provides the actuarial calculations necessary to determine the cost of the benefits and the financing bases that must be adopted. The actuary also advises on certain census and vital statistics problems.

Over the years, four nationally recognized actuarial bodies have been developed to provide for the training and qualifications of actuaries. These bodies hold meetings at which professional papers may be discussed and ideas exchanged. In each of these bodies, there is emphasis generally in one or more of the branches of actuarial science but not in all of them, and each has set up certain membership requirements—based on passing examinations or on having certain experience qualifications. These four actuarial bodies—in the order of their size—are as follows: the Society of Actuaries, whose primary fields are life insurance, health insurance, and pensions; the Casualty Actuarial Society primarily comprising casualty, fire, and health insurance; the Conference of Actuaries in Public Practice, whose field covers all branches of insurance, welfare benefits, and pensions from the standpoint of consulting actuaries; and the Fraternal Actuarial Association, whose interests lie in the provision of insurance through fraternal orders. Many actuaries belong to more than one of these bodies.

Despite the existence of these four actuarial bodies, with few exceptions there are no legal provisions—Federal or State—specifying the technical education and experience that an individual should have in order to hold himself forth to the public as an actuary. In fact, as the situation now stands, any person can so designate himself, and the public has no assurance of his qualifications to serve it as an actuary.

We have referred to the tremendous increase in the number of private pension plans. Many firms have been formed to advise clients with respect to these plans, and some of these firms list themselves or certain members as actuaries. A number of such firms are well staffed by experienced actuaries, but others are not. There is no prohibition against, or restriction with respect to, a person designating and presenting himself to the public as an actuary even though he may practice in those areas where the public interest is involved. The uninformed client does not know whether or not he is obtaining the services of a qualified actuary. The question of legal recognition of actuaries can no longer be ignored.

The four actuarial bodies attempt to recruit and train enough qualified actuaries to meet the needs of the public, and they require their members to meet strict standards of education, training, and professional conduct. It now appears necessary and advisable to alert the Congress, the Federal departments, and the public to recognize only qualified actuaries and to advocate means for the legal recognition or accreditation of these qualified actuaries.

As a standard for accreditation for an actuary, it would be impractical to refer to membership in one of the four actuarial bodies; first, because of complications arising from the fact that each body has more than one class of membership, and second, because there are capable practicing actuaries who are not members of any of these organizations. It was concluded that the best solution would be a new organization with one class of membership.

Accordingly, in order to advance the knowledge of actuarial science through education and the promotion of the concepts thereof in the minds of the general public; to establish, promote, and maintain high standards of conduct and competence within the actuarial profession; and to encourage in this purpose the coordination of the efforts of the existing actuarial bodies and of other proven competent persons not now members thereof, it is proposed to organize a federally chartered organization termed the "American Academy of Actuaries." The four actuarial bodies have endorsed this proposal by resolution of their governing boards and by vote of their members.

It is planned that all full members of the existing national actuarial organizations may automatically become members of the academy. Less than "full" members of these bodies may also become members of the academy if they have satisfactory academic training and experience in actuarial science. Furthermore, the membership will not be confined to those who are members of the existing four bodies, but will also be available to others if they have satisfactory experience. Ultimately, it is the purpose of the academy that all persons who wish to be members will be able to attain this purpose by passing examinations of a comprehensive nature in actuarial mathematics and insurance principles which, along with demonstrated experience, will establish their competence as actuaries.

The Internal Revenue Service should be able to recognize whether a person is a qualified actuary in connection with its pension-plan review activities when he presents figures or statements having an actuarial content. In the future, membership in the American Academy of Actuaries will, it is believed, be acceptable as such, a standard for qualification where such need arises.

The creation of the academy would be of great value not only to the general public and to the actuarial profession, but also to a number of Federal, State, and local government agencies that either have dealings with actuaries or, in some cases, employ actuaries. Under these circumstances the agencies involved could readily establish appropriate accreditation procedures for persons to appear before them in connection with matters involving actuarial problems.

Mr. President, this bill is needed in improving the security of the many employees and others covered under the vast benefit programs in effect in our Nation, in the recognition and encouragement that it would give to this important profession and science, and in the public interest generally. I urge its speedy enactment.

Mr. CURTIS. Mr. President, I am privileged to join the distinguished senior Senator from Connecticut [Mr. Dodd] in introducing a bill that would provide for a Federal charter for the American Academy of Actuaries.

It will be recalled, Mr. President, that my esteemed colleague, Senator Dodd, introduced S. 3027 in the 88th Congress which would have incorporated the American Academy of Actuaries. I was pleased that 19 other Senators cosponsored this bill which passed the Senate on August 15, 1964. Unfortunately, because of the end of session legislative load, the other body was unable to act on the bill.

Over the years of my congressional service, I have had the opportunity to study closely the financial implications of both private and public measures aimed at providing economic security for the people of our country. Such measures must, of course, have a sound financing base, and this can be achieved only if there is continuing actuarial analysis, evaluation, and guidance of the multitude of plans and programs that have been developed for these purposes. The actuaries so involved must not only be technically well trained in this difficult and complex mathematical area, but also they must be persons of high professional stature and integrity. Although there is naturally some range of variation present in actuarial cost estimates for programs that extend many years into the future, the professional actuary must develop the most likely assumptions for sound financing of the particular plan under consideration, and then the cost calculations must be made with the utmost accuracy and precision possible with the experience data available. In the final analysis, the economic security of the participants of these plans rests largely upon the professional skill and integrity of the actuary.

The distinguished senior Senator from Connecticut has given full details as to why a Federal charter for the American Academy of Actuaries is desirable, not only to the actuarial profession, but also to the general public of our country so that the professional and scientific aims and purposes of this profession can better be made known. It is my understanding that there is unanimity of opinion in the desirability of forming this new actuarial body among all the members of the existing four specialized national actuarial organizations and that various Federal and State agencies with whom this idea has been discussed welcome the formation of an organization, membership in which will serve as a satisfactory standard for qualification of an actuary.

Mr. President, this bill will make a definite and significant step forward in improving and strengthening the economic security of the vast majority of persons in our Nation by the recognition that it will give to the truly professional nature of actuarial science. I urge that it be enacted as speedily as possible.

I commend the distinguished Senator from Connecticut for introducing the bill. I am happy to join in it. I hope it will have early approval of the Senate.

FREEDOM OF INFORMATION

Mr. LONG of Missouri. Mr. President, I introduce for appropriate reference the "freedom of information" bill. This measure successfully passed the Senate without a dissenting vote during the last Congress on July 31, 1964. Both Houses are expected to begin early consideration of this important legislation during this session. Our purpose in introducing the measure today is much the same as when the bill was originally introduced: that a necessary corollary to the right of a democratic people to participate in governmental affairs is the right to acquire information. The bill amends section 3 of the Administrative Procedure Act of 1946, and therefore, is an important step in our program updating the entire act.

The approach with respect to Government records is to make all records available to the public while clearly delineating and excluding areas from its operation which might impede the proper functioning of an agency. Since this enlightened view toward the handling of Government records was first suggested, a great deal of study and drafting have transformed the first rough attempt into a highly perfected product. Those with any lingering doubts about its provisions may be assured that additional opportunity will be available to present further views. The continuing wide support of our efforts by the bar associations, lawyers, news media, government, and legal scholars together with individual citizens is most helpful.

I am most happy that 17 of my distinguished colleagues have joined me as cosponsors of the bill. Their suggestions and encouragement are the real reason for the present finely drawn measure. With this type of cooperation, the benefits of an effective "freedom of information" law should soon be available to the American public.

Mr. President, I ask that the complete text of the bill be printed at this point in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1160) to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes, introduced by Mr. Long of Missouri (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3, chapter 324, of the Act of June 11, 1946 (60 Stat. 238), is amended to read as follows:

"Sec. 3. Every agency shall make available to the public the following information:

"(a) Publication in the Federal Register.—Every agency shall separately state and currently publish in the Federal Register for the guidance of the public (A) descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions; (B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available; (C) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations; (D) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and (E) every amendment, revision, or repeal of the foregoing. Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to, or be adversely affected by any matter required to be published in the Federal Register and not so published. For purposes of this subsection, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

"(b) Agency opinions and orders.—Every agency shall, in accordance with published rules, make available for public inspection and copying (A) all final opinions (including concurring and dissenting opinions) and all orders made in the adjudication of cases, (B) those statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register, and (C) staff manuals and instructions to staff that affect any member of the public, unless such materials are promptly published and copies offered for sale. To the extent required to prevent a clearly unwarranted invasion of personal privacy, an agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction: *Provided,* That in every case the justification for the deletion must be fully explained in writing. Every agency also shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter which is issued, adopted or promulgated after the effective date of this Act and which is required by this subsection to be made available or published. No final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects any member of the public may be relied upon, used or cited as precedent by an agency against any private party unless it has been indexed and either made available or published as provided by this subsection or unless that private party shall have actual and timely notice of the terms thereof.

"(c) AGENCY RECORDS.—Every agency shall, in accordance with published rules stating the time, place, and procedure to be followed, make all its records promptly available to any person. Upon complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated shall have jurisdiction to enjoin the agency from the withholding of agency records and information and to order the production of any agency records or information improperly withheld from the complainant. In such cases the court shall determine the matter de novo and the burden shall be upon the agency to sustain its action. In the event of noncompliance with the court's order, the district court may punish the responsible officers for contempt. Except as to those causes which the court deems of greater importance, proceedings before the district court as authorised by this subsection shall take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

"(d) AGENCY PROCEEDINGS.—Every agency having more than one member shall keep a record of the final votes of each member in every agency proceeding and such record shall be available for public inspection.

"(e) EXEMPTIONS—The provisions of this section shall not be applicable to matters that are (1) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy; (2) related solely to the internal personnel rules and practices of any agency; (3) specifically exempted from disclosure by statute; (4) trade secrets and commercial or financial information obtained from the public and privileged or confidential; (5) interagency or intraagency memoranda or letters dealing solely with matters of law or policy; (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; (7) investigatory files compiled for law enforcement purposes except to the extent available by law to a private party; and (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions.

"(f) LIMITATION OF EXEMPTIONS.—Nothing in this section authorizes withholding of information or limiting the availability of records to the public except as specifically stated in this section, nor shall this section be authority to withhold information from Congress.

"(g) PRIVATE PARTY.—As used in this section, 'private party' means any party other than an agency.

"(h) EFFECTIVE DATE.—This amendment shall become effective one year following the date of the enactment of this Act."

PROTECTION OF THE RIGHT TO VOTE

Mr. McNAMARA. Mr. President, recent events in the news have pointed up, once again, that citizens of the United States are being denied the right to register and vote. And we are seeing the unhappy results of this denial in an upsurge of civil rights demonstrations and police actions.

We had all hoped, I am sure, that the passage of the 1964 Civil Rights Act would usher in a period of calm in which the act would be implemented, and its benefits assessed.

Yet, within months, there is new unrest, this time over the denial of the right to register to vote.

The fact is, of course, that as long as any citizens of our country are denied their constitutional rights, there will continue to be unrest.

And it certainly is hard to fault this—because it has been instilled in all of us that our constitutional rights are worth fighting for.

Yet, once again, we appear to be failing to implement, with appropriate congressional action, a solution to voting rights denial that has been in our Constitution for nearly 100 years.

I refer, of course, section 2 of the 14th amendment, which instructs that the congressional representation of any State be reduced in proportion to the number of citizens it denies the right to vote.

The language and the intent of section 2 could not be more clear.

Nevertheless, Congress has shirked its responsibility for enforcing this provision with the necessary legislative machinery.

Therefore, I once again introduce legislation to accomplish this.

My bill is similar to that which I have introduced in each Congress since 1957.

It would create a Joint Congressional Committee on Congressional Representation, which would meet following each biennial House election, to determine section 2 violations—and by how much any State's representation would be reduced.

House seats thus taken would be allocated to other States on the basis of population for the 2-year period the action would be in effect, thus keeping the total number of Representatives at 435.

If we are serious about protecting the right to vote, and we should be, I sincerely believe that enforcing section 2 of the 14th amendment is the proper place to begin.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1161) providing for the reduction of the basis of representation of States denying or abridging the right of its citizens to vote, and for other purposes, introduced by Mr. McNAMARA, was received, read twice by its title, and referred to the Committee on the Judiciary.

INSTALLATION OF SEAT BELTS IN MOTOR VEHICLES USED IN TRANSPORTATION OF PASSENGERS BY COMMON CARRIER

Mr. WILLIAMS of New Jersey. Mr. President, on January 1 of this year a tragic bus accident occurred in San Diego, Calif. A huge double-decker passenger bus skidded on a rain-slick road and plunged down a 50-foot embankment. As a result, 2 persons were killed, and 32 were injured. The story landed in every newspaper in the country, stayed there exactly 1 day, and that was the end of that item.

But that story made an indelible impression on me, and I decided to do a little investigation on this problem. The figures on deaths and injuries in interstate bus transportation tell a sad and unnerving story.

From 1955 to 1960, total fatalities from bus accidents averaged 157 per year. In 1961, this figure dropped to 122, in 1962 to 123, but in 1963 it shot up to 170. In short, we had an average of over 150 deaths in interstate bus accidents in the 8-year period from 1955 to 1963.

The figures on injuries suffered by passengers in bus accidents are even more disturbing. A total of 5,263 passengers were hurt in the 5 years from 1955 through 1960.

But averages and dry figures tell little of the grief and suffering of those who were involved. A cold statistic of 150 deaths a year ignores the essential fact about disruption of 150 families, loss of the head of a household, and untold emotional distress.

But this situation is not unremediable, and the bill I am introducing today would make a significant start on reducing the unhappy number of deaths and injuries resulting from bus accidents.

It has been proven time and again that the installation and use of seat belts in moving vehicles brings about a far greater degree of automotive safety and sharply decreases the numbers of fatalities and injuries when accidents occur.

I am proposing legislation which would require the installation of seat belts in all interstate passenger vehicles. I am convinced—and the statistics given out by automotive safety experts are conclusive—that the use of such seat belts would significantly reduce the high number of deaths and injuries sustained in bus accidents.

The Federal Government has already demonstrated its keen interest in this subject and has endorsed the use of seat belts for greater safety and protection. Just a few weeks ago, on January 26, the General Services Administration proposed official safety standards for all automobiles, buses, and light trucks purchased by the Government. GSA will now require, among many other items, installation of safety belt anchors.

Is there any reason why 60,000 or more publicly owned vehicles should have higher safety standards than privately owned passenger buses which transport our citizens throughout the country? The answer to this question can only be "No."

Consequently, the bill I am introducing today will make it mandatory for every common carrier in interstate passenger transportation to install seat belts and to make reasonable arrangements for their use. The Interstate Commerce Commission is directed to prescribe appropriate regulations for installation of the seat belts and the details of their operation and use.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1165) to amend part II of the Interstate Commerce Act to require the installation of seat belts in motor vehicles used in the transportation of passengers by common carrier, introduced by Mr. Williams of New Jersey, was received, read twice by its title, and referred to the Committee on Commerce.

ESTABLISHMENT OF A NATIONAL TEACHER CORPS

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill to establish a National Teacher Corps. I ask unanimous consent that the bill lie on the desk for additional cosponsors until March 5.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Wisconsin.

The bill (S. 1172) to establish a National Teacher Corps, introduced by Mr. Nelson (for himself and Mr. McGovern), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

FEDERAL AID TO ELDERLY IN NURSING HOMES

Mr. YOUNG of Ohio. Mr. President, the Federal Government must assume some of the responsibility for the tragic fires that have occurred in nursing homes providing care to elderly men and women. The majority of people in nursing homes are public assistance recipients. Of the more than $300 million spent annually for their care, the Federal Government contributes more than half.

In November 1963, a fire occurred in a nursing home in Fitchville, Ohio, which resulted in the deaths of 63 elderly people trapped within this alleged nursing home. Federal money helped pay the cost of maintaining them in what turned out to be their deathtrap.

We have a responsibility to see to it that these unfortunate people receiving public assistance funds go to sleep at night without the terrifying fear of awakening in a burning firetrap building termed a "nursing home." We also have a responsibility to their families and must assure them that their parents and grandparents and other elderly loved ones are safe.

On Monday of this week, I participated as a member of the Senate Special Committee on Aging in hearings held in Cleveland, Ohio, on nursing home standards. I was appalled and shocked at the testimony I heard on the inadequate safety standards and care provided in many nursing homes today in Ohio and throughout the country.

Therefore, I introduce for appropriate reference a joint resolution which would prohibit the use of any Federal funds to help pay for the care of elderly persons in nursing homes which fail to meet standards of fire safety and protection promulgated by and acceptable to the Secretary of Health, Education, and Welfare. The joint resolution authorizes the Secretary to afford such institutions reasonable time and opportunity for compliance before the use of Federal matching funds is provided.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 50) to require reasonable standards of fire prevention and protection in the institutional care of public assistance recipients, introduced by Mr. Young of Ohio, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

MAINTENANCE OF DIPLOMATIC RELATIONS WITH LATVIA, LITHUANIA, AND ESTONIA

Mr. WILLIAMS of New Jersey. Mr. President, 47 years ago this week, Lithuania achieved its independence. I would like to take this opportunity to pay tribute to the brave people of that country who suffered great hardships in the cause of freedom.

The three Baltic countries of Latvia, Lithuania, and Estonia were the first victims of Stalin's infamous pact with Hitler that touched off World War II and led to the subjection of all Eastern Europe as part of Russia's expanding empire. Yet the strong national traditions of these peoples have survived tortures, massacres, and mass deportations. The failure of the Soviet Union to destroy the feeling of nationalism and hope for independence of the Baltic peoples should encourage the United States and other nations of the free world to continue their policy of rejecting the legitimacy of the Soviet-established governments in these countries.

The United States has, in fact, always led the nations of the free world in the degree of consistency and thoroughness with which this policy of nonrecognition has been applied. Self-determination for the Baltic peoples is firmly established U.S. policy and one that this Government has never failed to keep on record before the world. The resolution I intend to introduce, therefore, reiterates an objective that this Government now has and for whose fulfillment it has worked during four administrations.

I ask my colleagues to join with me in expressing support for the freedom of the captive peoples of the Baltic countries. For, when we express our support for the independence of the captive peoples of the Baltic, we reaffirm the faith of the American people in the cause of freedom. The tragic plight of these captive nations must serve to remind us that our own commitment to freedom must be unceasing.

Therefore, Mr. President, to commemorate the anniversary of Lithuanian independence and to express the deep concern of the U.S. Senate for the welfare of the people in the Baltic States still living under the oppression of Soviet rule, I submit a concurrent resolution which urges continued official recognition of the Baltic States of Latvia, Lithuania, and Estonia as independent nations, and calls for free elections in these countries under United Nations supervision. It also requests the President, acting through the U.S. delegation to the United Nations, to bring before the United Nations for its consideration, the question of the forceful incorporation of these Baltic States into the Soviet Union.

I ask unanimous consent that the concurrent resolution be printed at this point in the Record.

The concurrent resolution (S. Con. Res. 20) was referred to the Committee on Foreign Relations, as follows:

Whereas the Government and the people of the United States of America have maintained and enjoyed excellent and friendly relations with the Governments and peoples of the Baltic States Republics of Latvia, Lithuania, and Estonia, during the years of independence of these Republics; and

Whereas the Soviet Union has occupied these three countries by force of arms and deprived the peoples thereof of their independence; and

Whereas the people of this Nation have consistently shown great sympathy for the peoples of these three Republics, especially as a result of their enslavement by the Soviet Union and the deportation and exile of great numbers of their native populations into the Soviet Union: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President is hereby requested to continue to maintain the diplomatic recognition given by the United States to the diplomatic and consular officers of the former free governments of the Baltic State Republics of Latvia, Lithuania, and Estonia, as the lawful representatives of these three countries in the United States, and to continue the American policy of nonrecognition of the unlawful absorption of these three countries into the Soviet Union.

Sec. 2. The President is further requested, through the United States delegation to the United Nations, to take such action as may be necessary to bring before the United Nations for its consideration, the question of the forceful incorporation of Latvia, Lithuania, and Estonia into the Soviet Union, and a resolution declaring that the United Nations should conduct free elections in Lithuania, Latvia, and Estonia under the direct supervision of the United Nations in order to permit the peoples of these countries to make their own choice of government.

ELIMINATION OF REQUIREMENT THAT FEDERAL RESERVE BANKS MAINTAIN CERTAIN RESERVES IN GOLD CERTIFICATES AGAINST DEPOSIT LIABILITIES—AMENDMENTS

AMENDMENT NO. 26

Mr. LAUSCHE submitted amendments, intended to be proposed by him, to the bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 27

Mr. MUNDT (for himself and Mr. Gruening) submitted an amendment, intended to be proposed by them, jointly, to House bill 3818, supra, which was ordered to lie on the table and to be printed.

USE OF PUBLIC WORKS IN A COORDINATED EFFORT TO AID ECONOMICALLY DISADVANTAGED AREAS OF THE NATION—AMENDMENTS

AMENDMENT NO. 28

Mr. FONG. Mr. President, I submit for appropriate reference an amendment to Senate bill 812, Regional Development Act of 1965, and I ask unanimous consent that my amendment lie on the table for cosponsors until the close of business February 24.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, will be held at the desk for additional cosponsors, as requested by the Senator from Hawaii.

The amendment (No. 28) was referred to the Committee on Public Works.

PROPOSED AMENDMENT TO THE CONSTITUTION RELATING TO SUCCESSION TO THE PRESIDENCY AND VICE-PRESIDENCY—AMENDMENTS

AMENDMENT NO. 29

Mr. TOWER (for Mr. Thurmond) submitted amendments, intended to be proposed by Mr. Thurmond to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 30

Mr. HRUSKA submitted an amendment, intended to be proposed by him, to Senate Joint Resolution 1, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTIONS

Mr. BOGGS. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 969) to amend title 38, United States Code, so as to require the Administrator of Veterans' Affairs to give 6 months advance public notice of the planned closing or relocation of any veterans' facility, and to provide for at least one veterans service center in each State, and for other purposes, the names of Senators Eastland, Gruening, and McIntyre be added as cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BOGGS. Mr. President, I ask unanimous consent that at the next printing of S. 108, a bill to make Columbus Day a national holiday, the name of the Senator from Indiana [Mr. Hartke] be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I ask unanimous consent that at its next printing the names of the Senator from Nevada [Mr. Bible] and the Senator from Vermont [Mr. Prouty] be added as cosponsors of Senate Concurrent Resolution 17, dealing with Soviet persecution of persons of the Jewish faith.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of my colleague from New York [Mr. Kennedy] may be added as a cosponsor of the bill (S. 1055) to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY of New York. Mr. President, I have requested Senator Javits to ask unanimous consent that my name be added as a cosponsor at the next printing of Senate bill 1055, which provides for the acquisition and preservation of the Ansley Wilcox Mansion, in Buffalo, N.Y., as a national historic site.

The Wilcox house is of significance, not only because President Theodore Roosevelt was sworn in there in 1901, but also as a landmark example of postcolonial architecture. It is the only one of four presidential inaugural sites outside Washington that has not been perpetuated as an historical shrine.

Theodore Roosevelt was a distinguished President of our country; and preservation of the place that was central to the momentous events surrounding his assumption of his office will promote an interest in our history, in our Government, and in our political life generally. Particularly in view of the fine community and national support that the proposal has received, I hope the Interior Department will support the move to save the Wilcox Mansion by Federal action. The independent inquiry I have made has convinced me that such support would be entirely appropriate.

I am happy to join my colleagues—Senator Javits and Representatives Dulski, McCarthy, and Smith, of the Buffalo area—in working for Federal action to preserve the Wilcox House. If we work together, I think we can accomplish that aim this year.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at the next printing of Senate Concurrent Resolution 10, to request the President to bring before the United Nations for its consideration the question of the forceful incorporation into the Soviet Union of various captive nations the name of the Senator from Pennsylvania [Mr. Scott] be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McNAMARA. Mr. President, I ask unanimous consent that the name of the senior Senator from Connecticut [Mr. Dodd] be added as a cosponsor of the bill (S. 812) to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation, at the next printing of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and joint resolution:

Authority of February 1, 1965:

S. 937. A bill to amend the Federal Aviation Act of 1958 to require the Civil Aeronautics Board to enforce the duty imposed on each carrier to provide adequate services in connection with the transportation authorized by its certificate of public convenience and necessity, and for other purposes: Senators Bass, Clark, Gruening, Long of Missouri, McCarthy, Montoya, Mundt, Muskie, Pastore, Ribicoff, and Williams of New Jersey.

Authority of February 2, 1965:

S. 961. A bill to protect the constitutional rights of American Indians from being infringed upon by Indian tribes exercising powers of self-government: Mr. Bartlett.

S. 962. A bill to protect the constitutional rights and to authorize the appeal of a criminal action from an Indian court to a United States district court for trial: Mr. Bartlett.

S. 963. A bill authorizing the Attorney General to receive, investigate, and act on complaints filed by Indians alleging that they have been deprived of their constitutional rights: Mr. Bartlett.

S. 964. A bill to protect the constitutional rights of certain citizens and directing the Secretary of the Interior to recommend to the Congress a model code governing the administration of justice by courts of Indian offenses on Indian reservations: Mr. Bartlett.

S. 965. A bill providing that the United States shall have jurisdiction concurrent with that of the States over certain offenses committed by non-Indians against non-Indians in Indian country: Mr. Bartlett.

S. 966. A bill to protect the constitutional rights of certain individuals: Mr. Bartlett.

S. 967. A bill relating to offenses committed within Indian country: Mr. Bartlett.

S. 968. A bill relating to the employment by certain Indians of legal counsel: Mr. Bartlett.

S.J. Res. 40. Joint resolution authorizing and directing the Secretary of the Interior to prepare and revise certain materials related to Indians in order that their constitutional rights might be fully protected: Mr. Bartlett.

Authority of February 4, 1965:

S. 994. A bill to extend the operation of the National Wool Act of 1954, as amended: Senators Allott, Anderson, Bennett, Bible, Burdick, Cannon, Church, Cooper, Curtis, Dirksen, Dominick, Eastland, Ervin, Fannin, Hruska, Jackson, Jordan of North Carolina, Jordan of Idaho, Kennedy of Massachusetts, Kuchel, Long of Missouri, Magnuson, Mansfield, McCarthy, McGovern, Metcalf, Miller, Montoya, Morse, Moss, Mundt, Murphy, Muskie, Neuberger, Pastore, Saltonstall, Simpson, Talmadge, Thurmond, Tower, Yarborough, and Young of North Dakota.

S. 995. A bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violation of section 3 of the Robinson-Patman Act: Mr. Hartke.

S.J. Res. 42. Joint resolution proclaiming the corn tassel as the national floral emblem of the United States: Mr. McCarthy and Mr. Long of Missouri.

Authority of February 8, 1965:

S. 1033. A bill to provide public works planning, coordination, and implementation of economic development programs needed to assist in the development of the intermountain region: Mr. Montoya.

S. 1045. A bill to establish a Department of Housing and Urban Development, and for other purposes: Mr. GRUENING and Mr. LONG of Missouri.

NOTICE OF PUBLIC HEARING ON PATENT OFFICE FEES

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled a public hearing on S. 729 and S. 730, bills to fix the fees payable to the Patent Office. The hearing will commence on Wednesday, March 3, 1965, at 10 a.m., in room 3302, New Senate Office Building.

The subcommittee conducted extensive hearings on this subject during the 87th and 88th Congresses and it is anticipated that the record of those proceedings will be adopted as part of the record of the pending bills. Anyone who wishes to testify briefly or file a statement for the record should communicate immediately with the Office of the Subcommittee, room 349A, Senate Office Building, Washington 25, D.C., telephone 225-2268, or Government code 180, extension 2268.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], and myself.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CASE:

Excerpts from speech on the danger of attempting to "write off" entire voting groups, delivered by Representative ROGERS C. B. MORTON, of Maryland, at Sea Girt, N.J., on February 11, 1965.

MEDICARE OR MEDICAL CARE?

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD the text of an article by an old friend and colleague, Dr. Walter H. Judd, which appeared in the February issue of Reader's Digest entitled "Medicare or Medical Care?"

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEDICARE OR MEDICAL CARE?

(By Walter H. Judd, M.D., former U.S. Representative from Minnesota)

(NOTE.—We must not play politics with the health of the Nation. In this trenchant analysis, a critic distinguished both as a doctor and as a legislator strips away the propaganda from the administration's medical program.)

Shortly before the election last November, President Johnson was asked, "Mr. President, is medicare going to be on your list of 'must legislation' for next year?" The President answered firmly, "Top of the list."

Thus, advocates of federally financed health plans, who have fought a losing fight for nearly 20 years, gained new hope and confidence. Indeed, since the election, these advocates have talked of a "mandate" for their present favorite legislative formula: medical care for the aged under social security.

Congress, therefore, is faced with this solemn question: What shall the law they pass provide for sick and needy people over 65—medical care or merely medicare?

Seldom has an important piece of legislation been so confused and camouflaged by propaganda and promises. The name medicare itself is a notable case of mislabeling. Those who have studied the King-Anderson bill and the various proposals that have succeeded it know that medicare does not provide medical care for the aged; it provides only limited hospital and nursing home care plus a few fringe benefits. Despite the slogans and the oratory, medicare would provide nothing for doctors' bills, whether office visits or house calls; nothing for surgeons' fees, nothing for dentists' bills; nothing for drugs, medicines, dentures, eyeglasses, hearing aids.

Then what does medicare provide? Under the administration bill which passed the Senate last fall (the Gore amendment to the Social Security Act), these benefits—and only these—are available:

Up to 45 days in the hospital with no deductions; up to 90 days, if you pay $10 per day for the first 9 days; up to 180 days after a deduction of 2½ times the average cost of 1 day's stay in the hospital.

Hospital care would consist of bed and board, plus nursing and related services "customarily furnished by the hospital to inpatients." Specifically excluded, however, are "medical or surgical services provided by a physician, resident or intern, except in the fields of pathology, radiology, psychiatry, or anesthesiology."

Nursing-home care would consist of a maximum of 60 days in a "skilled nursing facility" after discharge from the hospital, and would include medical services provided under an approved teaching program by interns and residents of the hospital with which the nursing facility is affiliated. (Few such hospital-affiliated nursing homes exist today.)

Outpatient hospital services would be furnished for diagnostic studies only, during any 30-day period after an initial payment of $20. Home health service would be furnished by a visiting nurse for a maximum of 240 visits in the calendar year.

Medicare advocates claim: "This system permits people to contribute during their working years to the heavy costs of medical care in their later years."

Says Dr. Ernest B. Howard, of the American Medical Association: "Rarely have so many lies been packed into so few words."

Not on the label. Indeed, medicare, in many respects, is the opposite of what some proponents claim it to be.

Medicare does not permit; it compels every wage earner to participate in the plan.

The wage earner does not contribute; he is taxed.

The medicare taxes paid "during the wage earners' working years" do not go to pay "the heavy costs of medical care" in their later years. The taxes they pay today would go to pay today's beneficiaries. Tomorrow's benefits would have to be paid for by tomorrow's taxpayers.

Under medicare the secretary earning $5,600 would pay exactly the same tax as the executive earning $56,000, since the tax base would be on earnings up to $5,600. The tax burden, therefore, would be borne largely by those earning $5,600 and less—the same people who even today are casting worried eyes on their paychecks, aware of the heavy burden imposed by social security deductions plus income tax.

And here is the final irony: Because medicare provides, the same aid to all over 65—whether they need it or not—its benefits to those who do need aid are wholly inadequate.

Mandate for medicare? Current propaganda for the administration bill interprets the Democratic victory of 1964 as a "public mandate for medicare." Yet, since 1961, when medicare started out in high esteem, the weight of public opinion has shifted, as increasing numbers of people learned the facts. The day after the 1964 elections, Samuel Lubell, of United Press International, reported on his nationwide tour ringing doorbells and questioning voters about election issues. He learned from his interviews that, although there was a feeling that "older people need help, details of the administration's proposal are not understood and the opposition of voters rises when they learn how limited is the assistance that would be provided and what it would cost in tax increases."

Many Americans are gravely concerned about the future of social security and opposed to heaping any additional burdens upon it. Their concern is justified. The payroll tax and the tax base both have been climbing steadily, from the original 2 percent of the first $3,000 of income in 1937–49, to 7.25 percent of $4,800 in 1964–65, and will increase to 8.25 percent in 1966, even without medicare. If the medicare bill is passed, it will necessitate an increase to 9 percent of $5,600 in 1966–67 and at least 10 percent the following year.

Nor is an end in sight. Dr. Barkev S. Sanders, who for 35 years was medical and welfare statistician for the Government, reminds us that the Government always underestimates future welfare costs. "On the basis of available evidence," Dr. Sanders reported in Nation's Business, "even in the first year of medicare, its cost would be at least three times the estimated cost. It is more probable that the multiplier would be four."

Inevitably, "medical care under social security" would become a political football. The first step would be to admit openly that medicare is inadequate; next, a little more would be added—always in an election year. And, as benefits increased, the tax inevitably would rise. In 1961 a medicare pioneer, former Representative Aime J. Forand, Democrat, of Rhode Island, virtually admitted that this would be the scheme. "If we can only get our foot inside the door," he stated, "we can expand the program after that."

WHAT'S WRONG?

The fault of the Government medical planners is basically the assumption that most Americans over 65 are sick, destitute, and incapable of taking care of themselves. Promedicare people have presented a frightening image with such statements as "Incomes of the aged are inadequate even for a modest level of living. * * * The income of the great majority of the aged is little more than a monthly social security check. * * * More than half the aged have incomes of less than $1,000 a year."

Yet the 1963 report of the President's Council on Aging itself provides facts to contradict such statements:

The "less than $1,000 a year" figure is based on the statistical trick of averaging in the zero incomes of wives and unemployable dependents who are over 65, while completely ignoring the fact that the actual income of the head of the house, or the family income, may be significantly greater.

Only one-third of the total income of Americans over 65 ($35 billion) comes from social security and other Government retirement programs.

The income of the aged has risen faster than the cost of medical care, and faster than the income of the population as a whole. "While the number of older people increased by about 40 percent in the past decade," the Council on Aging states, "their total income rose by more than 130 percent. This compares, for the same period, with an increase of 80 percent in the total personal income of the entire population."

Surveys in 14 States show that between 70 and 91 percent of patients over 65 pay their hospital bills promptly, largely out of income, savings, and private insurance. (This is a much higher percentage than that of younger people.) Ten hospitals in Allegheny County, Pa., have reported that of 19,996 patients over 65 admitted during 1962–63, 97.4 percent paid up promptly, 76.9 percent with private insurance or their own funds, and 20.5 percent with benefits from the Kerr-Mills program. Only 2.6 percent of the hospital bills were unpaid when the survey was made.

How do we reconcile these facts with the contention that the older American's problems come "dangerously close to making him a second-class citizen?"

WIDESPREAD ILL HEALTH

Equally false is the assumption that older Americans are mostly feeble and constantly ill. The Senate's Special Committee on Aging, for example, was told that four out of five old people suffer from chronic illnesses, and that they visit doctors 36 percent oftener than the total population. To most laymen chronic illness means an ailment that is severe and disabling. But to doctors the word "chronic" denotes duration and not severity of an illness. Statistics of the U.S. National Health Service show that more than half of older Americans who have chronic health problems are able to carry on their normal activities.

That the aged visit doctors 36 percent oftener than the total population sounds horrendous; but that percentage means exactly 1.8 more visits per year. Those over 65 average 6.8 visits to the doctor's office each year, compared with an average of five visits for the total population. And medicare, of course, would not pay for any visits.

A Health Information Foundation survey of elderly Americans not in institutions shows that most of them enjoy reasonably good health. Only 14 percent of those surveyed were classified as "very sick." Of the remainder about half considered themselves healthy; the other half reported some disability but not enough to interfere with physical functioning.

WHAT IS THE ANSWER?

Fortunately medicare is not "the only answer" to the health problems of the aged. Better answers are available. What we need is a voluntary system that will provide good medical care for all Americans, including those over 65 who are in need. Can this be provided?

Medical and hospital care already is within reach of a majority of Americans through voluntary health-insurance plans. Of the 18 million persons over 65, more than 10 million are now covered by one or another such plan.

For those who have no insurance and cannot qualify under the age limits of standard insurance policies, there is the popular "Connecticut 65" plan, inaugurated in 1961. Thirty-two Connecticut insurance companies are pooling their risks in a voluntary association which offers noncancelable insurance covering hospital, medical and surgical expenses to Connecticut residents over the age of 65. Similar plans have been started in New York, Massachusets, North Carolina, Virginia, Texas, Ohio and California. The California plan is about to become "Western 65," and will operate in Arizona, Nevada, New Mexico, Oregon, and Washington, as well as in California.

To make sure that older policyholders will be able to buy their own insurance, Representative Frank T. Bow, of Ohio, has introduced a bill which deserves special consideration. The bill would provide an income-tax credit equal to the amount of the premium up to $150 for those with incomes under $4,000, or up to $300 for a couple whose combined income is less than $8,000. It would authorize the same tax credit to a relative who wishes to purchase health insurance for a family member over 65. The credit would also be available to any employer who provides medical-care insurance for his retired employees.

MAA-KERR-MILLS

At the heart of this voluntary system is medical aid for the aged—generally called Kerr-Mills—which, properly implemented, would guarantee that no one over 65 shall be without medical care because of inability to pay.

Unlike medicare, Kerr-Mills can provide, in addition to hospital and nursing-home care, funds for doctors' bills, dental care, private nursing when needed, laboratory and X-ray facilities, and prescribed drugs. This plan, available to the needy and near-needy without cost, is financed by Federal funds matched by funds of the participating States. Since the law was enacted in 1960, 42 States have authorized participation. Benefits vary from State to State, and in some States the plan is not working as well as it might; but these faults are local, and experience shows that they are correctable.

Medicare advocates have two major objections to Kerr-Mills. First, the plan is operated by the States, and hence is beyond the control of the Federal Government. Second, the plan is exclusively for those over 65 whose low or marginal income will not enable them to bear the cost of the medical care they need. There are no benefits for those who can afford good medical care.

The social planners complain that needy old folks must pass a means test (which they wrongly equate to a "pauper's oath") in order to qualify for Kerr-Mills benefits. Actually, this test is applied by most churches, private charities, labor unions—and by Government agencies like the Veterans' Administration, low-rent public housing, and other programs. The Department of Health, Education, and Welfare now uses the same means test to determine whether the earnings of a person over 65 are high enough to disqualify him from receiving his normal social security benefits.

Probably some form of liberalizing the methods of determining need should be included among the other amendments designed to make the Kerr-Mills plan everything it should be; but Congress should retain in the law a proper safeguard against the waste of public funds and the inroads of the free riders.

CAVEAT EMPTOR

Thus there are sound alternatives to the obviously unsound plan called medicare. There is no reason, therefore, why Congress should be stampeded into accepting a plan that has only political expedience in its favor. A majority of the people are now aware of the administration bill's shortcomings. And if such a bill were to be enacted into law, bitter disillusionment would begin as soon as the first benefits were applied for.

It must be recognized that no Government programs by themselves can provide a fully adequate solution to the admitted need of many older people for assistance with their health problems. But there are some things that Government can and should do to help. The administration has the opportunity to make an effective contribution toward adequate medical care for all, and at lower cost to the taxpayers in the lower bracket, (1) by endorsing and promoting voluntary hospital and surgical insurance: (2) by supporting supplementary plans such as "Connecticut 65" and something like the Bow bill; (3) by including and honestly suporting the Kerr-Mills program, which will take care of those over 65 who are in need of medical care and cannot pay for it themselves. By adopting such a course President Johnson can be instrumental in bringing to all Americans of all ages medical care that is truly worthy of a Great Society.

REPUBLICAN PROPOSALS

Mr. DIRKSEN. Mr. President, the staff of the Senate Republican policy committee has compiled a highly illuminating list of Republican proposals, listed by category, that have been offered by Republican Senators within the short time of less than 1 month. The list, which is a partial one and merely touches the highlights, is compiled up to January 26 and, because of the unique manner of its compilation, should prove to be of interest, help and benefit to the Congress and the general public. I ask unanimous consent that it be printed in the body of the Record following these remarks.

There being no objection, the list was ordered to be printed in the Record, as follows:

Republican Senators Offer Nation Variety of Legislation on Domestic and International Issues, Problems, Solutions

What are Republicans offering in the way of concrete legislative programs?

Here is the answer, and evidence—in just a sampling—of the wide scope of proposals Republican Senators have offered in less than a month for the consideration of the country and the Senate:

SOCIAL SECURITY

To help persons, who, for one reason or another, have not obtained sufficient quarters of covered employment or who have worked in jobs outside the scope of the social security contribution program; to "blanket in" under the system all those age 70 or over who are not now eligible. By Senator Prouty, of Vermont (S. 350).

To provide for a 7-percent increase in the monthly insurance benefits payable under title II of the Social Security Act. By Senator Fong, of Hawaii (S. 39).

To increase to $1,800 the annual amount individuals are permitted to earn without suffering deductions from the benefits payable to them under social security. By Senator Thurmond, of South Carolina (S. 544).

To permit a child's insurance benefits under social security to continue after age 18 in case of certain children who are full-time students. By Senator Fong, of Hawaii (S. 498).

To permit persons eligible for social security to earn up to $2,400, in place of $1,200, before they would suffer a diminishment in social security benefits. By Senator Prouty, of Vermont (S. 351).

To help disabled widows to receive widows' insurance benefits even though they have not attained retirement age. By Senator Carlson, of Kansas (S. 221).

Proposes increased benefits under social security program; provides child's insurance benefits beyond age 18 while in school; provides widow's benefits at age 60 instead of 65 on reduced basis; provides benefits to individuals not otherwise eligible at age 72; improves actuarial status of trust funds; extends coverage and improves public assistance programs. By Senator Carlson, of Kansas (S. 377).

To increase to $2,400 the annual amount a social security recipient can earn without deduction. By Senator Scott of Pennsylvania (S. 15).

To increase social security benefits from a minimum of $40 to $70 with scaled increases upward to $300, a maximum family benefit. By Senator Prouty, of Vermont (S. 349).

FINANCE AND TAXATION

To exempt from coverage under the Unemployment Tax Act the service performed in the employ of certain tax exempt agricultural and horticultural organizations. By Senator Curtis, of Nebraska (S. 332).

Exempt from tax the musical instruments sold to students for school use. By Senator Young of North Dakota (S. 502).

Repeal of retail excise taxes on jewelry, furs, toilet preparations, and luggage and handbags. By Senator Fong, of Hawaii (S. 311).

Locating new U.S. Mint in San Francisco because of population growth and increased economic power of the West. By Senators Kuchel and Murphy, of California (S. 492).

To permit deduction of expenses during taxable year for repair, maintenance, alterations, and additions to a taxpayer's home. By Senator Carlson, of Kansas (S. 223).

Allowing deduction from the gross estate for the value of property passing to children. By Senator Curtis, of Nebraska (S. 695).

Allowing additional time for payment of 1964 income tax to the extent of underwithholding on wages paid to individuals (caused by the 1964 tax cut). By Senator Tower, of Texas (S. 733).

To help taxpayers who had a reduced amount of withholding tax during the past year because of the tax reduction and now find a large lump sum is due for income taxes; permits employers to withhold for 1964 and 1965 income tax not withheld currently from the wages of employees, and to treat the amounts so withheld as having been paid by such employees on the dates on which the returns are filed for such years. By Senator Dirksen, of Illinois (S. 477).

Constitutional amendment designed to put an end to deficit financing by the Federal Government and to restore order in our Government's fiscal affairs. By Senator Curtis, of Nebraska (S.J. Res. 30).

Removing limitations on the deductibility of medical expenses for the care of dependents who have attained the age of 65. By Senator Thurmond, of South Carolina (S. 543).

Permitting a taxpayer carrying on a trade or business in the conduct of which 10 or less persons are engaged to elect to take a standard deduction, in lieu of itemized deductions, for expenses attributable to such trade or business. By Senator Thurmond, of South Carolina (S. 541).

VETERANS

Authorizing wartime benefits, substantially the same as those provided for veterans of the Korean conflict, to veterans of our Armed Forces who, when the United States is not engaged in a formally declared war, serve in areas where armed conflict or other warlike conditions exist. By Senator Saltonstall and 25 other Republican Senators (S. 520).

Urging the President to cancel all action with respect to the possible closings—as announced by the administration—of regional offices, hospitals, and other facilities operated by the Veterans' Administration until the Committee on Labor and Public Welfare reaches a determination in writing as to whether the proposed closings will decrease or improve service to veterans. By Senator Prouty, of Vermont (S. Res. 38).

Designation of southeast Asian area as a combat zone under the Internal Revenue Code, so as to provide tax benefits already prescribed by law for combat zone service. By Senator Tower, of Texas (S. 459).

Providing for the incorporation of the Merchant Marine War Veterans Association. By Senator Dirksen, of Illinois (S. 346).

Vietnam GI rights: (1) Educational benefits, like those extended in Korean war and World War II, for veterans whose military service approximates that of wartime, (2) home and farm loan assistance, (3) loan benefits for widows, and (4) educational benefits for children of combat dead. By Senator Tower, of Texas (S. 458).

Calling for creation of a Senate standing Committee on Veterans' Affairs to handle all measures and matters dealing with veterans' affairs generally, pensions, Government life insurance, compensation of veterans, veterans' hospitals, medical care, and treatment, soldiers' and sailors' relief, and readjustment of servicemen to civil life. By Senator Dirksen, of Illinois, and Republican Senators Case, Cotton, Fong, Hickenlooper, Javits, Kuchel, Miller, Mundt, Pearson, Prouty, Scott, Simpson, Smith of Maine, and Young of North Dakota (S. Res. 20).

GOVERNMENT

Proposes constitutional amendment relating to future vacancies in the office of Vice President, and provides that in event of a vacancy in this office, the President shall nominate a Vice President of the same party affiliation as that of the President, said nominee to take office only upon confirmation by a majority vote of both Houses of Congress sitting in joint session. By Senator Miller, of Iowa (S.J. Res. 15).

Proposing an amendment to the Constitution for electoral college reform. By Senator Mundt, of South Dakota (S.J. Res. 12).

A proposed constitutional amendment providing for election of a new Vice President by the electoral college when a vacancy in that office exists. By Senator Thurmond, of South Carolina (S.J. Res. 25).

Providing that September 17 in each year shall be known as Constitution Day. By Senator Dirksen, of Illinois (S.J. Res. 17).

Proposing a constitutional amendment providing the people of each State shall have the power to determine the composition and reapportionment of the membership of State legislatures. By Senator Dirksen, of Illinois (S.J. Res. 2).

Amending the Constitution to provide for election of President and Vice President by popular vote. By Senator Aiken of Vermont and Senator Smith of Maine (S.J. Res. 4).

Amending the Constitution to provide a plan to be used where a President is unable to discharge the powers and duties of his office. By Senator Hruska, of Nebraska (S.J. Res. 6).

(Note.—Another proposed constitutional amendment on presidential succession (S.J. Res. 1) is sponsored by 73 Republican and Democrat Senators.)

Creates U.S. National Arts Foundation, clearly defining the role of the Federal Government so nothing will endanger or interfere with traditional freedom of the artist; sets guarantees against Federal control or political intrusion into the arts with a program based on the same principles as the Smithsonian Institution; provides matching grants to nonprofit groups for encouragement of performances and exhibitions in cities and towns which could not otherwise receive and support them. By Senator Javits, of New York (S. 310).

Establishing an Office of Community Development in the Executive Office of the President. By Senator Scott, of Pennsylvania (S. 497).

Calling for periodic congressional review of Federal grants-in-aid to States and to local units of government. By Senator Mundt, of South Dakota (S. 689).

Creating Commission for Elimination of Pornographic Materials. By Senator Miller, of Iowa (S. 735).

Encouraging physicians and dentists who have received student loans to practice in areas having a shortage of doctors and dentists. By Senator Cotton, of New Hampshire (S. 576).

Designating the American marigold as the national floral emblem of the United States. By Senator Dirksen, of Illinois (S. J. Res. 19).

Creating the Commission on Noxious and Obscene Matters and Materials to help stamp out billion-dollar smut racket. By Senator Mundt, of South Dakota (S. 309).

Requiring registration with Postmaster General of the names of mailing list suppliers and buyers. By Senator Miller, of Iowa (S. 732).

To permit voluntary fire companies to be classified in nonprofit category of postal laws as permitted nonprofit religious, educational, philanthropic, labor, veterans, and fraternal organizations. By Senator Boggs, of Delaware (S. 390).

HEALTH CARE FOR THE AGED

Providing Federal financial assistance for establishing and maintaining State programs of voluntary health insurance for the aged, with these features: (1) Voluntary program financed with general revenues, not based on compulsory social security financing, (2) Federal-State matching funds but State administration, (3) program based upon Kerr-Mills law rather than replacing it, since one requirement of State participation will be that benefits to individuals who are not eligible for assistance under Kerr-Mills law, (5) choice of three actuarily equivalent plans so that participants can select one which best meets specific needs, (6) private insurance policy option, (7) contributions by individual enrollees based on income and, (8) elimination of undesirable features such as burdensome means test. By Senator Saltonstall, of Massachusetts; Senator Aiken, of Vermont; Senator Cotton, of New Hampshire; Senator Morton, of Kentucky; Senator Prouty, of Vermont; and Senator Scott, of Pennsylvania (S. 395).

PUBLIC WORKS

Increasing the total mileage of the National System of Interstate and Defense Highways from 41,000 miles to 50,000 miles. By Senator Case, of New Jersey (S. 501).

To authorize Secretaries of Agriculture and Commerce to make preliminary survey of a proposed Skyline Drive Recreation Way in the Manti-LaSal and Fishlake National Forests of Utah, similar to the famed National Scenic Blue Ridge Mountains Parkway. By Senator Bennett, of Utah (S. 636).

To permit Federal help for building needed reservoir projects under the Watershed Protection and Flood Prevention Act. By Senator Young of North Dakota (S. 50).

EDUCATION

To provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning. By Senator Carlson, of Kansas (S. 222).

To provide for a 20-percent credit against individual income tax for certain educational expenses incurred at an institution of higher learning. By Senator Thurmond, of South Carolina (S. 538).

Giving $1,000 tax deduction to parents for each child they are putting through college and to students who are working to finance their own higher education. By Senator Scott, of Pennsylvania (S. 300).

To promote public knowledge of progress and achievements in astronautics through designation of a special day in honor of Dr. Robert Hutchings Goddard, father of modern rockets. By Senator Saltonstall, of Massachusetts (S. 301).

Designation of the fourth week in April of each year as "Youth Temperance Education Week." By Senator Dirksen, of Illinois (S.J. Res. 18).

ARMED SERVICES

Expressing sense of the Senate that our servicemen in South Vietnam, or any other place where there is hostile action, should promptly be sent most efficient equipment possible—such as aircraft—and in adequate numbers. By Senator TOWER, of Texas (S. Res. 25).

Honoring members of the Armed Forces who may lose their lives in any future action by furnishing suitable Government headstones and markers. By Senator YOUNG of North Dakota (S. 297).

To equalize treatment of Reserves and Regulars in the payment of per diem. By Senator THURMOND, of South Carolina (S. 539).

JUDICIAL

Establishing qualifications, including 5 years of prior judicial service, for persons appointed to the Supreme Court of the United States. By Senator SIMPSON, of Wyoming (S. 299).

Requiring the advice and consent of the Senate in the appointment of the Director and Associate Director of the Federal Bureau of Investigation after the present incumbent ceases to serve; also providing 15-year terms for the director and associate director after which neither appointee would be eligible for reappointment to the same office. By Senator DIRKSEN, of Illinois (S. 313).

Formation of a Court of the Union to be composed of the chief justices of the highest courts in each State and which would be empowered to pass upon any decision which relates to the rights reserved to the States or to the people by the Constitution. By Senator THURMOND, of South Carolina (S.J. Res. 21).

To withdraw from the Federal courts jurisdiction to hear and decide cases concerning the apportionment of State legislatures. By Senator THURMOND, of South Carolina (S. 534).

Providing means for disqualification of circuit judges for bias or prejudice. By Senator COTTON, of New Hampshire (S. 577).

CIVIL SERVICE

To modify the present reduction in group life insurance of retired Government employees who have attained age 65. By Senator CARLSON, of Kansas (S. 257).

Permitting U.S. judges who resign after attaining age of 65 and after having served at least 15 years to continue to receive the salary which they were receiving at the time of resignation. By Senator AIKEN, of Vermont (S. 631).

To permit retirement of civil service employees with 30 years of service on full annuities without regard to age. By Senator FONG, of Hawaii (S. 39).

Providing Government employees maximum amount of group life insurance commensurate with salary. By Senator DIRKSEN, of Illinois (S. 628).

Preventing the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal services. By Senator SCOTT, of Pennsylvania (S. 715).

INTERNATIONAL AFFAIRS

Prohibiting further U.S. aid to the United Arab Republic under President Nasser and termination of training of United Arab Republic military and police personnel at U.S. Government facilities. By Senator TOWER, of Texas (S. 329).

Requesting the President to take action to bring before the United Nations a resolution declaring Russia shall (1) withdraw troops and controls from the Baltic States, (2) permit all citizens of the Baltic States to return to their homelands from places of exile, and (3) for the United Nations to sponsor free elections in the Baltic States. By Senator DIRKSEN, of Illinois (S. Con. Res. 6).

Asking Congress to pass concurrent resolution requesting the President to urge the United Nations to take effective action so the Soviet Union will withdraw its troops from all the captive nations, including the Baltic States, and to return such captive people to their homeland if they are now in exile, and to require free elections under the supervision of the United Nations in all the captive nations. By Senator DIRKSEN, of Illinois (S. Con. Res. 10).

Prohibiting further U.S. aid to Indonesia, including training of Indonesian military and police personnel at U.S. Government facilities. By Senator TOWER, of Texas (S. 328).

Repealing the so-called interest equalization tax imposed on stocks and bonds purchased directly from nonresident foreigners and supposed to be used temporarily. By Senator FONG, of Hawaii (S. 38).

Prohibiting the use of products originating in any country or area dominated or controlled by communism in any housing programs administered by the Housing and Home Finance Agency, the Veterans' Administration, and related constituent agencies. By Senator SCOTT, of Pennsylvania (S. 712).

Preventing importation of flat glass which is the product of any country or area dominated or controlled by communism. By Senator SCOTT, of Pennsylvania (S. 714).

Prohibiting the use of products originating in any country or area dominated by communism in Federal or federally assisted projects for the construction, alteration, or repair, of any building, public works, or facility. By Senator SCOTT, of Pennsylvania (S. 716).

AGRICULTURE

Providing assistance in the development of adequate rural water systems. By Senator AIKEN, of Vermont (S. 493).

To provide that wheat purchased or processed for donation to needy persons be exempt from the wheat processing certificate payment. By Senator BENNETT of Utah (S. 639).

Establishing commission to reexamine effectiveness of Federal agricultural laws and programs. By Senator JAVITS, of New York (S.J. Res. 20).

Providing for the relief of critical railroad boxcar shortage and help .grain industry through providing sufficient boxcars to ship their products when ready and avoid losses occasioned by inadequacy of equipment. By Senator CURTIS, of Nebraska (S. 179).

Promoting the increased use of agricultural products for industrial purposes. By Senator CURTIS, of Nebraska (S. 494).

Program for increased use of farm products for industrial purposes. By Senator MUNDT, of South Dakota (S. 181).

Program for control of noxious plants on Federal lands. By Senator CARLSON, of Kansas (S. 219).

To aid marketing power of farmers and ranchers. By Senator AIKEN, of Vermont (S. 109).

CONGRESS

To safeguard the right to any officer or employee of a Federal agency or department to testify before a duly constituted and empowered congressional committee or subcommittee without being subjected to reprisals. By Senator THURMOND, of South Carolina (S. 537).

Providing specific dates for Congress to adjourn sine die by August 15 in even-numbered years and reconvene November 15, and in odd-numbered years, August 1 and November 1. By Senator SMITH, of Maine (S. Con. Res. 3).

Requiring that any communication between a Senator or a member of his staff and a regulatory agency in adjudicatory proceedings be made a part of the public record of the procedure. By Senator JAVITS, of New York (S. 466).

Requiring the Select Senate Committee on Standards and Conduct to prepare and submit to the Senate a code of ethics for Senators and legislative employees, with a provision that, in the meantime, an interim code would be based on reporting of financial interests. By Senator JAVITS, of New York (S. Res. 26).

Prohibiting use of appropriated funds by Government officials for purpose of influencing the vote in any referendum or election. By Senator SIMPSON, of Wyoming (S. 180).

Permitting television and radio coverage of selected Senate sessions during major debates on the most important national issues. By Senator JAVITS, of New York (S. Res. 64).

Allowing installation of public address system within the Senate Chamber. By Senator JAVITS, of New York (S. Res. 65).

NATURAL RESOURCES

Giving Western States the same 90 percent of the mineral rights royalties of public lands as given Alaska when it was admitted to statehood; and thus providing equal treatment to all States as Western States have been receiving less than 90 percent while Eastern States retain title to their public lands and receive direct royalties. By Senator SIMPSON, of Wyoming (S. 90).

To provide an appropriation up to $200,000 with which to make a survey of a proposed Golden Circle National Scenic Parkway complex connecting national parks, national monuments, and recreation areas in four States. By Senator BENNETT, of Utah (S. 363).

Establishment of the Agate Fossil Beds National Monument. By Senator HRUSKA, of Nebraska (S. 339).

To prohibit the use of the term "mahogany" in connection with woods and other products which are not in fact mahogany. By Senator DIRKSEN, of Illinois (S. 566).

THE NEED FOR MORE REALISM IN OUR FOREIGN POLICY

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, the other day, along with millions of other Americans, I watched a young man win a golf tournament.

For a few hours of play, he earned more money than millions in some of the undeveloped countries can earn in hundreds of years of heavy toil.

There is no criticism involved in this observation. But, combined with some other aspects I shall dwell on briefly, perhaps it does give a small part of the answer as to why the leaders of about half of the billions of people now on this earth daily urge their constituents to hate, and look forward to the destruction of, the United States.

At the same time, economically and politically, certain leaders of countries to whom we have rendered heavy assistance, some for nearly 50 years, are becoming increasingly antagonistic to our policies and our position.

I am proud that we gave that assistance, but I do believe, as our own problems increase, it should be given some consideration.

This Nation stands as the last truly significant strength in the world today against the steady pressure of imperialistic Communist aggression. We are paying most of the cost of the defense of freedom in Europe, most of it in the Middle East, and nearly all in Central and South America, and nearly all against the possibly greatest potential aggressor out in the Far East.

In Korea, on the sea by Formosa, in South Vietnam, in Western Europe, and many other places, we continue to spend billions of dollars annually, defending many who in turn are now attempting to cripple our prosperity and, therefore, our security.

This cannot go on. If it does, it is only a question of time before our economy, the source of our military strength, will be in serious trouble.

We have an able, dedicated, courageous, and careful President. But these are not his policies. He inherited them, as did his predecessor and his predecessor's predecessor, and I am confident that he will change them.

Without the support of the United States, Formosa could not live against an all-out pressure from Communist imperialism. Nor could Korea or South Vietnam. For that matter, neither could France or any other country which lacks the capacity for full nuclear retaliatory exchange.

No longer is there any dollar gap; in fact, for over 15 years the reverse has been true.

Why, then, should we continue to be so much alone in the defense of the West, in so many parts of the world?

Why should not all of us be partners in this joint defense, instead of some being our constant critics, at times acting as if they were already at least our economic enemies?

In this nuclear age, each and every day the mind of man is further telescoping time and space to the point where once far-off countries, if not our friends, are now our neighbors, and the leaders of many of these neighboring countries are almost daily exhorting their constituents—hundreds upon hundreds of millions of them—to hate the United States.

In this era of the hydrogen bomb, the development of such hatred between nations can only become a steadily increasing danger, primarily because of the proliferation of the new weapons.

For the past 20 years, and after it was either necessary or advisable, one group in this country has urged that our Government continue to pour out its treasure so as to improve the lot of nearly every nation in the world. This program, once worthwhile, is now questionable and very expensive.

For the past 20 years also, another bloc in this Nation has preached steadily the doctrine of hate against all Communists, and has urged heavy military assistance to various countries in return for often questionable support. This philosophy and program has also been most expensive, in recent years has done little or nothing to improve our security, and has increased the opportunity for Communist leaders to in turn increase the bitterness of their people against the United States.

Trade invariably improves understanding. Why, therefore, do so many people consider it a crime for us to trade behind the Iron Curtain when every other developed country in the free world is doing its best to increase that trade?

It is clear that there should be a major reappraisal of our foreign policy: Less aid, more trade; less effort to demand, in return for any assistance, general conformity to our own political convictions; more effort, regardless of ideological differences, to develop more good will and understanding among all nations.

This country was founded by those who believed in religious freedom, the equality of all men, and their right to disagree. I believe we should start practicing more of what for so many years we have been preaching.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to my able friend from Washington.

Mr. MAGNUSON. I subscribe to what the Senator from Missouri has said. He and I and others, have been seriously concerned about the whole of trade. The Committee on Commerce intends to pursue this matter in connection with proposed legislation that will accomplish what the Senator from Missouri suggests; namely, provide for a reappraisal. We intend to pursue the subject of East-West trade, because it is highly important. I am glad to hear what the Senator from Missouri has said.

Mr. SYMINGTON. I appreciate the remarks of the able Senator, the chairman of the Committee on Commerce.

Mr. MAGNUSON. Trade is usually the forerunner of an increasing ability of people to get along with one another.

Mr. SMATHERS. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Florida.

Mr. SMATHERS. I join the able Senator from Washington in commending the distinguished Senator from Missouri on his most enlightening remarks. Too frequently we have overlooked, as we continue to overlook, the possibility of remedying many of the difficulties which occur in the world. We should seek in every way through contacts by trade to improve our economic development. I commend the Senator from Missouri for his statement.

Mr. SYMINGTON. I appreciate the remarks of the distinguished Senator from Florida.

Mr. President, I have asked both the Secretary of Commerce and the Secretary of the Treasury if there was any other industrially developed country in the world except the United States not doing its best to obtain all the trade possible with countries behind the Iron Curtain. In both cases, the answer was "No."

THE THIRD ANNUAL SENATE YOUTH PROGRAM

Mr. SYMINGTON. Mr. President, during the first week of February, 102 outstanding young high school leaders representing every State of the Union brought bright inquisitive minds to bear on the operations of the U.S. Government. They explored the workings of the Congress, the judiciary, and the executive branches.

The occasion, of course, was the third annual Senate youth program, made possible through the William Randolph Hearst Foundation's generous response to the Senate's expression of interest in encouraging the youth of our country to train for participation in affairs of the Nation.

These young people represented the Nation's youth and their respective States with spirit and distinction. I congratulate and salute each of the 102 young visitors from the 50 States and the District of Columbia.

It is with natural pride in my own State of Missouri that I compliment William B. Wilson, of Cape Girardeau, and Lloyd Jay Gildersleeve, of Rock Port. Their interest, humor, and good manners spoke well for our State and bodes well for the Nation.

As cochairman of this year's program with the distinguished junior Senator from Idaho, it was my pleasure to speak at the banquet climaxing their strenuous week of attending Senate sessions, committee hearings, and executive briefings. At that time I presented the fact that their Washington experience would be remembered all their lives.

Their visit was made particularly memorable by the extemporaneous and unexpected message of President Johnson when they visited the White House. Perhaps for the first time, the President revealed that in private life also he would have pursued the promotion of young people's interest in their government.

So that his inspiring message may be made available to all, I ask unanimous consent that the President's extemporaneous remarks to the members of the third annual Senate youth program be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

REMARKS BY PRESIDENT LYNDON B. JOHNSON TO THE STUDENT DELEGATES OF THE WILLIAM RANDOLPH HEARST FOUNDATION, U.S. SENATE YOUTH PROGRAM, DIPLOMATIC RECEPTION ROOM, FEBRUARY 5, 1965

President Johnson. Welcome, youth, here to the first house of the land. It is your house and you give me much pleasure to take your time to come and see us and give us a chance to visit together.

I know nothing that is more helpful to me or more stimulating or invigorating than to have a chance to associate and rub shoulders with the young people in our high schools and in our colleges and throughout our country. I am especially proud of you and the leadership of the Hearst organization that has brought you here. For many years I have been in public service now—34 years in Federal service, and before that I worked for the schools and the State—all of my life I have been with one branch or the other of the Government.

The thing that I have wanted to do most when I could do it, either when I got out of public office, was retired either voluntarily or involuntarily, would be to try to arrest and inspire and promote young people's interest in their government. And I am very indebted to the leadership of the Hearst organization, and I am very envious that they are doing what I have wanted to do, and what I hope to do when I am no longer in public life.

I met here one day in the Old Ballroom—above us—a beautiful yellow room, which Mrs. Kennedy has now redecorated, and one of the most exciting places in the White House—with President Roosevelt. And he was in his wheel chair there, behind his desk, and he said "I want you to know that I have just accepted an invitation for you to keynote a national convention of young people in Louisville, Ky., and I have already prepared your speech for you." [Laughter.]

Well, I was comforted to know that if I had to speak to a convention that I had a speech already for me, but I had no advance warning that I was going to even be invited. And I said, "Fine, Mr. President, when is it, and what do you say in your speech?"

He said, "Our system of government is the most important thing we really have in this country to our future, and because I think it is a superior system and better than most systems, I think it must be preserved and I have not the slightest doubt that it will be preserved, provided our young people become as fanatical and as dedicated about democracy and our system as the young Nazi is about their system, because they have been worked up in a feverish heat here, and Hitler has them feeling very strongly that they have a mission in the world, and if our people can just become as excited and as dedicated and as interested about their system, I know that we'll not only be a match, but we'll be the victor."

And that is what I went down there to say, and I believe it was 1940—the year before we were involved in the war, maybe 2 years. So today I want to remind you of something that I use very frequently, and the reporters who are here will probably get tired of hearing me, but I won't see you but just this one time, and this statement has impressed me a lot.

We were a Republic in Texas before we were part of the Union—we were a separate country, and we had a President, and his name was Lamar. And one of the things we remember most about Mr. Lamar, or President Lamar, was his great determination to develop our educational system in our State, and we were determined to have a university of the first class. That is the way they referred to it. And we were determined to educate our young, and in connection with his leadership back there in 1836, he said this: "Education is the guardian genius of democracy." Mr. Theodore Roosevelt said that the President is the steward of all the people. I like that expression. He has a responsibility to all of them to do what is right, and protect them all, the rich and the poor, the wise and the ignorant, all of them.

But Mr. Lamar, the President of the Texas Republic, said, "Education is the guardian of democracy, it is the only dictator that free men recognize, and the only ruler that free men require."

Now this is a part of the best education that can ever come to you—to come here and look at that monument to George Washington, and to Thomas Jefferson, and to Abraham Lincoln, and to reflect on what they endured and the sacrifices they made and the education that they brought about that was the guardian of our democracy. A hundred years ago Abraham Lincoln was signing the Emancipation Proclamation, and it was a proclamation, but it wasn't a fact, and we are all working today to see that it is a fact, to see that regardless of our religion, or the color of our skin, or where we live, or what State we come from, or how we spell our name—we have the protection of our Bill of Rights and our Constitution and the dignity of man is uppermost in our thoughts, and the freedom of the individual is a basic requirement of every American, and fair and equal opportunity under our laws, because I happen to come from Texas is no reason why you ought to hold it against me. [Laughter.]

Because I am tall or short, or because I am a Democrat or a Republican, or because I am brown from the south Texas sun, or because I've been bleached to the snowcapped mountains of some of our Western States—it is not important how you spell your name or what country your ancestors came from, or what the color of your skin. What is important is that every boy and girl born in this world will have equal opportunity under our system.

What other system would permit the son of a tenant farmer, born in a 3-room house 56 years ago, to become President of the land? And that is what we want to preserve, and you are going to help. Because of your knowledge of it, and as President Roosevelt said: Your fanaticism for it, your love for it, your dedication to it.

So, now I've talked too long, but I do think that we must remember what he said about our future depending upon our own feeling about our Government and our dedication and our love for it, and our fighting for it. You remember they said that we couldn't produce the planes that were required to save us in World War II. They said these beardless boys will never be able to take these B-17's and fly them into the industrial areas and destroy them and carry the atomic bombs needed, and other things. But these beardless boys—17 and 18 and 19—became the great aces of the land, and it was, first, sure, their education was their guardian genius, but it was also their fanaticism, their love of freedom in this country that caused them to fly all night across the oceans and under the seas, and Mr. Hearst, if he were living today, would be very proud that his name was associated with an interest in government that he exemplified until his last day on this earth, and your parents ought to be mighty proud, and your President is proud, that you have enough interest to come here and to learn about it, and to go back and talk to other people about it, because that education is the only dictator that we're going to have in this country, and it is the only ruler we are going to have, and then we're going to let the majority will work its way, and we are going to abide by it.

Oh, we have so many exciting things to do in the rest of our life. A lady yesterday—a lady Jackson—Barbara Ward, said to me here, having lunch with me, and a very great person. She had just come from Africa, and she said that she had talked to a number of people in this country and she was quite excited that she thought today, more than any period that she had ever observed, people were more hopeful about making our land beautiful and were more anxious to be a part of a better education program, and a better health program, and a better conservation program, and a better equal rights program, and a better program to beautify nature, than we had ever been before, and she had all of these encouraging things from people she had talked to—they were all excited—the garden clubs were wanting to help make their cities prettier, the junk dealers are even helping us get the old cars off the roads, we're thinking about planting wild flowers all over the country in the spring so when we take our families out to drive we can see the beauties of nature.

And I've got a conservation message I've just been working on. I was talking about it with a group and before I came in here to see you. I've got to get it up within the next few days, very quickly, and I want all of you to read it if you can, because there are things to do, there is work to do, Republicans for Democrats, for southerners, for northerners, for easterners, for westerners, and there will be differences and there will be arguments, and there will be debates, and sometimes my viewpoint will prevail and sometimes somebody else's viewpoint will prevail. What is important is that we will debate them, and we will discuss them and we'll act upon them, and we will move forward, and this country will be better in the year 2000 than it is in 1965, and at that time most of you will just be 50, or 55, like I am today, and you can look back and see how much progress we made from the time you were here until then.

I am indebted to the Hearst people and I am indebted to each State and to each family represented, for giving me an opportunity to mix with you and see you. I am going to stay a little longer, I want to visit and shake hands with those I haven't shaken hands with, and I notice Mrs. Johnson is here. She doesn't like to make speeches, but I want you to know her—this is my wife, Lady Bird. [Applause.]

Mr. SYMINGTON. Mr. President, I want to express my personal appreciation at this time to the sponsors and participants who contributed to the success of the third annual Senate youth program.

The American Political Science Association, under the distinguished leadership of its executive director, Dr. Evron M. Kirkpatrick, undertakes the important task of developing and conducting an interesting and intellectually stimulating program for these students, chosen on a competitive basis by the superintendents of education of their respective States.

The luncheon was attended by over 60 Members of this distinguished legislative body, where Vice President HUMPHREY spoke on the need for young people to be optimistic about the future. Additionally, the student participants met with Justice Arthur Goldberg, and with scholars of Congress—including the distinguished Senate Parliamentarian, Dr. Floyd Riddick—with a number of individual Senators, chosen on a bipartisan basis, with several Members of the other body, and with representatives of executive departments and agencies. Of particular interest among the latter were briefings prepared by the Departments of Defense and State.

As a cochairman of the third annual Senate youth program, along with Senator JORDAN of Idaho, I want to thank the members of the Advisory Committee, who have supported this important educational program. The members of this committee are: Senators HOWARD W. CANNON, JACOB K. JAVITS, GAYLORD NELSON, JAMES B. PEARSON, CLAIBORNE PELL, WINSTON L. PROUTY, HUGH SCOTT, and HERMAN E. TALMADGE, members; and Vice President HUBERT H. HUMPHREY, Senator THOMAS H. KUCHEL, Randolph A. Hearst and Evron M. Kirkpatrick, members ex officio.

Appreciation for the success of the program should also go to the William Randolph Hearst Foundation which financially supported the Senate youth program and particularly to its executive director, Mr. Ira P. Walsh. Also, to Dr. Kirkpatrick of the American Political Science Association and its staff members, Mr. Donald G. Tacheron, associate director, Mr. Walter E. Beach and Miss Pat Piccola.

I ask unanimous consent to have the complete agenda printed in the RECORD so that Senators who wish to do so may express their appreciation directly to those who took time from their busy schedules to help in introducing these fine young people to the workings of the Senate and their National Government.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

THE U.S. SENATE YOUTH PROGRAM, JANUARY 31 TO FEBRUARY 6, 1965, DAILY SCHEDULE

SUNDAY, JANUARY 31, 1965

Students arrived throughout the day.

MONDAY, FEBRUARY 1, 1965

At 8 a.m.: Breakfast in the grand ballroom.

Introduction: Ira P. Walsh, director, Senate youth program.

Speakers: Randolph A. Hearst, trustee, William Randolph Hearst Foundation; Evron M. Kirkpatrick, executive director, American Political Science Association.

At 10:30 a.m.: Welcoming in Senate reception room by speakers Senator THOMAS H. KUCHEL, Republican, of California; Senator HOWARD W. CANNON, Democrat, of Nevada; and Senator LEN B. JORDAN, Republican, of Idaho.

At 12 p.m.: Luncheon in room 1202, New Senate Office Building.

Introduction: Senator LEN B. JORDAN.

Speaker: Senator WALTER F. MONDALE, Democrat, of Minnesota.

At 1:45 p.m.: Visit the Supreme Court—east conference room.

At 2 p.m.:

Introduction: Daniel P. Moynihan, Assistant Secretary of Labor.

Speaker: Justice Arthur Goldberg.

At 3 p.m.: Tour the Supreme Court.

At 6:45 p.m.: Old Guard Fife and Drummer Corps in the colonial room.

At 7 p.m.: Dinner in the colonial room.

Invocation by: Dr. Frederick Brown Harris, Chaplain, U.S. Senate.

Introduction: Mrs. George Hearst.

Speaker: Representative MORRIS K. UDALL, Democrat, of Arizona.

TUESDAY, FEBRUARY 2, 1965

At 8 a.m.: Breakfast in the grand ballroom.

Introduction: Walter E. Beach, APSA staff.

Discussants: John G. Stewart, assistant to the Vice President; Dr. Floyd M. Riddick, Senate Parliamentarian.

At 10 a.m.: Buses to Senate Office Building. For the remainder of the day the students will serve as interns in the offices of their respective Senators.

At 1 p.m.: Luncheon in room 1202, New Senate Office Building.

Presiding: Max M. Kampelman, treasurer and counsel, the American Political Science Association.

Speakers: Vice President HUBERT H. HUMPHREY, Senator THOMAS H. KUCHEL.

At 7 p.m.: Dinner in the colonial room.

Introduction: Bishop Stephen G. Spottswood, chairman, board of directors, National Association for the Advancement of Colored People.

Speaker: Senator JACOB K. JAVITS, Republican, of New York.

WEDNESDAY, FEBRUARY 3, 1965

At 10 a.m.: Tour of Senate Chamber.

At 11 a.m.: Speakers: Representative KEN HECHLER, Democrat, of West Virginia; William Miller, Doorkeeper, House of Representatives.

At 12:30 p.m.: Luncheon in room 1202, New Senate Office Building.

Introduction: Mrs. Robert J. Stuart, president, League of Women Voters.

Speaker: Representative PATSY T. MINK, Democrat, of Hawaii.

At 2 p.m.: Observe the Senate in session.

At 6:30 p.m.: Presentation by the Marine Band in the East Room.

At 7 p.m.: Dinner in the East Room.

Introduction: George Hearst.

Speaker: Senator GAYLORD NELSON, Democrat, of Wisconsin.

Remarks: Al Capp, cartoonist.

THURSDAY, FEBRUARY 4, 1965

At 9:30 a.m.: Briefings in the State Department's East Auditorium.

Moderator: Dr. Kirkpatrick, Executive Director, APSA.

Speakers: Mr. Edward Fried, Policy Planning Council; Mr. J. Robert Schaetzel, Deputy Assistant Secretary for Atlantic Affairs; Mr. John S. Leahy, Legislative Officer, Office of Congressional Relations; Gov. G. Mennen Williams, Assistant Secretary for African Affairs.

At 12:30 p.m.: Luncheon in the Department of State's main dining room—eighth floor.

Moderator: Dr. Kirkpatrick.

Speaker: Gov. W. Averell Harriman, Under Secretary of State for Political Affairs.

At 2 p.m.: Buses leave for Department of Defense.

At 2:30 p.m.: Moderator: Col. Julian B. Cross, U.S. Air Force, Director for Community Relations, Office of the Assistant Secretary of Defense.

At 2:32 p.m.: Speakers: Hon. Arthur Sylvester, Assistant Secretary of Defense (Public Affairs).

At 2:40 p.m.: Hon. Henry S. Rowan, Deputy Assistant Secretary of Defense for Planning and North Atlantic Affairs.

At 2:50 p.m.: Hon. Solis Horwitz, Assistant Secretary of Defense for Administration.

At 3:10 p.m.: Brig. Gen. John W. Vogt, U.S. Air Force Director, Policy Planning Staff.

At 3:30 p.m.: Mr. Arthur Barber, Deputy Assistant Secretary of Defense for Arms Control.

At 3:50 p.m.: Mr. Justin E. O'Donnell, senior defense member, faculty, National Interdepartmental Seminar.

At 5:10 p.m.: Gen. Ashton H. Manhart, U.S. Army, Vice Director Joint Chiefs of Staff.

At 7:30 p.m.: Dinner in the Colonial Room.

Introduction: Ira P. Walsh.

Speaker: R. Sargent Shriver, Director, Peace Corps, Office of Economic Opportunity.

FRIDAY, FEBRUARY 5, 1965

At 8:15 a.m.: White House tour.

At 9:45 a.m.: FBI tour.

At 11:30 a.m.: Meeting with the President.

At 1 p.m.: Arlington Cemetery (visit the John F. Kennedy grave).

At 3 p.m.: Smithsonian Institution.

At 7 p.m.: Dinner in the State Room.

Master of ceremonies: Ray Scherer, NBC News.

Invocation: Dr. Frederick Brown Harris, Chaplain, U.S. Senate.

Speakers: Senator STUART SYMINGTON, Democrat, of Missouri, cochairman, Senate youth program; Senator LEN B. JORDAN, Republican, of Idaho, cochairman, Senate youth program.

DEATH OF SEMINOLE INDIAN CHIEF BILLY BOWLEGS

Mr. HOLLAND. Mr. President, I feel that it is highly appropriate to give recognition in the pages of the CONGRESSIONAL RECORD to the fact that Chief Billy Bowlegs of the Seminole Indians passed away on February 14 at the age of 102. Indeed, he would have been 103 within a few days.

We have still with us in our country only a very few of the leaders of the Indians during the difficult years following the time that they had been conquered by the United States, their lands appropriated, and their lives made most difficult and impoverished. Billy Bowlegs was one of the most picturesque characters that I have ever known and was a fine man whose friendship I was honored to have. He adapted himself to the difficult situation to which the small number of Seminoles left in Florida were subjected, both as a true friend of the white man and as a faithful representative of his own people. He did many things to bring about more friendly understanding between the Indians and Floridians generally.

I ask unanimous consent to have printed in the RECORD the text of the news article about the death of Chief Billy Bowlegs, which is entitled "Seminoles' Patriarch" and was published in the Washington Post of Monday, February 15.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEMINOLES' PATRIARCH

BRIGHTON, INDIAN RESERVATION, FLA., February 14.—Billy Bowlegs, patriarch of the Seminole Indians in Florida, who clung to the old ways to the end, yesterday died in his thatched dwelling. He would have been 103 this week.

Considered one of Florida's greatest hunters and guides, Billy Bowlegs also was a spokesman for the Seminoles for many years. Because of his reputation for intelligence and impeccable honesty, he was a friend of sportsmen, writers, scientists, and historians. He knew Henry M. Flagler and Henry B. Plant when they were developing Florida. At the turn of the century he participated in a Jacksonville parade and was described like this:

"Billy was a conspicuous figure—no savage, but a magnificent figure of physical manhood with dignity, reserve, keen intelligence, and an honest heart."

He shunned the 20th century until his death, living alone in an isolated camp in one of the pine and palm hummocks on this reservation in Glades County.

Billy Bowlegs was born on Istopoga Creek near the present town of Lorida. He killed his first deer at age 11 with a muzzle-loader. As he grew, so did his hunting prowess. He hunted all over south Florida and was a familiar figure to the steamboat captains on the Kissimmee River who bought his meat.

Mr. HOLLAND. Mr. President, since it was my honor and pleasure to be a friend of Billy Bowlegs, I think that the Senate and the public generally should know of the splendid reputation which he bore among the older settlers of Florida and the high respect in which they held him. I quote, therefore, from the book entitled "The Seminoles of Florida," published in 1896 by Mrs. Minnie Moore-Willson, of Kissimmee, Fla., whom I well knew in her later years and who was a strong friend of the Seminoles:

A few weeks ago, after many invitations, Cho-fee-hat-cho (Billy Bowlegs), a warrior of more than usual intelligence made his long-promised visit to Kissimmee. Here, away from his natural surroundings, one could study his Indian characteristics from an unprejudiced standpoint. As a specimen of manhood he is far above the average. Although 6 feet 2 inches tall, he is so symmetrically proportioned that one loses sight of his height. His features are good, his hands and feet remarkably small, his voice soft and low—a characteristic of every

> Seminole. His dress was the holiday attire of his tribe; he wore a gold watch and chain, and regulated his timepiece by the railroad clock. To the stranger he was all indifference, answering "yes," "no," "me don't know," as it suited him. While his visit extended over a period of 3 days, he showed no special restlessness. At the table he was on the alert and readily followed the manners of his host. He was cautious to help himself sparingly until urged to—"hum-pee-to tee ti-es chay" (eat plenty). The knife and fork he used with as much ease as if it were a daily practice.
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> At the ringing of the church bells on Sunday morning, it was explained to the Indian that they were to call the people to the church, so that the minister might tell them of the white man's God. With the inquiry, "You go?" to his host, receiving an answer in the affirmative, Billy said, "me go too." He was escorted to the chapel, and through the long service was a model of propriety, and conformed perfectly to the customs of the church. He expressed himself later as liking the music, but remarked that the preacher talked too fast.
>
> Such names as Tom Tiger, Dr. Tommy, Wildcat, and Billy Bowlegs, are the white man's names for the Indians. Each Indian has his Indian name, which is significant of some family or personal characteristic, and which contains the root word of the gens to which that Indian belongs. During the Indian's visit, he expressed a wish to have the Seminole names of a number of his people written down so that he might make a copy and carry home with him. Certainly this young brave could not be called stupid or sluggish. Knowing that the information we sought was for the purpose of putting it into a book, so that "the people could read about the good Indians of Florida," he showed the greatest interest in the questions, making his answers direct and truthful. An air of deepest solemnity would rest upon his face until he was assured his meaning was thoroughly understood. During his visit he expressed an eagerness to learn to read and write, and followed a copy with remarkable exactness. With the desire to read and write, however, ended all ambition to be like the white man.
>
> Every effort was made to please so rare a visitor, favors were shown him, in fact, he was treated as a most honored guest, yet this son of the forest received it all with a silent dignity that would have graced a monarch. When he was ready to leave, he quietly arose, remarking, "me hi-e-pus" (go), and noiselessly passed out of the house.

In closing, I think I should comment on an incident which shows the courtesy and respect which Billy Bowlegs always showed to U.S. officials of high rank and the genuine friendliness of the man. Several years ago we were giving to the levee around Lake Okeechobee, which had been begun during the administrations of President Hoover and of former Governor Doyle Carlton, of Florida, and in which the President, himself, had taken great interest, the name of Hoover Dike and President Hoover, then a man of great age, came down to Clewiston, Fla., for the celebration which was very largely attended by a great and enthusiastic crowd. Shortly before the actual dedicatory ceremonies took place, Billy Bowlegs walked up to the official crowd dressed in the regalia of a Seminole chieftain and standing straight as an arrow, though he was then 99 years old. He greeted President Hoover cordially and made it clear that he had come to the affair to do honor to the former President. The whole occasion was a most dignified and unforgettable one and I well remember that President Hoover, before leaving the area after the ceremony had been concluded, stated to me that he had rarely appreciated anything so much as he did the unexpected coming of Chief Billy Bowlegs to pay his respects. I think that that act of Billy Bowlegs was performed in the finest tradition of the American Indians. I could never forget the sight of those two splendid old gentlemen standing together with clasped hands and beaming countenances, each enjoying the presence of the other and showing him every possible evidence of high respect.

I regret that we do not have many more of the old Indians left in our country, and I do think it is in our own best interest and theirs to preserve the knowledge that we have of instances such as the above in which—to borrow the words of Minnie Moore-Willson—Billy Bowlegs received his honors "with a silent dignity which would have graced a monarch."

FINANCIAL SOUNDNESS OF CIVIL SERVICE RETIREMENT SYSTEM

Mr. CARLSON. Mr. President, every Federal employee has a personal interest in the financial soundness of the civil service retirement system. Our Government has an obligation to every Federal employee to maintain an actuarially sound program. We can and should do no less. The annual report of the Board of Actuaries of the Civil Service Retirement System as reported in House Document No. 48, issued January 1965, stresses the need for additional Federal contributions if we are to protect the fiscal soundness of the system.

The chairman of the Committee on Post Office and Civil Service, the distinguished Senator from South Carolina [Mr. JOHNSTON], has introduced a bill, S. 273, to improve the financing of the civil service retirement system. It should have early consideration by Congress.

A brief study of House Document No. 48 will show that the financial status of the fund is gradually getting worse, actuarially speaking.

I, personally, believe we have one of the best civil service retirement systems in the world. Today millions of Federal employees, past, present, and future, look to it for financial security in their old age and for income protection if disability or death strikes down the breadwinner of the family.

These employees have made their equitable contribution to the fund. The fund is not bankrupt. The Federal Government will not permit it to become bankrupt. I am informed that at the end of June 1964, it had a balance of more than $14.3 billion. At the present time it is taking in about $2 billion a year in retirement deductions from employees and matching contributions from Government agencies. This money is invested by the Treasury Department in interest-bearing securities which adds about $400 million a year to the fund.

Why, then, is the fund not actuarially sound? Here, I believe, is the answer: The Government has not always paid its share of the costs. For this reason the fund has lost the interest on invested funds that would have accumulated and been available for the trust fund.

From the beginning of the Federal retirement system, employees have contributed whatever rate was established by current law, 2½ percent of their salary at first, then 3½ percent, then 5 percent, then 6 percent and now 6½ percent; and Members of Congress pay into the fund 7½ percent of their salaries. However, during the first 8 years of the retirement program, no appropriations were recommended by the President and no legislation was enacted by Congress for appropriations to the fund. All benefits were paid out of contributions which had been made by the employees.

Mr. President, the negligence of the Government to make its share of contributions on time proved to be bad financial business. That is how the unfunded liability of the retirement system started.

From about 1929 to 1957, Government contributions to the fund were on a now-and-then basis and were insufficient.

In 1956, on the recommendation of the President and approval by Congress, a law was passed requiring all agencies to contribute out of their appropriations amounts equal to the retirement deductions withheld from employees pay.

This means that the fund now has an annual income which about takes care of all normal costs. It does not take care of the interest or reduce the principal of the unfunded liability created primarily during those years in which the agencies did not contribute to the fund, nor does it take care of similar costs accrued in recent years.

I am informed that the retirement system on June 30, 1964, had an unfunded liability of over $39 billion and that by the year of 1990, unless remedial action is taken by the Congress, additional direct appropriations will be required to meet benefit payments.

Mr. President, I believe the U.S. Government would make the necessary appropriations to take care of any obligations required to meet retirement payments. But also I believe it would be much wiser and better financial business to heed the suggestions of the Board of Actuaries and of the Civil Service Commission that legislative action be taken before the emergency arises. That is why I hope that Congress at this session will give favorable consideration to proposed legislation which would provide a solution of the situation on a gradual basis over a period of years.

TRIBUTE TO SALVATION ARMY

Mr. CARLSON. Mr. President, this year, the Salvation Army, which has rendered humanitarian service through peace and war, will be observing its centennial.

On July 2, the Salvation Army will celebrate its centennial anniversary at Westminster Abbey, London. Celebrations will also be held not only in our own Nation, but in many countries of the world. The entire year of 1965 might well be devoted to commemorating the founding of this great organization.

The Salvation Army is active in 69 countries throughout the world, including 11 in Europe. It uses 162 languages for preaching the Word. It operates from about 18,000 centers, including more than 2,000 social institutions, and it has nearly 900 day schools, mostly in non-Christian lands. Nearly 40,000 bandsmen and 16,000 boys play Salvation Army music.

The Army operates more than 3,000 welfare institutions, including 31 general hospitals, 70 clinics, 367 hostels for homeless men and women, 66 employment bureaus, 88 maternity homes for unwed mothers, 38 maternity hospitals, 145 children's homes, 30 boarding schools, 115 camps, 6 leprosaria, 10 institutes for the blind, 30 centers for alcoholics, and 51 residence hotels.

The original aim of the Salvation Army was the saving of souls and exposing evil social conditions. These objectives have not changed, but the methods of dealing with these problems have been modernized to meet present-day conditions.

Th basic problems which faced Gen. William Booth, the Army's founder, still exist today. His outstanding work is carried on now by thousands of salvationists who are keeping contact with the common people.

Today the Salvation Army has more than 5,000 officers in the United States alone, and 8,072 work and worship centers with 283,109 members there.

The millions of American men and women who served in our Armed Forces will never forget the kindly word and warm welcome from the Salvation Army personnel—the friendly smile of the Salvation Army lass—the doughnuts and coffee—the encouragement and inspiration they received in training areas and on the battlefield in every sector of the globe.

Recently the Salvation Army in my own State of Kansas was called on and rendered outstanding service during one of the most disastrous air crashes in our State's history.

Capt. Ramon L. Wert, area director for the Salvation Army Civil Defense Unit in Wichita, Kans., advises me that on January 16, on the day of the crash, they immediately set up operations in the area which was so badly devastated. They continued their work in this area for 6 full 24-hour days.

Captain Wert wrote me as follows:

> On Sunday, it was ascertained that we would be there at least 4 or 5 more days and that we would need supplies. A plea for supplies was issued via the TV stations and radio stations at 3 p.m., Sunday, January 17, 1965. The response was so overwhelming, so much was given that we had to ask the TV and radio media to discontinue our distress call at 5:30 p.m., Sunday, January 17, 1965. So many people came direct to the disaster area, bringing their donations, that they were blocking the streets. All in all, the people of Wichita donated over 9 tons of foodstuffs, including canned goods, bread, doughnuts, chile, hot chocolate, coffee, cakes, pies, milk, orange juice, soups, cups, napkins, etc., ad infinitum.

Captain Wert also wrote in his report of the outstanding assistance they received from Salvation Army units and citizens generally in Wichita and other areas.

Here again the Salvation Army proved its effectiveness in time of emergency.

PROPOSED JOINT COMMITTEE ON THE BUDGET

Mr. McCLELLAN. Mr. President, the first bill passed by the Senate this year was S. 2, a bill to create a Joint Committee on the Budget. This marks the seventh time that I have offered this proposal and the seventh time that it has been adopted by the Senate since 1952.

The measure has consistently received the unanimous support of the Members of this body and continues to do so, as evidenced by the fact that it was sponsored by 77 Senators this year. The bill has not heretofore, except for the first time it passed, had a vote cast against it.

I regret to say, however, that the other body has not yet manifested the interest or given the support to the bill that it deserves. This year we are hoping for passage by the House. Our constitutional responsibility for appropriating funds for the operation of the Government increases with each dollar added to the budget. In these days of $100 billion budgets we need a Joint Committee on the Budget, staffed with nonpartisan fiscal experts, to help us discharge our obligations to the taxpayers more intelligently and prudently than is possible under the present system.

Mr. President, support for this measure appeared in an editorial of the Washington Post on Sunday, February 14, and I ask unanimous consent to have this article, calling for the enactment of S. 2, printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Feb. 14, 1965]

Mr. Mahon's Opportunity

The House Appropriations Committee has a unique opportunity for statesmanship under its current chairman, Representative George H. Mahon. For many years the Senate has been working for the creation of a Joint Congressional Committee on the Budget with a staff of professional experts who would study spending programs and help Congress with its appropriation problems on a year-round basis. The House Appropriations Committee under Mr. Mahon's predecessor showed no interest. With the more cooperative spirit that now prevails, there is once more hope that a professional staff of budget experts serving both Houses will be created.

Recently the Senate passed a bill for this purpose. It is the seventh time it has done so since 1952. An accompanying report points out that the bill would avoid the duplication of staff work, would stimulate joint hearings on appropriation bills and thus speed the legislative process. Assurance is given that the proposed Joint Committee on the Budget is not designed to interfere with any prerogative which the House now possesses, such as the right of initiating money bills.

Students of Congress have long urged this reform as one of the most effective means of facilitating the study of our $100 billion budgets. Mr. Mahon could render a great service to his fellow Members of Congress and to the country by putting aside prejudices of the past and sponsoring this bill on its merits.

INTER-AMERICAN DEVELOPMENT BANK

The PRESIDING OFFICER (Mr. Harris in the chair.) The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, pending on the Senate Calendar is S. 805, a bill to increase the resources in the fund for special operations of the Inter-American Development Bank. The bill would authorize the Federal Government to subscribe $750 million to this bank in the next 3 years, at the rate of $250 million a year.

I voted against the proposal in the Committee on Foreign Relations. I was the only one who did so. At first, I indicated my approval of the bill. Later I called in to change my vote. I did so because subsequent to the meeting which I attended, testimony was given concerning the adverse impact that this authorization, if carried into effect, would have on the imbalance in our international payments, which already is a very acute problem, as my colleagues well know.

A representative of the State Department testified that 80 percent of the $750 million would be spent in buying products made in the United States. That seemed acceptable to me. I thought that the impact on the imbalance in payments would be $150 million at the most. However, a transmitted letter from the International Economic Policy Association was presented before the committee. I assume that the speed with which the bill was passed made it impossible for this agency to appear and testify. This association, through its representative, points out in its paper that the adverse impact on our imbalance in payments will probably be 40 or 50 percent, instead of the 20 percent that was described at the hearing when I was present. If it is a fact, it is a serious one. We are now in the process of removing the first leg from the support of our dollar currency. That bill, in which the 25-percent support of deposits of member banks in the Federal Reserve System is involved, will be up for hearing.

When we shall have removed the 25-percent gold support on deposits, the next step will be to remove the 25-percent gold support on the currency of the Nation. All of this is the result of the fact that we are spending more dollars abroad than foreign nations are spending in the United States. Our gold reserves are down to $15 billion. Twelve and one-half billion of that $15 billion we now earmark to support the Federal Reserve System's operations.

The $2.5 billion are available to meet the claims of $25 billion held by short-term creditors throughout the world. To me there is no more serious problem confronting the country—except the threat to our security—than what is going to happen to the dollar. The pensioners, the annuitants, the holders of Government bonds, people with bank deposits accumulated to carry them, in some degree, through their old age, are not conscious of the fact that we are in the first step of setting into motion forces that are going to erode away the buying power of the dollar.

If the bill, on which hearings are to be held, becomes law, which will result in an additional $375 million in our imbalance in international trade payments, I respectfully submit that we shall merely aggravate the grave problem confronting the people of this Nation.

I contemplate making further inquiry as to whether the impact will be $150 million or whether it will be more.

I therefore ask unanimous consent that the statement of the International Economic Policy Association be printed in the Record so that my colleagues may have the benefit of the statement.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of the International Economic Policy Association Submitted to the Senate Foreign Relations Committee on S. 805, a Bill To Increase the Resources of the Fund for Special Operations of the Inter-American Development Bank, February 8, 1965

S. 805 would empower the U.S. Governor of the Inter-American Development Bank (IDB) to vote in favor of an increase of $900 million in the resources of the Fund for Special Operations (FSO)—the soft loan window of the Inter-American Development Bank. This increase will provide $300 million a year for the next 3 years for this portion of the Bank's activities. The U.S. contribution is to be $750 million or $250 million per year for fiscal 1965, 1966, and 1967. This represents 83.3 percent of the total contributions. The Latin American contribution is to be $150 million or $50 million per year. This represents 17.7 percent of the total contributions.

The IEPA feels that this bill is most untimely. It is clear that the U.S. balance-of-payments deficit became critically large again in the fourth quarter of 1964 and that the administration is now giving serious consideration to new, more vigorous actions, to reduce our persistent deficit.

Among the new steps likely to be taken are: (1) application of the interest equalization tax to long-term bank loans; (2) a limitation of the Canadian exemption under the interest equalization tax; and (3) an exit tax on the passports of U.S. tourists.

Irrespective of the question of the desirability of these and other measures, it certainly seems inappropriate to restrict foreign borrowing in U.S. capital markets and apply capital controls to long-term bank loans, while at the same time requesting $750 million for the Inter-American Development Bank with its concomitant, adverse impact on the U.S. balance of payments.

BALANCE-OF-PAYMENTS EFFECT OF THIS PROPOSAL

According to Secretary Dillon's testimony, the adverse balance-of-payments effect of this measure will be at least $150 million. The Secretary stated before the House Committee on Banking and Currency on February 3, 1965, that the Department of the Treasury intends to reach an agreement with the IDB to the effect that approximately 80 percent of the appropriated funds will be used for procurement in the United States. This can be done despite article V, section 1(b) (1) which prohibits members of the IDB from imposing restrictions of any kind upon use by the Bank of more than 50 percent of its contributions to its quota in the FSO.

The resolution of the Board of Directors of the IDB entitled "Increase of Resources of the Fund for Special Operations" made at the April 1964 annual meeting of the IDB states that the additional contributions to the FSO will be considered as a "member's currency" not covered by the provisions of article V, section 1(b). According to article V, section 1(c), such "member's currency" may be used by the Bank or any recipient from the Bank for payments in any country without restriction of any kind, unless the member notifies the Bank of its desire that such currency or a portion thereof be restricted to procurement in the member country.

Secretary Dillon has stated that an 80-percent tying agreement has been discussed with the Bank. It would appear to be a sounder method of proceeding to have this agreement formalized before the Congress appropriates the requested funds. Perhaps it would be appropriate for the United States to exercise its right under article V, section (1) (b) (1) to tie to U.S. procurement 50 percent of any future contributions to the Bank's paid-in capital.

There is, secondly, good reason to believe that the negative impact of this proposal upon our balance-of-payments position will be greater than 20 percent of the U.S. contribution of $750 million (i.e., the untied portion). As was pointed out by Congressman W. E. Brock, Republican, of Tennessee, in the hearings on February 3, 1965, many IDB projects such as local housing and local sewerage projects and the like must of necessity result in local procurement. This problem is allegedly solved by using the letter of credit technique whereby the recipient government sells import licenses to its citizens drawn on the IDB issued dollar denominated letter of credit and uses the local currency generated thereby for the local IDB financed project. The problem is that there is no way of controlling where that local importer spends those dollars and hence there occurs what Secretary Dillon refers to as "leakage." There is no way of telling how great this leakage or substitution is, but in view of the U.S. deteriorating trade position vis-a-vis Latin America as a whole, it is likely that it is substantial. The U.S. share of total Latin American imports has slipped steadily downward from 51.5 percent in 1957 to 38.6 percent in 1963. The figures for the intervening years show a steady downward trend: 1958—47.3 percent; 1959—45.9 percent; 1960—45.1 percent; 1961—44.1 percent; 1962—40 percent; and finally in 1963—38.6 percent.[1] Hence the adverse impact on the U.S. balance of payments may be on the order of 40 or 50 percent of the U.S. contribution (i.e., $300 to $375 million) instead of the 20 percent (i.e., $150 million) which Secretary Dillon suggests.

PREVIOUS HISTORY OF THE IMPACT OF THE OPERATIONS OF THE IDB ON THE U.S. BALANCE-OF-PAYMENTS POSITION

Since 1961 when the Bank started in operation, the United States has paid to the Bank the following amounts: (1) $150 million during 1960, 1961 and 1962 as paid-in capital; (2) $394 million in the Social Progress Trust Fund (SPTF) in 1961; (3) $100 million to the Fund for Special Operations in 1961; (4) $50 million to the FSO in 1964; (5) $131 million to the SPTF in 1964. This makes a total of $825 million. Added to this enumerated outflow of dollars is $225 million worth of IDB bonds floated in the United States during 1962–64. During that same period only $47.6 million worth of IDB bonds were floated in the Western European countries of Italy (April 5, 1962—$24 million in lire), Germany (July 7, 1964—$15 million in marks), and England (September 2, 1964—$8.4 million in pounds). That means that the IDB has received $1,050 million from the United States of total resources amounting to approximately $1,398 million to use in its lending operations.

Secretary Dillon stated in testimony before this committee on December 4, 1963, that approximately 47 percent of all procurement both identified and unidentified, stimulated by IDB loans has gone to the United States. This would mean that of $1,165.5 million[2] in total IDB loans approved as of December 31, 1964, approximately $547.8 million was procured in the United States. Yet we have noted that the IDB has obtained $1,050 million from the United States to use in its lending operations. That leaves approximately 503 million U.S. dollars unaccounted for.

As of December 31, 1964, there was on hand approximately $110 million[3] worth of currencies available for commitment by the IDB to conduct its three lending operations—ordinary capital, FSO and SPTF. Of that amount approximately 87 million was in dollars, or hard currency convertible into dollars, and approximately $23 million worth was in local currency.[3] Assuming that 47 percent of those remaining funds are used for U.S. procurement, that will mean an additional $52 million will flow to the United States. Subtracting this figure from the 503 million unaccounted-for dollars contributed by the United States, we see that the approximate adverse impact upon the U.S. balance-of-payments position of the total operations of the IDB over a brief 3-year period has been $451 million or approximately $150 million per year.

At a time when the U.S. balance-of-payments position is quite critical and the administration has been compelled to consider several fairly drastic measures to correct the persistent disequilibrium in our balance of payments, this request is difficult to reconcile with the major task of correcting our balance-of-payments problem.

This committee may deem it appropriate to condition its approval of this measure by directing the Secretary of the Treasury to reject any application of the IDB to float new security issues in the U.S. capital market for the next 3 years while the United States works to correct its balance-of-payments problem. In 1964 the IDB floated $150 million in bonds in the U.S. capital market in two separate flotations. Could we not persuade the Western European countries with large dollar holdings to purchase IDB dollar denominated 20-year bonds which pay 4½ percent—more than they presently receive in short-term U.S. securities? This committee may further deem it appropriate to limit its authorization to 1 or 2 years in order to have the opportunity to review in less than the requested 3-year period our financial ability to make commitments which have an adverse impact on our balance of payments.

PROTECTION AGAINST EXPROPRIATION

The policy of the U.S. Government as embodied in the existing foreign assistance legislation is to discourage expropriation. Specifically, section 620(e) of the aid legislation—the Hickenlooper amendment—provides that the President shall suspend assistance to any nation which expropriates or takes measures equivalent to expropriating the property of U.S. citizens without taking appropriate steps to discharge its obligations under international law including speedy compensation for such property in convertible foreign exchange, equivalent to the full value of the expropriated property or properties. The charter and bylaws of the IDB do not contain comparable safeguards against expropriation.

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[1] Source: United Nations, "Direction of International Trade" and IMF, "Direction of Trade."

[2] Annex 2 of Secretary Dillon's testimony before the House Committee on Banking and Currency on Increasing the Resources of the Fund for Special Operations of the Inter-American Development Bank—February 3, 1965, 10 a.m.

[3] Source: Information Office—Inter-American Development Bank.

Though it is true that the United States at present has 42 percent of the vote and can veto any loan since all loans require a two-thirds approving vote, this committee may wish to direct the U.S. representatives to the IDB to veto any loans to countries against which the Hickenlooper amendment has been invoked so long as the suspension of aid to those countries continues.

VIETNAM POLICY

Mr. LONG of Louisiana. Mr. President, I believe I speak the views of the overwhelming majority of Senators on this side of the aisle when I say that we applaud the attitude of the President of the United States in taking a firm position in regard to American foreign policy in South Vietnam. We have an agreement signed at Geneva by which we propose to abide. We continue to propose to abide by this agreement provided the other parties abide by it. We are in South Vietnam at the invitation of its government to help oppose aggression by North Vietnam Communists in violation of their agreement.

So long as the Communists insist on attacking, by infiltration, subversion, and aggression, in an attempt to destroy countries friendly to us, this Government is committed to lending aid and support to the victims. This Nation proposes to live up to its commitments. When the Communists strike our forces in a place where we have a right to be, we propose to strike back harder than they did. If a second power gets into it, we propose to strike that second power even harder. If a third power gets into it, we propose to strike that power harder. In each case we propose to strike the opposition with greater force than they strike against us, so long as they do not abide by the agreement. We would rather have them abide by the agreement, permitting us to abide by it, too.

I ask unanimous consent to have printed at this point in the RECORD an article by Roscoe Drummond expressing his views on this subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM POLICY: THE MISSING INGREDIENT

(By Roscoe Drummond)

There is a missing ingredient in American policy in Vietnam.

From everything which has been said—and left unsaid—by the White House, the evidence is that President Johnson:

Intends to step up the retaliation enough to persuade North Vietnam that the aggression will be too costly to continue.

Wants to avoid intensifying it to the degree that it will lead to all-out war.

In a word, if I read correctly Mr. Johnson's words and actions, they mean that the United States aims to expand the war for a limited purpose and to avoid expanding the war beyond that purpose.

The purpose: To bring North Vietnam to accept a settlement that would insure the independence of South Vietnam, to which Hanoi pledged itself in 1954 and again in 1962.

Has this riskful and delicate operation got any fair chance of success?

It may have, but only if the missing ingredient is forthcoming at the right time.

The missing ingredient, which, it seems to me, must accompany new air thrusts against North Vietnam, is a major U.S. peace offensive, to make it clear that we seek only an end to the aggression, that we have no desire to inflict unnecessary blows, that our sole objective is a settlement mutually tolerable to both sides—whenever Hanoi will cease and desist.

I am not talking about an appeasement peace. There is no reason to believe the White House has any such thing in mind. But I am suggesting that, if the Johnson aim of a controlled expansion of the fighting as an essential persuader to Hanoi is to succeed, there must simultaneously be a peace offensive to convince Hanoi that it has a reasonable, acceptable alternative to all-out war.

More military action by itself could well bring unlimited expansion of the war.

A peace offensive by itself could only bring an intolerable appeasement.

Together they make sense—and could make headway toward the President's goal.

It is not likely that Ho Chi Minh and the Vietcong would be persuaded by either war action or peace action alone. The reason is that Hanoi and Peiping have long been convinced that the United States would not have the will and the patience to hang on, that the South Vietnamese Government was getting weaker, and that it would be foolish—for them—to give away at the conference table what they felt sure they were winning on the battlefield.

No wonder Ho Chi Minh has shown no interest in negotiation. For months we have talked stronger than we have acted. We have warned—and done little. We have conferred with ourselves—and done little. Now we are beginning to act more meaningfully.

But to bring North Vietnam to the conference table will take more than the few retaliations we have lately made. It will undoubtedly take persistent and heavy military pressure from the air and naval resources we have mobilized in the area. If Ho Chi Minh is to be persuaded to accept anybody's invitation to the conference table, it will have to be made clear that the only practical choice is between ending the war or suffering widespread devastation.

It is profoundly riskful to think we can expand the war in Vietnam and control its expansion at the same time. We must do it with our eyes open.

The only way this can be done with the least risk is to mount a peace offensive which would make our purpose clear and credible to allies and enemies alike.

My assumption is that such plans are well advanced within the Johnson administration and that the President is waiting for the proper time.

Mr. LONG of Louisiana. Mr. President, while I am on this subject, let me say as a Democrat that I find tremendous cause to be grateful to Members on the other side of the aisle that the joint Senate-House Republican leadership issued a statement strongly supporting the President in this Nation's Vietnam policy. The Nation should be grateful for the bipartisan support given to the President's policy. I congratulate the Republican Senate leader, the Senator from Illinois [Mr. DIRKSEN], and other members of the Republican leadership in the Senate, as well as the Republican leadership in the House, for the magnificent statement issued today supporting the President's position in South Vietnam. Inasmuch as this statement has already been released to the Nation through the press, I shall not read it, but I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE JOINT SENATE-HOUSE REPUBLICAN LEADERSHIP

It is undoubtedly difficult for the Communist capitals of Moscow, Peiping, and Hanoi—where disagreement is not tolerated—to understand that because Americans may differ on means to assure the complete independence of South Vietnam, there is no difference among us on the objective.

We, the members of the joint Senate-House Republican leadership, want to make it clear we support President Johnson's recent order for strikes against Communist supply bases in North Vietnam. If we have any difference with the President in this respect, it is the belief these measures might have been used more frequently since the Bay of Tonkin decision last August and an even stronger policy formulated in the meantime.

These Communist-proclaimed "wars of liberation" are nothing more than a verbal cover for naked aggression. The Communists unmask this aggression when they "stage" mob demonstrations against American embassies as free world resistance to their terrorist tactics in an independent nation is stepped up.

We suggest that so long as there is Communist-promoted infiltration of South Vietnam in violation of the 1954 and 1962 Geneva agreements, there can be no negotiations on the Vietnamese question, and we urge the President to make this unmistakably clear to the world. Agreements can only fail when the Communists negotiate only for domination and we negotiate only for peace.

VIETNAM POLICY

Mr. MONRONEY. I have made it clear over the past few weeks that I am opposed to any withdrawal of U.S. forces from South Vietnam. During a visit to that embattled country in December, I saw first hand the fine work that U.S. fighting men are doing there to help the South Vietnamese people remain free of Communist domination. Our soldiers, our airmen, our sailors, and our civilian groups assigned this most difficult task are making a contribution to the cause of freedom equal to any other challenge that U.S. citizens have had to face in this century. It is a most complex and changeable situation. It defies simple explanation or simple solutions. Our patience and our fortitude are being put to a tough test.

Here at home, in recent weeks, a chorus of discouraging voices has been heard. One or two Members of the Senate have urged that we retreat in South Vietnam, and one or two others have called for a reduction in our national commitment in that part of the world. Those who have been singing these sad and discouraging songs have become victims, in my opinion, of headline writers who habitually make bad news the big news. Unfortunately, there have been defeats and setbacks in South Vietnam in recent weeks. But there have also been victories and gains by our side. These have been overlooked or ignored by too many people.

One of the biggest gains which we have made in recent weeks has been a gain in understanding on the part of the American people. I believe the people are awakening to the hard facts, and are beginning to see the South Vietnam struggle in terms of the cold war; for indeed it is now the principal battlefront of the cold war. Freedom everywhere, for that matter, is at stake. We should not make the error of downgrading the importance of our posture in South Vietnam.

I have been pleased to find more and more people willing to support our position. This means more and more people are realizing the nature of this unusual war. This escalation of understanding is a most hopeful sign.

The Sunday Star, published here in Washington, gave evidence of such understanding by publishing an editorial opposing what it termed "the counsels of timidity." This editorial deserves our attention and emphasis, and I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Truce in Vietnam?

It has been almost 15 years since President Harry Truman took the bull by the horns and decided to fight back when the North Koreans launched their aggressive war. We eventually clobbered the North Koreans. Then the Communist Chinese "volunteers" came forth in massive numbers. After first being forced to retreat, we clobbered them, too, despite the "privileged sanctuary" which they were permitted to enjoy across the Yalu River.

At that point there came the appeal through the United Nations for a cease-fire and peace talks, to which we agreed. But there still is no peace, and, after 15 long years, we now have at least two divisions of American troops stationed on the firing line in Korea.

It is this experience with the "peaceful aims" of communism which makes us wonder a bit about the recent flurry of appeals for an end to the fighting and a revival of talk in southeast Asia.

The most important proposal has come from U Thant, United Nations chief executive. He urges an immediate end to American bombings in North Vietnam and of Communist operations which brought about the bombing raids. Thant thinks this should be followed by a conference looking toward a negotiated settlement of the Vietnamese war. More or less similar suggestions have come from France and India.

As straws in the wind, even though they may be very small straws in a very strong wind, all of these deserve, and doubtless will receive, careful consideration. It is to be hoped, however, that the counsel of timidity, which prevailed in Korea, will not now be permitted to shape the course of events in Vietnam. And we say this in the belief that the decisive, clear-cut victory which probably could have been won in Korea may not be possible in Vietnam.

The point, or the question, really has to do with the intentions of the Communists. Do they want a settlement which would bring an end to Communist aggression? Or would they settle only for renewed negotiations which actually would cloak their long-range aggressive ambitions? If the latter, it seems to us that the United States should stay in there and, as the occasion may demand, hit back harder and harder and harder.

SERMON BY THE VERY REVEREND FRANCIS B. SAYRE, JR.

Mr. MONRONEY. Mr. President, on last Sunday, the straight-thinking, straight-speaking dean of the Washington Cathedral, the Very Reverend Francis B. Sayre, Jr., preached a sermon which brought the fighting in Vietnam out of the jungles into a frame where we at home can take a clear look at it.

He used a text from II Timothy, chapter 2, verses 9 and 10:

> The word of God is not bound. Therefore, I suffer all things.

He also reminded us of President Lincoln's words: "God has his own purposes," when the moral turmoil of the Civil War afflicted both sides.

Dean Sayre, by the power of his words, identifies the fight for freedom in Vietnam today with the freedom of the human race, and calls it "the momentary focal point of a titanic struggle to determine in the valley of earth whether man can fulfill the image that God has imprinted upon his brow, or whether he must forever remain under the bondage of blindness and human chicanery."

I believe that the dean's words have especial meaning for us all as we deal with our frustrations and look for moral landmarks that are, as the dean puts it, "shrouded in a dark mist." I ask unanimous consent to insert in the Record Dean Sayre's sermon of February 14 at Washington Cathedral.

There being no objection, the sermon was ordered to be printed in the Record, as follows:

Sermon Preached in Washington Cathedral by the Very Reverend Francis B. Sayre, Jr., Dean, February 14, 1965

From II Timothy 2: 9–10: "The word of God is not bound. Therefore I suffer all things."

All over America this week, wounded soldiers were arriving from Vietnam, entering hospitals near their homes, each one punctuating the scream of headlines with the immediacy of the war in Asia to families like yours and mine. Right past this cathedral rolls the ambulance that carries the lad with two broken ankles suffered when his helicopter was shot down north of Saigon, or the sergeant who was crushed when his barracks were blown up at Quinhon. This is hard for people—not because the suffering of a soldier is any more vivid just because he is close, but because with his return, the distant conflict is suddenly turned into flesh and blood; put into a dimension we can understand; brought close to every man's conscience.

So each wounded man lays upon every one of his countrymen involvement, but also frustration—frustration because this brutal war is so confused, and we are uncertain as to why we're fighting it; frustration, too, because individually we feel so helpless. The bell is tolling in the jungles far away. We know it is for us it tolls, but we don't know what we can do about it. Just now in the presence of life and death the moral landmarks are shrouded in a dark mist, and hence we know not how to be brave.

So has it always been in time of war, not so much for the men who fight as for those at home who are condemned to think and wait and find the grace to pray.

Think of the Civil War as it rent our Nation, the moral turmoil afflicting both sides. Shall freedom be based upon a continent or else upon the untrammeled rights of one section or another? What becomes of sacredness in the holy crusade against slavery when brother must murder brother or fall himself to the blood-stained earth? How infinitely hard it was then to know the right, even when virtually every family under both flags was intimately caught in the anguish.

What Lincoln saw in that war may help us to discern the meaning of this one, for surely in all our history there was never a servant as nearly hewn from the hard timber of God. In the solitude of his dread burden he yet perceived the silent accompaniment of the Divine. Humbly he strained to discern the holy shape of destiny. And as simply he caught the light in the clear prism of his life and speech. Though he never quoted them, I'm sure that Lincoln must have honored those words of St. Paul which were read in this morning's lesson, that "the word of God is not bound." For if ever there could be a seal of authenticity upon an apostle or a President or on a plain believer, it is in the profound humility of those words. God is not bound, neither by what you think nor what I think nor by the righteousness of any human cause. "This is the Gospel that I preach," cried St. Paul "nevertheless God is not bound. His love and grace quite transcend anything that I can conceive."

Lincoln knew that, too. "God," he said, "has His own purposes." He saw the Civil War first of all as God's judgment upon a nation by whom had come the offense of slavery. "Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, so still it must be said, 'The judgments of the Lord are true and righteous altogether'."

When today the wounded come trailing home from Vietnam, and images of torture and death sully the innocent eyes of children in the pages of our news magazines, it is natural that we should recoil, and to pray that such wanton evil be soon suppressed, and by no means extended to ever wider arenas of combat. Yet if this pain but illustrates the judgment of God upon a wayward world ever persisting in its willful division, then must we accept the overrule of Providence, which is not bound by what we call right or wrong, but ordains agony until mankind will have no more war, but submits to the merciful arbitration of God instead.

Who are we to say that for our ease we ought at once to break off resistance and negotiate a settlement that can only prove to be a moratorium until a bitterer day? That counsel of weakness, all too common in church circles these days, fails to embrace the deeper paradox expressed by Lincoln: that even though the foreground may be filled with bombs bursting in air and all the moral stench of war, yet this is only to be seen against the broad background of God's wider purpose, by which suffering becomes the womb of salvation, an instrument of cleansing and redeeming, even as Christ upon His cross set new meaning to life and gave us the power to be sons of God.

What can we do, we ordinary citizens, about the war in Vietnam? Well, first we can have the courage to suffer, and the patient faith to long endure, knowing as did Abraham Lincoln that the right, which only God can let us glimpse, is in His hands and not our own. "God is not bound," cried the saint, "and therefore I suffer all things." It is high time, I would think, that we understand how those two things go together. He who waits upon the Lord must often bear outrage at the hands of them that will not wait, but would take fate violently into their own hands. Let us not be so nearsighted as to think that we can extricate ourselves from the evil, if God's judgment has yet to be fulfilled in the world. Until then we must not, we cannot, shrink from the battle, if perchance we might be chosen as the instruments of His will.

Now this last is a mighty big "if." But it was a proposition in which Lincoln deeply believed. It was the other profound meaning that he discerned in the holocaust around him. The first was God's judgment upon all, both North and South. The second was God's promise that if the compact of liberty embedded in the American Constitution might survive, it could become the holy grail of all mankind, the sacred offering, bought with blood, of one people to all. It was this that made the suffering endurable. "In giving freedom to the slave," he wrote, "we assure freedom to the free—honorable alike in what we give and what we preserve. We shall nobly save or meanly lose the last, best hope of earth."

What Lincoln saw was the corporateness of life, and that God fashions a destiny not just for your life or mine as individuals but for the whole tissue of society together. "We fight," said St. Paul, "against principalities and powers," which is to say against evil on a cosmic scale. And on that same scale God ordains for all mankind a majestic prize, which is the brotherhood of freedom and the generosity of peace universal. The meaning of each man's life and the moral glory of a chosen race is rooted in God's commission to fight in such a cause, on such a scale. Therefore freedom, as Lincoln said, is indivisible; it cannot be divided. It has no reality if all do not enjoy its blessing. The horizon of southerners and northern abolitionists alike was too circumscribed to descry the necessity of that ultimate unity. Each in his way proposed to bind the word of God, and thus they move the crown of thorns upon the embattled head of the President.

But now, as history has marched across another century, we are given to see an even broader horizon than Lincoln saw. If he understood that liberty could be based on nothing less than a continent, we must perceive its worldwide dimension. The present conflict in Vietnam is not just an incidental entanglement in which somehow we have been unfortunately involved. It is rather the momentary focal point of a titanic struggle to determine in every valley of earth whether man can fulfill the image that God has imprinted on his brow or whether he must ever remain under the bondage of blindness and human chicanery.

There are, of course, as there have always been, narrow men who cannot read that broad canvas now spread before us. Preoccupied with the immediate locale of conflict, they would end the evil as if the freedom of the human race was not interconnected; as if we could give up all of Asia to the serfdom of darkness and still rejoice in the light of freedom on this side of the world.

It is, I think, too bad that our present leaders have chosen the word "retaliation" to explain our recent actions; for, despite the use of this childish word, retaliation is certainly not our policy. Tit for tat is not a policy at all, but only the petulant response of an angry adolescent.

Rather should it be plainly declared that we have accepted the dire risk of wider combat because we must make it unmistakably evident that we will not abandon the moral calling which God has laid upon us. We will not give up; we will use every means to persuade others that attack is futile; we believe in this thing that is called freedom, even though it requires the sacrifice of our very lives in the distant skies of an alien land.

We believe in this, let us acknowledge it, not because we find the free way of life congenial and, in fact, prosperous to boot, but because on the mileposts of history we have seen the signs of Providence: God will have it no other way than that all men one day shall walk upright in His kingdom, fair and free. It may indeed appear presumptuous to suppose that for so great a destiny, God has chosen us as His instruments. Yet if at the beginning we recognize His judgment first, his abhorrence of our abysmal unworthiness, the hollowness of all our perverted pretension—if, like Lincoln, we humbly lay our sin before Him at the very beginning, then may we not look to the promise, the scared calling of a people made worthy by grace to give its life on a cross, if it must be, for the sake of a happier resurrection which God has in store for us and for all men. "Take up thy cross," said Christ, "and follow me."

THE COMMERCIALIZATION OF GEORGE WASHINGTON'S BIRTHDAY

Mr. MONRONEY. Mr. President, next Monday, this great Republic of 190 million people will commemorate the 233d anniversary of the birthday of the father of our country, our first Commander in Chief, our first President—George Washington.

Any schoolboy knows that much about February 22 and American history. Any schoolboy believes that date is important, even though he may not swallow the cherry tree legend anymore.

The average school child, like the average American, does not yet know that we in this great Nation's Capital do know about February 22: That this date has been taken over by the supermerchandisers, that the Federal District of this great commercially oriented commonwealth, which General and President Washington had such a great part in founding and establishing under just law, the hallowed line may be replaced by this new pitch:

> First in price, first in sales, and first in merchandising for its countrymen.

The massive buildup has been underway for days in the Nation's Capital. By radio, TV, newspapers, handbills, billboards, and even sandwich signs, day and night at full blast, the citizens of the Nation's Capital are having dinned into their ears the new price-tag meaning that has been unfortunately attached to the birthday of George Washington.

In every retail establishment in the metropolitan area, the forces are being mobilized, a travail of preparation for a so-called birthday celebration is underway. This furious activity occupies Monday, Tuesday, Wednesday, Thursday, Friday, Saturday of this week—and, yes, even Sunday of the next.

Then on Mondays—bang, bang, bang—comes the great climax as the cash registers toll the day in beautiful but raucous cacophony.

Who knows, perhaps it will be the first $10 million sales day in the city that bears his name. Ah, the thrill of celebration that is ahead.

Each year, in recent years, while this birthday carnival of sales, sales, sales, occupies thousands on the nearby streets, I have come to this Chamber to listen intently to our annual reading of President Washington's Farewell Address. This is a delightful custom. Each year, he seems to be speaking directly to us on some issue pending for that day. His fatherly advice always seems to be in point and to the point directly.

I have yet to catch even a hint from his farewell message about the merchandising spree that rules the city beyond Capitol Hill.

The bargain boosters and the merchandising geniuses may have gone too far. Had they stopped with a dignified sales festival in memory of a frugal President—our first President—then, perhaps, it might have been taken as a tribute to him as the godfather of all U.S. entrepreneurs. This might not have been such a bad idea in this loyal and dedicated constituency—commemorating the birth of its namesake.

But, as February 22 has been given a fancy and profitable veneer in the marketplace of Washington, D.C., other dates throughout the year have undergone more blatant commercialization. Thus, Labor Day becomes a back-to-school extravaganza, Thanksgiving a preholiday shopping spree for the winter stockpile of strong spirits, Valentine's Day a frolic for the lingerie buyers, and——

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. On Mother's Day, an excuse is made for spending in honor of that greatest of institutions—motherhood; Easter, of course, for bonnets, bangles, and bunnies.

Let us not even mention Christmas. The exploitation that has occurred throughout Christendom, often in denigration of the birth of our Saviour, is a subject too well understood to be dwelt upon.

In view of the cynicism now rampant in the name of commerce between the several States and the spread of the promotional gimmick based on his birthday, I wonder whether the Founding Fathers should not have gone a little further and agreed to tighter language in the clause that limits the power of Congress to regulate commerce only between the several States.

Maybe our forefathers should have permitted regulation of intrastate commerce by Congress on matters other than minimum wages and civil rights. Perhaps they should have foreseen the frenzied efforts of local merchants to clear the shelves of the "cats and dogs" that remain unsold even after the Christmas shopping and even after the January white sales.

Perhaps we can now find a solution. Perhaps our young people can be recruited for an antipoverty program to relieve the eager beaver advertising men who now seek to stave off hunger with their annual Washington's birthday sales buildup.

Perhaps we can go a step beyond the Peace Corps—to a Sales Corps, or maybe send this long-neglected merchandise with the Peace Corps men into the "have-not" areas in the world. The beads and trinkets that helped win the West might even now have modern substitutes. Could not this slow-moving merchandise still be distributed somewhere on the frontier? Or, perhaps, on the new frontier? What better succor for the depressed areas of Appalachia or, for that matter, the deprived Paradise Valley of Arizona?

No, we have not heard anything in the annual February 22 birthday recital in the Senate about the merchandising spectacular.

Maybe George Washington was speaking to us, as ever, in a subtle way, or even in a subtle voice. He would talk about frugality and paying as you go. He would, at the same time, hold out the need for fiscal responsibility for his government of the District of Columbia. But, he did not say anything about personal frugality.

Because the District of Columbia government is dependent upon a high volume income from a sales tax, perhaps he brought up fiscal stability to government while playing "heck" with personal fiscal stability. But, like the old barroom song:

> "My father's a typewriter vendor,
> My mother will merchandise gin,
> My uncle he takes in the laundry,
> My gosh how the money rolls in."

The fiscal affairs of the District will be preserved, provided—and this is a big provided—of course, that the merchants do not cut the price quite so close as they claim to be doing on most of their stock. Volume is important, but too deep cuts would cut down on the District sales tax final take.

Mr. President, I yield the floor.

SITUATION IN VIETNAM

Mr. LAUSCHE. Mr. President, I heard the acting majority leader make a statement that the leaders of the minority in the House and Senate have expressed approval of the President's course in South Vietnam.

I am glad to hear that statement made. It appears to me that this item is of such importance that voices from the Congress should be heard throughout the country so that uninformed citizens may obtain knowledge of the facts and better be able to guide themselves on the course that we should follow.

I have been a member of the Committee on Foreign Relations for 7 years. The subject of southeast Asia and Vietnam has been one of importance. It has been especially significant to me because I am chairman of the Subcommittee on Far Eastern Affairs of the Foreign Relations Committee.

In the hearings held on former Indochina, the witnesses who appeared representing the respective Presidents since 1956—the Secretaries of State, the Secretaries of Defense, and the members of the Joint Chiefs of Staff—without exception declared that our presence in Asia was primarily to protect the security and life of the United States.

While the Presidents did not appear before the committee, their representatives did. Everyone, without exception, stated that for the protection of our shores and our lives and the security of our Nation, we could not afford to pull out of South Vietnam.

Presidents Truman, Eisenhower, Kennedy, and Johnson, recognizing their grave responsibility to the Nation, and the grave consequences that might result from involvement, nevertheless stated flatly that we could not pull out without endangering the security of our land, which has given so much to all of us.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. LAUSCHE. Testimony has been given to the effect that if we pull out, the first line of defense, instead of being 5,000 miles away, will be brought to Hawaii and to the continental shores of the United States.

The words of these leaders in describing the need for staying in southeast Asia cannot be disregarded.

Let us consider the problem which is immediately facing us. The problem is not the product of our acts. We committed no overt acts of aggression. Our men were killed and our property was destroyed and our flag was pulled down.

My question is: Were we to stand idly by? Were we to do nothing? Was it not the duty and responsibility of a nation which believes in integrity and in performance of obligations, not only to its own citizens but also to those with whom it has treaties, to assert itself?

If we had done nothing, would that have been the end of it? It certainly would not.

Arguments will be made on the floor today to the effect that we should create a neutral government in Vietnam. The argument will be made that we should create a neutralized coalition government. To Senators who make that argument I say, Let us look back to developments since World War II. Can they point to a single instance when a coalition government or a neutral government worked out in accordance with the anticipation when the agreement was made?

What happened to Poland, to Hungary, to Rumania, to Yugoslavia, and to Czechoslovakia? What is happening to Laos since a neutral, coalition agreement went into effect in 1962?

Finally, what has happened in China, the source of all our troubles? A coalition government was forced upon Chiang Kai-shek. He worked diligently to make a coalition government live. The Communists broke their word. They have broken their word every time a neutral government has been set up.

Now we are told that we should pull out. Pull out to where? Will that be the end of our troubles? Would we not immediately have trouble in Thailand, in the Philippines, and probably in Australia? When people say we should pull out, I ask the question: Where to? We cannot pull out far enough to satisfy the maw of the Communists.

STATE AND LOCAL ARTS COUNCILS IN THE UNITED STATES

Mr. JAVITS. Mr. President, the New York Times of Monday, February 15, reports that a central office will be established by arts councils in the United States and Canada.

Since New York pioneered in the establishment of a State arts council 5 years ago, 25 States have followed suit. There are another 125 private councils throughout the Nation and, of course, the National Council, established last year by legislation which a number of my colleagues and I had offered.

As the number of these organizations increases, so do requests for advice and assistance directed to the Arts Councils of America, Inc. This nonprofit group will establish the central office to keep up with the needs of the expanding arts council movement.

The New York Times article describes the growth of councils and the achievements of several individual groups—including the Oswego Arts Guild in Oswego, N.Y. I ask unanimous consent that the text of the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARTS GROUPS PLAN A CENTRAL OFFICE: RESEARCH SERVICES WILL BE PROVIDED FOR PUBLIC AND PRIVATE MOVEMENTS—UNIT'S EXPANSION CITED: COUNCILS IN UNITED STATES AND CANADA TO STAFF HEADQUARTERS WITH PAID EMPLOYEES

(By Theodore Strongin)

Arts councils in the United States and Canada plan to establish a central headquarters staffed with paid employees before the summer. The office will provide research services for the growing arts council movement, private and public. Its location is still uncertain.

It will be set up by Arts Councils of America, Inc., a nonprofit organization that has been trying to keep up with the needs of the expanding movement with volunteers.

The New York State Council of the Arts starts its fifth year on March 29. It was the first State council in this country. Since it began, 25 States have established arts councils.

In the mid-1950's there were about 50 councils, mostly private, according to George Irwin, chairman of the board of the National Council and chairman of the Illinois Arts Council, a State body. Mr. Irwin estimates that today there are about 150 in the United States and Canada. Fifty of them are members of the National Council.

FLOOD OF INQUIRIES

Mr. Irwin and R. Philip Hanes, Jr., president of the national group and of the North Carolina State Arts Council (a front runner among State councils), receive and reply to hundreds of inquiries each year. The most common concern starting an arts council, building a cultural center, establishing a joint fund-raising campaign and staging a festival.

There is no stock answer to any of the above questions, both men emphasize. Variety is the hallmark of the arts council movement. They point out, though, that in the 15 localities that already have joint fund raising, the total amount of money given to the arts has dramatically risen.

Mr. Hanes had amassed a large library of practical material about arts councils. Both he and Mr. Irwin improvise. "With good community backing and up-to-date management techniques, many things can happen with what exists already," Mr. Irwin said.

IMPROVISATION PAYS

The arts center in Rocky Mount, N.C., occupies an abandoned railroad pumping tank, 50 feet in diameter. One floor is a circular gallery called the Little Guggenheim, another is a theater-in-the-round and the third an arts and crafts facility.

In Statesville, N.C., the center is a former sewage disposal plant. Tacoma, Wash., uses and old jail and is about to convert the cellblock into a theater. The Corvallis, Oreg., center used to be a church.

The new central headquarters will house Mr. Hanes' library and add to it. It will publish booklets on management, organize conferences and workshops, provide technical assistance and help establish new councils.

Services to nonmembers are expected to help pay for the office, but for the first few years the annual budget of from $60,000 to $75,000 will be sought from foundations. The staff's research and other projects are expected to develop into a source of funds to help replace the foundation grants when they run out.

The office will be staffed at first with an executive director, an administrative assistant, and a secretary. But Mr. Irwin emphasizes that the office will develop to supply the services it is called upon to fill, rather than according to a preconceived pattern. The self-imposed limitations are that it will be concerned with arts management, not with art.

Though State councils are diverse in origin and aims, the trend is toward the prototype set by the New York State council, which operates in several areas. It helps underwrite tours in the performing arts and traveling exhibitions; it provides specialists to help solve technical problems such as museum lighting; it provides theater and music for children, and it concerns itself with preserving worthwhile buildings.

For 1965–66, the New York council plans a number of special projects and expansion of its educational services. The current annual budget is $562,335.

The extent of the council's impact can be measured in Oswego, population 22,000. The number of performing artists and groups appearing annually has risen from 8 to 22. The council's technical assistance has made possible building a theater for the community group in a building that also houses art classes. The enterprise is called the Oswego Arts Guild.

The State-owned building is part of old Fort Ontario. "The council sent experts in the design of the building," said Perry Reynolds, president of the Oswego guild. "All the bickering and arguing on the part of volunteer workers went right out the window when the council sent the professional talent. The arguing stopped and the work started."

LITHUANIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, yesterday marked the 47th year since the declaration of Lithuanian independence in 1918. This nation has been the site of a continued struggle for independence by its courageous people. Held in Communist tyranny for so many years, the Lithuanians have still retained a strong sense of their lost liberty. Simply to recount briefly the history of their struggle in this century is to show the world a people firmly dedicated to freedom and self-determination in the face of overwhelming odds.

After 120 years of subjugation to Russia, and occupation by the Germans during the First World War, the Lithuanian people declared the "establishment of an independent Lithuania" on February 16, 1918. Yet by the end of that same year, the Soviet Union had invaded the country. Lithuania fought back and, though stripped of part of its territory, succeeded in gaining recognition from the Soviet Union as a sovereign state in 1920.

But the hard-won independence of the Lithuanian people was short lived. In 1940, Soviet troops occupied the country and annexed it to the Soviet Union. When the war broke out between Germany and the Soviet Union the following year, Lithuania fell under German administration until, as the Nazi occupation collapsed in 1944, Lithuania was again crushed by the Soviet Army.

For 7 years, Mr. President, the Lithuanian people struggled to liberate their land. During that struggle, 30,000 Lithuanians died for their cause, and hundred of thousands were deported to the Soviet Union, where they died wholesale in forced labor camps.

But the Lithuanian people continue to yearn for freedom from their oppressors and the establishment of a truly independent Lithuanian state. Mr. President, we in the United States, who have consistently supported the principle of self-determination, add our voices to the commemoration of the 47th anniversary of the declaration of Lithuanian independence, to demonstrate our sincere hope that the fires of liberty, so long repressed in Lithuania, will never be fully quenched.

EXPORT CONTROLS ON WALNUT PRODUCTS

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Sidley, Austin, Burgess & Smith, of Chicago, attorneys for the American Walnut Manufacturers' Association, addressed to the Secretary of Commerce, together with certain exhibits, asking for a reconsideration of a decision by the Department of Commerce to permit export controls on walnut products to expire, and expressing the hope the controls might continue.

There being no objection, the letter and exhibits were ordered to be printed in the RECORD, as follows:

SIDLEY, AUSTIN, BURGESS & SMITH,
Washington, D.C., February 15, 1965.

Hon. JOHN T. CONNOR,
Secretary of Commerce, Department of Commerce, Washington, D.C.

DEAR MR. SECRETARY: As counsel for the American Walnut Manufacturers' Association I respectfully and earnestly urge reconsideration of your action in permitting export controls on walnut to expire after only a 1-year trial; and I further urge that during such reconsideration controls be kept in effect temporarily.

On November 29, 1961, all the major manufacturers of walnut veneer in the United States made application under the Export Control Act for relief from excessive drain of the diminishing supply of walnut logs and the resulting inflation in prices.

The pertinent provision of the Export Control Act is attached.

At the hearing before the Department of Commerce and in subsequent supporting submissions over a period of 2½ years, the veneer manufacturers showed conclusively that the statutory requirements for relief under the statute were met. Black walnut grows only in North America and the best quality is in the eight Central States. The applicants showed that because of heavy demand for this precious, slow growing wood, particularly for export, the supply would be entirely exhausted in about 7 years.

On February 14, 1964, the Department of Commerce imposed export controls, limiting the export quota to 7.3 million board feet a year and conditioning the continuance of the controls after 1 year on reduction of domestic use. The domestic quota was set at 15 million board feet. This domestic limitation was imposed for the announced purpose of having domestic restriction to go along with the export quota in order to comply with the provisions of the General Agreement on Tariffs and Trade. The restrictions were supposed to bring about a 16-percent reduction in domestic and export use from the respective 1961–62 average annual use figures as estimated by the Department of Commerce from the best figures then available.

In order to achieve a reduction in domestic use major veneer manufacturers embarked upon a voluntary program of reducing the standard thickness of veneer from one twenty-eighth inch to one thirty-sixth inch. It was not possible to make this change over the day after the control order was announced and unavoidably there was a delay of a number of weeks in adjusting to the conservation program. This reduction caused much technological adjustment and many complaints from customers but the veneer manufacturers stuck to the program, unpopular as it was with some of their customers, in a sincere, determined effort to comply with the condition (domestic reduction) attached to the export quota. The shift over to the thinner thickness has for many months been complete.

The program has in fact been remarkably successful already in reducing both export drain and domestic consumption as shown by the following million board feet figures:

	Export	*Domestic*
Year 1961–62 average use as estimated by Department	8.5	17.5
Year 1963 actual	14.3	23.5
What 1964 would have been without controls assuming continuance of average annual increase	18.0	26.0
Year 1964 actual with controls	7.3	19.5

This means that without controls domestic use of walnut in 1964 would have been (1) 25 percent greater than 1963 actual (2) 57 percent greater than what it would have been in 1964 without controls.

The root of the problem here is that the base figure from which the reduction was to be made was too low. The veneer manufacturers themselves did not realize this when the order first came out. They estimated actual 1963 use was about 20 million board feet and the Department agreed with this estimate. On the basis of that figure, it seemed feasible to cut back domestic use to 15 million by reducing the veneer thickness. But when it turned out to the surprise of everyone that the actual 1963 use was 23 million it became clear the 15 million quota could not be met.

It is respectfully submitted that at that point the Department should have adjusted both domestic and export quotas upward to recognize the newly available 1963 figures.

In addition domestic use necessarily surged in the fourth quarter of 1964 as the backlog of inventory of one twenty-eighth inch veneer became exhausted and it was necessary to build up new inventory.

Your statement says the control program has not been successful as a price control measure. It was never intended to lower prices of walnut although some opponents of the program charged it would do that. Walnut prices vary with quality and when less is bought, as under the control program, better quality, higher priced logs are bought. This is particularly true of logs going into the export market so it is inevitable that export shipments have been at increased prices.

To appreciate the importance of walnut to American industry it must be realized that the direct impact on our small industry is only a minor part of the picture. Walnut is increasingly popular for furniture. The cost of the veneer in an average item of walnut veneer furniture is only 2 to 3 percent of the wholesale price of that furniture—but this 2 to 3 percent is what makes the furniture salable and popular. In 1964, approximately $36 million worth of walnut veneer was sold. Most of this goes into furniture which means this veneer was used in nearly $1 billion worth of furniture.

In today's issue of Home Furnishings Daily, in a column by Stanley Slom, the following comment on the incredible popularity of walnut for furniture appears:

"Secretary Connor in his reasoning to remove controls said he did not anticipate veneer cutters and users, or their employees, would experience great difficulty in shifting to the use of other woods, should that become necessary or desirable.

"We're not quite clear on what he means by that. Does he mean that if the Americans are outpriced by Europeans on American walnut logs, they can always turn their backs on their exceedingly popular native wood and turn to something else? Or does he mean that immediately they should drop walnut in favor of something else?

"If it's the first solution that he has in mind, we find it difficult to accept this as a way of solving a problem. If it's the second solution he's thinking of, then he doesn't know the furniture industry.

"Walnut is a top wood in the furniture industry, especially in modern and contemporary styles, and no one wants to give up a good thing. Go to a market and check the case goods houses, especially the promotional and medium-price makers, and practically all you see is walnut. It's that overwhelming."

Many efforts have been made to find substitutes. If walnut supplies should be allowed to dwindle to uneconomic levels, it will be necessary for the American furniture industry to use imported woods. This will hurt the American balance-of-payments position by requiring imports and by depriving the American furniture industry of a potentially powerful advantage in the export market.

In his statement accompanying the February 14, 1964, order, the Secretary of Commerce recognized that there was a possible serious loophole in the domestic quota program in that exports of walnut veneer were not to count against the export quota but logs so used would count against the domestic quota. His statement said:

"We will keep a close watch on all phases of this program to see that our objectives are not frustrated, for example by a rise in exports of walnut veneer in substitution for exports of logs."

The veneer manufacturers saw at the outset that this loophole might tend to dilute the effectiveness of the program and so advised the Department in February 1964.

In a few months it was evident that the cutting of veneer for export was rapidly increasing. In October 1964 the established veneer manufacturers, who were dedicated to making the program work, formally requested the Department to plug this loophole but this has never been done.

It is estimated by the major veneer manufacturers:

1. That at least a million board feet of walnut has been charged to the domestic quota as a result of this new activity in cutting veneer for export; and

2. That a substantial amount has been charged against the domestic quota because of new manufacturers entering the field of cutting walnut veneer for domestic use.

There are compelling reasons why the discontinuance of controls should be reconsidered and the status quo maintained until there can be a hearing and further study of the relevant data:

1. Discontinuance of controls by no means restores the situation to what it was before controls were imposed because of the shift which has been made to a thinner veneer and the large inventory of thinner veneer valued at about $8 million which has been produced in a conscientious effort to comply with the Department's program. Cutters of veneer for export are cutting to a one-fiftieth inch thickness and as a result can pay increasingly inflated prices for logs. Producers of veneer for domestic use cannot be expected to compete in the marketplace for logs against this uncontrolled export drain.

2. The conditions of the Export Control Act are fully met by the walnut situation and the need for relief under the purposes and policies of that act is more urgent than ever.

3. The GATT requirement has been fully complied with by the sincere and determined actions of domestic veneer manufacturers in reducing veneer thickness.

4. The reduction of veneer thickness by voluntary action in cooperation with the Department of Commerce program is all the domestic veneer manufacturers can legally do to reduce domestic use. It is the only method of reduction having the sanction and protection of Government action, i.e., the Department of Commerce order.

(5) There can be no argument that the standard thickness has been significantly reduced. Whether the predominant new thickness is in fact one thirty-sixth inch, or one thirty-fifth inch, or one thirty-fourth inch is not relevant. The February 14, 1964, order and related statement did not specify a particular amount of reduction in thickness that would be required. Use of veneer for domestic use has been reduced by 57 percent from what it would have been without controls.

6. The reduced thickness was not required as a test for meeting the clear requirements of the Export Control Act. The conditions which make that act applicable have been more than adequately met. The only significance of the thinner thickness is to show good faith in regard to trade agreements policy. That good faith recognition of the trade agreements policy has been fully and forthrightly demonstrated. If further acknowledgment of GATT requirements is needed it can be by a modest increase in the export quota.

7. The GATT requirement should not be interpreted so rigidly as to make impossible application of the Export Control Act.

8. The GATT requirement should not be interpreted in such a way that it would be possible to meet it only by means of actions by domestic industry which would run the risk of charges of violation of American law and public policy. Action by domestic industry to reduce consumption beyond voluntary reduction of veneer thickness is not feasible.

9. One year is too short a time to permit an adequate test of the long-term efficacy of the control program. Actually, the program was in full effect only 9 months because of unavoidable delay in shifting to the thinner veneer thickness.

10. The control program has already been successful in saving walnut both for domestic and import use. We estimate that without the program 25 percent more precious walnut logs would have been consumed in the 12 months ending February 14, 1965, than was consumed in 1963.

11. The control program cannot be adequately tested and judged until it is revised to count exports of veneer against the export quota. For the past 12 months they have been charged to and have artificially inflated domestic use. The existence of this major loophole, which has been allowed to persist despite the urging by domestic veneer producers, has interfered seriously with the effectiveness of the controls.

12. American furniture manufacturers are active with plans to greatly increase export of furniture made with walnut veneer. In the long run the abandonment of controls will prevent large-scale export of such furniture and will unfavorably affect the American balance of payments.

13. Exhaustion of American walnut supplies will require import of woods for use by the American furniture industry with further damage to our balance-of-payments position.

14. For 65 years American policy and tradition has been for conservation of our precious natural resources. Abandonment of quotas for black walnut runs counter to this policy and plays into the hands of short-term and short-sighted exploitation of natural resources.

The walnut veneer industry urgently requests that you reconsider your action in declining to continue export controls for walnut logs. Discontinuance of controls after only a 1-year trial means 3½ years wasted effort and attention by skilled staff people in your Department and other Federal agencies.

With the abnormal drain of walnut logs continuing to increase it is inevitable that reinstitution of controls will sooner or later prove unavoidable. Much work can be saved and a more effective control program can be evolved by building on the base of experience and procedure already achieved. It is urged that controls be temporarily continued until all points in dispute can be adequately explored at a hearing and a modest increase in quotas for both domestic use and export can be considered.

This vital conservation program, so important to many small businesses, should not be rejected after such a short trial merely because it failed to achieve perfection in its first year.

Sincerely,

J. EDWARD DAY,
Sidley, Austin, Burgess & Smith.

50 App. U.S.C.:

"SEC. 2022. CONGRESSIONAL DECLARATION OF POLICY.

"The Congress declares that it is the policy of the United States to use export controls to the extent necessary (a) to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand; (b) to further the foreign policy of the United States and to aid in fulfilling its international responsibilities; and (c) to exercise the necessary vigilance over exports from the standpoint of their significance to the national security. February 26, 1949, chapter 11, section 2, 63 Stat. 7."

PACKAGING AND LABELING REGULATIONS

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I am sending to every Senator, together with a summary of the action of the Senate Committee on the Judiciary, in relation to the so-called labeling and packaging bill, my individual views and, in addition thereto, the text of Senate bill 985 and Senate bill 387.

There being no objection, the letter, summary, views, and bills were ordered to be printed in the RECORD, as follows:

TRUTH-IN-PACKAGING BILL

FEBRUARY 16, 1965.

DEAR COLLEAGUE: Enclosed is an important memorandum pertaining to the protection and continuance of the policy in the Senate in allowing more than one committee to have jurisdiction over proposed legislation when supported by the record.

S. 985, the packaging and labeling bill, which was before the Senate Judiciary Committee in the 87th and 88th Congresses (S. 387), has been slightly altered this year. This may cause the bill to be referred to the Senate Commerce Committee. I have no objection to such referral except that I contend that the Senate Judiciary Committee should also have jurisdiction after the Senate Commerce Committee has completed action on said bill because the Subcommittee on Antitrust and Monopoly in its report, and the sponsor of S. 985 in his opening statement on said legislation during the 88th Congress stated:

"This bill then is in the tradition of the antitrust laws; and

"This bill would bring the antitrust laws up to date insofar as the nonprice form of competition represented by packaging and labeling is concerned."

Irrespective of whether I agreed with the above quotes, you must conclude that antitrust issues have been created in the record of the hearings, and the report, thus necessitating, under the Senate rules, the resolving of said antitrust issues by Judiciary Committee jurisdiction.

The House counterpart of S. 985 was referred this session to the House Judiciary Committee. The House bills were sponsored by Congressmen CELLER, MULTER, GILBERT, et al.

The motion for referral of S. 985 will be taken up by the Senate on February 18. I would appreciate your attention to this important matter of Senate precedents for referrals to more than one committee when warranted.

Sincerely yours,

EVERETT M. DIRKSEN.

THE SENATE JUDICIARY COMMITTEE SHOULD HAVE JURISDICTION OVER S. 985, THE PACKAGING BILL

Mr. DIRKSEN. Mr. President, the majority of the Senate Antitrust Subcommittee, by a 5 to 3 vote, approved S. 387, the packaging and labeling bill (now S. 985), and submitted a majority report which, among other things, stated:

"This bill then is in the tradition of the antitrust laws," and

"This bill would bring the antitrust law up to date insofar as the nonprice form of competition represented by packaging and labeling is concerned."

Mr. President, would it not be reasonable to conclude that there is a sufficient issue of antitrust law in S. 985?

Mr. President, when the sponsor of the packaging bill, in introducing it in the Senate in 1962 and 1963, and again in his opening statement in hearings on said bill said, and I quote:

"What does this bill attempt to do? It is an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition, packing and labeling."

Then would it not be reasonable that there is sufficient issue of antitrust law in S. 985, irrespective, Mr. President, if I or the minority of the subcommittee disagreed with that statement?

Mr. President, when the chairman, his counsel, and several of the proponents of said packaging bill reiterated that nonprice competition is the heart of the packaging and labeling bill and that it has antitrust law characteristics, then would it not be reasonable that there is sufficient antitrust law issue in S. 985 to warrant jurisdiction for the Judiciary Committee and its Antitrust Subcommittee to deliberate and resolve the antitrust aspects of said bill?

Mr. President, before proceeding further with illustrations of antitrust characteristics of S. 985, let me deviate to make this point. We also have the question of a precedent being established. The subcommittee conducted investigative and legislative hearings that took the valuable time and energies of nine Senators on the subcommittee in successive years 1961–64 on the theory that the subject matter had an impact on the antitrust laws. Now the chairman of the subcommittee claims it is no longer a matter of antitrust law and revises the bill slightly which may lead its referral to the Senate Commerce Committee. He goes one step further by objecting to a unanimous-consent request that is tantamount to barring his subcommittee from jurisdiction of his own bill, after the Senate Commerce Committee completes its work on the bill.

What will this do to the future hearings contemplated by said subcommittee, Mr. President? If the packaging and labeling bill does not belong in the Antitrust Subcommittee on the record shown herein, then how can it have jurisdiction to hold hearings on insurance, on the funeral industry, on professional boxing, on doctor-owned pharmacies and repackaging firms, on Columbia Broadcasting System's purchase of the New York Yankees, and other such subject matter that have far, far less affect—if any—on the antitrust laws than the record shows the packaging and labeling bill has. What is so sacred about the antitrust aspects—if any—of the funeral industry, or the insurance industry, or doctor-owned pharmacies, et al., to give said subcommittee jurisdiction while at the same time the chairman denies jurisdiction to the antitrust aspects of the packaging and labeling industry? (See activities report.) Mr. President, I know of no better way to wreck the prestige of a committee than to have one of its so-called key bills rewritten in a manner that technically may lead the bill to the jurisdiction of another committee and bar it from the original committee although the substance of the bill is the same. If this is permitted, I can envision the Antitrust Subcommittee being relegated to a minor status, but more significantly, I can envision carefully phrased terminology to get a bill before one committee whereas the substance and the purposes of the bill would have demanded that it go to another committee under our present rules.

Mr. President, when the chairman of the House Judiciary Subcommittee, Congressman CELLER, and Congressmen GILBERT and MULTER reintroduced this year a similar packaging and labeling bill in the House, which bill was referred to the House Judiciary Committee, then would it not be reasonable that there is sufficient issue of antitrust law in S. 985 to require that the Senate also give jurisdiction to the Senate Judiciary Committee after the Senate Commerce Committee completes action on said bill?

Mr. President, it is not the reference to the Clayton Act that is controlling in the referral to committee, but the substance of the proposed law is most important in determining if antitrust matter is in the bill.

Mr. President, when the Department of Justice and Federal Trade Commission consider standardization and nonprice competition as factors relating to antitrust law violations, then would it not be reasonable that there is sufficient issue of antitrust law in S. 985 to warrant the Senate in sending S. 985 to the Judiciary to deliberate and resolve the antitrust aspects of the bill and leave to the Commerce Committee the other aspects of said bill?

Mr. President, briefly, I cite five additional references why Senate Judiciary Committee jurisdiction should be given.

1. Regulations promulgated by FDA and FTC under S. 985 fixing sizes and quantities of packages and product contents, on an industrywide basis, may raise problems of antitrust violation by industry members cooperating in such standardization. See speech by Joseph E. Sheehy, Director of FTC Bureau of Restraint of Trade, on "Pricing Problems," pages 7–8 (Dec. 11, 1964) (Standardization of product by industry action may "fit into a trade restraining pattern that brings it within the ambit of the law"). Such antitrust conflicts are within the jurisdiction of the Judiciary Committee.

2. Senator HART's letter of January 21, 1965, to Senator EASTLAND concerning the Antitrust and Monopoly Subcommittee's budget and program for the coming year states, in part, that:

"The subcommittee plans to continue to examine, investigate, and make a complete study of the nature and extent of trade and commercial practices affecting consumers in a manner which tends or may tend to restrain competition in interstate and foreign commerce, with particular references to deceptive, misleading, fraudulent, or unfair practices in the production, processing, packaging, labeling, branding, advertising, statement of prices, and other conditions of sale, marketing, and furnishing of goods and services to consumers."

In view of these wide-ranging plans by the subcommittee to study deceptive packaging, labeling, and advertising practices in the coming year, it would surely be appropriate to have the results of the subcommittee's study brought to bear also on the Commerce Committee's study and report on S. 985, which undertakes to cover a quite similar area of business activity.

3. S. 985's revised provisions in paragraph 4(b) as to hearing procedures under provisions of the Administrative Procedure Act for some but not all of the authorized regulations raises problems of administrative practice and interpretations of the Administrative Procedure Act which would normally be supervised by the Judiciary Committee which originated and reported on the Administrative Procedure Act in 1945. Senate Report 752, 79th Congress, 1st session (1945); House Report 1980, 79th Congress, 2d session (1946).

4. The enforcement provisions of S. 985 which could impose penalties on business firms violating a final order of the Federal Trade Commission, paragraph 5(c), see 15 U.S.C. 45(1), require affirmative enforcement action by local U.S. attorneys and the U.S. Department of Justice, which are under the jurisdiction of the Judiciary Committee.

5. S. 985's provisions for product standardization entails an interplay among various executive departments and agencies, including the Department of Justice, the Food and Drug Administration of the Department of Health, Education, and Welfare, and the Federal Trade Commission which warrants consideration by all committees with proper jurisdiction, and in particular by the Judiciary Committee. In a comparable instance, questions as to the amenability of food processors and grocery chains having meatpacking operations to various FTC and antitrust provisions were resolved by a statutory amendment considered by the Judiciary Committee as well as the Agricultural Committee of the Senate in 1957 and 1958. See Senate Report 1564, 85th Congress, 2d session (Apr. 22, 1958) (joint report of Agriculture and Forestry and Judiciary Committees).

Mr. President, in view of the above citations and the memorandum submitted, is it not reasonable to conclude that there are sufficient issues of antitrust law and matters affecting the Judiciary Committee and its subcommittees to warrant Judiciary Committee jurisdiction over S. 985? Let the Senate vote for such jurisdiction.

Mr. President, under the rules of the Senate, the Judiciary Committee and its Antitrust Subcommittee is the appropriate forum to deliberate and report on an issue which affects the antitrust laws, especially when that antitrust issue is in serious dispute within the Antitrust Subcommittee and the Judiciary Committee and should be resolved by them. Therefore, the Judiciary Committee and not the Commerce Committee is the appropriate committee to resolve the antitrust aspects of S. 985 and leave unto the Commerce Committee to deliberate and resolve other aspects of S. 985.

Mr. President, on February 4, I asked unanimous consent that S. 985 be referred to the Judiciary Committee, after the Senate Commerce Committee completed its action on said bill. The unanimous consent requested was objected to by the distinguished Senator from Michigan, Mr. Hart, who said in part:

"It is conceivable that the Commerce Committee, in its analysis of the bill and in its determination, would report a bill which should go to one or more of the antitrust laws. In that case, clearly it should go back to the Judiciary Committee. Absent that, it would be inappropriate at this juncture to direct another committee than the Committee on Commerce.

"Mr. Dirksen. Technically I could concede the point the Senator from Michigan makes, except there is no question that the Senate Antitrust and Monopoly Subcommittee could also claim jurisdiction to hold hearings on the packaging and labeling bill, because the bill deals with standardization and so-called nonprice competition which are factors that have been considered by the Antitrust Division of the Department of Justice and the FTC as reasons for looking into certain antitrust law violation cases.

"And I cite the fact that the bill is exactly the bill that was before the Judiciary Committee. There may have been some minor modifications, other than the fact that it does not tie into the Clayton Act. Other than that, it is the same subject matter to which the Judiciary Committee has devoted so much time. I make my suggestion in good conscience and good grace that it should go back to the Judiciary Committee."

Mr. President, I shall take the distinguished Senator at his word, and since the record, by his own words, shows antitrust laws are affected, I expect him to support my request for referral to the Judiciary Committee after the Senate Commerce Committee has completed its action on S. 985. Let us examine the record: The majority report of the Senate Antitrust Committee states:

"It is with the unfair practices arising from the package's role as salesman that this bill is concerned. These practices have also become a form of unfair competition which can be seriously prejudicial to business rivals who do not engage in similar practices.

"It is well established that the Federal Government has a responsibility for maintaining the integrity of markets which it has fully asserted with respect to the antitrust laws.

"This bill then is in the tradition of the antitrust laws as it seeks to promote fair competition, to maintain the integrity of markets, to enhance the competence of consumers, and to promote efficency in industry.

"This legislation is designed to accomplish these objectives by delineating specific areas in which regulations may be necessary to foster fair practices and to prohibit unfair practices. And it provides a procedure to accomplish these ends within a framework of direction from Congress.

"This legislation does this by amending the Clayton Act, naming, as restraints of trade, those areas in which unfair, confusing, or deceptive methods of packaging and labeling have made it extremely difficult or impossible for buyers to compare prices.

"It was the purpose of the original Clayton Act to provide more certain guides for business conduct by specifically prohibiting practices which had come to be recognized as capable of impairing effective competition.

"This bill would bring the law up to date insofar as the nonprice form of competition represented by packaging and labeling concerned by making existing law more specific and certain in regard to the practices resulting in unfair competition in this field."

Mr. President, it would be well to define nonprice competition at this point through quotes from the testimony of Dr. Irston Barnes, Columbia University professor and formerly of the Antitrust Division and the Federal Trade Commission, and a leading exponent of the nonprice competition theory and the antitrust laws, where he stated beginning at page 370, printed hearings, "Packaging and Labeling," March 30, 1963 as follows:

"S. 387 (now S. 985) is directed to the correction of the competitive practices associated with the packaging of consumer products. Nonprice competition, with which the committee has been concerned, is a natural outcome of the development of supermarkets with an emphasis upon preselling. Nonprice competition refers to all those forms of rivalry which are primarily concerned with diverting patronage from one seller to another without thereby increasing the advantages accruing to buyers. A principle form of nonprice competition is product differentiation. Packaging is an important aspect of product differentiation and of nonprice competition. Packaging is essentially an extention of the advertising and promotional campaign." The Federal Government's responsibility for maintaining the integrity of markets is most fully asserted with respect to the antitrust laws, which are directed to three purposes, all of which in some measure be furthered by the proposed truth-in-packaging bill.

Mr. President, according to Dr. Barnes, not one, not two, but three purposes of the antitrust laws will in some measure be furthered by the packaging and labeling bill. Whether Dr. Barnes' statement is challenged or not, the antitrust issue is there in the packaging bill which issue can only be resolved by the appropriate committee having jurisdiction over antitrust law; namely, the Judiciary Committee.

During the hearings, the record was replete with statements by Chairman Hart, his majority counsel, and certain witnesses that nonprice competition went to the very heart of S. 387. In Senator Hart's opening statement on S. 387 he said at page 5:

"What does this bill attempt to do? It is an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition, packaging, and labeling. We do this by amending the Clayton Act to provide a procedure by which guides can be established to prevent such restraints."

The fact that the new packaging bill, S. 985, has dropped the Clayton Act as its forum does not change one iota the major premise of Senator Hart's bill which, we repeat:

"Is an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition, packaging, and labeling."

The fact that the minority members of the subcommittee disagreed with the majority does not alter the fact that a serious issue exists as to the antitrust characteristics of S. 387, and therefore the Judiciary Committee under Senate rules is the appropriate committee to resolve this issue and not the Commerce Committee.

In the minority view of Senator Dirksen he said:

"Because the packaging and labeling bill was placed in section 3A of the Clayton Act, an antitrust law, the Senate referred it to the Judiciary Committee and not the Commerce Committee. Our objection was noted on the first day of the hearings and we reserved the right to challenge the jurisdiction. Now that the hearings have been held there is no further need to parry over which committee is going to conduct the hearings."

Of course, the above was written after the hearings were completed and the Antitrust Subcommittee voted 5 to 3 to report favorably S. 387 to the Judiciary Committee, on June 13, 1963. It should be noted also that due to the controversial civil rights bill in the Judiciary and in the Senate, no serious attempt was made to bring up the packaging bill and I'm sure the records of the Judiciary Committee will verify this. There is no doubt also that a vote if taken would have been close either way.

Mr. President, there is much more that could be said but I do not want to belabor the point. I could quote from the Antitrust Subcommittee's activities report which would reveal that said subcommittee would have to relinquish one-half of its investigations and hearings if the subcommittee followed the precedent it is attempting to establish by barring said subcommittee from further jurisdiction of the packaging and labeling bill.

On the other hand, the Senate has always been generous in giving jurisdiction to more than one committee when the facts warranted it. For a few examples, the Senate Judiciary and Agriculture Committees conducted hearings in 1957 on amendments to the Packers and Stock Yards Act; the Joint Economic Committee and Judiciary Committee's Antitrust Subcommittee conducted hearings on the Common Market issue; the Judiciary's Antitrust Subcommittee and Commerce Committee had jurisdiction over a bill granting moratorium in approval of mergers among railroad companies; the Space Committee, the Commerce Committee and the Foreign Relations Committee were granted jurisdiction over their appropriate specialties in connection with the communications satellite bill. All that is asked here is that the Senate Judiciary Committee have the equal privilege and thus obtain jurisdiction over the packaging bill after the Commerce Committee completes its action.

I have faith in the 11 Democrats and 5 Republicans sitting on the Judiciary Committee to be fair and judicious in protecting the best interest of all of the people in S. 985 and any other bill referred to it.

Mr. President, I have not discussed the merits of S. 985 but only the jurisdictional question. However, I ask unanimous consent that a brief summary of my views on S. 387, the packaging and labeling bill of the previous Congress be placed at this point of the Record.

INDIVIDUAL VIEWS OF SENATOR EVERETT McKINLEY DIRKSEN: SENATE JUDICIARY COMMITTEE, ANTITRUST AND MONOPOLY SUBCOMMITTEE REPORT ON TRUTH IN PACKAGING, AUGUST 14, 1964

I. INTRODUCTION AND SUMMARY

In an attempt at legislating against alleged inconveniences and confusion to the very few, S. 387 would be harmful or destructive to the many millions of American consumers, workers, and businessmen who come within the purview of the proposed bill. At the same time, S. 387 would create a dramatic inversion of the traditional relationship of the private citizen with his government, destroying the time-honored principle that a person is right until proved otherwise. Under S. 387 the individual is placed in the un-American position of being deemed wrong until he can prove himself right. This latter thought repeatedly runs through the majority report with erroneous references that individual businessmen should not be concerned, because they are protected by the Administrative Procedure Act and the right of court review. Indeed, I know of no comparable intrusion into private business affairs by Federal agencies as contained in S. 387.

The mislabeled truth-in-packaging bill should not pass for many reasons. S. 387 is proposed legislation which is contrary to the true concept of antitrust; which will lead to less competition rather than greater competition; which will stifle innovation by new or smaller manufacturers as well as the larger ones; which will lead to regimentation and standardization by weights and measures; which will discourage business by its antibusiness attitudes; which will hurt the consumer through higher prices resulting from higher costs and less choice of products; which will hurt labor through less jobs; which will result in less taxes to government through greater deductions caused by increased manufacturing costs, and through the general harm to our economy.

Existing Federal Trade Commission and the Food and Drug Administration laws are sufficient and effective. From the testimony of Chairman Paul Rand Dixon of the FTC and Commissioner George P. Larrick of the FDA, it is abundantly clear that present laws, if they are vigorously enforced, afford protection against most, if not 100 percent, of the major complaints made at the subcommittee hearings. Both Chairman Dixon and Commissioner Larrick admitted that they could do a better job, and with increased appropriations and personnel—which are forthcoming—they will have more effective enforcement of existing laws. Failure to enforce existing laws is odd rationale for enacting new ones. Therefore, the wise course for Congress to take at this time is to be certain that present laws cannot cope with the situation. Of course, this determination cannot be made until the existing laws have been given a fair trial. Before enacting new and extremely restrictive legislation that could lead to regimentation, which we abhor in socialistic and communistic countries, there must be proven a great need for this new packaging law. Such proof fails to appear in the testimony. I might add parenthetically, if existing law is as inadequate as the proponents of S. 387 advocate, it means that we, the Members of Congress around this table, have been negligent for the past 15 to 25 years and that includes 8 of this Judiciary Committee.

Also, at a time when the economy is sluggish and unemployment is continuing at an excessive rate, at a time when the President is stressing the need of a $10 billion tax cut to aid business, labor, and the economy, and when the executive and legislative branches are attempting to prove to businessmen that the Federal Government is not antibusiness, at a time when there is a real need for fiscal stability, this Senate bill (S. 387) is most ill advised because it has adverse effects on each of the above. I shall prove each item to you as we ventilate the issues in this committee—not on the emotional outbursts of some of the witnesses who appeared but on the sound facts and figures presented by those people, big and small, who could be severely damaged by the restrictive provisions of the bill, when existing law is more than sufficient if strictly enforced. But let's briefly summarize some of the bad effects of S. 387.

S. 387, the packaging and labeling bill, is bad for the public, bad for the consumers, bad for the workers, bad for businessmen, bad for our Government, and bad for our economy.

I say the packaging bill is bad for the consumer for the following reasons:

1. Good Housekeeping survey says 95 percent of women read labels and are informed, so S. 387 is not needed. (See app. B, p. 74.)

2. It prohibits placing price reductions by manufacturers on packages through "cents off" promotions. There is no logic to this prohibition. (See survey where only 9 percent of women favor such a provision—app. C, p. 75.)

3. The standardization and regimentation provisions of the bill will cause such great increase of several hundred million dollars in costs of production that the consumer must pay in higher prices for the product. Make no mistake about this.

4. The consumers will be deprived of new and better products to meet their many changing needs if these restrictive provisions become law whether it is in foods, cosmetics, soaps and detergents, or in other kitchen and bathroom products.

5. By the consumer being denied new, better and greater variety of products to meet his needs, it will also hurt the economy, the businessmen and the workers.

(b) The workers will be hurt by the proposed new law because it will curtail the employment of engineers, draftsmen, designers, molders of glass, plastics, steel and tinplate, machinery workers, tool and dye workers, and many others needed in the innovation and expansion of packaged products.

The statements of two AFL–CIO unions are against subsections (e) (1) and (2), pages 759–761 and 772–773 (1963) because greater unemployment in the glass industry will result if S. 387 is enacted. (See also app. G, p. 82, a letter in opposition to S. 387 submitted by a local AFL–CIO union, American Federation of Grain Millers, Chicago, Ill., dated July 30, 1963.)

The American Bar Association, at its national convention in Chicago, Ill., passed a most significant resolution in opposition to S. 387. It was the first resolution ever recommended by the American Bar Association Section of the Food, Drug, and Cosmetic Law Division to be adopted by the full ABA. The ABA council and house of delegates both approved the resolution which authorized the ABA Section of Corporation, Banking and Business Law to appear before any congressional committee in opposition to S. 387. The full text of the resolution will be found in appendix J, page 84.

Also, it may be well to note herein that FTC Commissioner Sigurd Anderson, some State officials, hundreds of manufacturers, wholesalers, and retailers in the packaging industry, various trade associations, and numerous consumers have expressed their opposition to S. 387. (See app. D, p. 76, for excerpts of letters.)

(c) Businessmen will be severely damaged by increased costs of production and the inability to compete more successfully against a larger producer through innovating new ideas of packaging his products. For example, Purex Co. got the jump on its larger competitors through its plastic coffeepot handle for its liquid bleach 1-gallon jar. It was a great benefit for the housewife and a terrific asset for a smaller company over its larger competitors. The testimony is full of such examples.

(d) This bill is bad for our economy and thereby bad for the public for these reasons:

1. Our economy is already so sluggish that the President demands a tax cut to improve our economy and to reduce the high level of unemployment. This bill, through its restrictive provisions mentioned previously, will curtail production, employment and sales to the detriment of the public interest.

2. The increased costs to meet the provisions of the bill will mean less taxes paid by those companies facing increased costs. An example was given by one company that will have to spend $8 million in added costs just for four of its products with $2 million additional annual costs. The U.S. Treasury will lose $1 million in taxes each year from the above example alone. Multiply this throughout industry; it will mean millions upon millions in losses through taxes.

(e) The packaging bill is bad for our Government for two main reasons:

1. Through it, Congress would delegate its responsibility to two Federal agencies to do the job that the Members of Congress were elected by the people to do.

2. This bill would place the Federal Government further into the internal decisions of the individual consumer and businessman, thereby creating greater and too much Federal control.

Controls inevitably bring more controls. During World War II price controls brought on wage controls. Wage controls necessarily brought on production controls and manpower controls.

This packaging bill will follow the same pattern because if you control the package, then you control the quantity; if you control the quantity, then you must control the composition of the content, forcing Government controls over quality of product, price of product, wages to produce the product, production and distribution of the product and finally the consumer's choice, all of which leads to killing the initiative, the innovative power and the motivating force of our people which made this country the greatest in history.

S. 985

A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fair Packaging and Labeling Act".

PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

SEC. 2. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined by this Act) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to regulations promulgated pursuant to this Act.

(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

REGULATIONS TO BE PROMULGATED

SEC. 3. (a) As soon as practicable after the effective date of this Act, regulations shall be promulgated to—

(1) require the net quantity of contents (in terms of weight, measure, or count, or any combination thereof) of consumer commodities to be stated upon the front panel of packages containing such commodities, and upon any labels affixed to such commodities;

(2) establish minimum standards with respect to the prominence of statements of

the net quantity of contents (including minimum standards as to the type size and face in which such statements shall be made) appearing upon packages containing any consumer commodity and upon labels affixed to any such commodity;

(3) prohibit the addition to such statements of net quantity of contents of any qualifying words or phrases;

(4) specify such exceptions to the foregoing requirements as the promulgating authority may determine to be required by the nature, form, or quantity of particular consumer commodities, or by the customary mode of display of any particular consumer commodity for retail sale, except that no exception may be made if that exception would deprive consumers of reasonable opportunity to make rational comparisons between or among competing products;

(5) prohibit the placement upon any package containing such commodity, or upon any label affixed to such commodity, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price, or that a retail sale price advantage is accorded to retail purchasers thereof by reason of the size of that package or the quantity of its contents, except that no regulation promulgated under this section shall prevent any person while engaged at any time in the sale of any consumer commodity at retail to ultimate purchasers thereof from placing upon any such commodity, or upon any package containing that commodity, any marking pertaining to the retail sale price of that commodity; and

(6) prevent the placement, upon any package in which such commodity is distributed for retail sale, of any illustration or pictorial matter which is likely to deceive retail purchasers in any material respect as to the contents of that package.

(b)(1) Regulations under this section shall be promulgated by—

(A) The Secretary of Health, Education, and Welfare (referred to hereinafter as the "Secretary"), with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and

(B) The Federal Trade Commission (referred to hereinafter as the "Commission") with respect to any other consumer commodity.

(2) Such regulations adopted by the Secretary and by the Commission shall be uniform in content and application to the greatest practicable extent, as determined by consultation between the Secretary and the Commission.

(c) Whenever the Secretary (as to any food, drug, device, or cosmetic), or the Commission (as to any other consumer commodity) determines that additional regulations are necessary to establish or preserve fair competition between or among competing products by enabling consumers to make rational comparison with respect to price and other factors, or to prevent the deception of consumers as to such product, the Secretary or the Commission, as the case may be, shall promulgate under this subsection with respect to that commodity regulations effective to—

(1) establish reasonable weights or quantities, or fractions or multiples thereof, in which that commodity shall be distributed for retail sale, except that no such regulation may be inconsistent with standards prescribed by the Secretary of Commerce before the effective date of this Act with regard to the sizes of containers used for the retail sale of any commodity, and no weights and measures shall be established in amounts of less than two ounces;

(2) prevent the distribution of that commodity for retail sale in packages of sizes, shapes, or dimensional proportions which are likely to deceive retail purchasers in any material respect as to the net quantity of the contents thereof (in terms of weight, measure, or count), except that where reasonable weights and measures have been established pursuant to the provisions of paragraph (1) of this subsection such regulations may not proscribe the use of package shapes which have been designed to exploit the unique advantages of any material for use in the production of packages of distinctive appearance;

(3) establish and define standards of designations of size (other than statements of net quantity of contents) which may be used to characterize quantitatively the contents of packages containing that commodity;

(4) establish and define the net quantity of any commodity (in terms of weight, measure, or count) which shall constitute a serving, if that commodity is distributed to retail purchasers in a package or with a label which bears a representation as to the number of servings provided by the net quantity of contents contained in that package or to which that label is affixed;

(5) establish and define standards for the quantitative designation of the contents of packages containing any consumer commodity of a kind the net quantity of contents of which cannot meaningfully be designated in terms of weight, measure, or count; and

(6) require (consistent with requirements imposed by or pursuant to the Federal Food, Drug, and Cosmetic Act, as amended) that sufficient information with respect to the ingredients and composition of any consumer commodity (other than information concerning proprietary trade secrets) be placed in a prominent position upon packages containing that commodity and upon labels affixed thereto.

PROCEDURE FOR PROMULGATION OF REGULATIONS

SEC. 4. (a) Before promulgating any proposed regulation under section 3 with respect to any consumer commodity, the Secretary or the Commission, as the case may be, shall (1) consult with other agencies of the Government having special competence with respect to the subject of that regulation concerning the scope, application, form, and effect thereof, (2) publish in the Federal Register reasonable advance notice of intention to promulgate such regulation, and (3) accord to persons who would be affected thereby reasonable opportunity for consultation with respect to such proposed regulation.

(b) All regulations adopted under this Act shall be promulgated in conformity with the provisions of the Administrative Procedure Act. No regulation shall be promulgated for any purpose described in section 3(c) of this Act unless a public hearing has been conducted and opportunity for review has been accorded in conformity with the provisions of sections 7 and 8 of the Administrative Procedure Act.

(c) Any regulation promulgated under this Act may be modified by the promulgating authority, upon the initiative of that authority or upon application made by any person affected by that regulation, whenever such authority determines that such modification is necessary to conform to the requirements of this Act or to any change occurring in the method of packaging, labeling, distributing, or marketing of any consumer commodity.

(d) No regulation adopted under this Act shall take effect until a reasonable period of time (as determined by the Secretary or the Commission, as the case may be) has passed after the promulgation thereof to permit persons affected thereby to effectuate compliance with the provisions of such regulation.

(e) In carrying into effect the provisions of this Act, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or possession of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.

ENFORCEMENT OF REGULATIONS

SEC. 5. (a) Upon written request made, by the officer or agency authorized or directed by this Act to establish packaging or labeling regulations as to any consumer commodity of any class or kind, to any producer or distributor of such consumer commodity, such producer or distributor shall transmit promptly to that officer or agency a true and correct sample of each package and label used by that producer or distributor for or in connection with the distribution in commerce of any particularly described consumer commodity of that class or kind. Any person who fails to transmit any such sample to such authority within twenty days after receipt of such request shall be subject to a civil penalty of not more than $1,000 for each day of the continuance of such failure, except that the amount of such penalty may be compromised by such authority before the final determination of action for the recovery thereof. Such forfeiture shall be recovered in a civil action brought in the name of the United States in the district court of the United States for any judicial district in which such person resides, does business, or is found. Upon demand made by the defendant before the trial of any such action upon its merits, the defendant shall be entitled to have any issue of fact with respect to such failure determined by a jury.

(b) Any consumer commodity introduced or delivered for introduction into commerce in violation of any regulation promulgated by the Secretary of Health, Education, and Welfare under this Act while that regulation is in force and in effect shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of any such regulation.

(c) Any violation of any regulation promulgated under this Act by the Federal Trade Commission while that regulation is in force and in effect shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act. The remedies provided by sections 4, 4A, and 16 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 730, as amended; 15 U.S.C. 15, 15a, and 26), commonly known as the Clayton Act, shall not be available to any person threatened with loss or damage, or injured in his business or property, by any violation of any such regulation under this Act.

REPORTS TO THE CONGRESS

SEC. 6. Each officer or agency required or authorized by this section to promulgate regulations for the packaging or labeling of any consumer commodity shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this Act during the preceding calendar year.

COOPERATION WITH STATE AUTHORITIES

SEC. 7. (a) A copy of each regulation promulgated under this Act shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal standards for the packaging and labeling of consumer commodities.

(b) Nothing contained in this section shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under other provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

DEFINITIONS

SEC. 8. As used in this section—

(1) The term "commerce" has the meaning given thereto by section 4 of the Federal Trade Commission Act (15 U.S.C. 44).

(2) The term "consumer commodity", except as otherwise specifically provided by this paragraph, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use. Such term does not include (A) any meat, meat product, poultry, or poultry product, (B) any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the Act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act; (C) any beverage subject to or complying with packaging or labeling requirements imposed under the Federal Alcohol Administrative Act (27 U.S.C. 201 et seq.); or (D) any commodity subject to the provisions of the Federal Seed Act (7 U.S.C. 1551–1610).

(3) The term "package" means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that commodity to retail purchasers thereof, but does not include (A) shipping containers or wrappings used solely for the transportation of such commodity in bulk or in quantity to wholesale or retail distributors thereof, (B) shipping containers or outer wrappings used by retailers to ship or deliver such commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity, or (C) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251–256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257–257i).

(4) The term "label" means any written, printed, or graphic matter affixed to any consumer commodity.

(5) The term "person" includes any firm, corporation, or association.

SAVING PROVISION

SEC. 9. Nothing contained in this Act shall be construed to repeal, invalidate, supersede, or otherwise adversely affect—

(a) the Federal Trade Commission Act or any statute defined therein as an Antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act;

(c) the Hazardous Substance Act; or

(d) any provision of State law which would be valid in the absence of such amendment unless there is a direct and positive conflict between such amendment in its application to interstate or foreign commerce and such provision of State law.

EFFECTIVE DATE

SEC. 10. This Act shall take effect on the first day of the sixth month beginning after the date of enactment of this Act.

Matter printed in roman type appears in the bill as introduced and is proposed to be retained.

Matter printed in black brackets appears in the bill as introduced and is proposed to be stricken out.

Matter printed in italic type does not appear in the bill as introduced and is proposed to be inserted.

S. 387

A bill to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 730 et seq.; 15 U.S.C. 12 et seq.), commonly known as the Clayton Act, is amended by inserting therein, immediately after section 3 thereof, the following new section:

"SEC. 3A. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined by this Act) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to regulations promulgated pursuant to this section.

"(b) The prohibition contained in [this] subsection (*a*) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) [determine] *prescribe or specify* by any means the [nature, form, or content of packages in which such commodities are contained or labels affixed to such commodities.] *manner in which such commodities are packaged or labeled.*

"(c) As soon as practicable after the effective date of this section, regulations shall be promulgated to—

"(1) require the net quantity of contents (in terms of weight, measure, or count, or any combination thereof) of consumer commodities to be stated upon the front panel of packages containing such commodities, and upon any labels affixed to such commodities;

"(2) establish minimum standards with respect to the [location and] prominence of statements of the net quantity of contents (including minimum standards as to the type size and face in which such statements shall be made) appearing upon packages containing any consumer commodity and upon labels affixed to any such commodity;

"(3) prohibit the addition to such statements of net quantity of contents of any qualifying words or phrases;

"*(4) contain such exceptions to the foregoing requirements as the promulgating authority may determine to be required by the nature, form, or quantity of particular consumer commodities, or by the customary mode of display of any particular consumer commodity for retail sale, except that no exception may be made if that exception would deprive consumers of reasonable opportunity to make rational comparisons between or among competing products;*

"[4] *(5)* prohibit the placement upon any package containing such commodity, or upon any label affixed thereto, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price, or that a retail sale price advantage is accorded to retail purchasers thereof by reason of the size of that package or the quantity of its contents, except that no regulation promulgated under this section shall prevent any person engaged at any time in the sale of any consumer commodity at retail to ultimate purchasers thereof from placing upon any such commodity, or upon any package containing that commodity, any marking [which states the true and correct retail sale price at which such person at that time is offering that commodity for sale to such purchasers]; *pertaining to the retail sale price of that commodity; and*

["(5) contain such exceptions to the foregoing requirements as the promulgating authority may determine to be required by the nature, form, or quantity of particular consumer commodities, except that no exception may be made if that exception would deprive consumers of reasonable opportunity to make rational comparisons between or among competing products; and]

"(6) prevent the placement, upon any package in which such commodity is distributed for retail sale, of any illustration or pictorial matter which [may] *is likely to* deceive retail purchasers in any *material* respect as to the contents of that package.

"(d) (1) Regulations under this section shall be promulgated by—

"(A) the Secretary of Health, Education, and Welfare (*referred to hereinafter as the 'Secretary'*), with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and

"(B) the Federal Trade Commission (*referred to hereinafter as the 'Commission'*) with respect to any other consumer commodity.

"(2) Such regulations adopted by the Secretary and by the Commission shall be uniform in content and application to the greatest practicable extent, as determined by consultation between the Secretary and the Commission.

"(e) Whenever the Secretary of Health, Education, and Welfare (as to any food, drug, device, or cosmetic), or the Federal Trade Commission [as] (*as* to any other consumer [commodity] *commodity*) determines that additional regulations are necessary to establish or preserve fair competition between or among competing products by enabling consumers to make rational comparison with respect to price and other [qualities] *factors,* or to prevent the deception of consumers as to such product, the Secretary or the Commission, as the case may be, shall promulgate under this subsection with respect to that commodity regulations effective to—

"(1) establish reasonable weights or quantities, or fractions or multiples thereof, in which that commodity shall be distributed for retail sale;

"(2) prevent the distribution of that commodity for retail sale in packages of sizes, shapes, or dimensional proportions which [may] *are likely to* deceive retail purchasers *in any material respect* as to the net quantity of the contents thereof (in terms of weight, measure, or count);

"(3) establish and define standards of designations of size (other than statements of net quantity of contents) which may be used to characterize quantitatively the contents of packages containing that commodity;

"(4) establish and define within a reasonable range the net quantity of any commodity (in terms of weight, measure, or count) which shall constitute a serving, if that commodity is distributed to retail purchasers in a package or with a label which bears a representation as to the number of servings provided by the net quantity of contents contained in that package or to which that label is affixed;

"(5) establish and define standards for the quantitative designation of the contents of packages containing any consumer commodity of a kind the net quantity of contents of which cannot meaningfully be designated in terms of weight, measure, or count; and

"(6) require (consistent with requirements imposed by or pursuant to the Federal Food, Drug, and Cosmetic Act, as amended) that sufficient information with respect to the ingredients and composition of any consumer commodity (other than information concerning proprietary trade secrets) be placed in a prominent position upon packages containing that commodity and upon labels affixed thereto.

"(f) (1) Before promulgating any proposed regulation under subsection (e) with respect to any consumer commodity, the Secretary or the Commission, as the case may be, shall (A) consult with other agencies of the Government having special competence with respect to the subject of that regulation concerning the scope, application, form, and effect thereof, (B) publish in the Federal Register reasonable advance notice of intention to promulgate such regulation, and (C) accord to persons who would be affected thereby reasonable opportunity for consultation with respect to such proposed regulation.

"(2) All regulations adopted under this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act. *No regulation shall be promulgated for any purpose described in subsection (e) of this section unless a public hearing has been conducted and opportunity for review has been accorded in conformity with the provisions of sections 7 and 8 of the Administrative Procedure Act.*

"(3) Any regulation promulgated under this section may be modified by the promulgating authority, upon the initiative of that authority or upon application made by any person affected by that regulation, whenever such authority determines that such modification is necessary to conform to the requirements of this section or to any change occurring in the method of packaging, labeling, distributing, or marketing of any consumer commodity.

"(4) *No regulation adopted under this section shall take effect until a reasonable period of time (as determined by the Secretary or the Commission, as the case may be) has passed after the promulgation thereof to permit persons affected thereby to effectuate compliance with the provisions of such regulation.*

"(5) *In carrying into effect the provisions of this section, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or possession of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.*

"(g) Upon written request made, by the officer or agency authorized or directed by this section to establish packaging or labeling regulations as to any consumer commodity of any class or kind, to any producer or distributor thereof, such producer or distributor shall transmit promptly to that officer or agency a true and correct sample of each package and label used [or to be used] by that producer or distributor for or in connection with the distribution in commerce of any particularly described consumer commodity of that class or kind. [Any person who, with intent to evade compliance with the requirement of this subsection (g), fails to transmit any such sample to such authority promptly upon receipt of such request shall be fined not more than $1,000, or imprisoned not more than one year, or both.] *Any person who fails to transmit any such sample to such authority within twenty days after receipt of such request shall be subject to a civil penalty of not more than $1,000 for each day of the continuance of such failure, except that the amount of such penalty may be compromised by such authority before the final determination of action for the recovery thereof. Such forfeiture shall be recovered in a civil action brought in the name of the United States in the district court of the United States for any judicial district in which such person resides, does business, or is found. Upon demand made by the defendant before the trial of any such action upon its merits, the defendant shall be entitled to have any issue of fact with respect to such failure determined by a jury.*

"(h) (1) Any consumer commodity introduced or delivered for introduction into commerce in violation of any regulation promulgated by the Secretary of Health, Education, and Welfare under this section while that regulation is in force and in effect shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic [Act.] *Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of any such regulation.*

"(2) Any violation of any regulation promulgated under this section by the Federal Trade Commission while that regulation is in force and in effect shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act.

["(3) The remedy provided by section 16 of this Act shall be available to any person threatened with loss or damage by any violation of any such regulation while that regulation is in force and in effect].

"(3) *The remedies provided by sections 4, 4a, and 16 of this Act shall not be available to any person threatened with loss or damage, or injured in his business or property, by any violation of any such regulation under this section."*

"(i) Each officer or agency required or authorized by this section to promulgate regulations for the packaging or labeling of any consumer commodity shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this section during the preceding calendar year.

"(j) A copy of each regulation promulgated under this section shall be transmitted promptly to the [Director of the National Bureau of Standards] *Secretary of Commerce,* who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal standards for the packaging and labeling of consumer commodities. Nothing contained in this subsection shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under other provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

"(k) As used in this section—

"(1) the term 'consumer commodity', except as otherwise specifically provided by this paragraph, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption *by individuals,* or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the [household] *household,* and which usually is consumed or expended in the course of such consumption or use. Such term does not include (A) any meat, meat product, poultry, or poultry product, or any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide [Act] or *Act,* the provisions of the eighth paragraph under the heading 'Bureau of Animal Industry' of the Act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act; (B) any beverage subject to packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) *or the provisions of the Federal Seed Act (7 U.S.C. 1551–1610); or* (C) any household appliance, equipment, furniture, furnishing, or other durable article or commodity; [or (D) any article or commodity intended for use in the maintenance of the exterior, or for the repair of any part, of any structure, or for use in the maintenance or repair of any article or commodity described by clause (C) of this sentence];

"(2) the term 'package' means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that commodity to retail purchasers thereof, but does not include (A) shipping containers or wrappings used solely for the transportation of such commodity in bulk or in quantity to wholesale or retail distributors [thereof or (B)] *thereof, (B) shipping containers or outer wrappings used by retailers to ship or deliver such commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity, or (C)* containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251–256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257–2571);

"(3) the term 'label' means any written, printed, or graphic matter affixed to any consumer commodity; and

"(4) the term 'person' includes any firm, corporation, or association."

(b) The amendment made by this section shall take effect on the first day of the sixth month beginning after the date of enactment of this Act.

SEC. 2. No amendment made by this Act shall be construed to repeal, invalidate, supersede, or otherwise adversely affect—

(a) the Federal Trade Commission Act or any statute defined therein as an Antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act;

(c) the Hazardous Substance Act; or

(d) any provision of State law which would be valid in the absence of such amendment unless there is a direct and positive conflict between such amendment *in its application to interstate or foreign commerce* and such provision of State law.

Mr. DIRKSEN. The reason for the request is that tomorrow we shall discuss the question of the reference of the so-called labeling and packaging bill. Because it has been modified slightly, the distinguished chairman of the subcommittee is asking that the bill be referred to the Committee on Commerce instead of the Committee on the Judiciary. The bill has been in the Judiciary Committee for at least 2 years—perhaps a little longer. The committee has taken at least 2,000 pages of testimony. Notwithstanding the technical change in the text of the bill, I believe that jurisdiction ought to remain in the Judiciary

Committee. But if not, the bill ought to go back to the Committee on the Judiciary when it has completed its course in the Committee on Commerce.

LET US SEARCH FOR PEACE

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may be permitted to speak for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, it was truly said by a very great American in the search for peace, "Let us never negotiate out of fear. But let us never fear to negotiate."

Since 1954, we have been involved against our will in South Vietnam. Three Presidents—Eisenhower, Kennedy, and Johnson—have properly determined that were the Communists to take over southeast Asia and drive us out of South Vietnam, they would then be in a position to take over the Philippines, South Korea, and in time the outer western defense of the free world might well be Australia and Hawaii.

Mr. President, we sorrow over the death of American soldiers on this frontier of freedom in South Vietnam. We should and do take pride in the great retaliatory blows which have made it perfectly clear to the Communist dictators of Red China and the Soviet Union that Americans will never quit under fire, retreat from southeast Asia, or submit to Communist aggression.

We will continue to use our tremendous power to aid in repelling Communist aggressors in South Vietnam. Of course, we must not and we shall not be bogged down in a land war on the Asiatic mainland. We know that our planes can strike by air from our carriers and floating bases which are invulnerable to Communist retaliation. We know we are superior in power on land and sea and in the air to all nations in the world combined.

However, history over 2,000 years teaches that we must not and we need not send in land forces—it would seem unthinkable to do so—against the huge masses of the Soviet Union and Red China, where life is valued so cheaply, for they could overwhelm us on land as over the centuries they have swallowed up and overwhelmed other opponents.

Ours is, we are proud to say, and must continue to be in this grim period of international anarchy, a nation vastly superior in missile power in the air, on the sea, and under the sea. Even though the Communist aggression of Red China and the Soviet Union were to be combined, they could not successfully contend against us in the air, on the sea, or under the sea.

The Communist dictators are now fully aware of our determination to fulfill our commitments to South Vietnam. It would be no sign of weakness to negotiate toward a peaceful solution of that conflict.

It seems to me that now is the time to proclaim to the world that the United States is ready to meet at Geneva over the conference table with representatives of China and North Vietnam and our allies of the free world to see if we cannot negotiate a settlement which would leave South Vietnam a free nation clear of aggressors from the north.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Let us remember that Austria was neutralized by agreement of the heads of state of the free world and the Soviet Union, and Austria has remained absolutely neutral.

Laos was neutralized by agreement of the Soviet Union and of the free world, and open warfare has been avoided in that area.

The limited nuclear test ban treaty, which was ratified by the Senate by an overwhelming vote, has not been violated by the Communists.

I point to these things because we know that many agreements the Communists have made have been violated by them, but those which I have mentioned have not. Therefore, let us try to secure commitments from the Communists of North Vietnam, the Soviet Union, and Red China to leave their neighbors in South Vietnam alone. Then we would agree to withdraw our forces, and to the United Nations could be reposed the task of maintaining the peace in southeast Asia.

However, if such an agreement cannot be arrived at, all Americans are united behind the policy of the administration to give a mighty blow to the Communist aggressors from the north for every blow suffered from them in South Vietnam. We shall continue that policy until we destroy their installations and drive back the Communist infiltrators and their armies, unless they agree to sit down at the conference table and try to work out the problems involved as civilized nations should work out such problems.

THE PRESIDENT'S SUCCESSFUL PROGRAM FOR THE WAR ON POVERTY

Mr. RANDOLPH. Mr. President, if this Nation is to fulfill its destiny, it must not only be strong and free, but all of its people must be in a position to participate in that freedom. A man without a job, a child without an opportunity, a woman shackled to poverty—these are people who cannot fully participate in this Nation's freedom.

The President's program is clearly designed to eliminate these pockets of want from our national affluence.

It is not an easy job. But it is a start. It took courage and determination to take the first step. Now we have taken that step. This Nation is engaged in a war on poverty.

The first signs are encouraging, but we must be prepared for frustrations and failures, for disappointments and doubts. The program the President outlines is realistic. It appreciates the problems, but does not duck from the responsibilities.

If we do no more in our generation than break the cycle of poverty—insuring that the children of poverty do not become the fathers of poverty—our grandchildren will know that we have lived in historic times.

Mr. YOUNG of Ohio. Mr. President, the country has already shown that it approves of our action of last year in passing the Economic Opportunity Act. Enthusiastic as I was about the act, I never thought the response would be so overwhelming. Hundreds of communities have already started organizing themselves for their participation in the war on poverty. More than 80 percent of all cities with a population of over 50,000 have taken the necessary steps for their participation.

There are other ways, too, for measuring the great response to the Economic Opportunity Act; but I am particularly pleased that we have obtained this degree of local community participation. It demonstrates that there can, in fact, be a great partnership between the Federal Government and the local governments of America in furthering a great national objective. We must not let these communities down. This Congress must extend and expand the program in order to meet the needs of all of our communities.

While the economic opportunity program has barely begun, it is already bringing the poor into the planning and operation of local programs in a way that is unknown in any other government programs. Under programs approved to date, thousands of poor people will be working in nonprofessional jobs, on projects in their own communities and neighborhoods. Representatives of the poor and of minority groups are active participants on the communitywide boards and committees directing the program. Neighborhood organizations are being extensively used. This, in my opinion, is probably the single most important aspect of the brave beginning made thus far in the war on poverty.

Mr. RIBICOFF. Mr. President, I wish to read to my distinguished colleagues an excerpt from a letter:

> For many years my country, the United States of America, has been doing things for me. I now want to do something for my country.

This letter was written by a 66-year-old retired woodworker who wants to enlist in the war on poverty. He wrote it to VISTA, our new domestic version of the Peace Corps.

Volunteers in Service to America has received more than 8,000 applications from young and older Americans who want to contribute their talents and energy to this noble domestic effort. More than 300 communities have asked for volunteers. The requests for individual volunteers total 2,500.

The first men and women are already serving on the front lines of the war on poverty. They graduated last week from the training course at Camp New Hope, N.C. Others will graduate next week; and in the months ahead still others, in ever larger numbers will begin training.

VISTA—the place where any American 18 years of age or older can make a personal contribution—is showing that our citizens are as committed to the war on poverty as is their Government.

Mr. McGOVERN. Mr. President, the poverty program is now only 4 months old—and over 500 projects totaling $300 million have been approved. The President's war on poverty is already becoming every American's war on poverty. Community programs have been initiated through untold hours of uncompensated work by community leaders and by thousands of ordinary Americans. The advertising industry alone has contributed over $6 million in time to carry the story to the country. Young people are volunteering for VISTA assignments for local program work. College students are tutoring youngsters in deprived areas. The war on poverty has tapped the wide vein of idealism in America—and Americans are responding in tens of thousands.

Nearly every major business corporation in America is involved in fighting the war on poverty. Over 50 have submitted plans to operate Job Corps camps. The executives of hundreds of businesses are already serving on local community action committees, with many of them serving as chairmen. Many businesses have lent the services of their top executives to special or long-range assignments in the program. Several retired business executives have been accepted by the VISTA volunteers and a number are working with the Small Business Administration by helping the poor start and operate businesses which increase employment. All major networks, billboard companies, newspaper and magazine publishers have donated time and space totaling $6 million for promotion programs on the war on poverty.

The beginning of the war on poverty has ended. There is so much work to be done.

Mr. MONDALE. Mr. President, last week the American Bar Association, in its annual convention in New Orleans, took cognizance of the groundbreaking efforts of the war on poverty in providing legal services to the poor. The legal profession and the public are rapidly coming to the awareness that the protection of the law has often been effectively denied the poor. In many communities the provision of legal services to the poor are in being or are planned as part of community antipoverty campaigns. Through these services the poor can learn of their rights and of ways the law can protect them from the exploration which contributes to the cycle of poverty. These services, run in cooperation with local bar groups, promise to bring justice to people who have never known the law except as an oppressor. This cooperation between the bar and other elements in the community working to eradicate poverty is another example of the interest and concern which the war on poverty has generated in all sectors of American society.

THE CITIZENS CRUSADE AGAINST POVERTY—ADDRESS BY THE VICE PRESIDENT OF THE UNITED STATES

Mr. WILLIAMS of New Jersey. Mr. President, the passage of the Economic Opportunity Act in 1964 signaled a new attitude toward poverty; the recognition that it is often self-perpetuating, and the determination to break the cycle by an all-out attack on its root causes.

But law is futile unless it wins the acceptance, the respect, and the support of the people. We have encouraging evidence that the Economic Opportunity Act is enlisting the most positive and affirmative response from persons eager to transform its directives into action and its ideals into reality.

On Wednesday, February 10, Vice President Hubert H. Humphrey addressed such a gathering, the Citizens Crusade Against Poverty. This group is composed of leaders of many different types of national organizations, including civic, business, women's and labor groups. It testifies to the heartening support of the program by all segments of our communities.

Charged with coordinating Federal programs in this area, the Vice President not only brings to this task an intimate acquaintance with the legislation and with the problems of poverty, but he also sets an example by his spirited commitment. I ask unanimous consent that the Vice President's speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Vice President Hubert H. Humphrey to the Citizens Crusade Against Poverty, February 10, 1965

In the year 1620, John Winthrop, later to be the first Governor of Massachusetts, assembled the Pilgrims on the deck of the *Mayflower* and told them: "We must consider that we shall be as a city set upon a hill and the eyes of all people will be upon us."

The Pilgrims were in the middle of the Atlantic when John Winthrop told them of their special place in history. Today, the eyes of all people are still upon us—but our city is not yet complete.

Like the Pilgrims, we are still in midpassage. We cannot continue our journey—we cannot complete our city—until we achieve the proudest goal to which any nation has yet aspired: the goal of equal opportunity for all Americans. The passage of the Economic Opportunity Act of 1964 was a firm and determined step toward that goal—toward the creation of that city on the hill.

I welcome you today as you come together to offer the Nation your time, your talents, and your matchless experience. We shall surely need them as—together—we take the next step in our journey: the eradication of poverty in all its forms.

The annals of the poor are neither short nor simple in midcentury America—if, indeed, they ever were. An understanding of the dimensions of the problem we face requires not merely compassion but comprehension—comprehension of the incomprehensible.

To those persons grown accustomed to the face of a smiling America, the facts of poverty are baffling. To understand them requires a realization that:

In the midst of the richest nation in all of history, 35 million Americans, almost one-fifth of the Nation, are poor by generally accepted standards;

The average income of the almost 10 million American families in poverty is less than $1,800 a year.

This, then, is the far side of our paradise.

Until recently, the cruelest aspect of poverty in America seemed to be its sheer hopelessness. For many persons, the future appeared no brighter than the past—in this land of milk and honey, some people appeared destined to taste only bitter dregs.

It has been demonstrated, for example, that a child born in poverty in an American city is likely to become a slow learner, an illiterate, a reject, a delinquent, and a criminal—he is likely to live miserably, die young, and leave no legacy but offspring fated to meet the same ignominious destiny.

It is both incredible and intolerable that in 40 percent of the families receiving aid for families with dependent children either the father or the mother were themselves raised in families which had also received public assistance.

We must break the cycle of poverty. We must free millions of Americans from the bondage of that tragic equation which often decrees that poor shall beget poor and ignorance shall beget misery. And this is the goal of the war on poverty.

This is a war to which we are unconditionally committed. But we have not finally, irrevocably selected our strategy and tactics. The battles are to be fought on largely uncharted terrain—where armies have never clashed.

You know, of course, some of the weapons we have already chosen. You know some of the battles we are now beginning to wage. You know, for example, that the President has called for a doubling of the present program levels for the Office of Economic Opportunity.

You know of the community action programs—by July 1965 we will have funded about 400 local antipoverty plans and programs, and the 1966 budget will support 600 such programs.

You know of the Job Corps—by July we will be well along toward training more than 25,000 youths, and by 1966 the Corps will have established more than 100 urban and rural residential centers for young men and women, to give them basic education, skilled training, and sound working experience.

You know of the Neighborhood Youth Corps—by July we will have enrolled more than 175,000 young men and women, and the 1966 budget will provide work opportunities and training for 300,000 youths.

You know of VISTA—the Volunteers in Service to America—more than 5,000 volunteers will be molded into a domestic Peace Corps.

You know of the small business programs which by July will have disbursed up to $5 million to very small firms, placing disadvantaged entrepreneurs back on their feet or putting them in business for the first time.

You know of the work-study programs, the adult basic education programs, and all those other weapons in the arsenal which Sargent Shriver and his dedicated associates are so carefully and conscientiously administering.

But you also understand that the programs contained in the Economic Opportunity Act of 1964 cannot provide the total answer. They represent only several divisions in the army that must be recruited to achieve total victory in this war.

The President has noted that "poverty has many roots but the tap root is ignorance." Today, two-thirds of the families headed by these with less than a grammar school education live in poverty. Our educational program, therefore, must be an integral part of a nationwide attack on the causes and effects of poverty.

The President's proposal for medical care for the aged is inseparably tied to the war on poverty. The median income of families headed by persons over 65 years of age is less than $3,000. In the case of unattached elderly people, the income is only a little more than $1,000 a year. And this age group is increasing almost twice as fast as it was 10 years ago.

So it is with the Appalachian program, the minimum wage, unemployment insurance, and area redevelopment. All are joined by a common thread: the determination to offer to every American, old or young, wherever situated, however engaged, the opportunity to share fully and freely in the fruits of American progress.

No two programs could more clearly demonstrate this determination and this interrelationship than the Economic Opportunity Act and the Civil Rights Act. Negro Americans are today twice as likely to be illiterate, twice as likely to be unemployed, and twice as likely to be poor. Economic opportunity without full civil rights means the chance to become taxpayers, but not citizens; it is still taxation without representation. On the other hand, civil rights without economic opportunity means, as Whitney Young has said, "a mouthful of civil rights and an empty dinner table."

The President has charged me with the responsibility of coordinating Federal programs in both these areas. I will exercise every effort to see them move forward in a complementary and constructive manner.

What are the objectives we ultimately seek in this comprehensive, many-sided offensive against the causes and effects of poverty? We seek to elevate one-fifth of our population to the point where they can become full-fledged producers, consumers, purchasers, and providers in American society. We want them not only to share in the benefits of progress, but also to be capable of contributing more directly to that progress.

The Nation's economy is directly, intensely, and senselessly affected by this wanton waste of human resources which we see all about us. It has been estimated that the lost production from wasted human resources—people who do not produce up to full potential due to the lack of education or the lack of opportunity—amounted to $549 billion from 1953 to the first half of 1964. Thus it is not only true that we can afford to wage the war on poverty—we cannot afford not to wage it.

But statistics—however shocking or enlightening—can never depict the lifelong scars on the individual who grows up in a racial or an economic ghetto;

Or the long-range consequences of inadequate medical care and deficient education,

Or the psychological effects of sustained deprivation and lack of opportunity.

No geometric curve can adequately demonstrate the corrosive acid of poverty—an acid which destroys all in its path: hope, dignity, faith in oneself, in one's fellow men, in one's country.

And in these challenging years we simply cannot afford to continue freezing out of the mainstream of American life any potential talent or ability—no flower can be allowed to "blush unseen on the desert air."

These, then, are our goals, our tools and our motivations. But who are our warriors? Let there be no mistake about the identity of the real field commanders, and the real troops. The President has said, "The war against poverty will not be won in Washington. It must be won in the field, in every private home, in every public office, from the courthouse to the White House."

Every battle in this war on poverty is being carried out in large part through the enthusiastic, deeply committed, volunteered services of men and women from all walks of life, in every community across this land. The success of the community action programs, the Neighborhood Youth Corps, VISTA, the small business development centers—indeed, the success of every aspect of the war on poverty—depends upon vigorous, constructive, creative leadership and participation by the States, localities, and the American public.

Here it is that you can help us. Here it is that the accumulated wisdom, sensitivity, and experience of this assemblage can be brought to bear. We have neither the funds, the facilities, nor the personnel to assume this burden as a solely governmental function—nor would we wish to if we could. No war in history was less suited to conscription as its source of manpower—or confiscatory taxation as its source of funds. It must be fought at the local level. And, with your help, it will.

What can you do? You can disseminate information about the President's program to the organizations and individuals whom you represent.

You can join with us in a mammoth recruitment effort—to reach those for whom this program represents an opportunity to serve, and those to whom its represents the last, best hope of survival.

You can help us spark the creation of neighborhood groups and associations, block clubs, and community councils to support efforts by the poor to help themselves. You can spearhead the effort to involve the grassroots leadership of the poor, to develop more leaders and organizations capable of representing the poor.

In your own communities you can provide that special element of personal commitment and concern—that precious ingredient which is the distillation of years of deep involvement in humanitarian causes. The impersonal hand of government, however well motivated, can never replace the helping hand of the neighbor.

We will also look to you for the most intensive, constructive kind of continuing and searching evaluation.

We expect to make mistakes in this program. But the only way to avoid mistakes is to do nothing—or to play it safe. We do not intend to follow either course of action.

We intend rather to explore, to innovate, to experiment. And we will not only tolerate criticism, we will welcome it. It is our intention to support programs only as long as they contribute to our goal—helping people to lift themselves out of poverty and into the mainstream of American economic and social life.

Your contributions should not be limited to evaluation of steps that we have already taken. We also will need your suggestions for the next battles to be waged—for the new weapons which must be forged.

For generations, there has been a gentle tapping at our chamber door. It was the sound of millions of fellow citizens—young and old, North and South, white and black, seeking to intrude on the smug and cozy security of American life. They have been, by and large, faceless, nameless, invisible, and, too often ignored.

Our countrymen ask to cross this threshold—not only to warm their hands by the fire of human kindness—not only to sup at the groaning board of American affluence—but also to contribute—to join in the building of a finer house, a greater America—that city on the hill.

The President has opened the door. And the President has now turned to you—and to the thousands like you, and the millions you represent—to keep that door open, to assure that it will not be slammed shut again by the drifting vagaries of uninformed public opinion, or by the wintry blasts of indifference.

For what is a nation profited if it shall gain the whole world, and lose its own soul?

You are here today to launch a crusade whose noble purpose is no less than to help America keep its own soul.

AMERICA SHOULD REMEMBER THE UKRAINIAN STRUGGLE FOR INDEPENDENCE

Mr. HRUSKA. Mr. President, few people, if any, have suffered more from the Russian Government's policy of imperialist aggression and ruthless genocide than the Ukrainians. These people, 54 million of them, 43 million of whom still live within the geographical boundaries of the Soviet Union, have long sought national independence for Ukraine. They are a proud and distinctive people, with their own language, literature, and customs. Their history is rich in culture and full of patriotic deeds and valor. Yet, despite their courage and despite their sacrifices, they have known precious little liberty. Their struggles, for the most part, have been in vain.

January 22 was the 47th anniversary of the day which was to be the beginning of everlasting independence for Ukraine. On that date in 1918, the people of Ukraine declared the complete independence of the Ukrainian state. History would not have it so for long; in a few short months the treachery and power of the masters of the Communist revolution prevailed, and the people of Ukraine became one of the early victims of the new tyranny called communism.

But the centuries have shown that the Ukrainians' desire for freedom is not a shallow emotion. As with all the peoples of the captive nations, this natural need burns in the deepest part of their hearts, immune from the intimidations of transitory dictators and despots.

We of the free world must never allow ourselves to be beguiled into believing that freedom for any of the captive peoples is beyond our reach. We must remember that the road of eventual liberty for all men does not end at the visible horizon, but stretches into the beyond.

Our job now is to keep that road open. So let us not commit any act or adopt any policy that will make the tyrant's position more secure and the road to liberty, therefore, more difficult. With our words and deeds, let us establish clear guideposts which future generations can follow.

The commemoration of the 47th anniversary of the independence of Ukraine serves our cause well. It pricks the world's conscience. It tells the Communist that his crimes are not forgotten or forgiven. And it tells the peoples of the captive nations that they have not been forsaken. It tells them that America is, and forever will be, with them.

URBAN RENEWAL—A NEW GROWTH FACTOR IN CONNECTICUT

Mr. DODD. Mr. President, recently the Connecticut Development Commission conducted a survey of the long-range economic effects of urban renewal in Connecticut cities.

The commission found that the urban renewal project promoted significant and long-range increases in the tax base, and also that appreciable employment increases resulted, both directly and indirectly, as a result of urban renewal projects.

Mr. President, I believe that all of us are aware that the primary and most important purpose of urban renewal is the provision of safe and decent housing for all our people; and I also believe that we should likewise be aware of the far-reaching economic efforts of urban renewal in our business districts. The most dramatic benefit derived from urban renewal, according to the commission survey, is in the realm of increases in tax revenues in both housing areas and industrial renewal areas. As an example, in Stamford's East Meadows project, the tax revenues increased from $9,300, before redevelopment, to $85,000, after redevelopment. An even more dramatic increase occurred in New Haven's Oak Street project, where tax assessments increased from $2 million in 1956 to $16.6 million in 1964.

I believe that the survey for Connecticut made by the Connecticut Development Commission not only points up with clarity the more important human factors in urban renewal, but also brings to our attention the dramatic, long-lasting, and basic economic dividends accruing to well-planned and well-designed urban renewal projects.

I ask unanimous consent to have printed in the Record an article entitled "Urban Renewal—A New Growth Factor in Connecticut." The article was prepared by the Connecticut Development Commission.

There being no objection, the article was ordered to be printed in the Record, as follows:

Urban Renewal a New Growth Factor in Connecticut

While the basic purpose of urban renewal remains the provision of safe and decent housing for all of our people, there are economic and fiscal involvements in the program which cannot be overlooked. Frequently a successful central business district or industrial park project provides the economic stimulant which enables the community to undertake a program designed to provide better housing for that portion of the community which is resident in substandard or slum dwellings. In addition to promoting increments in the tax base these projects provide employment either directly within the establishments erected in the project areas or indirectly through the increases in supplies and services which may be locally provided.

Midyear in 1964 new industrial and commercial construction in renewal projects in Connecticut totaled 6.4 million square feet. Of this total over 5 million square feet was commercial in its use and the balance was industrial. As might he expected New Haven with 3.1 million square feet had the greatest volume of new construction and Hartford followed with 2.4 million square feet. However, Hartford's construction was concentrated in approximately 25 acres while New Haven's was distributed over 100 acres. The remaining 900,000 square feet were constructed on 80 acres of industrial and commercial land in 12 other communities. In addition to this new construction, over 150 commercial structures which were basically sound had been renovated and improved.

In addition to the construction and rehabilitation within the redevelopment project areas there has been substantial new construction in areas surrounding redevelopment projects which in most instances is directly traceable to the renewal project. While this is true in most major cities, the peripheral redevelopment in Hartford may be cited as being outstandingly successful. In this city downtown redevelopment completed or underway outside the project areas includes Hartford National's new home office banking complex, Travelers' Rotunda and underground parking and Hartford Steam Boilers expansion, as well as G. Fox's expanded facilities abutting Constitution Plaza.

Most industrial and central business district redevelopment projects provide substantial increases to tax revenues. Assessments in New Haven's Oak Street project have increased from below $2.0 million in 1956 to nearly $16.6 million in 1964; and, in the three main blocks of that city's Church Street project, projected real and personnel property assessments of $21.6 million in 1966 will nearly double those of 1957. In Stamford's East Meadow projects the tax revenue increased from $9,300 before redevelopment to $85,000 annually after redevelopment, and new construction in that city's Southeast Quadrant project, which is estimated to approximate $50 million, will result in tax increments ranging from $750,000 to $1 million annually. In Hartford's Windsor and Front Street projects, which include Constitution Plaza, the taxable grand list will increase from $8.8 million before development to an estimated $46.1 million upon the completion of construction in these projects.

Cities with populations of less than 50,000 also demonstrate that they can achieve significant increases in their grand lists. In Middletown for example, real estate taxes are expected to rise from approximately $38,000 in the Center Street project area before redevelopment to an estimated $96,000 upon completion of construction in these same areas. In Torrington the assessed value of properties acquired during redevelopment totaled $940,050. The current assessment on properties in these areas totals $1,315,000. In Middletown and in Torrington, as in many of the larger cities, municipal improvements such as offstreet parking facilities have made the areas more attractive for shopping and business.

A survey conducted by the Connecticut Development Commission in the summer of 1964 indicates that there are approximately 8,000 persons employed in professional, industrial and commercial establishments in Connecticut's redevelopment projects. This total does not include the workers involved in the construction of industrial and commercial buildings in redevelopment project areas valued at well over $100 million, or workers engaged in providing the site improvements necessary to the development of the project. Site improvements completed or being provided involve over $13 million and supporting facilities allocable to the projects, now completed or being provided, involve an additional $32 million. The workers employed on a permanent basis in industrial and commercial establishments in redevelopment areas receive approximately $45 million annually in wages. These companies expend an estimated additional $7½ million in Connecticut for such purposes as advertising, locally provided supplies and services, and related expenses, exclusive of rentals and mortgage payments.

The Connecticut Development Commission survey demonstrates that there is relatively little in-migration of industry and commerce into Connecticut's redevelopment projects. In most instances there is a demand for land by expanding local firms which is equal to or exceeds the supply of land available for reuse. For that reason local redevelopment agencies have not found it necessary to make significant efforts to attract industry and commerce from outside the State. The only major concerns to date which have expanded from outside Connecticut into redevelopment areas are the Hotel America in Hartford's Constitution Plaza and Macy's Department Store in New Haven's Church Street project. It is of interest, however, that several out-of-State professional firms have opened offices in Constitution Plaza; and it would seem that a prestige project such as this attracts firms from outside which are attempting to project a company "image" in keeping with these environments.

Employment in newly constructed industrial and commercial establishments in redevelopment projects constitute about 1 percent of Connecticut's total employment. While this percentage may seem to be minimal, redevelopment has just started to become a factor bearing on the State's economic growth. Only 11 projects, involving industrial and commercial reuse were in execution, prior to June 1959, and only a small part of potential reconstruction in renewal areas has been undertaken to date. Today's total business and industrial reconstruction is concentrated in 200 acres compared with 1,100 acres earmarked for industry and commerce which are being processed but which are not yet ready for reuse. Experience suggests that of the 2,200 acres in projects which have been approved for project planning at least 1,000 acres will be designated for industry and commerce.

In summary, there has been an intense development of the limited land available for industrial and commercial reuse in renewal projects in Connecticut's urban centers. Prime land is sometimes committed to sale to a developer before the project has been completed. Industrial and commercial firms occupying buildings in renewal areas are, for the most part, growing local companies which have a need for modern facilities in which to expand. In most instances there was no urban land available to accommodate expansion except through redevelopment. While the intraurban movements of these firms do not generally result in substantial increases in employment, they do result in the retention and expansion of vigorous firms in environments conducive to growth and development. As the redevelopment program gains momentum and additional acreages are made ready for reuse and new construction, the effect of the program on the economy of the State will become increasingly evident.

NATIONAL FARMERS UNION PRESIDENT HONORED BY JEWISH FARM LABOR COUNCILS

Mr. BURDICK. Mr. President, on February 7, the president of the National Farmers Union, Jim Patton, was given a recognition dinner by the Denver Histadrut Council and Colorado Trade Union Council for Labor Israel.

It was the pleasure of our colleague, the Senator from South Dakota [Mr. McGovern] to deliver the banquet address. In the speech, entitled "A Tribute to Jim Patton," he pointed out many of the fine, humanitarian efforts in which Mr. Patton has been involved throughout his lifetime. I concur in Senator McGovern's description of Mr. Patton, and, for the benefit of other Senators, I ask unanimous consent that the speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Tribute to Jim Patton

(Address by Senator George McGovern, Democrat, of South Dakota, recognition dinner for James G. Patton, sponsored by the Denver Histadrut Council and Colorado Trade Union Council for Labor Israel, Denver, Colo., February 7, 1965)

In doing research recently for an anthology of 20th century U.S. agricultural policy, I came across a clue to the life and conduct of our guest of honor—Jim Patton.

He was born in Bazaar, Kans., in 1902, the same year that the Farmers Union which he has headed for a quarter of a century was founded. When he was just 2 years old, Jim's hearty appetite helped persuade his parents that they should join a group of Kansas frontiersmen in the construction of a cooperative irrigation system in Colorado.

The settlers named their community NUCLA, the initials of the New Utopia Cooperative Land Association. Since the day Jim joined NUCLA he has remained loyal to its spirit of brotherhood. Through the years he has added steadily to the territory of NUCLA, first to encompass our Nation, and later to embrace the globe.

One of Jim's longtime associates tells me that his goal is to elevate life within the global boundaries of NUCLA so that earth's delegate to the first Interplanetary Conference on Peace and Abundance can register as the delegate of the New Utopia Cooperative Land Association, an organization of the earth's people living in peace and abundance.

I came to Denver today to bear testimony, on behalf of national and international leaders, to the worldwide vision of the man we honor and to express appreciation to Colorado for having given him to us. The high esteem that we all have for Histadrut, Labor Israel, and indeed for the friends everywhere of this great democratic venture in the Middle East—the State of Israel—is further enhanced by your wisdom in honoring Jim Patton tonight.

Jim has profoundly influenced the course of our Nation and of world affairs. I do not say this because the occasion permits indulgence in a little extravagance, but because it can be documented. As one of the new frontiersmen who set out to blaze new trails in 1961, I have repeatedly come across paths which say: "Jim Patton was here."

Last Monday, I introduced a bill in the Senate to create a Council of Resources and Conservation Advisers at the White House and to establish select committees in the House and Senate on resources and conservation. The measure is aimed at assuring the best use of our land and other resources. When introducing it, I called attention to the fact that we have had 49 consecutive months of economic growth. This record of unbroken advancement was not an accident. A White House Council of Economic Advisers created by the Employment Act of 1946 has studied and related Federal economic actions so we now have sufficient understanding of the effects of economic measures that we can avoid recessions and depressions. We can thoughtfully plan and executive economic policies to attain predetermined goals.

The resources bill, cosponsored by 15 Senators, proposes a similar Council to insure that we use the land and other resources wisely to meet present and future needs.

The man who first proposed the highly successful Council of Economic Advisers which my resources proposal imitates was Jim Patton. Jim blazed the trail on that frontier at the end of World War II. In the campaign for the Employment Act of 1946, he put together a farmer-labor coalition that not only won the fight for commonsense analysis and planning, but he helped the participating groups, especially farmers and workers, to realize that a full-employment economy is a common cause, beneficial to all.

During my service in the House of Representatives whenever I turned to Jim Patton for guidance on crucial issues, he always sent back enlightened replies. He was the exceptional farm leader who favored better labor standards, who fought the importation of low-wage laborers for corporate agriculture. Jim and his Farmers Union members know two things well: first, low-cost imported labor gives big farmers an advantage over family farmers who must compete with migrant workers; second, low wages in cities mean restricted markets for farm products. Likewise, low farm prices mean reducing purchasing power which is a threat to every city worker and merchant.

It is sometimes difficult to hold to these fundamental concepts. It is easy for farmers in periods of low prices to be resentful of city wages and consumer prices. Opportunistic farm leaders have sometimes played upon this resentment to build membership. But the man we honor has never wavered from his conviction that prosperous labor means a good market for the farmer's produce and good farm income is good news for workers and merchants. The welfare of farmer, worker, and merchant are interwoven in his view of society.

When President John F. Kennedy named me the first director of the food-for-peace program, I found myself again on a frontier crisscrossed with trails Jim Patton had blazed long before.

During World War II he served on several presidential top policy advisory boards working with the problems of economic stabilization, labor-management policy, and war manpower. But he was not too busy with Farmers Union and civic duties to participate, at the height of the war effort, in blazing a trail toward accomplishment of President Roosevelt's four freedoms and especially "freedom from want." He was one of those who inspired the Hot Springs conference in 1943 which led to the formation of the United Nations Food and Agriculture Organization, formally organized in 1945 and first headed by Jim's dear friend, Boyd-Orr of Scotland—a Nobel Prize winner.

He was a founder of the International Federation of Agricultural Producers, serving first as its vice president and then as its president.

He helped initiate U.N. studies of the world food gap, of the nutritional deficits in the have-not countries and other moves intended to focus attention on the need for constructive world food policies. He advocated a U.S. food bank that helped open the way to the food-for-peace program.

Jim today remains a frontiersman—calling for an allout advance against man's oldest enemy, human hunger.

He believes with me that we should seek to break down the barriers between nations, that East-West trade especially in food makes sense morally, economically, and politically. He believed, before I was around to have convictions on any subject, that the world could be refashioned into a peaceful, abundant home for all the children of the earth.

Jim has sometimes been accused of living on cloud nine. The objective of full employment in the United States was one of his early cloud nine ventures. It is good terra firma now, the solid base of 49 months of economic growth. A food-for-peace program was one of his cloud nine adventures in the forties. It is now moving three large shiploads of American food every day to feed the poor in the far corners of the earth. Many of Jim Patton's cloud nine projects have been mountainous achievements which verify the Biblical promise that a man of faith can move mountains.

Under his leadership, the National Farmers Union, with its roots in the Great Plains and the Rocky Mountain country, has been much more than a commodity-oriented farm organization. It has been a powerful voice for the general welfare of America and a faithful army in the cause of peace.

Some authorities credit Jim Patton's leadership of the Farmers Union with preventing a merger of big business and big agriculture in the 1940's. Jim's influential letter to the Saturday Evening Post, refusing to participate in a private national planning operation sponsored by eastern capital because he believed such planning should be done by all the people through their government, is a part of the historic record of that time.

The repeated appearances of Jim Patton before the committees of Congress in support of constructive labor and social welfare measures have helped build a bridge of cooperation between agriculture, labor, and our society as a whole. The Farmers Union has advocated resources development—a Missouri Valley Authority, a TVA on the Nile, social security, the United Nations, better health care, education, and housing.

I said recently at a Western Power and Water Consumers Conference in North Dakota that when Jim has a dozen awards besides his French Croix d'Officier de Merite Agricole — France's highest agricultural award—he would have begun to get the recognition he deserves.

He especially deserves the honor he receives tonight, symbolizing the common aspirations of farmers and labor groups, and your appreciation for a lifetime crusade of a good man, a dear friend, and a great citizen. Jim Patton is a living testament to President Johnson's recent reminder:

"The task of achieving a life of equality and dignity in rural as well as in urban America is one that will engage our minds and hearts and our energies for a lifetime."

The late John Kennedy would frequently close a speech with some favorite lines from Robert Frost's poem:

> "The woods are lovely, dark and deep,
> But I have promises to keep,
> And miles to go before I sleep,
> And miles to go before I sleep."

John Kennedy is asleep now in Arlington Cemetery, but the spirit of the new frontier is not asleep and nowhere does that spirit burn more brightly than in the heart of Jim Patton.

During a long and brilliant public career that will continue for many years to come, Jim has been guided by the philosophy of the late President's inaugural challenge:

"With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth, God's work must truly be our own."

FBI DIRECTOR HOOVER BACKED

Mr. MUNDT. Mr. President, the distinguished Director of the Federal Bureau of Investigation has again rated high in a survey of public opinion. The Harris survey, published today in the Washington Post, reports that 79 percent of the people of the United States feel that Mr. Hoover is doing a good-to-excellent job; 12 percent think he is doing a fair job; only 9 percent are unsure about him; and none will say he is doing poorly. Since the Federal Bureau of Investigation is such a vital agency, and because of my high esteem for its Director, Mr. Hoover, I wish to have the complete Harris survey report printed in the RECORD. I ask unanimous consent to have that done.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOOVER SOLIDLY BACKED IN SPITE OF CRITICISMS

(By Louis Harris)

Despite recent criticism, FBI Director J. Edgar Hoover still has the solid backing of nearly 8 of 10 Americans for the job he is doing as the Nation's No. 1 law man. What is more, in his recent dispute with the Reverend Dr. Martin Luther King, three times as many people sided with the FBI head as did with the Negro civil rights leader.

These results emerge from a just-completed survey of a cross section of the American people in which their attitudes about the job the FBI and J. Edgar Hoover are doing were probed in depth.

Confidence in the FBI remains at a high level, but that in Hoover is even higher. The public was asked:

"How would you rate the job the FBI is doing—excellent, pretty good, only fair, or poor?" and "How would you rate the job J. Edgar Hoover is doing as head of the FBI—excellent, pretty good, only fair, or poor?"

Job rating of FBI and Hoover

	FBI rating (percent)	*Hoover rating (percent)*
Good to excellent	76	79
Only fair to poor	16	12
Not sure	9	9

The people were also asked about the Hoover-King dispute:

"In his recent dispute with Martin Luther King, did you sympathize more with J. Edgar Hoover or Martin Luther King?"

In sympathy with Hoover or King in dispute

	Total public (percent)
Sympathize with Hoover	50
Sympathize with King	16
Agreed with neither	13
Not sure	21

In the controversy with Hoover, Dr. King claimed that the FBI had fallen far short of doing an effective job of investigating civil rights cases in the South. Hoover then sharply attacked Dr. King as being irresponsible, without identifying the civil rights leader by name.

In order to find out whether the King charges and other criticisms of Hoover had diminished some of the luster of the FBI chief, two further questions were asked:

"Compared to a few years ago, do you think J. Edgar Hoover is doing a more effective job as head of the FBI, less effective, or about the same kind of job he was doing a few years ago?" and "Why do you feel this way? Any other reason?"

Relative effectiveness of Hoover

	Total public (percent)
Compared to a few years ago:	
More effective	18
Less effective	13
About same effectiveness	53
Not sure	16

Behind Hoover effectiveness

	Total public (percent)
Why effective:	
Doing same matchless job	52
Doing better job over wider area	8
More experienced than anyone else	4
Keeping crime in check	2
Good job in Mississippi	2
Like way handled King	1
Why not effective:	
Too old for job	7
Wrong on King	2
Never was good in job	2
Bad on Kennedy shooting	2
Too many crimes unsolved	2
Not sure	16

It is evident that recent civil rights controversies have not led to widespread disenchantment with J. Edgar Hoover. The major criticism of the FBI Director is over his age. Hoover is now 70 years old.

Over the years, liberal groups and others have taken Hoover to task on a variety of subjects ranging from charges that he had not had proper regard for the rights of individuals to claims that he has not come to grips with the big crime syndicates in the country. Of late, the central thrust of criticism has been over civil rights enforcement and investigation.

By and large, such charges have left the American people overwhelmingly unconvinced. The volunteered comments made to our interviewers indicate that Hoover, in the estimate of most people, remains what he has been for at least a generation: a powerful symbol of law and order, a pillar of security in an uncertain nation and world.

WE SHOULD LISTEN TO BERRY

Mr. MUNDT. Mr. President, during the past months we have heard a great deal of discussion about Federal expenditures and the fact that the Federal Government continues year after year a planned program of deficit spending. It is an established fact that these planned deficits have created an inflationary spiral which has seriously impaired the economy of many wage earners and most especially, of agriculture.

My colleague in the House of Representatives, Hon. E. Y. BERRY, has been urging for many years that the Government, like any private enterprise or home, must live within its income, or else face the inevitable day of bankruptcy. Recently, the daily Argus-Leader, of Sioux Falls, S. Dak., published an editorial commending Representative BERRY for his position. The editorial carries a message for all of us; and I request that it be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Sioux Falls Argus-Leader, Jan. 28, 1965]

WE SHOULD LISTEN TO BERRY

Representative E. Y. BERRY, of South Dakota, has some notions that must appear to be old fashioned to many in this peculiar era.

He is worried because the Federal Government habitually is spending more money than it is collecting from the people in taxes. It is his opinion that such a course eventually will lead to serious trouble. Obviously he grew up in the day when it was considered proper and wise to gear expenditures to income.

We aren't too smart, though, if we ignore the principles that BERRY expounds. History shows that other governments have smashed on the breakers of financial deficits when they spent more than they took in over prolonged periods.

The U.S. Government has been doing that for quite a while now. The last President to achieve a substantial reduction in the Federal debt was Calvin Coolidge and he was in office back in the twenties. That was some 40 years ago. President Hoover had good intentions but the depression interfered and the debt began to rise after the era of Coolidge frugality. The debt zoomed under President Roosevelt and really took off into the stratosphere during World War II.

The unpleasant story is that our Federal Government has in part been living on future promises to pay for some 35 years. In the process we have sustained a degree of inflation that is much more than minor. The upward flight of the debt and of inflation has been restrained to a modest extent in recent years.

But we still must consider it worrisome. No banker feels very comfortable in private business when he holds the obligations of a debtor who is regularly spending more than he takes in. And what applies in private life also applies to the Government. We should not overlook BERRY's warning.

ANNIVERSARY OF LITHUANIA'S INDEPENDENCE

Mr. CASE. Mr. President, today we join 1 million Lithuanian Americans in commemorating the 47th anniversary of the declaration of Lithuania's independence. Lithuania joined the free world at the conclusion of World War I, only to be subjugated once again 22 years later—first, by Nazi Germany; and then by Soviet Russia.

Although Soviet Russia's oppression continues, the United States refuses to recognize Lithuania's status as a component republic of the Soviet Union, and continues diplomatic relations with the Lithuanian legation maintained here by the former independent government.

Lithuania made valuable progress during her 22 years of self-government: she reduced illiteracy from 64 to 15 percent, through a program of compulsory education; and she enacted a land-reform law—the first in Europe. Trade, agriculture, and industry flourished, as did the arts.

The illegal incorporation of the Baltic States into the Soviet Union stifled this vital development. We must continue to strive by all peaceful means to achieve the day when Lithuania will once again work proudly beside us as a free, self-governing nation, and once again will pick up her broken thread of progress.

ILLINOIS AIDS U.S. BEEF PROMOTION IN EUROPE

Mr. DOUGLAS. Mr. President, the world's champion steer, an Angus named "Charger," from Le Roy, Ill., and another steer, a Hereford named "Muscles," from Mason City, Ill., are helping to promote the sale of American beef to Europe.

These two prize steers from Illinois and another from Iowa are featured in a highly successful exhibit, called "Roundup 1965," sponsored by the U.S. Government, in cooperation with the American Meat Institute, at West Berlin.

"Charger" was selected as the U.S. national grand champion at the Chicago livestock show in December, was bought by a Chicago bank for $17,500, and was given to the U.S. Government, for the exhibition at the West Berlin Agricultural Fair.

The champion steer was accompanied by Miss Janet Perring, age 15, who raised him on the family farm near Le Roy, and accompanied him to Chicago, then to Washington, and then to West Berlin.

The Secretary of Agriculture, Orville Freeman, also was in West Berlin, a few days ago, to celebrate the exhibit and to promote American farm exports, in a series of conferences in Western Europe.

Mr. President, I am proud of Illinois' participation in this great trade effort, and I commend the Department of Agriculture and the American Meat Institute for their part in this undertaking.

I ask unanimous consent that an article about the West Berlin farm fair exhibit, as it appeared in the Journal of Commerce of January 29, 1965, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Journal of Commerce, Jan. 29, 1965]

BEEF EXPORTS TO GET BOOST AT WEST BERLIN FARM FAIR

BERLIN, January 28.—The United States is showing Germans everything from sizzling steaks and hamburgers to "Charger," a live champion steer, at the U.S. exhibit at West Berlin's annual "Green Week" Agricultural Fair.

The U.S. exhibit is considered a major weapon in the competition with European producers for the West German beef market.

The U.S. mission here held a press preview of the exhibit last night. The fair itself will open tomorrow at the Funkturm Fairgrounds.

The U.S. exhibition at the Marshall House on the fairgrounds includes a western style restaurant serving steaks and other beef dishes.

It also has a modern, automated hamburger stand, and a meat market displaying and selling American beef and demonstrating U.S. style meat cutting.

JOINT PROMOTION

The exhibit also offers fashion shows of American leather wearing apparel as leather is a byproduct of the beef industry.

The exhibit, called "Roundup 1965," is sponsored by the U.S. Government with the support of the American Meat Institute.

"Charger" was flown to Berlin for the exhibit. Janet Perring, 15, who raised Charger on a farm near Leroy, Ill., is here, too.

Charger was selected as U.S. national grand champion at the Chicago Livestock Show last month. The steer was purchased by a Chicago bank for $17,500 and given to the Government for the exhibition.

He is shown in a glass-fronted stall on the second floor of the Marshall House.

With him are two other steers, St. Luke, a Shorthorn from Comanche, Iowa, and Muscles, a Hereford from Mason City, Ill.

RESTAURANT A FEATURE

The western restaurant has old frontier-style swinging doors. Within, more than 200 persons can be served, selecting their meal from a variety of traditional beef dishes. Steaks are prepared on special open grills and brought sizzling to the table.

A stage in the restaurant is the site of the leatherwear fashion shows and of entertainment by the U.S. Air Force "Continentals" band, cowboy singers, and other performers. The leatherwear fashion show demonstrates the versatility, practicality, and beauty of leather for clothing and accessories.

Elsewhere on the first floor is the meat market, with a meatcutting expert demonstrating the special beef cuts preferred by American housewives. Packaged meat is available for purchase.

The hamburger stand utilizes radically new equipment of a kind widely used in America. This equipment makes possible rapid and absolutely sanitary preparation of large quantities of the traditional American hamburger sandwiches, each neatly wrapped in its own paper container, ready to eat or carry away.

Representatives of the American Meat Institute, the Meat and Livestock Division of the U.S. Food and Agriculture Service, and hamburger equipment manufacturers are present to answer questions. Information also is available on the various breeds of American beef cattle, cattle feed, and related subjects.

WHEAT SUBSIDY

WASHINGTON.—The Agriculture Department announced the following export payment rates applicable to all destinations, pursuant to the terms and conditions of wheat and flour export programs, GR–345 and GR–346, which apply from 3:31 p.m., e.s.t., January 28, to 3:30 p.m., e.s.t., January 30, 1965.

WHEAT RATES

(Cents per bushel) (A)

East coast including St. Lawrence and Great Lakes ports—Hard Red Spring, through August 13, 1965—0.31, Hard Red Winter—through May 25, 1965—0.39, other classes B/C/—through May 25, 1965—0.39.

Gulf Coast Hard Red Spring—through August 13, 1965—0.38, Hard Red Winter—through May 25, 1965—0.39, other classes B/C/—through May 25, 1965—0.39.

West Coast Hard Red Spring—through August 13, 1965—0.22, Hard Red Winter—through May 25, 1965—0.38, other classes B/C/—through May 25, 1965—0.25.

EQUAL PROTECTION AND THE URBAN MAJORITY—REAPPORTIONMENT OF STATE LEGISLATURES

Mr. DOUGLAS. Mr. President, a distinguished constitutional scholar, Prof. C. Herman Pritchett, has published in the current issue of the American Political Science Review an excellent article on the Supreme Court decisions on legislative reapportionment. This nationally respected student of the Constitution, who is chairman of the department of political science at the University of Chicago, and is immediate past president of the American Political Science Association, systematically examines the decisions of the Court which hold that failure to apportion both houses of a State legislature substantially on the basis of population constitutes denial of the equal protection of the laws.

This is one of the best short presentations which I have seen of this matter. Dr. Pritchett deals not only with the constitutional law involved, but also with the practical significance of the decisions in the context of our developing democratic and urban society. I think the article is essential reading, particularly with respect to the Senate committee hearings which are soon to begin on proposals to block reapportionment of the State legislatures.

I ask unanimous consent that this article, entitled "Equal Protection and the Urban Majority," from the December 1964 issue of the APSR, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EQUAL PROTECTION AND THE URBAN MAJORITY [1]

(By C. Herman Pritchett)

This year marks the 10th anniversary of the Supreme Court's decision in *Brown* v. *Board of Education*. On May 17, 1954, nine judges, sworn to defend a Constitution which guarantees equal protection of the laws, speaking for a country which declared its independence on the proposition that all men are created equal and which is fighting for moral leadership in a world predominantly populated by people whose skin color is other than white—these nine men unanimously concluded that segregated educational facilities are "inherently unequal."

Most of the members of this audience can probably still recall their feelings when they heard what the Supreme Court had done. Even those who were in full sympathy with the holding must nevertheless have been awed by the responsibility the Supreme Court had undertaken and shaken by some doubts whether the judicial institution could engage in a controversy so charged with emotion and bitterness without running the risk of political defeat and possible permanent impairment of judicial power.

Ten years later, we know that they made the right decision. The decision was right because it got the United States on the right side of history at a crucial time in world affairs. By its action the Court raised a standard around which men of good will might rally. Under the Court's leadership the issue of racial segregation was forced on the American conscience. Segregation could persist only if it could be ignored; once the case for segregation had to be examined, it was lost. Without either the purse or the sword, the weakest of the three branches of Government proved to be the only one with the conscience, the capacity, and the will to challenge the scandal, the immorality, the social and economic waste, and the positive international dangers of racial discrimination. Eventually the executive, through Presidents Kennedy and Johnson, and the Congress began to assume their responsibilities for achieving the broad purposes of racial equality. But if the Court had not taken that first giant step in 1954, does anyone think there would now be a Civil Rights Act of 1964?

Today, the Supreme Court stands with respect to the issue of legislative districting and apportionment where it stood in 1954 on the issue of racial segregation. Though the differences are substantial, I suggest that the similarities are even greater. Now, as then, the Court has taken sides in the crisis of our times. Where the Court in 1954 was demanding a social revolution, today it is presiding over a political revolution. Once again the Court has unlocked the explosive potentialities of the equal protection clause, staking its prestige and its reputation on its ability to remake the Nation in the image of its constitutional concepts.

I

The Supreme Court has never been detached from the major political issues of the times. As Edward S. Corwin once said: "Constitutional law has always a central interest to guard." [2] Under John Marshall the central interest was in the heroic task of legitimizing a strong national government. Under Roger Taney the Court's attachment was to narrower, more fragmented goals, principally the economic interests of the South and West. In the latter part of the 19th century the Court's role was to encourage the economic freedom which a rapidly expanding economy demanded. In the New Deal period the Court was striving toward a balance of governmental power, strong enough to prevent depressions, yet restrained enough not to threaten individual freedom.

When we come to the recent past, we stand in our own light and may not see what will be obvious from a longer perspective. But certainly a central focus of constitutional law since World War II has been on problems of what may be called "the urban majority." The census of 1920 revealed that rural America, which from the beginning of the Nation had dominated American politics and social values, had become a minority. Since that time, white, Protestant, rural America has been on the defensive, seeking to maintain in race, religion, and politics its former superiority. Urban America, the new majority, has offered to the Negro the opportunity to escape from the bondage of rural peonage, as it had earlier permitted European immigrants to rise in economic and social status. Urban America has had to develop a tolerance which did not exist in rural America, so that various races and religions could live together in peace. Urban America has needed the political power which would make possible governmental recognition of its staggering problems of housing, transportation, recreation, juvenile delinquency, disease, and social disintegration.

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[1] Presidential address, American Political Science Association, Chicago, Sept. 9, 1964.

[2] "The Constitution and What It Means Today" (Princeton, Princeton University Press, 1946), page viii.

Faced with this challenge, the rural minority could preserve its political power and its social system only by a denial of that equality which had been a major tenet of the American credo, though often "honored in the breach" rather than the observance. Conversely, the drive of the urban majority required the assertion and the practice of equality in race, equality in religion, equality in political power. As Alan Grimes says in his thoughtful book on Equality in America, the urban majority has proved to be "a liberating force in American politics, redistributing freedom by equalizing the claims of the contestants." He continues: "American politics has always made a pragmatic adjustment to its immediate needs, tempering its idealism with expediency. Today, ironically, the imperatives of urban life are making expedient the fulfillment of the historic ideal of equality." [3]

II

The idea of equality indeed has roots deep in Western political thought. It reaches back to the Greek and Roman Stoics and the Christian fathers, and was carried forward by 17th and 18th century political philosophers such as Hobbes and Locke. The Declaration of Independence announced the "self-evident" truth that "all men are created equal," but no language specifically reflecting egalitarian concern found a place in the Constitution. In fact, that document in several provisions accepted and guaranteed the institution of human slavery.

The idea of equality finally appeared in the Constitution when the 14th amendment was adopted in 1868, forbidding the States to deny to any person within their jurisdiction "the equal protection of the laws." This formulation was conceived primarily as a protection for the newly freed slaves. Justice Miller in The Slaughter-House Cases [4] said that this was "the one pervading purpose" of the Civil War amendments. Speaking specifically of the equal protection clause, he doubted very much "whether any action of a State not directed by way of discrimination against the Negroes as a class, or on account of their race, will ever be held to come within the purview" of the clause.

This expectation was doubly confounded. The Court proved very reluctant to use the equal protection clause as an instrument for the protection of the civil rights of the "newly made freemen," and at the same time eager to invent uses for it as a bar to business regulation. Robert J. Harris, in his fine study of the equal protection clause,[5] located some 554 decisions of the Supreme Court up to 1960 in which this provision was invoked and passed upon by the Court. Of these, 426 (77 percent) dealt with legislation affecting economic interests, while only 78 (14 percent) concerned State laws allegedly imposing racial discrimination or acts of Congress designed to eliminate it.

The generally low regard in which the equal protection clause was held as late as 1927 is indicated by Justice Holmes' deprecatory characterization of equal protection in *Buck* v. *Bell* as "the usual last resort of constitutional arguments." [6] It was not until the early 1930's that the Supreme Court "returned to the Constitution," as Harris puts it, and began the rehabilitation of the equal protection clause in a series of cases dealing with racial discrimination which finally led in 1954 to the epoch-making decision in *Brown* v. *Board of Education*.[7]

In the meantime there had been a tentative exploration on the Court of the possible application of the equal protection clause to legislative districting and apportionment. Serious complaints had accumulated in most of the States as to inequality of population in congressional and State legislative districts. Inequality resulted both from failure to redraw district lines as population changes occurred, and from provisions in many States basing legislative districts on factors other than population. The problem of unequal congressional districts was raised in the 1946 case of *Colegrove* v. *Green*,[8] and three members of the Court asserted there for the first time that equal protection required the election of Congressmen from districts generally equal in population. But there was no followup on this suggestion. Over the next 15 years efforts to get the Court to intervene in other kinds of legislative election problems were met, in Harris' words, with "bland unconcern for equitable representation." Consequently it came as a considerable surprise in 1962 when the Court in *Baker* v. *Carr*,[9] by a 6-to-2 vote reversed the result of the Colegrove case and directed a Federal court to hear a challenge to the constitutionality of Tennessee's legislative arrangements, where no reapportionment of seats in the State legislature had taken place since 1901.

While this decision did not indicate what standards the judiciary should apply in passing on complaints about legislative apportionment, that was soon to come. In 1963 the Court in *Gray* v. *Sanders* [10] by a vote of 8 to 1 invalidated the Georgia county unit system of primary elections for statewide offices, a system deliberately designed to give control of the electoral process to rural minorities. The Court held: "Once the geographical unit for which a representative is to be chosen is designated, all who participate in the election are to have an equal vote—whatever their race, whatever their sex, whatever their occupation, whatever their income, and wherever their home may be in that geographical unit. This is required by the equal protection clause of the 14th amendment.

This was the Court's first approach to the rule of one-man one-vote. *Gray* v. *Sanders* was not, of course, a legislative apportionment case. But in 1964 the Court held that the same principle covered election of representatives in Congress and the apportionment of seats in the State legislatures. In *Wesberry* v. *Sanders* [11] the Court by a vote of 6 to 3 applied the one-man one-vote principle to the congressional districts of Georgia, holding that the Constitution had the "plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives." Four months later the rule of one man, one vote was responsible for holding unconstitutional the legislatures in no less than 15 States, as the Court decided *Reynolds* v *Sims* [12] and 14 other cases by varying majority of from 6 to 8 justices. Probably more than 40 State legislatures in all are vulnerable to challenge under the principle of *Reynolds* v. *Sims*.

III

The apportionment decisions have been bitterly criticized on many grounds, but there are two basic objections to the constitutional position asserted by the Court. First, it is argued that the equal protection clause has no relevance to and does not control matters of political representation, and consequently that there are no constitutional limits on legislative arrangements. Second, even if there are some limits, it is alleged that they are not judicially enforceable. So this is partly an argument about constitutional standards for apportionment systems, and partly an argument about the proper role of the courts.

Let us examine first the question of constitutional standards. Only Justices Frankfurter and Harlan on the recent Court contend that there are no constitutional limitations on legislative discretion in setting up apportionment arrangements. With Frankfurter's retirement, the Court's position is 8 to 1 against Harlan on this score.

Six members of the Court majority say that the proper standard is one-man one-vote. In *Wesberry* v. *Sanders* Justice Black derived the principle of equal congressional districts from certain of Madison's statements at the Constitutional Convention and in The Federalist, and from the provisions in article I for the choosing or representatives "by the people of the several States." In *Reynolds* v. *Sims* Chief Justice Warren relied on general principles of representative government and majority rule to support the Court's conclusion that "the equal protection clause guarantees the opportunity for equal participation by all voters in the election of State legislators. Legislators represent people, not trees or acres," he said, adding: "To the extent that a citizen's right to vote is debased, he is that much less a citizen."

Obviously the Court is here creating new law, just as it did in the Brown decision. The Court never likes to admit that it is creating new law. In Brown, the Court had hoped that it could find some support for overruling its precedents in the "intention of the framers," some definite indication of concern with segregated education when the 14th amendment was adopted, and so it had asked counsel to undertake research on the historical background of the amendment. But no clear voice spoke from the past, and consequently the Court had to ground its interpretation of equal protection on the "present place" of public education in American life and present psychological knowledge and present standards of morality. In the same way the Court in *Reynolds* v. *Sims* relates equal protection to present concepts of representative government.

It is charged, however, that these are simply the concepts of a "particular political philosophy" which seems wise to the present majority of the Supreme Court, and without constitutional standing. Justices Stewart and Clark deny that the rule of one man, one vote can be logically or historically drawn out of the equal protection clause, and they contend that the rule is much too rigid in its effect on systems of representation. Holding every State to the one-man, one-vote rule, they say, would deny "any opportunity for enlightened and progressive innovation in the design of its democratic institutions." The goal of equal protection as they see it is a broader one, "to accommodate within a system of representative government the interests and aspirations of diverse groups of people, without subjecting any group or class to absolute domination by a geographically concentrated or highly organized majority."

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[3] "Equality in America: Religion, Race and the Urban Majority" (New York, Oxford University Press, 1964), p. x.

[4] 16 Wall. 36 (1873).

[5] "The Quest for Equality" (Baton Rouge, Louisiana State University Press, 1960), p. 59.

59.

[6] 274 U.S. 200 (1927).

[7] 347 U.S. 483 (1954).

[8] 328 U.S. 549 (1946).

[9] 369 U.S. 186 (1962).

[10] 372 U.S. 368 (1963).

[11] **376 U.S. 1 (1964).**

[12] 377 U.S. 533 (1964).

This is a rather vague standard. How is one to judge whether it has been achieved? There are two tests, according to Stewart. First, the plan of representation must be "rational," in the light of the State's own characteristics and needs. Second, "the plan must be such as not to permit the systematic frustration of the will of a majority of the electorate of the State." Determining whether a State is meeting this test might seem to require the employment of whole cadres of political scientists, but Stewart suggests that a liberal arrangement for use of the initiative and referendum in approving or reviewing apportionment plans should be regarded as an acceptable guarantee against frustration of the basic principle of majority rule.

Application of this twofold test led Stewart and Clark to uphold the legislative apportionments of New York, Colorado, Illinois, and Michigan, all of which were condemned by the six-judge majority as violative of one man, one vote. In addition, Stewart, but not Clark, would have approved the Ohio opportionment. The Stewart-Clark standard gave the same result as one man, one vote in the 10 other States which the Court considered in the spring of 1964.[13]

Which of these standards has the better claim to validity? The Stewart-Clark rule of rationality has the pragmatic merit of flexibility. It does not clamp down so strictly on the discretion the States have traditionally exercised in making representation decisions, and consequently it may be more politically acceptable.

By contrast, one man, one vote is a rigorous rule. But I believe that it comes closer to summarizing current notions of democracy in representation than any other. For example, the Twentieth Century Fund in 1962 assembled a conference of 16 distinguished research scholars and political scientists to discuss the problems of legislative apportionment. With only one dissent, they concluded that "the history of democratic institutions points compellingly in the direction of population as the only legitimate basis of representation today."[14]

Moreover, the Court's one-man, one-vote rule may not be as rigorous as it sounds. Chief Justice Warren's opinion in *Reynolds* v. *Sims* specifically disclaimed the intention "to spell out any precise constitutional tests." All that the Court asked was that apportionments be "based substantially on population and the equal-population principle was not diluted in any significant way." He also granted that "a State can rationally consider according political subdivisions some independent representation in at least one body of the State legislature, as long as the basic standard of equality of population among districts is maintained." It therefore appears possible that one man, one vote may in practice be tempered by some of the same rationality which is the foundation of the Stewart and Clark approach.

IV

Fortunately for us, however, this comparison of the Court's two standards can be left to another occasion. For present purposes their similarity is more important than their differences. The significant fact is that eight members of the Court, though disagreeing as to the standard, have agreed that the Court must assume responsibility for bringing legislative apportionments under the coverage of the equal protection clause. And the more lenient of the two standards is still strict enough to invalidate 10 of the first 15 State legislatures to which it has been applied.

The basic division on the Court, then, is not over standards but over the proper role of the Court in handling political questions. In *Congrove* v. *Green*, Justice Frankfurter first made the argument that legislative districting and apportionment was a "political thicket" which courts must shun. When he lost this argument in *Baker* v. *Carr*, he had to develop a positive justification for inequality of voting and representation arrangements in order to continue his posture of judicial nonintervention. His argument was that population had never been the sole basis for representation systems, either in the past or the present, and so it could not be part of the concept of equal protection. He presented a long historical review of the various systems of representation, and wound up with the conclusion that there had been "a decided 20th century trend away from population as the exclusive base of representation." Only 12 State constitutions, he reported, provided for a substantially unqualified application of the population standard for even a single chamber. This appeared to Frankfurter to constitute a conclusive case against one-man-one-vote.

Frankfurter is of course correct on the mathematics. There has been a trend away from population as the exclusive base of representation in State legislatures. Such a trend has manifested itself, for example, in the State of Illinois, which affords an interesting commentary on Frankfurter's statistics. The Northwest Ordinance of 1787, the Illinois Enabling Act of 1818, the Illinois constitution of 1848, and the present constitution of 1870 all provided for two houses based on population. From 1818 to 1901 both houses were redistricted 14 times in conformity with population changes. In 1870 Cook County contained only 14 percent of the State's population. But by 1900 it had grown to 38 percent, and 1901 was the last reapportionment that could be put through the legislature, because the population growth of Cook County would have had to be recognized. Efforts to force remapping in the courts failed. Finally, in 1954 a compromise constitutional amendment was presented to the voters—the lower house to be redistricted every 10 years on a population basis, the senate to be drawn permanently with area the prime consideration to guarantee downstate control. The amendment was ratified by 87 percent of Illinois voters.

This is a sample of how Frankfurter's trend was established. It is a trend resulting from rural legislators' persistent refusal to recognize State constitutional requirements and metropolitan expansion, and final acquiescence by city dwellers in permanent underrepresentation as the price of getting any reapportionment at all. Somehow Frankfurter's trend seems less impressive when put in this light. The principle of representation which his research has discovered is simply the principle that power holders do not willingly give up power.

Since Frankfurter did not recognize this as the operative principle of representation in the 20th century, he did not have to defend it. But his colleague Justice Harlan did in fact do so in his several opinions. In *Baker* v. *Carr*, supplementing Frankfurter's dissent, he announced that he would not regard it as unconstitutional for a State legislature to conclude (a) "that an existing allocation of senators and representatives constitutes a desirable balance of geographical and demographical representation," or (b) "that in the interest of stability of government it would be best to defer for some future time the redistribution of seats in the State legislation," or (c) that "an electoral imbalance between its rural and urban population" would be desirable "to protect the State's agricultural interests from the sheer weight of numbers of those residing in the cities."

Bear in mind that in *Baker* v. *Carr* the legislature which was making these decisions was a legislature elected from districts drawn in 1901 and not subsequently revised, in defiance of the State constitution. So what Harlan was saying was that legislators representing the State as it was in 1901 could legitimately decide in 1962 that the 1901 balance of geography and demography had been preferable, that the political situation in the State would be more stable if the clock had been stopped in 1901, and that the rural interests as of 1901 could themselves decide, contrary to the State constitution, that they deserved protection against the cities and that it should take the form of keeping city representation in a minority.

Justice Harlan did not even stop with this. In the 1963 case of *Gray* v. *Sanders*, he was, alone on the Court, rash enough to argue that Georgia's county unit caricature of a representation system was not irrational. He said in its defense:

"Given the undeniably powerful influence of a State Governor on law and policymaking, I do not see how it can be deemed irrational for a State to conclude that a candidate for such office should not be one whose choice lies with the numerically superior electoral strength of urban voters. By like token, I cannot consider it irrational for Georgia to apply its county unit system to the selection of candidates for other statewide offices in order to assure against a predominantly 'city point of view' in the administration of the State's affairs."

The amazing doctrine here announced is that a State can rationally, and therefore lawfully, set up an electoral system under which the Governor and other statewide officers must be chosen by the minority because if they represented the majority they might abuse the "legitimate interests" of the minority. By the same logic it could be argued that Negroes, who are in every State a minority more abused than rural interests ever were, could rationally be given the right to control the naming of public officials. Actually, Harlan suggests in his Baker dissent that he would accept as rational any legislative plan of allotting representatives short of throwing dice.

V

Justice Harlan would have been better advised not to try to find rational excuses for misrepresentation, and simply to confine himself to stating the case against judicial involvement in political questions. He does elaborate on Frankfurter's Colegrove reasoning, as in the following statement from the Wesberry case:

"What is done today saps the political process. The promise of judicial intervention in matters of this sort cannot but encourage popular inertia in efforts for political reform through the political process, with the inevitable result that the process is itself weakened."

My response is that it is a naive, static view of politics which holds that if the courts do more, the legislature and executive will do less. If the courts act, it is quite possible that they will stimulate others to act. In fact, within 4 days after the Wesberry decision was handed down, the Georgia Legislature, its political process not sapped but invigorated, passed a bill redistricting the State's congressional seats for the first time since 1931 and giving Atlanta the representation in Congress to which it was entitled by population.

The Wesberry decision also motivated the House Judiciary Committee to take up a long-pending measure drafted by Representative CELLER providing that congressional districts must be composed of compact and contiguous territory, varying not more than 15 percent from the average population of the State's congressional districts.[15] Prospects for eventual passage of the bill are regarded as favorable. Representative William McCulloch, Republican, of Ohio, was quoted as saying, when the bill was being considered in committee: "With hindsight, we probably would have been well-advised to have taken some action heretofore."[16] Now that the Supreme Court has said that there is no defense for unequal congressional districting, everyone agrees and the districts are being made equal. But until the Supreme Court acted, there was no legislative action and no prospect of legislative action.

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[13] In four of these cases, however, Stewart voted to remand for further proceedings.

[14] "One Man, One Vote," the Twentieth Century Fund, 1962, p. 4.

Justice Harlan puts his objection to judicial activism in a somewhat different way when he castigates the "current mistaken view * * * that this Court should 'take the lead' in promoting reform when other branches of government fail to act." Stated this broadly, Harlan's criticism must include the Court's historic accomplishment achieved by "taking the lead" in *Brown* v. *Board of Education*. The Court in 1954 could have decided that ending racial segregation was not a task for them—indeed, not a task for a court at all. The Justices could have said, this is a job for Congress, which is specifically authorized by section 5 of the 14th amendment to enforce the equal protection clause by appropriate legislation. They could have said, this is a job for the President, who has resources for marshaling opinion and providing the leadership and quite possibly the coercion that will be required to make equal protection a reality in many parts of the Nation. The *Brown* Court could have said these things—but it did not. It took the lead.

Now, in 1964, the Court has taken the lead to achieve equality in the representative process at the State level. It has taken the lead in demanding that the naked power struggle, which up to the present has determined how State legislatures are composed, be subjected to the rule of law—specifically, equal protection of the laws. The Court has stirred the stagnant waters in the rotten boroughs. It has challenged the beneficiaries of the various systems of malapportionment and underrepresentation to justify if they can their privileged status. The Court has cut through the sophistry that to prevent the problems of rural minorities from being ignored, it is necessary to ignore the problems of urban majorities.

But stirring the waters is not enough, of course, and here is where Justice Harlan's reservations about judicial leadership have some relevance. Courts cannot lead unless some one will follow. The burden of achieving racial integration was too heavy for the courts to bear alone; they needed the executive and legislative assistance they have recently received. Just so the Supreme Court cannot expect to carry through a massive reform of American State legislatures unless there is substantial legislative support for the goals it has announced. It is true that some courts, when reapportionment deadlines imposed on State legislatures have not been met, have themselves carved up a State into legislative districts. But few can be happy to see courts assume such functions, for which they have so little qualification.

The Supreme Court, needing legislative support, must anticipate the possibility that this support may be less than complete. Many proposals for constitutional amendments have been put forward to modify in one respect or another the impact of the Supreme Court decisions on State legislatures. The principal proposal, backed by the Republican Party platform in 1964 and the Republican leadership in Congress, would accept the position that one house must be based on population, but would allow representation in the second house to take into account factors other than population if the people of the State approved in a referendum vote.[17]

If such an amendment were to be adopted, it would be regarded as a rebuff to the Supreme Court. But its adoption would actually require most of the States to revise their legislative apportionments in the direction of greater equality of representation than now exists, and the Court, even with its mandate thus limited, would have been responsible for stimulating the political process to accomplish the most sweeping reform of State legislative composition in American history.

In a very real sense, then, the Court's decision in *Reynolds* v. *Sims* is not an order. It is an opinion offering itself for belief; it is a recommendation proposing action. The Court proposes, but politics disposes.

The Court was justified in taking the lead on reapportionment in State legislatures because no other channels of protest were open to an aggrieved citizenry. The Court was justified in concluding that the stalemate of legislative representation could be broken only by holding one man, one vote to be a constitutional mandate. In a nation which is 70 percent urban, the Court is saying to rurally dominated legislatures that the way to regain the position and prestige the States once had is to establish contact with the real world of the second half of the 20th century. The Court is opening the way for State legislatures, which all too often have seemed engaged in an organized conspiracy against the future, to play a positive role in dealing with the staggering problems of metropolitan America.

"Courts are not representative bodies," said Justice Frankfurter in his concurring opinion in *Dennis* v. *United States*.[18] "They are not designed to be a good reflex of a democratic society." It id one of the strengths of the American system that this is not necessarily true. Not all elective institutions are representative, and not all representative institutions are elective. Students of public administration have demonstrated how much we rely on the representative character of the American civil service. Now Brown and Baker have again reminded us that judges who endeavor to speak for the constituency of reason and justice may truly represent the enduring principles of a democratic society.

GROWTH OF THE JOHN BIRCH SOCIETY

Mr. CHURCH. Mr. President, more than a month ago, I made a speech describing the John Birch Society as "the taproot of the conspiracy doctrine," the doctrine that Communist influence controls the major institutions of the United States.

I reported then that the Birch Society was expanding at an alarming rate, and planned a budget increase of one-third for 1965, from $1.5 million to over $2 million. Apparently, even this figure is conservative—to use an honorable word the society abuses. An article in the Chicago Daily News, reprinted in the February 7 issue of the Washington Post, reports that while the society's income in 1959 was $129,000, and in 1963 was $1.5 million, in 1964 its income was $3.2 million. It has 60 field coordinators, over 100 employees in its home office in Belmont, Mass., and plans to add 50 more soon. It operates over 240 bookstores, bookmobiles, and libraries. Just to put this figure in perspective, the Americans for Democratic Action, which the society considers to be the major front group for the Communists and the holder of mysterious powers over our Government, has a yearly budget of $150,000 and 11 employees for its national office.

Mr. President, I commend to the sober consideration of my colleagues and other Americans concerned with the preservation of a rational political dialog, this report from the Chicago Daily News. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Growth of Birch Society Indicates Founder's Boast Was Not Idle Words

(By Raymond R. Coffey)

On one score at least, it appears that there can be no argument with Robert Welch, founder of the John Birch Society.

"Our members took the election in stride, as merely an incident in our long-range activities for the Americanist cause," he wrote in the Society's December bulletin.

The months since July, when Welch claimed that 100 Birchers were delegates to the Republican National Convention, have been boom times for the Society. It appears that the Birch influence may be even more strongly felt across the land in the days to come.

The Society's growth can be seen, first of all, in its financial reports and in the expansion of its operations.

In 1959, its first year of operation, the national Society had 14 paid employees and total income of $129,000.

By 1963, income had risen to about $1.5 million, and last year, according to Welch, it was about $3.2 million.

The paid staff now includes about 60 coordinators in the field and about 140 other employees, including about 100 in the home office at Belmont, Mass., according to John H. Rousselot, the Society's public relations director.

In addition, the Society now distributes its literature through about 240 American Opinion bookstores and libraries.

It has full-time offices in Glenview, Ill., New York, Washington, San Marino, Calif., and Houston.

Since the beginning, membership lists have been secret and estimates have ranged from 30,000 to more than 100,000. The truth is somewhere in between.

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[15] H.R. 2836, 88th Cong.

[16] New York Times, Mar. 19, 1964.

[17] In an effort to delay judicial enforcement of the Supreme Court reapportionment decisions until a constitutional amendment could be considered by Congress, several legislative measures were considered in the closing days of the 88th Congress. Senator Everett Dirksen sponsored H.R. 11380 as a rider to the foreign aid bill, providing that Federal courts may not interfere with the election of State legislatures before January 1, 1966, and that they must allow States "a reasonable opportunity" to reapportion their legislative seats in regular legislative sessions, except in "highly unusual circumstances." Adoption of the rider was prevented by a filibuster, and eventually a compromise was approved in the Senate. It declared the "sense of Congress" that any order of a Federal district court concerning apportionment of a State legislature could properly allow the legislature the length of time of its regular session plus 30 days, but no longer than 6 months, to apportion itself in accordance with the Constitution. House conservatives, angered at the mildness of H.R. 11380 as amended, forced its elimination from the foreign aid bill in conference, so the 88th Congress adjourned without taking any action relating to the Court's apportionment decisions.

[18] 341 U.S. 494 (1951).

Rousselot says the membership fees of $24 a year for men and $12 for women normally account for about one-third of the Society's total income.

On the basis of an average of $18 a member and a third of the $3.2 million total income reported by Welch for 1964, that would work out to something like 59,500 members nationwide.

However, that is probably a little high since, also according to Rousselot, the income from literature sold by the Society during the election campaign ran higher than usual.

California is by all accounts the Society's strongest State. Other strongholds, Rousselot says, are Illinois, New Jersey, Texas, Arizona, Florida, Alabama, Louisiana and the State of Washington.

As further indications of growth, Welch said in his January bulletin that the Society plans to establish a lobbying office in Washington to be headed by Reed Benson, son of former Secretary of Agriculture Ezra Taft Benson.

He also reported plans to add about 50 persons to the home office staff.

CINCINNATI—THE NATION'S CLEANEST CITY

Mr. LAUSCHE. Mr. President, I congratulate the citizenry of Cincinnati, Ohio, and commend them for their outstanding civic pride, which has resulted in that city's having been chosen the Nation's cleanest city.

I ask unanimous consent that an editorial which was published in the February 11 issue of the Cincinnati Enquirer be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AMERICA'S CLEANEST CITY

There are all kinds of competitions in which the cities of America—large and small—participate. There are very probably awards for the best handling of traffic, for the most trees and flowers, and for any number of other accomplishments.

But we can think of no citation more thoroughly satisfying than the one Mayor Walter Bachrach accepted the other day in behalf of the people of Cincinnati: Cincinnati is the Nation's cleanest city.

Actually, the Queen City qualified for two awards in this year's annual competition sponsored by the National Clean-Up, Paint-Up, and Fix-Up Conference. The first was top place among cities in the 400,000-to-700,000 population class. The second, even more significant, was first place among all the cities of all sizes in the United States. The latter award came to Cincinnati on two previous occasions—in 1946 and 1947.

An award of this scope, clearly, is no accident. Cincinnati's participation in the nationwide competition was largely in the hands of a Cincinnati Chamber of Commerce committee headed by Lewis Evans, chairman; E. William Palmer, vice chairman; and George E. Cramerding, secretary. Together they enlisted the cooperative efforts of literally hundreds of individuals and business establishments.

We can remember a decade or more ago when John Gunther came forward with his widely read book, "Inside U.S.A.," which declared, among other things, that Indianapolis ranked as America's dirtiest city. Mr. Gunther's characterization, we suspect, was based on considerably less inquiry and research than the awards that came to Cincinnati this week. Just the same, the people of Indianapolis are still rankling under Mr. Gunther's treatment—and with good reason.

Standing at the other end of the cleanliness spectrum, Cincinnatians have real reason to be proud. And proud we are.

LITHUANIAN INDEPENDENCE DAY

Mr. KENNEDY of New York. Mr. President, yesterday marked the 47th anniversary of the proclamation of Lithuanian independence. Nearly 1 million Lithuanian-Americans stopped to recall the brave declaration of their countrymen in 1918, ending 123 years of domination by czarist Russia. They also renewed their dedication to the regaining of that independence, which was lost in June 1940, when the Soviet Union forcibly annexed Lithuania and the other Baltic nations.

The United States has never recognized the Soviet annexation of Lithuania. Therefore, when we in the Senate rise today to honor the Lithuanian people's dedication to principles of freedom and justice, we speak not just for ourselves, but also for our Government and for every American who champions the legitimate strivings of a forcibly suppressed people to regain their national independence. We can only continue to work by every responsible means for the eventual day when Lithuanian independence will be restored.

ELIMINATION OF RIGHT-TO-WORK LAWS

Mr. McNAMARA. Mr. President, I was pleased to introduce in this session, S. 256, a bill which will repeal section 14(b) of the Taft-Hartley Act, and eliminate the vicious right-to-work laws.

It is about time that the attempted sabotage of industrial States is stopped.

Some open shop States have not been bashful about offering cheap labor in an effort to entice industry to their areas.

Such States usually find in due time that runaway industry is not good industry.

Employers who prefer cheap labor are not stable employers, and they serve simply to hold back the progress of the State in which they locate.

Michigan knows the value of strong unions—strong industry and high wage levels.

Union security in the automobile and other industries has produced high income, paid vacations and holidays, health care protection, and a more stable State economy.

The repeal of the right-to-work laws by striking section 14(b) off the lawbooks would clearly serve two purposes.

It would protect industrial States in their labor-management achievements and economic progress. And, secondly, it would compel open shop States to recognize that the soundest progress comes from letting secure unions bargain for economic gains which enhance the welfare of the entire State.

Labor and management must be free to work out the relationship under which they can then proceed with the challenge of producing goods and services efficiently and sharing the benefits equitably. This is the aim of S. 256.

FORTY-SEVENTH ANNIVERSARY OF LITHUANIA'S DECLARATION OF INDEPENDENCE

Mr. McNAMARA. Mr. President, on February 16, people of Lithuanian descent throughout the world observed the 47th anniversary of Lithuania's Declaration of Independence.

In Detroit, for example, the Lithuanian community marked the occasion with a rally at Cobo Hall, on Sunday, February 14.

Unfortunately, Lithuanian Independence Day, again this year, was not an occasion for rejoicing. We all know the tragic history of this brave little Baltic nation—which, along with its neighbors, Latvia and Estonia—has been a victim of Soviet colonialism since before World War II.

It was 25 years ago that the Russian Army marched in and overwhelmed these countries. Since then—all three have been treated as conquered territory. Indeed, the Russian Communists—who pay pious lipservice to self-determination at the United Nations when it suits their purpose—have made every effort to disperse the Lithuanian people, to destroy their sense of national identity, and to stamp out any sparks of independence.

All the brutal mechanisms of the Russian police state are being used to this end. Great pressure is being exerted upon teachers, judges, and officials to become propagandists for atheistic communism. Those who practice their faith continue to be persecuted. Lithuanian youth is still being drafted for labor in Siberia.

Any open observance of Lithuanian Independence Day—in Lithuania—is ruthlessly suppressed. Speeches and parades are forbidden.

But in the long run, the oppressors will be unsuccesful. Lithuania has a proud 700-year history. Its people cling stubbornly to their national heritage, and their fierce determination to regain their freedom has not weakened.

I am honored to pay tribute to the continuing struggle of these brave people, and express the hope that their aspirations for freedom, independence, and justice, will soon be realized.

THE IMPORTANCE OF EDUCATION

Mr. HART. Mr. President, in the weeks and months ahead we shall discuss and debate in this Chamber the role which the Federal Government should play in broadening educational opportunities for all Americans. I hope all Senators will have an opportunity to read the brief and vivid comment recently penned by a distinguished citizen of North Carolina, Harry Golden. I am tempted to expand these introductory remarks, but I realize that he has described far more effectively than I could the place which education must hold if our society is to become the great one which each of us prays it will.

For this reason, Mr. President, I ask unanimous consent that the statement entitled "The War on Poverty," by Harry Golden, be made part of this RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE WAR ON POVERTY

(By Harry Golden)

Our two major "pockets of poverty" are not the fault of the individuals therein. The decline of the coal industry and the automation in textiles and other industries, and the merging of small businesses into the huge combines, have all resulted in unemployment, particularly among people who had spent a lifetime in one particular profession. What is a man to do who loses his job in a textile factory which closes down after he has finally paid off the $5,400 on his house and his roots are in that town, and his children have their friends there? Mobility for him is not a simple matter. Nor is it easy for him to learn a new skill even if he was willing to pull up all his stakes and move on.

Even more acute is the poverty of the Negro.

Let us be ever mindful of the fact that the last 75 years has seen the greatest industrial expansion and accumulation of wealth and prosperity that has ever come to any people on this earth. And it was during this period that we maintained the social, political, and economic, compulsions that kept the Negro securely locked in his ghetto, unable to become part of the corporate whole of our society.

During this same period millions of immigrants came to America from 62 different countries, and most of whom couldn't speak the language.

And most of these immigrants knew grinding poverty, they knew suffering—but they overcame the obstacles. Many of their children, the first generation mind you, went to our colleges and universities and soon entered the open society.

Not so the Negro. He was prevented from doing this, though he had been a native American since the early 17th century.

Does the American civilization owe him an "indemnity"?

Perhaps.

But the democratic society cannot single out individuals or groups of individuals and hand them money because they are poor. This would do them no good, even if it were possible. But there is a way out for the people in our "pockets of poverty," both white and Negro.

We have an experience to guide us. Indeed we have something definite to go on—the immigrant Jews. They knew poverty. Some of the poverty I saw on the Lower East Side of New York (1905–20) would make some of our present-day poor look like country-club folks.

It really began in the year 1654 when the first Jews came to America, and were obliged, in New Amsterdam, to sign an agreement that they would not participate in public charity. The Jews took this to heart. They eventually created a network of self-help societies which have served as models for the entire world, including medical insurance, a free loan society, and the idea of a federated or community (chest) charity.

The U.S. immigration statistics tell us that the mass of Jewish immigration occurred from 1880 to 1920 when nearly 2 million came here from eastern Europe bringing with them an average of less than $15 each.

But it was dinned into our minds from morning till night that our only chance to "become an American" was to get an education. Every day of our lives we were told that we must learn, study, go to school, go to the library, and read.

No group of people anywhere in the world took advantage of the free public school system as did these immigrants. And the public school teachers were able to make citizens out of these immigrants, and they did it within a single generation. The most remarkable human relations story in history.

And in addition to the public schools, the libraries, and the fraternal societies, a whole crop of private schools mushroomed. The philanthropists built vocational schools, provided scholarships for every boy or girl who showed an unusual talent. The Hebrew Technical Institute and the Baron de Hirsch School offered not only free text books but free shower baths.

At the Hebrew Technical Institute they charged 1 cent for the shower bath but that penny also included a lunch. Tuition was free. A boy had to be 16 years of age, and prove he had some means of support while he learned a trade. The school offered instruction in plumbing, gas fitting, carpentry, house painting, sign painting, machinery, and electricity.

There was also a training school for girls founded by the Baroness de Hirsch. This school offered millinery, cooking, hand sewing, and the Baroness stipulated that at least 10 percent of the student body be Gentile girls.

And the business schools proliferated. There were dozens of business schools for girls, many of them conducted in the front room of the tenement flat.

The point of the whole matter is that this "pocket of poverty" had discovered the only solution to the problem, education.

Thus it bears repeating. Based on actual experience we have the key to our present situation— education.

I do not know how many of the 40- 50- and 60-year-old men and women (white and Negro) could be helped now, but we certainly could make it a different world for their children. As I think back, I recall that our own immigrant parents weren't helped much. Life in a European village was pleasanter than life in the crowded tenements of New York—many of the parents never even learned the language, but all of this was irrelevant. They knew that America offered their children an opportunity to achieve a better world. And so, "Go learn—become an educated man," was the standard order of the day.

It's the only answer for our times, too.

CONSTITUTIONAL AMENDMENT REQUIRING A BALANCED BUDGET

Mr. HRUSKA. Mr. President, it is a privilege to associate myself with my distinguished colleague from Nebraska [Mr. CURTIS] as a cosponsor of the proposed constitutional amendment he has introduced, Senate Joint Resolution 30, relative to balancing the Federal budget.

By the terms of this proposal, there would be added to the U.S. Constitution, an amendment which would provide that each year Congress be required to take action to balance the Federal budget, except in case of war or other emergency. The proposed amendment would further require that there be payment of at least half a billion dollars a year on the national debt. Under its terms, Congress would be prohibited from adjourning, each year, until provision had been made for a balanced budget and for such a payment on the national debt.

In case of war or grave national emergency, and upon the basis of a recommendation by the President, Congress might suspend the requirement, but, even then, only on the basis of a three-fourths vote.

The terms of the proposal are stern and severe, and it is good that they are. The proposed amendment would give us firm guidelines to follow in charting our course. We need such guidelines, because, under the leadership of the present administration, the deviation from sound fiscal practices has been accelerated.

It is shocking to realize that in this time of great prospertiy, the Federal Government has not had a balanced budget since the last fiscal year of the Eisenhower administration, 1960. And in this year's budget message, once again, we have been told that there will be yet another budget deficit during the year ahead. I submit a short table which shows the receipts and expenditures and the surplus or deficit during the last few years:

[In billions of dollars]

Fiscal year	Receipts	Payments	Surplus (+) or deficit (−)
1960	77,763	76,539	+1,224
1961	77,659	81,515	−3,856
1962	81,409	87,787	−6,378
1963	86,376	92,642	−6,266
1964	89,459	97,684	−8,226
1965	91,200	97,481	[1] −6,281
1966	94,400	99,687	[1] −5,287

[1] Estimated.

Mr. President, my colleague, Senator CURTIS, is to be commended for this welcome initiative. It is particularly heartening to observe that he has been joined in the sponsorship of this proposal by the distinguished senior Senator from Virginia [Mr. BYRD], who for so many years, has led the fight for economy in Government. It is an honor to be permitted to add my name to theirs, as a cosponsor.

"SWORDS INTO PLOWSHARES"—ARTICLE BY SENATOR McGOVERN

Mr. NELSON. Mr. President, the January 1965 issue of Progressive magazine contained a challenging article by Senator McGOVERN, of South Dakota, on the problems of converting into constructive civilian use obsolete military installations and other manpower and equipment no longer needed for military purposes. As Senator McGOVERN pointed out, for 15 years the American people have devoted more than half of their military budget to military spending. We may now be reaching the point where some of these funds can be channeled to fill such critical needs as better education, standard health care, more modern transportation, and other rural and urban programs.

Mr. President, as Senator McGOVERN has pointed out, this problem cannot be neglected. I am pleased to join him in support of Senate bill 30, to create a National Economic Conversion Commission, and to provide top-level Government assistance in meeting the needs of the Great Society. The shock of defense shifts and cutbacks should awaken all of us to the urgent necessity of planning for the day when military spending will not be a full half of our national budget.

Mr. President, I ask unanimous consent to have Senator McGovern's article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

SWORDS INTO PLOWSHARES

(By Senator George McGovern)

(Note.—George McGovern, U.S. Senator from South Dakota, was formely a professor of history and government. He served as director of the food-for-peace program in 1961–62.)

Secretary of Defense Robert S. McNamara announced November 19 that 95 obsolete military installations, at home and abroad, would be closed, some quickly and others gradually over a period of years. Before he had even listed the installations, the Secretary received 169 telephone calls from alarmed Congressmen. The next day, when the list of bases to be closed was revealed, a cry of anguish went up from coast to coast.

"The Day of Infamy, November 19, 1964" read one placard raised by angry workers at the Brooklyn Navy Yard.

A pair of chicken feet was hung to another nearby sign reading: "This is all that the New York Naval Shipyard will be able to afford for Thanks (?) giving."

"It is totally unjustified, and I shall challenge this decision vigorously," said longtime Georgia Senator Richard B. Russell, chairman of the Senate Armed Services Committee, when told that Hunter Air Force Base at Savannah would be closed.

Said New Hampshire's Gov. John King of the decision to close Portsmouth Naval Shipyard: "I cannot bring myself to accept it as final."

Senator Jacob Javits called the closings "a disaster for the economy of New York," and Gov. Nelson Rockefeller predicted "unemployment, suffering, and hardship for thousands."

Gov. William Scranton protested that the closing of the Olmsted Air Force Base at Middleton was "absolutely devastating to the economy of central Pennsylvania."

Everywhere, business, labor, civic and congressional spokesmen joined in hastily assembled local action groups to protest the loss of installations.

Any man not as tough and courageous as McNamara could not have withstood the barrage of protests, curses, and tears that greeted his announcement. It was an experience much the same as that of nearly a year ago when the Secretary announced the closing of a number of other military installations.

For 15 years the American people have devoted more than half of their Federal budget to military spending. Ever since the 1950 outbreak of hostilities in Korea, we have allocated approximately 10 percent of the Nation's gross national product to military purposes. More than two-thirds of the Nation's research, scientific, and engineering talent is concentrated in the defense sector.

Our annual $50 billion arms budget is the equivalent of the combined cost of all the Federal budgets of the New Deal from 1933 to 1940. A quick glance at the division of the budget pie demonstrates that what is chiefly responsible for the growth of big Government and big budgets in Washington is not welfare but warfare.

Thirty years ago we were allocating a third of the Federal budget for welfare purposes. Today, welfare's share has declined to 7 percent. The spectacular increase in Federal spending, employment, and U.S. Government real estate since 1940 has been in the military sector. Yet, those who talk the loudest about the dangers of Federal spending and big Government still have their guns trained on nearly every aspect of Government except military expenditures.

In the Congress, many of the most vocal economizers are the biggest spenders when it comes to armaments. Place the label "defense" on a project and it will zip through the Congress with little or no floor debate.

Early in 1963, I watched the Senate deliberate for many hours on the administration's proposed $120 million youth conservation program. After painstaking discussion and intensive debate, the proposal was reduced by $20 million and sent to the House where it was bottled up in the Rules Committee for a year. But the $50 billion defense authorization whizzed through the Congress without a dissenting vote, after only a brief discussion on the Senate floor.

Perhaps this situation is understandable, given our longtime preoccupation with the cold war. We all want to make certain that the Nation is strong enough to deter any conceivable aggressor. It is also a fact that the military art has become so complex that most Members of Congress concede the Defense Department the benefit of any doubts concerning the efficacy or cost of its programs.

But this is only part of the explanation for the eagerness of Congress to endorse military spending and to resist any proposals for cutbacks in defense outlays. Defense is the Nation's largest business. It provides lucrative contracts, payrolls, jobs, and purchases in communities across the land. For years Congressmen have been running for office on the stated or implied claim that they could land defense contracts or military installations for their home districts and States. The Defense Department has cooperated by permitting Members of Congress to announce defense contracts or installations awarded to their districts.

Countless communities have come to lean on the payroll of a shipyard, or an airbase, or a defense contractor. A defense installation involves far more than a direct source of jobs. Defense workers and military personnel become good customers for the merchants, the realtors, the cafe operators, the barbers, the entertainment establishments, and the whole range of activities of the local community. To these communities the thought of losing this economic stimulus is enough to send strong reverberations all the way from the local chamber of commerce to the Nation's Capital.

One readily sympathizes with the men and their families who lose their jobs as a result of defense shifts or cutbacks. It is also easy to appreciate the concern of the affected local business community. But how can any reasonable citizen or government official seriously argue that the Defense Department has an obligation to continue in perpetuity an expensive installation or contract that no longer contributes to the Nation's defense needs?

Bases marked for phaseout have been carefully evaluated by qualified defense experts. Many have been continued beyond the time when earlier studies indicated little real need for their operations. The Secretary pointed out that not only will taxpayers save nearly half a billion dollars a year as a result of the closings announced in November but that the Nation will actually have a stronger, more efficient defense force.

The issue is clear: Do we want the Defense Department to meet the military needs of the Nation in a businesslike manner, or do we want it to function as a gigantic WPA responding to local and congressional pressures all across the land?

Assuming that the first alternative is the rational one for a great nation to follow, how do we insure its acceptance as a matter of effective public policy? We begin by applauding the steps that have been taken under the direction of Secretary McNamara to apply sound business management to the sprawling Defense Establishment. Without doubt the finest Secretary of Defense ever to hold that post, McNamara has worked tirelessly to effect needed economy measures in the armed services. In addition to establishing modern accounting and cost-analysis procedures, he has closed or scheduled the closing of 669 unnecessary or obsolete military installations. For these efforts he deserves strong public support. It is no easy chore to take on the powerful "military-industrial complex."

We should applaud, too, the efforts of President Johnson to direct excess military expenditures into the war on poverty. A year ago the President announced a cutback of 25 percent in the production of nuclear materials. His military budget for the current fiscal year is a billion dollars below the previous budget—the first reduction in 15 years. It has been predicted that the arms budget for the coming fiscal year, 1966, may carry another modest reduction, or at least no increase. Indeed, the recently resigned Deputy Director of Defense, Roswell Gilpatric, has estimated that the defense budget may gradually decline so it will be as much as 25 percent lower by 1970 than it is today.

Reductions in defense outlays, even of modest proportions, as well as anticipated shifts in defense production, underscore the fact that conversion planning should now be going forward under a high priority schedule. We have devoted the best research and planning brains in the Nation to building up our enormous defense system. But we have given only a passing glance at the complicated matter of easing the transition from obsolete defense outlays to useful investments elsewhere in our society. This is not a future problem; it confronts us now in the anguished faces of Brooklyn shipyard workers, California aircraft engineers, and Boston defense technicians. It faces me, as a Senator who represents the workers of the Black Hills Ordnance Depot and the merchants of Edgemont, S. Dak., who depend upon these workers as customers. This installation will be closed in 2 years.

These conversion problems are not only on top of us, but they are difficult to solve. It may be a comparatively simple task to beat a sword into a plowshare, but it is not so easy for the skilled Brooklyn shipyard technician with 20 years on that job to become a water desalinization engineer in California or a computer operator in Philadelphia.

In the absence of research, planning, and direction related to conversion, the results of declining defense outlays may be decreasing job opportunities, painful dislocations, wasted scientific and engineering talent, and economic hardship. These in turn can lead to political pressures that could prevent the implementation of needed changes in our defense system.

That is why I have been urging for the past year and a half that the Congress establish, at the very highest level of Government, an Economic Conversion Commission to ease the path from arms cutbacks to constructive economic growth. On October 31, 1963, I introduced, with the cosponsorship of several of my colleagues, a bill calling for the creation of such a Commission. Composed of top-level representatives from appropriate Government agencies, the Commission would have responsibility for developing blueprints of public and private needs in which all resources, including manpower, no longer needed for defense could be invested. The Commission would work closely with State and local bodies and defense contractors to chart alternative jobs, products, and services needed by civilian society. It would also recommend Government monetary, credit, and other types of public policy related to the problems of transition.

Partly as a result of the interest aroused by this proposed legislation, the administration has activated an interagency committee, chaired by Gardner Ackley of the Council of Economic Advisers, to undertake studies of the economic impact of defense reductions. This is a hopeful step, but a most inadequate one.

There is an urgent need for a congressional mandate in support of a serious, sustained effort by a full-time staff devoted entirely to the problems and challenges of channeling excess defense resources into civilian needs. Such an office should be functioning now.

Serious conversion planning could be the process by which defense cutbacks lead to unparalleled opportunity. Under the leadership of Senator JOSEPH CLARK, Pennsylvania Democrat, the Senate Subcommittee on Employment and Manpower held hearings last year and estimated the cost of meeting the country's urban and rural needs.

Just to keep pace with population growth during the next 20 years, the subcommittee found, public and private programs costing from $500 to $700 billion will be needed in urban areas. To eliminate existing blight in the cities, another $100 to $125 billion would be required. Funds would come from both public and private sources, and would finance such programs as housing, urban renewal, mass transit, highways, pollution control, hospitals, schools, other public facilities, and community planning.

Rural programs of conservation, water development, and recreational development on public lands would require an additional $12 billion a year for 10 years.

The backlog of urban and rural needs adds up to a staggering sum of $43 to $53 billion a year for 10 years, then $31 to $41 billion a year for another decade. There are many inviting opportunities in which we can profitably invest resources freed by changing defense requirements, and, hopefully, by future disarmament agreements. But resources will not be transferred to meet these opportunities unless government, on all levels, joins in a coordinated effort with private initiative.

The Great Society will require both large-scale investment and intelligent effort. We will need better job training and retraining opportunities. We will need to improve the quality of our educational and vocational efforts at every level. The kind of imaginative thinking which produced the GI bill of rights, with its invaluable college benefits for World War II veterans, can ease the shock of defense shifts and cutbacks. Many of our scientists, engineers, and technicians who have been absorbed for years in arms production, are, in a sense, cold war veterans. They may require mustering out pay, training, and other assistance designed to ease their transition. We will need well-planned Government-assisted pilot projects by private industry to develop the most desirable plans for new schools, health centers, new traffic control systems, and even new cities and rural areas.

With even a modest degree of public and private planning, buttressed by Government credit and assistance, the reduction of defense outlays can be a boon rather than a bane to the economy. Indeed, military expenditures are among the poorest of methods of stre[illegible]ning the economy. Tax funds invested [illegible] a bomb stored in the defense stockpile make no further contribution to the economy. A similar investment in the rehabilitation or education of a young citizen produces multiple dividends for society for years to come.

Furthermore, the heavy concentration of research, scientific, and technical talent in defense has drained off skills and brainpower urgently needed in the civilian sector of society. The wise diversion of a modest portion of this talent into modern mass transit, water desalinization, air and water pollution abatement, and the updating of our educational and health institutions will enrich both our economy and our individual lives.

Experience in some communities demonstrates that the closing of a military installation can be an opportunity rather than a catastrophe. The shutdown of a Snark missile base in Presque Isle, Maine, displaced 275 civilian employees in a small community. Through local leadership and modest government assistance, Presque Isle has created 2,000 new jobs in private industry. The former missile base now houses wood, paper, and shoe plants, 15 smaller enterprises, and a municipal airport.

At York, Pa., a machine company bought—for $9.6 million—an ordnance plant the Navy planned to close. The 1,100 skilled Navy employees were hired by the company and 60 percent more put to work. The plant went on the tax rolls, providing still more benefit to the community.

These and other examples of close cooperation on the part of the local community, private industry, and the Federal Government help point the way to sound public policy in the years of transition ahead.

Moving in this direction, we will come to see that the elimination of excess arms spending does not mean "a day of infamy" but the dawn of a brighter, more hopeful day.

FLOOD DAMAGE IN HAWAII

Mr. INOUYE. Mr. President, sections of the island of Oahu, Hawaii, were recently inundated by torrential rains. The resulting floods inflicted more than $300,000 in damage in one subdivision alone.

Dozens of families suffered losses which were not covered by insurance.

The story of how the community rallied to help these people in their hour of need is indeed a heart-warming one.

Mr. President, I ask that an article written by Joe Arakaki, and published in the Honolulu Star-Bulletin, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEAMWORK IN KEAPUKA FLOOD

(By Joe Arakaki)

Only 6 days ago, a sudden storm dumped more than 12 inches of rain in the Koolau Mountains, unleashing a flash flood which took two lives and damaged 43 homes and 30 automobiles in Kaneohe's Keapuka subdivision.

The flood inflicted more than $300,000 damage in the subdivision alone.

A giant tree floating down Waikalua Stream past the subdivision caught on Luluku Road bridge and turned it into a dam.

Residents of the 3-year-old subdivision, developed by Blackfield Enterprises, were shocked and in despair after the devastation.

They had no flood insurance.

Early Thursday, the fleeing flood victims were evacuated by Hawaii National Guard and Kaneohe Marine Air Station vehicles.

Keapuka was in a pitiful mess that day with debris, mud and wreckage scattered throughout the Apapane Street area.

You would never know there was a flood there if you should visit Keapuka today.

Within 2 days after the 50-mile-an-hour flood, most of the debris, mud, and wreckage were cleared away by volunteer workers, city and county crews, and firemen.

Help to the distressed area poured in from many areas.

William Blackfield, president of Blackfield Enterprises, went into the scene Friday, surveyed damage in each home and explored avenues of relief.

He had no legal responsibility, he said, but felt the homes should be repaired as soon as possible.

Blackfield quickly organized and coordinated the work of restoring the flood ravaged community.

Construction firms and labor unions joined hands in a massive volunteer effort Saturday.

By Sunday afternoon, all of the damaged homes, except the one of a house owner who refused assistance, were repaired.

More than 250 volunteers assisted in the repair and cleanup project.

Blackfield Enterprises, American Factors, and the AFL-CIO Building & Trades Council joined forces to repair the 43 water-wrecked homes.

American Factors supplied building materials; the unions provided the labor force and Blackfield supplied equipment and men to supervise the repair work.

Pre-cut materials on hand to build the last 50 units of the 800-unit Keapuka tract facilitated repair work.

By Saturday morning, packets of needed materials were in front of each damaged home. Some 30 work crews were organized with Blackfield's men, who were familiar with the tract, serving on each, and helping direct volunteer tradesmen from other firms and projects.

All this work was done at no cost to the homeowners.

Blackfield said today that "all structural damages" have been repaired.

"We finished the repair work within 17 hours after we started work early Saturday," he said.

While volunteers were busy at work, the Red Cross and Salvation Army manned disaster headquarters to feed the army of volunteers.

The Salvation Army also conducted a drive and collected bedding and mattresses for the flood-stricken residents.

The Keapuka Community Association responded in numbers, with over 100 members, to assist their grief-stricken neighbors.

But the Keapuka story is not yet over.

The repaired homes need painting and lawns must be restored.

Some of the painting work was done by 18 of Blackfield's men Sunday.

Blackfield said that painting of the repaired homes and landscape work will begin Saturday with some 200 volunteers turning out.

The Painting Contractors Association of Hawaii and the Paint Lacquer & Varnish Association jointly will carry out the painting job.

The Outdoor Circle will make 150 trees available to the Keapuka residents to restore their damaged lawns and this job will be handled by volunteers from the community association.

Blackfield added that J. A. Thompson & Son will furnish trucks and hauling equipment to transport top soil into the subdivision.

Centex Trousdale and Kaneohe Ranch Co. will provide the top soil, according to Blackfield.

His own employees will supervise the soil restoration project.

Blackfield commented, "The damaged homes will be restored to a better condition that their original state when all work has been completed."

Of the joint efforts, Blackfield observed, "I have never in my life seen such a tremendous response and demonstration of the aloha spirit in all of my travels.

"One house victim told me 'I never thought I could rebuild my house in a year'."

He said off-duty policemen will handle traffic during the painting and landscaping work.

City Engineer Yoshio Kunimoto said that he had about 150 city and county workers in the Keapuka area to assist in the cleanup work.

He reported that if the tree had caught in the Likelike Highway culvert, the damage to the subdivision would have been worse.

He feels the Luluku Road culvert was big enough to handle the flood waters if it had not been blocked by the big tree.

"The volunteers did a tremendous job of restoring the damaged homes," he noted.

Meanwhile, the Red Cross reported that 25 Keapuka families so far have applied for Red Cross rehabilitation assistance.

The Red Cross also provided food, shelter, clothing, household items and medical attention to flood victims during the emergency.

Its disaster headquarters at Blackfield's model home in Keapuka will be open from 9 a.m. to 5 p.m. daily except Saturdays and Sundays.

Also offering free medical care to flood victims were physicians belonging to the Honolulu County Medical Society.

In other developments, the Keapuka Community Association thus far has collected about $3,000 in contributions to aid the disaster victims. Half of this amount came from the association itself.

COMMUNITY RESPONSE

Keapuka flood victims say they are overwhelmed by the community response and aid offered them.

Mrs. Helen Kosaka, whose home was one of the most severely damaged, said she is beyond words to express her deep appreciation.

"I just want to let everyone know how grateful I am for the help rendered," she said.

She is now staying with her niece and expects to move back into her home as soon as she can replace damaged furnishings.

Another flood victim, Aquilino Santos, said he moved to Keapuka from Kalihi last April.

"We are proud to live this community," he said. "The community association members, who were complete strangers to us, came and offered all the help we needed.

"You bet we will join the association," he said.

Santos also praised the work of the Red Cross, which he described as a "great organization."

Another Apapane Street resident, Raymond Hee, said, "It was tremendous. Everyone helped."

ALSO GIVE AID

Flood victims also received aid from the Hawaiian Electric Co., which repaired all electrical appliances up to $100 per family, and Ramsay, which repaired General Electric appliances damaged by the floods.

Ramsay's men spent all night Saturday repairing them and had them returned to the owners Sunday.

Realty Mortgage Co., a Blackfield subsidiary, agreed to waive house payments to owners of damaged homes for several months, depending on individual family requirements.

There were many other community and church groups assisting the flood victims. "My faith in mankind has been rekindled," summed up Blackfield.

LITHUANIA MUST AGAIN BE FREE

Mr. YOUNG of Ohio. Mr. President, today we commemorate the independence day of a nation that no longer is sovereign, and we salute a brave people who no longer are free. This holiday for the 3 million citizens of Lithuania was once a day of joyous festivities. It now remains to haunt the memories of a people who lost their struggle for liberty against overwhelming forces of repression and terror, and now languish under the yoke of Soviet enslavement.

Forty-seven years ago, on February 16, 1918, Lithuania, after more than 120 years of czarist subjugation, won its freedom. At that time, this small land, surrounded by hostile nations, established a flowering democracy. Under a program of sweeping land reform, some 300,000 independently operated farms were established. Industrial development flourished. Great progress was made in the fields of education, transportation, and social welfare.

The prosperity of the land and the liberty of the people did not escape the envious eyes of their totalitarian neighbors. In 1940, the armed hordes of Nazi Germany and Communist Russia ravaged this almost defenseless land. With the eventual occupation by the Soviet armies, every effort was made to destroy patriotic Lithuanians. Scholars, statesmen, and clergymen disappeared, to waste away their lives in the frozen tundra of Siberian slave-labor camps. Mass deportation and harsh repression became the fate of this brave people.

We cannot and we must not forget these victims of communism, whose liberty lasted such a brief time. On Thursday, along with my distinguished colleagues, Senator Pell and Senator Lausche, I introduced a resolution requesting the President to bring the plight of the Baltic States to the floor of the United Nations. The United Nations should demand the withdrawal of Soviet troops from this captive nation, the return of all deported citizens, the punishment of persons guilty of crimes against the Baltic peoples, and free elections under the direct supervision of the United Nations.

The people of Lithuania must never think we have forgotten them. The spirit of freedom cannot be chained forever. When these lands regain their liberty, let them regard the United States as a friend in their time of trouble.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. RIBICOFF. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOLD RESERVE REQUIREMENTS

Mr. ROBERTSON. Mr. President, I move that the Senate resume the consideration of the bill H.R. 3818.

The motion was agreed to; and the Senate resumed the consideration of the bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

Mr. ROBERTSON. Mr. President, the Senate is considering today the administration's proposal to amend the Nation's gold reserve requirements.

This is a middle-of-the-road bill which keeps the requirement of a 25-percent gold reserve against Federal Reserve notes but eliminates the requirement in the case of deposits at Federal Reserve banks.

The bill will make an additional $5 billion of gold available—sufficient to meet the money supply needs of our growing economy and, even more important, to give the world assurance that the United States will meet all requests by foreign governments to redeem their dollars for gold at $35 an ounce.

This action is necessary now because the deficits in our balance of payments over the past 15 years have reduced our gold supply virtually to the minimum legal reserve limit.

However, the bill will not end our balance-of-payments deficits. It will merely give us time to end them in an orderly and responsible fashion.

The President, on February 10, sent us a message reviewing the balance-of-payments situation and recommending a series of steps to reduce the deficit. Many of the measures proposed, I am sure, will be approved after consideration by Congress and will help in reducing our persistent balance-of-payments deficits.

The President's program is directed mostly at restricting the flow of capital abroad, which has been a most important element in our international payments during recent years. I believe, however, that other important factors are not adequately dealt with in the measure proposed by the President.

In the first place, I believe the foreign aid program, both economic and military, should be reduced sharply. For the current fiscal year foreign aid, including military assistance and agricultural surpluses sold for foreign currencies or given away, could be as much as $7 billion. Beginning next July there will remain $6.5 billion from previous appropriations available to the administration for expenditure in future years, plus any additional appropriations that may be made.

I am sure that our friends and allies in the free world have reached a point of economic recovery where they can carry a much larger share of the cost of mutual defense facilities and a much larger share of the cost of assisting underdeveloped countries than has been possible in the past.

In the second place, we must put our own house in order. Industry and labor must exercise caution and restraint in their price and wage policies. If organized labor refuses to exercise restraint in wage and fringe demands, and engages in strikes designed to beat our Nation to its knees, it should be put on a par with corporations with respect to control under our antitrust laws. The Government also must bring to an end the constantly unbalanced budgets and be prepared to follow flexible monetary policies adapted to the requirements of our international position. Unless we do these things, our balance-of-payments deficit may get worse instead of better.

The bill before us, H.R. 3818, deals only with the Nation's gold reserve requirements. It does not itself attempt to solve the balance-of-payments problems. It merely releases a limited amount of our gold reserves for use until measures and actions to correct the payments deficit can have the desired effects.

The proposal to amend the Nation's gold reserve requirements is a major step, one which the Banking and Currency Committee has considered carefully, and one which the Senate will wish to consider carefully. It is also appropriate that we should respond to the President's request and that we should act upon this question firmly, decisively, and promptly. Confusion, indecisiveness, and delay could cause untold difficulties and expense.

In my judgment the Banking and Currency Committee has acted on this measure promptly and responsibly. The matter was first raised at a meeting of legislative leaders at the White House on January 22, and we were advised that an administration bill would be transmitted to the Congress on January 28 along with the President's economic report. I immediately announced that I would introduce the adminstration bill at the President's request, and I scheduled hearings before the committee beginning February 2. I had this announcement and a notice of the hearings printed in the CONGRESSIONAL RECORD on January 26 and invited all persons who wished to testify to advise the committee. When the bill was received on January 28, I immediately introduced it by request.

Hearings were held before the committee on February 2, 3, 4, 9, and 10. All witnesses who requested to appear were heard—a total of 19—covering, I believe, all points of view on the matter.

At the conclusion of the hearings, the committee in executive session considered a number of alternative proposals, including Senator DOUGLAS' proposal to eliminate all the gold reserves and the proposals of Senator JAVITS and Senator DOMINICK to amend the gold-reserve requirements, but in somewhat different fashions from that proposed by the administration. None of these alternatives were adopted. Instead the committee, without dissent, voted to report the House version of the administration bill, and the report was filed on February 10. The hearings have now been printed in a volume of almost 300 pages which was available on February 15.

I should like to make it entirely clear at the outset that no question whatever was raised in the committee about maintenance of the commitment of the United States to redeem gold at $35 an ounce. There was no question as to the ultimate availability of our entire stock of gold to maintain the value of the U.S. dollar. The committee was glad to hear the Secretary of the Treasury and the Chairman of the Federal Reserve Board endorse these views, and the committee report and the supplemental views make it clear that there was no disagreement among committee members on these points.

The United States has a stock of about $15 billion of gold to back up these commitments. The United States also has the world's largest industrial output, the world's largest agricultural output, and the strongest and most-sought currency in the world. The President's request for an amendment to our gold-reserve requirements and the committee's approval of this request were not based on any sense of distress or of emergency. Instead, the proposal before the Senate today is designed to make it clear to all, at home and abroad, that the United States intends, without any reservation or qualification, to maintain the value of the dollar and to take all steps necessary to this end.

At the present time Federal Reserve banks must maintain reserves in gold certificates—representing gold in the Treasury—of at least 25 percent against deposits in Federal Reserve banks and Federal Reserve notes in circulation. These reserves have been required since 1945; before that time the reserve requirements were 40 percent in gold on notes and 35 percent in gold or lawful money on deposits.

The Federal Reserve Board is authorized to suspend these requirements, subject to certain taxes and penalties, but this power to suspend is intended to be used only on a temporary emergency basis. It has, in fact, been used only three times—in 1919, 1920, and 1933—and only briefly in each instance.

In 1949 the gold-certificate reserves were at their peak. They totaled $23.4 billion. Although deposit and note liabilities had expanded greatly in the war years, the ratio of gold-certificate reserves to such liabilities in 1949 was as high as 57.5 percent. The situation has changed greatly in the last 15 years, and especially in the last 7 years, as the result of an outflow of gold and an increase in Federal Reserve liabilities. Our gold-certificate reserves now amount to $14.8 billion compared to a total required reserve of $13.6 billion. Free gold-certificate reserves are down to $1.2 billion, and total free gold, including small amounts of additional gold in the Treasury, is less than $1.5 billion. The ratio of gold-certificate reserves to deposit and note liabilities is 27.2 percent—barely enough above the required 25 percent to give the Federal Reserve banks a reasonable operating margin.

This change over the past 15 years was accounted for partly by an increase of $3.4 billion in required reserves—the net result of many changes in the money supply and in member bank reserve requirements. The decline in our gold stock was much greater. Gold-certificates decreased over the past 15 years from $23.4 billion to $14.8 billion. There were many reasons for the unfavorable balance of payments which led to this decline—investments abroad, tourism, and so on, but the chief reason has been our foreign aid and military programs overseas which have totaled more than $105 billion.

At page 6 of the committee report appears a table showing the consolidated reserve position of the Federal Reserve banks for selected dates. The changing situation since 1934 is also illustrated by charts appearing at page 5 of the committee report.

All members of the committee agreed with the President, the Secretary of the Treasury, and the Chairman of the Federal Reserve Board that under these circumstances it was necessary to change our gold-reserve requirements. All members agreed that it would be misleading and unwise to leave the present gold-reserve requirements in effect and to use the suspension powers vested in the Federal Reserve Board. And all members agreed that any suggestion of failure to carry out our commitments to redeem dollars in gold could not be considered for a moment.

The two principal proposals considered by the committee were the administration bill to amend the gold-reserve requirements and Senator DOUGLAS' proposal to repeal them entirely. A majority of the committee felt that the administration's middle-of-the-road proposal was the wiser and sounder course.

In the first place, the Secretary of the Treasury and the Chairman of the Federal Reserve Board took the position that the administration proposal provided as much leeway as they now felt necessary. They took the position that, if sound economic policies are pursued at home, and firm and effective measures are taken to correct the balance-of-payments deficits, the administration proposal would provide ample leeway for the foreseeable future.

The majority of the committee saw no reason to go beyond the administration's recommendations in this sensitive and important field. When the outcome is uncertain, it is wise to do only what is necessary.

In the second place, the majority of the committee, while recognizing that since 1933 our laws have prohibited the redemption in gold of Federal Reserve notes or any other currency, took the position that a gold-reserve requirement is desirable. The fact that one of the original reasons for the gold reserve—internal redeemability—no longer exists is no reason to abandon the gold reserve if it serves some other useful purpose. Our history is full of instances where a tool designed for one purpose has served another and perhaps more important purpose long after the original one disappeared.

Maintenance of a gold-reserve requirement against Federal Reserve notes is meaningful and valuable because it provides a warning signal against excessive expansion of our money supply and currency or against depletion of our reservoir of gold needed to meet variations in our international payments.

If the money supply is increased greatly, this will be reflected in an expanded supply of currency. If the supply of currency exceeds the amount permissible under the gold-reserve requirement, the Federal Reserve Board can, under existing law which would not be amended by this bill, suspend the gold-reserve requirements on a temporary basis. An approach to such a limit will give clear notice that a review of our monetary situation is imperative. This review may demonstrate that the money supply is not increasing by reason of either inflationary monetary policies or lack of attention to the balance of payments situation, but merely through the normal growth in the economy or changes in business practices calling for more currency. On the other hand, the review may show that the cause of the increase in currency is unduly lax monetary policies or inattention to our balance-of-payments problems. In either case, the Congress will be in a position to take whatever action may be appropriate.

The existence of the limit imposed by the gold-reserve requirement, flexible though it is, will make the Government hesitate to adopt policies which threaten to trespass on this limit. The knowledge that a day of reckoning will be forthcoming—that a request to the Congress for an amendment to the law must be made and must be justified—will have an effect upon the Government. This argument for the gold reserve, this argument for congressional control, is a recognition of the importance of the Congress in this field, a recognition of the constitutional provision giving Congress the power to coin money and fix the value thereof.

We count upon the President and the Secretary of the Treasury to exercise wisdom and restraint. We count upon an independent Federal Reserve Board to exercise wisdom and restraint. But, as James Madison said in the Federalist, referring to the separation of powers between the legislative, executive, and judicial branches:

> A dependence on the people, is no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

This is the so-called psychological reason for a gold reserve behind our currency. The public—the citizens whose votes control our Government—may be wiser than we think when they express their confidence in a currency backed at least in part by gold—linked to gold—a currency which cannot expand like the German mark in 1920 or the Brazilian cruzeiro in recent years, at least not without a review by the Congress under its constitutional power to fix the value of money.

The same is true of foreign holders of U.S. dollars. The requirement that a gold-reserve fund of more than $8 billion must be maintained serves as a protection for foreign holders of dollars. They know that in the final analysis this gold will be available for the redemption of dollars. But they also know that this gold may be frittered away unless vigorous action is taken to assure a sound dollar in the United States, unless sound wage and price policies are pursued in the United States, and unless adequate and effective measures are taken to end our balance-of-payments deficits.

Foreign holders of dollars know that these measures must be taken. And they know it is better for the United States to take these measures promptly and effectively, before our gold supply is gone. They know their dollars will be better protected if the United States takes the steps necessary to preserve a sound dollar at home and to end the balance-of-payments deficits while we still have about $15 billion of gold.

In conclusion I should like to emphasize particularly two points.

First. It is essential that we maintain a sound dollar. Industry and labor must follow moderate and responsible wage and price policies. Inflated wages and prices can hamper production, can reduce employment, and can cut down our sales abroad. For instance, one candidate for the presidency of the steelworkers union promised his members a wage settlement equal to that of the United Automobile Workers, and the other candidate, who may prove to be the winner, offered that he would get a better settlement. And the candidate who may be the winner also believes that after the union negotiators have reached a settlement with the management negotiators, any strike which may occur throughout the entire union must be continued until every local has agreed to accept the new contract. The steelworkers also control the production of aluminum and the chairman of the board of a large aluminum company tells me that a wage settlement for aluminum workers equal to that granted the automobile workers would absorb every penny of net profit of his company at present prices.

It necessarily follows that if the Steel Worker's Union is granted a wage increase even comparable to that for the automobile workers, one of two things will happen—either the expansion of steel and aluminum capacity will be curtailed because of diminishing profit margins, or the price of these products will have to be increased. And, while we had a very favorable balance of trade in 1964, any price inflation in the current calendar year will be calculated to curtail our sales abroad and, in doing so, to intensify our current balance-of-payments problem.

Flexible fiscal and monetary policies must be followed. Permanently unbalanced budgets and excessive credit can cause domestic and foreign problems for us. And it is essential to the maintenance of sound monetary policies to preserve the strength and independence of the Federal Reserve System. The President, the Secretary of the Treasury, and the Chairman of the Federal Reserve Board have recognized this, and the Congress has repeatedly recognized the need for an independent Federal Reserve Board, and we must continue to do so.

Second. Our balance-of-payments deficits must end. We have for years been aware of these deficits. We have deplored them. We have taken tentative and inadequate steps to reduce them. But we have not stopped them.

It is clear demonstration of the value of gold-reserve requirements that the necessity to amend them has brought home to the President, the Congress, and the country the fact that we must now end the balance-of-payments deficits. No better example of the value of a gold-reserve requirement could be shown.

The enactment of H.R. 3818 would not solve the problem. It would merely give time to the President and the Congress to end our balance-of-payments problem in an orderly and responsible fashion, while we still have a large stock of gold, a favorable balance of trade, and a prosperous and growing domestic economy.

Conditions are favorable for ending our balance-of-payments deficits. We must do so now and not wait until our stock of gold has vanished, our international financial position has weakened, and our balance of trade and domestic economy are in less satisfactory shape.

In the meantime the Federal Reserve and the Treasury must have a supply of gold free from fixed requirements adequate to meet prospective normal needs and emergency demands.

To provide this, the committee recommends to the Senate that H.R. 3818 as passed by the House and reported from the committee—the administration bill, recommended by the President, supported by the American Bankers Association, the Virginia Bankers Association, and other able witnesses—should be promptly passed by the Senate and sent to the President for signature.

Mr. President, I ask unanimous consent to have printed at this point in the Record the full text of the statement of General de Gaulle on February 4, last, concerning a return to the gold standard for all the nations of the world.

There being no objection, the statement was ordered to be printed in the Record, as follows:

THE INTERNATIONAL MONETARY SYSTEM

Question. Mr. President, by converting a portion of its dollar holdings into gold, France has elicited certain reactions which have brought out the defects in the present monetary system. Do you advocate a reform in this system, and if so, how?

Question. My question, Mr. President, fits in with the preceding one. Can you specify your policy on foreign investments in France, and especially on American investments?

Answer. I shall try to explain my thoughts on these points.

As the Western European States, destroyed and ruined by the wars, recover their substance, their relative situation following their debilitation appears inadequate, even abusive and dangerous. Moreover, nothing in this statement implies that they, particularly France, are in any way unfriendly toward other countries, especially toward America. For the fact that these States wish, more each day, to act independently in every field of international relations is due merely to the nature of things. This is true of the monetary relations which have been practiced in the world since the ordeals undergone by Europe made it lose its equilibrium. I refer—is this not clear?—to the system which appeared following the First World War and which was established after the second.

We know that, starting with the Genoa Conference in 1922, this system had given two currencies, the pound and the dollar, the privilege of being held automatically as gold equivalents for all foreign payments, while the others were not. Later on, since the pound had been devalued in 1931 and the dollar in 1933, this extraordinary advantage could have seemed to be compromised. But America surmounted its great crisis. After that, the Second World War ruined the currencies in Europe by unleashing inflation there. As nearly all the world gold reserves were then held by the United States which, as the world supplier, had been able to maintain the value of its own currency, it could seem natural for other states to include dollars or gold without distinction in their exchange reserves and for foreign balances of payments to be settled by transfers of American credits or currencies as well as gold. All the more so because America experienced no difficulty in settling its debts in gold if it was asked to do so. This international monetary system, this gold exchange standard, has consequently been accepted in practice since that time.

However, today it no longer seems to conform to reality, and it suddenly presents disadvantages which are increasingly encumbering it. Since the problem can be considered in the desired conditions of calm and objectivity—for there is nothing urgent or alarming about the present situation—this is the time to do so.

The conditions which formerly were able to give rise to the gold exchange standard have changed. The currencies of the Western European states are today restored, to the extent that the total gold reserves of the Six today equal those of the Americans. They would even exceed them if the Six decided to convert all their dollar holdings into gold. This means that the custom of ascribing a superior value to the dollar as an international currency no longer rests on its initial foundation—I mean America's possession of the largest share of the world's gold. But, in addition, the fact that many states in principle accept dollars on the same basis as gold so as to offset, if need be, the deficits in their favor in the American balance of payments, leads the United States to indebt itself abroad at no cost. Indeed, what it owes abroad, it pays for, at least partially, with dollars which it alone can issue, instead of paying entirely with gold, which has a real value, which must be earned to be possessed, and which cannot be transferred to others without risks and sacrifice. This unilateral facility which is granted to America is serving to cloud the idea that the dollar is an impartial and international medium of exchange, when it is a means of credit belonging to one state.

Obviously, this situation has other consequences, particularly the fact that the United States—since it is not required, at least entirely, to settle its payments deficits in gold according to the former rule which required States to take the measures, sometimes severe ones, necessary to correct their imbalances—suffered a deficit each year. Not because its total commercial exchanges were unfavorable, quite the contrary. Its exports of goods always exceed its imports. But this is also the case for dollars, for which outflows always exceed inflows. In other words, capital was created in America, by means of what must be called inflation, which in the form of dollar loans granted to States or to individuals, is exported outside. As, even in the United States, the increase in fiduciary currency which results as a side effect makes investments at home less profitable, there is a growing tendency in the United States to invest abroad. The result for certain countries is a sort of expropriation of some of their business firms.

Assuredly, such a practice has greatly facilitated, and further encourages to some extent, the manifold and substantial aid that the United States furnishes to numerous countries for their development, and from which we ourselves once benefited in large measure. But circumstances are such today that it is possible to wonder how far the difficulties would go if the States which hold dollars sooner or later reached the point where they wanted to convert them into gold. Even if such a widespread movement would never occur, the fact is that there is to a certain extent a fundamental imbalance.

For all these reasons, France recommends that the system be changed; we know that she did so, notably during the monetary conference in Tokyo. Given the worldwide upset that a crisis occurring in this domain would probably cause, we have, indeed, every reason to hope that in time the means for avoiding it will be taken. Therefore, we consider that international exchanges must be established, as was the case before the worldwide disasters, on an unquestionable monetary basis which does not bear the mark of any individual country.

What basis? Actually, it is difficult to envision in this regard any other criterion, any other standard than gold. Yes, gold, which does not change in nature, which can be made either into bars, ingots or coins, which has no nationality, which is considered, in all places and at all times, the immutable and fiduciary value par excellence. Furthermore, despite all that it was possible to imagine, say, write, or do in the midst of major events, it is a fact that even today no currency has any value except by direct or indirect relation to gold, real or supposed. Doubtless, no one would think of dictating to any country how to manage its domestic affairs. But the supreme law, the golden rule—and indeed it is pertinent to say it—that must be enforced and honored again in international economic relations, is the duty to balance, from one monetary area to another, by effective inflows and outflows of gold, the balance of payments resulting from their exchanges.

Certainly, the termination of the gold exchange standard without rude jolts, the reinstitution of the gold standard, the supplementary and transitional measures which could be indispensable, particularly for organizing international credit on this new basis, will have to be deliberately concerted among the states, especially those whose economic and financial capability gives them special responsibilities. Moreover, the frameworks already exist in which such studies and negotiations would normally be carried out. The International Monetary Fund, set up to guarantee, as much as it is possible, currency solidarity, would offer all states an appropriate meeting ground once it was no longer a matter of perpetuating the gold exchange standard, but of replacing it. The Group of Ten, which includes alongside the United States and Great Britain, on the one hand, France, Germany, Italy, the Netherlands, and Belgium, and on the other, Japan, Sweden, and Canada, would prepare the necessary proposals. Lastly, it would be up to the six states, which seem to be on the way toward achieving a European Economic Community, to formulate between them and to advocate outside the solid system which common sense recommends and which is in keeping with the reappearing power of our old Continent.

France, for her part, is ready to take an active share in the vast reform henceforth imposed in the interest of the entire world.

Mr. ROBERTSON. Mr. President, my understanding of the real meaning of that statement is that General de Gaulle thinks that the French franc should be rated by the trading nations of the world on a par with the U.S. dollar and the British pound.

Apparently he wants to accomplish this purpose by casting doubt on the ability of the United States and Great Britain to maintain the stability of their currencies. He would have all countries pay out gold freely and, it has been suggested, that to supply enough gold to operate on such a basis, it would be necessary to raise the world price of gold to two or three times the present value of $35 an ounce. This would increase the monetary value of all gold held in the world.

Such action, as the committee report on the bill before you states, "would destroy confidence in the future stability of the dollar, as well as of other currencies, and would hamper the vital use of the dollar as a key reserve currency for the entire world. Such an action would encourage private hoarding of gold and limit its availability for useful international monetary purposes. By an arbitrary move the monetary systems of the world would be flooded with reserves susceptible of promoting a greatly excessive expansion of credit with inflationary consequences. The results would be highly inequitable in their incidence on different people and different countries."

That is a quotation from the report on the bill which is on the desk of each Senator.

In recent months, France has demanded of us $350 million in gold. General de Gaulle has intimated that he will demand gold for part of $1 billion which his government now holds and also to cover any further acquisitions of dollars. But, before our Government honors a request from the French Government to that extent, I believe there will be some discussion in the Senate about the billions of dollars that France owes us, dating back to World War I.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. First, Mr. President, I commend the Senator from Virginia for the fine work he and his committee have done on this bill, for the report, and for his speech, which is enough to satisfy me. I am sure it will satisfy a majority of the Senate. I may not be present later in the debate, so I wish the Senator would comment on a certain matter. The Senator from Virginia has referred to the bill and the fact that amendments will be proposed. He has pointed out, on page 11 of the copy of the speech I hold in my mind, the advantages of not repealing the requirement or of requiring some gold reserve. I understand that such a proposal will be offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. ROBERTSON. Yes. The Senator from Illinois presented to the committee an amendment repealing all of the gold reserve requirement and I expect he will bring it before the Senate for consideration.

Mr. STENNIS. If the Senator will address himself to that particular point, I should like to have him elaborate on it, and also on the amendment which may be proposed by the Senator from Colorado [Mr. DOMINICK].

Mr. ROBERTSON. I opposed Senator DOUGLAS' amendment in committee. The committee voted it down. I still oppose it.

In the first place, the amendment goes beyond what the administration recommends as necessary at the present time under the present circumstances. I see no reason and no need to go beyond what the administration recommends in this delicate and important field.

In the second place, it seems to me clear that our gold and our gold reserve requirements serve a valid and useful purpose, and the requirements should be continued. It was the gold outflow in the early 1960's which led President Kennedy to send his balance-of-payments message to the Congress, and it is the further gold flow in the past 2 or 3 years, taking our gold reserves down to almost minimum legal requirements, which has made the President, the Congress, and the public aware of the need to do something about our balance-of-payments situation.

I will not elaborate on this point. It is fully discussed in the report and in the speech I made in bringing this bill to the floor.

I believe confidence in the dollar can best be preserved by prompt and decisive action today on the administration bill, which has been approved by the House and by the Banking and Currency Committee.

I shall not labor the point, but I repeat that from time immemorial gold has been esteemed. We first find it being used by a king whose name was Midas. He found a river where he could literally scoop up gold by the bucketful. So the story comes down to us that everything he touched turned into gold. It was not long before other people coveted that gold and they took his gold away.

There is a reference to gold in the Old Testament, where we read about Nebuchadnezzar, who sent an emissary to Jerusalem. A prophet had advised the King of Jerusalem that he should not show the gold he had there. But the King was proud and he showed him his gold vessels in the palace and in the temple. Nebuchadnezzar coveted that gold. So he went in and took the gold. His son, Belshazzar, was drinking from the gold vessels taken from Jerusalem when a Persian King named Darius killed him and took the gold from Babylon to Persia.

A Scotchman down in the valley said, referring to gold, "Senator, I like the kind of money that dogs can't chew up."

Everybody likes solid money. That is the reason we do not like to abandon this backing of gold.

Mr. STENNIS. I appreciate the Senator's fine exposition. It is sound and colorful.

Will the Senator permit me to refer to an amendment? I understand the Senator from Colorado [Mr. Dominick] intends to propose one. The Senator from Mississippi may have to be absent from the Chamber later, and that is the reason he brings up that question now.

Mr. ROBERTSON. That amendment was proposed in the committee, was discussed, and it was not accepted. It provided for the release of perhaps $2 billion of gold, less than the administration bill would release. The administration bill says, in effect, "This releases enough—$5 billion; do not release any more. It is necessary to release about as much as $5 billion." The theme of the administration bill is that it is better to keep gold against the currency in circulation than to take some of the requirement off Federal Reserve deposits and some off Federal Reserve notes. Some may say that if we take 5 or 10 or 15 percent off each, it will be only a matter of time before it will all be taken off. We are still holding to the theory that there is a 25-percent gold backing against currency in circulation. For that reason the committee turned down the Dominick amendment.

Mr. STENNIS. So the passage of the bill recommended by the Senator would not touch the system, except that it would release about $5 billion of gold that could be counted in our balance-of-payments quotations and would be eligible to be used, if necessary, to meet obligations.

Mr. ROBERTSON. The Senator is correct.

Mr. STENNIS. I thank the Senator from Virginia, and commend him for his very fine presentation.

Mr. DOMINICK. Mr. President, I am participating in this discussion. I say to the Senator from Virginia, in order to make the situation crystal clear to him, that what I am doing is proposing a reduction from 25 to 20 percent—a 5-percent reduction—for 2 years only, at the end of which time it would automatically come back up to 25 percent. During the interim period between now and the end of August, there would be a study committee designed to try to develop legislative proposals which would correct the situation in which we now find ourselves.

Specific legislative proposals to report back will be provided for, the purpose being to try to keep the administration in a position similar to the one it occupies in connection with the debt limit, where it is constantly faced with the necessity of taking steps either to try to balance the budget or to convince Congress that the temporary debt limit should be raised. This way, it would be faced with the situation of trying to tell us that there was a need, relative to the gold reserve requirements, why there was a need, and whether it proposed to do something about it.

Mr. ROBERTSON. Let me add for the benefit of the Senator from Mississippi that the administration and most of the bankers who testified, with whom I am acquainted, are very much opposed to the proposal to take a 5-percent bite at both sides for only 2 years. They asserted that it would lead to no end of trouble, that the thing to do would be to enact a permanent law in regard to the 25 percent on deposits, and then we would know where we stood.

Mr. JAVITS. Mr. President, the minority views were submitted by the Senator from Illinois [Mr. Douglas], the Senator from Wisconsin [Mr. Proxmire], and the Senator from Minnesota [Mr. Mondale], members of the committee who felt that in the interest of the stability of U.S. currency as the principal reserve of the world, the gold reserve requirement should be eliminated entirely and the country left free to work out its problems of world credit.

My proposal would reduce the gold reserve requirement against Federal Reserve notes to 15 percent and eliminate the reserve requirement against Federal Reserve deposit liabilities.

I am loath to proceed with an amendment until ascertaining the desires of the members of the committee who constituted the minority. It is for that reason that I shall suggest the absence of a quorum, in order to determine exactly how best to present the two issues involved—first the issue raised by the Senator from Colorado [Mr. Dominick], who proposes considerably less than the administration has recommended—and second, the issue raised by the minority views, and by myself, in a proposal to do somewhat more at this time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Hartke in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Harris in the chair). Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I send to the desk an amendment in the nature of a substitute and ask that it be stated.

The PRESIDING OFFICER. The amendment in the nature of a substitute will be stated for the information of the Senate.

The Legislative Clerk. It is proposed to strike out all after the enacting clause and insert a certain amendment in the nature of a substitute.

Mr. DOMINICK. Mr. President, I ask unanimous consent that reading of the amendment, in the nature of a substitute, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment, in the nature of a substitute, submitted by Mr. Dominick, is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the first sentence of the third paragraph of section 16 of the Federal Reserve Act, as amended (12 U.S.C. 413), is amended by striking out '*Provided, however,* That when' and inserting in lieu thereof the following: '*Provided,* That during the period commencing on the effective date of this proviso and ending on the expiration of two years after such date every Federal Reserve bank shall maintain reserves in gold certificates of not less than 20 per centum against its deposits and reserves in gold certificates of not less than 20 per centum against its Federal Reserve notes in actual circulation. When'.

"Sec. 2. The first sentence of the fourth paragraph of section 16 of the Federal Reserve Act, as amended (12 U.S.C. 414), is amended by striking out '25 per centum'.

"Sec. 3. Section 11(c) of the Federal Reserve Act, as amended (12 U.S.C. 248(c)), is amended by striking out the period following the second proviso and inserting in lieu thereof the following: '*: Provided, however,* That during the period referred to in the proviso in the third paragraph of section 16 the foregoing reference to "25 per centum" shall be deemed to be "20 per centum", and the foregoing references to "20 per centum" shall be deemed to be "15 per centum".'

"Sec. 4. (a) There is hereby established a joint committee which shall be known as the Joint Committee on the Balance of Payments Deficit which shall be composed of five members of the Senate, of whom not more than three shall be members of the same political party, to be appointed by the President of the Senate, and five members of the House of Representatives, of whom not more than three shall be members of the same political party, to be appointed by the Speaker of the House of Representatives.

"(b) (1) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

"(2) The joint committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

"(3) A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

"(c) (1) The joint committee shall make a full and complete study and investigation of the causes and effects of the balance of payments deficit experienced by the United States in recent years, of the adequacy of measures taken and proposed to reduce such deficit, and of the feasibility of adopting new or alternative measures for the reduction or elimination of such deficit.

"(2) The joint committee shall report the results of its study and investigation, together with its recommendations, to the Senate and the House of Representatives not later than August 31, 1965. Upon the filing by the joint committee of its report all authority conferred by this resolution shall terminate.

"(d) The joint committee or any fully authorized subcommittee thereof is authorized to hold such hearings; to sit and act at such times and places; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; and to procure such printing and binding as it deems advisable. The provisions of sections 102 to 104, inclusive, of the Revised Statutes, as amended, shall apply in case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

"(e) (1) The joint committee may appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable.

"(2) The joint committee is authorized to utilize the services, information, facilities, and personnel of any department or agency of the United States, on a reimbursable basis or otherwise, with the consent of the head of such department or agency. With the consent of any standing, select, or special committee of either House of the Congress, or any subcommittee thereof, the joint committee may utilize the facilities and the services of the staff of such committee or subcommittee whenever the chairman of the joint committee determines that such action is necessary and appropriate.

"(f) Members of the joint committee, and its employees and consultants, while traveling on official business for the joint committee within or outside the United States, shall be reimbursed for their actual and necessary expenses.

"(g) The expenses of the joint committee, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers approved by the chairman.

"Amend the title to read as follows: 'A bill to provide that for a two-year period the reserve requirement applicable to the deposit and note liabilities of Federal Reserve banks shall be 20 per centum in lieu of 25 per centum, and for other purposes'."

Mr. DOMINICK. Mr. President, for the purpose of obtaining a yea-and-nay vote on my amendment in the nature of a substitute, I suggest the absence of a quorum in order that enough Senators may be brought to the Chamber.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. I ask for the yeas and nays on the substitute amendment.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I approach the problem before the Senate with considerable reluctance; not with reluctance from the standpoint of discussing it out in the open, but with considerable reluctance in opposing in any way the philosophy of the distinguished chairman of the Banking and Currency Committee, the Senator from Virginia [Mr. ROBERTSON], for whom I have a high respect.

However, the proposal before us is an administration proposal. The trouble with the administration's proposal, as I see it, is that it deals only with one side of a specific problem, which is to provide enough gold so that the administration may have time, as Secretary Dillon said, to see what might happen with the international balance of payments. It does not in any way give any specifics as to how the problem should be cured, or any steps that should be taken to get at the root of the problem.

My substitute approaches the problem a little differently. First of all, the gold reserve behind the dollar is something which I, personally—and I believe most other Senators—believe is necessary in order to take care of the stability of our dollar. In other words, we need a gold reserve.

If we accept that fact, what we ought to do is find a procedure in which we will not continue to lose gold.

In order to make this point, and recognizing the dilemma in which we find ourselves at the present time, I would reduce both the Federal Reserve deposit gold requirement and the currency gold reserve requirement by 5 percent, on a temporary basis for 2 years. At the same time, if the amendment should be adopted, a select committee would be appointed from both Houses of Congress, to go into the problem of how we can best solve the international balance-of-payments problem from our own standpoint; whether we should cut down extremely and drastically on foreign aid, and whether we should try to take further steps toward balancing the budget.

The committee would report to Congress by the end of August of this year. In that way we would have adequate time within which to obtain the committee's recommendations and take some steps before another reduction in our gold reserve requirement would become necessary.

I made a statement to the Committee on Banking and Currency on this subject. If I may do so, I should like to incorporate a substantial part of it in the RECORD by reading from it at this point, because I believe it brings these matters out very clearly.

I said, first of all, that I wished to acknowledge that we are facing a problem, and that there is no doubt that we must take some steps to solve the problem. I said that the administration's program constitutes a "bandaid" and not a cure. I said it was a temporary expedient, solving nothing, and opening the way to substantial currency inflation. I said that, rather than increasing confidence in the stability of the dollar as its most optimistic supporters predict, its effect could be precisely the opposite.

I said further:

> It is an obvious first step toward a completely managed monetary system wherein gold will ultimately be removed from all internal currency, making the value of the dollar thereafter subject to the arbitrary decisions of the fiscal managers, regardless of political party; and
>
> While there may be valid objections to a complete return to a gold standard, history has repeatedly proven the inadequacies of a managed economy whose currency invariably ends up in a destructive inflationary cycle.
>
> The problem we face is indeed serious, and I urge the administration to take upon itself the mantle of fiscal responsibility it has for so long shunned.
>
> The recent cavalier attitudes toward sound economic policies are truly remarkable. The administration spokesmen have cavorted from one side of the spectrum to the other. At first, we were promised balanced budgets and then told they were an unnecessary vestige of the puritan ethic. At first, we were promised there would be no intentional deficit spending except in periods of national crisis and then this, too, was changed.
>
> During the last few years, we have witnessed staggering increases in Federal expenditures despite the deficits resulting therefrom; a climbing national debt which is now over $312 billion, and a constant imbalance-of-payments situation. From these things, the public's attention was diverted first to statistical justification in terms of gross national product expansion, and more recently, to sloganeering programs and policies, while our international payment deficits continued and our gold supply dwindled.

Mr. President, recent figures indicate that our Treasury, as of February 10, 1965, has only $14,938 million of gold reserves, of which more than $13 billion is required under present statutes to back domestic currency and Federal Reserve deposits.

I might interject at this point to say that this is the first time in 25 years that this Nation's gold reserves have gone down below the $15 billion mark. They are below that mark now, and are still going down.

Considerably less than $2 billion is left in the gold reserves—I believe it is about $1.4 billion at this point—to meet the short-term dollar holdings of all the foreign governments in the world, which amount to more than $24 billion. So even if we had no gold reserve at all, as was suggested in the committee, by the Senator from Illinois [Mr. DOUGLAS], we do not have sufficient gold reserves to meet the demands of foreign creditors if they should all make their demands at once. I do not anticipate that that will happen, but we are under increasing pressure.

In July 1963, with the gracious consent of the chairman of the committee, I made a trip to Europe to talk with the central bankers and private bankers of four of our Western creditor nations. I was in England, France, Switzerland, and Italy. So far as our existing supply of gold is concerned, any two of those nations at any one point could place us in a position in which we could not meet those obligations, or we would have to take emergency action under the powers now given to the Federal Reserve, in order to take away the present reserves behind our dollar. Any two of those nations could do that at any moment, and they could have done so at that point. On my return from the trip I prepared a brief report, which was printed by the committee. I ask unanimous consent that the report be printed at this point in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

The Dollar Problem

(Report by Senator Peter H. Dominick on a factfinding trip to England, France, Switzerland, and Italy from July 22 to August 1, 1963)

U.S. Senate, Committee on
Banking and Currency,
Washington, D.C., July 9, 1963.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: Senator Peter H. Dominick, a member of the Senate Committee on Banking and Currency, plans to travel abroad this summer, leaving the United States about July 22 and returning about August 1. He plans to visit a number of countries in Europe, including, but not limited to, England, France, West Germany, Switzerland, and Italy, for the purpose of looking into various matters of interest to, and under the jurisdiction of, this committee.

It is requested that Senator Dominick be authorized to use local currencies where available, in accordance with the provisions of section 502(b) of the Mutual Security Act of 1954, as amended.

This trip is being made in conformity with the carrying out of the duties of the committee as set forth in section 136 of the Legislative Reorganization Act of 1946.

Sincerely yours,
A. Willis Robertson,
Chairman.

Letter of Transmittal

U.S. Senate,
Washington, D.C., September 30, 1963.

Hon. A. Willis Robertson,
Chairman, Banking and Currency Committee, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Transmitted with this letter is a report which has been prepared for the Subcommittee on International Finance of the Senate Banking and Currency Committee. This report, entitled "The Dollar Problem," was prepared as a result of my factfinding trip to England, France, Switzerland, and Italy, from July 22 to August 1, 1963.

I am hopeful that this report will be extremely helpful to the members of the Subcommittee on International Finance and to other Members of Congress in their considerations of the continuing balance-of-payments deficits and the continuing losses in our gold reserves.

Sincerely yours,
Peter H. Dominick,
U.S. Senator.

THE DOLLAR PROBLEM

(A report on a factfinding trip to England, France, Switzerland, and Italy from July 22 to August 1, 1963, by Senator Peter H. Dominick, submitted to the Subcommittee on International Finance of the Senate Banking and Currency Committee)

Background

With many others, I have been increasingly disturbed over our continuing balance-of-payments deficits and the continuing losses in our gold reserves.

With the invaluable cooperation and consent of the chairman, Senator Robertson; the subcommittee chairman, Senator Clark, and the ranking Republican member, Senator Bennett; I arranged through the State Department and through some personal contacts to discuss the problems noted above privately and informally with Treasury attachés, the respective Ambassadors, some private commercial interests and officers of the central banks in England, France, Switzerland, and Italy. I have retained in my file the names of all with whom discussions were held, and will be glad to make these available to any member, but because of the nature of the talks and this report it would be inappropriate to list them here.

At the outset, it might be helpful to set forth the dimension of the problems involved. Under the executive department's policy decision issued in 1934 foreign central banks may redeem their dollar holdings in gold held in our Treasury at a rate of $35 per ounce. Obviously if gold in the world market is worth more than $35 per ounce, it is advantageous to redeem dollars in gold. In the following table I is a list of the gold and dollar holdings of various countries and international organizations. As of the end of March, total potential claims against our gold exceeded $25 billion. Against this amount we then had $3.883 billion of free gold reserves over and above the approximately $12.5 billion required to back our currency.

Table I.—*Foreign gold and short-term dollar holdings as of Mar. 31, 1963*

[In millions of dollars]

	Gold	Short-term dollar holdings	Total
Austria	484	305	789
Belgium	1,372	183	1,555
Denmark	31	65	96
Finland	61	79	140
France	2,709	1,414	4,123
Germany	3,749	2,475	6,224
Greece	77	166	243
Italy	2,286	1,099	3,385
Netherlands	1,581	228	1,809
Norway	30	130	160
Portugal	476	157	633
Spain	514	190	704
Sweden	181	492	673
Switzerland	2,461	812	3,273
Turkey	140	22	162
United Kingdom	2,447	2,193	4,640
Other	322	241	563
Total	18,921	10,251	29,172
Canada	732	3,137	3,869
Latin America	1,153	2,445	3,598
Japan	304	2,233	2,537
Rest of world	2,271	2,082	4,353
Total foreign countries	23,381	20,148	43,529
International and regional	2,235	4,982	7,217
Grand total	25,616	25,130	50,746

Source: Board of Governors of the Federal Reserve System.

As of June 30, 1963, the comparable holdings of gold and dollar reserves held by foreign countries and international organizations were $25.896 billion and $25.825 billion, respectively, and our free gold reserves available to secure the foreign dollar holdings were only $3.459 billion.

In table II is a schedule showing our total gold reserves year by year from 1950. If these losses continue, we will be in technical bankruptcy within 2 to 3 years or be forced to lower the gold backing of our currency which might well start a further run on our remaining gold supply.

Table II.—*A schedule showing our total gold reserves year by year from 1950*

[In millions of dollars]

Year	Total gold stock	Month	Total gold stock
1950	22,820	1962—July	16,182
1951	22,873	August	16,139
1952	23,252	September	16,081
1953	22,091	October	16,026
1954	21,793	November	16,014
1955	21,753	December	16,057
1956	22,058	1963—January	15,974
1957	22,857	February	15,891
1958	20,582	March	15,946
1959	19,507	April	15,914
1960	17,804	May	15,854
1961	16,947	June	15,830
1962	16,057	July	15,667

Source: Federal Reserve Bulletin, August 1963, p. 1168.

The Federal Reserve Board has the authority to suspend, on a temporary basis only, the statutory 25-percent gold reserve backing our currency. This would certainly be considered an emergency situation, would undoubtedly create a dollar crisis, and would immediately trigger legislative action.

During calendar 1963 our imbalance of payments have been running at a deficit annual rate of $3.2 billion for the first quarter and $5.2 billion for the second quarter. The situation appears to be somewhat better in the third quarter, but the loss continues to be very serious.

Despite a favorable commercial trade balance, our imbalance of payments and the consequent gold losses continue, and can be traced to four fundamental expenditures and one economic factor: (1) Foreign economic aid; (2) military aid; (3) tourism; (4) capital investments in foreign securities; and (5) world gold consumption exceeding gold production. Although the balance-of-payments deficit may not be as large as reported, as statistically it includes short-term investments in other countries but not foreign short-term investments here, nevertheless the gold losses cannot be blinked away. A solution must be found.

It is plain, therefore, that the stability of the value of our dollar is in the hands of our creditors, the largest of these being, as shown in table I, France, Italy, West Germany, Switzerland, and the United Kingdom.

The timing of this trip was determined by the President's speech and proposed capital tax, the hearings held in July by the Joint Economic Subcommittee, and Senate duties.

General conclusions

1. Vigorous opposition by our creditors to any devaluation or reevaluation of our dollar.

2. Recognition by our creditors of the urgent need to correct our balance-of-payments deficits.

3. The President's proposed tax on use of our capital market for sale of foreign securities was badly timed, badly announced, and ineffective, particularly after the Canadian exemption was announced.

4. The increase in the Federal Reserve rediscount rate is helpful, but probably will not cure the long-term problem.

5. An increase in long-term interest rates would attract foreign capital and decrease gold losses.

6. A revaluation of our dollar would disturb France and Italy more than Switzerland and the United Kingdom, but would be matched promptly by all countries except Switzerland. The latter might try to reduce inflationary forces by raising the proportionate value of its franc by about 5 percent.

7. Balancing of our national budget and a dramatic cut in foreign economic aid would tend to stabilize the value of the dollar.

8. France shows increasing concern over purchases by U.S. citizens of controlling or substantial interests in key industries, but has not yet decided whether to invoke strictures on such transactions.

9. Switzerland will continue to "sterilize" dollar deposits from out of the country so that they cannot be invested in the country. In addition, it will continue to charge the depositor instead of paying interest on the deposit. Despite these steps, dollar deposits are increasing.

10. Gold production continues to fall behind gold consumption and gold hoardings, and the pressures on raising the price of gold to stimulate gold production increases each year. Any closing of the South African gold mines for commercial or political reasons would institute a sharp crisis in present currency transactions.

11. There is growing discussion in Europe of the need to adopt a universal Common Market reserve currency to back their own individual currencies. It would appear that this is a long-range program to fit into further political integration of the European countries. If it should come into effect, and this is still very doubtful, it would have an enormous impact on international trade and the currency systems of the United States and other countries of the free world not within the Common Market.

Recommendations

1. Hearings should be held to determine the advisability of amending section 16 of the Federal Reserve Act (the section setting up the 25-percent gold backing of our currency). These hearings would assist in publicizing our dilemma, the need for budget cuts, the advantages and disadvantages of metallic backing of our currency, the reasons for the gold ratio now in the law, and the measures used by other countries to stimulate gold production. These hearings should be held jointly with the Minerals, Materials, and Fuels Subcommittee of the Senate Interior Committee, which has jurisdiction over legislative matters dealing with gold production and the measures now or in the future needed to stimulate such production.

2. Consideration should be given to positive legislative steps to place our national budget in balance in order to reduce pressures on the dollar. These steps could take a number of different forms: e.g. (a) a joint effort by committees to tie any effective tax cut to a balanced budget; (b) recommendations for a joint budget committee; (c) a series of statements on the floor of the Senate to emphasize the problem with specific recommendations in reducing Federal expenditures by flat percentages; (d) hearings by the International Finance Subcommittee of the Senate Banking and Currency Committee and the Senate Foreign Relations Committee to determine more exactly recent changes in administration of the International Monetary Fund in connection with Senator JAVITS' resolution calling for an international monetary conference.

United Kingdom

South Africa produces over 70 percent of the world gold supply and provides legislative incentives to keep production profitable. Hence, any increase in the price of gold by revaluation of the dollar would further stimulate production and enhance the economy of that area. Failing this, there is a good possibility that the price-cost squeeze on gold now in effect will require many of the South African mines to close within the next 5 or 10 years. Since world consumption of gold for monetary, industrial, commercial, and artistic purposes, completely excluding the hoarders, substantially exceed world production of gold, any shutdown of these producers or a substantial proportion of them would create a real crisis in the London gold market and probably would result in further runs on our gold reserves.

The United Kingdom currency reserves are held in the approximate proportion of 90 percent gold and 10 percent dollars. This represents a considerably larger ratio of gold to dollars than France, Belgium, Sweden, and West Germany. Hence, a revaluation of the dollar, to which all were verbally opposed, would not affect the United Kingdom as much as those countries holding a larger proportion of dollars. If any revaluation of the dollar should take place, it should be in an amount high enough to reflect changes in prices since 1935; i.e., double the present price or more, as this would give a stable atmosphere to the new valuation while a more modest increase would lead to further instability with people of most countries expecting a further revaluation in the next few years.

Financing of our balance-of-payments deficits through the sale of bonds in foreign currencies provides some guarantee against revaluation of the dollar, but psychologically this can be pushed too far as it leads some to believe that such revaluation is presently being contemplated.

At least one person suggested that further consideration be given to Mooney's theory of establishment of universal reserves to back all free world currencies, the reserve to be managed by a small group similar to the executive group of the International Monetary Fund. However, there are problems involved in the creation of any additional international credit management group.

Another suggested that any revaluation include Cutherbertson's theory of arbitrarily apportioning gains and losses between countries holding gold and dollar reserves to avoid undue impact on any free world country which has held a large proportion of dollars in order to assist the United States in its effort to protect our free gold, and several stated that Dr. Jacques Rueff's theory of a return to the gold standard would unduly restrict liquidity and cause too much hardship to be practical. A majority of those contacted, not otherwise committed for political reasons, stated that the President's capital tax program has doubtful value from the U.S. point of view and is harmful to the United Kingdom's effort to expand its own economy. General approval was given to the raise in the rediscount rate.

There was general agreement on the premise that stability of the dollar and the pound depends to a large extent on psychological factors. Hence, balancing of our national budget and a sharp cut in foreign aid as one method to reduce expenditures would evidence our determination and tend to stabilize the dollar.

The United Kingdom's economy appears to be improving slowly. There is no immediate crisis in the pound and although the United Kingdom currency reserves appear somewhat low for financing her total trade, they are probably adequate for the moment, and are well balanced to avoid problems in the event we must revaluate the dollar. Since trade is so important, the ideological problems connected with trading with the Communists are dismissed as unrealistic, and in 1962 the United Kingdom had an imbalance of trade with the Soviet bloc of £98 million. The chance of changing this attitude at this time appears unlikely with existing political and domestic pressures within England.

France

France has cooperated with the United States in our dollar and gold problems to a great degree, even though she has been unwilling to purchase our short-term obligations repayable in French francs, and despite the political disagreements between President de Gaulle and President Kennedy. She has informally agreed to hold gold purchases to $30 million per month, but this eventually placed her in a position where the ratio of her own gold reserves was falling while dollar reserves increased. In addition, France has been prepaying the loans she received in 1945 and 1949, part of these being loans from the U.S. Treasury and part through the World Bank. These prepayments have substantially helped offset our balance-of-payments deficit. This in time will reduce the cushion which we have been using to balance our payments.

France's gold reserves had fallen below 67 percent of her total reserves as of July 1, 1963, the lowest ratio of any country except West Germany. To change this trend she has recently negotiated the purchase from the United States of an additional $112 million of gold. As of August 1, 1963, her reserves had been strengthened to the proportion of about 70 percent gold with the balance in dollars. There were some indications that the percentage of gold reserves would be increased to a 73-percent level as a slight hedge against a dollar crisis.

At the present moment, France has only $700 million of external debts, all owed to the United States, and barring unforeseen circumstances, it will continue to prepay this amount. Based on recent experience, the prepayment of these debts, plus regular amortization payments, should eliminate the external debt within the next 3 years.

Although France is becoming increasingly concerned over U.S. investments in key industries in France, she does not believe that the President's capital tax program was timely or strong enough and she feels that the United States will have to impose exchange controls. She heartily approves of the raise in the short-term rediscount rate. In a banking sense, France does not care to distinguish between private investment and governmental funds, and feels that the Government should control both avenues of financing at all times. In addition, it was stated that a sharp cut in foreign aid imposed by Congress would increase faith in our determination to protect the dollar and would thereby stabilize its value, even though some countries might object.

As in London, great emphasis was placed on the psychological factors involved in currency transactions and the need to reaffirm faith in the stability of the dollar. As a result, considerable reluctance to discuss possible reevaluation was evident. Dr. Jacques Rueff's theories of stabilizing currencies by a return to the gold standard were well known and dismissed as impractical and incorrect, and the problem of decreasing gold production was recognized but treated as relatively unimportant.

A revaluation of the dollar in terms of 1963 prices ($75 to $78 per ounce) would have an adverse political effect on France as it would result in penalizing one of the few countries that has been trying to assist us in our gold loss problems by retaining dollar reserves.

Obviously the penalty term is not realistic as it would merely involve loss of potential profit, not loss itself. In addition, two theories were expressed as to the possible effect of reevaluation on the gold hoardings in France, which are considered large, although no estimate of the amount involved was given. If it resulted in a reentry of the hoarded gold into the market, thus assisting in stabilizing the supply and demand for gold, it would also create strong inflationary pressures which are already in evidence and against which President de Gaulle is fighting.

On the other hand, the hoarders might feel that this was only the first step in the rise of the price of gold and continue to hoard gold against future price increases. In the former event, the additional gold would create inflationary problems, and in the latter event, it would fail to stimulate the needed gold supplies. It seemed evident that both theories were advanced to discourage any further talk on revaluation and to emphasize the basic belief in the integrity of a managed currency with no metallic backing, despite the historical record of the catastrophes which this created in relatively recent French and German history.

France's economy is growing rapidly and despite strenuous effort by the Government inflationary pressures are strong. Defense budget expenses are still high despite the end of the Algerian affair, because of the emphasis on development of nuclear weapons. It is doubtful whether France will join any nuclear test ban, as President de Gaulle's concept of history places France as the defender of Europe, and he is unwilling to turn that role over to the United States. Although the Communists poll a large number of votes, our Embassy personnel feel that their actual power is not strong. This is based on the theory that large numbers of dissatisfied French traditionally vote for the party on the extreme left of the ballot and this position has been preempted by the Communists. Hence, the vote is large, although the number of card-carrying Communists may be small.

Switzerland

The Swiss commercial banking system is, of course, worldwide in renown and in operation. There is little doubt that in the eyes of the world the Swiss franc is more stable than any other currency and, consequently, whenever there is a ripple of uncertainty as to the stability of the dollar or any European currency, the Swiss banks receive an inflow of capital. This has created problems for the Swiss economy, as well as many benefits. For 2½ years inflation of about 3 percent has been occurring in Switzerland, and it has worried many of the commercial and political leaders. Despite a continuing commercial trade deficit the overall balance of payments is favorable because of the large inflow of foreign capital. This foreign capital in turn increases the inflationary pressures and hence the Swiss have taken measures to curtail its scope. For some time regulations have been in effect requiring a foreign depositor to pay the Swiss banks for deposits made and all such deposits are "sterilized" (i.e., may not be used for any investment in Switzerland). On the very day of the announcement of President Kennedy's possible exemption of Canada from our capital tax, $3 million were deposited from the United States.

The Swiss Central Bank holds reserves in an approximate proportion of 96 percent gold to 4 percent dollars, and the overall holdings in Switzerland are closer to 110 percent gold. This in turn has created some liquidity problems for Switzerland, although no concerted drive is in process to increase dollar holdings. The Swiss have purchased U.S. bonds payable in Swiss francs rather than dollars in order to assist us in financing our balance-of-payments deficit without creating more pressure on our gold reserves, and is willing to repeat the process. It was clearly indicated that this was not a continuing offer in terms of time and that while the process might help us over the short-term hump, it would not clear the long-term bump.

My attention was called to a portion of a book written by Dr. Lary, of Princeton, discussing foreign trade problems and indicating that our statistical system of computing our balance-of-payments deficit was inaccurate. Apparently the Treasury includes in its computation all short-term outflows of capital, but does not offset this with the corresponding short-term capital inflows which in 1962 were estimated to equal $1.2 billion. Although this is an interesting fact, the critical balance-of-payments figure is never less than the amount of our gold outflow, which in 1962 equaled $833 million and is presently running higher than that on an annual rate basis.

Revaluation of the dollar in terms of gold would, of course, substantially increase Switzerland's credit base because of the very high amount of gold in its currency reserves. However, the inflationary pressures which this would create were believed to be far more dangerous. Therefore, the Swiss join the English and the French in recommending against it. If revaluation should occur, it is probable that all other countries except Switzerland would revaluate their own currency to maintain present proportionate values. Switzerland, to reduce inflationary pressures, might set its franc 3 to 5 percent higher than present comparative values.

Once again, psychological values in currency stabilization were emphasized. All emphasized that President Kennedy's proposed capital tax was too little, too late, and probably would act adversely to the NATO economy, particularly with the Canadian exemption and similar concessions which would be given to Japan, and all endorsed the raise in the rediscount rate. It was felt that a sharp cut in foreign aid by Congress would strengthen belief in the stability of the dollar and that some additional share of the cost of the military assistance should be absorbed by the countries assisted and their neighbors.

Additional suggestions for balancing our payments ranged from subsidizing interest rates in the United States for foreign investors and depositors, to imposition of exchange controls on capital investments abroad, although most were aware of the difficulties involved in enacting any such proposals. Once again sharp questions were asked about the need for continuing a nationally imbalanced budget and reference was made to the increase in our own gold reserves in 1956 and 1957 when the national budget was balanced or in slight surplus.

Italy

Italy has been growing economically very rapidly and this has put substantial pressure on wages and prices. The growth rate has been somewhat slowed recently but it is still progressing rapidly.

The Italian lira, like the French franc, is completely controlled by the Director of the Central Bank, and its value can be set at any level by his own decision and order. Although U.S. investments in Italy have been received somewhat more cordially than in France, the same fear of loss of control over key industries was expressed. No indication, however, was given that any direct restrictive measures would be imposed and the probability of this happening is small because of the overall need for capital investments for industrial and commercial growth.

Since the lira, like the other European currencies, is keyed in value to the dollar, any discussion of revaluing the dollar raises great concern. Italy's central reserves are apportioned approximately 78 percent gold and 22 percent dollars. Total reserves are not high in terms of their foreign trade, but appear adequate. It was stated strongly that revaluation of the dollar would be taken by the Communists in Italy as a sign of Western economic weakness and would substantially increase their power at the polls in the next election. Since they polled 25 percent of the total vote in this spring's election, this could be very serious. In addition, the relative low proportion of gold to dollars would mean a loss of potential profit and the Italians are no happier over this than were the French.

The attitude toward currency stabilization measures followed that of the other countries. It was felt that the proposed capital tax was too late and largely ineffective, that the rediscount raise was helpful, that the national budget must be balanced to stop our continuing gold losses, and that a cut in foreign aid funds would be a step in the right direction. Considerable skepticism was expressed about the need for any gold backing of the dollar and interest in a universal currency reserve managed by the central bankers of the Western Hemisphere was expressed. Examples of the disasters into which managed currencies have historically fallen were brushed aside on the basis of the integrity of the existing heads of the central banks, although no one undertook to guarantee either their longevity or tenure.

Summary

It seems apparent that there are a number of extremely serious problems which should be studied and acted upon before potential disaster becomes actual. The first involves the very fundamental question of whether gold is needed to back a stable currency. If it is, then we should so state as a matter of policy, take steps to stop our gold losses, and find a means to stimulate gold production particularly in the United States. If it is not, then we should take successive steps to lower or eliminate the required gold backing of our currency so that we can avoid a crisis which looms ahead and which is approaching ever more rapidly with our ever increasing imbalance in payments. The second is to publicize the need for balancing our national budget.

This report should not close without expressing my appreciation to the Embassy staff members who arranged many of the meetings and schedules and to the heads of the central banks who spoke freely and frankly. As I have stated to many of the people involved that our conversations were not for public record, but for my own information and that of committee members, I have not attributed any opinion, fact, or conclusion to any particular individual.

Respectfully submitted.

PETER H. DOMINICK,
U.S. Senator.

Mr. DOMINICK. All I tried to do in the process of traveling in Europe was to talk informally with people and gain some concept of what they felt we ought to do in order to correct our balance-of-payments situation and strengthen confidence in the dollar.

Two separate issues are involved. The very first thing every single one of them, without exception, said was, "Why do you not balance your budget?"

I said, "That is something we have been talking about for a long time, but we seem to have a great deal of difficulty in Congress in obtaining sufficient support to strengthen our budgetary system, to balance the budget, and thereby to create a hard dollar, as it used to be called, as a sound basis for world currency.

"If such action is politically impossible—and it certainly seems to be politically impossible at this point—the next thing we can do is to make a dramatic cut in foreign aid."

That is another thing that a great many of us have been trying to do for 2 or 3 years.

What has happened? Every time we make the effort, we are told by the administration, "We cannot afford to balance the budget, because if we do, we will create some kind of deflation. We must continue deficit spending."

When we maintain that foreign aid ought to be reduced, we are told, "If you do that, you will ruin our position in the world." I do not believe that either of those things are true, but, politically speaking, we have been unable to accomplish either result. As a result, we continue to have an imbalance in our international transactions, and we continue to have deficit spending, which has a tendency to inflate the value of the dollar.

We know that some steps must be taken to ease the difficulties in which we are now placed. But if we merely make more free gold available on demand, which is what we are doing with the administration program, without enacting policies to change the reasons for that demand, what we are doing is saying, "We are in a bind. We are willing to provide short-term remedies as long as our gold lasts. When it is out, we will think about doing something else."

Frankly, that is the language of a government caught off base through its own inability or unwillingness to apply self-discipline.

I should like to refer to some charts which I have obtained from the Department of the Treasury and the Federal Reserve. In December 1963 there were $15,513 million of gold reserves—in round figures, around $15.5 billion.

By December of 1964, 1 year later, we had $15,388 million of gold reserves. We had lost about $280 million worth of gold.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question at this point?

Mr. DOMINICK. I am happy to yield.

Mr. LAUSCHE. Is it not a fact that during that period our Government was pressing our foreign long-term debtors for advance payments on their debt, and that during that period we also borrowed from our friends in order to minimize the impact of the dollars flowing out under the normal procedures?

Mr. DOMINICK. The Senator from Ohio is absolutely correct. In fact, when I was in France one of the points that was made, was that they had been prepaying their debt to us. I am talking about July of 1963. France had been deliberately holding down its call for gold for the dollars which they were holding; and their total gold reserves compared to their total reserves was at a lower ratio than that of England, Switzerland, or Germany. They were about on a par with Italy at that point.

Mr. LAUSCHE. I should like to have the Senator either confirm or reject the following statement: We were told that our balance-of-payments position during the past several years had markedly improved. However, during that time, we were borrowing hard currency from foreign countries, begging them to make advance payments on their long-term debts, and begging them not to call for gold.

Mr. DOMINICK. That is absolutely correct. I very much appreciate the contribution that the Senator from Ohio has made. He has called attention to a part of the problem, and one of the reasons why we are caught short now. We have been covering up our problem for 2 or 3 years. Now we are suddenly faced with it because of the demand, amongst others, of President de Gaulle of France, who has intensified his drive to try to get his reserve holdings in gold, after trying to cooperate with us for many years prior to the last few months.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. LAUSCHE. I have sent to my office for a letter which I received from the Secretary of the Treasury showing what we were doing during that period to find a palliative or sedative without resorting to curative measures. I should like to have that letter placed in the RECORD. It will show the money we borrowed and the money we received in advance payment on the debt—all for the purpose of making it appear that we were not in trouble on balance of payments.

I have now received that letter. I read from it the following statement:

> The U.S. Government has borrowed $250 million from the International Monetary Fund since January 1, 1962. Half of this amount was borrowed on February 13, 1964, and the other half on May 28, 1964.

That is the borrowing from the International Monetary Fund.

I read further from the letter:

> Between January 1, 1962, and June 30, 1964, the U.S. Government received $1,028,500,000 of advanced payments on indebtedness due to the U.S. Government. Of this amount, about $133 million consisted of relatively small prepayments by the Export-Import Bank borrowers, and these prepayments were not associated with efforts to ease the U.S. balance of payments during the period.

I read still further:

> The U.S. Government has issued $1,154 million of special nonmarketable foreign currency bonds to foreign central banks and governments since January 1, 1962, to help ease the balance-of-payments situation. Of this amount, $200 million has been repaid.
>
> The U.S. Government also has outstanding $30 million of certificates of indebtedness denominated Swiss francs.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, July 30, 1964.

Hon. FRANK J. LAUSCHE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LAUSCHE: I am glad to furnish information in reply to the questions contained in your letter dated July 27, 1964, concerning U.S. Government borrowing abroad. The summary answer to each question is given below and the details which you requested are shown in enclosures A and B.

The U.S. Government has borrowed $250 million from the International Monetary Fund since January 1, 1962. Half of this amount was borrowed on February 13, 1964, and the other half on May 28, 1964.

Between January 1, 1962, and June 30, 1964, the U.S. Government received $1,028.5 million of advance payments on indebtedness due to the U.S. Government. Of this amount, about $133 million consisted of relatively small prepayments by Export-Import Bank borrowers, and these prepayments were not associated with efforts to ease the U.S. balance-of-payments position during the period.

The U.S. Government has issued $1,154 million of special nonmarketable foreign currency bonds to foreign central banks and governments since January 1, 1962, to help ease the balance-of-payments situation. Of this amount $200 million has been repaid. The U.S. Government also has outstanding $30 million of certificates of indebtedness denominated in Swiss francs.

The U.S. Government has not borrowed money from other agencies to help the balance-of-payments situation.

The Federal Reserve System has established a network of short-term swap arrangements with various foreign central banks, under which mutual exchange of currencies may take place for limited periods of time in order to facilitate official operations in foreign exchange markets and avert speculative pressures on particular currencies.

Traditionally, foreign holders of liquid dollars have held sizable amounts of those dollars in the form of marketable Treasury securities as working balances, investments, and reserves.

Sincerely yours,

DOUGLAS DILLON.

Mr. LAUSCHE. I merely say that instead of getting to the root of the evil, instead of doing something constructive, we have been using palliatives and sedatives. Now we are up against a wall; we cannot move.

I feel certain that the Senator from Virginia [Mr. ROBERTSON] would not be advocating this measure in the Senate today except that there is no other place to go. We have fallen into a pit, and we cannot get out of it.

I still do not want to say that I shall vote for the measure; I think it would take us down the road of destruction, so far as the dollar is concerned.

Mr. DOMINICK. I deeply appreciate the further contribution that has been made by the Senator from Ohio. He has pinpointed some of the real issues involved in the discussion. This is a subject which most persons feel is so complicated that they do not want to try to understand it. Nevertheless, it may be one of the most important discussions we shall conduct during the progress of this session of Congress.

What we are trying to do is to determine whether we shall embark upon the initial step of a program to take away metallic backing from the dollar and create inflation in the dollar, or hold firm and take the necessary steps, hard though they may be, to try to do something to correct, in a preventative way, our imbalance of payments.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. I interrupted the Senator from Colorado while he was discussing the difference in the gold reserves between 1962 and 1963. He had said, when I interrupted him, that the gold reserves were $15,800 million in 1963, and, as I recall, $15,700 million or $15,900 million in 1964.

Mr. DOMINICK. If I may correct that statement, in 1963 the gold reserves were $15,500 million; in 1964, $15,300 million, or a $200 million loss of gold.

But consider what has happened in the last month and a half. We have lost

$450 million in gold in that short time. For the first time in 25 years, as I have said, our gold reserves are below the $15 billion level.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. WILLIAMS of Delaware. In line with what the Senator from Ohio has said about the money we borrowed from European countries as a plan to check the outflow of gold, it should be stated that the money we have borrowed in the past 3 or 4 years from European countries was borrowed with a provision in the contracts that in effect promises to repay in $35-an-ounce gold. In other words, the lenders are guaranteed against any devaluation. For example, should there be a devaluation of gold by one-half or raise the price of gold to $70 an ounce, the U.S. Government would pay twice as much as originally borrowed. The lenders would be paid in $35-an-ounce gold.

Mr. DOMINICK. That is exactly correct. It is an extremely good point. If we devalue, we shall have to pay twice as much.

Mr. WILLIAMS of Delaware. We shall have to pay in direct proportion to the amount of devaluation.

It is significant to point out that American citizens who are buying Government bonds would receive no such protection. They would be penalized. If they were repaid for their Government bonds under a similar arrangement, they would be paid not double, but one-half of the amount they invested.

This is true because the purchasing value of their dollar would be arbitrarily cut in half.

This is an effect of devaluation that is far too often overlooked.

Mr. MUNDT. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. MUNDT. I am happy to join the Senator from Colorado in offering the amendment, because it seems to me that it moves in the direction of trying to correct the problem which the Senator from Ohio [Mr. LAUSCHE], has so eloquently and graphically described. Even the sponsors of the bill introduced by the Senator from Virginia [Mr. ROBERTSON], refer to it as stop-gap legislation. As I analyze the bill, it seems to me that the emphasis should be on "gap" instead of "stop," because the bill does not do much to close the gap; it merely recognizes that the gap exists and seeks to delay the evil day of ultimate settlement.

What the Senator from Colorado, the Senator from Ohio, and the Senator from South Dakota are interested in is doing something to stop the conditions which lead to the gap. This we are not doing effectively by the proposed legislation.

A little later in the day the Senate will have an opportunity to vote on another amendment, one which the Senator from Alaska [Mr. GRUENING], and I have sent to the desk, which is designed to stimulate American production of gold. We have gold "in them thar hills" in the United States. We can supply large additional amounts of gold once the mining of gold is made a profitable venture. So long as gold mining is to continue to be compensated at the rate of $35 an ounce, the price set in 1933, and must sustain the cost of production prices three decades later, at 1965 levels, it is only the rare gold miner who can afford to produce that precious metal.

While we are engaged in an economic and ideological contest with Russia, where gold production is rising, our gold production is declining, because of the failure on the part of our Government to do anything to make gold mining profitable or even successful.

One of the great benefits of the approach taken by the Senator from Colorado is, first, that it recognizes that there is little "stop" and mostly "gap" in the bill now before us; second, it provides for another review at a later time and also a stimulus to do something about getting at the root of the problem—at least, by producing available gold to try to solve the problem.

I congratulate the Senator from Colorado on his initiative in offering the amendment. I shall certainly support it. The Senate should go about the business of getting at the root of the problem.

The palliatives, the postponements, the deferments of an evil day we cannot even be sure will succeed to that extent, because when the evil day comes, conditions may, in fact, be worse because of our failure to go to the root of the problem now.

Mr. DOMINICK. Mr. President, I thoroughly appreciate the support of the amendment by the Senator from South Dakota. Once again, the real issue has been pinpointed.

The administration tells us it must have room to maneuver, and that the acceptance of its proposal will increase our free gold holdings by a factor of three or more, if this is correct. But is this necessarily what we want to do? It certainly is a maneuver; but what does it do? Among other things, it leaves Federal Reserve deposits in a position in which the Federal Reserve can inflate either by itself or through its member banks, and thus create more inflation.

We have been experiencing an increase in the issuance of Federal Reserve currency, both in notes and in total deposits. The Federal Reserve Board has supplied me with a table showing what has taken place in the increase of Federal Reserve notes, starting in 1914. Senators might be interested to know that in that year there were only $11 million of Federal Reserve notes, and $301 million of total deposits in Federal Reserve banks.

In the past year, there has been an increase of $3.5 billion of Federal Reserve notes outstanding, and also an increase of $1 billion in total deposits. So it is obvious that we are in an inflationary cycle.

Whenever we take off the gold reserve behind Federal Reserve deposits, we are simply accentuating the trouble.

Mr. President, I ask unanimous consent that the table supplied by the Federal Reserve may be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

The table is as follows:

End of year figures, 1941–64

[In millions of dollars]

Year	Federal Reserve notes	Total deposits
1914	11	301
1915	189	452
1916	275	879
1917	1,247	1,583
1918	2,659	1,808
1919	3,009	2,022
1920	3,336	1,861
1921	2,409	1,876
1922	2,396	1,974
1923	2,247	1,960
1924	1,862	2,311
1925	1,838	2,257
1926	1,851	2,276
1927	1,790	2,531
1928	1,838	2,440
1929	1,910	2,414
1930	1,664	2,517
1931	2,624	2,125
1932	2,739	2,561
1933	3,060	2,865
1934	3,221	4,405
1935	3,709	6,386
1936	4,284	7,109
1937	4,284	7,577
1938	4,452	10,088
1939	4,959	12,941
1940	5,931	16,127
1941	8,192	14,678
1942	12,193	15,194
1943	16,906	15,181
1944	21,731	16,411
1945	24,649	18,200
1946	24,945	17,353
1947	24,820	19,731
1948	24,161	22,791
1949	23,483	18,906
1950	23,587	19,810
1951	25,064	21,192
1952	26,250	21,344
1953	26,558	21,422
1954	26,253	20,371
1955	26,921	20,355
1956	27,476	20,249
1957	27,535	20,117
1958	27,872	19,526
1959	28,262	19,716
1960	28,449	18,336
1961	29,306	18,451
1962	30,643	18,722
1963	32,877	18,391
1964	35,343	19,456

Source: Financial Statistics Section, Division of Data Processing, Board of Governors of the Federal Reserve System.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. SALTONSTALL. I have not heard all of the Senator's discussion, but it seems to me that two questions are involved. First, What are we to do about the gold backing of Federal deposits and currency? Second, Shall we make a study as to why we have an imbalance of payments with other countries: in other words, why our imports are constantly greater than our exports, necessitating the outflow of gold?

There is a gold outflow. It seems to me that the proposal of the Senator to have a congressional committee study the problem of our balance of payments is one point. The other point is whether we want to have gold behind the Federal Reserve deposits.

As I understand, some very responsible bankers do not believe that we should have any gold behind our deposits of currency. I believe that the principal reason for having gold behind it is mainly psychological. Therefore, it seems to me that this is a step which it is necessary to take now in order to meet the demands of other countries. If the Senator were to propose that a commission be created to study the imbalance of payments, I should think he would be on extremely good ground. But I do not believe the two things should be considered together.

Mr. DOMINICK. Mr. President, I very much appreciate the comments made by the Senator from Massachusetts. First of all, our exports, so far as our commercial trade is concerned, as I am sure the Senator well knows, are far in excess of our imports. So we have a very favorable balance in that respect. But, our oversea commitment, so far as military aid and foreign defense are concerned, wipes that out. That, plus the short-term investments that we have abroad, has been giving us a constant and perpetual deficit in our balance-of-payments situation for a great many years.

Mr. SALTONSTALL. And the tourists also.

Mr. DOMINICK. And the tourists. There is a continuing outflow of gold in that situation. Other countries want to accumulate something besides dollars in their currency. So they take our dollars and ask for gold.

There has been a continuing decline in the amount of gold reserve. The two things are not necessarily related. First of all, we must take some action now. Our gold reserve is so low that we could be placed in a serious and embarrassing position by further calls for gold on a worldwide basis.

As the Senator from South Dakota stated, this is a palliative. We are now merely placing a band-aid on a running wound. We must get specific legislative proposals designed to do two things. It seems to me that one is to cure the imbalance of payments so far as our gold outflow is concerned. The other is to increase the oversea flow of dollars. The best and quickest way in which we can do that is to take active steps to balance our budget.

These two things were pointed out clearly in testimony given before the committee by Henry J. Taylor.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. Mr. President, if the corrective measures described just now by the Senator from Colorado are not taken, what does the Senator anticipate will happen to the 25-percent gold support which is now behind the Federal Reserve $10 and $20 bills that we carry?

Mr. DOMINICK. I would suggest to the Senator that, without taking any steps in this matter, merely providing more gold would not be recognized, overseas at least, as an indication of strength in our obligation. This would be recognized as a weakness in the dollar. So, the demands for gold would accelerate. Then we shall be up against the same position. We shall have to take away the gold support which is over our dollars. Then a $1 bill will be a piece of paper. A $10 bill will be a piece of paper. A $20 bill will be nothing but paper. The value of our currency will be determined by fiscal managers here and elsewhere.

Mr. LAUSCHE. In other words, under existing law there is a 25-percent gold certificate supporting every Federal Reserve note that is issued.

Mr. DOMINICK. That is correct.

Mr. LAUSCHE. I believe that $35,343 million of Federal Reserve notes have been issued.

Mr. DOMINICK. That is correct, as of the end of 1964.

Mr. LAUSCHE. About $8,400 million in gold is required to support those notes.

Mr. DOMINICK. That is correct.

Mr. LAUSCHE. The bill pending before the Senate would not at all affect that gold support.

Mr. DOMINICK. That is correct.

Mr. LAUSCHE. But it is the belief of the Senator from Colorado—and it is my belief—that what we are doing today is a mere beginning. Since this is a palliative and does not get to the roots, I would say that before 2 years had passed there would be a bill before us seeking to remove the 25-percent gold support of the Federal Reserve notes.

What anchor would we then have, other than the fluctuating minds of individuals, against printing-press money?

Mr. DOMINICK. We would have absolutely nothing. I remember talking with some of the bankers in Italy in July 1963. I asked, "What determines the value of the lire?" The central banker said, "I do, all by myself."

I do not want any one man, regardless of political party, saying to the people of the United States that one man shall determine what the value of their earnings is. This is the wrong system for any country to operate upon.

Mr. LAUSCHE. Mr. President, is it not a fact that we now have what we would call a hitching post or an anchor which states to the officials in charge of the monitorization, "You cannot print more than $1 in paper currency for every 25 cents that you have in gold?"

Mr. DOMINICK. The Senator is correct.

Mr. LAUSCHE. Mr. President, this means that we would have a rule of law instead of the discretion of substantial, politically minded persons with fantastic ideas of what the Federal Government ought to do. But inasmuch as there is no money to support the currency, they would begin to print money to do the job.

Mr. DOMINICK. I completely agree with the Senator from Ohio. This colloquy sounds as though the Senator from Ohio and I had discussed this problem before we came to the Chamber. I assure my colleagues that this is not true. We had not even mentioned it to each other.

I have before me an article written by Prof. Karl Brandt, professor of economics policy, director, Food Research Institute, Stanford University. It was delivered on April 8, 1964, at the annual meeting of the Christian Freedom Foundation, Inc., in New York City. It is entitled, "The Relationship of Sound Money to Freedom."

The article brings out exactly what the Senator from Ohio has been talking about, with specific examples as to what has happened in other countries.

Professor Brandt is a distinguished citizen. He was a member of the German-American Economic Conference that was held in Berlin last November, which many of us attended. The article, discussing the effect of managed and inflated currency on people, concludes this way:

> Neither employers nor labor unions, neither farmers nor government employees, neither students nor retired people—irrespective of color or creed—will escape the severest consequences if by irresponsible pressure group tactics and something-for-nothing giddiness they precipitate events that follow in inevitable sequence. These are: First, renewed acceleration of inflation; second, its aftermath, severe depression; and third, its cure by expansion of the public sector of the economy, which costs a bitter toll of freedom. Since eternal vigilance is the only guarantee of liberty, the elite of civic-minded substantial citizens must have the danger of chronic inflation constantly on their conscience and guide public opinion accordingly.
>
> If in the course of a presidential election year our imbalanced international payments position should be glossed over and the urgently needed corrective action postponed indefinitely, our Nation may awaken eventually to the appalling realization of a dollar crisis of frightening proportions. Then the day of reckoning will call for hard-hitting emergency controls.

I ask unanimous consent to include the entire article at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE RELATIONSHIP OF SOUND MONEY TO FREEDOM—THE DANGERS OF INFLATION

(By Karl Brandt, professor of economic policy, director, Food Research Institute, Stanford University, delivered at the annual meeting of the Christian Freedom Foundation, Inc., New York City, April 8, 1964)

Mr. Chairman, ladies, and gentlemen, when Dr. Kershner honored me with the invitation to address you tonight on the subject of the importance of stopping inflation I had considerable doubt whether it would be possible for me to live up to the expectations of so well-informed and sophisticated an audience as this august assembly. The topic has been under public discussion for decades and still is. It seems virtually impossible to add any new factual information on it. Yet, economics is a social science that belongs in the realm of the humanities and deals with the means toward an end. The end is the pursuit of happiness by individuals and families within the frame of values of their society. In our country this frame of values is anchored in the Constitution and the Declaration of Independence. Particularly when dealing with matters of economic policy the economist is duty bound not only to consider what was and is being done, or what theoretically and technically could be done. He must use his judgment on what in the context of those undebatable values of his society ought to—nay, must—be done.

In the agonizing engagement of Western civilization on a worldwide scale with the forces of inhumane materialism, meeting the challenge, in essence, requires that we sift a few issues of strategic importance from a myriad of fascinating but trivial distractions for the curious intellect. What matters in this context in our time of truly apocalyptic peril is, therefore, not the pretentious juggling of technical aspects of price movements or speculative mathematical analyses of high potential rates of economic growth assertedly attainable by easy money policies and deficit financing of more defense expenditures and public works. Quite the contrary.

What is needed, in my view, is a sober, deadly earnest and courageous weighing of the moral issues that are at stake when inflation move continually and persistently—issues that penetrate to the very foundation of any political system of representative government by law. Deliberate controlled inflation is a legitimate institutional setting and a perfectly normal policy in any tyrannical system of totalitarian rule—irrespective of its origin, its ideological trimmings, or its specific materialistic power goals. Although inflation occurs also in political democracies it is neither compatible with the institutional setting nor can it be a legitimate policy. It is, on the contrary, one of the typical malaises and serious social and political diseases of the humane economy, and has been such ever since the French Revolution. Not only corrupt or perverted democratic systems contract the endemic disease but even very idealistic and civilized democratic regimes in most advanced countries tend to produce the germs spontaneously. To build antibodies and to gain immunity to it must be one of the primary concerns of the elite of civic-minded responsible citizens in any country where freedom in the Christian sense is to prevail.

This highly infectious and destructive disease of human societies frequently makes use of brilliant intellects among economists, as well as ambitious politicians, administrators and even businessmen, as bacteria carriers at large, who sometimes infect others unwittingly but more often quite consciously and deliberately seed the germs. The causes of this endemic social disease have their roots deep in human nature, namely in man's voracious appetite for the satisfaction of more wants than can at best be achieved within a certain span of time—involving thus, in terms of Christian theology, the venial but potentially mortal sins of avarice and sloth. In plain secular language we may say that the appetite for substantial benefits without a share in the costs is a human trait which is being exploited by politicians everywhere.

What follows is only partly based on what I learned in universities about banking, money, and public finance, from following professional economic literature in several languages, from many years of discourse with colleagues, statesmen, bankers, and businessmen, and particularly from the years of service on the President's Council of Economic Advisers at the White House. The greatest lessons about inflation were indelibly burned into my mind by bitter personal experience in my native country in the years from 1914 through 1923. But should I have needed additional reimmunization treatment, I received it free of charge during my service as economic adviser to the U.S. Military Government in Berlin in 1945-46 and subsequently as guest professor in the Universities of Heidelberg and Göttingen in the years 1947–48. Perpetual education continued with observations in France from 1945 through 1961, and in the last few years by observation of the Latin American countries, particularly Argentina and Brazil.

This education by intellectual exercise, experience, and forever alert perception of incontrovertible evidence has led me to the solemn conviction that inflation is a process which is bound to corrode and consume the basic element of cohesiveness, public morale, and esprit de corps of any decent society; namely, the faith of the people in the basic fairness and equity of the economic system and its functioning. It is by faith that individuals and societies live.

When it becomes chronic, inflation has such hideous, farflung, uncontrollable and even untraceable consequences throughout a national economy and in its foreign relations that their aggregate effect of perversion cannot fail to stir the resentment of law-abiding and decent people to the point of social and political unrest and upheaval. Contrary to the people's intent, it throws them into the hands of radical Socialists, Communists and other cynical exploiters of despair. The fact that some gain fortunes at the expense of others without any quid pro quo and that there are those who succeed in holding their own while the majority—particularly the so-called middle class—loses everything, infects even a reasonable, fairminded and harmonious citizenry with the suspicion that economic processes may be motivated by class struggle instincts and are organized as a conspiracy against the ordinary average citizen.

These statements may sound extreme and doctrinaire, and may be suspect as exaggerations designed to make a more subtle situation clearly evident. To my regret this is not the case. I shall try to prove that what I have said about inflation is a true and coldly rational appraisal of social and political processes that can be tested by the more or less drastic results of inflationary economic policies and practices in a number of unfortunate nations in various stages of industrial development.

By inflation we mean a continual rise of the general level of prices in a country, a process that diminishes the purchasing power of the unit of the national currency, irrespective of the specific causes in each case.

The real crux of this process is that in any national economy there are, aside from the multitudes of current transactions in the market exchange of goods, services, and capital; also multitudes of term obligations in exchange of goods and services, some of short, others of medium, long, or longest term. All of these term obligations by contract involve a payment or transfer of goods, services, or capital at one moment and in exchange for it goods, services, or money in a steady flow of installments over a certain period of time or one single payment at the expiration date. Such contractual relations are generally made in good faith for longer periods, because both parties assume relative stability of the general price level; i.e., of the purchasing power of the currency over the duration of the contractual relation. Such basic long-term average stability of the general price level is compatible with some random or cyclical fluctuation of prices over a longer period of years.

If, however, the general price level begins a continuous ascent, meaning that inflation becomes chronic, profound repercussions are unavoidable. This holds particularly as soon as even a part of the public begins to take such change in price relations into account in their actions. The immediate result of the price rise is an unearnd gain by all those who are assured of a contractual flow of goods or services for which they have made earlier payment or will make fixed istallment payments. Or, if the purchase contract provided for future payment against fixed installments, the recipient of the installments becomes the beneficiary of unearned income. The tenant who rented an apartment on a long lease gets the full value of the service against payments which decline in a real value due to the reduced purchasing power of the currency units. He who bought life insurance or an annuity against payments until retirement pays far more and receives far less in real value than both parties had agreed to. How drastic the changes will be depends on the rate at which inflation proceeds and on the time period of the obligation. However, it must be well considered that even as small an annual rise in the general price level as 2½ percent amounts to at least 25 percent in 10 years, even without taking into account the compounded interest on the excess in former premium payments. A schoolteacher who wants to retire on a life insurance policy and pays premium installments for 20 years receives in real purchasing power when she retires only one-half of what she paid for and what would have enabled her to retire. The shocking result is that she cannot retire and, in order not to starve must continue to work until she dies. This shows how inflation causes unemployment, because this recipient of shrunken dollars disemploys another person.

Selling bonds, i.e., fixed-interest obligations has the same results. Hence gradually higher interest or prices way below par must be offered to sell the bonds. In countries with recurrent or chronic inflation, interest rates of 12, 13, or more percent are typical.

These are only a very few of the most visible results of inflation. In their aggregate these direct effects inject a serious element of fraud into long-term obligations, insofar as both parties are not equally well informed about the continuation of inflation, or make different assumptions. But in countries like ours when suddenly enough people make up their mind that inflation is a built-in device in public policy they sell their bonds and buy stocks, driving stock prices sky high—until they collapse, as we had it in 1961–62.

In such transactions as mortgages on property, life insurance policies, leases of farms or homes or factory buildings, the public and the government constitute an invisible and for the time being silent, but nevertheless very real, third party with a solid commitment to enforce the contract, if need be by brute physical law enforcement. This is because in the case of default of one party the courts must enforce the execution of foreclosure and forced sale or other fulfillment of the obligation. Usually the courts ignore the deterioration of the purchasing power of the currency. They will fine and send anybody to jail who uses faulty scales, weights, or bashed-in milk cans, but they look aside when the measure of all economic value of exchange for all goods, services, and natural and manmade resources is adulterated, and the currency unit acquires a quality of being counterfeited in all its real functions as medium of exchange.

Let me relate what happened in one of the most abhorrent test cases of our time. Deep searching philosophical and theological efforts in many of the world's metropolitan centers of thought continue to try to reveal the remote ideological causes of the total perversion of justice and civic virtue to the point of genocide and unspeakable barbarism that took place within not more than 10 years in one of the few leading countries of the West: Germany. Such recent efforts attribute responsibility for the greatest disaster in the history of the West to ideological shifts. In an attempt to pin the guilt ultimately on all citizens the cause is traced to romanticism, the enlightenment, the youth movement, shortcomings of Protestant and Catholic theology, the philosophy of Hegel, Nietsche, and many other ideological factors. All of these searching historians, political scientists, sociologists, anthropologists, and philosophers seem to overlook the impact of that economic earthquake of the years 1919 through 1923 the accelerating inflation which made a Walpurgis Night of witches and demons out of a previously orderly and stable free enterprise market economy.

With the brief interruption of the short and limited Franco-Prussian War of 1870–71, the German Nation of 58 million people had lived for 100 years from the end of the Napoleonic War until 1914 by puritannical standards, with a growing and remarkably stable economy. The workers, particularly the rapidly expanding middle class of white-collar workers, shopkeepers, craftsmen, and small businessmen, civil servants, teachers, and professional people, lived frugally, saved, bought life insurance, and invested savings in other ways to give their children a better education and provide more security and opportunity for their families. When World War I engulfed them they were struck as if by lightning out of a clear sky. In overwhelming unity all gave themselves and everything they owned to their country. The cream of the nation's youth volunteered. Citizens bought war bonds with their savings and gradually as the war of attrition dragged on delivered gold, wedding rings, and jewelery to the treasury. Housewives stripped their kitchens of copper and nickel pots and pans. Churches gave their bells for shells. At the end of more than 4 years of an exhausting war, 2 million of their men had died in battle and several million were crippled. Out of my class of 17 graduating from high school all but 4 of us died in combat duty. One-fourth of the best farmland in the east was lost and enormous reparations were imposed. But what followed was far worse. From 1919 through 1923—with civil war raging in major cities and Communist governments temporarily in power in several states, prices rose fantastically. Inflation was forced by gigantic federal, state, county, and municipal deficits and still rising budgets overloaded with social relief, reparation payments, and import needs. The Reichsbank and the courts stuck to the verdict "mark equals mark," meaning a banknote of 1 mark was the equivalent of 1 prewar mark that had been convertible into gold, just as our Government makes no differentiation between a dollar of prewar purchasing power and a current dollar of less than half that purchasing power when it calculates capital gains and taxes the gains.

I lived through all that. My parents had given their precious metals to the war effort and converted practically all savings into war bonds. Their life insurance, the insurance for my academic education, and all war bond savings were wiped out. In 1914 my father had loaned a physician the funds for equipping his clinic. The doctor repaid him in 1923 with the value of a few stamps.

In 1923, as manager of a farmers' cooperative I was paid according to civil service salary class X, which made me a pauper, because whatever raises were made in the city reached me with too much delay. But I had a motorcycle and could beat the inflation with its speed, because I received word over long-distance phone from Hamburg when the skyrocketing dollar had made another big jump and promptly went to buy in some small town something of real worth. For 1 year I lived mostly on the paper value of one electric motor I had bought. Of course, what I did was to pass the loss of purchasing power to him who sold me the goods. The farmers' cooperative association which employed me sold carloads of seed potatoes from the area between Hamburg and Bremen to farmers' cooperatives in the Rhineland. In 1923—the last phase of galloping inflation—to avoid losing the whole value by weeks of delayed payment, the board of directors sent me by express train to Bonn to collect the bill in cash. When I returned with a big suitcase full of paper marks, the following night the dollar had jumped again and more than half the real value was lost. A few days later I was a defense witness in a county court where a farmer was under the absurd indictment for usury because he had overcharged a few marks for potatoes. In selling the potatoes he lost actually a considerable part of his purchasing power. Little bank clerks and gigolos rode in expensive automobiles earned by repaying short-term debts in shrunken paper currency. Honest retailers, widows, formerly modestly wealthy people became paupers. When, in the midst of this bedlam, the French Army occupied the Ruhr to extort reparations and a young lieutenant who lost his nerve ordered machineguns fired on the crowd of striking workers at the Krupp steel plant in Essen, the leftwing pacifist workers turned nationalist and began to sabotage the French Army, while the first Nazi cells began to operate there.

In desperate revolt against this extortion of reparations in a stalled economy, the German Government deliberately wiped out the mark to one-billionth of its previous worth. The travesty of fairness, equity, and justice that was involved in this process gave the people who have lived by puritan ideals and faith in the symbols of lawful government the feeling that they were the victims of a hideous conspiracy by shrewd crooks in high and distant places of authority, like vampires that sucked the nation's shriveled wealth like blood from its arteries.

The evidence made such suspicion plausible to the farmer, the shopkeeper, the worker. Some people lost all their debts and had debt free real assets. Others had lost all their assets and acquired new debts which suddenly in November 1923, without warning, became hard stable debts at interest rates of 2 percent per month or more, i.e., 24 or 30 percent per annum. What made the end of inflation even more ominous was the fact that during the 4 years 1919–23 the farmers who had paid off most of their old mortgage debt had been urged by the Government and their organizations to increase production to prevent famine and had accumulated last minute new debts which they could not pay off prior to stabilization. In the last 6 months cities shifted to calculation in foreign currencies: Hamburg to pounds sterling, Bremen to U.S. dollars. Mortgage banks began to loan in terms of wheat or rye, and sold rye certification.

The chaos left by inflation was such that when the 4 following years of precarious prosperity privately financed by U.S. banks collapsed a destructive phase of deflation, or falling prices, rising taxes, and credit restriction made every third breadwinner unemployed. Then a mad corporal could begin to wreck Western civilization in a good deal of Europe and beyond, including most of all his own country. This time some 7 million Germans died and 100 million people all told.

However, when the mad corporal withdrew by suicide from the ruin he had caused, another phase of inflation ensued first under quadripartite and later tripartite military government. I suffered the pain of having to live through this renewed nightmare in the privileged position of an American economic adviser and later visiting professor. Cigarettes, lard, flour, CARE package contents, old clothes, kitchenware, or any useful consumer goods replaced the deteriorating currency—the paper mark.

The Germans knew the meaning of all this too well. More and more goods disappeared—even matches or sewing needles. In May 1948 I saw hundreds of workers sunbathing at Heidelberg on the banks of the Neckar River. They explained to me truthfully that they could not afford to work any longer because to get the soles of their only pair of worn shoes repaired in the black market cost more than 3 weeks' wages.

On June 20, 1948, the new German mark backed by the United States was introduced. In 3 days goods came out of hiding, and people ran for jobs. The restoration of the free market economy, based on fiscal and monetary responsibility and the reasonableness of the working population led within a few years to the triumph of a flourishing economy with a fabulous strength of monetary reserves.

But the German people have gone through the folly of inflation twice in a span of one generation, and they have no taste for more. If there is today in the Federal Republic of Germany, after Chancellor Adenauer and under Chancellor Ludwig Erhard, a real solid beginning of a decent society under God and His law, it has been built, with American support, on the foundation of the integrity of a stable currency.

Let me cite another country where people are in many ways far more sophisticated, and are far greater individualists than the Germans ever were: France. France too has gone through repeated phases of inflation caused by government expenditures far beyond revenues resulting from political pressure of the electorate. Combined with the freezing of rents for housing and farms and socialization of basic industries, it led to a vast capital flight into oversea investment and hoarding in nonproductive but stable value assets.

If France has finally been pulled out of this rut of stagnation at home and has a fabulous economic revival it is largely due to a policy of defending the currency after its devaluation, combined with a tax amnesty and the end of easy money and irresponsible fiscal and wage policies.

At the moment, inflation is rampant in large parts of Latin America, worst of all in Brazil. I just returned from several weeks spent partly in Venezuela, Colombia, Chile, Argentina, and Brazil. Before reaching Sao Paulo via Montevideo and Porto Allegre I read in the Pan American Airlines currency converter for March, April, and May that one U.S. dollar was worth 800 cruceiros. When changing a $10 bill at the hotel I received 1,670 cruceiros per dollar. In any one of the Brazilian cities on March 27 there was an outcry of the people trapped in a galloping inflation caused by utter laxity of fiscal and monetary policies. Civil servants and soldiers had pressed for a 60-percent wage increase. The deposed president, "Jango" Goulard, fixed it at 100 percent. The group worst hit is again the middle class, which in Brazil is almost at the same point as the Germans were in May 1948. Their women cannot afford to work in government offices or factories because the salary is far less than what a babysitter costs, or only a part of what the food costs to maintain household help. Capital goes into safe hiding either in urban real estate or in havens abroad.

Let me repeat verbatim what I said at a businessmen's conference in 1959 in a statement which the Governors of the Federal Reserve System sent to all banks in this country. It still holds today.[1]

"Inflation in the underdeveloped countries, which are for the most part primary producers, has been—from the beginning of the war up to the present—more severe and far more persistent than in the industrial countries. The U.N. Department of Economics and Social Affairs reported that even as late as the 1954–57 period, of 40 primary producing countries, 16 had annual rates of increase in their cost-of-living indexes of 6 to 26 percent; 18 had increases between 1 and 5 percent; and only 6 had no increase, or a decrease. Cost-of-living indexes are, of course, only rough measures of varying degrees of inflation. In view of the adherence of some economists and many politicans in the United States to the hypothesis that inflation is the price that has to be paid to attain rapid economic growth, it seems permissible to stipulate some of the impacts of inflation in underdeveloped countries and their secondary impact on the U.S. economy.

"In underdeveloped countries—as everywhere—inflation depreciates long-term obligations, enhances the values of physical assets and induces inadvertently revolutionary changes in the distribution of wealth and income. It deteriorates the balance of payments. It leads to a flight of the people from monetary assets to physical assets such as inventories of goods or real estate. It discourages thrift and the formation of capital, and puts a premium on hand-to-mouth living. It destroys or disorganizes the functioning of capital markets and thereby eliminates one of the direst necessities of any underdeveloped country. Worse than that, it drives capital existing in the country into other countries, while it prohibits capital imports. Inflation will scare and induce some capital into domestic investment, but not to the spots where it would contribute most to growth. Security becomes worth more than opportunity. Inflation bloats investment in inventories beyond the needs of the economy. But if the Government represses inflation by controls, then inventories may be depleted far below the needs of the economy.

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[1] Cf. Karl Brandt, "The Threat of Inflation in the Underdeveloped World." Panel discussion at the Stanford Business Conference on Economic Growth and Inflation held at Stanford University July 20, 1959.

If the Government uses import controls to save the balance of payments, the trade will sit on maximum stocks. Governments usually counter inflation by price controls. Any simpleton can write such ordinances with the severest penal code for enforcement. But since controls apply to selected goods or services, they distort the entire system of price relations. Anyone who has been in countries with persistent inflation in recent years will recall the often ridiculously low rates on postage, telegrams, or railroad tickets. This starves the service agencies and deteriorates investment and assets in such industries. Far worse is the danger of corruption in those branches of the public service engaged in rationing, allocation, and price and import controls. Small clerks suffering from loss of purchasing power of salaries so typical under inflation have little resistance to the temptation of bribes. Or the clerks of the public service organize in unions and push the government to more rapid wage-push inflation.

"The fact that raw material prices yield the main export revenues and have been subject to wide fluctuations has posed serious difficulties for many underdeveloped countries. But domestic inflation fed by excessive demand pressures and cost pressures, together with increases in the money supply, has spurted particularly when the terms of trade became favorable for the primary producing countries and export volume increased.

"The impact of such conditions on the American economy is simple and direct. If underdeveloped countries are beset by inflation they will eventually discover that their economic development has come to a halt and their country to the brink of serious trouble. Hence they will be tempted to press urgent requests for greater grants of U.S. financial aid, requests that tend to be strengthened by our fear that if such capital is not promptly forthcoming, the Communists will take over. The ordinary flow of private American investment capital into those underdeveloped countries is interrupted by the highly unstable conditions and the severe risks that inflation creates. Inflation may lift temporarily the burden of old debts, but it prohibits the opportunity to incur new ones. Hence inflation must be stopped by the underdeveloped countries for their own sake as well as that of the advanced industrial countries.

"Due to reduction of the weight of long-term debts and the resulting increase in debtors' equities, inflation covers up many mistakes in lending as well as faulty managerial decisions, so long as it continues. Hence businessmen anywhere must adjust their operations promptly when inflation comes to a halt.

"Inflation consumes the most precious substance on which any economic system depends: the confidence of the people that the rules of the game are fair and equitable and that long-term obligations are faithfully fulfilled. Inflation makes a fraud of such transactions and gives easy gains to some people at the expense of innocent others. This corrodes any society at its foundations, and unless the underdeveloped countries can be induced to stop inflation and to arrive at a stable money, they will not attain a healthy growth of their economy.

"After one generation of worldwide experience with the supposed magic of creating wealth by the mirror tricks of manipulated currencies and exchange controls, the mirage is fading out. Inflation has turned out to be the destructive force which alone, as Lenin said of it, has the power to destroy capitalism."

This is as up-to-date a statement as I can make today, almost 5 years later.

This leaves—to my regret—only one other nation's situation to cover. Charity should begin at home. Hence I have to turn the searchlight, not without pain, on what I consider the most crucial issue of our own domestic and foreign economic policy—an issue which has a great deal to do with the leadership and prestige of the United States in the free world.

Since the prewar years our country has gone through a phase of inflation, creating even in our prosperous society such profound changes that all responsible and patriotic citizens must take cognizance of the precarious situation and its demands for self-discipline by a free people. In order not to overtax your patience with figures I want to give you an example of what a bite inflation has taken out of our income. I shall cite the case of two married couples, each with two children, and ignore any State, local, or Federal taxes other than the Federal income and social security taxes.

Couple I[2] had in 1939 a gross income of $5,000. After deductions of $59 Federal income and social security taxes, $4,941 in income was left. In order to retain in 1964 the same purchasing power as in 1939 this couple would have to earn a gross income of $12,743. Federal income and social security taxes would be $1,749, while inflation takes a bite of $6,053 in lost purchasing power out of the remaining $10,994 after taxes.

Couple II had a 1939 gross income of $10,000. This left after taxes of $269 (Federal income and social security taxes) an income of $9,731. To retain in 1939 dollars the same purchasing power would require an equivalent 1964 gross income of $26,645. Out of this the couple would pay $4,994 Federal income and social security taxes. Inflation by lost purchasing power takes a bit of $11,920 (or 45 percent of the total income) out of the remaining $21,651.

Yet in view of extraordinary rises in State and local taxes and Federal taxes other than income and social security taxes the actual remaining income after taxes represents in most cases less than one-half of 1939 purchasing power. There is some slight leeway for interpolation due to improved quality of some goods not fully reflected in prices, due to greater discounts at retail, but in the opposite direction drastic price rises and less discounts on most services.

Measured by its comparative purchasing power vis-a-vis hard Eureopean currencies like the mark, the French and Belgian franc, the Portuguese escudo, or the Swiss franc, or such Asiatic currencies as the Japanese yen and the Hong Kong dollar, the U.S. dollar since 1958 has been overvalued, as—intermittently—the pound sterling has been. This leads to pricing U.S. products out of world markets and a loss of foreign exchange earnings from exports. It leads simultaneously to the increased pricing of foreign products into the domestic market of this country with the outflow of more dollars in payment of imports. Both shifts cause less employment than would otherwise be attainable, thus putting the brakes on healthy economic growth.

Simultaneously, interest rates for short-term funds in the United States have remained substantially below those in the British or continental European money markets. The consequence of these disparities, plus the overburdening of the U.S. Federal budget with unilateral transfers on behalf of foreign aid and exorbitant expenditures for military security for the free world, has been a continual deficit in the balance of payments during every one of the last 14 years, with only one exception, and the resulting shrinkage of currency reserves in gold and foreign exchange.

While we had in 1957 nearly $23 billion in currency reserves, they have now shrunk to $15.5 billion. If the dollar has not gone into an acute crisis of confidence and speculative assault this is due to extraordinary measures of mutual defense by the leading note-issuing banks in NATO countries. However, it must be realized that such support of a weakened and jeopardized currency by the governments of military allies who are economic and political competitors does not exactly strengthen the prestige or freedom of action of a great leading power like the United States.

This leaves still the open question: What is it that drives inflation and causes its acceleration or retardation?

Economists distinguish between cost-push inflation and demand-pull inflation, aside from printing press inflation. Any actions by individuals and groups, private or public, which force up costs find their reflection in rising prices. Strikes, slowdowns, poor work morale, wage increases without substantial increases in output per hour worked, high rates of sick leave, high corporate income taxes, raised prices of raw materials, energy, or specific services—all these are factors in cost-push inflation. Any sudden boosts in consumer purchasing power—particularly by wage increases beyond increased productivity, reduction in income and excise taxes, slashing down of prices in utility and public service charges beyond cost reduction, and lowering of interest rates on consumer credit—cause increased bidding for consumer goods and services. Whether this leads to price rises depends on the immobilized or dormant reserve capacity of the economy for producing more consumer goods and services. Once the reserve capacity in the form of labor, raw materials, plant and equipment is fully employed too many dollars begin to chase too few goods. Then prices rise rapidly and wage rates tend also to move upward. This is happening right now in Germany, France, and Italy. While it momentarily eases competitive position in the world market, it is dangerous to all free nations because it poses the threat of trade restrictions and return to foreign exchange controls, which suffocate trade expansion. Fortunately, France and Germany are beginning to use monetary and fiscal controls, and Italy has received $1 billion of currency aid to encourage her fight against inflation.

If in a situation of near full employment the government at all levels, Federal, State, county, and municipal, piles purchases and publicly financed projects on top of the excessive demand in the market the scenery is set for the inflationary bust of the boom. Real wages decline invariably during the boom—because prices always rise faster than wages.

This situation puts the first responsibility on the Federal Government, and beyond it on all government agencies. The classical and still the most reliable means to control inflation without the arbitrary brutality of national emergency measures that abolish freedom are fiscal and monetary policy. Tighter credit conditions, higher interest rates for short- and long-term loans, curtailment of all but the most vital public expenditures, enforcement of antimonopoly policies for all business, including cooperatives as well as labor unions, strengthening of competition, lowering of custom duties, countervailing power against unwarranted wage demands—all these are legitimate and effective measures to control inflation. Their success creates the economic climate in which increasing productivity, innovation, and investment cause economic growth by decentralized private decisionmaking and enterprise, which in turn yield optimum employment opportunities.

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[2] Cf. National Industrial Conference Board, Inc., Road Map of Industry No. 1475, Apr. 3, 1964, "The Two-way Squeeze, 1964."

But, again, charity begins at home: the Government must refrain from pushing inflation by deficit spending. It must balance the budget and reduce the public debt at all levels—in order to have leeway for giving support for expansion to the market economy when it begins to contract too far.

The trouble with this proposition is that in a democracy the economy is a political economy. The government can go no further in disciplining the comportment of all parties active in the economy, producers as well as the trade and the consumers, than what the electorate is willing to endorse at the ballot box. However, it is not at all true that because they have the prerogative to govern themselves the people are free to behave irresponsibly and without that self-discipline which freedom in the Christian sense implies.

Neither employers nor labor unions, neither farmers nor government employees, neither students nor retired people—irrespective of color or creed—will escape the severest consequences if by irresponsible pressure group tactics and something-for-nothing giddiness they precipitate events that follow in inevitable sequence. These are: first, renewed acceleration of inflation; second, its aftermath, severe depression; and third, its cure by expansion of the public sector of the economy, which costs a bitter toll of freedom. Since eternal vigilance is the only guarantee of liberty, the elite of civic-minded substantial citizens must have the danger of chronic inflation constantly on their conscience and guide public opinion accordingly.

If in the course of a presidential election year our imbalanced international payments position should be glossed over and the urgently needed corrective action postponed indefinitely, our Nation may awaken eventually to the appalling realization of a dollar crisis of freightening proportions. Then the day of reckoning will call for hard-hitting emergency controls. Such controls are all available in Government drawers for an emergency after an atomic attack on our country. Their use in any purely economic impasse excluding military attack would destroy the prestige and trust of all free world nations in the U.S. dollar as the international reserve currency and measure of all economic value. The controls would not only abrogate a great deal of the freedom which our people cherish, they would simultaneously spell more disunity among Western nations and once more—as after World War I in the early thirties—threaten the international credit structure with collapse and with it the system of mutual security and multilateral foreign trade expansion, on which the present prosperity of the free world depends. Soviet economists have never ceased to anticipate this windfall for their ailing cause.

Let me close by saying that it is painful to review our national affairs after the tragic events of last November in such somber tones. However, considering history not as a matter of materialistic determination but as a challenge to man's intelligence and social responsibility in accordance with his endowment of free will and the ability to distinguish between good and evil, I do not predict a slide into disaster as something predestined or unavoidable. All I am doing is to warn of the very real and imminent contingency.

Determination to avoid a happy-go-lucky drift into disaster must begin in the cells of our society: in the home—where inflation must be known to families as the curse of humanity and the temptation to subscribe to it recognized as the prompting of the devil. Such cultivation of reasonableness from the grassroots up must induce the Federal Government and its agencies, including particularly the Federal Reserve Board, the Bureau of the Budget, and the Secretary of the Treasury, to use their full authority for maintaining the integrity of our currency by monetary, banking, and fiscal controls. Guidelines and persuasion are no substitute for these tools of responsible state power on behalf of the welfare of the people and of peaceful foreign relations.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. DOMINICK. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. This problem started to become acute back in 1958, and it grew worse in 1959. Subsequent to that time there was an immediate alarm shown about it. My recollection is that recommendations were made that we take corrective measures. One was to balance the budget. Another involved tying into the foreign aid program a requirement that all money spent for equipment be spent in the United States. Third, by discouraging people from engaging in foreign tourism, and seeing the United States. Fourth, by reducing military expenditures. Fifth, by having labor and management maintain stable prices, so that we could compete with foreign competitors in world markets. To achieve that aim it was recommended that wage increases be limited to not more than the increased productivity of labor, and be not to exceed 3.2 percent. Other recommendations were made.

I ask the Senator to what extent vigorous pressure has been applied to keep the cost of goods from going up, through violation of the guidelines, beyond 3.2 percent, and to what extent we have carried into effect any of those recommendations.

Mr. DOMINICK. I do not believe we have carried out any of them. We have reduced the amount of the exemption of duties of goods tourists can bring into this country from abroad. We have reduced some of our military expenses overseas by eliminating our bases. Whether that was advisable or not is a question. We put into effect an interest equalization law, to which I was opposed, because I thought it would have the very effect it has had. It has further induced investors in this country to make investments abroad and take advantage of business abroad and thereby have long-term investments in Europe. Perhaps later they will come back into this country, but it causes at least a short-term problem. But we have not followed the other recommendations that the Senator referred to, and inflation continues.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. In 1961, Per Jacobsson, now deceased, was President of the International Monetary Fund. In connection with the frightening fall in the balance of our payments and in the movement of our gold to foreign countries, he said the first thing the United States should do would be to put its fiscal house in order.

Mr. DOMINICK. That is correct.

Mr. LAUSCHE. We have done nothing in that direction. Greater desires which lead to this condition have been put into effect. That is the cause of our now being faced with the proposition that we must remove the gold support, which has been a philosophy of all economists as far back as we can read. It is the only way that we can have a stable dollar, and keep control over the flighty and uncertain minds of individuals, and tie them down immovably to a standard.

Mr. DOMINICK. I agree with the Senator from Ohio, who has given a clear-cut and forceful analysis of the problem.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. JAVITS. I would like to ask the Senator this question. Fortunately, he is a man of some banking experience, so I have no fear of taxing his knowledge.

Mr. DOMINICK. Let me say, first, that I am a lawyer, and not a banker.

Mr. JAVITS. I know; but the Senator has had some financial experience.

Let me ask the Senator whether the debt of the United States, which is well over $300 billion in size, has any gold cover?

Mr. DOMINICK. The debt has not.

Mr. JAVITS. Nevertheless, is it not a fact that the prices of Government bonds are quite stable?

Mr. DOMINICK. They have varied from time to time. As the Senator knows, we have been raising interest on long-term bonds. The question has been whether or not we could even sell them.

Mr. JAVITS. So far we have sold upward of $300 billion worth. Those sales seemed to have stayed the same, and we have had no trouble refinancing them. There is no gold cover for that debt. The Senator agreed with that statement.

Mr. DOMINICK. That is correct.

Mr. JAVITS. I ask whether the Senator believes that the central mechanism for controlling the size of the economy or the operations of the Federal Reserve System is the gold cover.

Mr. DOMINICK. It is a combination of both. The Federal Reserve System is helpful in trying to stimulate the economy, and its flexibility over interest rates is very helpful. But there must be a solid backing behind currency to put a limit on pressures which are otherwise exerted to try to inflate money.

Mr. LAUSCHE. Mr. President, will the Senator yield to permit me to comment on that point?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. The Federal Reserve Board has discretion in monetary matters, but there is a limitation on the discretion with respect to the 25 percent gold requirement. When the 25 percent gold cover is removed, the limitation is gone, and we have nothing left but the minds of the Federal Reserve Governors.

Mr. JAVITS. That is worshiping a calf of gold. That is what the Senator is doing.

Mr. LAUSCHE. This Senator is not worshiping a calf of gold. He is trying to show respect for the people who have money in banks.

Mr. JAVITS. The people who have money in the banks and who own Government bonds do not seem to be panicked. They have over $300 billion worth of bonds, including series E bonds, which cannot be cashed, unless one wishes to forfeit some interest for 10 years or more. They are not worried about the gold reserve requirement. The bankers of the world own $22 billion worth of calls on the U.S. Treasury. I do not see many of them, principally one man, De Gaulle, who is making a grandstand play, calling for the gold.

Mr. LAUSCHE. May I make a comment on banks owning Government bonds?

Mr. DOMINICK. I yield for that purpose.

Mr. LAUSCHE. In 1954 banking securities were 68 percent in cash and Government bonds. That is now down to 32 percent.

The banks are getting rid of bonds and investing in other types of securities, so that the ordinary citizen is buying bonds and he is the one who will be robbed.

Mr. JAVITS. With all due respect to the Senator from Ohio [Mr. Lausche], I do not believe that anyone will be robbed because he bought U.S. bonds. I do not agree with that comment.

Mr. President, this is not the kind of matter in which one engages in sharply exacerbated debate, but I believe that it is important that we understand the merits of the controversy—if indeed there be one. If we are really going into it, we should do so in the interests of the people and in the interests of a wise policy for our Nation.

Federal Reserve notes have increased regularly by an approximate figure of $1.2 billion to $2 billion a year, in varying amounts.

Let me ask the Senator this question: If, according to the basis on which credit is expanded by the Federal Reserve System, namely, on the basis of production of goods and services in the United States, it is necessary to expand Federal Reserve note issues to support economic expansion of the United States, and those note issues press against that ceiling, namely, the ceiling of the 25-percent gold cover, as they threaten to do, should we refrain from issuing the currency? Should we cut back on commercial and industrial operations and not employ the people who have an opportunity to be employed? Would the Senator from Colorado tell me whether it is possible for us to do this?

Mr. DOMINICK. It most certainly is; and I will tell the Senator exactly why. I am not saying that 25 percent is the magic number. I am offering a reduction down to 20 percent on a 2-year basis, but unless we have a reserve behind it, all we do is give an opportunity to the fiscal managers to keep on creating currency—as the Senator from New York has stated—as widely as possible and in the interest of doing what they thought would be a great Government service. Soon the dollar would not be worth anything; it would devalue itself. It would inflate so that one would have to take a basketful down to the grocery store. That has already happened in France. One dollar in Indonesia can buy 300 gallons of gasoline. This is what inflation can do. This is one of the things that the reserve metallic limit behind the dollar can stop in this country.

Mr. JAVITS. The present gold reserve requirement does not represent the security of our currency, as is obvious from the fact that we have $15 billion-some-odd in gold which serves today as reserve against $53 billion in Federal Reserve notes and deposit liabilities and against which we have assumed over $28 billion in short-term liabilities to foreign governments and individuals as well as international and regional organizations. There is also the outstanding debt of the United States. If my memory serves me correctly, I believe this comes to a rough total of about $400 billion. If we are going to depend on this $15 billion in gold to insure confidence in our currency, the United States will be washed up quickly.

If I may state my views briefly, what gives us confidence in our currency? First is the production of goods and services in this country which is responsible for 50 percent of the production of hard goods in the world; second is the fact that we have a governmental mechanism in the Federal Reserve Board and the Federal Reserve banking systems which prevents us from printing currency, because currency and credit must be directly related to the production of goods and services.

Mr. DOMINICK. Only if they so do, the Senator will say it is sound common sense; but that does not say that this is what will be done.

Mr. JAVITS. We are the authors of the law. Unless we change the Federal Reserve System, that is the way it will go. That is the purpose of the guarantee of the soundness of the dollar, which is premier currency in the world.

The currency of France is reasonably stable. The currency of Germany is reasonably stable. The currency of Italy is also reasonably stable. All the currencies in those countries are stable; and not one has a legal gold reserve requirement. As a matter of fact, less than one-half of the central banks in the world have legal reserve requirements against their note and deposit liabilities.

Mr. DOMINICK. Those currencies are all based fundamentally, are they not, on gold being in their reserves? The currencies are supported by gold.

Mr. JAVITS. If we take off the shackles from our hands as to what we can do about money, we still have gold in our reserve. We have four times as much as France. We have approximately seven times as much as Italy. We have approximately three to four times as much as Germany. We still have 35 percent of the free world's official gold reserves. The fact is, if we should now artificially impose restrictions upon ourselves, we would be restraining ourselves from keeping pace with our own economic expansion. As bankers, we would be restraining ourselves from the liquidity of our own assets to meet our own liabilities.

It is impossible to justify tying our own hands and rendering ourselves unable to meet our own liabilities. The answer is that the Treasury Department recognizes the fact that there are still many people who worship the golden calf. But, according to an excellent banking authority, we should untie our hands in respect to gold.

Mr. DOMINICK. The Senator from New York——

Mr. JAVITS. If I may finish——

Mr. DOMINICK. I have the floor. I have perfect confidence in having discussion and debate back and forth with my distinguished friend the Senator from New York, but I am trying to make the point that the Senator from New York has an amendment of his own that he is going to present. I am entitled to have him ask me questions, but I believe that we should limit this colloquy as much as possible to questions and answers, rather than a series of speeches.

I yield to the Senator from New York.

Mr. JAVITS. Making a series of speeches is typical of the great club that we know as the Senate. Aside from that, I invite the comments of my friend from Colorado [Mr. Dominick] to the fundamental point, in considering the size of our gold reserves, so called, considering the claims upon it in currency and in obligations held by other central banks and the national debt, and so forth, are we or are we not better off freeing our hands, and having liquid assets rather than tying our own hands.

Mr. DOMINICK. I invite the attention of the Senator from New York to a speech which I believe will be of interest to him. I refer to remarks made by Mr. M. A. Kriz, who is the senior economist of the First National City Bank of New York, before the National Western Mining Conference, on February 6, 1965, in Denver, Colo.

The last paragraph of the scholarly and thoughtful paper he presented reads as follows:

> Let us keep uppermost in our minds the lessons of experience. The dollar rests on the large real resources and high productivity and efficiency of the American economy—

Which is just what my distinguished friend from New York has been saying—

> However, even with all its productive power to give real value to the dollar, the United States requires a strong gold reserve—a reserve large enough to give full assurance that the dollar will remain at all times a reliable currency, voluntarily sought and retained, and freeely usable, everywhere. This, in turn, requires vigilance, skill, and courage in the management of our monetary and fiscal affairs.

Mr. President, this is such an excellent speech that I ask unanimous consent to have it printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Gold Picture Today

(Remarks by M. A. Kriz, senior economist, First National City Bank, at the National Western Mining Conference, Denver, Colo., Feb. 6, 1965)

I am pleased and honored to be with you today. Gold is an explosive topic. It stirs up passionate debate. Such a variety of highly contradictory opinions have been held and propagated on the subject of gold that one can say that "gold has made even more people mad than love." We can, I am sure, look forward to a most stimulating afternoon.

Over the past 3 months, we have witnessed dramatic developments in the world gold picture: the sterling crisis, pressures of private demand for gold in jittery markets outside the United States, France's stepped-up purchases of gold from the U.S. Treasury, renewed weakening in the U.S. balance of payments, the decision of the administration to propose to Congress an easing of the 25 percent Federal Reserve gold requirement, and, on February 4, President de Gaulle's appeal to other leading nations to restore the gold standard. France's move raises a hornets' nest of intricate and delicate questions, technical as well as political. People want to know where we stand and where we are heading.

I

At the threshold of 1965, gold output in the world this side of the Iron and Bamboo Curtains is at an all-time high. You know much better than a New York bank economist the problems the gold mining industry in the United States has had to face since World War II. U.S. mines have been unable to contribute to the rise in world output. In fact, the increase in world gold output in the past decade is attributable entirely to South Africa. At some 29.3 million ounces, worth slightly more than $1 billion, output in South Africa last year was almost 150 percent higher than in 1953 when the expansion had begun.

South Africa accounts for approximately 70 percent of world gold output, which last year totaled about 40 million ounces, equal to $1.4 billion. In addition to the $1.4 billion from current output, the Western World last year received about $350 million worth of gold from Russia. The supplies of new gold thus totaled something like $1.8 billion—slightly less than in 1963 when Russia sold as much as $550 million worth of gold to purchase wheat in Canada, the United States and other countries.

What happened to the $1.8 billion of gold made available in 1964 from current output and Russian sales? About $1 billion was absorbed in private uses and holdings and some $700 million was added to gold stocks of governments and central banks.

Uses of gold in the arts and industry cannot be separated statistically from other private uses. In the United States, gold consumption, on a net basis, has in recent years amounted on the average to about $100 million a year. With U.S. production only half that amount, industrial and artistic needs are met, in a degree, by drawings on U.S. Treasury stocks.

As you know, there is no gold coinage in the United States and residents are not allowed to hold gold in monetary form except for coins of recognized numismatic value. The United Kingdom, South Africa and a few other countries also forbid their citizens to hold or trade in gold. It is in the world outside these countries that additions to private holdings of gold have absorbed something like three-quarters of a billion dollars worth of gold year after year over the past 5 years.

During the first 8 months of last year, private demand for gold, although persistent, had been relatively moderate. Over the last 4 months of 1964 and well into 1965, however, private demand has probably absorbed all available new supplies. The rise in demand has been influenced by such events as China's atomic explosion and the political changes in Russia; but the uncertainties about sterling, which culminated in a crisis in late November, and the renewed expectation that the established price of gold might be changed, are even more important. In addition, in many countries domestic political and inflationary problems have boomeranged against the national currency.

Early last month, the leakage in Washington of the administration's intent to request Congress to revise the 25 percent gold reserve requirement pushed the price of gold on the London market to as high as $35.20 per ounce, with the heaviest turnover since the Cuban crisis in October 1962. Later the same day, the U.S. Treasury issued a statement warning that the official gold price is "immutable" and that the London gold market is "under firm control;" subsequently, the price declined rapidly.

For the past few years, supply-demand conditions in the gold market have made it possible to hold the price practically stable through the interventions of the so-called London gold pool. This pool operates through the Bank of England acting as agent, with the United States having a 50 percent share in net losses or gains. In 1963 and during the first three quarters of 1964, the pool tended to purchase gold on balance; the United States acquired in this way sizable amounts of gold, which helped offset sales to France and other countries. In the past few months, enlarged private demands for gold have necessitated renewed official intervention—at some cost to United States and other countries' reserves.

To round off the picture, let me tell you what happened to the newly mined gold that found its way into the monetary stocks of governments and central banks—some $700 million last year. The bulk of this gold was added to the reserves of the leading nations of Western Europe, Germany and France in particular.

These countries also purchased gold from the U.S. Treasury. Four weeks ago, France announced that it would step up its purchases. Technically speaking, the French gold buying is not unusual. The stated objective is to maintain at 70 to 75 percent the proportion of gold in France's total gold and foreign exchange reserves. Comparatively, France holds less gold in its reserves than any other leading European country except Germany and Italy. In total amount, France's stock is smaller than Germany's.

From a broader point of view, France is believed to be increasingly reluctant to see a continuing rise in supplies of dollars in world markets on the ground that the growing liquidity interferes with its efforts to hold down domestic inflationary pressures There is also the view that the continued buildup of short-term dollar holdings by European central banks helps the United States to finance private investments in Europe; this creates, in some cases, concern about the prospects of increasing American ownership of key national industries.

Continuing purchases of gold by foreign governments and central banks attest to the desire of those responsible for administering national monetary reserves to protect them against the hazards of depreciation. By building up gold stocks, governments also seek to enhance confidence in the nation's currency by people who, having lived through the inflations of the past half century, keep a weather eye on the state of the nation's monetary reserves as a vital indicator of the health of its domestic finances.

For the longer run, in the view of the finance ministers of the leading nations, gold will remain "the ultimate international reserve asset." They do not want to demonetize gold by international agreement, giving up their official gold reserves and making gold merely a commodity traded in free markets, with the price ultimately determined by the marginal cost of mining gold and the marginal revenue derived from sales of it to industry and the arts.

II

Neither the United States nor Western Europe (and, for that matter, Russia too) have thus any thought of removing gold from its place as the ultimate monetary reserve. This is reassuring for the future of gold. What does it mean?

It fundamentally means that, year after year, gold is expected to make a substantial contribution to international liquidity. By this esoteric and fashionable phrase, people must understand not the means of financing the flow of exports and imports throughout the world but rather actual gold and foreign exchange reserves of governments and central banks, and access to reserves through borrowings from other central banks and governments and from international financial institutions. Such reserves are needed to finance balance-of-payments deficits and thus provide time for needed readjustments.

It is to international liquidity in the latter sense that gold makes a decisive contribution. The $700 million of new gold added to world monetary gold stocks in 1964 represented an increase of about 1.7 percent—compared with 2.2 percent in 1963. With firm confidence in currencies—I am aware that this is wishful thinking at this juncture—official gold stocks could increase each year by perhaps as much as 2½ percent. Before 1914, during the heyday of the gold standard, the annual additions to monetary gold stocks out of new output were of the order of 3 percent.

The preference of governments and central banks for gold reflects the hard fact that gold cannot be "created" as paper money can and, for this reason, is superior to paper money as a store of enduring value. There are times and circumstances when no other money is acceptable.

While gold makes an essential contribution, it cannot alone meet all the needs for world monetary reserves. Under the gold exchange standard as it has developed over the past two decades, U.S. dollars—and also pounds sterling, especially in the sterling-area countries—help economize on gold. Today, gold accounts for about three-fifths of the total gold and foreign exchange reserves of governments and central banks.

Manmade reserves are easy to supply. At times, they are supplied in excessive amounts. This is the hard core of our international monetary ills. For the dollar cannot serve as international currency by divine right. It can only serve so long as it is sought and retained voluntarily by other nations. The more easily available, the less will it be in demand. Only a strong and reliable dollar, freely usable throughout the world and commanding universal respect, can be an international currency.

The problem cannot be solved by creating an Esperanto currency by some international body. The world needs, of course, international reserves for emergencies; but it already has a going institution—the International Monetary Fund—that, although lacking power to create money, has proved a responsible custodian of international reserves.

The search for new ways and means of insuring international liquidity has occasioned difference of views between the United States and the United Kingdom, on the one hand, and France and several other continental countries, on the other. The idea of an open or concealed shortage of international liquidity, understandably, has particular appeal in countries experiencing balance-of-payments deficits. The United States, without committing itself, prefers that any further additions to the world's arrangements for creating monetary reserves be established within the International Monetary Fund and focused on the provision of international credit. On the other hand, France advances the thought that it will eventually be necessary to provide a new kind of reserves along with gold and such dollars and other currencies as each country would wish to hold in its reserves. The French seek less dependence upon dollars and more upon gold, with the new kind of reserve currency directly linked to gold.

Two days ago, President de Gaulle called for a restoration of the gold standard. There is, however, little sentiment to turn the clock back and restore the gold standard. In the world as it is today, with its pervasive political and social problems and, perhaps, unreasonably high expectations of economic growth, it is hard to visualize any gold standard at work without being "managed." And, if "managed," it would not, I think, differ very much from the international monetary arrangements we have today, except that a return to the gold standard—involving as it does the discontinuance of the use of the dollar and sterling as currencies in which other nations keep part of their reserves—would, most likely, revive the ghost of a shortage of international liquidity. As I have already mentioned, new gold added to world monetary gold stocks in 1964 represents an increase of about 1.7 percent—surely not enough to take care of the needs for steady year-to-year additions to monetary reserves. President de Gaulle failed to mention whether or not France would advocate a higher price of gold; this would, of course, increase the liquidity of those nations which are well stocked with gold. There is neither need for, nor a constructive purpose to be served by, raising the U.S. gold price.

There is no secret why France and other nations with balance-of-payments surpluses seek to enhance the place of gold in the international monetary system and are reluctant to grant to deficit countries automatic credits of indeterminate amounts for indeterminate duration. In the final analysis, credit facilities represent a potential draft on real resources; if used, they involve costs in the guise of goods and services supplied to deficit countries. The surplus countries also stress that, as far ahead as one can see, moves to increase international liquidity may accentuate upward pressures on demand, costs, and prices.

There must, of course, be enough reserves to provide time for needed readjustment in balance of payments among nations, but not so much as to breed worldwide inflation. What is disquieting about proposals for increasing supplies of manmade reserves is the implicit danger of making domestic inflations comfortable internationally. It would be all too easy to sink balance-of-payments deficits of nations into a sea of international liquidity.

At times, the shoe may pinch, particularly if nations indulge in inflation. But, in that event, something ought to pinch to communicate a sense of harsh reality to the need for a nation to keep its economic and financial house in order. Surely, international liquidity must be adequate; but it must also be allowed to run out for it is this ultimate sanction that makes it necessary for any country to frame its domestic plans and policies with continuing regard for the external repercussions of its own acts. In this sense, gold helps reinforce domestic discipline—something we must have if we want an orderly society.

These fundamental truths have once again been demonstrated by bitter experience over the recent past. The weakening in Britain's balance of payments in the latter part of last year, stemming in part from a greatly enlarged trade deficit but, basically, from a lack of confidence, in late November brought sterling within a hair's breadth of devaluation. To help support sterling, the finance ministers and central bankers of other leading nations extended credits of unprecedented magnitude to the United Kingdom. They had no choice but to underwrite the pound massively—the compelling fact was that they feared the consequences of a sterling devaluation for their own currencies. By helping save the pound, they acted in the self-enlightened interest of their nations. This is conclusive proof of international cooperation and mutual trust, an essential underpinning of world prosperity. It is also conclusive evidence that the international monetary system is capable of providing liquidity. The rub is that liquidity merely buys time. For the longer run, the curing of balance-of-payments deficits is even more essential than their financing.

III

Behind this general facade of international liquidity, what is the real position of the U.S. dollar?

People who speak in terms of a threatening gold deficiency for the United States often cite the fact that the Treasury gold stock, at $15.2 billion, is now less than the $30 billion of U.S. liabilities to foreign countries and international financial bodies. Statements of this sort—hard boiled as they seem to be—are not quite realistic. Of the total, international institutions hold about $6 billion; since their purpose is to help overcome monetary crises and speed up economic development, they would not cash their claims into gold. Foreign governments and central banks, holding almost $14 billion, have a stake in the maintenance of the present monetary system and would be expected to avoid unreasonable demands for gold so long as we work to limit our balance-of-payments deficit. The balance of some $11 billion represents short-term liabilities to foreign banks, traders, and investors; these consist, to a large though not ascertainable extent, of working balances and are not eligible for conversion into gold unless previously sold to central banks.

There are certain other factors in the underlying position of the dollar that must, I feel, be also mentioned to form good judgment. The United States has had over the past 7 years a large and seemingly intractable deficit in its international payments; but it has not lived beyond its means in the sense that it has been consuming or investing domestically more than it has been producing.

The large and growing surplus generated by the U.S. private economy on commercial goods and services (excluding those financed by Government aid) covers by a comfortable margin new private investments abroad, long as well as short term. In the accounts that are affected primarily by market forces—merchandise trade and services, and private investment—the United States thus had a surplus. This surplus is, however, not large enough to match the U.S. Government's defense outlays abroad and the foreign exchange costs of U.S. economic aid.

Bankers, businessmen, investors, and government officials abroad are aware of the underlying strength of the dollar. U.S. industrial efficiency is still the byword of the world. The domestic purchasing power of the dollar has registered a much smaller shrinkage than that of any other major currency. The best evidence that American industrial products are, for the most part, competitive in world markets is the tough bargaining we are witnessing in the current international trade negotiations. Bankers and investors abroad have greater faith in the lasting value of the dollar than in most of the leading currencies; this is evidenced by the fact that far more international lending is done in dollars than in any other currency and also by the continuing restrictions in countries with ample gold and dollar reserves to prevent their citizens from investing in the United States when they wish and in ways they prefer.

All of this sounds reassuring. But what is it really? The U.S. balance-of-payments deficit, as conventionally defined, amounted last year to about $3 billion—a disappointingly small improvement from the $3.3 billion in 1963. The large and stubborn deficit is a very serious matter. Because of the deficit, governments and central banks abroad, and also private bankers, traders, and investors, are continuously coming into possession of large amounts of dollars. We cannot depend on the willingness of foreign nations to be patient creditors and build up without limit holdings of dollars and special U.S. Treasury obligations denominated in buyers' currencies. Sooner or later, and, I think, it may well be quite soon, the rest of the world will be reluctant to add more dollars to its holdings. It may come to exchange them for gold from our stock which, though still amounting to about two-fifths of the world total, is not inexhaustible.

It is against this background that we must look at the administration's proposal that Congress free up about $5 billion of gold by excluding Federal Reserve deposit liabilities from the present 25-percent gold reserve requirement. There is a practical need for this action: to provide reassurance to foreign governments and central banks that the United States will continue to supply gold to them at the established price of $35 an ounce and thus protect the position of the dollar, firmly linked to gold, as the anchor of the international monetary system.

The administration bill has been given a friendly reception in congressional committees. Administration spokesmen indicated that the Federal Reserve needs a leeway to accommodate the money and credit needs of a growing economy. Furthermore, aside from the United States, there are only three countries where the statutory reserves must be held exclusively in gold—Belgium, South Africa, and Switzerland. In many countries, these requirements were repealed or suspended at the outbreak of World War II. A number of central banks established since the war, including the German Bundesbank, have no such requirements.

Arguments like these sound convincing. At the same time, however, it is also true that over the past few years the gold reserve requirement has been like a red light—a warning to watch our gold stock, hold inflation in check and keep spending abroad to what we can afford. What is in question, therefore, is how to devise an effective braking system to replace the gold reserve requirement. Perhaps we can get it if people become sensitive to erosion of the purchasing power of the dollar and insist on fiscal and wage discipline. Long-range confidence of the world in the dollar will depend more on the wisdom and courage of our monetary and fiscal authorities than on a statistical ratio.

Even if the gold ratio is eased, the United States will require a gold reserve large enough to give full assurance that the dollar will remain at all times a strong currency and command universal respect. The protection of our gold stock must remain a prime objective of U.S. Government actions and policies.

IV

To conclude, it is—I venture to say—indisputable that the U.S. dollar is still the best currency the world can offer. Why should it be devalued?

It can be stated categorically that the dollar will not be devalued in the absence of necessity and, so far as one can see, there is no necessity for it.

Most of the advocates of a higher gold price seek a simultaneous, perhaps uniform, worldwide gold upvaluation as part of a plan for improving the international monetary system.

To my mind, it is difficult to visualize any improvement that would be preceded by a gigantic devaluation of currencies. By spreading turmoil and creating distrust, repudiation by governments of the established price of gold would do irremediable damage to the incentive to hold currencies as reserves, which is an essential part of the system as it operates today.

Furthermore, the benefits from gold appreciation would be distributed haphazardly.

> Gold-producing countries, nations holding the largest gold reserves and maintaining the highest proportion of gold in the total gold and foreign exchange reserves, and nations where private gold holdings are largest, would benefit most. Russia, probably the world's second largest gold producer and holder, would reap a huge windfall profit.
>
> Most importantly: I can see only one rock of any solidity that stands as a barrier against a fairly serious degree of inflation—the fact that the U.S. Government is aware of, and shares, the aversion of a large body of public opinion to the depreciation of the dollar in terms of gold. Devaluation must be avoided in the interest of whatever chance there is for maintaining reasonable monetary stability.
>
> Devaluation, nevertheless, could conceivably be forced upon the United States by external developments, just as it was in the 1930's when the price of gold was raised from $20.67 an ounce to $35, an increase of nearly 70 percent.
>
> One hypothetical conjecture that can be visualized is a devaluation of sterling. Britain is not really very far out of line in terms of costs, prices and capabilities to sell in world markets. Tinkering with sterling is not the answer to Britain's problem. The British, as the Governor of the Bank of England, Lord Cromer, pointed out last week have just seen "into the abyss." "It is an uninviting prospect," he continued. "It is well that the people of this country should recognize the depth of the fall and the lack of friends at the bottom. But now, thanks to the lifeline held out to us by our friends, we have crept back from the edge and the future is what we make of it."
>
> Nevertheless, it would be a rash person to say flatly that, by some bad luck or misguided policies, a situation could not develop in which a sterling devaluation might become an essential part of any future rehabilitation. This was, you may recall, the state of affairs in 1949 when a devaluation of sterling proved to be necessary to recognize the changed price-cost situation in which Britain had found itself as a result of inflation during the war and in the immediate postwar period.
>
> Even in this conjecture of a sterling devaluation in response to changed price-cost relationships—and, I repeat, this is a hypothetical conjecture—there would be no built-in necessity for the dollar and other leading currencies to go down along with sterling. Much of the world could withstand the shock of a British devaluation.
>
> As things are shaping up—full of uncertainties, as they always are—all of us are sure to have interesting times. This reminds me of a Chinese curse: "May you have most interesting times." I hope the years to come will not become "too" interesting.
>
> Let us keep uppermost in our minds the lessons of experience. The dollar rests on the large real resources and high productivity and efficiency of the American economy. However, even with all its productive power to give real value to the dollar, the United States requires a strong gold reserve—a reserve large enough to give full assurance that the dollar will remain at all times a reliable currency, voluntarily sought and retained, and freely usable everywhere. This, in turn, requires vigilance, skill, and courage in the management of our monetary and fiscal affairs.

Mr. JAVITS. Mr. President, will the Senator from Colorado allow me to quote from the December 1964 First National City Bank letter.

Mr. DOMINICK. Of course.

Mr. JAVITS. It states, in part:

> The time is approaching when the gold reserve requirement will have to be reconsidered on domestic grounds also.
>
> There is the paradox that a reserve requirement to back domestic currency makes reserves unavailable for the intended purpose of settling international balances.
>
> Since the dollar is no longer convertible into gold except in transactions with foreign governments and central banks, the need for a specific domestic cover is outdated * * *.

It seems to me that we are consistent in our views. I am for some sort of a reserve. I am not for saying to ourselves that the reserve is not usable.

Mr. WILLIAMS of Delaware. Mr. President, is it not a fact that since we devalued the dollar in the 1930's it has lost one-half of its purchasing power?

Mr. DOMINICK. Yes, I believe it is a little over that.

Mr. WILLIAMS of Delaware. Is it not also true that another factor to sound currency, aside from gold, is a government's demonstration of its ability to live within its income and thereby generate confidence in international circles and in its own people in the fiscal integrity of that government?

Mr. DOMINICK. The Senator is absolutely correct.

Mr. WILLIAMS of Delaware. Is it not also true that every government in Europe which has heretofore forgotten this point has ultimately devalued its currency?

Mr. DOMINICK. The Senator is correct.

Mr. WILLIAMS of Delaware. That applies to France, Germany, and all the other countries?

Mr. DOMINICK. The Senator is absolutely correct. We are faced with a real problem now with respect to the pound sterling. As the Senator knows, we had to come in with an emergency loan of almost $4 billion in order to support the pound sterling in late November of last year. By the end of December half of that emergency loan had already been used up. Although the pound sterling is temporarily strengthened, the recent conference which I attended in England shows that this may happen again because of their balance-of-payments problem; and then we shall be in real trouble. In other words, they had no gold basis behind their currency.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. JAVITS. I do not know whether I understood the Senator from Delaware correctly. Is it his contention that the inflation of 50 percent in the dollar since the end of World War II is attributable to the fact that we do not have a gold cover of 50 percent?

Mr. WILLIAMS of Delaware. No; I did not say that. What I said is that since we have eliminated the gold cover we have also moved in the direction of planned deficits. My argument is that these points are related. As the Senator knows, we have balanced our budget in only 5 of the last 35 years. That is a factor which cannot be overlooked as we discuss this question of gold. The continued planned deficits are an important factor in causing trouble for any Government. These deficits result in an inflated dollar. With the issuance of large amounts of short-term notes we are in effect monetizing our national debt.

Of course the banks will buy the bonds. Why should they not buy them? Their deposits, which are their obligations, are payable in dollars whether the dollar is worth 1 cent or 100 cents.

The Senator from New York also knows that in this country, just as in the other countries, those who have large fortunes can protect themselves against inflation; they know how to place their fortunes in fixed equities. A man of large means can do this. The working man, who is dependent on his social security, his saving accounts, or a pension has no chance.

Inflation pauperizes the aged and the workers of any country.

We shall have to do something about our deficit spending. As the Senator from Colorado has pointed out, we must take some action, otherwise this bill will be an idle gesture. I think it is about time that we recognize that the pending bill does not in any way cure anything but only carries us over until another emergency, for perhaps 3 years or 5 years, and then we shall be back where we are now. This administration has completely overlooked the cause that brought about this situation. One of them is our continuing deficit spending, another is artificial interest rates.

I do not believe the Senator from New York can cite one country anywhere in the world that has been able to live beyond its income over an extended period of time without the ultimate deflation of its currency.

Mr. JAVITS. I believe we are arguing about apples and bananas. The Senator is discussing the question of a gold cover for the dollar in terms of the improvidence of governmental administration resulting in imbalanced budgets.

I believe we can have balanced budgets, and not have a single penny of gold specifically tied to the currency, and have it extremely strong. The best answer is the Germans, the French, and the Italians.

The Italians made their currency stable without a legal gold reserve requirement. They achieved the stability finally by putting their governmental apparatus in good order.

I could agree with the Senator on the necessity of continuing to struggle against domestic inflation without changing the argument with respect to gold which relates to retaining a domestic and international credit structure according to the day's requirements and the legitimate opportunities for expansion, considering the great limits, and availability of gold to us and to other countries.

That is why I speak of worshiping the calf of gold. If the Senator is arguing for paying a worker a dollar for his wage for a dollar produced, I could not disagree with the Senator. I agree with him thoroughly.

This is the very basis for a sound currency, not the gold that is buried at Fort Knox or in New York.

Mr. DOMINICK. I believe the Senator from Indiana has been trying to enter into this discussion. I should like to yield to him now.

Mr. HARTKE. Mr. President, I should like to ask the Senator a question. Do I correctly understand that the basis for his argument is the balance-of-payments question, and also the control of inflation?

Mr. DOMINICK. First the balance-of-payment question, and second, the appointment of a committee to find out what we should do to cure the problem and not merely put a salve on it.

Mr. HARTKE. I understand the Senator from Virginia to make no contention that the bill would correct or have any effect on the balance-of-payments problem. Is that correct?

Mr. ROBERTSON. The Senator from Indiana was not on the floor when I discussed this subject. If the Senator wishes me to repeat my statement, I shall do so. I shall be glad to do so at this time. I said:

> Second, our balance-of-payments deficits must end. We have for years been aware of these deficits. We have deplored them. We have taken tentative and inadequate steps to reduce them. But we have not stopped them.
>
> It is clear demonstration of the value of gold-reserve requirements that the necessity to amend them has brought home to the President, the Congress, and the country the fact that we must now end the balance-of-payments deficits. No better example of the value of a gold-reserve requirement could be shown.
>
> The enactment of H.R. 3818 will not solve the problem. It will merely give time to the President and the Congress to end our balance-of-payments problem in an orderly and responsible fashion, while we still have a large stock of gold, a favorable balance of trade, and a prosperous and growing domestic economy.

Another distinguished Senator, who was not on the floor when I referred to the necessity of preserving the homefront on prices, called attention to the fact that the automobile settlements violated the President's criterion, and that the longshoremen's strike settlement violated the President's criterion. He might have added that the only difference between the two men competing for the leadership of the steel union is the degree of violation advocated. Mr. McDonald wishes to stay fairly close to the General Motors settlement, and Mr. Abel wants to go still further. There was no question about sticking to the President's guidelines.

The distinguished Senator from Indiana was not in the Chamber when I commented on that problem. It would be a good idea for me to make this point again:

> First, it is essential that we maintain a sound dollar. Industry and labor must follow moderate and responsible wage and price policies. Inflated wages and prices can hamper production, can reduce employment, and can cut down our sales abroad. For instance, one candidate for the presidency of the steelworkers' union promised his members a wage settlement equal to that of the United Automobile Workers, and the other candidate, who may prove to be the winner, offered that he would get a better settlement. And the candidate who may be the winner, also believes that after the union negotiators have reached a settlement with the management negotiators, any strike which may occur throughout the entire union must be continued until every local has agreed to accept the new contract. The steelworkers also control the production of aluminum.
>
> The chairman of the board of a large aluminum company tells me that a wage settlement for the workers equal to that granted the automobile workers would have absorbed every penny of net profit of his company at present prices.

While the measure does not immediately relate to the gold cover, some days ago I introduced a bill which would provide that under certain circumstances labor unions shall be as responsible under the antitrust laws as corporations when they engage in an industry strike calculated to beat us to our knees and wreck our economy. But we cannot act on that labor bill today, I believe. Observing those present, I am sure that there is no great desire to take up and settle that question. Neither can we settle the question whether to cut down on foreign aid. In connection with foreign aid, this year, possibly, a total of $7 billion will be appropriated. That amount, added to the $105 billion spent in the past and the $6.5 billion in the pipeline, without any new money, represents a great deal of aid and assistance to foreign countries.

I mention those points, but they are not burning issues in connection with this bill. The burning issue was correctly stated by the distinguished Senator from Colorado [Mr. DOMINICK], who, I understand, comes from a banking family and who served for 2 years on the Committee on Banking and Currency. I assume that he would still be on that committee if he had not preferred to transfer to the Committee on Commerce. Two years ago he went to Europe to discuss the gold problem and balance of payments with a number of bankers. When he came back he said, "We must take some action now." Is that correct?

Mr. DOMINICK. That is correct.

Mr. ROBERTSON. The Senator from New York [Mr. JAVITS] agrees to that. The Senator from Illinois [Mr. DOUGLAS] agrees to that. The administration agrees to that. I agree to that.

In the House there was only 1 day of hearings because all members of the committee agreed to that. There were only 2 or 3 hours of debate on the floor of the House because Members of the House agreed to that. There are few Senators on the floor of the Senate this afternoon to hear the debate because all Senators agree to that. The only question is, What action must be taken now? The Treasury Department has said, "The administration bill." The Federal Reserve Board has said, "The administration bill."

The distinguished Senator from Colorado submitted his amendment to the committee, but it did not receive a single vote.

He proposes to do something which would make an additional $2 billion available for 2 years. The administration has said that the thing to do now is to make $5 billion available.

The Senator also takes advantage of the fact that there are no rules requiring germaneness in the Senate—though there are some precedents—so that in a bill dealing with gold coverage he can propose that we authorize the appointment of a joint committee to study this subject.

Mr. President, we have a Committee on Banking and Currency. We have a Subcommittee on International Finance. I authorized that subcommittee to start work on a study of the balance-of-payments problem on the 23d of February. The hearing had to be canceled because the chairman of that subcommittee, the Senator from Maine [Mr. MUSKIE], was also chairman of another subcommittee, which had to start hearings on an air pollution bill.

But we have a committee for that purpose, and that committee has available to it the services of one of the finest experts on money and banking that any committee could have. He has had years of service with the Federal Reserve banks and the Federal Reserve Board. I assure the Senator from Colorado that while it is a little unusual to create a joint committee as a back door approach to a gold cover bill, it is quite unnecessary, because we have a subcommittee already set up for that purpose.

Mr. MUSKIE. Mr. President, will the Senator from Virginia yield?

Mr. DOMINICK. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. DOMINICK. I had yielded to the Senator from Indiana for a question. I am delighted to have him ask any questions that he desires.

Mr. HARTKE. We have firmly established the point that the question of balance of payments is not involved. So far as concerns the action proposed today, I think that is true. We cannot cure it. No one contends that we can cure it.

As I understand the second point of the argument of the Senator from Colorado, it deals with the question of inflation which would occur as a result of taking the action which is proposed in the administration bill, which has been supported and advocated by the Senator from Virginia. Is that correct?

Mr. DOMINICK. It is one further step than other proposals made by the administration, which have tended to create inflation of our dollar throughout a period of time.

Mr. HARTKE. I invite the attention of the Senator from Colorado to still a third factor.

What does the Senator think the result would be if we failed to take any action at this time? Failing any action at this time, what would be the result upon interest rates?

Mr. DOMINICK. What would be the result on interest rates if we took no action at all?

Mr. HARTKE. If we took no action at all.

Mr. DOMINICK. I have no idea what the effect on interest rates would be. We would have to take some action, because if France continues in her demands by turning all her dollars into gold, as De Gaulle, as recently as 2 days ago, said he was going to do, we shall find ourselves almost immediately without enough gold to meet the demand, and the Federal Reserve would have to lower its requirements. It has the power to do so in an emergency.

Mr. HARTKE. Should the Federal Reserve lower its requirements, the net effect, so far as member banks are concerned, would be that the member banks would have to cash in some of their government holdings. Is that not correct?

Mr. DOMINICK. It would not mean that at all. It would merely mean that we would not have the same percentage of gold behind our dollars. The Federal Reserve now has the power, under an existing statute, in an emergency of the type discussed, to lower the percentage of reserve for a temporary period. What I am attempting to do is to suggest in an amendment that Congress take official action to do exactly what the Federal Reserve has the power to do.

Mr. HARTKE. When those reserves were lowered, member banks would have to sell some of their Government holdings.

Mr. DOMINICK. That is not so.

Mr. HARTKE. How would the member banks then increase their currency supply?

Mr. DOMINICK. They would not increase their currency supply, but we would have available gold in order to meet the demands of oversea creditors.

Mr. HARTKE. I understand that; but how would the Reserve banks increase their supply of credit unless they disposed of some of their securities?

Mr. DOMINICK. I am not sure I follow the Senator from Indiana. What we are talking about is the necessary percentage of gold behind the Federal Reserve. If we should lower the percentage of gold, we would automatically be given more freedom to expand lending capacity through deposits.

Mr. HARTKE. That is correct; and the converse is true. If we do not lower the requirements, we shall constrict the freedom.

Mr. DOMINICK. That is correct.

Mr. HARTKE. The net result would be ultimately to increase interest rates.

Mr. DOMINICK. No; I cannot see that the proposed action would increase interest rates immediately. Such a result is largely established by action on the discount rate by the Federal Reserve, as a rule. Member banks follow the path which is laid down by the Federal Reserve. Recently there was an increase in the interest rates, as the Senator knows, which was advocated and started by the Federal Reserve in order to try to offset some of the temporary loss of investments when people who hold moneys in the United States invest them for interest-bearing purposes in England, France, or Germany.

Mr. HARTKE. The Senator from Colorado does not seriously contend that ultimately interest rates would not increase as a result of the failure to reduce the reserve in the event that gold supply were reduced to a point at which there would be a temporary reduction under the authority vested in the Federal Reserve—aside from a demand that the member banks comply with the reserve which is on hand.

Mr. DOMINICK. With all due respect to the Senator from Indiana, I do not believe that the interest-rate situation is before the Senate. But if the Senator desires to have me to say something about it, I shall be glad to do so.

Mr. HARTKE. I am trying to determine what the Senator from Colorado believes the issues are. The Senator from Virginia [Mr. ROBERTSON] contends that the amendment of the Senator from Colorado on balance of payments is really not an issue in the matter before the Senate at the moment. Would it not be correct to say that the question of inflation is not a problem which could be controlled by the proposed action?

I am trying to find out exactly where there would be an effect upon the economy as a result of the action which would be taken under the bill before the Senate.

Mr. DOMINICK. The Senator from Indiana has pointed out specifically that the bill does not meet the problem.

Mr. HARTKE. That is correct.

Mr. DOMINICK. The problem is our imbalance of payments. All the bill does is to apply a poultice by providing ourselves with more gold, so that we can make further payments to our oversea creditors. This would accelerate the loss of gold, and put us in a worse condition.

My amendment is designed to provide enough leeway to make a study; and such a study should result in specific legislative proposals to cure the problem.

Mr. HARTKE. The Senator from Virginia proposes in his bill that a study be started by a subcommittee of the Committee on Banking and Currency. On the other hand, he is saying that, in the meantime, we should take the proposed action while the dollar is still strong, before we are driven into a position of sustaining repercussions. The question is whether we shall be able to work in a framework of deflation and complete repeal of the requirement of a gold reserve. The end result of his proposal would be the action proposed, rather than putting us in such a position that the people of the world will not know what we are going to do next.

Mr. ROBERTSON. The Senator is correct. The proposal the President has made now, to make $5 billion available, has the endorsement of the American Bankers Association, of almost all the bankers of the Nation, of the Treasury Department and their experts, and of the Federal Reserve Board and its experts.

The Senator from Virginia said in his opening statement that the bill is merely a poultice. It provides us with time, as the Senator from Indiana said, to work on the problem. The Senator from Virginia had planned to start hearings next week; but the subcommittee could not function in two places at once.

Mr. HARTKE. In other words, what we have come down to, what we are really talking about basically, is something we are all afraid could lead to inflation. I believe that failure to take the action proposed by the Senator from Virginia, which is the administration's proposal, would result in deflation.

The second point is the question of the balance of payments, which is not at issue.

So taking these items out, I believe that the only effect that adoption of the amendment of the Senator from Colorado would have would be an adverse one, which I do not support; that is, to raise the interest rates on every business and individual in the United States.

Mr. DOMINICK. I fail to see how reducing the amount of required gold reserves behind deposits and behind the currency would increase interest rates. That does not make any sense at all, based upon what the Senator from Indiana has just said, because I am not proposing to reduce reserves.

Mr. HARTKE. The Federal Reserve would reduce the reserves required by the member banks. In so doing, they would have to dispose of securities. The securities they would dispose of would be Government securities. This would be the natural result, because this is the only kind of securities, generally speaking, they can dispose of. The net result would be to increase interest rates. In my opinion, the net result of the amendment of the Senator from Colorado would then be to increase interest rates and decrease the number of deposits, put a damper on production, and be deflationary of our economy.

Mr. DOMINICK. It seems perfectly apparent to me that the Senator from Indiana is merely making a political speech and an attack on me, without having read the amendment.

Mr. HARTKE. I have read the amendment.

Mr. DOMINICK. What the Senator apparently does not understand is the economic system under which we operate.

Decreasing the required gold reserves behind Federal Reserve deposits and behind our currency could have no effect except to expand lending and lower interest rates. That is what I am trying to do.

Mr. SALTONSTALL. Mr. President, will the Senator from Colorado yield? I should like to ask the Senator from Virginia a question.

Mr. DOMINICK. Mr. President, I yield to the Senator from Massachusetts without losing my right to the floor.

Mr. SALTONSTALL. It seems to me that three questions are being raised here. The first is the question of the amount of gold reserves behind Federal Reserve deposits. Second, there is the question of the imbalance of payments. Third, there is the question of balancing the budget.

I have great respect for the Senator from Delaware [Mr. WILLIAMS], but I do not see that the last question enters into this subject at all. The Senator from Virginia has spoken about the intention of a subcommittee of the Committee on Banking and Currency to study the balance-of-payments question.

I believe the Senator from Colorado has made an excellent point in stating that there should be an immediate study. I agree with him. I believe the Senator from Virginia is probably correct in saying that it should be conducted by his committee. I do not question that.

The question of gold behind Federal Reserve deposits should not be involved in the study of imbalance of payments.

They are tied together, but they are not tied tightly.

I should like to ask the Senator from Virginia whether he will undertake this study through his committee? How soon will he undertake it? How extensive will he make it, so that we may have a report on the results shortly, as the Senator from Colorado has asked?

Mr. ROBERTSON. The joint committee that was to be established under the amendment was to have reported in August. I do not know when it was planned to start the investigation. I do not know where they would have obtained an economist as good as the one we have so they could start immediately. We had set the beginning of the study for next Tuesday. Unfortunately, the chairman of the subcommittee had set hearings at that time on air pollution. So I do not know how two sets of hearings could be conducted at the same time. However, the Subcommittee on International Finance will begin hearings, so far as I am concerned, next week. We shall obtain the best information we can and report it to the Senate as soon as we can do so.

As to balancing the budget, the Senator from Massachusetts [Mr. SALTONSTALL] is a senior member of the Committee on Appropriations. He knows, and I know, that we are not going to balance the budget. That is foregone. The only question is as to how big the deficit will be. Some say it will be $3 billion, some say $5 billion. In my opinion, it will be close to $8 billion.

Mr. SALTONSTALL. I do not believe that that subject enters into this discussion.

Mr. ROBERTSON. Of course not. We cannot settle that here. We know we are not going to balance the budget; we cannot settle that question yet. Neither can we settle the balance of payments. Yet it is a most vital issue now, because in the end it could undermine our currency.

We need a little time to maneuver and to consider the plans which the President proposes—10 of them. I shall go along with him. However, I favor reducing our foreign aid and asking our allies to contribute a little more in the area of military expenditures. Those issues must be faced; but we cannot do so in this bill.

Nearly everyone who appeared before our committee said that something must be done. The President suggested that the gold reserve be taken off all deposits, to release $5 billion. The Senator from Colorado [Mr. DOMINICK] says we should take 5 percent off both deposits and currency and release $2 billion.

Mr. DOMINICK. That is true.

Mr. ROBERTSON. The Senator from Illinois [Mr. DOUGLAS] says we should take 25 percent off of all and release the whole amount—about $13 billion. The Senator from New York [Mr. JAVITS], as I recall, suggested an amendment which would have released about $6 billion.

So everyone says that something ought to be done; but the best experts say that this is the way we ought to do it.

Mr. SALTONSTALL. Can we get from the Senator from Virginia a statement in the form of an assurance that if the subcommittee studies the problem, Congress will receive a report within a reasonable time, say in July or August, or before this session of Congress ends?

Mr. ROBERTSON. The Senator from Virginia promises that there will be a report. I cannot promise a settlement because I cannot control a settlement. Suppose that Congress were to vote to add $3.3 billion to foreign aid, when there is already $6.5 billion in the pipeline. I could report that I believe it is an unwise thing and that we cannot get anything but another deficit out of it. But what good would that do? I can understand the problem. I can report what I think and what the committee thinks ought to be done. That is all I can do.

Mr. SALTONSTALL. That is all that we can expect.

Mr. ROBERTSON. I thank the Senator.

Mr. DOMINICK. Mr. President, what the distinguished chairman has just said is a typical example of a very cogent reason for adopting my amendment. If the administration were to ask for greatly increased foreign aid, there would be very little that we could do to stop it. Under those circumstances, it would create more situations and a greater demand on our gold.

My point is that if we were to put this limitation in the bill, we would place a more severe restriction on the administration than we would if we were to take the administration bill. It would perhaps require the administration to cut down on some of the commitments which have created the problems.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ROBERTSON. General de Gaulle is threatening us with demanding gold for $1 billion. If we were to have $1 billion available in gold, he could take it away from us tomorrow. The administration states that we have not given it enough leeway. We need some margin to operate on.

Mr. DOMINICK. The total amount that he could ask for would be $1.3 billion. I propose to make an additional $2 billion available.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. Mr. President, do I correctly understand the Senator from Virginia to say that we are confronted with a critical problem because we have only about $1.5 billion to meet potential demands of short-term creditors for $23 billion?

Mr. ROBERTSON. Mr. President, the outstanding demand, private and public together, is over $26 billion.

Mr. LAUSCHE. So, it is a critical problem that requires immediate action. Is that the position of the Senator from Virginia?

Mr. ROBERTSON. The Senator is correct. That is the position of the Senator from Colorado, who states that we must take some action now.

Mr. LAUSCHE. Mr. President, the Senator from Virginia states that if we take some action now it will give us time within which to meet this problem with corrective measures. What have we been doing in the past 4 years, since this problem has arisen?

Mr. ROBERTSON. We have been hiding our head like an ostrich in the sand and ignoring it.

Mr. LAUSCHE. May I ask the Senator if in his opinion the hiding of the head in the sand like an ostrich has not been a very critically wrong thing to do, and a thing about which we have not adequately informed the public?

Mr. ROBERTSON. Mr. President, I will let the Senator inform the public.

Mr. LAUSCHE. The Senator does not want to answer. I believe the Senator means that he concurs in the statement that I made.

Mr. DOMINICK. Mr. President, the administration has stated that this proposal would increase the confidence of our allies, friends, and creditors overseas in the value of the dollar. They say that therefore it would have a beneficial effect on their confidence in our dollar and thus cut down on the amount of our gold.

This is the sort of reasoning that has been advanced in support of this proposal. I suggest to my friends in the Senate that the reaction will be exactly the opposite, that the creditors overseas will say that the United States has gone so far down the road of inflation that they are required to reduce their reserves of gold behind their dollar in order to meet their obligations, which is a sign of weakness. As such, we had better get our gold reserves up in order to take care of a possible devaluation of the dollar at a later date.

There is substantial reasoning among the people in the economic fields overseas to support this type of reaction. It is reinforced, of course, by the action that we took at the International Monetary Fund Conference held in Tokyo in August of 1960, when it was proposed that an additional 25 percent assessment be placed on member nations of that Fund in order to provide adequate capital for the Fund.

It was proposed that the additional assessment be in gold. But we did not have enough gold to meet the assessment. We would have had to put $1 billion of our own in the fund, and then all the other accredited nations would have asked for their share of the gold from us. Since there are a great number of nations involved in the monetary fund—I am not sure how many, but there are a great many—it would have involved more gold than we had available over and beyond our reserves.

Secretary Dillon very properly said, "We cannot do it in this way. We shall have to do it in pledges of gold, rather than an actual deposit of gold." That is no indication of the weakness of our gold position so far as our creditors are concerned.

Mr. President, it strikes me that this is a very close outlook. I know that the adminstration states that by this action we are saying that we shall give gold for the dollars that are turned in and that there will be no emergency.

The point I make is that there are two main reasons for the loss in gold. One is the imbalance of payments. The other is the lack of confidence in the dollar. If we take the proposed action, we shall be in grave danger of increasing the lack of confidence instead of decreasing it.

Mr. President, in the statement which I presented to the committee, I pointed out some of the things which I think are worthwhile. I repeat it for the benefit of Senators who were not present and have not had an opportunity to read that testimony. This is fundamentally a matter of alternative proposals that have been made.

Mr. President, in the statement which I gave the committee I made an analysis of the alternatives proposed here and what the effect is. It shows that as of December 1964 we had about $1.4 billion of so-called free gold to meet demands from oversea creditors.

Under the alternative which was proposed by the Senator from New York [Mr. JAVITS] before the committee, there would be about $7.3 billion of free gold, but this in turn would have reduced our gold backing behind both Federal Reserve deposits and Federal Reserve notes to 10 percent in the first case and 15 percent in the second.

The administration proposal would provide about $5.6 billion worth of free gold. The problem with this proposal is that it enables Congress and the administration to go to sleep over the very same problems we have now. If those problems continue, or accelerate, as they could easily do under this proposal, we shall be back in the same boat we are now in.

My proposal would provide $3.4 billion of free gold, only on a temporary basis. Of course, it would put a real "bind" on the administration. We would have to find some method—and very soon—for correcting the imbalance-of-payments situation, so we would get back some gold instead of letting it go. As I said previously, it is very similar to the situation of the debt limit. The debt limit has been raised about six times in the past 4 years. We shall have to raise it again. But every time we do, the administration has to come before Congress to justify what it is doing and to give Congress an opportunity to say how it feels. Congress has been more and more reluctant, as time goes on, to give consent to temporary increases in the national debt limit. Keeping the reserve limitation on a temporary basis would have the effect of keeping the administration up against the "blade," so it would have to justify what it is doing in order to have a further increase.

I do not care whether it is a Republican or Democratic administration; I say that, on the basis of sound fiscal policies, Congress should be notified and told about any gold situation behind our dollar so far as emergency or statutory treatment is concerned.

It is proposed that Congress grant the administration $7.3 billion of free gold. We have not had that much free gold since 1957. It does not seem to me it is very sensible to go to sleep on this problem, and let it continue. That is what would happen if we granted $7.3 billion in free gold. This is one of the main reasons why I ask that it be done on a temporary basis only.

I do not believe there is need for me to say much more here. I have before me an article entitled "The Gold Flow," written by B. Barret Griffith, which was published in the Financial Analysts Journal in May–June 1963. We have inserted in pencil certain figures for 1963 and 1964. I ask unanimous consent that the article be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GOLD FLOW

(By B. Barret Griffith)

The opinion that "We are on the threshold of what could be an excitingly constructive and bullish era if we take the right steps to expand trade, profitably sell our so-called surpluses, and forget Economist Keynes (after all, we don't have to be hurt by honorably discharging our obligations in a realistic fashion)" was expressed in "The Gold Flow" article published in the July–August 1962 Financial Analysts Journal.

This opinion is still held by the writer, but his optimism is necessarily decreasing because Washington seems to be letting time slip by without admitting the errors of past purposeful monetary inflation, and agreeing to forsake Hellerious-Keynesian theories. Public and private debts at $1 trillion, and taxes, which continue to bleed away savings, have apparently become a mental burden and a psychological hazard to public confidence recently.

The public is more aware than it seemingly has been for years to the fact that our Federal Government finances itself by only three means: (1) taxes, (2) selling bonds, and (3) manufacturing money by creating bank deposits when our Federal Treasury sells Government bonds to banks, and thereby creates spendable checking account deposits. More observers are noting that commodity prices have been drifting for some time in the face of increasing debts.

The fear is taking hold in some quarters, that, like in 1929, prices might become a lot softer without debt increases and more, and ever faster purposeful monetary inflation. More and more people are recognizing monetary inflation and some seem to be fearful of a collapse unless the tempo of the inflation is stepped up. Washington seems to be of these sentiments.

Happily, the public, or at least a great many Americans outside Washington and urban areas, are seriously questioning policies that appear to favor more Federal Government spending and lower Federal taxes. Americans seem to be doubting that more can be poured from the jug than is put into the jug, regardless of who says that it can be done. Herein lies today's powerful bullish factors.

Great hope still lies in the real possibility that the American public will convince Washington that expanding trade demands a good hard currency available to all individuals; that the exchange of goods, after all, is a continuous thing with the only question being as to whether it is carried on peacefully, or by force; and that, as debtors, the United States of America, when it is freed from today's fallacies, can not only honorably discharge all of our obligations owed to foreigners; but also can pay off America's obligations to foreigners without suffering monetary chaos and depression.

Americans are looking forward to Washington reestablishing good hard currency in order for domestic and world trade to flourish. Americans appreciate that the selling price of gold may be raised internationally when past monetary errors are officially admitted. Because good hard money must become available to all, they are not alarmed.

U.S. gold reserve versus requirements and potential claims, 1922–62

[Dollar amounts in millions]

End of year	U.S. gold reserve	U.S. required gold reserves (A)	Foreign short-term dollar balances (B)	Total of (A) and (B)	Percent claims to gold
1922	$3, 506	$1, 686	$1, 009	$2, 695	76.9
1923	3, 834	1, 652	990	2, 649	69.0
1924	4, 090	1, 599	1, 237	2, 836	69.3
1925	3, 985	1, 558	1, 193	2, 751	69.0
1926	4, 083	1, 564	1, 639	3, 203	78.4
1927	3, 977	1, 624	2, 591	4, 215	106.0
1928	3, 746	1, 621	2, 673	4, 102	109.5
1929	3, 900	1, 611	2, 673	4, 284	109.8
1930	4, 225	1, 562	2, 336	3, 897	92.2
1931	4, 052	1, 781	1, 304	3, 085	76.1
1932	4, 405	1, 967	746	2, 713	61.6
1933	4, 012	2, 166	392	2, 558	63.8
1934	8, 259	2, 729	670	3, 399	41.2
1935	10, 124	3, 610	1, 301	4, 911	48.5
1936	11, 422	4, 101	1, 623	5, 724	50.1
1937	12, 790	4, 170	1, 893	6, 063	47.4
1938	14, 591	5, 099	2, 158	7, 257	49.7
1939	17, 800	6, 354	3, 221	9, 575	53.8
1940	22, 042	7, 897	3, 938	11, 835	53.7
1941	22, 761	8, 310	3, 679	11, 989	52.7
1942	22, 739	9, 977	4, 205	14, 202	62.5
1943	21, 981	11, 902	5, 375	17, 277	78.6
1944	20, 631	14, 350	5, 820	21, 170	102.6
1945	21, 083	10, 868	7, 074	17, 942	85.1
1946	21, 706	10, 731	6, 481	18, 429	84.9
1947	22, 868	11, 294	7, 135	17, 212	75.3
1948	24, 399	11, 894	7, 756	19, 650	80.5
1949	24, 563	10, 753	7, 623	18, 376	74.8
1950	22, 820	11, 055	9, 222	20, 227	88.6
1951	22, 873	11, 720	9, 302	21, 022	91.9
1952	23, 252	12, 055	10, 731	22, 786	98.0
1953	22, 090	12, 151	11, 771	23, 922	108.3
1954	21, 793	11, 812	12, 923	24, 735	113.5
1955	21, 752	11, 975	13, 580	25, 555	117.5
1956	22, 058	12, 120	16, 428	28, 548	129.4
1957	22, 857	12, 101	16, 580	28, 681	125.5
1958	20, 582	12, 036	17, 637	29, 673	144.2
1959	19, 507	12, 182	21, 472	33, 654	173.0
1960	17, 804	11, 882	23, 665	35, 547	199.7
1961	16, 947	12, 095	25, 384	37, 479	221.2
1962	16, 057	12, 497	[1] 29, 094	41, 591	259.0

[1] Includes $2,110,000,000 foreign holdings of Government bonds and $800,000,000 of debt to IMF which we must repay in gold at the $35 price, regardless of price of gold on repayment date.

Mr. DOMINICK. I have also an article by some very competent investment bankers and experts on the gold situation, originating in Paris, which tends to support my position that we are not going to increase confidence in the value of the dollar by taking the administration step; that we would, in fact, more seriously increase the rate of gold outflow. I think it is sufficiently important to include in the RECORD at this point, and I ask unanimous consent to do so.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FROM GASTON COBLENTZ—THE BATTLE IS JOINED

DRAMA ON GOLD MARKETS

To fully grasp the drama on the European gold markets in the last several days, consider the following nine points, most of which have understandably been omitted from official commentaries:

LARGER FRENCH CONVERSIONS?

1. France's move to increase its gold reserves and decrease its dollar holdings may not be exhausted by the conversion this winter of 300 million worth of dollars into gold, nor by the announced intention of

raising France's further monthly conversions of dollars somewhat above the recent $34 million rate per month. We would not exclude the possibility of France calling on the United States to exchange additional substantial amounts of dollars for gold this year or next.

FRENCH DEBT PREPAYMENTS

2. The U.S. Treasury has publicly inferred that France will not convert $660 million which it holds "to cover its outstanding debt to the United States," and that it will also retain $400 million as adequate working balances in dollars. Various indications do not conform with this prediction. Actually there are strong signs that the French Government may have reached a decision to completely halt advance prepayments of its debt to the United States. The ultimate meaning of such a decision would be that France foresees a possibility of repaying its debt, when due, in cheaper dollars--that is, cheaper in terms of gold. Theoretically, in order to obtain such cheaper dollars, France would have to convert the $660 million into gold at the present parity of $35 an ounce and later use revalued gold to repurchase devalued dollars for the debt settlement.

THE MAIN THRUST

3. The main implications of the current French move are twofold, we believe. First, a belief on the part of influential forces in France that a revaluation of gold is inevitable. France announced in Tokyo in September its aim of restoring the primacy of gold over sterling and the dollar. Recent French actions have been consistent with this stated goal. It has become clear to insiders that the sterling crisis in November greatly weakened the resistance of those elements of French officialdom who were most willing to cooperate in defense of sterling and the dollar against a gold revaluation.

Second, the interim development of so precarious a condition on the gold markets infers that the United States will be under pressure to throttle the outflow of capital investment dollars to Europe (that is, dollars which France and the rest of Europe can subsequently convert into gold, further diminishing U.S. gold reserves). In this instance, the objective is to repel what General de Gaulle called the economic "colonization."

POOL DEPLETION

4. So far the Russians have not been selling any large quantities of gold recently in London or elsewhere in Europe. It was the Soviet sale of massive amounts of gold which replenished the London gold pool (operated by the United States and the Western European central banks) during the last critical gold rush in the Cuban missile crisis 2½ years ago. Without Russian "assistance," the London gold pool will shortly be forced, if it has not already been, to draw gold from the reserves of the cooperating central banks, including the U.S. Treasury. Under existing arrangements, the United States will be obliged to contribute 50 percent of the gold needed to meet further speculative and hoarding demand. It may be that the post-Khrushchev Soviet Government has decided, this time, that its political and economic interest lies in withholding gold rather than supplying it.

OVER $37 AN OUNCE

5. The scope of the new European gold speculation became apparent on Friday, January 8, when gold reached $35.17—$35.20 in London. This pierced upward through the $35.13 level which was believed to be the barrier at which the central bankers wished to contain gold trading activities. In Paris, the same day, gold bullion rose momentarily to over $37.

FRENCH FRANCS INSTEAD OF DOLLARS

6. France within the past week abandoned its longtime practice of stating its monthly gold and foreign currency reserves in dollars, and instead for the first time formulated its national reserve totals in French francs.

U.S. 25-PERCENT GOLD COVER

7. In the turbulent atmosphere which prevailed in the past few days, the U.S. Treasury's confirmation of plans to decrease the 25-percent gold backing of the U.S. money supply was taken by the speculative forces as a sign of weakness. The prevailing atmosphere was described by the Financial Times of London, as one "in which any and every rumor, no matter how unfounded, can produce a raid on one currency or another or a move out of currencies into gold." Contrary to Washington's intent, the proposed decrease of the U.S. 25-percent cover was thus not hailed as proof that the United States would make good on its promise to deliver gold for dollars, but instead was taken by many as an indication that the U.S. gold supply will dwindle further, that Washington may ultimately be forced to embargo gold sales in order to halt the U.S. gold hemorrhage, the inevitable result of such an embargo being the revaluation of gold on the London market well above the present $35 price.

BRITISH DEEPER IN HOLE

8. The British pound, already in bad shape, was sucked into the vortex of the heightening gold speculation and the Bank of England has repeatedly been forced in the last few days to "intervene" to support sterling. This means that the British dipped still further into the $3 billion short-term emergency credits which they received from the United States and 10 other Western countries in November to forestall a sterling devaluation. These credits will be increasingly difficult for Britain to repay, and the British situation has, at least temporarily, deteriorated further.

CERTAIN CHANGES

9. The U.S. Treasury has suggested that the above accumulation of events do not reflect or imply any fundamental change in the basic supply and demand situation that has prevailed on the gold and foreign exchange markets in recent months. We would be inclined to qualify this by noting that certain changes have, in fact, occurred: First, foreign demand for gold has increased to the point of obliging the United States to accelerate steps toward decreasing the gold backing of the dollar. While this measure has been envisaged for at least 5 years, it has now become an immediate matter. Second, the cumulative pressure on sterling (excessive supply and inadequate demand) is actually threatening the extinction of the British pound as one of the world's two reserve currencies. Third, France appears to be altering its posture in the supply and demand equation.

POSSIBLE JOHNSON MOVE

If President Johnson in his forthcoming economic messages pledges to maintain the parity of the dollar at $35 an ounce, and if Britain's foreign trade balance shows a sharp improvement in February, it is quite possible that gold speculation will again subside for a time and that marginal losses will have been suffered by the large gold-oriented portion of the international financial community. However, we incline to believe that the battle over the gold price has now at last been joined in earnest, and that it will be renewed.

Mr. **DOMINICK**. Mr. President, I asked for the yeas and nays on this amendment because I think it is an important issue; and I believe the Senate has so far indicated that it is an important issue. There are a few persons who feel that if we adopt the administration's proposal, we are taking the first step toward currency without metallic backing.

Some might say, "What you are doing is the same thing—it is only a matter of degree." However, my proposal is only on a temporary basis, for 2 years, so the country can go back to a 25-percent gold cover.

I urge the support of the substitute.

Mr. **ROBERTSON**. Mr. President, the yeas and nays have been ordered. I was about to make a point of no quorum, so the Senate could proceed to vote on the amendment. I do not wish to debate it further; but if the Senator wishes to carry the debate on further and vote on the amendment tomorrow, it is agreeable to me.

Mr. **ALLOTT**. Mr. President——

Mr. **ROBERTSON**. Does the Senator from Colorado wish to address himself to the amendment?

Mr. **ALLOTT**. Yes.

First, Mr. President, I congratulate my colleague for his very fine speech on behalf of his amendment and also for his position, about which I myself feel very strongly. I am sure the Senator from Virginia is ready to vote upon this measure, but, in my opinion, if we debated it for a week, it would not be too much time to devote to the question.

I am privileged and proud to stand with my colleague from Colorado in his valiant effort to alert the American people to the course to which the apparent majority here in this Chamber want to commit this Nation.

As Senators know, this Chamber adjourned this past week for a brief recess so that those of us in the Republican Party might honor Abraham Lincoln, the founder of our party. I spent this recess in my home State of Colorado, where I spoke to one group after another, stressing the importance of one word—"principle." In my view, a man is nothing in this world if he does not fight for those things in which he believes. A man is nothing if he does not draw a line and say, "This far you shall go, but no further." So far as I am concerned, on the matter we debate today I have drawn the line and I shall not yield. While I have the deepest respect for the convictions of those here who do not share my feeling, and while it appears that the legislation before us may be approved, my own course is set.

Mr. President, to simplify the highly complex problem which we face today, this Nation simply would not be able to pay all its international debts in gold, at $35 an ounce, if demand were made. It is that simple, and that frightening. Consequently, we are called upon to take measures to bolster international confidence in the dollar—or at least the sponsors of this measure claim it will bolster confidence; I believe it will not—to demonstrate that we stand behind the dollar, so as to prevent a run on our gold supply. To that end we are asked to release our domestic gold reserve on deposits in Federal Reserve banks by a permanent change in the law.

But Senators know that this measure does not free enough gold to pay our creditors in full. Neither does the measure of which the chief advocate is the Senator from Illinois [Mr. DOUGLAS], who would go further and completely and for all time abolish all domestic gold reserves. The simple truth is that there is not enough gold in the United States to pay our foreign creditors were they to demand payment for the dollars they hold.

It is clear that this bill is designed to allay fears abroad about our willingness to use domestic reserves to pay international obligations. I have no quarrel with that. I agree with the President's position that we must honor our international commitments down to the last bar of gold.

But, I do quarrel with the means he has chosen to demonstrate our intentions. I believe, first, that it does not, by itself, strengthen confidence in the dollar abroad. Quite the contrary, any hasty action with the far-reaching consequences of H.R. 3818, that could be construed by the Europeans as a "desperation" or "panic" move could shake the very foundation of confidence in the American dollar that has been carefully nurtured in the minds of the people of the world for three generations. I believe, second, that there is serious danger that with this measure in his pocket, the President and others in the administration may very likely forget the sense of urgency that now gnaws at us to solve the problem.

The basic problem in maintaining confidence in the dollar abroad is, of course, our unfavorable balance of payments, which over a period of years has drained our Treasury of gold. It may be, as many economists tell us, a short-term problem only. I am inclined to believe, as they do, that the large portion of the deficit in recent years attributable to foreign investments by our own people will, in the long run, show in our favor in the balance of payments. But the problem, be it short-term or long, is lack of gold due to our continuing deficit in international balance of payments. It is this problem which is left untouched by the bill before us, and which must be solved before we see any real restoration of confidence in the dollar. My colleague from Colorado has very forcefully pointed this out in his report of October 1963 to the Banking and Currency Committee. I commend that report to the attention of Senators, and I commend my colleague for his efforts in preparing it.

Any of us who have taken the time to read this carefully documented statement cannot help being impressed by its earnestness, its forthrightness, and the plain horsesense contained in it. This is a statement based upon personal investigation. He made a trip to Europe in July of 1963. He talked to the central bank officials and private bankers of four of our Western creditor nations. All of them—and this is contained in his very excellent report to Congress—agreed unanimously that the proper way to increase confidence in the dollar and decrease the gold outflow from this country was to bring the balance of payments into line. They agreed that the most important action we could take in this regard would be to balance the budget—something which seems to be out of fashion these days—and to make drastic cuts in foreign aid.

Let me say also that in talking with members of parliaments, particularly in Western Europe, and with many ministers of the governments there, and with businessmen as well, during the past 6 months—this included at least 50 such persons—I found a unanimous attitude in regard to the financial situation in the United States. The attitudes they expressed to me directly substantiate Senator DOMINICK's report. None of them with whom I talked believes that we are going to cure our situation until we start balancing our budget and pulling in our belts a little.

Mr. President, it may be argued by proponents of this bill that the President has recently proposed steps to solve our balance-of-payments problem and that this should certainly satisfy our creditors in Europe. Let me reply that it would appear to be the consensus there, and to a considerable degree in the United States as well, that the steps proposed are nowhere near strong enough. Perhaps, under ordinary circumstances, we would not need to worry about the opinions of our European friends; but when we are debating a bill designed expressly to give them reassurance, their reactions are of the utmost importance.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks, three articles—one published in the February 22 issue of U.S. News & World Report, entitled "Experts' Verdict on L.B.J.'s Cure for Dollar: Not Enough," the second published in the Christian Science Monitor of February 16, headlined "U.S. Gold Slips Through Fingers," and the last one published in Life magazine of February 19, entitled "Sense in That Golden Nonsense."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALLOTT. Mr. President, we have heard a great deal about the deterrent effect of our defense system, and we have heard it said that in order to have a deterrent effect the threat of retaliation must be credible. Likewise, I say here that our efforts to restore confidence in the dollar, to have any effect, must be credible. To our friends abroad, this means that we must demonstrate our determination, not to use our gold supply in a profligate manner, as we have, but to face the hard realities of bringing our deficit in payments to a halt—by halting also our continuing deficits in the governmental budget if need be.

I recognize, Mr. President, that there are arguments over the root causes of our deficits in international accounts. However, I feel sure that there could be no serious disagreement with the fact that to some extent the deficits are due to continued inflation in this country—to an overexpansion of our supply of money. In this regard, I completely disagree with the theory of my good friend the Senator from New York [Mr. JAVITS], who spoke a while ago, while my colleague the Senator from Colorado [Mr. DOMINICK] had the floor.

This inflation, this overexpansion of our money supply, in turn, can be traced to our continuing unbalanced Government budget, the consequent growth in our national debt and the monetization of that debt. That, at least, is what the economists and bankers of Europe believe, as reported to the Senator from Colorado [Mr. DOMINICK], and to me.

Let me digress here for a moment, Mr. President, to recall the testimony before the Senate Banking and Currency Committee in 1945, when a decrease in the gold reserve requirements was being discussed. The witness at that time was the highly respected Marriner Eccles, then Chairman of the Board of Governors of the Federal Reserve System. He testified, in response to a question from Senator Taft, that inflation was due to deficit financing in the appropriations of the Government—the same thing the bankers of Europe, whose confidence we are trying to restore, told the Senator from Colorado [Mr. DOMINICK] a year and a half ago. I would also mention, as a matter of interest, that Mr. Eccles expressed the opinion at those same hearings that it would never be necessary again to lower the gold reserve requirement.

But to come back to our immediate problem, the action we take today if we pass H.R. 3818 may not be credible to those whom we are trying to impress, because it does not get at the basic problem, and what is worse, it could allay the fears and blind the senses of those in this country who now can see the danger signals flashed by the system of controls we presently have.

Let me speak for a moment, Mr. President, about those controls. I have studied the House committee report on H.R. 3818, I have studied the debate in the House of Representatives and I have searched the Senate committee report. Throughout all of these there runs the same theme: "The present 25-percent restriction is no longer necessary, in fact, it is meaningless, and anachronistic." I disagree. So long as we retain gold as the medium of international exchange, I believe that our domestic reserve requirements fulfill a most useful function. They flash the danger signals, as they have recently, and have been doing increasingly in the past 4 years, when our free reserves are running low, and warn us that we must do something about the problem before we dip into the "cushion" of our domestic reserves. Further, they put a brake on expansion of the money supply if we do not allow them to be overridden or if the problem is not cured.

I have no doubt that if the drain on reserves continues, and we do not take the steps necessary to halt the flow, the next proposal presented will be to repeal the requirement of the reserve for currency.

I do not believe there is anyone in this field today in the whole world who is not concerned that our sister nation, Great Britain, may be forced to devalue its currency within the next 2 or 3 months.

There are those who advocate that we repeal all gold reserve requirements today. Their position will gain strength from the precedent we will set today if we agree to completely abandon the reserve on bank deposits. This obviously would leave us with no domestic reserves, no builtin warning lights, no "cushion" for paying foreign claims, no congressional jurisdiction over the problem. When that times comes, Mr. President, I suggest it will be time to change the motto on our currency to read "In the Federal Reserve Board We Trust," for we shall have no other control on unlimited expansion of our money supply—or, inflation, to use a better understood term.

Let me make my position clear. I believe that if we pass the pending bill as it is now constituted, within a matter of months—and in all likelihood before we conclude this session of Congress—we shall be voting upon a measure to take away the 25-percent backing for the currency.

Mr. LAUSCHE. Mr. President, I did not hear what the Senator said in his last statement. I wonder if he would be kind enough to repeat it.

Mr. ALLOTT. The last statement I read was:

> I suggest it will be time to change the motto on our currency to read "In the Federal Reserve Board We Trust," for we shall have no other control on unlimited expansion of our money supply.

I said further that I believe fully that if we should pass the bill today as it now stands, Congress will be asked before the session is over to withdraw the 25-percent reserve on the currency.

Mr. LAUSCHE. In other words, the principle of security for people who have the U.S. dollar, which has been in existence since 1913, I believe, will be abandoned, and whatever gold support there now is for the currency will no longer exist, because by the passage of the pending bill we will open the door to the next step, the removal of the 25-percent gold support on Federal Reserve notes, which each one of us carries as American dollars. Is that correct?

Mr. ALLOTT. The Senator is entirely correct in understanding what I have said, and he has stated it very well.

By passing the pending bill we will indeed open the floodgates for the further second step to withdraw the gold support.

Mr. President, I ask unanimous consent that I may yield to the Senator from Ohio so that he may ask a question of the distinguished Senator from Virginia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, what will the position of the Senator from Virginia be if there should come before this body in the near future a proposal that we remove the 25-percent gold support on the paper currency that we carry?

Mr. ROBERTSON. If such a proposal comes before this body in the near future, the chairman of the Banking and Currency Committee will strenuously object to it.

Mr. LAUSCHE. I am in complete agreement with what the Senator from Delaware said. I believe we would be indulging in guile of the worst type, and unbefitting Members of Congress, if we did not let the people know that this is merely the first step in the removal of the metallic gold support that we have on our Federal Reserve deposits and, still more important, on the paper which each of us carries.

Mr. ALLOTT. I thank the Senator. He is entirely correct.

Senators know there are proposals now to shear the Federal Reserve Board of its power—to make it "more responsive" politically. If this should come to pass, Mr. President, we shall be in the same position as was Germany in the thirties, limited in our economic expansion only by how fast our printing presses can run.

I feel I should make clear that this measure itself is inflationary. It does not depend on the next step, repealing the reserve requirement for currency, to make it so. By repealing the reserve on deposits we permit the creation of more demand deposits—bank loans, among other things. We also include no restriction on the use of the $4.9 billion thus freed; it can be transferred to the reserve for currency, so long as that reserve continues to be required, and we can then print $4 for very dollar's worth of gold transferred into that reserve. The committee report recognizes this fact, and assumes without discussion that part of the stock will be used for that very purpose.

This raises two corollary questions, which were discussed on the floor some time ago. I do not recall which of our colleagues said it, but I wish to make it perfectly clear that in an inflationary economy the man who has a large amount of money, or a fairly large amount of money, can take care of himself quite adequately. Those who are on social security, on pensions, or on retirement funds are the ones who get squeezed. Let us make no mistake about it. Inflation is the worst enemy of such people. If we do anything—and in the pending bill we are about to do it—which creates inflationary pressures, all we are doing is undermining the value of the social security system, about which we heard so much during the last election, and undermining all the pension systems of our States and all the private pensions in the country.

A second point was raised by the distinguished Senator from Indiana, concerning interest rates. He raised it in a colloquy with my colleague from Colorado [Mr. DOMINICK]. He seemed to have a great fear of raising interest rates and the necessity of raising interest rates to stop the flow of gold.

Let me make my own position absolutely clear. If it comes to a question of raising interest rates in order to stem the outflow of gold, I would rather do it many times than to take the gold backing from our Federal Reserve deposits.

I have confidence in the Federal Reserve Board. It is an institution of great integrity, composed of some of the finest men in the country. But they are not infallible and it is even possible that they are not completely immune to political pressure, particularly from a President who feels that he has a "boom" going in the economy and wants to preserve it at any cost. Couple this with the present proposals to weaken their autonomy—and regardless of the chances for actually carrying out those proposals, they constitute a threat—and I am seriously concerned. We must retain some statutory jurisdiction over the whole matter.

Mr. President, I recognize, as I said at the outset, that the situation is serious. While the situation had improved somewhat during 1964, with a total gold loss estimated at $125 million, the outflow to date this year is $450 million, according to the Wall Street Journal of last Friday. Further, in the latest issue of U.S. News & World Report, it is reported that:

> The loan total at all commercial banks jumped to $169.9 billion in January, after seasonal allowance. In dollar amount, the increase of $3.2 billion was the largest for any month on record. Outstanding credit at banks * * * has risen 9 percent in the past year, 38 percent since 1960.

We must do something, but as I have made clear, the "something" is not H.R. 3818.

I strongly favor the proposal put forward by my colleague from Colorado. It would not release as much gold from our domestic reserves as would the administration proposal. According to his figures, his proposal would release some $2.7 billion as against the $4.9 billion in the administration bill. But if an indication of our intention to use domestic reserves is what is desired, his proposal certainly is far stronger than H.R. 3818, affecting, as it does, the gold reserve against currency as well as against deposits. His proposal also has the advantage of not setting the precedent of complete repeal of a reserve requirement. It affirms the intent of Congress to retain its rightful jurisdiction in the matter. And it provides only a limited span of time so that the urgency of the situation will not be forgotten.

Mr. President, there is another question which is presented to us here today, and that is the independence of the legislative branch. Are we, once again, going to depend upon the faithless promises that things will be better if only we in the Congress will just go along this one more time? Do we not in the deepest recesses of our minds and hearts know that if we in the Congress take this action today and approve H.R. 3818, we shall be well on the road to setting a precedent and giving encouragement to those very forces who have put this country in its present, lamentable fiscal state? Do we really believe that the temporary measures, which the administration proposes to ease the present deficit in payments, will accomplish their goals so that within the foreseeable future we shall not be asked to go the whole way?

No, Mr. President, I think there are still a few of us in this Chamber who have been around long enough to know the course of precedents, and know that once a step is taken there is no turning back. Let us stand firm just once and say to these priests of the easy money temple, "We are determined to retain our rightful jurisdiction in this matter, to keep a sound and stable currency."

EXHIBIT 1

EXPERTS' VERDICT ON L.B.J.'S CURE FOR DOLLAR: NOT ENOUGH

Stronger measures are needed to defend the dollar than those just proposed by President Johnson.

That's the feeling among many experts in the United States and Europe.

The latest moves did bring some favorable comments. Canadian Finance Minister Walter Gordon called the President's message "reassuring."

Kurt Schmücker, West German Economics Minister, predicted that the Johnson measures "will be effective."

And yet the great majority of experts interviewed by U.S. News & World Report staff members took a darker view of the President's program.

Some sample comments—

From a top adviser to the French Government: "It is the same old story of treating symptoms but not the cause of the illness."

Says a leading British expert: "This new program to strengthen the dollar seems to me to be very weak."

This comment was made by Roy L. Reierson, chief economist for the Bankers Trust Co., of New York: "The President's message is disappointing, very inadequate to cope with a serious problem."

Listen to a banker in Zurich: "It is unfortunate that Washington once again turns to palliatives instead of choosing sound monetary policies. Credit restraint and higher interest rates are badly needed to cut your payments deficit. The future of the dollar will remain uncertain so long as Mr. Johnson clings to cheap-money doctrines."

The dollar now may come under new pressure, according to several European authorities. There is a feeling that more and more countries may follow the lead of France and unload dollars for gold.

Spain already is increasing its gold holdings. Germany has done so over the past year. Japan may follow suit.

Warns one Swiss banker: "Since the Johnson program leaves the dollar problem unsolved, European authorities will hardly be more willing to hold dollars."

These experts express doubt that the President's proposals for voluntary restraint on lending and investing abroad will work.

"The U.S. program depends heavily on exhortation and official arm twisting," says one British banker, adding: "These tactics certainly have not been effective here in Britain."

A banker in Geneva comments: "In practice, government-sponsored campaigns for voluntary restraint usually fail to show big results. We have seen this in Switzerland when we have tried to check the inflow of foreign capital through so-called gentlemen's agreements. There are simply not enough gentlemen in banking and business to stick to such agreements over long periods against their own best interests."

William Butler, vice president and economist for New York's Chase Manhattan Bank, makes this point:

"Washington officials are letting it be known that, if voluntary measures don't work, more drastic measures—presumably direct capital controls—will be taken.

"So long as there is a threat of controls, voluntary programs will not prove very effective.

"It is the threat of controls that is driving money out of the U.S. companies that have commitments abroad, and they are afraid that they won't be able to meet these commitments. The result is that money is flowing out every day in the tens of millions, even hundreds of millions of dollars."

Several Europeans cast doubts on the effectiveness of U.S. moves to clamp down on bank loans to foreigners.

"Even with the tax on long-term bank loans, money still will be more available and probably cheaper in New York than in Europe," says one official.

Other experts cited "loopholes" in rules covering bank loans that "the clever boys will find a way around."

All in all, the feeling among many experts is that the President's latest moves, while proving to be of some help, still will fall short of what is needed to shore up the dollar.

U.S. GOLD SLIPS THROUGH FINGERS

(By David R. Francis)

NEW YORK.—President Johnson's balance-of-payments program is inadequate.

As a result, the United States will lose a lot of gold this year. Already this year's total drop in reserves has been $450 million. That compares with $150 million for all of last year.

President de Gaulle may be terribly old-fashioned in calling for a return to the gold standard. But he again has correctly analyzed world trends.

Continental Europe might be reaching the limit of its willingness to hold dollars or other American I O U's. This is not just a French quirk.

French Finance Minister Giscard d'Estaing's invitation a week ago to other nations to follow the French example and turn in the dollars and pounds they accumulate for gold could get considerable support.

General de Gaulle has insisted that West Germany show greater political independence from the United States. Now he will press for more monetary independence. But so far Chancellor Ludwig Erhard has not been willing to shake the monetary tree.

The general's great political weapon is the French position on a unified Germany.

Spain has already turned in some dollars for gold. Despite denials of a change in policy, there may be a further drain to the plains of Spain.

Belgium might also stake its claims for gold.

The United States is undoubtedly the greatest economic machine in the world. It is the General Motors of nations. But even gigantic General Motors must pay its bills.

Robert V. Roosa, former Treasury Under Secretary for Monetary Affairs and now in private business here, made an interesting point recently. He said that in the last year the American balance-of-payments deficit has been financed by the underdeveloped nations, not Europe. This is true. The Europeans don't want any more dollars.

Also, the monetary expert noted, for a decade or two to come, the United States will have strong foreign demands on its capital markets. The world will want to borrow money in this country where savings and money are relatively so abundant.

Some ways must be devised to neutralize these pressures on the U.S. balance of payments. Otherwise the deficit will continue to vex President Johnson.

His program was certainly a step in the right direction. But it did not go far enough.

One of the reasons so much money has left the country is that there is so much available for the banking system to lend. A slight tightening of the money supply would reduce the outflow.

President Johnson did not discuss the credit picture in his balance-of-payments message.

A few days earlier, however, he had indirectly advised the Washington press that he opposed tight money. At the same time, he said he might accept "somewhat" tightened credit to reduce the dollar outflow.

A sharp reduction in the net free reserves of commercial banks in the past week—one sign of the money supply—prompted some speculation that the Federal Reserve System is already moving toward tighter money.

More likely, according to other competent observers of the money market, the Fed is moving back to the credit position that prevailed before the raise in the discount rate during the November sterling crisis. It is still a position of basic ease.

Furthermore, there is some doubt as to the effectiveness of the President's call to businessmen and bankers to curb their investing and lending abroad voluntarily.

Business has responded with hearty words of cooperation. But they may not find it so easy to go against market influences when actual decisions are made.

"Moral suasion," as it is called, has not been too successful historically in this country. Yet in the international field it may be somewhat more workable because the big international banks and corporation are relatively few in number.

Even should the President's program be entirely successful, and as promised halve the deficit from last year's $3 billion level, it probably will not be enough to satisfy the continental Europeans. Thus the United States will lose gold.

SENSE IN THAT GOLDEN NONSENSE

A Charles de Gaulle press conference is known around the State Department as his "semiannual anti-American lecture." Last fortnight he used one to launch an assault on the dollar. The dollar, says De Gaulle, should be replaced as the international currency by something "which has a real value which must be earned to be possessed." And what is that? Gold.

"Yes, gold which does not change in nature * * * which has no nationality * * * the immutable and fiduciary value par excellence." Behind De Gaulle's words you could almost hear the stuff jingling in a million French mattresses, its hideout through the centuries. He wants gold restored to its throne because the Common Market countries now own almost as much gold as the United States and could own a lot more if they wanted to turn in their dollars for it.

Most money experts dismissed De Gaulle's "vast reform" as dreamy nonsense. U.S. Treasury officials called it "a retreat to 1931." Yet at always with De Gaulle's pronouncements, this one has a shrewd aim and much prophetic content. The subject of gold is not nonsense when the dollar is in trouble.

Under the prevailing "gold exchange standard" of international payments, the dollar has been generally accepted as a substitute for gold because the United States stands ready to buy or sell gold at $35 an ounce. For 7 years we have been mostly selling and our stock of gold, once $24.5 billion, is now scarcely $15 billion. Monetary experts have shown mounting uneasiness about this system. They question its ability to support an expanding world trade or to surmount another crisis like the run on the pound last autumn.

The currencies that finance most of the world's trade are the pound and the dollar. Unfortunately, Britain and the United States are themselves in chronic deficit in their own balance of payments, and the pound and dollar are losing the confidence of other industrial countries for this reason. De Gaulle even charges that the United States, as the only manufacturer of dollars, can and does create capital "by what must be called inflation" and thus "indebts itself abroad at no cost." He is in effect summoning all the hard-money men of Europe to declare their independence of the dollar.

Although most German, Dutch, Belgian, and even French money experts do not share De Gaulle's anti-Americanism, they do not like the behavior of the dollar either. "Seven successive years of deficit," warns Raymond Aron, "end up by shaking confidence in any money, even the dollar." Washington has known for months it must take sterner measures to end these deficits.

Last week the President announced the measures he has chosen. The one with the most public impact is to reduce the duty exemption on tourist purchases abroad. The one with the most business impact is to tax U.S. bank loans abroad, while also urging

> banks and corporations to limit their "not essential" exports of capital. But while Johnson's words were determined ("the dollar is, and will remain, as good as gold"), the measures he proposes are more hortatory than muscular. Conspicuous by its absence is any use of the most powerful corrective of all, the Federal Reserve's influence on the total flow of dollars by way of bank reserve requirements and interest rates.
>
> Johnson's reluctance to use monetary policy is due to his fear of dampening our domestic boom. But the increase in money and credit that has fed this boom may well be too rapid and ample. The longer we avoid the "classical medicine" of tighter credit, the more complex and irritating become Johnson's substitute half measures to end the dollar outflow—and the less persuasive to the European central bankers, whose good opinion is one of the dollar's major supports.
>
> On the collaboration of these foreign bankers we must depend, not only to keep the present international monetary system stable, but to work out the needed improvements in it which De Gaulle's cries of "gold" have overdramatized. De Gaulle himself has not the power to undermine the dollar or to sever its links with Europe. But the United States can, by paltering with its own balance-of-payments deficits, gravely weaken the dollar's voice in its own future.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The Chair recognizes the Senator from Virginia.

Mr. ROBERTSON. Mr. President, for 10 years I served on the Ways and Means Committee of the House of Representatives. During that time 12 tax bills were brought to the floor of the House, and the House passed 12 tax bills under what is called a "gag" rule. A gag rule is one under which a bill comes before the House and no amendment is in order. The reason why the House of Representatives has always considered tax bills under a gag rule is that a tax bill cannot be written on the floor of the House. Since there are 435 Representatives in that body, there may be 435 opinions as to what should be done. Of necessity, a tax bill must be considered for weeks and months in committee. Testimony of the best experts obtainable must be heard. Also the divergent views of those who will be required to pay the tax must be heard.

Then the committee goes into executive session. As the Senator from Georgia [Mr. TALMADGE] well knows, frequently the committee may spend 2 or 3 months in executive session, the members who have heard all the testimony, discussing the bill, and arguing with staff experts who know the fundamental principles of what should be done.

We have before us today a bill which is as technical as a tax bill. I do not believe that any Senator fully understands all the implications of what we are dealing with. I do not believe that anyone in this country has a categorical answer as to what is definitely the best thing to do. We have temporized with our unfavorable balance of payments for 15 years. During that time we have had a favorable balance in only 2 years. As I recently said, when I think of our lavishly pouring dollars abroad, I am reminded of Atlas, whose penalty for making war on Zeus was to carry the world on his shoulders. I have asked why, when we had won a war on behalf of freedom, we should voluntarily assume the burden of carrying the world on our shoulders. In essence, that is what we have been attempting to do. We have lavishly given loans and handouts to all the nations of the world except three, so that now, as a result, there are $26 billion or more of claims against the free reserve of $1.5 billion of gold.

We shall discuss the question later, but I invite the attention of the distinguished Senator from Ohio, who maintains that the proposal is the first step to complete repeal, to the fact that in the opinion of the experts—and I am not one of them, though I try to follow the best information and advice I can obtain—the proposed plan is the best plan that the experts can devise to prevent a demand of $26 billion being made against gold in the amount of $1.5 billion.

If such a demand should be made, our currency all over the world would be wrecked. Havoc would be created in a number of nations that use our currency as a supplemental backing for their own currency. The value of our dollar would be destroyed. Our promise to redeem dollars in gold would be repudiated, and no one could tell what the economic consequences would be.

Therefore, all of us who follow the views of the experts are agreed that something must be done. We must have a little leeway.

The Senator from Colorado has said, "We will give them an extra $1 or $2 billion of leeway, and then they must act fast."

The experts whom we have followed have said, "Take it all off the deposits right now but leave it on the currency. Tell the foreigners who hold our dollars we can meet their demands. And, do not forget, last year these same foreigners bought $22 billion of our goods. Where are they going to get something to eat if they do not come to us? Where are they going to get many of the things we manufacture if they do not come here?"

They cannot eat the gold. Many of them will still wish to spend the dollars in our country for things that they can obtain here and which they cannot obtain anywhere else.

We need a little time, however, to consider the facts. We cannot carry the world on our shoulders forever. While Atlas did so, presumably we do not have to do it; and neither can we do it.

The amendment of the Senator from Colorado [Mr. DOMINICK] would not provide the necessary firm and clear assurance to foreign governments and foreign central banks holding our dollars that we intend to support our dollars indefinitely at $35 to the ounce. This is true both because the amount is too small—the amount would only provide about an additional $2 billion instead of the additional $5 billion the administration bill provides, and because of the 2-year time limit which indicates only a half-hearted and limited assurance.

The 2-year limit might not provide sufficient time in order for the Government to make the necessary adjustments and changes to completely eliminate our balance-of-payments deficits. And even if our balance of payments could be brought into equilibrium in 1 year or 18 months, this would not be enough under the Dominick amendment. It would require that the gold flow be reversed within 2 years, so as to make up for any losses in the next year or two. I think this requirement is unrealistic.

Furthermore, it seems clear that as the end of the 2-year period approached foreign government and central banks would rush in to call for gold. It seems likely that the amendment would make things worse than better.

I am as anxious as the Senator from Colorado to have the Government take prompt, firm, and decisive steps to end our balance-of-payments deficits. But I do not think it will assist the Government to take these steps or to carry them out to have a 2-year limit on the time given to the Government to try them.

I should like to add that I have been advised by Mr. Martin, Chairman of the Federal Reserve Board, and Mr. Dillon, Secretary of the Treasury, that they strongly oppose this amendment.

Do I correctly understand that the Senate is ready to vote on the amendment?

Mr. DIRKSEN. I am ready to make a point of no quorum. I shall ask that the quorum call be sufficiently long to alert Senators to the fact that the Senate is ready to vote.

Mr. ROBERTSON. I believe Senators understand the amendment. I do not wish to continue the debate.

Mr. LAUSCHE. Mr. President, I wish to send an amendment to the desk.

The PRESIDING OFFICER. The Senator from Ohio may do so.

Mr. LAUSCHE. I send to the desk an amendment to the bill before the Senate. The amendment provides:

> That it is the policy of the Congress that the existing requirement that the Federal Reserve banks maintain reserves in gold certificates of not less than 25 per centum against their notes in circulation should be rigorously maintained and not relaxed at any time except in exceptional circumstances or a national emergency.

This amendment has nothing to do with the bank deposit amendment. It merely declares that it is the policy of Congress now, for the protection of persons holding dollars at their homes, in Government bonds, in annuities, and in banks, that they shall be assured that there will be a 25 percent gold support to fortify the strength of the dollars which they have saved and earned.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Does the Senator from Ohio intend to propose his amendment at this time?

Mr. LAUSCHE. No.

Mr. DIRKSEN. Is the amendment being offered for consideration now?

Mr. LAUSCHE. No; only for information.

Mr. DIRKSEN. Mr. President, what is the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Colorado [Mr. DOMINICK].

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I move that the order for the quorum call be rescinded.

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Colorado [Mr. Dominick]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Alaska. [Mr. Bartlett], the Senator from Nevada [Mr. Bible], the Senator from Pennsylvania [Mr. Clark], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Montana [Mr. Mansfield], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Tennessee [Mr. Gore], the Senator from Maryland [Mr. Tydings], the Senator from Maine [Mr. [Muskie], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from Alabama [Mr. Sparkman], and the Senator from Texas [Mr. Yarborough], are absent on official business.

I also announce that the Senator from Georgia [Mr. Russell] is absent because of illness.

I further announce that the Senator from Virginia [Mr. Byrd], the Senator from Tennessee [Mr. Bass], the Senator from North Carolina [Mr. Ervin], the Senator from South Carolina [Mr. Johnston], the Senator from North Carolina [Mr. Jordan], the Senator from Massachusetts [Mr. Kennedy], the Senator Montana [Mr. Metcalf], and the Senator from Rhode Island [Mr. Pell] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], and the Senator from Rhode Island [Mr. Pastore] would each vote "nay."

On this vote, the Senator from Alaska [Mr. Bartlett] is paired with the Senator from Utah [Mr. Bennett]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Alaska would vote "nay."

On this vote, the Senator from Massachusetts [Mr. Kennedy] is paired with the Senator from Kentucky [Mr. Cooper]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Montana [Mr. Mansfield] is paired with the Senator from Idaho [Mr. Jordan]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from Montana would vote "nay."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from South Carolina [Mr. Thurmond]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Rhode Island [Mr. Pell] is paired with the Senator from Wyoming [Mr. Simpson]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Rhode Island would vote "nay."

On this vote, the Senator from Maryland [Mr. Tydings] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Maryland would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. Aiken], the Senator from Utah [Mr. Bennett], the Senator from Arizona [Mr. Fannin], the Senator from Idaho [Mr. Jordan], and the Senator from Wyoming [Mr. Simpson] are absent on official business as members of the Mexico-United States Interparliamentary Group.

The Senators from Kentucky [Mr. Cooper and Mr. Morton] and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from California [Mr. Kuchel] and the Senator from South Carolina [Mr. Thurmond] are absent on official business.

On this vote, the Senator from Utah [Mr. Bennett] is paired with the Senator from Alaska [Mr. Bartlett]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Alaska would vote "nay."

On this vote, the Senator from Kentucky [Mr. Cooper] is paired with the Senator from Massachusetts [Mr. Kennedy]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Arizona [Mr. Fannin] is paired with the Senator from California [Mr. Kuchel]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Idaho [Mr. Jordan] is paired with the Senator from Montana [Mr. Mansfield]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from Montana would vote "nay."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from Maryland [Mr. Tydings]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Maryland would vote "nay."

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Rhode Island [Mr. Pell]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Rhode Island would vote "nay."

On this vote, the Senator from South Carolina [Mr. Thurmond] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 16, nays 48, as follows:

[No. 20 Leg.]

YEAS—16

Allott
Cotton
Curtis
Dominick
Hickenlooper
Hruska
Lausche
Magnuson
Mundt
Murphy
Pearson
Prouty
Scott
Tower
Williams, Del.
Young, N. Dak.

NAYS—48

Bayh
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Dirksen
Dodd
Douglas
Eastland
Ellender
Fong
Fulbright
Harris
Hart
Hartke
Hill
Holland
Inouye
Jackson
Javits
Kennedy, N.Y.
Long, Mo.
Long, La.
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mondale
Monroney
Nelson
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Smathers
Smith
Stennis
Symington
Talmadge
Williams, N.J.
Young, Ohio

NOT VOTING—36

Aiken
Anderson
Bartlett
Bass
Bennett
Bible
Byrd, Va.
Clark
Cooper
Ervin
Fannin
Gore
Gruening
Hayden
Johnston
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Mansfield
Metcalf
Miller
Montoya
Morse
Morton
Moss
Muskie
Neuberger
Pastore
Pell
Russell
Simpson
Sparkman
Thurmond
Tydings
Yarborough

So Mr. Dominick's amendment in the nature of a substitute was rejected.

Mr. PEARSON. Mr. President, the distinguished junior Senator from Arizona [Mr. Fannin] is necessarily absent today. He has prepared a statement, not on the amendment under debate, but on the bill.

I ask unanimous consent that the statement of the junior Senator from Arizona be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Fannin

I share the administration's concern over the nagging persistence of the deficit in our balance of payments and what it is doing to our dwindling gold reserves. We must face the unpleasant fact that the stability of the dollar and the international financial integrity of the United States are threatened.

I shall support H.R. 3818 to remove the 25-percent gold reserve for Federal Reserve bank deposits, because in all candor the Congress has no alternative. The dollars already have been invested, spent or given away abroad.

The holders of these dollars, both central banking institutions and private organizations, have every right to demand their convertibility into gold. We must make the necessary gold available to demonstrate that the United States will not hesitate to take whatever steps are required to keep the dollar "as good as gold" in international trade.

I sincerely hope that by making this approximately $4.9 billion of additional gold available for exchange we can accomplish the desired objectives of bolstering confidence in the dollar and reducing the pressure for exchange of dollar holdings by foreign creditors.

However, I cannot agree with those who want to go further at this time and remove the 25-percent gold reserve required for the $35.3 billion of Federal Reserve notes in circulation. This would eliminate the last vestige of legal, built-in restraint against cheapening of the dollar by undue expansion of our currency supply.

Some advocates of this course would have us believe that the present fractional gold reserve for our currency is of dubious psychological value at best. However, when administrations continue to spend more money than we take in, both at home and abroad, any kind of restraint is better than none.

I have in my wallet a souvenir of a trip I made to Brazil in November of 1960 as a member of a national Governors' conference delegation. Secretary Hodges and Secretary Freeman will recall this journey with me when they were serving as Governors of their respective States.

In 1950 this 500-Cruzeiro note was worth $27.30 American—a postwar high. By the end of 1964 this same piece of paper was worth only three and a half cents. I keep this little memento of my Brazilian trip as a personal reminder of what can happen to the money of any nation that does not manage its fiscal affairs with prudence and regard for economic fundamentals.

To those who say "It couldn't happen here," I would remind them that many proud and prosperous peoples said the same thing in bygone times—only to suffer the agonizing experience of being wrong.

Failure to maintain the value of the dollar, by whatever means are necessary, would be the most cruel hoax any administration could play upon the American people. It would be a tragic breach of confidence to the millions of Americans who have saved and invested for their future, including the thousands of citizens who have come to my State of Arizona to enjoy their retirement years. They have a right to expect that their fixed-income dollars will buy as much tomorrow as they do today.

Let us not delude ourselves or the American people that H.R. 3818 is anything more than a stopgap emergency measure. It gives us a breathing spell, but not for very long.

In July of 1963 the late President Kennedy spoke optimistically of reducing the balance-of-payments deficit by $2 billion over a period of 18 months. The deficit then was $2.6 billion. Last year it was about $3 billion. The deficit most assuredly is still with us and it will continue to grow unless positive corrective measures are taken to bring what we spend abroad more into line with what we earn.

No less an authority than the former Under Secretary of the Treasury, Mr. Robert V. Roosa, has commented on this point in the February 8 issue of U.S. News & World Report. As he so ably emphasizes in the interview, the United States simply cannot continue to spend more than it earns in this world without a day of reckoning. And this is what we have been doing for longer than many of us care to remember.

American industry has made commendable progress in the battle to sell more goods abroad. In terms of dollars our exports have increased substantially. But the volume of international trade also has grown remarkably in the last 10 years—something on the order of 100 percent or more.

Before World War II—in 1937 for example—the United States could claim nearly 16 percent of total world markets. For the first 9 months of 1964, figures from the Department of Commerce indicate our share of world markets is running about 19 to 20 percent. Obviously, there is room for a lot of improvement in this sector.

The President has submitted a series of proposals involving both legislation and voluntary action on the part of business and industry to bring our payments situation into balance.

No doubt these measures will soon be before us for our consideration. I am indebted to the Senator from Illinois, who is a learned economist, for his remarks on these proposals last week.

In particular, I am grateful to him for pointing out that foreign economic assistance is the largest single cause of the deficit in the balance of payments, and it might well be wise to insist that some of the affluent nations of Western Europe shoulder a larger share of this burden.

Mr. YOUNG of Ohio. Mr. President, it is widely accepted that the legal reserve gold requirements of our American money supply may be modified.

Twenty-five percent gold reserve is now required on notes and deposits. With an expanding economy, deposits have risen to an alltime high. There is pressure on the gold reserve. In fact, the executive vice president of the American Bankers Association in a speech last January 20 supported the proposal to relax requirements but did state that the gold reserve should not altogether be removed.

Opposition to changing the present law is unsound. It perpetuates the myth that our monetary system is dependent upon gold reserve. Our money is dependent upon the productivity of our country. American people know that we are not on the gold standard. Information that it is proposed to reduce gold reserve behind Federal Reserve deposits has not created even a ripple of fear. Gold is rarely a prime asset. If this proposed action is taken, it will serve to notify financial leaders the Nation over that this Nation is prepared to use its full economic power. This would be reassuring. We should take out of cold storage not just the $5 billion now being held against deposits in the Federal Reserve System but we should remove additional gold held as reserve behind Federal Reserve notes.

I recommend that we do this within the near future. We would thereby release approximately $13 billion in gold we presently have in storage. Part of all of this gold could then be used to serve three purposes; first, strengthening the dollar, which is at a premium throughout the world; second, provide liquidity throughout the great trading area dependent primarily upon the U.S. dollar; and third, our position would be strengthened in the economic cold war in which we are engaged. My research indicates that the foregoing policy is in accord with the recommendations of monetary experts and economists. I am supporting the administration proposal.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a statement on the gold cover made by the senior Senator from Pennsylvania [Mr. Clark], former chairman of the Subcommittee on International Finance of the Committee on Banking and Currency, be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Clark

I support the administration's request that the present gold cover requirements for Federal Reserve deposits be eliminated—I support it, but I would have preferred that the request had gone further and removed the cover from Federal Reserve notes as well.

"Within the not-too-distant future, in 4 years perhaps unless there is a marked improvement in our balance of payments, it will be necessary to eliminate completely the gold backing of both Federal Reserve notes and deposits in order to free our gold reserves to meet international claims. We may as well do now what will become necessary a few years hence.

I am well aware of the psychological reasons which have led to this piecemeal action. I am well aware that many Members of Congress and the general public feel that there is some immutable connection between our gold reserves and the soundness of the dollar. I am well aware that it may be necessary to cater to this mistaken notion in order not to shake confidence in our currency. I am well aware of all this, but I do not like it. I agree completely with the views of Senators Douglas, Proxmire, and Mondale in the report on the bill when they assert that we should not accept the notion that there is some necessary and immutable connection between the soundness of the dollar and gold. "We should try to transform irrational tradition into rational practice, and not continuously accede to irrationality. Our Nation is best served if policy is aimed at the level of our most enlightened citizens, not our least enlightened," they wrote, and I agree wholeheartedly.

As best I can determine, only four other nations require their central banks to maintain minimum gold reserves against liabilities: South Africa, Switzerland, Belgium, and Venezuela. None of them bears major international responsibilities and the currencies of a good many other countries which have no such requirement are as "hard" or "harder."

In the face of increasing currency and credit demands in our expanding economy, the gold cover no longer makes any sense. It only hamstrings our money supply and limits our ability to maintain expansion and reduce unemployment. It is time we freed ourselves from these limitations. All of our gold reserves should be freed to meet our international obligations and strengthen the dollar in international exchange.

Even after we have done so, however, we will not have solved the fundamental balance-of-payments problem with which we are confronted. By freeing that portion of our gold reserves required to meet domestic needs we do indeed free more of our gold for international claims. But the international demands on our gold will continue and, in all likelihood, so will the deficit in our balance of payments, although hopefully at a much lesser level.

Why? Because for the last 20 years—ever since the end of World War II—the United States has been playing policeman and banker to the world. In that role it has been essential that we run a balance-of-payments deficit in order to maintain international liquidity and the flow of trade. It has been the United States, and to a much lesser extent, Great Britain, which have had to meet the world's credit gap.

So long as the United States held most of the world's gold reserves, this was fair enough. But as the war-ravaged nations of Europe have managed to get back on their feet, thanks in large part to such enlightened American policies as the Marshall plan, their capital, which once fled to our shores for safety, is returning home again. Today, the gold reserves of Western Europe are roughly equal to our own. And the United States can no longer be expected to serve as the world's central bank. As Walter Lippmann observed in the February 16 Washington Post, "As the world's main substitute for a central banker, we are now faced with the fundamental problem of any banker, which is to keep his depositors convinced that they have nothing to gain and perhaps something to lose by demanding cash and starting a run on the bank."

The United States is being asked to continue to serve as the world's major source of credit while approaching conditions at home which may require the imposition of restraints that will slow down economic expansion and increase levels of unemployment—unemployment which has been persistently too high since 1957. No nation should be asked to bear such a burden or be confronted with such a choice.

The time has come to shift that burden. And the only shift that can occur is to a new international monetary system. President Johnson said as much in his message on the balance of payments last week. He urged that "we press forward with our studies and beyond to action—evolving arrangements which will continue to meet the needs of a fast-moving world economy."

On this point at least, President de Gaulle appears to agree. At his press conference in Paris on February 4, President de Gaulle suggested that the present gold exchange standards no longer corresponds to present realities. This is true.

He argued that the conditions that gave birth to the gold standard have been modified. True again.

He pointed out that the currencies of Western Europe have been restored so that Europe's gold reserves now approximate our own. This is a fact.

He maintained that the preeminence of the dollar arose from our possession of most of the world's gold. This is indisputable.

He stated that international trade must be based on a monetary system bearing the stamp of no particular country. With that I wholeheartedly agree.

He recommended that the creditor states embark upon a special study, through the International Monetary Fund, to determine the framework for a new international monetary system. President Johnson has asked for as much.

But when General de Gaulle flatly asserts that the only basis for a true international monetary system is gold, he is dead wrong and we can only assume that he is engaging in some form of droll Gaullic humor.

The gold standard has been tried and tested and it has failed. As the President observed in his message last week, "To go back to a system based on gold alone—to a system which brought us all to disaster in the early 1930's—is not an answer the world would, or should, accept."

But we should not allow General de Gaulle's invocation of the "golden rule" to deter us from earnest and concrete efforts directed toward the establishment of a workable international monetary system.

There are blueprints which can guide us toward such a system. The most promising is the Triffin plan outlined before the Joint Economic Committee in 1959 by Prof. Robert Triffin, of Yale University.

The Triffin plan would provide for the internationalization of the world's monetary reserves. No one nation would have to bear the responsibility of serving as the world's banker and creditor. It would free domestic economic policy from some of the severe limitations imposed under the current system.

As Mr. Triffin pointed out in his testimony, under the existing system, even if the United States were able to solve its balance-of-payments deficit, two urgent problems would remain:

"1. It would deprive * * * the rest of the world of the major source by far—two-thirds to three-fourths—from which international liquidity requirements of an expanding world economy have been met in recent years, in the face of a totally inadequate supply of monetary gold, and

"2. The huge legacy of short-term foreign indebtedness already inherited by us from the past is likely to place a heavy handicap on policies for economic growth and stability in this country."

He made these statements 5 years ago and they are even more true today.

The root of the evil in the present international monetary system, Mr. Triffin argued, is the so-called gold exchange standard in which most countries have been willing to accumulate substantial portions of their monetary reserves in foreign exchange—primarily our dollars and pounds sterling. "The trouble with this," he asserts, "is that it is bound to undermine more and more dangerously the international liquidity position of the currencies used as reserves by other countries and, by way of consequence, to impart an increasing vulnerability to the world monetary superstructure built upon these so-called key currencies. And," he adds in language which deserves emphasis in this current debate, "the additions to international liquidity made possible by the system are entirely dependent upon the willingness of the key currency countries to allow their own net reserve position to deteriorate, by letting their short-term liabilities to foreigners grow persistently and indefinitely at a faster pace than their own gold assets."

It was precisely this state of affairs which led to the collapse of the world monetary system in the early 1930's. It must not be allowed to happen again.

In my opinion, it is time for the United States to take the lead in urging the creation of a new international monetary system modeled in its major features upon the Triffin plan. I urge the President to take General de Gaulle upon his plea for a new world monetary system and to schedule serious study and negotiations in the very near future.

The United States can no longer be asked to sacrifice its own economic viability in order to maintain international credit and trade. This is an international responsibility. The world community must assume that responsibility and it must do so before the international economy is jeopardized once more by a monetary crisis as it was 35 years ago.

We were warned 5 years ago by many experts in testimony before the Joint Economic Committee that the present state of affairs would soon be reached. Now it is upon us. We cannot afford to procrastinate any longer.

Our key problem is not the gold cover nor the balance of payments, but the present international financial arrangements which create such problems for us. Let us treat the disease and not the symptoms.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, while Senators are in the Chamber, I understand that the distinguished senior Senator from Idaho [Mr. CHURCH] will address the Senate for probably an hour or more. He will be followed, I believe, by the distinguished junior Senator from South Dakota [Mr. McGOVERN].

I inquire of the acting majority leader whether he anticipates any more record votes, because those two speeches will take us well beyond 6 o'clock, assuming, of course, that there would be interpositions in the course of the discussion.

Mr. LONG of Louisiana. Mr. President, I hope that the Senate may be able to conclude consideration of the bill tonight. We have already agreed to a unanimous-consent request. We assumed that consideration of the bill would be concluded today.

I know about the plans that Senators have made. If there is no other way, we shall suspend and come back tomorrow. But, I hope that we may be able to accomplish something, and give Senators adequate notice so that they will know when the next vote will come. Senators can continue to speak and we will give others adequate notice so that they can return for a yea-and-nay vote.

Mr. McGEE. Mr. President, I serve notice that in connection with the remarks of the senior Senator from Idaho [Mr. CHURCH], I have some extended remarks to make on the same problem. I should appreciate the opportunity to go into that subject tonight. I hope that helps in resolving the uncertainty in the mind of the acting majority leader.

Mr. LONG of Louisiana. Mr. President, I had inquired as to the possibility of a unanimous-consent agreement. Under the circumstances, it is not possible. It would be objected to. That being the case, I have discussed the situation with the distinguished chairman of the committee, the junior Senator from Virginia. His judgment is that the Senate would do better if it were to come back tomorrow and seek to finish consideration of the bill then.

Mr. ROBERTSON. I am sure that many Senators have engagements and will not be here after 6:30, and I do not see why we should proceed if we could not obtain a quorum.

Mr. LONG of Louisiana. Under the circumstances I think it would be better to resume consideration of the bill tomorrow and seek to complete action then. I would hope that tomorrow we would be able to finish action on this bill and the other bills which have been referred to, but I do not believe there is too much hope for that.

Mr. SMATHERS. Mr. President, does the acting majority leader know how many amendments there are?

Mr. LONG of Louisiana. There would be a vote on two more amendments and perhaps a vote on passage of the bill. While my heart is with the Senator from Florida, I believe he would find that absenteeism would be so pronounced after 7 o'clock that it would be necessary to come back and complete action on the bill tomorrow.

I hope there would be no objection to modifying the unanimous consent previously entered, in order that action on the bill could be finished tomorrow.

Mr. DIRKSEN. Mr. President, one more inquiry. I understand an order was obtained for the Senate to meet at 10 o'clock tomorrow morning.

The PRESIDING OFFICER. The Senator is correct.

HEARINGS BY THE COMMITTEE ON BANKING AND CURRENCY ON U.S. BALANCE OF PAYMENTS

Mr. DOUGLAS. Mr. President, the chairman of the Committee on Banking and Currency announced that he was starting hearings next week, or soon thereafter, on the question of balance of payments. In order to assist the committee and Members of this body in studying that question, I ask unanimous consent that there may be printed the titles, page references, and years of issue of some 16 studies issued by the Joint Economic Committee. We shall be glad to get these publications to the chairman of the Committee on Banking and Currency for such use as he may wish to make of them. They weigh, in all, about 8 pounds; and I feel that they will help the Committee on Banking and Currency in the hearings that may conducted.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

JOINT ECONOMIC COMMITTEE PUBLICATIONS ON THE U.S. BALANCE OF PAYMENTS

"International Influences on the American Economy," June 1959.

"International Effects of U.S. Economic Policy," by Edward M. Bernstein, January 1960.

"International Payments Imbalances and Need for Strengthening International Financial Arrangements"; hearings before Subcommittee on International Exchange and Payments, May, June, 1961.

"International Payments Imbalances and Need for Strengthening International Financial Arrangements"; report of the Subcommittee on International Exchange and Payments, August 1961.

"Factors Affecting the U.S. Balance of Payments"; studies prepared for the Subcommittee on International Exchange and Payments, December 1962.

"Outlook for the U.S. Balance of Payments"; hearings before the Subcommittee on International Exchange and Payments, December 1962.

"U.S. Payments Policies Consistent with Domestic Objectives of Maximum Employment and Growth"; report of the Subcommittee on International Exchange and Payments, December 1962.

"Current Problems and Policies," July 1963; hearings on the U.S. balance of payments, part 1.

"Outlook for the U.S. Balance of Payments"; hearings on the U.S. balance of payments, part 2, July 1963.

"The International Monetary System: Functioning and Possible Reform"; hearings on the U.S. balance of payments, part 3, November 1963.

"The U.S. Balance of Payments—Perspectives and Policies," November 1963.

"The U.S. Balance of Payments: Statements by Economists, Bankers, and Others on the Brookings Institution Study, 'The U.S. Balance of Payments in 1968.'" November 1963.

"A Description and Analysis of Certain Euroepan Capital Markets," January 1964.

"The U.S. Balance of Payments," March 1964.

"Discriminatory Ocean Freight Rates and the Balance of Payments"; part IV, hearings, March 1964.

"Discriminatory Ocean Freight Rates and the Balance of Payments"; hearings, part V, appendix, September 1964.

EXECUTIVE BUSINESS

As in executive session,

Mr. MONRONEY. Mr. President, I have conferred with the minority leader and with the minority members of the Committee on Post Office and Civil Service on this request. I ask unanimous consent, as in executive session, to report from the Committee on Post Office and Civil Service the nomination of John A. Gronouski, of Wisconsin, to be Postmaster General, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the Senate will proceed as in executive session.

If there be no committee reports, the nomination will be stated.

POSTMASTER GENERAL

The legislative clerk read the nomination of John A. Gronouski, of Wisconsin, to be Postmaster General.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination

There being no objection, the Senate proceeded to consider the nomination.

Mr. MONRONEY. Mr. President, the committee unanimously reported favorably the confirmation of the nomination of Postmaster General. We are taking this unusual action since the term of the Postmaster would automatically expire on Friday. In order to have continuity of contracts and other important business, it is necessary that we act now, so the confirmation can reach the White House in time for the Postmaster General to be installed in office at the expiration of his present term.

On behalf of the chairman of the full Committee on Post Office and Civil Service, the Senator from South Carolina [Mr. JOHNSTON], I should like to read this statement, as the Senator from South Carolina is unable to be present:

STATEMENT BY SENATOR OLIN D. JOHNSTON ON THE NOMINATION OF MR. JOHN A. GRONOUSKI TO BE POSTMASTER GENERAL, FEBRUARY 17, 1965

I am very pleased that President Johnson has reappointed John Gronouski to be Postmaster General. I wish it were possible for me to be in the Senate to vote for his confirmation.

He has served as Postmaster General ably and well since his appointment in 1963, demonstrating an unusual ability to attack problems head on and frequently to find solutions. He has brought to his position the talents of a scholar and the energies and directness of an outstanding administrator.

As chairman of the Post Office and Civil Service Committee, I have dealt for many years with the complicated web of postal affairs, and I feel that we are indeed fortunate to have a man of John Gronouski's demonstrated abilities to seek solutions to our postal problems. My relations with the Postmaster General have always been marked by great cordiality and cooperation on his part, and I look forward to their continuation.

John Gronouski has my every good wish as his new term of office begins.

I have just read a statement by the distinguished chairman of the committee, who is absent because of illness. Republicans as well as Democrats spoke glowingly of the services Mr. Gronouski has rendered during the time he has been Postmaster General since his appointment in 1963.

Mr. LONG of Louisiana. Mr. President, I concur in everything the Senator from Oklahoma has said. I believe Postmaster General Gronouski is making a magnificent record. He has performed his tasks far beyond the call of duty. I say this as one who has had an opportunity to know the extent to which he has gone in traveling about the country fulfilling his responsibilities and duties. I believe he is entitled to the highest commendation we can give him. I am extremely honored to support the nomination.

Mr. MONRONEY. I appreciate what the Senator from Louisiana has said. During the service of the Postmaster General he has visited in practically all the 50 States, where his farflung enterprise is situated. He has seen many of the men whose task it is to move the millions of pieces of mail and who comprise the postal service.

I ask for a vote on the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the confirmation of this nomination?

The nomination was confirmed.

Mr. MONRONEY. Mr. President, I ask that the President be notified immediately of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

Mr. MONRONEY. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

OUR OVERINVOLVEMENT IN AFRICA AND ASIA—A CRITICAL APPRAISAL OF AMERICAN FOREIGN POLICY IN EX-COLONIAL REGIONS OF THE WORLD

PART I: FROM ONE EXTREME TO ANOTHER

Mr. CHURCH. Mr. President, "we can never again stand aside prideful in isolation," so spoke Lyndon B. Johnson at his inauguration.

All Americans should agree with the President. Head-in-the-sand isolationism died a generation ago. It isn't likely to be resurrected. The ranks of those who believe that the United States can ever again withdraw from world affairs have been rightly decimated.

As a confirmed internationalist, I favor strong American support for the United Nations. I believe in a sensible foreign aid program to help lift depressed living standards in the underdeveloped world. In the Senate, I have voted consistently to extend the use of our surplus food in hungry lands, and to enlarge the Peace Corps as living work-a-day evidence of American good will.

But the pendulum of our foreign policy can swing from one extreme to the other. Once we thought that anything which happened abroad was none of our business; now we evidently think that everything which happens abroad has become our business. In the span of 30 years, an excess of isolationism has been transformed into an excess of interventionism.

Since the days of the Marshall plan, the United States has constantly expanded the scope of its commitment to foreign governments. From Western Europe, we have moved into Africa, the Middle East, and the Far East, until the dimension of our involvement has become global. Our troops are now stationed in no less than 30 countries, we are pledged to defend 42, and we are extending aid, in one form or another, to nearly 100 nations. As a result of this proliferation, Walter Lippmann writes:

> We have become grossly overextended in regions where we have no primary vital interest. We have scattered our assistance to such a degree that we help everybody a little and nobody enough.

Why have we spread ourselves so thin? What compulsion draws us, ever deeper, into the internal affairs of so many countries in Africa and Asia, having so remote a connection with the vital interests of the United States?

The answer, I think, stems from our intensely ideological view of the cold war. We have come to treat "communism," regardless of what form it may take in any given country, as the enemy. We fancy ourselves as guardian of the "free" world, though most of it is not free, and never has been. We seek to immunize this world against further Communist infection through massive injections of American aid, and, wherever necessary, through direct American intervention. Such a vast undertaking has at least two defects: First, it exceeds our national capability; second, among the newly emerging nations, where the specter of Western imperialism is dreaded more than communism, such a policy can be self-defeating. As a seasoned, friendly foreign diplomat recently put it:

> The United States is getting involved in situations where no one—not even a nation of saints—would be welcome.

This is not to say that we should write off Africa or Asia. It is to say that a foreign policy of intervention, which was right for Western Europe, is apt to be wrong for those continents which have just thrown off European rule.

To begin with, the stakes in Europe were different. Had so rich an industrial prize as Western Europe ever fallen into Russian hands, the actual balance of power in the world would have shifted from us to the Soviet Union. We were obliged to regard the dividing line in Europe as though it were an American frontier, to commit our nuclear arsenal to its defense, and to station an army of American troops in West Germany as "tripwire" evidence of our determination to defend that country as though it were our own.

No nation goes this far unless its very survival hangs in the balance.

Even so, our intervention in Europe would not have succeeded without a strong mutual purpose. We were welcomed back to war-devastated Europe in 1945 to be a nuclear sentinel against further Russian aggression. It was the expansion of hostile Russian power which summoned us, not the color of the Red banner, or our distaste for the way of life inside the Soviet Union. There was no confusion among the NATO allies as to the identity of the enemy. As long as the Russian threat remained imminent, we all faced in the same direction, united by a single will.

There was still another reason for the success of our intervention in Europe—a condition so obvious that it is often overlooked, and yet so fundamental that its absence in Africa and Asia accounts for most of our setbacks on these continents. In Europe, we stood among people with whom we shared a common ancestry, whose political and economic systems were similar to our own, and whose traditional values derived from the same mainstream of historical experience that we call Western civilization. This cultural bond meant that most Europeans generally shared our aims and our point of view.

But if the inhabitants of Western Europe tend to see the world as we do, as a global arena in which "free" people are arrayed against Communists, it does not follow that Africans and Asians share this view. They have been participants in a different revolution, more potent and widespread than the Communist brand—a revolution foreshadowed two centuries ago, by the American War for Independence, and whipped into flame by Woodrow Wilson's ringing reaffirmation of the right of self-determination. Neither Marx nor Lenin fathered the revolt against colonialism, and we need not permit their successors, in Moscow or Peiping, to exploit the colonial issue to Communist advantage.

To avoid this, we must understand that, for most Africans and Asians, our concept of self-government and individual freedom is totally unreal, having never been experienced. In many, if not most, of these emergent lands, it is capitalism, not communism, which is the ugly word. The very term evokes images of the old colonial plantation and white man supremacy. Furthermore, any attempt to acquaint Africa and Asia with the miracles of modern capitalism, as witnessed in such places as the United States, Western Europe, and Japan, is relatively meaningless. The underdeveloped world lacks the private capital with which to industrialize. Government is often the only source available to underwrite development programs. Thus, popular repugnance to capitalism combines with economic necessity to cause most of the new governments in Africa and Asia to proclaim themselves Socialist states.

Because these facts are so well known, it puzzles me that American foreign policy in Africa and Asia has not been tied to them. We have plunged into these former colonial regions as though we had been designated on high to act as trustee in bankruptcy for the broken empires.

First of all, we strained relations by trying to induce governments to line up with us in the cold war, a struggle in which few felt any real interest. Forgetting that we ourselves had insisted upon our right to stay neutral for most of our history, we assailed "neutralism" as a kind of Communist trick. Later, having painfully learned that cold war neutrality always served as a badge of, and sometimes even as an umbrella for, independence, we changed tune, but, even then, we kept on administering our aid programs in ways designed to freeze out the Russians and Chinese.

In regions craving aid from any source, our freeze-out policy was bound to give rise to cries of undue interference. Soon, African and Asian governments were demanding aid "without strings attached," while accusing the United States of practicing "neo-colonialism." Worse still, sensing that we feared competition from Communist sources, many a government craftily raised the "ante" on us, threatening to go to the Reds for help if we failed to meet some new demand.

Neither AID nor the State Department will acknowledge submitting to this sort of diplomatic blackmail in the handling of our foreign aid program. But I have no doubt about it. Too often I have questioned an American Ambassador about a misfit project in some forlorn little country, only to be told: "If we hadn't done it, the Russians would have been asked." Knuckling under to such crude pressures has caused our prestige to go down, even as our costs have gone up.

Worst of all, we have permitted ourselves to be drawn into the internal political affairs of so many African and Asian countries that anti-American feeling is rising at an alarming rate. Our embassies are being subjected to increasingly frequent attacks, our information libraries are being sacked, and demagogs from Cairo to Djakarta court popular favor by rebuking us. Afro-Asian delegates at the U.N. castigate us with words of extraordinary violence. Clearly, the policy of intervening too much in the volatile ex-colonial regions of Africa and Asia, is backfiring on the United States.

PART II: MISTAKES IN AFRICA

Much of this could have been avoided. I visited Africa in 1960, immediately after John F. Kennedy's election, in company with two of my colleagues and the President's youngest brother, Ted. Wherever our presence became known, eager crowds would gather to shout, "Kennedy, Kennedy." The word had spread through Africa that the newly elected President of the United States had, as a Senator in 1957, spoken up for Algeria in her war for independence against France. For the first time, our country was being identified, by Arab and Black alike, with legitimate African aspirations. Opportunity was beckoning our way.

If we had continued to champion African nationalism, the cause that counts with the people; if we had declared ourselves strongly in favor of rightful independence for the Portuguese Territories, the flaming issue in Africa today; if we had held ourselves at arms length from the shifting factional fights for power within the seething young African countries, regardless of the labels chosen to solicit outside support, I have no doubt that our influence in Africa would have kept on growing.

But we have not yet managed to harness our zeal. Rational restraints give way to emotional involvement, which, in turn, leads to more intervention. Fortunately, the Russians have made the same mistake in Africa, and now the Chinese seem eager to repeat it. Here are two examples, one Russian, one American, which constitute, in my judgment, showcase illustrations of how not to conduct a winning foreign policy in Africa:

Six years ago, Nikita Khrushchev scurried to the rescue of Sekou Touré, strong man of Guinea, after this little west African country had been stripped bare by the departing French. It seemed a perfect marriage, since the Guinean leaders, raised in the radical tradition of the French labor movement, were Marxists anyway, and anxious to establish a model Marxist state.

When I arrived in Conakry, the country's capital, in December of 1960, Guinea had taken on all the appearances of a satellite. The government had been persuaded to abandon the franc in order to impede further trade with the West, and the entire economy seemed welded into the Red bloc. Communist advisers sat beside every Government minister. Numerous Red-donated projects were under construction, including a big printing plant, and the place swarmed with Communist technicians, transplanted from countries behind the Iron Curtain. Guinea had plainly been taken over.

Into this captured country, President Kennedy sent a young Ambassador, Bill Atwood. His instructions were to play it cool. He was not to lecture the Guinean dictator on the virtues of democracy, or belabor his commissars with the glories of free enterprise. He was to say it was their business, not ours, to choose the system they preferred; that we were interested only in helping them, in a modest way, with some of their problems of human suffering. Kennedy felt, if we did not press too hard, that Guinea would soon discover the Russians were not 9 feet tall.

And so it happened. It was not long before Guinea began to resent the heavy-handed interference of the Russians. Relations became so strained that the Soviet Ambassador was declared persona non grata, and ordered to leave the country. Meanwhile, Guinea began to reassume control over her own course. Today, her attitude toward the United States is much improved, and her ties with the West are growing again.

The mistake of too much intervention, which the Russians made in Guinea, we seem determined to duplicate in the Congo. Africans wonder why the United States, having no historic, economic, or security interests in the Congo, should so involve itself in that country's civil war. I also wonder why.

I know, of course, that the State Department regards the Congo rebels as a Communist front, though their source of supply—Algerian and Egyptian—would seem African enough. Our own envoy in Stanleyville, whose long agony with the rebels was climaxed when they forced him to eat an American flag, declared, after his rescue, that he believed the rebellion to be purely African, not Communist, in character. His statement met a response of stony silence from the American press.

For the fact is that our embrace with Moise Tshombe is popular in the United States. We see him as a vociferous anti-Communist. What matters, however, is how the Africans see him. And African animosity toward Tshombe is so intense that he is even barred from associating with other African leaders, having been physically excluded from their meetings. To them, he is the African equivalent of an "Uncle Tom," a puppet of the imperialists who uses white mercenaries to subdue his own countrymen. I doubt that Tshombe will ever win African acceptance. Our involvement with him serves only to turn the tide of African opinion increasingly against us.

PART III. THE LESSON OF PAKISTAN

Regrettably, we are creating similar problems for ourselves in Asia by the same excess of interventionism. Pakistan is a classic example. At fantastic cost, we undertook to enlarge and modernize the armed forces of Pakistan. Our theory was that this assistance would bolster the country's defenses against Russia, but it was India, contesting with Pakistan over Kashmir, which felt threatened.

Still, we persisted. After all, was not Ayub Khan, that strapping, Sandhurst-educated army man, a ruddy good chap? He had appeared before a joint session of the Congress, and addressed us in the reassuring accents of a British country squire. On the Communist issue, the Indians seemed much too conciliatory, but we felt sure Ayub Khan could be depended upon, come what may. He himself said so. To the Congress, he intoned:

> Let me tell you, that if there is real trouble, there is no other country in Asia on whom you will be able to count. The only people who will stand by you are the people of Pakistan.

That is past history now. Having used us for his purpose, Ayub Khan was the first to flirt with Red China, when India was attacked. The fervent courtship of Pakistan only lost us favor there. In the recent elections, the main issue between the two presidential candidates was who was the most anti-American; Ayub Khan won.

PART IV: OUR DILEMMA IN VIETNAM

To the case against excessive American intervention in Africa and Asia, the State Department has a stock answer: The Communists will not let us quit. South Vietnam is pointed to as the proof of our dilemma. If we permit the Vietcong to overthrow the Saigon Government, then the gates are open, so the argument goes, to successful Communist subversion of all the other governments in southeast Asia.

But the hard fact is that there are limits to what we can do in helping any Government surmount a Communist uprising. If the people themselves will not support the Government in power, we cannot save it. We can give arms, money, food, and supplies, but the outcome will depend, in the final analysis, upon the character of the Government helped, and the extent to which the people are willing to rally behind it.

The Saigon Government is losing its war, not for lack of equipment, but for lack of internal cohesion. The Vietcong grow stronger, not because they are better supplied than Saigon, but because they are united in their will to fight. This spirit cannot be imported; it must come from within. It is nothing that we Americans can supply from our side of the Pacific. The weakness in South Vietnam emanates from Saigon itself, where we, as foreigners, are powerless to unite the spoiling factions. A family feud is never settled by outsiders. Only the Vietnamese themselves can furnish the solution.

As to the other governments in southeast Asia, they are not so many dominoes in a row. They differ, one from another, in popular support, and in capacity to resist Communist subversion. The Malayans, with British help, because of their own determined resistance to communism, successfully put down a long and bloody insurrection. Guerrilla wars—even when nourished from without—can be won by sitting governments, but only in countries where shelter for the enemy is not furnished by the people themselves.

Our reason for being in the Orient is not that of fashioning Asian governments. It is not communism, as such, which accounts for our presence in the Far East, but rather the containment of Peiping. This can be best accomplished if China is ringed with stable, independent governments, which refuse to be the pawns of Chinese ambition. As Yugoslavia has proved in Europe vis-a-vis Russia, even a Communist government can play such a role.

Due to the degree of our involvement in the internal affairs of southeast Asia, an area where China has been feared and resisted for centuries, the Peiping government is now able to pose as champion of Asia for the Asians, defying the United States in the name of opposing the revival of Western imperialism.

Chou En-lai had reason to rub his hands with glee when he said recently to a foreign visitor:

> Once we worried about southeast Asia. We don't anymore. The Americans are rapidly solving our problems for us.

It would be to our national advantage, then, to seek an international agreement for the neutralization of the whole great region that used to be French Indochina. The transitional phase of such a settlement might be policed by the United Nations, or by a special high commission set up to preside over a cease-fire in South Vietnam, to supervise the withdrawal of all foreign troops from both sides, and to maintain order, while an independent and unalined new government is formed by the Vietnamese themselves.

The neutrality of the whole region could be guaranteed by the signatories to the international agreement. Thus, the military might of the United States would remain available as a deterrent against Chinese aggression from the north, which is—or ought to be—our governing national objective in southeast Asia anyway.

In like manner, we may find it in our national interest to pledge our armed might behind the defense of India, Thailand, or some other Asian government, against any future Chinese attack, that these governments might avoid the need for developing nuclear shields of their own, while we avoid the dangers of further proliferation of nuclear arsenals. This kind of guarantee, which would be a real deterrent to Chinese military aggression, lies within our capability, and would preclude a power vacuum in Asia, so feared by the architects of our present policy. If this kind of defense commitment is sufficient to prevent an overt Chinese attack upon, say, India or Thailand, it ought to suffice for the rest of southeast Asia as well.

To those who protest that such a policy will fail to protect against growing Chinese influence over such countries as Laos, Cambodia, Burma, or Vietnam, brought on through intensified Communist subversion from within these countries, I submit that the scoreboard on our present policy of direct intervention in southeast Asia shows that we are now losing this contest. Burma and Cambodia, though both non-Communist Governments, have been moving steadily closer to China. Laos is in limbo, after an American involvement, at heavy cost, in that country's internal affairs, turned sour. The war in Vietnam, despite Saigon's preponderant military advantage, is going from bad to worse.

This somber truth is underlined in the events of the past fortnight—the stepped-up Vietcong attacks upon American bases in South Vietnam, and the consequent loss of more American lives. We must hope that our retaliatory bombings of military installations in North Vietnam, intended to demonstrate the strength of our will and purpose, may persuade Hanoi and Peiping that the United States is not, and never has been, a paper tiger. Having made a solemn commitment to Saigon, we intend to keep it. The military might we can bring to bear upon North Vietnam is formidable indeed, and so it would behoove the Communists to explore with us the way to a peaceful solution in southeast Asia.

As the beat of the war drums intensifies, and passions rise on both sides, I recognize that negotiation becomes more difficult. Already cries of "appeasement" are being directed at anyone who speaks up for a negotiated settlement of this escalating war. So soon the country seems to have forgotten the wise words of John F. Kennedy, that we should never negotiate out of fear, but never fear to negotiate.

All of us recognize the heavy burden of decision which our President bears. And we would do well to remember that the seal of his office is an American eagle, clutching a bundle of arrows in one claw and an olive branch in the other. The judicious use of both the arrows and the olive branch represents our best hope for avoiding a widening war in Asia.

Those who would use the arrows alone are actually calling for war. The systematic and sustained bombing of North Vietnam, unattended by any proffered recourse to the bargaining table, can only lead us into war. North Vietnam, lacking air and sea power, must answer on the ground. Her response, in the form of added military pressures against the south, Saigon can hardly be expected to withstand. As a consequence, the next step will be to send American land forces into battle, thus converting the struggle into an American war on the Asian mainland. That China will, sooner or later, enter such a war, I have no doubt.

Let those who urge this course upon us answer for its consequences. A spreading war on the Asian mainland, pitting American troops against Asian troops, is a war we cannot finish. In the end, after a tragic trail of casualties out of all proportion to our real national interest, we will have to negotiate a settlement with the Communists, even as such a truce was finally negotiated in Korea. The question really is not whether we should negotiate, but when.

To those who say that we must not parley now, because we would bargain from a position of weakness, I reply that they take too restricted a view of our strategic position in southeast Asia. They look only to the plight of the war in South Vietnam, forgetting that American power in southeast Asia rests not upon the weakness of Saigon, but upon the strength of our own possession of the sea and air. Our recent retaliatory blows should make it clear to Hanoi and Peiping that we will not quit under fire, nor withdraw, nor submit to Communist coercion. We can strike back with relative impunity, from floating bases which are beyond Communist reach, and inflict heavy punishment upon them. Ours is not a position of weakness from which to deal.

So I would hope that the President of the United States will undertake to use, not only his arrows, but his olive branch as well. Willingness to parley is not a sign of weakness, but the symbol of strength, nor should it destroy what remains of the fighting morale of the South Vietnamese. Negotiations preceded the end of the fighting in Korea by nearly 2 years. In South Vietnam, the active bargaining for a peaceful solution could even lift morale by offering some hope to the people that there might come an end to their ordeal. Moreover, an attempt to reach a peaceful settlement would not be incompatible with the keeping of our pledge to give military aid and advice to the Saigon Government.

PART V: SUMMARY AND CONCLUSION

Although it is natural for our attention to be fixed upon the gathering crisis in Vietnam, I nonetheless commenced this address with the purpose of undertaking a general review of American foreign policy throughout the whole of the ex-colonial world. My thesis has been that we have allowed ourselves to become overinvolved in both Africa and Asia. In saying this, I fully recognize that the United States cannot withdraw to seek refuge within some happy hunting ground of our own choosing.

But it is mandatory, in these former colonial areas, that we establish foreign policy goals which are not beyond our reach; that we observe priorities which correspond with our real national interests; that we concern ourselves less with other peoples' ideologies, and that we adopt techniques which are sensitive to, and compatible with, the prevailing sentiment of the people in each great region of the world. Measured by these criteria, we are too deeply involved in the internal affairs of the emerging nations in Africa and Asia.

I believe that President Johnson intends, in a prudent and responsible way, to redress the balance. His emphasis on attending to the neglected problems at home in sensible. The longrun influences we exert abroad will hinge, in large measure, upon the kind of society we build in our own land.

In any reappraisal of American foreign policy in the underdeveloped world, so recently freed from colonial bondage, we would do well to recall the wise words of President Kennedy, spoken in November of 1961:

> We must face the fact that the United States is neither omnipotent nor omniscient, that we cannot always impose our will on the other 94 percent of mankind, that we cannot right every wrong or reverse every adversity, and that therefore, there cannot be an American solution to every world problem.

Mr. President, I ask unanimous consent to have printed in the RECORD the following articles: Two excellent columns written by James Reston and published in the February 12 and February 14 issues of the New York Times, respectively; and an article written by Mr. Roscoe Drummond, captioned "Missing Ingredient in Our Vietnam Policy," and published in the Washington Post this morning, February 17.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 12, 1965]

WASHINGTON: WHAT ARE OUR AIMS IN VIETNAM?

(By James Reston)

WASHINGTON, February 11.—The first casualty in every shooting war is commonsense, and the second is free and open discussion.

An extraordinary situation now exists in Vietnam. A conscripted American armed force is now engaged in increasingly severe air raids in North Vietnam without even a speech by the President in explanation of his present thinking on the crisis.

The big black limousines arrive and depart from the White House. Brief statements are issued by press officers on the latest military operations and casualties. Influential legislators express the gravest apprehension in private about the trend of events, but most of them remain silent on the floor of Congress.

Meanwhile, the propaganda machine is beginning to turn over, the the front pages are filling up with pictures of the American wounded and those almost meaningless aerial photographs of villages burning in the jungle.

THE AMBIGUITIES

This is no time to be dogmatic about what should be done in Vietnam. Nobody but the President and his most intimate advisers has enough information about the situation in Saigon, Hanoi, Peiping, and Moscow to pass judgment, and his advisers are deeply divided on the best course of action.

But the least the President can do is to go before the country and explain his objectives. "There can be and there must be," he said in a campaign speech on Vietnam last August 5—which is about the only speech he has made on the subject—"no doubt about the policy and no doubt about the purpose." But there is doubt all over Washington tonight about both America's policy and purpose.

At various times we have been told that our purpose was merely (1) to help the South Vietnamese Government help itself; and then, again, it was (2) to defend the "vital security interests" of the United States; (3) to stop the Communist infiltration below the 17th parallel; (4) to prevent the conquest of all of southeast Asia from Chinese Communist domination, and (5) to win a victory over the aggressors.

SLOWDOWN OR SHOWDOWN?

Sometimes one of these quite different aims has been given, sometimes another, and in absence of an up-to-date explanation by the President of where he is going now, there is a babble of influential voices in Washington, some of them concerned to avoid risk of war with China and some insisting that it is better to have a showdown with China now than later when she will be stronger.

There is widespread support here for a policy of making clear to the Communists that the United States cannot be attacked with impunity and that the cost of a Communist victory in South Vietnam would cost the Communists more than it is worth.

It is also generally recognized in the capital that the chaos in the South Vietnamese Government was leading to a political collapse, that that trend had to be reversed, and that failure to punish the Communist aggressors for hitting our bases would have been interpreted all over the world as a weakness that would have demoralized the South Vietnamese.

Accordingly, very few people here would deny that the United States, as a result of its limited policy of retaliation against bases in the south of North Vietnam, has placed itself in a stronger position to negotiate a settlement, but is this the President's purpose?

THE CHINA BORDER

Before long there will be few bases to bomb in the south of Communist Vietnam. The farther north we bomb, the closer we will come to the Red China border and the greater will be the danger of a Communist Chinese response, maybe in Vietnam, but also maybe in Korea, where China's manpower would be more effective.

"The Chinese people cannot stand idly by," said Peiping 10 days after the American Army crossed the 38th parallel in Korea in 1950, and we brushed it off in a mood very similar to the mood here now. "The 650 million Chinese people," said Peiping again this week, "will definitely not stand idly by and are well prepared in this respect."

DON'T THINK: ACT

Despite the similarity of the two statements, the risk of Chinese intervention is not rated very high here, so long as the bombing does not get close to the China border, but as things now stand events are increasingly deciding what we do, and the longer this elaborate game of "chicken" goes on, the farther north we are likely to go.

Even if we forget the Communist Chinese, we are having a bad enough time with the North Vietnamese guerrillas—a highly trained but comparatively small force—but what do we do if our bombings provoke the regular North Vietnamese Army of a quarter of a million men into an invasion of South Vietnam against 23,000 "advisers"?

In such a situation it is easier to act than think, and the satisfaction of acting is probably greater. A policy of retaliation to negotiate from a position of strength and equality would be widely supported here, but we do not know whether this is what the President has in mind, and we do know that some of his aids want far, far more.

[From the New York Times, Feb. 14, 1965]

WASHINGTON: THE UNDECLARED AND UNEXPLAINED WAR

(By James Reston)

WASHINGTON, February 13.—The time has come to call a spade a bloody shovel. This country is in an undeclared and unexplained war in Vietnam. Our masters have a lot of long and fancy names for it, like escalation and retaliation, but it is war just the same.

The cause of the war is plain enough. The North Vietnamese Communists, with the aid of Red China and to a lesser extent the Soviet Union, have sent their guerrillas into South Vietnam in violation of the 1954 and 1962 Geneva agreements, for the express purpose of taking over the Government and territory of South Vietnam.

AMERICA'S RESPONSE

The course of the war is equally plain. We were getting licked in South Vietnam. The Communists were steadily defeating the South Vietnamese armed forces, terrorizing a war-weary and indifferent population, and taking advantage of a divided and quarrelsome South Vietnamese Government.

More than that, the Communists were stepping up their attacks on the bases and barracks which serve the 23,000 American troops in South Vietnam, and it was in response to this that President Johnson ordered the bombing attacks on the Communist military installations in the south of North Vietnamese territory.

Very few people here question the necessity for a limited expansion of the war by U.S. bombers into Communist territory. The American and South Vietnamese position was crumbling fast, and the political and strategic consequences of defeat would have been serious for the free world all over Asia.

There is a point, however, where this exercise will become critical. As the military targets in the southern part of Communist Vietnam are knocked out, and our bombers move northward, they will soon come within the range of the North Vietnamese and Red Chinese MIG fighters, and if we get into that situation, the pressure for attacks on the airbases in North Vietnam and South China will steeply increase.

The immediate problem, therefore, is how to put enough pressure on the North Vietnamese to bring them into negotiations for a settlement of the war, without provoking a mass Communist counterattack we are in no position to meet.

This is a delicate and highly dangerous situation. The United States has the air and naval power to wipe out North Vietnam and the Chinese Air Force, if it comes into the battle. But the North Vietnamese have a quarter of a million men under arms who have never been committed to the battle at all, and few observers in Washington believe this force could be stopped without the intervention of a very large American Army on the ground.

THE SILENT WHITE HOUSE

Nobody has made all this clear to the American people. President Johnson has not made a major speech on the details of this war since he entered the White House. Neither did President Kennedy. We have had one long speech on the subject by Secretary of Defense McNamara on March 26 of last year, and a lot of statements here and in Saigon, many of them highly optimistic and misleading. But the fact is that we are in a war that is not only undeclared and unexplained, but that has not even been widely debated in the Congress or the country.

The whole history of this century testifies to the difficulty of predicting the consequences of war. We imposed a policy of unconditional surrender on the Kaiser only to find that the two greater menaces of communism and nazism took his place. One of the main objectives of the two World Wars was the freedom of Eastern Europe, which ended up with less freedom under the Communists than it had before.

LIMITING THE WAR

Few people here question that President Johnson wants to limit the war in Vietnam and avoid a ground war on the continent of Asia, but the future is not wholly in his control. He may be bombing merely to force a negotiated settlement, but the Chinese and the North Vietnamese don't know that. In fact, neither do the American people, whose airmen are carrying out the President's orders.

Nor, for that matter, do the allies, who are treaty bound to support us if we get into a larger war in southeast Asia. They will undoubtedly support a policy of limited retaliation in North Vietnam if it is for the purpose of negotiating a settlement, but they will not support us for long unless we define and limit our aims.

The implications of this war, then, extend far beyond Vietnam. President Johnson's hopes of building a strong alliance with Japan and the other free nations of Asia are not likely to be promoted by replaying the old script of American planes once more bombing Asians.

He has started on a massive program of reconstruction and development at home, but he can forget about his Great Society if he gets bogged down in a major land war in Asia on territory favorable to the enemy. Freedom expands in peace and authoritarian government in war, and this is precisely the danger now, for the Communists have the manpower to cause us an almost unmanageable situation not only in Vietnam but in Korea, and force us into a war that could divert our energies from the larger constructive purposes of the Nation.

In this situation it is difficult to understand why the problem is not discussed more openly by the President, why the terms of an honorable settlement are not defined, and why the negotiating efforts of the Secretary General of the United Nations and other world statesmen are so blithely brushed aside.

It is true that the instability, weakness and sensitivities of the South Vietnamese Government have to be kept in mind but nobody is suggesting a sellout at their expense. The talk here is not about a Munich agreement but a Korean agreement in which South Vietnam, like South Korea, would be in a better position to order its own life.

This would not be ideal, but it would be better for the South Vietnamese and for the United States than what we have now, and it would be better for North Vietnam and China than a larger war.

CHINA'S DANGER

For if this dangerous game gets out of hand, it is not likely that China's new industries, including her atomic installations at Taklamakan Desert in Central Sinkiang, will be spared. What her manpower can grab beyond her borders would be worth far less than what she would lose at home.

Somebody, however, has to make a move to reverse the trend and stop the present crooked course. For the moment, we seem to be standing mute in Washington, paralyzed before a great issue, and merely digging our thought deeper into the accustomed military rut.

[From the Washington Post, Feb. 17, 1965]

VIETNAM POLICY—THE MISSING INGREDIENT

(By Roscoe Drummond)

There is a missing ingredient in American policy in Vietnam.

From everything which has been said—and left unsaid—by the White House, the evidence is that President Johnson:

Intends to step up the retaliation enough to persuade North Vietnam that the aggression will be too costly to continue.

Wants to avoid intensifying it to the degree that it will lead to all-out war.

In a word, if I read correctly Mr. Johnson's words and actions, they mean that the United States aims to expand the war for a limited purpose and to avoid expanding the war beyond that purpose.

The purpose: to bring North Vietnam to accept a settlement that would insure the independence of South Vietnam, to which Hanoi pledged itself in 1954 and again in 1962.

Has this riskful and delicate operation got any fair chance of success?

It may have, but only if the missing ingredient is forthcoming at the right time.

The missing ingredient, which it seems to me, must accompany new air thrusts against North Vietnam, is a major U.S. peace offensive, to make it clear that we seek only an end to the aggression, that we have no desire to inflict unnecessary blows, that our sole objective is a settlement mutually tolerable to both sides—whenever Hanoi will cease and desist.

I am not talking about an appeasement peace. There is no reason to believe the White House has any such thing in mind. But I am suggesting that, if the Johnson aim of a controlled expansion of the fighting as an essential persuader to Hanoi is to succeed, there must simultaneously be a peace offensive to convince Hanoi that it has a reasonable acceptable alternative to all-out war.

More military action by itself could well bring unlimited expansion of the war.

A peace offensive by itself could only bring an intolerable appeasement.

Together they make sense—and could make headway toward the President's goal.

It is not likely that Ho Chi Minh and the Vietcong would be persuaded by either war action or peace action alone. The reason is that Hanoi and Peiping have long been convinced that the United States would not have the will and the patience to hang on, that the South Vietnamese Government was getting weaker, and that it would be foolish—for them—to give away at the conference table what they felt sure they were winning on the battlefield.

No wonder Ho Chi Minh has shown no interest in negotiation. For months we have talked stronger than we have acted. We have warned—and done little. We have conferred with ourselves—and done little. Now we are beginning to act more meaningfully.

But to bring North Vietnam to the conference table will take more than the few retaliations we have lately made. It will undoubtedly take persistent and heavy military pressure from the air and naval resources we have mobilized in the area. If Ho Chi Minh is to be persuaded to accept anybody's invitation to the conference table, it will have to be made clear that the only practical choice is between ending the war or suffering widespread devastation.

It is profoundly riskful to think we can expand the war in Vietnam and control its expansion at the same time. We must do it with our eyes open.

The only way this can be done with the least risk is to mount a peace offensive which would make our purpose clear and credible to allies and enemies alike.

My assumption is that such plans are well advanced within the Johnson administration and that the President is waiting for the proper time.

Mr. McGOVERN obtained the floor.

Mr. DIRKSEN. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. I yield, without losing my right to the floor.

Mr. DIRKSEN. I wish to say to the distinguished Senator from Idaho that I had hoped to address some remarks to the Senate sometime today in response to his address. I doubt whether, within the compass of time and the duties still before me, I shall have the opportunity to do so. However, I trust that there may be an opportunity tomorrow to respond to some portions of the Senator's address.

Mr. CHURCH. I thank the Senator from Illinois for his comment. I shall look forward with interest to whatever he may say on the subject tomorrow.

Mr. McGEE. Mr. President, I commend the Senator from Idaho on his statement. I say to the distinguished minority leader, for whatever it is worth, that, not on the high level he occupies, but on the very low level of my own status here, I hope to respond yet this evening to this very excellent discussion of policy, with which I take some issue, and that I shall await with eagerness the comments of the Senator from Illinois tomorrow, because his comments are often of great guidance to us who indulge in discussions of this type.

Mr. DIRKSEN. My friend from Wyoming must never demean his position or prestige, because, in my judgment, he occupies a high plateau and a place of high confidence in these great halls. I am always prepared to listen to him with the greatest of circumspection and humility.

I often sit at his feet to listen, knowing, of course, that he has occupied high places on a university faculty and has given much time during his life to a study of historic trends. So I am confident that I can listen and learn.

Mr. McGEE. I thank the Senator from Illinois for his comments. Probably I should quit while I am ahead. However, for the RECORD, I wanted to have an understanding. Do I correctly understand that the Senator from South Dakota intends to project his thoughts, roughly along the same line, and that it might be to the advantage of the discussion if I were to withhold my questions and my comments until, perhaps, his remarks were also a part of the RECORD?

Mr. McGOVERN. I plan to speak for 12 or 15 minutes. If the Senator from Wyoming wishes to make his remarks first, I shall be glad to defer to him.

Mr. McGEE. In the interest of being orderly and talking about the same subject, so that we shall not have to switch back and forth, as if we were watching a tennis match, it might be better if both speeches were in the RECORD.

Mr. CHURCH. I am advised by the senior Senator from Missouri that he wishes to ask a question or two. Then I shall be happy to yield the floor, unless the Senator wishes to propound questions to the distinguished Senator from South Dakota.

The PRESIDING OFFICER. The Chair has recognized the Senator from South Dakota.

Mr. McGOVERN. I yield to the Senator from Idaho.

Mr. CHURCH. I thank the Senator from South Dakota.

Mr. SYMINGTON. Mr. President, will the Senator from Idaho yield for a question?

Mr. CHURCH. I shall be happy to yield.

Mr. SYMINGTON. First, although it has not been possible for me to be in the Chamber during all of the Senator's remarks, I am pleased to have had the opportunity to read his thought-provoking address. I hope that every Member of the Senate will also read it.

The question I should like to ask is one to which I am sure the distinguished Senator has given much attention in constructing the philosophy that he has so ably presented this evening; that is, exactly what does he think we can do from the standpoint of relative disengagement in South Vietnam as against maintaining the status quo or moving more definitely to the north?

Mr. CHURCH. First, I should say that I have not advocated withdrawal from South Vietnam or any repudiation of the pledges we have made to the Saigon Government. In every instance that I have spoken on this subject, I have tried, at least, to make it clear that this country keeps its commitments, and that the United States, under mounting Communist pressure, ought not to withdraw from South Vietnam.

I have also spoken up on several occasions in support of the action that President Johnson has taken in ordering bombings in retaliation for the increased attacks upon American personnel.

As a prelude to the response that I shall make to the Senator, let me again say that I support the President in what he has done thus far.

When the President ordered these bombings, clearly his action was intended to demonstrate the strength of American will and purpose. It was intended to show Hanoi and Peiping that the United States is not a paper tiger, and that we will not be forced out of South Vietnam by stepped-up Communist coercion.

The necessary correlate to this position, it seems to me, is a willingness to make clear to the world the conditions for peace in southeast Asia. We should define with clarity and precision what our objectives are in being there. I submit, with all deference to the State Department, that there has not yet been a consistent, clear-cut definition of the American purpose. The confusion has been compounded by conflicting statements as to our purpose.

If our objective is to immunize southeast Asia from Chinese interest or activity, to dam off this part of the world from what has traditionally been a sphere of influence for China, then I say that our goal is unrealistic and foredoomed to failure, in the long course of events. China is the biggest power in Asia. It is a dominant force. China desires to reestablish a sphere of influence in southeast Asia like that she maintained under the Chinese emperors.

If we were to say that it is American policy—if it were in fact our purpose—to immunize southeast Asia from Chinese influence, this is a policy which will not succeed. It runs contrary to the physical power relationships in Asia. It would be as though the Chinese were to say to us, "Quit trying to assert a dominant American interest in Mexico." I do not believe this is the policy. Rather, our purpose in Asia, is the containment of China. We went back to Western Europe to prevent further Russian expansion. Our presence in Asia is related to the containment of Peiping.

Now, the best way to contain the power of Peiping is to ring China with independent, stable governments. I do not think that, in the long run, we shall be able to determine what the character of these governments will be. I do not believe that this matters so much as the independence of those governments.

Therefore, I should think that it would be in the interest of the United States to begin to do in Asia what we have long been doing in Europe—recognizing that the satellite countries are restless, that they are not all alike, not dominated by the Kremlin to the same degree. We are watching each one working its way out from under the Kremlin's grip, recognizing that Tito's Yugoslavia is, in fact, largely independent from the direction and control of Russia.

I cannot see why, in the face of what has happened to the Communist satellites in Europe, the same experience will not also occur in Asia. Therefore, I should like, in answer to the question of the senior Senator from Missouri, to state that the struggle in southeast Asia is one which eventually must find a political, rather than a military, settlement.

In a widened military involvement, we can lose many men. We lost 157,000, dead and wounded, in Korea. The fighting cost us $18 billion. But, in the end, we had to go to the conference table. There had to be a political settlement. So it is with southeast Asia.

So, I should hope that our Government would make clear that a peaceful settlement is our objective in southeast Asia; that we are willing to consider—either through the intervention of the United Nations, or through another Geneva Conference—the prospects for a political solution in southeast Asia which would neutralize the area and provide for the orderly withdrawal of all foreign troops. We could guarantee the integrity of that neutrality with the full strength of American might. This would be using American military power in a way that could be effective, as a deterrent to Chinese encroachment upon her neighbors.

I submit that our present policy, on the scoreboard, is not one to give us reassurance, for Chinese hegemony grows in southeast Asia every day.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. SYMINGTON. I appreciate the lucid presentation of the senior Senator from Idaho on the subject. I mentioned before that I think he has made a magnificent address.

I am looking for some practical applications of his concept. For example, I would like to see more trade and less aid as an American policy. I mentioned earlier today that when I asked the former Secretary of Commerce, Mr. Hodges, and the present Secretary of the Treasury, Mr. Dillon, if they knew of any highly developed country in the free world, that was not doing its best to get as much trade as possible from behind the Iron Curtain, both in exports to those countries and imports from them, they both said no, that our country was the only country that, for ideological or any other reasons, was not trying to improve its trade position.

I also mentioned that I felt trade was perhaps the best way in which to obtain a better understanding between nations, and the normal relationship between businessmen who are looking forward to an arrangement that both sides consider satisfactory.

It is a little ridiculous for us to keep nearly a million military people, counting their dependents, living in Germany, as we have for so many years. We should, in the interest of our balance-of-payments problem, withdraw a large number of those people. I am confident that would not affect anything from the standpoint of our commitments.

But what I would like to ask my able friend from Idaho is, What does he think would be the best specific course that we could take at this time in South Vietnam? If I have any disagreement with him, it is over the statement that the President should emphasize his desire for peace. I am sure the Senator agrees that the President has emphasized his desire for peace in that part of the world, as well as all other parts of the world.

Mr. CHURCH. The Senator is correct. My point is that we should accompany the stepped-up military moves with a peace initiative, making clear what we regard the essential prerequisites to be for an acceptable political settlement that will bring peace to southeast Asia and provide for an independent and unalined Vietnam.

The Senator knows it is not possible for any Member of the Senate to specify the exact form that our proposal might take or what we might finally agree to at the conference table.

Mr. SYMINGTON. The question I wish to ask the distinguished Senator is what bargaining table he has in mind, and where.

Mr. CHURCH. I cite the fact that we went to Geneva over Laos. We had spent $325 million to build a Laotian army that refused to fight. The war in Laos was going against us. In another 60 days, the country would have fallen into the lap of the Communists. President Kennedy took us to the Geneva conference table. Today, there is no one, including our Ambassador in Saigon, who does not say that the situation in Laos, after the neutralization worked out at the Geneva conference table, is better than it was before. This is an indication of what can be done through negotiations.

Mr. SYMINGTON. The only reason I am asking the question is that I am very much impressed with the statement of my friend and colleague on the Foreign Relations Committee. Would the Senator think of starting with a conference at Geneva; and if so, who should be at the bargaining table?

Mr. CHURCH. These are matters which should be left to the President, of necessity. We entered negotiations over Laos at the point of failure, when continuation of the war would have meant a Communist seizure of the country. We may be in a somewhat similar situation in South Vietnam. But I would have the President indicate what the prerequisites might be for going to the bargaining table. I am not in a position to specify these conditions on the Senate floor, which only the President and the Secretary of State could properly undertake to do, but I am sure they would do it in a manner safeguarding American interests.

We have had several opportunities. Mr. U Thant has urged using the good offices of the United Nations in seeking a solution of the Vietnam issue. President de Gaulle has made suggestions. I am sure other opportunities will arise, because neither side can win a clean victory in southeast Asia, and neither side really wants war. Korea was a lesson for all. There was no victory for us in Korea. Neither would there be from widening the war in southeast Asia. In a situation where both sides stand to lose so much in a war which neither wants, it seems to me the opportunity is ripe to reach a political settlement, to use the olive branch of the Presidential Seal, even as we use the arrows.

Mr. SYMINGTON. I thank the Senator for his kindness in listening to my questions.

Mr. CHURCH. I thank the Senator for asking them.

Mr. McGEE. Mr. President, will the Senator yield on that point?

Mr. CHURCH. I yield.

Mr. McGEE. First, I would make a matter of public record the fact that the Senator from Idaho and I learned many of these lessons together, side by side, in the countries that seem to be having so much trouble.

Mr. CHURCH. In connection with an article of mine that was published in the New York Times Magazine on Sunday, there is a picture in which the Senator from Wyoming appears with the Senator from Idaho, taken in Vietnam. I do not want that picture to implicate the Senator from Wyoming in the article or in the views I am expressing this afternoon.

Mr. McGEE. Basically, it comes as a matter of compliment to the Senator from Wyoming in view of the high level of the remarks submitted by the Senator from Idaho. Our experiences together in Africa, Asia, and Saigon in particular, have deeply affected the thinking of both of us.

The real point of my interruption is to address myself to the excellent statement the Senator has made in regard to why we are in Vietnam. Why are we there as compared to the situation in Western Europe, when, after the war, we were all eager to go home? We were determined to contain the Russians. We had the courage to prevent the Russians from moving ahead. The Senator pointed out that there is a difference between Vietnam and Western Europe, the difference being in the sophistication of the people. Those people are capable of a correct assessment of the situation. But what I think he suggests is that when the chips were down in Western Europe, we did not say: "This is a matter of interest to us. We are ready to fight, but let us sit down and talk about it." Instead, we served notice on Moscow that starting in Western Europe, with West Germany and in Berlin, we were ready to fight now if the Russians intended to try to move into those areas. We made it unalterably clear that that was our position. The consequence was that the Russians backed off.

Two years earlier, we did the same thing in Greece where, it is true, the Government did not have the support of the people. For the most part, Greece was in the throes of a civil war, on a considerably higher level than the one now going on in Vietnam, but civil war, nonetheless.

The question that took first priority was the encroachment from the north of Communist forces across the border. We had to back not the good guys but the bad guys in Greece—to put it simply in the vernacular. We did not back the people. We backed the monarchy; we backed those who happened to be in the driver's seat at that moment. We took a chance on Greece raising its level of economy and in improving the quality of its own government. It was a case of putting first things first. As a result of the strong position which we made clear was ours in Greece, the Russians backed off.

I submit that the analogy is now valid in Vietnam. It has been valid all along. It was valid when we went in, immediately after 1954. To complete the point in Vietnam, what worked under the Communist pressure from Moscow in 1946, 1947, and 1948, has to work in different terms, but still work now—that is, we must make it clear that in Vietnam, much as we would like to see a different government and even a democratic government for them, the first thing we insist upon is that there be no additional encroachment by forces from the north.

I believe that the moment we try to lop the whole area into the category of a discussion, we then are daring to negotiate the status of the line that really was a sacred line in Germany, in Berlin, and in Greece.

There should be the same sacred line in Vietnam. Even though we went to the conference table, after the fighting in Korea, we drew a line that was consistent with our purpose—respecting the agreement that had already been reached there; and we stabilized the picture even though it involved the presence of American troops. But a divided Korea, two Berlins, two Germanys, two Chinas, and two Vietnams seem to be our starting place, and not our negotiable area.

For that reason, I suggest that the Senator's wise drawing of the issue in Europe and in stopping Russian communism pertains equally in the drawing of the line in southeast Asia.

Mr. CHURCH. Mr. President, in response to the very able statement of the Senator from Wyoming [Mr. McGee], let me say, first of all, that I fear it illustrates the danger of argument by analogies which really are not based upon the same underlying facts.

It also tends to point up the need for a more precise definition of American objectives in southeast Asia.

I say with all deference to the Senator from Wyoming that I have the same trouble with his statement that I have with statements made by the State Department on the situation in southeast Asia. There were very good reasons for the success of our containment policy in Europe. I believe it is important to draw a sharp distinction between Europe and southeast Asia, and not to paint the picture in broad-brush strokes, as though there were no difference between Western Europe and Russian expansionism after World War II, and the kind of problem we are facing in the jungles of Vietnam today.

I suggest that the difference is as great as that between Western Europe and southeast Asia in terms of the people, of values, of governmental systems, and of outlook. Therefore, to say that this is all one big problem, and that the same policy of containment that worked 15 years ago in Europe is going to work in southeast Asia today is, to me, a fundamental error.

The reason why our policy has failed to produce the desired results in so many parts of Asia and Africa is that there is so different an attitude in Africa and Asia toward the Western World.

These continents have just emerged from centuries of colonial bondage. I served in Burma, in India, and in China during the war. The only common link among the people I encountered was their great resentment of the white man.

These factors, which count for so much in Asia, were not present in Europe. There, we Americans were, more or less, of the same family. We were part of the same mainspring of Western civilization. We had cultural values, economic and political systems sufficiently alike, so that we shared a common repugnance to communism. I do not believe it follows that Africans or Asians feel the same way, or see communism in the same light that we do. I believe that these factors are so fundamental that they must be taken into account if an intelligent American policy is to be formulated for so different a part of the world.

The Senator states that we must draw the line in South Vietnam the way the line was drawn in Europe. I say that if I had a better idea of exactly what our objective is in southeast Asia, I would have a better basis for evaluating our policy. So would the Senator from Wyoming [Mr. McGee]; so would the Senator from South Dakota [Mr. McGovern]; and so would the people of the United States, who will have to fight, should it come to that.

I suggest that in Vietnam we are confronted with a different kind of problem. Everyone who writes about it, agrees to this.

At the moment, the Chinese are not there. They have not come down with their armies. They have not dropped the Bamboo Curtain on southeast Asia and backed it up with Chinese divisions. The war in Vietnam has been between North Vietnam and South Vietnam, to determine whether the country will be reunited, and under what kind of government. Thus far, most of the combatants have been South Vietnamese. The pro-Communist South Vietnamese, called the Vietcong; and the anti-Communist South Vietnamese, rallied—if that is not too strong a word—around whatever government is sitting in Saigon. It has been essentially a civil war, even though aided and abetted from the north.

What north are we talking about?

We are talking about Hanoi. The most significant help Peiping has given, thus far, is some Mig fighters, sent down recently. Most of the Chinese participation, so far, has been verbal service to the cause. There has been some instruction on the art of guerrilla warfare, but the Chinese are not there in any physical sense, certainly not to the same degree that we are there in a physical sense. This is essentially a war among the Vietnamese.

I submit to the Senator from Wyoming that the Chinese doubtlessly desire the communization of Vietnam, but the method is insurrection, and the people involved in that subversive effort are Vietnamese.

If we believe that a white Western nation can intervene and take over this kind of war, convert it into an American war, and then settle it in any durable way, I simply disagree.

There are limits to what we can do in assisting a country which is gripped in insurrection involving brother against brother.

Since there are limitations, let us recognize them. Let us define our goals. Let us decide what we are really out to do. Then let us see if that can be done through the processes of negotiation.

I have tried to make it clear that, in gaining this objective, American power must be brought to bear. I have endorsed what the President has done in his use of American power. I believe a widening war may be averted through the judicious use of power, and with a policy that clearly undertakes to mark the course to the bargaining table, where we can ascertain whether or not our objectives can be attained.

Mr. McGEE. Mr. President, will the Senator yield further?

Mr. CHURCH. I yield.

Mr. McGEE. The Senator from Idaho is so eloquent and well informed on this question that I am reluctant even to press the matter further. I believe he makes an excellent point when he says that communism in Asia and in Africa is a far different thing to these people than it was to the residents of Western Europe. I believe we would all get closer to the nub of the real problem that faces us now in Asia if we would not talk so much about communism and talk more about power politics.

Mr. CHURCH. I agree with the Senator.

Mr. McGEE. Herein we find the explanations not only for the American presence, but the goal that should epitomize the American past.

In the wake of World War II, if I may submit the historical parallel, the nations of the world fell into the throes of the same historic conflict that followed in the wake of nearly every one of the great wars of history, and that is to put back together again the pieces and to reconstitute some kind of accepted balance of power as man's only substitute for continuing war up to this time.

World War II was especially harsh on the conventional balance of power. Not only had three nations gone down to defeat; namely, Italy, Germany, Japan, but even two of the victorious powers were so strapped by the war that they could not continue their historic relationships. I speak, of course, of our allies, France and England.

Nonetheless it behooves us to do what we can, as one of the Allies, one of the victors, to try to reconstitute a balance that will be as favorable to our common cause as possible. That is what has been taking place since 1945. That is what happened in Berlin, in West Germany, in Greece, and around the globe, to such an extent that it is possible to draw a firm line all the way from Finland, down across Eastern Europe, across Greece and Turkey, Iraq and Iran, Pakistan and India, all the way to the China Sea, except for the embarrassing fluid gap that still exists. Neither side has been able to firm up conditions in southeast Asia.

What I am saying to the Senator is not that I disagree with the imperativeness of negotiation; but I believe in negotiation at the right time, and that now is not that time.

We must close the last remaining gap. Although conditions in Vietnam are entirely different in many ways than they were in Europe or than they are in Latin America or anywhere else, the one thing that is present that was present in Europe and is present in the other areas around the fringe of either Soviet imperialistic design or of the Chinese is sheer political calculation.

It should have been spelled out before this time, for in my judgment, if we, through a policy of hesitation, or a policy of premature negotiation, make it possible for the Chinese, as a case in point, to move into southeast Asia, however surreptitiously, we jeopardize the political balance in the world.

That empire in southeast Asia is the last large resource area outside the control of any one of the major powers on the globe. In the hands of one it becomes a power calculation that can upset the balance in the world.

Before we can talk or negotiate, we must make certain that there is no equivocation about where we stand and about where we have drawn the line.

President Kennedy said that we can always negotiate freely, but we must not negotiate freedom.

I believe this must be the issue laid down on the firming of the line on this, the last segment of a power vacuum in the world. Then we shall be in a position to start talking about the kind of world we want.

Mr. CHURCH. In response to——

Mr. McGEE. May I finish? As we draw that line, we are only completing the sequence of the policy bases and the power commitments for the benefit of a balance in the world that was begun back in 1946. I believe the price we have already paid for this opportunity ought to give us pause about slowing down until we have fully reconstituted the balance in the world.

I believe that the condition of the Vietnamese people, and the direction in which their future may be going, are at this stage secondary, not primary. I believe that is where we become confused. We must keep first things first, as we did in Greece in the civil war there.

Mr. CHURCH. The Senator intends to speak later in further extension of his thoughts. I merely wish to restate briefly what I have said. I understand the Senator from South Dakota [Mr. McGOVERN] has been waiting patiently to make his speech; and other Senators may wish to speak also.

China is not now in Vietnam—either in North Vietnam or in South Vietnam. We are now demonstrating the strength of the American position in southeast Asia stemming from our domination of the air and the sea. Therefore, I do not believe that we would negotiate from weakness.

The danger of using our military strength alone and extending the bombing northward, unaccompanied by any preferred recourse to the bargaining table, can lead only to a worsening situation.

Once the bombing goes further north, the danger increases that North Vietnam must respond; and the only means she has is on the ground. Saigon is obviously too weak to withstand such further pressures. So the demand will follow for American ground troops. The last time we had a similar experience, this led to Chinese involvement. We can go down that road again, with all the attendant pain, cost, and tragedy. But, in the end, we shall come back to the conference table, as we did in Korea, with China as well as North Vietnam to contend with; and large parts of southeast Asia in Chinese occupation.

That kind of situation would not auger well for a satisfactory settlement. I disagree with the Senator from Wyoming when he says that we should wait until some time later, until after the military situation has changed. It seems to me that, given a spreading war, the military situation will only worsen. So, I think we should combine our military effort in South Vietnam with an indicated willingness to negotiate.

Since I have kept the Senator from South Dakota waiting, which has not been fair to him, I should like to yield to him now so that he can deliver his speech. Then I shall be happy to remain to discuss these questions further with the Senator from Wyoming after the Senator from South Dakota has concluded.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. McGEE. Mr. President, will the Senator from South Dakota yield to me for 1 minute?

Mr. McGOVERN. I am happy to yield to the Senator from Wyoming.

Mr. McGEE. The Senator from Idaho has given a great deal of thought to the subject, as I have also. I shall have some additional suggestions to make for discussion purposes which I believe will meet the kind of objections that he has raised, or answer the serious questions that he has posed and which bother him at the present time. I wish only to express the hope that no one will leave out of any calculation the idea what we are talking about is Hanoi, and that the Chinese mainland and Government are not specifically involved. We know that China has not joined its armies with the Vietcong yet.

Mr. CHURCH. China is indeed the reason for our presence in southeast Asia. I have expressed doubts as to whether our policy is properly directed toward the effective containment of Peiping. The Chinese involvement in southeast Asia could become a great deal worse than it is today.

I yield to the Senator from Wyoming.

Mr. McGEE. I thank the Senator from South Dakota for his indulgence.

Mr. McGOVERN. It has been a great educational experience on the part of the Senator from South Dakota. Before I begin my remarks, I should like to yield briefly to the Senator from Wisconsin.

Mr. NELSON. Mr. President, I commend the Senator from Idaho for an exceptionally fine speech. This is a most thoughtful presentation by a practical, hardheaded internationalist. The Senator from Idaho vigorously supports our position in the world as the defender of freedom. He speaks as one who seeks to strengthen our role and improve our position in international affairs.

His words are a refreshing and thoughtful contribution to the dialog on our role in Vietnam.

I shall not attempt to elaborate on the thoughts expressed by him. He covered that ground thoroughly enough. However, one aspect of this continuing and ever-changing dialog on our role in Vietnam is worthy of attention. That aspect is: What is the conception of our presence in South Vietnam? and, should we change it?

Increasingly, in recent months, we have heard the voices of many who seem to have the view that the war there is in fact our war and that we should and must make the necessary investment of men and material to win at whatever the cost.

If that is our mission there, as some seem to believe, the rules of the game have been rather dramatically changed. I do not think our mission has been changed and I do not think it should be.

From the very beginning of our involvement it has been clear that our mission is a very limited one. Three Presidents have clearly stated the proposition that our role is simply to give aid and technical advice with the objective of helping establish an independent, viable regime that is capable of managing its own affairs.

On October 23, 1954, when President Eisenhower first offered aid to Vietnam, he stated:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms.

On September 2, 1963, President Kennedy reaffirmed this policy:

> I don't think that unless a greater effort is made by the Government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort.

And on August 12, 1965, President Johnson described the primary pattern of our effort over the last 10 years:

> First, that the South Vietnamese have the basic responsibility for the defense of their own freedom.

When we first agreed to help South Vietnam, French armies had just suffered a disastrous defeat at Dienbienphu. After spending an estimated $8.5 billion, after committing more than 400,000 first-rate soldiers, and after suffering 240,000 casualties, the French learned it is almost impossible to win a jungle war in Asia, except at incredible cost. As the Senator from Arkansas [Mr. FULBRIGHT], chairman of the Foreign Relations Committee, recently told the Senate, most responsible American officials realize that "it would be very unwise under any circumstances to put a large land army on the Asian Continent."

Our national policy has been to help with advice and material, but not to substitute our forces for those of the South Vietnamese Government, nor to join with them in a land war, nor to fight their war for them. Our military personnel in Vietnam number only 24,000.

Based on our experience of 10 years in Vietnam it clearly would be folly to expand our mission or the original concept of our involvement. When we became engaged there in 1954 I do not think anyone expected we would still be there in 1965. Certainly we do not intend to stay there until 1975. At some stage we must make a decision on whether it is possible to achieve our original objective. The accumulated evidence indicates we cannot. If this is correct it is in our national self-interest to seek ways and means of negotiating a constructive settlement. The President, of course, is in the best position to make the necessary tactical judgments to accomplish this end.

Whatever the final result in South Vietnam I think it is a necessary part of the educational process for us as Americans to recognize that in our relatively new role as leader of the free world we will be continually engaged in difficult risks and gambles in remote spots all over the globe. We will in the future as we have in the past take many risks in which the chances of success are much less than 50–50. The fact that we gamble in behalf of freedom some place and lose does not mean we should not have tried. If we never take any risks for fear of losing, we will never lose anything except our leadership of the free world.

Mr. President, I have in my hand a very thoughtful editorial published in the Milwaukee Journal. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEGOTIATE NOW IN VIETNAM

> There is no future in what has been happening the last few days in Vietnam except the wider war that has been American policy and interest to avoid. As we retaliate against stronger Vietcong activity in South Vietnam with heavier and deeper aerial attacks upon North Vietnam, we extend an ever more pressing invitation for the Chinese Communists to intervene forcibly. To say that they will not do so is to forget that this country made just such a misjudgment in Korea.
>
> The problem is not that we couldn't win a war against China. We have the power to do it. But for what purpose? It would involve us massively in a remote area of the world where our national interest and security are not involved in any paramount degree. It would risk the danger of nuclear war—for the Soviet Union, whatever its differences with China, could not long stand by without at least material aid to the Communist side.
>
> The dangers are too great and the goals too unimportant for us to push on into full scale war. It is not as if we had allies of strong will and determination at our side. The South Vietnamese as a whole do not have their hearts in this enterprise. Our European allies do not believe that we belong in southeast Asia.
>
> We are like a musclebound giant being besieged by gnats. We have overwhelming power but no way or reason to use it. The war is really a grueling ground action in the jungles and rice paddies.
>
> Henry Cabot Lodge, former Ambassador to Vietnam, argues that retaliation against North Vietnam is proper when we are attacked but it cannot win the war. He thinks it is impossible to seal the borders of South Vietnam. He told U.S. News & World Report that "even if you had a 100-percent score in bombing supply lines I still don't think you could win this struggle in South Vietnam by just doing that."
>
> Where do we go from here? Logically to a negotiated settlement. Lodge sees little possibility of this, but this country certainly should not be reluctant to say that it is ready to seek a settlement at the conference table. Nothing could be lost by recalling the Geneva pact powers for negotiation. President de Gaulle is right when he says that southeast Asia should be a neutral zone and that steps should be taken now to that end.
>
> Certainly Russia wants no war. In all probability China doesn't, and North Vietnam certainly doesn't want Chinese soldiers in its territory. A negotiated peace is vital. It is the only alternative now to expanding war. And peace must remain our goal.

Mr. NELSON. I thank the Senator from South Dakota.

Mr. McGOVERN. Mr. President, the Senate and the entire Nation is indebted to the Senator from Idaho [Mr. CHURCH] for the high level foreign policy debate that he has introduced in the Senate today. The Senate has a constitutional responsibility for the conduct of foreign policy and in a dialog with the President of the United States. We violate not only our constitutional responsibility, but, beyond that, we jeopardize the national interest when we remain silent at a time of great significance to the Nation in terms of our relations with other countries.

I cannot think of any time in recent years when we have been confronted with more crucial changes in the field of foreign policy than we are at this very hour. The greatest disservice Senators could render to the President of the United States and to the country as a whole would be to remain silent at a time when we have an especially urgent responsibility to share our views and our convictions on important issues that might affect the future of our country and the peace of the world. So every citizen of our country is indebted to the Senator from Idaho, a thoughtful and realistic member of the Committee on Foreign Relations, for giving us the benefit of his views today on important subjects affecting not only the continents of Africa and Asia, but also our own security. I commend him for that, and for many other helpful initiatives that he has taken in the field of foreign policy.

I say the same thing to the Senator from Wyoming, who has helped to conduct the debate and the dialog today in a constructive manner. We all look forward to his further remarks, as well as to the dissenting views that have been promised by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], tomorrow. These differences of opinion and their expression on the floor of the Senate are helpful not only in clarifying our own views, but also in broadening the area of operations of our President at this very difficult time.

I wish to make it very clear that my position with regard to negotiation in South Vietnam is exactly the same, as I understand it, as the position of the Senator from Idaho. It has been interesting that this week the American people have indicated in a Gallup poll that by a margin of more than 60 percent they support the retaliatory air strikes ordered by the President. But those same people, less than 3 weeks ago, indicated by an amazing percentage of 81 percent that they also favor an initiative by the President of the United States in arranging a conference of southeast Asia, China, and other interested powers to see if some kind of a peace settlement can be worked out. Both those views reflect my own thinking, and they are not contradictory. It is perfectly possible to uphold the President's hand at a time when he is ordering selective air strikes in retaliation against attacks upon American forces, and at the same time to urge our President to use that high office in arranging a conference in which the possibilities of negotiation can be explored.

It is on that basis that I should like to take my stand today, as I did on the Senate floor a month ago and at the time of the Gulf of Tonkin crisis last summer.

Obviously, there is nothing contradictory about favoring decisive military action in Vietnam today at the same time that we hold open the door and in fact seek initiatives to bring about a conference to explore the possibilities of negotiation.

As the Senator from Idaho [Mr. CHURCH] said, we cannot run out unilaterally on our commitment to the Government of Saigon, to which we have pledged our continued support in that area. I could not agree with certain proposals that have been made, that we merely withdraw with no notice to the Government of Saigon or to our allies. These are matters that have to be negotiated and discussed not only with the Government of Saigon, but with other great powers that have an interest in this part of the world, and, of course, that includes the Government of mainland China.

In the Gallup poll of January 31, the people were asked:

> Do you favor efforts by President Johnson to arrange a conference with leaders of southeast Asia, including China, to see if a peace agreement can be worked out?

It is interesting to me to observe that 81 percent of the American people said that that was what they favored. Eleven percent dissented. Eight percent had no opinion. I cannot recall any controversial foreign policy in recent years in which 81 percent of the people lined up on either side.

Public opinion expression ought to be considered carefully by our policymakers in the State Department and elsewhere throughout the Government.

President Johnson has consistently acted with restraint in Vietnam. He ordered retaliatory air strikes against North Vietnam only after careful consideration of all the factors involved in this complex crisis. The American people have demonstrated their support of the President's action.

But doubtless no one recognizes more clearly than the President that bombing attacks in the north will not solve the guerrilla struggle in the south. I hope that such tactics are aimed at increasing pressure on the North Vietnam Government and perhaps on the Chinese for negotiation rather than following the false hope that military victory is possible for either side.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. McGOVERN. I am happy to yield.

Mr. CHURCH. I commend the Senator from South Dakota for the statement he is making. I associate myself with the remarks he has made with respect to the restraint that the President has shown in dealing with this dangerous, vexatious problem. All of us know that the problem has been long in the making. All of us understand the difficulty of the President's situation. But I am confident that the President is earnestly attempting to avoid a widening war in Asia. He remembers, as we all do, the experience in Korea. He remembers the statement of Gen. Douglas MacArthur afterward, warning against the endless attrition of sending American troops into battle on the Asian mainland. Therefore, I believe the President is endeavoring to find a way to reach a satisfactory settlement in southeast Asia that will not lead us into another Korean war.

I wish to be associated with the remarks the Senator has made with respect to the prudent restraint the President has attempted to use as he deals with this difficult problem.

Mr. McGOVERN. I thank the Senator from Idaho for his comments.

This is the kind of struggle that is not affected much, if at all, by bombings a thousand miles away from the fighting. The guerrillas are largely equipped with American equipment that has been captured from the South Vietnamese, whom we have equipped. The guerrillas have demonstrated that they are capable of living off the countryside, with little outside support. The guerrilla strength is strongest a thousand miles away from the North Vietnam border. If the guerrillas do not always enjoy the cooperation of the general populace in South Vietnam, neither do they seem to encounter much grassroots resistance.

This is basically a political fight, as the Senator from Idaho has said, that in the long run will have to be settled by the Vietnamese people rather than by outsiders.

Unfortunately, our deepening military involvement in Vietnam, however well meaning—and our intentions were good when we became involved in this struggle some 11 years ago—has drawn to us much of the resentment which the Vietnamese developed over the years against France, Japan, and other intervening powers. Our military embrace of the South Vietnam rulers may actually have opened the way for Communist gains in southeast Asia and delayed the development of responsible government.

So however unfair it may seem to us, many of the same political factors that brought the French forces into disrepute and eventual defeat in southeast Asia are now operating against us. Those factors could not be controlled in the 1950's, even by an enormous investment of French military power, including 400,000 French soldiers.

The late beloved President Kennedy has been quoted several times on the floor of the Senate this afternoon. It is interesting, but perhaps somewhat ironical, that on April 6, 1954—almost 11 years ago—the then junior Senator from Massachusetts, John F. Kennedy, took the floor of the Senate, at a time when the French had been fighting in the same area for some 8 years, and said:

> But to pour money, materiel, and men into the jungles of Indochina without at least a remote prospect of victory would be dangerously futile and self-destructive. Of course, all discussion of "united action" assumes the inevitability of such victory, but such assumptions are not unlike similar predictions of confidence which have lulled the American people for many years and which, if continued, would present an improper basis for determining the extent of American participation.

The then Senator Kennedy continued:

> Moreover, without political independence for the associated states—

Meaning the states of Indochina—

> the other Asian nations have made it clear that they regard this as a war of colonialism and the "united action" which is said to be so desperately needed for victory in that area is likely to end up as unilateral action by our own country.

That is exactly what has happened. We are getting precious little help from any other country in the long, expensive, bloody struggle in southeast Asia.

Mr. CHURCH. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. I am happy to yield.

Mr. CHURCH. It would be well to contrast the situation that existed at the time of the Korean trouble with the nature of our involvement in South Vietnam today. In Korea, the invasion of the south by the north constituted a clear violation of the peace system that the United Nations was established to maintain. The United Nations responded. The United States undertook to defend South Korea in the name of the United Nations, with the full support of world opinion and, indeed, with token forces contributed by a number of other nations.

True, the physical burden was largely ours; but the action was carried under the aegis of the world community. Today, owing to the different character of the war in South Vietnam, the world community does not look upon it as we do. Otherwise, we would probably be in South Vietnam today under the flag of the United Nations, with the active collaboration and support of other countries, and with the full approbation of world opinion.

The very difference in the situation bears out the position taken by the Senator from South Dakota in the excellent address that he is making on the floor of the Senate today.

Mr. McGOVERN. Mr. President, the point of the Senator with reference to the Korean conflict and the contrast there is well taken. There is one further contrast to which he alluded in his remarks today. That is that whereas in Korea we had the support of our U.N. colleagues for our military involvement, in this instance not only is such support absent, but we also have the leading officer of the United Nations, Secretary General U. Thant, urging the two sides of the Vietnamese conflict to get together and try to work out some kind of negotiated settlement.

There is one other lesson that we should remember about the Korean conflict. There are those who are willing to risk escalation on the theory that any amount of acceleration of the war on our part presents us with no real danger as far as Red China is concerned. These individuals glibly predict that a show of force on our part presents us with no threat of increasing Chinese involvement. They predict that somehow the Chinese will wander away if we just commit enough military power.

The lesson of Korea is that, if pushed far enough, we can indeed provoke hordes of Chinese soldiers to enter the conflict. The Chinese soldiers swarmed into Korea 1 million strong in 1951–52, which is the same kind of threat that is always present with reference to the very dangerous situation in southeast Asia. That is a lesson we ought not to forget.

Mr. CHURCH. Mr. President, will the Senator yield further?

Mr. McGOVERN. I yield.

Mr. CHURCH. In the event that the war should continue in Vietnam without any recourse to the bargaining table, so that both sides would have to respond in terms of an ever higher level of military involvement, in addition to the prospect of a massive Chinese movement into southeast Asia, do we not also need to consider the increasing likelihood that China and the Soviet Union, under the pressure of this mounting war, would tend to be welded back together, so that the Communist world could present a united front against the United States?

This is a factor of enormous importance to the future of our relationship with the Soviet Union which needs to be weighed carefully in the balance as we decide how to proceed in Vietnam.

Mr. McGOVERN. Mr. President, the Senator has touched on one of the most fundamental questions in this whole crisis area. It would be the saddest of misfortunes if, at a time when the Communist world appears to be in disarray and the monolithic Communist bloc which once confronted us has been shattered, we were to provide through our actions the vehicle that united these very Communist governments. I can see that very thing happening in the event of an all-out war in southeast Asia. It would cause our Communist rivals to close ranks as nothing else could. Beyond that, we would have set back the cause of a detente of peaceful relationship of the kind that we hope has been developing between Red China and the Soviet Union.

I continue with two or three additional sentences from the speech delivered by Senator John F. Kennedy 11 years ago. Referring to the possibility of American intervention in southeast Asia, he said:

> Such intervention, without participation by the armed forces of the other nations of Asia, without the support of the great masses of the peoples of the associated states, with increasing reluctance and discouragement on the part of the French—and, I might add, with hordes of Chinese Communist troops poised just across the border in anticipation of our unilateral entry into their kind of battleground—such intervention would be virtually impossible in the type of military situation which prevails.

I shall read one final statement—and this is a most prophetic statement. It reads:

> Every year we are given three sets of assurances: first, that the independence of the associated states is now complete; second, that the independence of the associated states will soon be completed under steps now being undertaken; and, third, that military victory for the French Union forces in Indochina is assured, or is just around the corner, or lies 2 years off. But the stringent limitations upon the status of the associated states as sovereign states remain; and the fact that military victory has not yet been achieved is largely the result of these limitations. Repeated failure of these prophecies has, however, in no way diminished the frequency of their reiteration, and they have caused this Nation to delay definitive action until now the opportunity for any desirable solution may well be past.

Mr. President, it may very well be, 11 years later, that the opportune time for negotiations has been passed. But I do not believe so. The difference of opinion that the senior Senator from Idaho and I have with the Senator from Wyoming is that we think the time for the United States to explore the possibility of a negotiated settlement is now, before the forces are out of control and before a trend is started that might lead to world war III.

A month after the Senator from Massachusetts delivered that speech, with predictions of victory reverberating from the French, Dienbienphu took place. The French resistance collapsed, and the stage was set for a forced withdrawal of the French forces in Indochina. How ironical it is that more than a decade later, the same advice that we were giving the French in 1954 is now being given to us by President de Gaulle—that we cannot win a military victory, given the political conditions that exist in southeast Asia; that we cannot win when there is not a responsible political force in control in that part of the world; that guerrilla tactics of this kind do not lend themselves to a continued military solution; and that what is needed is a political settlement. Apparently the fight in southeast Asia has swung full cycle.

It is doubtful that our continued military involvement in the sixties will prove to be any more successful than the military involvement of the French was in 1954. We have already sacrificed over 300 American lives and $4 billion in the Vietnamese war. Perhaps that would not be too big a price to pay if we had been able to stabilize the political and military situation with that investment. But the facts are that both the political and military situations have worsened as we have become steadily more involved.

Far from losing face, I say that if we were to take the initiative in ending the fighting in southeast Asia now, it would reaffirm the fundamental desire of the American people for world peace. There is not any thought in the minds of the people around the world that is any more precious than the hope for peace. There is not any nation that would win any more prestige and support throughout the world than the nation that champions constructive steps in the cause of peace.

It is not appeasement to recognize that the problem of southeast Asia does not lend itself to a military solution. It is not appeasement for the mightiest military power in the history of the world to recognize the limits of that power and to commit it reasonably and wisely. Positive steps toward peace will do more than retaliatory air strikes to replenish the reservoir of good will which is America's greatest source of strength in Asia and throughout the world.

It seems evident that neither we nor the other side can score a decisive victory in the kind of political guerrilla war that has cursed Vietnam since the end of World War II.

The statement that we cannot score a decisive victory is balanced by the statement that neither can they have a decisive victory. The North Vietnamese and the Chinese have enormous land armies capable of holding out in the jungles for decades if they should ever be drawn on a large scale into the conflict in southeast Asia. U.S. military strength in the Far East, on the other hand, is largely naval and air power which does not lend itself to an Asiatic land war. We could pulverize the great cities of China and North Vietnam and still not end the guerrilla warfare, or encourage the establishment of effective local government.

Although both sides will have to make concessions, both will stand to gain from a ceasefire and a negotiated settlement. Neither continued fighting nor negotiation can guarantee that governments in southeast Asia will be alined with the West. But it is not our mission to play policeman for the world. In the long run, only the people of southeast Asia can decide the political ideology under which they will live.

Even if one were to admit the danger of anti-Western governments coming to power in some of the southeast Asia states, it does not necessarily follow that those governments would be puppets of Red China. It is more than likely, given their historic resistance to China, that these states would resist Chinese encroachment with at least as much vigor as the states along the Soviet frontier in eastern Europe are now resisting Russian dictation.

Neither does it follow that American withdrawal from Vietnam means the end of our military power in Asia.

We hear rash predictions that the Communist takeover of southeast Asia means a series of domino incidents that will push us to Hawaii or California. But our real military power will remain in our naval air units offshore.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. McGOVERN. I am happy to yield to the Senator from Idaho.

Mr. CHURCH. Nothing has been said about the character of our problem in southeast Asia that so reflects how heat can be substituted for light than the notion that South Vietnam is the last stand for the United States beyond the shores of Hawaii, or even the gates of Seattle. If there is nothing but a vacuum between Saigon and Seattle, indeed we are in a perilous situation; but I had thought that the American Navy dominated the Pacific, and I had thought that the Pacific Ocean was a sizable moat to protect the security interests of the United States. We must try to view this situation in perspective if we are to do our duty.

Mr. McGOVERN. It is quite evident that the United States is and will remain for the foreseeable future, regardless of what happens in Vietnam, the strongest military power in the Pacific. We have the power to utterly devastate Red China, which hardly means that we would be negotiating from a position of weakness no matter what happens in Vietnam. No nation really believes that the United States is "a paper tiger," and no nation will believe any such nonsense should we try to negotiate a settlement in southeast Asia or should the South Vietnamese work out a settlement with the Vietcong on their own.

Indeed, it is quite possible, even probable, that we may have greater military, political, and economic flexibility and real power once we are free from entanglement in this costly and indecisive involvement in the jungles of southeast Asia.

Likewise, we can continue to play a strong political role in Asia by strengthening our relations with such key countries as Japan, the Philippines, India, Pakistan, Australia, and New Zealand. All of these countries plus the Russians and our European allies have an interest in joining with us to stabilize southeast Asia—perhaps with the aid of a significant United Nations presence.

If efforts at negotiation fail, and we have to continue the fighting we would have lost nothing of substance militarily, and our political position might be stronger. The American people are supporting the President's actions in Vietnam, but my mail indicates by a margin of 15 to 1 that the people also favor efforts on our part to negotiate a cease-fire and a settlement in Vietnam.

I have heard one of our commentators, sometime during the course of the day, make the statement that the mail coming to Members of Congress on this subject is Communist-inspired. I shall not take the time to read a long list of letters from people in my own State, from people who I know are good Americans, and from other States, letters from persons whose names are familiar to me, whose Americanism I do not question. I remind this commentator, who states that mail favoring negotiation efforts is Communist-inspired, that 81 percent of the American public favored a conference of the concerned nations. So it would be questioning the intelligence of the American people to say that 81 percent of them are being led around by the nose by Communist-inspired efforts.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. McGEE. The Senator from South Dakota has been a leader in trying to make clear that statements made repeatedly by some persons who claim that some views which are controversial are Communist inspired, are not omniscient.

I know of nothing that could be more ridiculous than the charge that these letters were anything but sincere. If we wished to argue that the Communists were smart, we could argue that the Russians were writing these letters so that we would go to war against China in order to have us bogged down in the wrong place with the wrong country at the wrong time.

I commend the Senator from South Dakota for not refusing to let a few genuine, sincere Americans express what is in their hearts, and to take it as an honest expression of conviction, such as the kind of conviction reflected on the floor of the Senate in this discussion on both sides today, which is the only way we can arrive at what we hope will be rational and reasonable answers.

Mr. McGOVERN. I thank the Senator from Wyoming for his helpful comments.

Mr. President, before I yield the floor, there are some articles I ask unanimous consent to have printed in the Record following my remarks: Three columns written by Walter Lippmann, one dated February 11, 1964, one dated February 9, 1965, and a column published in Newsweek magazine on February 15, 1965; an editorial entitled "Errors on Vietnam," published in the St. Louis Post Dispatch; an article written by Joseph Kraft, entitled "Political Track Needed in Vietnam" and published in the Evening Star on February 12, 1965; an editorial published in the New York Times on February 11, 1965, entitled "Black Day in Vietnam"; an article written by James Reston, entitled "Washington: The Undeclared and Unexplained War," and published in the New York Times on February 14, 1965; together with the lead editorial published in the same issue of the New York Times entitled "Greatness by Restraint."

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Chicago (Ill.) Sun-Times, Feb. 11, 1965]

UNITED STATES SHOULD NOT SHUN A PARLEY

(By Walter Lippmann)

Washington.—The reaction of the Red Chinese to our air strike is very interesting. The Peiping People's Daily is, as one might expect, very angry: "We are waiting for you in battle array * * * If you insist on imposing the war on us, heavy rebuffs are in store for you." There is little doubt about what the Peiping Chinese have in mind: They are thinking first of an American invasion on the ground into North Vietnam, and they are saying that if this occurs, they will intervene on the ground and give us a "heavy rebuff."

The important thing about this reaction is that it reveals how much the Chinese are land animals. It reveals a preoccupation with the only kind of war they are capable of fighting effectively, a war on the ground. There is no direct reaction to what actually happened—an air strike from carriers at sea.

But we must not assume from this that the Red Chinese regard themselves as incapable of fighting back. We must assume, on the contrary, that the Chinese military leaders, who have to be taken seriously, are considering how they can use the military instrument which they possess—land power—to answer the United States.

We must therefore reckon with the possibility that Chinese infantry might enter North Vietnam, perhaps also Laos and Thailand, and even Korea. This is likely to be the answer if the war is escalated to the point where North Vietnam is being devastated. The Chinese proved in the Korean war that their infantry cannot be stopped even by prolonged and continuous bombing. In the end, the Korean war had to be fought on the ground until it was settled by negotiation.

It is plain that time is running out for the policy which President Johnson worked out when he inherited the Vietnamese commitment. The policy was not to go north, as we have now done, and not to withdraw, but to stand pat and hope that our adversaries would grow tired of the war. It was a policy to postpone and avoid the necessity of making a decision—of choosing between widening the war and confronting China on the one hand, and on the other hand reviving the negotiations, which were never completed after the French defeat in 1954.

The choice is a horrid one. A war with China would be an incalculable risk. In a negotiated settlement, which would be followed by our withdrawal from the mainland, southeast Asia might slip within the Chinese sphere of influence unless the Soviet Union, Japan, India, and the United States were able to exert a countervailing influence.

The policy of avoiding a decision had a popular consensus behind it and it was useful in that it insulated the election from becoming a harum-scarum brawl about Vietnam. But desirable as the politics of consensus is for dealing with domestic issues, for pressing problems in the realm of great power politics there must be a decision and choice.

The choice which has to be decided is between full-scale war and a negotiated truce. Mr. Johnson must not make the mistake of former President Harry S. Truman who let himself be persuaded by Gen. Douglas MacArthur that the Chinese would not be able to fight if we widened the war to their frontier on the Yalu River.

The military policy of holding on in South Vietnam, supplemented with retaliatory strikes, needs to be accompanied by a full-scale peace offensive. The United States ought not to be afraid to say and should not hesitate to say that it is seeking a negotiated settlement in southeast Asia. The peace offensive should be an appeal to the Russians, the Japanese, the Indians, the British, the French, and the Chinese to bring diplomacy to bear upon the warlike condition in Asia. The administration has always shrunk from talking about a negotiated peace.

But, as a matter of fact, the only rational objective of the policy we are following is to induce North Vietnam and its Chinese mentor to look to a negotiated settlement. Nobody in his right mind can imagine that this kind of war can be "won," that is to say ended by the unconditional surrender of the Communists. The administration has been willing to say privately that the reason we continue the war in South Vietnam is in order to put ourselves in a better bargaining position.

The retaliatory air strikes should help some. But the President's great predecessors, Woodrow Wilson and Franklin D. Roosevelt, never thought that they could have a military solution without at the same time a diplomatic offensive.

[From the Washington (D.C.) Post, Feb. 9, 1965]

THE VIETNAMESE AFFAIR

(By Walter Lippmann)

It is hard to believe that the raid on the American installations in South Vietnam was not closely related to Prime Minister Kosygin's visit to North Vietnam. It is hard to believe, too, that Mr. Kosygin would have picked the day after his arrival in Hanoi to touch off the raid. He was in no position to help the Vietcong to carry out the raid nor to protect North Vietnam against American retaliation. It is most probable, therefore, that the affair was ordered and directed by men who intended to spoil Mr. Kosygin's mission in southeast Asia and to interfere with his role as a principal power in bringing about a negotiated settlement.

Most probably, therefore, the gambit was directed both against the Soviet Union and the United States, which happen to have a parallel interest in preventing a big war in Eastern Asia and of containing the expansion of China. The administration is no doubt right in interpreting the raid on Pleiku as a test of American will. Had the United States refrained from retaliating, the Chinese and their supporters in Asia and elsewhere would have called it a demonstration that the United States is a paper tiger, and that therefore the Soviet policy of peaceable coexistence is unnecessary and absurd. The other side of the calculation was that if the United States reacted, as in fact it did react, it would demonstrate that in Asia the Soviet Union is a paper tiger unable to defend its clients.

From the Chinese point of view the gambit worked successfully. It showed, on the one hand, that the Americans are highly vulnerable on the ground in South Vietnam; it showed on the other hand that the Soviet Union has no power to protect East Asia against the United States.

Much depends on what lessons are drawn in Moscow, Peiping, and Hanoi and Washington from the affair.

We have had a very clear demonstration of the strategic reality in southeast Asia. The American Army at Pleiku was unable to protect itself against a comparatively small guerrilla attack, against a force estimated officially at about two squads and one platoon. The American forces got no warning of the attack from the Vietnamese people in the nearby hamlets where the raid was prepared. It got no protection from the Vietnamese security guards. In fact, when asked at his Sunday press conference whether the United States could not protect its own forces in South Vietnam, Secretary McNamara replied that he did not "believe it will ever be possible—and I think when I say this I reflect the views of our Joint Chiefs—to protect our forces against sneak attacks of that kind." Sneak attacks is in this case another name for guerrilla warfare.

But that is only half of the lesson which was demonstrated this past weekend. The other part of the lesson is that the U.S. fleet, standing a hundred miles offshore, is capable of inflicting devastating and unrequited damage on the Asian mainland. There was no power in South Vietnam to protect our own forces or to retaliate. But at sea there exists an enormous American power which is quite independent of our forces on the mainland.

The peace of the world may depend on whether all of the powers concerned take the meaning of these lessons to heart.

For us, the meaning is that the commitment to participate in the land war in South Vietnam is an entanglement, is a hostage to fortune, which exposes us to defeats and humiliations. The best that the more convinced believers in the commitment can say is that if we stay there long enough and accept the losses which they regard as tolerable, the Chinese and North Vietnamese will eventually grow tired and become indifferent. For myself, I would not count too much on American patience being greater than Chinese patience. It is less likely that the American people will wish to wash their hands of the whole business of containing China if they do not have to lose American soldiers week after week in a war that cannot be won on the ground where it is being fought.

The meaning of the affair must not be missed in Moscow, Peiping, and Hanoi. Let them remember that, reduced to its fundamentals, the situation is that the United States possesses paramount sea and air power in the far Pacific, and no one can count on such a degree of restraint in the use of that power that it will never be used. The United States is not a paper tiger. That phrase reflects the greatest delusion on which our adversaries could possibly gamble. The truth is that President Johnson profoundly desires to avoid war but his power to do that is not unlimited nor can he be counted on not to be provoked if the provocation is continual and cumulative.

There should be no mistake about this anywhere.

[From Newsweek magazine, Feb. 15, 1965]

TOWARD PEACE IN ASIA

(By Walter Lippmann)

There are reasons for thinking that in east Asia, where the situation has been frozen for some years, there is again significant movement. In the postwar period after the American victory over Japan, there was a confrontation of power between the United States on the one hand, and the Soviet Union and the mainland Chinese on the other. This confrontation settled into a stalemate along the armistice lines in Korea, in the Taiwan Strait, and in southeast Asia. Neither the Korean war nor the war in southeast Asia has changed the main lines of this confrontation.

During the postwar years since the fall of Dienbienphu in 1954, the United States has been for all practical purposes the only great power opposing the two Communist powers on the Asian mainland.

The big change that is now taking place in east Asia is that other great powers, which have been absent for years, are returning to the region and are preparing to take part in the settlement of its affairs. Thus, within the past 2 years, we have seen India forced out of its neutral stance by a Chinese attack on its territory. There has been the return of France, which has important imponderable influence among the elite of Asia. Recently, there has been a cautious but unmistakable decision by Japan to have a say and to make herself heard. There is greater activity by Britain in response to Sukarno's threat to Malaysia. There is the decision to strengthen the military posture of Australia. And now, while this article is being written, the Soviet Union is returning to North Vietnam. For some years, in which the whole situation in southeast Asia has deteriorated, the Soviet Union has been absent.

The return of the powers to the Far East and the far Pacific is from our American point of view a promising development. It promises the end of our dangerous isolation in eastern Asia. It promises to release us from the solitary and thankless role of being the only country which has stuck its fingers in the holes of the dike containing Chinese communism.

UNIQUE POLICEMAN

We have tried to play this role during the whole postwar period, and we even went so far as to fight two inconclusive and depressing wars, one in Korea and one still going on in Indochina. But the event has shown that the role of the unique policeman in Asia was beyond our military reach and of our political experience, and we must, therefore, welcome the prospect, or at least the possibility, of sharing the burden with the powers which have greater interests in Asia than we have. These are chiefly Asian powers: Japan, India, and the Soviet Union. We shall not make the mistake, I feel sure, of looking upon their participation as an intrusion instead of a legitimate assertion of their national interests.

I do not think it is utopian to look forward to a day when all the interested powers will come together in a congress to work out the lines of an international order in Asia and the far Pacific. It is, however, probable that such a congress will be too cumbersome and too divided and too slow to deal with the worst trouble spots. I think we may, therefore, expect to see local arrangements for a cease-fire and for some cooperation. This may be what is in the making underneath the confusion in South Vietnam among the generals and the priests and the students—that is to say, a sorting out of the officials who will connive at, and perhaps encourage, peace arrangements with the Vietcong and with Hanoi.

STRONGEST POWER

The war party in this country thinks that the war in South Vietnam can be won by attacking North Vietnam, and quite possibly China as well. They will cry out that a breaking out of peace in Vietnam would be a gigantic American defeat which would compel an American retreat to the beaches of Hawaii.

It is not so. If the Vietnamese themselves make peace among themselves, we shall have honored our commitment and we shall, of course, withdraw our troops. But where shall we withdraw American power to? No farther away than the waters off the coast of North Vietnam. We shall not withdraw from the area, and we shall not be immobilized and disarmed. We shall be just as dangerous to Hanoi as we are now, and freer to act when we are no longer entangled in the politics of Saigon and in the jungles of the country around it.

We should remember that the United States is indisputably the strongest power in the whole Pacific, and that this power will not disappear because of anything that happens on the mainland in South Vietnam. The brutal and basic facts of the balance of power in the Pacific are that the United States has the power to devastate China. On the other hand, China does not have the power even to scratch the United States.

That is a position of strength from which we need have no fear to negotiate.

[From the St. Louis (Mo.) Post-Dispatch]

ERRORS ON VIETNAM

Former Vice President Nixon, who once urged massive military aid to save the French in Indochina, still clings to misconceptions about what is involved in the South Vietnam guerrilla war. Mr. Nixon, who represents a considerable body of public opinion, believes "we're losing the war in Vietnam and we will be thrown out of the country in a matter of months, certainly within a year."

To avert this calamity, he would use American sea and air power to "quarantine" the fighting. "People ask, 'What if China comes in?' I don't think so." Neutralizing South Vietnam would be "only surrendering on the installment plan," Mr. Nixon says.

Quarantine is a handy word. In the case of smallpox, the patient is isolated—which is not too difficult. But South Vietnam is in danger from interior rot as well as external aggression. And it is extremely doubtful whether the jungle trails could be cut by airpower. The United States is now stressing what it says is increasing infiltration from Communist North Vietnam into the south. But the figures are obtained from Vietnam intelligence sources. Are they credible?

Mr. Nixon does not think the Chinese would come in if the United States tried a quarantine. Better generals than Mr. Nixon, MacArthur for one, have been wrong about China. Even then, the idea misses the point. There has been an obvious tacit agreement between China and the United States not to expand the scope of the war; the same situation obtained in Korea. If either side wanted to escalate the struggle it could be done readily; but, for very good reasons, neither side does.

Would neutralizing South Vietnam be surrender on the installment plan? It would not be "surrender" on any plan. The United States contends it is in South Vietnam because the government (how many governments ago?) asked for help against Communist-led guerrillas. Actually, we are in South Vietnam because the late Secretary of State Dulles wanted to replace the beaten French in a vain effort to stem the tide of a native revolution. An honorable withdrawal would be correcting a mistake made a decade ago.

Mistake or not, we cannot of course just pick up and leave. That is why we ought to be actively seeking a way out instead of talking constantly as if there was nothing to do but muddle along spending $2 million a day and maintaining 20,000 advisers. It may be too late to bargain effectively for a settlement, but it is not too late to try. Mr. Nixon is quite right when he says we could be thrown out.

The latest coup, estimated to be the seventh since President Diem was assassinated 15 months ago, shows pretty clearly that, whatever the facade, there is nothing much left of the Saigon government except the military, and that is by no means cohesive. The military commander, Lt. Gen. Nguyen Khanh, has become increasingly anti-American. The rank-and-file Vietnamese do not seem to care what happens; certainly they do not care as much as the Americans.

The United States cannot move in and take over, though the temptation may be great. That would substantiate charges of imperialism and colonialism, anathema in Asia. The truth is, if we could take a long view, that the white man is being forced out of Asia and Africa much as he forced his way in during the last four centuries. We should recognize the fact that we are on the losing end of a long historic struggle.

We should also begin to recognize that many nations of Asia and Africa are not presently up to Western-style democracy, and that the wave of the present is nationalism. If Indochina goes Communist, that does not mean it will become a colony of China. The people of Indochina want to be independent. We should be bending every diplomatic effort to help them. We will not do so by expanding the war, by quarantine, or by perpetual stalemate.

[From the (Washington, D.C.) Evening Star, Feb. 12, 1965]

POLITICAL TRACK NEEDED IN VIETNAM

(By Joseph Kraft)

The immediate requirement in Vietnam is to edge events on to a political track. The present situation, dominated by the logic of military action and reaction, is dangerous and difficult to control.

The situation is dangerous because of the consequences of the bombing of North Vietnam. At best, the Hanoi regime is more than ever obliged to turn for support to Communist China. At worst, the Chinese will intervene directly in a major war on the ground. But the true purpose of the U.S. presence in South Vietnam is to check the spread of Chinese imperialism. Thus, the net effect of the bombings is to foster a result that goes against the grain of this country's strategic interest in Asia.

This country's global interest is not much better served. It lies in accommodation with the Russians, at least partially for the purpose of containing Peiping. But in the present climate of tension, it is hard for Washington and Moscow even to stay on speaking terms. If anything, the Russians are under pressure to throw in with Hanoi and Peiping in defense of the Communist interest.

The situation is difficult to control because there has been established a fusion between two things that are only indirectly related. On the one hand, there are the acts of the Vietcong, or Communist rebels, in South Vietnam. In response to their acts, the United States has twice bombed North Vietnam.

On the other hand, there is the infiltration of supplies and men from Hanoi to the Vietcong. This infiltration provides the rationale for hitting the north. In keeping with that rationale, retaliation has been directed against North Vietnamese training centers for the Vietcong.

No doubt, there is more than an innocent connection between the Hanoi government and the Vietcong guerrillas. But the two are not one and the same thing. To act as though they are is to place U.S. power in the hands of the least responsible party to the whole Vietnamese affair. As matters stand now, it is possible for a handful of Vietcong troublemakers, with a couple of well-placed grenades or plastic bombs, to unleash the might of U.S. sea and air power against North Vietnam.

A first step toward reasserting control is to wither the bond that has been set up between terrorism in the south and retaliation in the north. It may be, as Defense Secretary Robert S. McNamara has said, that there is no "absolute" defense against terrorist attacks. But vulnerability can be reduced.

Withdrawal of American dependents is one step in that direction. Concentration of U.S. forces in more easily defended installations would be another. Probably it would be a good idea for U.S. troops to assume the perimeter guard of major American installations. Perhaps additional ground forces should be sent for that purpose.

As to the infiltration from the north, it provides the handle for a political initiative. It is a clear violation of the 1954 Geneva accords. Washington has every right to refer the matter either to the United Nations or to the Geneva powers. Either of these bodies could generate enough diplomatic movement to justify an easing off of the military action.

If that seems like a pallid result, it is. No one should be under any illusion that an early settlement is in sight. For the minimal condition of a settlement is that it be underwritten by the United States and the Soviet Union. But the two big powers have almost no freedom of movement.

The United States cannot move toward agreement until the Saigon government shows the way. Otherwise, the President would be exposed to murderous political charges that he was selling out an ally.

Similarly, the Soviet Union cannot move without the approval of Hanoi. Otherwise the Russian leaders would be exposed to murderous political charges that they were selling out the revolution. For internal political reasons, in other words, each of the big powers is in bondage to its protege.

But the two proteges are now breathing fire. The Saigon regime, once moving toward a posture of negotiation, has been transformed by the recent events into a war government eager for adventures. And it was the Hanoi regime in the fullness of its wisdom, that initiated—just at the moment that events were moving toward negotiations—the intensification of the war.

In these circumstances, the best that can be hoped for now is a slow damping down of military activity. And even then, the outlook is for a long, long siege of trouble.

[From the New York (N.Y.) Times, Feb. 11, 1965]

BLACK DAY IN VIETNAM

The slugging match in Vietnam continues; the war escalates; the danger grows; the goal of peace recedes. Just in 1 day—yesterday—many Americans were killed when an enlisted men's barracks was blown up by Vietcong terrorists, while in the north, in a pitched battle that began on Monday, Vietcong guerrillas wiped out five companies of South Vietnamese troops. Everybody concerned is braced for Washington's response, in accordance with the new policy of reprisals.

There is a frightening normality about the situation. Events are occurring with the inexorability of a Greek tragedy. President de Gaulle, who yesterday returned to his suggestion of another Geneva conference and a negotiated settlement, was right in saying that the war cannot be won no matter how much air and naval power the United States commits or what reprisals China may take. It cannot be won by any outsider, American or Chinese.

Washington evidently hopes that if North Vietnam is threatened enough or punished enough it will agree to a truce, Korean style; and then the United States will be in a position to negotiate peace or a controlled neutralization from a position of strength. The greatest weakness of this reprisal policy against North Vietnam is that while it is true the Vietcong gets orders, advice, some arms and some men from North Vietnam, the war is being fought in South Vietnam. That is where American lives were lost yesterday and where American trained and armed Vietnamese soldiers were defeated.

The Vietcong live and operate in South Vietnam, using American arms captured from the Vietnamese. The peasants either help them, or accept them, or are cowed into submission by them. The guerrillas, as Vietminh against the French a few years ago, or as Vietcong today, have been fighting for two decades. They are tough, dedicated, fanatical, well trained. Perhaps they are not winning, but certainly they are not losing. Meanwhile, each day that passes gives further evidence of the relentless escalation of the conflict.

This is what gives special point to President de Gaulle's renewed suggestion to recall the 14-nation Geneva conference to seek an "international accord excluding all foreign intervention" in southeast Asia. The key factor in the De Gaulle proposal—and the main stumbling block for the United States—is that no conference and no settlement is possible in that region without the participation of Communist China. Whether we like it or not—and we do not like it—Communist China is an interested party; and the United States knows of course that North Vietnam cannot be bombed as if Communist China did not exist.

There may still be a choice: talk or fight. If everybody waits too long, the chance to talk will be gone.

[From the New York (N.Y.) Times, Feb. 14, 1965]

WASHINGTON: THE UNDECLARED AND UNEXPLAINED WAR

(By James Reston)

WASHINGTON, February 13.—The time has come to call a spade a bloody shovel. This country is in an undeclared and unexplained war in Vietnam. Our masters have a lot of long and fancy names for it, like escalation and retaliation, but it is war just the same.

The cause of the war is plain enough. The North Vietnamese Communists, with the aid of Red China and to a lesser extent the Soviet Union, have sent their guerrillas into South Vietnam in violation of the 1954 and 1962 Geneva agreements, for the express purpose of taking over the Government and territory of South Vietnam.

AMERICA'S RESPONSE

The course of the war is equally plain. We were getting licked in South Vietnam. The Communists were steadily defeating the South Vietnamese armed forces, terrorizing a war-weary and indifferent population, and taking advantage of a divided and quarrelsome South Vietnamese Government.

More than that, the Communists were stepping up their attacks on the bases and barracks which serve the 23,000 American troops in South Vietnam, and it was in response to this that President Johnson ordered the bombing attacks on the Communist military installations in the south of North Vietnamese territory.

Very few people here question the necessity for a limited expansion of the war by U.S. bombers into Communist territory. The American and South Vietnamese position was crumbling fast, and the political and strategic consequences of defeat would have been serious for the free world all over Asia.

There is a point, however, where this exercise will become critical. As the military targets in the southern part of Communist Vietnam are knocked out, and our bombers move northward, they will soon come within the range of the North Vietnamese and Red Chinese MIG fighters, and if we get into that situation, the pressure for attacks on the air bases in North Vietnam and South China will steeply increase.

The immediate problem, therefore, is how to put enough pressure on the North Vietnamese to bring them into negotiations for a settlement of the war, without provoking a mass Communist counterattack we are in no position to meet.

This is a delicate and highly dangerous situation. The United States has the air and naval power to wipe out North Vietnam and the Chinese Air Force if it comes into the battle. But the North Vietnamese have a quarter of a million men under arms who have never been committed to the battle at all, and few observers in Washington believe this force could be stopped without the intervention of a very large American Army on the ground.

THE SILENT WHITE HOUSE

Nobody has made all this clear to the American people. President Johnson has not made a major speech on the details of this war since he entered the White House. Neither did President Kennedy. We have had one long speech on the subject by Secretary of Defense McNamara on March 26 of last year, and a lot of statements here and in Saigon, many of them highly optimistic and misleading. But the fact is that we are in a war that is not only undeclared and unexplained, but that has not even been widely debated in the Congress or the country.

The whole history of this century testifies to the difficulty of predicting the consequences of war. We imposed a policy of unconditional surrender on the kaiser only to find that the two greater menaces of communism and nazism took his place. One of the main objectives of the two World Wars was the freedom of Eastern Europe, which ended up with less freedom under the Communists than it had before.

LIMITING THE WAR

Few people here question that President Johnson wants to limit the war in Vietnam and avoid a ground war on the continent of Asia, but the future is not wholly in his control. He may be bombing merely to force a negotiated settlement, but the Chinese and the North Vietnamese don't know that. In fact neither do the American people, whose airmen are carrying out the President's orders.

Nor, for that matter, do the allies, who are treaty-bound to support us if we get into a larger war in southeast Asia. They will undoubtedly support a policy of limited retaliation in North Vietnam if it is for the purpose of negotiating a settlement, but they will not support us for long unless we define and limit our aims.

The implications of this war, then, extend far beyond Vietnam. President Johnson's hopes of building a strong alliance with Japan and the other free nations of Asia are not likely to be promoted by replaying the old script of American planes once more bombing Asians.

He has started on a massive program of reconstruction and development at home, but he can forget about his Great Society if he gets bogged down in a major land war in Asia on territory favorable to the enemy. Freedom expands in peace and authoritarian government in war, and this is precisely the danger now, for the Communists have the manpower to cause us an almost unmanageable situation not only in Vietnam but in Korea, and force us into a war that could divert our energies from the larger constructive purposes of the Nation.

In this situation it is difficult to understand why the problem is not discussed more openly by the President, why the terms of an honorable settlement are not defined, and why the negotiating efforts of the Secretary General of the United Nations and other world statesmen are so blithely brushed aside.

It is true that the instability, weakness, and sensitivities of the South Vietnamese Government have to be kept in mind, but nobody is suggesting a sellout at their expense. The talk here is not about a Munich agreement but a Korean agreement in which South Vietnam, like South Korea, would be in a better position to order its own life.

This would not be ideal, but it would be better for the South Vietnamese and for the United States than what we have now, and it would be better for North Vietnam and China than a larger war.

CHINA'S DANGER

For if this dangerous game gets out of hand, it is not likely that China's new industries, including her atomic installations at Taklamakan Desert in Central Sinkiang, will be spared. What her manpower can grab beyond her borders would be worth far less than what she would lose at home.

Somebody, however, has to make a move to reverse the trend and stop the present crooked course. For the moment, we seem to be standing mute in Washington, paralyzed before a great issue, and merely digging our thought deeper into the accustomed military rut.

[From the New York (N.Y.) Times, Feb. 14, 1965]

GREATNESS BY RESTRAINT

Escalation of the war in Vietnam, such as took place last week, has led the United States to the entrance of a one-way street. If followed to the bitter end, this road could lead to a major war involving Communist China and probably the Soviet Union. But there is still time to stop.

A great power can demonstrate its greatness by its restraint. The United States has the air and naval power to destroy everything of importance in North Vietnam; but this country would show itself to be far wiser and far stronger by refraining from doing so than by pursuing a policy of repetitive retaliation, which is at once so seductive and so dangerous. Despite the administration's oft-restated desire "to avoid spreading the conflict," this present policy of reprisals is inexorably carrying the United States into a major armed struggle in southeast Asia—unless a halt is called, and soon.

When President Johnson ordered last Sunday's retaliatory strike after the Vietcong attack on Pleiku, there was understanding and support for his action. Yet, it was recognized that the two actions—the assault on a U.S. military installation in South Vietnam and the American decision to respond by striking at staging areas in North Vietnam—vastly increased the perils to world peace that have always been inherent in the Vietnamese conflict.

Now each side feels obliged to match a show of power by the other with an even greater response—a course that can only invite holocaust. For the United States the problem, is made severer by the impossibility of striking effectively at the Vietcong without carrying the war into North Vietnam and thus intensifying the pressure on Peiping and Moscow to become actively involved.

President Johnson is up against his greatest foreign policy test. Surely he knows that the complex problems of Vietnam and southeast Asia cannot be settled by arms alone. An infinity of social, political, economic, religious, tribal, nationalistic, historic, and traditional factors are at work in Vietnam. This country can best demonstrate its wisdom and responsibility by keeping its powder dry and meanwhile trying patience, diplomacy, and negotiation.

History, good intentions, and a concatenation of events have led the United States into a morass where we sink deeper each day. The Vietnamese conflict should not be almost exclusively a U.S. burden. The Russians have good reasons to want peace in Vietnam. The French want to bring about an international conference. So does United Nations Secretary General Thant. The Chinese would probably refuse to attend one or even to compromise; but nobody will know unless a conference is tried.

What the United States is now doing in Vietnam is playing directly into the hands or Communist China by taking actions that—however defensive in intent—lead to a steadily escalating, and hence more dangerous, conflict. This, surely, is the last thing in the world that the Johnson administration and the American people want. Therefore something else should be tried, and this something has to be negotiation with all parties concerned.

The United States has made its point very forcefully with bombs during the last week. Its power is indisputable. In the light of the strength this country has shown, it can now offer to continue the argument over a conference table where its power will be undiminished. But the outcome might then be peace instead of war.

Mr. CHURCH. Mr. President, I commend the Senator from South Dakota on an extremely fine statement. It is a viewpoint in which I heartily concur. I am reassured in that position by the able argument the Senator from South Dakota has just made.

Mr. McGEE. Mr. President, I address myself to the central question that has been developed in such a fascinating and enlightening way on the floor of the Senate today on the part of the Senator from Idaho [Mr. CHURCH] and the Senator from South Dakota [Mr. McGOVERN]. I stand in their debt for the insight which they have displayed on this tortuous and difficult problem.

None of us would contend that we have the absolute answers. None of us contend that we know what is going to happen tomorrow, next week, next month, or next year; but we do have the obligation—and that is why we are here—to try to make an educated guess, and to take a reasonable and rational position, policywise, in the interests of our country and of the great cause which all Senators represent.

Mr. President, the question has repeatedly arisen, Why not negotiate now?

The Senator from South Dakota [Mr. McGOVERN] has repeated it: Why not try it now? What would we lose?

If it fails, I will tell Senators what we shall lose. If it fails, at this very moment the men in Hanoi, the men in Peiping still—we are told—are convinced not that we are a "paper tiger," but that we are tired, that we are going home, that we are frustrated, that we are fed up, that if we were to propose now, in the wake of the assaults on American billets, the attacks on American airfields, and in the destruction of heavy concentrations of American military capability, that what we wish to do now is to sit down and talk about it, what would one conclude if he were in Hanoi? What would one conclude if he were in Peiping?

Mr. CHURCH. Mr. President, will the Senator from Wyoming yield at that point?

Mr. McGEE. If I may finish my thought at this moment, then I shall be glad to yield to the Senator from Idaho.

We are risking the Chinese and the Vietcong jumping to the wrong conclusion. My concern today, and the concern of a good many of us, is that the men in Hanoi will make the wrong decision for the wrong reasons—and that is why I speak here today. I believe that we can time the proposal more advantageously than at the present moment. The suggestion that I am going to make as a topic for discussion in just a moment would spell out one way I believe it might be brought about, because I agree that it ultimately must lead to negotiation; but I believe that it is imperative that we get through loud and clear to Hanoi and Peiping that we are not fooling, that we are not tired, that we are not about to go home. Yet their every move made with impunity, such as those of the past few days, was obviously calculated with a sense of arrogant confidence that by turning up the "heat" they could put enough pressure on the Americans to let up a little bit or even, perhaps, to sit down and talk, while the cards held by North Vietnam and the Chinese, who are "kibitzing" over their shoulders, are the strongest cards they have held in many years.

I would be the last to try to argue that we would have to retreat from this area to Hawaii or Alaska. We all know the reality of American power. As our President has stated again and again, we intend to do what is right in Vietnam. We are not about to run. My own misgiving is that those on the other side of the line are not so persuaded. What they believe we are about to do, and what they calculate our policy may be, will determine their decision rather than what you and I, Mr. President, know we are going to do.

For that reason, it seems to me we have to make it unalterably clear, in language that the man in Hanoi can understand, that this is no joke, that this is no play that we are acting out in Vietnam.

Mr. CHURCH. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I am glad to yield to the Senator from Idaho.

Mr. CHURCH. I believe, too, that it is very important that the Communist government in Hanoi does not miscalculate American objectives or American stamina. I do not see, however, that anything we have done since the Second World War furnishes any basis for Hanoi, Peiping, or Moscow to conclude that the United States does not stand fast. We have been standing fast all over the world.

We stood fast in Berlin, we stood fast in Cuba—when the whole world was threatened with nuclear incineration. There is certainly nothing in the American postwar role to suggest to the Communists that we are either tired of fulfilling our commitments to Saigon, or that we will withdraw from South Vietnam under mounting Communist pressure.

I do not believe that Peiping is apt to make this miscalculation, as they are apt to conclude that there is no alternative, by virtue of the rising tempo of sustained and systematic bombing attacks, unaccompanied by any indication of willingness to parley, to repeating what was done in Korea, moving down massive Chinese manpower. This would lead to a very great and costly war, which, in the end, would bring us finally to the bargaining table anyway.

As between the two miscalculations, I believe history will bear witness to the Chinese response to American military action in Korea. I would not like to see that development take place in South Vietnam if we can avoid it.

Mr. McGEE. Mr. President, I appreciate the Senator's comment, and the articulate way in which he has refined the line which is the demarcation line between his proposal and mine.

As he has referred to the record of history, perhaps I will be permitted to do so as well.

There comes to mind what Lord Palmerston said when he was the head of the British Government more than a hundred years ago. He said it was easy to calculate the nature of Russian policy. He said it is a sprawling giant that continually reaches out to its own periphery, probing the entire fringe for a weakness, ever pressing outward. Where it is not resisted, it breaks through and extends its territorial holdings. However, where it is resisted—and this is important—it pulls back, to bide its time until perhaps the resistor will be tired of resisting, and perhaps relax. At that time the probing resumes, in the hope of breaking through where there had been earlier resistance by someone guarding the other side of the frontier.

That policy has characterized many of the crises that we have survived so successfully up to now in the 20 years of the cold war; but the only difference now is that the same sort of thing has shifted to another quarter of the globe and that the emphasis has been played down in Moscow and is now being played up in Peiping, but it is the same policy nonetheless.

Mr. President, those men have never gotten out of the notion that we will not see it through. They have the parallel of World War II. We went home much sooner then than this time. This time we have changed the parallel. We have learned the lesson of 1918. However, the fact remains that those men read American history. Of course, sometimes they read only what they want to read, but it is understandable that Asians still believe that we will grow tired and go away. When I say that, I need not remind the distinguished Senator from Idaho and the Senator from South Dakota [Mr. McGovern], now occupying the Presiding Officer's chair, that even our friends in Europe entertain such misgivings. One of the almost regular concepts that worries them, that gives them unrest, is the fact that if the Americans do not go home in the first 10 years, they are sure to go home in the second 10 years.

I doubt that in the history of our time, at least, there will ever be a moment in the struggle when we will dare go home. I am afraid that times will compel us to man the ramparts, the frontiers of power politics all around the globe for the foreseeable future.

That is not what the men in Hanoi and the men in Peiping are counting on. They are confident that we will pack up our tents and leave. They want to find out whether this is the time. That is why they are sticking their fingers into Vietnam right now. I personally do not believe they intend this to be the ultimate showdown, but I think they are trying to take a reading on our intentions.

I repeat, given the Communist mind and given the mystery of what we read in the newspapers, and the debates on the floor of the Senate—and we often find it difficult to understand each other—it does not require much imagination to understand that some of the men in Hanoi may not be getting the message loud and clear from Washington. That is the basis of my concern.

Before I again yield to the Senator from Idaho, let me spell out the steps that I should like to discuss for a moment.

First of all, I believe we must announce and make it irrefutably clear that we draw a firm line along the 17th parallel—separating North Vietnam from South Vietnam; that we make it clear that we intend to tolerate no breaches of that line; that we do not intend to negotiate violations of the line; and that we do not intend to negotiate the infiltration of hordes of highly trained North Vietnamese troops.

I do not share the feeling of the Senator from Idaho that the great advantage of military strength lies in Saigon or lies in South Vietnam, because the very nature of the tactic that has been resorted to by North Vietnam plays to their advantage, not to that of South Vietnam.

Our experiences in guerrilla warfare, the experiences in Malaya, and the experiences now confirmed in Vietnam indicate that for every single enemy guerrilla in the field, we had better have 10 or 20 highly trained armed personnel if we are to have a chance of coming out even.

That means that when 1,000 troops come over the border from the north, it requires a full division to match them. I believe that at this point we must draw this line.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. McGEE. I should like to finish the four or five steps that we can take, to put this subject in a context in which the Senator may raise the question he is about to ask me.

I say that in explanation of the need, as I see it, for drawing a firm line, for making a very strong statement that we shall tolerate no infiltration across that line, beginning whenever the wisdom of the President dictates, say, on Tuesday morning—to pull a date out of the hat.

Second, if after this deadline—and it is an ultimatum—the infiltration is still underway, and there is still a flagrant abuse of that line separating the two parts of Vietnam, then it would be announced that if it continues we will bomb the airfields and the marshaling stations; in other words, active military compounds in North Vietnam.

Then, if the men in Hanoi believe that we are still bluffing and the message still has not gotten through—I think it will get through—and if for any reason they doubt our sincerity, we should announce that we will step up the bombardment, and that we will then attack the logistical communication lines of their military effort.

That means we would bomb the bridges, the roads, and the rails—though the rails exist only in limited amounts.

Finally we would or should propose that should they still persist in running troops into the south across the 17th parallel, then, and then only, would we attack the industrial sectors and the supply bases for the military effort within North Vietnam. As we would do that, as we would spell out that action at the identical moment and all in a carefully calculated timetable so that the whole picture is available for study by the men in Hanoi, I believe it is important that we should make very clear that we desire nothing from them. We do not want their country. We do not want their Government. We have no territorial ambitions in North Vietnam or, indeed, in all of Asia; but we desire to start by respecting the 17th parallel, which currently—theoretically, at least—separates the two parts of the country.

In my judgment, that series of steps ought to precede any exploration for a discussion of the situation in Vietnam. I spell it out that far for the reason that I believe there is a serious question of doubt that those on the other side really believe that we mean business—not for want of power, but because they are convinced that we do not have the will to use it to the ultimate. That is the kind of test that we shall have to run through in order to make abundantly clear our intentions.

Mr. President, the question is raised, What will Hanoi do? Suppose they do not stop them?

First, I think Hanoi is probably as jittery about being occupied by China as most of the other countries of southeast Asia. Thus, there is some element present that may inhibit the kind of decision they would like to make. But still we must face the ultimate question, and that is, What will China do? Is such an approach enough to provoke China into the big war?

I do not know whether that it will or not. I do not know what China would do. I do not know anyone who can say with assurance that he knows what China would do. The only man who believed he knew for sure what the Chinese would do was proved dead wrong in Korea.

But I think it is time to find out what China would do. For that reason the proposed approach has the advantage of measuring Chinese intentions now. Most observers guess that China is not quite willing to risk her 2½ million or 3 million highly trained troops in the south in a gamble to seize the rich empire that has attracted the great colonial nations of the earlier centuries and has attracted empire builders as recently as Japan in 1941.

But even if we assume the worst—and in any kind of projection, while we hope for the best, we must prepare for the worst—if China were to decide that this was the price she had to pay and she should pay it now, then I say, as ugly and as frightening as that would be, it is better that we face it now than it is that we fritter away our present position piecemeal to a later time in the world of the future when the cost may be considerably different and the prospects of a successful turn much more dim indeed.

I hope it will not be interpreted wrongly if I were to suggest that the hope that may be expressed and is expressed daily in the press by some, that China really will not be up to anything very serious, reminds us of the speculation that went on about what Mr. Hitler might do, or what Mr. Mussolini might or might not do, in the time previous to World War II.

I do believe that something surrounding the approach that I have suggested would give us a clearer view of the picture, would give the other side a clearer view of our intentions, and would likewise strengthen the American hand for a meaningful discussion of how we should best resolve these tortuous issues that so dominate our concern now and probably will continue to dominate it for many, many years to come.

I should be glad to yield to the Senator from Idaho at this point.

Mr. CHURCH. Mr. President, I have listened with great interest to the proposals of the Senator from Wyoming. I comment only that if our purpose—and, here again, we get back to the question of what it is—that if our purpose is to cause the North Vietnamese to give up their interest in the war that the Vietcong is waging against the Saigon Government, I would forecast right now that they will not do it. They have been engaged for many years in their revolution, first, to throw out the French. It is said that even President Eisenhower, at the time of the French defeat, was persuaded that an election in Vietnam would have gone overwhelmingly in favor of Ho-Chi-Minh.

The ambition of Hanoi is to reunite the country. Therefore, if our purpose is to seal off the borders so as to guarantine South Vietnam from further pressure or activity on the part of the Communists, we might as well know right now that this will not happen.

I have no confidence that bombing would make it happen. We bombed North Korea. We bombed it in an effort to break the fighting will of the Communists there—the most thorough bombing, perhaps, that has ever taken place in history. We bombed their roads; we bombed their buildings; we bombed their bridges; we bombed their industry. We leveled and flattened North Korea. But we never broke the Communist will to fight. They never called off the war, and in the end we had to bargain for a truce that represented no complete victory for either side.

I merely suggest that, in the light of our experience, bombing won't break the spirit of North Vietnam either. Therefore, I have little confidence that such action would lead to the surrender by the North Vietnamese, of their interest in the unification of the country, or their pursuit of what they regard as an unfulfilled war for independence. If Korea is any basis for comparison, and if the long, long struggle that these people have engaged upon is any indication of their resolution, then our bombings will not break their spirit or solve our problem.

The Senator is calling on them to quit and accept defeat, total and complete, in the matter of South Vietnam, as the condition for further talks. If that could be accomplished, there would be no occasion for further talks. Perhaps it could be accomplished with the involvement of large American land forces. Thus far, a ratio of 4 to 1 in favor of the South Vietnamese has not enabled that government to seal off its borders. The best information we have received is that it is even doubtful this could be accomplished by American combat troops, given the jungle nature of the terrain. Perhaps four or five American divisions, committed to the war, could seal off this boundary, and as long as we kept our troops there, we could maintain that position.

There are other difficulties with laying down, as a precondition to negotiations, the requirement that infiltration stop. How can we tell whether it has stopped? How can we know whether, if they stopped today, they would not start again tomorrow? These are serious problems, when combined with the nature of the terrain and the similarity of the people on both sides.

Mr. McGEE. First, we should not have as our primary target the long-range ambitions of North Vietnam. That is a civil war condition that the Vietnamese alone must resolve. That is a civil war condition which has created weakness in South Vietnam that is exploited by Peiping or Moscow in an attempt to provide an opportunity for a breakthrough.

But I believe the Senator from Idaho would agree with me that we know a great deal more about what is taking place on the part of the North Vietnamese in South Vietnam—how many men are getting into South Vietnam, how they are getting there, what they take with them, where they get it, and who is directing them. These are well known matter that sometimes are paraded promiscuously on the pages of the press. The difficulty is not quite so insuperable as the Senator suggests.

No one knows better than he and I what a difficult task it is to wage any kind of offensive against guerrilla combat. He and I together watched from helicopters. We know how uncertain it is to spot enemy troops that are pitter-pattering down some jungle trail, their activity quite obscured by foliage or darkness. But with the kind of organization we have, we know also that it is possible to make rather realistic assessments.

We have been talking in specific terms, publicly, about the number of first-rate North Vietnamese troops that have been used in the past few months; as contrasted with the kind of troops that were already there, made up of those unhappy with the Saigon government. So it would be impractical to dismiss the feasibility of a day-to-day measurement of the kind of help that is coming from North Vietnam.

What we are trying to do is to stabilize the frontier, to stabilize a weakness in an area of the world that has remained for a long time in a state of flux. Once that stability comes, as it did in Korea, as it did in Berlin, as it did in West Germany, it will open up the widest spectrum of possibilities and meaningful discussions about reuniting an area that has an obvious common denominator.

Some think there may be a united Korea. We need not stop thinking about that possibility, even though a line has been drawn at the 35th parallel.

There is still much talk of uniting the two Berlins, as there is about uniting the two Germanys.

I submit that while we have been living with the hard facts of these divided entities, they offer a reasonable prospect for stabilizing the area.

The changing conditions of the times in which we live should lead us to take continuous readings on one of the best prospects for using discussions or negotiations, or whatever the method may be.

Mr. CHURCH. The Senator from Wyoming has made an excellent contribution to the discussion of this problem today. My difference with him is that I would leave it to the President to set the conditions which would lead us to the conference table. I should think that if we were to insist upon a cordon sanitaire that was at all meaningful, separating the north from the south, before we were willing to talk, we should also insist upon a cease fire in South Vietnam by the Vietcong rebels, and thus accomplish essentially, prior to negotiation, the very ends we have sought in assisting the Saigon Government in the first place.

I suggest that such conditions may not be realistic if our purpose is to go to the bargaining table. If our purpose is to cut off the North Vietnamese and to maintain an impregnable 17th parallel, we shall find that this will have to be done with American troops, as we found in Korea. As the Senator knows, 12 years after the Korean fighting stopped, more than 50,000 American troops are still in Korea, and South Korea continues to be attached to us for rations to the tune of about half a billion dollars a year.

However, I feel certain that if the President undertakes to go to the bargaining table in southeast Asia, he will first set the conditions under which he will be willing to explore a settlement there. How those conditions may vary from the ones the Senator from Wyoming is now proposing, time will tell.

Mr. McGEE. I thank the Senator. I reiterate that I am mindful of the fact that the distinguished Senator from Idaho and the present presiding officer have another very important engagement. I am afraid that I am imprisoning them by the fact that I am the only other Senator left here at this moment.

Both the Senator from South Dakota and the Senator from Idaho have continually referred to the fact that the old domino theory no longer obtains in this situation. If we are willing to accept the statement that it no longer obtains, it is a little easier to understand how they can proceed to jump to the conclusion that they can risk a negotiation at this particular moment. But I strongly deny such an assumption.

It is my judgment that the domino theory is valid at the present moment. And it would be inconceivable to me that if there were to be a weakening of our position in south Asia and Americans were to even indicate an intention to pull off from the shore and watch over the situation like a big brother from our aircraft carriers, it would not bring great consternation to Bangkok, which the Communists in the north have already said is their next objective, and in which country they are mobilizing their next campaign in the northeast provinces at this moment.

Would it not be wiser for Bangkok to read the writing on the wall and say, "Perhaps we had better do something. Let us reach an accommodation with China." The same thing is true of Malaysia, and Kuala Lumpur. They are having trouble there which is instigated by the Chinese.

How much longer could a government in Kuala Lumpur hold on? What inspiration would they have to hold on if they were to see the forces that have been their shield of that section of the world pull off into the Pacific and the China Sea?

We have learned more recently that there is new activity and more dissident groups in the Philippines. It has reached a crescendo such as they have not known there in the past 8 or 10 years. Those people are on the move. And with all of our misgivings about Mr. Sukarno in Indonesia, there would be no slight inducement for any group in Indonesia to take a second look at their proximity to Communist China if we were to pull out.

I am only saying that we should not write off the so-called old-fashioned domino theory. Call it by some other name, but the fact remains that if Vietnam goes, Cambodia goes, Thailand goes, Malaysia goes, Indonesia goes, the Philippines go. This is only the proverbal camel's nose in the tent.

The real target of the Communist Chinese, as we all know, is the great underbelly of Asia, the Indian subcontinent. That is why I think we need to take a cold and hard, but rational look at what is really at stake in our position in southeast Asia.

In my judgment, a larger American commitment in southeast Asia may be required. It may take more troops. I do not know. I cannot know now. But, there are those who will have to make that decision. It may take more money. Who knows?

I am only saying that in the context of the history of the cold war, we have proved that when the chips are down in the critical crisis points around the globe, we are willing to risk everything in order to stand tall. And this has been the policy that Moscow understood. It is a policy that even the Chinese might understand. We have invested too much—we have risked too much until now to fritter it away with indecision at this moment, for fully as much rests on the right decision in Vietnam as rested on the right decision in Greece, Berlin, Germany, or Korea.

That is the reason, it seems to me, that we may even reach the point at which the President, speaking for all of us, may have to spell this out very carefully on a great public occasion. That would be an address not only to our own people, but also to the people of the world in which he would make it abundantly clear that we are not about to forfeit what we have already invested, including so much of our treasure and so many of our lives, by looking for an easy, bargain-basement way out of a tough situation.

I repeat that in the opening of the colloquy with the Senator from Idaho some time ago, what we strive for now is not a free government in Vietnam, not democracy. Those are a long way off. We are there to try to win the chance for such a future in that area.

The price we have already paid for that chance ought to haunt us every night. And what we do with that chance will determine the course of the history of our time.

Mr. President, I oppose negotiations over Vietnam now. There is no reason to believe that negotiations would in any way strengthen or in other ways improve the position of the free world in that critical quarter of the globe. Do not mistake me. I believe that some time there must be negotiations. In these talks we should lead from strength, not from weakness. We should be prepared to define in specific terms our aims and our goals in Asia. In short, we must set our united effort now to preparing the way for ultimate negotiations.

Why not now? Many factors should persuade us to work toward a better moment to negotiate—a moment which we can predetermine and whose dimensions we can define. As the senior Senator from Idaho [Mr. CHURCH] has so correctly put it, we have great bargaining position at our command. Unfortunately, however, we have not deployed those advantages as skillfully as we might. A cursory glance at the confusion in Indochina which now surrounds our presence there ought to be sufficient to prove the point. Our own stance is caught in the crossfire between the determination to stop military penetration from the north and civil disobedience from the south. It is caught between the contradictions of guerrilla infiltration in the geographical interior on the one hand, and the moral and spiritual human interior on the other. At this very moment we witness—after an expenditure both in material and in lives—an actual intensification of the agression from the north. More than ever before in the tortuous years of fighting in southeast Asia, the tune to which the guerrillas dance is being played in Hanoi. And the tactical plays to which they are resorting in their mounting program of harassment are being quarterbacked from the same source. It is not without point that recent word coming out of both Hanoi and

Peiping represents the two capitals as boasting with confidence that the American presence in southeast Asia is nearing its end. Some few have even gone so far as to flatly forecast that the U.S. Army will be out of Vietnam within a year, or at most 2 years.

Thus, with American billets being blown up, American airstrips being heavily damaged by mortar fire, with the infiltration of American positions being accelerated in spite of a deployment of increasing numbers of American troops, it can hardly be argued that we have thus won a position of strength from which we can advantageously negotiate a settlement in the East.

I fully appreciate the mood of the people of America at this moment as many of them seem to be saying, "Let's have another look and find a graceful way out." Like the distinguished junior Senator from South Dakota [Mr. McGovern], I, too, have received a volume of mail advocating just that. But may I respectfully submit, this is no time to be taking polls or putting our political fingers in the wind in order to determine which direction we ought to go. One has to hark back only 30 years in our country's recent past to recall another time when we tried desperately to reason ourselves out of the necessity for stopping Hitler and Mussolini. In those years, sincere and honorable leaders of our country played upon the mounting hopes for peace as reflected in the public mind. In hindsight, however, we can see that too many people in those days preferred wishful thinking about peace to realistic thinking about war. And while our current debates on policy in Vietnam are dotted with protestations of faith in the international role of our country and of denials that anyone is returning to the old isolationism, may I submit that in the decade of the 1960's the new isolationism; namely, that of quitting the job of rebalancing the world before the task is completed, could be just as disastrous as the old isolationism of the 1930's. Some of the greatest and most respected voices in this body are being raised in that category. I believe they are wrong and that history will prove them wrong.

Unfortunately, the isolationists of World War II were never really defeated. They only went underground. Even now their heads are popping up once again. But now their ranks are being joined by others who are understandably impatient, frustrated, or just plain fed up with the sequence of crises along the frontiers of the world. This resurgent new isolationism of the 1960's jeopardizes the prospects of our ultimate triumph in winning the chance to do something about a better world.

The answer to why we must now determine to stand tall in Vietnam is most clearly seen in the perspective of the cold war itself. In the wake of World War II, indeed, as following all of the great wars of history, the delicate political balances of the world were in a desperate state of discombobulation. Usually it falls to the victor, or victors, to reconstitute a new balance as a substitute for a continuation of both the chaos and anarchy of open warfare.

History thrust upon the people of America the frightening, but nonetheless indispensable, task of redrawing the lines of stability about the power spheres of the globe. The job ahead was not only more desperate, but more complicated than any of the preceding intervals in human history. For not only were three of the great powers left prostrate in the debacle of defeat; namely, Germany, Italy, and Japan; but even two of the victorious giants were compelled by the ravages of war to abandon their traditional power political positions around the world; namely, Great Britain and France. Only the Soviet Union at that time was in a position to challange and/or frustrate the reestablishment of a workable balance. The sequence of crises between the Soviets and the Americans for the next several years spells out the history of that struggle. The successive challenges from the Kremlin were issued in Greece, in Western Europe, in Berlin. In each instance, our country made the determination that to yield at any one of those points would be to forfeit the chance to achieve a more stable world balance. American policy committed itself even to the point of war if necessary in order to prevail. As it turned out, this was the one language the Soviets seemed best to understand.

More than a century ago Lord Palmerston in Britain aptly described the policy of the Russian bear in a meaningful analogy which applies even now. He is supposed to have said that the Russians follow a policy in diplomacy of constant probing and pressing outward along their own periphery, seeking soft spots. Where there was no resistance, the Russians broke through and extended their holdings. But where resisted, they pulled back and went elsewhere, perhaps to return to the same spot later when the resistor might relax his vigilance. This parallel drawn by the distinguished British Minister a hundred years ago should not be lost upon us today. For our long and tortuous years of cold war have served to underscore the validity of Palmerston's analysis. It is well to note, incidentally, that all of this preceded Lenin, and Stalin, and the Soviet Marxists and that perhaps we would do well to characterize what is taking place today less in terms of world communism and more in terms of world imperialism if we are to be accurate in our assessment of the policies of either Moscow or Peiping.

To resume the course of cold war policy, once the Soviets were stopped in Europe, they turned to a new tactical maneuver as they probed for new weakness along the frontlines of power politics; namely, in Korea. There the issue was limited war, and there the answer arrived at by the Americans was the same—the drawing of a firm line along the 38th parallel across which neither side dared to venture with impunity.

The next stage of tactical coldwarsmanship centered in the nuclear rivalry between the two surviving giants of the last war. And for a long time the complete policy projection focused on what was commonly referred to as the big war or a nuclear holocaust. Once this newest thrust was blunted by the establishment of substantial superiority in the free world, the focus shifted to a development that had been underway for several years—transferring the battleground to the economic and psychological realm sometimes characterized for the stomachs of man and the minds of men. Here again the Communists failed miserably. They failed to gratify or to hold out measurable hope to the dreams of the literally billions of people whose expectations of a better life had been triggered by the collapse of the old colonial empires and by a resurgent nationalism everywhere around the globe.

And so now we find the tactic shifting again, along with the center of command. It is moving from the focus in the Western World, always excepting Korea, to the mysterious lands of the East, with the initiative coming less from Moscow and more from Peiping. The device was to be guerrilla warfare. Guerrilla combat is the ugliest, dirtiest, least decisive kind of war of all. In it, the initial advantage always lies with the guerrillas. Our own observers remind us that for every one guerrilla, the defending forces require 10 to 20 combat troops.

This disproportion in manpower alone underscores the extreme difficulty of winning this kind of conflict. It means that whenever the Vietcong smuggle a thousand men over the line into the south, they have, in effect, achieved the impact of an entire division. To compound the hazards, guerrilla tactics do not permit an open confrontation or even the successful seizure of an objective. Success to them is measured only in terms of hit and run. Their supply lines, moreover, are virtually indiscernible as they pitterpat down an obscure jungle path, generally under cover of darkness. Their terror tactics, in addition, provoke panic and wreak havoc in any community which they preselect as the target for tonight. However vicious, and unsavory, and costly, and maddening these tactics may seem to us, it is important that we put them in their proper perspective. They constitute simply another face of Communist tactical probing actions, searching out weakness along the thin line of separating them from their ambitions—a line drawn and manned largely by the United States and its allies. It is in this context that the importance of drawing a firm line and holding it in east Asia should become more obvious. We should not forget that the world is still round, and the balance of power is as much at stake in Indochina as it was in Greece or in Berlin. While it is currently popular to ridicule the domino theory in southeast Asia, its validity cannot be wished away by a torrent of words. For if China indeed prevails in Vietnam, who can persuade the Thais, or the Malaysians, or the Filipinos, or even the Cambodians or Indonesians that they still have a chance to stand independently of the colossus of the north—Peiping?

Already the Communists have made it clear that Bangkok is the next target. Demonstrations in Kuala Lumpur, Jakharta, and Manila serve as sobering reminders that there are plenty of voices and bosses waiting for the signals from the mainland. The combined natural resources of southeast Asia have been attractive to most of the great imperial powers of all time and have invited seizure from the days of the colonial capitals of Europe in the 16th and 17th centuries down through the Japanese in 1941. There is no reason to think that the assessment of the importance of these resources has changed in Peiping Rubber, tin, oil, and rice together represent significant additions to the mainland of China. All of these added to the human resources involved and the psychological gains to be realized, has whetted both the appetite and the superconfidence of the Chinese Communists that theirs indeed is the wave of the future. It would only be a matter of timing when they would then prepare to break through Burma into the great underbelly of Asia, the vast Indian subcontinent. What then will have happened to our noble intentions of redressing the power balances of the world to the advantage of freedom and independent nationalities?

PLAN OF ACTION

When the American position in Vietnam is viewed within the context of the perspective of 20 years of cold war it becomes more clear what our course of action must be. This should include the following steps:

First. Announce the drawing of a firm line along the 17th parallel and projected westward along a route to conform with the independent status of the other countries bordering on China, making it clear that we intend to tolerate no breaches of that line and that, starting along the 17th parallel, the Vietcong infiltrations from the north must cease at once.

Second. If within a specified number of days the Vietnamese do not cut off their probing activities across the line, we should announce our intentions to bomb all military bases, airfields, marshaling areas, and encampments in North Vietnam.

Third. If this still does not persuade them of our intention to stand in southeast Asia, then we should announce that we will proceed to the bombing of logistic targets—bridges and transportation lines.

Fourth. Should the above measures still not persuade the Vietcong of our full intentions, we should also announce that we shall next proceed to the bombing of industrial centers and other obvious supply targets in support of their military effort.

Fifth. Simultaneously, we should make clear that we are ready to talk, that we are prepared to negotiate a reasonable settlement in Indochina. We should make it clear, however, that the 17th parallel and the land below it are not negotiable. In the words of the late President Kennedy:

> We are willing to negotiate freely, but never willing to negotiate freedom.

Sixth. We should make it crystal clear to both Hanoi and to Peiping, and incidentally to the world at large, that we have no territorial ambitions anywhere in Asia—or around the globe, for that matter—that we have no designs on their government or their internal politics. They must wrestle with their own internal futures as far as we are concerned.

None of us can know for sure how this proposal may be received. Obviously, we have to plan for the worst and hope for the best. However, a projection of military action alone might only escalate into war through accident or misunderstanding. On the other hand, a negotiation drive by itself could leave something neither satisfying nor definitive in the power status in the East. But combined, they would seem to offer the best chance to bring a sense of relative stability in southeast Asia. And it has the great advantage of clearing up the many uncertainties surrounding the American position in Asia. There would be ample reason to hope that this kind of language would get through to Hanoi. Very probably Ho Chi Minh no more relishes the prospect of domination by Peiping than do the other governments in his part of the world. The net effect of the plan would be to force the Vietcong to examine their cards once again and to reassess their judgment on the price they are willing to pay for their gamble to the south.

Obviously, lurking in the background of such a proposal is the far more sinister prospect of the response in Peiping. While we would hope it would serve as a deterrent to them in their calculations for the future, we would not dare rule out the possibility that they might declare war. This is the question that the Chinese alone must determine. Are they ready or willing to commit their 2 to 3 million trained men to a venture in southeast Asia at this time? Most observers think not; but if they should make that decision, it means that this is the price they are willing to pay at any time for the region, and better we know it sooner rather than later. If in the lexicon of Communist Chinese tactics and strategy it is already written that they are willing to pay the supreme price for Indochina, it is better than we know it now than to discover it piecemeal after it is too late.

Like the fateful days of Munich in 1938, the unknown qualities of the answer to the central question of Chinese intentions haunt us even more so today. Arnold Toynbee once reminded us that history repeats itself only when man makes the same mistakes over again. This is no time for another Munich.

Remembering, as we do, the several instances in which we as a nation have been willing to risk all-out war during the last 20 years, it is important that we not forfeit what we have gained to date by a momentary lapse in our determination to seal off the forces of world imperialism. Indeed, there are substantive reasons to believe that the Chinese are only probing and are in no position to pay such a price. In any event, such a strong affirmation from the United States would almost certainly do wonders for the morale of the nations now living on the brink of such vast uncertainties in southeast Asia. The climax to such an American projection might then well be a nationwide—indeed, a worldwide—television and radio appearance by the President of the United States in which he would spell out in precise terms these objections very much in the manner in which the late President Kennedy spelled them out on Cuba in that fateful October of 1962. This would have the advantage of galvanizing world attention and opinion and at the same time of reaffirming America's desire to take nothing away from anybody, nor to invade, as an aggressor, the real estate of any power in Asia. At the same time, it would serve notice on the Peiping crowd that we do indeed intend to stay and to fight if that is their choice.

The 1930's taught us that we cannot appease the mighty or the ambitious, but the 1950's and the 1960's have taught us that they can be contained and even stopped short of a big war. It is the calculated risk we have to take now. And from such a stance the United States would then be in a position to lead from strength in any proposal for discussions or negotiations on drawing a firm line across the south of Asia and across which neither side would dare to venture recklessly or irresponsibly in the future. Such, it seems to me, is the best hope for a constructive policy of American leadership in the present crisis in south Asia.

The acceptance of these terms and an observance of the 17th parallel as the dividing line would mean the prospect of living with two Vietnams.

While the concept of two Vietnams might not be the most desirable, we now live with two Koreas, two Chinas, two Berlins, and two Germanys; and this has become a way of life that has at least provided some degree of stability around the world. The line drawn and maintained across Vietnam would be a vital last link in the chain against the spread of communism all over the world—a line protected mainly by the United States—and we dare not forfeit this link to impatience.

While this is not peace, it can be a step toward it. When the shooting stopped at the end of World War II, there was no peace, simply because wars are not waged for peace. Rather, they are fought in order to win the chance to make a lasting peace. And in these 20 years of so-called cold war, the battle has continued. We are fighting for the chance. Winning that chance must preceede winning the peace. The price we have already paid for that chance ought to haunt us every night. What we do with that chance may even now hang in the balance in Vietnam. How we marshal our determination to continue our efforts unabated by the tendency of digression or withdrawal is likely to determine the course of this history of our time and, in so doing, the dimensions of the peace for which we all strive.

RECESS UNTIL 10 A.M. TOMORROW

Mr. McGEE. Mr. President, in accordance with the previous order I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 28 minutes p.m.) the Senate took a recess, in accordance with the previous order, until tomorrow, Thursday, February 18, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 17, 1965:

Post Office Department

John A. Gronouski, of Wisconsin, to be Postmaster General.

U.S. Attorney

William P. Copple, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years, vice Charles A. Muecke, resigned.

U.S. Advisory Commission on International Educational and Cultural Affairs

Arnold M. Picker, of New York, to be a member of the U.S. Advisory Commission on International Educational and Cultural Affairs for the remainder of the term expiring May 11, 1965, and until his successor is appointed and has qualified.

The following-named persons to be members of the U.S. Advisory Commission on International Educational and Cultural Affairs for terms of 3 years expiring May 11, 1967, and until their successors are appointed and have qualified:

Dr. Homer Daniels Babbidge, Jr., of Connecticut.

Dr. Walter Johnson, of Illinois.

Dr. Roy E. Larsen, of Connecticut.

In the Army

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Ralph Edward Haines, Jr., O19849, U.S. Army, in the grade of lieutenant general.

In the Navy

Having designated, under the provisions of title 10, United States Code, section 5231, Vice Adm. Roy L. Johnson, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of admiral while so serving.

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Paul P. Blackburn, Jr., U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

in the Army

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. Charles Salvatore D'Orsa, O18866, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Herbert George Sparrow, O19003, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Oren Eugene Hurlbut, O19077, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. David Parker Gibbs, O19189, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Heber Lipscomb, O19371, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Jonathan Owen Seaman, O19385, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Francis Franklin, Jr., O19476, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Andrew Jackson Boyle, O19924, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Carson Kyser, O19535, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harry Jacob Lemley, Jr., O19756, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Hugh McClellan Exton, O19780, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harry Herndon Critz, O19786, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Eugene Albert Salet, O30790, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Bruce Palmer, Jr., O20117, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Reeves Shuler, O20118, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Benjamin Lampert, O20147, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Edward Kelly, O20156, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Selwyn Dyson Smith, Jr., O20194, Army of the United States (brigadier general, U.S. Army).

Gen. William Childs Westmoreland, O20223, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Beverley Evans Powell, O20237, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Arnold Heintges, O20281, Army of the United States (brigadier general, U.S. Army).

Gen. Creighton Williams Abrams, Jr., O20296, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. John Hersey Michaelis, O20328, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edwin Hess Burba, O31518, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Graham Zierdt, O20632, Army of the United States (brigadier general, U.S. Army).

To be brigadier generals

Brig. Gen. Joseph Wilson Johnston, O30462, Army of the United States (colonel, U.S. Army).

Brig. Gen. Cornelis De Witt Willcox Lang, O19734, Army of the United States (colonel, U.S. Army).

Brig. Gen. Clarence Carl Haug, O19736, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Alexander Osmanski, O19745, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Albert Symroski, O19753, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Rigby Glass, O19765, Army of the United States (colonel, U.S. Army.)

Brig. Gen. Francis Johnstone Murdoch, Jr., O19853, Army of the United States (colonel, U.S. Army).

Brig. Gen. Lawrence Edward Schlanser, O19886, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Allen Beall, Jr., O19907, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Madison Jones, O19965, Army of the United States (colonel, U.S. Army).

Brig. Gen. Melville Brown Coburn, O19973, Army of the United States (colonel, U.S. Army).

Brig. Gen. Lawrence Bernard Markey, O38826, Army of the United States (colonel, U.S. Army).

Brig. Gen. Allen Thomas Stanwix-Hay, O51759, Army of the United States (colonel U.S. Army).

Brig. Gen. Thomas Jay Hayes, III, O20134, Army of the United States (colonel, U.S. Army.)

Brig. Gen. Walter Bernard Bess, O20151, Army of the United States (colonel, U.S Army).

Brig. Gen. Howard Pinkney Persons, Jr., O20167, Army of the United States (colonel U.S. Army).

Brig. Gen. Donald Gilbert Grothaus, O20221, Army of the United States (colonel U.S. Army).

Brig. Gen. Kenneth Francis Dawalt, O20226, Army of the United States (colonel U.S. Army).

Brig. Gen. Leonard Copeland Shea, O20231, Army of the United States (colonel U.S. Army).

Brig. Gen. Robert Hall Safford, O20244, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Henry Chiles, O20295, Army of the United States (colonel, U.S. Army).

Brig. Gen. Henry Kreitzer Benson, Jr., O20331, Army of the United States (colonel U.S. Army).

Brig. Gen. Benjamin Otto Turnage, Jr., O20360, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Daniel Hines, O38900, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Arthur Goshorn, O31465, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Clifton Dalrymple, O31509, Army of the United States (colonel, U.S. Army).

Maj. Gen. William Nels Redling, O31516, Army of the United States (colonel, U.S. Army).

Brig. Gen. Leonidas George Gavalas, O31569, Army of the United States (colonel, U.S. Army).

Maj. Gen. Frederick James Clarke, O20572, Army of the United States (colonel, U.S. Army).

Maj. Gen. George Henry Walker, O20617, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Martin Cone, O20658, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Stuart O'Malley, Jr., O20682, Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward Chrysostom David Scherrer, O20690, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kelsie Loomis Reaves, O20777, Army of the United States (colonel, U.S. Army).

Maj. Gen. Delk McCorkle Oden, O20805, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kelley Benjamin Lemmon, Jr., O20816, Army of the United States (colonel U.S. Army).

Brig. Gen. Donald Clinton Clayman, O20866, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Andrew Enemark, O20879, Army of the United States (colonel, U.S. Army).

Brig. Gen. Elias Carter Townsend, O31680, Army of the United States (colonel, U.S. Army).

Brig. Gen. Hughes Lanier Ash, O31799, Army of the United States (colonel, U.S. Army).

Maj. Gen. Carl C. Turner, O31909, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank George White, O21378, Army of the United States (colonel, U.S. Army).

In the Regular Air Force

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10 United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be captains, USAF (chaplain)

Baggett, Jimmie D., AO3059890.
Buckalew, Lester T., AO3059891.
Downing Don, AO3061436.
Eisemann, Richard G., AO3061499.
Folk, Donald C., AO3062026.
Hunt, Mansfield E., AO3042822.
Klepatz, Herbert R., AO3061454.
Madden, Wayne S., AO3059993.
Millian, Ronald A., AO3045581.
Mixon, Paul S., AO3027578.
Patterson, Allen J., AO2015503.
Reed, William P., AO3061269.
Stawasz, John B., AO3059704.
Steege, Mark W., AO3060810.
Thomas, Barry W., AO3061416.
Wozny, William J., AO3059768.

To be first lieutenants, USAF (chaplain)

Bieberbach, John V., AO3072128.
Bloomer, John D., AO3061574.
Edwards, Walter D., Jr., AO3061661.
Endel, Thomas J., AO3061688.
Festle, Robert H., AO3062101.
Gulkema, Henry, AO3061806.
Kircus, Ernest E., AO3098997.
Kok, Louis E., AO3061773.
Landman, Nathan M., AO3045836.
Lee, John U., AO3061819.
Mallory, Jerry J., AO3073804.
Matthews, Robert L., AO3030825.
McGowan, Patrick M., AO3061117.
McPhee, Richard S., AO3059687.
Merrell, Robert E., AO3059878.
Pickering, Melvin H., AO3061247.
Pirozzi, Lewis J., AO3061744.
Plummer, James R., AO3061971.
Prewitt. Charles B., AO3114836.
Rhett, William P., Jr., AO3062129.
Schuelein, Virgil L., AO3061177.
Shaffer, Clair W., AO3085731.
Thompson, Arthur E., AO3061398.

To be captains, USAF (dental)

Abrams, Herbert, AO3089005.
Amy, Donald H., AO3110987.
Battock, Richard D., AO3110778.
Bernhard, Lee F., AO3090359.
Bowling, Richard K., AO3112931.
Boyle, William D., Jr., AO3110659.
Brown, Velpo B., AO3112864.
Brumfield, Frank W., AO3113450.
Bryk, Clarence C., AO3113854.
Buchen, Bayard A., AO3090647.
Butz, Donald J., AO3090873.
Calem, Herbert M., AO3110380.
Childress, Joseph H., AO3113972.
Colao, Eugene J., AO3090353.
Cowan, Robert D., AO3125541.
Crockett, Leonard D., AO3090836.
Derricotte, Eugene A., AO2102107.
Dertien, Donald C., AO3110486.
Durkin, William J., Jr., AO3113495.
Edmondson, Clarence, AO3124539.
Emmerling, Austin C., AO3113842.
Farnie, John E., AO3113514.
Franciose, Angelo, AO3111252.
Francis, Michael R., AO3113796.
Frisbie, Orton D., AO3092751.
Fry, Hiram R., AO3090314.
George, David A., AO3090335.
Goldberg, Paul L., AO3110961.
Granger, Dale T., AO3110789.
Hale, Robert H., AO3114135.
Harris, Bernard C., AO3077609.
Hawkins, Benny F., AO3089294.
Hawkins, Maynard A., AO3089290.
Hecht, Arnold, AO3112853.
Indelicato, Bernard J., AO3078546.
Infeld, Paul, AO3111283.
Jerman, Albert C., AO3113482.
Lehman, Carl A., AO3111004.
Mary, George G., AO3088893.
Masi, Victor A., AO3113232.
Mayer, Raggon L., Jr., AO3111444.
McClelland, David C., AO3113801.
McDonald, Dennis J., AO3090900.
McLees, James K., AO3113290.
Morgan, John P., AO3112017.
Morley, Ronald B., AO3113904.
Moromisato, Clifton Y., AO3110795.
Morrison, Donald J., AO3113333.
Neurock, Isadore, AO3125253.
Norwood, Ralph F. Jr., AO3088771.
Olechowski, George W., AO3113974.
Petix, Pasquale A., AO3113582.
Ritola, Carl A., Jr., AO3113806.
Salazar, Cervando, AO3123427.
Sarbin, Alan G., AO3124829.
Schaeffer, Max L., AO3089349.
Schultheis, William J., Jr., AO3113237.
Shell, Jack A., AO3078567.
Shiller, Edwin B., AO3111207.
Skweir, Michael J., Jr., AO3111887.
Stellato, Robert P., AO3113256.
Testa, William J., AO3088990.
Titus, Harry W., AO3088610.
Tyler, Donald L., AO3123075.
Windeler, Alfred S., Jr., AO3113786.
Wood, Douglas E., AO3111019.
Wymer, William E., AO3088712.
Wysocki, Stanley F., AO3124370.

To be first lieutenants, USAF (dental)

Asselin, William A., Jr., AO3124569.
Barrick, Alan K., AO3124791.
Bennardi, John A., AO3125475.
Betances, Rojas P. A., AO3125588.
Boke, Bruce R., AO3125230.
Carroll, Daniel F., AO3126202.
Close, George D., AO3124758.
Craig, Lester D., Jr., AO3124890.
Daprai, Frederick P., AO3125207.
Davenport, Maynard V.. AO3124909.
Davis, Jerry N., AO3126162.
Deyampert, Porter L., AO3124947.
Ervin, Rex H., AO3125620.
Hartman, Garrett E., AO3125120.
Hazelbaker, Dale R., AO3125132.
Hellier, Charles E., AO3124492.
Hicks, Taylor T., AO3124839.
Hoffman, David L., AO3124904.
Houtz, Robert H., AO3125033.
Howe, Arthur G., AO3125631.
Hutchinson, William W., AO3125197.
Idema, William A., AO3126468.
Kennemer, Billy R., AO3124856.
Kirby, David B., Jr., AO3124796.
Morrier, Thomas C., AO3125146.
Polte, Hanswalter W., AO3126295.
Pratt, William H., AO3124903.
Rice, David R., AO3125183.
Sandoval, Elivinio, AO3125798.
Schmisseur, Robert R., AO3124900.
Scott, Andrew S., AO3126006.
Sebastian, Alexander J., Jr., AO3124653.
Setzler, Ralph C., Jr., AO3125137.
Shaheen, Masid N., Jr., AO3124912.
Shern, John R., AO3125848.
Spielman, Warren R., AO3124897.
Thompson, Wayne D.. AO3125288.
Vogue, Harvey L., AO3125733.
Wampler, Henry W., AO3124895.
Wilson, Aaron H., Jr., AO3124894.

To be major, USAF (medical)

Elliott, William E., AO3002427.

To be captains, USAF (medical)

Ames, Bruce A., AO3113933.
Battle Earl P., AO3044197.
Beard, Jeff N., AO3113117.
Bennett, Donald R., AO2232024.
Bennett, Raymond S. Jr., AO3055498.
Betsill, Wesley L., Jr., AO3113949.
Bickham, Dudley W., AO3112397.
Boerner, Robert M., AO3113948.
Boineau, Maxcy C., AO3124144.
Brewer, Schiele A., AO3111543.
Brundick, Edward L. Jr., AO3124397.
Bryant, C. W., AO3123168.
Chang, Walter W. Y., AO3077268.
Choate, Philip R., AO3114786.
Christensen, Dennis W., AO3091332.
Cintronrios, Eloy, AO3126516.
Collins, Harry G., AO3124773.
Costanzi, John J., AO3111541.
Cryan, David M., AO3111547.
Dehart, Roy L., AO5306660.
Dodge, Billy G., AO3124671.
Dunne, John V., AO3111742.
Eckert, Joseph F., AO3091375.
Ellis, Eli R., AO3124626.
Ennis, John M., AO3111659.
Felton, Owen L., AO3114708.
Fogarty, William A., AO3114267.
Foley, Phillip D., AO3111668.
Galindo, Osilio J., AO3004103.
Gonzalez, Joe V., AO3004406.
Harada, William S., AO2230331.
Harris, Robert E., AO3111546.
Heimbach, Richard D., AO3124382.
Hermann, Lee K., AO3111549.
Hodgson, Corrin J., AO3123987.
Jacobson, Stephen G., AO3111648.
Johnson, Floyd G., AO3091337.
Joycolon, Jose L., AO3125648.
Keffer, Joseph H., AO3111552.
Kelley, Severance B., AO3114208.
Kendrick, Ronald E., AO30114179.
King, Donald L., AO3111330.
Kopinski, Joseph C., AO3091339.
Kran, Stanley W., AO3077718.
Kyker, Paul G. Jr., AO3124638.
Labelle, James W. Jr., AO3123961.
Lawrence, David D., AO3069411.
Lebaron, George I. Jr., AO3044175.
Levine, Jerome I., AO3113132.
Lowe, James C. Jr., AO3126141.
McAlister, Bradwell R., AO3111580.
McCall, Victor E., AO3113938.
McCullough, Charles T. Jr., AO3124688.
McHugh, William J., AO3113940.
Mann, James G., AO3054765.
Mann, John, AO3111915.
Markham, Sanford M., AO3112313.
Miller, William S., AO3113943.
Moncur, Larry R., AO3113944.
Morgan, Harold C., AO3044493.
Morgan, Hiram B., Jr., AO3111581.
Morris, John R., AO3111579.
Morrison, Robert C., AO3113143.
Moser, Royce, Jr., AO3123532.
Murphy, John F., AO3125836.
Narboni, Gino R., AO3125735.
Neal, William R., AO3043092.
Nell, Patricia A., AE3125432.
Nixon, William H., AO3140909.
Nosan, Martin M., AO3113950.
Pace, Harrell S., AO3111561.
Pate, William E., AO3111550.
Perkins, John C., AO3124601.
Planell, Israel E., AO3125963.
Price, Richard R., AO3091407.
Ranheim, Richard O., AO3114664.
Rayner, Douglas A., AO3111559.
Reynolds, Ralph D., AO3091584.
Rieffel, Clement N., Jr., AO3141582.
Robinson, Charles H., Jr., AO3091537.
Rogers, John R., AO3111322.
Rosen, Gerald M., AO3124432.
Rosenzweig, William, AO3112709.
Rowe, Lynn B., AO3111669.
Shacklett, David E., AO3113954.
Shapiro, Stephen R., AO3053350.
Siegel, Jerome S., AO3123403.
Sisson, Charles A., Jr., AO3124828.
Skeel, David A., AO3111789.
Smith, George I., Jr., AO3123921.
Smith, Jerry E., AO3113931.
Sobiesk, Emory J., AO3111556.
Stanford, William, AO3074791.
Stone, Donald L., AO3111570.
Taylor, William S., AO3111572.
Tignor, Milton R., Jr., AO3111573.
Tomberlin, Kenneth G., AO3111315.
Triebwasser, John H., AO3111574.
Upchurch, James C., AO3122971.
Vause, David D., AO3126190.
Walker, Wesley C., AO3124481.
Weaver, David E., AO3113955.
Weber, Carl H., Jr., AO3091555.
Wenger, Bruce E., AO3084635.
Wesche, Daniel L., AO3114177.

Whitmer, Daniel W., AO3111585.
Wilson, Joe B., AO3111660.
Wilson, Robert G., AO3111672.
Wolff, James R., AO3124096.

To be first lieutenants, USAF (medical)

Anderson, Clarence A., AO3114773.
Anderson, Hal C., AO3114455.
Anderson, John A., AO3123028.
Anderson, Rodney A., AO3114604.
Becchetti, John J., AO3114414.
Biltz, John F., AO3141708.
Bizzell, James W., AO3114720.
Blanton, Joe D., AO3114385.
Bourgeois, Stephen D., AO3122961.
Bowerman, Jack W., AO3123195.
Brandenberg, Karl B., AO3114495.
Brown, George R., AO3124965.
Brusenhan, James R., AO3114539.
Buono, Francis L., AO3056030.
Cantor, William L., AO3114719.
Carraway, James H., AO3114384.
Chee, Percival H. Y., AO3124962.
Christian, Charles F., AO968540.
Clarke, John M., AO3140934.
Cutlip, Basil D., Jr., AO3114415.
Dake, Theodore, Jr., AO2225744.
Dillon, Thomas K., AO3114417.
Donald, Robert L., AO3114538.
Dorang, Louis A., AO3114416.
Duffner, Lee R., AO3073472.
Eckersley, John W., Jr., AO3124963.
Faries, James L., AO2227379.
Fascenelli, Fred W., AO2227983.
Finley, Dennis R., AO3123027.
Fontenelle, Larry J., AO3114456.
Frank, William E., AO3114537.
Freeman, John A., AO3124961.
Garrotto, Lewis J., AO3124960.
Gates, Philip D., AO3124976.
George, Harold C., AO3037564.
Hancey, Richard C., AO3114535.
Haney, James A., AO3114575.
Hensley, Kevin C., AO3122946.
Hooks, George E., Jr., AO3030025.
Huff, Olson, AO3114453.
Iger, Howard G., AO3114383.
Joye, Martin J., AO3114425.
Kelley, Lawrence D., AO3114545.
Kent, William T., AO3114421.
Kienzle, George E., AO3114544.
Kim, James D. S., AO3123103.
Kimball, David A., AO3114543.
Kinnard, Paul G., AO3123431.
Koenig, Charles F., AO3114420.
Kohlhepp, Paul A., AO3114419.
Kudzma, David J., AO3114576.
Ladner, George D., AO3124975.
Landis, Edward E., Jr., AO3125414.
Lewis, James A., AO3114475.
Lewis, Ronald G., AO3122990.
Little, Thomas D., AO3114470.
Long, Paul D., AO3114574.
Lopezcorrea, Raul H., AO3125346.
Lordon, Robert E., AO3114375.
McCabe, William C., AO3114772.
McCarron, David L., AO3124966.
McGrath, John J., AO3072400.
McKell, William M., Jr., AO3124974.
McNeill, Donald L., AO3114459.
Madere, Sherman G., AO3114469.
Magassy, Csaba L., AO3123315.
Mahon, Robert G., Jr., AO3093294.
Materson, Barry J., AO3142097.
Maurer, Robert M., AO3114468.
Monroe, Stuart A., AO3114542.
Moorehead, Myron E., AO3141431.
Nassif, Thomas J., AO3114547.
Nelson, Manfred R., AO3125415.
Norton, George H., AO3126008.
Offutt, Donald N., AO3123470.
Palma, Joseph A., AO3114553.
Palma, William E., AO3114694.
Pamplin, Gary N., AO3140732.
Parker, Warren M., Jr., AO3114465.
Perez, Santiago, Jr., AO3126796.
Petty, Arthur M., III, AO3114464.
Reid, Donald A., AO3114430.
Richardson, Donald R., AO3114431.
Richbourg, Henry R., AO3114369.
Ringler, Harold L., Jr., AO3114432.
Rocco, Henry D., AO3082542.
Root, David E., AO3114787.
Ruff, James E., AO3114424.
Runkle, William M., AO3114423.
Seman, Charles F., AO3114413.
Short, John G., AO3126183.
Shriner, William C., AO3114427.
Smith, John R., Jr., AO3125416.
Stacey, Norman R., Jr., AO3114381.
Stavros, George E., AO3124972.
Stevenson, Leo M., AO3114380.
Stevenson, Onex D., AO3114379.
Stover, William S., AO3142971.
Talbot, John M., AO3124970.
Taylor, Neal, AO3125738.
Terrell, Paul W., AO3114370.
Tucker, Harry L., AO3114429.
Vandyke, John J., AO3114372.
Victor, Martin I., AO3126443.
Walker, Michael J., AO3024657.
Wright, John, AO3114426.
Young, Robert L., AO3114373.
Yount, Ira M., AO3065406.
Zavacki, John, AO3114374.

To be captains, USAF (Nurse)

Bacon, Ann M., AN2241743.
Bardeen, Ruth E., AN2242187.
Bartol, Gladys J., AN3078260.
Baukus, Donna M., AN3078972.
Cantrell, Mildred E., AN2214561.
Carney, Joan M., AN3078745.
Carson, Rita D., AN2242687.
Cawthon, Zelpha P., AN2244059.
Christensen, Kathleen J., AN3110422.
Collins, Ann M., AN2244265.
Coombs, Bertha L., AN2214594.
Devaney, Dorothy E., AN2242055.
Dolan, Mary E., AN2242894.
Donahue, Shirley M., AN2242597.
English, Joan M., AN2242358.
Farrar, Catherine L., AN3078650.
Ferrell, Elizabeth G., AN2243766.
Florence, Eleanor R., AN3079164.
Flowers, Patricia M., AN2243963.
France, Maybelle V., AN2244179.
Franchina, Gloria M., AN2243033.
Fraser, Frank W., AN3125046.
Gajan, Thressa L., AN2242491.
Gallagher, Janet M., AN3078974.
Gibbens, Patsy L., AN2214203.
Gotsch, Geneva, AN3078360.
Gudzan, Christina, AN901209.
Higgins, Margaret T., AN1912790.
Hillis, Helen R., AN2242997.
Hutton, Sallie M., AN2242886.
Johnson, Dolores, AN2243029.
Jones, Daphana J., AN1906141.
Kerwood, Joyce E., AN1912903.
Kopczynski, Helen D., AN805709.
Lacharite, Rose Y., AN2242896.
Lose, Gertrude E., AN2242322.
Mandot, Barbara R., AN2243847.
Mease, Jean E., AN2242798.
Murphy, Florence T., AN2242672.
Nelson, Joan L., AN2242583.
Noel, Mary J., AN2242752.
Paddock, Helen L., AN2242790.
Phillips, Hazel L., AN2243137.
Ronaghan, James T., AN3044840.
Sanders, Barbara B., AN2242269.
Sidisin, Ruth K., AN2243106.
Skler, Rose, AN2243144.
Spezialy, Neva R., AN3078976.
Tennis, June E. H., AN2242083.
Vosburgh, Rita G., AN2242502.
Weichseldorfer, Mary E., AN2242051.
Weisenfluh, Norma J., AN2243570.

To be first lieutenants, USAF (Nurse)

Albrecht, Joanne, AN3122997.
Bareford, Betsy J., AN3089449.
Bearson, Lawrence O., AN3114647.
Boyza, Margaret, AN3079596.
Brinkmann, Joanne M., AN3088900.
Caldwell, Sally A., AN3089732.
Capouillez, Yvonne J., AN3114226.
Carroll, John T. K., AN3123822.
Cleland, Donna L., AN3123329.
Coleman, Charlene E., AN3111131.
Craft, Kathryn L., AN3090287.
Danhof, Roger J., AN3124546.
Delgado, Maria E., AN3090675.
Dirlam, Patty A., AN3114108.
Doriski, Helen, AN2241565.
Duerksen, David W., AN3124822.
Eisele, Helen M., AN3114824.
Engel, Dallas D., AN3123542.
Erickson, Carolyn B., AN3124221.
Feeney, Robert F., AN2291546.
Filer, Marguerite E., AN3123205.
Forstrom, Donna M., AN3124807.
Foster, Nathalea J., AN3125264.
Fox, Marjorie R., AN3090152.
Gajdusek, Marilyn A., AN3123181.
Glavinovich, Helen M., AN3114491.
Goins, Phyllis N., AN3123332.
Goodwin, Barbara A., AN3123451.
Griswold, Theodore R., AN3124769.
Gustafson, Melva J., AN3124075.
Haggard, Ann D., AN3089592.
Hancock, Margaret A., AN3091012.
Harriman, Roberta A., AN3114493.
Havens, Mary L., AN3123290.
Henderson, Barbara A., AN3125031.
Hester, Patricia S., AN3091465.
Holland, Bernie L., AN3124823.
Holt, Maurita E., AN3089643.
Hopkins, Edna M., AN3088874.
Hoy, James R., AN3123568.
Huisken, Leanne H., AN3090206.
Hunt, Maureen A., AN3127428.
Jones, John F., AN3114026.
Jorgensen, Marilyn J., AN3088689.
Kary, Donna M., AN3123267.
Keene, Ruby, AN3089146.
Lapp, Judith E., AN3123254.
MacIndoe, Joan C., AN3114324.
Makauskas, Loretta A., AN3088905.
Martina, Lucy M., AN3088743.
McNeece, Lela V., AN3089323.
Mohr, Thomas C., AN3125317.
Moran, Mary M., AN3089683.
Mullin, Margaret M., AN3089436.
Overton, Dale H., AN3125170.
Parrill, Rosa L., AN3123983.
Pennington, Donna A., AN3125538.
Perkins, Earline, AN3079253.
Piper, Doris A., AN3123514.
Pugh, Georgie B., AN3075768.
Raber, Nina R., AN2242104.
Reilly, Marguerite M., AN3123084.
Reimann, Lawrence L., AN3125263.
Remmes, Elizabeth J., AN3088965.
Richardson, Kenneth W., AN3123763.
Rizzo, Patricia A., AN3123185.
Roberson, Clara B., AN3123192.
Robertson, Robert H., AN3123634.
Rovnyak, Eleanor C., AN3089887.
Scaccia, James M., AN3124380.
Schaefer, Joanne L., AN3124301.
Segall, Shirley J., AN3111800.
Spors, Hiltrud G., AN3123432.
Steiner, Lorraine, AN3089861.
Stewart, Janette B., AN3088954.
Surette, Joan E., AN3123785.
Townsend, Ada M., AN3124717.
Uldrich, Ruth H., AN3078871.
Ulrich, Audrey V., AN3089438.
Vanells Marilyn J., AN3090640.
Vernon, Jane R., AN3123859.
Vickroy, Nancy E., AN3089755.
Vigil, Carmelita, AN3089118.
Wachtel, Juddie L., AN5407167.
Weldon, Margaret E., AN3123486.
Wheeler, Marvin W., AN3124062.
Yeatts, Charlie A., AN3123457.
Yous, Carole J., AN3090190.

To be captains, USAF (Medical Service)

Graves, Frederick J., AO3045616.
Kellogg, Robert S., AO3044263.
Kendig, John F., AO2227320.

To be first lieutenants (Medical Service)

Armentrout, Stacy B., AO3123391.
Bargamin, Taliaferro M., AO3106161.
Bonovich, Robert C., AO3123382.
Bowker, Charles S., AO3108422.
Brady, John G., AO3109921.
Burnett, Ronald D., AO3106377.
Daughtry, Ben P., AO3113004.
Dougherty, Jerry P., AO3105212.
Duffy, Brian J., AO3116997.
Fickess, Robert J., AO3114560.

Gordon, Darwin G., AO3119049.
Handley, James G., AO3123371.
Hatcher. Richard L., AO3122951.
Lawrence, Charles W., AO3123223.
Lewis, Thayer J., AO3106780.
Magee, Denis F., AO3114592.
Mallory, Melvin A., Jr., AO3108288.
McNally, Paul M., AO3094896.
Miller, William R., Jr., AO3112183.
Moody, Maynard G., AO3105369.
Murphy, John G., AO3123237.
Parimucha, Joseph P., AO3112682.
Reinhard, Henry C., Jr., AO3109712.
Rhode, John F., AO3113164.
Schulz, Victor B., AO3111822.
Stewart, Stanley, AO3112269.

To be second lieutenants, USAF (Medical Service)

Armstrong, George M., III, AO3126853.
Batch, Larry L., AO3130403.
Begin, Joseph L., AO3127274.
Bloechle, Robert A., AO3107735.
Boglin, William N., AO3132478.
Bolton, Bassel E., Jr., AO3125229.
Borah, James H., AO3126524.
Brenner, Bernard, AO3129772.
Carlile, Bruce E., AO3132215.
Chicoine, Ronald F., AO3126176.
Clack, Gerald S., AO3128284.
Cocolicchio, Salvatore P., AO3131509.
Conyers, Arthur C., Jr., AO3126009.
Crinella, Francis M., AO3093692.
Crisman, Jon E., AO3108039.
Crissup, Larry A., AO3130093.
Depriest, Larry T., AO3125071.
Donlevy, John W., AO3135587.
Elias, Edward E., AO3128075.
Faix, Philip A., Jr., AO3126108.
Fallon, Paul F., AO3132331.
Feister, Frederick C., AO3126228.
Gezon, Robert J., AO3140709.
Gibson, Reginald P., AO3130415.
Grady, Robert J., Jr., AO3126234.
Grizzard, Donald C., AO3124952.
Harbaugh, John D., AO3126377.
Harden, Richard R. ,AO3126110.
Harrah, Cariold B., AO3132842.
Hart, Robert F., AO3126071.
Huoni, Dana B., AO3130590.
Inman, Gilbert R., AO3126366.
Johnson, John E., Jr., AO3107128.
Kammeier, Richard A., AO3135793.
Kass, Joel T., AO3126099.
King, Steven M., AO3124813.
Kirkpatrick, Fred, AO3123934.
Lakey, Gene A., AO3126388.
Landry, Francis J., AO3061746.
Larson, Gary E., AO3126261.
Lefebvre, Edward E., AO3125339.
Loebs, Stephen F., AO3126467.
Logsdon, Donald F., Jr., AO3138263.
Lynam, Donald R., AO3100782.
Marsh, George R., AO3126059.
Mauro, Salvatore B. P., AO3126069.
McCann, Ray E., AO3123728.
McGhee, Wyatt L., AO3131664.
McGinty, John P., AO3126100.
Milner, Eldon S., AO3108129.
Milstone, Seymour, AO3140635.
Moore, Gary A., AO3126169.
Myers, Stuart S., AO3061700.
Norville, Jerry L., AO3125454.
Ohop, Paul A., AO3137799.
Pfoff, Billy J., AO3125653.
Reardon, Edward F., Jr., AO3126225.
Redfield, Richard E., AO3123706.
Richardson, Bennie M., AO3138838.
Riordan, William J., AO3126072.
Rose, Vernon E., AO3100415.
Rowe, Bobby G., AO3126068.
Sheffield, Paul J., AO3119972.
Stone, Carl P., AO3130489.
Strate, Robert D., AO3125256.
Thomas, William H., III, AO3126178.
Tittle, Robert A., AO3127747.
Tobin, Patrick M., AO3130744.
Twarog, Robert, AO3056054.
Ussery, Bobby G., AO3124307.
Wallace, Karl M., AO3126105.
Ward, Edward R., Jr., AO3138609.
Wilkins, Paul H., AO3128118.
Wilson, John G., AO3126517.

To be first lieutenants, USAF (Veterinary)

Banknieder, August R., AO3124497.
Bonney, Charles H., AO3125242.
Fisher, Robert A., Jr., AO3124226.
McConnell, Ernest E., AO3113679.

To be captains, USAF (medical specialist)

Ball, Sylvia M., AJ3111874.
Burns, Carol H., AJ3044693.
Chipser, Joseph F., AJ3045091.
Davenport, Mary N., AJ2261771.
Omdahl, Muriel E., AJ2240597.

To be first lieutenants, USAF (medical specialist)

Bailey, Ronald B., AJ3071543.
Baker, Verilyn J., AR3126702.
Fischer, Betty A., AR3126082.
Franklin, Jacqueline U., AR3092097.
Gremillion, Lucille R., AR3111972.
Johnson, Barbara A., AR3111663.
Kasa, Al A., AR3126610.
Kyllo, Joan B., AR3111866.
Quinn, Juliana, AM3090060.
Wasserzieher, Gilbert D., AJ3089736.

To be second lieutenant, USAF (medical specialist)

Hughes, David P., AJ3140391.

To be captain, USAF (judge advocate)

Nakano, George M., AO3116337.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be captains

Aly, Charles E., AO3038075.
Burgeson, Harold E., AO3006773.
Cox, Thomas W., AO3005961.
Fafara, Edward R., AO3005439.
Glass, Isaac M., AO3006889.
Hedstrom, Robert S., AO3022628.
Robichaud, Robert P., AO3058947.
Wagner, Donald C., AO3008432.

To be first lieutenants

Abruzzese, Tommas G., AO3115444.
Acuff, Mack F., AO3116698.
Adair, Charles R., AO3121036.
Aiken, Stewart L., Jr., AO3109382.
Amann, Richard W., AO3118426.
Amoscato, Guy T., AO3117014.
Anderson, Bobby D., AO3116607.
Angus, William E., AO3118371.
Autry, Gene A., AO3109172.
Bacs, John, AO3119281.
Badalamente, Richard V., AO3116710.
Baer, Alvin C., AO3119078.
Barnett, David R., AO3116898.
Barry, Gregory P., AO3116707.
Bassett, David E., AO3116708.
Begley, George A., AO3116837.
Belcher, Gary D., AO3116518.
Bell, Darwin L., AO3074148.
Bierly, Richard M., AO3116729.
Birmingham, Milton D., AO3116527.
Blevins, John C., AO3118831.
Bolger, Edward P., AO3121222.
Bonfili, Hubert F., AO3108353.
Bonniwell, Frank E., Jr., AO3121226.
Bourne, Maurice W., Jr., AO3121005.
Bowen, Ross R., AO3119411.
Breard, James A., AO3120445.
Briggs, Benjamin R., AO3118700.
Brown, Donald A., AO3107306.
Brown, Donald R., AO3121243.
Brown, Robert C., AO2245861.
Brugger, Walter I., AO3120906.
Brundage, John A., AO3107426.
Buchanan, George L., AO3116667.
Buckley, John R., Jr., AO3018685.
Butcher, Stanley R., AO3121253.
Butterfield, John D., AO3116662.
Caley, Charles F., III, AO3121258.
Callin, John H., AO3093457.
Callison, Charles S., AO3108312.
Campbell, James B., Jr., AO3116526.
Cann, Donald J., AO3120985.
Cantrell, Teddy D., AO3115161.
Carden, Charles R., AO3108150.
Carey, Nelson F., AO3105219.
Carlsgaard, Bruce R., AO3115348.
Carroll, Jo R., Jr., AO3120481.
Carstensen, Darwin R., AO3116552.
Casey, William E., Jr., AO3121794.
Cassidy, Patrick E., AO3116843.
Chambers, Glen D., AO3120492.
Chappelle, James E., AO3120495.
Childs, Vandiver L., AO3121932.
Chirco, Samuel, AO3107230.
Clemmer, William H., AO3121218.
Cobb, Larry D., AO3108587.
Coe, Larry J., AO3116783.
Cole, Charles R., AO3116577.
Coleman, Edward L., AO3120934.
Collins, Billie K., AO3053962.
Colvin, Charles G., AO3108776.
Conley, Emil R., AO3061227.
Conn, Earl D., AO3121355.
Copeland, John M., AO3116589.
Cornell, Gerald E., AO3116593.
Cornell, Robert H., AO3119128.
Costa, Francis L., AO3121360.
Cover, George R., AO3121795.
Crake, Roger L., AO3119130.
Cribbs, John A., Jr., AO3116848.
Crosby, Francis C., AO3109017.
Dady, Benjamin L., AO3120542.
Daily, Terry J., AO3120935.
Daly, Robert W., Jr., AO3109126.
Dean, Chester F., AO3105869.
Dean, David M., AO3119024.
Deary, William A., AO3122005.
Denham, Clyde C., AO3121435.
Denisio, Carl B., AO3119134.
Dickens, Lewis A., AO3115347.
Dorrough, Robert E., Jr., AO3106539.
Dowd, Donner A., Jr., AO3121449.
Draney, Elwyn N., AO3118387.
Dudley, John D., AO3116996.
Duffy, James E., AO3120938.
Dunning, John E., AO3119440.
Duvall, John S., AO3109392.
Easley, Rex C., AO3118854.
Elmore, Irven W., AO3117003.
Elsasser, Paul E., AO3117004.
Emery, Jay O., AO3108822.
Fedak, Charles R., AO3115857.
Ferro, Frank, AO3108833.
Finley, Robert C., AO3109128.
Fisher, Jack D., AO3118628.
Fitzsimons, Terrence, AO3117027.
Fletcher, Kenneth M., AO3117008.
Flinn, Earl C., AO3109437.
Flowers, Thomas M., AO3107210.
Foreman, Richard G., AO3100728.
Franzen, George A., Jr., AO3109336.
Fratzke, William F., AO3108008.
Freckleton, Jon E., AO3121487.
Frucht, Walter M., AO3121254.
Furlong, Daniel E., AO3116717.
Gaidry, Thomas H. T., AO3120398.
Gaines, Kimball M., AO3120725.
Gardner, Benjamin A., Jr., AO3109202.
Gately, Kenneth S., AO3118943.
Getzoff, Ronald A., AO3107973.
Gibson, Robert H., AO3100360.
Gold, Harold R., AO3108835.
Greenway, Vance, Jr., AO3121510.
Greenwood, Robert R., Jr., AO3116721.
Grenz, Albert F., AO3121512.
Gries, Charles E., AO3108002.
Griffin, James R., AO3108592.
Griffith, Rodney S., AO3118870.
Grisel, George R., AO3118603.
Gygi, Stuart R., AO3098549.
Hahn, Gerald E., AO3105912.
Hailey, Joaquin M., AO3107504.
Hardy, Robert A., Jr., AO3121092.
Harrison, James D., AO3107399.
Harroff, Merlin J., AO3122634.
Hefty, Henry O., AO3121536.
Heineman, Albert F., III, AO3117022.
Hendrickson, James R., AO3120586.
Hennessy, David A., AO3108565.
Hesch, Harold W., AO3116731.
Hester, Joe W., AO3118784.

Hickman, David M., AO3119461.
Hicks, Jimmy C., AO3118875.
Hieser, Michael W., AO3121538.
Hill, Joseph L., AO3121799.
Hill, William A., III, AO3119163.
Hinson, Forrest E., Jr., AO3117025.
Hodge, Ralph L., AO3093344.
Hoeksema, Peter P., AO3120915.
Hofer, Richard D., AO3120413.
Hoffer, Leland H., AO3121278.
Holgate, Thomas E., AO3121544.
Hooper, Donald G., AO3109401.
House, Francis L., AO3121281.
Hughes, Thomas K., AO3121283.
Humphreys, Richard G., AO3107669.
Hurston, Stanley L., AO3108450.
Hyder, James T., II, AO3107617.
Jackson, Charles L., AO3120420.
Jackson, Kelso L., AO3108216.
Jackson, Peter H., AO3108390.
Jackson, Wells T., AO3120946.
James, Darrell R., AO3107889.
Jeter, David R., AO3121563.
Johnson, David C., AO3118795.
Johnson, John B., AO3085473.
Jones, David H., AO3107308.
Jones, Rethel H., Sr., AO3121571.
Jones, Richard L., AO3121048.
Jones, Vernal O., Jr., AO3116742.
Kelley, David B., AO3108685.
Kelley, Herchel E., AO3121578.
Kelley, Russell K., AO3108391.
Kelly, Gary W., AO3119365.
Kent, John D. G., AO3121299.
Kingsbury, William C., Jr., AO3120917.
Kipness, Marc E., AO3116745.
Kitchen, Gerald A., AO3107752.
Klag, John E., AO3119140.
Klass, Edward H., AO3120429.
Klinglesmith, Jerry D., AO3121585.
Knese, Paul B., AO3108645.
Knight, Peter G., AO3107411.
Knutson, Gary H., AO3108569.
Knutson, Lawrence W., AO3121588.
Koester, Hajo W., AO3119417.
Kolar, Edward F., AO3121304.
Kondra, Vernon J., AO3119331.
Kono, Arthur H., AO3107350.
Krakauer, Richard L., AO3121305.
Krause, William M., AO3118665.
Kronsted, Paul W., AO3121589.
Krug, John J., AO3121591.
Kudzma, Robert, AO3108805.
Kurras, Jacob F., AO3118666.
Kutzman, Nathaniel J., Jr., AO3105027.
Kyle, Larry K., AO3117041.
Lahue, Murray L., AO3116747.
Lampman, Richard E., AO3121122.
Lark, Richard F., AO3100549.
Law, Richard F., AO8118667.
Lawrence, Anthony, AO3122124.
Lawry, David J., AO3121309.
Lefebvre, Norman I., AO3119141.
Lenning, Richard W., AO3109457.
Lesan, Thomas C., AO3120440.
Levis, William B., AO3119142.
Lewis, Jerry L., AO3119029.
Lilly, Bob P., AO3121609.
Linderman, Jerry L., AO3122013.
Linnevers, Thomas C., AO3108648.
Locke, Anthony W., AO3121314.
Lofgreen, Jesse B., AO3117048.
Lounsbury, William E., Jr., AO3099943.
Lovett, Willie C., AO3118785.
Lovvorn, Charles J., Jr., AO3120622.
Luger, Jerome R., AO3121617.
Lurie, Phillip J., AO3092475.
Mack, Joseph R., AO3121319.
Madden, Roland A., AO3121320.
Mades, Richard E., AO3116957.
Major, Berry F., Jr., AO3121623.
Malin, Benedict L., AO3117053.
Mann, William L., AO3121847.
Marinello, Joseph J., AO3121628.
Marschall, Horst, AO3100433.
Marsh, David S., AO3109026.
Marsh, Melvin E., Jr., AO3116758.
Mauton, Clifford J., AO3121638.
May, John, AO3121328.
Maypole, Thomas A., AO3120450.
McCabe, John M., AO3108652.
McCall, Collier F., AO3117061.
McCormick, Donald W., AO3121922.
McCracken, Theodore E., AO3121643.
McCurdy, John A., Jr., AO3121335.
McDermont, Alexander V., AO3109561.
McDonald, Charles H., AO3121645.
McEathron, Warren L., AO3121336.
McGinn, Sylvester, Jr., AO3119259.
McGuire, Marlin R., AO3121646.
McLaughlin, Clyde W., AO3119369.
Meek, Jerry L., AO3116760.
Meeker, Anthoney, AO3121649.
Melby, Carroll H., AO3108580.
Mielke, Robert R., AO3116763.
Miller, Gordon L., AO3120460.
Misner, Arthur E., AO3118499.
Mitchell, Ellsworth L., AO3041401.
Monahan, George F., AO3109105.
Moody, John L., AO3117059.
Moore, Clyde A., Jr., AO3116765.
Moseley, Charles T., Jr., AO3115815.
Mote, Edward L., Jr., AO3120919.
Mueller, William C., AO3121129.
Mula, Sebastian J., AO3121351.
Mullican, Robert W., AO3108325.
Murnieks, Janis, AO3109030.
Murphy, Edward J., AO3121054.
Nallick, Richard L., AO3121354.
Nash, John C., III, AO3121675.
Needham, Frank S., AO3109502.
Neil, Joe R., Jr., AO3121357.
Nesbitt, Robert L., AO3107977.
Newman, Jack E., AO3094586.
Nicholes, James A., AO3105031.
Nichols, John M., AO3121359.
Niebauer, David J., AO3121925.
Noble, Alan M., AO3120641.
O'Connor, Edward D., AO3120477.
O'Day, Robert C., AO3121365.
Orlando, Anthony J., AO3120646.
Owens, Paul R., AO3120649.
Panttaja, Toivo A., AO3121910.
Pedersen, Don W., AO3120651.
Peek, Max H., AO3121369.
Penny, John W., AO3108268.
Peters, Ronald M., AO3120992.
Peterson, Wayne M., AO3119435.
Phillips, Harold D., AO3118327.
Picantine, Jareld L., AO3107813.
Pierce, David C., AO3107704.
Pingel, Robert A., AO3116987.
Pitts, Donald A., AO3121701.
Pomeroy, Andrew R., AO3060594.
Pompei, John A., Jr., AO3118573.
Powell, Lloyd R., AO3119057.
Powers, Felix D., AO3120486.
Price, Harry H., AO3118904.
Protage, Barry S., AO3120655.
Purdie, Robin S., AO3107323.
Pursley, Donald G., AO3121382.
Ramsey, Frederick W., AO3121703.
Ransom, William R. P., Jr., AO3116779.
Rein, Marlin L., AO3121705.
Richards, Edgar E., AO3121394.
Riggle, Frederic L., AO3118907.
Roades, Jerry L., AO3116960.
Robinson, Paul R., AO3109003.
Rodman, Donald H., AO3121711.
Roeder, David M., AO3107979.
Rogers, Roy D., AO3116785.
Roman, John E., AO3121402.
Rota, Raymond E., AO3120667.
Rothrock, James G., AO3107098.
Ruffing, John J., AO3108657.
Ruffner, Gerald A., AO3118503.
Ruppel, John L., Jr., AO3107940.
Salsbury, Harold B., AO3105118.
Sands, William J., Jr., AO3118534.
Sansone, Anthony J., AO3118338.
Saunders, Jerald D., AO3120670.
Scaggs, Roger T., AO3109545.
Schell, Steven R., AO3121728.
Schorr, Robert W., AO3107135.
Schwartz, John L., AO3109415.
Schwartz, Norman C., Jr., AO3106484.
Scott, William D., AO3106578.
Shera, James H., AO3107965.
Shiflett, Leighton P., AO3120681.
Shirley, Stephen J., AO3122028.
Sicklesteel, William I., AO3120500.
Siegfried, Thomas, AO3109355.
Silvia, Ronald, AO3121032.
Sloan, John K., II, AO3107371.
Smith, Dennis W., AO3109298.
Smith, Harold L., AO3119315.
Smith, Joe S., AO3100265.
Smith, Joseph D., AO3120685.
Smith, Joseph E., AO3108865.
Smith, Tommy D., AO3120686.
Sokol, Roger O., AO3121818.
Sophie, Bruce E., AO3116803.
Southwick, Martin W., AO3120952.
Sovell, James E., AO3118761.
Spain, John G., AO3118352.
Spencer, Jerry W., AO3116804.
Spencer, Richard L., Jr., AO3120503.
Sprengelmeyer, David J., AO3122624.
Stankewich, Andrew W., Jr., AO3122046.
Stocks, Samuel E., AO3107203.
Stratton, Larry D., AO3122055.
Strausborger, Larry L., AO3108514.
Strawn, Ronald P., AO3100671.
Sutila, Joseph M., AO3107452.
Svetlik, Edward E., AO3116806.
Swenson, Aural V., AO3121438.
Takayesu, Jack K., AO3107688.
Tannehill, Willard F., Jr., AO3118560.
Tanzola, James A., Jr., AO3120697.
Tech, Laverne R., AO3122062.
Thomas, Lowell D., AO3121442.
Thompson, John R., AO3108230.
Thompson, Larry D., AO3118423.
Traudt, Ronald H., AO3108782.
Vinckier, Andrew M., AO3116815.
Vititoe, Maurice L., AO3122075.
Vocelka, Robert R., AO3119438.
Wade, Allan D., AO3118359.
Walker, John H., AO3122080.
Walker, Kenneth E., AO3121820.
Walling, Charles M., AO3107204.
Ward, John W., AO3106896.
Washburn, James L., Jr., AO3107374.
Waterman, Frank M., AO3121463.
Waters, Brian K., AO3121821.
Weathers, George T., Jr., AO3100273.
Webb, David G., AO3118927.
Weber, Robert F., AO3109358.
Weger, John, Jr., AO3121930.
Weismann, James F., AO3121465.
Weiss, Charles A., AO3118362.
Wenkel, Lester R., AO3120709.
Wentworth, John T., AO3120710.
Westerberg, Alfred, Jr., AO3109540.
Whaley, James P., AO3107918.
Whittenberger, Steven J., AO3107970.
Widdis, James W., Jr., AO3122627.
Williams, Ronald G., AO3121473.
Wilson, James R., AO3109569.
Wilson, Larry F., AO3120532.
Winn, John C., Jr., AO3106655.
Worthington, Daniel J., AO3122103.
Wright, Wade K., AO3122104.
Yocum, Allen, AO3122108.
Yocum, James B., AO3116824.
York, George A., Jr., AO3108136.
Zang, Robert A., AO3122110.
Zavadil, Charles W., AO3120536.
Zimmett, Howard N., AO3061260.

To be second lieutenants

Abate, Joseph D., AO3122576.
Achin, Raymond R., AO3120737.
Alcorn, John W., AO3107340.
Alenius, John T., AO3128231.
Alexander, Charles R., AO3109472.
Allen, Wayne L., AO3119089.
Anderson, Ralph L., Jr., AO3109327.
Anspaugh, Charles C., AO3128692.
Arthur, Hayward B., AO3109042.
Arzonetti, Walter C., AO3105719.
Bach, Peter, AO3109572.
Ballard, Bobby D., AO3122348.
Banks, William J., Jr., AO3122349.
Barnes, William J., Jr., AO3107518.
Baun, Raymond J., AO3120780.
Bazerque, Bertrand H., III, AO3108280.
Berdan, Richard L., AO3116855.
Bergen, John K., AO3119126.
Bernet, Darrell D., AO3108740.
Beyers, James D., AO3122258.
Bishop, Charles L., AO3116723.
Blackmon, Norman V., AO3118830.

Blair, Robert L., AO3128524.
Blakeney, Carvel R., Jr., AO3128152.
Blakley, Norman L., AO3122356.
Blizzard, Clarence, Jr., AO3121610.
Boersig, George R., AO3128296.
Boles, Billy J., AO3105497.
Bolls, Larry R., AO3122357.
Boone, Martin N., AO3128047.
Bowers, Bruce G., AO3128371.
Bowling, Thomas J., AO3121724.
Bowman, Richard T., AO3107710.
Boyd, Billy E., AO3118974.
Bracher, Phillip E., AO3107984.
Brosseau, Richard P., AO3128372.
Brownell, Thomas F., AO3116505.
Broxson, Barry D., AO3119303.
Bryan, Garry H., AO3122609.
Bryan, James B., III, AO3128454.
Burchette, Jerry E., AO3121651.
Burgess, Gerry R., AO3128159.
Butler, Norman R., AO3120732.
Byerly, Kirk L., AO3120735.
Cady, Frederick C., AO3119455.
Caggiano, Michael R., Jr., AO3122593.
Campbell, Richard S., AO3121186.
Cannon, William R., AO3120770.
Carmichael, Maurice A., AO3120739.
Carr, Edward J., AO3080201.
Carver, Wayne E., AO3132087.
Cervetti, Franklin H., AO3122261.
Chastain, Fred, Jr., AO3122220.
Chelland, Eugene J., AO3122790.
Christensen, John L., AO3119093.
Christianson, John W., AO3109550.
Close, Jay G., AO2250232.
Conaty, Thomas P., Jr., AO3122166.
Conn, Frederick, J., III, AO3128609.
Cooke, Willis R., AO3122711.
Coombs, Whitney J., AO3130695.
Cooper, Horace J., AO3122603.
Crawford, Jessie K., AO3107501.
Crone, John E., AO3107952.
Crump, Herschel W., AO3121109.
Czahor, Raymond E., AO3120748.
Dallenbach, Donald D., AO3108040.
Dalton, John C., AO3109196.
Davis, John W., III, AO3122733.
Dean, Roger L., AO3108746.
Dickinson, James R., AO3128612.
Dodge, Richard C., AO3122221.
Donald. Robert K., AO3120759.
Drake, William H., AO3128305.
Dudlor, Michael D., AO3122169.
Dupuy, Paul J., AO3122040.
Dwyer, Paul G., AO3120766.
Earley, William A., AO3119045.
Eastep, Gary E., AO3119324.
Echelberger, Don D., Jr., AO3107317.
Eckel, Dean L., AO3122734.
Eldrige, Robert E., AO3127994.
Epperson, Jon O. AO3128465.
Erickson, Charles E., AO3128616.
Ertz, Ernest J., AO3128384.
Evans, Stephen H., AO3107319.
Faulkner, Jack C., AO3121183.
Fayko, John K., Jr., AO3120942.
Ferguson, John K., AO3128364.
Flynn, Stephen R., AO3122619.
Foster, Gary E., AO3099895.
Franks, James A., AO3121193.
Frese, Gerald W., AO3120778.
Fujishige, Kenneth T., AO3107666.
Gallop, Jon L., AO3128469.
Gentry, Frederick R., AO3118805.
Gentry, Gerold L., AO3128390.
George, Paul L., AO3128391.
Getchell, George L., AO3057636.
Gibbs, Richard L., AO3128546.
Gibson, John W., AO3109203.
Giddens, Charles W., AO3128311.
Gilbert, Keith G., AO3122485.
Glagola, John E., AO3118491.
Glenn, Elmer, Jr., AO3041485.
Godbey, Harvey J., AO3128001.
Golden, James B., Jr., AO3107503.
Gorley, Joseph E., Jr., AO3122689.
Gould, Bruce A., AO3128621.
Grant, Francis D., AO3122737.
Green, Howard W., AO3128548.
Greene, Johnny R., AO3128221.
Gregory, Amzi, AO3109486.
Guerrieri, Ronald E., AO3121289.
Guinn, George S., AO3127907.
Hagel, Donovan E., AO3109247.
Hairston, James J., Jr., AO3128472.
Halbert, Robert T., AO3128549.
Hale, David L., AO3122384.
Hall, Gayle D., AL3120790.
Hankins, James P., AO3121315.
Hanus, Russell A., AO3122492.
Hardcastle, Eugene G., AO3122490.
Harper, James E., Jr., AO3122491.
Harris, James A., AO3127908.
Harris, Ronald C., AO3109554.
Hasner, Lloyd H., AO3122493.
Heerhartz, H. T., AO3119361.
Hendl, Richard G., AO3131312.
Henrichson, Charles H., AO3128394.
Hickson, William H., Jr., AO3122229.
Higdon, Thomas N., AO3128316.
Higgins, John J., AO3116592.
Hill, Franklin G., AO3128005.
Hoffman, John A., AO3107800.
Holm, Douglas K., AO3109491.
Honesty, Maynard L., AO3122622.
Houston, Carl B., AO3128176.
Howell, Neil T., AO3128177.
Hunt, Walter L., Jr., AO3128556.
Jacobs, Carl E., AO3128630.
Jamushian, Misak P., AO3107225.
Jarman, Larry E., AO3122133.
Jasinowski, Jerry J., AO3120251.
Johnson, Carl N., AO3120807.
Johnson, Charles D., AO3108262.
Johnston, James M., III, AO3118982.
Johnston, Leo E., Jr., AO3120808.
Jones, Charles C., AO3120727.
Jones, Michael H., AO3122231.
Jorden, Paul E., AO3128397.
Joslin, Charles S., Jr., AO3108804.
Jourdenais, George H., AO3120813.
Kahle, William W., AO3108683.
Katz, Jonathan S., AO3131883.
Kautz, Ronald E., AO3107367.
Keller, Kenneth F., AO3106434.
Kemp, John E., AO3120816.
Kennedy, Randolph M., AO3107461.
Kidder, Arthur R., Jr., AO3108643.
Kiehm, John K. S., AO3121735.
Killingsworth, William W., AO3122107.
Kolander, David A., AO3132103.
Kosem, Marion, AO3105600.
Kramer, Davis J., AO3119367.
Krieger, Edward W., AO3070372.
Kucera, Charlie G., AO3118947.
Kutchma, Edward K., AO3118455.
Kyer, David A., AO3105780.
Labertew, Robert S., AO3107895.
LaGrande, Daniel J., AO3128145.
Lair, Jerry L., AO3109494.
Lanka, Vitauts, AO3108496.
Leader, Ronald V., AO3122744.
Lefave, Joel J., AO3128400.
Lehtola, Donald E., AO3120825.
Leighton, George P., AO3109497.
Leist, William B., AO3128019.
Lemieux, Joseph D. W., AO3107433.
Lienemann, Jon H., AO3108570.
Limburg, William R., AO3122186.
Lopez, Manuel, Jr., AO3128638.
Lord, Morton A., AO3119165.
Lowry, Charles P., AO3120818.
Lucas, John R., AO3122402.
Lyons, Thomas W., AO3107974.
McCracken, Robert J., AO3109500.
McGee, David R., Jr., AO3122517.
McKinney, Charles C., AO3122277.
McKinney, Emanuel M., Jr., AO3119004.
McKnight, Frank J., AO3122804.
McManus, Matthew R., AO3107759.
Magary, Donald E., AO3122403.
Mahoney, Joseph P., AO3119255.
Mainord, William R., AO3122773.
Marriott, William R., AO3128331.
Marshall, Willis G., AO3071930.
Martin, Robert K., AO3120844.
Matsumoto, Walter M., AO3107676.
Matteson, George T., AO3128406.
Meister, John D., AO3128641.
Mendenall, Richard A., AO3107808.
Merz, Douglas B., AO3120772.
Mezzo, John M., AO3121052.
Mickley, Charles L., AO3122278.
Milhouse, John C., Jr., AO3122518.
Millar, Charles M., Jr., AO3122240.
Miller, Bob T., AO3108107.
Miller, Fredric L., AO3122262.
Miller, John W., AO3108976.
Miller, Robert J., AO3122656.
Moore, Benjamin L., AO3127929.
Moore, Kenneth W., Jr., AO3122408.
Moore, Timothy G., AO3108458.
Morris, Herman M., Jr., AO3122237.
Moser, Robert W., AO3118715.
Mozingo, Wilbur E., Jr., AO3131667.
Mullins, Roger C., AO3119214.
Murray, Robert K., AO3122281.
Nelson, S. L., AO3120857.
Nicholas, Douglas, AO3108460.
Nicholson, Daniel A., AO3127932.
Nuber, Philip W., AO3119488.
O'Brien, William R., AO3107262.
Odegaard, Donald C., AO3122658.
Olson, Alan E., AO3120862.
Ostrowski, Robert T., AO3131321.
Osuch, Robert, AO3122285.
Otto, Darryl D., AO3119006.
Overstreet, William L., Jr., AO3128495.
Owens, Paul R., AO3122659.
Palmerino, Francis A., AO3128126.
Panka, Emerance M., AL3061197.
Paquette, Maurice J., AO3108361.
Parham, Ronald D., AO3128577.
Pawlick, Joseph F., Jr., AO3128497.
*(See Pfeiffer.)
Pendergast, Thomas N., AO3122292.
Pepperell, Jeffrey K., AO3122746.
Peters, Robert F., AO3109446.
Peterson, Alfonsa, AO3128579.
Petlak, Edward J., Jr., AO3128498.
Pfeiffer, Barbara M., AL3120869.
Pignone, Richard, AO3118337.
Plummer, Thomas H., AO3118902.
Poftak, Frederick J., AO3108813.
Pokorny, William E., AO3128580.
Pontius, Harry E., Jr., AO3122531.
Pooser, Lucius B., AO3120880.
Potts, William D., AO3128273.
Prescott, Paul R., AO3107960.
Procanik, Anthony Jr., AO3122293.
Prows, Lee S., AO3107117.
Pullin, Harry D., Jr., AO3119058.
Pullium, Jerry C., AO3128202.
Rayfield, Lanny R., AO3122297.
Redmon, Hubert L., AO3121598.
Rencurrel, Charles C., AO3122533.
Rene, Richard A., AO3107705.
Renfro, Frank C., AO3122534.
Rhoads, Neal D., AO3128344.
Rigsby, James R., Jr., AO3122535.
Riner, Wiley A., AO3128500.
Ripper, John V., AO3122781.
Rizek, James E., AO3108096.
Roberson, Van B., AO3120890.
Roberts, Clyde H., AO3121599.
Robertson, Dwight P., AO3128036.
Rodieck, Roy H., AO3128583.
Rossi, Ronald R., AO3108436.
Rozeboom, Victor E., AO3122415.
Ryan, Robert V., AO3108659.
Sanchez, Fidel N., AO3108920.
Santamaria, John Jr., AO3128425.
Schneck, Thomas Jr., AO3122308.
Scoles, James M., AO3109375.
Scott, Randall F., AO3122310.
Sebren, William E., III, AO3108601.
Senn, Gene B., AO3118684.
Shanks, Jesse W., Jr., AO3122311.
Sharp, Larry L., AO3122544.
Sharp, Lawrence J., AO3122420.
Shaughnessy, John F., AO3122312.
Shoutta, Jon T., AO3122546.
Sikes, Joseph R., AO3122422.
Simko, Edward J., AO3128134.
Sims, Arthur M., AO3107645.
Sinclair, Edward M., AO3121143.
Smith, Charles H., AO3118992.
Smith, Thomas G., AO3122317.
Souhan, James P., AO3128279.
Sparhawk, John C., Jr., AO3128431.
Staley, Henry A., AO3127951.
Starkey, Robert E., AO3128280.

Starkie, John R., AO3122153.
Steffel, Thomas V., AO3122201.
Stephens, William R., AO3128349.
Stepniewski, Andrew, Z., AO3122664.
Sterner, Gary A., AO3119311.
Storm, Sperry, E., AO3127954.
Sullenberger, Don S., AO3121158.
Summerfield, Clinton D., Jr., AO3128137.
Swim, Stanford M., AO3120528.
Taylor, Terry K., AO3118719.
Teigen, David H., AO3128435.
Temple, David B., AO3084939.
Thames, Harry W., AO3127960.
Thatcher, George E., AO3122155.
Thomas, Albert M., AO3122064.
Thompson, Clyde W., AO3122326.
Thompson, Donald J., AO3122327.
Thomson, Patrick R., AO3122815.
Timmons, Joseph A., Jr., AO3118745.
Tinius, Jack L., AO3122816.
Tobin, Maurice V., AO3118762.
Towslee, Donald L., AO3127962.
Toy, Gary J., AO3108099.
Trachta, Melton E., AO3128674.
Trickett, Philip E., AO3122246.
Trimarchi, Victor G., AO3121166.
Triplett, Eugene B., AO3122202.
Tsuhara, Freddie M., AO3107373.
Tull, James R., AO3121167.
Turk, Walter F., AO3121168.
Turner, James R., AO3122765.
Turner, Mary N., AL3121169.
Tyburski, James L., AO3109310.
Valerio, Arnold A., AO3121170.
Vasquez, Louis R., AO3121173.
Vega, Robert E., AD3109468.
Voorheis, Wilber J., AO3121177.
Warner, James A., AO3116722.
Watkins, William L., AO3122332.
Weber, David C., AO3107375.
Webster, James C., AO3122208.
Wenzel, Edwin H., AO3121184.
West, Dempsey B., AO3108774.
Westbrook, Bruce M., AO3128515.
White, Gerrald G., AO3122212.
White, Phillip L., AO3128358.
Whitney, Warren S., AO3127966.
Willson, Thomas L., AO3118444.
Wise, Robert M., AO3122668.
Wittnebel, Robert F., Jr., AO3118765.
Wong, Ronald G. K., AO3120103.
Ybarbo, Charles B., AO3122564.
Yoder, Phillip D., AO3109187.
Young, Billie N., AO3121197.
Young, Robert H., AO3107778.
Younkin, Gary D., AO3121198.
Zaring, Robert K., AO3122565.
Ziebold, Ronald J., AO3107827.
Zimmerman, John F., AO3128362.

The following distinguished military graduates of Air Force precommission schools for appointment in the Regular Air Force in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be second lieutenants

Abt, Peter F., AO3150908.
Adair, Duckett M., AO3161860.
Adams, Thomas H., AO3162494.
Alesch, Peter H., AO3149396.
Allen, James S., AO3159548.
Almaguer, Mario, Jr., AO3149706.
Anders, William H., AO3161594.
Anderson, Carson E., AO3157816.
Anderson, Donald M., AO3149593.
Anderson, James B., AO3160547.
Anderson, Norman E., Jr., AO3159352.
Anderson, Richard L., AO3149464.
Anderson, Robert D., AO3161464.
Anderson, Wayne R., AO3150172.
Andrews, Adolphus, AO3158030.
Angle, Martin E., AO3150954.
Anker, Peter B., AO3163223.
Asay, James R., AO3150268.
Atkinson, Larry B., AO3162770.
Baham, Wayne C., AO3156771.
Bailey, John M., AO3163680.
Baker, William C., AO3150351.
Bankard, Benet E., AO3161599.
Banks, Gary N., AO3163055.
Barkley, William H., AO3150152.
Barnett, Miles T., Jr., AO3159234.
Barnhart, John H., AO3160997.
Barrios, Florencio P., Jr., AO3150313.
Bateman, Paul M., AO3149118.
Beadle, Leonard C., III, AO3150302.
Beaver, Keith B., AO3163681.
Beddingfield, Frederick C., AO3149663.
Beecher, John C., Jr., AO3149607.
Behne, Carl T., AO3159617.
Belardo, Dominick S., Jr., AO3160183.
Bell, Richard T., AO3149945.
Benchoff, Rodney C., AO3159374.
Bencic, Matthew K., AO3149400.
Benson, Ross E., AO3149166.
Bergeron, George E., AO3149806.
Berry, Leonard E., AO3163597.
Bevens, Stanley W., AO3161431.
Birdwell, Michael D., AO3157618.
Blackledge, Ronald G., AO3151142.
Blair, William L., AO3150127.
Blanchard, Paul D., AO3149819.
Bock, Peter A., AO3149965.
Bohn, Bruce J., AO 3161867.
Bolen, Paul S., AO3163684.
Boyle, James, AO3160255.
Bradfield, William R., AO3158597.
Brandon, Eric H., AO3157570.
Brekke, Ronald H., AO3150452.
Brewer, Peter A., AO3157619.
Brian, Elton L., AO3149992.
Brice, Richard L., AO3149287.
Bridston, Ronald K., AO3150343.
Brigman, James L., AO3150007.
Brimacombe, James R., AO3163685.
Brookhart, Morris V., AO3163638.
Brooks, Neil R., AO3149354.
Brookshear, Robert D., AO3162677.
Brown, Alan E., AO3150262.
Brown, Earl C., AO3160874.
Brown, Richard S., AO3163686.
Brown, Robert D., AO3149969.
Bryan, Dale F., AO3157620.
Buchfinck, Lloyd L., Jr., AO3160065.
Buckingham, Fredric N., AO3158662.
Budd, Phillip R., AO3158509.
Buhl, Paul C., AO3150263.
Burch, James O., AO3162678.
Burkard, Dick J., AO3149577.
Burke, James P., AO3158347.
Burkhartsmeier, Patrick G., AO3161481.
Busch, Jon T., AO3161048.
Caffrey, Dennis F., AO3149713.
Cameron, Charles R., AO3150227.
Cameron, John R., AO3163326.
Cannon, Wilbert W., AO3157431.
Cantrill, Jesse T., AO3149202.
Capitano, John S., Jr., AO3149255.
Carlson, David C., AO3149487.
Carr, John W., AO3160777.
Carr, Roger A., AO3158900.
Carroll, John E., AO3160332.
Carter, Allison B., Jr., AO3163639.
Cartier, Francis R., AO3160127.
Carver, Charles F., III, AO3162679.
Cary, Lawrence E., AO3160067.
Casey, Francis J., AO3163690.
Casker, Thomas W., AO3150017.
Castle, Francis M., AO3150310.
Caswell, William M., AO3161962.
Celec, Frederick S., AO3161050.
Cerulli, James W., Jr., AO3160258.
Chaddick, Gary W., AO3162507.
Chaplin, Robert M., AO3150292.
Chopin, Rene A., Jr., AO3159299.
Christner, Craig D., AO3161753.
Christopher, Henry C., Jr., AO3165599.
Cienkus, David, AO3150296.
Cirilis, Eugene, AO3149620.
Cisler, Jan E., AO3158901.
Clark, Larry D., AO3149743.
Clarke, Ronald W., AO3149430.
Clayton, Arthur A., Jr., AO3162511.
Cocolis, Peter K., AO3159554.
Coffey, Emil L., AO3149905.
Colangelo, Peter A., AO3160575.
Cole, Alan M., AO3163693.
Coleman, Jack B., AO3149423.
Coleman, William G., AO3157821.
Collins, James G., AO3149271.
Comstock, Gardner V., AO3150028.
Condon, Stephen P., AO3161351.
Conners, Richard A., Jr., AO3161754.
Connor, Victor J., Jr., AO3150134.
Cook, David J., AO3150321.
Cooprider, Charles E., AO3161141.
Copeland, Jackie L., AO3131111.
Cornsweet, Tobey M., AO3157778.
Cowan, Willie D., AO3162157.
Cox, Lawrence O., AO3155991.
Craddock, Dabney S., III, AO3160782.
Craig, Robert E., AO3159556.
Crawford, Murray O., Jr., AO3160262.
Crecca, Joseph Jr., AO3150161.
Creighton, Allan S., AO3159540.
Crichlow, Walter W., AO3149919.
Cross, Granville J., AO3163600.
Crouch, Robert F., AO3149488.
Curran, Michael T., AO3151117.
Dahlen, Ronald E., AO3159740.
Dalrymple, Gerry R., AO3163696.
Darcy, Vincent J., AO3160594.
Davis, Charles F., Jr., AO3159987.
Davis, John M., AO3150258.
Dawdy, James R., AO3159988.
Deborde, George E., III, AO3163601.
Decker, Donald D., AO3158705.
Deken, David R., AO3150498.
Deliz, Manuel A., AO3161882.
Demarest, Robert E., AO3149823.
Denny, Venard T., AO3150052.
Desiderio, John R., AO3159395.
Dewitt, Ross A., AO3161003.
Dias, William A., AO3157622.
Dickerson, Charles D., AO3149668.
Dickherber, Donald J., AO3149309.
Diekman, Jack L., AO3159040.
Dinsmore, Richard C., AO3157824.
Dittmar, Martin J., AO3149410.
Dohrenwend, John C., AO3160551.
Donovan, Gerald, AO3149684.
Dowding, Fielder G., AO3150250.
Downie, Paul D., AO3160107.
Downing, Dennis I., AO3150167.
Drapeau, David G., AO3157969.
Drew, Charles W., AO3149154.
Drew, Dennis M., AO3161517.
Drewes, Robert W., AO3159354.
Drummond, Charles W., AO3150045.
Duchnowski, Edward M., AO3161616.
Dunker, Kirk T., AO3150335.
Dupree, Gerald M., AO3149831.
Dupree, James L., AO3150190.
Durham, John M., AO3163645.
Dursteler, Larry R., AO3149342.
Dusard, Leo F., III, AO3150141.
Eckert, Henry B., Jr., AO3163646.
Edmonston, Robert R., AO3158011.
Ekman, Willard J., AO3149729.
Elliott, Robert E., AO3149534.
Elwell, Bruce C., AO3150121.
Emmerich, Frank R., AO3149205.
England, Robert E., AO3134023.
Ethridge, Terence H., AO3156991.
Evans, David C., AO3150099.
Farmer, George W., Jr., AO3158041.
Farmer, James A., AO3149179.
Fenton, Jay L., AO3160193.
Fields, Ronald W., AO3149653.
Filips, James H., AO3149426.
Finta, Alexander S., AO3163620.
Fischer, Jack L., AO3149171.
Fisher, William J., AO3159897.
Fitzgerald, Joseph M., AO3159403.
Fleming, Richard A., AO3158609.
Forster, Peter C., AO3162251.
Fowler, John F., AO3160477.
Franklin, John F., III, AO3159405.
Franz, Robert P., AO3149280.
French, Charles D., AO3165618.
Frey, Oliver L., AO3157730.
Gaffney, James R., AO3149694.
Gale, George E., AO3160135.
Garfield, Lawrence, AO3163648.
George, David W., II, AO3149503.
George, John J., AO3163703.
Gerber, James D., AO3161763.
Gester, Walter A., AO3150178.
Gibbons, Patrick T., AO3149553.
Gideons, Edgar A., Jr., AO3149860.
Gollucci, Felix, J., Jr., AO3159515.

Gonos, Andrew J., AO3160280.
Good, John D., III, AO3161892.
Gordon, Charles E., AO3150096.
Gordon, Norman R., AO3154526.
Gorrell, James H., Jr., AO3162917.
Gounaud, Roger L., Jr., AO3160281.
Gourley, Kenneth H., AO3163650.
Grandstaff, Peter J., AO3160530.
Gray, Robert G., AO3149754.
Gray, Steven D., AO3161469.
Gregory, Russell L., AO3163705.
Griebner, Douglas C., AO3161560.
Grimsley, Roger L., AO3161064.
Groff, William A., AO3157971.
Grohe, Russell L., AO3160172.
Gutheinz, Lee M., AO3161115.
Haberbusch, Alan E., AO3161622.
Hagemann, Kenneth L., Sr., AO3157831.
Haight, Robert R., AO3160668.
Haliasz, Henry E., Jr., AO3162263.
Hall, Robert L., AO3161895.
Hallett, Jeffrey J., AO3149830.
Hamby, Billy C., AO3149460.
Hammond, David R., AO3160670.
Hamner, John E., AO3162986.
Hamrick, Richard A., AO3149472.
Hanson, Kenneth R., AO3161067.
Hardin, Norman M., AO3163602.
Harrington, James H., AO3161627.
Harris, Carl D., AO3161625.
Harris, Richard A., AO3149139.
Hart, Thomas P., AO3149398.
Hartog, Rudolph H., AO3133809.
Hayes, John P., Jr., AO3149853.
Haynes, Alf H., Jr., AO3150259.
Healy, Donald M., AO3163603.
Heimbach, Paul J., AO3163711.
Heimbecker, Murray A., AO3163652.
Heimel, Roy F., II, AO3149723.
Hennessey, John B., AO3161805.
Henricks, Ralph K., AO3163712.
Herdandez, Humberto R., AO3157498.
Herron, Kerry G., AO3159213.
Hester, Clarence E., AO3168807.
Heubusch, Charles J., AO3160671.
Hicks, Kenneth P., AO3157329.
Hill, James S., AO3163714.
Hiter, Richard A., AO3149753.
Hodgson, William M., AO3158460.
Hoffman, Allan G., AO3149283.
Hoffman, James C., AO3161561.
Hoffman, John M., AO3159214.
Hole, Douglas R., AO3150089.
Hollingshead, Craig A., AO3163715.
Holloway, Kenneth A., AO3162691.
Holmes, James F., AO3157331.
Holmes, Ronald E., AO3161903.
Hoogerhyde, Jeffry P., AO3149418.
Hoppin, Christopher J., AO3159495.
Horwege, Kenneth L., AO3159112.
Hosier, James W., III, AO3150221.
Houdek, James D., AO3160109.
House, Weston, C., AO3149625.
Howard, John F., Jr., AO3133871.
Huber, William G., AO3160205.
Hudson, Ronald W., AO3163717.
Huett, Carl L., AO3158715.
Hughes, Ernest C., AO3163653.
Hunkapiller, William M., AO3157230.
Hunter, John A., AO3160136.
Hussy, John C., AO3157947.
Hutchens, Gary C., AO3150267.
Hutchins, George S., AO3149916.
Hyer, Ralph V., AO3163718.
Ing, Gordon K. T., AO3158429.
Jackson, Durward P., AO3168852.
Jackson, Walter T., Jr., AO3163654.
James, Rodney R., AO3161988.
Janney, Michael T., AO3158114.
Jenkins, Bryce A., AO3162844.
Jenny, David W., AO3161909.
Johanek, John A., II, AO3149245.
Johnson, Arthur E., AO3158798.
Johnson, James A., Jr., AO3149634.
Johnson, John G., AO3168854.
Johnson, Sharon B., AL3149954.
Johnson, William A., AO3150595.
Jolly, James A., AO3163720.
Jordan, Nicholas P., AO3149300.
Jordan, Samuel P., Jr., AO3162989.
Juister, Milton H., Jr., AO3160431.
Jung, Robert H., AO3158619.
Juve, Gene L., AO3161521.
Karr, Juul J., AO3149272.
Kase. Robert S., AO3149320.
Kashiwahara, Ken, AO3149564.
Keckonen, Jon C., AO3163213.
Keegan, Robert Y., Jr., AO3155820.
Keeling, Russell L., AO3162281.
Kender, David M., AO3161012.
Keplar, Clifton L., Jr., AO3149438.
Kerr, Michael S., AO3150136.
Key, Kenneth, AO3149458.
Kiernan, James P., AO3149746.
Kilgore, William P., Jr., AO3163723.
King, Bernard R., AO3161853.
King, John W., AO3157976.
Kingsbury, Robert H., AO3160646.
Kingsley, Kenneth K., AO3159057.
Kinkaid, Jo H., AO3149476.
Kinney, Theodore R., Jr., AO3161446.
Kinsley, William C., AO3149282.
Kintz, John P., AO3158765.
Kishiyama, Arthur Y., AO3149724
Kittler, Dittmar, AO3157924.
Kleid, Steven, AO3150266.
Klein, Edward A., AO3163100.
Klohn, Robert C., AO3149517.
Kloske, Emil F., AO3161727.
Knezel, Jeffrey D., AO3163177.
Koger, John C., AO3159115.
Kolosek, Ronald C., AO3160215.
Korbell, John C., AO3162285.
Korman, Charles R., AO3163605.
Lackey, Curtis S., AO3157182.
Lafontaine, Donald L., AO3149930.
Lamarca, Joseph A., AO3159264.
Land, Roland J., AO3158721.
Langham, Jerome C., AO3163606.
Lansdale, Edward R., AO3157471.
Lauducci, James R., AO3149826.
Lausten, John P., AO3159497.
Lawrence, Richard E., AO3163624.
Ledbetter, Larry L., AO3157338.
Lee, Johnny O., Jr., AO3159308.
Leonard, Wilson L., AO3149660.
Lewis, Roger W., AO3149855.
Lieberman, Carl R., AO3160943.
Lindenfelser, James J., AO3160294.
Linville, George D., AO3158384.
Lloyd, Peter F., AO3149209.
Logan, Paul A., AO3157674.
Long, Jon C., AO3163103.
Long, Lewis W., AO3157789.
Lorusso, Paul M., AO3163729.
Loya, George, Jr., AO3150102.
Luper, Connard A., AO3161308.
Lybarger, William A., Jr., AO3163625.
Lynd, William W., AO3150105.
McAlear, Thomas A., AO3161921.
McAuliffe, Michael J., AO3149243.
McBride, William B., AO3161078.
McCaffrey, Edward T., AO3157983.
McCarron, Donald E., AO3149742.
McCormick, Clyde R., II, AO3150245.
McDonald, William C., AO3134048.
McDonough, James K., AO3160298.
McGrail, Robert M., AO3159502.
McGrew, Patrick W., AO3149403.
McKay, Eli J., AO3161120.
McKean, James M., AO3163660.
McLoughlin, John P., AO3163734.
Maher, John W., AO3159499.
Malandra, Jose J., Jr., AO3149301.
Malley, John C., AO3163607.
Mangum, Dennis R., AO3161996.
Manley, John G., AO3162993.
Marcum, Gerald L., AO3163608.
Markle, Roy, AO3163731.
Marshall, David W., AO3161015.
Martin, Roger A., AO3157675.
Martin, Wilco A., AO3160829.
Martinez, Donald E., AO3163732.
Masztak, Chester W., Jr., AO3149913.
Mathews, Kent W., AO3160144.
Mathews, Melvin D., AO3150090.
Mathis, Harry M., AO3149450.
Matter, Terrence K., AO3159915.
Matthew, George D., AO3155315.
Matthews, Braxton R., AO3160743.
Matthews, Gerald, AO3163733.
Matulis, Raymond G., II, AO3158020.
Maurice, James H., AO3163610.
Mehaffey, William J., AO3161776.
Mehew, Edwin W., Jr., AO3155968.
Mehnert, Allen E., II, AO3149681.
Mellott, Jerre K., AO3163735.
Merena, Robert S., AO3149632.
Metcalfe, George T., AO3161384.
Metzger, William P., AO3161018.
Meyer, Roger D., AO3149425.
Meyer, Thomas W., AO3163235.
Middlebrook, Bill J., AO3163736.
Miner, James S., AO3151105.
Monnett, James F., AO3163738.
Montana, Joseph J., Jr., AO3159647.
Moody, Ira A., AO3149997.
Moore, Charles C., AO3161171.
Moore, Herff L., Jr., AO3163760.
Moore, John W., AO3163740.
Morehouse, Daniel O., AO3149929.
Morgan, Donald H., AO3157852.
Morgan, Guy A., AO3163661.
Morris, John K., AO3159067.
Morris, William M., AO3163742.
Morrison, Thomas A., AO3163743.
Morrow, Jack F., AO3157343.
Muerle, Donald F., AO3157853.
Murata, Stephen K., AO3133439.
Murphy, John S., Jr., AO3162593.
Murray, Edward H., AO3163792.
Muser, Dennis J., AO3163745.
Musgrave, Leon, Jr., AO3157249.
Myers, Porter C., Jr., AO3150597.
Narbut, Joseph, Jr., AO3163746.
Neal, Arlie W., AO3149149.
Neill, Norman S., AO3163747.
Nelson, Jacob M., III, AO3160052.
Nelson, Vernon A., AO3151051.
Nerad, Michael, AO3149364.
Neri, Michael S., AO3149795.
Newman, Charles C., AO3159440.
Nichter, James W., AO3165612.
Nicks, Paul H., AO3157445.
Niehaus, Thomas A., AO3163613.
Nielsen, Willard D., AO3161448.
Niles, Peter J., AO3163748.
Noble, Michael A., AO3159441.
Noe, David M., AO3163749.
Nofsinger, Robert E., Jr., AO3160053.
Norman, James C., AO3162760.
Novak, Walter E., AO3159813.
O'Brien, Thomas E., Jr., AO3149435.
Ohland, Bruce W., AO3159747.
O'Leary, Denis J., AO3163750.
Ombrello, Robert J., AO3163751.
Ormond, William R., AO3159166.
Orton, Steven L., AO3163312.
O'Shaughnessy, Brendan J., AO3149478.
Ott, Mark T., AO3159278.
Padgett, Robert H., AO3163627.
Parker, Robert K., AO3161733.
Patterson, Kenneth O., Jr., AO3149674.
Payne, John E., AO3150319.
Pedersen, Jimmie L., AO3149308.
Peebles, David L., AO3149721.
Perras, Henry A., AO3149369.
Perrizo, Jerry J., AO3157608.
Pickens, Lindsay L., AO3150938.
Pignone, Peter A., Jr., AO3154745.
Pipkins, Daniel W., AO3159838.
Pool, William G., AO3151121.
Pothier, Harvey G., AO3154563.
Pothier, John L., AO3161264.
Potter, Paul D., AO3165614.
Potter, Richard M., Jr., AO3163753.
Pratt, Harry D. A., AO3157952.
Pratt, Robert J., AO3160233.
Puchalski, Donald J., AO3158556.
Pusey, John R., AO3162822.
Rabens, Robert A., AO3163754.
Ransom, Leland B., II., AO3160234.
Rawlings, John F., AO3161021.
Reilly, John E., AO3162880.
Reinarts, Ronald W., AO3151054.
Renfro, Guy E., Jr., AO3163755.
Reynolds, David M., AO3150016.
Rezabek, Leonard J., AO3161125.
Richey, Robert C., AO3149633.
Riley, James M., AO3160682.
Rinebarger, Teddy E., AO3149465.
Rivero, Juan, AO3149695.
Roberts, John E., AO3161453.
Roberts, Ronald C., AO3149219.

Robinson, Robert W., AO3160155.
Rodgers, Alford L., AO3158559.
Roels, Timothy J., AO3159017.
Rogers, David M., AO3158099.
Rohleder, William J.. AO3163759.
Rollins, Roosevelt, AO3160883.
Rose, Phillip E., AO3163761.
Ross, James M., AO3160236.
Rothrock, John E., Jr., AO3160652.
Roy, Raoul, F. W., AO3149998.
Rudeen, Karl H., AO3161667.
Rudolph Vernon L., AO3149822.
Rumbaugh, Gary E., AO3163762.
Russo, Richard A., AO3161185.
Salewski, Robert J., AO3150561.
Sandmore, Peter C., AO3163764.
Savage, Richard C., AO3163628.
Scalise, Thomas E., AO3149785.
Scanlon, William A., AO3163278.
Schad, Joseph G., AO3149889.
Schau, George E., AO3163766.
Schauffele, Carl N., AO3149408.
Schneider, Donald K., AO3149680.
Schnobrich, Daniel S., AO3150030.
Schoot, Cedric E.. AO3150600.
Schultz, Kenneth E.. AO3158742.
Schumacher, Ronald W., AO3161507.
Scott, Rodney G., AO3163770.
Seager. Edward M., AO3162996.
Seebacher, John A., AO3165615.
Seger, Francis M., Jr., AO3149177.
Seibel, Gerald W., AO3163629.
Shaw, Bartow S., Jr., AO3156410.
Shaw, John E., AO3162171.
Shearer, Richard L., Jr., AO3150039.
Sheldon, Earnest L., AO3149499.
Short, Donald J., AO3159366.
Siegel, Richard L., AO3149800.
Siegelin, Gerald W., AO3162329.
Simondi, Thomas E., AO3157480.
Siravo, Robert A., AO3161027.
Skypeck, Thomas J., AO3159569.
Slagle, Paul R., AO3156667.
Slocumb, Tyler H., Jr., AO3160382.
Smith, Cammie D., III, AO3159345.
Smith, Jack K., AO3162665.
Smith, Jerry R., AO3154479.
Smith, Larry L., AO3155982.
Smith, Manning D., AO3162331.
Smith, Mark H., AO3151143.
Smith, Raymond H., AO9163775.
Smith, Rodger D., AO3163776.
Smyk, Alexander E., AO3160441.
Sockrider, John P., AO3149274.
Sopko, John, AO3160321.
Souder, Larry C., AO3150603.
Southerland, Gerald L., AO3162013.
Spinola, Salvatore J., Jr., AO3149828.
Spreen, Darrell E., AO3157254.
Spuck, Carlton D., AO3163619.
Stacy, Gerald T., AO3160571.
Stafford, Charles B., AO3163582.
Stafford, Fred P., AO3149782.
Stockton, Donald W., AO3163778.
Stokes, David L., AO3150026.
Strain, Stephen R., AO3161030.
Sullivan, Richard G., AO3162339.
Surloff, Stanley C., AO3158283.
Sutton, Larry E., AO3159879.
Sutton, Raymond V., AO3161511.
Swift, Jon N., AO3160689.
Syms, George A., AO3149766.
Tafuri, Nicholas, AO3160322.
Takakuwa, William A., AO3161128.
Terry, Charles R., AO3149333.
Testa, Arnold M., AO3134184.
Thoma, John L., AO3150932.
Thomas, Joseph L., AO3163780.
Thomas, Robert E., AO3160847.
Thomas, Stephen D., AO3149985.
Thompson, Charles G., AO3151139.
Thompson, Gerald L., AO3149943.
Tokich, Mark M., AO3149386.
Trainor, Daniel W., AO3161547.
Trautsch, Rolf A., AO3168899.
Trombly, Dennis J., AO3163781.
Tucker, Larry M., AO3157869.
Van Bruaen, David L., AO3158654.
Vance, Cyrus B., II, AO3161427.
Vansickel, Jerry D., AO3150897.
Vermilyea, Barry L., AO3163251.
Visnovsky, Richard, AO3149650.
Vopalensky, Robert A., AO3161514.
Waddle, Robert H., AO3149904.
Walk, Wayne D., AO3163784.
Walker, Davis, AO3160163.
Walsh, Richard K., AO3149643.
Walter, Richard W., Jr., AO3160517.
Walterscheid, Richard L., AO3163785.
Wanner, Thomas D., AO3163786.
Webster, William N., AO3163670.
Welliver, George H., Jr., AO3163616.
Wenker, Kenneth H., AO3149180.
Wetterstroem, Albert, III, AO3133758.
Wilen, John G., AO3159101.
Williams, Jonathan F., AO3165617.
Williamson, Charles A., AO3161036.
Wilson, Charles H., AO3158642.
Wilson, Charles L., AO3149744.
Wilson, William E., AO3150972.
Wiltsie, Theodore E., AO3149474.
Wisdon, William A., Jr., AO3149225.
Wistrom, William W., AO3158000.
Wolfe, Dale E., AO3163790.
Wood, Donald J., AO3149137.
Wrede, Harry, Jr., AO3151055.
Wright, Gerald W., AO3161336.
Wuestman, Joseph W., AO3161955.
Yager, Charles A., AO3161515.
Youngblood, John S., AO3157644.
Zazworsky, Raymond M., AO3160249.
Zbyszynski, Henry M., AO3159572.
Ziccardi, Vincent A., AO3150013.

The following distinguished military graduates for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, to perform medical service duties under section 8067, title 10, United States Code:

Collins, David H., AO3163694.
Curtis, Harry G., AO3163695.
Frazier, Alvin R., AO3163701.
Pettit, Robert A., AO3160311.
White, Clement H., AO3158257.
Zizzi, Martin E., AO3161337.

Subject to medical qualifications and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Atkinson, David E.
Connor, Earl W.
Dudley, William F.
Findley, Wilfred J.
Goodrich, William R.
Houghton, Robert W.
King, Ronald B.
Rivera, Angelo NMI.
Starr, Richard F.
Van Dongen, William
Wieland, David E.

CONFIRMATION

Executive nomination confirmed by the Senate February 17, 1965:

POST OFFICE DEPARTMENT

John A. Gronouski, of Wisconsin, to be Postmaster General.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 17, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., quoted these words from Ephesians 6: 14: *Stand therefore, having your loins girt about with truth, and having on the breastplate of righteousness.*

Let us pray:

Almighty God, we thank Thee for this new day affording us many opportunities for the culture of our souls and for valiant efforts in noble service.

We penitently confess that we are frequently baffled by the mysteries and dilemmas of life, its strifes and struggles, its tragedies and tribulations.

Grant that, as we encounter stern demands and difficulties, there may come to us a new nativity of faith which will keep us strong and steadfast.

Help us to understand that if our country is to prove itself invulnerable and invincible then we must not only mobilize our mightiest material weapons and physical forces, but above all, those spiritual resources which Thou hast placed at our disposal.

Hear us in the name of the Captain of our Salvation. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RELATIONSHIP BETWEEN WEST GERMANY AND EGYPT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, in its soulless surrender to Nasser's blackmail, West Germany jeopardized the people in the Middle East, alienated the rest of the world, and filled its own air with the sound of Nasser's jeers. It was a callous and cowardly promise Bonn gave to Nasser to suspend shipment of arms to Israel aware, as Bonn must be, of the precarious situation in which Israel finds itself surrounded by hostile nations which secure arms from the Soviet Union without measure. Despite this concession to Egypt, Bonn's humiliation is well nigh complete, for Walter Ulbricht will visit Cairo on February 24, 1965, thus lending prestige to East Germany, aid and comfort to the Soviet Union, and dismay to the democratic State of Israel.

Those of us who voted to give the President flexibility in handling foreign affairs, by reversing our earlier vote to bar aid to Egypt, fully trust that the President will take note of the kind of bargaining Egypt indulges in. Let Egypt take note that the United States does not frighten easily and if Nasser wishes to rush headlong into the arms of the Soviet Union, well, so be it. The West need not tremble like sweet Alice before Nasser's frown.

Bonn having so cravenly retreated can now show the courage it should have shown in the first instance. She can make good her contract with Israel. For let it be remembered that the score against West Germany, in its relationships with Israel, is mounting up.

I am convinced that President Johnson will have no hesitancy in showing the strength and the power of the United States when it comes to dealing with Egypt's dictator and with the same kind of firmness he is showing in Vietnam.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **RYAN**. Mr. Speaker, I commend my distinguished colleague, the gentleman from New York [Mr. CELLER] for bringing to the attention of the House further evidence of the intention of the dictator of the United Arab Republic to destroy the democracy of Israel.

Nasser has employed West German scientists to develop his missile capacity. Once Israel is threatened by Egypt's missiles, the power balance in the Middle East will be upset, increasing the possibility of war. Therefore, the United States has a very direct interest in stability in the Middle East.

In 1960 West Germany agreed to provide $80 million worth of arms to Israel. Approximately 80 percent of the deliveries have been made. Now under pressure and threats from Nasser, West Germany has canceled the agreement with Israel.

Mr. Speaker, as disturbing as it is to witness the capitulation of this country to the brandishments of a dictator, the fact is that no amount of armaments will bring ultimate security to the troubled area. Israel needs these arms because of the threat of her security. However, if, and when, the Nasser-inspired arms race results in introducing nuclear weapons into the Middle East, there will be no security of the area.

Israel has repeatedly stated her willingness to discuss disarmament with Egypt. Of course, Nasser has refused. The United States must use its influence to bring about such negotiations. For years the State Department has talked about the levers it is supposed to have in the Middle East. It is time to bring about face-to-face negotiations and a commonsense agreement on disarmament in that dangerous area of the world before it is too late.

Mr. **PUCINSKI**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **PUCINSKI**. Mr. Speaker, I rise to support the eloquent statement made by the dean of this House, the gentleman from New York [Mr. CELLER].

Certainly we here in the Congress of the United States, and the American people as well, have a right to view with deep concern the apparent capitulation of the West German Government to the blackmail of Egypt's dictator, Gamal Abdel Nasser.

It would be my hope that those in the highest position of government in West Germany would reconsider their decision and indeed stand fast on their determination to continue their relations with the State of Israel regardless of any threats of retribution from the Egyptian dictator.

This is indeed a troubled world and I do not believe that those nations which support the doctrine of human dignity should permit themselves to be literally blackmailed by dictators like Nasser who have long ago snuffed out whatever glimmer of hope for peace in the Middle East might have existed.

I voted against sending any further American aid to Nasser because I do not believe that our country should dignify his arrogance by sending him our surplus commodities, particularly after his scornful statements to the world concerning his lack of interest in those commodities.

It would be my hope that the West German Government would also recognize the fact that for free people to capitulate to dictators like Nasser is for free people to forfeit their right to human dignity.

The world already suffers from an excess of dictators like Nasser. The West Germans need not fear his threats or his blackmail. By capitulating to his demands, the West German Government accepts his right to make such outrageous threats in defiance of all the laws of statesmanship and diplomacy.

Men of honor have always stood united against the oppression and tyranny preached by the Nassers of history. It is my hope the West German Government will repudiate this threat to their honor and dignity.

GERMANY VERSUS ISRAEL

Mrs. **KELLY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. **KELLY**. Mr. Speaker, I am taking the floor today to associate myself with the remarks of a number of my colleagues, including the previous speaker, the gentleman from New York, Congressman CELLER, expressing concern about the problem which has apparently arisen in the relations between West Germany and Israel.

I am not familiar with the exact provisions of the agreement which was reportedly entered into between those two countries. Neither do I know the extent to which this agreement has already been fulfilled. I am aware, however, that West Germany has provided substantial assistance to Israel to help that nation meet its security requirements.

It would seem to me that whatever agreement is involved in the instance at hand, both countries should endeavor to live up to its terms. Certainly within the community of responsible, free nations, every effort should be made to follow the Golden Rule and to keep relations on a friendly, peaceful, and mutually beneficial basis.

As chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I am deeply concerned about any and all developments which tend to impair relations within the community of free nations. I believe that solidarity and mutual respect are the necessary elements of positive cooperation between all of us in the interest of world peace and security. I would be loath to see Communist efforts to divide us bear fruit.

For these reasons, I earnestly hope that the disagreement which has apparently arisen in the relations between West Germany and Israel may be resolved at the earliest possible date.

THE WEST GERMAN CANCELLATION OF ARMS SHIPMENTS TO ISRAEL

Mr. **JOELSON**. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD at this point.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **JOELSON**. Mr. Speaker, the sad simple fact is that the Bonn government has welshed on its honorable agreement to sell arms and equipment to Israel. In violation of the ordinary tenets of fair dealing, West Germany has run out on its solemn obligation upon which the Government of Israel had every right to rely. It has trembled before Abdel Nasser, the Hitler of the Nile. In so doing it has reaped a harvest of shame.

ISRAEL

Mr. **O'HARA** of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **O'HARA** of Illinois. Mr. Speaker, I said once that I had enlisted in the war for Israel for the duration, and by that I meant that the ideals for which Israel stands are so much the ideals for which the United States stands that anything of peril to the state of Israel was of legitimate concern to me as a Member of the Congress of the United States.

I join now in the remarks today of the distinguished gentleman from New York [Mr. CELLER] and the remarks yesterday of another distinguished statesman from New York [Mr. FARBSTEIN] and of others who are stunned by the changed position of West Germany toward Israel.

Mr. Speaker, I am confident that in what I am saying now I am supported by my constituents in the Second District of Illinois.

ARMS TRANSACTION INVOLVING WEST GERMANY, ISRAEL, AND EGYPT

Mr. **KREBS**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **KREBS**. Mr. Speaker, Members of the House of Representatives have a solemn obligation to speak out for their constituency even when knowing critics urge Members to forgo involvement in matters of foreign affairs. Today, I speak out for my constituency on the arms transaction involving three states friendly to our country—West Germany, Israel, and Egypt.

While, strictly speaking, the Egyptian state is in friendly diplomatic relations with our great country, we in Congress should not lose sight of the frequency with which that state's spokesman has of late tested the tolerance of our country's friendship.

Our Government should not permit the latest Egyptian provocations against Israel to go uncriticized. The truth, of course, is that in bowing to Nasser's demands on the arms shipment transaction, Germany was exercising its own sovereignty. But let us not blind ourselves to the stated objective of the Middle East antagonist—the Egyptian goal by their own admission is the elimination of Israel as a de jure and de facto state. As a world leader, our country must of necessity tell Nasser in no uncertain terms that we will not tolerate provocative acts calculated to weaken and destroy the well-being of Israel, no more than we will tolerate blackmail of our American concerns choosing to do business with American allies.

WEST GERMAN CAPITULATION TO NASSER

Mr. DYAL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DYAL. Mr. Speaker, I rise to join my distinguished colleague and Member from New York [Mr. CELLER] to support the comments which he has made on West Germany's capitulation to Nasser's blackmail.

The House last week supported the principle of our Government maintaining its commitments and acting in good faith. Today I encourage West Germany to keep the commitment which she made in her arms agreement with Israel. Certainly, the amount of that agreement was small, but the principle is one which affects all of the nations of the free world.

In my visit to the Near East I recognized that Israel is a bastion of democracy in that area.

I share the concern of many that West Germany is bowing to an Egyptian dictator who has promised to destroy the Nation of Israel.

WEST GERMANY-ISRAEL RELATIONS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, I should like to associate myself with the remarks of my colleague, the gentleman from New York [Mr. CELLER], and other Members who have spoken today about the change in the position of West Germany toward Israel.

We have always felt quite friendly toward the new West German Government, toward Israel, and toward other democracies. I wish to support every effort of our Government to help these democracies.

Today, we are disappointed by the actions of the Bonn government, giving in to threats by Nasser. I am hoping that some of the diplomats will work to improve this situation, so that the West German Government and Israel Government will maintain the friendship they have had in the past.

WEST GERMAN HUMILIATION

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I am deeply grieved at the humiliation which the West German Government has undergone recently. I have many friends in the West German Parliament, and I feel certain that they must be humiliated not only by having Mr. Nasser dictate their foreign policy but also by having him announce from Cairo exactly what it will be.

I believe it is too bad for West Germany that this situation exists. I might throw out a precautionary note. Perhaps we ought to be a little careful here that we do not allow him to get too much of a foothold in dictating our foreign policy.

NASSER'S BLACKMAIL OF WEST GERMANY

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, it is unfortunate that West Germany has bowed to pressure from President Nasser of Egypt and canceled armed shipments to Israel. In taking this action, Bonn has surrendered to Nasser's blackmail at the expense of Israel's security.

West Germany's surrender to Nasser's blackmail threat to recognize East Germany if Bonn did not halt aid to Israel, can be interpreted as another victory for Nasser and the Soviet Union. Pressured and influenced by the Soviet, Nasser has long demanded an end to West Germany's arms shipments to Israel. He was not successful until he seized on the bold idea of inviting East Germany's President Ulbricht to Egypt for a state visit—a gamble for Nasser since his country desperately needs new loans from the West. Nasser stood to lose more than the West, and yet he won.

Mr. Speaker, last week I voted against further aid from our country to Egypt as long as Nasser continues to push his aggressive policies in the Middle East. I said:

> Let us give Nasser the opportunity to convince us that he and his nation deserve our generosity. The time has come to place upon him the burden of proving to our satisfaction that he is worthy of our aid.

Only a matter of a few days later, Nasser threatens Bonn with recognition of East Germany, and instead of halting aid to Egypt, West Germany halts military aid to Israel. It is additionally embarrassing to us that the Prime Minister of Egypt gloatingly first made the announcement to the world that West Germany would terminate the shipments to Israel.

Mr. Speaker, our American position in the Middle East is weakened, Israel's position is weakened, and West German relations with Israel, which had improved so much, have dived to a dangerous level of anger and bitterness; while the power and prestige of Nasser and Communist East Germany are strengthened and the Soviet Union continues arms shipments to the United Arab Republic.

The action in the past few days proves we cannot trust Nasser; a dictator is a dictator no matter how we look at it, and Nasser is an aggressive dictator. All the appeasement in the world will not keep under control his insatiable hunger for more power.

ARMS SHIPMENTS TO ISRAEL

Mr. GILBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ADDABBO] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ADDABBO. Mr. Speaker, I join with my colleagues in urging the Bonn Government to reconsider its termination of its contract to ship helicopters and tanks to Israel. I do not believe that any nation should compromise its legal obligations and contracts because of threats by a third nation. If the Bonn Government is to stand as a free nation, it must show its willingness to be bound by its legal commitments and not waiver to a side where the greatest force might be applied.

FRANCE WANTS U.S. GOLD; SHOULD PAY DEBTS TO UNITED STATES

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, French Foreign Minister Couve de Murville is visiting the United States. While he is here the Government of France should be firmly reminded that it still owes the United States billions of dollars in debts for World War I.

The terms for France's repayment of its World War I debts to the United States were approved by the 69th Congress and enacted into law in 1929. The debt was to be paid by June 15, 1987. However, because France was in such financial difficulty in the early 1930's, the Congress allowed a period of grace for France's payments on the war debt. The grace period was to run from fiscal year 1932 for a 10-year period, but of course the end of that grace period saw France right in the middle of World War II, so the American people did not press for payment of the World War I debts.

However, now that France is financially secure, General de Gaulle has announced his intention to convert U.S. dollars to gold. He has already received $150 million in U.S. gold, and the French Republic now states it will continue to demand gold as U.S. dollars flow into its coffers.

This demand comes at a time when the United States is showing increasing concern over its dwindling gold reserves. One reason for the gold outflow is the large number of U.S. tourists which go overseas, many of them visiting France and bringing prosperity in that country as well as U.S. dollars for the French Treasury to convert to U.S. gold.

I am today introducing a resolution expressing the sense of the Congress that France begin repayments on its World War I debts. The last payment was made June 15, 1931, and it amounted to $40 million. The amount of the debts came to over $6.5 billion, and since no payment has been made for 34 years sound business practice dictates that payment be resumed. My resolution would request that the French debt be paid off according to the original scheduled date of 1987. The United States would accept U.S. dollars from France in payment—or gold would do.

WEST GERMANY'S RELATIONS WITH ISRAEL

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, yesterday, in the course of making a 1-minute statement, I said that I was shocked to learn that West Germany had canceled its agreement to deliver arms to Israel. I said some other unpleasant things about that nation because I thought there was good reason therefor.

I repeat and reiterate all the statements I made which are contained in today's CONGRESSIONAL RECORD; and now suggest that not alone has the Bonn government been finding it difficult to cleanse itself of the stench of Auschwitz, but it has been thoroughly outwitted by Nasser; and has also lost face and prestige in this country and even some commercial business from American business firms. I understand several contracts for the purchase from Germany of machinery have been canceled in the wake of the Bonn government's severing its agreement to furnish arms to Israel.

I have said on this floor, you cannot appease a Hitler. I venture to say Ulbricht will go to Cairo anyway and will be well received by Nasser which, in effect, will amount to de facto recognition. Where does this leave Germany except in an "incredible mess" as stated in the New York Times of yesterday.

The action by the Bonn government in failing to honor its agreement with Israel and in collapsing at the first sign of trouble is a victory for Moscow diplomacy because it weakens Israel, strengthens East Germany, and bolsters Egypt. Surely at this indication of weakness on the part of the Bonn government Nasser will feel free to make other threats and who can guarantee that the weakening German backbone will not again yield to what may well be bluff and bluster.

The new Germany has been trying to persuade the world that it has reformed—the present actions of the Bonn government are not a shining example of such reform. One wonders how far the Nazi beliefs are actually buried.

COMMITTEE ON HOUSE ADMINISTRATION, SUBCOMMITTEE ON ACCOUNTS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the Committee on House Administration may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

OUR COURSE IN SOUTHEAST ASIA

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COLLIER. Mr. Speaker, recently we have witnessed demonstrations on college campuses protesting our retaliatory actions in the Vietnam conflict.

In other quarters there has been public criticism of our policy in handling the crisis in southeast Asia.

While I respect freedom of expression of every American, I think these attacks at this time are sad and regrettable—particularly since they are used in propaganda that aids and abets the enemy. Any course other than the one we are taking under the conditions which prevail would be a grave mistake.

The defense of freedom and commitments always involves calculated risks, but I shudder to think of the consequences if we turned our other cheek to the arrogant Communist aggressor who has no intention of stopping here. Permitted to seize Vietnam, where would they stop next—Thailand, Malaysia, or who knows where?

Now is the time all Americans should unite in support of the President's policy in the southeast Asian crisis for we can do no less under the circumstances which prevail in fulfilling our treaty commitment and moral obligation to the free world and to our own national security.

EXCISE TAX REDUCTION

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, while awaiting the administration's decision on excise tax reduction, I am studying the excise tax section of the Internal Revenue Code of 1954. It is riddled with wartime-imposed emergency revenue-raising methods, "temporary" taxes in effect now for a generation. These taxes, imposed originally to support the war effort, have become crutches in supporting bigger and bigger Federal budgets.

Among those I feel should be eliminated are excise taxes on club dues, initiation fees, and lifetime memberships. In legislation I am introducing today I ask repeal of these taxes, just as I have asked repeal of the telephone-telegraph tax and the entertainment tax in bills introduced earlier this session. Millions of American men and women are penalized for their memberships in service, patriotic, and civic organizations which do boundless good for their communities and Nation. At a time when recreation is considered important enough for the Federal Government to subsidize costly programs in this area, and to spend taxpayers' money promoting national physical fitness, I see no reason why dues and fees for country clubs and athletic clubs should be subject to taxation.

I am hopeful that the Ways and Means Committee will give this bill its serious consideration when the general subject of excise tax repeal comes before them.

AID TO NASSER

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am sorry that the distinguished gentleman from New York [Mr. CELLER] has left the House floor.

Mr. THOMSON of Wisconsin. There he is.

Mr. GROSS. I am glad to see him here because I was unable to ascertain when he spoke earlier this afternoon on the business of giving food products to Dictator Nasser whether he regretted the flexible vote he cast in favor of that business.

Mr. CELLER. Does the gentleman want me to answer?

Mr. GROSS. Yes, I would be glad to have an answer.

Mr. CELLER. I do not regret that vote because that first vote where I and others indicated that no aid should be given might be deemed very rigid notice and very powerful notice that there might be revision of policy. However, after the occurrences in Vietnam I felt, and others did likewise, that this was a time of emergency and that we should stand foursquare behind our President in the formulation of foreign policy.

Mr. GROSS. Well, Mr. Speaker, before my time runs out, that sounds exactly like the answer we got from the State Department in the Committee on Foreign Affairs this morning when we tried to ascertain where they are going from here with respect to Nasser. The gentleman's answer sounds exactly the same.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Abbitt
Adair
Ashley
Aspinall
Baldwin
Baring
Battin
Bell
Betts
Blatnik
Bolling
Bolton
Brooks
Brown, Calif.
Broyhill, Va.
Burton, Utah
Cabell
Cameron
Cederberg
Clawson, Del
Colmer
Conyers
Corman
Cramer
Curtin
Derwinski
Duncan, Oreg.
Erlenborn
Farnsley
Foley
Giaimo
Gonzalez
Gray
Gubser
Hagen, Calif.
Hanna
Hansen, Idaho
Hardy
Harvey, Mich.
Holland
Hosmer
Jacobs
Johnson, Calif.
Jones, Ala.
Kastenmeier
King, Calif.
King, N.Y.
Kluczynski
Long, La.
Love
McDowell
McMillan
Macdonald
Martin, Mass.
Miller
Moorhead
Morse
Murray
Nix
O'Brien
O'Neal, Ga.
Pelly
Powell
Quillen
Reid, N.Y.
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Rivers, S.C.
Roosevelt
Rostenkowski
Roudebush
Sisk
Springer
Staggers
Teague, Tex.
Thompson, N.J.
Toll
Tuck
Tunney
Udall
Utt
Walker, Miss.
White, Idaho
Wilson, Charles H.
Wright

The SPEAKER. On this rollcall 347 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NASSER'S NEW TURMOIL

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I join in expressing my own personal indignation and shock at the success registered by bluster and blackmail on the international scene. Nasser has succeeded in wringing from the West German Government a termination of aid to a friendly power.

Truly these ignoble events have plunged diplomacy to new depths of ugliness.

Nasser is about to receive for an official visit the most hated Communist boss in Europe. The Hallstein doctrine, totally unrealistic, is in substance responsible for West Germany's ill-advised decision to abruptly terminate aid to Israel; Nasser forced Bonn to take this step, a hasty and irresponsible act.

There is no end to the turmoil this man will cause unless he is faced with people of equal will and determination. It is lamentable that the Congress did not finally accept a complete termination of our aid program to Egypt.

Nasser has an obsession against the Western democracies; he will spare no effort to subvert their objectives and raise havoc among them.

And now West Germany. The Bonn Government has suffered a needless loss of face, a tangible diplomatic defeat. In sabotaging the slow and welcome progress toward a normalization of German-Israel relations, it has received nothing in return; and the consequences of its irresponsibility will be felt for a long time to come.

Nasser must be curbed. His policy is an utter contradiction of American foreign policy objectives. Now he has acted to weaken the necessary strength which Israel must possess as a partner of peace and democratic ideals.

I condemn the diplomatic blackmail by this man who, by his words and deeds, is helping to destroy that base of international morality and decency for which this Nation strives.

HORTON BILL INCREASES SOCIAL SECURITY BENEFITS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have introduced legislation in Congress today to give 20 million social security beneficiaries a 7-percent increase in monthly payments. The bill is based on a measure passed by both the House and Senate in the last Congress, but which died in conference because of disagreement over the Senate addition of a health care benefits amendment.

The 89th Congress should here and now redeem the wrong done last year to retired workers, widows, orphans, and disabled people. There is no reason to hold up these additional benefits. They should be enacted into law at once. Then, Congress can consider the separate question of the various health care for the aged plans that are presently pending.

The bill I am offering today provides:

An across-the-board 7-percent increase in social security benefits, with a minimum monthly addition of $5 for the primary insurance amount;

A minimum benefit of $35 for many of those over the age of 72 who do not meet the work requirements of the present law;

Liberalization of the work test to prevent penalizing those older people who seek to supplement their social security benefits with part-time employment;

Eligibility extension to age 22, instead of 18, for dependents who are continuing their education;

Payment of social security benefits to widows starting at age 60, rather than at age 62:

Additions to the gross income on which farmers may elect to pay into social security; and

Recognition of the conscientious objections of certain long-established religious groups to the social security concept.

Other parts of this bill include amendments to the public assistance provisions of social security. They, too, were part of the proposal that "died" in conference during the 88th Congress.

The last general increase in social security was made in 1958. Since then, the cost of living has gone up 7 percent. We should not delay further these much-needed increases in social security.

TO AMEND THE ARMS CONTROL AND DISARMAMENT ACT, AS AMENDED

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 233 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2998) to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL of Massachusetts. Mr. Speaker, at the conclusion of my remarks I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, House Resolution 233 provides for consideration of H.R. 2998, a bill to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations. The resolution provides an open rule with 2 hours of general debate.

In establishing the Arms Control and Disarmament Agency, Congress recognized that any fruitful results in arms control must be predicated upon intensive study and analysis of many areas of activity that bear upon the subject.

The 1961 act states that "this organization must have the capacity to provide the essential scientific, economic, political, military, psychological, and technological information upon which realistic arms control and disarmament must be based."

To cover this broad spectrum of statutory responsibility, the Agency has devoted its efforts to research, much of it in fields that have hitherto been unexplored. In-house research has provided some information sufficient to deal with so-called short-term negotiating needs. But such limited research is insufficient to cope with recent international developments.

Hence the Agency has been giving increased emphasis to studies in depth in order that our Government may have a fund of knowledge to formulate our policy and to assist our negotiators on intricate and technical issues. All of these studies require the services of highly skilled technicians and, in some instances, the development of specialized equipment. In those cases it is to the advantage of the Government to draw upon the resources of private contractors rather than attempt to recruit individuals for a limited period of time.

The sole purpose of H.R. 2998 is to authorize $55 million for the 4-year period—fiscal years 1966 through 1969.

The Agency's research activities may be identified under seven categories:

First. Measures directed at the control and reduction of armaments and armed forces.

Second. Measures calculated to lessen the risk of war.

Third. Inspection and verification.

Fourth. Arms control field tests.

Fifth. Economic, social, international, political and other factors related to the achievement of arms control and disarmament.

Sixth. The impact of arms control and disarmament measures.

Seventh. Supporting activities such as computing services to help evaluate the effects of arms control and disarmament concepts on military capability and bibliographic and abstracting services.

The authorization request makes provision for an increase of only 24 persons above the present authorized level of 214 positions—of which only 192 are on board—over a 4-year period. The cost of carrying on the operations of the Agency, including in-house research, is programed at $4,100,000 per year for the fiscal years 1966 and 1967, and $4,300,000 per year for fiscal years 1968 and 1969—a total for the 4-year period of $16,800,000.

The cost of contract research during this same period is programed for $8,200,000 for fiscal year 1966, $8,600,000 for fiscal year 1967, and $10,700,000 per year for fiscal years 1968 and 1969.

Mr. Speaker, I urge the adoption of House Resolution 233.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Massachusetts [Mr. O'NEILL] has explained very ably and well the provisions of this resolution which makes in order the consideration of H.R. 2998 under an open rule with 2 hours of general debate. H.R. 2998 is a bill to amend the Arms Control and Disarmament Act as previously amended in order to increase the authorization for appropriations.

Mr. Speaker, I know of no opposition to the rule itself. I do know of some opposition to the bill as prepared and written and as presented under this rule.

Mr. Speaker, I note that the great Committee on Foreign Affairs of this House has filed a divided report on this measure. It seems that the greatest question of dispute within the committee has been whether or not this particular Agency of Government should be continued for 2 years or for 4 years. In the past the Arms Control and Disarmament Agency has had a life of only 2 years and an appropriation authorization for the 2 years of $20 million, and an appropriation, if I recall correctly, of about $9 million per year. I said "millions," Mr. Speaker and not "billions." We seldom deal in millions any more here but that happens to be the case.

Under this bill the Arms Control and Disarmament Agency is authorized to continue its activities for 4 years and to have authorized in appropriations a total amount of $55 million.

I notice that the minority members of the committee—12 members of the Committee on Foreign Affairs of the House—have joined in recommending that the limitation of 2 years be placed upon the life of this Agency instead of a 4-year life as requested in the legislation so that Congress itself, and the House especially, would have the opportunity to review the work of the Agency and determine for itself whether or not it has any value and, if so, what that value may be.

Also, Mr. Speaker, I understand that an amendment will be offered to reduce the amount authorized under the provisions of this bill from $55 million to $25 million and perhaps other amendments may be introduced to reduce the amount further.

Frankly, I find myself perplexed as to just what should be done about this matter. I believe every American, every decent citizen of the world, wants to see peace and harmony prevail everywhere. We seek disarmament under provisions that would guarantee the protection of all peoples from any unwarranted attack or from any danger whatsoever.

Yet, I cannot help but wonder just what has been accomplished by all we have tried to do thus far. If we look back into the history of mankind we will find that from the beginning of recorded history men have dreamed of reaching a state where they might live in peace together, where there might be no war, no conflict. But somehow or other that goal has never been reached.

I am not sure that this particular agency of Government has actually accomplished much toward reaching the end that we all desire, although I notice from the report that it seemingly takes a great deal of credit for some things that have been done.

I note in the report that this agency on Arms Control and Disarmament takes some credit for the nuclear test ban treaty, but I am not so sure who is responsible for that, or for some of the other things that have been done. I notice, with reference to the establishment of the so-called hotline that they take some credit, but I am not certain whether the hotline has been used. If it has been used, it has not been used very much to our advantage lately.

We are living right now in a peculiar world. We are talking about increasing the appropriations for this particular agency at the same time that there is a grave question in the mind of every thinking person in America as to whether we are to have the conflict in South Vietnam escalated into a terrible war in southeast Asia, one which may even develop into World War III. Can this Agency do anything to prevent that war? It is questionable in my mind. Certainly I have seen no activity, or at least there has been no information made public as to any activity by this Agency, in an attempt to negotiate the difficulties that confront us and the rest of the world in southeast Asia, or to negotiate some of the differences of opinion that exist now as to what should be done in that part of the world, the differences that exist between Red China and Russia, and Communist nations on the one hand and the United States of America and the free nations of the world on the other.

So this may be just an empty gesture. Certainly there has been no documentation that I can find in the report that this Agency has actually accomplished anything. I can recall the days when Governor Stassen represented the President and filed voluminous reports on what was being done to bring about disarmament and understanding between nations that might lead to some kind of limitation on armaments.

And there have been other reports filed throughout the years I have been in Congress. Yet, somehow or other, we have never reached the objective, we have never accomplished that which we desired. I am wondering whether we ever will.

We are talking here about the dangers of war on the one hand, and, on the other, talking about continuing this Agency. To do what? I am not sure I know, and I am not sure anyone else knows.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman will recall that a few years ago, and only a few year's ago, $2 million, and even less, was being spent annually for the purpose of studying or talking about disarmament. Now we are up to $9 million a year, and this bill would call for nearly $14 million a year, or $55 million spread out over 4 years.

I ask the gentleman whether he believes, with an expenditure of a million dollars a year or an expenditure of $9 million, whether he anticipates there will be any more disarmament with an expenditure of $14 million?

Mr. BROWN of Ohio. Not to my knowledge. That is one reason why I believe if this legislation is to be considered, certainly the time should be limited for the extension of this agency. To 2 years, if it is to be extended at all. Certainly the Congress and the House itself should be in a position to take an annual look at whatever this agency may be doing in the field of disarmament. If we do not do this, then we are derelict in our duty. If they can accomplish something, we want to strengthen their activities. If they fail to accomplish anything, if it is a waste of time and conversation with no accomplishment to be seen, then I think Congress should act otherwise.

I certainly feel that the amendments to be offered should be supported and the Congress should retain within its own hands the power and the right to look over this program at least every 2 years and perhaps annually.

I sincerely hope that any amendment that is offered will be given every consideration by the House, so that we may at all times retain some control over that which is being done in the name of all the people we represent to bring about peace and disarmament Whether it is done or not, we should know. We should be able to give a report to our people on what this agency actually does, not just report to them some generalities but some actual operations that will be of benefit to this country as well as all the peace-loving peoples of the world.

Mr. O'NEILL. Mr. Speaker, does the gentleman from Ohio have any requests for time?

Mr. BROWN of Ohio. I have no more requests for time, Mr. Speaker.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2998) to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2998, with Mr. THOMPSON of Texas in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MORGAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, H.R. 2998 is a short, simple, and important bill. In a single sentence it implements an integral and vital part of our overall national security policy. It authorizes $55 million, to be spent over the next 4 years on efforts to promote peace through safe and realistic arms control.

President Johnson has asked for a 4-year authorization to enable him to carry out his pledge to work in every way that he can for safeguarded agreements that will halt the spread of nuclear weapons, lessen the risk of war, and reduce the dangers and costly burdens of armaments. In making this request, the President has reminded us that the arms control effort, as much as continuing our preparedness efforts militarily, is essential for our security.

I support the 4-year authorization request. At this time it has a special significance. We have unique responsibilities as the world's most advanced and powerful nation. If we vote today to provide the 4-year term, instead of limiting it to 1 or even 2 years, we here in the Congress will be striking a powerful blow for peace. It will be a convincing demonstration to other nations of our determined insistence that efforts continue to improve the hopes for peace.

The Arms Control and Disarmament Agency is established as a permanent branch of the Government. In its work, long-range planning is essential and even vital. It has already accomplished significant achievement. The 4-year authorization makes good sense. We grant it for other programs of lesser importance.

Seventy percent of the Agency's budget is for research which is imperative if realistic international agreements are to be reached. Systematic and comprehensive study in the development of policy proposals is required by the complexity of arms control negotiations. Such research is not a short term matter. It involves many fields that have remained unexplored until now.

At their own expense, private contractors—including universities have established divisions or departments to work with the Arms Control Agency. They are rendering valuable service. If these universities and private contractors knew definitely that such research was going to be required for a long period, they would be willing to invest more in it. It would also be an inducement for more qualified people to join in the development and buildup of expertise in these fields. It would permit and facilitate long-range planning for studies that cannot be completed in a relatively short time.

And, Mr. Chairman, these studies are needed. So infinitely terrible are the possible consequences of nuclear conflict, that the expenditure of less than $15 million a year for 4 years to avoid it becomes trifling by comparison. It could prove the seed money that would save the millions of lives and the billions of dollars that even a "limited" nuclear war would impose upon mankind.

The most urgent mission of the Arms Control Agency is to seek the prevention of nuclear spread. This problem has been made more immediate by the Communist Chinese nuclear explosion and the rapidly developing capability of other countries to follow suit. The Director of the Agency has testified that the possession of nuclear weapons by more individual countries, some of them unstable, can increase the chances of accidental war and the consequent escalation of local conflicts. Even small or underdeveloped countries could possess enough bombs to trigger a worldwide nuclear exchange. Some countries, which, in self-protection, have been considering the development of nuclear capability, have indicated their willingness to refrain from it if a nonproliferation agreement could be reached. It is vital that we push for such an agreement.

The advantages, even the sheer necessity, of exerting our best efforts to prevent nuclear spread, are so great that we would be justified now in providing a continuing authorization for the Arms Control Agency. To our Founding Fathers, eternal vigilance was the price of our continued existence. The sum of $55 million is a low price to pay for 4 years of prolonged and sustained effort to avoid the catastrophe of nuclear conflict. A shorter authorization could have a seriously hindering effect, not only on the long-range research planning of the Agency, but through the impact it could have abroad. In the dangerously critical situation which we face today, any chances we take should be on the side of safety and benefit for ourselves and our children, not on the side of possible false economy and poor timing. We owe it to ourselves and to the coming generation to vote for this bill as reported and support our President in his efforts to increase our security.

Mr. MAILLIARD. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Chairman, I rise in support of an amendment to H.R. 2998 that would limit the authorization of funds for the Arms Control and Disarmament Agency to $25 million over a 2-year period.

There are two main reasons why I think this action necessary and desirable.

The first reason is that this shorter period of authorization will serve to focus the attention of the Congress and the American public on this Agency and its functions and operations every other year rather than every 4 years.

The second reason is that I think this shorter period of authorization will help this Agency to keep its operations flexible to meet changing conditions in a rapidly changing world.

I want to emphasize that adoption of this amendment would mean no cut in funds and no cut in functions by and for the Arms Control and Disarmament Agency.

The amount of $25 million for fiscal years 1966 and 1967 is the total amount sought by the administration for the operation of this Agency during these 2 years.

But I do think that this shorter period of authorization will lead to closer review of its programs and policies within the Agency itself and closer surveillance by committees such as the House Committee on Foreign Affairs of its progress and its purposes.

I know that the officials of this Agency would probably protest that they are willing to appear at any time and at any place the House Foreign Affairs Committee so desires to discuss these aims and the methods being taken to achieve them. I am sure that these officials would be perfectly willing to do as they say they will do.

But all of us know that the burden of work in a House committee and the time in which to accomplish this work is limited.

We also know that there is a tendency at times on the part of House committees to ignore that which is not immediately pressing and to take up those questions and issues upon which action is necessary immediately.

Few of us would have any delusions that, with the rapid movement of events in the world, the House Foreign Affairs Committee would be lacking for things to do or emergencies to look into. It seems we have been averaging about one emergency a week for at least the last 2 years.

But none of us, I am sure, would question the overall, even overriding, importance of the Arms Control and Disarmament Agency and the determinations it is making about our future and the future of the world our children will face in years to come.

I think these programs and their impact upon our future are too pressing and too important to be given a once-over glance once every 4 years.

None of us can now ignore the fact that our once exclusive nuclear club—limited to a handful of members made up of the most powerful nations in the world—is growing and will continue to grow in geometrical proportions in years to come.

While we have managed to work out some feeling for the future actions and policies of current members of the nuclear club, what are we going to do when we have atomic bombs in the hands of a Nasser, or a Sukarno, or Mao Tse-tung, or a Ho Chi Minh.

Simple reaction to events as they occur is not going to be enough. We are going to have to prepare for peace even more surely and more steadily than we have ever prepared for war.

Internal review of its own programs by the Arms Control and Disarmament Agency is not going to be enough. There is too much at stake; there are too many chances for mistake for any possibility to be ignored or overlooked.

Congress is going to have a direct hand in the future recommendations of this agency, of that we can be sure.

If this agency is successful in helping us find a road of peace with dignity and freedom for ourselves and the world—and all of us pray to God that this path will be found and that we will have sense enough not to stray from it—then the closest coordination and cooperation between the executive and legislative branch will be necessary.

If Members of Congress are to understand this agency and its final proposals on this question of how to achieve peace without causing chaos or enslavement in the process, then as many Members as possible must be aware of the steps leading up to these recommendations and, ultimately, to these final decisions.

During the past few decades, the explosion of scientific knowledge has led to an arsenal of weapons designed for war—weapons we refer to as "ultimate" weapons simply because there are no other words which can better express what could happen to us and civilization except those two ominous words at the close of a movie scenario—"The End."

But these same scientific achievements also have given us new weapons for peace; weapons to protect us from surprise attack, weapons to detect minute traces of material in the atmosphere or the stratosphere which assure us of the state of readiness of our enemies.

Our computers can assimilate, digest, and analyze gigantic amounts of raw data in huge gulps, coming up with answers to questions in months in what would have taken decades previously.

There are some who claim that this shorter period of authorization will mean, in some manner, an upsetting of the agency's long-range plans. If this is the case, then I would be inclined to believe that the Arms Control and Disarmament Agency is not coming up with answers as fast as it should and must. Perhaps it is not taking advantage of some of the most modern methods of data accumulation and analysis, or perhaps it might fall into the bureaucratic trap of building a structure before it knows what the problems really are.

But because of the importance of this agency, and because of the fact that time in this race for peace is as important as dollars, it is imperative that the Congress be kept constantly abreast of what the Arms Control and Disarmament Agency is doing and how it proposes to achieve its objectives.

Promises are not enough. The road to hell is paved with good intentions, and we cannot risk an atomic hell on earth because of an oversight or a misunderstanding.

The stakes are too high. We must be sure. And only if we write our own ticket to future discussions of this subject of survival right here and now can we be sure that there will be understanding in months and years to come.

Mr. MORGAN. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, in 1961, when the U.S. Arms Control and Disarmament Agency was created, the United States became the first nation in the world to establish a single Government agency responsible for disarmament and arms control. That Agency now seeks an extension of its authorization. The critical importance of the Agency's job and its past performance more than justify that request, and in my judgment Congress should authorize the $55 million appropriation over a 4-year period.

Since the end of World War II the quest for disarmament has faced almost insurmountable odds. Despite the persistent efforts of many Americans, disarmament has been overshadowed by the compulsive dynamics of the arms race. At times it seemed a goal only to be associated with Utopia.

When, during moments of relaxation in the cold war, attempts were made to revitalize disarmament projects, all its many skeptics dismissed the efforts as impractical dreaming or wishful thinking. Indeed, even some friends of disarmament did as much damage by treating arms control as attractive, but little more than a compelling ideal.

The result of such reactions was that the goal of disarmament appeared to many as insufficiently practical to be responsible. Arms control and disarmament policy has always had to fight this myth and even after the Arms Control and Disarmament Agency was established, many thought the enterprise was somehow on probation. That was never the case to begin with; and given the record of the Agency, the myth associated with its inception should by now be fully destroyed. The important work of disarmament and arms control is presently carried on daily—in international negotiations, in research, and in policy planning. It is carefully coordinated with all our national security and defense efforts, and it has been firmly established as a strong policy commitment of this Nation. As President Johnson has put it:

> I am determined to work in every way that I can for safeguarded agreements that will halt the spread of nuclear weapons, lessen the risk of war and reduce the dangers and costly burdens of armaments.

Since 1961 the workload of the Agency has been enormous. At the outset, the Agency was directed to coordinate the Government's total effort in arms control and disarmament research. Individual work for some time had been pursued by the Departments of Defense and State, the Atomic Energy Commission, and the National Aeronautics and Space Administration. By coordinating that work, the Agency now provides a continuing inventory of disarmament and arms control policy and research.

The disarmament negotiations in Geneva represent another job for the Agency. As the Director of the Agency, William Foster, remarked:

> Research in arms control and disarmament is imperative if realistic international agreements are to be reached.

The process of our negotiations is highly complex. Systematic study and preparation is a prerequisite for vigilant and persuasive policy proposals. Thus this Nation's attempts to prevent the proliferation of nuclear weapons, to reduce the dangers of war by miscalculation, to promote the verified cutoff in production of fissionable materials for weapons systems, all require full research preparation for the complicated process of bargaining. Most of the Agency's research has been in the area of inspection and verification, and would constitute the basic groundwork for all test ban and arms control measures.

So it is clear that the Agency's carefully planned research program assures that our arms control and disarmament policy is prudent and precise. Given the nature of disarmament affairs such a program is obligatory, for not only is negotiation technically complex, it is also politically subtle. We cannot afford to waste hard-earned diplomatic openings for lack of preparation or uncertainty of purpose.

But the value of the Agency goes beyond its research functions, and here we must approach disarmament in its properly broad sense. Our national peace achievements since 1961—the test ban treaty, the "hot line," and the United Nations resolution against weapons in space—were not accomplished primarily through the medium of technical research. They reflect broader and more basic political developments. They reveal a growing awareness that arms control and disarmament measures can be achieved. They were conceived and flourished in a political atmosphere which believed in the power of ideals, and the development of that atmosphere is perhaps the most important function of the Agency. Arms control and disarmament is not merely a narrow technical operation. Peace cannot be bought by cost-effectiveness studies and research alone.

Thus the existence of the U.S. Arms Control and Disarmament Agency acquires a symbolic importance. Already England and West Germany have followed the American lead and established agencies responsible for work in this area. Such action cultivates opinion and stimulates thought. It undercuts resignation and belief in the inevitability of war. It promotes peace research by committed and concerned scholars—in activity largely responsible for the new ideas that often become national policy.

The importance of the Arms Control and Disarmament Agency thrives on many levels, from the preparation of specific proposals and research backup operations to the cultivation of worldwide interest in efforts to reduce the threat of wars. The Agency combines thorough-minded practicality and broad vision.

Recent efforts suggest, however, that the work of the Agency may only just be beginning. The explosion of a nuclear device by Communist China dramatizes the threat of nuclear proliferation, and as the nature of world politics changes from a confrontation of two monolithic powers to an increased number of conflicting smaller parties, nuclear proliferation becomes a still greater problem. Will India be next to develop nuclear capabilities? Israel? Egypt?

Such problems and others make the continued existence of the Arms Control and Disarmament Agency a matter of highest urgency. The President and the Agency have asked for a 4-year authorization. They have requested what amounts to a little more than $13 million a year—an amount we presently spend in less than 2 weeks fighting in South Vietnam. To amend that request in any way would be to undercut this country's commitment to long-range peace planning. To deny the Agency a 4-year authorization would create serious difficulties in the procurement of talented individuals and institutions for contract research projects. I therefore strongly urge the House to approve H.R. 2998 without amendment.

Mr. MAILLIARD. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, we must all be acutely aware that the bill before us is tremendously important to the country, and is seeded with great and perhaps still unknown potential.

I shall vote for the requested 4-year authorization which the administration requests. I do so because this extremely complex field requires progression and continuity.

In my view, the amount of $55 million, over a 4-year period, is a wholly acceptable sum for expenditure on a budget item of perhaps enormous import. I have joined in cosponsoring the measure and I will continue to urge that the Nation spare no effort in the formulation of meaningful proposals for arms control.

In order to build expertise and recruit those who can build it, the Agency needs that sense and reality of permanence which a 4-year authorization will grant. It is evident that in constructing safe and effective programs, the Agency must have the means for research. A great deal of this is contracted with private research and educational institutions, and these can be expected to expand their means if the Agency can demonstrate that it remains, and will remain for the foreseeable future, an important instrument in our foreign policy.

Congress can and will exercise review and proper supervision over the activities of the Agency. Their officials are always prepared to come here and confer with our committees. And each year, appropriations must be voted by the Congress.

I recall very vividly the great and innovating contribution which President Eisenhower made in the beginning years when the United States first recorded meaningful approaches in this most crucial field. Before the United Nations General Assembly, on September 22, 1960, where General Eisenhower spoke about the urgency of controlling a potential weapons competition in outer space, he concluded with the words:

> The international control of atomic energy and general and complete disarmament can no more be accomplished by rhetoric than can the economic development of newly independent countries. Both of these immense tasks facing mankind call for serious, painstaking, costly, laborious, and nonpropaganda approaches.

General Eisenhower recognized at that time that the road to effective arms control is rutted and long, but that if we are to make a genuine effort, it must be sustained and expert and determined.

Since the establishment of the Arms Control and Disarmament Agency, America has achieved some noteworthy limited objectives. The nuclear test ban treaty, the so-called hot line linking Moscow and Washington, and the United Nations resolution against weapons in space patterns this patient and skilled effort.

The more advanced our weapons systems, the greater is the task in searching for proposals which will maintain throughout our relative balance of power. Security is relative, and depends as much upon another country's war capability as our own.

Hence research and study are essential. It must keep up with fresh technological and scientific developments. It must advance to the stage when, in offering serious recommendations for arms limitation, the country is secure in the belief that adequate detection means are readily available. All of this requires sustained effort.

We are not so naive as to suggest that disarmament breakthroughs are just around the corner, or that the Agency, by its single contribution, can accomplish this millenium. Real and important agreements will be political decisions, and these must always await political situations.

But I do not want to see this country unprepared to take meaningful steps when such opportunity arises. And throughout it is vital that we continue to make the serious and important recommendations at Geneva, and establish this country firmly before the world as a power perpetually striving for peace.

War through miscalculation or as a result of nuclear spread is within the realm of possibility. As a great power without aggressive intent we cannot shirk from mobilizing our resources and skills to meet the dire potential of nuclear conflict.

I urge my colleagues to vote in favor of H.R. 2998 as reported from the Committee on Foreign Affairs.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, 4 years ago this Congress established the U.S. Arms Control and Disarmament Agency in the belief that arms control and disarmament can be acceptable alternatives to a continued arms race; that the preparation for peace is at least as important as the preparation for war. Certainly these values are no less important today than they were then and I rise in support of this legislation to provide the Arms Control and Disarmament Agency with $55 million for its next 4 years of operation.

As the distinguished Secretary of Defense, Mr. McNamara, has pointed out, in a nuclear exchange, which could take place in the space of an hour, the fatalities in Western Europe would approach 90 million, the fatalities in the United States would approach 100 million, and the fatalities in the Soviet Union would approach another 100 million.

Seeking safeguarded agreements of arms control, therefore, is no less important to our national security than maintaining a defense force second to none. It is a recognition that while the eagle on the great shield of the United States holds a sheaf of arrows in one talon, it holds an olive branch in the other; that the cause of freedom is best served when we are prepared and able to defend it, and when we are wise and farsighted enough to search for peaceful solutions.

Preparedness alone, Mr. Chairman, is not enough to insure peace. Our national interest also requires negotiations to eliminate the causes of war and to build a firm foundation for peace.

National security requires an exploration of step-by-step verified disarmament, as well as the maintenance of an up-to-date dependable arsenal of weapons.

National security requires a search for safeguarded agreements with the Communist world, as well as the use of force to meet aggression.

National security requires further steps to prevent the uncontrolled spread of nuclear weapons, as well as firmness in the use of armed might.

Our national security requires, in brief, an understanding that it does not always increase as we increase our arms; that an arms race which moves ever faster toward the possibility of nuclear annihilation diminishes the security of us all.

The opponents of this bill have argued that a 4-year authorization is an abdication of congressional responsibility. But such is not the case at all.

A 4-year program would simply permit long-range planning toward what must remain a long-range goal.

It would let the nations of the world know that even in these troubled times our thirst for peace has not slackened.

And, it would not diminish the authority or the responsibility of the Appropriations Committee or the Congress to review the actual appropriation on a yearly basis.

Research in arms control and disarmament is imperative if realistic international agreements are to be reached. The sheer complexity of a nuclear age and arms control negotiations requires nothing less than a strengthened agency given the time which the problem requires to do its proper job.

Mr. Chairman, the U.S. Arms Control and Disarmament Agency has compiled a commendable record in its 4 short years of existence. It has provided us with the foundation for a nuclear test ban treaty, for a continuous communication line between Washington and Moscow, and for a cutback in the planned production of fissionable material. It has played a key role in the development of the current U.S. proposals before the 18-Nation Disarmament Conference.

I urge that this legislation be approved so that this Agency may continue its vital work, with the long-term authorization which it requires. I urge that this 4-year program be approved as a measure of our responsibility to this Nation, and to a world in search of peace.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman know that the Disarmament Agency itself does not claim to have negotiated the nuclear test ban treaty or to have put across the so-called hot line? It does not claim the credit for this.

Mr. COHELAN. The gentleman will recall I did not make any assertion to the effect that the Agency claimed that it did negotiate the treaty; but what the record will clearly show is that they had a great deal to do with clearing the path for it.

Mr. GROSS. The record will not clearly show even that.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I think it is undisputed that the groundwork was laid by the Agency for the nuclear test ban.

Mr. COHELAN. That indeed is my understanding. I thank the gentleman.

Mr. MAILLIARD. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, so far the discussion of this bill has not been over whether the proposed extension of the Agency's life is desirable, but whether we should authorize this program for another 4 years. The discussion has been about the advisability of extending it for 2 years only.

Let me make my own position clear at the outset. I am very decidedly not an opponent of this Agency; in fact, I approved the Agency when it was originally established and I have taken a sympathetic view of its activities ever since.

The question may be asked, How much does the Agency contribute to the settlement of the international tensions which plague us? I myself feel that this Agency has a useful, and important, role in this whole area of national security. It is being done by a relatively small number of employees. There are, I think, at the moment fewer than 200 employees in the Agency, and they are requesting, among other things, the addition of about 24 employees.

We have, on the other hand, a very real question in front of us as members of the legislative branch. Should we go along with this request, which one can understand and perhaps sympathize with, from the executive branch of our Government?

Should we authorize this Agency for a 4-year period?

The President of the United States stressed the fact that he was asking for a 4-year program because, and I quote, "My purpose is to intensify our efforts in that critical area."

Well, I would not argue with the President about the advisability of intensifying efforts to control arms and reduce the possibility of nuclear annihilation on all sides. I would doubt very much, however, whether the Agency would not be able to intensify those efforts if it has only a 2-year authorization instead of a 4-year period as is now being asked.

Mr. Foster, the Director of the program, also stresses the advisability of a 4-year program. This is understandable enough. I might say I asked the Director of the Agency for International Development whether he would not be able to have an easier job should he have a longer authorization than the Congress has been willing to grant his Agency. He said, "Of course, it would be easier for us if we had a longer authorization." But you note the AID program is not coming in with such a long authorization as the ACDA is asking.

Mr. Foster says it would be more conducive to long-range research and planning, and the argument has been made on the floor that this longer period is essential if we are to have an effective research organization.

But surely there is no reason why anybody, or any agency, cannot plan as far ahead in the future as it wants and make plans as long range as it wants. It can make as many contracts as it has the money to permit, with respect to as much long-range planning as it wants over the next 2 years.

There is no necessity that any agency have a life of 4 years for that agency to look ahead and to make long-range plans.

As has been pointed out, in many cases the international situation changes so quickly that long-range plans are meaningless—except to throw away—because of the changes in the international situation.

Mr. Foster also pointed out that with a 4-year authorization there would be more emphasis, as he puts it, on the continuing nature of our determination to reduce the danger and the devastation of war through arms control. In other words, this would be a psychological factor, if we have an agency that has a life of 4 years instead of only 2. It would show other countries of the world that our hearts are in the right place; that we are peace loving and are doing what we can to provide ourselves with concrete information that will lead to a reduction in international tensions.

I would suggest that we should need to provide no such reassurance for other nations. Whether this Agency continues in existence or not is not the question today. The question is simply whether this Agency should have a 2-year extension of authority or something longer.

In any case the record over a period of decades proves that our basic intention is to get along with our neighbors, and our basic intention has been to reduce armaments where we can. That is one reason why the Agency was established.

The third reason given by Mr. Foster was that it would help him to retain or secure key personnel. People have asked about the nature of the personnel and how many people have left.

The hearings indicate that there are relatively few people employed by the Agency itself.

I might point out, and the information is on page 11 of the hearings, that under the Director and Assistant Director there are four Assistant Directors who are paid $26,000 a year apiece.

There are, I believe, a total of 5 grade 18 employees who receive presently $24,500 apiece.

According to Mr. Foster, there are also Public Law 313 people who are scientists and who are now able to have a high level of pay.

If one looks at the hearings, on page 10, one sees the number of individuals who have left the Agency, and where they have gone. In many cases, the State Department claims the attention of ex-employees of the Arms Control and Disarmament Agency. I do not suppose they go there because the jobs pay more. I doubt very much that they go there simply because they know they will have jobs for the next 20 years instead of the next 2 or 3.

In any event, a 4-year authorization for this program would not alleviate the problem of good men leaving one agency to go either into private business or to some other government operation. Presumably this problem affects many agencies, not just ACDA. I do not believe we should fool ourselves by suggesting that a 4-year amortization would affect the flow of employees appreciably.

In conclusion, I should like to say that I believe there is a real issue involved here today, in the question as to whether there is any basic, sound justification for a 4-year extension of this program.

Members will notice that the Agency has projected very roughly how it would spend the money. The proposed authorization is to be available over a period of time. Proposed increases are going to revolve largely around the so-called research effort by the Agency. In most cases there expenditures will be concentrated in the field tests and in the verification procedures, areas in which the Agency is doing research. These are, in effect, the nuts and bolts of what the Agency engages in.

Is there some practical way by which we can detect violations of agreements into which we have entered, or into which we might enter? This is the area in which it is appropriate for us to spend money.

But the money could be spent just as well, indeed far more effectively, if available over a 2-year period only. They could come back in 2 years' time, and then say, "for the next 2 years we believe we will need more—or perhaps less—money than we have been spending."

We cannot know now whether they will continue to need to spend as much money, because of what may be accomplished in the first 2 years, or whether perhaps they will need to spend more. There is, therefore, no sound logical or practical reason why we should authorize a 4-year period.

I might say that in committee there was a considerable difference of opinion as to the extension for 4 years. This difference of opinion, I am glad to say, existed among the Democrats. I might say that all of the Republicans on the committee were in favor of the shorter extension, and some knowledgeable Democrats also supported that position.

I hope we will not take a partisan line. This is merely a question of whether a sufficient justification has been made for the program being extended as long as requested. In my opinion a sufficient case has not been made to justify the request.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Chairman, it is always a delight to listen to the gentleman from New Jersey. He assures us that all the Republicans—all of them—are in favor of shortening the authorization period to 2 years. "But," he said, "do not put any politics into it."

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield

Mr. O'HARA of Illinois. I am happy to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. If the gentleman will recall, I said all the Republicans on the Committee on Foreign Affairs felt that way. The gentleman from New York, who is a Republican, has already spoken in favor of the 4-year authorization. If I gave the gentleman the impression that I was saying "all Republicans" I hope the record will indicate clearly that I did not mean all Republicans and that one Republican, at least, has spoken up and said he will back the 4-year authorization.

I hope we will not bring politics into this, and I hope the gentleman is not intending to do it himself.

Mr. O'HARA of Illinois. I thank the gentleman for emphasizing the point that a Republican has already spoken for the 4-year extension. But the Disarmament Agency is in politics although for that neither the gentleman from New Jersey nor I are responsible. The Arms Control and Disarmament Agency was very much an issue in the presidential campaign, and the American people voted overwhelmingly for the Agency against which the Republican nominee for President had voted as a Member of the U.S. Senate.

With regard to the amendment to reduce the authorization to 2 years the opponents of the Agency know they cannot defeat the Agency itself. They do not have the votes and cannot get the votes. The American people made it crystal clear last November that they want peace, a safe and honorable peace, and that the Disarmament Agency as an instrumentality of peace is close to their hearts. So the enemies of the Agency offer an amendment to cut down the authorization for 2 years with the desperate hope that in another 2 years and in another election they can pick up enough votes to end the Agency and kill completely the chance for a secure and honorable peace.

Mr. Chairman, I have looked for my good friends on the other side to build a new image of the Republican Party. I regret they are off to a poor start. Instead of a new image they are bringing out the old, brightened up with a bit of shoe polish.

We should have a two-party system in America, and the rank and file of the Republican Party are entitled to have a new image to fire them up. But here we have the same old image that brought on the Republican disaster of last November—opposition to the only instrumentality for peace we have. That was an issue in the last campaign in which the Republicans suffered the worst defeat in political history.

I hope when the vote is taken on this amendment that every Democrat will stand up and vote for a safe and honorable peace and against the amendment. You know, all Democrats came here with increased majorities because the people of America had faith in President Johnson to bring to our world and our generation a real and lasting peace—a safe and honorable peace. I had the largest majority I have ever enjoyed—very much better than 2 to 1—and I ran behind President Johnson. And that was true pretty much all over the country.

Now, I have not come here to say, "Oh, well, I am for the administration, but maybe, maybe, this authorization ought to be only for 2 years, because maybe in 1964 the people made a mistake and in 1966 they may be sick and bored with peace." No, Mr. Chairman, I am standing with the President, and his faith in peace on earth will be my strength. I am on the Committee on Foreign Affairs and I am going to vote with my chairman. Not only is he one of the ablest chairmen we have in this Congress, but he is a Democrat. He is my leader; I am on his team; he is on the President's team. So, as I see it, it is a plain test of party loyalty, and also, I might add, of loyalty to the cause of the peace of our prayers. I hope there will not be a Democrat who will go wandering away and say to himself, "Oh, well, make this just 2 years, because maybe in 2 years from now the Republicans will have control of the House and they might want to scuttle this whole business and kill the little bird of peace."

Mr. Chairman, I yield back the balance of my time.

Mr. MAILLIARD. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, when this superduper Disarmament Agency was created a few years ago we were told on the House floor it would bring together in one place all of the agencies dealing with this subject. Well, they are still about as scattered as it is possible to get them. They are all over the landscape. This Agency is duplicating work already being done; carrying on research and other activities that are already being done all over this Government. This bill will increase instead of decrease. Instead of its being a compact, so-called elite organization, it is elite in only one respect, and that is its payroll.

The gentleman from New Jersey [Mr. Frelinghuysen] mentioned this a moment ago. On an authorized payroll of 214 persons, some 30 are drawing from $20,000 to $30,000 a year, and some 26 people are paid from $15,000 to $20,000 a year. That is a lush payroll in any language. There are plenty of chiefs and few Indians in this tribe.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will be glad to yield to the chairman of the committee.

Mr. MORGAN. I would like to refresh my memory. I thought the gentleman was a member of the subcommittee of the Committee on Post Office and Civil Service that established the supergrades for this Agency. Am I incorrect?

Mr. GROSS. The gentleman raised that question in the committee and got his answer at that time. I am one of those who never approved of all those supergrades.

Mr. MORGAN. Were you not a member of that subcommittee? Were you not the ranking member of that subcommittee that created all of the supergrades under this Agency?

Mr. GROSS. Except I never voted for them. I cannot help it if you Democrats vote to create all of these boondoggles.

Mr. MORGAN. Why did not the gentleman object to creating the supergrades when he was on the Post Office and Civil Service Subcommittee headed by our former colleague from Georgia, James Davis, that had this responsibility? This committee turned over jurisdiction to your committee with the understanding you were to adjust the supergrades.

Mr. GROSS. The gentleman well knows, and I tell him again, I opposed the creation of the additional supergrades in Government and giving to this organization all of these supergrades. I voted against the bill because I was convinced when this superduper organization was created a few years ago it would not do what you said it would do, but rather would result in extravagance.

Mr. MORGAN. We feel it has done a good job.

Mr. GROSS. I am sure you do.

Mr. MORGAN. And the gentleman realizes that the agency has done a good job.

Mr. GROSS. Of course, the gentleman knows I do not feel that way. I might add that there are many others around here who are just as careless as they can be about spending the taxpayers' money. We have a Federal debt in this country of around $316 billion. I wonder where it is proposed to get the money to jump this organization to $55 million, or an annual rate of nearly $14 million a year. Where is it proposed to get the money?

You say that the peace of the world has been maintained by this outfit. Nothing could be further from the truth. What peace we have is maintained by the fact that those who are enemies of this country know that we have the ability to inflict swift and certain reprisals on them. I am sure that if the gentleman from Pennsylvania were in Vietnam and being shot at today he would have quite a time selling himself or anyone else on the idea that there is peace in this world. I say again that whatever peace there is in this world is being maintained by the certain ability of the United States to inflict reprisal on those who would start a holocaust; and the gentleman knows it.

Mr. Chairman, this disarmament outfit came before our committee 2 years ago and claimed that the hot line and the test ban agreement represented their accomplishments. They came back this year and the only record of accomplishment to which they could point was the same as it was 2 years ago.

Mr. MORGAN. What other agency in the Government today can point to more accomplishments than this Agency has accomplished in a short period of 4 years? Name one.

Mr. GROSS. I am sorry to say that there are altogether too many agencies in the Federal Government which, on the basis of the money spent in relation to accomplishment, are in the same boat with this outfit. There is spending, extravagance, and more spending all over the map, with accomplishments all too few.

As an example of what you have on the disarmament payroll, here is a man by the name of Clement E. Conger who is paid at the rate of $22,195 per year. He is listed as a special assistant. Last Sunday I picked up the Washington Star and noticed an article entitled, "Few Spots Are Bare—All They Need Is an Angel."

It seems that Clement E. Conger, the disarmament specialist, is the chairman of the State Department's Special Fine Arts Committee which is accumulating chippendale furniture and a Philadelphia style furniture for the State Department. I do not know whether Clement Conger is being paid $22,195 a year for moonlighting in the Arms Control and Disarmament Agency or moonlighting some place else. I hope somebody can shed some light on this. I wonder how many others on the lush payroll of the Disarmament Agency are spending time on other things completely extraneous to disarmament.

Mr. MORGAN. Does the gentleman have evidence that this man works in the daytime at that job? I am not familiar with Mr. Conger's work but it is possible that he may be at the State Department on a volunteer basis. The gentleman is making accusations that this man is being paid out of Disarmament Agency funds while he is working at the State Department. Has he the facts to support his statement?

Mr. GROSS. All I know is what I read in the newspapers and in relation to the payroll which you are about to approve.

Mr. MORGAN. The gentleman is fond of quoting from the newspapers.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. FARBSTEIN. Wherever Mr. Conger is at any time of the day, would the gentleman say that the test ban treaty was worth $14 million?

Mr. GROSS. That who?

Mr. FARBSTEIN. The test ban treaty was worth $14 million to our taxpayers?

Mr. GROSS. Well, of course, the Arms Control and Disarmament Agency is the first to admit that it did not alone engineer the test ban treaty. It claims to have made some contribution, and I say that is questionable.

Mr. FARBSTEIN. You cannot prove any differently, but certainly when you spend $40 billion for defense you can afford to spend $14 million a year even if they only take a portion of the credit for this.

Mr. GROSS. Wait a minute. Do not take all of my time. Does the gentleman mean to say that this Agency has brought about what peace there is in the world today?

Mr. FARBSTEIN. No, but in this particular situation I am not talking about peace generally. They initiated the Arms Control and Disarmament Agency and I think for that alone, even if we spend $50 million a year, it is worth while.

Mr. GROSS. You are spending $150 million a year on the United Nations and there is a disarmament setup in the United Nations. How much more do you want to spend on what you know is a hopeless gesture toward preserving the peace of the world? There is no peace, and the gentleman knows it, and there will be no disarmament in the foreseeable future. You insist upon spending additional millions on disarmament and yet the other day the President of the United States announced with great fanfare, and apparently with pride, that this Government has approved the sale of $1 billion worth of war weapons to Great Britain and Australia.

Who is disarming? Who has any intention of disarming?

A few years ago, as I said a while ago, we were spending $1 million to $2 million a year on a disarmament setup over at the White House. And we were getting exactly as much disarmament then for $1 million or $2 million as you will get if you boost this to $14 million a year. You will get exactly as much.

How can this Government be arming the rest of the world, selling military hardware and weapons of all kinds to the rest of the world, and then say that it is genuinely interested in disarmament? How utterly inconsistent can you be?

Mr. FARBSTEIN. I would be satisfied to spend the $40 billion a year that we are spending for arms, if we could have some reasonable certainty that we could get the world to disarm.

Mr. GROSS. Yes, of course, and so would I. But the gentleman knows that is fantastic; that there is not a single power in this world today ready or willing to disarm. That is why there is no sense in spending $14 million a year on this outfit. That is why they ought to be brought back each year for a scrutiny as to how they spend the millions of dollars that are being dished out to them each year.

Mr. Chairman, I would support an expenditure of a million dollars a year to maintain a staff capable of discussing disarmament if any nation gave evidence it was seriously interested. But it is utterly ridiculous and an affront to the intelligence of reasonable people to spend $14 million a year on a bunch of payrollers to carry the torch of disarmament when at the very same time the U.S. Government is approving the sale of hundreds of millions of dollars worth of arms throughout the world.

Mr. MORGAN. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. SCHWEIKER].

Mr. SCHWEIKER. Mr. Chairman, I rise in support of a 4-year authorization and against the 2-year amendment. As a sponsor of the 4-year authorization bill, I believe such a commitment to the cause of peace is in our national interest. And I believe that my position is more consistent with the past Republican record in the arms control field than is the position of the proponents of the 2-year amendment.

The Arms Control Agency had its genesis in the State Department's Disarmament Administration, established under President Eisenhower. The creation of the Agency in 1961 was supported, among others, by former President Eisenhower; two former Secretaries of Defense, Thomas S. Gates, Jr., and Robert A. Lovett; former Secretary of State, Christian A. Herter; former Director of Defense Research and Engineering, Dr. Herbert York; two former U.S. Ambassadors to the United Nations, Henry Cabot Lodge and James J. Wadsworth; former Supreme Allied Commander in Europe, Gen. Alfred M. Gruenther; and the then Chairman of the Joint Chiefs of Staff, Gen. Lyman L. Lemnitzer.

John J. McCloy, a distinguished Republican, directed the drafting of the legislation which became the Arms Control and Disarmament Act. That act created the Agency by a bipartisan vote of 73 to 14 in the Senate and 290 to 54 in the House of Representatives. I was proud to have been a sponsor of that bill.

The mission of the Agency was recognized then by both Republicans and Democrats—and, in the interest of national security, should continue to be recognized now—as complementary to the mission of the Military Establishment. Both are integral parts of a complex whole dedicated to advancing this country's objectives and keeping it secure.

As Mr. Foster, the Director of the Agency and himself a Republican, pointed out in testimony before the House Foreign Affairs Committee, arms control measures can first, maintain military balance at present levels—or on a downward plane—rather than on an upward spiral; second, offer a means of correcting a situation in which a disproportionate amount of our national resources goes into armaments; and, third, slow down the nuclear buildup and inhibit the further spread of nuclear weapons, thereby reducing the chances of nuclear war and the devastation such a war might bring.

These objectives are not partisan objectives. They are American objectives. Indeed, the first meaningful proposals designed to achieve such objectives were advanced during the Eisenhower administration.

To me, one of the most persuasive reasons for a 4-year authorization is that it would tell the world in troubled times that the United States, while vigilant to danger and prepared to meet it, is also pursuing the cause of peace with increased vigor. In a world threatened with the spread of nuclear weapons to yet untold countries and with the current crisis in southeast Asia, it is even more important to lay long-term plans to reduce the danger and devastation of war through arms control.

Moreover, the Agency says it would be in a better position to pursue the necessary long-range planning under a 4-year authorization. The effective promotion of our national security by safeguarded arms control measures requires a good deal of research. Like all research, some of it is productive and some is not—but the fact remains that it must be planned and carried out by the Agency and its contractors on a long-term basis. It stands to reason that it would be much easier for the Agency to get good people if they know the Agency will be around for at least 4 years. It would also make it easier to interest corporations and institutions in doing the necessary long-term research, keep their own arms control study groups together, and invest some of their own funds in this research if they know their Government has made a firm 4-year commitment to the effort. Annual appropriations will still be required, of course, but they deal with how much the Agency will need—not whether it will continue.

I might add that, at the present time, the Arms Control Agency is the only one in the large State, Justice, Commerce, the judiciary and related agencies appropriations bill which regularly requires a new authorization just to continue in operation. The last time the Agency required an authorization the House had to pass the omnibus appropriations bill before enactment of the Agency's pending new authorization. As a result the House had no opportunity to give an independent judgment on the Agency's appropriation. Under the authorization recently reported out of the House Foreign Affairs Committee, this problem could be avoided in at least 3 out of the 4 years.

The proponents of the 2-year authorization claim that the 4-year bill would constitute an abdication of congressional responsibility for reviewing the program to assure its consistency with the changing world situation. I see no basis for this claim. The Agency has indicated it would be perfectly willing to appear before the authorizing committee any time the committee desires. Moreover, it is my understanding that the Agency maintains contact with the committee on all important matters and that it keeps the committee advised on its activities and program. Finally, and I would stress this point, the Arms Control and Disarmament Act already provides the assurance that no agreement obligating the United States to disarm or reduce its Armed Forces can become effective without prior congressional approval. Under these circumstances, we have nothing to fear and much to gain in authorizing longer range planning that will better enable us to cope with the difficult problems of arms control and world peace.

The Philadelphia Inquirer recently carried an excellent editorial which I am including at this point in the RECORD:

[From the Philadelphia Inquirer, Jan. 18, 1965]

MAN AND THE ATOM

There can be no Great Society in America, or anywhere, unless a way is found to avert a great catastrophe of nuclear annihilation.

No one is more keenly aware of this, or more seriously concerned, than President Johnson.

On the threshold of his inauguration to a full term in the White House, Mr. Johnson is giving increased attention and priority to the crucial problem of atomic weapons control. He has issued a timely appeal to Congress, urging Senators and Representatives to face squarely the urgent necessity for progress toward preventing the proliferation of nuclear arms.

Following a rapid succession of special messages to Congress on health, education, immigration and foreign aid, the President sent to Capitol Hill a program for arms control that, in our opinion, is the most vital issue of the day. With Red China now clearly in view on the nuclear horizon, looming ominously larger with every sunrise, and with a dozen other countries potentially within range of developing nuclear war capability in the next decade, every aspiration of mankind hinges on devising an effective method of putting the brakes on the atomic weapons race before it drives humanity over the brink into the abyss of a hydrogen holocaust.

The President asks Congress for $55 million to finance work of the U.S. Arms Control and Disarmament Agency during the next 4 years. This represents about a 50-percent increase over the Agency's current budget. We support Mr. Johnson's request wholeheartedly—as a minimum requirement. We urge Congress, in appropriating the full amount he asks, to go on record with a pledge to provide whatever additional funds may be needed later to accelerate arms control achievements.

Money, of course, will not remove the burden of the atomic bomb from the backs of the human race. But money is essential to recruit scientists and statesmen of the caliber necessary to launch and sustain a major offensive in the quest for nuclear peace.

Three nuclear powers—the United States, the Soviet Union, and Britain—are participants in a limited test ban pact successfully negotiated in 1963. The other two nuclear powers—France and Communist China—have refused to sign the treaty. Instead of belaboring this point, it might be wiser for American diplomacy to strive for a higher goal and a major breakthrough: a treaty, with inspection to guard against cheating, that would address itself directly and specifically not only to halting all nuclear weapons testing but to preventing the dissemination of nuclear weapons and related knowledge to additional countries.

Mr. MAILLIARD. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Chairman, I rise in support of the passage of H.R. 2998, as I believe the Arms Control and Disarmament Agency has done a good job. This should be supported as a bipartisan measure because the Agency has had bipartisan support from the time of establishment. President Eisenhower and President Kennedy and also President Johnson have made a point of the essential nature of this Agency and the need for it.

We on the Republican side should be pleased that the Director of the Agency is a fine Republican executive, William Foster, and that he has done a good job. Mr. Foster has had previous broad management experience as well as Government administrative experience in many fields.

My own position is that Congress should keep this Agency under close supervision. Therefore, I would favor an amendment which would reduce the authorization time by a 2-year period. If Congress gives an extension of authorization for this Agency for 2 years, then the personnel have ample time for long-range planning. The Agency will have the backing of this Congress. The passage of this bill will authorize the Agency to continue the foreign policy of the United States.

In conclusion, this is an untidy world. The Members of this House should not be looking around blaming the present world situation on any particular party of the United States or any particular agency or branch of Government. The untidy situation has been there a mighty long time, and I believe it will exist throughout the lifetime of all of us here. It is an untidy world, though, and we should do our best to obtain and maintain the peace on a just basis. I think it is no answer to this legislation that there is no peace. That is the end result and it is what we are all working for. Of course, all our efforts should be aimed at doing as much as we can to get peace in the world and to work toward that end.

I favor the passage of this legislation.

Mr. MORGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, as a cosponsor of this Agency in 1961, I favor the enactment of this legislation.

Mr. Chairman, I rise to urge continued support of the Arms Control and Disarmament Agency.

When I cosponsored the bill creating this Agency in 1961, the need for it was clear and compelling. Since the end of World War II arms control and disarmament had been of constant international concern and the subject of many international conferences of varying duration and magnitude.

It was essential that our representatives at these conferences be thoroughly prepared and fully aware of the pitfalls as well as the opportunities. There was a clear need for continuity of representation and for preparation and backup by a permanent professional staff with an adequate fund of pertinent knowledge and experience. Our experts should be aware of the history of prior negotiations, of Soviet tactics, and of the accumulated knowledge and thinking in the field, as well as the technical, military, political, economic, legal, and other aspects of the particular measures under consideration.

The Agency has filled these needs well to date; but the needs still persist, and the Agency should be given a renewed mandate.

The Arms Control and Disarmament Agency played a major role in the achievement of the limited nuclear test ban treaty. The draft treaty, which was prepared and tabled in Geneva in the summer of 1962, was in fact the basis of the negotiations for the treaty that was actually signed a year later.

The Agency also is responsible for the establishment of the hot line between Moscow and Washington, designed to lessen the risk of war through misunderstanding or miscalculation, and was instrumental in the formulation of the U.N. resolution calling upon all nations to refrain from placing weapons of mass destruction in orbit. Its research helped establish the technical basis and feasibility of these measures.

Besides these accomplishments, the Agency has continued the search for other viable measures to keep the arms race from getting out of control, and to subject such measures to acid-testing. It has given extensive attention to the economic and military impact of proposals in this field. And it has provided the United States with good and well-informed representation on this subject both at the Geneva Disarmament Conference and at the United Nations.

It is noteworthy that the original Arms Control and Disarmament Act was passed at the height of the Berlin crisis. The present bill comes to us at a time of crisis in Vietnam. But the attention that such crises demand should not now, as it did not in 1961, be allowed to prevent us from doing what we can to deal with the paramount crisis of our time—the advent of practically limitless powers of destruction. As President Kennedy stated on the eve of the Agency's creation:

> Today, every inhabitant of this planet must contemplate the day when this planet may no longer be habitable. Every man, woman and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness. The weapons of war must be abolished before they abolish us. In a spiraling arms race a nation's security may well be shrinking as its arms increase.

President Kennedy's words ring even truer today than they did in 1961. For we face the increasing threat of nuclear proliferation—of having these weapons in the hands of countries, large and small, stable and unstable, responsible and irresponsible, scattered throughout the world.

Mr. Chairman, we cannot afford to spare any efforts to help solve or alleviate these basic problems. I strongly recommend that we give wholehearted and continued support to the Agency which we created to focus on such efforts.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, there have been several remarks made about the Agency. My colleague on the Committee on Foreign Affairs, the gentleman from Iowa, mentioned the actions taking place in Vietnam. I am happy to hear he supports our President in the actions taken in Vietnam, which of course are to maintain the cause of freedom in southeast Asia and throughout the world. I think it safe to say that the entire Congress supports our President in his response to the Communist aggressions.

He brought up several other points, one about a gentleman by the name of Mr. Conger, a gentleman in the State Department, who has been active in obtaining furniture. I might say when he accepted this position with the Arms Control Agency, the Assistant Secretary of State asked him if he would continue in a capacity which would be helpful to the Government, which he agreed to do on his own time and which he is doing. The question of the furniture involves no public expense and is in the public interest.

The criticism and charge has been made of the proliferation of agencies doing research for peace. Personally I do not feel that there can be enough agencies making an effort to prepare our country for the day when peace may be honorably arrived at. There cannot be too much done on this all important field.

As far as the test ban treaty is concerned, I have heard the Agency criticized for not having played a major role in the test ban treaty. Let it be unequivocally spread on the record that no test ban treaty could possibly have been entered into if it had not been for this Agency. They advised the President as to the capacity of the United States to enter into the test ban treaty.

I might say that the instruments which allowed our Government to enter into this treaty were developed by this Agency, and for the first time in the history of treatymaking has the element of blind trust been taken out of the conditions upon which we can enter such a treaty.

The work performed by this Agency made it possible to remove the element of having to place blind faith in the Communists in entering into any arrangement. We did it on the basis of knowledge and this knowledge of detection and verification was acquired by the Arms Control Agency. That is the reason that we are spending this money. It is for this kind of research as well as other research connected with the complex problems related to disarmament and arms control.

This is one of the reasons why the President has asked, and the chairman of our committee has asked, for the support of this body for a 4-year authorization.

The reasons for such a request are simple.

The problems of arms control and disarmament are of vital importance to the United States. They are going to be with us for a very long time. The Arms Control Agency has done and is doing a good job in helping our country deal with these problems. Therefore, such an authorization for 4 years is necessary if we can program the work in a way that it will be meaningful.

I can best make my point most vividly by turning to the problem of nuclear spread. This is unquestionably a problem of the greatest magnitude to the United States and to the world. Does anybody think that the world is going to be a safer place or that the United States will be any safer if a dozen or more countries have their own nuclear weapons in the next decade? I hope nobody thinks so. But the fact is that we do not want to see nuclear weapons spread all over the globe and it will not be necessary if we can continue to work and to make progress in this important field of arms control.

I have had some personal experience as a representative of this body to the disarmament conferences at Geneva. I served there with the late Walter Norblad, our colleague on the Republican side, who did such wonderful work in the interest of peace and such great work in acquiring knowledge of these important problems that he brought back to this House of Representatives. We certainly mourn his passing. He was an outstanding American. This has been a difficult job for all the people involved in this crucial period and most times thankless.

The Chinese have already exploded one nuclear device and it is probable that before very long, perhaps even in the next week or so, another nuclear device may be exploded by the Chinese.

So the problem really is urgent, and it is going to become more urgent. Does anybody think that a problem of this sort is going to go away in 1 or 2 years? It is quite unlikely that we are going to enter into a disarmament treaty in the next 2 years or the next 4 years or in the next 10 years. But the real reason for this Agency is so that we can be ready if such an opportunity ever presents itself.

This work goes on so that we do not have to place blind trust in Communist promises, so that we will know of our own knowledge how to properly evaluate any offer that they may make; and so that we can properly make offers of our own without jeopardizing the security of the United States. This Agency makes it possible to evaluate offers based on certain and absolute knowledge.

Some Congressmen feel that the record of the Agency has not been good enough to justify a 4-year authorization. Mr. Chairman, if there are any Members of this House who hold such a view, I must disagree with them completely.

In its brief period of existence, this Agency has had a central role in making it possible for the United States not only to conclude the test ban treaty, but also to establish the "hot line" between Washington and Moscow, and to pass the U.N. resolution calling on States not to place weapons of mass destruction into orbit.

Mr. Chairman, I want very much to see the Arms Control Agency build up its staff not only of diplomats, but also of military personnel and scientists, to do everything possible in the interest of the United States in the field of arms control. I should like to see the U.S. Arms Control and Disarmament Agency work in close collaboration with the State Department and the Defense Department. I might add, from personal observation I know that no move is ever made at Geneva or in this Agency without the close collaboration of our military departments.

So, at a time when we are demonstrating to all of the world, allies and adversaries, that we will keep our commitments in Vietnam and in southeast Asia, let the world also know at the same time that the President of the United States looks forward to a world at peace.

There is an honest disagreement as to the question of a 4-year authorization and whether it should be 4 years or whether it should be 2, but the majority in our committee, people on both sides, feel that the job can best be done with a long-range program method such as this.

This is not new. Other agencies have this authority. The Defense Department has this authority. The Interior Department has this authority. This is not something new which this agency is asking to make unique to them.

The majority on our committee agree with our chairman, that the money requested can be better used if there is long-range programing.

The overriding problem of our civilization is how to find a meaningful peace. At some point in our future, if there is to be a future, this means arms control and disarmament.

It is a very small investment to prepare for a day when sanity may prevail in this world. The cost per year for this search is far less than the cost of 1 day's interest to pay off the debt of old wars. We are asking, for this year, an authorization of $12.5 million, and an overall authorization of $55 million for 4 years. The interest on the debt for past wars comes to $30,685,000 every single day of the year and next year it will be more.

Not only is the search for peace a very vital one for the continued existence of this planet, but also it is a bargain, for this is an economically and efficiently run agency.

So, while we vote to pass this bill, let us at the same time serve notice that we support our President not only in Vietnam but also in his efforts to find an honorable peace with freedom in this world.

Mr. MAILLIARD. Mr. Chairman, I yield myself such time as I may consume.

I have always supported this Agency in the past, and I want to make it clear that I recognize the importance of the work which the Arms Control and Disarmament Agency is doing and has done, and I believe it is essential that funds should be provided so that the Agency can continue its operations.

I have the greatest of confidence in Mr. Foster, who directs this Agency, and during my stint as a delegate to the General Assembly of the United Nations, slightly more than a year ago, it was made very clear to me how important the expertise developed by this Agency is when anyone is in the position of trying to represent the United States of America in international discussions.

As long as the United States finds it necessary to participate in international negotiations relating to arms control and disarmament, it is absolutely essential that our negotiators have available to them the technical data necessary to assure that concrete proposals made for arms control measures will not jeopardize our security and that any agreements which we enter into will permit proper inspection and verification to prevent possible subterfuge by other participants.

However, I am convinced that a 2-year authorization for $25 million, which is the amount requested for the next 2 years, will permit the Arms Control and Disarmament Agency to do everything that, as far as one can now determine, it will need to do during the next 2 years, and that both the Agency and the Congress will know a little better 2 years from now what the problems and requirements of the following years will be.

I may also add that I think everyone who ran for election—and that means everyone here in this room—knows that this Agency has become rather sensitive because of attacks that have been made on it, and most of them are quite unwarranted in my opinion. I believe it is in the best interests of the Agency itself to have a bill like this debated on the floor of this House at least once in every Congress. For that reason I sincerely believe the interests of the Agency will be better protected by a 2-year authorization than by the requested 4-year authorization.

I do not like to disagree with the chairman of our committee and I do not even like to disagree with the President of the United States. However, let me point out that during the hearings in the committee—and they are available for you to read them—almost every senior member on the majority side expressed the same view. They have been singularly silent here today, but if you had any notion that this was a partisan affair, let me tell you it was not. That is, with the exception of our chairman, who was doing his usual able, devoted job, almost every senior member on our committee on the Democratic side expressed the idea that this should be brought back to the committee in 2 years and not in 4 years.

I may also say that the $15 million a year programed for the last 2 of these 4 years had no justification given for it whatever. They did a fairly good job of justifying the $12.3 million for the next fiscal year and $12.7 million for the fiscal year after that. The amendment which I will offer, if someone does not offer it before I do, will give them that full $25 million for the next 2 years.

Again I want to repeat I am not trying to impede or to limit the operation of this Agency. I have been one of its strongest supporters in the past and I am today.

Mr. Chairman, I yield back the balance of my time.

Mr. HOSMER. Mr. Chairman, in the administration-sponsored bill H.R. 2998, Congress is being asked to authorize the Arms Control and Disarmament Agency—ACDA—to spend $55 million during the next 4 years. In testimony supporting this bill before the House Foreign Affairs Committee, William C. Foster, ACDA's Director, decried the spread of nuclear weapons and claimed by inference that the requested money would be used by his Agency to halt this spread and in other ways contribute to a more peaceful planet.

Mr. Foster wants all this money right now to facilitate "long-range research and planning." He says approximately two-thirds of the sum would be allocated to an extensive research program aimed at establishing "realistic arms control measures" to maintain "adequate national defense."

Putting it another way, Mr. Foster is asking for a license to spend almost $37 million of the people's money for so-called peace research. It would be consumed both by a large corps of researchers on the Agency's payroll and by contracts for studies to be done at "double-domed think factories" outside the Government.

The 4-year authorization would give Congress little opportunity to review carefully just where Mr. Foster's research programs might be taking us—or how fast. Therefore looking into what he has spent public moneys for in the past should be appropriate. It could indicate the wisdom or unwisdom of giving him a 4-year blank check on the Treasury.

The Foreign Affairs Committee did not look into this record. It devoted only 2 short days to inquiring into ACDA's multifarious activities before approving H.R. 2998 by a 16-to-11 vote. By this action the committee appears to have endorsed without examination the long-standing U.S. policy against the spread of nuclear weapons. It failed to ask Mr. Foster such embarrassing questions as, "Why has U.S. implementation of that policy been so unsuccessful that the world's nuclear club membership now numbers five?" or "What can your research do about it in the future that it has failed to do in the past?"

The committee appears to have paid little or no heed to the meaty subject of the widely heralded "Phoenix study" made by the Institute of Defense Analysis—IDA—which ACDA distributed last year. That interesting document sounded a loud, clear call for "togetherness" and "interdependence" with communism as the recommended new standard of international living.

Despite the provision of law barring ACDA from using U.S. citizens' own public money to propagandize them, the committee failed to look into ACDA's practice of encouraging, or at least allowing, its numerous employees to carry on extensive official correspondence with disarmament-minded "opinion makers" throughout the country on the pretext of seeking opinions about its many "research" studies.

In assessing how long a leash to give ACDA the committee should have taken up the case history of at least one product of the public funds it already has spent on "research." A good candidate for such an examination would be another of IDA's products called "Study Fair, Volume I—Studies on Information and Arms Control." Its first section, titled "Information and Strategic Stability," was written by Bruce Russett, a political scientist at Yale University in collaboration with three IDA staff members. This is a strange and perplexing document. ACDA put $10,000 into it and two other government agencies contributed another $9,500. It leaves one uneasy that his tax money is being used by Mr. Foster to such ends.

Professor Russett and his collaborators come up with the rather startling conclusion that there is "significant danger in information which is too informative" about what the Communists actually are up to. To offset such a danger, this "research" piece declares a "need for restraint in providing and obtaining certain kinds of intelligence."

In short, by reason of ACDA's actions the United States of America now possesses a formal study which says that providing full and accurate intelligence to the President and the Nation's leaders for the purpose of making decisions vital to the national security poses a greater risk of war than deliberately withholding from them certain kinds of information entirely and downgrading the reliability of the information they do receive.

This is, indeed, unintelligence in action.

The professor and his coworkers proceed to this conclusion from an unalterable conviction that arms competition between the United States and the U.S.S.R. inevitably must culminate in a nuclear war. They ignore the prevailing strategic concept—and actually experience of the past decade—that the ability of either power to absorb the other's surprise, first-strike Sunday punch and still retaliate with unacceptable damage to the aggressor effectively deters potential button pushers.

"Study Fair" views this kind of situation as destabilizing rather than stabilizing. Insofar as its reasoning is comprehensible to laymen such as myself, I gather it either first, presupposes U.S. arms improvement aims at an overwhelming surprise first-strike capability sufficient to destroy Soviets strikeback weapons; or second, even if our aim is more modest—deterrence by keeping up our own strikeback ability in the face of Soviet arms improvements—it is forever being misjudged by the Russians as a first-strike capability. In either event, according to "Study Fair," at some point the Kremlin will decide it is dangerous to wait any longer to strike us before we strike them. As long as our intelligence people keep the Nation's leaders fully and accurately informed about Soviet arms improvement, we will keep improving our own to meet the competition. When the Russians find out about it, then it is back to the drawing boards again for them—and the only end is the inevitable holocaust.

"Study Fair's" burden is that to break this chain our intelligence people should distort their reports by deemphasizing the enemy's capabilities. This will cause us to stop upgrading our Military Establishment and "stabilize" our deterrent force. Then the arms race will stop. Peace will descend—that is, if one believes the Kremlin is not just waiting to clobber us the moment it can get away with it.

What we do not know accurately—or at all—about, the Soviets will not hurt us is "Study Fair's" underlying philosophy. The researchers say unintelligence will help us. Communism will be so delighted with our ignorance that its fear of surprise attack will go away. That fear—not an aggressive determination to rule the world—presumably is the burr under the Soviet saddle.

"Study Fair" even contains recommendations for handy ways to keep ourselves in the dark which it calculates will build up U.S.S.R. confidence in U.S. peaceful intentions These include:

First. Agreements between the two countries promising not to transmit certain kinds of information about each other.

Second. Procedures for the Soviets to demand surfacing of our Polaris submarines to set the Kremlin's mind at ease that they are not within firing range of the U.S.S.R.

Third. Automatic intelligence processing equipment which gives "only a sparse output."

Fourth. Manned or unmanned observation systems "with strictly limited capabilities."

Fifth. "Automatic measures for delaying the transmission" of intelligence.

Sixth. The "cessation of transmission during crises" of intelligence.

Seventh. A "veto for the observed party over what information is transmitted."

Of course, the Soviets will keep their promises and engage in all these self-limitations too, because they do not want to get into a war either. At least, that is what "Study Fair" seems to assume. Possibly the Soviets have changed quite a lot in the 2 years since the Cuban missile crisis. Had the recommendations outlined in "Study Fair" been in effect in October 1962, the intelligence community presumably would have had to suppress the photographic evidence obtained by the U-2's so that it would not become known to the President. There would have been no crisis. The Kremlin would have been confident of U.S. peaceful intentions—and we of theirs. They would have had the easy feeling that our missiles were not going to hit them. What we did not know about theirs would not upset us.

So concerned about the possibility of someone "striking first" were the authors of "Study Fair" that they suggested the United States take steps to assure nothing happens—even behind the Iron Curtain—that would start Soviet leaders thinking about pushing the button. For example, "Study Fair" hypothecates that a revolution in East Germany against communism might do just that. Breznev, Kosygin & Co. could become so distraught over it they would fire their ICBM's at the United States. The study says:

> One must then add to the requirements of stability the capability to prevent shifts in allegiance of third areas whose prospective loss would cause the opponent to attack.

In deciding whether to cast an "aye" or "nay" vote on Mr. Foster's 4-year blank check for $37 million more of such "research" I submit it is the obligation of the Members of the Congress to recall such "research" studies as "Phoenix" and "Study Fair."

Mr. CONYERS. Mr. Chairman, I fully support the administration's request for a 4-year, $55 million authorization for the Arms Control and Disarmament Agency.

When I look at the jobs this Agency was created to do, it seems obvious to me that it should be put on a more nearly permanent basis. In the first place, it was charged with central responsibility for the preparation for and participation in international negotiations relating to arms control and disarmament. Such negotiations are bound to be with us for some time, and it is important that we be represented by experienced specialists in the field. The continuation of the Agency will help assure that we are so represented.

In the second place, the Agency was charged with building up a centrally located fund of relevant knowledge, readily accessible to our negotiators. The need for this activity likewise is bound to continue for some years to come.

Finally, the Agency was charged with preparing for and operating or directing U.S. participation in control systems to give assurance that international agreements on arms control or disarmament are not being violated. I sincerely hope that the prospects for such control systems will not disappear in the next few years.

While these arguments could be used to support a permanent authorization for the Agency, I think it makes sense to make it necessary for the President elected in 1968 and the Congress to review the progress and opportunities in this field.

Hence, I wish to give my enthusiastic endorsement to the administration's bill.

Mr. MATSUNAGA. Mr. Chairman, the President has proposed in his wisdom a 4-year, $55 million authorization bill for the Arms Control and Disarmament Agency. The Committee on Foreign Affairs, under the able leadership of its distinguished chairman, the gentleman from Pennsylvania [Mr. MORGAN], has reported out the administration bill with a recommendation that it be approved. As to amendment to the bill now being offered, those on the opposite side of the aisle are urged to reconsider that position in the light of the reasons which have been raised in support of the administration bill.

To chop the 4-year authorization term down to 2 years would seriously handicap the Agency in setting up a longer range program. It is inconceivable that anyone believes that the problems which the Agency was set up to deal with can be solved within a year or two. Long-range planning and long-continued effort are absolutely necessary. While I agree that congressional checks over the Agency's activities are healthy and desirable, it is not necessary to reduce the term of authorization in order to do this. Annual appropriations are still needed to be made to fulfill the authorization and a congressional review and check of the activities of the Agency can be made at such time. Annual appropriations are not objectionable because the question then raised is not whether the Agency will continue in existence or not, but just how much it will need. Annual or biennial authorizations, on the other hand, raise the more basic question of whether or not the Agency will continue beyond the authorization period, and make it extremely difficult for the Agency to commit key people and important institutions to the Agency's programs.

It would make it far easier to hire and retain employees of high caliber if it is definitely known that the Agency will be in existence for at least 4 years. It would also be easier to interest corporations and universities in doing research for the Agency, to keep together arms control study groups within their organizations, and to invest some of their funds in pertinent research if it is known that there is at least a 4-year governmental commitment to the effort.

Furthermore, a 4-year bill passed by the Congress would serve notice on the world that we in the United States intend to give greater emphasis to long-term plans for peace even in these troubled times. ACDA was born during the Berlin crisis 4 years ago. What Speaker MCCORMACK told the Members of this body at that time is equally true now:

> It is important that we embark on this effort now even when the storm clouds of immediate world danger from the Soviet Union are perilously low. We must demonstrate that even in a time of great crisis, that while we prepare for defense and preservation, if necessary, we do not panic and we do not relinquish our efforts for peace. We can, even in these trying circumstances, take important steps to contribute toward a more peaceful and better world.

ACDA's small appropriation is annually made as part of the State, Justice, Commerce, Judiciary, and other related agencies. Important as its work is recognized to be, ACDA is the only agency in that bill which regularly requires a new authorization just to continue in operation. The passage of the 4-year bill would eliminate this seeming incongruity and consequently permit the House and its Appropriations Committee a more frequent opportunity to initiate ACDA's appropriation then and to pass independent judgment on it.

When the House votes on the appropriation measure, it is prohibited by its rules from voting funds to ACDA while an authorization bill has not yet been enacted into law. By the time the appropriation bill is passed by the Senate, however, the authorization measure may well have been enacted, in which case, of course, the Senate may initiate the appropriation under such authorization. This is exactly what happened the last time ACDA's authorization expired and the House did not have the opportunity to vote on ACDA appropriation under the new authorization except after the Senate had taken its action and was limited by the Senate action.

The same situation will likely face this House every authorization year. With a 4-year authorization, we will avoid this 3 out of 4 years.

These are some of the reasons we should all vote to support the President and the Committee on Foreign Affairs. They are sound reasons.

As representatives of the people of the United States and as responsible leaders of this great Nation of ours, our foremost duty is to do everything in our power to insure world peace, for without peace in this age of thermonuclear warfare all else will end in nothingness.

I urge the passage of the bill as recommended by the House committee.

Mr. DONOHUE. Mr. Chairman, as one of the original sponsors of legislation that resulted in the creation, back in September of 1961, of the Arms Control and Disarmament Agency within the executive department of our Government I most earnestly urge my colleagues here to overwhelmingly approve this measure authorizing an additional appropriation of $55 million for the Agency to continue its operations through the next 4 fiscal years.

There can be no doubt that in the short time of its existence this Agency has already more than proved its worth, and the continuing state of world tension and uncertainty very clearly demonstrates the vital necessity of maintaining the effective operation of this unique unit of Government in exploring the paths that may lead to peace through arms control and disarmament.

Up to now, this very important unit of Government has been operating on an annual budget of around $8 million. Even with this comparatively small sum, it has made a most valuable contribution to the promotion of peace through such first-step measures as the nuclear test ban treaty and the United Nations vote against weapons in space.

Let me, please, remind you that the Congress is not, by this bill or through this Agency, relinquishing one whit of its constitutional, traditional, or legislative power over U.S. disarmament procedures or treaties. If it did I would not be in favor of it.

Let me further and respectfully observe that when few question an appropriation of some $50 billion for an arms race it is difficult to appreciate how anyone can hesitate over approving $55 million for the pursuit of honorable peace.

Penny for penny it could well be the best investment the American taxpayer could make or that we can make for him and the civilized world. Let us then promptly approve this measure without further delay.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

H.R. 2998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 49(a) of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2589(a)), is amended by inserting immediately after "$20,000,000", the following: "and for the four fiscal years 1966 through 1969, the sum of $55,000,000,".

AMENDMENT OFFERED BY MR. MAILLIARD

Mr. MAILLIARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAILLIARD: On the first page, beginning in line 6, strike out "four fiscal years 1966 through 1969, the sum of $55,000,000" and insert in lieu thereof the following: "fiscal years 1966 and 1967, the sum of $25,000,000".

Mr. MAILLIARD. Mr. Chairman, I do not think I need to repeat the speech I made a minute and a half ago. This amendment authorizes for this Agency the full $25 million requested for the next 2 fiscal years. It does not, however, extend beyond the next 2 fiscal years, where the request is made and the original bill calls for an additional $15 million for each of 2 more years.

So, in brief, the Agency will get under this authorization the full amount requested for 2 years and we will assure that we will get a full review and debate at least once in every Congress on this rather sensitive area.

I urge that my amendment be adopted.

SUBSTITUTE OFFERED BY MR. HAYS

Mr. HAYS. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. HAYS: On page 1, line 6, strike out all after the colon and insert "and for the three fiscal years 1966 through 1968 the sum of $40,000,000".

Mr. HAYS. Mr. Chairman, this substitute is in the form of a compromise. I want to say that I agree with the gentleman from California [Mr. MAILLIARD], and he knows that I agree with him, on the principle that these people should come back at least once in every Congress. The amendment that I have offered will give them more of what they say they must have—continuity; at least a year more. But they will come back in the next Congress for a review for some more money, for an authorization to continue. It is just as simple as that. I think between reasonable men there is always room for compromise. I think this preserves the principle of having them come back. I certainly say they should come back in every Congress. I, for one, am not willing to vote for legislation which will foreclose the next Congress, in which we may or may not be Members, having something to say about this, having the opportunity to review it, or having the opportunity to have the Agency come in and say what they have done.

I do believe that they need, for contractual reasons, some continuity. This will give them 3 years. I do not think anybody could reasonably object to cutting it down 1 year. I think those who feel strongly about a shorter period of time could not reasonably object to coming up 1 year. I should hope the committee would accept this and that we could go on and dispose of this bill.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the chairman.

Mr. MORGAN. Mr. Chairman, as I understand the gentleman's substitute, it provides the full 3 years' authorization of money as requested by the Executive. His motion would authorize $12.3 million, $12.7 million, and $15 million, making a total of $40 million for the 3-year authorization. Only the $15 million requested for the Executive for the fourth year is eliminated.

Mr. HAYS. The chairman is exactly right; it is $40 million for 3 years, exactly what they have asked for, for those years. We are cutting off only the fourth year, and the money they have asked for the fourth year.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield.

Mr. FULTON of Pennsylvania. This brings up the question just how much time would be remaining for the next Congress to legislate, because we are discussing here not calendar years but fiscal years, 3 fiscal years, the first of which would begin this coming July. At the end of the third year it would be July 1. That would only leave 6 months for the succeeding Congress.

Mr. HAYS. May I answer the gentleman's question by saying that these people are prudent. They are not going to wait until the last dollar is spent or the last day of the authorization. They are not doing that now. They are coming in at the beginning of the year and I would presume that they would come in at the beginning of the subsequent calendar years when they seek their renewed authorization and money 6 months before the fiscal year expires. If they did not do that, I would say to the gentleman and I would hope he would agree, the fault would be theirs and not that of the Congress.

Mr. MORGAN. Mr. Chairman, will the gentleman yield further?

Mr. HAYS. I yield to the chairman.

Mr. MORGAN. Mr. Chairman, I strongly favor the 4-year authorization. But I am prepared to compromise when that is the thing to do. I want to assure the gentleman that I have been in consultation with the leadership of the House and they have been in consultation with the Director of the Arms Control and Disarmament Agency. The Director feels strongly that he should have a 4-year authorization but he feels that if it is in the judgment of the House that 3 years is the right period, he would be willing to accept that. As chairman of the committee I reluctantly accept the gentleman's amendment.

Mr. HAYS. I appreciate the chairman's position and I appreciate his statesmanship.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am surprised. I do not know whether I ought to be, but I am surprised that the legislative committee, the House Foreign Affairs Committee, is so willing to abdicate its authority to look over on a minimum basis of every 2 years what this program is doing. I am somewhat surprised the members are so willing to walk off and leave this expenditure of money without taking a look at it once every 2 years. They ought to look at it every year.

Mr. Chairman, I hear a good deal of screaming about the House Committee on Appropriations, the alleged presumption of power on the part of the Committee on Appropriations. But, apparently, the legislative committee, the House Foreign Affairs Committee, is not as interested as one might think it would be in how money is being spent around here.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes; I yield to the gentleman from Pennsylvania.

Mr. MORGAN. The gentleman has served on the Committee on Post Office and Civil Service for a good many years, which is an authorizing committee. Was he worried about looking at the Post Office Department authorization every year while serving on that committee? Has he considered its budget every year?

Mr. GROSS. You bet your life I am concerned about the postal budget every year.

Mr. MORGAN. If the gentleman will yield further, the gentleman also voted for the $49 billion defense appropriation. That is a continuing authorization, is it not? There is an annual appropriation.

Mr. GROSS. Of course; and we do look at it every year.

Mr. MORGAN. We have a great deal of confidence in the Committee on Appropriations in the House of Representatives.

Mr. GROSS. I am just saying I have heard a good deal of criticism at times in the Committee on Foreign Affairs about the Committee on Appropriations usurpation of power, yet the Committee on Foreign Affairs today seems perfectly willing to walk off and let this spending go on for 3 years, without taking a look at it, and leaving any scrutiny to the Appropriations Committee.

Mr. MORGAN. A 3-year authorization is not unusual in the Committee on Foreign Affairs.

Mr. GROSS. Well, I hope I have heard the last criticism by the Committee on Foreign Affairs about the Committee on Appropriations.

Mr. MORGAN. If the gentleman will yield further, the gentleman knows that we authorized a 5-year program for the Development Loan Fund and that we authorized a 4-year program for the Alliance for Progress. This is not an unusual procedure on the part of the Committee on Foreign Affairs.

Mr. GROSS. Yes, but I have not.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. There is no evidence whatsoever that we are disassociating the Committee on Foreign Affairs from the interests and pursuits of the Arms Control Agency. They still report. They still come in. We still have hearings and we still have a say about what they are doing and not doing. They still must report in every year. We could call them every month right now. The gentleman knows we can call them at any time whatsoever.

Mr. GROSS. Oh, you can call them at any time; of course you can, but you do not.

Mr. GALLAGHER. That is not an accurate statement.

Mr. GROSS. How much of a hearing did we have this year on this $55 million? How many opposition witnesses did we hear?

Mr. GALLAGHER. There was opportunity for any opposition to be heard if they requested time.

Mr. GROSS. The committee certainly could have invited them.

Mr. GALLAGHER. But they were not here nor did they request to be heard.

Mr. GROSS. They should have had an opportunity to come in and be heard.

Mr. GALLAGHER. Is the gentleman saying that the opposition did not have an opportunity to come in?

Mr. GROSS. The opposition did not have an opportunity to come in. The hearings were ended after two short sessions.

Mr. GALLAGHER. No one cut them off.

Mr. GROSS. I do not want to take the time of the House to read a letter from at least one in opposition to this bill.

Mr. GALLAGHER. Did the gentleman request time for that opposition witness to come in?

Mr. GROSS. There was no reason why I should.

Mr. GALLAGHER. We like to hear from everyone, even the opposition. It makes for better legislation.

Mr. GROSS. The opposition made its own request for time and was turned down.

Mr. GALLAGHER. The gentleman is a member of the committee and he certainly could have obtained time for this opposition witness.

Mr. GROSS. I did not know of his request at that time. But why should anyone who wants to be heard before the committee, in this case, one witness who wanted to be heard, be denied the opportunity?

Mr. GALLAGHER. We looked for opposition who wanted to be heard and found none.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Ohio.

Mr. HAYS. I understand the witness, Mr. Andrews, requested to be heard after the hearings were over.

Mr. GROSS. Not to my knowledge.

Mr. HAYS. That is the knowledge I have.

Mr. MORGAN. That is correct.

Mr. GROSS. I will check as to the date the gentleman made his request.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. HAYS. I may say to the gentleman that I offered this substitute to do one of the things the gentleman wants done, and that is to have these people come back at least once every 3 years. I do not think that is too much to quibble about between 2 and 3 years, but there may be between 2 and 4 years, in my judgment, because they would not come back at all in the next Congress.

Mr. GROSS. There is a matter of principle and good legislative practice involved in getting these people back so we can look over their shoulders to find out for what purposes they are spending the taxpayer's money. They ought to come back every year, not merely once in 3 years.

Mr. HAYS. The principle involved is they have to come back to this Congress.

Mr. GROSS. Why does the gentleman not agree to a review every 2 years?

Mr. HAYS. Frankly, I was afraid we might get beat, if you want to be candid about it.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am surprised at this recent development, by which there has been proposed a 3-year extension for this Agency. I am also surprised that the Chairman has been willing to state that there is merit to a 3-year extension, instead of a 4-year extension which the committee itself recommended. In my own opinion, we should reduce it further. It should be a 2-year extension. What has taken place here strengthens my conviction that a case has not been made for an extension beyond 2 years.

The gentleman from Ohio, in urging support of the substitute, suggests that the next Congress will determine whether or not the Agency should have a renewal on its lease of life. But surely, in the case of an agency like this, it is obvious that there is need for such review within a 2-year period. The discussion between the gentleman from Iowa and the gentleman from Ohio indicates quite clearly that no committee is likely to get an agency to testify every week or every 6 months. Unless there is some particular reason for the authorizing committee to have executive branch witnesses come, that probably will not be done.

I would reiterate the advisability—and surely there must be some validity to the argument of those of us who are recommending this—of a 2-year extension for this Agency. I do not say that as a foe of the Agency but, as the gentleman from California has said, as a friend of the Agency. They are dealing with controversial matters, and it may well be if they do not have some kind of watch dog committee, such as our committee, they would be more vulnerable. I would urge defeat of the substitute and the acceptance of the amendment offered by the gentleman from California.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I think the sole purpose in accepting the 3-year compromise is a recognition that there is an honest difference of opinion between the parties on this particular issue, whether it should be 2 years, as the Republicans feel it should be, or whether it should be 4 years, as the majority of the Democrats feel. I think that is recognition of this honest difference of opinion, and that is the reason the chairman has accepted a compromise. This is in the historic tradition of legislative compromise.

This is a bipartisan Agency, and this is a bipartisan operation in which there are no politics. There is no attempt to jam anything down anybody's throat, nor should there be by acceptance of the reverse procedure. This is a legislative compromise, and it is an honorable compromise. The 3 years was accepted by the chairman, and I think that is the sole purpose even though some of us feel that it should be 4 years.

Mr. FRELINGHUYSEN. I am glad the gentleman takes that position, and that the majority now recognizes there is some substance to an authorization of less than 4 years. We are still faced with what the other body may or may not do. I would think the compromise could have been made in committee where it might have received support. But, regardless of that, I do not think that the suggestion for having a 2-year authorization is an unreasonable one. I feel very strongly we should not extend this program for any longer period.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman know whether the State Department has provided a position paper in the last 15 or 20 minutes on this compromise?

Mr. HAYS. The State Department supplied nothing to the committee. I am the author of the amendment. There is nothing dishonorable about a compromise. Some of the greatest issues in this Republic have been settled by compromise. I think the chairman is right in accepting it. Our friends on the other side argue for an extension of less than 4 years. I do not think anyone would lose any honor by accepting the 3-year extension. We do have the assurance that they will be back in the next Congress, which is all the amendment provides, and there will be a review by the Committee on Foreign Affairs.

Mr. FARBSTEIN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, for myself, if the choice were left to me I would insist on 4 years. However, I am satisfied to go along with the offer of compromise. It seems to be as though the entire debate rests on the question of whether or not there is examination, whether there is supervision, whether there is interrogation of this Arms Control and Disarmament Agency.

It is our function as a Committee on Foreign Affairs to go into every one of these various agencies of the State Department annually. I know for a fact that various agencies come in before the various subcommittees of the Committee on Foreign Affairs and testify as to the acts of that Agency every single year. I can see no reason or any basis for a desire to review this on the floor. If the committee finds there is something about that Agency with which they disagree they have a perfect right to complain and in the normal course of events you will find this Agency as well as any other agency will accede to its wishes and desires. If they do not, a resolution could be offered, of which they will take cognizance.

Now that you have been offered a compromise of 3 years, why say that you have to bring this legislation back every 2 years? If anything, you are wasting your time and our time in insisting that they come back here as often as you suggest they should. It seems to me that the compromise that has been offered is one that should be accepted without any further equivocation.

Mr. ADAIR. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Chairman, the matter before us concerns congressional authority. The U.S. Arms Control and Disarmament Agency has sought, by asking for a 4-year authorization, to dilute our authority and our obligation to the people of the United States. We all agree that disarmament is of transcendent importance. Therefore, the activities of this Agency should be subjected to the close scrutiny of we who are the people's elected representatives, on a continuing basis. This matter is much too important to be left to drift along for 3 or 4 years without reflecting the will of the elected representatives of the American people. Furthermore, the action in itself sets a precedent for other agencies, who do not wish to be bothered with explaining their activity each and every year to the U.S. Congress.

As a member of the House Foreign Affairs Committee, I feel that the committee would be derelict in its duties not to review the activities of this Agency more often than every 3 years. The Director of the Agency, the Honorable William C. Foster, assured our committee that one of the most pressing problems their agency is trying to solve is that of nuclear proliferation. Just since we had our first meeting with Mr. Foster, the Indonesians have announced that they are working on an atom bomb. We also know that the Red Chinese are further along on their nuclear weapons development than heretofore known, and that their second nuclear detonation may not be long in coming. I ask therefore, how we can wait for 4 years to review the work of this important Agency? This of course, is to say nothing of what may develop out of the dangerous and drifting Vietnam situation.

Mr. Chairman, I will vote for the authorization as I voted for the creation of the original Agency, but I wish to retain, and I am certain that this House will want to retain the right to take issue with the approach and conclusions reached by this Agency. We have been assured by Mr. Foster that we are not headed for unilateral disarmament, but multilateral and bilateral. It behooves us to see that we never embark in the direction of unilateral disarmament—even inadvertantly.

For these reasons I hope we may reduce the authorization to not more than 2 years. I will not willingly be a party to a further dilution of congressional responsibility and authority.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the Hays amendment. I am glad to see there is no real controversy over the continuance of the Arms Control and Disarmament Agency. The remarks that have been made in regard to the cost, a paltry $14 or $15 million a year, would have been amusing if the matter were not so vital, when we consider that when we send one missile off at Cape Kennedy it costs $15 million. Then we turn around and consider that we plan to spend in one whole year $15 million in exploring all the probabilities and possibilities of obtaining peace in the world. So it seems to me that the economy argument falls of its own weight.

The administration has asked for a 4-year continuation. The minority have in their judgment suggested 2 years. Now we have a compromise of 3 years. Certainly a compromise is honorable, and I see no reason why the compromise should not be accepted. I support the compromise.

The only real objection that has been made is concerning the scrutiny of the program. This program is under the scrutiny of at least three committees that I know of. There may be others. In the first place, the Appropriations Committee scrutinizes this program once every year. Any time we want to go before the Appropriations Committee and protest the action of the Agency we have that right.

I cannot believe that the great Committee on Foreign Affairs of the House would be derelict in its duty in not following this program continuously and calling these people before them to explain the different programs they advocate.

I can say that the Joint Committee on Atomic Energy has a very deep interest in this program of arms control because it affects the controls on and production of atomic armament.

I can say that on at least three occasions during the last year we had William Foster, the Director of the Agency, and his staff before us explaining the policies and proposals they are contemplating advancing and negotiating. They have been most cooperative in coming before us. They have been completely frank in explaining to us what they are thinking about and what they are proposing. They have listened to the committee's admonitions along certain lines and have followed those admonitions and have been most cooperative.

So I think with three committees looking over this program, with this compromise being offered by a highly respected member of the committee, I think this House would do well to accept the compromise.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I am happy to yield to my Speaker.

Mr. McCORMACK. Mr. Chairman, there is no question but what a great majority of the Members on both sides are in favor of extension of the Arms Control Agency. The difference is whether it should be for 2 years or for 4 years. Personally I favored the 4-year extension as do so many of my colleagues. But there is an honest difference of opinion and personally I think it is a difference of opinion that both sides should respect. I will take the responsibility for suggesting the 3-year amendment. I assume my responsibility when a decision has to be made. I conferred with the chairman and with others of my colleagues and it seems to me this is a reasonable compromise that all Members can support.

One thing that concerned me greatly, and this is not said in the spirit of criticism, when I read the paper this morning to the effect that our Republican friends were taking a party position on the 2-year extension. That statement disturbed me very much because I did not want the word sent out to the people of America and the world that our bipartisan policy has been seriously affected by taking such a position.

So, Mr. Chairman, it seems to me that a 3-year extension is a reasonable and fair compromise to make. Mr. Chairman, I support the substitute amendment and urge my colleagues to adopt it.

Mr. HOLIFIELD. I thank our distinguished Speaker.

Mr. Chairman, let me just say in closing that this is a very important business that we are dealing with. There is no more important issue before the world today than obtaining peace in the face of a possible nuclear holocaust. Let us not quibble about the 2 years. Let us get on with the public business.

The question is on the substitute amendment offered by the gentleman from Ohio [Mr. Hays].

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California, as amended, by the substitute amendment.

The amendment, as amended by the substitute amendment, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose and the Speaker having resumed the chair, Mr. Thompson of Texas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2998) to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations, pursuant to House Resolution 233, he reported the bill back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. BROOMFIELD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. BROOMFIELD. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BROOMFIELD. I am, Mr. Speaker, in its present form.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Broomfield moves to recommit the bill (H.R. 2998) to the Committee on Foreign Affairs with instructions to report the same to the House forthwith with the following amendment: On the first page, beginning in line 6, strike out "four fiscal years 1966 through 1969, the sum of $55,000,000" and insert in lieu thereof the following: "fiscal years 1966 and 1967, the sum of $25,000,000".

Mr. HAYS. Mr. Speaker, I make a point of order against the motion to recommit on the ground that it would amend an amendment just adopted by the House.

The SPEAKER. The Chair sustains the point of order.

The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 302, nays 63, not voting 68, as follows:

[Roll No. 16]

YEAS—302

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Bandstra
Barrett
Bates
Beckworth
Bennett
Berry
Bingham
Blatnik
Boggs
Boland
Bonner
Bow
Brademas
Bray
Broomfield
Brown, Ohio
Burke
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Carey
Carter
Celler
Chamberlain
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Cooley
Corbett
Craley
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson

Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Evins, Tenn.
Farbstein
Farnum
Fascell
Feighan
Fino
Flood
Flynt
Fogarty
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harvey, Ind.
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kee
Keith
Kelly
Keogh
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Leggett
Lindsay
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McEwen
McFall
McGrath
McVicker
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Martin, Mass.
Mathias
Matsunaga
Matthews
May
Meeds
Miller
Mills
Minish
Mink
Mize
Moeller
Monagan
Morgan
Morris
Morrison
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Va.
Stafford
Stalbaum
Stanton
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Calif.
Tenzer
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tupper
Tuten
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watkins
Watts
Whalley
Whitener
Widnall
Willis
Wolff
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—63

Abernethy
Andrews, George W.
Andrews, Glenn
Ashbrook
Ashmore
Belcher
Brock
Broyhill, N.C.
Buchanan
Burleson
Callaway
Casey
Clancy
Clausen, Don H.
Collier
Cramer
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan, Tenn.
Edwards, Ala.
Findley
Fisher
Fuqua
Gathings
Gross
Gurney
Haley
Hall
Hansen, Idaho
Harsha
Lennon
Lipscomb
Marsh
Martin, Ala.
Martin, Nebr.
Michel
Minshall
Moore
O'Konski
Passman
Poff
Pool
Reid, Ill.
Roberts
Rogers, Tex.
Roncalio
Satterfield
Scott
Sikes
Smith, Calif.
Steed
Talcott
Teague, Tex.
Waggonner
Weltner
White, Tex.
Whitten
Williams
Wilson, Bob
Younger

NOT VOTING—68

Abbitt
Aspinall
Baldwin
Baring
Battin
Bell
Betts
Bolling
Bolton
Brooks
Brown, Calif.
Broyhill, Va.
Burton, Utah
Cabell
Cameron
Cederberg
Clawson, Del
Colmer
Corman
de la Garza
Derwinski
Erlenborn
Fallon
Farnsley
Foley
Gonzalez
Gubser
Hagan, Ga.
Hagen, Calif.
Hardy
Harvey, Mich.
Henderson
Hosmer
Johnson, Calif.
Kastenmeier
King, Calif.
King, N.Y.
Long, La.
McDowell
McMillan
Macdonald
Moorhead
Morse
Morton
Nix
O'Brien
O'Neal, Ga.
Pelly
Quillen
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Rivers, S.C.
Roosevelt
Roudebush
Sisk
Springer
Staggers
Thompson, N.J.
Toll
Tuck
Tunney
Udall
Utt
Walker, Miss.
White, Idaho
Wilson, Charles H.
Wright

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Toll for, with Mr. Quillen against.
Mr. King of California for, with Mrs. Bolton against.
Mr. Morse for, with Mr. Long of Louisiana against.
Mr. Morton for, with Mr. Baring against.
Mr. Roosevelt for, with Mr. Reinecke against.
Mr. Fallon for, with Mr. Walker of Mississippi against.
Mr. Aspinall for, with Mr. Utt against.
Mr. O'Brien for, with Mr. Rhodes of Arizona against.
Mr. Thompson of New Jersey for, with Mr. Burton of Utah against.
Mr. White of Idaho for, with Mr. Cederberg against.
Mr. Brown of California for, with Mr. Battin against.
Mr. Johnson of California for, with Mr. King of New York against.
Mr. Macdonald for, with Mr. Hosmer against.
Mr. McDowell for, with Mr. Erlenborn against.
Mr. Rivers of Alaska for, with Mr. Del Clawson against.
Mr. Sisk for, with Mr. Colmer against.
Mr. Moorhead for, with Mr. McMillan against.
Mr. Corman for, with Mr. Rivers of South Carolina against.
Mr. Cameron for, with Mr. Baldwin against.

Until further notice:

Mr. Staggers with Mr. Roudebush.
Mr. Nix with Mr. Bell.
Mr. Hagan of Georgia with Mr. Betts.
Mr. O'Neal of Georgia with Mr. Springer.
Mr. Hagen of California with Mr. Gubser.
Mr. Henderson with Mr. Derwinski.
Mr. Tunney with Mr. Abbitt.
Mr. Udall with Mr. Tuck.
Mr. Hardy with Mr. Gonzalez.
Mr. Wright with Mr. Kastenmeier.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROGRAM FOR REMAINDER OF TODAY AND TOMORROW

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, may I ask the distinguished majority leader what the program is for the rest of the day and for tomorrow?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I appreciate the gentleman's making this inquiry, because we do want to expedite the business of the House. We have one more bill, relating to the Inter-American Development Bank Act, which follows the bill we have just passed. It will be our hope that we can adopt the rule and get through part of the general debate this evening, in order that we may expeditiously complete this bill tomorrow, because there are 4 hours of general debate on this bill.

After consulting with the distinguished minority leader about the matter of coming in early tomorrow, I ask unanimous consent, Mr. Speaker, that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

Mr. GROSS. I object, Mr. Speaker.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INCREASED U.S. PARTICIPATION IN THE INTER-AMERICAN DEVELOPMENT BANK

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 234) providing for consideration of H.R. 45, a bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 234

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. PEPPER. Mr. Speaker, House Resolution 234 provides for consideration of H.R. 45, a bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations of the Inter-American Development Bank. The resolution provides an open rule with 4 hours of general debate.

H.R. 45 would amend the Inter-American Development Bank Act of 1959 to authorize the U.S. Governor of the Bank to vote in favor of the resolution entitled "Increase of Resources of the Fund for Special Operations." Upon passage of this legislation, and adoption of the resolution, the United States would agree to pay into the Bank, earmarked for the fund for special operations of the Bank, $750 million—without fiscal year limitations. Pursuant to appropriations, the United States would contribute $250 million per year to the expanded fund for special operations during fiscal 1965, 1966, and 1967. Following the appropriation by Congress of each year's installment, the annual U.S. contribution would be made in the form of a letter of credit. This procedure will prevail so as to bring U.S. budgetary expenditures for the program more closely into line with actual use of the funds by the fund for special operations. In total, adoption of the resolution would call for an increase equivalent to $900 million in the resources of the fund for special operations—$150 million equivalent to be provided by the Latin American participants in the Bank over the same 3-year period.

Mr. Speaker, I urge the adoption of House Resolution 234.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the able gentleman from Iowa.

Mr. GROSS. Is this in the nature of back-door financing?

Mr. PEPPER. Not at all. This is simply an authorization, I will say to the able gentleman from Iowa. It is an authorization to be effectuated by the appropriation by the Congress of $250 million a year for the next 3 years.

Mr. GROSS. Does this in fact or effect have any back-door financing?

Mr. PEPPER. It does not. This is only an authorization which will be the predicate of a subsequent appeal to the Congress for the appropriation of funds to carry out this authorization. The appropriation would be $250 million a year.

Mr. GROSS. It starts with $200 and some-odd million?

Mr. PEPPER. The authorization is for $750 million.

Mr. GROSS. Yes. Over what period of time?

Mr. PEPPER. Over a period of 3 years. However, we are advised that it would take probably as much as 5 years to spend all the money, that is, the $750 million included in this authorization. But it is contemplated that there will be a request for an appropriation to carry out this authorization of $250 million for the next 3 fiscal years—1965, 1966, and 1967.

Mr. GROSS. During the 3-year period, will officials of the bank have to come before the Banking and Currency Committee or any other committee of the Congress to justify what they have been doing as a means of obtaining further authorizations of money?

Mr. PEPPER. They will not have to apply for further authorization, but they will have to apply for appropriations, and of course, they will have to come before the Appropriations Committees of the two bodies of the Congress.

Mr. GROSS. So another legislative committee is abdicating its power by giving this bank an authorization over a 3-year period and turning it over to the Appropriations Committee.

Mr. PEPPER. I beg the gentleman's pardon. There is no abdication of anything. Congress is merely authorizing the appropriation of funds over 3 fiscal years. We are exercising authority, not abdicating it.

Mr. GROSS. And the Banking and Currency Committee will not see the backs of the necks of the officials of the bank in the 3-year period.

Mr. PEPPER. I dare say the able gentleman is not sufficiently aware of the thoroughness of the inquiries of the Appropriations Committees. If he were, he would know, I am sure, that they will certainly require, of those who come up to make the showing, a most thorough justification of the situation they expect to meet with the appropriations.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Florida [Mr. PEPPER], a member of the Rules Committee, has very ably and very well explained the provisions of this rule, which will make in order, under 4 hours of general debate and an open rule, consideration of H.R. 45, a bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

I do not wish to take a great deal of time in discussing this matter under the rule, but I believe we should point out, for the consideration of the House, the language contained on page 2 of the bill, which provides—I mention this as a result of the dialog which took place between the gentleman from Iowa and the gentleman from Florida—that the adoption of House Resolution 45 will not only authorize the U.S. Governor of the Bank—that is, the Inter-American Development Bank—to vote in favor of the resolution entitled "Increase of Resources of the Fund for Special Operations" proposed by the Governors at their annual meeting in April 1964, and now pending before the Board of Governors of the Bank; but also, upon the adoption of such a resolution, the U.S. Governor is authorized to agree, on behalf of the United States, to pay tc the Fund for Special Operations of the Bank, the sum of $750 million, in accordance with and subject to the terms and conditions of such resolution.

It appears to me that adoption of the resolution and the action by the U.S. Governor of the Bank would bind the Congress of the United States to keep a commitment made under the provisions of this resolution, so that, as the matter of appropriations may be concerned, there would be nothing left to be done except appropriate money if the resolution is adopted. There would not be, and in all probability could not be, any reduction in the amount by the Appropriations Committee without violating the agreement which has been reached and has been mentioned in this particular piece of legislation.

Let me conclude by pointing out that the section also provides:

> There is hereby authorized to be appropriated without fiscal year limitation, for the United States share in the increase in the resources of the Fund for Special Operations of the Bank, the sum of $750,000,000.

That is the authorization part. The binding part, in my opinion—the language which binds and commits this Government and this Congress—is in the preceding paragraph.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. So that in fact and in effect this is back-door financing.

Mr. BROWN of Ohio. No, I would not say it is back-door financing, because it would be taken out of the Treasury by action of Congress. However, I do believe that under the provisions of this bill the Congress will be placed in a position where it will feel it has, and it will actually have, a commitment, moral if not legal, to vote the money.

Mr. GROSS. Well, of course.

Mr. BROWN of Ohio. And if it is voted by Congress, it is appropriated by the Congress, and it is not taken out by means of back-door financing. It is actually appropriated. There is a difference, but it is very slight in some ways.

Mr. GROSS. If there is a difference, it is only a technical difference, is it not?

Mr. BROWN of Ohio. You might possibly describe it as such.

Let me proceed for just one moment, if you will.

It should be pointed out for the benefit of the House that I think what this bill actually does is authorize the appropriation, or the expenditure, or whatever you want to call it, of $750 million more of American money for foreign aid purposes in this hemisphere. In other words, originally, when this bank was first instituted, it was instituted under a section of the Foreign Aid Act, or law. It was reported out as a portion of the foreign aid bill by the House Committee on Foreign Affairs, which had jurisdiction over that legislation. It was a part of the total authorization, and later the appropriation, that was voted by this House for foreign aid purposes. Now, lately, jurisdiction has been changed over to the Banking and Currency Committee, entirely, and it has been referred to as an investment matter which no longer shows on its face that it is a part of the foreign aid program. However, the money will be spent for almost exactly the same purposes as the foreign aid authorizations and appropriations which have been expended in Latin America and in other parts of the Western Hemisphere. The Alliance for Progress program, for instance, is along the same lines, carrying on almost identically the same kind of projects, and participating in the same sort of activities, as are provided for under this program. It has the orders and resolutions that have been set up, with three windows to pay the money through and so forth, as will be explained in general debate, once this money is appropriated. In addition to the $750 million which the United States will put up under this legislation, I understand that other governments in the Western Hemisphere, primarily, of course, in Latin America, are presumably, or at least, they will be pledged, going to furnish an additional $150 million. Some of this money will be spent for land reform, for education, for sanitation, and for other purposes. The argument is made that much of this money can come back to the United States in hard currency. Much of it will also come back in soft currency that will be of little or no monetary value. One of the great questions involved here will be this, and I think it will become more and more of an important question. I want to predict on the floor of this House here today, that these things will become more and more of a problem in the weeks ahead and that this will add to our problem of international balance of payments. I say that because as we read and study this bill in all probability the enactment of this legislation may cause an additional $1 billion dent in our gold reserve; or it can cost that much unless it is handled very adroitly, very ably, and very well by the people who represent us in this bank.

There is every evidence and every indication, according to some of the greatest financial experts with whom we have been able to discuss this matter, that this is another step toward disbursing to other parts of the world a portion of our resources, adding to our imbalance of trade, which has been causing us so much concern and which has caused such a great run on our gold supply in the last few days and weeks.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. GROSS. Will the gentleman agree with me that this further explodes the myth that President Johnson has cut the cost of foreign aid to this country; that, as a practical matter, that cost has not been reduced?

Mr. BROWN of Ohio. I do not know, of course, what the authorization bill for foreign aid will be this year. I am referring to the fiscal year which starts July 1. I understand it will be something better than $3 billion. In addition, of course, there will be spent this $750 million in the next 3 years, to say the least, and probably in the next year or year and a half it will be obligated. So that actually there will be no reduction in the amount of money being paid for foreign aid or used for that purpose, although some of it may come under one name and some of it may come under another name.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. ADAIR. The point that has been made by the gentleman who has the floor and by the gentleman from Iowa is certainly one that needs to be underscored. We have heard a great deal about the fact that the foreign aid request this year is to be something in the neighborhood of $3.4 billion. That is the amount that will be requested in the foreign aid appropriation bill. But certainly, by no stretch of the imagination, can that be taken as the whole expediture that we will authorize to various agencies for foreign aid. Therefore when we say that our foreign aid appropriation is expected to be in the neighborhood of $3.4 billion that is an illusory statement unless it is taken in the context of all of these other foreign aid expenditures.

Mr. BROWN of Ohio. I thank the gentleman very much.

Mr. Speaker, I want to reiterate that in considering this legislation we should also remember and think about the amount of American money that is being expended on the Alliance for Progress program in Latin America in addition to the one carried in this measure. Also we should determine for ourselves whether we believe that the Alliance for Progress program has been satisfactory, has been effective, and efficiently conducted, or whether it has not been as successful as some of us would have liked it to be.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. GROSS. When was the rule filed on this bill? It was filed Monday night; was it not?

Mr. BROWN of Ohio. I believe it was.

Mr. GROSS. There was no whip notice that this bill would be called up even this week; was there?

Mr. BROWN of Ohio. I have nothing to do with whip notices or whips. I have little or no influence in this House, as the gentleman knows, and I could not answer his question as to whether there was or was not a whip notice on this bill.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. ALBERT. Mr. Speaker, I would like to remind my friend from Iowa that last week when we announced the program we announced that we would probably announce additional legislation this week, subject to rules being filed. As soon as the rules were filed we announced that this bill, as well as the bill that we have already passed today, would be on the program for this week. We gave the Members advance notice as of last Thursday that these bills were in the offing.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. There are a lot of bills in the offing around here. But what we would like to know is this. We would like to have some program so that on Saturday or Sunday we could devote some attention to these bills. You do not give us very much time in which to do our homework on these bills; that is, to read these bills and read the hearings in connection with the bills.

Mr. ALBERT. Mr. Speaker, if the gentleman from Ohio will yield further, had the gentleman from Iowa been as diligent as he usually is and as resourceful as he always it, he would have known that these were the only two bills that were pending before the Committee on Rules and that these two bills would probably come up this week and would certainly come up this week if rules were granted. Rules were granted and they came up in the normal course of business under the same announcement that we make every week; namely, that further business may be announced later.

Mr. GROSS. I understand. The gentleman give me more credit for being more clairvoyant than I am.

Mr. ALBERT. The gentleman is downgrading himself.

Mr. BROWN of Ohio. Mr. Speaker, if I may conclude my discussion of this rule, with the permission of the majority and the minority leaders as well as the gentleman from Iowa, in a facetious manner so that he and the House may be informed as to further legislative programs, may I say that I understand on next Monday, which happens to be George Washington's Birthday, we are going to meet here in a very solemn conclave in this House Chamber and listen to the reading of George Washington's Farewell Address to the American people. As soon as the reading of this address has been completed, the House will then proceed to totally disregard all of the warnings and the admonitions that the Father of our Country gave to the American people in that remarkable address.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. BROWN of Ohio. I yield further to the gentleman from Iowa.

Mr. GROSS. And, if fortunate, we will have at least 50 Members on the floor Monday when the message is read.

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time.

Mr. PEPPER. Mr. Speaker, I have no further request for time.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 45, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Texas [Mr. PATMAN] will be recognized for 2 hours and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 2 hours.

The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, in my initial remarks concerning this legislation to increase the authorization for the Inter-American Development Bank I want to point out what I consider to be the most important thing of all. Through the Alliance for Progress program and through the Inter-American Bank, the financial arm of the Alliance for Progress program, we have successfully fought off Communist progress in the Latin American countries. We have done better than fight Communist infiltration in Latin America to a standstill. We have, through these efforts, pushed communism back in the Latin countries.

For the last 4 years we have heard practically every day a Member from the Democratic side or the Republican side ask for time to speak 1 minute and come here in the well of the House and call our attention to Communist infiltration in some country in Latin America—and point to the fact that Cuba was being used as a springboard for communism in all of the countries of South America—then they ask the administration, the executive branch, "What are you going to do about that? Communism is taking over South America. What about the Monroe Doctrine? What are you going to do about it?"

Now, we have before us a bill to improve the situation in Latin America. The Alliance program has done more toward containing communism and keeping communism in Cuba than any other program that has been enacted by the Congress. We have a situation here where we can point to something that has actually been achieved, and that has actually been against communism. The people who were arrested, Castro Communists, because they wanted to destroy the Statue of Liberty, the Liberty Bell, and the Washington Monument, are haters, they are Communists, they are against this type of legislation, and they are against what we have done in South America.

This bill is against communism. It is one time that a Member of Congress, in my book, has an opportunity of voting directly against what all Communists want.

Who is against this program? Certainly out of the 21 Latin American countries, 20 of them are working shoulder to shoulder with the United States in favor of this program. Through this program aggressor Castro has been quarantined. He is in a cage; he cannot get out. Moscow is ineffective so far as getting Communists into Latin America through Castro's Cuba. Red China is in the same ineffective position. We are in the enviable position of casting another vote against communism.

I personally feel if I were to vote against this bill I was aiding and assisting communism. Remember that in Venezuela, Castro and Cuba had revolutionary Communists down there. They caused a lot of trouble. They destroyed a lot of property, including property belonging to U.S. citizens. It looked like they were going to get into Venezuela. They were in Central American countries, they were in Chile, and others.

So all of these criticisms that have been leveled in the well of this House in the last 4 years about Cuba, Castro, Red China, and Moscow, are answered in this program. We must not fail to continue this program. In this way we can vote against communism.

When Communist Castro Cuba was riding high many minority Members of this body were pointing the finger at the majority and at the administration saying, "You have allowed communism to establish a beachhead on the shores of the United States."

It is time to look at the record. As of today Castro's Communist Cuba has been contained. The aggressor has been put in quarantine. The attempts of Castro and the Communists to infiltrate the Latin American countries—to cause dissension and mistrust within the Latin countries and between the Latins and the United States—has been pushed back.

How was this done? Look at what has been happening in the Latin countries. Since the Alliance for Progress program began and since we have had an effective financial institution aiding the Alliance program—the Inter-American Development Bank—since 1961 every Alliance country has improved its tax system to make taxation more equitable. Nine Latin American countries have undertaken major tax reforms.

Fifteen Latin American countries have self-help housing programs and more than 300,000 dwelling units have been completed or nearing completion. Water supply and sewage systems serving more than 15 million people have been completed in Latin American countries.

Under the Alliance program—supported by the Bank and the Social Progress Trust Fund—more than 75,000 teachers have been trained in Latin America. Nearly 10,000 schoolbooks have been circulated and more than 12 million schoolchildren are participating in school lunch programs. Also, almost 300,000 agricultural credit loans have been extended to farm families.

The relationship between the United States and the Latin American countries is better than it has been in many years past through this effective program. We no longer find high officials of the United States, who while representing our country in Latin America, are being spit on and having their cars overturned.

The Alliance program and the Inter-American Development Bank have presented to the Latin American countries a vital and viable alternative to the spurious promises of communism. The Alliance program has contributed not only to better hemispheric relationships in the economic and social area but in the important political area as well.

Let me just cite a few of the more important recent examples of political unanimity that now exists between the Latin countries and the United States.

At the beginning of 1962, the foreign ministers of the Latin hemisphere voted to exclude the Castro regime from participation in the Organization of American States.

In those fateful days of October 1962, when the Cuban menace reached its peak, there was unanimous support among the members of the Organization of American States for the decision that each state take individually or collectively whatever measures were necessary to remove the threat which Soviet missiles and bombers in Cuba represented.

To continue, in July 1964, the foreign ministers voted that the subversive attempts of Castro against the Government of Venezuela was an aggression within the meaning of the Rio Treaty. Notice at this time was served on Castro by the foreign ministers that the subversion against the national institutions of democracy in the hemisphere would not be tolerated.

In Venezuela, despite efforts of Communists through terrorism to destroy the democratic institution and spirit of the people and to disrupt and prevent democratic elections, the first successful democratic transition of power recently took place.

The recent changeover in Brazil is also an important example of the way communism is being repelled from Latin America.

We have as the most recent shining example of political advance under the Alliance for Progress program the situation in Chile, where the people last fall dealt a resounding blow to communism by rejecting the Communist-backed President by a resounding majority.

More examples could be presented, Mr. Chairman, but the point is made. Through the Alliance program, and its financial arm, the Inter-American Development Bank, we are winning the cold war in Latin America.

But I do not cite these examples as the only reason why this program should be supported. We are a humanitarian people. We have always been. The United States throughout its history has been sympathetic to human suffering. Our history is full of examples where the generosity of the American people has known no bounds in helping to eliminate hunger and deprivation through the world. But this program is more than just for humanitarian purposes. The Alliance, and specifically the bill before us, is based on the sound concept of self-help.

Also, and equally important, this program furthers the enlightened self-interest of our country. Of this there can be no doubt.

We are succeeding through this and related programs to stamp out poverty and injustice in Latin America. We are giving the people there something to live for. We are helping the Latin countries to learn and adopt democratic institutions as we know them in this country.

We are showing Latin Americans that our democratic system is the best yet devised by man. This they are learning through these programs, be it in the social, economic, or political sphere.

Let us not forget the fact that here we are, just a tiny, little spot on earth—the United States of America—representing only 6 percent of the people in the entire world. Yet, through a democratic form of government, a democracy in a republic, we have achieved so much toward making a better standard of living for all of our people. Our people have more of the conveniences, more of the comforts and more of the necessities and even the luxuries of life than all the other 3 billion people in all the world. There is a reason for that. The other nations look at us, they wonder about it. They too would like to participate in that good living.

So we can give the world our example. They see this example and they want to cooperate with us. The Latin countries have helped us to contain communism so let us help them in furthering this program.

As I said, we are showing to the Latin Americans that our democratic system is the best yet devised by man. This they are learning through these programs, be it in the social, economic, or political sphere.

I have heard all the arguments advanced against this program. It is said that the program is costly; it is adversely affecting our balance of payments; we will never get the money back, and so on. During this debate these allegations will all be answered. They are not true, and the only reason they are being advanced is for political reasons. They are being advanced in an effort to embarrass the majority and to embarrass the President.

I am convinced the American people know the facts. They know that these foreign lending programs of ours benefit our own Nation, economically, politically, and in every other respect.

The American people know that our foreign assistance program is one of the weapons we have to fight communism in addition to making these nations which we assist strong democratic countries.

The American people further know that we cannot maintain our own democratic system and economic prosperity unless other nations are democratic and economically strong.

Mr. Chairman, the specific issue before us is a very simple one.

As I analyze it, a vote for increasing the authorization for the Inter-American Development Bank, as proposed in this bill, H.R. 45, is a vote for democracy and economic progress. A vote against this bill is a vote in favor of communism.

The CHAIRMAN. The gentleman from Texas has consumed 15 minutes.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this is important legislation we are considering today. It is in the field of foreign aid which has been highly controversial and probably still is. But this is a form of aid that I feel is the best we can do. It is a type of lending where we work with neighbors and with close neighbors in the Western Hemisphere and where in earlier instances it has proven itself through the type of loans it has been making and the work that it has been doing.

It has branched out, so that now we are lending soft currencies repayable with soft currencies. It is a different type of operation from the one before, but it is in needed fields which I believe can be most helpful to the economic development and trade development in our hemisphere and to better relations between our people and the people of Central and South America.

The Inter-American Development Bank—IDB—came into legal existence on December 30, 1959, and began operations in the fall of 1960. Its initial capitalization was $1 billion of which 85 percent or $850 million was for development loans repayable in hard currency or the currency in which the loan was made. This function is known as ordinary operations of the bank. In general these loans do not exceed 50 percent of project cost, bear interest at 5¾ to 6 percent with a term of 10 to 20 years. Such financing is comparable to that provided by the World Bank. The other 15 percent or $150 million of the Bank's initial capitalization was provided for a fund for special operations. When the legislation was initially proposed in 1959, Acting Secretary of State Dillon described the purpose of this fund as follows:

> However, through the fund for special operations, the Bank will be empowered to make loans repayable in whole or in part in the currency of the borrower. Such loans will be limited to special circumstances where a country does not have sufficient debt-carrying capacity to justify payment in foreign exchange, or in the case of particular projects where it appears repayment in foreign exchange is not warranted."

Secretary of Treasury Anderson explained the fund in these words:

> I turn now to the fund for special operations to which I referred earlier.
>
> The loans of the fund are to be made on terms and conditions appropriate for dealing with special circumstances arising in specific countries or with respect to specific projects. It must be recognized that some of the Latin American countries from time to time may not be in a position to service additional hard loans repayable entirely in dollars or other currencies which can be used to finance imports of capital equipment. There are also some projects which may be important for a general program of economic development in a country, which will contribute to an increase in its productive capacity and ultimately to its ability to service foreign debt, but which will not directly and immediately increase its debt servicing capacity. Some countries may find themselves in a difficult foreign exchange situation which will reduce, at least temporarily, their ability to repay hard loans.
>
> For these reasons, the Fund for Special Operations is intended to make loans which may be made repayable partly or wholly, in the currency of the borrowing country. Payment of interest and amortization of these loans, to the extent they are repayable in local currencies will not impose a direct burden on the balance of payments of the country in which the loans are made. The Fund is intended for this type of extraordinary assistance in development programs, but is to be small in comparison with the ordinary operations of the Bank.

These two statements make clear the purpose of the Fund for Special Operations in the IDB and that it was to play a minor, though desirable, role in development financing in Latin America. In general, loans from the Fund as contrasted with loans under its "ordinary operations," are for a longer term, at lower rates of interest and usually repayable in local currency. The function of this special Fund is comparable to that subsequently provided in the International Development Association—IDA—which as an affiliate of the World Bank provides "soft loan" development financing to its member countries who also are members of the World Bank.

Although members of the Inter-American Development Bank are also members of the World Bank and IDA, the IDB loan assistance is available only to its Latin American members. On a reduced scale it is a World Bank and an IDA operating solely for the benefit of its Latin American members.

Of the initial capitalization, the United States provided $350 million or 41 percent of the $850 million capitalization for "ordinary operations." The United States provided $100 million or 66⅔ percent of the $150 million capitalization of the Fund for Special Operations. Although Cuba was initially considered a prospective member, Cuba failed to join the IDB and to subscribe to its capital, and is now excluded from membership. Because Cuba did not become a member, actual capital subscriptions do not equal the authorized amounts. Initial capital subscriptions for "ordinary operations" totaled $813 million and for the Fund for Special Operations the total was $146 million.

On January 28, 1964, the authorized capital for ordinary operations of the Bank was increased from $850 million to $2.15 billion. Such increase consisted of first, a $1 billion increase in authorized capital for subscription by present members in two equal installments not later than December 31, 1964, and 1965, respectively; and second, a $300 million increase for subscription only by new members which may be admitted by the Bank. The U.S. participation in the $1 billion increased capital for ordinary operations of the Bank is approximately the same as initially, namely, 41 percent or $412 million. Also at that time a 50-percent increase was made in the Fund for Special Operations with the United States contributing $50 million or only slightly over two-thirds of the $73 million total of additional funds provided.

At the end of 1964, the U.S. subscription of capital for "ordinary operations" was $555.9 million and accounted for 42.7 percent of the Bank's $1.285 billion subscribed capital for that purpose. Since voting power in the Bank is based upon and approximates member subscriptions to "ordinary operations" the voting power of the United States in the Bank was 42.5 percent. At the end of 1964, subscriptions of the United States to the Fund for Special Operations amounted to

$150 million or 68.5 percent of the $219 million total. The Board of Directors of the Bank govern both "ordinary operations" and those of the Fund for Special Operations. As noted our voting strength on the Board is 42.5 percent. However, because the United States provides such a large portion of the resources of the Fund for Special Operations, its affirmative vote is necessary for a loan from those resources, since a two-thirds vote is required for approval of such a loan.

The reason for the detail as to initial organization and subsequent expansion of the resources of the Bank is to make clear a basic change in concept which is about to occur with the legislation now before us.

As previously stated, the Bank came into existence on December 30, 1959, and began operations in the fall of 1960. Shortly thereafter, the United States established a special fund known as the social progress trust fund to be used in Latin American countries for loans for projects or programs designed to achieve improved conditions in the fields of land settlement and improved land use, housing for low-income groups, community water supply and sanitation facilities, and supplementary financing of facilities for advanced education and training related to economic and social development. On June 19, 1961, the Bank and the United States executed a social progress trust fund agreement under which the Bank was named to administer this new social lending program. Initially, $394 million was appropriated to establish this trust fund which was increased by $131 million on February 17, 1964. The resources of the $525 million trust fund are held by the Bank entirely separate from its own resources. The Bank charges the trust fund for expenses incurred. For the year ended December 31, 1963, such charges amounted to $941,422 or slightly over 20 percent of the Bank's $4,523,172 administrative expenses for its own ordinary capital operations.

This social progress trust fund was established as a part of our foreign aid operations for Latin America. The legislation was reported by the Foreign Affairs Committee as a foreign aid bill. While it was logical for the Bank to be designated as agent for administering this fund for social lending, there was also good reason for keeping development lending operations of the Bank separate as the Bank was established to be a development bank rather than a foreign aid agency.

Gresham's law that "bad money drives out good" is equally applicable to lending; namely, that soft lending drives out hard lending. This is apparent from the figures of the Bank. At the end of December 31, 1964, the Bank had approved $544.6 million of loans under its "ordinary operations"—conventional loan program; it had approved $170.9 million of loans under its fund for special operations—soft loan program; and, it had approved as agent $450 million of loans under the social progress trust fund—still softer loan program. It is contemplated under the bill before us that there be a merger of the Bank's fund for special operations and the social progress trust fund which means that the $620.9 million soft loan total of these two programs already exceeds the $544.6 million regular development loan program which, under the concept under which the Bank was established, was supposed to account for 85 percent of the Bank's loan activity.

The bill we are considering today would authorize the United States to increase its contribution to the Bank's fund for special operations by $750 million payable $250 million a year in fiscal years 1965, 1966, and 1967. The Latin American members of the Bank would increase their contributions to the fund for special operations by $150 million, payable $50 million a year over the same period of time. When these contributions are completed the capitalization of the Bank for the fund for special operations will total $1.12 billion of which the United States will have contributed $900 million or 80 percent. If the social progress trust fund's $525 million—all contributed by the United States—is actually combined with the Bank's fund for special operations then the fund for special operations will total $1.645 billion of which the United States will have contributed $1.425 billion or 86.6 percent. For that 80- or 86.6-percent contribution, as the case may be, we will only have our 42.5 percent vote in the conduct of the affairs of the Bank including the activities of the expanded fund for special operations.

Mr. PATMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 a.m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NASSER—WEST GERMANY

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I am sickened by the blackmail used by President Nasser against the West German Government and by the action of the latter in yielding to it. From what we know, Nasser threatened to give diplomatic recognition to East Germany unless the West German Government agreed to suspend further shipment of tanks and helicopters to Israel.

Nasser also claims to have exacted a commitment from Bonn not to give full diplomatic recognition to Israel—a lamentable lack now existing. Bonn denies the latter commitment but, barring a reversal of existing West German policy not to give full recognition to Israel, we will not know whether it is Cairo or Bonn which is being frank.

What disurbs me most is the ability of Nasser to manipulate the delicate arms balance in the Middle East at a time when he regards the United Arab Republic and Israel to be in a state of war. This action can only lead to heightened tensions and to the need of Israel to find alternative sources of supply—perhaps on terms less advantageous not only to Israel but to us as well.

This situation is comparable to the blackmail which Nasser directs at U.S. firms to yield to its anti-Israel boycott. I have introduced legislation to prohibit U.S. firms from aiding this boycott. Obviously, we cannot legislate against a sovereign nation doing the same thing, on a more serious scale. Can we anticipate the same United Arab Republic threat being used again to cause West Germany to sever all relations with Israel; then again to dictate how West Germany will vote in NATO?

I can readily understand that West Germany is anxious to avoid having other nations grant recognition to East Germany but I cannot understand payment of so humiliating a price, particularly to prevent recognition by a nation which is known to serve the purposes of the Soviet bloc in international affairs. Is West Germany really ready to undo its past efforts to mitigate the Israelis' views of what 20 years ago was the nation of Hitler? Is it really ready to have the world see it as the ally, whether desired or not, of a nation which has sworn to destroy this tiny oasis of democracy in the Middle East?

Nasser's appetite for aggrandizement appears unlimited. At the selfsame moment that he is taking U.S. aid, he abuses us. He has engaged in aggressive military adventures in Yemen and in the Congo. Events have demonstrated that one cannot appease Nasser. I suggest that it is more than shortsighted of the Bonn Government to conclude that this single payment of tribute will advance or protect its interests.

TEACHERS SABBATICAL LEAVE PROGRAM

Mrs. MINK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a copy of a bill introduced by me today.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. **MINK**. Mr. Speaker, I have this day introduced a bill which is entitled "Teachers Sabbatical Leave Program."

It sets forth a means by which our Nation's elementary and secondary teachers can be encouraged to return to institutions of higher learning after 10 years of service in a public or private school as a classroom teacher by affording them financial assistance in the form of a monthly stipend of $200 in addition to the payment of the costs of tuition and books up to the sum of $1,000.

We have set before this Nation great goals in education. We are presently working out a program of special assistance to our elementary and secondary schools throughout America with particular emphasis on our underprivileged children.

I offer this bill as a counterpart measure to recognize and assist thousands of our "disadvantaged" teachers, handicapped by the general lack of recognition of their desire and necessity for periodic continuing educational leave. As a nation we cannot any longer merely praise our school teachers for their dedication, and expect that dedication alone will improve the quality of their performance in the classroom.

I believe that in order to make the giant strides forward in the overall performance and achievement of our children across America and to immediately improve the quality of education that they receive, we must help our teachers to continue their education in subject areas as well as in the new techniques in teaching. Revolutionary changes are taking place in the field of instruction in the basic areas of reading, language, mathematics, and science. And yet the vast majority of our teachers are left to their own initiative and very limited summer programs to continue their knowledge of these massive changes that are taking place. Local school agencies and State departments of education are struggling to include broader and more far-reaching programs of continuing education, but are generally unable to meet this problem by themselves. We have well-developed and well-financed programs for our educators in institutions of higher learning, but the grade and high school teacher is sorely neglected.

The inception of this program, which is nothing more than a "GI bill" for teachers, will finally give them recognition for their great service to this Nation, and will encourage them to continue their education to the ultimate great benefit of our children.

The bill is as follows:

H.R. 5047

A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Teachers' Sabbatical Leave Program".

SABBATICAL LEAVE PROGRAM

SEC. 2. The Commissioner of Education (hereinafter referred to as the "Commissioner") shall carry on a program for the award of sabbatical leave grants to experienced teachers in elementary and secondary schools to enable them to improve their qualifications as teachers.

ELIGIBILITY

SEC. 3. Any teacher in an elementary or secondary school shall be eligible for a sabbatical leave grant if such teacher—

(1) has taught in elementary and secondary schools for ten or more academic years, and has not received such a grant under this Act within the ten preceding years;

(2) has obtained a leave of absence from his employer to enable him to participate in the program provided for in this Act, and has obtained from his employer assurances satisfactory to the Commissioner that his employment as a teacher may be resumed upon completion of his participation in such program;

(3) has given assurances satisfactory to the Commissioner that he will resume teaching in elementary or secondary schools upon completion of his participation in such program; and

(4) has been accepted for enrollment on a full-time basis by an institution of higher education to pursue a course of study acceptable for credit toward a baccalaureate or more advanced degree.

SABBATICAL LEAVE GRANTS

SEC. 4. The Commissioner shall award sabbatical leave grants, not to exceed one calendar year, to teachers eligible therefor under section 3, and shall make payments to each teacher awarded such a grant at the rate of $200 per month during periods such teacher is maintaining satisfactory proficiency in, and devoting essentially full time to, the pursuit of his course of study.

GRANTS TO INSTITUTIONS OF HIGHER EDUCATION

SEC. 5. In addition to amounts paid a teacher under section 4, the Commissioner shall pay, on behalf of such teacher, to the institution of higher education at which such teacher is pursuing his course of study the tuition and fees incurred by such teachers, including course required books, not to exceed a total of $1,000.

PRIORITIES

SEC. 6. Where the sums appropriated to carry out this Act are insufficient to permit the Commissioner to award grants under this Act to all eligible applicants, he shall give a preference in awarding such grants to (1) teachers with long periods of service, (2) teachers who are degree candidates, and (3) teachers whose employer has certified them to be teaching or preparing to teach in a subject matter area where a special need exists.

LIMITATION

SEC. 7. No sabbatical leave grants shall be awarded under this Act for study at a school or department of divinity. For the purposes of this section, the term "school or department of divinity" means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

FEDERAL CONTROL NOT AUTHORIZED

SEC. 9. No department, agency, officer, or employee of the United States shall, under authority of this Act, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

DEFINITIONS

SEC. 10. As used in this Act—

(a) The term "State" means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, or the Virgin Islands.

(b) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

(c) The term "teacher" includes persons performing services in elementary or secondary schools which are in fields ancillary to elementary or secondary education such as library science, school social work, guidance and counseling, educational media, and special education of handicapped children.

(d) The term "elementary or secondary school" means a school in a State or school overseas of the Armed Forces of the United States which provides elementary or secondary education, as determined under State law (or by the Commissioner in the case of a school overseas).

TRIBUTES TO T. JOE CAHILL

Mr. **RONCALIO**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. **RONCALIO**. Mr. Speaker, last week death took from Wyoming its most illustrious citizen, a man 87 years of age who, it is believed, was the first person of the white race ever to be born in the land which is now Wyoming.

T. Joe Cahill, a pioneer of my State, was laid to rest this week in Cheyenne.

He was a frontier law man and eventually he became known as "Mr. Wyoming."

He was one of the first persons to bring rodeo to the East; he presented rodeos in Madison Square Garden.

He gave of his life in later years to the continuation of St. Joseph's Orphanage in Torrington, Wyo.

A highlight of his life was a banquet at Denver, presided over by Bob Hope, at which were present many of the great celebrities of America. He was a friend of such people as Tom Mix, Bill Cody, Hoot Gibson, Babe Ruth, Lou Gehrig, Gene Fowler, and men of that strata of American society. He said, in most appropriate terms, that he was grateful for all of his friends, both prominent and obscure, who came his way during a remarkable lifetime.

His heritage gives to all of us pause to reflect upon the spiritual values to be practiced every day of this passing life.

Mr. Speaker, I include with my remarks the tribute published in the Wyoming State Tribune and an editorial from that paper of February 14, 1965:

WYOMING LEADERS PAY T. JOE TRIBUTE

Wyoming leaders in all walks of life Saturday paid tribute to T. Joe Cahill, "Mr. Wyoming," who died late Friday night at DePaul Hospital.

Governor Hansen said one of Wyoming's "greatest native sons" had died.

"T. Joe Cahill symbolized the West," Hansen said.

Hansen said all of Wyoming stood "bareheaded, reverent in respect to a great man."

"He was a frontiersman and humanitarian. His ability to lead and encourage support for things worthwhile earned him the admiration and esteem of everyone. Champion of the underdog and underprivileged, his efforts foreshadowed a State consciousness in civil rights and care for the orphan. Today all of Wyoming stands bareheaded, reverent in respect to a great man."

The Most Reverend Hubert M. Newell, D.D., bishop of Cheyenne, said, "We are all saddened by the death of T. Joe Cahill whose passing leaves such a great void in our community and State. As much as any man in recent memory he embodied the qualities of friendliness and openheartedness that symbolized the Old West. T. Joe will be remembered by a whole host of friends; but his greatest memorial will be in the hearts of hundreds of children who in the past 35 years had looked upon him as the daddy of St. Joseph's Orphanage."

Sister Kathleen, administrator of DePaul Hospital where T. Joe was a patient at the time of his death, said the nurses told her today how much they missed him. "They had great admiration for him and for the things he contributed to the State of Wyoming. It was a great pleasure to take care of him," Sister Kathleen said.

Robert S. McCraken, publisher of the Wyoming State Tribune and the Wyoming Eagle, and T. Ray Cahalane, comptroller of the newspapers, and a family friend of Cahill, visited him in the hospital 2 weeks ago. They discussed the recent Wyoming Press Association convention which was held in Cheyenne and T. Joe asked about newspaper publishers and editors throughout the State. He reminisced about past press conventions which he had attended, especially one at Worland where he accompanied Mr. and Mrs. Tracy McCraken. After the meetings, the Cheyenne group went on to Cody for a visit.

Cahalane said Cahill was feeling good and was cheerful at the time of his visit.

Cahalane worked closely with T. Joe on the Tribune-Eagle-Police Christmas basket fund. It was started in the 1930's by Cahill, Oz Koerfer, and Tracy McCraken, with Cahalane acting as treasurer. In the beginning, T. Joe and the policemen gathered the list of needy families and Cahill filled the baskets. He continued to help raise funds for the baskets even after it became a community project.

Last year, at Cahill's request, Cahalane sent the money which T. Joe received in birthday cards to St. Joseph's Orphanage. At the same time, he also wrote a $25 check to the University of Wyoming Athletic Fund.

Capt. James Byrd, assistant chief of police and faithful navigator of Fourth Degree Assembly of Knights of Columbus, said "T. Joe will be missed by all Knights of Columbus throughout the State of Wyoming. His cheerful smile and firm handshake were known by many. He was a charter member of P. A. McGovern Council No. 801 and P. A. McGovern Assembly 801, and had served as a past State deputy and past State master of the State of Wyoming of Knights of Columbus."

T. JOE

There never has been anyone quite like T. Joe Cahill in the 87 years that he was more or less—mostly more—intimately associated with the State of Wyoming. There probably will never be again.

Born at old Camp Carlin, an Army quartermaster depot set up to supply the military posts in the western Indian campaigns, T. Joe Cahill stood as a mighty link between the days of the frontier and the present.

He undoubtedly was the best known man in Wyoming; and outside the State, its most famous citizen.

For a man who never achieved high office—he served as Laramie county clerk and Cheyenne fire and police chief—why this great and abiding respect and widespread fame?

"He never let a friend down," said W. H. (Bill) McInerney today of his longtime friend, T. Joe.

That was his outstanding characteristic.

When a youthful T. Joe Cahill helped hang his longtime friend, Tom Horn, the famous stock detective who was sentenced to die on the gallows for the slaying of a ranch youth, at the turn of the century, he did so at Horn's request.

Perhaps T. Joe's greatest and most enduring monument to his memory is the St. Joseph's Orphanage at Torrington which he helped found with the late Bishop P. A. McGovern, of the Catholic Diocese of Cheyenne.

He gave unstintingly of his services over a period of nearly four decades to this one project alone, and characteristically it was one for the aid and succor of those among us who need help the most—little children, bereft of their parents.

"Any cause that he took up," says Bill McInerney, "received his wholehearted support. He never quit until the job was done."

Mr. McInerney remembers T. Joe from many, many years when Mr. Cahill was manager of the Cheyenne Indians, an early day local baseball team. "I was shagging foul balls for T. Joe," says Mr. McInerney. Cahill was the team manager, the latter recalls: "He was the one always rustling up the money, selling the tickets, and getting the players."

And that was T. Joe Cahill; he was always rustling up the money from some source for orphans or for some good cause; and people gave unstintingly because they believed in T. Joe basically, and then in what he represented at the moment.

All of his life amounted, then, to a daily living tribute to his great character of honesty, courage, boundless energy and above all—great compassion for his fellow man.

If there is a lesson for us all in the life of T. Joe Cahill, it is that the accumulation of great wealth or high office is as nothing compared with the place that a man carves in the hearts of other beings.

Those toilers for their own material possessions are moral pygmies when measured against the likes of the T. Joes of the world.

And so he has departed, but our world is a better and brighter place for having been graced by T. Joe Cahill.

NEW PROBLEMS IN THE MIDDLE EAST

Mr. McGRATH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. McGRATH. Mr. Speaker, when the shouting and doubletalk is stripped from the current West German disputes with Egypt and Israel, there comes to light the core of the unpleasant situation—the precarious balance of military power in the Middle East is in danger of being destroyed.

No matter what else may result from this exchange of threats and counterthreats between Bonn, Cairo, and Jerusalem, destruction of this balance must not and cannot be permitted to take place. In that volatile area, where the Arab nations achieve their only unity in the common goal of destroying Israel, we cannot permit the Middle East's only democracy to lose its ability to defend itself.

It is most unfortunate that, among the many things the United States has exported to West Germany since the end of World War II, we have neglected to provide Bonn with enough gangster movies to impress upon them that blackmailers are never satiated. Surrender to one blackmail threat only indicates a weakness which the blackmailer is quick to take advantage of.

West German Chancellor Erhard is learning this lesson the hard way, and United Arab Republic President Nasser is a proficient instructor. Once West Germany surrendered to his threat of recognition of East Germany, Nasser pressed his advantage and announced that Egypt will welcome East German Leader Walter Ulbricht anyway—an action tantamount to de facto recognition of the Soviet satellite government.

So what did West Germany achieve? Absolutely nothing.

But there were severe losses, not only to West Germany but to Israel and to the West, resulting from Erhard's capitulation to Nasser's threats.

In the Middle East, Israel lost an estimated 20 percent of the armaments which West Germany had agreed to provide in an agreement made several years ago. Israel could have obtained these armaments elsewhere, but that tiny nation was eager to accept in good faith Bonn's attempts at erasing the memories of the Nazi era, and placed its dependence upon West Germany.

Another unfortunate result of Bonn's surrender to Nasser's threats is the renewed feeling in Cairo that Nasser calls the tune and the Western nations, the United States included, hastens to dance.

Proof of this may be found in an item published in the Cairo newspaper Al Gomhuria, which was quoted in the Washington Post on February 14. A portion of this quotation reads:

> Who could believe that the day would come when Cairo would say its word and Western capitals would not only listen to it but tremble with fear?

True, Nasser gambled by inviting the East German leader to visit Egypt, but he won his gamble. Had West Germany enforced its Hallstein doctrine under which it refuses to deal with countries—other than the Soviet Union—which deal with East Germany, Bonn would have immediately halted its aid to the United

Arab Republic, aid amounting to some $300 million and which is sorely needed by the United Arab Republic.

But rather than taking a positive stand, Erhard chose to capitulate and gave Nasser the plum he has been seeking for years—cancellation of Bonn's arms agreement with Israel.

And this, of course, infuriated Israel and other nations in the West. One side effect of this has developed only this week—the beginning of a movement to halt economic dealings with West Germany by business firms in the United States. If this movement gains steam, it could have an unfortunate effect on the West German economy.

In the background, apparently smiling at the developments Nasser's diplomacy have brought about, sit the Soviet Union's leaders. They must be highly pleased to see Egypt about to grant de facto recognition to East Germany through Ulbricht's February 24 visit to Cairo; pleased to see Egypt, to whom they have been sending armaments, gaining the upper hand in the military balance in the Middle East; pleased to see West Germany and Israel fueding; pleased to see the United States squirming uncomfortably while three of the nations we attempt to keep on friendly terms with are at odds with one another.

Now that the balance of military power in the Middle East seems in danger of shifting toward Cairo, which has displayed time and again its willingness to embark on military adventures, it seems squarely up to the United States to insure that Israel will continue to receive the materiel necessary to deter invasion of its territory by the Arab nations which surround it.

The U.S.S.R. consistently refuses to supply arms to Israel although it freely supplies them to other nations.

Now that West Germany realizes it achieved nothing by collapsing before Nasser's threats; now that Israel is so indignant that it refuses offers of substitute aid from West Germany; now that East Germany is about to receive de facto recognition from the United Arab Republic, and now that war in the Middle East seems even closer, the United States should take whatever steps are necessary to maintain the balance of military power in the Middle East and reaffirm its determination to keep Israel free and to protect the integrity of its borders.

GERMANY—WEST AND EAST, EGYPT, AND ISRAEL

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, as an American and as a Representative in Congress, I rise to voice my deep concern respecting the present international situation involving West Germany, East Germany, the United Arab Republic, and the State of Israel.

In the light of recent happenings throughout the world, we should reexamine such events for the purpose of determining their impact and long-range effect upon the security, not of the United States alone, but of the entire free world.

Who is our friend? Who are our enemies? The answers to these questions can best be gathered from actions by the nations involved. So, let us begin with Egypt, or, as it is known today, the United Arab Republic, over which Nasser is supreme.

We know that Nasser has urged the Government of Libya to throw Americans out of the Libyan bases and that he has tried to influence other African countries against the United States. It was only recently that Egypt sent guns, war materiel, and munitions, by way of the Sudan, into the Congo to assist in the overthrow of the constituted government there. It is well recognized that Nasser has designs on large parts of Africa.

Did not Nasser stir up a revolution in Yemen? Is he not using German scientists to develop a rocket-striking force aimed against our true friends and sister democracy in the Middle East—the State of Israel?

We all should be concerned over Nasser's rude, anti-American statements, and the fact that he stood idly by while the USIA library was burned.

The sum total of all United Arab Republic's activities clearly points to the fact that Nasser's Egypt is not our friend: What better evidence do we need for such a statement than the fact that Soviet Russia has been sending arms to Egypt?

On February 24 of this year, which is only a little more than 1 week from today, Walter Ulbricht, the East German Communist leader, is to visit Cairo. It has been reliably reported that Nasser invited Ulbricht to come to Egypt at the strong suggestion of Russia's deputy premier. This official visit can only be regarded as Egypt's recognition of East Germany.

At this juncture, the interest of West Germany appears. There are few things that West Germany desires more than its unification with East Germany. Any official recognition of the Red sector of Germany would naturally militate against such hope for unification.

In part because of Germany's guilty conscience over the terrible horrors of the Nazi era, West Germany has extended some economic and military aid to Israel. Inasmuch as the United Arab Republic still refuses to even acknowledge the existence of the State of Israel, the sending of any arms to Israel for its needed defense is a source of irritation to Egypt.

Now, West Germany announced its decision to cancel its agreement to ship arms to Israel, and instead pay that country a sum of money. This substitute offer was properly rejected and is in reality a surrender by West Germany to the United Arab Republic.

This international situation now comes into focus and we find West Germany, East Germany, Egypt, and Israel move openly toward a four-cornered test of diplomatic strength.

The latest development is that West Germany would cut off all economic aid to Egypt if the visit by East German Communist leader Walter Ulbricht actually takes place.

West Germany's claim to be sole legal representative of all Germans is the cornerstone of its domestic and foreign policy. Erhard said flatly today that the so-called Hallstein doctrine, forbidding diplomatic recognition of any nation that recognizes East Germany, will be maintained.

In East Berlin, Ulbricht denounced the West German attitude as "interference in the private affairs of the United Arab Republic."

Now Nasser is riding high. West Germany's relations with Israel—always delicate, but lately in a condition of improvement—deteriorated suddenly, and East Germany is now raised to a position of new influence.

In the interest of the United States and the free world, it appears to me that the United States and West Germany can force Nasser to abandon his blackmail of West Germany by joint resistance to his pressures. It is vital for the United States that our sister democracy and friend in the strategic Middle East—the State of Israel—be aided in every way possible. West Germany should be induced to resume its commitment to send military defense equipment to Israel so that the world may see that the Communists of Russia and their allies anywhere are stopped in this latest affront to the free world. Our enlightened self-interest demands such immediate action.

THE HONORABLE JOHN McCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, compared with the immense amount of work that usually swamps the Capitol as adjournment nears, these early weeks are relatively quiet. Yet I think we have been transacting enough business, particularly in committees, to alert our new colleagues of the pace that is ahead.

Last week a Member of the House with no previous service told me that his most valuable lesson to date is that it is impossible and unrealistic to try to become an expert on everything. I would say that he is off to a good start, for those of us who have been around for any length of time have long since discovered that a Member can best help his constituency and his country if he confines himself primarily to a thorough education in a relatively few issues. On other subject matter, he will come to rely more and more upon colleagues of related political and economic philosophy whose committee work better familiarizes them with all phases of pertinent legislation.

No matter how conscientious or dedicated a public servant, there is a limit to the knowledge he can accumulate on facts and figures relevant to pending bills and resolutions. The most valuable education can be obtained at his own committee hearings, although very often a maximum amount of patience is required during humdrum testimony and erudite preachments. Nor is there any substitute for a thorough study of precedent, testimony, and reports when vital legislation moves out of a committee with which a particular Member is not associated.

As for handling correspondence and the multitudinous other items that come to a Member's office each day, a good staff is all important, yet thus far no one has invented a replacement for the many hours each day that must be spent behind a Congressman's desk. I would therefore suggest that our new colleagues just resign themselves to the fact that they have undertaken the most difficult job of their lives if they are not satisfied with anything less than the best service possible. Ours is a tremendous responsibility, and none can expect to be excused from the long hours it requires.

Before anyone begins to build his sacrifice out of proportions, however, it may be well to recall the experience of one among us with an already excruciating workload who was to assume still another awesome responsibility with a grace and dedication that should serve to animate the spirit of every American.

From November 22, 1963, until last January 20, Speaker of the House, the gentleman from Massachusetts, JOHN McCORMACK was burdened with an obligation that only a person with superior moral courage and physical fiber could endure. Saddled with every conceivable problem that befalls a Speaker when even his own party members are divided seriously on the most controversial issue before the Congress, our distinguished colleague from Massachusetts was also required to stand in the wings, ready to occupy the highest office in the land, from the day that President John F. Kennedy was assassinated until the President and Vice President took office last month.

Our Speaker not only had to undergo the rigors of his office here in the Capitol; he was briefed constantly on matters otherwise privy exclusively to the White House. While most of us were enjoying vacation periods at some time during November and December, there was no rest for the gentleman from Massachusetts [Mr. McCORMACK]. His position required that he remain in continuous communication with the White House. His was a 24-hour-a-day job, and it lasted for 20 months.

For the most part, this double duty accepted so willingly and performed so exactingly by the Speaker, was given little public notice. I was, therefore, pleased to read a column in the January 27, 1965, Washington Daily News, by Marshall McNeil, whose report I include at the conclusion of these remarks. I suggest that every Member preserve this page, for there will be many times in the years ahead that you will want to boast of your association with this most respected and honorable gentleman whose dual service will come to be more appreciated with the advance of time.

The article follows:

[From the Washington Daily News, Jan. 27, 1965]

"NOT A PLEASANT THING TO LIVE WITH"—McCORMACK URGES ACTION ON DISABILITY AMENDMENT

(By Marshall McNeil)

For 14 months Speaker JOHN McCORMACK lived within a heartbeat of the Presidency of the United States.

Each day he had to make himself ready—had fate so decreed—to take over if the President became disabled.

Out of this agony, and his own long experience in Government, Representative McCORMACK today spoke out vigorously for an amendment to the Constitution which would provide for continuity of Government in event the President became disabled. There is no such law now.

The Speaker is certain, he said today, that the national interest requires it.

"I'm ready to do everything I can to prod it along," he said in an interview. "We must do something. I've lived with it. It is not a pleasant thing to live with."

AT EASE

It was a relaxed man, happy that the march of days had taken a heavy yoke off his neck, who sat back in the big leather chair behind the ornate desk of the Speaker of the House and talked about his feelings now—and then.

In 1947, when he had no expectation of becoming Speaker, Representative McCORMACK voted for a proposal to change the presidential succession law. It made the House Speaker next in line for the Presidency after the Vice President.

Some 16 years later, on the early afternoon of November 22, 1963, Speaker McCORMACK heard the tragic news: President John F. Kennedy had been assassinated; Lyndon Johnson would become President of the United States.

But he also heard the rumor, broadcast from Dallas, that Mr. Johnson had suffered a heart attack.

It was then the agony began for JOHN McCORMACK.

This eased somewhat when the rumor of the Johnson heart attack turned out to be false.

But it never quite left, for the Speaker knew that until the next election he was next in line for the Presidency if anything happened to Mr. Johnson, and he had to stand by to take over if another tragedy hit the White House.

"I didn't want to think about it," the Speaker said today.

"But, being human, I had to think about it, no matter how hard I tried to drive the thoughts out of my mind."

He sat silent for a moment, sucking on his cigar. Then he smiled and said: "I was very, very glad when January 20 took place."

It was on that day that Representative McCORMACK gave the oath of office to HUBERT HUMPHREY as the first Vice President since the Kennedy tragedy.

At that moment, the agony went out of Representative McCORMACK's life, for he had moved back down again to second in line for the Presidency, as the law provides.

AGREEMENT

Like Mr. Johnson and Mr. Nixon before him, Representative McCORMACK had a gentleman's agreement with the President covering the contingency of presidential disability.

But it was extra legal. For there is nothing in the Constitution providing for this, nor is there any law.

"It's a vacuum," the Speaker said. "There is no disability law. That's what concerned me, what worried me.

"That vacuum is a great weakness in our system. There is no weakness greater than the one it symbolizes."

Speaker McCORMACK said he liked the proposal to amend the Constitution the Senate passed last year.

It provided, in effect, there would always be a Vice President. In event of a vacancy, the President would nominate one, subject to confirmation by the Congress.

It also provided machinery by which the powers and duties of the Presidency would legally be assumed by the Vice President when the President becomes disabled. And it set up a means for a disabled President, having recovered, to take back his office.

"But I'd be for plan A, or plan B, or plan C," Speaker McCORMACK said.

"One may be better than another. The important thing is: Fill up that vacuum."

CELLER ACTED

Some have accused the Speaker of dragging his feet on a new presidential succession and disability law. But the facts are otherwise.

Weeks ago he wrote Chairman CELLER, Democrat, of New York, of the House Judiciary Committee asking him to give the succession bill first priority in his committee this session. Representative CELLER has done so. He has scheduled hearings to start February 9.

Some think that if House and Senate act quickly—say by early spring—there is a possibility of ratification of a constitutional amendment by the States even this year.

It was this effort that the Speaker said he would prod along.

The bill the Senate passed last year provides that the present succession law should remain on the books.

The Speaker approves of this. He's satisfied now, as he was in 1947, that it is proper to make the Speaker the next in line after the Vice President.

But if an amendment like that the Senate approved finally is ratified by the States, this law might never be used, because it would only become operative if both President and Vice President were dead.

THE RECORD OF REV. C. T. VIVIAN

Mr. MARTIN of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, yesterday's newspapers carried headlines concerning arrest in Selma, Ala., of Rev. C. T. Vivian. In response to requests I have investigated the record of Reverend Vivian. So that the people of the United States may know something about the leaders of this so-called civil rights movement, I include here some of the results of my investigation. I think the people are entitled to know the affinity of some of these leaders with Communist causes and Communist Party activities.

I regret that disobedience to law and order continues in Selma. I regret that there has been more violence. I submit that the constitutional rights of the people, or of any minority group, will not be settled by demonstrations nor by violence in the streets.

Yet, demonstrations and violence are being used by those who claim their only interest is in the Negro's right to vote. Even after their demands have been met in Selma, they are not satisfied. They continue to demonstrate; they continue to defy the law and the courts. Is it not reasonable for the American people to ask, why? Part of the answer will be found in the extension of my remarks.

Of course, the answer is no secret. In a column in the Washington Post of Monday, February 15, Rowland Evans and Robert Novak report on a secret meeting with some of our colleagues in the other body and the Attorney General. The columnists quote the junior Senator from New York that Dr. King's Selma drive is intended not nearly so much to register Negro voters as to influence public opinion.

I include the entire Evans-Novak column at this point in my remarks:

[From the Washington Post, Feb. 15, 1965]

FROM SELMA TO CAPITOL HILL

(By Rowland Evans and Robert Novak)

Just as he planned it, Martin Luther King's voter registration drive in Selma, Ala., reached up to Washington the other day to put the heat on the Attorney General of the United States.

In a secret meeting at the Capitol held appropriately enough on the eve of Lincoln's birthday, Attorney General Nicholas deB. Katzenbach faced the Senate's bipartisan civil rights bloc. Their message to him was polite but clear: We want legislation to register Negro voters—and we want it quickly.

Thus did history repeat. It was Dr. King's agitation of Birmingham in May 1963 that prodded the Kennedy administration into pushing its civil rights bill. Then, as now, the Senate's civil rights bloc was far ahead of the administration in promoting new legislation.

Moreover, the pre-Lincoln Day meeting at the Capitol provided final proof that 1964 did not see the civil rights fight to end all civil rights fights. A new battle of much greater legal complexity looms over the weapon Southern Negroes most need: The vote.

Staff members of civil rights bloc Senators began huddling over the needs for voting legislation shortly after Christmas—prior to King's Selma campaign. But there is no question that mass arrests at Selma spurred their efforts.

Accordingly, the bloc asked for a confidential talk with Katzenbach, Acting Attorney General since ROBERT F. KENNEDY's resignation last August, but just named Attorney General in his own right.

Katzenbach arrived at the big conference room just off the Senate floor. Seated around a table in no particular order were Senators and senatorial aids, about 15 in all. Katzenbach had been assured he could speak freely without his words getting outside the conference room.

He got off to a good start by detailing Justice Department efforts to register Negroes in Alabama and Mississippi. This reassured some Republican bloc members, who had suspected Katzenbach was dragging his feet.

But the Attorney General was less satisfying in outlining legislative plans. He did not go an inch beyond the White House announcement 5 days earlier that President Johnson would make a "strong recommendation" on voting rights legislation. Nor did he reveal when the proposal would be made or what it would contain.

However, there was no ambiguity from the bloc. Its militant four—Republicans JACOB JAVITS, of New York and CLIFFORD CASE, of New Jersey, Democrats PHILIP HART, of Michigan, and PAUL DOUGLAS, of Illinois—demanded an immediate push for voting legislation. CASE was particularly adamant in telling Katzenbach he would not be "derailed" from this goal.

Katzenbach did get help from the bloc's newest member: Senator ROBERT F. KENNEDY, of New York. Implicitly supporting Katzenbach (his protege and former deputy) KENNEDY explored the problems of registering Negroes.

He was blunt in arguing that Dr. King's Selma drive is intended not nearly so much to register Negro voters as to influence public opinion.

Furthermore, he continued, so many southern Negroes are really functional illiterates that it would be next to impossible to register them under literacy statutes even if no racial discrimination existed. Other Senators then agreed that State literacy requirements could be abolished only by a constitutional amendment—a laborious process that might well sidetrack all other voting rights measures.

KENNEDY's sum-up: "It will take many a year for Negro voting rights to be a reality in the South."

But other bloc Senators, particularly liberal Republicans who pushed KENNEDY for faster action when he was Attorney General, are less understanding of Katzenbach's problems. They demand quick and forceful advocacy of a bill permitting massive Federal intervention in registering southern Negroes.

This really would be a more significant intervention than sending troops to Little Rock or Oxford, Miss. If successful, it could transform the South. That's why the events of Selma that produced the pre-Lincoln Day meeting also will involve Lyndon B. Johnson and Congress in another historic civil rights struggle.

Now, as to Reverend Vivian.

On TV last night and in press accounts this morning, much has been made of a fact he was punched by Sheriff Clark at a demonstration in Selma, Ala., yesterday. Reverend Vivian was then arrested and charged with criminal provocation and contempt of court for trying to lead a group of Negroes into the side entrance of the courthouse, despite the fact that a Federal court order stipulated that the main entrance was to be used in the registration drive.

Who is this Reverend Vivian who is being portrayed as a martyr? This is what the public record tells about him.

He was a speaker at the 14th anniversary dinner of the National Guardian which was held on November 16, 1962, in New York City. The National Guardian is a Communist newspaper published weekly in New York. Its editor in exile, Cedric Belfrage, was named by Elizabeth Bentley as a person who fed her information when she was a courier for a Soviet spy ring. He has since been deported from the United States. The Committee on Un-American Activities has cited the National Guardian as a "virtual official propaganda arm of Soviet Russia."

Reverend Vivian was a speaker at a liberty rally held in New York City on June 6, 1963, by the Citizens Committee for Constitutional Liberties. The Committee on Un-American Activities cited this organization as a Communist front in 1961, the year it was formed. Hearings held by the committee that year revealed that this organization was set up by the Communist Party after the Supreme Court, in June 1961, upheld the constitutionality of the Internal Security Act. This Communist front has one purpose—to work for repeal of that act, which is today our major antisubversive law. I might add that according to the Communist newspaper the Worker, Reverend Vivian shared the platform at this liberty rally with Claude Lightfoot, top ranking official of the Communist Party and also that Vivian laced his talk on civil rights with attacks on the Committee on Un-American Activities.

It is not surprising, therefore, that Vivian is also one of the vice chairmen of the National Committee To Abolish the House Un-American Activities Committee, another organization which has been cited as a Communist front.

Reverend Vivian is also a member of the board of directors of the Southern Conference Educational Fund, an organization which has done much to create race agitation throughout the South in the last few years. The Senate Internal Security Subcommittee, after investigation, concluded that the Southern Conference Educational Fund is operating with substantially the same leadership and for the same purposes as its predecessor organization, the Southern Conference for Human Welfare.

What was the Southern Conference for Human Welfare? It was another Communist front, cited by the Committee on Un-American Activities as having the aim of "serving the Soviet Union and its subservient Communist Party in the United States."

Reverend Vivian granted an interview to James E. Jackson, a top Communist Party official and editor of the Communist Party newspaper, the Worker, in the spring of 1963. The interview was featured in the Worker of June 30 of that year. Moreover, Mr. Jackson, in a Communist pamphlet he has written, entitled "Three Brave Men," singles out Reverend Vivian for praise.

Reverend Vivian is listed on the letterhead of the Committee To Aid the Monroe Defendants as a sponsor of that organization. What is the Committee To Aid the Monroe Defendants? Several years ago a group of Negroes were indicted and convicted on a kidnapping charge in Monroe, N.C. This committee was set up to defend them. One of the defendants in this case was Robert F. Williams, now a fugitive from justice in Cuba. He broadcasts vicious anti-United States and race-hate propaganda from Havana on a program called "Radio Dixie." He also has been an honored guest of the Red Chinese Government in Peiping and has been featured on the Peiping radio, violently denouncing the United States.

I make no accusations. I say no more about Reverend Vivian than what is revealed in this public record, but I think this public record is such that it will raise questions in the mind of any intelligent person on the matter of whether Reverend Vivian's only interest in being in Selma, Ala., is to promote civil rights and to better the condition of our Negro citizens.

Mr. Speaker, I include at this point in my remarks the news story from this morning's Washington Post, February 17, telling of the trouble in Selma yesterday:

[From the Washington Post, Feb. 17, 1965]

NEGRO MINISTER SLUGGED, 2 WHITES HURT IN SELMA

SELMA, ALA., February 16.—A Negro minister from Atlanta was slugged by Sheriff James Clark and two white civil rights workers were beaten here today as the voter registration drive, directed by Dr. Martin Luther King, Jr., erupted into violence for the first time in more than a week.

About 450 Negroes signed a voters' registration appearance book at the Dallas County courthouse here today, bringing the 2-day total to more than 1,000. Many of them stood in a long line in the rain to sign the book.

Signing assures applicants a specific place in line when voter registration opens again March 1.

Frank Soracco, 29, of California State College at San Francisco, and Roger Daly, 21, of Dartmouth College at Hanford, N.H., reported to police they had been attacked by three men, one of whom pulled a gun.

Soracco and Daly, both with bruised faces were questioned tonight by the FBI about the incident. The young men are civil rights workers taking part in the voter drive.

Earlier in the afternoon, Rev. C. T. Vivian, a Baptist minister, was punched by Sheriff Clark after insisting on using a side entrance to the Dallas County courthouse.

Dr. Vivian was arrested and charged with criminal provocation and contempt of court.

Sheriff Clark, who has been ill and has let his deputies handle recent Negro demonstrators, left his office and stepped outside the courthouse after Dr. Vivian tried to lead a group of about 20 Negroes into the side entrance.

Clark read the group a Federal court order which stipulated that the Negroes in their registration drive were to use the main entrance.

Clark and members of his volunteer posse began trying to disperse the Negroes from the courthouse steps. In the scuffle that followed Clark landed a straight left jab to Dr. Vivian's mouth.

Dr. Vivian was charged with violating Circuit Judge James Hare's order barring demonstrations that might interfere with operations of the courthouse.

Judge Hare called a special hearing about 3½ hours after the incident, but Peter A. Hall, a Negro attorney from Birmingham, asked for a continuance. Hall said he had not had time to prepare a defense for the minister, so Judge Hare said he would set the case for 2:30 p.m. Wednesday.

Early this morning Dick Gregory, Negro comedian, and seven other persons were arrested at a motel here and charged with disorderly conduct.

The group tried to register at the motel, but the manager said no reservations were good after midnight.

Gregory chose to remain in jail tonight but the others were released on bond, all charged with disorderly conduct.

Finally, Mr. Speaker, I believe it is imperative that the administration and the Justice Department make public all the information they have concerning any Communist involvement in these demonstrations and the connection of any of the leaders with Communist activities. In the name of the people I represent, I demand that such information be given to the American people.

WHAT IS BEING DONE IN THE NAME OF THE GREAT SOCIETY

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, two articles from this morning's Washington Post are most reassuring, for at long last the belligerent condition at the White House of which we in the Congress have been aware has now been called to the public's attention.

Perhaps these two columns are but the forerunners of articles which in a measure will enlighten the public on what is being done to them and to this country in the name of the Great Society. Never in our history has there been a greater need to turn the spotlight of objective publicity on our congressional acts which are being rushed through the legislative mill with only halfhearted consideration by the overwhelming majority which the President controls. It is as if the passage of these measures is solely dependent on speed and scanty consideration before the citizens who must pay the piper have had a chance even to glance at them, much less understand them.

Mr. Joseph Alsop's and Mr. George Dixon's columns follow:

JOHNSON'S ACHILLES HEEL

(By Joseph Alsop)

These last critical days have provided another clear and decidedly alarming demonstration of a Presidential weakness so grave that it may well turn out, in the end, to be the Presidential weakness.

Any newspaperman who has ever known Lyndon B. Johnson is aware that, when it comes to his own public relations, he carries to really bizarre lengths his characteristic tendency to try to play every instrument in the band. In the old days, when he was Senate leader, it was often downright painful to go to see him, for this very reason.

It was painful because he would have your story ready-written for you, so to say. It was always a story presenting the Johnsonian accomplishments in the most glowingly favorable light. And it was never a story that could be written without risk of ridicule, even by a reporter who happened to think most highly of the Johnsonian accomplishments, as this reporter did.

It seemed an inconceivable waste of precious time for this immensely able, desperately busy man to spend 20 minutes of a half-hour talk compulsively and fruitlessly peddling a lemon, thus leaving only 10 minutes for the practical discussion of practical affairs—which might just reveal a bona fide Johnsonian accomplishment that could be reported with bona fide enthusiasm.

You wanted to tell him: "Senator, you're a hundred times cleverer than I am, and you know your business; but you've got to remember that, in some measure at least, I also know my business. And you don't." But of course no one told him that then, as no one tells him that now. And of course the problem is immeasurably worse now that he is President, as these last days have shown.

They have shown this because of the almost hysterical intensification of the secretiveness which the Johnson administration has for months been carrying to extremes quite unimagined in any previous American government. The trouble with the secretiveness is its motive, which is also what makes it so extreme.

The motive is not simple discretion, of the sort that is proper in government. President Johnson can be very indiscreet indeed about normally secret matters if it serves his purpose, as when he has declassified super-top secret weapons developments still far in the future because mention of them help to dress up a military budget announcement.

The motive of the Johnsonian secretiveness is, rather, the President's irrepressible longing to have every story in every newspaper in the United States written exactly as he would write it. The amount of the President's time that is thus devoted to what is now called the President's "image" is almost alarming to contemplate.

The aim, moreover, is not just to prevent premature announcement of Presidential decisions. When the President has not made any decision about a problem urgent enough to call for a decision, he bitterly dislikes to have the problem ventilated. And officials who admit the existence of the problem, whatever its public importance, become the targets of his often terrifying wrath.

Or the President may have made a decision, but may wish to conceal for the present certain future implications that would normally and quite properly be public property. Thus, there was a celebrated explosion in the White House because various departmental officials dared to tell the simple truth about the probable future costs of certain of the President's Great Society programs.

Or the President may have made a decision, but not wish the factors in the decision to become known. Thus, there was another explosion when it was revealed that he had been successfully pressed not to drop the feed-grain support price as far as he had intended to do. In that case, Vice President Humphrey was held to be the guilty party, and was roundly berated before a witness.

This sort of thing is not merely unworthy of a leader of Lyndon B. Johnson's formidable stature. It is also improper and against the public interest. It challenges the very theory, in truth, on which American government is based.

For the President is merely doing the public's business. He cannot properly say to the public, "It's none of your business how I do your business." Yet that is what he has been saying, and not least during the Vietnamese crisis.

ILLUMINATION AT THE WHITE HOUSE

(By George Dixon)

George Bullrushy, press secretary to the President of the United States Great Think and Walk Society, holds a news briefing:

Bullrushy: This briefing was set for 11 a.m. I am sorry if I'm a few days late. The President of the United States—um—Great Think and Walk Society will not hold a news conference of his own this year. When he got up this morning——

Question. What time?

Bullrushy. I can't give you an exact time.

Question. Roughly?

Answer. Not even roughly. He held two conferences with By George McBundy, who is in Washington on furlough.

Question. Has By George McBundy been away?

Answer. I think my statement speaks for itself.

Question. What does it say?

Answer. I can't go into that at this time. The President had a number of things to do with his Cabinet.

Question. What does he do with his Cabinet?

Answer. He hangs things in it.

Question. George, the President passed through the west wing yesterday and went for a walk around the front lawn, which kinda confused some of us. Did he have something in mind when he did that?

Answer. No. The President has always done a considerable amount of thinking when walking.

Question. What does he think about?

Answer. I don't have the answer to that right now, May.

Question. How do you know when he is thinking?

Answer. I don't have the answer to that right now, Sarah.

Question. Then how do you know he is thinking?

Answer. I don't have the answer to that right now, Sid.

Question. You say the President does a considerable amount of thinking when he is walking. He often walks as far as the front gate. Does he ever think past the front gate?

Answer. I can't go beyond that.

Question. The front gate?

Answer. Beyond my statement. It is quite normal for the President to walk when he has some problems on his mind. He does like to go out and walk while he is thinking things through. The only difference between yesterday and many other days is that without thinking he went out——

Question. He went out to think without thinking?

Answer. Without thinking about the problems of the press. He walked out through this door, and naturally got followed. I would say this is just one of the ways that he does things.

Question. He was just lost?

Answer. My answer to that is the same as yesterday.

Question. What was your answer yesterday?

Answer. The same as today, Mr. Munroe.

Question. George, it has been suggested that the President has your office bugged so he can both see and hear your news briefings. There doesn't seem to be anywhere in this office that a candid camera and microphone could be concealed except in that mounted sailfish you caught on your recent vacation in Acapulco——

Answer. I did not catch a mounted sailfish on my vacation. I had it mounted afterward. In reply to your question, Miss Means, there is no camera nor mike in that sailfish.

Question. What is inside that great fish?

Answer. What did you expect—Jonah?

Question. George, the President of the United States—er—Great Think and Walk Society often refers to his place here as the "Lonely Acres." Well, I'm sure we would all be glad to help him not be lonely.

Answer. May, that is a very generous offer. Thank you.

The press: Thank you, Mr. Bullrushy.

TRIBUTE TO E. L. FORRESTER

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, I wish today to pay tribute to my good friend and predecessor, a great Georgian, a great American—and the man who so ably represented the Third Congressional District for 14 years—E. L. (Tic) Forrester.

In his native area, and later in Congress, Tic Forrester's life has been devoted to the service of his district, his State, and his Nation. The people of Georgia know this well, and they know that no problem was too large, and no request too small to receive Tic's complete attention, time, and efforts. The results of his dedicated labor are now and long will be evident in the State of Georgia.

Tic's outstanding public career began at the age of 26 when he was elected mayor of his hometown—Leesburg, Ga. He went on to serve as county attorney, as solicitor general of the southwestern judicial circuit, and as a member of the 82d through 88th Congresses.

Both as a person and as a legislator, Tic Forrester has set a high standard to which those who follow him must aspire.

As a man, Tic Forrester is known and loved for his honesty, his courage, his strong faith, and his ability to look for the good in everyone and everything. Yet at the same time, Tic's is a logical and reasonable approach to life, characteristic of his forebearers, who scratched their living out of the soil of Lee County, Ga. His heritage developed in him the trait to go to the heart of a matter and seek its simplest solution, and then to offer that solution quietly, confidently, and without fanfare. Yet Tic is a man who would never back down when he knew he was right—he is a man to whom the truth is the truth—and not something to be compromised.

Yes, Tic Forrester is a man of unyielding integrity, and it is an added tribute to his integrity that while serving in Congress, he refused retirement compensation due him as a former solicitor.

I have said that Tic Forrester is my good friend. But truly, Mr. Speaker, I am only one among countless many who are privileged to make this claim.

During his legislative career, Mr. Forrester was noted for many accomplishments, among them his able service on the House Judiciary Committee. Tic sought his seat on this committee though he knew that the odds could well be against him—that his conservative views would often meet opposition. Yet, Mr. Speaker, this outstanding man succeeded at his post and became chairman of Subcommittee No. 4 of the House Judiciary Committee for the 87th and 88th Congresses.

But the people of the Third Congressional District are particularly proud of Tic Forrester's unyielding role as champion of Georgia's all-important peanut industry—and that because of his untiring efforts over several years, an agricultural appropriation was secured for the establishment of a peanut quality research laboratory in Dawson, Ga.

Mr. Speaker, on behalf of my constituents, and in grateful recognition of his efforts and achievements toward this goal, I am today submitting a bill that this project be named the E. L. Forrester Laboratory in tribute to this fine gentleman, who was responsible for its establishment.

NASSER'S CONTEMPT FOR INTERNATIONAL LAW AND MORALITY

Mr. MINISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MINISH. Mr. Speaker, once more the free world is confronted with the arrogance and intransigence of Nasser who has repeatedly demonstrated his utter contempt for international law and morality. All right-thinking people must be dismayed and disheartened at the capitulation of the West German Government to Nasser's demand for its suspension of shipments of tanks and helicopters to Israel. There can be no justification for West Germany to violate her agreement to supply arms that are essential to Israel's valiant effort to maintain a balance of deterrence against the United Arab Republic. It is particularly alarming that suspension of these shipments comes at a time when the supplies of Russian arms to Egypt and the other Arab States have been increasing. Thus, the security of peace-loving Israel is further endangered and the threat of war in the Middle East grows more ominous.

In contrast to Bonn's action in this matter is its refusal to recall the German scientists and technicians employed by Nasser in his preparations for aggressive war.

Surely, we have learned from bitter experience the folly of trying to appease an aggressor. "Those who will not learn from the past are destined to repeat it." It is sad and alarming that the West German Government, despite the haunting specter of its past, has capitulated to Nasser's blackmail threat at the expense of Israel's security and the best interests of the free world. As the Washington Post pointed out in its excellent editorial of Monday, February 15:

> Germany is tailoring her policies to the demand of an Egyptian dictator who has sworn to destroy the nation of Israel. Such is the truth, no matter how it is rationalized in Germany.

It is well that we here in the House speak out today against Bonn's surrender of principles which can only serve to strengthen Nasser in his aggressive designs. We must learn from the past and not permit the recurrence of the pattern of events that resulted in World War II. Nasser has flaunted the free world's counsels of restraint and moderation and has spurned our efforts to promote the peace, progress, and national independence of the Near Eastern States. It is past time for the free world to call his bluff and refuse to submit further to his pressures. Nasser needs the West far more than the West needs him. Let us make that unmistakably clear to him now.

FBI SHOULD RECEIVE DEPARTMENT'S COOPERATION DURING ARM-TWISTING PROBE

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have today written Secretary of Agriculture Orville Freeman asking the cooperation of him and his administrative officers during the FBI investigation which is taking place in the Rural Electrification Administration. This FBI investigation has been ordered by the Justice Department on the basis of information provided to me by REA employees illegally solicited for campaign funds to a Democrat campaign function in violation of Federal law.

As I indicated to the Secretary, these arm-twisting methods on the part of some Department of Agriculture officials must not be tolerated. It is my conviction these things could not have taken place without the knowledge of high officials in the REA or even in the office of the Secretary itself.

However, I have also advised Secretary Freeman that our Federal civil service system must be protected from a return to the old spoils system, and it is my firm intention to see that this protection is insured.

I include my letter to the Secretary of Agriculture at this point in my remarks.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 17, 1965.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: This has further reference to my letter of January 12 concerning political fund solicitations in the Rural Electrification Administration.

Although I have received no acknowledgement of my previous letter, you will be interested in knowing of the report sent me from the Department of Justice in reply to a similar letter of the same date. Enclosed is a copy of the February 4 letter addressed to me by then Acting Attorney General Katzenbach stating that the Federal Bureau of Investigation, on the basis of a report submitted by the Civil Service Commission, has been asked to investigate the case as to possible criminal violations which would warrant prosecution.

Such criminal violations as might be found to have occurred would not, of course, come within the responsibilities of the Civil Service Commission, but the Commission is keeping me advised of its considerations involving the classified service. I will be advised of their final findings and conclusions and of any administrative actions found necessary.

It is understood that administrative action is not mandatory prior to certification by the Commission of the facts in the case to the appointing officer with specific instructions as to discipline or dismissal or other corrective actions. Pamphlet 20 issued by the Commission does state, however, "The employing agency has the responsibility of enforcing the restrictions against political activity in the cases of those employees occupying positions specifically excepted from the provisions of the Civil Service Act and Rules" (p. 6).

Political funds solicitations such as were brought to my attention in the first instance, and which apparently have gone beyond the extent to which original reports indicated, could not have taken place without the knowledge of high officials in the Rural Electrification Administration or even in the office of the Secretary itself. It is to be regretted that the Department of Justice now has to call in its Bureau of Investigation to police activities which should not have been allowed to take place originally. Disciplinary action against employees in the classified service and prosecution for criminal violations of the Corrupt Practices Act may now prove necessary in this case, but wholesome protection of the entire classified service from a restoration of the "spoils system" and all its evils will result only from an insistence on a high standard of political morals throughout the Government. It is my purpose to insure this protection.

We have every confidence that the investigation by the FBI will be thorough and conclusive, and I trust that these investigators will have the complete cooperation of you and other administrative officers of your Department.

Sincerely yours,

ANCHER NELSEN.

FRENCH WEASEL OUT OF DEBTS

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the House recently approved—quite precipitously, in my view—legislation to remove the gold cover on Federal Reserve deposits in order to make U.S. gold more readily available to foreigners and "fences" operating in the international currency area.

Members of this House will recall that they had very little time in which to form their own judgments or evaluate the consequences of this act. As a member of the Committee on Banking and Currency, I was particularly disturbed by the fact that none but administration witnesses were heard.

The highly esteemed columnist, Henry J. Taylor, presented in a recent column a very enlightening discussion on one important and not generally recognized aspect of the basic and fundamental problem—our international "imbalance of payments" condition.

Mr. Speaker, under unanimous consent, I include at this point in my remarks the column by Mr. Taylor, entitled "French Weasel Out of Debts," in which he examines our financial dealings over the years with France and other European nations:

FRENCH WEASEL OUT OF DEBTS

(By Henry J. Taylor)

It's a dream world.

President Charles de Gaulle can draw gold and threaten our dollar because, on balance, we owe France more than France owes us.

What nonsense. Totally false. France is in hock to us for everything but Napoleon's cocked hat and the family silver. Until a more outrageous situation comes along this one will do.

We're to blame, nevertheless. The Bureau of Internal Revenue slaps you in jail if you fail to pay your debt to our Government. But if you're a foreigner, oo-la-la, forget it.

This is the root of the trouble. The United States has always been a gleeful giver abroad but a very stupid collector.

Generation after generation of European government money men seem to put our debt collectors under an anesthetic. A few whiffs, a few banquets under crystal chandeliers, some parlez-vous about zis or zat, and the next thing you know our little lambs—wafted into some strange kind of inferiority complex—are dumping foreign nations' taxpayers' responsibilities smack into the lap of the American people.

In this naive yen to buy international goodwill we lose the respect of the Europeans as well as our money.

The price? It is colossal. Yet you never hear about it from Washington.

I have verified all figures in this article with the New York Federal Reserve Bank, and nothing here refers to America's $113 billion foreign aid—all free. I refer only to truly due obligations incurred by nations mostly now rich and loaded with gold.

France, for example, typifies just 1 of 20 countries owing us World War debts which remain due and unpaid to this very day. The aggregate among the 20 exceeds $20 billion. But who would know it?

The French sum is $6.3 billion. It was many times higher than this but, guess what, France negotiated it down. Then in 1931 France said she couldn't pay that year's installment. Washington declared 1-year moratorium.

Well, that was the end of that. Paris simply refused to resume payments. Our taxpayers have made up the difference. The French Government no longer even carries these billions on official statements covering France's external debt.

In addition, while De Gaulle draws gold, France also has outstanding three loans arising from World War II. These total a tidy $592 million. The repayment rate? A mere $21.5 million last year, $22 million due this year, and $22.6 in 1966, etc., on the first of these of which $409 million is owed.

Moreover, France also owes us $179 million still unpaid since 1945 on an Export-Import Bank loan, prepayments on which make the next installment not due until 1967.

Yet, sunk under this mountain of debt, De Gaulle is nevertheless free to take a $150 million bite out of our dwindling gold reserve in a single recent day.

In similar fashion Britain still owes us $9.1 billion in World War I debts that remain due and unpaid. Oh, no, France has no monopoly on the anesthesia.

Germany owes us nothing, which is what she gets for attacking the world and losing the war. She now holds more dollars in her reserve than any country in the world. But Germany—like France, Italy, Spain, Holland, and most European countries—feels uneasy about her dollar balances and has steadily increased her gold holdings relative to dollars.

European enthusiasm for President Johnson's proposal to free about $5 billion of the gold required to back our dollar is mighty, mighty understandable. It means the debtor nations, who now somehow call themselves creditors, can continue to get a piece of the U.S. pie.

If Mr. Johnson were so zealous in insisting on Europeans paying their debts as he is on changing the law to free our gold we would not have to ship a single ounce on balance and, in truth, the gold outflow could be reversed overnight.

Isn't there anything—anything, anything, anything—that can bring our officials out from under the ether? When, oh, when, will the American interest really be put forward in Washington?

TAXPAYERS NEED HELP IN MEETING 1964 TAXES BECAUSE OF UNDERWITHHOLDING

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. MIZE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. MIZE. Mr. Speaker, because of the rude awakening a lot of taxpayers are going to have, on April 15 when they are compelled to pay more taxes on their 1964 incomes, I feel obliged to join my Republican colleagues in introducing legislation designed to correct a wrong created by inequities in last year's tax laws. This bill will allow the taxpayer to divert half his payment to April 1966, and would also allow the taxpayer to adjust his withholding tax rate during the remainder of 1965 so that the extra amount due can be absorbed in that manner.

This legislation is necessary due to the fact that an estimated $1 billion was underwithheld from the Nation's taxpayers as a byproduct of the $11.6 billion income tax cut voted by Congress in 1964. As you know, this tax cut was originally intended to cut the withholding rate in two steps—that is, the 18-percent rate before the cut was put into effect was to drop to 15 percent on 1964 income, then to 14 percent on 1965 income—but the bill was amended by the Democratic leadership to drop the rate on 1964 income to 14 percent in one step.

Since the Government got our taxpayers into this situation, it is only fair that the Government do something to get them out of it, and this bill is designed to ease the process. The problem is one that is hitting hardest at low bracket taxpayers who are having difficulty in raising cash, as many of them spent their tax-cut windfall—as suggested by the administration—in order to bolster our economy.

LITHUANIAN INDEPENDENCE DAY

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. CONTE. Mr. Speaker, it was on February 16, 1918—47 years ago—that Lithuanian independence was proclaimed, and it is with pride that I pay tribute to this brave nation on the anniversary of that day.

Living among us in America today are 1 million Americans of Lithuanian descent, many of whom have known at firsthand the bloody struggle of this freedom-loving country to establish and maintain an independent and peaceful existence while tragically situated between two hostile and aggressive nations.

Lithuania has been a kingdom in her own right back as far as the Middle Ages, and the history of Lithuania is the heartbreaking account of a courageous people determined to protect and preserve their right to exist free of the oppression of foreign dictators. The people of Lithuania are all too familiar with the agony of seeing their land annexed and absorbed time and time again by the cruel determination of aggressors to extinguish the flame of liberty which burns so brightly among these great people.

Even though today we know little about the true conditions in that country, because of the constant supply of propaganda from the Communist regime—in their efforts to prevent us from seeing Soviet failures in all attempts to smother Lithuania's rich heritage of independence and their deeply rooted national consciousness—we are in no doubt as to the determination of all Lithuanians to continue to fight toward the day which marks the dawn of liberty for them.

From the great love they bear their native land and their hatred of cruelty and oppression, we have observed—in spite of their repeated subjugation to foreign rule—we have observed down through the years a steady progress on the part of Lithuania toward agricultural improvements and industrialization, toward social reforms and educational facilities, toward literary and musical accomplishments, and toward a balance between church and state adequate to the God-given rights of a free and faithful people to worship as they please. For all these things, Lithuanian patriots have expressed, and continue to demonstrate, an invincible determination—even to the death—to guarantee a way of life made up of those ingredients which go to spell out freedom and independence.

It is a tribute to our own great national pride, in this land of ours which is so vast in size, so great in wealth and power, and in which we enjoy so many of the great fruits of liberty, that the United States has maintained relations with the independent Lithuanian Government representatives and that we have to this very moment refused to recognize or accept the Communist puppet regime. Our own strong determination in the pursuit of liberty and equal opportunity for all people leads us to a reaffirmation of our determination never to accept the yoke of communism in Lithuania—or elsewhere. We must constantly reaffirm and make evident our dedication to an independent Lithuania and to freedom for all the captive nations.

Through a thousand years of recorded history Lithuania has played a major role in fashioning the character of European civilization. Through all their struggles for independence these great people have remained faithful to their religion, their own language, and their own right to a rich and meaningful life. As representatives of a strong and free nation we must lend our weight to that struggle, and it is to this purpose that we here today are dedicated. We must never lose sight of the long years in which our Lithuanian brothers have endured suffering in captivity, and must constantly give ever-increasing impetus to their inflexible belief in the eventual restoration of their country to its rightful sovereignty. The bright light of freedom which burns so bright among the Lithuanian people will give us heart, as a free and happy people, to help them in their struggle.

WEST GERMANY'S RECENT REGRETTABLE DECISION

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. CONTE. Mr. Speaker, I join with my colleagues in regretting the decision of the West German Government to stop its military aid to Israel. I would not have felt compelled to do so had the West German Government arrived at its decision freely, but this it did not do. It made its decision under the direct pressure of Gamal Abdel Nasser's puppet regime in Cairo; a regime which even the most simple student of Middle Eastern affairs knows has all the forms of democracy, but which is in reality a dictatorship designed to foster the expansion of the United Arab Republic in the Middle East and in Africa.

This "Barbarian of the Nile" who takes our wheat and aid with one hand while with the other carries the torch which burns our libraries and informs the American people that they can drink the water of the sea, now adds to his list of infamies—blackmail. Without shame and with impunity he has blackmailed a friendly power that has given him some $200 million in aid with the threat that unless it stops its token military aid to Israel he would recognize East Germany. In fact Nasser has invited its President, Ulbricht, to Cairo on a state visit, a visit which is tantamount to recognition.

Cairo claims that its action is based on the fact that Bonn is arming its enemy, Israel. The total value of this military aid is reputably in the neighborhood of $70 million. Yet Cairo itself has asked and received millions upon millions of dollars in arms and military aid from Communist countries. In the whole of the Middle East its army is the largest and it is equipped with Communist arms. The planes that fly over the Yemen do not read "Made in the U.A.R.," they read "Made in the U.S.S.R." The guns that are supplied to rebels, both in the Middle East and in the Congo do not read "Made in Egypt," but rather "Made in Czechoslovakia."

I deplore the use of force and the necessity of maintaining large armies, but I deplore even more the Egyptian ethic of doubledealing. While it supplies itself with arms made in Communist countries, it forces another country to stop its token aid to Israel under threat of recognizing a government not even recognized by the United Nations. While Nasser feels free to deal with any nation that he would have, including our enemies, he would have none deal with Israel and boycotts our industries that deal with Israel. While he would accept aid from any quarter to further his plans of conquest, he would have no country help Israel protect itself.

Mr. Speaker, I have supported in the past foreign aid where I thought that this aid would benefit not only the country that received it, but also would be in the best interests of the United States. However, Cairo's recent action has given notice that its about time we took a long, hard look at this country that has been such a disruptive influence in the Middle East. And I think that it is about time that we adopt some of that old New England Yankee know-how and what-for when we think of giving our aid to a country such as this.

WEST GERMANY AND NASSER

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Broomfield] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, West Germany has learned a bitter lesson—one which I hope our own State Department will note and long remember in any future dealings with petty tyrants.

Egypt's Nasser warned West Germany that he would extend diplomatic recognition to East Germany unless West Germany canceled its arms agreement with Israel.

West Germany fell for this bit of blackmail and canceled the agreement, evidently actually believing that Nasser would keep his word.

He did not. The Red carpet will be rolled out for the East German puppet, President Ulbricht, to the acute embarrassment of the West German leadership.

Israel and West Germany, which were beginning to get along, now are at each others throats. The West German Government is acutely embarrassed by its failure to foresee Nasser's lies. East Germany's Red boss and Egypt's Nasser have succeeded in coming out on top.

The outcome is still unclear, but it will take a phenomenal amount of diplomatic footwork if West Germany is to retrieve the ground it has lost.

Cancellation of any further aid to Egypt by West Germany is beside the point. Nasser could care less. He will receive plenty of such assistance from the Communist world.

Let us hope that West Germany will restore its arms agreement with Israel and supply the remaining $20 million in vital armaments which that country needs to protect itself from Nasser's dreams of conquest.

FEDERAL PUBLIC RECORDS LAW

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, I am delighted to join with the gentleman from California, Congressman John E. Moss, chairman of the Foreign Operations and Government Information Subcommittee, and other of my colleagues today in introducing legislation to establish a Federal public records law and to permit court enforcement of the people's right to know the facts of government.

Ever since coming to Congress, I have become increasingly aware of the lack of information being disseminated to the American people on Government operations. Some information cannot be released to the public because of security reasons, of course; but I think that the American people have a definite right to know what their Government is doing in nonsensitive areas. After all, a well-informed citizenry is essential to the very survival of our Republic and form of government.

The bills which many of my colleagues and I are introducing today would require every agency of the Federal Government to "make all its records promptly available to any person." The eight specific categories of sensitive Government information which would be protected from disclosure are as follows:

First, national defense and foreign policy secrets specifically protected by Executive order; second, documents related solely to internal personnel rules and practices of an agency; third, information specifically protected by other laws; fourth, privileged trade secrets, commercial or financial information obtained from the public; fifth, agency memorandums dealing solely with matters of law or policy; sixth, personnel and medical files; seventh, investigatory files compiled for law enforcement; and eighth, examination, operating or condition reports used by agencies responsible for the regulation of financial institutions.

This legislation provides the right of access by the people to all other Government information—and is based on a similar bill, S. 1666, which did pass the Senate late in the 88th Congress but which was not acted upon by the House of Representatives prior to adjournment. This proposed Federal public records law would permit persons seeking Government information to file suit in a U.S. district court which would have authority to order the production of agency records improperly withheld. The Federal agency involved would then have to prove its right to withhold the specific records, and the district courts would have the power to punish agency officials for contempt if they refused to disclose the records.

THEY DEFEND GENOCIDE AND CANNIBALISM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, in the New York Times of December 2, 1964, there appeared in paid space as a public service an editorial advertisement captioned "They Defend Genocide and Cannibalism," by Mr. A. N. Spanel, the founder and chairman of International Latex Corp. In it, Mr. Spanel presents a clearly detailed account of the tragic loss of lives in the Congo, white and black alike; a butchery that was encouraged by Red China's and the Soviet Union's own brands of mercenaries (agents) with their murderous weapons smuggled into Africa for more than a year in anticipation of that very horror. This is the same Soviet Union and its fanatic puppets that vilified the merciful Belgian-American rescue mission before the United Nations.

Here is a much-needed document from a private citizen and his company who are known throughout the world for their dedication to free world unity, and for the many commonsense recommendations he has made to our Government for dealing with any nation that permits the abuse of our nationals, the destruction of our libraries—as was the John F. Kennedy Library in Cairo—or our embassies anywhere on earth.

Mr. Spanel sees clearly that any nation that sits idly by while abuse and humiliation are heaped upon its nationals and its flag, can never exert lasting influence upon freemen and too often such a policy only invites Communist inflammatory actions as evidenced in the Congo.

For 26 years Mr. Spanel and the International Latex Corp., have carried on at great cost an inspired and intelligent crusade for and on behalf of free world unity and for an internal strength in the Western Hemisphere of sufficient dimension to meet the relentless Communist threat. For this and for their ceaseless vigilance they deserve our gratitude and the gratitude of freemen everywhere.

I, therefore, by unanimous consent, include the article by Mr. Spanel in the body of the Record.

THEY DEFEND GENOCIDE AND CANNIBALISM

(By A. N. Spanel, International Latex Corp.)

(This editorial-advertisement initially appeared on December 2, 1964. Since then and as recently as last Friday, newspapers reported continued butchery of abandoned hostages in the Congo—white, brown, and educated blacks, alike. Yet most of the loincloth republics, the Soviet Union, Nasser, and Sukarno, howl murderous approval, while falsely accusing the United States and Belgium in the U.N. of monstrous imperialism.

Therefore, truth oft repeated, and peaceful, hard purpose still appear to be the free world's best antidotes.)

Whatever remains of conscience and decency in a morally numbed world recoils with horror from the naked savagery in the Congo. In Stanleyville, in Paulis, and wherever the Communist-inspired people's democracy is in control, over a hundred white men, women, and children, and many thousands of the relatively more educated blacks, have been massacred with calculated cruelty.

And the end is not yet. More than 900 whites are still in the clutches of frenzied Simbas chanting the new magic taught by Chinese Communists. The sudden and complete pullback of the Belgian-American rescue forces is utterly distressing. Can it be that Western man, with all his culture and codes of ethics, has again withdrawn for fear of "world opinion" ballooned by the Communist propaganda system?

We dare not, if we value our souls, let mealymouthed diplomats around the globe and in the United Nations blur the horror of the Congo events. The issue is not political or military. It is primarily moral. Let there be no doubletalk on torture and murder of innocents—nor on the depravity of those who, while pretending to be civilized, condone the horrors and pledge firm support to the perpetrators.

Words cannot quite convey the fiendishness of the Congo bloodlust, marked by sadism and cannibalism. A few telltale episodes need to be spelled out. In Paulis, for instance, some 20 innocents, among them the American missionary, Mr. Joseph Tucker, were murdered slowly, piecemeal, in 45 minutes of systematic beatings—from the neck downward, as escaped eyewitnesses described it. Natives earmarked for murder were forced to drink gasoline, then cut open and set afire. Rescued nuns related seeing four Catholic priests butchered and eaten. Nuns were marched naked through the streets.

THE HOWLS OF BIPEDS

No less shocking than the savage bloodlust has been the response of governments and leaders who side with the killers and vilify the Belgian-American rescue operation, limited and unfinished though it has been. Howls of fury have come from Moscow, Peiping, Cairo, Djakarta, the stooge regimes in Eastern Europe, Algeria, and the black African republics—not against the cannibals but against those who have snatched some of the victims from their grasp. These protests, as an editorial in the New York World Telegram put it, "exceed the bounds of cynical brutality which might be expected even from Communists."

As for the African nations, they seem determined to prove their callous inhumanity. At an emergency meeting in Nairobi on the day after the massacres, the seven countries represented professed to speak for all Africans. The opening address by the Mau Mau terrorist, Jomo Kenyatta, was a slashing attack—not on the torturers and cannibals but on those who saved about 1,500 of the innocents earmarked for death. Egyptian, Ethiopian, and other delegates followed the Kenyatta lead.

The ugly record will stand for all time: that African leaders found not a word of reproof for the hopped-up slaughters of whites and blacks alike. They had all swallowed the poisoned bait of Red propaganda. Implicit in their call for collective reprisals against the United States and Belgium was the idea that the right to kill and torture was part of their new independence. Only these three African states had the grace to express approval of the humanitarian airlift of hostages: Nigeria, Senegal, and the Malagasy Republic.

Fervid support of the murder-bund from influential quarters, along with the pledges of more arms, amounts to a death sentence for the whites still in Simba hands, and for thousands of relatively better educated blacks. The Communist bloc and its vassals are saying in effect, "Kill in the name of Lumumba and Karl Marx."

INCITING MASSACRES

One wishes there were an institution today that could formally indict for the crimes of genocide and cannibalism not only the Congolese leaders directly responsible but the Mao Tse-tungs and Brezhnevs, the Nassers, the Ben Bellas, and Sukarnos, who arm savages with murder weapons and murder slogans.

Where has the United Nations been during the Congolese outbreaks of blood madness? Unfortunately, Secretary U Thant hasn't considered the Congo massacres worthy of sharpest condemnation.

The assaults on American, Belgian, British, and Congolese embassies in Communist and pro-Communist capitals were palpably staged by the authorities. In Cairo the fire brigade, only a couple of blocks from the hallowed John F. Kennedy Library, did not show up until it had been completely burned.

In the Soviet capital, the New York Times dispatch from the scene made it quite clear that the wild demonstrations were officially organized. An African student leader was seen yelling his instructions to the vandals over a police car loudspeaker. A demonstrator was heard to complain, when the police finally began to curb the frenzy, "First you tell us to demonstrate, now you stop it."

The emotional state of some of the rioters, it is important to underline, reflected the falsification of news in places like Moscow, Prague, Cairo. The Soviet people, for example, have not yet been told of the wanton massacres. Would African students in Russia and Czechoslovakia, in Egypt, and Ghana, have had second thoughts had they been aware that not only whites but thousands of blacks were being slaughtered?

PEACEFUL, HARD PROTEST

Do we really have no peaceable and effective response to attacks on American embassies, properties, and nationals beyond routine notes of protest? Much greater would a Great Society be if it took instant steps to prevent the humiliation of physical abuse from those who enjoy American aid and seek American trade. Shouldn't we cut off such aid and trade in peaceful protest now?

The tragic developments in the Congo should induce some soul searching at policymaking levels in Washington. Americans should recall that the source of the long Congo agony is in its premature abandonment by Belgium. But our Government joined in the pressure on Brussels to yield to that instant disengagement.

The one element of stability after that, was Katanga Province under Moise Tshombe, who refused to submit to know-nothing antiwhite racism and threatened secession. The United States not only joined the pack in the U.N. determined to crush Tshombe, but financed that blindness to the bitter end. The pervasive chaos thereupon swallowed Katanga too. Today, in one of the great ironies of history, Tshombe has become the one hope for a viable authority in the Congo and enjoys American backing.

Who in our policymaking centers pulled such monumental blunders? It is not a matter of crying over spilt milk but of identifying the people and the forces responsible. Are the same blundering elements behind the present attempt to make an accommodation with Soviet Russia and its satellites with trade, concessions, and credits? At the very least, against the background of the savagery in the Congo, we should take notice of the fact that the Kremlin has made common cause with the cannibals and their Red Chinese mentors.

The nations of the free world, divided and in disarray, have once again experienced the high cost of weakness on this Communist-menaced planet. There should be an end to the euphoria being deliberately spread that the cold war, if not quite over, is in cold storage. There should be an end to the delusion that there are good Communists and bad Communists, so that we may face up to communism in all its obscene dimensions.

Whatever the disputes between Moscow and Peping, they have a familiar way of evaporating where communism confronts the world of freedom. Red Russia backs up the Chinese in southeast Asia, just as Red China supports the Soviets in Cuba. The Congo tragedy again demonstrates that "Peaceful Coexistence" is a slogan to a trap. The killers and cannibals led by the Communist-trained Gbenye and Muelele make no distinction between good and bad capitalists.

The unspeakable horrors in the Congo, we repeat, leave no room for moral choice or for free world divisiveness. Any nation that fails to condemn the savagery must share the stigma of its depravity.

BLACKMAIL OF WEST GERMANY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, I have received communications from several organizations protesting the blackmail of one of this country's allies, West Germany, by the United Arab Republic. I want to join with my fellow colleagues in expressing my concern about this matter.

For a long time the Middle East has been a source of deep concern to all Americans. This concern was expressed by me when I sponsored a resolution—House Concurrent Resolution 146, 89th Congress—calling for a mutual defense treaty between Israel and this country. The policy of the United States is to do all we can to prevent moving from an armed peace to an armed conflict. Therefore, it is with particular seriousness that we view the situations which have arisen within the past few days. We have seen Nasser using his influence to pry from West Germany, a friendly ally, her support to Israel, which in itself has caused a crisis to this small country, whose main wish is peace. For every year of its short existence it has faced the threat of Arab nationalism and is once more the object of Nasser's plans and schemes to bring its downfall. Through these efforts he hopes to elevate his prestige with the Arab bloc of nations which is presently crumbling under his feet.

The policy of this country has always been peace—where peace has been possible. One can only hope that some day the Communist countries will realize the futility of their support of an Egypt which is so hostile toward Israel. We can only hope that all nations will realize the importance of preserving peace and ending animosities in the Middle East.

SCIENCE TALENT SEARCH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, I would like to bring to the attention of this body the outstanding achievement of five young people from the Third Congressional District of Florida, which I have the privilege to represent, in the science talent search for the 1965 Westinghouse science scholarships and awards. These young people are:

Miss Judy Kathleen Gokel, 765 East 20th Street, Hialeah, Fla.

Mr. David Lynn Hall, 19035 Northwest 10th Place, Miami, Fla.

Mr. Mark Steven Baker, 12489 Keystone Road, North Miami, Fla.

Mr. Frederick Mark Wang, 135 Northeast 133d, North Miami, Fla.

Mr. Gary Lee Washenik, 14521 Northwest 16th Court, North Miami, Fla.

I think we should commend these youngsters who have earned such achievement and who have brought honor to their State, their community, their families, and themselves. This, in my opinion, exemplifies the outstanding educational system of Dade County and the State of Florida.

ACCESS TO PUBLIC RECORDS: FREEDOM OF INFORMATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, everyone pays lipservice to the principle that the people must be fully informed about the activities of the Federal Government if it is to remain their servant and not become their master. But no one in this House has to be reminded how wide is the gap between professed adherence to this principle and the actual practice of Government agencies. Repeated rebuffs suffered by Members of Congress, representatives of the press, and ordinary citizens in efforts to get information which there is no legitimate ground for keeping secret have made us all aware that it is becoming harder and harder to find out what goes on in the Government.

For many years, executive departments cited section 161 of the Revised Statutes, 5 U.S.C. 22, as an excuse for withholding information they did not wish to reveal. This was, of course, a gross distortion of the intent of that law. It is merely a housekeeping statute, which had its origin in an act passed in George Washington's administration, authorizing the head of each department to prescribe regulations not inconsistent with law for the custody, use, and preservation of the records, papers, and property appertaining to it.

In the perhaps naive assumption that officers and employees having custody and control of Federal records would heed a clarification of the legislative intent, Congress amended this section in 1958 by adding a new sentence which explicitly stated:

> This section does not authorize withholding information from the public or limiting the availability of records to the public (72 Stat. 547 (1958)).

This forced the agencies to revise the verbalisms by which they decline to furnish information, but has had no perceptible effect in increasing the availability of information to the public. The discouraging results of this law have demonstrated that a much stronger positive measure must be enacted if the dangerous trend to more and more secrecy in Government is to be halted.

To make sure that the public gets the information it is entitled to have about public business, two steps must be taken: First, Congress must affirm, by statute, the legal right of any member of the public to have access to all public records, unless they fall within carefully defined exceptions; second, a method of enforcing that right must be provided.

I am introducing a bill designed to meet both of these requirements. It would add two new subsections to section 161. Under them, every agency would be required to make all its records promptly available to any person, in accordance with published rules. I emphasize the words "any person." This gives everyone a right to examine public records without establishing any special interest in the subject matter. This is important for two reasons. The first and most significant is that every citizen has a legitimate concern in assuring himself that every agency of Government is operating fairly, efficiently, and in accordance with law, whether or not it directly impinges on his special personal interests. A second reason is that, without recognition of this universal "right to know," agencies have an excuse to delay or deny access to information by quibbling over the sufficiency of the applicant's interest in obtaining it.

There are of course, certain kinds of information which the public interest requires to be kept secret. Subsection (c) of this bill defines eight categories of information which may be withheld from the public. The only matters to which the public may be denied access are those first, specifically required by Executive order to be kept secret in the interest of national defense or foreign policy; second, related solely to the internal personnel rules and practices of any agency; third, specifically exempted from disclosure by statute; fourth, trade secrets and commercial or financial information obtained from the public and privileged or confidential; fifth, interagency and intra-agency memorandums or letters dealing solely with matters of law or policy; sixth, personnel and medical files and similar matters the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; seventh, investigatory files compiled for law enforcement purposes except to the extent available by law to a private party; and eighth, contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions.

To put teeth into this measure, any person denied access to public records is given the right to go into a Federal district court and obtain an order for the production of agency records or information improperly withheld from him.

In such proceedings, the court would determine the matter de novo, and the burden would be upon the agency to sustain its action. Except for causes which the court deems of greater importance, proceedings authorized by this bill would be given priority in the court's docket.

Section 2 of this bill would repeal all laws and parts of laws inconsistent with it. This would not affect matters specifically exempt from disclosure by statute because they are expressly excepted from the new subsection (c) to be added to section 161. But it would thwart any attempt to emasculate this measure by engrafting on it limitations deduced from the general language of any other laws. It is intended particularly to avoid the distorted interpretations which have been placed on qualifying phrases in the disclosure provisions of section 3 of the Administrative Procedure Act.

We have submitted much too long to abuse of power by agencies in withholding information from the public. Continued acquiescence in this practice, or ineffectual protests against it, will seriously undermine the integrity of the democratic process. Each success enjoyed by an agency in extending the cloak of secrecy over its affairs encourages further restrictions on information made available to the people. Each success reduces the risk that corruption, bias or inefficiency will be detected, thus increasing the temptation to betray the public trust.

Because conditions of secrecy have been allowed to develop to an unhealthy degree, prompt and energetic measures are required to reverse this trend. Nothing less than a clear recognition of the public's interest in scrutinizing public records as a legal right, coupled with a judicial remedy to enforce that right, will suffice to accomplish this objective.

A CONSTITUTIONAL AMENDMENT TO MODERNIZE THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTION PROCESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Bandstra] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BANDSTRA. Mr. Speaker, I am today introducing a proposed constitutional amendment to modernize the obsolete and potentially dangerous method by which the United States now chooses its President and Vice President.

I do so partly because of personal experience. Last year, prior to taking my seat in the House of Representatives, I served as a member of the electoral college from Iowa. In that capacity, I was among the 538 citizens who, under the Constitution as it stands today, actually voted for the President and Vice President.

In December, at the State capitol in Des Moines, I cast my electoral votes for Lyndon Johnson and HUBERT HUMPHREY. I did so, of course, because the majority of the voters in Iowa cast their ballots the month before for these men. Nevertheless, under the Constitution of the United States and the laws of Iowa, I was legally free to vote for anyone I might desire.

From personal observation, and from a study of our presidential election process, I have reached the conclusion that some changes are badly needed. I think the Constitution should be amended so that our system of electing the President and Vice President, which is of supreme importance to this Nation and the rest of the world, is adjusted to correspond with the realities of our political system.

The amendment I am proposing would make the following changes in the constitutional process of electing the President and Vice President:

First. The people in each State would cast their votes, on a single ballot, for presidential and vice-presidential candidates, and the candidates with the most popular votes would automatically receive that State's full number of electoral votes. Thus the electoral college, and the individual electors, would no longer be a part of the election process.

Second. The candidates with the greatest number of electoral votes, whether a majority or a plurality, would be declared President and Vice President after a routine count by the Congress. This would discard the provision in the 12th amendment, more than 160 years old, whereby the election is thrown into the House of Representatives if no candidate has a majority of the electoral votes.

Third. In the unlikely yet possible event of a tie in the electoral vote, the Senate and the House of Representatives, sitting in joint session and with each Member casting one vote, would immediately choose the President and Vice President.

Fourth. If the President-elect should die before taking office, the Vice-President-elect would automatically assume the Presidency when the new term of office begins. Presently, if the President-elect should die, the members of the electoral college would be legally free to make their own choice for the Presidency.

Fifth. The District of Columbia would participate in the presidential and vice-presidential election in the same manner as the States. The provision for this is nothing more than a modification of the language in the 23d amendment, ratified and adopted in 1961.

On January 28, President Johnson stated that it is imperative that revisions be made in the presidential and vice-presidential election process; and, at the same time, he sent to the Congress a proposed constitutional amendment. With one major exception, the amendment I am offering today is substantially the same as that proposed by the administration and introduced February 4 as House Joint Resolution 278.

Both amendments, first of all, would do away with the electoral college. Today, there is no rational explanation for the existence of this institution, other than to say that most Americans regard it only as a harmless relic of the past. But it is not entirely harmless. For there is always the possibility, offered by the Constitution itself, that an individual elector may substitute his own particular wishes for the popular will of the people.

This has happened more than once in our history. The first time was in 1820, when a New Hampshire elector pledged to James Monroe voted instead for John Quincy Adams. It happened in 1824, when three of Henry Clay's electors defected. It happened in 1948, when Harry Truman lost the vote of a Democratic elector in Tennessee. And it happened in 1960, when six Democratic electors in Alabama and one Republican elector in Oklahoma gave their votes to a man whose name was not on the ballot in any of the States.

The late John F. Kennedy, the man who won the 1960 presidential election, declared some 4 years before his victory:

> The electoral college is an unnecessary, confusing, and potentially harmful anachronism.

I agree, and I think the dangers inherent in the institution are great enough to justify the action needed to remove the threat it poses to our democratic system of government.

On the second point, the amendment I am offering differs with the one proposed by the administration with respect to the margin of electoral votes required for the election of the President and Vice President. The administration's amendment would leave unchanged the present requirement that, to be elected, a candidate must obtain a majority of all electoral votes cast. My amendment, by contrast, would simply require that a successful candidate receive the greatest number of all electoral votes, whether a plurality or a majority.

The plurality provision is needed, I think, to give the greatest possible assurance that the electoral vote count will reflect the results of the popular vote in November. In a close election, it is possible that the presidential candidate with the most popular votes, and who as such would be the choice of the people, might nevertheless fall short of the constitutional requirement of a majority of electoral votes. If that happened, the people would not have elected a President. The election, instead, would be thrown into the Congress—either into the House of Representatives, as now provided by the 12th amendment; or into the Senate and the House of Representatives, as provided in the administration's proposed amendment.

As I see it, the requirement for election by plurality has three major arguments in its favor:

First, it would discourage divisive efforts by third parties. A third party, with fairly heavy popular backing, would not be strong enough to elect a President; but it might hope to frustrate the November election, throw the decision into the hands of the Congress and, in this way, exert an influence disproportionate to its actual strength. Election by either a plurality or a majority of electoral votes, rather than by a majority only, would make such tactics futile and, in the process, strengthen our two-party system.

Second, it would prevent the risk of an intolerable situation with regard to the conduct of our foreign affairs. If a close election denied the leading presidential candidate a majority of electoral votes, the United States, without a President-elect, would drift from November to January uncertain as to the next occupant of the White House. And so would the rest of the world. It is not hard to imagine the difficulties that could plague us, particularly if a sudden international crisis arose before the Congress could elect the new President.

Third, it would insure the orderly exchange of executive power from one administration to the next. A President-elect, newly chosen for the office, faces an enormous job after the returns are in. He must pick a Cabinet, appoint other high officials, consult, plan, and prepare. He must do all this in the relatively short period from early November until the January inauguration. A President elected by the Congress would be denied this time. Instead, he would be given the impossible task of organizing a new administration within a few weeks. The certain result would be delay and disorder in the executive branch, possibly for months.

From the standpoint of practical politics, the provision for election by either a plurality or majority of the electoral vote would not change our presidential election process. Third parties, for example, would still be free to offer alternative candidates and platforms, as they have done in the past. At times, these minority parties serve a useful function in our political system, for they can be the source of fresh and perhaps valuable ideas that otherwise might be denied a hearing. The free exchange of ideas is one of the great virtues of the American political process. But we should not mistake this virtue for the vice of excessive and irresponsible factionalism, which would split our two-party system into a scattering of small centers of power, none of which could command the popular support necessary for effective government. As we know from the unfortunate history of some European democracies, such as the Weimar Republic in Germany and the Fourth Republic in France, the inevitable consequence of such fractionalization of political power is governmental instability.

There is, moreover, nothing harmful whatever in elevating a man to the White House with a plurality of electoral votes. We find no fault in sending the successful candidate to the Presidency with a plurality of popular votes. In fact, some of our greatest Presidents reached office with less than 50 percent of the total popular vote. Abraham Lincoln was a "plurality President" in the 1860 popular vote count. So was Woodrow Wilson in 1912, and again in 1916. And so was John F. Kennedy in 1960. If we honor the plurality principle as to the popular vote, which is considered the Presidential mandate, there is no logical reason why we should not do likewise as to the electoral vote.

Under the amendment I am offering, the Congress would not be entirely dislodged from a constitutional post in the presidential election process. It remains mathematically possible, so long as there is an even number of electoral votes, for the electoral count to end in a tie. In this event, the decision would go to the Senate and the House of Representatives under the same provisions as proposed by the administration for an election that fails to give a candidate a majority of electoral votes.

There is nothing radical about the amendment I am proposing. On the contrary, it is truly conservative, in that it would preserve our presidential election system as it operates today under normal, expected circumstances. The really radical threat to the Constitution—the threat this amendment would abolish—is the danger that the force of abnormal and unexpected circumstances, striking through the present constitutional flaws, would throw disorder, delay and, perhaps, disaster into a presidential contest.

Ours is the oldest, surviving written constitution in the world. It is an excellent document, drafted by wise and farsighted men and perfected through revisions that an ever-changing world demanded. Today, the times demand further perfections. For, as President Johnson said in his message of January 28, the Constitution contains potential "chasms of chaos." The present constitutional provisions for electing the President and Vice President could misdirect the Nation into such a chaotic abyss. Even if the risks seem small, we cannot afford to trust to luck in filling the highest offices in the land. And so I sincerely hope that the Congress will give its most careful study to correcting those defects which, if left standing, might at some unhappy future date push us toward the perils of a national calamity.

Under leave to extend my remarks, I hereby include the text of the constitutional amendment I am offering:

H.J. RES. 327

Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The executive power shall be vested in the President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, be elected as follows:

"Each State shall be entitled to cast for President and Vice President a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. Such electoral votes shall be cast, as provided by section 2 of this article, upon the basis of an election in which the people of such State shall cast their votes for candidates to the offices of President and Vice President. The voters in each State in any such election shall have the qualifications requisite for persons voting for members of the most numerous branch of the State legislature.

"The Congress shall determine the time of such election. Unless otherwise determined by the Congress, such election shall be held on the first Tuesday after the first Monday in November of the year preceding the year in which the regular term of office of the President is to begin.

"SEC. 2. In such election within any State, the voters by a single ballot shall cast their votes for candidates to the offices of President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves. The name of any person may be placed upon any ballot listing candidates for the offices of President and Vice President only with the consent of such person; but no person constitutionally ineligible to the office of President shall be eligible to the office of Vice President. The electoral votes which each State is entitled to cast shall be cast for the person who in that State receives the greatest number of votes for President and Vice President, respectively.

"Within forty-five days after the election, or at such time as the Congress shall direct, the official custodian of the election returns of each State shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all persons for whom votes were cast for President and a separate list of all persons for whom votes were cast for Vice President. Upon each list there shall be entered the number of votes cast for each person thereon, the total number of votes cast for all such persons, and the name of the person for whom the electoral votes of such State are cast.

"SEC. 3. The District constituting the seat of Government of the United States shall be entitled to cast a number of electoral votes for President and Vice President equal to the whole number of Senators and Representatives to which the District would be entitled if it were a State, but in no event more than the least populous State. Such votes shall be in addition to those to which the States are entitled but shall be considered, for the purposes of the election of the President and Vice President, to be votes cast by a State.

"The election within the District for President and Vice President shall be held as provided in sections 1 and 2 of this article, and the District shall cast the electoral votes in the manner as provided in section 2 of this article.

"The Congress shall have the power to enforce this section by appropriate legislation.

"SEC. 4. On the sixth day of January following the election, unless the Congress by law appoints a different day not earlier than the fourth day of January and not later than the tenth day of January, the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the election certificates and the electoral votes shall then be counted. The person having the greatest number of electoral votes for President shall be the President, and the person having the greatest number of electoral votes for Vice President shall be Vice President.

"If the count of the electoral votes shall result in a tie, with any candidates to the office of President or Vice President, respectively, having an equal number of electoral votes otherwise sufficient for election to the office to which they are a candidate, then from those candidates with such equal number of votes the Senate and the House of Representatives, sitting in joint session, shall choose immediately the person to fill such office. The vote of each Member of each House shall be publicly announced and recorded. A quorum for this purpose shall consist of three-quarters of the whole number of Senators and Representatives, and the candidates for either such office receiving the greatest number of votes shall be declared elected.

"SEC. 5. If, at the time fixed for the counting of the electoral votes as provided in section 4 of this article, the presidential candidate who would have received the greatest number of electoral votes for President shall have died, the vice-presidential candidate who is entitled to receive the greatest number of electoral votes for Vice President shall become President.

"SEC. 6. The Congress may by law provide for the case of the death of both the presidential and vice-presidential candidates who, except for their death, would have been entitled to receive the greatest number of electoral votes for President and Vice President, respectively, and for the case of the death of any candidates from whom the Senate and the House of Representatives may choose a President or a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 7. The first, second, third, and fourth paragraphs of section 1, article II, of the Constitution, the twelfth article of amendment to the Constitution, sections 3 and 4 of the twentieth article of amendment to the Constitution, and the twenty-third article of amendment to the Constitution, are hereby repealed.

"SEC. 8. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

SETTLEMENT IN VIETNAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the situation in Vietnam has reached crisis proportions. The conflict in that war-torn area of the world has escalated dangerously, while changes in the government of South Vietnam continue without any apparent sign that an end is in sight.

The Vietnamese crisis has its roots deep in the past, but this is not the time to deplore what is past, but to decide what is to be done about the present and the future.

I think it is clear that a peaceable settlement must be sought through international conference. I have asked President Johnson to immediately take the initiative to start negotiations toward this end.

I have also asked the President to give the people of the United States a clear definition of our policy in southeast Asia, to give some precise answers to the questions that have too long gone unanswered, with a resulting confusion in the public mind.

The following letter, which I sent to President Johnson, reflects not only the concern of my colleagues and me, but that of all Americans and the other peoples of the free world:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 12, 1965.

Hon. LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: I am taking the liberty of writing to express my concern and that of many of my constituents about the escalation of our activities in Vietnam.

To many of us, the stand we have taken in Vietnam appears to be at the wrong time, at the wrong place, and for the wrong cause. To take the ultimate risks of involvement with China and possibly of a nuclear holocaust to defend people who have no desire for our assistance and who are undergoing an apparently internal revolution, seems mistaken to us. While we would be perfectly willing to take these ultimate risks to preserve our freedom or even more remotely to preserve the cause of freedom in the world, that does not seem to be the case with the Vietnamese situation.

We are all very aware of our limitations in advising on foreign policy matters. Just last week I voted against restricting your authority to send food to Egypt even though my feelings are strongly against giving any aid to the United Arab Republic at this time, because I appreciate congressional limitations on acting competently in this field.

To have the wholehearted backing of the people, the people should be informed and to have the wholehearted backing of Congress, we too should be informed of the underlying rationale of so important a policy even if the details of the conduct of our conflict cannot, for security reasons, be made public.

From my present knowledge, I would strongly advise that we immediately take the initiative to commence negotiations under the auspices of the U.N. or another international body to try to reestablish a peaceful settlement in Vietnam. This seems vital to avoid nuclear catastrophe. Our present policy seems doomed to failure and daily we increase resentment against our actions by Asians, many of whom feel that our intervention is a form of imperialism.

If such negotiations are for some reason unfeasible, then I think we and the public should be informed as to why they are unfeasible.

I would urge that open public hearings be held by the Congress at which the various administration officials involved would explain the basis for our continued prosecution of this conflict and our policy with respect to it. In the alternative, you might make this explanation yourself to the public.

Our lives, those of our children, and perhaps even the future of the world, are at stake with such momentous decisions involved and still with time to take alternative actions, though not much time, I hope you will give serious consideration to these recommendations.

Best regards.
Sincerely,
RICHARD L. OTTINGER.

JOINT CIVIC COMMITTEE OF THE ITALIAN AMERICANS IN CHICAGO, ILL.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I have for many years had the honor of being closely associated with the Joint Civic Committee of the Italian Americans in Chicago, Ill.

Representing over 40 different organizations, the joint civic committee serves as both planner and coordinator of numerous civic, educational, welfare, and social action programs carried out by the Italo-American community in the greater Chicago area.

We in Chicago are proud of the joint civic committee's accomplishments and of the local, State, and National acclaim its work has earned. Community leaders across the country have acquainted themselves with the joint civic committee and have used it as a model for similar enterprises.

Under leave to extend my remarks, I include excerpts from the annual report for 1964 of the Joint Civic Committee of Italian Americans for Chicago. The report follows:

The work of the Joint Civic Committee of Italian Americans was broadened and intensified on a truly impressive basis during 1964 under the leadership of Anthony Paterno, president. It is doubtful that any previous year was so fruitful and rewarding. Not only did the committee have a significant impact upon our people in the Chicago metropolitan area, but in addition, Americans of Italian extraction in many other States became cognizant of our work and accomplishments.

The Joint Civic Committee of Italian Americans is known all over Illinois and from New York to California. President Johnson, Governor Kerner, Mayor Daley, and many of the U.S. Senators and Congressmen are intimately acquainted with our program and with our goals and aspirations. We in Chicago can be proud of the many activities which are carried on by the Joint Civic Committee of Italian Americans. Without question, the Joint Civic Committee of Italian Americans has blazed new trails in civic action. The work of the joint civic committee is carried on under the leadership of dedicated volunteers working on various subcommittees which will be discussed briefly in this report.

At long last, on November 1, 1964, the joint civic committee opened an office, employed a full-time secretary and other personnel so that these activities could be carried on more effectively and efficiently and thus better meet the needs of our people in general.

To raise the necessary funds for this expanded program, the joint civic committee will cosponsor an opera, "Aida" in conjunction with the Apollo Opera Co. at the Civic Opera House on February 20, 1965. Cochairmen of this event are Congressman FRANK ANNUNZIO, Anthony Paterno, Nello Ferrara, Dr. Mario O. Rubinelli, and Victor Failla.

Increasingly in this country we are beginning to appreciate and to value all things Italian. This appreciation, we believe, was best expressed some years ago by an eminent American, often quoted by Victor Arrigo. We refer to President Nicholas Murray Butler of Columbia University when he said, "The place of Italy in civilization is best shown by trying to subtract that place from world history. Take away her scientific accomplishments, her statesmanship, her leadership of the world for many years, and what have you left? The world looks badly decapitated. You can subtract Italian culture from civilization only by destroying that civilization."

HUMAN RELATIONS

At the beginning of the year the joint civic committee started with a determination to deal more vigorously and more effectively with human relation problems affecting the Italian people. A strong policy, adopted by the executive committee, and implemented by the human relations committee directed by Joseph Barbera, vowed that hereafter all incidents involving discrimination or defamation of character would be given top priority with immediate action to be taken.

During the year the human relations committee investigated approximately six incidents involving discrimination. The major incident concerned two attorneys of Italian extraction who were rejected for appointment as circuit court magistrates. A thorough investigation by the human relations committee revealed clearly that the two attorneys had no negative marks in their record either as private citizens or attorneys. The human relations committee will continue to be alert in the coming year to any unfair attacks made upon persons of Italian extraction.

COLUMBUS DAY PARADE

As we all know, one of the turning points in history was the discovery of America by Columbus, an Italian. Columbus, therefore, has become our symbol, our inspiration, and our hope for a better world. For this reason, also we are pressing the fight to have Columbus Day observed as a national legal holiday.

Under the leadership of Frank Armanetti, general chairman, this year's parade was one of the most colorful parades ever to march down State Street. The 50 floats were superbly designed and decorated, the bands and marchers and other units—a total of 200—all gave excellent performances, hailed and praised by everyone.

Two million people saw the parade, both on State Street and on television. Hon. Anthony J. Celebrezze, Secretary of Health, Education, and Welfare, Governor Kerner, Mayor Daley, Senator DOUGLAS, Senator DIRKSEN, Congressman ANNUNZIO, and all of our Illinois political leaders marched in the parade and viewed it from the special stand on Madison and State Streets.

CULTURAL AFFAIRS

The highly successful program. "Sojourn in Italy" sponsored by the Joint Civic Committee of Italian Americans was offered for the third year at DePaul University, 25 East Jackson Boulevard.

The program continued to attract hundreds of persons who wish to learn the Italian language and become better acquainted with its history, art, literature, science, music—in short—its whole way of life.

Under the leadership of Peter R. Scalise, chairman of the committee, this program costs about $10,000 a year and is largely subsidized by the nominal tuition of $20 for 30 sessions and by contributions from sponsors.

Another activity of the cultural affairs committee was the sponsorship of a lecture and exhibit on Galileo at the art institute to focus attention on the 400th anniversary of the famous Italian scientist.

Another accomplishment in cultural affairs was the joint civic committee's efforts in having the Postmaster General issue a special commemorative postage stamp on Dante. Originally proposed by Prof. Joseph Fucilla, of Northwestern University, this idea was presented to Senator PAUL DOUGLAS who secured approval for the Dante stamp. It will be issued early in 1965.

IMMIGRATION RALLY AND LEGISLATION

The joint civic committee cosponsored a gigantic immigration rally on December 15, 1963, in conjunction with the Chicago chapter, American Committee on Italian Migration. Held at the McCormick Place and attended by 5,000 persons, this highly successfully rally helped to focus attention on the need to change the formula for the national origins quota which greatly restricts immigration from Italy.

At a followup meeting on March 31, 1964, at the Sherman House, delegates from over 40 organizations took responsibility for circulating petitions to obtain names of thousands of supporters for submission to President Johnson and to the Senators and Congressmen.

REPRESENTATION IN GOVERNMENT

For a number of years the joint civic committee has been carrying on a campaign to have persons of Italian extraction appointed to the various advisory boards and commissions of city, county, and State governments.

Conferences were held with Mayor Daley and Governor Kerner and they indicated an interest and willingness to appoint persons of Italian origin to the various boards.

ITALIAN FLOOD RELIEF

A check for $25,000 was presented on October 30, 1964, by the Italian Flood Relief Committee to aid the victims of last year's Vaiont Dam disaster which killed over 2,000 persons in Longarone, Italy.

SCHOLARSHIP FUND

A scholarship fund, which began about 8 years ago, was resumed in 1964. Participating in a benefit luncheon with the United Chicago Police Association enabled us to raise sufficient funds.

Known as the Rocky Marciano Scholarship Fund, the committee in 1964 made the fund available to the Sacred Heart Seminary enabling two of its graduates to attend the Maryknoll College Seminary.

CALVARY HILL "PASSION PLAY"

An "Italian night" was sponsored by the joint civic committee at the Sacred Heart Seminary in Stone Park on Saturday, August 14, 1964.

The major attraction was the Calvary Hill "Passion Play" conducted by the Scalabrini Fathers which was attended by 7,000 people, a record attendance for one night.

FLIGHTS TO ITALY

In order to facilitate travel to Italy at a low cost, group basis, from Chicago to Rome, the Joint Civic Committee of Italian Americans in 1964 sponsored its second annual program.

Five flights by Alitalia jet planes were sponsored for members, spouses, and dependents at group rates of $477. Flights started in June and continued to September 1964. Each group consisted of 25 or more passengers and the stay in Italy ranged from 3 to 6 weeks. To be eligible persons had to have membership in the joint civic committee or in one of its affiliated organizations which have coextensive membership in the committee. A total of 150 persons participated in this unique travel program which afforded a wonderful opportunity to visit relatives and to see firsthand the beauty and marvels of Italy.

OTHER ACTIVITIES

In addition to the major projects described in this report, the joint civic committee promoted the interests and welfare of Italo-Americans in other ways. Here are some of them:

Cooperated and worked closely with "FRA NOI" to continue the drive for broader acceptance and circulation of this vital organ of communication which reaches approximately 50,000 families each month and read by more than 200,000 people.

Provided consultation to many groups in sponsoring "Italian nights," in schools, churches, and other institutions.

Conferred with persons and groups who needed information on Italian life and institutions.

Assisted individuals by referring them to appropriate agencies for information on immigration matters, passports, and similar information.

As this report reveals, the joint civic committee has been making steady and impressive progress during the past 15 years, emerging as a potent force for constructive social action among Americans of Italian extraction. It is hoped that with the continued support of its many members and affiliated organizations the joint civic committee can continue to broaden the scope of its activities so that it can attempt to meet the needs of Americans of Italian extraction more effectively in the years ahead.

NEW YORK CITY IN CRISIS—PART VIII

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following installment of the series of articles appearing in the New York Herald Tribune on "New York City in Crisis."

This article, which appeared in the New York Herald Tribune of January 29, 1965, continues the discussion of conditions in Harlem and dramatizes those conditions by giving us an insight into the lives of two youngsters living there.

The article follows:

NEW YORK CITY IN CRISIS—HARLEM YOUTHS—THEIR HEROES AND HANDICAPS

(By Barry Gottehrer and Claude Lewis)

Jack Davidson, a slim, 19-year-old Harlem Negro, had just completed a business transaction. He had paid $125 for eight bundles of heroin, which he later planned to sell at a profit of $475, and now, the package clutched tightly in his right hand, he headed back to his Harlem apartment.

He was thinking that evening last winter about a $150 silk suit he wanted to buy when suddenly a young white man in street clothes he had never seen before pushed him into a doorway and, according to the youth, flashed a police badge. Within seconds, the youth relates, the policeman had taken possession of the heroin—and of $1,700 found in Davidson's pocket.

"The cop didn't arrest me," says Jack Davidson who contends he had been selling narcotics at a profit of $300 a week for 18 months without any trouble from the police. "That cop robbed me. He just took my piece and my money and left me in the hallway without even carfare. If you don't believe there's money in the streets of Harlem, just ask the next cop or minister you see there."

Police department officials steadfastly deny the youth's story.

"I would strongly tend to disbelieve that such an incident ever happened," says Detective Lt. Alfred Eldridge, a Negro attached to the youth division of the 28th precinct. "I've been working in the Harlem area as a policeman for more than 33 years and I can't believe that any officer would be crazy enough to take a chance like that.

"Of course, it is possible—anything is possible. But being a policeman in Harlem is a tough thing. I mean you not only have the criminal element but the chances are pretty good that whenever you make an arrest that a charge of discrimination or police brutality will be made. In my time I've known an awful lot of policemen and not every one has been perfect. But I can't recall one man who gave me the impression he'd stoop to this kind of thing. I simply can't believe the story."

Yet Jack Davidson's story is one that thousands of other Harlem youths and at least one youth board worker, who has known the boy for more than a year, believe. "I believe this kid, but maybe—just maybe—he is lying," says the youth board worker. "That isn't the point. The point is that all of these kids in Harlem can't be lying. These things do happen up here and not a damn thing is being done about them."

Melvin Anderson, a short, Harlem Negro, has another kind of story. He was 17 and in the 10th grade at Commerce High School when a white grade adviser named Mrs. Cheer called him to her office.

"She told me to quit and go to work," he says. "What she really meant was, 'We don't want no slow niggers in this school.' Whites just don't want me to do anything with my life. They just want to see Negroes pushing brooms and cleaning things. They only come to Harlem to take money. Most of them don't care if I live or die."

To those living outside the slums that spread like cancerous cells across the five boroughs of New York City, Jack Davidson and Melvin Anderson might appear to be extreme examples of Harlem youth. But to those groping to survive in the ghettos of the greatest city in the world, amid filth, disease, prejudice, violence, and corruption, they are not extreme examples at all.

They are but 2 of the city's 70,000 lost youths, school dropouts without education, without trade, without direction, and without hope. The names (an alias in Jack Davidson's case) and details may differ, but, in thousands and thousands of examples, the social and personal disorganization of the ghetto individual is the same.

In Harlem and in the city's other ghettos, problems start at birth (the infant-mortality rate is double the rate for the rest of the city) and, increasingly, worsen until death.

"BY THE TIME REAL HELP ARRIVES IT'S TOO LATE"

"The trouble with a kid's life in Harlem is that by the time any real help arrives, it's too late," says Melvin Anderson. "You've got to reach a Harlem kid by the time he's 12 because by then he's a man and his mind's made up. He's already decided what he wants and how he's gonna get it. He knows who he hates and he knows why."

Not too long ago Mrs. Mary Whiting, a second-grade teacher at Public School 44 in Bedford-Stuyvesant, the Harlem of Brooklyn, asked her class of 35 youngsters what they would like for Christmas. Most asked for sleds, skates, toys, dolls or games. Three, all girls and all Negroes, had more unusual requests. A 9-year-old asked for a bed. The second asked for her mother, whom she hadn't seen in several years. And the third, dropping her eyes, whispered inarticulately, "No more poor."

Many teachers would have been surprised if not shocked. Mrs. Whiting, a Negro, was neither. These are facts of life she and every other New York Negro have learned.

"The city has failed its Negro youth," says Dr. Kenneth Clark, psychology professor at City College of New York and architect of the impressive study "Youth in the Ghetto," a voluminous examination of Central Harlem and the blueprint for the HARYOU-ACT programs. "There are evidences of it all around us. They've failed in the apprenticeship program, and most of all the city has consistently failed to stimulate the kids to help themselves. But the city has its back against the wall now. It can't turn away. It's got to act—and act soon. The city doesn't have many choices left. It's either HARYOU, stagnation or the Black Muslims."

What is being done to help the city's troubled youth?

The youth board, a well-meaning but sorely understaffed city agency since 1947, has distributed more than $45 million over the last 17 years but, because of a rapid turnover in personnel and the growing magnitude of the problem, has barely even scratched the surface.

HARYOU-ACT and Mobilization for Youth, the new groups which offered so much hope for the future, already have become bogged down amid political, ideological, and financial controversy.

Struggle for control of HARYOU-ACT, which already has received $5 million from the Federal and city governments (out of a requested appropriation of $118 million over 3 years), ended 6 months ago with the resignation of Dr. Kenneth Clark, whose research and leadership had been instrumental in setting up the program in the first place.

Today, the program is being run by Livingston Wingate, an attorney and former aid to Representative ADAM CLAYTON POWELL. Because of the controversial Congressman's involvement, because of the struggle for control and because of the program's limited accomplishments thus far, criticism of HARYOU-ACT has increased.

And the city government and its antipoverty operations board, which was set up last June to consolidate the New York program but did not get around to hiring a permanent staff until several months later, have done little to still the criticism.

If the problems of the Harlem youth aren't the most critical presently confronting the city—and most people now agree that they are—they are certainly the most difficult to solve.

THE CHORUS GIVES AN ACCURATE PICTURE OF THE GHETTO

Midway in the first act of the Broadway musical "Golden Boy," the story of a Negro boxer's ups and downs and his attempts to escape from Harlem, the chorus sings "Don't Forget 127th Street"—offering an accurate picture of ghetto life. In trying to convince Sammy Davis, the fighter, that there is no slum like his own, the chorus sings:

"H is for the heroin they sell here.
A is for the alleys where kids play.
R is for the rats that run pellmell here.
L is for the landlords far away.
E is for the endless cleanup projects.
M is for the moldly roofs above.
Put them all toegther they spell Harlem—
The place that white folks—white folks—
Think we love."

(Lyrics by Lee Adams, music by Charles Strouse, used by permission, Edwin H. Morris & Co., Inc.)

To whites, Harlem is no longer a fun place to visit. To Negroes, Harlem, despite what many whites may believe, has seldom been a fun place to live. It is a nightmare that refuses to go away. The statistics alone are staggering.

More than 50 percent of Harlem's children live with none or only one of their parents, growing up without the stability of a normal home. Nearly 50 percent live in woefully inadequate, frighteningly unhealthy apartments where the rats frequently outnumber the children 5 and 10 to 1.

The delinquency rate is 70.8 percent in 1,000 in New York's 29 "high-hazard areas" (in central Harlem it is 115.8) compared with 50.6 in 1,000 for the city as a whole. More than half of the narcotics addicts in the United States roam the streets of New York, eventually pouring into Harlem, where even a white stranger has little trouble in making a connection.

Of the 13,000 new applications received by the Department of Welfare each month, more than 72 percent come from Negroes and Puerto Ricans. And, for those under 18, the aid-to-dependent children rate in Harlem is 266.5 per 1,000 compared with 72 for the entire city. For many, second and even third generation on welfare, there is little incentive and less encouragement to break the chain.

"Everybody's got a solution to help these kids but the problems get worse all the time," says Mrs. Lillie Gray, an attractive 43-year-old who is working as a pediatrician's assistant but who spent the first 30 years of her life on welfare. "The schools aren't teaching, the clinics aren't healing, and the social workers aren't working, all because the city isn't severe enough."

The rhyme—"White is right, Black step back"—is one every Harlem youngster knows. In the open, for every child to see, for many teenagers to participate in, prostitution and the numbers racket flourish—sometimes in spite of, sometimes, they feel, because of New York's police force. The homicide and venereal disease rates (for those under 21) are both six times the city rates.

A POLICEMAN—FIGHT HIM OR BUY HIM

To the Harlem youth, frequently without a father, desperately searching for someone, anyone to identify with, a policeman represents the enemy—someone to be fought or bought.

To him, the heroes are the narcotics pushers, the numbers men, the ward politicians, and some of the clergymen, those with the big money, the sharp clothing, the Cadillacs, and the sleek women.

Martin Luther King may have won the Nobel Prize, Willie Mays may be the best baseball player in the world, and James Farmer may be a perennial Negro spokesman in the newspapers and on TV, but they are all from a different world and have lost touch with the youth of the ghetto.

"This is no easy job," adds Arthur Rogers, chairman of the city youth board. "There are some areas that only God can change. We see that our biggest job is to motivate, to inspire, to stimulate. We've got to prove to these kids that they can make it in this world and in this city. The self-image of these kids has been so damaged that they are convinced that tomororw will be like today and today is just like yesterday. For others, there is no tomorrow, there is only yesterday."

Both Jack Davidson and Melvin Anderson have serious doubts about their tomorrows.

Melvin's world began to fall apart when he was 12. His mother had died giving birth to him and he lived with his father and stepmother at 95 West 119th Street. "My father was a beautiful man, he was good to me," says Melvin. "He was just a porter at the Regal Theater but he gave me everything I ever asked for."

Then, one afternoon in 1958, his father was attacked by several Puerto Ricans in the hallway of his tenement and either was pushed or fell out a window. For more than 2 hours, Melvin stood at the window, staring out at his father dying in the alley below.

From that day on, life was a continuing process of moving for Melvin—from his grandmother to his aunt to his stepmother and finally to his cousin. He has already lived in 10 different homes.

"I remember I started drinking the night of my father's funeral," he says. "I drank for a long time after that and I drank hard. School didn't matter, nothin' mattered to me after that. I think Harlem is a place for bad breaks. You never get to see much more than crime and hungry people and addicts and drunks. These are the only people I knew most of my life. Sometimes I feel real old. Harlem does that to you. You have to be hard to make it here. I've seen a lot of pretty girls get in trouble here. They never had a chance to do different.

"I guess I'm mad at something and I don't even know what it is. Maybe it's myself. Maybe it's Harlem. Maybe it's life. Who knows? I've been on my own for a long time now."

Where has the city failed Melvin Anderson? It certainly cannot be held responsible for the death of his father (though Melvin says the men responsible were never punished), but it is clearly responsible, by providing too little and not caring enough, for what has happened to his life since then.

As a youngster, he had no motivation to study or, for that matter, to go to school. Promoted regardless of his limited reading and writing ability (a system that is responsible for a great many Harlem youngsters going all the way into their junior and senior years of high school barely able to read or write), he was placed in a career-guidance class at 13 and told by one teacher that it was "for kids who are slow of mind and have no capabilities."

Through the years, there have been the usual handful of youth board and other social workers, but they offered little to the youngster. They would tell him the advantages of staying within the law and leading a good life and then, he says, he would see the police, symbols of law and order, either ignoring or participating in the corruption.

"I've seen cops at house parties (illegal card parties that run all night on Friday and Saturday in dozens of Harlem apartments)," he says. "They don't come to play. They come to collect. A cop will do anything. Sometimes I trust a bum in the street more than a cop. Everybody in Harlem knows the cops. Just ask the big money men. Their best friends are the cops."

HE HAS WORKED ONLY 10 MONTHS OUT OF THE LAST 24

Out of school for 2 years now, Melvin Anderson has had three fulltime jobs—as a delivery boy for a grocery for 2 months, as a stock boy and second cashier at a supermarket for 7 months, and as a delivery boy for a dress company for 1 month. He was fired from two of them and none paid more than $45 a week.

He has not worked since last July and, living with his cousin and without skills, he has no plans to return to work. Yet he is not stupid. He spends his nights drinking wine in alleys and parks with some friends, his mornings lying around his bedroom reading comic books and listening to Ray Charles records, and his afternoons at ACT headquarters where he has been working as an unpaid supervisor for a group of youngsters.

Despite his recent interest in trying to help other Negroes, he is almost totally without ambition or desire to help himself. "I know people who just walk around all the time," he says. "And they don't speak to anyone about anything. They're empty inside. They are broken up. They are hopeless. One thing about Harlem. We got everything here. Rich guys, poor guys, in-between guys, and the same thing for girls.

But everybody in Harlem has troubles and not too many people can change their life."

What hope is there for Melvin Anderson? Even he has to admit there isn't much. His family doesn't care about him. The city doesn't care about him. And, at times, he doesn't care about himself.

"I have a big eye for things," he says. "I want a good job and a bank account. I think about these things but there's a good chance I won't ever have any of them. I try to be intelligent. I pray for help. I don't expect anything from the future. I just try to help myself, but I know I'm lost. I won't get much help but I don't know if I deserve help. I've wasted a lot of time, but that's because nobody ever taught me the importance of hard work. You can't just wake up one morning and see all these things. Sometimes I think I'll never make it out of Harlem but that's my goal."

Unlike Melvin Anderson, Jack Davidson has enjoyed the good—if corrupt—life. Yet he too, is lost, drifting, unsure whether he should return to peddling narcotics or, somehow, try to break away from the ghetto.

Born in Harlem, he lived on Eighth Avenue until last year when his mother, a domestic (his father died in 1956) who is still not aware that her son sold narcotics for 18 months, decided to move to 140th Street in East Harlem. Her reason, ironically enough, was that she felt the old neighborhood was being overrun by drug addicts.

One of Jack's brothers is a longtime addict and Jack himself has smoked marijuana occasionally and drank cheap wine regularly since he was 10. He attended PS 119, one of the worst schools in the city then—and now. The school earned the designation—"the rat school"—a few years ago when Mayor Wagner, taking one of his infrequent tours of the area to see just how bad conditions were, was startled to see a rat running through the hallway.

From there Jack went to Frederick Douglass Junior High, where fighting, narcotics, teacher disinterest and almost a total lack of discipline consumed most of a student's day. Falling further and further behind in his studies, Jack stayed away from school more and more until, in the fall of 1958, at the age of 13, he was sent to the Warwick State Training School for Boys.

PROFITABLE PARTNERSHIP; BUYING AND RESELLING NARCOTICS

Returning to the city in November of 1960, he—and four teen-age friends—soon formed an immediately profitable partnership—buying and reselling narcotics. "Anybody who isn't too lazy to hustle can make money in the streets," he says. "You'll never get rich working for nobody, but if you stay in the street long enough you can come close."

The venture paid off handsomely (he spent most of his money on $150 suits, $80 shoes, and $30 hats) and, when he gave it up a little more than a year ago, it was not because his conscience was bothering him. It was because the police had begun a crackdown and a friend of his had been arrested that he decided to retire—at least for a time.

"I would never introduce nobody to drugs," he says. "But if a guy was an addict, I'd sell him a shipload of the stuff. If I didn't sell it to him somebody else would. So I figure I was entitled to the money as well as anyone else."

Since 1961, the only other employment he has had was as an extra in the movie "The Cool World" (a Youth Board worker got him the job) and as a porter at CCNY. That job ended 2 months after it began when Jack got into a fight with the foreman. He has not had a job since.

When he isn't sleeping at his mother's apartment, he plays pool in an Eighth Avenue pool hall or drinks cheap wine in Harlem hallways or in St. Nicholas Park, where he and his friends hang out. "We like the park because there's very little cops there," he says. In the park they break bottles on the rocks for hours on end and, when they run out of money for wine, they sometimes hold people up.

The one thing he and his friends avoid most is going home. "Ain't nothin' to do at home and nobody up there but my mother," he says. "We don't talk much so I stay in the streets."

When he gets a chance, he visits any one of a half dozen Harlem pawnshops where he knows no questions will be asked. "Close up the pawnshops and that would put crime down a bit," he says. "I been pawnin' stuff since I was 13. They don't ask you for identification most times. And when they do they don't even look at it. You can just give 'em a phony name. After a while they take anything you give 'em."

In his wallet last week, Jack had a stack of pawn tickets for, among other things, a ring in for $50, a suit for $25, a watch for $35 and a sports jacket for $20.

NO ONE AROUND TO SAY "DON'T" UNTIL IT'S TOO LATE

Jack Davidson is more articulate than Melvin Anderson and most of the other lost youth of Harlem. He says he reads quite a bit. What does he read?

"Oh, a lot of things," he says.

What?

"Oh, James Baldwin," he answers.

Which book?

"Oh, I can't remember now," he says, turning bitter. "Don't nobody ever come around and say, 'Stay in school' until they've dropped out. Don't nobody say, 'Get some job training' until they've tried out for jobs and been turned down. Don't nobody say, 'Don't drink wine' until they drink so much they can't stop if they wanted to. And don't nobody say, 'Don't use drugs' until they've been hooked bad."

What hope is there for Jack Davidson? Probably even less than there is for Melvin Anderson. He just seems to be biding his time, waiting to return to peddling narcotics and wearing $150 suits.

"You know, it's not easy stopping doing things you been doing all your life if there is nothing else to turn to," he says. "As long as I live here I know that the temptation to drink wine, use and sell drugs and take life as a lark will always be with me. I don't think the city would do anything for Negroes if they felt the Negro and Puerto Rican wouldn't take anything they want. One thing the city don't want is riots. We learned that last summer. White people don't like trouble. Negroes are used to it."

VA RESOLUTION FOR A VETERANS' FORUM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WOLFF. Mr. Speaker, the resolution that would postpone the closing of the Veterans' Administration's facilities throughout the Nation until May 1 is, I believe, a necessary and vital action at this time.

The Veterans' Administration's decision came with such suddeness and encompassed such a magnitude of buildings and persons as to warrant a more detailed explanation. I support this resolution in order that a more detailed explanation can be presented and a full investigation may be executed.

The resolution immediately stops the closing or phasing out actions which have already been initiated in these facilities. Although this resolution does not guarantee the continued services of the facilities indefinitely, it grants the needed time for the House Committee on Veterans' Affairs to thoroughly investigate and review the Veterans' Administration's action.

Each facility affected requires an individual study and hearing in order to decide the feasibility and responsibility of the Venerans' Administration's plan. No solid facts on a hospital-by-hospital basis has been supplied by this agency which points out the necessity for a more minute study of its reasoning for closing these facilities.

This reprieve will give the affected groups and veterans who are anxious to come and appear before the committee the chance to present their side of the picture. I plan to present to the committee a statement and a resolution given me by veterans' organizations in my district in New York asking for a more defined explanation and seeking to have the Veterans' Administration rescind its order for the New York State facilities which are affected.

Many of the hospitals and their representatives were given only an hour's notice of the action before it was made public. This is not enough time for preparation of organized transferrals, a seeking of alternatives or a complete explanation of the motivation behind the action. This move involves the relocation of thousands—veterans, loved ones, employees—and warrants a more thorough review by Congress which this resolution will provide.

The fact that the majority of the installations are in rural areas casts a prejudicial influence on the decision. Many of the facilities are the only available ones for veterans for distances in the hundreds of miles. Many are benefited by the local populace and the pride they take in what they and their area can offer to the installations, such as volunteer workers, space, and so forth.

More consideration needs to be given to all these aspects of the relocations and closings. The veterans deserve a forum which the committee's hearings will be able to offer.

I support this resolution which will afford us the time to get a more concise report from all parties involved.

GERMANY'S CONCESSION TO NASSER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WOLFF. Mr. Speaker, we have been, in the past few days, witnessing another concession to the Communist doctrine. West Germany's refusal to honor its commitment of arms aid to Israel is deplorable acceptance of Egyptian dictatorship and merely a salve to a threat of recognition of East Germany by Nasser. A nation like West Germany, whose aims are diametrically opposed to those of the Communists, is bowing to those Communist aims. This is an incongruous act at a time when a strength of purpose is needed against the encroachment of communism.

Bonn's reward for this concession is none other than a menial promise by Nasser not to recognize East Germany and to extend only a second-class reception to its Communist leader, Walter Ulbricht, when he visits Cairo on February 24.

West Germany's genuflection to Nasser's demands is a blatant defeat for West Germany in the eyes of the free world as well as the Communist sphere. Nasser's prestige has been elevated, the Communist line has been revitalized, and Israel has been displayed as a pawn in this international tit-for-tat.

West Germany has become another log in Nasser's cord of demands and could very well be the kindle for a possible combustion of a Middle East conflict. West Germany has exposed herself as an anemic puppet to the edicts of a nation pledged to the destruction of Israel. West Germany has forsaken a principle for a promise. She has given the Communist line the green light for further intrusions in her foreign policies.

ARMS CONTROL AND DISARMAMENT AGENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RODINO. Mr. Speaker, today we are considering one of the most important bills that will come before us during the entire session: H.R. 2998, which would authorize a 4-year term of life for the Arms Control and Disarmament Agency. There are those who say any consideration of legislation affecting disarmament studies should be set aside at this time when our national interests are being threatened by the use of arms in southeast Asia. The President's actions countering such threats should serve to set these arguments aside. Certainly we should not be deterred from our efforts to ultimately achieve a lasting peace by the immediate situation confronting us. More than ever at this time we should show to the world that while we shall not be bullied or coerced, neither shall we continue in the expectation of solving the international problems of the world by the use of arms alone.

There are those who say there is no need for long-range authorizations. There are annual appropriation bills and that is enough. The fact is, however, that unlike the other agencies covered by the appropriation act controlling the Arms Control and Disarmament Agency, this Agency requires an authorization to remain in existence. The State Department, Justice Department, Commerce Department, the Federal Judiciary, and other related agencies are going concerns. Their operations are controlled by annual appropriations; but at least their operations are guaranteed.

We have, moreover, because of the above singularity seen this body and our Appropriations Committee deprived of the opportunity to make the proper first independent judgment on the amount of the appropriation necessary for operation of the Agency. Because of the timing of authorization and appropriation bills, this could easily happen again—unless we act today and legislate the continued existence of the Agency.

The President just a few weeks ago stated:

> As a nation viligant to danger, we must also be vigilant for opportunities for improving the hopes for peace. The Arms Control and Disarmament Agency helps us keep this most vital vigil.

Our distinguished colleague, the gentleman from Pennsylvania [Mr. Morgan] and his Foreign Affairs Committee have given us the means to this end by reporting H.R. 2998 out for our consideration. We must use these means. We can if we pass this bill without crippling its long-life features. I, therefore, urge all my colleagues, no matter their location on the floor, to vote for the bill as it has been reported to us.

PROPOSED LEGISLATION ENABLING FEDERAL GOVERNMENT TO MAKE GRANTS TO STATES FOR ESTABLISHMENT OF TECHNICAL SERVICES PROGRAMS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Huot] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HUOT. Mr. Speaker, I have introduced to the Congress H.R. 4879 for appropriate reference, legislation enabling the Federal Government to make grants to States for establishment of technical services programs to place the findings of science usefully in the hands of American enterprise.

This bill, known as the State Technical Services Act of 1965, would allow the Federal Government to grant matching funds to a State which would designate an institution—generally a State university or land-grant college—responsible for preparing and administering technical services programs within the State.

The main objective of my proposal is to strengthen the industrial and economic base of our Nation by placing the findings of science into the hands of local businesses and industries. We in New Hampshire realize the potential of industrial growth and its importance to our economy. This legislation would aid existing industries and serve as an incentive to concerns interested in establishing themselves in our community.

The State of New Hampshire presently finds itself in an economic predicament. Our three most northern counties are designated as depressed areas by the Area Redevelopment Administration. Our shoe industries find themselves in competition with foreign low-cost products, and the recent announcement by the Secretary of Defense to phase out the Portsmouth Naval Shipyard, a major factor in our submarine defense system, involves many thousands of skilled workers who are or are about to become jobless. The passage of the State Technical Services Act of 1965 would serve as an incentive for major industries to establish themselves in New Hampshire which I hope will aid in solving our unemployment problem.

Briefly, under this act, the institution would prepare a 5-year plan, outlining the technological and economic situation in the State, major regional and industrial problems, and means to be used in assisting in their solution. The institution would also prepare an annual technical services program, covering the objectives for the first year and the budget necessary to begin its program. Up to $25,000 per year for each of the first 3 years may be paid to the institution to assist in preparing the first 5-year plan and the initial annual program. The maximum annual payment for any program will be limited by a formula to be established by the Secretary of Commerce under three criteria: first, population according to last census; second, industrial and economic development and productive efficiency; and third, technical resources. The formula will be weighted to provide funds to States where industrial development has lagged behind its potential and where technical resources are weak. Under the auspices of the Secretary of Commerce, special merit grants to institutions may be as high as 20 percent.

It is also provided that regional institutions may be set up where two or more States wish to join in a cooperative program. Regional institutions would be eligible for 10 percent more Federal financial support.

This program will be planned locally, administered locally where the problems of economic growth are best realized.

Mr. Speaker, I urge support from all Members for this legislation. I am proud to join the Member from Arkansas, the chairman of the Interstate and Foreign Commerce Committee, who introduced similar legislation on January 25.

NASSER BLACKMAILS WEST GERMANY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Reocrd and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STRATTON. Mr. Speaker, I am very much disturbed by the West German Republic's decision to cancel their military aid to Israel—seemingly at the "request" of Mr. Nasser of the United Arab Republic.

This apparent submission to the blackmail of the Arab dictator is unbecoming to a people who have remained so steadfast in Berlin and a very dangerous way in fact for any nation to determine its foreign policy.

I have already spoken out on this general subject during the debate last week on our own proposed aid to Mr. Nasser, which I opposed to the end. It is still my firm conviction that the lessons of appeasement which we learned as a result of World War II must not be forgotten. No nation can afford to allow its policy to be determined by the threats of any tinhorn dictator.

It is bitterly ironic that Germany herself should forget this lesson, particularly at the expense of the people of Israel who suffered so outrageously because of the same appeasement policy which led to World War II.

THE BONN-NASSER-ISRAEL IMBROGLIO

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. TOLL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TOLL. Mr. Speaker, I feel impelled to express the astonishment, concern, and profound indignation that I am sure were felt by my colleagues as well as by myself and informed Americans everywhere when we learned of West Germany's appeasement of Egypt's President Nasser by yielding to his pressure to halt the arms shipments to Israel provided for in a 1960 agreement.

Surrounded as Israel is by hostile Arab nations, this two-pronged proposal by Bonn adds insult to injury. Nasser has long demanded that Germany terminate her arms agreement with Israel, but was unsuccessful until he conceived the idea of inviting East Germany's President Ulbricht to Cairo for a 6-day visit as a state guest. This Bonn regards as tantamount to de facto recognition of the East German regime. It is reported that West Germany threatens to cut off about $190 million in economic aid to Egypt if the Ulbricht visit is carried out but, as noted in a New York Times editorial yesterday, entitled "Bonn's Mideast Muddle":

> Nasser has proved in the past that he is allergic to dictation based on aid.

The loss of the remainder of the arms shipments which Israel had expected to receive from West Germany, amounting to some $15 million worth, comes at a time when supplies of Russian arms to Egypt and other Arab countries have been increasing. While Bonn has offered Israel monetary compensation in lieu of the undelivered arms, Israel's rejection of such an offer is certainly understandable, and, as stated by Premier Eshkol, the account goes far beyond the limits of the political and material spheres. Likewise understandable is the Israeli Parliament's calling on its Government to reassess its relations with West Germany. As reported in the Washington Star last night, the Israeli Parliament has adopted a resolution expressing astonishment and indignation at West Germany's decision, which it describes as a surrender to Nasser.

The Washington Post in an editorial on February 15 stated that when Nasser threatened to recognize East Germany if Bonn did not terminate its arms agreement with Israel, "with inglorious alacrity, West Germany collapsed before this blackmail threat and put herself in the wrong with a nation that above all others deserves sympathetic consideration from Germany."

The New York Times in its February 16 editorial rightly refers to the almost incredible mess made by the West Germans of the linked issues of arms to Israel and relations with Egypt, and adds:

> As a result, President Nasser has been greatly strengthened; tensions in the already tense Middle East have risen; West German relations with Israel, which had improved so greatly in recent years, have again sunk to a low of bitterness and anger; and Communist East Germany, Bonn's enemy, achieves a triumph. * * * The whole affair has been an ignominious defeat for West Germany, but it has also raised the danger level in the Middle East. Southeast Asia and the Congo are not the only parts of the world where war is possible.

AID TO EGYPT UNDER TITLE I OF PUBLIC LAW 480 SHOULD BE PROHIBITED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, today we witness the tragic result of a vote in our body only last week. This body abandoned its position that further aid to Egypt under title I of Public Law 480 be prohibited. Can anyone doubt that national capitals around the world were paying close attention to that vote; that our failure to at least symbolically stand up to Nasser's insults and adventurism were read as a clear surrender of our responsibility to take necessary action to protect the tenuous peace of the Near East. And worse, yet, as a signal to these other national capitals to likewise surrender to Nasser's threats and stratagems.

President Nasser has once again displayed that his brand of political blackmail pays off. West Germany has promised Nasser it will suspend further U.S.-approved shipments of tanks and helicopters to Israel. Chancellor Adenauer, in 1960, recognized Israel's persistently dangerous position, surrounded as she is by Arab nations determined to destroy her, and agreed to supply arms which she required to maintain "a balance of deterrence."

President Nasser has long demanded that West Germany cease shipments under its agreement with Israel, but his demand went unheeded. Unheeded, that is, until he hit upon another blackmail tactic. For surely his invitation to East Germany's President Ulbricht to come to Egypt on a State visit, which Bonn considered de facto recognition of the East German Government, was simply a means of twisting Bonn's arm to gain by blackmail what it could not gain otherwise.

The tragedy is that Bonn saw fit to accede to such tactics. But let us not condemn Bonn too loudly; for they merely followed an example set by our own Government, a few days earlier.

In little more than a week Nasser has impudently challenged two major world powers—and won. Both the United States and West Germany have suffered what the New York Times labeled "an ignominious defeat." And both the United States and West Germany have thereby contributed to a raising of the danger level, not just in the Near East, but also in southeast Asia and the Congo, where Nasser's adventurous hand is clearly visible.

CRISIS INVOLVING EGYPT, ISRAEL, WEST GERMANY, AND EAST GERMANY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GIAIMO. Mr. Speaker, the present diplomatic crisis involving Egypt, Israel, West Germany, and East Germany is a matter of grave concern to me and, I am sure, to our Government. The already tense Middle Eastern situation has been immeasurably—and irresponsibly—aggravated by the highhanded actions of Mr. Nasser and by West Germany's most inglorious capitulation.

As a nation firmly committed to the halting of any form of aggression in the Middle East, this country should certainly exercise every possible effort to ameliorate this dangerous situation.

When I voted to continue sending wheat to Egypt 2 weeks ago, one of the reasons I did so was to preserve diplomatic leverage with the United Arab Republic. This vote on my part was not intended as a vote for the sanctioning of any threat to Israel's security. And I am sure that our Government will not sit idly by and permit this situation to deteriorate further.

The cutoff of arms shipments to Israel by West Germany was an extremely unfortunate concession to Mr. Nasser. No nation should act in such a manner and I would hope that West Germany will rescind its initial decision.

Mr. Ulbricht's proposed trip to Egypt, as an official guest and obviously a more-than-welcome guest, presents an additional affront to Israel as well as to West Germany. But the way to counteract this is not to bow in such an ignominious fashion to what is nothing less than blackmail.

I protest Bonn's action, and urge this Government to actively and officially protest West Germany's "knuckling-under" to Nasser. If West Germany needs prodding to rectify its obvious and glaring error, I would trust that our Government can provide the necessary spur.

MEDICARE—A NECESSITY

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. WOLFF] is recognized for 30 minutes.

Mr. WOLFF. Mr. Speaker, more cars, more homes, more leisure time, the gross national product soars and soars. The fight for higher wages, more security, and the American economy gushes forward. All this denotes a healthy, vibrating, and strong economy, but there are gaps in this rush forward.

Medical technology certainly stands in an area that has not been remiss in achievement and growth, but we must be sure that our rapidly advancing medical knowledge leaves no one behind, as it is now doing.

Happily in our great country, we have been extremely successful in prolonging the lifespan of our citizens, but, strange as it may seem, this blessing of extended life is fraught with problems.

There are now more than 18 million people in this country who are 65 or older, a statistic that increases with every day. This is the challenge. The fact that this is a problem I find most disquieting, but the stark realities are pressed home by the following facts: Older people, on the average, receive half the income that younger people do. At the same time, their need for hospital and health care is about twice that of people under 65. This is illustrated by the fact that approximately 9 out of 10 people age 65 and older can expect to be hospitalized at least once during their retirement. Two out of three can expect at least two hospital stays, and one out of three can figure on hospitalization three times.

The problem is again magnified when one realizes that about 14 percent of the 18 million senior citizens have incomes so low they do not even pay Federal income taxes. The somber statistics of this dilemma are culminated by an equally onimous indicator. Since World War II, the average cost of a day in a hospital has gone up 400 percent. In 1946, a day in a hospital cost $9.50, today the cost is more than $37 with every indication that hospital rates will increase.

It boils down to this: all the factors which create this problem will accelerate and will continue to increase with time.

Senior citizens' income will remain low; senior citizens will require more and more hospitalization; costs of hospital care will continue to skyrocket; and our productive and thoughtful society will with increasing efficiency produce more and more senior citizens.

The private insurance companies have not been able to formulate an insurance plan which will cover the increasing expenses and not be prohibitive in cost to the old-age citizen. This difficulty is best illustrated by the contortions that Blue Cross-Blue Shield in New York, have performed over the past years as increased costs for aged hospital care have taken effect. The Associated Hospital Service of New York, a Blue Cross plan with 7.4 million members, asked recently for the rate increases averaging as high as 40 percent. The plan was paying out $5 million a month more than its income at that time—1964—and without a substantial rate increase and a basic operating charge would have to curtail benefits sharply. The service was granted a pared-down increase of 32 percent in May 1964. After this raise, during July 1964, Blue Cross came out with a statement that they would again have to raise rates or reduce benefits. Blue Cross claimed that the increase in rates during 1964 had only been computed to last until June 30, 1965. So again Blue Cross will have rate difficulties.

The Secretary of Health, Education, and Welfare, Anthony Celebrezze, succinctly stated the problem recently, "The best that private insurance has been able to do to solve the dilemma of high costs and low income is to offer either low-cost policies with inadequate protection or more adequate policies that are priced out of the reach of most of the aged."

Despite spirited tries in recent years, commercial insurance has failed to fill the health-care gap. Although it is true that more old people carry some kind of health insurance than ever before, the number of persons without protection is nearly as large as it was 5 years ago. Policyholders frequently find that they must pay 50 to 80 percent of their hospital bills themselves.

The further inadequacy of private insurance in this area is shown by the number of underwriters who have recently been forced to seek either increased rates for special elderly insurance plans or a reduction in benefits, because of the substantial losses already incurred by these underwriters.

A problem? Yes, indeed, but there is a solution. I support, and in fact, coauthored the King medicare bill, a bill which best meets the needs of this problem.

Our productive society has begun the elimination of want and poverty; it has endeavored to secure the tangible and intangible needs of its citizens. Why, then, in the midst of this society of plenty must we make our senior citizens grovel for welfare as we do now? Why must we force the senior citizens and their families into conditions of poverty before we protect them from the health problems engendered by old age, as we do now? At this time we do require abject poverty under our existing law before aid is given our senior citizens. As of now, our laws help only aged people after they become indigent, it does not prevent them from becoming destitute or a public charge.

Statistics show that more than 30 percent of the people over 65 who ask for aid from the welfare bureau do so because of ill health. Kerr-Mills increases and is partly responsible for this welfarism by requiring that recipients of aid be on welfare. Medicare therefore, would take almost one third of the people now on welfare off the rolls and decrease welfarism.

Senior citizens must be on the brink of penury before they can secure aid under the existing Kerr-Mills law. I cite as an example, my own State, New York, which has one of the more liberal programs under the Kerr-Mills plan. In New York an elderly person is not eligible for assistance unless he and his family have exhausted all but $950 of their savings and their income is below $1,900 a year. These severe restrictions have bizarre results, as illustrated by the fact that even though millions of older people, who are actually classified by Federal Government standards as poverty stricken, cannot receive medical assistance under Kerr-Mills. More than $950 in savings and $1,900 in income each year and they are too rich for assistance says the Welfare Board.

To summarize the inequities of Kerr-Mills one would have to conclude that its main thrust in the alleviation of the old-age health problems would seem to be the elimination of old-age citizens. The unique inadequacy of the existing Kerr-Mills can be better appreciated when one realizes that its infringement on the dignity and security of our senior citizens also has been extended to other citizens. Besides requiring a poverty oath as a condition precedent to relief, Kerr-Mills goes one grotesque step further, an elderly person who meets the qualification for welfare on income and savings still cannot receive Kerr-Mills benefits if his children can pay for his medical expenses, even though the children must pauperize themselves to do so. I, therefore, am shocked to learn that the old-age citizen and his children must both fit the requirement of poverty, at a level below that actually defined as poverty by Federal Government standards, in order to receive Kerr-Mills benefits.

Let us assume the worst—a sick senior citizen who unfortunately meets all the requirements of Kerr-Mills, what other hurdles remain to be overcome?

Psychological conditions, we all know, have been proven to be an important barometer of a patient's recovery. Can you imagine the psychological state of a person, ill, overwrought with fear, hurting with pain, who has to go before a State board and take an oath of poverty for himself and at the same time sign a statement allowing the State to investigate the finances of his children? Seemingly Kerr-Mills' only attribute is that it would make an excellent primer for a short story by Edgar Allen Poe and as a monument to inefficient Government spending.

The enormous administration costs of the Kerr-Mills program is evidenced by the administrative costs in five States, which range from 25 to 59 cents, for each dollar spent on medical care in 1962. Additional statistics highlight the inefficiency of Kerr-Mills programs. Investigation to assure poverty classification of recipients, in five States, averaged $100 for each applicant for the aid. In contrast, medicare has no poverty oath obviating this investigation expense, and even more important, administration expenses will be substantially lower. Administration expense of national OASDI is less than 2 percent. We can thus see that Kerr-Mills administration cost, 10, 20, and nearly 30 times as much as would be the case under medicare.

How can medicare fill the gap created by Kerr-Mills? Medicare gives protection, retains human dignity, and accomplishes all this at a low cost.

Medicare succeeds because it is an insurance plan coupled with a pay-as-you-go provision, not a welfare plan. People make payments during their productive years when they can best afford it. It is a program of earned security by which those who contribute to society in their early years, have a claim of right to security in their later years. There are no requirements of sublevel poverty before security is provided and as in all insurance neither senior citizens nor their famililies need to prove poverty existence to receive paid-up benefits.

A close scrutiny of the financial supports reveal a simple and adequate plan. The hospital insurance program—medicare—would be financed through a special hospital insurance trust fund supported by a special premium for this purpose administered under social security. There is no danger that the medicare fund will bankrupt the social security fund or vice versa. Actuarial experts have testified and conclusively proven that this new trust fund will in no way endanger or impair the existing social security fund. There are to be two separate funds and no combining of the funds is at all called for by the medicare bill.

The cost to the citizen. The cost in 1966 would be: on earnings of $4,000, a worker's contribution would be $12 annually; on earnings of $4,800, $14.40 annually; and on earnings of $5,600, the maximum subject to contribution, $16.80 annually. These rates would increase in 1968 to the maximum rates of: $4,000, $15.20 per annum; $4,800, $18.24 per annum; and $5,600, $25.20 per annum. The average outlay is less than the cost of one pack of cigarettes each week, or in deference to the Surgeon General, less than the cost of the Sunday New York Times each week. Reasonable? It is one of the best buys in America.

Just what costs does the medicare bill which I coauthored cover? The proposed program would provide the following benefits for each illness:

First. Payment of all costs—except doctors' fees—over and above a deductible, for up to 60 days of hospital care. The deductible, to be paid by the patient, would amount to the national average cost of 1 day of hospital care.

Second. Payment of up to 60 days of posthospital care in extended-care facilities following discharge from hospital.

Third. Payment of all costs above a deductible for outpatient hospital diagnostic services furnished within a 30-day period. The deductible would amount to the average cost of one-half day of hospital care.

Fourth. Payment of all costs for up to 240 visits a year by visiting nurses and other health workers in the patient's own home.

Benefit payments would cover the cost of all services in semiprivate accommodations and the cost of drugs and supplies customarily furnished for the care of patients in a hospital or extended-care facility.

Is this program socialized medicine? No. Does this program mean we are going to lose the personal contact and relationship with our doctors? Again, no.

The patient chooses the doctor, not the Government.

The patient selects the hospital, not the Government.

The doctor admits the patient to the hospital, not the Government.

The doctor would determine the patient's need for hospitalization, not the Government.

Doctors would work for themselves, and their patients, not for the Government.

Hospitals would continue to be administered and operated privately, not by the Government.

In fact, the only difference would be that neither patient, doctor, nor hospital would have to worry about how the major hospital bills were to be paid, all medicare does is help pay the bills and that is a big all, without changing the system one bit.

Medicare, then, is insurance—a paid-up, noncancellable health policy that is presented to each of us, no questions asked, no pauper's oath, no dealing with the welfare board on your 65th birthday.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Broyhill of Virginia (at the request of Mr. Gerald R. Ford), for today, on account of death in family.

Mr. Kastenmeier, for today, on account of official business in his district, attendant to the closing of Truax Air Force Base.

Mr. O'Brien (at the request of Mr. Dulski), indefinitely, on account of illness.

Mr. Charles H. Wilson (at the request of Mr. Albert), for today, on account of illness.

Mr. Tuck (at the request of Mr. Albert), for today, on account of official business.

Mr. Reinecke (at the request of Mr. Gerald R. Ford), for February 10 through February 18, on account of official business.

Mr. Baldwin (at the request of Mr. Gerald R. Ford), for today, on account of illness.

Mr. de la Garza (at the request of Mr. White of Texas), for today, on account of official business.

Mr. Walker of Mississippi (at the request of Mr. Gerald R. Ford), for February 15 through February 18, on account of official business.

Mr. Hosmer (at the request of Mr. Gerald R. Ford), for February 17 and 18, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Michel, for 10 minutes, today.

Mr. Gurney, for 60 minutes, on Thursday, February 18, 1965; to revise and extend his remarks and to include extraneous matter.

The following Members (at the request of Mr. Albert):

Mr. Powell, for 60 minutes, on Thursday, February 18, 1965; to revise and extend his remarks and to include extraneous matter.

Mr. Gallagher, for 60 minutes, on Thursday, February 18, 1965; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Zablocki and to include extraneous matter.

(The following Members (at the request of Mrs. Reid of Illinois) and to include extraneous matter:)

Mr. Schweiker.
Mrs. May.
Mr. Shriver.
Mr. Mathias.
Mr. McClory.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Moss.
Mr. Ottinger.
Mr. Multer.
Mr. Murphy of New York.
Mr. Anderson of Tennessee.

ADJOURNMENT

Mr. PATMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 18, 1965, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

589. A letter from the Comptroller General of the United States, transmitting a report relative to the aspects of military and economic assistance provided to a foreign country, Department of State, Department of Defense, Agency for International Development; to the Committee on Government Operations.

590. Communication from the President of the United States, transmitting certain recommendations regarding the war against poverty (H. Doc. No. 90); to the Committee on Education and Labor and ordered to be printed.

591. A letter from the President, Board of Commissioners, of the District of Columbia, transmitting a draft of proposed legislation entitled, "A bill to authorize the expenditure of funds on the certificate of the Commissioners of the District of Columbia"; to the Committee on the District of Columbia.

592. A letter from the Comptroller General of the United States, transmitting a report of examination of the financial statements of the Bonneville Power Administration for fiscal year 1963, Department of the Interior; to the Committee on Government Operations.

593. A letter from the Under Secretary of the Interior, transmitting a copy of a notice of proposed rulemaking, including notice of public hearing, relative to regulations and criteria by which the Department proposes to implement the Classification and Multiple Use Act (43 U.S.C. 1411–18), and the Public Land Sale Act (43 U.S.C. 1421–1427), pursuant to section 1 of the Classification and Multiple Use Act; to the Committee on Interior and Insular Affairs.

594. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to the claim of the Sioux Tribe of Indians of the Lower Brule Reservation, S. Dak. (docket No. 78), pursuant to section 21 of the Indian Claims Commission Act (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

595. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to claims of certain Indian tribes under dockets Nos. 296, 329–C, and 334–A, pursuant to section 21 of the Indian Claims Commission Act (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

596. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled, "A bill to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs"; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FALLON: Committee on Public Works. S. 3. An act to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region; without amendment (Rept. No. 51). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MOSS:

H.R. 5012. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. FASCELL:

H.R. 5013. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. MACDONALD:

H.R. 5014. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. GRIFFIN:

H.R. 5015. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. REID of New York:

H.R. 5016. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. RUMSFELD:

H.R. 5017. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. EDMONDSON:

H.R. 5018. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. ASHLEY:

H.R. 5019. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. McCARTHY:

H.R. 5020. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mrs. REID of Illinois:

H.R. 5021. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. ANDERSON of Illinois:

H.R. 5022. A bill to establish a program of voluntary comprehensive health insurance for all persons aged 65 or over; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 5023. A bill to provide additional Federal financial participation in State public assistance programs approved under titles I, IV, X, XIV, and XVI of the Social Security Act with respect to expenditures under such programs which are attributable to providing benefits to Indians residing on reservations or on allotted or trust lands, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 5024. A bill to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 5025. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the admissions tax in the case of events for the benefit of a society for the prevention of cruelty to children; to the Committee on Ways and Means.

By Mr. CALLAN:

H.R. 5026. A bill to authorize the Burt County Bridge Commission, a public body politic and corporate in the county of Burt and State of Nebraska, to refund the outstanding revenue bonds of said Burt County Bridge Commission heretofore issued to finance the cost of the construction of a bridge, together with the necessary approaches and appurtenances therefor, from a point located in the city of Decatur, Burt County, Nebr., across the Missouri River to a point located in Monona County, Iowa; to the Committee on Public Works.

By Mr. CALLAWAY:

H.R. 5027. A bill to name the Peanut Quality Research Laboratory at Dawson, Ga., as the E. L. Forrester Laboratory; to the Committee on Agriculture.

By Mr. CLEVELAND:

H.R. 5028. A bill to amend title 38, United States Code, so as to require the Administrator of Veterans' Affairs to give 6 months' advance public notice of the planned closing or relocation of any veterans facility, and to provide for at least one Veterans' service center in each State, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DULSKI:

H.R. 5029. A bill to amend title 38, United States Code, so as to require the Administrator of Veterans' Affairs to give 6 months' advance public notice of the planned closing or relocation of any veterans facility, and to provide for at least one Veterans' service center in each State, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EDWARDS of Alabama:

H.R. 5030. A bill to authorize improvement of Bayou La Batre Channel, Ala., in the interest of navigation and allied purposes; to the Committee on Public Works.

By Mr. ELLSWORTH:

H.R. 5031. A bill to establish a program of voluntary comprehensive health insurance for all persons aged 65 or over; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 5032. A bill to authorize the use of excess Government-owned foreign currencies to finance the establishment abroad of binational foundations for educational and scientific purposes; to the Committee on Foreign Affairs.

By Mr. FINO:

H.R. 5033. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. FISHER:

H.R. 5034. A bill to amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions; to the Committee on Armed Services.

By Mr. FULTON of Pennsylvania:

H.R. 5035. A bill to provide certain increases in annuities payable from the civil service retirement and disability fund, to improve the financing of the civil service retirement system, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GIAIMO:

H.R. 5036. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; to the Committee on Public Works.

H.R. 5037. A bill to amend section 501 of title 38, United States Code, to provide that under certain conditions, service on the Mexican border before World War I may be included in determining whether a veteran meets the service requirements applicable to the payment of pension; to the Committee on Veterans' Affairs.

By Mr. GURNEY:

H.R. 5038. A bill to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, to improve the public assistance programs under the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 5039. A bill to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, to improve the public assistance programs under the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. ICHORD:

H.R. 5040. A bill to amend titles 10 and 37, United States Code, so as to provide authorization of up to 2 years constructive service credit to those Medical Service Corps officers now on active duty with the uniformed services who are required to have advanced training beyond the 4-year college level as a precondition to their appointment, and that those Medical Service Corps officers hereinafter appointed be so credited; to the Committee on Armed Services.

By Mr. JARMAN:

H.R. 5041. A bill to modify the definition of the term "carrier" for the purpose of any Federal law directing the Interstate Commerce Commission to formulate certain regulations; to the Committee on Interstate and Foreign Commerce.

By Mr. JOELSON:

H.R. 5042. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. McEWEN:

H.R. 5043. A bill to provide public works and economic development programs needed to assist in the development of areas of the United States which have not realized their full economic potential; to the Committee on Public Works.

By Mr. MACHEN:

H.R. 5044. A bill to permit certain lands in Prince Georges County, Md., granted to the State of Maryland for National Guard purposes to also be used for civil defense purposes; to the Committee on Banking and Currency.

By Mr. MARSH:

H.R. 5045. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. MARTIN of Alabama:

H.R. 5046. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 5047. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. MINSHALL:

H.R. 5048. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on club dues, initiation fees, and lifetime memberships; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 5049. A bill to amend the District of Columbia Redevelopment Act of 1945; to the Committee on the District of Columbia.

H.R. 5050. A bill to amend title 18 of the United States Code so as to prohibit the use of likenesses of the seal of the United States falsely to indicate Federal agency; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 5051. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

H.R. 5052. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze with only four quarters of coverage; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 5053. A bill to provide for the establishment of the National Humanities Foundation to promote progress and scholarship in the humanities and the arts, and for other purposes; to the Committee on Education and Labor.

By Mr. PRICE:

H.R. 5054. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

H.R. 5055. A bill to amend the Standard Time Act of March 19, 1918, in order to establish two new time zones and so as to provide that the standard time established thereunder shall be the measure of time for all purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 5056. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959, and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 5057. A bill declaring October 12 to be a legal holiday, to be known as Columbus Day; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 5058. A bill to amend the Internal Revenue Code of 1954 to exempt schoolbuses from the manufacturers' excise tax; to the Committee on Ways and Means.

By Mr. ROBERTS:

H.R. 5059. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefore under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 5060. A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation; to the Committee on Veterans' Affairs.

H.R. 5061. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 5062. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 5063. A bill relating to the rate of duty on fresh and frozen strawberries which are imported from Mexico; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 5064. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. ABBITT:

H.R. 5065. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on pens and mechanical pencils; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 5066. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. HALPERN:

H.R. 5067. A bill to amend title 38, United States Code, to permit for 1 year, the granting of national service life insurance to certain insurable war veterans; to the Committee on Veterans' Affairs.

By Mr. HATHAWAY:

H.R. 5068. A bill to repeal certain acts relating to containers for fruits and vegetables, and for other purposes; to the Committee on Science and Astronautics.

H.R. 5069. A bill to amend the act of August 31, 1916, so as to provide a standard for a dry 1½-quart container; to the Committee on Science and Astronautics.

By Mr. HELSTOSKI:

H.R. 5070. A bill providing for the distribution and viewing within the United States of the film "Years of Lightning, Day of Drums" prepared by the U.S. Information Agency on the late President Kennedy; to the Committee on Foreign Affairs.

H.R. 5071. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; to the Committee on Public Works.

By Mr. JOHNSON of Pennsylvania:

H.R. 5072. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 5073. A bill to require the establishment of congressional districts within any one State containing approximately the same number of inhabitants; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 5074. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POAGE:

H.R. 5075. A bill to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such act; to the Committee on Agriculture.

By Mr. TUPPER:

H.R. 5076. A bill to provide for the reimbursement of the State of Maine for the expense of constructing a road required by the expansion of the U.S. Naval Air Station, Brunswick, Maine; to the Committee on Armed Services.

H.R. 5077. A bill designating the fourth Saturday in September of each year as Children's Day in Sports; to the Committee on the Judiciary.

H.R. 5078. A bill to amend the act of August 3, 1956, relating to the payment of annuities to widows of judges; to the Committee on the Judiciary.

H.R. 5079. A bill to provide an increase in the retired pay of certain members of the former Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

H.R. 5080. A bill to repeal certain acts relating to containers for fruits and vegetables, and for other purposes; to the Committee on Science and Astronautics.

H.R. 5081. A bill to provide through the social security system a means of financing hospital and related services to aged beneficiaries, but offering freedom of individual choice to each beneficiary to select voluntary health plan coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. BANDSTRA:

H.J. Res. 327. Joint Resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. BATES:

H.J. Res. 328. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President or for a candidate for election as a Senator or Representative in Congress; to the Committee on the Judiciary.

By Mr. McCLORY:

H.J. Res. 329. Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.J. Res. 330. Joint resolution to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile; to the Committee on Armed Services.

By Mr. WHALLEY:

H.J. Res. 331. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. HARVEY of Indiana:

H.J. Res. 332. Joint resolution to establish a Stamp Act Congress Bicentennial Commission; to the Committee on the Judiciary.

H.J. Res. 333. Joint resolution to establish an American Revolution Bicentennial Commission; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 334. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. CONTE:

H. Con. Res. 297. Concurrent resolution requesting the President to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. CUNNINGHAM:

H. Con. Res. 298. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H. Con. Res. 299. Concurrent resolution requesting the President to initiate action leading to the adoption of a United Nations resolution calling for the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H. Con. Res. 300. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, Latvia, and other Communist-controlled countries; to the Committee on Foreign Affairs.

By Mr. ROGERS of Florida:

H. Con. Res. 301. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the French Republic to the United States made by the World War Foreign Debt Commission and approved by the President; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H. Con. Res. 302. Concurrent resolution to insure equal rights and self-determination for the peoples of Latvia, Lithuania, and Estonia; to the Committee on Foreign Affairs.

By Mr. TUPPER:

H. Con. Res. 303. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H. Con. Res. 304. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. EVINS:

H. Res. 239. Resolution to provide funds for the study and investigation authorized by House Resolution 13; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

46. By Mr. SENNER: Memorial of Arizona State Senate requesting the Secretary of the Interior to take appropriate action to relocate the office of the grazing district located at St. George, Utah, to Fredonia, Ariz.; to the Committee on Interior and Insular Affairs.

47. Also, memorial of Arizona State House of Representatives requesting that the Congress of the United States convene a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States relative to reapportionment; to the Committee on the Judiciary.

48. By the SPEAKER: A memorial of the Legislature of the State of Massachusetts memorializing the President and the Congress of the United States relative to requesting a bipartisan investigation of the Civil Aeronautics Board's action in ordering the discontinuance of the Florida run by Northeast Airlines; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5082. A bill for the relief of Newlyn A. Seaton; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 5083. A bill for the relief of Maria Karavati; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 5084. A bill for the relief of Alberto Martin (Gomez); to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 5085. A bill for the relief of Lieselotte Herbert; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 5086. A bill for the relief of Metaxia Papanikos; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 5087. A bill for the relief of Mrs. Helena Allalouf; to the Committee on the Judiciary.

H.R. 5088. A bill for the relief of Mrs. David S. Fedson; to the Committee on the Judiciary.

By Mr. DYAL:

H.R. 5089. A bill for the relief of Rocco Laballarte; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 5090. A bill for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano, the minor children of a permanent resident; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 5091. A bill for the relief of Mr. and Mrs. Abraham Fensterszaub and two sons, Jacob and Israel; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 5092. A bill for the relief of Mario Guccione; to the Committee on the Judiciary.

By Mr. JONAS:

H.R. 5093. A bill for the relief of Nicola Alfieri; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 5094. A bill for the relief of Regina Costa Feleciano; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 5095. A bill for the relief of Mrs. Margaret C. Kebbon; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 5096. A bill for the relief of Behzad Motazed; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 5097. A bill for the relief of Dr. Panagis Kokolis; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 5098. A bill for the relief of Panagiotis Mitris; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 5099. A bill for the relief of Dr. Mario M. Stone; to the Committee on the Judiciary.

H.R. 5100. A bill for the relief of Rev. Ernesto Zugor; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 5101. A bill for the relief of Mr. and Mrs. Antonio Cucinotto; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 5102. A bill for the relief of Helen Banaszewska; to the Committee on the Judiciary.

H.R. 5103. A bill for the relief of Mrs. Zoraida Del Pilar; to the Committee on the Judiciary.

H.R. 5104. A bill for the relief of Nicholaus Iatridis; to the Committee on the Judiciary.

H.R. 5105. A bill for the relief of Maria Kakouropoulou; to the Committee on the Judiciary.

H.R. 5106. A bill for the relief of Nicholas Karafotias; to the Committee on the Judiciary.

H.R. 5107. A bill for the relief of Gus Katranis; to the Committee on the Judiciary.

H.R. 5108. A bill for the relief of Vasilios Livaditis; to the Committee on the Judiciary.

H.R. 5109. A bill for the relief of Eugenia Makris; to the Committee on the Judiciary.

H.R. 5110. A bill for the relief of Kyriakoula Michalopolous; to the Committee on the Judiciary.

H.R. 5111. A bill for the relief of Demetrios Nikas; to the Committee on the Judiciary.

H.R. 5112. A bill for the relief of Christos Panayotopoulos; to the Committee on the Judiciary.

H.R. 5113. A bill for the relief of Evangelos Skentzos; to the Committee on the Judiciary.

H.R. 5114. A bill for the relief of Victor Z. Thiele-Lewandowski; to the Committee on the Judiciary.

H.R. 5115. A bill for the relief of Georgios Vilis; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 5116. A bill for the relief of Ilias Gotsis; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 5117. A bill for the relief of Demtrois Skafidas; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5118. A bill for the relief of Sarolta Francos; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 5119. A bill for the relief of Vlastimir Davidovic; to the Committee on the Judiciary.

By Mr. TUPPER:

H.R. 5120. A bill for the relief of Henrik Daniel Sahakian; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 5121. A bill for the relief of James P. Bradley; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 5122. A bill for the relief of Yin-Chio Ton; to the Committee on the Judiciary.

H.R. 5123. A bill for the relief of Carmen Yaciofano; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

100. By Mr. PATMAN: Petition of the Veterans of Foreign Wars Post 9167, signed by Mrs. Florence Dobbs, B. E. Davis and 750 others, protesting the closing of the Veterans' Administration Hospital in McKinney, Tex., by the Veterans' Administration as being an action harmful to the veterans of north Texas and southern Oklahoma, in that it would adversely affect the care of veterans and also the economy of the area; to the Committee on Veterans' Affairs.

101. By Mr. STRATTON: Petition of the Common Council of the City of Amsterdam, N.Y., objecting to the proposed closings of three veterans' hospitals and institutions in the State of New York; to the Committee on Veterans' Affairs.

102. By the SPEAKER: Petition of the Gaston-White Society, Georgetown University, Washington, D.C., petitioning consideration of their resolution with reference to the demonstration in Moscow on February 9, 1965, against the U.S. Embassy; to the Committee on Foreign Affairs.

103. Also, petition of Henry Stoner, Avon Park, Fla., petitioning consideration of his resolution with reference to prohibiting any person who is an officer of any U.S. court to membership in the House of Representatives and citing the U.S. Constitution provision therefor; to the Committee on the Judiciary.

104. Also, petition of City Council, Fitchburg, Mass., petitioning consideration of their resolution with reference to expressing concern over the proposed closing of the Veterans' Administration hospital at Rutland, Mass.; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Jewish War Veterans Aid in Reopening of the Yeshiva of Brighton

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. MULTER. Mr. Speaker, on December 17, 1964, the Yeshiva of Brighton, an outstanding philanthropic institution of learning in Brooklyn for more than a quarter of a century, was stricken by a serious disaster. A violent blaze which began in the basement area of the building completely destroyed the student synagogue and study hall, destroyed the contents of the library, and caused considerable damage to the entire interior of the structure.

So devastating was the fire that it was imperative that the school secure the support of the entire community before it could again open its doors.

First to come to its assistance was Mr. Jerry Nisman, commander of the Jewish War Veterans of Kings County, Brooklyn, N.Y. Mr. Nisman mobilized the full resources of his organization to publicize the crisis at the school and to solicit funds for the renovation of the building. Thus far his efforts have resulted in substantial sums of money being contributed to the institution from the various posts of the Jewish War Veterans and from the community at large.

Due primarily to his efforts, the Yeshiva of Brighton has been able, under the able direction of Rabbi Murray I. Friedman, principal, Joseph Ehrenreich, director, and Rabbi Harry Lax, assistant director, to resume its function of training future citizens in the traditions of their faith and in the principles of democratic living.

Mr. Nisman's actions demonstrate once again that in peacetime activities as well as in wartime pursuits this country's servicemen are foremost in their devotion and self-sacrifice.

George D. Dean

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. MOSS. Mr. Speaker, the journalism profession recently lost an outstanding and dedicated member in the death of my old and dear friend, George D. Dean, an associate editor of the Sacramento Bee in Sacramento, Calif. Mr. Dean died of a heart attack on February 8, 1965.

With his passing the journalistic profession is poorer because he was a fine reporter and a conscientious craftsman. He was one of the best informed reporters in the United States on the subject of conservation and reclamation. For many years he wrote editorials for the Sacramento Bee explaining to untold thousands of Californians the importance of the great Central Valley's project and many other reclamation and conservation activities. Always a good reporter, Mr. Dean took the time to acquaint himself with the many intricate details involved in numerous Federal and State water and power projects. As a result, his editorials were factual, hard hitting, and true to the mark.

His distinguished career with the Sacramento Bee began on August 25, 1925, and he had been an associate editor since June 2, 1943. A fuller appreciation of the impact of his untimely death can be realized by recalling the words of California's Governor, Edmund G. "Pat" Brown, who said of him:

> George Dean was a newspaperman and editor in the finest tradition of the Sacramento Bee. In his long and dedicated career as a newspaperman, he never wavered from the principle that the heart of every story must be the truth. He served the Bee well and in doing so he served California well. He will be sorely missed.

Anniversary of Lithuanian Independence

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. McCLORY. Mr. Speaker, the cause of freedom and independence for Lithuania is of particular interest to me. Many citizens who emigrated from Lithuania have settled in the 12th Congressional District of Illinois, particularly in the Waukegan and north Chicago area.

In connection with this observance in the House of Representatives in behalf of the 47th anniversary of Lithuanian independence, I call attention to the active support for a free Lithuania headed in the 12th Illinois District by Edward R. Skalisius and the American-Lithuanian Society.

The American-Lithuanian Society is observing Lithuanian Independence Day on Sunday, February 21, at the Lithuanian Hall in Waukegan, Ill. I am proud to convey advice to my friends of Lithuanian descent, as well as to all friends of freedom who will be gathered together on that occasion, that many in the U.S. House of Representatives recognize the plight of the enslaved peoples of Lithuania including many relatives and friends of American citizens whose origins are in that land.

Mr. Speaker, I am proud to be a sponsor of House Concurrent Resolution 135 in behalf of the unfortunate people of all the Baltic States. It is my earnest hope that through actions of this Nation, combined with those of other freedom-loving peoples of the world, the Lithuanian nation again may become free and independent and that the great and good citizens of Lithuania may regain the precious liberties of which they have been deprived for many years.

The Error of Attempting To "Write Off" Entire Voting Groups

EXTENSION OF REMARKS

OF

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Wednesday, February 17, 1965

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the Congressional Record excerpts from a speech delivered by Representative Rogers C. B. Morton, of Maryland, at the Monmouth County Lincoln Day dinner at Sea Girt, N.J. Representative Morton offered some wise counsel to our party.

There being no objection, the excerpts from the speech were ordered to be printed in the Record, as follows:

EXCERPTS FROM REPRESENTATIVE MORTON'S REMARKS

The Republican Party can rise again from defeat and disunity and forge a Republican Party victory in 1966.

But to do this, we must understand what happened to our party in 1964. As the great philosopher, George Santayana, said, "Those who do not understand the past are condemned to repeat it." And we can all be sure that our Democratic friends understand this and will attempt to tie the albatross of 1964 to our candidates next year.

By all odds, 1964 should have been a banner year for Republicans. In the Senate there were 9 Republican seats at stake and 26 Democratic seats to be challenged. What happened? We lost three of our own and picked up only one from the Democrats.

In the gubernatorial races we had similar odds, but couldn't take advantage of them. And in those eight States where Republicans won, all ran substantially ahead of their standard bearer—one by more than 42 percent of the votes cast.

In the House of Representatives, where we were told by some national leaders that Republicans would make a killing regardless of the fate of the top of the ticket, we lost 41 seats.

Take Iowa for example. Since time, or modern political time anyway, began we held all the Iowa seats in the House. This year we hold one, and the Democrats occupy five.

In the 50 State legislatures, the very fount of Republican power in the past, we lost more than 500 seats and are now, overall, a minority party even in many areas once considered private Republican property.

What happened? Easy answers, but not necessarily inaccurate answers, are legion. Let's examine just a few:

The Republican presidential candidate was one of six GOP Members of the Senate to vote against the civil rights bill. Some 6 million Negroes voted last fall, and approximately 90 percent cast their ballots for the Democratic nominee. There is little doubt that the Negro attitude toward the Republican national ticket had an adverse effect on the failure to elect such a distinguished candidate as Ohio's Robert A. Taft, Jr.

Certainly Negro support of President Johnson was decisive in his carrying Florida, North Carolina, Virginia, and Tennessee—all States where republicanism had begun to build a solid foundation in the last decade.

In 1964 we ignored the increasing Negro vote—and increasing it must be—but such an omission is not only cynically shortsighted, it is a refutation of the very traditions upon which our party was founded.

There were other sectors of the voting public which were ignored by Republican Party strategists last year, with the comment, "Let's write them off." The rank and file of organized labor, eggheads, esthetes, and intellectuals, the press—these and other important and influential groups got the writeoff treatment from Republican leadership—and write off was exactly what they did to our candidates in voting booths across the Nation.

The fallacy of the writeoff psychology is obvious. Let's look for a moment at that vital, influence-making sector called the fourth estate. Too often, in 1964, the attitude in high Republican circles was "What can we do—they smear our candidates and distort their views—nuts with news conferences—we'll package our remarks and buy the time on TV."

Year in and year out, Republicans have fared well with the press corps.

Negativism, in dealing with people, in dealing with groups, in playing out the role of responsible opposition—negativism has no place in the philosophy of the Republican Party, if we are once again to lead our country to new levels of individual accomplishment at home, and new security against the forces of totalitarianism abroad.

The American people demand, and we must offer them, positive programs to deal with the complex and changing world in which we live.

Francis Scott Key Nominated for Hall of Fame

EXTENSION OF REMARKS

OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. MATHIAS. Mr. Speaker, under leave to extend my remarks in the Record, I include a memorial addressed to the Hall of Fame for Great Americans at New York University signed by my colleagues in the Maryland delegation and myself. In presenting our views to the hall of fame in this manner we seek to gain recognition for the author of "The Star-Spangled Banner" to which his memory is richly entitled:

A MEMORIAL TO THE HALL OF FAME FOR GREAT AMERICANS AT NEW YORK UNIVERSITY

(By the Members of the U.S. House of Representatives from the State of Maryland)

The Members of the U.S. House of Representatives from the State of Maryland, being proud of the distinguished history of our State and of its many contributions to the United States of America, have resolved that—

"Whereas Francis Scott Key was born in Frederick County in the State of Maryland on the 1st day of August 1779, and was educated at St. John's College, Annapolis, Md.; and

"Whereas Francis Scott Key throughout his entire life rendered outstanding public service as a patriotic citizen and as a distinguished member of the bar; and

"Whereas Francis Scott Key has provided lasting inspiration to the entire American people and has enshrined in patriotic verse the ideals of the American Republic by the composition of 'The Star-Spangled Banner'; and

"Whereas the Congress of the United States by resolution dated March 3, 1931, has officially adopted 'The Star-Spangled Banner' as the national anthem of the United States of America.

"Now, therefore, we, believing that Francis Scott Key should be accorded a place in the Hall of Fame for Great Americans at New York University, recommend and request that Francis Scott Key, a famous son of Maryland, be granted this recognition which is well earned and fully deserved."

In witness whereof, we have affixed our signatures this 15th day of February 1965.

Rogers C. B. Morton.
Edward A. Garmatz.
Samuel N. Friedel.
Hervey G. Machen.
George H. Fallon.
Carlton R. Sickles.
Charles McC. Mathias, Jr.
Clarence D. Long.

Three Legislators Become Authors—Evins, Bolling, and Reuss Focus New Interest on the Congress

EXTENSION OF REMARKS

OF

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. ANDERSON of Tennessee. Mr. Speaker, I believe it is of interest to all Members of this body to take note of what seems to be a new literary trend in the House of Representatives.

As you know, our friend and distinguished colleague, the Honorable Richard Bolling, the gentleman from Missouri, is the latest Member of the House to join the company of bookwriters.

Congressman Bolling's new book, "House Out of Order," just published by Dutton, is the third book written by one of our colleagues to appear recently. Congressman Bolling carefully examines the wheels of Congress and advocates some thoroughgoing reform measures.

"The Critical Decade," whose author is our colleague, the Honorable Henry S. Reuss, the gentleman from Wisconsin, was published last year by McGraw-Hill. Congressman Reuss, who is a member of the Committee on Banking and Currency, and also a member of the Joint Economic Committee, devotes himself to economic and monetary problems, as well as to the rules and procedures of Congress.

"Understanding Congress," the work of my distinguished colleague from Tennessee, the Honorable Joe L. Evins, was published in 1963 by Clarkson N. Potter, Inc., of New York. At the time of publication, Congressman Evins' book was the first complete visection of Congress by a living Member in many, many years.

Congressman Evins has received considerable acclaim for his book, in which he offers a scholarly and incisive view of Congress at work, and points out that some procedural changes are needed to speed up the work of Congress, but holds that Congress is more misunderstood than at fault.

Congressman Evins has made a very balanced and thoughtful presentation, utilizing his great depth of perception and his splendid dedication which have so characterized his long record of public service.

Each of these books has in common a focus on the organization, operations, and work of the Congress and all are concerned with questions of congressional reform.

It seems to me that these books are particularly timely with respect to the studies and debates projected for this session in connection with legislation looking toward reorganization of congressional operating methods and machinery.

Mr. Speaker, I believe that I accurately express the sentiments of my colleagues in congratulating these three distinguished legislators and authors who have given us all a better insight into the workings of Congress through their scholarly efforts.

The Sugar Act and Other Farm Legislation in the 89th Congress

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mrs. MAY. Mr. Speaker, the Honorable Robert Dole, of Kansas, was recently a speaker at the Fifth Annual Fargo Farm Forum in Fargo, N. Dak. In addition to making several sage comments on the status of farm legislation in the 89th Congress, he presented an excellent analysis on the prospects for sugar legislation in this session. I think my colleagues from urban as well as rural areas will find much of interest to them in this message. With unanimous consent I include Mr. Dole's speech in the Record at this point:

"The Sugar Act and Other Farm Legislation in the 89th Congress"—By Hon. Robert Dole, of Kansas, at the Fifth Annual Fargo Farm Forum, Fargo, N. Dak., February 5, 1965

The 89th Congress, now in the process of organization, will be an important one to U.S. farmers. Actions taken in this Congress will, for better or worse, affect our national scene for many years. When the New Frontier started there were some 4 million farms in this Nation. With the advent of the Great Society there were about 3½ million. Present Washington thinking being mysteriously revealed by the administration would indicate the future calls for a farm economy of only a million farms.

Let me illustrate it this way—look at the person on your right, then at the person on your left—those two folks may not be coming to meetings like this under the Great Society.

In the past several weeks the administration's farm proposals have been taking shape. First, there was the Budget Bureau Director's statement in the Saturday Review; next, the budget message calling for cuts in ACP, soil conservation, agricultural research, meat- and poultry-inspection expenditure, and slashes in the costs of commodity programs.

Yesterday, February 4, the President sent his farm message to Congress. Here in essence is what it said:

"Progress is never free of problems. Agricultural progress has made price and income support programs increasingly necessary and increasingly difficult.

"The basic need for farm programs arises from the farmer's economic isolation and his enormous capacity to produce. We have today at least 50 million acres more cropland than is required to produce all of the food and fiber that we can consume plus all we can export. Without programs to guide production, new crop surpluses would be inevitable. Even relatively small surplus can depress prices below cost of production levels.

"Our programs should:

"Provide efficient family farmers an opportunity to earn parity of income.

"Assist those small farmers who have little chance to enlarge their operations but whose age, physical handicap, or lack of education, prevent their shifting to other employment.

"Assist those farm families who seek to enlarge their productive resources in order to obtain a decent living and have the opportunity and capacity to do so.

"We must also continue to tie domestic farm policies to our international trade objectives by pricing our products for export at competitive world levels and by relating our production to the longer-term demands of world markets.

"Our objective must be for the farmer to get improved income out of the marketplace, with less cost to the Government."

The issues raised by the scheduled termination of the wheat and feed grains program, the cotton program, and the Wool Act in 1965 must be resolved.

With this in mind, "Why," you may ask, "would any Secretary of Agriculture want to intentionally disrupt market prices?" The reason is simple even if not sound. He wants to make economic life as miserable as possible for those farmers who do not participate in his programs. He does this in order to get the highest possible signup in his program so he can tell everybody how "popular" it is.

That may indeed be a short-term political solution, but it's made at the expense of every grain farmer in America, both cooperators and noncooperators.

We sought to prevent the Secretary of Agriculture from selling surplus Government grain for less than 15 percent above the current CCC loan level plus carrying charges. Present law allows unrestricted Government grain sales into the domestic market at only 5 percent above the loan level. Secretary Freeman has recently gone even further in the direction of lower farm prices and has dropped both the feed grain and wheat loan levels another nickel a bushel below that in effect for 1964.

Interestingly enough, farmers and farm organizations the Nation over, many with diverse opinions on other aspects of the farm program, have agreed this proposal is a sound one.

Commonsense dictates that a higher CCC release price would strengthen market prices and raise farm income from grains.

The major farm organizations in my home State of Kansas have agreed this is a good idea.

Last year even the Democrats on the Wheat Subcommittee in the House of Representatives felt that an increase in the release price would increase farm income * * * but not Orville Freeman, and efforts to add the amendment were sidetracked.

I was among those in the last Congress who opposed the present cotton program and today it appears obvious the present cotton program just isn't working. Another million bales have been added to the surplus (total near 12.5 million bales) and many millions of more dollars ($543 million—total cost about $800 million), have been spent on expensive subsidies to textile mills and almost everybody else in the cotton business, except cotton farmers.

In my opinion Congress will support an extension of the 1954 Wool Act. This program has broad farmer support and is needed to keep our domestic producers in a competitive position with large-scale imports. I would expect that this program would be extended without too much difficulty.

I briefly mention these major commodity programs to you, because sugar legislation is tied in with them.

PROSPECTS FOR SUGAR LEGISLATION

With the pressure for the consideration of wheat, wool, feed grains, and cotton legislation, there will be a tendency to delay sugar legislation in 1965. You may have noted the President's farm message, February 4, did not contain any reference to sugar legislation. No group of farmers has received less consideration from the administration than the American sugarbeet producers.

Let's take a look at the record.

In the summer of 1963, amidst a market showing a 40-year high in domestic sugar prices, the Secretary of Agriculture asked U.S. sugar producers to expand their production. He promised in return that there would be no acreage restrictions on domestic production through the 1965 crop. The Department of Agriculture officially announced this. Yet last fall, the Secretary reversed himself and announced the imposition of acreage restrictions for the 1965 crop.

On January 31, 1964, President Johnson submitted to Congress his recommendations on agricultural legislation for the 2d session of the 88th Congress. Among other things he made the following recommendations concerning sugar which appear at page 4 of House Document No. 210, 88th Congress, 2d session:

"4. Sugar: The rise in sugar prices in 1963 reflected a reduction in world supplies. The Cuban crop was about one-half the pre-Castro level. Europe had two poor sugarbeet crops. But the fears voiced last year proved that the United States would be unable to obtain sufficient sugar proved groundless. Action by the Department of Agriculture assured sugar users an adequate supply and helped halt the price increase that attended heavy buying in anticipation of shortages.

"However, the experience of the past year—and the fact that foreign sugar quotas expire at the end of 1964—highlight the need for some action at this session of Congress to assure ample supplies of sugar to consumers at fair prices.

"I recommend the removal of marketing restrictions on the sale of domestically produced sugar during the calendar year 1964. This legislation will relieve the pressure on world market supplies at a time when these supplies are short.

"The effectiveness of our present arrangements for foreign sugar procurement are under intensive study. On the basis of this study I shall—early in this session—make recommendations for remedial legislation."

As can be clearly seen, the President advocated the removal of marketing restrictions on the sale of domestically produced sugar during 1964.

He also said recommendations would be made early in 1964 for remedial legislation on the procurement of foreign sugar.

What, however, have been the results?

An executive communication carrying the necessary legislative language to allow the marketing of sugar produced domestically in 1963 and 1964 was submitted to Congress on December 30, 1963. The administration, however, did not press for any action on this recommendation.

Some 31 sugar bills were introduced in the House during the last session and referred to the Committee on Agriculture. Seven of these bills were introduced by members of the Committee on Agriculture as early as March 19, 1964, but the administration failed in the 88th Congress to give the committee either its own recommendations or its comments on the 31 bills pending in the committee.

In the meantime, the Committee on Agriculture tried to reconcile the divergent views within the sugar industry in an effort to work out legislation to extend the provisions of the act which expired last year. Throughout these meetings, administration spokesmen failed to give the committee any indication of the position that the executive branch had taken.

The final result, of course, was a deadlock.

Without going into all of the various ramifications and arguments concerning this complex matter, I would point out that the domestic beet industry made numerous efforts to reach an agreement and tried in good faith to keep this program going.

Beet producers were asked to increase their production in 1963 and 1964. They certainly had a right to expect their Government to allow them to market that production as the President promised in his agricultural message. As I stated earlier, beetgrowers were also officially informed by the U.S. Department of Agriculture there would be no acreage restrictions on their 1965 crop. They made their plans on the basis of this advice from their Government. In addition to the administration's complete abdication of responsibility, one of the chief obstacles in reaching an agreement was the insistence of the U.S. Cane Sugar Refiners Association that beet producers accept a 20-percent cut in their acreage in 1965.

Let us remember the entire Sugar Act did not expire in December 1964—just that part of it which deals with the method of acquiring foreign-produced sugar.

The result of this inept procedure has been a windfall for foreign sugar interests and a severe blow to the economy of a dozen beet-growing States like Kansas and North Dakota.

When the foreign quota provisions of the Sugar Act expired on December 31, 1964, the Secretary of Agriculture, through USDA releases, intimated he didn't have authority anymore to collect the quota premium (or difference between the United States and world sugar price) on the global quota sugar which once belonged to Cuba. As you perhaps know, this amounts to about 3 cents a pound on approximately 1½ million tons annually. He also said he didn't have authority to collect the escalated recapture fee which applied to country quota sugar obtained overseas. This, as you will recall, amounted to nine-tenths of a cent per pound on approximately 1½ million tons annually. The balance of our foreign sugar supply comes from the Philippines which are covered by a treaty only are not subject to the recapture fee formula.

In the same breath, though, the Secretary said he did have authority to administratively extend country quotas to dozens of foreign nations the world over to bring their sugar into the U.S. market in 1965.

What does this mean to the U.S. taxpayers? It means about $126 million in lost revenue in 1965. It means foreign sugar producers will be up to $126 million richer and the U.S. taxpayers will be out of pocket an equal amount * * * and American consumers won't get one bit of benefit because the entire U.S. price is going to foreigners. It would be enough money to restore many of the cuts outlined in the administration's farm budget.

At the same time, U.S. beet producers must take a cut in their 1965 production of 5 percent across the board, which means an 11-percent slash to old growers. This means, as you know, less processing and fewer jobs in beet areas.

This situation is simply not equitable and should be corrected immediately.

But frankly, I am not optimistic. Unless a very strong bipartisan effort is made, I'm fearful the Sugar Act, not even mentioned in the President's message yesterday, will not be revised one iota in this session of Congress.

It will lay dormant until next year when the whole act expires on December 31, 1966.

Without question the administration and the foreign sugar interests have things pretty much their own way these days. The administration has a 2-to-1 majority in the Congress and a 24-to-11 margin on the House Committee on Agriculture.

My message is not one of optimism but rather one of challenge. You and the millions of others who earn your living in America's most important industry must exert a maximum effort if you are going to save agriculture from the whims of a dispassionate urban Congress and an apathetic administration.

The challenge is yours, but you can count on the help from those of us who share your convictions.

Negro History Week

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. OTTINGER. Mr. Speaker, last week Americans throughout this country celebrated Negro History Week to focus attention upon the great contributions Negroes have made to the United States and to the world throughout the ages, their great cultural heritage and particularly to pay honor to those dedicated men and women who, through great personal sacrifice and courage, helped to advance the cause of Negro rights and dignity in the United States.

Unfortunately, too many Americans tend to forget the great contributions that have been made to this country by Negro men and women. Foremost in this distinguished array can be counted men such as the great educator, Booker T. Washington, who helped to advance the cause of Negro higher education and whose biography has been an inspiration to American youth.

One can also note the outstanding accomplishments of George Washington Carver who made outstanding scientific accomplishments and gave an important impetus to a new industry in the South.

Another outstanding American was Frederic Douglass who, at the risk of losing his own freedom, fought the great social injustices of the last century and helped bring the fight against slavery to the North. This man's life also offers an inspiration in his rise from slavery to become American Minister to Haiti.

But these men were just the commencement of a long line of American Negroes who have made outstanding contributions in the arts, sciences, government, education, religion, and athletics. Some prominent names of Negro people making such history are: Rev. Martin Luther King, winner of the 1964 Nobel Peace Prize and leader of the civil rights movement; the Honorable Carl T. Rowan, Director of the U.S. Information Agency; Mr. James Baldwin, the noted author; Mr. Sidney Poitier, noted actor and winner of the Academy Award; Miss Leontyne Price, noted opera star; Mr. Robert C. Weaver, Administrator of the Housing and Home Finance Agency; and, my former Peace Corps colleague, the Honorable Franklin H. Williams, U.S. Representative to the United Nations Economic and Social Council. This, of course, is only a very partial list of the many American Negroes who have donated to the development of America, not only within the boundaries of this country, but overseas as well, in the promotion of international understanding, goodwill, and a better understanding of America.

Significant developments have occured over the past 200 years and American Negroes have increasingly taken their rightful place in American history and society. Their contributions and achievements can be cataloged with great pride.

The celebration of Negro History Week should not, however, simply be a reflection on the past, or even an acknowledgement of the present, but rather a rededication by all Americans to strive for further justice and equal rights until all men can be judged by the content of their character rather than by the color of their skin. There should be a new resolve to work diligently until all Americans are truly equal and the vast opportunities and wealth, to which American Negroes have contributed so heavily, are denied to no one.

Presidential Succession and Disability

EXTENSION OF REMARKS

OF

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. SHRIVER. Mr. Speaker, last week I had the opportunity of presenting to the Committee on Judiciary my views on the need for legislative action to resolve the complex problems of Presidential succession and disability and vacancies in the office of Vice President. The committee is to be highly commended for the serious attention which is being given to this very important matter.

I am among those in the Congress who are concerned over the problem and on January 6, 1965, I introduced House Joint Resolution 143, which is identical to the resolution introduced by my distinguished colleague from Ohio [Mr. McCulloch].

Under leave to extend my remarks in the Record, I include my testimony before the Committee on Judiciary in support of House Joint Resolution 143:

Statement of U.S. Representative Garner E. Shriver, of Kansas, to the Committee on the Judiciary, U.S. House of Representatives, February 10, 1965

Mr. Chairman, I appreciate this opportunity to express support of the vital deliberations which this committee has undertaken in regard to the complex problems of Presidential succession and disability, and vacancies in the office of the Vice Presidency. Most adult Americans recognize there is a need for congressional action after careful study of all proposals.

I have introduced a resolution, House Joint Resolution 143, to amend the Constitution to clarify the latent ambiguities and the shortcomings of existing law. My proposal embodies the major recommendations of the consensus arrived at by the Conference on Presidential Inability and Succession sponsored by the American Bar Association.

Under the terms of my proposed amendment, the Constitution would provide that in the event of the permanent exclusion of the President from office—that is, removal, death, or resignation—the Vice President shall succeed to the office for the balance of the unexpired term. This will have the effect of giving a legal basis to the precedent established by John Tyler.

In view of the growing importance of our Nation's second highest office and the recurrent history of vacancies connected therewith, it is highly desirable that that office should be filled at all times. On 16 occasions, totaling more than 37 years, the office of Vice President has been vacant. In all our Nation has been without a Vice President in excess of 20 percent of the time during its history. My proposal if adopted would amend the Constitution to provide that in the event of a vacancy, the President shall appoint a Vice President with the advice and consent of both Houses of Congress.

In connection with the paramount problem of disability, I propose that in the case of such an eventuality, the powers and duties but not the office, shall be discharged by the Vice President for the duration of the inability or until the expiration of the President's term of office.

The President may establish his own disability by issuing a declaration in writing to that effect. Where he fails or is unable to do so the Vice President with the concurrence of a majority of the Cabinet or such other body as the Congress may provide, are authorized to establish the fact of Presidential disability.

Similarly, the ability of the President to resume his powers and duties, may be established by his declaration in writing. If the Vice President and a majority of the Cabinet fail to concur with this decision of the President, the matter would be brought to the Congress for resolution.

History as well as commonsense indicate that we cannot insure against or be spared the sorrow of a fallen leader. We have it within our power, however, to remove the cause of great anxiety and apprehension that arises out of the uncertainties of the present law. Our failure to capitalize on the present opportunity will render meaningless the tragedies and near tragedies of the past and the sorrows of the American people which have inevitably flowed in their wake.

Mr. Chairman, this is a problem which your committee is well qualified to consider and to recommend a legislative solution. I commend this committee for launching these important hearings. Thank you for the attention you will give to the resolution which I have introduced.

The Fight Against Mail-Order Pornography

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. ZABLOCKI. Mr. Speaker, last month I introduced a bill into Congress designed to curb mail-order pornography by regulating the buying and selling of mailing lists. This proposal, H.R. 3027, currently is pending before the House Post Office and Civil Service Committee.

Since the bill was introduced the Post Office Department has released its fiscal 1964 figures on its antipornography activities. Several conferences with representatives of the direct mail industry and others interested in the legislation have been held. The Library of Congress has issued a report on the constitutional basis for the regulation of mailing lists. Since these developments all bear on the legislation which I have introduced, I want to use this opportunity to bring them to the attention of my colleagues.

POST OFFICE DEPARTMENT ACTIVITIES

According to the report of the Postmaster General, the statistical results of the Post Office Department's antipornography program in fiscal 1964 were these: Arrests, 805; convictions, 627; suppressions, 8,175; and investigations, 15,975.

Both the total number of arrests and the total number of investigations were recordbreaking figures. Unfortunately, however, the number of convictions during fiscal 1964 declined slightly.

One has only to look at the increase in all categories since 1961 to realize what great strides in enforcing antipornography laws have been made in recent years. At the end of these remarks I will include a table showing the statistics in the four categories mentioned since 1959.

At the same time, however, it is evident that the Post Office Department is by no means able to cope with the problem. This becomes evident when one considers that postal authorities estimate that there are 100 million pieces of mail each year which contain pornography and come-ons for salacious materials.

My bill, H.R. 3027, was introduced in order to give new legal muscle to the Post Office Department's drive against the smut peddlers.

DIRECT MAIL REPRESENTATIVES

On February 3 I met with representatives of the Direct Mail Advertisers Association, at their request, to discuss the provisions of my bill. The discussion was most fruitful.

I found these gentlemen to be, in general, deeply concerned about the amount of pornography going through the mails. They were particularly disturbed about the amount of unsolicited pornographic come-ons reputedly mailed to children each year.

At the same time, however, they were wary of legislation which might cause undue burdens or hardships on the overwhelming majority of direct mailers who are legitimate businessmen.

In the main they were fearful that my bill would require them to transmit information on all their transactions as they occurred to the Postmaster General. I assured them that this was not my intention and advised them that, if necessary, the language of the bill would be clarified in that respect.

These representatives pointed out that my bill, as written, would not reach those illicit operators who compile, own, and use their own rosters of addressees. They submitted that many of the worst smut-peddlers do not rely on rented or leased lists, but make up their own mailing lists from decoy ads in magazines or other sources. They suggested, therefore, that not just those who buy or sell mailing lists be covered by H.R. 3027, but also all who use mailing lists in the course of business.

Agreeing that the suggestion is a good one, I plan to submit an amendment to the House Post Office and Civil Service Committee when the legislation is heard. The amendment will include under the bill all who deal with mailing lists in the course of business for profit, not just those who buy and sell them.

The proposal would still exempt from regulation nonprofit institutions, civic organizations, and others who use mailing lists but not for financial profit.

CONSTITUTIONAL BASIS FOR REGULATION

In discussions and correspondence with persons interested in H.R. 3027, the question of the constitutionality of the regulation of mailing lists was raised. For that reason, I asked the Library of Congress to prepare a report on the legal basis of such a proposal either through "right of privacy" or the interstate commerce power of the Federal Government.

The report, prepared by Dr. Norman Small of the Library's American Law Division, is now completed. It finds that there is no basis to support a bill such as H.R. 3027 on "right to privacy" but ample constitutional precedent for it under the interstate commerce power.

In fact, Dr. Small believes that national legislation could constitutionally be enacted which would require buyers and sellers of mailing lists to register with State authorities as well as with Federal officials. While I believe that this requirement would be an extreme hardship to direct mail advertisers, it does open several new and interesting approaches to the problem of eliminating poronography.

For that reason, with permission granted, I include Dr. Small's report and the Post Office Department's antipornography statistics, and urge the attention of my colleagues to them:

POST OFFICE DEPARTMENT 1964 REPORT ON PORNOGRAPHY

Generally, cases conducted by the Department to enforce the obscenity laws are handled through criminal procedures. Every such case is examined in light of the 1957 Roth decision of the Supreme Court. The Roth test is whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest, and whether, in addition, the material goes substantially beyond customary limits of candor.

Administrative judgment is then made as to the probability of a violation, using the decision as a guideline. In most cases, the Department does not administratively judge the fact of obscenity. That decision usually lies with the courts.

With regard to obscenity in the international postal system, the closest cooperation between the Bureau of Customs and the Postal Inspection Service is maintained. This enables the Department to investigate and aid the prosecution of persons responsible for importing obscene items through the mails.

Arrangements also exist between the Inspection Service and the National Central Interpol Office in The Hague, for stemming the flow of foreign pornography into the domestic postal system.

The following statistics show the results of this program:

	Fiscal year—					
	1959	1960	1961	1962	1963	1964
Arrests	315	389	457	605	761	805
Convictions	272	306	377	503	637	627
Suppressions	([1])	([1])	1,019	8,229	7,925	8,167
Investigations authorized	7,747	10,226	14,394	15,672	14,616	15,975

[1] Statistics not available before 1961.

Source: From the Annual Report of the Postmaster General, 1964.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., February 1, 1965.

To: Hon. CLEMENT J. ZABLOCKI, attention: Mr. Sullivan.

From: American Law Division.

Subject: Information as to right to privacy in connection with the receipt of pornographic literature via unauthorized inclusion of addressee's name in mailing lists.

Is there any U.S. statute or English common law concept which would entitle a person to invoke the "right to privacy" in protesting the unauthorized inclusion of his name on mailing lists that are used commercially, that is, for the purpose of soliciting purchases of merchandise by individuals thus listed?

Insofar as any invasion of one individual's privacy is effected by the action, not of officials, Federal, or State, but by the conduct of another individual or business corporation, the power to afford relief therefor is a matter reserved to the States. Accordingly, Congress is vested with no authority to enact legislation directly granting protection against such intrusion. Admittedly, Congress has seen fit to exercise its power to regulate interstate commerce for the purpose of establishing regulations as to the registration of trademarks, and has included among the latter a stipulation to the effect that unless the individual in question has given his written consent, a trademark which "consists of or comprises a name, portrait, or signature identifying a particular living individual" is not eligible for registry. In enacting such provision Congress is not to be viewed as having recognized, or as having sought to protect, a property right in one's name. Only the States are competent to define rights in property. All that Congress has attempted to achieve by the aforementioned provision is the withdrawal of the channels and instrumentalities of interstate commerce from use by those who seek to employ the same for deceptive, fraudulent, or immoral purposes.

As an exercise of the commerce power the quoted provision is analogous to numerous other enactments entailing utilization of the commerce clause to achieve objectives normally reserved to the States under their police power, specifically, the promotion of public morals, public health, and public safety.

Thus, the Congress has been sustained in barring from the channels of interstate commerce articles that are not intrinsically dangerous or impure but which have been produced under undesirable conditions or are destined to be used for unlawful or immoral purposes. Examples of such Federal legislation include provisions excluding lottery tickets from interstate shipment, stipulations in the Fair Labor Standards Act banning entry into the channels of interstate commerce of goods manufactured by child labor, the Mann Act forbidding use of the facilities of interstate carriage for the transportation of women engaged in commercialized vice, the Dyer Act proscribing utilization of such facilities for the movement across State lines of stolen motor vehicles, the Patterson Act penalizing the transportation across State borders of kidnapped persons, and the Filled Milk Act barring from interstate shipment filled milk products solely on the ground that such edibles, although not impure, were less nutritious than comparable products made from whole milk.

Also not to be overlooked in this connection are other Federal enactments embracing regulation of the use of the instrumentalities of interstate commerce with a view to assisting States in the enforcement of their own prohibitory laws. Examples in this category are the Webb-Kenyon Act forbidding carriers to accept shipments of alcoholic beverages for delivery in dry States and the Ashurst-Sumners Act imposing a like ban on the receipt by such transporters of convict-made goods consigned to States which had adopted legislation forbidding the sale of such products (Annotated Constitution, S. Doc. No. 39; 88th Cong., pp. 201–205).

If it could be established, in those States wherein a right to privacy is acknowledged, that judicial relief is available to individuals who protest the unauthorized inclusion of their names in consumer directories compiled by publishers for distribution at a profit, the last mentioned Federal statutes might be relied on to support adoption of a Federal law banning interstate shipment of such directories into these States. The constitutional justification of such measure would be that it was designed to prevent utilization of the channels of interstate commerce to effect an invasion of an individual right of privacy protected by the statutory or common law of the State of destination.

Unfortunately, no precedents have been found in any of the States which protect a right to privacy which support a right of recovery merely for unauthorized inclusion of an individual's name in a commercial, or consumers' directory. If reasons were sought to account for such absence of precedent, the following very probably would suffice as an explanation. First, the average citizen has been reluctant to expend the funds required to institute a suit aimed at establishing his entitlement to damages for such unauthorized inclusion. Second, it is extremely doubtful whether such unwarranted inclusion, without further proof of exposure to harassment at the hands of peddlers directly attributable to such inclusion, is a wrong of such magnitude as would justify the award of a substantial sum as damages. Consequently, in the absence of a right to recovery sanctioned by State law, a Federal regulation of interstate commerce imposing a blanket ban on shipment of unauthorized lists of consumers' names into States could probably not be sustained as a reasonable regulation; for the latter, having been designed to prevent evasion of a nonexistent State right, could be regarded as arbitrary and therefore violative of the due process cause of amendment 5.

However, the previously enumerated Federal statutes would appear to afford abundant justification for a less rigorous regulation founded upon the commerce clause. All States have enacted laws proscribing the distribution of pornographic literature.

Also, on the basis of evidence accumulated in previous investigations, the unrestricted interstate circulation of consumers' lists has been shown to be a contributing source of evil in that such lists have been utilized by smut peddlers to effect an evasion of such State prohibitory laws. Accordingly, it is within the province of Congress to adopt valid legislation designed to prevent an abuse of the facilities of interstate commerce which hitherto often has culminated in the violation or frustration of lawful State bans against the circulation of obscene printed matter.

The ameliorative measure which Congress, in the exercise of its power to regulate interstate commerce, would be competent to adopt might be one modeled after the Jenkins Act (15 U.S.C. 375–378) and designed to reduce evasion of the aforementioned State pornographic literature laws. By the terms of corrective legislation, publishers circulating consumers' directories in the channels of interstate commerce, whether by sale or by lease, would be required to report monthly to a designated State officer and/or a designated Federal official the names and addresses of all consignees residing in each State wherein deliveries have been made (15 U.S.C. 376). In addition, Federal penalties could be exacted for failure to report (15 U.S.C. 377), and Federal courts could be empowered to grant injunctive relief to prevent noncompliance with the reporting requirement (15 U.S.C. 378).

As a Federal regulation of interstate commerce designed to facilitate enforcement of State pornographic literature laws, this measure should meet the test of reasonableness; that is, it would satisfy the requirements of the due process clause of amendment 5. The regulation would impose no restraint on the publisher as to his compilation of the lists; i.e., his selection of names for inclusion therein, nor would it discourage the purchase of his consumer directories by entrepreneurs engaged in legitimate businesses. To be sure, the reporting requirement would effect a moderate increase in the publisher's postage bill, but this expense would not be an excessive price to pay for the added assurance that the instrumentalities of interstate commerce are not being used to promote illegal or immoral objectives such as in the past have been held to afford constitutional justification for comparable restrictions.

As to the status of the right to privacy within the several States, at least two, New York and Utah, have adopted legislation making it a misdemeanor to use, for purposes of advertising or trade, the name, portrait or picture of a person without his consent, and affording a person who has not given his consent a right to sue for damages or for an injunction. In other States the courts thereof have granted relief against acts which closely resemble invasions of the right of privacy without basing their holding upon any acknowledged and definable legal right of privacy. Courts in a third category of States, and these, commentators declare, are in the minority, have maintained that, in the absence of State enactment, there is no discernible right of privacy cognizable independently of the rules of property, contract, or libel law (41 Am. Jur. 925, 929, 933–934).

Read literally, the statutes of New York and Utah would appear to support a right of action by one whose name has been included without his consent in commercial directories or advertising lists compiled by mercantile establishments. Thus, the New York law provides that "a person, firm, or corporation that uses for advertising purposes, or for the purposes of trade, the name, portrait, or picture of a living person without having first obtained the written consent of such person, or, if a minor, of his or her parent or guardian, is guilty of a misdemeanor" (Civil Rights Law, secs. 50–51, McKinney, 1948). Both New York and Utah accord the victim civil remedies (Utah Code Ann. (1953) secs. 76–4–8, 76–4–9). As previously indicated, neither of these laws has been construed in any recorded precedent as supporting a right of recovery based solely on unauthorized inclusion of a name in an advertising list.

NORMAN J. SMALL,
Legislative Attorney.

Consulting Engineers Council Conference

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my address before the Conference of the Consulting Engineers Council at the International Inn in Washington, on February 15, 1965:

REMARKS OF REPRESENTATIVE JOHN M. MURPHY, OF NEW YORK, AT THE CONSULTING ENGINEERS COUNCIL CONFERENCE, INTERNATIONAL INN, MONDAY, FEBRUARY 15, 1965

Mr. William W. Moore, president; Mr. Sidney A. Silver, president of the Washington chapter of Consulting Engineers Council; and friends, I feel indeed honored to follow such noteworthy and experienced speakers as my colleague from Minnesota, and my chairman last year on the Special Subcommittee To Investigate the Federal Interstate Highways Program of the Public Works Committee—Hon. JOHN BLATNIK. It was through these meetings that the need and absolute necessity for the public good for our State highways departments to utilize the services of consulting engineers more fully, to bolster what had proved conclusively to be inadequate, inexperienced, and poorly paid State engineering departments became evident.

I also feel priviledged to follow a speaker of such great renown in the maritime industry as Ed Hood, president of the Shipbuilders Council of America.

The ship building and repair problems in my own city—the greatest port in the world—in shipbuilding in both the private and public sector, is on the lips of virtually every citizen in our city. I know that he has acquainted you with the changing economic patterns as they affect marine engineering and construction and has left you with the sound thesis that in the public domain it is economically advantageous to use consulting engineers rather than to have the Federal Government take this field as its own and sustain large technical staffs year in and year out.

I think I can illustrate in some instances that the Federal Government must mastermind an engineering project, but at the same time use consulting engineers to the maximum advantage.

In June 1964, I introduced H.R. 11757 to provide for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans. I was joined by many Members of the House, and Senators MAGNUSON, PASTORE, BARTLETT, Engle, JACKSON, MCGEE, YARBOROUGH, and COTTON introduced the legislation in the Senate. These bills were referred to the Committee on Commerce in the Senate and to the Committee on Merchant Marine and Fisheries in the House. Various amendments were adopted and the bill in final form was approved by both Houses and signed by the President on September 22, 1964. It is now Public Law 88–609.

You will note that this law provides for the appointment of a commission of five men from private life to make a full and complete investigation and study, including necessary on-site surveys, and considering national defense, foreign relations, intercoastal shipping, interoceanic shipping, and such other matters as they may determine to be important, for the purpose of determining the feasibility of, and the most suitable site for, the construction of a sea level canal connecting the Atlantic and Pacific Oceans; the best means of constructing such a canal, whether by conventional or nuclear excavation, and the estimated cost. The President shall designate as chairman one of the members of the commission.

The law also provides for the utilization by the commission of the facilities of any branch of the executive agencies and further provides that a report shall be submitted to the President for transmittal to the Congress on July 31, 1965, and that the commission shall continue its work but must expire by June 30, 1968.

A total of $17,500,000 is authorized to be appropriated for the entire study. Funds are available to initiate work in this fiscal year after the members are appointed and an amount of $7.5 million is included in the budget just submitted to Congress for the fiscal year 1966. The President has not yet appointed the members of the commission.

It is very probable, in my opinion, that the Corps of Engineers will be called upon together with the Atomic Energy Commission to undertake the field and office work comprising the survey and study in a similar manner to the procedure followed in the construction and development of the St. Lawrence Seaway. The corps has already completed a number of studies in connection with alternative routes, particularly with respect to the Nicaragua route, which the corps studied about 15 years ago.

The President declared in a statement on December 18, 1964, that investigation of an alternative route for the canal was essential to the welfare of the country for national defense and for other reasons. At his direction, Secretary of the Army Ailes and Assistant Secretary of State Mann visited the four countries involved—Panama, Colombia, Costa Rica, and Nicaragua—to discuss with these Governments the international problems that might be involved in consideration of such a canal. The general thinking now is directed toward the study of two possible locations in Panama and one location in Colombia. The study of these three alternative routes are the only ones which are included in the formulation of the total cost estimate of $17,500,000. The legislation provides for a sea level canal, since it is generally accepted that a lock type canal, such as the site in Nicaragua, would not be feasible from a national defense standpoint because of its vulnerability during war, and a sea level canal following this route would be an inordinately expensive one because of the huge excavation required. These facts, however, are under careful reevaluation.

Several consulting engineer firms have already been utilized for preliminary studies on a nuclear-constructed canal. In 1960, Parsons, Brinkerhoff, Quade & Douglas conducted an engineering study on the costs and effects of using nuclear explosives for peacetime purposes, particularly for the construction of this canal. The overall need for this canal was predicated on a study by Booz, Allen, Hamilton in 1964 predicting that Panama Canal traffic by 1980 would exceed the capability of the present lock canal.

And, incidentally, for those of you who feel that a consulting engineer firm that has already researched in the Government area has an advantage in this field, H.R. 3420 and S. 949, introduced by Chairman HARRIS and Chairman MAGNUSON of the House and Senate Commerce Committees, will provide for a program for business and industry to benefit from recent discoveries of scientists and engineers who have been working for the Federal Government. Incidentally, the National Society of Professional Engineers has endorsed this legislation, so I wouldn't hold that against the bill.

As engineers you can realize that the prominence given to the early studies of the Nicaragua route was based upon the use of Lake Nicaragua and the series of locks on the Atlantic and Pacific sides. If the national defense aspect did not enter the picture, it would probably still be competitive with any other route. The use of natural waterways in Nicaragua and Costa Rica, plus the elimination of heavy excavation through the use of locks, might easily outweigh the economic disadvantages of the higher costs of the locks and the longer transit time required for the movement of vessels in such a system.

There are many fields involved in the proposed study which could be profitable to consulting engineers. Extensive topographic mapping will be required, some of it through areas not yet explored in any detail. A large number of core borings will be required which should represent an opportunity for the consultant engineer who specializes in that field.

The peculiar relationship of the tides at the Atlantic and Pacific ends of a sea-level canal may require consideration of bank protection works or other devices to reduce any adverse effects of reverse currents. This may offer possibilities for the consultant who specializes in hydraulic studies. Whether or not there will be any need for outside work to be undertaken in connection with a possible use of nuclear energy as against conventional methods of excavation is a matter which, so far as I know, has not yet been determined. All in all the study and the project itself if it materializes will be of such scope that there will be undoubtedly many opportunities for consulting engineers in many fields.

I am certain that all engineers will agree that there must be an awareness on the part of the Federal Government not only in our largest engineering projects, but also in the design of our smallest devices. However, I am of the opinion—as are many of my colleagues—that the Government should use the private sector and actually be the supervising agency in the overall process. At the same time I must face a political fact, that no Government agency gets smaller by its own design. I, therefore, must urge you to sell your profession. To do so, you must communicate with not only your Representatives in Congress, but your friends in your own State as well. Your association is your collective voice and they have the machinery and ability to explore methods of communication in the areas where your profession can most be benefited. Support them and you must all gain.

I want to congratulate you on your comprehensive conference and to wish you all good fortune in the future.

Soviet Anti-Semitism Must Not Be Tolerated—The United States Must Not Remain Silent

EXTENSION OF REMARKS

OF

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1965

Mr. SCHWEIKER. Mr. Speaker, I will not be silent in the face of continuing and increased Soviet persecution of the Jews. Our Nation must not remain silent regarding this oppression. The circumstances impel me to again ask the support of my colleagues in seeking an end to Soviet anti-Semitism. Effective U. S. action is needed. I have acted. I now ask the action of my colleagues and the administration.

On January 28, I introduced two concurrent resolutions designed to increase the force of world public opinion against Soviet persecution of the Jews. One of the measures, House Concurrent Resolution 144, expresses congressional condemnation of discrimination based upon religion. It calls upon the President to urge the U.S.S.R. to stop executing persons for alleged "economic offenses" and to fully permit the free exercise of religion and the pursuit of culture by Jews and all others within the U.S.S.R.

A second measure, House Concurrent Resolution 143, expresses congressional support of U.S. efforts in the United Nations to secure universal condemnation and prohibition of anti-Semitism as an international offense.

The Congress should speak out forcefully in this grave matter. Oppression must not be ignored. By failing to act, we neglect our duty to mankind. I urge that the American people send the Russians a "bill of rights" as a formal appeal to restore Jewish religious and cultural rights in the U.S.S.R. The Schweiker resolutions would pave the way for such action. I suggest that the American people formally present the new bill of rights to the Russians through the United Nations or that President Johnson convey it directly to the Soviet Government.

When America speaks, the world listens, for the world knows that America speaks not only from strength but from her heart as well. If we effectively communicate our refusal to accept this oppression, the barriers will begin to fall. I suggest these items in the bill of rights:

Freedom of prayer: Allowing free functioning of synagogues and central institutions to serve the religious needs of Soviet Jewry.

Freedom of education: Allowing Jewish education in all forms, including the training of rabbis.

Freedom of religious ceremonies and rituals: Providing for removal of obstacles to the performance of sacred rights such as religious burial and circumcision.

Freedom to publish: Including Hebrew Bibles, prayer books, and religious texts.

Freedom to produce religious articles: Including such items as prayer shawls, phylacteries, and mezuzoth.

Freedom of artistic development: Allowing Jewish artists in the theater, music, and literature to develop Jewish culture in the Yiddish and Hebrew languages.

Freedom to travel: Permitting Jews to leave the Soviet Union so they may be united with their families in other countries.

Freedom from discrimination: Eliminating the anti-Jewish character that so strongly colors the official government campaign against "economic crimes."

We take these freedoms for granted in our land but they do not exist for the Jewish people in Russia today.

Previously the United States has spoken out against anti-Semitism in other countries. Our Government has not taken sufficient action recently to protest increasing Soviet discrimination against the Jews. Now again it is time to act. For silence in the face of oppression—the sin of silence—only inspires increased oppression. The only reaction by our Government during the past 6 months has been silence.

If we commit this sin of silence by sitting and accepting the good life in our own country, rationalizing that the situation in Russia is too far away to be our concern, then the policy of oppression will continue. It will not change without pressure, but well articulated public opinion can be vital. Public opinion can change things. In this year of diversity and challenge within our borders, we must still remind those who live outside that we are continually concerned about their oppression. We must present this appeal of conscience to the world for their consideration.

Despite Soviet assertions of religious freedom, and even though anti-Semitism is listed as a crime in the U.S.S.R., unjustifiable discrimination has been sustained and increased. News reports tell us that there continues to be ample and grim evidence that the Soviet Government is quietly singling out Jews as a group for discriminating restriction and unjustified punishment.

Synagogue buildings and seminaries have been padlocked; Jewish cemeteries have been arbitrarily shut down; ritual supplies needed for religious worship cannot be obtained; no Hebrew Bibles or calendars are printed; prayer books are irreplaceable; means for training rabbis and community workers are inadequate or nonexistent; unlike other religious groups Jews are not permitted to establish national organizations.

As a concerned people, Americans are obliged to speak out when others are oppressed. We do not and will not turn our backs on oppression, whether it exists within our own Nation or in other nations abroad. Oppression must not be ignored; it must not be dismissed as internal affairs not properly of our concern. For by failing to speak we neglect our duty to mankind. No policy is more firmly fixed in the conduct of U.S. foreign affairs than this moral imperative to come to the aid of oppressed peoples.

Mr. Speaker, in addition to pressing for action upon the resolutions which I have introduced, I have asked Secretary of State Dean Rusk for meaningful action by the administration in this pressing matter. On December 26 I wrote Secretary Rusk asking that the United States formally request an investigation of Soviet anti-Semitism by the United Nations Subcommittee on the Prevention of Discrimination and the Protection of Minorities. In addition, I suggested that President Johnson publicly express the American concern with discriminatory treatment of Jews in Russia in his state of the Union address. Unfortunately our President apparently did not deem this matter sufficiently important for inclusion in his address. I deeply regret his omission of attention to this grave problem.

I am inserting a copy of my letter to Secretary Rusk in order that my colleagues may be fully aware of these proposals for action:

DECEMBER 26, 1964.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: I am very much distressed by the situation of persecution and deprivation now confronting the Jewish community of Russia.

The people of my district, whether they are of the Jewish faith or of other religions, continue to express their resentment toward this situation.

To my knowledge, there are about 3 million Jews in the U.S.S.R. They constitute the second largest Jewish community in the world. Although they are recognized as a nationality, they are not given the same rights accorded other recognized nationalities in the Soviet Union.

Despite Soviet assertions of religious freedom, and even though anti-Semitism is listed as a crime in the U.S.S.R., unjustifiable discrimination has been sustained and, apparently, increased. Communists try repeatedly to convince mankind of this doctrine's liberalism in terms of respect for the rights of man. Yet this is the one issue that they defy with the greatest of cynicism.

To Americans, this problem presents one of the most meaningful, and most sympathetically compelling, issues with the Communists; namely, the issue of freedom to practice one's religion and the issue of persecution on the grounds of faith.

News reports tell us that despite Soviet claims of religious freedom, there continues to be ample and grim evidence that the Soviet Government is quietly singling out Jews as a group for discrminating restriction and unjustified punishment. Senator JAVITS has pointed out that Jews and the Jewish religion suffer greater limitations and prohibitions at the hands of the Kremlin than any other religious group in the Soviet Union. Synagogue buildings and seminaries have been padlocked; Jewish cemeteries have been arbitrarily shut down; ritual supplies needed for religious worship cannot be obtained. No Hebrew Bibles or calendars are printed; prayer books are irreplaceable. Means for training rabbis and community workers are inadequate or nonexistent; unlike other religious groups, Jews are not permitted to establish national organizations; Jewish cultural life has been stifled and the once flourishing Yiddish language literature in books, theater, periodicals and newspapers has virtually been wiped out.

As a concerned people, Americans are obliged to speak out when others are oppressed. We do not and will not turn our backs on oppression, whether it exists within our own Nation or in other nations abroad. Since 1840 the United States has protested the persecution of oppressed minorities by foreign governments. Oppression must not be ignored; it must not be dismissed as internal affairs not properly of our concern. For by failing to speak we neglect our duty to mankind.

We have lodged protests and registered our disapproval in a variety of ways. These include direct communication to the governments concerned, recalling U.S. diplomatic representatives for consultation, direct references in the President's annual message to the Congress, termination of a commercial treaty, and the use of indirect action such as joining in multilateral acts of disapproval.

The list of such protests on behalf of Jews is long and honorable. In 1840 the United States condemned the persecution of Jews in Damascus.

In 1870 we urged the Ottoman Government to halt the killing of Jews in Rumania.

In 1877 the United States provided protection to Russian Jews settled in or near Jerusalem, and emphasized that "the sympathy of the United States for all oppressed peoples in foreign countries has been freely manifested in all cases where it could be done in accordance with the spirit of international courtesy and diplomatic usage."

In the next two decades the United States protested no fewer than nine times against the czarist Russian Government's repressive acts and persecution of Jews. These protests, backed by the American people and by resolutions of the Congress culminated in 1911 when President Taft terminated the Treaty of Commerce with Russia which had been in effect since 1832.

The United States has protested discriminatory action against Jews by Rumania, the Austro-Hungarian Empire, Italy, and Poland. The record of U.S. protests to the Nazi government should still be fresh in our minds.

No policy is more firmly fixed in the conduct of U.S. foreign affairs than this moral imperative to come to the aid of oppressed peoples.

Mr. Secretary, I bring these matters to your attention at this time because silence in the face of oppression only inspires increased oppression. The only reaction during the past 6 months has apparently been silenced. This might be justified on the grounds that a major political election absorbed our attention for a short period. But that election is over, and it is time to confront once again the major questions of our time.

Constructive and articulate action is available. I would like to suggest for your consideration two steps which seem to me both reasonable and appropriate.

The first step may seem symbolic but it could have a profound and significant effect both here at home and throughout the free world.

In a few weeks, President Johnson will make his state of the Union address to the Congress. In his remarks on foreign policy, I would humbly suggest that the President seriously consider expressing himself on the specific question of the treatment of Jews in Russia.

I believe that honest comment on this question will receive abundant support from the American people.

As a followup to the President's remarks, I would request that the appropriate steps be taken so that this specific question be referred for review to the United Nations Subcommission on the Prevention of Discrimination and the Protection of Minorities. I am pleased to note that a subcommission has been specifically created to deal with questions of this nature.

Mr. Morris Abram, the American representative to this subcommission, has recently been to Russia and has firsthand knowledge of the situation. I believe he would ably articulate the U.S. attitude on such matters.

Would you kindly inform me as to your reaction to these suggestions and whether or not you would consider them appropriate at this time. Also, what alternative steps are presently under consideration by the State Department, what is being done to bring to this problem the attention and renewed concern which it needs?

Sincerely,

Richard S. Schweiker,
Member of Congress.

Mr. Speaker, I urge that the House act promptly upon measures such as the Schweiker resolutions. I deem it imperative that the people of the United States turn their attention and their action toward elimination of Soviet anti-Semitism. A number of my colleagues are similarly concerned.

HOUSE OF REPRESENTATIVES

Thursday, February 18, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture, I Corinthians 16:13: *Watch ye, stand fast in the faith, quit you like men, be strong.*

Let us pray.

Almighty God, our Creator and gracious Benefactor, at this morning hour, we are centering our thoughts upon the majesty and might of Thy infinite being and divine sovereignty.

May we find ourselves inspired with a longing for greater nobility of character and a sincere desire to be partners with all who are seeking the well-being and welfare of humanity.

Grant that our life may bear clear and compelling witness that we are striving to emulate in character and conduct the Master's spirit of love and good will.

Help us to feel that the time has come when we must give the virtues of justice and righteousness the place of preeminence in all our human relationships.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON PUBLIC WORKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Water Pollution of the Public Works Committee may be permitted to meet this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, has this been cleared? I see no one on the minority side present at the moment.

Mr. BOGGS. It has been cleared with the gentleman from Illinois [Mr. Arends].

Mr. GROSS. What is the purpose of the subcommittee meeting?

Mr. BOGGS. To consider the water pollution bill, and the request is that the subcommittee may sit during general debate. It has been cleared with the minority.

Mr. GROSS. Mr. Speaker, this request may be renewed. I object at this time.

The SPEAKER. The Chair would request the gentleman to withdraw his request for the time being.

Mr. THOMPSON of Louisiana. Mr. Speaker, there are many out-of-town witnesses to be heard on this very important legislation. It is merely a matter of hearing witnesses. No action will be taken other than that today.

May I ask the gentleman if he would please withdraw his objection.

The SPEAKER. The gentleman suggests that the request be renewed in a few minutes.

THE HONORABLE CHARLES A. HALLECK

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, tomorrow will mark a historic day in the records of Hoosiers in Congress.

On that day the gentleman from Indiana, Representative Charles Halleck, will set a new record in longevity for any Member of Congress from the Hoosier State. The record as of today is held by William Steele Holman, who was first elected in 1858 and served 30 years, 1 month, and 18 days. His service was not consecutive, however.

Charlie, as we all know, has been on the firing line continuously since 1935, and has worked in a variety of party leadership positions. His record is truly a remarkable one, for in Indiana we take our politics seriously and it is not easy to survive the political battles there for so many years.

Having thus established a new record, we all wish for Charlie Halleck the opportunity to add many more years to that record.

Incidentally, the Indiana General Assembly is currently considering a problem which I know many of my colleagues have experienced, or are experiencing now. The legislature is wrestling with the problem of congressional redistricting. The Second District, which Charlie has represented so long, may undergo some changes; but I would still bet my money that the 90th Congress will see the name of Charles Abraham Halleck among those representing Indiana.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from Oklahoma.

Mr. ALBERT. This is a very appropriate tribute that is being paid by the gentleman from Indiana to one of the great men in the history of this House. The record of Charlie Halleck speaks for itself; it is a record that speaks in a loud voice about his great achievements and great ability. Charlie Halleck's contributions have been far too many to enumerate and are so well recognized as to make it unnecessary to mention them. On this occasion therefore, it is an act of pleasure and personal gratification to join the Indiana delegation in paying tribute to a great leader of the House, whose friendship I have valued for many years.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I take great pleasure in associating myself with the remarks of my colleague from Indiana. We are indeed proud of the record that our fellow Hoosier Charles A. Halleck has made for his State and his Nation. We share with all Americans the awareness of the capabilities of Charlie Halleck and the dedication he has brought to his service in the Congress of the United States. I wish him many years of continued service here.

Mr. ROUSH. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from Indiana.

Mr. ROUSH. Mr. Speaker, it is axiomatic that records are made to be broken. One particular record is being tied today and will be surpassed within another 24 hours. I refer to the record for tenure of service in this distinguished body by a resident of the State of Indiana.

This record was established in the last century by the late William Steele Holman of Lawrenceburg, Ind., who was the Democratic candidate for a seat in this House in the 36th Congress.

Today his record of 30 years, 1 month, and 19 days in the U.S. House of Representatives will be equaled by the Congressman from Indiana's Second Congressional District, the Honorable Charles Halleck.

It also should be noted that the distinguished gentleman from Rensselaer, Ind., had a decade of service as a public official before he began his service in this House in the 74th Congress. He was first elected to office as prosecuting attorney for the 30th judicial circuit in Indiana the same year he completed his studies at the Indiana University School of Law and was reelected to that post four times.

This has been a record of distinguished service on behalf of the people of our State and our Nation. I am confident that the Hoosier State is a better State and our Nation is a stronger nation because of Congressman Halleck's long and effective representation.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I join with our distinguished majority leader in paying tribute to my good friend Charlie Halleck on completing 30 years of dedicated service to the House of Representatives. Charlie over the years has been most helpful to me. He has been an outstanding leader in the Republican Party during this period of time. All of us who know him respect him. All of us who work with him are grateful to him for his contributions not only to the Republican Party but to the Nation as a whole. I extend to him my personal congratulations for this fine record of service to his congressional district and his State and the Nation.

Mr. HARVEY of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield.

Mr. HARVEY of Indiana. It is difficult to give credit properly to a man of Charlie Halleck's caliber. Certainly one of the most commendable traits that I have observed with regard to Charlie Halleck in his congressional service is that he always has said, "I am a citizen of my country first, a Republican second." I feel quite sure that he in his long years of distinguished service has always placed the good of his country first. For that reason, not only has the State of Indiana been the better for his having served in the Congress but the entire United States is likewise better because of Charlie Halleck's distinguished service. He has been a good and helpful friend of mine and I am sure to most other Members of the Congress as well. I hope he will continue to serve many more years in as distinguished a fashion as he has in the past.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman.

Mr. RONCALIO. Mr. Speaker, in behalf of his many friends in the State of Wyoming, I would like to add my recognition and congratulations to those of my colleagues on this occasion. Charlie Halleck was a great friend of our late Representative Keith Thomson, and has numerous friends in my State.

His record of service over the past 30 years is an example of the highest order to young men of both parties in my State who aspire to a career in the public service. We wish him many happy returns of the day.

U.S. ALLIES SHIPPING TO COMMUNIST NORTH VIETNAM

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, ships from countries the United States counts as allies have been making regular freight runs for the Communists into North Vietnam.

During the last 6 months of 1964 a total of 201 ships flying the flags of our allies have hauled Red cargoes into the ports of North Vietnam. These allied ships continued calling even though Americans were being killed in increasing numbers by the Communist Vietcong.

While ships from Japan, Greece, Norway, Lebanon, Italy, West Germany, and Panama are among the main offenders, 41 percent of the total allied ship traffic into North Vietnam has been under the British flag.

Only last Friday British Prime Minister Harold Wilson personally called the President to voice England's support for United States actions in Vietnam. An end to British shipping into Vietcong territory would further United States positions in Vietnam.

Cries for negotiated settlement of the Vietnamese crisis are now being heard. The crisis would never have reached this pitch but for the support allied shipping has given the Vietcong.

As a member of the House Merchant Marine and Fisheries Committee I urge the State Department to call for a halt to further free world sea trade with the Communists. The time has come to ask our friends to act like friends.

BUSINESS TAXES WILL BE CUT $700 MILLION

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, I cannot quite understand the reasoning behind the President's statement yesterday that business taxes will be cut by $700 million, at the same time the President has repeatedly opposed extending the accelerated public works program.

Why cannot this $700 million tax cut slated for business be applied to a meaningful program which has already demonstrated its success?

Many Members of this body went out to the counties, the towns, the communities in our districts and we showed them how they could raise matching funds for water systems, streets, sewer interceptor lines, parking facilities—none of which are contained in the Appalachian development bill which this House will consider shortly. We urged these communities to get busy and budget or raise the matching funds to improve themselves.

and then the program was choked off with hundreds of millions of dollars worth of unfilled applications on file and ready to go.

Mr. Speaker, we do not have to set up any new bureaucratic machinery to take these projects off the shelf, provide employment, and make these local communities better places to live. The machinery is there, the project applications are in, the local communities have the matching funds—all we have to do is to get started.

I think it is high time that Congress assert itself, express its own will and determination, and if necessary start a little revolution to revive the accelerated public works program. This great coordinate branch of Government should not have to wait 100 percent of the time for a word from the White House.

SUBCOMMITTEE OF THE COMMITTEE ON PUBLIC WORKS

Mr. BOGGS. Mr. Speaker, I renew my request of a few minutes ago, and ask unanimous consent that the subcommittee of the Committee on Public Works may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, the minority members of the Committee on Public Works have communicated with me and indicated they would like to discuss the situation. They are on their way to the floor at the present time. Pending such a discussion, I would have to object to the committee being granted such permission.

Mr. BOGGS. Mr. Speaker, I withdraw my request.

SUBCOMMITTEE ON ACCOUNTS OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I have two requests, if I may have the attention of the minority leader, for committees to sit. I understand that in both cases the requests have been cleared with the minority members on the committee or subcommittee concerned and with the distinguished minority leader.

Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the House Administration Committee may be permitted to sit during the session of the House today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON HOSPITALS OF THE COMMITTEE ON VETERANS' AFFAIRS

Mr. ALBERT. Mr. Speaker, I make the same request, on behalf of the gentleman from Texas [Mr. Teague], that the Subcommittee on Hospitals of the Committee on Veterans' Affairs may be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. BROOMFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 17]

Abbitt
Ashley
Aspinall
Baring
Bell
Betts
Bolling
Bolton
Brademas
Brown, Calif.
Burton, Utah
Cabell
Cameron
Cederberg
Clawson, Del
Colmer
Corman
Derwinski
Diggs
Erlenborn
Everett
Farnsley
Foley
Gonzalez
Grabowski
Gray
Green, Oreg.
Gubser
Hagen, Calif.
Harvey, Mich.
Holland
Hosmer
Jacobs
Johnson, Calif.
Kastenmeier
King, Calif.
King, N.Y.
Leggett
Long, La.
Long, Md.
McDowell
McMillan
Macdonald
MacGregor
Matthews
Monagan
Moorhead
Morse
Nelsen
Nix
O'Brien
Powell
Quillen
Reinecke
Rhodes, Ariz.
Roosevelt
Roudebush
Sisk
Skubitz
Springer
Steed
Sweeney
Toll
Tunney
Udall
Walker, Miss.
White, Idaho
Wilson, Bob
Wilson, Charles H.
Wright

The SPEAKER. On this rollcall 360 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate this afternoon. I might state that this has been cleared with the minority.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SUBCOMMITTEE ON WATER POLLUTION OF THE COMMITTEE ON PUBLIC WORKS

Mr. ALBERT. Mr. Speaker, I renew the request previously made by the gentleman from Louisiana that the subcommittee of the Committee on Public Works considering water pollution may sit while the House is in session and engaged in general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I have consulted with the members of the subcommittee on our side and they feel very strongly that the subcommittee should not meet this afternoon and I would respectfully request the distinguished majority leader to withdraw the request.

Mr. ALBERT. Mr. Speaker, I withdraw the request.

INCREASED U.S. PARTICIPATION IN THE INTER-AMERICAN DEVELOPMENT BANK

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 45, with Mr. Gallagher in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Texas [Mr. Patman] had 1 hour and 45 minutes remaining, and the gentleman from New Jersey [Mr. Widnall] had 1 hour and 46 minutes remaining.

The Chair recognizes the gentleman from Texas [Mr. Patman].

Mr. PATMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Chairman, H.R. 45 asks our vote of confidence in the Alliance for Progress and in one of its major institutions—the Inter-American Development Bank.

The proposal before us amends the Inter-American Bank Act of 1959 to authorize the U.S. Government to vote in favor of a resolution, pending since April 1964 before the Bank's Board of Governors, entitled "Increase of Resources of the Fund for Special Operations." Upon passage of this legislation, and the adoption of the resolution, the United States would agree to pay into the Bank, earmarked for the Fund for Special Operations—FSO—of the Bank, $750 million without fiscal year limitations. Pursuant to appropriations, the United States would contribute $250 million per year to the FSO during fiscal 1965, 1966, and 1967.

The adoption of the resolution before the Bank's Board of Governors calls for an increase equivalent to $900 million in the resources of the Fund for Special Operations. The countries of Latin America are to add $150 million in their own currencies to our $750 million. This means that the expanded Fund for Special Operations will operate for 3 years at a level of $300 million per year. Without replenishment, the Fund will be empty by April 1965.

This will be the only request the Inter-American Bank will make of the U.S. Government for some years to come. In the ordinary capital operations of the Bank, which provides development funds on conventional hard loan terms similar to those of the World Bank, it is able to borrow the funds it needs in the capital markets of the world. This is an indication of the respect in which the Bank is held by private investors.

Nor will the United States continue to make any further contributions to the Social Progress Trust Fund, to which it has contributed $525 million. This Fund was established entirely by the United States for the purpose of making loans on relatively easy repayment terms for limited use in four important areas of social development: Low-cost housing, water supply and sanitation, advanced education, and land resettlement and improved land use. Since mid-1961 the Bank has acted as administrator of the Social Progress Trust Fund—SPTF—on behalf of the United States.

In addition to administering the SPTF, the Bank had a soft loan program of its own, known as the Fund for Special Operations—FSO. The purpose of this Fund has been to make financing possible where, for balance of payments or other reasons, lending on the conventional terms of the ordinary capital operations was not appropriate. The FSO loans are made on relatively easy repayment terms from resources provided by both the United States and the Latin American members of the Bank. In the past the United States has contributed $150 million to this Fund and the Latin Americans the equivalent of $69 million—a total of $219 million.

The proposal now before us would result in combining the two soft loan funds—the FSO and the SPTF—into an expanded FSO. The expanded FSO would provide essential financial assistance on relatively easy repayment terms, where necessary, for high priority projects such as roads, dams, water facilities and industrial development projects, as well as for social programs in the fields of low-income housing, improved land utilization, land resettlement schemes, agricultural credit, water and sewage, and education in technical and managerial skills.

The Alliance for Progress is no longer a dream but a reality. Its record is impressive.

Since 1961, 9 countries have undertaken major tax reform, 12 countries have land reform laws. Every Alliance country has improved its tax system or tax administration, and 10 countries have produced national development plans or sector investment programs. Other country programs are nearing completion.

Fifteen countries have self-help housing programs, and more than 300,000 dwelling units have been completed or are nearing completion. Water supply and sewage systems serving 15 million people have been completed.

More than 75,000 teachers have been trained, nearly 10 million schoolbooks have been circulated, and more than 12 million schoolchildren are participating in school lunch programs. All told, more than 24 million people have been fed in 1964; and nearly 300,000 agricultural credit loans have been extended.

We have been assured by officials of the Department of State and the Treasury, and by our representatives in the Alliance for Progress and the Inter-American Development Bank, that the merger of the Social Progress Trust Fund into the expanded Fund for Special Operations will in no way decrease the emphasis which has heretofore been placed on the importance of the social aspects of development. The first and most obvious reason for combining the FSO and the FSTF is the improvement in administration that will occur. Equally important is that under the SPTF the United States was the only contributor and that, though the other countries benefited, they lacked a feeling of genuine participation and responsibility. This will now be overcome. But probably the most important reason for combining the two funds is that as the Latin American countries move forward in their development, the distinction between social and economic will become more difficult to maintain and will not justify two separate funds. In the future much of that which will have to be done will be both social and economic at the same time. For instance, major efforts must be made to create more job opportunities and to make sure that productivity rises in the new and in the existing jobs. This will be necessary in order to permit the workers in the cities and in the rural areas to earn income adequate to purchase and maintain homes and farms and to pay the necessary taxes for the upkeep of the schools, hospitals, and water and sewage facilities which are built.

The Bank has requested funds to enable the expanded FSO to run for 3 years at a level of $300 million a year. The request has been supported by careful study by the very able Committee for the Alliance for Progress—CIAP—by the program office of the Bank, and by our own Government agencies. The highest level of loan commitments the Bank ever reached from the two soft loan windows was $246.7 million back in 1962, when adequate funds were available to consider all sound projects. Since then the Bank has had to restrain its activity and to stretch out its funds as much as possible. In 1964, it was able to commit only $135.3 million.

With assurance of $300 million per year for 3 years, the expanded FSO should have no difficulty in processing that volume of projects. The U.S. Executive Director of the Bank submitted a statement to our committee which read in part as follows:

> There are several reasons why the Inter-American Development Bank will be able to use effectively the full amount requested:
>
> 1. All the countries of Latin America have drawn up economic and social development plans in which their needs and financial resources are systematically analyzed and priorities are established. These plans in turn will give rise to specific projects and programs, all of which will require complementary external financing if they are to be carried out. Many of such projects are ready and others are now being prepared.
>
> 2. The Alliance for Progress has brought home to the governments of Latin America the absolute necessity of taking steps to raise the standards of living of their peoples if violent social upheavals are to be avoided. Most of them are now convinced of the urgency of action in the social field and are prepared to devote an increasing volume of public resources to it. This greater recognition of the problem will also result in an increased number of loan applications.
>
> 3. The experience which the staff of the Inter-American Development Bank has gained since its inception in 1960 will enable it to undertake projects and programs of larger scope than heretofore. By the same token it will be able to speed up the processing of loans.
>
> 4. Administrative improvements have taken place over the last few years in the Latin American governmental agencies which are responsible for preparing economic and social studies and programs. The capacity of operating agencies in these fields has also been strengthened, thereby increasing their ability to utilize financial assistance.

Mr. Chairman, I should like to point out that the United States, with its 42-percent vote on all projects, has an effective veto, as each project approval requires a two-thirds vote. A careful scrutiny is given each project by the representatives of the U.S. Government.

The proposed expansion of the FSO is to be accomplished with $750 million from the United States and $150 million from the Latin American countries in their own currencies. This is a ratio of 5 to 1. It is a more favorable ratio to the United States than existed previously when one combines the operations of the present FSO and SPTF. The United States provided all the funds available to the Social Progress Trust Fund, $525 million; the Latin American countries, none. To the Fund for Special Operations both the United States and the Latin American countries contributed, the United States $150 million and the other countries $69 million. Thus the Latin American countries contributed $69 million in total, less than 10 percent of the operations of the two soft loan windows of the Bank. To the new merged Fund, the expanded FSO, they are being called upon to contribute $150 million. Thus they will be contributing twice as much on an overall basis as they did formerly.

Concentrating, however, merely on the ratio between the United States and the Latin American contributions to the Bank can be very misleading. The real comparison comes when one considers the total cost of the projects that the Bank makes possible, and when one realizes that the Bank pays on the average only a little more than 44 percent of that cost. The remainder is paid by the sponsors of the project. And of the 44 percent the Bank provides, about 10 percent has come from the contribution which the local government made to the Bank. In the future 16 percent will come from the local government's share in the expanded FSO.

If one analyzes the past, when the local government provided only 10 percent of the Bank's share, the figures are surprising. Through December 31, 1964, the Bank made possible, through its two soft loan windows, $1,400 million in projects, of which the Bank's share in the cost was $621 million. Of that latter figure $569 million was provided by the United States. The total of other contributions—the remainder—was $830 million. That is 60 percent of the cost of the projects. Thus it is proper to say that in the past, through its contributions to the two soft loan windows of the Bank, the United States paid 40 percent of the cost of the projects which it approved.

What will be the effect on our balance of payments of this proposed contribution of $250 million per year to the expanded FSO? The answer is: practically none. Of all our aid programs, the IADB most effectively protects our payments position.

Under the rules of the Bank, all the funds contributed by the United States will be restricted to purchases of material here in the United States or in the Latin American countries. Whenever currencies are used for local purposes, a letter of credit will be set up. Our dollars will be put into that letter of credit account, and will be used only for payment of exports from the United States.

Neither the dollars to pay for goods and services produced in the United States, nor those used to finance the payment for goods and services in the country where the project is located, ever leave the United States. Even when the dollars are used to acquire currency for local financing, the dollars are made available through a special letter of credit which may be drawn on only for purchases in the United States of goods for export. The dollars are paid to the U.S. suppliers.

The sole exception to this protection of dollars comes when the country of the project chooses to buy some of what the project needs in another member country. In such cases, the third country is as likely to use the dollars it earns to buy from the United States as it is from Western Europe. Less than 10 percent of the dollars made available find their way to third Latin American countries. Of that, no more than half is likely to be used for purchases in countries that might be in a position to call upon the United States to make redemption in gold.

Thus, some 95 percent of the $250 million will be used directly or indirectly to purchase goods and services in the United States. No more than 5 percent of the dollars might find their way into the hands of countries who would be in a position, because of the excess of dollars they hold, to call upon us for payments in gold. That 5 percent is equal to only $12,500,000 per year. That possible leakage is certainly not enough to turn us away from our declared task of helping to develop healthy neighbors for ourselves in Latin America. To save those $12.5 million of free dollars from getting into the wrong hands, we would have to cut our assistance to Latin America by $250 million and our exports of American goods and services by $237.5 million. Now is no time for us to forsake the Alliance for Progress.

Eighteen of the nineteen members of the alliance have ratified this agreement. Let us add the approval of the United States.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. REUSS. Yes. I am glad to yield to the gentleman from North Carolina.

Mr. JONAS. I have listened with interest to the comment of the gentleman from Wisconsin. I am a little confused because I read on page 3 of the report that the Fund for Special Operations which is involved here—am I correct in that—is a fund out of which easy loans are made bearing a low rate of interest and providing for maturities over a period of 20 to 30 years. Did I misunderstand the gentleman, or did he intend to say to the committee, that most of this capital, which will be paid into this Fund—the additional $900 million, $750 million from us and $150 million from the other participating countries—that those loans will all be used to purchase goods in the United States?

Mr. REUSS. That is correct. Yes; the gentleman understood the gentleman from Wisconsin correctly. This is true, and it is what makes it such an extremely favorable arrangement for the United States. We have been able to insert right into the basic law, into the charter of the Inter-American Development Bank, a firm agreement which has been, and which will be, religiously adhered to, that all goods purchased under this loan program must be U.S. goods.

Mr. JONAS. Now, do the loans all involve purchase of goods? I thought this Fund is used to make loans for economic and social development and this of course does not at all involve the purchase of consumer goods but involves the use of money in the borrowing countries.

Mr. REUSS. The gentleman is exactly right. Let me explain how it works, and I appreciate this opportunity to do so. Let us take a public works project in, let us say, Chile. The equipment for that public works project, the generator and the turbines and the steel, would all have to be purchased in the United States. It could not be purchased in Europe or Japan or anyplace else.

But, as the gentleman correctly points out, the total cost of such a project involves additional items to straight imports. It involves, for instance, labor on the project. This is how this is taken care of. For every dollar we give to supporting a local cost such as labor on the project, we issue a letter of credit which is usable only in the United States, so that we assure not only that the dollars will actually buy physical goods in the first instance in the United States, such as turbines and generators, but also that the dollars used for so-called local currency costs are also the subject of procurement in the United States. The significant thing, I point out to the gentleman from North Carolina, is that the United States traditionally, and happily for us, runs a huge trade surplus with Latin America. Dollars are very scarce. Equally true, Latin America today itself runs a trade surplus with western Europe. Europe has a deficit with Latin America. This means that Latin America is so desperately in need of dollars that when we give them the high privilege of using this letter of credit to buy dollar goods in America, they jump at the chance because they are laboring under a big dollar deficit.

So it is literally true, as the gentleman from Wisconsin said a moment ago, that the tying of goods to achieve a favorable balance-of-payments effect in connection with this Inter-American Development Bank program is the best and most successful that we do anywhere in our program.

Mr. JONAS. Mr. Chairman, may I ask the gentleman another question?

Mr. REUSS. Of course.

Mr. JONAS. Our payments of additional capital—that is what this is?

Mr. REUSS. That is correct.

Mr. JONAS. Is it payable in gold?

Mr. REUSS. It is in no way payable in gold. It is payable in a dollar IOU which we give, if Congress agrees, to the Inter-American Development Bank and this, then, is the subject of procurement in the United States. So what it means in effect is that the United States Government writes a check to a manufacturing corporation in North Carolina to validate an order which it has received from Latin America.

Mr. JONAS. I ask that question because I read on page 1 of the report which was circulated just yesterday, that the callable capital is payable in gold. This would not be similar to the callable capital?

Mr. REUSS. No, sir; this is entirely a dollar contribution. Callable capital is in no way involved in this legislation.

Mr. JONAS. I thank the gentleman. However, I point out in the "Summary of Activities" issued by the Bank as of December 31, 1964, states on page 1 that the United States is "scheduled to subscribe an additional $205,880,000 to the callable capital during the current calendar year."

Mr. REUSS. As is indicated in hearings, page 205, the likelihood of this subscription's being called is remote.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Tennessee.

Mr. BROCK. Perhaps I misunderstood the gentleman, but I thought I heard him say that we had a favorable balance with Latin America. I believe the gentleman will find that in 1963 our exports to Latin America were $3.1 billion and our imports were in the amount of $3.5 billion, so we had an unfavorable balance in the amount of $400 million.

Mr. REUSS. For that year take Venezuela out. That was almost entirely due to Venezuelan oil imports; take Venezuela out of it.

Mr. BROCK. If I may follow my thought further, Venezuela is in Latin America, it is a participant under this bank, and the same situation existed in 1962 when we had exports of $3.2 billion, imports of $3.4 billion, and thus an unfavorable balance of $200 million.

Mr. REUSS. Take Venezuela and its oil imports out; as to the other 19 countries we enjoy a very favorable trade balance with them and equally Europe enjoys, or does not enjoy, a trade deficit with them.

Mr. Chairman, I include at this point a part of the committee report:

Increased U.S. Participation in the Inter-American Development Bank

The Committee on Banking and Currency, to whom was referred the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, having considered the same, report favorably thereon with an amendment and recommend that the bill, as amended, do pass.

The amendment is as follows:

On the first page, strike out line 3 and all that follows down through page 2, line 3, and insert in lieu thereof the following:

That the Inter-American Development Bank Act

1. PURPOSE OF THE BILL

United States participation in the Inter-American Development Bank (hereafter referred to as the "Bank") was authorized in the Inter-American Development Bank Act of 1959. This bill amends the act to authorize the U.S. Governor of the Bank to vote in favor of the resolution entitled "Increase of Resources of the Fund for Special Operations." Upon passage of this legislation, and adoption of the resolution, the United States would agree to pay into the Bank, earmarked for the Fund for Special Operations (FSO) of the Bank, $750 million—without fiscal year limitations. Pursuant to appropriations, the United States would contribute $250 million per year to the expanded FSO during fiscal 1965, 1966, and 1967. Following the appropriation by Congress of each year's installment, the annual U.S. contribution would be made in the form of a letter of credit. This procedure will prevail so as to bring U.S. budgetary expenditures for the program more closely into line with actual use of the funds by the FSO. In total, adoption of the resolution would call for an increase equivalent to $900 million in the resources of the Fund for Special Operations—$150 million equivalent to be provided by the Latin American participants in the Bank over the same 3-year period.

2. THE PRESIDENT'S MESSAGE ON FOREIGN AID

In the message from the President of the United States relative to foreign aid, January 14, 1965, the President had the following to say about the Inter-American Development Bank:

"To strengthen multinational aid, and further to strengthen the Alliance for Progress, I urge the Congress promptly to approve the 3-year authorization of $750 million which constitutes the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank."

3. BACKGROUND

The Bank was created by the members of the Organization of American States. Its official existence dates from December 30, 1959. The main purpose of the Bank is to assist in accelerating economic and social development in the Latin American Republics by providing capital, technical assistance, and encouraging private investment in development projects. Since its creation, the Bank has become the banking instrument of the Alliance for Progress program.

The Bank has to date operated with the use of three separate and distinct funds:

1. The first of these, the ordinary capital fund, provides development funds on conventional terms in much the same way as does the International Bank for Reconstruction and Development (World Bank). The ordinary capital fund began its operations with subscriptions from member countries of the Bank but now also obtains funds for this account from private financial markets in various parts of the world.

It is to the Bank's credit that in the short period since its existence it has become recognized as a prudent investment by private investors not only in the United States but in Western Europe. Between 1962 and 1964 it has issued bonds in the amount of $272.6 million. Three of these issues were made in the United States and one each in Italy, Germany, and England. The Bank's securities are legal investments for all U.S. National and State member banks of the Federal Reserve System, for other commercial banks in 47 States and the District of Columbia, and in general the Bank's securities are legal investments for most other types of financial institutions in most of the States in the country.

2. The second fund is the Bank's Fund for Special Operations (FSO). The purpose of this fund is to offer financing where, for balance of payments or other reasons, lending on conventional terms is not appropriate. The FSO loans are made on relatively easy repayment terms entirely from resources provided by the United States and Latin American members of the Bank.

3. Since mid-1961 the Bank has acted as an administrator of the Social Progress Trust Fund (SPTF). This is the Bank's third fund. This fund amounts to $525 million, all of which has been provided by the United States. Loans from the SPTF are repayable on relatively easy terms and are limited to the four important areas of social development; namely, water supply and sanitation, advanced education, housing, and land settlement and improved land use.

4. OPERATIONS OF THE IDB

Since its first loan in early 1961, the IDB has committed over $1 billion for high priority economic and social development purposes in Latin America. Cuba cannot receive IDB loans because it is not a member of the Bank nor is it eligible to become a member.

In serving as the "Bank of the Alliance," the IDB has operated through three "windows" (the latter two of which would be combined in effect under the present proposal):

"Ordinary capital, from which are made loans on hard terms similar to loans of the World Bank. Ordinarily capital resources consist of $382 million of subscriptions by the Bank's member governments—including $150 million from the United States—payable half in dollars and half in national currencies, and of funds borrowed by the Bank in private financial markets. These latter funds currently total $273 million, and are obtained under the umbrella of a guarantee in the form of further callable capital subscriptions of governments. Through December 31, 1964, 108 loans amounting to $545 million had been made from ordinary capital in 17 Latin American countries.

"Fund for Special Operations, from which are made loans for economic and social development on easy repayment terms; i.e., 4 percent interest, repayment either in the currency lent or in the currency of the borrower, maturities of 20 to 30 years. The FSO's resources consist of $219 million contributed by governments—$150 million from the United States. Of this amount, $171 million had been committed on 51 loans in Latin America by December 31, 1964.

"Social Progress Trust Fund, from which are made loans in four specified fields of housing, water and sanitation facilities, education and land use, on terms calling for repayment in local currencies over periods up to 30 years with interest and charges amounting to 2 to 3½ percent, including a service charge of three-fourths of 1 percent in dollars. The capital of the SPTF was provided entirely by the United States, and totals $525 million. Through December 31, 1964, 102 loan commitments had been made from the SPTF for $450 million."

Thus, out of the combined existing recourses of $755 million of the FSO and SPTF, $621 million has already been committed, leaving a balance available of $123 million in various currencies. Of the dollar portion of the exisitng combined resources, only about $80 million is effectively available for new loan commitments. In terms of the projected dollar lending rate for the expanded FSO, this balance would permit continued operations only through April of this year.

The Bank further estimates a projected annual lending rate in the future of the equivalent of $300 million. This accounts for the current request under consideration—a U.S. contribution to the FSO account of in effect $250 million per year over the next 3 years with an equivalent amount of $50 million per year to be provided by the Latin American member countries.

5. PROPOSED CONSOLIDATION OF THE SPTF AND FSO ACCOUNTS

The effect of this legislation authorizing U.S. approval of the proposed resolution mentioned above will provide for agreement by the United States and other country participants to consolidate the SPTF and FSO accounts. The reason behind this desire as stated by the Secretary of the Treasury is as follows:

"After approximately 2 years of operations with its three windows, the IDB's Board of Governors concluded that the Bank had reached a point in its development at which it would be appropriate to consider the simplification and strengthening of its structure. Moreover, it was evident that the scope and importance of the financing operations carried on by the Bank on an easy repayment basis would soon require major additions to the amount of capital available for these purposes. Accordingly, at the fourth annual meeting in Caracas, Venezuela, in April 1963, the Governors asked the Executive Directors to prepare a study of the future relationships of the FSO to other activities of the Bank and also of the sufficiency of the Fund's resources.

"The study occupied about a year, and at the annual meeting held in Panama this past April, the Executive Directors reported to the Governors recommending an expansion of the resources of the FSO and a broadening of its functions to include those previously carried on by the SPTF. The recommendation assumed that, concurrent with the expansion of the FSO, the United States would discontinue further contributions to the SPTF. I have made it clear to the other Governors that this would in fact be the case. Thus, the Bank's existing three windows would be reduced to two. One—the ordinary capital, obtaining its funds in the private capital markets—would make loans on conventional repayment terms; the other—the FSO, obtaining its funds from member contributions—would make loans on easy repayment terms. This arrangement would be quite similar to that of the World Bank and IDA.

"The advantage of such a consolidation of functions within the Bank is readily apparent. Administration will be more efficient and economical. The pattern of loan terms offered by the Bank will be more uniform, and the countries borrowing from the Bank will find that loan procedures are simpler and more understandable. From the U.S. point of view, the expansion of the FSO to include the functions of the SPTF—and the termination of further contributions to the SPTF—means that funds hitherto provided entirely by the United States will hereafter be provided in part by the Latin American countries."

6. IMPORTANCE OF MAINTAINING THE AIMS OF THE SOCIAL PROGRESS TRUST FUND

The committee, while agreeing that greater efficiencies would be achieved by consolidating the FSO and SPTF, believe that the SPTF objectives should in no way be submerged or diminished under the new proposed operation of the Bank.

All Government witnesses gave complete assurances that that would not be the case. The Assistant Secretary of State for Inter-American Affairs and the U.S. Coordinator for the Alliance for Progress, the Honorable Thomas C. Mann, stated to the committee:

"The proposed merger of the Fund for Special Operations and the Social Progress Trust Fund will not mean that the attention of either the United States or the Latin Americans is going to shift from housing, water supply, education, and agriculture. We expect these will remain priority areas of development programing."

Further, the Acting Secretary of State, the Honorable George W. Ball, made this remark on this point:

"With the increased resources made available by the proposed bill the Fund for Special Operations would undertake not only its present form of lending; it would also finance projects now financed from the Social Progress Trust Fund. These projects are in the areas of social development, water supply, and sanitation; advanced education; housing and land settlement; and improved land use."

Finally, Secretary of the Treasury and the U.S. Governor of the Bank, the Honorable Douglas Dillon, took this position with the committee:

"The operations of the expanded FSO will follow closely many of the patterns and practices successfully established in the past by the separate operations of the FSO and the SPTF. The expanded FSO will continue to provide essential financial assistance for high-priority development projects in the economies of the Latin American members of the IDB. The type of projects which will be financed include—in addition to such basic projects as roads, dams, water facilities, and industrial development projects—programs in the fields of low-income housing, improved land utilization, land settlement schemes, and agricultural credit programs. It is also expected that the Bank through the FSO will furnish assistance for the expansion of higher education facilities in Latin America by making loans to provide for the construction and equipment of facilities at universities and technical institutions. These loans will provide training in the technical and managerial skills so desperately needed if Latin America is to achieve meaningful development of its society and resources. Technical assistance loans and the financing of studies of basic sectors of the economy will also be provided."

To reiterate, in agreeing to a consolidation of the two funds (FSO and SPTF), it is the intent of the Banking and Currency Committee that the objectives of the Social Progress Trust Fund shall continue to be served. The committee emphasizes that, in proposing the Alliance for Progress on March 31, 1961, President Kennedy called for "a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools."

7. ADVANTAGES OF COMBINING THE FSO AND THE SPTF

The witnesses who appeared before the committee made a persuasive case for combining the FSO and the SPTF. The first and most obvious reason is the improvement in administration that will result. Equally important is that under the SPTF the United States was the only contributor to a very important field of activity. The countries of Latin America had no sense of participation and no responsibility. The Bank administered the Fund on behalf of the United States. This will change when the FSO and SPTF are combined and the Latin American countries make substantial contributions to the joint Fund.

Probably the most important reason for combining the two Funds is that as the countries move forward in their development, the distinction between social and economic will become more difficult to see.

As Mr. Mann, Assistant Secretary of State, pointed out:

"In the years ahead social and economic progress must move forward together. There cannot be one without the other. Let me put this problem in more graphic terms. If a man is to have a better life, he needs a better home, a sanitary water supply, and good health facilities—but he also needs a job. Under the Alliance, we can and do build houses, sewer systems, and hospitals, but if the people using them do not have jobs—either because the jobs do not exist or the people are not qualified—then we have gone only part of the way along the road. What we are seeking is the balance in our assistance programs which is necessary for the kind of social, economic, and political development called for by the Charter of Punta del Este."

The implications are that in the future much will have to be done which is both social and economic at the same time. As pointed out a major effort must be made to create more jobs and to make sure that the workers on the new and the existing jobs are productive enough to earn sufficient income to purchase and maintain homes, and to pay the taxes necessary to maintain the schools, hospitals, and water and sewage facilities which are built.

The committee heard persuasive testimony on the need for action in fields such as cooperative housing and research and education in agriculture. It commends to the Bank careful consideration of the suggestions made.

The committee also recommends that the Bank adopt flexible policies in regard to interest rates and terms of repayment, taking into account the nature of the project and the capacity of the country to repay. Some of the previous SPTF type projects may still require low interest rates and long periods of repayment to make them possible. On the other hand, some countries may be able and willing to repay part of the principal and interest on some of their projects in dollars rather than in local currency.

8. U.S. BALANCE OF PAYMENTS

In recognition of the present serious balance-of-payments opposition of the United States, the committee gave this question its close scrutiny.

In the past, funds contributed to the FSO were made available to borrowers for procurement on a worldwide basis, as permitted by the Bank's articles of agreement. In the SPTF, however, special arrangements were worked out by the executive branch with the Bank which, with limited exceptions, tied all dollars made available to SPTF to purchases in the United States. This will now be done with the $750 million for the expanded FSO. Under the new proposal, the entire contribution of the United States to the expanded FSO would be regarded as a national currency contribution governed by the provisions of article V, section 1(c) of the articles of agreement. These provisions permit the United States to tie its contribution to the purchase of goods and services produced here.

As soon as the U.S. contribution is made, the United States will take full advantage of the provision of article V, section 1(c) thus applying to the new funds the same procedure as is now applicable to the SPTF. Under it, the U.S. contribution may be used only for expenditures in the United States or in the borrowing country. When funds are used to acquire currency for local financing, the dollars are made available through a special letter of credit which may be drawn on only for purchases in the United States. Secretary Dillon, in the following response to a question, assured the committee that the impact of the contribution on the U.S. balance of payments will be minimal:

"Secretary DILLON. This should have very little effect [on our balance of payments] because under the rules of the Bank and arrangements that apply, all the funds contributed by the United States will be restricted to purchases of material here in the United States or in the country to which the loan is made, and under exceptional circumstances, possibly in other Latin American countries. Whenever currencies are used for local purposes, a letter of credit will be set up, and the dollars will be put into that letter of credit account and will be used only for payment of exports from the United States. So the general impression is that about close to 90 percent, well over 80 percent of these funds, will eventually be spent in the United States."

9. THE LEVEL OF THE REQUEST

The committee carefully questioned the Government witnesses on the level of the request for new funds, $750 million for the fiscal years 1965, 1966, and 1967 from the United States and $150 million in their own currencies, from the Latin American countries. It satisfied itself that the request was sound.

The request for the expanded FSO exceeds the amounts that were committed in previous years by the FSO and the SPTF, which are hereafter to be merged. The Secretary of the Treasury testified on the past combined lending volume of the two funds:

"In 1961, which was the first year of operations, it was $159.3 million. In 1962 when more funds were available, it amounted to $246.7 million. In 1963, when the Bank temporarily ran out of funds in this area due to delays in appropriations—the appropriation was not made until the beginning of 1964 for 1963—this fell sharply to $79.6 million. In 1964 it built up again, although once again the appropriation we are talking about was not made when it was expected. The funds were not available on the 31st of December as expected so they had to delay and stretch out their funds as much as they could, so the total grew to $135.3 million in 1964."

Thus the operations of the two soft loan windows of the Bank were limited by the shortage of funds and their irregular availability. With $300 million available per year for 3 years, the witnesses were convinced that the expanded FSO would have no difficulty in processing that volume of projects. Similarly the countries, which have now learned how to develop sound projects and applications are now able to present to the Bank a more than adequate volume of acceptable projects from which it could choose those which best accomplish the purposes of the Alliance for Progress. The Secretary of the Treasury stated:

"There is no doubt at all, based on the projects that come into the Bank, that they can process, and process successfully, a volume of about $300 million a year if they know they have those funds available and if they are not given them on an irregular basis."

10. THE RATIO OF THE U.S. CONTRIBUTION

The proposed expansion of the FSO is to be accomplished with $750 million from the United States and $150 million from the Latin

American countries in their own currencies. This is a ratio of 5 to 1.

The committee scrutinized this ratio and found it reasonable. It is a more favorable ratio to the United States than existed previously when one considers the present FSO and SPTF together. The United States provided all the funds, the $525 million, available for the Social Progress Trust Fund. There was no contribution from the Latin American countries for this very important aspect of the Bank's work. There will be in the future in the merged operation.

To the Fund for Special Operations the Latin American countries made proportionately a substantial contribution of nearly one-third—$69 million out of $219 million. The FSO, however, is a much smaller fund than the SPTF and the ratio drops markedly when the funds are combined. The Secretary of the Treasury analyzed the past combined and the future contributions as follows:

"The Latin American countries have contributed a total of $69 million or somewhat less than 10 percent. This time they are contributing $150 million out of $900 million, or something like 16 percent. They are contributing more than twice as much on an overall basis as they did in the past."

11. U.S. INFLUENCE ON FSO POLICY

The proposed expansion of the FSO represents a significant increase in the amount of U.S. development assistance to Latin America which is channeled through multilateral institutions. Although the IDB acted as administrator of $525 million of U.S. resources constituting the SPTF, it did so in accordance with a specific bilateral agreement with the United States which specified the policies applicable to the use of the funds. The new resources of $250 million per year for 3 years, in contrast, will be made available as part of the capital structure of the Bank. The committee took pains to assure itself that the policy interests of the United States would be adequately safeguarded in the administration of the new money.

Like the other major international financial institutions, the Inter-American Bank operates in the principle of weighted voting by its member governments. The United States is represented in the Bank by the Secretary of the Treasury and U.S. Governor and by a U.S.-appointed Executive Director on the eight-man Board of Directors. These officials cast a weighted vote which is proportioned to the U.S. subscription to the Bank's capital. The U.S. share of the total vote is 41.8 percent. In the FSO, all votes on operational matters require a two-thirds majority. It is thus immediately apparent that, should the necessity arise, the United States would be in a position to veto any proposed action that ran counter to an important U.S. policy interest. It is also the case that, even in the absence of formal voting, as the major contributor the policy role of the United States in the Bank's affairs is an important one.

The U.S. representatives in the Bank are guided in the positions they take by the advice of the National Advisory Council on International Monetary and Financial Problems, a Cabinet-level committee created by the Congress in 1945 and chaired by the Secretary of the Treasury. The Council keeps under review U.S. participation in the Bank; it has specifically reviewed the present proposal and forwarded to the Congress a unanimous report favoring this legislation. There is excellent day-to-day contact at the technical level between the Bank staff, located here in Washington, and the Agency for International Development, the Export-Import Bank, and the World Bank.

Members of this committee have served on the U.S. delegations to the annual meetings of the governors of the Bank and the liaison between the executive branch and the Congress with respect to Bank policies is entirely satisfactory. The committee is therefore satisfied that the institutional arrangements for voting within the Bank are adequate to insure the protection of U.S. policy interests and that the relationships within the U.S. Government and between it and the Bank tend to promote a consensus of policy which is aimed at the achievement of Alliance goals.

12. MAINTENANCE OF VALUE

During the hearings on H.R. 45 concern was expressed over the maintenance of value of the loans to be made under the expanded Fund for Special Operations. Section 4.07 of the Social Progress Trust Fund Agreement provides that loans made from this fund may be repayable in the currencies of the borrower. All loans of dollars, the agreement states, are to be denominated in dollars and the administrator of the Fund is to insure that repayments by the borrower are equivalent in value to the dollar-denominated amount due.

Government witnesses stated that a maintenance of value clause would still prevail under the new consolidated arrangement since article 5, section 3 of the agreement establishing the Inter-American Development Bank expressly provides for a maintenance of value clause on loans made from the Fund for Special Operations. The specific language in this instance is as follows:

"Whenever the par value in the International Monetary Fund of a member's currency is reduced or the foreign exchange value of a member's currency has, in the opinion of the Bank, depreciated to a significant extent, the member shall pay to the Bank within a reasonable time an additional amount of its own currency sufficient to maintain the value of all the currency of the member held by the Bank in its ordinary capital resources, or in resources of the Fund, excepting currency derived from borrowings by the Bank. The standard of value for this purpose shall be the U.S. dollar of the weight and fineness in effect on January 1, 1959."

This point was further stressed during the hearings on H.R. 45 in answer to several direct questions on the maintenance of value provision of loans made by the Bank both under existing arrangements, and under the new situation assuming favorable action on the legislation.

At one point the Secretary of the Treasury, the Honorable Douglas Dillon, stated that part of the loan contract between the Bank and a borrower is a maintenance of value clause, "* * * so the repayment in local currency has to be of local currency that is equivalent to the value of the local currency in dollars, the value of the local currency that was originally loaned."

13. CONTRIBUTIONS OF OTHER DEVELOPED COUNTRIES

The committee inquired into the steps being taken to accelerate the contribution made by other advanced countries to Latin American development. The committee welcomed the information that the Bank is continuing its active efforts, to borrow in European capital markets. Bonds have been successfully placed in Italy, Germany, and the United Kingdom, and a Swiss issue appears to be in the offing. In addition to the Bank's own efforts, the executive branch is making every effort in bilateral contacts with other capital exporting countries to encourage a greater flow of development funds to Latin America. The committee believes that these important moves are in the right direction, and cannot help but contribute to a lessening of the overall burden on the United States.

Recently the Canadian Government entered into an agreement with the Inter-American Development Bank under which Canada will make available up to Can$10 million to finance economic, technical, and educational assistance projects in Latin America. Other developed countries in Western Europe and elsewhere should be urged to participate in the activities of the Inter-American Development Bank. It should be to the interest of those countries to develop their presence in Latin America.

At this time, both the United States and Canada find it necessary to tie their contributions to procurement in their own countries. This limitation should be discontinued as soon as balance-of-payments problems are resolved. Some of the other developed countries may also have to limit purchasing to their home markets in order to be able to participate effectively in the program for Latin America. Others, because of more favorable payments conditions, should be able to make commitments which are not restricted.

14. MAXIMIZING LOCAL CONTRIBUTION TO PROJECTS

The committee notes and commends the efforts of the Bank to conserve its funds by maximizing local contributions to its projects. The practice of the Bank in negotiating with prospective borrowers is to obtain the highest possible level of local support. Local financial participation in SPTF projects has been about 50 percent of the total cost of these projects. In some cases, depending upon the condition of the country and the nature of the project, local participation has amounted to almost 70 percent of the cost of the project. In a few cases, a low contribution has had to be accepted, again due to local circumstances.

SPTF loans have generally been made in dollars. Directly or indirectly these dollars have returned to the United States. In some fields of activity, such as advanced education, a high percentage of the SPTF loans is used for U.S. procurement of specialized equipment; in other fields, such as agricultural development, the proportion of the loan used for direct U.S. procurement may be small. In all cases, however, even though dollars may be used for local costs, the letter of credit procedure assures the ultimate return of dollars to the United States.

It should be noted, however, that under the trust agreement with the United States, the dollars required for direct procurement must be used in the United States, or in another Bank member country. This latter provision, which permits dollar purchases in third countries, is of the greatest psychological benefit, and is tangible evidence to the Latin Americans of the intent of the United States to promote intraregional trade and development.

The Bank is urged to continue its efforts to maximize local contributions to projects, in particular where dollars might have to be used to purchase local currency.

15. ENCOURAGING TRADE AMONG LATIN AMERICAN COUNTRIES

The committee recommends that the Bank also use its capacity to make loans in Latin American currencies to encourage countries to buy from each other materials and equipment they need for the projects the Bank finances. Latin American countries have traditionally purchased practically all their requirements from distant countries in Western Europe and North America. There has been very little trade among themselves. With the growth of industrial complexes in many countries, Latin America should supply an increasing share of its own growing import needs. The Bank, however, should draw upon the resources of the third country only when that country has an unused capacity to supply the proposed export, and when the export could not otherwise be arranged on commercial terms.

16. IMPROVED PLANNING FUNCTIONS IN THE ALLIANCE FOR PROGRESS. THE CIAP AND THE PROGRAM OFFICE

The committee was impressed with the improvement in the planning functions of the Alliance and of the Bank. A major purpose of this planning function is to clarify for each country what self-help is necessary on its part and what projects financed by the Bank would assist it to help itself. The recently established Inter-American Committee for the Alliance for Progress (CIAP) provides the institutional framework within which the basic problems of the several countries of Latin America can be carefully considered. On the Bank's side this function is performed by a new program office. In answer to a question on the formula, if any, used to divide the Bank's funds among the countries of Latin America, the Secretary of the Treasury replied:

"That situation has been greatly strengthened recently by the formation of * * * CIAP, * * * the Inter-American Committee for the Alliance for Progress, which was formed a year ago and which studies carefully the development program of each country and comments on these programs and helps them make coherent development programs.

"Now the Bank, * * * looking toward this expanded operation of the FSO, * * * set up last spring a new programing office with an officer who is an American citizen, * * * as a special assistant to the President of the Bank, which does keep close contact with our AID administration and with this Inter-American Committee for the Alliance for Progress, to make sure that loans are not just made on a first come, first served basis, but rather in accord with a basic program which fits the development needs of each country.

"Now the Bank does give extra weight to countries that are taking measures, the proper measures of self-help, that have a sound program. That kind of country will receive a somewhat larger proportion of loans than another member country that is not taking those sorts of steps. I think that is only proper.

"But, in general, looking at the record of the Bank, you can see that there is no overconcentration, that all the member countries have received some help from the Bank, and where the amounts are slightly larger than the average, it is in countries that have done the most in the way of self-help and have had the most worthwhile projects."

The Assistant Secretary of State and the U.S. Coordinator for the Alliance for Progress elaborated on the planning functions of the Alliance and the Bank.

"In determining whether a country is making the maximum effort toward helping itself, there is not any rule of thumb that can be applied because the problems and situations vary greatly from country to country.

"In general we look at their fiscal policies to see whether they have the right tax system, whether they are doing a good job on tax collections, as good as can be expected, assuming maximum effort and good faith on the part of the government concerned. We look at the whole social spectrum. We look at exchange problems, exchange policies, to see whether they are losing money by supporting, for example, an unrealistic rate of exchange. We look at their budgetary deficits to see why those deficits exist, and where we find that government-owned enterprise—because of featherbedding or other types of problems—are running large deficits, we urge the governments to eliminate this, and indeed, in the case of Brazil and Chile, the whole spectrum is looked at, and in relation to the Bank this is precisely the reason we set up the program office.

"In the beginning I think perhaps there was too much attention given to whether a project was a good one, whether it was a viable project, and not enough attention to whether the country concerned was making its maximum contribution to the total effort of development and social progress."

17. TECHNICAL AMENDMENT

The bill as reported by the committee was amended upon request of the Treasury Department to delete certain of the language contained in the bill as originally introduced. The language is no longer necessary and might be construed as denying to the United States the important privilege of issuing letters of credit with respect to its increased participation in the Fund for Special Operations.

18. CONCLUSIONS

The committee is convinced that the Alliance for Progress has now matured into an effective operation. The Bank is playing a very successful role. The earlier criticisms of the Alliance and the Bank have died down and favorable expectations prevail.

For the Alliance for Progress to continue along the difficult road ahead, the Bank must be able to maintain its operations. By the end of April its resources for soft loans will be exhausted and unless this bill is approved in time the forward movement must come to a halt. All but one Latin American country has approved the expanded FSO and promised its quota of funds. All that remains necessary is action by the United States.

The committee urges the early passage of H.R. 45.

Mr. WIDNALL. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, to say that I am disappointed with this authorization bill now before us and being considered by this body is putting it very mildly. It is very difficult for me to understand this administration's position in supporting this type of legislation in view of the serious crises we are confronted with in our balance-of-payments situation. Only last week all of us here in this House had the opportunity to listen to the economic message of the President of the United States to the Congress, expressing the President's great concern with this terrible problem and urging the Members of Congress to do something about it. And so here today what we are attempting to do is to completely ignore the President. We ignore the crisis and come out here asking the Members of this body to vote for a three-quarter-of-a-billion-dollar giveaway program.

Mr. Chairman, let me say quite bluntly that under the present crisis we cannot afford to give the Inter-American Development Bank the $750 million over the next 3 years. We cannot afford to do it if we are serious, if we are concerned and if we are disturbed over the balance-of-payments deficits that keep on cutting into our gold supply.

Mr. Chairman, let me make my position crystal clear. I am not opposed to fiancial aid for Latin America and South America. Far from it. But I am opposed to the idea of disguising an aid program as a loan program. That is exactly what we have here today. This is an aid program. The administration has turned the Fund for Special Operations—and this is the fund for which the authorization is being sought, a revolving fund. All this means is that we will get very little if any of this money back.

Mr. Chairman, during the course of the hearings on this bill I was concerned, as all of you would be, about the taxpayers' dollars leaving this country and the probabilities and the expectabilities of that money coming back. I asked Mr. Dillon if it would come back. The question was—and this is my question to Mr. Dillon:

But it will not come back into the pockets of the U.S. taxpayers?

And Mr. Dillon says:

Oh, no; certainly it will not until such time as the Bank has achieved its end objectives and there is no further development needed. And then—

And this is important:

And then if and when the Bank is liquidated original contributors to the Bank will get the resources back again.

And I asked:

If any are left?

Mr. DILLON. If there is any at that time.

Mr. Chairman, all this means, as I have indicated from the testimony, is that we will probably not get back any of this money.

This Bank, the Inter-American Development Bank, is the Bank of the Alliance for Progress. So let us face facts. This money is virtually being given away. We should not judge this program by the lenient standards of a loan program. It is aid, pure and simple. So let us judge this program severely as befits an aid program. This is not the time to go pouring money into other countries. Do we think that our payments crisis is a joke? If we do, there is someone else who disagrees and that is our Secretary of the Treasury. He disagrees. Only yesterday—only yesterday—Secretary Dillon said that even a full billion-dollar improvement in our balance of payments would not meet our needs. I took this off the ticker, the Associated Press wire service yesterday, when Secretary Dillon spoke before the National Industrial Conference Board. He said in substance, "when we talk of substantial improvement in 1965 I want to make it amply clear that we are not thinking of a few hundred million dollars; not even a full billion-dollar improvement would meet our needs. We can and must do considerably more."

Now, Mr. Chairman, this was from Secretary Dillon. All I can say is that this administration must have some other good, sound policies in mind.

Nothing in last week's economic message which, in my opinion, was a rose-colored manifesto, is going to save anything near a billion dollars that the Secretary of the Treasury speaks of.

There is no doubt in my mind, and there should be very little doubt in your mind, that we have to cut back on our aid programs this year. Much of our foreign aid money is spent within the United States, and really there is no fat to be sliced off. Thus when we have a program like this which involves oversea expenditures, we ought to be very alert to the opportunity offered to help correct our balance-of-payments predicament.

I am really worried about this balance-of-payments matter, and I cannot believe that the administration can allow aid of this sort to be pumped out of a country to the extent we do here; that is, $750 million.

I might say this is something that has been going on for many, many years. The administration makes all of the agreements before they discuss it with Members of Congress. They make these agreements before they alert Members of Congress. We are bound by agreement to pump this money into South America. The agreements were signed. All they are waiting for is our check.

This is what is happening: The administration makes agreements and now tells us we have to fulfill our agreements with South America because this is an obligation we have signed. I am worried about this, and I am sure everyone else is worried about it.

Let me quote briefly from an article on our balance-of-payments problem which appears in this week's Reporter magazine—a magazine which cannot be accused of being dedicated to conservative finance.

The article says that many European financial experts "think that a dollar abandoned to some combination of economic faddism, global do-goodism and administrative drift and dither would become vulnerable with a rapidity that few Americans realize is possible." I commend this quote to the administration with the old comment that "if the shoe fits, wear it."

Despite our payments trouble, I would favor a fair amount of Latin American aid if it were to accomplish a good job; but somehow I cannot feel that this program is really getting anything done, that is, anything of real substance. The Fund for Special Operations emphasizes the making of loans which would otherwise be considered a risk. It also supports a lot of work in irrigation, a lot of work in sewer construction. But what kind of progress has American aid made in social problems in Latin America that it should be maintained at such a high level to the detriment of our American dollar?

Recently the head of the Washington Bureau of the Miami Herald visited Guatemala and made some firsthand observations about this aid program in Latin America. Let me read a few of his comments. Mr. Lahey says, and I am quoting him:

> If this charming country is to be taken as an example of the Alliance for Progress, it must be assumed that, by the time Latin America gets into the 20th century, the 20th century will have departed.

He reports that since 1954 we have poured into Guatemala, one of these countries in South America, $100 million. One Government official there—who apparently refused to have his name mentioned in the article—and this is the report from Lahey, told him "I would not want to have to defend our $100 million investment here. You just do not change old institutions overnight."

He also states:

> Our aid program emphasizes education, yet the 70-percent illiteracy rate in Guatemala has stood still for the past decade. The reason? Guatemalans produce children faster than the Alliance for Progress can build schools.

He sums up our progress thusly, and I am quoting:

> Even in a delightful country like Guatemala, which has been a firm friend of the United States, the regretful conclusion is obvious that watching the Alliance for Progress make impact is a little like nursing a century plant.

In short, for all the good we are doing we might as well save some of this money. I am going to propose that we cut back a small part of this authorization, a small part, about 3 percent. It is a drop in the bucket, but if we have to start, let us start now. I propose to offer an amendment to slice $25 million out of this program and for a good, worthy cause.

The President says that because of economy, because of lack of funds, there is a need to close down 31 Veterans' Administration facilities, hospitals, domiciliaries, and the like. If we could save $23 million by that, I am going to propose that we take $25 million from this program and give it to the President and say, "Here is $25 million. Now, leave our veterans hospitals alone."

There is still another reason why I am opposed to the amount of aid in this authorization bill. It is this: I am doubly opposed to such an oversea giveaway when it stands in such marked contrast to harsh economies on the home front such as the closing of the veterans hospitals and installations. We are either going to save money or we are not. Economy is a real cause or it is not. I think everyone here agrees that economy is important. I think it is particularly important when the amount requested involves money to be spent overseas, because such expenditures affect not only our budget but our balance of payments. So if economy is important, and I believe it is, economy ought to start overseas with dollars that cause our balance-of-payments problem.

I sincerely feel that the Congress cannot let this authorization pass without a slight cut. This is a program with the fat to cut in lieu of domestic economies. This is a program in which we can prove that we can take care of our balance-of-payments problem.

Let me say in closing that this is the type of program that can obviously stand a cut, and it is the kind of program which offers the Members of this House an opportunity to cast a vote for economy and commonsense.

We all remember the legendary pot of gold at the end of the rainbow. Well, if we continue all of these foreign giveaway programs, if we had the money it would be fine, but if we continue all these foreign giveaway programs in the face of our mounting gold outflow, that rainbow will do little more than lead to a great big empty pot.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ANNUNZIO].

Mr. ANNUNZIO. Mr. Chairman, I rise to publicly commend the speech made by the chairman of the Banking and Currency Committee, and author of H.R. 45, in support of an authorization to increase the U.S. contribution to the Inter-American Development Bank.

In my brief remarks I want to emphasize and amplify on some of the observations made by the gentleman from Texas.

I have spent a considerable portion of my time as an educator. I know the power of education. What we essentially are doing in this foreign aid program—and specifically in the Alliance program—is providing the tools and environment in which the people can be educated.

We provide the simplest part of all—we lend funds. Also, we provide the most important element of all in the economic development process—competent and dedicated personnel.

Our aim is to build institutions—in the economic, political, and social sense. True the processing of learning also entails the building of structures—dams, irrigation facilities, school buildings, houses and the like.

Also our foreign aid program includes food distribution under our Public Law 40 program.

We have learned that you cannot teach, and people cannot learn on an empty stomach.

We know too that communism breeds and flourishes on poverty and ignorance. This is why this Alliance program and specifically the Inter-American Bank bill under consideration here is so vital.

We are engaged in a death struggle with communism. Our cooperative program with the Latin countries is succeeding in stopping and beating back Communist infiltration and progress in these Latin countries.

When countries learn the truth they want to follow in our footsteps. When developing nations see the light they want to adopt our democratic institutions, our democratic form of government and our economic way of life.

We welcome this not because we are egotistical or because we want to dominate the world but because history has shown our political and economic system is the best yet devised by man.

We will not force our system down the throats of anyone. But we shall—because we are a generous people—assist where wanted in creating the environment whereby people can make an intelligent choice—a choice between communism or democratic capitalism.

This, as I see it, is the reason for our foreign aid program. This is why under both Democratic and Republican administrations the Inter-American Development Bank has been supported. This is why the Bank should be combined and this legislation passed.

The gentleman from Texas summed it up well when he said a vote for the bill is a vote for democracy and a vote against it is a vote for communism.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 18]

Abbitt
Ashley
Aspinall
Baring
Bell
Betts
Bolling
Bolton
Brown, Calif.
Burton, Utah
Byrnes, Wis.
Cahill
Cameron
Cederberg
Clawson, Del
Colmer
Corbett
Corman
Curtis
Davis, Wis.
Derwinski
Diggs
Erlenborn
Farnsley
Farnum
Fraser
Frelinghuysen
Gonzalez
Gray
Green, Oreg.
Gubser
Hagen, Calif.
Harvey, Mich.
Holland
Hosmer
Howard
Johnson, Calif.
Kastenmeier
King, Calif.
King, N.Y.
Long, La.
Long, Md.
McDowell
McMillan
Macdonald
MacGregor
Matthews
Moorhead
Morse
Nelsen
Nix
O'Brien
O'Neal, Ga.
Powell
Quillen
Reinecke
Resnick
Rhodes, Ariz.
Roosevelt
Roudebush
Sisk
Springer
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Toll
Tunney
Udall
Walker, Miss.
White, Idaho
Whitten
Williams
Wilson, Charles H.
Wright

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 45, and finding itself without a quorum, he had directed the roll to be called, when 356 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. WIDNALL. Mr. Chairman, I yield 15 minutes to the gentleman from Tennessee [Mr. BROCK].

Mr. BROCK. Mr. Chairman, I rise with a great deal of reluctance today to oppose this bill. During our committee hearings on this bill to increase the U.S. contribution to the Inter-American Development Bank, I was very favorably impressed with the scope and purpose of this organization. Such a program seemed to be greatly preferable to our normal foreign aid approach, in that loans are made for economic and social development which have a definite prospect of yielding a return on the investment to the people of each individual nation. Though I was concerned over the impact of this bill on our critical balance-of-payments situation, I nevertheless did in the final analysis decide to vote to report this bill out after receiving the strongest possible assurances from the administration and from the Secretary of the Treasury, Mr. Dillon, in particular, that the Johnson administration would take important steps to stem the outflow of gold. I find now that my confidence was misplaced.

Just last week the administration sent its balance-of-payments message to Congress. It was totally inadequate. Whether we like it or not, and whether we have the courage to do something about it or not, this Nation faces the prospect of a major economic crisis due to the continued deterioration in our international payments.

Just 2 weeks ago this House acted to remove the gold cover from behind the Federal Reserve System, so that some $5 billion in gold might be freed with which to meet our international obligations. It was said, in all sincerity I am sure, that such a move would restore confidence in the dollar and slow, if not stop, the outflow of gold. This has not been the case. Yet the administration, rather than face the difficult decisions which must be made, sends a recommendation to Congress which at best is inadequate.

The restriction on tourist buying can have only negligible effect. The tax which is being applied on oversea bank loans with maturity in excess of 1 year can have an adverse effect on exports. It seems to me the administration is relying on unwritten agreements with the banking industry to stop the outflow of dollars. This can represent only wishful thinking.

The decisions which must be faced are hard ones, both economically and politically, but they must be faced. Because I can see little evidence of such courage on the part of the administration, I have no alternative but to oppose this bill.

How will this particular piece of legislation affect our balance of payments? We, after the legislation is enacted, will sign a letter of credit over to the institution. Thus the funds are not disbursed by the Treasury until they are actually spent by the Bank. Then we have an agreement with the Bank whereby money which does not go for goods and services purchased directly in the United States is placed in a so-called trust fun, the funds from which can be used only for the purchase of goods and services from the United States. This sounds good, but how does it work? Let us take an example such as Guatemala, which might normally buy say $20 million worth of goods from the United States every year. They can still buy no more than $20 million even though we give them $10 million new dollars from this bank. By simply saying that the money expended is trust account money, they can release their original dollars for expenditure anywhere in the world, or for demanding gold from the U.S. Treasury. In effect, this agreement is like a trapdoor—now you see it and now you do not. It is like a trapdoor in two ways.

Last April at a meeting in Panama, it was decided that Congress would authorize and appropriate an additional $750 million for this purpose. At a meeting dominated by Latin American officials, it was decided how much, for what purpose and under what banking regulations the U.S. Congress would authorize and appropriate this $750 million.

The trap in this trapdoor financing is that advocates of the bill will tell you that Congress must support this legislation or stand accused of reneging on an international agreement entered into by our Secretary of the Treasury nearly a year ago. Two years from now without the knowledge of a single Member of the House or Senate, Treasury officials may commit the Congress to spending an additional billion dollars or a billion and one-half dollars for the IDB prior to a single day's hearings before any congressional committee. Your trap can swing both ways.

There is a second aspect to this legislation which I think we ought to consider and that is the approach that we are now using in this bill to divert the attention of the Congress from the fact that this is a foreign aid measure. It has been in the past, on every single occasion that it was considered, but in this bill we put it under an institution which is highly respected in order to make it more palatable.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. FINDLEY. Do I understand the gentleman to say that the Secretary of the Treasury about a year ago actually obligated us to this contract, that this obligation was made by the Cabinet officer without either an authorization or an appropriation of the money by Congress; is that correct?

Mr. BROCK. The gentleman is correct. Under the terms of the agreement reached in Panama in April of last year, we agreed to contribute another $750 million to the Inter-American Development Bank without any action by the Congress.

Mr. FINDLEY. So this was an obligation of three-quarters of a billion dollars by the Secretary of the Treasury without prior authority of the Congress.

Mr. BROCK. That is correct.

Mr. FINDLEY. I think the gentleman has described it quite properly as trapdoor financing.

Mr. BROCK. I thank the gentleman.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. REUSS. I am not sure the gentleman from Wisconsin understood correctly but did he hear the gentleman from Tennessee say that the Secretary of the Treasury, in Panama City in April, 1964, had committed the United States, without action by the Congress, to the payment of $750 million? Because, if so, I am sure the gentleman would know that this does not accurately describe the fact, which was that the Secretary of the Treasury and our U.S. delegation, in company with the other 19 Latin American countries, agreed, subject to approval by their governments and their parliaments, to this enlargement of the Fund. That is what we are assembled here to do today, to examine this proposal of the Secretary of the Treasury and see whether we agree to it. Is that not exactly what happened?

Mr. BROCK. The gentleman is entirely correct. The point is there is now a feeling that it is incumbent upon the Congress to pass this legislation because there was an agreement and that to a certain degree we should live up to our international agreement.

Mr. REUSS. The gentleman is not suggesting that if the Congress wanted to repudiate the Alliance for Progress and to give Fidel Castro a pat on the back, under its constitutional jurisdiction it could not turn down this bill? The gentleman is not suggesting that the Congress is being deprived of its powers, is he?

Mr. BROCK. I am not suggesting the Congress cannot do something, but I have not seen much evidence of the Congress doing such in recent years.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Missouri.

Mr. CURTIS. I believe the gentleman from Wisconsin pinpointed the point involved. It does put Congress in the unfortunate position of having to repudiate. We do not like to do that. This is not a proper way for us to proceed. We see this happening increasingly. On the International Coffee Agreement Congress is asked not to repudiate actions of our executive officials. I believe the gentleman makes a very important point.

Mr. REUSS. Mr. Chairman, will the gentleman yield so that I may reply to my friend from Missouri?

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. REUSS. I should like to hear of a more orderly and sensible procedure than what we now have, in order to try to get others to contribute. The only way we can do that is to get them together at the place such as Panama City and make a tentative agreement with them, subject, of course, to the approval of the Parliaments of Guatemala and of Chile and of this country and the others of the 19 members of the Alliance for Progress. How else can we get at it?

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Missouri.

Mr. CURTIS. Very simply, by consulting with congressional leaders first on a few of these things.

Mr. REUSS. That is precisely what happened before.

Mr. CURTIS. Oh, no; there was none of this.

Mr. REUSS. That is why Congressmen of both parties were in the delegation to Panama City, so that the Congress might interpose its views on that preliminary basis.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Iowa.

Mr. GROSS. This is a procedure for committing U.S. taxpayers which is becoming fashionable. I can think of meeting after meeting of some specialized group of the United Nations in New Delhi, India, or "Oogadooga" or some other faraway place where they get together, foreigners as well as Americans, and vote that the U.S. contribution to that agency or agencies be increased, and then send the bill to Congress. Of course, Congress could turn them down, but it never does, and the gentleman well knows it. This is a procedure which has become all too fashionable, and all too costly.

Mr. REUSS. The sole question before us today is whether the Congress of the United States in the free exercise of its constitutional jurisdiction, wishes to cast a vote of confidence in the Alliance for Progress or wishes to abolish it from the map. It can do either one. We are not inhibited by anything anybody has done.

Mr. BROCK. I appreciate the gentleman's comment, but I certainly do not agree that that is the sole issue before us today.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. BROCK. I yield to the gentleman from Iowa.

Mr. GROSS. As a result of these meetings in faraway countries we are called upon to dig into the pockets of our taxpayers and take out the money. That is another reason why I am opposed to this bill.

Mr. MULTER. Mr. Chairman, will the gentleman yield to me at this point for a brief response to the statement by the gentleman from Iowa?

Mr. BROCK. I yield to the gentleman from New York.

Mr. MULTER. I thank the gentleman.

This is the constitutional method which is traditional in this country; that first we negotiate with foreign countries. This is the only way we can make international compacts, the only way we can make international treaties, the only way we can make international agreements. We negotiate first and then come back to the Congress—or, if it is a treaty, to the Senate for approval. This is the traditional way approved by our Constitution.

Mr. BROCK. I believe we have explored the subject.

If I might proceed, I believe a second point which should be considered today, as I started to mention, is that in fact we are using this as a method of diverting funds which would normally be appropriated and authorized under foreign aid programs, considered by the Committee on Foreign Affairs, into the Banking and Currency Committee and into the Inter-American Development Bank, because it is a more palatable method of applying these funds.

I should like to refresh the memory of Members slightly as to the basic origin of this program.

The Social Progress Trust Fund came into existence through enactment of Public Law 86–735 in September of 1960. The title of the act was "An act providing for assistance in the development of Latin America and in the reconstruction of Chile." The legislation was reported by the House Foreign Affairs Committee. An authorization for an appropriation of $394 million was provided for this new foreign aid program.

The Foreign Affairs Committee report described the program as follows:

> This program of social development is not expected to include financing in productive facilities such as hydroelectric power and industrial production. Its purpose is, rather, to assist in financing basic improvements that will make possible better living conditions for the ordinary citizen to improve his earning capacity. Adequate funds for such improvements are not available except from Government sources.

It goes on to say further that:

> In order that the Congress may have full information on which better to determine any, and what kind of, additional legislation is necessary, the bill provides that the Secretary of State shall keep the Foreign Affairs Committee of the House and the Foreign Affairs Committee of the Senate currently informed about the plans and programs for the use of the funds.

I think it might be a pertinent question to ask the committee itself whether they have received such reports as any time in the last year or 2 years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. I yield the gentleman 3 additional minutes.

Mr. BROCK. In short, it was the Committee on Foreign Affairs which spawned the program and which was designated by law to follow this new program.

In fiscal 1964 the budget proposal was for an increase of $200 million in authorization for the Social Progress Trust Fund. The authorization was a part of the foreign aid bill. The actual appropriation in January 1964 was only $131 million, making total appropriations of $525 million for the Social Progress Trust Fund—all out of the Foreign Affairs Committee and in foreign aid bills.

In past years, we have heard much about backdoor spending through the Treasury, without any congressional check through the appropriations process. Because a vast majority on both sides of the aisle, here in the House, saw back-door spending as a means of circumventing Congress constitutional prerogatives, we did something about it.

The bill before us today goes far further than mere back-door spending. At least back-door spending is done by Americans. What we have before us today is what I prefer to call "trapdoor" spending. Last April, at a meeting in Panama, it was decided that Congress would authorize and appropriate an additional $750 million to the IDB's Fund for Special Operations. At a meeting dominated by Latin American officials, it was decided how much, for what purpose, and under what banking regulations the U.S. Congress would authorize and appropriate $750 million. The trap in this trapdoor financing is that advocates of the bill will tell you that Congress must support this legislation, or stand accused of reneging on an international agreement entered into by our Secretary of Treasury nearly a year ago. Two years from now—without the knowledge of a single Member of the House or Senate—Treasury officials may commit Congress to spending an additional billion or billion and a half dollars for IDB, prior to a single day's hearings before the appropriate congressional committee.

The Inter-American Development Bank—IDB—came into legal existence on December 30, 1959, and began operations in the fall of 1960. On June 19, 1961, the IDB and the United States executed an agreement known as the Social Progress Trust Fund agreement. Under it the IDB was named to administer the Social Progress Trust Fund and authorized to charge said trust fund for expenses incurred. For the year 1963 such charges were $941,422.

Thus without the Social Progress Trust Fund ever coming before the House Banking and Currency Committee, this foreign aid program was grafted onto IDB operations through IDB being named agent to administer this special trust fund.

The bill before us does not contain any provisions merging the Social Progress Trust Fund into the soft loan functions of the IDB which are carried on through its Fund for Special Operations. But we are told there is an "understanding" no further requests will be made for additional funds for the Social Progress Trust Fund, since the expanded Fund for Special Operations of the IDB is to take care of both its operations as carried on in the past and those of the Social Progress Trust Fund. Again, without legislation, the Social Progress Trust Fund foreign aid operations are to be wired into the IDB through executive "understandings."

The United States as sole contributor to the Social Progress Trust Fund had complete control of that fund. The United States, although putting up 83.5 percent of the proposed $900 million increase in the IDB's Fund for Special Operations, will end up with only 42.5 percent control as that is the voting power of the United States in the IDB. It is true the United States can exercise a Russian veto type of control since it requires a two-thirds vote to approve an IDB loan from the Fund for Special Operations but that is a far cry from the 100 percent control we exercise over the Social Progress Trust Fund today.

Initially the contribution of the Latin American countries to the Fund for Special Operations was payable 50 percent in gold or U.S. dollars and 50 percent in their local currencies. That procedure was followed when member country subscriptions were increased by approximately $73 million early in 1964. The U.S. portion of the increase was $50 million. Now, under another "understanding" not in the legislation at all, the Latin American member countries additional subscriptions of $150 million to the Fund for Special Operations is to be payable solely in local currencies. It is obvious the other "understandings" are becoming more important than the law itself.

The Inter-American Development Bank was a soundly conceived development lending institution. Under its "ordinary operations" it makes sound development loans on conventional terms. It has been able to borrow $225 million in the U.S. private investment market plus borrowings equivalent to $24.2 million in Italian, $15 million in German, and $8.4 million in British private investment markets. Ordinary sound development lending was to comprise 85 percent of the IDB operations under its initial capitalization. But through these "understandings" rather than change in law, sound lending is giving way to soft lending.

At the end of 1964 loans of the IDB under its "ordinary operations" totaled $544.6 million; under the Fund for Special Operations the loan total was $170.9 million and IDB as agent for the Social Progress Trust Fund had approved loans totaling $450 million from that fund. Thus if the latter two functions are to be combined according to an "understanding," the soft lending of $620.9 million already exceeds the $544.6 million ordinary sound development lending operations of the Bank. This bill will further submerge the relative importance of the normal lending operations for which the Bank was established. It will become more and more a foreign aid agency.

You will be told that urgent action is needed on this bill lest we lose forward momentum in our relations with Latin America. We seem to have up a pretty good head of steam entirely apart from the IDB's Fund for Special Operations and the Social Progress Trust Fund. In calendar year 1964 AID assistance to Latin America was $816.1 million, up from $464.6 million in 1963; food-for-peace assistance in 1964 was $248.5 million, up from $212.8 million in 1963; and Peace Corps expenditures were $19.4 million in 1964 as against $15.6 million in 1963. That is a total of $1.304 billion U.S. assistance to Latin America in 1964, up from $807.8 million in 1963, without any reference to IDB and Social Progress Trust Fund operations at all.

As a matter of record, IDB Fund for Special Operations assistance in 1964 was $49.4 million, up from $32.5 million in 1963, while that under the Social Progress Trust Fund was $86.6 million in 1964, up from $48.6 million in 1963. Combining these two operations—IDB Fund for Special Operations and Social Progress Trust Fund—they accounted for $136 million assistance in 1964 and $81.1 million in 1963 or only approximately 10 percent of the direct U.S. assistance that was extended to Latin America in both 1964 and 1963. It is a good idea to keep this "forward momentum" argument in perspective.

Here is a further interesting fact. The one form of assistance to Latin America that declined in 1964 was the ordinary operations of the IDB under which the Bank makes conventional development loans which at the outset was supposed to be the principal function of the Bank. Such conventional loan assistance by the IDB declined from $178.6 million in 1963 to $164 million in 1964. The ordinary operations of the IDB, of course, will continue whether this bill passes or not.

The committee report explains that economy and simplification of operations are reasons for merging the soft-loan functions of the Fund for Special Operations and the Social Progress Trust Fund. I would like to suggest another one, not mentioned in the report. I suspect it is the controlling one; namely, that it is easier to get foreign aid appropriations through the Congress when the request is dressed up as a proposed increase in an international banking organization rather than as additional foreign aid assistance. After all, the last time the Social Progress Trust Fund was up for an increase in funds, the $200 million request was cut back to $131 million in the actual appropriation.

We should recognize this bill for what it is. To my way of thinking, it, to a large extent, is but a blind to get a substantial increase in a foreign aid authorization on a 3-year basis. Thus we add a new phrase to the lexicon of foreign aid—not only do we have back-door financing, now we are adding trapdoor financing.

In the President's message on foreign aid this year he said in the message, and I will paraphrase it as best I can, that the administration does not seek any new funds for development loans this year in the area of South America. Now, that just simply is not true. It does not seek it under the foreign aid appropriation, but it does under this bill in the amount of $250 million a year.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. Yes. I yield.

Mr. REUSS. I think the record will show that the President's foreign aid request clearly pointed out that the Inter-American Development Bank part of the total was the matter which, under the rules of this body, was handled by the appropriate committee, the Banking and Currency Committee. There was the clearest possible expression of that in the President's message. I do not think there was any attempt to deceive anyone, and I am sure no one was deceived.

Mr. BROCK. There are some of us who are obviously not, but the point is in the past this has been under foreign aid and the money that went into the Fund for Special Operations was handled by the Committee on Foreign Affairs as a foreign aid appropriation.

Mr. REUSS. No. The Fund for Special Operations was in the beginning, is now, and forever will be, handled by the Committee on Banking and Currency.

It is the now defunct Social Progress Trust Fund which has been, and which always will be handled by the Committee on Foreign Affairs.

Mr. BROCK. I stand corrected. I agree with the gentleman. But the point is we have merged the Social Progress Trust Funds into the so-called window for the Fund for Special Operations. They are now one window by agreement, and, in effect, the Social Progress Trust Fund is no more. It was originally foreign aid, and now we are giving money which would have gone into that program under this piece of legislation through the Committee on Banking and Currency as a banking matter.

Mr. REUSS. Will the gentleman yield at that point?

Mr. BROCK. Yes.

Mr. REUSS. That is a correct expression. However, the gentleman should rejoice that under the Fund for Special Operations the countries of Latin America are being requested to, and are, contributing very substantial sums, $150 million in local currencies, whereas under the Social Progress Trust Fund they contributed nothing. Therefore, this arrangement is of great benefit to the United States and makes our dollars go much further, and encourages the very important principle of self-help.

Mr. BROCK. I appreciate that, and I should just like to point out two things. One is that a lot of these foreign countries' contributions are in so-called soft currency or local currency. The point is we do appreciate their contribution, but I am not sure it is easing our dollar problem at all to send another $750 million out of this Nation. I do not see that we can connect the two in that respect.

Mr. REUSS. It does ease our dollar problem, though.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 45, and wish to address myself to one of the activities of the Inter-American Development Bank in which I have a particular interest; namely, the advance of higher education in Latin America.

In 1961, as a member of the Committee on Education and Labor, with my colleague, the gentleman from Connecticut [Mr. GIAIMO], I visited Argentina for the purpose of assessing the potential role of the colleges and universities of Latin America in helping achieve the objectives of the Alliance for Progress.

Mr. GIAIMO and I talked in their own language with a considerable number of university presidents, professors, students and government officials in a most frank and free manner and on our return reported on our observations and offered a number of recommendations for U.S. policy toward assisting higher education in Latin America. Our report was published in the form of a committee print of the Committee on Education and Labor entitled "The University in Latin America: Argentina and the Alliance for Progress."

Let me say here simply that our visit to Argentina persuaded us that the universities of Latin America are an indispensable key to the economic development and social reform which these nations must have if they are to create democratic societies and free political institutions that will endure. It will primarily be up to the universities of Latin America to produce the engineers, the agricultural specialists, and the technicians needed to fight hunger, poverty, and disease and to move the economies of their countries into the 20th century.

What do these remarks have to do with the legislation we are here today considering? It seems to me that any fair minded examination of the record of the Inter-American Development Bank since the beginning of its activities shows that the Bank has done an exceptionally fine job in encouraging the development of stronger colleges and universities in Latin America, and that this outstanding record is one of the principal reasons this legislation, which calls for increased U.S. support of the Bank, deserves the overwhelming support of the Members of this House.

As the administrator of the Social Progress Trust Fund, the Inter-American Development Bank has given financial support to projects for higher education and advanced training which are closely linked with the economic and social development of its member countries. The Bank began its educational activities in 1962 and since then has approved 17 loans in 15 Latin American countries, loans which are being used to help finance programs in more than 45 centers of teaching and advanced research, with a total enrollment of 300,000 students.

Loans approved since 1962 amount to $29,350,000, or approximately 38 percent of the total cost of the projects, which is estimated at $76 million. The rest of the cost is financed, 37 percent with local support and the remaining 25 percent with funds from outside sources such as the Ford, Rockefeller, and Kellogg Foundations, and AID.

Under the rules of the Social Progress Trust Fund, the Inter-American Bank has loaned technical or financial aid only for educational projects in the fields of the basic sciences, engineering and related applied sciences, public health, agronomy and veterinary medicine, and the training of college faculty.

The projects approved, many of them already underway, have included the construction and equipment of classrooms, laboratories, and libraries as well as the provision of technical assistance to carry out such projects.

The contracts which the Bank signs with the borrowing universities involve an agreement on their part to modernize their operations and take the steps necessary to improve their curriculums and their research activities, increase the number of full-time professors and eliminate unnecessary and costless duplication through creating departments along modern lines.

Mr. Chairman, let me recall that among the 10 points President Kennedy urged for stimulating economic and social development in Latin America were proposals for helping to strengthen Latin American universities in what I would call the strategic fields, that is to say, those fields of study, such as engineering, public administration, agronomy and the natural sciences, which provide the trained men and women necessary for such economic and social development.

As President Kennedy said in his famous address of March 13, 1961, at the White House:

> We must rapidly expand the training of those needed to man the economies of rapidly developing countries. This means expanded universities, graduate schools, and research institutes.

The charter of Punta del Este, which set forth the goals of a 10-year educational program for the Latin-American countries, echoed this viewpoint. Said the special resolution added to the charter, one of the objectives is to achieve "reform, extension and improvement of higher education so that a very much higher proportion of young people may have access to it."

There can be no question that the universities of Latin America have played a highly significant role in the development of democracies in those countries but there can also be no question that Latin American universities need vast improvement in their organizations and curriculums and practices if they are to be able successfully to fulfill their mission of producing the educated leadership necessary for the economic and social progress of that part of the hemisphere.

This is why the kind of assistance which can be provided through Inter-American Bank loans is so essential.

Let me here provide a few facts which may be helpful in understanding what the Inter-American Bank has been seeking to do in the field of higher education in Latin America. Just before the charter of Punta del Este was signed, there were some 160 universities in Latin America, with a total enrollment of 520,000 students—this includes the students at university level technical institutions. By 1964 the number of universities had leaped to 196 with a total student population of 680,000.

A conference on education and social development in Latin America, held at Santiago, Chile, in 1962, under the sponsorship of UNESCO, set forth some provisional goals for 1965 and 1970, goals that were required to meet the commitments undertaken at Punta del Este. According to these suggested goals, enrollments in higher education in Latin America should reach almost a million in 1970, specifically 968,800, an average annual increase of approximately 6 percent, the annual increase during the years 1960 to 1963.

Mr. Chairman, I should like to include at this point in the RECORD a table showing, on a country-by-country basis, the number of universities in Latin America and number of students enrolled in the years 1960, 1962, and 1964:

Country	1960		1962		1964	
	Universities	Number of students	Universities	Number of students	Universities	Number of students
Argentina	22	160,600	22	160,371	[a] 25	----------
Bolivia	7	7,999	7	6,835	7	----------
Brazil	32	----------	37	80,644	[b] 40	----------
Chile	7	24,663	7	[1] 25,612	8	----------
Colombia	25	20,687	25	27,410	[c] 25	----------
Costa Rica	1	3,828	1	4,419	1	----------
Dominican Republic	1	4,241	1	[1] 5,000	2	----------
Ecuador	6	8,912	8	[2] 10,928	9	----------
El Salvador	1	2,241	1	2,941	1	----------
Haiti	1	----------	1	1,565	1	----------
Honduras	1	1,420	1	1,720	1	----------
Mexico	35	----------	35	82,030	35	----------
Nicaragua	2	1,184	2	1,652	2	----------
Panama	1	3,915	1	5,056	1	----------
Paraguay	2	[3] 3,329	2	[3] 3,566	2	----------
Peru	7	29,270	12	----------	27	----------
Uruguay	1	15,320	1	----------	1	----------
Venezuela	7	24,320	7	31,692	7	----------
Guatemala	1	----------	1	----------	1	----------
Total	160	(4)	172	(4)	196	----------

[1] 1961 data.

[2] Students enrolled in the polytechnical schools are included.

[3] Students enrolled in the Universidad Católica de Nuestra Señora de la Asunción are not included.

[4] In the absence of data for each country the aggregate number of students would not correspond to the sum of each column.

Sources: Based on OAS, "América en Cifras," Washington, 1963, and—
[a] Information from the "Guía de Carreras Universitarias," CNICT, Buenos Aires, 1964;
[b] Information from the Office of Cultural Affairs of the Brazilian Embassy, Washington;
[c] Decree No. 1297 of 1964 (Bogotá, May 30, 1964); and
[d] Report of the UNESCO mission, Paris, 1964.

It is important not only to encourage more students to undertake higher education in Latin America. It is also essential to consider their fields of study. One of the most serious problems Mr. GIAIMO and I found during our trip to Latin America was that far too many students were enrolled, for example, in the law while far too few were engaged in fields far more essential to the manpower requirements of these developing countries. For example, the Organization of American States has urged: First, an increase in student enrollments in engineering from 21 percent of total university enrollment in 1962 to 25 percent; and, second, a rise in enrollments in agricultural sciences and veterinary medicine to 10 percent of the total rather than the 3.2 percent figure of 1962.

Consider a country like Argentina, which is a great agricultural area. Only 3.6 percent of all Argentina's university graduates between 1900 and 1960 were enrolled in agricultural sciences and veterinary medicine.

Mr. Chairman, at this point in the RECORD I would like to include a table showing the distribution of university enrollments in Latin America in 1960:

Specialties	Enrollment	Percentage
Medical sciences	113,414	21
Law	105,710	20
Engineering	93,918	18
Social sciences	88,432	17
Humanities	61,152	11
Teaching	21,357	4
Basic and natural sciences	19,878	4
Fine arts	14,626	3
Agriculture [1]	10,704	2
Total	529,191	100

[1] Includes agricultural sciences, veterinary studies, fisheries, milk industries, forestry, and related subjects.

Source: OAS: "La Educación en América Latina. Presentación Estadística." Washington, 1963 (p. 37).

I think it must be clear that more resources both domestic and foreign must be devoted to higher education in Latin America. It is not easy accurately to judge expenditures for education in Latin America but an authoritative 1963 study showed that total expenditures on education in 1960 were $1,650 million or approximately 3.9 percent of their gross national product. Some 15.7 percent of this total was allocated to higher education.

A number of governments in Latin America are undertaking to increase their national investments in education. Peru, for instance, raised its expenditures on education to 4 percent of gross national product in 1964 from 2 percent in 1950.

It is clear, however, that a combination of weapons is required to make an effective assault on this problem of producing the educated men and women our Latin-American friends need to cope with the immense difficulties they face.

The Inter-American Development Bank is only one of the sources of financial assistance required to help do this job but it is an essential source.

Mr. Chairman, following is a table showing the several sources of outside financing of higher education and advanced training in Latin America between January 1, 1962, and June 30, 1964.

Mr. Chairman, I realize that many people in the United States look with real alarm at the political activities of some of the students at Latin American universities. Without in any way minimizing the distressing actions of some students there, I think it is important to understand that there are substantial and significant differences between university students in the United States and Latin America, differences which help explain these activities. The contrast between university traditions and the accepted role of students in Latin America and our own country is very great.

For this reason, I think it would be most useful to include at this point in the RECORD some excerpts from a thoughtful address on "The Latin American University and Economic Development," delivered on April 16, 1964, at the University of Panama by the distinguished head of the Inter-American Development Bank, Dr. Felipe Herrera.

The excerpts from Dr. Herrera's address follow:

UNREST IN THE UNIVERSITIES: CAUSE AND EFFECT

The first thought that comes to mind on the subject has to do with the current situation of our universities, about which we constantly hear comments and judgments which reflect concern and even alarm; comments and judgments which arise not only from our own countries but which have been expressed repeatedly in the United States and in Europe. There is a more or less generalized concern—but more blatant in more conservative circles or in those which have hardly been in contact with our current history—about what is generally labeled as the unrest or the instability of the Latin-American universities.

The active participation of the students in militant politics, the declarations from student organizations on socio-political problems of their own country or international ones, their demands for reforms of their curriculum, their criticism of their academic and administrative authorities and the periodic strikes supported by these declarations, demonstrations and demands, all this, they believe, is evidence that a deep crisis exists which not only is upsetting the true spirit of the university, but is threatening the very future of the university itself.

Most certainly influenced by my own experience in university activities as a student and as a professor—the latter already mentioned as I thanked Profession Arosemena for his introduction—my approach to this problem has been to recall that in countries that face such tremendous problems and where critical circumstances color our image as a developing region, it is unreasonable to expect the universities to not reflect this situation. The difficulties and the tensions that arise from the general situation, characterized by insufficient economic development vis-a-vis the growing demographic pressure, the inequitable division of wealth vis-a-vis the growing expectations of the little man, the exodus of the rural population to the cities vis-a-vis the nascent industries that cannot cope with this displaced labor force, the formation (notwithstanding all these factors) of a new middle class that demands new opportunities and clamors for new responsibilities, the influence of the worldwide ideological dilemma, all of this must necessarily find a response in the universities. To the extent that our political and intellectual leaders proclaim that it is an urgent need for our hemisphere to progress, and that this progress must be achieved by leaps and bounds, and by radically reforming and transforming obsolete structures, it is evident that this unrest must touch a responsive chord in the university and in the students' attitude. The illogical, startling, alarming fact would be the contrary. A passive and quiet university in a country living through such an intense and dramatic change would be an anachronism, and it could even be a grave deterrent.

This, however, does not mean that we should be the defenders of a permanent imbalance or that we should preach that disorder and lack of discipline are absolute conditions of our universities. It is simply a matter of being able to distinguish between the inevitable unrest arising from the times in which we live—and which we are not going to placate only through exhortations to discipline or by taking strong-handed measures—and mutinies and disturbances whose moving force are the vested interests of those who seek to use this climate and tension to other ends. There must be a clear-cut distinction between the natural unrest which university students, attuned to their times, must reflect as a result of their dissatisfaction with the reigning conditions and their impatience to overcome them, and that unrest caused by interests alien to the university and purposely encouraged. One must proceed with full objectivity in this analysis since experience has shown that many times the student's natural unrest about his curriculum or the guidance offered by the university, is distorted or purposely tinged so that it may seem to be arising from a purely political motivation. And so it happens, that many times the label "communism"—or any other "ism"—is hung on what is really only the expression of disagreement from a youth not receiving from their universities the answers they seek to the great problems surrounding them and filling them with anguish.

This vital anguish in today's young Latin American should give us pause for thought, as he contemplates his own backwardness compared with the progress of other countries and regions, and the unstable means available to him compared to the fabulous technological and scientific progress and means available to the others. It is only natural for him to believe that the university is not in tune with the times, and that changes are not in step with the pace required by his vital anguish. When we were students, we also were filled with a similar unrest, the only difference being that it was another moment in history, and one certainly less tense and demanding than the present one. We also lived through the lack of understanding from those who confused the real motives of our unrest with motives which in their opinion, warranted the label of indiscipline and extremism. It is for this reason, in analyzing this crucial problem of the university today, that we must disregard easy, and usually wrong, generalizations.

It would be far more harmful perhaps for countries such as ours, to have a young generation unmoved, and without this unrest, for this would mean that we would be condemning ourselves to a conformist straitjacket. And a conformist attitude in a young country in today's world would only lead us to accept the worst form of colonialism: that which presupposes the passive attitude of one who is resigned to his fate and expects outside succor.

Mr. Chairman, the road to transforming Latin-American universities is clearly filled with historical, financial, and psychological obstacles. But if students are to be turned away from the lure of Communist slogans and easy ideological solutions toward the tough path of making slow, but enduring contributions to the progress of their countries, there is no other way but to do battle with the obstacles.

This the Inter-American Development Bank has undertaken to do. The total impact of its program is helping create a climate in which students and political leaders are coming to understand that the urgent problems confronting their peoples cannot be solved by easy slogans but by providing trained and educated men and women.

Mr. WIDNALL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Chairman, I rise in support of H.R. 45 and under my unanimous-consent request to revise and extend my remarks I shall insert my reasons for this support.

But, Mr. Chairman, much has been said in the debate here today about the balance-of-payments problem—and I note from the press that today President Johnson and other Government officials are meeting with nearly 400 business executives to discuss details of the voluntary program for reducing the balance-of-payments deficit which if not controlled could ultimately have a most unfavorable effect on the stability of the dollar.

Mr. Chairman, although the President has suggested a number of means—both legislative and voluntary—for diminishing the outflow of dollars, there is one obvious way to meet this challenge which has not as yet been suggested insofar as I have been able to determine.

Mr. Chairman, what I propose is a voluntary action on the part of American business to decrease this unfavorable balance, without any adverse effects. An important element in this unfavorable balance is the payment of ocean freights to foreign-flag carriers for the transportation of American exports abroad.

Mr. Chairman, informed sources have estimated that only 70 percent of America's cargo capacity is being utilized by American exporters and shippers. The steamship companies estimate an unused capacity of between 8 and 9 million revenue tons. Briefly, this would generate an estimated $350 million of increased operating revenue, of which 60 to 70 percent would be earned or conserved toward a move favorable balance of payments.

Mr. Chairman, with these facts in mind, I think it is clear that this unused capacity should be utilized in preference to foreign-flag carriers, especially when we realize that American liner vessel rates for cargoes are identical with those charged by our foreign competitors.

I am, therefore, introducing a resolution today expressing the sense of Congress that on a voluntary basis American industry should be urged to utilize this unused capacity on American ships and thus substantially reduce our payments deficit.

Mr. Chairman, this balance-of-payments question is a troublesome problem and the appeal to "Ship American" should be made at the highest level, preferably the White House.

Now, Mr. Chairman, to the merits of H.R. 45:

The measure being considered today is a most important one; to authorize increased U.S. participation in the Fund for Special Operations of the Inter-American Development Bank. This bill marks another step in the program first proposed by President Eisenhower.

At his urging the Organization of American States met in the city of Bogota, Colombia, in September 1960, to study the formulation of new measures for inter-American economic cooperation. At this meeting, the U.S. Government, based on the authorization received from the Congress in the act for the inter-American program for social progress—Public Law 86-735—declared its purpose to establish a special inter-American fund for social development, and proposed that the Inter-American Development Bank be the primary mechanism for its administration.

Thereafter, these measures, which were designed to bring about a radical change in inter-American economic policy, as well as in the social policies of the Latin-American countries, received more definitive orientation through the Alliance for Progress formulated by President Kennedy. On March 13, 1961, in his White House speech, President Kennedy emphasized that social progress and economic development are complementary objectives, and that this social progress program is an effort to create a social framework within which all the people, including the least privileged classes of society, could share in the benefits of prosperity and look with hope to the future. The program took on new significance as the Alliance for Progress moved forward. It supported the faith that land reform, tax reform, better housing, and community facilities—all could be achieved with a cooperative, democratic framework, without violence.

On May 27, 1961, Congress, pursuant to the authorization of Public Law 86-735, appropriated, as part of the Alliance for Progress program, $500 million of which $394 million were devoted to the Social Progress Trust Fund to be administered by the Inter-American Development Bank to provide financial and technical assistance in the fields of land settlement and improved land use, housing for low-income groups, water supply and sanitation, and higher education and advanced training. This was augmented by another $131 million in 1963.

The decision of the United States to use the multilateral approach in attacking the problems of social development in Latin America had ample precedent in U.S. policy. The adherence of the United States to the Bretton Woods institutions—World Bank and International Monetary Fund—the use of intergovernmental committees in the Marshall Plan, the creation of the International Development Association and of the Inter-American Development Bank itself are evidence of a deep conviction, born out of experience, of the value of the multilateral approach as an instrument of U.S. policy. The fact that the United States was willing to help Latin Americans at the grassroots level through Latin American multilateral organizations brought an enthusiastic response throughout the Hemisphere—except from Fidel Castro, who derided the Alliance and the Trust Fund and questioned the U.S. determination to aid Latin-American development.

At its fifth annual meeting, held at Panama City, Panama, in April 1964, the Board of Governors of the Inter-American Development Bank unanimously recommended that member governments approve such an expansion under which, in brief, the member countries would contribute a total of $900 million to the expanded Fund for Special Operations over a 3-year period. The United States would put up $750 million of the increase and the Latin American countries $150 million, each in its own national currency. The United States would thus provide $250 million per year for the calendar years 1965, 1966, and 1967. The arrangement would only come into effect when 14 countries whose contributions total at least $860 million agree to participate. As of January 15, 1965, 18 of the 19 Latin American member countries have taken all the measures necessary to bring the increase into effect. Funds contributed by the United States would be used only for procurement here or, to a limited extent, in other member countries. The expanded Fund for Special Operations would make loans on terms comparable to those on its present loans.

As a concomitant of this expansion, it is understood that the United States would make no further contributions to the Social Progress Trust Fund, administered by the Bank. In the future, the expanded Fund for Special Operations would include in its operations financing for social development purposes, including financing the type of projects—in the fields of land settlement, housing, water supply and sewerage, and higher education—heretofore handled by the Trust Fund.

In the 4 years since it began operations, the Inter-American Development Bank has become the principal financial instrument of the Alliance for Progress—it is literally "the Bank of the Alliance." Until now, resources administered by the Bank have been made available for economic and social development purposes through three windows: Ordinary capital, from which economic development financing is made available on conventional terms similar to those of the World Bank; the Fund for Special Operations, from which economic and social development financing is made available on easy repayment terms adapted to the balance-of-payments situation of borrowers; and the Social Progress Trust Fund, from which social development financing in the fields of land settlement, housing, water supply and sewerage, and advanced education is made available, also on easy repayment terms.

Whereas the Fund for Special Operations is partially financed by contributions from Latin American member governments as well as the United States, contributions to the Social Progress Trust Fund have been entirely from the United States. The present proposal would end further contributions to the latter, fully U.S. financed fund—which is administered by the Bank—and would substantially expand the multilaterally financed Fund for Special Operations.

An expansion of resources of the Bank in the proposed magnitude is essential to enable it to maintain a lending rate for dollar loans on easy repayment terms of about $250 million per year. Such a rate was approximately achieved in 1962, but has not been maintained since then because of uncertainties as to the availability and timing of funds. Reasonable assurance of availability of funds should enable the Fund for Special Operations to maintain this rate—thus making certain the fulfillment of the Bank's central role in the Alliance and the fulfillment of the Alliance's essential role in the realization of the hopes of the peoples of the Western Hemisphere—both northern and southern.

The Inter-American Development Bank has been diligent and responsible in emphasizing self-help measures consistent with the goals of the Alliance. This multilateral influence for reform, combined with the willingess to say "no" to projects of low priority, has given an impetus to sound planning and project preparation in the countries of Latin America.

In compliance with the terms of its trust and in accordance with what it conceives to be the spirit of the Alliance for Progress, the Bank has followed certain guiding principles for its administration of its resources and those of the Trust Fund.

First. Since a major purpose of the Fund is to stimulate the Latin American countries to mobilize their own resources for social development, each borrowing entity is required to contribute from domestic sources an appropriate share of the total cost of the project. The definition of "appropriate share" in each case depends on such factors as the capacity of the country concerned to undertake additional fiscal commitments, and the scale of its existing efforts in the field of social investment. On the average, local sources supply about 53 percent of the cost of the projects assisted by the Trust Fund.

Second. The Bank requires that the final beneficiaries of the projects pay for benefits received and do not obtain them gratis. Thus, for example, when the Bank makes a loan to an autonomous agency for a water system, it insists on a rate schedule which will produce sufficient revenue to cover operating and maintenance expenses and, wherever possible, amortization of the loan and reserves for future expansion. Similarly, persons acquiring houses—or apartments—are required to pay for them, though, of course, on long repayment terms. The purposes of the Bank in requiring adequate user charges are, first, to prevent the wasteful use of resources and, secondly, to avoid the need for continuing subsidies on the part of the local government.

Third. The Bank encourages private ownership. Thus it requires that housing units be sold to the occupants; it has not made loans for rental housing. Similarly, when loans are made for land settlement projects, the Bank requires that titles be delivered to the new settlers within a stated period of time. This policy is based on the assumption that secure ownership not only makes for greater social stability but encourages the improvement and proper maintenance of property.

Fourth. Wherever feasible, the Bank strengthens the cooperative movement and free trade unions. Assistance to such organizations has been incorporated in loans for housing and rural credit in nearly every Latin American country. The Bank has also stimulated, by loans and/or technical assistance, the formation of savings and loan systems in several countries.

Fifth. The Bank encourages its member countries to plan their social development expenditures. The social needs of Latin America are so enormous that the Bank has been flooded with applications for all sorts of projects, not only from national entities but also from state and local agencies. The Bank has had to make it clear to the national authorities that, in view of the very limited resources at its disposal, assistance would be given only to projects with the highest priority.

Sixth. Of central importance to the success of any program assisted by the Bank is the competence of the executing agency in the borrowing country. Many of the agencies which the Bank has had to deal with were found to be in financial difficulties, inadequately organized, or overburdened with a variety of unrelated responsibilities. Wherever such conditions are encountered, reorganization of the agency to the satisfaction of the Bank is made a precondition of any disbursement. The Bank is generally prepared to provide technical assistance in the adoption of the necessary corrective measures.

The need for economic and social progress and reforms is vital in the evolution of Latin America, and if the forward movement already achieved is to be maintained and increased, the Bank's Fund must be replenished. In considering the augmentation of the Fund for Special Operations, the following additional points appear relevant:

First. The placing of these funds with the Inter-American Development Bank, with their use subject to the analysis, judgment, and administration of an inter-American body—but with an effective veto by the United States—represents a basic policy decision of both Republican and Democratic administrations as to the most effective way of obtaining practical results in the field of social change and reform, without incurring the individual misunderstandings, sometimes serious, resulting from direct bilateral negotiations between the United States and individual Latin American countries.

Second. The administration of the Inter-American Bank in the past 5 years has been enthusiastically supported in Latin America and the United States as both efficient and effective, and as one of the best examples of joint Latin American-United States cooperation in the development field.

Third. Any significant reversal of the present policy by the United States would be widely interpreted both in Latin America and the United States as failure to support a program and institution which have been integral parts of the Alliance for Progress, and would have serious repercussions on United States-Latin American relationships.

Mr. WIDNALL. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. Talcott].

Mr. TALCOTT. Mr. Chairman, too many advocates of this bill have discussed the complicated and technical phases of the Inter-American Development Bank—obscuring some basic considerations.

The issues are simpler. We, as a good neighbor in the Community of Nations and in our own national interests, want and need to promote a stronger and more vital Latin America. The people of Latin America need help and guidance.

We can afford to help some. We cannot afford to do the whole job.

The outright giving of money to the heads of Latin American governments is more detrimental than helpful—to them and to us.

The administration claims that the "imbalance of our international payments" is our most serious internal problem. Our foreign aid program contributes most seriously to the present unfavorable imbalance.

The best forms of "foreign aid" now known are private enterprise and banking—utilizing the techniques, procedures, and disciplines of banking—justification, supervision, scheduled repayment, penalties for default.

The IDB has done a commendable job. It is the best vehicle for foreign aid to Latin America. It could be effective in the future.

The problem now is that the administration is taking advantage of a good, popular program by overloading it with foreign aid projects and techniques which have proved ineffective and unpopular in other areas—"soft loans" for unjustifiable projects, emphasis on "social progress" rather than economic development.

I certainly disagree with this trend toward corrupting a good program. I abhor the administration's disdain for our deteriorating imbalance of payments condition. I would prefer that lesser sums be committed at this time. I believe that Congress should be consulted before the administration commits itself, its credit and its prestige. I believe our Committee on Banking and Currency should make certain that opposing views are heard; that the committee report should more fully express the pros and cons. I also contend that the minority should do better in informing Congress and the public of the enormous costs and disadvantageous consequences of modifying and corrupting the worthy goals of this foreign aid vehicle.

However, inasmuch as Latin America is so important, the idea of the IDB is good, the personnel have performed well, and the U.S. Government would be embarrassed if this authorization were not approved. I shall support the bill today and hope that we can do better by the American taxpayer and for the Latin American beneficiary in the future.

We can expect to suffer from the steamroller of an overwhelming majority which pays no attention to a small minority.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. Smith].

Mr. SMITH of Virginia. Mr. Chairman, I merely want these few minutes in which to emphasize the statement made by the gentleman from Tennessee [Mr. Brock], who preceded me concerning the connection of this request with our foreign aid program and what the budgetary situation is.

Now, as I understand this thing—and I think my figures are accurate because I got them from the budget—we have been asked this year for $3.38 billion for foreign aid. Now that has been advertised as a reduction in foreign aid, that we are going to begin phasing out foreign aid by reducing the amount requested. That is composed of military assistance and economic assistance, and the latter figure is $2.210 billion.

Now, Mr. Chairman, heretofore this Inter-American Development Bank has been funded out of the appropriations for foreign aid.

It will likely be done this time. The mechanics of the situation, as I understand it, is that the Congress will authorize this appropriation that we have before us now. That is, $250 million a year for 3 years. Then the Committee on Foreign Affairs will bring out a foreign aid bill, which will be a separate bill, and that will be authorized as usual, probably $3.38 billion. But when it goes to the Committee on Appropriations then is when your foreign aid begins to balloon, and I think we should bear in mind pretty well what is going to happen.

In addition to the $3.38 billion, the budget message asks for this $750 million for the Inter-American Bank to be composed of three bites. One of them is in the budget for the fiscal year 1966—that is, beginning in July of this year—and that will be appropriated. But the budget message says that the President will send us a supplemental appropriation request adding the first $250 million in this year's budget, so that when you get through adding all this up, instead of your foreign aid being $3.38 billion you will have these two bites of $250 million, one in the supplemental bill and one in the foreign aid bill, and when you get through with your pencil you will be appropriating for foreign aid not $3.38 billion, as is generally supposed, but $3.88 billion. It looks to me as if instead of going down foreign aid is going up.

Some of us here are getting a little tired of this system of appropriating foreign aid for people whose chief pastime in life is to insult the American flag, break up American embassies, and abuse our people and what we are trying to do, year in and year out, while we sit by and take it and keep on feeding our enemies.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from North Carolina.

Mr. JONAS. I, too, have been surprised at the amount of public discussion and comment in the press about the foreign aid bill going down, because while the President's budget this year is $136 million less than he asked last year, it is $130 million more than the Congress made available. So, even disregarding the item to which the gentleman from Virginia referred, you will find that foreign aid is not coming down at all, but is actually going up, even according to the President's own budget.

Mr. WIDNALL. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. Halpern].

Mr. HALPERN. Mr. Chairman, I rise in strong support of H.R. 45 now before the House.

Last April I had the distinct privilege of attending the Inter-American Development Bank Conference in Panama, and this experience hardened my conviction in favor of long-term multilateral type assistance.

At that Conference, preliminary decisions were reached which form the basis of H.R. 45. The United States is requested to join in an increase to the Bank's resources amounting to $250 million per year, pursuant to an annual appropriation; this $750 million is a 3-year authorization.

This proposal came before our Subcommittee on International Finance last August. The full committee held hearings this month, and we again heard from Secretary of the Treasury, Douglas Dillon and other Government officials, as well as private experts in the field.

H.R. 45 will expand the resources and responsibilities of the Bank's Fund for Special Operations. This Fund extends loans on easy repayment terms to member countries, and it will be taking over lending activities heretofore exercised through the Social Progress Trust Fund in the areas of land settlement, housing, education, water, and sanitation facilities.

The Fund for Special Operations has been making loans in the category of social and economic development, at 4-percent interest with maturity running to 20 or 30 years. In December of 1964, the Fund recorded combined loans totaling about $171 million; combined with the Social Progress Trust Fund, they totaled $620.9 million.

The spread and variety of loans extended by the Fund is characteristic of its grassroot, realistic approach to furnishing Latin America with needed development capital: a July 1964 loan to Bolivia for financing an electric power project; technical assistance to Guatemala to study the improvement of Guatemala City's water supply system; an agricultural loan to a growing Argentine cooperative firm which will assist in expanding the dairy industry.

I do not think the key to successful economic growth in Latin America can ever be piecemeal financing of isolated extravagant projects which have temporary propaganda value. The key is, rather, sustained effort in a variety of promising fields, carefully selected, and engineered to have the most effect upon regional economic advancement. This is the philosophy of the Fund.

The Congress firmly supported the principle of long-term, multilateral aid when it approved fresh authorization for the International Development Association. In a very real sense, FSO will be carrying out a similar function, and stands in relation to the Inter-American Bank as IDA does to the World Bank.

I want to touch briefly upon some objections which I know have and will be raised. We are all concerned with the Nation's imbalance of international payments, and certainly we are obliged not to take any action which may further impair our situation.

In answer to this, let me say that under the provisions of article V, section 1(c), the United States will exercise its right to tie its dollar commitments to the purchase of goods and services here in this country. Furthermore, Secretary of the Treasury Dillon gave additional assurance before the committee that:

> Wherever currencies are used for local purposes, a letter of credit will be set up, and the dollars will be put into that letter of credit account and will be used only for payment of exports from the United States.

Accompanying the American contribution of $750 million, Latin American members will put up $150 million. This is a ratio of 5 to 1, which is reasonable. Moreover, the American voting strength in the Bank is preeminent, with 41.8 percent; in the Bank's Fund, all important substantive questions require a two-third majority, and hence we are in an assured veto position. In view of our paramount participation, this is fair and rational.

I insist that in the years to come, our readiness to assist be steadily complemented by demonstrated self-help measures of recipient nations. This is a guiding criteria of the Alliance for Progress and its important instrument, the Inter-American Development Bank.

Long-term, multilateral lending is a realistic approach to the needs of social and economic advancement in Latin America. Administered with care, bent upon stimulating the most promising industry and administering to the most glaring inadequacy, sustained long-term financing can bring far more progress in the years ahead than abrupt, careless, bulk distribution. It is realistic because it takes account of the precarious hard currency position in which almost all of these countries find themselves.

We must encourage the industrially developed and richer nations to participate, and this authorization, to the Fund is a meaningful step; additionally, we must make recipient nations cognizant that without their manifold and tangible efforts, the American endeavor will fail and can never justify itself.

I urge the House to approve this authorization overwhelmingly today. It is a clear and meaningful step in the right direction.

Mr. WIDNALL. At this time, Mr. Chairman, I yield 8 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I had not intended to take this time because my heart is heavy for those who apparently are anxious to climb into a plane and fly down to Puerto Rico and elsewhere for a long weekend. I do not want to unnecessarily disturb the operation of the T. & T. Club—out on Thursday and back on Tuesday Club that will be in full force and effect this weekend.

But I am compelled to say a few words. We have heard a good deal this afternoon about education and what this $750 million raid on American taxpayers is going to do for education in the Central and South American countries. I would point out to you that there was a university in Peru, as I understand it, some 75 years before there was a Harvard University. I wonder what happened to education in Central and South American countries? These are not new and emerging countries. Why are they unable to educate themselves?

I point out to you, too, that there is in existence a big, fat book entitled "Technical Service Contracts" put out by AID—the foreign giveaway outfit. These contracts totaled as of late last year, almost a half billion dollars and a substantial amount of the money being expended under these contracts is for the purpose of education in South and Central America. How much is proposed to be spent on education in these countries? I wish Members would get a copy from the AID outfit listing all the contracts now in existence and totaling far more than $400 million.

Yesterday the gentleman from Texas [Mr. Patman], on page 2921 of the Record, said:

> It is time to look at the record. As of today Castro's Communist Cuba has been contained. The aggressor has been put in quarantine. * * *

Then on page 2922 of the Record, the same gentleman from Texas [Mr. Patman], winds up his remarks by saying:

> A vote against this bill is a vote in favor of communism.

First of all, I do not think the gentleman has done any part of his homework with respect to Cuba because Cuba has not been quarantined and the gentleman ought to know it.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Just a minute. I certainly will, but I want to give you an opportunity to cover a little ground.

Mr. PATMAN. I thank the gentleman.

Mr. GROSS. Cuba is quarantined to the extent that the Red Chinese come and go at will in Cuba. There are still around 300 Red Chinese in Cuba whose movements in and out are unrestricted. There are still between 2,000 and 3,000 Russian technicians in Cuba. They, too, come and go at will.

Now we are told that Africans will be loaded on airplanes and brought into Cuba for guerrilla and other subversive training. These in addition to hundreds of trainees from over Latin America each year.

Cuba is quarantined, the gentleman from Texas says, and I say it is a spawning ground of Communist subversion and violence which is being today exported to all of Central and South America. The gentleman ought to know it.

So it is proposed to call upon American taxpayers to dig up another $750 million to dump into the bottomless pit of this vast area allegedly to head off communism. At the same time this Governments permits Communist subversion to be exported from Cuba to all these countries.

The cancer of communism in Cuba ought to have been removed when it was first diagnosed as such. Instead, after spending a fortune to organize and train an invading force, a Democrat administration stood spinelessly by and watched the Bay of Pigs fiasco. The cancer now grows and spreads, and the answer by those in power is to spend additional hundreds of millions in what will be a futile gesture.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman, and I trust he will not deny what I have said.

Mr. PATMAN. I agree with what the gentleman has said. There were 300 Red Chinese there. There are people from Moscow there. There are Communists from all over the world in Cuba.

This is the way they are quarantined. There are 21 South American countries, including Cuba. In the Alliance for Progress and in the Inter-American Development Bank Cuba is not included. Cuba is not eligible to join. Cuba is quarantined. All the other 20 South American countries are with us. We have Cuba quarantined.

Mr. GROSS. So that is what you call a "quarantine."

Mr. PATMAN. I did not finish my remarks to the gentleman.

When the gentleman finishes, I will use my own time to reply.

Mr. GROSS. Very well.

As for this business of accusing anyone who votes against this bill of being for communism, I wonder how the gentleman from Texas has been voting? I would not raise this question if he had not raised the issue. Let's see how he has been voting, and I have had but little time to look up his record.

He voted to continue to provide agricultural commodities, food products, to Nasser, who is buying Communist arms and supplying them to the Communist activated rebels in the Congo.

On December 16, 1963, the House voted on the Jensen amendment restricting the use of any funds by the Export-Import Bank to guarantee the payment of any obligation herein after incurred by any Communist country, or the extension of credit of any kind to a Communist country, agency, or national. The House approved the amendment 218 to 169, and the gentleman from Texas, with the greatest of ease, voted against trying to put the brakes on the use of our dollars to support communism.

I wonder who votes to give, on a direct basis, aid and comfort to the Communists?

I resent the statement made by the gentleman from Texas yesterday that anyone who votes against this bill is giving aid and comfort to the Communists. I regret that he feels called upon to make such an unwarranted statement.

Mr. PATMAN. Mr. Chairman, I yield myself 3 minutes.

May I suggest that the gentleman is somewhat inconsistent. He denies that Cuba is quarantined. It is quarantined and this program further quarantines Cuba.

We have some trouble spots in the world, and there would be a real Vietnam in South America today were it not for the success of this particular program which we want to continue and expand.

Think about it. A few months ago, or a few years ago, the gentleman from Iowa would jump up on this floor at every opportunity and say, "What are you going to do about Cuba? What are you going to do about Castro?"

It is a challenge, and now that challenge has been met. We have done something about it. Those Red Chinese are in Cuba, just like he said. Those Russians are in Cuba, just like he said. What are they doing there? They are fighting the Alliance for Progress; they are fighting this very bank, the Inter-American Development Bank. The Communists are against it. And, if the gentleman from Iowa votes against this bill, he will please the Communists of the entire world. He will pat Castro on the back and tell him what a wonderful man he is, if he votes against this bill.

I have in my hand here a statement the gentleman signed against the Red Chinese, stating how awful they are. It states they should not belong to the United Nations, all of which I agree with. He signed this with many other Members of the House. Now, then, if he gets himself in the inconsistent position of voting to applaud communism in their fight to destroy this program, where we have all the South American countries united with us 100 percent and, I think he will find himself in a very inconsistent and embarrassing position in the future.

I am not saying that he will not be able to take care of it. He is a very resourceful person, very intelligent and knowledgeable, and he usually falls on his feet like a cat. I am sure he will be able to take care of it, but I can see now some person who wants to criticize him throwing a slogan at him.

He will say, "Yes; you pretend to be against the Red Chinese and against their being down there helping Castro and then turned around and voted with them."

You see, when people throw a slogan at you, especially if it is in a campaign—and I am not predicting it will be in a campaign, because I do not know—but any time a slogan is thrown at a person he is put in a position of great disadvantage. Sometimes you can answer, like the instance of the votes that the gentleman mentioned I cast. I can answer that in a very short minute or two.

But whenever you throw a slogan at a fellow that he voted with the Communists he puts himself in a very embarrassing position.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PATMAN. I yield myself 2 additional minutes.

He puts himself in a very embarrassing position because sometimes a person can throw a slogan at you that will take an hour of logic and reason to answer. You can answer it all right, but it takes an hour to do so.

However, the gentleman could spend a week and he could not answer this slogan that would be thrown at him—that he claims to be so hard against Red China and so hard against Cuba and communism and yet the only program which has succeeded and continues to succeed, he votes against.

Are you in favor of having a Vietnam in South America? Are you in favor of dissolving this program and destroying this program which has effectively dealt with communism?

I want to plead with the gentleman to examine his conscience and his thinking and consider the judgment he is passing here and see if he is not making a great mistake. I have hopes that he will even change his vote before we get down to it, because he will not be able to defend his vote. He is voting inconsistently with everything he has said. So I think he ought to reexamine his statements and what his vote will amount to and the vulnerable position he will place himself in.

Destroy the program. Who wants to destroy it? The people who want to destroy the Statue of Liberty, the Liberty Bell, the Washington Monument. They want this program destroyed. Are you going to vote with them?

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. HAYS. I want to caution the gentleman about getting overly optimistic about changing the vote of the gentleman from Iowa.

Mr. PATMAN. I think the gentleman from Ohio is probably correct.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. WIDNALL. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I have been warned before, during my lifetime, that it is not always good policy to engage in an exchange with a certain type of varmint; so I will rest my case.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, there are two proposals presented in this bill that are very worrisome. One is the Alliance for Progress and the other is the balance of payments. The Joint Economic Committee set up a subcommittee after the Alliance for Progress was first set up, because we felt that this was very important, and needed intensive study. I find in all of the discussion to which I have listened on the floor and the debates, and from reading the committee hearings as well as the committee reports, that there seems to be a lack of understanding of what the Alliance for Progress was set up to do. It was to bring about $20 billion of capital investment in Latin America over a period of 10 years, half of the mix to come from Government and half from private. What has happened is something that has concerned the Joint Economic Committee and it concerns me right now. With all of the boasting concerning what has been done in the governmental sector, we have noticed since the Alliance for Progress started an actual decline in the private sector. I have tried to suggest that there is a corollary to Gresham's law—I call it CURTIS' Corollary—that Government money drives out private. This deeply worries me and those who are concerned about the Alliance for Progress might give thought to the fact that throughout all of this testimony there is no reference at all to the total package of new investment in these South American countries other than a statement made by one of the people supporting it—Secretary Mann, for whom I have the greatest respect, I might say—that in spite of all this, the per capita gross national product of these countries has not risen. Of course, if Government money is going in and private capital is being withdrawn—and it is not just American private capital, I regret to say, it is private capital of the Latin American people themselves, in some of these countries—those who are concerned about the Alliance for Progress should look back to what it is supposed to be and try to look at the total picture. So I regret I cannot share these glowing terms in describing it.

I think that to go ahead in this fashion without any knowledge of what is occurring in the private sector is not good.

Mr. Chairman, let me say this. I have a bill before the Committee on Banking and Currency which would permit our own savings and loan companies to set up in South America because, believe me, we could get real housing built if this were enacted. I think the gentleman from New York [Mr. MULTER] has a companion bill. Here is one way in which I think you could move forward in a great fashion in the homebuilding area in South America which needs to be developed without using Government funds.

But, let me go to the other matter which is so critical now, the balance of payments. I read this statement of Secretary Dillon's which is reprinted at page 7 of the report. It is also contained in the hearing.

Mr. Chairman, this statement, if one really reads it, does not say what it seems to say. Of course, this affects the balance of payments and it affects it very seriously. If you question it, read over on page 2, at the bottom, where it points out what the Bank's Fund for Special Operations is for. Read this sentence with me:

> The purpose of this Fund is to offer financing where, for balance of payments or other reasons, lending on conventional terms is not appropriate.

In other words, when because of balance-of-payments reasons on the part of these Latin-American countries they cannot get conventional loans, they go to this Bank Fund for Special Operations. Then someone has the audacity to make the statement that when the United States puts up this money that it is not going to affect our balance of payments? It seems that when private investment abroad is concerned, it affects balance of payments and then the President proposes interest equalization taxes to prevent it. But when it is Government money, our money, the taxpayers' money, to be invested abroad, this somehow or other does not affect balance of payments.

Then, Mr. Chairman, we go over to page 11, and listen to this:

ENCOURAGING TRADE AMONG LATIN AMERICAN COUNTRIES

> The committee recommends that the Bank also use its capacity to make loans in Latin American currencies to encourage countries to buy from each other materials and equipment they need for the projects the Bank finances.

Where does that fit in with this so-called tie-in of our expenditures in these Latin American countries with materials purchased in the United States?

But, Mr. Chairman, here is the real situation. Secretary Dillon is talking about the expenditures for materials. Why, 90 percent of these programs—and just read them listed in the hearings—are for services and not for goods. This bill before us is hitting right at the heart of the balance-of-payments problem and in our present state of lack of information might be damaging the Alliance for Progress by further curtailing the $10 billion additional capital investment it contemplates.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. MIZE].

Mr. MIZE. Mr. Chairman, for some time, I have been personally satisfied that—for many reasons—this country needs a prosperous, progressive, economically sound, friendly Latin America. "Dependable hemispheric partnership is essential to our future freedom," as Dwight Eisenhower put it. The massive Alliance for Progress program, to which the United States is committed, is designed to stamp out illiteracy, poverty, and ill health, yet many Latin Americans charge us with dollar imperialism, and say we continue to hold many of the nations in colonial status. I wanted to try and find out why. I traveled briefly to Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, and Brazil. I visited with many people in our embassies, some of the officials in our AID offices—Agency for International Development—businessmen—both Latin Americans and representatives of U.S. companies—students, a few Peace Corps men, and as many just plain natives, with whom I could engage in conversation. The purpose of my trip was to satisfy my personal concern and curiosity about our emerging policies toward Latin America, and their effectiveness.

Aside from purely humanitarian reasons, which this and other countries have for aiding underdeveloped areas of the world, there are economic reasons. Latin America as a market for our export products, is as important to us as Europe, and far more important than Asia and Africa. Our sales of products to the nations of South America are almost all inclusive. These republics buy more from us than from anyone else.

On the other hand, the United States is of key importance to every Latin American country, both as a market for their products and as a source of many essential imports. The foreign exchange they earn when we buy their coffee, fruits, sugar, wool, and minerals, they use to buy industrial and transportation equipment, and many kinds of consumer goods from us. The amount of money this country has invested in Latin America, both private and public, both by way of loans, as well as permanent investment, is enormous. Our various aid programs and government-to-government loans, plus capital we have put in international lending institutions has helped many of the countries to build transportation facilities, irrigation projects, improve and expand mineral and other enterprises. Some of our large corporations have massive investments in Latin America. These private companies pay better wages than their local counterparts—submit to and pay all local taxes levied, whereas this is not always true of their local counterparts.

One big problem in our relations with Latin America in the past has been the lack of interest and minimum news coverage we get of the area. Only the highly dramatic events were covered. Too, we have tended to consider South America as one entity and any unfortunate incident in one country was interpreted by many of us as applying to the entire 21 nations. We tend to think of them as revolution loving, lazy folks. We do not realize that the vast majority of the leaders in all walks of life in Latin America are working hard for establishment of true democracy, promotion of social reform, and real cooperation with the United States.

Agriculture can, and must, be diversified, and made more efficient. To accomplish these objectives better education and living conditions, housing and health services must be developed. Much of this type of need can be accomplished with technical help from the United States. I learned from our embassy people in Ecuador, Bolivia, Peru, that this technical planning is needed more than money. Our Peace Corps is doing a meaningful job in the hinterland, but on a small—yet locally appreciated—scale, in the Indian countries.

The most important thing that must be accomplished, in my opinion, is to encourage the Latin American governments to do all they can to create a favorable business atmosphere for private investment. Our Congress has done its part by authorizing the investment guarantee program.

Land and tax reforms are a must. To overcome the unwillingness of the rich landowners to permit tax reforms and land distributions programs is necessary if some governments are to accomplish social and economic development. Without these reforms, conditions will continue to be bad and in some countries oppressive. These ever present characteristics—minimal housing, poor health conditions, low wages, undernourishment, will not be tolerated much longer. Discontent is spreading as mass communications provide these people with a view of what is available by way of a good life elsewhere in the world, and in their own capital cities. This frustration of the masses will erupt in revolution. All thoughtful leaders must guide the revolutions along peaceful, democratic avenues.

The vast majority of leaders abhor the turn of events in Cuba.

Latin America can use outside help and should, to solve its problems. Too many of their politicians and business leaders find fault with us. While our record is not absolutely clean—whose is?—it is far superior to that of any other country. This these people must learn to realize. They must know the sacrifices our people make in our AID programs—that are financed by taxes paid by the American citizen. They must get over an obvious misconception that our wealth is unlimited. We have got to do a selling job to convince them that our free enterprise system, and democratic processes—if adopted by them—can make for a higher growth rate than socialism. There are two types of revolutions now operating in this hemisphere—the Alliance for Progress and Castro communism. One is dedicated to democracy and economic growth, the other is dedicated to violence and the robbery of human freedom. We had better be alert to the danger that without our cooperative help freedom may not survive.

Yes, Latin America is filled with a mass of "have nots" and a very few "haves." The "have nots," as usual, want what the "haves" have. Frankly, my personal humanitarian inclinations are to help all we can, through the type of program we are discussing today.

The president of the Federation of Chilean Students, in a letter to our Ambassador at the time of President Eisenhower's visit to Chile in 1960 stated the situation candidly:

> The threat of communism is merely a reflection of the most important question of our time: The poor in the world (that is to say, 80 percent of the human race in Latin America) want bread, education, homes, health, security, dignity, freedom, and hope. The order under which they live denies them these things. But we all know that poverty is no longer a misfortune, but an injustice and unnecessary. There are impassable barriers separating us from Communist ideology, and methods, but no one should claim to be deceived. The West has been successful in spreading throughout the world a certain scale of values that symbolizes civilization. If Christianity and democracy fail in the coming 10 to 15 years in giving bread and work and dignity and security to the poor—the fiery breath of communism will cover the earth.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. MIZE. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I want to commend the gentleman on a very excellent statement.

Mr. Chairman, it is apparent that a general overhaul of our Nation's foreign aid programs is in order.

The adverse balance-of-payments situation has resulted, in part, from extravagant and ill-advised unilateral foreign aid. If our Nation is to provide financial assistance to underdeveloped nations, it is far preferable that such assistance should be on a multilateral basis. In addition, it seems highly desirable to provide foreign aid in the form of loans, instead of grants.

It is my feeling that the bill now before the House (H.R. 45) fulfills these two criteria. The funds which are requested in this bill are to be augmented by funds contributed by Latin American countries. In addition, the funds which this bill would authorize are to be loaned—not given away.

Unless our Nation is to discontinue all official financial support of friendly and needy foreign nations, legislation of this type should receive congressional approval.

In supporting this bill (H.R. 45), I am not condoning foreign giveaway. Quite the contrary, I am seeking to encourage repayable loans to friendly nations—loans in which other countries are participating.

Mr. WOLFF. Mr. Chairman, H.R. 45, the bill which authorizes the United States to continue its contribution to the Fund for Special Operations of the Inter-American Development Bank, is a vital program at this time because of the rise in power of Castro and communism in recent years.

I am in favor of this loan because of the fact that I do believe that we must keep Latin America free from communism and we must counter the actions of Castro. Secondly, this is another evidence of taking a long-range view to eliminate our responsibility for these countries as they begin to grow, become economically independent, produce for themselves, and become self-sufficient. It will permit us to gradually withdraw our economic aid to these independent nations.

The moneys this bill will provide are for a loan basis by which these countries will be able to encourage self-help and growth from within. It contributes to and endeavors to meet the needs of the private and public sectors of a community. This arm of the Inter-American Development Bank is for economic and social development purpose. All the participating Latin American countries contribute to this Fund.

These loans through aiding the public projects makes possible the participation and growth of the private enterprise sector. These projects enable private businesses to participate in the vastly needed economic development of these countries. It encourages their growth and knowledge through technical assistance, in industry as well as agriculture, machinery, and construction.

Through this direct participation of the public programs, private enterprise and businesses are provided with the encouragement, knowledge, and work which is necessary for their growth; contribution to the overall economic development of their nation. This bill provides for programs that will generate community and private participation and effort.

Mr. RANDALL. Mr. Chairman, there may be some who are surprised that one from the majority side of the aisle should choose to support the amendment of the gentleman from New York to cut some $25 million from the funds of the Inter-American Development Bank. But they should not be. Just a brief look at the purpose of the amendment should dispel the idea that it is in any way partisan. It is rather just one way of saving money so that full service can be restored to our veteran population. That is hardly a partisan gesture.

The gentleman from New York is certainly deserving of commendation for his inspiration in suggesting a reduction of $25 million in foreign economic assistance in order to restore more an equivalent dollar amount of domestic services to our veterans.

The proposed cut of $25 million would reduce the authorization in this bill from $750 to $725 million—a cut of only 3⅓ percent. Converted into a fraction, the $25 million is one-thirtieth of the total. Certainly this $25-million cut cannot spell disaster for the bill or for the program. It seems to me it might be quite difficult—in light of what the domestic expenditure of this money would mean to our millions of veterans—for the proponents of H.R. 45 to oppose such a small reduction. Everyone should find it possible to support this amendment.

Within the past few days a memorandum crossed my desk asking for my presence on the floor of the House to oppose crippling amendments. Now I suppose the amendment by the gentleman from New York could be construed by some to be a crippling amendment just because it proposes a reduction, however small. By the same token, I guess you could call virtually any proposal to cut any program a crippling amendment.

But why must we in the House always be accused of attaching crippling amendments whenever a proposal deviates from the program sent up to the Hill from down the street? Have we fallen into the language that anything Congress does to reduce expenditures is crippling, but anything done by one of the departments is economy?

I should like to suggest to my colleagues that perhaps in the case of the projected closing of veterans' facilities the folks downtown have done the crippling. In fact, I would go even further. I would say that by seizing our opportunity today to economize on an administration proposal, we may be able to some degree to reverse this crippling of service to our veterans.

As for my own congressional district I cannot see how the small annual savings of approximately $300,000 can compensate for the inconvenience and expense the aging veterans in 52 western Missouri counties will suffer because they will have to travel 250 miles to St. Louis whenever they want the same kind of service they have regularly been receiving from the Kansas City VA regional office. In my view that is false economy and immediate steps should be taken to guarantee continuation of these services. If cutting other programs to provide the funds is necessary, so be it. But the decision on these VA closing must someway, somehow, be reversed.

One of the members of our State delegation in the other body said back in the 88th Congress that if the choice were to be presented between a sewage plant or a highway in some other country at the cost of an increase in an already serious balance-of-payments deficit, as against the maintenance of the financial integrity of our country, the choice would be very easy. At that time he said he would choose the latter objective.

I submit that we have the same choice today with respect to the entire bill authorizing the expenditure of $750 million. Yet we have a very easy choice with respect to the amendment to reduce the bill by $25 million. The question is whether we are going to build sewage plants and highways in some foreign country at the same time that our veterans, their widows, and their children are being denied prompt and easy access to the services of the Veterans' Administration.

Today we have a chance to give expression to our beliefs on this question. This is a clear chance to translate sentiment into action. The time is now—today—and the choice should be easy.

Mr. HANSEN of Iowa. Mr. Chairman, hemisphere unity was given a real solid boost when on Thursday, February 18, this body passed the measure which insured 3 more years of Inter-American Development Bank activity through its Fund for Special Operations.

This is one of the finest kinds of self-help the United States can possibly construct for our Latin American friends. It ranks, in my judgment, second only to the Peace Corps operation as an instrument for the furtherance of this Nation's acceptance as a real friend. One with whom all of Latin America can cooperate to the mutual advantage of the nations on this continent.

Putting it in more simple terms, I would liken this program to that of a wealthy father who after middle age begins to feed his assets to his sons to manage for his and their benefit. This training of the sons in money management is far better than sitting tightly on his assets until death comes and the boys suddenly have the whole problem of money management dumped into their laps.

This Bank has been managed prudently and successfully enough to make its securities considered a prime investment by private investors throughout America and Western Europe. This is testimony enough of its value. The propriety of this Government continuing its support of one of the most effective antidotes against the Communist influence in the American Continent is well substantiated by the prudent investors of the free world.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

H.R. 45

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of subsection (b) of section 7 of the Inter-American Development Bank Act (22 U.S.C. 283e(b)) is amended by striking out ", after paying the requisite part of the subscription and quota of the United States in the Bank required to be made under article II, section 4, and article IV, section 3, respectively, of the agreement,".

(b) The last sentence of such subsection is amended by striking out "of the subscription and quota of the United States" and "respectively,".

With the following committee amendment: "Strike out section 1."

The committee amendment was agreed to.

The Clerk read as follows:

> SEC. 2. The Inter-American Development Bank Act (22 U.S.C. 283–283l) is amended by adding at the end thereof the following new section:
>
> "SEC. 14. (a) The United States Governor of the Bank is hereby authorized to vote in favor of the resolution entitled 'Increase of Resources of the Fund for Special Operations' proposed by the Governors at their annual meeting in April 1964, and now pending before the Board of Governors of the Bank. Upon the adoption of such resolution, the United States Governor is authorized to agree, on behalf of the United States, to pay to the Fund for Special Operations of the Bank, the sum of $750,000,000, in accordance with and subject to the terms and conditions of such resolution.
>
> "(b) There is hereby authorized to be appropriated without fiscal year limitation, for the United States share in the increase in the resources of the Fund for Special Operations of the Bank, the sum of $750,000,000."

With the following committee amendment:

> Page 2, line 3, strike out "SEC. 2. The Inter-American Development Bank Act" and insert "That the Inter-American Development Bank Act".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WIDNALL: on page 2, line 16, immediately before the period insert the following: ", except that prior to the payment of each of the three equal installments required by such resolution the President shall have determined, after taking into account the effect upon the balance-of-payments position of the United States, that such payment is in the national interest of the United States".

Mr. WIDNALL. Mr. Chairman, the recent action of the House in connection with gold reserves very clearly pointed out our unfavorable position with reference to the balance of payments. We must face up to this and face the facts.

In the hearings held on this bill I think the prime concern of the members of the committee was how the money that would be authorized in this bill would affect our balance-of-payments position. The proposal that I have submitted would show the will of the Congress in this direction and call upon the President to make a determination before each of the installments of $250 million was paid into the Bank.

I would like to call the attention of the House to this, that the resolution that was adopted at Panama City on April 16, 1964, was a recommendation that had to be approved by the various governments. What we are doing would give authority to the U.S. Governor of the Bank to vote in favor of the resolution. You will find if you will look back at that resolution, and it is on page 179 of the hearings, there is a clause in which it is stated:

> The additional contributions shall be made in three equal installments payable, respectively, on or before December 31, 1964, December 31, 1965, and December 31, 1966, or such later dates as the Board of Executive Directors may determine.

In other words, it is a flexible situation with respect to the yearly installments.

At the time that this was submitted it was contemplated that action would be taken by the United States prior to the end of 1964. That date has already passed. I do not think this amendment would in any way affect the ability to act under the legislation. I think it would clearly point up the fact that there is a recognition by the President of what is the current situation in the balance-of-payments field, and that he does feel the payment is in the national interest of the United States if he makes this determination.

I would like to read once more what is contained in the amendment:

> Except that prior to the payment of each of the three equal installments required by such resolution the President shall have determined, after taking into account the effect upon the balance-of-payments position of the United States, that such payment is in the national interest of the United States.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Iowa.

Mr. GROSS. It has not been so long ago this country dumped, if I remember correctly, around $60 million into Argentina, and promptly thereafter the Argentine Government bought or procured some $40 or $45 million in gold. Would the gentleman's amendment stop this kind of shenanigan wherein we put aid money into a country and it promptly turns around and takes out much of it in our gold?

Mr. WIDNALL. There is nothing binding in any way in this amendment as far as the gold flow is concerned. We have discussed this with our officials and they say, I believe, that we have understandings with these other countries that they would not call for gold. We can either pay in gold or in dollars or in currencies of the other countries. I believe that is the understanding at the present time. I would not anticipate any outflow of gold.

Mr. Chairman, I urge the adoption of the amendment.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

I oppose this amendment because it is unnecessary and vexatious. It unduly restricts the operations of the President of the United States. The Secretary of the Treasury informs me that it would be a disastrous encrustation on this bill to add such an amendment.

Let us take a look at just what it does. While its sponsor has said that it would only require three separate findings and certifications by the President during the life of this bill, it is quite possible from the language that the President would be required to certify every time a payment is made. So it could well be that every time an order is placed under the Alliance, the President would have to drop his concern with the domestic welfare or the national defense or foreign policy and satisfy the requirement which is sought to be imposed in this bill. But even if there were only three such certifications, that is three too many, because the President and the administration and the Secretary of the Treasury and the Secretary of State have come before the Congress and made it crystal clear how well protected our balance of payments is under this bill. Unlike other foreign aid endeavors this bill locks the door on balance-of-payments leakages. To a degree of 90 or 95 percent, it insures that every dollar will be spent in the United States. Indeed, if more dollars could be made available under this bill than are sought to be made available, it is quite clear that they would also be spent in the United States, because, Venezuela aside, Latin America runs a billion dollar trade and services deficit annually with the United States. If we adopt an amendment like this, we can be assured that hampering and vexatious and humiliating amendments will be offered to every bill to come before this House, requiring the President to certify 1 or 2 or 3 or 300 times that no expenditure that the executive branch makes will in any way harm our balance of payments.

Let me conclude by reminding Members that just within the last few weeks the Government of our friendly neighbor to the north, Canada, agreed to participate in the Alliance for Progress, and in this Special Operation Fund, to the initial extent of $10 million. While it may not sound like much to us, is a lot to the balance-of-payments-beleaguered country of Canada. When the Canadian Government approved that, it did not impose upon the Canadian chief of state any humiliating, niggling straitjacket requirement that Prime Minister Pearson certify every 5 minutes that it would have no impact upon the Canadian balance of payments.

I hope the Congress of the United States will not impose a requirement on the President of the United States which our neighbor, Canada, did not see fit to impose upon their Chief Executive. If you want to humiliate the President, if you want to torpedo the Alliance for Progress, vote for this amendment. I hope it will be overwhelmingly defeated.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I am glad to yield to the gentleman from New Jersey.

Mr. WIDNALL. The gentleman stated earlier that there would be partial contributions. It is clearly stated in the agreement:

> The additional contributions shall be made in three equal installments.

How could there be a partial contribution, when it is clearly stated in the agreement there will be three equal installments?

Mr. REUSS. I am glad to answer the gentleman. The annual installments of the contribution are made by a promissory note or an I O U and the actual payments—this is the operative word in the gentleman's amendment—are made in "dibs and dabs" over the 3 years, as the vouchers come in. Therefore, it could be that the President would be required to make hundreds of certifications. Even if he were required to make only three certifications, that is about three too many.

Mr. WIDNALL. I believe the gentleman used the words "a hampering amendment" or a "silly amendment" that would tie us up in our operations.

Mr. REUSS. I believe it was "hampering."

Mr. WIDNALL. I personally feel we have a tremendous responsibility in this Congress to do something and to do something drastic with respect to the balance-of-payments situation. I believe we are going to be very silly and we will be tampering with the national welfare if we do not face up to the facts of the issue and get on the record exactly how we feel.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I notice the language in the committee report:

> At this time, both the United States and Canada find it necessary to tie their contributions to procurement in their own countries. This limitation should be discontinued as soon as balance-of-payments problems are resolved.

I would address my question to the author of the amendment. As the bill is presently written, who would make the determination? Would it be the President? Would it be the Bank? When would the determination be made? Is it not true that the bill is entirely loose in this regard, and that the amendment in fact would strengthen the hand of the President and give him authority to make a determination?

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New Jersey.

Mr. WIDNALL. As the agreement is written, it says "or such later dates as the Board of Directors may determine." I believe this is the answer to the question.

Mr. BROCK. It seems to me that rather than being a weakening amendment, as the gentleman from Wisconsin stated, the amendment would in fact strengthen the hand of the President. It would require annually a review of this balance-of-payments problem and our contribution to the Bank. At such time as the second or third letter of credit were due to be issued, the President would have the authority to forgo that letter of credit if it became so critical that it would adversely affect our balance of payments and, second, of course, the economy of the United States. Is that not true?

Mr. WIDNALL. That is true.

I should like to point out that our contribution will be made in sound money. I cannot believe that this amendment would in any way tie up the future of the program, unless it were going to be operated against our national interest. The other countries, which are going to be putting in their currencies—many of them far from as stable as ours—certainly will not wish to see the sound money going into the program go down the drain. I believe they would be pleased to go along with us.

Mr. BROCK. I congratulate the gentleman on his amendment. I believe the balance-of-payments problem has been oversimplified and understudied by the administration and by the Congress. It is high time we took a firm stand on this problem and faced a major and critical problem before us, as encompassed in the amendment. I support the amendment strongly.

Mr. MULTER. Mr. Chairman, I rise in opposition to the pro forma amendment and in opposition to the amendment.

It is important that we should understand what we are trying to do here. An agreement has been negotiated by all the countries which are members of this Bank. Eighteen of the 19 other countries have already approved this agreement. Those countries did so last year, prior to the time the bill was sent to us. The date then fixed for the contribution to be made, the first of three annual installment contributions by each country, was fixed for December 1964.

That date has gone by and the Board of Directors of the Bank extended that date until June 30, 1965, solely because the United States had not approved the agreement. We are now asked here by this bill to approve the agreement. We can either approve it or not. If we do not approve it, the Bank will cease operating some time before June 1965. That is the main issue presented, and it is presented by this amendment, too. If this amendment prevails, then it will be necessary to go back to each of the other 19 countries and renegotiate the agreement. Each of the 18 other countries has approved it without any conditions and without any ifs, ands, or buts.

Now, with all of this talk about an imbalance of payments, bear this in mind: No one who has made an argument about the balance of payments can deny that for almost every dollar we put into this program, in exchange for that dollar we will export $1 worth of American goods. That being so, it cannot affect the balance of payments one iota.

Under this agreement, as we will approve it if we pass this bill, not one dollar of U.S. money will be used by this Bank except that we export $1 worth of goods or services in exchange for it. That is the express representation by the Secretary of the Treasury who spoke for the President. To put any language like this in is to say that you do not believe that the Secretary of the Treasury is talking for the administration. His representation which, we repeated in our report, is that practically every dollar of the U.S. contribution will be used for the payment of exports from the United States. The language that has been referred to about correcting the balance of payments was language addressed to what is happening in each of these other countries, indicating to them that we expect them to balance their payments as we expect to balance ours. There is nothing that you can do to balance the payments of the United States by adding this language. This is merely a request for certification by the President, which is meaningless and does not do a thing except to take up the time of the President.

Bear in mind that although there are three installments called for of $250 million each annually for 1965, 1966, and 1967, having approved this agreement and agreed to make these contributions, we make the payments when the Bank calls for them. Before we will make the payments, assuming, of course, that the Committee on Appropriations will bring in a bill and we appropriate the $250 million for this year, the Bank will call for as much of that as it needs. As the Bank calls for this money, each time it calls for it, we will have to go to the White House and ask the President to give us another certification, which means a complete review again. All he will be doing is certifying that the Secretary of the Treasury or the U.S. representative on this Bank is doing his duty in compliance with the law and is making sure that this money is being used only for exports from the United States.

Mr. Chairman, I urge the defeat of the amendment.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Tennessee.

Mr. BROCK. May I point out to the gentleman in our committee report we quoted the Secretary of the Treasury, Mr. Dillon, who said:

> All the funds contributed by the United States will be restricted to purchases of material here in the United States or in the country to which the loan is made, and under exceptional circumstances, possibly in other Latin American countries.

Mr. Dillon's testimony at no time said that 100 percent of this money has to get back to this country in the form of goods and services exported. What they said is the agreement requires 80 percent come back, but they also admitted it was completely impossible to tie this down because it could supplant dollars that would be coming back to this country.

Mr. PATMAN. Mr. Chairman, this amendment has been fully discussed on both sides. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The question was taken, and the Chair announced that the ayes appeared to have it.

Mr. WIDNALL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. WIDNALL, of New Jersey, and Mr. PATMAN, of Texas.

The Committee divided, and the tellers reported that there were—ayes 72, noes 141.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The clerk read as follows:

> Amendment offered by Mr. FINO: on page 2, line 15, strike out "$750,000,000" and insert in lieu thereof the following: "$725,000,000".
>
> On page 2, line 20, strike out "$750,000,000" and insert in lieu thereof "$725,000,000".

Mr. FINO. Mr. Chairman, this is a very simple amendment. It is designed to do one simple thing. This amendment proposes to reduce the authorization in this bill. It proposes to cut the authorization in this bill by only $25 million so that instead—so that instead of giving—and that is exactly what we are doing in this program—the Inter-American Development Bank $750 million we will only give it $725 million.

Mr. Chairman, I say to the Members of this body that it will not jeopardize the program. It will not disturb the program. It will not do anything to this program except to give it $25 million less.

Now, Mr. Chairman, the $25 million we save through the adoption of this amendment can be made available to support the veterans' facilities which the President wants to close for reasons of economy. To me this is a very, very simple choice. We can spend this money on our own veterans who deserve it or we can throw it down the drain in South America. When I say "throw it down the drain in South America," I am not just using a figure of speech. I say this, Mr. Chairman, because of the money used by the Fund for Special Operations of the Inter-American Development Bank turns up being used for sewage and irrigation projects. Perhaps, now and then these projects really accomplish something. However, most of the time I believe our money might as well be dumped into a pool of bottomless quicksand.

Mr. Chairman, what kind of a dent has America made in the social problems of Latin America so that aid should be maintained and continued at a high level at the expense of America's veterans? Insofar as I am concerned I can see no great peril to our foreign policy in slashing $25 million from this program. I see no harm to be done in taking $25 million out of the $750 million and giving it to our veterans.

Actually, we might gain in other ways than just giving our veterans that which is their due. By that I mean that we have a balance-of-payments problem. This has been repeated and repeated and repeated time and time again here on the floor of the House today. The President refuses to face up to its severity. I believe we must face up to that problem. I believe this is a serious problem.

Mr. Chairman, we must cut our oversea expenditures. One of the first things that ought to go is the fat in all of these foreign loan-foreign aid programs. This program has $25 million worth of fat in it. It probably has a lot more than $25 million worth of fat, but $25 million will do the trick and it will be a good start. We will be able to use it for a good purpose. To those of you—and I would like to address myself more particularly to those Members on the Democratic side of the aisle—who have violently and vigorously protested the closing of 31 VA installations, including hospitals, domiciliary homes, and regional offices, I say now is the time to react, now is the time to express yourself, now is the time to follow up your vocal protests with concrete action.

Now is the time for the Members of the House to say: Yes, let us take off $25 million from this kind of foreign aid program and show that we care about our veterans and our balance-of-payments problem more than we care about South American sewers. If South America has fewer sewers, I am sure that they will survive. Certainly our own veterans' facilities are equally if not more important to us than a string of ultramodern South American sewers.

Mr. Chairman, if we are to be charitable, let us be sure that our charity starts right here at home.

I urge the adoption of the Fino amendment.

Mr. HANNA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this opportunity to make the point that was made in committee when this amendment was offered. I am sure you with myself have noticed that many times in great zeal and in an interest that is localized very pointedly on one aspect of things, we can get distorted conclusions.

This amendment reminds me of a story that is told about a certain young scientist who was all wrapped up in experimental communication with grasshoppers. He called excitedly upon his colleagues and said: "Look what I found out in this great field of endeavor." They came in to witness the experiment. He spoke into his little electronic device the word "hop" and the grasshopper responded with a hop. He says, "Now, watch this." He took off one of the legs of the grasshopper and spoke again the word "hop." The grasshopper hopped. He took off another leg. There were only four left. He said, "hop," and the grasshopper responded by hopping. So, then he took off all the legs and said, "hop," but the grasshopper did nothing.

Then he said, "Gentlemen, you see what I have proven. When a grasshopper loses his legs he loses his hearing."

I suggest in the amendment that is before you here there is just as much likelihood that the millions you cut off the IDB are going to go to the Veterans' Administration as there is a likelihood that there is a connection between a grasshopper losing his legs and losing his hearing.

I suggest that we vote down this grasshopper amendment and get on with the business.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Chairman, I think the gentleman's illustration is well understood by the House. Obviously the question of whether we are going to authorize a certain figure for this program is one thing; the Committee on Veterans' Affairs hearings on the subject of veterans hospitals, is another thing. This has no more to do with whether we will keep open or close down veterans' facilities than the flowers that bloom in the spring or the grasshoppers that might feed upon them. This is no way to legislate.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask someone on the Banking and Currency Committee if it is true there is nothing in this legislation that would prohibit these countries, the beneficiaries of the $750 million, from drawing down gold in exchange for all the dollars they can get hold of? Can anybody on the committee help me out with this?

Mr. REUSS. If no one on the minority side wishes to answer, I will be glad to.

Mr. GROSS. I yield.

Mr. REUSS. There is absolutely no gold-drawing potential whatsoever in the activities of the Inter-American Development Bank. The countries of Latin America are in a very serious balance-of-payments deficit to the United States, individually and collectively. In any event, gold cannot be drawn except by the central banks or monetary authorities.

Mr. GROSS. How about the Argentine's drawing down some $40 or $45 million worth of gold after being handed millions through the foreign aid program?

Mr. REUSS. Argentina, like any other trading country in the world, needs gold. Perhaps that was a necessary action by the Argentine central bank. I might add, as long as this country remains the guarantor to pay gold in return for dollars to any central bank, we provide the foundation of the international monetary system.

Mr. GROSS. Let me ask the gentleman this question: Why do we not trade the wheat that we ship to Central and South America for their coffee?

Mr. REUSS. Because if we traded it for their coffee, they would then lose an intensely valuable item of foreign exchange, which enables them partially to diminish the deficits which they run. If we adopted the gentleman's proposal, we would then have to give them foreign aid in return if we were going to combat communism there.

Mr. GROSS. What you are saying is that they demand we pay them in dollars for their coffee while we provide them with wheat at bargain prices, paid in their unconvertible currency, or give it to them outright.

Mr. REUSS. We, in our self-interest, want to pay them in our good hard-currency dollars, so that they may keep their nose above water and survive in this world.

Mr. GROSS. So they certainly can translate those dollars into gold if they are so disposed and further compound our balance-of-payments problems.

Mr. REUSS. This is in the national interest if it puts them in a firm position, and we should encourage that.

Mr. GROSS. In addition to giving them foreign aid, military assistance, and millions of dollars through soft-loan windows I am sure there will be hundreds of millions of dollars that will never be repaid to this country on the basis of past performance.

Mr. REUSS. So far the repayment has been 100 percent.

Mr. GROSS. In addition to all of this and the $750 million you are prepared to vote through here today, we are about to implement a coffee agreement to take more millions out of the hides of the consumers and taxpayers of this country, by stabilizing prices of coffee to the South American producers at artificially high levels.

Mr. REUSS. The purpose of stabilizing the price of export commodities like coffee and tropical hardwoods and cocoa is so that we will have to contribute less in foreign aid. This saves us money.

Mr. GROSS. You are increasing foreign aid to this area all the time. This bill is an example.

I would like to ask my friend, the gentleman from Minnesota [Mr. LANGEN], if he thinks he could convince the taxpayers he represents in Minnesota or I could convince the taxpayers in the Third District of Iowa that we ought to stabilize the high price of coffee and take it out of the hides of the American consumers, while proceeding with programs of this kind, dumping another $750 million down the drain. Does the gentleman think we could convince our constituents that this is good business?

Mr. LANGEN. Of course, we cannot convince our constituents that this is good business. I want to commend the gentleman from Iowa for the very convincing manner in which he has brought this point to the attention of the House at this time. I would point out to my colleagues that we might well take cognizance of the excellent argument that he has made.

Mr. Chairman, I wish to concur in the move by our colleague, the gentleman from New York [Mr. FINO], who has moved to reduce the Inter-American Development Bank authorization from $750 to $725 million, thus saving the taxpayers of this Nation $25 million which could well be used for such purposes as keeping those veterans' installations open that the administration is trying to close.

I am not questioning the logic or reasoning behind the creation of additional funds for the Inter-American Development Bank, even though the total authorization in this bill leaves a number of unanswered questions relative to the actual need for that much money being supplied by the United States. I certainly can understand the need for development funds, however, with which to assist the Americas in building strong economies and repelling communism. The only question here might be the degree of our assistance.

However, we must remember that this request today for three-quarters of a billion dollars actually represents another venture into foreign aid. We seem to have a number of programs that actually constitute foreign aid, but do not appear in the foreign aid bill. We cannot consider any one of these items without thinking of the total picture.

That is why it seems incongruous that we can spend billions of dollars, including the funds requested by us today, on foreign aid at the very moment when we are told that veterans' installations in many of our rural areas must be curtailed or eliminated in the name of economy, regardless of the effect on the veteran and his family.

My purpose in speaking today is to call attention to the comparison—billions for other nations, but not even millions for our veterans who paid a terrible physical and mental price in so many instances to guarantee that there would still be an Uncle Sam for the world to grasp in time of need.

We will receive many other requests for funds during this session of Congress. It is hoped that we will put these requests in proper perspective.

I support the move to reduce the authorization in H.R. 45 by $25 million. Perhaps it will serve as a reminder to us of the folly of pinching pennies for our veterans and other needy while spreading our largess around the globe.

Mr. PATMAN. Mr. Chairman, this amendment has been pretty well discussed and I ask for a vote.

Mr. FINO. Mr. Chairman, in view of the fact that there has been a great deal of conversation going back and forth, may I ask that the Clerk read the amendment again.

The CHAIRMAN. Without objection, the Clerk will read the amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: On page 2, line 15, strike out "$750,000,000" and insert in lieu thereof the following: "$725,000,000".

On page 2, line 20, strike out "$750,000,000" and insert in lieu thereof "$725,000,000".

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FINO].

The question was taken; and on a division (demanded by Mr. FINO), there were—ayes 70, noes 145.

So the amendment was rejected.

Mr. ADAIR. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, during the course of this debate some things have been said that I think need to be restated and kept carefully in our minds.

First of all, if we vote for this proposal before us here today, make no mistake about it—we are voting for increased foreign aid. I have pointed out repeatedly in previous debates upon these matters that foreign aid is not a single bill that bears the title "Foreign Assistance Act" but rather it is many things, including the Inter-American Development Bank. So instead of the approximately $3.4 billion that we are told is the foreign aid request for this year, that figure must be increased by various amounts including the $250 million for fiscal 1966 as authorized by this legislation. We are asked to authorize, over a 3-year period, $750 million for the Fund for Special Operations, the soft loan window of the IDB.

Second, if we vote for this legislation, we are voting for an acceleration of the tendency to administer our aid through international funds with little control vested in us.

More and more we are finding ourselves in the position where we say, "Here is an aid problem. Let us meet it by giving money to international funds." These funds, without exception, are largely controlled by agencies other than our own National Government, and to that extent we are speeding up the process of taking from ourselves control over the expenditure of our own funds.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from New York, briefly.

Mr. MULTER. This Bank, under its rules and the law which approved it, can make loans only by a two-thirds vote. The United States representatives control better than 40 percent of those funds, and without their consent no loans can be made.

Mr. ADAIR. I am aware of the truth of what the gentleman has said. However, I am speaking of our governmental control. Once these representatives are appointed, they have the right to make the decisions.

We do control about 42 percent of the vote, but these gentlemen can act in their official capacity as directors, not as representatives of our Government.

Mr. MULTER. Surely the gentleman does not believe for 1 minute that these American representatives would act contrary to the directions of our Secretary of the Treasury and of our President.

Mr. ADAIR. The gentleman believes they will act on their own best judgment, without being controlled by our Secretary of the Treasury.

Mr. MULTER. On the contrary, they are supposed to follow the directions of our Government. That is why they are our governmental representatives.

Mr. ADAIR. I know what they are supposed to do. I am telling the gentleman what the gentleman from Indiana believes they will or will not do.

By voting for this legislation, further, we are decreasing congressional control over this money. We authorize and appropriate these funds and turn them over to the IDB which then determines how they shall be spent. But our representatives on the Board which spends the money, as just indicated in the exchange with the gentleman from New York, are appointees of the executive branch of the Federal Government. As the gentleman himself has pointed out, if they are responsible to any branch of the Federal Government, it is to the executive.

So I say that we are surrendering to a very considerable degree congressional control over the use to which these funds are put.

It is also clear, I believe, that the question of flexibility, about which we have heard so much in connection with other bills, is important. In my opinion, this flexibility is lost if we handle our aid programs through such agencies as the Bank. Rather than leaving control, and consequent flexibility in the hands of the President, we remove it from him by giving control to those in charge of the IDB.

For these reasons, Mr. Chairman, I would urge that we vote against the bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, pursuant to House Resolution 234, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FINO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FINO. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. FINO moves to recommit the bill (H.R. 45) to the Committee on Banking and Currency with instructions to report the same to the House forthwith with the following amendments:
>
> On page 2, line 15, strike out "$750,000,000" and insert in lieu thereof the following: "$725,000,000".
>
> On page 2, line 20, strike out "$750,000,000" and insert in lieu thereof "$725,000,000".

Mr. PATMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. FINO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 142, nays 237, not voting 54, as follows:

[Roll No. 19]

YEAS—142

Abernethy
Adair
Addabbo
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Bates
Battin
Belcher
Bennett
Berry
Bow
Bray
Brock
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Byrnes, Wis.
Cahill
Callaway
Carter
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Collier
Conable
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Dulski
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Everett
Findley
Fino
Ford, Gerald R.
Fulton, Pa.
Fuqua
Gathings
Goodell
Griffin
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Halpern
Hansen, Idaho
Harsha
Harvey, Ind.
Hébert
Herlong
Horton
Hutchinson
Ichord
Johnson, Pa.
Jonas
Keith
Kornegay
Laird
Langen
Latta
Lipscomb
McClory
McCulloch
McDade
McEwen
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
May
Michel
Minshall
Mize
Moore
Morton
O'Konski
Passman
Pelly
Pirnie
Poff
Pool
Randall
Reid, Ill.
Reifel
Rivers, S.C.
Robison
Rogers, Fla.
Rumsfeld
Saylor
Schneebeli
Schweiker
Secrest
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Stafford
Stanton
Stubblefield
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Waggonner
Watkins
Watts
Whalley
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—237

Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Bandstra
Barrett
Beckworth
Bingham
Blatnik
Boggs
Boland
Bonner
Brademas
Brooks
Broomfield
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Callan
Cameron
Carey
Casey
Chelf
Clark
Clevenger
Cohelan
Conte
Conyers
Cooley
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Dingell
Donohue
Dow
Downing
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Farnum
Fascell
Feighan
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffiths
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Hicks
Holifield
Holland
Howard
Hull
Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kee
Kelly
Keogh
King, Utah
Kirwan
Kluczynski
Krebs
Landrum
Leggett
Lennon
Lindsay
Long, Md.
Love
McCarthy
McDowell
McFall
McGrath
McVicker
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Matsunaga
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Powell
Price
Pucinski
Purcell
Race
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Scott
Senner
Shipley
Sickles
Slack
Smith, Iowa
Smith, Va.
Staggers
Stalbaum
Steed
Stephens
Stratton
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Todd
Trimble
Tupper
Tuten
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Weltner
White, Tex.
Whitener
Willis
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—54

Abbitt
Aspinall
Baring
Bell
Betts
Bolling
Bolton
Brown, Calif.
Burton, Utah
Cabell
Cederberg
Celler
Clawson, Del
Colmer
Corman
Diggs
Erlenborn
Farnsley
Fisher
Green, Oreg.
Gubser
Hagen, Calif.
Harvey, Mich.
Hosmer
Johnson, Calif.
Kastenmeier
King, Calif.
King, N.Y.
Kunkel
Long, La.
McMillan
Macdonald
MacGregor
Mathias
Matthews
Moorhead
Nelsen
O'Brien
O'Neal, Ga.
Quie
Quillen
Reinecke
Rhodes, Ariz.
Roosevelt
Roudebush
Sisk
Springer
Thompson, Tex.
Toll
Tunney
Udall
Walker, Miss.
White, Idaho
Wilson, Charles H.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Rhodes of Arizona for, with Mr. Toll against.

Mr. Quillen for, with Mr. King of California against.

Mr. Del Clawson for, with Mr. Roosevelt against.

Mr. Long of Louisiana for, with Mr. Cabell against.

Mr. Baring for, with Mr. O'Brien against.

Mr. O'Neal of Georgia for, with Mr. Celler against.

Mr. Walker of Mississippi for, with Mr. Macdonald against.

Mr. Roudebush for, with Mr. Udall against.

Mr. Nelsen for, with Mr. Moorhead against.

Mr. Kunkel for, with Mr. Aspinall against.

Mr. Reinecke for, with Mr. Sisk against.

Mr. Fisher for, with Mr. Johnson of California against.

Mr. Burton of Utah for, with Mr. White of Idaho against.

Mr. King of New York for, with Mr. Charles H. Wilson against.

Mrs. Bolton for, with Mr. Tunney against.

Mr. Cederberg for, with Mr. Corman against.

Mr. McMillan for, with Mr. Brown of California against.

Mr. Hosmer for, with Mr. Hagen of California against.

Mr. Quie for, with Mr. Diggs against.

Until further notice:

Mr. Matthews with Mr. Springer.

Mr. Thompson of Texas with Mr. Mathias.

Mr. Colmer with Mr. Bell.

Mrs. Green of Oregon with Mr. MacGregor.

Mr. Kastenmeier with Mr. Gubser.

Mr. Abbitt with Mr. Harvey of Michigan.

Mr. WILLIS changed his vote from "yea" to "nay."

Mr. STUBBLEFIELD changed his vote from "nay" to "yea."

Mr. REID of New York changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. PATMAN. Mr. Speaker, on this vote I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas, 288, nays 93, not voting 52, as follows:

[Roll No. 20]

YEAS—288

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Baldwin
Bandstra
Barrett
Bates
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Broomfield
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Callan
Cameron
Carey
Carter
Casey
Chelf
Clark
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Cooley
Corbett
Craley
Culver
Curtin
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Dingell
Donohue
Dow
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Fascell
Feighan
Findley
Fino
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez

Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kee
Keith
Kelly
Keogh
King, Utah
Kirwan
Kluczynski
Krebs
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McClory
McDade
McDowell
McFall
McGrath
McVicker
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Mass.
Mathias
Matsunaga
May
Meeds
Michel
Miller
Mills
Minish
Mink
Mize
Moeller
Monagan
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont
Olson, Minn.
O'Neill, Mass.

Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Powell
Price
Pucinski
Purcell
Race
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Todd
Trimble
Tupper
Tuten
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
Whalley
White, Tex.
Widnall
Willis
Wolff
Wright
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—93

Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Ashbrook
Ashmore
Ayres
Battin
Belcher
Berry
Bonner
Bow
Bray
Brock
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Callaway
Chamberlain
Clancy
Clausen, Don H.
Cramer
Cunningham
Curtis
Dague

Devine
Dickinson
Dole
Dorn
Dowdy
Duncan, Tenn.
Edwards, Ala.
Fisher
Fountain
Fuqua
Gathings
Goodell
Gross
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Harris
Harsha
Harvey, Ind.
Hébert
Hutchinson
Ichord
Jarman
Jennings
Jonas
Jones, Mo.
Kornegay
Laird
Langen

Latta
Lennon
Lipscomb
McCulloch
McEwen
Martin, Ala.
Martin, Nebr.
Minshall
Moore
O'Konski
Passman
Pool
Randall
Reid, Ill.
Reifel
Roberts
Rogers, Tex.
Secrest
Smith, Calif.
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Watkins
Whitener
Whitten
Williams
Wilson, Bob
Younger

NOT VOTING—52

Abbitt
Aspinall
Baring
Bell
Betts
Bolling
Bolton
Brown, Calif.
Burton, Utah
Cabell
Cederberg
Celler
Clawson, Del
Colmer
Corman
Diggs
Erlenborn
Farnsley

Green, Oreg.
Gubser
Hagen, Calif.
Harvey, Mich.
Hosmer
Johnson, Calif.
Kastenmeier
King, Calif.
King, N.Y.
Kunkel
Long, La.
McMillan
Macdonald
MacGregor
Matthews
Moorhead
Nelsen
O'Brien

O'Neal, Ga.
Quie
Quillen
Reinecke
Rhodes, Ariz.
Roncalio
Roosevelt
Roudebush
Sisk
Thompson, Tex.
Toll
Tunney
Udall
Walker, Miss.
White, Idaho
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rhodes of Arizona for, with Mr. Quillen against.

Mr. Kunkel for, with Mr. Del Clawson against.

Mr. Roosevelt for, with Mr. Baring against.

Mr. Toll for, with Mr. Long of Louisiana against.

Mr. Celler for, with Mr. O'Neal of Georgia against.

Mrs. Bolton for, with Mr. Walker of Mississippi against.

Mr. O'Brien for, with Mr. Hosmer against.

Mr. Aspinall for, with Mr. Cederberg against.

Mr. Macdonald for, with Mr. Roudebush against.

Mr. Quie for, with Mr. Reinecke against.

Mr. King of California for, with Mr. King of New York against.

Until further notice:

Mr. Sisk with Mr. Bell.

Mr. White of Idaho with Mr. Nelsen.

Mr. Brown of California with Mr. Gubser.

Mr. Moorhead with Mr. Betts.

Mr. Johnson of California with Mr. Harvey of Michigan.

Mr. Matthews with Mr. Burton of Utah.

Mr. Charles H. Wilson with Mr. MacGregor.

Mr. Tunney with Mr. McMillan.

Mr. Udall with Mr. Colmer.

Mr. Hagen of California with Mr. Cabell.

Mr. Corman with Mr. Diggs.

Mrs. Green of Oregon with Mr. Abbitt.

Mr. Kastenmeier with Mr. Roncalio.

Messrs. DADDARIO and COLLIER changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to extend their remarks and to include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT OF TWO TEMPORARY ADDITIONAL DISTRICT COURT JUDGES FOR THE STATE OF OHIO

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, I have introduced, today, a bill to provide for the appointment of two temporary additional district judges for the State of Ohio, one for the northern district and one for the southern district.

A factual statistical study of the caseload and other factors explanatory thereof, in each of said districts, and the disposition of the caseload is submitted in justification for the stated need for the two additional judges. The major factual results of the study are as follows:

The 1960 census disclosed that the State of Ohio ranked fifth among the 50 States in population. Within the State lie many areas of high population density. Industrial complexes abound throughout the State, while port cities on the Great Lakes and the Ohio River generate heavy interstate and foreign commerce.

These factors result in the State of Ohio having much litigation in the U.S. courts where, frequently, complex, and lengthy legal matters must be adjudicated. Yet, the Federal courts in Ohio have managed to conduct their affairs in an efficient manner without having the number of trial judges increased by an appreciable degree.

When the Omnibus Judgeship Act was passed in 1961, the U.S. District Court for the Southern District of Ohio only received one additional temporary judge, while the northern district received one temporary and one permanent increase in judgeships. This was a far lesser increase than many of the other highly industrial and densely populated States. Ohio judges have generally made a reputation for themselves in hard, scholarly work, and it was believed that these increases would be sufficient to reduce the growing backlog of cases that were developing.

As events transpired, the increases did help in the northern district, but not in the southern district.

SOUTHERN DISTRICT

The southern district has had three permanent Federal district judges since 1937. The new temporary judgeship was created in May 1961, but in September of that year, before the new judge was appointed, Judge John H. Druffel, a permanent judge, retired. Since the language creating the temporary judgeship provided that the first vacancy occurring in the office of district judge was not to be filled, the southern district was unable to receive the additional help that the temporary judgeship would have afforded. The result has been that the backlog of cases in the southern district has continued to rise along with the increase in caseload.

Civil case filings in the southern district have been on the rise since 1958. An all-time high of 909 cases was reached in 1964. Fortunately, the termination of civil cases has also been rising for the last 4 years or the pending civil caseload would have been even higher. Even so, the district was 10th highest in the Nation in civil cases pending per judgeship. It now has 315 civil cases pending per judgeship compared to the national average of 231.

By almost every yardstick, the district ranks high in its civil volume per judgeship. On a weighted civil caseload basis—a system by which case filings are rated according to the potential work for the judges—it ranks 13th nationally. The district's weighted caseload per judgeship of 267 was 60 cases above the national average. On a nonweighted basis, the district ranks 11th nationally in civil cases filed per judgeship with 303 compared to the national average of 207.

Fortunately, through the industriousness of the district judges, the median time interval between the filing of civil cases and their disposition is only 7 months. This is 1 month below the national average. However, the time interval between the filing of an answer and trial, is 18 months, which is 11 months above the national average.

The number of civil cases commenced and terminated in the southern district of Ohio, by fiscal year, and pending at the end of each year from 1951 through 1964, as prepared by the Procedural Studies and Statistics Unit of the Administrative Office, U.S. Courts, is shown as follows:

Fiscal year	Total civil cases		
	Commenced	Terminated	Pending June 30
1951	657	676	741
1952	728	699	770
1953	710	688	792
1954	595	665	722
1955	560	552	730
1956	638	764	604
1957	689	706	587
1958	682	664	605
1959	542	603	544
1960	565	480	629
1961	620	570	679
1962	680	595	764
1963	751	677	838
1964	909	803	944

Similarly, the average number of cases commenced per judgeship in the southern district compared to the national average graphically demonstrates the district's burden:

Fiscal year	Number of judgeships	Total civil cases	
		Ohio, southern	National average
1951	3	219	204
1952	3	243	236
1953	3	237	261
1954	3	198	210
1955	3	187	212
1956	3	213	225
1957	3	230	236
1958	3	227	259
1959	3	181	215
1960	3	188	221
1961	3	207	172
1962	3	227	201
1963	3	250	207
1964	3	303	218

As for the criminal caseload in the southern district, fewer criminal cases were filed in the district in fiscal year 1964 than in any year since 1956. Nevertheless, the District ranked 21st nationally in 1964 among the Nation's districts on the basis of criminal cases commenced per judgeship. The criminal cases commenced, terminated, and pending from fiscal year 1959 through 1964, as prepared by the Administrative Office, U.S. Courts, are as follows:

Fiscal year	Total commenced	Total terminated	Pending June 30
1959	584	581	49
1960	526	514	61
1961	525	554	32
1962	560	524	68
1963	631	625	74
1964	500	513	61

Likewise, criminal cases commenced per judgeship in such district compared to the national average, are equally revealing:

Fiscal year	Criminal cases (less immigration)	
	Ohio, southern	National average
1951	139	106
1952	119	112
1953	163	114
1954	127	103
1955	160	104
1956	116	102
1957	193	105
1958	153	108
1959	179	108
1960	163	107
1961	160	86
1962	177	88
1963	197	89
1964	152	89

NORTHERN DISTRICT

The northern district of Ohio has had five permanent district judges since 1954. The Omnibus Judgeship Act of 1961 created a sixth permanent judge and a temporary judge. As in the southern district, the language creating the temporary judgeship provide that the first vacancy occurring in the office of district judge was not to be filled.

The effect of creating these new judgeships has been most salutary. In spite of a rapidly increasing caseload, total civil cases commenced per judgeship has been reduced below the national average, the time intervals in disposing of cases has been good, and the backlog of criminal cases has been decreased. But, in May 1964, Judge Charles J. McNamee died which had the effect of eliminating the temporary judgeship. As industrious and dedicated as the judges of the northern district are, it is believed the backlog of cases and the time interval in disposing of them will markedly increase—especially because of the rising caseload—unless a new temporary district judgeship is created.

According to the figures supplied by the Administrative Office, U.S. Courts, the civil cases commenced and terminated from fiscal year 1951 through 1964, in the northern district of Ohio and pending at the end of each year, are as follows:

Fiscal year	Total civil cases		
	Commenced	Terminated	Pending June 30
1951	1,017	931	1,227
1952	1,261	974	1,514
1953	1,289	1,200	1,612
1954	1,022	1,019	1,615
1955	946	942	1,619
1956	1,172	1,377	1,414
1957	1,055	1,365	1,104
1958	1,124	1,085	1,143
1959	1,107	1,153	1,097
1960	1,022	1,183	936
1961	1,035	999	972
1962	1,335	1,119	1,188
1963	1,133	1,122	1,199
1964	1,169	1,054	1,314

In turning to the average number of civil cases commenced per judgeship in such district as compared to the national average, it may be seen that the caseload was brought below the national average in 1961, which coincides with the appointment of the permanent and temporary judgeships. With the elimination of one judgeship, as has occurred through death, it is easy to see how this figure will again rise above the national average. This graphic picture is as follows:

Fiscal year	Number of judgeships	Total civil cases	
		Ohio, northern	National average
1951	4	254	204
1952	4	315	236
1953	4	322	261
1954	5	204	210
1955	5	189	212
1956	5	234	225
1957	5	211	236
1958	5	225	259
1959	5	221	215
1960	5	204	221
1961	5	207	189
1962	7	191	201
1963	7	162	207
1964	7	167	207

The trend in criminal cases in the northern district is not as clear. Terminations have decidedly increased since 1961, but so have the cases commenced, except in 1964. It is believed, though, that the good termination rate cannot be maintained with the loss of the judgeship. The figures, as prepared by the

Administrative Office, U.S. Courts, are as follows:

Fiscal year	Total commenced	Total terminated	Pending June 30
1959	436	440	79
1960	331	356	54
1961	443	434	63
1962	563	514	112
1963	579	528	163
1964	540	551	152

The same may be said when the average number of criminal cases commenced per judgeship, in the northern district compared to the national average, is examined:

Fiscal year	Criminal cases (less immigration)	
—	Ohio, northern	National average
1951	81	106
1952	101	112
1953	83	114
1954	69	103
1955	73	104
1956	81	102
1957	76	105
1958	70	108
1959	78	108
1960	59	107
1961	81	98
1962	79	94
1963	82	95
1964	76	86

A careful examination of these facts and figures will clearly demonstrate that there is a need for an additional temporary judge in both the northern and southern districts of Ohio. The caseload of both civil and criminal cases continues to rise. And, since the population of the State of Ohio is estimated to increase by over 17 percent in the decade—1960–70—to a figure of approximately 11,400,000—it may be seen that the basis for an ever-increasing caseload exists.

There are those, of course, who may believe that additional permanent judgeships should be created. It is my opinion, however, that the backlog can be substantially reduced through the addition of temporary judges. The addition of temporary judges, as created in the Omnibus Judgeship Act of 1961, contributed a good deal in alleviating the caseload burden. If such judgeships had remained operative for a longer period of time, I believe the situation would have improved to an even greater extent. The purpose of a temporary judgeship is to get the backlog to a sufficiently low level so that the current caseload can be effectively managed by the permanent judges, who give full time to the discharge of their duties.

For these reasons, I have introduced legislation to create one additional temporary district judgeship in each the northern district and the southern district of Ohio.

Since justice delayed is often justice denied, it is my intention to urge early consideration and favorable action on the legislation.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader if he would give us the program for next week?

Mr. ALBERT. Mr. Speaker, we have completed the legislative business for this week, and it will be my intention to ask unanimous consent to go over, after announcing the program for next week.

Monday is District day. There are no District bills ready for consideration.

Monday is also George Washington's Birthday, and pursuant to custom there will be a reading of George Washington's Farewell Address.

Tuesday is undetermined, although there is a possibility that two bills unanimously reported from the Committee on Armed Services may be called up on that date. We will announce these bills, if it is decided to bring them up on Tuesday, on Monday.

For Wednesday and the balance of the week, there are 19 resolutions from the Committee on House Administration providing investigation and study funds for committees, as follows:

House Resolution 108—Agriculture.

House Resolution 119—Armed Services.

House Resolution 134—Banking and Currency.

House Resolution 232—District of Columbia.

House Resolution 139—Education and Labor.

House Resolution 149—Foreign Affairs.

House Resolution 109—Government Operations.

House Resolution 229—House Administration.

House Resolution 137—Interior and Insular Affairs.

House Resolution 325—Interstate and Foreign Commerce.

House Resolution 88—Judiciary.

House Resolution 123—Judiciary, interstate taxation.

House Resolution 152—Merchant Marine and Fisheries.

House Resolution 142—Public Works.

House Resolution 237—Science and Astronautics.

House Resolution 239—Small Business.

House Resolution 188—Un-American Activities.

House Resolution 69—Veterans' Affairs.

House Resolution 182—Ways and Means.

These bills may not necessarily be brought up in the order in which they have been announced.

This announcement is made subject to the usual reservation that any additional program may be announced later, and that conference reports may be brought up at any time.

Mr. ARENDS. May I say to the gentleman in reference to the two bills from the Committee on Armed Services that may come up on Tuesday or Wednesday that they are noncontroversial, and I hope we will expeditiously pass them.

Mr. ALBERT. The gentleman from Massachusetts [Mr. PHILBIN] has spoken to me about the bills, and he will advise me early in the week about programing them under a unanimous-consent request.

ADJOURNMENT UNTIL MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AGRICULTURAL EMPLOYERS WHO SEEK TO USE SUPPLEMENTAL FOREIGN WORKERS

Mr. HERLONG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HERLONG. Mr. Speaker, the Secretary of Labor, on December 19, announced that new regulations would be put into effect on January 1, for the purpose of requiring agricultural employers who seek to use supplemental foreign workers, to first agree to offer such wages and terms of employment as might be prescribed by the Secretary. The Secretary accompanied this announcement with a detailed schedule of minimum wages that would be required by agricultural employers, before any certification would be given for their need for supplemental foreign workers. These minimum wage rates became partially effective on January 1, but they will become fully effective starting April 1, and will require minimum earning guarantees ranging from $1.15 per hour in our own State of Florida to as high as $1.40 in several other States, such as California.

In spite of the lack of any semblance of legal authority for the Secretary of Labor to impose any such arbitrary minimum wages, no one questions the fact that this is a fair wage, and that qualified fruit pickers, for example, can make twice that much per hour and more, under prevailing piecework rates, so this is not our quarrel.

In making this announcement, however, the Secretary expressed the belief that domestic workers could be recruited from unspecified sources to do this job, thus making it unnecessary, in his opinion, for agricultural employers to further rely upon supplemental foreign workers. To achieve this, he laid down such additional requirements that, for example, compel farmers and growers to sign written contracts with domestic workers in their employ, to guarantee them at least 64 hours work every 2 weeks, and provide round trip transportation, free housing, as well as other fringe benefits.

The Secretary of Labor has repeatedly refused to allow Florida growers, to have the necessary number of supplemental foreign workers that have been needed in recent months to avoid crop losses. Furthermore, in spite of the fact that he has launched a crash recruitment program with Federal employees supplementing the efforts of Employment Service personnel in the Southeastern States, he has not been able to provide the necessary labor from any other source. In other words, his recruitment program has been a dismal failure.

As of February 12, over 60 percent of the workers recruited by the Secretary of Labor's recruitment team had disappeared. The growers who paid to transport these workers to Florida lost thousands of dollars in transportation costs and in cash advances made to these would-be workers who, after their free trip, decided to spend their time enjoying Florida's sunshine and fishing rather than working.

In the first place, all of us would prefer to supply our labor needs from the domestic market but let me give you some documented examples characteristic of what the Secretary of Labor sends to us as qualified citrus pickers. As you may or may not know, to pick oranges one is required to climb a ladder. The oranges are not clipped but are pulled from the trees and placed into a bag which is over the picker's shoulder. When the bag gets full or nearly full, the picker climbs down from the ladder and opens the bottom of the bag and permits the oranges to be dropped in a field box. He gets paid at the rate of 25 cents per box for picking these oranges and it is a far less than average picker who cannot make as much as $10 a day, picking oranges.

The Secretary of Labor's recruiters, however, have been so interested in bringing "heads" to Florida rather than qualified fruitpickers, that it has resulted in costing the growers more money in transportation and advances to these deadheads than it has helped. What kind of a recruiter is it that tells a 350-pound man that he can make a lot of money on a job that requires him to climb a ladder and pick oranges? Or who would send a man down to Florida to pull oranges off a tree who has no fingers on his hands, or who would drive up in a truck in front of a house of a man who is over 70 years of age and ask the elderly gentleman if he would like to go to Florida and make a lot of money? He, of course, answers, "Yes," and then is told to meet the bus the next day at 8:30 in the morning and go to Florida, which he does. He gets to Florida and finds out that to make this big money he is required to pick oranges, which, of course, he is not physically able to do. Then because he cannot fulfill his agreement to pick oranges, even though the growers have paid his way to Florida, he has to pay his own way back to his home. He then sits around a few days on his front porch and writes his son-in-law in Florida that the man was around again asking them if they wanted to come to Florida and make a lot of money, and that he was going back again on the next trip and this time he was going to bring his wife and daughter with him, at a cost of $12 to $14 a head to the farmers and yet none of them are qualified to do the work for which they are being recruited. These cases have been documented and are not unusual but are almost typical of the ineffectiveness of the Secretary of Labor's recruitment program.

To make things worse, the Secretary has totally ignored the protests and appeals that have been made to his office over a period of months and which have pointed out the danger of crop losses if he did not authorize the necessary number of supplemental workers to meet the requirements of our farmers and growers.

It is also astonishing that the Office of the Secretary of Agriculture claims to have no knowledge of the crop losses that have taken place in Florida in recent months due to the lack of labor.

I would like to recite to you crop losses with which I am personally familiar as well as losses which have been brought to my attention by reliable and reputable sources in Florida.

I personally appeared before the Senate Agriculture Committee on January 15, and testified that my own family has lost or will lose, if we continue as we are now, some 50,000 boxes of fruit which should be harvested, but which could not and cannot be harvested because of the failure to obtain enough labor. I gave the Senate Agriculture Committee six photographs on January 14 which fully documented the physical appearance of one particular grove and showed that the ground was literally covered with fallen fruit—fruit that should have been picked before Christmas. This situation has been widespread over a long period of many weeks and it has been estimated by Florida Citrus Mutual, an organization which represents many thousands of citrus growers, that some $6 million loss has already been suffered by citrus growers due to the lack of sufficient labor to harvest the early and midseason varieties of Florida oranges, grapefruit, and tangerines.

Secretary Wirtz and his staff have been repeatedly advised of our acute labor shortage, but they have so far taken no effective action to avoid these losses.

Just who is being hurt by this lack of action on the part of the Department of Labor? The last estimate of the Department of Agriculture showed that there would be about 80 million boxes of oranges in the State of Florida this year. Suppose, that because of this shortage of labor we can only harvest 50 million? Can the Secretary not see that there are other people who work in the citrus industry besides pickers and that if he does not act, he is depriving the packinghouse employees and the concentrate and processing employees from packing or processing this 30 million boxes of fruit? This means that they will be working only a little over half time. Union representatives of the packinghouse and processing plant employees have urged the Department of Labor to permit this supplemental labor so that their employees would not be deprived of their jobs.

This reduction in the crop because of the failure to harvest goes even farther than that. The man who makes the boxes or who makes the cans or who transports the finished product to the market also has employees whose work hours would be shortened with this crop loss.

Usually, as far as the grower is concerned, in the long run, the lack of supply and the increased demand will raise his price to the point where he will possibly get as many dollars back from the short crop as he would have had he marketed his whole crop, but then this increase will be reflected in the price of fresh and processed fruit to the consumer. Is the Secretary acting in the interests of all our people when he deliberately follows policies that would result in raising the prices to consumers? It can result in the housewife deciding that the price of citrus is too high and she will resort to some synthetic product which is cheaper but one which I do not think many doctors would prescribe for babies to drink in place of pure orange juice.

This does not only affect the citrus industry. The Florida sugarcane industry has more than tripled during the last 3 years, largely as a result of the encouragement of the U.S. Department of Agriculture. This season we have approximately 235,000 acres of sugarcane to be harvested in Florida. Domestic workers simply do not like to, and therefore will not, cut sugarcane on Florida's muckland. The Department of Labor has acknowledged this for many years. In the past they have always authorized enough supplemental foreign workers to assure that this crop could be harvested without losses due to lack of labor. However, during the current season, sugarcane producers have been turned down in more than a dozen requests that have been made to the Department of Labor for additional foreign workers that were needed to avoid the possibility of crop loss.

On January 17 and 18, we experienced temperatures as low as 18 degrees in the sugarcane belt, and the dangers of a crop loss suddenly became a reality. Several of the mills have been able to grind cane at only 80 percent of the rated capacity which means that many thousands of tons of cane that could have been ground are now damaged along with the remainder of the crop. Renewed appeals for necessary amounts of labor to minimize losses resulting from the freeze were also denied until recently, when the Secretary of Labor said that the sugarcane industry could have 300 more workers, when these workers are released by the citrus industry. The citrus industry has not been in a position to release these workers and any relief that may ultimately come from that direction will be too late to avoid losses that have already occurred. A survey of four of Florida's sugarcane mills last week shows that they estimate their losses to date—due entirely to lack of sufficient canecutters—at a total of $1,754,000.

Florida growers planted 3,500 acres of strawberries this year. Some 1,900 acres of strawberries were planted in the lower east coast area, and growers in that area have largely depended upon supplemental foreign workers to efficiently produce and harvest their crops. But, when these strawberry growers sought this year to obtain a relatively small number of supplemental foreign workers who were needed to lay down polyethylene weed-control covers, they were turned down time and again. The use of polyethylene weed-control covers would greatly minimize the amount of labor needed to control the weeds by hand. Yet the Department of Labor could not see this fact and continued to delay acting on these growers' requests until blooms or flowers set on the strawberry plants. It then became necessary to install the weed-control covers over blooming plants with the result that these blooms were severely damaged, and the first two pickings of the strawberry crop were lost. It is not enough to say that this loss was due to the lack of labor. This loss was due directly to the lack of prompt action by the Department of Labor.

In addition to losses such as those described, all segments of the industry in Florida report increasing losses in grade and quality of their crops due to lack of labor.

I want to make it clear as I said before that Florida agricultural employers prefer to use American workers. It is reasonable for them to expect a fair day's work for a fair day's pay, and our farmers want to give them this, but on the other side of the coin, I believe that they have a right also to expect the Department of Labor to supply qualified and willing workers or, if they are not available in sufficient numbers, to quit vacillating and denying what are obvious facts and readily certify as to the existence of the labor shortage so that crop losses will not be so large.

The entire attitude of the Secretary of Labor seems to be that he wants to look to the agriculture industry to solve our unemployment problems. But the simple fact is that neither the Secretary of Labor nor our farmers can force people to do manual labor in our fields and groves unless they wish to do it.

Mr. Speaker, it is my judgment that the situation that exists in Florida today and that threatens to become worse during the remainder of our season, will also pose a very serious threat to agriculture throughout this Nation in the very near future. I have it on good authority that many growers are talking in terms of cutting back their production of ground crops by as much as 50 percent unless some encouragement and assurance of adequate labor is forthcoming from the Secretary of Labor. This is the kind of situation when an executive officer of the Federal Government can easily be of valuable help to this country. I am talking about the kind of help that results from the cooperation of an industry that is vital to the total welfare of the United States. I do not know who or what caused the Secretary of Labor to adopt such an unrealistic and unsympathetic attitude toward our agriculture industry, but he should move immediately to correct his errors of judgment, which already have cost farmers and growers and workers in Florida many millions of dollars—and will cost the consumers many millions more.

It is a somber fact that this Nation never has as much as a week's supply of fresh fruits and vegetables en route from the producer to the market and available to the consumer. The strength that holds this chain of food production and distribution together is no greater than its weakest link. Farmers in much of the Nation will soon be faced with a decision to plant as much seed as they did a year ago, to cut back their planting operations or not to plant at all. Their decisions will be made on an individual basis and will be based upon their respective judgments as to how this Government will respond to their plea for fair and reasonable treatment. The lack of any encouragement from the Secretary of Labor or—alternatively—the assurance of our Government that it will indeed be sympathetic and responsive to the needs of our industry will no doubt be the determining factor as each producer decides his future role as a food producer in this Nation. His decision will be reflected in a very short time in every grocery store across this Nation. The responsibility for this decision will not rest in the hands of the individual producer; it will rest in the hands of a few responsible officials in Washington who have not up to this point chosen to act responsibly. Let us hope that they are aware of the high stakes that are involved and avoid the needless crisis that will be threatened if they fail to act affirmatively and promptly in the public interest.

A PROCLAMATION

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I have today introduced a resolution which expresses support of the American people for President Johnson's heroic determination to wage carefully measured and meaningful retaliation against military installations in North Vietnam which serve as staging areas for training Communist forces to carry on continued aggression against South Vietnam.

This resolution would also assure the people of South Vietnam that the people of the United States stand firmly behind them in their long and tireless efforts to preserve for South Vietnam freedom and independence.

The resolution states further:

> The people of the United States, through their elected representatives in the Congress of the United States, send to the people of South Vietnam their heartfelt admiration for the great sacrifices which the people of South Vietnam have endured during the past 20 years in their struggle to retain self-determination and human dignity.

I shall include a text of the entire resolution at the conclusion of my remarks.

Mr. Speaker, it is my sincere hope that the Congress will approve this resolution without delay as our answer to those who naively continue to believe that somehow we can negotiate a peaceful solution with the Chinese and North Vietnamese Communists to the problem of Vietnam.

Those who propose negotiation never spell out with whom we are to negotiate or on what terms, nor do they take the trouble to recall that we have now been negotiating with the North Korean Communists for 11 years in hopes of arriving at a workable peace treaty which would bring peace and stability to Korea. During these 11 years of negotiations at Panmunjon, the Communists have violated every single provision of the truce negotiated by President Eisenhower in 1953.

North Korea today is one of the most formidable Communist military bases in the whole world, and this was accomplished by the Communists during the past 11 years while fruitless negotiations were going on.

Nor do those suggesting negotiations over Vietnam care to mention the fact that we have indeed been negotiating with the Chinese Communists in Warsaw, Poland, now for almost 5 years.

We have held more than 127 exploratory sessions with the Communist representatives in Warsaw, and as far as I know, the Chinese Communists have not made one single solitary concession which would indicate or create an atmosphere for any meaningful negotiations to resolve the problems of southeast Asia or curb Chinese Communist subversion in that part of the world.

Mr. Speaker, I hope this resolution will be adopted because it is important for the world to know that the people of the United States stand firmly behind the people of South Vietnam in their heroic struggle for freedom.

It is also important to know that the people of the United States stand firmly behind President Johnson in his brave decision not to capitulate to Communist infamy.

I have the highest respect for President Johnson's judgment, and while I know that he would never deliberately lead us into a needless war, neither would he surrender our freedom to Communist treachery.

Mr. Johnson indeed carries a heavy burden today. It would be my hope we can approve this resolution to show our dedicated President that we as Americans stand firmly behind him in these days of historic decisions.

Mr. Speaker, it is high time that we Americans realized that for us to fail in our positive action now would be an open invitation to world war III.

I know it is difficult for many people to understand the situation in South Vietnam and why we have to be there in the first place. But both President Johnson and Secretary Rusk have made it crystal clear that for the United States to abandon South Vietnam today would mean a complete surrender of the entire southeast flank of our Pacific defense perimeter.

It would be only a matter of days before South Vietnam was overrun by the Communists and not much longer before Thailand, Burma, Cambodia, Malaysia, and the whole of southeast Asia would be victimized by Communist aggression.

Those who cling to the belief that we can negotiate ignore the fact that it was only 10 years from Manchuria to Pearl Harbor and less than 18 months from Munich to the rape of Poland on September 1, 1939.

There are those who urge this entire matter be turned over to the United Nations, completely ignoring the fact that the United Nations has had several opportunities to deal with the problem of southeast Asia. The United Nations is in no position to take any overt action since the Soviets could use their veto power in the Security Council.

Wish as we may, southeast Asia is beyond the help of the United Nations.

General de Gaulle has been making all sorts of suggestions as to what we should do about this problem, but I believe the American people should know that his true role in this problem is only that of a kibitzer.

General de Gaulle has made no offer to commit his troops to enforcing any peace settlement that might be negotiated. As a matter of fact, General de Gaulle is not even in this game.

There are those who ask, "Do the South Vietnamese have the will to win?"

Mr. Speaker, I believe it is the South Vietnamese who should ask if we have the will to stand and support their efforts toward total victory.

It is my hope, Mr. Speaker, that adoption of my resolution would dispel any fears the South Vietnamese might have regarding our determination to help them preserve their freedom.

I am sure that President Johnson along with the South Vietnamese would be most eager to seek a peaceful solution and, yes, negotiate intensively, the moment the North Vietnamese Communists withdraw their troops from South Vietnam and cease their aggression and subversion.

For us to withdraw under any conditions short of complete Communist withdrawal would be merely to intensify the risk of world war III.

Peiping has clearly announced its military policy for all of southeast Asia. It has a militaristic appetite that feeds upon success.

Mr. Speaker, there are those who question the sincerity of our South Vietnamese allies and place the burden of their suspicions on the fact that South Vietnam has undergone major changes of government nine times in the last 2 years.

Certainly, the internal problems of South Vietnam are of deep concern to us, but the fact remains that the people of South Vietnam have endured greater hardship, sacrifice, and agony during the last 20 years in their struggle for freedom than we Americans have endured in the last 200 years of our existence.

I believe that the course chosen by President Johnson is the only course that can avoid world war III.

The President has announced his policy of carefully measured retaliation against military targets which serve as the basis for training Vietcong Communists for aggression against South Vietnam.

This carefully calculated escalation is the only course this Nation can take and, indeed, it serves notice on the Peiping and Hanoi Communists that this Nation would not stand by with impunity while they wage barbaric aggression against our allies in South Vietnam.

No man wants war less than President Johnson and I am sure that every single decision he has made has been carefully weighed against all of the consequences.

This is a period which can turn the tide for freedom. It requires complete understanding from the American people and it also requires complete dedication.

It is for this reason, Mr. Speaker, that I hope the following resolution will be carefully considered and adopted by the Congress.

My resolution follows:

Whereas the United States, during the administrations of President Truman, President Eisenhower, President Kennedy, and President Johnson, has been committed to a policy of assisting the people of South Vietnam preserve their freedom and independence from Communist aggression; and

Whereas the North Vietnamese Communists have in recent months stepped up considerably their aggression against both civilian and military installations in South Vietnam; and

Whereas this aggression has caused the serious loss of life to American observers presently stationed in South Vietnam to help train South Vietnamese troops against Communist aggression; and

Whereas the President of the United States has had to order carefully measured retaliatory action against the North Vietnamese military staging areas where Hanoi and Peiping Communists have been or are being trained for aggression against South Vietnam; and

Whereas the President of the United States has made it abundantly clear that to withdraw American assistance from South Vietnam would expose the whole of southeast Asia to occupation by the Chinese Communist forces; and

Whereas such occupation would violate all the principles of the Geneva Conference of 1954 in which South Vietnam was guaranteed its independence and freedom from Communist aggression; and

Whereas withdrawal of American support from South Vietnam would only serve to hasten the day when Communist forces in Asia and China could wage all-out aggression against the rest of the world; and

Whereas the Hanoi and Peiping Communists have failed to show a single overt act which would indicate the problems of Vietnam could be settled through negotiation: Now, therefore, be it

Resolved, That it is the sense of Congress, speaking for the American people that—

1. This Nation stands firmly behind President Johnson's determination to wage carefully measured and meaningful retaliation against military installations in North Vietnam which serve as staging areas for training Communist forces to carry on continued aggression against South Vietnam;

2. That the people of the United States stand firmly behind the people of South Vietnam in their long and tireless efforts to preserve for South Vietnam freedom and independence; and

3. The people of the United States, through their elected Representatives in the Congress of the United States, send to the people of South Vietnam their heartfelt admiration for the great sacrifices which the people of South Vietnam have endured during the past 20 years in their struggle to retain self-determination and human dignity.

ANNOUNCEMENT

Mr. BALDWIN. Mr. Speaker, yesterday on rollcall No. 16 I was not recorded as having voted. I was on official leave from the House. Had I been present I would have voted "nay."

UNITED NATIONS

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, it is with great honor that I rise to compliment the United Nations, which is celebrating its twentieth anniversary this year. We are all aware of the vital services which this world organization has performed in preserving international peace. I have supported this organization since its inception in the tumultuous days after the Second World War. Furthermore, I am proud, as are my constituents, to have the headquarters of the United Nations in the great city of New York.

As a member of the House Foreign Affairs Subcommittee on the Near East, I have personally witnessed its invaluable role in preserving the independence and stability of states in that area of the world. Were it not for the United Nations Emergency Force a serious international crisis would have ensued. The mediation efforts of Count Folke Bernadotte and Dr. Ralph Bunche were instrumental in creating the machinery whereby Israeli-Arab coexistence would be insured.

I, therefore, submit for consideration a resolution which can express the continued faith of the United States in the growth and strengthening of the United Nations. The resolution reads as follows:

H. CON. RES.—

Concurrent resolution expressing the continued faith of the United States in the growth and strengthening of the United Nations

Whereas President Lyndon B. Johnson said in his state of the Union message, "we renew our commitment to the continued growth and effectiveness of the United Nations" realizing "the frustrations of the United Nations are a product of the world we live in, not of the institution which gives them voice" knowing full well "it is far better to throw these differences open to the assembly of nations than permit them to fester in silent danger"; and

Whereas the renewal of this commitment on the 20th anniversary of the founding of the United Nations is celebrated by the observance of International Co-operation Year during which the nations of the world are implored to emphasize those areas in which their mutual interests achieve greater importance over the issues which cause friction; and

Whereas in each year of its history, the United Nations has become a more vital instrument of peaceful negotiation and settlement in issues directly affecting the stability of the world; and

Whereas the United Nations has recognized the re-evaluation of rising expectations throughout the world and in furtherance thereof the United Nations has concurrently maintained a vast effort to improve and "promote social progress and better standards of life in larger freedom" through its economic and social functions; and

Whereas the United States has, in the past recognized the principle of fiscal responsibility towards a world organization; and

Whereas in his inaugural address the late President John F. Kennedy said "to those peoples in the huts and villages of half the globe struggling to break the bonds of mass misery, the United Nations offers a beachhead of cooperation which may yet push back centuries of poverty, fear and distrust to achieve a world where the strong are just, the weak secure, and the peace preserved": Now, therefore, be it

Resolved by the Congress of the United States, That we do hereby reaffirm our continued commitment to the United Nations and endorse, encourage and sustain this crucial effort of mankind to achieve a greater society of nations dedicated to the proposition that peace, order and progress in the world can best be accomplished through cooperation in the United Nations.

HORTON AMENDMENT FOR WOMEN'S RIGHTS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, earlier this week, it was my privilege to be present at the annual Susan B. Anthony luncheon of the Rochester Federation of Women's Clubs. The gathering held in my home community of Rochester, N.Y., commemorated the 145th anniversary of the 19th century suffragette's birth.

Susan B. Anthony honored the history and heritage of Rochester. She waged war on discrimination and won. The 19th amendment to our Constitution guaranteeing women the right to vote is an eternal monument to her towering triumph, and its foundation was built in Rochester.

But, just as man does not live by bread alone, neither do women gain full equality by voting rights alone. Therefore, in the proud tradition of Susan B. Anthony's home, I have worked and voted for legislation to secure there additional rights. In the last Congress, we passed a law requiring equal pay for women performing the same work as men and we amended another law to ban discrimination against women in various Federal programs.

Now, in keeping with my efforts, I am pleased to announce that I have introduced today a constitutional amendment making equal rights for women the law of the land.

Our Constitution is a very great document, but its greatness hinges on the fact that it is susceptible to change. A change in providing equal rights is long overdue.

Our society still contains too many remains of ancient rules of law which treat women as inferiors. The amendment I support does not contemplate that women must be treated in all respects the same as men, but, while preserving in law obviously natural differences, it would do away with separate classifications for jury duty, property and inheritance rights, and other citizen benefits that bear no real relation to sex.

This amendment is not new but was first suggested in 1923. Since that time, it has been introduced in every single Congress. An impressive list of nationwide organizations have recorded their support of this proposal in the past.

Most recently, on September 14, 1964, the Senate Committee on the Judiciary submitted a report asking for favorable consideration of the amendment. The Senate report of the 88th Congress reminds us that "Adoption of this amendment will complete women's long movement for legal equality."

There remain many well-known vestiges of ancient rules of law which treat women as inferiors. In many States, a woman cannot handle or own separate property in the same manner as her husband. In some States, she cannot engage in business or pursue a profession or occupation as freely as can a member of the male sex. Women are classified separately for purposes of jury service in many States. Community-property States do not vest in the wife the same degree of property rights as her husband enjoys. The inheritance rights of widows differ from those of widowers in some States. Restrictive work laws, which purport to protect women by denying them a man's freedom to pursue employment, actually result in discrimination in the employment of women by making it so burdensome upon employers. Such protective restrictions hinder women in their competition with men for supervisory, technical, and professional job opportunities.

In this session of Congress I sincerely hope the House will take favorable action on this much needed amendment. The evils which this amendment seeks to cure are many. These evils have a historical basis in the inferior position of women in medieval days and under the old English common law, but they have no sound and reasonable basis in 20th century America. I ask for your cooperation and favorable action.

THE FARM LABOR SITUATION IN FLORIDA

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. GURNEY] is recognized for 60 minutes.

Mr. GURNEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Speaker, I want to bring to the attention of this House today, a most serious situation in Florida.

The economy of my State of Florida is facing one of the gravest economic threats in all its history.

The great agricultural industry of Florida, the No. 2 money crop of the State, has already suffered losses running into many millions of dollars, and stands to suffer a much greater loss in the weeks ahead unless relief is received immediately.

What is this threat to our citrus, our green vegetables, our sugarcane?

Is it a threat of nature like our disastrous freeze of 2 years ago, or drought, or flood, or a swarm of insects?

No, none of these.

I am ashamed to tell this House, but the plague in this case is the U.S. Government itself.

The Great Society has not only declared war on poverty, but has also declared war on Florida farmers.

Nor is the war confined to Florida farmers. Although they bear the brunt of the attack and battle at this moment, farmers in California, Arizona, Texas, and many other States are in similar battles of varying intensity.

Nor is the war confined to agriculture. In our complex society, when one industry takes an economic beating, the effects are far reaching and felt throughout the land. Industries and people who handle agricultural products take their financial losses too. Jobbers, dealers, canners, wholesale markets, and retail stores and a host of other industries magnify the direct loss of the farmers manyfold.

Take transportation—rail and truck—a very sizable source of their revenues come from hauling food to market.

The livelihood of many a truckdriver, or truckowner in Florida depends upon hauling to market one crop, citrus, each year. There will be great numbers of these people this year who will not make enough this season to make both ends meet or to properly feed, clothe, and shelter their families.

Now what is the problem anyway? Why this loss of millions of dollars? And why is it so unnecessary?

The problem is simple. Florida farmers cannot get labor to harvest their crops, to pick the citrus, cut the sugarcane, gather in the vegetables.

They are unable to get sufficient labor because the U.S. Department of Labor and more specifically, the Secretary of Labor, Mr. Wirtz, has arbitrarily refused to help our people. He has shut his ears to their pleas and his eyes to their plight. He has even gone further in hearings held before the Senate Agricultural Committee a month ago. His answer to the presentation of overwhelming evidence in the form of incontrovertable facts and figures of severe labor shortages and consequent crop loss was simply to paraphrase, to say "There is no labor shortage, there are no crop losses."

The facts and figures were produced and introduced in evidence by responsible and leading citizens of my State of Florida. They were corroborated in some instances where he had personal knowledge, by the senior Senator from Florida, SPESSARD HOLLAND, a man who has had a lifetime of working knowledge of the citrus industry in Florida, as a grower, who has served on the Senate Agriculture Committee for years and who is recognized and respected throughout Florida as an expert in agricultural matters.

Yet this Cabinet officer of our Government simply dismissed the massive evidence presented to him in these Senate hearings in a manner that can be only interpreted as "I don't believe you."

Now let us review the problem at this point.

Florida farmers are faced with the age-old problem of harvest. It has not changed in thousands of years, and it is the same in Maine and California that it is in Florida, and the same in the United States as in every part of the world. Mother nature ripens a crop all at one time. You cannot schedule a harvest like you can an automobile production line.

When the harvest ripens the farmer needs a lot of willing and able hands to harvest the crop. Years ago, in an agricultural economy there was no problem, the whole family, the whole community gathered in the harvest.

But now in an urban society, the economic facts of life are that there just are not enough workers in any given locality, in our case Florida, to pick the crops. Laborers have to be brought in, recruited from somewhere else.

In Florida, our farmers have brought in so-called offshore labor, which refers to workers from the Bahama Islands.

Now this recruiting of offshore labor has been carefully and strictly supervised. First of all, it is governed by Public Law 414, the Immigration and Naturalization Act. The workers from the Bahama Islands are permitted to come in only temporarily for the harvest season. They may only supplement domestic labor, take up the shortage. They may not replace domestic labor. The applications for offshore labor are processed carefully by the Government and the numbers to be imported must be certified by the Department of Labor.

In years past this arrangement worked well. The Department of Labor recognized that sufficient domestic labor could not be recruited and certified enough offshore labor to take up the slack.

In recent years, and particularly in this present administration, and particularly under Secretary of Labor Wirtz, there has been a changing attitude. What has really happened is that Secretary Wirtz has arbitrarily taken the position that he intends to prohibit the importation of any foreign labor.

For example, this year at the National Canners Association meeting in San Francisco, William J. Haltigan, Chief of Research and Wage Activities of the U.S. Department of Labor said, "The days of the bracero program are gone and the days of other foreign workers are numbered." He went on to say that agricultural labor "must be met through employment of domestic workers."

Incidentally, later in this same meeting and in answer to a question how domestic workers were going to be induced to do hard farm labor which they had no stomach for, he said that employers should induce workers by "making them feel wanted" and when asked for a concrete example of how, he said, "send them Christmas cards."

Now, Mr. Haltigan's prediction of the numbered days of foreign workers has been borne out in Florida in salutary fashion by his boss, Secretary Wirtz.

As his lieutenant made the speech, the Secretary was denying the requests of Florida citrus growers for additional offshore workers and now, Secretary Wirtz threatens to cut off the whole program when the present certifications expire. To put it another way, it looks as though Florida citrus men will have no foreign pickers when the big Valencia orange crop ripens for picking in April.

Already, Florida citrus men have suffered a loss estimated at nearly $6 million. This loss occurred on the early and mid-season crop with 3,500 off-shore laborers working in our groves, for the Department of Labor did certify this number, but this was not nearly enough to do the job. If these pickers leave Florida soon for the islands, the loss on the Valencia crop will be many times that already suffered.

There are groves today with fruit so thickly on the ground, you cannot see the dirt beneath. Millions of dollars of hard work and care and fertilizing down the drain because of the arbitrary attitude of one man, Secretary Wirtz. Literally, the sight is pathetic enough to make a person want to weep and then get angry enough to want to do something drastic to those responsible for this mess.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I am glad to yield to the gentleman.

Mr. DOLE. I would like to point out that I had the privilege of witnessing this firsthand. Last Friday I went to Orlando, Fla. I was there and visited as a member of the Committee on Agriculture some of the groves, and I can attest to the facts stated by the gentleman from Florida that you cannot see the ground.

I believe perhaps the most striking illustration was the comment of one Duke Crittenden, who operates the Crittenden Fruit Co., about 37 North Carolinians who were brought from North Carolina to comply with the request of Secretary Wirtz that only domestic labor could be used. The comment was that of 37 who were brought, paid for, and transported by Mr. Crittenden, in 1 week only 1 remained. He is now referred to as the "lone ranger" in the groves of Mr. Crittenden.

This is an example that although domestic help may be fine, may be satisfactory, and may be desirable, while we are experimenting with this so-called domestic help, the growers of Florida are losing millions of dollars.

As the gentleman has pointed out so well, as for the money lost, this is tragic history. The oranges have literally turned to garbage. But there is the huge Valencia crop, which will mature in mid-April. Something needs to be done about that.

I found this quite interesting from the standpoint of being a Kansan, since in Kansas we do not have citrus fruit. I thought it might be of interest to the gentleman from Florida to know that we sympathize with him in regard to the problem.

Mr. GURNEY. I appreciate the gentleman's contribution very much.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from Florida.

Mr. CRAMER. I join my distinguished colleague from Florida and I congratulate him for calling this matter to the attention of the Congress.

The gentleman, along with other Members of the delegation, has done his best to call this problem to the attention of the Secretary of Labor and of the administration, so far to little or no avail. Is that not correct, I ask the gentleman?

Mr. GURNEY. That is correct.

Mr. CRAMER. The farmers in Florida, be they citrus farmers or truck gardening farmers, are being offered no relief of any consequence as to the recruiting of needed additional domestic workers; is that not correct?

Mr. GURNEY. That is certainly correct.

Mr. CRAMER. I am certain the gentleman concurs that if it were possible to get domestic workers to do the job that would be the preferable approach. However, the Department of Labor and others—even though the citrus commission and the people in Florida have participated in the recruiting program and have done everything in their power to make it work, even having a cooperative effort with all Southeastern States to try to make it work—have miserably failed in providing domestic workers; is that not correct?

Mr. GURNEY. The gentleman is absolutely right. The Florida farmers have literally moved heaven and earth to recruit domestic laborers from other States—which I will go into further in my remarks—with little success.

Mr. CRAMER. The result has been, obviously, that they must look somewhere else. The administration has offered no relief in that respect, is that not correct, even though there are on the books laws which would permit immigration for working purposes?

Mr. GURNEY. Yes, Florida farmers have not been permitted any further extension of the offshore labor program to relieve the critical labor shortage. The Department of Labor has tried to produce additional domestic laborers, but with almost no success.

Mr. CRAMER. The gentleman indicated the people against whom the administration, by the action, has, in effect, declared war. In my opinion, it has also declared war on the American housewife and American families. They are the people who will have to pay the bills in the end for the truck gardening which is rotting on the ground and for the citrus which is rotting on the ground. They will end up paying the bill in an increased cost of living; is that not correct?

Mr. GURNEY. That is certainly correct. As I pointed out earlier, and will point out further, the repercussions of the loss in the citrus field go throughout the entire industry and, in fact, to all kinds of industries, as the tentacles of this economic impact are felt. Loss will pile upon loss and a heavy impact will fall on American families in costlier food bills.

Mr. CRAMER. I, also, have recently returned from Florida. There I saw the citrus rotting on the ground. I had an opportunity to talk with some of the citrus people and other agricultural people, and they cited to me some examples of complete bureaucratic bungling which are almost unbelievable. For instance, a man was sent down from the North to work in one of the groves, to pick oranges, though he weighed 350 pounds. What were they to do? Were they supposed to roll him up the ladder?

Other workers come in, and stay only a couple of days. They go to Florida for a vacation. Their way has been paid, and when they get there they refuse to work and there is nothing the sponsors can do about it. Those are only some examples.

I should like to make a comment with regard to one additional point.

We, of course, have just voted out of the Committee on Public Works the Appalachia bill on the basis that there are millions of people in Appalachia who are unemployed and need help. Florida offers employment and employment in the sunshine. The minimum wage of $1.10 has been fixed. You cannot say it is not adequate compensation. Their cost of transportation is paid in advance. Their opportunity for employment is there. I wonder if the administration can say to the people of America how in the world they can fail so miserably in recruiting people and in providing jobs on the one hand which are now available and, on the other hand, say that, well, we had better spend billions of dollars in trying to provide employment when we have hundreds of millions of dollars worth of employment available right in Florida at the present time. It does not make sense to me. I wonder, does it make sense to the gentleman?

Mr. GURNEY. The gentleman's point is certainly well made. At least one organized labor group is getting the message, too, because I understand the Teamsters Union have opposed this arbitrary attitude of the Department of Labor because their own truckers are being put out of work.

Mr. CRAMER. I thank the gentleman.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. Yes. I yield to the gentleman from California.

Mr. TEAGUE of California. I will ask the gentleman to yield a little further on, also, when I want to raise some other very important factors on the whole problem. However, I would like to be sure that the RECORD is clear that we are having exactly the same kind of a situation in California and that it is not alone the farmers who are suffering. Almost half of our packinghouse jobs which formerly existed and which were filled by domestic workers are not filled now because we cannot harvest our crops. Truckers, as the gentleman from Florida [Mr. GURNEY] has pointed out, are not hauling the usual amount of produce to the packinghouses. As a result, only roughly half of the trucking jobs which are normally available are now available. These are domestic workers and not foreign workers. Furthermore, we are now able to harvest only about half of our citrus crop from California. This is not a tragedy, perhaps, for the farmers in California, because we normally sell only about half of our citrus crop as fresh fruit. The rest of it goes into byproducts of various kinds. The farmers do not expect to get more than their money back out of those byproducts, such as frozen orange juice and other products we ordinarily buy in cans either as frozen or canned products. What the farmers do is get their money out of that and that is all, but there is such a great shortage and will be because of the situation in California and Florida that the housewife will find she has to pay a great deal more for canned products, as she is already finding she has to pay more for fresh products and frozen products.

Mr. GURNEY. I certainly thank the gentleman from California for his excellent contribution.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I want to join my colleague from California [Mr. TEAGUE] in presenting the case for California, as we discuss the problems created by the administration's failure to extend the bracero program.

Everything that has been said about California's agricultural products by Mr. TEAGUE and other Members of the California delegation apply to the grape growers, the apple and pear industry, and other so-called specialty agricultural crops of my district.

The gentleman from Florida [Mr. GURNEY] is certainly to be complimented for arranging this special order permitting many of us to express our indignation with the administration for the handling of the farm labor question.

All of the problems you are now hearing were predicted by witnesses as they testified before the Agriculture Committee during hearings on the bracero legislation. The Department of Labor and the administration were warned of what would happen. They would not listen, then are spending thousands of dollars running all over the country trying to justify their position, while crops lay rotting on the ground.

This is certainly the way to fight this war on poverty—all they are doing is creating more poverty as the truckers, processors, and other associated jobs await the supply of this required labor force.

Additionally, the investor is doing the only thing he can do—he is taking his money to build processing plants where labor is plentiful—out of this country and into Mexico—further contributing to the balance-of-payments problem.

It is about time some of these fuzzy-headed theorists spend a little time "down on the farm" to learn the economic facts of life before this great industry is jeopardized any further.

I think it is about time Congress took some action on this matter. I think we should send a congressional committee into Florida, California, Texas, Arkansas, and other States affected to determine the real facts and seriousness associated with farm labor.

In the final analysis, it is the small man and woman who are being hurt the most—the small farmer producing a few acres of grapes, of apples, pears and so forth—the housewife who will have to pay a higher price for fruits and vegetables because the bumper crops lie rotting in the field.

You Congressmen on the floor today should tell your colleagues to wake up to what is happening to our agricultural interests while the administration sleepily ignores the plight of the farmer—you are our only hope.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. Yes. I yield to the gentleman from Florida.

Mr. HALEY. I want to join my colleague from Florida in calling the attention of the Congress and this administration to this tremendous problem that we have in Florida today. I was in Florida last week, and walking through a grove I found it impossible to walk on the ground. You could walk on oranges and not the ground. We have a serious situation down there, and I want to say this and join with my colleagues in saying it, that we have not received very much encouragement or help from this administration. It is true that the Secretary said he would get us some domestic labor, but the gentleman knows this labor is unaccustomed to this kind of work and they come down there and maybe stay a day or two. Growers are importing these people from various States throughout the Nation. They stay for a day or two and, I presume, they enjoy a nice vacation in Florida at the expense of the growers.

We do have a serious situation. The losses to the growers, the canners, the truckers, and to the laborers in Florida are tremendous. I hope somebody in that Department who knows or has practical answers to this problem will come to Florida, and if they think they can solve it by the method they are now applying we would be very happy to receive that kind of assistance. I know that it cannot be done and I think the Department does.

Mr. GURNEY. I thank the gentleman for his contribution.

Mr. MORTON. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from Maryland.

Mr. MORTON. I thank the gentleman for yielding.

Mr. Speaker, in the State of Maryland, in the State of Delaware, and in the State of New Jersey a very similar situation exists during the vegetable harvest. Historically the migratory groups have been composed very largely of people from the Bahama project and have moved north after the Valencia harvest from Florida to participate in the harvest of vegetables, strawberries and other farm products along the Eastern Appalachian Plain.

During the last decade the production of these particular crops, particularly on the Del-Mar-Va Peninsula has dropped down to a bare fraction of what it was in years past. This has both a direct and an indirect impact on our total agricultural economy.

For example, in my district alone we have about two dozen canneries which employ a total of well over 2,000 people during the whole summer season. These canneries are now threatened with the possibility of not being able to get crops that they can process and put into the marketplace.

So I feel that the policies that are being followed and that are very dramatically felt in Florida are the absolute, diametric opposite to the policy of trying to help the small family farm. I hope that we can take a realistic look at this whole program again and that the administration will see fit to reverse some of their decisions, so that we may again establish an efficient, well managed, migratory farm harvest group of people who are very dedicated to this and who profit by the experience.

I have spent a good many months and years in the Bahama Islands and I know what the so-called agricultural projects have meant to that country and particularly the islanders in that country who suffer from lack of employment. This project has educated and sent to school many of their citizens.

Another project that has come up in connection with this—and I just came back from the Southwest where I saw it in action—is that a good deal of our vegetable product is moving from the United States into Mexico because of these same policies. This again will disturb our balance of payments. This again will create a loss to American agriculture which is in diametric opposition to the job we are trying to do of helping the American farmer.

Mr. GURNEY. I thank the gentleman for his contribution.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from California.

Mr. YOUNGER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to join with the gentleman and congratulate him on bringing this very important problem to the floor of the House. It is almost inconceivable that with all of the fine words that have been said and all of the propaganda on the war on poverty that the same administration seems to be hellbent to extend the necessity for the war on poverty to our own people and to the farmers.

We have the same condition in San Mateo County which is a small farming area, but where we have always used braceros. We cannot get local help. Now with the bracero program out our harvest is stopped.

I am reminded of the story about the war on poverty. This fellow came up and saw the sign, "Headquarters for the War on Poverty." He came in and he said, "Is this the Headquarters for the War on Poverty?" And they said, "Yes." And he said, "Well, I want to surrender now."

Mr. Speaker, it seems as though it is necessary for the farmers in this country to surrender to their own Government because their own Government will not permit them to make a living. Therefore they are subjected to doles on the part of the Government in order to eat.

I again want to congratulate the gentleman from Florida [Mr. GURNEY] for bringing this problem so forcefully to the floor of the House.

Mr. GURNEY. I thank the gentleman from California for his contribution.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield to me at that point?

Mr. GURNEY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, as a member of the Committee on Education and Labor, the statement made by the gentleman from Florida [Mr. GURNEY] is more than of just passing interest to me and I am sure to my colleagues who serve on this great committee.

Mr. Speaker, I, too, should like to congratulate the gentleman also for bringing this matter to the attention of the Members of the House. However, I wonder if the gentleman would be good enough to answer a question or two in order that I may better understand the gravity of his previous statements.

I wonder if the gentleman would be willing to advise me as to the percentage rate of unemployment in the State of Florida at this time?

Mr. GURNEY. I cannot answer the gentleman's question as to the percentage rate. The gentleman serving on the Labor Committee may be able to inform me on that matter. I know that our unemployment situation is rather good, or to put it another way, that we do not have much unemployment. Does the gentleman have figures which he could furnish to me?

Mr. PUCINSKI. We have had, of course, widespread reports of unemployment, particularly among the refugees that have recently settled in Florida. However, we are wondering whether or not the problem of recruiting help, American help, help that is now drawing some form of public assistance, could be pressed into work on these projects and would not be more easily obtained if the wage standards were to reach something more comparable to American standards?

I am wondering whether or not the growers—and the gentleman spoke about vast amounts of produce lying on the ground and going to waste—I am just asking myself if, perhaps, the growers are not engaged in a kind of silent conspiracy or boycott because the Congress has terminated this bracero program?

It would seem to me that this is one aspect into which the Congress would want to look.

The other aspect—and I wonder if the gentleman would comment on this matter of the gentlemen who have criticized the termination of the bracero program, would want to leave the impression here in the Congress that somehow just plain Americans are incompatible to the so-called "stoop" labor as it is called in these crop-employment areas?

I am reminded of the fact that there are in this country today and have been for many, many decades, millions of Americans—as a matter of fact I believe the figure at this particular moment is 13.5 million of American citizens, natives of this country, born in this country, reared in this country, Americans of several generations, who are agricultural workers and who have been employed in agriculture and who have earned their living all their lives in this field. So, perhaps, the problem is not in restoring the bracero program, but improving the working conditions of the people engaged in this industry.

Would the gentleman comment on that?

Mr. YOUNGER. Mr. Speaker, will the gentleman yield to me?

Mr. GURNEY. I shall yield to the gentleman from California in just a minute. However, first, I want to answer the gentleman from Illinois [Mr. PUCINSKI]. I was about to interrupt him and say that his information is wrong, but believe me I appreciate his contribution. I really do, and I challenge the gentleman since he is a member of the Committee on Education and Labor in this regard: Why do you not hold a hearing on this matter and find out for yourself what situation exists, just as the Senate committee did a month ago?

Mr. PUCINSKI. Is the gentleman asking me to do that?

Mr. GURNEY. As a matter of fact, I commend to the gentleman from Illinois that he read this report which contains very extensive information given not only by the Department of Labor but by people from Florida, from California and from Arizona, and by Members of Congress, most of them colleagues on your Democrat side of the aisle, not on my Republican side of the aisle.

Now, let me answer the gentleman further. The gentleman wonders if we do not pay our people enough for their labor in Florida. A good citrus worker can make in Florida today, if he is willing to work and willing to pick, $25 a day very easily. I feel that represents pretty good wages.

Mr. PUCINSKI. What kind of hours? From sunup to sundown?

Mr. GURNEY. Would the gentleman from Florida [Mr. HALEY] answer that question for me?

Mr. HALEY. Yes, I will answer that question. If a man is engaged in piecework he works as long as he wants to.

Mr. PUCINSKI. From sunup to sundown?

Mr. HALEY. The gentleman has just said $25 a day. A good picker in Florida can make $40 a day, and this does not include free meals, free housing and accommodations. I may say to the gentleman that down in Florida the conditions are much better than you might think people would think, because Florida has some pretty strict laws on housing labor.

I might say further to the gentleman that Florida's unemployment today is the lowest it has been in 9 years. What the gentleman and his committee have not understood and do not want to understand is this: To gather a crop of this magnitude you must have a tremendous amount of labor at a certain time, at a certain period. It will not wait. You must pick the oranges when they are ripe. You cannot use this labor over a long period of time. It is not that kind of proposition.

Mr. GURNEY. I would like to say in further answer to the gentleman from Illinois, lest we get off the track, that the Florida program is not a bracero program. Actually our importation of labor is done under Public Law 414. I know the bracero people have their problems, but we operate under a different law. Only a fraction of our labor requirements each year has come in under this program.

I would like to comment on another point, something that the gentleman from Kansas spoke about. Mr. Crittenden was referred to. I know Mr. Crittenden. He is a friend of mine, he is a reliable citrus grower in the Orlando region. One of the columnists of the newspaper for Orlando, Fla., commented on Mr. Crittenden's situation, and I would like to read some of the comments about his problems with the recruitment program of the Department of Labor. He was speaking of the workers he had brought in from North Carolina. He says:

> Of 37 unemployed brought in here by bus from North Carolina Friday, only 8 remained this morning. Crittenden talked to them today and expected only three or four of the eight to remain after payday.
>
> This is the same group that damaged the interior of the bus that brought them here and expended their energy in tearing up Crittenden's labor camp. One of them was just 1 day off a North Carolina prison work gang when he was recruited by the Labor Department and shipped to Orange County.

That may be in part an answer to the gentleman from Illinois in regard to the recruitment program.

The article concludes:

> All in all, Crittenden figures his experience (nightmare, it might be better termed) cost him at least $1,000 in busfare and other expenses. "And those who did work didn't pick enough fruit to pay the out-of-pocket expenses," he adds.

This is part of the recruitment program which the Department of Labor has put into effect.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from California.

Mr. YOUNGER. I would like to say a word about what the growers of California found out in their solicitation for labor. They wrote to every State, the labor commissioner of every State, to find surplus labor. I was particularly interested in the reply from West Virginia, where the labor commissioner said: "No, we do not have surplus labor. We import labor to harvest our crops on the farms. We do not and cannot harvest them with local labor."

Yet West Virginia is one of the so-called Appalachia States, one of the highest in unemployment, yet they import their own labor in order to harvest their farm crops.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from California.

Mr. TEAGUE of California. I notice, as usual, that the majority leader is on the floor, and the Speaker is in the chair. I would like to have these two points made clear in the RECORD. The President has quite properly expressed some concern about our balance-of-payments situation. I just checked into that matter, and I find from California alone we have been exporting in the neighborhood of $30 million primarily in citrus products, including some vegetables, $30 million worth of fruits and vegetables, overseas per year. As of now, and with no indication that the situation will improve, we simply will not be able to harvest the fruits and vegetables which have been going overseas. This is a $30 million item in our balance-of-payments problem.

Furthermore, as has been pointed out before, more and more processors from California are moving to Mexico. More and more farmers are moving to Mexico. They can grow tomatoes, lettuce, citrus and other fruits and vegetables almost as well in Mexico at a wage of a dollar a day instead of a dollar and a half an hour or $3 an hour for a good pieceworker in California.

One last point, an important one, is that the President spoke in some of his statements in the campaign, in Indianapolis, I believe, of his desire to cut down the support price program. I had a letter just yesterday from the manager of the Lima Bean Association. These people deal in lima and other types of beans. The people who grow these beans also grow strawberries, lettuce, onions, citrus, and other items. The manager reported to me that these men were going to increase very much their bean production because they were going to cut down their strawberry, lettuce, and field-crop production because of the almost certainty that there would not be full harvest of their crops. Dried beans are mechanized. They need almost no farm labor. Dried beans are one of the few—in my district the only—price-supported crops. Therefore we are going to have a situation where there is a probability that the total cost of our price support program is going to be increased by tens of millions of dollars through the inability of our California farmers to harvest their fresh fruit, which is not price supported.

Mr. GURNEY. I certainly appreciate the comment of the gentleman from California.

I should like to comment a little bit on the recruitment efforts made by the Secretary of Labor. I suspect he is well intentioned. I think he actually intends to solve this problem if he can. He makes a point that there are 3.8 million people unemployed in this country. He says obviously there will be no problem in recruiting a few thousand workers from this 3.8 million people. But the point is there are very few agricultural workers among the 3.8 million people. Many of those who are agricultural workers among this great number are in the unemployed list because they left the farm and do not want to go back. This is the problem we have.

The Secretary of Labor sent one of his lieutenants to Florida. He looked all around and talked to the growers and the workers. He came back to Washington and reported something. I am not exactly sure what he reported, but after that Secretary Wirtz issued a big release and said, "We are going to start a massive recruitment program and solve all our problems down in Florida."

At that time we needed somewhere around 3,000 or 4,000 workers. In the 3 weeks' time that the Department of Labor started this major recruitment program actually about 1,000 workers came in. One night think from this situation that that was a good start and the problem could be solved. But at the end of the 3-week period, of the 1,000 workers the Department recruited and sent into Florida, 60 percent had gone.

I hope the gentleman from Illinois who asked the question a short time ago is listening because this is what has happened. The growers could have told the Secretary of Labor this would happen because the growers have been trying to recruit their own workers year after year after year. This year they sent task forces into every Southeastern State. They set up field offices. They talked to the labor people in these States. They told them of their problem. They tried to get workers to come into Florida. They sent out buses to bring them back. They paid their expenses. They housed them and fed them. In some instances, as in the case of Mr. Crittenden, that the gentleman from Kansas, Congressman DOLE, talked about and that I amplified, out of 37 workers that he brought in at his own expense one week, later on he had 8 left. The rest had gone.

Out of 21 workers that another grower brought in—they came in early one morning after traveling all night and he gave them the day off and let them sleep, provided barracks for them to sleep in and gave them food. The next morning when it was time to work—how many do you think were on hand? He had 10 left out of the 21. And of the 10 that were left, 1 had to be sent back because he was too sick to work.

These examples could be cited over and over again. The list is endless. The Florida farmers have tried to solve their problems. They have tried to do a good job. They have tried to live up to their responsibilities. As a matter of fact, they have complied with all the regulations set forth by the Department of Labor but they just cannot get the people to pick the fruit. The crops are lying on the ground. Millions of dollars of produce are piling up on the ground. I must say as far as I am concerned that this is a terrible way to fight a war against poverty. As a matter of fact, it seems to me that the bugles instead of sounding the advance in this war, are blowing retreat as hot as they can. As far as the Florida farmers are concerned, it is not retreat, it is taps. I think it is high time that we do something about it. I think it is high time that the U.S. Government and the Secretary of Labor did their job and tried to help American businessmen, in this case the farmers, to try to make a decent living so that they can pay their taxes and shovel the money up here to Washington to fight this war against poverty. Pretty soon we will not have any taxpayers left and we will not be able to fight this great war against poverty.

Now my time is running out and I want to conclude simply by saying that the problem is really a simple one.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from California.

Mr. TALCOTT. I would like to take just a couple of minutes to amplify what the gentleman from Florida is saying, particularly with regard to the State of California because I think we have not seen anything yet. I happen to represent a district that is an agricultural district which grows one-fourth of all the head lettuce in the United States and that grows one-fourth of all the strawberries in the United States and 95 percent of all the artichokes, one-fifth of the broccoli and one-fifth of the celery. That is a lot of produce. It takes a lot of effort and a lot of people to harvest this kind of crop. But it also happens that the exact time of the year that the crop has to be harvested is when all of the other businesses and all of the other industries in the United States are working at full capacity and employing the most people, such as the building trades in the summertime and the tourist industry and at the same time that people are employed to the greatest extent working in restaurants and cafeterias. This harvesting work has to be done at the very height of this employment and at the very time when we need most of our domestic workers or any kind of workers that we can find.

In partial answer to the gentleman from Illinois, I want to point out that we pay the highest wages also and have the best working conditions and nice places to work. We are able to pay as much as $1.46 an hour which is higher than any other rate paid for a comparable skill. Our people have made every effort that they can to recruit this labor. They have written to every secretary of state in every State in the United States and to every department of labor in every State in the United States. The States do not have a supply of farm labor, except one State, and there they are not willing to travel all the way to California.

I think there are several myths about this whole question. One of these myths is simply because we have some unemployed people in the mines of West Virginia and just because there are some unemployed people in the slums of New York and in the cotton fields of Mississippi that those unemployed people are going to go someplace else to work.

This simply is not true. We have to find workers who are willing to come to work.

Another example of what the farmers in California have done since the termination of the bracero program, in addition to recruiting in every State of the Union, is that they have used prisoners; they have used people from the YMCA; they have used students, including girls, trying to find those who will work in the fields.

As an example of one experiment, one farmer brought 46 people—young, strong agricultural workers—from Mississippi to one of the valleys of my district to work. After the first 2 weeks, there were only 11 remaining, and 8 with the original employer. All of the others had either gone back home, because men get homesick as well as boys, or else had migrated to San Francisco and to Oakland, where they began to take jobs away from restaurant workers, gas station workers, and other people of lower skills, thus taking jobs away from other domestic people. This is when the union people out in our neck of the woods began to get interested in this program, because they could see that the people who were being imported into California to work on the farms soon left the farms and took jobs away from local domestic workers.

This is a myth we should do away with, because there are many people who are dissatisfied with the slums in New York or the mines of West Virginia who will simply not come to California to work.

Another myth which I should like to call to the attention of the House is that the farmer should not be the one to take care of all the welfare problems of the rest of the country.

Merely because people are unwilling or unable to work in a factory or a transportation system does not mean that the farmers in California, or elsewhere, should be required to handle a welfare program for them. Recently, a man was assigned to the field to work at stoop labor, although he had two peg legs. It is impossible for this man to earn a profit for his employer, and this should be the test. That actually happened. I am not saying that a man with two peg legs should not be taken care of, but it should be by the doctors or the lawyers or the other people, and not the farmer.

It is a myth to say that merely because there are unemployed people in the country the farmer should take care of them, as a welfare agent.

Another myth which is going around is that we should change our immigration laws from the quota system based on national origin to something based on skills. The very same people who are promoting the change of our immigration laws to permit people to come here on the basis of skills are the people who are opposing the importation of Mexican nationals, yet the skill we need in this country at the present time is the stoop labor skill to do the work on our farms.

It seems a paradox to me, which people should think about.

There are many other things which I should like to say about this farm labor program.

Mr. GURNEY. I thank the gentleman for his contribution.

Mr. MORTON. Mr. Speaker, will the gentleman yield for a question?

Mr. GURNEY. I yield to the gentleman from Maryland.

Mr. MORTON. I am a little disturbed about something which I may have misinterpreted in the statement by the distinguished gentleman from Illinois, concerning a conspiracy of farmers and growers banding together for the purpose of making the present policies—of the Labor Department in the discontinuation of the bracero program—not work; in other words, the use of a conspiracy to create pressure. If the gentleman from Illinois was referring to that, I feel that it is a very unfair statement, particularly as it may concern the family farms of the eastern Appalachian plain. I have never seen any conspiracy or any banding together to leave crops on the ground or to let them rot in the fields. Our people are not in good enough financial shape to afford that luxury. I resent very much the thought, even, that the American farmer is conspiring to change the policies that have been handed down by the Federal Government in such a way.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield for a reply, since I have been mentioned?

Mr. GURNEY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I did not accuse anybody of a conspiracy. I merely raised a question as to whether there was some boycott, merely because these large growers had been forewarned by this Congress repeatedly. The bracero program was not killed overnight. There was an ample opportunity given to all these people to make whatever preparation they had to. When my very distinguished colleague tells me he cannot walk through an orchard because of crops going to waste, certainly that means there has been some very bad planning somewhere along the way.

Throughout this discussion we had repeatedly heard about the barracks that they furnish and other things. My question is, What do you pay these men? If there is unemployment in this country—and there is—and we have a poverty program in effect now in order to reduce unemployment and yet these people are on the public dole, then perhaps you ought to look for your answer at what you are paying them. Are you making this work sufficiently attractive in order to attract people?

Mr. GURNEY. Mr. Speaker, I refuse to yield further.

Mr. Speaker, I thank the gentleman from Maryland [Mr. MORTON] for bringing that point to my attention. It had escaped me, and I certainly want to substantiate his argument. As far as the Florida farmers are concerned—the citrus people and the vegetable growers and the sugarcane growers—this is not only an absurd charge, but it is a serious charge and one which I should think the gentleman from Illinois would certainly have been advised not to make. There is not any conspiracy among Florida farmers. There is cooperation among them in trying to get the Department of Labor to solve this problem, but so far the Department of Labor has not seen fit to resolve it.

Mr. DOLE. Mr. Speaker, will the gentleman yield to me for one other comment?

Mr. GURNEY. Yes. I yield to the gentleman from Kansas.

Mr. DOLE. I might add I had an opportunity to go over the payroll record of Mr. Crittenden because it ties in with the statement of the gentleman from Illinois. I think that one of the top pickers, as I recall it, made $89 in 1 week. Of course, if you do not pick, you do not make any money. It is based on so much per box. Those who are industrious and work at it make a living, and that is as it should be. This might refute any part of that conspiracy statement.

Mr. GURNEY. I would like to make another observation here, also, which I think the House ought to take notice of. This Government spends billions of dollars in agricultural subsidies. I do not know whether that is right or wrong, because I am not knowledgeable in this field, but I can tell you one thing and that is, there is one segment of agriculture in the United States which does not receive a single dollar of subsidy. This is the citrus industry of the State of Florida. Two years ago we had the worst freeze in this century. We lost scores of millions of dollars, the freeze destroyed groves and ruined crops. Our citrus people are still trying to struggle back. But there was not a single Florida citrus man who came peddling up here to Washington and to Uncle Sam to ask him to bail him out. They take their hard knocks when they come and they carry their own load. All that they want is to be let alone and to be helped out a little in solving their labor problem so that they can harvest their crops and make some money in order to pay the taxes which help to support the Government. I think the Secretary of Labor might take this into consideration when he is considering this problem.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. Yes. I yield to the gentleman.

Mr. TEAGUE of California. The gentleman from Illinois made a statement which has so often been made in this House about the big farmers. The big farmers are going to worry through this in one way or another. Most of them have a little backlog and they can afford to send buses a few hundred miles in order to pick these men up, even when they get only 1 out of 100 workers they bring. They can afford to do this. I am not worried about the big farmers, but I am worried about the little farmer who cannot afford to do that sort of thing, as well as I am worried about the housewives and the packinghouse workers and the drivers.

Mr. GURNEY. I thank the gentleman.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. GURNEY. Yes. I will be happy to yield to the gentleman from Ohio.

Mr. McCULLOCH. I am very pleased that the gentleman from Florida [Mr. GURNEY] has brought this matter to the attention of the House and the people of this country. I am glad you mentioned that it is not the big farmer that is troubled by the problem which they face. Of course, you all know that Ohio is either one, two, or three among the top producers industrially of all the States in America. I presume some of you do not know that more tomatoes—or tomatoes, however you want to pronounce it—are produced for juice in my State of Ohio than in any other State of the Union. The tomato farmers or growers have acreages ranging from 5 to 25 or 30 acres. We find it impossible in many of those places, among the farmers in Ohio, to get the labor to harvest that crop, which in many instances must be harvested immediately, within a 2- to 3-week period. I am glad, I repeat, that the gentleman has brought this problem to the attention of the country.

Mr. GURNEY. Mr. Speaker, I thank the gentleman from Ohio. Let me press the point that the gentleman made and also the point made by the gentleman from California about the little fellow and the big fellow. The little fellow in this push-and-shove is going to get pushed out of business. He is going to be pushed to the wall. He is going to crash financially if he does not get to get some help. But let me tell you what the big fellow is going to do. He is going to do exactly what the big fellow has always done in this country, and that is what has caused a large part of the balance-of-payments problem; he is going to ship his capital out of the United States, as some of our big industries have already shipped their capital to Europe, to get a more favorable wage situation.

Already, as far as agricultural products are concerned, as far as the citrus people are concerned, they are already looking south of the border, in Mexico, and in Latin American countries, and in South American countries.

If the U.S. Department of Labor is going to shove them right up against the wall and smash them, they are going to find a way out and they are going somewhere else and they are going to take their dollars there. They are going to raise other crops and bring them back to this country and then we are going to lose all over again. This is another matter that I think the Secretary of Labor should think about.

Mr. Speaker, in conclusion let me say this. The farmers of Florida have certainly done their best to comply with the regulations set out by the Secretary of Labor. He, willfully and arbitrarily—and I use these words advisedly—refuses to certify the Florida farmers the necessary labor to handle the problem down there and harvest their crop. By a stroke of the pen he could correct this situation today if he wanted to, but he refuses to do so and he has caused an incalculable loss.

In April, when our Valencia crop comes along, if we do not get relief the loss is going to be much greater. I call upon him and the administration to stop this warfare against Florida and other farmers and get some sanity back into this unhappy situation.

Let me continue with my formal statement, as I see my time is running out.

Now, I want to point out here that I have been talking about dollars lost to the growers only. Heaven knows what the ultimate loss of dollars will be. I want to hammer home the point that it is not just citrus growers that will be hurt by this arbitrary action of Secretary Wirtz, but truckdrivers that haul the fruit, filling stations that sell gas to the truckers, auto and tire workers that build the vehicles, workers in processing plants, workers in plants that make the cans that hold the juice, steel and aluminum workers that manufacture the metal going into the cans and so on. It is a chain reaction. I want to hammer home here, too, that the dollar figures I have just touched on are for Florida citrus. Losses in vegetables and sugarcane in Florida will be severe also, and then there are the other States of California, Arizona, Texas, and many, many others.

Secretary Wirtz and this administration are playing with fire here. They are fighting a Great Society poverty war all right, but their bugles are blowing retreat instead of advance. Or to put it another way, the bugles are blowing taps for a lot of fine, hard-working, taxpaying American farmers.

And incidentally, speaking of farmers, I think another fact is worthy of note here. The U.S. Department of Agriculture spends billions every year on agricultural subsidies. But did you know that there is one great agricultural endeavor that is not subsidized, and that is citrus? These people have never come to Uncle Sam and asked to be bailed out of a bad deal. Two years ago Florida citrus men suffered the greatest disaster in the century in the big freeze of 1962, but as far as I know, not one citrus man asked for any Federal subsidy. And it is these self-reliant people bearing their losses in bad years, paying their taxes in good years, that Secretary Wirtz would deny sufficient labor to harvest their crops.

Now, let us turn to Secretary Wirtz for a minute—what reason does he give for this shabby treatment of our farmers?

His case is based wholly upon the premise that there is a sufficient domestic labor supply. He makes the point that there are 3.8 million unemployed in this country and that fruit and vegetable pickers can be recruited among these. I wish I had the benefit of the Department of Labor statistics, if in fact they have reliable data, which I sometimes doubt. It seems to me they have a strange habit of going up or down depending on whether it is election time or not.

Anyway it is obvious that we are talking here about specialized labor. First of all it is hard labor climbing ladders; heavy loads, and you knock out most of your so-called eligibles right there. It is also a fact of life that someone who is an unemployed factory worker in a northern city does not want to leave his family and come 1,000 miles or more to Florida to pick oranges. So it is obvious this 3.8 million figure probably includes only a few thousand potential agricultural workers.

But now let us look right at unemployed agricultural workers themselves. What about them?

Let me preface their story by saying that one thing about Florida citrus men, they are not stupid and they are self-reliant. They saw some time ago that they could expect very little sympathy and still less help from this New Frontier-Great Society method of running things in the Department of Labor. So they did their best to recruit agricultural labor from all other Southeastern States. This season, especially, a great effort was made, a special team went around to the Southeastern States where hope of recruiting existed. I point out in this recruitment program, traveling expenses of the workers are paid into Florida, housing furnished in some cases, advances for food made where necessary; in other words, some of this tender, loving care advocated by Mr. Haltigan of the Department of Labor is definitely given. The results? Completely unsatisfactory. Very few workers have been recruited, and those that come here hopelessly unsatisfactory in most cases. Many were physically unfit for work, others just did not want to work, and a very sizable percentage just came along for a free ride to Florida—they never showed up for the first day's work.

Here is one example. One Florida grower recruited 21 workers from out of State. He paid their expenses, into the State, and enough for their lodging. They had traveled all night so he told them to rest the first day. The second day 10 showed up for work, the others had left. Their mission had been a free ride at the grower's expense. Of the 10, 1 had to be sent back at the grower's expense when it was discovered he had an injury preventing his working.

These case histories are not an exception. They have been duplicated in varying degree in nearly every single case of out-of-State recruitment.

Now despite all kinds of evidence such as I have just cited, Secretary Wirtz announced, last month, that the Department of Labor would undertake a massive recruitment program of its own. Now, I do not doubt that he was completely sincere in this endeavor. I will give him the benefit of the doubt and believe that he honestly thought there were agricultural workers around here and those who could fill the bill.

How did his program work out? It was a dismal flop. Thousands of additional citrus and other agricultural workers were needed to pick the crops which were falling on the ground and rotting before Secretary Wirtz announced the Department of Labor would save the day and show the citrus growers how the job of recruiting these millions of unemployed should be done. In 3 weeks' time, beginning January 26, Secretary Wirtz' crash program produced 1,063. Now, one might think from that figure, that there was some hope, that even though the midseason crop might be partly down the drain, at least there was some hope for the future. But, not at all, for on February 11, 60 percent of these recruitments had already disappeared.

I am dealing in numbers only. I cannot speak of the quality of these recruits. However, I know many growers and they have told me their personal experience. Listen to this example:

> GOOD EVENING
>
> Not so cold, after all.
>
> Citrus growers, behind in their harvesting because of a labor shortage, probably benefited from this morning's cold.
>
> Duke Crittenden, who along with partner Harry Price, were victims of the Government's importation of domestic labor as fruitpickers, found some consolation this morning in last night's cold weather.
>
> "The cold weather should have helped hold the fruit on the trees," Crittenden explained. Many groves have thousands of oranges on the ground. The cold snap may slow down the maturing process of fruit remaining on the trees, thereby giving growers a little more breathing room for harvesting.
>
> Crittenden, who lost part of his tangerine crop earlier in the season because he couldn't get enough labor to harvest it fast enough, was one of the citrus men who hoped to import experienced West Indies pickers. As everyone now knows, Labor Secretary Wirtz turned them down and sent unemployed domestic labor here instead.
>
> Of 37 unemployed brought in here by bus from North Carolina Friday, only 8 remained this morning. Crittenden talked to them today and expected only three or four of the eight to remain after payday.
>
> This is the same group that damaged the interior of the bus that brought them here and expended their energy in tearing up Crittenden's labor camp. One of them was just 1 day off a North Carolina prison work gang when he was recruited by the Labor Department and shipped to Orange County.
>
> All in all, Crittenden figures his experience (nightmare, it might be better termed) cost him at least $1,000 in busfare and other expenses. "And those who did work didn't pick enough fruit to pay the out-of-pocket expenses," he adds.

If 50 percent of the workers who remained were really worth much as pickers, I would be surprised.

I think worth noting in passing is a set of instructions the Secretary sent out during this crash program. I read from these: "Workers should be met at the time and place for their arrival, shown where their housing is located; the foreman should give instructions on the type of fruit to be harvested, where to place ladders" and so on and on.

Now mind you, these instructions sent to men who have been in the citrus business all their lives, handling labor of all kinds all their lives. If I have ever read the product of a chairbound bureaucrat, this is it. It is ludicrous.

I doubt if this bureaucrat has been nearer to an orange than on his breakfast table.

To give you an idea of the frustration and disgust of our Florida farmers, let me quote from a letter from a grove owner back home, which I received about 10 days ago. This letter is mild. I have many more that are quite unquotable.

I doubt if I can add much more, except to duplicate fact on fact and figure on figure. To those of the House who are interested in more detailed information, I refer you to the text of the hearings before the Senate Committee on Agriculture and Forestry held on January 15 and 16. It makes interesting reading, I assure you, and sets forth this sad tale of woe to the Florida farmer as well as those in California, Arizona, and several other States, in great detail.

To sum, here is the exact state of affairs. In Florida and, of course, many other States—but I cannot speak for them because I do not have personal knowledge—our farmers cannot harvest their crops because of an acute shortage of labor. They have suffered losses of $6 million in citrus alone. They stand to suffer much greater losses.

There is existing legislation, Public Law 414, passed in this House and the Senate, under which they can get relief, and that was the express purpose for the enactment of this legislation.

The Secretary of Labor has set up certain standards and regulations to cover the employment of labor in this field of agriculture.

The farmers of Florida have done their best to comply, and from all the information I have, they have complied.

The Secretary, Mr. Wirtz, however, arbitrarily and willfully, refuses to certify the Florida farmers the necessary offshore labor to fill the gap of domestic shortage of labor. By a stroke of the pen, he could correct the situation today, now.

He refuses to do so. He has already caused the loss of millions of dollars to farmers. He has caused incalculable loss to others. He claims to try to create jobs for unemployed; instead he has cost jobs of employed.

If he persists in this wholly unreasonable attitude he will cause much greater damage than he has already.

I call on him and this administration to stop this warfare against my Florida farmers and other farmers and get some sanity back into this unhappy situation.

Let me close with one other thought. I have talked about the present situation—this crop season of 1964–65. If the Secretary of Labor does not change his stand, what will be the eventual consequences? The little fellow will be forced to the wall and busted. The big fellow farmer will do just what other big fellows in industry are doing—picking up their marbles, going abroad to Europe, where they can operate under more favorable circumstances.

This is already taking place in agriculture, and competing operations have already been set up by American investment in Latin America.

If ever I saw an example of cutting one's nose off to spite one's face, it is certainly here in this agriculture labor mess.

For Heaven's sake, Mr. Secretary Wirtz, listen to reason and see the light of day. Well intentioned though you may be, having the interest of labor at heart as I know you do, can you not see that your present policy is spelling not only ruin for the farmer and employer but also the laborer whom you profess to do battle for.

If you really want to fight the poverty war, then let our farmers help you. Do not fight them and hence lose this war.

WIRTZ SENT $100 FOR PLANE TICKET SO HE CAN COME INSPECT OUR GROVES

Editor, this was sent Sunday to Secretary of Labor Wirtz together with my check No. 1660 drawn on the State Bank of Apopka:

"You are wrong, Mr. Wirtz. I use this kind term because it is Sunday, and not a day for blasphemy.

"I went to my grove this morning and I looked at my pineapple block, and saw these ripe oranges falling to the ground. I looked at those on the ground. They have been dead ripe for 30 days, and they have not been picked because of you, Mr. Wirtz.

"During the 1962–63 season we had a freeze. Were you making mistakes then? Since then, on a $100,000 investment we have had less than a $5,000 return. Our trees froze, and we spent many thousands in restoration. This year we thought we could have a return on our money invested. My crop sits there drying out, falling to the ground, and rotting. Why, Mr. Wirtz? Because of you.

"These workers you have sent to us are a liability. Please don't send any more. Just let our taxes keep these perennial misfits in spending money, but don't burden us with them.

"We are proud, Mr. Wirtz, and we don't need aid, and we won't have your fumbling subsidies. We just want you to keep your hands out of our business.

"I am attaching a check made out to Eastern Air Lines for $100. This is fare for you to fly down to Orlando to meet me. We are going to drive out to my grove, and you are going to look at the problem. As the oranges fall, you can pick up a sack and take them home to Mrs. Wirtz. I want you to see this chaos you have wrought. Call my home collect, Mr. Wirtz—Terrace 8-2509, Maitland, and I will meet your plane."

F. C. FOAN, *Maitland*.

EDITOR: Have been reading of the work shortage in the citrus groves. Am enjoying the Florida sunshine for the winter and am curious to know how it is that you cannot import your own labor without having the permission of Washington.

We are slowly drifting into socialism and I, for one, hate to see that happening. Also, how long can we run this country on a deficit budget? For just my share of the national debt they would probably have jailed me long ago if I was directly owing it. No wonder it's getting harder to sell U.S. bonds.

L. P. HILDRETH, *Lake Jem*.

TITUSVILLE, FLA.,
February 1, 1965.

Congressman ED GURNEY,
House of Representatives,
Washington, D.C.

DEAR SIR: I would like personally to appeal to you for help in the harvesting of our citrus fruit. As owner of 200-plus acres of groves we at this very day are having a terrific droppage of our temple citrus fruit and pineapple citrus fruit due to the unavailability of sufficient personnel for the harvesting of these crops. It is essential that we be relieved in some manner in the next few days. We would like to bring out that the availability of domestic help is nil due to the Cape Kennedy space program. It is almost impossible to find sufficient domestic labor for the caretaking of citrus groves. Thanking you for your help in the past, I remain, sincerely yours,

ROY ROBERTS.

STATEMENT BY CONGRESSMAN EDWARD J. GURNEY, REPUBLICAN, OF FLORIDA, FOR INCLUSION IN THE RECORD OF HEARINGS BEFORE THE SENATE AGRICULTURE AND FORESTRY COMMITTEE, JANUARY 19, 1965

Citrus is the lifeblood of central Florida as well as most of the Sunshine State. Today it faces a major threat to its very survival in the hard and strict policy laid down by the Labor Department.

Citrus growers in Florida have for many weeks requested additional workers from the offshore labor supply. Their pleas, however, have gone unheeded.

The Florida citrus industry has more than complied with the Department's criteria over the years. The Department's criteria have been for citrus producers to pay a minimum wage, carry out continuous recruitment efforts, advance transportation costs to workers, guarantee domestic workers job priority, and provide free housing.

These criteria have been met justly by Florida citrus growers. Beyond these minimum standards set by the Department, the citrus industry has been looking ahead, trying to meet its needs through their own efforts.

For instance, the recruitment programs have been exhausted by the industry.

Clark Ghiselin, secretary of the Citrus Industrial Council, has traveled extensively throughout the southeastern States in an effort to stimulate a labor supply.

He visited State industrial commissions in Arkansas, Louisiana, Mississippi, Alabama, Georgia, North and South Carolina, traveling with a regional staff member of the Labor Department.

In addition to meeting the Department's requirements in these recruitment efforts, Florida's citrus industry has made attractive offers on its own.

The industry has requested advance estimates from these States of the number of single males, Negro and white that they could provide. The industry has even stated that if estimates are above the average, it will build housing to meet the need. The industry has asked these States to hold annual farm placement meetings so Florida employers could travel to the States and make personal contact with prospective employees.

Florida pioneered this latter approach in Mississippi in 1961. After making a similar request to Alabama over a 2-year period, that State is now holding an annual farm placement meeting. This year, the Georgia Industrial Council held such an annual meeting for the first time.

However, Florida's Citrus Industrial Council reports these farm placement meetings have not been successful in recruiting adequate labor supplies.

But the council continues to try and solve these problems. Mr. Ghiselin plans to meet next week with Arkansas and Tennessee officials to lay the groundwork for future farm placement meetings.

If the citrus industry has not been able to secure adequate labor supplies from domestic forces, it must turn to offshore workers who have long filled the gap.

To give you an example of the urgency of the situation in Florida, let me cite some figures:

In the 1961–62 season, the Florida citrus industry used a peak of 25,000 workers, with approximately 6,000 of these offshore laborers.

In the 1962–63 season, the year of the big freeze in Florida, the industry again used 25,000 workers, with about 6,000 offshore workers.

The following year, 1964, the peak period saw 13,000 workers with 3,000 of these offshore workers. In 1965, the peak was 16,000 and 3,500 offshore workers.

But, there was also a 40-percent increase in the orange crop this year over last year, a 20-percent increase in grapefruit production, and 18-percent increase in tangerine production.

This points up the improved methods of production and high efficiency of the industry. In that regard, the industry has been able to get by on fewer workers by having a State agency clearinghouse which checks on crews. When a crew slacks off in one area, it is moved around to where it can be more effectively worked.

But looking into the future, Florida's citrus industry, it is estimated, will need 50,000-plus workers in another 10 years.

Prior to the big freeze, there were 660,000 citrus acres. After the freeze there remained 420,000 acres in production. The rest was either young grove, killed, or damaged to the extent it was nonproducing.

By 1968, however, the industry will have recovered 660,000 acres. By 1973–74, with the plantings in the ground now, the acreage will be in the neighborhood of 880,000.

This means a picking force of 50,000-plus men as estimated by the industrial council.

With those facts in mind, the industry was understandably shocked by the Labor Department's announced policy to eliminate all offshore labor.

A good concrete example of how ineffective the recruitment program, as required by the Department, has been, can be seen by the problems encountered by one citrus grower.

This particular grower recruited 21 workers from out of State. They arrived one morning after an all-night ride at his expense. He had them bunk down for the day to rest after feeding them and giving them picking sacks for the next morning's work.

Come the following day, however, and he found only 10 of the 21 workers still on his farm. The others had left, explaining they were hitchhiking to West Palm Beach.

Incidentally, one of the remaining 10 workers had to be sent back to his home State at the grower's expense when it was discovered he had been injured prior to being hired.

Even in the face of such problems, however, the Florida citrus industry has not been idle, as I have related in this statement.

Our citrus industry needs help immediately. A freeze this week has compounded a bad situation. The freeze points up the critical need for this added offshore labor for central Florida citrus growers are faced with an emergency situation. They must get their crops picked and without an adequate labor supply, they face ruin.

My State's citrus industry is fighting as best it can, but it will surely suffer millions of dollars in crop losses unless something is done quickly to allow citrus growers to gather their crops.

For the record, I request that the following sample telegram be printed. The situation described in this is typical of the acuteness of this problem.

ORLANDO, FLA.,
January 19, 1965.

Congressman EDWARD GURNEY,
Washington, D.C.:

We are facing the most critical and acute labor shortage this company has ever experienced. We have in excess of 300,000 boxes of citrus to harvest within 30 days. At present we are harvesting approximately 5,000 boxes per day. Last year not under similar conditions we harvested approximately 15,000 boxes per day. Due to the advance maturity of our citrus and the most evident lack of pickers to harvest this fruit we ask for any assistance that you may render. We have exhausted ourselves of every way and means we know to alleviate this situation.

Thank you.

BABIJUICE CORP. OF FLORIDA.

Whereas there is a shortage of suitable labor for the citrus and truck farming industries, and

Whereas the ban on importation of offshore labor has contributed to this shortage of suitable labor, and

Whereas the citrus and truck farming industries are approaching a financial crisis due to the lack of such suitable labor: Now, therefore, be it

Resolved, first, that the Secretary of Labor take immediate action to alleviate the critical shortage of suitable labor in the citrus and truck farming industries; second, that the Secretary of Labor should remove the ban on importation of offshore labor; third, that a copy of this resolution be forwarded to the President of the United States, the Secretary of Labor, the U.S. Senators from Florida and the Members of the House of Representatives from Florida.

STATE OF FLORIDA,
County of Orange:

This is to certify that the above and foregoing is a true and correct copy of a resolution adopted by the board of county commissioners at their regular meeting held February 1, 1965.

In witness whereof, I have hereunto set my hand and official seal of the board of county commissioners, this the 9th day of February 1965.

ARTHUR W. NEWELL,
Clerk, Board of County Commissioners.
By D. S. BANNER,
Deputy Clerk.

Whereas the city of Lakeland, Fla., is known as the world's citrus center and the economy of our citizens is dependent to a tremendous extent upon the production and returns from citrus fruits produced in our immediate area; and

Whereas Polk County produces about one-fourth of all of the citrus fruit grown in the State of Florida; and

Whereas it has come to our personal attention that the growers in our community have been unable to harvest a portion of the present citrus crop through a failure to secure the usual complement of qualified citrus pickers; and

Whereas it is common knowledge that the loss of citrus fruit in our county this season has amounted to hundreds of thousands of dollars through failure to harvest that fruit while in merchantable condition; and

Whereas this shortage of citrus harvesting labor is a matter of grave concern to the entire Lakeland business comunity; and

Whereas influential citrus growers in our membership inform us that the present problem arises primarily because of the failure of the U.S. Department of Labor to allow offshore workers to be used this season in citrus harvesting operations in Florida in numbers sufficient to cope with our emergency situation; and

Whereas the alternative, interstate workers sent into Florida by the U.S. Department of Labor have proven to be a burden rather than an aid in resolving this shortage of harvesting labor: Now, therefore be it

Resolved by the board of directors of the Greater Lakeland Chamber of Commerce, That the condition complained of be made known to President Lyndon B. Johnson, the Honorable Orville L. Freeman, Secretary of Agriculture, the Honorable Willard Wirtz, Secretary of Labor, and to the Members of the Florida Congressional Delegation with an urgent appeal for proper remedial action simply to protect this $3 billion industry from further disruptive losses and irreparable damage to our business community.

Unanimously adopted this the 8th day of February 1965.

J. I. CLARK,
President, Greater Lakeland Chamber of Commerce.

Attest:

JOHN M. BRYSON,
General Manager.

[From the Citrus and Vegetable magazine, January 1965]

NO END SEEN TO FARM LABOR SHORTAGE SAYS FFVA'S DIVISION MANAGER

Announcement of U.S. Department of Labor plans to launch a massive recruitment effort to fill seasonal farm jobs in Florida, California, Arizona, and Texas brought the prediction from a Florida Fruit & Vegetable Association spokesman that the drive would confirm the existence of widespread labor shortages.

"We'll gladly accept any help they want to try to give us, even though we don't expect much in the way of results," said W. H. Anderson, Jr., manager of the association's labor division.

"On the other hand," he said, "the industry has no reason to believe that even the Department of Labor expects to find that farm laborers are available."

He cited recent and current findings of the Florida State Employment Service that farm jobs are going begging in most active farming and citrus areas, and pointed out that independent efforts by farmers and growers to recruit workers in Southeastern States have yielded disappointing results.

"I believe that the official reports of the public employment service agencies in all of these States ought to convince any reasonable person that no one is kidding about the limited labor supply," Mr. Anderson said. "The insistence by the Federal agency that it take a firsthand role in a recruitment effort must therefore have other significance."

He explains that he expects the Federal agency will try to talk farmers into raising wages even higher than now required by the labor agency's regulations.

"They would like to claim that labor shortages could be overcome with higher wages," Mr. Anderson said. "But wages have climbed in every segment of our industry for several years and our shortages continue to increase. That is no answer to our problem. It hasn't even put much more money into the pockets of the average farmworker, for a very large number of them simply slow down their efforts and work fewer days."

On the other hand, he pointed out that the better farmworkers are now earning as much or more than workers in comparable jobs in nonfarm industries.

The Labor Department's decision to launch an intensive recruitment drive coincides with the end of the government-operated Mexican labor program under which Mexican nationals have been recruited to meet farm job demands in the Western States. It also came on the heels of a series of hearings held by the agency, including one in Miami on December 2, to determine whether present Federal controls are adequate to protect the interests of domestic workers in areas where supplemental foreign workers might be employed to meet labor shortages.

Florida fruit and vegetable producers who employ foreign workers already pay all workers in their hire a minimum of 95 cents per hour, regardless of whether foreign workers are engaged in the same crop or the same kind of work. Sugarcane growers pay at least $1.15 per hour. According to the farm organization spokesman, the average farm worker earns substantially more than these minimum wage levels.

"We are told that about 32 recruiters will be sent to Florida," Mr. Anderson said. "About half will be men selected from desk jobs in Washington and other Federal offices, and the remainder will be employees of employment service agencies from other States.

"We are also told that the Florida State Employment Service and Florida Industrial Commission are supposed to retain control over the activities of these outside recruiters. I doubt that this actually is intended. The Florida officials have already reported on the farm labor situation and so have the officials of similar agencies in the southeastern States. The Labor Department has had plenty of opportunity to listen to the officials of these States if they really intend to be guided by them."

Mr. Anderson said that about 13,000 workers are now employed throughout Florida agriculture on a supplemental basis. Several thousand more domestic workers are expected to come to Florida after the holiday season as in the past, but present statewide shortages are expected to become severe with the approach of peak harvest operations in January and February, he added. Some crops, including sugarcane, should set record production levels if harvests can be completed without losses.

FEBRUARY 13, 1965.

Hon. SPESSARD L. HOLLAND,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLAND: In response to your phone call this morning we have prepared the enclosed reports for your use.

1. Report on the current use of domestic labor in sugarcane cutting.
2. Report of losses caused by lack of labor to harvest sugarcane.
3. History of requests and reasons why newer sugar organizations require additional manpower.

We trust that the enclosed will give you adequate information. We will keep you posted by phone of any recent developments.

In behalf of all of the sugarcane industry, I want to express our sincere appreciation for the keen interest and help you are giving us in this problem.

Sincerely yours,
SUGARCANE GROWERS COOPERATIVE OF FLORIDA,
GEORGE H. WEDGWORTH,
President.

REPORT ON CURRENT USE OF DOMESTIC LABOR IN SUGARCANE CUTTING BY SUGARCANE GROWERS COOPERATIVE OF FLORIDA

Alabama group	28
Louisiana group	46
Total	74

LOUISIANA GROUP

The following is a resume of events relative to 46 workers sent to Sugarcane Growers Cooperative of Florida from Baton Rouge, La.

Eleven men arrived by bus in Belle Glade at 4:00 p.m., on February 3. One worker immediately attempted to purchase a bus ticket to Miami, Fla. He was refused sale of the ticket by the agent in charge. Local police were summoned in order to remove the worker peaceably from the bus station.

Thirty-five more workers arrived on February 4, at 12:30 a.m. All 46 workers were taken to the doctor's office for physical examinations at 9:00 a.m., February 4.

We learned late the afternoon of February 5, the workers from Louisiana had left the field and refused to work. After contacting Mr. Dave Cano, from New York and a member of Secretary Wirtz' crash team, Mr. Lee and Mr. McIntyre along with Mr. Cano visited the labor quarters. Here we talked with a spokesman for the group who stated that the men did not understand the basis on which the piecework values were determined and how they contrasted to the $1.15 rate. They also told us that piecework was not mentioned to them when they were recruited in Louisiana. One worker stated that he was getting $40 per week unemployment from Louisiana and had made a horrible mistake to come to Florida to work for $1.15 per hour.

They wanted to know how they would get back home and who would pay their way if they quit now. After approximately 30 minutes of persuading by Mr. Cano, Mr. Lee, and Mr. McIntyre, the men said they would consider it and possibly return to the fields in the morning.

Every effort was made to clarify the basis of pay and encourage the men to work. We explained that they were guaranteed $1.15 per hour for every hour they worked in the field and that this amount would be guaranteed to them for a week's time in order for them to become accustomed to the work. We further explained that the piecework was designed so that they could earn more than the guaranteed minimum wage. They told us they didn't mind working, but they would not run like the West Indians. We explained to Mr. Cano that since the men had arrived, unrest was apparent and that we felt every effort had been made to encourage them to work. We further advised him that if they refused again, we could no longer use them. Mr. Cano agreed that we had been fair in the treatment with the men and that we should separate them in the event they again refused to work.

At approximately 8:30 a.m. on February 6, we were advised that nine workers remaining in camp No. 3, refusing to work, were going about the camp informing the other workers how poorly they were being treated and causing general disorder.

We contacted Mr. Dave Cano and informed him that we were planning to move them out of the camp and transport them to the Florida State Employment Service in Belle Glade. He agreed that this was the thing to do and he would attempt to find them other employment.

On February 9, two more workers appeared from Baton Rouge. One of these workers ate supper, spent the night in the camp, had breakfast, and disappeared.

The following cost figures relate to these and are through Friday, February 12, 1965:

Advances:	
Food	$200.15
Clothing	36.64
Transportation	1,114.15
Physical examinations	230.00
Total advanced	1,585.94
Collected from workers	343.97
Amount of advance still due	1,241.97
1,021 hours worked at guaranteed rate of $1.15 per hour	1,174.15
Value of cane cut during 1,021 hours	321.31
Guaranteed wages paid in excess of value of cane cut	852.84

FORTY-SIX LOUISIANA WORKERS, BEGINNING FEBRUARY 3, 1965

February 3, 1965: Received 11 men at 4 p.m.

February 4, 1965: Received 35 men at 12:30 a.m. All workers were taken to doctor's office and given physical examinations.

February 5, 1965:

Went to work	44
Sick[1]	1
Toothache	1
Total	46

[1] This worker arrived sick. The company authorized the doctor to X-ray him and provide the necessary medication. The cost for this is estimated to be between $10.00 and $15.00, which is being billed to the cooperative.

February 6, 1965:

Went out to work	33
Refused to work	9
Off due to accident	1
Sick	1
Missing	2
Total	46

February 7, 1965: Sunday, no work, rest day.

February 8, 1965:

Went to work	34
Off due to accident	1
Total	35

February 9, 1965:

Went to work	7
Off due to accident	2
Missing	26
New men arrived from Baton Rouge	2
Total	37

February 10, 1965:

Went to work	8
Off due to accident	2
Missing	1
Total	11

February 11, 1965:

Went to work	8
Off due to accident	2
Total	10

February 12, 1965:

Went to work	8
Off due to accident	2
Total	10

February 13, 1965:

Went to work	8
Off due to accident	2
Total	10

ALABAMA GROUP

February 4, 1965: 8 a.m., all workers were fed. 8:30 a.m., workers were transferred to doctor's office for physical examinations. At the doctor's office, the following workers were declared ineligible according to the following: seven were 17 years old, 2 were man and wife who did not want to work in sugarcane, 1 worker was 60 years old, 2 did not remain when the 17-year-old could not be hired, 2 refused to work in sugarcane.

None of these workers appeared to have any money on their person. They were all requesting immediate advances and/or cigarettes.

February 5, 1965: Thirteen men went to the field. One missing.

8 worked 1 hour each, total earnings	$9.20
2 worked 2 hours each, total earnings	4.60
3 worked 5 hours each, total earnings	18.55
Total hours, 27; total guaranteed earnings	32.35

All workers missing by night, February 5.

Physical examinations	$70.00
Food	43.45
Total advance	113.45
Cost for hourly wages	32.35
Total	145.80
Value of cane cut	4.08
Cost to cooperative	141.72

NOTE.—There were no transportation charges on these workers. They were brought to the area by a crew leader and referred to the cooperative by the local State employment office.

REPORT OF LOSSES: CAUSED BY LACK OF LABOR TO HARVEST SUGARCANE

GENERAL

On January 17, 1965, the sugarcane fields of Florida suffered one of the most critical freezes in history. Temperatures dropped to a low of 18 degrees in some areas. Almost all areas suffered below freezing temperatures for several hours. Over 95 percent of the terminal buds were killed. Over 50 percent of the sugarcane had varying degrees of dead lateral eyes and/or frozen cane.

Weather following freeze has not been ideal for cane to hold quality. We have had 1 day of heavy rain followed by extremely high temperatures, for this time of year. Quality of sugarcane at all mills has shown marked reduction in quality. All mills report that in addition to losing sugar by deterioration of cane they all expect to lose whole fields of sugarcane because it will be unmillable by the time they are able to harvest. They all report that if they had adequate labor almost all of their cane could have been saved.

Following is a report on the estimated losses directly due to lack of labor to harvest sufficient sugarcane to run their mills to capacity.

These estimates are conservative and if additional unfavorable weather occurs the following losses will be much greater.

ATLANTIC SUGAR ASSOCIATION

Mr. Sam N. Knight, president, was contacted and he stated that they have been short 110 workers. Because of the shortage of labor to harvest cane their grinding rate has been reduced by 500 tons per day. He further stated that their loss will amount to 40,000 tons of cane or approximately $340,000 due to loss in sugar and/or loss of sugarcane.

GLADES COUNTY SUGAR GROWERS COOPERATIVE ASSOCIATION

Mr. Louis DeArmas, general manager, stated that they are short 75 canecutters.

They have run their mill at less than capacity due to lack of cutters. They estimate their loss directly due to labor shortage to be approximately 50,000 tons of sugarcane or $425,000.

SOUTH FLORIDA SUGAR CO., INC.

Mr. Miguel A. Ballester, Jr., general manager, stated that he was short 35 canecutters but was reluctant to estimate losses.

FELLSMERE

Mr. Leroy Medlin, personnel manager, stated that their mill had actually stopped for a total of 66 hours and had to grind at other times at less than capacity due to lack of sufficient labor to harvest sugarcane. They estimate that they will lose the equivalent of approximately 33,900 tons of sugarcane, valued at $444,000.

SUGAR CANE GROWERS COOPERATIVE OF FLORIDA

We have operated our mill at more than 600 tons per day less than capacity due totally to the lack of sufficient labor to harvest the crop. We estimate our loss at the present time for the crop to amount to approximately 64,000 tons or $545,700.

Summary of losses

Atlantic	$340,000
Glades County	425,000
South Florida	?
Fellsmere	444,000
Sugar Cane Growers	545,000
Total	1,754,000

It should be pointed out that our request for additional labor is not made on the basis of this freeze alone. It is made on the basis of sufficient labor to run mills to capacity based on past experience. Each year in addition to freezes we are subject to heavy rains and high temperatures at the end of the crop if closing is delayed because of lack of labor.

History of Requests and Reasons Why Newer Sugar Organizations Require Additional Manpower To Harvest Sugarcane

HISTORY OF REQUESTS

During 1963 informal requests were made in person to the Atlanta office of the Bureau of Employment Security to revise formulas used to determine certification.

Formal requests were commenced in September of 1964. Since that time there have been more than eight written requests by the State agency all denied or answered by requests for additional information. There have been three surveys made by the State agency on the request of the Atlanta office of the Bureau of Employment Security in addition to three conferences, at which time additional requests were made to revise formulas and additional information given.

The State agency has recommended our requests and has documented and substantiated them in a very precise and accurate manner. The Bureau's denials and requests for additional information have become ridiculous and harassing.

It was not until Mr. Cass and Mr. Maubury visited us on February 4, 1965, that we were able to have a representative of the Department of Labor visit our operation to determine the actual facts related to our request.

REASON FOR ADDITIONAL LABOR REQUIREMENTS

Generally speaking the older sugar mills in Florida developed their labor requirements based on large plantations having regularly sized and shaped fields. The land which they produced their cane on was close to Lake Okeechobee and is noted for its higher yields of heavier cane.

The newer sugar organizations from past experience have not been able to supply their mill with cane with the number of workers certified by use of the old formula. This is caused by the following factors:

1. The density of the sugarcane grown on the land farther away from the lake is less. Thus a cutter on outside land handling equal volume of cane to a cutter on the close-in land produces less weight.

2. Our fields are scattered all over western Palm Beach County. They are of varying shapes and sizes. The row lengths vary. Because of this, the worker is slower to accustom himself to the basis of pay of the task. In some cases this results in less production.

3. Our yields of sugarcane per acre generally run less than the older companies. As yield per acre is reduced the production per worker is reduced.

4. We have 53 different growers. The cultural practices of these growers vary. Difference in field layout, cultivation, and drainage produces different conditions which sometimes adversely affect cutters' productivity, such as excessive weeds due to poor cultivation.

We feel that the above physical and psychological reasons are sufficient to convince the Department of Labor that the basis for certification should be based on our experience rather than an old formula that suited the needs of companies having altogether different conditions.

The use of domestic workers has proven to be completely unsatisfactory. Many years of positive recruitment by United States Sugar Corp. and our 3 years experience has proven totally unsuccessful to get even one domestic worker to continue to harvest sugarcane. The Bureau of Employment has recognized this fact. Enclosed is a summary of our most recent experience with the use of domestics. The so-called crash recruitment teams from the Department of Labor have not supplied us with one canecutter to date even though we have had a request since November of 1964.

Since domestic workers will not harvest sugarcane even though we have jobs available at all times, it cannot be said that imported labor replaces a domestic worker's job.

It should be further pointed out that we do not desire to have any more canecutters than are necessary to run our mills to capacity. It would be unsound for us to have the additional expenses of housing and caring for additional workers not required to run these mills to capacity.

Minimum wage is set by the Secretary of Agriculture at $1.15 which is over 20 percent higher than the minimum wage in 1962–63 crop. Average earnings of workers are over $1.35 per hour because of the piecework basis that is used to compensate workers. Workers also receive free housing, three hot meals per day at cost, and workmen's compensation insurance. These wages and working conditions are higher than any other agricultural wage in the area.

Florida Fruit & Vegetable Association,
February 12, 1965.

Mr. J. D. Wright, Jr.,
Chairman, Florida Industrial Commission,
Tallahassee, Fla.

Dear Dan: This will acknowledge your letter of February 9 in which you advise that the Bureau of Employment Security plans to require a reduction on March 1 of the numbers of supplemental foreign workers assigned to the citrus industry, a reduction from 3,500 to 2,000. I further note your comment that "there is no guarantee that foreign labor will be available for citrus harvest after April 15, 1965."

A reduction in foreign labor available to the citrus industry during the remainder of the season is utterly unthinkable, and I am surprised that the Bureau of Employment Security and the Secretary of Labor have not already voluntarily acted to correct errors in their own judgment which already have led to the loss of an estimated $6 million in the early and midseason citrus crop due to the lack of manpower.

I have just consulted the Statistical Reporting Service of the U.S. Department of Agriculture to obtain their latest information concerning the citrus crop outlook for the remainder of the current season. I set forth below their figures as to the estimated orange and grapefruit crops to be harvested as compared to the amounts actually harvested during the comparable period a year ago. The following figures apply to February 7, 1965, and are compared to crops harvested from February 7, 1964, to the end of the season.

All oranges: 1965 estimated remaining harvest, 40,895,000 boxes; 1964 actual after February 7, 1964, 30,374,000 boxes.

All grapefruit: 1965 estimated remaining harvest, 13,730,000 boxes; 1964 actual after February 7, 1964, 9,080,100 boxes.

It is apparent that we have almost exactly 33⅓ percent more oranges to harvest and more than a 50-percent increase in the amount of grapefruit to be harvested between now and the end of the season than we did a year ago.

Additionally, I wish to point out that the Florida citrus industry has grown tremendously in recent years and we have literally tens of thousands of acres of young groves which require very close attention during the spring months as well as over 400,000 acres of older groves which also will require great amounts of labor in cultivation work during this period.

Last year, I am certain that the Florida Industrial Commission's statistics will agree that we had to have some 10,000 workers in grove care operations during this period. It was necessary then to divert labor from picking operations at considerable sacrifice. We will certainly require no fewer workers in grove care operations during the next several months than we did a year ago. As you know, the Bureau of Employment Security has refused to allow us to utilize foreign workers in this type of activity, and we therefore have no alternative but to divert domestic workers from picking operations to grove care work. Many groves damaged by freezing temperatures 3 years ago have not yet been given the attention that they deserve simply because labor could not be spared during the period of harvest and during the summer months most of these workers leave Florida to fulfill commitments up the eastern seaboard.

We have thoroughly reviewed the contents of your letter with officials of the Florida Citrus Mutual and with many individuals in the citrus industry and they fully share our opinion that the losses suffered by the Florida citrus industry due to the lack of labor during the last 60 days will be relatively small compared to the losses that are in prospect unless this industry is allowed to have at least as many foreign workers as were authorized on January 1. There are many in the industry who believe that the rapid rate with which the valencia crop is maturing may even make it necessary for us to subsequently seek even more than 3,500 workers unless the usual rate of workers recruited from other Southeastern States can be delayed this year by several weeks. I doubt that this is possible as these workers have their own ideas about when they wish to return home.

We earnestly solicit your assistance in obtaining authorization for the citrus industry to retain 3,500 foreign workers as long as the domestic labor supply is inadequate. This, of course, refers to the period through April 15, but I will use this opportunity to again underscore the fact that we will very definitely remain dependent upon supplemental foreign workers after that date if we are to avoid the scandalous type of crop losses that have occurred during the last 60 to 90 days. Your personal efforts to help us obtain necessary labor in the past are deeply appreciated and we can only hope that your appeals on our behalf this time will be given more attention by responsible Federal officials.

Best regards.
Sincerely,

W. H. Anderson, Jr.
Assistant General Manager.

Status Report on Florida Tropical Fruit Industry, February 12, 1965

The Florida tropical fruit industry a few years ago customarily found it necessary to employ several hundred supplemental foreign workers to harvest limes, avocados and mangoes. In recent years, the Department of Labor has become increasingly restrictive in permitting the use of supplemental foreign workers in this activity although the number of domestic workers willing and able to perform this work is inadequate. During the last 2 or 3 years this industry has only been allowed to use approximately 150 foreign workers at the height of the season. During the current season, growers in this industry were limited to a total of 100 and they were directed to release all of these workers by December 31, 1964, even though the crop was not harvested. Repeated appeals to increase the number of workers available so as to enable completion of harvest by December 31 were denied, until Secretary Wirtz personally authorized the extension of stay for 60 of the workers assigned to this industry through the period of harvest. However, when this authorization was translated into operational terms, growers were informed that the extension of stay was limited to January 31. Accordingly, no foreign workers remain in this industry at this time and growers are shorthanded with respect to workers for grove caretaking operations even though harvest operations are limited.

According to Secretary Wirtz' new regulations, these growers have already utilized 30 days of the 120-day maximum period that they will be allowed to use supplemental foreign workers during the calendar year 1965—even though these 30 days were involved in the harvesting of last year's crop. The industry customarily requires a very substantial picking force from June through February, although harvest operations are carried on almost continuously throughout the year in one crop or another. Under Secretary Wirtz's current regulations, if these growers are allowed to have additional supplemental foreign workers beginning in June, they will be forced to surrender all of them at the end of August and will have no labor force in prospect for the 4 remaining months of active harvest operations of 1965.

This industry has suffered repeated setbacks from hurricanes and freezes but it is trying to grow and expand. The 1964 avocado and lime crops were the largest on record—yet the Department of Labor allowed them even less labor than was admittedly required for this industry in prior years.

These growers—who are relatively few in number—have maintained standing orders with the Employment Service for domestic workers. They offer good wages and housing. The simple fact is that domestic workers prefer to work in easier tasks in other crops during the fall, winter and spring months and they migrate to jobs along the eastern seaboard States during the summer under a program sponsored and operated by the Department of Labor.

It is apparent that these growers must obtain relief in the form of adequate labor supplies, even if this means that supplemental foreign workers must be authorized. It is also apparent that the 120-day limitation is entirely unrealistic and does not take into account the nearly year-round nature of operations in this industry.

Freezing temperatures in January averted labor shortages that threatened to become acute in most active vegetable areas. However, very little damage took place in the staked and vine-ripened tomato industry and the strawberry industry along the lower east coast and these two crops require vast amounts of hand labor. The peak of vegetable operations is yet in front of us due to retarded growing conditions and replanting that followed the January freeze. A critical situation is in prospect if additional labor is not available to the tomato and strawberry industries within the next few weeks. An even more acute threat faces the entire vegetable industry at the end of April when lower east coast and Lake Okeechobee farming operations will be at their highest point and the 120-day limitation upon the use of supplemental foreign workers will expire under the present policies of the Secretary of Labor.

The Florida celery industry has nearly 5,000 acres of celery to be harvested and approximately one-third of this will have to be harvested after the 120-day time restriction on foreign workers expires and this crop has historically depended upon foreign workers to cut celery by hand.

A total of 49,470 acres of tomatoes have been planted in Florida this season and less than half of this has been harvested. The fruit has set on only 4,510 acres of the acreage remaining to be harvested which means that a very substantial portion will have to be harvested after the expiration of the 120-day limitation. It should be noted that Florida's tomato acreage this season is 7,000 acres larger than a year ago. It should also be noted that our tomato industry has had to face strongly increased competition from Mexico which has put nearly 20 percent more carloads of tomatoes on the U.S. market since December 12 than it did a year ago during this same period.

Florida's growing reputation as an excellent producer of sweet corn and resultant market expansion encouraged the sweet corn industry to plant a total of 30,865 acres this season as compared to 21,660 acres through February 6 a year ago. While 3,500 acres of sweet corn were killed by the freeze of January 17–18, most of this acreage has already been replanted and it is anticipated that an additional 18,905 acres of sweet corn will be planted during the balance of the season. This will give Florida 30 percent more sweet corn acreage than during the 1963–64 season and as of February 11, 1965, the Florida Sweet Corn Advisory Committee estimated that 5,300,000 crates remain to be marketed during the remainder of the season. This crop cannot be successfully harvested without the use of supplemental foreign labor as not enough domestic workers are willing or able to withstand the high temperatures and muck soil environment which is characteristic in the Everglades area where this crop is concentrated. Obviously, the 120-day limitation on the use of supplemental foreign workers will jeopardize much of this crop.

A total of 3,500 acres of strawberries will be harvested in Florida this season—if adequate labor is available. This is 700 acres more than were planted last year. A total of 1,930 acres of strawberries are located in the lower east coast area and strawberry growers in this area have historically depended heavily upon supplemental foreign workers. Resistance by the Bureau of Employment Security to authorize an adequate number of foreign workers for this industry has caused substantial losses in past years and delays in authorizing a limited number of workers thus far this season were responsible for growers being unable to lay polyethylene weed control covers over the plants until after blooms appeared. This necessary abuse of the blooming plants—necessary to avoid the need for even more labor to control weeds—resulted in the loss of the first two pickings this season. This crop requires labor that remains on the job and becomes experienced in picking only those berries that are prime and ready for market. Plants must also be protected. Attempts by growers to use day-haul crews have been very costly as these workers report for work only on those days when work is not available in their local areas. They therefore do not gain experience nor do they feel any sense of responsibility toward the grower to pick prime berries and protect the plants. Local workers, on the other hand, very willingly work in the strawberry industry because of the excellent earnings opportunities. There simply are not enough of these workers to do the job. The strawberry industry will have to have additional labor within the next few weeks to avoid crop losses. It will also have to have supplemental foreign labor after expiration of the 120-day limitation on foreign workers to avoid substantial crop losses during the remainder of the season.

On January 25, 1965, the Secretary of Labor refused to certify 500 additional supplemental foreign workers to meet labor shortages in the Florida citrus industry in spite of evidence that severe crop losses were taking place. This request had been made several weeks earlier and had been rejected. On January 25, the Secretary of Labor, in finally rejecting this request, announced that he would launch a crash recruitment program and send 500 domestic workers to Florida at the rate of 100 a day. The following are the results of this crash recruitment program together with the normal interstate recruitment which has been underway throughout the season. To enable a comparison of the results of the Secretary of Labor's crash recruitment program with the normal program, the following daily reports of placements cover a period of 30 days, including a 2-week period prior to the initiation of the crash recruitment program.

Date	Farm job openings	Local placements	Interstate arrivals	Openings unfilled
Week of Jan. 11–15:				
Jan. 11	2,706	12	20	2,674
Jan. 12	2,681	0	16	2,665
Jan. 13	2,680	8	85	2,567
Jan. 14	2,688	9	69	2,610
Jan. 15	2,651	19	45	2,587
Total	--------	48	235	--------
Week of Jan. 18–22:				
Jan. 18	3,173	44	68	3,061
Jan. 19	3,252	20	5	3,227
Jan. 20	3,358	64	84	3,210
Jan. 21	3,250	14	25	3,211
Jan. 22	3,040	31	134	2,875
Total	--------	173	316	--------
Week of Jan. 25–29:				
Jan. 25	2,943	18	86	2,839
Jan. 26 [1]	2,839	5	38	2,796
Jan. 27	2,704	27	166	2,511
Jan. 28	2,505	44	61	2,400
Jan. 29	2,175	63	60	2,052
Total	--------	139	325	--------
Week of Feb. 1–5:				
Feb. 1	1,856	44	58	1,754
Feb. 2	1,636	18	111	1,507
Feb. 3	1,091	21	0	1,070
Feb. 4	746	7	167	572
Feb. 5	651	8	35	608
Total	--------	98	371	--------
Week of Feb. 8–11:				
Feb. 8	630	42	141	447
Feb. 9	474	8	34	432
Feb. 10	385	10	65	310
Feb. 11	360	19	17	324
Total	--------	79	257	--------

[1] Secretary Wirtz' crash recruitment program initiated Jan. 26.

(NOTE.—Approximately 60 percent of the workers received from interstate sources under the crash recruitment program had disappeared by Feb. 11. As indicated above, local and interstate placements have made no dent in the daily demands for labor that were being received by the Employment Service from citrus employers. Thus, unfilled openings for as many as 3,200 fruitpickers explain the loss of an estimated $6,000,000 of citrus crops due to the lack of labor. The situation reflected above was equally acute during the latter part of November and throughout the month of December. Decline in job openings reflects approaching end of midseason crop.)

Source of the above statistics: Florida State Employment Service.

FLORIDA STATE CHAMBER OF COMMERCE,
Jacksonville, Fla., February 4, 1965.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

MY DEAR MR. SECRETARY: The lack of sufficient harvest hands to meet the needs of Florida's citrus, sugarcane, and vegetable industries has received widespread attention by radio stations and newspapers throughout the State. This matter is of great concern to the Florida State Chamber of Commerce. We are assured that the Chamber of Commerce of the United States also shares our fear that the arbitrary restriction of the number of laborers available to the agricultural industry threatens a wide portion of the overall business community as well as agriculture-oriented industries.

Even now, relief would be too late to overcome losses thus far experienced in Florida. However, relief must be obtained by one means or another. The impact upon Florida's economy foreseen for this season will be very small indeed in comparison with the future that will confront this State unless favorable consideration is given the request to utilize necessary supplemental foreign labor without undue delay when loss threatens.

The Florida State Chamber of Commerce shares the Secretary's belief that qualified Americans should be given the opportunity of employment before foreign workers are allowed to work. We are assured that Americans have not only been given full opportunity to accept farm jobs in Florida but that intensive efforts have been made to recruit them. It is evident that the vast majority of the potential American labor supply is increasingly rejecting opportunities in farm employment even though Federal efforts have been extended to include experimental control of wages and other terms of farm employment.

No good purpose is to be served by denying agriculture or any other industry access to supplemental foreign workers when they are so obviously needed to protect longstanding private investments and the State and National economy.

The Florida State Chamber of Commerce voices the urgency of this situation, which continues to deteriorate.

Sincerely yours,

HAROLD COLEE,
Executive Vice President.

MINUTE MAID CO.,
Orlando, Fla., February 15, 1965.

Mr. J. E. LOTT,
Orlando, Fla.

DEAR MR. LOTT: We appreciate your letter of January 23 suggesting an approach to partially solving our critical labor problem in agriculture. I am sure that you will be interested to know that various efforts have been made to do just this, including members of our Armed Forces in off-duty periods. Our farm placement office, which is a part of the State employment service located in Winter Park, carries on a constant program of recruiting and placing of any person who is available for citrus picking.

We are very disappointed that no increase in available local workers has developed in recent weeks, in spite of the large amount of publicity given the problem in the local newspapers. There certainly are enough unemployed people to do the job, but few of these people have shown both the ability and the willingness to exert the necessary effort to do harvesting work. Piecework rates for citrus harvesting would allow an average man to earn at least $1.50 per hour if he is willing to develop very simple skills, which can be done in a few hours.

Most of the citrus harvest requires the use of ladders from 15 to 24 feet long. The work requires a fairly able-bodied person in good physical condition. A person unaccustomed to physical exertion will tire very quickly, and as you can realize, will become sore and stiff from any physical exertion that is different from his usual activity. These are some of the reasons we find are problems in getting part-time harvesters.

You may also be interested to know that another part of the problem is the fact that our regular domestic labor, on the average, shows up for work only 3½ to 4 days per week. Adding another day or day and a half to their workweek would go a long way toward solving the problem. We assume that earnings are sufficient to allow them to earn their requirements in less than a week and they are not interested in full employment.

There are a great many more details, including welfare payments, motivation, politics, economics, and many others that are all a part of the overall problem. There seems to be a great feeling in this country that honest physical labor is degrading, and no one should be required to exert physical effort in order to earn a living. I might add that this country was not developed by people with this attitude and may have difficulty remaining a strong, healthy country if this trend continues.

Again, thank you for your interest in our problem, and you can be assured that any person willing and able to contribute his efforts will be welcomed by most citrus harvesting firms.

Sincerely,

B. H. OEHLERT, Jr.

ESTATE OF E. P. PORCHER,
Cocoa, Fla., February 16, 1965.

Mr. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. WIRTZ: We have been in the citrus business since 1883 in Brevard County, Fla. Edward Postell Porcher, our grandfather, was one of the pioneers in the citrus industry on Merritt Island, Fla.

We are totally dependent on available labor to harvest our citrus crops and in the past have used local labor. But for the past 10 years the local labor was not available in this area. Therefore, we have been dependent on offshore labor to harvest our crops.

We have tried to secure labor from other States but they have proved unable and unwilling to do the job. In dealing with welfare work over the past years, we have found in most cases the unemployed and indigent persons in our area do not want nor care to work but rather depend on welfare and actually refuse to hold a steady job. This applies to all types of work in this area.

We are sure that your recent experience of trying to furnish the necessary labor from other States has not proved satisfactory to the growers nor to the laborers. If you do not permit the certification of offshore labor into June of this year we stand to lose thousands of dollars on unharvested valencia oranges and grapefruit. This not only applies to us but all growers in the State of Florida. This condition, if allowed to exist and the fruit is unharvested will create a financial hardship on the growers as well as reducing tax income to the Federal Government by millions of dollars.

We realize that you have the good of domestic labor at heart and we feel that every grower in the State has too. But, now past events have proven that to depend on this type of labor would jeopardize the agricultural industry of Florida.

We therefore pray that you and President Johnson will see the situation as it exists and thereby remedy it for the benefit of all; as President Johnson has so ably done for our industry in the past.

Thanking you, I remain,

Sincerely,

ADRIENNE R. EARNHARD,
Trustee of the Estate of E. P. Porcher.

[From the Orlando (Fla.) Evening Star, Feb. 4, 1965]

UNITED STATES BLAMED IN CROP LOSS

MIAMI, FLA.—Millions of dollars worth of citrus, vegetables, and sugarcane are turning to garbage under the Florida sun, and farm leaders say the cause is a labor shortage created by the Federal Government.

For 20 years, Florida's crops were harvested largely by labor imported from the British West Indies and the Bahamas. But this source was cut off last year when Congress refused to extend the act governing use of migrant farmworkers from abroad.

The supply of Mexican laborers to California, where they long had been used to harvest fruit and vegetable crops, also was cut off. The California Department of Labor has launched a crash program to recruit domestic workers, but a department official said Wednesday "we're not getting them fast enough." Lemon and date growers say they stand to lose millions of dollars because of the labor shortage.

In an attempt to attract American farmworkers, Secretary of Labor W. Willard Wirtz set minimum wage scales ranging from $1.15 to $1.40 an hour.

The $1.15 minimum set for Florida was 20 cents higher than the scale paid to foreign workers, but agricultural spokesmen says the plan isn't working because:

1. Industrious workers can earn more than $1.15 an hour under a longstanding piece rate system.
2. Domestic workers prefer less menial jobs and can get them for the same pay.

Florida's commissioner of agriculture, Doyle Conner, said Labor Department officials have not acquainted themselves with Florida's problem.

He said domestic workers offered free transportation to Florida by the Government get off the bus, look at the grove, and head for Miami.

Herman F. Steele, assistant general manager of Florida Citrus Mutual, a grower organization, says "the inability of citrus growers to move fruit from their groves while in marketable condition is causing a loss estimated at $4 to $6 million based on on-tree values."

George H. Wedgeworth, president of the Florida Sugar Growers Cooperative, said sugar mills are running below capacity because the labor shortage stalled the harvest. He said the cane is rapidly deteriorating.

Wedgeworth says domestic workers also refuse to do "stoop" labor in the vegetable fields.

One of Florida's biggest agricultural organizations, Chase & Co., lost 45 acres of celery valued at $1,000 an acre, Wedgeworth said.

[From the Orlando Sentinel, Feb. 6, 1965]

FRUITGROWERS ACCUSED OF LAGGING ON LABOR—ALIEN WORKER EXTENSION PLEA REJECTED

(By Dave Howell)

A Labor Department official yesterday accused Florida citrus growers of dragging their feet in efforts to utilize domestic labor, and indicated that the 3,500 offshore workers in the groves now probably would not be allowed to remain beyond April 15 or May 1.

"We are not accepting the need for an extension," Robert C. Goodwin, the Department's Administrator of the Bureau of Employment Security, told a small group of influential growers here yesterday.

Goodwin told them he was "aware of the problems this creates; and I know that doing this is not easy and it may not be possible.

"But certainly as far as we are concerned, I don't think we can accept the conclusion that it is not possible."

Goodwin said his remarks yesterday did not indicate a final decision by the Department, and that the Department's policy might be reevaluated as the Valencia harvest draws nearer.

He made his statements after several growers yesterday protested that hundreds of thousands of boxes of Valencias will be lost if offshore laborers are not permitted to remain until the end of the harvest season.

Charlie Bradshaw, president of Hi-Acres in Clermont, said, "If they pull these offshore workers in the middle of April or first of May, it will be impossible for us to harvest this crop of Valencias. We couldn't do it."

Another citrus spokesman, Ben Adams, executive director of West Coast Growers, member of Pasco Citrus Co-op, claimed it would cost them 900,000 boxes.

[From the Orlando Sentinel, Feb. 6, 1965]

State Chamber of Commerce Asks Wirtz To Rescind Labor Ban

Jacksonville.—The State chamber of commerce urged U.S. Secretary of Labor W. Willard Wirtz yesterday to rescind a ban on the use of foreign farm laborers, which it said "threatens a wide portion of the overall business community."

Copies of the letter to Wirtz went to Senators George Smathers and Spessard Holland, with a request they take the matter up with President Johnson.

Others who called for extension included Bill Cook, Haines City; Dick Tombrink, superintendent of procurement, Pasco; Clark Ghiselin, executive director, Citrus Industrial Council; Ralph Moss, chief of farm labor, Florida Industrial Commission; Bay Prevatt, Lake Region Packing Co., Tavares, and Frasure Hull, Winter Garden.

"If they think they have a problem in citrus," declared Hull, who also has considerable peach acreage, "what do they think peaches are going to do?"

He said there are some 5,000 acres of peaches in Florida, requiring approximately one man to the acre to pick. "And you can't let them hang on the tree another day or two like you can citrus."

Hull said he had tried unsuccessfully to get 100 pickers through the interstate labor program, and had planned to ask for another 100 later, "but I never did get the first bunch."

Acting as chairman and go-between yesterday was Dan Wright, chairman of the Florida Industrial Commission.

The meeting was not publicly announced, and only a handful of the State's leading citrus figures were invited.

"We think that, generally speaking, we have become too dependent on foreign workers," Goodwin said yesterday. "We have about 200,000 farmworkers who leave agriculture every year because they can't get employment.

"They go into something that pays a little better, which is part of the problem. Agriculture has to become a little more competitive."

Goodwin said the current program of utilizing interstate domestic labor "has done a good job and produced a good many workers."

He agreed, however, to take into consideration several recommendations made by growers yesterday to overcome weaknesses in the program.

[From the Orlando (Fla.) Sentinel, Jan. 19, 1965]

Wirtz May Ease Labor Rule—Floridians Battle Hard for Workers

(By Roulhac Hamilton)

Washington.—Florida citrus grower spokesmen, battling Monday to assure adequate labor supplies, wound up the day with hopes that Labor Secretary Willard W. Wirtz might soften his adamant stand against importation of offshore workers.

While confirmation of this was lacking, there were reports from reliable sources that the White House already had been persuaded by Florida congressional sources to put the pressure on Wirtz to relax his position—and that Wirtz was yielding.

In any event, a four-man Sunshine State delegation headed by Agriculture Commissioner Doyle Connor worked through the day on the campaign to guarantee the availability of migrant labor, despite Wirtz' determination to cut off the supply.

In addition to Connor, the citrus spokesmen included Robert Bishop, Orlando grower; Robert Rutledge, also of Orlando, executive officer of the Florida Citrus Mutual, and Clark Gibson of Lakeland, secretary of the Citrus Industrial Council.

During the day, members of the group, in concert or individually, held meetings with Senators Spessard Holland and George Smathers and Representatives Edward J. Gurney and A. S. Herlong, Jr., as well as well as with Labor Department officials.

The significant factor concerning these meetings appeared to be that they were greeted with much more warmth, much more friendliness, than had been the case last week, on the eve of Wirtz' appearance before the Senate Agriculture Committee to detail his plans for curbing the importation of offshore labor.

There was a report—which was not subject to confirmation—that this new-found friendliness followed a discussion of the problem with the White House by Senator Smathers, followed by a call from the White House to Wirtz.

But whatever the reason, the Florida citrus spokesmen appeared to be confident that there would be some sort of an announcement by this weekend which would indicate that Wirtz had softened his approach to Florida's farm labor problem.

[From the Star Advocate, Feb. 4, 1964]

Growers Blame Labor Department for Troubles

Miami.—Millions of dollars' worth of citrus, vegetables, and sugarcane are turning to garbage under the Florida sun, and farm leaders say the cause is a labor shortage created by the Federal Government.

For 20 years, Florida's crops were harvested largely by labor imported from the British West Indies and the Bahamas. But this source was cut off last year when Congress refused to extend the act governing use of migrant farmworkers from abroad.

The supply of Mexican laborers to California, where they long had been used to harvest fruit and vegetable crops, also was cut off. The California Department of Labor has launched a crash program to recruit domestic workers, but a department official said Wednesday, "We're not getting them fast enough." Lemon and date growers say they stand to lose millions of dollars because of the labor shortage.

In an attempt to attract American farmworkers, Secretary of Labor W. Willard Wirtz set minimum wage scales ranging from $1.15 to $1.40 an hour.

The $1.15 minimum set for Florida was 20 cents higher than the scale paid to foreign workers, but agricultural spokesmen say the plan isn't working, because:

1. Industrious workers can earn more than $1.15 an hour under a longstanding piece rate system.

2. Domestic workers prefer less menial jobs and can get them for the same pay.

Florida's commissioner of agriculture, Doyle Conner, said Labor Department officials have not acquainted themselves with Florida's problem.

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Herman F. Steele, assistant general manager of Florida Citrus Mutual, a grower organization, says the inability of citrus growers to move fruit from their groves while in marketable condition is causing a loss estimated at $4 to $6 million based on on-tree values.

Citrusmen Lose on Laborers—Wirtz' Corps Worthless

(By Fred Shilling)

Lakeland.—Florida citrus people are beginning to tell a grim story about the results of domestic workers from other States sent here by Labor Secretary Willard Wirtz to help harvest the fast-maturing citrus supply.

In the main, it's a story of walkouts, won't work, and fantastic promises by Labor Department representatives. Holding the bag for transportation and food costs are the various citrus firms who are cooperating with Secretary Wirtz desperately trying to get crops picked.

Since Wirtz announced the program, about 200 workers have reached the State, some even from California where a similar labor shortage exists.

This total has been distributed to about eight firms, all in central Florida. Approximately half have already left their jobs and the leftovers aren't getting the picking job done.

Four of the eight contacted yesterday tell the same story.

For instance Duke Crittenden of the Crittenden Fruit Co., Orlando, received 37 men from North Carolina.

After working 2 days, 17 of them are gone.

"By Saturday night, we'll be lucky to have five left." Crittenden said. "Only three have been able to pick more than 30 boxes per day and this is in groves where picking is excellent. Anyone off the street could do that well or better."

He says it costs the firm $15 per man to get them here and figures to be out of pocket more than $1,000.

"Most of them just don't want to work. Of the 37, only 7 are over 24 years with the rest 18 and over. We are trying to keep an open mind and are hoping to make it work. However, we think the Government should help us stand the expense with this kind of experience."

Veteran citrus producer J. B. "Babe" Prevatt at the Lake Region Packing Co., Tavares, says his firm received 53 on Wednesday, but only 5 would pick on Thursday.

"Thursday, one man picked 53 boxes at 20 cents each," he said.

"That night he and 13 others left. The rest haven't even picked anything yet."

Prevatt says he will be out $12 to $14 a man.

"These people say they were promised in North Carolina that they wouldn't have to get up on ladders to pick fruit," he said.

He said the program causes them to keep a field supervisor with the men to help train them and he says his firm has been "bending our backs" to help make it work.

A spokesman at the Mount Dora Growers Association, Mount Dora, who prefers not to be named, says his firm received 15 workers on Sunday. Thursday, eight had gone.

"Four left this morning. When they came, we paid their driver $25 and gave each $4.50 as an advance against meals. When they left, they left with this money."

This representative says the men were promised an hourly rate plus so much a box in addition to a gift of $10 per man.

"One man drawing social security, past 65, was sent here believing he could pick fruit from the ground," he continued. "Out of the goodness of their hearts, one citrus organization bought him a bus ticket to get back home."

The Libby, McNeill & Libby firm at Ocala received 36 men. They reported to work on Wednesday.

This group came from North Carolina and the bus fare to Libby amounted to $535.50.

Libby Official Al Kunz said Thursday he hadn't enough information to mean anything yet. But he did say the firm has had little luck with similar domestics from Southern States.

[From the Orlando (Fla.) Evening Sentinel, Feb. 5, 1965]

Offshore Citrus Labor Not Necessary: Wirtz—Aid Says Change Possible

(By Dave Howell)

A high Labor Department official said this morning that Secretary of Labor Willard Wirtz could not accept Florida citrus growers' statements that continued offshore labor is necessary.

Robert C. Goodwin, Administrator of the Department's Bureau of Employment Security, made the statement at the close of a meeting of the Labor Department representatives, Florida citrus spokesmen, and Florida State Employment Service representatives.

Purpose of the meeting was to iron out bugs in citrus picker recruitment.

Goodwin made the statement after several prominent Florida growers stated that if the 3,500 offshore workers now in Florida groves were not granted extensions the Valencia harvest would be lost.

"We are not accepting the need for an extension," Goodwin declared. "I am aware of the problems this creates, and I know doing this is not easy, and it may not be possible. But certainly as far as we are concerned, I do not think we can accept the conclusion that this is not possible.

"What this means to me," Goodwin continued, "is that we continue to work with you and continue to do everything we possibly can to keep domestic workers for that period, and we will be very happy to reevaluate the program as we go along."

Goodwin denied that this was a decision not to make the extension.

"We are saying that we have to do more than we have done in the past to make the program (use of domestic labor) work," he said.

"We think that, generally speaking, we have become too dependent on foreign workers.

"We have about 200,000 farmworkers who leave agriculture every year because they cannot get employment."

Asked if in his opinion farmworkers were leaving agriculture because of lack of work or if they could get more money in other occupations, Goodwin replied, "This is part of the problem. Agriculture has got to become a little more competitive."

Goodwin said he felt that the interstate exchange of domestic workers "has done a good job and produced a good many workers."

He said however, that the Department would take into consideration many recommendations made by growers this morning to improve the program.

[From the Orlando Evening Sentinel, Feb. 5, 1965]

"No Crops Rotting," Claims Unyielding Labor Official

Washington.—The Labor Department refused to yield today to Florida and California demands for foreign farm workers, despite grower complaints that crops are rotting in the fields.

"The Department of Agriculture has assured us there is no evidence of crops rotting in the field because of a labor shortage," said a spokesman for Secretary of Labor W. Willard Wirtz.

Two Federal officials met in Orlando today with Florida citrus and sugarcane growers and will report to Wirtz tomorrow on their investigation.

They are Deputy Undersecretary of Labor Millard Cass and Administrator Robert C. Goodwin of the Bureau of Employment Security.

Cass has been touring agricultural areas of Florida since Wednesday.

A 1951 law under which hundreds of thousands of foreign workers entered this country every year to work in 28 States expired last December 31.

The Labor Department has insisted there are enough American laborers to replace them, and the Department has been conducting a crash recruiting program.

Some growers complain Americans can't or won't do the hard labor of harvesting crops.

Winter crops in Florida and California were first affected by the change in the law.

Other States that used foreigners, mostly in spring and summer harvesting, include Arizona, Arkansas, Colorado, Connecticut, Indiana, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, South Dakota, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

The Labor Department spokesman pointed out that there are still more than 20,000 British West Indians working in Florida under contracts signed before December 31.

There are also still a small number of foreign workers in California under old contracts.

Any foreign workers brought into this country from now on must enter under the Immigration Act.

Wirtz has set wage levels ranging from $1.15 to $1.40 an hour which must first be offered to U.S. workers before growers can apply to import foreigners. So far, no applications have been granted to bring in foreigners.

The wage levels set by Wirtz do not go into effect until April 1.

He set lower rates for some States to help the transition from foreign to domestic labor until March 31. These include 95 cents an hour in Florida and $1.05 in California.

Under the old wage rates, growers could bring in foreign workers after offering U.S. workers 75 cents to $1 an hour, varying from State to State.

Florida's rate under the old schedule was 95 cents and California's $1.

The Labor Department spokesman said there would be no further comment on the Florida situation until Wirtz receives the report of Cass and Goodwin.

Doyle Conner, Florida commissioner of agriculture, has complained that Federal officials are not familiar with the State's problems. The cutoff of foreign workers "is premature," he said.

In California, the Labor Department had run into vigorous complaints from lettuce growers in the Imperial Valley, but later reported the situation under control.

Now, however, complaints are pouring in from date growers. The Department spokesman said Federal officials are working with the State to resolve the problem.

Some Federal officials close to the situation privately accuse some growers of deliberately trying to create a crisis in the farm labor situation by overplanting and then letting crops rot in the field.

Some Members of Congress from agricultural States have been urging new legislation to revive the foreign labor program, but so far the Johnson administration has stood fast against it.

The old law was allowed to expire after longtime pressure from organized labor, backed by some church and welfare organizations.

They complained that foreign workers were brought here to work for low wages, living in deplorable conditions in migrant labor camps and undercutting U.S. labor standards.

[From the Orlando Sentinel, Feb. 3, 1965]

Will To Work Missing in Wirtz Recruits

(By Fred Shilling)

Waverly.—W. C. Pedersen, president of the Waverly Growers Cooperative here, said yesterday that the will to work is missing among unemployed persons, explaining the industry's present problems with citrus workers recruited by Labor Secretary Willard Wirtz.

Pedersen lays the entire problem at Wirtz' doorstep and his attitude that adequate labor is available in this country.

"The unemployment rolls evidently are not realistic and undoubtedly are made up of too many people who have never worked, or don't intend to work, or can't work," he said.

And he cited cases of workers who were placed in good paying jobs but gave up after a few weeks and "returned to their former do-nothing life."

Pedersen said that unemployed persons recruited in California to replace Mexican labor in harvest of fruit and vegetables are "returning in droves to their previous haunts."

"In a citrus area in California, one camp manager reported that less than 100 men remained out of a recruited group of 280 after a 9-day period," he states. "Thirty of the dropouts ate, slept, and ran—some with the camp's blankets—without doing a minute's work."

Asserting that Florida citrus people have made a sincere effort to recruit domestic labor, Pedersen declared it is an attitude of "indifference" which has created the problem in the recruitment of labor.

"Offshore laborers have been attractive to the Florida citrus industry for the simple reason that they have proven to be good workers," he noted. "They have been reliable, have turned in a good day's production and can be counted on to help during emergencies."

Pedersen said offshore workers are not brought in to undermine domestic wages.

He charatcerized many of the domestics as irregular in reporting for work, not taking advantage of extra days offered, laying off work frequently and taking long weekends.

"Many of our welfare programs contribute to this general lack of interest to work and encourage the poor workers to do even less," he said.

Mr. CRAMER. Mr. Speaker, the decision of the Secretary of Labor not to extend the 1951 labor agreement to allow offshore labor to enter the United States for the purpose of helping with crop harvests is causing an extensive loss of millions of dollars in citrus and vegetable production for my State of Florida. At this moment, Mr. Speaker, hundreds of tons of citrus fruit is rotting on the ground beneath Florida trees. And the reason for this loss just does not make any sense.

For the past 20 years, trained foreign laborers have been the mainstay of Florida's citrus and vegetable crops harvest. But last year the Secretary decided that these migratory workers were harming the chances of employment for domestic labor; that they should not be allowed into the United States for the purpose of crop harvesting if there was the slightest chance that our labor force could do the work. It was thought that we would alleviate somewhat the unemployment problem by giving domestic workers the opportunity to harvest the vegetables and fruits, an opportunity which they have had available to them all along. But, recruitment of domestic laborers has been a miserable failure.

Despite the unemployment problem, the rotting fruit and vegetables in Florida today tell us clearly that few domestic workers are willing to do this type of work. Those that are willing have been hired. The industries involved and affected by this critical shortage of harvesters have, in good faith, financed the transportation to Florida of numerous laborers in the past and have cooperated with all agencies in trying to encourage domestic laborers to harvest these crops. It has, as I have said before, proven to be an exercise in futility. There are probably many sociological reasons involved for the failure to obtain domestic labor, reasons too numerous to mention here. But perhaps the most important one is that domestic workers seem to prefer less menial jobs and they can and do obtain them for the same amount of pay.

To my mind, the administration is engaged in defective reasoning which will ultimately hurt, not only the fruit and citrus growers in Florida, but every consumer in every city throughout the United States who suddenly finds the price of his daily glass of orange juice and the cost of citrus and produce increasing.

Recently, Mr. Speaker, Robert C. Goodwin, Administrator of the Labor Department's Bureau of Employment Security, stated that the reason the Department does not wish to have foreign labor enter the United States for crop harvesting is that we are depending entirely too much on this type of labor and at the same time not doing anything about the supposedly 200,000 individuals leaving agriculture every year "because they cannot get employment." When he was asked whether farm workers were leaving agriculture because of lack of work or if they could get more money in other occupations, Goodwin replied that "this is part of the problem—agriculture has got to become more competitive." I cannot say that I fully understand what Mr. Goodwin means by that statement, but if by losing millions of dollars in Florida's fruit and vegetable crop will make agriculture more competitive, then I am afraid that bureaucracy has finally gone mad.

Something has got to be done to prevent this tremendous loss, not just for this year, but in future years as well. It is a matter of record that the Labor Department's proposals are not enough—that they will not get the job done.

One of the soundest proposals yet advanced to help alleviate this problem, aside from allowing offshore labor into this country, was made by Mr. John W. Evins, president of the Florida Fruit and Vegetable Association. He has suggested a classification of unemployed farmworkers in much the same manner as unemployed industrial workers are classified. In this way, it might be possible to locate farmworkers willing to harvest crops when they are needed. I understand the Secretary of Labor says that no useful purpose would be served by such a classification. But the simple truth is that, if anything, this plan would cost the Department far less to implement than the amount which inevitably will be lost this year alone in the citrus and produce industry. I would hope, therefore, that the Secretary will take a second look at the plan.

I would hope, also Mr. Speaker, that he shelve the administration's attitude of "let the crops rot."

As a member of Mr. Johnson's Cabinet, Mr. Wirtz should, by now, be aware of the statement "Come let us reason together." This is all we ask. But it is apparent from the Department's attitude that sound, sensible reasoning cannot and will not be used with regard to this problem.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I am privileged to represent the Seventh Congressional District of Florida, one of the largest citrus producing districts in the United States. One of my counties, Polk County, produces almost one-fourth of the citrus grown within the State of Florida. I know well the problems which confront the citrus industry and can tell you without any fear of contradiction that the restrictions that have been placed on the importation of foreign workers to assist in the harvesting of this crop has had a drastic effect upon the citrus industry and the entire economy of our State. The plain fact is we do not have an adequate supply of competent labor to harvest our crops.

The Secretary of Labor has tried to say that this situation could be met by domestic labor; nevertheless, this has not been done. The people he has recruited and sent in from other States are unaccustomed to this type of work. Not only do they lack the skill that is necessary to pick the fruit, but many of them are not dependable and leave after 1 or 2 days of work.

During the last week of January, of the 341 domestic laborers who moved into Florida groves, 115 left after a few days. Some who have been recruited from other States and who have accepted transportation to Florida at the expense of the grower have not worked a single day. They have merely disappeared without giving even one day of labor to that grower. Hence, the grower not only is losing money by the terrible waste from the unharvested marketable fruit, but he sustains the additional loss of this investment in the transportation of a man who will not work or the man who does not work but one day or two. The industry is now confronted with the nightmare of having one of the best crops Florida has ever produced and practically no labor to harvest the crop.

We have emphasized time and time again that the importation of offshore labor does not take jobs from domestic labor—that has never been the case and is not now the case.

The noble experiment to find domestic labor to harvest the citrus crop has failed. As of February 3 it had cost the growers of my State a loss estimated at $4 to $6 million, based on an on-tree value, because the grower cannot move his fruit while it is in marketable condition. Labor has lost some $1 million which would under normal conditions have gone to picking crews and other related citrus workers. No one has yet estimated just what the loss has been in related industries.

This is what has happened so far in this citrus season. What we have to look forward to is not encouraging. The prospect of improvement during the remainder of the season is not good.

We are told that the British West Indians working in Florida under contracts signed before December 31 must leave by April 15. This coincides with the beginning of the harvest of the huge Valencia orange crop.

With our experience in trying to find domestic labor and in trying to use the domestic labor that we have found, just where will we be when we lose the 20,000 British West Indians who have helped to harvest our early 1965 crops? This will be the real nightmare.

The industry must have an adequate supply of competent labor for the remaining harvest. The only answer I can find is to extend the contracts of the offshore labor now in the United States and to import additional offshore labor.

WHY TODAY?

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from New York [Mr. Powell], is recognized for 1 hour.

Mr. POWELL. Mr. Speaker, before I get into the remarks that I am prepared to make, I would like to assure my good friends from Florida that the Committee on Education and Labor, of which I am chairman, has not been negligent. We have realized the problem. We have had one man on our staff working on this ever since we closed down our session of last year, Mr. Michael Schwartz. We intend to hold hearings in Florida, in California, in Texas, wherever the problem is acute.

I have made arrangements with the ranking minority member of our committee, our colleague from Ohio [Mr. Ayres], that the Republican minority shall receive 30 percent of whatever is allocated to the general committee for salaries, so that the minority staff will receive close to $90,000, the highest in my 21 years in Congress that any minority has received. The minority will be adequately staffed to serve the purposes of those gentlemen who are interested in this problem and who come from the other side of the aisle.

I rise today to make a few remarks first because they affect each Member of this body and of the other body.

The principle at issue is, Can any Member of the U.S. Congress repeat, off the floor of Congress, that which he has said on the floor? This has never been adjudicated by any body in the United States, any judicial body.

The danger involved is not only that you cannot repeat off the floor what you have said on the floor without being subjected to personal suits, but the danger goes beyond that because it means that the media of public opinion are in jeopardy for they never will be able to report what is said on the floor of Congress unless this matter is properly adjudicated.

I bring this before you also because of certain biased press that has continually misinformed the public, and I come with the slim hope, probably vain, that the public might know the truth.

I would not belabor this body at this late hour, but I would like at this time to ask unanimous consent to place in the Record the excerpts of my remarks of January 13, January 20, January 27, February 3, March 2, March 7, March 8, March 10, March 11, and April 28 concerning the remarks that I made as regards the policy and numbers racket in New York City.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from New York?

There was no objection.

The matter referred to follows:

[From the Congressional Record, Jan. 13, 1960]

GAMBLING IN NEW YORK CITY

Mr. Powell. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain extraneous matter.

The Speaker pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. Powell. Mr. Speaker, I rise in this hallowed spot to present to the American people the continued and shocking disregard of law and order in my city, unfortunately, and in my district in particular.

I include as a preface to my remarks an article which appeared in the New York Times of January 10, 1960, written by Emanuel Perlmutter:

"NEW YORK NUMBERS RACKET IS BIG BUSINESS—CRACKDOWN FOLLOWS POWELL CHARGE OF BIAS AGAINST NEGRO OPERATORS

"(By Emanuel Perlmutter)

"Representative Adam Clayton Powell, Jr., stirred up his Harlem district last week by charging that white racketeers have driven Negroes from control of policy, or numbers gambling in that area. He accused the police of permitting the white syndicate forces to operate while arresting Negroes.

"Police Commissioner Stephen B. Kennedy denied the charge and his men followed up by staging large-scale roundups in which they arrested more than 150 persons in Harlem, mainly low-echelon policy employees. The race of those arrested was not disclosed.

"The charge made by Representative Powell that more Negroes than white men have been arrested in Harlem is true. But this is explained by the police as follows:

"Eighty-two percent of those arrested on numbers gambling charges in Harlem last year were Negroes. This approximates the Negro percentage of Harlem's population.

"However, it is also true that the Negro bankers who once controlled numbers gambling there have either been driven out by the white racketeers or are now working for them.

"The policy game is the simplest and most popular form of gambling in New York City. It is the most difficult for the police to control, as well as the one offering the most opportunity for police graft.

"One-hundred million a year

"Betting on the numbers is a poor man's hobby. Wagers are for small amounts—many for as low as a nickel or a dime, although occasionally an affluent player may invest $100 on a number. In the most common form of policy gambling in this city, the player places his bet on any combination of three numbers. He wins if the three numbers he has chosen correspond to three numbers appearing in the same order in a previously designated portion of the day's parimutuel betting total at a selected racetrack.

"The police and New York prosecutors estimate that about 1,500,000 persons in the metropolitan area play the numbers each day and that they wager about $100 million a year.

"The usual payoff is at 600 to 1 odds. However, the player usually gets only 500 to 1, the remaining 100 being kept as commission by the man who took his bet. In addition, the policy operators lower the odds further on the most popular numbers. Players also can make their wagers in candy stores, bars, restaurants, and other retail establishments known as drops.

"Bets made with runners and at drops are picked up by an employee called a collector. He brings the slips with their bets to a controller, who can be likened to the branch manager of a bank. The controller in turn delivers the slips to the 'bank,' which is headquarters of the betting ring.

"The banker may be a powerful individual operating on his own or the representative of a syndicate. Today most numbers banks in New York are controlled by an Italian syndicate. An average bank does about $15,000 a week business. The large ones average $100,000. Bank locations are changed regularly to avoid police detection.

"The runners and drop employees receive a percentage—usually 15 to 20 percent—of the money bet with them. (They also get a cut of any lucky client's payoff.) They are paid by the controller, out of his 35 percent of the take. The remaining 65 percent goes to the banker, who puts up the capital for the operation and takes care of the graft payments. In addition to the field men, the policy-ring personnel includes clerks and bookkeepers who work in the bank tallying the bets and payoffs. There are also security members of the ring whose main job is to circulate in the vicinity of controllers' branches and the banks on the lookout for the police.

"Plainclothes force

"Gambling and vice investigations in New York City are handled solely by plainclothes policemen. There are 457 of the department's 23,897 policemen assigned to this work. Because of the graft temptations to which the plainclothesmen are exposed, they are subjected to periodic shakeups. Such a wholesale housecleaning took place in 1958, when the entire Harlem plainclothes division was transferred as a result of bribery disclosures.

"Despite the strict disciplinary regulations imposed by Police Commissioner Kennedy, policy gambling continues to increase. This is indicated by arrest figures. There were 9,459 policy arrests in 1956; 11,206 in 1957, and 13,252 in 1958. For the first 11 months of 1959, the total was 12,870. A projection indicates that last year's gambling arrests were higher than those in 1958 or any other previous year. These figures are construed by most observers as reflecting increases in gambling rather than improved police work."

I must commend the Journal-American for their series which is continuing, edited by three outstanding reporters, one of whom, Dom Frasca, wrote a most authoritative book on the mafia.

Several months ago a former police sergeant by the name of Luberda was arrested for drunken driving in a nearby county to New York City. In his car was not only discovered $19,945 in cash but also a series of sheets listing the names of the major number bankers and their addresses and the amount of money they were paying off each week. These sheets have never been made public. I hold in my hand photostatic copies of them.

The Journal-American printed these sheets last week, but when they received the sheets the addresses of these various racketeers were erased. I would now like to read these addresses and names and the amount of the payoff into the Record.

Louis the Gimp, who operates in front of my church, has five drops in Harlem and allegedly paid off $750 a week. We have another sheet where the payoff is only $100 a week to people lower down the scale.

The addresses are 539 Lennox Avenue; 466 Lenox Avenue; butch, 677 Lenox Avenue; candy, 582 Lexington Avenue; Carter at 133d Street and Fifth Avenue; and Richys, 146th and Eighth Avenue.

I would like to read the rest of the names of the number bankers and their addresses:

Candy, 258 West 148th Street.

Candy, 310 West 145th Street.

Uncle Bill, 312 West 145th Street.

Greystone Restaurant, Eighth Avenue.

Danny's, 134th Street and Eighth Avenue.

Raython, 169 West 133d Street.

Marshall, 2200 Seventh Avenue.

Sid, 140th Street and Lenox Avenue.

Benedetto, 134th Street, Seventh and Lenox Avenue.

T & C, 139th Street and Seventh Avenue.

Henry's, 148 Eighth Avenue.

Leo-Shunshine Grocery, Eighth Avenue.

Lou, 95th Street and Second Avenue.

Mattie, 135th Street and Eighth Avenue.

Rose's, 140th and Eighth Avenue.

Popp Tailor, 139th and Lenox.

Here is an operation which I do not think is connected with the Mafia:

Gibel, 308 137th Street, 459 Lenox, 117th and 133d.

Then comes barber, 326 135th Street or 145th Street.

Roxy's grocery store, Eighth Avenue.

Scottie, 143d and Eighth Avenue.

Sully, 171 West 135th, candy.

Oliver's, 147th and Eighth Avenue.

Karl, 144th and Eighth Avenue.

Red, 25 138th Street.

Charley White, 142d Street and Eighth Avenue.

Stick's, 154th Street and Eighth Avenue.

Now, from the other payoff sheet these are additional names:

Joe Pellegrino, phone number at that time, TR 6–9280. He operates, not in my district, 108th Street and Park Avenue.

Then come the Black Bros., 118th Street and Lenox Avenue.

Bill Sherrit, 115th and Lenox.

Bryal Carnion, 113th and Eighth Avenue.

Moe and Nack, 125th Street and Madison.

Then come three first names: Lou, 95th and Second Avenue; Tom, 102 Second Avenue; Danny, 134th and Eighth Avenue.

Lou Gimp, reprinted again, no need in repeating his name.

Then comes Artie, 145th and Broadway.

Then comes Wiz, 142d and Eighth Avenue.

Jack Berger, 2020 Seventh Avenue.

Manny, 126th Street and—it looks like Madison Avenue.

Robbie, 150th and Eighth Avenue.

Bobby Lloyd, 111 East 125th Street.

I have just received an anonymous phone call which gives me another operation in upper Harlem, not in my district. The bankers in charge of this operation are Nick Angelo and Louie B. They hang out in the Riverview Restaurant and Bar at 3543 Broadway.

Then comes another banker, Tony D'Amato, 509, 522, and 526 West 147th Street.

Tony Plait at 529 and 531 West 151st Street. These names have been phoned in to me.

Mr. Speaker, at this point I ask unanimous consent to have incorporated in the Record a sermon delivered by me this past Sunday at both of the services of our church, as reported by the press, to 6,000 people.

The Speaker pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

"Sermon by Adam C. Powell, January 10, 1960, 10 and 12 noon

"Since I spoke out against the numbers 1 week ago today, the community of Harlem has saved at least $1 million. The numbers have only operated 1 day since then because on Tuesday morning the police of this city closed down every place arresting over 100 of the petty members of the number racket. The estimated amount of money that is played in my district each week is around $1 million.

"One of the unanswered questions that I would like to pose today is how is it possible for the police department to say that they do not know the places, and they do not know the number operators yet, on a 36-hour warning from this pulpit, were able to close down every place in this area and arrest over 100 people? I said to the press on Tuesday morning, January 5, in the presence of the deputy chief inspector and his staff that the police department knows every single name that I have and every single place that I would produce, but they have not been apprehended nor closed down.

"Now there has been a lot of conjecturing as to why I did what I did. I have held conferences through the years with various police commissioners, including the present one. I have pointed out the invasion of Harlem by white musclemen, resulting in beatings and even sometimes the killing of Negroes who stood in their way. The unchallenged fact which the deputy chief did not answer on Tuesday in front of the press: there is not operating anywhere in Harlem, a single Negro banker. The entire operation is totally in the hands of people who do not reside in nor are connected with my community.

"I have been advised by some people that there is a resentment in some quarters, even in the Negro community, that I have deprived them of their habit of playing the numbers and have deprived the petty number runners of their illegal livelihood. Mention has been made that this might even cause political repercussions. Now I would like to state unequivocally that this has only served to strengthen my resolve and purpose. I am determined more than ever before to pursue what I started out with, not only in this area, but in the lower East Harlem Puerto Rico area, in Brooklyn, Bronx, and wherever I can get the cooperation of the people.

"For me to withdraw because of possible political repercussions would be a confession of moral weakness on my part; and, also, for me to withdraw would mean that this community is so morally decadent and degenerate that it would be hopeless for me to pursue this matter. I have stood in this community for 30 years as a leader. I need nothing more and if what I am going to do is going to hurt me personally, I welcome the consequences.

"I am not afraid of the Mafia, the syndicate, the gangsters and hoodlums. I have specifically asked the police department not to provide me with any bodyguards.

"I would like to emphatically state once and for all, including my assistant ministers, that no one at any time, in any way represents me. I understand that there have been efforts made by the underworld to reach me through some of my self-called associates. I have no associates in this endeavor. If other individuals want to help, it is up to them. But nothing that anyone does can in any way, directly or indirectly, be attributable to me. And, furthermore, if any individual in any way claims they represent me and are trying to intercede in this issue I will be the first one to agree with the press that they are liars as far as I am concerned.

"The police department of this town needs a citizen who can speak from this pulpit and the pulpit of Congress; who is not afraid and who can lay before the American public this continued and shocking flaunting of law and order.

"I am not charging anyone with anything, but I am stating one unchallengeable fact, that the Mafia and the syndicate are in complete control of Harlem and that Negroes are the ones who are arrested while the whites go free. May I point out here that Deputy Police Commissioner Arm should apologize to me and to this community or be removed immediately by the commissioner for his out-and-out lie in the newspapers of last Wednesday, for he said, and I quote from the daily papers. He was asked by the press: 'What was the percentage of whites and Negroes arrested in the Tuesday raids?' He said, 'I am not playing POWELL's game, we do not issue any statistics based upon race.' Yet, just a few paragraphs later in the same news story, Deputy Chief Burns said '82 percent of those arrested were Negro.' This indicates clearly that the deputy police commissioner was lying. I would also like the press of this city to investigate the lawyers' names that appear on misdemeanor slips in the magistrates' and special sessions courts of those who are arrested for numbers. Find out through the proper authorities who pays them for representing the numbers runners arraigned in the local courts. I am sure that they will find out that a high official within the New York City government is involved in this as a lawyer.

"I come today at this hour of spiritual emphasis to stress the moral implications of the policy racket in this community and for that matter in any other community.

"Section I

"If this low-income community has drained from it between $3 million and $4 million a month, then the first fact I wish to point out is that the numbers is pauperizing Harlem.

"Section II

"Deputy Chief Inspector Burns has said that roughly 4,500 people were arrested last year for numbers in the 10th division, Harlem. The Library of Congress is researching this for me. That means, over the last 12 years, there have been 50,000 arrests in this community, and I would double that figure for 5 boroughs. In other words, 100,000 Negroes have been arrested during the past 12 years. This means that this community is being criminalized. Once a person is arrested it is almost impossible to receive private employment any more. There have been many, many tragic incidents of those who had civil service jobs who were forced to resign because at some time they had been arrested for the misdemeanor of being connected with the numbers.

"Section III. What Shall We Do?

"In the first place, I warn the police department and alert the citizens that there shall not be a reign of terror in this community. It is possible that some members of the police department who may have been on the payroll of the policy barons out of sheer desperation and anger will resort to brutality, illegal entry of homes, and unlawful arrests. I strongly condemn the police department now for their failure to arrest whites this past Tuesday, January 5, for their failure to carry out similar numbers raids in lower East Harlem, and the Bronx, and Brooklyn; they knew the places and the individuals. I strongly condemn Police Commissioner Kennedy now for his failure to have at the top in police headquarters, a Negro and remind him that I not only asked that if one of the police commissioner deputyships could not be a Negro that a Negro be named secretary of the police department. This he has refused to do and the position is still vacant. The mayor should intercede now and demand that qualified Negroes be appointed at command levels.

"In the second place, I call on the mayor of the city of New York to appoint a special commission with subpena power to investigate the numbers and everything with it and I offer myself, even though I have more than I can do now, to serve on this commission.

"Third, I have this day sent a wire to the Governor of New York State asking him to institute a special investigation of numbers in this city through State law enforcement agencies, through a special commission, through the State attorney general or through all three.

"Fourth, I ask the Governor in this wire to call for legislation giving him the power not just to pardon people because of felonies, which is now the law, but to be able to pardon people who have been convicted of misdemeanors. I ask our local representatives in Albany to introduce the appropriate legislation immediately.

"Section IV. What Can We Do as Individuals?

"In the first place there is a need for a moral reawakening in this community. The playing of numbers is not due to any inherent racial weakness, it is due to the fact that far too many do not receive wages sufficient for their needs and feel that through the easy way they can hit the numbers and provide that margin now. This of course is factually impossible. A sucker never wins, only the combine, syndicate, and Mafia. All this points up the need for moral reawakening. It may take a little time but just think that every day we keep the heat on the police department and keep the heat on the bums that infected this community. Every week we do this we are saving a million dollars. Just think what $50 million in 1 year could do for Harlem. Think of the banks, housing, churches, private hospitals.

"In the second place, we need to realize that we as a community are sick. Just as narcotics becomes habit forming for the individual, so has the numbers become habit forming for about 50,000 people in this area. We need to 'kick the habit.'

"Instead of the old symbols of 'get rich quick,' 'do it the easy way,' we need the new symbol of 'stand together.' Take these pennies, nickels, dollars that we have been squandering, deposit them in our banks, pool our resources and let's lift ourselves up.

"All of the heritage of the Negro people is now being aborted, squandered, and dissipated. Here we find our community lower in income than nearly any other community in New York and yet each year we are sending out $50 million of our money to support another community.

"Here we are face to face with a new birth of equality in our educational system. Next month hundreds of Negro children are moving out of Harlem going to a new school in Yorkville. All the forces of society are now moving toward a better day for Negro people with better education. How can we be worthy of this new day? How can our children be respected and respectable as long as they come from these homes that have been pauperized and criminalized by the sickness of their parents?

"And finally, I call for an individual catharsis. We as individuals need to take a mighty force into our own beings to purge us of the weaknesses and the accumulated sicknesses and to individually say that by the grace of God, I am going to stand firm. I will not go back. I will take my place as a member of society. I refuse to allow myself to be pauperized and criminalized by the sickness of gambling and the sinister forces of the Mafia. I plead with the Department of Justice, the Governor, the mayor, the five district attorneys to go to work and clean up this festering cancer forced on us by the outside elements."

Mr. POWELL. In this sermon I gave to the law enforcement agencies of New York two leads on how to discover the Mafia and track them down. All the arrests are of the petty numbers runners and collectors, nearly all Negroes and Puerto Ricans. Not a single banker has been arrested in New York City at all. They go free. They can track them down as follows:

The 13,000 who went before the gamblers courts—both the magistrates and special sessions—last year are represented all the time by virtually the same lawyers. Speaking only of the Borough of Manhattan 90 percent of the 4,500 who were tried last year were represented by the same lawyers; one lawyer uptown and two or three downtown. One of these lawyers is a New York City official and his name, as all the other names of the lawyers, appears in the records of the courts. When a defendant comes before the court he must state the name and address of his counsel who is present.

These numbers people arrested do not pay their lawyers. The lawyers work for the combines, the syndicate, and the Mafia, and have a flat charge of $25 a head. They are not paid by the person who is arrested.

So the first thing I am requesting is that the proper authorities—county, city, State, or Federal—shall find out from these lawyers whose names are a matter of record, who pays them.

The second lead I would like to give is this: The bail bond business for these arrested people is almost totally in the hands of one individual. They do not pay for their bail bond. A $500 bond, under standard practice, costs $25 to obtain. This is paid for them by the Maffia or the syndicate or combine, whichever group they are working for. Therefore, if the authorities are really interested in this, they can put under oath this bail bondsman and find out who pays him.

I would like to say that everything I am saying was backed up last Monday by the meetings of the Interdenominational Ministers Conference of New York and the Baptist Ministers Conference of New York before whom I appeared. They are backing me unanimously, and represent some 514 churches in our town.

Why have I brought this before this body? Because of the fact that this situation has been in existence in my community and in New York for years and continues to get worse. At a press conference held last Tuesday, the deputy chief inspector, Mr. Burns, in charge of my area, and his staff were present. In front of the New York press I challenged him. I said, "Every name and every address that I have, you know." He knows them. The police department knows them. And the proof of it is that when I delivered this warning from the pulpit at 5 o'clock on Sunday, January 3, within 36 hours the police had closed down many numbers places in my congressional district and had arrested 105 people. So they knew the names and the places. But they only did it in my congressional district, not touching any in any other district. That is why I am bringing in the other names and places in the districts nearby.

I am appealing from this pulpit here for some agency to really get to work on this problem that is pauperizing and criminalizing the poor of New York.

I have complete confidence in the mayor of our town, Mr. Wagner, as an individual. I have complete confidence in the police commissioner of our town, Mr. Kennedy, as an individual. I have confidence in the five district attorneys as individuals, one of whom is our former colleague, Representative Dollinger, now the district attorney of the Bronx. But I do not have confidence in everyone underneath them. The events of the years showing that this operation can go on and showing that, according to the authoritative book on the Mafia, the numbers in New York is the backbone of the Mafia in this country, the fact that it can continue and these people go unarrested and these places go unchallenged, means that someone somewhere down the line in a responsible position must be taking big payoffs. Judge Mullen said this in sentencing Sergeant Luberda.

I would also like to take this opportunity, and will follow it up with suitable correspondence today, to ask the Department of Justice to investigate every name I have presented today and to see whether the gambling stamp tax has been paid. The gambling stamp tax legislation was passed by this body and signed October 20, 1951, and became law November 1, 1951. I would like each name checked for each year since, to see if they have paid their gambling stamp tax. If they have not, then the Federal Government has an opportunity to move into this problem.

This is just the beginning of many such talks I will make, one a week, revealing more names as they come to me, hoping that some agency of our Government, local, State, or Federal, will stop letting its hands be tied by these vicious gangsters, operating not only in my town but operating in nearly every major city in this country. Maybe what I say here each week revealing the names and addresses will put enough heat under the proper city, county, State, and Federal authority, and put enough heat under the lawless element itself, so that if we cannot drive out gambling we can subdue it so it will not be as flagrant as it is now.

Naturally, I have received many threats over the phone and through the mails, but these do not interest me one bit. I will be here, with God's help, next week to put more names and more addresses into the CONGRESSIONAL RECORD.

[From the CONGRESSIONAL RECORD, Jan. 20, 1960]

THE NUMBERS RACKET IN NEW YORK CITY

Mr. POWELL. Mr. Speaker, last week I exposed before this Congress and the Nation the numbers racket of New York City as pauperizing the poor and criminalizing the dwellers of the ghettos. The number of criminals is increasing rapidly according to the records of the courts. The amount of money now being played per year on numbers only, in New York City alone, is $150 million. This figure is arrived at on the basis of estimates made by members of the press in New York.

All of this is operating without a single banker or big controller being arrested. It is entirely in the hands, according to the police department's own admission and statistics, of the Mafia syndicate and the combine, as the New York Times reported a week ago, in their Sunday edition, with every single Negro even in the Harlem community, driven out.

Last week I put before this Congress and this Nation the names and addresses of a few of those operating in my district, plus excerpts from my sermon calling on the people of my community to kick the habit of gambling. Police headquarters in New York City issued a bulletin after my speech of last Wednesday saying that the names that I gave them were "no new names" and that the list which I presented here in Congress, photostatic copies of which I hold in my hand, was 5 years old. These are the photostatic copies of the lists found on former Police Sergeant Luberda when he was arrested in March of last year by State troopers near Suffern, N.Y., for drunken driving.

Subsequently they found nineteen-thousand-four-hundred-odd dollars in his car. These lists have the names and addresses of a number of places and of the numbers operators, with the amounts by each name of how much was paid off to the police.

Sergeant Luberda went to prison for 2 years for refusing to testify before the grand jury.

These lists, by the way, were identified in court by a member of District Attorney Frank Hogan's staff as "the payoff list" to the police department. Judge John Mullen in sentencing Luberda to 2 years in prison said, "You are the bagman for the police department."

The police department last Wednesday after my talk here said these lists were 5 years old, and also said I gave no new names. In the first place, there were new names, four, to be exact, and I will repeat them:

Nick Angelo and Louie B., bankers, 3543 Broadway.

Tony D'Amato, 509, 522, and 526 West 147th Street.

Tony Plait, at 529 and 531 West 151st Street.

These are new names.

The police department confessed later that one of them had been arrested, but he was "only a runner." This is an untruth. These four are all big, and the biggest is Tony Plait, at the two addresses I gave to the Congress last week.

Today in my remarks I will list more new names and more numbers headquarters, but in the meantime I am asking the police department to explain to the public why they have not arrested all of those who were named last week if for no other charge than the usual charge, that of vagrancy.

Let us take the word of police headquarters that the list I introduced last week was 5 years old. Mark you, these are the exact words of Deputy Police Commissioner Walter Arm as reported in the daily press in New York, that those lists are 5 years old.

Those lists I gave last week were part of the lists found on the person of former Sergeant Luberda in March of 1959. If these lists are 5 years old, then that means that Luberda, who was on the police force then, was the bag man for the police department while on the force. I would like the special committee of Congress which has been investigating payola on TV and radio to look into the $150 million numbers racket in New York and the payola to the police department of New York which, in other words, has been going on for 5 years. We know, of course, it has probably been going on much longer.

The damaging admission by police headquarters that they knew all of these lists for 5 years proves that they knew how much was being paid off by Luberda, because the amount is by each drop, with the weekly payoff, the amount by these names of weekly payoff to the lower echelon, the man on the beat.

I asked them publicly why they did nothing about this for 5 years. The public knows they did nothing.

Since the lists are 5 years old, then that means also the police headquarters knew who the bankers were—these names are here—where they were operating during that 5 years and yet let them operate freely without any arrests.

The very first name there, Louie the Gimp, was not arrested until I held a conference with the police commissioner and complained about Louie the Gimp, one of the biggest, operating a numbers bank in front of my church. Then and only then was he arrested. If they, the police department, say they knew about it for 5 years, since police headquarters knew that the list found on Luberda was 5 years old, why did they obstruct justice by not so informing the district attorney, Frank Hogan? The release from the police department, the list of 5 years ago, is also corroborating evidence, and this is important, that the gambling stamp tax which we passed here in 1951 is now due for at least 5 years on each one of the names mentioned.

I just received a letter a few minutes ago from Mr. H. Allan Long, who is director of the Intelligence Division of the Treasury Department. In response to my remarks of last Wednesday, he writes me, and the letter just came, that they are working on the gambling stamp tax of these named, and I quote from his letter, and it is already in the hands of the New York office.

The next point I want to bring out is—how can the police department and the district attorney's office find out who the overlords are in back of this $150 million racket?

Ninety percent of the bail bond business is handled by one man. How can we find out who pays off this one man? Because the bail bond fee and the forfeiture are not paid for by the man when he is arrested. They are paid for by someone else.

First. The application for the bail bond in New York City shows who pays the premium, and that is in the office of the company. The company is known to me and the company is known to the authorities in New York. So, therefore, it would be easy to find this information.

Second. The confession of judgment on the bail bond shows who pays the forfeiture. This must be signed in advance.

Third. And this is the important part, and this is a most important part, the affidavit filed with the court under the law of New York shows at whose request the bond is written when the bond is written. This affidavit is found in the court clerk's office attached to the bond.

I might point out that most of the time when the bond is written the defendant is in jail.

With all of the foregoing information, if 200 or 300 of these number runners who are repeaters, and mark you who were arrested before the Sergeant Luberda exposé of March 1959, if they are subpenaed and cross-examined, it would definitely show that they did not pay for their bail bond. They did not pay for their lawyer, even though at the beginning some might lie. After that evidence has been secured, then the bail bondsmen can be brought in and confronted with it and a demand made then as to who did pay for the bail bond.

I would like to say the district attorney for New York, Mr. Hogan, has been very cooperative. I have been working very cooperatively with him. I had an extensive conversation with him last Saturday. On Monday, I received a tip which undoubtedly is going to lead to the very top. I immediately called up Mr. Frank Hogan for whom I have the greatest admiration. He was overjoyed to get it and his office, with his own detective force, is working on this now. This, I think, is going to break within the next few days and I cannot say any more about it because it is too important.

These are new names and new addresses that I am going to give:

Candy Store, 469 West 148th Street—under Nick Angelo. Also, the J. & P. Market, 3614 Broadway. The E. & J. TV appliance store at 3638 Broadway, Freddie's No. 2 Grocery Store at 3343 Broadway. Under another known hood named "Al," known to the police department, these are operated: The Big Four Coffee Shop, 3301 Broadway; Produce Market, 3491 Broadway; and again under Nick Angelo, the Piedmont Restaurant at 3301 Broadway. Finally, under two new bankers known only as Sol and Tom, the Amsterdam Market at 2016 Amsterdam Avenue.

I will continue to list these names, continue to turn them over to the district attorney, to the Intelligence Division of the Department of the Treasury, and to another authority that I cannot reveal at present that has been working with me—an authority in our area. I have received many threats, but they mean nothing to me. I will be back here, God willing, Wednesday with more of these names until that day comes when the police department of my town starts arresting these known people and starts closing up these known addresses which, in their own words, they have known for 5 years.

I yield back the remainder of my time, Mr. Speaker.

[From the CONGRESSIONAL RECORD, Jan. 27, 1960]

CIVIL RIGHTS—GAMBLING RACKET IN NEW YORK CITY

Mr. POWELL. Mr. Speaker, this day being Wednesday is the day that I have chosen in this session of the Congress to stand in the well of the House and tell the truth concerning the gambling racket in the city of New York. Also this day has been reserved by our distinguished colleague, the chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER] and our colleague, the gentleman from California [Mr. ROOSEVELT] for a symposium on civil rights.

In the remaining time left to me I would like to cover both of these topics. If I was preaching, with my Scripture background, I would take the Book of Numbers on gambling, and the one on civil rights would be the Book on Revelations.

Mr. Speaker, I should like to say a few things concerning the civil rights bill. I decry the bringing of partisanship into the field of civil rights. Civil rights is something that should proceed on a bipartisan basis. I also decry hypocrisy in this field and that is why I have so much respect for our colleagues from the other side of the Mason-Dixon line. They are honest. They proclaim both here and outside of Congress, by their vote and by their speech, their attitude. That is honesty. But too many of our northern colleagues say one thing here and another thing outside, or say one thing outside and vote the opposite here. That is hypocrisy.

Specifically, I would like to refer to the housing bill of last year to point this up. When the housing bill came up here I introduced the Powell amendment to ban all discrimination in the entire housing bill. When I did that just a handful of my colleagues from this side of the aisle, the Republican side, stood up and voted with us on this side. The next day, if there was one particular part of the housing bill that our colleagues on the Republican side did not want, it was the public-housing feature. So one of the gentlemen, who the preceding day had voted against the civil rights amendment, introduced my amendment, but only to that public-housing feature. I took the leadership that day in marching down the aisle to kill that civil rights amendment because it was hypocrisy.

I believe in this year it is going to be of serious damage to the Republicans if they continue to proclaim one thing and refuse to sign that petition there.

I can say very objectively I do not think the Republicans should feel that their candidate for President, Mr. Nixon, is in.

I felt that way once before about a gentleman named Mr. Dewey. And Mr. Truman, on the basis of civil rights mainly, in the last few days of the campaign, in the face of every poll against him, came through and won. Nixon is not in. Nixon can be defeated, and it may well be that what is happening here in this Chamber on this particular issue, the issue of civil rights, might be the thing that will defeat the candidate for President of the Republican Party. What is happening here is being watched very closely, very closely by the minority press in this country, and being reported by them. So, as I present that issue from the "book of revelations," I close that and move on to the other one, "book of numbers."

Mr. Speaker, I would like to say that since we began this series of weekly exposés of the sordidness of gambling in New York, the pauperizing of the poor, and the criminalization of the people in the ghetto, that within the past 3 weeks several high officials of the police department have resigned their office, one within just the past 48 hours; that the mayor of our city has held today, at city hall, a conference on corruption in city departments, and one of the invited officials present in that off-the-record conference was the police commissioner of New York; that on this past Sunday the speaker of the assembly of the New York Legislature, Carmen Carlino, on television pointed out that what I was saying was correct, but more than that he made the serious charge that all I was revealing was just the beginning; that this unholy alliance between the Mafia and the syndicate and the combine in New York City and numbers and racketeering and narcotics and prostitution was an unholy alliance even with some top officials. That was his statement. I would like to point out, in contrast, what has happened in Chicago and not happened in New York. In Chicago, when the details became apparent that some of the men on the police force were in collusion with men of the underworld, a shakeup took place. In New York City no shakeup has taken place. I think that a shakeup in the nature of the removal of every inspector, deputy, chief, and precinct inspector should take place in the Borough of Manhattan as a signal that there is going to be a new regime of honesty. I do not mean that these men who are in position in Manhattan are dishonest. I do not mean that they should be removed from office, but transferred to other boroughs so that those who now roll our streets and walk our streets as known criminals know that the day of being scofflaws has passed.

Now I would like to put into the RECORD another series of names and addresses. So far in the names and addresses I have listed, I have made only one error and I would like to rectify that first. In the CONGRESSIONAL RECORD last week I listed as one of the number gambling drops in New York the E. J. TV Appliance Store at 3638 Broadway. On checking that I find out that the number is 3648 Broadway—3638 Broadway is occupied by two eminent gentlemen, Mr. Carl Tomlinson, who operates a restaurant known as Carl's Restaurant, and Mr. Alexander Rosenklatz who operates a very fine Thrifty Store at that address. As I told you, last week I mentioned the names of two individuals who I did not have their last names of, and during the past few hours I have received information concerning them. I mentioned Sol and Tom. Sol and Tom's last name is Capaldo. They operate and own a vegetable market at 2016 Amsterdam Avenue. I am reading the report that comes back:

"These two have been in this district for 10 years to my knowledge. They have about 10 runners and comptrollers working for them. These two bankers, the most defiant bunch you have ever seen with respect to the law. They work Amsterdam Avenue from 6 a.m. to 9 o'clock at night. The police just pass them up.

"Even during the reporting of their addresses and names last week until now they are still operating freely. They must be paying out. If not, why do not they pick them up when they see them? They know their spots. It is a shame to see these bums taking this money even off of relief clients that are being supported by the taxpayers of New York. I figured that if I wrote you you would be able to investigate why the police of the 30th precinct, Washington Heights and also the headquarters men of the special squads including the Police Commissioner's Confidential Squad, why they do not run these bums out of this neighborhood once and for all?

"Is there any way and why are not arrangements made so that these fellows are turned over to Federal authorities for evading their taxes, especially the gambling tax?"

I wish to assure the writer of this letter that I have done this and am working in complete cooperation with the collector of internal revenue.

"I only hope that with the help of God you will be able to continue on with your crusade against this rotten element. I have lived in this district for over a quarter of a century and between you and myself have never seen gambling as wide open as it has been going on in this precinct for the past 5 years. We know where the fault lies. It is nowhere but in the police department. They look the other way. Honest people are not blind and we are not afraid to say something that may hurt their feelings.

"I will try to itemize addresses of stores that they operate from and will watch them carefully but in the meantime I give you these addresses.

The K and T Shoe Shine Parlor at 500 West 160th Street. Open all day Sunday. Known to pick up bets for the following day. Also they sell wine and whisky. This, therefore, is a Federal offense.

Then he gives me the license number of a car of one of those who operates with them. It is 3565BX 1959, not renewed as yet, a red and white sports model brand new Oldsmobile, 1959.

There is also George Capaldo, who is the father of Sol and Tom. He operates the candy store next door to the shoeshine parlor at 502 West 160th Street.

Then there is the Dexter Tavern, 160th Street and Amsterdam Avenue.

The next part of this letter I must delete because it is very important. I have already informed District Attorney Hogan in New York concerning this by telephone this afternoon.

I would like to bring in some more names that have just been phoned to me.

The Sol and Tom operation, 501 West 160th Street.

Sam's Food Store, 518 West 159th Street.

Harry's New Broadway, 2498 West 159th Street.

And then a banker, Lou Waltman, 521 West 156th Street, Apartment 1-A.

Then the Lucky Lunch at 2070 Amsterdam Avenue.

I will bring before this body next Wednesday more information with the hope that in some way what I do here may stimulate the conscience of the leadership of our police department in New York to clean up the force and make our town a better town in which decent people can live with dignity and without fear.

[From the CONGRESSIONAL RECORD, Feb. 3, 1960]

GAMBLING IN THE CITY OF NEW YORK

Mr. POWELL. Mr. Speaker, I rise today as I have for the past three Wednesdays to bring before this body and the Nation the continued massive indifference of the authorities of my town toward the numbers racket plus the information that comes to me each week concerning various places that are operating in my area of New York, together with the names of the men who are operating some of them, with the exact addresses.

New information has reached me within the past few minutes. I now have the name and the address of a former member of the Bureau of Internal Revenue who was the deputy collector of Manhattan and who resigned in 1952 to become the numbers boss of lower Harlem.

His name is Harry Feit, former address was 207 East 202d Street, Bronx, N.Y., and he operates from 116th Street down in the Harlem area. His headquarters are various houses on 115th Street between Lenox and St. Nicholas Avenues. He uses two places for his telephone communications. One is a restaurant called the Asia Curry Place at 100 West 115th Street. The other is the drugstore on the corner of 115th Street and Lenox Avenue, on the West Side.

Mr. Speaker, it is absolutely shocking that a former official of the Bureau of Internal Revenue who was in charge of this area as a member of the Internal Revenue staff resigned in order to become the numbers boss of this same area.

I would like also to read a copy of a letter which went to the police commissioner of New York on January 23. Nothing has been done concerning this letter. A copy was forwarded to me.

This letter points out that the writer is a former teacher in the public schools of New York and had been for many years a patron of the Bickford Restaurants throughout the city, presently taking his or her meals at the Bickford Restaurant on the corner of Broadway and 145th Street.

This letter reads as follows:

"NEW YORK, N.Y.,
January 23, 1960.

"Mr. STEPHEN P. KENNEDY,
"Police Commissioner,
"New York, N.Y.

"DEAR MR. KENNEDY: I am a former teacher in the public schools of New York City. For many years, I have been a patron of the Bickford restaurants throughout the city. Presently I am taking my meals in the Bickford restaurant at the corner of Broadway and 145th Street. I have discovered that gambling has invaded this restaurant in the form of numbers, and its presence is much to the annoyance of the decent clientele.

"The men who have invaded my favorite eating place with their gambling business are white Americans. I have heard them addressed as Lynch, George, and Mr. Jenkins. They have a booming business in numbers among the colored and white patrons. The manager of the restaurant has knowledge of the existence of gambling here, as I have seen him making wagers on the numbers with Mr. Jenkins. He is en rapport with all the gamblers, and he is an avid devotee of that phase of the numbers known as 'single action.'

"I was not aware of the serious nature of my surroundings, until the recent attack on the numbers by Congressman ADAM CLAYTON POWELL. If the activity here may be used as a basis for judgment, there is much truth to what the Congressman is saying. Three white men are collecting numbers in a public restaurant, every day, without interference from the police.

"Despite what I have seen, it is difficult for me to believe that the apparent immunity of these men is due to any deal with the police. I should prefer to believe that is mere coincidence that they have not been arrested. Is it coincidence?

"I would like a definitive answer.

"Respectfully yours,

"——— ———,
"Retired."

I therefore sent the commissioner a telegram today asking him for the good of our town to tranfer from upper Manhattan the three police inspectors who now are in charge, Inspector Burns, Inspector Nidos, and Inspector Whalen; and I said in this telegram, "I am not bringing any charges against these three men," but I state that in view of the massive indifference and continued flagrant disregard of law that for the good of our town this action is long overdue. Harlem needs new police chiefs.

I finally would like to put into the RECORD another list; and may I say so far I have put into the RECORD about 50 places with the names of gamblers in charge, and not a single one of these stores that are being used as fronts have written to me saying that I was wrong.

Now I would like to put some more in. These are places being operated by bankers, mainly, Vincent Curbello and Philly Black. These are known hoods. These are the places they are operating: 29 East 104th Street, El Flaco; 860 Lexington Avenue, a bakery; in a bar and grill at 115–116 Lexington Avenue, the Friendly Bar; and another bar and grill called the Flat Tone at Third Avenue and 106th Street; and a store called the Fast Harry Store, a good name for it, 216 East 112th Street; and then three bankers operating on 111th Street, at 14, 18, and 26 East 111th Street.

I trust that I will have more information next week. I again say that I hope the police department of our town will see that this corruption if not wiped out is at least subdued.

[From the CONGRESSIONAL RECORD, Feb. 25, 1960]

THE IMMORALITY OF THE NEW YORK POLICE DEPARTMENT HEADQUARTERS

Mr. POWELL. Mr. Speaker, I rise to continue my attempt to bring law and order or some semblance of it back to my hometown, New York City, a series that I have been undertaking from this floor since the opening week of this session of the Congress.

The time has come to explode a new dodge now being employed against the forward progress of the Negro citizen: that appointments to high office should not be made "on a basis of race."

No less a person than Stephen P. Kennedy, the police commissioner of the city of New York, is the most recent public figure to employ this ironic technique. Recently, I urged him to appoint a qualified Negro as one of his several deputy commissioners. Posing as some kind of righteous American, he loftily refused on the basis that he did not make appointments "on the basis of race."

Since the Negro people were freed as slaves, the whole of this country has been working to correct a terrible wrong and balance the sheet of democracy. One of the means of balancing the sheet has been the appointment of qualified Negro citizens to high office. It is part of our record that whenever these precedent-making appointments occurred, all of us have been proud of the fact that we were accomplishing the American dream of full democracy for everyone.

Now, when the police commissioner of the greatest city on earth is urged to participate in the American dream, he arrogantly refuses to do so and takes a pious attitude in the bargain, he is fooling no one. An honest and sympathetic public official would never take such a counterfeit position in the face of the Negro's long struggle for status.

When I asked the commissioner to appoint a Negro, I laid emphasis on qualification and representation. To appoint a Negro on the the basis of race would mean making such an appointment regardless of qualifications. I did not, as the commissioner well knows, ask for such an appointment. It is foolish on the commissioner's part to pretend in public that I did. On the contrary, I called for adequate representation of our vast Negro population in the higher councils of the police department.

I feel, as does the mayor's committee on Harlem affairs, that a qualified Negro commissioner could not only make a fine contribution to the solution of minority problems, but lift the prestige of the department in the eyes of our minority citizens and give a higher morale to minority rank-and-file members of the department. Any rational person will agree that this has been and is a valid position.

But there is a far deeper significance in the police commissioner's arrogant and counterfeit position. It is basic in our form of government that police power and military power are to be subjected at all times to civilian control under the will of the people. Something is basically wrong when a servant of the people—in this instance, the police commissioner—can publicly thumb his nose at elected officials and responsible citizens' groups seeking redress.

The police department of the city of New York has become a law unto itself, responsible to no one. It rolls along making its own rules and laws and treating the people as if they were the servants. Our experience has been that when a community of citizens criticizes or protests some action or inaction of our own police department the immediate answer they get is an arrogant statement in the press from the commissioner, immediately followed by the dispatching of shock troops to the area in an open attempt to intimidate the people. This callous contempt for the people has bred in the police department of the city of New York the resultant contempt for the laws of rights and crime and corruption.

For instance, in a city and State where laws against discrimination in employment are in effect, the police department of the city of New York is one of the chief practitioners of discrimination. Not only are there no Negroes on the commissioner level, out of 60 inspectors, only 1 is a Negro; out of 212 captains, there is not a single Negro; out of 750 lieutenants, only about 10 are Negro—the figures get worse the farther down the line we go. These figures reveal that unless there is a change of heart in both the police commissioner's office and in the manner of selection the Negro will never win adequate representation in the police department of the city of New York.

For some weeks now I have been outlining the flagrant discrimination in arrests in the numbers racket in New York City, and particularly Harlem. It is apparent to even the casual observer that this racket could not exist without the tacit approval of the police department. Nevertheless, I have refrained from making any charges against the police department in hopes that it would clean its own house. Obviously, viewing the attitude of the commissioner, this will never happen.

Today, therefore, I do not hesitate to say that an area of suspicion that the police department is in partnership in this racket is increasing by the hour. I believe, therefore, that the commissioner ought to resign, and that the mayor ought to appoint an interim board of responsible citizens to clean up the mess. Barring such immediate and forthright action, it is highly possible that the city of New York may be facing some such scandalous situation with its police department as now exists in the city of Chicago.

On Wednesday of this week the New York Times lambasted me for criticizing the police commissioner, accusing me of carrying on a personal vendetta with Mr. Kennedy and trying to "push him around." I have no quarrel with Mr. Kennedy, only with his injudicious handling of the office of police commissioner, a post of vital importance to my people. Let the New York Times defend the rank discrimination existing in the department under Mr. Kennedy; let the Times defend the merciless rackets that rob the poor and exist in New York City; let the Times dare to conduct an appraisal of Mr. Kennedy from among his own men in the department and it will discover that the man the Times calls one of the best New York has had is one of the most unpopular commissioners in the history of New York in his own department.

The Times goes on to say in its editorial that Mr. Kennedy fears no one, not even the mayor. What the Times should have said was that the commissioner is responsible to no one, not even the mayor. The people of New York did not elect Mr. Kennedy; they did elect Mayor Wagner, and it is high time that Mr. Kennedy comes down off his throne and realizes this simple fact.

Mr. Speaker, I would like to point out that the police department of New York City, in recent years, had as a deputy police commissioner at least one qualified Negro, until Mr. Kennedy became police commissioner. Since then this policy has now developed into a total lily-white policy. I have asked Mr. Kennedy to appoint a qualified man from the Negro-Puerto Rican uptown community. The mayor's own commission asked Mr. Kennedy to do likewise. He refused and has just appointed within the past few hours a lawyer from New York by the name of Leonard Reisman, special assistant in the State attorney general's office. He is now deputy police commissioner in charge of licensing. Mr. Reisman, no doubt, is a qualified man, but this is a position that was held for years by Negro members of the uptown community.

Now, why is all this? I believe that it is due to the fact that there is a concerted effort on the part of the high-ranking officers of the police department to do business with the gangster element of our town insofar as it operates in the Negro and Puerto Rican communities. This they could not do with a Negro in a high-command position.

I would like to place in the RECORD a complaint which was made by a citizen on August 17 of last year and again on September 9 of last year in which this citizen complained to the supervising assistant chief inspector of the police department, Mr. John Walsh, that a woman by the name of Ester James, 1744 Amsterdam Avenue, was extorting money from gamblers and those operating numbers in the uptown area for the purpose of transmitting this money to police officers. Even though this complaint was made on August 17 and renewed September 9, the police department has not stopped this practice; no investigation has been made, and Ester James continues to be the payoff woman for the police department higher ups. I would like to place that complaint in the RECORD at this time:

"NEW YORK, N.Y., *September 9, 1959.*

"Mr. JOHN WALSH,
"*Supervising Assistant Chief Inspector,*
"*New York, N.Y.*

"DEAR MR. WALSH: On or about August 17, 1959, I went to your office to make a complaint against Ester James, 1744 Amsterdam Avenue, for the crime of extortion. You were on vacation at the time, and I was referred to the office of Mr. Nielson. In his office I talked with Lieutenants Quinlan and Deegan, and gave them information to the effect that my business partner, Freddie Fredricks, was paying Mrs. James to prevent her from exposing our gambling activities. In addition to making this complaint, I gave them the names of other gamblers who were also paying Mrs. James not to expose them. When these were called, they, in turn, named others from whom this woman had extorted money under threat of exposure.

"During the time that Lieutenants Quinlan and Deegan handled the investigation, they were both honest and sincere in their approach toward the complainants. They were only concerned with doing a thorough police job of investigation. I am sure that they would have completed the job, long since, if they had been allowed to continue. However, the investigation has slowed down, and it appears that justice will be defeated, due to the untimely intervention of Assistant Chief Inspector James Nidds.

"Neither I nor any of the other complainants against Ester James wanted Mr. Nidds to participate in the investigation. Our reason for not wanting him to participate is that Ester James has been an informant for Mr. Nidds for more than 3 years. And for the additional reason, that Mr. Nidds had been informed on two occasions by Carlos Duran, one of the complainants against Mrs. James, that she had extorted money from him. In each instance the information was ignored by Mr. Nidds. It is my considered opinion that his failure to check on the woman, subsequent to the complaint of Duran, is either an act of omission or commission with respect to the duties of his office.

"I believe that the men working on the investigation, under the command of Mr. Nidds, are not sincere and are conducting a pseudo-investigation. It seems that their purpose is to sabotage the investigation, and to whitewash the charges that have been made against Ester James. Some of the statements made by these investigators are seething with intimidation. Complainants have been told, if you prosecute the woman and convict her, she can counter and have you prosecuted for income tax evasion. Another complainant was threatened with a punch in the mouth, when he refuted a statement made by an investigator. Who is shielding whom?

"No police officer should be allowed to shield a felon. It is my understanding that the function of a police officer, even an assistant chief inspector, is to keep the peace. He cannot sit in judgment upon persons accused of crime and personally decide their guilt or innocence. That power has been delegated to the courts by our Constitution. Neither Mr. Nidds nor the men working under his command are above the law. They, too, are bound by its precepts. In the present case, they are under a duty to see to it that justice is not defeated.

"The people who have complained against this woman, and many others who would like to complain against her, do not profess to be angels. They are gamblers and they admit it. All of them, at one time or another, have been arrested, arraigned, and convicted for the crime of policy. This, however, does not give anyone the right to extort money from them. Ester James found that gamblers were easy prey, because of their willingness to pay to avoid being exposed. Their crime, under the law, is a misdemeanor, but extorting money under threat of exposure is a felony.

"All of the complainants against Ester James are willing to testify under oath, if Mr. Nidds will allow them to do so. Many of them are afraid to give him information against her, because they believe that he is trying to protect her. I know that the investigation is doomed to failure, if it continues under his direction.

"Unless your office can close out this investigation, I will be forced to take my case to the press.

"Respectfully yours,
"HARLESTON PATTERSON."

Mr. Speaker, I would like to also say that after an intensive search we believe we have now found another bagman for the police department of New York. You will recall that I mentioned previously that the former bagman was an ex-police sergeant, Joseph Luberda. Judge Mullen, in sentencing him for 2 years, said that he was the bagman, and the assistant district attorney to District Attorney Frank Hogan charged before the grand jury that he was the bagman.

Since then we have been trying to find out who is the new bagman for the police department. I believe I now have his name and his address. The salary of a police sergeant runs about $7,000 a year. I have now the name of a police sergeant who lives luxuriously in New Jersey. He has a very impressive home, including a private swimming pool. The house is a house that bespeaks a man of substantial income. It is located on Taylor Mill Road in Englishtown, N.J. The name of this police sergeant is Steve DeRosa. He is now attached to the police academy. But even though he is attached to the police academy he is seen in my district around the first of each month visiting all the places that I have named as number drops and many others. There is no reason why an officer in the police academy should at any time visit any other precinct and especially the same precinct each month, going only to those places that have already been named by me as numbers headquarters. If this is done, then there must be some connection. The fact that he has this luxurious house with a swimming pool in the high-income bracket area in New Jersey shows that he is getting some income other than $7,000 a year.

"NEW YORK STATE CRIME COMMISSION,
"New York, N.Y.

"DEAR SIRS: I believe that it would be of interest to the commission to know that Police Sgt. Steve DeRosa is the counterpart of former Police Sgt. Joseph Luberta. If the commission will recall Sergeant Luberta was arrested in Rockland County last spring. During his trial for contempt, in which he was convicted, Luberta was referred to by the district attorney as a 'bagman.'

"Sergeant DeRosa is a member of the police department, and at present he is attached to the police academy. His duties at the academy, however, do not conflict with his duties as a 'bagman.' He attends to his graft collecting activities between the 1st and 3d of the month, visiting all of the places named by Congressman POWELL located within the boundaries of the seventh division.

"The graft collected by DeRosa is carried on his person in sealed envelopes. Each envelop bears a notation which indicates the amount of money it contains, the person from whom it was received and the office to which it is to be delivered. In addition to these envelopes he carries a list, similar to Luberta's, which shows the status of the gamblers from whom money is collected. According to the list, each gambler is either paid up, late, or dropped. The principal client and chief beneficiary of the nefarious services rendered by the sergeant is the Borough Headquarters Manhattan West.

"In the refreshing atmosphere of his New Jersey mansion the sergeant has surrounded himself with all the luxuries of life. These creature comforts bespeak a man of good taste and substantial income. The house is located on Taylor Mill Road, Englishtown, and is complete with every modern convenience, including a swimming pool. It would be impossible to maintain this place on the scanty salary of a police sergeant.

"Respectfully yours,
"TAXPAYER."

Also I have had sent to me anonymously—it arrived today—a copy of a complaint made to the New York State Crime Commission. This complaint lists the exact amounts of money paid off each month by the numbers banker to the various sections of the police force of New York. Each numbers banker has to pay from $2,500 to $3,000 a month in protection ranging from the top of the division on down to the lieutenants, sergeants, uniformed officers, two shifts of radio cars, all the detective squad including plainclothesmen, lieutenants, and sergeants. I submit this as a copy of a complaint already made to the New York State Crime Commission, for the RECORD, today.

(The matter referred to is as follows:)

"To operate with protection all policy spots are required to have a contract with the various offices of the police department. Such a contract is generally referred to as a 'pad.' All pads are due on the 1st of the month, and must be paid not later than the 3d.

"The list below is a breakdown of a policy pad. The totals that are followed by an asterisk (*) vary in proportion to the number of men assigned to the precinct. The total cost of a pad may reach as high as $3,000 a month, due to fluctuations in the number of men that are carried by a given office.

"Division	$420
Borough headquarters	275
Police commissioner	275
First deputy police commissioner	275
Chief inspector	275
"PRECINCT	
"Captain	$50
23 sergeants at $10	230*
8 lieutenants	160*
Uniformed officers on post	192*
Radio cars (2 shifts)	192
"DETECTIVE SQUAD	
"33 detectives	330*
Detective lieutenant	50*
Detective sergeant	25
"Total	2,749

"Officers on post and officers in radio cars are paid daily, all others are paid, in advance, monthly."

I would like also to point out that the president of the Policemen's Benevolent Association of New York—the man elected by the 24,000 members as their president—whose name is John Cacasse, was on television with our colleague, the gentleman from New York [Mr. CELLER]. Before Mr. CELLER and the distinguished Republican State senator of New York, McNeal Mitchell, Cacasse said that Mr. Kennedy has in New York City brought the morale of the police department to a new low. He is trying to "dog the men into submission."

He said that there is a compulsory arrest quota for each policeman in New York. Senator Mitchell said:

"Spell that out. You mean that the police are given a quota as to how many arrests they are to make?"

And the president of the policemen's benevolent association, Mr. Cacasse, said:

"Yes; how many arrests and what kind every month, and they are told, if you don't do this, there are 4,000 men waiting to take your job."

When I began this crusade there were people saying, "Why argue against the numbers? Everybody gambles." That may be true, but we do not want gambling to be the backbone of the narcotics. I do not believe there is any man who is in favor of that except the gangsters themselves.

Since I began this crusade I have been working hand in glove with the Narcotics Division of our Federal Government. There are special agents working in New York now on the information I have received.

There is a pattern of collaboration between the numbers bankers, the Mafia, the syndicate, the combine, and the narcotics peddlers. Certain arrests have been made which indicate that both numbers and narcotics are being operated by the same groups.

I should like to point out that one combination of thugs has just been revealed to me. It is a combination called Sam and Mannie. It operates drugs and numbers together, with headquarters at 310 St. Nicholas Avenue, 325 West 126th Street, and 303 West 106th Street.

When a James Russell came to my church two Sundays ago he was scared to death because these two men, Sam and Mannie, thought he was conveying information to me. He was not. I never heard of him. He came to me and begged me to protect him. The result is that this past Friday night James Russell was badly beaten and is in serious shape. In 1956 a man that worked with them by the name of Charles Turner was also beaten by Mannie and Sam, and later his body was found floating in the East River in the Harlem area.

Yet in the face of all this the police commissioner of New York refuses to move, refuses to do anything. All he does is attack me personally. But here are the facts; I have presented them week after week, and I will present them as long as I have strength.

I am now going to name, in addition to those I have named, 18 more places operating in the Puerto Rican area.

46 East 112th Street. Grocery store, Mr. Boyer, who is the owner and banker.

124 East 110th Street, apartment 6, Mr. Juan Soto, controller.

115 East 110th Street, a candy store, where the controller's name is Serpa.

134 East 110th Street. Grocery store, Juan Soto is the controller there and a collector.

1620 Madison Avenue, where Santiago Rodriguez operates as a collector.

123–127 East 110th Street, where Miguel Cordero operates as a collector.

25 East 105th Street, apartment 43, where Petra operates as a collector.

133 East 109th Street, where Luiz operates in a grocery store as a collector.

65 East 110th Street, apartment 2. They sell heroin and also collect numbers—narcotics and numbers.

18 East 105th Street. There is a controller operating on the ground floor front.

139 East 110th Street, a collector operating out of a restaurant.

83 East 111th Street. There is a butcher store there where a collector operates.

1861 Lexington Avenue. There is a restaurant where the father of Julia Rosa operates as a collector.

1860 Lexington Avenue. Phillip Blake operates as a banker at a bakery.

25 East 105th Street. There is a grocery store where there is a collector.

18 East 105th Street, a candy store where Serafina is the controller and the owner.

87 East 111th Street. There is a restaurant there where policeman MacDonald knows everything connected with that.

112–114 East 111th Street. At the front apartment on the right side as you go in there is a controller operating.

This does not mean all of these addresses are owned by the numbers gangsters. The owners of these stores and restaurants and apartments are terrified, in many instances, by these people and so they are operating out of their premises, even though the owners do not desire to cooperate with them.

I will continue next week with more information from the Narcotic Division, and I trust by that time from the New York State Commission Against Crime.

Again I ask, what is Mr. Kennedy going to do? When is the mayor going to put into office a commissioner who will not allow his men to do business with these narcotics and numbers racketeers? When will the vast majority of our police department have their morale restored?

[From the CONGRESSIONAL RECORD, Mar. 2, 1960]

THE IMMORALITY OF THE NEW YORK POLICE DEPARTMENT HEADQUARTERS

Mr. POWELL. Mr. Speaker, for the past 9 weeks I have been bringing before this body the shocking situation of immorality in our Police Department of New York City and the boldness of the Mafia, the syndicate and the combine in flaunting the law by operating gambling and narcotics with the condonement of some members of the police department.

On last Thursday I introduced what I thought was the new "bagman" in the policy racket, the bagman for the Police Department of New York, Police Sgt. Stephen DeRosa. As the RECORD indicates, I produced this information on the basis of a carbon copy of a complaint made to the New York State Crime Commission.

It may be of interest to the House and I am sure to the CONGRESSIONAL RECORD that Sgt. Stephen DeRosa resigned suddenly from the police department that night, that he refused to take with him his terminal leave of $700 because if he had done so he would have had to stay under the jurisdiction of the police department, and when brought before the grand jury after appearing for 10 minutes, he pleaded exhaustion.

The New York Post immediately began this last Monday a series of articles on the policy racket in New York, in which they charged without benefit of immunity that millions have been paid out to the Police Department of New York to protect the numbers game.

Mr. Speaker, I ask unanimous consent that two of these articles may be printed at this point.

Mr. Hoffman of Michigan. Reserving the right to object, Mr. Speaker, what is the purport of it? Is it exposing corruption in the New York Police Department?

Mr. Powell. Yes, sir; detailed.

Mr. Hoffman of Michigan. I have no objection.

The Speaker pro tempore. Without objection, the request of the gentleman from New York is granted.

There was no objection.

"[From the New York Post, Feb. 29, 1960]

"INSIDE THE POLICY RACKET: MILLIONS IN PAYOFFS TO COPS—ARTICLE 1

"(By Ted Poston with Alfred Hendricks, Irving Lieberman and Richard Montague)

"This is the story of the pad.

"It is the story of a multi-million-dollar collaboration between members of the police vice squad and powerful policy barons, many of them with Mafia connections, to control and perpetuate the numbers racket in the five boroughs.

"It is the story of day-by-day, week-by-week, month-by-month graft which is so vast as to stagger the imagination of the men actually on the take.

"Before we tell the story, let us make one point clear. Not all police officers in the various divisions of the police department are venal. Most of the men are honest enforcers of the law—even in areas where the policy racket flourishes. But this is not to minimize the effect on department morale where the minority fattens on graft in the open view of honest policemen—and the public.

"Veteran police officials told the Post during this newspaper's investigation of the policy racket that there are men who have accumulated so much money from the pad that they can scarcely find ways to spend it without getting in trouble. There are others who are trying desparately to get out of the department before the bubble bursts, but their superiors won't let them.

"And there are others, these officials say, who never rose above the rank of plainclothesman before they retired but now own prosperous businesses in the South and West—businesses set up with their own capital.

"What is the pad?

"The pad is the police-approved list of spots or locations where 'official protection' is guaranteed in the 6-day-a-week operation of the numbers racket.

"A spot might be a grocery store or a tailor shop, a luncheonette or a poolroom. It might be a bank of elevators in a Wall Street office building. It might be an elevator or a newsstand in the garment center.

"It can be any agreed-upon place where a numbers player can openly place his daily wager without being molested by the cops. It might be even a specified hallway in a Harlem tenement.

"A spot or location, however, is not to be confused with a policy bank. A bank may—and many of them do—have a score of spots in just one police precinct. But each spot must be approved by the police for the pad And each spot on the pad must be paid for in cash.

"And who shares in fixed fees collected for this legal operation of an illegal racket? The payoffs are not limited to vice squad plainclothesmen assigned to the suppression of vice and gambling but are distributed regularly to sergeants, lieutenants, captains, and, in many cases, to some of their superiors.

"This is how the cash flows:

"The cop on the beat—low man on the totem pole—collects from each spot on the pad in his area daily. There are three daily shifts; each cop on each shift makes his own collection.

"The two men in the squad car whose patrol includes the pad collect their blanket payment weekly. This frees them from the task of daily collection.

"The men on the take in the precincts, the divisions, the borough commands, and the special squads, on up to officials in police headquarters itself, receive their share of the payoffs from their own special pickup men once each month.

"To operate on a full pad—that is, to buy protection from the botton to the top—costs each spot, even if it's just a tenement hallway, about $2,500 a month. The tariff is scaled proportionately higher for those spots and locations where the daily play is greater.

"On the waterfront

"And here is why veteran police officials call the graft take astronomical:

"The Post investigation of just 90 approved spots in a single section of Harlem indicated that specified payments to the police involved exceeded $220,000 a month, or an annual take of more than $2,500,000.

" 'But you must remember,' one official expert told the Post, 'that, contrary to popular belief, the numbers play in Harlem comprises only a fraction of the daily play in all boroughs. You have to multiply the Harlem take many times to get anywhere near the real figure for the "ice" paid out by policy.

" 'There are 80 precincts in New York City, and in my experience in all 5 boroughs, I have not found a single one in which a pad for policy isn't maintained in one form or another.

" 'Of course, Harlem is the happy hunting ground for the boys who get greedy. They can get their regular take from the operators of the pad and their shakedown from some of the small fry for an additional taste—something extra—without risking too much of a squawk.'

"The Post began digging into the numbers game in January after Representative Adam Clayton Powell charged that the police in Harlem were running Negro bankers out of business and turning the game over to whites—mainly Italians, although Powell also spoke of Jewish policy racketeers in one speech from his Harlem pulpit.

"The inquiry spread to all sections of the city as it became apparent that Harlem furnished only a fraction of the astounding sums bet daily on a sucker's game.

"The Post team established that the gross numbers business written every day on the waterfront—in Manhattan, in Brooklyn, on Staten Island—exceeds Harlem's action on its best days. They also found that it was easier to get down on the figure in any section of the garment center at that moment than it was to get similar action on, say, Lenox Avenue. (The heat happened to be on uptown, of course, as a result of Powell's blasts at the police from his pulpit and on the floor of Congress.)

"In staid Wall Street, few people had to walk further than a designated elevator or a newsstand in his building or around the corner to make a daily bet. Such big numbers bet are placed in the financial district that the total play there appears to exceed the entire take in the Bedford-Stuyvesant section of Brooklyn.

"The Bronx—once the stamping ground of the late Dutch Schultz—was found to be organized into a tightly closed duchy which probably would have made the Dutchman himself proud.

"Most New Yorkers are vaguely familiar with the numbers game, certainly one of the simplest forms of mass gambling ever devised.

"A penny-ante game?

"The bettor takes a 1,000-to-1 chance that he can pick a set of 3 digits anywhere between 000 and 999 which will appear in an agreed-upon tabulation at a racetrack, clearinghouse, or elsewhere. If he wins, the most he can get is 600 to 1 (really 599 to 1, since the original wager is included in the payoff). Some banks pay as little as 300 to 1 in the case of certain numbers which the policy operators consider 'hot' at a given time.

"The general conception (or misconception) is that the numbers racket is a harmless little game dreamed up in Harlem and played only by poor people who hope to cash 600-to-1 bets on pennies and nickles filched from their relief allotments. The newspapers down through the years have fortified this conception by calling the game 'poor man's policy,' 'the welfare client's Wall Street,' 'the dream of the destitute,' or 'the opiate of the paupers.'

"Nothing could be further from today's truth. And no one knows it better than those vice squad cops who profit by it.

"For more than a quarter of a century, the police brass has been estimating that New Yorkers bet an average of $100 million a year on the numbers. That figure may have been valid back in 1935; the gross at that time did contain a lot of penny, nickel, and dime bets on the daily lottery.

"But those days are gone forever.

"The night number

"Today's numbers bets usually begin at a quarter. A flat $1 bet is no longer unusual. Regular $10 bets are accepted by some collectors, and the sky is the limit where the larger banks are concerned.

"Of course, a longtime addict can get down a nickel or dime bet, or even a series of bets for pennies, but most banks' regular operators scorn such wagers whenever possible.

"One authoritative source, who has watched the phenomenal growth of the game over the past quarter century, said frankly:

" 'Nobody can really know how much money is bet on the numbers yearly, not even the big operators or the police themselves.

" 'But it is my opinion that the annual take in the five boroughs here is closer to a quarter billion dollars than to the $100 million figure so commonly used.'

"He cited reasons for his conclusion.

" 'Back in 1935,' he recalled, 'there was only one official number for all boroughs. It was based then, as now, on the three figures derived from the total parimutuel bets on the third, fifth, and seventh races at a specified racetrack (Hialeah now).

" 'But in Brooklyn, for instance, the player can bet on two sets of numbers every day—the usual one based on the third, fifth, and seventh races, and a brandnew number based on the total parimutuel handled at the track that same day.'

"This Post informant cited another reason why he believed that the daily take from numbers had doubled or even tripled during recent years.

" 'In the old days,' he said, 'there was only the "day number" available. I mean that the wagers were only paid off on races run during the daytime. Now there is also a "night" number for a large part of the year.

" 'I think this is almost exclusively a New York development, but night numbers are taken daily for the full run of the trotting races at Yonkers and Roosevelt Raceways.

" 'Again, no one except the policy banks which book the night numbers can know how much is wagered, but the night numbers, for the months they run, probably take in almost as much as the day game took in in 1935.'

"Single action

"There is also a variation of the numbers game which has added to the 'racket's' gross.

This innovation, first popular around 1940, is called single action and permits the player to make individual bets on each of the three separate digits composing that day's full figure.

"Say, for instance, that the player has already made his bets for the day on the number 671. He then can make single action bets—the payoff is 8 to 1—that the first number that day will be 6 or the second number will be 7, or the third will be 1.

"Single action is most popular in areas of Negro and Puerto Rican concentration and is often banked and operated by the runners and collectors in the employ of the big policy banks.

"One former policy banker, forced out of business by the rising costs of the pad, operated recently on single action alone. He estimated that single action, controlled mainly by Negroes, grosses between $15 million and $25 million a year.

" 'The big white banks haven't moved in on single action,' he said, 'mainly because it's too complicated to handle and they're afraid they might get cheated. There's nothing too complicated about it for the cops, though. Nobody cheats them. You've got to get on the pad to stay in business. And if the bite gets so big it drives you out of business, that's just too bad for you.' "

"[From the New York Post, Mar. 1, 1960]

"INSIDE THE POLICY RACKET: 'PAD' LISTS PAYOFF RATES—ARTICLE II

"(By Ted Poston with Alfred Hendricks, Irving Lieberman, and Richard Montague)

" 'If you write $1,000 worth of numbers a day,' a recently retired policy operator said bitterly, 'then the first 12 days of the month you work for the cops.

" 'The cops are the only ones who are guaranteed to make their take (profit, that is) no matter what happens.'

"The operator was discussing the pad, the list of spots and locations in all five boroughs sanctioned by corrupt policemen, where the mobs behind the numbers racket are permitted to operate wide open 6 days a week in return for specified payoffs totaling millions upon millions of dollars a year.

"Here, in detail for the first time, is what policy operators must pay crooked cops to operate just one 'full open spot'—that is, an agreed-upon location where numbers bets may be handled without police molestation:

"Three hundred dollars a month to a squad connected with high-echelon officialdom, with $25 of this going to the 'bag man,' who is usually a retired cop like ex-Sgt. Joseph Luberda.

"Three hundred dollars a month to the group connected with the next highest official, again with $25 going to the 'bag man.'

"Three hundred dollars a month to the ranking squad in the department hierarchy. This sum may often be picked up by a member of the squad, obviating the $25 cut for a 'bag man.'

"Three hundred dollars a month to a group operating out of a top office, based on geographical location.

"Three hundred and fifty dollars to $615 a month to a smaller geographic subdivision office.

"The $350 figure is the basic sum for all such groups in the city, but the $615 figure was cited as the current pad in one group which covers several precincts.

"Police operating from the smaller subdivision, which now has some 30-odd plainclothesmen, originally set their price at $350 monthly also. But the bite has gone up twice—first to $470 and then to $615 a month because of policy scandals and a wholesale transfer of members of the old squad in one of Police Commissioner Stephen Kennedy's periodic shakeups.

"But back to the monthly payments for the operation of a 'spot,' which, not to be confused with a policy bank, may be merely a Brooklyn grocery store, a Staten Island tailor shop, a Wall Street newsstand, a garment center elevator, or even an agreed-upon hallway in a Harlem apartment.

"To be on the pad for a 'full open spot,' the operators must also pay, on top of what is listed above:

"Two hundred and fifty dollars a month to be divided among detectives in the precinct where the spot is located.

"Ten dollars a month for each of the precinct lieutenants involved.

"One hundred dollars a month to be split among the racket precinct sergeants.

"If a precinct captain must be paid, the sum varies, but it is usually about $75 per month per spot. And from this sum, the captain must take care of his own 'bagman' and a precinct warrant officer.

"But this doesn't end the payments. For each spot—and some banks have as many as 20 spots or more in a single precinct—the cops also collect $35 a week to be split between the two patrolmen assigned to the squad cars on the beat. These men pick up their own take at a specified place in person weekly.

"The final 'official' payment for the pad goes to the cop on the beat.

"It is $2 a day, accepted personally, and paid to each of the beat cops on the three shifts from Monday through Saturday. Thus, a cop with only a half dozen spots on his beat is assured of at least $12 each day in 'legal payments.'

"One policy operator, who discussed the pad, was asked why the cop on the beat had to be paid.

" 'He knows you are on the pad,' the reporter said, 'and he knows his superiors may raise hell if he arrests you. So why pay?'

"The policyman smiles at the question.

" 'Of course he knows he can't arrest me,' he said, 'and I know it too. But he doesn't have to. All he needs to do is just stand in front of my spot and nobody is going to come in and play numbers as long as a uniformed cop is standing out front.'

" 'So just slip him his two bucks and send him on his way. After all, he's got to visit other spots on his beat for his taste also. You don't want to be a bad fellow by delaying this messenger on the swift completion of his appointed rounds.'

"It was not easy to flush out the exact details of the pad, although Post reporters learned about it shortly after Representative Adam Clayton Powell charged that Harlem police were turning the Negro bankers' business over to whites—mainly Italians.

"The 10-week investigation started in Harlem but quickly extended to all five boroughs since even preliminary study showed that the numbers game, like the organized graft and corruption which it spawned, was not just a Harlem pastime but citywide.

"The existence of the pad was well known throughout the multi-million-dollar industry. Even before Joseph Luberda, the retired cop, was picked up drunk with the pad for one section of Harlem, everyone in the industry knew that such lists existed.

" 'Bigger than you think'

"And Luberda, now serving a contempt term in prison for refusing to name the police squads and officials for whom he had been collecting, admitted that much when asked before the grand jury:

" 'In other words, police officers would go around to different places and visit these people who are operating these gambling places and collect money in return for their refraining from interfering with their operations?'

" 'Yes, sir,' said Luberda, 'could be.'

"But few known policy operators in Harlem or elsewhere were willing to go into details on the actual pad in the early days of the Post's investigation.

"Even men who had spent their lives in the game only to be reduced from bankers to controllers and even down to runners because of increasing vice squad demands were reluctant to discuss the pad.

"Similarly, honest members of the police department—and the vast majority on the force have little opportunity to get on the pad—would admit the existence of the organized graft and corruption involving the numbers racket, but would give no details.

"One police official said frankly:

" 'If you knew the actual amount of money involved, you wouldn't believe it. And even if you believed it, the Post wouldn't dare print it. The thing is just that big.'

"One longtime former banker whose bank has been taken over by the East Side Harlem mob, which now dominates the citywide game, asked a reporter half jokingly:

" 'You want to be killed?'

"Then, more soberly, he remarked: 'Look, this thing is much bigger than you think. Anybody who talks about it too much is out of business for good. And I'm too old to learn anything else now.'

"As the Post team continued digging, however, it became obvious that the police, too, had learned of their inquiries.

"Two men who had discussed the payoffs quite frankly with reporters suddenly decided to leave town—one on an extended Caribbean vacation. A former banker who now has a legitimate business was called in by a member of a vice squad inspector's staff and questioned about the passing presence of a Post reporter in his establishment.

"The 'official' list

" 'If any of you fellows go around shooting off your mouth,' he was told, 'we are going to close down the whole operation.'

"The suspected men reportedly retorted: 'And then what will you do? Starve to death?'

"A few days after this incident, a source close to an influential police official called one Post reporter to inform him that his home telephone had been tapped.

" 'There's nothing you can do about it, but just be careful,' he said. 'It's not a legal tap and nobody in the department or the telephone company will admit that it exists, no matter how much hell the Post might raise about it. But the boys know what you are doing and they want to know how much you know.'

"The Post reporters were able to obtain pads first from one source in one borough and then from two other sources in another and the payoff lists checked in all major details.

"Once confronted with the actual schedule of police-set payments, several policy operators confirmed the figures. Then well-informed sources familiar with the department not only confirmed the 'official pad' but filled in other details of the vice squad's lucrative participation in the rich numbers game.

"A police-connected source, who had never denied the existence of the 'pad' but had refused to discuss its operations until the Post obtained the 'official' list of graft payments from other sources, explained how the money is distributed to members of the ring.

" 'Beginning in the precinct,' he said 'and extending on up the line through the special squads, the take is divided on the basis of shares. The plainclothesmen involved each get the basic share with two or more shares being given monthly to their superiors.

" 'Take the ——— division, for instance, where the monthly take is listed at $615 per spot. There are some 30 plainclothesmen there now and each gets a basic share of $15 per spot. The lieutenants' share comes to $25.

" 'Now take the ——— division, which covers three precincts, has 50 spots on its pad—and you and I both know that there are far more than 50 spots involved in that area.

But take 50 spots as an example. That means that each of the plainclothesmen who are on the take there gets $750 each a month for these 50 spots alone and the lieutenants involved are in for $1,250 each.'

"The source, stressing the point that not all policemen share in the policy graft ring, added:

" 'I'm not saying that every man in the —— division is on the pad. But that makes little difference to the operators of the approved spots. The payoff must be made on the basis of the personnel assigned to the division, to the precinct, and to the special squads above them. How it is split up in the squad is sometimes another matter.'

"Another source familiar with another borough furnished further light on the matter as he described 'pay day' in one station house.

" 'I had gone there on a matter not connected in any way with vice or gambling. I had to see a plainclothesman who once had been assigned to my precinct and who had some information about a suspect in a burglary ring.

" 'We were sitting there in the squadroom discussing my case when a fellow pushed open the door and yelled, "Pay day." And everybody stopped what they were doing as this fellow went around the room calling out each name and taking sealed envelopes from a box under his arm.

" 'When the heat is on

" 'The plainclothesman with whom I was talking broke off our conversation and took his envelope. He split it open right in front of me and started counting the crisp sheaf of $10 and $20 bills. I stopped counting when he passed $180. But he finally finished his count and resumed our conversation as if nothing had happened.'

"The source added:

" 'Of course this happened several years ago. I don't think they are quite as open about it now, especially when the heat is on. The fact is, the take has grown so large now that they are forced to take more precautions, for they all know that a real bad break can eventually blow them and the whole department sky high.'

"One retired banker—and most of them claim retirement in any discussion of the racket—reinforced the suggestion that the police are not always honest with the pad.

" 'For several months when I was active,' he recalled, 'they had me down for 31 men in the division office. One of the plainclothesmen involved was a good friend of mine. He finally felt that they were cheating him on his share, so he came and told me the truth.

" 'There were really only 26 men on my pad for that division, and either the boss or the bagman had been taking me every month for an extra $75 a spot, and I had several going then.

" 'I tried to see the brass about it but that was no dice. The big guys always avoid any kind of contact which would tip their hands. But the next time the bagman came around, I squawked to him. He denied that he was ringing in five extra shares a spot on my pad but the next month he only picked up for 26 men.'

"Other policy operators pointed out that only the real big banks can afford the full open 'spot' payments for their various spots because of the amount of police graft involved. One Harlem banker, also claiming retirement, complained:

" 'I don't think that there has been a Negro banker—what few there are of us left—on a full pad for the last few years.

" 'Most of us are down from the beat cop on through the precinct, and in some cases, most cases I would say, for the division also.

" 'I'm told you can still make a living at this—if you don't get too big, although you are still liable to raids by all of the guys on the special squads above the division level if they are not getting their taste.

" 'The real danger

" 'There was a time when you could make a personal pad with individual members of these squads, but the big boys cut that out. Now all contracts must be made with the squad itself in behalf of all those involved and any plainclothesman making a personal deal will find himself busted to uniform in a minute.

" 'But the real danger in being on only a partial pad is that you can't afford to expand too much. If the local cops find you've got a real good business, they'll try to force you to give the business to one of the East Side mob.'

"This former banker, a Negro, was reminded of Powell's charge that the cops were hounding Negro bankers while protecting the Italian big shots.

" 'There's some truth in what he says,' the source observed, 'but I don't think it's just racial. You see, these cops know that the East Side mob can afford a full open pad for each of their spots. And in many cases the banks will collect the payoff in a lump sum and give it in bulk to the payoff men.

" 'No, I don't think it's all racial. From the cop's point of view, it's just more efficient business.' "

Mr. Powell. Mr. Speaker, I would like to congratulate the New York Post because for 9 weeks I have been trying to get some responsible institution in New York to take up the cudgel and go into this. Here the Post has done it under the leadership of a crack team of reporters—Ted Poston, Alfred Hendricks, Irving Lieberman, and Richard Montague.

Here they state without benefit of immunity:

"This is the story of a multi-million-dollar collaboration between the members of the police vice squad and the powerful barons, many of them with Mafia connections, to control and perpetuate the numbers racket in the five boroughs. This is the story of the day-to-day, week-to-week, and month-to-month graft which is so vast as to stagger the imagination—men who are actually on the take.

"Before we tell the story, let us make one point clear. Not all the police officers in the various divisions of the police department are venal. Most of the men are honest enforcers of the law even in areas where the policy racket flourishes. But this is not to minimize the effect on department morale where the minority fatten on graft in the open view of honest policemen and the public. Veteran police officials told the Post, during this newspaper's investigation of the policy racket, that there are men who have accumulated so much money from the numbers and from graft that they can scarcely find ways to spend it without getting into trouble. And there are others who are trying desperately to get out of the police department before the bubble bursts, but their superiors will not let them. And there are others, these officials say, who never rose above the rank of plainclothesman before they retired and now own prosperous businesses in other areas of this country, set up with their own capital."

Now, Mr. Speaker, I shall not discuss this matter further while the Post series is appearing.

I would now like to bring up another matter. In recent days a leader of the AFL-CIO made some charge regarding my fitness to be chairman of the Committee on Education and Labor if that occasion ever arises. I have never opened my mouth in reply and do not intend to do so, but I would like to just put in the Record these editorials, telegrams, newspaper articles, letters, and labor leaders' statements in support of me.

The Speaker pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. Powell. Mr. Speaker, I would like to put in the Record this editorial from the Philadelphia Tribune.

I would like to put in this telegram from District 65 of the AFL-CIO. The secretary-treasurer signed it.

I would like to put in a telegram from the president of the Drug and Hospital Employees Union, AFL-CIO.

I would like to put in the Record the telegram from the Constitutional Civic League.

I would like to put in this telegram from the United Automobile Workers.

I would like to put in this telegram from the editor and publisher of the New York Amsterdam News.

I would like to put in this resolution from the United Brotherhood of Carpenters and Joiners of America, AFL-CIO.

I would like to put in this letter from the Philadelphia Post Office Clerks Union.

I would like to put in this letter from the Student Health Director of the Department of Health, Education, and Welfare.

I would like to put in this letter from the International Union of Mine, Mill, and Smelter Workers, AFL-CIO.

I would like to put in this letter from the worshipful master of the Masons (P.H.A.) of the city of New York.

I would like to put in this letter from the executive director of the Cooperative Education-Extension Service.

I would like to put in this editorial from the Pittsburgh Courier. In this editorial there are quotations in support of me from the president of the Steel Workers, the attorney for the Steel Workers, the president of the International Union of Electrical Workers, and Mr. Boyd Wilson, international representative of the United Steelworkers of America.

I would like to include in the Record the following editorials: From the Chicago Defender, from the Michigan Chronicle, from the Baltimore Afro-American, from the United Mine Workers Journal.

The Speaker pro tempore. Is there objection to the request of the gentleman from New York?

Mr. Hoffman of Michigan. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman if he would permit me to proceed for a minute or two to inquire as to the purpose, and whether or not there should be some objection. It depends on the purpose of the editorials.

Mr. Powell. All of these editorials and these statements from leaders of the labor movement are editorials and statements in support of me, and disagreement with Mr. George Meany, president of the AFL-CIO.

Mr. Hoffman of Michigan. Under my reservation of objection, I would like to make this statement: Regardless of the opinion expressed in these various articles my question is this: Just what right have the writers of these articles to express opinions about the qualifications of Representatives who come here as representatives of a particular district? What business is it of theirs when they are not in that district? What right have they to dictate to the people of a district?

I recall very well the day when this House expelled a Congressman from Wisconsin. The people from Wisconsin sent him back. He was their Representative. There was nothing the House could do about it. In your opinion, people may talk but in reality it is up to the district to say who shall represent them; is it not?

Mr. Powell. Absolutely correct.

Mr. Hoffman of Michigan. We might well look back to our own districts to justify our service here instead of trying to tell what some other Congressman should say or do.

Mr. Powell. That is correct.

Mr. Hoffman of Michigan. Why should the House object to the gentleman representing his district if the people thereof choose him? Have not Members years ago sat here after conviction—after a Member being in prison—with that in mind it would appear that notwithstanding all the talk, all the criticism, it is solely a question of color, or race—why talk about one thing while thinking of another? Why yell day after day about attendance at sessions when we know all the time race is the real reason for the protest? I have no objection.

The Speaker pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The matters referred to are as follows:

"[From the Philadelphia Tribune]

"Tremendous pressure is being used to prevent North Carolina's Representative Graham A. Barden from retiring as a Member of the House and chairman of its Education and Labor Committee.

"There is great consternation among the people because if Barden steps down, Adam Clayton Powell, of New York, is almost certain to move up as chairman of that powerful committee.

"Why this terrifying concern?

"Adam Powell is a Negro.

"He will ascend to the chairmanship of the committee under the same seniority rules that made Barden chairman.

"Length of service, not ability, is the standard of measurement for chairmanships in the highest legislative body in the world.

"The New York Times, which has the reputation of being the greatest newspaper in the world pontificates: 'Now the impending retirement of Representative Barden, of North Carolina, from the House and from chairmanship of the Education Committee, opens the way for the almost certain accession to this powerful post of the Congressman who, to southern Democrats, is public enemy No. 1. But to compound the irony in an ironic situation, it is not only the southern Democratic bloc that would like to prevent the chairmanship from going to Mr. Powell.'

"'Many liberals,' says the Times, 'who share Mr. Powell's views on integration nevertheless believe that the combination of his notably racist attitudes, his miserable record as a legislator, and his extreme absenteeism all tend to disqualify him.'

"The editorial concludes: 'Mr. Powell is not the kind of legislator who ought to be chairman of a committee of the Congress; but he will be unless and until the dangerously anachronistic seniority system is modified enough to permit some choice in the selection of committee chairmen.'

"While there is no intent here to defend the record of Mr. Powell as a legislator, the fact remains that the voters of his district appear to be satisfied with his services, having elected him again and again and again. Further, none of the citizens in his district are denied the right to vote by trickery and force as is the case in the election of many honorable men who are chairmen of committees in both Houses of the Congress.

"It is significant that in the 1958 election Mr. Powell received 56,383 votes while Mr. Barden received only 22,426.

"The Times shudders with cold shivers because of Mr. Powell's 'racist attitudes.'

"The Republicans are using the possibility of a Negro becoming chairman of a powerful committee in an effort to scare voters into electing a Republican Congress.

"Great newspapers across the country and other media of communications have projected the idea that a Negro becoming chairman is a calamity worse than a destructive hurricane sweeping across the Nation.

"Practically every one of the 15 standing committee chairmen in the House and 12 of the chairmen in the Senate are advocates of racism.

"They appeal to the baser emotions of the electorate and preach the gospel of white supremacy to get elected.

"It is difficult to understand why these men are considered better fitted to serve as chairmen than Mr. Powell.

"It is conceded that Powell uses the race issue to get votes, but in doing so he denounces those who would deny equality of opportunity to his race.

"It is hard to understand how the victims of racism can be expected to keep quiet while the culprits sit in the seats of the mighty and enjoy the affluence which flows from their preachments of racial discrimination."

"New York, N.Y., *February 9, 1960.*

"Congressman Adam Clayton Powell,
"House of Representatives,
"Washington, D.C.:

"The following telegram was sent to President George Meany on behalf of myself and my union: 'Your attack on Congressman Powell as unfit for chairmanship of the Labor and Education Committee of the U.S. Congress and your labeling of him as a fomentor of race hate is shocking and unfortunate. This brings you in sharp conflict with the views of millions of Negro Americans and the majority of the members of the AFL–CIO. Such statements by you do a great disservice to the AFL–CIO and cannot be accepted as a fitting description for one so outstanding in his record on behalf of American democracy, labor, and human dignity as Adam Clayton Powell.'

"Cleveland Robinson,
"Secretary-Treasurer, District 65, RWDSU, AFL–CIO."

"New York, N.Y., *February 9, 1960.*

"Hon. Adam Clayton Powell,
"House Office Building,
"Washington, D.C.:

"The executive council of the hospital division of local 1199 unanimously endorses you as chairman of the House Committee on Labor and Education. Your support of the struggle of the hospital workers for first citizenship has been unceasing and effective. Your elevation to this important post will strengthen the fight of all working people, for decency, and fair treatment.

"Leon J. Davis,
"President, Drug & Hospital Employees Union, Local 1199, AFL–CIO."

"Rockaway Beach, N.Y.,
February 10, 1960.

"Representative Adam Clayton Powell,
"Congressman, House of Representatives,
"Washington, D.C.

Dear Congressman: The Constitutional Civic League, Inc., and its members are behind all of your program 100 percent. We know that you are speaking for the interest of the Negroes and Puerto Ricans in the United States and its territories and for that matter all other races of people. George Meany, president of A.F. of L.–CIO, whom is he speaking for? Certainly none of us know. Anything that is worth while having is worth fighting for and if need be dying for. That is your program. God bless you; keep the good work up.

"Tony C. Thamass,
"President.
"Constitutional Civic League, Inc."

"Chicago, Ill., *February 22, 1960.*

"Congressman Adam Clayton Powell,
Congressional Office Building,
Washington, D.C.:

"The following telegram was sent to President George Meany on behalf of myself and my union: The membership meeting February 21, 1960, of local 1301, UAW, went on record and unanimously disapproved of your publicly disapproving of Congressman Adam Clayton Powell becoming chairman of a committee that is important to labor and working men and women. We know you are entitled to your own opinion but an opinion such as this tends to drive friends in Congress from the labor party at a time when labor needs so many friends.

"James Majors,
"Legislative Director, Local 1301, UAW."

"New York, N.Y., *February 9, 1960.*

"Representative Adam Clayton Powell,
"House of Representatives Office Building,
"Washington, D.C

"Sir: The New York Amsterdam News will not sit idly by and see you attacked by Mr. George Meany, president of the AFL–CIO union. Mr. Meany for years never lifted his voice once for civil rights. He sat by, said or did nothing while his union denied Negroes the opportunities to work. Front-page editorial will appear in this week's issue of the New York Amsterdam News telling our readers what Mr. Meany and you have done for and against the advancement of Negroes and the United States.

"Very truly yours,

"C. B. Powell,
"Editor, New York Amsterdam News."

"Local Union No. 3127, United Brotherhood of Carpenters & Joiners of America, AFL–CIO,
"New York, N.Y.

"The officers of Local Union 3127, United Brotherhood of Carpenters and Joiners of America, AFL–CIO, having been made aware of certain derogatory comments concerning Representative Adam Clayton Powell, allegedly made by a representative of the trade union movement, do hereby publish the following resolutions:

"'First. We emphatically do not subscribe to the sentiments of AFL–CIO President George Meany, and deplore the issuance and publication of this type of statement by a prominent trade unionist.

"'Second. We wholeheartedly endorse Representative Adam Clayton Powell for the post of chairman of the Health, Education and Labor Committee of the House of Representatives.

"'Third. We reiterate and reaffirm our sincere conviction in the honesty, integrity, intelligence, sincerity, and ability of Representative Adam Clayton Powell, who, despite severe personal attack by both reactionary and uninformed elements, has steadfastly and unswervingly devoted himself to the cause of justice, the protection of minorities and the welfare of the entire trade union movement.'

"Unanimously approved this 11th day of February 1960.

"M. Chait,
"Secretary."

"Philadelphia Post Office Clerks Union,
"Philadelphia, Pa., February 19, 1960.

"Hon. Adam C. Powell, Jr.,
"House Office Building,
"Washington, D.C.

"Dear Mr. Powell: The possibility that you may become chairman of the House Education and Labor Committee in the next Congress has touched off quite a furor across this Nation. North, South, East, and West the bigots are having a field day.

"My view is that because you really represent the people who elected you, that you are not an "Uncle Tom," that you owe allegiance to no party or organization, that you will not be pushed around by the southern demagogs, you have become very unpopular with some of your colleagues and some of the press.

"From here, it appears you are fighting the battle for the dignity of man, alone.

"Enclosed you will find a copy of a letter sent by me to Philadelphia newspapers, and some of the clippings from the papers. The

Sunday Inquirer (liberal) has a circulation of far in excess of 1 million copies.

"I shall plan to renew acquaintance with you during our legislative rally next month. With best wishes for a long, successful and profitable career, I remain,

"Respectfully,

"James C. Carey,
"Legislative Representative."

"Department of Health, Education, and Welfare, Freedmen's Hospital,
"Washington, D.C., February 18, 1960.
"Hon. Congressman Adam Clayton Powell,
"Old House Office Building,
"Washington, D.C.

"Dear Congressman Powell: Because of the magnificent fight you have consistently and ceaselessly waged against injustices inflicted on Negroes throughout the United States, this letter of highest plaudit is being sent you.

"Many of us marvel at your gallant tenacity and forthright candor through the years in specifically speaking out and up against demagogic bigots who attempt to deny Negro Americans their basic rights as citizens in a free society because of their race, color, and creed. Basic principles of democracy are too frequently abused, embarrassed, and ignored by certain diehards who know better, but will not practice what they profess in terms of such principles. Many of them seek self-aggrandizement, at the expense of minority groups, basing their untenable actions on the quicksands of political expediency, little realizing the irreparable damage inflicted upon the Negro group, let alone the adverse reflection to the national character, plus the international implications.

"We have followed your battles, particularly the recent New York City exposé and scandalous revelation evolving out of the numbers racket. The perpetrators or self-styled strongmen sanctioning this movement want to maintain the status quo stemming from their ignoble gains by waxing fat and cozy upon vulnerably insecure Negro populations in Harlem. Many of these Negroes are caught in the economic freeze and squeeze, hence become victims to and of an illusory get-rich-quick, potluck scheme of unpredictable chance. Here's hoping that your insistent focus which pinpoint the evils of this debasing system will result in facilitating abolition of this vicious racket, together with its strongmen and cohorts.

"We know that if you receive the chairmanship in the House Education Committee, you will bring the same factual, hard-hitting objectivity and inspired leadership to the monumental tasks of the immediate present, as well as imminent future; and we shall all reap the benefits in greater fairplay, increasingly significant opportunities, and progressive advancements, racially, as well as nationally, plus international overtones, in scope.

"May God bless you a thousandfold to continue the dynamically vital fight for and toward the long overdue rights' objectives belonging to all Negroes as American citizens in this great country of ours.

"Sincerely yours,

"Isadora Denike,
"Student Health Director."

"Chicago Amalgamated Local 758,
International Union of Mine,
Mill & Smelter Workers,
"Chicago, Ill., February 19, 1960.
"Congressman Adam Clayton Powell,
"House Office Building,
"Washington, D.C.

"Dear Congressman: The question of the possibility of your heading the Labor and Education Committee of the House of Representatives has come to our attention.

"The derogatory remarks of George Meany, president of the AFL–CIO, regarding same has also come to our attention.

"Let me say on behalf of the officers and membership of my local union that George Meany does not speak for the labor movement on this question. We feel that your appointment as chairman of this important committee will be a blessing to the labor movement and the country as a whole. We are confident that the committee will be in good hands under your chairmanship.

"Our hope is that there be more Dixiecrats retiring from such positions and very soon.

"Sincerely yours,

"James Pinta,
"Business Manager."

"New York, N.Y., *February 12, 1960.*
"Mr. George Meany,
"International President, AFL–CIO,
"Washington, D.C.

"Dear Sir: Apropos of your recently unwarranted blast at Congressman Adam Clayton Powell, I wish at this time to raise my voice (along with thousands of others) in a most vigorous protest.

"It seems, to me at least, that the mere mention of the decidedly obvious bias within the ranks of organized labor causes you to see 'red.' Just a short time ago when another of the advocates of truly democratic policies had the occasion to speak out against these conditions it set the stage for your first blast. Now when still another champion of the rights of the minorities calls attention to these same situations he is referred to, by you, as a 'racist.'

"Is it possible, sir, that you still are an adherent of the policy of 'stay in your place'? Or would you like to advocate the 'papa knows best' philosophy? If either of the foregoing observations is correct, I should like to suggest to you that you are doing labor a great disservice.

"In reality what you are doing is supplying grist for the enemy's mill. Did it ever occur to you that there is a lot of missionary work to be done within the ranks of organized labor, and that your infantile attitude toward the mention of these unfair practices is really doing a lot more harm than good?

"Might I respectfully suggest to you that you do a little 'soul searching,' and upon doing so I think that you will be able to see the conditions in its true perspective and then you can bestir yourself in an honest effort to remedy this situation, then your sensibilities will not be so easily disturbed.

"Finally, sir, I should like for you to know that little suggestion comes from 1 of the 16 million who just happen to want to see truly democratic practices within our ranks.

"Respectfully yours,

"Charles A. Dargan."

"Cooperative Education-
Extension Service,
"Philadelphia, Pa., February 9, 1960.
"Mr. George Meany,
"President, AFL–CIO, Americana Hotel,
"Bal Harbour, Fla.

"Dear Mr. Meany: In your recent attack on Congressman Adam Clayton Powell, Jr., the daily paper quoted you as saying that 'Representative Adam Clayton Powell, Democrat, New York, would make a "terrible chairman" of the House Labor Committee.'

"Last September your attack was directed against another Negro leader, A. Philip Randolph; this year it is Representative Powell. Many had hoped that the merger of the AFL with the CIO would contribute to purging the AFL and its leaders of race hatred and bigotry, with which the AFL has been identified since its inception. I am sure than many leaders of the CIO and millions of other citizens have learned with regret that this has not been the case.

"As an agent for the AFL's concept of race and religious discrimination, you seem to work under the mistaken belief that the presidency of the unions grants you a license to carry out your secret mission to divide, exploit, and regulate the lives and expressions of 20 million American Negroes. You are a fighter with an unearned advantage, a sniper in a lofty, safe position, courageous when you can hit your victims in a cowardly manner in their hour of need, a man who cannot forget the cradle of bigotry in which he was rocked.

"I predict that your behavior will not do you any good, nor serve the cause of organized labor.

"Sincerely yours,

"Samuel L. Evans,
"Executive Director."

"[From the Pittsburgh Courier]

"(By Harold L. Keith)

"It is now evident that opposition to Congressman Adam Clayton Powell's prospective appointment to the chairmanship of the House Labor and Education Committee has tucked in its tail and taken to cover for the time being.

"When the storm broke into the open with AFL–CIO President George Meany's open criticism of Mr. Powell, the Courier wired many of the Nation's top leaders in labor for an opinion.

"Among those heard from during the past week were President's David J. McDonald of the AFL–CIO United Steelworkers, and James B. Carey of the AFL–CIO International Union of Electrical Workers. Also heard from were USW General Counsel Arthur Goldberg, and Boyd L. Wilson, international representative of the United Steelworkers of America.

"Mr. Carey asserted: 'I am happy to give you my own longstanding sentiments on Congressman Powell rather than my comments on someone else's attitude. First, there can be no gainsaying Powell's splendid record in Congress since 1945 on every important issue affecting labor, civil rights and democratic liberties, and liberal legislation generally.

" 'In these 15 years * * * in every instance with the conceivable exception of one * * * Powell has not only voted correctly on major legislation, but has fought valiantly for it in Congress and before the American people.

" 'His absenteeism is to be deplored and has been by labor, but most certainly there is no compulsion on us to assume that such absenteeism will continue when Powell becomes head of one of the most critically important committees in the entire U.S. Congress.

" 'In conclusion, the hard, cold facts of Powell's career in Congress define his record as eminently admirable, militantly democratic, perceptive, and courageous. The record of his career as a liberal and as a leader of public opinion must be defined in exactly the same attributes. Most important of all, I hope that Adam Powell will respond brilliantly to both the responsibilities and the opportunities of his new chairmanship * * * serving first and foremost the American people impartially as a whole and always helpful of the national welfare and the country's future.'

"Mr. McDonald commented: 'Mr. Meany's opinion was his own and presumably based solely on Mr. Powell's record as a Congressman. The United Steelworkers of America's record on civil rights and antidiscrimination has always been perfectly plain. We are concerned only with a man's performance, and we believe firmly that racial or religious antecedents should be neither a shield nor a barrier.'

"USW Attorney Goldberg said, 'while I have not always agreed with everything Congressman Powell has said or done, nevertheless, I regard him to be well qualified to be chairman of the House Committee on Education and Labor.

"'Congressman Powell is entitled to this post by virtue of his seniority, and there would be no reason whatsoever for not elevating him to the chairmanship upon Mr. Barden's retirement. In addition, the record shows that his votes on labor issues have been consistently liberal in point of view. I shall personally support his candidacy for the chairmanship.'

"Mr. Wilson declared: 'On his record, Mr. Powell as stood out as a shining knight in armor on behalf of the oppressed and the common man.'

"The United Mine Workers of America leaped to Mr. Powell's defense in its Journal, declaring that the New York Congressman 'is well qualified in every way to become chairman' and citing his 'fine voting record on matters of interest to working people.'

"The UAW publication then observed, 'but for George Meany, the president of the AFL–CIO, to make a vitriolic attack on Mr. Powell and charge that it is terrible that he is in line for the chairmanship of the Labor Committee is, to put it mildly, sheer stupidity.'"

"[From the Chicago Defender, Feb. 27, 1960]

"Our Opinion: Revolt Against Union Race Bias

"The American labor movement, which has never exhibited too much interest in the plight of the Negro worker, is now faced with an incipient revolt of incalculable consequences. AFL–CIO President George Meany's attack on Representative Adam Clayton Powell, Democrat of New York, touched off a racial issue that had been in ferment for some years.

"Dissatisfaction among the federation's 1,500,000 Negro members is no longer limited to individual unions; it is widespread. Negro unionists are determined to do something about the racism that is so rampant in the federation. They see no honest, aggressive attempt by the white leadership to come to grips with this vexing issue.

"There is yet much consciousness of class interests. Efforts of the more progressive elements in the craft unions to bring about a general admission of Negroes are still being met with opposition of a number of locals under the shield of local autonomy.

"A. Philip Randolph, the learned head of the Brotherhood of Sleeping Car Porters, has been goaded almost to anger by President Meany's unrestrained display of racial bias. Randolph's reaction to the criticism leveled at Representative Powell's racism by the president of the federation was: 'Whatever his faults, why pick on a Negro? If it is racism they are after, there are plenty of worse racists in Congress.'

"This, however, is only one phase of the disturbed relations within the federation. There are multiple complaints about segregation and discrimination. Negroes resent their exclusion from some unions and, hence, some jobs. They condemn the practice that restricts them to unskilled, low-paying jobs.

"Another handicap is that they are barred from apprenticeship programs that would lead to higher paying jobs. With the exception of Mr. Randolph, who is now 70, Negroes are systematically excluded from positions of policymaking leadership within the unions as well as in the federation.

"There are yet unions whose constitutions limit membership to white men. However, the absence of such constitutional clauses does not mean that Negroes are admitted. Negro workers are kept out of some of the unions by tacit agreement. The Flint Glass Workers' Union, for instance, has a constitution which does not specify membership in the white race as a prerequisite to membership in the union, but it objects to Negroes universally on the ground that the pipe on which the glass is blown passes from mouth to mouth and 'no one would use it after a Negro.'

"Some of these discriminations date as far back as 1865; and the federation has done little or nothing to remove them. Steps are being taken, under the leadership of Mr. Randolph, to fight this intolerable bias. Over 1,000 delegates will attend a founding convention in Detroit in May, to set up a Negro American Labor Council.

"The movement is spreading like a prairie fire. Chapters have been set up in New York, Chicago, Detroit, Youngstown and Cleveland, Ohio, Gary, Ind., and St. Louis. Other chapters are in the process of organization in Philadelphia, Washington, and along the west coast. The AFL–CIO leadership frowns upon the prospect of a Negro labor council challenging the ethics and behavior of established union leaders. The argument generally advanced against the council is that there is no necessity for its existence.

"But Mr. Randolph, who is sagacious and farsighted, disagrees. To him this is not only one remedy for the virus of prejudice, but the only safeguard against a serious, growing threat: Automation. This technological development finds its first victims among Negroes.

"In the first place Negroes are largely employed in kinds of work that automation is most likely to eliminate. In the second, because Negroes are barred from apprentice training, those displaced by automation have no other jobs to go to.

"'For us,' Randolph observed, 'this is a life-and-death struggle—a question of survival. Nothing can stop it.' Under Randolph's leadership, no doubt, the Negro American Labor Council will help to write a new chapter in the history of the American labor movement—a chapter in which equity and true democratic practices shall be the outstanding features."

"[From the Michigan Chronicle]

"Facts in the News

"(By Orpheus C. Kerr)

"Whether or not Congressman Adam Clayton Powell is elevated to the chairmanship of the House Labor Subcommittee, has been the subject of much talk since Representative Barden of North Carolina, quit the post.

"Now in a nutshell, the Powell situation is complicated by factors which won't quite fit into a nutshell. In the first place the Congress has to give concern to the seniority rules which are in fact the protection of all of the Members of that body.

"A simple fight based on the rules of seniority in the House could possibly be resolved without too much fuss. There is no reason to believe that Powell's race would even enter into the picture. Congressman William Dawson has served as chairman of a House subcommittee for many years. His appointment was virtually accomplished without comment.

"If this be the case, what is the problem with Adam Powell? In the first place Adam has practically gone around the world with his denunciations of racism in the United States. He has never hesitated to express himself in clear and unmistakable terms on practically everything which has come up involving race.

"These performances have won him no friends among the conservative elements of the Nation and have made him persona non grata with southerners both in and out of the Congress. In times of pressure and stress, whether general or personal, Adam Powell has not hesitated to employ racial appeals of the most demagogic type to win his point.

"And then there is the little question among Democrats about party regularity. This is the real thorn because most organizational Democrats in the Congress feel that Powell's switch to Eisenhower in 1956 and his open break with the Democratic Party organization in New York in the last election, marks him as one who is not quite entitled to the plums which come with regularity.

"For those who feel this way there is a further problem. They have to be extremely careful that their position on elevating Powell because of his party irregularity might be interpreted to be a rebuff because of race or because he has fought so hard for the rights of Negroes. No one in Congress doubts that Powell himself is willing and able to make this the issue if he is denied Barden's seat.

"Even in regard to Powell's personal difficulties with the Internal Revenue Department, his colleagues are reluctant to advance this as an issue. They know that Powell's supporters in Harlem have long since dismissed this question as another instance of 'pressure on Powell because he is such an outspoken fighter for Negro rights.' His reelection last year proves that his constituents would not buy this as a reason why their Congressman had been denied the chairmanship of a committee on which he holds top seniority.

"So the Powell question in a nutshell won't really fit in a nutshell and because it is so involved. Those concerned may decide that the simplest thing is to elevate him to the chairmanship and let future events take care of themselves."

"[From the Baltimore Afro-American]

"Meany's Blast Is Rapped as Unfair

"(By Louis Lautier)

"The blast of George Meany, AFL–CIO president, at Representative A. Clayton Powell, Harlem Democrat, was the 'unkindest cut' of all.

"Powell has an almost, if not 100 percent, voting record on labor legislation. He has supported legislation which labor wanted and has fought legislation which labor opposed—even when such measures were in the public interest.

"For example, in the last session of Congress, Powell opposed the mild Elliott bill and the stiffer Landrum-Griffin bill, designed to correct corruption and other evils in labor unions.

"His position coincided with that of labor—he wanted no legislation at all.

"The motive for the attack appears to be in the background of Mr. Meany. The AFL–CIO president was born and reared in Harlem. His formal education was meager. He attended a public school at 138th Street and 8th Avenue. He became a plumber's apprentice.

"The suspicion is that he developed his racial attitudes in the United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of the United States and Canada.

"That union has one of the worst records of racial discrimination.

"Under Meany's administration of the AFL–CIO, there has been a wide gap between the publicly declared policy, against racial discrimination and the actual practices of its affiliates and their local unions.

"An NAACP survey of last year confirmed that some local AFL–CIO unions continue to exclude colored workers, although the color bar clause has been removed from their constitutions.

"Other AFL–CIO unions limit colored workers to jim crow or 'auxiliary locals' in the North as well as the South. This is especially true of unions in the building trades.

"With this record of leadership failure, Meany accused Powell of 'stirring up racial hatred.'

"If fighting bigotry stirs up racial hatred, Powell is guilty. He has fought racial prejudice wherever he has known it to exist.

"At times he may have been carried away with his zeal. At other times, investigation may not have borne out his charges. But his target at all times has been to eliminate racial and religious prejudices from American life.

"Some of the opposition to POWELL comes from advocates of Federal aid to education.

"They believe he has caused defeat of bills providing such aid by offering amendments to deny Federal funds to school districts which are not complying with the Supreme Court decision against segregated schools.

"This may or may not be true. The bills probably would have been defeated, or vetoed, without any antisegregation amendment.

"There is a wide difference between the administration and liberal Democrats over such legislation.

"A large majority of southerners are opposed to such legislation because they believe—with or without the Powell amendment—Southern States will be denied Federal funds by either an administrative ruling or a Supreme Court decision.

"What was galling was Meany's statement that 'It is terrible to think that we will have a man like that as chairman of the Labor Committee.'"

"[From the United Mine Workers Journal, Feb. 15, 1960]

"Just in case there are any questions in anyone's mind, the United Mine Workers of America believe that Representative ADAM CLAYTON POWELL, Democrat, of New York, is well qualified in every way to become chairman of the Committee on Labor and Education of the House of Representatives.

"Representative POWELL has a fine voting record on matters of interest to working people. He is in line for the Labor Committee chairmanship because he is the senior Democrat on the committee when Representative Graham Barden, Democrat, of North Carolina, steps down. POWELL, so far, has been denied his rightful position as a chairman of one of the Labor Committee's subcommittees simply because he is a Negro.

"Representative JOHN H. DENT, Democrat, of Pennsylvania, a friend of the UMWA, in a statement published in the CONGRESSIONAL RECORD, said the public has been misinformed about the qualifications of Representative POWELL. POWELL, DENT said, has always supported legislation that 'would do the greatest good for the greatest number of our citizens.' DENT said that during last year's battle over 'the labor legislation originally introduced by Senator Kennedy [Senator John Kennedy, Democrat, of Massachusetts] and finally passed under the cosponsorship of Representatives LANDRUM and GRIFFIN, Representative POWELL never deviated from what he believed to be the proper and honorable course to follow. He fought shoulder to shoulder with those on the committee who felt that this was an attack upon the legitimate and honest labor unions, their officers and their members, and as an eyewitness to his activities, I can say that he was a stalwart in the fight for the rights of the little people.'

"DENT noted that when he appeared before the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, of which POWELL is chairman, that he [DENT] 'received the most courteous and considerate treatment.' DENT appeared in behalf of the bill to create a Coal Resarch Commission, legislation that is strongly supported by the UMWA and the coal industry.

"In addition, the record shows that POWELL helped to get the research bill voted out of his subcommittee; that he helped the UMWA and continues to help the organization in the fight for improved mine safety legislation.

"POWELL is a vigorous fighter for the rights of Negro citizens and it is for this reason that he is repeatedly attacked and vilified by the Dixiecrats in Congress.

"But for George Meany, the president of the AFL–CIO to make a vitriolic attack on POWELL from the Bal Harbour, Fla., winter meeting of the federation's executive council and charge that it is terrible that POWELL is in line for the chairmanship of the Labor Committee is, to put it mildly, sheer stupidity."

Mr. DOOLEY. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. DOOLEY. I wish to commend the gentleman on the important fight he is waging against the corruption and the violence that is going on in Harlem and in New York City. It is a courageous, wonderful fight.

I ask unanimous consent, Mr. Speaker, to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. I appreciate the gentleman's remarks. He is known as an advocate for truth and a fearless fighter for right.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield.

Mr. HOFFMAN of Michigan. They are talking about discrimination. They are debating the bill in the other body. I know of the discrimination practiced by the House Committee on Education and Labor last year when they bypassed the gentleman from New York and when they bypassed the humble Representative of the Fourth District of Michigan, and the politicians wanted something, the kind of a bill they thought would be advantageous in the campaign and seemed to think the objective could be better attained if we were not present. That is why they did it. I would not say they are hypocritical, but they are not fair. There was discrimination of the rawest kind.

Mr. POWELL. I will give my sacred word to my friend from Michigan that if the day ever comes that either he or I become chairman of the committee we will respect each other's seniority.

Mr. HOFFMAN of Michigan. Well, I certainly will. There is no question about that. But there is some doubt about which party will win control of the House, and as the gentleman well knows, I am not the ranking minority member, just second on the list and ignored when they came for that rating.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Arizona.

Mr. UDALL. I am a Member of the House who has served in the last 3 years on some two committees on which the gentleman serves. I am serving presently on a subcommittee of the House Interior and Insular Affairs Committee, of which the gentleman is chairman. I would say, constituting myself a prophet for the moment, that I think some of our colleagues, and certainly Mr. Meany, if his frame of mind is that of the intemperate comment he made, are going to be very pleasantly surprised by the performance of the gentleman from New York [Mr. POWELL] if and when he assumes the chair of the Committee on Education and Labor.

I would simply like to make that sympathetic comment.

Mr. POWELL. I appreciate the words of the gentleman from Arizona as well as those of my other colleagues, and wish to assure them that regardless of who they are or where they come from I will always be fair in whatever capacity I act, present or future. In whatever position I may serve I will always treat everyone with the utmost equality and impartiality.

Mr. Speaker, I yield back the balance of my time.

[From the CONGRESSIONAL RECORD, Mar. 7, 1960]

INSIDE POLICY: THE HARLEM STORY

(Extension of Remarks of Hon. ADAM C. POWELL, of New York, in the House of Representatives, Monday, March 7, 1960)

Mr. POWELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

"[From the New York Post, Mar. 3, 1960]

"INSIDE POLICY: THE HARLEM STORY

"(By Ted Poston with Alfred Hendricks, Irving Lieberman, and Richard Montague)

"Times do change.

"In the old days you couldn't pay the average policeman to work voluntarily in Harlem. Today, for those of the vice squad boys who operate the pad—the multimillion-dollar protection racket for the numbers game—Harlem is the happy hunting ground.

"Why? Well, say you are on the take. And say, for instance, that you are transferred from some other assignment to a vice squad in Harlem.

"Then you know that on your first tour of duty there will be $250 waiting for you—a welcome-to-our-neighborhood gift of $50 each from five major East Harlem banks which dominate the numbers racket throughout the city, but especially in Harlem.

"And, of course, as soon as the OK is given by your immediate superior, you go on the pad, cut in for your monthly share of the phenomenal tribute which crooked vice squad cops levy on policy operators who must maintain public spots where the bettors can buck the numbers without police molestation.

"But whereas the division pad for a regular spot in the rest of the city is usually $350 a month, the take in a Harlem division is now $615. And whereas 'full pad coverage' (from the cop on the beat all the way up to the special squads in headquarters) usually averages around $2,500 per month per spot for the rest of the city, a full open spot in Harlem may be down for as much as $4,500, depending on the play it handles.

"The Post looked closely into the Harlem operation because of Representative ADAM CLAYTON POWELL's charge that white racketeers, mainly Italian, were taking over the game from Negro bankers there—with police connivance.

"In his original press conference—attended by ranking police brass—POWELL named Louis (Louie the Gimp) Avitabile, owner of a supermarket at 539 Lenox Avenue, as 'topman of the Harlem operation.'

"The Post found that Louis the Gimp was indeed a big man in the Harlem policy racket, but he is by no means the 'topman' in the syndicate, which has muscled into the community.

"The most powerful figure in Harlem, in the matter both of influence and the most protected spots, is Anthony (Punchy) Salerno, an East Harlem hoodlum whom the newspapers nicknamed 'Fat Tony' when he was exposed as the 'Mr. X' who bankrolled the Patterson-Johansson title fight.

"Salerno, who managed a phenomenal rise from punk to dope peddler to Dutchess County squire in less than a decade, operates 37 'full open spots' in Harlem—from which grafting cops receive an estimated rakeoff of nearly $100,000 a month.

"A former Negro numbers banker, reduced to controller for a white policy bank when he could no longer meet the pad, explained the importance of Salerno's position.

"'Because Tony's operation is so tightly organized,' he said, 'the cops don't need a lot of pickup men like that Joe Luberda to go around to individual spots. Tony's bank, for instance, can assemble about $45,000 a month for four special squads above the division level and turn it over to just one bagman. That way, there's less chance of a slip-up.

" 'The "OK" boys

" 'Salerno is so big that he has the right to give the "OK" for any new spot to be placed on the pad. There used to be a half dozen Negro bagmen or bankers who could give the "OK," but today there aren't more than two Negroes in all Harlem who can "OK" you to the cops for a place on the pad, and I doubt that any Negro now can "OK" a full pad.'

"Next to Salerno in power in this respect, the Post investigation indicated, is Louis the Gimp Avitabile, who started out with his three brothers as pushcart peddlers in Harlem around 1938, rose so rapidly in the numbers business that by 1951 the Bureau of Internal Revenue had him down for $807,000 in unpaid taxes.

"Until the heat went on, following Powell's charges, Avitabile had 14 full open spots, for which he was assessed a monthly police take of about $2,470 each.

"Assistant Chief Inspector Burns, who attended Powell's press conference, quickly pointed out to reporters that the Gimp was officially listed as a 'known gambler' and that two or the four addresses listed by the clergyman had been raided and were at that moment 'suspected premises.'

"Burns could have gone further by noting that Avitabile's main headquarters, his Lenox Avenue supermarket, had been officially made a 'raided premises,' with a patrolman stationed there since last July 2 to prevent any policy operations.

"Actually, the Gimp's main business had moved into a basement right around the corner and his 13 other spots were even at that moment in full operation. The main one was still in action when the Post team went around Harlem. Avitabile's partner, Solly Appuzzo, was running it in his absence.

"Close behind Avitabile in the East Side hierarchy are the Viligante brothers, Louis, Tony, and Charlie. The Viligantes, who have their headquarters at 95th Street and 2d Avenue, plus extensive policy interests elsewhere, pay for 11 full open spots in Harlem.

"Louis Viligante, the boss of the outfit, has three policy convictions. Like Avitabile, he was listed on the pad carried by retired cop Joseph Luberda, the Harlem bagman now serving time for refusing to name his police department associates in the protection operation.

"There are other Italian operators who have sizable slices of the Harlem numbers game such as Felice and James Falca, both known gamblers with more than 30 arrests for policy between them. Luberda had them listed as Phil and Jim Black.

"A nice tribute to the lushness of the Harlem policy play came in the Post's discovery that Sammy Schlitz, the most powerful non-Italian policy figure in the east Harlem syndicate and boss of policy in the Bronx, pays for seven protected spots in Harlem.

"Schlitz, born Sam Schlitten on January 14, 1910, son of a respectable trucker, was only 18 when he started a long police and prison record which included arrests for robbery, bootlegging tax-free liquor, consorting with known criminals, and felonious assault.

"At the time of his bootlegging arrest in 1938, Schlitz boasted that he was a member in good standing of the Bronx Pigeon Fanciers' Association. The police paid no attention to that item at the time but in 1953 they discovered that the congenial little racketeer was making ingenious use of the hundreds of pigeons who roosted in elaborate coops atop his Bronx home.

"Schlitz had pigeons delivered each morning to the scores of controllers in his Bronx policy operation, and each homing pigeon would carry the day's business slips back to him before the third race was run at the designated numbers racetrack.

"The ingeniousness of this plan evidently brought Schlitz to the east Harlem syndicate's attention, and when that mob decided to supervise the major policy operations for the whole city (for a percentage of the gross take) he was left to continue to run the Bronx operation in the new combine.

" 'Unless Sammy gives the OK, nonsyndicate operators told the Post, 'nobody can get the pad anywhere in the Bronx (today).'

"But Schlitz is still subordinate to Punchy Salerno in the overall operations of the syndicate's policy game, as he is to Salerno in the number of protected spots in Harlem, for Salerno stands secure among the current policy kings. His story is pure rags-to-riches.

"Born and reared in the East Harlem neighborhood where he still operates his bank (in absentia) on East 116th Street between First and Pleasant Avenues, he earned his nickname Punchy as an amateur club fighter.

"Punchy's fistic career was cut short in October of 1932, when he was sent to Elmira Reformatory, at 18, for armed robbery. Released on probation, he worked as a rouster around the fruit markets. When World War II came, he was classified 4-F because he had two deformed fingers on each hand and webbed feet.

"It was around this period that the Narcotics Bureau first took note of Salerno. For when wartime restrictions created a short of cocaine, the word was out in East Harlem that Punchy could get it for you at a price.

"Salerno was picked up on a charge of extortion, later dismissed, in 1951, but had no other trouble with the law despite the narcotics agents' suspicions.

"In 1953, however, the Narcotics Bureau finally assembled evidence which resulted in Salerno's indictment for unlawful sale of heroin and conspiracy to violate narcotic laws. Salerno thereupon vanished. He was not arrested until a year later and maintained a not-guilty plea as his case dragged through the courts. Finally, 4 years and 10 days after his indictment, he pleaded guilty to two of the three narcotics counts in the case.

"In the intervening year, the once small-time hood had risen fast in the East Harlem hierarchy.

"As a close pal now of Trigger Mike Coppolla and Joseph (Joe Stretch) Stracci, he was the unchallenged director of the East Harlem operations of the syndicate, then steadily gulping up the policy game in West Harlem, and also operated the mob's lending bank which financed jukebox and other rackets.

"And although he paid less than $600 income tax in 1957, Salerno was able to buy a plush home in Miami Beach—later sold to Capone gangster, Paul (the Waiter) Ricca for $75,000—and a $100,000 estate called Spruce Bar Ranch in Rhinebeck, N.Y.

" 'It's a living'

"Salerno's rapid rise in the numbers game in East and West Harlem coincided with the collapse of most of the Negro banks which had dominated the game in the latter community for decades.

"But it did not result, as POWELL charged, in the complete elimination of 'every Negro banker in the community.' The Post found at least a half dozen Negro banks still in full operation, although one or two are believed to be under syndicate direction.

"The largest of these is a Negro-Puerto Rican operation run by Henry Lawrence and Spanish Raymond Marquez, whose bank pays for 10 spots. Lawrence, last arrested a year ago for policy and listed as 'Henry' on the Luberda pad, operates daily in the area of 148th Street and 8th Avenue. He fronts as a tailor shop owner and is regarded as one of the two Negroes who can OK a new spot for the pad.

"Marquez, ostensibly a theatrical producer, handles the bank's spots and business in the lower 8th Avenue area embracing 112th and 113th Streets.

"A somewhat smaller operation is located in the Lenox Avenue area around 140th Street. This bank is operated by the big five—Boo Marshall, Sid Thompson, Fritz Devinish, Pat Hogan, and Crappy Hale.

"And still smaller is the action of the big three—Walter Smith, Carlyle Williams, and Crip Martin at 127th Street and Lenox Avenue.

"There are also several Negro combinations, including one organized by one of the original Harlem policy barons. In these, the partners establish a bank on prorated shares and accept a weekly salary from its earnings.

"In most cases, the combinations operate no spots, but handle their business through runners and controllers. These banks establish private pads with police and pay off on a precinct level when possible.

" 'It's a living,' one such operator told the Post, 'and the headaches are sometimes a few less. But still it is better than being on the full pad. Only the east Harlem boys have got enough money to keep these greedy cops at bay.' "

[From the CONGRESSIONAL RECORD,
Mar. 7, 1960]

INSIDE THE POLICY RACKET: HOW THE MOBS MOVED IN

(Extension of remarks of Hon. ADAM C. POWELL, of New York, in the House of Representatives, Monday, March 7, 1960)

Mr. POWELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article:

"INSIDE THE POLICY RACKET: HOW THE MOBS MOVED IN

"(By Ted Poston (with Alfred Hendricks, Irving Lieberman, and Richard Montague))

"One inevitable result of the operation of the pad—the multimillion-dollar police protection setup in the numbers game—has been to give major control of the policy racket to the underworld here.

"Call them what you like—the east Harlem mob—the syndicate, the Maffia—the Post's investigation of policy showed that these are the people who now control what once was a comparatively harmless, penny-ante lottery and is now a major racket.

"Today, for the first time in the 150 years that it has existed here in one form or another, the numbers game is now a means as well as an end.

"The end is obvious—the once fabulous profits reaped by numbers bankers from suckers who take a 1,000 to 1 chance on picking a number in the hope of getting a 600 to 1 payoff if they're lucky enough to win.

"The profits are still there but the rigidly organized graft of dishonest vice squad policemen has made a heavy dent in the take enjoyed by the policy banks.

"The means became equally obvious when Post reporters began a 2-month investigation of the numbers game here in the wake of Representative ADAM CLAYTON POWELL's charges that Negro numbers bankers were being forced out of the game by the police so that whites—mainly Italians—could take over.

"For the numbers industry—with its thousands of collectors, hundreds of controllers and other thousands of full- and part-time employees—provides an already established apparatus for other uses by unscrupulous racket bosses.

"Here is what the Brooklyn grand jury reported last year after its investigation of gambling and police corruption:

" 'If you scratch the professional operator of gambling ventures you will find the narcotics peddler, the loan shark, the dice game operator, the murderer.

" 'Brooklyn has been the scene of a number of unsolved gangland homicides over the past few years. Almost every one of those killings is involved with gambling ventures in one form or another.

" 'In one case where seven leading narcotics dealers were convicted in Kings County last year, six were actively engaged in gambling activities, including bookmaking and policy, which they used as the source of funds for their deadly trade in narcotics.'

"A veteran numbers banker who insisted on using an obviously fictitious name told the Post a story which vividly illustrated the grand jury's findings.

" 'It happened around Christmas a year or so ago,' this man said. 'I was paid up on the pad (the list of police-protected policy spots) and would've been in good shape if all the cops on the pad, past and present, hadn't doubled back for a 'Christmas taste.' I had to shell out.

" 'And then, just before New Year's, I get hit heavy by some of my biggest players. I was out about $18,000 and I just couldn't raise that kind of money. Then the bagman for one of the special squads set up a meet for me with the East Harlem boys. He said they'd let me have the money until I got back on my feet.

" 'But when we finally had our meet, I found they wanted something in return. They said that if I would use my setup to handle about $18,000 worth of hoss (heroin) that I wouldn't even have to pay any interest on the $18,000 they were lending me.

" 'Well, I wasn't going to get mixed up in that kind of rap this late in life. So I just walked out. They didn't like it a bit, and the bagman told me later I was a fool. Of course, they took over my bank anyhow—and they've still got it.'

"Unfortunately, other bankers, pressed to the wall by limited capital and mounting vice squad graft demands, evidently have taken the other road. During its investigation, the Post found strong indications that at least one major 'independent' bank in Manhattan is closely allied with the narcotics trade, as is another in Brooklyn and at least two in the Bronx.

"The connection is becoming increasingly evident as narcotic agents more frequently find themselves tracking down dope peddling suspects only to find them also employed in numbers operations.

"The syndicate, or Mafia, has long been active in the numbers game on the waterfront, but policy then was only an adjunct to such other activities as loan sharking and other waterfront rackets.

"It was not until 1949 or so that the late Albert Anastasia, chief assassin of Murder, Inc., decided to expand from the waterfront and take over the policy game in other profitable areas.

"A king loses his crown

"First to feel the weight of the new decision was Louis Weber, Brooklyn's then admitted policy king and a pal of James Moran, Mayor O'Dwyer's right-hand man and a political power in his own right in Kings County.

"One night in 1949, Weber received a visit in a South Brooklyn tavern from Anastasia and Frank (Frankie Shots) Abbatemarco, who had handled the policy operation for Anastasia's syndicate on the Brooklyn and Staten Island waterfronts.

"The conversation was short and to the point. Weber was out; Frankie Shots was taking over.

"Weber was a man of standing. He had a vice squad payroll nearing that of Harry Gross' still-to-be-exposed bookmaking empire. He had defied a long list of district attorneys (when defiance was necessary) and could depend on the immense political power of Moran in the O'Dwyer administration.

"But Weber knew this was all to no avail when the syndicate decided to move in. So he gave up a lifelong policy empire in Brooklyn without an argument and fled to West Harlem to try to reestablish himself. He never attained his former eminence.

"For the next decade Frankie Shots, a boastful, high-living thug, became Brooklyn's biggest policy operator, although the real power for the borough's operation was held by Carmine Lombardozzi, a representative of the East Harlem mob which even then was consolidating its spreading policy power.

"Lombardozzi, soft spoken and unobtrusive, was only faintly known to the public until his participation in the 1957 underworld conclave at Apalachin put him on the front pages.

"Brooklyn underworld sources said that Lombardozzi was demoted after Apalachin, presumably for not being diligent in pushing the syndicate to take over all the major policy banks in Brooklyn, and Mike Miranda, still a major policy figure in Brooklyn, took over his behind-the-screen role.

"(Frankie Shots, loudmouthed to the end, wasn't as lucky as Lombardozzi. Suspected of holding out on the syndicate, he was mowed down in Brooklyn by two gunmen on November 4, 1959, in the very same tavern where Louis Weber had been handed his walking papers.)

"The syndicate's plan, duplicated in other boroughs, was quite simple. The major banks were swept up by the mob, with all direction coming from the East Harlem empire of Vito Genovese, Anthony (Fat Tony) Salerno, Trigger Mike Coppola, and Joseph (Joe Stretch) Stracci.

"The remaining 'independent' banks, run mainly by veteran Negro and Puerto Rican bankers, were to be supervised by the syndicate at a flat fee of 1 percent of the gross take.

"Each 'independent' bank had to permit a syndicate representative to check its 'ribbon' (the daily adding machine tabulation of the total play) so that the syndicate could be assured of its 1 percent 'off the top.'

"At the same time, the mob undertook to put all policy spots and locations on 'the pad'—the vice squad's list of police-protected places.

"Policy: The mobs move in

"The conquest of Brooklyn by the syndicate was almost complete by early 1958 when District Attorney Edward Silver began a secret 2-month investigation which in April of that year led to the smashing of the $5 million bank of Angel F. Calder, the city's largest Puerto Rican policy banker. The raid also revealed an open connection between Calder's bank and what Silver called the Manhattan Syndicate.

"Working so quietly that even the clerical staff in his office didn't know when he planned to act, Silver assembled 82 detectives and picked plainclothesmen on April 1, 1958, and made a series of simultaneous mass raids which netted Calder and 67 of his associates, along the policy paraphernalia, the day's play, and several thousand dollars in cash.

"The prize catch of the raid proved to be an obscure East Side mobster, Emannuel (Nappy) Frazetta, 40, of 160 Mott Street. Frazetta was seized in the basement of a three-story brownstone at 693 Lafayette Street in Bedford-Stuyvesant, which Silver said was the temporary headquarters of Calder's main bank. The raiders found Frazetta holding the 'ribbon' for the day's policy play and surmised that he was checking for the syndicate to guarantee its 1 percent take.

"Frazetta would only admit that he was a messenger sent over from Manhattan to pick up something to turn over to somebody in a subway.

"Urbano (Benny) DeMucci, 41, seized while checking the take there at a Calder annex, also was suspected to be a syndicate representative.

"Calder himself, along with his son, Angelo, and his brother, Julio (One-Eyed Red) Calder, was charged with contriving a lottery—a felony—and released in $25,000 bail each.

"Forty-four other persons seized among the 68 with the Calders were also booked and released in bail. Most of them went directly back into business.

"On April 9, just 8 days after the big April Fool's Day raid, Silver's rackets bureau detectives struck again—in the absence of any action by the police who regularly covered the area.

"The DA's men seized Otis Spain, Jr., of 110 Cambridge Place, and charged him with possession of 22 numbers slips containing 1,800 plays. One of the 45 booked in the big Brooklyn raid, Spain had been plying his trade industriously since his release on bail.

"With Spain in custody, the rackets bureau detectives struck again that night at 924 Lafayette Street, just three blocks from the basement at 693 Lafayette where Calder's main bank had been smashed.

"The raiders acted on information that 20 of Calder's controllers and runners were assembled there to set up a new operation, but apparently the policy boys had been tipped by their own sources, for the DA's squad found just 2 men there.

"But the raid was not in vain. One of the two men turned out to be the aforementioned Angel Calder himself, a durable veteran of 22 years in the business and the other was Fitz Sealy, 70, another oldtime policy operator.

"The 45 men seized in the Calder ring are still awaiting trial after 2 years.

"Silver and Assistant District Attorney Koota told the Post this week that the trial was being held up awaiting clarification of a 1957 U.S. Supreme Court decision which indicated that evidence obtained by wiretapping might not be admissible in local courts.

"Business as usual

"One year after the raid, the State Court of Appeals upheld the use of wiretap evidence in State courts, but Koota pointed out that the court of appeals did not rule on the legality of wiretapping under section 605 of the Federal Communications Act, on which the Supreme Court based its ruling.

" 'We are still concerned,' Koota said, 'about the possibility of having a policeman admit to an act which the U.S. Supreme Court has held to be illegal. Such testimony by a policeman might expose him to possible indictment by a Federal grand jury.'

"Meanwhile, it can be assumed that the Calder bank is back in business as usual—probably trying to lay up a reserve for the day when the court showdown finally comes and Silver—as he expects—sends most of the 45 to jail.

"But a Brooklyn Negro policy banker, whose operation was once closely associated with that of Calder, predicted that there wouldn't be much reserve left.

" 'The only boys who made anything out of the Calder business,' he said, 'are the vice squad boys on the pad. They were around the day after the first raid to say that everybody's payments had to go up because 'We're taking more chances now.' And I'll be damned if they didn't try to get a second hike just 8 days later when Calder was picked up again.

" 'So the old man will be lucky if he can keep his head above water until the trial comes up. I doubt if they'll leave him much more than that.' "

Harlem's Policy Racket: The Day the Heat Was On

(Extension of remarks of Hon. Adam C. Powell, of New York, in the House of Representatives, Monday, March 7, 1960)

Mr. Powell. Mr. Speaker, under leave to extend my remarks in the Record, I include the following article from the New York Post, March 4, 1960:

"INSIDE HARLEM'S POLICY RACKET: THE DAY THE HEAT WAS ON

"(By Ted Poston with Alfred Hendricks, Irving Lieberman, and Richard Montague)

"What happens when somebody blows the whistle on a suspected numbers spot which just might be buying police protection under the multi-million-dollar pad system?

"Well, it depends.

"If it is just an ordinary squawk lodged with the local precinct, or even at police headquarters, that's one thing.

"But if the whistle is blown on the floor of Congress, that's another thing altogether.

"So one Wednesday last month, the day for Representative Adam Clayton Powell's weekly discourse on 'Gambling in the City of New York,' a Post reporter investigating the alliance between the policy barons and certain members of the police vice squads decided to check on the results.

"On that particular day, Powell asserted that Harry Felt, a former Internal Revenue man, had 'become the numbers boss of lower Harlem.'

" 'His headquarters are various houses on 115th Street between Lenox and St. Nicholas Avenues,' Powell told Congress. 'He uses two places for his telephone communications. One is a restaurant called the Asia Currie place at 100 West 115th Street. The other is the drugstore on the corner of 115th Street and Lenox Avenue, on the West Side.'

"The Post man dropped by the drugstore and the Asia Famous Currie Shop around the corner. Here is his report:

" 'I spent over an hour in the restaurant—before the news of Powell's speech reached Harlem. I noticed on the way in that the block, which is between Lenox and St. Nicholas Avenues was jammed with people on stoops and idlers on the street corners. I saw a man walk up and pass money to another man in the group on the corner. I assumed that the recipient (he was in his twenties and wore a gray overcoat and hat) was a single action banker.

" 'In the restaurant there were only a few people sitting around eating, but their talk revolved around numbers—what figure was leading today, what number they had almost hit yesterday, and things like that.

" 'Presently, a woman entered. She was short, brown skinned, and spoke with that accent peculiar to Puerto Ricans born and raised in East Harlem. She was complaining that her customers were doing business with some rival policy operator in a nearby bar.

" 'She sat at a table near the window and every now and then she got up and went out into the street, returning a few minutes later. I did not see her transact business in the restaurant.

" 'Shortly before 5 p.m., the chap in the gray overcoat entered the restaurant and yelled: "Did you hear it on the radio? I just heard that Powell named Harry as one of the policy bosses today."

" 'Everybody in the place, including the proprietor, an East Indian called Jimmy, seemed to recognize the name and a heated discussion followed. There was a lot of talk about Powell "stirring up trouble."

" 'Then the woman, had just come back from completing another sidewalk transaction, asked:

" ' "Did Powell mention Charlie Freeman?"

" 'Getting the word

" 'Gray Overcoat said no. (The brief radio reports at that point hadn't mentioned either the restaurant or the drugstore, so no one seemed upset.)

" 'About 5:30 I dropped in to check the drugstore. It was jammed but I did not witness any open numbers activities. I did notice though that the stocks on the store's shelves seemed small for such a large volume of possible business.'

"Later that day, the newspapers carried two addresses among Powell's growing list of policy targets, so the Post reporter went back in the morning:

" 'Around 9:30, I paid another visit to 115th Street. Two radio cars were parked in the block just sitting near the two establishments. There wasn't a single customer in either the drugstore or the restaurant.

" 'Only a few people were standing on the stoops and no one was on the street corners.

" 'About an hour later, there were three radio cars, two white plainclothesmen strolling through the block, and a uniformed cop standing on the corner by the drugstore.

" 'I asked a passing citizen what was going on. He laughed and said the radio cops had told the people they weren't going to allow any loafing on the stoops today because there had been a couple of small fires started in some cellars on the block the day before.

" 'I noticed that the radio cops were going in and out of a couple of buildings. I asked why and they said they were investigating yesterday's fires.

" 'I went away and came back a half hour later and now there was another radio car parked at the curb in midblock. An unmarked car with four plainclothesmen was parked directly in front of the Asia Famous Curry Shop. There seemed little chance for any gambling activity there that day.'

"The report concluded:

" 'No doubt, police headquarters will say that Powell's charges were investigated and that police found no sign of policy activity. Which, of course, will be quite true.

" 'The cops had telegraphed their punches beforehand by riding in slowly cruising cars, in pairs or trios, circling the same block several times. The plainsclothesmen's cars were unmarkea but they might just as well have had "Police Department" painted on them in foot-high letters.

" 'But as far as the cops and their superiors were concerned, they had done their job. They could report back to their commander—quite truthfully—that they had checked the block and found no sign of gambling activities.'

"[It is only fair, of course, to add that Powell's floor speeches also have the effect of forewarning the intended victims. There is nothing to prevent agents of policy people from listening in themselves from the congressional gallery.]

"In the same issue of the Congressional Record, Powell inserted a copy of a letter which a retired schoolteacher had written Police Commissioner Stephen Kennedy about a chain restaurant on Broadway above 140th Street.

" 'I have discovered that gambling has invaded this particular restaurant in the form of numbers,' the exteacher wrote Kennedy, 'and its presence is much to the annoyance of decent clientele.

" 'They have a booming business among the colored and white patrons. The manager of the restaurant has knowledge of the existence of gambling here, as I have seen him making wagers on the numbers with a Mr. Jenkins. He is en rapport with all the gamblers, and he is an avid devotee of that phase of the numbers known as single action.'

"Powell charged that 'nothing has been done concerning this letter,' but the policy operators with whom Post reporters talked disagreed.

" 'Oh, no,' they all agreed. 'They can't afford to ignore something in writing like that. But if the place is on the pad (the vice squad list of police-protected policy locations) they'll just get into S.O.P. (standing operating procedure).'

"And one controller who once operated a Harlem store as a front for one of the big East Harlem banks, cited his own personal experience to illustrate S.O.P.

" 'It all started with a loud-mouthed chick who had been putting a buck on 699 for more than a year.' he said. 'She always insisted on having a slip although we told her that she could keep it in without one since she played the same number every day.

" 'But she insisted on a daily slip because sometimes she played a few other numbers too. Well, one day, out jumped 698 and to everybody's surprise this chick comes in and demands her $600 [Editor's note: The chances of winning are 1,000 to 1].

" 'I pointed out that the winning number was 698 and that she had played 699. Well, she pulls out her slip and handed it to me. It looked like 698 all right, but I could tell that part of the last 9 had been carefully rubbed out to make it look like an 8.

" 'We are used to hustles like that but we didn't want a stink, so we told her we'd check with the bank and get her original copy back.

" 'Well, we had the copy sent up the next day and it was plain as hell that she had bet 699, as she had been doing right along. We showed it to her and also told her we had checked the bet on the ribbon (the adding machine tabulation of the day's bets).'

"The operator said the woman refused to accept the evidence and returned with a boy friend.

" 'They raised so much hell that they scared off some of our legitimate customers, people who had been trading in the store for years without knowing numbers were played here also. And that's bad; if you don't have any legitimate business at all, even being on the pad can't help you but so much.

" 'We finally got them out of here, but they threatened to come back next day and take the place apart. They didn't, though, because we passed the word along and some of the boys dropped by to talk to them and we thought that was the end of it.'

"More to come

"The operator then came to the point of his story:

" 'Well, it was about a week later that a plainclothes guy came from the local squad, dropped in and asked for me. I come up front and he said:

" ' "Look, fellow, I'm sorry, but Downtown is sending us up a letter of complaint that says you are writing numbers in here. So you've got to give me somebody right now so we can cover ourselves."

" 'Now that isn't the usual SOP. The guys usually telephone you when they got to make an arrest, but they usually give you until later that day or early to next morning to line somebody up.

" 'That will give you time to hire some local wino or junkie who hasn't had too many policy busts so that he can be picked up by the cop in front of the place or even inside, if necessary.

" 'It's better still if you can get some guy who has never been busted at all. For you got to give him $50 to take the bust anyway. And if he's a first offender he'll get a suspended sentence, anyway. In that way, you don't have to slip his wife or family nothing while he's serving time. But you've still got to put out $25 for his lawyer and another $25 for his bond if the magistrate don't stand still.

"'But this plainclothes guy wouldn't take that later stuff. He said he had to have somebody right now. He said the letter had too many details about my spot—I figured it must have come from the chick who had tried to hustle us—and even hinted we might be on the pad. So he had to have somebody right now.'

"Something had to give

"'Well, there was nobody there then but me and my writer, and you know I couldn't afford to take no bust. I didn't want my writer (the $85 a week employee who accepts the bets and makes out the slips) to take one neither, for it don't do to have a writer with too much of a policy record.

"'I told this to the local guy, but he said everything would be okay. "I got to have him or somebody," he told us, "but don't worry, I'll keep him clean. He'll be back behind that counter by the time you open up tomorrow.

"'Now the cop was a man of his word. When he booked my boy, he made out the complaint to say that he didn't find any numbers on his person but that he did find a bunch of slips under the radiator near which my boy was standing.

"'Naturally, the magistrate threw the case out.'

"The operator smiled in reminiscence.

"'That was the last I heard of it personally,' he recalled, 'but I learned later that that chick's complaint was sent up from Downtown the next day, but it was already a dead squawk. The squad boys reported to Downtown that they had been keeping the place under surveillance, and that they had just made a policy arrest there the day before.

"'They said they had trailed the guy (my writer) into the store just before making the pinch, and said that he usually operated on a street corner about a block away. They said their surveillance indicated that my store was clean and not a numbers drop at all.'

"He smiled broadly in conclusion.

"'So that poor retired schoolteacher need not worry. Nobody's going to ignore any written complaint sent to Police Commissioner Stephen P. Kennedy.'

CHARGES OF POLITICAL CORRUPTION

Mr. Williams of Delaware. Mr. President, on March 4, March 5, and again on March 7, there appeared in the Washington Post three articles written by Mr. Drew Pearson. Each of these contains some very serious charges—charges so serious that they cannot be overlooked.

If these charges are true, not only do they represent a flagrant violation of our existing election laws, but also they would represent a new low in politics.

At a time when we spend weeks debating the right of every American to vote, certainly Congress can give some time to insure that this right once given is not abused.

In these articles, there are two very serious charges:

First, there is the charge that the question of whether or not to prosecute an alleged income tax violation was being decided, not upon the merits of the case, but rather upon the willingness of a taxpayer to change his political party affiliation.

Second, there are the charges that responsible men offered, and that this same individual accepted, payments of $50,000 to $100,000 in return for his political support to certain candidates in the 1956 and 1958 elections.

Both the offering and accepting of bribes for political support are violations of our existing laws; it is likewise a violation of our laws for any decision regarding the prosecution of a tax case being made contingent upon political support.

At this point, I ask unanimous consent to have printed in the Record as a part of my remarks the three articles to which I refer.

There being no objection, the news articles were ordered to be printed in the Record, as follows:

"[From the Washington Post, Mar. 4, 1960]

"POWELL PROSECUTION DELAY STRANGE

"(By Drew Pearson)

"One of the weird ironies of the civil rights battle is the paradoxical friendship of the civil rights author, Attorney General William Rogers, with the civil rights bitter-ender from Mississippi, Senator Jim Eastland. Believe it or not, they are quite cozy.

"Furthermore, Eastland, who occupies the potent position of chairman of the Senate Judiciary Committee, has protected his friend, the Attorney General, from any Senate investigation of his Justice Department.

"One of the strange operations inside the Justice Department which other Senators would like to investigate is the reported protection of New York's most spectacular Congressman, Adam Clayton Powell, of Harlem, in regard to income tax evasion. Powell saw two of his secretaries convicted and a third indicted. That was about 5 years ago.

"Meanwhile, there have been mysterious delays regarding the Congressman's own income tax case. It has dragged on for months. Finally, almost 3 years after his secretaries got into trouble, Assistant U.S. Attorney Thomas A. Bolan in New York, in charge of the Powell grand jury, let it be known that on March 18, 1957, he had received word from the Justice Department in Washington to abandon the grand jury investigation.

"Bolan was further asked to write a letter to Attorney General Rogers—the friend of 'Big Jim' Eastland—advising him that the case should be turned over to the Treasury—which meant a compromise with no prosecution. This Bolan refused to do, and a runaway grand jury subsequently indicted Powell.

"The inside story

"But what Senators would like to know is what happened inside the White House to delay Powell's prosecution for what is now approximately 5 years. Since Eastland's Senate Judiciary Committee won't investigate, this column can now reveal the story.

"During Ike's 1956 reelection campaign, the handsome Harlem Congressman, long a Democrat, wrote Vice President Nixon that he might switch to the Republicans. As a result, Max Rabb, secretary to the Eisenhower Cabinet, went to New York, and arranged to bring Powell to the White House, where with much flashing of photobulbs, it was announced that Powell was now for Ike. He urged all Negro Democrats to switch.

"Inside the White House, and before the press conference, the terms of Powell's deal were worked out with Sherman Adams, Rabb, and Charley Willis, the former White House assistant and son-in-law of Harvey Firestone.

"Powell produced a list of his outstanding financial obligations including the estimated cost of his own reelection, totaling $50,000, which he said he wanted paid in advance. In addition he wanted other expenses paid, including a room at the Waldorf and an apartment in the Middletowne Hotel on East 48th Street next to the swank Eden Roc Club.

"Finally Powell took up with Adams and Rabb his income tax problems. It would look very bad, he said, if he was indicted during the campaign. So Adams agreed to discuss the matter with the Attorney General with a view to having the grand jury proceedings dismissed.

"The Congressman tried to drive a further bargain and asked that his secretary, Acy Lennon, be let off. However since Lennon was already indicted, this was considered too risky.

"Ike's aids also agreed to retain counsel for Powell and to pay his counsel fees immediately. They engaged Boris Berkowitz.

"Sealed and delivered

"All this was firmly sealed and agreed upon before the mercurial Congressman from Harlem went in to see President Eisenhower and announced his dramatic switch to the Republicans.

"Thereafter headquarters for Powell's switch-Negroes-to-Ike drive were set up in the Hotel Marguery, 270 Park Avenue, in midtown Manhattan. Charley Willis was placed in charge of raising a budget of $100,000, which was guaranteed by the Republican National Committee.

"Life for the switch-Negroes-to-Ike drive, however, was not easy. About this time, Hazel Scott, the Negro singer who had married Powell, was threatening divorce and intimating that she would name various girls as correspondents, some from well-known white families.

"Berkowitz was immediately sent into action. He arranged a settlement and Hazel Scott went to live in Paris until the election was over.

"Powell's GOP campaign managers breathed easier and proceeded to stage an open house at committee headquarters. It was a mad opening—typically Adam Powell—featuring an interracial set of so-called models to acts as hostesses.

"That's just part of the story of how the Congressman from Harlem went to bat for the Republicans in return—supposedly—for favorable income tax treatment."

"[From the Washington Post, Mar. 5, 1960]

"DE SAPIO OUTBIDS GOP WITH POWELL

"(By Drew Pearson)

"New York.—When Acy Lennon, assistant to Representative Adam Clayton Powell of Harlem, went to the Federal penitentiary in Danbury for tax evasion, he weighed 325 pounds. When he came out of Danbury in the fall of 1958 he weighed only 250 pounds. His clothes didn't fit.

"So during a visit to Carmine De Sapio, boss of Tammany Hall, Acy was handed $1,000 by De Sapio to buy some new clothes. The two also talked politics, especially the question of whether the handsome Harlem Congressman, who had bolted the Democrats for Eisenhower and Nixon, would return to the fold and support Gov. Averell Harriman in his hot race against Nelson Rockefeller.

"The election looked very close and the Negro vote was needed. So, after considerable conversation, Acy reported back to Congressman Powell that Tammany would pay him $100,000—$50,000 down and $100 a week over a 10-year period—if he would support Harriman against Rockefeller.

"In addition Acy Lennon was to receive $5,000 from Adam for negotiating the deal, plus a promised $5,000 from Carmine at the rate of $100 a week.

GOP less generous

"This offer was more generous than that which the Republicans had worked out with Congressman Powell during Ike's 1956 reelection campaign when Powell stood on the steps of the White House after visiting Ike and urged Negro voters to support Eisenhower and Nixon. At that time he received $50,000 for expenses, plus various fringe benefits, the aid of an attorney, and a promise that the Attorney General would be asked to call off the grand jury probing his income tax case.

"However, earlier in the 1958 New York election year, Congressman Powell had made a commitment to the Republican leader of Harlem, Harold Burton, that he would run for Congress on the Republican ticket. POWELL made this commitment at a time when Tammany was determined to punish and defeat him for switching to Ike in 1956.

"So POWELL took out political insurance against possible defeat in the Democratic preliminaries by signing up also as a Republican.

"Tom Curran, Republican county leader, didn't like this at all. He warned Burton that he would be doublecrossed.

"'But POWELL is a man of God,' replied Burton, referring to the Congressman's weekly sermons at the Abyssinian Baptist Church, largest in the world. 'He can be depended upon to keep his word.'

"Later, however, when word leaked back to Republican circles that POWELL might be flirting with Tammany, they began to get jittery. Burton sent for Fred Weaver, a Powell aid, and both of them went to see Charlie Willis, former assistant to Sherman Adams and a top Republican money raiser. All were anxious to keep POWELL on the GOP side in the red-hot race between Harriman and Rockefeller.

Fifty thousand dollars offered

"So word was sent to the Congressman, then relaxing in Puerto Rico, that $50,000 was available in cash if he, POWELL, would endorse the Republican ticket.

"'I don't trust Willis,' the Congressman replied. 'He told me earlier that he would give me $50,000 to help in my primary and my legal expenses, and when I sent Bill Hampton down to pick it up, Willis said "ADAM has just attacked Eisenhower in the New York Times, so the deal is off. I have nothing for him."

"'You tell Willis,' POWELL continued, 'that the price is going to be higher this time, and this time I want the money paid in front.'

"POWELL went on to explain that if he ran as a Republican he would be finished politically and would need more than $50,000 for future financial security. He said he might have to be made vice president of some public relations firm at a salary of about $50,000 a year for 10 years.

"All this took place before Carmine De Sapio came up with his offer of $100,000 through POWELL's convicted assistant, Ace Lennon. Finally POWELL accepted it. But first he exacted some fringe benefits. One of the fringe benefits consisted of a pledge that Governor Harriman would urge Speaker Sam Rayburn to see that POWELL became chairman of an important subcommittee in Washington. He also exacted the promise of several jobs for his associates and some Federal housing for one of his secretaries' real estate venture.

"It was then agreed that ADAM would obtain interviews with Rockefeller, Harriman, and other candidates, weigh their positions on civil rights, and, after careful deliberation, announce for Harriman.

"Thus the stage was set for the next big political reversal in the life of ADAM CLAYTON POWELL."

"[From the Washington Post, Mar. 7, 1960]

"ONE HUNDRED THOUSAND DOLLAR OFFER WON POWELL OVER

"(By Drew Pearson)

"NEW YORK.—When a runaway grand jury on May 8, 1958, finally indicted Congressman ADAM CLAYTON POWELL, of Harlem, for tax evasion, despite attempts by the powers that be in Washington to protect him, he used the steps of the Federal Building in New York to launch a drive for funds for his legal defense.

"Posing for the newsreels, he accepted a $500 check from Dr. McKinley Wiles, a Harlem physician. And speaking from the pulpit of the Zion Baptist Church in Brooklyn, where more money was collected, POWELL said:

"'What a mess our Government has got into with ADAM POWELL, and for the tremendous sum of $1,600.'

"And following the announcement by Tammany's leaders in Harlem that he would not be renominated for Congress as a Democrat, POWELL announced:

"'Thank God I got rid of Tammany Hall. I'm going to fight them as a Democrat. I'm going to run candidates in every area where there is a concentration of Negroes and Puerto Ricans in all five boroughs.'

"A twinge of remorse

"It was just 6 months later that after promising Harlem Republicans he would run on the Republican ticket, POWELL began exploring ways by which he could justify a switch back to Tammany and the support of Gov. Averell Harriman against Nelson Rockefeller.

"Justification took the form of interviews with the leading candidates running in the crucial New York State election as to who would do most for civil rights. He saw Rockefeller, candidate for Governor; Louis Lefkowitz and Peter Crotty, running for attorney general; and Frank Hogan and Representative Kenneth Keating, running for the U.S. Senate. He told each Republican he couldn't support him.

"Keating he really wanted to support because Keating had led the civil rights battle in the House of Representatives. And Lefkowitz, as attorney general, had made personal tours of the polling places in the previous election to keep the Democrats from stealing POWELL's votes.

"Nevertheless under his agreement with DeSapio, POWELL was obligated to tell these men that in order to preserve his seniority in Congress he must desert them.

"When word of this got back to Harold Burton, Republican leader of Harlem who had agreed to put POWELL on the Republican ticket he was furious. And when POWELL refused to see him, Burton staged a giant outdoor rally around the corner from the Congressman's Abyssinian Baptist Church, at which he accused POWELL of a doublecross and called upon the congregation to renounce him as unworthy to be their pastor.

"Earlier that day, October 7, the mercurial Congressman from Harlem had proceeded to fulfill his promise to DeSapio that he would call a press conference and issue a statement previously OK'd by both DeSapio and Governor Harriman. Carmine had stipulated that this must be done before he would deliver any of the promised expense money.

"So after POWELL issued his statement and after Harriman and DeSapio issued one in return appointing him cochairman, with former Secretary of the Air Force Tom Finletter, of the Harriman-Hogan campaign, Acy Lennon was sent to DeSapio's Hotel Biltmore headquarters to collect $50,000.

"A lot of $50 bills

"He brought the money back to POWELL, all in $50 denomination. The remaining $50,000 was to be paid at the rate of $100 a week over 10 years.

"POWELL then gave Acy the $5,000 he had promised him for negotiating the deal. Ray Jones, POWELL's treasurer, was given $7,500 supposedly for reimbursement of money he had advanced in POWELL's primary. Joseph Overton, a business agent of the Grocery Employees Union, president of the local NAACP, and comanager of POWELL's campaign, was given $2,500 for money advanced, Reuben Patton, salesman for Burke Motors, who had loaned POWELL a Buick station wagon, got $500, while Fred Weaver, an assistant to POWELL, was given $50 because he happened to be present.

"Shortly thereafter, the Congressman told his church congregation how Charlie Willis, former assistant to Eisenhower, had offered him $50,000 of Republican money.

"'I told him,' POWELL shouted, 'that no man can buy ADAM POWELL. I belong to my people.'

"The congregation stamped their feet, clapped, and waved their handkerchiefs.

"What he didn't tell them was that he had taken $50,000 from Willis in 1956 and a $100,000 package from Tammany Democrats in 1958.

"And on almost any Friday if you're down at the Biltmore Hotel in the late afternoon you'll see Acy Lennon, convicted secretary to Congressman POWELL, coming down to Carmine DeSapio's headquarters to collect that $100 a week which is part of the $100,000 deal and is still being paid."

Mr. WILLIAMS of Delaware. Mr. President, I emphasize that I am not expressing any opinion as to the accuracy or the inaccuracy of these charges. I am merely pointing out that they have been made, and that in view of their serious nature, they cannot be ignored.

If they are true, the guilt of those responsible should be established and dealt with accordingly.

If not true, then those against whom the charges are made are entitled to a complete retraction, and those who made and those who printed the charges should be held responsible.

Since this Congress reconvened in January, the Senate spent nearly 3 weeks debating and passing S. 2436, the sole purpose of which was to guarantee cleaner elections.

For the past 3 weeks we have been holding long and sometimes continuous sessions debating the merits of a bill one purpose of which is to guarantee to every American citizen the right to vote.

Yet here before us we now have a serious charge that the voting rights of these same people about whom the Justice Department and the Congress are expressing so much concern may have been bought and sold in wholesale lots during the recent elections.

Here is a chance for the Senate to demonstrate its sincerity both in cleaner elections and in the voting rights of American citizens.

I send to the desk a resolution, the purpose of which is to authorize the Senate Rules Committee to conduct a thorough investigation of the charges as outlined in these three articles.

Mr. President, I submit the resolution, and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read as follows:

"*Resolved*, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized and directed under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of the charges, with a view to determining the truth or falsity thereof, which have recently appeared in the public press that certain persons have sought, through corruptly offering various favors, privileges, and other inducements (including large sums of money), to induce certain individuals to lend their political support to one political party rather than to another, or to become candidates of one political party rather than of another, and that the offers made by such persons have in fact corruptly induced certain of such individuals to change their political affiliations or to lend their political support to one political party rather than to another.

"SEC. 2. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

"Sec. 3. For the purpose of this resolution, the committee, from the date on which this resolution is agreed to, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable, and (2) to employ on a temporary basis technical, clerical, and other assistants and consultants."

The Vice President. Is there objection to consideration of the resolution?

Mr. Dirksen. Will the Senator yield?

Mr. Williams of Delaware. I yield to the Senator from Illinois.

Mr. Dirksen. Mr. President, normally, of course, one branch of Congress does not take account of the activities and behavior of a Member of the other branch on the theory that each House, of course, is the judge of the qualifications, behavior and conduct of its own Members. But I think it must be said, in fairness to the resolution proposed by the Senator from Delaware, that it is a fact that these reports which are given wide currency and so freely ventilated in the press in all sections of the country become something of a reflection on the entire Congress as an institution.

Neither body in that sense escapes culpability in the eyes of the public when these charges are not refuted and when they are not rebutted. I believe that somehow, by some action, we should get to the very bottom of this subject.

As the Senator from Delaware so correctly points out, the Senate gave 11 full days, as I recall, to the the discussion of the so-called clean elections bill. I was opposed to many portions of it, and finally voted against it, because I thought it did not come to grips with the real problems.

But certainly these reflections should not be permitted to continue without some action, without some answer, somewhere in the whole legislative establishment. Accordingly, recognizing the reluctance of one body to look into the affairs of its own Members, perhaps this is the only remedy which we have in order to sift the truth of these charges.

Mr. Williams of Delaware. Mr. President, I appreciate the feelings of the Senator from Illinois. I should like to add that I, too, recognize the points which he has raised; but I believe that not only the Congress but the whole governmental system is under fire, and that we have no alternative other than to recognize that these charges have been made, and that in all fairness to the parties who have been mentioned, we must clearly establish their accuracy or inaccuracy. It was for that purpose that I felt the resolution should be offered, and I believe it should be approved.

Mr. Case of South Dakota. Mr. President, will the Senator yield?

Mr. Williams of Delaware. I yield.

Mr. Case of South Dakota. Is it not also true that the charges which have been published in the press relate to the election of the President and Vice President, and that some of the alleged support involved support for or against certain candidates for the Presidency and Vice-Presidency?

Under our rules, is the Committee on Rules and Administration not charged with the investigation of charges pertaining to the presidential election?

Mr. Williams of Delaware. That is true. Primarily these charges do not involve the question of the election of a Member of Congress himself as much as they do the general elections. Therefore, I think it is very appropriate that we take the action I propose.

Mr. Johnston of South Carolina. Mr. President, will the Senator yield?

Mr. Williams of Delaware. I yield.

Mr. Johnston of South Carolina. Would the Senator's resolution cover a case similar to those with respect to examinations for postmaster? The names of the three highest competitors are submitted, and then in the particular locality the Republican who is in charge of the appointments considers the persons having the three highest ratings, selects one, and says to him, "If you will organize a Republican club within your district we will consider you." Would that come within the purview of the resolution? If it would, I would favor the resolution.

Mr. Williams of Delaware. No, I do not think so. The resolution is directed more to the charges as contained in newspaper articles to which I referred. If the Senator from South Carolina knows of any abuse in the category he has described, I suggest that it be documented and a resolution presented to that effect, and I would support such a resolution. I have submitted this resolution to take care of the situations I have mentioned earlier.

Mr. Johnston of South Carolina. Does the Senator from Delaware not believe his resolution at the desk should be further amended in order to include situations such as I have described? My committee is receiving a great many complaints of this nature. It will cost a large sum of money to make an investigation of these cases.

Mr. Dirksen. Will the Senator yield?

Mr. Williams of Delaware. I yield.

Mr. Dirksen. I should like to ask one or two questions about the resolution. First, the distinguished Senator from Delaware asked for its immediate consideration. Always, of course, I hope the Senate will not be charged with summary action in matters of this kind. That leads to two possible conclusions. One is to let the resolution go over until the following day. The other is whether the matter ought to be appropriately referred to the Committee on Rules and Administration, so as to let that committee, in turn, report the resolution under which the investigation would be made.

Mr. Williams of Delaware. I would have no objection to letting the resolution go over until tomorrow and voting on it then. In fact, that is what I expect and desire. I would not agree to having it referred to the Committee on Rules and Administration. That was my reason for asking for its immediate consideration.

However, under the rules of the Senate, only when the immediate consideration of a resolution is asked for and objection is made, does the resolution automatically lie on the table and go over until the next day. That is what I was attempting to accomplish; and I would be delighted to agree to that procedure. This procedure gives the Senate itself a direct vote on the question.

The reason why I do not believe it is necessary to refer the resolution to the Committee on Rules and Administration, whose right to consider such matters I respect, is that this is a moral question which the Senate as a whole should decide. The Senate is well aware of the charges which have been made. If we sit idly by and pay no attention to them, such charges will be believed, and there will be a breaking down of the confidence of the people in our election system. To a certain extent we are on trial. This is a question which the Senate itself should face.

I would have no objection to the resolution going over until tomorrow with the understanding that it will lie on the table and not be referred to the committee but will come before the Senate during the next morning hour for a vote.

Mr. Dirksen. Mr. President, will the Senator amend his request of the Chair accordingly?

Mr. Williams of Delaware. I believe that under the rules of the Senate in order to have the resolution laid before the Senate, it will be necessary for me to insist upon my request for immediate consideration and let some Senator object. It is a roundabout way to achieve results, but I have been advised that had I not asked for the immediate consideration of the resolution, it would automatically have been referred to the Committee on Rules and Administration.

With the clear understanding that the Senator from Illinois will make a friendly objection, however, I am willing to let him make an objection in order to get the resolution into the parliamentary situation under which it may be considered at the next morning hour.

Mr. Dirksen. Mr. President, is the processor of the resolution in a position to request a modification of his request for its immediate consideration, so that it may come up on tomorrow rather than today? My interest in the matter, obviously, is a desire to make certain that every Member of the Senate is put on notice and is made well aware of the purport of the resolution and what is contemplated by it.

The Vice President. The Senator can obtain an order to have the resolution considered as a part of the routine morning business tomorrow, if the Senator desires to obtain such an order.

Mr. Williams of Delaware. Mr. President, a parliamentary inquiry.

The Vice President. The Senator from Delaware will state it.

Mr. Williams of Delaware. As I understand the rule, if I insist on the unanimous-consent request and it is objected to, the resolution will automatically be laid before the Senate tomorrow or at the next morning hour, and in the event the resolution were not acted upon during the morning hour, it would go to the calendar. Is that correct?

The Vice President. The Senator is correct.

Mr. Williams of Delaware. If we could have a unanimous-consent agreement which would accomplish that parliamentary situation, I would be willing to enter into it, but I was under the impression that if I ask unanimous consent and the resolution comes back tomorrow, it will be in the same situation it is in today.

Mr. Dirksen. The author of the resolution could ask unanimous consent to have it considered in the morning hour tomorrow.

Mr. Williams of Delaware. Mr. President, I ask unanimous consent that the resolution be considered in the morning hour tomorrow.

The Vice President. Is there objection to the request of the Senator from Delaware?

Mr. Case of South Dakota. Mr. President, will that request carry with it the right to have the resolution go to the calendar, should there be objection?

The Vice President. If the resolution is not acted upon during the morning hour, it will automatically go to the calendar.

Mr. Williams of Delaware. That is my understanding.

The Vice President. Without objection, the request of the Senator from Delaware is agreed to.

Mr. Johnson of Texas. Mr. President, reserving the right to object, I should like to see if I understand the situation. Do I correctly understand that the Senator from Delaware does not contemplate that his resolution shall be referred to committee?

Mr. Williams of Delaware. The resolution would not go to committee under these circumstances.

Mr. Johnson of Texas. Does the Senator from Delaware have objection to the committee considering the merits of his resolution? Would that not be the normal procedure?

Mr. Williams of Delaware. It would if we were dealing with proposed legislation. In this instance I do not believe there is a Member of the Senate who would not have an opportunity, at least overnight, to familiarize himself with the serious charges which have been made in these news articles.

I believe the charges are such that we as Members of Congress cannot sit back without either confirming or repudiating them. I think this is a question which we as a Senate as a whole should decide. That is the reason why I have brought the matter up under this particular parliamentary procedure.

I respect the rights of committees as much as does any other Member of the Senate; but I believe this is a question upon which we as individual Senators should make a decision and not bypass our responsibility by referring the resolution to committee.

Mr. Johnson of Texas. Mr. President, as I understand the parliamentary situation, the resolution will go over a day; and tomorrow, if there is a morning hour, it will be laid before the Senate. Then the question will come on whether it can have immediate consideration or will be referred to committee. Is that a correct statement?

The Vice President. No; a motion to refer the resolution to committee would be in order.

Mr. Williams of Delaware. It could be referred to committee only on motion?

The Vice President. A motion will take precedence over agreeing to the resolution.

Mr. Johnson of Texas. So if a majority of the Senate felt that the matter should be referred to committee, a motion for referral could be made; and if the motion were adopted, the resolution would go to the committee?

The Vice President. The Senator is correct; and that motion would take precedence.

Mr. Johnson of Texas. Is such a motion debatable.

The Vice President. Such a motion is debatable.

Mr. Williams of Delaware. As I understand the Senate rules such a motion would also be in order today, so the fact that the resolution is carried over under a unanimous-consent agreement would in no way change the parliamentary situation. Is that correct?

The Vice President. The Senator is correct.

Mr. Johnson of Texas. I believe the chairman of the Committee on Rules and Administration should have information about the resolution, and I have notified him to that effect.

Charges of political corruption

Mr. Hennings. Mr. President——

The Presiding Officer. The Senator from Missouri.

Mr. Hennings. While I was temporarily absent from the floor, the distinguished occupant of the chair, the senior Senator from Delaware offered a resolution which was handed to me only a few moments ago which relates to investigation under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and undertakes to set forth the matter of jurisdiction as specified by rule XXV of the Standing Rules of the Senate, requiring that the Committee on Rules and Administration investigate certain matters with respect to the election, as I understand the resolution, of a Member of the House of Representatives, a Representative from the State of New York.

At this time I ask unanimous consent that this matter be referred immediately to the Committee on Rules and Administration.

Mr. Williams of Delaware. I object.

Mr. Hennings. I assure the Senator from Delaware, that I request such referral in the interest of orderly procedure, in the interest of established precedent, in the interest of determining the proper course of action to take upon this matter, the committee investigation and jurisdiction of such matters, according to the claim of the Senator himself as set forth in his resolution, that the Senate Rules Committee be given jurisdiction. I assure the Senator that I shall ask for a meeting of the committee during the present week at the earliest possible opportunity which we may obtain for the purpose of considering the matter which the Senator has set forth in the resolution. I think, Mr. President, that a departure from this course would be a negation of the principle of orderly procedure. I think it would be a negation of the responsibility and indeed of the duty of the Committee on Rules and Administration, to have a summary consideration of this resolution without having it first referred to the comittee which would have jurisdiction according to the provisions of the Senator's resolution. So far as I understand it, that committee may well have jurisdiction of the subject matter.

But I do believe that the committee should have an opportunity, as the Committee on Rules and Administration of the U.S. Senate, to give careful consideration to and determination of the subject matter of the resolution, the propriety of taking jurisdiction, or other questions presented.

Mr. Williams of Delaware. Reserving the right to object, I would say to the Senator from Missouri that I think this is a question which the Senate itself should decide. I respect the rights and duties of the committees, and I think the Senator knows that on many occasions I have gone further in protecting the rights of committees than perhaps he has. These charges have been made. They are so serious that we as Members of the Senate cannot shirk our responsibility. The whole Senate should go on record as to whether or not we want them investigated. If it were a question of legislation, I would respect the need for the committee's studying it, but this is not a question of legislation. This is a serious charge of payments and other items of considerations having been given in return for political support.

These charges are very specific, and they cannot be ignored.

As the Senator may well know if he has read these articles, there are specific charges:

No. 1, that in consideration of support of a political party in a national election the question was raised as to whether or not a tax violation would be prosecuted. The way a man votes, or his political party in no way is to be taken into consideration when you determine the question of prosecution. Now, I certainly would hate to believe that this was done; but the fact is, it has been charged.

Another specific and serious charge is that there were substantial payments made in return for political support. I think this is something we in the Senate, who recently passed a clean election bill, should want to examine. The Senator from Missouri was chairman of the committee that reported this bill, and I supported him. If we are in favor of clean elections, and if we are in favor of the right of every American citizen to vote, let the Senate act.

Mr. Hennings. Would the Senator yield for an observation?

Mr. Williams of Delaware. I yield.

Mr. Hennings. As the distinguished Senator from Delaware well knows, I have the highest respect for him. He and I have been friends since I first came to this body. I might say parenthetically that I believe I have seen the subject Representative Member of the House of Representatives from New York only once in my life. I do not recall ever having had a conversation with him. I mention that only to indicate that I have no interest whatsoever in the matter insofar as any ad personam aspect could be.

Mr. Mansfield. Will the Senator yield so that I may ask unanimous consent that the morning hour may be extended another 5 minutes?

The Presiding Officer. Without objection, it is so ordered.

Mr. Hennings. I thank the distinguished Senator for his consideration. I have read the articles which have appeared—how carefully I hesitate to say—I have scanned them certainly and in a general way am familiar with what they undertake to allege and set forth. They were published by Mr. Drew Pearson in the Washington Post in recent days, if we can count "days" in these times. I would entreat the Senator, if I may, to trust the Committee on Rules and Administration to undertake to make a proper surveillance and have a proper consideration of this matter. We are undertaking, if the Senator's resolution is to be acted upon favorably, to investigate a Member of the House of Representatives——

Mr. Williams of Delaware. No; if the Senator will yield; I do not think so.

Mr. Hennings. Or a presidential election?

Mr. Williams of Delaware. The matter certainly comes under the jurisdiction of the Senate committee. The fact that one of the individuals involved may have been in the House of Representatives is not material. His own election is not involved. This is not something involving a question as to whether there may have been something improper in his election. The question involved deals with national elections and is clearly something which comes under the jurisdiction of the Committee on Rules and Administration.

I have great confidence in the Committee on Rules and Administration, the chairman of which is the distinguished Senator from Missouri. That is why I was enthusiastic in requesting that the Senate authorize that committee, which has jurisdiction over such questions, to conduct the investigations.

As I understand the law there is no difference in the guilt of a man who pays and in the guilt of a man who receives.

Mr. Hennings. The Senator is entirely correct.

Mr. Williams of Delaware. So this resolution is not aimed at any one individual. It is aimed in the direction of trying to ascertain the facts as they affect the individuals involved. I hope they will all be cleared. But if they are not cleared, if there is any guilt, wherever it may be, let us find out.

Mr. Hennings. The Senator serves on at least two very important committees of this body. Would the Senator, for example, if I may undertake to cite a parallel case, feel it proper for this body to direct one of his committees, to do thus and so, without the committee's having an opportunity to decide whether it should do thus and so and assume jurisdiction? Is it not an invasion of the province and the proper sphere of the organization of the committee system of the U.S. Senate to have a resolution directed at a certain committee—any committee—to do thus and so with respect to a given matter, the facts of which none of us at this time knows?

I give the Senator my personal assurance that I will call a meeting of the committee for the consideration and determination of the subject matter involved in the resolution if the resolution is referred today to the committee.

I think the Senator might consider the fact that there are other members of the Rules and Administration Committee who might have various views to express. I have no way of telling what the committee is going to do. But I believe it is my duty, as chairman of the committee, certainly to try, as zealously, within the bounds of propriety, as I can, to guard the prerogatives of the committee and to guard against the precedent which might be established by directing a committee to do a given thing with respect to a given individual.

For that reason, I again say that, if the Senator will accept my word—and I will give it to him—I will call a meeting tomorrow, indeed, or the next day, as soon as we can get a quorum of the members of the committee together, and get unanimous consent to sit as a committee, and that the subject matter of the Senator's resolution will be brought to the attention of the committee as the sole and only business of the committee at that meeting.

Mr. Mansfield. Mr. President, will the Senator yield?

Mr. Hennings. I am glad to yield.

Mr. Mansfield. Mr. President, I ask unanimous consent that the morning hour be extended for another 5 minutes.

The Presiding Officer (Mr. Cooper in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. Hennings. Of course, if the Senator is adamant, I would then be in the position, as I understand the parliamentary situation to be, of having to object to immediate consideration of the resolution at this time, at which time thereafter, if there should be a morning hour tomorrow, by unanimous consent, the Senator's resolution will come before the Senate, subject to a 2-hour limitation of debate.

Mr. Williams of Delaware. Mr. President, I stated earlier that I had no objection to the resolution going over until tomorrow for a vote. The only reason I asked immediate consideration of it, was that under the rules of the Senate, in order to get it before the Senate, the sponsor of the resolution must ask for its immediate consideration. Then, if objection is made, it lies on the table until the next day, or the next morning hour, and then it is automatically laid before the Senate for a vote.

That is why I asked for consideration of the resolution today knowing that with this objection it would be carried over until tomorrow. I repeat this is a matter on which the Senate should act. The reason why the Senator from Missouri was not consulted was that he has been in the hospital recently and therefore necessarily absent during recent sessions.

Mr. Hennings. I was on the flooor this morning during the morning hour.

Mr. Williams of Delaware. I did not see the Senator. I did not look for him because he had been away for several preceding days.

Hr. Hennings. I have been here all week.

Mr. Williams of Delaware. That is only 1 day, and I did not see him then.

Mr. Hennings. I was here. I answered all the calls yesterday.

Mr. Williams of Delaware. The Senator from Missouri has the balance of today and tonight to look over the charges. I am sure the Senator will agree that they are very serious.

Mr. Hennings. I have no question they are serious charges. I have been a district attorney. I understand the gravity of the charges. I have participated in many election investigations involving expenditures of money and allegations with respect to voting, registration, and acts which are violative of the election process.

I know the Senator from Delaware supported the so-called clean elections bill, which emanated from the Committee on Rules and Administration. I think he and I are of one mind on the general proposition relating to the improper use of money in elections.

Again I would say to the Senator I believe it is certainly my duty, and I believe it is certainly within the bounds of propriety, for me, as a member of the Committee on Rules and Administration, to ask that we be given an opportunity to meet as a committee, and not be delivered an edict that we immediately proceed to the consideration of a given matter, without determining whether or not the matter is one for consideration at this time, at some other time, or at any time at all by our committee.

I do not believe in transcending the normal process of committee consideration. Incidentally, the resolution, of course, if ultimately considered, would be before the Subcommittee on Privileges and Elections, of which the distinguished senior Senator from Rhode Island [Mr. Green] happens to be chairman.

The Committee on Rules and Administration has a very respectable and vigilant and able representation of the Senator's interests. I can assure the Senator the matter will be considered as judiciously, as impartially, and as objectively—I can promise only for myself—as I can consider any matter. But I had hoped the Senator would give the committee an opportunity to function as a committee should, within the established procedure and precedence of the Senate, in matters of this kind.

Mr. Williams of Delaware. I only ask the Senator to direct some of his great legal talent toward studying this matter overnight. I am sure that tomorrow he will be one of the most enthusiastic supporters of the resolution.

Mr. Hennings. The Senator, then, objects to my unanimous-consent request that the matter be brought before a meeting of the Committee on Rules and Administration, to be called tomorrow or the next day, or at the earliest possible time at which a quorum may be present?

Mr. Williams of Delaware. The Senator knows that there have been no committee meetings for the past 10 days and that the chance of calling any committee meeting tomorrow or the next day is very remote.

Mr. Hennings. No. If I thought so, I would be less than sincere.

Mr. Williams of Delaware. Would the Senator try to get unanimous consent to have a meeting tomorrow?

Mr. Mansfield. I ask unanimous consent that the morning hour be extended 1 more minute.

The Presiding Officer. Without objection, it is extended 1 more minute.

Mr. Hennings. If I thought the chance was remote, I would be less than candid, and I would be properly charged with insincerity. I am certain we have the assurance of the majority leader and the minority leader that so far as they are concerned there would be no objection to the Committee on Rules and Administration sitting to consider this matter. If that assurance is forthcoming, then the committee can meet tomorrow and determine whether this is a matter of which the committee desires to take jurisdiction and to proceed with. But I do think that the committee is entitled to decide that for itself.

Mr. Williams of Delaware. Mr. President, in line with the previous unanimous-consent agreement, I insist on the resolution being called up tomorrow.

The Vice President. The resolution will lie over under the rule.

Inside the Policy Racket

(Extension of remarks of Hon. Adam C. Powell, of New York, in the House of Representatives, Thursday, March 10, 1960)

Mr. Powell. Mr. Speaker, under leave to extend my remarks in the Record, I include the following article from the New York Post magazine of March 8, 1960:

"INSIDE THE POLICY RACKET—ARTICLE VIII

"(By Ted Poston, with Alfred Hendricks, Irving Liberman, and Richard Montague)

"The multimillion-dollar shakedown racket which crooked cops operate for the protection of the numbers game is a major source of low morale in the police department.

"As one authoritative source pointed out early in this newspaper's inquiry into the racket:

" 'How would you expect an ordinary policeman to feel about his job when he knows a fellow cop is knocking down three or four times his basic salary by being on the pad (the approved list of protected policy spots)?

" 'Take two chaps who come out of the police academy together. One, say, winds up on the juvenile aid bureau. The other goes on a vice squad.

" 'The first may buckle down and do his best to perform his duties. He may even apply himself and earn promotion. But even if he makes sergeant or lieutenant and remains honest, he can't hope to approach the income of his fellow graduate who made the vice squad, even if that guy remains a plainclothesman.

" 'How long do you expect a man to remain honest under those circumstances?'

"The Post investigation indicated that many policemen are forced to join the racket or be branded 'finks' or 'shooflys' by their grafting colleagues.

"Take the experience of a sergeant who was transferred from a Bronx precinct to Harlem.

" 'This man had no connection with Sammy Schlitz' Bronx policy empire or with any of the other rackets in that borough,' a Post source recalled. 'So he immediately fell under suspicion when he was sent to the Harlem station.

" 'For the first week of his new duties in Harlem everybody gave him a wide berth. Then one day when he reported to work and opened his locker an unmarked white envelope fluttered to the floor. He opened it and pulled out a crisp $100 bill.

" 'Flabbergasted, he turned around to see everybody watching him intently. He asked if anyone had accidentally put the envelope in his locker. No one said anything. They just sat there watching him.

" 'Finally, when he went through the station house seeking the bill's owner, a lieutenant snapped at him:

" 'Aw, put that money in your pocket and shut your yap. What the hell are you trying to pose as? A fink from the commissioner's office?'

"One story widely known in the police department illustrates how law enforcement and discipline can actually break down when thieves fall out and the cops can't call the cops.

"The story involves a plainclothes woman who was assigned to a geographic subdivision of a borough where vice squad cops were receiving an estimated $300 a spot monthly from every 'protected' policy location in the area.

"Double share

"The woman, married to a policeman, immediately made guarded inquiries about the pad, and her 'share' from her fellow officers in her new assignment.

"She was assured that nothing like the pad existed and that there were no 'shares' for anyone from the policy racket. But as the wife of a policeman she was not satisfied.

" 'If they think they're going to build a bridge over my nose,' she told a veteran policy figure, 'they've got another think coming. I'm going to get mine and I'll get it straight.'

"Armed with her badge, her service revolver and a quiet determination, the plainclothes woman began systematic visits to every grocery, tailor shop, bar or other protected spot in the area. And in each place, she stated her case bluntly.

" 'They tell me you're not on the pad,' she said quietly, 'but I know better. Now if you don't want all hell to break loose where you are concerned, you are going to take care of me, and my husband too. And if you think I'm jiving, just try me.'

"The East Harlem syndicate, which now controls most of the numbers spots in the area, was not as firmly established in its relationships with the cops then as it is now. So consternation flourished.

"A man who followed the case closely told the Post the eventual outcome.

" 'She buffaloed them all,' he said. 'While her superiors and squad members were trying to figure out some way to cut her into the actual pad, which they had denied existed, she scared the spot operators so badly that they had to set up an individual pad for her. And she made them double the "share" to include her husband, although he had never worked on policy or gambling.

"'They got her money together weekly—not monthly as is the usual practice—and they turned it over to the owner of a nightclub where she picked it up regularly.'

"The case of the persevering plainclothes woman might have had a happy ending for her, except for one thing—

"'She just couldn't stand prosperity,' another source recalled. 'She'd come into the nightclub to collect her pad, and then she'd have to run-'em-around-the-bar for everybody. In the process, she became very buddy-buddy with some pretty tough characters.

"'One night she came into the club with (a prominent Washington policy baron) and her old man was in there waiting for her to collect and give him his take. One thing led to another and she got mad and raised so much hell that the owner had to call the cops. They came and got her but they didn't take her to the station house.'

"The woman was taken around the corner to an empty hallway and held there until a higher police official arrived. Almost sober by then, the policewoman reportedly told this official:

"'Go on and book me. Or bring me up on charges. And I'll blow the whistle on the whole pad.'

"Off the pad

"The next day she was back at her post as if nothing had happened.

"But the story didn't end there.

"Estranged from her husband, the woman cop established a liaison with a well-known confidence man who was working out a system to fleece the single action operators (small policy bankers who pay 8 to 1 on any of the three digits composing the day's official number, or 60 to 1 on 'bolita' or combination or two of the three digits).

"With the lush graft collected from her individual pad—she still collected for her husband, too, but had cut him out of the take—she helped buy a garage and filling station for her new love, plus extensive electronic equipment for the swindle he had devised.

"The swindler planned to use the shortwave equipment to have a confederate flash him the first number after the third race totals at Hialeah, so that he could make last-minute sure bets on it with unsuspecting single action bankers.

"The police got wind of the scheme, however, and tapped the swindler's phones. While seeking evidence against him, they heard many a torrid conversation between him and his plainclothes mistress.

"Police raided the filling station and the swindler's home and confiscated the electronics equipment. Papers seized in the raid also established the policewoman as co-owner of the filling station.

"The swindler, since deceased, was arrested. And the plainclothes woman was called in for an all-night session of questioning. Again, she played the old record:

"'You book me and I'll blow the top off the whole police department,' she said. 'You push me in a corner, and I'll tell the whole world who gets what, when, and how much.'

"They didn't book her.

"But she didn't get off scot free this time. She was assigned to desk duty and paperwork, automatically cutting off her personal pad.

"This woman's extraordinary feat was duplicated on a smaller scale in another area in another case unearthed by the Post investigation.

"There a Negro plainclothesman was assigned to a morals squad unit, one of two Negroes 'integrated' into the all-white outfit. In this case, the old hands couldn't deny the existence of the pad but the new men were told that only five 'spots' were on it.

"He got his

"The cop didn't believe it, of course. One by one, he proceeded to 'knock over' protected policy spots in the area, while nabbing an occasional bookmaker on the side. In almost every case, the man arrested would complain:

"'What're you trying to do? I'm on the pad.'

"And the cop would retort: 'Whose pad? You ain't on mine. Nobody told me anything about you.'

"The retired numbers banker who told the Post this story chuckled at the recollection:

"'That guy raised so much hell like that that before 3 months had passed they had to put him on the full pad for the squad. But they never forgave him, and a year or so later they busted him down to a foot cop in uniform. Which meant, of course, that he could never make plainclothes again.

"'But the last time I saw him, he wasn't too unhappy, even though he was still pounding a beat.

"'I got mine,' he told me, 'I'm just waiting to pack it in (retire).'

"Post reporters uncovered similar cases during their 2-month investigation. One Harlem cynic summed it up neatly:

"'When thieves fall out—in the police department—it doesn't necessarily follow that honest men will get their due.'"

INSIDE THE POLICY RACKET

(Extension of remarks of Hon. ADAM C. POWELL, of New York, in the House of Representatives, Friday, March 11, 1960)

Mr. POWELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the New York Post, March 10, 1960:

"INSIDE THE POLICY RACKET

"(By Ted Poston with Alfred Hendricks, Irving Lieberman, and Richard Montague)

"Have all the Negro bankers been driven out of Harlem's lush numbers racket through police connivance with white racketeers, as Representative ADAM CLAYTON POWELL, Jr., has charged?

"No. There are still some Negro policy banks in operation. Several of them have been listed in the Post's series on the alliance between corrupt police and the policy barons.

"But this does not completely discount POWELL's charges. The number of Negro-controlled policy banks have been reduced from about 3 dozen to less than 12, and some of the remaining ones are suspected of domination by the East Harlem mob which controls the citywide game.

"The fate of a handful of Negro bankers, of course, hardly accounted for the most startling revelation of the Post's investigation into the policy racket.

"The corruption which makes for collaboration between crooked policemen and policy bankers goes well beyond the borders of Harlem. The Post team found that it extends throughout the city, and, in many ways, permeates the police department.

"The pattern of corruption is often established even before a rookie enters the department, and in some instances, it continues years after a veteran leaves it.

"A Negro ex-cop recalled his experience at the police academy for the Post.

"'There were quite a few of us Negroes in our class,' he said, 'and most of us were puzzled over the number of our white classmates who said they wanted to work in Harlem when they graduated.

"'At first I thought they were just trying to be nice, although I felt they were really being a little condescending, but when they started talking about the money that could be made in Harlem, we got the drift.

"'You can believe me or not, but I first heard of The Pad [the multi-million-dollar policy protection racket] in the police academy, of all places. Then I found out something that shook me up more. I found that many of these guys had actually been recruited for the force by friends and relatives who were already on the take in the department.

"'One fellow told me how he had planned to study law at first. But an uncle, who, although a plainclothesman, had made more money than anyone in the family had ever dreamed of, put him straight.

"'"Uncle knew best

"'"My uncle told me," this boy said: "You go on to the academy and get on the force and I'll see you make enough money not only to put yourself through law school in style, but to pay the rent on a downtown law office while you get your business started."

"'And, you know, I think he did just that.'

"Some Negro policemen, past and present, complained to Post reporters that they were discriminated against in the parcelling out of policy graft. 'The white boys try to keep it all for themselves,' they said, observing, seriously, that Negroes on the force often were denied equality of opportunity even in the matter of making a fast buck.

"Yet the Horatio Alger of the hustlers in the policy grab turned out to be a young Negro cop who never rose above the rank of plainclothesman but retired in 8 or 9 years with more money than many successful honest men accumulated in a lifetime.

"This man went almost directly from the police academy to the staff of a high ranking official and the graft came fast.

"A recently retired Negro numbers banker with whom the plainclothesman was friendly recalled the other day the cop's decision to leave the department.

"'He had been called down to District Attorney Hogan's office and sweated about the pad,' the banker said, 'and they really shook him up down there.

"'He made up his mind then and there that he was getting out, but his boss urged him not to. The boss asked him to stay on just 1 more year. "By then, I'll be ready to pack it in, too," the boss said. But my man said he'd had it, so he quit anyway.'

"The ex-plainclothesman is now a very successful businessman and coowner of a plush supper club.

"Of course, when a plainclothesman leaves the department after serving the expected number of years, he doesn't necessarily have to leave the pad completely. If he was a 'standup guy' when he was on the force, he can work as a 'bagman' for the various squads preying on the policy game, earning as much as $25 per spot just for picking up the monthly graft for his associates on the pad.

"Ex-Sgt. Joseph Luberda, for one, made a lucrative career as a 'bagman' until he got drunk one night and was picked up by State police with over $19,000 in cash and a list of the Harlem spots on the pad for which he had been collecting.

"Luberda's arrest sent more jitters through the department than anything since the exposé years ago of the Harry Gross bookmaking empire in Brooklyn, but Luberda went to prison rather than name the police officials for whom he was serving as 'bagman.'

"Before the East Harlem mobs took over major control of the Harlem game, Negroes, including some bankers, served as 'bagmen' for the grafting squads.

"A well-known Negro nightclub owner was once the 'bagman' for most of the community.

"'When the money got so big and the take so fabulous,' one ex-banker said, 'the boys decided that they were better off with one of their own handling the bag. And the East Harlem guys went along with the idea all the way. They didn't want any Negroes to know too much about their operations anyway.'

"As for the recruits on the force, a rookie who doesn't happen to learn about the pad while studying in the Police Academy can't remain ignorant of it more than a few days after he gets his first assignment, the Post found.

"One authoritative source put it this way:

" 'One of the first things the kid will find out is that he can't even make a legal arrest without it costing him money. If he doesn't slip a few bucks to the right person in the station house, he'll find himself swamped under with paperwork. If he doesn't see the man in charge of rollcall, he may find himself exiled to a deserted beat. If he doesn't see the right man in court, he'll find his case put on the bottom of the calendar and have to spend all day warming a bench in court.

" 'This whole system of cops grafting on cops is a direct outgrowth of the pad. The guys inside the station house know that the boys outside are pulling it down and they feel entitled to get a taste of the take themselves.'

"The taking ways

"Now to get back to Harlem and the sunset of the Negro policy bankers.

"It is true, the Post found, that the pad has priced many Negro bankers out of the Harlem policy business, and that the police have helped to consolidate the racket in the more lucrative hands of whites. But there were other factors, too, as one veteran policy man explained.

" 'One of the ways the white mobsters took the business over,' he said, 'was by getting the Negro bankers into "peonage" through loans. Once a Negro banker got in hock to a white mobster, he had to stay in line.

" 'If he tried to stop working for the white bank and took his action elsewhere, the white man would contact all the other white banks, and order the would-be rebel frozen out. No one would touch his business when this happened. And some Negroes who tried to switch were dealt with more directly. They just had the hell beat out of them.

" 'What the whites had, and still have, is organization. Even the cops know when a Negro is in bad with the white bankers. And when you're in bad, the cops help put you out of business with harassment and arrests. They'll even carry "dead" policy slips around in their pockets, and if the word is out to get you, they'll plant them on you even if you insist on being taken to the station to be searched.'

"And how do many Negro bankers get into hock? One observer put it this way:

" 'Too many Cadillac cars, fur coats, high living, women, and Harlem society stuff. The big white boys go around looking like bums and banking their loot. The Negro boys think that even a Brooks Brothers outfit is bargain basement stuff. Then one big "hit" and "bang." '

"A veteran policy player, a woman, touched on that last point.

"Hit and run

" 'You spend your money playing with these Negro banks and you hit them big and can't find the runner, the controller or the banker,' she said. 'That's why I leave my play in a spot. I know that if I hit, they ain't going to close up the grocery store or the fruit market or the bar where I played. I'm as much of a race woman as the next one, but when I gamble my money I want to be paid.'

"A cynical single-action man termed the white mobsters' success 'a matter of public relations.'

" 'You hit one of these white cats,' he said, 'and they pay you off in brandnew crisp $10 and $20 bills. You hit one of these darker brothers and if you get paid at all, you might have to take some old greasy, crumpled up bills and maybe part of it in quarters and halves.

" 'Now when you see that sawdust, you know that the mill can't be far behind.'

"In the Bronx, one operator said that the East Harlem higher-ups had ordered their white operators to get out and 'socialize' in the Negro community, visit the bars and order the barmaids to run 'em around for the house.

" 'One cat,' he said, naming one of Harlem's biggest white bankers, 'maintains at least two Negro girl friends that he takes around and introduces as my wife or my old lady. I don't think that's doing him much good though. Some of the brothers don't like it.'

"The few Negroes left in the game are not exactly starving, of course. One of them summed it up whimsically this way:

" 'If I had it all to do over again, I don't think I'd go into the numbers business. I think I'd just graduate from the police academy and become a lowly cop.

" 'Then I'd be guaranteed to get my dime out of every dollar that's bet on the figures. And I wouldn't have to worry about the odds, or paying off bets, or splitting down the line with anybody.'

Policy: How the "Banks" Work

(Extension of remarks of Hon. Adam C. Powell, of New York, in the House of Representatives, Friday, Mar. 11, 1960)

Mr. Powell. Mr. Speaker, under leave to extend my remarks in the Record, I include the following article from the New York Post's daily magazine of March 9, 1960:

"(By Ted Poston, with Alfred Hendricks, Irving Lieberman and Richard Montague)

"The citywide numbers racket here is at least a quarter-billion-dollar business, but the profits are no longer as astronomical as they were in the old days.

"Operating expenses eat heavily into the daily gross, the Post investigation showed. The biggest single bite is in the stiff payments to those vice squad cops who operate the pad, the multimillion protection racket for the policy banks.

"Once the police have gotten theirs 'off the top,' today's policy operation is faced with strong fixed expenses which must be deducted from the gross take which pours in 6 days a week. A table of organization for the average operation runs like this:

"The runner: He collects numbers bets in specific places, such as apartment houses, tenements, offices, factories, or street corners. Since he deals directly with the public, like a bank teller, he is most often the man arrested. The runner gets a commission of 25 cents on every dollar in bets he collects, and he turns his 'book' over to the controller. Few runners have contact with a policy banker; usually, they don't even know who the actual banker is.

"The controller: He is the branch manager of the bank and handles the business of the runners. One controller may have as many as 100 runners and he gets 10 cents on every dollar they turn in to him.

"The ordinary controller may operate from his home, several ever-changing apartments, a bar or another designated spot. He is regarded in the industry as 'the man with all the headaches,' for in most cases, he must take care of the cops in his area, the lawyers and bailbondsmen in the 'accommodation arrests' which are necessary to protect the pad. And he must also make good any shortages in cash which the runners may come up with.

"Spot controller: This is a controller who operates without runners but takes bets across the counter in a tailor shop, grocery, fruit market or any other protected location on the pad. Because no runner's commissions are involved in this operation, the spot controller keeps 35 cents out of every dollar played. This is the kind of operation favored by the syndicate, which has brought the bribery setup to its highest point of perfection. But a spot writing less than $300 a day in numbers won't cover its own costs.

"The banker: This is the president, the chairman of the board. He puts up the money to operate the policy bank, collects his 65 cents on every dollar, and pays off all hits. He has to be able to put his hands on large sums of money at any time, so many policy kings finance their ready-money business from the cash receipts of the related narcotics trade.

"The banker is the man who sets up 'connections' with the cops on the take. In most cases, the bank is responsible for the heaviest higher level payments to the pad, but where the controller receives 10 percent, the latter must pay the bite from the cop on the beat on up through the precinct.

"Policy barons usually maintain their banks outside the area in which they have the most spots as their base of operations. As one of them put it, the vice squad cops will say: 'Don't keep your bank in our area. If it's located there, we may have to raid it. And if we don't raid it, we may have to explain why. We'll protect your spots but take your bank elsewhere.'

"As a result, most of the major banks are in New Jersey, Westchester, Nassau, or any adjacent center outside the five boroughs.

"Although the runner, the controller, and the banker are the important cogs in the policy operation, there are also others who make their livelihood from it:

"The writer: He works in one of the spots and writes the bets as the players come in off the street. He has to be able to write quickly and legibly, add swiftly, and have a flair for figures. He is paid a minimum of $85 a week.

"Lookout man: He keeps an eye out for uncooperative policemen and steers the customers to the new spot when an old location is changed or busted. He generally gets $10 a day for this chore but can earn more by taking on other duties.

"Pickup man: This is the one who takes the 'works' (policy slips) from the controller to the bank. In Harlem, women are used mainly for this task. The controller furnishes cab fare and pays about $40 a week to each pickup man, but the pay is higher when the 'works' are large. Of this operation, one numbers man said:

" 'This is another point where the cops on the take can get an extra taste from the business. Between 1:30 and 2:30 in the afternoon—especially in Harlem—those cops are so busy shaking down cabs with only one passenger in them that anybody else could run off with the rest of the community.

" 'If they catch a pickup man or woman with the "works," they'll hold on to it until a call goes through either to the controller or the bank. If the cop himself is on the regular pad, he may release the "works" in time for the final figure for about $50. But some of the freebooting cops have demanded and got as much as $500 for surrendering the "works" in time.'

"Payoff man: He is the guy who collects the winners' money from the bank and makes the payoff. This may take place in the spot where the original wager was placed, but often a 'payoff station' is established in a nearby bar during certain specified evening hours. This is considered good public relations so that unlucky suckers can see that it is possible to hit the number and maybe get as much as a 600 to 1 payoff (on a 1,000 to 1 gamble).

"The payoff man, who gets about $100 a week, must be a solid citizen who can ward off hijackers and stickup men. And, of course, he must be trustworthy. One Harlem bank is still looking for a payoff man who ran away with $14,000 in 1 day's hits.

"Tenant: An apartment dweller who lets a controller use the premises for a few hours each day to tally up the policy slips before sending the 'works' to the bank. The tenant is usually an employed person who is away from home during this time.

"There are hundreds of such apartments in use all over the city. The controller may pay the tenant's rent—or perhaps $10 a day—for the privilege.

"Adders: They work inside the actual bank itself and operate the computing machines and other modern office equipment to make up the 'ribbon' which is the total list of the day's bet. More highly skilled employees calculate the percentage of hits daily and the profit and loss. These office workers average about $75 a week, and each bank or subbank has a manager, who gets about $125 a week.

"Many of the runners and some of the controllers also work part time as single action bankers, offering odds of 8 to 1 on any one of the three official digits (in order) or 60 to 1 for a 'bolita,' or any combination of two of the three official figures.

"Many of these margin operators use money they have collected (runners) or sums held for the bank (controllers) to bank their single action. This often accounts for the 'shortages' which the controller must make up in his weeky report to the bank. For to prevent seizure by the cops, both honest and dishonest, most controllers send in the policy slips daily and hold the week's cash accounting for Saturdays.

"And more to come

"There are other single action bankers—many of them former full member bankers whose operation has been taken over by the East Harlem mob—who deal exclusively in this operation. They will take bets of from $2 to $1,000 on any chosen number.

"Single action is predominantly a Negro operation and is estimated to involve about $15 million to $20 million in wagers each year. Although some large white banks have been moving in on the larger bets, the syndicate generally shys away from it here because single action is too complicated to handle.

"Single action, however, is the backbone of another operation which is part of the expense sheet of the swindle. This involves:

"Service men: A 'service' maintains employees at the specified 'numbers' racetrack—Hialeah in Florida is the designated one now—to furnish the banks, especially the single action bankers, with each official number as it comes out.

"The men at the track maintain an open telephone line to the New York 'service,' which sells this information to the bankers and single action men.

"For three individual digits a day, 6 days a week, the service receives $20 a week from each client. The East Harlem mob maintains its own service, which is available to its West Harlem outlets, but most Negro single-action bankers prefer to buy their service from a member of their own race, who, in turn, employs several 'wiremen,' operating from rented private phones, to rush the digits to the single-action bankers between races.

"Another major expense for the bankers and the controllers in the daily operation of the racket is the legal costs for the runners and other employees who may be arrested—even those who are taken under accommodation arrests.

"Several banks are assessed a specified number of arrests each month by the crooked cops operating the pad, to meet quotas for the official police records.

"Each wino or junkie, or anyone else who accepts the role, must be paid $50 a 'bust' when he takes a stand-in arrest for a policy employee. In addition, the lawyer and bondsman in each case usually get $25 apiece.

"In the case of a legitimate arrest and a conviction and jail term, the expenses are much higher, for if a runner with a good book is picked up and sent away, the industry must arrange to take care of his family until he gets out.

"The amount given the family depends upon the size of the runner's book. It usually averages about $50 a week. A good controller, accustomed to a higher standard of living, can expect his family to get from $75 to $150 a week if he goes to jail.

"In the case of an infrequent arrest of a banker, the East Harlem mob may take over his bank, put his profits away for him, and give him an accounting on his return.

"In any case, none of today's policy barons are likely to come near the $10 million which Al Adams, their predecessor, salted away after muscling in on the game, back in the gaslit days, in much the same way that the syndicate has taken over the citywide operation here. The overhead is too high now."

VICTORY OVER THE GAMBLING SYNDICATE IN NEW YORK

Mr. POWELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a series of articles from the New York Post.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Speaker, I take this opportunity of submitting a brief report on the tremendous success of my drive against the syndicate and the mafia that have controlled gambling in New York City for the past year. I use as my background first a series of articles that appeared in the New York Post last week in which in the opening article they said this with respect to the drive that I initiated here in Congress in January:

"Nobody, not even Thomas E. Dewey, has hit the business as hard as it is hit now."

Also:

"At least 60 percent of the bars, stationery stores, groceries, luncheonettes, newsstands, poolrooms, and other protected locations have gone out of the numbers business altogether—at least for now.

"The remaining 40 percent of the numbers spots are doing less than half their former business.

"The * * * $2,500 per month for each protected spot * * * has been suspended."

This is the way the series of articles began in the New York Post:

"[From the New York Post, Apr. 18, 1960]

"(Article I)

"SECOND LOOK AT A RACKET: NUMBERS GAMES HARD HIT

"(By Ted Poston with Al Hendricks and Irving Lieberman)

"The lush citywide numbers racket, grossing an estimated $250 million a year here just 3 months ago, has plummeted to new low depths, a resurvey of the racket by the Post disclosed today.

"Six weeks after the Post exposed the pad—the multi-million-dollar shakedown racket through which crooked vice squad policemen furnished open protection for policy spots and locations—a fresh look revealed these facts:

"At least 60 percent of the bars, stationery stores, groceries, luncheonettes, newsstands, poolrooms, and other protected locations have gone out of the numbers business altogether—at least for now.

"The remaining 40 percent of the numbers spots are doing less than half their former business.

"The pad itself—under which crooked cops systematically collected an average of $2,500 per month for each protected spot (even if only an agreed-upon tenement hallway)—has been suspended, temporarily at least, by the racketeering police officials who directed it.

"Things are tough all over

"And open warfare has broken out between the longtime numbers barons and those cops who for years were chiefly responsible for the protection and perpetuation of the policy racket.

"Nobody, not even Thomas E. Dewey (ex-racket buster) has hit the business as hard as it is hit now,' said one prime source who had helped the Post in its original investigation, touched off by Representative CLAYTON POWELL's charge that police were cooperating with white racketeers—mainly Italian—to drive Negro bankers out of the Harlem business.

"'Dewey was out to get Tammany Leader Jimmy Hines, and he got him,' the Post source said, 'but nothing like this has happened in the 40 years I've known this business. It's tough all the way down.'

"The Post series, which has been credited with helping the legislature to strengthen existing laws against policy and bookmaking, was only one of several factors in the current crippling of the racket.

"Almost simultaneously with the Post publication of the first of 10 articles on the pad last February 29, Presiding Justice John M. Murtagh, assuming his new post in special sessions, began to crack down on the policy operators brought before him.

"In the same courtroom where 3 days before 14 policy offenders had walked out free after paying fines from $25 to $300 in each case, Murtagh jailed the first 6 men brought before him—3 for 90 days each, 1 for 6 months and another for 30 days and the sixth for 15 days.

"Murtagh also highlighted the operations of certain policy lawyers and the open connection between bondsmen and the organized racket, spurring District Attorney Hogan's continuing investigation into these tieups.

"And that's an order

"The top-level order to shut down the pad came with dramatic and unexpected suddenness on March 1, when the second article of the Post series listed the exact sums extorted daily and monthly by crooked cops to let the game operate 'legally.'

"These ranged from the $2 daily to the cop on the beat on up to the $300 a month paid to members of each of the top four vice squads in the police department, not to mention the $625 a month demanded by certain vice squad plainsclothesmen in one police division.

"One veteran operator, who very recently retired after spending most of his adult life in the policy business, told how he received his orders.

"'It was the second day of the Post series,' he recalled, 'and I hadn't even got a chance to read it before I got the call. The man said simply: "Everybody's got to close down until further notice. We don't want nothing from anybody until this blows over, but we don't want to get jammed either. So shut down."'

"Others told of personal visits by 'bagmen' and plainclothesmen with the same message. One said:

"'The cop who brought me my orders had been scoffing at the whole thing just the day before. He'd bragged that he knew who the Post was going to name in its series, and he said he'd give each one 24 hours' notice before his name appeared so he could make himself scarce. Each man so warned was supposed to kick in an extra taste (additional bribe) for the information.'

"But two unexpected actions by Police Commissioner Stephen Kennedy, to whom the Post had submitted its series before publication, created panic in the police ranks of the organized racket.

"Orders went out to the commanding officers of every vice squad in the city to read each installment of the Post series and to make written reports to police headquarters on any statement in the paper bearing on areas covered by their commands.

"A veteran law enforcement official who followed the development said:

" 'So they panicked. They ordered their men to read the articles too and to increase arrests. They started grabbing everybody indiscriminately, sometimes without a pretense of obtaining legal evidence.

" 'They started grabbing the repeaters, the hangers-on, the "go for" boys—the guys who go out for aspirin tablets or coffee for the collectors or the controllers. There was nothing of quality in the arrests, but they made up for that in quantity.'

"Kennedy's second action was even more unexpected. The commissioner asked the Post to publish daily a special telephone number at police headquarters where informants would be guaranteed anonymity on any tips of corruption on the part of any member of the police force, regardless of rank, and any definite information on policy spots, banks, or drops.

"Ringing the bell

"The special telephone number—Canal 6–7500—was first published on March 1, and hundreds of calls poured into police headquarters and were investigated by a special detail established by Kennedy.

"Deputy Police Commissioner Walter Arm revealed that during the first month the special line received 352 calls on matters bearing on the policy racket and police corruption in other areas.

"These calls resulted in 176 arrests—99 for policy, 61 for disorderly conduct, 9 for bookmaking, 4 for vagrancy, and 3 for violation of the liquor laws.

"Arm said the calls involving accusations of police corruption were referred to Kennedy's undercover squad for investigation. The phone is still in operation, manned by carefully selected superior officers.

"One important source in the racket credited this action by Kennedy with driving a real breach between the cops on the pad and the operators they have been shaking down for years.

" 'Nobody wants to be stoolie,' this source said, 'but nobody wants to be kicked around without reason either. So when they set up that phone that was the day things blew up.

" 'For the first time, we had a weapon we could use if the guys got too greedy. If they pushed us around too much in seeking an extra taste, we could always remind them that Mr. Kennedy might be interested in the whole thing. I don't think any of us ever dreamed that we could one day stand up for our rights by threatening to use a solitary dime.'

"The Post resurvey indicated that the major outlets in the citywide racket—most of them controlled by the East Harlem mob—actually did suspend operations for several days, and many are still out.

"But although the pad was temporarily suspended as an organized agency of graft, some corruption is believed to continue on a more chaotic scale. And the numbers racket, itself, of course, continues, but on a greatly reduced scale at the moment.

"The cool view

"Chaos resulted, one source said, when several of the bolder vice squad plainclothesmen immediately sought to set up individual pads and make their own collections.

" 'They came around in teams of two and demanded $15 a man each week,' this source said, 'but most of the men ain't kicking in.'

"The source reported the reaction of an unidentified numbers banker.

" 'When they came to me [the banker], I told them we were cooling it like the orders said. And when they kept on hinting that we had better kick in or something would happen, I told them frankly:

" 'If you catch me right, I'll take my medicine. But if you frame me or any of my people, or tell me I got to give you somebody to make your quota, then I'll go straight to Murtagh or Hogan and I'll spill my guts.' I told them I ain't going to take no 6 months in jail for nobody." ' "

I would like to point out also that nearly everything that I fought for here during January and February has been achieved.

The State legislature passed a new gambling law, signed by Governor Rockefeller, which now makes mandatory a prison sentence for repeaters after the second conviction.

The grand jury of Manhattan, under District Attorney Frank Hogan, is now sitting in session.

The State crime commission under Mr. Goodman Sacharand of Rochester, N.Y., is now staging an investigation.

The police commissioner has reorganized Manhattan into two districts rather than the many it had before.

The entire confidential squad of the police commissioner of New York City has been busted and a new one was sworn in yesterday.

However, I wish to state that beginning the last of May I will start again on Wednesdays putting into the RECORD any items that find or are given to me by citizens which indicate there is any going back to the good old days of New York City Police Department payola or any whitewashing or covering up by any agency of government—county, city, State, or Federal.

Mr. Speaker, the articles to which I referred earlier are as follows:

"[From the New York Post, Apr. 19, 1960]

(Article II)

"HOW THE COURT CRACKDOWN HIT THE POLICY RACKET

"(By Ted Poston with Al Hendricks and Irving Lieberman)

"A simple weapon which has been available to the courts here for decades is inflicting more damage on the $250-million-a-year numbers racket than all the antipolicy crusades of the last half century.

"The weapon? Stiff sentences instead of fines. Presiding Justice Murtagh of special sessions started slamming the jail doors on convicted policy defendants in Gamblers Part last February 29—simultaneous with the Post's exposé of the pad, the multimillion-dollar protection racket operated by crooked vice squad cops to let the numbers barons go unmolested.

"Prosecutors and grand juries for years had been demanding jail sentences for gamblers instead of the traditional slap-on-the-wrist fines.

"Back on November 12, 1958, District Attorney Hogan protested publicly when General Sessions Judge Marks suspended sentences on 13 of the biggest Italian policy barons after all had pleaded guilty to a numbers game conspiracy indictment. Hogan has always viewed jail terms as one of the most potent weapons in combating policy.

" 'There are thousands of such arrests (policy) each year,' he complained recently, 'but they all almost invariably result in a suspended sentence or a fine.'

"And the Brooklyn rackets grand jury, backing District Attorney Silver's own views reported last year:

" 'The bookmakers and policy bankers consider these court proceedings which result so often in fines as merely part of the cost of doing business, as a sort of "license" fee.

" 'Bookmakers and policy operators are soft livers. Nothing, but nothing like a jail sentence could teach them that violating our laws is serious. As the police often put it: "These bums don't like jail." '

"Court records compiled by Post reporters both in its original exposé of the links between crooked plainclothesmen and policy racketeers, and in its current followup on the situation, give substance to the jury's charges.

"Of the 2,885 persons arraigned in the magistrates' courts for policy law violations in January and February this year (while Murtagh was then chief magistrate, ironically), only 3 were given jail sentences. And none of these three—two in Manhattan and one in Queens—received as much as 30 days.

"Of the 2,885, 239 pleaded guilty in magistrates' court and were fined or given suspended sentences. The vast majority, represented by bondsmen and lawyers whose fees were paid by the syndicate behind policy, merely waived their cases to gamblers' part of special sessions. There most of them were discharged on their own recognizance or fined $25 to $300 each on their routine pleas of guilty. The syndicate promptly paid the fines, and most of these offenders never lost a day's work in the racket.

"Murtagh lowers the boom

"Then, on February 29, to use the words of one of his later victims, 'That cat Murtagh came on like "Gang Busters." '

"Without warning, the new presiding justice jailed up to 6 months the first six policy offenders brought before him in gambling part.

"When Isaac Inglahm, 71, a lowly runner, admitted under questioning from the bench that he knew neither the name of the bondsman who bailed him out nor the lawyer who showed up to represent him, Murtagh indignantly called for an investigation by District Attorney Hogan of the alliance between the policy syndicates and the bondsmen and lawyers. Murtagh threatened to drive such lawyers from special sessions and referred the names of two lawyers to Hogan's office.

"Some critics of police corruption and policy protection were unimpressed as Murtagh continued his crusade on March 3 by sending 13 men to jail for 15 days to 6 months each and 12 more to jail the next day for a flat 6 months.

" 'These men are all small fry,' these 'cuties' charged, 'there isn't a numbers banker in the lot.'

"But the policy operators themselves had no such illusions.

" 'That's like saying the enemy shot your army to pieces but didn't lay a hand on the general,' one commented the other day. 'A banker without runners and controllers is as helpless as a general without troops.'

"The more realistic reaction in the racket had been expressed by one defendant that first day when he saw six men go to jail before him.

" 'Man, get me an adjournment,' he had whispered desperately to his lawyer, 'that guy up there on that bench is crazy.'

"So, as Murtagh jailed 43 offenders in his first 5 days while revoking the bonds and issuing arrest warrants for 14 others who fearfully failed to appear, the syndicate shifted its operations back to the magistrates' courts and insisted that its men be tried there.

"But they underestimated the situation, for while the bonding companies suddenly started demanding $250 cash surety for each policy arrest (instead of the usual $50 to be split between the syndicate's bondsman and lawyer), Murtagh was busy on another front.

"He called a conference with his lower court successor, Chief Magistrate Abraham M. Block, and Administrative Magistrate Larry M. Vetrano and mapped the next line of attack.

"The result became evident last March 28 when Larry Melville, 54, a socially prominent Harlem operator who had never spent a day in jail despite six previous policy convictions, came up in magistrates' court on a routine charge.

"No hiding place

"Magistrate James E. LoPiccolo immediately slapped Melville with the stiffest sentence passed out so far—6 months in jail and 30 days more unless he paid a $500 fine immediately.

"One Harlem operator recalled that moment the other day in these words:

" 'When they lowered the boom on Larry like that, we knew at last there was no hiding place. We were boxed in on both ends.'

"And the walls were closing in from two other sides at the same time.

"Hogan stepped up his investigation of alliances between lawyers, bondsmen, and policy racketeers by flooding the town with subpenas. Veteran policy lawyers, faced with possible bar association investigation, started shunning such cases, leaving many defendants without counsel.

"The list of defendants skyrocketed further as Police Commissioner Kennedy, aroused by the Post exposé of police corruption and policy protection, applied unprecedented heat to all the vice squad commands.

"Policy arrests increased from 3,928 for the first 3 months of 1959 to a total of 4,280 for January, February, and March of this year. Only Staten Island failed to show an increase for the 3-month period.

"While the overall increase in policy arrests was only 352 cases, a longtime operator interpreted the figures in this way for the Post:

" 'The difference is that these arrests this year—especially in March—were for real. Last year, you could figure that half of the numbers arrests were just "accommodation cases"—you know, winos and junkies whom you paid $50 each to take a bust and help the cops keep their quota.

" 'But who the hell is going to agree to take 6 months in jail for a lousy $50? Not even a junkie. Maybe a junkie least of all. So the cops, to cover themselves, are grabbing the regular guys who are the backbone of the business. Even guys they've been collecting from for years.

" 'And if a bank can't take care of a regular guy's family for the 60 days or 6 months he's in jail, what is to keep that guy from spilling his guts to Murtagh or even Hogan?'

"Another longtime operator discussed the matter from a different angle.

" 'No matter what the Post or anyone else says,' he observed, 'the vast majority of people in the numbers business are not racketeers. Many are quite respectable, church members, people who are often looked up to in their immediate communities.

" 'From habit and background, many of these people have handled a few numbers as a means of supplementing their regular job incomes. Even if they got arrested in the past—and that didn't happen often—they could be arraigned in court, fined, released, and nobody knew anything about it.

" 'But how many of them do you think will continue when they knew they may go to jail now and be disgraced before their families and their neighbors? This thing is going to cost the game several thousands of such part-time workers, not to mention many guys who never did anything else.'

"Our harassed policy operator asked the inevitable question:

" 'What got into this Murtagh? He didn't act up when he was chief magistrate. Now he's giving us hell all over the lot.'

"A fellow operative answered the question with a shrug.

" 'I don't know what got into him,' he remarked despairingly, 'but he sure as hell got into us.'

"[From the New York Post, Apr. 20, 1960]

"(Article III)

"BARE NEW RACKET IN RECORDS—HARLEM 'POLICY' HARDEST HIT—OTHER BANKS STILL STRONG

"(By Ted Poston with Al Hendricks and Irving Lieberman)

"The three-way squeeze which has reduced the policy racket to its lowest ebb here, following the Post's revelations of links between police and the numbers barons, has hit the Harlem game harder than elsewhere in the city.

"While Queens and Staten Island policy banks apparently have continued to flourish on about the same scale, despite the Post's exposé of the multi-million-dollar vice-squad protection system, the new drive by Police Commissioner Kennedy, Presiding Special Sessions Justice Murtagh, and District Attorney Hogan is driving much of Harlem's game underground and biting into the play in Brooklyn and the Bronx.

"In Brooklyn, arrests are up over 10 percent because special attention is being paid to the 'spots' and 'locations' which paid an average of $2,500 a month to grafting vice-squad cops for the privilege of operating openly before the Post exposed 'The Pad,' the list of protected policy places.

"Angel F. Calder, the city's largest Puerto Rican policy banker, has given up his extensive Brooklyn operation as a result of his long-running fight with District Attorney Silver, compounded by the heat the Post series generated.

"Small change

"Calder, who is still awaiting trial with his minions on charges growing out of Silver's spectacular 1958 raid on his $5 million Brooklyn bank, is now conducting a much more limited operation, reputedly from a store on Second Avenue in Manhattan.

"Most of his former controllers and collectors in Brooklyn have been absorbed by the East Harlem mob's Kings County operation, directed by Mike Miranda.

"But the East Harlem syndicate which controls most of the policy business in all boroughs has also accepted a temporary shutdown of the pad in Brooklyn—on the frightened orders of the crooked vice-squad cops who run the protection system.

"In the Bronx the syndicate's operation, still run in absentia by Sammy Schlitz (Schlitten), has also been hit, but not so hard, by a 10-percent rise in arrests following a suspension of the pad.

"But although his basic Bronx-wide operation remains in fairly good shape, waiting only word of the reestablishment of the pad to swing back in action, persons associated with Schlitz told Post reporters that the dapper little ex-bootlegger and juke box czar is smarting over the shutdown of five of the seven lucrative spots for which he paid heavy police protection in Harlem.

"First to go, in the wake of the Post exposé, was the modest headquarters which three Schlitz henchmen, known as Mel, Artie, and Sollie, maintained in a tenement hallway on 145th Street. All three disappeared March 1—the day the pad was ordered suspended—and haven't been seen there since.

"Three other Schlitz locations closed down the next day. His last two remaining spots are run by two men known as Dave and Sutton on West 144th Street in what is known as the last wide open block in Harlem. Both Schlitz minions patrol the block more closely than the cop on the beat, but pickings were still slim there last week.

"But Schlitz, although undisputed policy czar of the Bronx, is only a minor operator in the lush Harlem game which the East Harlem syndicate has been consolidating over a number of years.

"And his losses, while substantial, are small compared to the major Italian banks which still control most of the business in the predominantly Negro community.

"Here's what the Post resurvey indicated happened to other major Harlem operators:

"Anthony (Punchy) Salerno, director of the syndicate's citywide policy operations and most powerful figure in the Harlem policy game, had 37 'wide open spots' for which he paid grafting cops an estimated $100,000 a month before the crackdown. The Post found only about 12 of the 37 spots in operation last week. This does not mean that Salerno is out of the business, however. As one of his former associates pointed out:

" 'Many of the guys who acted as controllers in the candy stores, tailor shops, groceries, bars, and other spots run by Tony are still in the business. They just don't operate out of stores any more. They got together many of the runners the Negro bankers had when the shutdown came, and they collect their business and turn it in.

" 'And in many ways, this isn't a bad deal for Punchy. He still saves the $45,000 a month which he had to get together for the three vice squads about the division level, while he is by no means starving from the "controlling" business which is keeping his game going.'

"Other Post sources reported that another major Italian operation in Harlem—the Vigliante brothers, Louis Tony, and Charlie—went one step further.

"Orders is orders

" 'When the order came down on March 1 that the pad was closed and no payments expected,' one said, 'the Viglantes really went underground, although they continued to work the same "controlling" business as Tony.

" 'But when the cops, as most of them did after 2 or 3 days, came around and wanted to establish individual pads, Louis Vigliante would have no part of it.

" ' "You ordered us to quit and we've quit," he is said to have told these cops, "we ain't giving nobody nothing." The cops knew he was lying, but what could they do about it? Those East Harlem boys carry too much weight.'

"Also hard hit by the suspension of the pad was Louis (Louie the Gimp) Avitabile, the Lenox Avenue supermarket owner whom Representative ADAM CLAYTON POWELL had called the top man in the syndicate's Harlem operations.

"Avitabile, despite the pressure put on him by POWELL, still had 14 spots for which he paid monthly protection when the Post exposé was printed. Last week these 14 spots were down to 4.

"His main spot then was in a basement around the corner from his supermarket (a raided premises since last July 2), operated by Solly Appuzzo, the Gimp's partner. Last week that basement was only an obscure policy drop, and neither Solly nor Louie have been seen in the neighborhood recently.

"Another Italian operation—the Lenox Avenue bank operated by Felice and James Falca—came up with a new idea when the heat went on. The Falcas, who called themselves Phil and Jim Black, offered to sell shares in their bank to hard-pressed Negro policy bankers if the price would be met. Negotiations are still continuing, although neither brother has been seen recently in his usual Harlem hangout.

"On the run

"But if the syndicate's large white banks have been hard hit by the crackdown, the few remaining Negro bankers have suffered even more—although few of the Negro operators had been able to afford full pad payments even before the system was exposed.

"Here is what happened to most of them:

"Henry Lawrence, long regarded as one of only two Negroes who had enough influence with the crooked vice squad cops to OK another Negro for the pad, fled to his native Kingston, Jamaica, soon after he was ordered to cease operations from his upper Eighth Avenue tailor shop. Lawrence suffered a heart attack in Jamaica and is now hospitalized there.

"Lawrence's Puerto Rican partner, Spanish Raymond Marquez, who operated several of their bank's 10 protected spots on the lower part of Eighth Avenue, also disappeared—but not before police raided the bar and grill he owns near 112th Street and stationed a patrolman there.

"Ironically no such action had been taken on August 17, 1958, when police seized Marquez' brother, John, 27, and 12 companions in the same bar and stripped them of 4 revolvers and 2 dismantled rifles.

"Bank robbery

"The arsenal had been assembled just a few hours earlier, after Spanish Raymond had shot to death David Peters, 28, a young Negro hoodlum who had been muscling in on the Lawrence-Marquez numbers business in the area. Marquez claimed self-defense and was not indicted for the killing.

"With police protection no longer assured, several of the Negro bankers fell prey to youthful holdup men who had learned by bitter experience—and a few gangland-type killings—not to mess with the syndicate's Harlem operations.

"The big three bank of Carlyle Williams, Walter Smith, and Crip Martin in the 127th Street and Lenox Avenue area was held up twice, with the bandits taking $1,800 in cash on their second trip. Simultaneously, the same young gang tried to break into Smith's apartment in Washington Heights but was thwarted in the attempt.

"Fritz Devinish, who with Boo Marshall, Sid Thompson, Pat Hogan, and Crappy Hale, operated as the Big Five in the 140's block off Lennox Avenue, was called in by Immigration officials for questioning, and the whole bank closed down completely for a month. It has since reopened limited operations.

"A young Negro who amassed a fortune by serving a scant 8 or 9 years as a vice squad plainclothesman was called in for questioning in Hogan's current investigation—but not before he had been summoned to conferences with his former vice squad colleagues after his operations had been mentioned in the Post series.

"And the end is not in sight.

" 'Even when things open up again, and they will,' one of the Negro operators said, 'I don't think we'll ever get back to where we were. If Adam Clayton Powell was a little premature in saying that the whites were taking over all of the Harlem business 3 months ago, he won't be premature when the pad is reestablished in the near future.' "

"[From the New York Post, Apr. 21, 1960]

"(Article IV)

"GUARD RECORD RACKET WITNESSES; POLICY MEN HOPE FOR COMEBACK

"(By Ted Poston with Al Hendricks and Irving Lieberman)

"The numbers game has been hard hit by the current crackdowns but many people in the racket persist in the belief that it will come back strong again, and with police collaboration. Post reporters kept running into this view as they resurveyed the policy situation.

"Thousands of numbers runners—low men on the totem pole—are scuffling desperately each day to hold the shambles together in the hope that the antipolicy drive will run its course and be forgotten.

"A member of the Post team which exposed the pad—the multimillion-dollar vice squad protection racket—6 weeks ago, retraced his steps last week to see how the operation was faring under the combined heat of the police and the courts. Here is his report:

" 'Toured Harlem today with the same numbers operator as before. The plan now as then was to introduce me as his nephew and engage various numbers writers in conversation.

"Street scene

" 'If the plan didn't work out better, blame the cops. The streets are flooded with them. Not just the patrolmen. You can't go a block without seeing police radio cars, cruising or just parked in front of bars or stores.

" 'In every other block, my guide, who knows them on sight, pointed out the unmarked cars of plainclothesmen. The cops know him, of course, so we had to pass by the first three places where we were supposed to stop; plainclothesmen or radio cops were parked there.

" 'We finally hit a bar on Amsterdam Avenue and started talking to a numbers writer he knew. This guy has a real problem. For him, the couple of blocks between his home and this bar is a kind of no man's land.' "

"[From the New York Post, Apr. 22, 1960]

"(Article V)

"POLICY: A HOUSE DIVIDED

"(By Ted Poston with Al Hendricks and Irving Lieberman)

"Just 6 weeks ago Javon B. Hunter, 25, formerly of 242 West 148th Street, was a numbers runner who turned his daily book over to William (Shorty) Greer, 36, a controller for Felice and James Falca's Lenox Avenue policy bank.

"Today, J.B., as his hundreds of numbers customers knew him, is dead, and Greer is in The Tombs charged with the slaying.

"Both, in a way, are victims of the chaos which has descended on the policy racket since the Post exposed the pad—the multimillion-dollar protection racket operated by crooked vice cops—and Presiding Justice Murtagh started throwing jail terms at the small-fry sinews of the numbers industry.

"Their story is only one of a score of similar incidents—more violent than most—encountered by Post reporters in their follow-up investigation of the numbers racket.

"Here's what happened:

"When Police Commissioner Kennedy cracked down on the vice squad corruption ring on the heels of the Post's exposures, the Falco brothers (who called themselves Phil and Jim Black) tried to sell shares in their lucrative policy bank. But when the crooked cops themselves ordered them and other bankers to suspend operations while the heat was on, the Falcos took off.

"Greer, like scores of controllers all over the city, was left high and dry, so he took part-time work as a bartender in a Seventh Avenue gin mill and continued to accept the "books" turned in to him daily by his veteran numbers collectors.

"Not until an unlucky hit came up on March 28 did J. B. find that Shorty hadn't been turning his bets over to a bank and thus couldn't pay off. J. B. went to the bar and beat up not only Shorty but the white owner of the place as well. Shorty finally routed him with a baseball bat.

"The two met again early in the next morning, March 29, in the Beverly Hills Bar and Grill, 303 West 145th Street. The fight was resumed, and minutes later J. B. slumped to the floor, dying of stab wounds. Shorty was seized on homicide charges.

"Greer was indicted for second-degree murder last Thursday, and is being held in $20,000 bail for pleading next week. He had been convicted of policy violations seven times and was fined $350 for running a policy drop on October 6, 1956.

"This is only one incident in the fresh internecine warfare among minor policy operators. But there is a more bitter if less bloody conflict going on between the policy bankers themselves and the still-grafting cops who insist on 'getting a taste' (bribe money) despite the orders of some of their superiors to 'cool it for a while.'

"One veteran source described it this way:

"These guys who have been on the take so long just refuse to reduce their new standard of living, heat or no heat. One of them said his plainclothesman salary wasn't enough to meet the fixed charges of his monthly expenses.

"He said he had no intention of losing his Cadillac or putting his second old lady out of her Sugar Hill apartment while waiting for the pad to be revived. So he told everybody that he expected to get his as usual every week or he'd bust (arrest) everybody in sight.

"Some of the newly impoverished plainclothesmen went even further. In one case, a plainclothesman trailed a known pickup man for a hard-pressed Manhattan bank and seized him along with 50 envelopes containing that day's 'works' (the betting action). Such hijackings were not unusual even when collaboration between the cops and the banks was wide open, before the Post series. The usual practice was to call up the bank and demand a '$50 taste' for releasing the 'works' before the close of the day's business.

"But the free-booting b—— in this case," a reliable source told the Post, "had the nerve to call the bank manager and demand $1,500 just for the works."

"Stalemate

" 'The manager told him he was crazy, but they kept on bargaining over the phone until the manager said he might come up with $500 if both his pickup man and the works were released immediately.

" 'But this freebooter said: "Oh, no; your man has got to take a bust. After all, I've got to meet my quota." The manager told him to go to hell, but the cop reminded him:

" 'If you'll up the ante, I might try to do something. But if you let your man get busted and if Murtagh decides to give him 6 months, he may decide to blow the whistle on you."

" 'The manager really blew his stack then and reminded the cop that he could blow a whistle, too—just by calling that Canal 6–7500 special number which Commissioner Kennedy had set up for tips on crooked cops.

" 'This set up a sort of stalemate before they finally worked out something. I don't know how much was paid, but the works were returned in time for that day's tabulations.'

"A somewhat similar incident was reported in the Bronx, where the drive against policy and corruption hasn't hit as hard as it has in Manhattan and Brooklyn.

"(Antipolicy activity is even less evident in Queens, where numbers arrests rose only from 271 for the first 3 months of 1959 to just 279 for the same period this year. It is practically nonexistent in Staten Island, where only 11 policy arrests were made all last January, February, and March—a drop of 3 from the 14 arrests made during the same period in 1959.)

"The Bronx incident had a fresh angle, as explained by a Post source there.

" 'When the pad closed down in early March, everything went on a catch-as-catch-can basis,' the source said. 'Then everybody tried to get in the act. And this included many cops who had never been on the pad.'

"He then cited the case of a numbers operator who was picked up 2 weeks ago by three detectives from the narcotics squad.

"'Now this man has never had nothing to do with narcotics and these cops knew it. As a matter of fact, they weren't even in their assigned areas when they put the arm on him.

"'But what could he do? They knew he was in the numbers and they knew he had money on him. And he was afraid that if he didn't get away he might find something put in his pocket before he got to the station house.

"'So he finally got up $400 and they let him go.'

"A more common complaint in most boroughs is that, in their anxiety to build up their arrest records, some shady vice squad policemen are, in the words of a respected law-enforcement official, 'making indiscriminate arrests without * * * obtaining legal evidence.'

"A friendly wave

"Fausto Diaz, a $56-a-week busboy at the Prince George Hotel, 14 East 28th Street, came to the Post from his home at 370 Bushwick Avenue, Brooklyn, to charge that he had been framed in one such case last March 9—the day before the 10-part Post series on police corruption and policy protection ended.

"Diaz said he was walking down the street to the subway to report for his regular 4 p.m. shift at the hotel when he saw a friend, Raphael Pagan, of 60 Moore Street, Brooklyn, sitting in a car on the other side of the street.

"'I waved at him as I usually did and kept on walking,' he said 'when suddenly a detective grabbed me and another grabbed Raphael across the street. He searched me right there on the street, and then they took both of us up to Raphael's apartment, where they searched us both again. They didn't find anything on either one of us, but they booked us both for policy.'

"Inspector William Kimmins of the Brooklyn East Patrol Bureau denied Diaz' charges. He said that Detectives Henry O'Brien and George Levine said they had made the arrests in Pagan's apartment and that Diaz had one policy slip in his pocket and had flushed another down the toilet. Kimmins also pointed out that Pagan had three previous policy convictions. Diaz had never been arrested before.

"Diaz, finally released on $1,000 bail bond which cost him $50 plus $35 for a lawyer, rejected the police contention and produced what he felt was clinching evidence of his innocence.

"He exhibited three dog-eared installment charge books to show that he owed almost $1,000 in bills for household fixtures and furniture.

"'If I was in the rackets, and was making money from numbers,' he asked, 'then how would I be owing this kind of money?

"'And I'll probably owe more now and fall behind in my payments, for I've already lost 3 days' pay just for waving to a friend on my way to work.'

"Diaz had been scheduled for trial in magistrates' court last March 31, but—unlike many policy veterans recently—he waived his hearing for a trial later in special sessions, preferring to take his chances with Murtagh.

"Some old hands in the game who heard of his story saw in this some evidence of his innocence or inexperience in the game.

"'Any cat these days who will take a chance of coming up before Murtagh,' one observed, 'must be pure in heart—or just aching to serve 6 months in the workhouse.

"'I got to figure the man is innocent.'"

In these remarks which many of you, because you are new in this body and do not know about the case, and many of you because of the pressures of many more important things have forgotten, that on January 1960 in this holy place, this well of this great body, I began a personal crusade against the policy racket in New York City. As a result of that crusade, as you will read in the Congressional Record, or a member of your staff, as reported on April 28 by the New York Post, the Confidential Squad of the Police Commissioner of New York City was busted by the police commissioner, the first and second deputy police commissioners in New York City resigned, the $2,500 a month paid to the police officers—and this is from the New York Post as now contained in the Congressional Record—$2,500 per month payoff to the police officers for operating a numbers drop, which can be no more than a hallway in a Harlem slum, was stopped.

Two paid men of the police department resigned. One was captured by the New York State police with $17,000 in his trunk and a little black book with all the names and addresses of the payoff and to whom the money went. He received 2 years in prison for refusing to testify.

In the course of my remarks I named as a "bag woman" for the police department a certain woman in my district. A trial took place against me. In the course of the trial the following facts were produced:

This lady swore on supplementary examination that she had never talked to Inspector Nibbs. Inspector Nibbs testified she had spoken to him 60 or 70 times.

This lady also, when becoming a naturalized American citizen, perjured herself. Commissioner Farrell, Commissioner of Immigration, knows about this, she stated in her naturalization papers she had never been arrested. She had not only been arrested, but in the city of Buffalo she had been convicted 4 times for assault and battery, but this was not reported in the press.

We produced five witnesses on the stand who gave names and dates and amounts over a period of years that they had given to her for the police.

The New York Daily News got a reporter into her apartment and found out that in each and every room of her apartment there was a telephone where she could call up the Police Department immediately. Yet, I was victimized.

The judge in this case was Judge Aurelio, who you may remember, was a friend of Frank Costello.

The jury, in New York County, with a population of 50 percent Negroes and Puerto Ricans, was totally white.

A broadcasting station settled for $2,000. This same "poor, old widow," as reported in the New York Times of October 21, 1964, page 23, was ostensibly the finger woman for the assassination at 12 noon in Harlem of one named Arthur Powers, and I repeat an excerpt from the New York Times. As soon as this man was assassinated, this widow ran to the station house where they were waiting for her. The police of the West 152d station house who questioned Mrs. James at length said that this 67-year-old widow "had nothing to do with the slaying" which took place just before noon at Amsterdam and 146th Street, a few doors north of where she lived.

Quoting the New York Times, "the police declined to comment" on whether Mrs. James knew the victim. "Powers had been trying to move into someone else's territory." Mrs. James it was reported was "on the sidewalk 10 feet away from Powers at the time he was assassinated." Since then the Police Department of New York City has done nothing whatsoever. They say they do not know the killers.

I know the killers. I will give you their names now. The men that conducted the assassination of Arthur Powers at high noon in Harlem are known to the police. They have been sheltered by the police, and I have gotten their names from the files of the police department. They are Terry Lindsay, the only one in custody, Charles "Skippy" Martin, Vincent "Hank" Hawkins.

This was because Arthur Powers was moving into her territory.

Let us go a little further. What I am bucking here is the entire underworld. Read this week's copy of Newsweek magazine. Read what they say in Newsweek magazine of February 22, page 68b, where they talk about the Harlem police have "long been accused of looking the other way" in neighborhoods where drug peddling abounds. It is authoritatively believed that "the same syndicates control both narcotics and the numbers racket. There is a widespread belief that the racketeers have very high political protection. Occasional raids and arrests, mostly of small fry, have not seriously impaired the supply."

I just received on the floor from the Department of our Treasury the following: Last year 1.5 tons of heroin illegally entered the United States. The Bureau of Customs intercepted 35 pounds.

Newsweek, page 68, the illegal drug traffic in the United States is now $1.5 billion a year, and the tragedy is, according to Newsweek, one-half of the narcotics users in this Nation live in my district, because the narcotics pushers have all the protection they want from the police department.

One of my associate ministers, the Reverend Oberia Dempsey, as reported by Newsweek, has been working by himself with "The House of Hope," as he calls it. He said, "We have in our hands the wreck of a generation." He has registered 37,000 addicts, more than half the official U.S. total. The Reverend Dempsey says that "my people will not overcome this evil for 50 years."

Now, comes a letter. It is stamped "confidential." This is what I have been working on. It comes from the Bureau of Narcotics, we know who they are, we know where they hang out. They found out I knew, and on January 15 of this year—this is a matter of police record in Washington, D.C.—when I was visiting friends, somebody climbed a brick wall and dropped an empty heroin bottle in the skylight and on that same night someone damaged the windows of the Abyssinian Baptist Church on 138th Street in Harlem causing enough damage to the church so that we had to spend $1,320 to repair it. The same night, almost the same time. This is a matter of record of the New York Police Department and a matter of record of the Washington Police Department.

We have in New York City a system of political judges. You talk about your problems in Mississippi. This is what I call northern prejudice, with a velvet glove.

In the Supreme Court of New York and Bronx County, from which our brother, Charles Buckley, is no longer with us, with 48 judges, out of a population of 2 million Puerto Ricans and Negroes, 1 Puerto Rican, and only 1, has been appointed to the bench.

Now beyond even the political judges and the underworld-controlled judges—there stands now the law. This is what I want to talk about.

Most of the people of my district remember a fact which so many others have unfortunately forgotten, that the subject of my speeches in this Congress in 1960 was police corruption in Harlem. To the great disadvantage of the people of Harlem, there was vice practiced on the part of the police which was subversive of law and damaging to the moral lives of the people. May I say that the vast majority of the police in my opinion are fine men. They are the finest men in blue but, in Harlem we have the dregs of the police force.

Why have these facts been ignored by the press and the public officials involved? Why is the New York press carrying on this campaign against me? Why did Newsweek this week write "she asked me to go on television and apologize? That is all she wanted." I do not even know this woman. I have never seen her.

I did not speak on my behalf when I spoke here. I spoke to alert the people of my district to the dangerous behavior on the part of the public officials. I sounded the siren of public debate, which is the best means to bring this to the attention of officials.

Of course, this matter has now been made the subject of a personal suit. It is unbelievable that in a free society, with an alert press, an attack upon vice and political corruption, a practice so harmful to the public good, should be converted into a private matter; that an attempt to arouse the attention of the people should mobilize this sort of thing against their elected representative. Suddenly forces began to be mobilized against me as reprisals for my battle against these practices in the police department. So they mobilized against me in my fight against vice and corruption. But I will continue to fight. I will not be deterred by these irrelevant suits or other devices that have been brought against me.

Now, as for the civil case itself. I regard the manner in which this matter was resolved as dangerous to liberty, subversive of justice, and fatal to the mature development of our legal system. Whether the issue be important or not, when legal procedures can be perverted to satisfy interested parties, it requires a flexibility which bends it toward arbitrary judgment instead of the rule of law.

The most important issue involved was freedom of speech, freedom of a Congressman or any man to stand in a public place and invoke public censure against what is corrupt. That has been held time and again by the U.S. Supreme Court. In Beauharnais against Illinois, the Court stated:

> The Court retains and exercises authority to nullify action which encroaches on freedom of utterance under the guise of punishing libel.

At that one and the same time that the New York Times was attacking me, they themselves were doing everything they could to evade a $500,000 libel judgment against them in Alabama.

The Supreme Court in the case of the New York Times against Sullivan said just last year, and I quote:

> A profound national commitment to liberty and debate on public issues should be uninhibited, robust, and wide-open and that it may well include the vehement, caustic, and sometimes unpleasantly sharp attacks on government public officials.

That was the Supreme Court decision.

But if a citizen has such latitude for debate, then do you not thing his representative, who is forced to speak critically on matters which affect the public's welfare in order to hold his office responsibly, must have this same important freedom.

When the lips of the representatives of the people are sealed, the people then lose their voice. Who will speak for them?

Look at the motions that came before the court. There has never been one opinion handed down by a single judge including the U.S. Supreme Court—judge by judge they refuse to hand down an opinion on whether a U.S. Congressman could speak off the floor what he says here.

During the legal proceedings against me in New York, my attorneys presented motion after motion to the courts, firmly based on the law of New York. The legal questions raised were not matters over which there could be dispute. They were clearly based on the statute of New York or on the U.S. Constitution. Yet, time after time, the courts of New York departed from the clear meaning of the words of the Constitution, the statutes and the cases, and reached a result contrary to the law.

On June 1, 1964, the Supreme Court of New York State issued an order directing my arrest for contempt of court. It stated:

> That the defendant, ADAM C. POWELL * * * is hereby declared guilty of contempt of court, having wilfully disobeyed the subpena dated the 5th day of December 1963, in that he failed to appear for examination at the time and place directed in such subpena.

The subpena commanded me to come before the Supreme Court of New York State to be examined concerning my assets. This was a subpena in a civil case. Disobedience of the subpena was punishable by contempt and arrest.

The subpena—dated December 5, 1963—a day Congress was in session, was clearly unlawfully issued. The U.S. Constitution states—article I, section 6:

> The Senators and Representatives shall receive a compensation for their services to be ascertained by law and paid out of the Treasury of the United States. * * *
>
> They shall, in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same.

In the State of New York in the case of Matter of Potter, the New York State Senate demanded that a judge appear before them in formal session because he had issued a warrant for a legislator while the legislature was in session.

On April 30, 1964, Mme. Justice Birdie Amsterdam, of the New York State Supreme Court, county of New York, issued an order refusing to grant an adjournment of my scheduled examination, which had been previously ordered by Mr. Justice Frederick Backer and scheduled for May 1, 1964—on which date Congress was in session.

On July 8, 1964, the Honorable Evelyn Richman, of the criminal court of the city of New York, county of New York, issued an order directing my arrest. The Code of Criminal Procedure of the State of New York, section 148, states in plain words:

> When an information is laid before a magistrate, of the commission of a crime, he must examine on oath the informant or prosecutor, and any witnesses he may produce, and take their depositions in writings, and cause them to be subscribed by the parties making them.

The Justice did not take any proof of the commission of the crime, did not examine any witnesses under oath, nor was there in the possession of the court a detailed statement of the facts constituting a crime. The warrant for my arrest was therefore unlawfully issued. The Honorable Evelyn Richman was aware of the fact that it was unlawfully issued. Yet it was enforced. On November 20, I started a proceeding in the New York State Supreme Court, county of New York, to permanently enjoin the criminal court of the city of New York from proceeding against me with a warrant for my arrest on the alleged criminal charge.

The alleged crime, by the way, consisted of the fact that I gave my wife $900. That is a question that may be of some importance to some of you gentlemen.

My petition stated that the criminal complaint did not set forth that the warrant was unlawfully issued because no witnesses were examined as required by law.

On December 4, our beloved former colleague, Arthur Kline, now a supreme court justice, dismissed the petition on the grounds that it did not contain sufficient facts to entitle me to a writ of prohibition, stating that I had adequate remedy in the writ of habeas corpus. This, of course, is ridiculous. This means that you ladies and gentlemen of this body and the other body, asserting the congressional privilege of immunity from arrest, while Congress is in session, must first submit to arrest before you may raise the question of illegality of the arrest. It requires a Congressman to submit to the invasion of the immunity of arrest and only affords him a remedy after his immunity has been violated. In order to enforce a private claim against me and in order to avoid and circumvent my immunity from arrest, this woman instituted a baseless, groundless criminal charge against me. The Supreme Court of New York State directed my arrest, aware that the charge was groundless and baseless, and stated that the legality of my arrest could only be tested by a writ of habeas corpus. The immunity granted by the Constitution had no force and effect.

Following the issue of the warrant for my arrest in the criminal court, a motion was made to dismiss the complaint and vacate the warrant. The motion was denied by Justice Shalleck on September 1 last year.

Listen to this, now: The case was set down for trial on November 30, 1964. Since the case had been set down for trial on this date, the clerk of the court recalled the warrant and retired it.

However, someone, without authority—or maybe with authority—reissued the dead warrant, which had expired because the case had been set down for trial on a certain date. Since the purpose of the warrant was to bring me before the court to answer a charge, and since the case had been put down for trial, the warrant expired because its purpose had already been accomplished by the setting of the date for the trial. It had already been withdrawn. But some person, with or without authority, went to the clerk's office, and separated the warrant from the papers to which it had been attached and reissued it 2 or 3 days before the case was to come up for trial.

Now as to this past week, the February 10 decision.

On April 2, 1964, a complaint and summons—this is very important—was allegedly served at the premises of 120 West 138th Street. April 2. At that time, it was a matter of public record that neither I nor my wife resided at that address. It is a matter of record at the board of elections. We did not reside there. We resided on Seventh Avenue. Therefore, the court acquired no jurisdiction to conduct an inquest against me based upon the papers which were allegedly served but were not correctly served. Yet the court proceeded with the inquest and a judgment was obtained on February 10—now a total sum of $210,000.

Let us go on higher up, beyond the political judges and underworld-controlled judges to the court of appeals.

With regard to the original judgment obtained against me, various legal questions were raised, questions of the utmost importance to you ladies and gentlemen and to the constitutional privileges of a Congressman to speak to his constituency. These questions were never ruled on by the Court of Appeals of New York State. The rulings of the trial court were never passed on by the court of appeals. The legal issues of the ruling were properly raised in the higher court, but they were never passed on by the court of appeals.

A very basic question was raised in the trial of this case. That was whether there exists a qualified privilege when remarks which were made on the floor of the House are repeated outside the House. There is no relevant difference between communication of congressional speeches by the printed pages of the CONGRESSIONAL RECORD and communication through the facilities of television and radio and by the words that come from a human being's mouth. Yet, this legal question was not passed on at all by the Court of Appeals of New York State.

The court of appeals never passed on the question of whether a Member of Congress is privileged for statements made pursuant to his public duties.

There is involved in this case a coincidence which is almost humorous. I mentioned it before. I bring it up again. The basic case which I used in my appeal to the U.S. Supreme Court was the case of the New York Times against Sullivan. In that case, the New York Times found itself in precisely the same posture as I was. The New York Times stated that a libel law could not be used to limit its right of freedom of speech under the first amendment, in matters uppermost in the public mind. Thus, the unfriendliest newspaper in the United States to me in the entire course of these events made precisely the same contention that I made in this case, yet the Supreme Court ruled in their favor.

Yet neither the Court of Appeals of New York State nor the New York State Supreme Court passed on this important question. It should be noted that the plaintiff herself placed little value on this case. The plaintiff offered to settle this case with me for $8,000. However, I was advised at that time, according to the law that I have just cited, that I could assert my congressional immunity. Whether this advice was good or bad is not important, but the point is that it has ballooned out of all proportions—from $8,000 to a quarter of a million dollars. The sole object is to keep ADAM POWELL out of New York.

The Columbia Broadcasting System on their part settled for the huge sum of $2,000, which was an indication of who they wanted to keep out of New York.

I say to you that I believed at the time, and I believe now, that I had and have the right to speak. Since that legal right is the essence of this suit, I should have liked for the courts to have passed on it, but the courts have never issued an opinion on the legal issue of this case. At this moment every Member of the U.S. Congress stands in the same position that I do. There has never been an opinion upon this matter. Furthermore, I would like to point out that I have been tried three times in New York County by all white juries. Thirty-five percent of the people in New York County are Negroes and Puerto Ricans. Just the other day the Supreme Court ordered a new jury trial—I think it was in Mississippi or Alabama—because they had excluded Negroes from the jury. Maybe there is a point involved here. Maybe I will have to invoke the Civil Rights Act to protect me in New York City. Too often justice has suffered from the bias of a jury. This does not square with our historic view of the role of a jury in this country. The symbol of justice is a blindfolded woman and in her hand a set of scales is placed. This blindfold to me does not symbolize a disregard of the results, but impartiality. If justice in the United States were as impartial as its symbol, then we could applaud civilization, but all too often it is a blindfolded villain which aimlessly consumes those whom it was intended to protect.

However, this matter is finally concluded. That is why I have never said anything up to today. It is concluded. I would not make a decision on this matter prior to this because I have not gotten that final judgment. The court of last resort on January 18, without an opinion, rendered a final judgment in favor of the plaintiff. I have been told some of my friends are organizing efforts to help me in this matter. I am heartened by this. I have fought for the people of Harlem all my life, since I have been 6 months old, and now they have indicated that they are supporting me in this fight. If it were otherwise, perhaps my successor or you would be more timid as a representative. If I had not the support of my constituents in this way and in this hour, perhaps another Congressman would come one day who would be all too cautious in standing on the public platform and bringing to the attention of his city and State the corruption which too often afflicts them. Having that support I rededicate myself to the battle against corruption, brutality, and the vice of public officials with the real assurance I shall ultimately prevail. Beginning next week I shall take this floor and start doing just what I did 4 years ago—naming the places and the number of dope drops in Harlem. Right now another all-white jury—news has just come to me that another all-white jury is looking into charges of fraud and conspiracy in this case. I would like this jury to investigate why there are no Negroes and Puerto Ricans on the juries in New York City. Let us forget about Mississippi for a while. I would like this jury to investigate why half of the dope in the United States comes to Harlem and why, when a national television chain spreads this across the screens of the Nation in their documentary of a few months ago nothing happened; why only 35 pounds of heroin have been recovered in this Nation out of 1.5 tons; why police officials can receive $3,000 per drop in Harlem every month and to whom does it go. Why can, not a Member of Congress, but just an ordinary John Doe American, be subject to criminal arrest without any affidavits, without any testimony and without any witnesses? Why is it a crime to give $900 to your wife and not a crime to give $3,000 to a cop who operates a numbers drop? Why is it that just the other day the lawyer for the plaintiff lied and tried to use extortion against me and the FBI took an agent, Linebaugh, and sent him up there, where he was confronted with the witness, and still lied to them?

Why is it that my Harlem, Spanish Harlem, Italian Harlem, Black Harlem, is the dumping ground for dope in the United States?

I do not know how long I will be able to do it, but as long as I have breath I will not allow the criminalization of my people or any people; the pauperization of my people or any people, the degradation of any people.

I am only one, but I am one. I cannot do everything but I can do something. What I can do, that I ought to do; and what I ought to do by the grace of God I will do.

INCENTIVE FOR ZIP CODE USERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. OLSEN] is recognized for 5 minutes.

Mr. OLSEN of Montana. Mr. Speaker, I have today introduced a bill designed to persuade volume users of the mail to use ZIP code numbers and to presort their mail by ZIP code sectional centers. In a press release yesterday I expressed the fear that the ZIP code regulation just issued by the Postmaster General is too harsh a requirement on business users of the mail and that the Congress should decide whether or not mandatory ZIP coding is desirable. My bill would prohibit the inauguration of a mandatory ZIP code system at this time.

If, because of the growing volume of mail, the Post Office Department considers it desirable for mail patrons to perform the sorting of mail now done by postal clerks, they should have some incentive for doing the work. My bill would provide for a half-cent discount on each piece of first-class and air mail which contains a ZIP code number and is presorted under requirements designed by the Postmaster General. Bulk third-class mail users already presort their mail by city and State. If they are willing to make an additional sort by ZIP code numbers, they should be rewarded for their efforts. These mailers would be afforded three-eighths of a cent per piece for adding the ZIP code number to each piece of mail and for presorting it into ZIP code sectional centers.

The inauguration of a ZIP code system is a fantastically complicated piece of business. Each Member of Congress will recognize the ramifications of the problem if he considers just how difficult it would be to ZIP code and presort the mailings going out of his own office. I doubt that Members of Congress would ever require constituents to perform work which they are unwilling or unable to do themselves.

I should like to emphasize the preamble of the Postal Policy Act of 1958 which states:

> The Congress hereby emphasizes, reaffirms, and restates its function under the Constitution of the United States of forming postal policy.

This is a constitutional duty which we cannot delegate to others. The Postmaster General's order instituting a new addressing system for U.S. mail is a radical departure from established practice. It is the kind of change which would affect every citizen and should not be instituted without full consideration by the House and Senate. I am hopeful that my bill will become the subject of hearings in the near future. The Postmaster General's regulation, unless rescinded, will require the presorting of certain mail by ZIP code on July 1 of this year. In my judgment, such a requirement would have disastrous economic effects.

FOREIGN AID ISSUE DEMONSTRATES NASSER'S GENIUS FOR CREATING CONFLICT EVEN IN WASHINGTON

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I submit an interesting analysis of the recent congressional action on aid to Egypt written by Elihu Bergman, which was distributed nationwide last week by the Jewish Telegraphic Agency. This column suggests the desirability of a hard look at U.S. preoccupation with Egypt as the focus of its Middle East diplomacy:

FOREIGN AID ISSUE DEMONSTRATES NASSER'S GENIUS FOR CREATING CONFLICT EVEN IN WASHINGTON

(By Elihu Bergman)

WASHINGTON.—The first encounter of this year's foreign aid contest ended in a draw, and left none of the contestants in a happy frame of mind. The Congressmen and Senators who wanted to prohibit U.S. food shipments to Egypt were able to raise dust and throw a scare into the administration earlier in the game than usual. But they did not succeed in terminating aid in general and aid to Nasser in particular, as many of them hoped to accomplish.

After being caught off guard by a defiant House, where it enjoys the greatest majority since the heyday of the New Deal, the administration as usual pulled its chestnuts out of the fire in a more pliable Senate. Further aid to Egypt this year is prohibited, except for the remaining agricultural commodities in question, and only if the President determines that their provision is "in the national interest."

But administration foreign policy makers went away scarred, and even more apprehensive about the main event which is yet to come when the foreign aid bill is presented for congressional consideration later in the spring.

The third party to the exercise, Colonel Nasser, was unusually restrained in his reactions. Egypt needs the final $37 million shipments of agricultural products to prop her sagging economy. She most likely will receive them because the President is expected to determine that such action is "in the national interest." But, Colonel Nasser doubtlessly wishes he did not have to put up with such indignities as the U.S. aid process now involves. Meanwhile the good angel who always seems to lurk in the Egyptian leader's tent delivered a $70 million aid credit from East Germany, and with it an opportunity for Nasser to enjoy some mischiefmaking with the frantic West Germans.

The main issues highlighted by this encounter were essentially the same that have arisen with predictable regularity in past years. For the Congress, it is an increasing disenchantment with the U.S. aid program, and a rising fury with aid recipients who are chronically hostile to the United States and its foreign objectives. For the administration, it is a growing annoyance with a Congress that considers itself free to dabble in the complex and delicate business of foreign policy, where it has neither constitutional responsibility nor special expertise.

The foreign aid legislation provides the protagonists an ideal ground for their yearly battle. Since foreign aid became an essential part of the American foreign policy landscape, the administration quite correctly has used it as a tool in the making of that policy. But Congress must annually authorize the aid program, and appropriate the substantial funds for it. Here the circle is joined, with constitutional authorities and responsibilities duly obscured by political realities. For nobody can tell the Congress it does not possess the qualifications to sit in judgment of the objects for which it is requested to appropriate public funds.

Nobody argues with the notion that U.S. diplomacy is a delicate, sensitive, and complex business that must be practiced in volatile and rapidly changing situations. And certainly nobody challenges the constitutional assignment of the foreign affairs function to the President. But frustration and disappointments, justifiable or not, about the results of American foreign policy run high in and out of Congress. This is more a reaction to the baffling world in which American diplomacy must be practiced, than it is a reflection on the quality of that diplomacy.

Still it is a reality of modern American life that the President will enjoy assistance from hands and voices outside his executive branch family in the shaping of foreign policy. And this help is characteristically provided where the administration least wants it. Egypt is a good case in point.

The President's principal foreign policy adviser, the Secretary of State, has long considered Egypt the key to achievement of U.S. objectives in the Middle East. Under Secretary Ball again underlined this position in his recent Senate testimony. Egypt is the most populous, the strongest, and the most highly developed nation in the Arab world. Therefore—so this thinking goes—Egypt is potentially capable of leading the countries of the area into a condition that will facilitate U.S. objectives—stability, peace, economic development, and the absence of Soviet penetration.

Critics of the State Department maintain that the fixation on Egypt and Nasser is the very reason that U.S. objectives in the Middle East are not being realized. They suggest that Egypt also is responsible for frustrating U.S. goals in places even farther afield than in the Middle East, such as the Congo and elsewhere in Africa. They point to a distinguished record of international buccaneering by Egypt—arms deals with the Soviet bloc; incursions against Israel; subversion in other Arab countries; seizure of the Suez Canal; intervention in the Congo; troublemaking in Iran; and similar transgressions. These activities are not conducive to peace, they set back economic development, and they are calculated to produce political instability, all of which provide fertile ground for Soviet penetration.

The more despairing critics say that, while Nasser is free to engage in them and suffer the consequences, the United States need not underwrite his international adventures. Through its aid program over the past 3 years, the United States has supplied an estimated one-quarter of Egypt's food needs. Egyptian funds that otherwise would have been required for food and fiber are thus released for diversion to enterprises of a more questionable nature. This is what disturbed the Congressmen.

Some critics of current State Department thinking are sanguine about prospects for achievement of U.S. goals in the Middle East, provided there is a change in the direction of U.S. diplomacy in the area. They suggest that a withdrawal from the Nasser syndrome might have the reciprocal effect of causing an upgrading of the other regimes in the Middle East. Governments in Lebanon, Jordan, Libya, and Saudi Arabia would heave a collective sigh of relief if the Egyptian omnipresence was removed as a daily condition of their existence. And in a region where instability is chronic, perhaps the most unstable—Syria and Iraq—might enjoy some relief if the prime exporter of instability is depressed. As for the faceless Arab masses, from whom Colonel Nasser draws substantial support, they are fickle by tradition. And if Nasser lost face, they quickly could turn to another image, hopefully from within their respective countries.

Those who would help the President with his foreign policy are generous with their suggestions. But they are also genuinely concerned. They feel something is awry in the Middle East. And without diverting him from the other points on his compass, they hope the President will take a good hard look at the place.

NATIONAL SCIENCE FOUNDATION GRANTS

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MINSHALL. Mr. Speaker, as a newly assigned member of the Appropriations Subcommittee on Independent Offices, which encompasses some 22 Federal agencies, I am finding a new workload of budget study and examination. Combined with the assignment I have had the last 6 years on the Department of Defense Appropriations Subcommittee, I have the responsibility of helping make initial congressional decisions on some $63.5 billion of the 1966 Federal budget, nearly two-thirds the amount the administration seeks to spend in the next fiscal year.

The 22 agencies which come within the purview of my new subcommittee are Civil Defense Activities, Civil Aeronautics Board, Civil Service Commission, Federal Aviation Agency, Federal Communications Commission, Federal Home Loan Bank Board, Federal Power Commission, Federal Trade Commission, General Accounting Office, General Services Administration, Housing and Home Finance Agency, Interstate and Foreign Commerce Commission, National Aeronautics and Space Administration, National Aeronautics and Space Council, National Capital Housing Authority, National Science Foundation, Office of Emergency Planning, Office of Science and Technology, Renegotiation Board, Securities and Exchange Commission, Selective Service System, and the Veterans' Administration.

That is about as diversified a field of Government activities as one could ask and it is providing me with a mountain of hearings and reports as I endeavor to acquaint myself with the spending history of each agency.

The National Science Foundation's 14th annual report crossed my desk yesterday, two attractive volumes detailing the Foundation's work in 1964.

Since Foundation officials will appear before the subcommittee in March, I read the program activities report and listing of grants and awards with close attention.

It certainly has never been my habit to prejudge, and I can only remark that I await the opportunity to sit across the hearing table from witnesses appearing for the Foundation.

Meanwhile, it may interest colleagues in the House, as it did me yesterday, to contemplate a few of the basic research project grants sponsored by the Foundation.

CASTRATING SALMON

On page 31, of the annual report, we are advised that—

> O. H. Robertson, of Stanford University, is studying Pacific salmon, a species which always dies shortly after spawning, an almost unique phenomenon among vertebrates. He observed that, by the time of spawning, the pituitary gland exhibits greatly increased activity and has increased in size. Such activity causes degenerative changes in many of the organs of the salmon. To determine if these degenerative changes which lead ultimately to death could be inhibited, spawning was prevented by castration. The noncastrated salmon all matured and died in their fourth year, while the castrated salmon continued to live and keep their juvenile appearance until the seventh year when they began to show evidence of senility.

And, on page 33 of the report:

> Peter Marler and Mikawo Tamura, of the University of California, Berkeley, have recently examined the developmental basis of vocal behavior for a group of sparrows, finding clear evidence for the role of cultural transmission in the maintenance of normal patterns of singing behavior.

On page 34, we learn of a federally subsidized study of the genealogy of the common white potato, underway at Texas Research Foundation.

No indication is given in the report of the amount each of these programs is costing the American taxpayer, but the accompanying volume of grants and awards for 1964 includes the following National Science Foundation basic research support items:

The structure and physiology of cauliflory, University of California, $24,500.

Development of the avian embryo in relation to its supply of nutrients, University of California, $47,300.

Chemical differentiation in flower parts, Indiana University Foundation, $27,900.

Regional histological and histochemical study of the rat uterus, William Jewell College, Missouri, $15,400.

Analysis of the pigmentary system in spotted mice of the W series Alleles, Rider College, New Jersey, $13,700.

Normal and experimental embryology of the turtle, Research Foundation of the State University of New York, $37,300.

Studies of floral development, University of Oregon, $41,100.

Fright substances and alarm reactions in mollusks, Cornell University, $11,200.

Induced gonadal and somatic mosaicism, University of California, $62,000.

Calcium uptake by fragmented sarcoplasmic reticulum, University of Birmingham, England, $9,500.

Synthesis of quinoidal derivatives of pyrimidines and related heterocycles, Bar-Ilan University, Israel, $25,000.

Evolution of behavioral patterns in Galapagos finches and mockingbirds, Frederick Burk Foundation for Education, San Francisco, Calif., $46,600.

Developmental study of hippocampally ablated kittens, University of Michigan, $4,800.

The flora of Fiji, University of Hawaii, $40,600.

Life history of floecious tapeworm, Duke University, $7,900.

Copepod crustaceans, parasitic on fishes, University of British Columbia, Canada, $4,300.

Morphology and phylogeny of the heteropteran head, University of Toronto, Canada, $8,300.

Studies of siphonaptera, East African Institute of Mararia, Tanganyika, Africa, $15,000.

SCARED CLAMS

Until I have had an opportunity to interrogate National Science Foundation witnesses, I offer no comment other than the fact that I am intrigued by the idea of taxpayers supporting studies of how mollusks react when frightened. I have always accepted cool as a clam as a truism, and I question how many taxpayers appreciate having their money spent to perhaps learn otherwise.

LEGISLATION TO AMEND THE CIVIL SERVICE RETIREMENT ACT

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing legislation today to amend the Civil Service Retirement Act in favor of Federal employees. My bill would enable Government workers to retire earlier with their earned benefits.

Under the provisions of this bill a civil service employee could retire with full annuity after 30 years of service regardless of his age, thus eliminating the present requirement that the employee be 60 years of age.

The proposal also would qualify an employee for retirement with full annuity after 20 years of service, regardless of his age, if his job is eliminated when a military base is closed or through some similar action beyond the employee's control.

The bill also lowers from 30 to 25 the number of years an employee must have served in the civil service if he wishes to retire between the ages of 55 and 60 with a reduced annuity.

This legislation will have the effect of easing the adjustment for many loyal Government employees at military bases should the bases be closed. It will also have a beneficial effect on the economies of areas adjacent to any bases which may be closed, and will provide general benefits throughout the civil service system.

FREEDOM FOR CAPTIVE LANDS

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on February 18, 1921, the Armenian people rose in revolt against the Soviet Union, but despite their heroism they were overcome by force of arms of the overwhelming manpower of the Communist forces.

The Armenian uprising was especially tragic in that Soviet control of the area was reasserted just 2 months earlier under the pretext of providing freedom and protection.

In this day and age when colonialism is still a major issue on the U.N. agenda, we must reemphasize that the only major colonial power existing today is the U.S.S.R.

We must further reemphasize that the Armenian people and other captive nations of communism must be free if the principle of self-determination of peoples is to be effectively honored.

The determination of Armenians to retain their freedom wherever they may be is certainly to be saluted. Freedom-loving people everywhere share the desire of these people for the restoration of a free and independent Armenia.

Mr. Speaker, the most effective way for us to rededicate ourselves to the legitimate cause of the Armenian people is to urge upon our State Department a policy based on eventual freedom for the captive lands in necessarily direct contrast to the present policy of appeasing the Soviet Government.

H.R. 5062, PROVIDING FOR APPOINTMENT OF FEDERAL REGISTRARS

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Schweiker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, yesterday I introduced civil rights legislation (H.R. 5062) providing or the appointment of Federal voting registrars. Recent events in Selma, Ala., clearly demonstrate that Negroes are being denied the right to register and vote through the use of intimidation, obstruction, and intolerable delay. We do not give our Negro citizens the chance to delay sacrificing their lives in Vietnam but we present them with endless delays in their struggle to exercise the right to register and vote in communities such as Selma, Ala.

The Schweiker bill provides for appointment of Federal registrars when a Federal court finds a practice of discrimination in which at least 50 citizens in a voting district have been denied their right to vote.

If the court failed to find a practice of discrimination or failed to appoint registrars within 40 days, the President would do so if he received affidavits from 50 qualified citizens in the area that they had been denied the right to vote.

The registrars would register qualified citizens within the area and any applicant who has a sixth-grade education would be deemed to comply with all literacy, education, knowledge, or intelligence requirements under the Schweiker bill.

The bill also provides that the Federal registrars would oversee elections in the affected area and that the court would void the election if 50 or more persons in the area were refused permission to vote. Local voting officials who refuse to permit persons registered by the Federal registrars to vote could be held in contempt of court.

Mr. Speaker, I urge action on this legislation at the earliest possible moment. We must not delay longer in assuring that all citizens of this Nation are accorded their rights.

ASSISTANCE TO APPALACHIAN REGION

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Saylor] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SAYLOR. Mr. Speaker, while the legislation under consideration does not parallel in all respects the bill (H.R. 146) which I introduced on January 4 to provide for assistance to the Appalachian region, I feel that the measure as presently constituted will lay an excellent foundation for what we all seek to accomplish.

As I have already explained to my colleagues, in my opinion the maximum Federal assistance for highway construction should be increased to 80 percent, as provided in H.R. 146, instead of the 70-percent lid contained in the bill before us. Once the Appalachian Regional Commission recommends that construction of a highway in a particular area is advisable and important to the economic rehabilitation of that area, the whole purpose of this legislation would be detoured if the State were unable to make its contribution to the project. For this reason it is important to give the Commission more leverage than that now provided in this bill so far as Federal-State financial responsibilities are concerned.

At this time I wish to include my remarks before the ad hoc Subcommittee on Appalachia, House Public Works Committee, on February 5, 1965:

Mr. Chairman and members of the Special Subcommittee on Appalachian Development, I appreciate this opportunity to discuss with you legislation to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region. My interest in this legislation is based upon several factors—not the least important of which is the fact that the three counties I have the privilege of representing (Cambria, Indiana, and Armstrong) in the Congress are included in the definition of the Appalachian region. However, I am also interested in this legislation because of a sincere belief that we, as a nation, can be only so strong economically as our weakest part.

I do not think it is necessary to reiterate the dismal statistics indicating the unfortunate economic conditions in Appalachia for these data have been repeatedly spread upon the record of public hearings before distinguished committees of both bodies of the Congress and upon the public conscience by national communications media.

Mr. Chairman, I have introduced H.R. 146—an Appalachian regional development bill. Primarily, my bill is identical with the bill which was reported favorably by the House Public Works Committee last year. Therefore, it does not include the various changes from last year's bill which were included in H.R. 4 this year. I do not have any objection to the various changes contained in H.R. 4. There is one significant difference between my bill and H.R. 4 which I would strongly urge the committee to incorporate in any bill favorably reported. This change is found in the provision for an Appalachian development highway system contained in section 201.

Section 201(f) of my bill provides for a maximum of Federal assistance up to 80 percent of highway construction costs as compared with a maximum of 70 percent in H.R. 4. This proposed increase of 10 percent in the Federal contribution could have a significant, beneficial effect on developing an Appalachian highway system in the area which we all admit is suffering from severe economic distress. As an indication of the hardship which the 30-percent State contribution under H.R. 4 would place on States in the region, may I call your attention to a statement made by Gov. Hulett Smith, of West Virginia, before the Appalachian Subcommittee of the Senate Committee on Public Works—January 21, 1965. The Governor said:

"I must say in frankness that even 30 percent of the cost will be difficult to provide in a State such as West Virginia, which lies entirely within the Appalachian range and has a limited capital base from which to draw revenues for highways. However, we are determined to do our best."

The good folks of West Virginia may be determined to do their best to meet the 30-percent State contribution to highway construction, but it seems to me if the Congress sincerely wishes to provide real help, the State contribution should be reduced to 20 percent.

There may be some areas of the Appalachian region that would be better able to make a larger contribution to highway construction. Establishing the 80-percent maximum on Federal contribution would permit some areas to carry a larger share of the program if they were financially capable. Mr. John Sweeney, Chairman of the Federal Development Planning Committee for Appalachia, told the Senate Public Works Committee that he thought all the highway program would be built on the 70–30 basis. This is not required by the act but rather it is permissive. For this reason, I feel it would be more beneficial to increase the ratio from 70–30 to 80–20 and require some areas to come into the program at less than the maximum Federal participation. I think this section could still be carried out within the $840 million authorization for appropriation even with the increase in maximum Federal participation in some States.

Mr. Chairman, despite my general approval of this legislation, my reading of the Senate committee report on S. 3 (S. Rept. No. 13) has caused me a little bit of concern as to whether we are inadvertently including some new guidelines for water resource development. The Senate committee report states on page 16:

"The committee also understands from testimony that, in conducting the water resources survey, the Corps of Engineers will not delay authorized study programs or the reporting of existing studies which contain favorable recommendations. Further, the committee understands that this section will enable the Corps of Engineers to review areas where in the past it had not been able to recommend development work under existing criteria, and the committee understands that revised reports will be made on projects which might qualify under criteria developed from this act."

I would suggest that any witnesses from the Corps of Engineers to appear before this subcommittee on H.R. 4 be questioned in depth as to what sort of development work which the corps has been unable to recommend under existing criteria that might now be possible under criteria contained in this act.

Mr. Chairman, again I would like to express my appreciation for this opportunity to present my views today and repeat my sincere urging that the committee favorably consider my suggestion to increase Federal participation on the highway program to a maximum of 80 percent.

Mr. Speaker, the bill has also been amended in the Senate to restrict reclamation and rehabilitation of strip and surface mining areas exclusively to those in the public domain, whereas H.R. 146 would extend to private lands on which there is provided access and use by the public to assure an adequate public benefit. Yet I do not intend to protest this modification by the Senate, Mr. Speaker. I feel that this section of the bill as it now stands will be the foundation of an excellent start on getting into good use some of the wide areas of land now lying idle and unusable after having been devastated by shovels and draglines.

As a native of a region where wide expanses have been laid waste by stripping operations, I have long advocated that Congress lead the way toward removing the ugly scars on our landscapes through the medium of a study such as that provided in the Appalachia bill. The study will assist in determining the appropriate roles of Federal, State, and private interests in the reclamation and rehabilitation of strip and surface mining areas and the relative costs to be borne by each.

Meanwhile the provisions of this bill, even with the Senate's restrictive amendment, can open the way to immediate restoration of some of the pocked countrysides. I would hope that a good portion of stripped lands, now abandoned and almost valueless, can be added to the public domain in order to qualify for restoration without delay. While the need for such action is by no means exclusive to the State of Pennsylvania, we who have long been exposed to environs ravaged by draglines and shovels recognize the rehabilitation program as vitally important to economic growth. It will not only enhance our scenic attractions, open more recreation areas to the public, and restore fish and wildlife, but it will also show the way to further development of forestry and agriculture.

Mr. Speaker, unless one has visited reclaimed stripped mine regions, he cannot fully appreciate the benefits that are to accrue to a countryside if the land is properly cared for after the coal has been removed. Although the whole reputation of the coal industry has been tarnished by large numbers of irresponsible hit-and-run operators unconcerned about the looks of the land once they have finished with it, those companies who recognize public duty and public accountability have for years followed a policy of reclaiming the land they strip, often returning it to better use than in its original state.

The unsightly and devastated strip lands of Pennsylvania are largely the work of operators who, in their greed to remove the coal as economically as possible, did nothing whatsoever toward replacing overburden and topsoil. Most of the land was leased, or a royalty system was worked out with owners. From time to time State legislatures passed meaningless strip-tease laws that led the public to believe that reasonable reclamation methods were mandatory, but not until recently has there been any semblance of adequate legislation and enforcement powers in our mining States. Only a relatively few companies lived up to their public responsibility.

In the past week I have received a brochure on strip mining from an organization known as the Mined Land Conservation Conference, with headquarters in the Coal Building in this city. I assume that copies have also come to the desks of my colleagues, and I commend this booklet to your attention. It explains and illustrates techniques of mining companies which, through proper reclamation practices, create new forest areas, farms and grazing lands, lakes for boating and fishing, and wildlife preserves and public hunting areas. In short, it demonstrates what can happen to the desecrated stripped lands in your State and mine if a reasonable effort is applied.

Mr. Speaker, there are countless acres of damaged lands in Pennsylvania that can be given new life under the provisions of the Appalachia bill. Let us get started on a project that has been too long neglected.

WE DO REMEMBER THE "MAINE"

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, under the auspices of our beloved colleague, the gentleman from Illinois [Mr. O'HARA], our last veteran of the Spanish-American War, I am proud to mark this February 15, the 67th anniversary of the sinking of the battleship *Maine*. This terrible disaster triggered the first global war in which we were involved and through our swift and overwhelming victory thrust us onto the world political scene as a new international power of tremendous importance.

Our global responsibilities and involvements have burgeoned to the point where we are today the chief bulwark and leader of the free world.

The ranks of our Spanish-American War veterans are now thin and old. Their average age is 83. We are proud of them. We do remember the *Maine* and the heroes of old. They started us on a new path of world commitment. They have established for us the highest standards of patriotism and devotion to duty.

Let us pray that we shall do no less for those who follow us.

CLEVELAND OFFERS MASSIVE FEDERAL EDUCATIONAL BROADCASTING BILL

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, today I have introduced a bill to provide a massive program of Federal aid to education through the use of educational broadcasting and audio-visual techniques.

This bill calls for first-year appropriations of $1 billion to be allocated to the States on the basis of population with the controls of spending left to the educational authority of each State.

These funds would be used to create new educational radio and television broadcasting facilities or expand existing ones, as each State thinks fit. If a State wishes, it may also use the money to purchase time for educational broadcasts on commercial stations. The bill further envisions the creation of libraries of audio-visual aids and materials to be used in connection with these broadcasts.

While aimed primarily at elementary and secondary schools, institutions of higher education are authorized to benefit from the program.

The bill is designed particularly to avoid the constitutional disputes which have previously blocked Federal aid to primary and secondary schools. There would be no constitutional bar to private and parochial schools' using programs being broadcast generally. Nor do I anticipate any constitutional objections to allowing private and parochial schools to borrow or lease for a nominal fee audio-visual materials as they are available from the State repositories authorized under the legislation. This would be for the individual States to determine but there would be no Federal objections.

The needs of primary and secondary are great and, although this bill is not the complete answer, I sincerely believe it offers a major opportunity for providing real help. Educational television has already demonstrated its effectiveness and this is true of radio as well.

Through them the largest possible number of students can benefit from the instructions of our finest teachers using the most up-to-date equipment and techniques.

Like all professions, the teaching profession has its outstanding stars, persons whose special talents and abilities put them at the top. Through modern broadcasting, these talents can now be released and distributed so that the whole population may benefit. All teachers would benefit from this stimulation and their classes as well. Indeed, I imagine that millions of persons out of school would enjoy and benefit from watching and hearing top educational programs.

Through this bill and the wise use of the resources it would develop, much duplication of teaching effort would be eliminated. Local instructors would be able to concentrate more in giving individual attention than they can do now because they would be freed to a large extent from the necessity of working up separate courses. Yet each would still be able to provide his own personal touch to the broadcast course and fill in the gaps left by the lecturer.

The States would be free to create their own curricula and to coordinate their efforts with neighboring States in areas where broadcasts may reach into several States.

I urge my colleagues to give this measure careful study and I invite additional sponsors and, of course, welcome all comments and advice.

BASIC NECESSITY

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MORSE. Mr. Speaker, one little-noticed deficiency in our national educational system is the lack of attention given to instruction in the use of libraries.

A recent study of prospective teachers showed that 60 percent could not use the cards in a card catalog properly and that 35 percent could not interpret a cross reference in the Readers' Guide to Periodical Literature.

These are shocking figures and the Lowell, Mass., Sun has dramatized them in a recent editorial calling for a required freshman college course in library fundamentals.

I want to call this editorial of February 15 to the attention of my colleagues by inserting it in the CONGRESSIONAL RECORD following my remarks.

The editorial follows:

BASIC NECESSITY

To build anything, you need tools. If what is under construction is something called the Great Society, surely one of the basic tools is a sound educational system. And within that system, a basic accessory tool is surely the library.

But according to Francis Keppel, U.S. Commissioner of Education, more than half the Nation's public schools lack this requirement for forming educated, creative citizens.

To be exact, 53 percent of all public schools (70 percent of elementary schools) don't have libraries. In many cases, where libraries exist, they are inadequate.

The administration has slated $100 million to attack this situation as part of its proposed $1.5 billion Federal aid to education program.

Even if libraries were provided for these deficient schools, there is disturbing evidence that a sizable proportion of the teachers charged with instructing children in the use of them wouldn't know how to go about it.

Testing 4,170 prospective school teachers in 69 colleges in 38 States, Ralph Perkins, director of library education at the University of North Dakota, found that 35 percent of them were unable to interpret a cross reference in the Readers' Guide to Periodical Literature; 60 percent could not use the cards in a card catalog, and 90 percent did not know the meaning of a New York Times index citation.

Many of these prospective teachers didn't know the difference between a biography and a bibliography.

The reason, says Perkins, is simply that nobody ever taught them. In many colleges, a group tour of the library during orientation week is the only instruction students ever get.

The remedy is equally simple: A required freshman course in library fundamentals, conducted by a trained librarian.

The need would seem to be on a par at least with football stadiums and student recreation centers, if not dormitories, laboratories, and government research grants.

HIDDEN TAX BITE

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one thing that has become increasingly obvious to me during the past months is the lack of general public understanding concerning the size and the breadth of excise taxes which are collected each year. Few citizens realize that there are so many hidden Federal Government bites coming out of their pockets each and every day of the year. These excise taxes are enumerated in a recent budgetary compilation and I am including them at the close of these remarks.

Excise taxes reach out to every automobile transaction and are even added to the price that the student must pay for his musical instrument or certain athletic gear. Few Americans recognize the extent of this hidden tax bite. Telephone calls, railroad fares, entertainment, jewelry—hundreds of daily transactions are subject to the excise tax grab. It is time that we start surfacing some of these taxes and tell the American people the degree to which they are being directly and indirectly taxed in this Nation of ours.

TABLE 13.—*Sources of receipts*

[NOTE.—Estimates include effects of proposed legislation except for proposed excise rate reductions which are shown in total only]

[In millions of dollars]

Description	1964 actual	1965 estimate	1966 estimate
ADMINISTRATIVE BUDGET FUNDS			
Excise taxes:			
Alcohol taxes:			
Distilled spirits (domestic and imported)	2,536	2,650	2,750
Beer	887	915	940
Rectification tax	25	26	28
Wines (domestic and imported)	108	134	140
Special taxes in connection with liquor occupations	21	23	24
Total, alcohol taxes	3,577	3,748	3,882
Tobacco taxes:			
Cigarettes (small)	1,977	2,050	2,075
Manufactured tobacco (chewing, smoking, and snuff)	17	18	18
Cigars (large)	56	60	63
Cigarette papers and tubes	1	1	1
All other	2	2	2
Total, tobacco taxes	2,053	2,131	2,159

Description	1964 actual	1965 estimate	1966 estimate
ADMINISTRATIVE BUDGET FUNDS—con.			
Excise taxes—Continued			
Taxes on documents, other instruments, and playing cards:			
Issues of securities, stock and bond transfers, purchases of foreign securities, and deeds of conveyance	163	175	190
Playing cards	9	10	11
Total taxes on documents, other instruments, and playing cards	172	185	201
Manufacturers' excise taxes:			
Gasoline	----------	4	51
Lubricating oils	76	77	78
Passenger automobiles	1,746	1,775	1,825
Parts and accessories for automobiles	229	237	242
Electric, gas, and oil appliances	78	81	85
Electric light bulbs	42	44	47
Radio and television receiving sets, phonographs, phonograph records, and musical instruments	244	266	287

TABLE 13.—*Sources of receipts*—Continued

[NOTE.—Estimates include effects of proposed legislation except for proposed excise rate reductions which are shown in total only]

[In millions of dollars]

Description	1964 actual	1965 estimate	1966 estimate
ADMINISTRATIVE BUDGET FUNDS—con.			
Excise taxes—Continued			
Manufacturers' excise taxes—Continued			
Mechanical refrigerators, quick-freeze units, and self-contained air-conditioning units	63	68	72
Business and store machines	72	74	77
Photographic equipment	30	35	38
Matches	4	4	4
Sporting goods, including fishing rods, creels, etc	28	31	33
Firearms, shells, and cartridges	17	19	21
Pistols and revolvers	2	2	2
Fountain and ballpoint pens, mechanical pencils	9	10	11
Total, manufacturers' excise taxes	2,640	2,727	2,873
Retailers' excise taxes:			
Jewelry	189	205	215
Furs	30	31	32
Toilet preparations	177	197	215
Luggage, handbags, wallets, etc	79	82	87
Total, retailers' excise taxes	475	515	549
Miscellaneous excise taxes:			
Toll telephone service, telegraph and teletypewriter service, wire mileage service, etc	380	440	475
ADMINISTRATIVE BUDGET FUNDS—con.			
Excise taxes—Continued			
Miscellaneous excise taxes—Con.			
General telephone service	531	600	630
Transportation of persons	106	122	140
Transportation of freight by air			4
Fuel used on inland waterways			7
Jet fuel			72
Admissions, exclusive of cabarets, roofgardens, etc	47	52	57
Cabarets, roofgardens, etc	41	43	45
Wagering taxes, including occupational taxes	6	7	7
Club dues and initiation fees	75	80	85
Leases of safe deposit boxes	7	8	9
Sugar tax	95	95	95
Coin-operated amusement and gaming devices	23	23	24
Bowling alleys and billiard and pool tables	6	6	7
All other miscellaneous excise taxes	2	2	2
Total, miscellaneous excise taxes	1,318	1,478	1,659
Undistributed depositary receipts and unapplied collections	70	48	54
Gross excise taxes before rate reductions and repeals	10,304	10,832	11,377

MARGARINE SOYBEANS AND THE U.S. GOVERNMENT

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, on December 11, 1964, the U.S. Department of Agriculture made a very important announcement. It announced the beginning of a program of importance to all farmers who grow the various oilseed crops. The Department said it would begin buying margarine for people on relief and for the charitable institutions who care for some of our less fortunate citizens. While this buying program started less than 2 months ago, close to 15 million pounds of margarine have been bought by the Department so far.

Margarine today has become one of the largest and most expansive markets for our soybeans in the form of soybean oil. In 1963 margarine used nearly 1.2 billion pounds of refined soybean oil—the equivalent of nearly 50 million acres of the beans.

In this way margarine is serving as a major source of farm income, especially in those areas which, like the Middle West, grow edible oil seed crops.

It should also be pointed out that when margarine makers buy soybean oil, they are enabling the protein part of the bean to be sold at a more economical price as poultry, dairy, and livestock feed. The benefit goes in more than one direction.

In 1964 margarine use of soybean oil probably went up again owing to the increased sales of the vegetable spread. In 1965 another increase is foreseen.

Many of the margarines used in the United States today are wholly or mostly composed of soybean oil. And margarine has never been made so well as it is now.

It is something of an anomaly, therefore, that the U.S. Department of Agriculture has restricted the use of soybean oil in the margarine it is buying for donation purposes. The Commodity Credit Corporation's stocks of butter ran out late last year. It became necessary to buy margarine—which most Americans who are also taxpayers buy and use anyway.

The Department must follow a policy of not buying products with section 32 funds for donation purposes if they or the commodity from which they are made are over 90 percent of parity. Recently, soybeans have been near this level.

While the Department of Agriculture understandably must follow a policy that is in line with the law as set by the Congress, it would seem to be harmful to require the margarine now being made for the Government programs to do without soybean oil if the margin of soybeans' value over parity is slight, temporary, or a product of the rapid movements of a changing market.

To eliminate soybean oil in effect will require this margarine being made for the Government to be composed mostly of lard. Lard is an excellent product, but it is not the major ingredient of most margarines.

The prices of other vegetable oils are sufficiently higher than those of lard and soybean oil so that the manufacturer, if he is barred from using the latter, will turn mostly to lard. And, even with pure lard a major ingredient, there will likely be a portion of the composition given over to the more expensive vegetable oils, thus increasing the cost to the Government.

Further, to eliminate soybean oil from this Government program means that many manufacturers of margarines, who do not ordinarily make the animal fat or blend margarines, will not be able to participate. This limits the number of bidders. It is not only discriminatory in effect but jeopardizes the effectiveness of the Government's program.

It is therefore justifiable for the officials in the Department of Agriculture who have handled this program to adopt a policy of reasonableness and flexibility in their interpretation of the inclusion of soybean oil in their invitations when soybeans are near or at or even a fraction over parity value.

So far as I know, they have handled the program well and find themselves in a difficult spot with the soybean market as strong as it has happened to be since they inaugurated their program. Almost by coincidence, just as this program has been started, soybeans have hovered near, slightly above, or just below parity. No doubt, on a somewhat longer term basis, or a seasonal basis, there would not be this problem. Such a basis would be more realistic, and the average price would not be so close to parity level.

It would seem that the use of such a longer term or seasonal parity calculation would be fully justified by the Department in its handling of the technical situation in which it finds itself.

Another aspect ought to be considered.

Owing to the decline in butter supplies in Western Europe, a relatively large amount of American butter has found dollar markets there. This situation may well prove temporary, but it has been a welcome aid to the butter market.

By law, the Department of Agriculture must give priority to the sale of its surplus commodities for dollars, to other disposal channels. That, of course, makes commonsense. For some time, now, the Commodity Credit Corporation has been able to sell some of its butter for good dollars overseas. It has even been able to raise the price of the butter sold.

The interesting result is that our Government, for the first time in the history of the butter surplus program, has been finding itself selling some of its butter at 40 to 45 cents a pound to foreign buyers. At the same time, it is now buying margarine at around 14 cents a pound. The saving is considerable—around 25 to 35 cents a pound.

Under these circumstances it would seem strange that the margarine program should be afflicted with an in-and-out or "revolving door" policy on soybean oil when the reason is simply that soybeans have been figured, as of one certain day among many others, to be less than one-half of 1 percent higher than 90 percent of parity. I know Department of Agriculture officials are fully cognizant of this situation and I am sure they will handle it with good sense and judgment.

I am very pleased to see, at long last, the Government make margarine as well as butter available to the institutional and welfare claimants under its programs. Both are fine American foods. Margarine's nutritional values are fully recognized; many persons use vegetable margarine at their doctors' prescription.

Our farmers in the great Middle West can produce and supply enough soybean oil for the growing margarine requirement of our Nation. Soybean oil should be given every chance to compete fairly in the current Government programs without the intervention of short-term technical events.

Commodity Credit Corporation crop comparisons

Crop	CCC inventory value, Dec. 31, 1963 [1] (thousand dollars)	CCC inventory value compared to value of 1963 harvested crop [2] (percent)	Comparison of CCC soybean value to other crops stored (bean inventory value [1])
Wheat	$1,970,623	93.0	3127.0
Corn	1,046,096	23.0	1668.0
Cotton	987,674	[3] 39.0	1575.0
Sorghum (grain)	649,313	114.0	1036.0
Barley	36,469	10.0	58.0
Oats	11,286	2.0	18.0
Flaxseed	9,493	11.0	15.0
Peanuts (shelled)	9,447	[4] 4.0	15.0
Rice (rough)	8,140	2.0	13.0
Rye	891	3.0	1.4
Soybeans	627	.03	1.0

[1] Source: USDA, ASCS "Report of Financial Condition and Operation," Dec. 31, 1963.

[2] Source: USDA Corp Reporting Board, Statistical Reporting Service, "Crop Values," 1962 and 1963.

[3] Value of cotton lint used for comparison.

[4] Value of peanuts, picked and threshed, used for comparison.

A decade of yield changes—U.S. harvested crops

Crop	Average yield (per acre)		Yield increase in decade (percent)	Crop	Average yield (per acre)		Yield increase in decade (percent)
	1950-54 [1]	1960-64 [1]			1950-54 [1]	1960-64 [1]	
Grain sorghum	19.4 bushels	42.4 bushels	119	Oats	33.9 bushels	43.8 bushels	29
Cotton	297 pounds	476 pounds	60	Potatoes	151 hundredweight	192 hundredweight	27
Corn	39.4 bushels	62.1 bushels	58	Hay	1.43 tons	1.75 tons	22
Rice	2,411 pounds	3,725 pounds	55	Barley	27.8 bushels	33.9 bushels	22
Peanuts	889 pounds	1,354 pounds	52	Soybeans	20.3 bushels	24 bushels	18
Wheat	17.3 bushels	25.4 bushels	47	Flaxseed	8.7 bushels	9.6 bushels	10
Tobacco	1,292 pounds	1,880 pounds	46	Sugarbeets	15.5 tons	17.1 tons	10

[1] Yields were computed for a 5-year average to minimize any extreme fluctuation which might occur in any single year.

Soybeans for beans—States and Nation

State	1948		1953		1958		1963	
	Acreage	Yield	Acreage	Yield	Acreage	Yield	Acreage	Yield
	1,000 acres	*Bushels per acre*	*1,000 acres*	*Bushels per acre*	*1,000 acres*	*Bushels per acre*	*1,000 acres*	*Bushels per acre*
Ohio	908	20.5	1,036	20.5	1,441	26.0	1,755	24.0
Indiana	1,459	22.0	1,755	21.0	2,269	27.0	2,708	27.5
Illinois	3,354	24.0	3,751	20.5	5,066	28.0	5,575	29.5
Michigan	65	17.5	110	19.0	265	23.0	330	21.0
Iowa	1,564	22.5	1,597	21.5	3,116	25.5	3,643	30.0
Missouri	795	20.0	1,824	14.0	2,132	26.0	2,677	24.5
Kansas	167	15.0	496	8.0	421	22.0	832	14.5
North Carolina	264	13.5	263	14.5	454	23.0	597	24.0
South Carolina	23	10.0	130	11.0	362	15.5	710	17.0
Kentucky	121	19.0	96	13.0	155	24.5	234	24.5
Tennessee	67	20.0	150	13.5	276	23.5	528	21.0
Arkansas	264	19.5	665	11.0	2,026	24.5	2,923	17.5
Louisiana	35	14.0	40	16.0	130	22.0	296	22.0
Oklahoma	8	12.0	50	10.0	45	22.5	150	13.0
Texas	----	----	----	----	53	26.0	84	31.0
New York	5	16.0	5	16.0	6	17.0	4	16.0
New Jersey	11	16.5	27	18.0	45	25.0	46	18.0
Pennsylvania	16	16.0	19	17.0	15	22.0	6	19.0
Wisconsin	15	13.0	56	14.5	120	14.5	109	17.5
Minnesota	844	18.5	1,351	20.5	3,082	17.5	2.377	24.5
North Dakota	7	13.0	23	13.5	265	14.0	160	19.0
South Dakota	31	18.0	87	18.0	259	11.5	149	24.0
Nebraska	23	23.0	105	18.5	206	30.0	326	28.5
Delaware	41	12.5	64	16.5	161	22.5	204	18.0
Maryland	33	15.5	95	19.0	193	22.0	246	18.5
Virginia	106	16.5	167	16.0	269	22.5	350	14.0
West Virginia	1	13.5	----	----	----	----	----	----
Georgia	15	7.5	50	12.0	90	12.5	91	16.5
Alabama	55	20.0	92	20.5	132	22.5	156	21.0
Mississippi	133	18.0	250	12.0	800	23.0	1,317	19.0
Florida	----	----	12	18.0	46	25.0	45	25.0
United States	10,682	21.3	14,829	18.2	23,993	24.2	28,628	24.5

Source: Annual summary, 1949, 1953, 1959, 1963 Crop Reporting Board, USDA.

A decade of yield changes—U.S. major harvested crops

Crop	Average yield, 1949-53 [1] (per acre)	Average yield, 1959-63 [1] (per acre)	Yield increase in decade (percent)
Grain sorghum	19.9 bushels	40.9 bushels	106
Cotton	285 pounds	460 pounds	62
Corn	39.2 bushels	59.9 bushels	53
Rice	2,349 pounds	3,536 pounds	51
Wheat	16.5 bushels	24.5 bushels	48
Tobacco	1,265 pounds	1,753 pounds	39
Peanuts	905 pounds	1,245 pounds	38
Potatoes	147.4 hundredweight	191.4 hundredweight	30
Oats	33.4 bushels	46.6 bushels	27
Hay	1.41 tons	1.74 tons	23
Sugarcane	21.3 tons	25.5 tons	20
Barley	26.9 bushels	31.6 bushels	17
Soybeans	20.7 bushels	24.3 bushels	17
Sugarbeets	15.2 tons	17.4 tons	14
Flaxseed	8.9 bushels	9.3 bushels	4

[1] Yields were computed for a 5-year average to minimize any extreme fluctuation which might occur in any single year.

CCC crops inventory, Dec. 31, 1963

Crop	Inventory value, Dec. 31, 1963 [1] (thousand dollars)	Harvested crop value,[2] 1963 (thousand dollars)	Inventory value divided by crop value (percent)	Ratio of CCC inventory to soybean inventory (soybean inventory = 1)
Wheat	$1,970,623	$2,119,852	93	3,127.0
Corn	1,046,096	4,463,162	23	1,668.0
Cotton	987,674	[3] 2,541,142	39	1,575.0
Sorghum (grain)	649,313	568,923	114	1,036.0
Barley	36,469	355,540	10	58.0
Oats	11,286	621,971	2	18.0
Flaxseed	$9,493	$87,716	11	15.0
Peanuts (shelled)	9,447	[4] 220,786	4	15.0
Rice (rough)	8,140	351,751	2	13.0
Rye	891	31,802	3	1.4
Soybeans	627	1,845,339	.03	1.0

[1] Source: USDA, ASCS, "Report of Financial Condition and Operation," Dec. 31, 1963.

[2] Source: USDA Crop Reporting Board, Statistical Reporting Service, "Crop Values," 1962 and 1963.

[3] Cotton, lint.

[4] Peanuts, picked and threshed.

Scientist man-years employed per $100,000,000 of crop value, 1961

Crops	*Scientist man-years*
Soybeans	2.46
Corn and grain sorghum	3.17
Wheat and rye	5.19
Cotton	5.22
Tobacco	5.57
Oats and buckwheat	6.82
Rice	6.93
Barley	11.66
Potatoes	15.43
Sugarbeets and sugarcane	28.49

Crop production research investment, USDA, fiscal 1963

[Research investment per crop as percent of 1963 crop value]

	Percent
Cotton	0.160
Peanuts	.095
Rice	.086
Wheat	.084
Tobacco	.082
Soybeans	.037
Corn [1]	.035

[1] States provide approximately 3 times as many scientists in corn production research as does the USDA. In barley, cotton, rice, soybeans, and wheat the ratio of State scientists to USDA scientists is approximately 1 to 1.

A decade of change in farm crops—Harvested acres 1953-63

UNITED STATES

[In thousands]

Crop	1953	1963	Change
Hay (all)	73,918.0	66,728.0	−7,190.0
Corn (grain)	71.175.0	60,654.0	−10,521.0
Wheat	67,608.0	45,256.0	−22,352.0
Oats	39,358.0	21,757.0	−17,601.0
Cotton	24,434.0	[1] 14,230.0	−10,204.0
Soybeans	14,366.0	28,628.0	+14,262.0
Barley	8,534.0	11,538.0	+3,004.0
Sorghum (grain)	6,137.0	13,488.0	+7,351.0
Flax	4,380.0	3,238.0	−1,142.0
Rice	2,135.0	1,769.0	−366.0
Tobacco	1,638.0	1,175.0	−463.0
Peanuts	1,538.0	1,410.0	−128.0
Potatoes	1,508.0	1,361.0	−147.0
Rye	1,382.0	1,611.0	+229.0
Sugarbeets	747.0	1,236.0	+489.0
Sweetpotatoes	349.0	201.0	−148.0
Sugarcane	346.0	586.0	+240.0

[1] Estimated.

Source: Annual summaries, 1953 and 1963, Crop Reporting Board, USDA.

A decade of change in farm crops—Harvested acres 1953-63—Con.

ALABAMA

[In thousands]

Crop	1953	1963	Change
Corn (grain)	1,969.0	1,254.0	−715.0
Cotton	1,620.0	832.0	−788.0
Hay (all)	705.0	533.0	−172.0
Peanuts	215.0	193.0	−22.0
Oats	195.0	50.0	−145.0
Soybeans	92.0	156.0	+64.0
Velvetbeans	50.0	10.0	−40.0
Potatoes	38.0	21.3	−16.7
Cowpeas (peas)	26.0	7.0	−19.0
Sorghum (grain)	25.0	12.0	−13.0
Wheat	19.0	39.0	+20.0
Sweetpotatoes	17.0	8.6	−8.4

ARKANSAS

Cotton	2,070.0	1,230.0	−840.0
Hay (all)	946.0	666.0	−280.0
Soybeans	665.0	2,923.0	+2,258.0
Corn (grain)	620.0	176.0	−444.0
Rice	486.0	426.0	−60.0
Oats	209.0	57.0	−152.0
Tobacco	105.4	0	−105.4
Wheat	75.0	168.0	+93.0
Sorghum (grain)	22.0	6.0	−16.0
Cowpeas	17.0	3.0	−14.0
Barley	7.0	18.0	+11.0

DELAWARE

Corn (grain)	162.0	146.0	−16.0
Hay (all)	71.0	43.0	−28.0
Soybeans	64.0	204.0	+140.0
Wheat	55.0	21.0	−34.0
Rye	13.0	11.0	−2.0
Barley	10.0	11.0	+1.0
Oats	8.0	4.0	−4.0
Potatoes	6.6	9.5	+2.9

A decade of change in farm crops—Harvested acres 1953–63—Con.

FLORIDA

[In thousands]

Crop	1953	1963	Change
Corn (grain)	359.0	353.0	−6.0
Hay (all)	89.0	105.0	+16.0
Cotton	70.0	[1] 24.0	−46.0
Peanuts	55.0	48.0	−7.0
Velvetbeans	45.0	10.0	−35.0
Sugarcane	45.0	154.0	+109.0
Potatoes	42.0	35.1	−6.9
Oats	40.0	16.0	−24.0
Tobacco	24.5	17.9	−6.6
Sweetpotatoes	12.0	1.7	−10.3
Soybeans	12.0	45.0	+33.0
Wheat	0	35.0	+35.0

GEORGIA

Crop	1953	1963	Change
Corn (grain)	2,391.0	1,737.0	−654.0
Cotton	1,375.0	639.0	−736.0
Hay (all)	831.0	523.0	−308.0
Oats	659.0	125.0	−534.0
Peanuts	536.0	481.0	−55.0
Velvetbeans	201.0	43.0	−158.0
Wheat	160.0	66.0	−94.0
Tobacco	104.1	71.7	−32.4
Cowpeas (peas)	58.0	21.0	−37.0
Soybeans	50.0	91.0	+41.0
Sweetpotatoes	26.0	13.0	−13.0
Rye	10.0	27.0	+17.0

ILLINOIS

Crop	1953	1963	Change
Corn (grain)	8,962.0	8,849.0	−113.0
Soybeans	3,751.0	5,575.0	+1,824.0
Oats	3,110.0	1,413.0	−1,697.0
Hay (all)	2,603.0	2,047.0	−556.0
Wheat	2,103.0	1,785.0	−318.0
Rye	40.0	56.0	+16.0
Popcorn	29.0	12.0	−17.0
Barley	22.0	33.0	+11.0
Cowpeas (peas)	10.0	0	−10.0
Sorghum (grain)	0	5.0	+5.0

INDIANA

Crop	1953	1963	Change
Corn (grain)	4,562.0	4,642.0	+80.0
Soybeans	1,755.0	2,708.0	+953.0
Hay (all)	1,740.0	1,320.0	−420.0
Wheat	1,648.0	1,330.0	−318.0
Oats	1,266.0	484.0	−782.0
Rye	60.0	54.0	−6.0
Popcorn	40.0	27.0	−13.0
Barley	22.0	32.0	+10.0
Potatoes	12.0	7.0	−5.0
Tobacco	9.0	8.0	−1.0
Sorghum (grain)	2.0	10.0	+8.0

IOWA

Crop	1953	1963	Change
Corn (grain)	10,647	10,754	+107
Oats	5,948	2,800	−3,148
Hay (all)	3,858	3,327	−531
Soybeans	1,597	3,643	+2,046
Wheat	132	105	−27
Flax	25	13	−12
Popcorn	24	24	0

KANSAS

Crop	1953	1963	Change
Wheat	11,573.0	8,627.0	−2,946.0
Hay (all)	2,182.0	2,259.0	+77.0
Sorghum (grain)	1,915.0	3,700.0	+1,785.0
Corn (grain)	1,774.0	1,350.0	−424.0
Oats	1,062.0	344.0	−718.0
Soybeans	496.0	832.0	+336.0
Barley	112.0	276.0	+164.0
Rye	38.0	130.0	+92.0

KENTUCKY

Crop	1953	1963	Change
Corn (grain)	1,943.0	1,127.0	−816.0
Hay (all)	1,748.0	1,632.0	−116.0
Tobacco	326.2	248.4	−77.8
Wheat	317.0	145.0	−172.0
Oats	127.0	44.0	−83.0
Soybeans	96.0	234.0	+138.0
Barley	85.0	47.0	−38.0
Popcorn	32.7	12.4	−20.3
Rye	29.0	11.0	−18.0
Potatoes	17.0	9.0	−8.0

A decade of change in farm crops—Harvested acres 1953–63—Con.

LOUISIANA

[In thousands]

Crop	1953	1963	Change
Cotton	935.0	521.0	−414.0
Rice	593.0	508.0	−85.0
Corn (grain)	497.0	238.0	−259.0
Hay (all)	321.0	391.0	+70.0
Sugarcane	301.0	320.0	+19.0
Sweetpotatoes	96.0	58.0	−38.0
Oats	75.0	30.0	−45.0
Soybeans	40.0	296.0	+256.0
Cowpeas	13.0	4.0	−9.0
Potatoes	11.6	4.4	−7.2
Wheat	0	53.0	+53.0

MARYLAND

Crop	1953	1963	Change
Hay (all)	475.0	378.0	−97.0
Corn (grain)	404.0	400.0	−4.0
Wheat	257.0	138.0	−119.0
Soybeans	95.0	246.0	+151.0
Barley	73.0	87.0	+14.0
Oats	55.0	42.0	−13.0
Tobacco	45.0	34.5	−10.5
Rye	13.0	19.0	+6.0

MICHIGAN

Crop	1953	1963	Change
Hay (all)	2,414.0	1,750.0	−664.0
Wheat	1,515.0	1,060.0	−455.0
Corn (grain)	1,480.0	1,549.0	+69.0
Oats	1,380.0	724.0	−656.0
Beans (dry)	372.0	573.0	+201.0
Soybeans	110.0	330.0	+220.0
Barley	68.0	45.0	−23.0
Potatoes	58.0	46.2	−11.8
Sugarbeets	47.7	77.0	+29.3
Rye	46.0	44.0	−2.0

MINNESOTA

Crop	1953	1963	Change
Oats	5,140.0	3,329.0	−1,811.0
Corn (grain)	4,786.0	5,124.0	+338.0
Hay (all)	3,719.0	3,531.0	−188.0
Soybeans	1,351.0	2,377.0	+1,026.0
Flax	1,090.0	592.0	−498.0
Barley	1,000.0	719.0	−281.0
Wheat	997.0	877.0	−120.0
Rye	125.0	79.0	−46.0
Potatoes	78.0	107.8	+29.8
Sugarbeets	63.8	118.0	+54.2

MISSISSIPPI

Crop	1953	1963	Change
Cotton	2,490.0	1,438.0	−1,052.0
Corn (grain)	1,394.0	749.0	−645.0
Hay (all)	730.0	672.0	−58.0
Oats	267.0	70.0	−197.0
Soybeans	250.0	1,317.0	+1,067.0
Rice	70.0	49.0	−21.0
Wheat	45.0	42.0	−3.0
Cowpeas (peas)	25.0	9.0	−16.0
Sweetpotatoes	17.0	14.0	−3.0
Peanuts	6.0	4.0	−2.0

MISSOURI

Crop	1953	1963	Change
Corn (grain)	3,624.0	3,340.0	−284.0
Hay (all)	2,500.0	2,925.0	+425.0
Soybeans	1,824.0	2,677.0	+853.0
Wheat	1,578.0	1,191.0	−387.0
Oats	1,254.0	348.0	−906.0
Cotton	555.0	[1] 343.0	−212.0
Barley	96.0	71.0	−25.0
Sorghum (grain)	34.0	209.0	+175.0

[1] Estimated.

NEBRASKA

Crop	1953	1963	Change
Corn (grain)	6,891.0	5,132.0	−1,759.0
Hay (all)	5,711.0	4,925.0	−786.0
Wheat	3,856.0	2,953.0	−903.0
Oats	2,331.0	942.0	−1,389.0
Barley	191.0	115.0	−76.0
Sorghum (grain)	182.0	1,879.0	+1,697.0
Rye	136.0	151.0	+15.0
Soybeans	105.0	326.0	+221.0
Beans (dry, edible)	68.0	80.0	+12.0
Sugarbeets	52.3	82.8	+30.5
Potatoes	28.0	12.7	−15.3
Popcorn	17.5	8.0	−9.5

A decade of change in farm crops—Harvested acres 1953–63—Con.

NORTH CAROLINA

[In thousands]

Crop	1953	1963	Change
Corn (grain)	1,998.0	1,372.0	−626.0
Hay (all)	1,164.0	693.0	−471.0
Cotton	775.0	[1] 377.0	−398.0
Tobacco	685.4	471.5	−213.9
Oats	418.0	169.0	−249.0
Wheat	400.0	235.0	−165.0
Soybeans	263.0	597.0	+334.0
Peanuts	177.0	176.0	−1.0
Sorghum (grain)	59.0	47.0	−12.0
Potatoes	46.0	21.9	−24.1
Sweetpotatoes	45.0	21.0	−24.0
Barley	44.0	71.0	+27.0

NORTH DAKOTA

Crop	1953	1963	Change
Wheat	9,843.0	5,624.0	−4,219.0
Hay (all)	3,672.0	3,471.0	−201.0
Flax	2,367.0	1,855.0	−512.0
Barley	2,020.0	3,233.0	+1,213.0
Oats	1,823.0	1,852.0	+29.0
Corn (grain)	383.0	287.0	−96.0
Rye	197.0	399.0	+202.0
Potatoes	94.0	116.0	+22.0
Sugarbeets	34.7	50.5	+15.8
Soybeans	23.0	160.0	+137.0

OHIO

Crop	1953	1963	Change
Corn (grain)	3,358.0	2,903.0	−455.0
Hay (all)	2,597.0	1,907.0	−690.0
Wheat	2,384.0	1,402.0	−982.0
Oats	1,129.0	775.0	−354.0
Soybeans	1,036.0	1,755.0	+719.0
Potatoes	24.0	14.0	−10.0
Barley	20.0	29.0	+9.0
Rye	20.0	26.0	+6.0
Tobacco	17.0	14.0	−3.0
Popcorn	15.0	8.0	−7.0
Sugarbeets	14.0	29.0	+15.0

OKLAHOMA

Crop	1953	1963	Change
Wheat	5,898.0	3,591.0	−2,307.0
Hay (all)	1,467.0	1,485.0	+18.0
Cotton	1,010.0	575.0	−435.0
Sorghum (grain)	613.0	740.0	+127.0
Oats	539.0	217.0	−322.0
Corn (grain)	369.0	123.0	−246.0
Peanuts	120.0	116.0	−4.0
Broomcorn	97.0	42.0	−55.0
Rye	95.0	69.0	−26.0
Soybeans	50.0	150.0	+100.0
Barley	39.0	383.0	+344.0

SOUTH CAROLINA

Crop	1953	1963	Change
Cotton	1,175.0	[1] 537.0	−638.0
Corn (grain)	1,128.0	526.0	−602.0
Oats	658.0	175.0	−483.0
Hay (all)	443.0	332.0	−111.0
Wheat	202.0	70.0	−132.0
Soybeans	130.0	710.0	+580.0
Tobacco	122.0	80.0	−42.0
Cowpeas (peas)	62.0	14.0	−48.0
Sweetpotatoes	27.0	8.5	−18.5

[1] Estimated.

A decade of change in farm crops—Harvested acres 1953–63—Con.

SOUTH DAKOTA

[In thousands]

Crop	1953	1963	Change
Hay (all)	5,053.0	4,358.0	−695.0
Oats	3,696.0	2,590.0	−1,106.0
Corn (grain)	3,566.0	3,164.0	−402.0
Wheat (all)	3,503.0	2,013.0	−1,490.0
Flax	696.0	600.0	−96.0
Barley	471.0	356.0	−115.0
Rye	238.0	157.0	−81.0
Soybeans	87.0	149.0	+62.0
Sorghum (grain)	28.0	171.0	+143.0
Potatoes	12.5	116.0	+103.5
Sugarbeets	4.8	12.8	+8.0

TENNESSEE

Crop	1953	1963	Change
Corn (grain)	1,694.0	980.0	−714.0
Hay (all)	1,571.0	1,384.0	−187.0
Cotton	945.0	504.0	−441.0
Wheat	305.0	125.0	−180.0
Oats	268.0	61.0	−207.0
Soybeans	150.0	528.0	+378.0
Tobacco	114.2	84.1	−30.1
Barley	75.0	28.0	−47.0
Rye	28.0	9.0	−19.0

TEXAS

Crop	1953	1963	Change
Cotton	9,000.0	5,875.0	−3,125.0
Sorghum (grain)	2,836.0	5,772.0	+2,936.0
Wheat	2,710.0	2,321.0	−389.0
Corn (grain)	1,858.0	863.0	−995.0
Hay (all)	1,473.0	1,980.0	+507.0
Oats	1,450.0	667.0	−783.0
Rice	574.0	457.0	−117.0
Peanuts	299.0	270.0	−29.0
Flax	124.0	127.0	+3.0
Barley	90.0	180.0	+90.0
Cowpeas (peas)	61.0	49.0	−12.0
Broomcorn	49.0	20.0	−29.0
Rye	35.0	27.0	−8.0
Sweetpotatoes	30.0	14.0	−16.0
Potatoes	23.0	18.9	−4.1
Soybeans	0.0	34.0	+84.0

VIRGINIA

Crop	1953	1963	Change
Hay (all)	1,367.0	1,060.0	−307.0
Corn (grain)	775.0	454.0	−321.0
Wheat	339.0	179.0	−160.0
Soybeans	167.0	350.0	+183.0
Oats	156.0	58.0	−98.0
Tobacco	128.0	89.6	−38.4
Peanuts	107.0	104.0	−3.0
Barley	87.0	90.0	+3.0
Potatoes	36.0	29.4	−6.6
Cotton	30.0	14.0	−16.0
Sweetpotatoes	19.0	20.0	+1.0

WISCONSIN

Crop	1953	1963	Change
Hay (all)	3,927.0	4,009.0	+82.0
Oats	2,953.0	2,162.0	−791.0
Corn (grain)	1,558.0	1,502.0	−56.0
Barley	80.0	28.0	−52.0
Wheat	70.0	56.0	−14.0
Potatoes	61.0	53.0	−8.0
Soybeans	56.0	109.0	+53.0
Rye	46.0	30.0	−16.0

THE NEW POVERTY PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, if any of you ever doubted the need for the new poverty program last spring and summer when it was being considered by this body, the proof is in. During the last 6 weeks, nearly 150,000 young boys and girls have written to the new poverty program. Every day now more than 6,000 new requests are received.

Here is explicit proof that this program is needed and that poor boys and girls are ready to respond.

The President's message on poverty, which was forwarded to the Congress today, should be studied carefully by every Member. For in that message and in the programs proposed lie the hopes of hundreds of thousands of teenage boys and girls who need more education and training, who have come to recognize that fact and who are looking for some way, some chance, to get ahead.

EDUCATION IS KEY TO ELIMINATION OF POVERTY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOGGS. Mr. Speaker, it is a fact and it is a cliche that education is the key to the elimination of poverty in this great land. By repetition, the statement of this fact has perhaps lost force but let me say it again in the hope of fresh impressions: Education is the key to the elimination of poverty.

The colleges and universities of America have responded splendidly to the call for help: More than 600 of them have applied for grants from the Office of Economic Opportunity in order to conduct work-study programs.

These programs, as you know, provide part-time jobs on and off the campus for students from needy families, who, without added income would have to leave school.

To date, applications from some 500 institutions of higher learning for work-study funds have been approved.

Thousands of students will now be able to complete their education and add their talents and energies to the human resources of the Nation which are indispensable to our continuing progress.

POVERTY FRUSTRATES YOUNG PEOPLE OF NATION AT SEVERAL LEVELS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Jennings] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JENNINGS. Mr. Speaker, poverty not of their own making frustrates the young people of the Nation at several levels. The way to higher education is barred to many young men and women because they cannot afford even the time to pursue it. The college and university work-study program now holds out to them the hope of fulfillment. So far, grants have been awarded to nearly 500 institutions in 46 States, the District of Columbia and Puerto Rico. They will allow approximately 35,000 students from needy families to go to, or to stay in, college. We must see that the Great Society is not deprived of the contributions of these and other young men and women of high promise.

PRESIDENT'S FARSIGHTED MESSAGE ON THE PROBLEMS OF THE POVERTY STRICKEN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Byrne] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, almost 1 year ago, when our Chief Executive sent to this body a humane and farsighted message on the problems of the poverty stricken of our nation there was much ridicule and doubt expressed by certain members of this body and the editorial writers of the press.

Many people doubted that poverty could be eliminated. "The poor ye shall always have with you," they quoted. Fifty years ago the prophets of gloom and doom told our grandfathers that smallpox, yellow fever, diphtheria, and polio would always be with us.

But in just a few months, Mr. Speaker, the President's war on poverty has won significant battles. Meaningful battles.

Everyone knows that the lack of education is the same to poverty as the lack of a new vaccine is to the most dreadful diseases. And with the weapons this Congress provided through the Economic Opportunity Act of 1964 we have provided the means for 100,000 young disadvantaged Americans to lift themselves by their own bootstraps and become worthwhile trained and educated American citizens. How is this being done? Through the Job Corps and the Neighborhood Youth Corps.

In a society that is becoming more and more complex, we have created an organization through which Americans can help Americans. A domestic person-to-person program. How is this being done? Americans of all ages and backgrounds are becoming VISTA volunteers to work in the slums, and on Indian reservations, and rural communities.

Mr. Speaker, the war on poverty can be won. It must be won. We should not cease fire in this war until every American, in our generation and in the generations of future Americans, has the opportunity to rise out of poverty and realize the dignity that is his God-given right.

YOUTH JOINS THE JOB CORPS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Nix] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NIX. Mr. Speaker, America's young people who need help are responding at rates unheard of except in time of war. One hundred and twenty thousand who are out of school and out of work have applied since January 1, and applications are coming in at 6,000 per day to join the Job Corps. Thousands are signed up for the Neighborhood Youth Corps.

The Neighborhood Youth Corps is a program of far-reaching significance, both for young people on the brink of personal failure and for the neighborhoods they live in. Thirty-seven Neighborhood Youth Corps projects in 23 States are getting underway. They will make jobs available to 41,045 young men and women and will make a telling contribution to other antipoverty projects of the neighborhoods. In addition, approximately 50,000 young people will get jobs this summer that they need if they are to return to school in the fall. This effort is a basic and a hopeful one. It must be sustained and accelerated.

Skeptics who thought that the children of the poor will not help themselves when given a chance, underestimate the desire of everyone to be somebody and participate in the American dream. If we must build more facilities to take care of these youths who want to succeed, this will be the best investment we can make. Every youth we help escape from poverty will not only save taxpayers thousands of dollars of relief costs, but help these young Americans realize their full potential.

THE HUMAN SCRAP HEAP

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Minish] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MINISH. Mr. Speaker, the pages of our newspapers are literally full of reports that our young people are consigned inevitably to the human scrap heap; that they possess neither the will nor the way to contribute to this Nation's reservoir of human resources. There have been reports that the problem of crime in the streets is one that can be resolved only by sending more delinquents to jail.

But I call to your attention, and to the attention of this honorable body, the fact that in the 6 weeks since the first Neighborhood Youth Corps was established, under the administration of the U.S. Labor Department and funded by the Office of Economic Opportunity, more than 350 young people in the city of Newark, N.J., have enrolled in the program and have gone to work. They are employed in useful, productive occupations—as sign painters, as nurses' aids, as motor vehicle repairmen, as gardeners and in a host of other areas of employment.

I would further point out to you, Mr. Speaker, that nearly 200 of those young persons enrolled in the Newark program have returned to school—this time to night classes, while working 20 to 30 hours each week during the daytime hours.

This is but a small sample of what we expect to take place at nearly 40 such centers in urban areas all over the United States.

THE WAR ON POVERTY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATTEN. Mr. Speaker, I would suggest to you that the war on poverty has demonstrated beyond even the slightest doubt, that the capacity of Americans for human compassion is limitless. I call to your attention a recent letter written to the President by a man in South Lyon, Mich. He owns a modest hotel in that small town and his means are similarly modest.

But he wrote, in part:

> I have two old gentlemen staying with me for the last couple of years. Their income is $80 per month. I had been charging them $30 a month, which didn't leave them much to live on. But your war on poverty program sounded so good, I decided to start my own. So I quit charging them rent, and they are happy about it, and it makes me feel good, too.

The hotelman's letter continued:

> So, Mr. President, just keep on doing a terrifically good job that you are and if I can be of any service to you, it would be a pleasure.

This, then, is the voice of human compassion which is alive and vibrant in our land. This is the response to the President's war on poverty.

It is being repeated and amplified like a crescendo everywhere.

THE JOB CORPS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GREEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, the tremendous and swelling response from young people throughout the Nation who are out of school and out of work, and who want to forge new opportunities for themselves by joining the Job Corps, points up both the need of the present and the hope of the future. As of this morning, 121,684 young men and women from every State in the Union, the District of Columbia, and Puerto Rico have sent in opportunity post cards telling of their interest in volunteering. They are knocking at the door. It must be opened.

THE COMMUNITY ACTION PROGRAM OF THE WAR ON POVERTY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. GILLIGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, the latest statistics released to me on the community action program of the war on poverty paint an impressive picture.

In my opinion, the response to this program in the few months of its operation has been unprecedented in the history of voluntary community support of a national program in times of relative peace.

Within 100 days following passage of the Economic Opportunity Act of 1964, more than 1,000 community action groups were activated by local initiative. And I am told many others are being formed. Involved in these are tens of thousands of prominent industrial, business, and civic leaders who are giving freely of their time and resources to make the war on poverty a hometown fight.

In this period, 152 separate war on poverty projects have been put into operation in virtually every State. These projects are already touching the lives of millions in over 90 percent of cities of over 50,000 population, 165 rural areas, and 3 Indian reservations. Some 400 additional programs are being processed and more applications are being received every day.

Preschool programs, which strike at the roots of the poverty, dropout, and juvenile delinquency problems, are becoming operational in Detroit, Pittsburgh, New Haven, Devils Lake, N. Dak., Washington County, Va., Los Angeles, Milwaukee, Corpus Christi, Chicago, and Cincinnati. Some 9,000 deprived children between the ages of 3 and 5 are already benefiting from these programs.

The poor themselves are becoming involved and interested in their local antipoverty programs and organizations. Every community action group includes representatives of the poor themselves. There are now 3,000 nonprofessional aids—the poor themselves—working directly in local programs. By summer, it is estimated there will be 15,000 poor employed in the self-help programs.

Compared to the need this program must fulfill if it is to be successful, this is just the beginning. But it is a most impressive beginning, nevertheless.

PROBLEMS OF DESTITUTE ADULTS RECEIVING ATTENTION IN THE WAR ON POVERTY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SWEENEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SWEENEY. Mr. Speaker, the special problems of destitute adults are receiving special attention in the war on poverty. Emphasis is being placed on the unemployed with dependent children. Twenty-six work-experience projects in 13 States, Puerto Rico, and the Virgin Islands have been, or are in the process of being, funded. The 25,000 unemployed who will participate have an estimated 78,000 dependents. Consequently, about 103,500 people will benefit. These projects are closely tied in with adult basic education programs, which strike at the problems of illiteracy. These programs make a direct offer of opportunity in the present. Their indirect benefits in the future are incalculable, but vital.

LEGISLATION TO AMEND THE MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I rise to introduce a bill which will amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to authorize assistance in meeting the initial cost of staffing the community mental health centers—an approach to meet the needs of a long neglected and national problem.

As you know, the act already provides for grants to the States for construction of comprehensive community mental health centers. It also authorizes grants to facilitate the preparation of community plans for these facilities. It does not, however, provide funds for the Federal support of the initial staffing of these centers with competently trained scientific and technical personnel. A provision to this effect, which I strongly supported, was to have been part of the act, but was deleted in the final version.

One of the foremost problems now facing the communities which have begun planning and constructing mental health centers is how they are going to operate and maintain these centers once construction is completed.

It has become increasingly apparent that the financial burden of assuming new responsibilities for the care of the mentally ill will be more than many communities can shoulder. There is the already heavy burden of the State mental hospital system and many demands in other areas. Even in communities that can assume new financial responsibilities there will be delays in putting mental health centers into operation because of the difficulty of raising funds to staff them.

We cannot afford any delays in remedying this situation. If we aid planning and construction while withholding funds with which the centers could sustain themselves during the first difficult years, we will starve the child after teaching it to walk.

This is then, yet another case which points to the necessity of looking at the whole problem and formulating a complete, rather than partial solution. Of what value are buildings, however well planned and constructed, without sufficient, expert staff to carry out their purpose and function?

We must provide financial support to initially staff these community mental health centers. A bill with provisions for this assistance has already been introduced to the Senate by Mr. HILL, our distinguished colleague from Alabama. The bill which I place before you today, in identical provisions, would authorize the Secretary of Health, Education, and Welfare to make grants to meet a portion of the costs of compensation of professional and technical personnel for the initial operation of new community mental health centers or of new services in community mental health centers. These grants are to be awarded over a period of 4 years and 3 months and are to be paid on a formula basis in which sums regularly decrease over the period of the grant.

When the late President Kennedy suggested to the 88th Congress what should be done to meet the problems of mental illness and mental retardation, he proposed a three-part program. Two legs of that tripod were authorized by the 88th Congress—grants to the States for construction of community mental health centers, and grants for preliminary planning of these centers. We cannot let the whole program fall because of the failure to provide the third leg of this tripod—short term project grants for initial staffing. The late President knew this—and included it in his request to the Congress.

It is my conviction that the great momentum of the community mental health centers movement must not be lost because of the Federal Government's failure to provide adequate support. It is imperative that we meet this need swiftly and boldly—in a mood and manner to match the version of our martyred President.

UNITED NATIONS ASSESSMENTS IN ARREARS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Staggers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STAGGERS. Mr. Speaker, 13 nations out of more than a hundred members of the United Nations are holding up action in that body by refusing to pay their legal assessments. The majority against them is 7 to 1. In any legislative body, seldom can so few subvert the purposes of so many.

Membership in the United Nations was sought and accepted on a voluntary basis. The rules of the organization are clear and unequivocal. Ambassador Stevenson has put forward the only interpretation that can be placed on them. The defaulting nations must pay up or accept the responsibility for wrecking the league. The International Court agrees that the assessments are legal and binding.

It may be remembered that the Confederation of American States during and after the Revolutionary War encountered exactly the same problem. It could command, but it could not compel obedience. Our forefathers had the nerve and the wisdom to fashion a system that could rule as well as advise. In doing so, they averted a real crisis.

The overdue assessments amount to an insignificant sum, $136 million. No one claims inability to pay. The excuse offered by the defaulting nations is only that they did not agree with the purposes for which the assessments were being spent. No organization can operate on such a principle. The fact that the United Nations is in financial straits because of nonpayment is beside the point. The real question is whether or not the United Nations has sufficient stability to enforce its own regulations.

The peacekeeping functions of the United Nations are important to the whole world in this age of turmoil. We can permit a few nations to break up the organization and let loose chaos internationally, or we can take a firm stand in favor of a procedure that has already proved its effectiveness. It is difficult to believe that any recalcitrant nation would carry its opposition to the point of withdrawal from the league. Every one of them needs its services as much as the compliant nations need them. They will not get out from under a shield which covers most of the civilized world.

The talk of some form of compromise does not meet the requirements of the situation. A compromise is an expression of weakness. Mr. Stevenson has stated the position of the United States in his usual masterful manner. The Congress should support him with all the vigor at its command. A determined firmness on the part of the makers of the Constitution of the United States carried the issue in 1789. The situation is in need of equal firmness today.

PROPOSED BUDGET OF THE DEPARTMENT OF THE INTERIOR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Sweeney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I rise to draw the attention of the House to the proposed budget of the Department of the Interior for the ensuing year, which indicates that the Department intends to expend approximately $837 million.

Mr. Speaker, the amount of this request includes Interior Department supervision of Geological Survey, Bureau of Mines, Office of Coal Reserve, Minerals Exploration, Oil and Gas, Bureau of Commercial Fisheries, Bureau of Sport Fisheries and Wildlife, Office of Saline Water, Office of Water Resources Research, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and Bureau of Outdoor Recreation.

It is proposed that of the $837 million, the Department of Interior spend some $689 million in the United States for the above programs.

As Congressman at Large for the State of Ohio, it is of great interest to me to note that the Department of the Interior has reserved but 0.5 percent of its forthcoming budget for programs within the State of Ohio.

Mr. Speaker, I wish to draw the attention of this House to the fact that Ohio ranks sixth insofar as the dollar amount of revenue received by the Federal Government in taxes. The Commissioner of Internal Revenue Service reported that for the fiscal year ending June 30, 1965, Ohio contributed $6,693,373,000 of the operating revenue of the Government, ranking behind Pennsylvania, Illinois, Michigan, California, and New York.

Mr. Speaker, Ohio is in desperate need of Federal assistance insofar as the development of recreational areas and parks. Ohio is unable, alone, to arrest the destruction of its water resources and to cope with the destruction of commercial fisheries in the State and the attendant destruction of sport fishing and wildlife activities. I am amazed that Department of Interior can be so unconcerned as to Ohio's needs. In the forthcoming proposed budget, Ohio has been relegated to the 34th position on expenditures and shall receive but $3,698,500.

While Ohio's tax contributions practically parallel those of Pennsylvania, Pennsylvania will receive $23 million under the Interior Department proposal.

Mr. Speaker, the inadequacies of the Interior Department program insofar as my State is concerned is quite apparent and it is equally apparent to me that there has been an historical discrimination against the interests of Ohio in the Interior Department allocations each year.

In my judgment, and with all respect for the fine work carried out by the Department of the Interior, this Department's activities have been historically directed toward the western States of our Union. This Department should not be a plaything for western legislators, and, in my humble judgment, the time has come for us to change the tune from "Home on the Range" to "Beautiful Ohio."

A BILL PROVIDING ADDITIONAL FEDERAL INCOME TAX EXEMPTIONS FOR THE PHYSICALLY AND MENTALLY HANDICAPPED AND FOR THOSE SUPPORTING A DEPENDENT WHO IS BLIND OR PHYSICALLY OR MENTALLY INCAPABLE OF CARING FOR HIMSELF

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I would like at this time to make a few comments in support of the bill I have introduced which will amend the Internal Revenue Code of 1954 granting an additional $600 Federal income tax exemption to a taxpayer or his spouse who is physically or mentally incapable of caring for himself plus an additional exemption for the person who is supporting such a dependent who is blind or physically or mentally handicapped.

Our present tax laws already allow an additional $600 personal exemption for taxpayers—or their wives or husbands if a joint return is filed—suffering a certain specified degree of blindness. However, this exemption does not apply to those supporting blind dependents, as for example, a child.

My bill would simply grant this additional $600 exemption to those suffering the most severe disability—those who are neither physically nor mentally able to care for themselves. It would further provide this same relief to those taxpayers who support the blind or other physically or mentally handicapped individuals.

At this time it is difficult to determine precisely just how many individuals would stand to benefit from enactment of my bill. It is known that 110,159 individuals claimed exemption for blindness under existing law in filing their income tax returns for 1962. My bill would add to this number each blind dependent who must rely on others for their financial support.

Similarly, it is difficult to determine how many individuals are physically or mentally handicapped to such an extent that they are incapable of caring for themselves. However, the U.S. Public Health Service in a random survey based upon household interviews conducted during the period from July 1959 through June 1961 estimated that 3,974,000 or nearly 4 million persons were physically or mentally limited to such a degree that they were unable to work, keep house, or go to school.

I am sponsoring this legislation primarily for humanitarian reasons. It will give some measure of relief to persons in these unfortunate circumstances, who through no fault of their own, are unable to live a normal life and take care of themselves. It will also grant relief to those struggling under the heavy financial burden of supporting these severely handicapped individuals.

Mr. Speaker, we cannot in all good conscience ignore the financial plight which faces so many handicapped Americans today. We must delay no longer in taking action providing additional assistance to these needy and worthy individuals who are struggling against many odds to make ends meet.

Few of us who are in more fortunate circumstances fully realize the hardships which face these people. While their earning power is cut off, the expenses of these handicapped individuals are greatly increased because of their afflictions.

Let me just briefly mention some of the additional costs which these people must bear. Many of them must have constant medical treatment and therapy. And this expense must be continued in order to rehabilitate them, if at all possible, so that they may be able to lead more normal and useful lives. Unless someone is at home to care for them, an attendant or practical nurse must be engaged to cook, feed, and care for them. Equipment such as wheelchairs, crutches, braces, artificial limbs, and other prosthetic devices must be purchased. These wear out from time to time and have to be repaired or replaced. It is frequently necessary to rent more expensive apartments either on the ground floor or with elevator service for those unable to climb stairs. Also, special alterations must be made in houses, providing ramps, widening doors, and so forth, for wheelchair patients. Drugs and medicines cause a further continuing drain upon one's limited funds. It is frequently necessary to engage taxicabs for the many visits which must be made to the doctor or to the physical therapist. Finally, wear and tear on clothing from constant friction caused by braces, crutches, and prosthetic devices is considerable and requires extra tailoring or early replacement.

Enactment of my bill will enable these handicapped persons or those supporting them to better meet their rising expenses. Present exemptions are simply not sufficient to provide them with a minimum decent standard of living. These tax savings will make it possible for them to enjoy a little more financial security and possibly a few more of the comforts of life.

To meet the compelling need of these individuals, therefore, I am requesting that prompt action be taken enacting my bill which will grant handicapped individuals and those supporting them this additional income tax exemption.

CONGRESSIONAL ACTIONS DEALING WITH CONFLICT-OF-INTEREST PROBLEMS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I have today filed with the Clerk of the House a statement of the financial holdings of myself and my wife as of December 31, 1964.

I have taken this action because I feel there is important need that public confidence be affirmed that Members of Congress are not using their public office for private gain. Also, difficult problems of conflict of interest frequently arise as to voting by a Member of Congress on matters in which he has a personal interest. I feel that the best resolution of these problems lies in full disclosure of the Member's personal involvements and that there should be legislation requiring such disclosure. I plan to introduce a bill covering this situation, but pending passage of appropriate legislation, I am making this voluntary disclosure, as many of my colleagues have done in the past.

There are related problems of more direct potential conflict arising out of Members' committee work in which we deal directly with sponsorship and drafting legislation. In these areas more stringent measures are necessary which I shall also cover in future legislation. In the meantime, I have attempted to dispose of any holdings that would present a conflict of interest in connection with my committee work on the Banking and Currency Committee.

To avoid any possible conflict of interest arising out of my association in the practice of law with William J. Kridel, 100 East 42d Street, New York, N.Y., I have dissolved that association and am no longer engaging in the private practice of law.

With respect to any situations not covered by the above actions or in which there may arise in the future a vote or official action which would involve any direct personal interest, I shall, of course, either disqualify myself from voting or acting or dispose of any holdings which may have generated such a conflict.

Mr. Speaker, we apply a very strict standard of conduct to the executive branch to require its members to avoid possible conflicts of interest. In many cases, these regulations are, in my opinion too harsh, requiring immense personal sacrifice to perform public service. Too frequently, the most capable private executives are lost to Government service by reason of the severity of these restrictions and I think disclosure requirements might better be substituted. I shall work toward this end. But whatever restrictions we apply to the executive we should most certainly apply to ourselves, for we, even more than they, are responsible for the public trust.

CAMPAIGN FINANCE ACT OF 1965

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I have today introduced what I hope will become the Campaign Finance Act of 1965—a bill first proposed by our late President John F. Kennedy—to establish a system of improved reporting and supervision of the financing of political campaigns, coupled with a system of incentives for broad participation in the financing of such campaigns.

The bill embodies the legislative recommendations of the Commission on Campaign Costs appointed by President Kennedy in October 1961. While those recommendations were limited to campaigns for President and Vice President, the Commission noted in its report that "the measures we proposed would have a desirable effect on all political fundraising." Therefore, the provisions of the bill I have introduced today apply to Senators and Representatives as well.

There can be no denying that candidates and parties must have the financial means to bring their views to the public. At the same time, the mounting costs of reaching the electorate put great financial burdens on candidates and the parties they represent.

These burdens must not force candidates for public office to depend either on large contributions from those with special interests, or in the alternative, on personal or family fortunes. Nor should these substantial costs bar qualified candidates from seeking public office simply because the aforementioned sources are not available to them, either by choice of circumstance.

It is essential that we broaden the base of financial support for candidates and parties. The tax incentive program in my bill is designed to encourage political giving just as educational and charitable contributions have been encouraged for years through tax benefits.

I propose a system of tax incentives for political contributions which offers two alternatives to the taxpayer: First, a tax credit against Federal income tax for 50 percent of contributions up to a maximum of $10 in credits a year; and, second, a tax deduction for political contributions for the full amount of the contribution up to a maximum of $1,000 per tax return per year.

The contributions eligible for tax benefits would include those made to any National, State, or local committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing the election of a bona fide candidate or candidates.

In addition, my bill would authorize the Postmaster General to provide each candidate nominated by a qualified political party one nonredeemable postage stamp to cover first-class postage for each registered voter eligible to cast a vote for that candidate's election.

A qualified political party, under the terms of this section, means one which in the last preceding presidential election presented candidates or electors for such offices on the official election ballot of 10 or more States.

Mr. Speaker, my bill also is based on President Kennedy's well-founded assertion that "full and effective disclosure is the best way to control both excessive contributions and unlimited expenditures."

To that end, my bill requires candidates, committees, and individuals to file with the Comptroller General periodic reports of contributions and expenditures. The majority of such reports would be made at those stages where they will best protect the public against abuses—during the actual period of political campaigning. Reports would be made on January 1 of each year, between the 10th and 20th days of March, June, and September, 15 days and 5 days before election day, and 30 days after election day.

Finally, my bill requires that all reports be submitted to a Registry of Election Finance to be established within the General Accounting Office. The Registry would have responsibility to receive, examine, tabulate, summarize, publicize, and preserve the reported data. This proposal, too, was recommended by the President's Commission on Campaign Costs.

The need for reform of the laws on campaign financing has not lessened since the report of President Kennedy's Commission. What our late President said in transmitting the Commission's recommendations to Congress on May 29, 1962, still applies today:

> The problems of political finance are not limited to any political party, but are common to all, and all will benefit from action on the legislation herewith transmitted. Enactment of these proposals will go a long way to improve the political climate.

Mr. Speaker, I hope the bill I have introduced today will have broad bipartisan support that will assure expeditious action by the Congress.

AID FOR NEW HAVEN RAILROAD

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GIAIMO. Mr. Speaker, today I have introduced legislation which is designed to provide a constructive program to aid the New Haven Railroad. This bill is identical to that introduced by Senator PELL and others.

Briefly, my bill will provide the mechanism for the beginning of a badly needed effort to save transportation in the New England region. It would—

First, encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval to Congress to the States of Massachusetts, Rhode Island, Connecticut, and New York to negotiate and enter into a compact to create a Northeastern Rail Authority; and

Second, provide Federal guarantees for certain loans and other credits to such an authority.

Mr. Speaker, we are no longer in a bargaining situation regarding the New Haven Railroad. We cannot bargain—we cannot delay—we cannot mediate. Our railroad is the principal transportation system in our area. The problems facing this railroad are well known to all of us. The solutions are less obvious.

I believe that this bill will provide the beginning of a renovation of New England's transportation network. Immediate cash subsidies are also obviously needed, but long range planning will be the real savior of transportation in southern New England.

Hearings on this and other measures affecting the New Haven will begin in the other body on March 2. I would hope that the appropriate House committee will also recognize the seriousness of this situation and move to expedite such legislation.

BANKING FOR PROGRESS IN LATIN AMERICA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, we are considering today a bill, H.R. 45, which would authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

My good friend and our former colleague, the Honorable Joseph W. Barr, Chairman of the Federal Deposit Insurance Corporation, delivered an address on October 26, 1964, before the State bank division of the American Banker's Association at its 90th annual convention.

Chairman Barr's remarks on "Banking for Progress in Latin America" are particularly appropriate to our debate here today and I commend his address to the attention of our colleagues:

BANKING FOR PROGRESS IN LATIN AMERICA

(Address by Joseph W. Barr, Chairman, before the State bank division, American Bankers Association, at its 90th annual convention, Miami Beach, Fla., October 26, 1964)

> In these times, no word is used more often in public discussions than the word "peace." And that is as it should be, for the most important work of the Federal Government these days is keeping the peace.
>
> First of all, of course, we aim to keep the peace. We maintain in the United States an arsenal of military power greater by far than any nation today or in the past has ever maintained.
>
> Then we parley to keep the peace. We parley with the Russians on such subjects as disarmament—some of the most lengthy talks ever undertaken among nations, but absolutely essential to maintain the balance of hope in the proposition that the day will come when peace can be maintained without massive arsenals of destructive weapons, and without the proliferation of those arsenals in more and more nations.
>
> We parley with our allies and in the United Nations, in a never ending search for ways and means to build a structure of law and order with which to contain forces making for war. We parley about everything from Cyprus and the Congo to South Vietnam and Indonesia because we all know that every shot between nations today is a shot heard 'round the world.
>
> And we work for peace in a hundred different ways through helping others to help themselves escape the worst trials of poverty, for we know that both at home and abroad poverty breeds strife.
>
> This work can be intensely personal and direct, like the work the men and women of the Peace Corps are doing in 46 countries overseas today. This work can involve historic partnerships between the United States and the governments of key developing nations such as we have in the Alliance for Progress and in our foreign aid programs in India and Pakistan—partnerships which serve to give substance to the promise that there is an alternative to a life of poverty and strife for the world's one billion undernourished, underemployed, and undereducated.
>
> It is not surprising that the word "peace" should dominate the public discussions in the United States in these times. For the business of maintaining peace is an exacting, testing, exhausting business which requires of government leaders today a clarity of mind, a firmness of purpose and a breadth of understanding and experience so far beyond the ordinary as to make the problems of peace in past decades seem like mere footnotes in comparison.
>
> I want to say a few words today about a very unusual banking institution which you might say has been quietly and effectively banking for peace for the last 17 years. I refer to the World Bank and its sister agencies, the International Development Association and the International Finance Corporation. The World Bank family has proved itself one of the most effective working instruments for maintaining the peace; its task has been to create opportunities for people to earn a way out of their poverty.
>
> When the World Bank opened its doors less than a year after World War II, it was very much an experiment in international cooperation and one which few bankers thought

would prove to be successful. It was called the International Bank for Reconstruction and Development and it quickly became very obvious that the task of postwar reconstruction was far beyond its means. It took a Marshall Plan to help restore Western Europe and Japan.

But the idea of the Bank as a development agency, mobilizing private funds for investment in important development projects in the countries of Asia, Africa, and Latin America, has proven to be one of the great ideas of the postwar period. And American bankers can take pride in this achievement. For the World Bank has been captained from the start by a series of distinguished American bankers—Eugene Meyer, John J. McCloy, Eugene Black, and now George Woods. And the American financial community has provided the great bulk of the Bank's funds.

The Bank started to make loans in Latin America in 1948; in India in 1949; in the Middle East and Africa in 1950. Its annual lending was only $300 million in 1951. But by 1958 it had reached $700 million, and this year, supplemented by the funds of the IDA, it topped $1 billion for the first time. Hundreds of projects in 80 different countries have received support from the Bank in the last 15 years.

It is a rare thing to be able to say of an international organization today that it has proved a financial success, an economic success, and a diplomatic success. The World Bank, whose 102 member governments make it almost as international as the United Nations itself, is all of these things.

One test of the fact the financial success of the Bank is the fact that its bonds have been floated successfully in the United States, Canada, the United Kingdom, Belgium, the Netherlands, West Germany, Switzerland, Italy, and Austria. World Bank bonds are held by private investors in virtually every non-Communist country in the world today. The Bank's outstanding funded debt—about 40 percent of it held in the United States and 60 percent outside the United States—amounts to $2.5 billion.

The Bank's success in the private capital markets of the world, more than anything else, made possible in 1960 the establishment of the International Development Association, through which some $1.5 billion in contributions from member governments has already been mobilized. Creation of IDA stemmed from a recognition by the Eisenhower administration in the United States and the other member countries that many of the developing nations of the world had contracted all the debt that they could possibly service. If these countries were to continue the progress they had started, they needed a source of funds repayable over very long periods, with an initial grace period of up to 10 years, and very low interest rates. The International Development Association was designed to meet this need. The financial effect of IDA, of course, has been to reduce the Bank's effective interest rate in its borrowing countries by "mixing" with regular Bank loans IDA "credits" which normally run for 50 years with a nominal service charge in lieu of interest. I will presently have something further to say about the importance of IDA in the World Bank family. But, financially speaking, IDA has permitted the Bank to maintain its high volume of lending, while at the same time giving added protection to the whole international credit structure.

The World Bank also makes a profit. Net earnings, in fact, have been running at a rate of $100 million a year recently, resulting in accumulated reserves in excess of $850 million. So strong is the Bank's financial position that this September in Tokyo the Governors of the Bank voted to transfer $50 million out of last year's net income to IDA—a kind of dividend, if you will, which the Governors voted to plow back into the work of the World Bank through IDA.

I stress the financial success of the Bank because you are bankers. But to me the Bank's success in what has come to be called development diplomacy is much more important and it is what has made possible its financial success. Through its lending policies the Bank has stimulated far-reaching internal reforms and innovations in borrowing countries.

This is an important and delicate matter. You all are familiar with the confidential relationship which exists between any banker and his client. Consider how very delicate that relationship is when a banker's clients are 80 sovereign governments or agents thereof.

However, I want to emphasize that the Bank's business is very much down to earth—very much like the kind of business with which you are familiar. The Bank lends money for specific projects, largely in the fields of power, transportation, and communication, but also in industry and to a smaller extent in agriculture and education. The project is the important thing. Of the $8 billion which the Bank has loaned, every penny has gone to buy materials, equipment, or services for a specific project of importance to the development of a borrowing country. Economic and social change may develop in a country in which the Bank is financing projects. But these changes flow almost naturally from an improved economic climate and the Bank's lending policies rather than from direction by the Bank itself. Here again, I think this is a pattern that all of you can recognize and understand.

Typically, Bank projects are big projects—big at least in terms of the borrower's economy. The Bank has financed the installation of more electric power in Latin America since 1950 than existed in Latin America prior to 1950. It has financed about 7,000 miles of new railroads and the rehabilitation of perhaps twice that amount. But the important thing is that each Bank project is approved only after a great many conditions are met. These "conditions" might entail new methods of internal financial controls in public utility operations, including new rate structures; they might include the reorganization of a highway maintenance department; they might include the establishment of a public authority, such as a port authority; they might include a contract to hire expert management from abroad for a number of years. However, these conditions have not been laid down by the Bank in an attempt to achieve social reform; they have been imposed to make certain that the borrowing nation will have a reasonable opportunity to pay off its loan.

What the Bank calls its project approach is one of the successful techniques in development diplomacy so far perfected. But the Bank has other diplomatic strings to its bow. For example, through the good offices of the Bank, India and Pakistan signed an historic agreement in 1960 on a plan to divide the waters of the Indus Basin where 40 million people earn a living only insofar as regular supplies of irrigation water can be brought to their land. In 1958 the Bank was able to effect a settlement of the claims and counterclaims arising out of the nationalization of the Suez Canal. Several important cases of long-defaulted bond issues have been settled thanks to the intervention of the Bank as a mediator. At Tokyo this September the Bank's Governors voted to send to governments a plan for a new arbitration service, to be available when foreign investors and governments together wish to ask the Bank's aid in settling outstanding disputes.

Perhaps the most interesting and complicated diplomatic task the Bank has undertaken has been to take the lead in forming from among all the major countries and institutions giving foreign aid a series of "aid consortia." Here the problems and programs of one country—India, or Pakistan, or Colombia—are discussed regularly and in common. These "consortia" are very informal; the idea is to have a full and frank discussion both among the aid donors and between them and the borrowing government. This way it has been possible to discuss privately the basic policies of the borrowing government and to express freely and frankly any apprehensions which may exist among the aid-giving nations.

There is, of course, a very definite limit beyond which a sovereign government, or even an international organization, can go in criticizing the domestic policies of another sovereign government. Too much open criticism leads to a breakdown in communications—an end to the possibility of cooperation; too little criticism may mean undermining the confidence of investors. The World Bank's "aid consortia" provide an imaginative new way to establish an effective, confidential banker's relationship with the governments of some of the less developed countries.

The "aid consortia" have also provided useful opportunities for the United States and the Bank together to urge our European friends to shoulder a more equitable share of the foreign aid burden. Compared to 5 years ago, the European share of aid to such countries as India and Pakistan is now far more reasonable. However, I feel that most people in Washington charged with responsibility for international affairs believe that Europe can and should do more.

A particular problem which Secretary Dillon has been hammering at for over 4 years is the problem of terms of aid. Some European governments still offer much of their credit to the developing countries on terms which may be suitable for normal commerce among industrialized countries but which are quite unsuitable for countries that are trying to finance large development programs with a precariously small supply of foreign exchange. Three-year credit, 5-year credit doesn't make sense if the equipment being financed is a railroad locomotive or a turbogenerator for a power dam. This is a bad way for governments to finance development because it piles up heavy debt burdens in the short run, before the equipment financed can possibly be expected to bring in much of a return.

The United States and the World Bank have both taken several steps in recent years to lengthen the maturity of their loans, to extend grace periods and, particularly, to provide capital at very low interest rates—the United States through the foreign aid program and the Bank through IDA. While some progress has been made in this direction in Europe and Japan, there is still a long way to go. Secretary Dillon accented this piece of unfinished business in his address to the Bank's Governors in Tokyo in September, and the United States will be pressing the point through the World Bank's aid consortia and elsewhere in the months to come.

Another piece of pending business before the World Bank family involves the International Finance Corporation. The IFC was formed 8 years ago to provide the World Bank with an instrument for dealing with private industrial enterprises in the developing countries without the necessity of governments giving their official guarantee to each loan—as is necessary under the World Bank's charter. IFC again was frankly an experiment; less than $100 million was contributed by member governments. The idea was that IFC should be a catalyst, providing only small investment sums out of its own capital, but organizing teams of private investors from the industrialized countries and the less developed countries to put up the bulk of the money needed for a given investment opportunity.

It has taken 8 years for IFC to devise effective operating procedures which are not too complicated for the management of new enterprises in the less developed countries and are at the same time attractive to private investors here and in Europe. The IFC has committed all of its original funds, about 30 percent in equity-type investments and the rest in loans. In the past year Mr. Woods faced the decision about how to increase IFC's capital. He could ask for further contributions; he could have IFC try to raise money through issuing its own securities; or he could revise the World Bank's charter to allow the Bank to lend directly to IFC. For practical reasons he chose the latter course, and Congress will be asked next year to approve amendments to the charters of the Bank and IFC.

This is an important step. It is a fact that one of the hallmarks of a poor or developing nation is the absence of a large business community, willing and able to invest money in productive industrial enterprises, as opposed to trade or real estate.

At the same time new industry is today both the symbol of the economic progress which the less developed countries want and the substance without which employment opportunities cannot be gained. The problem, then, is to improve the usefulness of the World Bank family as a source of industrial finance for private industry in these countries.

One useful way of doing this—a way pioneered by the World Bank—has been to help establish industrial development banks in the less developed countries, which can deal with many hundreds of small private investors. The Bank and IFC together have invested $290 million in this kind of institution. IFC now has the responsibility for building on this record.

If Congress approves amendments permitting the Bank to lend money to IFC, the latter will become in effect the World Bank's industrial department. While continuing to act primarily as a catalyst for other private investors, IFC will itself make larger industrial loans to private enterprises in the less developed countries.

I have tried to illustrate some of the ways in which the World Bank family has become a financial success, an economic success, and a diplomatic success. In conclusion let me say one word about the future.

The idea of "foreign aid" has been involved in a great deal of heated debate of late in the Congress and elsewhere in this country. But I don't have to point out to you, as bankers, that it would be the sheerest kind of blindness to ignore in our foreign relations one of the great strengths which the United States has as the free world's leader—the strength which comes from its very wealth as a nation. To conduct diplomacy without drawing on that strength would be as silly as to conduct warfare without using the Navy or the Air Force.

Working for peace through helping other nations to engineer some escape from their poverty is just as important work in terms of our own security and well-being as is the work of our defense planners and our regular diplomatic corps. If the task of the Defense Establishment is to maintain the balance of power in favor of freedom, the task of development diplomacy is to maintain the balance of hope in our favor and for the free world. The one without the other simply will not provide us and the free world with the security we must have.

When I first came to Washington in 1959 as a freshman Member of Congress, one of my first assignments was to help defend on the floor of the House of Representatives an increase in the resources of the World Bank. To prepare myself for this assignment I read everything about the World Bank family that I could find; I had long talks with Secretary of the Treasury, Robert B. Anderson, and with Mr. Eugene Black, who was then the President of the Bank. It seemed to me then, and I still believe, that the development of this great international financial institution marked a turning point in the affairs of men. In the past, warriors and diplomats have marched across the pages of history with scarcely a nod toward the banker or the financier. This great, highly successful organization of 102 nations now brings finance up to the top levels of international policy.

To me there is no more hopeful augury in the world today than the acceptance of the concept that economic development rates equally with military power in keeping the peace. As bankers this is something we can understand. I urge you all to acquaint yourselves with the programs and the problems of this great family of international institutions. When public debate arises, bring to the debate your skills and experience as bankers. This is our debate, and I urge you to make yourselves heard.

SMALL BUSINESS FAILURES IN 1964—THE SMALLEST NUMBER IN ANY YEAR SINCE 1956

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I would like to bring to the attention of our colleagues the fact that the decline in the number of small business failures continued in 1964.

The total number of small business failures last year was 13,501—the smallest number in any year since 1956. This represented a 6-percent decline from 1963 and is the third consecutive annual decrease since a high of 17,075 in 1961. The failure rate last year was 53.2 per 10,000 listed firms. The decrease in failures was most notable among business concerns under $25,000.

While million-dollar bankruptcies reached a new high of 152, thus raising 1964's total liability figure in dollar terms, this still did not reach the peak of $1,353 million set in 1963.

With continuing cooperation between the Small Business Administration, the banks, and the Congress, we can make 1965's figure even smaller.

NEW YORK CITY IN CRISIS—PART IX

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article from the January 30, 1965, edition of the New York Herald Tribune on New York City in crisis.

This installment concerns the frustration of those private citizens in the Cooper Square area of New York City when they tried to participate in a slum clearance project in their own neighborhood:

NEW YORK CITY IN CRISIS—COOPER SQUARE'S STORY OF FRUSTRATION

(By Marshall Peck)

One day in November 1960, Miss Thelma J. Burdict, chairman of the Cooper Square Community Development Committee, called on Mayor Wagner at city Hall. She and other committee members, who had stirred the community to fight against a slum clearance committee bulldozer-type refurbishment, told the mayor about their own ideas to plan ahead for Cooper Square.

Mayor Wagner, Miss Burdict recalls, was "very, very encouraging." She told him the plan her committee envisaged would be prepared under auspices of the community itself, and based on its needs and character.

"This is the way we want to think about redevelopment in the city," is the way Miss Burdict remembers Mayor Wagner's reaction to the proposal.

"But after we gave him the plan," Miss Burdict continues, "well—then he said nothing."

What transpired between that day in 1960, and today, or for that matter, since 1956, when the Cooper Square site was proposed for title I redevelopment, is the story of a neighborhood that has cried out for action, and been frustrated in getting it.

The plan as proposed by the slum clearance committee was dropped at the recommendation of the housing and redevelopment board, which has succeeded the former in May 1960.

The Cooper Square Committee presented its own alternate plan to the city in July 1961.

The city planning commission designated the area as suitable for urban renewal in December 1963, but it linked the Cooper Square site along with what is called the St. Mark's area.

Then, last November 19, the board of estimate overruled the city planning commission's own specific recommendation, and blunted the key of the Cooper Square alternate plan proposal by authorizing that a city-owned vacant lot be turned over for privately sponsored middle-income apartments instead of public low-rent housing.

"Yes, you might infer that this was a reversal of city policy," said a planning commission spokesman yesterday. And he added somewhat dryly, "the city can change its mind, apparently it's been doing that of recent."

Miss Burdict and members of the Cooper Square Community Development Committee have for the last 5 years waged a war for renewal in their own community. The alternate plan took shape under the guidance of the people that live there, in cooperation with the city planning commission and under direction of professional planners recognized as competent by the city. They were literally bowled over when they got word last June that plans for the middle-income building were afoot in an area needing low-income housing.

By October, they were making every effort to get to see the mayor, who in 1960 had praised their ideas, and ask him what had happened. The vacant lot, at Houston and Chrystie Streets, was to be the site of the first new building, and thereby the redevelopment could go ahead with orderly relocation by stages.

An all night vigil at Gracie Mansion in November exacted what the Cooper Square committee took to be a promise that Mr. Wagner would see them, but it wasn't until last Monday—the day the Herald Tribune presented the first article of its "New York City in Crisis" series—that Miss Burdict received word that the mayor would meet with committee representatives on Friday.

Thursday night Miss Burdict, Executive Secretary Wilbert Tatum, and others gathered at the committee's headquarters at 69 Second Avenue. Strategy was mapped: "We must stress aggressiveness, determination, we will fight to the last ditch," someone said.

Then yesterday, as the committee readied its forces for a frontal assault on city hall, word came that Mr. Wagner was sidelined with a cold and, regretfully, would not be able to see them. The appointment was rescheduled for Monday at 3:30 p.m., same place, same sides.

Miss Burdict, Mr. Tatum, Walter Thabit, planning consultant who mapped the alternate plan in a slick, professional 69-page book (dated July 31, 1961); Harris L. Present, housing consultant; Prof. Percival Goodman, of Columbia, an architect; Raymond S. Rubinow, foundations consultant, and others reached city hall anyway and stood in some confusion, concern, and uneasiness in the entry hall.

"We're sorry Mr. Wagner is ill," Miss Burdict said. "We hope he will be well enough to see us on Monday." Somewhat more briskly, she added: "And were looking forward to a positive statement Monday that he will use his offices to reverse the decision against low-rent housing on that key land site."

"That's the first step," said Mr. Tatum, "then we have to break up the linkage between Cooper Square (Delancey to East Ninth, between the Bowery and Chrystie-Second Avenue) and the overall city planned project (Delancey to East 14th, between the Bowery-Third Avenue and Forsyth Street-First Avenue)."

"Cooper Square was planned by the community and ready to go—long ago—," said Mr. Present, "and all this delay and change * * * in effect, it's sabotage."

"Any community action which is constructive is a rare thing," said Professor Goodman. "It's too bad that a community committee can assemble for hundreds of meetings, and put heart and soul into an effort, and then be pushed in the face. To put it mildly, the city is not very friendly to its citizens when something like this happens."

Mr. Goodman and Mr. Present, and others who commented, were of course not referring to Mayor Wagner's incapacity yesterday. They were blaming him, as leader of the city, for not following up and pressing for action on the endeavors they reviewed with him, and which he praised, 4 years ago.

One of the committee members said that Milton Mollen, city housing coordinator, had advised the Cooper Square group on January 5 that "we will work out the problem together—and if the worst comes to the worst, we'll meet and talk over alternatives."

"The whole notion of democratic procedure is a falsity," growled a committee member.

Meanwhile committee members reported they had word that the housing and redevelopment board, which has the assignment of shaping the future of the renewal in the overall area designated by the city planning commission, was sending out letters announcing that a hearing on application to the Federal Government for survey and planning funds will be heard before the board of estimate in February.

The city planning commission reacted somewhat unhappily to the situation that has developed.

"We feel very strongly about public housing, we have not changed our position," a spokesman said, in reference to the switch from the low-rent to middle-income building approved, in effect, by the Board of Estimate.

"It's too bad—people take us on our faith, and then the signals change."

As for the reason for the designation of a larger renewal area, rather than the smaller area desired by the Cooper Square Committee, the spokesman said he felt the commission had attempted to formulate a renewal area that would offer the most for the lower East Side neighborhood.

"We would be considered negligent if we said it should be done in two shots—instead of just one," the spokesman said.

Sentiment against the original Title I Slum Clearance Committee proposal was aroused when the community saw it as a plan "prepared with almost total disregard for those who were being displaced."

Among other things, there was no thought given to artists and to the homeless men of the Bowery. Thought has been given to these grousp in the alternate plan, its supporters say. Further, local people believed that "a perfectly sound business district was to be emasculated."

As pleased as the Cooper Square group was to see parts of its alternate plan adopted by the city planning commission, it was dismayed to find that the commission wrapped them up in a larger chunk.

So, while the community had a plan, and organization, and hopes, residents waited and waited * * * and waited, while controversy streamed back and forth about expansion (which would cover 11,000 households, instead of the Cooper Square's proposed 2,100).

"Well," said Miss Burdict, "if nothing else, maybe our organization and work is a great example of tenacity—a group of people who have worked so long together."

"And with so little effect," added Mr. Thabit.

WEST GERMAN-ISRAELI RELATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RODINO. Mr. Speaker, I should like to express here my disappointment and chegrin on learning that the West German Government has bowed to pressure from Egypt and reneged on its legal obligation to sell arms and equipment to Israel.

We all know the history of the young Israeli Nation and its diligent search for peace.

Let us hope that West Germany will immediately realize its error in submitting to a dictator who hopes to wipe Israel off the map and that it will rectify this action.

I look forward to seeing the former friendly relations between West Germany and Israel reestablished promptly and completely.

CLERK AUTHORIZED TO RECEIVE MESSAGES FROM SENATE AND SPEAKER AUTHORIZED TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, without amendment, a bill of the House of the following title:

H.R. 3818. An act to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Cabell (at the request of Mr. White of Texas), on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Herlong, for 30 minutes, today.

Mr. Ichord, for 1 hour, on Tuesday, February 23.

Mr. Olsen of Montana (at the request of Mr. Patman), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Farbstein, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Lindsay (at the request of Mr. Rumsfeld), for 1 hour, on Thursday, February 25; to revise and extend his remarks and to include extraneous matter.

Mr. Gallagher (at the request of Mr. Albert), for 60 minutes, on Wednesday, February 24, 1965; to revise and extend his remarks and to include extraneous matter.

Mr. Murphy of Illinois (at the request of Mr. Albert), for 60 minutes, on Wednesday, February 24, 1965; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Reuss (at the request of Mr. Patman) in his remarks today on the bill H.R. 45 and to include the report of the committee.

(The following Member (at the request of Mr. Rumsfeld) and to include extraneous matter:)

Mr. Martin of Alabama.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Brademas.

Mr. Garmatz.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, February 22, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

597. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 15, 1964, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of, an interim hurricane survey of, and a review of the reports on Broward County and Hillsboro Inlet, Fla., authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented, and Public Law 71, 84th Congress, approved June 15, 1955. It is also in response to a resolution of the Committee on Public Works, House of Representatives, adopted June 27, 1956 (H. Doc. No. 91); to the Committee on Public Works and ordered to be printed with two illustrations.

598. A letter from the Acting Director, Office of Civil Defense, Department of the Army, transmitting a report on Federal contributions program—equipment and facilities—for the quarter ended December 31, 1964, pursuant to subsection 201(i) of the Federal Civil Defense Act of 1950, as amended, accompanied by a table showing distribution by States; to the Committee on Armed Services.

599. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report on shipments to Yugoslavia insured by the Foreign Credit Insurance Association and the Export-Import Bank under the short term export credit insurance program, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1965 and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

600. A letter from the Comptroller General of the United States, transmitting a report on erroneous payments for military pay, leave, and travel at Ellsworth Air Force Base, S. Dak., Department of the Air Force; to the Committee on Government Operations.

601. A letter from the Chairman, Interstate Commerce Commission, transmitting five drafts of proposed legislation accompanied by legislative recommendations; to the Committee on Interstate and Foreign Commerce.

602. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to provide for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURLESON: Committee on House Administration. Report on the activities of the Select Committee on Government Research (Rept. No. 1941, pt. 2, 88th Cong., 2d sess.). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee on Post Office and Civil Service. Report on the Federal paperwork jungle (Rept. No. 52). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 1658. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of lead proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; with amendment (Rept. No. 53). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 1496. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of zinc proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; with amendment (Rept. No. 54). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 5124. A bill to amend section 215 of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 5125. A bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to guard strategic defense facilities against individuals believed disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on Un-American Activities.

By Mr. ASHLEY:

H.R. 5126. A bill to amend the Internal Revenue Code of 1954 to provide an additional exemption for a taxpayer or spouse who is physically or mentally incapable of caring for himself, and an additional exemption for a taxpayer supporting a dependent who is blind or physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 5127. A bill to extend the operation of the National Wool Act of 1954, as amended; to the Committee on Agriculture.

H.R. 5128. A bill making it a felony to carry or attempt to carry firearms or explosives on board commercial aircraft and to amend the Federal Aviation Act of 1958 so as to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public; to the Committee on Interstate and Foreign Commerce.

H.R. 5129. A bill to amend title XI of the Federal Act of 1958 to provide that certain provisions of insurance contracts covering loss of life or personal injury of passengers being transported in air transportation shall be null and void; to the Committee on Interstate and Foreign Commerce.

H.R. 5130. A bill to amend the Federal Aviation Act of 1958 so as to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 5131. A bill to amend title 38 of the United States Code to establish the number of hospital beds and domiciliary beds to be operated in facilities of the Veterans' Administration, and limiting the authority of the Veterans' Administration with respect to closing of facilities; to the Committee on Veterans' Affairs.

By Mr. EDWARDS of Alabama:

H.R. 5132. A bill to amend the Civil Service Retirement Act to provide for retirement with full annuity upon completion of 30 years of service without regard to age and with reduced annuity upon attainment of age 55 years and completion of 25 years of service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FINO:

H.R. 5133. A bill to increase from $600 to $700 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 5134. A bill to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers; to the Committee on Interstate and Foreign Commerce.

By Mr. GIAIMO:

H.R. 5135. A bill to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of Massachusetts, Rhode Island, Connecticut, and New York to negotiate and enter into a compact to create their own Northeast Rail Authority, and by guaranteeing certain loans and other credit to such authority; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 5136. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. HAYS:

H.R. 5137. A bill to provide for the establishment of a schedule of fees for the issuance of passports; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H.R. 5138. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

By Mr. KING of Utah:

H.R. 5139. A bill to amend section 379d(b) of the Agricultural Adjustment Act of 1938, as amended, in order to exempt from the requirements of such section wheat which is produced or processed solely for donation to needy persons; to the Committee on Agriculture.

H.R. 5140. A bill to extend the operation of the National Wool Act of 1954, as amended; to the Committee on Agriculture.

By Mr. KREBS:

H.R. 5141. A bill to establish a National Economic Conversion and Diversification Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT:

H.R. 5142. A bill to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools; to the Committee on Education and Labor.

By Mr. MILLER:

H.R. 5143. A bill to amend the Civil Service Retirement Act so as to provide relief for those employees involuntarily separated from service and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5144. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such waters; to the Committee on Public Works.

By Mr. MONAGAN:

H.R. 5145. A bill to authorize the disposal of copper from the national stockpile and the supplemental stockpile, without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

H.R. 5146. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 5147. A bill to amend the Federal Employees Health Benefits Act of 1959 to permit until December 31, 1965, certain additional health benefits plans to come within the purview of such act; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H.R. 5148. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

By Mr. REDLIN:

H.R. 5149. A bill to amend the Watershed Protection and Flood Prevention Act so as not to exclude from the benefits provided by such act areas which includes structure of 12,500 or less acre-feet of floodwater detention capacity; to the Committee on Agriculture.

By Mr. RESNICK:

H.R. 5150. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REUSS:

H.R. 5151. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; to the Committee on Public Works.

By Mr. RIVERS of Alaska:

H.R. 5152. A bill to authorize a study of methods of helping to provide financial assistance to victims of future natural disasters; to the Committee on Banking and Currency.

H.R. 5153. A bill to extend the term during which the Secretary of the Interior is authorized to make fisheries loans under the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROGERS of Colorado:

H.R. 5154. A bill to amend the Sherman Antitrust Act (15 U.S.C. et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 5155. A bill to amend the Internal Revenue Code of 1954 to repeal the tax on admissions; to the Committee on Ways and Means.

By Mr. ROUSH:

H.R. 5156. A bill to provide for the disposition of the funds arising from judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 5157. A bill to provide a system of health and safety rules and regulations and proper enforcement thereof; health and safety inspection and investigation; health and safety training and education for metallic and nonmetallic mines and quarries (excluding coal and lignite mines); and for other purposes; to the Committee on Education and Labor.

By Mr. SCHEUER:

H.R. 5158. A bill to amend the Federal Water Pollution Control Act to make certain changes in the treatment works construction program under such act; to the Committee on Public Works.

By Mr. SCHMIDHAUSER:

H.R. 5159. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; to the Committee on Public Works.

By Mr. STAGGERS:

H.R. 5160. A bill to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 5161. A bill to include as creditable service for purposes of the Civil Service Retirement Act military service in the Armed Forces of a government or government in exile allied or associated with the United States in World War II, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHITENER:

H.R. 5162. A bill to amend title 18, United States Code, to protect the security of the United States by providing penalties for interference with defense security systems; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 5163. A bill to repeal the retailers excise taxes on jewelry, furs, toilet preparations, and luggage and handbags; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 5164. A bill to amend the Civil Service Retirement Act to provide for the adjustment of inequities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5165. A bill relating to rates of postage on third-class matter mailed by certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 5166. A bill to amend the Civil Service Retirement Act, as amended, to provide for the recomputation of annuities of certain retired employees who elected reduced annuities at the time of retirement in order to provide survivor annuities for their spouses, and for the recomputation of survivor annuities for the surviving spouses of certain former employees who died in service or after retirement; to the Committee on Post Office and Civil Service.

By Mr. ASHMORE:

H.R. 5167. A bill to amend title 38 of the United States Code to authorize the administrative settlement of tort claims arising in foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 5168. A bill to amend the National Defense Education Act of 1958 to provide Federal assistance to States for preparing and carrying out a program for providing education by television and radio and for making the benefits of audiovisual and training aids more generally available; to the Committee on Education and Labor.

By Mr. DOW:

H.R. 5169. A bill to authorize establishment of the Tocks Island National Recreation area in the States of Pennsylvania, New Jersey, and New York, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5170. A bill to amend title II of the Social Security Act so as to permit child's insurance benefits to continue after age 18 in the case of certain children who are full-time students after attaining such age; to the Committee on Ways and Means.

H.R. 5171. A bill to amend the Tariff Act of 1930 to provide that button blanks, regardless of state of finish, shall be subject to the same duty as buttons; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee:

H.R. 5172. A bill to provide flood control on the Big South Fork, Cumberland River Basin; to the Committee on Public Works.

By Mrs. DWYER:

H.R. 5173. A bill to establish in the Executive Office of the President an Office of Urban Affairs; to the Committee on Government Operations.

By Mr. FOLEY:

H.R. 5174. A bill to authorize the Secretary of the Treasury to fix the silver content of certain coins of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. LENNON:

H.R. 5175. A bill providing for a study of the legal problems of management, use, and control of the natural resources of the oceans and ocean beds; to the Committee on Merchant Marine and Fisheries.

By Mr. MICHEL:

H.R. 5176. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 5177. A bill to establish the position of U.S. customs inspector (nonsupervisory) in the Bureau of Customs, Department of the Treasury, to place such position in grade 10 of the Classification Act of 1949, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORTON:

H.R. 5178. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. O'HARA of Michigan:

H.R. 5179. A bill to repeal the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 5180. A bill to amend title 39, United States Code, to encourage the use by volume mailers of ZIP code through postage rate concessions; to the Committee on Post Office and Civil Service.

By Mr. SECREST:

H.R. 5181. A bill to amend title 38 of the United States Code to increase the rate of pension payable to widows of certain veterans by 10 percent, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VAN DEERLIN:

H.R. 5182. A bill to provide research, technical, and financial assistance with respect to the disposal of solid wastes to the several States and political subdivisions thereof; to the Committee on Interstate and Foreign Commerce.

H.R. 5183. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 5184. A bill for the relief of the Port of Portland, Oreg.; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 5185. A bill to amend the tariff schedules of the United States with respect to electrical indicating instruments; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 5186. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for acreage-poundage marketing quotas for tobacco; to the Committee on Agriculture.

By Mr. ICHORD:

H.R. 5187. A bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. McCULLOCH:

H.R. 5188. A bill to provide for the appointment of two temporary additional district judges for the State of Ohio; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 5189. A bill to specify the number of hospital beds that the Administrator of Veterans' Affairs must maintain and operate at the Veterans' Hospital, East Orange, N.J.; to the Committee on Veterans' Affairs.

H.R. 5190. A bill to provide for the construction of a new Veterans' Administration hospital in southern New Jersey; to the Committee on Veterans' Affairs.

By Mr. ROYBAL:

H.R. 5191. A bill to provide for a program to advance the humane care, comfort, and welfare of laboratory animals used in scientific study; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 5192. A bill to amend title 38 of the United States Code to provide that the Veterans' Administration shall provide complete medical services for any veteran totally disabled from a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 5193. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance to the present maximum (27½ percent) for all minerals produced in the United States; to the Committee on Ways and Means.

By Mr. SHIPLEY:

H.R. 5194. A bill authorizing the Secretary of the Army to participate in the construction of a highway bridge across Carlyle Reservoir, Kaskaskia River, Ill.; to the Committee on Public Works.

H.R. 5195. A bill to modify the flood control project for the Kaskaskia River, Ill., with respect to certain requirements for local cooperation; to the Committee on Public Works.

By Mr. STAGGERS:

H.R. 5196. A bill to amend the act of March 4, 1907, to provide that the 16-hour limitation upon continuous duty for certain railroad employees shall apply to employees installing, repairing, and maintaining signal systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WYDLER:

H.R. 5197. A bill to amend section 601 of the Federal Aviation Act to require identification markings on the underside of the wings of certain aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY:

H.R. 5198. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.J. Res. 335. Joint resolution to repeal certain Federal taxes with a view to restoring to the States and localities certain functions and revenue sources which they are best able to exercise and utilize, and to terminate certain grant and loan programs administered by the Housing and Home Finance Agency; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.J. Res. 336. Joint resolution to provide for the issuance of a special postage stamp in commemoration of the liberation by the U.S. Armed Forces of oppressed and subjugated persons from concentration camps in Germany in World War II; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.J. Res. 337. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MAHON:

H.J. Res. 338. Joint resolution to provide for the reappointment of Robert V. Fleming as citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. OTTINGER:

H.J. Res. 339. Joint resolution to revise the laws relating to political contributions in connection with Federal elections, and for other purposes; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.J. Res. 340. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.J. Res. 341. Joint resolution announcing the sense of Congress in support of President Johnson's policy of measured retaliation against North Vietnam military installations as the situation requires; to the Committee on Foreign Affairs.

By Mr. DON H. CLAUSEN:

H. Con. Res. 305. Concurrent resolution expressing the sense of the Congress with respect to the designation of a grove of redwood trees as a memorial to the late Dag Hammarskjold; to the Committee on House Administration.

By Mr. FARBSTEIN:

H. Con. Res. 306. Concurrent resolution expressing the continued faith of the United States in the growth and strengthening of the United Nations; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Con. Res. 307. Concurrent resolution to request the President to initiate discussion of the Baltic States question before the United Nations with a view to gaining the independence of Lithuania, Latvia, and Estonia from the Soviet Union; to the Committee on Foreign Affairs.

By Mr. KREBS:

H. Con. Res. 308. Concurrent resolution expressing the sense of the Congress with respect to the public viewing of the film "Years of Lightning, Day of Drums," prepared by the U.S. Information Agency on the late President Kennedy; to the Committee on Foreign Affairs.

By Mr. LEGGETT:

H. Con. Res. 309. Concurrent resolution providing for a Joint Committee on the Organization of the Congress; to the Committee on Rules.

By Mr. MAILLIARD:

H. Con. Res. 310. Concurrent resolution relating to American shippers' responsibility in reducing unfavorable payments balance; to the Committee on Merchant Marine and Fisheries.

By Mr. MATSUNAGA:

H. Con. Res. 311. Concurrent resolution expressing the sense of the Congress with respect to the distribution and viewing of the film prepared by the U.S. Information Agency entitled "Years of Lightning, Day of Drums"; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Con. Res. 312. Concurrent resolution to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile; to the Commission on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5199. A bill for the relief of Vassiliki and Athanasios Levantis; to the Committee on the Judiciary.

H.R. 5200. A bill for the relief of Tevfik M. Gokcebay; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 5201. A bill for the relief of Mrs. Esmerenda Blackstock; to the Committee on the Judiciary.

H.R. 5202. A bill for the relief of Sotiris Emmanuel Hadjistavrou; to the Committee on the Judiciary.

By Mr. CURTIN:

H.R. 5203. A bill for the relief of Lynn Jestina Joseph; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 5204. A bill for the relief of Joseph K. Bellek; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5205. A bill for the relief of Konstantinos Anastasios Stefanides; to the Committee on the Judiciary.

H.R. 5206. A bill for the relief of Mrs. Ruth Gorfain; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5207. A bill for the relief of Salvatore Brancata; to the Committee on the Judiciary.

H.R. 5208. A bill for the relief of Luigi Facciponte; to the Committee on the Judiciary.

H.R. 5209. A bill for the relief of Mrs. Pavica Labetic; to the Committee on the Judiciary.

H.R. 5210. A bill for the relief of Lucio Maugeri; to the Committee on the Judiciary.

H.R. 5211. A bill for the relief of Paolina Perciballi; to the Committee on the Judiciary.

H.R. 5212. A bill for the relief of Nicolo Scorsone; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 5213. A bill for the relief of Winston Lloyd McKay; to the Committee on the Judiciary.

H.R. 5214. A bill for the relief of George Panagiotidis and his wife, Crystalia Panagiotidis; to the Committee on the Judiciary.

H.R. 5215. A bill for the relief of Dimitrios Triantafillis; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 5216. A bill for the relief of Stasia Progaki; to the Committee on the Judiciary.

By Mr. HECHLER:

H.R. 5217. A bill to permit the vessel *Little Nancy* to be documented for use in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. HUNGATE:

H.R. 5218. A bill for the relief of Mrs. Dina Kottwitz; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 5219. A bill for the relief of Judith Ben-Shalom; to the Committee on the Judiciary.

By Mr. KREBS:

H.R. 5220. A bill for the relief of Ramiro Ventura Pacheco; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 5221. A bill for the relief of Alessandro Panella; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 5222. A bill for the relief of Dong Chan Kim Willingham; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 5223. A bill for the relief of John Vincent Amirault; to the Committee on the Judiciary.

H.R. 5224. A bill for the relief of Isak and Luiza Kazez; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 5225. A bill for the relief of Ging Sze Chin; to the Committee on the Judiciary.

By Mr. RONCALIO:

H.R. 5226. A bill to authorize the Secretary of the Interior to convey certain public land in Wyoming to Clara Dozier Wire; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 5227. A bill for the relief of Kwang Han Kim, and his wife, Yong Kuk Kim; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5228. A bill for the relief of Eugen Gross, his wife, Adele Gross, and their two minor children, Ernie Gross and Dorina Gross; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 5229. A bill for the relief of Ruth Adina Burrell; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 5230. A bill for the relief of Giovanni Francesco Fausto Cosenza; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 5231. A bill for the relief of Jack Ralph Walker; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 5232. A bill for the relief of Jose Rodolfo Rosell-Castell; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

105. The **SPEAKER** presented a petition of National Maritime Union of America, AFL-CIO, Memphis, Tenn., petitioning consideration of their resolution with reference to requesting Congress to use every effort to assure the continuous and efficient operation of the U.S. Public Health Service hospital at Memphis, Tenn., and to prevent bureaucratic forces from destroying the ability of the U.S. Public Health Service to give adequate medical and hospital care to the merchant seamen; which was referred to the Committee on Interstate and Foreign Commerce.

SENATE

THURSDAY, FEBRUARY 18, 1965

(Legislative day of Wednesday, February 17, 1965)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

Rev. A. Edward Gradeck, pastor, St. Joseph's Roman Catholic Church, Waterbury, Conn., offered the following prayer:

O God, the Father of all people and the Supreme Judge of all men, of the just and the wicked, of the free and the oppressed, this day do we send forth our prayers to Thee, and cry out from the depths of our hearts for all the people of the world who must suffer and endure the slave yoke of oppression and persecution. In Thy goodness, grant to all of them life, liberty, and the pursuit of happiness, rights given to them by Thee, as their Creator.

But more so today, do we ask Thee to turn Thine eyes of mercy upon the people of Lithuania. This day, the 47th year of the proclamation of her independence as a free nation, finds her lying prone and helpless, the victim of a most cruel and oppressive tyrant.

As Thou hearest the rising crescendo of prayers that will ascend to Thee this day, those from the muted lips of the enslaved and the imprisoned, and those from our own hearts and minds, grant, we beseech Thee, that the day of liberation of Lithuania be not long in coming. Turn not a deaf ear to our pleadings. This we ask of Thee, in the name of our Lord and Saviour, Jesus Christ. Amen.

THE JOURNAL

On request by Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 17, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 2998) to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 2998) to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations, was read twice by its title and referred to the Committee on Foreign Relations.

GOLD RESERVE REQUIREMENTS

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

The Senate resumed the consideration of the bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the Committee on Commerce and the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare were authorized to meet during the session of the Senate today.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Practice and Procedure may be authorized to meet while the Senate is in session today.

The VICE PRESIDENT. Is there objection? There being no objection, it is so ordered.

ORDER OF BUSINESS

Mr. HOLLAND. Mr. President, under a special arrangement made yesterday, a discussion of the agricultural labor question was scheduled for this time. However, the senior Senator from Louisiana [Mr. ELLENDER], who was to begin the presentation, is not present in the Chamber as yet. I suggest that I be permitted to yield momentarily to Senators who desire to make insertions in the RECORD, and after they have done so, I shall ask for a quorum call until the Senator from Louisiana can reach the Senate Chamber.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that appropriation "Limitation on salaries and expenses, Social Security Administration" for the fiscal year 1965, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

REVISED PROCEDURES FOR DESTRUCTION OF UNFIT FEDERAL RESERVE NOTES

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON LIQUIDATION ACTIVITIES OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on liquidation activities of the Reconstruction Finance Corporation, as of December 31, 1964 (with an accompanying report); to the Committee on Banking and Currency.

UTILIZATION OF FUNDS RECEIVED FROM STATE AND LOCAL GOVERNMENTS FOR SPECIAL METEOROLOGICAL SERVICES

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to utilize funds received from State and local governments for special meteorological services (with accompanying papers); to the Committee on Commerce.

REPORT OF OFFICE OF CIVIL DEFENSE, DISTRICT OF COLUMBIA

A letter from the Director, Office of Civil Defense, District of Columbia, Washington, D.C., transmitting, pursuant to law, a report of that Office, for the fiscal year 1964 (with an accompanying report); to the Committee on the District of Columbia.

REPORT ON ADVISORY COMMITTEES, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the advisory committees which assist in carrying out the functions of that Department, for the calendar year 1964 (with an accompanying report); to the Committee on Finance.

Report on Personal and Real Property Received by State Surplus Property Agencies and Disposed of to Public Health and Educational Institutions

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal property received by State surplus property agencies for distribution to Public Health and educational institutions and civil defense organizations and real property disposed of to Public Health and educational institutions, for the quarterly period ended December 31, 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Ineffective and Overly Costly Aspects of Military and Economic Assistance Provided to Thailand

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on ineffective and overly costly aspects of military and economic assistance provided to Thailand (with an accompanying report); to the Committee on Government Operations.

Report on Deficient Financial Analysis Which Resulted in Approval of Unneeded Grant

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on deficient financial analysis which resulted in approval of unneeded grant, Area Redevelopment Administration, Department of Commerce, dated January 1965 (with an accompanying report); to the Committee on Government Operations.

Report of Office of Coal Research

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report of the Office of Coal Research, for the calendar year 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Jury Commission for Each U.S. District Court

A letter from the Attorney General, transmitting a draft of proposed legislation to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

Amendment of Sections 3731 and 1404, Title 18, United States Code, Relating to Appeals From Certain Decisions

A letter from the Attorney General, transmitting a draft of proposed legislation to amend sections 3731 and 1404 of title 18, United States Code, with respect to appeals by the United States from decisions sustaining motions to suppress evidence (with an accompanying paper); to the Committee on the Judiciary.

Report on Claim of Port of Portland, Oreg., Against the United States

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the claim of the Port of Portland, Oreg., against the United States (with accompanying papers); to the Committee on the Judiciary.

Amendment of Title 38, United States Code, Relating to Settlement of Certain Tort Claims

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend title 38 of the United States Code to authorize the administrative settlement of tort claims arising in foreign countries, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Washington; to the Committee on Appropriations:

"Senate Resolution 19 of the State of Washington

"To the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Senate and House of Representatives of the United States in Congress Assembled:

"Whereas the Columbia Basin project is the major irrigation development in Washington State and holds great benefits to the region and the Nation; and

"Whereas revised repayment contracts have been validated by the courts for all three of the project irrigation districts; and

"Whereas the project should be developed under an orderly construction schedule; and

"Whereas required funds for development of irrigation blocks 36 and 55 have not been provided in the fiscal year budget of 1966; and

"Whereas these funds should be provided in the budget now before the Congress, if this long planned irrigation construction is to proceed on an orderly basis: Now, therefore, be it

"Resolved by the Washington State Senate, That the Congress of the United States, and those committees concerned with appropriations, be requested to provide for funds in the 1966 fiscal year budget of the Department of the Interior to carry out the additional Columbia Basin project construction above enumerated; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

"Ward Bowden,
"Secretary of the Senate."

A resolution of the Senate of the State of Washington; to the Committee on Interior and Insular Affairs:

"Senate Resolution 20 of the State of Washington

"To the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Senate and House of Representatives of the United States, in Congress Assembled:

"Whereas the Department of the Interior has announced the forthcoming closure of the office of the field solicitor at Ephrata, Wash.; and

"Whereas, this office performs vital legal service to the Bureau of Reclamation and the irrigation districts of Washington State dealing with the Secretary of the Interior and to other agencies of the Department; and

"Whereas the loss of these services to local entities would mean corresponding delays and hardship on both the department and the organizations and individuals involved in these important relationships: Now, therefore, be it

"Resolved, That, the Washington State Senate respectfully urges that the office of the field solicitor of the Department of the Interior not be closed and that it be continued as now constituted; be it further

"Resolved, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

"Ward Bowden,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Montana; to the Committee on Commerce:

"House Joint Resolution 1

"A joint resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Montana congressional delegation, the Committee on Interstate and Foreign Commerce of the U.S. Senate, and the Committee on Interstate and Foreign Commerce of the U.S. House of Representatives requesting the passage of legislation to amend 34 Statutes at Large 1416, codified as 45 United States Code, section 62, relating to the hours which employees of railroads may be required to work

"Whereas Federal law now allows a railroad to require its employees to work as long as 16 consecutive hours without rest; and

"Whereas the present Federal law was enacted in March of 1907, for the purpose of safeguarding the health and safety of employees and travelers upon railroads and that law has never been amended; and

"Whereas the high speed operation of modern railroads imposes an undue strain upon employees required to work the long hours now allowed, thus endangering the health and safety of employees and travelers upon railroads: Now, therefore, be it

"Resolved by the Senate and House of Representatives of the State of Montana: That the Legislative Assembly of the State of Montana request the Congress of the United States to amend 34 Statutes at Large 1416, codified as 45 United States Code, section 62 to provide that it shall be unlawful to require employees subject to sections 61 to 64 inclusive of this title to remain on duty for a longer period than 12 consecutive hours, and provide that any employee who has been on duty 12 consecutive hours shall not be required or permitted to continue or again go on duty without having had at least 10 consecutive hours off duty; and no such employee who has been on duty 12 hours in the aggregate in any 24-hour period shall be required or permitted to continue or again go on duty without having had at least 8 consecutive hours off duty; and providing however, that no operator, train dispatcher or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to remain on duty for a longer period than 12 hours in all towers, offices, places and stations operated only during the daytime, except in case of emergency; be it further

"Resolved, That the secretary of state be instructed to send copies of this resolution to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Members of the Montana delegation of Congress, to the chairman of the Committee on

Interstate and Foreign Commerce of the U.S. Senate, and to the chairman of the Committee on Interstate and Foreign Commerce of the U.S. House of Representatives.

"Ray J. Wayrynen,
"*Speaker of the House.*
"Ted James,
"*President of the Senate.*"

A concurrent resolution of the Legislature of the State of Arizona; to the Committee on the Judiciary:

"House Concurrent Memorial 1 of the State of Arizona

"Concurrent memorial requesting the Congress of the United States of America to convene a constitutional convention to propose an amendment to the Constitution of the United States relating to apportionment of one house of State bicameral legislatures and of membership of governing bodies of subordinate units of the States

"*To the Congress of the United States of America:*

"Your memorialist respectfully represents:

"Whereas the Supreme Court of the United States has ruled that membership in both houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

"Whereas this rule denies to the people of the respective States the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

"Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed; and

"Whereas the implications of this action by the Supreme Court raise serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the States;

"Wherefore your memorialist, the house of representatives of the State of Arizona (the senate concurring), prays:

"1. That the Congress of the United States convene a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States, as follows:

" 'Article —

" 'Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"*Be it further resolved,* That if Congress shall have proposed an amendment to the Constitution identical with that contained in this memorial prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved,* That a duly attested copy of this memorial be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"Approved by the Governor, January 29, 1965.

"Filed in the office of the secretary of state, February 1, 1965."

A resolution of the Senate of the State of South Carolina; to the Committee on Public Works:

"S. Res. 111

"Resolution memorializing the Congress of the United States to authorize the construction of a dam across the Savannah River and Duke Power Co. to construct an electric generating plant on the Savannah River

"Whereas, Duke Power Co. announced plans more than 4 years ago to construct a giant 2-million-kilowatt steam electric generating plant on the Savannah River in Anderson County, S.C.; and

"Whereas, in order to form a pool for condenser cooling water for such plant, it is necessary for Duke Power Co. to construct a low-level dam across the Savannah River; and

"Whereas construction of this steamplant would cost approximately $210 million and this plant would yield to Anderson County, S.C., and the Government of the United States, approximately $13.5 million per year in tax revenue, in addition to many other tax and industrial benefits which would accrue to Anderson County and the surrounding area as a result of having this plant constructed: Now, therefore, be it

"*Resolved by the senate of the State of South Carolina,* That this body go on record once more as urging Duke Power Co. to proceed at the earliest possible date with the construction of this plant, and that the Congress of the United States is hereby urged to take such action as may be necessary in order that such low-level dam may be constructed; be it further

"*Resolved,* That a copy of this resolution be forwarded to the president of the Duke Power Co. and to the following officers and Members of the Senate and House of Representatives of the Congress: the Vice President of the United States and President of the Senate, the Speaker of the House of Representatives, the chairmen of the Committees on Public Works of the Senate and the House of Representatives, each Senator and Member of the House of Representatives from South Carolina."

A resolution adopted at a mass meeting of American citizens of Lithuanian descent, of Racine, Wis., relating to the restoration of independence of Lithuania; to the Committee on Foreign Relations.

A resolution adopted by the Business Council of the Goshute Indian Reservation, Ibapah, Utah, favoring an investigation of the administration of that Reservation; to the Committee on Interior and Insular Affairs.

A resolution adopted by the mayor and city council of the city of Anderson, S.C., favoring the granting of permission to the Duke Power Co. to construct a steam plant at Middleton Shoals on the Savannah River, in Anderson County, S.C.; to the Committee on Public Works.

A resolution adopted by the Federation of Citizens Associations of the District of Columbia, relative to the death of the late Sir Winston Churchill; ordered to lie on the table.

A resolution adopted by the Colonel Francis Vigo Post 1093, of the American Legion, New York, N.Y., protesting against the closing of Veterans' Administration hospitals; to the Committee on Labor and Public Welfare.

By Mr. SALTONSTALL (for himself and Mr. Kennedy of Massachusetts):

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Commerce:

"Resolution of the Commonwealth of Massachusetts

"Resolution urging the Members of the Congress of the United States from the New England States to cause a bipartisan investigation of the Civil Aeronautics Board's action in ordering the discontinuance of the Florida run by Northeast Airlines

"*Resolved,* That the Massachusetts House of Representatives urges the Members of Congress from the New England States to cause a bipartisan investigation of the Civil Aeronautics Board with particular reference to the action taken by said board in ordering the discontinuance of the Florida run by Northeast Airlines; and be it further

"*Resolved,* That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the Presiding Officer of each branch of Congress, and to the Members thereof from the New England States.

"William C. Maiers,
"*Clerk.*

"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth.*"

By Mr. CARLSON:

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on the Judiciary:

"Senate Concurrent Resolution 1

"Concurrent resolution applying to the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"*Be it resolved by the senate of the State of Kansas (the house of representatives concurring therein),* That this legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"*Be it further resolved,* That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect.

"*Be it further resolved,* That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"I hereby certify that the above concurrent resolution originated in the senate, and was adopted by that body January 20, 1965.

"———— ————,
"President of the Senate.
"RALPH E. ZARKER,
"Secretary of the Senate.
"Adopted by the house January 27, 1965.
"CLYDE HILL,
"Speaker of the House.
"L. D. HAZEN,
"Chief Clerk of the House."

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. STENNIS, from the Committee on Armed Services:

Buford Ellington, of Tennessee, to be Director of the Office of Emergency Planning.

By Mr. SALTONSTALL, from the Committee on Armed Services:

Kenneth E. BeLieu, of Oregon, to be Under Secretary of the Navy.

By Mr. SYMINGTON, from the Committee on Armed Services:

Graeme C. Bannerman, of the District of Columbia, to be an Assistant Secretary of the Navy.

Mr. STENNIS. Mr. President, from the Committee on Armed Services, I report favorably the nominations of Lt. Gen. William H. Blanchard for appointment as Vice Chief of Staff of the Air Force, in the grade of general, Major Generals Edmundson, Friedman, and Martin, for special assignment in the Air Force, in the grade of lieutenant general, and Lieutenant General Ferguson, to be senior Air Force member of the Military Staff Committee, United Nations, in the grade of lieutenant general. I also report the nominations of Rear Admiral Booth for special assignment in the Navy, in the grade of vice admiral, Adm. Harold P. Smith to be placed on the retired list in the grade of admiral, and Lieutenant General Buse for special assignment in the Marine Corps in the grade of lieutenant general. I ask that these names be printed on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

The names, ordered to be placed on the Executive Calendar, are as follows:

Lt. Gen. William H. Blanchard (major general, Regular Air Force), U.S. Air Force, to be assigned to a position of importance and responsibility designated by the President, in the grade of general:

Maj. Gen. James V. Edmundson, Regular Air Force, Maj. Gen. Robert J. Friedman, Regular Air Force, and Maj. Gen. William K. Martin, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Lt. Gen. James Ferguson (major general, Regular Air Force), to be senior Air Force member, Military Staff Committee, United Nations;

Rear Adm. Charles T. Booth II, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral, while so serving.

Lt. Gen. Henry W. Buse, Jr., U.S. Marine Corps, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving; and

Adm. Harold P. Smith, U.S. Navy, for appointment to the grade of admiral, when retired.

Mr. STENNIS. Mr. President, in addition to the above nominations, I report favorably the nominations of 1,207 Army officers for promotion to the grade of colonel and below, and 8,396 Navy and Marine Corps officers for promotions in the Navy and Marine Corps in the grades of captain or equivalent and below. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Edward H. Frick, and sundry other officers, for promotion in the Regular Army of the United States;

Paul L. Adamowski, and sundry other distinguished military students, for appointment in the Regular Army of the United States;

William C. Adams, Junior, and sundry other officers, for temporary promotion in the U.S. Navy;

Lloyd P. Amborn, and sundry other Naval Reserve Officers Training Corps candidates, for assignment in the U.S. Navy; and

Spencer G. Bihler, and sundry other persons, for appointment in the Marine Corps.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. LONG of Missouri:

S. 1173. A bill for the relief of Mrs. Dina Kottwitz; and

S. 1174. A bill for the relief of Zivotije Siskovic; to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. 1175. A bill to amend title II of the Social Security Act to increase to $1,800 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title;

S. 1176. A bill to amend title II of the Social Security Act so as to permit child's insurance benefits to continue after age 18 in the case of certain children who are full-time students after attaining such age;

S. 1177. A bill to amend title II of the Social Security Act to permit certain disabled widows to become entitled to widow's insurance benefits thereunder prior to attainment of age 62; and

S. 1178. A bill to amend title II of the Social Security Act to reduce from 6 to 4 months the length of the waiting period which must elapse before a disabled individual can become entitled to disability benefits thereunder; to the Committee on Finance.

(See remarks of Mr. SALTONSTALL when he introduced the above bills, which appear under a separate heading.)

S. 1179. A bill for the relief of Michele Rizzuto; to the Committee on the Judiciary.

By Mr. DODD:

S. 1180. A bill to amend the Federal Firearms Act; to the Committee on Commerce.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 1181. A bill to amend the Internal Revenue Code of 1954 to exempt from the additional estate tax the estates of members of the Armed Forces killed in Vietnam and to forgive unpaid income taxes owed by such members; to the Committee on Finance.

S. 1182. A bill to amend the U.S. Housing Act of 1937 to authorize the purchase of units in low-rent housing projects by the tenants thereof; and

S. 1183. A bill to require localities receiving assistance under title I of the Housing Act of 1949 to make annual payments to the United States out of increased tax revenues derived as a result of the redevelopment made possible by such assistance; to the Committee on Banking and Currency.

(See the remarks of Mr. TOWER when he introduced the above bills, which appear under separate headings.)

By Mr. JAVITS (for himself and Mr. METCALF):

S. 1184. A bill to provide for judicial review of certain actions of the Secretary of Health, Education, and Welfare concerning public assistance programs established pursuant to title I, IV, X, XIV, or XVI of the Social Security Act; to the Committee on Finance.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 1185. A bill for the relief of Gaetano Fuccio;

S. 1186. A bill for the relief of Michiko Uehara;

S. 1187. A bill for the relief of Victor Abadi;

S. 1188. A bill for the relief of Jose Joaquim Bulhoes; and

S. 1189. A bill for the relief of Wladyslaw Lebiedzki; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 1190. A bill to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 1191. A bill for the relief of Ahmad Kafi; to the Committee on the Judiciary.

By Mr. CASE:

S. 1192. A bill to provide fellowships for graduate study leading to a master's degree for elementary and secondary school teachers; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CASE when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 1193. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1194. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Douglas B. Bagnell, of Fairhope, Ala.; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 1195. A bill to authorize the modification of the existing project for Bayou La Batre, Ala., in order to provide certain improvements for navigation purposes; to the Committee on Public Works.

By Mr. EASTLAND:

S. 1196. A bill for the relief of Wright G. James; to the Committee on the Judiciary.

By Mr. DODD:

S. 1197. A bill for the relief of Angelina Martino; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 1198. A bill for the relief of Mrs. Harley Brewer; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 1199. A bill to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans; to the Committee on Labor and Public Welfare.

By Mr. HART:

S. 1200. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Finance.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 1201. A bill to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs, and for other purposes; to the Committee on Government Operations.

S. 1202. A bill to enable Federal home loan banks to implement their services to their member institutions by establishing a secondary marketing facility for participations in conventional home mortgage loans; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bills, which appear under separate headings.)

By Mr. HARTKE (for himself, Mr. Long of Missouri, and Mr. Burdick):

S. 1203. A bill to amend the Internal Revenue Code of 1954, to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 1204. A bill to amend section 312 of title 38, United States Code, to provide that malignant lymphoma developing a 10 percent or more degree of disability within 7 years after separation from active service shall be presumed to be service connected; to the Committee on Finance.

S. 1205. A bill for the relief of Dr. Darius Khorsand;

S. 1206. A bill for the relief of Dr. Redentor J. G. Pagtalunan; and

S. 1207. A bill for the relief of Dr. Floriano P. Brion; to the Committee on the Judiciary.

By Mr. CASE:

S. 1208. A bill to establish a Commission on Congressional Reorganization, and for other purposes; to the Committee on Rules and Administration.

By Mr. MORSE:

S. 1209. A bill for the relief of Sp. Manuel D. Racelis; and

S. 1210. A bill for the relief of Clyde Bruce Aitchison, Jr.; to the Committee on the Judiciary.

(See the remarks of Mr. Morse when he introduced the above bills, which appear under separate headings.)

CONCURRENT RESOLUTIONS

ACTION BY THE PRESIDENT TO BRING ABOUT THE RIGHT OF SELF-DETERMINATION BY PEOPLES OF LATVIA, LITHUANIA, AND ESTONIA

Mr. RIBICOFF submitted a concurrent resolution (S. Con. Res. 21) favoring action by the President to bring about the right of self-determination by the peoples of Latvia, Lithuania, and Estonia, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Ribicoff, which appears under a separate heading.)

ACTION BY THE UNITED NATIONS ON THE BALTIC QUESTION

Mr. ALLOTT submitted a concurrent resolution (S. Con. Res. 22) favoring certain action by the United Nations on the Baltic question, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Allott, which apears under a separate heading.)

MODIFICATION OF SOCIAL SECURITY STATUTES

Mr. SALTONSTALL. Mr. President, I send to the desk for appropriate reference four bills which modify our social security statutes. An increase in social security benefits is overdue, and I hope and expect that this Congress will move to remedy that situation. I personally regretted that action was deferred last year.

Because I think we all recognize that some adjustment of the present allowances is in order and because various proposals have been submitted to provide for a percentage or dollar increase in benefits, I shall not introduce a bill on this subject. Instead, I am submitting four bills to call attention to other features of our social security laws which need attention and modification even though they involve somewhat fewer people.

First. I believe there should be an increase in the social security outside earnings limitation. Under existing law, a recipient is permitted to earn up to $1,200 in income without incurring a benefit reduction. Once he exceeds this limitation, his benefits are reduced by $1 for every $2 he earns up to $1,700. He loses $1 for every $1 earned over that amount. My bill would raise the $1,200 limitation to $1,800 which I think is a far more realistic figure. There would be a $1 reduction in benefits for every $1 earned thereafter.

Second. I am submitting a measure which would extend payment of child insurance benefits from age 18 to age 22 providing the individual is attending school. The present statute permits a child to receive these benefits up to age 18 providing that he is a child of an insured parent who has died, is retired, or is disabled.

When this law was passed in 1939, it was assumed that by age 18 a child would be able to support himself. However, as the demand for more complex and technical jobs in our modern society has increased, the role of higher education has become more important. As a result, there has been a substantial rise in enrollment in post-high school educational institutions. This has lengthened the dependency of a child on his family. By extending child insurance benefits to age 22, my proposal would encourage an individual whose insured parent has died, retired, or has become disabled to continue his education and to compete more effectively for a position requiring special skills or training.

My third bill would allow payment of widow's benefits to certain widows who are totally and permanently disabled regardless of age or whether they have a child in care. Under existing law, a widow can receive these benefits only if she is age 62 or has a child in care.

Finally, my fourth measure would reduce the waiting period for disability benefits from 6 to 4 months. In many instances, the 6-month waiting period has imposed severe financial hardships on a family and has precluded a disabled person from receiving adequate medical assistance at a time when he needed it.

I believe the proposals have merit and that they would correct certain inadequacies and inequities in our social security laws as they exist today. I hope they will be favorably considered and that all of them will be enacted by the 89th Congress.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. Saltonstall, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 1175. A bill to amend title II of the Social Security Act to increase to $1,800 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title;

S. 1176. A bill to amend title II of the Social Security Act so as to permit child's insurance benefits to continue after age 18 in the case of certain children who are full-time students after attaining such age;

S. 1177. A bill to amend title II of the Social Security Act to permit certain disabled widows to become entitled to widow's insurance benefits thereunder prior to attainment of age 62; and

S. 1178. A bill to amend title II of the Social Security Act to reduce from 6 to 4 months the length of the waiting period which must elapse before a disabled individual can become entitled to disability benefits thereunder.

PROPOSED AMENDMENT OF THE FEDERAL FIREARMS ACT

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Firearms Act. The bill would restrict the importation into the United States of foreign-made and military surplus firearms and heavy ordnance weapons.

I urge that my colleagues give this measure careful and urgent consideration. Unless they do, an influx into the United States of assorted machineguns, mortars, bazookas, antitank guns, cannons and flamethrowers, will continue unabated and we will see increasing acts of violence throughout the land. The extremists are getting bolder by the day as evidenced by the plot to destroy our cherished monuments to democracy which the New York Police Department uncovered just this week. To paraphrase a recent editorial cartoon decrying the availability to fanatics of heavy weaponry, "Yesterday the United Nations. Tomorrow the U.S. Capitol?"

The importation of foreign-made and military surplus firearms is an area with which I have been concerned during the past 4 years. This is due to the fact that, for the most part, these foreign imports are subsequently sold via the mail-order common-carrier route.

Our subcommittee investigations into the interstate traffic in mail-order firearms, and the importation of foreign-made and military surplus firearms, has clearly demonstrated this.

There is no doubt in my mind that these firearms are significant factors contributing to the problem of the indiscriminate and often illegal sale of mail-order firearms to juveniles and adult criminals.

I knew that if we were to ever curtail this clandestine traffic, regulation of the importation of these firearms would be essential.

My bill, which is the result of years of intensive study and investigation, would accomplish this. If enacted into law, it would:

First. Require an importer to obtain a license for the importation of firearms, subject to certain standards set forth in the bill and would make it unlawful to import firearms without first obtaining a license. Each separate importation would require the importer to obtain such a license.

Second. Make it unlawful to receive any firearm which has been imported in violation of the provisions of the Federal Firearms Act, as amended by this bill.

The standards which are set forth in the bill specify, in brief, the following:

First. That firearms to be imported were for lawful purpose and were adequately identified so that records of disposition could be kept; and

Second. That the firearms are to be imported for scientific or research purposes, or as a sample for licensed dealers and manufacturers, or pursuant to chapter 401 of title 10 of the United States Code, which allows importation for training or competition purposes. Or—

Third. That the firearms are designed or intended particularly for target shooting or sporting purposes and are so unique or unusual that a comparable firearm could not be obtained in the United States. Or—

Fourth. That the importation of a specific firearm or group of firearms would be in the public interest.

The effect of this bill would be to eliminate the importation of all military surplus firearms and most of the small-caliber pistols and revolvers presently flooding this country. I refer here to weapons such as the .22-caliber "roscoe" which is a weapon frequently found in the hands of juveniles and criminals.

I would like to make it perfectly clear that it is not my intention to impose an outright prohibition on the importation of all firearms, but rather to restrict the importation of those firearms which we have found to be sold mail-order and which end up in the hands of juvenile delinquents and adult criminals. I refer here to the general category of military surplus firearms and to the inexpensive small-caliber pistols and revolvers.

I cite this point because I believe that sporting firearms such as those manufactured in Belgium by Browning Industries, Inc., a well-known and respected arms firm, are usually not involved in the traffic to which I have just referred.

Up to this point, our investigation has uncovered the following facts with regard to the total number of firearms imported into the United States. Because the tabulation of voluminous records is still continuing, the record is not, as yet, complete. Thus, the figures which I cite are only indications of the staggering volume of firearms imported into this country.

During 1963 and 1964, 2,301,491 firearms were imported into the United States from England, Germany, France, Italy, and Spain. When this total is broken down as to types of firearms, we find that 1,050,993 pistols and revolvers, and 1,251,471 rifles and shotguns were imported. This does not include the tens of thousands of firearms which have been imported as parts, components, or scrap metal.

We have found further that:

Newly manufactured small-caliber firearms have been and are being imported in greater and greater numbers each year.

Surplus military firearms discarded by foreign governments have been increasingly dumped in the United States. In fact, we appear to be the dumping ground for 75 percent of the world's supply of surplus military firearms.

Included in this dumping are firearms from Russia and the Communist bloc countries of Eastern Europe.

There is a central repository in Bulgaria to which the bloc countries are shipping all of their surplus military weapons.

The United States is the target for these weapons which are being sold through dummy corporations set up in Western Europe to handle the sale and shipment of these weapons.

Some of these bloc countries, originally tried to ship huge quantities of these surplus guns—as many as a million in one shipment—to the United States. This was prevented by our Government. Now they have resorted to selling them in small quantities through these corporations set up in Western Europe. These corporations are a subterfuge for these sales. One of the gunrunners presently under investigation by the subcommittee, an American national, is the head of one of these companies.

Some of these imported firearms being advertised through mail-order houses include the Russian M40 Tokarev, 7.62 caliber which is a semiautomatic weapon. Another is the Russian model 9130, 7.62 caliber. Another is the Russian Nagant revolver, caliber 7.62 which is the Russian secret police revolver that sells mail order for $49.95. These are typical of the weapons which are now for sale and which have been seized in cities throughout the country including New York, Washington, Chicago, and Pittsburgh.

In most cases the cost of these firearms to the American purchaser is relatively minimal when compared with the price of a domestically manufactured firearm. This, I point out, appeals to the youngster.

I contend that this voluminous influx of firearms eventually sold in the United States for a fraction of domestically produced firearms is not in the public interest and should be curtailed.

Many of the imported firearms which have been examined by firearms experts at the subcommittee's request have been discarded as being inferior to American made firearms. We have been told that many of the imports are of poor quality and are as dangerous to the user as they may be to the person who is often threatened or assaulted with these firearms.

However, I would like to make clear the fact that their lethal capabilities go unquestioned.

The testimony of Franklin Orth, executive vice president of the National Rifle Association, before the subcommittee with regard to the imported mail-order firearms is of particular relevance.

I quote from his statement before the Senate Juvenile Delinquency Subcommittee on May 2, 1963:

> For the most part, this traffic in firearms involves the relatively inexpensive imported pistols and revolvers that are advertised in many cheap pulp magazines throughout the country. As a matter of information for the committee, the National Rifle Association has conducted product-evaluation studies of many of these handguns and has found them to be largely worthless for sporting purposes. As a matter of policy, we do not accept their advertising in the American Rifleman, the official journal of the association.

An excerpt of a letter from C. R. Hellstrom, former president of Smith & Wesson, to W. H. Parker, chief of police of Los Angeles, is of particular significance with regard to the quality of the imported military surplus firearms.

Mr. Hellstrom stated in his letter:

> We made over three-quarters of a million lend-lease guns for Great Britain alone, not to mention contracts with Canada, South Africa, and other Commonwealth countries. After the war these guns were sold by their respective governments as surplus and through devious channels they have found their way into the United States where they are being rebored and converted to popular calibers and sold at cut-rate prices. Such guns are, of course, unsafe and a detriment to our reputation since they carry our original trademarks.

Mr. President, I believe that the above statement needs no elaboration. What burden does this traffic in imported firearms impose upon our already overburdened law enforcement machinery? I believe that there is a serious and sometimes destructive effect on law enforcement because of this staggering flow of imported weapons.

Many such firearms, because of the lack of complete identifying characteristics, are difficult, if not impossible, to trace by law enforcement officers subsequent to their use in the commission of crime. Samples of these firearms in the possession of the subcommittee do not have identifying marks such as serial numbers or the manufacturers' names imprinted on them.

When we couple these facts with minimal cost and the relative ease and anonymity of purchase via mail order, then the appeal to the juvenile and adult criminal is apparent and, in fact, borne out by the following cases, which portray the tragic results of the misuse of imported weapons:

The assassination of the President of the United States was perpetrated by a man armed with a foreign made and imported Carcano rifle. This gun cost the importer $1.12.

A 15-year-old youngster allegedly shot and killed his father, mother, and sister with a foreign-made, imported .38 caliber revolver on January 30, 1965, in Baltimore. He purchased the gun from a mail-order house in Los Angeles.

On February 4, 1965, a student at the University of California allegedly shot and killed his biology instructor with a foreign-made Walther P-38 pistol. He purchased his gun from a mail-order house in Alexandria, Va.

In September 1964, the FBI subsequent to the arrest of alleged civil rights agitators in Mississippi seized four Russian Army Tokarev semiautomatic rifles, which had been shipped into that area by one of the country's largest importers of firearms.

In December of 1964, the country was shocked by the attempted shelling of the United Nations with a German World War II mortar which has been traced to a firm in New Jersey.

In October of 1964, as a result of a feared assassination attempt on President Johnson, a cache of automatic firearms including foreign weapons was seized by authorities near Corpus Christi, Tex.

In November of 1963, a Finnish antitank gun was taken from three youths in New Jersey who were discovered shelling nearby farm buildings.

Mr. President, the cases which I have cited clearly demonstrate the disastrous impact which these foreign imports have on law and order in this country when they are misused.

There is no doubt that the problems arising from these weapons will not be resolved until the Federal Government enacts the necessary remedial legislation.

This bill is a step in that direction.

I express the hope that it will receive favorable and speedy action by both Houses of Congress.

I ask unanimous consent that this bill be left at the desk for 5 days so that other Senators who wish to do so will have an opportunity to join as cosponsors, and that the text of the bill be reprinted in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk for 5 days as requested by the Senator from Connecticut, and will be printed in the RECORD.

The bill (S. 1180) to amend the Federal Firearms Act, introduced by Mr. DODD, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Firearms Act is amended by renumbering sections 5, 6, 7, 8, and 9 of such Act as sections 6, 7, 8, 9, and 10 and by inserting immediately after section 4 the following new section:

"SEC. 5. (a) (1) It shall be unlawful for any person to import or bring into the United States or any possession thereof any firearm for which a license to import or bring into the United States is required under subsection (b) of this section unless such person has first obtained a license from the Secretary of the Treasury, as provided in such subsection to so import or bring in such firearm.

"(2) It shall be unlawful for any person to knowingly receive any firearm which has been imported or brought into the United States or any possession thereof in violation of the provisions of this section.

"(b) Any person desiring to import or bring a firearm into the United States or a possession thereof shall, in addition to complying with all other applicable provisions of law, obtain a license from the Secretary of the Treasury for the importation or bringing in of such firearm. Licenses required under this subsection shall be issued in such form or manner and subject to such conditions as the Secretary of the Treasury shall by regulation prescribe. No license shall be issued under the provisions of this subsection unless it has been established to the satisfaction of the Secretary of the Treasury that the firearm is to be imported or brought in for a lawful purpose, and is adequately identified in such manner that proper records of its importation and disposition may be maintained—

"(1) that such firearm is being imported or brought in for scientific or research purposes, or as a sample for a licensed manufacturer or licensed dealer, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code, or

"(2) that the firearm to be imported or brought in is particularly designed and intended for target shooting or sporting purposes and is unique or so unusual in design or workmanship that a comparable firearm cannot be obtained in the United States or a possession thereof, or

"(3) that the importation or bringing in of such firearm is in the public interest."

SEC. 2. The amendments made by this Act shall become effective on the first day of the second month beginning after the date of enactment of this Act.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

Mr. TOWER. Mr. President, I send to the desk a bill to amend the Internal Revenue Code of 1954 to exempt from the additional estate tax the estates of members of the Armed Forces killed in Vietnam and to forgive unpaid income taxes owed by such Armed Forces members.

I ask unanimous consent that this bill lie on the table until Wednesday next for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table as requested.

The bill (S. 1181) to amend the Internal Revenue Code of 1954 to exempt from the additional estate tax the estates of members of the Armed Forces killed in Vietnam and to forgive unpaid income taxes owed by such members, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Finance.

Mr. TOWER. Mr. President, as I said when upon introducing my Vietnam GI bill earlier in the year, this Nation, throughout its history, has extended special benefits to its servicemen who face combat conditions in our defense. This bill would give to the serviceman and his family benefits heretofore given. I feel it is only right we do so again.

AMENDMENT OF HOUSING ACT OF 1937

Mr. TOWER. Mr. President, I send to the desk, for appropriate reference, a bill to amend the Housing Act of 1937, to authorize the purchase of units in low-rent housing projects by resident tenants.

Under my proposal, a public housing tenant could count monthly rentals over a 3-year period, as a downpayment on his individual unit, and thus purchase it for himself and family.

For many years now, our public housing law has posed an almost insolvable problem for the Congress. No suitable substitute for public housing has been found; and of course, no one has seriously advocated discontinuance of the program.

Aside from the billions that public housing is costing and will cost far into the future, the existing practices in public housing tend to destroy the desire or interest of hundreds of thousands of families to participate in that great American privilege of property ownership—and property ownership is the greatest of all deterrents to communism.

I believe there should be an inducement to every public housing occupant to buy a home. My proposal makes it practical for him to do so. The enactment of this legislation can lead to the eventual elimination of public housing as we know it today; I am hopeful it will lead to actual homeownership for hundreds of thousands of presently uninspired occupants of public housing.

The proposal I make, which would allow the balance of the sales price to be covered by a condominium-type mortgage, would also be made available to each new occupant of a public housing unit.

Mr. President, I ask that my bill lie on the table until Wednesday next for cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table as requested.

The bill (S. 1182) to amend the U.S. Housing Act of 1937 to authorize the purchase of units in low-rent housing projects by the tenants thereof, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Banking and Currency.

URBAN RENEWAL DEVELOPMENT

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill to require that a locality which received Federal urban renewal funds repay such funds out of increased tax revenues derived by the locality, as a result of the urban renewal redevelopment. The bill calls for a payment of only 10 percent of the amount of this increased revenue.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1183) to require localities receiving assistance under title I of the Housing Act of 1949 to make annual payments to the United States out of increased tax revenues derived as a result of the redevelopment made possible by such assistance, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. TOWER. Mr. President, under present law, cities have been double gainers in the urban renewal program. The first gain comes when the Urban Renewal Administration pays two-thirds of the cost of rebuilding a certain section of a city, generally a codeless, unplanned, unkept section. The second gain comes when the urban renewal area, after being rebuilt and subsequently resold, is required to pay to the city substantially increased taxes.

It has been shown that some cities are, or plan to, relieve their respective tax burdens through the use of these additional taxes, which of course, have been made possible through taxes paid by all of the taxpayers.

The Urban Renewal Administration has been using, as one of its primary selling points to prospective urban renewal recipients, the fact that said recipient can actually make money by participating in the program.

Mr. President, I ask unanimous consent that selected comparison statistics, showing increased valuation figures prepared by the Urban Renewal Administration in June of 1963, be printed at this point in the RECORD.

There being no objection, the statistics were ordered to be printed in the RECORD, as follows:

	Before	After
Washington, D.C.	$592,016	$4,486,221
Detroit	70,000	512,000
Chicago	2,321,442	4,794,368
Calexico, Calif.	4,400	16,400
Norfolk	165,000	375,000
Oakland	49,000	195,000

Mr. TOWER. Mr. President, I also ask unanimous consent that an article appearing in the Washington Post, Monday, February 15, showing increased valuations of the rebuilt Southwest area in the District, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REBUILT SOUTHWEST BOOSTS DISTRICT OF COLUMBIA TAX RECEIPTS

The rebuilding of Southwest Washington is moving rapidly toward completion, says the District Redevelopment Land Agency.

In its just-issued annual report for the 1963–64 fiscal year, the RLA says about 85 percent of the new dwellings planned for the former slum area will either be completed or under construction by next June 30.

The Agency said rebuilt parts of the Southwest already are yielding more taxes to the city than did the entire section when it was a slum.

In 1953, when renewal began, the city collected $592,016 in real estate taxes on properties within the project area, the report said.

In 1964, it said, $881,535 was collected, of which $618,892 was paid by developers of the new Southwest. Most of the remainder was paid by the RLA on properties it owns.

During the fiscal year that ended last June 30, construction began on buildings containing 1,582 dwelling units, more than had been started in any previous year, it was reported.

The Agency said that 97.9 percent of the 2,441 completed units in the area have been rented or sold. "The success of this residential area seems assured," the report said.

Eventually, the new Southwest is to have 5,862 dwelling units housing about 12,000 people.

In addition to residential construction, a number of other buildings in the Southwest have been completed. They include 14 commercial buildings, several churches, a theater, 3 large Federal office buildings, and large segments of new highways.

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In addition to residential construction, a number of other buildings in the Southwest have been completed. They include 14 commercial buildings, several churches, a theater, 3 large Federal office buildings, and large segments of new highways.

I am advised that the URA will soon have up-to-date statistics on such increased valuation in renewal areas throughout the country. Their most recent figures, presented to the Banking and Currency Committee last year, based on 403 projects in which development had begun or was completed, shows a 427 percent increase in assessed valuation; that is, from $575 million to $3,031 million.

I feel my proposal is a reasonable and practical one. Every urban renewal project tax increase would be shared with taxpayers throughout the country. And not only would 10 percent of the tax profits be repaid, but my proposal could eventually create a revolving fund that would carry the urban renewal program without reaching further into the Federal Treasury for more tax funds as is done now every year.

JUDICIAL REVIEW OF ADMINISTRATIVE DECISIONS BY HEW

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Montana [Mr. METCALF], I send to the desk a bill to amend the Social Security Act to provide for judicial review of administrative actions by the Department of Health, Education, and Welfare.

At present the public assistance provisions of the Social Security Act do not contain any provision for appeal to the courts by the States from administrative decisions of HEW. As in many other Federal programs under this act the States are required to submit plans for the approval of HEW. The Department's decision as to whether the plans meet Federal criteria are at present unreviewable. If a State wishes to contest the Department's determination that its State plan does not comply with the Federal requirement, the State is then faced with the threat of the withholding of the Federal funds, which would impose a severe penalty upon the recipients of welfare.

In a comparable situation just last year, the Congress provided for judicial review of decisions to withhold aid under title VI of the Civil Rights Act of 1964. Similarly, in the Higher Education Act of 1963 decisions of HEW were made judicially reviewable, and in S. 370, the pending primary and secondary education bill and S. 1, the current Anderson-Gore-Javits medicare bill, such a provision is also recommended by the administration. With judicial review in all these statutes affecting the Department of Health, Education, and Welfare, I can see no reason why the Social Security Act should be an exception.

The problem of unreviewability under the Social Security Act has been particularly acute for my own State of New York, which within the last 2 years had a difference of opinion with HEW over the wisdom of applying new Federal procedures for checking the eligibility of public welfare recipients. It was New York State's position that its requirements were already more stringent than those sought to be enforced in the new Federal program under the Social Security Act Amendments of 1962, and that, therefore, it was not the intent of Congress to displace the more effective State procedures where they already existed. However, since the State had no forum in which to appeal the adverse HEW decision, it reluctantly complied rather than face the withholding of Federal funds. Had the provision which I am now introducing been in the law, the matter could have been taken to a U.S. district court in New York so that the intent of Congress could have been judicially determined in accordance with due process of law. Other States have also had the same type of problem.

I offered this proposal as S. 3787 in the 87th Congress and as an amendment to the Social Security Act amendments adopted in 1962 and, when the latter was considered on the Senate floor, I was assured by the manager of the bill that my amendment would be given separate consideration by the Finance Committee at the earliest opportunity. I would very much hope that at long last in this Congress the provision would be finally given prompt attention, particularly in view of its recent history on other bills I have just outlined.

On February 16, Congressman THOMAS B. CURTIS reintroduced his parallel bill in the other body as H.R. 4945. Congressman CURTIS has also sought this type of provision for a number of years as a member of the Ways and Means Committee.

I am very pleased to note that in its May 1964 report on public assistance the Advisory Commission on Intergovernmental Relations recommended enactment of just such a provision as this. I ask unanimous consent that there be included in the record the pertinent excerpts from the Commission's report on this subject.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

CHAPTER V—SUGGESTIONS FOR IMPROVING FEDERAL-STATE RELATIONS IN THE PUBLIC ASSISTANCE PROGRAMS

This chapter deals with the pros and cons of certain alternatives that have been suggested for improving Federal-State relations in the public assistance programs.

A. JUDICIAL REVIEW

States have no appeal from decisions by the Secretary of Health, Education, and Welfare declaring a State plan out of conformity with the Social Security Act. Judicial review of such decisions, a remedy which has been provided under many grant-in-aid programs enacted subsequently, has been suggested as a solution. Considerable attention was focused on the problem by the former Kelley Commission of New York, which investigated the conditions surrounding Federal-State disagreements in public assistance in the early 1950's. The report of this commission, which frequently has been cited, recommended judicial review. Subsequently, the interest of State and local officials in judicial review has waxed hot and cold as problems and disagreements have arisen with the Federal agency.

Bills that would provide for such review have been introduced in the Congress. In the 2d session of the 87th Congress, S. 3787 was introduced by Senators JAVITS and Keating, of New York and METCALF, of Montana, while in the 1st session of the 88th Congress, Representative CURTIS, of Missouri, introduced a similar but not identical bill (H.R. 6202). S. 3787 would have added a section to each of the public assistance titles of the Social Security Act as follows:

"Any State which is dissatisfied with the Secretary's action (in declaring its plan out of conformity with the Federal Act) * * * may appeal to the U.S. district court for the district in which the capital of such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall therupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act."

H.R. 6202 is more detailed, providing for a hearing before the Secretary in cases of disagreement over decisions of the Secretary and spelling out time limits for each step in the procedure. Appeal from the Secretary would be made to the U.S. court of appeals for the circuit in which the State is located, and the decision of this court would be subject to review by the U.S. Supreme Court. This bill further specifies that the Secretary shall not reduce payments to the States prior to whichever of the following occurs first:

"(a) The 30-day period commencing on the date he notifies such State of his proposed action expires without the State having filed a petition with him for a reconsideration of the issues upon which his proposed action is based:

"(b) the date such State notifies him that no appeal will be taken on his proposed action or that any such appeal previously filed has been withdrawn;

"(c) the date a final judgment with respect to such proposed action had been sustained on review by the Supreme Court of the United States, or the date that, because of the lapse of time, such a judgment is no longer subject to review by the Supreme Court of the United States."

Arguments in favor of a system of judicial review of the decisions of the Secretary are: (1) It would place the State on an equal basis with the Federal Government in the administration of the public assistance programs. As the situation now stands, the Federal agency definitely has the upper hand in the Federal-State partnership because there is no recourse for the State beyond the decision of the Secretary; (2) There is ample precedent for judicial review in the public assistance programs because at least 11 other Federal grant-in-aid programs have such provisions; and (3) Lack of a system of judicial review tends to stifle initiative on the part of the States for fear anything new they initiate may be declared out of conformity with the act.

Arguments in opposition to judicial review are: (1) It is not needed because the States have sufficient opportunity to present their side of any disagreement through negotiations with Federal officials, and to the Secretary through the hearing process if negotiation breaks down; (2) The State in reality does have appeal beyond the Secretary because appeal may be made to the Congress; (3) States have not been badly treated at the hands of the Federal agency, as evidenced by the fact that there have been only 15 hearings scheduled before the Federal agency over all the years of the public assistance programs; and (4) Judicial review will present insurmountable problems in regard to withholding funds from the State while litigation takes place, or in recouping funds from the States if the court ultimately decides in favor of the Federal Government.

The National Association of Counties at its 28th annual meeting in Denver, Colo., in 1963 adopted a plank in its American county platform in support of judicial review, as follows:

"The National Association of Counties urges enactment of appropriate Federal legislation to provide the counties and States access to judicial review of Federal staff legal interpretations of the Social Security Act affecting welfare programs administered by the States and counties in partnership with the Federal Government."

On the other hand, the Department of Health, Education, and Welfare is on record in opposition to H.R. 6202.

The commission believes there are several important issues in the public assistance programs that warrant attention and action to improve the intergovernmental partnership. These are: (1) the fact that the only present recourse a State has from a decision of the Secretary of Health, Education, and Welfare in disagreements with the Secretary, is the Congress.

1. Judicial review of decisions by the Secretary of Health, Education, and Welfare:

Many key officials—Federal, State, and local—involved in the administration of the public assistance programs, and who have considered the problem, agree in theory that there should be opportunity for judicial review of Federal administrative actions in these programs. The fact that there are at least 11 existing Federal grant-in-aid programs which provide for judicial review is ample precedent for such a recommendation.

Certain basic issues are invloved in formulating specific proposals for such court review. These stem largely from the sizable amounts of Federal funds involved in the public assistance programs. Typical questions raised in providing judicial review of decisions of the Federal agency regarding State plans are as follows: If the agency declares a State plan out of conformity for any reason, such as change in the plan initiated by the State, or failure of the State adequately to implement new Federal administrative requirements, should Federal funds be withheld from the State or continued during the court review process? If the court decides in favor of the Federal Government, should the State be required to repay the portion of Federal funds applying to the part of the plan found to be in error? If the Federal Government withheld funds for any length of time, would the State be able to continue assistance payments and avoid economic hardships for recipients?

While additional questions could be raised, this is sufficient to illustrate some of the complexities of the problem. The Commission believes that the difficulties can be minimized or avoided by devising an appropriate judicial review procedure.

The Commission recommends that the Congress amend the Social Security Act to give the States the right of appeal to the U.S. Court of Appeals—for the circuit in which the State is located—from administrative decisions of the Secretary of Health, Education, and Welfare regarding the conformity of State plans under the public assistance titles of the act. Court review of the decisions of the Secretary would take place before the proposed changes became operative as a part of the State plan.[1]

Mayor Naftalin dissented from this recommendation and stated:

"I am concerned that the institution of judicial review procedure for decisions of the Secretary of Health, Education, and Welfare would slow down administrative actions in the public assistance programs. I believe it is absolutely necessary for the Secretary to have wide latitude for administrative discretion in the conduct of public assistance grants and that judicial review would tie the hands of the Secretary with consequent impairment not only of the Federal aspects of the program but of the State and local aspects as well."

Administrator Weaver dissented from this recommendation and stated:

"This recommendation has implications for a wide range of Federal aid programs, despite its necessary limitation in this report to public assistance grants under the Department of Health, Education, and Welfare. I do not believe that either the need for judicial review of such administrative decisions or the potential consequence of such a procedure have been sufficiently determined or considered.

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[1] Secretary Celebrezze did not concur in this recommendation.

"Congress enacts a program to serve a public purpose and generally leaves to the administering agency the responsibility for developing appropriate procedures to implement the legislation. In carrying out this responsibility, the administering agency is necessarily concerned with achieving the most expeditious and efficient operation of the program. Where there is some question of congressional meaning or intent, or some significant problem of program administration not susceptible of satisfactory solution by the agency itself, the matter is normally referred back to Congress for clarification or any appropriate changes.

"Unless it is shown (1) that a significant administrative problem exists, and (2) that the normal Federal legislative-administrative process is unable to resolve the problem, judicial review should not be introduced into what is essentially a matter of authorized administrative discretion."

The Commission believes that the most satisfactory approach to providing judicial review of administrative decisions of the Secretary is to establish a procedure whereby in cases of disagreement between the State agency and the Secretary, court review would occur prior to actual implementation of a proposed change in the State's existing approved plan. This would avoid the necessity for withholding or recouping Federal funds. Court review would involve a determination of whether an amendment to the existing plan proposed by the State or a new administrative requirement promulgated by the Federal agency conformed with the intent of the Federal statute. Under such procedure there would be no disruption in the operation of the existing approved State plan until agreement between the parties was reached or the court decision was rendered.

It has been argued that such procedure would unduly delay the implementation of essential Federal regulations. However, the Commission does not believe that this is a compelling argument. Time limits could be set for steps in the appeal process and priorities established for court review of such cases, thereby precluding undue delay in activating changes in State plans. An appeal on the part of one State would in no way affect the action of any other State in implementing Federal requirements prior to the court decision.

Some States and local officials believe that some form of judicial review should encompass all aspects of the public assistance programs, including matching issues or audit exceptions. However, the much greater concern is for review of decisions regarding plan-conformity issues. The Commission believes that to involve audit exceptions or issues other than those of plan conformity in the judicial review process would create many additional problems.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1184) to provide for judicial review of certain actions of the Secretary of Health, Education, and Welfare concerning public assistance programs established pursuant to title I, IV, X, XIV, or XVI of the Social Security Act, introduced by Mr. Javits (for himself and Mr. Metcalf), was received, read twice by its title, and referred to the Committee on Finance.

Mr. JAVITS. Mr. President, I ask unanimous consent that a copy of the bill may be printed in the Record at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill, ordered to be printed in the Record, is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Social Security Act is amended by inserting "(a)" after "Sec. 4.", and by adding at the end of such section the following new subsection:

"(b) Any State which is dissatisfied with the Secretary's action under subsection (a) or under section 3(c) may appeal to the United States district court for the district in which the capital of such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall thereupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act."

Sec. 2. Section 404 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(c) Any State which is dissatisfied with the Secretary's action under subsection (a) or under section 403(c) may appeal to the United States district court for the district in which the capital of such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall thereupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act."

Sec. 3. Section 1004 of the Social Security Act is amended by inserting "(a)" after "Sec. 1004.", and by adding at the end of such section the following new subsection:

"(b) Any State which is dissatisfied with the Secretary's action under subsection (a) or under section 1003(c) may appeal to the United States district court for the district in which the capital of such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall thereupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act."

Sec. 4. Section 1404 of the Social Security Act is amended by inserting "(a)" after "Sec. 1404.", and by adding at the end of such section the following new subsection:

"(b) Any State which is dissatisfied with the Secretary's action under subsection (a) or under section 1403(c) may appeal to the United States district court for the district in which the capital of such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall thereupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act."

Sec. 5. Section 1604 of the Social Security Act is amended by inserting "(a)" after "Sec. 1604.", and by adding at the end of such section the following new subsection:

"(b) Any State which is dissatisfied with the Secretary's action under subsection (a) or under section 1603(c) may appeal to the United States district court for the district in which the capital of such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall thereupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act.'"

UNIVERSITY OF ALASKA LANDS

Mr. BARTLETT. Mr. President, in the 88th Congress I introduced S. 2138 which would have provided that certain limitations should not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska. Today, I introduce an identical measure.

The necessity for this bill arises from a dispute between the University of Alaska and the Klukwan Iron Ore Corp. over a 150-acre tract of land which Klukwan claims under a placer mining filing and the university claims under a patent from the Federal Government as a result of its application for the land in accordance with the terms of a 1929 congressional act granting 100,000 acres to the Territory of Alaska for the benefit of the university.

My bill would allow a negotiated sale or lease of the 150-acre tract by the university to Klukwan. The language of the 1929 act requires that sales or leases of the grant lands must be by competitive bidding.

Last year the Interior Department, in reporting on the bill, expressed no objection to its enactment, as did the Bureau of the Budget. Since the language of the bill has already been studied by those two agencies it is hoped that they will be able to quickly report on the measure I introduce today and that early committee and Senate action can be obtained.

Mr. President, I ask unanimous consent that a brief history of the University of Alaska and Klukwan Iron Ore Corp. dispute be included in the Record. This history was prepared by the very able counsel for the University of Alaska, R. J. McNealy, in support of S. 2138, 88th Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the history will be printed in the Record.

The bill (S. 1190) to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska, introduced by Mr. Bartlett, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The history presented by Mr. BARTLETT is as follows:

A Brief History of the University of Alaska and the Klukwan Iron Ore Corp. in Support of S. 2138, 88th Congress

SUMMARY OF CONTROVERSY

The University of Alaska (now established as the State University by the Constitution of the State of Alaska by article VII, secs. 2 and 3) came into being in 1917 as the Alaska Agricultural College and School of Mines and as a land-grant college under title 48 U.S.C.A., 353 and 354. It has grown from a humble beginning in 1922 with only 6 students to the State university with 1,300 students, a beautiful campus and buildings furnished by the State, teaching courses in the liberal arts and all sciences.

In 1929 the Congress of the United States provided an additional land grant for the university in the amount of 100,000 acres and provided for the selection of these lands and the manner of use or disposal. The provisions of title 48 U.S.C.A., 354a, applicable to the disposal of these lands, are as follows:

"Said lands shall not be sold or leased, in whole or in part, except to the highest bidder at public auction or, in the case of a lease, to the person who submits the highest bid at a public auction or through sealed competitive bidding, notice of which proposed sale or lease shall first have been duly given by advertisement, which shall set forth the nature, time and place of the transaction to be had, with full description of the lands to be offered, published once each week for not less than ten successive weeks in a newspaper of general circulation published regularly at the capital and in a newspaper of like circulation which shall then be regularly published nearest to the location of the lands so offered; nor shall any sale or contract for the sale of any timber or other natural product of such lands be made, save at the place, in the manner, and after the notice thus provided for sales and leases of the lands themselves: *Provided*, That nothing herein contained shall prevent said State from leasing any of said lands referred to in this section for a term of five years or less without such advertisement herein required."

Sale and lease of these university lands through the years has proceeded strictly according to the law as promulgated by the U.S. Congress.

No serious difficulty was encountered until the university selected certain lands which appeared to be of a nonmineral nature (hereinafter described). Klukwan Iron Ore Corp. also filed mineral placer claims in the disrupted area during 1953 and 1954, although some placer claims had been filed by metes and bounds description as early as 1947 by predecessors in interest of Klukwan Iron Ore Corp.

On October 17, 1959, Klukwan Iron filed a complaint in the then District Court for the District of Alaska, first division, against the State of Alaska, the University of Alaska, and the members of the board of regents, civil cause No. 8146A. Certain State officials were willing to concede and allow judgment to be entered for Klukwan. However, the board of regents of the university insisted that university counsel fight the action. This was done so thoroughly that to avoid long and costly litigation and eventual appeals, the parties entered into an agreement on July 31, 1963, which provided that the University of Alaska would lease the lands to Klukwan for mining with a substantial income to the University of Alaska, provided some way were found to avoid the provisions of 48 U.S.C.A., 354A.

Under conditions and with the discovery of iron ore in great quantities, it became manifestly impossible for the University of Alaska to offer a lease at public sale due to speculators and the real threat of the continuance of the law suit against the University and a very possible finding by the highest court that the University of Alaska had no right or title to the involved lands.

The only practical solution, finally agreed upon by counsel for the parties, is contained in S. 2138 introduced in the U.S. Senate by the Honorable E. L. BARTLETT on September 11, 1963.

While it is dry and technical reading, a running abstract of the land dispute follows in order that the untenable position of the University of Alaska in a lawsuit can be shown in support of Senator BARTLETT's bill which, if passed and signed, will be of great financial benefit to this farthest North American college of learning.

ABSTRACT OF EVENTS

The lands in dispute between the University of Alaska and Klukwan Iron Ore Corp. (hereinafter referred to as University and Klukwan, respectively) are located in section 29 of T. 28 S., R. 56 E., Copper River meridian and identified as:

Lot 1 containing 33.05 acres.

N½ NE¼ containing 80.00 acres.

NE¼ NW¼ containing 40.00 acres.

The University of Alaska, acting as selecting agent for the Territory of Alaska under the act of January 21, 1929, 48 USCA, section 354a (100,000-acre grant) made application for these lands on August 29, 1952, together with many other tracts.

Klukwan disputes this selection as an application and states a representative of the University of Alaska signed a letter dated August 29, 1952, as a selection by the Territory of Alaska of certain lands including the disputed lands. Attached to and made a part of the letter was a list of property entitled "Anchorage List No. 8." No application for approval of the selection was filed therewith, and there was no compliance with the requirements of 43 C.F.R. 76.5(b), 76.5(e), 76.6(a), or 76.6(b), which are the regulations of the Bureau of Land Management governing the filing of selections under the act.

The application of the university filed on August 29, 1952, was given the Anchorage No. 022286. On September 8, 1953, the Bureau of Land Management requested a report from the Geological Survey as to whether or not the lands in question were valuable for mineral and water resources. Reply from the Geological Survey was received by the BLM by letter memorandum dated May 11, 1954, indicating that the disputed lands were without value for mineral, either metalliferous or nonmetalliferous * * *."

In the meantime the university filed the affidavit of William O'Neill that the land is nonmineral and that there was no Indian occupancy or improvements on the land. This affidavit was acknowledged on May 5, 1953.

On November 24, 1953, Walter Stuart who was vice president of the board of regents and official selecting agent for the university (assisted by W. A. O'Neill) filed what was entitled "Application of the Territory of Alaska To Select Lands Under Act of Congress, January 21, 1929." This application is somewhat lengthy in form and apparently complies fully with the statutes and regulations concerning selections under the grant. In the application, articles VI and VII, Stuart refers to the affidavit of William A. O'Neill which is attached as exhibit "D". It appears from our file that this is the affidavit of May 5, 1953, described in the paragraph above.

Attached to this application is a list of lands (which does not include the disputed lands) totaling 4,577.15 acres. According to our file there is evidence that the total acreage as described in article V of the application was changed from 4,577.15 acres to 2,480.82 acres by interlineation which is the total acreage described in revised list No. 8 and also for which publication was sought as described hereafter. The acreage change was apparently initialed by W.T.S. (Walter T. Stuart).

This application, together with its various exhibits, was filed in the land office at Anchorage on November 30, 1953. List No. 8 as incorporated in the application (as indicated above) did not include the disputed lands but again there is a notation on the application: "See revised list of description covering list No. 8 only No. 022286 (signed) Walter T. Stuart" and there is a pencil mark at the end of the attached list No. 8 which indicates that this section was separated from list No. 7 (serial No. 022256) and list No. 5 (serial No. 022211).

At the same time the above described application was filed, Walter T. Stuart by letter dated November 24, 1953, to the Anchorage office of BLM stated:

"There was a duplication in Anchorage list 8 and Anchorage list 7 concerning T. 28 S., R. 55 E., Copper River meridian covering section 29, so I retained land in list 7 and eliminated same in list 8.

"We wish to relinquish only Copper River meridian lands in Anchorage lists 5, 7, and 8, not shown in this formal application. Re other lands shown in Anchorage lists 5, 7, and 8, we will submit formal applications soon."

There is nothing in the files to indicate that any other application, formal or otherwise, was ever submitted, but only a revised list 8 (which does include the disputed lands). The position of the university with regard to this letter is that either it must have been withdrawn or something must have happened which changed the intentions described therein. In any event the action between the BLM and the university is of no material importance or concern to a third party.

It should be noted also that in the first paragraph of Stuart's letter that he refers to a duplication of lands in lists 7 and 8. This would indicate that there was a filing of an earlier list since the lists supplied with the application of November 24, 1953, shows no such duplication of lands.

Klukwan's position with regard to the events at the end of November 1953, according to its brief of December 10, 1959, is as follows:

(1) The university took no further action [from August 29, 1952] until it filed a formal application on November 30, 1953, for certain lands described in the application as comprising Anchorage list No. 8, Anchorage list No. 7, and Anchorage list No. 5. This selection did not include any part of the disputed lands.

(2) On November 30, 1953, there was also filed a letter dated November 24, 1953, signed by a representative of the University of Alaska who had also signed the selection filed the same day. The first paragraph of this letter does not refer to the lands in question. In the first sentence of the second paragraph it is stated "we wish to relinquish only Copper River Meridian lands in Anchorage lists 5, 7, and 8, not shown in this formal application." This confirmed the fact that the university did not intend to apply for the disputed lands which had been described in the letter of August 29, 1952. The second sentence of the second paragraph referred to lands other than Copper River Meridian lands and therefore does not concern the disputed lands.

(3) The proof required by 43 C.F.R. 76.5(e) and 43 C.F.R. 76.6(a) in support of the selection filed November 30, 1953, was contained in the affidavit of William A. O'Neill attached thereto. It states the affiant made a physical examination of the land "listed and attached" thereto. The affidavit refers only

to such lands as are "listed and attached" thereto. The only thing attached to the affidavit was the selection and application filed November 30 which did not include the disputed lands in the description of the lands selected or applied for. Therefore, the affidavit did not state any facts with respect to the disputed lands.

On October 28, 1954, the revised list No. 8, Anchorage Serial 022286 was filed in the Land Office in Anchorage. This revised list contains the disputed lands. At the same time and filed with the land office on the same day was a letter from W. T. Stuart relinquishing certain lands in the original list No. 8, Anchorage Serial 022286. None of the disputed lands are included in the lands relinquished at this time.

Klukwan's position with regard to this revised list is as follows:

On October 28, 1954, some unknown person filed in Anchorage 022286 an unsigned document entitled "list No. 8, Anchorage Serial No. 022286, revised list." This list can in no way be identified with the selection and affidavit filed November 30, 1953, although the number in the title of this document refers to Anchorage 022286.

On December 1, 1954, the BLM sent a memorandum to the area lands and mineral officer also in Anchorage requesting a determination regarding waiver of the shore space restriction for certain lands contained in Anchorage 022286 (list No. 8). The lands for which the waiver was requested were included in both list 8 and revised list 8.

On July 20, 1955, the land office in Anchorage filed its "decision" allowing the application of the Territory of Alaska for the lands selected under Anchorage Serial No. 022286 (list No. 8). This decision included the disputed lands and was for a total of 2,480.82 acres which is the same acreage as was interlineated and initialed on the application dated November 24, 1953. The decision stated:

"The selected land has been found to be subject to selection, being surveyed, unreserved public land of the United States, free from adverse claims of record. It has been reported that the land is nonmineral in character, not known to contain any watering places, hot or medicinal springs and the land applied for is not within a shore space reserve or has been restored from the reservation, and does not exceed the shore space restriction or the restriction has been waived."

The decision further indicated that the lands would be subject to certain reservations for rights-of-way for various purposes, and also "subject to valid rights existing at the date of selection." Included with the decision was a notice for publication and instructions relating to the publication.

The notices as supplied by the BLM were then published by the university in newspapers in both Anchorage and Juneau for a period of 5 consecutive weeks. Affidavits of publication were forwarded to the BLM and filed in the proper case file as indicated from the docket sheet of Anchorage serial 022286.

On October 25, 1955, the land office in Anchorage rendered its decision in Anchorage serial No. 022286 (list No. 8) "Allowance of application corrected, preparation of clear list authorized." The decision in its entirety is quoted as follows:

"By decision of July 20, 1955, the University of Alaska, under Anchorage serial No. 022286, was allowed; however, in checking the acreage subtotals, those listed under T., 28 S., R. 55 E., Copper River meridian were found to be in error. The decision listed the subtotal as 457.94 acres, whereas it should read as 411.67 acres. The grand total will then correctly read 2,434.55 acres.

"The notice for publication contained the same error. This error is not of a substantial nature so as to make the publication defective.

"Proof of publication having been filed and all other requirements met, preparation of clear list is hereby authorized."

The day following the decision of the BLM, they forwarded to Washington to the chief of the patents unit two applications of the University of Alaska. The memorandum from the Anchorage office stated that the documents were not being sent with other final certificates "because of their different nature." One of the applications forwarded was Anchorage 022286 which included the disputed lands. According to the memorandum of transmittal, the filing date for this serial number was August 29, 1952.

On February 21, 1956, the Bureau of Land Management in Anchorage received from Washington, clear list No. 8 bearing Anchorage serial 022286 with a filing date of August 29, 1952. This clear list included the disputed lands. This clear list was accompanied by a letter from the executive officer in Washington requesting that the clear list be rewritten in accordance with the manual.

Ten months later, on December 26, 1956, the Anchorage office of the BLM wrote to William A. O'Neill stating that the clear list had been returned from Washington for further processing and that in rechecking the records the BLM discovered that there is a conflict with a placer claim and requested the university to relinquish the lands. This letter refers to Anchorage 022286 submitted by the University of Alaska on September 8, 1952.

Early the next month the BLM wrote to Burke Riley, attorney at law, Haines, Alaska, concerning the mineral claims which had been filed by a client of his. The letter indicated that there was a filing by the University of Alaska as of 1952 which antedated the filing by Mr. Riley's client. The mineral filing, however, does not cover any of the disputed lands.

On February 23, 1957, William A. O'Neill, acting as the selecting agent for the University of Alaska, referring to Anchorage 022286, made a formal relinquishment on behalf of the university to certain lands contained in that serial. The ground for the relinquishment is that there were prior claims for placer mining purposes. None of the disputed lands were contained in this formal relinquishment. This relinquishment was in response to the letter from the BLM which had been written on December 26, 1956.

As a result of this formal relinquishment by the university, the BLM rendered a subsequent decision dated March 12, 1957, and referenced to the University of Alaska selection, Anchorage 022286, clear list No. 8. This was a formal acceptance of the partial relinquishment relating to lands other than the disputed lands. The reason for the relinquishment was "that these lands are indicated to be mineral in character." The formal relinquishment was accepted and the clear list was amended to eliminate the relinquished lands.

On April 18, 1957, the properly amended clear list for Anchorage 022286 was forwarded to Washington by the BLM in Anchorage.

On May 14, 1957, the clear list No. 8 was approved and 9 days later a certified copy of the clear list was forwarded to the Territorial Governor.

Nothing further transpired with regard to the clear list No. 8 and the file in the Anchorage office of BLM designated serial 022286 for nearly a year. Then on May 9, 1958, the Juneau office requested a transfer of the file from Anchorage for examination by Klukwan. The reason for the requested transfer was that: "They (Klukwan) claim lands in the Haines area included in the selection and clear list No. 8 dated May 14, 1957, were staked in 1947 by them as placer claims." According to the records of the BLM the file was transferred to Juneau for copying, transferred back to Anchorage and then requested again by Juneau. As a result of the examination of the file by Klukwan, they wrote a letter to the Juneau office of the BLM on June 30, 1958, setting forth their position as to the erroneous granting of the clear list. In brief the position of Klukwan is as set forth in its brief of December 10, 1959, as follows:

"It is apparent from the record that the Bureau of Land Management treated and considered the descriptions in the revised list as a substitution for those in list No. 8 of the selection and application filed November 30, 1958, and treated and considered said selection and application as amended thereby. An examination of the clear list filed May 14, 1957, shows that the Chief of the Patents Section considered the selections filed November 30, 1953, as so amended, to have been made August 29, 1952. This treatment of the revised list was clearly erroneous. The selection of August 29, 1952, was never supported by any proof whatsoever and contained none of the jurisdictional facts required to constitute a selection. It was in fact supplanted by the selection filed November 30, 1953, and as to the disputed lands, the letter filed the same day specifically denied any intention at that time of selecting or applying for conveyance of any part of the disputed lands. In other words, whatever rights the Territory acquired by its letter filed August 29, 1952, with respect to the disputed lands, were relinquished on November 30, 1953. The selection filed November 30, 1953, should be treated as the only selection on file with respect to any lands listed therein and any lands which had been left out of the selection filed November 30, 1953, but which had been contained in the letter dated August 29, 1952, should be considered as being unselected. When the revised list was filed October 28, 1954, there was no proof filed with it or filed thereafter with respect to those lands described in the revised list which were not in the selection filed November 30, 1953. Mr. O'Neill did not make his affidavit and the university did not make its certificates or allegations with respect to the disputed lands. Those allegations and sworn statements filed on November 30, 1953, were made with respect to other lands. By no stretch of the imagination can the university or Mr. O'Neill be held responsible for making false statements with respect to the disputed lands nor can such statements be related to the disputed lands."

The letter from Klukwan was initially acknowledged on July 7, 1958, by BLM indicating that a further response would be forthcoming. In the meantime, one Alexander Smith on behalf of Klukwan wrote to the BLM in Juneau indicating that he had received information that the BLM was going to remove the disputed lands from the clear list and requested information as to the status of the Klukwan claims in the event that was done.

On January 7, 1959, the BLM wrote Klukwan in further response to its letter of June 30, 1958. This letter is quoted as follows:

"Where an act of Congress granting public lands provides for action by the Secretary of Interior which is equivalent to the granting of a patent, such action by him ends the jurisdiction of his Department. It has also frequently been held that certification of lists pursuant to such grants is of the same effect as a patent.

"However, where patent has inadvertently issued for a tract of land, the Bureau of Land Management notwithstanding the title has passed out of the Government, can order an investigation with a view to determining whether some interest of the Federal Government or some person to whom it is under obligation has suffered by such inadvertent action. There is marked unanimity of opinion among authorities that to overcome the presumption that a patent to public land was issued upon sufficient evidence, clear, unequivocal, and convincing proof must be produced of the mineral character of the land and it must satisfactorily appear that the land was known mineral land at the time the patentee's rights would have otherwise vested.

"Therefore, in view of the above, it is requested that you submit a brief of the mineral history of the land in question and the area in general."

At the same time the Juneau office of the BLM advised Mr. Alexander Smith of Klukwan that the BLM was conducting an investigation and would advise him of the results.

On March 9, 1959, Klukwan submitted its brief regarding the history and mineral character of the disputed lands. This brief is some 10 pages in length and was accompanied by exhibits (which are not in our files).

On May 12, 1959, the Juneau office of the BLM (which had jurisdiction of the former Anchorage 022286 now designated J-010126) wrote to Klukwan indicating that Klukwan's brief had raised sufficient questions so that the matter would be submitted to the field solicitor for review. This letter to Klukwan from BLM states: "It is quite apparent for other reasons that the subject lands; i.e., lot 1, NE¼ NW¼, sec. 29, T. 28 S., R. 56 E., Copper River meridian containing a total of 153.05 acres were clearlisted in error."

A copy of this letter was submitted to the university and its legal counsel whereupon a brief supporting the university's position was prepared and transmitted to the Bureau of Land Management.

On October 22, 1959, the Bureau of Land Management rendered its decision with regard to the request for cancellation of the clear list. The request was denied and the protest of Klukwan was dismissed. The principal grounds given in the decision are: (1) That once the clear list or patent has issued the jurisdiction of the Department of Interior ceases, and that this is true even though there may have been irregularities, fraud or mistake by the land department. This jurisdiction is lost unless the certification is vacated by judicial proceedings; and (2) that the Department will sue for cancellation of a patent only when some interest of the Government or some party to whom it is under obligation has suffered. In the case of the disputed lands the Government found that no fraud existed and that it was not under any affirmative obligation to Klukwan to pursue the request for cancellation.

On November 19, 1959, Klukwan filed its notice of appeal from the decision of the manager of the Juneau Land Office dismissing its protest. Following this, both Klukwan and the university filed briefs in support of their respective positions. Also Klukwan filed an action in the district court (now transferred to the Superior Court for the State of Alaska, 1st District) to quiet title in itself as to the disputed lands as against any claims of the State or Alaska or the university and its regents. This case is still pending in the superior court and by stipulation with Klukwan, the university has not answered the complaint pending the final exhaustion of administrative remedies.

During the time that the appeal from the decision of the Manager of the Juneau Land Office was under consideration in Washington, a letter from the Director of the BLM was received by the board of regents of the university. This letter from Mr. Edward Woozley, the then director (September 8, 1960) urged the regents of the university to relinquish the disputed lands by a quitclaim deed to the United States. Mr. Woozley stated flatly that the clear list was in error and the last sentence of his letter should be quoted: "In the event an executed quitclaim deed is not received at the expiration of the time allowed [30 days] such further action will be taken by this office as is deemed appropriate."

This letter from Woozley was briefly acknowledged on November 8, 1960, by university's counsel and answered in full on March 10, 1961, after full consideration by the board of regents and discussions with various State officials. It was the position of the university that the decision of the manager was correct insofar as it related to jurisdiction of the Bureau of Land Management. It was also urged that the associate director reconsider the adverse stand set forth against the university by Mr. Woozley.

On April 4, 1961, the decision of the Director of the Bureau of Land Management was rendered on the appeal from the decision of the Manager of the Juneau Land Office. This decision vacated the manager's decision and denied the petition to bring suit to set aside the clear list. The pertinent holdings of this decision from the Director are:

1. "Since the Land Office manager has not the authority either to cancel a clear list, or to initiate court action to set it aside, it follows that he lacks jurisdiction to consider a request that such actions be taken. The decision of the manager, therefore, is vacated."

2. A clear list may be set aside if it was approved by mistake or its approval secured by fraud. There was no allegation of fraud. To set aside a clear list, however, it must appear that some interest of the Government or some party to whom the Government is under obligation, is involved. There would be no benefit to the Government from the cancellation of the clear list because upon restoration of the land to the operation of the mining law, Klukwan's rights, if any, would attach. Therefore, "A suit instituted to cancel the clear list would thus be for the benefit of a private party, and not for the benefit of the Government."

3. The Government was not under any obligation to Klukwan. Any obligation that they might have had to a possible claimant was acquitted by publication of selection for 5 weeks in two newspapers and no protest was filed prior to the clear list. Klukwan did not make known to BLM its interest for almost a year after approval of the list.

On May 8, 1961, Klukwan filed its appeal from the decision of the Director of BLM to the Secretary of the Interior. Again briefs were submitted by both Klukwan and the university. Klukwan's principal points on the appeal to the Secretary of the Interior were that a mistake had been made in the clear listing of the disputed lands, that the Government had an interest and an obligation to Klukwan to move for cancellation of the clear listing. The university, of course, denied all these contentions.

On August 15, 1962, the decision of the Secretary of the Interior was rendered on the appeal from the decision of the Director of the Bureau of Land Management. The headnotes accompanying this final decision in the administrative appeal procedure are as follows:

"Where the Department has clear-listed land to the Territory of Alaska under a congressional grant, it has no further jurisdiction over the land.

"The Department will not recommend that a suit to set aside a clear list of land to the Territory of Alaska be instituted where a protest against the selection is not received until after the clear list has issued, where no Government interest is involved, and where the Government is under no duty to protestant."

This decision affirmed the decision of the Director of BLM and denied the petition of Klukwan. Although this decision represents the exhaustion of the administrative remedies by Klukwan there is still pending the suit in superior court to quiet title. Therefore it would appear that certain statements in the decision of the Secretary of the Interior would be pertinent to that civil action:

"Under date of August 29, 1952, the Territory acting by and through the board of regents of the university, selected certain lands, described on an attached list designated Anchorage list No. 8. That list included the lands here in controversy. It did not, however, comply with all of the requirements of the Department's regulations relating to applications for selections under the grant. 43 CFR 76.4. Nevertheless, on September 8, 1952, the Geological Survey was called upon to determine whether the lands on the list were mineral in character. Thereafter, on November 30, 1953, the selecting agent notified the land office that it wished to relinquish lands shown on Anchorage lists 5, 7, and 8 not shown on its attached formal application, which complied with the regulations. The lands involved in the present appeal were not listed in the formal application. On May 11, 1954, the Director of the Geological Survey advised the manager of the land office at Anchorage that the lands now in controversy and other lands on Anchorage list No. 8 were without value for minerals.

"Even conceding that the selection filed on August 29, 1952, was not accompanied by the required documents and that a mistake was made in including the lands in clear list No. 8 after the selecting agent had indicated a desire to relinquish those lands and in the absence of the required affidavits on behalf of the Territory, the facts remain that the Geological Survey reported the lands to be nonmineral and that the Territory did not protest the inclusion of those lands in the land office decision of July 20, 1955, in the published notice, or in the clear list itself.

"The Territory, having accepted the clear list, is hardly in a position to object to the charging of the acreage against the grant and, in the circumstances, it must be held that the lands are properly charged against the Territory in satisfaction of the grant."

Shortly after the decision of the Secretary of the Interior was rendered on August 15, 1962, Klukwan and the university entered into negotiations to attempt to settle the dispute without proceeding further with the civil action filed by Klukwan. As a result of these negotiations, carried on for many months with both university and State officials participating, an agreement was entered into between the university and Klukwan and Columbia Iron Mining Co., the latter the lessee of Klukwan.

By the terms of this agreement, the university agreed to exert its best efforts to secure approval of the agreement and the proposed subsequent lease. The methods described in the agreement are:

1. An opinion by the U.S. Attorney General that the agreement and the lease are not in violation of the Land Selection Act, and that the Attorney General would not bring suit to cancel the agreement or declare the disposal of the minerals in breach of trust.

2. Appropriate legislation by the United States

3. (a) Withdrawal from the clear list and transfer by the university of its rights, title, and interest in the disputed lands to the United States.

(b) Klukwan then to exert its best efforts to secure patents to the disputed lands and convey its interest to patented claims by quitclaim deed to the university.

(c) In the event patent did not issue, Klukwan would convey all its interest to the university and Klukwan would perform all assessment work to keep the claims in good standing.

(d) Certain other steps are contemplated in the event that mining commences on the property before final solution of the problems relating to the disputed lands.

4. In the event that none of the above can be accomplished, then the parties shall exert their best efforts to arrive at some other satisfactory solution.

CONCLUSION

It is urged, that while nothing in the foregoing is to be deemed as an admission against interest on the part of the University of Alaska, its regents or legal counsel, a very real problem exists. What the courts would hold after years of trials and appeals at great costs to all parties cannot be decided here.

We believe that in the interests of justice that S. 2138 should pass the Congress and be signed into law.

We believe the eventual economic benefit to the University of Alaska alone justifies passage and approval when it is considered that by leasing to Klukwan, as much as $1 million may go to the university over the years.

In fairness we believe that Klukwan and United States Steel Corp., who are also interested in the contract, would not be willing to make the same contract with a private corporation or persons as has been made with the university.

The conditions and circumstances as pointed out in this document are unusual, otherwise the University of Alaska would not now be petitioning the Congress for the first time in the university's history for permission to make a nonpublic lease. Such a circumstance can never again arise.

FELLOWSHIPS TO TEACHERS INTERESTED IN OBTAINING A MASTER'S DEGREE

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to provide fellowships for graduate study leading to a master's degree for elementary and secondary school teachers.

One of the growing problems of our educational system is the need for better preparing our teachers in the rapidly changing subject matters which they are attempting to pass on to our boys and girls. Numerous educational authorities have recognized that we must take firm steps to close the education gap which has developed between what the teachers learned as students and what they are expected to know now as teachers.

Education is getting harder all the time. Any youngster, or any parent helping with a youngster's homework, can attest to this. The things we learned in school are simple nursery rhymes compared with the complex and intricate courses we now expect our boys and girls to master in school. We live in a world of change, of constant challenge, and our educational curriculums have to step rapidly to prepare today's youngsters for today's world.

Recent reports by Dr. James Conant and others have emphasized the need for improving the competence of teachers in subject matters. New concepts in mathematics and science, to name a few, have made it impossible for the teacher whose training was limited to the preatomic age to pass on the new learning.

It has been estimated that presently less than a fourth of our Nation's teachers in elementary and secondary schools hold a master's, or higher, degree. Most teachers recognize the need for additional training. But the only way many can obtain it is to deprive their families of the normal amenities of living or work nights and weekends. Some cannot do it at all.

Clearly, it is in the national interest to help teachers in the elementary and secondary schools, the foundation of our education system, to become better equipped through advanced training.

The bill I am introducing today would provide a system of 1- and 2-year fellowships to men and women teachers in public and private schools who are interested in obtaining a master's degree.

This program would parallel the present provision of the National Defense Education Act under which men and women who are preparing to become college teachers are given assistance by the Federal Government in working toward a doctoral degree. These advanced students are given grants of between $2,000 and $2,400 a year if they are single, and an additional sum of $400 a year for each of their dependents. These grants are available for 3 years. At the same time, a payment of $2,500 a year is made directly to the colleges in which they are enrolled to pay for tuition and other costs.

Under this program, we have managed to overcome a substantial part of the shortage in college teachers as well as to improve the quality of those who enter this field. A similar program to assist elementary and secondary school teachers should be equally worthwhile.

If one works full time for a master's degree, it usually takes 1 full year. Presently, many teachers are trying to improve themselves by taking such training piecemeal in summer school sessions or evenings. This is most laudable, but it takes many years and the end result is not nearly as satisfactory either for themselves or for their students.

This program should provide better qualified teachers. It should serve to make the teaching profession a more attractive and interesting career. The processes of selecting the teachers for these fellowships and according them the recognition which now is so sparsely given should elevate the prestige of the entire profession. It will be one further contribution to attracting the best people to work in the classrooms of our country. Our schools can be only as good as our teachers.

I should like to insert in the RECORD at this point quotations from the important book, "The Education of American Teachers" by Dr. James B. Conant, former president of Harvard University, who made a 2-year investigation of the education of teachers for our elementary and secondary schools.

In his book, Dr. Conant says on pages 166–167:

> We are living in a period of change in regard to many aspects of education. The ferment in secondary education is no less than that in the elementary field. Four developments are noteworthy. First, the rapid introduction of new methods and materials, particularly in physics, in chemistry, in biology, and in mathematics; second, the increasing tendency to push down into the lower grades the teaching of material once thought proper only for the higher grades; third, the introduction in some high schools of college work in the 12th grade by means of the advanced placement program; fourth, the increasing use of television, team teaching, and some form of programed instruction. All these developments have had and will continue to have their impact on the education of secondary school teachers.

Pages 198–199:

> Those who make this policy must decide which of two possible paths is likely to prove superior. The first path leads through a series of late afternoon and evening courses. These courses may well be chosen because they are offered at a convenient time and place; unfortunately, they are sometimes chosen because they make little demand on the teachers' intellectual and emotional energies. They are attended by teachers whose day's work has already placed an incredible strain on these resources, and the time and energy devoted to the course must often be substracted from that needed for the work of ensuing days. The courses offered are usually those designed to attract the largest possible number of teachers and rarely if ever include advanced academic courses in the areas of a teacher's specialization. The second path leads to a set of courses designed by the teacher and his university advisor for his specific purposes. These courses are attended by people who have the leisure of summer session or academic leave to devote full time to their studies and who because they are full-time students, have access to libraries and laboratories, and time to use them. They should include advanced courses in the academic fields the students teach; at least there is far greater possibility that such courses will be available in summer schools than in the afternoon and evening arrangement.
>
> Granted that there is some value to the first path; the second seems to me clearly superior. I therefore urge the public to adopt policies that will encourage teachers to take this latter route.

In addition, I should like to attach some quotations from the book, "The Miseducation of American Teachers" by Mr. James D. Koerner, whose book is recommended by Sterling M. McMurrin, former U.S. Commissioner of Education.

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> The reason the national averages are so low in mathematics and foreign languages for elementary teachers is that so many teachers take no work whatever in these subjects. To understand the low state of mathematics and language instruction in the primary grades, one has only to look at the college records of the teachers. Nor do they take much science; a course in biology is frequently the whole of it. So general is their education that they often do not get beyond the sophomore survey level in any academic subject, while they ignore completely a large number of academic fields.
>
> Although secondary teachers get more academic work than elementary teachers (those, that is, who do not major in education), too often their pattern of courses does not seems to make sense. It suggests a mere potpourri, even in the major field. Also, the major often fails to include work that teachers of the subject clearly need. English majors, for example, more often than not will show no work in advanced composition, advanced grammar (or any other kind), linguistics, or the phonetic alphabet. They usually show a collection of discrete courses in authors and periods that reveals no particular design and that leaves them with enormous gaps. History majors show no work in historiography and often none in sequential studies of periods or cultures that are most important to a high school teacher. If they major in social studies instead of history, as many of them do, their courses get little beyond the introductory or survey type in almost all subjects; they

get, like the elementary teacher, a general education with a vengeance. They can be said to have had a "major" only by an unwarranted extension of the term.

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Moreover, these Master's transcripts, as noted earlier with the undergraduate records, are freighted with courses taken at night, in the summer, on Saturdays, and by extension and correspondence; such times are convenient for teachers, to to be sure, but the courses are inevitably inferior in the quality of faculty and of student performance to that in regularly scheduled courses in residence.

I introduce, for appropriate reference, my bill and ask that it be printed in full at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1192) to provide fellowships for graduate study leading to a masters degree for elementary and secondary schoolteachers, introduced by Mr. Case, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Teachers Fellowship Act of 1965".

FELLOWSHIPS AUTHORIZED

Sec. 2. (a) The Commissioner of Education (hereinafter referred to as the "Commissioner") is authorized to award under the provisions of this Act not to exceed twenty-five thousand fellowships for the fiscal year ending June 30, 1966, thirty thousand fellowships for the fiscal year ending June 30, 1967, and thirty-five thousand fellowships for the fiscal year ending June 30, 1968. Fellowships awarded under the provisions of this Act shall be for graduate study leading to a masters or equivalent degree (1) in the field of education for the purpose of teaching in elementary or secondary schools, (2) in a substantive teaching or related field for the purpose of teaching in elementary or secondary schools where the recipient has met State teacher certification requirements or will meet such requirements as a result of such study, or (3) in fields ancillary to elementary and secondary education such as library science, school social work, guidance and counseling, special education for handicapped children, and other fields having the purpose of assisting or improving elementary or secondary education, or both. Such fellowships shall be awarded for such periods as the Commissioner may determine but not to exceed two academic years.

(b) In addition to the number of fellowships authorized to be awarded by subsection (a) of this section, the Commissioner is authorized to award fellowships equal to the number previously awarded during any fiscal year under this Act but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of study, not in excess of the remainder of the period for which the fellowship which it replaces was awarded, as the Commissioner may determine.

FELLOWSHIP REQUIREMENT

Sec. 3. Fellowships pursuant to this Act shall be awarded to persons with at least one academic year of experience teaching or working in an ancillary field in an elementary or secondary school, who are recommended to the Commissioner for such fellowships by a local educational agency or a private elementary or secondary school. A local educational agency or a private elementary or secondary school may for the purposes of this section recommend any such person who is employed by such agency or school upon condition that such agency or school agree to rehire such individual upon his completing the course of study under such fellowship.

FELLOWSHIPS IN ANCILLARY FIELDS

Sec. 4. Not less than twenty per centum of the fellowships awarded under this Act in any fiscal year shall be awarded to persons for graduate work in fields ancillary to elementary and secondary education, as defined in clause (3) of section 2(a).

DISTRIBUTION OF FELLOWSHIPS

Sec. 5. In awarding fellowships under the provisions of this Act the Commissioner shall endeavor to provide an equitable distribution of such fellowships throughout the Nation, except that to the extent he deems proper in the national interest, the Commissioner shall give preference in such awards to persons already serving, or who intend to serve, in elementary or secondary schools in low income rural or metropolitan areas.

STIPENDS

Sec. 6. (a) Each person awarded a fellowship under this Act shall receive a stipend of $4,800 for each academic year of study. An additional amount of $400 for each such academic year of study shall be paid to such person on account of each of his dependents.

(b) In addition to the amount paid to persons pursuant to subsection (a) there shall be paid to the institution of higher education at which each such person is pursuing his course of study, $5,000 per academic year, less any amount charged such person for tuition.

(c) The Commissioner shall reimburse any person awarded a fellowship pursuant to this Act for actual and necessary traveling expenses of such person and his dependents from his ordinary place of residence to the institution of higher education where he will pursue his studies under such fellowship, and to return to such residence.

LIMITATION

Sec. 7. No fellowship shall be awarded under this Act for study at a school or department of divinity. For the purposes of this section, the term "school or department of divinity" means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

FELLOWSHIP CONDITIONS

Sec. 8. A person awarded a fellowship under the provisions of this Act shall continue to receive the payments provided in section 6(a) only during such periods as the Commissioner finds that he is maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and is not engaging in gainful employment other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commissioner.

APPROPRIATIONS

Sec. 9. There are authorized to be appropriated such amounts as may be necessary to carry out the provision of this Act.

DEFINITIONS

Sec. 10. As used in this Act—

(1) The term "State" means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, or the Virgin Islands.

(2) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

(3) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public institution or agency having administrative control and direction of a public elementary or secondary school.

Mr. CASE. Mr. President, my bill would authorize the U.S. Commissioner of Education to award up to 25,000 fellowships for the first year, 30,000 in the second, and 35,000 in the third. Fellowships would be for graduate study leading to a master's or equivalent degree, first, in the field of education for the purpose of teaching in elementary or secondary schools; second, in a substantive teaching or related field for the purpose of teaching in elementary or secondary schools where the recipient has met State teacher certification requirements or will meet such requirements as a result of such study; or third, in fields ancillary to elementary and secondary education such as library science, school social work, guidance and counselling, and special education for handicapped children. Such fellowships would not exceed 2 academic years.

The fellowships would be awarded to persons with at least 1 academic year of experience teaching or working in an ancillary field in an elementary or secondary school, who are recommended to the Commissioner for the fellowships by a local educational agency or a private elementary or secondary school. Preference would be given to persons already serving, or who intend to serve, in elementary or secondary schools in low-income rural or metropolitan areas.

The fellowships would pay $4,800 for each academic year and an additional $400 a year for each of his dependents.

Mr. President, I ask unanimous consent to have printed in the Record at this point several letters I have received from school officials in my State in regard to this bill.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Medford Lakes Board of Education,
Medford Lakes, N.J., February 8, 1965.

Hon. Clifford P. Case,
The U.S. Senate,
Washington, D.C.

My Dear Senator: It was very, very gratifying to read that you are planning to introduce legislation which will provide fellowships to teachers in the public schools interested in obtaining master's or higher degrees. Advanced degrees are becoming more and more necessary in elementary and secondary teaching but in almost all cases the consideration that must be given, both financial and other, make this extremely difficult for the average teacher.

Your continued interest in better education at this level is a source of satisfaction to me personally and as an administrator at the elementary level.

Respectfully yours,

WILLIAM A. SHINE.

ROXBURY TOWNSHIP PUBLIC SCHOOLS,
Succasunna, N.J., February 8, 1965.

Hon. CLIFFORD P. CASE,
Old Senate Office Building,
Washington, D.C.

DEAR SIR: Our respectful salute and commendation to you for your farsighted proposals to improve the opportunities for increasing the quality preparations of our elementary and secondary teachers.

The details are realistic, and the program is a sound and much-needed investment certain to benefit many at the best point of application.

We would be glad to support in any way possible.

Sincerely,

WM. A. WACKERNAGEL.

MAPLE SHADE PUBLIC SCHOOLS,
Maple Shade, N.J., January 28, 1965.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: I am in receipt of your news release of January 13, 1965, pertaining to proposed legislation to provide aid for teachers in continuing their education.

In our school district, teachers are encouraged to continue their training by adjustments in the salary guide. I agree with you, however, that the results attained through attempting to study and teach simultaneously are not as "satisfactory." One or the other usually suffers.

Please accept my thanks for your continued interest in education.

Very truly yours,

LEVI F. OLSEN,
Superintendent of Schools.

ESTABLISHMENT OF A COURT OF VETERANS' APPEALS

Mr. HART. Mr. President, the principle of independent judicial review of personal claims is well-established in our legal system. To give finality to the decision of an administrative agency precludes an independent evaluation. Judicial review is not afforded in the case of veterans' claims. The final arbiter of these claims is a Board of Appeals made up of members of long experience in the Veterans' Administration.

The integrity and public devotion of the members of the Board of Appeals is of the highest. However, men schooled in the regional offices of an agency not unnaturally bring with them the views developed by their experiences and role.

The creation of a Court of Veterans' Appeals will afford the veteran appeal rights to an independent body, desirable on all counts and by all tests.

Mr. President, to assure veterans the right of judicial review, again this session I introduce for the consideration of Congress, and ask that it be appropriately referred, a bill to provide for a Court of Veterans' Appeals to be appointed by the President with the advice and consent of the Senate.

I ask unanimous consent, Mr. President, that the text of the bill be printed in the RECORD at this point in my remarks.

I also ask that the bill be held at the desk until the end of business February 26 to enable the other Senators to join in its sponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed and will remain at the desk as requested by the Senator from Michigan.

The bill (S. 1200) to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions, introduced by Mr. HART, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1200

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part V of title 38, United States Code, is amended by adding immediately after chapter 71 thereof the following new chapter:

"CHAPTER 72—COURT OF VETERANS' APPEALS

"SUBCHAPTER I—ESTABLISHMENT AND JURISDICTION

"Sec.
"4051. Establishment of Court of Veterans' Appeals.
"4052. Provisions relating to judges.
"4053. Jurisdiction of the court.
"4054. Review by the court.
"4055. Attorneys and agents.
"4056. New and material evidence.

"SUBCHAPTER II—PROCEDURE AND ADMINISTRATION

"Sec.
"4061. Clerk.
"4062. Commissioners.
"4063. Stenographers; clerical employees; bailiff.
"4064. Fees; charge for court's opinions.

"SUBCHAPTER I—ESTABLISHMENT AND JURISDICTION

"§ 4051. Establishment of Court of Veterans' Appeals

"(a) There is hereby established the Court of Veterans' Appeals (hereafter in this chapter referred to as the 'court'), which shall consist of five judges through December 31, 1969, and thereafter shall consist of three judges, who shall be appointed from civil life by the President, by and with the advice and consent of the Senate. The President shall designate from time to time one of the judges to act as chief judge.

"(b) The court shall hold at the seat of government an annual term at a time to be fixed by rule of court.

"(c) The court may prescribe its own rules of procedure and determine the number of judges required to constitute a quorum. A vacancy in the court shall not impair the right of the remaining judges to exercise the powers of the court.

"(d) If a judge of the court is temporarily unable to perform his duties because of illness or other disability, the President may designate a judge of the United States Court of Appeals for the District of Columbia to fill the office for the period of disability.

"(e) The Administrator shall provide such necessary administrative support and services as the court may request. The Administrator shall cooperate with the court, and make available to the court such of the records and files of the Veterans' Administration as the court requests in any case.

"§ 4052. Provisions relating to judges

"(a) Each judge of the court shall be entitled to salary at the rate prescribed for the judges of the Court of Claims, and shall be eligible for reappointment.

"(b) No person may be appointed as a judge of the court unless he is a member of the bar of a Federal court or of the highest court of a State, and has engaged in the active practice of law for seven or more years. No person may be appointed as a judge of the court who within the two-year period preceding his appointment has been a civilian officer or employee of the United States serving in the Veterans' Administration, the Department of Defense, the Bureau of the Budget, or the General Accounting Office.

"(c) The terms of office of the five judges first taking office after the date of enactment of this section shall expire, as designated by the President at the time of nomination, three on December 31, 1969, one on December 31, 1971, and one on December 31, 1974. The terms of office of all successors shall expire ten years after the expiration of the terms for which their predecessors were appointed, but any judge appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed may be appointed only for the unexpired term of his predecessor.

"(d) Judges of the court may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, or for mental or physical disability, but for no other cause.

"(e) While traveling on official business and away from the District of Columbia each judge of the court shall receive all necessary traveling expenses and a per diem allowance as provided in section 835–842 of title 5, upon his certificate to the Administrator.

§ 4053. Jurisdiction of the court

"(a) The court shall have exclusive jurisdiction to review by appeal all questions involved in decisions of the Board of Veterans' Appeals (hereinafter in this chapter referred to as the 'Board') involving claims under chapter 11 or 13 of this title which bear directly on the question of whether or not (1) a disability or death is service-connected, or (2) a widow, child, or parent is entitled to benefits under such chapter 11 or 13.

"(b) Except as provided in section 4056 of this title, all decisions of the court shall be final and no decision of the court shall be subject to review by any official or court of the United States.

"(c)(1) The court, or any judge or commissioner thereof when authorized by the court, may administer oaths, examine witnesses, and require, by subpena, the attendance and testimony of witnesses, and the production of books, papers, and documents, from any place in the United States at any designated place. Witnesses shall receive the same fees and mileage as witnesses in the case of proceedings before the Court of Claims or commissioners thereof.

"(2) In case of disobedience to any such subpena, the aid of any district court of the United States may be invoked in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such district court within the jurisdiction of which the inquiry is carried on may, in case of contumacy of refusal to obey a subpena issued to any officer, agent, or employee of any corporation or to any other person, issue an order requiring such corporation or other person to appear or to give evidence touching the matter in question; and any failure to obey such order of the district court may be punished by such district court as a contempt thereof.

"§ 4054. Review by the court

"(a) Any claimant aggrieved by a decision of the Board involving a claim for benefits under chapter 11 or 13 of this title may, within one year from the date of mailing of notice of such decision, or the date of enactment of this section, whichever is later, apply to the court for a review of any issue of fact or law involved in such decision which bears directly on the question of whether or not (1) a disability or death is service-connected, or (2) a widow, child, or parent is entitled to benefits under such chapter 11 or 13. Such application shall be made by filing in the office of the clerk of the court a concise statement of the errors of law and fact complained of. A copy of such statement shall be transmitted by the clerk to the Administrator.

"(b) The court may decline to review any decision of the Board if it appears that no material error of fact or law is involved in such decision which bears directly on the question of whether or not (1) a disability or death is service-connected, or (2) a widow, child, or parent is entitled to benefits under such chapter 11 or 13.

"(c) (1) Within thirty days after a copy of the statement of errors of law and errors of fact has been furnished the Administrator, he shall file with the court an answer, directed to the allegations of errors of law or fact contained in the statement A copy of the answer filed by the Administrator shall be promptly furnished to the claimant or to his representative.

"(2) If the Administrator determines that his position with respect to the issues involved in the appeal is adverse to that of the claimant, he shall designate counsel for such appeal to present the Administrator's position to the court, or before a commissioner, as the case may be.

"(d) (1) After the answer of the Administrator has been received by the claimant or his representative, if the only matter in issue, as agreed by the Administrator and the claimant, is a question of law, the case shall be heard by the court, on briefs and such argument as the court may deem advisable. In all other cases, the case shall be referred by the court to a commissioner for a hearing on the matters in issue, as presented by the statement of errors of law and fact filed by the claimant and the answer filed by the Administrator. A hearing before a commissioner shall, if the claimant or his representative so requests, be held at the regional office of the Veterans' Administration having original jurisdiction of the claimant's claim, and for good cause shown, the testimony of any witness may be taken at any other place.

"(2) A claimant may specifically request a hearing before a commissioner on any question involving an issue of fact in connection with an appeal to the court, specifying the witnesses whom he proposes to call to testify with respect to such issue and setting forth the facts which he proposes to establish through such witnesses. Except where subsection (b) of this section applies, the court shall grant such a request.

"(e) In hearings before a commissioner, evidence may be introduced, and witnesses examined, only on matters which are material to the matters in issue in the case. The admissibility of evidence, and its weight and probative value shall be determined in accordance with rules prescribed by the court. Such rules shall permit the introduction of the best nonprivileged evidence available that tends to prove or disprove any material issue, without regard to formal requirements. After the completion of testimony and argument before the commissioner in any case, the commissioner shall file proposed findings of fact and conclusions of law with respect to the case. A copy of such proposed findings and conclusions shall be furnished to the claimant and to the Administrator.

"(f) Unless an exception is taken by the claimant or the Administrator to any proposed finding of fact or conclusion of law by a commissioner within fifteen days after a copy of the proposed findings and conclusions has been furnished the claimant or Administrator, as the case may be, such finding or conclusion shall become the final decision of the court.

"(g) An exception may be taken by a claimant or the Administrator to any proposed finding of fact or conclusion of law filed by a commissioner by filing with the court a petition for review of such finding or conclusion, specifying the alleged errors in respect thereto. The court shall review such proposed finding of fact or conclusion of law, permitting briefs and oral arguments to the extent deemed by the court to be necessary. After completion of such review, the court shall render a decision on the case, or may return the case to the commissioner to take new or additional evidence and to render proposed findings of fact and conclusions of law after taking such new or additional evidence. Further proceedings in such case shall be in accordance with subsections (e) and (f) and this subsection, in the same manner as in the case of the original proposed findings of fact and conclusions of law.

"(h) Decisions of the court may include such orders as the court finds to be required in the case. Findings of fact and conclusions of law contained in any decision of the court shall, except as provided in section 4056 of this title, be binding thereafter upon the claimant and the Administrator in the consideration of the case.

"(i) After the decision of the court has been rendered in any case, the Administrator shall reconsider the case, in the light of the decision of the court, and make such revisions in the decision of the Administrator appealed from as are required.

"§ 4055. Attorneys and agents

"(a) The court, as a part of each decision entered, shall determine and allow reasonable fees for the attorney or attorneys of the claimant or claimants, and apportion same, if proper. The court may also approve reasonable attorney's fees in cases where, after decision has been rendered by the Board adverse to a claimant, an attorney has rendered services to a claimant in connection with an appeal to the court which lead to reversal or modification of the decision of the Board, whether or not an appeal is actually filed with the court in such case.

"(b) The court may prescribe qualifications of persons who may represent claimants in proceedings before the court and the commissioners.

"§ 4056. New and material evidence

"No fact found in a decision of the court may be reconsidered except where new and material evidence is produced after the decision of the court is rendered which was not available or discovered until after such decision was rendered.

"SUBCHAPTER II—PROCEDURE AND ADMINISTRATION

"§ 4061. Clerk

"(a) The court may appoint a clerk and an assistant clerk, each of whom shall be subject to removal by the court. The court shall report any such removal and the cause thereof to Congress as soon as possible.

"(b) The clerk shall pay into the Treasury all fees, costs, and other moneys collected by him.

"(c) On the first day of every regular session of Congress, the clerk shall have published a full and complete statement of all the judgments rendered by the court during the previous year, showing the dates and amounts thereof and the parties in whose favor they were rendered, together with a brief synopsis of the nature of the claims upon which they were rendered, and a statement of the costs taxed in each case.

"§ 4062. Commissioners

"(a) The court may appoint not more than ten commissioners on a full-time basis, who shall be subject to removal by the court. The court may also procure, on a temporary or intermittent basis, the service of individuals as commissioners, in accordance with section 55a of title 5. The commissioners shall perform such duties as the court may prescribe, including, but not limited to, conducting hearings, receiving evidence, taking depositions, qualifying witnesses, and making such reports as the court may prescribe.

"(b) The compensation of each full-time commissioner shall be fixed by the court, but shall not exceed the maximum rate prescribed in the compensation schedule for the General Schedule of the Classification Act of 1949. Each commissioner shall receive all necessary traveling expenses and a per diem allowance as provided in sections 835–842 of title 5 while traveling on official business and away from his home.

"(c) No person may be appointed as a commissioner unless he is a member of the bar of a Federal court or of the highest court of a State, and has engaged in the active practice of law for five or more years. No person may be appointed as a commissioner who within the two-year period preceding his appointment has been a civilian officer or employee of the United States serving in the Veterans' Administration, the Department of Defense, the Bureau of the Budget, or the General Accounting Office.

"§ 4063. Stenographers; clerical employees; bailiff

"(a) The court shall appoint stenographers and other clerical employees in such numbers as may be necessary, each of whom shall be subject to removal by the court.

"(b) The court may appoint a bailiff and a messenger who shall be subject to removal by the court. The bailiff shall attend the court, preserve order, and perform such other necessary duties as the court directs.

"§ 4064. Fees; charge for court's opinions

"(a) The court may by rule impose a fee not exceeding $10 for the filing of any appeal.

"(b) The clerk of the court may collect for each certified copy of the court's opinion a fee in such amount as the court may determine."

SEC. 2. (a) The title and table of chapters of part V of title 38, United States Code, is amended to read as follows:

"Part V—Boards, Court of Veterans' Appeals, and departments

"Chapter	Sec.
"71. Board of Veterans' Appeals----	4001
"72. Court of Veterans' Appeals------	4051
"73. Department of Medicine and Surgery----------------------------	4101
"75. Veterans' Canteen Service------	4201"

(b) The table of parts and chapters at the beginning of title 38, United States Code, is amended as follows:

(1) By striking out

"V. Boards and Departments--------- 4001"

and inserting in lieu thereof

"V. Boards, Court of Veterans' Appeals, and Departments---------- 4001";

(2) By striking out

"Part V—Boards and departments"

and inserting in lieu thereof

"Part V—Boards, Court of Veterans' Appeals, and departments";

and

(3) By inserting immediately below

"71. Board of Veterans' Appeals---- 4001"

the following:

"72. Court of Veterans' Appeals---- 4051".

SEC. 3. (a) Section 3405 of title 38, United States Code, is amended by inserting ", 4055," immediately after "3404".

(b) Subsection (a) of section 4004 of title 38, United States Code, is amended by striking out "Final" and inserting in lieu thereof

"Except as provided in chapter 72 of this title, final".

(c) Subsection (c) of such section 4004 is amended (1) by striking out "Administrator, and" and inserting in lieu thereof "Administrator,", and (2) by inserting immediately before the period at the end thereof the following: ", and the precedent opinions of the Court of Veterans' Appeals".

FAIR COMPENSATION ACT OF 1965

Mr. SPARKMAN. Mr. President, I send to the desk, for proper referral, a bill entitled the "Fair Compensation Act of 1965." I introduce this bill for study purposes, with the hope, of course, that it will not be long before the Senate can consider legislation that would set uniform and standard compensation and assistance for persons and businesses affected by real property taken for Federal and federally aided programs.

I have been vitally interested in the subject of compensation for the acquisition of real property for some time now. As a matter of fact, during the 2d session of the 86th Congress, I introduced a bill, S. 2802, that would have authorized the establishment of a Commission within the executive branch of the Government to study this matter and to make a report to Congress thereon.

Subsequently in the 1st session of the 87th Congress, I introduced a revised bill, S. 671, to accomplish the same purposes as S. 2802. Upon introduction of S. 671, I stated:

> This study should be broad enough to cover all land asquisitions under Federal and federally assisted programs, such as highway programs, public works programs, urban renewal programs, and military programs. It should be broad enough to cover all land acquisition, no matter how the property is acquired or by whom. It should be broad enough also to cover all the widespread effects of these land acquisitions—their effects on owners, on tenants, on nearby property and businesses, and on others affected by the acquisition. It should be broad enough to cover the benefits and burdens of these land acquisitions, in relation to the persons and businesses involved and to the Federal programs under which the properties are acquired. For example, the study should include the extent to which the costs of Federal programs are borne by individuals or firms whose property is taken or whose property or business is either destroyed or reduced in value by the taking of neighboring property, and the extent to which these costs are borne by the general public which underwrites these programs. It should also include consideration of the benefits which these programs may provide for persons and businesses in affected areas.
>
> The study should be made in the broad spirit of the just compensation provision of the 5th amendment and the due process clauses of the 5th and 14th amendments. It should not be limited to a determination of the legal bounds of those provisions or of any particular statute.

The remainder of my remarks supporting S. 671 may be found in the CONGRESSIONAL RECORD, volume 107, part 2, page 1382.

Following my introduction of S. 2802 and S. 671, favorable reports were received on both of these measures from several agencies and departments in the executive branch of the Federal Government that are involved, either directly or indirectly, with the taking of real property. I might add that the Bureau of the Budget endorsed the purpose and objectives of S. 671; however, that Bureau suggested that such a study be undertaken by the legislative branch of the Government rather than a commission in the executive branch.

Perhaps because of the Bureau's suggestion and because of the general interest generated in this subject in the House of Representatives, the Committee on Public Works of the House, during the 87th Congress, established a Select Subcommittee on Real Property Acquisition under the able chairmanship of Representative Clifford Davis of Tennessee, to study this matter. This select subcommittee was continued in the 88th Congress. I took note of the establishment of this subcommittee, and on April 24, 1962, I said on the Senate floor:

> The able membership of the Select Subcommittee on Real Property Acquisition, the high caliber of its staff, and the significant objectives of its operations suggest to me that there is no further need for action by the Senate on S. 671 at this time. I can assure the House select subcommittee that I, as well as my other colleagues in the Senate, will follow their progress with keen interest. I should like to take the liberty of sending to the select subcommittee any cases that may come to my attention highlighting problems involved in acquiring property for Federal or federally aided programs. I feel certain that all Senators will be glad to furnish whatever assistance may be helpful.

In addition, earlier in 1962 I wrote to the chairman of the House select subcommittee as follows:

> HON. CLIFFORD DAVIS,
> *Chairman, Select Subcommittee on Real Property Acquisition, Committee on Public Works, House of Representatives, Washington, D.C.*
>
> DEAR MR. CHAIRMAN: I have been informed of the appointment of the Select Subcommittee on Real Property Acquisition and of its plans to undertake a study of real property acquisition by Federal, State, and local governments for Federal and federally assisted programs.
>
> I have been interested in this subject for some time. During the last Congress I introduced a bill, S. 2802, which would have established a commission to make a study of this subject. On January 30, of this year, I introduced a revised bill S. 671, for the same purpose. For your information I enclose a copy of the statement I made at the time I introduced S. 671, together with a copy of that bill. I also enclose a copy of a letter I wrote to Senator MCCLELLAN on June 5, 1961, commenting on various suggestions made by agencies with respect to the bill and also pointing out references to the problems involved in the bill which arose in connection with the hearings on the housing legislation of 1961, together with a copy of these hearings.
>
> As I understand it, it is the intention of the select subcommittee to make the same study in as comprehensive and impartial a fashion as I had in mind for the Commission proposed in S. 671. If this is the case, it would seem to me unnecessary to take any further action with respect to S. 671.
>
> I was interested to note that the committee has named Mr. Henry H. Krevor as the chief counsel for the select subcommittee. Mr. Krevor is, I know, an acknowledged authority in this field, and I am glad to say was of substantial assistance to my staff in reviewing and revising S. 2802 of the 86th Congress for introduction this year as S. 671.
>
> I should appreciate being advised of your plans with respect to this study in order to determine whether any further action is necessary with respect to my bill, S. 671.
>
> Sincerely yours,
>
> JOHN SPARKMAN.

Recently, after a 3-year study, the Select Subcommittee on Real Property Acquisition of the House of Representatives submitted its report on its "Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs," in committee print No. 31, 2d session of the 88th Congress.

The select subcommittee's report is a most valuable study and deserves the attention of all Senators. The bill I introduce is one which proposes to implement the recommendations of that study.

Mr. President, we have arrived at a point where there must be some standardization for the compensation and other assistance given to those—private persons and businesses—who are affected in one manner or another by the taking of real property under Federal and federally aided programs. The laws, rules, and regulations as they exist today and as they relate to Federal and federally aided programs allowing the taking of land resemble, at best, a patchwork quilt and result in inequities between those whose property is taken for one Federal or federally aided project against those whose land is taken for another Federal or federally aided project.

Let me make it clear that I do not, nor does the study undertaken by the House Select Subcommittee, question the right of eminent domain, but at the same time I am critical, and the report of the House subcommittee is critical, of whether all our people whose land is being taken are receiving just compensation in the broad spirit of the 5th amendment and the due process clauses of the 5th and 14th amendments. Let me carefully explain that I do not take the position that any particular judicial awards have been too high or too low, and I do not wish to take the position that any condemnation statute now on the books needs to be amended. I do say, however, that the term "just compensation" needs to be defined with a view to the spirit of the amendment rather than to the letter of the law so that persons and businesses who are affected by the taking of land for military purposes, for highways, for uses such as post offices, Federal buildings, and the like, for urban renewal and for all the other myriad of programs that require land acquisition be uniform.

Also, I feel that something must be done to clear up the hodgepodge of laws, rules, and regulations relating to relocation assistance to those private citizens and businesses that are displaced because of Federal or federally aided programs.

In the last several years the Congress and the Federal Government have established programs under which millions of acres of land and innumerable buildings have been acquired from private owners, both individuals and businesses. While much of this property has been acquired by purchase, a great deal has been acquired through condemnation proceedings, and in those cases where voluntary sales were effected the threat of condemnation proceeding was in the background. In addition, these takings have caused numerous persons and businesses to be displaced.

Data received by the select subcommittee of the House making the study which I referred to above, indicates that we can expect 1.7 million acres of land to be acquired per year in the future. In fact, the data collected by the select subcommittee perhaps understates the magnitude of future acquisition since they do not account for emergency programs necessitating such acquisitions and for which reasonable estimates for future acquisitions cannot now be made. For example, the select subcommittee's study does not contain data on acquisitions that will occur under the Urban Mass Transportation Act of 1964 or under the Land and Water Conservation Act of 1965.

In addition, the study contains data which indicates that approximately 17,860 businesses and nonprofit organizations will be displaced per year in the future, and the report further shows that we can anticipate some 260,860 tenants and owners per year to be affected by Federal or federally aided programs that call for displacement of the private individual.

There have been few, if any, major changes in the laws relating to condemnation over the years. This perhaps is as it should be.

But, to say that compensation to private individuals and businesses whose property is acquired under Federal or federally aided programs is presently grossly inequitable is an understatement. For example, the select subcommittee's report shows that in certain takings of property, namely by the Army and Air Force, the property owner almost invariably is offered less than the agency's own appraised value of the land. Yet the Bureau of Reclamation of the Department of Interior and the Tennessee Valley Authority always offer full appraised value. Please note that these acquisitions are those in which direct Federal taking occurs and does not relate to all those condemnation cases which come about because of federally aided programs such as the highway program, urban renewal, and so on.

Let me turn now to relocation assistance provided to those who are displaced by Federal or federally aided programs.

We on the Senate Banking and Currency Committee are called upon to consider the relocation payments to be paid to individuals, families, and businesses displaced because of urban renewal undertakings almost on a yearly basis. While I do not criticize the committee for the solutions it has adopted in dealing with this problem, I must state honestly that, at best, we have not clarified the issue when other congressional committees having jurisdiction over other Federal or federally-aided programs involving the same solutions for those being displaced as we have, or when we have not been guided by the solutions other committees have found.

To show the great disparity in relocation assistance in Federal or federally aided programs, let me cite these examples:

Take citizen No. 1, a tenant who lives in a block which is being taken for a federally aided urban renewal project. Citizen No. 1, displaced by urban renewal, can be paid up to $200 for moving and other incidental expenses, and in addition, if he is a low- or moderate-income person, or if he is an elderly person, and he cannot obtain occupancy in public housing, citizen No. 1 can be given a rent subsidy for up to 12 months to help readjust to the high cost of housing. Now take citizen No. 2, a tenant who lives just across the street from citizen No. 1, but who is being displaced by a federally aided highway project. Citizen No. 2, displaced by a highway project can be paid $200 for moving expenses only if State legislation authorizes such payments. Twenty-eight of the fifty States lack such legislation. Finally, take the example of citizen No. 3, a tenant who lives in an adjacent block from his neighbors, citizens Nos. 1 and 2, who is displaced because the property is taken for the construction of a Federal building, or post office, or the like. Citizen No. 3 gets nothing by way of relocation expense; he gets nothing for moving and other incidental expenses.

The bill I introduce today directs itself to all these problems and many others. It seeks to make uniform the land acquisition policies, practices, and procedures of all Federal and federally aided programs. I do not say that this particular bill is the final answer or that I agree with all of its provisions. But it does need to be considered quite carefully, and a measure needs to be prepared so that the Congress can consider these matters and, I hope, pass legislation during this session eliminating the great disparity we now find in compensation and other assistance available to those who are affected by Federal and federally aided programs which permit the taking of real property.

Before closing, I wish to make one further point. I have never made it a policy of suggesting to which committee a bill that I introduced was referred. I do wish, however, to call attention to the fact that the bill I introduce today, "The Fair Compensation Act of 1965," crosses many jurisdictional lines of Senate committees. The Committees on Banking and Currency, Public Works, Interior and Insular Affairs, and Commerce, among others, have jurisdiction over programs which would be affected by this bill. Possibly it is appropriate under those circumstances to recall that the Committee on Government Operations has already made a study of this matter in its consideration of my earlier bills, S. 2802 and S. 671. I, therefore, ask that this bill be referred to the Committee on Government Operations.

The VICE PRESIDENT. The bill will be received and, without objection, the bill will be so referred.

The bill (S. 1201) to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs, and for other purposes, introduced by Mr. Sparkman, was received, read twice by its title, and referred to the Committee on Government Operations.

HOME MORTGAGE CORPORATION ACT

Mr. SPARKMAN. Mr. President, I send to the desk, for proper referral, a bill entitled the "Home Mortgage Corporation Act."

This bill would establish a secondary mortgage market facility to be operated as a subsidiary of the Federal Home Loan Bank System. This new corporation, operating without Government funds or Government backing, would buy and sell participations in conventional loans acquired from savings and loan associations or other institutions which are members of the Federal Home Loan Bank System. Several billions of dollars of such participations are now in existence. Under the participation loan program associations in capital scarce areas such as the Far West originate mortgages and sell eastern savings and loan associations a participating interest in the loan. This has been very helpful in evening the flow of home mortgage funds throughout the country. The secondary market corporation would not buy or sell whole loans because the Revenue Act of 1962 severely restricts the right of associations to buy and sell loans outright. The Revenue Act, however, places very little restriction on transactions in participations.

Earlier during this session I introduced S. 644 and S. 787 representing other approaches to the problem of facilitating the marketing of home mortgages. I feel that this latest proposal, which is endorsed by the savings and loan industry, should be studied along with my earlier introductions so that at the appropriate time the Senate may act in this important field.

Mr. President, I ask unanimous consent to insert in the Record at this point in my remarks a section-by-section analysis of the bill I am introducing.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis of the bill will be printed in the Record.

The bill (S. 1202) to enable Federal home loan banks to implement their services to their member institutions by establishing a secondary marketing facility for participations in conventional home mortgage loans, introduced by Mr. Sparkman, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The section-by-section analysis, presented by Mr. Sparkman is as follows:

Section-by-Section Analysis of Home Mortgage Corporation Act

Section 1. Title: "Home Mortgage Corporation Act."

Section 2. Definitions.

Section 3. (a) Power given to the Home Mortgage Corporation to buy and sell participations in mortgages on residential properties containing not more than four family units.

(b) The Corporation to be managed by a Board made up of members of Federal Home

Loan Bank Board and the presidents of the Federal home loan banks, one of which presidents to be Chairman.

(c) Corporation shall have principal office in District of Columbia, with agencies in such other places as may be appropriate.

Section 4. (a) Capital stock of Corporation shall be in shares of $100 par value each. The Federal home loan banks shall subscribe to the preferred stock, at the call of the Board from time to time, up to a $50 million aggregate, in proportion to the outstanding capital of each bank at time of the call.

(b) Each Federal home loan bank member shall be eligible to purchase the common stock, and shall do so in an amount approximating 1 percent of the dollar volume of mortgage loans sold by such member to the Corporation. Common stock may be redeemed under certain conditions.

(c) Cash deposit permitted in lieu of purchase of stock by any member not permitted by law to invest in such stock.

(d) Provision for retirement of stock if such retirement does not reduce the assets of the Corporation to less than (1) $50 million, or (2) one-tenth of the dollar amount of the outstanding obligations of the Corporation, whichever is the greater. Senior stock shall be retired first.

(e) Ten percent of net earnings shall be transferred to reserves for losses annually until reserves equal 50 percent of outstanding capital, and thereafter 5 percent of net earnings shall be so transferred. After allocations to loss reserves, Board may pay dividends from remaining net earnings.

Section 5. General powers of Corporation: Those normal to other governmental agencies.

Section 6. Authorization to borrow money and to issue obligations therefor up to 10 times the aggregate of outstanding assets. Such obligations will be legal investments for Federal savings and loan associations. Corporation authorized to invest in the U.S. obligations or obligations guaranteed as to principal and interest by the United States. Secretary of the Treasury may designate Corporation as depositary of public money and it may be employed as fiscal agent for United States.

Section 7. Corporation shall make annual report to Congress.

Section 8. Use of any combination of words such as "Home Mortgage Corporation" prohibited to others, subject to $100 a day penalty for violation.

Section 9. (a) Amends Government Corporation Control Act to include Home Mortgage Corporation.

(b) Provision for Treasury to supply Corporation with such forms of obligations or certificates as it may need for issuance under the act, subject to reimbursement of the Secretary of Treasury for expenses thereby incurred.

DEDUCTION OF TEACHERS' CONTINUING EDUCATION EXPENSE

Mr. HARTKE. Mr. President, I introduce today, for appropriate reference, a bill to authorize deduction from gross income by teachers of expenses for continuing education, including certain travel costs. This is the same bill which I presented last year as S. 2609, and which was introduced in the House by Congresswoman MARTHA GRIFFITHS.

The need for this legislation arises, Mr. President, from the manner in which present Internal Revenue Service regulations are applied. Since a Treasury Department ruling of April 5, 1958, followed in early 1960 by Revenue Ruling 60–97, there has been some possibility of deduction by teachers for expenses connected with their continuing education. But there are problems and inconsistencies which time has showed to be best solved by enactment of a clear statute spelling out a uniform procedure which will cease penalizing teachers whose applications for deduction are disallowed.

The first thing a teacher must prove in order to deduct educational expenses is that he has met minimum qualifications for the teaching profession. These vary from State to State. At present there are still more than 91,000 teachers in our various States who have not met the full State requirement, but are teaching on emergency certificates. This is 1 out of every 16 who lacks the minimum bachelor's degree required in all but five States for elementary schools and in every State for high schools.

The problem does not lie here, with these who have yet to move forward to the regular minimum qualifications. The revenue ruling provides that they may deduct educational expense required as a condition of continued employment. But once the minimum has been reached, there are those teachers who desire, and are even required, to continue their education in order to qualify for administrative positions. This upgrading process, since it is not essential to maintaining their present teaching certificate, has been ruled ineligible for deduction. The reason is that preparation for another position, rather than continuing education to hold a present job, is not a deductible expense. Legally, a great deal of the problem rests in the definition of "teacher," which this bill will clarify.

There is very properly a growing number of States in which teaching standards are being tightened. It is here that the problem is particularly encountered, and especially in the field of high school teaching. As a publication of the National Education Association notes:

> Nine States are mandating completion of the fifth college year of preparation for high school certificates after initial teaching experience on the bachelor's degree certificate. The States and the period in which this added requirement must be met are Arizona, 5 years; Connecticut, 10 years; Indiana, 5 years; Maryland, 10 years; New Mexico, 8 years; New York, 5 or 10 years depending on the area of certification; Oregon, 6 years; Rhode Island, 6 years; and Washington, 6 years.

In addition, for administrative positions there are requirements in various States ranging from 5 and 6 years to 7 years and a doctorate in order to be a school superintendent. But a teacher who is interested in making the further necessary preparation in graduate school, the teacher who is already certified at minimum requirements for the level at which he is now serving, is denied tax deductibility for this continuing expense. To encourage this upgrading process, Mr. President, we need clear legislation such as this bill provides.

Perhaps what I am saying is more clearly put in a letter from Mr. T. Preston Turner, assistant executive secretary of the Virginia Education Association, addressed to Dr. John Lumley of the National Education Association. The date, December 15, 1961, shows clearly that the problem is of long standing and has not yielded to other approaches. In commenting on a ruling which allowed expenses to holders for renewing special licenses but denied the upgrading expense I have just referred to—for converging a collegiate certificate to a collegiate professional—Mr. Turner says:

> The result of the above decision means that a teacher who has attended college for 4 years and has been awarded a collegiate certificate is not allowed to report educational expenses for changing this certificate after 4 years of service to a collegiate professional certificate and that a high school graduate with no college training whatsoever would be allowed to report educational expenses for approximately 7 years for renewing a special license before receiving a degree.
>
> I am of the definite opinion that the Internal Revenue Service has no business coming into a State and deciding when a certificate is a continuing one. This decision should be entirely in the hands of the certification authorities of the State board of education.
>
> It appears to me that the ruling on disallowing educational expenses incurred for changing a collegiate certificate to a collegiate professional certificate and allowing educational expenses for renewing special licenses is very detrimental to the teaching profession and the original intent of the regulation, which was to provide aid in securing better trained teachers for our classrooms.

I am pleased to introduce this bill with Senator LONG of Missouri, who was a cosponsor last year, again joining me, and with Senator BURDICK also cosponsoring as a result of a request made to me even before the opening of the session. I am sure that many other Senators, especially those from States where this problem is acute, will also wish to join me. Therefore, Mr. President, I ask that the bill may lie on the table for sponsorship until the close of business on Friday, February 26.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Indiana.

The bill (S. 1203) to amend the Internal Revenue Code of 1954, to authorize and facilitate the deduction from gross income by teachers of the expense of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

ACTION BY THE PRESIDENT TO BRING ABOUT THE RIGHT OF SELF-DETERMINATION BY PEOPLES OF LATVIA, LITHUANIA, AND ESTONIA

Mr. RIBICOFF. Mr. President, an anniversary without joy, a time for prayer and hope—that was Lithuanian Independence Day, Tuesday, February 16, 1965.

With admiration but with sadness, we pause once again to honor the brave, long-suffering people of Lithuania. For, although the ruthless inhumanities of Stalin against the Lithuanians have yielded to more disguised methods of control, the undying wish of this brave people to regain their cherished independence has yet to be fulfilled.

We hope that the determination of Lithuanians to restore their national independence—despite the misfortune that recent history has heaped upon them—will finally bring freedom to their nation. Periods of darkness and oppression have at times shaded large portions of the globe, and the spirit of justice has at times seemed extinct in the hearts of men. Yet, we must remember that it is in just such times that the conscience of man has been stirred—that the forces of oppression have either crumbled or been overthrown in a burst of righteous anger.

Surely the heart and mind and conscience of the world cannot but be stirred by the misery and injustice inflicted on this brave little land. Surely the heart and mind and conscience of the world cannot but be stirred by the response—by the determination of this brave little land to fight for its independence. As an independent nation after 1918, Lithuania found itself between two expanding totalitarian powers. But what consequences have flowed from the fact of that unfortunate location—what ravages the Nazis and the Soviets have taken against a population of no more than 3 million persons.

Twenty-two years of independence and progress ended in June of 1940 as the Soviet Union, violating explicit guarantees of Lithuanian independence, occupied this nation. Soon, through rigged elections, Lithuania became a constituent republic of the Soviet Union. This initial period of Soviet rule lasted for only a year—until Hitler attacked the Soviet Union. It was an expensive year. Lithuania lost some 45,000 people. Many fled, others were arrested and deported. At least 5,000 political prisoners were executed by the Soviets. The most costly deportation occurred on the night of June 14, 1941, 8 days before Hitler's attack on the Soviet Union. The Soviet secret police arrested 30,000 Lithuanian intellectuals and loaded them in cattle cars for Siberia.

The ruthlessness of the Soviets was followed by death and destruction as war swept across Lithuania. Then came 3 years of Nazi brutality—of Nazi occupation and extermination. Seven percent of the Lithuanian population had been Jewish. In their campaign of genocide, the Nazis virtually wiped out this portion of the population. In all, the Nazis took an estimated 200,000 Lithuanian lives.

When the Soviet armies returned to expel the Nazis in 1944, some 60,000 fleeing Lithuanians were found in East Germany and deported to Siberia. In the years 1945 and 1946, an estimated 145,000 Lithuanians were deported from their homeland. Another 60,000 were sent away early in 1949, after the farm population had refused to cooperate in the collectivization of agriculture.

Add to these atrocities the thousands of freedom fighters who fought against impossible odds and the hundreds of Lithuanians who were executed by the Communists after mass trials. Then one begins to get some idea of the ends to which Stalin's forces were willing to go when they set out to destroy the resistance of a patriotic people.

This resistance has not been destroyed. The spirit, the faith of the Lithuanian people has not been broken. I am proud, Mr. President, to join in honoring these courageous people and I submit, for appropriate reference, my concurrent resolution to reaffirm our resolve to bring about the freedom of Lithuania and her sister states, Latvia and Estonia.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 21) was referred to the Committee on Foreign Relations, as follows:

Whereas the peoples of Estonia, Latvia, and Lithuania have been denied the right of self-determination since the occupation and incorporation of their nations into the Soviet Union by force in 1940; and

Whereas the United States has consistently refused to recognize the abrogation of the rights of these Baltic peoples, and continues to maintain diplomatic relations with the representatives of free Estonia, Latvia, and Lithuania; and

Whereas it is the policy of the United States to uphold the right of peoples everywhere to determine their destinies through free participation in elected governments: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States should determine and promote diplomatic and economic policies which will—

(a) encourage the withdrawal of Soviet forces from Estonia, Latvia, and Lithuania;

(b) develop the independence of those nations from the Soviet Union; and

(c) bring about free elections in Estonia, Latvia, and Lithuania in order that Estonia, Latvia, and Lithuania may regain their places in the councils of free nations as sovereign states representative of the desires and responsive to the will of their peoples.

ACTION BY THE UNITED NATIONS ON THE BALTIC QUESTION

Mr. ALLOTT. Mr. President, 47 years ago, on February 16, 1918, the Republic of Lithuania was declared a free and independent state. Unfortunately, however, that independence was destined to be short lived. For, only a little more than 20 years later, this proud people were again shackled by the bonds of oppression and then slavery, first by Nazi Germany and later by Soviet Russia.

By action of the Nazis and the Communists, freedom in Lithuania was destroyed. However, in no place in the world does the spirit of freedom burn more brightly. Throughout the more than 27 years of their most recent subjugation, these 3 million remarkable people still walk the streets of their cities and villages with the spark of hope still warming their hearts that efforts of their friends in the free world will make it possible for them to again walk as free men in their homeland.

I join with my colleagues today in reminding the free world that the Communists, public deplorers of colonialism, are indeed practicing the rankest and most oppressive kind of colonialism on the freedom-loving peoples of Lithuania and other Baltic States. I join in a warning that, in spite of public utterances to the contrary, some of the newly emerged nations of Africa could find themselves subjected to the same kind of oppression by their friends and champions from Soviet Russia.

At the same time, I share with my colleagues an ever-swelling pride in the friendship of a people who have not let even vicious enslavement break their spirit or their hope to once again experience the joys of complete freedom. And, today is an entirely appropriate time to share with the Lithuanian people the spark of hope that still remains, and to salute them for their faith, their courage and their adherence to the ideals they share with all free peoples.

I, therefore, submit a concurrent resolution and ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 22) favoring certain action by the United Nations on the Baltic question, was referred to the Committee on Foreign Relations, as follows:

Whereas the Communist regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic processes; and

Whereas the Soviet Union took over Lithuania, Latvia, and Estonia by force of arms; and

Whereas Lithuanians, Latvians, and Estonians desire, fight, and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the Governments of the free Baltic republics of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced "incorporation" into the Soviet Union; and

Whereas the select committee of the House of Representatives, created by H. Res. 346 of the Eighty-third Congress to investigate the incorporation of the Baltic States into the Soviet Union, found that the incorporation of Lithuania, Latvia, and Estonia was contrary to established principles of international law; and

Whereas the opinion of the free nations and the free people of the world is to eliminate any kind of colonialism and imperialism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives of the United States of America request the President of the United States to bring the Baltic States question before the United Nations and ask the United Nations to request the Soviet Union to do the following:

(1) To withdraw all Soviet troops, secret police. agents, colonists, and all controls from Lithuania, Latvia, and Estonia;

(2) To return to their homes all Baltic exiles and deportees from Siberia, prisons, and slave-labor camps in the Soviet Union; and be it further

Resolved, That the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish all Russian Communists who are guilty of crimes against the peoples of the Baltic States.

AMENDMENT OF CONSTITUTION RELATING TO SUCCESSION TO THE PRESIDENCY AND VICE-PRESIDENCY—AMENDMENTS

AMENDMENT NO. 31

Mr. TOWER submitted an amendment, intended to be proposed by him, to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 32

Mr. AIKEN (for Mr. Cooper) submitted amendments, intended to be proposed by Mr. Cooper, to Senate Joint Resolution 1, supra, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 33

Mr. DIRKSEN. Mr. President, I submit an amendment, in the nature of a substitute for the language of Senate Joint Resolution 1. I ask that the amendment be printed and lie on the table. I ask unanimous consent that a statement, prepared by me, relating to the amendment, be printed in the Record.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table; and, without objection, the statement will be printed in the Record.

The amendment (No. 33) was ordered to lie on the table.

The statement presented by Mr. Dirksen is as follows:

Summary of My Position on Senate Joint Resolution 1

(By Senator Everett McKinley Dirksen)

There is no doubt that we must have a constitutional amendment to deal with the problems of Presidential succession and inability. I am in complete agreement with the Subcommittee on Constitutional Amendments and with the full Judiciary Committee that we should take favorable action on an amendment without delay.

I support the purpose of the amendment. My concern arises from some of the language of the amendment.

The Attorney General, in his testimony before the Senate subcommittee, found it necessary to make a large number of "assumptions" to resolve ambiguities in the language of Senate Joint Resolution 1. Last week before the Judiciary Committee of the House, he indicated that the resolution as reported to the Senate had not cured these important ambiguities.

What are these troublesome points? They relate to the mechanics of the determination of the President's disability and the transfer of his powers and duties. Such details need not and should not be included in a constitutional amendment, just as the Constitution leaves the details of Presidential succession for legislation instead of incorporating the details in the body of the Constitution. But if these details are to be included in the amendment they must be reworked to avoid the ambiguities. This will take time.

If these problems are not cured now, it will take another constitutional amendment to cure them. However, the proper way to cure these ambiguities is to omit the details which give rise to them. This way also permits the most expeditious action.

To that end, I shall offer a substitute amendment which not only has been espoused by the Attorney General but which has carried the endorsement of the American Bar Association, the Association of the Bar of the City of New York, and the New York State Bar Association. It has been sponsored in the past by Members of the Senate from both sides of the aisle, and supported by three past Attorneys General of the United States. It is simple and direct in language. It provides that the Vice President succeeds to the Office of President upon the death or resignation of the President and to his powers and duties when the President is under a disability and it provides the route by which the Congress can deal with the details of Presidential inability just as the Constitution now empowers the Congress to deal with Presidential succession.

USE OF PUBLIC WORKS TO COORDINATE EFFORT TO AID ECONOMICALLY DISADVANTAGED AREAS—AMENDMENTS

AMENDMENTS NOS. 34 AND 35

Mr. GRUENING. Mr. President, if the war we wage against poverty in the United States is to be won decisively, it must have both short- and long-range objectives. I am very proud of the action of the Senate in giving prompt approval to the Appalachian Regional Development Act of 1965.

The Appalachian plan will bring economic stability to more than 15 million Americans in 11 States living in an area encompassing more than 165,000 square miles.

We have taken a decisive first step toward implementing the goals of the Great Society, but we must go further. The needs of Appalachia are neither peculiar nor unique to a single area. The new roads, the new power, the new industry planned for Appalachia would benefit Alaska or any area in which development or redevelopment are needed.

A region bypassed or neglected cannot contribute. Its inhabitants lose hope. Worse, they drain the economy into which they should and would be contributing—given the opportunity.

The farsighted chairman of the Senate Public Works Committee [Mr. McNamara], has introduced a bill, S. 812, which would authorize the President to establish regional commissions to aid in the economic development of areas which have suffered from a lack of economic growth.

America needs such legislation. Other regional commissions similar to the concept of Appalachia should be established.

The McNamara bill, cosponsored by 31 Senators, does not specify the commissions to be created. Nor should it.

An area which is depressed knows it. Any action program is best initiated at the local level. Under the provisions of the McNamara bill, each commission would develop an action program within which it would recommend the development steps to be taken at the local, State, and Federal level.

The stated purpose of the Regional Development Act of 1965 is to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation. In the section devoted to findings and statement of purpose, the distinguished senior Senator from Michigan recognizes "the interdependence of the national economy with the economic vitality of local and regional sectors."

The purpose of S. 812, as stated, is the achievement of lasting improvement and enhancement of the domestic prosperity by establishment of stable and diversified local economics and improved local living conditions.

I support this purpose, for poverty knows no boundaries. It comes uninvited. It lives in too many homes. It is an unwelcomed and unwanted guest in the Great Society. The development of new commissions, as proposed in the McNamara bill, will enable us to get rid of this specter more quickly.

The bill calls for the authorization of an appropriation of $20 million. Of this total $15 million would be used to provide technical assistance to the commissions while the remaining $5 million would be allocated to local development districts within the regions for administrative expenses and program planning.

Mr. President, to facilitate the establishment of the proposed regions, I send to the desk two amendments to S. 812.

My first amendment to S. 812 makes it possible to establish a region within a single State or the portion of a single State. The language of section 3(a) without my amendment stipulates that the President must receive the request for the establishment of a region from the Governors of two or more contiguous States. This of course immediately precludes the establishment of regions in Alaska, Hawaii, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. My amendment also makes it possible for a single State to attack a poverty problem which may exist in an area not contiguous with another State; States whose borders touch Canada or one of the Great Lakes—States such as Washington, Montana, North Dakota, Minnesota, Wisconsin, Michigan, Ohio, New York, Vermont, New Hampshire, or Maine. This amendment also makes it possible for a single State whose border touches Mexico to the south to establish a region—States such as California, Arizona, New Mexico, and Texas.

Similarly, this amendment could apply to our great States whose borders touch the waters of the Pacific Ocean, the Atlantic Ocean or the Gulf of Mexico—Washington, Oregon, California, Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Virginia, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, and Maine.

I do not suggest that Florida, for example, suffers from a depressed economy along its seacoast, but should there be a region in need of help and that region not be contiguous to Alabama or Georgia, then this legislation should be applicable and my amendment will make this assistance available, if desired.

My first amendment reads:

(1) On page 3, line 2, beginning with "Upon" strike out all through "States" in line 5 and insert in lieu thereof: "Upon receiving a request from the Governor of any State, or the Governors of two or more contiguous States, for the establishment of a development region for the purposes of this Act within such State or States."

(2) On page 4, line 14, after "if only" insert "one or".

My second amendment to S. 812 defines the term "State" and specifies that, as used in S. 812, it includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States:

> On page 3, between lines 22 and 23, insert the following: "(b) As used in this Act the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States."

This amendment to S. 812 also makes it clear that decisions by a regional commission may be made by the Federal cochairman and one State member when the region is contained within a single State.

As a member of the Public Works Committee, I will work for the inclusion of these amendments prior to the reporting of the bill. A Great Society can be strengthened immeasurably by the enactment this year of the Regional Development Act of 1965.

Mr. President, I ask unanimous consent that my amendments be printed and remain at the desk for 10 days so that Senators wishing to cosponsor them may have the opportunity.

The VICE PRESIDENT. The amendments will be received, printed, and appropriately referred; and, without objection, the amendments will be held at the desk, as requested by the Senator from Alaska.

The amendments (Nos. 34 and 35) were referred to the Committee on Public Works.

CHANGE OF REFERENCE

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of S. 996, a bill relating to mine safety, and that it be referred to the Committee on Labor and Public Welfare under whose jurisdiction it properly belongs.

The VICE PRESIDENT. Without objection, it is so ordered.

EXTENSION OF TIME FOR S. 1087 TO LIE ON THE DESK

Mr. MORSE. Mr. President, on behalf of the junior Senator from Oregon [Mrs. NEUBERGER], I ask unanimous consent that S. 1087 be held at the desk for additional cosponsors until the conclusion of business on Tuesday, February 23.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND RESOLUTION

Mr. TOWER. Mr. President, I ask unanimous consent that at the next printing of S. 820—the eldercare bill—the name of the Senator from Nebraska [Mr. CURTIS] be added as a cosponsor.

In addition, it has come to my attention that the name of the Senator from Hawaii [Mr. FONG] was inadvertently omitted upon the printing of S. 458, S. 459, and Senate Resolution 25. I ask unanimous consent that at the next printing of these bills his name be included as a cosponsor, as originally requested.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that at the next printing of S. 1160, a bill to amend section 3 of the Administrative Procedure Act, the name of the Senator from New Mexico [Mr. ANDERSON] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, in the introduction of Senate Joint Resolution 30, proposing an amendment to the Constitution of the United States relative to the balancing of the budget, the name of the distinguished Senator from Ohio [Mr. LAUSCHE] was to be listed as a cosponsor. His name does not appear in the printing of the text of the joint resolution. I therefore ask unanimous consent that the name of the Senator from Ohio [Mr. LAUSCHE] be added as a cosponsor of Senate Joint Resolution 30.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. JAVITS], and the Senator from North Carolina [Mr. ERVIN] be added as cosponsors of S. 622, to facilitate the management, use, and public benefits from the Appalachian Trail, a scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from Maine to Georgia; to facilitate and promote Federal, State, local, and private cooperation and assistance for the promotion of the trail, and for other purposes, at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that the name of the Senator from Illinois [Mr. DOUGLAS] and the Senator from New Jersey [Mr. WILLIAMS] be added as cosponsors of S. 897 to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes, at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, at its next printing, I ask unanimous consent that the names of the Senator from Michigan [Mr. HART] and the Senator from Washington [Mr. JACKSON] be added as cosponsors of the bill S. 1034, to authorize the Secretary of Agriculture to make and insure loans to certain public bodies and nonprofit associations for the acquisition, construction, improvement, or extension of waste disposal and fuel distribution systems and other community services and to make construction grants with respect to certain water systems and waste disposal systems serving rural areas, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, on behalf of the senior Senator from Connecticut [Mr. DODD], I ask unanimous consent that at the next printing of S. 438, a bill introduced by the senior Senator from Connecticut on January 12, 1965, to control the traffic in stimulant and depressant drugs, the name of the junior Senator from Minnesota [Mr. MONDALE] be added as a cosponsor.

Mr. President, also on behalf of the senior Senator from Connecticut [Mr. DODD], I ask unanimous consent that at the next printing of S. 1154, a bill introduced on February 17, to incorporate the American Academy of Actuaries, the name of the senior Senator from Minnesota [Mr. MCCARTHY] be added as a cosponsor.

Mr. President, on behalf of the junior Senator from Minnesota [Mr. MONDALE], I ask unanimous consent that his name be added as a cosponsor of S. 994, a bill to extend the National Wool Act of 1954, the next time the bill is printed.

The VICE PRESIDENT. Without objection, it is so ordered.

STATE TECHNICAL SERVICES ACT—ADDITIONAL COSPONSOR

Mr. McGOVERN. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of S. 949, the State Technical Services Act.

The VICE PRESIDENT. Without objection it is so ordered.

Mr. McGOVERN. Mr. President, I am very glad to support, as a cosponsor, S. 949, the State Technical Services Act, a bill to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise.

This bill seeks to use the techniques of the Agricultural Extension Service, which has been such an outstanding success in the modernization and improvement of agriculture in a different area, in making available to industry the scientific and technological findings of Government agencies, universities, and other research activities. It is not enough merely to send out printed reports, on IBM cards, about new developments. In order to make full use of the potentialities of modern science, other and more imaginative efforts are necessary—meetings, conferences, seminars, technical assistance to certain industries by individuals who are acquainted with both the new and the old methods—in short, an all-out effort to make American businesses, large and small, aware of scientific and technological developments in the fields of their interests.

The bill provides additional assistance when such programs are undertaken between two or more States as regional programs. The bill calls for careful economic study and advanced planning in industrial development, and seeks very deliberately to bring land-grant colleges, State universities, and other research-oriented institutions into the field of improved business procedure.

Under any circumstances, Mr. President, I believe action along these lines can be extremely useful; but under the present circumstances of the closing of military installations and the cutback of military contracts and military research and development work, I believe the procedures outlined in this measure can play an important role in the conversion of these military resources to productive civilian uses. My own bill. S. 30, would establish a National Economic Conversion and Diversification Commission to study and direct nationwide policy in this field. The specific programs authorized and described in this bill would fit very well into a larger, overall effort to insure that the decline in defense spending does not bring an overall decline in industrial productivity, but, rather, releases resources used by the military for greater civilian and public benefit.

Mr. President, I strongly support the concept behind this bill, and hope it will be enacted promptly, so that the whole country can have the benefit of the technical services herein provided for.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 8, 1965:

S. 1032. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines: Mr. BURDICK, Mr. GRUENING, Mr. HARTKE, and Mr. METCALF.

S. 1035. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more: Mr. CARLSON, Mr. GRUENING, Mr. HART, Mr. MCGEE, Mr. MONDALE, Mr. MOSS, Mrs. NEUBERGER, Mr. PROUTY, Mr. RANDOLPH, Mrs. SMITH, and Mr. YOUNG of North Dakota.

Authority of February 10, 1965:

S. 1098. A bill to amend section 1(14) (a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes: Mr. JORDAN of Idaho.

TRAFFIC SAFETY HEARINGS

Mr. RIBICOFF. Mr. President, by the year 1970 over 110 million Americans will be licensed to kill, maim, injure, and otherwise harm themselves and their fellow countrymen. Since the invention of the internal combustion engine we have practiced an unbelievable form of national self-destruction.

Since that day in September 1899, when Mr. H. H. Bliss stepped off a trolley car and was run over by a horseless carriage, over a million and a half Americans have lost their lives in traffic accidents. It is time we mobilized our defenses against this threat to our strength, well-being, and national safety.

Unfortunately the average American who drives daily between home and office—or the housewife who transports the children to school—or the salesman or truckdriver who uses the roads daily believes the traffic safety problem is someone else's bad luck, not his. The statistics do not include him.

But he is wrong. When we take a look at the statistics we find that the average American is nothing less than a fugitive from the law of averages.

In the 1 minute that has passed since I have taken this floor 20 accidents have taken place. One half hour from now—three Americans will be dead who right now are alive. And for every half hour of this day and the days to follow three human beings will lose their lives on our Nation's roads and streets.

In the past 5 minutes over 30 people were injured in motor vehicle accidents. And that rate will continue throughout the year. During the next hour alone we as a nation will have lost $1 million in damages, medical and insurance costs and lost wages. The carnage, brought down to realistic terms we can all grasp, is fantastic.

Traffic accidents are the fourth leading cause of death in this country, ranking behind only heart disease, cancer, and stroke. And for our younger citizens—especially young men—between the ages of 15 and 24, traffic accidents are the leading cause of death.

The preliminary 1964 National Safety Council statistics which try in hard cold numbers to describe our annual toll of suffering, misery, and death resulting from our highways show that we have again set a record.

As a result of traffic accidents which occurred in 1964, 47,800 people have already died, and before the records are closed the total is expected to exceed 48,000. The 1963 fatalities numbered 43,400. What is even more significant is that the deaths per 100 million miles traveled rose from 5.4 in 1963 to 5.7 in 1964, continuing an upward trend.

Injuries and economic loss also continued to climb. Over 3 million people suffered traffic-related injuries last year, some of them permanent disabilities. By conservative estimates, $8 billion has been lost through traffic accidents.

And 22 million drivers were involved in accidents.

While it is difficult to pinpoint the reasons for this continuing climb in traffic accidents, certain factors play an important part.

One is simply the continuing increase in travel which is natural in our affluent economy and with our increasing amount of leisure time. Americans today drive over 800 billion miles. That figure will increase 21 percent by 1970 to 970 billion miles.

Another factor is the increasingly large segment of our driving population which is new and inexperienced. By 1970, 35 million persons age 15 to 24 will be licensed to drive. This increase in new drivers, among whom the accident rate is higher, is the result of the baby boom which began during World War II and has continued.

A third factor is an increase in the average speed on older roads which do not provide the additional safety factor of limited access.

While we may be able to explain the rise in traffic accidents, must we accept this trend as inevitable? Must we, as a nation, accept this loss of life and property and continue, as individuals, to risk our lives every time we venture onto the highways? I am afraid too many of us have become immune to this carnage on our roads and do accept the upward trend as inevitable.

I do not believe it is inevitable; I do not believe we should continue to slaughter larger numbers of Americans on our highways each year. I know traffic accidents are a waste of our Nation's resources; I believe we can, though not easily nor simply, deal with this problem.

Discussing or solving this problem is not a simple matter; for traffic safety involves the interrelationship of many individually complex factors: the driver, the vehicle, the highway, and related fixtures. And if one tries to approach the problem logically and scientifically, it rapidly becomes apparent that there is very little really known about traffic accidents. True there are volumes of statistics on how many accidents occurred, where they occurred, and who was involved. But the statistics do not always reveal why the accidents occurred, and probably for the very reason that the cause of most accidents is complex.

At various times and by various people, particular acts are singled out as the single most important cause of most accidents; however, this often results from an oversimplification of the accident or a quick judgment on the part of the investigator.

Often a fatal accident in which the driver is killed is blamed on the driver. In one such case where the police listed the cause of the accident as the driver losing control, more detailed investigation by a Harvard research group revealed that a tire which had been improperly repaired had failed causing the driver to lose control of the car.

What are some of the identifiable factors which contribute to traffic accidents?

Probably the simplest of these is the highway and its related fixtures. But it is only relatively simple, for while it is easy to identify these problems, the solutions are not necessarily apparent. How many miles of our high-speed highways are constructed in monotonous and deadly straight lines? How many of our highways lack an adequate dividing strip with neither sufficient width and depth nor a guardrail to prevent crossovers which result in the worest of all situations—the head-on collision? How many of our roads lack adequate shoulders where a car in difficulty can safely stop? And are our old highways being repaired, modernized, or replaced fast enough to keep up with the volume and speed of the vehicles now using them?

Second, the signs and traffic markings used on our Nation's highways can only be a source of increasing confusion as our population becomes more mobile and ventures into new regions. Turn signals vary, highway signs and markings controlling passing, and signs warning of dangers vary drastically from State to State. Who can estimate how many accidents have occurred because a tourist passed on a blind curve, failed to see an unusually placed traffic signal, or did not recognize a hand signal?

Third, the vehicle itself has become increasingly lethal as its horsepower has increased and many of its operations become automatic. Because it is mechanically complex, it requires skilled maintenance to keep it in a safe condition. We have only too many graphic results of what can happen, because of faulty or no maintenance, if a tire or the steering mechanism fails at high speed.

Finally, the most elusive and difficult factor in traffic safety is the human element. While it probably will never be possible to control or even fully comprehend this, we are presently faced with an incredible but correctable situation. Our methods of licensing people to drive anywhere in this country range from no test and a small fee, to an extensive written, road and vision test, with a considerable fee. Even in those States which require some sort of testing, licenses are renewed without any additional tests. And very few of the States require any sort of health—mental or physical—checkup, which has resulted in totally unfit people being licensed to operate an automobile. Because our laws and penalties vary so extensively, it is possible in many regions for habitual offenders to keep or regain their licenses while elsewhere their licenses would be permanently lifted.

Having stated the traffic safety problem, the question becomes, first, what are we doing about it, and second, what can we do about it? As pointed out by the President's Committee for Traffic Safety:

> Traffic safety is primarily the responsibility of public officials: Federal, State, county, and city. Their duty is to determine needs and to carry out sound accident-prevention programs.

I think it is time we took a close look at the role of the Federal Government in this field and in mid-March I intend to begin hearings before the Subcommittee on Executive Reorganization on this subject. The manner in which the Federal Government is carrying out its responsibility is of vital importance to the overall national effort to reduce traffic accidents.

We will examine the question of how the Federal Government is organized in traffic safety work. At the present time, eight separate agencies have responsibilities for traffic safety. These include the Department of Commerce—Bureau of Public Roads—the Department of Defense, the Post Office Department, the Department of Labor, the Department of Health, Education, and Welfare, the Interstate Commerce Commission, the General Services Administration, and the Federal Trade Commission. In addition, we have organizations such as the Interdepartmental Highway Safety Board, the Federal Safety Council, the President's Committee for Traffic Safety also involved at the Federal level. The efficiency, economy, and interagency coordination aspects of the programs conducted by these various agencies will be studied closely.

We will want to know the rationale of our debt-ridden Post Office Department providing General Motors with $115,000 last month to "find and remedy the causes of personal injuries in 45,000 mail delivery trucks." One would think the automotive industry would furnish such information and correct the difficulties out of pure self-interest, not to mention its basic obligation to the public and to such a good customer as the Post Office Department.

We will want to know why the Public Health Service finances almost two-thirds of the cost of the very excellent Cornell University Automotive Crash Injury Research program, when the raw data is furnished only to the industry, while the Federal Government is satisfied with general, year-end reports.

We will want to know more about Federal seat-belt standards—whether they are adequate and why they do not include the all-important anchorage assemblies as well as the belt itself.

In short, we will review the entire Federal role in the traffic safety field.

Mr. President, with these hearings my subcommittee will begin what I consider a series of inquiries into the Federal Government's organization and role not only in the area of driver protection, but in the much broader area of consumer protection in general. Proposals have been introduced in this session, as in the past, to reorganize the Federal Government's consumer protection efforts. The proposals have been referred to the Committee on Government Operations, and my subcommittee intends to give them serious consideration and study.

PROPOSED RAILROAD LEGISLATION—NOTICE OF HEARING

Mr. PASTORE. Mr. President, beginning on March 2, the Committee on Commerce will hold hearings on two very important bills, namely, S. 325, which was introduced by the Senator from Connecticut [Mr. Ribicoff], and S. 348, which was introduced by my colleague from Rhode Island [Mr. Pell].

The bills deal with railroad transportation.

I ask unanimous consent that the bills, together with explanations be printed in the Record at this point in my remarks.

There being no objection, the text of the bills and the explanations were ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Railroad Passenger Train Assistance Act of 1965."

Sec. 2. The Interstate Commerce Act, as amended, is amended by inserting immediately after part V thereof the following new part:

"PART VI

"Purpose

"Sec. 601. It is the purpose of this part to provide for assistance to common carriers of passengers by railroad subject to this Act to aid them in preserving and improving essential passenger train services and facilities, and to encourage State and local governments and their public instrumentalities to extend tax relief and other assistance toward the same end, to encourage the employment of labor, and to foster the preservation and development of a national transportation system adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense.

"Definitions

"Sec. 602. For the purposes of this part—

"(a) The term 'Commission' means the Interstate Commerce Commission.

"(b) The term 'expense' means expenditures for labor, materials, services and other costs incurred in maintaining, repairing, or renewing road property used in transportation service which are chargeable to the maintenance of way and structure operating expense accounts in accordance with the uniform system of accounts for railroad companies prescribed by the Commission.

"(c) The term 'expenses,' in referring to expenses directly assignable as solely related to railroad passenger service or to that portion of common expenses assignable to railroad passenger service, means expenses assignable in accordance with rules governing the separation of operating expenses, railway taxes, equipment rents, and joint facility rents, between freight service and passenger service prescribed by the Commission.

"Application for aid; conditions precedent to granting

"Sec. 603. In order to carry out the purpose declared in section 601, the Commission is authorized and directed to consider the application of any railroad subject to this Act for financial aid in the operation of a passenger train or trains required by the present or future public convenience and necessity. No such application shall be approved by the Commission unless it determines that (1) the continuance of passenger train operations specified in the application is required by the present or future public convenience and necessity; and (2) the granting of the aid applied for is necessary to carry out effectively the purpose of this part. Applications shall be under oath or affirmation and in such form as the Commission shall prescribe. A statement of the findings of the Commission under the provisions of this section shall be made a matter of public record by the Commission with respect to each application considered under the provisions of this part.

"Determination of amount of aid

"Sec. 604. (a) The amount of financial aid extended under the provisions of this section shall be determinned on the basis of a final accounting respecting passenger train operations conducted during the calendar year preceding the year in which the application is filed and shall be payable as soon as practicable after the end of each such calendar year.

"(b) The maximum amount of financial aid available to any applicant shall be:

"(1) Expenses incurred by the applicant in the preceding calendar year in the maintenance of way and structures which are directly assignable as solely related to railroad passenger service; plus

"(2) Any expenses incurred in the preceding calendar year in the maintenance of the applicant's way and structures by any State, municipality, or other political subdivision, or any public instrumentality thereof, which, if incurred by the applicant, would be an expense directly assignable as solely related to railroad passenger service; plus

"(3) That portion of common expenses incurred by the applicant in the preceding calendar year in the maintenance of way and structures which is assignable to railroad passenger services: *Provided, however,* That the amount of any grant determined in accordance with the provisions of this paragraph shall not exceed the amount of assistance including tax relief, but excluding any assistance available under paragraph (2) above, made available to the applicant in the preceding calendar year by any State, municipality, or other political subdivision, or any public instrumentality thereof, which, in the judgment of the Commission, is reasonably related to the purpose of this part.

"(c) In determining the amount of aid to be extended to an applicant under the provisions of this section, the decision of the Commission shall be final.

"Acquisition and modernization of equipment

"SEC. 605. In order to carry out the purposes declared in section 601, the Commission is authorized and directed to consider the application of any railroad subject to this Act for financial aid in the acquisition and modernization of passenger cars, including multiple-unit commuter cars, required by the present or future public convenience and necessity. The Commission will apply the same conditions precedent to granting aid under this section as set forth in section 603.

"Discontinuance or change of certain passenger operations or services

"SEC. 606. In the determination of any proposed discontinuance or change in passenger operations or services under the provisions of section 13a of this Act, the Commission shall give appropriate weight to any representations relative to the present or future public convenience and necessity which may have been made by the carrier involved under the provisions of this part and to the amount of tax relief or other assistance extended to the carrier involved by any State, municipality, or other political subdivision, or any public instrumentality thereof which, in the judgment of the Commission is reasonably related to the purpose of this part.

"Assistance of departments or other agencies

"SEC. 607. (a) To permit it to make use of such expert advice and services as it may require in carrying out the provisions of this part, the Commission may use available services and facilities of departments and other agencies and instrumentalities of the Government, with their consent and on a reimbursable basis.

"(b) Departments, agencies, and instrumentalities of the Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this part.

"Administrative expenses

"SEC. 608. Administrative expenses under this part shall be paid from appropriations made to the Commission for administrative expenses.

"Appropriations

"SEC. 609. There is hereby authorized to be appropriated not to exceed $100,000,000 to carry out the purpose of this part, and any amounts so appropriated shall remain available until expended."

SECTION-BY-SECTION ANALYSIS OF S. 325

Section 1. Short title: "Railroad Passenger Train Assistance Act of 1965."

Section 2. Amends the Interstate Commerce Act, by adding a new part IV, as follows:

PURPOSE

Section 601: The purpose of this part is to provide Federal financial aid to common carriers of passengers by railroad to enable them to continue essential operations until more lasting solutions to passenger service problems can be put into effect.

Section 602: Definitions. (a) "Commission" means the Interstate Commerce Commission, (b) "Expense" means expenditures for labor, materials, services, and other costs incurred in maintaining roadway and structures, which include, among other things, roadbeds, ties, tracks, tunnels, bridges, stations, communication equipment, and powerplants, (c) "Expenses assignable to railroad passenger service" are those expenses which can be distinguished from expenses assignable to freight service.

Section 603: Application for aid; conditions precedent to granting. The Commission is authorized to consider the application of any railroad for financial aid in the operation of a passenger train the operation of which the Commission determines is necessary for the convenience of present and future passengers.

Section 604: Determination of amount of aid: (a) The determination of the amount of aid to be extended shall be based on passenger train operations conducted during the calendar year preceding the year in which the application was filed; (b) The maximum amount of financial aid available to any applicant in any year shall be the total of:

1. Expenses incurred in the preceding calendar year in the maintenance of way and structures (see sec. 602(b)) directly related to railroad passenger service; plus
2. Direct payments in the preceding calendar year by any State or other political subdivision for the maintenance of way and structures which are directly related to railroad passenger service; plus
3. Expenses incurred in the preceding calendar year in the maintenance of way and structures which are assignable but not directly related to railroad passenger service (see sec. 602(c)). Federal aid under this subparagraph shall not exceed the amount of aid made available by any State or political subdivision to any applicant.

Section 605: Acquisition and modernization of equipment. The Commission is authorized to grant to any railroad funds to assist in the acquisition and modernization of passenger cars. The amount of such grant is to be determined by the Commission on the basis of public convenience and necessity.

Section 606: Discontinuance or change of certain passenger operations or services. Before the Commission shall grant any railroad the authority to discontinue or change any passenger operations or services, the Commission shall give appropriate consideration to any previous representations made by an applicant under this part that the future public convenience and necessity requires continuation of such service, and to the amount of financial aid granted by any State or political subdivision which is reasonably related to the purpose of this part.

Section 607: Assistance of departments or other agencies. The Commission may use available services and facilities of departments and other agencies with their consent and on a reimbursable basis.

Section 608: Administrative expenses. Administrative expenses under this part shall be borne by the Commission.

Section 609: Appropriations. The amount authorized to be appropriated to carry out the purposes of this part shall not exceed $100 million.

S. 348

A bill to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of Massachusetts, Rhode Island, Connecticut, and New York to negotiate and enter into a compact to create their own Northeast Rail Authority, and by guaranteeing certain loans and other credit to such authority

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE AND STATEMENT OF FINDINGS AND DECLARATION OF POLICY

Short title

SEC. 101. This Act may be cited as the "Northeast Rail Authority Act of 1965".

Statement of findings and declaration of policy

SEC. 102. The Congress finds that it is necessary to the national defense and to the general welfare of the Nation as well as that of the area involved that passenger rail transportation be preserved and properly maintained within the northeastern seaboard area. The Congress therefore declares that it is the continuing policy and responsibility of the Federal Government to encourage the State governments to enter into a compact to create their own Northeast Rail Authority, to own and operate such a system.

TITLE II—NORTHEAST RAIL AUTHORITY COMPACT

Consent and approval of compact

SEC. 201. The consent and approval of Congress is hereby given to the States of Massachusetts, Rhode Island, Connecticut, New York to negotiate and enter into the Northeast rail authority compact for the purpose of creating a multistate authority to own, lease, or otherwise acquire the right to operate a passenger rail transportation system within the Northeastern States. Such compact shall be as follows:

"NORTHEAST RAIL AUTHORITY COMPACT

"The States of Massachusetts, Rhode Island, Connecticut, and New York, hereinafter collectively referred to as signatories, any one of them being referred to as a signatory, do hereby covenant and agree as follows:

"Article I

"There is hereby created the Northeast Rail District, hereinafter referred to as the 'District', which shall embrace Massachusetts, Rhode Island, Connecticut, and New York.

"Article II

"The signatories hereby create the Northeast Rail Authority, hereinafter referred to as the 'Authority', which shall be a body corporate and politic, having the powers and jurisdiction hereinafter enumerated, and such other and additional powers and duties as may be conferred upon it by the legislatures of the signatories and concurred in and approved by the Congress. The Authority shall have the right and authority to own, lease, or otherwise acquire the right to operate a passenger rail transportation system within the District.

"Article III

"1. The Authority shall consist of four Commissioners, one each to be appointed by the Governors of Massachusetts, Rhode Island, Connecticut, and New York. Each Commissioner so appointed shall serve for a term of four years.

"2. The Authority shall have a Federal representative, if such a representative is appointed by the Secretary of Commerce pursuant to title III of the Northeast Rail Authority Act of 1965. The function of such representative shall be (a) to have the authority to veto any matter relating to the issue and sale of bonds or other indebtedness guaranteed by the Federal Government pursuant to such title III, and (b) to report to the Secretary of Commerce with respect to the activities of the Authority.

"3. No Commissioner shall have financial interest in any corporation or other entity engaged in the business of providing public passenger transportation within the District or engaged in the manufacture or selling of passenger transportation facilities.

"4. The Authority shall annually elect a chairman from its number and may appoint such other officers as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

"5. Each Commissioner shall receive basic compensation at the rate of $100 per diem, to be paid by the Authority as current expenses. Commissioners shall be reimbursed for actual expenses, including traveling and subsistence expenses incurred by them in the performance of their duties.

"6. The Authority shall appoint an Executive Director, who shall be responsible for the day-to-day management of the operations conducted by the Authority. The Executive Director shall receive compensation at the rate of $30,000 per annum.

"7. In addition, the Authority may employ such engineering, technical, legal, clerical, and other personnel on a regular, part-time, or consulting basis as in its judgment may be necessary for the discharge of its functions. The Authority shall not be bound by any statute or regulation of any signatory in the employment or discharge of any officer or employee, except as may be contained in this compact.

"Article IV

"No action may be taken by the Authority unless a majority of the Commissioners concur therein, but nothing in this Article shall be construed to limit in any respect the power of the Authority to delegate to its officers and employees the administration of such matters as it deems advisable. Three Commissioners shall constitute a quorum of the Authority.

"Article V

"Except as otherwise specifically provided in this compact, the Authority shall have power to:

"(1) adopt, alter, and use a corporate seal, and such seal shall be judicially noticed;

"(2) adopt, amend, and repeal its own bylaws, rules, and regulations;

"(3) sue and be sued in its corporate name in any court of competent jurisdiction;

"(4) make contracts, as authorized in this compact;

"(5) accept gifts or donations of property;

"(6) acquire, by purchase, lease, condemnation, or in other lawful manner, any property whether real, personal, or mixed, tangible or intangible, and any interest therein; hold, maintain, use, and operate such property; sell, lease or otherwise dispose of the same at such time, in such manner, and to the extent deemed necessary or appropriate to carry out its functions;

"(7) operate all facilities acquired or constructed by it or enter into agreements with railroad corporations, government agencies or other persons for the operation of its or their facilities, the use of its or their operating rights, or the provision of passenger transportation services making use of other facilities and operating rights;

"(8) determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid;

"(9) set fares, tariffs, and other rates and charges to the public for the services rendered by its facilities;

"(10) execute, in accordance with its bylaws, rules or regulations all instruments necessary or appropriate in the exercise of any of its powers;

"(11) settle and adjust claims held by it against other persons or parties and by other persons or parties against it; and,

"(12) take such actions as may be necessary or appropriate to carry out the powers and duties specifically conferred upon it by this compact.

"Article VI

"Insofar as possible the fares, tariffs, and other rates and charges to the public set by the Authority for the services rendered by its facilities shall be established at such levels that the revenues of the Authority may be reasonably expected to cover all costs of operating and maintaining the facilities under the administration of the Authority, including the depreciation and payment of interest on its obligations. The Authority is not required, however, to operate any particular portion of its facilities without loss, but may set fares, tariffs or other rates and charges on the basis of all of its facilities considered as a whole. When, in the opinion of the Authority, it is in the best interest of the Authority not to charge fares, tariffs, or other rates and charges for a particular facility, it shall not be required to levy such charge. The Authority may enter into agreements with railroad corporations, government agencies or other persons or entities for the establishment of joint or combination fares.

"Article VII

"1. The Authority shall annually submit to each of the signatories a budget of requirements for the next ensuing year. To the extent that revenues from operation as conducted by the Authority are inadequate to meet the expenses of the Authority, such expenses shall be borne by each of the signatories in the percentage which the passenger miles traveled on the railroads owned, leased, or otherwise operated by the Authority within such State's boundaries bears to the total passenger miles traveled on railroads owned, leased, or otherwise operated by the Authority within the District. The percentages of such expenses to be borne by each of the signatories shall be set forth in such budget and shall be subject to the approval of the chief executive officer or officers of such signatory.

"2. At such time as the revenues per annum of the Authority may exceed the expenses (including payment of indebtedness) per annum of the Authority, the Commissioners at their discretion may make partial reimbursement to the signatories of the payments made in accordance with article VII, paragraph 1, of this compact, such reimbursement to be made at a prudent rate and in the same ratio as is set forth in article VII, paragraph 1 of this compact.

"3. The signatories agree to appropriate for the expenses of the Authority their proportion of the budget determined in the manner set forth herein and to pay such appropriation to the Authority.

"4. The Authority shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by such representatives of the respective signatories as may be duly constituted for that purpose.

"Article VIII

"1. The Authority is authorized to issue and sell bonds, notes, and other evidences of indebtedness, hereinafter collectively referred to as 'bonds', in an amount not exceeding $500,000,000 outstanding at any time to assist in financing its operations pursuant to the powers granted by this compact. The Authority is authorized to enter into binding covenants with the holders of bonds, and with the trustee, if any, under any indenture, resolution, or other agreement entered into in connection with the issuance thereof.

"2. Bonds issued by the Authority shall be negotiable instruments unless otherwise specified therein, shall be in such forms and denominations, shall be sold at such times and in such amounts, shall mature at such time or times, shall be sold at such prices, shall bear such rates of interest, may be redeemable before maturity at the option of the Authority in such manner and at such times and redemption premiums, may be entitled to such relative priorities with respect to principal and interest payments, and shall be subject to such other terms and conditions, as the Authority may determine.

"3. Bonds issued by the Authority pursuant to this compact shall be legal investments under the laws of each of the signatories for all State and municipal officers and bodies, all banks, bankers, trust companies, savings banks, savings and loan associations, investment companies, and other persons carrying on banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees, and other fiduciaries, and such persons and entities may properly and legally invest any funds, including capital, within their control; and said bonds shall be securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency for any purpose which the deposit of bonds or other obligations of the signatories are now or may hereafter be authorized.

"4. The bonds shall at all times be free from taxation by any signatory. The Authority shall be regarded as the instrumentality of the several signatories for the purpose of operating and developing passenger rail transportation and effectuating the pledge of the signatories in this compact, but it shall have no power to pledge the credit of any signatory or to impose any obligation upon any signatory, except as expressly provided in this compact.

"Article IX

"The Authority is authorized to make payments to State and local governments in lieu of property taxes upon property within the District which was subject to State and local taxation before acquisition by the Authority, except that such payments will not be required in years when the annual budget as submitted to the signatories indicates that revenues will be less than expenses. Such payments shall be in the amounts, at the times, and upon such terms as the Authority in its discretion determines to be appropriate. No payment shall be made in excess of the taxes which would have been payable for such property except where special burdens are placed upon the State or local government by the activities of the Authority or its agents.

"Article X

"In the acquisition of any transportation facilities in the District the Authority shall make arrangements to protect the interests of employees affected by such acquisition. Such arrangements shall include, without being limited to, such provisions as may be necessary for (a) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (b) the continuation of collective bargaining rights; (c) the protection of individual employees against a worsening of their positions with respect to their employment; (d) assurances of employment to employees of acquired railroad companies and priority of reemployment of employees terminated or laid off; and (e) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to section 5(2) (f) of the Act of February 4, 1887 (24 Stat. 379), as amended. The contract for the granting of any such assistance shall specify the terms and conditions of the protective arrangements.

"Article XI

"This compact shall become effective ninety (90) days after the date of adoption thereof by the last signatory to adopt such compact.

"Article XII

"This compact may be amended from time to time with the consent of all of the signatories and the Congress of the United States.

"Article XIII

"Each of the signatories pledges to each of the other signatories faithful cooperation in the promotion of passenger rail transportation within the District and, in furtherance thereof, agrees to enact any necessary legislation to achieve the objectives of this compact.

"Article XIV

"1. If any part or provision of this compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this compact or the application thereof to other persons or circumstances and the signatories hereby declare that they would have entered into this compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

"2. In accordance with the ordinary rules for construction of interstate compacts, this compact shall be liberally construed to eliminate the evils described therein and to effectuate the purposes thereof.

"Article XV

"Other States may join this compact on the same terms and under the same obligations as set forth in the preceding articles of this compact with the consent of all of the signatories and the Congress of the United States."

TITLE III—FEDERAL BOND GUARANTY

Definitions

SEC. 301. For the purposes of this title—

(1) The term "Secretary" means the Secretary of Commerce.

(2) The term "Commission" means the Interstate Commerce Commission.

(3) The term "authority" means the Northeast Rail Authority established pursuant to the Northeast Rail Authority compact.

(4) The term "additions and betterments or other capital expenditures" means expenditures for the acquisition or construction of property used in transportation service, chargeable to the road, property, or equipment investment accounts, in the uniform system of accounts prescribed by the Commission.

(5) The term "expenditures for maintenance of property" means expenditures for labor, materials, and other costs incurred in maintaining, repairing, modernizing, or renewing equipment, road, or property used in transportation service chargeable to operating expenses in accordance with the uniform system of accounts prescribed by the Commission.

Guaranty authority

SEC. 302. (a) In order to carry out the purposes declared in section 201 of this Act, the Secretary may, after consultation with and consideration of the views and recommendations of the Commission and upon terms and conditions prescribed by him and consistent with the provisions of this title, guarantee any bonds (including other evidences of indebtedness) which are issued by the authority for the purpose of financing or refinancing (1) additions and betterments or other capital expenditures, or to reimburse the authority for expenditures made from its own funds for such additions and betterments or other capital expenditures, or (2) expenditures for the maintenance of property.

(b) The aggregate principal amount of all guaranties pursuant to this title shall not exceed $500,000,000.

Limitations

SEC. 303. No guaranty shall be made pursuant to this title—

(1) if in the judgment of the Secretary the bonds involved are at a rate of interest which is unreasonably high; or

(2) if the terms of such bonds permit redemption more than fifteen years after the date thereof.

Modification authority

SEC. 304. The Secretary may consent to the modification of the provisions as to rate of interest, time of payment of interest or principal, security, if any, or other terms and conditions of any bonds which he has guaranteed pursuant to this title, or the renewal or extension of any such bonds, whenever the Secretary shall determine it to be equitable to do so.

Payment on guaranty

SEC. 305. (a) Any payment required to be made as a consequence of any guaranty pursuant to this title shall be made by the Secretary of the Treasury from funds hereby authorized to be appropriated in such amounts as may be nececssary for the purpose of carrying out the provisions of this title.

(b) In the event of any default on any bonds guaranteed pursuant to this title, and payment in accordance with the guaranty by the United States, the Attorney General shall take such action as may be appropriate to recover the amount of such payment, with interest, from the authority.

Guaranty fee

SEC. 306. The Secretary shall prescribe and collect a guaranty fee in connection with any guaranty pursuant to this title. Such fees shall not exceeed such amounts as the Secretary estimates to be necessary to cover the administrative costs of carrying out the provisions of this title. Sums realized from such fees shall be deposited in the Treasury as miscellaneous receipts.

Federal representative on authority and other assistance for Secretary

SEC. 307. (a) In order to more effectively carry out his functions pursuant to this title, the Secretary may appoint a Federal representative to the authority as authorized in article III of the northeast rail authority compact.

(b) To permit the Secretary to make use of such other expert advice and services as he may require in carrying out the provisions of this title, he may use available services and facilities of other departments, agencies, and instrumentalities of the Government, with their consent and on a reimbursable basis where necessary.

(c) Departments, agencies, and instrumentalities of the Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this Act.

A SECTION-BY-SECTION ANALYSIS

TITLE I—SHORT TITLE AND STATEMENT OF FINDINGS AND DECLARATIONS OF POLICY

Sections 101 and 102: These sections provide that the act may be cited as the "Northeast Rail Authority Act of 1965" and state a congressional finding that the preservation and proper maintenance of passenger rail transportation in the northeastern seaboard region is necessary to the national defense and to the general welfare of the Nation, and to the area involved. Congress declares it a continuing policy and responsibility of the Federal Government to encourage the State governments to enter into a compact to create a Northeast Rail Authority.

TITLE II—NORTHEAST RAIL AUTHORITY COMPACT

Section 201: This section grants the consent and approval of Congress to the States of Massachusetts, Rhode Island, Connecticut, and New York to negotiate and enter into the Northeast Rail Authority Compact for the purpose of creating a multistate authority to own, lease or otherwise acquire the right to operate a passenger rail transportation system within the Northeastern States. The section then goes on to set forth the provisions of the compact in 15 articles as follows:

Articles 1 and 2: These articles create a Northeast rail district embracing the area of the four States, and create the Northeast Rail Authority as a corporate body having the right and authority to own, lease or otherwise acquire the right to operate a passenger rail transportation system within the district.

Article 3: This article states that the authority shall consist of four commissioners, one each appointed by the Governors of the participating States, to serve for a term of 4 years. It also provides that a Federal representative (to be appointed pursuant to title III of this same act) shall have the power of veto on any matter relating to the issue and sale of bonds or other indebtedness guaranteed by the Federal Government pursuant to said title III. The article fixes the compensation of commissioners at the rate of $100 per day. It also provides for the appointment of an executive director, to be compensated at the rate of $30,000 per annum, and such other personnel as may be necessary.

Article 4: States that no action may be taken by the authority unless a majority of the commissioners concur, but permits the authority to delegate duties.

Article 5: Lists the powers of the authority, including the power to operate facilities or enter into agreements with other parties for the operation of passenger transportation services; the power to set fares and tariffs for the services it renders; the power to acquire property by purchase, lease or condemnation, and other powers normally vested in such bodies.

Article 6: Directs the authority, insofar as possible, to set fares and tariffs at such levels that the revenues of the authority may be reasonably expected to cover costs of operating and maintenance. However, the authority is not required to operate any portion of its facilities without loss, but may set fares on the basis of all its facilities considered as a whole.

Article 7: Provides that in any years in which the operating revenues of the authority shall be inadequate to cover the operating expensse of the authority, the net deficit shall be borne by each of the signatories in the proportion which the number of passenger miles traveled within each State on railroads owned, leased or otherwise operated by the authority, bears to the total number of passenger miles traveled on railroads owned, leased or otherwise operated by the authority within the entire district. Provides that the authority shall annually submit to the States a budget of requirements for the next ensuing year, and that such budget shall also set forth the percentage by which each signatory shall bear its share of the deficit, if any. The signatories agree to appropriate their proportion of the budget as set forth in this article and to pay such appropriation to the authority.

This article also provides that at such time as the annual revenues of the authority exceed its annual expenses, the commissioners may at their discretion make partial reimbursement of any payments made by the States pursuant to this article, at a prudent rate and in the same ratio as set forth in this article.

Article 8: Provides that the authority may sell bonds, notes and other evidences of indebtedness in an amount not exceeding $500 million to finance its operations. Provides that such bonds and other indebtedness shall be legal investments and shall be at all times free of taxation by the signatories.

Article 9: Provides that, except in years when the expenses of the authority exceed revenues, the authority may make payments to the States and local governments in lieu of property taxes upon property within the district which was subject to such taxes before acquisition by the authority.

Article 10: Provides that in the acquisition of any transportation facilities in the district, the authority shall make arrangements to protect the interests of employees affected by such acquisition.

Articles 11, 12, 13: Provides that the compact shall become effective 90 days after the date of adoption; that it may be amended with the consent of all signatories and the Congress. Pledges cooperation between the signatory States.

Article 14: Provides that a judgment by any competent court rendering a portion of this compact invalid shall not affect or impair the validity of the remainder of the compact, and expresses the intention that the compact be liberally construed.

Article 15: Provides that other States may join this compact on the same terms and under the same obligations as have been set forth in the preceding articles, with the consent of all the signatories and of the Congress.

TITLE III—FEDERAL BOND GUARANTY

Section 301: Defines terms. "Additions and betterments or other capital expenditures" means expenditures for the acquisition or construction of property used in transportation service, chargeable to the road, property, or equipment investment accounts. "Expenditures for maintenance of property" means expenditures for labor, materials, and other costs incurred in maintaining, repairing, modernizing, or renewing equipment, road, or property used in transportation service.

Section 302: Authorizes the Secretary of Commerce to guarantee bonds and other evidence of indebtedness of the authority in principal amount not exceeding $500,000,000 issued by the authority for the purpose of financing or refinancing additions and betterments and other capital expenditures and expenditures for maintenance of property. Such guarantees are to be made upon terms and conditions prescribed by the Secretary of Commerce after consultation with the Interstate Commerce Commission.

Section 303: States that no guarantee shall be made if in the judgment of the Secretary the bonds or other indebtedness carry a rate of interest which is unreasonably high or if the terms of such bonds permit redemption more than 15 years after date of issuance.

Section 304: Permits the Secretary to consent to modifications as to rate of interest, time of payment, or other terms and conditions of bonds which he has guaranteed, whenever he shall determine it to be equitable to do so.

Section 305: Provides that any payment required as a consequence of any guarantee under this act shall be made by the Secretary of the Treasury from funds authorized to be appropriated to carry out the provisions of this act. In the event of any default of bonds guaranteed pursuant to this title and payment in accordance with this title, the Attorney General is empowered to recover the amount of such payment, with interest, from the authority.

Section 306: Authorizes the Secretary to prescribe and collect a guarantee fee to cover the administrative costs of extending guarantees pursuant to this title.

Section 307: Authorizes the Secretary of Commerce to appoint a Federal representative to the authority, as provided in article III of the Northeast Rail Authority compact, and permits the Secretary to use the advice and services of other departments and agencies of the Government as he may require.

Mr. PASTORE. I invite Senators who are interested in the proposed legislation, if they care to do so, to appear before our committee.

The first day of hearings, March 2, will be devoted to hearing exclusively Members of Congress on this important subject.

I understand that the present occupant of the Chair, the Senator from Connecticut [Mr. DODD], will introduce a bill proposing a solution to the problem of the New Haven Railroad.

Another bill is also to be introduced by the Senator from New York [Mr. JAVITS].

I respectfully request that they introduce their bills as soon as they can, so that we may hear testimony on all proposals at the same time.

IMPORTANCE OF PESTICIDES

Mr. DIRKSEN. Mr. President, all of us are concerned with the health and welfare of our Nation. During the past 3 years, much has been said about pesticides—so much so, that many are confused. Pesticides are too important a factor—not only for the protection of food and fiber, but also in health programs—to be treated lightly or subjected to hasty action.

Mr. Louis A. McLean of the Velsicol Chemical Corp., a leader in the pesticide industry, recently presented a speech during the Colorado Agricultural Chemicals Exposition which was held in Greeley, Colo. It is entitled "Pesticides—Blessing or Curse?" and I commend it to my colleagues for their study.

In pointing out the facts on pesticides, Mr. McClean takes a look into a crystal ball which awakens one to reality. He said:

> A few years ago it was figured that more than 10,000 people per day died because of hunger and starvation. Today the figure is greater, for the world's population is increasing at the rate of more than 7,000 per hour.

He further points out that the population increase is outgaining the rise in productivity.

In his talk, he quotes Dr. Raymond Ewell of the State University of New York:

> The world is heading for the greatest catastrophe in history—famine for hundreds of millions of people. * * * Such a famine will be of massive proportions, affecting * * * possibly billions of persons. * * * Not only will the coming famine be widespread, but it will be persistent and get worse year by year, unless ways and means are soon found to increase agricultural production. * * * It is difficult for us, sitting in rich, comfortable, overfed America, to realize that the greatest disaster in history is just around the corner.

Obviously Mr. McLean has done considerable research on his paper and it is filled with facts. Those who will take time to read it will find it time well invested.

I ask unanimous consent to have the speech printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

PESTICIDES—BLESSING OR CURSE?

(By Louis A. McLean, secretary, Velsicol Chemical Corp.)

If I told you I could save 50,000 American lives each year and additionally prevent illness and suffering in hundreds of thousands more—would you ask me to do it? Would you deem it a blessing, or a curse? There are a few in this country who call it a curse. Nevertheless, this is the annual accomplishment brought about with modern pesticides since the mid-fourties, by the elimination of malaria and reduction of other vector-borne diseases.

If I told you I would increase the per acre yield of substantially every crop, from 25 percent to over 200 percent would you think that a blessing, or a curse? Those increases have been made possible since 1945 by modern pesticides. In some instances, the increases are entirely due to them. In other instances they have afforded crop protection, making economic the use of fertilizers; making economic the use of better mechanical aids; therefore, in combination, making all these increases possible.

Many of you will remember when it was impossible to raise a decent crop of grade I potatoes because of insect damage. Now look at the figures. Since 1945, the average per acre yield has risen from less than 85 to over 202 hundredweight per acre. Some people think this is a curse.

Let us reflect for a moment on what it means to save 50,000 American lives each year and prevent illnesses of hundreds of thousands more. We devote millions of man-hours and millions of dollars to the March of Dimes, to heart funds, to Easter seals to reduce and eliminate disease and suffering. We give our thanks for a Sabin, for a Salk. We know that when we prevent diseases, which would have killed 50,000 annually, we eliminate pain and suffering of hundreds of thousands more. The money which would have otherwise been spent in caring for the ill is available for other good uses. Think of it. In 1945 despite the use of sanitary measures and older forms of pesticides, we had over 62,000 new cases of malaria. And the weakening effects of malaria are not overcome in a day, in a month, or in a year. They lingered and often resulted in people sapped of energy, unable to work, often placing burdens on the community. Today, there are only about 60 cases of malaria a year in this country and those involve people who contract the disease in other lands. In reducing vector-borne diseases, modern pesticides have saved over a million lives in this country—over 100 million throughout the world—yet there are a few who think this saving of lives is a curse.

The increased per acre yields of crops is important to every one of us; and not just because our food prices thereby are less. Of course it is important that the income cost of food today is one-half of what it was in 1911. About 19 percent of our spendable income now goes for food, compared to 56 percent in Russia, 27 percent in Sweden, 38 percent in Italy, 40 percent in Peru, and 70 percent in Nigeria. Grocery costs have stayed relatively in line, while wages and other things have been going up. It comes as a surprise to many to learn that if you compare today's grocery ads with those for the same date 15 to 20 years ago, unprocessed foods, such as, apples, potatoes, cauliflower, and grapes, of better quality, are as cheap per pound as then. Potatoes are actually cheaper. That is what the increase in yield from less than 85 to over 202 hundredweight per acre means and it means a great deal more. The use of modern pesticides gives the farmer the assurance he can use fertilizer and not merely raise a larger dinner for the wireworm and the fleabeetle. He can confidently spend money on new mechanical equipment to plant and harvest; money he could not invest if he was not assured of crop protection. Therefore, every person engaged in the manufacture of farm equipment, in the transportation of produce, the implement dealer, the truck manufacturer, his employees, his dealers, and every taxing body raising funds, the great majority of people's welfare, is dependent on the Nation's agriculture. There are people, however, who think abundant food and farming are a curse.

There are a handful of people who have led the criticism against modern pesticides. With the knowledge that only 7 percent of our population live on farms and only about one-half that number depend solely on farming for a living, they attempt to picture the farmer to the urban 97 percent as a peasant, a tobacco-chewing rube sitting on his—porch, stirring his stumps only to walk out to the mailbox to pick up a fat Government check. They tell the city people we have too much food, perhaps not knowing there is no surplus of fruits and vegetables and if it had not been for the per acre increases, today we would be short of them and short of protein. They belittle the attempts of the American farmer to extradite himself from market controls; and urge that if the American farmer is regulated and controlled to the degree farmers are regimented behind the Iron Curtain, America will be served.

They use loaded questions—they ask if you are for the "indiscriminate" use of pesticides. The answer, of course, is that lack of discrimination is always bad. Certainly you can get too much of a good thing—that is why we have laws against bigamy.

They know, or should know, of the benefits of pesticides, of the fact that through all these years there is not one incident of illness resulting from permitted residues on crops. And they know, or should know, that the misuses of pesticides, weighed in the balance against the benefits, are minor and they are minor when compared to misuses of other things and their benefits. The critics seek to misinterpret industry's safety campaigns to better an excellent record, as proof of great hazard. Let us see. The misuse of pesticides, causes between 88 to 141 deaths annually; deaths due to the misuse of the auto over 48,000; simple falls, 19,000; hunting deaths, over 700; medicines, over 750, about 150 for aspirin alone; the wrong alcohol over 350; mechanical aids on the farm, 3,300; and deaths due to diseases in which birds are a necessary part of the chain run over 1,000.

Dr. Cann, formerly Director of the National Clearing House for Poison Control Centers, as others, has pointed out that most pesticide deaths involve infants * * * infants located disproportionately in relatively small areas of the southeastern part of the country and along the Mexican border. In 48 percent of the cases the materials have been taken out of their original containers * * * apparently taken home by illiterate farmhands from their fieldwork, in such things as milk and pop bottles. Dr. Cann points out something else, as have others. The older types of pesticides, in use prior to 1945, are the ones most often fatally misused; the highly toxic short-term materials are the second most subject to misuse. Only 5 to 12 percent—or 5 to 17 of the 88 to 141 cases are due to the misuse of the chlorinated hydrocarbons. Yet, the leaders of the criticism against modern pesticides repeatedly urge restrictions on the chlorinated hydrocarbons and substitution of the older or short-term materials. They urge repeated uses of short-term chemicals, apparently not caring or knowing such practices would multiply the hazards of storage and application, both to the farmer and the birds in his fields.

The leaders of the criticism delight in disregarding the concept of pharmacological insignificance, determined by the pharmacologist and toxicologist, to ask "How can we be sure they are right?" They delight in asking, how can we be absolutely certain that permitted residues may not someday cause this or that—everything from dandruff to possible genetic effects 20 generations from now. They forget we do have medical proof that pesticides are not building up in the populace. What is most important, they forget that we now have over 20 years experience with the chlorinated hydrocarbons. It is a little late to suggest to the increasing and healthier population that permitted residues were unsafe, that the pharmacologists and toxicologists did not know what they were doing 20 or 25 years ago. As Dr. Seevers, of the University of Michigan Medical School has stated:

"If a negative experiment on man, involving a 25-year trial in a whole population (possibly 2.5 billion man-years), is ignored as proof of nontoxicity, what conceivable type of evidence could a pharmacologist or a clinician present * * * to be utterly and completely without the possibility of human injury?"

The leaders of the criticism state that bird populations have been decimated by modern pesticides; they know, or should know, the Audubon counts show dramatic increases in practically all bird species coincidental with the increased use of modern pesticides * * * such birds as robins, flickers, mourning doves, cardinals, good species as well as destructive ones.

Claims were made that the heptachlor fire ant program killed quail, yet bag limits increased. Exhaustive wildlife studies, made at the behest of the Fish and Wildlife Service, such as Dewberry's and Murray's were buried. They had pointed out that quail populations increased where the fire ant was controlled. Dewberry emphasized that where the fire ants were not controlled they swarmed and gorged on the pips as they broke through their shells. Last September's issue of Field & Stream illustrated that in the delta where pesticides are most heavily used there has been a wildlife population explosion. Pesticides mean wildlife cover for birds in those areas where formerly, in times of drought, the grasshopper destroyed unprotected crops leaving no cover. Farm chemicals and efficiencies of the past 20 years have returned 35 million marginal acres to wildlife habitat. When the farmer plows a field he may disturb the rabbit's nest. When he sprays some chemicals at some concentrations he may likewise injure the rabbit or bird staying in the field; but food is necessary and the figures show that the side benefits to wildlife outweigh the damage. Where insecticides are used there are fewer ticks to bleed wildlife.

Despite these facts, time after time a natural catastrophe, such as western duck disease, which has periodically killed hundreds of thousands of waterfowl for at least a century, is told by our critics as being a result of the use of pesticides. Unfortunately, the accusation, because it is inflamatory, is given wide circulation; and the disproof, the proof of the true cause, given little or no publicity. You heard much of the Lower Mississippi-Atchafalaya Basin fish kill of December 1963, because it at first was attributed to pesticides, even though the symptoms were wrong; but few of you have heard of the massive fish kill in the same area of October 1964 many times larger. You did not hear about it because everyone recognized it as an unfortunate aftermath of Hurricane Hilda. She had flushed decayed vegetation into the basin, using up the oxygen. It was brought under control by man 3 weeks later by opening the locks at Port Allen to let in better water from the Mississippi. Wildlife can be saved from many diseases and natural catastrophies if better efforts are made to ascertain and correct real causes. False stories, false leads, do not promote the welfare of wildlife.

The leaders of the criticism have seized upon a peculiarity in our laws to cause confusion and it has caused confusion in administration. At State and Federal levels restrictions have been placed on effective chemicals admittedly for no valid reasons, but because of this confusion. A "zero" or "no residue" of a chemical is not defined. Zero is a mathematical concept. Scientifically, zero does not exist; it is merely the lowest level at which the best instrument permits you to measure. Let me illustrate. Molecules of Cleopatra's perfume still exist, but we cannot detect them, so we say they are zero. Tomorrow, however, we may have an instrument to measure at that level. Shall I then announce that I found traces of Cleo's perfume on every married man's lapel? Should my meaningless finding entitle every wife to a divorce? This is what has been happening with pesticides as we develop more sensitive instruments. Although we have many years' proof that "zero" and "no residue" as determined by original methods was completely protective of health, because of newer instruments the rules have changed. Perfectly good milk containing no pharmacologically significant residues was dumped. It took an act of Congress to reimburse the farmers. The possibility of error multiplies as sensitivity increases. It took an act of Congress to permit reimbursement to a Colorado spinach grower, whose crop had been condemned as a result of analytical error.

Fortunately the National Academy of Science Committee is about to issue its report on zero. This report should serve as a basis for reestablishing a reasonable fraction of pharmacological insignificance as a safety factor, rather than mathematical zero, of which it has been said, "mathematical zero makes no more sense than the mathematically correct average figure which 'proves' every female in the country is a little bit pregnant."

The public is not aware of the consequences of the results flowing from the misconception of zero and that purity of food is not involved. For example, at this moment, the farmers of the Pacific Northwest have nothing to effectively control the wireworm. This means the end of root crops there, if something is not soon done. You can talk about sterilization, repellants, natural predators, bacterial agents, viruses, and many other things industry and others are researching, but it is a disservice to the farmer and the American public to suggest that we have real substitutes. We have no substitute to control the wireworm in the Pacific Northwest. The simple fact is, that because of adverse criticism, restrictions and changing concepts of zero, less is being accomplished today to provide the farmer with new controls than was the case 10 years ago.

Repercussions from the criticism are of even greater importance in a world sense. Starvation, malnutrition, and the vector-borne diseases, throughout the course of history, have accounted for such a toll of human lives, the slaughter of wars is diminutive, by comparison. This is true today. A few years ago it was figured that more than 10,000 people per day died because of hunger and starvation. Today, the figure is greater, for the world's population is increasing at the rate of more than 7,000 per hour. The population increase is outgaining the rise in productivity. Non-Communist Asian countries are increasing agricultural production by only 0.5 percent against a population increase of 2.4 percent. As Dr. Raymond Ewell of the State University of New York has said:

"The world is heading for the greatest catastrophe in history—famine for hundreds of millions of people. Such a famine will be of massive proportions, affecting possibly billions of persons. Not only will the coming famine be widespread, but it will be persistent and get worse year by year, unless ways and means are soon found to increase agricultural production. It is difficult for us, sitting in rich, comfortable, overfed America, to realize that the greatest disaster in history is just around the corner."

Basic foods today are being rationed in India; and the situation is little better in primitive areas of Latin America, where we have not yet helped those people achieve something approaching modern agriculture. Say what you will about primitive man's knowledge of nature, it is axiomatic that hand tillage creates a hand-to-mouth existence.

Despite these harsh facts, the critics of pesticides point to our surplus of a few grains and fibers and suggest we should reduce our $6 billion of agricultural exports and let nature take its course in friendly Asian and Latin American countries. We must recogize the obvious fact that hungry people cannot defend individual freedoms on empty stomachs and will follow in any direction where there is a promise of food. The hungry must be fed to have the will to learn to count. And they must be able to count before they can practice rhythmic birth control; and they must prosper before they can afford other methods. While we, listening to the criticism of false prophets, enact more and more unnecessary restrictions, behind the Curtain frantic efforts are being made to catch up and exceed us in the manufacture of fertilizers and insecticides. In the past, we have been looked up to by undeveloped nations. Now they are beginning to see that we are going in the wrong direction. They are beginning to realize that while we may consider a residue safety factor of 100 as a minimum, that the problems they face afford them no such luxury and that a safety factor of 25 may be adequate. In view of their problems of insufficient food, they are right.

Many city people know too much about farming to accept the critic's picture of him as a lazy, dumb, tobacco-chewing rube, carelessly poisoning the food he eats as well as the food he sells. The great majority, while not understanding our control laws, know they have proven protective. We know things are pretty good here in America, although we may not know just how good, compared to other countries. Many sportsmen recognize that the critics of pesticides who pretend to be sportsmen are not, when they stamp their mail with the slogan, "public lands open to shooting are essentially closed to the public."

Foresters and most conservationists realize that insects cause seven times the damage to our forests caused by fire. They know that something is wrong when forest protection programs, observed and approved as safe by sportsmen and conservationists, are terminated, resulting in budworm and looper damage to our national parks * * * in 75,000 additional acres denuded by the gypsy moth. Nevertheless, too many people, too many legislators, have been misled and confused by the critics who carefully pretend a concern for people, wildlife and wilderness areas, but who are in fact, at war with humanity. The critics are not concerned if the horse thief is shot, but they express great concern if the coyote or chickenhawk is shot. They argue that nature uncontrolled is benign. They spiritualize and paganize each natural object. They credit primitive man with a mystic knowledge that was not his; they point to the fact the American Indian used fish, the menhaden, to fertilize corn, a fish still used for that purpose. However, they forget to explain that the Indian method of protecting corn fields from the grasshopper did not work. It was an interesting method however, one you might like to suggest to the next lady who urges a return to natural controls. The anthropologist Schoolcraft observed the Indian method of warding off grasshoppers was to have an Indian maiden run around the fields at night, in the nude. Perhaps the thundering crowd following stomped on a few.

It is amazing how many people have accepted the false theory that nature is benign and that it is not necessary for man to bend nature to prosper. Of course there is an interplay in nature and we seek to preserve and promote those aspects beneficial to man, and this is the crux of the matter—the objective of the ecologist is to promote the interplay of natural forces for man's benefit.

When somebody proposes to you that there is such a thing as a benign balance of nature, I suggest you ask him how it protected the dinosaur. Man is not gifted with the claws and power of the wild animals that annually kill over 5,000 people of India. He is not gifted with the teeth and force of the crocodile, which alone kills over 1,000 annually in Africa. Only man's intellect; his ability to turn natural factors to his benefit—account for his survival.

Those who propose natural balance, in effect are proposing that man not use his intellect, but that he subject himself to disease, starvation, and extinction, whether they consciously know it or not. This would be nature's balance if man's intellect were not used.

In two scientific publications in 1964 space was given to one of Miss Carson's so-called authorities, to lament abundant food, better health, and fewer wars. This gentleman, who has been disappointed by lack of acceptance of his theories of birth control, wrote: "We have removed the natural checks and balances due to war and disease. Disease no longer wipes out children; war no longer kills off the warriors and civilian populations; disease no longer keeps the old from getting much older"—and he placed the "blame" for abundant food and less disease in the following language:

"I refer specifically to those fields of science and technology (often involving more of the latter than the former) known as agriculture, forestry, horticulture, and certain aspects of medicine."

Does any moral person wish to foster disease and reduce crops by eliminating pesticides?

In "Lost Worlds," a little known article of Miss Carson's published in 1949, she claimed and blamed the same damage to bird life she would blame on pesticides in 1962, but in 1949 she placed the blame on agriculture and domestic animals per se, claiming: "Upon species after species of island life, the night of extinction has fallen."

Because her later book was criticized by Dr. Darby of the Vanderbilt Medical School and by Dr. Baldwin of the University of Wisconsin, and ridiculed by the AMA, in a speech December 5, 1962, she struck back by accusing them, together with the scientists of our land grant colleges and Government control officials of being purchased people—prostitutes to industry. She stated that we are no different than the Russians, that we screen scientific information. She stated:

"But here the screening of basic truths is done not to suit any party line but to accommodate the short-term gain to serve the gods of profit and production."

One of Miss Carson's last writings, published posthumously, was the foreword to an English book urging abolition of vivisection. Listen to these similar lines:

"The modern world worships the gods of quick and easy profit and out of this idoltry monstrous evils have arisen."

She stated that she was glad to see that the book "raises the question of how far man has the moral right to go in his domination of other life," and she continued:

"It is my belief that man will never be at peace with his own kind until he has recognized the Schweitzerian ethic that embraces decent consideration for all living creatures."

When someone tells you they are fearful for man, because they believe pesticides are inadequately tested, and that they should be subjected to greater testing, how can the same person repeatedly argue that laboratory animals should not be used to prove the safety of pesticides? As for Dr. Schweitzer's great love of nature's beings, let it be emphasized that he loves man more. He has been known to step aside to avoid stepping on a bug, but, he regularly uses insecticides in his hospital where the safety of humans must be assured.

There are so few medically trained men in this country adhering to the theories of the critics, they can be counted on the fingers of one hand; and not one of them has ever done any recognized clinical work to prove that only he is in step. The two midwestern doctors who appeared before Senator Ribicoff, one of them an "authority" of Miss Carson's, both testified that their theories were not clinically proved and were not shared by other members of the medical fraternity. Both expressed a low opinion of practically everything petroleum derived and one of them went so far as to express negative opinions about everything synthetic including gas stoves, wallpaper, and synthetic fibers. Presumably, he is one of the few gentlemen in the country against black nylons.

Last year 100,000 Houstonians became infected with encephalitis, 700 became ill, 32 died; yet there were no infections in homes where sprays were used. The citizens thought it was about time to start a mosquito abatement program. A hearing was held, and what do you suppose? The same two doctors who had traveled all the distance to Washington from the Midwest to testify against pesticides before Senator Ribicoff, traveled all the way to Houston to talk against mosquito abatement. We find that one of these two doctors also was a defense witness for Organic Gardening, when the Federal Trade Commission filed a complaint against that publication for health claims in its advertising.

It is regretable that, in our attempt to give everyone a chance to be heard, we repeatedly offer forums to a handful of people to spout theories predicated on no scientific experimentation—theories opposed by the great knowledgeable bodies of scientific and medical groups * * * theories which, if followed, will have disastrous consequences for mankind—theories to be parroted by many sincere people who do not take the time to read all the writings of these people to learn all of the connected causes they espouse. Whether these leaders of pesticide criticism know it or not, consciously or subconsciously, they are striking out against mankind because they feel they are not appreciated by mankind. They do not wish food for man. They do not wish to conserve wildlife and wilderness areas for man's future enjoyment. They wish nature to be promoted at man's expense.

In October 1963 this philosophy was perhaps most clearly stated by the chairman of the Natural Resources Council of Illinois, an action group of groups, which asserts it has four or five State legislators willing to submit any bill it backs. That gentleman stated that it was admirable for primitive cultures to "resist actions which would make man master over nature." He argued that science has not caused man to progress. He urged that the word "conservation" be defined as a philosophy of nonresistance to nature, and opined:

"The thoughtful conservationist * * * cannot but be impressed by a relatively new line of thought which is now taking shape and which, I believe, holds great promise for man and for all other living creatures who share his pilgrimage in time."

He concluded: "With the passage of time we will understand more clearly that present belief-systems such as Christianity, Buddhism and Marxism, are but partial systems, each grasping some portion of truth but also containing misconception and error—and unfit to guide life through the twisting maze of vast future."

If you feel that disease is a blessing, that starvation is a blessing, that it is a curse to pretest chemicals on laboratory rats; if you believe subservience to nature should be subsituted for the precept "good will toward men" if you agree with all this, then you will believe pesticides are a curse.

If you are informed and for mankind, you will know pesticides have proven a blessing.

There is an obligation on everyone interested in public health, in abundant pure food, to give factual information to the many sincere honest people who have been misled by the misinformers. You will find that most people who have been misled are sincere, although you may find a few who are purposeful critics who foment controversy to sell natural foods at unnatural prices; to increase membership in antieverything organizations. You may run into some who, as Sigmund Freud explained in "Totem and Taboo," are neurotics, driven by primitive, subconscious fears. To them, what they fear and imagine is more real than fact. When you give such people book and page of fact they will accuse you of having bought the facts, the medical profession, and the scientific community. The great majority of those who have been misinformed, however, really do not know that bird numbers have been increasing. They do not know that unnecessary restrictions have been placed on the farmer which prejudice the food supply. They do not know safe means of forest protection have been abandoned and that irreversible damage has resulted. They do not know of, and they certainly will not appreciate, attempts to substitute false fears in Houston for the certainty of encephalitis. There are many in various walks of life, some in State and National legislative halls, who are honestly misinformed but want to know the facts. They do not look on disease, starvation, and wars as desirable natural balance. They know that agriculture, forestry, horticulture, and medicine are not a curse.

Each of us has an urgent obligation to make the true facts known, lest we allow nature soon to teach us, here in America, the almost forgotten lessons of hunger and disease. The time is shorter than you think. The most optimistic predictions have been that, because of an expected, ever-increasing use of effective pesticides, the American food supply will be abundant until 1980 and thereafter adequate, although decreasing in meat and dairy content. No such optimistic prediction is possible, if we assume that the meaningless restrictions placed on soil insecticides will continue. If those meaningless restrictions, predicated on the confusion about zero, are not soon removed, here in America we shall be faced with the food problems of the next century within the next 5 to 7 years.

LITHUANIAN INDEPENDENCE DAY

Mr. SALTONSTALL. Mr. President, 47 years ago on February 16, 1918, Lithuania gained its freedom and became an independent nation after years of domination by Russia. Unfortunately, her freedom was short lived, and since 1940 Lithuania has again been subservient to the Soviet Union. Consequently, this years' anniversary is less an occasion for celebration than a reminder that a country long dominated by another nation and unable to enjoy the blessings of freedom can, when given the opportunity, quickly revert to an earlier freer tradition.

Throughout its history, Lithuania has made valuable contributions to European civilization. But as early as 1795, she began to experience the hardships and injustices of foreign domination. She was occupied by Soviet Russia until World War I, at which time Lithuania was a reluctant host to invading German armies which withdrew only when defeated by the Russians in 1917. In the aftermath of the Russian revolution of that year, conditions were encouraging for the reestablishment of a free Lithuania; and on February 16, 1918, the Lithuanians declared their independence.

In the 22 years which followed, constitutional guarantees of speech, assembly, religion, and communication were firmly established. Land reform and industrial reorganization were prominent reflections of this democratic spirit. There was unprecedented progress in educational opportunities and in social legislation such as hour, wage, and labor control. Religious unity and cultural refinements provided further elements of strength of a nation that held personal and national freedom in high esteem.

Because Lithuania is situated in an area characterized by turbulence and aggression, it was all the more remarkable for the desire for freedom to find political expression. It is a tribute to the tenacity of its national ideals and the persistence of its faith that this small nation was able to sustain 22 constructive years of democratic government.

World War II brought further domination, tyranny, and another attempt to destroy Lithuania's cherished freedom. Under pressure she submitted a request in 1940 to be admitted into the Union of Soviet Socialist Republics. Along with Latvia and Estonia, she remains in this status today.

The United States has continually refused to recognize Lithuania's incorporation into the Soviet Union. Because Americans share the Lithuanian faith in the democratic tradition, we can deeply appreciate the tragedy of this country's present domination.

I am proud that many American-Lithuanians make valuable contributions to the progress of my State of Massachusetts. I am pleased to join with them and their fellow Lithuanians to commemorate the anniversary of the independence of their native land or that of their ancestors.

Mr. DODD. Mr. President, it was a real pleasure for me to arrange for the Reverend A. Edward Gradeck, of Waterbury, Conn., to offer the opening prayer in the Senate today, a prayer of inspiring words of a will to freedom spoken for enslaved and imprisoned Lithuanians and for those who continue the fight for freedom for their country throughout the world.

Two days ago, on February 16, Lithuanians marked the 47th anniversary of their own declaration of independence. They marked it, as they have in the years since their country was overrun by the Communists with prayer, faith, hope, and expressions of a renewed determination to continue the struggle for liberation of their own people and those of other captive nations from the Communist yoke.

I think the meaning of our own glorious Independence Day would be diminished if we did not join with these brave and gallant people in their efforts to secure the freedom they have so steadfastly sought.

This occasion should serve as a reminder to us of the perfidy and treacherousness of international Bolshevism, of the immorality of a regime that moves in and attempts to displace with brutality and terror the rightful government of a nation.

The story of the recent history of Lithuania is well known, but it bears repeating. After many years of domination by the Germans and Czarist Russia, Lithuania enjoyed a brief respite from foreign domination when, in the upheaval following World War I, it was declared an independent nation on February 16, 1918, and Lithuania then set up a democratic government.

This freedom from foreign rule, from oppression and subjugation was all too short-lived. Despite earlier pledges by the Soviets to respect her sovereign status and the signing of a formal nonaggression pact, the unholy alliance between Hitler and Stalin struck Lithuania to her knees.

In its familiar fashion, the Kremlin first forced Lithuania to agree to a mutual defense treaty, then handed the Lithuanian Government an ultimatum, and before the ultimatum could be voted on, the Red Army marched in and occupied the country. Fraudulent elections were held, and in August of 1940 this proud country was declared a constitutional republic of the U.S.S.R.

Mass executions, deportations, and brutal killings followed, as the Soviets moved to wipe out all opposing voices. The Iron Curtain was rung down between Lithuania and the free world, and thus we witnessed the tragic death of Lithuanian independence.

This is a situation these proud people do not accept, nor must we. We must join with Lithuanians and others in our midst from captive nations to help them obtain the freedom they so strongly desire and so richly deserve. The liberation of these lands should be a cardinal goal of our diplomacy, not only because this is right, but also because we enhance our own freedom when we assist others who seek freedom.

Through the years of subjugation, the Lithuanians have clung tenaciously to their national identity and to their cultural and spiritual heritage. Although we are removed from this land by half a world, I think we feel a kinship with these heroic people because their beliefs, their causes, and their goals are so similar to ours.

Their history is a long and proud one. At one time Lithuania was one of the most powerful countries in Europe. During the rule of King Mindaugas in the 13th century, and that of the legendary Grand Duke Vytauteas in the 15th century, this country was enjoying prosperity and cultural advances while most of Europe was still living in the shadow of the Middle Ages.

It is interesting, I think, that the Lithuanians have the oldest living language in all of Europe. This is eloquent testimony to their determination to preserve their identity and their culture in the face of domination for many years from both sides.

And so, in thanking Reverend Gradeck for his appearance and for his prayer today, I want to say that I hope our thoughts and feelings somehow will get through to those of his countrymen who are denied communication with the outside; that somehow they will know that we are with them in spirit as they continue to resist, as I know they do, foreign oppression, attempts to smother their rich heritage and national consciousness, and the atheistic programs designed to obliterate all religious beliefs and practices and replace them with the sterile ideology of communism.

With our support and with God's help, the Iron Curtain will be lifted and the brave and proud people of Lithuania will again feel the sweet breeze of freedom. They can again take their rightful place in the family of free nations—of this I am certain.

Mr. TOWER. Mr. President, I wish to add my voice to those who have joined here today in commemorating the valor and determination of the people of Lithuania.

This is a brave people, ousted from its homeland by communistic tyranny and oppression. We can learn much from the courage of those still living in Lithuania and from those Americans of Lithuanian descent. We can learn that communism will not forever be permitted to subjugate that nation. And we can learn that tyranny never can subjugate the just hopes and aspirations of a valiant nationality.

I salute, upon this independence day occasion, the nation and the people of Lithuania.

Mr. MURPHY. Mr. President, February 16 marked the 47th anniversary of the independence of Lithuania. Unlike our Independence Day, it is not an occasion for celebration. For Lithuania's 3 million people, it is a day when they can recall memories of their nation's two decades of freedom. During this period, education was encouraged, land reform was undertaken, industry and commerce prospered, and cultural activities thrived. Even under Russia's imperialism, the mind remains free from invasion. Such memories, however, offer but a brief repose from the realities of daily life.

It is a time when these valiant people can hope that some day, somehow, they will be returned to the family of free nations.

For the 1 million Americans of Lithuanian descent and for all free men everywhere, it is an occasion to assure our Lithuanian friends that we have not and will not recognize the illegal annexation of this nation by Russia. It is a time to assure these captive people that we have not forgotten them.

It is also an occasion to reopen the pages of history and to lay bare the trail of Soviet aggression. This trail is replete with instances of Soviet brutality, of Soviet flagrant disregard of treaties and agreements, and of Soviet domination of unwilling peoples.

Some would counsel us to accept these facts. The words of the late and great Sir Winston Churchill best answered this line of thought, when he stated:

> One cannot accept security by throwing small nations to the wolves.

Truly, Lithuania is within the iron grip of the Russian wolf.

The history of the world and, particularly, the history of this courageous nation are moving testimony that once people taste and experience the blessings of freedom, the days of dictatorship become numbered. Lithuania has suffered under, and has overcome, despotic rule in the past. We pray that the day will hasten when Lithuania will once again regain her independence.

Mr. BAYH. Mr. President, again this year we have the honor of joining the courageous people of Lithuania in celebrating the 47th anniversary of their all too short-lived deliverance from the yoke of foreign subjugation. Buffeted back and forth between one outside aggressor and another, the proud Lithuanians have never lost sight of their goal or faith in their country's destiny. How many other peoples have demonstrated such stout heart in the face of overwhelming adversity?

It is only fitting, Mr. President, that we commemorate this occasion with particular solemnity, for living within our boundaries is the largest Lithuanian community to be found anywhere outside their native land. Within my own State of Indiana reside more than 5,000 persons of immediate Lithuanian extraction. We Hoosiers prize these industrious, honorable, and proud people. They in turn rejoice in a freedom which is denied their brethren in Lithuania.

Mr. President, in 1253, the Lithuanian Kingdom was founded. In 1918 the Lithuanian Republic declared her independence. These two dates are among the brightest in the history of this tiny nation. We look forward today to a third date which we hope will be not far in the future: the day on which Lithuania will again regain her rightful place among the free and sovereign nations of the world.

Mr. PROXMIRE. Mr. President, the gallant and gifted Lithuanians had a glorious era in a distant past; but late in the 18th century they were robbed of their freedom, and their destiny was placed in the hands of Russia's autocratic czars. In 1917, when the oppressive czarist regime was shattered, the Lithuanian people had a chance to realize their centuries-old dream; and February 16, 1918, they proclaimed their independence and established their own democratic government. In the midst of multiple handicaps and hardships, they succeeded in working their way out of chaos and misery. Soon their independence was recognized by other sovereign states; and thus, once again, Lithuania became part of the world community of nations.

For about two decades, during the interwar years, through sheer hard work and tireless industry, the courageous and determined Lithuanians rebuilt their war-torn country. In time, they made it one of the most prosperous and progressive democracies in northeastern Europe, and they enjoyed their freedom to the full. But the turn of international politics, over which they had no control, threatened their independence, and even their existence as a free people. Unfortunately, their worst apprehensions seemed justified when, in 1940, they were treacherously robbed of their freedom by the Red Army. Lithuania lost its independence as the country was annexed to the Soviet Union. Its people became restless prisoners.

During the last war, Lithuanians changed their detested masters more than once. After enduring the Russian Communist yoke for about a year, the German Nazis occupied the country, and held it for more than 2 years. Finally, when these were evicted by the Red Army, toward the end of the war, the Russians returned; and to this day they are there, ruling over Lithuania with an iron hand, inflexible in its ruthlessness and cruel efficiency. There is no freedom of any kind in the country. The unhappy Lithuanians are sealed off from the free world; and only in recent years a few visitors from the free West have been allowed to visit the country. But, despite some thawing and relaxation recently, the Lithuanian people still suffer under totalitarian tyranny. On the 47th anniversary of their independence, they have our heartfelt sympathy; and we ardently hope that some day they will have their reward in peace and freedom.

Mr. PASTORE. Mr. President, in the month of February, the Congress of the United States makes its annual pilgrimage to the patriotic shrine of Lithuania's unquenchable torch of freedom.

February 16, 1918, marked the high hour of independence for that land of nearly 3 million souls. It was an independence guaranteed by the most solemn treaties and pledges ever given to a smaller neighbor by a dominating government next door.

Lithuania is a nation than which no nation in Europe is older. It had been the buffer state. It prevented the aggression of the Germans from the west; and it protected all Europe from the raids of the Mongols and Tartars from the east.

In the 17th century, the growing power of Russia impelled Lithuania and Poland to link forces for mutual freedom.

In the 18th century Russia would not be denied; it dominated Lithuania. But Lithuania was not so easily enchained. Five times in a century and a quarter, Lithuania revolted against the czars.

America was the gainer for the Russian oppression. By hundreds of thousands, the sons and daughters of Lithuania came to these United States before World War I. Our Rhode Island—just like many other States of this land—cherishes them for their character, culture, and loyalty. The Lithuanians are good neighbors—good Americans.

We rejoiced with our Lithuanian friends in their declaration of independence in 1918. We sorrowed with them when the ruthless Soviets crushed this brave people.

For 25 years the Government of the United States has condemned this suppression of Lithuanian independence. For 25 years we have maintained diplomatic relations with old Lithuania.

Whether in Lithuania or South Vietnam, we shall continue to oppose terrorism and trespass on the land of those who want to be free.

Strong as we are, we are inspired by the example of Lithuania, which still is resisting Sovietization, still is clinging to the old faith in God, and still is looking toward, and laboring for, the day when the land of their deep loyalty will be fully free.

Religion still survives; and the Communists have found no way to destroy the Lithuanian belief in a personal, loving God—just as the Communists cannot destroy the determination of the Lithuanians that their land will one day again have the liberty it deserves.

Let us continue to protest the suppression of a free people; and let us profit from Lithuania's experience. Let a nation in captivity warn us against complacency, and let us remember that our own liberties are not safe so long as communism feeds on little nations whose only "sin" is that they are small and weak.

Mr. HART. Mr. President, it is not the 47th anniversary of the Lithuanian declaration of independence that we should concern ourselves with today. Ironically, we are reminded of another anniversary—one this country cannot and will not officially recognize, but one we must reluctantly acknowledge—Lithuania's 25th year under Communist domination.

It is not enough for us just to mark the 16th day of February as an observance of their former independence. We should need no reminders that this freedom, only briefly enjoyed, has been stifled for over a quarter of a century.

Lithuania has been known to history since 1009. Once a powerful and independent state, they played a significant role in the development of European civilization. But history also records the 123 years Lithuania fought Russian suppression of this role.

Little comfort can be derived from the fact that the Lithuanian dream of freedom has not dimmed in the past quarter century of Communist rule. In that time many of its people have been exiled or perished. But to the 3 million Lithuanians who still remain, that dream was once a reality. Hopefully, it will be again.

Mr. SCOTT. Mr. President, this week many Americans of Lithuanian descent are celebrating the 47th anniversary of Lithuanian Independence Day. It is one of history's most tragic ironies that the only Lithuanians who can freely celebrate this occasion are those no longer living in their native land. The iron legions of the Red army now hold that proud but small nation in tight bondage to the totalitarian dictatorship of the Soviet Union.

After over a century of domination by czarist Russia, the Lithuanian people proclaimed their independence on February 16, 1918 and, along with their Baltic neighbors, Latvia and Estonia, took their rightful place in the community of free nations. But their freedom was short lived. Two decades later the new imperialists of Red Russia sent their armies into Lithuania, Latvia, and Estonia, and brutally incorporated these independent nations into the Soviet Union.

The Soviets have tried every method to wipe out the patriotic fervor and will for freedom of these heroic peoples. Thousands have been murdered. Hundreds of thousands deported, many to suffer the inhumanity and starvation of Soviet slave labor camps. But their dedication to freedom is still strong, their patriotism undiminished.

Our Government, through many administrations, has consistently supported the just aspirations to freedom and independence of the Baltic peoples and, indeed, all the Captive Nations now suffering the various forms of Soviet imperialistic domination. We must never waver in that support, for to do so would be to break faith with our own ideals and aspirations.

The observance of Lithuanian Independence Day is a good occasion for all of us to rededicate ourselves to the proposition that all who seek freedom are entitled to be free.

THE RESTORATION OF LITHUANIAN INDEPENDENCE

Mr. HRUSKA. Mr. President, on February 16, 1918, the Lithuanian nation declared its independence. This came after 123 years of struggling with the manacles of Russian czarist oppression. In little more than two short decades all that the Lithuanians had so relentlessly worked for and finally won was taken from them when a new form of Russian oppression, this one guided and controlled by Communist overlords, once again settled across their land.

Lithuania has been known to history since 1009. The Lithuanians are a gentle and tolerant people. But they have strong hearts and ample courage. Many times over the past few centuries they have been compelled to take to the battlefield to defend their freedom and dignity. They have always acquitted themselves with honor. They have shown they can walk in concord with free and peace-loving men.

In 1940, Lithuania was declared by the Communists to be a component of the Soviet Union. The United States has never recognized this forced incorporation into the Soviet Union of Lithuania or the other two Baltic states, Estonia and Latvia.

In 1959, in a statement commemorating the 41st anniversary of the declarations of independence of the Baltic States, the late John Foster Dulles, then our courageous Secretary of State, said:

> We wish to assure the people of Lithuania, Latvia, and Estonia once more that they are not forgotten. The United States still aspires, in the words of the Atlantic Charter, "To see sovereign rights and self-government restored to those who have been forcibly deprived of them."

Secretary Dulles is no longer in the ranks of those who oppose Communist tyranny and aggression. His spirit is. His words, deeds, and character will continue to inspire us to new levels of dedication and resolution in our struggle with communism. His remarks regarding Lithuanian independence captured the essence of what our policy is and always will be as respects Soviet subjugation of Lithuania and the other captive nations.

The precise path to independence for the captive nations is dim. But time will provide new illumination. We know that someday all the nations of the world will be free.

Mr. President, the invocation opening the session today given by the Reverend A. Edward Gradeck, a Lithuanian chaplain from Waterbury, Conn., was very fitting indeed for this occasion when there is commemorated the Lithuanian Independence Day. Members of this body are indebted to the senior Senator from Connecticut for assisting in arrangements for Reverend Gradeck's appearance.

Mr. DODD. Mr. President, our colleague, the junior Senator from Massachusetts [Mr. KENNEDY] is unable to be here today, so I would like to read his statement on Lithuanian independence.

Mr. President, 47 years ago Lithuania gained its independence after a century-long struggle against Russian domination. This victory brought the spirit of peace and liberty to a strong people who fought with conviction and pride to overcome the oppression of the czarist regimes.

However, in 1939 this growing democratic country fell again to autocratic rule through Communist aggression. This was followed by Nazi occupation and oppression, and finally to the return of Soviet domination and suppression.

Therefore, for the almost 3 million Lithuanians living behind the Iron Curtain, for over a million Americans of Lithuanian descent, and for the thousands of Lithuanians imprisoned in Soviet camps, February 16 cannot be a day so much of celebration as it is a day dedicated to the spirit and hope for the return of freedom to Lithuania.

Despite their adversities, the Lithuanian people have never lost their spirit and hope for this freedom. It is therefore most appropriate that we in Congress, as representatives of the American people, express to them our deep admiration for their indomitable spirit, and for their ideals and hopes for freedom and independence.

Mr. CURTIS. Mr. President, 2 days ago a gallant and oppressed people observed a memorable anniversary marking 47 years since the proclaiming of Lithuanian independence.

February 16, 1918, saw the beginning of an era of relative stability in the history of a nation which for centuries had been subjected to the whims of rapacious rulers.

It was a joyous occasion 47 years ago, one which long will live in the memories of Lithuanians everywhere.

But this period of independence was not to endure. A scant 22 years later the country was seized by the Russians and then invaded and occupied by Hitler's Nazis. Since World War II, Lithuania once again has been under the heel of the Soviet boot.

Nevertheless, the desire for freedom and for the basic principles of self-government remain strong within Lithuania and among their countrymen here in the United States.

I want to pay my own tribute to the perseverance and courage of these sturdy people. Their determination to one day throw off the yoke and walk with head high, free and independent people, can only strengthen our own resolve to help bring this about.

Mr. President, as a part of my remarks, I include two paragraphs of a letter I received last week from a man who obviously is in close touch with his fellow countrymen and who said he wanted to share with me the most recent news from Lithuania:

> The Russian occupation forces have not softened. Forcible Russification continues. Greater pressure upon teachers, officials, and judges, to be propagandists for godless atheism, is stressed. Those practicing their faith are constantly persecuted. Lithuanian youth is still being drafted for labor in Siberia. Including survivors of the first mass deportations, these new transportees comprise approximately 130,000 forcibly exiled from their homeland.
>
> The cross which the Lithuanian nation and country is bearing is an onerous one. The nation does not stop yearning for freedom. In spirit it is wholeheartedly with the free world. It hopes that by its own efforts and the aid of its good friends it will realize freedom and justice in the near future. They have no desire to be a slave of Moscow, but long to be a member of the family of free nations of the world.

Mr. President, we in this Senate cannot turn a deaf ear to such expressions of hope and longing. We must reaffirm our friendship and sympathy to the Lithuanian nation. We must rededicate our efforts to help extend the blessing and bounty of freedom to all peoples and more especially to those who, like the Lithuanians, long for freedom yet are forcibly denied it.

Mr. McINTYRE. Mr. President, Tuesday, February 16, was the 47th anniversary of the independence of Lithuania. There are few persons of Lithuanian origin in the State of New Hampshire, but all New Hampshire citizens share their pride and their sorrow over the history and present status of Lithuania.

The unhappy Lithuanians have achieved greatness and glory in their long and turbulent history, but since the late 18th century they have had more than their share of difficulty and frustration. During the last decade of that century their country was forcibly taken over by czarist Russia and remained part of the Russian empire until its breakup in 1917. When the czarist regime was overthrown by the Russian revolution in 1917, the Lithuanians had the chance of realizing their centuries-old dream. They proclaimed their independence on February 16, 1918, and established their own democratic government. In the midst of innumerable handicaps and hardships, they worked their way out of chaos and uncertainty. In due time their independence was recognized by other sovereign governments, Lithuania was admitted into the community of free and independent nations, and was on the road of prosperity and progress.

For about two decades, during the interwar years, these sturdy and industrious people rebuilt their war-ravaged country. In that relatively short time Lithuania became one of the most progressive and advanced democracies in northeastern Europe. But the turn of international politics over which they had no control whatever threatened their independence and very existence as free people. By mid-1940 their worst apprehensions were justified and they had lost everything. First they were forced to sign a nonaggression pact with the Soviet Union and then compelled to allow the stationing of Soviet forces in their country. Finally the Red army attacked and occupied the country, paving the way for its annexation to the Soviet Union in July of 1940.

During the last war the Lithuanians changed their detested masters more than once. For more than 2 years they suffered under the Nazis. Toward the end of the war the Nazis were evicted, and their place was once more taken by the Communists. They have been there since then. Today they rule over Lithuania, and impose their inflexible rule over the people of the country with an iron hand. There is no freedom of movement, of speech, or of expression of any kind. Every act of the Lithuanian citizen is planned according to Communist line, their behavior is constantly watched, and all their movements are directed by the minions of Communist bosses. The unhappy Lithuanians are sealed off from the free world, and only recently visitors from the West have been allowed, under strict Soviet guidance, to see certain showplaces in this once free country. There the people still suffer under totalitarian tyranny, and they still yearn for their freedom and independence.

On the 47th anniversary celebration of Lithuanian Independence Day we express our profound admiration to the people of Lithuania for their courage and fortitude, and hope that they will have their just reward in freedom and peace.

Mr. DOMINICK. Mr. President, Lithunania is one of the finest examples of steadfastness and courage in Eastern Europe, and it is an honor to stand up with all people everywhere to commemorate the 47th anniversary of Lithuanian independence which took place this Tuesday, February 16.

Since 1944, the progressive spirit and enthusiasm of the Lithuanian people has been subjected to the ruthless domination and oppression of Soviet Russia. But this injustice and suffering laid upon Lithuanians in violation of solemn treaties and agreements has not destroyed their innate desire to live as free men, to govern themselves, to determine their own course in history.

Therefore, it is essentially the unquenchable spark of human dignity in all Lithuanians which we salute today. It is the hope of a nation, so long oppressed, to break the infamous chains which have bound it to an unjust aggressor, and until this hope is realized, we Americans cannot rest content if we are to remain true to our traditions.

Lithuania has placed in the United States a faith and trust which we must earn. Only when she can speak as a free nation may we feel that her esteem has a valid foundation. And there is only one way in which we may earn her esteem, and that is by keeping alive the hopes of liberation, taking advantage of every opportunity to realize those hopes. We must set an example among the free peoples of the world, as Lithuania has done among the captive nations. We must reaffirm our stand on self-determination. We must realize that the price of freedom is never small, that the price of freedom must be paid if the people of Lithuania are to live with the dignity and respect due each individual. In short, we must work toward the eventual liberation from Russian imperialism of Lithuania and her sister nations. If the United States is to remain a leader in the contest between communism and freedom, it must as a nation stand up with courage and firmness and condemn the illegal occupation of Lithuania and all nations of Eastern Europe.

As we celebrate today the indomitable spirit of the Lithuanian Republic, let us reaffirm our dedication and commitment to the ideals of freedom upon which our Nation was founded and extend that pledge to work toward the liberation of Lithuania, a nation deserving the admiration and respect of all nations everywhere.

I ask unanimous consent to insert in the Record at this point a resolution adopted by the Lithuanian-American Community of Colorado.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

> We, American citizens of Lithuanian descent, who are taxpayers and voters, residing in the State of Colorado, met in a meeting sponsored by the American Lithuanian Community of the U.S.A., Colorado area, on January 9, 1965, in Golden, Colo., did make and adopt the following resolution:
>
> "Whereas this year marks the 47th anniversary of the establishment of the Republic of Lithuania on February 16, 1918, a fact which was recognized by all free nations including the United States of America; and
>
> "Whereas the Soviet Union, in violation of all its solemn treaties and agreements with the Republic of Lithuania, in 1940 invaded and occupied Lithuania by military force; and
>
> "Whereas the Soviet Union continues this military occupation now for 25 years, and is systematically carrying out a planned program of annihilation of the Lithuanian nation, and by various means, direct and indirect, is trying to gain recognition of its illegal colonialism; and
>
> "Whereas the Government of the United States of America to this day refuses to recognize the Soviet rule in Lithuania: Therefore be it
>
> "*Resolved,* That we bring this matter to the attention of the Senators from our State and Members of Congress from our districts, urging them, as our elected representatives,

to do everything possible toward the eventual abolition of this slavery of modern times and the restoration of freedom and self-government of Lithuania and other captive nations."

Done this 9th day of January 1965.

Bruno Zaweckis,
Meeting Chairman.
Joseph Lataitis,
Meeting Secretary.

PROPOSED $700 MILLION TAX BREAK FOR BUSINESS

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of Delaware. In today's issue of the Wall Street Journal I find a news item to the effect that business concerns will obtain a $700 million tax break this year through the easing of the rules pertaining to depreciation deductions.

As a member of the Senate Finance Committee I knew nothing about the proposed tax break until I read about it in the newspapers. I should like to request the President to send us a copy of the hearings which were held on the subject. I assume the hearings were held in the White House. I should like to know who testified at those hearings. I should like to know whether the hearings were held prior to the election or since the election. I wish to know whether the $700 million tax break is a new interpretation of existing law. If it is, I point out that the law was passed in 1962 and, as I understand it, the news item would suggest that the law has been erroneously interpreted since 1962. Therefore, if there has been a reinterpretation issued on the 1962 law I see no reason why businesses that would obtain the benefit of the new interpretation could not file for retroactive benefits for 1962 and subsequent years. If this new interpretation is the law it has been the law since 1962.

Is it just possible that this is in reality a phony reduction? Should the announcement more properly have been labeled a correction of an erroneous interpretation of the 1962 law?

I recall that last year, in the Committee on Finance, the senior Senator from Indiana [Mr. Hartke] offered an amendment which would have liberalized the depreciation allowance. Some of us supported that amendment, and I am still in favor of more liberal depreciation schedules. But upon the administration's insistence and with their determined opposition that amendment was rejected. However, we now find that what was then proposed is being done by Executive order—a $700 million tax cut through a reinterpretation of the law.

Ours is a Government of laws, not of men. If this is the law it has been the law since 1962. The Department has a moral and a legal obligation to reinterpret the law and administer it as Congress intended.

If it is not the law then on what basis was this decision made? It is time to find out whether Congress is to make the tax laws or whether they are to be made in the White House, and whether reductions are being passed out as rewards and being held back as penalties.

Mr. CARLSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I wish to concur in the remarks of the Senator from Delaware [Mr. Williams]. I well remember the discussion in the Committee on Finance and some of the votes taken on this very subject. I thoroughly agree that if the decision to make $700 million more available for depreciation under existing laws has been made at the White House or somewhere else, corporations and others should be permitted to ask for retroactive tax benefits.

Mr. WILLIAMS of Delaware. I see no basis on which the courts could rule otherwise. Apparently this is an interpretation of an existing law, a law passed in 1962. Unless the law is being administered in a way other than was intended there is certainly no authority to grant the proposed tax reduction now.

What I am more interested in is, Are hearings being held at the White House, and is this to be the procedure under this administration? In the future where are hearings to be held? At the White House instead of in Congress? If so, perhaps much time can be saved.

Mr. President, I ask unanimous consent that the article entitled "Businesses To Get $700 Million Tax Break This Year Through Easing of Rules on Depreciation Deductions," published in the Wall Street Journal of today, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Business To Get $700 Million Tax Break This Year Through Easing of Rules on Depreciation Deductions—Reserve Ratio Tests To Be Delayed for Many Firms—Details Are Due Tomorrow

Washington.—The Johnson administration is about to give businesses a $700 million tax break for 1965.

The change will affect the amount of depreciation deductions many businesses are allowed to claim in calculating taxable income; these deductions are designed to permit them to set aside money for replacing equipment as it wears out.

The administration intends to ease the impact of certain "reserve ratio" tests set forth by the Treasury Department in 1962, when it revised its depreciation rules to permit faster writeoffs.

These tests, designed to make sure businesses don't write off their equipment more rapidly than they actually replace it, were originally to be enforced starting this year, and many businesses complained the tests would boost their tax burdens in 1965 and later years. The changes about to be announced will postpone the application of the new tests for at least another year for most of the businesses claiming difficulty, and the announcement may also provide some idea of the new rules to be followed after that.

DETAILS EXPECTED TOMORROW

The tax benefit in later years would depend on details of the permanent solution to the business complaints; it could be greater or less than this year's $700 million break. The Treasury has been reviewing the entire problem for months, and some liberalization had been expected. The $700 million figure, however, is somewhat larger than anticipated.

President Johnson personally announced the good news in a luncheon address yesterday to some 1,100 business leaders attending a day-long National Industrial Conference Board meeting. The Treasury Department is expected to spell out details tomorrow.

The conference board worked with the Treasury on the problem, conducting a survey of how the reserve ratio tests would affect various types of business. "Your work has borne fruit," Mr. Johnson declared. "I am able to tell you that Treasury will shortly make public changes in the depreciation procedure which will allow business to receive this year more than $700 million of benefits that would have been lost under the original guideline procedure of the 1962 reform.

"The new rules will further encourage business to scrap old equipment and bring in new—and they will further help business to cut costs but to raise efficiency, to hold the line on prices but to keep our expansion going.

BASIS OF RESERVE RATIO TESTS

Treasury officials said the revenue loss of the new depreciation rules is taken into account in the Federal budget the President sent Congress last month, which calls for receipts of $94.4 billion and outlays of $99.7 billion in the year that starts July 1.

Essentially, the reserve ratio tests contain formulas showing typical useful lives for equipment used in various lines of business. If a company couldn't show that its equipment purchases passed the tests, it wasn't to get the full benefit of the more generous tax writeoffs put into effect in 1962.

The tests weren't a problem until now because of the Treasury's 3-year "grace period," during which business taxpayers could make full use of the 1962 liberalization of depreciation rules without having to prove that they were actually retiring and replacing equipment as fast as the tests stipulated.

Treasury men have explained the tests are designed to encourage businesses to modernize. Officials have said the present form of the tests threatened particular problems for businesses that add to their equipment in spurts rather than in smooth regular installments. Technical problems caused by the inability of some companies to match their own accounting methods with Treasury procedures were another difficulty.

PLUGS FOR GREAT SOCIETY

In Congress the fight against the Treasury's original reserve ratio tests has been led by Senator Hartke, Democrat, of Indiana. Last year Senator Hartke tried to amend the big income tax-cutting bill to let businessmen continue following the Treasury's useful-life guidelines, and scrapping the reserve ratio requirement. His amendment was rejected by the Senate Finance Committee. This year the Senator refrained from reintroducing his amendment, waiting for completion of a Treasury study. He's withholding comment on the plan announced yesterday until he gets a more complete technical explanation.

The National Industrial Conference Board is a nonprofit organization that carries on research in business economics and management practices. Yesterday's session was termed a Government-industry conference, and a number of administration officials were there to plug Great Society progarms under their jurisdiction. These included Treasury Secretary Dillon, Interior Secretary Udall, Under Secretary of State Averell Harriman, Agriculture Secretary Freeman, and Secretary Celebrezze of the Department of Health, Education, and Welfare.

Many of the businessmen who were at the NICB session will be among some 370 industrial and financial leaders invited by the administration to a White House meeting today. There the President and key aids will plead for voluntary restraint on foreign loans and investments as part of the drive to reduce the balance-of-payments deficit. The group will hear general pleas from Mr. Johnson, Mr. Dillon, Commerce Secretary connor, and others at the White House, and then divide into two groups for more intensive administration jawboning. Business and industry leaders will go to the Commerce Department, banking and insurance representatives to the Federal Reserve Board.

United States Steel Corp. Chairman Roger M. Blough gave Mr. Johnson a cordial introduction at yesterday's NICB luncheon, but the businessmen were comparatively undemonstrative as the President spoke. The only applause, except for moderate clapping at the end of the speech, came at the very beginning and when Mr. Johnson mentioned the name of former President Eisenhower. Mr. Johnson apologized for being 15 minutes late by explaining he had been lunching with "one of the great leaders of our time, General Eisenhower."

PRICE RESTRAINT SOFT-PEDALED

Mr. Johnson concentrated on urging his business audience to help solve social as well as economic problems. He soft-pedaled two themes he had been expected to stress: Price restraint and the balance-of-payments help.

The closest he came to discussing the payments problem was a pledge to "keep the dollar sound and safe" and to work for the success of tariff-cut talks with Europe. He made only one possible reference to the need for price restraint, calling for a partnership for prosperity among business, labor, and Government.

"The old rhythm of recessions cannot again be easily excused as either inevitable or unavoidable," he said. "The self-interest of any segment cannot again be justly raised above the responsible self-restraint of all segments."

Mr. Johnson reeled off statistics of economic growth over the past 4 years—since the conference board held a similar session with Government leaders in February 1961. "The expansion of our economy," he said, "has been fueled in large measure by acts lifting off the burden of obsolete depreciation schedules, offering incentives for innovation and modernization of our enterprise, and most importantly by actually reducing tax rates in order to increase private demand.

"We shall continue on this course," he promised. As evidence he cited the forthcoming new depreciation procedures, the administration's promised $1,750 million excise tax cut, and the fact that "we are studying ways to lift and lighten the burden of archaic regulation of some of our most vital industries." The administration has called for less regulation and freer competition of railroads, for example.

RENOMINATION OF POSTMASTER GENERAL JOHN A. GRONOUSKI, OF WISCONSIN

Mr. PROXMIRE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, yesterday the Senate confirmed the nomination of Postmaster General John A. Gronouski, of Wisconsin. Dr. Gronouski originally became Postmaster General in September 1963, following the confirmation by the Senate of his nomination by the late President Kennedy. He has served admirably in this post under two administrations.

We who knew Dr. Gronouski as tax commissioner for the State of Wisconsin are not surprised at the outstanding record he has achieved as administrator of the huge Post Office Department. He had already established a reputation in my State as a capable and imaginative administrator—a Ph. D. with a practical bent. A doctor of philosophy, he has been professor of economics at a number of outstanding universities.

In his 16 months as Postmaster General, he has created an atmosphere of cooperation between the Post Office Department and labor and business. He has moved ahead with programs designed to cope with the tremendous workload of 2 billion pieces of mail a year. Public acceptance of the ZIP code has been greater than anticipated, and some 49,000 heavy mail users are in the process of converting their mailing lists.

Through the use of the soon-to-be-introduced optical scanner, the Post Office Department will make another breakthrough in its long series of mechanization improvements. Among his other achievements as Postmaster General, Dr. Gronouski has:

Revitalized parcel post.

Advocated the elimination of the postal savings system, which has outgrown its usefulness.

Called for a new concept of mail transportation, using the fastest means possible.

Set as the Department's goal the overnight delivery of all first-class mail in any part of the country.

I am proud to count myself a close friend and admirer of Dr. Gronouski. He has rendered outstanding service in the President's Cabinet. I am delighted that President Johnson has seen fit to renominate him.

THE STUDY OF CONGRESS

Mr. PROXMIRE. Mr. President, a man with whom I have been closely associated for a long time, Dr. Ralph K. Huitt, professor of political science at the University of Wisconsin, has been made the chief official by the Carnegie Corp. in the study it is making of Congress. This is a remarkable study, one about which I think Members of Congress should be much interested in reading.

Dr. Huitt is a practical, sensitive person, one who realizes that any overall generalizations about Congress or any specific recommendations to Congress might not be so useful as merely to make available to Congress studies by the most competent scholars. I believe this concept of Dr. Huitt's is a good one and will be helpful.

One of the men who is making a study under Dr. Huitt's direction is a distinguished former professor, a man who has achieved degrees at the University of California and Harvard University; who has taught at a number of outstanding universities in the Nation; who has worked for the Treasury Department; and who was my administrative assistant until the end of last year.

Mr. President, I ask unanimous consent to have printed in the RECORD a biography of Dr. Roy E. Moor, who is one of several men who are serving with Dr. Huitt in making the study of Congress.

In my judgment Dr. Moor is as brilliant and original an economist as I have ever known. At the same time he is the kind of thoughtful, reliable scholar whose work can be completely trusted.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

ROY E. MOOR

Dr. Roy E. Moor combines in an unusual way a fine academic education in economics and first hand experience in both politics and economics.

He was born in California and attended the public schools in Los Angeles. He received his undergraduate education at the University of California at Los Angeles, majoring in economics and receiving his bachelor's degree in 1948 and his master's degree in 1949.

He received his doctorate from Harvard University in the economic department in 1958. His dissertation topic was "Federal Income Taxation of Life Insurance Companies."

Dr. Moor was fiscal economist of the tax analysis staff of the U.S. Treasury Department in 1953–54 and again for 3 years from 1955 to 1958.

He has taught many places, including a year at the University of California at Los Angeles; 3 years at Williams College, teaching public finance, fiscal policy, and money and banking courses; and a summer at Princeton University. He has also served as a consultant to the Department of Health, Education, and Welfare and as a Brookings research professor. He was a fiscal economist for the Joint Economic Committee from 1961 to 1963 after which he joined our staff as administrative assistant.

Dr. Moor has published numerous scholarly articles in addition to the studies and analyses he has made for agencies of Congress and the administration. His study, "The Federal Budget as an Economic Document," which he prepared while a member of the staff of the Joint Economic Committee, is outstanding.

For the study of Congress, Dr. Moor is making a study of the politics of the taxing and appropriation process. The combination of his rigorous training as an economist with his experience as a staff member for the Treasury Department, the Joint Economic Committee and our office should assure that his contribution to the study of Congress will be sound and useful in every respect.

Mr. TOWER. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Texas.

Mr. TOWER. I should like to add a word of commendation of Dr. Ralph Huitt. I have known him for some years. He was engaged in YMCA work in my hometown in the 1930's, when I was a teenager, and I believe he had a good influence on me. I join with the Senator from Wisconsin in commendation of Professor Huitt.

Mr. PROXMIRE. I thank the Senator from Texas, who is himself an outstanding former professor and political scientist. His endorsement of Dr. Huitt means a great deal.

OUR OVERINVOLVEMENT IN AFRICA AND ASIA—COMMENT BY SENATOR DODD ON SPEECH BY SENATOR CHURCH

Mr. DODD. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield 5 minutes to the distinguished Senator from Connecticut.

Mr. DODD. Mr. President, yesterday, the senior Senator from Idaho [Mr. CHURCH] spoke on the floor of the Senate on the subject of "Our Overinvolvement in Africa and Asia."

I have great respect for the Senator from Idaho and for the feeling which I know he shares with others that we are overextended and overcommitted in various parts of the world. However, I disagree fundamentally with his evaluation of certain aspects of world affairs; and I also believe that a number of assertions which he makes in developing his hypothesis are completely contradicted by the facts.

I intend to reply in detail to the Senator from Idaho on the subject of Vietnam in a speech which I hope to deliver this coming Tuesday, and I intend to deal with the other aspects of his presentation at an early date thereafter.

In anticipation of my reply on the subject of Vietnam, however, there is one observation which I think it important to make now. The Senator has urged that we enter into negotiations now for the purpose of terminating the Vietnamese war. But there is a time to negotiate and a time not to negotiate. To urge that we enter into negotiations now would be akin to urging that Churchill enter into negotiations with the Germans at the time of Dunkirk or that President Truman enter into negotiations with the Communists when we stood with our backs to the sea in the Pusan perimeter. Such negotiations could only have terminated in total surrender.

I do not think the position of the free world is as desperate now as it was at the time of Dunkirk or Pusan. And I am also confident that if we show the same will to persevere that Britain displayed at the time of Dunkirk and that we ourselves displayed at the time of Pusan, and if we refuse to listen to the counsels of despair, a time will ultimately arrive when we shall be able to negotiate in honor.

In addition, I feel compelled to comment on another statement made by the senior Senator from Idaho—a statement which is not only completely contrary to the facts but which I consider most unfortunate in terms of its impact on American interests in Africa.

The Senator is apparently strongly opposed to the modest assistance which we are now giving the legitimate government of the Congo to help them resist the pro-Communist rebels who have been operating with open foreign backing.

Despite the massive evidence that the rebellion has been organized and masterminded by the Chinese Communists; despite the long party line record of Christophe Gbenye, the rebel leader; despite the evidence that he has been receiving funds from Communist sources, the Senator prefers to believe that the rebel movement is not really Communist inspired, but basically African nationalist.

Also, despite the large quantities of Chinese and Soviet arms which have been captured by the government and put on display, the Senator tells us that the rebel source of supply—Algeria and Egypt—"would seem African enough."

The senior Senator from Idaho also deprecates our association with Tshombe. He says:

> What matters is how the Africans see him. And African animosity toward Tshombe is so intense that he is even barred from associating with other African leaders, having been physically excluded from their meetings. To them, he is the African equivalent of an "Uncle Tom," a puppet of the imperialists who uses white mercenaries to subdue his own countrymen. I doubt that Tshombe will even win African acceptance. Our involvement with him serves only to turn the tide of African opinion increasingly against us.

I know there has been a good deal of propaganda about Tshombe being unacceptable to other Africans. This propaganda, however, was always grossly exaggerated. In the U.N. debate, for example, the representative of Nigeria made an impassioned defense of Tshombe. By itself, this should have been enough to demolish the charge that Tshombe is unacceptable to Africans, because, populationwise, Nigeria and the Congo together constitute the better part of Black Africa.

Conclusive proof of the untruthfulness of this accusation was given on February 12, when 13 French-speaking African states, meeting in Mauritania, called for pan-African support for Mr. Tshombe's government. The 13 African chiefs of state said that they "energetically condemn the action of certain countries, notably Ghana, which harbor agents of subversion and organized training camps on their territory."

In addition to the support of the French-speaking countries, Tshombe can count on the support of Nigeria and Liberia, while Morocco, Tunisia, and Ethiopia are certainly not unfriendly. As of this moment, in short, Tshombe has the acceptance or support of a majority of the African nations.

America will not long survive as a free nation if we permit the rest of the world to go Communist. Our own national security demands that we draw the line against Communist expansion—in Asia, in Africa, in Latin America, and in Europe. It demands that we give assistance, as we have done ever since the Truman doctrine, to all those nations, large and small, who are fighting to protect their independence against Communist subversion and aggression.

It would be a terrible blow to the entire free world and to our security if the Communists were ever to take over the whole of Africa. And this is precisely what would happen if they succeeded in bringing the Congo under their control. The United States is supporting the government of Prime Minister Tshombe because it is now generally realized that Tshombe may well be the only Congolese who has the combination of qualities necessary to save his country.

As Senators will recall, the senior Senator from Idaho and I had some sharp differences over the question of the Congo at the time of the U.N. military action in Katanga. It was always my regret that when he and several other Senators visited the Congo in the fall of 1960, for the purpose of ascertaining the facts, they did not take the time to visit Elizabethville and to meet with Prime Minister Tshombe. I feel that the unfortunate prejudice which he still displays against Prime Minister Tshombe stems in large part from this lack of personal contact. In the absence of such contact, the Senator from Idaho inevitably believed some of the propaganda directed against Tshombe during this period by the three most formidable propaganda machines in the world—the Communist apparatus, our own apparatus, and the U.N. apparatus.

I hope that my friend, the senior Senator from Idaho, will consent to reconsider his position in the light of the facts I have here presented and of the present situation in Africa. I know that many people in the State Department, who at one time shared the Senator's personal prejudices against Tshombe, have completely revised their estimate of him as a result of their experience with Tshombe since he became Prime Minister.

And I would like to express the further hope that when Prime Minister Tshombe visits this country, as he is no doubt bound to do at some future date, the senior Senator from Idaho will meet him with an open mind and a willingness to reassess his position. I am sure that his views will be drastically altered.

I thank the Senator from Florida for his kindness in yielding to permit me to make this statement.

Mr. HOLLAND. I was happy to yield to the Senator from Connecticut.

I yield now briefly to the Senator from Texas.

STRATEGY IN A STRAITJACKET

Mr. TOWER. Mr. President, I ask unanimous consent that there be printed in the RECORD a most powerful editorial from the February issue of Navy magazine.

The editorial is entitled "Strategy in a Straitjacket" and poses some provocative questions about our southeast Asian policies. It points out that the American habit of landlubber thinking has operated to restrict utilization of the seapower available to United States and South Vietnamese forces.

The editorial suggests several ways in which our seapower potential in the area can be effectively used to influence the crucial guerrilla battle on the land. I commend to the Senate this constructive criticism of our Vietnam operations.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STATEGY IN A STRAITJACKET

A British Army sergeant, in Singapore for the defense of Malaysia, was interviewed recently by an American reporter. The talk soon turned to the agonizing war in South Vietnam and the Tommy put a question of his own:

"Why in the devil don't you use that mighty 7th Fleet of yours?"

The question is exceedingly pertinent and we can only hope that it is being asked in the highest councils of the Pentagon and White House. To be sure, some units of the fleet have been and are involved to a limited degree in the war. There are reconnaissance flights by carrier-based planes and snooping by our submarines. Destroyers have fired at menacing enemy torpedo boats and occasionally they keep tabs on the flow of sea traffic into and out of North Vietnam.

WE CAN DO MORE

But the full potential of the fleet, even under the limitations imposed by current American policy, is not being employed. Our forces are under orders not to risk expansion of the war by attacking North Vietnam, that "privileged sanctuary" which has been the arsenal, training station, and mastermind of the Communist Vietcong insurgency in South Vietnam. We will not argue the sense of this restriction here, except to say that one day—hopefully—we will realize that the war in Vietnam is our war.

What we are talking about and what the Tommy meant, of course, is the U.S. Navy's ability to influence the land battle. South Vietnam has a long coastline, and the Communist guerrillas control a substantial portion of it. Also, there are many miles of rivers in the country. We are not taking full advantage of these facts.

Why isn't the enemy continually harassed from the sea and inland rivers?

Why can't the fleet and its aircraft strike at targets within the borders of our South Vietnamese ally if American planes can bomb North Vietnamese installations in Laos?

Why aren't we giving our South Vietnamese allies more "on-the-job training" in carrying out surprise seabased raids against enemy supply depots, communications centers, and other targets?

Why haven't we organized a really adequate river force for offensive operations? Why don't we rush the production of new gunboats which have been designed for this type warfare?

Why don't we step up our efforts to intercept Vietcong infiltrators and supplies being moved by coastal craft?

The failure to exploit our seapower—directly or in conjunction with the South Vietnamese—is a probable result of the national habit of landlubber thinking. It was not surprising that a British army sergeant asked why we were not using the 7th Fleet. The British, an island people, have always had an appreciation of the capabilities of seapower. Such a question could hardly have come from an American Army noncom—or four-star general, for that matter. Unfortunately, we continue to accept a discredited theory, advanced, ironically, by a British geographer—Sir Halford Mackinder. In sort of jingle form, it goes like this:

"Who rules East Europe commands the Heartland. Who rules the World Island commands the World."

Mackinder's theory was most recently upset in Korea when an amphibious landing at Inchon, spearheaded by the Marines, reversed the entire course of the war, the Korean Army having been, for all intents and purposes, crushed. Just as it made South Korean closer to the United States than to Communist China in the early 1950's, American seapower today makes Saigon closer to Washington than to Peiping.

But despite the Inchon demonstration that the maritime nations can control the rimlands and thus contain the heartland powers, the Mackinder theory still generates fear-myths which have placed us in a strategy straitjacket. One is that we must never again fight a land war in Asia lest we be swallowed up by China's limitless hordes. This together with our repeated pledge that we will not use nuclear weapons in Asia unless they are first used against us has severely restricted our flexibility. We must do nothing to risk escalating the war in Vietnam because it might bring the Chinese in. The enemy, of course, exploits this fear and thus is able to keep the initiative.

U.S. CHANGES NEEDED

Gen. Maxwell D. Taylor, a former Chairman of the Joint Chiefs of Staff and now American Ambassador to Saigon, has been the master military strategist behind our Vietnam policy since late 1961. He has worked tirelessly, and with the best intentions, under extraordinarily difficult conditions. Nevertheless, the hard fact of the matter is that the war has been going badly and, after 18 months of coups and semicoups, political instability in Saigon has never been greater. Despite huge increases in military and economic aid (now $700 million a year) and in the number of American advisers (22,000) on duty there, victory seems further away than ever.

The late President Kennedy told President Ngo Dinh Diem about 60 days before the latter was deposed and murdered that it was time for "changes in policy and perhaps in personnel" by the South Vietnamese Government. But what was needed then and is desperately needed now is a change in U.S. "policy and perhaps in personnel." While it may not be his fault, Taylor does not have the confidence of the top leaders of two of the most powerful elements in Vietnam—the armed forces and the Buddhist activists. His land-oriented military strategy has not produced victory—in fact, the guerrillas control more than half the country and are stronger than ever. It is time for the voices of seapower to be heard—and heeded. The Navy and Marine Corps have the capabilities to make a more significant contribution in Vietnam—today, and under the restrictive ground rules that prevail.

It is one thing to shout "patience" when we are holding our own. But when the handwriting on the wall reads "defeat," virtue lies in impatience. During the early, bitter days of World War II, a poignant expression—"Too little and too late"—told why the battles and countries were being lost. We hope that it will not be our epitaph in South Vietnam.

Mr. TOWER. Mr. President, I thank the Senator from Florida for yielding.

Mr. PASTORE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from Rhode Island.

JACK FOXE

Mr. PASTORE. Mr. President, during our congressional recess, there passed on, suddenly, a young man who held no public office, but had earned the prominence of a beloved public figure ready at the call of every pageant and public celebration that added to our Washington scene.

Jack Foxe was no stranger "on the Hill." He was the friend and faithful ally of many of us. He made his profession of the theater a respected image in our Capital; and he brought to us, in person, the people of the world of "make believe," and made them our friends.

He boasted no personal fortune; he had no patronage to bestow; but upon his untimely death the press of our city was moved to honest praise that could be the envy of the mightiest.

I truly believe that such a man is a vital part of our history. Those of us who knew him were the better for the knowing; and all of us can be inspired by a recital of the sincere estimates of Jack Foxe, who was so fittingly eulogized by Father Gilbert Hartke, O.P., of Catholic University, as "husband—father friend."

To this end, I ask unanimous consent that the tributes by James O'Neill, Jr., as published in the Washington News; by Richard L. Coe, as published in the Washington Post; and by Harry MacArthur, as published in the Washington Evening Star, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of Feb. 15, 1965]

A GREAT LOSS: JACK FOXE WILL BE SORELY MISSED IN WASHINGTON

(By James O'Neill, Jr.)

When one of the great ones goes there is not the simple ache in the heart which one would feel for a lesser being.

There is, rather, a dreadful, frightening void, a lack of something, and your own life the more vacant.

Jack Foxe died.

He was a man I loved. And all who knew him loved him.

He was a true professional, and this is the very top of the ladder.

He had no peers.

He was honest; he was so loyal you could set your watch by him, and he wore a smile on his heart, for he knew better than most of us that all flesh is heir to fault and many men are little men.

PRESS AGENT

Jack Foxe was a movie man. He was a press agent. You can dress that word up and call him a publicity man or an advertising expert, or whatever label you care to give.

But he was a press agent, the finest press agent who ever had to put up with actors, critics and film company executives.

He died of a heart attack, at Bowie race track, on Saturday.

Jack Foxe loved four things above all others. His lovely wife, Violet, and his pretty 15-year-old daughter, Patti Gene, first of all. Then came the film industry. His friends, and they were legion, moved up close to movies in his affections.

And then the races. Jack Foxe was not only the finest press agent I will ever know, he was the finest handicapper who ever read the Morning Telegraph.

SCHOLARSHIP

At 51, and born in New York's Hell's Kitchen, Jack Foxe had carved his own niche in the world. He went to Townsend Harris High School in New York on a highly competitive scholarship.

But an affection for show business overtook him and on graduation he came to Baltimore to usher in a theater.

He moved rapidly up the ladder and managed theaters in Springfield, Mass., and here.

Under the guidance of the late Carter Barron, Jack Foxe became a power in Loew's Theaters and with Metro-Goldwyn-Mayer.

He became Metro's and Loew's "man in Washington," and so much so that when the divorcement parted the two companies he was spirited to New York to work solely in the Metro vineyard. A spate of this was enough and Jack came back to Washington a few years ago.

There has been no fete, fiesta, festival, or civic uproar in which he did not participate.

A member of the National Press Club, he was constantly laboring in behalf of its members to provide the finest in entertainment and sound counsel.

No cherry blossom festival, inauguration, parade or hooraw for dignitaries, from Castro and Khrushchev to Presidents of the United States, was complete without the fine hand of Jack Foxe, the Flack De Luxe.

This was his professional side.

HUMOR

There was another. It was the quiet, gentle, understanding man, with a grand temper to be loosed on miscreants, and a huge sense of humor, and of the ridiculous. Nobody ever fooled him. No one ever dared lie to him.

He was vastly admired by his competitors and there is not a newspaperman in Washington who did not care for this wonderful, considerate, generous, capable, outgoing human being.

I have known Jack Foxe for 15 years and he was my friend. You can count friends on the fingers of one hand. He was my thumb.

There is much more to tell, but it is personal and will rest with me.

I shall miss him fishing on the bay, or at Redskins' games or over a poker table, but his gay smile and unconquerable spirit will be with me always.

The film industry is poorer for his death, and so am I.

[From the Washington Post]

ONE ON THE AISLE: JACK FOXE

(By Richard L. Coe)

In a field notorious for brass knuckles, rhinoceros skins, and jangled nerves, Jack Foxe was conspicuously a gentleman.

Associated for over 30 years with Loew's and Metro-Goldwyn-Mayer, 51-year-old Jack Foxe, whose funeral will be held today, viewed the wide, tricky field of public relations not as a day-to-day job but as a long-range profession. His approach to his work could serve as a guide to all of those in it.

He was, for instance, no space grabber but a space saver.

His rule was that if he didn't believe in the value of a story or personality, he didn't push it. He informed and let it go at that. He never tried to achieve, say, a story on the same event in various departments of a publication.

When it came to something he was interested in, he kept all departments briefed on what he told the others and viewed with a sad smile the greedy efforts of competitors who sometimes guilefully landed four seperate stories in the same edition about the same event. This kind of tricky dealing, he felt, cheapened his work.

The result was that what Jack Foxe wanted, Jack Foxe got. No one ever was embarrassed by trusting him.

This total trustworthiness is the mark of a triumphant life.

Because he was quietly, even efficiently gregarious, I don't suppose there was a newspaperman in this newspaper-conscious town who didn't know and respect him. The favors he did were not limited to his employers.

From the days when the late Carter Barron discovered him in the Loew ranks, Jack Foxe was a part of every public gathering Washington has known, from inaugural committees to do's for minor visitors. He knew and guided film stars and if he came across some organization in his travels that he thought merited attention, he passed the word that such or so was worth pushing.

Where lesser of the flack breed would try and often succeed, he would pause to anticipate problems and by doing so would come up with a legitimate story. He was rather surprised when a Frederick subdivision expressed interest in being called "Brigadoon" and when, last summer, Debbie Reynolds made all the big magazines by touring in the costumes and jewels she wore for "The Unsinkable Molly Brown," he had reason to chuckle.

Congressmen, whose lives depend on their public awareness, trusted his requests to them; officers of the National Press Club, where flacks are highly suspect, gladly trusted his judgment.

It's my suspicion that this meticulously efficient fellow with an invariably genial grin was well aware of this exceptional respect with which he was regarded. Being conscious of the trust he had earned, he was thorough in his precautions not to diminish it.

His wife, Violet, and daughter, Patti Gene, in time will take great pride in this career so honorably and richly lived.

[From the Evening Star, Feb. 17, 1965]

THE PASSING SHOW: GOODBY TO JACK?—IT CAN'T BE SAID

(By Harry MacArthur)

We said goodby to Jack Foxe yesterday and I would have been happy to go through a lifetime without doing that. We said goodby, that is, to that part of him which was mortal.

No one who ever knew him really can say goodby to him. And everyone who knew him is the richer for having known him. This is the mark of a man.

His good humor was unfailing when lesser spirits drooped. He never was asked for anything he did not produce if it were humanly possible. His integrity was as dependable as sunrise and sunset.

As a press agent he was a completely honest and honorable man, in a field where there are a few who lack these qualities. Whatever Jack told you about a motion picture was sure to be as true as gospel. Forced into a position where he had shoddy goods to sell, he was always the first to let you know how shoddy.

He was a man of genuine warmth. As a friend, he never took exception to a carping critic's views, even though he might have felt he had just been kicked in the teeth.

He was a giving, not a taking man. No one ever sought his aid in vain, whether the cause was minor or of presidential gala size. His ire, which some rarely or never saw, was reserved for the dolts of the world who contribute nothing to life but frustration.

Look not for solemnity here, however. Jack never would have put up with that. I can hear his voice on the telephone now, saying, "Oh, brother. How maudlin can you get?"

The other night, in fact, I half expected him to sit up, survey the multitudinous flowers banked around the room and say, "Holy mackerel. What did I do, win the Kentucky Derby?"

Jack suffered his fatal heart attack, as everyone must know, while enjoying his favorite spectator sport, improving the breed at Bowie. The first thought I had after the initial shock of the news wore off, was a fervent hope that he was not holding a winning ticket at the time. He would have been terribly unhappy if forced to depart without cashing it.

He would have been a happy press agent yesterday, though. His last audience, at the funeral home, was an SRO crowd, with standees overflowing into the lobby.

Say goodby to Jack Foxe? Never.

NATIONAL RECORDKEEPING MONTH

Mr. PASTORE. Mr. President I speak in support of Senate Joint Resolution 49, to authorize the President to proclaim the month of April in each year as National Recordkeeping Month.

There is more to this resolution than meets the eye. The success of arousing businessmen in the value and importance of better recordkeeping, through this national proclamation, will inure to the benefit of both industry and government.

It is a well established fact that failure to keep proper records has been the main cause of the downfall of hundreds of thousands of small- and medium-sized firms. This amounts to a major disaster. The loss in jobs and in personal incomes and the loss to creditors are beyond comprehension. In the last 3 years, close to 50,000 business firms have shut down. Close to one quarter of a million persons lost their jobs, and well over $1.25 billion in wages never got into their pay envelopes.

Judge William Clark, Federal district judge in New Jersey, put it in this succinct fashion:

First. At least three-quarters of the Nation's bankruptcies could be avoided.

Second. The most important cause of bankruptcy is the failure to keep proper books.

Third. Ninety percent of the failures studied did not keep proper books.

Better recordkeeping would increase the efficiency of all business in all ways. Inevitably it would be a tremendous benefit to the Government, whose supervision of business would be expedited by this efficiency.

The Internal Revenue Service would reap a harvest, while the careful citizen would pay only his fair share of taxes. The Small Business Administration would find its advantageous services multiplied, through the proper recordkeeping of its applicants.

All business organizations would be interested in promoting this needed concern for proper records—which, as an antibankruptcy potion, could be very valuable in our war on poverty.

Many business organizations are prepared to get behind this proclamation with enthusiasm and the enlistment of their own resources. In this project, no one can lose, and the health of our economy can be advanced.

Let us get behind this commonsense project for our common economic security.

MIGRATORY AGRICULTURAL WORKERS

Mr. ELLENDER. Mr. President, serious difficulties are in store for us in California, Arizona, and other States in which imported labor is necessary in order to get the crops planted this spring.

I should like to inform the Senate that the Committee on Agriculture and Forestry held hearings on January 15 and 16 on the criteria established by the Secretary of Labor under which supplementary foreign workers might be admitted to this country to meet temporary farm labor needs. No legislation is proposed. The purpose of the hearings was to advise the committee and the Senate of the facts. All Members of the Senate will want to keep themselves advised of the situation as it develops and assure themselves that crops are not lost by reason of a shortage of harvest labor, and that jobs both on the farm and in industry are not lost by reason of a reduction in the planting, harvesting, handling, processing, and transporting of crops. The testimony at the hearings was conflicting, but I believe that the hearings will be helpful to every Senator in keeping abreast of this situation. The hearings have now been printed and are available.

REASON FOR HEARINGS

The authority for the Mexican farm labor program under Public Law 78, 82d Congress, expired December 31, 1964. This leaves the Immigration and Nationality Act, Public Law 414, 82d Congress, as the sole authority for the admission of foreign workers to the United States to provide supplementary farm labor when such labor is needed. Section 101(a) (15) (H) (ii) of that act defines the term "nonimmigrant" to include a nonresident alien coming temporarily to the United States to perform temporary labor for which capable unemployed persons cannot be found in this country. Section 214(c) of that act provides for the admission of nonimmigrants to perform such work upon petitions containing such information as the Attorney General shall prescribe and after consultation by the Attorney General with appropriate Government agencies. The Attorney General, by regulation 8 CFR 214.2(h) (2) (ii), has required that these petitions bear a U.S. Employment Service clearance order as to the nonavailability of qualified workers in the United States and stating that USES policies have been observed.

On December 19, 1964, following hearings held by the Labor Department in Washington, D.C.; Miami, Fla.; Dallas, Tex.; and San Francisco, Calif., concluded December 9, 1964, the Secretary of Labor amended his regulations setting out the policies under which such a clearance would be given. As amended, they provide that before a need for foreign workers will be certified—

First. Certain efforts to obtain domestic workers must be shown.

Second. There must be a showing that employment of foreign workers will not adversely affect wages or working conditions of domestic workers.

Third. Employment offered domestic workers must provide—

(A) Wage rates not less than those set out in schedule A during January-March 1965—$0.90 to $1.25 per hour—and not less than those set out in schedule B after March 1965—$1.15 to $1.40 per hour.

(B) A written contract embodying at least the terms and conditions offered Mexican workers under the Migrant Labor Agreement of 1951.

(C) Family housing where feasible and necessary; and

Fourth. Transportation costs must be borne by the employer. No foreign worker would be certified for employment for a period exceeding 120 days, nor could certification be made to permit any employer to employ foreign workers for more than 120 days per year, except in specific cases.

These regulations apply to importation of offshore workers from such places as Jamaica and the British West Indies, who have been imported into Florida and other eastern States in the past under Public Law 414, as well as to the importation of Mexicans who have been coming in under Public Law 78.

Following the issuance of these regulations farmers protested that they would be unable under the regulations to obtain adequate labor to harvest their crops and would suffer great losses thereby, that it would be necessary to reduce plantings because of the uncertainty that harvest labor would be available, and that the handling, packing, processing, transporting, and other related industries and the workers in those industries would suffer along with farmers and farmworkers as a result of the new criteria.

The Senator from Oregon, Senator MORSE, called two meetings to discuss the situation and a committee consisting of the Senator from Florida, Senator HOLLAND, the Senator from Virginia, Senator BYRD, and the Senator from California, Senator KUCHEL, was appointed to request the Senate Committee on Agriculture and Forestry to hold hearings on this subject at the earliest possible date. Pursuant to this request the committee held hearings on January 15 and 16, 1964. No legislative proposals were before the committee, nor was it contemplated that any legislation might be developed from the hearings. The purpose of the hearing was to determine the facts, to put all agencies involved on notice of those facts, and to provide assurance that those agencies would maintain a careful watch on the situation to be sure that crops were not lost because of a lack of labor to harvest them. The committee heard all witnesses who wished to testify.

GOVERNORS' TELEGRAMS

Prior to the hearings, I sent telegrams to the Governors of Texas, Arizona, Florida, and California. The Governor of California replied on January 14 that as of that date the labor supply was generally adequate, and that he hoped to be able to continue to meet farm labor needs with domestic workers. The Governor of Florida replied that it was imperative that Florida be allowed to continue to import supplemental foreign workers. The Governor of Arizona replied that it was too early for him to form an intelligent opinion.

I interpolate at this point to say that the bracero law had just expired on December 31 last year. Therefore, the situation in California was not too bad, because most of the crops at that time had been gathered with labor brought in under the Mexican farm labor program. In respect to the State of Florida, labor has long been obtained under section 214 of the Immigration and Nationality Act. But the new criterion placed on that law by the Secretary of Labor to become effective January 1 was greatly different from that which had been in effect prior to that date and was such that it would not work.

As I understand, in California oranges are gathered more or less on a piecework basis. The criteria provided in the Secretary of Labor's orders would require payment of at least $1.25 per hour after January 1, and at least $1.40 per hour after April 1, irrespective of the amount of oranges or dates, or other produce, gathered. In the past workers on the established piece rate basis have been able to make good wages by working diligently. Under the Secretary's criteria they will be able to make fair wages without working diligently and without gathering much produce.

It seems to me that if the criteria established by the Secretary of Labor are followed, it may be possible that the gathering of oranges will cost three or four times as much as it does now; and the same thing is true for certain other crops.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Did not the hearings show conclusively that the two areas in California and Arizona where vegetables were being gathered at the time of the hearing in early January were being supplied in adequate quantity with the labor which was brought into Arizona and California by use of green cards under Public Law 414; that they came to work for the day in Arizona and California and returned to Mexico at night? So in the nearby areas of California and Arizona adjoining Mexico there was no kind of difficulty being experienced by the California producers; but that would not apply to the production a little farther north.

Mr. ELLENDER. That is correct. The use of the so-called green cards practically makes American citizens out of the Mexicans, although they lived in Mexico, because they can come and go at will. These are Mexicans who have been admitted for permanent residence.

The southern sections of Arizona and California had not been affected at the time of the hearings by the changes in the Secretary's criteria for admission of temporary workers because there were then an adequate number of green card holders. I am not sure that under present conditions that same situation will prevail, but we are talking about labor that will be needed in central California, where the largest crop of tomatoes grown in the United States is produced and processed. Because of the fact that the growers are unable to obtain assurances that if, as, and when their crops are ready for harvest, they will get labor, the prospects are that the number of acres to be produced in that area will be seriously curtailed. We have heard that some of the factories are to be moved to Mexico. In my humble judgment, those who will suffer will be the people in California who now have employment in those factories.

The bracero law was to apply solely to stoop work. It was never intended to and did not apply to processing or manufacturing, because local people could be obtained to operate the processing plants.

If I am to understand what is happening now, quite a number of farmers and growers in California will not grow the quantity of tomatoes necessary to supply the factories. If that happens, those who work in the processing plants will find themselves without jobs.

That is why the situation is serious. The Secretary of Labor, as well as the Secretary of Agriculture, should make it plain and certain to growers that if, as, and when crops that are to be planted become mature for harvest, a sufficient number of stoop laborers will be able to come into the country should it be necessary to have those people do the work.

EMPLOYERS OF FARM LABOR

Witnesses representing employers of agricultural labor objected to the minimum wage and free transportation provisions of the Secretary's regulations, and to the 120-day limit on employment of supplemental foreign workers. They also questioned the authority of the Secretary to prescribe minimum wage rates at all. As all of us know, there is no law prescribing minimum wages for agricultural labor, but yet, indirectly, the Secretary of Labor has fixed these minimum wages. They pointed out that after April 1, the prescribed minimum rates would represent increases of 40 to 90 percent over the 1964 adverse effect rates, that the prescribed minimums had to be paid to the least efficient worker rather than to the average worker, and that they were sufficiently high to destroy the incentive of the worker under the piecework wage system to do more than a minimal job. They contended that the reduced output per worker resulting from this destruction of the piecework incentive and from the employment of untrained domestic workers, coupled with the higher hourly rates and the cost involved in recruiting and training new workers, would result in excessive costs per unit of output, higher prices for consumers, reduced production in this country, increased production in Mexico, and loss of jobs in agriculture and the industries that serve it or handle and transport agricultural products.

They described the extensive recruiting and training programs they have engaged in and are currently carrying on to obtain domestic workers, and the lack of success which has accompanied those programs. In area after area they described the number recruited and transported to work, the number that left without working or after 1 day, or 2 days, and the number remaining on the job after a short period. In one area, extensive recruiting efforts had resulted in work force on January 12 of 764 when the need was for 1,300. In the Coachella Valley, it was testified that 18 to 20 men were picking the date crop where 400 were needed; and that if workers were not found soon who could climb the 40- to 52-foot ladders to pollinate the blossoms there would be no 1965 crop. Citrus growers in Florida advised that they do not have sufficient labor at the present time, that there is currently spoilage because of insufficient pickers, and that more spoilage is in prospect as harvesting is delayed. One producer had already lost 50,000 boxes of oranges. Another Florida producer had abandoned 45 acres of celery for lack of labor. Delays in Florida sugarcane harvest caused by labor shortages are currently resulting in a slowdown in mill operation and will result in lower sugar recovery at the end of the crop when higher temperatures and rainfall have taken their toll. Heavy rains could result in a complete loss of cane where harvest is delayed.

There was testimony that California tomato growers might cut their acreage about 50 percent, if they were unable to obtain supplementary foreign labor. Similarly, it was predicted that Yuma melon growers would cut production about one-third, if harvest labor was not assured. Ohio canners are said to be experiencing difficulty in signing up farmers to produce tomatoes because of fears that harvest workers might not be available.

If foreign labor should be made available, the employers contended that the 120-day limit was unreasonable and difficult. They pointed out that the California date crop needs workers for 10 months, so that the 120-day rule would mean that three separate crews would have to be recruited and trained. Florida witnesses testified that the sugarcane harvest runs 2 months longer than 120 days; celery harvest needs workers for 3 months longer than this limit would allow. Workers are needed in the citrus groves for 180 to 210 days, or longer.

THE SECRETARY OF LABOR

The Secretary of Labor, Mr. W. Willard Wirtz, testified before the committee on this problem. He first pointed out that the regulations promulgated by him rested on section 101(a)(15)(H) of the Immigration and Nationality Act, which authorizes the importation of foreign workers for temporary employment in the United States only if unemployed persons capable of performing such labor cannot be found in this country.

It is his belief that with unemployment in this country slightly under 4 million people, there is a reservoir of available labor if wages and working conditions are more nearly in line with American standards.

He believes that his regulations, which now provide among other things for a minimum wage of as high as $1.25 an hour in some areas, and which will provide as high as $1.40 per hour, will be attractive enough to induce domestic laborers to meet the labor needs of farms in America.

I might add at this point that he has no general authority to set minimum wages for domestic workers. However, he contends that, under Public Law 414, he has authority to set conditions which must be met by growers with respect to domestic workers before foreign workers can be imported. Therefore, in effect, he has said that he will not authorize the importation of foreign agricultural workers unless growers first offer domestic laborers the wages and other perquisites outlined earlier.

He told the committee that the Department of Labor is now set up to mobilize and fill labor requirements much more rapidly than ever before. For example, he indicated that in California there is now instant teletype service between some of the State employment offices, and there is closer cooperation between one State and another.

He said that in California there is not now any shortage of workers for agriculture, and that he does not believe there will be any shortage in the future. He said that according to last year's figures agriculture additionally needs only the equivalent of 50,000 to 75,000 man-years and it was inconceivable to him that these jobs cannot be filled with domestic workers.

In answer to my specific question as to whether he could not allow employers to pay on a piecework basis without setting a per-hour floor under the piece rates, the Secretary indicated that removal of the per-hour floor would result in domestic workers being offered less than the amount necessary to attract them to do agricultural fieldwork and that he saw no reason why the floor should be removed. As a matter of fact, he reiterated that agricultural producers are allowed to pay whatever rates they might wish; that he, the Secretary, has no authority to set minimum wages, but that if agricultural growers wish to receive imported labor as they have been doing, they would be required to offer to employ domestic workers at the rates and under the conditions he has established.

When questioned as to the basis for establishing the hourly rate of $1.40 for California beginning April 1, the Secretary indicated that he took into account the prevailing agricultural rate in California, which was about $1.33, and the relationship of agricultural rates and manufacturing rates in the early fifties as compared to that same relationship today, as well as other factors.

In response to questions relating to losses because of the shortage of agricultural labor, the Secretary indicated that to his knowledge no substantial losses could be attributed purely to a shortage of labor, and that there is and will be an ample supply of labor if reasonable wages, as outlined in his regulations, are offered to domestic workers. He made it clear that the new criteria are much more stringent than those applied in the past under Public Law 414, saying:

> I have made no bones about the fact that I propose to do more on the part of this Government about unemployment in this country than has been done before. I make no bones about it.

The Secretary assured the committee, however, that all farm labor needs would be met, saying:

> I propose to stay up all night if necessary repeatedly to see to it that if there is work available, it will be filled and there will be workers for it, and if there is any shortcoming on that point, yes, I propose to lift my hand.

DEPARTMENT OF AGRICULTURE

The Department of Agriculture advised that it was keeping a very close watch on the situation, so that it would be apprised in advance of any dislocations in production or processing; that, to date, its reporting units knew of no loss of production or idle milling capacity directly attributable to a lack of farm labor; and that current acreages and planting intention reports do not indicate that producers anticipate a lack of harvest labor. The Department advised that it would look into reports made at the hearings of crop losses due to labor shortages. The Department also filed a study as to the potential losses which might be incurred if labor could not be obtained to perform the work done in prior years by foreign supplemental labor. The losses in such a situation would be considerable, both to agriculture and to the processing and service industries.

LABOR WITNESSES

Witnesses representing labor unions contended that there was no lack of domestic workers; that the admission of foreign supplemental workers would be an unwarranted interference in the bargaining process between employers and domestic workers; and that the Secretary of Labor's adverse effect regulations tended to put a ceiling on domestic wages. They quoted news articles to the effect that employers failed to pick up available workers in the numbers and at the times they had requested, canceled orders for workers after the workers were en route, had no housing available for families, paid less than the adverse effect rate set by the regulations, failed to furnish round-trip transportation, and otherwise discouraged domestic applicants. Despite this, it was alleged that all work orders were being filled and many applicants were actively seeking farm work.

Labor witnesses further testified that many workers who had left farms from the cities in past years were available to do farm work at fair wages and conditions, and that they would do any work that foreign workers would do. They contended that past importation of workers had deprived domestic workers of work in the packing sheds and the fields, and had disrupted the domestic farm labor force. However, they assured the committee that in spite of this disruption domestic workers could be found to pollenize the dates in the Coachella Valley, to climb any ladder, or do any stoop labor that a foreign worker would be willing to do.

I should like to point out, however, that the labor witness who assured the committee that domestic workers could be found to pollenize the date crop subsequently advised the committee that domestic workers were not available for this purpose.

I asked unanimous consent to insert in the Record an excerpt from his testimony in this regard, together with his subsequent telegram.

There being no objection, the excerpt from the testimony and telegram were ordered to be printed in the Record, as follows:

Excerpts From Hearings on Importation of Foreign Agricultural Workers

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Senator Miller. There is a lot of talk about the availability of workers. It seems to me that when you get into semantics over that word "available"—available at what price and what wage. And so what I would like to ask the witness is—let's get specific, let's get into this date problem out there.

In the testimony that we received from Mr. Yost this morning, on page 2, he sets forth the scale of wages for the last 3 years, starting with 1961, going through 1963. For picking dates, $1.53 an hour in 1963. Bagging dates, $1.40 an hour. And for tying down, $1.40 an hour.

Would you be willing to say that these 100 men who are temporarily laid off from packing work out there would be available to carry out these jobs at those wage scales?

Mr. Simonson. Right. If they are not working, they would be more than happy to do it. And it doesn't take 2 weeks, to pollenize dates, to learn how to do it. You can learn how in 5 minutes.

Senator Miller. I don't know what the wage scale is for pollenizing the dates.

Mr. Simonson. That would run the same, sir.

* * * * *

Mr. Simonson. I don't know what the problem is there—with the exception that it is my understanding that they have ample domestic workers in order to do the work in dates.

And I am very much interested to see that dates are pollenized because this means employment for other workers during the course of the year.

I would be the first one—as I said before, if this could not be proven, I would be the first one to say you are right on the other side of the table.

But this to us as yet, and to the proof that the Department is coming up with, the Department of Labor, ample workers for the various areas, proves there is enough domestic workers.

* * * * *

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Huntington Park, Calif.,
January 25, 1965.

Hon. Allen J. Ellender,
Senate Office Building,
Washington, D.C.:

Not enough domestic workers in Indio, Calif., to handle dates. United Packinghouse, Food & Allied Workers, AFL–CIO, surveyed the area January 17, 1965, up through January 23, 1965, and found the following conditions to exist: (1) No available domestic workers for date crop; (2) migrant workers working in carrots; (3) no family housing units for migrant workers; (4) paycheck abuses exist, improper deductions being made from domestic paychecks in area; (5) constant harassing by field bosses made against those working in dates and carrots to discourage their continuing to work; (6) $1.25 per hour is not a proper wage for dates. In view of the above I suggest the following: (1) Japanese (414) in Orange County and San Diego be shifted to Indio to assure jobs for the 600 members of our union engaged in processing; (2) an immediate investigation be made of abuses; (3) minimum rates be established, $2 per hour or 4 cents per pound for picking dates; (4) family housing for migrants' families be established in the area.

Bud Simonson,
District Director, District No. 4, United Packinghouse, Food & Allied Workers, AFL–CIO.

Mr. ELLENDER. Mr. President, I also ask unanimous consent to have printed in the Record at this point a statement furnished to me by Charles A. Boyle, administrator-director, Arizona State Employment Division, Employment Security Commission of Arizona.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[February 17, 1965, dictated by phone from Phoenix]

Statement by Charles A. Boyle, Administrator-Director, Arizona State Employment Division, Employment Security Commission of Arizona, Phoenix, Ariz.

It is our current assumption that the spring labor peak of workers needed above those who live locally will be 5,000, if the following assumptions are correct:

1. A 24-percent reduction in lettuce acreage in Maricopa County.
2. A 10-percent reduction in Yuma County.
3. The weather is normal. If unseasonably hot too early, demand will increase. If cold, it will reduce.
4. Market conditions normal for the spring crop. If the market prices are high, the demand will increase.
5. The wage on April 1 goes to $1.25 per hour as stated previously by the Secretary of Labor. The increased wage will encourage additional workers to return to farmwork.
6. Growers are able to purchase labor-reducing machines and cooperate wholeheartedly with recruitment efforts. We have been advised that additional funds will be allocated to us by the Secretary of Labor to be used in an intensive recruitment drive. This will add approximately 14 positions to our farm staff. We have no factors upon which to gage a shortage figure from March to the end of June. The recruitment drive has produced a labor supply and demand in balance in Yuma County in January. How many additional workers we can recruit at the $1.25 per hour rate with the additional farm staff is problematical.

OTHER WITNESSES

Mr. ELLENDER. Mr. President, other witnesses testified as to the plight of the Mexican-American and other domestic farmworkers and the problems involved in reaching quick agreement with Mexico, should the importation of Mexican farmworkers be determined necessary.

CONCLUSIONS

As can be seen the testimony was conflicting and inconclusive. The hearings were held just 2 weeks after the expiration of the Mexican farm labor program, and it is not surprising that during the initial period of adjustment there should be conflicting views as to the facts of the situation. The matter is an important one. There was complete agreement that foreign labor should not be brought in to deprive qualified domestic workers of the opportunity for employment at fair wages and working conditions. There was also complete agreement as to the importance to farmers, workers, consumers, and other segments of the economy that there be labor available to plant, care for, and harvest the crops. Farmers, workers, Government agencies, and other interested parties should work cooperatively toward this end, so that farmers will be assured of being able to plant and harvest their crops, workers will have the opportunity to work in the fields, the packing sheds, and the processing, transportation, and other industries handling commodities or serving agriculture, and the needs of the country will be served. The Secretary of Labor and the Secretary of Agriculture have heavy responsibilities to watch the situation carefully, and administer the law in a way that will protect and benefit the interests of all our people.

Mr. HOLLAND. Mr. President, I understand that the distinguished Senator from Texas [Mr. Tower] wishes to make a brief statement at this time. I am glad to yield to him. I wish to get into the burden of my own presentation as quickly as possible, but I now yield to the Senator from Texas.

Mr. TOWER. I thank the Senator from Florida.

Mr. President, one of the most recent examples of Government action to increase farm costs has been the requirements imposed by the Secretary of Labor which must be met by farmers who wish to establish eligibility to employ farmworkers from Mexico, the British West Indies, or other foreign origins.

Farmers who wish to establish such eligibility must offer continuously, whenever they are recruiting domestic workers, to enter into a written contract with each such domestic worker, under the terms of which the farmer promises to pay transportation, housing, and occupational insurance for such workers, without charge to such workers—plus a wage fixed by the Secretary of Labor on an hourly basis, which must be paid to workers on a price rate basis no matter how little they produce.

The required hourly minimum wage which must be paid varies by State from $1.15 in Texas to $1.40 in California. This represents an increase of from 20 cents to 55 cents per hour. In addition to this minimum wage, farmers are required to provide without charge to the worker, transportation, both local, and long distance, housing, and occupational insurance.

I do not recall that the Congress has ever enacted legislation providing for a minimum wage for farmworkers. Yet the Secretary of Labor appears to have established by executive decree what the Congress has refused to provide by statutory enactment.

It can, of course, be argued that what the Secretary of Labor has required is not a minimum wage, because no penalty is imposed on those who do not pay the prescribed amounts. The only sanction is that the farmer is not eligible to employ foreign workers. But those farmers in those areas who grow high-labor-requirement crops commonly have no alternative. The practical effect of the Secretary's ruling is exactly the same as though imposed by statute.

Fortunately, producers of some crops have made great strides during the past 2 or 3 years toward mechanizing their operations. Such reduction in numbers of workers employed have been made in anticipation that the Labor Department and the Congress were taking actions to tighten the farm labor supply situation.

But many producers of many other crops have not been fortunate in having comparable new technology available to them.

In the case of many high-labor-requirement crops, the increased wage requirement will be far-reaching.

For example, I doubt that U.S. producers of such crops as pickles and strawberries can compete with the growing pickle and strawberry industries of Mexico when they have to pay more for 1 hour of work than Mexican employers pay for a day. The production of such crops as lettuce and tomatoes will certainly be expanded in Mexico and the Caribbean area.

Now, Mr. President, I ask unanimous consent that there be printed at this point in my remarks a most thorough and detailed analysis of the present bracero situation as printed in the National Observer of February 15.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Observer, Feb. 15, 1965]

THE BRACEROS LEAVE, BUT THE PROBLEMS LINGER—A PART OF THE FARM LABOR CONTROVERSY: FLIGHT PAY FOR DATE PICKERS?

THERMAL, CALIF.—"Braceros," they called the Mexicans who labored in the West's fertile valleys and on its dusty plains. "People who work with their arms."

The braceros have vanished now, vanished south of the border to Mexicali and Hermosillo and Chihuahua. Like the gold rush prospectors and the restless homesteaders, like the Chinese coolies who built the great railroads, and like the Okies of the depression, the braceros have made their mark on the American West and disappeared. No longer agents of the future, they have become another profile of the past.

Since the early days of World War II, the braceros had plucked citrus and dug for potatoes under Government programs permitting foreign workers to enter the United States for temporary farmwork. At one time or another Mexicans, Japanese, Filipinos, and British West Indians worked the soil of more than half the States. The average foreign farmworker stayed in the United States for 3 months and carried home $175.

THE TRAUMATIC AFTERMATH

Congress closed the border December 31 by refusing to extend the bracero legislation. But though the braceros have gone, the bracero problem lingers in a traumatic aftermath.

"Bracero problem? What bracero problem?" snaps a California dategrower sarcastically. "We have no bracero problem because we have no braceros."

The problem inflames passions, for it touches people. It touches the California dategrowers, forced to pay higher wages for less experienced laborers. It touches the Navaho in Arizona, rushed from his reservation to help harvest a lettuce crop hundreds of miles away. It touches the housewife in Evanston, Ill., who may pay a penny or two more for her fruits and vegetables if the higher wage rates prove a serious squeeze for the farmer. It may even limit the menu of the restaurant diner in New York City if temporary shortages arise.

A Wyoming farmer considers selling his 160,000 acres: "Sure, the value is down. But where am I going to get my workers?" A small Florida citrus grower worries he may lose lemon groves it took him years to develop.

AN INVESTMENT OF A LIFETIME

Here in the Coachella Valley, halfway between Los Angeles and the Arizona border, a Mexican-American gazes at the green stucco barracks of the austere work camp he operates and wonders what will happen to his investment of a lifetime. "You gotta sand dunes, hot winds, snakes, when you come here in 1920. You work at 10 cents an hour, 10 hours a day. You build a camp."

But the camp was built for Mexicans; tortillas are served beneath a photograph of Mexican President Diaz Ordaz and a tiny wall shrine to the Virgin of Guadalupe, and scrawled on a battered door in the ill-kept barracks are the words "Favor de degar dormir alagente" ("Please let people sleep," in misspelled Spanish). The last truckload of disgruntled American workers, recruited from as far away as San Francisco, had pulled away and headed for a more comfortable work camp an hour earlier.

The world the braceros left behind is a grotesque world. It is a world of economic ironies, an atmosphere of half-truths and untruths.

In California, citrus growers send out an emergency appeal for 1,500 workers at a time when the State reports that 30,000 farmworkers are idle. Thousands more who have left the farm crowd into Los Angeles while lemons grow too large on Ventura County trees.

Labor unions and church groups charge darkly that growers may let their crops rot in the fields "as a publicity stunt," but present no evidence that this has happened. Growers complain that the only unemployed workers available, now that the braceros are gone, are "skid row characters and winos," but ignore the evidence to the contrary at work in their own fields.

State fights State. Much of the recruiting across State lines is above suspicion; California date growers went all the way to Alabama to recruit among Appalachia's unemployed, and Federal-State recruitment teams have placed idle workers from Missouri in citrus groves in Florida. But a Texas farmers' organization complains that 12 States recruiting in the Rio Grande Valley are raiding a farm labor pool of about 60,000 members that the State's farmers have carefully built up. "There's a terrific amount of cannibalism going on," says a Rio Grande Valley farmer.

Prophecies of disaster flow daily from many growers, though none of the prophecies has yet been fulfilled. Despite loud alarums at the first of the year, lettuce growers in California's Imperial Valley harvested their entire crop. The early and midseason harvesting of Florida citrus will be completed by next week with little more than the usual 5 percent loss; Florida found enough workers to replace British West Indians to harvest 5,500,000 boxes of citrus the last week of January, the largest harvest in a week in 3 years.

The alarums have immunized Labor Department officials charged with opening the borders to a temporary return of braceros if a genuine shortage of American farmworkers develops.

TURNED BACKS OF 60 WORKERS

For nearly 3 weeks, California date growers warned that they face imminent loss of next year's date crop unless they can hire more workers to pollinate their date palms. Yet last week they chose to forfeit the use of 60 workers provided by Government recruiting teams and to try recruiting on their own for a 2-week period. The Labor Department had told them they must pay at least $1.50 an hour—which Labor believes would provide a fair test of the availability of domestic workers for the hazardous work 50 feet above the ground—if they were to qualify later for emergency importation of braceros.

The Labor Department regarded the date growers' decision as evidence that the labor shortage is not as critical as the growers contend. "The growers admitted they screamed wolf every 2 minutes a month too early," says a Labor official. "Now we're not quite so willing to accept every word they say."

The growers have legitimate fears, of course. To get the grower's viewpoint, visit Elton G. Gebhardt, president of the Coachella Valley Farmers Association, in his plywood-paneled office beneath the towering palms of his date gardens.

"I don't know of any farmer who wouldn't rather use domestic workers if they have the experience and willingness to work that the Mexicans had," says Mr. Gebhardt. "In fact, we'd been working more and more domestics in every year."

THE DECLINE IN BRACERO LABOR

California, once far below Texas in the number of braceros employed, hired two-thirds of the 178,000 braceros who worked in the United States last year. But even in California, where the bracero population was less affected by mechanization than in Texas, the percentage of braceros in the total farm labor force has been declining—from 15 percent in 1957 to 9 percent last year.

Efforts to recruit American workers have hardly produced hordes of unemployed threatening to overrun the date gardens. A few weeks after the date growers sent out an appeal for 400 workers, Federal-State recruitment teams and the growers themselves had recruited only 146 men. Fewer than 40 of these are still on the job.

"We've recruited in Oakland, Stockton, Fresno, Bakersfield, Los Angeles, and Imperial Valley—even Alabama," says the tall, husky Mr. Gebhardt. When Alabama last October indicated it had several hundred unemployed men interested in picking dates, the Coachella Valley growers sent three representatives to Alabama to describe the work and point out the dangers. "They screened them down to 56 men," says Mr. Gebhardt, "and we made arrangements for their transportation. Twenty-six arrived, and not a one lasted more than 2 weeks. They just didn't want to work."

THE FAILURES OF LIFE

He puffs on a long cigar. "The people you get on these recruitment drives are the failures of life. They give you all kinds of excuses why they've failed, but they've failed. You try to build a stable labor force, but what's the future in it? They stay a few weeks and move on."

Wouldn't better food, higher pay, perhaps even family housing, encourage them to stay? "I figure it would cost $5,000 a family to build the minimum square footage—the absolute minimum. When it comes to pay, $1.25 may not be too much, but $1.40 or $1.50 is really going to give us trouble."

"One dollar and forty cents an hour. Hah," exclaimed a lanky, unkempt man derisively. "Why should I go out and pick dates for that kind of money when I can sit here and pick up $55 a week?"

The sun shone brightly outside the modern unemployment office on South Broadway, a few blocks south of downtown Los Angeles. Inside, several men sat silently next to the wall, hypnotized by the monotony of the lines of 18 or 20 persons picking up their unemployment checks.

THEY DIDN'T WANT THE WORK

"Workers wanted—Pick oranges," read a sign next to the window. But none of the nonworkers wanted this kind of work.

"Me pick oranges?" asked a well-dressed Negro, shifting his toothpick with his tongue. "I went all through grammar school and high school—learned four trades. You're going to ask me to work on a farm?"

A Canadian in a checkered shirt raised his golden eyebrows expressively. "I've worked on farms before," he said. "Saskatchewan, Alberta. There's no future in it, no chance for the kids. You go from day to day in that business—and they're pretty bad days."

A Puerto Rican, a dishwasher by trade, didn't want to work so far from his home. A Navy veteran said he had applied at the farm-labor office, "but they wanted to put me on a ladder. I can't work on a ladder; busted my foot in the Navy." A furniture mover who had grown up on a farm in Iowa professed to like working outside, but declared he would jeopardize his chances when the moving industry picks up in March or April: "I'd like to pick oranges, but half the battle in catching on in March is to get on the companies' list and keep checking with them. I can't do that and pick oranges, too."

A FLOW OF FACTS AND OPINIONS

"Enough persons are able and willing to work in agriculture here in California to fill all of California's agriculture needs." The staccato voice omitted facts and opinions as fast as a virtuoso trumpeter emits "Flight of the Bumblebee." The voice belonged to the Jewish Labor Committee's Max Mont, a spokesman for religious and labor interests on the bracero problem in California.

"Pay a decent wage, and the workers will follow the crops," said Mr. Mont, a restless young man in a pink-striped shirt. Only 9 percent of California's male farmworkers earn more than $4,000 a year; 60 percent earn less than $1,000 a year both on the farms and in nonfarm employment. A farmworker considers himself fortunate, note Mr. Mont and his colleagues, if he works 150 days a year and gets the use of a sterilized blanket for his barracks bunk. He receives no pension, no overtime, no unemployment insurance, no protection under the National Labor Relations Act.

"The agricultural worker is by all odds the most depressed and deprived worker in California," contends Mr. Mont. "And as long as there was cheap, available, docile, exploitable, captive labor (braceros), there was no incentive for the growers to provide a satisfactory standard of living."

WHY NOT CHARGE MORE?

Growers should charge more for their products if necessary, insists Mr. Mont. Even if they double the wages of their employees, the price to the consumer would rise little, for dates that a grower sells for 4 cents a pound are marketed at about 40 cents a pound.

Higher wages, in Mr. Mont's view, should include extra pay for hazardous work in the date industry—"flight pay," in the humorous phrase of Albert B. Tieburg, California's director of employment. Twenty-seven of some 1,500 date workers suffered injuries in 1963 when they fell from their ladders or bosun's chairs.

The palm leaves rustled high above the ground as 70 Japanese farmworkers sprawled across makeshift packs at a Coachella Valley farm center. The Japanese, not covered by the bracero order, had just been pulled off vegetables to work dates; a few days later they were pulled off the dates, victims again of the vicissitudes of farm labor since the braceros left.

Now they were waiting for a truck to take them to the date gardens, and they were not eager to go. Why? "Kowai," they said, and they laughed nervously. "Scared."

EARN LESS, TRAVEL MORE

For the Japanese, the braceros' departure did not solve any problems; it just created more. "I think United States like paradise," said a Japanese in a white corduroy sport coat, blue jeans, and brown cowboy boots. "Now I know not so." Since the braceros left, the Japanese have earned less and traveled more.

In a date garden several miles away, a steady rain of dates fell as a crew of farmworkers labored amid the green and gold of the palm tops. "Been workin' 3 days and feel like a monkey," said a pleasant young truckdriver with a nascent beard.

The crew had come from Fresno, from Eureka, from El Centro, even from out of State. They had come for different reasons—some to escape shrewish wives, some to sample outdoor work in a salubrious climate. But they agreed on one thing: This was merely temporary work, not the beginning of a career. "I'll work here till I get enough money to get my car out of hock," said a blond youth from Indiana. "Had to hock it to get my buddy here out of jail after a little spree across the border." He estimated he has had 30 jobs since last June, the longest lasting 2 months. "I'm saving up to go to Hawaii—my wife and me; got married a couple months ago." What will he do in Hawaii? "Work outside."

NO TASTE FOR THE FOOD

Five of the 25 men recruited from distant points had quit in the first 3 days, disgruntled over depressing barracks conditions and the Mexican food. The dategrowers were improving the conditions, but the men who remained doubted that the growers would make any dramatic changes.

"The growers don't want us to stay," said one. "They haven't got it in their heads yet that they'll never get the braceros back."

"They'll never get the braceros back." An ill-educated, unshaven itinerant from a city slum stated the central fact about the bracero problem today.

Perhaps, when the squeeze grows tighter this summer, Labor will let a few braceros in. Weeks of arduous recruiting have demonstrated that not many of the Nation's unemployed consider themselves desperate enough to work on the farm. Of those who do, most don't last.

MR. WIRTZ' FEELINGS

But it's apparent, too, from lettuce and citrus, that the crops can be harvested with American labor. And Labor Secretary W. Willard Wirtz believes that any retreat now, any importation of braceros, will only give the growers additional incentive to mark time in improving conditions for American workers.

A minority of growers already are urging that farmers try to compete with industry for labor on even terms. This would require building new work camps, setting up farm labor pools to insure year-round employment, offering fringe benefits including pensions, providing free transportation from crop to crop, and dramatically increasing wages.

The cost would be enormous, the disruption great. Ultimately, the theory runs, consumers would pay higher prices and both the farmers and farm laborers would be more prosperous than they are today. But until then, while supply and demand are out of tune, thousands of farmers would be forced off their farms at least temporarily, and processing operations would suffer severely.

Arthur W. Bodine, a rancher in the Salt River Valley near Phoenix, argues that the bracero program, by providing cheap labor, resulted in chronic overproduction that only prolonged the difficulties of marginal producers. Improving farm-labor conditions, he contends, would help return production to reasonable levels.

HOW THE CONSUMERS PAY

California's Mr. Tieburg believes this is the only solution to the farm-labor problem that has afflicted America for decades. "By artificially keeping food prices down, we've been hurting about 2 million migrant workers in the United States, and hurting them badly," he says, rapping his desk with a pencil in his Sacramento office. "They can't feed their kids; they can't educate them properly. The American consumer pays for this anyway—if not in food costs, in the costs to operate hospitals and prisons and welfare programs."

It would be naive, of course, to expect dramatic improvements in a year, or even a decade. But a catalyst is now at work speeding up the process of change.

The catalyst is the bracero—or rather the bracero who vanished. This bracero, this profile of America's past, may yet exert an influence on American life.

LEE E. DIRKS.

Mr. TOWER. Mr. President, I thank my able and distinguished friend the Senator from Florida for his kindness in yielding to me.

Mr. HOLLAND. I was glad to yield to the distinguished Senator.

Mr. President, first, I wish to express my own great appreciation to the distinguished Senator from Louisiana [Mr. ELLENDER] for his complete cooperation in calling early hearings of the Senate Committee on Agriculture and Forestry when, after various informal meetings, of which the Senator from Oregon [Mr. MORSE] was the chairman, a committee consisting of the Senator from Virginia [Mr. BYRD], the Senator from California [Mr. KUCHEL], and me was appointed to ask the Senator from Louisiana that he call early hearings so that the critical situation already prevailing in Florida, and the danger of even more critical situations prevailing in other parts of the Nation in the near future, could be disclosed at that hearing. The chairman was highly cooperative; and I wish now to express my own appreciation and the appreciation of the other Senators who are so gravely concerned about this question of the continued importation of adequate supplies of capable workers from offshore, in the case of Florida and the east coast; Canada in the case of those States that are along the Canadian border, and from Mexico in the case of the great Southwest, when adequate labor is not available or willing to do the job that is required by agricultural producers in those areas.

First, I wish to dwell upon one point. From the very beginning of this matter there has been a complete misunderstanding of the action of Congress last year in refusing to reenact Public Law 78, the so-called Bracero Act. It was the intention of Congress, as clearly shown in the debates, to refuse to reenact that act. The hearings, the hearing record, and the debate show that fact. But the debate also shows that it was not the intention of Congress to encroach in any way upon existing law and the general Immigration Act that has been applicable for over 30 years in this field which has permitted the importation of agricultural labor under proper showing from all the areas which I have mentioned, and particularly in my part of the country from the offshore areas of the Bahamas, Jamaica, Trinidad, Barbados, and the other lesser islands in the Caribbean. It clearly shows that the contention of the advocates of the various organized labor groups to the effect that Congress intended to eliminate the general agriculture permission given under the immigration laws which had been in effect for 30 years or more was not true and that to the contrary, Congress intended to preserve that act and to preserve the capacity to continue to operate under that act.

I should like, in order to point up the record on this question, to quote from the testimony of only one of the witnesses produced by organized labor groups showing the contention, which is not true, that the intent of Congress was to eliminate the provisions in this field of the general Immigration Act. I quote from the statement of Mr. Arnold Mayer, legislative representative of the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, which appears on pages 252 and 253 of the printed hearings.

For the purpose of my remarks, I confine myself to the fact that Mr. Mayer made the very clear point that it was his contention that it was the intent of Congress to eliminate any possibility of proceeding under the general Immigration Act in this important field. I quote the following part of Mr. Mayer's testimony on that point:

> All of these and other factors which Congress wanted to act against when it decided to terminate Public Law 78 are also the consequences of the comparatively smaller importation programs carried out under Public Law 414. Therefore, the intent of Congress was also to end these programs. This is our viewpoint in the matter of the intent of Congress.

Mr. President, that contention is completely inaccurate, completely false, and is shown to be such by the debate in numerous places. I should like to insert in the RECORD at this point, if I may, a few of the statements in the debate which clearly show that fact.

In the CONGRESSIONAL RECORD, volume 109, part 11, pages 15183-15184, I go into that question in some detail. Any Senator can find it by referring to those pages of the RECORD. But I quote only on the following point:

> The method by which Mexican workers might be brought into the United States legally under sections 214 and 101(a)(15)(H) of the Immigration and Nationality Act in the absence of Public Law 78 is explained at page 49 of the House hearings.
>
> I emphasize that point because so many people mistakenly think that the only way Mexican laborers can get into this country to till farms is under this act, Public Law 78, whereas, quite to the contrary, other less desirable acts are available under which Mexican laborers can come into this country and under which they would have nothing like the protection that they, the country, or the producers who use them have under Public Law 78.

That point was made over and over again in the course of the debate. For example, in a colloquy between the able Senator from Colorado [Mr. ALLOTT] and myself, as shown in the CONGRESSIONAL RECORD, volume 109, part 11, page 15187, there appears the following question by the Senator from Colorado addressed to me:

> Mr. ALLOTT. The Senator has had a great deal of experience in this area over the years. Is there any question in his mind that if Public Law 78 were not extended, the opportunity for imported employees to be used as strikebreakers would be far greater than it would be under the present circumstances?
>
> Mr. HOLLAND. The opportunity would exist under Public Law 414. It does not exist under Public Law 78.

Again, in an exchange with the Senator from Colorado [Mr. ALLOTT], the following colloquy appears:

> Mr. ALLOTT. If Public Law 78 should not be extended there would be nothing to prevent employers in the western part of the country from using Public Law 414 for the importation of labor. Is that correct?
>
> Mr. HOLLAND. Nothing at all, until such time as the abuses might again become so evident that perhaps the Mexican Government would take the same position it did prior to the enactment of Public Law 78.

Public Law 78 was enacted in order to better protect both the producers in this country and the workers from Mexico, and to fulfill some of the wishes expressed by the Mexican Government. That fact seemed to be entirely lost sight of in the arguments of 1963 and 1964.

Again, in the exchange with the able Senator from Minnesota [Mr. MCCARTHY], I had just stated that I could not understand why some of the opponents of the bill did not understand that machinery still existed for the importation of workers into this country, and that apparently our friends who were taking a position against the extension of Public Law 78 did not understand that. So the Senator from Minnesota [Mr. MCCARTHY] addressed this question to me:

> Would the Senator explain who in opposition does not understand about Public Law 414?

I asked:

> Does the Senator from Minnesota mean that he understands that thousands come in every year from Mexico?
>
> Mr. MCCARTHY. I certainly do.
>
> Mr. HOLLAND. I will withdraw my statement as to the Senator from Minnesota. I do not withdraw it as to some other Senators.

The fact is that while workers were coming in under Public Law 78, many thousands also were coming in from Mexico at the same time under Public Law 414, a fact which Senators generally seemed to have lost sight of, and a fact which they were ignoring in their contention that the failure to reenact Public Law 78 would cut off the chance to bring in Mexican laborers. There are further exchanges in the debate to the same effect, but I think that perhaps it might be well to recall a statement from an official of the Department of Labor himself on this subject.

The House hearings which were held on this same subject contain a statement by Under Secretary of Labor Henning, which shows that in 1951, 12 days before the enactment of Public Law 78, 115,742 Mexican agricultural laborers were serving legally in the United States, in addition to a large number who were apprehended, who were not here legally. The 115,742 who were in the United States legally were here, of course, under Public Law 414, showing rather conclusively that there has always been a flow of agricultural laborers under Public Law 414.

I shall not labor the question of the Mexican situation, because under our method of operation in the fields and groves and canefields of Florida we use not a single laborer from Mexico who is a Mexican national. A sizable number of American workers of Mexican descent come to us from the State which is so ably represented by the present Presiding Officer, the distinguished junior Senator from Texas [Mr. TOWER]. They work in our vegetable fields in stoop labor. They are good workers, and we are glad to have them. However, they are completely unable to cope with the problems of picking citrus fruit, and they decline, after a brief effort, to do that work. Neither are they available for cutting cane. They are available for the stoop labor in the tomato fields and in other vegetable and berry fields. They are good workers.

I shall not pursue the Mexican labor situation except to say that I am sure that Senators from the States of the Southwest know perfectly well that this question is of greater importance to them in terms of numbers of workers by a great deal than is the question of continued operations under Public Law 414 to the agriculture of Florida, or, for that matter, the agriculture of any other east coast State, because for a period of nearly 30 years workers from other areas in the Caribbean have come over into Florida and have gone farther north along the coast into the States which lie to the north of us, as far away as New England, before the end of the agricultural producing season.

Suffice it to say—and then I shall yield, if I may be permitted to do so without losing my place on the floor, to the distinguished Senator from California [Mr. MURPHY]—that these hearings were called at the time they were called, not only because we already had a critical problem facing us in Florida, because we had various crops then matured which were being harvested, and this problem related to the harvesting of those crops with the degree of speed which they required, but we also called them early after the cessation of Public Law 78, because we knew of the critical problem that was soon to confront the producers in the western part of our country, who had used, even in 1964, the last year of the operation of Public Law 78, almost 200,000 Mexican workers. Many of them would work on one farm and then move to another. We knew that this problem was imminent.

We knew, of course, that at the time of the calling of the hearings, the only two vegetable enterprises that were active then were adjoining the Mexican border, one in the great State of California, another in the great State of Arizona. We knew that Mexican labor was working at the harvesting of those crops, but that it was residing in Mexico every night and coming across with a green card every day and going back the next night. That was the procedure under Public Law 414. We knew that that practice was operative then and that, therefore, there was no crisis as yet in California and Arizona. But the evidence is conclusive in the record that a crisis is approaching; and the able Senator from Louisiana [Mr. ELLENDER] has made it very clear that the crisis approaching is so great that it could well interrupt, in great measure, the carrying on of the production of such important crops as tomatoes, and reduce the volume produced, thus transferring even more of that important production into Mexico and away from our country, thus affecting not only the numerous producers and numerous harvesters, but also affecting a large number of processors, as well as those engaged in transportation and other industries who are engaged in making available to the consuming public the important tomato crop of central California.

I shall make one further comment about California. I do not claim to have nearly the acquaintance with that problem that I do with our own problem in Florida. It seemed to me that the strongest case for immediate action, made by witnesses from California, was made by Mr. Yost, speaking for the date industry, in which it is necessary to have people who will climb ladders 45 or 50 feet long, along a trunk that has no foliage on it, and who will pick dates that are ripe, and then a little later go back and, in the same way, assist in the fertilization or pollination of the blossoms of date trees, so that there will be a crop for the ensuing year. Just as is the case in our State, with reference to the long ladders required for many of our citrus trees, many workers will not climb ladders of that length and be suspended in space. That fact has been clearly demonstrated, and the witness from California, Mr. Yost, made it very clear that the only adequate source of labor which they had been able to find through the years, and from which their need had been met regularly through the years under certification by the Department of Labor, was in the coconut producing areas of Mexico, from which workers were made available in the number of about 400.

The testimony showed that approximately 20 percent of the date crop was still ungathered. The harvesting was being greatly endangered at that time by the unwillingness of the Department of Labor to certify those 400 workers.

That is a relatively small number. But when it affects people who have their lifetime earnings invested in date trees in the desert, when that is practically the only type of agriculture to which they can address themselves, and when they are dependent upon the proper harvesting of that crop and the proper production of the crop for the next year, some hundreds of fine American people—also others dependent upon the processing plants, which processing goes around the year—are affected.

There was such an imperative need that I expected the Secretary of Labor to say immediately when that case arose: "We will at once meet this need by certifying those 400."

I am sorry to have to say for the RECORD that he has not taken any such action. He has insisted that those 400 can be recruited from unemployed people elsewhere in the great State of California.

I am informed by some of my friends there, who have written in great distress about the situation, that up to this very moment no remedial action has been taken by the Secretary of Labor.

Mr. President, I shall ask unanimous consent that I may yield to the distinguished junior Senator from California [Mr. MURPHY] so that he may discuss the California situation before I get into the much longer case of Florida. The Florida situation will require more time because our citrus industry is in the middle of its harvesting period. Our cane industry is in the middle of its harvesting period. At the date of the hearings, both industries were in the middle of their harvesting periods. Our berry and vegetable industries were operating and were coming to the peak of their operation at that time. They are approaching it perilously.

I shall show later that absolutely no remedial action has been taken by the Department of Labor or by the Secretary of Labor in any of those cases.

I ask unanimous consent that I may yield to the junior Senator from California.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I thank the senior Senator from Florida for yielding. I should like the Senator from Florida to know how much I appreciate the privilege of sharing with him an interest in this most dangerous crisis, as it affects the State of California.

I am very pleased to be afforded an opportunity to make my first remarks in this august body and to make them a part of the carrying out of the pledge which I made during my campaign, that this would be the No. 1 problem and my No. 1 concern as the junior Senator from California. It is the No. 1 problem in the economics of the State at the present time.

The crisis is not at its peak in California. This will come between the months of May and September. However, there are several things that I should like to add to the remarks that have already been made.

In the Coachella Valley at the present time 300 workers are needed. The pollination of the dates is being done by the families. Youngsters are being taken out of high school. The families must do this to protect their only thing of value, their land and their date trees. If the pollination is not completed, there will be no crop this year. If it is not done for 2 years, the complete value of the date trees will be gone. The trees will never bear fruit again. So much for dates.

I have stacks of telegrams from constituents with regard to the tomato crop. The telegrams ask whether I, as the junior Senator from California, can guarantee them enough harvest labor to get their crop in.

It costs approximately $350 an acre to prepare the land for the harvesting of tomatoes. The farms are large. I know of one farm which consists of 400 acres. This farm is going into alfalfa. I know of a 375-acre farm that is going into clover. Those crops can be harvested mechanically. The tomato crop may not be planted. If it is not planted now, within the next 2 weeks, the housewife will feel it when the crops should have come to the market at harvesttime.

There is no disagreement with the hopes and wishes of the Secretary of Labor. I have been a member of labor unions all my life. I know the problems of labor possibly as well as does the Secretary.

It is our desire that domestic labor fill these jobs. But the facts must be faced. Domestic labor has not, will not, cannot, or does not desire, in many cases, to fill these jobs.

We are now at the crossroads as to whether we lose 30 percent of the largest industry in California. This industry contributes $15.5 billion to our economy. Whether we lose 30 percent of that industry this year, and more next year, depends on whether the Secretary of Labor has further meetings and relaxes his system a little.

A good deal of misinformation has been given out. I have a copy of the San Francisco Examiner of January 20. The headline reads, "Major Scandal in Farm Labor. Placement Data False."

We cannot become too angry at the Secretary of Labor if he is dealing with false figures. Five of the State agents who had been sending in figures had falsified them.

I call attention to the statement made yesterday, having to do with the Imperial Valley, where the lettuce crop is grown in California. My very good friend, Gov. Pat Brown, of California, says that the crop is being harvested by domestics. This is not quite factual. I have a telegram that was sent to me by Mr. Baxter Ward, the news director for KBAC news television, of Los Angeles.

The telegram reads:

> It is our understanding that Governor Brown stated flatly in Los Angeles on Monday, February 15, that the lettuce crops in the Imperial Valley have been picked by Americans only. We took films today in the Imperial Valley that show a great many Mexicans picking lettuce in the fields. These Mexicans cross the border daily returning to their homes at night.

That is what we call the green-card worker. They are not domestics. They are Mexicans from Mexico, our good friend and neighbor below the border. They come across the border, work during the day, and go back at night. That is how the lettuce crop has been taken out of the ground in the Imperial Valley.

Those men are not available in the Salinas Valley, in the so-called lettuce bowl of the world. They cannot travel that far and return home every night.

In my opinion, that is the reason why the Secretary of Labor must relax the rigid viewpoints he has taken. His theory is wonderful. But the facts of the case must be taken into consideration. We must consider the fact that the State of California is already suffering from loss of contracts in aerospace industry, a cutting back in military, and now we have a third crisis. This crisis involves our biggest and most important industry, the industry of agriculture. It is needed.

A group of about 350 Japanese have come to our shores, worked through the harvest, and returned home. They have been the source of one of the greatest origins of understanding of people by people in the reaction they have created in their homeland. At this moment more than 300 of them are sitting around and have not been able to work for the past 3 or 4 months. The farmers need and want their labor, but these people are sitting there, denied the right to work, and they are wondering how they will return to their homeland. I assure the Senate that when they return, the good work done in the past 10 or 15 years will be undone.

With regard to the statement that farmers are leaving the State, the Secretary of Labor desires to create employment for everybody. From a practical standpoint, he is diminishing employment, because the farmers are leaving the State. I cannot give the exact number, but I know of five big growers who have gone below the border. There they are able to hire workers in Mexico for $1.50 a day for labor that they are glad to pay $2 an hour for at piece rates on this side of the border. Those products come back beyond the border without any protection whatsoever for the American farmer. So the farmers are leaving, and when they leave, farmworkers will suffer, longshoremen will suffer, teamsters will suffer. There will be suffering all the way down the line of the entire economy of the State to the extent of $15.5 billion.

I do not know whether the Senator from Florida has seen the advertisement which I hold in my hand. This is the type of advertising going on: "Come to Mexico." The record of exports is mounting—strawberries, melons, citrus fruits, vegetables.

Mr. President, I ask unanimous consent to have the advertisement which I hold in my hand printed at this point in the RECORD.

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

[From the Packer, Jan. 30, 1965]

ARE YOU GETTING YOUR SHARE OF THIS PROFITABLE BUSINESS?—MEXICO: VOLUME SOURCE FOR HIGH QUALITY VEGETABLES AND MELONS EXTENDS HEARTIEST GREETINGS TO THE CANADIAN FRUIT WHOLESALERS ASSOCIATION AND TO THE UNITED FRESH FRUIT & VEGETABLE ASSOCIATION IN THEIR ANNUAL CONVENTIONS

These profit making commodities are readily available in your market every day in season, crossing at Nogales, Ariz., where dealers are equipped with modern holding rooms and complete assembly facilities for both straight and mixed loads.

Carlots, trucklots, mixed loads: Tomatoes, bell peppers, cucumbers, cantaloupes, string beans, watermelons, eggplant, squash, hot peppers, cherry tomatoes.

Contact your favorite distributor or broker at Nogales, Ariz.

(This message sponsored by Union Nacional de Productores de Hortalizas. President, Lic. Adolfo Clouthier, Sinaloa; vice presidente, Jose Tafolla Trejo, Guanajuato; secretario: Rosendo Guillen, Michoacan; tesorero, Alfredo Karam, Sonora. Directors, Martin Estrada, Sinaloa; Isaac Cazarez, Tamaulipas; Baldomero Robles, Sonora; Benjamin Bon Bustamante, Sinaloa; Ing. Hector R. Gonzalez, Sinaloa; Jesus Felix Gonzalez, Baja California Norte.)

Mr. MURPHY. The debate surrounding the use of farm labor brought in from foreign nations has generated much heat, confusion, and, I fear, misinformation.

Today I will attempt to shed some light on the controversy and to give some useful factual information as to how the problem affects the people of my home State of California.

At the outset, let me summarize the problem as it affects my State today.

First. Agriculture is California's principal industry, accounting for $15.5 billion in income and about 1.2 million jobs.

Second. In past years our farmers have made intensive efforts to obtain domestic workers, have been legally permitted to use foreign workers only when domestics were not available, and have nonetheless had to rely on such foreign labor for certain jobs in certain peak labor need periods. Suddenly this supply of supplemental labor has been cut off.

Third. The loss of this necessary labor force has already caused many growers to move their operations to Mexico, others to shift from specialty crops to low-labor crops, and still others simply not to plant.

Fourth. The unemployed workers in California are either unwilling or unable to perform the work which has been done by foreign workers.

Fifth. Presently the massive recruiting efforts conducted by growers and by Federal-State teams have failed to produce enough workers to meet farmers' needs, and they are falling behind in their work. In a very short time significant crop loss will result unless a new labor supply is introduced. If there is a labor shortage now, during the slack season for seasonal labor employment, imagine what problems await us during the peak labor months from May to September.

Sixth. In short, I say that we must not permit our legitimate concern for the unemployed to be so misdirected as to cause the destruction of an industry which provides in my State almost 1¼ million jobs, provides food at reasonable prices for the housewives of this Nation, and provides an example of efficient agricultural production, without Government assistance, for the entire world.

As a background for this problem, it is necessary to understand how important the agriculture industry is to California. It is, in fact, our State's largest industry, contributing $3.5 billion directly to income annually and $12 billion income in the form of related services such as transportation, packing, processing, equipment, and services to the farmers. Obviously anything which harms this industry harms all of California, so all of our citizens should be concerned about the present crisis—and I can assure you that they are concerned.

Nor are the farmers the only ones whose direct livelihood is in jeopardy. Their employees, numbering between 265,000 and 430,000, have a large stake in the matter, as do the more than 800,000 employees of the services which directly assist agriculture in other areas such as transporting, packing, and equipment sales.

I believe it is only reasonable and humane to be unwilling to take any action which would risk jeopardizing these 1,175,000 jobs. We must face squarely the fact that irresponsible action in this crisis will unquestionably increase unemployment radically rather than achieving the result, based on hope alone, of decreasing unemployment by putting the presently unemployed in farm jobs.

The idea of using domestic workers for seasonal farm employment is far from a new one in California. There is, of course, marked seasonal variation in farm employment. In 1962, a typical year during the height of the Public Law 78 bracero program, foreign workers constituted at various times of the year only from 5 to 18 percent of total farm employment—about 10 percent of the annual work force. In this year, total farm employment varied during different months from 265,000 to 429,000. Of this, stable year-round labor, including the farmers and their families, was about 190,000. Temporary labor varied from 79,000 in the low month to 233,000 in the peak month. The important figure for our purposes is that of this temporary labor: domestic seasonal labor was from 62,000 to 160,000 while foreign labor was from 13,000 to 72,000.

These figures prove that California farmers did in fact look to the domestic labor force for their temporary labor and that California farmers did in fact obtain most of their seasonal labor from that domestic force—not from foreign sources. The truth of the matter is that foreign labor has indeed been used—and under Government regulations could only be used—when domestic labor was unavailable. This is an indisputable fact, not a partisan or prejudiced opinion.

The argument made by those wishing to ban foreign labor from our farms has appealing superficial logic—"by increasing farm labor wages we can attract more domestics than in the past to farmwork and so help reduce domestic unemployment and make foreign labor programs unnecessary." Unfortunately, this concept does not withstand thoughtful scrutiny and it is now being proved erroneous in practice on California's farms. The fact of the matter is that our unemployed domestic workers cannot or will not do the work the braceros have traditionally done, such as hoeing all day in the hot sun or climbing 45-foot ladders to pick dates.

California's experience in recent months proves the need for supplemental foreign labor on our farms and offers clear warning signals of the harm which will be done by the present awkward and misdirected approach to the problems of domestic unemployment. As I mentioned before, our farmers for years have made concerted efforts to attract domestic workers to their farm jobs. In the last 2 months teams of Federal and State employment officers have also conducted their own intensive recruiting campaign in an effort to refer unemployed workers to the farms. Despite this all-out effort, there are as of now unfilled job orders for 2,950 critically needed farmworkers. In this period, the Federal-State employment teams have screened about 9,600 new workers and referred 3,600 of them to the farms, indicating that they have considered only 40 percent qualified for the work.

Because there are unfilled, verified work orders for a substantial number of farmworkers, one thing that is clear is that the recruiting drives to date have not produced sufficient farm laborers. There is much confusion as to just how many workers the drive has actually obtained, and many questions must be answered. For example, on January 26, Mr. Eric Thor, a top University of California agricultural economist, stated:

> A large proportion of the people recruited are agricultural workers from agricultural areas—people who normally work in agriculture but find little to do during the slack winter season. Very few nonagricultural people from urban areas have been recruited.

If all we are doing now is recruiting by a different method people who have always worked in agriculture, we are obviously accomplishing nothing to aid unemployment or to add to the domestic farm work force.

Another question which must be answered is how many of those who are counted as referrals have been counted more than once. We know that many of the workers have quit after a short time on their farm jobs, but we do not know how many have then been recruited again and so counted twice or more in the referral statistics.

Another very serious question concerning the statistics is raised by the revelation that job placement figures had been falsified in the San Francisco employment office. The situation is described as follows in the San Francisco Examiner on January 20, 1965:

> Job placement figures for the Bay area offices have been so fantastically exaggerated, it develops, that no one now has any idea how many farmworkers can be recruited from northern California's largest urban center.
>
> The scandal has seriously weakened one of the major arguments against the bracero program—the argument that a huge supply of domestic farm labor exists to fill the gap.

I understand that statistics are presently being accumulated to show how many of those referred workers have proven themselves, but specific instances which have come to my attention show that a substantial number of these men have not stayed on the job.

Ventura County citrus growers have the largest single need for supplemental labor at this time of year, and they can report reliable statistics on their experiences with the domestic labor. In the period from January 1 to February 13, the Federal-State teams, the farmers own recruiting organizations, and an extremely competent local State employment office together provided 4,125 workers for their lemon groves. On February 13, only 2,001 were working. Of these, 987 had been on the payroll one week or less, and 400 were experienced workers left over from the labor force of the prior year. The Ventura County committee put in an order last Friday, February 12, for an additional 2,000 workers. On the first 2 days of this week the Federal-State teams came up with 89 workers, the farmers got 170 on their own from out of State and 100 workers locally. Unfortunately, however, the number of workers from previous referrals who quit during this week has more than offset those recruited, so that they now need more than the 2,000 they ordered last Friday. This is an impossible way to do business, and the farmers are falling ever farther behind in their picking so that crop loss is inevitable unless some dramatic new source of labor is made available to them.

Figures compiled by the Lemon Administrative Committee substantiate the fact that the lemon harvest is behind schedule, showing that as of the week ending February 14 of this year 10.43 percent of the season's lemon crop had been picked as compared with 19.83 percent at a comparable time last year.

Perhaps the most publicized area of California's labor shortage has been in the Coachella Valley's date industry. These growers have had a desperate need for 300 workers to climb their 45-foot ladders to pick dates and between now and mid-April will need about the same number to pollinate the date trees so they may have a crop next year. Since January 11, the Federal-State recruiting teams have referred 74 workers to the Coachella Valley growers and on February 11, four of these workers were still there. On January 1 the California State Employment Service referred 454 domestics to the Date Growers Association of which 97 were hired and 11 remained on February 15. Because of this critical situation this year's $7½ million crop is in jeopardy, as is next year's unless some arrangement can be made to pollinate the trees.

A particularly unfortunate aspect of this situation is the fact that a number of Japanese farm laborers already in California under Public Law 414 have not been permitted to work. This seems to me inexcusable in view of the harm being done to the Japanese workers involved, to the farmers who could so well use their services, and to the good will of our country abroad in subjecting foreign nationals to such treatment.

I ask unanimous consent to include in the Record at this point a letter received on this subject from the president of the Southern California Japanese Church Federation, Rev. Howard Toriumi.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Union Church of Los Angeles,
Los Angeles, Calif., February 4, 1965.
Re Japanese farm labor.
Hon. George Murphy,
Senate Office Building,
Washington, D.C.

Dear Senator Murphy: We are aware of your efforts to overcome unemployment in our State of California. We, of the Southern California Japanese Church Federation (the Church Federation of Southern California Japanese-American), are especially interested in the effect of these efforts upon the short-term Japanese farm laborers (Japanese nationals).

At present there are 1,183 of these men, who have come here with a guarantee of work for 3 years (a contract for a period of 6 months subject to renewal every 6 months up to a total of 3 years commencing as of the date of arrival at the port of debarkation). They were suddenly told that their work would cease after January 20, and at present the majority of them are idle. However, they will be permitted to work a maximum of 120 days a year. This would just about cover the cost of living. Many of these men have recently arrived and are in debt for their fare over hère and must earn enough to get back to Japan. They feel this treatment is very unfair.

Due to the abrupt action, our California truck farmers, who have been counting on this farm labor, are also in a very difficult position. The unemployed do not wish to do this sort of hard, stoop labor. Of if they do volunteer they are often not worth what the farmer has to pay. As a result, crops will not be properly tended and harvested. One large outfit, near Escondido, had 43 Japanese laborers working on many acres of tomatoes. On December 30 they were told they had to stop work and on January 8 were moved to a large labor camp near Huntington Beach. The money the farmer has put into this crop is a total loss and the tomatoes will never get to the market. At Oceanside the same thing has happened and the grower will disk under the vines to start another crop that will not take so much labor.

In the end, the consumer is going to have to pay high prices for produce because of scarcity, and high wages for inefficient labor.

> Some of the outstanding Japanese growers and farmers will drastically cut down their farmwork.
>
> We plead with you, for the sake of justice to all involved that some emergency measure be adopted to right this situation. We are especially concerned that some arrangement be made so that these men from overseas may return to their homes with the feeling that the United States is a trustworthy country. This has an international significance.
>
> Very sincerely yours,
>
> Howard N. Toriumi,
> *President, the Southern California Japanese Church Federation.*

Mr. MURPHY. Mr. President, in addition to Coachella Valley and the citrus industry, the Imperial Valley vegetable growers have been principal users of supplemental labor at this time of year. These growers have managed to get by and obtain enough workers to meet their current needs. Some overly enthusiastic opponents of foreign labor programs have cited this as proof that there are sufficient domestic workers available to harvest the crops. The real truth of this situation is easily available to anyone who troubles to investigate, and was shown pictorially on television by a well-known commentator in Los Angeles last Tuesday night. The fact is that large numbers of Mexican workers with green cards have been crossing the border daily to work in the Imperial Valley fields. Approximately 8,000 of these workers have been crossing the border daily, an increase of more than 50 percent since the first of the year.

The present situation in California seems to me frankly a prelude to disaster. In the first 4 months of the year, California agriculture normally employs 70,000 to 85,000 temporary domestic workers and 17,000 to 19,000 foreign seasonal workers. In May, the seasonal employment increases by 62,000—to 113,000 temporary domestic workers and 40,000 foreign workers—and it then continues upward to a peak of 160,000 temporary domestic workers and 72,000 foreign workers in September.

A well-known study concluded in September 1964, by the University of California's Division of Agricultural Sciences, reported that despite harvest mechanization and the loss of agricultural land to urban and other nonagricultural uses, the demand for temporary seasonal farm labor in California can be expected to increase in peak periods during the years 1965 through 1969.

The question we must ask ourselves now is, If at this time of year, normally a low point of seasonal farm employment, there are almost 3,000 unfilled job orders in California, what kind of a disaster do we face in the summer months when the employment of foreign labor has been over 50,000 higher than now?

While the most dramatic crises lie in the future if the Labor Department's policy is not changed, there have already been serious effects of this labor turmoil on California's agricultural economy. Many California farmers have hesitated to plant their normal high-labor specialty crops, have cut down their acreage, or have transferred to low-labor, lower yield crops, such as small grain and alfalfa. The most dramatic impact has been the exodus of California agriculture to Mexico, where the average pay for harvest workers is $1.50 per day. Because of this, Mexico has increased its farm exports to the United States by 65 percent since 1952. Some outstanding examples of the increased exports from Mexico to the United States are as follows: fresh tomatoes, from 4,000 pounds in 1955 to 6 million pounds in 1962; oranges, from 6 million pounds in 1952 to 28 million pounds in 1962; fresh strawberries, from 4,000 pounds in 1958 to 895,000 pounds in 1962; tomato products, 4,000 pounds in 1955 to 6 million pounds in 1962.

The canning industry has followed this lead in deciding to build its new packing plants in Mexico. For example, since 1961 the following companies have built large packing plants in Mexico: Campbell Soup Co., Heinz, Del Monte, Minute Maid, and Tropicana. The inevitable effect of this crisis on California's economy has nowhere been better stated than by Einar O. Mohn, western conference director of the Teamsters Union. Mr. Mohn called on California's Governor to study the serious situation saying:

> Since Teamster unions in California bargain for upward of 80,000 members who process and transport farm crops, our interest is both genuine and paramount, and cannot be subordinated to that of any other group. Aside from the humanitarian aspects we don't wish to see California's economy impaired or people in other areas, who now consume about 70 percent of this State's farm crops, left wanting.

We are in a crisis—a crisis which demands action today. I close by stressing again this indisputable fact: That today is the low period for farm labor employment in California, and even now there are insufficient workers on hand. To say that on the basis of today's experience we do not need foreign supplemental labor is like saying in December that we do not need air conditioning. Summer is certainly going to come around, and when it does I want to be sure that California's crops can be harvested.

In closing my remarks, I wish to say that I sincerely hope the Secretary of Labor will have another look at this problem from a practical standpoint. It is my sincere hope the President will interest himself in this problem. This problem does not affect only the States of Florida, California, Arizona, and Texas. Twenty-six States use supplemental labor. The amount of bracero labor is only 10 percent of California's farm labor force. They are brought in at the peak periods of labor. If they are not brought in, the farmers go broke.

I have seen crops that were not harvested last year and those that will not be planted this year. There is a desperate crisis. I sincerely hope the Secretary of Labor will take another look at the problem and relax his position to a more practical stand.

I am sorry that my senior colleague from California [Mr. Kuchel] is not present today, because I know he would raise his voice more loudly and eloquently than I have. He knows the problem. It is not a new one. I have known of it for 12 years. It is said that mechanization will take care of the problem. There is no way mechanization can take care of it. A machine cannot pick strawberries, for example.

I hope the Secretary of Labor will relax his position and take a more practical stand. I shall be glad to quote later exact figures and circumstances in the Coachella Valley. This situation has been going on for years. Seventy thousand men cannot go out of California without drastically affecting the economy of the State. My State cannot stand that kind of thing. This is a very difficult problem. It has been the No. 1 issue.

I am pleased that the Senator from Florida has permitted me to make my first remarks in this most important body on the greatest and most serious crisis that faces California today.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. MURPHY. I yield.

Mr. ELLENDER. I am sure the Senator remembers the Department of Agriculture made a survey and stated that at the time of the survey there was no evidence that the tomato growers would reduce their plantings this year. Judging from what the Senator has said, there will be a lessening of acreage.

Mr. MURPHY. Yes.

Mr. ELLENDER. I wonder if the Senator has specific evidence to put in the Record, because I am afraid——

Mr. MURPHY. Unfortunately, I cannot at this time. I know of one farm of 400 acres going into alfalfa. Another one of 385 acres is going into alfalfa. Within the next 10 days I will have exact figures, as comprehensive as possible, showing the amount of crops that will not go into the ground.

We know many American firms have moved their processing plants into Mexico. I shall obtain the exact figures in payroll dollars that have left our State.

Mr. ELLENDER. As I stated in my opening statement a while ago, there is evidence that processors are moving into Mexico.

Mr. MURPHY. Exactly.

Mr. ELLENDER. Not only will those who produce crops suffer, but those who process or transport them also, will suffer, as well as many other segments of the economy that serve agriculture.

Mr. MURPHY. A week ago Friday I was in San Francisco, at a meeting of the Sugar Beet Growers' Association, which has a problem. That industry is almost mechanized, but not completely. In the beginning of the process, in the picking, the industry has to use stoop labor. I sat beside the president, who also grows chili peppers. He has moved his chili pepper farm from Califorina into Mexico.

One aspect of this problem bothers me. I feel that there is a contest between the Government and the farmer, which I think is unhealthy and unrealistic. I think the Government should typify help and aid. Certainly there are those who will take advantage of the rules, but they can be carefully policed. But there is a contest going on, an imposition of the will by someone who has a theory, on people who have had years of practical experience. I think it is unsound. I do not think it is in the best interest of our Nation and our respective States.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER (Mr. MONDALE in the chair). The Senator from Florida.

Mr. HOLLAND. I fully appreciate the forthright statement just made by the junior Senator from California [Mr. MURPHY].

I wish the RECORD to show that the senior Senator from California [Mr. KUCHEL], who is in California at this time, has asked that he be allowed to make remarks on this subject when he returns to Washington next week.

I also wish the RECORD to show that he has not only participated in asking for the hearings which were granted by the Senator from Louisiana [Mr. ELLENDER] but also that he attended those hearings and actively participated, as did the junior Senator from California [Mr. MURPHY], in the examination of witnesses and in the expression of distress because of the situation which confronts agriculture in the State of California as a result of the mistaken attitude taken by the Secretary of Labor. He is a conscientious man whom we all cannot help liking, but he has completely frustrated the perishable agricultural producing industries in the Nation by the completely impractical position which he has taken, that because there are over 3 million unemployed persons somewhere in the United States in various industries, there should be no problem at all in agriculture because those unemployed people will certainly come flocking to the aid of agriculture.

Of course, as the Senator from California [Mr. MURPHY] has said, as the Senator from Louisiana [Mr. ELLENDER] has said, and as I have said and shall say again before I am through, there are some tasks which cannot be performed except by those who are skilled in their performance. Many tasks will not be undertaken by those skilled in other enterprises and other industries. It becomes a completely impracticable position as taken by the Secretary of Labor, that because we have this unemployed labor force, there should be no problem in filling the need of agricultural producers for a smaller number to do the important harvesting work, which makes the produce of their fields and groves available to the consuming people of this Nation, and also makes work available to the processors by the thousands, to thousands in the transportation industry, and to retailers by the thousands in carrying on their businesses.

It is such a shortsighted and impracticable position that I join the Senator from California [Mr. MURPHY] in expressing the hope—a hope which I have entertained for a long time—that there will be a return of practicality to the thinking and decisions of the Secretary of Labor.

Mr. ALLOTT. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. I thank the Senator from Florida for yielding to me.

First of all, let me congratulate the junior Senator from California [Mr. MURPHY] on the forthright statement he has made. I know that in his State there is a great problem, but there is also a great problem in many other States. I believe that those who have been the advisers of the Secretary of Labor have been impractical in their approach to the problem.

The Senator from Florida [Mr. HOLLAND] will remember that when we were discussing the bracero program, I submitted a specific figure as to the number of persons who had been brought into this work and who had quit after a few days. This has been our experience. It has also been the experience of everyone else.

One part of the regulations, offered by the Secretary, and I refer specifically to paragraph (c)(2)(b), provides for transportation to and from the workers' homes. This is completely impractical and unfeasible, because farmers cannot afford to invest X amount of dollars in the transportation of a worker who may only wish transportation to the State of Colorado, or to the State of Florida, or to the State of California, and who will work 2 or 3 days and then wander off. Yet the farmer must guarantee his transportation home.

I was particularly struck by the complete impracticality of some of the remarks made by the Secretary of Labor in his official release on December 19.

He starts by stating:

> A good deal of this work is unquestionably hard and unpleasant. But this is only part of the story. The rest of it is that the wage rates which have been paid for these jobs have been less than the rates paid for other kinds of work which are just as hard and just as objectionable.

I take complete issue with that statement. It is a fallacy. Someone who did not know what he was talking about thought that up for the Secretary. This is hard labor in the field, but I know of no comparable hard labor that is paid more than this kind of labor. I should like to be shown such a situation if the Secretary can do so.

The Secretary of Labor continues his statement, and mentions wage rates as low as 60 cents an hour.

Mr. President, 2 years ago, I attended a series of meetings in the Labor Department, and on behalf of the State of Colorado begged them to raise the rates. There was a sudden descent of the rate in the State of Texas, which adjoins the State of Colorado except for a few miles in the Panhandle. The rate in Colorado was 90 cents. No one in Colorado asked me to come down or go over there to have that wage rate lowered—not a single man. No one even implied that he wished it. For some reason or other, the wage rate in Texas was 70 cents. The wage rate in New Mexico was also lower than in Colorado. If I recall correctly, other wage rates were also lower. All that was desired was to have wage rates brought up to the same standard. Certain wage rates were low. The burden can be put in only one place, and that is upon the Secretary of Labor. He set those wage rates. He had it within his power to do so, and they were grossly inequitable.

Farmers in my State were not objecting to it. They never have objected, because the average bracero who came into the State of Colorado made $1.10 an hour rather than 90 cents minimum. But facts are something to which the Labor Department officials pay no attention. They should get out of their ivory towers in the Labor Department and stop listening to a group of people who are essentially impractical "do-gooders" and find out what is happening out on the farms.

In my own State, I have been approached time and time again concerning refusal to continue the bracero program. I understand the good intentions of those who supported doing away with that program, but they did no service to the country.

My friend, the junior Senator from California [Mr. MURPHY] has pointed out in the advertisement what is happening in farm development in Mexico. I suggest that some of those in the Department of Agriculture take a plane—they are already spending a great deal of money otherwise—and go down and take a look at the fantastic fruit and vegetable acreage development that has occurred in northern Mexico in the past 5 years. They will not believe it. Nevertheless, it has occurred there, to the detriment of his State and mine.

I hold in my hand an article published in the Denver Post of January 16, 1965. The headline reads, "Beet Contract Refused—Growers Cite Labor Doubts."

The gist of the article is that the beet growers of the Rocky Mountain districts met with the Great Western Sugar Co. of which Mr. Frank A. Kemp is the president. He probably speaks with as great an authority and voice on the subject of sugar as any man in the United States. He is the most knowledgeable one I know in all areas and phases of the subject of sugar.

The article states that Howard Hart, of Powell, Wyo., president of the Big Horn Basin Beet Growers Association and spokesman for the group, said:

> Because of uncertainty of procurement costs and availability of labor, we will not at this time make a decision on acceptance of the contract.

Mr. President, beets are one of the great cash crops of Colorado. How do we resolve this issue? I am asking a rhetorical question of my friend the Senator from Florida [Mr. HOLLAND] as to how to resolve a question of this kind. We cannot resolve it because we have to have labor in the field. We cannot thin beets by machines. We have done much by mechanization, but have not been able to conquer the mechanization of beet thinning.

Another instance was brought to my attention a few days ago. A man from the Arkansas Valley came in. He grows a great many small cucumbers, for pickling, canning, and so forth. He was working on an idea by which he might come under a certain tariff classification, and thereby obtain a lower rate. Formerly he raised his cucumbers in the Arkansas Valley. Today he is working on a plan to import them from Mexico. So it appears that since the worker may not come in to perform the work, the work is leaving and going to where the workers are, much to the detriment of American agriculture, and the family farmer.

How this creates agricultural opportunity or how it does away with poverty in the United States is very difficult to understand.

The entire farm economy of Colorado will be revolutionized by the refusal to continue a program of importing foreign farm workers at peak seasons, and that is the effect of the very onerous regulations which the Secretary has promulgated. It appears that nothing will be done to alleviate this situations until the consumer feels the pinch of the higher prices that must result from the Secretary's policy. The family farmer has become the "forgotten man."

I call attention to one final point, if the Senator from Florida will indulge me, and that is that of all the farm products in Colorado which have been prosperous, probably none has done better than vegetables and fruits.

We need people to harvest these crops and to work them, just as other Senators have stated with respect to their areas.

This is one field into which the Government has not entered with supports and acreage limitations It is one of the great prosperous areas.

If the promulgated rules of the Secretary continue in effect, we shall suffer irreparably in Colorado.

This is not a contest between the Great Western Sugar Co. and the beetgrowers. The Great Western Sugar Co. is fully cognizant of the problems faced by the beetgrowers; but they see no way of planting this great cash crop—which not only means so much to my State but to a prosperous West—or to get it harvested, until they find an adequate source of this necessary labor. The farmers simply do not wish to contractually bind themselves to deliver beets they cannot produce without adequate labor.

I ask unanimous consent that the entire article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Denver (Colo.) Post, Jan. 16, 1965]

GREAT WESTERN SUGAR BEET CONTRACT REFUSED: GROWERS CITE LABOR DOUBTS

Sugarbeet growers from five States Friday refused the 1965 beet-purchase contract, offered in Denver by the Great Western Sugar Co., because of uncertainties in the field labor area.

At an all-day session at the Brown Palace Hotel, beetgrowers explained their predicament was caused by expiration December 31 of the law under which Mexican nationals (braceros) had been available for beetwork in recent years in Colorado, Kansas, Nebraska, Wyoming, and Montana.

Howard Hart of Powell, Wyo., president of the Big Horn Basin Beet Growers Association and spokesman for the group, said:

"Because of uncertainty of procurement costs and availability of labor, we will not at this time make a decision on acceptance of the contract."

HELP PLEDGED

Frank A. Kemp, company president, pledged cooperation in trying to secure an adequate number of qualified workers from any source. But, he said, until the Labor Department makes known the precise rules and costs that would be incurred by farmers and the company, he could not forcast terms or conditions under which Great Western's efforts might materialize.

Kemp emphasized "urgent need by the domestic sugar industry for increased marketing rights to correct the very unfair situation created when the administration urged increased production in 1963 and 1964 while marketing was restricted to statutory quota."

Representing the Mountain States Beet Growing Marketing Association of Colorado was Carl Peters of Longmont, president; Roy E. Johnson of Eaton, vice president; Ed C. Miller of Johnstown, treasurer, and Richard W. Blake of Greeley, secretary.

Mountain States of Montana was headed by Ishmael Yost, president, and Joe Alles, vice president, both of Billings; and Edwin J. Kuntz of Custer, secretary-treasurer.

Speaking for the Nebraska Non-Stock Cooperative Beet Growers Association were Harry Webber, president; August Grasmick, vice president, and Melvin Bennett, secretary-treasurer, all of Gering.

Mr. ALLOTT. I thank the Senator from Florida for yielding to me. I appreciate his courtesy.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to my distinguished colleague.

Mr. SMATHERS. Mr. President, first I wish to associate myself with the remarks made by the distinguished Senators here, who are unanimously and vigorously objecting to the rulings and conclusions arrived at by the Secretary of Labor. They are very unrealistic conclusions.

I could not help being particularly impressed by the remarks of the distinguished junior Senator from California [Mr. MURPHY], when he called attention to the fact that the figures which were apparently supplied to the Secretary of Labor by the men in the field are undoubtedly inaccurate.

I have been in the State of Florida a number of times in the past 10 days. During that time it has been by opportunity to visit not only the citrus operations, but also some fresh fruit and vegetable operations in the lower part of my State of Florida.

I have been able to see with my own eyes tomatoes rotting in the fields, and citrus fruits falling to the ground unpicked, because we are not able to get the labor which we are accustomed to have in order to harvest these crops.

It has cost the farmers of the State of Florida millions of dollars already, and it will cost them even more.

As the able Senator from California and my distinguished senior colleague from Florida have already said, this will eventually result in a higher cost of living for the people of our Nation.

I do not know what we shall do with respect to changing the attitude of the Secretary of Labor. I have talked with him a number of times, as have others. He insists that there are a large number of people who are unemployed and who will come down and work. The fact is that in our State a great effort has been made by the Department of Labor and by organizations representing the fresh fruit and vegetable associations and the citrus association to bring in laborers who are listed as unemployed in southern States.

Almost without exception our experience has been that those people, once having arrived in Florida from another Southern State, will work possibly a day or two, get a little money in their pockets and then stop working. They go to the races or to the beach, but in a few days or within a short time they return to the State whence they came, to pick up their welfare checks again.

This has happened not once, but many times. The Secretary of Labor told me that he has now discovered a new "gimmick" which these people are practicing, when they come down from the State of North Carolina, Tennessee, or another State. Under the rules they must work the first couple of days for the farmer, whether he be a citrus man or a sugarcane man or a vegetable grower, in order to pay back the cost of their transportation to Florida.

Rather than do that, rather than work for the farmer to whom the Department of Labor has assigned them, so that the money could be returned to cover their cost of transportation, they will immediately quit that farmer and go to work for another man, so that they will not have to pay back the money that it cost to have them transported to Florida. These people will then work for 2 or 3 days and leave.

This is generally what the Secretary of Labor told me was another gimmick. There are a great many of them. No matter what he says with respect to his figures, we are suffering in our agricultural segment in Florida and throughout the South and in all the States that have been mentioned—California and Colorado.

What we can do about the problem, I do not know.

I agree with the Senator from California [Mr. MURPHY], particularly when he spoke about the balance-of-payments problem. If there is anything in our State that will contribute to our own loss of gold or money within our own State, it is the fact that in Panama and in the Virgin Islands plans are already being made to build a citrus industry. If they can get this kind of cheap labor—and the plans were already underway last year—it will mean not only a loss of work but a loss of income to us in Florida and throughout the United States.

It is my belief that we shall probably have to take this problem to the White House. All of us recall, with the possible exception of the junior Senator from California that this subject came up 2 years ago. The Secretary of Labor took the same position at that time that he now takes, even though he was less supported by law than he is now. He took exactly the same position. Finally President Kennedy made an order on the presentation that many of us made to him, showing the great injury that was being done to agriculture in many States. The President finally had to overrule the

Secretary and permit 8,000 or 9,000 laborers to come in, who finally harvested our crops.

It appears to me that with the Secretary of Agriculture, who agrees with us, on one side, and the Secretary of Labor, who does not agree with us, on the other side, the eventual solution of the problem will probably come through our making an appointment, en masse, perhaps, with the President of the United States, and presenting to him this very real problem insofar as we are concerned, the very real problem insofar as the balance of payments is concerned, and the very real problem insofar as the cost of living is concerned. The President is interested in all these problems. It is to be hoped that we shall obtain the relief that is so urgently needed.

I again thank my distinguished senior colleague from Florida [Mr. HOLLAND], who has been leading this fight, for the opportunity he has given to us to express the need for a solution of this urgent problem.

Mr. HOLLAND. I thank my colleague warmly. At this time it might be well to have the RECORD show exactly what is involved in the matter of requirements being made by the Secretary of Labor, which in my judgment amount to a complete invasion as to a large number of the workers in agriculture in the Nation, and a complete invasion of the field of wage and hour control.

I see the present distinguished Senator from Louisiana [Mr. ELLENDER] as well as other Senators who have been in the Senate a long while. He will remember that every time the wage and hour law has come up for any change, amendments have been offered to include wage and hour control over agricultural labor. Every time such amendments have been soundly and decisively defeated because Senators well know that when agricultural labor depends upon the weather as to whether it can work and upon the state of maturity of the crops—particularly perishable crops—hours cannot be imposed without an injustice being done to all who are concerned. Every time such an amendment has been offered the Congress has decisively defeated all efforts to invade that field of wage and hour control of agricultural labor. Still the Department of Labor has kept trying to get that authority, and now it is trying to do so in this left-handed way.

Mr. President, I ask unanimous consent to have printed in the RECORD as part of my remarks the regulations of the Department of Labor on this subject issued last December and effective on January 1.

There being no objection, the regulations were ordered to be printed in the RECORD, as follows:

CRITERIA ESTABLISHED BY SECRETARY WIRTZ
DECEMBER 16, 1964

Pursuant to the authority vested in me by 8 CFR 214.2(h) (2) (ii), I hereby amend title 20 CMR 602.10 to read as follows:

(a) Any agricultural employer with a foreseeable labor shortage remaining after reasonable efforts utilizing all sources of available domestic workers, including the interstate clearance process, may request through the appropriate State agency the certification of need for foreign labor. Before such certification will be made by the appropriate regional office of the Bureau of Employment Security, it must be shown that:

1. Reasonable efforts have been made and will continue to be made to obtain domestic workers for the period for which these workers are requested. "Reasonable efforts" will include full use of (1) day-haul operations in accordance with the general practices of other employers in the area, or, in the absence of local day-haul opeartions, day-haul operations in accordance with the general practices within the State; (2) other appropriate recruitment efforts; and (3) the interstate clearance process for recruitment in areas within a reasonable distance, including use of the annual worker plan, where practical. (In order to recruit workers from out of the State, a minimum period of 15 days prior to the date of need will be required by the labor-supply State agency for positive recruitment. In addition, the offer for local workers must be at the same rate which is specified on the date of need in the clearance order, or a request for foreign workers will be denied.)

2. Employment of such labor will not adversely affect the wages or working conditions of domestic workers similarly employed.

(b) On and after January 1, 1965, the State agency will not process a request for workers more than 60 days nor less than 30 days prior to the date of need; and such request shall be reviewed by the State agency not more than 15 days prior to the date of need and the State agency will advise the appropriate bureau of employment security regional office whether the conditions necessitating foreign workers previously certified to by the State agency still prevail, or whether the request should be canceled or revised.

(c) No certification shall be made for the admission of foreign workers under section 214 of the Immigration and Nationality Act for agricultural employment in the United States unless the following criteria have been followed and adhered to:

1. Effective January 1, 1965, and through March 31, 1965:

(a) Employment offered to domestic workers must provide for wage payment rates which are no less than the applicable amount listed on schedule A for the State in which the work is being performed, except that where the prevailing rate for the crop activity in the area is higher, the higher rate shall be paid. Piece rates shall be designed to produce hourly earnings at least equivalent to the prescribed hourly rates and in no event shall the worker be paid less than the prescribed hourly rate.

(b) Except as otherwise specifically provided, domestic workers must be offered, as a minimum, all the terms and conditions of employment that are offered to Mexican workers under the migrant labor agreement of 1951, as amended, including a written contract embodying those conditions.

(c) Family housing must be provided where feasible and necessary.

2. Effective April 1, 1965:

(a) Employment offered to domestic workers must provide for wage payment rates which are no less than the applicable amount listed on schedule B for the State in which the work is being performed, except that where the prevailing rate for the crop activity in the area is higher, the higher rate shall be paid. Piece rates shall be designed to produce hourly earnings at least equivalent to the prescribed hourly rates and in no event shall the worker be paid less than the prescribed hourly rate.

(b) Except as otherwise specifically provided in this section, domestic workers must be offered, as a minimum, all the terms and conditions of employment that are offered to Mexican workers under the migrant labor agreement of 1951, as amended, including a written contract embodying those conditions.

(c) Family housing must be provided where feasible and necessary.

3. Effective January 1, 1965:

(a) Reasonable costs of transportation to and from the place of employment must be borne by the employer.

(b) No certification shall be made permitting the employment of any foreign worker for a period exceeding 120 days; nor shall any certification be made with respect to any petition of any employer which would result in the employment of foreign workers by such employer for more than 120 days in any calendar year, except in specific cases, when necessary to avoid undue hardship, in accordance with criteria prescribed by the Department of Labor.

(c) No certification shall be made with respect to the petition of any employer who has been found by the Secretary of Labor or his designated representative to have failed, without good cause, to comply with the work contracts entered into with any domestic or foreign agricultural workers, or who has in his employ or is found to have had in his employ after the effective date of these regulations, any alien when such employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such foreign worker is not lawfully within the United States.

(d) When domestic workers become available for jobs in which foreign workers are employed, the domestic workers must be given preference.

(e) No foreign workers shall be assigned to fill any job to which referral of U.S. workers would be prohibited under regulations or policies of the U.S. Department of Labor governing the referral of workers to jobs involved in strikes or other labor disputes.

(f) These criteria shall not be applicable to Basque sheepherders.

W. WILLARD WIRTZ.

DECEMBER 19, 1964.

SCHEDULE A

State:	Wage rate
Arizona	$1.05
California	1.25
Connecticut	1.25
Florida	.95
Massachusetts	1.25
New Mexico	.90
Texas	.90

SCHEDULE B

State:	Wage rate
Arizona	$1.25
Arkansas	1.15
California	1.40
Colorado	1.30
Connecticut	1.40
Florida	1.15
Indiana	1.25
Kansas	1.40
Maine	1.25
Massachusetts	1.30
Michigan	1.25
Minnesota	1.40
Montana	1.40
Nebraska	1.40
New Hampshire	1.30
New Jersey	1.30
New Mexico	1.15
New York	1.30
Oregon	1.30
Rhode Island	1.30
South Dakota	1.40
Texas	1.15
Utah	1.40
Vermont	1.30
Virginia	1.15
West Virginia	1.15
Wisconsin	1.30
Wyoming	1.25

Mr. HOLLAND. Mr. President, I wish to read two portions of those regulations. On page 3, there will be found the following:

> Effective January 1, 1965, and through March 31, 1966, (a) employment offered to domestic workers must provide for wage payment rates which are no less than the applicable amounts listed on schedule A for the State in which the work is being performed, except that where the travel rate for the crop mentioned is higher, the higher rate shall be paid.

I shall omit the next sentence, which any Senator interested can read in the RECORD, and go down to (b), which is particularly important:

> (b) except as otherwise specifically provided, domestic workers must be offered as a minimum all the terms and conditions of employment that are offered to Mexican workers under the migrant labor agreement of 1951, as amended, including a written contract embodying these conditions.

That language means that anyone who hopes to qualify for the bringing in of foreign labor must offer a written contract based upon the minimum wage requirements, which differ in various parts of the country, that are provided by the Secretary of Labor in his schedule A, and, in addition, must include the terms that are in the Mexican labor contract, which is a large printed brochure containing approximately 50 pages. I quote only two of those terms to show that not only is the wage sought to be controlled, but also there is a very decided control of hours of employment.

I refer to a brochure entitled "Information Concerning Entry of Mexican Agriculture Workers into the United States, Public Law 78, 82d Congress, as Amended, Migrant Labor Agreement of 1951, as Amended, and Pertinent Interpretations Published by the U.S. Department of Labor in February 1962."

I ask Senators to remember that all the pertinent provisions in this agreement must be a part of the agreement signed by domestic producers in their employment of domestic workers in the event they hope to have any right to bring in supplemental labor from outside. I read from article XVI, which appears on page 12:

> Guarantee of work. Except as otherwise provided in this agreement, or in the work contract, the employer shall guarantee the Mexican worker the opportunity to work for at least three-quarters of the workdays of the total period during which the work contract and all extensions thereof are in effect, beginning on the day after such workers arrive at the place of employment, and ending on the expiration date specified in the work contract and its extensions, if any.

Under the definition of what constitutes a workday, on page 2 of the same document will be found the following provision:

> (j) "Workdays" means 8 hours in each calendar day except Sundays, New Years, Fourth of July, Labor Day, Thanksgiving, and Christmas.

So there is a clear attempt on the part of the Department of Labor not only to encroach upon the wage field but also to encroach upon the field of control of hours by requiring the guarantee of employment for three-quarters of the time as defined in the contract from which I just read.

I do not believe that the Congress or the people generally appreciate the grab for power which so thoroughly characterizes so many of the bureaucratic agencies of our Government, and, unfortunately, has shown its ugly head in connection with graspings from time to time by the Department of Labor.

I wish the RECORD to show at this time what is being attempted by way of controlling domestic employers of domestic labor in order that they may have the gracious right given by the Secretary of Labor, in the event their crops are spoiling and they cannot find an adequate supply of domestic labor, to apply successfully for laborers offshore, from Mexico, or from Canada.

Mr. President, I believe this is a rather disgraceful situation. I call attention to it because it is disgraceful, un-American, and a direct trespass upon the power of the legislature. I do not believe that the public of this country will wish to take it.

I wish to make another point very clear. We do not request supplemental labor unless we positively need it, and only then to perform skills for which that outside labor is well qualified and has shown its qualifications.

I have in my hand, and ask unanimous consent that it be printed in the RECORD at this point, an official listing by the Research and Statistics Division of the Florida Industrial Commission, Chief Don F. Summers; Mrs. Pridgeon reporting, of the agricultural employees in the State of Florida in the month of December 1964.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Agricultural employment in Florida, December 1964

	Domestic	Foreign
Food processing and packing:		
Citrus	31,400	-------
Other	44,300	-------
Total	75,700	-------
Agricultural field operations:		
Self-employed and unpaid families	34,000	-------
Regular hired	38,863	-------
Seasonal hired:		
Citrus	19,446	2,845
Sugarcane	2,687	9,572
Strawberries	1,822	136
Vegatables	30,932	605
Other	5,646	100
Total, seasonal hired	60,533	-------
Total, agricultural field operations	133,396	-------
Grand total	209,096	13,258

Source: Research and Statistics Division, Florida Industrial Commission (chief, Don F. Summers; Mrs. Pridgeon, reporting).

Mr. HOLLAND. From the list it will appear in the first instance that in the citrus industry 31,400 workers are in the food processing and packing side of the citrus industry, without any foreign workers being accepted. We do not expect foreign workers to do that work, for which we can find ample numbers of people, not only in our own State, but also in other States. This year we went as far as the State of Pennsylvania and the State of Missouri in contracting labor to come in and do work in the State of Florida.

In other than the citrus industry we find that there were 44,300 employees in the month of December in the processing and packing of crops other than the citrus crop, or a total of 75,700, without any request for any supplemental labor, and without any hope of obtaining supplemental labor. We do not want it because we are able to find domestic labor to meet those requirements.

Incidentally, as a rule, the processors are better paid than those who work in the field, as everyone knows.

In the agricultural field operations, which is the next listing, there will be found a total of 146,654, which includes 133,396 domestic workers and 13,258 foreign workers.

It ought to be very clear that not only do we not wish to rely entirely for our work forces upon the supplemental foreign source of workers, but, to the contrary, the great majority of our workers are coming from our own domestic sources. The total of 60,533 seasonally hired domestic workers includes the following: 19,446 in citrus; 2,687 in sugarcane; 1,822 in strawberries; 30,932 in vegetables; 5,646 in other, or a total of 60,533.

With such a showing as that, and a showing that in December there were only 13,258 foreign workers, the question arises, Why did we need any foreign workers?

That is what I think the record should clearly show, and I am going to answer it.

Those foreign workers are in five categories. Two thousand eight hundred and forty-five are citrus pickers. None of them are engaged in processing. They are pickers. They are the ones who climb up ladders 40 or 45 feet long, go into the citrus trees, pick the fruit, and bring it out. They are by no means all of our pickers. To the contrary, the national prize winner in citrus picking is a white man who lives in my own county and who during the years has been the best picker in the State of Florida. Thousands of our own people, both white and colored, are pickers, but we cannot obtain enough of them.

Anyone who thinks that picking is easy work ought to try it for a while. As a young man, I tried it in my father's grove. I know something about picking. At that time we handled 50-foot ladders. We were dealing with old seedling groves. Now that length of ladder is outlawed. I thought I was rather much of a man when I was able to work with and walk those 50-foot ladders; go from point to point around the perimeter of the tree, safely lodge the ladder, climb up, pick the fruit with a sack over my shoulder, fill the sack with 30, 35, or 40 pounds of fruit, descend the ladder, put it in boxes, and continue to go around the grove all day. I knew I was pretty much of a man at that time. I wish I could do it now, but I cannot. Very few workers who come into the South from outside want to undertake that kind of work. They look at the trees, look at the ladders, and forthwith leave in order to do some other type of work.

We have tried to qualify Mexicans, who are excellent workers. They come from Texas and are American citizens. But they cannot do the work. As a rule, they are small in stature. While they are fine workers in the berry and vegetable fields, they cannot climb ladders. They have tried it time and time again, but they cannot qualify. Only a handful can qualify—2,845 foreign workers were in the citrus fields as compared with 19,446 in that same month, December, who were domestic—2,845 were from offshore, and they were all pickers. They were all needed. Without them, as much work as was done could not have been done. Without them, the shortage would have been greater—and there was a shortage even with them.

In the sugar cane fields, the table shows that 2,687 domestic workers and 9,572 foreign workers were engaged. I do not know whether any Senator who is present, other than the distinguished senior Senator from Louisiana [Mr. Ellender], has ever seen canecutting in the field. Unless he has been to Florida, he has not seen the kind of canecutting that is done there. In the State of the Senator from Louisiana, the cane grows tall; it stands straight up and can be cut by machine. The workers who gather up the stalks put them on the carts and walk behind the machines.

In Florida, the cane is produced on muck soil, and the stalks of cane are interwoven and lie over one another. The Senator from Louisiana has been in Florida and has seen that growth. No machine has as yet been devised which can deal with the problem. So the work is brutally hard, hand labor, done with a machete. Anyone who has seen a machete knows that it requires hard work, to be on one's hands and knees wielding the machete all day long, as is required of a canecutter in the field.

It so happens that there are fields to which we can go to get canecutters, because in Jamaica, in Trinidad, and in the other small islands of the West Indies there is a sizable population who are accustomed to those same kinds of conditions in the cane industry. They want to come, they do come, and they perform good work.

Up until this year, there has never been any argument on the part of the Secretary of Labor or the Department of Labor over the fact that canecutters could not be found in the domestic labor force of the United States to do this work. This is the one field in which, up to this year, the employment agency has certified our full request, year after year, because they have known and admitted that canecutters are not available for this particular kind of canecutting in the United States.

Of the 13,258 offshore workers, the largest number, 9,572, are engaged in the canecutting industry. One hundred and thirty-six were picking strawberries, as contrasted with 1,822 domestic workers. Six hundred and five foreign laborers were working the vegetable fields as contrasted with 30,932 domestic workers. The height of the vegetable season had not been reached. When it is reached—and we are rapidly approaching that time—a great many more than the total of between 31,000 and 32,000 will be needed to pick vegetables. The same is true with respect to strawberries.

The table lists one other category: "Other, 100 foreign," as compared with 5,646 domestic. I happen to know what that figure "100" represents. They were pickers brought in from offshore to pick avocados in trees that are sometimes 60 feet high, and with the problem of handling ladders. I have already described the picking in the citrus industry. The only substantial concession that has been made by the Secretary of Labor since January 1 has been in connection with the 100 I am now mentioning. When it clearly appeared that the avocado industry still needed pickers on January 1, and that some pickers would have to be kept on that work after the time they were due to go back, the Secretary finally graciously permitted us to retain 60 of them until the avocado growers could have the rest of their fruit crop picked. There are some late varieties that require picking later.

I have gone to this length in describing the conditions because I want the record to show clearly that we have never asked for workers whom we did not need. We have never asked for workers whose need could not be clearly shown.

I wish to add this statement: For years, under the requirements of the Employment Security Division of the Department of Labor and through our own State agency and other State agencies, there have been active recruiting programs in operation in all the areas where the Department of Labor felt we should go. I have already said that this year we have brought workers from as far away as Pennsylvania and Missouri as a part of the recruiting program, which means that it has been necessary for our producers to stand the expense of bringing people from those far distant areas into our State. In the case of too many of the workers, they do not go to work at all, or else they work a day or two and decide that they would much rather fish in the canals. I do not object to people fishing in Florida canals. Many people come to Florida to fish who are well able to do so. But when workmen are brought in to fill a necessary need, work for 2 or 3 days' pay, and then stop working in order to go fishing, one can imagine the disappointment and the frustration of the producer who has to put up the money to bring the workers to his fields. He has a sizable outlay invested in them, but he does not receive the benefit of their services.

We have peonage laws in this country. We cannot insist upon workmen fulfilling their agreements or fulfilling their contracts. Oh, no. But labor can insist on producers fulfilling their contracts, although producers cannot insist upon the workman fulfilling his. Unfortunately, a vast number of workers do not fulfill their obligations. So the producers have worked to the point of complete frustration in trying to bring in people from the outside. I shall place in the Record a list of a great many instances to show exactly what the results have been in connection with the instability of workmen of that kind, who have been brought long distances at the expense of producers, under the requirements of the Department of Labor, only to disappoint the producers, who must hold the bag but do without the needed labor.

I am glad to yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I join my colleagues in congratulating the Senator from Louisiana and the Senator from Florida in presenting this matter before the public and providing a record so that we can show to the American people the real problem that our farmers face.

Recently I was at a meeting in the northeastern section of Colorado and I was told by one of my friends there that although the bracero program had expired legally, and although they had been told by the Labor Department that there would be no more bracero program, they still could not believe that the Congress of the United States was going to be so thoughtless and hardhearted with respect to their absolute needs and that they would not get some kind of a program to provide imported labor of one kind or another. The program involving use of domestic labor has not worked.

We in Colorado, as I am sure my colleague has already stated, have imported domestic workers from 2,000 miles away, and more, in a pilot program to see whether we could obtain domestic labor to perform the kinds of stoop labor required in certain areas of agriculture.

On each occasion, after we brought the workers in, as the Senator has said, they either quit, or have gone somewhere else, and got other jobs. After this expense was incurred, we discovered that they had left. It has happened over and over again.

Mr. President, I should hope that before we are through with this discussion, and before this session of Congress is over, that we can try once again to develop through Congress, with the Labor Department and the respective governments that are involved, some method of bringing in labor which is so badly needed for our farm productivity.

After all, those who have been opposed to this measure are the ones who are fed by the very productivity that we obtain from the crops we have been talking about. Unless we are able to harvest the crops, sooner or later these products will go down the drain. The crops will not even be planted in many cases. This is important, not only to the farm areas, but also to the urban areas.

I ask the Senator from Florida, without intending to go too far into this subject, whether he has any intention of trying to hold hearings with the Labor Department in order to develop any program, or whether the existing program can be revised in any way.

Mr. HOLLAND. Mr. President, I have had repeated conferences with the Secretary of Labor. I have found him to be pleasant, delightful to talk with socially, but completely adamant in his feeling that so long as there are unemployed people in any part of the Nation, regardless of whether they are able to do the kind of work that agriculture requires, it is his duty to withhold certification of supplemental labor from foreign sources.

I think it is a very impractical attitude. I know that it is a ruinous attitude in the case of certain industries in my own State of Florida. But that is what we are up against.

We shall continue negotiation with the Secretary of Labor.

I am glad that this record is being made today.

My distinguished colleague, the junior Senator from Florida [Mr. Smathers], has already suggested that he intends to go to the White House about this matter. I have shared that intention with him for a long time. But I felt that in fairness to the Secretary of Labor, we ought to do everything we could to present the facts to him. He is a pleasant gentleman. He thinks he is doing the right thing. But I am just as sure that he is doing the wrong thing as I am that I am standing here. He is taking an impractical approach to an important problem. I felt that we should do our best through one means or another, first to persuade him, and then, if necessary, carry the matter a little further.

Mr. DOMINICK. Mr. President, I am a little concerned over the attitude that some of the people in the Labor Department display. I remember one of them recently, Mr. William J. Haltigan suggested that the way for farmers to get domestic laborers was to try to send them Christmas cards and do a variety of things of that nature. This may be a nice social gesture, but it does not get them to work.

I am also a little concerned about the attitude of the Secretary of Labor, as expressed by the Senator, that if the Secretary has his way, as long as people are unemployed, we shall not get any supplemental labor.

Perhaps we should see how this corresponds with the fact that in many instances those who are on unemployment compensation will get more money than they would receive for this type of labor. Consequently, there is no incentive for them to go into this type of labor as unemployed persons. This creates additional problems in getting the labor that we need for these farm products.

I thank the Senator from Florida for the valiant efforts that he made, with our assistance, last year, in extending the bracero program for 1 year, when it looked as though the program was dead at that point. This has been most helpful to the farmers of the country.

Mr. HOLLAND. I thank the Senator from Colorado.

Mr. President, in order that the record may show clearly what the attitude of the Secretary of Labor is, I ask unanimous consent that certain passages from his testimony be printed at this point in the Record. One of those passages makes it very plain that the Secretary feels it is his duty, as long as there are unemployed persons in the United States, to certify supplemental labor from U.S. sources. That is without any regard to the skill, ability, qualifications, or willingness of the domestic, unemployed person to work in the particular needed job.

There being no objection, the passages were ordered to be printed in the Record, as follows:

Statement of Hon. W. Willard Wirtz, Secretary of Labor

The Chairman. Mr. Wirtz, you have heard all of this testimony. I am glad you did. We shall be glad to hear from you now as to what can be done to relieve the situation that has been complained of.

Secretary Wirtz. Mr. Chairman, I am very grateful for this opportunity to talk with you and with the members of this committee about this situation.

I should like to say at the outset that although the matter may be one which is considered controversial, I shall try to make my testimony as helpful to the committee as I possibly can without thought of controversy, but rather in the hope of illuminating this matter fully.

* * * * *

We face here a problem which is, first, legal; and second, economic; and third, social. Let me express the hope that the legal problem, first, may be kept very simple.

We proceed, gentlemen of the committee, and Mr. Chairman, from the provision in section 101 of the Immigration Act of 1953 and the language we are talking about is simply this: There is provision in that act for the admission into the United States of what are identified as nonimmigrant aliens. The key language is that in section 101(a)(15)(h). It is provided that there shall be admitted into this country in effect those coming temporarily, and now I quote from the statute of 1953: "those coming temporarily to the United States to perform temporary services or labor if unemployed persons capable of performing such service or labor cannot be found in this country."

This is the whole of the legal basis on which we proceed, and the entire discussion, then, must be in terms of whether the work to which we are referring is work with respect to which it cannot be said that there are unemployed persons capable of performing such services or labor to be found in this country. That is the heart of the basic legal question. There are refinements which I would be glad to go into, but at the risk of cluttering the issue rather than leave it plain.

There is a second part of the legal issue. That second part is comprised of, first, the fact that in 1951 Congress passed Public Law 78, which provided for the importation into this country of braceros from Mexico and, second, of the fact that in 1963 Congress deliberately terminated that provision.

* * * * *

The Chairman. Before you go to that part, Mr. Wirtz, it has been stated here, I think, by at least two of the witnesses that you could give a relief under 414 almost in accord with the law that was not renewed. What have you got to say to that?

Secretary Wirtz. There are two parts to the question. The first would be whether I would, under the present laws have authority to approve the admission of the foreign workers. My answer would be on that that I do not on the present showing of the facts. Unfortunately, the answer to the second question has been moved over to the first.

The second question is really, if it is found proper to admit anybody under section 414—under Public Law 414—then could the provisions that have been applied, the terms and conditions under the Mexican labor agreement, be followed? I think the answer to the second question, subject to refinements which are not important, is directly affirmative. That still leaves the portal and the basic question of whether there could be people admitted under that law.

So the question which has been raised is really a question of housekeeping and the answer is "Yes." That affirmative should not confuse the issue of whether they can be admitted at all, which would seem to me under the present state of the facts inappropriate for me.

Senator Holland. Before the passage of the Bracero Act, 414 was applicable was it not? And was being operated upon?

Secretary Wirtz. I would be glad to check the date of 414.

* * * * *

Senator Holland. My question was addressed to legal entrance under the law prior to the enactment of the Bracero Act and not to the wetbacks. My recollection is that there were something like 200,000 tabulated legal entrants prior to that time. And I also want to include in my question if it was not true that prior to that time sizable numbers of legal entrants had come into other parts of the United States under the machinery now available under Public Law 414, and that those sizable numbers have come in continuously since 1951 up to this date under 414 and the preceding statute which made available the same machinery.

Secretary Wirtz. I am in a position, Mr. Chairman, Senator Ellender, to give you the number of Mexicans admitted for temporary employment in the U.S. agriculture throughout the entire period 1942 to 1962, and the figures for the period to which you refer particularly, 200,000, would I suppose be suggested by giving them for let us say the years 1948 on through this period. They were much below that before that time. But they picked up in 1948 to 35,345, in 1949 to 107,000, in 1950 to 67,500, dropping that year, and then in 1951 jumped from the previous year, 67,000 to 192,000.

Senator Holland. Then the number was close to the 200,000 that I had recalled that were legal entrants from Mexico under the prior law to the Bracero Act for agricultural purposes from Mexico.

* * * * *

Senator Holland. The second part of my queston was whether or not it is a fact that prior to the adoption of the Bracero Act, and at all times since and at this time, there have been operations under Public Law 414 or its predecessor and upon the basis of the machinery afforded by those two acts, by which substantial numbers of agricultural workers had been brought in to other parts of the United States, extending in the main from Florida to Maine.

Secretary Wirtz. Yes, sir. In round figures the number had been between, in recent years, 15,000 and 20,000. I can give you a more specific——

Senator Holland. And the machinery is available under that act and is even operating at this moment, is it not, under Public Law 414?

Secretary Wirtz. Yes, sir.

Senator Holland. Something over 13,000 workers under that act are at this time, this very moment, in the State of Florida alone, are they not, under Public Law 414?

Secretary Wirtz. It would be between 13,000 and 14,000.

Senator Holland. Why could not that machinery have been speedily adapted to the Mexican situation without any reference at all to wetbacks, with the assurance that the continuation of careful patrols and careful exclusion of wetbacks would be continued; why could not that machinery have been speedily made available to the States which last year according to my information had had available to them 180,000 or more immigrants, temporary immigrants, under Public Law 78 for the harvesting of their crops?

Secretary Wirtz. Because I am directed by the Congress and by the Attorney General and this delegation not to authorize that action if there are unemployed persons capable of performing that labor in this country. And I am so completely convinced that that is what I was coming to, but I wanted to make an answer to your question, so completely convinced that with 3,800,000 unemployed people in this country, I should be flying squarely in the face of the statutory direction if I were to grant the permits which would permit those people to enter.

* * * * *

Secretary Wirtz. I think it goes very close to the heart of the most difficult problem here. And the answer to it would necessarily include these factors. It would include the factor of the intention of the Congress in terminating Public Law 78, which with its legislative history I think can only be interpreted as requesting or as indicating a proposed different treatment of this situation with the legislative record being quite clear, of clear indications, that the Congress wanted this information if not stopped completely, certainly cut way down, and this would be a large part of my answer to your question.

* * * * *

Senator Holland. The first question is this. You know, do you not, that the sugarcane crop in Florida is very greatly increased over what it was last year?

Secretary Wirtz. Yes, sir.

Senator Holland. You know, too, do you not, that the orange, the grapefruit, and the tangerine crops also are sizably increased over last year, particularly the orange crops?

Secretary Wirtz. As I said, Senator Holland, between you and Senator Murphy, you will understand my reluctance to testify to the advantages of the agricultural crop of either State. I do not know what the development of the crops has been.

Senator Holland. Under those conditions I will have to read the figures into the record, then.

For instance, in oranges, the picked crop in Florida last year was 58.3 million boxes. The estimate of the U.S. Government this year is 81.6 million boxes, vastly increased, as you can see, above the figure last year.

Secretary Wirtz. I did not have those figures.

Senator Holland. The figures in grapefruit show a smaller increase, from 26.3 million last year to 31.5 estimated this year. And in tangerines from 3.6 to 4.2. But those increases run all the way from 40 percent in oranges down to 17 percent in tangerines, the smallest.

Assuming the correctness of those figures, and they come from the estimates of the Federal Crop Reporting Service, who I believe are part of your Department——

* * * * *

Mr. Wirtz. * * * So the situation is simply there is nobody who as a matter of record or information to us at this point faces any shortage of labor as far as California is concerned.

I was concerned, of course, by Senator Holland's question at the table here this afternoon about crops rotting in Florida. We have been watching this situation day and night to be sure we do not run into a situation of this kind, and since that question, Senator Holland, we have checked with the Florida people, and to the best of our advice and information, there is no situation of that kind.

The number of Jamaicans in Florida today is as you have said, between 13,000 and 14,000. That is the same as the peak figure for last year. There is no indication whatsoever of any shortage there. In a sense it seems to make this whole proceeding unreal. It is hard to know, at least in terms of present situations, what it is we face.

Senator Murphy. May I ask the Secretary a question?

Senator Holland. I would like to make it very real as to Florida when Senator Murphy gets through because I do not think the Secretary is correctly informed, and I give him full credit for proceeding in good faith, but the trouble is he does not have the correct information.

* * * * *

The Chairman. Senator Holland has made a charge about the citrus situation in Florida and the cane situation. Now, to me that is real. It is there. You ought to be able to get that information within the next 48 hours.

Secretary Wirtz. And we will.

* * * * *

Senator Holland. Mr. Chairman, I know that in his statement that there isn't waste now, that the Secretary proceeds upon information he has and in the best of faith. I want to file for the record—and I hate to burden the record this way, but I see no other way to sustain my own statements here made—these telegrams, and the Secretary is perfectly welcome to look at them as we go along. The first is from the executive vice president of the Dundee Citrus Growers Association, making it very clear that they are losing fruit already. I have got this one sentence:

"Mild dry weather has caused the fruit to mature faster and much of it is now dropping on the ground."

He said earlier he hadn't been able to get the actual workers.

Second, from W. L. Story, grower, a very large grower in Winter Garden, and he begins his wire:

"Citrus crop in this area showing heavy waste as there are not enough pickers available," and so forth.

The Secretary is perfectly welcome to look at the whole wires but I am trying to just go hurriedly through them.

The next one is from the A. S. Herlong Packing Co., named for the father of our distinguished colleague, Congressman Herlong, and it says that the present prospect is for a loss of 30 to 50 percent of the fruit unless they can get quick help, and that they are already having heavy waste.

Without trying to quote specifically, the next one is of the same nature, from Mount Dora Growers Co-op, and it says it is spelling financial disaster to grower members, this shortage of pickers.

And the next one is from our commissioner of agriculture, Doyle Conner, of Tallahassee. He certainly officially states the same thing in a very impressive way. I would like this wire included also.

The next one is Juice Fruit Buyers, Inc., Erwin Cauthon at Leesburg, and the same general statement.

I shall not try to read them, until I get to one that tells me that he has already abandoned some vegetable fields due to not being able to get his customary supply of offshore workers, which I will go through.

The next one is from Spada Fruit Sales Agency in Tampa, Fla.

The next one from Umatilla, Fla., is a very long wire. Mr. Chairman, rather than to ask that this long wire be included, I will just say that it covers the same ground and is signed by R. D. Flippo, president.

The Chairman. Senator, would you be willing to permit the staff to take one or two of the wires that are typical and print those wires in full and simply give the address and the names of the rest of the wires?

Senator Holland. I will.

C. V. Griffin, Sr., Howey in the Hills, Fla.

The next one from Inland Fruit Co. of Leesburg, Fla.

The next one from—they are all substantially to the same effect—Lake County Citrus Sales, Inc. These come generally, Mr. Chairman, from a very concentrated area in central Florida.

The next one from A. T. Brandon, executive vice president of the Waverly Citrus Growers, the same one about which I wrote you, Mr. Secretary. And they speak also of the fact that the Department is now trying to reduce the number of the small group that they have got and they haven't been able to catch up with them. They are referring to the fact that your people are trying to take away 500 of those that have already been granted and their expenses paid, and they are in the State now picking.

And the next one is from In-Ri Groves, Inc., of Leesburg, by James R. Carson, Jr., president.

The next one from Umatilla, Fla., from C. B. Hipson, manager, Umatilla Fruit Growers Association.

The next one from Britt Fruit Co., Winter Garden, Fla.

And the next from Sam Banks, Lakeland Packing Co., incidentally recently the chairman of the Florida Citrus Commission, a man of the very highest standing.

The next from Cola B. Streetman, president of Hogan & Sons, Inc., at Vero Beach. That is not in the immediate area, Mr. Chairman. That is in a different part of the State.

This comes back to the Holly Hill Fruit Products Co., Inc., at Davenport, Fla.

The next one from Mims Citrus Growers Association, John C. Flake, manager.

The next one from A. C. Johnson, president and general manager of Plymouth Citrus Growers Association.

The next one from Richard M. Clewis, Jr., of Tampa.

And the next from O. R. Minton of Fort Pierce.

And the next from Brooksville, Fla., Bell Fruit Co.

The next from L. R. Huffstetler, Inc., at Eustis, Fla.

The next from D. Victor Knight, Riverfront Groves, Inc., at Vera Beach, Fla.

The next is Tavares, Fla., J. B. Prevatt, a very strong wire.

Next is from J. T. Griffiths, Cypress Gardens Citrus Products, Inc., Winter Haven, Fla.

The next is with reference to vegetables, Vandegrift Williams Farms, Inc., signed by Roy Vandegrift, executive vice president, from Pahokee. That relates to loss of vegetables.

And now this one in particular, Mr. Chairman; I think everybody around this table knows about Chase & Co. This is from the head of Chase & Co., Randall Chase, president. Among other things—I ask that the whole wire be included—he says:

"This week have abandoned 45 acres of celery due to lack of labor to care for crop and to harvest when ready."

The Chairman. What is the date of that telegram?

Senator Holland. That telegram is January 14, Mr. Chairman.

(The telegram is as follows:)

Sanford, Fla.,
January 14, 1965.

Senator Spessard L. Holland,
Senate Office Building,
Washington, D.C.:

Requirements of Secretary Wirtz for domestic labor as a condition for securing foreign labor used in harvesting perishable crops appears to be nothing less than blackmail. Such ill-advised efforts to exclude foreign workers who are qualified and substitute domestics of inferior skill and lacking desire to work is resulting in serious economic loss to produce industry which will eventually increase unemployment and will reduce the food supply. Since April of last year when the Labor Department prescribed unreasonable increase in wages for agricultural workers, absenteeism has increased, quantity of work per man-hour has decreased, workmanship has declined, workers display indifference to instruction and direction. Workers are apparently not attempting to improve their living standard. Workers appear indifferent to needs for cultural care of crops and the need to harvest. This week we have abandoned 45 acres of celery due to lack of labor to care for crop and to harvest when ready. Prescribed recent requirements bind the growers for thousands of dollars of expenses without any recourse whatsoever. Withdrawal of foreign workers would seriously jeopardize Florida's billion dollar agricultural industry. Repercussions would extend to practically all of Florida's economy. Short notice of hearing makes it impossible for me to attend.

Randall Chase,
President, Chase & Co.

Senator Holland. All of these were received by me within the last 2 or 3 days. The Secretary says he didn't know of any waste that occurred. Here is 45 acres. I believe you are a celery specialist, Mr. Secretary?

Secretary Wirtz. Lettuce.

Senator Holland. I am sorry that doesn't meet your special requirements, but this is celery, 45 acres of it, a very expensive crop to produce, as you know, thrown away because they couldn't get the labor to harvest it.

And the next one is from W. H. Clark Fruit Co., sent from Tampa. They handle fruit from the central part of the State.

Next is from Brooksville, Fla., Brooksville Citrus Growers Association, by its general manager.

The next one is from Cocoa, Fla., signed by J. V. D'Albora, Jr. He and his father are very highly considered, very highly regarded growers in that area.

(The sample telegrams are as follows:)

Leesburg, Fla.,
January 14, 1965.

Senator Spessard L. Holland,
U.S. Senate, Old Senate Office Building,
Washington, D.C.:

Current labor shortage in harvesting current citrus crop now past critical stage. Unless further help is immediate, anticipate loss of 30 to 50 percent of crop. Any reduction or termination of offshore labor supply would assure loss of 75 percent of our crop. Marbury's latest order cutting current offshore supply indicates complete lack of knowledge of current situation. No additional domestic labor available even under new criteria dictated by the Secretary of Labor. Fruit droppage excessive, increasing daily. We are currently 6 weeks behind in harvesting schedule. Falling further behind every day due to availability of only one-half number of pickers employed by us on same date last year with 30-percent increase in fruit to be harvested. Any further delay in receiving additional labor will be disastrous to citrus industry and State of Florida.

A. S. Herlong Packing Co.

Tallahassee, Fla.,
January 14, 1965.

Hon. Spessard Holland,
U.S. Senate,
Washington, D.C.:

In connection with Senator Ellender's committee hearings on agricultural labor, agriculture in this State would be seriously injured if denied use of supplemental agricultural foreign workers. Also, terms under which these workers are available to farmers and growers must be reasonable. Every effort is made to fully utilize all domestic workers available in Florida and Southeastern States but their numbers are insufficient to meet manpower requirements of our agricultural industry. Also, domestic workers are given full priority in employment opportunities and have not been adversely affected by the presence of supplemental foreign workers needed to supplement labor requirements.

Doyle Conner,
Commissioner, Florida Department of Agriculture.

Tavares, Fla.,
January 14, 1965.

Hon. Spessard Holland,
Old Senate Office Building,
Washington, D.C.:

Unless something is done to counter recent U.S. Labor Department proposal concerning offshore labor citrus growers will suffer great loss. We need certification for more offshore labor to save this crop of fruit which is rapidly maturing on account of warm weather, trees in new growth and bloom showing in many groves, thus causing excess droppage of most all varieties especially oranges and grapefruit.

Higher minimum wage is not the answer to our labor problem; most all citrus workers earning from $15 to $20 per day when they work; we have approximately 300 grower members with approximately 1 million boxes of fruit still on trees and we urge your help and assistance to straighten out the labor situation and secure additional workers at once.

J. B. Prevatt,
President, Lake Region Packing Association.

Cocoa, Fla.,
January 14, 1965.

Senator Spessard L. Holland,
Senate Office Building,
Washington, D.C.:

Regret unable to attend Senate Agricultural Committee hearings which I have been advised by FFVA of being held morning, January 15, concerning Secretary of Labor's new criteria for agricultural labor; may I commend you and the committee for your interest.

The new regulations fail to reveal by increase in adverse effect wages where it will increase the labor supply since higher wages do not produce more workers but tend to get the poor ones more for less. In fact I feel it will decrease labor supplies; we are now behind in our harvesting operations with the most ideal weather conditions in years as a result of inadequate labor force and have an immediate need for harvest labor.

The ridiculous part of the regulations is the 120 days. Citrus is a 270-day-or-longer crop as anyone who thinks would know. Crop losses will positively occur under these conditions as are now occurring from fruit droppage because of the present inadequate labor force.

J. V. D'Albora Co.,
J. V. D'Albora, Jr.

Senator Holland. Now, Mr. Chairman, those are examples of presently sustained losses already incurred upon our people. How anyone can say that there isn't any loss resulting from this unfortunate policy I don't see.

* * * * *

Secretary Wirtz. Unless there are other questions, I can round out what I have in mind very quickly.

First, with respect to Senator Holland's last notes, you would know that I would like very much to get immediately copies of all these telegrams so that we can follow up on whatever situation they present. I am very anxious to find out whether those who dispatched these telegrams will also have job orders on file with the State employment service. We must do whatever is necessary to reconcile factual differences between us. And you will note that I want—if I may, I want those notes solely for the purpose of trying to do something constructive about them and nothing else.

The Chairman. You are entitled to anything that has been put in the record.

Senator Holland. You are welcome to have them.

Secretary Wirtz. I don't want to be misunderstood on them. I only want to see what we can do about it. Beyond that, Mr. Chairman, although—under circumstances I have presented some of these points differently. Most of those that I have in mind have come out in questions and I should like in summary only again to say how clean cut this legal issue is, but it is in terms of whether there are other workers available for these jobs. It is in terms of whether I should do what the Congress has indicated in political terms not be done. I think that overstates it but there is that element in the picture.

It is economically a question of how we should meet a situation in which the agricultural rates in this country are at a much lower level than are the other rates in this country, a situation in which I think a very substantial contributing element in the low level of agricultural wages has been the use which has been made of laborers brought in from other countries, which other countries have even lower wage rates than ours. And it is the situation in which we have a serious agricultural wage problem compared with the wage rates for the rest of industry.

It is also a situation where we have, as we said before, almost 4 million Americans out of work at this point, and I understand it to be the view of everybody here, and so I don't press this point, that we have to do everything we can to meet that situation.

I want it quite clear that my interest is not solely in the employment. It is not solely in the wage rates. It includes a complete recognition of the points which Senator Murphy, Senator Kuchel, Senator Holland expressed especially in detail, that we don't want to let crops rot. That is not going to do any of us any good. It is not going to do the economy any good, and we are going to do everything we can to take account of the fuller aspects of the situation.

I said in the beginning that this was a legal question. It is also an economic question, and a social question. I doubt that the purposes of this committee this afternoon would be served by my pressing into the other area. But I don't mean to disregard the fact that what we are talking about is a practice which I see in my mind late at night in terms of a bunch of people crowded into buses going off to work at what is characterized as stoop labor, at what I think of as stoop wages, and I think we want to get that background, too.

But I don't think I will develop that point because I think it would only exacerbate differences between us, and I think it only appropriate that I rest on the legal and economic points which seem to me combined to necessitate the issuance of the regulations which are the subject of your consideration.

Senator Holland. Mr. Chairman, may I make one little statement. The Secretary knows perfectly well that he and I feel completely differently on the question of whether he has any authority whatever to fix wages. You know and I know that the Congress has repeatedly withheld any authority to fix wages in agricultural fields except in the one case of sugarcane, sugar production. And my own feeling is that this whole procedure is unfortunate and illegal and I just wish that the Secretary would pay as much attention to the express will of Congress, that minimum wages not be fixed in the agricultural field, as he has to the implied question here that the knocking out of the bracero act indicates that Congress wants to get rid of the whole use of foreign labor, forgetting that section 414 is still on the book, was worked on before the bracero act came into being, was being worked on at the very moment that the bracero act went out and is still available and is being operated upon by his own Department.

And the second thing I would like to say is this. I would not like to leave the impression that the Secretary has always been adamant on requests for relief. Only a few days ago I approached him directly here, talked to either him or his Under Secretary with reference to the avocado problems in south Dade County. They were about to ship back 100 workers from the offshore areas—workers who were imported for the purpose of picking that crop—when the crop wasn't fully picked. And I must say that the Secretary acted promptly through his employees to make available until the crop can be completely picked 60 of the 100, and there have been other occasions when he has acted. And I say that as a preface to the statement that I hope seriously, Mr. Secretary, that acting upon these wires, upon the showing of wastage in my State where your program is already underway—and it isn't a question of finding a substitute program, it is the question of reasonable administration of a program which has been operated under for many years—that you act quickly to avoid further waste because it is a heartbreaking thing—having been raised in an orange grove maybe I feel worse about this than anybody else—to have literally thousands of boxes of citrus fruit going to waste simply because there are no pickers available, and the reason for them not being available, solely the attitude of the Department, because our people have done everything that has been requested and have gone as far as Philadelphia and the State departments of Pennsylvania, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee, Missouri, perhaps other States that I don't recall now, every place that your people have suggested we have gone. We have carried a team of people up there from our industries to educate the employment service as to who would be qualified and who not, and still we have this lamentable failure to fill the needs from the domestic field.

We don't have a Los Angeles in our midst. We don't have any great cities to experiment with the hundreds of thousands of unemployed. We have relatively full employment in Florida, excellent employment, and no great cities to draw from. And I don't know anything that we have been asked to do by your department that we are not doing, and when we have done it and it is admitted by your department that we have done it, it seems to me that we are entitled to speedy consideration of our showing made here today of real waste already incurred and real loss already sustained. And I hope that in your use of your customary good sense you will give us some relief right away, irrespective of what happens in this hearing which goes on tomorrow.

Secretary WIRTZ. Only two things briefly, Mr. Chairman. Of course, every single suggestion that has been made about spoilage will be given the most immediate attention starting as soon as we get back to the office. Beyond that, Senator HOLLAND, you will understand that of all you said I want to respond only to one kind word. If there has been any exception made with respect to any worker from outside the country since January 1, it has been without my knowledge, and I say this because I don't want anybody else in the room to misunderstand. There has been so far as I know no variation from this pattern and——

Senator HOLLAND. You mean no new people brought in.

Secretary WIRTZ. Well, I expect—I can only assume that the case you are talking about is one where they were already in and the contract time expired.

Senator HOLLAND. The time was extended.

Secretary WIRTZ. I didn't know that, and I just don't want anybody to think that this is being worked out on anything except the most even-handed basis.

Senator HOLLAND. I am sure you mean to do just that and that is the reason I address this pitiful situation to you that exists in my State.

Secretary WIRTZ. That is right.

The CHAIRMAN. Mr. Secretary, I would also suggest that you look into this matter of plantings that would take place in the next 2 or 3 weeks or maybe a few months and make certain that assurance will be given to the people who will plant these crops that they can expect to have labor in some way or another. If they can't get it locally, can't get it domestically, that efforts will be made to get it abroad. Because we certainly don't want Mexico to start in the tomato business or take over the growing of crops as they have with cotton and two or three other crops that they are now growing, and I have no doubt that much of that has come about because of the difference in the working conditions and the wages paid in our country and Mexico.

Secretary WIRTZ. Yes, Mr. Chairman. I assure you of complete cooperation and do it as part of my statement, that I do not want that misunderstood because it is my complete conviction that if we and the growers work together on this, we are going to meet this problem and we are going to meet it with domestic workers. And I want to assure you and them of my fullest cooperation as part of my statement, that I think that cooperation will be and must be in the development and the use of domestic workers, and I don't close my mind to the others as the December regulations indicate, but neither do I need to suggest that—let me put it this way. I think the worse disservice I could do anybody at this hearing would be to say anything which would imply that I think a different course of action is in prospect, because I don't. I think there is the course of most complete cooperation in prospect. But it is going to depend on our working together on it, they and we.

Senator HOLLAND. Mr. Secretary, can you indicate for the record any area which we have been asked to go into from our State to try to get labor through the State employment service of that State that we have not gone into even to the extent of sending our people to educate the State employment service as to what is the nature of the labor that we need?

Secretary WIRTZ. There has been brought to my attention one or two little cases and I am not going to even mention them because I think the answer, as far as I know, is "No." I think there is an attempt. By that I mean I think that there has not been any substantial lack of cooperation. I think there has been cooperation and I am talking of the future and to the desired extension of that.

Mr. YARBOROUGH. Mr. President, I regret very much that I did not hear the statement of the Senator from Florida. I have been presiding over the hearing on the GI bill before the Veterans Subcommittee for more than 2 hours.

I wish to ask whether a certain matter has been brought up. In my State, we find that due to inability to obtain foreign labor, many farmers go to Mexico, purchase acreage, and produce vegetables and other crops in Mexico for import into the United States. Those crops used to be produced here.

I do not know whether that has happened in the State represented by the distinguished senior Senator from Florida, whether it is happening in other States, or whether the subject has been discussed today. I was unavoidably absent during the discussion.

Mr. HOLLAND. Mr. President, while I have no particular knowledge of that thing having happened in Florida, the distinguished junior Senator from California has stated very clearly that that is exactly what is happening in connection with the departure from his own State of important agricultural industries, and a conversion of food-producing industry into the raising of crops that can be handled mechanically, such as alfalfa and the like.

Mr. YARBOROUGH. Mr. President, that is what is happening in certain areas of my State.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. HOLLAND. I had promised to yield first to the Senator from Ohio. But, I yield to the Senator from Wyoming.

Mr. McGEE. Mr. President, I reemphasize the point that the Senator from Colorado was making a few moments ago. That concerns the peculiar circumstance in agricultural labor as it relates to Wyoming. It has to do with the sugarbeet crop.

We have found that it was impossible to get any other source for the labor in the critical 6-week period in the spring, in May and early June, in what is called the weeding and thinning operation. We have not been able to find any domestic labor to take care of it. The braceros are indispensable to the success of this phase of our agricultural production. That is the reason why it is desperately important to us that we get some kind of consideration, in order to protect our beet growers who have no other recourse to labor for the special, tailored problem in this field.

Mr. President, during the past few weeks, I have received a considerable amount of correspondence from both sugarbeet growers and beet processors within my State expressing their concern and seeking some advice as to how their problems can be alleviated. Unless some assurances of adequate labor supply can be forthcoming in the immediate future, there is some doubt as to whether or not many of our beet growers in Wyoming will plant a crop.

This situation has become so critical that I sent a member of my staff to Wyoming to attend a meeting of representatives of all segments of the sugarbeet industry, together with representatives of the employment services on a city, State, and Federal level. Following that meeting, I directed a letter to Secretary Wirtz in which I attempted to summarize the highlights of the discussion which took place in Casper, Wyo., on Friday, February 12. I ask unanimous consent that a copy of this letter be included in the RECORD at the conclusion of my remarks, since I feel it is a fair and adequate résumé of the situation in Wyoming at this time.

It is my understanding that the Secretary of Labor does have authority under existing legislation to certify the need for importation of foreign labor. In my own opinion and based on my own personal knowledge, I feel without question that conditions in Wyoming are such that such certification should be forthcoming from the Secretary without further delay.

I want to make it perfectly clear, just as my Wyoming beet growers have made it perfectly clear to me, that they do not wish to deprive any individual within the United States of employment opportunities. They have in the past and would be most happy to continue in the future utilizing all reasonable sources of labor from throughout the State of Wyoming or the United States. Approaching this from a realistic and practical manner, however, we all know that regardless of their recruitment efforts sufficient labor from domestic sources will not be forthcoming.

In my meetings and discussions with Secretary Wirtz, I have made every effort to emphasize to him the importance of the time element involved, because if action is not taken timely, it will most certainly be ineffective. I feel that the handwriting is on the wall at this time and that there is more than sufficient information at this time to justify the conclusion that adequate domestic labor will not be available.

I would again urge the Secretary with all of the resources at my command to utilize this information which is now available to him and to certify the need for foreign labor. Only in this manner can the wheels be set in motion to obtain such labor in time for its utilization in the current season which is almost upon us.

There being no objection, the letter was ordered to be printed in the Record, as follows:

February 15, 1965.

Mr. Willard W. Wirtz,
Secretary of Labor,
Department of Labor,
Washington, D.C.

Dear Willard: This letter is in further reference to our recent meetings and discussions concerning the agricultural labor situation in Wyoming.

On Friday, February 12, the Wyoming Sugar Beet Council held a meeting in Casper, Wyo., to discuss the current situation in some detail. At this meeting representatives of Wyoming beet growers from all principal growing areas of the State were represented together with representatives of the principal sugar processors within the State. Also present were representatives of the employment services including those at the local, State, and Federal level. As you know, I had a member of my Washington staff attend and participate in this meeting in an effort to determine on a firsthand basis the situation which faces our Wyoming sugarbeet growers at this time.

It appears to me, based on facts developed at this meeting, that the labor situation with which our sugarbeet growers are faced is critical at this time and will become more critical in the weeks ahead unless immediate steps are taken by the Department of Labor to grant some relief. During the course of the meeting to which I have made reference, it became quite apparent that the basic facts upon which some decision should be based are not in dispute by any of the parties interested in this problem. Briefly stated, these facts are as follows.

The sugarbeet industry in Wyoming cannot be serviced with labor recruited within the State of Wyoming or within the continental limits of the United States. While representatives of the U.S. Employment Servive indicated to this group that every effort would be made to recruit sufficient domestic labor, they were in no position to make any assurances that this would be accomplished and, in fact, were openly pessimistic in this regard. They did indicate that every effort would be made toward this end, and when these efforts failed, might then proceed to import foreign labor under the authorization contained in Public Law 414.

The representative of the Wyoming Employment Service was even more frank and pessimistic. Based on surveys which have been conducted by the Wyoming Employment Service, it has been concluded that Wyoming sugarbeet growers will require a minimum of 1,200 workers which must be recruited from foreign sources this season. This figure makes allowances for those which are anticipated to be recruited from sources within the State and those recruited from areas of the United States outside of Wyoming. The report of the Wyoming Employment Service indicated that "Wyoming beet growers are in dire need of workers." Based on its studies and investigations, the Wyoming Employment Service indicated a willingness at this time to certify the shortage of domestic workers for the current season. It was emphasized, however, that this could not be done until such time as full-scale recruitment had been conducted in other areas of the United States and that it was shown positively that these recruitments were unsuccessful.

It was brought out many times during the course of this all-day meeting that for the past several years Wyoming sugarbeet industry has never been successful in obtaining sufficient domestic labor to process its beet crop. In response to questions by my representative, the agents of the respective employment agencies emphasized the fact that for many years Wyoming beet representatives had conducted extensive and sincere domestic recruitment drives in many parts of the country with the result that sufficient labor was not recruited. This, I understand, is in contrast to other areas in which the good faith and sincerity of recruitment efforts have been questioned. It was also brought out and emphasized with regard to the domestic labor that was recruited that this labor was given every consideration by our Wyoming employers and were not discriminated against in any manner whatsoever. In other words, our Wyoming sugarbeet growers appear at this time with a record of good faith and sincerity which I feel is extremely important and should be given every consideration.

Wyoming, as you well know, is under several disadvantages in any efforts to enter the recruitment field on a competitive basis with other States. We have a short work season involved, normally not over a period of 6 weeks in the spring and early summer. Sugarbeet is the only crop in which this type of labor can be utilized in Wyoming. This is contrasted with other States and other areas in which labor so acquired can be shifted within a small locality from one crop to another, thereby extending employment opportunities over a period of many months.

In addition to this, the certified labor rate in Wyoming this year which must be offered domestic labor has been set at $1.25 per hour as compared to $1.40 per hour in many other States including those adjoining Wyoming. It becomes readily apparent then that our growers are at these disadvantages which will result in increased difficulty in adequate recruitment opportunities.

When confronted with the history of adequate recruitment of domestic labor, representatives of the employment service indicated that they could not and would not be guided in this matter by such history, but would look solely to the future. This not only failed to satisfy those present, but appears to me to be a completely unrealistic attitude. I can see absolutely no justification whatsoever in completely disregarding and ignoring past experience in this area, since I feel that such past performance is perhaps the best way to judge future requirements.

Approximately 1 year ago, representatives of the employment services appeared before a similar group and assured them that domestic labor would be recruited on their behalf in some areas of the United States which had not been considered or recruited in early years. It is my understanding that after considerable efforts absolutely no workers were provided from these areas. One grower from Worland related a specific instance in which he submitted a request through normal channels for labor to be recruited from the State of Mississippi. He relied upon assurances that these workers were available, willing to work, and would be available for employment in Wyoming. Not one single worker was recruited as a result of this request. It was explained to the meeting in Casper on Friday that this group had been contacted in Mississippi, but refused to come to Wyoming since the season was too short, the distance was too long, and they could receive similar employment elsewhere. While this is only one single case, it does, I believe, indicate the general problem.

I should like to emphasize as strongly as possible, as I have in our previous discussions, that time is of the essence and is becoming more critical as each day passes. In order to plan their operations, our growers must have some word by no later than March 10 as to whether or not adequate labor supplies will be available during the coming season. It is my understanding that the operations which require the use of such labor commence usually during the first week in May. I would urge you to keep the time element in mind and to take immediate steps to authorize and certify the need for foreign labor in Wyoming so that the wheels might be set in motion to obtain it, thereby giving our growers some assurance upon which they can rely and plan.

Many suggestions have been made on ways to better utilize the existing labor force within the State of Wyoming at the present time. I am certain that our Wyoming growers are perfectly willing, as they have been in the past, to fully utilize Wyoming labor. To rely on this labor, however, to process its crops is unrealistic. The Wyoming Employment Service, based on recent surveys, has indicated that 550 workers could be recruited from within the State of Wyoming. This includes the potential from all available sources and includes workers from ages 14 through 65. While no specific breakdown was presented, I understand that this figure was weighted quite heavily with boys in the 14- to 16-year-old category. It was even suggested that to alleviate the critical labor situation our sugarbeet growers might utilize the service of "spry housewives" and church groups who might be interested in raising money for the church through this source. Here again, while the objectives might be worthy of some merit, I feel to a large degree that they are extremely impractical.

Not only does the sugarbeet industry comprise one of our major sources of agricultural activity within the State, but it also provides considerable employment to a substantial number of people in the processing and refining of the sugarbeets once they are grown and removed from the soil. Needless to say, if our farmers are not able to produce a sufficient crop due to lack of sufficient labor, employment in these processing and refining facilities will be sharply curtailed.

In closing, I would add that it was explained to this group that the policy of utilizing domestic labor to every extent possible was, to some degree, an experiment by the Federal Government to reduce domestic unemployment and to combat poverty. The feelings of our growers were adequately expressed by an individual who said he hoped everyone realized that "such experiments were being conducted at the expense of our livelihood."

This matter, as you know, is one in which I have been vitally interested. It is one which is critical to our Wyoming beet growers and to the economy of the State of Wyoming generally. I would urge you, therefore, to take whatever immediate action is necessary to insure our Wyoming beet growers an adequate labor supply for the coming season and that this assurance be given to them without further delay and in ample time for them to plan as they must. I, of course, stand ready and willing to be of whatever continued assistance possible to you in this regard.

Sincerely,

GALE MCGEE,
U.S. Senator.

Mr. McGEE. I thank the Senator for his cooperation in asking that fair consideration be given to this question.

Mr. HOLLAND. I thank the distinguished Senator from Wyoming. He has added a good point to this debate.

I yield now to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I recognize the sincerity of purpose of the Secretary of Labor in providing employment and jobs. That should be the objective of each one of us. But we must recognize the realities of the situation.

In Ohio, while I was Governor—and the situation still prevails—while people were unemployed, we could not get them onto the farming areas to do work in the harvest season and aid the farmers in getting their crops into storage and on the market. That situation still prevails. Domestic labor cannot be had to do that work.

Are we to allow farmers to suffer deterioration of their crops which are hanging on the vine or in the field? I do not think it is just.

I want to add my support to the position which the Senator from Florida has taken in this matter. I am certain there will be an injustice done to the farmers of Ohio because of their inability to procure workers to do the job that must be done in a brief period.

Mr. HOLLAND. I thank the Senator from Ohio. I think he is correct in his conclusion that there will be a hardship in his own State. Last year we placed in the RECORD evidence showing the great hardship done in the State of Michigan, where the pickle industry has relied particularly on farmworkers to pick the small cucumbers which are processed into pickles. The evidence showed that, though people were unemployed, they would not get on their hands and knees and work on the farm. The farmers had to rely on foreign workers, in this case from Mexico.

I am sure there will be a hardship in his own State.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LAUSCHE. I was Governor of Ohio for 10 years. Every second year farmers came to me asking for workers. I tried to do it through the Employment Service. It was the kind of work the people did not want. They could not be driven from the city into the country. The unemployed have some discretion as to where they may be sent and what type of work may be assigned to them under the unemployment laws of the State.

Mr. HOLLAND. I thank the Senator from Ohio.

Mr. BASS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Tennessee.

Mr. BASS. The Senator from Florida is discussing a subject with which I dealt rather closely in the other body before I came to the Senate. It is one that deserves some study and possibly some change.

I want to make clear at the outset that I do not oppose bringing in foreign workers to work in areas of distress and in need. That may be necessary, but I hope the Senator from Florida will agree with me that in areas where commodities are price supported and have acreage controls, it is not necessary to bring in foreign laborers to produce or harvest those crops.

In Tennessee there are many small family-type farms that deserve consideration in the amount of acres allotted to them. Let us consider cotton. Cotton is production controlled and price supported.

I cannot see the reasonableness or sanity of importing workers to harvest crops which are under acreage limitations, and yet denying to family-type farmers the privilege of an increase in their acreage while giving operators who necessarily must import labor the opportunity to produce more crops.

There is one exception, and it fits into the pattern of the statement of the Senator from Florida. Sugar is one prime example of a crop that is controlled by acreage allotments and is price supported. However, we are a deficit-producing sugar country, and in such case we do not produce surpluses of that crop which go into Commodity Credit storage.

I can see how it would be feasible in some cases to import labor to help produce sugarcane in Florida, for example, where native local labor is not adequate to meet the demands; but if there are any efforts to reopen the bracero program, I hope the Senator from Florida and other Senators who are interested in the welfare of American workers, as well as production of agricultural crops, will see to it that we do not import labor into this country to produce crops now in surplus, in storage bins and warehouses, and also at the same time deny other American farmers an opportunity to increase production.

I hope the Senator from Florida and other Senators interested in this program will agree with me that we should see that adequate pay is involved for the labor and make sure that American farm laborers are given an opportunity to participate further in the program. If an appropriate program could be designed so that Americans would receive proper wages under proper conditions, I would hope some solution could be arrived at to solve some of the problems in California, Florida, Texas, and perhaps other States.

I want it clearly understood that I would oppose any legislation which would reopen the program to bring in foreign laborers and deny Americans, who would like to have increased production and controlled crops, that right.

I thank the Senator from Florida for yielding to me.

Mr. HOLLAND. I thank the Senator from Tennessee for his contribution.

In the first place, we have never had a single offshore laborer working in the cotton fields. We are not a heavy producer of cotton. We have 30,000 acres in Florida, but that is not where our need lies. We have handled that situation entirely with domestic labor. I wish we could handle other situations with domestic labor, but where there is a need we feel we should be able to supply relief.

I understand that the Senator agrees with me as to cotton. My understanding is that in the great areas of the West which have gone into cotton production in recent years, the growers have taken to the mechanized harvesting of cotton, particularly in the States of California and Arizona, because of the labor problem involved being so acute there, which means that in that particular crop and under the conditions obtaining there, mechanization is possible.

(At this point Mr. KENNEDY of New York took the chair as Presiding Officer.)

Mr. HOLLAND. Mechanization has not proved to be possible in the picking of strawberries, tomatoes, or oranges, or in the cutting of cane under the conditions I have described, in the mucklands of Florida. It has been possible under different conditions on other lands, such as in the State of Louisiana. I only wish it were possible for Florida, but it is not, and we have asked for supplemental labor only where we needed it badly, and only in the amount which we needed to fill out our quota. That has not been a large proportion of our total labor force as to any crop except sugar cane. I am stating what I happen to know to be the facts. We cannot get domestic workmen in Florida to come into the canefields with their machetes after the cane tops have been burned, in the mud and muck, with dead snakes, and so forth. No one will do that work for us except workers from Jamaica, Trinidad, and the Barbados, who are used to those conditions of work, and who like to come up to Florida and perform that labor for us.

Mr. MURPHY. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. MURPHY. In this discussion, I hope the Senator from Tennessee will understand that in California the problem does not exist with respect to our cotton crop. That crop is all mechanized. We are talking about perishable crops, which ripen and then must be harvested immediately. As to the supplemental laborer, the bracero, the Japanese, never at any time has the amount been more than 10 percent of the entire labor force, so that this is not a replacement or a denying of domestic labor. On the contrary, for a period of 12 years, to my knowledge, growers and farmers in California have done everything practical they could think of to attract domestic labor at this particular time of year. It is a peculiar situation. The period lasts 10 weeks. They have to work fast and hard. Getting workers to do that kind of work has proved difficult.

This is not a new problem which has occurred this year.

Let me read from the Modesto Bee, which is a newspaper up in the valley. It remarks as to the situation which we are discussing. The figures and the facts have been confusing and in some places distorted.

Before the Senator came into the Chamber, I pointed out that there have been falsifications of the figures. In 1963, the figure that has been used broadly as the number of unemployed in California is 410,000. Of this total, Mr. Fred Heringer said that 281,000 worked a short period of time, mostly as cannery workers, during the peak harvest, and were therefore unavailable for work on the farms at that time. He further stated that women represent 40 percent of the remaining 139,000 unemployed, reducing the potential farm labor force to less than 100,000. We call the figure 400,000 in California. But this is an analysis that I assure the Senator is true. It has been carefully worked out. It is our desire, it is easier, it is simpler, and it is much better for the farmers and the growers to use domestic labor. They would like to do that. It has not been practical or feasible. Now they are faced with a crisis this year with the prospect of losing 30 percent of the largest industry. Next year that percentage will increase. It has nothing to do with subsidized land, or cotton. Cotton is all harvested mechanically. This is work which must be done only by a particular specialized kind of labor. So far as we have been able to find out, the only people in this category are our good friends from below the border—in Mexico.

While I have the floor, let me say that this is the greatest example I have ever seen of the benefits of mutual aid between two nations. Workers from Mexico come across the border, and they take back with them $250 to $300 million a year in wages—at no cost to the American taxpayer—wages which they have honestly earned and which we are glad to pay them. I would dislike to see this association, which has lasted over so many years, destroyed by the shortsightedness of those who have taken an adamant position and are not looking at the facts and are not making their judgment based upon the facts.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER (Mr. McCARTHY in the chair). The Senator from Florida.

Mr. HOLLAND. I should like to supplement what has been said by my distinguished friend from California by relating my own experience in a similar situation.

I went down to Nassau in the Bahamas to visit the Governor, Major General Neville, retired, and we went to the place where the colonial government was recruiting workmen to go to Florida and later move up the coast of the United States. They were making their selections carefully, limiting the men whom they would approve to able-bodied, strong males, family men, men without a criminal record, men who were willing to assign a large part of their pay back home. Governor Neville told me at that time that the largest source of dollars to the Bahamas, second only to tourism, was the earning power of the several thousand of his people who came to Florida and worked in the agricultural fields, and then moved up the coast as far as New England. So that it was a mutually acceptable arrangement, very carefully handled by the colonial representatives of the Queen.

Mr. ALLOTT. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. I am sure that a completely parallel case has been made with the country of Mexico to the south, to which the Senator from California [Mr. MURPHY] has just referred. I believe that the average Mexican workers—the braceros, as they are called by some—went home with some $1,200 to $1,300, at least, in earnings made in this country, which enabled him to live in a way that they could not possibly have lived from earnings made in their own country.

The unique thing about this whole arrangement—as the Senator from Florida [Mr. HOLLAND] has said, with reference to Nassau and the Bahamas—is that this is an agreement between Mexico and the United States, which concerns Colorado. They considered the agreement desirable, and have been bitterly disappointed because it was terminated. This is one time we have been able to help a country without losing good, hard, cold dollars and get something substantial in return.

Mr. HOLLAND. I thank the Senator from Colorado. Before getting back to Florida—and I have considerable left to say on that subject—let me say that the Senator from Ohio, the Senator from Tennessee, the Senator from Texas, the Senator from Colorado, the Senator from California, and other Senators have made it very clear that this is a problem which, in the near future, will reach a great deal farther out than it does now.

To pursue that thought, I asked the Secretary of Labor to furnish me with the facts with reference to the importation from Canada of woodcutters who are brought in every winter, because the wood for the pulp mills is cut in New England and northern New York in the winter.

This morning I received from Secretary Wirtz a letter which I ask to have incorporated in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> U.S. DEPARTMENT OF LABOR,
> *Washington, February 17, 1965.*
>
> Hon. SPESSARD L. HOLLAND,
> *U.S. Senate, Washington, D.C.*
>
> DEAR SENATOR HOLLAND: This is in response to your request for information concerning the use of Canadian woodsmen in the United States.
>
> For a number of years, woods workers have been brought into the United States from Canada. The program has operated under the Immigration and Nationality Act, Public Law 414, in a fashion comparable to that of the British West Indian program.
>
> In early fall, a survey is made as to the need for woods workers during the ensuing 6 months. After discussions among the State Employment Service agencies, the employers, and the State labor organizations, an overall ceiling is set by the U.S. Department of Labor. This is then allocated among the employers, and certifications for workers are made.
>
> The ceiling set for the 6-month period beginning October 1, 1964, was 7,395 for the New England-New York area. The number of Canadian workers actually in the United States for work in the woods in this area has been declining since last fall and was 2,711 on December 31, 1964, 2,632 on January 15, 1965, and 2,481 on January 31, 1965. Those here on January 31 were divided as follows: 2,296 in Maine, 49 in New Hampshire, 6 in New York, and 130 in Vermont. The number of Canadian woodsmen used in the United States has been declining annually over the past few years.
>
> No new certification for entry of Canadian woodsmen has been made by the Department of Labor since last October, and, as you can see, the number now in the United States is far less than the ceiling set last fall. None of these certifications are valid after April 15, 1965.
>
> At the present time, the other Canadians working in the United States as a result of Department of Labor certification are construction workers in New York State who are filling jobs for which the State employment service last year certified no American workers were available.
>
> So far as I have been able to ascertain in the time since your request, no certifications for foreign workers for construction, woods work, or agriculture have been made by the Department of Labor since January 1, 1965.
>
> I trust this is the information you need. If I can be of assistance to you in any other way, feel free to call upon me.
>
> Sincerely,
>
> W. WILLARD WIRTZ,
> *Secretary of Labor.*

Mr. HOLLAND. Mr. President, the letter states that as of the date of the letter, on which date he had this information available—and all the facts were in—there were, as of January 31, 1965, many workers from Canada certified by him as working in the woods of New England and northern New York to the following number: 2,296 in Maine; 49 in New Hampshire; 6 in New York; and 130 in Vermont. The total is 2,481.

He was very careful to say, however, that these certifications are only to April 15. I merely wish to give warning to the people who are affected, if they run across the same philosophy which has been used against us, they will find it impossible to get these workers who traditionally come in across the Canadian border and have been doing so for many years, to cut the pulpwood in New England and New York.

I wish to recite for the RECORD this sentence, which I believe is clear warning that the same philosophy which he has been following in Florida, California, and Arizona up to now, will be followed in New England and New York:

> No new certification for entry of Canadian woodsmen has been made by the Department of Labor since last October, and, as you can see, the number now in the United States is far less than the ceiling set last fall. None of these certifications are valid after April 15, 1965.

I have just received a telegram from State Senator Glen Manual, of the agricultural committee, at the state house in Augusta, Maine, which I ask to have printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

AUGUSTA, MAINE,
February 18, 1965.

Senator SPESSARD L. HOLLAND,
Senate Office Building,
Washington, D.C.:

Potato growers and forest operators, Maine, historically depend on Canada for seasonal workers when local supply inadequate. Workers mainly Province Quebec residents within 50 miles boundary. French-speaking subsistence farmers or residents small villages or custom work. Boston office U.S. Department of Labor divides New England quota about 9,000 Canadians between States relation requests. Maine allocation 4,000 to 5,000 used mainly Aroostook and Somerset Counties. On January 31 active permits Aroostook County total 1,843. Permits usually for 6 months within dates April 1 to October 1. Procedures of obtaining wood workers as follows: Request made local employment office by employer and routed State employment office and regional office U.S. Department of Labor. Employers also petition Immigration office, Portland, for crossing permission and meets bonded requirements. Permission granted by Immigration upon Labor Department, Boston. Once permit granted employer may cross or replace workers. Workers do not have visas. Same as farmworkers under provisions section 414, Immigration Act, and charged to employers bond.

One woods employer Aroostook County received permit week February 13 to cross 20 workers. Statewide attempts recruit and train unemployed for woods work have been expensive failures. Maine forest and farm growers dependent on Canadians for supplemental labor force. Order 400 potato house worker cleared 3 regions recruitment; no results. Importation tabled Secretary's regulation requirements. Three thousand seven hundred domestics employed 137 unfilled openings. Shipping must double March and April.

Senator GLEN MANUAL,
Agriculture Committee,
State House.

Mr. HOLLAND. Mr. President, this telegram makes it clear that both the potato growers and forest operators in Maine historically depend—that is the term Mr. Manual uses—on Canada for seasonal workers when the local supply is inadequate.

He goes on to make statements which are at variance with the statements made by the Secretary of Labor in committee. I am sure the Secretary made his statements in the belief that they were true. However, the telegram states:

> One woods employer Aroostook County received permit week February 13—

That would be about a week ago—

> to cross 20 workers.

That means to have them cross the border. The writer of the telegram goes on to state:

> Maine allocation 4,000 to 5,000 used mainly Aroostook and Somerset County.

I have heard the distinguished Senator from Louisiana speak about the potato production in Aroostook County in Maine. I have never had the pleasure of being there, but I believe it is one of the largest potato-producing areas in the United States.

The facts are clear and to the point, that the Maine producers of potatoes and the producers of wood have had to rely for many years historically upon supplemental labor from Canada. After all, only an imaginary line runs between Maine and Canada.

The telegram also states that they have needed, in addition to their local laborers, workers to grade the potatoes prior to shipment. The farmers store their potatoes. They grow hard potatoes. They have needed 400 such additional workers quite recently in addition to the domestic workers who do this work. That request has been denied by the Secretary of Labor.

Therefore, it is clear that this problem is not rooted to one State at one time, although it hits my State heavily now in the field of citrus harvesting and sugarcane cutting and in connection with some vegetable and berry harvesting, but is a problem which exists throughout the country.

There is no reason in the world why we should not avail ourselves of the skills of our neighbors.

The other day we received an immigration message from the President of the United States, requesting us to greatly amend the existing Immigration Act, so as to permit the introduction into this country of large numbers of additional people not now permitted to come in. It would be desirable, the President feels, to have these people come in because of their skills in certain fields.

Yet the Secretary of Labor is taking a position which denies an essential industry the skilled people that are needed.

Without unduly laboring the question, I should like briefly to touch on the hardships which have already been visited on Florida agriculture.

The statistics, as they appear in the hearings, show that our citrus crop has increased heavily from what it was last year. We sustained a bad frost in December 1962. Last year we came back gradually. This year we have come back quite substantially. The figures supplied by the U.S. Department of Agriculture are as follows:

The 1964 orange crop amounted to 58.3 million boxes. They were picked some time ago. The estimate for 1965 is 81.6 million boxes. The 1964 grapefruit crop was 26.3 million boxes. The 1965 estimate is 31.5 million boxes.

The tangerine crop shows a 17-percent increase. These statistics show the situation all the way down the line.

Yet the Secretary of Labor, in testifying before our committee, said that he has permitted no more people to come in from offshore to help us handle the situation this year, to pick the crop, than he let in last year, when it was apparent that he did not let in enough.

In addition, let me call attention to the fact that we have had bad weather conditions—drought and freezing—although not as serious as in December of 1962. Those two conditions have brought about heavy losses in the crop, which could not be picked, because we could not obtain the pickers.

The testimony showed that the tangerine crop was abandoned by certain producers, because the pickers could go further and do more to save more value in picking oranges than in picking tangerines. There were not enough pickers for both.

The record shows that grapefruit picking has hardly been entered upon as yet in some fields.

We have been badly hurt already. I shall put a great many clippings in the RECORD, but first I wish to refer to a letter which I received from another branch of the Government, from the district director of the U.S. Department of Agriculture, Federal Crop Insurance Corporation, at Lakeland, Fla., under date of February 16, 1965.

The letter shows that the losses have already occasioned the filing of 250 crop damage reports and claims based thereon, due to the fact that the crops were lost because of an inadequate supply of pickers.

The letter states:

> This is to inform you as of February 15, 1965, the Federal Crop Insurance Corporation has received 250 crop damage reports from freeze throughout the citrus belt with 225 field inspections having been completed to date. The estimated indemnity is expected to be $150,000.

Mr. President, I ask unanimous consent that the entire letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FEDERAL CROP INSURANCE CORPORATION,
Lakeland, Fla., February 16, 1965.

Mr. ROBERT W. RUTLEDGE,
Executive Vice President,
Florida Citrus Mutual,
Lakeland, Fla.

DEAR MR. RUTLEDGE: This is to inform you as of February 15, 1965, the Federal Crop Insurance Corporation has received 250 crop damage reports from freeze throughout the citrus belt with 225 field inspections having been completed to date. The estimated indemnity is expected to be $150,000.

In reviewing the inspection reports, it is noted that an average of 35 to 40 boxes of fruit per acre is on the ground resulting from the following factors: (a) freeze damage on January 18, 1965, (b) advanced stage of fruit maturity at time of freeze, and (c) the unseasonably warm weather following the freeze.

The factors noted above combined with the grower's inability to secure an adequate and timely harvesting force is resulting in a monetary loss of approximately $100 per acre since most of the fallen fruit was salvageable if it could have been harvested prior to the time deterioration and spoilage began.

Sincerely,

WM. R. HUEY,
District Director, FCIC.

Mr. HOLLAND. Mr. President, the last sentence in the letter reads as follows:

> The factors noted above combined with the grower's inability to secure an adequate and timely harvesting force is resulting in a monetary loss of approximately $100 per acre since most of the fallen fruit was salvageable if it could have been harvested prior to the time deterioration and spoilage began.

This communication from the district director of the Federal Crop Insurance Corporation in Florida supports the statement made in our hearings and in our records that thousands of boxes of oranges were falling unnecessarily to the ground and were not being picked, because the Secretary, in his obdurate position, refuses to permit the coming in of an adequate number of pickers from offshore.

Mr. President, I wish very briefly to state that we have done everything we know how to recruit pickers from outside the State of Florida. We did that long before the attitude of the Secretary of Labor was announced. I ask unanimous consent that the parts of the testimony that I think are most pertinent to this point, as marked by me, of Clark Ghiselin, beginning on page 167 of the hearings, be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF CLARK W. GHISELIN, SECRETARY, CITRUS INDUSTRIAL COUNCIL, LAKELAND, FLA.

Mr. GHISELIN. I was going to speak on the overall problem within the industry itself. My name is Clark Ghiselin. I am secretary of the Citrus Industrial Council which is the arm of the citrus industry in Florida that engages in all areas of labor matters as they affect the industry.

The council is composed of three members of the Florida Citrus Mutual which is a growers' organization, approximately 13,000-plus members, the Florida Canners Association, 3 directors representing 46 of the canneries which is 100 percent of the industry, and the Florida Fresh Fruit Association of approximately 100 packinghouses producing 85 to 95 percent of the fresh fruit shipped from the State of Florida.

Senator HOLLAND. How many representatives do they have on that group?

Mr. GHISELIN. A hundred packinghouses.

Senator HOLLAND. How many representatives on this council?

Mr. GHISELIN. Three. Three each from the associations.

The council was organized 4 years ago because for the previous 8 to 10 years we recognized the problem in this harvesting area that has been well documented prior to my appearing here before you.

When the council was formed, one of my first activities was to go into the supply States to find out the availability of labor. I went into the supply States with a letter from the State industrial commission whom I have talked about. For many, many years prior to my association with the council, I was employed as personnel director of the Pasco Packing Co. in Dade City, and Mr. Tombrink was in the harvesting division at that time. And subsequent to that time I have been on an industry basis and working in the same fields.

On my first preliminary tour that I made I heard nothing but criticism as to the treatment of the workers that were sent in through the interstate system. When I got into the specifics of this with the various State agencies, I found that these were things that had happened 4 and 5 years ago. The industry recognized this in the late forties and began to take corrective action, and as recently as this summer, every one of the State agencies that I have visited again, and I will elaborate on that a little more, have advised me that they have not received any complaints over the past 4 or 5 years of any abuse of their workers that are sent to Florida.

Now, I would like to take time to explain to you what the citrus industry has been doing, and frankly we have tried to stay ahead of anything that the Bureau might do in this business of recruiting.

After my initial trip I came back and told my people one of the things that the State agencies are talking about is the lack of the use of crew leaders in the citrus industry, and I went into detail of all these various complaints that they said they could not recruit for us, plus the fact that we felt also that perhaps there were some things that we might be doing that were perhaps our fault.

So on this basis, through our State agency, we made an approach to the Mississippi State Employment Service 3 years ago and developed a special recruiting program, and I will submit this as part of the record.

The CHAIRMAN. It will be filed for the record.

(The document referred to is as follows:)

[Interoffice communication]

"FLORIDA INDUSTRIAL COMMISSION,
"FLORIDA STATE EMPLOYMENT SERVICE,
"August 26, 1963.

"To: Selected local offices.

"From: L. F. Shebel, director, Florida State Employment Service.

"Subject: Mississippi special citrus recruitment experiment.

"We are attaching copies of a Mississippi leadman registry showing tentative assignments to Florida growers and an agreement covering the movement of the workers under our special recruitment experiment.

"All orders received from employers listed on the attached registry should be checked to determine if this request is a part of the Mississippi special recruitment. If found to be a part of this experiment, the clearance orders will be identified at the top with 'Special recruitment.' Your office will be kept currently advised of any changes in the Mississippi leadman registry.

"These special orders should be sent to the pertinent assistant chief of farm placement, for distribution in accordance with our regular clearance procedures.

"We are very much encouraged and pleased with this effort, on the part of Florida citrus employers and the Citrus Industrial Council to initiate and develop a sound domestic utilization program.

"CONTROLLED RECRUITMENT EXPERIMENT FOR SELECTED EMPLOYEES FOR FLORIDA CITRUS HARVEST

"Nature of experiment

"This experiment is intended to establish policies and procedures that will increase the supply of efficient workers for succeeding years. It is limited to specific employers in the citrus industry of Florida, in cooperation with the Florida State Employment Service, the Mississippi State Employment Service, and Citrus Industrial Council. It is not intended to interfere with or impede the normal pattern of movement of labor to Florida; rather, it is to be in addition to that established movement and, because of its experimental nature, is not to be taken as establishing any precedent for any other labor movements to Florida.

"Dates of employment

"Employment is offered in this experiment during two periods: from October 1, 1963, through December 20, 1963, and from January 1, 1964, through March 15, 1964.

"Type of movement

"Workers will be individually selected for groups of 20 to 30 workers, the number varying among employer orders, with each group to be under the immediate supervision of a leadman who may, or may not, provide transportation for the group.

"Leadman—Specification

"The leadman must be a mature, physically able, farm-experienced man, capable of supervising his workers and of being directly responsible to his employer through the field foreman.

"The leadman must have the equivalent of a sixth-grade education, and preferably will have the ability for advancement to a foremanship. The leadman must not have any of these defects: Hernia, heart trouble, diabetes, stiff joints, any illness requiring special diets, bad blood, loss of any extremities, or defective vision that would impair his efficiency as a driver of motor vehicles.

"The leadman must have a current, valid commercial driver's license, and be capable of operating a wheeled-type farm tractor in cases where the order requires that ability.

"The leadman will be required to reside with his workers, and must assume the responsibility for the conduct of his crew in quarters and on the job.

"Leadman—Remuneration

"The leadman will be paid the standard wage of the job to which he is assigned, as stated on the order. In addition, and as remuneration for his continuous supervision over and maintenance of his work force, he will be credited each week with $1 per week for each worker who works a normal workweek for the employer. These credits will be determined and accumulated each week, and will be paid to the leadman who completes the agreed work period with the original employer, this payment to be made by check within 15 days after the end of the agreed work period. This bonus will not be payable for any week during which the leadman's crew falls below 75 percent of the original number of workers accepted by the employer; he would, however, retain in such case any weekly credits previously earned.

"Pickers—Specifications

"The minimum age of pickers will be 21, the maximum age, 46. They will be males, and will be housed in company quarters. A picker must be a mature, physically able, farm-experienced man. He must be free of any of the following defects: Hernia, heart trouble, diabetes, stiff joints, any illness requiring special diets, bad blood, loss of any extremities, bad feet, or weak arches, or dizziness from heights.

"Pickers—Remuneration

"Pickers will be paid standard rates, on a production basis, as stated in the order. During the first two full pay periods of employment, the picker will be considered a trainee and will receive not less than $5 cash net pay for each of these first two full pay periods, and no indebtedness will accumulate against him during this period for board; however, any indebtedness for equipment or any other charges, including any indebtedness from a preceding partial worksheet, will be carried forward as an indebtedness for later payment by payroll deductions.

"Pickers—Transportation

"The cost of transportation to Florida for each leadman and picker will be 1 cent per mile per person, not to exceed $10 for any one person, to be deducted from the worker's pay. Each leadman and picker who satisfactorily completes the agreed work period shall have refunded to him the cost of transportation to Florida, plus a similar amount to provide transportation back to Mississippi.

"Postseason evaluation

"Each participating employer will, as soon as practicable after the end of the agreed work period, provide the Mississippi and Florida State Employment Services with an evaluation of each group, leadman and individual workers. This will include, in as much detail as is practicable, reports on performance on the job, earnings, behavior, and reasons for failure to perform properly or for having failed to complete the agreed work period, and whether the employer wants to employ the same group in the next succeeding season.

"[Tentative]

Local office	Period Oct. 1-Dec. 20			Period Jan. 1-Mar. 15		
	Lead man	Number	Employer	Lead man	Number	Employer
Aberdeen					7	
Brookhaven	Marshall Bennett	25	B. C. Cook	Marshall Bennett	25	B. C. Cook.
Clarksdale				Emmitt Bowman.	30	Waverly Growers.
Cleveland				John Lee Taylor	20	Plymouth CGA.
Columbia		10	Lake Region		20	
Columbus		15	do		15	
Greenville				Willie Mitchell	25	Golden Gem.
Greenwood	Carlton Holt	33	Lake Region	A. J. Billingsley	20	Minute Maid.
Grenada				David Lee Harris.	20	Haines City CGA.
Hazlehurst	Leroy Abby	20	Inland Fruit	Leroy Abby	20	Inland Fruit.
Indianola				Paul Zollicoffer	25	Pasco Packing Co.
Jackson		25	Waverly Growers		25	Waverly Growers.
Kosciusko				(From Lexington)	10	Minute Maid.
Laurel	Oliver Knight	15	Oslo CGA	Oliver Knight	15	Oslo CGA.
Lexington				Johnny J. Travis	20	Minute Maid.
McComb	R. D. Ratcliff	30	Alcoma Package	R. D. Ratcliff	30	Alcoma Package.
Do				Percy Rawls	30	Haines City CGA.
Meridian	Allen Beaty	30	Exchange Packers	Allen Beaty	30	Exchange Packers.
Do	Manuel Beaty	30	Graves Bros	Manuel Beaty	30	Graves Bros.
Do	Joe Isaacs	30		Joe Isaacs	30	
Natchez				Eli Jackson	30	
Newton		10	Lake Region		10	
Vicksburg	Norval Ousley	30	Minute Maid	Elmo Chapman	30	Minute Maid.
Hattiesburg		10	Plymouth CGA		10	Plymouth CGA.
Louisville	Monroe Walker	15	do	Monroe Walker	15	Do.
Oxford				Thomas Casey	30	Golden Gem.
Yazoo City				Percy Williams	25	Pasco Packing Co."
Total		328			597	

Mr. Ghiselin. This was a controlled program, and we evolved this through the Delta Council which is an organization out there—many of you may be familiar with it—of the cottongrowers. I spoke to the Delta Council on what our problem is in recruiting, and that the citrus industry employed farmworkers at a time when the rest of the Southeastern States we felt had no use for them, and we would try to work out an exchange program on an employer-to-employer basis through the facilities of the State agencies.

As a result of these meetings with the Mississippi State agency, we developed this program. The first year that it went into effect it was abandoned because we had the freeze on December 13, and Mississippi could not fulfill the demand we needed, and conditions were so chaotic—Senator Holland is well aware of that time—that we could not keep up with this program and the tremendous job we were trying to do to salvage the crop.

We went back again and went through another program with them based on this same criteria that we had established 3 years ago, and last year there were approximately 650 pickers that were potential in the order from the various employers and Mississippi was only able to fulfill 354.

We do not blame the State agency of Mississippi because we know they did a yeoman's job. It was simply a fact that the workers were not available to us.

This past summer we prevailed upon the Bureau and our own State agency, my council, for us to make an extensive tour to every one of the supply States to speak with the various officials in the Bureau, in the various State employment services, because what happened subsequent to the freeze has caused us to become more deeply alarmed perhaps than we ever have been in the history of the industry.

Prior to the freeze we had approximately 600,000 to 660,000 acres of citrus. After the freeze we had out of production 420,000 to 430,000—we had left in production 400,000 to 420,000 acres. In the past 2 years, to the best of our knowledge, because this is growing so rapidly, there has been approximately an additional 100,000 acres of citrus plantings just between the lower east coast area of Florida alone. This is an entirely new area that has never been planted to citrus. The acreage that was out of production as a result of the freeze coming back in again we estimate by 1975 we are going to have in the neighborhood of approximately 800,000 acres of producing citrus. Prior to the freeze our maximum harvest employment was 25,000. The year following the freeze, our employment dropped to 13,000. We are at this moment at an approximate employment of 15,500 to 16,000. In 10 years we expect that we will need—we are anticipating a need of approximately 50,000-plus pickers to harvest the entire crop that is now in the ground, the trees that are now in the ground.

Based on these projections, and this has all been developed by a program of the University of Florida, the DARE program which I am sure the Senator is familiar with, we prevailed upon the Federal agency to come with us to make this approach to all of the various State agencies to show them what our problem was and try to stimulate their recruiting at the local level to a much greater extent than they had before. The Bureau, regional service, sent a man, and the State agency of Florida sent a man in my automobile, and we covered approximately 5,000 miles in 2 weeks, and we visited the States of Louisiana, Arkansas, Mississippi, Alabama, Georgia, North and South Carolina.

We explained this problem to them. We discussed with them any criticisms they might have had to the recruitment and employment of workers sent into the citrus industry. And as a result of this, we have also asked the various State agencies to let our council talk with their own growers to establish a confidence so that we can develop a grower-to-grower relationship.

We have done this in Mississippi as an experimental program. Mr. Tombrink deals with about three or four local offices in Mississippi. There are many other firms in the industry who have local offices whom they deal with on a direct person-to-person basis through our interstate clearance.

We tried to develop this as a result of our tour this summer in Alabama. They had a meeting of all their farm placement officers for the first time, I believe, in the history of the State agency. For the first time in the history of the State agency they had a meeting of their farm placement officers in the State of Georgia. At each of these meetings, the council has stimulated personnel representatives from the State, such as Pasco, Minute Maid, and all these telegrams that Senator Holland received yesterday of most of those firms have had people in one or more of these States on direct recruitment identifying themselves, so that the individual office managers and individual farm placement personnel in these State agencies would know who they were dealing with.

We have had high hopes that this would begin to stimulate even greater intensive efforts on behalf of these State agencies. I am sorry to say that the results have been most disappointing. I have here, and this is just a typical example, which can be repeated with many, many employers of citrus harvesting labor in the interstate recruitment, these are crews that—just at random of the Minute Maid Co. which is one of our largest producers of citrus in the State of Florida, and those are just typical crews of recruitment.

Now, let me give you an example, and this is exactly what is done by a great many of the employers. The Minute Maid Co. has their own buses, equipped. They have a man in the supply States right now. He does all of the screening, and then the buses are sent to wherever the local office is where he has done this recruiting, and they are taken down to the places of employment that Minute Maid has scattered throughout the entire citrus industry.

The retention of these workers, as you can see, is very important.

Senator Holland. The purpose of this exhibit is to show how few of the workers recruited from the five States you have mentioned, by Minute Maid, one of the big growers in Florida, have proved to be acceptable in that they stayed with the job as pickers. Is that right?

Mr. Ghiselin. That is correct.

The Chairman. Well, without objection this data will be put in the record at this point.

(The document referred to is as follows:)

"Crew No. 45—Arrival date, Jan. 7, 1965

Number workers received	34
Did not start work	5
Total	29
Left end of 1st week	2
Left in crew as of Jan. 14, 1965	27

"Note.—From Mississippi—Minute Maid Co., Orlando, Fla."

"Crew No. 50—Arrival date, Jan. 1, 1965

Number of workers received	29
Did not start work	6
Total	23
Left end of 2d week	6
Left in crew as of Jan. 14, 1965	17

"Note.—From Mississippi—Minute Maid Co., Orlando, Fla."

"Crews Nos. 51 and 52—Arrival date, Jan. 7, 1965

Number of workers received	13
Did not start work	4
Left in crews as of Jan. 14, 1965	9

"Note.—From Mississippi—Minute Maid Co., Orlando, Fla."

"Crew No. 71—Arrival date, Oct. 20, 1964

Number of workers received	20
Left end of 1st week	2
	18
Left end of 2d week	2
	16
Left end of 3d week	2
	14
Left end of 4th week	3
	11
Left end of 5th week	5
	6
In jail	4
Left in crew as of Jan. 14, 1965	2

"NOTE.—From Tennessee—Minute Maid Co., Orlando, Fla."

"Frostproof Camp—Arrival date, Jan. 13, 1965

Number of workers received	30
Did not start work	10
	20
Left next morning after breakfast	2
Left in camp as of Jan. 14, 1965	18

"NOTE.—Above workers from Gadsden, Ala., have not been assigned to a crew. Minute Maid Co., Orlando, Fla."

"Frostproof and Fort Pierce Camps—Arrival date, Oct. 13, 1964

Number of workers received	24

"NOTE.—As of Jan. 10, 1965, only 3 workers still in Frostproof Camp. All the rest have departed. From South Carolina—Minute Maid Co., Orlando, Fla."

Mr. GHISELIN. I am only submitting that as a typical problem we face in the industry. And let me ask this: Is the hearing record going to be held open so that we can develop—this came up so suddenly. I brought about 30 pounds of files but I just cannot get everything together on such short notice. Will there be any possibility——

The CHAIRMAN. Yes, but I do not want to clog it with a lot of data. We want the situation as it exists now and the efforts that you have made to obtain local labor. And then the efforts you have made in the absence of this local labor; the efforts you made to get foreign labor. That is what we would like to have in this record.

Mr. GHISELIN. All right. I give this background because you can see the intensive efforts the industry has been trying, over the past 4 years, to stimulate the supply. And we saw no reason for any foreign labor the year subsequent to the freeze. We dropped from 25,000 to 13,000. Why would it be necessary to have supplemental labor? We still had to have approximately 3,000 that year. What has happened to this labor? And the States cannot tell us—we do not know what happened to it. We do not know where it is. Your interstate clearances are decreasing. We are not getting as many as we have in the past. The freewheelers are coming in to some extent. We have no knowledge of how many of these there are coming in. There is no record of these. We do not know where this labor is going to come from. We know that there is qualified good farm labor in these Southern States but the farmers up there need this labor.

Even during the winter months there is use periodically for their good labor and, frankly, I presume that they probably have a little selfish motive. You cannot deny them the selfish motive. They have to have their workers available when they need them, too.

Now, another thing that occurs in here. The Bureau sends—they talk about our annual worker plan. They have been sending these crewleaders and representatives of the various State agencies into Florida right at the height of our harvesting of our Valencia crop and they are moving these workers out at the same time we are trying to sustain our picking force to pick our Valencia crop.

Senator HOLLAND. Are you familiar with the efforts which have brought in some workers from Missouri and from Pennsylvania, in recent months?

Mr. GHISELIN. These are through the interstate clearance system, and I can only presume—I have no knowledge of any recruiting by the citrus industry as far north as Pennsylvania. This may have been done through what we call a clearance order that was placed.

Senator HOLLAND. My information comes from the State agency.

Mr. GHISELIN. Yes. Well, it may have been a vegetable grower; it may have been a citrus grower. I am only aware that there have been some just coming in from Pennsylvania.

The Bureau right at the moment has one recruiting team in Florida and they are in the West Palm Beach area and not connected with citrus. We are advised that they will later go up into citrus. During the Valencia——

The CHAIRMAN. When you say the Bureau, you mean the Bureau of Labor.

Mr. GHISELIN. Bureau of Employment Security. They were originally scheduled to have four teams in Florida. How many to be assigned to citrus, I do not know. But apparently the Bureau is aware of the efforts that the citrus industry has made because they have reduced these four teams to one, and they are only going to do—my understanding is they are only going to do this recruiting in the local area of citrus in Florida. The recruiting will only be done within the State. And my suggestion would be that they go ahead and put these other three crews not in the State of Florida but our own State agency has facilities and are using these facilities through radio broadcasts, newspaper advertising, to stimulate the local recruitment, along with the various individual firms involved in this. I say put these recruiting teams out in the States where I have been deeply involved in this thing and let them deal with the State agency and see where this labor is and see if they can stimulate any more with these other State agencies. This is my suggestion to the Bureau.

I am aware, of course—you have been told about our present problem, and let me say this.

Senator HOLLAND. You mean about the demands?

Mr. GHISELIN. About the demands.

Senator HOLLAND. Of the Federal people, that we send back 500.

Mr. GHISELIN. 500. Let me say this: I am aware of this. I have not seen the telegrams. They are on my desk, but I was called up there and they were in my office in Lakeland when I was on my way up here. I have only had them read to me over the telephone. But I am very familiar with the request made by the State agency.

This is something that only an agency such as myself—and I am not the official agency that this would be reported to, I am an arm of the three organizations within the citrus industry where this information comes in. Without getting too technical, we have certain "standards of ratios"—this is a term used in the industry—as to the maturity of fruits. The great bulk of the fruit is put in concentrate which requires Federal minimum standards of certain ratios and they cannot exceed higher ratios than, I believe, 18 to 1, if I am not mistaken.

There is no way that any statistical reporting service can gather the information as to the ratios that are running 20, 22, and 24 to 1 and I have seen tests by individual firms, to my own knowledge within the last 10 days, where these ratios are completely out of kilter and the problem that exists right now is that when this fruit gets into such high ratios, we have to pick this fruit and find low-ratio fruit to merge it to make a grade A product. This is the problem and we are at a picking rate of approximately 3,100,000 boxes of oranges a week.

It appears—this is very difficult to determine and ascertain—that we are going to have to move this rate up to about 3.5 to 3.7 million a week. It is hard to pin this down.

Frankly, I am concerned that the 300 that we have requested is not going to be enough. I predicted, back in August of last year to the State agency, that we were going to probably need a supplemental labor force of somwhere around 4,000 to 4,200.

Senator HOLLAND. For citrus?

Mr. GHISELIN. For citrus alone. I predicted this. But trying to be conservative and working under the criteria, under the adverse wage prior to the revision, we were trying to be as conservative as we could, and we have been assured, as the Secretary has said, that we would have no crop loss and that labor would be available to us. And this is the problem that is facing us right at the moment.

I am concerned not only about the 300. I am afraid that this is not enough. And I think it is going to develop, going to develop that we are going to need more.

What concerns me is the 120-day problem; 120 days is April 30. We have two distinct seasons in shippers in Florida. We have early midseason which starts approximately the 15th of September and winds up about the 1st or 15th of March. We have a dead period of about 4 weeks, and then we go into the Valencia harvest which starts about the 15th of April and runs sometimes as late as June 30, and I have seen it run as late as August when we have had tremendous crops on the trees. And we cannot stretch this out and provide the employment over a longer period of time because of this ratio problem that we have all the time.

Senator HOLLAND. Ratio is what you are saying, not racial.

Mr. GHISELIN. Ratio. R-a-t-i-o.

We have to get this fruit harvested within these limitations of the ratio as established by the U.S. Department of Agriculture on grade A standards.

I would like to also make a comment with regard to the adverse wage itself. My council, as Senator Holland is well aware of, has researched this entire area of congressional intent of coverage of workers under a minimum wage. The Archives have revealed from 1933 to the most recent Congress all the way through—we have all the hearing records; we have everything compiled on this, and nowhere has it ever been shown that Congress ever had the intent to allow the Secretary of Labor to establish a minimum wage in any way whatsoever.

In the first place, the Secretary of Labor is not even allowed to set a minimum wage under the Wage-Hour Act. Congress reserves this right to themselves. The Secretary administers a minimum wage but he does not set a minimum wage. The key to this whole thing lies in the discretionary power that the Director of Immigration has in determining whether there is a shortage or not. He has been directed by the Attorney General that the only person who can certify to him a labor shortage is the Secretary of Labor. The Attorney General, of course, whom the Immigration Department is under, does have discretionary power that he can consult anyone he wishes to to make a determination, but he has been—he is only going to recognize the Department of Labor.

If that is his decision, it is certainly—we cannot argue with that because this is the way the law is written. This might be considered at some future date under Public Law 414, this discretionary power.

Mr. HOLLAND. Mr. President, we have been recruiting labor as far north as Philadelphia and Scranton, and as far west as Missouri. We have been bringing in labor at the heavy expense that is involved in connection with recruitment.

I ask unanimous consent to have printed in the RECORD certain exhibits rather than attempt to read them. First is a telephonic report to me from Clark Ghiselin of February 13.

There being no objection, the report was ordered to be printed in the RECORD.

Mr. HOLLAND. I had him dictate this report over the telephone to my secretary so that I would have it available to include in my remarks today. The report says:

Secretary of Labor in a news release of January 27 announced an emergency program underway to recruit and prepare domestic workers to assist in saving Florida citrus crops threatened with loss caused by adverse weather conditions. The Secretary announced that the Labor Department's Bureau of Employment Security, through its affiliated State industrial commissions, had taken immediate steps to recruit additional farmworkers from other areas to help in the salvaging operations. He stated that 650 additional workers would be available during the week of January 30 and another 525 would be provided for the week of February 7. In connection with this crash recruitment program the summary of the first 2 weeks shows that 788 workers were recruited and delivered to Florida employers and on February 8 only 419 still remained in employment.

From the above figures, Mr. President, you can see that growers in Florida were promised 1,175 domestic workers. Only 788 actually arrived in Florida from other States, between the dates of January 30 and February 13. As of February 13, the date of this report from Mr. Ghiselin, only 413 of them still remained in employment in the citrus groves of Florida. This figures out to a usable labor force of only 35 percent of what the Secretary of Labor indicated that the growers could expect.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram dated February 1, from Joffre C. David, executive head of the Florida Fruit & Vegetable Association.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ORLANDO, FLA.,
February 1, 1965.

Hon. SPESSARD L. HOLLAND,
Senate Office Building,
Washington, D.C.:

Interstate recruitment under Secretary Wirtz crash program for citrus pickers since his announcement week ending January 30, amounted to approximately 350 men. Of these, approximately 100 had left by this morning. Exact figures are in the process of being reconciled and will be furnished. Unfilled citrus orders for fruit pickers still number approximately 1,800 but if workers are not forthcoming at any greater rate than above, critical period of salvage will have been passed. More than 95 percent sugarcane crop has suffered terminal bud damage with very few green leaves on plants. Sugarcane growers cooperative which fared better than most other mills reports 450,000 tons of cane left in field this date of which 150,000 tons in good shape. Three hundred thousand tons suffered severe damage and acidity is beginning to appear. Ability to salvage depends upon future weather conditions and whether additional workers can be secured to enable mill to run at capacity. Other mills are in similar or more serious situation. No domestic workers available. No further consideration yet given our request for 540 additional cane cutters. Vegetable labor situation in near balance with exception of stake tomatoes and strawberries. Present indications are that additional workers will be required for these two crops within few weeks and for sweet corn in early spring. Celery requirements not fully met but are manageable for present time. Bill Anderson will be in Washington tomorrow and will contact your office.

Regards,

JOFFRE C. DAVID,
Secretary-Treasurer, Florida Fruit & Vegetable Association.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter to me from Mr. J. B. Prevatt, president of the Lake Region Packing Association, dated February 11.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LAKE REGION PACKING ASSOCIATION,
Tavares, Fla., February 11, 1965.

Hon. SPESSARD HOLLAND,
U.S. Senate,
Washington, D.C.

DEAR SPESSARD: At the request of Joffre David, secretary-manager, of the Florida Fruit & Vegetable Association, I wish to acquaint you with the experience we have had since January 28, 1965, in trying to use white men and boys recruited from other States, namely North Carolina and Tennessee, at our expense, to be used for harvesting fruit. The following information will acquaint you with our experience here at Lake Region Packing Association in trying to harvest our growers' fruit with this type of help.

First, our association has 97,000 boxes of early and midseason oranges left on the trees, which are maturing and dropping rapidly; we have 300,000 boxes of Valencias and we have not picked the first box of Valencias as of this date; we have 100,000 boxes of grapefruit which need to be moved; we have 10,000 boxes of temple oranges and 26,000 boxes of murcotts; we are about two-thirds through with our temples and are just beginning to pick the murcotts, and so far as Lake Region Packing Association is concerned there will not be any slack period between our early and midseason and our Valencias. We need every picker we have, domestic and offshore. All of this fruit needs to be moved as rapidly as possible to insure returns to our grower members and the economy of the State.

We have been using offshore labor for a number of years and have found them to be very satisfactory workers and give us little or no trouble while they are here, however, this season they have demanded a premium price for the picking of fruit which we have paid, although we did not think it justified. At the same time we have used this offshore labor we have used local domestic labor, at the same rate of pay and under the same working conditions as the offshore; we have also taken recruitments of labor from Northern States as they have been given to us and in some instances, prior to this season, some of the men have stayed with us and made good workers, but not as the usual run of the case. In the past several years our allotment of offshore labor has been cut considerably but we have managed to work out our picking situation with the offshore labor that we have been allotted and the local domestic and recruitments that we have been able to get.

We have an investment of about $250,000 in 2 labor camps, one here in Tavares which will accommodate 300 men and 1 in Tallevast, near Bradenton, which will accommodate 50 men, both of these camps we operate during the picking season to house and feed the men that we employ. Under the agreement with the British Government we can only charge these men $11.20 per week, or $1.60 per day, for three meals and their lodging, and have to furnish all their blankets, mattresses, etc. We have been housing the recruited men from the Northern States in these same camps, at the same cost per day as we do the offshore labor. These two camps house colored men only.

We have 75 offshore laborers in our camps at this time. About the middle of January 1965 we were advised by the labor office that if we did not take recruited white and colored laborers from northern States, mainly North Carolina and Tennessee, that our 75 offshore labor would be taken away from us. We immediately went to work and located a camp at Umatilla that was not in use. We rented this camp and equipped it for the use of white laborers.

We have been put to an enormous amount of expense to equip this camp, which to date amounts to $3,884.31, and are unable to expect to get much of this back at the rate of $1.60 per man per day because from the information furnished you later you will note that the men have not stayed and worked. In addition to this sum of $3,884.31 we have paid to the hauler of these men from North Carolina and Tennessee the sums of $1,285 for transportation, of which we have charged $1,071.50 to the laborer, but to date we have only been able to collect the sum of $237.81 which leaves them owing us $833.69. This we have little hope of collecting as most of the men are gone. The association has put out $213.50 for extras on these men which we have to consider a dead loss because there is no way to recover it.

Additional expense for the men: To help teach these men to set ladders and pick fruit we have put one of our best field foremen in charge of the crew at a guaranteed wage of $85 per week. In addition to this expense to help and train and supervise the men we put one of our field supervisors with them during the entire time and his salary amounts to $115 per week. As to how the men work: A crew of 21 pickers working for Lake Region Packing Association, on January 29, 1965, picking fruit on 20- and 22-foot ladders picked the amount of 398 boxes of budded oranges in an 8-hour day. On January 30, 1965, this same crew picked the amount of 361 boxes of budded oranges in the same grove off the same ladders. On January 30, 1965, out of this crew nine men walked off at noon, and went back to the labor camp. At 1 p.m. on January 30, 1965, three men out of this crew refused to work after 1 p.m. On January 31, 1965, out of this crew of 21 men, 9 are all that we could get out of the camp to go to the grove. These nine men on January 31, 1965, picked the amount of 250 boxes of budded oranges out of the same grove off the same ladders. These nine men are married and have worked without any trouble from them, they appear to be trying and are willing to learn to pick fruit and earn money. The other 12 men in this crew are of the age of 21 and under and will not work.

For comparison, in this same grove picking off the same ladders, a crew of offshore labor would have picked the amount of 1,400 to 1,500 boxes of fruit in an 8-hour day, whereas the above domestic labor picked only 1,009 boxes of fruit in three 8-hour days.

As to how the men have stayed and tried to work: We began receiving these men on January 27, 1965, and through February 4, 1965, we have received and processed through the camp 118 white laborers, and on February 10, 1965, we have 34 of the men left in the camp. The 84 men that have come into the camp and left have either walked out on their own or have had their families in the North send them money so they could go back home, but in no event have any of them made any effort to repay the association for the transportation advanced for them or their board and lodging bill.

On several of the buses which brought men in on February 4, 1965, and earlier, some of the laborers were 18 years of age and some of them were under 16—some were physically unable to work at all—and some were older than 65 years of age.

It appears to us that the recruitment offices are taking anyone that comes in and says they want a trip to Florida.

Under the terms of the recruitment we have to furnish the men with picking bags, which cost $9 each, and clippers when they are clipping fruit which cost $1.50 each. These supplies that have been furnished to the men, in most instances have been carried off with them when they leave, we suppose to resell to someone else so that they will have some money. Any supplies that are left at the camp are usually not in resaleable condition so they are a dead loss to the association.

We also have to guarantee the men 95 cents per hour for each hour they work whether they make it with their picking or not. We guarantee the offshore labor the same amount per hour, but within a couple of weeks after arriving they all make their minimum wage.

I trust that the information supplied will be of some help to you and your committee and will help to acquaint the Secretary of Labor with the actual facts so far as our association is concerned which I am sure is no different than experiences that others are having with this type of help.

If the 3,500 offshore men are not left with the citrus operators until this crop is harvested the growers will take a tremendous loss as the type of men being sent to us from these other States can't and will not be able to harvest this crop of fruit.

Sincerely yours,

P. B. PREVATT,
President.

Attested to:

J. CLARK,
Secretary-Treasurer.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed at this point in the RECORD testimony of Richard Tombrink, of the Pasco Packing Co., which appears on page 163 of the hearings.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF RICHARD TOMBRINK, PASCO PACKING CO., DADE CITY, FLA.

Mr. TOMBRINK. My name is Richard Tombrink. I am employed by Pasco Packing Co. who are citrus processors and growers of citrus fruit in Florida. Our home office is Dade City, Fla., in the county of Pasco.

I am also, in my own right, a small grower of citrus.

For the sake of brevity, I think I will skip some of the remarks I have and merely mention those facts that point up previous testimony.

Our labor requirements—and I am speaking of Pasco Packing Co. only—is the largest harvester of citrus in Florida. We run our plants at 110,000 boxes a day, if we are running at maximum production. Now, points of efficiency—not efficiency but practical points—80 percent is about the minimum you can operate a plant of this size; 80 percent of our maximum efficiency is 88,000 boxes a day.

Now, we do not harvest all this fruit. As a matter of fact, we do not have the help to harvest it. My labor force as of January 5, 1965, was 647 workers. To harvest the fruit that I have, I need 900 workers. I have, on order with the State of Florida, orders for 250 workers plus 215 offshore or nationals of the British West Indies.

The CHAIRMAN. When was that order put in?

Mr. TOMBRINK. The order for the domestic labor was issued in November of 1964. The order for the nationals of the British West Indies was issued last week.

Now, in the future we expect—and this is merely our company's position—that we will need 1,100 employees next year and, bear in mind, this is harvest labor only—citrus harvest labor—working from a ladder. Not plant labor; not truckdrivers; simply harvest. We need 1,100 for next year and we estimate 1,200 for the year following.

This will not pick all citrus that we can processes. These are merely our own crops. Recognizing that we had a labor problem; recognizing that it is advisable to replace as many of the nationals of the British West Indies as possible with locals, we have, for 4 years, had an extensive recruiting program throughout the southern States.

I, personally, have been to Alabama, Georgia, and Mississippi. I have been doing this for each of the last 4 years. During these trips, I have taken moving picture films of the picking operations. I have spoken to the employment service managers; the director of the employment services in these States; acquainted them with our job; gave them a job description; answer any questions. On two occasions, I have entertained them in Florida—showed them the job.

I am told constantly that there is a huge amount of unemployment in these States. I have not been able to get it to come to Florida. I do not know why but I can give you, for a matter of record, some experiences we have had.

I mentioned earlier that, in November of this year, I placed an order for 250 men.

The CHAIRMAN. How many of those did you actually get?

Mr. TOMBRINK. As of this morning—I called Dade City just recently—there have been 218 of them arrive; all but 68 of them arrived after January 1. We had been in operation 3 weeks at that time. Of the 218 that arrived—and bear in mind, most of them have arrived since January 1—there are now 110 of them still with me.

The CHAIRMAN. Where are the rest of them—fishing?

Mr. TOMBRINK. Mr. Chairman, I wish I could answer that question. I do not know.

The CHAIRMAN. Yesterday Senator HOLLAND brought out that the fishing was so good in Florida that a good many of them engage in fishing rather than working.

Mr. TOMBRINK. Well, after experiencing the weather here in Washington, I think I would like to return to a little fishing myself.

I can give you a concrete example. On January 4 or 5—I am not certain of the date—I received from Alabama, on my order, 21 workers who were assigned to the Thonotosassa area of suburban Tampa. These 21 workers had been screened from Alabama.

Senator HOLLAND. You mean, assigned to that picking crew in that particular area.

Mr. TOMBRINK. That is true, and they were recruited through the open orders I had on those States. They arrived at my office about 9:30 in the morning; were immediately placed in our housing at Thonotosassa, Fla.; and placed there about an hour later—10:30. They were given a meal; a place to sleep. These facilities are all inspected by the State of Florida and we have to have a license. You cannot operate them otherwise.

We provided them with picking sacks; gave them a place to sleep; fed them; told them since they had been on the road so long, why don't they go ahead and sleep and report to work the following morning.

The following morning there were 10 of them left; 11 of them had walked down the road. I was not there personally but, in questioning the manager of the camp, he told me that they thought they would just walk on to Tampa and some of them wanted to go to West Palm Beach. No reason—just disappeared.

Now, I had paid the transportation of all these men. I fed them. I supplied them with picking sacks. I have no reimbursement and I am actually not arguing about this point. The point I am bringing out is these were 21 men that I desperately needed.

I had 10 workers. Out of these 10, 1 of them had been in an accident of some type and I am forced to send him back, at my expense, to Alabama because he is not able to pick citrus.

Now, we do, in emergency cases, ship men back to the supply States if they do not work out. I want to bring out this distinction. If they send me an able-bodied man that does not want to work, I do not pay his busfare back to wherever he came from. But if they ship me one, as happened this year, a cripple or one that is—we had a case of two mental incompetents. I shipped him and his wife back. We had to pay their way down and ship them back. I have to do this out of humanitarian purposes but the older worker who just refuses to work, I just do not do this.

Senator HOLLAND. Have you the amount that you were out for those 11 people who left you without hitting a lick?

Mr. TOMBRINK. I cannot give you an exact figure but it was approximately $170 for those 11 that just walked off during the night. And this was not for lack of work. They were assigned; had picking equipment; everything ready to go to work the following morning, we thought.

We are in an embarrassing position in citrus in that it takes us about 7 years to get a crop into production. I know from personal experience. I have had 80 acres of young grove that I had to work 7 years to get it into production. So far, it is not off my back. We cannot schedule our labor needs by saying we won't plant or will plant. These trees are in the ground. We have either got to harvest them or abandon them—just that simple.

Now, we cannot even predict as to when we are exactly going to need our labor supply. Timing is of the utmost importance. We are at the mercy of weather. The previous witness mentioned that this season because of the unusual warm winter in Florida, we had an early crop. This is true. Our maturity is about approximately 3 weeks early. And these are points that I find hard to reconcile with the attitude of the Bureau.

They try to put these figures down on a piece of paper and say, "Well, the average season for the last 10 years has been from this date to this date, and they need X amount of labor on that date and that date." You cannot do this. This is not a factory. This is not something you stockpile out in the yard and use on a daily basis. This must be picked daily, processed daily.

Why did I not have any luck in Alabama, Mississippi, and Georgia?

Senator HOLLAND. You have not mentioned the other ones you have there.

Mr. TOMBRINK. Well, last season, the 1964 season, I recruited either through my personal efforts or through the employment services in the various States, I recruited 225 workers last season. That was the 1963-64 season. Seven of them stayed for the season. Seven.

Now, it is true, many of them stayed for 2 months, some of them for 3 months, but only 7 of them stayed from the time they were recruited which could have been as late as February to the end of season.

The Chairman. How many months would that have been?

Mr. Tombrink. Our Pasco's permanent season is probably 6 months; 6½ months sometimes; I am afraid it is going to have to be 7 months; we are going to have to stretch it out; we simply do not have the labor to harvest; 180 to 210 days is our need.

I cannot explain why I have not been successful in recruiting. We have offered all the criteria that the Secretary explained to you the other day. We did not offer them in our trips in the previous years, but this year we explained there were some new criteria coming, that we would meet them as soon as they became effective.

However, the point is with this vast amount of help, we simply are not able to move it out of the State. They either do not want to come or won't come. The ones that do come are amazed at the height of our ladders. Some of them mentioned 45 foot, but we are not allowed to use them. The law of the State of Florida limits it to a 40-foot ladder. Most workers won't work on anything higher than 22.

Senator Holland. I mentioned the 45 because I happened to handle a 45-foot ladder when I was a young man and thought I was right much of a man when I was able to handle it, much less to carry down from a seedling tree a picking sack when full weighing 40 or 50 pounds. I thought I was getting to be much a man. They cut out 45-foot ladders. I am all for it because they are plenty hard.

Mr. Tombrink. Senator, we simply do not have the men now that we used to have. They cannot handle them. [Laughter.]

Senator Holland. I thank you for that compliment.

Mr. Tombrink. Now, it brings us to our problem. It has been mentioned here that we have a certification in the State of Florida for 3,500 at the present time. We do have a need for extra workers. In my personal opinion 300 is not enough. But it is also my knowledge that at the present time besides denying the 300, we are being requested to eliminate 500 more, so that we are at least 800 short, and I think that is a conservative figure. I would say of the 3,500 we need 1,000 more.

Senator Holland. You are talking only about citrus picking.

Mr. Tombrink. Citrus harvest only. We do not use these men in any other occupation.

The Chairman. Well, how do you get around the requirements of the Secretary who permits you to hire them I think for 120 days, is it?

Mr. Tombrink. This is the period he has ordered.

The Chairman. Well, if you run for 6 months, as you say, what are you going to do at the end of the 120 days?

Mr. Tombrink. Senator, the conditions will be chaotic. This is simply the answer.

Senator Holland. Can you indicate for record the range of payment of an able-bodied picker from a minimum that he ought to be able to make to a maximum of what they have made and are making today in picking?

Mr. Tombrink. May I refer that to Mr. Ghiselin who is the secretary of Citrus Industrial Council and who has worked on these figures and has a wider scope than I.

Senator Holland. If he has a figure on that, I would like it to appear in the record now.

Mr. Ghiselin. We estimate roughly an average orange picker on a normal bud tree, 22-, 24-, 30-foot tree, would be about 50 boxes a day, 50 to 55. This is just an average. This is taking the low of 1 box a day to a high of 125.

Senator Holland. What would be the average rate of pay?

Mr. Ghiselin. Our piece rate is 20 cents a box on a normal yield tree, six or seven boxes to the tree.

Senator Holland. That would be, then, an average rate of pay of $10 a day.

Mr. Ghiselin. At least.

Senator Holland. I have known some receiving up to $18, $20, and I remember one time $24 a day. Is that still an experience that you have sometimes?

Mr. Tombrink. Yes.

Senator Holland. Let him answer that.

Mr. Ghiselin. Yes, sir; that is true.

Mr. Tombrink. Of my own personal experience, I have seen 5-day payrolls for a worker working in the fields for 5 days drawing in excess of $150.

Senator Holland. That would be the prime situation. Fruit on low trees is more easily picked than on very high trees.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed at this point in the Record the colloquy between myself and the Secretary of Labor regarding the shortage of the Waverly Cooperative.

There being no objection, the colloquy was ordered to be printed in the Record, as follows:

Senator Holland. Mr. Secretary, you remember, of course, that in this recital of the Waverly people, they told about two examples which they had had in recent days in bringing in of certified workers from another part of the Nation which had resulted only in great loss or considerable loss to their growers because workers didn't work and they wouldn't stay and a considerable number of them left without hitting a lick of work. You recall that recital.

Secretary Wirtz. From the California statement?

Senator Holland. No. From the Waverly statement in my letter to you.

Secretary Wirtz. I had not at the moment. You reminded me of it. I do now.

Senator Holland. And you later answered to me under date—may I put this whole letter in the record?

The Chairman. Without objection.

Senator Holland. Letter of December 9 from me to the Honorable Secretary.

(The document referred to, letter dated December 9, 1964, follows:)

U.S. Senate,
December 9, 1964.

Hon. W. Willard Wirtz,
The Secretary,
Department of Labor,
Washington, D.C.

Dear Mr. Secretary: It is my understanding that within the next few days you will have at hand for consideration in adopting criteria to govern importation of foreign agricultural labor, the reports of hearings held in Florida, Texas, and California, on this subject.

The purpose of this letter is to bring to your personal attention the extremely serious situation which is at the moment confronting the agricultural interests of Florida in obtaining an adequate supply of reliable farmworkers to pick and process the crops now ready for harvesting.

As an example of the seriousness of this problem, I quote from the current membership letter of the Waverly Growers Cooperative mailed on December 2, as follows:

"We have now been shipping fresh fruit about 2 months. Although our crop estimate is several hundred thousand boxes more, our pickings to date are under last year at this same time. This is partly due to two facts. First, our season started later than usual, and second, the Government employment agencies have failed to furnish us with enough help, and what they do furnish us is always late. The Florida State Employment Service Bulletin, issued under date of November 23, 1964, shows the labor situation in 15 areas. All of these 15 areas reporting, except 1, are crying 'labor shortage.' If you ask for men they refer you to areas in the South where they say there is labor out of work and ask you to contact the employment service in these locations. This we have done in other years, and the results were about the same as our recent experiences. One sometimes wonders if the agencies are in league with jailbirds.

"We have sent transportation money for the bus tickets to an agency in Mississippi and received nine men. At the end of the first week, seven of them had disappeared owing us $76.20. The other two were jailed, but I believe were the best of the bunch, as they have stayed on to work.

"The past week we received 33 men on Thursday afternoon. The next morning nine of these were gone, so at once we lost about $10 each, or $90, plus a night's lodging and two or three meals. Here it is December 2, and we are just now getting some of the help we needed over a month ago."

This is a fine old cooperative organization of citrus growers, not given to exaggeration or misstatement. I have in my files communications from individual growers speaking for themselves and as representatives of the industry in Florida which furnishes the United States a substantial part of its winter vegetable supply, detailing similar experiences. Beans, tomatoes, eggplant, and other winter vegetables and fruits, are going unharvested because of an inadequate supply of capable domestic labor at any price, and the delay in allocation of offshore labor to the fruit and vegetable growers in Florida.

I am confident that in the testimony of the Florida producers of perishable fruit and vegetables before the hearing officers there will be found ample evidence to confirm the need for importing farmworkers from the Bahamas and West Indies, to harvest their crops. You will also find therein what I regard as a most practical proposal contained in the statement of Mr. John W. Evans, president of the Florida Fruit & Vegetable Association, with respect to registration of domestic farm labor, to which I hope you will give earnest consideration.

My concern at this time is with the immediacy of the need in Florida. I, therefore, urge that you give consideration without delay to authorizing steps to be taken to assure an adequate supply of offshore workers for whom the need becomes more acute each day.

With cordial regards, I am,
Yours faithfully,
Spessard L. Holland.

Senator Holland. You recall, of course, writing to me in reply under date of December 22 and part of your letter—I am going to ask that this whole letter be inserted in the record—part of your letter reads as follows:

"Our Atlanta regional office of the Bureau of Employment Security has already taken steps to provide relief to Florida growers through authorization of additional offshore workers."

That means that you were so advised by someone, does it not?

Secretary Wirtz. It does; yes.

Senator Holland. Who advised you of that fact?

Secretary Wirtz. I will have to check the record.

Senator Holland. Would you show that in the record, please, sir?

Secretary Wirtz. I will be glad to.

Mr. HOLLAND. Mr. President, on that point I wrote to the Secretary in December from Florida, calling his attention to the shortage of workers, and quoting in detail from the regular letter put out by the Waverly cooperative, which is one of our oldest and most reputable cooperative associations, stating that they were losing fruit every day, that they had only half as many offshore pickers as they had the year before, and describing the trouble they were having keeping the domestic workers whom they had recruited.

I received in reply a letter from Secretary Wirtz a good deal later in which he stated that the matter had been cared for, and that he had been so advised.

If Senators will read the exchange of correspondence, they will find that when I asked Secretary Wirtz to produce the letter indicating that our situation had been cared for, he placed in the record a letter. It is printed there for all to see. It is a letter from the Atlanta office, merely stating that certain requests as to vegetable harvesters in the Delray area, which is 100 miles or more away from Waverly, had been granted. There is not a word contained in that letter with reference to the matter concerning which our correspondence dealt. That is found on page 85 of the record. The answer which he put into the record to justify his statement to me in his letter was as follows:

> Our Atlanta Regional Office of the Bureau of Employment Security has already taken steps to provide relief to the Florida growers through authorization of additional offshore workers.

The letter which the Secretary submitted was a letter from Atlanta, Ga., dated December 11, signed by Ernest L. Marbury, regional administrator, stating:

> The foreign workers certification and ceilings were approved today for 600 workers in strawberries and trellis tomatoes to meet unmet labor requirements of only those strawberry and trellis tomato growers in the Delray area who are eligible for use of foreign workers.

Mr. President, the whole situation has been such a travesty, such a tragedy, and such a failure to grasp the immediacy of the critical situation in Florida that I can hardly comment on it more adequately than to call attention to that exchange in correspondence in which we pleaded for help in the matter and received late a reply stating that relief had been granted. When we asked for a showing of what relief had been given, we were told that relief had been given to a particular place far removed from the place where the complaint originated and in another industry than that in which the Waverly cooperative is engaged.

I ask unanimous consent that there be printed in the RECORD the weather report of January 18, and the resulting telegram from Homer Hooks, executive head of the Florida Citrus Commission.

There being no objection, the report and telegram were ordered to be printed in the RECORD, as follows:

MINIMUM TEMPERATURES IN PENINSULAR FLORIDA FOR MORNING OF JANUARY 18, 1965

Heavy frost and long durations below freezing all areas.

Northern districts, 22° to 27°; few 20° to 21°.

Central districts, 24° to 29°, few 22° to 23°.

Indian River district, 24° to 29°.

West coast district, 26° to 33°.

Everglades district, 24° to 29°, few 18° to 23°; Immokalee, 23° to 28°.

Lower east coast farming areas, 27° to 33°.

PRELIMINARY DAMAGE

Citrus: Some damage to fruit in colder unprotected locations. Considerable damage to tender growth. Considerable heating and protection.

Vegetables: Heavy damage tender vegetables north, central, and Everglades, including the Immokalee area. Considerable damage lower east coast.

Hardy truck: Some damage. Heavy leaf burn.

Strawberries: Considerable damage to unprotected berries Plant City northward, with some damage to plants.

Sugarcane: Severe damage to large acreage.

Pastures: Burned severely.

WARREN O. JOHNSON,
Meteorologist in Charge, Federal-State Frost Warning Service.
LAKELAND, FLA., *January 18, 1965.*

MINIMUM TEMPERATURES IN PENINSULAR FLORIDA FOR MORNINGS OF JANUARY 19 AND 20, 1965

JANUARY 19, 1965

Northern districts, 26° to 31°, frost with 22° to 25° frost in extreme north.

Central districts, 33° to 38° with 25° to 30° frost in pockets and mucklands.

Everglades district, 28° to 37°, scattered frost.

Lower east coast farming areas, 34° to 39°, few 32° to 34°, patches of frost.

Very little additional damage.

JANUARY 20, 1965

Northern districts, 26° to 34°, scattered frost.

Central districts, 36° to 43°, few 31° to 35°, scattered frost.

Everglades district, 37° to 42°.

Lower east coast farming areas, 40°.

No additional damage.

WARREN O. JOHNSON,
Meteorologist in Charge, Federal-State Frost Warning Service.
LAKELAND, FLA., *January 20, 1965.*

LAKELAND, FLA.,
January 18, 1965.

Hon. SPESSARD L. HOLLAND,
U.S. Senator,
Senate Office Building,
Washington, D.C.:

Last night's subfreezing temperatures in citrus belt makes even more urgent the critical need for additional fruitpicking labor. Unless such is forthcoming immediately, our growers stand to lose thousands of boxes of fruit which will fall to the ground unharvested. Speaking for the entire Florida citrus industry as the constituted State agency, the Florida Citrus Commission urges you to make strongest possible representations at all appropriate levels of Government to obtain relief for our growers during this critical period.

Regards,

HOMER E. HOOKS,
Florida Citrus Commission.

Mr. HOLLAND. Mr. President, I ask unanimous consent that there be printed in the RECORD a large number of newspaper clippings that I shall not try to enlarge upon. I shall read the names of the newspapers, and I shall ask that they be included in the RECORD. Each of them has solid, pertinent, and completely true comments to make about this frustrating situation under which our citrus growers alone have lost an estimated $6 million, as stated by those best informed.

Mr. President, the clippings to which I refer are as follows:

Clipping from the Lakeland Ledger, dated February 7; clipping from the Fort Lauderdale News of January 31; clipping from the Orlando Sentinel, February 3; clipping from the Lakeland Ledger, dated February 5; clipping from the Tampa Tribune, dated February 8.

Clipping from the Labor Tribune of February 11. I call attention to the fact that the Labor Tribune is a highly reputable labor paper published in Miami. It saw fit to call attention from the distressing situation resulting from the recalcitrances of the Secretary of Labor to certify needed laborers to harvest our crop.

I ask to have included also a clipping from the Tallahassee Democrat of February 5; clipping from the Orlando Sentinel, dated January 31; clipping from the Lakeland Ledger, dated February 6; a clipping from the Orlando Sentinel, dated January 19; a clipping from the Orlando Sentinel, dated November 12; a clipping from the Lakeland Ledger, dated January 30; a clipping from the Orlando Sentinel, dated January 28; a clipping from the Tampa Tribune, dated February 5; a clipping from the Orlando Sentinel, dated February 9; a clipping from the Orlando Sentinel, dated February 10; a clipping from the Triangle, which is the official magazine published by the Florida Citrus Mutual, which consists of practically all the growers and shippers of the State of Florida, dated February 12; an editorial from the Miami Herald dated February 12.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Lakeland (Fla.) Ledger]

FOURTH OF A SERIES—CITRUS PROBLEM: IT TAKES TIME TO TRAIN NEW PICKERS

(By Tom Millsaps)

Lewis Matthews of Davenport is the world's champion orangepicker. He once (in 1957) picked 26 boxes in a single hour.

That's more than many of the new breed of pickers, as furnished by the U.S. Labor Department pick in a day.

Matthews' feat is exceptional—and it was performed under ideal conditions. Fruitpickers, by and large, seldom will run into conditions as good as these to pick fruit.

Matthews was quoted as saying in a recent newspaper article that "a man does best what he is trained to do." He said that the citrus industry is no exception.

TIME NEEDED

His theory is, and who should know better than he, that a good fruitpicker can only be developed through much time and patience.

That's what the industry has the least of now.

With its early and midseason harvest still partially unpicked and the huge Valencia crop coming on fast, citrusmen are clamoring for a workable solution to their labor problems. They think a temporary measure that makes the most sense is to recruit additional British West Indians to harvest the crop.

They are in no mood to experiment with Secretary of Labor Willard Wirtz' humanitarian program. Not while their fruit is falling from the trees and rotting on the ground.

One of Matthews observations is that most of the experienced pickers leaving the industry now are doing so because the industry has not raised its pay scale in accordance with the higher prices now paid for fruit.

Citrusmen are not unconcerned about human values and ideals. But who would hire a plumber to bake a cake—or a preacher to repair a car—or a North Carolinian to pick oranges in Florida on a 3-week crash program.

While the analogies leave something to be desired, so does, the laborer recruited under the Wirtz program who never saw an orange tree before in his life.

Reports have circulated—and in all fairness they may be total fabrications—that prospective recruits from distressed areas in other States have been awed by glowing fairytales of what picking citrus is like.

The reports say that the recruiters—using slides, visual aids, and other paraphernalia generally associated with propaganda dispensation, paint pictures for these prospective recruits something closely akin to travel folders.

The imported laborers have reported that they were told that they could pick all the fruit from the ground, that the trees were all about chin high, and that orange picking was just a simple matter of strolling along in the warm sunshine and plucking the bountiful fruits. For this they would receive pay unequaled by the steelworkers' union.

When these people came into the State and found that conditions were not as represented, they left. Some of them immediately. This served to add to the citrusman's woes. He was counting on the labor.

Picking citrus is work. Hard work. But it is not mankilling nor is it inhumane. It is an honest, physically taxing job at which fairly decent wages can be made without overextension of the physical self.

Our citrusman's records show that last week an orange picker grossed $190. This man worked 7 days and he is an experienced picker. A novice could never do as well. But after 3 or 4 weeks, he can, with a fair degree of expended effort expect to earn a fairly decent wage, say $75, which is comparable to white-collar clerical wages in Florida.

TWENTY DOLLARS NOT RARE

A wage of $20 per day, while not average, is not uncommon. Rates are computed at a current base rate of 20 cents per box (oranges for processing) and adjusted according to grove conditions and the type of fruit and tree.

An example taken from a local citrusman's daily records showed that in 1 day's picking in a seedling grove (which is considered tough picking) a crew of 20 BWI's averaged 55 boxes of oranges each. The high man for the day had 80, the low man, 47.

In another grove 17 domestic workers (a mixed crew of both local and interstate domestics) earned an average of $8.85 each. Twelve BWI's working in the same grove under the same conditions made an average of $12.25. Wages for the domestics ranged from $3.20 to $16.80, this for an approximate 8-hour day.

This grower has had 70 out-of-State pickers that were recruited by the employment service this season. Of these only eight remain. His records indicate that they are earning about $12 per day or $1.50 per hour.

Richard Tombrink with Pasco Packing Co., in Dade City, said his firm has in the past had the employment service recruiters down visiting to show and demonstrate their needs and requirements in labor. He said this practice turned out to be largely unsuccessful, however.

Much has been said and much has been written about migrant labor camps in Florida. Usually reports are of the sordid conditions surrounding these places.

This reporter visited a Polk County labor camp to get firsthand, the conditions there.

It was not the Ritz. But it wasn't cannery row either. Most of the creature comforts have been provided.

The living quarters are a combination of an old frame building and a more recent concrete block structure.

The whole place has the air of a military barracks. Not quite so clean, but certainly not a vermin-infested dump.

A long bunkroom held perhaps 50 to 60 double upper and lower bunks. The room was not overly crowded, but the occupants had a profusion of personal belongings which made the place look rather cluttered.

MEALS PROVIDED

The messhall portion of the building also serves as a recreation room of sorts. It contains a juke box, a cold-drink box and a television set.

Meals are provided the workers. Two cooks were hard at it when the visit was made. The food served is plain and simple but in accordance with what the workers want. The cooks were preparing breaded pork chops. They smelled good.

Toilet facilities were adequate and clean. Laundry facilities are also provided.

This is economical living. Room and board costs a little over $11 per week.

While this may or may not be representative of all labor camps in this area, it gives the impression that the employers are being as reasonable as possible in providing a decent place for the pickers to stay.

A talk with Frank Trovillion, executive assistant at the Florida Citrus Mutual, revealed that the thinking about the type of worker to recruit may be changing.

"Until now, the industry has concentrated on soliciting the single male worker," Trovilion said. "But this looks as if it might change. We think that possibly we will solicit married men and set up housing for him and his family."

He said that many things were happening in the industry to bring about this change in thinking.

He said that British West Indians were getting harder to find because times are getting better on the islands.

[From the Fort Lauderdale (Fla.) News, Jan. 31, 1965]

GREAT SOCIETY SOLUTION TO FARM LABOR PROBLEM: SEND CHRISTMAS CARDS

If the Great Society architects apply the same kind of thinking to other problems as they are applying to the problem of finding an adequate source of labor for the Nation's fruit and vegetable producers, it isn't going to be very long until the country is in, as the old saying goes, "one mell of a hess."

Some time ago, it will be recalled, the big thinkers in the U.S. Department of Labor came to the conclusion that with millions of Americans out of work it was silly to go on permitting agricultural interests to import their labor needs from foreign countries.

Accordingly, a decision was made to sharply restrict the import of foreign agricultural workers with the first move in this direction aimed at ending the bracero program which for many years had provided agricultural interests in the West and Southwestern States with thousands of skilled Mexican laborers.

The bracero program was halted at the start of this year, and while the objective of the Labor Department was laudable in that it was aimed at providing employment for our own people before permitting widescale employment of foreign labor imports, the result of the Labor Department's noble experiment has hardly worked out in the intended fashion.

In fact, agricultural interests are up in arms over the acute labor shortage that has been created by the action of the Washington bureaucrats. They have been warned by one of the leading agricultural experts in the Nation that in view of what is happening they should seriously consider "pulling over to the curb" and cutting back production because not enough labor is in sight to harvest 1965 crops if production is as good as last year.

The current labor shortage does not stem from any lack of unemployed workers. It stems from the fact that the great majority of Americans in the unemployed ranks have no taste for the laborious and backstretching job of harvesting crops, and their reluctance to accept such jobs is bolstered by the unemployment checks they can draw without working.

In addition, those willing to accept such employment are nowhere near as efficient as the skilled Mexican laborers formerly available. So growers are not only faced with an acute labor shortage, but the workers they can obtain produce less at greater cost to the growers.

The National Canners Association at their recent convention in San Francisco brought this situation directly to the attention of William J. Haltigan, chief of research and wage activities of the Farm Labor Service which is an agency of the U.S. Department of Labor.

Haltigan flatly told the canners and the growers that the "days of the bracero program are gone and the days of other foreign worker programs are numbered." He further stated that the labor needs of U.S. agriculture "must be met through the employment of domestic workers."

When asked how growers could induce domestic unemployed workers to take farm jobs, Haltigan produced one of the silliest solutions the mind could possibly conceive.

He said that employers must induce the chronically unemployed to accept farm jobs by "making them feel wanted." And when asked how this might be achieved he suggested in all seriousness the employers might try to send such workers Christmas cards and do other little things to establish identification with the workers.

Imagine that, if you will. An unemployed bum is going to be induced to run, not walk, to the nearest farm labor recruitment office upon receipt of a Christmas card from a potential employer.

That's so silly it deserves all the guffaws such a suggestion should bring. But beneath the humor is the very unfunny prospect that if the farm labor shortage isn't eased, and very quickly, every American housewife is soon apt to find the cost of all fresh fruit and vegetables soaring skyward.

Fruit and vegetables don't do anybody any good if they are left on the trees and in the fields unharvested. Yet, because the Labor Department has decreed that producers of these items can no longer count on skilled foreign labor to help them harvest their crops, and must depend on unskilled domestic workers who don't want to work to come to their aid, a situation is rapidly developing which can cost consumers right through the nose.

If this is a sample of how the Great Society is going to function there are a great many agricultural interests who have already had enough of it not to want any more. This early example clearly shows how all of us are bound to be sharply affected by Great Society decrees originating in Washington and aimed at giving the bureaucrats almost unlimited control over anything we do.

We can well imagine how many workers Florida orange producers are going to get by sending Christmas cards to lists of the unemployed. Yet, that is the solution the U.S. Labor Department suggests as a means of inducing the domestic unemployed to accept disagreeable and physically exhausting work, and we think the man who dreamed up that idea deserves a medal for his soul-stirring approach to ending the farm labor shortage.

JACK W. GORE.

[From the Orlando (Fla.) Sentinel, Feb. 3, 1965]

WILL TO WORK MISSING IN WIRTZ RECRUITS

(By Fred Shilling)

WAVERLY.—W. C. Pedersen, president of the Waverly Growers Cooperative here, said yesterday that the will to work is missing among unemployed persons, explaining the industry's present problems with citrus workers recruited by Labor Secretary Willard Wirtz.

Pedersen lays the entire problem at Wirtz' doorstep and his attitude that adequate labor is available in this country.

"The unemployment rolls evidently are not realistic and undoubtedly are made up of too many people who have never worked, or don't intend to work, or can't work," he said.

And he cited cases of workers who were placed in good paying jobs but gave up after a few weeks and "returned to their former do-nothing life."

Pedersen said that unemployed persons recruited in California to replace Mexican labor in harvest of fruit and vegetables are "returning in droves to their previous haunts."

"In a citrus area in California, one camp manager reported that less than 100 men remained out of a recruited group of 280 after a 9-day period," he states. "Thirty of the dropouts ate, slept and ran—some with the camp's blankets—without doing a minute's work."

Asserting that Florida citrus people have made a sincere effort to recruit domestic labor, Pedersen declared it is an attitude of indifference which has created the problem in the recruitment of labor.

"Offshore laborers have been attractive to the Florida citrus industry for the simple reason that they have proven to be good workers," he noted. "They have been reliable, have turned in a good day's production and can be counted on to help during emergencies."

Pedersen said offshore workers are not brought in to undermine domestic wages.

He characterized many of the domestics as irregular in reporting for work, not taking advantage of extra days offered, laying off work frequently, and taking long weekends.

"Many of our welfare programs contribute to this general lack of interest to work and encourage the poor workers to do even less," he said.

[From the Lakeland (Fla.) Ledger, Feb. 5, 1965]

CITRUSMEN AGREE OFFSHORE LABORERS SUPERIOR TO DOMESTICS

(By Tom Millsaps)

Just how much better is offshore labor than domestic labor in harvesting citrus?

The answer varies among citrus producers and contract harvesters who use much of the labor supply. But they vary only one way—the degree of superiority of the offshore worker (usually called BWI—British West Indies). Almost to a man, they agree that BWI's are far more efficient and proficient than domestic laborers.

Employers who use both report that the difference is not so much in production capability as in the willingness of the BWI to work steady.

They say a goodly portion of the domestic labor "has a goal" for his weekly earnings. This goal varies but may be very small, and when it is reached, the laborer quits for the week.

One employer reported that he got only about 3½ days work per week average out of his domestic labor.

"We'd have plenty of local labor—wouldn't have to worry about importing any—if we could only get a 6-day workweek out of them," he said.

Some of his workers do put in a full week, however. One man made $190 last week, he reported. "Of course this was hard work and he really had to hustle."

This same man emphasized that plenty of work was available. The only days that employment was not offered and not available to the pickers since October 5, he said, was Thanksgiving, Christmas, and rainy days (not including small sprinkles or showers).

Richard Tombrink with Pasco Packing Co., second largest citrus firm in the State, said that his company has had about 400 laborers this season obtained through the labor recruitment program instigated by the U.S. Department of Labor after cutting back the quantity of foreign harvest hands allowed.

"It's no different than the previous domestic worker programs," he said. "They just largely don't work out."

He cited that out of one group of 189, only 7 remain to pick fruit. And this after only 3 weeks since arrival, he said. The group came primarily from Mississippi, Alabama, and North Carolina, he said.

"At least that's where the employment service registered them from. Some of them gave their home addresses as far away as Canada," he said.

"No, I can't really understand why they leave—sure, picking is hard work. But some of these people only get 10 boxes a day. Never having picked a box of fruit in your life, you yourself, could pick 10 boxes the first day with one hand tied," he told this reporter.

Tombrink said that a secondary problem is the lack of experience of the interstate domestic workers. He said that it takes an average of 3 to 4 weeks to develop skill to pick 50 to 60 boxes of fruit a day under good conditions.

One of the problems with inexperienced pickers is that they do not want to twist the fruit off for a clean stem break which is desirable in citrus harvesting but rather want to jerk it off. This ruins a lot of fruit, Tombrink said.

"These people could earn good wages if they would work," Tombrink said. "But that's the trouble—they don't want to work. I'd be the happiest man in the world if I could get 50 percent of the interstate domestic workers to work for 3 months—not for the season—just 3 months."

The basic differences in the BWI's, Tombrink said, is that they are screened by the British Government for physical fitness, they are under contract to work here and most of all, he emphasized, they are willing to work.

ONLY THREE LEAVE

Tombrink noted that he has lost only 3 of 100 BWI's this season and that one of these had to leave due to emergency family problems.

Figures released by the citrus industrial council for last week show that of 341 domestic laborers moved into Florida's groves during the week, 115 of them left after a few days.

The way the grove owners and harvest contractors get their recruits is either to pay busfare for the laborer to come from his out-of-State residence or to send his own bus and pick him up.

But a big headache these people have to endure is that such a large percentage of the recruits walk off the job so soon—in fact, some of them never start.

No one knows for sure where they go.

Some of them move to another producer to whom they are unobligated. Consequently, the original employer gets stuck with the man's transportation bill and possibly for advances he may have given him to tide him over until payday.

ADVANCES SHOWN

One large employer has a sheaf of employee account cards—one for each of 70 out-of-State laborers obtained through the employment service between mid-November and January 1. These cards list advances made to the man and credits for amounts deducted from accrued wages. Most of the entries were in red ink.

The trouble is that some of them didn't stay around long enough to accrue any wages.

In fact, after arriving by bus one afternoon, two of them stayed just long enough to eat supper and then left for parts unknown.

Others stayed for a day. Still others lasted a week. But by January 1, all but eight had quit. The eight are "pretty good workers," the employer said.

Transportation costs, pick-bags, gloves and room-and-board (at the rate of a little more than $11 per week) is deducted against accrued wages. Of the 62 who have departed, only 1 left with a zero balance on his account card.

One card showed a debit of $30 with the notation, "Bailed out of jail." The man quit the next day.

"I've got 40 who have been with me all season—haven't lost the first one," he said.

And their account cards show black ink.

The Associated Press reported today that the Labor Department has refused to yield to Florida and California demands for foreign farmworkers, despite grower complaints that crops are rotting in the fields.

"The Department of Agriculture has assured us there is no evidence of crops rotting in the field because of a labor shortage," said a spokesman for Secretary of Labor W. Willard Wirtz.

Two Federal officials were to meet in Orlando today with Florida citrus and sugarcane growers and will report to Wirtz tomorrow on their investigation.

They are Deputy Under Secretary of Labor Millard Cass and Administrator Robert C. Goodwin of the Bureau of Employment Security.

Cass has been touring agricultural areas of Florida since Wednesday.

[From the Tampa (Fla.) Tribune, Feb. 8, 1965]

EASY PICKING

For years, the practice of importing foreign laborers to pick fruit and vegetable crops while American workers were unemployed has been under fire from labor theorists.

Cut off the migrants from Mexico and the British West Indies, the argument went, and the unemployment problem will be eased in the United States. If the growers paid sufficient wages, provided decent quarters and treated workers fairly, they would have no difficulty getting their crops harvested.

Well, this year the practicalities have been pitted against the theories. Congress knocked out the importation of braceros from Mexico to handle the stoop labor in California and Arizona orchards. And the harvesting of Florida oranges has been almost totally dependent upon domestic labor, not West Indians.

Unfortunately, nature doesn't cooperate with labor quota systems, even if they are based on directives from Secretary of Labor Willard Wirtz. In Florida this year, there has been a notable tendency for oranges to split and fall to the ground if not picked soon after they ripen. They don't hang on the stems, waiting for a citrus picker to climb the tree in a month or two.

As a result, there has been need for plenty of harvest help in Florida this winter—in a hurry. Growers have been complaining that thousands of boxes of fruit are rotting on the ground because they can't find pickers in time. But their appeals for West Indian labor were turned down by Secretary Wirtz, who said the U.S. Employment Service would relieve the situation by recruiting workers in other States.

Hundreds of unemployed men in other Southern States have been brought to Florida, but to little purpose, citrus men contend.

Citrus Industrial Council Secretary Clark Ghiselin cited some figures: Of 341 men rounded up by the Government and brought to Florida groves, 115 had already left their jobs by last week—and the attrition rate was continuing.

Too often, there were stories of workers alighting from trucks, taking one look at their barracks quarters and striking out for the nearest big city—apparently happy to have a one-way trip to Florida. Since the growers are responsible for transportation costs (ordinarily deducted from the first few weeks of pay), they naturally aren't very happy over the situation.

A Tampa citrus man who went to Memphis in an effort to recruit personally, came home shaking his head. Although there were plenty of jobless there, they told him they had no desire to come to Florida as long as their welfare checks and Government groceries were available.

There's no question but that picking oranges from a ladder is hard labor. But industry spokesmen say there's good money to be made by anyone who's willing to work.

That's where the Labor Department theory falls down. There are enough able bodies unemployed to harvest the citrus, all right—but as long as they can pick up welfare handouts on the ground, they're not going to reach for oranges on the tree.

[From the Labor Tribune, Feb. 11, 1965]

Farm Labor Pacts End Soon

All of Florida's farm foreign labor contracts will end April 1.

Growers will not be able to import foreign labor after that date unless they can show proof that an insufficient number of domestic workers can be recruited at a minimum of $1.15 an hour. The present minimum is 95 cents an hour.

The minimum for cane cutters set by the Agriculture Department already is $1.15 an hour.

Fred Sikes, vice president of the United States Sugar Corp. at Clewiston and spokesman for the Florida Sugar Producers Association, said that efforts to recruit cane cutters in the United States have been fruitless.

Recent criteria set up by the Labor Department requires that farmers pay transportation of domestic workers, as well as for their meals on route; to provide housing and to guarantee a minimum number of days of employment each week.

This one-sided contract requires nothing of the workers in return. The farmer has no recourse if the worker skips out to another job as soon as he arrives in Florida.

[From the Tallahassee (Fla.) Democrat, Feb. 5, 1965]

For Foreign Workers: United States Not Yielding to State Demands

Washington.—The Labor Department refused to yield today to Florida and California demands for foreign farmworkers, despite grower complaints that crops are rotting in the fields.

"The Department of Agriculture has assured us there is no evidence of crops rotting in the field because of a labor shortage," said a spokesman for Secretary of Labor W. Willard Wirtz.

Two Federal officials meet in Orlando today with Florida citrus and sugarcane growers and will report to Wirtz Saturday on their investigation.

They are Deputy Undersecretary of Labor Millard Cass and Administrator Robert C. Goodwin, of the Bureau of Employment Security.

Cass has been touring agricultural areas of Florida since Wednesday.

A 1951 law under which hundreds of thousands of foreign workers entered this country every year to work in 28 States expired last December 31.

LABOR INSISTS

The Labor Department has insisted there are enough American laborers to replace them, and the Department has been conducting a crash recruiting program.

Some growers complain Americans cannot or will not do the hard labor of harvesting crops.

Winter crops in Florida and California were first affected by the change in the law.

The Labor Department spokesman said there are still more than 20,000 British West Indians working in Florida under contracts signed before December 31.

Any foreign workers brought into this country from now on must enter under the Immigration Act.

Wirtz has set wage levels ranging from $1.15 to $1.40 an hour which must first be offered to U.S. workers before growers can apply to import foreigners. So far, no applications have been granted to bring in foreigners.

The wage levels set by Wirtz go into effect April 1.

He set lower rates for some States to help the transition from foreign to domestic labor until March 31. These include 95 cents an hour in Florida and $1.05 in California.

Under the old wage rates, growers could bring in foreign workers after offering U.S. workers 75 cents to $1 an hour, varying from State to State.

Florida's rate under the old schedule was 95 cents.

Doyle Conner, Florida commissioner of agriculture, has complained that Federal officials are not familiar with the State's problems. The cutoff of foreign workers "is premature," he said.

[From the Orlando (Fla.) Sentinel, Jan. 31, 1965]

Willard Wirtz' Comic Opera Isn't Funny to Florida Growers

Labor Secretary Willard Wirtz deeply antagonized organized labor recently and has now managed to get the farmers mad at him, too.

Angering groups with such widely differing viewpoints as organized labor and farmers requires a peculiar kind of obtuseness.

We have been thinking that Mr. Wirtz had better stop exercising his bad judgment long enough to take stock and study the handwriting on the wall. And if he doesn't know it, someone should tell him that the President doesn't go for this type of expert inefficiency.

We know very little about Secretary Wirtz' bitter clashes with union leaders, but if it is in the category with his complete lack of understanding of the Florida farm labor problem, we can appreciate it.

Florida State Employment Service offices have active requests for 2,839 pickers—more than twice what Mr. Wirtz is sending us as an "emergency" measure.

When growers and shippers make these requests they are naturally talking about able-bodied, experienced workers.

If Mr. Wirtz sends inexperienced, ill and shiftless workers—as many of the first to arrive were—it may take twice 2,839 to get the job done before all the fruit falls to the ground—if, indeed, any of the Wirtz workers stay in Florida long enough to do anything. Florida Citrus Mutual's Bob Rutledge predicts two-thirds of them won't stay more than 10 days. Just came along for the ride, presumably, at the expense of the citrus firms contracting for them.

What Florida growers want, what they have requested and begged for, is a supply of offshore workers—men experienced in citrus picking—from the Bahamas. Growers have used them for years and there have been no problems.

But Mr. Wirtz says no—that we must use domestic labor. As commendable as this is from the viewpont of trying to give our own unemployed something worthwhile to do, it probably won't work because it hasn't worked yet.

And what will happen, in addition to Mr. Wirtz' finding out it won't work, is that Florida citrus growers may lose millions because they couldn't get their fruit off the trees and to packinghouses and processing plants in time.

The comic opera Mr. Wirtz is writing isn't going to be very funny to Florida growers. Few of them were even cheered up by Mr. Wirtz' assistant, William J. Haltigan, although Mr. Haltigan sounded cheery enough.

Speaking to the National Canners Association, Mr. Haltigan said the trouble is that domestic farmworkers don't "feel wanted."

"Farmers," he said, "should send Christmas cards to domestic laborers and do other things to promote a high degree of togetherness."

Oh, brother.

[From the Lakeland (Fla.) Ledger, Feb. 6, 1965]

Reasonable Request

Florida's inability to harvest all of its citrus and vegetable crops because of a labor shortage has produced some strained relations between growers and farmers on the one hand and the U.S. Department of Labor on the other. Labor Secretary Willard Wirtz has refused an urgent request that an additional 500 offshore workers be brought to the State from British West Indies.

As Ledger Reporter Tom Millsaps points out in his current series, the insistence of Mr. Wirtz on using exclusively domestic labor, from other States, is resulting in a considerable loss in dropped oranges and spoiled vegetables. The midseason orange crop matured earlier than usual, and it needed picking in a hurry. Importation of untrained workers from other regions has been only a slight help, if indeed it helped at all, because too many of them were physically unfit for work and some, it seemed, didn't really want to work and came along for a ride to Florida.

In other words, Mr. Wirtz' solution seemed perfect, but only on paper. He would make it possible for Florida to have the same number of American workers, from our own depressed areas, rather than bring in harvesters from such places as the Bahamas, Jamaica, or Trinidad.

But the Labor Secretary failed to reckon with the generosity of some American communities in dumping their problems into the lap of the other fellow. No doubt some areas in Tennessee and the Carolinas were able to thin out the ranks of their welfare lines by putting people on trucks bound for Florida. There is no evidence that any questions were asked about fitness to harvest oranges or, for that matter, about the workers' willingness to work. It is hardly surprising that tne sending of what amounted to domestic misfits merely brought about further ill will between the hard-pressed grower and his Government.

We are told that the time is too late to obtain the needed offshore help to harvest the current midseason orange crop—and it is not certain at this writing whether any added workers will be needed for the late-maturing Valencias. Because there is no pressure now to "do this" or "not do that," we'd like to make a suggestion which we feel could lead to a clearer understanding between Secretary Wirtz and the growers and farmers of Florida. Let the Secretary appoint a small committee of men whom he trusts to look into and report on the current performance of the so-called domestic labor force operating in Florida. Then Mr. Wirtz and his colleagues can make plans for providing either an effective and functioning labor force, or a reasonable number of British West Indian laborers. In our judgment, some controls would be needed if an adequate domestic labor force is recruited. Thees controls would include screening out misfits, alcoholics, and workers who are physically unfit. The Labor Department would also need to arrange a brief program of instruction in citrus or vegetable harvesting. Florida growers aren't unreasonable; they merely want workers who can and will work.

[From the Orlando (Fla.) Sentinel, Jan. 19, 1965]

THE FLORIDA FARM LABOR SHORTAGE

Along with Senator SPESSARD HOLLAND, Congressman SYD HERLONG and others we find it utterly incomprehensible that Labor Secretary Willard Wirtz has chosen to make harvesting of Florida fruit and vegetables almost impossible by his refusal to permit the use of foreign labor.

It is admirable, of course, that Mr. Wirtz wants unemployed U.S. workers hired before offshore workers are given jobs.

But we have been through this before. Very few unemployed workers appear to be qualified by training or inclination to do "stoop work" or pick oranges. Those who like this work are already employed at it.

In short, the vast majority of unemployed U.S. workers want other kinds of work, not agricultural work.

Mr. Wirtz' refusal to recognize this fact is working a great hardship on one of the principal factors in the economy and well being of the Nation: Farmers.

The height of the citrus picking season is a poor time for Secretary Wirtz to insist upon enforcement of his arbitrary order.

His actions could cause Florida growers to lose millions if they can't get the crop picked—Congressman HERLONG has testified to the Senate Agriculture Committee that many boxes of fruit fell from his family's trees because it couldn't be picked when ripe.

What Mr. Wirtz should do, rather than maintain an arbitrary position that may be disastrous to Florida citrus producers, is to relax his order for the time being, give growers a chance to have their fruit picked, then review the entire program. Nothing will be lost to Mr. Wirtz, certainly, if he should rescind his order for 6 months, say, until further evidence and testimony from all sides can be obtained.

[From the Orlando (Fla.) Sentinel, Jan. 19, 1965]

WIRTZ MAY EASE LABOR RULE—FLORIDIANS BATTLE HARD FOR WORKERS

(By Roulhac Hamilton)

WASHINGTON.—Florida citrus-grower spokesmen, battling Monday to assure adequate labor supplies, wound up the day with hopes that Labor Secretary W. Willard Wirtz might soften his adamant stand against importation of offshore workers.

While confirmation of this was lacking, there were reports from reliable sources that the White House already had been persuaded by Florida congressional sources to put the pressure on Wirtz to relax his position—and that Wirtz was yielding.

In any event, a four-man Sunshine State delegation headed by Agriculture Commissioner Doyle Connor worked through the day on the campaign to guarantee the availability of migrant labor, despite Wirtz' determination to cut off the supply.

In addition to Connor, the citrus spokesmen included Robert Bishop, Orlando grower; Robert Rutledge, also of Orlando, executive officer of the Florida Citrus Mutual; and Clark Ghiselin, of Lakeland, secretary of the Citrus Industrial Council.

During the day, members of the group, in concert or individually, held meetings with Senators SPESSARD HOLLAND and GEORGE SMATHERS and Representatives EDWARD J. GURNEY and A. S. "SYD" HERLONG, Jr., as well as with Labor Department officials.

The significant factor concerning these meetings appeared to be that they were greeted with much more warmth, much more friendliness, than had been the case last week, on the eve of Wirtz' appearance before the Senate Agriculture Committee to detail his plans for curbing the importation of offshore labor.

There was a report—which was not subject to confirmation—that this new-found friendliness followed a discussion of the problem with the White House by Senator SMATHERS, followed by a call from the White House to Wirtz.

But whatever the reason, the Florida citrus spokesmen appeared to be confident that there would be some sort of an announcement by this weekend which would indicate that Wirtz had softened his approach to Florida's farm labor problem.

[From the Orlando (Fla.) Sentinel, Dec. 12, 1964]

FRUIT, VEGETABLE LABOR LACK GROWS CRITICAL—AREA CITRUS GROWERS FEEL PINCH ALREADY

(By Fred Shilling)

LAKELAND.—The labor situation for Florida's citrus and vegetable growers continues to worsen and is expected to reach critical proportions in December unless the State receives adequate certification for offshore workers.

Growers in Orange, Lake, and Polk Counties are already feeling the pinch. It soon may become a squeeze.

The problem has been complicated for citrus this season. Fruit sizes are off and in some instances maturity has been delayed. This means much more additional "spot" picking of groves.

For citrus, the problem will come to a head around December 10.

At about this time, the real push is expected to be on for tangerine pickers. The tangerine is traditionally a holiday fruit and growers will be fighting for their share of the Christmas market.

Additionally, tangerines are perhaps the most difficult of citrus fruits to harvest.

All this will be compounded at about December 10 when most of the State's concentrators will be gearing up for volume operations. They, too, will need pickers and lots of them.

Joffre David, manager of the Fruit and Vegetable Association in Orlando, says the shortage is currently being investigated by State and Federal agencies.

"We hope to have some relief in the assigning of offshore workers to meet the situation," he said.

To date, about 3,500 offshore workers have been certified to citrus.

However, this is considered just a "dribble" to overall needs. Last year, the industry could only scrounge 12,000 pickers. Prior to the freeze, the labor force was about 25,000.

David said every effort is being made to employ domestic workers. However, nearly all efforts have failed to come anywhere near the number needed.

A plan to recruit labor from neighboring Southeastern States has been disappointing. David said it hasn't produced the labor hoped for.

All officials involved with the harvesting labor headache agree it is a "continuing one."

They point to the State's economic growth and more opportunities for employment in fields other than agriculture as one reason. And they also cite various Government aid programs which reduce the worker's incentive.

Stymied in many respects last year with the U.S. Department of Labor over a minimum wage quarrel, the industry is not at the moment hampered by a continuance of the issue.

For the present, cordial relations exist with the Department. And the minimum wage is not an issue since by regulation last April, growers wanting to use offshore laborers had to agree to a 95-cents-per-hour minimum.

In Lakeland, yesterday, Florida Citrus Mutual Executive Vice President Robert Rutledge confirmed the problem.

"Availability of labor from nearby Southern States is extremely disappointing," he said.

He said that even though offshore certification has been increasing, it hasn't been enough.

"It is necessary that we move more quickly to increase the total supply if we are to get our crops picked to meet maturity and demand requirements," he said.

Rutledge painted a dim view of the domestic situation. He said: "As economic conditions of the State and Nation increase, the availability of this kind of labor has been decreasing in the same ratio. We will have to rely more heavily on offshore workers until the industry can develop a satisfactory mechanical harvester. This should be the No. 1 project of the industry."

In Winter Haven, yesterday, Citrus Industrial Council Manager Clark Ghiselin said that by 1975 a force of about 50,000 will be needed to harvest citrus.

He said the industry must upgrade its housing facilities for domestic labor to attract whole family units instead of single, male workers.

He urged the Florida Bankers Association to become more familiar with the problem to "better understand" the needs of those who need financial assistance. David said the shortage is of serious proportions to the vegetable industry as well.

More than 4,000 workers have been certified to help harvest sugarcane. It won't be enough and could become critical when vegetables and celery are harvested in volume.

[From the Lakeland (Fla.) Ledger, Jan. 30, 1965]

CITRUS MEN LOSE ON LABORERS: WIRTZ' CORPS WORTHLESS

(By Fred Shilling)

LAKELAND.—Florida citrus people are beginning to tell a grim story about the results of domestic workers from other States sent here by Labor Secretary Willard Wirtz to help harvest the fast maturing citrus supply.

In the main, it's a story of walkouts, won't work and fantastic promises by Labor Department representatives. Holding the bag for transportation and food costs are the various citrus firms who are cooperating with Secretary Wirtz desperately trying to get crops picked.

Since Wirtz announced the program, about 200 workers have reached the State, some even from California where a similar labor shortage exists.

This total has been distributed to about eight firms, all in central Florida. Approximately half have already left their jobs and the leftovers aren't getting the picking job done.

Four of the eight contacted yesterday tell the same story.

For instance Duke Crittenden of the Crittenden Fruit Co., Orlando, received 37 men from North Carolina.

After working 2 days, 17 of them are gone.

"By Saturday night, we'll be lucky to have five left," Crittenden said. "Only 3 have been able to pick more than 30 boxes per day and this is in groves where picking is excellent. Anyone off the street could do that well or better."

He says it costs the firm $15 per man to get them here and figures to be out of pocket more than $1,000.

"Most of them just don't want to work. Of the 37, only 7 are over 24 years with the rest 18 and over. We are trying to keep an open mind and are hoping to make it work. However, we think the Government should help us stand the expense with this kind of experience."

Veteran citrus producer J. B. "Babe" Prevatt at the Lake Region Packing Co., Tavares, says his firm received 53 on Wednesday, but only 5 would pick on Thursday.

"Thursday, one man picked 53 boxes at 20 cents, each," he said.

"That night he and 13 others left. The rest haven't even picked anything yet."

Prevatt says he will be out $12 to $14 a man.

"These people say they were promised in North Carolina that they wouldn't have to get up on ladders to pick fruit," he said.

He said the program causes them to keep a field supervisor with the men to help train them and he says his firm has been "bending our backs" to help make it work.

A spokesman at the Mount Dora Growers Association, Mount Dora, who prefers not to be named, says his firm received 15 workers on Sunday. Thursday, eight had gone.

"Four left this morning. When they came, we paid their driver $25 and gave each $4.50 as an advance against meals. When they left, they left with this money."

This representative says the men were promised an hourly rate plus so much a box in addition to a gift of $10 per man.

"One man drawing social security, past 65, was sent here believing he could pick fruit from the ground," he continued. "Out of the goodness of their hearts, one citrus organization bought him a bus ticket to get back home."

The Libby, McNeal & Libby firm at Ocala received 36 men. They reported to work on Wednesday.

This group came from North Carolina and the busfare to Libby amounted to $535.50.

Libby official Al Kunz said Thursday he hadn't enough information to mean anything yet. But he did say the firm has had little luck with similar domestics from Southern States.

[From the Orlando (Fla.) Sentinel, Jan. 28, 1965]

CITRUS THREAT "DISCOVERED" BY SECRETARY

(By Roulhac Hamilton)

WASHINGTON.—Labor Secretary Willard Wirtz announced Wednesday, with an air of personal discovery, that an emergency exists in Florida citrus groves, and said he has moved to recruit 1,175 workers to help salvage the crop.

The official press release from Wirtz' headquarters carefully refrained from disclosing that the Labor Secretary's somewhat belated action to help Florida growers followed 10 days of unrelenting pressure from Senator SPESSARD HOLLAND and other Florida lawmakers.

Neither did the official announcement state the outlook is that the bulk of the 1,175 domestic workers Wirtz seeks to recruit this week and next in neighboring States will be unskilled in fruitpicking operations.

The first group of workers began arriving in Florida Tuesday night but Florida Citrus Mutual was not impressed, to put it mildly. Mutual's Executive Vice President Robert Rutledge met 1 busload of 36 "pickers" in Orlando yesterday morning and reported:

Many of the 36 did not know they were in Florida.

Many had never picked fruit before.

"Some were in very poor physical condition and unable to climb a ladder."

The 36, Rutledge added, did not know what their salaries were to be, where they would live or how long they would work.

"Of the 36 workers I talked to today there will be less than 10 still in Florida within a week," Rutledge predicted.

Rutledge said Mutual officials will attempt to meet every busload of new workers.

Bob Rumley, assistant chief of the area farm labor office of the State employment office in Winter Park said yesterday State offices had active requests for 2,839 pickers on file.

Wirtz urged Florida growers to develop "orientation programs" in order to make the recruitment program successful from the standpoint of salvaging the citrus crop, and was offering help in setting up orientation programs.

Wirtz, who had told HOLLAND earlier this week that he had directed his Bureau of Employment Security to recruit 500 domestic workers for the emergency citrus harvest, disclosed in Wednesday's announcement that he has upgraded that goal sharply.

The Labor Secretary's announcement said that "an emergency program is underway to recruit and prepare domestic workers to assist in saving the Florida citrus crop threatened with loss due to adverse weather conditions."

He said the recruitment program by the Bureau of Employment Security, working through its affiliated Florida State industrial commission and other employment services, had "harvested" 130 emergency workers on Tuesday, its first day.

The announcement added that Wirtz expects recruitment of 650 new workers by the end of this week, and that an additional 525 will be recruited next week.

The Wirtz program represents the Labor Secretary's answer to the insistence of HOLLAND and other Florida lawmakers that the citrus crop cannot be harvested properly without the import of offshore labor traditionally brought in from the Bahamas to work the crop.

Wirtz has determined to prohibit importation of agricultural workers, and insists that the weather emergency in Florida has not moved him from his position.

While the Wirtz announcement said nothing about the skill or lack of skill of the workers sought in the recruitment program, it as much as admitted that fruitpicking skills may be largely absent among them.

In addition to urging that growers engage in an orientation program for workers assigned to them, the announcement included a guide to aid growers in proper handling of the workers, and added that representatives of Federal departments would be on hand to assist State industrial commission agents in giving advice and assistance to growers in the on-the-job training of the new workers.

[From the Tampa (Fla.) Tribune, Feb. 5, 1965]

CITRUSMEN, SHORT OF PICKERS, COMPLAIN

(By Norma Jean Hill)

Hillsborough County citrusmen are viewing with growing alarm the shortage of fruitpickers and have joined the statewide cry for permission to import offshore labor.

Throughout Florida's citrus belt, fruit is rotting on the trees and lying on the ground because, say citrusmen, of Secretary of Labor Willard Wirtz' order drastically reducing the number of British West Indies help which has always come to the State to harvest the citrus crop.

The move by Wirtz was targeted toward cutting down on unemployment in "depressed" areas of the United States, but, according to Hillsborough growers, although there is "availability" in those areas, the "desirability" of the unemployed to work is lacking.

DO NOT WANT TO WORK

They tell stories of taking buses to Tennessee, Mississippi, and Alabama seeking labor, and of coming back emptyhanded or with only a few men—mostly because the men just do not want to work.

And, they say, that too many times when the workers do agree to come here to pick fruit, they stay only a day or two.

Under existing conditions, citrusmen cannot contract with the labor recruited within the United States and the cost of bringing them to Florida is supposed to be deducted from their wages after they get here.

However, when they leave the job after only a day or so, the employer is "out" the money he invested in their trip.

For the first time in 10 years Hillsborough citrusmen are paying off their pickers every night as an added incentive to lure pickers, but, they say, they are finding that although this lures the men to their groves, it also makes it easier for them to shift to another grower from day to day.

The offshore labor forces works by contract agreement with the British Government, and they are experienced, willing workers, growers agree.

A Tampa citrus man who made a recruiting trip to Memphis recently said that, although he was offering 95 cents an hour (the Government's minimum rate), the 2 days he spent in the sections of Memphis where labor appeared to be abundant resulted in a complete failure. He said he was told by unemployed workers that they did not have to leave their homes because they were getting money from welfare sources and free groceries from surplus commodity houses every week.

NETS ONLY FOUR

Another grower sent a bus to Mississippi, where he had been told 22 itinerant workers wanted to come here but when the bus arrived, there were only 4 aboard.

Senator SPESSARD HOLLAND, to whom citrusmen have appealed, has promised to carry the fight for offshore workers to the floor of the Senate and a spokesman for Representative SAM GIBBONS said yesterday that he, too, is investigating the situation.

Emmitt Coflin, agricultural labor expert at the Tampa office of the Florida State Employment Service, confirmed many of the things said by the citrusmen and surmised that through the years the situation probably would worsen.

He attributed this to the fact that fewer and fewer local people are doing this type of work because of more educational opportunity in the trades and clerical positions.

According to Coflin, there was a tremendous amount of droppage in the Plant City, Balm, Wauchula areas and western portion of Polk County last week, due to sudden freezing temperature and fast warmup.

He explained that if the fruit could have been harvested within 2 or 3 days, some of it could have been saved and sent to the canners.

In regard to the 95-cent hourly wage, he estimated it as "general," but added that experienced fruitpickers would not even consider taking the job on a flat hourly minimum, but would prefer to be paid by the box.

[From the Orlando (Fla.) Sentinel, Feb 9, 1965]

CLUBS TO PICK FRUIT DURING CRISIS

EUSTIS.—The Kiwanis Club of Eustis along with the Key Club at Eustis High School may become the first minutemen of citrus crop crisis of the 1964–65 year Saturday.

In an attempt to focus attention on the current labor shortage in connection with the harvesting of the current crop, the Kiwanians here have arranged with the firm of L. R. Huffstetler, Inc., to stage a "pick-a-thon."

Present plans call for the club's 60 to 70 members to join with members of the Kiwanis-sponsored Key Club here in getting the fruit off the trees in a portion of a grove of early season oranges that should have been picked some time ago.

Huffstetler, who is himself a member of the Kiwanis Club, has offered to pay into the club's project fund a generous per box price if the club will just "get the fruit off the trees."

According to Frank Porter and Jennings Rou III, cochairmen of the event, which the public is invited to witness: "It seems if you're breathing these days, you are qualified to pick oranges, and that will be our qualification standards, too."

Rou said that age and experience limitations might hold down the amount of fruit which will be harvested somewhat, but the club is looking forward optimistically to picking some 300 to 500 boxes, enough to fill a trailer, ease the situation in one grove, help the club's coffers, and perhaps set the style for other Kiwanis Clubs or civic organizations.

[From the Orlando (Fla.) Sentinel, Feb. 10, 1965]

LABOR SHORTAGE DISCUSSED

EDITOR: I have been most interested in your editorials as well as the articles in your fine paper concerning the citrus labor problem in Florida.

It would seem to me that you could further this fine service in the direction of this foreign labor problem if you could write an editorial suggesting that all Florida firms concerned with fruit and vegetables would write to their sales representatives as well as customers and suppliers throughout the United States asking them to write their Congressmen and Senators letters on this foreign labor situation. I refer to such firms as Libby's, Minute Maid, Pasco Packing, Chase & Co., Dudda & Co., Sobay Growers just to mention a few.

It would seem to me from such cooperation beginning with the Florida firms and ending up with firms throughout the United States as well as sales representatives and brokers, that you would have over 10,000 letters going to our Senators and Congressmen. From this it would seem to me Willard Wirtz will have to change his tune real fast, for if I know anything about Washington politics President Johnson is not going to sit still very long and allow Willard Wirtz to have his adamant position against your needs; which those of us who have contact with Florida and its needs are fully appreciative of.

JENO F. PAULUCCI,
President, Chun King Corp.

(Letters are a powerful force.—EDITOR.)

EDITOR: What a curious double standard. At the same time Washington is seeking to revamp our immigration laws to place them on a "needed skills" basis, citrus growers are denied the right to import the vitally needed skills of experienced and hard-working seasonal laborers.

MISS M. FRANCES KITKO.

WINTER PARK.

EDITOR: I would like to see the Secretary of Labor pick oranges 1 week. It's damn hard work and you can't have a coffee break either.

I used to pick for Florida Citrus Exchange. Hauled fruit from grove and packed it for 4 cents a box, also trucked and loaded cars, for Chase & Co., Blue Goose and others when they ran sizers by leg treaders.

BILL GLASGOW.

[From the Lakeland (Fla.) Triangle, Feb. 12, 1965]

CITRUS INDUSTRY LEGISLATIVE GROUPS MEET

On January 25, 1965, Secretary of Labor Willard Wirtz told U.S. Senator SPESSARD HOLLAND that the Federal Employment Service would recruit and bring to Florida 100 domestic workers each day for the following 5 days. Secretary Wirtz said he didn't know what percentage of the 500 would be experienced fruitpickers. This was only half the story. The record speaks for itself. See one case history below.

A case record: Group of domestic laborers arrived Minneola January 27, 1965. Number in group on arrival: 36. Number remaining on February 10, 1965: 1.

Costs to employer: Transportation plus missing equipment plus lost board and wages equals $1,623.85.

Boxes picked by crew (week's time): 1,710.

Cost per box picked: 94 cents.

[From the Miami (Fla.) Herald, Feb. 12, 1965]

HANDS TO PICK TROPICAL FRUIT

Housewives will pay, in the end, for bureaucratic manipulation of the farm labor supply in Florida.

The aim is worthy. It is to make jobs for unemployed home-folk instead of bringing in experienced fruitpickers, cane cutters, and vegetable harvesters from nearby islands.

To accomplish this, Labor Secretary W. Willard Wirtz has decreed that Florida farmers and growers, starting April 1, must offer their workers $1.15 an hour plus many fringe benefits, instead of the present minimum of 95 cents.

Theoretically, Mr. Wirtz isn't allowed to set agricultural wage rates, but he has done so by using the foreign-worker force as a lever. Anyone who doesn't meet his terms gets no foreign labor.

Particularly hard hit, as we understand it, is the tropical fruit industry, whose quota of offshore workers has been slashed 40 percent. This is a multi-million-dollar-a-year business in south Dade, where some growers say current wage rates, including fringe benefits, amount to more than $1.25 an hour. The figure will approach $1.60 after April 1 under Mr. Wirtz' terms.

Will it work? Evidently it is not working now, according to testimony in Washington from Florida citrus growers. They said they can't get enough hands from domestic sources.

Not just anybody can qualify for harvesting the output of Florida farms and groves. It is arduous work, often backbreaking to city folk who find themselves jobless and don't last long in the fields.

Mr. Wirtz' fiat will have one sure effect: it will raise the costs of Florida fruit and vegetable growers. They have only one place to recoup the extra outlay—from the purses of housewives who buy their products.

Mr. HOLLAND. Mr. President, in addition to difficulties in the citrus industry, we have, of course, a rather terrible situation in our sugarcane industry, which has been mentioned only briefly. Sugarcane cannot be cut by anyone we have been able to find except those who come in from Jamaica, Trinidad, and Barbados, where similar industries exist, and who are glad to come in and get on their hands and knees with machetes, after the cane tops have been burned away, and cut the cane. They are the only ones we have been able to find to do that work.

I repeat what I may have said earlier; namely, that no Secretary of Labor and no executive in the Department has failed heretofore to admit that there is no labor force available domestically to meet that particular need. In every instance up to this time the Department has certified at once the request of the State employment agency, which checks the matter, concerning the number that are needed to harvest or cut cane. However, this year, for the first time, they have tried to bring in people from outside, but the effort has been so abortive that I think I should place in the RECORD a complete report, on the stationery of the Sugar Cane Growers Cooperative of Florida, written to me by its president, Mr. George H. Wedgworth, under date of February 13.

Mr. President, I ask unanimous consent that the complete report be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

The letter and report are as follows:

SUGAR CANE GROWERS
COOPERATIVE OF FLORIDA,
Belle Glade, Fla., February 13, 1965.

Hon. SPESSARD L. HOLLAND,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLAND: In response to your phone call this morning we have prepared the enclosed reports for your use.

1. Report on the current use of domestic labor in sugarcane cutting.
2. Report of losses caused by lack of labor to harvest sugarcane.
3. History of requests and reasons why newer sugar organizations require additional manpower.

We trust that the enclosed will give you adequate information. We will keep you posted by phone of any recent developments.

In behalf of all of the sugarcane industry, I want to express our sincere appreciation for the keen interest and help you are giving us in this problem.

Sincerely yours,
SUGAR CANE GROWERS COOPERATIVE OF FLORIDA,
GEORGE H. WEDGEWORTH, *President*.

REPORT ON CURRENT USE OF DOMESTIC LABOR IN SUGARCANE CUTTING BY SUGAR CANE GROWERS COOPERATIVE OF FLORIDA

Alabama group	28
Louisiana group	46
Total	74

LOUISIANA GROUP

The following is a résumé of events relative to 46 workers sent to Sugar Cane Growers Cooperative of Florida from Baton Rouge, La.

Eleven men arrived by bus in Belle Glade at 4 p.m., on February 3. One worker immediately attempted to purchase a bus ticket to Miami, Fla. He was refused sale of the ticket by the agent in charge. Local police were summoned in order to remove the worker peaceably from the bus station.

Thirty-five more workers arrived on February 4, at 12:30 a.m. All 46 workers were taken to the doctor's office for physical examinations at 9 a.m., February 4.

We learned late the afternoon of February 5, the workers from Louisiana had left the field and refused to work. After contacting Mr. Dave Cano, from New York and a member of Secretary Wirtz' crash team, Mr. Lee and Mr. McIntyre along with Mr. Cano visited the labor quarters. Here we talked with a spokesman for the group who stated that the men did not understand the basis on which the piecework values were determined and how they contrasted to the $1.15 rate. They also told us that piecework was not mentioned to them when they were recruited in Louisiana. One worker stated that he was getting $40 per week unemployment from Louisiana and had made a horrible mistake to come to Florida to work for $1.15 per hour.

They wanted to know how they would get back home and who would pay their way if they quit now. After approximately 30 minutes of persuading by Mr. Cano, Mr. Lee, and Mr. McIntyre, the men said they would consider it and possibly return to the fields in the morning.

Every effort was made to clarify the basis of pay and encourage the men to work. We explained that they were guaranteed $1.15 per hour for every hour they worked in the field and that this amount would be guaranteed to them for a week's time in order for them to become accustomed to the work. We further explained that the piecework was designed so that they could earn more than the guaranteed minimum wage. They told us they didn't mind working, but they would not run like the West Indians. We explained to Mr. Cano that since the men had arrived, unrest was apparent and that we felt every effort had been made to encourage them to work. We further advised him that if they refused again, we could no longer use them. Mr. Cano agreed that we had been fair in the treatment with the men and that we should separate them in the event they again refused to work.

At approximately 8:30 a.m., on February 6, we were advised that nine workers remaining in camp No. 3, refusing to work, were going about the camp informing the other workers how poorly they were being treated and causing general disorder.

We contacted Mr. Dave Cano and informed him that we were planning to move them out of the camp and transport them to the Florida State Employment Service in Belle Glade. He agreed that this was the thing to do and he would attempt to find them other employment.

On February 9, two more workers appeared from Baton Rouge. One of these workers ate supper, spent the night in the camp, had breakfast, and disappeared.

The following cost figures relate to these and are through Friday, February 12, 1965:

Advances

Food	$200.15
Clothing	36.64
Transportation	1,114.15
Physical examinations	230.00
Total advanced	1,585.94
Collected from workers	343.97
Amount of advance still due	1,241.97
Hours (1,021) worked at guaranteed rate of $1.15 per hour	1,174.15
Value of cane cut during 1,021 hours	321.31
Guaranteed wages paid in excess of value of cane cut	852.84

LOUISIANA WORKERS (46), BEGINNING FEBRUARY 3, 1965

February 3, 1965, received 11 men at 4 p.m.

February 4, 1965, received 35 men at 12:30 a.m.

All workers were taken to doctor's office and given physical examinations.

February 5, 1965, 44 went to work; 1 sick; [1] 1 toothache; 46, total.

February 6, 1965, 33 went to work; 9 refused to work; 1 off due to accident; 1 sick; 2 missing; 46, total.

February 7, 1965, Sunday, no work, rest day.

February 8, 1965, 34 went to work; 1 off due to accident; 35, total.

February 9, 1965, 7 went to work; 2 off due to accident; 26 missing; 2 new men arrived from Baton Rouge; 37, total.

February 10, 1965, 8 went to work; 2 off due to accident; 1 missing; 11, total.

February 11, 1965, 8 went to work; 2 off due to accident; 10, total.

February 12, 1965, 8 went to work; 2 off due to accident; 10, total.

February 13, 1965, 8 went to work; 2 off due to accident; 10, total.

ALABAMA GROUP

February 4, 1965, 8 a.m., all workers were fed; 8:30 a.m., workers were transported to doctor's office for physical examinations. At the doctor's office, the following workers were declared ineligible according to the following: seven were 17 years old; two were man and wife who did not want to work in sugarcane; one worker was 60 years old; two did not remain when the 17-year-old could not be hired; two refused to work in sugarcane.

None of these workers appeared to have any money on their person. They were all requesting immediate advances and/or cigarettes.

February 5, 1965, 13 men went to the field; 1 missing; 8 worked 1 hour each, total earnings, $9.20; 2 worked 2 hours each, total earnings, $4.60; 3 worked 5 hours each, total earnings, $18.55; total hours, 27; total guaranteed earnings, $32.35.

All workers missing by night, February 5.

Physical examinations	$70.00
Food	43.45
Total advance	113.45
Cost for hourly wages	32.25
Total	145.80
Value of cane cut	4.08
Cost to cooperative	141.72

(NOTE.—There were no transportation charges on these workers. They were brought to the area by a crewleader and referred to the cooperative by the local State employment office.)

REPORT OF LOSSES CAUSED BY LACK OF LABOR TO HARVEST SUGARCANE—SUGARMILLS SERVED BY THE FLORIDA FRUIT & VEGETABLE ASSOCIATION

GENERAL

On January 17, 1965, the sugarcane fields of Florida suffered one of the most critical freezes in history. Temperatures dropped to a low of 18 degrees in some areas. Almost all areas suffered below freezing temperatures for several hours. Over 95 percent of the terminal buds were killed. Over 50 percent of the sugarcane had varying degrees of dead lateral eyes and/or frozen cane.

Weather following freeze has not been ideal for cane to hold quality. We have had one day of heavy rain followed by extremely high temperatures, for this time of year. Quality of sugarcane at all mills has shown marked reduction in quality. All mills report that in addition to losing sugar by deterioration of cane they all expect to lose whole fields of sugarcane because it will be unmillable by the time they are able to harvest. They all report that if they had adequate labor almost all of their cane could have been saved.

Following is a report on the estimated losses directly due to lack of labor to harvest sufficient sugarcane to run their mills to capacity.

These estimates are conservative and if additional unfavorable weather occurs the following losses will be much greater.

ATLANTIC SUGAR ASSOCIATION

Mr. Sam N. Knight, president, was contacted and he stated that they have been short 110 workers. Because of the shortage of labor to harvest cane their grinding rate has been reduced by 500 tons per day. He further stated that their loss will amount to 40,000 tons of cane or approximately $340,000 due to loss in sugar and/or loss of sugarcane.

GLADES COUNTY SUGARGROWERS COOPERATIVE ASSOCIATION

Mr. Louis DeArmas, general manager, stated that they are short 75 canecutters. They have run their mill at less than capacity due to lack of cutters. They estimate their loss directly due to labor shortage to be approximately 50,000 tons of sugarcane or $425,000.

SOUTH FLORIDA SUGAR CO., INC.

Mr. Miguel A. Ballester, Jr., general manager, stated that he was short 35 canecutters but was reluctant to estimate losses.

FELLSMERE (OWNED BY OKEELANTA SUGAR REFINERY)

Mr. Leroy Medlin, personnel manager, stated that their mill had actually stopped for a total of 66 hours and had to grind at other times at less than capacity due to lack of sufficient labor to harvest sugarcane. They estimate that they will lose the equivalent of approximately 33,900 tons of sugarcane, valued at $444,000.

SUGAR CANE GROWERS COOPERATIVE OF FLORIDA

We have operated our mill at more than 600 tons per day less than capacity due totally to the lack of sufficient labor to harvest the crop. We estimate our loss at the present time for the crop to amount to approximately 64,000 tons or $545,700.

Summary of losses

Atlantic	$340,000
Glades County	425,000
South Florida	----------
Fellsmere	444,000
Sugar Cane Growers	545,000
Total	1,754,000

It should be pointed out that our request for additional labor is not made on the basis of this freeze alone. It is made on the basis of sufficient labor to run mills to capacity based on past experience. Each year in addition to freezes we are subject to heavy rains and high temperatures at the end of the crop if closing is delayed because of lack of labor.

HISTORY OF REQUESTS AND REASONS WHY NEWER SUGAR ORGANIZATIONS REQUIRE ADDITIONAL MANPOWER TO HARVEST SUGARCANE

HISTORY OF REQUESTS

During 1963 informal requests were made in person to the Atlanta office of the Bureau of Employment Security to revise formula used to determine certification.

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[1] This worker arrived sick. The company authorized the doctor to X-ray him and provide the necessary medication. The cost for this is estimated to be between $10 and $15, which is being billed to the cooperative.

Formal requests were commenced in September of 1964. Since that time there have been more than eight written requests by the State agency all denied or answered by requests for additional information. There has been three surveys made by the State agency on the request of the Atlanta office of the Bureau of Employment Security in addition to three conferences, at which time additional requests were made to revise formula and additional information given.

The State agency has recommended our requests and has documented and substantiated them in a very precise and accurate manner. The Bureau's denials and requests for additional information have become ridiculous and harassing.

It was not until Mr. Cass and Mr. Marbury visited us on February 4, 1965, that we were able to have a representative of the Department of Labor visit our operation to determine the actual facts related to our request.

REASON FOR ADDITIONAL LABOR REQUIREMENTS

Generally speaking, the older sugar mills in Florida developed their labor requirements based on large plantations having regularly sized and shaped fields. The land which they produced their cane on was close to Lake Okeechobee and is noted for its higher yields of heavier cane.

The newer sugar organizations, from past experience, have not been able to supply their mill with cane with the number of workers certified by use of the old formula. This is caused by the following factors:

1. The density of the sugar cane grown on the land farther away from the lake is less. Thus a cutter on outside land handling equal volume of cane to a cutter on the close-in land produces less weight.

2. Our fields are scattered all over western Palm Beach County. They are of varying shapes and sizes. The row lengths vary. Because of this, the worker is slower to accustom himself to the basis of pay of the task. In some cases this results in less production.

3. Our yields of sugarcane per acre generally run less than the older companies. As yield per acre is reduced the production per worker is reduced.

4. We have 53 different growers. The cultural practices of these growers vary. Difference in field layout, cultivation, and drainage produces different conditions which sometimes adversely affect cutters' productivity, such as excessive weeds due to poor cultivation.

We feel that the above physical and psychological reasons are sufficient to convince the Department of Labor that the basis for certification should be based on our experience rather than an old formula that suited the needs of companies having altogether different conditions.

The use of domestic workers has proven to be completely unsatisfactory. Many years of positive recruitment by U.S. Sugar Corp. and our 3 years' experience has proven totally unsuccessful to get even one domestic worker to continue to harvest sugarcane. The Bureau of Employment has recognized this fact. Enclosed is a summary of our most recent experience with the use of domestics. The so-called crash recruitment teams from the Department of Labor have not supplied us with one canecutter to date even though we have had a request since November of 1964.

Since domestic workers will not harvest sugarcane even though we have jobs available at all times, it cannot be said that imported labor replaces a domestic worker's job.

It should be further pointed out that we do not desire to have any more canecutters than are necessary to run our mills to capacity. It would be unsound for us to have the additional expenses of housing and carrying for additional workers not required to run these mills to capacity.

Minimum wage is set by the Secretary of Agriculture at $1.15 which is over 20 percent higher than the minimum wage in 1962–63 crop. Average earnings of workers are over $1.35 per hour because of the piecework basis that is used to compensate workers. Workers also receive free housing, three hot meals per day at cost, and workmen's compensation insurance. These wages and working conditions are higher than any other agriculture wage in the area.

Mr. HOLLAND. Mr. President, merely to epitomize the report, the Secretary of Labor insisted that there must be people in the United States who could cut cane. So he proceeded to insist upon the growers bringing in canecutters. The report shows that 74 were brought in, mostly from Louisiana, the others from Alabama, to cut the cane. In brief, as soon as they arrived and had looked at the cane, the whole group declined to work. They said they had been employed on the understanding that they would do the kind of work that is done in Louisiana, where the workers follow mechanical canecutters. They collect the stalks, strip them, and stack them.

Secretary Wirtz had two of his employees in Florida to help those 74 persons. A long conference was held between the two employees of the employment agency of the Department of Labor, the local employers, and the 74 workers. Thirty-three of them went into the fields; the rest of them never did. On the second day, seven were in the field; and from the letter, which will speak for itself, only four are in the field now.

The amount of their earnings on a piecework basis, which is the basis on which all cutters from offshore work—and they all make more than the $1.15 an hour minimum wage—was so small as to cost the employer every day a sizable amount to meet the minimum wage requirements of the Secretary's regulation.

The letter shows the total loss up to the date of the letter—February 13—sustained by reason of the importation of the 74 workers. Only four of them were still working, and they were not earning their salt. To the contrary, the figures, speaking for themselves, show a large loss to the Sugar Cane Growers Cooperative as a result of the experiment.

I have spoken with the Secretary of Labor about this problem. He admits that he has not been able to find cutters up to now, although I think he still hopes to obtain them. But as yet he has not certified a single person to us, in addition to the ones who are there. More than 9,000 are there, divided between some of the old firms that have large contiguous plantings on what we call custard apple land, our best land, and a smaller number made available to the younger producers of sugarcane, who have their acreage distributed in many places.

Fifty-five growers are in the cooperative represented by Mr. Wedgewood. Their fields are small and of varying shapes. It is necessary to take the cutters around from one field to another.

In addition, most of the fields are planted on lands other than the custard apple lands, lands which all people who know anything about the Glades area know are the most productive when it comes to producing sugar content in the cane.

The Secretary has been unwilling to recognize that more cutters are needed to supply the mills in the case of the plantings on inferior land and in smaller fields, and that none of the other, young mills are operating at capacity, merely because the Secretary will not certify the additional number of workers requested, which is 540.

Finally, he has traded that number down to 300, although 300 will not do the job. Although he has said he will transfer 300 citrus pickers, he has not provided any down to this date.

Meanwhile, what has happened? I have already placed in the RECORD the report on the freeze which killed the buds. The cane will not grow any more after the buds have been killed. It begins to sour when the warm weather comes. In typical winter fashion, Florida has been having more warm weather, with temperatures of 85, 87, or 88 every day. In such warm weather, the souring process sets in. Thus the amount of sugar that can be obtained from the cane is reduced. But every day, the Secretary of Labor is refusing to certify the additional cutters, to whom we must look if the newer group in the sugarcane industry is to have a chance to catch up with the cutting of cane.

I do not know of anything that could be less considerate and more highly impractical than the results that have been obtained in this particular situation. I hope that Senators will carefully read the record of this lamentable experiment made by the Secretary of Labor in his effort to find 74 of the 540 workers who were requested, additional canecutters who proved to be nothing but a hopeful group. Instead, they returned to their homes at great expense to the small cooperative that was involved.

Mr. President, I understand that the distinguished Senator from Michigan wishes to enter into the discussion. I yield to him.

Mr. HART. Mr. President, I have listened with interest to the remarks of the distinguished senior Senator from Florida. While I do not share fully his point of view in respect to the crisis, I wish to make it clear that the availability of this type of labor is extremely important in the harvesting of many of the field crops in Michigan.

The Senator from Florida may remember those years, so interesting and educational to me, when I was with him on the Committee on Agriculture, and we wrestled with this problem.

Mr. HOLLAND. The Senator from Michigan was a valuable member of our committee.

Mr. HART. The Senator from Florida is kind.

I know from that experience, and from a more recently voiced concern from growers in Michigan that there is apprehension that in the harvesting, particularly of pickles, and also of fruits, sugarbeets, and beans, our growers may be in great difficulty.

I wish only to express the belief and the hope that the Department of Labor will cooperate most closely with Michigan growers in actively searching the U.S. labor market. I continue to believe that this can resolve the summer harvest problem so far as Michigan is concerned. If it does not, I would expect that the Department would know in time sufficient to permit applications to be processed under the basic provisions of the immigration law, Public Law 414, in order that specific workers for specific jobs may be brought into the country. In order that this may be possible, the very closest possible cooperation is required between the Department of Labor and the growers. I believe that this is what is called for in terms of this summer's farm labor needs in Michigan.

I have been advised in recent days that there is very deep concern that the termination of the program will leave unmet some needs in Michigan.

Several years ago when the question arose as to the extension of the program, I voted to extend it, but I made clear then that it was the last time that I would support the measure. I had the feeling—I had it then, and I have it now—that unless we have a year's experience when, in fact, growers are required actively, in cooperation with the department, to seek U.S. labor and fail to avail themselves under Public Law 414, we shall never know whether in truth we can operate our agricultural economy without the braceros.

I thank the Senator from Florida. He has made a very important contribution and advanced the interest of growers all over the country in voicing his concern today. I appreciate very much his courtesy.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator for his very helpful comment.

I hear a good deal of talk about the attitude of organized labor. I have found that organized labor is not united on this matter. I think the distinguished Senators from California would be able to show that one important segment of labor in that State strongly supported the request of growers for supplemental labor there.

I know that the labor groups that work in the processing business as it pertains to vegetables and dates, and, in our State, the citrus industry, are directly concerned. If less field crops are harvested, their work fails to exist. I know that those workers in the transportation industry are deeply involved.

I was glad to find an expression from Mr. George Meany which, while it was on April 24, 1962, I think is still an important contribution to this entire field.

This memorandum was submitted to the Secretary of Labor by President George Meany, of the AFL–CIO, on April 24, 1962.

I ask unanimous consent that the entire memorandum be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE BRITISH WEST INDIES AGRICULTURAL LABOR PROGRAM

(Submitted to the Secretary of Labor by President George Meany of the AFL–CIO)

It is estimated that over 330,000 foreign workers are employed in the United States each year as supplementary labor in areas where the U.S. Department of Labor has certified a shortage of domestic workers. The average number of British West Indies workers employed during each month of 1962 was 6,976 with a high of 10,267 on December 31 and a low of 2,917 on July 31. These workers earned gross wages of $14,694,522 and of this $2,137,219 was transmitted to the West Indies for the savings accounts operated by the Governments on behalf of the workers. Analysis of the foreign exchange transactions of the various banks shows that similar amounts were sent by the workers as direct remittances to their families or to their commercial bank accounts.

These earnings show that the United States is making a substantial aid contribution to the West Indies at no cost to the American taxpayer, at no loss of self-respect to the West Indians, but merely as a fair return for a fair day's work on the part of law abiding and ambitious West Indian workers.

The gainful employment of West Indian workers on American farms constitutes a substantial relief to the serious West Indian unemployment problem where, for example, in Jamaica the rate is as high as 18 percent.

About 95 percent of the foreign national agricultural workers in the United States are Mexicans, whose programs are administered by a treaty between the United States and Mexico and under Public Law 78, which was recently extended by Congress for 2 years ending December 31, 1962. The other workers are admitted under the provision of the McCarran-Walter Act, Public Law 414, and these programs are administered without expense to the U.S. Government; in the case of the British West Indies a contract and work conditions are negotiated each year between representatives of the West Indies governments and representatives of the American farmers.

In February 1962 the Department of Labor issued a bulletin concerning the entry of Mexican agricultural workers into this country. This bulletin states that Mexican workers should not remain in the United States for a period exceeding 9 months and that the majority of Mexican workers must return after working 6 months.

Although arrangements for Mexican workers under Public Law 78 has no bearing on the British West Indies program, the Secretary of Labor has applied the restriction against farm machine operation by Mexican nationals to the British West Indies and has been endorsing certifications to this effect. It stands to reason that the Secretary is likely to apply the 9-month limitation to the British West Indies. This would destroy continuity of employment and make it extremely difficult to recruit men for the Midwest and Northern States for a short season if these workers knew they would have to return home at the end of that season. It would also make it impossible to transfer workers from Florida to the Northern States. This would be a considerable hardship to the economy of the West Indies, particularly Jamaica which supplies more than 75 percent of the British West Indies workers.

The workers of the British West Indies in the United States typically work in Florida from late spring or early summer, and are then transferred to Connecticut and the Midwestern States of Wisconsin, Indiana, Iowa, and Minnesota. When the summer harvest has been completed they are transferred back to Florida.

Through such transfer operations it was possible, up to 1957, to obtain continuous employment for fairly large groups of men. However, during 1958 mechanization of the pea and corn harvests in the Midwest had grown to such proportions that there was a considerable reduction in the number of workers transferred to that area, and that number has been further reduced each year since for the same reason. It is still possible, however, to send workers to Connecticut for tobacco during April and May; to send a few hundred men to the Midwest in June; to recruit more men for the September apple harvest in New York; the tomato harvest in Indiana in late August and early September; and to the fruit harvest in Michigan during early September. These workers are transferred, at the end of the harvest period, back to Florida.

It is well known that the standards of the British West Indies program improve the lot of domestic workers in regard to housing, workmen's compensation, and racial matters. The British West Indies Central Labor Office maintains a ratio of 1 liaison officer to 900 workers. These officers are responsible for seeing that the terms of employment are satisfactory, that the contractual obligations are honored both by the employers and by workers.

The large camps in Florida in which West Indian workers are housed provide infirmaries, and it is interesting that, while the U.S. Government is now attempting to develop a group insurance policy to protect domestic migrant workers against accidents or sicknesses which are nonoccupational, the British West Indies program provided such protection for West Indian workers as far back as 1948. This policy incidentally, provides better medical, hospital, and financial benefits to the workers than are proposed in the U.S. Government schemes. Full workmen's compensation protection in accordance with that given to industrial workers is required for all British West Indies workers and no employment is approved unless there is such protection. This requirement protects American workers employed by the same farmers as West Indians, because the domestics receive the workmen's compensation benefits. Here again the workmen's compensation provision provides more benefits for the British West Indies workers than are required by law for Mexican national workers, despite the treaty between the two governments concerned.

The racial problem in many areas has been eased by the presence of British West Indians. For example, a director of labor in one of the Southern States commented publicly, at a 1958 National Farm Labor Conference, that when British West Indians worked in a neighborhood it became easier for American Negroes to enter that neighborhood and obtain gainful employment.

The Secretary of Labor has the authority to make exemptions in the British West Indies program. The AFL–CIO urges that he allow British West Indies workers to remain, as at present, on a year-round basis. The Department of Labor, through local, State, and regional employment services, has to be satisfied that there is a shortage of domestic workers before they will certify the need for foreign labor. If this shortage is so certified, there should be no hesitation in allowing British West Indians to remain on a year-round basis, either with one employer or with more than one employer on transfers.

The Government of Jamaica would not be opposed to a treaty similar to that between Mexico and the United States, and it is believed that most of the American employers would not be opposed to such action.

Mr. HOLLAND. Mr. President, without trying to read extensively from the document, I shall read a few of the comments. One statement reads as follows:

> It is well known that the standards of the British West Indies program improve the lot of domestic workers in regard to housing, workmen's compensation, and racial matters.

Their coming does not adversely affect domestic workers. But Mr. Meany said that it improves their lot. He then continued as follows:

> The British West Indies Central Labor Office maintains a ratio of 1 liaison officer to 900 workers.

I do not know if that is the number. But I do know that they have inspectors who check on the kind of housing, food, and medical attention that the workers from the various British areas in the West Indies are receiving. If those services do not come up to the standards which they think are proper, they say so. And they have on occasion insisted that their men go back home.

Mr. Meany continued as follows:

> These officers are responsible for seeing that the terms of employment are satisfactory, that the contractual obligations are honored both by the employers and by workers.

So stated Mr. Meany at that time. There are other parts of the statement that are completely in line with the situation at this time.

Mr. Meany went on to say:

> The Secretary of Labor has the authority to make exemptions in the British West Indies program. The AFL–CIO urged at that time that he allow the British West Indies workers to remain on a year-round basis.

We are not asking for them to remain on a year-round basis. We are asking that they remain only until they perform the job they are brought in for. The 120 days that is prescribed by the Secretary of Labor is not enough time. In some industries it is enough. In the citrus and cane industries, it is not enough time. I am sure that there are other industries up and down the seaboard in which the 120 days allowed by the Secretary of Labor in his own arbitrary grace is not sufficient time.

Mr. Meany went on further to say:

> The Department of Labor, through local, State, and regional employment services, has to be satisfied that there is a shortage of domestic workers before they will certify the need for foreign labor.

That has been the requirement ever since the beginning of this program nearly 30 years ago.

Mr. Meany stated further:

> If this shortage is so certified, there should be no hesitation in allowing British West Indians to remain on a year-round basis, either with one employer or with more than one employer on transfers.

This statement will show very clearly that as late as April 24, 1962—and I would not attempt to quote Mr. Meany as of the present moment—he was placing the AFL–CIO squarely on record in support of the British West Indies program. That is the program under Public Law 414, under which needed and required skilled laborers are brought in from the British West Indies.

Mr. President, in completing my remarks I should like to say that one field of our labor difficulties in Florida has not been emphasized as much as it should be. That is the field which has to do with vegetables. It will be a disaster very shortly. It could be a bigger disaster than any of the others. The total number of laborers needed in that field is very great. The same thing applies to the field of subtropical fruits.

I ask unanimous consent that there be printed at this point in the RECORD a letter from Mr. Kendall, one of the big producers of tropical fruits, to Mr. Joffre David, the head of the Florida Fruit & Vegetable Association, under date of January 22, 1965.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SOUTH FLORIDA GROWERS
ASSOCIATION, INC.,
Goulds, Fla., January 22, 1965.

Mr. JOFFRE DAVID,
Florida Fruit & Vegetable Association,
Orlando, Fla.

DEAR JOFFRE: In my telegram to Senator HOLLAND last week, I mentioned that we had sustained losses the past 2 years as a result of the Labor Department continuing to cut down on the number of foreign workers available to the tropical fruit industry. Evidently the Secretary of Labor's Office took sharp issue with this statement since a Mr. Kaneb of the Secretary's Office called me on the telephone on Tuesday, January 19, asking me in detail about these losses.

I pointed out that not only had we been unable to harvest all of our crops of limes during the past 2 years but that because we were short of labor we were not able to keep the crops picked sufficiently so that they could be sold in the fresh fruit market and as a result a large percentage of the crop had to be sold at salvage prices to processors which meant a large loss to these lime growers. I tried to point out to Mr. Kaneb that what we needed was a small group of willing and dependable offshore workers who were accustomed to working in this climate and under the conditions prevailing in our South Dade tropical fruit groves.

The next day, January 20, the USES office called us saying that the Secretary of Labor's Office had asked them to check on the number of foreign workers employed by us this year and last and also the number of domestic workers employed by us this year and last. As you know, Mr. Marbury has criticized us because we were unable to increase the number of domestic workers in our tropical fruit industry. We have made a strenuous effort to obtain all the domestics we could get to work in our groves at this time and, frankly, the record shows that we have more domestic workers right now than we had last year at this time but not enough to make up the difference between the foreign workers we had last year and those we are reduced to at the present time.

Furthermore, it is cruel for the Secretary of Labor's Office to just count heads in either ascertaining the number of people employed or in the amount of work being done in our groves. Practically all of the domestic labor we have hired recently will not do lime picking. It is not a question of hourly rate or piece rate but rather the inability or unwillingness to work on the same basis with comparable offshore laborers who are picking from 50 to 60 boxes of limes a day (7–8 hours) at 25 cents per box. We have very few domestic workers who will even average 20 to 25 boxes per day right in the same groves under the same conditions. They have been working on an hourly basis doing some of our other work such as irrigating, fertilizing, hoeing, vining, and cleaning up groves. As you can well understand, it is very difficult to judge the output of domestic versus foreign workers on this kind of work except from actual observation of what is being done on the scene.

Our greatest problem with the domestic workers at the present time is that these are practically all temporary people. They are either down here from the North to escape the cold weather or are working for us on a daily basis until they can get into the tomato or bean harvest work, or in the packinghouses or processing plants. It just seems that the work in our lime groves is not attractive enough to keep these people regularly with us regardless of wages, hours, or other conditions which we have to offer.

At the present time we have quite a large crop of limes to be harvested during the next several weeks. Our recent cold spell hurt some of the very small limes which we would be picking in April and early May but even so, we will probably have a much heavier crop of limes right through the next 3 months than we did last year. Under the circumstances, we need to ask the Secretary of Labor's Office to extend the certification for the tropical fruit industry until April 1 at which time the new criteria go into effect. I hope that you will be able to point out these needs of the tropical fruit industry to the proper people in the Labor Department.

As we have pointed out many times, a small corps of 100 to 150 workers enables us to keep our groves in condition so that we can produce crops which offer employment to close to 2,000 people the rest of the year. Without this small dependable group I fear that our industry is going to be seriously crippled in the months ahead.

Very truly yours,
HAROLD E. KENDALL.

Mr. HOLLAND. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the information from Dixon Farms, as to the loss of their strawberry crop, which appears at page 322 of the hearings.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

LANTANA, FLA.,
January 15, 1965.

Senator SPESSARD HOLLAND,
Old Senate Office Building,
Washington, D.C.:

Withdrawal of critically limited foreign labor force from our farms would drastically increase production costs and very possibly cause a substantial crop loss. Foreign labor presently achieving over three times the daily production of highest producing day haul domestic crew in our strawberry operation, as of this date. The unreasonable and arbitrary increases in labor costs created by the Secretary of Labor in his so-called new criteria for foreign labor users will further increase these costs an estimated 30 to 35 percent or more. Obviously these unparalleled increases must be passed on to the consumer, thereby accelerating present inflationary trends. Many Florida farmers are forced to seriously consider substantial reductions in acreage and even possible abandonment. New regulations together with new adverse effect rate increase effective April 1 will increase our production costs, already at an unprecedented alltime high by several thousand dollars per day. Constant fluctuation in the personnel of day haul crews reporting to our fields with inexperienced and untrained workers through the Labor

Department's crash recruitment program further frustrate our efforts to achieve efficient production. We join with all Florida fruit and vegetable producers in urging your valued assistance in combating the grave and untimely decree of the Labor Secretary.

DIXON FARMS,
West Palm Beach, Fla.

Mr. HOLLAND. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD the status report on Florida vegetable crops, dated February 12, 1965, and submitted by Mr. W. H. Anderson, the assistant general manager of the Florida Fruit & Vegetable Association.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FLORIDA VEGETABLE CROPS

Freezing temperatures in January averted labor shortages that threatened to become acute in most active vegetable areas. However, very little damage took place in the staked and vine-ripened tomato industry and the strawberry industry along the lower east coast and these two crops require vast amounts of hand labor. The peak of vegetable operations is yet in front of us due to retarded growing conditions and replanting that followed the January freeze. A critical situation is in prospect if additional labor is not available to the tomato and strawberry industries within the next few weeks. An even more acute threat faces the entire vegetable industry at the end of April when lower east coast and Lake Okeechobee farming operations will be at their highest point and the 120-day limitation upon the use of supplemental foreign workers will expire under the present policies of the Secretary of Labor.

The Florida celery industry has nearly 5,000 acres of celery to be harvested and approximately one-third of this will have to be harvested after the 120-day time restriction on foreign workers expires and this crop has historically depended upon foreign workers to cut celery by hand.

A total of 49,470 acres of tomatoes have been planted in Florida this season and less than half of this has been harvested. The fruit has set on only 4,510 acres of the acreage remaining to be harvested which means that a very substantial portion will have to be harvested after the expiration of the 120-day limitation. It should be noted that Florida's tomato acreage this season is 7,000 acres larger than a year ago. It should also be noted that our tomato industry has had to face strongly increased competition from Mexico which has put nearly 20 percent more carloads of tomatoes on the U.S. market since December 12 than it did a year ago during this same period.

Florida's growing reputation is an excellent producer of sweet corn and resultant market expansion encouraged the sweet corn industry to plant a total of 30,865 acres this season as compared to 21,660 acres through February 6 a year ago. While 3,500 acres of sweet corn were killed by the freeze of January 17–18, most of this acreage has already been replanted and it is anticipated that an additional 18,905 acres of sweet corn will be planted during the balance of the season. This will give Florida 30 percent more sweet corn acreage than during the 1963–64 season and as of February 11, 1965, the Florida Sweet Corn Advisory Committee estimated that 5,300,000 crates remain to be marketed during the remainder of the season. This crop cannot be successfully harvested without the use of supplemental foreign labor as not enough domestic workers are willing or able to withstand the high temperatures and muck soil environment which is characteristic in the Everglades area where this crop is concentrated. Obviously, the 120-day limitation on the use of supplemental foreign workers will jeopardize much of this crop.

A total of 3,500 acres of strawberries will be harvested in Florida this season—if adequate labor is available. This is 700 acres more than were planted last year. A total of 1,930 acres of strawberries are located in the lower east coast area and strawberry growers in this area have historically depended heavily upon supplemental foreign workers. Resistance by the Bureau of Employment Security to authorize an adequate number of foreign workers for this industry has caused substantial losses in past years and delays in authorizing a limited number of workers thus far this season were responsible for growers being unable to lay polyethylene weed control covers over the plants until after blooms appeared. This necessary abuse of the blooming plants—necessary to avoid the need for even more labor to control weeds—resulted in the loss of the first two pickings this season. This crop requires labor that remains on the job and becomes experienced in picking only those berries that are prime and ready for market. Plants must also be protected. Attempts by growers to use day-haul crews have been very costly as these workers report for work only on those days when work is not available in their local areas. They therefore do not gain experience nor do they feel any sense of responsibility toward the grower to pick prime berries and protect the plants. Local workers, on the other hand, very willingly work in the strawberry industry because of the excellent earnings opportunities. There simply are not enough of these workers to do the job. The strawberry industry will have to have additional labor within the next few weeks to avoid crop losses. It will also have to have supplemental foreign labor after expiration of the 120-day limitation on foreign workers to avoid substantial crop losses during the remainder of the season.

FLORIDA TROPICAL FRUIT INDUSTRY

The Florida tropical fruit industry a few years ago customarily found it necessary to employ several hundred supplemental foreign workers to harvest limes, avocados, and mangoes. In recent years, the Department of Labor has become increasingly restrictive in permitting the use of supplemental foreign workers in this activity although the number of domestic workers willing and able to perform this work is inadequate. During the last 2 or 3 years this industry has only been allowed to use approximately 150 foreign workers at the height of the season. During the current season, growers in this industry were limited to a total of 100 and they were directed to release all of these workers by December 31, 1964, even though the crop was not harvested. Repeated appeals to increase the number of workers available so as to enable completion of harvest by December 31 were denied, until Secretary Wirtz personally authorized the extension of stay for 60 of the workers assigned to this industry through the period of harvest. However, when this authorization was translated into operational terms, growers were informed that the extension of stay was limited to January 31. Accordingly, no foreign workers remain in this industry at this time and growers are shorthanded with respect to workers for grove caretaking operations even though harvest operations are limited.

According to Secretary Wirtz' new regulations, these growers have already utilized 30 days of the 120-day maximum period that they will be allowed to use supplemental foreign workers during the calendar year 1965—even though these 30 days were involved in the harvesting of last year's crop. The industry customarily requires a very substantial picking force from June through February, although harvest operations are carried on almost continuously throughout the year in one crop or another. Under Secretary Wirtz' current regulations, if these growers are allowed to have additional supplemental foreign workers beginning in June, they will be forced to surrender all of them at the end of August and will have no labor force in prospect for the 4 remaining months of active harvest operations of 1965.

This industry has suffered repeated setbacks from hurricanes and freezes, but it is trying to grow and expand. The 1964 avocado and lime crops were the largest on record, yet the Department of Labor allowed them even less labor than was admittedly required for this industry in prior years.

These growers, who are relatively few in number, have maintained standing orders with the Employment Service for domestic workers. They offer good wages and housing. The simple fact is that domestic workers prefer to work in easier tasks in other crops during the fall, winter, and spring months, and they migrate to jobs along the eastern seaboard States during the summer under a program sponsored and operated by the Department of Labor.

It is apparent that these growers must obtain relief in the form of adequate labor supplies, even if this means that supplemental foreign workers must be authorized. It is also apparent that the 120-day limitation is entirely unrealistic and does not take into account the nearly year-round nature of operations in this industry.

Mr. HOLLAND. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD my correspondence with Mr. Sam Miller of Atlanta, Ga., who represents the Dixon Farms, and a table. The Dixon Farms is a very large and very important producer of vegetables and strawberries. This particular correspondence relates particularly to strawberry harvesting.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

STATEMENT OF DIXON FARMS, INC., AND DIXON BERRY FARMS BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY REGARDING CRITERIA FOR CERTIFICATION OF SUPPLEMENTAL LABOR, JANUARY 15, 1965

This statement is submitted to the committee pursuant to permission granted by Senator ALLEN J. ELLENDER, chairman of the committee. This statement is presented on behalf of the above-named parties and other growers of strawberries and trellis tomatoes in the Palm Beach County area. Dixon Farms, Inc., and Dixon Berry Farms customarily farm in excess of 300 acres of fresh strawberries and in excess of 300 acres of trellis tomatoes each year.

We support the statements made by Messrs. Wedgeworth, Evans, Tombrink, and Ghiselin representing growers and associations within the State of Florida. The testimony presented by the California and Arizona citizens is also applicable to the Florida problem in which we operate.

In addition to the problems and proposed solutions submitted by the above named in their statements, we desire to emphasize the additional problems which strawberry and trellis tomato growers are encountering. This will be the purpose of this statement.

These two crops require, both during preharvest and harvest periods, additional skills to those of the usual migrant domestic agricultural laborer or by the average day haul crews. In trellis tomatoes the tieing of the vines and pruning operations must be done by trained employees possessing requisite skills. In the absence of such skills, the vines, which at these periods are tender, may be badly damaged or effectively destroyed. These facts are well known to the Labor and Agriculture Department representatives in the Palm Beach area. In addition to the skills required in these preharvesting operations, the steps in production described above must be done in timely manner and unless they are done at the proper time, great damage results to the vines and crops.

In connection with the growing and harvesting of strawberries, additional skills provided by a stable labor supply are required to some extent in preharvest work and to a much greater extent in the harvesting of the berries. There is also an urgency in accomplishing certain phases of preharvest work and an even greater urgency in the harvesting processes.

In the preharvest stages of strawberries the time of planting and the laying of polyethylene are demanding as to time and in the requirement of skill. Unless the polyethylene is put down in timely manner, additional weeding operations are necessary and fertilizing factors are thrown off balance.

In the harvesting of strawberries especial skills are required to prevent damage and destruction to the vines and berries themselves. The fact of such damage has been called to the attention and exhibited to representatives of the Department of Labor.

We are dedicated to the preferential usage of domestic labor; however, the instability of such labor makes necessary the availability of supplemental offshore labor. By contract, such labor will stay through the critical periods requiring availability and skills.

The perishable nature of trellis tomatoes and strawberries greatly increase the urgency of labor requirements. The cost of producing these crops and the requirement for large number of man-hours in their production make it extremely hazardous for the growers to undertake such crops without assurance in advance of adequate labor supplies. These are crops which will not await harvesting after they have reached optimum maturity. The high cost of production of these crops and the great number of man-hours needed for their production are demonstrated in the tables attached to this statement. The high risks involved in starting out in the production of these crops with uncertainty of the necessary labor to produce and harvest them will greatly affect the willingness of ourselves and other growers to undertake such production.

Attached exhibit A is table 55 of the official publication of the Florida Agricultural Experiment Stations. The man-hour requirements of the trellis tomato growers in the West Palm Beach area are similar to those of Pompano, which is the first item on page 2 of this table. It will be seen that the total man-hours required per acre in trellis (vine ripe) tomatoes is 888.1, which is more than twice the man-hour requirements of every other reported crop in this table. The great number of preharvest, as well as harvest, man-hour requirements are demonstrated clearly and it should be pointed out that much of the preharvest labor requirements call for special skill.

A detailed study of the man-hour requirements for trellis tomatoes is shown in table 6 of the same publication and attached hereto as exhibit B.

Table 7, which is attached hereto as exhibit C, shows the period of time required for the growing and harvesting of trellis (vine ripe and staked) tomatoes. We refer to the column denominated "lower east coast." This period extends from August 25 to May 31 of the following year, a period of approximately 9 months, or 270 days. This would clearly illustrate that the 120-day limitation on the use of supplemental labor is wholly inadequate for the requirements of this crop.

We are perfectly willing to accede to all reasonable criteria relating to the use of domestic labor on a preferential basis before requesting offshore labor of a supplemental nature. Then after reasonable investigation and ascertainment of the facts, the need for supplemental offshore labor should be recognized and supplied in timely manner and in sufficient number to do the job.

EXHIBIT A

TABLE 55.—*Summary of man-hours required per acre for various crops, by areas*

Area and crop	Man-hours per acre			Estimated yield
	Preharvest	Harvest	Total [1]	
Alachua County:				
Cucumbers	27.5	87.5	116.7	155 bushels.
Watermelons (Gainesville)	13.1	19.6	32.7	450 melons.
Dade County:				
Tomatoes	55.2	103.8	159.3	200 crates.
Potatoes, Irish	21.3	39.0	60.9	162.5 hundredweight.
Cucumbers	20.6	54.0	75.2	125 bushels.
Cabbage	48.5	53.5	103.5	10.25 tons.
Squash	21.8	89.9	112.7	150 bushels.
Beans, pole	110.2	182.8	293.7	300 bushels.
Everglades:				
Beans, snap	6.6	96.4	104.0	100 bushels.
Potatoes, Irish	29.9	35.8	65.7	150 hundredweight.
Corn, sweet	14.5	31.0	45.5	180 crates.
Celery	100.2	230.0	330.2	600 crates.
Peppers, green	112.2	88.8	201.0	300 bushels.
Cabbage	41.6	60.0	101.6	10 tons.
Lettuce, escarole	36.3	49.1	85.4	100 hundredweight.
Cabbage, Chinese	35.8	48.9	84.7	525 crates.
Radishes	4.0	3.6	7.6	2 tons.
Fort Pierce: Tomatoes	84.3	109.0	197.1	200 crates.
Immokalee-Lee:				
Tomatoes, ground	83.3	117.9	202.2	225 crates.
Tomatoes, staked	243.6	199.8	445.4	333 crates.
Potatoes, Irish	36.0	32.8	69.6	175 hundredweight.
Peppers, green	126.0	144.6	271.5	450 bushels.
Watermelons (southern Florida)	90.4	26.1	118.1	625 melons.
Cucumbers	74.1	96.9	172.4	250 bushels.
Squash	38.0	95.5	134.7	170 bushels.
Hastings:				
Potatoes, Irish	24.3	32.6	60.3	150 hundredweight.
Cabbage	51.7	56.4	111.7	10 tons.
Manatee-Ruskin: Tomatoes, staked	148.4	170.6	320.6	300 crates.
Marion-Sumter:				
Tomatoes, ground	50.6	74.0	124.6	160 crates.
Peppers, green	135.4	116.2	255.2	400 bushels.
Watermelons (central Florida).	23.5	17.3	40.8	420 melons.
Lettuce	141.0	60.9	204.8	103 hundredweight.
Oviedo: Celery	130.1	269.2	400.8	750 crates.
Plant City:				
Peppers, green	106.0	138.0	247.9	300 bushels.
Cabbage	54.8	68.0	124.8	11 tons.
Squash	29.1	94.4	128.1	110 bushels.
Eggplant	101.4	126.7	231.1	250 bushels.
Peas, southern	18.2	84.7	102.9	100 bushels.
Pompano:				
Tomatoes, vine-ripe (lower east coast).	672.8	212.6	888.1	560 crates.
Beans, snap	15.0	96.5	112.5	100 bushels.
Peppers, green	230.5	182.4	415.0	400 bushels.
Cucumbers	52.3	68.1	121.0	150 bushels.
Squash	39.3	69.6	108.9	125 bushels.
Eggplant	224.2	233.9	459.9	450 bushels.
Beans, lima	31.9	95.0	128.6	80 bushels.
Sanford:				
Beans, snap	12.1	126.2	138.8	175 bushels;
Celery	155.6	264.0	422.9	600 crates.
Cabbage	45.8	64.9	116.2	11.5 tons.
Lettuce-escarole	79.8	65.3	146.9	118 hundredweight.
Sarasota: Celery	159.0	317.9	480.1	839 crates.
Wauchula:				
Tomatoes, ground	80.6	134.2	216.7	210 crates.
Cucumbers	32.4	109.3	142.7	250 bushels;
Zellwood:				
Corn, sweet	15.0	48.0	63.9	260 crates.
Celery	128.2	235.1	364.2	525 crates.
Radishes	4.0	3.8	7.8	2 tons.
Spinach	7.9	13.0	20.9	4 tons.

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[1] Includes other labor not shown in some cases.

The data on labor and materials required represent the most common practices at the time the study was made. Yields of most truck crops vary widely from year to year because of differences in weather; harvested yield may also vary because of price. Labor and materials used may vary with weather conditions, and increasing mechanization is lowering man-hours and increasing machine time on many crops; new insect-and-diseases control materials and new varieties may increase yields. Most changes in practices, however, occur gradually.

ACKNOWLEDGMENTS

The author is grateful for the willing cooperation of the many vegetable growers who supplied the data which made this study possible. Appreciation is expressed also to A. B. Irving, former Interim Assistant, M. D. Perry, former Field Technician, and S. A. Poole, Jr., former Assistant in Agricultural Economics, for assistance with field interviews.

EXHIBIT B

TABLE 6.—*Tomatoes (staked): Labor requirements in hours per acre, by areas*

Operation	Immokalee-Lee (4 growers)		Manatee-Ruskin (17 growers)		Lower east coast (7 growers)	
	Man-hours	Tractor-hours	Man-hours	Tractor-hours	Man-hours	Tractor-hours
Preharvest labor:						
Seedbed [1]			3.2	0.2		
Field:						
Ditching and draining, roads, pumps	[2] 52.7	[2] 4.6	2.0	1.7	32.2	1.0
Preparing land	3.1	2.2	4.1	3.3	4.4	3.9
Preparing rows and fertilizing	1.8	1.1	1.5	1.0	1.0	1.0
Planting or setting	3.3	.7	14.0	1.0	1.5	1.0
Cultivating and fertilizing	15.6	5.0	6.0	4.7	29.1	[3] 7.5
Insect and disease control	10.7	10.7	6.7	6.7	25.2	12.6
Hoeing, raking, weeding	13.7		30.8		40.0	
Irrigating	9.6		3.0		3.0	
Pruning and tying	58.2		45.0		432.0	
Staking and wiring	36.2		18.6	1.0	70.0	3.6
Removing stakes and wire	35.0		13.5	.8	34.4	2.2
Cold protection	3.7					
Total, preharvest labor	243.6	24.3	148.4	20.4	672.8	32.8
Harvest labor:						
Picking and lugging	177.6		150.0		200.0	
Hauling to packinghouse	22.2		20.6		12.6	
Total, harvest labor	199.8		170.6		212.6	
Other labor	2.0	2.0	1.6	1.6	2.7	2.7
Total, all operations	445.4	26.3	320.6	22.0	888.1	35.5
Estimated yield, 60-pound crates	333		300		560	

[1] Per acre of field-set plants.

[2] Where 2d crop land is used, deduct 34.6 man-hours and 3.1 tractor-hours for clearing land, fencing, and initial field and road layout.

[3] In addition 4 growers using mules for cultivation averaged 26.4 mule-hours per acre.

EXHIBIT C

TABLE 7.—*Tomatoes (staked): Usual season of operations, by areas*

Operation	Immokalee-Lee	Manatee-Ruskin		Lower east coast
		Fall	Spring	
Seedbed		July 10 to Sept. 20		
Field:				
Ditching, diking, roads, clearing	May 1 to Dec. 1 [1]	Aug. 1 to Dec. 1	Dec. 1 to May 1	Aug. 25 to Apr. 15.
Preparing land	July 15 to Sept. 1	July 15 to Aug. 31	Oct. 1 to Dec. 31	July 20 to Nov. 15.
Preparing rows and fertilizing	Aug. 10 to Dec. 20	Aug. 15 to Sept. 15	Dec. 1 to Jan. 15	Aug. 15 to Nov. 15.
Planting or setting	Aug. 20 to Dec. 20	Aug. 20 to Sept. 20	Jan. 5 to Feb. 10	Aug. 25 to Nov. 15.
Cultivating and fertilizing	Sept. 1 to Apr. 15	Sept. 1 to Nov. 1	Jan. 15 to May 1	Sept. 1 to Apr. 15.
Insect and disease control	Sept. 1 to May 15	Aug. 20 to Jan. 1	Jan. 10 to June 1	Sept. 1 to Apr. 25.
Hoeing, raking, weeding	Sept. 10 to May 1	Sept. 10 to Oct. 15	Feb. 1 to Apr. 1	Sept. 15 to Feb. 1.
Irrigating	Sept. 1 to May 1	Sept. 1 to Dec. 31	Jan. 10 to May 20	Aug. 25 to Apr. 15.
Pruning and tying	Sept. 20 to Mar. 10	Sept. 20 to Nov. 1	Feb. 15 to Mar. 31	Oct. 5 to Feb. 15.
Staking and wiring	Oct. 10 to Feb. 10	Sept. 25 to Oct. 15	Feb. 15 to Mar. 15	Oct. 10 to Jan. 15.
Removing and hauling stakes and wire	Jan. 15 to June 15	Jan. 1 to Feb. 15	June 1 to June 30	May 1 to May 31.
Harvesting	Nov. 20 to May 31	Nov. 10 to Jan. 10	Apr. 20 to June 1	Dec. 1 to May 1.

[1] May be done at any time in advance of land preparation.

Land clearing in the Immokalee-Lee area takes place 6 to 8 months in advance of preparing the land for planting. Some new land is used each year in the Manatee-Ruskin area, but once cleared it may be used for several crops of tomatoes. Most growers rotate the use of land, particularly those fields which are tiled for irrigation and drainage.

Homestead strains, Manalucie, and Indian River are the principal varieties of tomatoes used for staked and vine-ripe production. From 0.3 to 1 pound of seed is required to plant an acre, depending upon whether or not seed are drilled in the row or plants are raised in a seedbed and set in the field (table 8). On new land in the Immokalee-Lee area 6,000 pounds of soil amendment are applied. On older land in the other areas about 2,000 pounds of a soil amendment are applied annually. Complete fertilizer requirements range from 3,150 pounds to 9,600 pounds per acre depending upon weather and length of crop. From 2,400 to 4,400 gallons of spray are required.

TABLE 8.—*Tomatoes (staked): Usual material requirements per acre, by areas*

[Area: Manatee-Ruskin]

Item	Kind	Amount
Seedbed: [1]		
Seed	Homestead 24	0.3 pound.
Fertilizer	4-8-8; 4-9-3; 4-10-8	27 pounds.
Poison bait	Chlorinated hydrocarbons	0.5 pound.
Spray	Organic fungicides; chlorinated hydrocarbon and organic phosphate insecticides; antibiotics.	27 gallons.
Field:		
Plants (from seedbed)	Homestead 24	4,800.
Soil amendments	Dolomite, high calcium lime	2,000 pounds.
Fertilizer	4-8-8; 4-8-10; 4-10-8	3,000 pounds.
Supplemental fertilizer	Nitrate of potash	150 pounds.
Spray	Organic fungicides; chlorinated hydrocarbon and organic phosphate insecticides; agricultural antibiotics.	2,400 gallons.
Soil fumigant	SMDC (vapam, v.p.m.)	12 gallons.
Stakes	Cypress	6,000.
Twine	Binder	100 pounds.
Containers	Various—packinghouse item	

[1] Per acre of field-set plants.

Mr. HOLLAND. Mr. President, in order to show rather conclusively the deep concern which exists in our State over this situation—and I have already shown it by including statements from reputable newspapers, including newspapers from Miami, Tampa, Lakeland, Tallahassee, and other places—I ask unanimous consent to have printed at this point in the Record a letter addressed to the Secretary of Labor from Mr. Harold Colee, executive director of the State chamber of commerce. This letter relates to this distressing situation.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Florida State Chamber of Commerce,
Jacksonville, Fla., February 4, 1965.
Hon. W. Willard Wirtz,
Secretary of Labor, Department of Labor Building, Washington, D.C.

My Dear Mr. Secretary: The lack of sufficient harvest hands to meet the needs of Florida's citrus, sugarcane, and vegetable industries has received widespread attention by radio stations and newspapers throughout the State. This matter is of great concern to the Florida State Chamber of Commerce. We are assured that the Chamber of Commerce of the United States also shares our fear that the arbitrary restriction of the number of laborers available to the agricultural industry threatens a wide portion of the overall business community as well as agriculture-oriented industries.

Even now, relief would be too late to overcome losses thus far experienced in Florida. However, relief must be obtained by one means or another. The impact upon Florida's economy foreseen for this season will be very small indeed in comparison with the future that will confront this State unless favorable consideration is given the request to utilize necessary supplemental foreign labor without undue delay when loss threatens.

The Florida State Chamber of Commerce shares the Secretary's belief that qualified Americans should be given the opportunity of employment before foreign workers are allowed to work. We are assured that Americans have not only been given full opportunity to accept farm jobs in Florida but that intensive efforts have been made to recruit them. It is evident that the vast majority of the potential American labor supply is increasingly rejecting opportunities in farm employment even though Federal efforts have been extended to include experimental control of wages and other terms of farm employment.

No good purpose is to be served by denying agriculture or any other industry access to supplemental foreign workers when they are so obviously needed to protect longstanding private investments and the State and National economy.

The Florida State Chamber of Commerce voices the urgency of this situation, which continues to deteriorate.

Sincerely yours,

Harold Colee,
Executive Vice President.

Mr. HOLLAND. Mr. President, I should like to say much more on this subject. The Senate has been very patient with us. We began about 10:30. It is now 1:30.

I realize that there is pending business which should be handled. I note that since my speech began, the distinguished majority leader has flown all the way here from Mexico City to take his place in the leadership of the Senate. I welcome him back home. Therefore, I shall not take any more time of the Senate.

Mr. President, I wish to conclude by saying that it is a distressing situation when a member of the executive branch of the Government interprets the situation so as to allow him to prescribe by regulation something which has been withheld by the law—that is, wages and hours of certain agricultural workers—when he insists on completely unreasonable terms before he will certify workers to save crops which are going to waste, and which have gone to waste in my State to the extent of about $6 million worth of oranges, and I do not know how much more in sugarcane and other crops.

It is a distressing thing when a well-meaning gentleman—and he is certainly that—seeks to do something which was not intended by Congress last year and the year before by Public Law 78, the bracero program, and insists on reading into his determination something we did not give him under Public Law 414. While he ignores that, while Public Law 78 was effective in the western part of the country, many workers were able to come in under Public Law 414, which was not disturbed by the action or inaction of the Congress.

This situation is so distressing that I hope we may have an early decision from the Secretary of Labor. Good men sometimes change their minds. In view of this overwhelming showing, I hope he will show himself to be a man who will change his mind and permit us to have supplemental workers, whom we must have, unless we are to have more disasters.

Let me point out that the whole Northeast is involved, in the use of woodcutters and potatoworkers. The whole West is involved. It will need, later in the year, over 100,000 laborers from Mexico alone.

The whole eastern seaboard is involved. I am sorry the Senator from Virginia [Mr. Byrd] is not present, because he has had to rely on supplemental workers to harvest his crop of apples.

I am sorry there are not present more Senators, from New York, Connecticut, and Ohio, who could state of their own knowledge that their producers have had to avail themselves of supplemental labor from time to time.

We are cutting off our noses to spite our faces, and if we permit this situation to continue, we are doing exactly the opposite of what the President said when he asked us to please change the immigration laws so as to permit large numbers of additional people whose skills are needed to come into our country, in order that the country may prosper more greatly.

Mr. President, I yield the floor.

Mr. FANNIN. Mr. President, the need for a supplemental farm labor program is real and pressing in Arizona and it will become more serious in the months immediately ahead when peak labor demands normally occur during the harvest season.

There simply are not enough competent and qualified domestic workers available to satisfy the needs of growers in my State, particularly during the relatively short harvesting season for perishable crops. This season, which lasts only a few weeks, is nearly upon us.

I want to emphasize that additional workers are needed, over and above the normal labor force employed on a year-round basis. This seasonal peak shortage of farm labor is nothing new; it has existed in Arizona for many years.

The director of the Arizona Employment Security Commission has advised me that even with maximum introduction of laborsaving devices, plus stepped up recruitment efforts by our highly efficient State department of labor, my State of Arizona will still face a shortage of at least 5,000 farm laborers. This will occur despite the commission's effective and widespread communications system which conveys labor needs emanating from anywhere in the State on a moment's notice, even throughout the Indian reservations.

I might observe parenthetically this shortage of 5,000 workers is based on the assumption there will be reduced acreage and other estimates indicating crop yields below recent highs.

There is a clear danger that these crops will be lost without an adequate supply of workers available to Arizona growers. Unless the growers can rely upon a dependable supply of labor in the future, they will of necessity be forced to reduce their overall acreage. This in turn will have a direct adverse effect on our own full-time skilled workers who are dependent upon a good crop.

I share the feeling that our own citizens should be utilized more fully—and I wish they could—but the facts as reported to me indicate that for the time being domestic labor simply is not adequate.

Mr. MORSE subsequently said: Mr. President, I was not present today when a group of Senators, headed by the Senator from Florida [Mr. Holland] and the Senator from California [Mr. Murphy], talked about the migratory labor problem that confronts us as we approach the planting, and soon, the harvest season in those particular agricultural crops known as row crops and fruit crops.

Some weeks ago, it was suggested that I should arrange for two breakfast meetings of Senators who come from the States that are particularly affected by the critical migrant labor problem, for a discussion of the position taken by the Department of Labor, the Department of Agriculture, and the Immigration Service in regard to the need for migrant workers.

I arranged those breakfasts. The outcome was the appointment of a subcommittee, headed by the Senator from Florida [Mr. Holland], to meet with the Senator from Louisiana [Mr. Ellender], chairman of the Committee on Agriculture, to the end of seeking some hearings on the problem. The Senator from Louisiana arranged for those hearings. They were held. And, in my judgment, an unanswerable record was made by those who testified in support of working out some program that would make it possible for the available migrant workers from outside of the United States, if—and I emphasize the word "if"—an adequate supply of domestic workers cannot be obtained under reasonable conditions of employment.

As we know, Public Law 78, the so-called bracero law, was not continued last year. Two years ago the Senator from Louisiana [Mr. ELLENDER], who has been the leader in this matter in the Senate every time that Public Law 78 has come up for extension, said that in view of the rising opposition in the Senate and throughout the country to the continuation of the program, he would not ask for its continuation at the end of another year if Congress would grant its continuation for last year. He kept his word. The Senate continued the program for 1 year. It was voted on last year. And those of us who believed in its continuation were defeated. The law, in effect, was canceled out by not having it reenacted.

I have a good deal of sympathy for the groups who oppose a so-called bracero law. I do not question their sincerity. I do not question their dedication to human value. But, in my judgment, they have always been wrong on the facts. They have always tended to associate the so-called bracero law and bracero program with those who exploit the shocking and unfortunate labor conditions that characterize the domestic migrant worker programs that have no connection whatsoever with the bracero program.

I shall always be proud of the fact that my Subcommittee on Latin American Affairs, of which I have the honor to be chairman played a very important part in the development of the treaty with Mexico that brought forth the bracero program. We cooperated with the Mexican Government in that treaty by putting in the protections that really, in effect, made the bracero program, and the workers under it, the aristocrats of migratory labor in American agriculture.

The health conditions, the assurances of health care, the wage requirements, the housing requirements, the working conditions that were written into that treaty, as a result of our approval of that program, makes it a model migratory agricultural worker program.

But when we talk with the church groups who are very sincere in their attitude toward this problem, and when we talk with other fine groups of conscientious American citizens, they still think in terms of "Tobacco Road" and the Okie migration of some years ago.

To some extent, in some places American domestic workers in agriculture are subjected to what I consider to be inexcusable and shocking conditions of human exploitation. They lack a great many of the protections written into the contracts of the braceros because they have no work contracts of their own. But the evidence is overwhelming that the bracero program has had a great effect on improving working conditions throughout the country for domestic agricultural workers. It has provided an example, and domestic workers have tried to insist that the employers provide conditions as good as they provide for the Mexican workers.

I come to the great difference in fact that exists between the opponents of the bracero program and the supporters of the bracero program. At the breakfast meetings, in conferences with employers in my State, and in Mexico the first part of this week when, in Committee No. 3 of the Interparliamentary Conference between the United States Congress and the Mexican Congress, the migratory labor problem as it affects Mexicans, was discussed at some length. I made it very clear that there is no hope, in my judgment, of extending or reviving Public Law 78. I shall not be a party to raising any false hopes on the part of agricultural employees in my State or anywhere in America that I think there is the slightest chance of reviving the bracero program, as we call it.

Mr. President, I would rather revive it, under all the treaty protections and safeguards benefiting the workers, than any emergency plan I have heard of thus far.

I think it is a much better plan than any makeshift proposals now under discussion, but we will cross that bridge when we get to it in debate in the Senate if, as, and when Members of this body or the administration present specific proposals for an emergency program. But the question of fact I want to stress again is that none of the opponents of the bracero program, including American labor unions, have been able to substantiate with evidence an affirmative answer to the question, "Can you supply the farms of America with American domestic workers to do the row crop work and the fruit work in this country—workers qualified to do it, capable of doing it, at decent wages and conditions of work?"

If they could give us an affirmative answer to that question, the senior Senator from Oregon would be unalterably opposed to a revival of the bracero program. I am satisfied they have failed miserably in submitting evidence that will give an affirmative answer to that question.

I say respectfully, for I have a high regard for him, that the testimony of the Secretary of Labor before the Ellender committee completely fails to meet the burden of proof to sustain the course of action which the Department of Labor is following. The Department of Labor is showing remarkable disinterest in working out any emergency program to meet this problem.

Let me make myself very clear on another issue that is constantly raised—that of the minimum wage. I am sure no Senator who gives a second's reflection to it would think the senior Senator from Oregon, considering his stand for the legitimate rights of labor during my many years in the Senate and in the years before he came here, would ever favor less than a minimum wage.

Let me go on record that I am opposed to the disparity in wages that the past two administrations and this administration have authorized in connection with agricultural workers who in some sections of this country receive below the minimum wage.

I know of no reason why the agricultural worker in X State should have to work for 70 cents; another agricultural worker in another State for 80 cents; and another agricultural worker in another State for 90 cents. That kind of unequality on the economic front ought to be stopped. It exists. The interesting thing is that many labor representatives seem to be willing to have it continue. I would hope that in the discussion on the migratory labor problem we could propose something to speed up the day when the national minimum wage will have to be paid by every employer of farm labor.

The minimum wage issue has nothing to do with the bracero program. The braceros receive the minimum wage, and in most instances much more. It is true that in migratory farm labor, the question of the piece rate arises, but we have found, in our analysis of the operation and administration of the bracero program, that the braceros working at the piece rate not only make the minimum wage, but considerably more than the minimum wage.

In the fruitpicking industry in my State, I have gone over the pay sheets in conference with the Pear Growers Association in Medford, Oreg. I have insisted that they present me with the pay sheets so I could show what the earnings of the braceros have been. In no instance have I found that those workers made less than the minimum wage, unless there was an instance of a worker who was ill or who for some reason was indisposed for a particular day or period for which the pay sheets were submitted.

Why organized labor—most of it, at least—seems to take the position it takes on this problem is beyond me. It is very interesting, however, that when they sit with a Senator in his office and discuss fact problems such as I am raising now, many of the labor representatives admit, in talking to me, that they have grave doubts that they can produce the workers; and they admit that, with respect to working conditions, health care, and housing conditions, they have no justifiable ground for complaint against the bracero program.

There is a need for improvement in the lot of the migratory workers in this country. I am entirely sympathetic with the drive of the labor unions to try to bring about a better lot for the American farmworkers.

There are those who raise the question of what the housewife pays for food. Let me say most respectfully to the housewives of America, "You have no right to have the migratory workers of America subsidize your table. The migratory workers are entitled to a decent income that makes it possible for them to maintain their families in a healthful and decent way." By decent income, one has to consider the number of hours worked as well as the minimum hourly wage.

If it means an increase in the price of a bunch of carrots, or a box of strawberries, or a bunch of asparagus, or canned corn, or other produce on which the migratory laborers work, or they would not be produced at all, let us face up to the fact that we must pay it. The fear argument that we are going to increase the price of foodstuffs is a red herring, but I am willing to face it head on. We should be more willing to pay it than to continue the sad lot and deprivation and poverty of so many of our domestic agricultural workers.

We can talk here in the Senate about a poverty program, but each one of us as a taxpayer has a responsibility as a citizen, too. We shall have a stronger America if we have an America in which the migratory farmworker gets a decent income. I will always support that kind of program. But I do not believe in a vengeful approach. I do not believe in seeking to put American farm producers in the position that many of them are in now in California and many other States mentioned by the Senator from Florida. There is no question that there are hundreds and hundreds of acres of row cropland in California that are going into alfalfa this year. Why? We cannot expect those farmers, unless they can have some assurance that there will be available to them migratory workers, domestic and foreign, necessary to harvest their crops, to face bankruptcy by putting in crops that cannot be harvested.

So they are trying to economically hedge by putting in crops such as alfalfa, which require a relatively small amount of labor in comparison with row crop production.

Let me say to the housewives of America that that means if this continues, they will pay much more for their strawberries, asparagus, lettuce, radishes, onions, and all the other products of row crop farming, because they will have to be obtained from Mexico instead of working out a program to make it possible to let come into our country for 90 to 120 days the necessary foreign labor to supplement—and only supplement—our labor, and bring it in only when it can be shown that we do not have enough domestic workers to do the job.

Instead of doing that, let me tell the Senate what I believe we shall be doing: We shall drive into Mexico a greater increase in production of row crop vegetables and fruits.

Let me comment on another issue that involves American organized labor, which we do not hear much about. In my judgment it has more to do with the position of organized labor in this country on the migratory agricultural worker problem than any other fact. It does not involve competition with foreign agricultural workers at all, but does involve competition with foreign factory workers.

This subject was discussed at length in Committee No. 3 of the Interparliamentary Conference held at La Paz, Mexico, on Monday and Tuesday of this week. I happened to be given the duty, as the American delegate, to "lay out the case," as we lawyers say.

I pointed out that on the Mexican side of the border there are many thousands—and it was admitted in our committee hearings probably more than 200,000—who cross the whole length of the Mexican-United States border—some 200,000 Mexicans who hold what are called commuter visas. They have the right to go back and forth across the bridges as many times as they wish a day, a week, a month, or a year. Each morning tens of thousands of them are loaded into trucks, and they come across the border and into the gates of American factories principally manufacturing textiles, but not limited to the manufacture of textiles only. They work for 40 to 50 cents an hour, whereas an American worker would receive $1.25, $2.50, or $3 an hour, depending upon the skill required in the industry.

Of course, under this kind of human exploitation, they are inaccessible to the organizing efforts of American labor unions.

Do we wonder, then, why we get this kind of opposition we do from American organized labor to the old Mexican problem?

Our discussion in La Paz left no room for doubt as to this problem being a serious threat to healthful labor conditions along the American-Mexican border. Not all workers are taken into the factories, but we had evidence presented to us that some young Mexican women were being used in the service trades in some American towns along the border at salaries of $13, $14, and $15 a week.

But, do not forget, these are Mexicans. It is always interesting that there is never the same vigor, never the same determination that seems to obtain when considering decent working conditions for others.

We are not helping our relations with Mexico by continuing this form of human exploitation. So I wish to state in my speech tonight that I believe the whole United States-Mexican labor problem should be looked into in its broad perspective. I happen to believe that the Secretary of Labor should start interesting himself as much in regard to this kind of exploitation of Mexican workers who, under the commuter visa system, are working for substandard wages in American factories—to the everlasting discredit of the owners of those factories, some of them great corporations of America, some of which have moved from New England down to the border areas in order to take advantage of exploiting labor costs.

I shall look to the Department of Labor in the months ahead to see what it is doing and try to help solve the problem, because if we solve this problem, we shall be doing much to improve United States-Mexican relations.

Repeal of section 14b of the Taft-Hartley Act, which makes possible State right-to-work laws, would also help this situation because many of these people commute into right-to-work States and undermine union organizing and union standards.

Mr. President, I ask unanimous consent that there be included in the Record at this point the joint declaration of the Fifth Mexico-United States Interparliamentary Conference, which includes a section of the bracero program, and apprises the Senate of the attitude of the Mexican and American delegates at the conference in regard to this subject.

There being no objection, the joint declaration was ordered to be printed in the Record, as follows:

Joint Declaration—Fifth Mexico-United States Interparliamentary Conference

At the end of the deliberations of the Fifth Interparliamentary Meeting of Mexico and the United States, held in the city of La Paz, Territory of Baja California, on the 15th and 16th of February 1965, the delegations of both countries have found it fitting to issue the following joint statement:

1. They reiterate their adherence to democratic forms of government as those that are best suited to foster the progress of peoples.

2. They repudiate all armed aggression and are opposed to the intervention of any State in the internal or external affairs of any other.

3. They are of the opinion that the strengthening of the United Nations Organization and of the Organization of American States provides an effective means based upon the rule of law for the solution of international problems. Fundamental to this objective is the observance of the United Nations Charter, including Article 19.

4. In keeping with the policies of their respective governments, the two delegations reaffirm their desire to seek formulas for effective disarmament subject to enforceable international inspection and control.

5. They are of the opinion that effective measures should be sought to prevent the proliferation of nuclear weapons in Latin America and throughout the world.

6. With regard to the problem of the salinity of the waters of the Colorado River, which are received by Mexico under the 1944 Treaty, their points of view were aired, together with such information as both delegations possess, and they recognize that there is a need to provide effective corrective measures. The delegations are optimistic that these will be taken as soon as possible in view of the importance and urgency of the problem.

7. They agree on the advisability of speeding up the programs of the Alliance for Progress, which is a vast project of inter-American cooperation.

8. They understand that the programs of cultural interchange and technical aid at the most varied levels form an effective means for stimulation of the development of the nations that are directly involved.

9. They were able to confirm that both Mexico and the United States are highly interested in further pursuit of the studies and experiments aimed at the desalinization of sea water, so as to allow the solving of problems created by an increased population and the use of water for agricultural and industrial aims.

10. They view with sympathy the possibilities that their respective governments might broaden their programs for cooperation in the rehabilitation of people disabled by disease, accidents, or congenital disorders.

11. They considered that tourism is not only an economic factor, but that it is also a means to bring men closer together, thus contributing to a better understanding in the benefit of peace and harmony among nations. They view with pleasure the increased flow of tourists in both directions, between their two countries.

12. They consider it necessary to hold periodic conferences at the appropriate level, to attempt to solve the different trade policy problems that affect the two countries, with mutual advantages for their respective economics.

13. They believe that, in the event the services of Mexican migratory workers are necessary, it is indispensable that they enter the United States legally and that they be granted all the protections provided un-

der the 1951 Agreement, including the assurance that they receive the minimum wages paid to American agricultural workers. The delegations recognize that it has never been the desire of the Mexican Government that Mexican migratory workers should either directly or indirectly displace American workers.

14. They congratulate themselves on the cordiality that has reigned in the deliberations of the Fifth Parliamentary Meeting, which is a clear reflection of the friendship that exists between the two countries. Within an atmosphere of the respect and frankness that any two friends owe to each other, a better understanding has been achieved with regard to the points of view held by the delegations on the items of the agenda.

15. They express their gratitude to the people and to the Government of the Territory of Baja, California for the cordial hospitality that they have received.

16. The delegations of Mexico and the United States express the wish that the next interparliamentary conference be held in the same atmosphere of growing cordiality and understanding.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the Record at this point the report of the U.S. delegation to Committee III of the Conference, which includes the position we took on the bracero program.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report of the U.S. Delegation, Committee III

The United States Delegation, like that of Mexico, attaches major significance to the improvement of understanding and friendship between our two peoples by means of a greatly expanded program of social, cultural and technical interchanges, an increasing flow of private tourism and the steady application of statesmanship to the solution of the remaining problems which beset our common border.

In important respects, we feel that the other two principal topics of our Conference discussion depend upon this one. Cultural appreciation and intellectual understanding are the father and the mother of economic and political progress. Just as laws flow ultimately from public opinion, so improved economic relations and viable political institutions and agreements must be rooted in widespread public understanding between the people of our respective nations. It is human nature to fear and mistrust that which we do not understand, to embrace that which we do.

CULTURAL EXCHANGES

We are convinced that enormous benefits already have accrued to the enrichment of both of our societies through the growth over the past few years of the educational exchange programs.

It is our considered opinion that greater emphasis should be placed upon enlarging the number of undergraduate scholastics, students at the formative stage of the high school level, who visit and study in each of the host countries annually.

"CULTURAL CLUSTERS"

In this connection, we think that, for the welfare of the student, it may be a mistake to encourage singular exchanges in which one student from either nation would find himself alone in an unfamiliar environment faced with making the necessary adjustments without the helpful association of at least a few others from his own country. For this reason, we favor sending or receiving a "cultural cluster" of at least four to six students in a group.

SELECTIVITY

Additionally, we regard it of utmost importance that special attention be devoted in both nations to the selectivity of students, particularly the younger students, for these missions. First, we believe they should come from homes in which there exists an enthusiastic support of the program on the part of the parents. Secondly, we consider it highly desirable that young people chosen for these student interchanges first should have received at least rudimentary training in the language of the host country. Finally, the student himself should be possessed of a strong individual desire for the opportunity and of the intellectual and personality traits which point to a probability of his successful participation in the program.

There is nothing worse, in our judgment, or more potentially unfair to the student himself—whether he be a Mexican or a North American—than to send him on an assignment of this type for which he lacks the necessary background to succeed.

A CROSS SECTION

At the postgraduate level, the selectivity process already has asserted itself naturally in most cases. Nevertheless, we do feel that in too many instances an artificial barrier imposes itself against students of modest financial means. In order to gain the maximum advantage for our two societies and our common civilization, we regard it important that student exchanges in the future should not be confined to the relatively wealthy but should represent a cross-section of our cultures, with adequate financial assistance provided where necessary to alleviate the burdens imposed upon those promising students who otherwise would be unable to realize this ambition.

UNIVERSITY OF THE AMERICAS

We of the U.S. delegation are intrigued over the possibilites offered by the University of the Americas, located in Mexico City, as a sort of pilot project in binational studies. We consider it a unique and exciting experiment, capable of serving both as a bridge of preparation in which Mexican students desirous of pursuing advanced studies in the United States could perform a smooth preliminary transition in their own land, and also as a bridge of understanding in which students from our two countries could study side by side, in approximately equal numbers, and thus enjoy the many advantages of mutual learning. We would like to see more Mexican students enrolled there, and only when this happens can we legally increase the number of scholarships for North American students.

In all of the educational interchanges, we feel that both countries have only scratched the surface.

PARALLEL VISITS

The same may be said for other bilateral exchange programs. We consider that they are only in their infancy. Many varied pursuits and professions afford rewarding potential for parallel visits in homes of counterparts from one another's country (hosts with whom the visitor would have a great deal in common)—factory managers with factory managers, labor leaders with labor leaders, newsmen with newsmen, for example. Internships among civil servants, observing the activities of their opposite numbers, might improve both understanding and public administration in each of our countries.

TECHNICAL ASSISTANCE

Exchanges of a somewhat broader scope, carried out between political subdivisions within our nations, have demonstrated marked results in many cases. Numerous cities in the United States have "adopted" sister cities in Mexico, with regular official visitations carried out between them. We think this practice should be encouraged and expanded.

The State of Arizona and the State of Sonora have seen the flowering of great mutual technical benefits from a small seed planted by a close working relationship begun between the two State universities. This relationship has grown to a point where joint committees have been appointed by the Governors of the two states, comprising leaders in the fields of agriculture, mining, hydrology, public health, etc. Tangible results flowing from this union of interests have included improvements in quarantine methods for cattle, the introduction of new agricultural techniques, and the construction with financial and technical help from the U.S. Department of Interior of an effective sea water conversion plant at Puerto Peñasco, to furnish all the water for the schools and the hospital of that Mexican city, water which otherwise would have required hauling by tank cars over long distances.

HEMISPHERIC HEALTH AND THE DISABLED

One special area of needed technical assistance mentioned by the Mexican delegation at the committee sessions has particular appeal to the U.S. delegates. It was the concensus among us that both delegations should encourage our respective Departments of State and our representatives in the OAS to advocate and support a broadened hemispheric program through the Pan American Health Organization. Such a program should, in our opinion, encompass increased research into causes and cures of the diseases which continue to plague the peoples of the Western Hemisphere. It also should include programs of treatment and training for disabled people, both the mentally retarded and the physically handicapped, to the end that even the humblest among us may realize his own individual potential and no person in this humane hemisphere may be condemned to the indignity of a life of uselessness.

DEMOGRAPHIC CONFERENCE

Deeply concerned with the present rate of world population growth, Committee III appointed a subcommittee composed of two members from our respective delegations, and this subcommittee drafted a Committee proposal that the Mexican and United States delegations "recommend to their respective governments that they take immediately such steps as may be necessary to initiate, either through existing international organizations or independently if necessary, an international conference to study the problem of world demographic growth."

MIGRATORY WORKERS

Termination of the bracero program undoubtedly is necessitating economic readjustments in both of our countries. It seems mutually agreed that two major, overriding considerations should govern any and all future agreements and controls with respect to migratory workers from Mexico into the United States: (1) realistic guarantees that wage rates shall not be depressive or disruptive of prevailing rates or job opportunities among U.S. workers; and (2) enforceable protections against discrimination, mistreatment or unjust exploitation of Mexican workers.

TOURISM AND BORDER PROBLEMS

The greatest good will ambassadors of any free nation are its citizens themselves, and we rejoice over the ever-increasing number of tourists who, once but a trickle and now a flow, have been crossing our border from both directions, to find for themselves the scenic beauties and the human hospitality of our two lands.

We fully anticipate that, as moderate affluence becomes the lot of the rank and file in both our societies, as communications improve and the few remaining barriers to free interchange are systematically eradicated, the plain people of our countries will forge between them the links of enduring peace and more perfect understanding.

When we contemplate other national borders throughout the world, bristling with bayonets and burdened with brick, we are grateful that we share our border with good neighbors. We foresee a day when this border will unite more than it divides.

As Speaker Sam Rayburn often said, "The way to have a friend is to be a friend." We hope that we can be worthy of that admonition.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

DECEPTIVE METHODS OF PACKAGING OR LABELING OF CERTAIN CONSUMER COMMODITIES

Mr. HART. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Michigan.

Mr. HART. I have consulted with the distinguished minority leader, in order that the schedule which is burdened today may be eased. I ask unanimous consent that consideration of the reference of Senate 985 which is now on the table, and which by an earlier agreement was to be considered today, be deferred until tomorrow.

The PRESIDING OFFICER. Is the Senator from Michigan asking that the bill lie on the table for another day?

Mr. HART. The Chair is correct—through today.

The PRESIDING OFFICER. Without objection, it is so ordered; and the bill will lie on the table for another day.

Mr. HART. It is understood that the bill may be called up tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Yesterday, as I understand, the Pastore ruling with respect to germaneness was waived, and I therefore assume that it still stands as of today.

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. The so-called gold bill, as I understand it, is also the pending order of business.

The PRESIDING OFFICER. The Senator is correct.

THE SITUATION IN VIETNAM

Mr. DIRKSEN. Mr. President, I ask for recognition to make a few remarks about a subject on which there was a good deal of discussion in the Senate yesterday.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, it was a strange experience to listen to the senior Senator from Idaho and the junior Senator from South Dakota in this Chamber yesterday.

I confess that I listened with mixed emotions.

I was confused because I thought, as I listened, that the calendar—showing 1965—was in error. For as I heard their high hopes of doing business with the cruel and evil aggressors, it seemed that we must be back in 1954. That was the year of the hopeful, but alas, unrealistic negotiations with the Communists for the peaceful division of North and South Vietnam.

Or perhaps we were back in 1962 when a peaceful settlement was once again sought—this time in Laos—with the Red aggressors. We negotiated. We acted in good faith. The Communists took our good faith for weakness, and free men ever since have been paying the price in blood for our naivete.

But then I realized it was February 17 of 1965. As I translated, as best I could, the Senators' words into thoughts, I realized that our Nation was being urged to conduct another experiment to determine if the Communists have stopped lying and will now, like good men, keep their promises.

Mr. President, you know, and I know, that the Communists will not do any such thing.

I say to my distinguished colleagues who are advocating negotiation: Before you try to entice freemen back into the Red bear trap of negotiation, tell the aggressors to show some evidence of good faith. This they can do by simply complying with their Geneva agreements of 1954 and 1962.

But, again, you and I know that the Communists will not do this. They would have to give up the dividends of their deceit. They want more of those kinds of profits. They want them the same way—by negotiation.

Another round of negotiations like 1954 and 1962 and we shall find ourselves negotiated right out of Asia and right into a really big war.

If we do not man the ramparts of freedom on our outer defense line from Korea to South Vietnam, we shall inevitably be facing the enemy on the inner line from Alaska to Hawaii.

And I was sad, too, as I listened to their strategic appraisal of our position in southeast Asia. They spoke at different times, but it was more like a chorus—a chorus of despair sung to the tune of a dirge of defeat. I was truly sad to hear, in this Chamber, which echoes with the courageous words of brave men now gone, the opinion that we cannot win, that in effect we must break our word to the South Vietnamese. Who, then, Mr. President, will ever again accept our word?

All this is nothing but an unnecessary confession of defeat. However such proposals for negotiation under pressure may be explained or camouflaged by intricate rationals, it is simply a proposal to run up the white flag before the world and start running away from communism. Of course, we will eventually have no more room to run.

I was also glad when I heard those speeches of despair yesterday in this Chamber. I was glad that they were made here—now—at this time—that they were not made to the freezing Continentals at Valley Forge—to John Paul Jones on the leaky *Bon Homme Richard*—to our embattled GI's at Bastogne—or to our Marines at the Chosen Reservoir.

I suspect that the urgings of the "you-can't-win" exponents would have been viewed less tolerantly then than now.

And now, Mr. President, I would like to address my remarks to a few of the strategic conceptions expressed in the course of yesterday's debate.

In the course of his remarks the Senator from South Dakota told this Senate that Japan, the Philippines, India, Pakistan, Australia, and New Zealand "plus the Russians and our European allies have an interest in joining with us to stabilize southeast Asia."

This is really adding fable to myth. Russia. Does not the Senator know of Mr. Kosygin and his recent travels; his conferences with Mao in Peiping; his consultations in North Korea; his stay in Hanoi; his promises of military assistance to the North Vietnamese aggressors; the delivery, already, of some of those weapons; his arrogant denunciations of the United States; and Russia's demands for our withdrawal from southeast Asia?

Anyone who believes that the Kremlin will join with us to bring peace and freedom to southeast Asia can also, it appears, believe that Communists do not lie.

The senior Senator from Idaho has, also, made some interesting but puzzling statements. For instance, he proposes an "international agreement for the neutralization of the whole region that used to be French Indochina." Now, if that is what he wants there is no need for new negotiations. All that is needed is for the Communist aggressors to back up and live up to their agreements of 1954 and 1962.

The only thing to negotiate in a new conference would be how much the Reds could keep of what they have gained by breaking their previous agreements. And that will not settle anything.

His suggestion that the United States pledge "our armed might" in defense of Asian governments against Chinese attack raises an interesting point. Would such a pledge apply only to what the Senator terms "overt" attacks? If so, it is meaningless in view of the Communist preference for subversive "wars of liberation." But, if it does include indirect and subversive aggression, then the Senator is really proposing that we start moving not only into South Vietnam, but also into Thailand because Red China has called for the overthrow of that pro-American government and has already begun a propaganda, subversion, and guerrilla campaign against the Thais. And Laos, too, is under Red attack. And to the south, Malaysia is fighting off Sukarno, who is openly supported by Peiping and Moscow.

Thus, if it is proposed that we pledge to defend our friends in southeast Asia against aggression by subversion and infiltration—which are the typical Communist tactics—then, according to the Senator, we should be moving U.S. forces into most of southeast Asia right now. But, at the same time, the Senator is proposing we negotiate ourselves out of South Vietnam.

This is, it seems, a strategy of moving in all directions at the same time. It might confuse the enemy, but it would certainly confuse everyone on our side from Joint Chiefs of Staff to the humblest squad leader.

In all seriousness, Mr. President, there are some fundamentals that have been sidestepped in all this impassioned pleading for us to default on our promise to South Vietnam.

There is some vague idea that what is going on in South Vietnam can be neatly separated from the rest of the Communist aggression throughout the vast southeast Asian peninsula. This is strategic nonsense. South Vietnam's struggle against communism is inseparably linked with the other Communist-caused conflicts in the area.

If we let South Vietnam go, another giant step in the march of communism will be taken, and the remaining nations of the southeast Asian peninsula will be in ever-deepening danger.

Without South Vietnam where do we make a stand? In Thailand? Or do we defend Singapore? Would we let that great base, controlling the water corridor between the Pacific and Indian Oceans fall to Communist aggression?

To negotiate in South Vietnam while Communist aggression is spreading throughout the entire southeast Asian peninsula is like a man trying to paint his front porch while his house is on fire.

Mr. President, our Nation has taken a stand in South Vietnam. Three Presidents have faithfully stood by that pledge. It is not a partisan political issue. It is one of principle, of our good faith, and one, most certainly, of our own national security.

As I hear these claims that we cannot win, that we have got to negotiate—make a deal so we can get out of South Vietnam—I am grieved, but not surprised. This is not the first time our spirit has been tested in crisis.

Thomas Paine said it well, in 1776:

> These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SALTONSTALL. I commend the Senator from Illinois, the minority leader, for the remarks he has made. I seems to me very clear that we must go to any conference table from a position of strength rather than weakness. If we go to a conference table now, it will not be construed that we are acting from a position of strength.

Our boys are being killed. Our boys are being wounded. We cannot take that lying down. We must retaliate. As long as our boys in uniform in South Vietnam are doing their part, we must live up to our part at home.

As the distinguished Senator from Illinois has stated, if the Russians, the Chinese, or any other nation in that part of the world on the Communist side agrees to confer at the present time, they will do so because they feel that they can gain something from the negotiations, perhaps more territory or increased influence throughout the world.

The argument has been made that the United Nations can keep the peace in that part of the world. We have seen what has happened in instances in which we have asked the United Nations to join with us in keeping the peace in other sections of the world. No other nation joins with us in the endeavor.

The French, the Communists, and other nations—and I do not put the French in the same class as I do the Communists—do not join in the attempt to keep the peace. We know that we must get an affirmative vote on the part of the Security Council to obtain the support of the United Nations. That is impossible at the present moment.

If we yield at the present time and confer on South Vietnam, as the Senator from Illinois has so well said, our relations in many other areas of the world—not only in Vietnam, and Indonesia, but also in Japan, Korea, even Germany, the Congo and other parts of Africa—will be affected.

We have all of those things to consider. We must consider the course to pursue on the basis of what would occur in other places in the world as well as what would occur in South Vietnam.

The important point is that we should not confer unless we can confer from strength rather than weakness, and we must retaliate if our boys are killed and wounded. That means something to every one of us in one way or another. I commend the Senator for what he has said.

Mr. DIRKSEN. I appreciate the concurrence of my distinguished friend from Massachusetts.

Mr. SMATHERS. Mr. President, I commend the able Senator from Illinois for the statements which he has made. I commend him for the position which he has taken. I cannot help but believe that he is correct in what he has said. I cannot help but believe that, as much as we would like to negotiate an honorable peace and as much as we would like to get out of South Vietnam, we find that there is no cause to believe that there can be a fair negotiation, but on the contrary negotiating at this time would amount to a complete surrender of South Vietnam and the final giving away of Malaysia, Thailand, and Cambodia, comprising roughly 1.5 billion people in that important area. I hope, in a few moments, to make a brief statement along the same line that the Senator has just taken. I commend him and associate myself with him. I hope that other Senators will do the same thing.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I had not intended to speak at this time because I thought that the distinguished Senator from Florida [Mr. SMATHERS] and the distinguished Senator from Ohio [Mr. LAUSCHE] were to engage in a colloquy with the distinguished minority leader. But I feel I should make a few remarks on the subject under discussion, and I think it is well that the subject is being discussed in the Senate.

As Senators know, I was not in the Chamber yesterday to hear the statement of the Senator from Idaho [Mr. CHURCH] and his brilliant subsequent colloquies with the Senator from Missouri [Mr. SYMINGTON] and the Senator from Wyoming [Mr. McGEE]. Nor was I present for the statement of the Senator from South Dakota [Mr. McGOVERN]. However, I have had an opportunity to familiarize myself with what transpired from the RECORD. I have also acquainted myself with the statement on yesterday of the Republican leadership with regard to Vietnam and have just listened to the statement of the distinguished minority leader on this question.

I want to say to the Senators who have participated, by these various means, in the debate on the Vietnamese question that they have made an outstanding contribution, a necessary contribution, a contribution in keeping with the best traditions of the Senate. They have raised and discussed with lucidity and discernment, and with knowledge and discretion this most serious problem.

What impresses most in these proceedings is the patriotic unity, irrespective of party, which is revealed in them. I say to the distinguished minority leader that, as always, he has displayed his great Americanism, his dedication to country far beyond dedication to party in his prompt support of the recent and most difficult decisions which the President has had to make with respect to Vietnam. It is what the Nation has come to expect from the minority leader when complex questions of the national well-being are involved. While he ought never to be taken for granted, and he never is, it is, nevertheless, a profound reassurance to know that the great Senator from Illinois can be counted on to put the best interests of the Nation first in any critical situation.

I think this debate on Vietnam, Mr. President, has been of profound significance if for no other reason than that every participant accepted an idenical starting point—support for the President in a critical international situation. There is no doubt and no other government can have any reason to doubt that we stand together when the chips are down. The recognition of the President's paramount and immensely difficult responsibilities has been immediate and automatic, by all concerned. That his hand is upheld by all was made clear by the Senator from Idaho, the Senator from South Dakota, the Republican leader, and all the other participants. That, in itself, is a display of the wisdom of the Senate and its high sense of national responsibility.

And yet, if that were all, it would not be enough. The President does not seek and we want no Pavlovian unity in this Nation. We do not crush, in the name of unity and in the fashion of Peiping, the 100 flowers as soon as they begin to bloom. We seek the unity of genuine national understanding, reached by reason freely pursued and sensibly expressed. And so the debate did not stop with deeply felt expressions of unity in support of the President nor should it have stopped there.

The Senate, majority and minority, has more to contribute than assurance of support for the President, and the Nation requires more of the Senate. The Senate has the experience, the knowledge, and the courage to look ahead—to consider paths which lie beyond the point of any immediate decision in foreign relations. Let no one doubt the importance of such a consideration. The Senate has the duty to ask itself, even as the people of the Nation ask themselves: "Where do we go from here?" And it has the duty to set forth its best thoughts, its most constructive and penetrating wisdom in a public consideration of the response to that question.

So it has been in this debate. So it was when the joint Republican leadership not only concurred in the President's recent decisions with respect to military action in North Vietnam but did not stop there. The Republican joint leadership went beyond that and suggested, in effect, that this military action should be expanded and that negotiations should be shunned at this time. The Republican leadership was looking ahead. It was not telling the President to enlarge and intensify the American involvement in the conflict in so many words. It was, in effect, saying merely that this course should be considered. It was entirely proper for the Republican leadership to urge the President to consider taking that course, even as so many of its leaders have for so long advocated. So far as I am aware, the only major exception to this advocated course for many years has been former President Eisenhower, who first rejected it in 1954.

The able Senators from Idaho and South Dakota, no less than the Republicans, were also performing a basic service in their statements on Vietnam. They left no doubt as to their support of the President's military decisions to date, with respect to North Vietnam but they also argued that we should not hesitate to explore the path of negotiation which might lead to a prompt end to the bloodshed in Indochina and, at the same time, preserve an opportunity for that region to remain outside the suffocating military embrace of Peiping. They were not telling the President to negotiate but were saying, in effect, that this course should be seriously considered. It was entirely proper for that suggestion to be made, supported as it was by a most cogent, restrained, and penetrating discussion. In both the approach of the minority leader and that of the two able Democratic Senators who participated in the debate there was but a single common desire—to provide advice which might serve the President and the Nation and so facilitate an intelligent subsequent consent to whatever course the President, in his primary responsibility, might find it necessary to pursue in the days and weeks ahead.

Out of that kind of discussion, feared only by those who fear to think, I am convinced will come great assistance to the President in the discharge of his primary responsibilities with respect to policy on Vietnam. Out of that kind of discussion will come a most useful illumination for the people of the United States as to the course which offers the best assurance for safeguarding of the genuine interests of the nation in the region of southeast Asia.

So I commend once again the participants in this debate—all of the participants. They have performed, all of them, a most helpful service which reflects great credit upon the Senate of the United States.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, it is more than 20 years since the distinguished majority leader and I first became acquainted in the House of Representatives. He quickly gained for himself a reputation as a hard, indefatigable worker, a man of deep conviction, a man of resolute courage, who spoke that conviction no matter how unpopular or unpleasant it might be. All of those attributes have not only remained with him through the years; they have become intensified.

At the joint leadership meetings we have had with the President of the United States, the senior Senator from Montana has always spoken his piece, even if there were some gathered around the table who did no concur or who did not like it.

I have nothing but admiration for his courage, his patriotism, and his spirit of unity of purpose—that spirit that, when the chips are down and all the alternatives and substitutes have been examined, we march in a solid phalanx. That he has always done.

Mr. MANSFIELD. I thank my distinguished friend for his most gracious remarks.

Mr. SMATHERS. Mr. President, I join the distinguished minority leader in congratulating the distinguished majority leader on the statement he has just concluded. No greater patriot is to be found anywhere than the distinguished senior Senator from Montana. Certainly there is no man who deals with complex subjects with a deeper understanding or a greater objectivity than he. I associate myself with the remarks of the distinguished Senator from Illinois with respect to the distinguished majority leader.

Mr. President, President Johnson is being deluged from all sides—newspaper articles, reporters and columnists, the Pentagon, the State Department, and the Halls of Congress—with recommendations as to the course this Nation should pursue in southeast Asia. These recommendations are pouring into the White House and onto the President's desk, where he, and he alone, as Commander in Chief must make the final decisions.

Many loyal and dedicated leaders have come to diametrically opposite conclusions as to the approach that the President should take. No one can, or would want to, impugn the motivations or the patriotism of those citizens, irrespective of the conclusions they advance.

The February 22, 1965, issue of Newsweek magazine outlines four alternatives that America might take. The article suggested that outright withdrawal "would be a devastating blow to U.S. prestige, which would probably result in eventual Chinese domination in the entire mainland of southeast Asia and loss of U.S. influence in the Philippines and Japan."

I agree with that conclusion. Obviously, if we should take any position that indicates that we have been forced into total withdrawal, it would be a great detriment not only to the nations around the globe to whom we are now committed, but also to ourselves. We would accomplish nothing except to encourage Communists in other areas of the world to step up their pressure against us, if they thought they might force us to withdraw.

Second, the article suggests that it should be noted that continued concentration on the guerrilla war in South Vietnam has not worked very well.

Again, I should have to agree with that statement, because it is obvious that the plan that has been in operation for the past year has not been particularly successful. We hope, however, that it will do better.

Third, the article states that an all-out assault on North Vietnam "raises the possibility of Red Chinese intervention." Such intervention might perhaps consist of as many as 30 divisions. These are possibilities which might require the President to make a momentous decision at any time.

The article continues:

> Washington officialdom argues that such intervention is unlikely and that the United States and its allies could handle it if it occurred, but the kind of casualties that would inevitably accompany a major land war in Asia would almost certainly raise a public outcry in the United States for the use of nuclear weapons—which would make the danger of nuclear war between the United States and Russia acute.

Obviously, that is a fact. If it were to develop that the Red Chinese decided to move into this area with their troops, I cannot help but feel that the President and his advisers would have to decide how far they would go, including the consideration of the use of nuclear weapons in order to stop the movement of Red Chinese troops into South Vietnam.

The final alternative, according to the article, is just enough escalation to bring North Vietnam to the conference table. The article states:

> The hope here would be to achieve a negotiated settlement which would somehow insure that the United States, North Vietnam, Red China, and Russia kept hands off South Vietnam.

It would seem to me from last week's events that clearly this is the course which we are now actually pursuing, seeking to make it clear to the Chinese and North Vietnamese that this is an expensive operation for them and that it will not be easy, that we will not be thrown out, that we will not be driven out, but that we will live up to our commitment. When they have a complete understanding that it will not be easy, but will be very costly to them, it would seem that we would then be in a much better position to talk about some kind of negotiation.

It would obviously appear that they would be much more anxious to negotiate with us under those conditions, if we first demonstrate to them that we shall live up to our commitments, and second that it would be horribly expensive for them to continue the action which they now pursue. Then we would not be negotiating from a position of weakness and our chances for a settlement favorable to us would certainly have improved tremendously.

Mr. President, each of these alternatives has time and time again been suggested to President Johnson. In making his decisions, he has wisely sought the counsel of former President Eisenhower, and, while he lived, he obtained the advice and recommendations of Gen. Douglas MacArthur, who cautioned against this Nation's ever being involved in a major land war on the Asian Continent.

As President Truman put it a few days ago, and I am paraphrasing his remarks, "I have complete confidence in the day-to-day decisions being made by our Commander in Chief. By virtue of his position, he is better informed on the situation in South Vietnam than any other man in America."

I cannot help but feel the same way about it. I am encouraged by the knowledge that more than three decades of experience enters into his decision-making processes. This experience includes that which he gained, when he was a Senator, in serving as chairman of the Military Preparedness Subcommittee.

As we all know, President Johnson is now giving to this particular problem all of his talents, all of his energy, and all of his thinking in determining the best course for the United States of America to pursue in the southeast Asian crisis.

I fully concur with the statement once made by Sir Winston Churchill:

> We don't increase our own security by throwing little nations to the wolves.

We did not do this in Greece or in Turkey. We did not do this in the Middle East. Assuredly, we did not do it when we adopted the Marshall plan to indicate our commitment to Western Europe. We did not do it in Korea, when it became painfully expensive to stay there. We have not done it in Africa. I believe and I hope that we shall not do it in southeast Asia.

The cause of our own freedom and the cause of peace cannot be served by negotiating from a position of weakness. To do so would be to compromise the freedom of the South Vietnamese and the freedom of the entire subcontinent of southeast Asia.

I have heard it stated recently by those who would seem to know best, that the South Vietnamese have not fought better than they might have, up to this point, partly because of their concern that we would eventually negotiate away their freedom, that we would suddenly withdraw, and that the South Vietnamese people would then be left, helpless and hopeless, in the face of the onrushing hordes of Communists from North Vietnam and Red China. Up to this point, the South Vietnamese have not been totally convinced that we were going to stay there.

In recent weeks, they have been more encouraged to stand up and fight because of the very strong retaliatory measures which the President directed our military to take in response to Vietcong attacks on our forces at Pleiku.

Some critics have indicated that President Johnson has not indicated with sufficient clarity the willingness of this country to go to every reasonable length in seeking a peace with honor and justice. It seems to me that the proper response to this criticism is that America today has more military power at her disposal than any nation or any combination of nations on the face of the earth. America's restraint, in the face of this overwhelming military advantage, should convince friend and foe alike that the United States seeks no expanded war. We seek no domination. We seek nothing for ourselves but the assurance that the South Vietnamese people, to whom we have made a commitment, will be left alone, free from Communist tyranny, to pursue their own destiny in their own manner.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. SALTONSTALL. Mr. President, what the Senator means by saying that we do not seek these things is that what we do seek is greater opportunity for our own security and for that of a peaceful world. That is what we are working for, and that is why we want to help our administration determine at the present time when to confer and what to do in order to reach that end.

Mr. SMATHERS. Mr. President, I thank the Senator for his statement. That seems to be exactly what we are endeavoring to do.

Mr. JAVITS. Mr. President, I hope the Senator will yield when he is through.

Mr. SMATHERS. I shall be happy to do so.

President Johnson has not rested his case on our obvious military restraint. He has made it abundantly clear to anyone who would listen, including the Soviet Foreign Minister in personal conversations, that the United States seeks no broader war but, on the contrary, stands ready to cooperate in peaceful efforts at any time.

He has said that he would go anywhere, at any time, and talk with anyone about the prospects for peace, with justice and honor.

Thus far, however, in the southeast Asian crisis, the Vietcong, the Hanoi regime, the Communist Chinese, and Soviet Russia have demonstrated, not the usefulness, but the futility of conducting another Geneva-like conference at the present time. The United States did not start the aggressions in Vietnam. Short of capitulation, we cannot dictate when they will stop.

We can, however, pursue every possible alternative to convince the Vietcong of the expense and the futility of their present course. And this we are doing.

The United States became embroiled in South Vietnam in 1954. As has just been stated, the policy was established at that time by the then Secretary of State, John Foster Dulles, subscribed to by the very able President Dwight D. Eisenhower, and reaffirmed by the very able President John F. Kennedy. It has once again been reaffirmed by President Lyndon Baines Johnson. It is still in effect.

Thus far, President Johnson has acted decisively in responding to the Communist attacks on our troops in South Vietnam.

I am sure that no one is more anxious to see this problem settled peacefully, with honor, and justice, than is the President of the United States. Surely we would all like to settle this problem. Perhaps we can. But, Mr. President, we can only do that when we have convinced the Communists that they will have to pay very dearly if they continue to act as they have been acting, and that we do not intend to be forced out nor compromised out of South Vietnam.

We shall live up to our commitments there and elsewhere around the globe. We shall and we must continue though it will cost us a good deal of energy and effort, and even the precious lives of American men. Much is asked for, much is at stake. I am one who has a particular concern about this matter, because my own son happens to be on a destroyer operating at this particular time in the Gulf of Tonkin.

President Johnson will, I feel, consider a negotiated settlement when that course will assure America's vital interests in southeast Asia and promote the true cause of peace.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JAVITS. First, I should like to compliment the Senator from Florida on his excellent statement.

The responsibility of the Senate is particularly heavy. The Senator from Florida spoke about his son. I think I speak for every Senator when I say that we would rather be out there than be voting or talking about this matter. It is easy to say there have to be casualties. The question is, When and where?

I agree with the Senator from Illinois and the Senator from Florida that it is a calculated risk when the Chinese Communists are over there and we are over there.

Much as I admire my colleague, I think I would not merely say "amen" to what he has said, but I have a practical suggestion. The minority leader has spoken on the subject. The majority leader has spoken on the subject. Other distinguished voices have been raised. But, somehow or other, it has not gotten over to the American people what the policy of this Government is with respect to Vietnam. Retaliation is not a policy.

The President made some general remarks yesterday. So did the Vice President. I would strongly urge that the President of the United States lay out before the American people what is the policy of the United States in a considered report to them, over television, over the radio, in the press, at a set time, announcing a set policy. If he did that and espoused the policy which he expressed—and the Senator from Florida, the majority leader, the minority leader, and other Senators feel as we do—he would obtain the overwhelming support of the American people.

Among the major questions the President should cover in outlining American policy are the following:

First, are the majority of the South Vietnamese people determined to fight for their country? Without that determination, we have no support for our position.

Second, do the South Vietnamese want us there? This is a very important question, for, again, our position is untenable unless our help is desired.

Third, are we trying adequately to obtain help from our allies—Australia, New Zealand, Pakistan, the Philippines, Taiwan, Thailand, and others?

Fourth, are we willing to negotiate? Provided we do not sell out the South Vietnamese, we must show that we are willing to negotiate. Prime Minister Sato, of Japan, for example, who has suggested it, might well play a mediating role.

If the President stated the policy of the United States along the lines I have outlined, I think he would have the support of the American people. Rather than let the people divine what our policy is, the President could, and should, do something to resolve the doubts that exist, by setting out the bases and objectives of our actions.

Mr. SMATHERS. I thank the Senator. I do not agree entirely with everything he said, but I agree with him more than I disagree with him. What the President should do is a matter for the President himself to decide. He is the final authority for determining foreign policy. He must decide when the need is great enough. The Senator has said the people do not understand the President's position. I happen to be one of those who believe they do. The Gallup poll recently gave the percentage of people who approved of the policy being followed in South Vietnam. I think the percentage was 68 percent. I do not recall the figures exactly.

I agree that retaliation is no policy, but the President said, "We will go anywhere, and we will do anything, with honor and dignity, to improve that area and the world." There should be added to that statement the President's statement that we are going to retaliate whenever our troops are hit—and the President has extended that policy by saying that whenever we are attacked in South Vietnam, we expect to retaliate with a limited effort, but it is going to be a tough one.

We do not wish to become involved in a war with Hanoi or with any other country. We are not trying to escalate the war, but we want them to see clearly that they are not going to get away with what they are doing; in the second place, if they do it, it is going to be expensive for them.

The President has said he is willing to talk with honorable people to try to solve these problems. It seems to me his policy is quite clear, but if the Senator from New York thinks it is not and that the President should go on television to explain his position, the Senator from New York is entitled to his judgment. It may be that the President will be convinced of what the Senator from New York has said and finally go on television and clarify the problem with respect to South Vietnam.

Mr. JAVITS. What I have in mind really is a white paper on the present situation, which will lay out the policy, without telegraphing any of its security aspects. I believe there are millions of people in this country who are in doubt about it. The President could clear up the policy for those millions. The feeling now is that one has to pick up the policy, divine it, by taking this Senator's statement or that Senator's statement, and say, "This is the position of the United States."

I think it is proper, coming from the Republican side of the aisle, to make this suggestion. I hope the President will do it, and do it promptly. I think it would do the country great good.

Mr. LAUSCHE. Mr. President, I desire to speak briefly on the subject of Vietnam. I am glad to state that I am in substantial agreement with the views expressed thus far today. There is an especially heartening aspect to what has been said, and that is the manifestation by Members of the Senate of a unified conviction that the course followed by the President was imperative and needed to maintain our honor and also to insure the security of the Nation.

During the war, I was mayor of Cleveland. For 10 years I was Governor of Ohio. Up until the time Russia joined us as an ally, it was difficult to be mayor because there was a discordant note which came, I believed, from Communist sources, which resulted in the shutting down of important industries. The moment we were on the same side with Russia, that disturbing factor came to an end. From that point on, my problem of leadership was rather simple, because there was consolidated thinking on the part of the people and public officials, with only one objective in mind; namely, to save the Nation.

In the past 10 days or 2 weeks on the floor of the Senate, there has daily appeared a fusion of thinking—of courageous thinking—intended to follow a course which will make possible the future life of our country. There have been some notes not so sonorous, but on the whole with every hour that goes by, confirmation of the correctness of what the President has done is beginning to appear.

I should like to speak briefly on one phase of the several subjects which have been mentioned in the Chamber today.

I have spoken on the question of pulling out of Vietnam. We cannot pull out of Vietnam without surrendering that whole area to our enemies. The moment we surrender it, instead of the first line of involvement being 8,000 to 10,000 miles away, it will be in Hawaii and on our continental shores.

I have also spoken on the subject of coalition governments. If examination of experience and history means anything, it means that out of history and experience we learn lessons concerning what to expect under given circumstances.

Coalition governments have been created. I therefore ask the question, What has been the experience of the free world with regard to coalition governments?

In the Foreign Relations Committee, I have asked the proponents of coalition governments to point out a single instance in which coalition governments have worked out in the end in conformity with the anticipation when the proposal was originally made for a coalition government. It cannot be pointed out.

The last disappointment was in Laos. In 1962, after suffering adversities in Laos, it was proposed that we create a coalition government. This was done with the neutralists in the middle, the rightists on the right, and the Communists on the left.

An agreement was drafted that when the compact was executed, all outside forces would depart—that is, the French, the United States, and the Communists. The points of departure were established so that observations could be made as to whether the parties were carrying their commitment into execution.

Two years and more have now passed by. The French are out. The United States is out. The Communists are still in.

Our gravest problem in South Vietnam comes from the fact that Laos is being used as the point of entry into South Vietnam. On that basis, 2 years ago, we negotiated. We sat down in good faith. We asserted that we wished Laos to control its own government, that Red China was to stay out, that the United States would stay out, and that Russia was to stay out. But we have had the same experience in Laos that we have had in 52 out of the last 53 important agreements that we made with the Communists. In every instance the agreements were broken.

I come now to the proposal of negotiation now. What are we going to negotiate? Are we going to negotiate a pull-out of the United States? Are we going to negotiate the establishment of a neutral government in South Vietnam? Let us take a look at what happened in what was once French Indochina.

In 1954, the Geneva accord was executed. My recollection is that 14 nations were signatories to that accord. The French pulled out, except for small numbers of troops merely to maintain peace and security within. French Indochina was fragmentized into North Vietnam, South Vietnam, Laos, Cambodia, and Thailand.

General Eisenhower was President at that time. It was anticipated in the world that with the Geneva Accord, all would become tranquil in the Far East. The ink was not even dry on the Geneva Accord when the Communists began their pushbutton, riot-producing operations, their infiltration, and subversion into South Vietnam.

The Geneva Accord still exists. It provides for the tranquility of that area.

Therefore, my query is, "Under present conditions, what shall we negotiate?"

The Geneva Accord exists. All we have to do is abide by it. If North Vietnam will discontinue its attacks upon South Vietnam, its infiltration and subversion, its pushbutton, riot-producing operations, peace will prevail in South Vietnam.

But, obviously, Red China is not content with having peace maintained in that area. They wish disorder. They wish to communize the area. Someone may argue, "Let us give them South Vietnam."

That poses a question: What then? Will that be the end of the problem? Or, will the Communists proceed to move on into Thailand, into Malaysia, into the Philippines, into West and East Guinea, and finally look toward Australia?

Mr. President, at this point let me remind Senators that they are looking toward our shores, although we do not recognize it. There is more involved than mere conquest of southeast Asian territory.

If one could feel confident that by pulling out, by negotiating, by creating a neutral government, we would end our troubles, we would all say, "Amen, let us do it." But if we look to the past, we find, instead of acquiring a position of strength and freedom from losses of body and property and honor, through retreat our problem will become greater in the future than it is now.

There may come a time when North Vietnam will say, "We will quit the infiltration." The moment they say that, all our troubles will be ended.

I did not intend to speak at this length, but I am of the belief that it is necessary to let the American people know the gravity of the problem that faces them.

I take no exception to what has been said by the Senator from Idaho and my other colleagues in the Senate in advocating a different course of action. They are doing it in the sincere belief that that is the right course to take.

I wish also to say that Chamberlain at Munich, Chamberlain with respect to the Ruhr, and Chamberlain with respect to Mussolini, gave in, thinking that peace would be assured by giving in. The price for giving in became so great that we now realize that it would have been much better to stand our ground at the very beginning than to continue to surrender.

I would be less than frank, and I would be violative of my oath of office, when I said I would defend the Constitution of the United States and fulfill my duties to the best of my ability, if I did not take this position, which, to say the least, is a difficult one. I commend Senators on both sides of the aisle for the fearlessness with which they are standing up and asserting that our country's future is at stake, and that we cannot become weak, and thus allow ourselves to be engulfed by an enemy that is intent upon destroying us.

ADDRESS BY THE NATIONAL COMMANDER OF THE AMERICAN LEGION AT COLUMBUS, NEBR.

Mr. CURTIS. Mr. President, on February 14 I was invited to speak briefly to the American Legion in Nebraska, at their midwinter meeting, held in Columbus, Nebr. This was because of my interest in the veterans' hospital situation in Lincoln, Nebr. On that occasion, the national commander, Mr. Donald E. Johnson, of the American Legion, made an address. I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY DONALD E. JOHNSON

Commander Keriakedes, National Executive Committeeman Galbraith, Alternate National Executive Committeeman Lowry, distinguished guests, ladies of the auxiliary, my fellow legionnaires, ladies and gentlemen, I'm delighted to be back in the great Department of Nebraska, a next door neighbor to my home Department of Iowa.

It is with much pleasure that I note the progress of Nebraska's 1965 American Legion membership enrollment which, at the beginning of this month showed you were slightly ahead of the pace of a year ago. I am further pleased to report that at the national level we were running about 50,000 members ahead of that same time a year ago, and that our two millionth 1965 membership was recorded a full week earlier than a year ago.

Let's keep up the good work. We need every eligible veteran who will join ranks with us in what may well prove to be the most historic battle the American Legion has waged since that which led to the passage of the GI bill of rights.

I refer, of course, to the fight to have the Veterans' Administration rescind its infamous order of January 13 which calls for the closing of 31 VA installations including 16 regional offices, 11 hospitals, and 4 domiciliaries.

The American Legion was in this battle from the very outset. I was, in fact, en route to Washington for briefings by the Veterans' Administration at the very moment this news was prematurely released. Your National Rehabilitation Commission chairman, Bob McCurdy, also was on his way to Washington for those meetings.

This was good, for we were able to map our strategy quickly and to put our plan of action into effect almost immediately.

Our first move was to conduct a news conference in the Washington offices the very next morning, at which time I issued a strong statement of protest on behalf of the American Legion, and called upon the Veterans' Administration to reconsider its order.

The following Monday, January 18, we arranged for conference telephone calls with all department headquarters, calling for a total mobilization of the effort and resources of the American Legion to prevent any diminution of services by the Veterans' Administration.

That call was followed up the next day by written memorandum to all national officers and department commanders and adjutants, outlining the action to be taken by departments, posts, and individual legionnaires. Such action includes the registering of your protests, in writing, to Members of your congressional delegation, to Senator YARBOROUGH, chairman of the Senate Subcommittee on Veterans' Affairs; to Representative OLIN TEAGUE, chairman of the House Committee on Veterans' Affairs; to William E. Driver, Administrator of Veterans' Affairs, and to President Johnson.

Further, we have asked that department service officers and rehabilitation chairmen furnish us with examples of the hardships that will be worked on individual veterans as the result of proposed closings and consolidations of VA installations.

In the meantime, all this material is being given total internal distribution through the media of our own communications such as American Legion News Service, the adjutant's letter, and all other contacts which national headquarters has with posts and departments.

Also, I plan to carry this message personally into every department which I will visit while the issue still is in doubt, and believe me it is far from settled right now.

On January 28, I was privileged to present American Legion testimony before the Senate Subcommittee on Veterans' Affairs, and I came away with the impression that our position has the sympathetic (and in many instances very enthusiastic) support of a goodly number of our most influential and highly respected lawmakers.

The text of my testimony was made the subject of a special rehabilitation bulletin which, with a covering memorandum from me, again was mailed to national officers and to department commanders and adjutants, and was summarized in American Legion News Service.

On February 2, I sent a telegram to every Member of the U.S. Senate urging their support of an amendment offered by Senator KARL MUNDT to House Joint Resolution 234. This amendment, in effect, prohibits the Veterans' Administration from using any funds to implement its proposed closings.

The following day, by standing vote, the Senate approved that amendment. Now the war is not won, but I'm delighted to report to you that the action by the Senate constitutes a major victory for our cause. Since a standing vote is not recorded, we do not know precisely who voted in our favor, but to all those who did, the American Legion expresses its sincere appreciation and thanks.

Several States are reporting that their State legislatures have adopted resolutions in opposition to the closings proposed by the VA. The Department of Pennsylvania sent a 50-member delegation to Washington to confer with the Keystone State's congressional delegation. Twenty-four of Pennsylvania's 27 Congressmen attended the session and at the conclusion of the meeting they went on record with a resolution protesting the closing of the Wilkes-Barre regional office.

At this moment, I am tremendously encouraged with the progress of this battle, but we haven't won it yet and I shall continue to call upon all legionnaires everywhere to keep up the good fight until the final decision is in.

Don't ever discount, or underestimate, the value of individual effort in a campaign such as which we now are engaged. Every letter, every personal contact, and every bit of factual evidence which we can produce to prove just how wrong the Veterans' Administration and the Bureau of the Budget are will be helpful to our cause.

The House Committee on Veterans' Affairs is scheduled to open hearings on this matter on February 18, which is 2 days later than these proceedings originally were to have started.

As you know, I am scheduled to present the American Legion's legislative-rehabilitation program to that committee on March 2 during our Washington midwinter conference. However, if I should be called to offer American Legion testimony on this particular issue prior to that time, I stand ready to appear whenever the call might come.

The American Legion is shocked at the meat axe approach of the Veterans' Administration to a problem where, if any pruning was indicated, it should have been done with the care and precision of the surgeon's scalpel. This is an economy measure pure and simple, one which was planned at the expense of those veterans most in need of care and service, and one which raises serious doubts concerning any real savings to be realized.

The American Legion does not oppose change. The American Legion does not oppose economy in government. The American Legion is not inflexible. The American Legion is, however, unalterably opposed to any reduction of essential services to the sick and disabled veteran and the needy veteran and his dependents.

So serious do I consider this situation that I would repeat, as a major portion of my message today, the original statement which I issued from Washington for and on behalf of the American Legion after being apprised of this development. Here it is:

"I wish to protest with all the emphasis at my command the decision by the Veterans' Administration to close 11 hospitals, 4 domiciliary homes, and 16 regional offices.

"These actions by the Veterans' Administration, and the manner in which they were executed, reflect a gross disregard of the needs of our sick and disabled and are in direct conflict with the announced aims of the administration to improve the lot of needy citizens.

"In closing regional offices the Veterans' Administration has substantially decreased its ability to render service to veterans and their survivors. These persons will find it increasingly difficult to learn about and to obtain benefits authorized by Congress. The consolidation of regional offices is part of a trend toward centralization and automation which produces small savings at the expense of a great sacrifice to our veterans. VA's closing of regional offices is directly opposite to the expansion by the Social Security Administration of its field offices. The latter agency seems convinced that the best way to serve is to open, not close, its facilities for the public.

"It is difficult to understand how the Veterans' Administration can participate in any war against proverty or in the establishment of an improved society when it closes hospitals and domiciliaries. The agency says that there is a decreased demand for the 11 hospitals to be closed, yet these hospitals will exceed in the current fiscal year the patient load planned for them by the VA central office. The VA says that these hospitals are obsolete, yet it concedes that for many years it has refused to expend money to modernize the facilities. The VA says it has difficulty in attracting a capable staff to the hospitals in question. The VA will have a greater difficulty in explaining to the 6,000 patients involved that no care at all will improve their condition.

"The Veterans' Administration regional offices, hospitals, and domiciliaries serve either the service connected or those who are in deep financial need. Repeated surveys have demonstrated the appalling financial condition of most VA beneficiaries. One conducted recently by the House Veterans' Affairs Committee, for example, established that of 19,000 hospital patients screened, the overall average income was $1,800 (far below the poverty level), and that almost 15,000 of the patients surveyed had no ready assets.

"The plight of the domiciliary member is particularly pathetic. According to a study published by the Veterans' Administration in 1961, the typical domiciliary member is 68 years old, is disabled principally by heart disease, has no family, and has an income of $66 a month from VA pension. Where these men will go and who will help them are questions the VA will have to answer.

"The VA closing of installations is completely inconsistent with the announced objectives of the administration. It is shocking to learn that these men who made our Great Society possible cannot participate in the program to improve our society. Even if the estimated savings are fully realized—and this is highly questionable, because some governmental agency will be called upon to care for these people—there is no justification for the hardships and sacrifices to be imposed.

"This action of the Veterans' Administration, accomplished through the internal budget process, does not reflect the will of the people nor the attitude of Congress. I call upon the Veterans' Administration to reconsider.

"I doubt if it is the will of the American people that this society be built at the expense of those who have risked their lives that this Nation, under God, might endure, and who now find themselves in need of the services which their Government in Washington is best equipped to render.

"I now call for a total mobilization of the efforts and resources of the American Legion to prevent this disastrous proposal from becoming reality."

That is my statement, and I trust I have expressed the intent of your mandates to me as represented by national convention and NEC action, and I am confident that I have your unanimous support.

American Legionnaires across the land are acutely aware of the need for conveniently located hospital and domiciliary facilities, as well as of the need for conveniently located VA offices where the needy veteran, his dependents or survivors, can obtain the services to which they are entitled.

Many of the men who require hospitalization or domiciliary care are broken in mind and body as a direct result of their service to their country. Others have been sapped of their strength and vitality by the advancing years and are no longer capable of caring for their own needs and have no one to care for them.

These men must have the reassurance that the American Legion cares, and that we propose to fight this battle on their behalf right down to the wire. The American Legion, in its founding days, accepted as a sacred trust the role of guardian of the rights and benefits of our sick and disabled veterans, and of the rights and benefits of the widows and orphans of those who made the supreme sacrifice.

From the acceptance of that trust grew the American Legion's incomparable rehabilitation program which, in turn, was largely responsible for the creation of the Veterans' Administration as we know it today. The VA was created to serve, and it is our responsibility to insure that it fulfills the purpose for which it was created.

Undoubtedly the American Legion will be charged with waging this fight on an emotional basis, and in this case there is some room for emotionalism on our part. However, we will present our case most effectively by basing it on cold, hard facts.

Most of this material already is available to us, but we will welcome from the field any additional factual information that will strengthen the case which we now are building.

Reportedly it has been written by a New York columnist that "in the Great Society there will be no veterans." Conversely, we might observe that if there were no veterans there would be no Great Society.

My friends, there can be no complacency even among Legionnaires whose departments may not have been directly affected by the January 13 announcement of intent on the part of the VA. If this move is carried out, who knows but what a vital installation in your own area may be the next to feel the ax?

I earnestly believe that this battle must be won—as we have won so many others—or we shall soon see the end of the VA as we know it.

Already we have seen a tremendous outpouring of American Legion sentiment in behalf of this great cause. I am confident that more will be forthcoming as it is needed. We can, and I am confident that we shall, win this fight on behalf of him who shall have borne the burden of battle and for his widow and his orphan.

GOLD RESERVE REQUIREMENTS

The Senate resumed the consideration of the bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, exclusive of the debate on the Lausche amendment, 30 minutes be allotted for debate on each amendment to the gold cover bill, 15 minutes to a side, and 1 hour on the bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, during the further consideration of the bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him. The amendment to be offered by the Senator from Ohio [Mr. LAUSCHE], is excluded from the agreement.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. THURMOND. Mr. President, it is with great reluctance that I must support passage of H.R. 3818.

In so doing, I am particularly conscious that the repeal of the existing 25 percent gold reserve requirement for deposit liabilities of Federal Reserve banks does not constitute to any degree a solution to the fundamental problems which created the necessity for action at this time. This measure buys time and nothing more. Unless vigorous and constructive action is taken to correct the balance-of-payments deficits which our Nation has been experiencing for a number of years, the purpose of H.R. 3818 will have failed;

for it will have succeeded only in postponing the immediate crisis by taking it off the front pages of the papers while our situation continues to worsen.

In the supplemental views signed by minority members of the Banking and Currency Committee, 11 specific recommendations are made for dealing with the balance-of-payments problem. As we noted in those views, it is encouraging that the President's recent message to the Congress included some of these recommendations.

Mr. President, beginning on January 25 I have discussed our dollar difficulties and balance-of-payment problems in a series of five weekly newsletters to my constituents. I ask unanimous consent that these newsletters be printed in the Record at this point in my remarks.

There being no objection, the newsletters were ordered to be printed in the Record, as follows:

Dollar Difficulties—Part I

One of the most essential functions of government is to provide and maintain a stable currency. Historically, this has proved a most difficult job, and many nations have fallen when stability of the currency eroded and inflation ravaged the economy.

To maintain the dollar's stability, the U.S. Congress enacted a law requiring that the Government keep a reserve of gold to back up the currency. Gold was chosen because it is one metal which has kept a stable value down through the centuries. The Government is also required by law to buy all gold offered to it at $35 per ounce.

Currently, the law requires the reserve to be at least 25 percent of the amount of Federal Reserve notes (currency) and deposits. This legal reserve requirement, now more than $13 billion in gold, is to provide a brake on the amount of money issued and to create confidence in the value of the dollar.

American citizens cannot demand that the Government give them gold for their dollars, but foreign governments which have acquired dollars or short-term liabilities of the United States can demand redemption in gold by the U.S. Government. These demands must be met by the Government's supply of "free" gold, or that amount of gold which it has in excess of the 25-percent reserve requirement.

In the last decade, our short-term liabilities to foreigners, which are callable in gold, have increased from $13.6 billion to more than $26 billion. In the same period, our total gold holdings have decreased from $21.8 to $15.188 billion. Deducting the 25-percent reserve requirement, this leaves less than $2 billion in "free" gold to apply against any demand from foreign governments on the more than $26 billion in liabilities they hold.

This inversion of our ratio of "free" gold to outstanding liabilities to foreigners is due chiefly to the fact that the United States has had a long sustained balance-of-payments deficit. Only once in the last 15 years—in 1957—have we earned more credits abroad than we had going out. The outgo of credits is accounted for primarily by imported goods, foreign aid funds, dollars invested in businesses abroad, money spent overseas on our Armed Forces, and U.S. tourist spending abroad. To achieve a balance of payments, the United States must sell enough American-made goods abroad to offset all of these. In the last 15 years, our total deficit amounts to more than $27 billion.

Ordinarily, foreign nations do not demand gold for more than a very small proportion of the U.S. liabilities they acquire. Instead, they are satisfied, as long as they have confidence in the value of the dollar, to hold these liabilities as a part of their governments' reserve funds. Many countries are trying to increase the proportion of their reserves which they hold in gold, and for that reason are making some demands for gold on the United States, as well as purchasing gold on the world market. France, for instance, would like to increase the proportion of her reserve in gold from 75 percent to about 90 percent.

Since gold on the world market sells for more than $35 per ounce, it can be acquired cheaper by demanding redemption from the United States. The world market price of gold is now about $35.14 per ounce, after having been up to a peak of more than $35.19 in the last few weeks. Since the United States has set the price of gold at exactly $35 per ounce, we have little opportunity to buy gold on the world market to replace our depleted stock.

Normally, France demands about $400 million per year in gold from the United States. Already in 1965, France has demanded $150 million, and announced her intention of demanding another $150 million in gold in the next few weeks.

These special demands for redemption, at a time when U.S. stocks of "free" gold are so low, and just at the time the United States has been trying to use the dollar to shore up the sagging British pound, has led people in international financial circles to believe there might be a devaluation of the dollar. This would be done by a law raising the number of dollars which the United States would pay for an ounce of gold, or making each dollar worth less gold. This speculation, added to the uneasiness about the dollar caused by continued U.S. Government deficit financing, led to the surge in the world market price of gold. This immediate crisis was apparently overcome by solemn U.S. assurances that the dollar would not be devalued, but the fundamental problem continues to grow more acute.

This overall problem will be studied at length this year by the Senate Banking and Currency Committee, to which I have been assigned. In view of the importance of this subject, I will discuss our dollar difficulties further in my next few reports.

Sincerely,

Strom Thurmond.

Dollar Difficulties—Part II

The recent increase in demand for gold, as evidenced both by the demands of France for gold redemption of U.S. short-term liabilities and by the surge in the world market price of gold to more than $35.19 per ounce at one point in January, has focused attention on and caused alarm at the decline of U.S. free gold to less than $2 billion while outstanding short-term liabilities in the hands of foreigners exceed $26 billion.

The immediate problem was apparently caused more by political factors than by doubts as to the stability of the value of the dollar. Because Great Britain also has a substantial problem with balance of payments, the British pound has run into serious trouble. Actions by the new labor government in Britain since taking over have contributed further to the lack of confidence in the pound. The United States committed to Prime Minister Wilson on his recent trip to the United States to use the dollar to shore up the pound. As a result, we have poured large sums of dollars into Britain in recent weeks.

France would like to be the dominant power in Western Europe, and consequently to have the French franc become the primary currency in that area. This may have had much to do with the French demands for U.S. gold, which helped focus world attention on the meagerness of U.S. free gold stocks.

Since World War II, the dollar has reigned supreme as the soundest medium of exchange all over the world. This is a distinct advantage both to the U.S. Government and to U.S. citizens. Loss of preeminence for the dollar would have serious political and economic consequences for the United States, because it would mean that the exchange rate of dollars for other currencies would be less favorable.

The events in January have prompted U.S. Treasury officials to deny emphatically that the dollar would be devalued. It has also prompted them, however, to speculate that the United States will shortly have to reduce or repeal the requirement for maintenance of a 35-percent gold reserve for Federal Reserve deposit liabilities or for both Federal Reserve deposits and notes.

To repeal or reduce the reserve requirement for Federal Reserve deposit liabilities, but not for notes, would be nothing more than a deception. Federal Reserve notes and deposits are interchangeable; and therefore, the effect would be ultimately, or in times of stress, the same as reduction or repeal of the requirement for both notes and deposits.

Administration officials take the position that reduction or repeal of the gold reserve requirement would not affect confidence in the value of the dollar. In support of their contention, they point to the precedent in 1945, when the reserve requirement was reduced from 40 to 25 percent. The precedent, however, is not valid.

In 1945, our gold stocks far exceeded our short-term liabilities. At that time, most of the nations of the world had currencies which were comparatively very weak; and, indeed, no other currency even approached the soundness of the dollar. Immediately following the record-shattering production by the United States in supplying war materials for all the free world, confidence in the dollar was at an alltime high. Today, however, the situation is different. Our gold stocks are meager compared to our short-term liabilities; our Government is operating at a deficit even when our gross national product is reaching alltime highs; U.S. political commitments require a continued heavy drain on credits; and other nations ambitiously eye opportunities to increase the relative prestige of their own currency.

In addition, a repeal of the gold reserve requirement for Federal Reserve notes and deposits would amount to no more than a stopgap measure, unless other steps are taken to cure the fundamental problem of our balance-of-payments deficits, and the consequent outflow of gold. Even now, our total stock of gold amounts to less than 60 percent of our short-term liabilities in the hands of foreign governments, which are callable in gold. An even more dire possibility is that an obvious stopgap measure taken under pressure, such as repeal of the reserve requirement, could so sap confidence in the value of the dollar as to cause a run on U.S. gold by foreign creditors.

Next week I will discuss realistic measures to cope with this problem.

Sincerely,

Strom Thurmond.

Dollar Difficulties—Part III

Our dollar difficulties cannot be cured overnight. While steps are being taken to rectify the situation, great care must be taken to bolster confidence in the dollar. The most effective step in this direction would be a balanced national budget and a systematic reduction of the debt, which now exceeds the combined total of all other nations.

Simultaneously, we must be cautious about making changes in our reserve requirements which would weaken confidence in the dollar. A repeal of reduction of gold reserve requirements might be viewed as opening the door to unbraked inflation, thereby increasing the foreign demand for gold.

Any permanent solution to the problem must include methods by which we can acquire more gold by purchase and the elimination of our balance-of-payments deficit.

Current U.S. difficulties in purchasing gold stocks are not all due to the margin of the world gold price over the fixed U.S. price of $35 per ounce. Sales of gold to the U.S. Government are now encumbered by a mountain of red tape, much of which should be eliminated by Congress. Studies should also be made to determine how much more gold could be acquired at the legal price by extending capital gains tax treatment on all transactions where gold is bought by U.S. citizens for resale to the United States.

There are a number of steps that can be taken to help overcome our balance-of-payments deficit.

The most obvious step is a steep reduction in foreign aid. Commendably, the President's request for foreign aid funds appears to be a record low this year—$3.38 billion. However, a part of the reduction results from the fact that the request for annual contributions ($250 million) to the Inter-American Development Bank is being made separate from the regular foreign aid bill. Reductions in foreign aid must be real, not illusory. In addition, they must be deeper, eliminating altogether aid to anti-American and pro-Communist nations.

Our support of the U.N. and other international organizations must be limited to payment of our legal dues and assessments. We must end our habitual practice of making voluntary contributions from contingency funds, and, by special actions, to bail such organizations out of financial predicaments caused by nonpayment of dues by other nations.

"Counterpart funds" must be put to better use. These are foreign local currencies which have little exchange value. They are used to repay U.S. loans or to pay for U.S. Government exports, and, by agreement, must be kept and spent by the United States in the country of origin, and for specified purposes to which the foreign government agrees. Agreements must be obtained for new and helpful uses for such funds, such as paying for U.S. purchases in the particular country, support of U.S. military forces in the foreign country, U.S. contributions to international banking institutions, and for any foreign aid to the particular country which is found to be essential.

Another overdue action is to demand payment of debts owed the United States by foreign nations. Large debts are due the United States from even the largest countries, such as Great Britain, France, and the U.S.S.R. For instance, France recently demanded and received $150 million in U.S. gold while owing us $6.3 billion.

Domestically, several things can be done to improve the situation: (1) A program should be launched to encourage Americans to "see America first," and keep tourist dollars at home. (2) Also, our own tourist attractions should be further encouraged to entice foreign tourists. (3) Special tax incentives, similar to those used in Western European nations, could be enacted to stimulate small businesses in the United States to compete for foreign markets. (4) Inflation must be checked, and the line held on prices and wages in order that U.S. products can be more competitive in price with foreign goods, both at home and abroad. (5) By far the biggest potential for improvement, however, lies in our foreign trade policies, which I will discuss next week.

Sincerely,

STROM THURMOND.

DOLLAR DIFFICULTIES—PART IV

No one factor has been more responsible for U.S. dollar difficulties than U.S. foreign trade policies and practices. Despite a staggering balance-of-payments deficit of more than $27 billion and a desperate decline in gold reserves, the United States continues to follow the same self-defeating policies.

Foreign trade policies—constitutionally, the responsibility of the Congress—have for years been usurped by the executive branch and implemented to the severe disadvantage of the United States. Our negotiators of trade agreements have consistently dealt in terms of form, rather than substance. Thus, there has been little or no reciprocity in our trade agreements. Rather, we see our negotiators make concessions in return for changes in form only of protective devices used by foreign nations.

Negotiations in the so-called Kennedy round of General Agreement on Tariffs and Trade (GATT), now still in progress, illustrate this point. In 1962, Congress passed a Trade Relations Act authorizing the President, under certain conditions, to negotiate a reduction of 50 percent across the board in U.S. tariffs. It was the understanding of Congress that such reductions would be reciprocal—both by the United States and the other parties to the agreements—and would cover agricultural as well as manufactured products.

In the current round of negotiations, the United States took the lead in achieving a general agreement by all nations for a 50-percent reduction in import duties. "Import duties," or tariffs, are the only means used by our Government to tax or impede the entry of foreign goods into the United States. However, they are only one of several devices used by nations in Western Europe and by Japan. For instance, nations in Western Europe apply a frontier tax to imported manufactured goods, in addition to import duties. This tax amounts to as much as 33 percent of the value of the imports, and is not affected by the negotiated trade agreements. Thus the trade agreements further open the doors of the United States to competition from foreign goods, while the foreign nations retain devices for keeping our products out of their countries.

These same foreign nations rebate to their industries the manufacturing taxes on goods which are exported, giving those goods another price advantage. We neither impose an equivalent manufacturing tax on imported goods nor does the United States rebate manufacturing taxes or other taxes on goods we export.

The general agreement reached in the current negotiations provided that each party nation could reserve from the coverage of the tariff reductions those products on which a reduction in tariffs would harm their vital national interests. The United States took the lead in submitting a reserved list of products which was a bare minimum, leaving the United States with no items to use for negotiating purposes. The United States has no items on its initial reserved list which can be used to bargain for removal of items on the long reserved lists of the other nations.

In addition, the European community nations have flatly refused to reduce, or even negotiate, their import duties on agricultural products which constitute a major portion of our goods for export. These duties are fixed at a rate which insures that agricultural products we want to export to them are priced after entry above products grown in their own countries. All that these nations have agreed to negotiate with respect to agricultural products is the "level of price supports." This has nothing to do with tariffs, and the executive branch has no authority to negotiate supports.

The refusal of other nations to negotiate tariffs on agricultural products should end the negotiations. Any agreements which come out of the negotiations now will be to the distinct disadvantage of the United States. They will cause our balance-of-payments deficit to grow even faster, for it will be harder for our exports, particularly agricultural products, to compete in prices. This will also give even further advantages to imports which other nations send into our domestic market.

We must rectify such trade policies and practices and insist on reciprocity so that our manufactured products can compete in the world market without the defeating handicap of artificially created burdens. A favorable balance of trade is essential to stop and reverse the outflow of gold from the United States.

Sincerely,

STROM THURMOND.

DOLLAR DIFFICULTIES—PART V

U.S. dollar difficulties have inspired proposals that we step up trade with the U.S.S.R. and the Communist bloc as a solution. Far from offering a possible solution, this remedy holds the potential for a coup de grace to the dollar.

In the free world, trade is based on economic factors—costs, prices, demands, profits, market expansion potentials, etc. For Communist countries, trade is an instrument for advancing their goal of world domination. In the free world, for instance, prices are based largely on the cost of producing the particular product. In Communist systems prices are based primarily on the priority of uses assigned for a particular product (steel prices might be one-half as much for use in weapons as washing machines).

The same principles are employed by the Communists in their foreign trade. In order to attain a political objective, they will dump large quantities of a product on the world market priced below cost.

In recent months, Soviet leaders have advocated acquiring from the U.S. manufacturing plants, processes, and products which they do not have in order to accomplish their strategic objectives.

Currently, the Soviets are estimated to import about $5 billion in goods annually, primarily from the East European satellites. The planned Communist economies in the U.S.S.R. and these bloc countries are largely integrated, so that many of the factories in the bloc countries produce almost wholly for Soviet consumption.

In attempting to trade with the Communists, free world businessmen deal not with individuals or companies, but with the Communist government itself. Communist governments have proved themselves to be notoriously bad credit risks. The Soviet Union owes the United States billions of dollars for which they will not even discuss payment. The chances of a U.S. businessman collecting a bad debt from a Communist government—something the U.S. Government cannot even do—are obvious.

The Soviet use of trade for economic warfare and its potential dangers for the United States is demonstrated by Soviet efforts in the field of petroleum. Presently and historically, U.S. oil companies supply the major part of petroleum products for world markets.

The Soviets have demonstrated an intention of launching an oil offensive designed to make Western Europe and, if possible, most of the world, dependent on the Communists for oil. Not only would this give the Communists a vital political weapon, but it would substantially reduce the large earnings of U.S. oil companies, and thereby undermine the dollar by greatly increasing the outflow of U.S. gold.

The Soviets have already built a large complex of oil pumping stations and feeder pipelines, to the boundaries of free Western European countries. Italy, for example, is now buying approximately 25 percent of her oil from the Communist pipeline. Also the Soviets are using every means possible to get control of oil resources in the Middle East and Libya, and have organized terrorist groups to sabotage supplies of U.S. companies in Latin America.

To accomplish the objectives of their oil offensive, however, the Soviets must acquire modern refining plants and processes from the United States. Significantly, one of the first export licenses granted by the United States for Rumania was for a complete "oil cracking" or refining plant. The funds received for even this one sale may eventually come back to haunt the United States as the most expensive profit we ever made, paid for many times over in gold outflow, softer currency, and financial crisis.

Trade with the Soviets, far from being a solution to our dollar difficulties, could prove the shortest road to financial, and thereby political, oblivion.

Mr. GRUENING. Mr. President, I desire to speak on an amendment intended to be proposed by the distinguished Senator from South Dakota [Mr. Mundt].

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Is the Senate proceeding on a limited time basis?

The PRESIDING OFFICER. The unanimous-consent agreement is now in effect. Thirty minutes of debate are allowed on each amendment, with 15 minutes to a side.

Mr. MUNDT. Mr. President, will the Senator from Alaska permit me to call up my amendment and say a few words in explanation before he speaks on it?

Mr. GRUENING. Certainly.

AMENDMENT NO. 27

Mr. MUNDT. Mr. President, on behalf of myself and the Senator from Alaska [Mr. Gruening] and the Senator from Montana [Mr. Metcalf] I call up amendment No. 27.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. It is proposed to add at the end of the bill the following:

Sec. 3. Purpose.—(a) (1) For the purpose of aiding and restoring to profitable operation the domestic gold mining industry of the United States the Secretary of the Interior is hereby directed to establish and administer a program to compensate domestic producers of gold for the difference between individual base average costs of production during the fourth quarter of 1939 of currently eligible mines, as determined by the Secretary, and the same or equivalent current costs, similarly determined, of individual operators qualified for assistance under this section in the fourth quarter of 1963. Where base average costs during the fourth quarter of 1939 are shown to be abnormal because of the occurrence of events beyond the control of the operator, including, but not limited to production stoppages, natural disasters, or unavoidable accidents, such costs shall be reconstructed from the best available data.

(2) In order to assist new domestic gold mining enterprises and stimulate new production, the Secretary is authorized and directed to establish and administer a similar program for mines which have no history or production for the fourth quarter of 1939 nor for the fourth quarter of 1963 by computing a constructive cost of production taking into account production costs of mining gold in the same or adjacent mining districts under similar conditions for said named periods in order to determine the amount of subsidy payments, if any, to which the new mine operator is entitled.

(b) Costs of Operation Subsidized.—Costs of operating domestic gold mines for which differential payments will be allowed shall include—

(1) costs of all labor including clerical, supervisory, management, administrative, and technical;

(2) costs of amortization of capital investment in equipment and construction necessary to efficient operations;

(3) costs of mine rehabilitation;

(4) costs of transportation of mine products, smelter freight, treatment, and deductions;

(5) costs of unemployment compensation and fringe benefits;

(6) costs of supplies, materials, and power;

(7) costs of State, county, and city property taxes;

(8) costs of such other expenses as are usual, customary, and normal according to accepted, sound, modern mining practices.

(c) Eligibility Requirements.—To qualify for cost differential payments under this program, an applicant shall—

(1) make a showing, by application to the Secretary, that for his next fiscal year, commencing after submission of the application, costs of efficient operation are at a level in excess of an amount at which the applicant can anticipate earning a reasonable profit during the period for which application for assistance is made;

(2) demonstrate existence of financial resources and technical capability sufficient to operate profitably, under the conditions by which assistance under this section is allowed;

(3) agree that, for the period of time for which assistance is received the principal production from the specific mineral property for which application is made shall be gold, and no applicant shall be qualified for assistance under this section unless the dollar value of gold sold during the period for which payments are made is 50 per centum or more of the total value of all minerals and metals contained in ores and concentrates produced and sold from such specific mineral property: *Provided,* That payments shall be made only for the gold produced in the proportion and nonsubsidized value of the gold produced bears to the value of the total amount of minerals sold from said property.

(d) Amount of Payments Allowable.—Payments under this section shall be in such amounts as may be necessary to carry out its purpose, except that—

(1) no such payment shall, in any case, exceed the difference between individual base average costs of production of gold during the fourth quarter of 1939 and the same or equivalent costs in the fourth quarter of 1963;

(2) no differential computed under (1) shall exceed, in proportion, the difference between the Consumer Price Index of the United States Department of Labor for January 1940, and the cost of living index as of date of application for payment.

(e) Determination of Eligibility and Negotiation of Agreements.—(1) Producers of gold may apply to the Secretary of the Interior for gold production differential payments under this section who shall determine (A) the eligibility of the applicant, and (B) amount of payment necessary to enable the applicant to operate at a reasonable profit during the period for which application is made.

(2) Upon determination of eligibility of a producer for payment the Secretary shall enter into a gold production differential payment agreement which shall contain such terms and conditions as the Secretary and the producer shall agree upon, including, but not limited to, (A) the manner in which costs shall be ascertained for purposes of making payment; (B) terms and conditions for making payments; (C) conditions under which payments shall be withheld or reduced.

(f) Board of Gold Differential Payments Review.—(1) There shall be established in the office of the Secretary an independent Board of Review of three members to be appointed by the Secretary, the Chairman to be designated by the Secretary, that shall be responsible for a continuing review of the level of payments under this section to determine if they are sufficient or in excess of amounts required to accomplish its purposes.

(2) The Secretary shall, by regulation, establish a procedure for review by the Board of Review of applications of producers whose claims are denied, disallowed in part, or reduced. Producers shall have an opportunity to submit reasons in support of their claims before final action of the Secretary.

(3) Members of the Board of Review shall be appointed by the Secretary from among individuals qualified by reason of experience in the mining industry, two of whom shall have had experience in gold mining.

(4) The Board of Review shall be required to meet quarterly. Members shall be paid at the rate of $50 per day for each day services as a Board member are required and shall be reimbursed for actual and necessary travel expenses and per diem in accordance with the Travel Expenses Act of 1949.

(g) The Secretary of the Interior shall prescribe such rules and regulations as may be necessary to carry out the provisions of this section.

(h) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this section not to exceed an annual amount of $50,000,000.

Mr. MUNDT. Mr. President, the amendment is offered on behalf of myself, the Senator from Alaska [Mr. Gruening], and the Senator from Montana [Mr. Metcalf]. The Senator from Alaska will speak shortly on the amendment. The purpose of the amendment is to do something to revitalize the American gold industry. Our amendment is essentially the same as S. 2125, which was introduced in the 88th Congress, and which was the subject of hearings before the Committee on Interior and Insular Affairs.

After extensive consideration by that committee, S. 2125 was reported to the Senate and placed on the calendar, where it died last year when Congress adjourned.

The purpose of the amendment is twofold.

First, it offers a new approach to stimulating production of gold from both old and new domestic gold mines, thus increasing our national supplies of gold and thereby offsetting to some extent the perilous balance-of-payments situation.

There are various ways in which we can meet the balance-of-payments problem. One is the difficult approach, suggested by the President, to deny American tourists the right to bring back foreign merchandise, to close down the capacity and the right of our PX's scattered all over the world, to sell to American servicemen merchandise indigenously produced, and to limit our PX's to American-produced merchandise.

One way is to levy a tax on foreign investments abroad. But a very obvious, easy, and really American way is to start increasing the production of gold at home. We have a shortage of gold. In large part, it is a shortage of gold made in America resulting from our American mining policies. We have been trying to require the gold producers to sell gold at $35 an ounce, a price which was fixed in 1933, while paying the cost of production charges which are prevalent in 1965. Not a product in America is today sold at the price at which it was sold in 1933. Under a compulsion of this type, the industry is trying to struggle with the constantly increasing costs of production.

The second purpose of our amendment is to afford some small measure of equitable relief to American gold producers who long have been the victims of harsh governmental action with respect to this particular area of private enterprise over the product of which the Federal Government exercises complete and absolute monopoly controls.

Our amendment would accomplish these purposes by establishing a domestic program, administered by the Secretary of the Interior, for payments to American producers based on the differences in the costs of gold production in the last quarter of 1939—1940 was our peak production year—and costs of production today on an individual gold mine basis. New gold mining enterprises, and other gold mines with no history of production in the last quarter of 1939, could qualify for similar aid through establishment of constructive costs, taking into account production costs of mining gold in the same or adjacent mining districts.

Payments would be made only for the gold produced and would be restricted to mines the primary production of which is gold. Amounts would not exceed the difference between average costs, on an individual mine basis, during the base period of the fourth quarter of 1939 and the same or equivalent costs in the fourth quarter of 1963. Such payments could not, under the terms of the bill, exceed in proportion the difference between the Consumer Price Index, published by the U.S. Department of Labor, for January 1940, and the index as of the date of the application for aid.

The need for aid to America's once great and prosperous gold mining industry is shown dramatically by the following opening statement from the 1962 gold report of the Department of the Interior Minerals Yearbook:

> Mine output of recoverable gold in the United States dropped slightly in 1962 to 1.5 million ounces valued at $54 million, the lowest peacetime level in more than 75 years.
>
> * * * * *
>
> Consumption of gold in domestic arts and industries rose sharply to nearly 3.6 million ounces, about twice domestic production, and an alltime high for domestic consumption, except for 1946, when demand generated by wartime conditions reached a peak.
>
> The outflow of gold resulting from the continued balance-of-payments deficit and conversion-of-dollar credits by foreign central banks reduced the U.S. gold stock about $900 million to $16.1 billion, the lowest level since 1939.

The Interior Department report goes on to point out that at the very time our gold production reached its lowest point since 1884, estimated production in the Soviet Union rose to an alltime high of 12,200,000 ounces in 1962.

The Senator from Alaska and I offered this amendment at this time in behalf of an industry which has suffered a discrimination in the United States unique not only in our free enterprise economy but unique among the gold producing nations of the world. This country alone during World War II ordered the closing of gold mines. This was done under the mistaken view that production of gold was not necessary to the war effort. No other country took a similar step including those gold-producing nations that were our allies—Canada, South Africa, and Australia.

There can be no question but that:

First. Our country needs gold, and that need is great.

Second. We have within our country, widespread deposits capable of producing gold and the mining men with the knowledge and the skills to mine it.

Third. Our gold producers are entitled to some equitable relief from the desperate situation in which they find themselves as a result of governmental action.

Even administration spokesmen who oppose any program that might conceivably be construed as affecting the price of gold concede to these facts.

I am convinced that our amendment, which is the culmination of extensive and exhaustive efforts on the part of Members of Congress, offers a program that will go far toward ameliorating the situation and one which will in no way interfere with our monetary policies or international commitments.

A large part of our deficit payment problems is made in America by discriminatory public policies against the gold mining industry. We make it impossible to produce the gold that we so badly need.

Mr. President, I ask unanimous consent to have printed as a part of my remarks on the amendment an editorial entitled "Epitaph for an Anachronism," published in the Wall Street Journal of January 29, 1965.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Epitaph for an Anachronism

Currencies sometimes explode with an inflationary bang; sometimes they stagger long on the road toward fiat money. But always and everywhere it is governmental authorities that bring them down. Right now the dollar is faced with new official assaults on its integrity.

In his economic report yesterday President Johnson asks Congress to eliminate the statutory requirement for gold backing of Federal Reserve deposits; he would not at present alter the gold backing of Federal Reserve notes, which make up most of the Nation's currency. Existing law requires the Fed to hold enough gold to cover 25 percent of both deposits and notes.

It's estimated the Johnson request would free some $4.7 billion more gold to meet the demands of foreign claimants. As it is now, only about $1.5 billion remains for that purpose, because the total gold stock is down to little over $15 billion, the great bulk of it immobilized under the domestic gold cover.

A day or so before the President's request, Senator Douglas, of Illinois, made an impassioned plea for a "clean sweep" that would remove the cover from both deposits and notes and thus free the entire gold stock for foreign acquisition. In a sense his is the more logical position; the very arguments for a partial measure, he says, when carried to their conclusions, would have us go all the way. In other words, why wait to do something the Government is ultimately going to do anyway?

As the Senator observes, the gold reserve requirement was imposed when Americans could demand and receive gold for paper currency and bank deposits. "But since 1933 this is no longer possible. * * * The reserve gold cover is therefore purely a monetary vestigial remain which serves no practical purpose."

True, and how sadly revealing. For of course the downhill road started with the devaluation of the dollar and the autocratic edict that people can't get gold for paper. The dollar has come a long way since, losing more than half of its value through inflation.

By our enlightened sixties, silver certificates are being replaced and pretty soon, it may be, we won't have any silver in our coins or maybe only more pieces of paper instead of coins. The proposals to junk the gold cover would sever one of the last links between paper and tangible value.

Now we don't suppose that preserving the 25-percent requirement would, in the circumstances, cure the dollar's ills. The troubles proceed, in a widening series of vicious circles, from inflationary domestic fiscal and monetary policies, which significantly contribute to the chronic international balance-of-payments deficits, which cause the heavy gold outflow of recent years, which occasions the current demands for freeing more or all of the gold for oversea shipment.

Still, retaining the 25-percent requirement would at least be a sign that the United States hasn't yet thrown overboard all restraints, all monetary discipline. It is exceedingly difficult for us to follow the prevalent reasoning that eliminating the cover would increase foreign confidence in the dollar; that is, our friends wouldn't have to worry whether the gold would be available when they wanted it. It seems more likely it would intensify uncertainty about the Government's determination to preserve the remaining value of the dollar.

Whatever the impact, however, putting more gold on the table for others' taking is no way to solve or ease the payments deficits and the gold outflow. The remedies lie in getting at the roots of the ailments, and for that reason it is mystifying to read these words in the same message of the President: "There can be no question of our capacity and determination to maintain the gold value of the dollar at $35 an ounce. The full resources of this Nation are pledged to that end."

If so, it would be agreeable to see some evidence that the Government's fiscal and monetary resources are pledged to that end instead of serving, as it seems, contrary ends.

The dollar is still, for many reasons, a tough currency to crack, and it may be able to battle a long time even under these repeated attacks. We only say that history is on the side of those who warn of trouble when currencies are completely converted to paper, when standards of value are held to be ridiculous anachronisms.

Mr. MUNDT. Mr. President, I yield the remainder of the time available on my side to the distinguished Senator from Alaska [Mr. Gruening].

Mr. GRUENING. Mr. President, I thank the distinguished Senator from South Dakota. I commend him for his very excellent statement in the effort in which we are joined to rectify a unique and totally unjustifiable discrimination against a single industry. It is a situation in which that one industry is hamstrung, throttled, and compelled to sell to the very agency which throttles it at a price which is no longer economic and which will not sustain the industry.

On February 10, 1965, the U.S. gold reserves dropped to $14,938,055,712—the lowest level since March 8, 1939.

The drain on U.S. gold reserves has been severe and steady through the years.

H.R. 3818 does not strike at the root causes of this continued drain on our gold reserves. It is a palliative—not a cure. H.R. 3818, dealing with our gold reserve requirements, will not stop the flow of a single ounce of gold from our reserves or add a single ounce of gold to those reserves.

The report by the Senate Committee on Banking and Currency on H.R. 3818 states that the bill's purpose is "to give time to the Government to take firm and effective action to solve our balance-of-payments problems, in a sound and growing economy, without compelling such drastic measures as to threaten our prosperity and our strength at home and abroad."

According to that committee report, the passage of this bill, H.R. 3818, would release about $5 billion of gold "to make clear our intention to meet our international commitment to redeem dollars for gold at $35 an ounce."

The total amount of free gold available to meet foreign commitments, if this bill is passed, would be $6.1 billion. But, as the able and distinguished Senator from Illinois [Mr. DOUGLAS], writing for himself and others in supplemental views, has said:

> A few simple calculations show that, under the administration proposal, even $6.1 billion of free gold would be used up within a short period of time, given reasonable probabilities with respect to domestic and international conditions.

What happens when this free gold is used up?

Where do we go from here?

Will we free the remaining $8.7 billion in gold reserves?

And what happens when that $8.7 billion in gold is used up?

The time has long since passed when we should have started building up our gold assets in the only sensible and logical method possible—by mining it.

Gold mined in this country dropped in 1962 to 1.5 million ounces valued at $54 million, the lowest peacetime level in more than 75 years.

Why has more gold not been mined in this country and why is the amount of gold mined in the United States steadily dropping?

We have sufficient gold reserves, but they are in the earth and must be mined. They are not being mined, however, not because the mine owners are incapable of mining the gold in the mines but because the U.S. Government has placed insurmountable obstacles in the way.

When Franklin D. Roosevelt, on January 31, 1934, issued his proclamation setting the price of gold for all purposes, monetary and otherwise, at $35 an ounce for domestic gold, his action in setting this higher price was very beneficial for the gold mining industry of the United States. In the ensuing 31 years, however, conditions have changed materially. Prices of everything the gold miners use to work their mines have steadily increased but the price of the product they mine—gold—has stayed constant. All efforts to bring relief to the gold mining industry have been strongly resisted by each succeeding administration since 1934.

The situation faced by the gold mining industry is unique.

It is applicable to no other product and to no other industry in the United States, which rightfully prides itself, in all other respects, as the shining example of the free enterprise system.

However, that system has by law been made inapplicable to the gold mining industry.

No other American industry is required to operate on the basis of a price for its product set in 1934—more than 30 years ago—and, to all intents and purposes, unchangeable irrespective of the rising costs of production.

During these 30 years, the cost of all components of production of gold—labor, equipment, construction, transportation, and other expenses—has increased greatly. Even so, the gold miner is expected to produce in a situation in which even breaking even is impossible because the price fixed for the end product—gold—does not take into account these mounting costs.

We are rightly concerned about the flow of our gold reserves from our country. But a thoughtful governmental policy should be concerned not alone with stopping that outflow, but with building up our reserves of gold.

Two points should be kept in mind. Gold mined in the United States in 1962 amounted to only 1.5 million ounces—$54 million worth of gold. At the same time when our gold production reached the lowest point since 1884, gold production in the Soviet Union rose to an alltime high of 12,200,000 ounces.

At the same time, also, the consumption of gold in domestic arts and industries rose sharply to nearly 3.6 million ounces, about twice the domestic production.

What is therefore clearly needed is a method of increasing the domestic production of gold without disturbing the price of gold in the international market.

The amendment to H.R. 3818 which has been offered by the able and distinguished senior Senator from South Dakota [Mr. MUNDT] on behalf of himself, the Senator from Montana [Mr. METCALF] and me is designed to revitalize the American gold mining industry.

The language of the amendment is identical with the language contained in my bill, S. 2125, which was reported by the Committee on Interior and Insular Affairs on December 18, 1963. I introduced S. 2125 on September 9, 1963, and several Senators joined as cosponsors. This amendment will achieve the objective of stimulating and revitalizing the domestic gold mining industry without disturbing the international price of gold.

The amendment, if adopted, would establish a domestic program, administered by the Secretary of the Interior, for payments to American producers based on the differences in the costs of gold production in the last quarter of 1939—1940 was our peak production year—and costs of production today on an individual gold mine basis. New gold mining enterprises, and other gold mines with no history of production in the last quarters of 1939, could qualify for similar aid through the establishment of constructive costs, taking into account the production costs of mining gold in the same or adjacent mining districts.

Payments would be made only for the gold produced and would be restricted to mines, the primary production of which is gold. Amounts would not exceed the difference between average costs, on an individual mine basis, during the base period of the fourth quarter of 1939 and the same or equivalent costs in the fourth quarter of 1963. Such payments could not exceed in proportion the difference between the Consumer Price Index, published by the U.S. Department of Labor, for January 1940, and the index as of the date of the application for aid.

This legislation is sorely needed not alone by the gold mining industry of the United States but by the United States, as well.

The need for this stimulation of the domestic gold mining industry is spotlighted by the very need for the enactment of H.R. 3818. The need for more gold is obvious. We cannot obtain it by our present rigid pricing system for domestically mined gold. Through the incentives embodied in this amendment we can secure increased domestic gold mining without disturbing in the least the international price of gold.

Mr. MUNDT. Mr. President, I commend the Senator from Alaska for his constructive, helpful statement. He has apprised both Congress and the country of the fact that we merely penalize ourselves by an unwise mining and pricing practice which has contributed to a serious dilemma in this country, and now finds itself a part of the balance-of-payments problem.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUNDT. Mr. President, we are willing to listen to the opposition, if there is any.

Mr. GRUENING. Is there any opposition?

Mr. ROBERTSON. Mr. President, there is opposition. It will be stated briefly.

In the first place, this amendment is a rider on a bill relating to the gold coverage of our currency. It has no more place here than an amendment to subsidize silver, copper, manganese, or any other metal that may be in short supply. As the distinguished Senator from Alaska has correctly stated, this amendment is identical with the bill he introduced last year, S. 2125, which the Senate would not pass. This proposal or others like it have been kicking around the Senate for 10 years.

When Congress changed the price of gold from $20.67 an ounce to $35 an ounce, it increased the price of gold by 69 percent which was of great benefit to Alaska, California, and the Dakotas and all other producers of gold. Owing to the fact that the world price was set far above what it had been, a $24 billion stockpile of gold was built up. The price of gold would not now be $35 an ounce if we had not offered to pay $35 for all that has been produced.

I do not hold it against anyone who seeks to obtain benefits for his own State. I understand why the Senator from Alaska and his colleagues would like to increase production. But it would take about $300 million of gold a year to supply the gold reserves needed to meet normal increases in currency demands. Even if the price were set at $70 an ounce, $300 million of gold could not possibly be produced in this country. It might be possible to increase production in this country one or two million ounces; I do not see how it would be possible to increase production by 4 million ounces, which would be necessary to provide $300 million of gold at $70 an ounce.

But that is not the point. If the Senator from Alaska desires to have Congress seriously consider subsidizing gold, he should reintroduce his fine bill, S. 2125, with which this amendment is identical, and ask the committee to hold hearings on it and then report it in the normal way. It is now too late in the afternoon to attach it as a rider on a bill related to gold coverage.

Mr. President, I hope the amendment will be rejected.

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. ROBERTSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. GRUENING. Mr. President, when the distinguished Senator from Virginia says that the amendment has been kicking around for 10 years, my reply is that it is the gold mining industry that has been kicked around over the years.

The PRESIDING OFFICER. The time of the Senator from Alaska has expired.

Mr. GRUENING. Yes, the gold mining industry has been kicked around. I know the Senator from Virginia favors the free enterprise system. But how can he justify a unique discrimination against one industry, that is compelled to sell its product at a price fixed 31 years ago by the Federal Government, and is also compelled to sell to the one agency which imposed the strangulation?

This is an appropriate time and place to add the amendment. We are dealing now with a problem caused by a shortage of gold. The amendment is germane. It is not a rider in the ordinary sense. It is pertinent to the bill. If enacted, it will help to relieve the situation.

I do not know how much additional gold will be produced by the amendment, if it is adopted; but whatever amount is produced will help to improve the situation.

I strongly urge that the amendment be approved.

Mr. MUNDT. Mr. President, I yield 2 minutes to my colleague.

Mr. McGOVERN. Mr. President, permit me to add my voice and my support for the pending amendment. We in South Dakota have long been proud of the Homestake Mining Co. with its home office in Lead, S. Dak. For years Homestake has been the largest single producer of gold in the Western Hemisphere. In 1963 its annual gross bullion receipts were $20,294,000 from 1,907,000 tons of ore milled. The company supported a payroll of $11,045,000 and can be easily identified as one of the outstanding factors in the economy of South Dakota, especially in the Black Hills area of my State.

I have long been deeply concerned over the future of this company, encountering increased operating costs while restricted to a unit price established in 1934 of $35 an ounce. Its 1941 gross bullion revenue was $19½ million and its 1963 receipts, $20¼ million. Its 1941 payroll was $4½ million and its 1963 outlay for labor was $11 million. Local taxes have increased from $337,000 to $813,000. Stock earnings have decreased $3.12 per share in 1950 to $0.87 in 1963. Similar figures are available for gold operations, large and small, throughout the Nation.

Efforts over the years at legislation to raise the price of gold have met uniform resistance both here and abroad based on world monetary considerations. In September of 1963, I joined with the Senator from Alaska and others in an attempt to meet these objections by introduction of a bill to revitalize the industry by offering direct subsidies to restore profitable operations to domestic miners. This effort is the substance of the pending amendment.

The language in section 4(c) of the amendment was offered by me in committee in December of 1963. The committee accepted this language and included it in the reported bill. Under the original wording of the bill, the complicated corporate structure of Homestake would not qualify it for subsidy. The present language allows assistance to applicants whose "dollar value of gold sold during the period for which payments are made is 50 per centum or more of the total value of all minerals and metals contained in ores and concentrates produced and sold from such specific mineral property."

The Senator from Alaska has advised me of his enthusiasm for the legislation in this form. I join with him and with other Senators in vigorously urging the adoption of this amendment to the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. MUNDT] for himself, the Senator from Alaska [Mr. GRUENING], and the Senator from Montana [Mr. METCALF].

The amendment was rejected.

AMENDMENT NO. 26

Mr. LAUSCHE. Mr. President, I call up my amendment No. 26 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 1, between lines 2 and 3, insert a new section as follows:

"That it is the policy of the Congress that the existing requirement that the Federal Reserve banks maintain reserves in gold certificates of not less than 25 per centum against their notes in circulation should be rigorously maintained and not relaxed at any time except in exceptional circumstances or a national emergency."

On page 1, line 3, strike out "That the" and insert in lieu thereof "Sec. 2. The".

On page 1, line 7, strike out "2" and insert in lieu thereof "3".

Mr. LAUSCHE. Mr. President, in the course of the discussion on the bill pending before the Senate, charges have been made that the adoption of the pending bill would be only a forerunner of a bill that is before the Senate to propose the removal of the 25-percent gold certificate support on the Federal Reserve notes now outstanding in the sum of approximately $35 billion.

I read the committee report. The Secretary of the Treasury, as noted in that report by one of the dissenting opinions, stated that he sees no need of this gold backing the gold coverage that we presently have on Federal Reserve deposits or Federal Reserve notes.

I am definitely of the conviction that what is proposed here is really the second step in the abandonment of all metallic support of our moneys. The first step occurred when we passed the bill to take the silver support from the $1, $2, and $5 bills. In that law, we declared that instead of the $1, $2, and $5 bills being supported by and redeemable by silver, the support should be given by the gold that we have provided for in the Federal Reserve law. That was the first step in the removal of what we call rare metal support of our currency. The second step, of course, is the bill before us. This bill allegedly would liberate $5 billion in gold which is now earmarked for support of deposits made by members of the Federal Reserve bank.

If that were the end of this movement, I would suffer it. I would suffer it because we have gotten ourselves into a position where we can do practically nothing else. The problem of gold support and the plight of gold started 5 years ago. It might have started earlier. But it became acute. We have done much talking about the seriousness of the problem and the need to find corrective measures. But, that is all that has happened.

We are now up against the wall. Our foreign creditors do not want our dollars. They want gold. We do not have the gold with which to pay them off. In the last 3 years, statements have been repeatedly made that our gold position is growing better. We lulled people into the conviction that the outflow of gold was not growing worse, but that it was improving so far as our balance of payments are concerned.

I pointed out yesterday that while statements were being made that our position was improving, the Treasury Department was borrowing money from the International Monetary Fund. It was borrowing money from foreign governments. The letter which I have here, dated July 30, 1964, signed by the Secretary of the Treasury, Douglas Dillon, shows that the aggregate amount of borrowings by our Government, in order to save itself from the peril in which it stood, was $2,452,500,000.

Some measures were taken to solve the problem. But they were honored more in the breach than in the observance. In 1963, there was a good deal of talk about "See America Year." Douglas Dillon issued statements, "See America."

The request was made to tourists, "Do not go to foreign countries. Visit our Nation." That was a futile effort.

The fact is that our dollars deficit, the dollars going out, as compared to dollars coming in, was $1,250 million in 1961. In 1962, it was $1,430 million. The average has gone up since that time. We have done nothing about curing the problem.

We are now in the position of fighting the shadow instead of fighting the substance. We are taking no corrective measures. We are merely applying a "band-aid," as was said yesterday by the Senator from Colorado, to a lesion, and administering some sedative. But nothing is being done to really get to the root of the problem.

We are now, or perhaps tomorrow shall be, taking a step that will aggravate what has been done. Tomorrow, we shall have before us a bill to subscribe $750 million to the Inter-American Development Fund. The other nations will subscribe, according to my recollection, $100 million. Of that $750 million that we shall subscribe to the IAD, $150 million admittedly will be spent in the South American countries, thus further aggravating our balance-of-payments problem.

There is one school that has made a study of the IAD bill. It states, and has so testified before the Committee on Foreign Relations, that the cost will be $375 million. This money will go out and become the basis of potential future demands for more of our gold.

It was said yesterday that we need time, and that the way to get time is to free $5 billion of gold. My query on that subject is, "What have we done in the past 4 years?" We have done nothing. We have allowed the situation to grow worse. We have not taken the public into our confidence and told them the exact truth.

Getting back to my bill, it proposes at this time to declare it to be the policy of Congress to maintain the 25-percent gold support on Federal Reserve notes, except in an extraordinary measure, in which case it may be waived.

I have submitted this amendment because I have the deep conviction that what was done when the silver support on our currency was removed—and what is proposed to be done by the bill now before us—is the easy and deceptive way of finally removing all support from our currency.

It has been argued—and the Senator from Virginia [Mr. ROBERTSON] does not share in this argument—that we need no gold support; that all we need is the trust and the character of the Government to insure that those who save their dollars and buy insurance policies and earn annuities and earn social security payments can rely upon their Government that there will be no printing press money; and that they will be paid dollars of the same value as the dollars which they paid into those various funds.

Let us examine that argument for a moment. In the law of equity of ancient English jurisprudence there was once a principle that the chancellor of the Court of Equity decided cases on the basis of his conscience. One went to a court of equity because he could not obtain relief in a court of law. In effect, he said to the king, "Your Excellency, I cannot find relief in a court of law. I have a just claim. I am a poor person. The person who has aggrieved me is mighty and strong, and I must have relief from you, Your Majesty the King."

The King referred the petition to the chancellor. Then the chancellor, without regard to law, where his powers are limited, applied his conscience to the case pending before him.

That practice continued for some time. Finally one of the chancellors said, "What evasive and elusive measure is this—to decide cases on the basis of conscience without circumscription of established law?"

He went one step further. He said, "Consciences differ. Some are sympathetic. Others are ironic. Thus, there is no fixed measure in determining what justice will be." He went one step further. He said, "Consciences of chancellors differ in their passion as do the size of their feet."

It is advocated here that, without law, but relying upon the ephemeral judgment of appointed officials, we are to have assurance of the stability of the dollar.

Unless there is an anchor, unless there is a hitching post, clearly defined by law, as I said yesterday, we throw our fortune into the changing minds of human beings.

I suppose it would be a travesty and unbecoming a Senator to say that Members of Congress are sometimes influenced by political pressure. It might also be a travesty to say that even the occupant of the highest office, during election time, becomes a victim of the forces of those who have many votes.

I respectfully submit that the life's savings of the citizens of the United States ought to rest on more secure ground than the mere discretion of public officials. It ought to rest on grounds clearly written in the law, saying to the official. "Thus far you may go, but not beyond this line."

All we have to do is take a look at Madison's Federalist Papers, which contain discussions on whether limitations should be imposed upon the rights of Congressmen and the executive branch—written in the law, and not reposed in some hidden quarter, not knowing when it was going to come out.

I cannot phrase exactly what was said by someone, but it was to the effect that, "You cannot entrust property and the liberties of the people to the discretion of public officials, regardless of how sympathetic, honest, and compassionate they want to be. You must limit it by law."

On the basis of that principle, my amendment should be adopted. All it provides is that it is the policy of Congress to maintain vigorously the 25-percent gold support of the notes issued by the Federal Reserve banks. This does not foreclose the changing of the present requirement in an extraordinary circumstance, but it gives word to the citizens of our Nation that there shall not hang over them the specter of possible printing-press money.

Mr. President, I have on my desk a letter from a citizen in Ohio. He asked my advice about what he should do with his savings. It was a sincere inquiry. I tried to calculate in my own mind what I should tell him. I do not dare tell him exactly what I think. He asks:

> Shall I put my money in property to escape inflation? Is it better to keep it in a bank or a building and loan association, where I will get some interest?

When I say I do not know what to tell him, it is because of the great uncertainty as to what is happening today with respect to our currency.

Throughout history, far in advance of the first year after Christ, there has existed the general principle that currency must be tied to some fixed metallic value. That conviction has never been changed. There are now some economists who are arguing to the contrary. But, if they look back into history, they will find that though repudiations have been made about tying currency to silver or gold, those repudiations were abandoned and a return was made to the old principle that we have got to have more than mere paper, that we have got to have something of fixed, eternal value supporting the paper.

Mr. President, I yield the floor.

Mr. DOMINICK. Mr. President, I appreciate the courtesy of the Senator from Ohio. I give my complete support to his amendment. It strikes me that it encompasses the part of the problem we were discussing yesterday when I offered my substitute.

There are really two arms to the same problem. One is creating confidence in the value of the dollar, and the other is insuring that this confidence will be bolstered by having a metallic basis behind the currency.

Yesterday, if I recall correctly, the Senator indicated that he was concerned that this was only the first step in a general elimination of the gold reserves from our entire current currency. Is that correct?

Mr. LAUSCHE. The Senator is correct. Yesterday I said it was the first step. However, after analyzing my papers, I now realize that it is the second step. The first step was the removal of silver support of the paper dollar.

Mr. DOMINICK. I thank the Senator for his statement. I made that same comment when I was debating the silver bill on the floor some time ago; namely, that that was the first step. This is the second step, and I agree with the Senator. I also agree with the Senator that we have not taken any realistic measures to try to do anything about the imbalance of payments, and that this particular bill does not affect that problem in one way or another. In other words, we are not curing anything. All we are doing is adding a "band-aid" to a sore.

I strongly believe that the amendment of the Senator from Ohio is of real value, even though it is not exactly in the form of law, and even though it is a sense-of-Congress resolution. Nevertheless, it pinpoints the issue with which we are faced, so that the country at large can determine whether we in Congress are really dedicated to the idea of keeping a metallic value behind our currency.

Metal is the only universal kind of backing or value anywhere in the world that I know of. We cannot accomplish this with diamonds or with rubies. Certainly these are escape mechanisms, and of value, which many people use; but gold is universally desired and has been so desired down through the centuries. It creates a strong unit of value behind any paper currency. I believe that the Senator's amendment is the very minimum we should adopt to try to impress upon the administration that this is the way Congress feels that sound steps should be taken to cure the problems with which we are faced and not continue our gold losses.

I am delighted that the Senator from Ohio has called up his amendment.

Mr. LAUSCHE. I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ROBERTSON. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I rise to support the amendment of the Senator from Ohio. I fully recognize that its effect, if adopted by Congress, would be but a statement of concern on the part of Congress as to what will happen if we do not take other corrective steps to solve our gold problem.

I shall support the bill as reported by the committee of which the Senator from Virginia [Mr. Robertson] is chairman. In light of the circumstances under which we find ourselves today I do not believe he had any choice other than to report a bill which would take care of this immediate problem. I believe that he has reached a reasonable compromise. I shall support the bill.

However, in supporting the bill and as we pass it, I believe we should do so with a clear understanding—and I am sure the Senator from Virginia [Mr. Robertson] would agree with me—that this does not solve the problem so far as our outflow of gold is concerned.

The administration has not yet met the challenge as to what caused us to get into this situation. We are not facing realities. This bill merely deals with the results of what we have been doing over the past several years and does not try to correct the situation. As the Senator from Ohio and the Senator from Colorado have so ably pointed out, this is in effect like taking a sedative to relieve a pain rather than trying to find the cause of the pain. It is just as dangerous as taking a sedative for a pain in the appendix unless we follow through and correct the causes.

What I am concerned about is that if we pass this bill without pointing this out we may lull ourselves into a false sense of security, a belief that we have cured the problem, when in reality we have merely postponed the day of reckoning. The administration has not recognized the real cause of what got us into the situation we are in today. Like Chamberlain, the President is trying to buy a peaceful solution for a time.

The President's message, in discussing the balance of payments, was overdue. We cannot say that either the balance of payments, our deficits, the interest rate, or any other single factor is the sole reason why we are losing our gold today.

We must recognize that all of these together have been contributing factors in the present situation.

Surely, to correct our balance-of-payments problem we need more exports, but I believe that at the same time we should realistically face the fact that one of the reasons we are losing exports is the inflation in the manufacturing cost of our products. For years inflation has resulted in higher labor costs—higher material cost. As the Senator from Ohio pointed out earlier, we have paid no attention to the formula of the 3 percent annual raises which the administration recommended. We have increased labor costs; we have increased the cost of materials far and beyond the rate of increases in other countries with the result that the products which we export have lost their competitive position in world markets.

At the same time, we must recognize that our domestic deficits are a contributing factor to the loss of confidence in the stability of the American dollar.

In the past 35 years there have been but 5 years when we have lived within our income. In the past 4 years, under this administration, our average deficit has been approximately $7 billion a year. We are running over $500 million a month in the red—spending this amount beyond our income every month.

When administration officials come before our committee, rather than expressing concern the Director of the Budget asserts that the deficits are planned deficits. At one time we were told that the administration thought there was virtue in its ability to live beyond our income because it stimulated the economy.

These are some of the problems that we must recognize and correct. This spendthrift philosophy must be changed. What we do here today will merely postpone taking care of the situation for a few months or years, and then we shall be back again to a further removing of the gold standard and even eventually ending up with no gold at all unless we do follow through with other corrective measures.

We must recognize in the foreign aid program that the U.S. Government cannot continue to play Santa Claus to all the world. We must face these facts and tell our friends that while we are tightening our belts they will have to tighten their belts as well.

Mr. LAUSCHE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. If we fail to recognize and take some action to correct these other problems the passage of the pending bill will merely postpone the day of reckoning and give to the American people a false sense of security.

I note that in the last 8 years, since 1957, our gold supply has been reduced from $22.7 billion down to less than $15 billion. We are losing gold every year. We are also losing silver. In 1957 our silver stock was $2.4 billion. It is now down to $1.5 billion.

We are losing both of these metals which have been looked upon as security for our money by the American people and the people of the world.

Of course we cannot eat the gold, and we cannot eat the silver. However, the fact is that they are contributing factors to the confidence that our people and the world in general have in the stability of the American dollar. We are losing both of these metals.

If we continue to lose gold the ultimate result will be the deflation of the dollar.

I do not believe that the President's recent proposal to correct our balance-of-payments problem, which he has sent to Congress, is the answer. Although it will help, it will not be fully effective unless further steps are taken.

The President has called upon American bankers and American buinessmen to be more prudent in their oversea spending and investments. It would be well for the Government itself to follow its own advice and likewise be more prudent in its requests for expenditures in our foreign aid programs.

Why does the administration not try practicing what it preaches?

As an example, I cite the bill now on the Senate Calendar calling for an expenditure of $750 million for the Alliance for Progress. As the Senator from Ohio has pointed out, the passage of this bill will result in the loss of at least half of that much in gold. That will contribute further to our gold problem—can we afford it?

If we continue to pass bills that pour our money out all over the world we should tell the American people exactly what we are doing and what the result will be.

If the American businessmen and the American bankers comply with the President's request, either voluntarily or by law, and reduce their oversea investments and expenditures, it may give immediate relief, but it will also reduce future income.

To a large extent our favorable trade balance—to the extent that we have it today—is the result of investments abroad in past years by American business. The income from these investments is our major source of foreign income.

The administration's proposal that we curtail these investments may help today, but it is merely postponing today's problem to the future. In later years we will not have the revenue coming back from investments abroad.

It is killing the proverbial goose that has been laying the golden egg, and income from past foreign investments is the one golden egg that we have so far as the balance of payments is concerned.

It is a very shortsighted policy on the part of the administration to ask private industry to stop its investments abroad while at the same time it asks Congress to make additional appropriations so that our Government can pour more money into governmental projects abroad. This is developing the socialistic scheme of government rather than the private enterprise system.

The President's proposed solution of our current gold problem and our balance-of-payments problem demonstrates again the Great Society's policy of too little too late.

There is no reason why the American dollar should not be the strongest currency in the world. It is not the strongest currency in the world, and it is in its present precarious position only because the administration does not recognize the drastic and hard steps that must be taken.

There are several essential steps that must be taken if we are to solve our gold problem. First, let us show the world that we can tighten our belt and can put our economy on an even keel.

To accomplish this we must reduce our commitments for continued heavy expenditures under foreign aid. Our Government can no longer play the part of Santa Claus for the whole world.

The administration should postpone any further tax reduction until we have brought our national budget under control and into balance. If we cannot live within our income now, when we are enjoying the highest level of prosperity in the history of the country, when will we really be able to do so?

No tax reduction which is financed 100 percent by borrowed money can be justified. This administration is projecting its deficits for years to come, and to advocate a tax reduction under such circumstances is merely charging today's expenses to our children.

Another step we must take is to postpone many of the pet programs and new projects of both the Congress and the executive branch.

Our Government can no more spend itself into prosperity on borrowed money than a drunkard can drink himself sober.

The fourth and equally important step that must be taken is that we must recognize that we must allow interest rates in this country to rise as they will in a free market and to seek a competitive level. Unless our interest rates are competitive with those presently prevailing in international banking circles free money will continue to flow overseas.

I do not care how much the President or anyone else in the administration talks about it. Money will go where it can be most profitably invested. Like water, it will seek its own level.

The insistence of the administration upon low interest rates in the face of deliberately planned deficits and a large deficit in the balance of payments is laying the groundwork for catastrophic results.

Mr. LAUSCHE. Mr. President, may I ask the Senator if it is not a fact that England, which had its problem with the pound several months ago, raised its interest rate from 5 to 7 percent, so as to attract our dollars and foreign currency?

Mr. WILLIAMS of Delaware. The Senator is correct. In addition to that, England did it so that it could induce its own money to stay at home, in England, rather than have it go abroad.

Certainly, no one likes to see interest rates raised. However, let us face the fact that if we continue to have these artificially low interest rates, as we have now, we will not be able to protect the American dollar. This will not be possible under a free economy.

If the administration is to boast of the low interest rates that it is providing for American business and American citizens it should say, "We are giving you low interest rates, but we will also take the responsibility for the inflation and any recession that follows."

Of course the administration's action can claim credit for the low interest rates. At the same time let the administration also take the responsibility for the inflation that will surely follow and the disastrous results that will come in a few months or in a few years.

Likewise, when interest rates do break through the artificial barrier, as they did in England, they will be even higher than would be necessary if action is taken now.

If the administration is to boast about what it is doing today, it should also be ready to take the responsibility for what will happen tomorrow as a result of its action.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Is it not a fact that a Labor government is now in power in England and that the forces supporting its activities demanded that it establish low interest rates so as to establish credit and thus develop the economy of England?

Mr. WILLIAMS of Delaware. The Senator is correct. The Labor government in control had made these promises. In England they have reached the point that we will someday reach unless we correct the situation. When England had its problems with respect to interest rates they had to raise the rate to 7 percent, and took other drastic steps in order to save the pound. I am not sure that they have fully solved their problems even now, but at least they are trying.

Mr. LAUSCHE. That is, it was not what they desired to do, but what they had to do in order to meet the problem.

Mr. WILLIAMS of Delaware. That is correct. There is one point that I wish to emphasize. I do not believe that the solution of the interest rate problem alone will solve our gold problem. I do not think anyone can say that balancing the budget will in itself solve the gold problem. I do not believe anyone can say that just solving our international balance-of-payments problem will solve the gold problem. We cannot consider any one of those factors by itself and say, "By correcting this problem we will solve the gold problem." All of those factors, related together, contribute to the problem. Unless we recognize that and take all the necessary steps—and they will be hard steps—to correct the situation we shall not solve our gold problems.

I believe we can solve this problem if we can summon the political courage to tell the American people that we must tighten our belts. The Government itself will have to do exactly what the Senator from Ohio, I, or anyone else would do as a father or the head of a family when our family finances are in bad shape.

If our personal financial structures were in such shape that we could not continue our current rate of spending we would have to call in our wives and children and tell them that we would have to do without a great many luxuries that we have been enjoying and that we would have to postpone the purchase of some items which perhaps had been considered necessities but the purchase of which could be postponed for a while in order to bring our personal financial structure under control. If we as families do not take such action we know that we shall end up in bankruptcy. If we as a government do not take such action we know that the Government, too, will ultimately end in bankruptcy.

Unfortunately, this administration has not begun to face the problem or to recognize the causes for our loss of gold. It would be well for every Member of the Congress to ask himself, "What am I going to do a few months or a few years from now when this $5 billion of gold reserve we would create here today is gone?"

What will we do when that time comes and we have no gold remaining?

Mr. LAUSCHE. I think we shall start to print money.

Mr. WILLIAMS of Delaware. I do not believe that we can say that a gold reserve in itself is the all-controlling factor. As I pointed out before, the one word "confidence" has more to it than the amount of gold in our vaults. The Senator from New York [Mr. JAVITS] yesterday advocated removal of the gold cover entirely. He did not think gold in itself could protect the currency. Sure we cannot eat gold. It is a symbol. We cannot eat dollar bills either, but as long as we have confidence in our Government and its fiscal policies, the dollar is sound. This loss of confidence in the fiscal integrity of our Government is what concerns me.

I remember that in the 1930's we saw some of the largest banks in our country close. All of our banks were closed, but many of them closed under an Executive order of the President. However, had President Roosevelt not issued that Executive order when he did in a very few days every bank in America would have been closed anyway. Why? Because the people had lost confidence in the banking structure. No one can tell what triggers such a loss of confidence. No one will be able to tell or foresee the future incident that may trigger a run on the American dollar. However, it is possible. We should face it and correct the situation before it happens.

We cannot overemphasize the fact that when real inflation occurs in any country—and France and Germany have experienced it—it is the aged and the workers of the country who are penalized the greatest. The very wealthy man who knows how to invest his money in fixed assets or inflation-proof assets, or perhaps sends his money into Switzerland or some other country, is not so greatly affected.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DOMINICK. Yesterday I had the privilege of putting into the RECORD the article by Dr. Karl Brandt to which I have referred. On pages 2851-2852 of the RECORD there appears the following statement of Dr. Brandt, which I submit in support of the Senator's position:

> If in a situation of near full employment the government at all levels, Federal, State, county, and municipal, piles purchases and publicly financed projects on top of the excessive demand in the market the scenery is set for the inflationary bust of the boom. Real wages decline invariably during the boom—because prices always rise faster than wages.
>
> This situation puts the first responsibility on the Federal Government, and beyond it on all government agencies. The classical and still the most reliable means to control inflation without the arbitrary brutality of national emergency measures that abolish freedom are fiscal and monetary policy. Tighter credit conditions, higher interest rates for short- and long-term loans, curtailment of all but the most vital public expenditures, enforcement of antimonopoly policies for all business, including cooperatives as well as labor unions, strengthening of competition, lowering of custom duties, countervailing power against unwarranted wage demands—all these are legitimate and effective measures to control inflation. Their success creates the economic climate in which increasing productivity, innovation, and investment cause economic growth by decentralized private decision making and enterprise, which in turn yield optimum employment opportunities.

Interestingly enough—and I believe the Senator from Delaware will be interested in this—Professor Brandt has actually been through the German inflationary situation that occurred after World War I. His family has also. They were almost completely wiped out. Then Professor Brandt was in France and the same thing happened to him there. Now he is in our country, and he is so concerned about the same thing happening here that he can hardly stand it. I have talked with him on several occasions in this way. He thinks we must do something. The point I am making is that inflation is the most dangerous situation that I can see facing our country at the present time, exclusive of an all-out war or something of that kind.

Mr. WILLIAMS of Delaware. I fully agree with the Senator from Colorado. For that reason I am pointing out my own position on the issue now. At the same time, I think we are in a position in which we have no alternative except to support the bill.

It should also be pointed out that the Senator from Virginia [Mr. ROBERTSON] who, as chairman of the committee, has reported this bill and has over the past years tried hard to solve the problem. No Member of Congress has fought harder over the years to correct the basic problem than has the Senator from Virginia.

But Congress as a whole, and in particular this administration, have failed to meet the situation. They are failing to meet it for political reasons. I am very much concerned that the administration's present policy of deliberately pumping additional billions of dollars every year into our economy through planned deficits is laying the groundwork for another national depression.

In the early 1930's we experienced what a depression can do to our country. Today we are seeing a repetition of some of the same excesses. We hear the loud boastings of men who declare that at last we have reached the Utopia where man can control the economy and prevent any future recessions. I remember those same statements being made in 1929; and we all know what happened at that time.

I agree that a properly planned program by the Government can help to minimize the recessions. But it is recognized that for such a program to be successful the administration must, during periods of high level prosperity, postpone many projects which are not immediately essential until the day of a recession, when they could then be put into effect as make-work jobs.

If we do that, the Government can help to minimize a recession. But we must skim some of it off at the top. We cannot pump it in at the top and at the same time expect to draw it off at the bottom. The present policy of the administration is to initiate new programs, expand old ones, cut taxes, and accept huge deficits as a part of a planned economy—all during a period of the country's greatest level of prosperity. The level of a valley can be raised by taking from the top of a hill, but the level of the valley is lowered when man insists on continually raising the level of the peaks. The administration should recognize that basic truth.

I say in conclusion that we should never forget that it is not the possession of gold alone that makes the American dollar strong. Gold is but a symbol of our strength. The real strength of our currency lies in the one word "confidence."

Unless international bankers, nations of the world, and its own people have confidence in the ability or determination of a nation to control its fiscal policies and live within its income there remains the threat of devaluation of their currency.

Unless we are willing to take the necessary steps later, to pass this bill today would in itself, alone, be nothing but the postponement of the day of reckoning. Congress, in the days and weeks to come, should recognize that this is but a part of the package and take the harsh, drastic steps that are necessary. I hope that the administration will support these measures to bring our budget under control. This is no time for political expediency.

We should correct the problem. Let us tell the American people the hard facts of life and protect our currency.

Mr. JAVITS. Mr. President, this discussion has developed into a full-blown economic debate, which is very useful. I should like, in a brief time, to make a statement which I believe is important in order to unravel many tangled skeins in the discussion on this bill before us.

First, I shall not present the amendment which I had intended to offer, which would have reduced the gold reserve against Federal Reserve notes in addition to eliminating the gold reserve requirement against deposit liabilities; not that I believe the amendment is not right, for I believe it is eminently right, and so does the Secretary of the Treasury, as evidenced from his testimony. But I believe the temper of the Senate, as is so clearly indicated now, is to support this particular measure—that is, to take the gold reserve off Federal Reserve deposits only.

I thoroughly agree with the distinguished Senator from Delaware [Mr. WILLIAMS] that we are not doing here today what needs to be done, desirable as it is, but are limiting our actions to this bill, although it is only a small part of the whole. I think it is necessary to serve notice on the administration as to what needs to be done. It is for that reason that I speak.

I hope very much, with all respect to the Senator from Ohio [Mr. LAUSCHE], that the Senate will not accept his proposal of a declaration of policy, which would be wrong and would be tying the Senate's hands to deal with a financial situation in the United States in the future. But that, again, I say, is not the key point I should like to make.

Rather, I wish to unravel the tangled skeins before us and to make the fundamental point that the administration is engaging solely in palliatives and is not getting to the main issue. The main issue: How does the United States remain as it is now, where it is the principal banker of the world, and how does it give to the financial situation of the world that leadership, direction, substance, and confidence which the world requires of its bankers?

The first point is that it is highly profitable to be the world's banker. We have the highest standard of living in the world. We produce 50 percent of the goods of the world. We have the largest export-import trade of the world. All of these are advantages. Also, it is a pleasant position in the world to have that currency which is the fundamental reserve of most of the treasuries of the world. It gives us great strength, resource, and power in the world. When our money is desired, we have the commensurate power to go with it, especially when it is desired by so many nations in so many places.

That is our fundamental mission. But we are not performing it.

The problem, as I see it, is divided into three parts: first, gold, which is what we are dealing with today; second, the U.S. balance of payments; third, international liquidity.

First, as to gold, let us understand that no American can get any of our gold. If we had a reserve of 25 percent, 15 percent, 30 percent, or 40 percent, no American could get any of the gold. That privilege was eliminated in 1933.

The only benefit of the gold we have on hand is to pay international balances, as the world is organized today, or to tie it up by self-imposed restrictions, such as legal gold reserves can create.

Second, an even more important restriction of gold is that we cannot expand our currency, not even to meet the legitimate needs of the country, because we have limited the expansion of the money supply by a fixed gold reserve requirement. Our gross national product has risen to $600 billion. We would like to see it soundly and effectively rise to $700 billion, $800 billion, or $900 billion.

Every time the gross national product rises, we have to have more currency. If there is a gold limitation on currency, something has to give somewhere. The answer is that that is exactly what has happened. The supply of Federal Reserve notes increased in 1962, 1963, and 1964 on an average of $2 billion a year. We have $1,073 million in gold now. Shortly we shall have to artificially restrain the economy of the United States because of the handcuffs we have put on ourselves of an arbitrary 25-percent reserve requirement against the currency alone. The answer is that we mistake what is a restraining factor on the size of the money supply in this country. The restraining factor is not gold. It cannot be. If it were, we would have to stop dead in our tracks within a year or so, in terms of the development and expansion of the United States.

The restraining factor is the Federal Reserve System. For some reason or other, it seems impossible to break through to so many sophisticated persons, many of them in this Chamber, as to what is the real meaning of the Federal Reserve System, one of the most extraordinary developments in the history of all mankind.

The Federal Reserve System domestically, as I understand—and I think I understand it—put in a word, is that it relates the creation of money and credit to the production of goods and services almost in an automatic way. It is the real security for all of our money and credit. So what secures Federal Reserve dollars is not the 25 percent of gold which is on deposit as a reserve against them. As I said before, in its most elementary form, that still leaves 75 percent of Federal Reserve notes and deposit liabilities unsecured. The Federal Reserve dollars are secured by the smokestacks, homes, roads, railroads, and the tremendous productive resources of the United States, resources which produce $600 billion-plus a year in gross national product. That is what we cannot tinker with. Gold is infinitesimal in the percentage of security.

So the only reason for gold is that it represents a fundamental base by which we satisfy international credit. All the gold we have is not enough to do that. The analogy of the bank is exact. Does one expect a depositor to have confidence in a bank whose assets are liquid or in a bank whose assets are frozen? That is what it comes down to. Our international creditors will have much more confidence in a bank whose assets are liquid. If we have gold and can use it, it is a much better bank than one whose gold cannot be used because it is tied up and controlled by law in such a way that it cannot be used to meet international balances.

Although I regard the bill as a partial measure, I think it is right. We should take some bite at the gold reserve requirement. That seems to me clearly the temper of the Senate. It is clear. We had better go forward with what we can do rather than strive to do what we cannot do.

The soundness of the U.S. balance-of-payments position is not reflected by the size of our gold reserves alone.

I, too, deprecate the fact that we have been running an international imbalance of payments for a long time. But that is very small potatoes compared with the economy and the power of the United States. The imbalance of payments is about $4 billion a year. Our exports and imports alone are about $36 billion a year. If we consider the situation rationally, we have nothing to fear for another few years, if we must carry an imbalance of that amount in our international account. This does not mean that we should not seek to do something about our imbalance of payments, but we should not do something about them in such a desperate way as to hurt us in all of our international activities responsibilities.

Therefore, I think that when the President of the United States cuts down the role of the United States by imposing restrictions on U.S. investment and lending overseas, this is regressing instead of going forward. I think that the way for us to balance the international account is to attract investment to the United States. The President has proposed legislation to provide more favorable tax treatment for such investment, perhaps even somewhat higher interest rates in order to attract investment here. But, more importantly, we can improve our balance of payments by improving the U.S. export-import balance. A $6 billion export surplus a year apparently is not enough to balance the outflows required to carry the international responsibilities of the United States.

The program that we ought to be undertaking is that of a massive trade drive to improve our international balance of payments through our trade surplus. That is the soundest and strongest way in which we can do it. In that way, we would continue all of the fruitful activities which develop investment, resources, and build up other countries, including our own. It would bring us back in dividends and interest far more than we would put out in export trade. Every time that we build a plant abroad, it means that it is manufacturing components to be shipped abroad. That gives the U.S. workers something to do.

We are much better off when we do not curtail our foreign aid, on which our country's security is so dependent. We are so much better off when we emphasize the positive and export more and import more, and raise our trade balance. That is the surest way in which to deal with our imbalance of trade.

The very thing that is bedeviling the world is this cross of gold on which our international payments is now nailed. Gold is being produced very inadequately in terms of world trade.

In a very important report of the Joint Economic Committee on the balance of payments, dated March 19, 1964, it is stated that in contrast with the 70 percent growth of free world exports from 1953 to 1962, the total new gold produced was only 29 percent of 1953 monetary gold reserves and official gold reserves increased only 16 percent.

The reason is that not enough gold is being mined in the world. What is providing the international liquidity to expand our world trade by 70 percent? The very imbalance in the international payments of the United States. This $3 to $4 billion a year represents the principal source of new world liquidity. Without it, we could have a very grave and serious panic and depression in the world. We would not have the credit to withstand this.

The third thing that the administration must address itself to is the creation of the basis for some form of a worldwide Federal Reserve system, probably run through the International Monetary Fund, to fill the "gap" in the world's liquidity needs. We happen to be running an imbalance in international payments. Right now the rest of the world is having its cake and eating it, too.

Countries such as Germany and other countries are better off because of this fact. The day that we stop running a balance-of-payments deficit, that day they are going to have serious problems. The way to prevent that is for the United States to call a well-prepared international monetary conference and substitute for the present international monetary system, which is living on our deficit, a more rational system which will base international credit on the basis of the production of goods and services, which is the basis of our Federal Reserve System.

It is within this context that today's action should be taken. This represents, in my judgment, the broad ambit, the broad range of the American economic responsibility and American prosperity in the role of the world. I believe that at the very least the administration bill ought to be passed, inadequate as it is, and that Congress should not shackle itself with any such declaration of policy as is asked for by the Senator from Ohio.

I think that the President should at long last come to grips fully, completely, and realistically with the leadership of the United States in the world economy and proceed along the lines that I have set forth.

If he does that, the United States will be more powerful and the free world will be more secure. We will have an infinitely better chance to beat the Communists than ever before. There is one sure way to beat the Communists, and that is to deliver, in an unparalleled way, the goods and services for which men the world over hunger. When we begin to do that, thereby showing the success of our system, we shall be on the road to what my friends of the extreme right like to call "that final victory."

Mr. ROBERTSON. Mr. President, with the hope that we may vote soon on the amendment of the Senator from Ohio, and then on passage, I shall be very brief.

I am of the opinion that the Lausche amendment should not pass. I am grateful for two splendid speeches, one by the Senator from Delaware [Mr. WILLIAMS] and the other by the Senator from New York [Mr. JAVITS].

First, I have already demonstrated that this is a stop gap. The real issue is the deficit in the balance of payments. Second, the Lausche amendment would not get us anywhere. The Senator from Ohio says that we must go on record, that we must keep $8.5 billion of gold behind our notes.

At the present time we have better than that. The foreign nations have $26 billion of claims against our gold. Suppose they demand that much. How could we keep $8.5 billion in gold behind our Federal Reserve notes and still be able to meet all these claims, if they are demanded all at once?

We have had the Federal Reserve Act on the statute books for 50 years. The Federal Reserve Board has had the power to take off the 25 percent requirements, which were previously set on both deposits and on Federal Reserve notes. They were removed on only three occasions. Two were immediately after World War I when we accumulated a lot of debt and were in trouble. The third was during the bank holiday in 1933. The Federal Reserve wants this gold coverage. They want the bill passed. The administration wants the bill, as we have it now.

Yesterday the distinguished Senator from Ohio voted for an amendment that would lower the reserve against our currency. He voted to take off 5 percent yesterday, in the amendment of the Senator from Colorado [Mr. DOMINICK]. Now he wants us to go along with an amendment which would provide that gold backing for our currency must be rigorously maintained.

That is the law now, and that is what this bill would continue, to all intents and purposes. The reserve requirement against currency must be strictly maintained.

Again, I thank the distinguished Senator from Delaware for saying that no Senator has done consistently more than I have done to try to prevent the very thing that has created this emergency.

We have had only three balanced budgets since World War II. We have disposed of money all over the world. Now it is coming back to us in the form of demands.

I am pleased when the Senator from New York [Mr. JAVITS] and the Senator from Delaware [Mr. WILLIAMS] say that they will vote for the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Ohio.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that the Senator from Tennessee [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], and the Senator from Rhode Island [Mr. PELL] are necessarily absent.

I further announce that, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Utah [Mr. MOSS] would each vote "nay."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Kansas [Mr. PEARSON]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from New York would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Idaho [Mr. JORDAN], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from California [Mr. KUCHEL] is absent on official busines.

The Senator from Kansas [Mr. PEARSON] is detained on official business.

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Kansas [Mr. PEARSON], is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 22, nays 58, as follows:

[No. 21 Leg.]

YEAS—22

Allott
Bartlett
Boggs
Carlson
Church
Cotton
Curtis
Dominick
Fannin
Gruening
Hickenlooper
Hruska
Lausche
Mundt
Murphy
Prouty
Scott
Simpson
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—58

Aiken
Bass
Bayh
Bennett
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Dirksen
Dodd
Douglas
Eastland
Ellender
Fong
Gore
Harris
Hart
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Nelson
Pastore
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—20

Anderson
Bible
Clark
Cooper
Ervin
Fulbright
Johnston
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Miller
Morton
Moss
Muskie
Neuberger
Pearson
Pell
Russell

So Mr. LAUSCHE'S amendments were rejected.

Mr. DOUGLAS and Mr. TOWER addressed the Chair.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from Illinois.

Mr. DOUGLAS. Mr. President——

Mr. MANSFIELD. How much time does the Senator from Illinois require?

Mr. DOUGLAS. Two minutes.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 minutes.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Will the Chair inform me what the terms of the time agreement are, and when it was entered into?

The PRESIDING OFFICER. The Senate is now working under an agreement providing 30 minutes on each amendment and 1 hour on the bill. The bill is now under consideration.

Mr. MORSE. I regret that I was engaged in official business in Mexico when this agreement was entered into. If I had been present in the Chamber, it would not have been entered into.

Mr. DOUGLAS. Mr. President, I regret that most of the discussion on the pending gold cover bill has been critical of the position recommended by the administration.

In my judgment, the administration is acting to strengthen the dollar in the one area where it might be weak; namely, the international claims on the dollar. Indeed in my opinion it would be better if the administration had gone further and had also requested removal of the 25-percent reserve on Federal Reserve notes also. But certainly we should not weaken the position of the administration.

In conjunction with the Senator from Wisconsin [Mr. PROXMIRE] and the Senator from Minnesota [Mr. MONDALE], I presented supplemental views in the committee report on this bill documenting the case for the full removal of the gold cover rather than the bill before us which would only remove the gold cover on Federal Reserve deposits.

In order to expedite the pending bill I did not offer an amendment to completely remove the gold cover. If I had done so I feel confident that there would have been substantial support for that amendment, although it, in all probability would not have passed at this time.

However, to keep the legislative history on this bill in perspective, I think it would be helpful to include in the Record the case which some of us made in the committee report for the total repeal of the gold cover.

I ask unanimous consent that the supplemental views to the committee report on the gold cover bill may be printed at this point in the Record.

There being no objection, the supplemental views were ordered to be printed in the Record, as follows:

The Time Has Come To Eliminate Our Gold Reserve Requirements

Supplemental views of Senators Paul H. Douglas, William Proxmire, and Walter F. Mondale on H.R. 3818, gold reserve requirements

I

The administration has ably demonstrated the need for changing the existing gold reserve requirement. Secretary Dillon has testified that "* * * the present operating margin of so-called free gold over and above existing requirements is already relatively small. The normal growth of our domestic money supply will exhaust this margin within a year or two, even without the outflow of a single ounce of gold."

However, we do not believe that the administration's proposal goes far enough, for it would continue the 25 percent requirement against Federal Reserve notes and eliminate the requirement only on Federal Reserve deposits. The administration's proposal would thus free only $4.9 billion of gold, while maintaining $8.7 billion as required reserves. This $4.9 billion of newly freed gold, added to the $1.2 billion of free reserves as of February 3, 1965, would give us only $6.1 billion of free gold, an amount which we regard as inadequate in view of foreseeable needs.

II

We have to face the facts as they are—not as we might wish them to be. A few simple calculations show that, under the administration proposal, even $6.1 billion of free gold would be used up within a short period of time, given reasonable probabilities with respect to domestic and international conditions. First, we are gradually retiring the Treasury's silver certificates and replacing them with Federal Reserve notes. This process of replacement began slowly in November 1961 and moved quickly, beginning in June 1963 when the Federal Reserve was authorized for the first time to issue $1 notes. Even if there is some slowdown in the current rate of silver certificate retirement—now about $100 million per month—the total of $1.2 billion of silver certificates still circulating at the end of 1964 will probably be down to a few hundred million within 3 years, and perhaps even less.

Quite aside from the increase in Federal Reserve notes to replace silver certificates, the supply of such notes has risen rapidly in recent years to meet the needs of our expanding economy. Not counting Federal Reserve notes that replaced silver certificates, the increase was $1.8 billion in 1964, $2.1 billion in 1963, and $1.2 billion in 1962. In the past 3 years, consequently, almost $1.3 billion of gold was absorbed into required reserves. In all probability, our economy will continue to require additions to the circulating medium of roughly the same magnitudes as in the recent past.

Finally, we are likely to lose more gold from our monetary stocks. Industrial and artistic uses alone will be a significant drain. Secretary Dillon testified that these caused $89 million of the $125 million loss our gold reserves suffered in 1964. We see no reason to expect a decline in these uses of gold. And the United States should not count on the persistence of the exceptionally small volume of gold sales to foreign monetary authorities. In 1964, our gold sales were almost completely offset by exceptionally large gold purchases, mostly because of Russian gold sales to pay for wheat, and to some extent because Italy and the United Kingdom needed to buy dollars. These conditions cannot be counted on to recur to the same degree. France has already announced that she will convert all of her additional dollar earnings into our gold—this might well amount to $500 million in 1965—and made a much publicized gold purchase in January of $150 million from her past dollar accumulations. Spain has stepped up its conversion of dollars into gold.

III

President de Gaulle's proposal to return to the pre-World War I gold standard would, of course, constitute a major threat to our entire gold reserve. This proposal cannot be taken seriously, but there have already been ominous repercussions. Germany's Dr. Hermann Abs, an adviser to Chancellor Erhard, is reported to have urged Germany to convert part of her dollar holdings into gold.

Secretary Dillon has suggested that, once our balance of payments is brought into satisfactory equilibrium, we can expect our official gold reserves to acquire a substantial part of newly mined gold each year and possibly some gold from the reserves of other countries. We hope that this may come about. But at this point there are no strong grounds for expecting our gold reserves to grow. On the contrary, the likelihood is still in the other direction. Policymakers should base their decisions not on what conceivably might happen, but on what is most likely to occur.

Taking these three factors into account—the retirement of silver certificates, the continuing expansion in the supply of Federal Reserve notes, and some further gold losses—it seems to us that it would only be 4 to 6 years before the United States exhausts the $4.9 billion of new "free" gold reserves which the administration proposal would create. In 4 to 6 years, then, we may very well be in the same position with respect to free gold reserves as we are today.

It would be better to eliminate the gold reserve requirement altogether. Secretary Dillon testified that "* * * from a strictly financial point of view it would be perfectly proper to go all the way and remove the entire requirement." He agreed that, "financially and economically," a gold reserve requirement against notes is just as anachronistic as such a requirement against deposits. But he said that psychological considerations persuaded the administration to propose only a partial measure. There are apparently some people who would be disturbed if we had no domestic gold reserve requirement. Mr. Dillion stated that "* * * our only reason for not asking that it (the requirement against notes) be done away with is that we feel this is an important factor."

The irrationality of a gold reserve requirement against domestic money has been apparent for a long time. Mr. Dillon, himself, cited the 1913 report of the House Banking and Currency Committee on "Changes in the Banking and Currency System of the United States," which stated:

"In a general way the committee believes that requirement of a fixed reserve is not a wise or desirable thing as viewed in the light of scientific banking principle. It believes, however, that in a country accustomed to fixed reserve requirements the prescription of a minimum reserve may have a beneficial effect."

Secretary Dillon went on to say:

"The current gold cover requirement is an outgrowth of a much earlier period in our monetary history, and can be fully understood only in the context of circumstances that have long since vanished."

Until 1933 private persons could redeem bank notes in gold, and gold circulated as domestic currency. A gold reserve requirement served to assure the public that paper currency could always be converted into gold on demand. Since 1933, however, gold has been taken out of circulation as domestic money, and it is illegal for residents to buy or hold it except for use in industry or the arts. Today, monetary gold has only one function—to settle balances in international payments. We believe that we should make all of our gold stock available for this purpose—not just a part of it.

IV

We should not accept the idea that, because some people hold traditional and irrational ideas, public policy should be based on such ideas. We should try to transform irrational tradition into rational practice, and not continuously accede to irrationality. Those who make public policy have responsibility for leadership. Our Nation is best served if policy is aimed at the level of our most enlightened citizens, not our least enlightened.

In our opinion, the administration has exaggerated the psychological problems of eliminating the gold reserve requirement. We believe that most people can understand the issues and reach sound conclusions. Certainly, many distinguished business leaders have argued for the complete elimination of the gold reserve requirement. No complete listing is possible here, but a few should be mentioned.

The 1961 report of the Commission on Money and Credit stated that:

"The commission believes that the threat of a confidence crisis would be greatly reduced if it were generally recognized, both here and abroad, that all of the U.S. gold is available to meet our international obligations. Any doubts about the U.S. policy should be removed by elimination of the gold reserve requirement at the earliest convenient moment so that all of the U.S. gold stock is available for international settlements."

The influential Committee for Economic Development, in its report, "The International Position of the Dollar," recommended that:

"The requirement that Federal Reserve banks maintain gold holdings equal to 25 percent of their note and deposit liabilities should be abolished. There should be no doubt as to the availability of the total U.S. gold stock to meet international claims."

In his testimony before our committee Mr. Frazar B. Wilde, chairman of the board of trustees of the Committee for Economic Development, again emphasized this recommendation and urged the committee to adopt the substance of the Douglas bill (S. 743). Referring to the administration proposal, he said:

"Certainly, this is better than nothing. But I must admit that the logic of keeping the reserve requirement against notes—the largest element in our hand-to-hand currency—baffles me, as I think it will baffle many other people. Does it mean that the $8.5 billion of gold required to be held as reserve against notes will be less available for use than the reserves held against deposits were?"

"This would be an unfortunate impression to leave. Is the remaining requirement intended to restrain further growth of the money supply? Retention of the requirement against Federal Reserve notes, which constitute about 20 percent of the total of currency and demand deposits, will hardly have that effect. * * *

"The gold reserve requirement is contrary to our external and internal policies. Let us not delude ourselves by thinking that is a substitute for good sense, self-restraint, and strength in managing our monetary and fiscal affairs."

The men of the CED and the Commission on Money and Credit are certainly not in league with the forces of disorder or anarchy. In fact, they include many of the most distinguished leaders of our country's business and financial communities. A list of the members of these organizations who have supported the elimination of the gold reserve requirement can be found in the printed record of the hearings.

V

Numerous bankers have favored eliminating the gold reserve requirement. Prominent among these is Mr. Jesse W. Tapp, chairman of the board of the Bank of America. In a letter to Senator Douglas dated December 26, 1963, Mr. Tapp stated that:

"The 25-percent gold-reserve requirement poses problems for the full execution of U.S. policy at home and abroad. Speculation against the dollar is fed by the illusion that the United States is running out of gold. This false view is engendered by the legal requirement apparently impounding some $12 billion of our gold reserve at the present time (December 1963). Such speculation leads directly to losses of gold from the Treasury's stock, and also tends to worsen our balance-of-payments position."

We believe that the logic of the administration's proposal argues for full rather than partial removal of the gold reserve requirement. In his testimony before our committee, Mr. William McChesney Martin stated that:

"The all-important need for legislation at this juncture is to assure the world that U.S. monetary gold is always available to maintain the convertibility of the dollar and that the United States will honor its debts and liabilities in the form of foreign dollar holdings—as I have said many times before—down through the last bar of gold, if that be necessary."

If we really want to assure others that the United States will put the last bar of gold on the line if that be necessary to defend the dollar, then we should do away with any legal requirement that limits the availability of gold for international purposes.

VI

Some observers advocate maintaining a gold reserve requirement because they feel that only in this way can the Federal Government be made to achieve equilibrium in the balance of payments and be prevented from following inflationary policies. These observers are incorrect, both on the facts and on the principle.

The facts are that most of the world's leading industrial countries are in a strong financial position—some of them are enjoying balance-of-payments surpluses—even though most have no legal reserve requirement against their note and deposit liabilities. France, which now wants to return to the 19th century gold standard and which has a balance-of-payments surplus, has no domestic gold reserve requirement. The same is true for Germany, whose postwar growth exceeded all expectations. Secretary Dillon testified that:

"It is worth emphasizing that almost all industrially important foreign countries have long since abandoned any rigid tie between their gold holdings and the domestic monetary system. One relatively small country—Belgium—fixes a minimum legal ratio between gold and central bank note and deposit liabilities. One other country—Switzerland—has retained a link to the not issue (as would S. 797), but it has no requirement against other central bank liabilities. In the Netherlands, the comparable reserve requirement can be met by holdings of foreign exchange as well as gold. South Africa, which accounts for 70 percent of the free-world production of gold, also, and understandably, has a gold reserve requirement very similar to our own present requirement. In every other instance, among the leading financial powers of the free world, gold holdings are unequivocally available for international use."

The facts of the "economic miracle" of Europe clearly show that gold reserve requirements are not essential as protection against government excesses and inflation.

Tying money to gold never worked as well as the present advocates of "gold rules" would have us believe. In his book, "Money, Debt, and Economic Activity," Prof. A. G. Hart wrote:

"Historically, the record of the gold standard is not too bright. During the heyday of the gold standard, we enjoyed the great depression of the 1890's (when the downward drag upon prices was quite reasonably interpreted as the result of the gold stock's growing too slowly to match the growth of population and production). We had the rather serious creeping inflation of 1899–1913; we had the financial crises of 1883, 1893, 1904, and 1907. During the period of attempted restoration (1925–31), we witnessed serious chronic unemployment in Great Britain and in Germany, the American stock-market boom and crash of the 1920's and the recession beginning in 1929—which, by the time the international gold-standard arrangements broke down in 1931, had produced mass unemployment in every major country. On the record, the gold standard did not prevent prosperities from collapsing. Study of the annals will show also that it did not prevent the adoption in recession of policies which were calculated to make a bad matter worse."

The "grandeur of the gold standard," which seems to have captivated General de Gaulle, thus appears to be largely a myth.

In principle, too, a gold reserve requirement is undesirable. Mr. Jesse W. Tapp further stated in his letter that:

"The international movement of gold is not the proper determinant of the money supply of a nation. That money supply, of course, should be held in check if inflation threatens, but gold movements constitute neither a faithful mirror of inflation nor the most effective bulwark against it. What is important is that the monetary authorities under all circumstances be permitted ample scope for flexible administration of the money supply, and not be bound by a rigid limiting formula which would potentially subject our internal economy to stresses and strains engendered by sporadic flights of gold."

In addition, Secretary Dillon said before our committee that:

"I believe the record of the past half century makes it amply clear that the provision of Federal Reserve credit, and the associated increase in its note and deposit liabilities, has, quite properly, been related to the needs of the economy rather than to the reserve requirements specified by law.

"During the first two decades of the Federal Reserve System, when our currency was still redeemable in gold domestically, the level of Federal Reserve bank deposits and currency typically fluctuated far below the limits set by the gold reserve requirements. * * *

"Toward the end of World War II, there was concern that the vast expansion of money and credit required by wartime financing might exhaust the 'free gold' held in excess of legal requirements, thus hampering the war effort.

"Congress consequently reduced the reserve requirements set by the original Federal Reserve Act to the present uniform requirement of 25 percent in gold against both notes and deposits. As it turned out, of course, the war was soon over, and the actual ratio remained over 40 percent until 1959. This experience clearly demonstrates that the release of gold from the legal requirement in excess of the needs that actually materialized did not become a basis for an unwarranted expansion in Federal Reserve credit.

"Today, the strong probability that the present margin of gold over the 25-percent requirement will be exhausted within a relatively short time no more indicates a need for domestic monetary restriction than the existence of a wide margin of 'free gold' in the past provided a useful signal or excuse for monetary expansion. The fact is that the Federal Reserve, in discharging the fundamental responsibility delegated to it by the Congress for regulating the supply of money and credit in accord with the needs of the economy, must not be constricted by an arbitrary formula designed for another time."

It seems to us, therefore, that we should eliminate the gold reserve requirement, not just tamper with it. The United States is a mature nation, and we should, in the words of our colleague, Senator Fulbright, reject old myths and live by present realities.

VII

In summary, the Congress should eliminate, rather than partially remove, the existing gold reserve requirements because:

1. Under present and foreseeable conditions, the gold reserves freed by the administration proposal would probably be exhausted within 4 to 6 years, too short a period to justify the administration's limited measure.

2. A gold reserve requirement was relevant in earlier times when gold circulated as money, but is no longer appropriate in the domestic monetary system of today.

3. The international position of the dollar would be stronger if all, rather than only a part, of the U.S. gold stock were unequivocally made available for international settlements and the defense of the dollar.

4. Both in practice and in principle, gold reserve requirements are not desirable as devices for limiting domestic monetary policy. Such policy should be related to the needs of the economy rather than to an arbitrary formula tied to gold.

VIII

Of course, no change in the gold reserve requirements will solve our balance-of-payments problem. This is the issue which must now command our most urgent attention.

The United States carried the principal burden of rebuilding the free world after the Second World War. It has done more than any other nation in the common defense against aggression, and in providing economic assistance to the less developed countries. Its private capital has promoted economic growth throughout the free world.

In the process, the United States supplied the world with dollars which provided the liquidity necessary for expanding world trade. But providing this liquidity through our balance-of-payments deficits, while beneficial to the world as a whole, has increasingly caused difficulties for the United States and the dollar. Our liquid liabilities to foreigners have grown, and our international reserves, principally gold, have declined.

This cannot be permitted to continue. We must strengthen the international position of the dollar. Our international payments deficits must be corrected. We cannot overstress these points.

At the same time, we must explore reforms in the international payments system. If international liquidity is no longer to be increased by an outflow of dollars, new means for providing such liquidity must be devised. The London Economist, in a recent article

(p. 567, issue of Feb. 6), on the current international payments situation pointed out:

"An extraordinary position has now been reached in the international monetary debate. Much more quickly than nearly everyone expected, there is now fairly general agreement among officials about the long-term weaknesses of the present payments system, and the need for new institutional innovations."

We must work toward a system in which the benefits and burdens of international liquidity are shared more equitably. We must devise a new international payments mechanism that would relieve the burden which the dollar now carries as a "key" currency, and which would permit adequate liquidity to finance increasing world trade and investment.

The **PRESIDING OFFICER**. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

Mr. **MANSFIELD**. Mr. President, I yield 2 minutes on the bill to the Senator from Texas.

Mr. **TOWER**. Mr. President, I will support H.R. 3818, for the elimination of the gold-reserve requirement maintained under present law by Federal Reserve banks, though I wish to make it clear that I am not in agreement with administration policies which have made the passage of this bill a necessity.

The resulting $5 billion in gold which the enactment of this legislation will make available is necessary in order to make possible an expanded money supply, required by our growing economy, and, most importantly, to make crystal clear this Nation's intentions to meet our international commitment to redeem dollars for gold, at the established price of $35 per ounce.

The value of our dollar must be kept internationally strong. To accomplish this, gold in a sufficient amount must be readily available to meet conversion demands. Our present stocks of free gold, as we know, and as other countries know, will not guarantee such availability but for a brief period.

The primary reason this bill has my support is to extend to the administration additional time in which to take steps to solve our present and increasing balance-of-payments problems. These problems cannot be put off any longer; the administration must rise to the occasion here and now to solve them.

The administration must initiate measures to discipline and insure balancing of our international expenses and receipts. Our fiscal policies must be changed to further avert additional deficit spending.

There is nothing in the present bill which increases the competitiveness of our goods in the world market. There is nothing in H.R. 3818 to persuade or give encouragement to other nations to take upon themselves additional responsibility for defense of the free world and for aid to underdeveloped countries. The present bill will certainly do nothing, as supplemental views in the Senate committee report on H.R. 3818 point out, to remove artificial barriers to the increased value of our products in foreign countries.

Also, the administration should try to make continued efforts to convince other countries, which enjoy a surplus financial position, to initiate policies that would open their capital markets, which in turn would relieve considerable pressure on our outflow of investment capital.

What I wish to emphasize, Mr. President, is that H.R. 3818 does absolutely nothing to solve the problem; it merely gives some time to the administration to correct it.

The present imbalance has risen in spite of increasing exports by the private sector of our economy. Last year, for example, our trade surplus of exports over imports was about $6 billion, but, of course, this was not sufficient to offset defense expenditures, foreign aid, and capital investments.

Mr. President, the answer does not lie in additional Government control of the private sector of our economy, which has so well provided us with a surplus in our international balance of trade.

There are several positive and desirable steps recommended in supplemental views on H.R. 3818, signed by myself and Senators Bennett and Thurmond. I ask unanimous consent they be inserted in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Positive Steps To Help Solve Balance-of-Payments Problem

1. Exports should receive encouragement through Federal policies.

2. Pressure should be exerted by the United States to persuade the reduction of both tariff and nontariff barriers to the sale of U.S. goods and services abroad.

3. If other nations do not reduce their restrictions to our goods and services, it may be necessary to impose balancing or equalizing restrictions or quotas on imports. Necessity for this action would be unfortunate.

4. The price level of American goods and services must remain competitive in world markets.

5. To this end, wage increases must remain within the increase in productivity.

6. Profit potential in the United States must be made equally as attractive as it is in other countries, so that capital will remain in this country for investment.

7. Other countries, particularly those that are developed and are now showing a surplus in their international accounts must be persuaded to accept a greater part of the free world defense burden.

8. Measures should be taken to encourage foreign investment in U.S. securities.

9. Foreign aid programs need overhaul and reduction.

10. Tourist travel in the United States, by both U.S. citizens and foreigners, should be encouraged.

11. The administration and the Congress must support sound internal fiscal and monetary policies which would encourage and enhance confidence in the dollar both at home and abroad. To this end monetary policies and interest rates should be flexibly adjusted to the realities of competitive conditions in world money and capital markets.

Mr. **TOWER**. Mr. President, I was, of course, pleased to see some of these proposals embodied in the President's recent message on the balance-of-payments deficit. I am hopeful that the administration will indeed put forth a real and lasting effort to solve the problems which make this bill a must.

Mr. **MANSFIELD**. I yield 1 minute to the Senator from Indiana.

Mr. **HARTKE**. Mr. President, I believe that the views of one of the outstanding economists of our time are very important in connection with this debate. Therefore, I ask unanimous consent that there be printed at this point in the Record an article entitled "Gold Alarm-Ringers May Be on Thin Ice." The article was written by Eliot Janeway and was published on January 15, 1965, in the Chicago Tribune.

There being no objection, the article was ordered to be printed in the Record, as follows:

Gold Alarm-Ringers May Be on Thin Ice

(By Eliot Janeway)

New York, January 13.—Historically, when gold has become an issue in the headlines, it's been cause for alarm. The present outbreak of argufying about gold may represent a break with this dismal pattern. We may be witnessing the first great debate about gold to presage a new era of prosperity, instead of a money crisis.

Money trouble always gives rise to new theories and to old fears. The oldest fear of all is that, in time of financial trouble, bad money will drive out good; and that, in the end, when everything finally hits bottom, gold will drive out paper. During the last few years, while the present financial crisis in Britain has been coming to a head, this classic cycle of fear and foredooming has been coming to a head, too.

BENEFICIAL BYPRODUCT

In fact, however, the tussle between the gold bugs and the defenders of the pound sterling is having at least one beneficial, byproduct effect—as an offset, for example, to the depressing shock it has been administering to stock markets and to financial forecasts all over the free world. For it is precipitating a belated solution to the problem left in suspense at the climax of the last gold crisis, a generation ago.

Back in the 1930's, when the new Roosevelt administration raised the price of gold to $35 an ounce, the test was whether any governmental action would result in a man being put back to work, or a price stabilized, or a bankruptcy averted.

Where we wound up was in a half-way house—neither on the classic gold standard, nor all the way off it [as advocated by the newer generation of paper-money theorists]. The new setup created by Roosevelt was referred to, while it was still news, as a gold-reserve standard.

BANK NOTES COVERED

The way it worked was that a percentage of the domestic bank notes in circulation was, theoretically, covered by a gold reserve. At the same time, however, to head off any resumption of the depression run on the banks, this gold reserve was frozen into one officially controlled hoard; so that no U.S. citizens could legally own gold.

However short of a definitive solution this essay in opportunism may have been, it was a compromise which worked [if only because the crisis had about spent its force, and the economy was about to stagger to its feet]. We haven't been under pressure to think about monetary fundamentals since.

But now the dollar has taken over from the pound sterling as the world's No. 1 international currency. Even if the money we are advancing to stave off a devaluation for sterling should prove well spent, this trend is bound to continue. This means that it's high time we got on with the unfinished business left over from the bankruptcy and bank-run crisis of the 1930's.

NO GOOD FROZEN

Our domestic gold reserve isn't doing any good for the dollar, or for the booming economy of the free world, frozen as it is in the icebox legislated in the mid-1930's. It certainly plays no part in the passing of money for hamburgers or houses; our business runs on paper [whether it's checks or greenbacks]. In the modern structure of finance, the only function left for gold is international, as a basis for settlement between central banks.

As long as the dollar remains frozen in the obsolete domestic gold reserve legislated a generation ago, it won't be free for this use, which is demanded by the new international role of the dollar.

We have $12 billion of financial muscle that isn't being used, and isn't needed at home. But it is needed to support the world's work that the dollar is being called on to do. Mobilizing it to create a new international liquidity base may well free the boom from the danger of a money squeeze, and give it a new lease on life.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The bill having been read the third time the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], and the Senator from Rhode Island [Mr. PELL] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Rhode Island [Mr. PELL] would each vote "yea."

Mr. DIRKSEN. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Idaho [Mr. JORDAN], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from California [Mr. KUCHEL] is absent on official business.

If present and voting, the Senator from California [Mr. KUCHEL], the Senator from Iowa [Mr. MILLER], and the Senator from Kentucky [Mr. MORTON], would each vote "yea."

On this vote, the Senator from Kentucky [Mr. COOPER], is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Idaho would vote "nay."

The result was announced—yeas 74, nays 7, as follows:

[No. 22 Leg.]

YEAS—74

Aiken
Bass
Bayh
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dirksen
Dodd
Douglas
Ellender
Fannin
Fong
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Mundt
Murphy
Nelson
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N Dak.
Young, Ohio

NAYS—7

Allott
Bartlett
Church
Cotton
Dominick
Eastland
Gruening

NOT VOTING—19

Anderson
Bible
Clark
Cooper
Ervin
Fulbright
Johnston
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Miller
Morton
Moss
Muskie
Neuberger
Pell
Russell

So the bill (H.R. 3818) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PRESIDENTIAL AND VICE PRESIDENTIAL SUCCESSION—PRESIDENTIAL DISABILITY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 62, Senate Joint Resolution 1.

The PRESIDING OFFICER. The Senate joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the joint resolution, which had been reported from the Committee on the Judiciary with amendments.

Mr. SMATHERS. Mr. President, a proposal such as Senate Joint Resolution 1 may not have been needed when the Founding Fathers drafted the Constitution. It may not have been needed in 1877, when the Nation foundered in confusion over the question of whether Samuel J. Tilden had a just claim on the Presidency. It may not have been needed during the 80 days when President Garfield lay helpless and dying from an assassin's bullet. And perhaps it was not needed during the trying 16 months in which President Wilson was virtually unable to perform the functions of his office.

But today, Mr. President, we are living in a nuclear age—an age filled with promise, but fraught with danger. This generation of American people and our generations yet unborn cannot afford, for the safety of this Nation and the world, to be even for a moment without a Chief Executive of sound mind and body.

Senate Joint Resolution 1, by providing a means by which we shall always have a Vice President, and by giving us a formula by which the Vice President may act as President in certain circumstances, would provide for the smooth transition of executive authority, even if this Nation should have to undergo the terrible tragedy of losing a President and Vice President within the same 4-year term of office.

For the better part of the 176 years since the Constitution was adopted, Congress has been unable to agree to a proposal which would fill vacancies in the office of Vice President and which would provide a formula for determining Presidential inability. Throughout this period, we have been conscious of the need for something to be done. Now we are on the threshold of doing it, for now we have a proposal that is the work of many men who have labored for many months.

They developed a consensus—each one participating in legislative give-and-take, no one demanding pride of authorship. They developed a proposal which the Senate approved, in substance, by a vote of 65 to 0 in the 88th Congress. They developed a proposal to which 77 Senators have attached their names in this Congress. They developed a proposal which is reasonable, workable, and flexible. It does not pretend to meet all contingencies; but it is drawn with broad brush strokes, so as to enable future American leaders to deal with contingencies which we perhaps are unable to foresee.

Mr. President, I know that all Members of this body and the American people are deeply and seriously interested in this proposal.

I know that several 11th-hour proposals were submitted in the greatest of sincerity. Some have suggested that we not attempt to amend the Constitution, but simply pass a statute to deal with these grave problems. Yet the present Attorney General of the United States and the previous three Attorney Generals have all stated emphatically that a Constitutional amendment is required in order to solve these problems. All of us can well imagine how, at a time when the physical or mental ability of the President to perform his duties was in question, a simple statute, subjected to widespread and serious challenge, could well plunge the Nation into chaos. Even if there is the slightest question, Mr. President, it would be well for us to take no chances. It would be well for us to amend the Constitution—not in an effort to revise it, but in order to remedy an obvious defect.

Others have suggested that we make no effort to specify a formula under which the President could be declared unable to perform his duties. They suggest an amendment which would simply allow Congress to pass laws on Presidential inability. There are several weaknesses to this proposal. First, I remind my colleagues that in 1933, a constitutional amendment was ratified. This 20th amendment, among other things, authorized Congress to pass laws to provide for the contingency that both the President-elect and Vice-President-elect might not qualify for office. Thirty-two years have gone by, Mr. President; and not only has Congress not passed such a law, but none has been given serious consideration.

More important, Mr. President, is the danger inherent in such a blank-check approach to the problems with which we are dealing today. Imagine, if you will, what President Andrew Johnson's hostile Congress might have done with the blank-check authority to pass laws on how the President would be declared disabled. Even if the President had vetoed such a bill, a two-thirds vote to override the veto could have been mustered on the subterfuge that Congress was not trying to get rid of the President, but merely was trying to provide for the contingency that he might be disabled at some time in the future.

Senate Joint Resolution 1 provides amply for the protection of the President from would-be usurpers. Even if the Vice President and the President's own Cabinet should conspire to unseat the Chief Executive, the conspirators would still need to win over two-thirds of both Houses of Congress.

The proposal before us leaves the decision on inability in the hands of the executive branch of Government. Only when the President, on the one hand, and the Vice President, with the support of a majority of the Cabinet, on the other, disputed the President's ability to perform, would Congress come into the picture, to settle the question. The blank-check approach could well open the door to clear infringement by the legislative branch on the prerogatives of the executive branch.

We must jealously guard our traditional separation of powers, for it has given this Nation checks and balances so effective as to enable it always to move forward, but with reason and moderation.

Finally, Mr. President, the blank-check approach, I am afraid, would meet with great disfavor among the several States that must ratify our action before it can become a part of the bedrock law of our land. In our form of government, certain rights are reserved to the States. I firmly believe that our States would object, and properly so, to any constitutional amendment which would hand over to Congress the right to change the law any time it chose, on a matter as grave as that of who is to lead our Nation in this perilous period. The States will demand, and properly so, constitutional language that makes clear the path which must be followed if there is a vacancy in the office of Vice President and if a President is temporarily struck down by severe illness or—and we must frankly face this terrible prospect—by the bullet of a would-be assassin.

We have traveled a long road toward the realization of a proposal such as the one before us. We are close to seeing it enacted. Let us not now shrink from meeting our responsibility.

LEGISLATIVE PROGRAM AND ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, I should like to query the distinguished majority leader about the program for tomorrow, the possibility of any voting, and the prospect of Senate Joint Resolution 1 going over until next week, if necessary, because of the intervention of Washington's Birthday on Monday.

Mr. MANSFIELD. Mr. President, first, I ask unanimous consent that when the Senate completes its business this evening, it stand in adjournment until 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. In response to the question raised by the distinguished minority leader, the leadership hopes, with the Senate concurring, that the Senate joint resolution will be disposed of tomorrow. If it is not, it will have to go over. I understand that at least two, possibly three, amendments will be offered to the joint resolution. I do not know how much time consideration of those amendments will take, but that is the best I can say at the moment. There has been a unanimous-consent agreement in relation to referral of a bill. In addition, some nominations will be considered.

Mr. DIRKSEN. The distinguished Senator from Michigan [Mr. Hart] is present in the Chamber. I should like to inquire of him how long he will take to discuss the referral proposal.

Mr. HART. I anticipate that I shall need only a very few minutes.

Mr. DIRKSEN. Then there will be only limited discussion on our part. We might be able to dispose of that question in 30 minutes.

Mr. HART. I am sure that that is possible.

OPPOSITION TO PROPOSED CUTS IN SCS TECHNICAL ASSISTANCE PROGRAM AND LEGISLATION TO FINANCE COSTS BY A USER CHARGE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record at this point the letter which I addressed on February 17 to the Honorable James O. Eastland, chairman, Subcommittee on Soil Conservation and Forestry, Committee on Agriculture and Forestry, discussing my opposition to any reductions in appropriation of Federal funds for the technical assistance program provided by the U.S. Department of Agriculture Soil Conservation Service, and stating opposition, also, to the enactment of any legislation to finance part of the cost of this Service by a user charge. The enactment of such legislation was included in the recommendations submitted in the fiscal year 1966 Presidential budget.

There being no objection, the letter was ordered to be printed in the Record, as follows:

February 17, 1965.

Hon. James O. Eastland,
Chairman, Subcommittee on Soil Conservation and Forestry, Committee on Agriculture and Forestry, U.S. Senate, Washington, D.C.

Dear Senator Eastland: Included in the recommendations submitted in the President's budget for fiscal year 1966, under the Soil Conservation Service program providing technical assistance to aid farmers in installing conservation practices on their farms, is the enactment of legislation to finance part of the cost of certain of these services by a user charge, with collections of $20 million estimated for 1966.

If the authorizing legislation is passed by the Congress, and if congressional committees, and subsequently the Congress, act to support this budgetary proposal, this will reduce Federal funds for SCS technical assistance by $20 million for 1966 with similar reductions to follow in fiscal years thereafter.

I wish to state my opposition to this recommended reduction in soil conservation funds and to express my belief that the savings to the Federal Government are totally disproportionate as compared to the damage to the country which will result from the emasculation of this valuable technical assistance program.

If a user charge system is inaugurated, I believe that needed improvements to land will be halted; that permanent land treatment practices will not be maintained; that the gradual slowing of demand for technical aid and assistance service from SCS technicians will result in a workload reduction that will in turn result in the exodus of valuable technicians from SCS.

In short, I feel that a technical assistance program based on fee for service, and the installation of a public enterprise revolving fund, will simply result in soil conservation districts and individual landowners not participating in conservation practices, because many of the present participants actually do not have the money to help defray the costs nor the means to raise such funds. Most probably those persons in areas most needing technical assistance in increasing productivity and fertility of the soil, in converting marginal and submarginal lands to grassland farming, reforestation, forest management, creation of wildlife habitat, and development of recreational facilities, are least able to afford to pay for such assistance.

In my own State of West Virginia, soil conservation methods are desperately needed and more particularly effective in application, partially because of the hilly terrain. Many of the people of the State, living in a depressed economy, need help in establishing conservation practices, and a loss of Federal support of the technical assistance program will have most deleterious consequences for them. Such results are certainly not consistent with the stated purposes of the President's program to raise the economic level of the Appalachian region and to conserve our Nation's resources.

Additionally, similar programs which are financed by our Federal Government in foreign countries, through foreign aid and agencies such as the Peace Corps, do not require reimbursement (to my knowledge) from the farmers and landowners for the technical assistance rendered to them. It, therefore, appears totally inequitable to demand such reimbursement from our own citizens.

As a member of the Senate Appropriations Committee, I intend to support the appropriation of sufficient funds to permit an orderly continuation of the SCS technical assistance program as presently in operation. It is my hope that the Soil Conservation and Forestry Subcommittee will see fit to oppose any legislation which would install a user charge system for technical aid under Soil Conservation Service programs.

With kind personal wishes, I am,

Sincerely yours,

Robert C. Byrd,
U.S. Senator.

VETERANS DESERVE LEGISLATION TO PROVIDE READJUSTMENT ASSISTANCE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record at this point the statement which I made today before the Subcommittee on Veterans' Affairs of the Senate Committee on Labor and Public Welfare urging the enactment of legislation to provide readjustment assistance to veterans who have served or will serve in the Armed Forces during the induction period from January 31, 1955, to July 1, 1967.

I am a cosponsor of S. 9, a bill to provide educational and vocational training assistance to veterans who were on active duty during the period generally identified as the "cold war." Veterans of hostilities in South Vietnam must feel a sense of injustice at being prohibited from receiving some of the benefits accorded to former servicemen and women of similar military experiences during World War II and the Korean conflict. I urge early enactment of S. 9 so that cold war veterans may, in a limited manner, receive some of the benefits wisely and justly provided by our Nation to veterans of earlier conflicts.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Robert C. Byrd, of West Virginia, February 18, 1965, During Hearings Conducted by the Senate Labor and Public Welfare Committee on Legislation To Provide Readjustment Assistance to Veterans Who Serve in the Armed Force During the Induction Period

Mr. Chairman, events in Vietnam have dramatized the necessity for the enactment of legislation to provide an equitable readjustment program for veterans serving in our Armed Forces during the induction period dating since January 31, 1955, the period which is generally characterized as the "cold war." I, therefore, urge early and favorable action by this committee on S. 9, a bill to provide some of the same equitable and fully deserved readjustment assistance to our cold war veterans as was determined to be wise for servicemen of World War II and the Korean conflict. S. 9, as proposed, provides a cut-off date of July 1, 1967, for the effective period of eligibility for benefits.

Only a few days after the introduction of S. 9 in the Senate, the President presented his message to the Congress regarding the state of our defenses. Included in his remarks, he stated: "Our soldiers, sailors, and airmen, and marines, from whom we ask so much are the cornerstone of our military might * * * men and women, who have devoted their lives and their resources to the needs of their country, are entitled to help and consideration in making the transition to other pursuits."

I am wholly in accord with our Chief Executive in these statements. During the 86th Congress, I cosponsored a cold war GI bill, S. 1138, which passed the Senate. During the 87th Congress, I cosponsored S. 349, a bill to provide educational benefits for post-Korean conflict draftees and volunteers who served for 6 months since January 31, 1955.

During the 88th Congress, I cosponsored S. 5 to provide educational and vocational training assistance and to guarantee and direct loan assistance for the purchase of homes and farmlands by veterans.

I feel that the men and women on military duty during the period of the cold war should be given the same educational and vocational training opportunities which our Nation justly and wisely provided to World War II and Korean "peace action" veterans. Any serviceman, having been drafted by his local draft board and thus prohibited for a period of time from establishing himself in civil life, who might have been at Pleiku in Vietnam during the recent sneak night attack, would understandably find it hard to believe that his military service under fire in Vietnam, in defense of his country, was not equally deserving as that of earlier GI's with similar World War II and Korean war experiences.

For those who may feel that the provisions of this bill are not economically justified, I wish to point out that tremendous benefits have accrued to our Nation as a result of the enactment of the original GI bill. These benefits have elevated the economic level of our country and its citizens. Last year, shortly after the occasion of the 20th anniversary of the signing of the original GI bill by President Franklin D. Roosevelt in June 1944, I reported to the people of my State of West Virginia that I felt the Serviceman's Readjustment Act of 1944 represented a great bargain for Uncle Sam. It is my belief that one of his best-paying investments has been the expenditures on American veterans under the provisions of this act, which permitted veterans, generally, to adjust themselves more compatibly to civilian life.

Under the GI bill, one out of every five homes built since the end of World War II has been financed by GI loans. More than 5,268,000 World War II veterans were granted home, farm, and business loans, totaling $43 billion. The approximately 5 million home loans sparked a housing boom beginning in the mid-1940's that has made America into a nation of homeowners. The accompanying wide use of credit gave an enormous impetus to the economy through the purchase of new furniture, new appliances, new cars, and school construction. And 20 years later, more than one-third of the GI loans are already paid in full.

But particularly pertinent to the provisions of S. 9, at the peak of the original GI bill activity, under the education and training provisions, 7,800,000 veterans—nearly half of all who saw wartime service—received training. Over 2 million were in colleges at one time with another 3,500,000 in other institutions such as trade and technical schools. About 1,400,000 veterans increased their skills in on-the-job training, and 700,000 learned new agricultural techniques in on-the-farm training.

Our Nation is vastly enriched today as a result of skills acquired under the GI bill—including 450,000 engineers; 180,000 doctors, dentists, and nurses; 360,000 schoolteachers; 150,000 scientists; 243,000 accountants; 107,000 lawyers; 36,000 clergymen; 17,000 writers; 711,000 mechanics; 383,000 construction workers; 288,000 metalworkers; 138,000 electricians; and about 700,000 who trained for business and executive careers. The total cost of this vast program of mass adult education is $14.5 billion—recouped at $1 billion per year from increased income taxes paid by better educated, higher earning GI bill veterans. Obviously, Uncle Sam invested wisely.

Worthy of special note in this context, the 1960 census showed nearly 17 million families headed by war veterans. Included in this total are 184,652 such families in my own State of West Virginia. These families, on a nationwide basis, had a median income of $6,469 a year, over $800 more than the median for the total 45 million U.S. families. In West Virginia, 10 percent of the families headed by veterans had an annual income of $10,000 or more, and 32 percent had incomes ranging from $6,000 to $10,000.

During the 88th Congress, this committee's report on S. 5 carried statements to the effect that the need for legislation of this nature was clear, compelling, and urgent. It pointed out that today's cold war conditions are such that thousands of young Americans are required by the compulsory draft law to serve on active duty in the Armed Forces and that without the exigencies of the cold war the majority would remain in civil life, pursuing personal goals.

Young persons entering the service since January 31, 1955, have been called upon to make personal sacrifices but have not had even the limited benefits proposed under S. 9—for educational assistance or vocational training.

The inequity should be redressed. Such action has been too long delayed.

THE REPUBLICAN PARTY MUST BE BUILT ON A FOUNDATION OF PRINCIPLES, NOT ON AN IMAGE—ADDRESS BY SENATOR ALLOTT

Mr. MUNDT. Mr. President, for several months there has taken place within Republican circles a continuing debate on methods and procedures which could be followed to rebuild the Republican Party. Many suggestions have been made, and most have been meritorious.

However, Mr. President, it is my firm conviction that in a Lincoln Day speech delivered in the past few days, the Senator from Colorado [Mr. Allott], has come to grips with reality, and has presented the Republican Party with a sound and constructive proposal, which, if heeded, will advance the cause of Republicanism throughout our 50 States. It will strengthen the two-party system, which must be revitalized if our Nation is to continue to grow and to maintain its position of leadership in the free world.

Senator Allott very vividly pointed out that the principles on which the Republican Party of Abraham Lincoln was founded permitted it to grow and to become a responsible political party. In his thought-provoking speech, Senator Allott detailed the many programs of principles implemented by the Republican Party over the years which attracted to the Republican cause supporters from all walks of life. He laid to rest the oft-made claim that the image of the party sells the party, and he outlined for the Republicans the path of sound principles which once again will lead our party to the eminence it enjoyed when it advocated American principles, instead of an image of one type or another.

Mr. President, I request permission that the address by Senator Allott, which was delivered during the Lincoln Day period of 1965, be printed at this point in the RECORD. His speech is an excellent presentation.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LINCOLN DAY ADDRESS BY SENATOR GORDON ALLOTT, FEBRUARY 1965

My good friends, history is replete with great men whose principles live on after death. Within the past few weeks the world has paid its final tribute to such a man—Winston Churchill, a man so endowed with personal courage, so unswerving in devotion to principle that though he be interred, the lessons that he taught us will never die.

Tonight we meet here to pay homage to another great man—our man of the century—Abraham Lincoln. We meet in reverence to Lincoln because of the lasting principles for which he fought * * * his great qualities of honesty, intellectuality, courage, and humor—and, because we accept him as the father of the Republican Party.

As Republicans, we meet for another reason, too. We are met to decide whether our system—as we have known it—shall endure or continue to erode. Even more crucial, we must decide in this year of 1965 whether we shall continue to have a real two-party system in our Government. Or, whether the philosophy of tax and spend and elect and elect—advocated by Roosevelt's aid, Harry Hopkins, shall continue to be the philosophy and the ideology of our Government and of our American people. We must decide if the "Great Society" * * * a poorly disguised attempt to collect taxes and distribute those taxes in a manner as to control the vote * * * shall continue to be the course of our Government. Or, whether we shall, as our forefathers intended, place the basic role of responsibility in the conduct of our individual and governmental affairs upon the individual himself, rather than society as a whole.

Our papers, our politicians, and our commentators talk about the "new image" which the Republican Party must project if we are to attract the necessary people to remain a major party.

I disagree.

As Republicans, we must rebuild, for the good of this Nation, a foundation of principle, rather than anything so fleeting and false as an image. I believe that if the Republican Party stands on sound, basic principles, the light of our beliefs will be reflected from one end of this land to the other. But, if we try to create an image with lessening regard for our traditional principles, any success we achieve by such wheedling of votes will become as fleeting as the harvest moon. It is a basic fact of political science that political strength must flow from sound and modern principles, and not that principles will flow from political organization. When we try to reserve these, confusion and chaos is inevitably the result.

Never, unfortunately, in some 30 years of active participation in Republican politics as a precinct worker, as a Young Republican State and National chairman, as a district and county attorney, as a Lieutenant Governor, and as a U.S. Senator, have I seen the thoughts and minds of so many people confused—irrationally confused—about their political beliefs. This should not be construed as any reflection on the reasoning process of any person or group, but instead it indicates a basic lack of understanding and a realization of why the Republican Party was born, what it became, what it was, and what it is.

I am sure I need not return to the days of the Whigs and go through the process, step by step, by which Abraham Lincoln was able to solidify the concepts of our great party at Bloomington, Ill. It was here in 1856, with one remarkable speech * * * unfortunately now known as the "lost speech" * * * that Lincoln was able to supply and enunciate a special purpose and set of principles upon the equality of man which reduced the Whig Party to shambles. It sounded the death knell of the Whig Party, primarily because, as a party, the Whigs were unwilling to face the issues of the day. Lincoln faced those issues, and out of this was created a new party which literally lifted the social, economic, and political life of this country to a plateau of which it had never before dreamed. I say to you again, as I have said many times before, there is no justification or purpose for your membership—or my membership—in any political party unless that party represents and furthers the political ideas and ideals which we cherish. If that party does represent those ideas and ideals, then there is no task which can be too great for us, no sacrifice too demanding, and there should be no challenge too great to overtax our courage.

As Republicans * * * within the councils of our party * * * let us take inspiration and courage from Lincoln's remarks at Cooper Union, when he said:

"Let us have faith that right makes might, and in that faith let us to the end dare to do our duty as we understand it."

When he asked the question: "Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?" Lincoln started with the concept that individual freedom is, in fact, that course of action which permits each of us to enjoy the maximum of freedom without infringing upon the freedom of others. Must it not follow that real democracy and real freedom is that climate of government which permits an individual to grow, to develop, to mature, to achieve, to accomplish—yes, and even to fail and achieve again—within our society? Nothing can be more detrimental to individual freedom than anything which takes away the right of man to accomplish, and the right of man to achieve.

We have within our society two great opposing forces. One of these believes literally that it is the obligation of society to take from those who have and give it to those who have not, regardless of their need, and regardless of what contributions they have made to make this country strong and great. On the other hand, we have those who take the opposite view, and make the mistake of confusing freedom with privilege. Freedom is not special privilege. It was never so and was never meant to be so. It is in between these two extreme courses, that the American people, most often through the Republican Party, have made their greatest economic and political advances.

This rational course of political behavior is not one which is easy to pursue, nor is it easy to keep the course a steady one. When a political party attempts to do it, it is attacked not only upon its left flank, but upon its right. But, it is this sensible kind of government, with an application of good old Yankee horsesense, which has raised us and given us our great economic strength. It is upon this strength that the vampires of the present administration have fed, and now grow fat. Let us pridefully, standing as tall and straight as Lincoln stood, emphasize so none can misunderstand our pride, the accomplishments of our party. These accomplishments include the beginning of an age of the greatest economic development that ever occurred in the history of mankind.

It was not the beginning of a "let's not rock the boat" concept of political philosophy. Lincoln was not afraid to rock the boat a bit and has lived through the ages. He said, "the dogmas of the quiet past are inadequate to the stormy present." It was he who suggested the first Homestead Act. Imagine, if you can, 100 years ago, a President suggesting that Government land be put up free to homesteaders. Then, out of his wisdom came the Morrill Act, granting lands to the States for agricultural and mechanical schools. Do not delude yourselves that this was an entirely popular action either. Yet, we owe our great land-grant colleges to this foresighted policy of the Republican Party. The National Banking Act was created by Lincoln. Civil Service was created under President Arthur, who is also credited with chartering the Labor Department. In 1890, when economic piracy was the common and accepted behavior of the business world, the Sherman Anti-Trust Act of 1890 became the magna charta of labor, industry and agriculture under President Harrison. Reciprocity of tariffs began with the Tariff Act of 1890, under President McKinley. We westerners cannot forget that it was the Republican Roosevelt who was the father of the Reclamation Act of 1902. Without it much of Colorado would still be a wasteland. Without it these vast fertile valleys, these giant hydroelectric plants, and great areas of recreation and wildlife, would still have been a vacant dream. It was the 66th and 67th Republican Congresses which opened up the public domain to the leasing of public lands for minerals on a first come, first served basis. Without this we would not have the rich mineral resources so vital to our very existence today.

Still, changes in these various laws, to bring them up to the modern technology of the 20th century, to make them realistic and workable in our space-age life, are attacked not only by those of the political right, but are attacked equally vigorously by those of the left wing in our country.

All of these things of which I have spoken, during these first 70 years of the Republican Party advancement, might have been attacked and called special-interest legislation during their day. But each law spoke of a new and noble advancement of thought, a reaching out and lengthening of the horizons of men's minds, in order that this country might progress. Yet, we Republicans are charged with being doctrinaire in our beliefs.

Can anyone truthfully say that the Pure Food and Drug Act, protecting traffic in all sorts of harmful drugs and cosmetics, is reactionary? Or, who can truthfully say that the Meat Inspection Act, protecting the wholesomeness and quality of our meat, is not conducive to our general health and welfare? Were we Republicans doctrinaires when we created under former President Herbert Hoover, the Federal Farm Board, the National Credit Association, the Agricultural Credit Banks, the Land Banks and the 12 Home Loan Banks? All of this should persuade any thinking man that during the life and history of the Republican Party it has never possessed a static, stick-in-the-mud variety of political thought. But, neither has it participated in, or led, the devastating ill-advised adventures into international politics and fiscal policies which brought this country to its present, lamentable state. Let us remember, at the same time, that the demands of the future will call upon the projections of our minds just as much as these past accomplishments called upon the projection of mens minds beyond the immediate horizon of their day.

With this impressive background of progressive and humanitarian legislation, the Republican Party came into the 1930's. Few realize that Franklin Delano Roosevelt, in 1932, ran on a traditionally conservative political platform. Fewer still, even among the so-called intellectuals, realize that in 1933, in a game of political checkers he jumped his party from the extreme conservative side over to the left of the Republican Party, where it remains today.

It was only natural in the following years that the Republican Party would try to adjust itself to this shift of political positions. And, in many instances even up to the present time, the attempt to adjust to that shift has resulted in a negative policy without the proper emphasis on positive aspects. Those who do offer positive approaches are often accused of becoming a part of the New Deal, the Fair Deal, the New Frontier, or even the Great Society.

In order to further place this whole spectrum of political thought in another type of focus, let me refer to a few things which one man said and did. He, unfortunately, is no longer with us. There are few in the Republican Party, or even in the United States, who do not refer to the late Senator Robert A. Taft, of Ohio, as "Mr. Republican." He was accepted as such when he was a U.S. Senator, and he remains so accepted today. With his passing, well-meaning associates any many others have reinterpreted his philosophy into a shape and a form which would have horrified him and left him without those capacities of human understanding which were so great a part of his nature. Was this a man who, in fact, was Mr. Ultra-Conservative, not Mr. Republican? Was this a man who dwelt in long, fanciful dreams of a forgotten past with a woeful yearning and longing to return to them? Was this, in fact, a man who showed no awareness of the volatile, emerging state of our society and of our economic system? Hardly so. Let us explore the true political and economic philosophy of this statesman.

A fact, apparently unknown to some and purposely forgotten by others, is that Senator Taft was one of those who repeatedly espoused the need for Federal intervention in the area of human needs. Let me quote him as he said it:

"We have long provided free education, although its theory has not been fully realized in the poorer States through lack of financial ability to do the job. We have provided much free medical care, but there are gaps, particularly in the poorer States and rural sections. We have the machinery to provide relief, and at least we can prevent starvation. We have done least in the housing field, and in the elimination of slums. Because housing is the last of these necessities to be recognized, few States or cities can provide the required funds in any substantial amount. I favor Federal action in these fields because the State resources are inadequate in many respects and many places, and the States do not have the taxable resources open to the Federal Government.

"And so I believe every measure before the American people should be wrested by the standards I have laid down. We must adopt an affirmative program to secure liberty, justice and equality of opportunity. We must seek an improvement in standards of material well-being within the principles of liberty, justice and equality. That is the way to a better life in America. It is the way to progress and production, the way to safety and to peace. It is the way to a people strong, self-reliant and happy."

So we find Senator Taft, a man now accepted erroneously by most people as Mr. Ultraconservative, a man with a big heart, a man interested in the needs and welfare of his fellow man, and who continually supported, during his lifetime, action in three great areas—labor legislation which culminated in the Taft-Hartley Act, Federal housing, and Federal aid to education. In fact, his statements in committee and on the floor of the Senate and in speeches on other occasions go further than the senior Senator from Colorado has ever thought advisable to go in some of these areas.

Now, where does all of this leave us? I have shown, I think, that the Republican Party from 1861 to 1933 was not a static, do-nothing party. The legislation to which I have referred is still on the books, and has, in fact helped guide this country through an area of its greatest development.

In view of this record, you ask them, why did we suffer the ignominy of deep defeat in 1964? It is not for me here, nor do I intend to try, to fix the blame upon any person or groups of persons, nor do I intend to try to fix it upon any thoughts or ideas which were spoken or unsaid during the past campaign. You know that the Democrat Party was able to play upon the fears of people, and people do not think rationally when they feel the cold, clammy hand of fear grip their hearts. First, the opposition party was able to make the people fear the possibility of a nuclear war—this, despite the uninterrupted tragedy of their party history in international affairs in the last few years; this, despite the Bay of Pigs, the Berlin wall, the Korean war, the ignominy of the Panamanian riots, and the anger and humiliation felt by most Americans when American embassies all over the world were stormed and looted, our flag desecrated, and our American representatives forced to abandon their posts at the point of a gun. Nor can we forget South Vietnam, another conflict like the interminable one in Korea, where we may not be able to win and perhaps we shall not be permitted to win. This fear was built despite the further spread of communism in the world. The Democrats have shown an appalling incompetence to deal with this growth effectively, to stop it, or to come forward with any other policy than the pusillanimous one of containment of reaction.

It was our job during the last election—yours and mine—to tell the people that under Eisenhower we had surrendered not 1 foot of free land to the Communist bloc. It was our job to tell the American electorate that under Eisenhower and the Republican Party we had not suffered worldwide degradation. Did we tell them?

The next strategy of the opposition was to spread this doctrine of fear among our aged. I know of no thinking Republican who wishes to destroy the social security system. In fact, no one can. No President can. Only a Congress can do that, with the signature of the President. Yet, through misrepresentation, the Democrats were able to spread this fear throughout the hearts and minds of our aged, those who have reached the time of life when they must wholly depend upon their savings and the social security system.

Did we tell the people that the Democrat Congresses of the last 30 years have refused, continuously, to appropriate the Government's share to the civil service retirement fund—and that the fund is now in a deficit position of some $35 billion?

They were able to spread the fear that great public works which now exist, and the continuance of which is unquestioned, would be destroyed; that reclamation would be destroyed, even though we Republicans created reclamation and have continued its advance through all of these years.

Did we tell the people, did you tell the people?

And, then the Democrats were able to play upon the fears of the Negro citizens of this country that they would be deprived of the right of equal opportunity, equal political rights, and equal economic opportunity. It is estimated that 97 percent of the Negroes in this country—even though many were Republicans—voted against our party. And, in this area I must be completely free and frank. I regard the question of civil rights as a moral issue. I even regard it as a religious issue. For as a Christian I must regard myself as my brother's keeper. And, I must even have concern for the forgotten aborigine on a Pacific atoll, as I have a concern for myself. Like Lincoln, I simply cannot envision a nation which is half-slave and half-free. If a man must live in economic shackles which prevent him from being educated, prevent expansion of his own self-esteem, prevent his benefiting from proper medical and living conditions, then economic shackles may be as real as any forged of steel. But, if you wish to lay aside the morality of this question and ignore the religious implications, or set aside ethical concepts, let's look at the issue with a purely materialistic view. I say to you tonight that we as Americans simply cannot afford the economic luxury of graduating a man from college only to have him push a broom in the college gymnasium. If we are to cope with the demands and the challenges of this great age, we must seek out and use our talent wherever we may find it, regardless of the color of a man's skin or his house of worship. We must accept the concept as Lincoln stated it in 1858 when he said: "I have made it equally plain that I think the Negro is included in the word 'men' used in the Constitution."

Are there among us today any who really could say that the Declaration of Independence does not apply to the Negro? Is he not entitled to that great characteristic of freedom—the right to, in fact, prove himself. This is the real law of equality.

But, back to political and economic concepts—tonight I issue a call to all in this country who believe in the perpetuation of private enterprise. I challenge all of those who believe that this Nation is great, that our first obligation in foreign relations is to assure the safety and dignity of our citizens at home and abroad, and that the second great obligation of this Nation is to show and lead the world into paths of freedom. These things all Republicans believe. All Republicans believe that we should not dilute our currency, that we should not engage in that great pastime of the Democratic Party of juggling our money until it literally becomes "funny money."

All Republicans believe and know that inflation robs those who are least able to protect themselves, particularly those on social security, pensions, and retirement benefits. It is these citizens who year by year see their just rights and their property eroded by a governmental policy which deliberately fosters inflation.

All Republicans believe in the basic concepts of our Constitution, the separation of our Government into three distinct and coequal branches: the legislative to make the laws, the executive to administer and execute them, and the Supreme Court to interpret them. Republicans believe it is not for the Supreme Court to decide whether laws are just or unjust according to a personal social code, but rather it is for the Supreme Court to decide whether laws are constitutional or not. And, if they are unconstitutional they will be corrected far more quickly by frank, honest opinions of the Supreme Court, reacting to the legislative branch, than all the legislative writing the Supreme Court can produce in the next 100 years.

Republicans believe in the Republic. We believe in the separation of the powers of the Federal Government and of the various States. We believe that the Federal Government should not and must not arrogate to itself, through Supreme Court decisions or executive decrees, powers which we the people have not expressly given it, either in our Constitution or by laws authorized by the Congress.

In all of these things we, as Republicans, independents, and many Democrats, do believe. We believe in a strong and virile two-party system, without which a great majority can become slovenly, corrupt, disdainful, and arrogant in the conduct of governmental affairs. And we must finally ask ourselves if, after having one party dominate the Federal Government for 28 of the last 32 years—and particularly when that party for so long has held a 2-to-1 majority in both Houses of our Congress—whether the answer is not by the election of more members of the minority party, the Republican Party, thereby bringing this system of checks and balances more closely into effect. Can we really say we have an effective minority party when twice last year the Democrats in the Senate, by a straight party vote, refused to give the Republican Party, which it already outnumbered 2 to 1, just 1 staff member on the various Committees for each 10 which they held?

Finally, we believe in integrity in government. We believe that every officeholder should be as Caesar's wife—above reproach. We do not condone the Bobby Bakers, the Don Reynoldses, the Matt McCloskeys, the Walter Jenkinses, or any of the rest of their ilk, because we know that it is corruption, corruption at the seat of our Government. And, we know this is the cancer which feeds the crime in our streets, and perverts the minds of our young people.

All of these things we Republicans believe. Yet, it is said that our party is split asunder and that all the king's horses and all the king's men cannot put our party together again. Some people, for reasons best known to them, believe this fairy tale. I cannot accept this theory. I gave up believing in fairy tales longer ago than I like to admit. And, I am not a quitter. I believe that principles, like old soldiers, never die. Sometimes they fade away because they are not nurtured. But with the proper nourishment and care they can take on new meaning and can provide the seeds from which the great things of life are born. Let us make a silent pledge—each of us—that we shall rededicate ourselves to those great, overlying principles upon which the Republican Party was built and grew to such illustrious heights.

Let us forever remember the greatest lesson ever taught: In Ecclesiastes 3: 1-8 it is written:

"To every thing there is a season, and a time to every purpose under the heaven.

"A time to be born, and a time to die; a time to plant, and a time to pluck up that which is planted;

"A time to kill, and a time to heal; a time to break down, and a time to build up;

"A time to weep, and a time to laugh; a time to mourn, and a time to dance;

"A time to cast away stones, and a time to gather stones together; a time to embrace, and a time to refrain from embracing;

"A time to get, and a time to lose; a time to keep, and a time to cast away;

"A time to rend, and a time to sew; a time to keep silence, and a time to speak;

"A time to love, and a time to hate; a time of war, and a time of peace."

For those who have our country at heart, this is the season, this is the time.

FIRMER ACTION NEEDED IN U.S. EMBASSY RIOTS

Mr. MUNDT. Mr. President, on February 14, 1965, the Los Angeles Times published an article on the image being created abroad by our continued weak-kneed protests over the assaults on our embassies in various countries. The article was written by Henry Mayers, of Los Angeles. He is a businessman, and is chairman of the Cold War Council, a national organization of specialists in the communications field.

The article offers good and constructive advice about bringing an end to these unfortunate incidents, which have damaged our prestige around the world. I request that the article be printed at this point in the CONGRESSIONAL RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIRMER ACTION NEEDED IN U.S. EMBASSY RIOTS

(By Henry Mayers)

Only one aspect of last Tuesday's assaults on American Embassies in Moscow and Uruguay surprised students of Communist affairs. It was the fact that these prompt Red reactions to U.S. strikes in North Vietnam occurred in only two foreign capitals.

There were many more such demonstrations on several continents after the U.S. mercy airlift in the Congo last November. The one staged in Moscow at that time was the seventh that had occurred in recent years in the capital of Soviet culture.

We've grown accustomed to picking up the morning papers and reading about another anti-American riot somewhere in the world. Each new one causes a few more U.S. citizens to wonder whether our Government cannot find an effective response to such calculated destruction of U.S. property—something more realistic than a "vigorous protest" from the residing U.S. Ambassador or from the Department of State. That diplomatic formality has thus far proved little more effective than a protest to a holdup man that his mother wouldn't approve of his taking your wallet.

How long will the U.S. Government, and the American people, be content with such futile gestures?

At one time it was assumed that anti-U.S. riots overseas were spontaneous citizen outbursts led by political hotheads. Few believe that any longer. It is generally understood that the instigators of an anti-American demonstration plan it coldly and carefully, and that they usually proceed with the advance knowledge of the government. Sometimes with its active cooperation.

In an Iron Curtain country, the anti-American demonstration is always a project of the government itself.

So when a crowd of university students marched on the U.S. Embassy in Moscow last November 28, carrying banners denouncing the Congo airlift, shouting slogans and throwing ink bottles, it didn't take a CIA man to determine whether that was an act beyond the control of the Soviet authorities, or an act that was ordered by the authorities.

On that occasion the Soviet authorities tendered formal apologies in response to the formal U.S. diplomatic protest. They duly agreed to repair the damage, which was minor. A real propaganda bargain for the Kremlin, since much of the world press carried the news and pictures showing "a crowd of some 1,500 students in Moscow, mainly from Latin America, Africa, and Asia, spontaneously giving vent to their outrage over the U.S. imperialist airlift in the Congo."

Diplomatic hypocrisy in the above incident was not limited to the Soviet side. What of the U.S. protest itself? Our State Department was surely aware that a mere demand for an apology and repair of slight damage is about as effective as a police judge's fine of $5 to a wealthy drunk who appears before him regularly.

Having repeatedly gone through its riot-then-apologize routine, the Kremlin routinely counts on U.S. accommodation to its propaganda pattern.

LOGICAL ASSUMPTION

That logical Soviet assumption made the recent repeat performance by Moscow students before the U.S. Embassy all but inevitable. Yet last Tuesday's episode might not have occurred, if the U.S. response to previous embassy attacks had been firmer, more imaginative, and incidentally, more American.

The timing of the ink-spattering demonstration last November struck some cold war observers as particularly significant. It occurred very shortly after the presidents of 80 U.S. corporations had journeyed to the Soviet Union, under State Department auspices, to talk with the new managerial group about expansion of U.S. trade and credits.

On his return from this pilgrimage, one of the U.S. industry leaders reported informally to a group of fellow New Yorkers on his meeting with Premier Alexei Kosygin and other beaming occupants of the Kremlin. "They are as smartly dressed as we are," he said. "The way they looked me squarely in the eye and firmly shook my hand made me feel exactly as though I were attending a meeting of the American Management Association."

The U.S. corporation president was not aware that during all the camaraderie and spontaneity of the "we can do good business together" meeting of the management experts, some of Premier Kosygin's other pals, less interested in industrial management than in political conflict management, were otherwise engaged in another part of the Kremlin. Their agenda included plotting the less than spontaneous and less comradely behavior of 1,500 Moscow students before the U.S. Embassy just a mile away.

The windows at our Moscow Embassy might still be whole, and its walls still clean, had the official U.S. response to the earlier ink-spattering episode of November 28 been more firm.

Ambassador Foy Kohler might have told the Kremlin on November 29 that the U.S. Government demands not merely an apology, but more substantial evidence that the Soviet Government will abandon its policy of calculated anti-U.S. demonstrations for propaganda purposes; that until such evidence is forthcoming, all talks on trade and credits between U.S. corporations and Russia will be discouraged; that should there be a recurrence of any demonstration involving damage to U.S. property, all cultural exchange agreements between the United States and the U.S.S.R. will be be canceled.

The first Kremlin reaction to U.S. firmness along the above lines would no doubt be shock. But the Soviets being realists, the shock would be followed by acquiescence. They need U.S. trade far more than they need excuses for propaganda demonstrations. The cultural threat would alarm them at least as much as the economic one. Russians have always been exceedingly sensitive to the charge "nye-kulturny"—"Not cultured." No criticism from abroad cuts deeper into the pretensions of Soviet propaganda.

U.S. firmness last November would not only have made last Tuesday's Moscow riot unlikely, it would have developed in all Iron Curtain countries a new caution in the face of temptations to stage anti-U.S. demonstrations. It would have made American citizens feel that their Government had adopted more realistic policies in response to Soviet political warfare.

MORE ON FALLOUT

Mr. BARTLETT. Mr. President, as I have repeatedly told the Senate, the contamination caused by radioactive fallout in the Arctic is a prolonged, increasing, and serious problem. It is a problem about which very little is being done.

The Federal Government has a responsibility to the people of Alaska—and, indeed, to all the people of the United States—to see that adequate surveillance and monitoring and adequate research into effects and countermeasures are undertaken. What is Alaska's problem today could—with resumption of atomic testing—be the problem of all America tomorrow.

The staggering increase in Arctic contamination levels creates an emergency situation which should be met with an emergency response. We must do more and spend more on research on the contamination of the Arctic food chain. Mr. President, I am hopeful that the administration will recognize the extent of the emergency and the need for immediate action.

I ask unanimous consent that an editorial from the Washington Post of February 14 be made a part of the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Feb. 14, 1965]

More on Fallout

Disclosure in the authoritative journal Science that radioactive fallout in the bodies of northern Alaska Eskimos has doubled in the last 2 years is an alarming piece of information. This discovery of the increased amounts of cesium 137 is disquieting for its effect on the Eskimo (even though authorities think the amount would have to be five times as great to be a menace) and it is disturbing as a forecast of what might happen in the event of heavy radioactive fallout from renewed testing or from actual atomic war.

And this is so because the increase was not anticipated and is expected now to continue into the future. Cesium 137 emits radiation to the whole body and particularly to fat and muscle. Science miscalculated the effects of early testing in two ways. The fallout was expected to diminish more quickly and the food chain effect was not fully anticipated. This latter phenomenon promises to make the health hazards of any fallout protracted.

The northern lichens collect the fallout and the caribou eat the lichens and the Eskimos eat the radioactive caribou meat. How long might such a cycle last in the event of thermonuclear war? It is horrifying to think of how persistent this sort of radiation might be in the event of heavy and protracted fallout. The farther we part the veil of ignorance that has limited our knowledge of this phenomenon the more appalling the prospect appears.

SENATOR BAYH'S AMENDMENT: A SOUND SOLUTION TO A DIFFICULT PROBLEM

Mr. BARTLETT. Mr. President, as a cosponsor of Senate Joint Resolution 1, I rise to pay a brief tribute to its author, the junior Senator from Indiana [Mr. Bayh].

Following the tragic event of November 22, 1963, many Senators introduced proposals for constitutional amendments to provide a procedure for filling vacancies in the office of the Vice President. Others of us joined as cosponsors of these proposals. The need was clear.

We were fortunate in having as the chairman of the Constitutional Amendments Subcommittee of the Judiciary Committee the Senator from Indiana [Mr. Bayh], though he had served in the Chamber less than a year. His subcommittee was charged with the difficult and well nigh impossible task of studying all of these proposals, and arriving at one that would be workable in operation and acceptable, not only to Congress, but also to the State legislatures.

The result of this study, Senate Joint Resolution 139, was reported to the Senate in August 1964, after extensive and scholarly hearings before the distinguished membership of the Judiciary Committee. The joint resolution was passed shortly thereafter by a vote of 65 to 0; but it arrived in the House of Representatives too late for full consideration there last year. It was reintroduced this year, in somewhat altered form, as Senate Joint Resolution 1, was reconsidered by the Constitutional Amendments Subcommittee of the Judiciary Committee, and thereafter was reported from the full committee.

The proposed amendment handles a variety of circumstances for which no adequate answers presently exist. Under its terms, should the President die or resign, the Vice President, upon becoming President must nominate a new Vice President, who would take office upon confirmation by a majority vote of both Houses of Congress. Likewise, should the Vice President die or resign, the President must nominate a new Vice President, again subject to confirmation by Congress. Should the President declare in writing that he is unable to discharge the powers and duties of his office, this measure provides that the Vice President would serve as Acting President.

As for the more delicate situation in which a President would be incapable of determining his own inability, the proposed amendment provides that, should the Vice President and a majority of the heads of the executive departments, or such other body as Congress might provide, determine that the President was unable to discharge the powers and duties of his office, the Vice President would become Acting President upon transmitting to Congress a notice of his intention. It further provides that the powers and duties of the office of President would revert to the President upon his transmitting to Congress his written declaration that no inability exists. However, this declaration could be controverted by a written declaration by the Vice President, directed to Congress, and concurred in by a majority of the heads of the executive departments or such other body as Congress might provide. When this occurred, Congress must immediately determine the issue. If the determination of inability by the Acting President and departmental heads was concurred in by two-thirds of both Houses, the Acting President would continue to discharge the powers and duties of the President. Otherwise, the President would resume his office.

I would not be surprised, Mr. President, to see the Senate pass Senate Joint Resolution 1 by an even larger vote, this time. We can, perhaps, count on the Senator from Indiana [Mr. Bayh] to have seen to that. If the other body will give its speedy attention to this worthy piece of proposed legislation, we shall see it ratified by the requisite number of States by the end of next year.

I thank the Senator from Indiana [Mr. Bayh] for his efforts on behalf of Senate Joint Resolution 1. He has done an astounding thing: In his first term, he has studied one of the most delicate and most troubling problems of our day, and has found for it, here in the Senate, a well nigh unanimously supported solution.

SENATE SABBATICALS

Mr. McGEE. Mr. President, a few days ago, in a short address to this body, I indicated that I was submitting to the senior Senator from Oklahoma [Mr. Monroney] a proposal for senatorial sabbaticals, and that his committee might wish to consider when it deliberates on the questions and proposals for congressional organization and reforms of the rules.

As I indicated, this proposal has engendered mixed reactions—both favorable and unfavorable.

I am particularly grateful today, however, to find an excellent editorial on the subject in the February 12, 1965, edition of the Casper, Wyo., Tribune. The points raised in the editorial are thought-provoking; and I think my colleagues will find it of interest. Therefore, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Casper (Wyo.) Tribune, Feb. 12, 1965]

Senate Sabbatical

We are not sure that we fully understand Senator Gale McGee's proposal for senatorial sabbaticals, but we are not ready to write the suggestion off as impractical.

The Senator recommends that a leave of absence be granted every 6-year term for a period of 3 to 6 months "to assess the world and our place in it—time to read and reflect." He would have political fence-mending prohibited during the sabbatical.

Perhaps it is his professorial background which leads Dr. McGee to make this recommendation. He has, both before and during his career as a Senator, made considerable study of other countries. Because of his temperament and approach to national problems—and we hope not to get too personal in this—it can be assumed that he would benefit from such a schedule. Whether other Senators would similarly benefit, is a matter of conjecture.

Any Member of the Senate taking advantage of the opportunity would have to hide away to some retreat where he could not be reached by persons pressing for particular legislation or by newsmen seeking his views on current issues. If he is to read and reflect, he may have to do it incognito. Would Senator McGee's proposal include trips to other countries? Such trips, unless the expenses were borne personally, would raise the cry of "junket."

Members of the Senate and House do have recesses, although sessions are sometimes prolonged and frequently there is committee work even when Congress is not convened. Would the average Member be willing to absent himself for a period when he knows that some rival contender may be making political hay back home? Could he in any practical sense absent himself at a time of critical decisions, particularly those which might affect his own State?

These are questions which arise in weighing the Senator's proposal, which also triggers certain other observations.

Unless the situation changes, Americans will have more leisure time on their hands. How they are to enjoy this leisure will be a determining factor in whether it is to be beneficial or deleterious. Members of the

U.S. Senate well might set an example for the country.

How necessary are these long sessions, lengthy hearings, almost interminable debates? It is one of Parkinson's laws that the time taken to accomplish a given task will be expanded to fill the time allowed for it. The right of Congress to deliberate ought not to be abrogated, but it is apparent that much legislation would be just as good with less argument. The Wyoming Legislature meets for 40 days every 2 years, generally stopping the clock on the last day of the session. Congress cannot be expected to set such a short time limit. It should, however, adopt a reasonable schedule, and no President should have the power to keep it in session through much of a long, hot summer just to get his program across. Only in case of emergency should this be permitted.

Perhaps if Members of the House and Senate would set realistic but definite deadlines, they would find plenty of opportunity to read and reflect. Nobody expects them to work all the time.

NEED FOR PROTECTION FROM ELECTRONIC EAVESDROPPING IS GROWING, TO PROTECT THE INDIVIDUAL'S RIGHT OF PRIVACY

Mr. YARBOROUGH. Mr. President, although I do not believe it would be correct to say that people nowadays are any snoopier or any nosier than people have ever been, nevertheless those with an itch to find out what their neighbors are doing or saying or thinking certainly are now better equipped to practice their hobby than they have ever been before. A proliferation of electronic wiretapping and eavesdropping devices has flooded the market in recent years. Anyone who has the money can buy "spike mikes," matchbox "mikes," sugar lump "mikes," picture frame "mikes," devices that will pick up an ordinary conversation from 500 feet away, room probes, telephone monitors, and other listening devices that would be the perfect answer to a busybody's prayer.

The fourth amendment guarantees an individual's right to be secure in his person, house, papers, and effects against unreasonable searches and seizures. The time is fast arriving when the spirit of the fourth amendment will have to be applied to new forms of invasion of personal privacy.

Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Big Brother's Ears Are Getting Littler—But They're Hearing More as Peeping and Eavesdropping Business Booms, Even in the Federal Government." The article was published on February 14, 1965, in the Washington Post.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post of Feb. 14, 1965]

Big Brother's Ears Are Getting Littler but They're Hearing More as Peeping And Eavesdropping Business Booms, Even in the Federal Government

(By Ramon Geremia)

"Just think of the convenience of this one," said the last line of the magazine advertisement.

Above it was a drawing of a man with a sly, devilish look on his face. He was holding something called a telephone monitor to his ear.

"Hear two-way conversations without picking up receiver," said the ad for this 'new, private listening device,' that 'weighs only 1½ ounces.' "

According to the ad, more and more of the electronic devices designed for military use are being made available for civilians. This ingenious (just ½-inch thick) unit is one, and ingenious it is. Just lay it against a telephone, put the plug in your ear, and you can hear and record a 2-way conversation, clearly without touching or picking up the receiver.

"Pretty sly little gadget," says one version of the ad, "it fits in your pocket without a bulge."

And with just $18.95 and a Diners Club card you can be the first in your neighborhood to have one.

That was in the January, 1964, edition of the Diners Club Magazine.

This is only one of the many, many clever little gadgets you can use to become your own private ear. You too can eavesdrop electronically on your friends and neighbors.

These devices are easy to come by, so easy, in fact, that two congressional subcommittees are conducting inquiries into violations of privacy by the unrestricted sale of electronic snooping devices.

Federal law on invasion of privacy is almost nonexistent and those State laws which exist are frequently vague and antiquated.

Congress passed a law in 1934 providing stiff penalties for wiretapping, but wiretapping is practiced with impunity and virtual immunity from Federal prosecution.

One reason is that the Government is hesitant about bringing attention to some of the devices it uses.

Most Government agencies, however, have a written policy which prohibits recording, transcribing, monitoring or listening in on phone calls without advance notification and approval.

The same holds true for the purchase, rent, leasing or borrowing of electronic or mechanical devices.

But the General Services Administration lists a host of such devices in its catalog, and they are available to Government agencies which ostensibly do not allow them. One advertised GSA item is a "telephone adaptor for monitoring phone calls without a beep."

The congressional committees concerned with the proliferation of snooping devices are the Senate Judiciary Subcommittee on administrative practices, headed by Senator Edward V. Long, Democrat, of Missouri, and the special House Government Operations Subcommittee. Long's committee will open invasion of privacy hearings next Thursday.

Bernard Fensterwald, counsel for the Senate subcommittee, said that last fall a detailed 5-page questionnaire concerning invasion of privacy was sent to 34 Government agencies.

He said returns so far indicate that phone monitoring, peepholes, hidden recorders, and miniature transmitters are the primary snooping practices used in the Government.

Fensterwald said the subcommittee has not so far concerned itself with the snooping devices used by the Government's security agencies such as the FBI, CIA and the military.

A major concern of the committees is those devices which are available not only to Government agencies but also to the public at large.

For one thing, Federal Communications Commission regulations prohibit recording any telephone conversation without using a beeping device.

And further, the telephone directory has a paragraph which says that if you hear a short "beep" tone about every 15 seconds the conversation is being recorded.

"This signal is provided by the Telephone Co. for your protection," says the phone book. "Use of a recorder without recorder-connector equipment containing a tone-warning device is contrary to the company's tariffs and not permitted."

The devices generally available to the public frequently are not so sophisticated as the expensive, intricate superprofessional investigator kits which run into thousands of dollars, but they will do.

But even the highly sophisticated gear is available to anyone who has the money.

The less expensive versions of the more sophisticated gear include:

An international-police room probe that sets into wall—sees all according to advertisements. This item gives 172-degree-wide vision, is only as round as your finger, tucks into your pocket easily, is one-half inch across, telescopes out from 1 to 5 inches and costs $8.95. This "little optical gem," according to its maker, is made in Spain for use in Interpol, the international police organization.

The international audio-wall probe which you just place against any wall, and it will pick up sounds, voices in the next room, according to its ads. "This solid state space-age device has just been made available to the public from missile research and development," says the blurb. It weighs only 6 ounces and with it you can detect the faintest of voices and sounds in the next room—good for knowing what the kids are doing without their realizing it.

A miniature device which records only when it is activated by voice. You also eliminate giveaway fumbling with switches because it works without you touching a thing, according to a newspaper ad.

A wristwatch microphone with a tiny wire that runs up under your sleeve to a miniature recorder. The well-dressed man also has his choice of a tie clasp, cuff link or fountain pen microphone which cost $24.95 each.

An executive styled ballpoint pen desk set which contains a hidden, miniature microphone in its base "for relaxed office dictation or discreet recording." This, by the way, is another one of the items which can be acquired through the GSA catalog.

An attaché case that is really a secret recorder with lifelike fidelity. This item records clearly with case shut in vertical or horizontal position, and has a button-down writing desk pad, which conceals the recorder even when the case is opened.

The snooper which amplifies sound 1 million times, according to its advertising copy in magazines and newspapers. This item weighs 4 pounds, comes with a tripod and, as the ads say, you can aim it at a group of friends a block away and hear every word.

It appears that Cervantes knew what he was talking about. Walls do have ears.

CLOSING OR RELOCATING OF CERTAIN VETERANS' ADMINISTRATION FACILITIES—POSITION OF SENATOR SCOTT

Mr. SCOTT. Mr. President, on February 10, there was a record vote in the Senate on a motion by the distinguished senior Senator from Florida [Mr. Holland] to agree to a House amendment to House Joint Resolution 234, which set May 1, 1965, as the termination date for a Senate amendment which prohibited the closing or relocating of certain Veterans' Administration hospitals, facilities, and services. I was unable to vote because I was detained on official business but had I been present, I would have voted "yea."

THE SERIOUS SITUATION CAUSED BY REMOVAL OF EXPORT CONTROLS ON BLACK WALNUT LOGS

Mr. HARTKE. Mr. President, I invite the attention of the Senate to a situation of genuine gravity involving not only my own State of Indiana but an entire industry.

On last Friday, February 12, the Secretary of Commerce announced that he would not extend export controls on walnut logs. To those unacquainted with the industry, this may seem an insignificant decision. In practical fact, it is a decision with serious consequences to the entire furniture and plywood industry, a billion dollar business. It has a critical effect on the conservation of one of our choice natural resources, throwing wider the door to rapid consumption of trees whose maturity is reached only after 60 to 70 years. It even has an effect on the balance-of-payments situation, although I believe it is not the same effect mentioned in the Secretary's statement of last Friday. It is also involved in our trade relations with other nations, including the General Agreement on Tariffs and Trade.

REMOVAL OF CONTROLS A MISTAKE

Mr. President, I am convinced that the removal of export controls, imposed only after 2½ years of study by the Department of Commerce, is a grave mistake. It may benefit a few who will reap the high prices which foreign buyers are eager to pay. But it will make a shambles of the orderly self-restraint which has been successfully practiced by the walnut veneer industry on a voluntary basis, and it will, in time, reduce the available supply of this beautiful wood to a volume far below that otherwise available to the furniture industry.

Mr. President, the order issued by Secretary Hodges on February 14, 1964, which has now been discontinued by Secretary Connor, was in harmony with the congressional declaration of policy as set forth in the Export Control Act of 1949. That declaration, a part of the code, reads as follows:

> The Congress declares that it is the policy of the United States to use export controls to the extent necessary (a) to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand; (b) to further the foreign policy of the United States and to aid in fulfilling its international responsibilities; and (c) to exercise the necessary vigilance over exports from the standpoint of their significance to the national security.

On November 29, 1961, all the major manufacturers of walnut veneer in the United States acting through their association sought the application of this provision. Their purpose was to stem the excessive drain on the ever-diminishing supply of walnut logs, clearly within the objective of the first listed aim in the declaration of policy I have cited. This would also, to use the language there, "reduce the inflationary impact of abnormal foreign demand."

Over a two-and-a-half-year period before the order was finally issued, the veneer manufacturers were able to show that the requirements for relief under the statute would be met if the order were issued.

Mr. President, I am proud that so much of this industry is centered in my own State of Indiana, where 15 veneer mills produce some 70 percent of the Nation's walnut veneer. Black walnut is slow growing. It reaches suitable maturity and veneer quality only after some 70 years. Experiments are underway to change the growth patterns, to speed up development for earlier maturity, but however hopeful these may be, the fact remains that we are outrunning our supply. In fact, the industry showed in the course of its presentations that a continuation of the heavy demand, especially for export, could result if unchecked in exhausting the supply in about 7 years.

INVITING A RAPE OF RESOURCES

Mr. President, I fail to see any logic in the process of justifying removal of the export controls, in effect inviting the rape of a natural resource, by blaming failure to achieve 100 percent of the conservation goal set forth originally. Yet that is precisely what the Secretary's statement does.

"In conservation terms," says the decision of last Friday, "the results of the first year of controls are quite disappointing." How, I ask, can the total removal of controls improve the situation? There was progress, and an extension of the controls would result in far more progress. Let me cite some figures to prove it.

Before the imposition of controls, the Department of Commerce estimated export averaging in 1961 and 1962 at 8.5 million board feet, with domestic use about double that, averaging 17.5 million. In 1963, still without controls, the actual use rose to 14.3 million feet in export, and 23.5 million feet domestic.

"The results of the first year of controls," says Secretary Connor, "are quite disappointing." In refutation of that statement, which I consider quite misleading, the fact is that with controls the actual export use dropped to the 7.3 million feet stipulated in the order, and even more significant, the domestic use dropped by 4 million board feet to 19.5 million. By projection from the earlier rate-of-growth figures, without controls the respective figures would have been 18 and 26 million.

The cut in the domestic use was a direct outgrowth of the export control order. The reason I say this is that the domestic industry, through its association, undertook a voluntary program to reduce its own usage as a sort of quid pro quo for the imposition of export controls. In effect, they said, "Give us a cut in exports, and we will undertake to reduce our own use by 5 million feet."

PENALIZED FOR AN ERROR BY COMMERCE

This was based on the Department's own advance calculations that 1963 usage would be 20 million feet, so they undertook to cut to 15 million. Only when the 1963 actual figures became available did it become apparent that a cut to the goal of 15 million would involve reducing domestic use not by 5 million but by 8.5 million feet.

Had the Department of Commerce then done as it ought, had it taken action for which there is ample precedent, it would then have revised its estimates and goals in the light of reality, setting the target at a realistic figure which the industry could reach. Instead, the Secretary uses the existing situation as a decisive point of criticism. Noting that the domestic consumption of logs in the first control year exceeded the target by 4.5 million feet and saying nothing of the basis on which that goal was set, the Secretary's decision states, "On this ground alone there is sufficient basis for not continuing the controls, since the condition for their continuance was not fulfilled."

Yet, Mr. President, it remains a fact that the domestic industry was able, in spite of handicaps which could be considered extenuating circumstances, to reduce usage by 4 million feet, reaching 80 percent of the expected 5 million feet of planned cutback. Had the 5 million reduction been based on the actual 1963 23.5 million, with a target of 18.5 million, it would have been exceeded by only the margin of 1 million board feet.

Why was not the record better? What were the "extenuating circumstances"?

Mr. President, the industry in a wholly voluntary self-disciplined effort made a noble effort. Basic to this effort was its undertaking to reduce the thickness of the veneer from a previous standard of one twenty-eighth inch thickness to one thirty-sixth inch. First there was the need to secure the cooperation of its own customers, the furniture and plywood manufacturers, in cutting that thickness, in making a change which went against tradition and which could be viewed as a request to reduce quality by reducing thickness. This was achieved, but it took time. As the Secretary's decision itself notes, "after some weeks the veneer cutters did begin to slice a thinner veneer." It took those few weeks, and so in actual result the period of thinner cutting covered much closer to 9 months than the year of the control period. That change has now been accomplished, and by the admission of the Secretary's statement, "field surveys have shown" the thickness presently "to average about one thirty-fourth inch."

Further, as the statement notes, "furniture manufacturers protested they could not use this thinner veneer, and for a long time failed to do so." Here is another reason for believing that if there has been failure in the program—and I believe that on the contrary it has shown success and an even greater potential for the future—it is a failure caused in part by the circumstances surrounding its initiation.

UNIVERSAL SUPPORT BY THE INDUSTRY

The furniture manufacturers, Mr. President, are now cooperating with the veneer people in using the thinner veneer. Among the scores of telegrams which I have received in the past few days are dozens from furniture manufacturers, all pleading for cancellation of this rescinding order at least long enough for full hearings to be held. One of these is from the National Piano Manufacturers Association, urgently requesting that I ask the Department of Commerce to call a hearing for reconsideration. Another is from the National Association of Electronic Organ Manufacturers, about half of whose output is in organs using walnut. A telegram from the Wood Office Furniture Institute says, "Lifting walnut veneer embargo seriously damages entire wood office industry."

The famous furniture manufacturer, the Kroehler Manufacturing Co., of Louisville, Ky., says, "We suggest that the decision is based on erroneous conclusions concerning effect to date on domestic walnut control program. The program has not had time to reflect the actual savings in walnut consumption."

I could go on and quote telegram after telegram, from companies in Chicago, Grand Rapids, Los Angeles, Sheboygan, South Carolina, Pennsylvania, Kentucky, Wisconsin, Michigan, New York, Massachusetts, Washington, Oregon, Arkansas, Mississippi, North Carolina, Iowa, Florida, New Hampshire, Illinois, Ohio, Virginia, Tennessee, West Virginia, and my own State of Indiana. I have in my hand some 100 or more such telegrams, and I might add that I have not received a single one supporting the action of the Commerce Department in this regard.

Let me quote once more from the Secretary's statement. One would think that his purpose should be to preserve to the cabinet, furniture, and piano and organ industry, from which these protests come, the opportunity to use this beautiful native wood for as far into the future as conservation and controls can assist. Instead, we find these remarks: "I do not anticipate that the veneer cutters and users, and their employees, will experience great difficulty in shifting to the use of other woods, should that become necessary or desirable."

CAN SUBSTITUTES REPLACE WALNUT?

Is a shift to something else, perhaps plastics or imports of other varieties from the Philippines, desirable? Here is what Home Furnishings Daily said in its issue of Monday in discussing the matter:

> Walnut is a top wood in the furniture industry, especially in modern and contemporary styles, and no one wants to give up a good thing. Go to a market and check the case goods houses, especially the promotional and medium price makers, and practically all you see is walnut. It's that overwhelming.

Concerning the statement by the Secretary which I have cited, it further says:

> Does he mean that if the Americans are outpriced by Europeans on American walnut logs, they can always turn their backs on their exceedingly popular native wood and turn to something else? Or does he mean that immediately they should drop walnut in favor of something else?
>
> If it's the first solution that he has in mind, we find it difficult to accept this as a way of solving a problem. If it's the second solution he's thinking of, then he doesn't know the furniture industry.

I noted that the Secretary says, "should that become necessary." The whole point of the industry request, which careful study within the Department found valid, was to make sure that it would not become necessary. Secretary Hodges issued the order, after having had a considerable period of opportunity to become familiarized with the problem. Now we have a new Secretary, who has not had that same opportunity. Instead, of necessity he has had to rely on the advice and information given him by his assistants. It seems to me not unrelated to the decision that his chief adviser on this matter is the Assistant Secretary for Domestic and International Business, whose private business experience includes 12 years as an executive officer and director of an international trading and financing organization. This is undoubtedly a desirable and helpful background, but there is some difference possible in looking at the same set of facts as one who is concerned as an exporter and one who is concerned first with a domestic industry.

BALANCE OF PAYMENTS NOT IMPROVED

It seems to me, at any rate, that Secretary Connor should have opportunity for understanding fully all aspects of the situation. One more of those aspects is noted in the report, the balance-of-payments problem. "Controls," says the statement, "on the export of walnut logs are clearly detrimental to our balance-of-payments position, in that they reduce to some extent the dollar value of exports from the United States."

But in saying this, Mr. President, there is reflected only a narrow viewpoint on the export of walnut logs from which Europeans can produce veneer for their own furniture manufacture. This is fine, and we need, as we are doing, to encourage the freest possible world trade. But the total value of all our walnut, if it were all exported, would be only a drop in the bucket when its potential for changing the balance of trade is considered, since the entire value of walnut veneer sold in 1964, both domestic and foreign, was only $36 million.

On the other hand, how about our furniture industry? The veneer applied to furniture amounts to only about 2 to 3 percent of its wholesale value in the finished form. This means that the furniture of which it is a part is worth a billion dollars. We have only to lose to others a portion of the finished furniture export market using veneer of this kind and we have lost as much in the balance-of-payments race as removing the controls can provide. In 1964, with controls, I estimate the quarter of walnut log production which went abroad as less than $10 million. Removing controls and doubling the export of raw walnut might add another $10 million of foreign purchases. This is not enough of an argument to outweigh our conservation losses and the damage to the furniture industry.

COMMERCE COMMITTEE SHOULD HOLD HEARING

There is more that might be said, Mr. President, but I desist. The facts, beyond those I have sketched here, can best be brought out in hearings. Such hearings should be held. Until they can be, the program of controls should be restored at least temporarily, in order that the momentum built up so carefully over the past year may not be dissipated in a free-for-all competition for the high export dollar to our own detriment.

Mr. President, I call upon the Secretary of Commerce to hold in abeyance, to revert to the status which existed before last Friday, the withdrawal of export controls, until a hearing can be held at which the industry views can be presented. Such a hearing for informational purposes, in view of the total situation, should be held by the Commerce Committee, where we can get a look at tne problem firsthand. We have an obligation to supervise the manner in which the Export Control Act operates, and the effect of such a change as this upon the industry affected. I sincerely hope that the Secretary of Commerce will give the greatest possible opportunity for reconsideration.

In conclusion, I would like to call attention to the material inserted in yesterday's CONGRESSIONAL RECORD by the Senator from Illinois [Mr. DIRKSEN], whose State is one of those closely involved in this matter. This is to be found on pages 2815 and 2816, and clearly sets forth in a letter addressed to the Secretary of Commerce by J. Edward Day, former Postmaster General and now attorney for the American Walnut Manufacturers' Association, the industry position.

Mr. President, I should like to request unanimous consent that there may appear at this point in the RECORD portions of a letter which I addressed to Secretary Connor on January 19; his reply of January 29; the full text of the Secretary's decision; and finally, in order that Senators from the various States may see the source by company and location, the text of the telegrams I have received on this subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 19, 1965.

The Honorable JOHN T. CONNOR,
Secretary of Commerce, Department of Commerce, Washington, D.C.

DEAR MR. SECRETARY: Indiana, with 15 of 23 major mills and perhaps 70 percent of black walnut veneer production, is a State with a major interest in this matter. Over the last 2 or 3 years I have been directly involved in encouraging the Department of Commerce to make investigation and issue findings and regulations based on the results. This was done, and the resulting regulations were contained in Export Bulletin 888, February 14, 1964, followed by Bulletin 896 last July 2.

It is my understanding that consideration is being given to a long-term extension of this measure to preserve our dwindling supplies of black walnut, and that review and decision is necessary by February 14, 1965. A change in policy would go counter to the considered conclusion and action arrived at within the Department and supported by Secretary Hodges. I trust you will find that the facts warrant continuation rather than change, should the subject be brought to your personal attention.

For your further information I enclose background information compiled by the American Walnut Manufacturers' Association, whose 30 company members are united in a voluntary effort to cooperate in needed conservation measures.

Sincerely,

VANCE HARTKE,
U.S. Senator.

THE SECRETARY OF COMMERCE,
Washington, D.C., January 29, 1965.
Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARTKE: Thank you for your letter of January 19, 1965, and for your good wishes as I take up my duties as Secretary of Commerce.

I am glad to know of your interest in the walnut conservation program. As the walnut log export controls expire next month, we are reviewing the effectiveness of the entire program. I assure you that all factors, including those cited in your letter, which have a bearing on the Department's decision with respect to continuation or termination of controls are being considered in the current review.

Sincerely yours,
JOHN T. CONNOR,
Secretary of Commerce.

DECISION OF THE SECRETARY OF COMMERCE REGARDING WALNUT LOG EXPORT CONTROLS

A quota limitation on exports of walnut logs was established February 14, 1964, to last for 1 year, under authority in the Export Control Act "to use export controls to the extent necessary * * * to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand."

The export controls were imposed as part of an overall program, otherwise voluntary, to bring annual consumption of veneer-quality walnut logs more in balance with new log growth in America. Consumption had risen well above new growth in recent years.

Under the reduced-consumption program, an export quota was fixed at 7.3 million board feet for the first year. At the same time a domestic consumption "target" of 15 million board feet was set.

Reduced domestic consumption of logs, though not mandatory, was an essential element of the total program because it was needed to help achieve the goal of balancing consumption and growth and also to help comply with the requirements of GATT. It was provided for only after full consultation with all segments of the veneer-producing and veneer-using industries, and on the strength of an understanding that they would move promptly to the cutting and use of thinner veneers, so as to reduce the number of logs needed to meet their veneer requirements. The U.S. standard veneer thickness was then one twenty-eighth inch. It was known that Europeans were using veneers of one-fortieth inch, one forty-fifth inch and even thinner. The U.S. industries committed themselves to adopt one thirty-sixth inch as the new commercial standard. This was expected to make it possible to hold domestic log consumption down to the 15 million board-feet target, and continuation of the export controls after February 13, 1965, was expressly made contingent on domestic consumption being reduced to approximately 15 million board feet.

Notwithstanding the industries' commitment to adopt one thirty-sixth inch as the commercial standard for veneer thickness, this was never done. After some weeks, the veneer cutters did begin to slice a thinner veneer, which they reported as one thirty-sixth inch but which field surveys have shown to average about one thirty-fourth inch. Furniture manufacturers protested they could not use this thinner veneer, and for a long time failed to do so. We now find that domestic consumption of logs for the control year has exceeded the 15 million board-foot target by over 4.5 million board feet. On this ground alone there is sufficient basis for not continuing the controls, since the condition for their continuance was not fulfilled.

Furthermore, it should be noted that the prices our domestic users pay for walnut logs have continued to advance during the past year, notwithstanding the reduction of export market opportunities by reason of the controls. Thus, control of walnut log exports has not operated as an effective domestic price control measure, even if such a purpose were a justifiable objective.

In conservation terms, the results of the first year of controls are quite disappointing. Domestic log consumption has exceeded the 15 million board feet target by at least 4.5 million board feet. The excess of consumption over growth, instead of being 6 million board feet as originally allowed for the first year of controls, is more than 10 million board feet, or approximately two-thirds more than the total amount of new growth.

The situation does not seem to involve the possible extinction of the walnut resource. On the contrary, walnut trees are constantly being planted and constantly maturing. Demand is for the moment exceeding new growth, but market factors will undoubtedly bring about a balance, ultimately, between consumption and growth. Among the important factors which could help to reduce domestic log consumption, for example, are not only price shifts, but shifts in consumer preferences (of which there is already some evidence) and increasing use of substitute materials.

There might be strong reason to prefer Government controls to the free play of market forces if undue hardship would otherwise result for a significant segment of our economy. But in the walnut log situation I do not anticipate that the veneer cutters and users, and their employees, will experience great difficulty in shifting to the use of other woods, should that become necessary or desirable. As a matter of fact, many of them are already using other woods, and I am informed that a further shift has already begun in some degree.

Even if technical difficulties were to develop in making the transition to use of other woods, it would seem preferable to try to ease these transition difficulties rather than continue export controls. For, while the controls may benefit log cutters and users, they also work to the detriment of the log growers and log exporters by restricting their marketing opportunities. Reduced export markets have had much of their adverse impact in the Appalachian region. This region, for reasons well know, is particularly in need of expanded, not restricted, market opportunities for its products.

Moreover, controls on the export of walnut logs are clearly detrimental to our balance of payments position, in that they reduce to some extent the dollar value of exports from the United States. While the amount involved may seem to be comparatively small in the context of the entire balance-of-payments deficit, it should not be ignored because of the cumulative effect of all gains, small as well as large. The President in his recent message to Congress emphasized the national concern with regard to the balance-of-payments deficit. He has called upon all of private industry, large and small, to join in a cooperative effort to make management decisions which will increase exports and aid in reducing our unfavorable balance of payments.

For all these reasons, I have decided not to extend controls on export of walnut logs beyond the period of 1 year which was originally announced. Therefore, controls on export of walnut logs will not be in effect on and after February 14, 1965.

JOHN T. CONNER,
Secretary of Commerce.

LEXINGTON, TENN.,
February 15, 1965.
Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a plywood manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing control on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue control and preserve the status quo, so that substantial progress already made under the control program will not be lost. Loss of walnut supply would adversely affect our efforts to export our products.

PANOPLY CORP.,
F. J. HERTEL.

ELKINS, W. VA.,
February 15, 1965.
The Honorable VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

As a plywood manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs I urgently request you to call a ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control of walnut to expire completely.

I also urge that pending such hearing and consideration the Department should temporarily continue control and preserve the status quo so that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely affect our efforts to export our product.

ALLEGHENY LUMBER CO.,
ROBERT I. SOLOW.

NEW YORK, N.Y.
February 15, 1965.
Senator VANCE HARTKE,
Washington, D.C.

DEAR SENATOR HARTKE: I've sent this telegram to Secretary Conner requesting he delay abandoning export restrictions on walnut logs: "Please consider withholding your February 12 decision to terminate export quotas on walnut logs until the various people affected by your decision have an opportunity to state their case. I believe Don Gott has requested a hearing with you. He would be represented at this hearing by the Hardwood Plywood Manufacturers Association, but I am sure the Fine Hardwoods Association and the Walnut Manufacturers Association would want to attend, also." Can we count on your continued help to pave the way for "stay of execution" on this important problem?

U.S. PLYWOOD CORP.,
A. W. TEICHMEIER.

HIGH POINT, N.C.,
February 15, 1965.
Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a face veneer manufacturer concerned with the preservation of our dwindling supply of walnut logs we urge that the Department of Commerce call a hearing to present a reconsideration on its action of last Friday allowing export controls on walnut logs to expire completely. Also urge that pending such a hearing and reconsideration that the Department temporarily continue controls and preserve the status quo so that the substantial progress already made under control program will not be lost.

SNIDER FACE VENEER.

Grand Rapids, Mich.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a furniture manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urge that the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such a hearing and reconsideration the Department should temporarily continue controls and preserve the status quo so that the substantial progress already made under the controls program will not be lost.

Stow & Davis,
R. H. Bennett, Jr.

Piqua, Ohio,
February 15, 1965.

Hon. Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a veneer manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely affect our efforts to export our products.

Hartzell Industries,
Robert N. Hartzell.

Sumter, S.C.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a furniture manufacturer concerned with the preservation of our dwindling supply of walnut logs we urge the Department of Commerce to call a hearing to present a reconsideration on its action of last Friday allowing export control on walnut logs to expire complete, also urge that pending such a hearing and reconsideration that the Department temporarily continue control and preserve the status quo so that the substantial progress made under the control program will not be lost.

Williams Furniture Corp.

Louisville, Ky.,
February 15, 1965.

Senator Vance Hartke,
U.S. Senate,
Washington, D.C.:

We have been advised that the Secretary of Commerce has terminated the export control program on walnut logs.

We suggest that the decision is based on erroneous conclusions concerning effect to date on domestic walnut control program. The program has not had time to reflect the actual savings in walnut consumption.

We vigorously object to the decision terminating the export control program. Please express our views as this decision will seriously handicap ourselves and the wood working industry.

Kroehler Manufacturing Co.,
Paul E. Rumbaugh,
Vice President.

Staunton, Va.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

I strongly support your efforts to restore the export control on walnut logs. Have wired both Senators Robertson and Byrd urging that they lend their support. Preservation of our dwindling supply of walnut logs is of vital concern to all furniture manufacturers.

Basic Witz Furniture Industries,
Jack Holt.

High Point, N.C.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.

As a veneer broker concerned with the preservation of our dwindling supply of walnut logs we urge that the Department of Commerce call a hearing to present a reconsideration of its action of last Friday allowing export controls on walnut logs to expire completely. Also urge attending such a hearing and reconsideration that the Department temporarily continue controls and preserve the status quo so that the substantial progress already made under control program will not be lost.

Ruter & Walters, Inc.,
Irby B. Ruter,
President.
J. B. Walters,
Secretary-Treasurer.

Algoma, Wis.,
February 15, 1965.

Hon. Vance Hartke,
Senate Office Building,
Washington, D.C.

As a major plywood manufacturer directly concerned with the preservation of our dwindling American supply of walnut logs, we urge that the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing and reconsideration, the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

U.S. Plywood,
R. P. Fulwiler,
President.

Fort Smith, Ark.,
February 15, 1965.

Senator Vance Hartke,
U.S. Senate, Washington, D.C.

As a furniture manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urgently request you to ask the Department of Commerce to call a hearing to permit with consideration of this action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue control and preserve the status quo, so that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely effect our effort to export our products.

Ward Furniture Manufacturing Co.,
James A. Ward III.

Benton, Ark.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.

As a veneer face manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs I urgently request you to instruct the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue control and preserve this status quo so that substantial progress already made under the control program will not be lost. Loss of walnut supply would adversely affect our efforts to export our products.

Ark Face Veneer Co.,
Paul Mooney, *President.*

Two Rivers, Wis.,
February 15, 1965.

Senator Vance Hartke,
U.S. Senate,
Washington, D.C.

As a plywood manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urge that the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearings and reconsideration, the Department should temporarily continue controls and preserve the status quo so that substantial program already made under the control program will not be lost. Loss of walnut suppliers would adversely affect our effort to export our products and further reflect adversely the U.S. balance of payment. Walnut is the most important material our company uses. It accounts for over 50 percent of our total sales. Offhand, we do not know what would happen to us without walnut. The most likely would be the use of some imported wood as substitute for walnut. This would take dollars from our country and at best our company would be seriously affected.

Eggers Plywood Co.,
George S. Lester,
President.

Celina, Ohio,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.

As a furniture manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urge that the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut to expire completely. Also, urge that pending such hearing and reconsideration the Department should temporarily continue control and preserve the status quo so that the substantial progress already made under the control program will not be lost.

Mersman Bros.,
Roger H. Clapp.

Manchester, N.H.,
February 15, 1965.

Senator Vance Hartke,
Washington, D.C.:

We are directly concerned and urgently request you to ask the hearing by the Department of Commerce to permit reconsideration of its action last Friday eliminating export control of walnut.

Keller Products,
Henry Mallek.

Shawano, Wis.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a substantial producer of walnut plywood deeply concerned with the dwindling walnut log supply and the Department of Commerce action last Friday removing restrictions on exporting walnut logs. Please push the hearing on this matter and for maintaining present export controls in the meantime.

Weber Veneer & Plywood Co.,
Robert J. Weber.

JAMESTOWN, N.Y.,
February 15, 1965.

Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a plywood manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporary continue control and preserve the status quo, so that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely affect our efforts to export our products.

JAMESTOWN VENEER & PLYWOOD.

GRAND RAPIDS, MICH.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.

As a manufacturer of furniture directly concerned with the preservation of dwindling American supply of precious walnut logs, I urge you to call a hearing to permit reconsideration of the Department of Commerce action last Friday, in allowing export control on walnut to expire completely. The Department should temporarily continue controls and preserve the status quo so that the substantial program already made under the control program will not be lost.

JOHNSON FURNITURE CO.,
JAMES G. OOSTEN.

MEBANE, N.C.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.

As a furniture manufacturer concerned with the preservation of the dwindling supply of walnut logs, we urge that the Department of Commerce call a hearing to present a reconsideration on its action of last Friday allowing export control on walnut logs to expire completely. Also urge that pending such a hearing and reconsideration that the Department temporarily continue control and preserve the status quo so that substantial progress already made under control program will not be lost.

WHITE FURNITURE CO.

CHICAGO, ILL.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.

As the largest U.S. manufacturer of organs and pianos, we are directly concerned with the preservation of dwindling American supplies of walnut logs. We urge you to call a hearing to permit reconsideration of the Department of Commerce action last Friday in allowing export control on walnut to expire completely. We also urge that the Department of Commerce temporarily continue such controls so that the substantial progress already made under the control of this program will not be lost.

HAMMOND ORGAN CO.,
ROBERT H. NELSON.

GRAND RAPIDS, MICH.,
February 15, 1965.

Senator VANCE HARTKE,
Washington, D.C.

As a supplier directly concerned with the preservation of dwindling American supply of precious walnut logs I urge you to call a hearing to permit reconsideration of the Department of Commerce's action last Friday in allowing export control on walnut to expire completely. The Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

TRAVIS-APPLEGATE CO.,
E. BROOKS APPLEGATE.

HIALEAH, FLA.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.

We are directly concerned and urgently request you to ask for a hearing by the Department of Commerce to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely.

PANELFOLD DOORS, INC.,
THOMAS M. DIXON.

NEW YORK, N.Y.,
February 16, 1965.

Senator VANCE HARTKE,
Washington, D.C.

As a veneer distributor directly concerned with the preservation of our dwindling American supply of precious walnut logs I urge that the Department of Commerce call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely and to urge that pending such hearing and reconsideration the Department should temporarily continue control and preserve the status quo so that substantial progress already made under the control program will not be lost.

ALBERT CONSTANTINE & SONS,
ALBERT CONSTANTINE, Jr.

NEW YORK, N.Y.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a piano manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs I urge that the Department of Commerce call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely.

Also urge that pending such hearing and reconsideration the Department should temporarily continue control and preserve the status quo that substantial progress already made under the control program will not be lost.

WINTER & CO.

DREXEL, N.C.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We recommend continuation of limitation of exports of walnut logs also urge limitation of walnut veneer exports.

DREXEL ENTERPRISES, INC.,
SAM W. FREEMAND.

SALEM, IND.,
February 15, 1965.

Hon. Senator VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

As a manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs I urgently request you ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue control and preserve the status quo so that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely affect our effort to export our product.

SMITH CABINET MANUFACTURING CO.,
CHET SMITH.

HIGH POINT, N.C.,
February 15, 1965.

Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

Action rescinding quota on export of walnut logs is a disaster to our precarious walnut supply. As substantial consumers of walnut veneers we protest the shortsighted and inflationary action. With the rain forest of the world in political and economic upheaval it opens wide the doors of destruction to our rapidly shrinking cabinet woods and is a particularly bitter pill when so many countries prohibit the exportation of a single log to our country. Please check into the facts and use your best judgment.

FACE CRAFT VENEER CO.,
E. A. ROBINS.

CHICAGO, ILL.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We commend your efforts to protect American industry by requesting a postponement of the Department of Commerce decision to allow continuation of the export of vital American walnut logs. We feel sure you shall receive the support of the Illinois Members of the Senate and the Congress.

CHURCHILL CABINET CO.,
W. A. GULLICKSEN.

CHICAGO, ILL.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

The members of the National Piano Manufacturers Association are concerned with the removal of export controls on walnut logs and urgently request you ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday allowing export controls on walnut to expire completely. Also urge that pending such a hearing the Department continues controls to preserve this status quo so that progress already made under the control program will not be lost.

NATIONAL PIANO MANUFACTURERS ASSOCIATION.
GEORGE M. OTTO.

LINCOLNWOOD, ILL.,
February 16, 1965.

Senator HARTKE,
Senate Office Building,
Washington, D.C.:

Reportedly, the Department of Commerce is considering allowing unrestricted exportation of American walnut despite constant problems of supply domestically.

Since walnut represents about 50 percent of all organs manufactured by our entire industry, we are vigorously opposed to any action which will further aggravate an already critical situation. We sincerely hope that a public hearing will be held by the Commerce Department before it takes any definite action along these lines.

Any assistance which your office may be able to offer will be greatly appreciated.

G. J. SLADE,
National Association of Electronic Organ Manufacturers.

CHICAGO, ILL.,
February 15, 1965.

Hon. VANCE HARTKE,
United States Senate,
Washington, D.C.:

We are directly concerned with the preservation of our dwindling supply of American walnut and urgently request you ask the Department of Commerce to call a hearing to permit reconsideration of its action of last Friday in allowing export controls on walnut to expire completely. We urge that pending such hearings and reconsideration the Department of Commerce temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

Howard Gatewood,
Fine Hardwoods Association.

Evanston, Ill.,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a manufacturer and dealer of walnut veneers I am quite concerned with the preservation of the dwindling supply of American walnut, one of our most important hardwood resources. I urge you to call a hearing to permit reconsideration of the Department of Commerce action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearings and reconsideration Department of Commerce should temporarily continue controls and preserve the status quo so that the substantial progress already made under the control program will not be lost.

Respectfully yours,
Samuel Grober,
Acme Face Veneer.

New York, N.Y.,
February 16, 1965.

Hon. Vance Hartke,
Senate Office Building,
Washington, D.C.:

We are concerned with preserving our dwindling American supply of walnut logs and urgently request the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also we urge that pending such hearing and reconsideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

Knoll Associates Inc.

De Kalb, Ill.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As America's leading piano manufacturer directly concerned with preservation of our dwindling American supply precious walnut logs, I urge that the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearings and reconsideration, the Department should temporarily continue controls and preserve the status quo so that the substantial progress already made under the controls program will not be lost.

Reid W. Keene,
The Wurlitzer Co.

Montgomery, Pa.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As face veneer manufacturers directly concerned with preservation of our dwindling American supply of precious walnut logs, I urge that the Commerce Department call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely; also urge that pending such hearing and reconsiderations the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

J. A. Habig,
Habig Veneer Co.

Darlington, S.C.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a plywood manufacturer directly concerned with preservation of our dwindling supply of walnut logs, I urge that the Department of Commerce call a hearing to present reconsideration of its action of last Friday in allowing export controls on walnut logs to expire completely.

Darlington Veneer Co., Inc.,
Jack S. Ramsey.

Sheboygan, Wis.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As the manufacturer of furniture and gun parts, we are directly concerned with the preservation of dwindling American supplies of walnut logs. We urge you to call a hearing to permit reconsideration of the Department of Commerce's action last Friday in allowing export control on walnut to expire completely. We also urge that pending such hearings and reconsideration, the Department of Commerce should temporarily continue control and preserve the status quo so that the substantial progress already made under the control program will not be lost.

Richardson Bros. Co.,
David W. Richardson.

Los Angeles, Calif.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a plywood manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearing and consideration, the Department should temporarily continue control and preserve the status quo so that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely affect our efforts to export our product.

Sunset Plywood, Inc.

Grand Rapids, Mich.,
February 15, 1965.

Senator Vance Hartke,
Washington, D.C.:

As a manufacturer of furniture, etc. directly concerned with preservation of dwindling American supply of precious walnut logs I urge you to call a hearing to permit reconsideration of the Department of Commerce action last Friday in allowing export control on walnut to expire completely.

The Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

Ply-Curves, Inc.,
O. W. Lowry, Jr.

Chicago, Ill.,
February 15, 1965.

Senator Vance Hartke,
Senate Office Building:

As one of America's leading manufacturers of furniture, hi-fi and TV cabinets we are directly concerned with preservation of our dwindling American supply of precious walnut logs. We urge that the Department of Commerce call a hearing to permit reconsideration of their action of last Friday in allowing export controls on walnut to expire completely. We also urge that pending such hearing and reconsideration, the Department should temporarily continue controls and preserve the status quo so that the substantial progress already made under the control program will not be lost.

Saginaw Furniture Shop, Inc.,
A. J. Gaines.

Cincinnati, Ohio,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a piano and organ manufacturer directly concerned with the preservation of our dwindling American supply of walnut logs we urge that the Department of Commerce call a hearing to present reconsideration of their action, last Friday, in allowing export controls on walnut to expire completely.

Also urge that pending such hearing and reconsideration, the Department should temporarily continue control and preserve the status quo so that the substantial progress already made under the control program will not be lost.

Baldwin Piano & Organ Co.,
F. X. Shannon.

Memphis, Tenn.,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

We are directly concerned with preservation of our dwindling American supply of walnut logs and urgently request Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also, we urge that pending such hearing and reconsideration the Department should temporarily continue the preservation of the status quo so that substantial progress already made under the control program will not be lost.

Ivers & Pond, Inc.,
Henry R. Heller, Jr.

Bristol, Va.,
February 16, 1965.

Hon. Vance Hartke,
Washington, D.C:

As a plywood manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, we urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearing and reconsideration the Department should temporarily continue control and preserve the status quo so that substantial progress already made under the control program will not be lost.

Old Dominion Plywood Corp.,
C. J. Stone, Jr.

Washington, D.C.,
February 16, 1965.

Senator Vance Hartke,
U.S. Senate,
Washington, D.C.:

Lifting walnut veneer embargo seriously damages entire wood office industry. Heartily endorse your proposed action.

Wood Office Furniture
Institute,
R. A. Spelman.

Louisville, Ky.,
February 16, 1965.

Hon. Vance Hartke,
Washington, D.C.:

As fabricators of walnut veneers for decorative wall covering, we are directly concerned with the preservation of the dwindling supply of American walnut logs. We heartily commend your request to be made on Senate floor Wednesday that Department of Commerce reconsider its action last Friday to allow export control of walnut logs to expire. Pending hearing, we urge the Department to continue controls temporarily and preserve status quo so that progress already made under control program will not be lost. Loss of walnut supply would adversely affect our efforts to export our finished products and further affect adversely the U.S. balance of payments.

U.S. Plywood,
J. H. Lynch.

New York, N.Y.,
February 16, 1965.

Hon. Van Hartke,
Senator,
Senate Office Building,
Washington, D.C.:

We are directly concerned with preservation of our dwindling American supply of walnut logs and urgently request the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also we urge that pending such hearing and reconsideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

J. E. Furlong,
Executive Vice President,
Winter & Co.

Booneville, Miss.,
February 16, 1965.

U.S. Senator Vance Hartke,
Washington, D.C.:

Urgently request you to ask for a hearing by the Department of Commerce to permit reconsideration of its action that allowed unlimited exportation of walnut logs.

H. A. Berry,
Plant Manager,
American Seating Co.

Des Plaines, Ill.,
February 16, 1965.

Hon. Vance Hartke,
U.S. Senate Building,
Washington, D.C.:

We are directly concerned with the preservation of our dwindling supply of American walnut logs and urgently request you ask the Department of Commerce to call hearing to permit a reconsideration of its action of last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing the Department should temporarily continue controls and preserve the status quo so that the substantial progress already made under the control program will not be lost.

Donald W. Fridell,
Region Manager,
Weyerhaeuser Co.

High Point, N.C.,
February 17, 1965.

Senator Vance Hartke,
Washington, D.C.:

Most of the southern furniture and plywood manufacturers have sent telegrams to their respective Senators and Congressmen asking them to support your request to the Commerce Department to call a hearing to reconsider their decision on allowing the export controls of walnut logs to expire.

Best of luck.

Ross Caudell Veneers.

North Wilkesboro, N.C.,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a furniture manufacturer directly concerned with the preservation of our dwindling American supply of walnut logs, we urge that the U.S. Department of Commerce call a hearing to permit reconsideration of the action taken last Friday in allowing export controls on walnut to expire completely. Also we urge that pending this hearing and reconsideration, the U.S. Department of Commerce continue controls and preserve the status quo.

American & Drew Furniture Co.,
Conley Call, *Purchasing Agent.*

Tualitan, Oreg.,
February 17, 1965.

Senator Vance Hartke,
Washington, D.C.:

We are directly concerned and urgently request you to ask for a hearing by the Department of Commerce to permit reconsideration of its actions last Friday eliminating act on walnut logs.

Conrad Veeners, Inc.

Arcadia, Calif.,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a furniture manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, we urge that the Department of Commerce call hearing to permit reconsideration their action last Friday in allowing export controls on walnut logs to expire completely. Also urge that pending such hearing and reconsideration that the Department of Commerce should temporarily continue controls and preserve the status quo so that the substantial progress already made under the control program will not be lost. Loss of walnut log supplies would adversely affect our efforts to export our product and further reflect adversely the U.S. balance of payments.

Glenn of California.

Grand Rapids, Mich.,
February 16, 1965.

Senator Vance Hartke,
Washington, D.C.:

As a furniture manufacturer directly concerned with the preservation of dwindling American supply of precious walnut logs I urge you to call a hearing to permit reconsideration of the Department of Commerce's action last Friday in allowing export control on walnut to expire completely. The Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

George D. Schad, Jr.

Roanoke, Va.,
February 16, 1965.

Senator Vance Hartke,
Washington, D.C.:

As a furniture manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs, I urge you the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut to expire. Also urge that pending such hearing, and reconsideration, the department should temporarily continue controls on walnut.

Wells Furniture Co.,
Clyde B. Wells,
President.

Edinburg, Ind.,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

We urgently request that you put forth every effort to place the embargo on walnut logs and veneers for at least a 3-year period.

Hill Bros. Veneer Co., Inc.,
Jack Hill.

Eugene, Oreg.,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

We are directly concerned and urgently request you to ask for a hearing by the Department of Commerce to permit reconsideration of its action last Friday eliminating act on walnut logs.

Jones Veneer & Plywood Co.

Los Angeles, Calif.,
February 17, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs, I urge that the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut logs to expire completely. Also urge that pending such hearing and reconsideration that the Department of Commerce should temporarily continue controls and preserve the status quo so that the substantial progress already made under the control program will not be lost. Loss of walnut log supplies would adversely affect our efforts to export our product and further reflect adversely the U.S. balance of payments.

Los Angeles Period
Furniture Manufacturing
Co.,
Henry Brandler,
Executive Vice President.

Los Angeles, Calif.,
February 17, 1965.

Senator Vance Hartke,
Washington, D.C.:

As a manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs, we support you in your request that the Department of Commerce call a hearing to permit reconsideration of their actions last Friday in allowing export controls on walnut logs to expire completely, also urge that pending such hearing and reconsideration that the Department of Commerce should temporarily continue control and preserve the status quo so that the substantial progress already made under the control program will not be lost. Loss of walnut log supplies would adversely affect our efforts to export our products and further reflect adversely the U.S. balance of payments.

Gillespie Furniture Co.

Grand Rapids, Mich.,
February 16, 1965.

Senator Vance Hartke,
Senate Office Building,
Washington, D.C.:

As a member of the Michigan furniture industry and very concerned with the supply of American walnut logs, we urge the support of the entire Senate in your request that the Department of Commerce call a hearing to permit reconsideration of its action allowing export controls on walnut to expire. Meantime, we urge that the Department reinstate temporary controls to preserve the existing supply. Our firm has led the way in developing manufacturing techniques using thinner veneers, thereby extending the supply of this scarce wood, and we understand the rest of the industry is making very substantial progress in doing likewise.

John Widjicomb Co.
John W. Shockley,
Vice President.

GRAND RAPIDS, MICH.,
February 17, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We hope decision to lift export restrictions on walnut veneer logs will be reconsidered. The furniture industry here is making a real effort to conserve walnut. Export restrictions seem reasonable to preserve this natural resource but if necessary to export let it be veneer, produced by U.S. workers, not logs.

FURNITURE MANUFACTURERS ASSOCIATION,
F. W. DUNN.

WAYNESBORO, VA.,
February 17, 1965.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

As a furniture manufacturer directly concerned with preservation of our dwindling supply of walnut logs, I urge that the Department of Commerce call a hearing to present a reconsideration of its action of last Friday in allowing export controls on walnut logs to expire completely; also urge that pending such a hearing and reconsideration, the Department temporarily continue controls and preserve the status quo so that substantial progress already made under control program will not be lost.

BASIC WITZ FURNITURE INDUSTRY, INC.,
BERNARD L. COPELAND, *President.*

TACOMA, WASH.,
February 17, 1965.

Senator VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

We are directly concerned and urgently request you to ask for a hearing by the Department of Commerce to permit reconsideration of its actions last Friday eliminating act on walnut logs.

ROY L. AUSSERER,
Resident Manager, St. Regis-Northwest Door.

EVANSVILLE, IND.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

I, as a veneer manufacturers representative, will greatly appreciate your efforts on the floor of the Senate Wednesday to secure a reconsideration of the Department of Commerce action eliminating the control of the export of walnut logs. I believe that substantial progress has been made under the control program and it would be disastrous if it were lost.

HENRY W. BOSSE.

BERNE, IND.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a furniture manufacturer directly concerned with our dwindling supply of American walnut logs we support your request that the Department of Commerce call a hearing to permit reconsideration of its action last Friday in allowing export controls of walnut to expire completely. Also we urge that pending such hearing and reconsideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

HAROLD SPRUNGER,
President, Dunbar Furniture Corp. of Indiana.

SHELBYVILLE, IND.,
February 16, 1965.

Hon. Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a furniture manufacturer directly concerned with preservation of our dwindling supply of precious walnut logs, we urge that the Department of Commerce call a hearing to permit reconsideration of its acts last Friday, in allowing export controls on walnut to expire completely. Also urge that pursuant to such hearings and reconsideration, the Department start temporary continuing control and present status quo so that substantial progress already made under the control program will not be lost.

SHELBYVILLE DESK CO.,
J. R. KARMIRE,
President.

NEW ALBANY, IND.,
February 15, 1965.

Hon. R. VANCE HARTKE,
U.S. Senator,
Senate Office Building,
Washington, D.C.:

As a manufacturer of plywood for television cabinets, furniture and other related wood products, we are a user of walnut veneer and, therefore, interested in preserving the walnut supply of timber. We wish you great success in your attempt to have the Commerce Department at their meeting on Wednesday continue the present embargo on logs until such time as a hearing is held, bringing forth all of the facts in this matter. It is further suggested that the embargo be made permanent so as to insure a continuous supply.

BREECE PLYWOODS, INC.,
R. C. JENKINS,
Vice President and General Manager.

NEW ALBANY, IND.,
February 15, 1965.

Hon. Senator VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

As a plywood manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs, I urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the controls program will not be lost. Loss of walnut supplies would adversely affect our efforts to export our products.

HOOSIER PANEL CO.,
J. BINFORD.

NEW ALBANY, IND.

Hon. Senator VANCE HARTKE,
Washington, D.C.:

As a face manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs I urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue controls and preserve the status quo that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely affect our efforts to export our product.

E. M. CUMMINGS VENEERS, INC.,
F. U. ZOELLER.

NEW ALBANY, IND.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a plywood manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs, I urgently request you to ask for a hearing by the Department of Commerce to permit reconsideration to its action last Friday. Also urge pending such hearings and reconsideration the Department should temporarily continue control and preserve the status quo so that substantial progress already made under control program will not be lost.

GENERAL PLYWOOD CORP.,
R. D. MCCRITE,
General Manager.

ELKHART, IND.,
February 16, 1965.

Senator VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

We understand Department of Commerce is considering permission for unrestricted exportation of American walnut wood or veneers. As a producer of organs and pianos we are users of substantial amounts of walnut and find it to be in short supply for existing levels of demand for domestic U.S. users. This is evidenced by recent veneer industry change to small standard thickness of walnut veneer to conserve supply of wood.

We would request that public hearings be conducted by Commerce Department before any action taken. Will greatly appreciate any assistance from your office to stop this possible action by Commerce Department.

C. G. CONN, LTD.
CHARLES M. EDWARDS,
Executive Vice President.

JASPER, IND.,
February 16, 1965.

Hon. R. VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

VANCE. The 18 members of our association ask that you work to have reinstated the emabrgo on the shipment of walnut logs, lumber and veneers from United States because of scarcity of this item. This affects manufacturers of this whole area and the State.

JASPER MANUFACTURERS ASSOCIATION,
ARTHUR C. NORDHOFF, *Secretary.*

JASPER, IND.,
February 16, 1965.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

We ask your full support for reinstatement of export controls by Commerce Department on walnut logs. Depletion of walnut extremely serious for our firm and entire Jasper community. This directly affects more than 90 percent of our entire production and future of more than 200 employees.

JASPER OFFICE FURNITURE CO.

JASPER, IND.,
February 16, 1965.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

We urge you work to reinstate the embargo on walnut logs and lumber. This is a vital material for all engaged in the manufacture of furniture.

JASPER CHAIR CO.,
A. A. BARTH,
General Manager.

JASPER, IND.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We strongly urge you to try your best to have export control put back on walnut logs.

JASPER SEATING CO.

JASPER, IND.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

Retention of export control on walnut logs highly important to wood industry in this area. Your efforts to have this control reinstated will be greatly appreciated.

UNITED CABINET CORP.,
S. G. KREMPP,
President.

JASPER, IND.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We strongly urge your support to reverse the recent directive from the Secretary of Commerce on the elimination of export controls of walnut logs. This directive will have a serious effect on our furniture manufacturing industry and will undoubtedly lead to increased prices and further inflation.

HOOSIER DESK CO.,
O. I. LETT,
Manager.

JASPER, IND.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We strongly urge your support to reverse the recent directive from the Secretary of Commerce on the elimination of export controls of walnut logs. This directive will have a serious effect on our furniture manufacturing industry and will undoubtedly lead to increased prices and further inflation.

JASPER CABINET CO.,
EDWARD F. JONES, *Manager.*

JASPER, IND.,
February 16, 1965.

Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

Urge reinstatement of export controls of walnut logs. Elimination will seriously injure our business by depleting walnut timber supply.

INDIANA DESK CO.

JASPER, IND.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a plywood manufacturer directly concerned with preservation of our dwindling American supply of precious walnut logs, I urge that the Department of Commerce call a hearing to permit reconsideration of their action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing and reconsideration, the Department should temporarily continue control and preserve the status quo, so that substantial progress already made under the controlled program will not be lost.

JASPER WOOD PRODUCTS CO.
C. U. GRAMELSPACHER.

POLIS, IND.,
February 16, 1965.

Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As manufacturers of hardwood veneers directly concerned with the preservation of our dwindling American supply of precious walnut logs, we urge that the Department of Commerce call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire. Also urge that pending such hearing and reconsideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

CENTRAL VENEER, INC.,
H. C. DAVIS, *President.*

INDIANAPOLIS, IND.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

Please request a temporary reconsideration of the withdrawal of control order of walnut veneer logs.

INDIANA VENEERS, INC.,
PAUL SANDERS,
Executive Vice President.

INDIANAPOLIS, IND.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We have been informed that you will be speaking on the Senate floor Wednesday supporting a request that the Department of Commerce reconsider its action of last Friday allowing export controls on walnut logs to expire. We heartily endorse this request. As face veneer manufacturers, principally walnut, we know continuation of controls is vital to the preservation of this specie. We appreciate your efforts in behalf of the conservation of American black walnut.

T. EISING VENEER CO.,
ROBERT MATHERS.

INDIANAPOLIS, IND.,
February 14, 1965.

Hon. VANCE HARTKE,
Washington, D.C.:

We are directly concerned with preservation of our dwindling supply of precious walnut logs, and we urge your request be made on the Senate floor Wednesday at the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing and reconsideration the Department should continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

CURRY MILLER VENEERS, INC.,
R. T. MILLER.

INDIANAPOLIS, IND.,
February 15, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

A veneer manufacturer located in Indiana, we will greatly appreciate your effort on the floor of Senate Wednesday to secure a reconsideration of the Department of Commerce action eliminating the control of the export of walnut logs. We believe that substantial progress has been made under the control program, and it would be disastrous if it were lost.

HOOSIER VENEER CO., INC.,
J. C. DAUGHERTY, *President.*

EVANSVILLE, IND.,
February 15, 1965.

Senator VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

As a furniture manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs, I urge that the Department of Commerce call a hearing to permit reconsideration of their action, last Friday, in allowing export control on walnut to expire completely. I also urge that pending such hearing and reconsideration, the Department should temporarily continue control and preserve the status quo, so that the substantial progress already made under the control program will not be lost.

IMPERIAL DESK CO., INC.,
GILBERT B. BOSSE,
President.

EVANSVILLE, IND.,
February 15, 1965.

Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a furniture and cabinet manufacturer directly concerned with the preservation of our dwindling American supply of precious walnut logs, urgently request you to ask the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export controls on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost. Loss of walnut supplies would adversely affect our efforts to export our product.

CRADDOCK FURNITURE CORP.,
MELL CRADDOCK.

MEMPHIS, TENN.,
February 16, 1965.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.:

Over 50 percent of our production is walnut veneer and we feel that we would like to have the controls maintained on the exporting of walnut logs.

MEMPHIS PLYWOOD CORP.,
LEO W. SPELTZ,
President.

NEW YORK, N.Y.
February 16, 1965.

Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As piano manufacturers we are very concerned that the Department of Commerce permitted export controls on walnut to expire last Friday. We urge that the Department call a hearing to reconsider this action and protect the dwindling supply of walnut logs. We also urgently request that the Department temporarily continue controls until such hearing so that the progress made under the control program will not be lost.

AEOLIAN CORP.,
H. R. HELLER, Jr.,
President.

MEDFORD, MASS.,
February 16, 1965.

Hon. VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

We are directly concerned with preservation our dwindling American supplies of walnut logs and urgently request the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely. Also we urge that pending such hearing and reconsideration the Department should temporarily continue controls and preserve the status quo so that substantial progress already made under the control program will not be lost.

KAPLAN FURNITURE.

BENTON, ARK.,
February 16, 1965.

Senator VANCE HARTKE,
Senate Office Building,
Washington, D.C.:

As a furniture manufacturer directly concerned with preservation of our dwindling

American supply of precious walnut logs I urgently request you to instruct the Department of Commerce to call a hearing to permit reconsideration of its action last Friday in allowing export control on walnut to expire completely. Also urge that pending such hearing and consideration the Department should temporarily continue control and preserve this status quo so that substantial progress already made under the control program will not be lost. Loss of walnut supply would adversely affect us.

OWOSSO FURNITURE CO.,
W. W. JONES.

BURLINGTON, IOWA,
February 16, 1965.

Senator HARTKE,
Senate Office Building,
Washington, D.C.:

The Leopold Co. has been informed that the Secretary of Commerce has recently proposed the lifting of the partial embargo of walnut veneer logs. We are taking immediate action advising our representatives of the possible difficulties in effect that the lifting of the above embargo could have on our manufacturing plant. The purpose of this wire is to offer our support to you regarding your proposal. We believe that the order issued by the Secretary of Commerce should be rescinded and that hearing by the Commerce Committee should be effected in order that the whole question regarding the importance of walnut veneer to our economy can be reviewed and thoroughly discussed. If we can be of assistance or if we can furnish you any detailed information concerned with this problem, please contact us immediately.

THE LEOPOLD CO.,
M. S. PENCE,
Executive Vice President.

EVERETT, WASH.,
February 16, 1965.

Senator HARTKE,
U.S. Senate Building,
Washington, D.C.:

We are directly concerned and urgently request you to ask for a hearing by the Department of Commerce to permit reconsideration of its actions last Friday eliminating act on walnut logs.

EVERETT PLYWOOD & DOOR,
OSCAR EKLUND,
General Manager.

Mr. JAVITS. Mr. President, Secretary of Commerce Connor's decision on February 14, 1965, to discontinue export controls on walnut logs was received by the principal users of this commodity with a great deal of indignation.

I have received many telegrams during the past few days from New York furniture manufacturers, piano makers, plywood manufacturers, and veneer distributors protesting this decision of the Secretary of Commerce. They claim that in the absence of export controls our domestic supply of high quality walnut logs would diminish and its price rise inasmuch as walnut logs would be exported in increasing quantities in response to higher prices now prevailing by the furniture manufacturers of Europe.

Secretary Connor's explanation for his decision is that domestic users failed to live up to a voluntary agreement limiting domestic consumption of logs; that export controls on this commodity have not operated as an effective domestic price control measure nor did they show the hoped for results in conservation terms; and that these controls are detrimental to our balance-of-payments position.

I have tried to analyze carefully the views expressed by these users, as well as the order of the Secretary of Commerce, and have come to the conclusion that what is required immediately, based on the position stated by the Senator from Indiana [Mr. HARTKE] is a public hearing, where all views may be fully expressed, and that the decision of the Secretary should be held in abeyance pending the hearings. Once the hearings have been held, and the Department and all parties at interest who desired to be heard had been heard, the Department could restore its decision, if it still considered it was correct. I believe the demands for a public hearing are valid, and I desire to see such a hearing granted.

Mr. BAYH. Mr. President, my senior colleague and I have been dealing with this problem for a number of months. This is one of the first problems with which we were confronted when we first opened our office and arrived here as U.S. Senators.

First let me compliment my colleague [Mr. HARTKE] for his very penetrating remarks. They paint very well the problem which is confronting us, not only in Indiana, which, as my colleague pointed out, has the great bulk of the great natural resource of walnut production, but confronts our country in the dissipation of one of our most valued natural resources.

I should like to ask leave of the Senate to very quickly read the statement of the Secretary of Commerce and very briefly analyze it; and I confine my remarks to it because I believe my senior colleague has gone far beyond that, in painting the broad effect of the order; but a close scrutiny of the Secretary's decision will emphasize again and again the truth of my colleague's statement that this was an ill-studied, quickly issued, and unfortunate report.

Let me run hastily through an analysis of the Secretary's order, if I may:

The decision begins as follows:

> A quota limitation on exports of walnut logs was established February 14, 1964, to last for 1 year, under authority in the Export Control Act "to use export controls to the extent necessary * * * to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand."
>
> The export controls were imposed as part of an overall program, otherwise voluntary, to bring annual consumption of veneer-quality walnut logs more in balance with new log growth in America. Consumption had risen well above new growth in recent years.

Let me interpolate a statement at this point in regard to that decision. This was a most laudatory goal last year, and it still is a worthwhile objective of U.S. policy. Continued consumption which is greater than growth means eventual extinction of the American black walnut.

The Secretary continues:

> Under the reduced-consumption program, an export quota was fixed at 7.3 million board feet for the first year. At the same time a domestic consumption "target" of 15 million board feet was set.

Under this program it was expected that by 1970 growth would equal consumption.

To return to what the Secretary stated:

> Reduced domestic consumption of logs, though not mandatory, was an essential element of the total program because it was needed to help achieve the goal of balancing consumption and growth and also to help comply with the requirements of GATT.

Let me insert the statement at this point that a survey by the Department of Commerce shows a very high number of GATT countries have similar export quotas on fine woods. No indication of strict domestic use quotas are noted for the other GATT nations.

I ask unanimous consent to have the GATT report, showing countries which have similar export quotas on fine woods, printed in the RECORD at this point.

There being no objection, the survey was ordered to be printed in the RECORD, as follows:

RESTRICTIONS ON LOG EXPORTS BY OTHER COUNTRIES

Search for information indicates that data available on restrictions on log exports, by the 60-odd countries producing at least 20 million board feet of hardwood logs a year, is very inadequate and incomplete. The following data on individual countries, arranged by area of the free world, is all that is readily available at this time.

Of the 34 countries or territories mentioned below, 21 are contracting parties to GATT, and one other has acceded provisionally.

Canada

All logs exported from Canada are subject to Federal controls under the Export and Import Permits Act, the current revision of which expires on July 31, 1963. (Has been renewed.)

In accordance with section 3, an export control list listing goods for which export permits are required was established and is periodically revised. The current list, effective February 5, 1962, includes:

Group 3: Wood and wood products.

3–1: Logs of all species (of wood). (All destinations including the United States.)

In the operation of export controls, the export and import permits section of the Department of Trade and Commerce receives from private firms and individuals in Canada applications for permits for the export of logs. The section first makes sure that the logs were not cut from crown lands which are under Provincial jurisdiction. (If the logs are found to be from such crown lands, the export permit is refused in accordance with 3(b) of the act, as exporting of the logs would be contrary to the laws of the Provincial government involved). With regard to logs from privately owned lands of any Province which are to be exported for sawing purposes, export permits are granted only in specific cases where a definite hardship for the Canadian supplier would result if he were not permitted to export. The legal justification for not issuing export permits in all other cases is contained in section 3(c) of the act, that is, to insure an adequate supply of logs for Canadian mills. The policy to control exports is applied to saw logs of both hardwoods and softwoods, and only some logs which are to be made into veneer or which are not to be sawed (such as for pulp) are excepted.

It would appear that the Canadian Federal authorities are restricting the export of logs from private timber lands chiefly to encourage and sustain Canadian industry and employment in the forest products field, rather than because of any important shortages of logs. (Source: Statement "Canadian

Controls on the Export of Logs," by Forest Products Division, BDSA, Aug. 24, 1962, from official sources.)

CENTRAL AMERICA

Mexico

"A new forestry law was approved by the Mexican President on January 9, 1960. The new law went into effect on February 1, 1960. The exportation of logs is prohibited." (Source: Mexico Despatch 911, Feb. 16, 1960, on subject of "New Forestry Law Enacted—Mexico.")

Dominican Republic

Exports of lumber (believed to include logs) are subject to a special permit, according to a BIC study dated October 1954.

Santo Domingo Airgram 217 of November 8, 1962, states: "According to local custom officials the export of 'precious woods' from this country is prohibited, but no specific authority for the prohibition is cited."

Guatemala

Despatch 284 of November 7, 1956, states: "The Direction General Forestal will fix the points where the wood will be exported. Export of lumber in log form remains prohibited." Guatemala despatch of 444 of February 18, 1959, relative to "Possible revision forestry law, decree 543, February 9, 1956," states: "With special reference to article 18 of the decree, source reports Government's policy currently is to strengthen its resolution not to permit the exportation of unprocessed timber from national forests, and the prohibition continues on the use of circular saws on precious woods. About 2 years ago the Ministry of Agriculture granted a single and special exception to the exportation of unprocessed lumber in the case of a U.S. firm, when it was allowed to ship out 250 trees, mostly mahogany, from the Peten. However, source reports it is most unlikely that such permission will be granted again."

Nicaragua

According to decree 588 of June 17, 1961, export licenses issued by the Central Bank of Nicaragua are required.

Costa Rica

San Jose Despatch 387 of February 5, 1962, quotes excerpts of a letter from the Ministry of Agriculture, including the following: "Our department (Departamento de Tierras y Bosques) is the dependency through which the Ministry (of Agriculture and Livestock) grants contracts for the exploitation of timber on Government-owned and controlled lands. In all contracts which have been signed for this purpose, it is the policy of the Minister of Agriculture not to permit the exportation of lumber in log form."

The above countries are the only ones in Central America with a 1961 production of all hardwood logs in excess of 20 million board feet.

SOUTH AMERICA

Brazil

Rio de Janeiro Airgram G–128, of April 4, 1960, states: "National Pine Institute confirms prohibition export imbuia logs, based on Pine Institute Resolution 141, January 16, 1952. Further informs Embassy that only imbuia log exports since date that resolution were made on basis licenses granted, previous to it." (Imbuia is the so-called Brazillian walnut. Curitiba Despatch No. 1, July 5, 1960, states in part: "A lot of hardwoods are on the market, but only one, the imbuia (phoebe porosa), is available in big quantities. Its aspect is very similar to walnut." Rio de Janeiro Despatch 622, December 3, 1958, states in part: "Hardwoods of some 50 varieties are also native to Parana and neighboring states. Of these the imbuia is probably the most widely cut and used, principally in the manufacture of plywood and veneers and in furniture manufacturing." Relative to export of hardwood logs in general, this same despatch states: "In Parana the problem would be supply. Veneer and plywood producers informed the commercial attaché that the supply was barely adequate and became alarmed when export possibilities were mentioned."

U.S. industry reports that export controls are in the making to cover also Brazilian rosewood logs.

Rio de Janeiro Airgram A–236, of August 19, 1963, states: "Some northern states (in the Amazon watershed), wishing to add value to their products, forbid export of raw logs."

Colombia

Bogatá Airgram A–296, of November 9, 1962, on new Colombian regulations restricting the exportation of raw lumber, provides the following free translation of Ministry of Agriculture Resolution 0854 of 1962 (October 5): "That the unlimited exportation of raw lumber (i.e., logs) affects the requirements of national consumption and also the level of prices," and further resolved:

"ARTICLE 1. For a period of 10 years, as of the issuance of this resolution, it is prohibited to export bulk lumber (in pieces or logs) through the ports of the Pacific coast and from the southern zone of the country.

"ART. 2. For the same period indicated in the previous article, it is prohibited to export through the ports of the Atlantic coast bulk lumber of the species called caoba (Swietenia Macrophylla) and of the following species that are required in the country, for industrial plants as well as for the construction of housing, public works, textile industry and furniture manufacture, to wit: (22 woods listed by common and scientific name including 3 species of Juglans or walnut, all different from our black walnut)."

Argentina

Exports no hardwood logs although production of such logs for lumber and veneer was 204 million board feet in 1960 and 314 million in 1959, according to FAO. BIC says it knows of no export controls regulations on logs.

British Guiana

Export ordnance of 1937, amended by notice 1868 of October 29, 1951 (official Gazette), paragraph 4(1), requires an export certificate for "any wood of trees grown in the colony, whether round logs, unsawn, hewn, sawn or machined."

Chile

Export permit required, reportedly for exchange purposes only. However, although Chile produced 294 million board feet of hardwood saw and veneer logs in 1961, none was shown to have been exported, according to FAO statistics.

Surinam

Export license required on logs of "baboon wood" by Foreign Exchange Board regulation 79, dated March 11, 1957, with quantitative restrictions on exports.

Paraguay

Several export documents are required for logs, and such exports are subject to both ad valorem and specific export duties, according to "Investment in Paraguay," BFC, 1954.

FREE EUROPE

France

Paris Airgram 1462 of December 16, 1962, states: "The Journal Official of December 11, 1962, published a notice, effective at once, restricting the export of certain French woods for countries outside the Common Market.

"Exports of rough or squared walnut logs and sawn walnut thicker than 13 centimeters are totally embargoed."

"Comment: It seems fairly evident that the French Government acted to protect the sources of supply for industries with good export earnings, such as the veneer and particleboard manufacturers."

NOTE: The walnut referred to is Persian walnut, not black walnut.

Italy

Export restrictions (license) were placed on wood in the rough, whether or not stripped of its bark or merely roughed down, except for tropical wood (which is not grown in Italy) by Ministerial Decree of September 28, 1962, according to Official Gazette of Italy No. 246 of October 1, 1962.

Greece

Export control quotas on veneer logs are imposed annually depending on internal production, under Decision No. 49600 of November 23, 1955, according to telephone conversation with Greek Embassy by BIC.

Turkey

Walnut logs (not black walnut) are subject to export license, according to Official Gazette No. 11299 of January 4, 1963. The Council of Ministers is authorized to suppress any article included in this list, according to Exports, Cert. 6, of this reference.

West Germany

The Government has legal authority to control exports of raw materials either for conservation purposes or for insuring sufficient domestic supplies for national processing firms, including timber in the round, roughly squared, or roughly hewn. U.S. industry reports that there are secret deals between German industry and Government on controls and subsidies, and day-to-day changes.

Austria

The Government has standby authority to impose export restrictions on logs under specified conditions.

United Kingdom

Although BIC reports there are no export controls on wood products, U.S. industry reports that Scotland has some restrictions on the export of logs of "sycamore" which is really a maple.

FREE ASIA

Iran

In accordance with an unofficial translation of the general import-export regulation for the Iranian year 1341, issued March 21, 1962, by the Imperial Ministry of Commerce, Government of Iran, the exportation of round or roughly hewn logs is permitted by the Ministry of Commerce under license after approval by the Ministry of Agriculture.

Burma

According to the "Import and Export Trade Controls Supplement," published by the Office of the Superintendent, Government Printing and Stationery, Burma, February 15, 1953, part III—Export, Trade Control, Part C: "Serial No. 1, timber of all kinds and articles manufactured thereof, are controlled by the State Timber Board; applications for licenses should be submitted to that board." More recently, Rangoon Dispatch No. 381 of January 26, 1960, states: "Export regulations are administered by the Directorate of Imports and Exports, Ministry of Trade Development. Applications for license should be submitted to the State timber board for the export of timber and articles manufactured therefrom other than teak, the export of which is a monopoly of the board."

Ceylon

The annual "Administrative Report of the Comptroller of Imports and Exports for 1960," published December 1961 by the Government Publication Bureau in Colombo, states under paragraph 51 that "export licenses were issued for goods which were not exempted from license. Details of some of the goods for which export licenses were issued are given separately in the subsequent paragraphs." Among the commodities so listed, paragraph 64a states: "Lunumidella Logs. Although the issue of licenses for the exportation of lunumidella logs to any destination was reserved for Registered Ceylonese Traders no licenses were issued during the year."

India

According to the "Handbook of Export Trade Control" of the Government of India, Ministry of Commerce and Industry, published in New Delhi, 1960. Export controls of hardwoods are stringent. Teakwood, rosewood, and some others are licensed "within a ceiling," while the export of walnut (not black walnut), maple, mulberry, laurel, ash, birch, willow, and other scarce woods is prohibited. Under the terms of a trade agreement between India and Pakistan, certain varieties may be exported only to Pakistan.

South Korea

In accordance with public notice No. 653, dated November 30, 1962, the Ministry of Commerce and Industry of South Korea proclaimed that Paulownia wood is included among other export prohibited items.

Malaya

In accordance with Federation of Malaya Import and Export Guide, dated June 1, 1961, section I, titled "The Export of Locally Produced Goods," the following regulation is given: "The exportation of goods of Federation origin listed in this section is prohibited except under and by virtue of an individual export license * * * 18. Timber." The BFC publication "Basic Data on the Economy of the Federation of Malaya" WTIS Park 1, No. 58-58, states: "Heavy hardwood grades may not be exported as supplies—do not cover domestic requirements."

AFRICA

Tanganyika

The Export of Timber Ordinance, 1950, prohibits the export of timber without an export certificate issued by the Conservator of Forests. The export control order, 1950, lists timber as one of 101 commodities which require an export license.

Uganda

The export of timber ordinance, 1950, and restrictions on the movement of timber regulations, 1952, require an export license for timber, restrict the amount of movule that can be exported to that authorized by the conservator of forests. The amount of mahogany exported must be authorized by the timber grading officer and is limited each year to not more than 25 percent of a timber producer's output.

Republic of Guinea

WTIS report Licensing and Exchange Controls—Republic of Guinea states: "Generally, exports of domestic products are a monopoly of the national export company (Guinexport) and producers must sell such products to this organiation. Licenses may occassionally be granted to others in exceptional circumstances."

Ghana

Export licenses are required for all products according to Commercial and Industrial Bulletin, February 23, 1962, notice to exporters No. 37. In addition the Ghana Timber Marketing Board began operating in October 1960 with monopoly control over the export of wawa logs. In July 1961, the board's export monopoly was extended to cover all species of logs. Production and export of logs have shown a continuous decline as a result of operations of the Ghana Timber Marketing Board since 1960 (Accra A-211 of Oct. 2, 1962).

Angola

Export licenses are required on all products by decree law No. 40:568 of April 12, 1956, according to Foreign Service dispatch No. 164 of May 4, 1956.

OCEANIA

Australia

The Exchange Banking Act of 1959; Section 112 Customs Act, requires an export license for logs for the "prime purpose" of assuring that exchange earnings will be funneled through the reserve banks. However, industry sources report that Australia exercises a complete embargo on imports of logs of oriental wood, or Australian "walnut."

New Zealand

The Export Licenses and Regulations, 1938 and Export Prohibition Regulations of 1953, require export licenses for logs.

New Guinea and Papua

The Export Ordinance (control of proceeds) 1952, requires export licenses for logs.

Mr. BAYH. To return to the Secretary's decision:

> It was provided for only after full consultation with all segments of the veneer-producing and veneer-using industries, and on the strength of an understanding that they would move promptly to the cutting and use of thinner veneers, so as to reduce the number of logs needed to meet their veneer requirements. The U.S. standard veneer thickness was then one twenty-eighth of an inch. It was known that Europeans were using veneer of one-fortieth of an inch, one forty-fifth of an inch and even thinner. The U.S. industries committed themselves to adopt one thirty-sixth of an inch as the new commercial standard. This was expected to make it possible to hold domestic log consumption down to the 15 million board feet target, and continuation of the export controls after February 13, 1965, was expressly made contingent on domestic consumption being reduced to approximately 15 million board feet.

Let me add here as a part of the analysis of the Secretary's statement that the thinner veneers were accepted by U.S. industries even though this was a definite quality reduction. The domestic use quota became effective on the date of announcement, and because there had been no previous consultation with industry a conversion to the new thicknesses required approximately 45 days. Thus, the veneer cutters did not comply until about April 1.

The Secretary stated:

> Notwithstanding the industries' commitment to adopt one thirty-sixth of an inch as the commercial standard for veneer thickness, this was never done.

This standard is a function of the Commodity Standards Division of the U.S. Department of Commerce. It is true that they have not as yet reacted to this new thickness, but the Secretary of Commerce should not blame this on the industry, since it is his internal responsibility.

To go back to the Secretary's statement:

> After some weeks, the veneer cutters did begin to slice a thinner veneer, which they reported as one thirty-sixth of an inch but which field surveys have shown to average about one thirty-fourth of an inch.

Let me point out that the week's delay here were those required for conversion. The exact thickness of any veneer will vary greatly depending on where it is measured. The important factor is, "How much greater amount of veneer was made from the same amount of logs?" The new requirement would have indicated a desirable increase in efficiency of about 28 percent. The industry reports actual efficiency to be in the 25- to 30-percent range which, for the first year of the implementation of this voluntary program is very close to the goal.

The Secretary stated further:

> Furniture manufacturers protested they could not use this thinner veneer, and for a long time failed to do so.

There was an inventory of some 165 million square feet of finished veneer when the order was made effective. There was additional thicker veneer produced during the conversion period. When all of this was used, the industry had no choice but to go to the thinner walnut because that was all that was being produced. Today there is 100-percent conversion by industry.

To go back to what the Secretary said:

> We now find that domestic consumption of logs for the control year has exceeded the 15-million-board-foot target by over 4.5 million board feet. On this ground alone there is sufficient basis for not continuing the controls, since the condition for their continuance was not fulfilled.

In other words, the statement implies that the industry did not live up to the target. Let me point out the fallacy in the Secretary's statement, as indicating he did not study the whole matter thoroughly.

The American Walnut Manufacturers Association requested that the USDC include the export of veneer in the coverage of the order. It was not included and the wood used in the manufacture of walnut veneer for export accounted for 1.8 million board feet of walnut which was charged to domestic use. During the conversion period, an estimated 1 million board feet was lost because of the thicker cuttings. Also, the USDC is using the base period of January 1, 1964–December 31, 1964, for these figures although the first 45 days was not covered by the order. Consideration of all of these factors would indicate that the domestic use was less than 10-percent over the target, a most commendable record for the first year of a totally voluntary program.

The Secretary states further:

> Furthermore, it should be noted that the prices our domestic users pay for walnut logs have continued to advance during the past year, notwithstanding the reduction of export market opportunities by reason of the controls. Thus, control of walnut log exports has not operated as an effective domestic price control measure, even if such a purpose were a justifiable objective.

Mr. President, the Export Control Act, which my colleague quoted, specifies that the purpose of the Export Control Act has as one of its legitimate ends stopping the inflationary impact.

I ask unanimous consent to have this specific order printed in the RECORD.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

[50 App. U.S.C.]

§ 2022. CONGRESSIONAL DECLARATION OF POLICY.

"The Congress declares that it is the policy of the United States to use export controls to

> the extent necessary (a) to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demands; (b) to further the foreign policy of the United States and to aid in fulfilling its international responsibilities; and (c) to exercise the necessary vigilance over exports from the standpoint of their significance to the national security. (Feb. 26, 1949, c. 11, § 2, 63 Stat. 7.)

Mr. BAYH. Mr. President, it is unfortunate that the Secretary of Commerce should question this existing goal, when Congress specified in black and white that this was the goal. The industry reports that the inflationary spiral of the price of logs did continue in 1964 but was much diminished from prior years. The increase in price was about 10 percent or less, compared to annual rates of inflation as high as 50 percent in the years just prior to the order.

The Secretary continued:

> In conservation terms, the results of the first year of controls are quite disappointing. Domestic log consumption has exceeded the 15-million-board-foot target by at least 4.5 million board feet. The excess of consumption over growth, instead of being 6 million board feet as originally allowed for the first year of controls, is more than 10 million board feet, or approximately two-thirds more than the total amount of new growth.

The results are disappointing, but they are a significant improvement over the previous years and over projected cutting for the year, if there had been no controls in effect. This projection showed possible cuttings of 40 million board feet compared to growth of 16 million board feet.

The Secretary continued:

> The situation does not seem to involve the possible extinction of the walnut resource. On the contrary, walnut trees are constantly being planted and constantly maturing. Demand is for the moment exceeding new growth, but market factors will undoubtedly bring about a balance, ultimately, between consumption and growth.

This is nonsense. When we cut more than we grow, we eventually run out. The maturity rate is now beginning to reflect conservation practices begun in the early 1900's. The cutting of 14-inch minimum diameter trees means cutting trees 50 to 80 years old.

The Secretary continued:

> Among the important factors which could help to reduce domestic log consumption, for example, are not only price shifts, but shifts in consumer preferences (of which there is already some evidence) and increasing use of substitute materials.

The only common and practical substitute for black walnut is in logs from Africa; a type of mahogany grown there. Worldwide consumer acceptance of walnut is continuing and no sharp decline is expected.

The Secretary continued:

> There might be strong reason to prefer Government controls to the free play of market forces if undue hardship would otherwise result for a significant segment of our economy. But in the walnut log situation I do not anticipate that the veneer cutters and users, and their employees, will experience great difficulty in shifting to the use of other woods, should that become necessary or desirable. As a matter of fact, many of them are already using other woods, and I am informed that a further shift has already begun in some degree.

The shift to other woods would be simple, except that there is no domestic product to shift to. In other words, a shift in wood would be a shift to an imported raw material.

The Secretary continues:

> Even if technical difficulties were to develop in making the transition to use of other woods, it would seem preferable to try to ease these transition difficulties rather than continue export controls.

The only explanation of this paragraph seems to be that the Secretary seems to favor ARA or Appalachia projects to recover industries, rather than export controls to protect them.

The Secretary continues:

> For, while the controls may benefit log cutters and users, they also work to the detriment of the log growers and log exporters by restricting their marketing opportunities.

There is no short-run benefit to domestic cutters and users, since they are affected by the domestic use quotas in the short run. They have to cut too. There is no detriment in marketing opportunities since the demand exceeds growth even with the controls. The log exporters have been disappointed in the program mainly because the USDC has allowed the foreign buyers to take up most of the export quota. American export firms were bypassed. However, American exporters still had more exports in all years—except 1963.

The Secretary continues:

> Reduced export markets have had much of their adverse impact in the Appalachian region. This region, for reasons well known, is particularly in need of expanded, not restricted, market opportunities for its products.

The walnut cut in Appalachia is negligible—5 percent. Most of the walnut grows in six Central States far from Appalachia.

The Secretary continues:

> Moreover, controls on the export of walnut logs are clearly detrimental to our balance-of-payments position, in that they reduce to some extent the dollar value of exports from the United States. While the amount involved may seem to be comparatively small in the context of the entire balance-of-payments deficit, it should not be ignored because of the cumulative effect of all gains, small as well as large.

Since extinction of walnut logs would result in total importation of replacement woods, the long-range effect of uncontrolled export would be disastrous to the balance-of-payments position. The amount of export dollars lost by the control is estimated to be $10 million.

Also, the export of logs and veneer decreases the opportunity for the domestic walnut furniture producers, since it provides their foreign competitors with the resources needed to compete effectively. The export of furniture is highly desirable compared to the export of raw logs. The effect of the export of a piece of furniture compared to that of a log is that there is represented in the furniture approximately 60 times the value of the wood needed to produce the veneer in it.

The Secretary concludes:

> The President in his recent message to Congress emphasized the national concern with regard to the balance-of-payments deficit. He has called upon all of private industry, large and small, to join in a cooperative effort to make management decisions which will increase exports and aid in reducing our unfavorable balance of payments.
>
> For all these reasons, I have decided not to extend controls on export of walnut logs beyond the period of 1 year which was originally announced. Therefore, controls on export of walnut logs will not be in effect on and after February 14, 1965.
>
> JOHN T. CONNOR,
> *Secretary of Commerce.*
>
> FEBRUARY 12, 1965.

Mr. President, let me make one observation. My colleague refers to the Secretary's message and about the Secretary's request that when we run out of walnut that will be too bad, that we will have to shift to some other wood. Study has disclosed that about the best substitute that can be found would be African mahogany. I believe that the large quantities of African mahogany, and the Philippine woods—to which my colleague has alluded—coming into this country to replace black walnut, would certainly shift the Secretary's balance of payments completely out of the water, because we would be importing those woods into this country, which would have a detrimental effect, so far as I can see.

VIETNAM

Mr. CHURCH. Mr. President, the charges of the minority leader, made earlier in the day, that my address yesterday was in effect, a proposal to "run up the white flag" in South Vietnam and a repudiation of our pledge to the Saigon government, are not only contrary to the facts, but contribute nothing to a rational discussion of the problem.

The minority leader is a fine patriot, but no better patriot than any other Member of this body. It serves no useful purpose to question the fervor, the devotion to country or, least of all, the courage of those of us who believe that the dilemma of southeast Asia must find a political, rather than a military solution.

Having stated my own views at some length yesterday, I do not intend to reiterate them today. Neither do I believe that it is necessary to call for an extension of the war in Vietnam as proof of one's support for the President.

Lyndon B. Johnson has repeatedly stated that he wishes no widening of the war in Asia. I support him in that position.

The military initiative we have recently undertaken in the form of retaliatory bombings of North Vietnam should, in my judgment, be accompanied by a diplomatic initiative defining the prerequisites for a satisfactory political settlement in southeast Asia.

I have closely reviewed the debate today. But, as history shall bear witness, nothing was said to compare, in accuracy of assessment, to the brilliant summation of Walter Lippmann, entitled "The Vietnam Debate," published in this morning's edition of the Washington Post. I could do no better than to read the Lippmann article for the RECORD:

> We are just seeing another attempt to form a government in Saigon, and much depends, for the near future at least, on

whether it is able to hold together for a decent time. For the reason why the situation in Vietnam has become so critical in the past 3 months is that South Vietnam has been crumbling and is at the point of collapse. The Vietcong have been so near winning the war and forcing the United States to withdraw its troops that Hanoi and Peiping have brushed off feelers for a negotiated peace. They believe themselves to be in sight of a dictated peace.

We, for our part, have found ourselves quite unable to put together a South Vietnamese Government which is willing or able to rally enough popular support to hold back the advancing Vietcong. The American Army fighting the Vietcong has been like men trying to drive away a swarm of mosquitoes with baseball bats. However, because there is nothing else to do, we keep on. We do not wish to face the disagreeable fact that the rebels are winning the civil war.

The easy way to avoid the truth is to persuade ourselves that this is not really a civil war but is in fact essentially an invasion of South Vietnam by North Vietnam. This has produced the argument that the way to stabilize South Vietnam is to wage war against North Vietnam.

The more thoughtless and reckless members of this school of thinking hold that only by attacking North Vietnam with heavy and sustained bombardment can we snatch a victory in South Vietnam from the jaws of defeat. They have not yet carried the day in Washington. But the President, when he ordered the retaliatory raids, no doubt intended to remind Hanoi and Peiping that the United States could, if it chose to, inflict devastating damage.

Apart from the question of the morality and the gigantic risks of escalating the war, there is no sufficient reason to think that the northern Communists can be bombed into submission. We must not forget that North Vietnam has a large army—larger, it is said, than any other army on the east Asian mainland except China's. This North Vietnamese Army can walk, and nobody has yet found a way of bombing that can prevent foot soldiers from walking.

It is most likely that if we set out to devastate Hanoi and North Vietnam, this army would invade South Vietnam. In South Vietnam we could not bomb the army because that would mean that we would be killing our South Vietnamese friends. There is little reason to think that the Saigon government and its very dubious troops would be able to fight back, or in fact that it would want to fight back.

The Asian Communists fight on the land, and they think about war in terms of infantry. I believe that the reason why they are not terrified, nor much deterred, by our kind of military power is that they believe a war on the mainland will be fought on the ground and will be decided on the ground. There they have not only superior numbers but widespread popular support.

For this country to involve itself in such a war in Asia would be an act of supreme folly. While the warhawks would rejoice when it began, the people would weep before it ended. There is no tolerable alternative except a negotiated truce, and the real problem is not whether we should negotiate but whether we can.

It is not certain, given the weakness and confusion in South Vietnam, that Hanoi and Peiping, who are poised for the kill, will agree to a cease-fire and a conference and a negotiation. But while this has, I believe, been the implied objective of our policy, the time has come when it should be the avowed objective, an objective pursued with all our many and very considerable diplomatic resources.

Mr. President, I share Walter Lippmann's misgivings as to whether Hanoi or Peiping may be willing to negotiate on any basis acceptable to the United States. But I see nothing to be lost in finding out.

As for any warhawk cries from the other side of the aisle, they leave me unimpressed. I remember Korea. I recall the enthusiastic bipartisan support given Truman's decision to enter that war. But when the casualty lists began to grow, when the fighting would not stop, when the going got tough, I also remember how quickly Korea became "Mr. Truman's war," and how the Republicans made it their principal campaign issue in 1952. I have not forgotten the Republican advertisements, featuring pictures of the horrors of the Korean war, castigating the Democratic Party as the "war party," and praising the GOP as the party of peace. And I remember Dwight Eisenhower's dramatic pledge to "go to Korea" to arrange a truce with the Communists.

Before we go down that road again, I should like to be certain there is no better alternative.

Mr. McGOVERN. Mr. President, I was very proud, yesterday afternoon, to stand with the Senator from Idaho in the most thoughtful and courageous contribution that he made to our thinking on the crisis in Vietnam.

I am happy to join him this evening, very briefly, in a reply to the remarks that were made earlier today on the floor of the Senate by the distinguished minority leader [Mr. DIRKSEN].

Mr. President, yesterday on the Senate floor, I made clear my position on the Vietnam crisis. I said first of all that I approved of President Johnson's restraint in the handling of that crisis. I said secondly that the retaliatory air strikes which he ordered when our forces were attacked could be justified. I said thirdly that I was against American withdrawal from Vietnam unless we could achieve a satisfactory settlement by negotiation.

I suggested that while pursuing our military support of the Vietnamese Government, we also explore the possibility of a negotiated settlement to end the war in southeast Asia. If such efforts to reach a settlement fail, we would, of course, continue the military effort.

That position was heavily supported by the American people in a Gallup poll published on January 31 which showed that 81 percent of the American people favor an international conference to explore the possibilities of a negotiated settlement. My mail coming from South Dakota and elsewhere supports the same position by a ratio of 15 to 1.

It was thus with dismay that I read on the news ticker that the Senator from Illinois [Mr. DIRKSEN] regards this as "a proposal to run up the white flag before the world and start running away from communism." He implied that efforts to reach a settlement in Vietnam would lead to the collapse of American power all the way to Alaska and Hawaii.

Now, Mr. President, in all due respects to the very able distinguished minority leader, I regard his remarks today as good oratory and bad logic. I have never advocated running up a white flag and I do not advocate it now. I know something about war as a combat pilot in World War II. But I do not believe that every problem in the world can be solved by bigger wars or even by waving the American flag on the floor of the U.S. Senate.

In 1952 the Senator from Illinois supported the presidential candidacy of General Eisenhower who campaigned on a pledge to go to Korea and end the fighting. He won the election. He negotiated a settlement. He won widespread support for his efforts. It was not surrender to explore the possibility of a cease-fire and a settlement in Korea, and it is not now surrender to explore the possibility of such a settlement in Vietnam. It is, in fact, the statesmanship and diplomacy of reasonable men.

By the way, Mr. President, some of the people who are now urging President Johnson to accelerate the war in Vietnam were going up and down the country attacking President Truman for continuing the war in Korea more than a decade ago. They scornfully referred to it as "Truman's war" and cried out against the casualties in political speeches to the American people.

The Senator from Illinois deplores the fact that Senator CHURCH and I spoke "in this Chamber which echoes with the courageous words of brave men now gone." Now, Mr. President, there are still brave men in the Senate, and the Senator from Illinois isn't the only one. It doesn't require any particular bravery to stand on the floor of the Senate and urge our boys in Vietnam to fight harder, and if this war mushrooms into a major conflict and a hundred thousand Americans are killed, it won't be U.S. Senators who die. It will be American soldiers who are too young to qualify for the U.S. Senate.

It does not even require very much bravery to stand on the Senate floor and say that one agrees 100 percent with the President and the Secretary of State and the Secretary of Defense. It is just possible that it required more courage for the Senator from Idaho to lead off this debate than for the Senator from Illinois to try to squelch it. I don't intend to be squelched by innuendoes that it is somehow un-American to try to settle by conference what we have been unable to settle on the battlefield in 11 years of fighting, in the expenditure of $4 billion of American resources, and in the loss of several hundred of the cream of our American fighting forces.

Finally, Mr. President, the Senator from Illinois suggests that if we negotiate a settlement in South Vietnam, American military power will collapse all the way to Alaska and Hawaii. What nonsense. America's real military power in the Pacific will remain where it has always been—in our naval and air power right along the coasts of Asia. That is a power capable of utterly devastating China and indeed all of Asia. Indeed, if we can become disentangled from the inconclusive and costly jungle war in southeast Asia, we will be in a better position to use our power flexibly and wisely than we are today.

In short, Mr. President, we have everything to gain from exploring the possibilities of an end to the fighting in southeast Asia, and nothing to lose.

Mr. MORSE. Mr. President, the remarks which have just been made by the Senator from Idaho and the Senator from South Dakota will make the speech that I had intended to make so much shorter.

Mr. President, I have waited to hear the Senator from Idaho [Mr. CHURCH] and the Senator from South Dakota [Mr. McGOVERN] because I was away from Washington with the official Senate delegation to the Mexican Interparliamentary Conference yesterday when each of them made his speech of great statesmanship on the Vietnam problem. This afternoon I read their speeches in the RECORD. I have waited until this opportunity to extend my congratulations and high commendation to them.

For well over a year the senior Senator from Alaska [Mr. GRUENING] and the senior Senator from Oregon have made speech after speech—sometimes three to five times a week—here in the Senate urging repetitively the major thesis of the speeches made yesterday by the Senator from Idaho and the Senator from South Dakota. In recent months both of those two great Senators, the Senator from Idaho [Mr. CHURCH] and the Senator from South Dakota [Mr. McGOVERN] have indicated in public comments and in writings that they, too, are of the opinion that we cannot justify making war in southeast Asia outside the framework of international law, which has been our sad course of action.

After reading the speeches of the Senator from Idaho and the Senator from South Dakota and hearing them today, I have decided to forego the pleasure of breaking bread with the President at a White House buffet reception, and to perform what I consider to be a much greater service by speaking briefly to the RECORD tonight in opposition to the President's policies in Asia.

This afternoon the ticker carried a statement of the majority leader, the Senator from Montana [Mr. MANSFIELD] to the effect that those who yesterday in the Senate spoke in favor of seeking a negotiated settlement of the crisis in Asia do not disagree with the present policy of the President in southeast Asia.

I wish my majority leader to know that I completely repudiate the policy of the President of the United States in southeast Asia. I wish the RECORD to show, and I wish my majority leader to know, that I completely disagree with the policies the President of the United States has come to follow in southeast Asia due, in my judgment, largely to the prolonged, over-the-months representations made to him by the Secretary of Defense, Mr. McNamara, the Ambassador in South Vietnam, Mr. Taylor, the Deputy Ambassador, Mr. Alexis Johnson, the Secretary of State, Mr. Rusk, the Bundy's in the State Department and the White House, and those others who have been bent on escalating a war in Asia for well over a year.

The time has come for the American people to hold this administration to an accounting for the course of action that it has been following in southeast Asia. The senior Senator from Oregon is satisfied that the Pentagon and certain people in the State Department have been determined for a long time to involve the United States in a war in Asia.

Mr. President, I should like to say, "Keep your eyes on their acts of provocation, for they have not, in my judgment, given up their intentions to provoke more and more until finally they can have an alibi and an excuse for bombing the nuclear installations of Red China."

If they succeed in that nefarious program, the big show is on, and the world will then be involved in a nuclear war. Let those on the Republican side who talk about running up a white flag make all the insinuations and innuendoes they wish in seeking to reflect upon the patriotism of those of us who believe that the United States ought to keep faith with its ideals and return to the framework of international law. But let those Republicans who are now talking about white flags not forget that we are in South Vietnam today because of a horrendous mistake in 1954 by Dwight D. Eisenhower and John Foster Dulles, the Secretary of State.

Let the country know that what we are doing today, so far as American policy is concerned, is paying the price of a shocking policy of hypocrisy and, in my judgment, deception practiced upon the American people by John Foster Dulles, both in his London Conference with Winston Churchill and with Anthony Eden, and also in his conduct at the Geneva Conference in 1954, from which he withdrew when he realized that the parties to that conference were not going to follow American orders.

He could not keep France in the war. He was determined to keep that war in Indochina going. When the nations participating in the Geneva Conference in 1954 refused to continue that war and entered into an agreement dividing Indochina into its four parts—Laos, North Vietnam, South Vietnam, and Cambodia—John Foster Dulles picked up his satchel and walked out, leaving Bedell Smith as an observer.

The United States under the leadership of Dwight D. Eisenhower refused to sign the accords.

I hope that yesterday the President of the United States, at his conference with the former President of the United States, suggested that Eisenhower go to South Vietnam and observe for himself the price in American money and blood that this Republic is paying for his colossal mistake of 1954.

I am not surprised that the Republicans are rallying around the Republican banner. But I should like to say to them and to the President of the United States that millions of Americans are rallying tonight around the American flag demanding that this administration stop its warmaking policies in southeast Asia before we find ourselves in a massive and colossal war.

In speech after speech the senior Senator from Oregon has been warning of this danger on the floor of the Senate for well over a year. I have said we are on our way to a war in southeast Asia. We are in it. It is undeclared war.

That leads me to my next point. I repudiate the policies of the President of the United States in southeast Asia because in my judgment, under the Constitution, he cannot commit acts of war in North Vietnam and elsewhere in southeast Asia without a declaration of war, and there has been no declaration of war. Under our constitutional system the Commander in Chief may reply immediately in the defense of our country until a declaration of war can be acted upon. The President of the United States has no constitutional authority to proceed to lead this Nation into a war. That is exactly what the President of the United States is doing in these dark hours of the Nation's history.

Mr. President, we have become the international pawnbroker for the shoddy foreign policies of the two dying colonial powers of the world. We are spending billions of dollars of the American taxpayers' money and killing an unjustifiably increasing number of American soldiers to try to hold in hock in Asia the military and colonial tyranny of our European colonial allies. We are betraying the history of our country and the future of peace and freedom.

When those of us are making a plea that we return to our treaty obligations and that we lay before the signatories to those treaties their duty to join in seeking to work out an honorable negotiated settlement, either through the Geneva accords or through the United Nations Charter, we are urging a patriotic course of action that our Republic ought to follow.

I should like to say to the Senator from Idaho [Mr. CHURCH] and the Senator from South Dakota [Mr. McGOVERN], "Do not be concerned about the abuse and the attacks you will receive from the superpatriots, who seem to think that the only way to be patriotic is to advocate war."

Mr. President, I cannot reconcile that concept of patriotism with true patriotism.

I have just returned from Mexico. If we continue to follow the course of action that we are now following in southeast Asia, we shall lose the friendship and the respect of an overwhelming majority of the peoples of the world.

It was a sad experience for me, during the past 2 days in Mexico, to take note of the 24-hour security protection around the beautiful American Embassy in Mexico City by Mexican riot squads, each soldier armed with tear gas guns, and other personnel standing by to make use of other weapons to protect the Embassy, if that became necessary. Why was it necessary? Because they had heard that there was underway, a few days ago, a plan to attack the Embassy.

I pay my high respects and thanks to the Government of Mexico for doing what some other governments elsewhere in the world should have done—taking the necessary security precautions to protect our Embassy and to protect American property.

But this is symbolic. We will find throughout Latin America a growing uneasiness about American participation in war in southeast Asia. It was discussed again at our conference. I reported on the floor of the Senate some weeks ago that our State Department advised our ambassadors in some Latin American countries to call on the heads of state and ask for at least some token support for South Vietnam—some manpower, if they could supply it; if not, some doctors and nurses; and if they could not send human beings, to send, at least, some materiel.

The reports I have received are that that attempt to involve those countries in the war in southeast Asia is deeply resented—and it should be.

In my judgment, we do not have much time to return to the framework of international law. I will take the opinion of Walter Lippmann, as read by the Senator from Idaho [Mr. CHURCH] tonight, over and above the opinions of Senators who have been speaking in the Senate, urging a further escalating of the war, because I am satisfied that a further escalating of the war will lead to massive world conflict. If the President of the United States follows that course, instead of becoming one of the greatest Presidents of our history he will go out of office the most discredited President in our history, because the American people will hold to an accounting any administration that leads us unnecessarily into war. The President of the United States and his advisers are tonight leading the country into an increasing danger of massive war in Asia. It will not be stopped until the American people make perfectly clear to the administration that they want no more of these violations of international law.

As the Senator from Idaho [Mr. CHURCH] brought out a few moments ago, there has been some comment, false analogy, and non sequitur argument in some of the speeches made by those who support a further escalating of the war, to the effect that the present situation is somewhat comparable to the situations that existed at the time of World War I, World War II, and the Korean war.

We must not overlook the fact that Laos, Cambodia, North Vietnam, and South Vietnam were brought into being by a negotiated treaty. South Vietnam, along with the United States, did not sign the Geneva accords of 1954. In my judgment, since South Vietnam did not sign the Geneva accords of 1954, the United States cannot possibly justify supporting the conduct of the dictator in the civil war in South Vietnam on the ground that all we are seeking to do is to enforce the Geneva accords of 1954, which we did not even sign.

Let us return to the conference table and find out, as the Senator from Idaho [Mr. CHURCH] suggested a few moments ago, whether there is any hope of trying to reach a negotiated settlement through the Geneva accords. Like him, I have grave doubts now. We have gone too far; and the chief responsibility for having gone too far lies with the United States, for our conduct makes it most difficult to assume that we can persuade the parties to the Geneva conference of 1954 to meet again and work out a negotiated settlement. But we ought to try. As I have said so many times in so many of my speeches, we cannot escape our responsibilities under the United Nations Charter.

But it is said that the United Nations Charter is fast becoming a weak reed. If it is, I say again that the chief responsibility for that lies with our own country, for no nation in the world is guilty on the record of history of undercutting the underpinnings of the United Nations more than the United States, since we started to follow our illegal course of action in South Vietnam. We have a clear duty under the United Nations Charter to take violations of the Geneva accords, violations of North Vietnam, Laos, and even Red China, and, on occasions, Cambodia and South Vietnam, too, to the United Nations for determination; but that we have refused to do. By not doing so, we have become an aggressor nation.

I wish to make one more point before I close this subject. The American people are not being told the facts about American policy in South Vietnam. The American people are being told what the Pentagon, the State Department, and the White House want to tell them, and nothing more. That is not in keeping with the responsibility of Government officials toward the democratic system. That is the way uncontrolled executive power builds up to replace the checks that the people are entitled to have exercised under our system of democratic government. So, in my judgment, our best hope is to go to the United Nations, although it will now take some rebuilding even of the procedures of the United Nations to get this matter into a jurisdictional position so that the United Nations can act.

So long as there is hope in this great crisis to produce peace the voice of the senior Senator from Oregon will be raised in support of such a peaceful approach.

Let me say to those who prefer blood to peace that I am satisfied that when history records the analysis and the appraisal of this debate, we who try to lead our country to the keeping of faith with its professed ideal that we believe in the substitution of the rule of law for a unilateral military action, which is but the rule of the jungle, will be judged by history as the ones who really followed a patriotic course in trying to protect mankind and prevent it from destroying itself in a nuclear war.

I am at a loss to understand how anyone in the Pentagon, the State Department, or the White House can think we can continue to commit attacks in southeast Asia without a declaration of war, driving Russia back into the arms of Red China. Russia cannot possibly hold any position of influence in the Communist segment of the world if she does not take the steps necessary to keep her treaty commitments to both Red China and North Vietnam, and come to their defense when they are attacked.

Mr. President, it makes me sad to find it necessary to criticize my Government in a matter such as this. But I have my trust, too. And the trust that I owe under my oath, taken at that desk, to uphold the Constitution, when I came to this body four different times over the past 20 years that I have served here, is to protest the course of action of my President when I think that course of action is not in the interest of my country.

I happen to think that the course of action that the President of the United States, the Secretary of State, and the Secretary of Defense, and their advisers, are following in southeast Asia today is a course of action that, if it is not stopped, will lead the world into a massive war.

Mr. President, under my discussion on the Vietnamese problem I should like to add this paragraph.

I am exceedingly pleased that increasing numbers of American clergymen are beginning to recognize their responsibilities of spiritual leadership in regard to the shocking morality of American foreign policies in South Vietnam.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks on South Vietnam a sermon preached in Washington, D.C. two or three Sundays ago by the Reverend James Clark Brown, of the Cleveland Park United Church of Christ—Congregational, Washington, D.C. This sermon is entitled "The Concern Christians Have About Vietnam."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. I would particularly recommend that Dean Sayre of the Episcopal Cathedral in Washington read this sermon.

This gentleman of the cloth, who could not make up his mind as to who he was going to vote for in the last campaign because he thought neither candidate was deserving, has apparently decided that the war in Vietnam is a good thing, despite the great issue of morality which is involved in the unjustifiable slaughter of human beings, all of whom—Christians, Jews, Communists no matter what their religion, faith, or nationality—happen also to be the children of God.

I am glad that we have the Reverend James Clark Brown and an increasing number of clergymen in this country who are beginning in increasing numbers to raise their voices in a plea for Christian leadership, for the application of the principles of Christian leadership in connection with the warmaking policies in South Vietnam.

Mr. President, I ask unanimous consent that following this sermon there be printed in the RECORD an article published in the Buffalo Evening News for Saturday, January 30, 1965, entitled, "The United States Does Not Know How To Fight 'Invisible' Foe in Vietnam—We're 'Own Worst Enemy'," written by Hugh Campbell.

There being no objection, the sermon and article were ordered to be printed in the RECORD, as follows:

EXHIBIT 1

THE CONCERN CHRISTIANS HAVE ABOUT VIETNAM

(A sermon preached by the Reverend James Clark Brown, the Cleveland Park United Church of Christ (congregational) Washington, D.C.)

"Henceforth, in the future, be made strong in the Lord and in the power which His supreme might imparts. Put on the armour of God, so as to be able to stand firm against all the strategems of the devil * * * Stand therefore, first fastening on the best of truth; putting on the breastplate of righteousness; let the shoes on your feet be the gospel of peace, to give you firm footing; and with all these, take up the great shield of faith, with which you will be able to quench all the flaming arrows of the evil one."—From St. Paul's letter to the Ephesians, chapter 6: 10–11; 14–16.

The New Testament is repeatedly concerned with comparing the Christian life to that of a loyal soldier. Surely it need not be said that such a comparison has no reference to killing, or preparation for destruction, but rather to the fact that both for the Christian and the commendable soldier—there is an expectation of and a readiness for battle with the enemy; there is a discipline of body, mind and spirit about each of them, dedicated as they are to unfailing obedience to the commands of their respective leader. Thus it seems wholly natural for the Apostle Paul to say of a friend, "Epaphroditus, my brother and fellow worker and fellow soldier" (Philippians 2: 25), or when speaking to Timothy, for him to say, "fight gallantly, armed with faith and a good conscience" (I Timothy 1: 18), or again, "Take your share of hardship like a good soldier of Christ Jesus" (II Timothy 2:3).

Indeed, in the whole of Christian history two of the most conspicuously effective efforts in organizing followers of Christ with the result of maximum usefulness and influence have been, one, the organization of the society of Jesus in the 16th century, and, two, the organization of the Salvation Army in the 19th century. Both groups have involved failure as well as success but their overall influence has been remarkable and is essentially due to the fact of their organization on a military principle. Ignatius Loyola had no specific intent of opposing the Reformation when he wrote his "Spiritual Exercises" and founded the famous Jesuit Society. It is nevertheless true that the Jesuits were effective in producing a genuine historical change of direction. They were instrumental, through their missionary and educational activities, their austere intellectual disciplines, in saving great sections of northern Europe for the Roman Catholic Church and in regaining lost territory. Loyola's success is in large measure due to the fact that he combined two elements of success which went together perfectly; his own soldierly experience prior to his commitment, and his recognition of the militant character of original Christianity. The key to his entire enterprise is found in his terse reference, "Christ our Commander in Chief." Says one of his biographers: "The only language Loyola could speak was the language of a warrior; it was always the banner and the battle, obedience and command, company and militia * * *. He demanded the virtues of a soldier but renounced the conditions that fostered them." [1]

This brief reminder of how, from the very beginning of the Christian era—as well as in some of its most influential periods—the emphasis has been upon soldierly discipline; hard, happy, heroic living; readiness for battle with the enemy (cannot one even say eagerness for the battle, "Woe be unto me if I preach not the Gospel"). The truth of what we are thinking about comes forcefully to mind when, as 20th century Christian (or persons so aspiring to be) we are surely aware of two central facts:

1. If ever the world needed an authentic revival of the Christ-like life, it is our world. For you and I are confronted not simply with the enemy of personal evil represented in the seven deadly sins; such evil has always made battle against God's people and always will. Today, however, in addition to this, the spirit of evil is equipped with hydrogen bombs; the spirit of evil is operative in the power and practices of national governments, all governments to varying degrees including our own; and one consequence of all this is that our world is now threatened with a possible destruction of hellfire and brimstone which is incomparably more cruel than any such fate ever described by the most fanatic Calvinist preacher when talking about the wrath of God.

2. Surely thoughtful persons realize that if the Christ-like life, so desperately needed, is to have any realistic prospect of achievement—there is required of you and me now, as never before, a Christ-like faith actively applied in every area of life, nurtured by soldierly Christian disciplines which will bring a creative awakening to our frozen souls even as the coming of God's spring awakens and thaws loose the ice-locked waters of a thousand streams and sends them rushing toward the great sea which is their natural home.

How contemporary in its relevance, therefore, is the apostle's appeal that you and I "put on the armour of God, so as to be able to stand firm against all the strategems of the devil * * * first fastening on the belt of truth, putting on the breastplate of righteousness, * * * and with all these, taking up the great shield of faith, with which you will be able to quench all the flaming arrows of the evil one."

Think with me of how we may best seek to implement this appeal within our life and world today. Not long after the Cuban missile crisis in October 1962, President Kennedy was discussing this perilous event that had, for a time, put both the United States and Russia with their respective atomic arsenals on a collision course. "It all seemed easy enough," he remarked, after the Soviet bluff had been successfully called, but the trouble was no one could be sure, at the outset, that the Soviets really were bluffing. He was asked what he thought the odds were, at the outset, that the Soviets were not bluffing. He replied that he had thought the chance that the Soviets meant to go through to the end was "somewhere between one in three." By the most realistic use of our imagination it is impossible for any of us to comprehend the terror that would have been let loose in the world had the Soviets not changed their course of action. The consequence would have been what military theorists euphemistically call "a thermonuclear exchange." The current Pentagon estimate of the cost to this country of an H-bomb attack is 110 million dead Americans. Nonetheless, most thoughtful Americans are grateful, today, for the late President's willingness to run this fearful risk. For we know, as a fact of our life, that we have been destined to live at a time when the skies above us may, at any moment, turn from blue to black, erupting in the fallout of atomic war. We know, as a fact of our life, that whatever else may be said of our relationship to Communist China and Soviet Russia—they regard any nation's military weakness or the refusal to use the strength it possesses, when threatened, an invitation to their aggression and domination.

Having said this, think with me now in the context of our Christian faith of where we as a nation stand in relation to the crisis in Vietnam. Nobody but the President and his most intimate advisers has enough information about the situation in Saigon, Hanoi, Peiping, and Moscow to become dogmatic as to what policy should be pursued. But surely this does not mean that we, as citizens, must impose a self-censorship of silence and supinely accept whatever decisions—or lack of decisions—which others decide for us. Indeed, one of the strange ironies of the Vietnam crisis is that while the American Government is spending nearly $2 million a day to finance our participation in Vietnam; and, since the war began in 1946, nearly $6 billion has been spent of taxpayers money; these facts in themselves are dwarfed in significance by the fact that as of yesterday 400 Americans have been killed in Vietnam and the prospect of an expanded all-out war increases daily—the irony is, that, despite all this, the President of the United States has not yet made a major speech on the details of this war since he entered the White House.

"The time has come," says James Reston in this morning's New York Times, "to call a spade a bloody shovel. This country is in an undeclared and unexplained war in Vietnam. Our members have a lot of long and fancy names for it, like escalation and retaliation, but it is war just the same * * * a war that is not only undeclared and unexplained, but that has not even been widely debated in the Congress or the country." [2] Last August 5, in a campaign speech on Vietnam, the President said: "There can be, and there must be, no doubt about the policy and no doubt about the purpose." But it is increasingly obvious that among his own advisers as well as the American citizenry generally, there is enormous doubt, apprehension, and uncertainly about both America's policy and purpose. Should we not as citizens, generally, be concerned that the President inform us—more fully than he has—of this country's objectives, policies as regards Vietnam—and of the rationale behind them? Should not the President himself be concerned so to tell us? Teddy Roosevelt spoke of the office of President as "a bully good pulpit" whereby one who occupies the office is in a singularly, fortunate position to educate, to motivate, and inspire, and to unite a divided and uncertain people. I say, respectfully, to date, the President has not done this in relation to Vietnam.

Let me ask you: Do you feel sufficiently informed and satisfied with the answers you have to the following questions?

1. "Is it not a fallacy to believe that any amount of retaliatory bombing (short of laying a massive radioactive carpet across the waist of the peninsula) would be effective in preventing the Vietcong from continuing to receive whatever supplies they do from North Vietnam?"

2. What is the answer to the statement of Senator WAYNE MORSE, a member of the Senate Foreign Relations Committee, that "official testimony regarding the supplies of the Vietcong rebels makes clear that 90 percent of their weapons were captured from Government sources and that there is very little evidence that support for the Vietcong is coming from the north. They are strongest in the southern tip of South Vietnam, farthest from North Vietnam, and they are armed largely with American weapons captured from the Government forces"?

3. "How much of the success of the Vietcong is explained not so much by Communist supplies or direction, but by the justified despair and dissatisfaction of the Vietnamese people, now in their 20th year of continuous war; by their lack of confidence in the military dictatorship under which they live and which is possible only by reason of American support? If the purpose of the war in Vietnam is to establish freedom why do the Vietnamese people, themselves, have so little of it? 'There is no freedom in South Vietnam,' Senator MORSE recently said, 'and there has never been any freedom in South

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[1] Elton Trueblood, "Company of the Committed," p. 36.

[2] The New York Times, Sunday, Feb. 14, 1965.

Vietnam since the United States took over. There has been no freedom since the first American puppet, Diem, became the first dictator of South Vietnam, followed by General Minh, followed by Khanh, and now followed by complete chaos'." [3]

Tell us, Mr. President, more clearly than you have as to why you and your advisers apparently believe that the retaliatory raids which have already come as close as 35 miles from the Communist China border will create an atmosphere in which negotiations for peace can then be undertaken (by us) from a position of strength? Does not this reasoning assume that North Vietnam and Red China would be willing to do what we ourselves are unwilling to do—that is to negotiate from a position of weakness? Also, what would our reaction be if enemy bombing came within 35 miles of our border?

Mr. President, why have we not taken our case to the United Nations? Article 33, section 1, of the U.N. Charter reads: "The parties to any dispute—the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, conciliation * * * or other peaceful means of their own choice." Secretary General U Thant has said:

"I do feel very strongly that means must be found, and found urgently, within or outside the United Nations, of shifting the quest for a solution away from the field of battle to the conference table." Perhaps the most moving appeal that we see the futility of expanding the war in order to win the peace has been voiced by a young man, Capt. Norman W. Heck, Jr., who was killed by Vietcong guerrillas in South Vietnam, December 8, 1964. Nine days before his death, Captain Heck wrote the following letter to his fellow church members at Redeemer Lutheran Church in Highland Park, Ill. Pastor Robert A. Wendelin called the letter—which arrived on December 7—Captain Heck's "last will and testament," to his church:

CA MAU, VIETNAM,
November 29, 1964.

DEAR PASTOR WENDELIN AND MEMBERS OF REDEEMER LUTHERAN CHURCH: I'm writing this letter to you because I greatly appreciated the warmth and receptiveness displayed by all of you toward my wife, my family, and myself.

It is because of this demonstration of human understanding that I ask your consideration and support of an idea that is very near and dear to my heart.

I'm serving here in Vietnam as an adviser to a Vietnamese combat infantry battalion. I am thoroughly convinced that the Communists cannot be defeated by simply killing Vietcong.

There are many civic action programs underway with the goal of winning the support of the people by improving their social and economic conditions. There is a tremendous need for skilled technicians and people with a strong sense of Christian devotion to impart the many advantages of our way of life to these poor people who have so few blessings.

People who are willing to spend a year or two—with the possibility of losing their lives—while working at the grassroots of the problem area could contribute to the defeat of the Vietcong and thus insure the reduction of the threat of communism to our society.

I have not discovered a single Lutheran missionary working in this area. By sending some Lutheran ministers and laymen here in the "field" (not to Saigon but to the outlying area) to see what a wonderful opportunity exists to serve the Lord, the initial step could be accomplished.

It is easy to sit back and engross ourselves with the numerous blessings and scientific achievements of our society; but for those who desire a richer, fuller life and who would be gratified by contributing to the preservation of our many freedoms—there are many Vietnamese who would be eternally grateful for your assistance.

I pray that you will do your utmost to urge our Lutheran Church to solicit aid in the form of devoted skilled personnel to assist and guide these very needy people.

Sincerely,

NORMAN "RUSTY" HECK.[4]

That eloquent letter says much to all of us about many aspects of our Christian faith and life. Let me, just now, emphasize again a single sentence of it: "I am thoroughly convinced that the Communists cannot be defeated by simply killing Vietcong." Surely, the complex problems of Vietnam and southeast Asia cannot be settled by arms alone. "An infinity of social, political, economic, religious, tribal, nationalistic, historic and traditional factors are at work in Vietnam." How sad it is that often governments, like individuals, find it easier to compound a mistake by continuing in it rather than confessing a mistake and turning away from it. The French, after several years of war and the death of 240,000 of her finest sons who lay down their lives in Indo-China, withdrew and it is to her honor that she did. Let us be guided by the spirit enunciated by the late President Kennedy: "Let us not negotiate in fear, but let us not fear to negotiate."

One final word: It is too easy, I know, to stand outside the terrible office of President and raise questions and make criticisms. Nothing that I have here said today means, in any way, that I or others who raise such questions have less regard for the man who occupies the incomparably burdensome office of the President at this hour in our history. Indeed, he has our prayers and our affection for we are all Americans whose common desire is that we may be given the wisdom to know what is best to do—and the courage of God's spirit wherewith to do it. Amen.

[From the Buffalo Evening News, Jan. 30, 1965]

UNITED STATES DOESN'T KNOW HOW TO FIGHT INVISIBLE FOE IN VIETNAM—WE'RE OWN WORST ENEMY

(By Hugh Campbell)

(The author of this article has served as a Canadian member of the International Control Commission in Vietnam for 2 years, a position that has enabled him to see the war firsthand from both sides. An RCAF squadron leader in World War II, Mr. Campbell is a distinguished corporation lawyer with offices in Vancouver. He resides at Campbell River, British Columbia.)

The United States is now entering its third year of full-scale war in Vietnam. Any day now we can again expect the customary pronouncement from the American high command in Saigon to the effect that, while the situation is serious, it is not hopeless; and that the war can and will be won.

After nearly 2 years in Vietnam, I've heard a good many such assurances. But since, as a Canadian delegate on the three-nation International Control Commission, I had a unique opportunity to observe the war from both sides of the firing line, I think the Americans are talking through their well-padded brass hats.

The war, as it's now being waged, cannot be won by our side—because the Americans, for all their brave talk about developing new antiguerrilla techniques, are still using obsolete methods to fight a new kind of invisible enemy.

Exactly how invisible this enemy—the Communist Vietcong—can become was forcibly demonstrated to me one day on a dusty gravel road leading through the jungle in North Vietnam. It was a routine inspection patrol for the International Control Commission and, for no apparent reason, the Communist officer in the lead jeep suddenly suggested a halt.

We piled out of our jeeps and stretched our legs, apparently in the middle of nowhere. Just as inexplicably, he then suggested we resume the patrol. As the convoy started off, he beeped his horn, and, somewhere nearby, a whistle shrilled.

Instantly, both sides of the road were lined with troops, grinning infantrymen whose faded khaki uniforms contrasted sharply with the dark jungle background. They'd been there all the while, standing not a dozen yards from the convoy. But because of the foliage that covered their backs from helmet to canvass sneakers, they'd been invisible to three experienced officers.

There was nothing threatening about the mock ambush. The Communist troops were simply practicing camouflage, and used the International Control Commission as an unwitting umpire. And although their camouflage was excellent, it was the mobility of the troops that impressed me most.

They were many miles from any known base, and they carried on their backs everything necessary for living and fighting. They didn't need roads, jeeps, helicopters, or mobile kitchens. They were jungle fighters, as elusive as poison gas and twice as deadly—the kind of guerrillas who wore down the French masters of Indochina, and finished them off at Dienbienphu in 1954.

The Pentagon, naturally, has been determined not to repeat France's mistakes. In the past 3 years they've poured in aid and advisers at the rate of more than $1 million a day. So generous, so overwhelming has been this avalanche of assistance, that it has aided South Vietnam almost to death.

In 1962, there were fewer than 300 U.S. military advisers in the country—and they were making noticeable headway against the Vietcong. The advisers were scattered in tiny detachments around the country. They were tough, highly trained men, and they were revered by the Vietnamese.

But the Pentagon apparently reasoned that 20,000 advisers could win the war 20 times as fast as 300; they started airlifting them into Saigon by the thousands (in defiance, incidentally, of the Geneva truce agreement).

With them came wives, children, PX supermarkets, Coca-Cola machines, air conditioners, officers' clubs, station wagons, insurance salesmen, schoolteachers, public relations men—all the equipage of a progressive suburb, without which the American military seems unable to function abroad.

Suddenly, it stopped being a jungle war, with Americans fighting on the same terms as their enemies. It became instead a desk-soldiers' war, with the fatuities of Saigon's brass hats canceling the efforts of the men in the field.

A gap appeared between the South Vietnamese and their American protectors, and the gap has been widening ever since.

There's also a gap between the Pentagon's concept of mobility and that of the guerrillas. Putting troops on wheels or in helicopters has proven unrealistic in a jungle war. Disguised as peasants, the Vietcong simply watch the machines charge futilely by—perhaps into a mine trap or ambush—or, if they're detected, simply melt into the jungle.

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[3] Senator WAYNE MORSE on the floor of the Senate, Wednesday, Jan. 6, 1965.

[4] Published in an edition of Church Week, All-Church Press, Friday, Feb. 5, 1965.

Pursuit on foot is fruitless; the South Vietnamese troops, carrying enough American-made equipment to fight the Battle of the Bulge, would be ineffective even if they were as hardy as their enemy. But of course they aren't, since they're now accustomed to riding to work.

But all the mistakes haven't been committed by the military. There are a host of nonmilitary agencies fighting Saigon's war, from the spooks of the CIA to the flacks of the U.S. Information Agency.

Take, for instance, the unimportant but revealing case of the American pro football player who arrived in Saigon under State Department auspices to set up an athletic program for the Vietnamese. "Gonna teach these gooks football," he announced to all within earshot. Several days later, he announced a change in policy; the gooks he'd decided, were too small for football—so he was going to teach them soccer, a game he'd never played himself.

Or take the average American service wife in Saigon: for boorishness, offensiveness, and condescension toward her inferiors, she takes the fur-lined mug. The generous allowances, PX privileges, villa, chauffeur and servants are all new to her—and with rare exceptions, it shows. Her kids are no better. The spectacle of a bunch of crew-cutted gumchewing teenagers lording it over the natives in the streets of Saigon is a lesson in how not to conduct foreign relations.

Or, finally, take the matter of Saigon's justly famous night life, which consists of scores of saloons, each equipped with a bevy of the prettiest little bar girls in southeast Asia. The patrons are almost exclusively American; and one South Vietnamese woman who owns a string of such establishments, told me she estimates that half her girls are actively pro-Vietcong, while the rest maintain a profitable neutrality by spying impartially for both sides.

The result of all this ugly Americanism has been exactly what you'd expect: the South Vietnamese is starting to wonder if his Communist enemies might not be preferable to his American friends. Once he publicly mourned the loss of American lives. Now, the nearly 300 Americans killed in Vietnam seem meaningless compared with his own terrible losses—more than 160,000 dead.

Once he believed that his government, good or bad, would be free of foreign interference. Now he's convinced that his government—whichever assortment of generals happens to be in power at the moment—is a puppet of the Pentagon.

If the foregoing sounds like an anti-American tirade, it's not intentional. There still are hundreds of smart, dedicated, and effective Americans in Vietnam. They want to win this tragic war and, through a firsthand acquaintance with the realities of guerrilla warfare they think they know how to do it. Unfortunately, they're only fighting the war, not running it.

For this reason, the Communists are almost certain to nibble their way to victory eventually. When they do, it will be a disaster for the West. For all my reservations about life in the Saigon sector of the free world, I'm convinced, after seeing both places, that the South Vietnamese are vastly better off than their countrymen to the north.

When I went to Vietnam, I shared the common Canadian view of such faraway places. I half suspected that, for those unfortunate enough to live in such countries, life in the "free" sector was just about as miserable as life under communism. But a few visits to Hanoi and other Communist centers quickly disabused me of this notion.

I'll never forget the people who would pass me on the streets and whisper "A bas les communistes," or the officials who risked their freedom to tell me privately of their hatred for the regime of Ho Chi-minh. It was a rude contrast with Saigon, where free speech, while not prevalent, is at least still possible.

For all their strategic failings, the Americans are fighting a just war. But they're going to lose it unless they make drastic changes—for at present, the American is his own worst enemy in Vietnam. By his obtuse policies and actions he has squandered the good will of his allies. Without it, he can't win. Without it, there is nothing left to win.

WORLD BANK FLOTATION OF $200 MILLION BOND ISSUE IN UNITED STATES

Mr. MORSE. Mr. President, on January 19, I had occasion to have printed in the RECORD an exchange of letters with the Secretary of the Treasury concerning the World Bank floatation of a $200 million bond issue in the United States. This series of letters culminated in a communication from me dated January 8, requesting Secretary Dillon's detailed comments on this transaction. On January 22 an answer was received from the Treasury Department. I believe that this communication should also be made available to all those who are interested in the international monetary situation, especially as it affects our position in the world.

The Secretary of the Treasury has assured us that the approval of the U.S. Government for the World Bank's request to float the loan in the United States was taken without any dissent We are also told that the transaction "will in no way affect our balance-of-payments deficit this year," although we have no way of knowing how it might be affected in 1966 or later. Frankly, I take small comfort in the thought that we are storing up more trouble for the future.

But I am less interested in the technical aspects of this transaction than I am in the very much larger question of our financial policies toward the world. The Treasury response does not question the World Bank's need for further resources, and in effect says that—although borrowing in the European markets would be far preferable—the United States will continue to come up with funds whenever required by the international banking community. I am not at all satisfied that our policy has to be of such a quiescent nature.

In the first place, we need far more justification for hastening to provide additional resources for the World Bank. From its operations the Bank has amassed reserves which now are somewhere around the $1 billion mark. It is true that after much hand wringing the Bank has agreed that a modest proportion of future profits may be diverted into the operations of its IDA soft-loan affiliate; yet it says that these enormous reserve funds should be maintained intact to preserve a climate of confidence throughout the banking community. From the size of the reserves, it would appear that the appetite for confidence is virtually insatiable.

Second, we are told at every opportunity, especially by those seeking more U.S. foreign aid money, that the underdeveloped countries have about reached the place where they can no longer finance hard loans of the kind extended by the World Bank. This makes me wonder whether the World Bank's resources will not increasingly be used to support projects in the developed countries which are members of the organization. If such is the case, I am totally confused as to the need for U.S. support for the economies of the developed countries.

Thus, Mr. President, I must record my lack of faith in the proposition that the World Bank should be provided with resources by the U.S. market whenever it requires them.

We hear a great deal of talk and we see many actions today by the industrialized countries—especially those in Europe—which stem from a desire to assert their independence from U.S. leadership in the Western World. The occasion of the World Bank's requirement for further resources, it seems to me, would be a great opportunity for the European countries to show their power and sophistication by encouraging the flotation of bond issues in their markets. However, we are told that these countries which are declaiming so loudly about their great strength and independence have not developed market conditions which would permit such flotations.

Rather than put any pressure on these countries to develop their markets and lower interest rates, the United States apparently prefers to continue to fill the gap and thereby relieve Western Europe of any such pressure of necessity.

At the present time, one of the most notable developments on the European scene is the gleeful way in which the French are turning dollars into gold and causing difficulties for the United States. It seems that this development is a matter for much embarrassment within the U.S. Government; I would suggest that it should be the occasion for a reappraisal of our financial policies with respect to the international monetary scene and our so-called partners among the industrialized countries of Europe.

Every time the United States attempts to assert some leadership within the Western World we are told that our allies fail to follow the lead because of their strength and self-confidence; we are assured on every hand that the European scene has changed radically within the last decade. Such being the case, I see no reason whatsoever why our policies should not be adjusted accordingly. Yet I see no evidence that the U.S. Treasury Department is tailoring its policies to the changed situation. I suggest that the kind of thinking reflected by Secretary Dillon's response to my inquiries is severely outdated and will not be changed without an emphatic expression of views by members of the legislative branch of this government.

Mr. President, I ask unanimous consent to have printed in the Record my letter of January 8 to the Secretary of the Treasury and Mr. Dillon's response dated January 22.

There being no objection, the letters were ordered to be printed in the Record, as follows:

January 8, 1965.

Hon. C. Douglas Dillon,
Secretary of the Treasury,
Washington, D.C.

Dear Mr. Secretary: I wish to recall my letter to you of October 13, 1964, in which I expressed concern over the prospect that the World Bank would seek to raise new capital in the U.S. market. In your response of October 27 you stated that the United States should not at present prohibit "any and all attempts by the Bank to mobilize private funds for development through bond sales to U.S. residents." There nevertheless was at least an implication that the bulk of the $300 to $400 million of new capital required by the World Bank might be raised outside this country. According to the New York Times of December 29, however, the World Bank has now announced it will float a $200 million bond issue in the United States beginning on January 18.

It seems to me that the key sentence in your October 27 letter was the following: "Any application by the Bank for bond sales in our market will be reviewed on its merits in the light of the concrete situation at the time—including our own balance of payments and the effect of any Bank borrowing thereon." Frankly, I am not aware of any measurable improvement in our balance-of-payments situation during the past 2 months; indeed, I would assume the contrary from the New York Times story of December 30, 1964, by Richard E. Mooney—a copy of which is attached. The article reports that the OECD annual review of the U.S. economy contains the advice "that more curbs on outflowing capital may be needed to put the country's international payments in better balance." Yet the proposed World Bank bond issue appears a dramatic move in the opposite direction.

In these circumstances, I would like very much to know just what sort of review of the Bank application took place within the U.S. Government. Specifically, was approval of the application given by the National Advisory Council on International Monetary and Financial Problems, and was the decision taken unanimously? How do you assess the impact on our balance of payments in concrete terms?

In short, I would appreciate learning the full story of this transaction and its implications; you need not be concerned about sparing me any details.

Sincerely yours,

Wayne Morse.

The Secretary of the Treasury,
Washington, D.C., January 22, 1965.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Wayne: I am happy to answer the questions raised in your letter of January 8 concerning the World Bank bond issue in the United States. This $200 million bond flotation was successfully launched last week. The Bank did this a few days earlier than contemplated in the report you cited, because market conditions were thought to be propitious.

The World Bank announcement on January 5 of the contemplated issue was made after the U.S. Government approved the Bank's request as required by its articles of agreement. You asked whether the National Advisory Council decision was unanimous. It was. I gave the proposal my closest attention, and let me also say that my own approval of the Bank's request was completely in accord with the considerations which I mentioned in my letter to you of October 27, 1964.

As I said in that letter, the World Bank management is fully aware of the need for utilizing European capital markets to the maximum extent funds are available on reasonable terms. I can reassure you, based on my conversations with the Bank management from time to time in the past 2 months in connection with the contemplated bond issue, that they have every intention to pursue assiduously this course. The Bank feels that it might be able to raise between $100 and $140 million in new money outside the United States for the remainder of its present fiscal year (which runs concurrently with our own). This amount is in addition to the $298 million of new and refinancing operations arranged by the Bank outside the United States earlier this fiscal year. Included in the latter was a private placement entirely outside the United States of a $100 million, 2-year, 4¼ percent bond issue with central banks and other Government institutions in 26 countries. The remainder was essentially a refinancing operation also involving a private placement of negotiable notes with an institutional investor outside the United States. A part of this transaction will be effected at the beginning of February. While the refunding transactions did not affect the total of the Bank's outstanding funded debt, in the absence of that financing an equivalent amount of matured debt would have been paid off net by the Bank, thereby adding to foreign exchange reserves abroad.

You asked about the effect on our balance of payments of the $200 million bond issue. While the World Bank needs to have these funds firmly available to maintain continuity of its financial operations, particularly its substantial lending commitments, it will not actually have to disburse these newly acquired funds for some time. Accordingly, the World Bank management intends to place in the United States the proceeds of the issue in time deposits or investments which have maturities in excess of a year. In terms of the U.S. balance of payments, the outflow of long-term capital represented by U.S. purchases of the bonds will be matched by at least an equal offsetting inflow of long-term capital, and thus, the entire transaction will in no way affect our balance-of-payments deficit this year. The manner and extent to which these funds will affect our balance of payments in 1966 or later will depend on a variety of factors when these funds are actually disbursed. I should point out in this connection, that the net effect of the World Bank's overall operations on the U.S. balance of payments since the inception of the Bank has been a favorable one. This has been particularly true in the period since 1958, which is the period of our most serious balance-of-payments problem.

Furthermore, dollar accruals of the World Bank are completely different in terms of potential calls on our gold stock from such accruals to the reserves of the surplus countries of Europe. Resort to the U.S. capital market in the latter case adds to their dollar reserves which in turn can readily be translated into calls on our gold. It was particularly in order to dampen the rapidly growing volume of such borrowings, with all that this implied, that the Interest Equalization Tax was adopted. This tax proved effective in helping further reduce the regular deficit in the U.S. balance of payments in 1963 and the first three quarters of 1964. While all the results for the fourth quarter of 1964 are not in, as you said, it may not turn out as we had hoped. I am following these developments very closely.

Finally, I need hardly reiterate my views on the important role the development of European capital markets can play in alleviating international payments imbalance. The need of the World Bank to enter the U.S. market reemphasizes my conviction of the importance of further progress. The Bank recognizes the significance of such progress. The Europeans, too, are increasingly recognizing the need.

With best wishes.

Sincerely,

Douglas Dillon.

SUBSIDIZING NASSER

Mr. MORSE. Mr. President, some days ago, when I debated on the floor of the Senate the proposal of the administration to continue to subsidize Nasser in carrying out his shocking policies of tyranny in the Middle East, I overlooked a letter which I had received from the Democratic Club of Portland State College, Portland, Oreg., in support of the position which I presented in my argument against the President's program, which he barely won by a vote of 44 to 38 in the Senate, which empowered him to continue to subsidize Nasser in what I considered to be Nasser's program of tyranny in the Middle East.

I ask unanimous consent to have printed in the Record the letter of January 14, 1965, written by Bob Larson, president of the Democratic club, and the resolution which they passed at their meeting.

There being no objection, the letter was ordered to be printed in the Record, as follows:

PSC Democratic Club,
Portland State College,
Portland, Oreg., January 14, 1965.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The PSC Democratic Club would like you to have the enclosed resolution inserted into the Congressional Record, and if possible read at your convenience in the Senate or an appropriate committee of the Senate. Having read your views on foreign aid I am sure you agree with us that we should review any aid that may be ending up as waste. The PSC Democrats do not feel our foreign aid should be used as a club, but neither do we feel that it should be invested in areas that act in a manner contrary to everything the United States stands for.

Thank you,

Bob Larson,
President, PSC Democratic Club.

PSC Democratic Club,
Portland State College,
Portland, Oreg., January 14, 1965.

Dear Senator Morse: Under the direction of the membership of the Portland State

College Democratic Club the following resolution was ordered to be sent to the Oregon congressional delegation. Furthermore that said resolution be inserted into the CONGRESSIONAL RECORD by the senior member of the Oregon delegation.

The resolution, which was passed in the organization's December 1964 meeting, reads as follows:

"We, the members of the Portland State College Democratic Club, Portland, Oreg., hereby condemn the action of so-called students in the United Arab Republic and the Union of Soviet Socialist Republics in regards to the destruction of the Kennedy Library in Cairo and the attacks on the United States and other nation's embassies in Moscow, U.S.S.R. We further condemn the obvious lack of any action by the two aforementioned governments to stop such destructive and illegal action.

"We further request that the Oregon delegation and the entire U.S. Congress keep in mind the actions of the aforementioned governments when legislation pertaining to these countries comes up before Congress."

We would appreciate your consideration and attention to this matter when appropriate. Such times we might consider appropriate would be during hearings on foreign aid, trade, agreements, etc.

Thank you.

BOB LARSON,
President, PSC Democratic Club.

CONSERVATION BATTLE IS ON

Mr. MORSE. Mr. President, I should like to call the attention of my colleagues in the Senate to a situation which has developed which gives me a great deal of concern. It has to do with the future of the soil and water conservation program on privately owned lands in America.

The soil conservation district leaders of this Nation are up in arms. Each of you has undoubtedly already heard from back home about this. If you have not, I am sure you will. And if you have heard, I am sure you are going to hear more.

Newspaper headlines in my home State of Oregon last week reported this story: "Soil Conservationists To Fight L.B.J. Cutback Proposal." There is an interesting story behind that headline.

Delegates from the Nation's 3,000 local soil and water conservation districts assembled in Portland, Ore., last week for their 19th annual convention. In 4 days of conference, according to the press, they organized a nationwide effort to counteract the administration's proposal to reverse a policy of 30 years' standing with regard to the conservation and development of the soil and water resources on the privately owned lands of America.

It is my purpose to announce here and now that I plan to give the soil conservation districts all possible support.

The proposal that we are objecting to is this: The administration has proposed that Congress enact legislation to authorize a revolving fund through which soil conservation districts, farmers, ranchers, and other landowners would pay the Federal Government $20 million in 1966 to help finance a part of the cost of technical assistance from the Soil Conservation Service used in applying soil and water conservation practices on the land.

Thirty years ago Congress began a policy of providing technical assistance from the Soil Conservation Service without charge to farmers, ranchers, and other private landowners willing to cooperate in scientific, farmwide conservation programs on their properties. There is nothing that has happened here in the year 1965 that should cause us to change this policy. Why should we saddle the hard-pressed farmers of our Nation with these costs at this time?

The soil and water conservation districts of America have done, and are doing, a wonderful job in providing the local leadership in the soil and water conservation movement in America. They need to be encouraged, not discouraged, to help the private landowners and operators of this Nation apply conservation measures to their land.

This point was eloquently made by A. Lars Nelson, overseer of the National Grange, in his address to the NACD Convention in Portland on February 10. He said:

> There is absolutely no justification in the national interest for reducing appropriations, nor for diverting appropriations, nor for charging fees.
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> Economy should be practiced wherever possible. However, when applied to an effective, ongoing program, it is shortsighted. When it is combined with unnecessary reductions in agricultural programs of established acceptance and merit, and with increased salaries to technicians and public officials who have a hand in agricultural policy and affairs of the Nation, it is most unpalatable.
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> Land, water, timber, grass, wildlife, fish, and beauty of the countryside are basic and indispensable elements of our American heritage, our society, and our economy. We know that protection against overuse and devastation from increasing population pressures must be continuous and undiminished.

In conclusion, Mr. President, I wish to remind the administration that the revolving fund proposal is bound to reduce soil conservation works throughout the Nation. Such a program will not be in the public interest, and will cost us dearly in the years ahead. What the administration is losing sight of, I fear, is the fact that these farmlands, although in private ownership today, are in effect held in trust for future generations of Americans. We have an obligation to those generations to leave this rich heritage of farmlands in better condition than they are today. The revolving fund proposal will do just the opposite.

VONDIS E. MILLER—A FORESTER'S FORESTER

Mr. MORSE. Mr. President, recently I was advised by the Forest Service that Mr. Vondis E. Miller, supervisor of the Umpqua National Forest in Oregon since 1954, elected to retire.

I regret, and I know all Oregonians will regret, that this dedicated public servant has left the Federal service. Mr. Miller is known to me only slightly personally, but his reputation makes me feel that I know him closely as he is well and fondly known all over the State of Oregon.

Born in Maynardsville, Tenn., on January 23, 1903, Mr. Miller spent most of his life in the Northwest, particularly in Oregon. He received his B.S. degree in 1930, and his M.S. degree in 1931 from Oregon State College.

He then began his career with the U.S. Forest Service, serving as a ranger with the Siskiyou National Forest. He subsequently served with several national forests in Oregon and Washington and rose to the position of supervisor of the Ochoco National Forest at Prineville, Oreg., and finally, in 1954, supervisor of the Umpqua National Forest. Here, Mr. Miller guided a multiple-use program of intensive recreation, watershed protection, soil conservation, and timber management with efficiency and warm and openhanded administration.

I have often heard foresters say as they rise in the ranks that their greatest enjoyment and contribution was when they were forest supervisors. Vondis Miller is a man who filled this key role with distinction.

Mr. Miller's reputations, however, does not result entirely from his many accomplishments as a conservationist but rather as a molder of men. Many of today's leaders in the Forest Service obtained their early training under Vondis Miller. One lumberman in my State said that "Vondis ran a finishing school for young foresters—he showed them the importance of people in conservation."

Mr. President, the Federal service has many dedicated people. Vondis Miller is one and I salute his accomplishments as a forester and as a person. Oregon today and its forests serve our Nation better because he came to our State and gave freely of his talents.

So to him and to his wife, I send every good wish for many long and happy years of retirement. I hope his experience and ability may still be used by way of wise counsel to those who follow in his footsteps in the Forest Service.

But even more, I make these remarks today so that young men will look on this man, Vondis Miller, so as to endeavor to emulate his success as a conservationist, as a citizen, and as a person.

EDWARD P. STAMM

Mr. MORSE. Mr. President, I ask unanimous consent that an editorial in the January 1965 issue of American Forests on the passing of President Edward P. Stamm be printed in the RECORD at the close of my remarks.

Mr. Stamm came west with the Crown Zellerbach Co. and made Oregon his home many years ago. He and I agreed on many things—we differed on others. I always valued his views because they reflected the thinking of a man who had reached his position after study of the facts available to him and consideration of the situation as he saw it.

Forestry and this Nation were served well by Ed Stamm. His record was impressive; he will be missed.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDWARD P. STAMM

After playing an active role in AFA's 89th annual meeting at Asheville and visiting friends in Louisiana, President Edward P. Stamm returned to his home in Portland, Oreg., in mid-November. There on November 29 he checked into a Portland hospital although no one, including his family and physician, knew how ill he was. Apparently he didn't himself for he wrote Dr. Samuel T. Dana on December 5, a few hours before he died, "* * * I have been fighting some kind of bug. So last Sunday, with a congestion of the respiratory system and a little fever, I decided I had better get things under control. I hope to go home Monday. * * *" Characteristically, Ed Stamm's last act and last thoughts concerned the American Forestry Association. Most of the letter to Dana offered aid and encouragement to AFA's redwoods study presently being carried on in California. A few hours thereafter, sometime early in the morning of December 6, he had a fatal heart seizure and died reaching for the buzzer by his bed. Mr. Stamm was 72.

People in forest conservation everywhere were shocked and grieved by the news of his death. Many people the world over either knew him personally as a result of his worldwide travels or by reputation. AFA member George Duthie, now living in Bangkok, learned of Ed's death in the Bangkok World. With the exception of William S. Rosecrans, Ed Stamm was probably the most traveled president in AFA history and he was without question its most world-minded president in history. Those travels took him to many parts of the world including Europe, Scandinavia, Canada, Newfoundland, Alaska, Honduras, New Zealand, and Austrailia. In 1959 he was a member of a U.S. task force under the foreign exchange program that toured Russia for 32 days. Returning to this country in time for AFA's annual meeting at Bedford, Pa., Mr. Stamm made a largely impromptu report on the Soviet resource potential that was downright brilliant in its clarity and honesty. It was published in this country and abroad. He didn't like communism one little bit but he came home with a deep admiration for what he termed the Russian "love to work."

On these foreign junkets, Ed Stamm always reminded us of the "good guy" in the "Ugly American" who knew how to make things work. Invariably, junkets to various countries resulted in articles from foreign experts in those countries to American Forests. The Fifth World Forestry Congress Special Issue of American Forests was filled with Stamm-inspired stories from many foreign countries. The ideas of some of these people were later adopted by the association.

Almost as well known to these people as Ed himself was the 80,000 acre Edward P. Stamm Tree Farm in Columbia County, Oreg., named in his honor by a grateful Crown Zellerbach Corp. upon Ed's retirement as vice president in charge of forestry operations. Ed Stamm believed forest industries must raise their own timber to stay in business and he practiced what he preached. Between 1926 and 1957 Crown timber holdings advanced from 100,000 to 700,000 acres and they are among the best managed acres in the forestry world. Cream of the crop is the Stamm Tree Farm and one wouldn't wonder if it is the best known tree farm in the world. You see, Ed used it as an example to prove his point everywhere he went. Board members will readily recall how he would pull down his vest with a tug and begin "* * * Now, on my tree farm," to illustrate a point. One has wondered on occasion if people in the Northwest fully realized how much the Stamm Tree Farm meant to Ed, how superbly happy it made him. But they knew, and a beautiful eulogy to Ed, by the Reverend William B. Gamble of Portland, at his funeral is certainly proof of the fact.

Prior to 1951 when Ed first joined AFA's board of directors everyone had heard much about him. The late Col. Bill Greeley (whom Ed greatly admired) and other westerners had seen to that. Here was a big man in a family of big men (he had an All-America son at Stanford) who was practicing forestry as it had never been practiced before on a platform of "Trees Forever." When existing tools weren't sufficient to his needs he invented new ones himself including a new type of bulldozer blade that revolutionized road building costs. What took the eye of many easterners was the way he was systematically eliminating dead snags on thousands of Crown acres—snags that were and are a terrible fire hazard. That pleased everyone in AFA.

Even so, even the board had not been fully prepared for the western giant who joined them in 1951. He was a big man, you know—big frame, big hands, big smile and big ideas that made big sense. In 1953 he became vice president. In 1962 he was nominated for the presidency by James J. Storrow, of Boston, and elected. AFA staff members could never quite reconcile the fact that Ed Stamm was actually born in Pittsburgh, Pa., and educated as a civil engineer at Ohio Northern University at Ada, Ohio. Somehow we always pictured him as having sprung full grown from his own Douglas fir tree farms in Oregon, a peavy in one hand and planting stock in the other. For Ed Stamm, above all things, was a doer. He traveled widely and he read widely (he left a big library in his home) but he was particularly expert at "getting the show on the road." No one in AFA history pushed forest soil research as he did.

Well, suddenly he is gone. Executive Vice President Fred E. Hornaday flew to Portland on December 7 and served as an honorary pallbearer at Mr. Stamm's funeral at Westminster Presbyterian Church on December 8. He was buried in Portland's Lincoln Memorial Park by the side of his wife, Mrs. Harriett Stamm, who died nearly 2 years ago on January 24, 1963. One is glad that his friends and associates in Oregon saw to it that Ed Stamm saw his own living memorial in the form of his own tree farm in his lifetime. Not many men do. But as Rev. Gamble stressed in a splendid eulogy directed to Ed Stramm's three sons, Ed, Don, and Paul, Ed Stamm was his own best living memorial. He loved his country and served it in World War I. He loved his work. He loved his community. He loved his family. And he loved his Lord.

"Here in Edward P. Stamm, we have a man among men," Rev. Gamble told the three sons, "a man who set an example for all of us * * * What a heritage comes to you who are members of his family."

Forty-two thousand AFA members all over the world in Ed Stamm's forest conservation family will say "Amen" to that.

SPECIALIST MANUEL D. RACELIS

Mr. MORSE. Mr. President, I introduced, for appropriate reference, a bill for the relief of Sp. Manuel D. Racelis. I ask unanimous consent that the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1209) for the relief of Sp. Manuel D. Racelis, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1209

A bill for the relief of Specialist Manuel D. Racelis

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Specialist Manuel D. Racelis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CLYDE BRUCE AITCHISON, JR.

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill for the relief of Clyde Bruce Aitchison, Jr. I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the bill will be printed in the RECORD.

The bill (S. 1210) for the relief of Clyde Bruce Aitchison, Jr., introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1210

A bill for the relief of Clyde Bruce Aitchison, Junior

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Clyde Bruce Aitchison, Junior, of Encino, California, the sum of $39,414.99. The payment of such sum shall be in full settlement of all claims of the said Clyde Bruce Aitchison, Junior, against the United States for reimbursement of losses incurred by him on certain sales of tungsten concentrates to the General Services Administration during the years 1953, 1954, and 1955, because of the action of the said Administration in rejecting portions of such tungsten concentrates as being of foreign origin:

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MORSE. Mr. President, in accordance with the previous order, I move that the Senate stand in adjournment until tomorrow at 11 a.m.

The motion was agreed to; and (at 6 o'clock and 54 minutes p.m.), the Senate adjourned, under the previous order, until tomorrow, Friday, February 19, 1965, at 11 o'clock a.m.

EXTENSIONS OF REMARKS

Federal Assistance for Housing for the Elderly in Peril

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1965

Mr. GARMATZ. Mr. Speaker, on May 26, 1964, I had the pleasure to report to this Chamber that St. Mary's Episcopal Church in Baltimore was sponsoring Maryland's first housing project for elderly persons of moderate income, financed by section 202 of the National Housing Act.

On December 5, 1964, I attended the formal dedication ceremonies at St. Mary's Roland View Towers and I was heartened by the congenial atmosphere and the cheerful confidence of the tenants. It was an experience which I hope to repeat many times. Life in St. Mary's Roland View Towers is, as its motto proclaims, "Not merely living, but a way of life."

In fact, the only sad thing about Roland View Towers is that there are not enough apartments to meet the overwhelming demand. I have been gratified to learn, therefore, that construction of a second Roland View Towers project containing 209 apartments will begin within the next 2 months.

I am further gratified to learn that in Baltimore the Memorial Episcopal Church is sponsoring 283 units, the Catholic archdiocese is sponsoring another 282 units, St. James' Episcopal Church 150 units, St. John's Episcopal Church in Havre de Grace 56 units, the Presbytery of Baltimore 225 units, and the Capital Area Association of Christian Churches will sponsor 300 units in Montgomery County.

But on January 30, 1965, I was asked to attend a meeting in Baltimore, at which all of these sponsors expressed concern that the President's proposed budget for fiscal year 1966 contained no request for appropriations to continue the section 202 direct loan program. There have been several meetings since that time and all are unalterably opposed to the abrupt termination of section 202 until they have had an opportunity to examine any alternative program and to give their views to the appropriate committees of this Congress. This is a fair and reasonable demand from those who are expected to be the sponsors of such housing.

I was so enthused, Mr. Speaker, that I had printed 3,000 reprints of that excerpt from the CONGRESSIONAL RECORD, dated May 26, 1964, and mailed them to church groups throughout the 50 States. And just when we are succeeding in getting the churches and other nonprofit organizations to sponsor this much needed housing, the program may be terminated.

Now I have had immediate and positive reaction from church and union organizations, city and State agencies, and all who have an interest within the State of Maryland.

I am wondering, Mr. Speaker, if the other Representatives from the several States have had a similar response, and I suggest that they might contact some of the organizations within their districts to apprise them of the situation and to ascertain their position.

St. Joseph Valley Chapter, Indiana Society of Professional Engineers, Inc., Supports President Johnson's Call for Observance of National Engineers' Week

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1965

Mr. BRADEMAS. Mr. Speaker, last month President Johnson issued a statement in connection with the observance of National Engineers' Week. The President urged members of the engineering profession to encourage more young Americans to consider careers in engineering and he specifically called on engineering societies to contribute to this effort.

I am pleased to say that the St. Joseph Valley chapter of the Indiana Society of Professional Engineers, Inc., has taken to heart the President's call. Mr. Russell C. Eck, president of the St. Joseph Valley chapter of the ISPE, and Prof. Walter L. Shilts, chairman of the awards and vocational guidance committee of this chapter, have recently written to tell me what their organization is doing to support the President's recommendations.

Under unanimous consent, I insert in the CONGRESSIONAL RECORD the text of President Johnson's statement of January 15, 1965, on this matter:

THE WHITE HOUSE,
Washington, January 15, 1965.

The position of the United States as the foremost industrial power rests, in considerable measure, on technological leadership. Our engineering prowess is second to none—and we must keep it that way.

In the past, the American engineer has contributed much to the preservation of national well-being and security. New horizons beckon to us beneath the sea, in space, and in the interior of the earth. The greatest of the challenges presented will be related to improving the life of man. Better housing, modernization of transportation, freedom from the hazards of air and water pollution, greater control over the destructive forces of nature, and the establishment of a new and attractive urban environment must all be realized as we advance toward the Great Society.

During National Engineers' Week, I ask the members of this profession to assist in meeting these challenges by dedicating themselves to an even more active interest in our young people who will bear the engineering responsibilities of the future. Many high school students and particularly the children of disadvantaged families are unaware of engineering career opportunities and often fail to obtain a sound preparation for college study. The engineering societies and their membership can help to remedy this situation by providing guidance and disseminating information to students, parents, and school counselors. By thus nurturing technical talent in America's youth, you will be contributing significantly to the building of a better society.

LYNDON B. JOHNSON.

I ask unanimous consent to insert in the Record the text of a letter from Professor Shilts, outlining certain activities of the St. Joseph Valley chapter of the ISPE in observing National Engineers' Week:

INDIANA SOCIETY OF PROFESSIONAL
ENGINEERS, INC.
South Bend, Ind., February 17, 1965.

Hon. JOHN BRADEMAS,
New House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: President Johnson's "Engineer's Week" letter stresses the role of the engineer in our modern society and properly emphasizes the need for engineers to take a more active interest in acquainting young people with the career opportunities in engineering. We of the St. Joseph Valley chapter of the Indiana Society of Professional Engineers are using several approaches to the dissemination of information, advice and encouragement to young people.

The chairman of our guidance and scholarship committee contacts all the high schools in our area each year and offers to provide engineers for "career days" and for group or individual counseling of students. At the same time he announces the competition for the Armco, Monsanto, and Gerber scholarships in engineering and furnishes application forms for interested students to use. The committee then interviews the applicants and chooses a local best candidate for each scholarship who then compete on a State and National level to be the actual recipients of the 4-year scholarships.

At our "Engineer's Week" dinner on February 25, members are asked to bring a deserving high school student as a guest to mingle with the engineers and their wives.

Our members are encouraged to and do participate as judges in the local science fairs to help promote good science programs in our elementary and secondary schools.

Respectfully submitted.

Prof. WALTER L. SHILTS, P.E.,
Chairman, Awards and Vocational Guidance Committee.

Fiscal Responsibility a Must Now

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1965

Mr. MARTIN of Alabama. Mr. Speaker, 4 years ago on January 20, 1961, the American people were admonished: "Ask not what your country will do for you—ask what you can do for your country."

Those were noble words said by a President of the United States now dead. I do not cite them in a way that is disrespectful for our memory of that President, but as a point of reference for measuring certain subsequent events that have brought us to a critical juncture in our Nation's affairs that I, as a Congressman, feel an obligation to discuss with you candidly. In this way you will know the urgent truth about some of our Nation's fiscal and economic problems.

I wish I could report to you that progress is being achieved by your Federal Government solving the many problems that confront us in the fiscal economic area, but I cannot.

I wish I could say that we are moving toward a balanced budget so that we will no longer be encumbering future generations with taxes to meet the unpaid bills of this generation; but I cannot.

I wish I could assure you that the Federal Government's unrestrained compulsion to spend was being brought under control so that spending would not be mounting year after year beyond our capacity or willingness to pay; but I cannot.

I wish I could conclude that the massive Federal spending programs of recent years had brought us to a posture of sustainable economic strength and progress while also sustaining our human freedom and individual liberty; but I cannot.

I wish I could foresee the day when it would no longer be necessary to go through the degrading legislative procedure of enacting increase after increase in our statutory debt ceiling so as to finance the fiscal immorality of unending deficit; but I cannot.

I wish I could face the young people of today and tell them that the fiscal affairs and economic strength of the Nation they will soon inherit from us, their parents, will be as good as in the Nation that was bequeathed to us by our progenitors; but I cannot.

I cannot do these things because there are not enough elected officials—there are not enough responsible citizens—who have the principle and patriotism to care enough to do anything about these problems.

"Ask what you can do for your country"—let me tell you what we have done for our country since those words were spoken 4 fateful years ago.

SITUATION WORSENS

We have traversed the New Frontier and embarked upon the Great Society—a promissory new Golden Age of Pericles—with deficit spending, mounting debt, dwindling gold, and persistent unemployment marking every step of the way. Central authoritarian government has made sure that Federal contamination has insidiously or ruthlessly intruded into our State and local governments, our business, our homes, our daily lives. We have tried to spend ourselves rich, smart, and secure; but all we have really done is undermine our basic structure of government, weaken our free enterprise system and impair our citizenship status vis-a-vis the Federal bureaucracy.

Since January 1961 the Federal spending level has increased by 25 percent from $80 to $100 billion, we have had sizable deficits in each intervening year—our last balanced budget was in 1960, we have added $30 billion to the public debt, we have had a deficit every year in our balance-of-payments position, and our gold supply has been reduced to its lowest level in decades. We are cutting our defense spending in the face of an alarming deterioration in world political conditions while we spend more for so-called welfare purposes. Our welfare programs have become a maze of contradictions and duplications with more of the same bungling and confusion promised for the future at greatly increased cost. A growing lack of confidence in the soundness of the dollar threatens to impair its stability and its acceptability as the base of the free world's monetary system.

TIME RUNNING OUT

I do not speak as an alarmist when I inform you that time will soon run out on us if we persist in a refusal to face the fiscal realities and if we continue to ignore the compelling demand for observing fiscal discipline. Blandishments from the banks of the Potomac or the Pedernales cannot obscure the problems nor dissipate the dangers involved. The pursuit of Government policy that is predicated on the theory of tax and tax, spend and spend, elect and elect is about to lead us to, and over the brink of chaos in international finance. Our neglect in dealing with our balance-of-payments position now threatens to blow the whistle on our spendthrift ways. There are pitfalls and pratfalls ahead of the most grave magnitude if we do not act immediately and realistically to end the succession of deficits in our balance-of-payments positions and in our Federal budgetary practices.

Last year our balance-of-payments deficit was $2.6 billion—an all too small improvement over the $3.3 billion deficit of the year before. This means that last year we put at the disposition of foreigners an additional $2.6 billion resulting from the economic transactions—including governmental transactions—between the United States and the rest of the world. While relatively little of this deficit was taken out in gold, the fact is that our gold supply has been allowed to dwindle to the danger point as we have fiscally frolicked in the never-never land of the Great Society. Using approximate figures our situation is this: Our gold supply amounts to just over $15 billion. Present law requires that $13 billion in gold be held to back the dollar. This would seem to suggest that we have $2 billion in "free" gold but such is not the case because of one additional fact. Foreigners—nationals and governments—hold $25 billion in short-term dollar liabilities which quickly could be converted into demands against our gold supply, and we must remember that foreign citizens, unlike Americans, can demand and hold gold.

Therefore, if we continue to resort to printing press money to finance budgetary deficits, these foreign observers will become concerned over the purchasing power of the dollar; there will be an increasing unwillingness to hold dollars and a growing demand for gold. Once confidence in the dollar is shaken, there will be a flight from the dollar of growing proportions to the very serious detriment of the entire free world. In this context it is to be noted that foreign assets that are U.S. owned substantially exceed foreign-owned dollar claims, but in our role as world banker we lend long and borrow short so that our flexibility in managing our international accounts is severely restricted. For the sake of brevity I have greatly simplified a very complex problem, but the facts and relative magnitude are as I have stated them.

DO-NOTHING POLICY

At this point we can well ask outsiders what policies is our Federal Government pursuing to avoid the possibility of a crisis of this nature? The tragic answer is that we are continuing to engage in the same basic practices that have brought us to our present predicament. We are still not striving with adequate diligence to acheive a balanced budget, and we are still producing printing press money. We are pouring billions of dollars abroad in Government aid programs to our problematical friends and even to our avowed adversaries. We hinder rather than help the activities of American private enterprise to expand the very considerable dollar benefits we derive from the business community's participation in world trade. We follow the course of political expediency and avoid adopting those disciplines and policies that would bolster the dollar, protect our savings, and bring long-term strength to our domestic economy.

Recently the Congress has approved certain changes in our legal gold reserve requirements so as to "free" approximately $5 billion additional of our present reduced gold supply. This expedient is no cure for the problem; it has merely bought us a little more time. If we continue our present fiscal imprudence, the crisis, when it strikes, will be made more severe as a consequence of this expedient. As its next panacea the Government proposes to coerce our private enterprise system to retrench—to go isolationist—in its oversea trade. The inevitable result of this policy is that American business will be rendered less competitive, and our level of exports will be impaired.

These concerns that I have expressed are not mine alone. The able head of the Federal Reserve Board has termed our balance-of-payments posture as our "most important problem," and he went on to say that the persistent deficits have put this country behind the eight ball. Well, when one of the world's foremost monetary authorities asserts that this Nation is behind the eight ball, I do not want to tinker, temporize, or trifle. I want perceptive, forthright action to put that proverbial eight ball in the side pocket permanently, and I want to do it now.

It is foolhardy and irresponsible to think that this impending crisis will disappear if we ignore it; it will be ruinous if we think that we can sweep it under the rug and go on our merry spending way. We must immediately adopt disciplined monetary policies that clearly demonstrate our firm resolve to protect the purchasing power of the dollar. Our fiscal policies must again reflect a determination to live within our means. Our economy must be kept competitive and free to operate without the stifling influence of Government domination. If we will do these things, then—and only then—we will be able to achieve a Great Society that is something more than mere political hokum.

SENATE

FRIDAY, FEBRUARY 19, 1965

The Senate met at 11 o'clock a.m. and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God: Unfilled, we turn to Thee, driven by our drained lives, with tension of the present and anxiety about the future. With deep concern about ourselves, and with our fighting boys once again in dire danger, so far from the homeland, with anguished hearts we bemoan the open sores of this afflicted world and the grievous wounds which are the bitter harvest of man's inhumanity to man.

As we play our parts in these days of destiny, with all mankind standing in the valley of decision, from the pull of conflicting opinions and the rivalry of personal loyalties, we seek the sanctuary of prayer and the guidance of a wisdom higher than our fallible faculties discern.

In faith and hope that sends a ray far down the future's unknown way, send us forth to our tasks this day, saying of Thee, as Thy servants have said in darker days than these, "He restoreth my soul."

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 18, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 3818) to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities, and it was signed by the Vice President.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, was read twice by its title and placed on the calendar.

LIMITATION OF STATEMENTS DURING THE MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Veterans' Affairs and the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare were authorized to meet during the session of the Senate today.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Judiciary Committee be permitted to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATOR RUSSELL

Mr. TALMADGE. Mr. President, I have just had a brief visit with my able and distinguished colleague, the senior Senator from Georgia [Mr. RUSSELL], at Walter Reed Hospital.

I know that all of his colleagues in the Senate will be delighted to know that he is making satisfactory progress and is thinking of the time when he can return to his desk and the performance of his duty here.

Senator RUSSELL asked that I convey to his colleagues his appreciation and gratitude for the flowers and communications that many have sent to him.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

THE WAR AGAINST POVERTY

A communication from the President of the United States, proposing certain legislation relating to the war against poverty; to the Committee on Labor and Public Welfare.

REPORT OF EXPORT-IMPORT BANK OF WASHINGTON ON GUARANTEES OF CERTAIN TRANSACTIONS

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, on shipments to Yugoslavia insured by that Bank, for the month of January 1965; to the Committee on Appropriations.

AUTHORIZATIONS OF EXPENDITURE OF FUNDS ON THE CERTIFICATE OF THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the expenditure of funds on the certificate of the Commissioners of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON EXAMINATION OF FINANCIAL STATEMENTS OF BONNEVILLE POWER ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1963, Bonneville Power Administration, Department of the Interior, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RECEIPT OF APPLICATION FOR LOAN UNDER THE SMALL RECLAMATION PROJECTS ACT

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, an application for a loan under the Small Reclamation Projects Act from the Nevada irrigation district of Grass Valley, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON FINAL SETTLEMENT OF CLAIMS OF CERTAIN INDIANS

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, on the final settlement of the claims of certain Indians (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the members of the Tribal Indian Land Rights Association, at Huntington Beach, Calif., relating to Indian land allotments; to the Committee on Interior and Insular Affairs.

CONCURRENT RESOLUTION OF ARKANSAS LEGISLATURE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a concurrent resolution adopted by the General Assembly of the State of Arkansas commending President Lyndon B. Johnson on his efforts and program in the field of conservation. The concurrent resolution is a much deserved tribute in which I concur.

I ask unanimous consent that the concurrent resolution be appropriately referred.

There being no objection, the concurrent resolution was referred to the Committee on Interior and Insular Affairs, as follows:

HOUSE CONCURRENT RESOLUTION 40

A concurrent resolution commending President Johnson for his policy regarding conservation and development of natural resources

Whereas President Lyndon B. Johnson, in his policy paper last November dealing with major domestic problems drew attention to fundamental conservation problems; and

Whereas the President pointed out that a growing population is a challenge of our era in that "increasing pressure will take our resources and increasing leisure will tax our recreation"; and

Whereas the President lauded the 88th Congress as the "greatest conservation Congress in our entire history", with passage of more than 30 important conservation bills including the Land and Water Conservation Fund Act and the Wilderness Act, as well as the inception of a new Bureau of Outdoor Recreation; and

Whereas said statement further pointed out that "we must act boldly or our future will be barren. We will move vigorously under our recent laws to acquire and develop new areas for recreation. We will expand our programs to meet developing needs. A national program of scenic highways and riverways is on the horizon"; and

Whereas the President's position on these matters, as on other conservation matters is designed to benefit our Nation's heritage; and

Whereas the President's program regarding conservation and outdoor recreation is of special significance to Arkansas, particularly as regards the responsibility of the Ouachita and Ozark-St. Francis National Forests to administer and develop their multiple resources and such projects as the Scenic Highway near Mena, the Blanchard Springs Caverns, and Job Corps Conservation Centers: Now, therefore, be it

Resolved by the House of Representatives of the 65th General Assembly of the State of Arkansas (the Senate concurring therein):

SECTION 1. That President Lyndon B. Johnson be and is hereby commended for his perceptive and progressive policy regarding the conservation and development of our natural resources, particularly the outdoor recreation resources of the Nation.

SEC. 2. That a duly authenticated copy of this resolution be transmitted to President Lyndon B. Johnson, to Mr. John T. Koen, supervisor Ouachita National Forest, to Mr. Alvis Z. Owen, supervisor Ozark-St. Francis National Forest, and to each member of the Arkansas congressional delegation.

L. L. MORROW,
ZACKAS GORDON,
President of Senate.
ORVAL E. FAUBUS,
Governor.
J. H. COTTRELL,
Speaker of the House.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 1211. A bill to provide for the conduct of national elections on the first Sunday in November, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN (for himself, Mr. MANSFIELD, Mr. RIBICOFF, Mr. RANDOLPH, Mr. NELSON, Mr. MONTOYA, Mr. MOSS, Mr. BAYH, Mr. McCARTHY, Mr. McGEE, Mr. INOUYE, Mr. LONG of Missouri, Mr. YARBOROUGH, and Mr. MUSKIE):

S. 1212. A bill to authorize the Department of State through the Agency for International Development to encourage and assist colleges and universities in the establishment, strengthening, and maintenance of programs on foreign development and for their provision of research, education, training, advisory and technical assistance, directly or in cooperation with foreign universities, in connection with programs of assistance to developing nations, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. McGOVERN when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 1213. A bill for the relief of Richard K. Jones; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1214. A bill to amend the Small Business Investment Act of 1958, as amended; to the Committee on Banking and Currency.

By Mr. EASTLAND:

S. 1215. A bill to direct the Secretary of the Interior to issue a patent to certain land situated in the State of Mississippi to Cyrus Hugh Covington and Mrs. Mildred Covington;

S. 1216. A bill directing the Secretary of the Interior to convey certain property in the State of Mississippi to the heirs of H. A. McNemar;

S. 1217. A bill for the relief of Willie Lee Young and Minnie May Kees;

S. 1218. A bill to provide for the conveyance of all interests of the United States in certain land in Jefferson County, Miss., to the holders of record of the fee interest in such land;

S. 1219. A bill to authorize the leasing for recreational or park development purposes certain lands in the State of Mississippi heretofore conveyed by the United States;

S. 1220. A bill to provide for the conveyance of certain mineral rights to D. C. Smith, of Fayette, Miss.;

S. 1221. A bill to direct the Secretary of the Interior to issue a supplemental patent to certain land in the State of Mississippi to Mrs. Christine H. Windham;

S. 1222. A bill directing the Secretary of the Interior to convey certain property in the State of Mississippi to J. P. Carter; and

S. 1223. A bill to authorize the Secretary of the Interior to convey certain lands situated on Horn Island in the Gulf of Mexico to the State of Mississippi; to the Committee on Interior and Insular Affairs.

S. 1224. A bill for the relief of Anna Mae Foster; to the Committee on the Judiciary.

S. 1225. A bill to amend section 13 of the act of March 1, 1911 (36 Stat. 961; 16 U.S.C. 500), relating to payments made to the States out of moneys received from the sale of timber from national forests; to the Committee on Agriculture and Forestry.

By Mr. HARTKE (for himself, Mr. BAYH, Mr. DIRKSEN, Mr. DOUGLAS, and Mr. MORTON):

S. 1226. A bill to provide for the establishment and administration of the Lincoln Trail Memorial Parkway in the States of Kentucky, Indiana, and Illinois, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON (by request):

S. 1227. A bill to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors; to the Committee on Banking and Currency.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (by request):

S. 1228. A bill to fix certain fees payable to the Patent Office, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (by request):

S. 1229. A bill to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 1230. A bill to provide for the free entry of certain stained glass for the Congregation Emanuel of Denver, Colo.; to the Committee on Finance.

S. 1231. A bill to direct the Secretary of the Interior to convey certain lands in Boulder County, Colo., to W. F. Stover; to the Committee on Interior and Insular Affairs.

By Mr. MUNDT (for himself, Mr. CASE, Mr. DOUGLAS, Mr. DODD, Mr. PROUTY, Mr. FONG, Mr. PROXMIRE, Mr. HICKENLOOPER, Mr. MILLER, Mr. LAUSCHE, Mr. SCOTT, and Mr. SMATHERS):

S. 1232. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, phychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Foreign Relations.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

NATIONAL ELECTIONS ON FIRST SUNDAY IN NOVEMBER

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill to provide for the conduct of national elections on the first Sunday in November.

Election day is at the present time either a full holiday or a half holiday in many of our States. In those States in which it is not a holiday there exists in many instances very real problems for those voters who are obligated to get to work on time and to have the opportunity to exercise their right as free Americans to cast a ballot for the candidate of their choice.

The holding of elections on Sunday may, it is true, elicit objections from some church groups; however, many Western European countries closely identified by history and tradition with the major religious denominations have for many years, and are now conducting elections on Sunday. These countries have chosen Sunday for national elections because this is a day on which the greatest number of people may vote conveniently and with a minimum disruption of daily activities. The countries are: Italy, France, Sweden, West Germany, Austria, Belgium, Portugal, Iceland, Switzerland—some cantons—and Luxembourg.

In the United States the selection of the first Tuesday after the first Monday in November as our national election day was governed by several considerations. Article II, section 1, of the Constitution provides that:

> The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

A law approved March 1, 1792, fixed the first Wednesday in December as the day for the electors to meet and cast their votes for President and Vice President. The law also provided that the electors should be "appointed" in each State "within 34 days preceding the first Wednesday in December in every fourth year succeeding the last election."

In the early days, the legislatures of most of the States chose the presidential electors and the exact date on which the electors of the States were chosen was not important. After the election of 1924 nearly all the States that had not already done so gave up the old method of choosing presidential electors by the legislature. With a few exceptions the presidential electors have since been chosen by popular vote in all States. Before 1845 there was no national election day and each State fixed its own date for "appointment" of presidential electors within 34 days of the meeting of the electors. All the States chose their electors in November, but the dates varied. New York held her election for electors on the first Tuesday after the first Monday; New Jersey, on the first Tuesday and the day following. In 2 States the second Monday was election day; in 14, the first Monday; in 2, the second Tuesday, and in 2, the Friday nearest the first of November.

This lack of uniformity led to abuses. The results in one State were used to influence those in other States. In contiguous States "repeating" was easy and common. By traveling from State to State one person could vote for presidential electors several times. This practice led to what were known as the "pipelaying scandals" of 1840 and 1844, when both the Democrats and Whigs were accused of sending gangs of voters across State lines. The frequency of such election frauds created a popular demand for a uniform national election day.

On January 23, 1845, President John Tyler approved an act of Congress providing that "the electors of President and Vice President shall be appointed in each State on the Tuesday next after the first Monday in the month of November of the year in which they are to be appointed." The act of 1792 still required the electors to meet on the first Wednesday in December, and in fixing a uniform day Congress wished to make the time as close as possible to 30 days before that date. Public sentiment was opposed to holding elections on Sunday or traveling to the polls on that day. Therefore, it was desirable to have 1 day intervene between Sunday and election day because many voters lived far from the polls, and in those days it was often necessary to start out the preceding day. Since many voters would object to traveling on Sunday to go to the polls, Monday was excluded. The first Tuesday was excluded because it might fall on the first of the month and inconvenience businessmen. The second Tuesday might fall on the 14th, which would leave only 22 days between election day and the meeting of the presidential electors. It was discovered that the first Tuesday after the first Monday in November, the date already chosen by New York, would always place the election day not later than November 8 and always about 30 days before the meeting of the electors on the first Wednesday in December. Representative Alexander Duncan, an Ohio Whig and author of the election bill of 1845, said in the debate on the subject that "public sentiment has appointed this time" because harvesting is over by November and winter weather has not yet made the roads impassable. He objected to the first Tuesday in November because it "might in some cases be more than 30 days from the first Wednesday in December." The first Tuesday after the first Monday in November was accordingly accepted.

In 1848, when Zachary Taylor and Millard Fillmore were the successful candidates for President and Vice President, all the States chose their electors on this uniform date, although South Carolina chose its electors by the legislature instead of popular vote. On Tuesday, November 7, 1848, President James K. Polk wrote in his diary:

> This is the day appointed by law for the election of President and Vice President of the United States. Heretofore the people of several States have by State laws fixed the period of holding the election in each State. Since the last presidential election Congress for the first time exercised the power vested in them by the Constitution, and fixed the same day for holding the election in all the States. There will probably be not less than 3 million of votes in this election.

Actually the total popular vote in that election was 2,875,408. The act of 1792 provided:

> When any State shall have held an election for the purpose of choosing electors, and shall fail to make a choice on the day aforesaid, then the electors may be appointed on a subsequent day in such manner as the State shall provide.

And that provision continued effective. The first Tuesday after the first Monday in November remains national election day, notwithstanding the fact that the original reasons for that particular date no longer exist, the time of the meeting of the electors having been changed three times since then.

Mr. President, I believe it is time now for us to bring ourselves up to date on this important matter. I have selected 1968 to be the effective date of this measure so as to allow adequate time for the States to enact implementing legislation, as it is my understanding that some State legislatures meet only once in each period of 2 years.

Mr. President, many of the factors that dictated the holding of elections on other days have disappeared. In view of the experience of a good many countries, it would appear to me that in the interest of convenience and of getting out probably the greatest percentage of voters, the Sunday I have proposed could well be designated. The people could devote themselves to the election without in any way impairing their devotions and their fealty to the church and the activities of the church.

I believe that such a change would result in a great increase in the percentage of voters. I know from long experience that early in the morning people who go to the polls, particularly those who work in industry, and even those who work in offices, will have to stand in line. After a little while, they become frustrated or disgusted, go on to their respective pursuits, and fail to return before the time for the closing of the polls.

I believe Congress should make it as convenient as possible for every qualified American citizen to have an opportunity to vote without these obstacles and difficulties standing in the way. Accordingly, I introduce a bill that would cover presidential elections as well as elections for the Members of the Senate and the House of Representatives.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1211) to provide for the conduct of national elections on the first Sunday in November, and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Rules and Administration.

A NEW BASIS FOR TECHNICAL ASSISTANCE THROUGH COLLEGES AND UNIVERSITIES

Mr. McGOVERN. Mr. President, I introduce, for myself, Mr. MANSFIELD, Mr. RIBICOFF, Mr. RANDOLPH, Mr. NELSON, Mr. MONTOYA, Mr. MOSS, Mr. BAYH, Mr. MCCARTHY, Mr. MCGEE, Mr. INOUYE, Mr. LONG of Missouri, Mr. YARBOROUGH, and Mr. MUSKIE, a bill which proposes to put the Nation's use of colleges and universities in the oversea technical assistance program on a new basis.

While new in relation to international technical assistance, the proposal is actually an old, tested, and successful pattern of Federal and university partnership.

For some time, AID and the universities have been exploring means by which the colleges and universities might be strengthened to undertake an increasing role in our technical assistance programs. The bill just introduced is an adaptation of the Hatch Act of 1887, under which our agricultural experiment station system was developed and our achievements in agricultural technology have become the wonder of the world. The bill follows the pattern of grants-in-aid to assist the colleges and universities to strengthen their staffs and facilities for technical assistance work, with separate grants for actual projects. It is the same pattern we adopted last year in Senator CLINTON P. ANDERSON's bill to accelerate water resources research. In the case of technical assistance abroad, it will be used in relation to a broader group of colleges and universities. It will be used to deal with a broader group of development problems, and developing nations around the world will be its sphere.

Title I authorizes the establishment of a university program for international assistance through training, research, and development.

Title II authorizes appropriations, starting at $40 million in 1966, for the establishment and maintenance of continuing foreign development centers, or programs, at colleges and universities which will undertake technical assistance projects. In order to qualify for grants, the universities must meet criteria set forth in this title. The Secretary is also directed to take into consideration geographic distribution of funds and foreign development centers in making the grants.

Title III authorizes the appropriations starting at $80 million in 1966, to be used for specific cooperative development projects in foreign countries. The colleges and universities will be authorized to undertake projects extending up to 10 years, subject to 5-year renewals, and subject to modification by mutual consent or in the event of a change in the international situation on which they were predicated.

As will develop, the authorizations do not represent new appropriations. More than 100 colleges and universities now have technical assistance contracts representing aggregate outlays between $150 and $200 million.

COLLEGES IN AT THE START: POINT 4

Within hours after President Harry S. Truman proposed his point 4 program of technical assistance in 1949, President John M. Hannah, of Michigan State University, wired him as chairman of the executive committee of the National Association of State Universities and Land-Grant Colleges that the colleges and universities of America were prepared to assist.

President Truman was quick to accept the proffered assistance. Henry G. Bennett, president of Oklahoma State University, who was later to lose his life in an airplane accident in Iran, was named the first director of the technical cooperation program which Mr. Truman set up to implement his point 4. Contracts were made with American universities to work with institutions abroad to help solve the development problems of the emerging nations. This was continued by the Agency for International Development—AID. Last July, there were 119 colleges and universities with contracts in effect, involving $150 to $200 million, and AID was seeking ways to increase further both the volume and the responsibilities assumed by the colleges and universities in connection with technical assistance work.

AID CONCLUSIONS

David E. Bell, Administrator of the Agency for International Development, told a Conference on International Rural Development sponsored here last July by his agency, the Department of Agriculture, and the Association of State Universities and Land-Grant Colleges:

> We are convinced of the very great importance of improving the effectiveness of United States assistance to rural development in the less-developed countries. * * *
>
> Everyone here knows of the enormous impact upon life in the United States of the work of the land-grant universities and the Department of Agriculture over the last century. We have come here to consider what we can do to achieve similar results in the less-developed countries of the world.

Continuing, Mr. Bell said:

> Let me mention * * * conclusions we in AID have come to. It is our firm conviction that we must seek to engage the resources of the Department of Agriculture and the universities more broadly than they have been engaged thus far in international rural development work. We would like to involve the Department and the universities more than we have in the past in country planning processes—both in helping our oversea missions to decide which activities the United States can most usefully conduct in different countries with the development of their own plans and policies. We would like to involve the Department and the universities more often than has been the case in project planning and evaluation, as well as project execution.

THE GARDNER REPORT

Administrator Bell then reviewed a study that had been made for AID by Dr. John Gardner, of the Carnegie Corp. of New York, entitled "AID and the Universities."

Dr. Gardner's first conclusion after an extensive study of the utilization of the universities was that the universities and AID should be more in the relationship of partners on technical assistance projects and less in the relationship of a buyer and a seller of manpower in a short-term, contractual relationship. Mr. Bell reported to the conference:

> We had to have the universities in on the takeoffs as well as the landings. We had to recognize that they are at least as able as we are to decide what ought to be done as well as to do it.
>
> Secondly, Dr. Gardner's advice to us is that if we want to use the universities more extensively, we must ourselves contribute to the enlargement of the strength of the universities to participate in this kind of work, which means enlarging their capacity for research, enlarging their capacity for training, advancing and improving the competence and quality of their staffs, etc.

Mr. Bell told the July conference that AID was in agreement with and had accepted the Gardner conclusions.

INDIANA UNIVERSITY STATEMENT

About the same time last summer, a statement, "New Directions in Foreign Aid," was published by Indiana University and subscribed to by more than 50 experts in the development field. The statement said in part:

> The world is in an inexorable state of change.
>
> We do not know what the end result of this change will be. But we do know the United States cannot escape its consequences. It is therefore in the national interest of the United States to attempt to participate in the process of transformation of the underdeveloped countries so that the results are better for us, rather than worse.
>
> Development assistance is cooperation in the constructive process of development of persons, societies, economies, and nations.
>
> It is in the interest of the United States to make a long-term commitment to assist in the complicated nation-building system. The unacceptable alternative is to allow others to determine the future conditions of the world in which we will have to defend our national interests.

I have used these quotations from the Gardner report and the Indiana statement because, while underlining the need for a strong technical assistance program abroad, they also mention two of the very important reasons for the measure I have introduced: the strengthening of the university staffs, facilities and ability to undertake technical assistance projects, and the necessity for a continuing, long-term commitment to the program.

Our colleges and universities have heavy demands on their facilities these days, not only as a consequence of mounting enrollments, but as a consequence of many needs for research and the assistance of the highly trained people on university faculties. As one consequence, university budgets are strained. They cannot carry large faculties with light teaching loads, which might make it possible to spare a few experts for the research, training, and execution of special projects.

When schools take a short-term AID contract, the probability is that they must recruit personnel for it. Because it is a short-term contract and the universities lack "cushion" money, the new personnel cannot be offered long tenure, with retirement and benefits of tenure. The universities cannot afford to carry extra staff people between contracts, especially when there is no certainty that any new contract will be forthcoming. The schools do need the assistance in "tooling up" to handle the technical assistance projects; "tooling up" in terms of staff, adequate and special facilities required, and training of personnel. They also need the same assurance of continuity of support from the Federal Government, and continuity of the technical assistance programs as a national undertaking, that the recipient nations need if they are to rely upon us.

THE WATER RESEARCH EXAMPLE

The situation which confronts a sound expansion of university technical assistance work today is exactly the same that concerned us last year when we passed the Water Resources Research Act authored by Senator CLINTON P. ANDERSON; an act which is already getting splendid results.

Three years ago, the Department of Health, Education, and Welfare, which is charged with water pollution control, reported that it was having difficulty finding colleges and universities that would take water research contracts. They were not interested or able to handle short-term research jobs.

People capable of handling them were not interested in work that has no future—1-, 2-, or 3-year undertaking with no assurance of any further work.

Senator Anderson turned to the basic concept of the Hatch Act to find the solution. He proposed continuing annual grants to a college or university in each State to establish a water resources research center. Beyond that, his bill provided matching funds for specific research projects.

He thus offered the universities aid in building up their strength to do water research work, and then project funds, just as the Hatch Act provides two types of assistance, one to maintain an agricultural experiment station, and the second to provide matching funds for specific research projects undertaken at the station.

As of today, colleges and universities from 43 of the 50 States have filed applications to qualify for the water resources research grants and the other 7 States have notified the Office of Water Research that their applications will be along very soon. They are happy to cooperate in a program which adds to, rather than subtracts from, their resources.

The bottleneck on water research work, and the training of hydroscientists, has been broken. We have made it possible for our institutions of higher education to get into this urgent field of service with the assurance of continuity which a congressional enactment, as contrasted with an administrative allocation, provides, and with some assistance for "tooling up." They have responded from every State. Faculty members and graduate students, assured Federal Government's continuing commitment, can now specialize in hydrosciences with assurance that it will be a worthwhile career.

A PROVEN CONCEPT

The universities program for international assistance through education, research, and development, proposed in the bill just filed, has basically the same features as the Hatch Act of 1887 and the Water Resources Research Act of 1964. Section 200 in the new bill authorizes grant-in-aid funds to go to selected colleges and universities to strengthen their ability to do technical assistance work. Section 300 of the bill authorizes the appropriation of other funds for the actual technical assistance projects which are to be undertaken.

The proposed act will accomplish another objective: It will provide an alternative to the contract relationship between AID and the schools; the role of contract buyers and sellers of services, and substitute the sort of partnership which Dr. Gardner recommended in his report, and AID Administrator Bell would like to substitute for the contract system in the handling of basic, long-term technical assistance projects.

A good deal of work has gone into the preparation of the bill which has been introduced. It has been discussed with personnel at AID and revised in accordance with information about technical assistance problems as they see them. While there is no administration position on the bill at this time, I believe that it will be supported after it is cleared. I know that its consideration is welcomed.

Drafts have been circulated to key people at colleges and universities, and to their association representatives here. Many of the revisions they have suggested have been made because they have been constructive and improve the bill.

Further modification of the bill may prove desirable as it is considered by the Congress and new views are obtained.

ENDORSED BY UNIVERSITIES

The executive committee of the National Association of State Universities and Land-Grant Colleges on Saturday, January 30, endorsed the basic concept of the bill on behalf of the members of their association and asked their International Affairs Committee, headed by Dr. O. Meredith Wilson, of the University of Minnesota, to give further study to details.

I have received a number of individual critiques of the measure from university heads. Without exception, they have praised the basic structure. In nearly every instance they submitted the proposed measure to members of their faculty and made valuable suggestions for improvements.

One of my first responses was from Dr. Richard A. Harvill, president of the University of Arizona and a member of the International Rural Development Committee of the NASULGC. His reply reflected detailed study of the first draft of the proposal and contained a number of specific suggestions for amendments which I was happy to incorporate in the measure, for they improved it.

Dr. Harvill wrote, in part:

> In general, I am in complete agreement with the objectives of the bill, which I regard as a vitally needed and important modification, in the right direction, of our country's efforts to influence the course of events throughout the world where our interests are affected. I agree that the Hatch Act pattern provides a useful model under which grants to colleges and universities can be made.

Dr. Harvill's letter is illustrative of the careful consideration he and others with whom I have communicated in university circles have given to the bill.

MANY AREAS OF KNOWLEDGE REQUIRED

Dr. Harvill underscored one aspect of the technical assistance problem to which I want to draw attention: The need for experts in many fields.

The bill which is proposed would cover but not be limited to international rural or agricultural development projects. It is not just a land-grant school program. It is intended to be used by AID in all types of technical assistance work. But even if limited to agricultural development of the underdeveloped nations, the colleges and universities which do the work would need to have men trained in a wide field of disciplines available to them.

Dr. Bell indicated something of the broad requirements, in terms of varying fields of expertness, involved in just the rural development field, when he told the July conference on rural development:

> To develop a prosperous Western-style economy, the productivity of the individual farmer in rural Africa, Asia, and Latin America must grow tremendously. This growth can occur only when he uses better methods and more capital. These matters can seem so simple to the American in an American environment, but all of you know how difficult it is to find a feasible way of accomplishing these steps.
>
> The technical assistance task of the colleges is to develop knowledge and then teach the practical application of it.
>
> The scope of know-how is very broad and demands the best energies of scientists in many fields. Know-how is needed—
>
> To build a chicken coop and a marketing co-op;
>
> To apply insecticides and to develop an efficient farm supply system;
>
> To improve the sanitation of a village and to flush away cultural taboos which have outlived their usefulness in the society;
>
> To dignify manual labor and to make more workable the idealism of those educated people who are still cut off by class and custom from their fellow countrymen;
>
> To plant improved seeds in the soil and in the minds of men;
>
> To raise up water for irrigation and to raise up elementary schools; and
>
> To build modest capital improvements on individual plots and to build a system of capital accumulation and credit which will begin to finance such improvements.
>
> We can never be as confident of our advice on repairing a fault in a democratic government as in repairing a tractor or other farm implement. Nurturing the growth of a tender new democratic institution can be much more frustrating than nurturing a new plant variety. But all of these activities are exceedingly important. Our job is not just to solve agricultural problems, although that we must do; our job is also to solve problems of developing people and institutions which in turn become solvers of agricultural and other problems.

This need for availability of a broadly trained group of scholars or experts to meet the needs of the less developed countries, was behind Dr. Harvill's suggestion which I have been happy to adopt, that the bill should not require establishment of a foreign affairs department in each school participating, but, alternatively, provide a multidisciplinary program capable of handling technical assistance work. The concept of an "institute" or "center," as used in the bill, is of an administrative center able to enlist the services of any of the personnel of the university in any discipline.

Dr. Harvill wrote:

> In my judgment, scholars should continue to work within clearly defined disciplines, but there should be administrative provision so that they can be called in from their particular departments to cooperate on the problems in the broader field of international affairs. The precise form of organization adopted to bring about this result is a matter of internal administration within the university. The McGovern bill, as now drafted, will certainly stimulate interdepartmental and interdisciplinary focus on special problems through the grant provisions of the act.

Need for availability of men with knowledge in many fields was one confronted in the water resources research problem, and solved by use of the universities which have the broadest assembly of people, trained in many disciplines, to be found anywhere in American life.

WISCONSIN UNIVERSITY EMPHASIZES CONTINUING PROGRAM

Dr. R. L. Clodius, vice president, responding to me from the University of Wisconsin, wrote:

> Consultation with representative members of the faculty and administrative staff of the university strengthens my own conviction

> that your concept merits the fullest kind of support. Its underlying philosophy and its method of approach embody the spirit and understanding that universities have long sought in improving their relationship with the Federal Government in undertaking oversea commitments—an improvement from which both the Government and the universities could derive great benefit.
>
> First of all, even the best American universities are not now equipped to do the sort of jobs overseas that AID and other Government agencies want them to do. Valuable as these universities are for such uses, it is derivative; they were designed to serve other purposes and their financial supporters, both public and private, have provided their support almost entirely for these other purposes. This means that inside or outside of the present Federal facilities there must be found some device by which Federal aid may be provided for the basic strengthening universities needs to make them capable of broad and sustained participation in specific oversea programs initiated by AID and other Government agencies.
>
> Secondly, in most cases, whatever support is provided should be on a long-range basis. If universities are to embark upon a substantial expansion of facilities and personnel into this newer dimension they must be able to expect continued assistance. It falls in much the same category as the long-sustained support for domestic agricultural development, or more recently the Federal assistance to student loan plans and language development programs; their very inauguration involves the creation of obligations and expectations of indefinite duration.
>
> Happily, your proposal is made in harmony with this reality and deserves the most explicit stressing in every detail. Indeed, all aspects of institution building, both at home and overseas can be of real and lasting value only if they are of a long-range nature, or are capable of being fitted constructively into some already existing long-range program. Unfortunately, the latter is not too often possible.

Dr. O. Meredith Wilson, president of the University of Minnesota and chairman of the international affairs committee of the National Association of State Universities and Land-Grant Colleges has written me:

> I have examined with great interest your bill to establish a college and university grant program administered by the Agency for International Development to support graduate training for oversea development work and continuing university participation in development projects. The basic conception of this legislation, which seeks to preserve the autonomy and encourage the initiative of the colleges and universities by adapting the pattern of the Hatch Act, under which the Agricultural Experiment Station system has operated, is one which I warmly applaud. It would provide a much better basis for systematic university development of training programs in oversea development and administration, and staff competency for development projects, than the present contract system does. It would also encourage universities to enter upon much basic research essential to the understanding and planning of development which the present orientation of research toward oversea projects does not encourage.
>
> Convinced, as I am, of the value of the approach contemplated by the draft legislation, and encouraged by your leadership in formulating and presenting it, I have arranged for a discussion of the bill by a number of members of the university staff engaged in our international programs. In the light of this discussion I would like to suggest a few modifications which would, I think, contribute to a full realization of the effectiveness of this legislation.

Dr. Wilson's suggestions have been reviewed and taken into account in the draft of the measure today introduced.

One reviewer of the proposed program, outside the universities and outside AID, Dr. Walter Wilcox, of the Legislative Reference Service, who prepared a memorandum at my instruction, wrote:

> The advantages over the present AID method of carrying on technical assistance in foreign countries over short-term contracts with universities and research agencies or by hiring professional personnel on a temporary basis, are primarily of two types:
>
> First, the quality of performance should be much higher than at present, because the universities, on assuming responsibility for the technical assistance projects undertaken by them, would mobilize more competent staff than under present contract arrangements. The universities would be able to develop long-term plans for technical assistance in foreign countries and fit them in with other university activities in such a way that more competent staff members would find it to their professional and financial advantage to take foreign technical assistance assignments within their fields of interest. (At present, little or no recognition is granted a university staff member for experience gained in a foreign assignment while on leave from the university. Professional advancement often is retarded by the leave of absence.)
>
> Second, direct involvement of the universities in technical assistance would increase their interest in this area and enrich the growth and development of the universities. It would broaden the base of support for foreign technical assistance, and would lead to an increase in the number of professional people engaged in development activities.
>
> John W. Gardner, president of the Carnegie Corp. of New York, in his recent report to the Administrator of AID, "AID and the Universities," said: "One cannot emphasize too strongly the role that systematic study, analysis, and experimentation must play in the evaluation of improved methods of development assistance. If (development research) were increased by a factor of 10 it would be a more appropriate response to the challenge of development."

DEVELOPMENT MEANS MARKETS

There is one further affirmative aspect of technical assistance I would like to discuss.

American dollar exports to the developing nations increase faster, percentagewise, than per capita income in those countries. Overall, our dollar exports to the developing countries rise about 11 percent for each 10-percent gain in the per capita income in the 56 underdeveloped countries which have been studied.

Our dollar sales of U.S. farm products go up even faster—21 percent for each 10-percent gain in per capita income. Food is their most urgent requirement.

A study by the Economic Research Service of the Department of Agriculture developed the statistics I have just used, and concluded:

> The less-developed world is a vast, virtually untapped market for U.S. farm products. The study shows this world will buy U.S. foods—often in preference to those of other exporting nations—if its people have the income to buy.
>
> Japan, of course, is the most graphic example of what a vigorous people, on their own initiative and with some U.S. assistance, can accomplish. From 1954 to 1957 food aid accounted for about 30 percent of Japan's agricultural imports from the United States. By 1962 virtually all U.S. aid had been phased out.
>
> In the meantime, Japan had become the top dollar market for U.S. farm exports.
>
> Between 1938 and 1961, U.S. exports of all kinds to Japan increased 6.1 times, from $240 million to $1.7 billion. U.S. agricultural exports went up even more, in fact, 9.3 times, from $44 million to $458 million.
>
> Today, Italy, Spain, and Venezuela are nations with growing per capita incomes in which U.S. dollar markets have expanded considerably.

Technical assistance is not an entirely charitable undertaking. It is good business.

It is one of the best economic, political and moral investments we can make and we have, in our colleges and universities, institutions with proved ability to get us a high return on our investment.

THINGS THE BILL DOES NOT DO

Mr. President, I would like to comment finally on two or three things this measure does not do.

The bill does not embark us on a big new program of expenditure in the technical assistance field. We are already in technical assistance. The bill, as I stated at the beginning of these remarks, simply provides a new basis for college and university participation which is actually an adaptation of a tested, 78-year-old, highly successful formula for university participation in an action program. It substitutes assurance of the same sort of continuity of the program, an assurance which the colleges and universities need to justify building up their staffs and facilities, which the agricultural experiment station system has had.

The bill does not terminate AID's use of other research training and administrative institutions or agencies in connection with technical assistance. I anticipate that such use of nonuniversity agencies will continue, and I would hope that we may work something out that would permit the Department of Agriculture particularly, to strengthen its staff and capabilities in connection with technical assistance work for AID. It has much the same problem of providing expert personnel for short periods as the universities.

The bill is not intended to support international educational programs not related to technical assistance work, nor undergradute studies in international affairs. It is intended to help support graduate work which is related to technical assistance undertakings.

The bill is not presented as a completely perfected document in spite of the considerable work that has been done on it.

By the time hearings can be held, the committee set up by the National Association of State Universities and Land-Grant Colleges on January 30, when they endorsed the measure in concept, will undoubtedly have constructive amendments to propose. The administration and others will also undoubtedly have changes worth making.

I am myself studying the funding authorized in sections 200 and 300. While the dollar amounts in the bill represent maximum limitations on appropriations, revised figures must necessarily be based on how much on-going work of this type AID would transfer from its present contract basis to this program, and how much AID and the contracting universities will want to finish out under the outstanding contract arrangements. It will take a considerably more sophisticated look into the present contract program, and future plans for it, than I have been able to take, to finally set the right authorization figures.

I request unanimous consent that the text of the bill as introduced appear in the Record following these remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1212) to authorize the Department of State through the Agency for International Development to encourage and assist colleges and universities in the establishment, strengthening, and maintenance of programs on foreign development and for their provision of research, education, training, advisory and technical assistance directly or in cooperation with foreign universities, in connection with programs of assistance to developing nations, and for other purposes, introduced by Mr. McGovern (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 1212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy and purpose of the Congress to facilitate and assure the participation of institutions of higher education in this Nation's program of assistance to developing countries throughout the world, to make it possible for such institutions of higher education to maintain permanent, basic staffs trained in international affairs and development work for the conduct of courses in the field, and other training programs and to be prepared to participate directly in student exchange programs and, through arrangements with the United States or countries seeking assistance, in the provision of research, education, training, personnel, planning and guidance, including institutional development, in connection with foreign assistance and development projects.

TITLE I—UNIVERSITIES PROGRAM FOR INTERNATIONAL ASSISTANCE THROUGH TRAINING, RESEARCH AND DEVELOPMENT

Sec. 100. For the purpose of providing university assistance to underdeveloped nations, there is hereby established in the Department of State, to be administered through the Agency for International Development, or its successor agency, a university program for international assistance through education research and development.

TITLE II—COLLEGE AND UNIVERSITY FOREIGN AFFAIRS CENTERS, INSTITUTES OR DEPARTMENTS

Sec. 200. There is authorized to be appropriated to the Secretary of State, for the purpose of making grants to colleges, universities and other institutions of higher education for the establishment and/or strengthening and maintenance of continuing foreign affairs centers, institutions or departments, or multidisciplinary programs with administrative direction and faculties capable of (1) providing a curriculum in foreign development for graduate students, (2) administering and conducting student and faculty exchange programs and internships with foreign countries, and (3) providing research, planning, and personnel to assist a country or countries in development programs, the sum of $40 million in fiscal year 1966, $50 million in fiscal year 1967, $60 million in fiscal year 1968 and such sums thereafter as are appropriate.

Sec. 201. In making grants under section 200 of this Act, the Secretary of State shall—

(a) determine that the recipient institution has or will acquire capability of contributing to the United States foreign assistance program for underdeveloped nations by the training of personnel for participation in such work, and

(b) has or will acquire competence to provide training, research and direct assistance in such foreign development work to a country or countries intended to be aided by the United States, and

(c) has or will have competence to train both domestic and foreign personnel in identifying, analyzing and dealing with the educational, economic, engineering, scientific, social, governmental, and other problems of the developing nations.

Sec. 202. Grants made under the authority of section 200 may be used to supplement funds of the recipient institutions for the employment of faculty, research, administrative, clerical and service personnel, for the support of home-campus and oversea training, study, and research in development problems, for the provision of necessary supplies and equipment, for the reimbursement of the recipient institution for facilities and services provided by it, and for the continued employment of such basic, permanent staff personnel now employed under contractual arrangements with the Agency for International Development as may be appropriate upon conversion of the contract undertaking to a specific development project under the provisions of title III of this Act.

Sec. 203. Sums available to institutions under the terms of section 200 of this Act shall be paid to the designated institution at such times and in such amounts during each fiscal year as determined by the Secretary, and upon vouchers approved by him. Each institution shall have an officer appointed by its governing authority who shall receive and account for all funds paid under the provisions of this Act and shall make an annual report to the Secretary on or before the 1st day of September of each year, on the program of the institution in the foreign affairs field, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of its disbursement, on schedules prescribed by the Secretary. If any of the moneys received by the authorized receiving officer or any institution under the provisions of this Act shall by an action or contingency be found by the Secretary to have been improperly diminished, lost, or misapplied, it shall be replaced by the institution concerned and until so replaced no subsequent appropriation shall be allotted or paid to any such institution.

Sec. 204. In authorizing grants to colleges, universities and other institutions of higher education under section 200 of this Act, the Secretary of State shall take into consideration outstanding technical assistance contracts with universities and colleges, geographic distribution of funds among States and regions of the United States, accessibility of foreign development training to citizens of the various regions and States in the United States in relation to population served, and the experience and competence of institutions in relation to problems which will be encountered where assistance programs have been undertaken or are contemplated.

TITLE III—ASSISTANCE THROUGH SPECIFIC DEVELOPMENT PROJECTS

Sec. 300. There is authorized to be appropriated to the Department of State to be administered by the Agency for International Development or successor agency the sum of $80 million in fiscal year 1966, $100 million in fiscal year 1967, $125 million in fiscal year 1968, and such sums as are appropriate each year thereafter, for the purpose of making arrangements with educational institutions or consortiums of educational institutions with competence, including but not limited to those receiving grants under Section 200 of this Act, for the provision of technical assistance in research, planning, administration and the conduct of development programs in underdeveloped nations.

Sec. 301. Specific development projects in foreign countries may be undertaken with colleges and universities upon the request of the host country through the United States Agency for International Development mission and ambassador, for such periods of years believed necessary for the college or university to complete the development project but not to exceed 10 years, subject to modifications by mutual consent or if changing international situations require, and extensions which shall be limited to 5 years beyond the date of each such extension. Such agreements shall provide that cooperating institutions may, with the consent of the Department of State, arrange with private sources or with the country assisted for supplemental services, or for continuation of development projects or programs undertaken by the college or university after termination of United States support.

LINCOLN TRAIL MEMORIAL PARKWAY

Mr. HARTKE. Mr. President, today I introduce again a bill to provide for the establishment and administration of the Lincoln Trail Memorial Parkway, a bill identical to S. 1476 of the 88th Congress. That, in turn, was a successor bill to S. 1579 of the 87th Congress, which sought funds for a study of the project.

In presenting this bill, I would like to call attention to some of the factors which I believe makes its enactment at this time even more desirable than in the past. We are stressing increasingly the need for preservation of our natural beauty areas, and of our cultural heritage. But of particular interest to me is the way in which this historic route harmonizes completely with scenic highway plans now in formulation.

I am delighted in introducing this bill today, Mr. President, to have associated with me as cosponsors the other Members of the Senate from the three States across which the trail will run—my Indiana colleague [Mr. Bayh]; Mr. Dirksen and Mr. Douglas, of Illinois; and Mr. Cooper and Mr. Morton, of Kentucky.

The basic idea of the Lincoln Trail Memorial Parkway is to make it possible for Americans, or tourists from abroad for that matter, to retrace the route traveled by Abraham Lincoln from the cabin in Hodgenville, Ky., up into Indiana and on to Springfield, Ill. We now have in Indiana the Lincoln Boyhood Memorial in Spencer County, a part of the national park system, on the site where Lincoln spent the years from age of 7 until leaving for Illinois at the age of 21. This monument, which was established by legislation I introduced, is nestled among the gentle, wooded hills of southern Indiana, and as a new national memorial gives a midpoint in the trail for those traversing the Lincoln country. The tremendous and ever increasing interest in our great President, evidenced by the growth of Lincoln organizations and the increase in individual Lincoln collectors and hobbyists, makes certain that the memorial trail will draw many to a pilgrimage along the steps he trod.

In 1962 the President established the Recreation Advisory Council. In April 1964 the Council recommended development of a national program of scenic roads and parkways. At the same time, it asked the Department of Commerce to undertake a 1-year study of a national program for scenic roads and parkways. In the Department's manual for this study, dated October 26, 1964, the following statement appears:

> The objective of the study is to assemble data from the States with enough reliability and foundation, with which to derive and develop a recommendation for a national program of scenic roads and parkways, involving improved recreational driving opportunities. The States will select and nominate specific routes, highways, or segments of routes or highways or travel corridors, conforming to the specifications of this manual.

The Indiana State Highway Commission complied with this request, as did the corresponding agencies of the other two Lincoln States involved. In all three cases, the proposed Lincoln Memorial National Parkway is included. In the report for Indiana, under "Recommended Scenic Roads and Parkways," the Lincoln Memorial National Parkway is one of two classed as national parkways, and it is given a high priority based on criteria for selection of the most important projects, reflecting the very great interest in this project which the Bureau of Public Roads has also found.

Certainly, Mr. President, in the plans and recommendations, I hope that the interior parkways program will likewise give this historical and scenic project a high priority. I urge upon the Senate the desirability of early hearings, so that the bill may be passed and the work undertaken.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1226) to provide for the establishment and administration of the Lincoln Trail Memorial Parkway in the States of Kentucky, Indiana, and Illinois, and for other purposes, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONTINUATION OF AUTHORITY FOR DOMESTIC BANKS TO PAY INTEREST ON CERTAIN TIME DEPOSITS

Mr. ROBERTSON. Mr. President, I introduce, for appropriate reference, a bill to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors.

I ask unanimous consent to print in the RECORD at this point, the letter from the Secretary of the Treasury, together with the enclosures.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and enclosures will be printed in the RECORD.

The bill (S. 1227) to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors, introduced by Mr. ROBERTSON, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter and enclosures presented by Mr. ROBERTSON are as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 10, 1965.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill, "To continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors."

The proposed legislation would make permanent the temporary authority granted for a 3-year period by Public Law 87-827, approved October 15, 1962, for member banks of the Federal Reserve System, and banks insured by the Federal Deposit Insurance Corporation, to pay rates of interest on time deposits of foreign governments and monetary authorities without limitation by regulatory ceilings applicable to time deposits generally.

During the period of time since the law became effective, U.S. commercial banks have been enabled to compete more effectively in providing an attractive investment outlet for the dollar holdings of foreign official agencies. The volume of time deposits of foreign official agencies increased by $1,777 million from September 30, 1962, just prior to enactment of the law, through December 1964, when the total amounted to $3,830 million. While no one can estimate with certainty what the volume of foreign official deposits would have been had our commercial banks not been provided authority to pay competitive rates beyond the ceilings applicable to other depositors, it is clear that a significant volume of foreign official funds have been attracted into this investment outlet by this form of bank competition. The result has been to help prevent the conversion of dollars into foreign currencies for investment in other markets and to provide an attractive investment opportunity as an alternative to the conversion of these dollar holdings into gold.

Consequently, the law has helped to protect the gold stock of this country and to enhance the attractiveness of our currency to foreign official institutions, supporting the key role of the dollar in the international financial system. At the same time, there is no evidence that this has had any adverse implications for our banking system. Competition for these deposits is generally confined to the larger and stronger commercial banks. Moreover, the amounts of funds available for such deposits, while highly significant in terms of international flow of funds, are limited relative to the overall deposit structure of our banks and the domestic money market.

Thus for some time the authority granted under Public Law 87-827 has been used effectively, accomplishing highly useful results without adverse side effects. On the basis of this experience, and recognizing that these benefits should continue to accrue, the proposed legislation will make a valuable contribution to our continuing effort to reduce and eliminate our gold losses and maintain the strength of the dollar.

It is also important that the proposed legislation be enacted as soon as possible. While existing authority to pay a higher rate of interest does not expire until October 15, 1965, banks are now effectively precluded from entering into deposit contracts that would require the payment of higher rates of interest after that date. Thus, time deposit contracts running beyond October 15, 1965, may no longer provide for the higher rates of interest for that period which extends beyond that date. Consequently, the benefits of the law have already been impaired for longer term time deposits, and is being steadily eroded for shorter maturities; for example, after April 15, 1965, banks will no longer be able to contract to pay the higher rate beyond 6 months in the future.

Longer term deposits are of particular importance. There are important instances where foreigners who borrow dollars in the United States for projects whose costs may be distributed over years in the future are interested, if interest rates are sufficiently attractive, in investing the proceeds of their borrowings in the United States until needed. It is with respect to this type of longer term deposit that the advantages of the legislation are greatest. At the present time because of the early expiration date beyond which higher rates may not be paid, these advantages are not available.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposed bill has been transmitted to the Speaker of the House of Representatives.

There is enclosed for your convenient reference a comparative type showing the changes in existing law that would be made by the proposed bill.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

DOUGLAS DILLON.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of the fourteenth paragraph of section 19 of the Federal Reserve Act (12 U.S.C. 371b) is amended to read as follows:

"The provisions of this paragraph shall not apply to the rate of interest which may be paid by member banks on time deposits of foreign governments, monetary and financial authorities of foreign governments when acting as such, or international financial institutions of which the United States is a member."

SEC. 2. The last sentence of subsection (g) of section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended to read as follows:

"The provisions of this subsection shall not apply to the rate of interest which may be paid by insured nonmember banks on time deposits of foreign governments, monetary and financial authorities of foreign governments when acting as such, or international financial institutions of which the United States is a member."

COMPARATIVE TYPE SHOWING CHANGES IN EXISTING LAW MADE BY BILL

(Existing law proposed to be omitted is enclosed in brackets; new matter italic)

SECTION 18(g) OF THE FEDERAL DEPOSIT INSURANCE ACT (12 U.S.C. 1828(g))

Section 18(g). The Board of Directors shall by regulation prohibit the payment of interest on demand deposits in insured nonmember banks and for such purposes it may define the term "demand deposits"; but such exceptions from this prohibition shall be made as are now or may hereafter be prescribed with respect to deposits payable on demand in member banks by section 19 of the Federal Reserve Act, as amended, or by regulation of the Board of Governors of the Federal Reserve System. The Board of Directors shall from time to time limit by regulation the rates of interest or dividends which may be paid by insured nonmember banks on time and savings deposits, but such regulations shall be consistent with the contractual obligations of such banks to their depositors. For the purpose of fixing such rates of interest or dividends, the Board of Directors shall by regulation prescribe different rates for such payment on time and savings deposits having different maturities, or subject to different conditions respecting withdrawal or repayment, or subject to different conditions by reason of different locations, or according to the varying discount rates of member banks in the several Federal Reserve districts. The Board of Directors shall by regulation define what constitutes time and savings deposits in an insured nonmember bank. Such regulations shall prohibit any insured nonmember bank from paying any time deposit before its maturity except upon such conditions and in accordance with such rules and regulations as may be prescribed by the Board of Directors, and from waiving any requirement of notice before payment of any savings deposit except as to all savings deposits having the same requirement. For each violation of any provisions of this subsection or any lawful provision of such regulations relating to the payment of interest or dividends on deposits or to withdrawal of deposits, the offending bank shall be subject to a penalty of not more than $100, which the Corporation may recover for its use. [During the period commencing on the effective date of this sentence and ending upon the expiration of three years after such date, the] *The* provisions of this subsection shall not apply to the rate of interest which may be paid by insured nonmember banks on time deposits of foreign governments, monetary and financial authorities of foreign governments when acting as such, or international financial institutions of which the United States is a member.

SECTION 19 OF THE FEDERAL RESERVE ACT (12 U.S.C. 371b)

Sec. 19. The Board of Governors of the Federal Reserve System shall from time to time limit by regulation the rate of interest which may be paid by member banks on time and savings deposits, and shall prescribe different rates for such payment on time and savings deposits having different maturities, or subject to different conditions respecting withdrawal or repayment, or subject to different conditions by reason of different locations, or according to the varying discount rates of member banks in the several Federal Reserve districts. No member bank shall pay any time deposit before its maturity except upon such conditions and in accordance with such rules and regulations as may be prescribed by the said Board, or waive any requirement of notice before payment of any savings deposit except as to all savings deposits having the same requirement: *Provided*, That the provisions of this paragraph shall not apply to any deposit which is payable only at an office of a member bank located outside of the States of the United States and the District of Columbia. [During the period commencing on the effective date of this sentence and ending upon the expiration of three years after such date, the] *The* provisions of this paragraph shall not apply to the rate of interest which may be paid by member banks on time deposits of foreign governments, monetary and financial authorities of foreign governments when acting as such, or international financial institutions of which the United States is a member.

REVISION OF FEES PAYABLE TO COMMISSIONER OF PATENTS

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill to revise the schedule of fees payable to the Commissioner of Patents in connection with patent and trademark matters.

This bill is endorsed both by the American Bar Association and the American Patent Law Association. Its objective is substantially to increase the revenue of the Patent Office to the point where a reasonable proportion of the costs of operation of that office will be paid by those who directly employ its services. A further purpose of the bill is to obtain the desired increased revenue immediately, without causing material changes in the patent system, pending the study of that system now being undertaken by the Patents, Trademarks, and Copyrights Subcommittee of the Judiciary Committee, under the able leadership of Senator McClellan. Further, the bill is intended to provide this added revenue with as little administrative complexity and expense as possible.

The most striking difference between this bill and the bill drafted by the Patent Office and introduced at administration request by Senator McClellan, S. 730, is that this bill would avoid the adoption of the controversial maintenance fee system by which the lives of the majority of U.S. patents would be materially shortened. Moreover, since this bill would not depend upon collection of maintenance fees a number of years hence, it would produce more revenue immediately.

I do not purport to be an expert in patent matters, and do not now take sides between the proponents of the maintenance fee system and the proponents of the fixed fee system. My investigation of this matter convinces me, however, that this bill has the support of a significant segment of our patent bar. It should, in my judgment, be considered along with the administration proposal embodied in S. 730.

I would hope that this bill would receive consideration, along with the bill introduced by the Senator from Arkansas [Mr. McClellan] at the hearings recently announced by Senator McClellan's subcommittee for March 3.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1228) to fix certain fees payable to the Patent Office, and for other purposes, introduced by Mr. Tydings, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

UNIFORM POLICIES WITH RESPECT TO RECREATION AND FISH AND WILDLIFE BENEFITS

Mr. JACKSON. Mr. President, I introduce, by request, a bill which has been submitted and recommended to the Congress by the Bureau of the Budget to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control.

This is a subject which has been receiving extensive consideration by both the executive and legislative branches of our Government for quite some time. It is now apparent that all of the Federal executive agencies have agreed on a formula, and it is at the request of the President's Director of the Bureau of the Budget that I am submitting a draft of their bill.

I ask unanimous consent that the bill be printed at this point in the Record, together with a section-by-section analysis.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record.

The bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control, introduced by Mr. Jackson, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress and the intent of this Act that (a) full consideration shall be given to outdoor recreation opportunities and fish and wildlife enhancement where these can be provided or enhanced in the investigation, planning, construction, operation, and maintenance of Federal navigation, flood control, reclamation, hydroelectric, and multiple-purpose water resource projects; (b) planning with respect to the development of the recreation potential of any such project shall be based on the coordination of the recreational use of the project area with the use of existing and planned Federal, State, or local public recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement purposes and operate, maintain and replace facilities provided for those purposes unless such areas or facilities are authorized by law for inclusion within a national recreation area, or are appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

Sec. 2. (a) If, before authorization of a project, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation and fish and wildlife enhancement pursuant to a plan of development and to bear not less than one-half the separable costs of the project allocated to recreation and fish and wildlife enhancement and all the costs of operation, maintenance and replacement of recreation and fish and wildlife enhancement lands and facilities: (1) the benefits of the project to recreation and fish and wildlife enhancement shall be taken into account in determining the economic benefits of the project; (2) costs shall be allocated to the purposes of recreation and fish and wildlife enhancement and to other purposes in a manner which will insure that all project purposes share equitably in the advantages of multiple-purpose construction: *Provided*, That the costs allocated to recreation or fish and wildlife enhancement shall not exceed the lesser of the benefits from those functions or the costs of providing recreation or fish and wildlife enhancement benefits of reasonably equivalent use and location by the least costly alternative means; and (3) not more than one-half the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be nonreimbursable. Projects authorized before January 1, 1966, may include recreation and fish and wildlife enhancement on the foregoing basis without the required indication of intent. Execution of an agreement as aforesaid shall be a prerequisite to commencement of construction of projects authorized pursuant to this section.

(b) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (1) payment, or provision of lands, interests therein, or facilities for the project; or (2) repayment, with interest at a rate comparable to that for other interest-bearing functions of Federal water resource projects, within 50 years of first use of project recreation or fish and wildlife enhancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and if the fee schedule and the portion of fees dedicated to repayment are made subject to review and renegotiation at intervals of not more than 5 years.

SEC. 3. (a) In the absence of an indication of intent as specified in subsection 2(a), facilities or project modifications shall not be provided expressly for recreation and fish and wildlife enhancement; minimum facilities for the public health and safety may be provided at access points provided by roads existing at the time of project construction and roads constructed for the administration and management of the project. For projects authorized pursuant to section 3 hereof, the recreation and fish and wildlife enhancement benefits shall be limited to the number of visitor days and the value per visitor day which would take place on the basis of the provision of minimum facilities for public health and safety, and excluding any additional land which may be acquired expressly to provide for subsequent recreation or fish and wildlife enhancement development as provided under subsection 3(b); for projects authorized pursuant to this subsection, all costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable.

(b) In the absence of an indication of intent as specified in subsection 2(a), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project.

(1) If non-Federal public bodies execute an agreement within ten years after initial operation of the project, which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation and fish and wildlife enhancement pursuant to a plan of development and will bear not less than one-half the costs of lands, facilities and project modifications provided for those purposes and all costs of operation, maintenance and replacement of recreation and fish and wildlife enhancement facilities, not more than one-half the costs of lands, facilities, and project modifications provided pursuant to paragraph (1) of this subsection may be borne by the United States and such costs shall be nonreimbursable. Such agreement and subsequent development shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of subsection 3(b), the head of the agency having jurisdiction over the project may convey the possession and control of any lands provided pursuant to subsection 3(b) by deed, lease, or otherwise, to any Federal agency, or to any person or non-Federal body, for the purpose of recreation, fish and wildlife enhancement, or use as a summer residence, or for the operation on such lands of pleasure resorts for boating, fishing, or any similar purpose, or for any other purpose which would not conflict with the purposes for which the project was constructed: *Provided*, That no transfer authorized herein, except transfer by conveyance at full market value under the then existing conditions, shall be made without approval of the President of the United States.

SEC. 4. At projects, the construction of which has commenced or been completed as of the effective date of this Act, where non-Federal public bodies agree to administer project land and water areas for recreation and fish and wildlife enhancement purposes and to bear the costs of operation, maintenance, and replacement of existing facilities serving those purposes, such facilities and appropriate project lands may be transferred to the non-Federal public bodies at no cost.

SEC. 5. Nothing herein shall be construed as preventing or discouraging post-authorization development of any project for recreation and fish and wildlife enhancement by non-Federal public bodies pursuant to agreement with the head of the Federal agency having jurisdiction over the project. Such development shall not be the basis for any allocation or reallocation of project costs to recreation or fish and wildlife enhancement.

SEC. 6. (a) The views of the Secretary of the Interior developed in accordance with section 3 of the Act of May 28, 1963 (77 Stat. 49), with respect to the outdoor recreation aspects shall be set forth in any report on any project or appropriate unit thereof within the purview of this Act. Such views shall include a report on the extent to which the proposed recreation and fish and wildlife development conforms to and is in accord with the State comprehensive plan developed pursuant to subsection 5(d) of the Land and Water Conservation Act of 1965 (78 Stat. 897).

(b) Nothing in this Act shall be construed as amending the first proviso of subsection 2(d) of the Act of August 12, 1958 (72 Stat. 563; 16 U.S.C. 662(d)), and the second proviso of subsection 2(d) of that Act is hereby repealed.

(c) Expenditures for lands or interests in lands hereafter acquired by project construction agencies for the establishment of migratory waterfowl refuges recommended by the Secretary of the Interior at Federal water resource projects, when such lands or interests in lands would not have been acquired but for the establishment of a migratory waterfowl refuge at the project, shall not exceed $28,000,000: *Provided*, That the aforementioned expenditure limitation in this subsection shall not apply to the costs of mitigating damages to migratory waterfowl caused by such water resource project.

(d) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

(e) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

(f) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

(g) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

(h) All payments and repayment by non-Federal public bodies under the provisions of this Act, and revenue from the conveyance by deed, lease or otherwise, of lands under subsection 3(b)(2) of this Act, shall be deposited in the Treasury as miscellaneous receipts.

SEC. 7. (a) The Secretary of the Interior is authorized as a part of any water resource development project under his control heretofore or hereafter authorized or reauthorized, except projects or areas within national wildlife refuges, to investigate, plan, construct, operate and maintain or otherwise provide for public outdoor recreation facilities, to acquire or otherwise to include within the project area such adjacent lands or interests therein as are necessary for present or future public recreation use, to provide for the public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes, and at projects hereafter authorized or reauthorized, to allocate water and reservoir capacity to recreation. Lands, facilities and project modifications may be provided in accordance with subsection 3(b), hereof, at projects heretofore authorized.

(b) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease, conveyance, or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation purposes.

(c) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation development of water resource projects or to disposition of public lands for recreational purposes.

SEC. 8. As used in this Act—

(a) The term "project" shall mean a project or any appropriate unit thereof.

(b) The term "cost" shall mean the value of goods and services (land, labor and supplies) used for the establishment, maintenance and operation of the project.

(c) The term "separable costs" shall mean the cost for each project purpose which is the difference between the cost of the multiple-purpose project and the cost of the project with the purpose omitted.

(d) The term "joint costs" shall mean the difference between the cost of the multiple-purpose project as a whole and the total of the separable costs for all project purposes.

SEC. 9. This Act may be cited as the "Federal Water Project Recreation Act".

The section-by-section analysis presented by Mr. JACKSON is as follows:

FEDERAL WATER PROJECT RECREATION ACT

SECTION-BY-SECTION ANALYSIS

Section 1

Section 1 states congressional policy that (a) full consideration shall be given to recreation and fish and wildlife enhancement as purposes of Federal water resources projects; (b) planning with respect to recreation aspects of a project shall be coordinated with existing and planned recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to assume responsibility for management of project areas and facilities, except at those projects or project areas which are appropriate for Federal administration because of other Federal programs.

Areas which may be appropriate for Federal administration include national recreation areas, and areas which are part of the national forest system, part of the public lands classified for retention in Federal ownership, or part of lands administered under an authorized Federal program for the conservation and development of fish and wildlife. The following seven types of areas are included in this last category: wildlife refuges; wildlife ranges; game ranges; waterfowl production areas; wildlife management areas; national fish hatcheries; and areas for the protection and conservation of fish and wildlife that are rare or threatened with extinction.

As used throughout this bill, the term "non-Federal public bodies" includes such public entities as States, counties, municipalities, recreation districts or other special purpose districts with sufficient authority to participate under the provisions of this bill. The term also includes a combination of two or more of the foregoing entities.

Section 2

Subsection 2(a) provides that if non-Federal public bodies express an intent before project authorization, and execute an agreement before initiation of project construction, to administer project land and water areas for recreation and fish and wildlife enhancement and to pay or repay at least one-half the costs of providing lands, facilities and project modifications and all costs of operation, maintenance and replacement of such lands, facilities, and project modifications which are not integral parts of the Federal project, then the Federal Government will bear all joint costs allocated to recreation and fish and wildlife enhancement and up to one-half of the costs of lands, facilities and project modifications for those purposes. Project modifications include, for example, the raising of the height of a dam so as to provide increased storage capacity, or the construction of a subimpoundment in an arm of a reservoir, specifically for recreation or fish and wildlife enhancement.

It is anticipated that under the provisions of the bill the Federal construction agency will work with non-Federal public interests to develop a short and long range plan of development for recreation and fish and wildlife enhancement which should be provided at the project. For example, where there is little demand for recreation facilities, such facilities should be provided only to the extent local participation permits.

A statement of intent to participate by non-Federal public bodies is generally required by the bill if provision is to be made specifically for recreation and fish and wildlife enhancement at a project. However, it is not believed desirable to delay authorization of projects on which planning has been completed by further referral of the project report to non-Federal public bodies. Therefore, the bill provides that for projects authorized prior to January 1, 1966, an expression of intent to participate by non-Federal interests will not be required. For all projects, however, an executed agreement to participate will be required prior to initiation of project construction. If, after indicating intent to participate, non-Federal interests do not execute such an agreement, the project would be treated as though there had been no original statement of intent and would be constructed under provisions similar to those contained in section 3.

Under the provisions of subsection 2(b), non-Federal public bodies may pay or repay their share of costs of development (excluding those operation, maintenance and replacement costs which they must bear directly) under either or both of the following methods, as determined appropriate by the head of the agency having jurisdiction over the project: (1) payment, or provision of lands or facilities required by the project, or (2) repayment, within 50 years, with interest at a rate comparable to that for other interest-bearing functions of water resource projects. The source of repayment under (2) may be limited to a portion of the entrance and user fees collected at the project by non-Federal interests. The fee schedule and the percentage of the fees dedicated to repayment of the non-Federal share shall be established, and periodically reviewed, to achieve repayment in the period specified.

The latter provision allows non-Federal interests, if they so desire, to discharge their obligation to repay by charging fees to the recreation user and applying a portion of the fee toward repayment while applying the remaining portion toward their operation and maintenance costs.

Section 3

Subsection 3(a) recognizes that in some areas non-Federal interests may not want to participate in a project because they have sufficient recreation and fish and wildlife developments or because of other reasons. In such cases, water resources projects would not be held back because of the lack of non-Federal participation in recreation and fish and wildlife enhancement. In those instances, no facilities or project modifications would be provided expressly for recreation and fish and wildlife enhancement. The likelihood that a project, even without recreation facilities, may be utilized for recreation is recognized. However, it is believed that the recreation and fish and wildlife benefits would be minimal under these circumstances. Any costs allocated to recreation and fish and wildlife enhancement under these conditions would be nonreimbursable.

Since some recreational use of a project is anticipated even without recreation facilities, the bill provides for facilities for public health and safety. These facilities would include guard rails, turn-arounds at the ends of roads, and minimum sanitary facilities. Parking, picnicking, swimming, or camping areas or facilities, or more elaborate sanitary facilities would not be provided under this subsection.

Most water resources projects provide some potential for recreation or fish and wildlife enhancement. For this reason, subsection 3(b) provides for the acquisition or provision of lands in connection with any project to preserve this recreation or fish and wildlife enhancement potential even where there is no indication of intent of non-Federal cost sharing as specified in subsection 2(a). If, within 10 years after initial operation of the project, non-Federal interests desire to develop the recreation or fish and wildlife potential and agree to bear one-half the cost of the land, facilities, and any project modification for these purposes, and all costs of operation, maintenance, and replacement, then the development of the recreation and fish and wildlife enhancement potential could be undertaken pursuant to a plan of development. The Federal Government would bear up to one-half the costs of the land, facilities, and project modifications for those purposes. If such an agreement is not obtained, the construction agency would be authorized to dispose of the land by sale, lease, or in some other manner, to any person or non-Federal body after determining that such land is not required by another Federal agency. Disposal may be made for recreation, fish and wildlife enhancement, or for any other purpose as long as such use does not conflict with the purposes for which the project was constructed.

Section 4

To encourage non-Federal administration of the recreation and fish and wildlife enhancement features at existing Federal water resources projects (completed or under construction), the bill would authorize Federal water resource agencies to transfer recreation and fish and wildlife enhancement facilities, and appropriate project lands, at no cost to non-Federal public bodies if they agree to administer the facilities and to bear the costs of operation, maintenance, and replacement of such lands and facilities.

Section 5

Section 5 makes it clear that incremental or subsequent development of recreation and fish and wildlife enhancement at any project shall not be discouraged. Other programs, as under the Land and Water Conservation Fund Act of 1965, could be used to develop recreation at projects that are not developed in accordance with other provisions of this bill. Development under such conditions will not, however, provide a basis for allocation or reallocation of any project costs to recreation and fish and wildlife enhancement.

Section 6

Subsection 6(a) provides that the views of the Secretary of the Interior, developed in accordance with the organic act of the Bureau of Outdoor Recreation, shall be included in each project report. The Secretary's report would indicate the extent to which the proposed project is in accord with the State comprehensive recreation plan developed pursuant to the Land and Water Conservation Act of 1965.

Subsection 6(b) confirms the limitations of the first proviso of subsection 2(d) of the Fish and Wildlife Coordination Act (72 Stat. 563; 16 U.S.C. 622(d)) with respect to measures for the enhancement of fish and wildlife properly includible in a Federal water resource project; it repeals the second proviso of that subsection of the Fish and Wildlife Coordination Act, which applies to projects constructed under reclamation law. The effect of the repeal of the second proviso is twofold: first, it will result in the costs of mitigation of project-occasioned damage to fish and wildlife being distributed among all project purposes the same as any other project cost; and, second, it will terminate the reimbursement policy for costs allocated to fish and wildlife enhancement now set out in the Fish and Wildlife Coordination Act so that the reimbursement policy established by this bill may take effect.

Subsection 6(c) places a limitation of $28 million on water resource project funds that may be expended for land acquisition to accomplish the Federal Government's obligations to conserve and protect migratory waterfowl. These expenditures are in addition to those made from the migratory bird conservation fund for migratory waterfowl refuges. The $28 million limitation applies only to expenditures for acquisition of lands or interests in lands which would otherwise not be acquired, when they are acquired at a water resource project for incorporation into a migratory waterfowl refuge. The limitation specifically does not apply to expenditures for the mitigation of damages to migratory waterfowl, since that is properly a project cost to be allocated to project purposes in the same manner as any other project cost.

Subsection 6(d) provides that the bill shall not apply to the Tennessee Valley Authority, nor to projects constructed under the authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended. It is believed that cost sharing and reimbursement requirements for recreation and fish and wildlife enhancement at small reclamation projects should be considered in relation to such requirements as now exist at watershed protection projects.

The Tennessee Valley Authority believes it has adequate authority to plan for, evaluate benefits from, and allocate costs to recreation and fish and wildlife enhancement in connection with multiple-purpose projects. TVA believes that the bill contains language which is inappropriate for TVA, for example, the requirement that the views of the Secretary of the Interior be included in any report concerning a project within the bill's purview. While TVA consults and cooperates with other Federal agencies, TVA believes it must as a unified development agency take full responsibility for all phases of projects which it plans and constructs. This was recognized in TVA's exemption from the Fish and Wildlife Coordination Act. Furthermore, the general policy of the Tennessee Valley Authority is not to provide recreation facilities at Federal cost but to transfer lands adjacent to reservoirs to non-Federal bodies for recreation development and management. The TVA has been quite successful in this policy.

Subsection 6(e) provides that such projects as local nonreservoir flood control, beach erosion control, small boat harbor, and hurricane protection projects shall be excluded from the cost sharing and reimbursement provisions of the bill because existing policies cover these projects. Cost sharing shall not be required for project areas that are appropriate for Federal administration.

Subsection 6(f) states that the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

Subsection 6(g) provides that the provision of the Land and Water Conservation Fund Act of 1965 which calls for the use of the fund to help offset the capital costs of recreation at Federal projects shall not be applied to projects at which non-Federal interests execute an agreement to share development costs and to bear the costs of operation and maintenance. The reason for this provision is that Federal recreation fees will not be charged at these projects. The offset provision would apply, however, to the capital costs of projects where non-Federal interests do not assume responsibility for the administration of project areas for recreation.

Subsection 6(h) provides that all moneys received (payments, repayments, or revenue from conveyance of land) under the terms of this bill shall be deposited in the miscellaneous receipts of the Treasury.

Section 7

The purpose of section 7 is to provide the Secretary of the Interior with authority similar to that already available to the Secretary of the Army. Since 1944 the Department of the Army has had basic statutory authority to provide recreation development at reservoir projects under its control; in 1962 this authority was expanded to embrace water resource development projects generally (section 4 of the act of December 22, 1944, as amended; 16 U.S.C. 460(d)). On the other hand, only piecemeal authority exists for certain individual projects under the control of the Department of the Interior. A notable example of this project-by-project approach is section 8 of the Colorado River Storage Project Act of 1956 (70 Stat. 105; 43 U.S.C. 620(g)). Enactment of the proposed legislation will fill in the statutory gaps and permit the realization of potential returns on recreation resources created by public investment in the development of water resource projects of the Department of the Interior.

Subsection 7(a) provides that the Secretary of the Interior may plan, construct, operate and maintain, or otherwise provide for public outdoor recreation facilities, and acquire land for such purpose, at any existing or hereafter authorized or reauthorized project. In addition, at projects hereafter authorized or reauthorized, he may also allocate water and reservoir capacity to recreation. Lands, facilities and project modifications may be provided at existing projects only if non-Federal public bodies agree to administer the project lands and water areas for recreation and to bear costs in accordance with section 2.

Subsection 7(b) authorizes the Secretary of the Interior to transfer to other Federal agencies or State or local bodies, project lands and facilities for operation and maintenance for recreation purposes.

Subsection 7(c) provides that, with the consent of the Federal agency having jurisdiction over lands required for recreation purposes at any project, such Federal agency is authorized to transfer lands so required to the Secretary of the Interior. The latter is also authorized to transfer to the Secretary of Agriculture project lands and facilities for recreation purposes when such project lands are adjacent to or within national forests, and such transfer shall be made, unless the Secretaries jointly agree otherwise, when the project is wholly within the exterior boundaries of a national forest. Any lands so transferred shall become national forest lands, but to the extent required for operation of the project for purposes other than recreation, the lands shall be administered by the Secretary of the Interior.

Sections 8 and 9

Section 8 defines terms used in the bill.

Section 9 provides that the bill may be cited as the "Federal Water Project Recreation Act."

FREEDOM COMMISSION ACT

Mr. MUNDT. Mr. President, I reintroduce today, on behalf of myself and 10 other Senators, a bill well suited to bolster U.S. foreign policy in beleaguered areas of the world such as Africa, southeast Asia, and, increasingly, Latin America.

Cosponsors of this measure are Mr. Case, Mr. Douglas, Mr. Dodd, Mr. Prouty, Mr. Fong, Mr. Proxmire, Mr. Hickenlooper, Mr. Miller, Mr. Lausche, Mr. Scott, and Mr. Smathers. The range of political philosophy to which this measure appeals is demonstrated by listing these Senators who range between conservative and liberal.

This is a bipartisan effort to develop the advanced techniques and means required to meet and defeat by peaceful means the worldwide threat to liberty posed by communism.

Long ago we learned that communism is not going to roll over and play dead simply because Red leaders say they want peaceful coexistence. Today in Vietnam we are experiencing once again the bitter lesson of Communist aggressive designs in one of their most flagrant forms, guerrilla warfare against an independent people.

We are adequately prepared with our massive defense system to meet an overt act of aggression. However, in the area of global conflict involving subversion, infiltration, psychological warfare, and economic warfare, too often we fail to recognize these Communist tactics at an early stage when effective action could be taken with a minimum of effort and expense to halt these activities.

This bill proposes to establish a long-term and intensive research and training program to buttress free world defense against nonmilitary aggression by Communist powers.

Research would be directed toward development of operational knowledge, fully grasped by us and by our allies in the field where our people engage in actual operations. But to have this knowledge at hand where it can be useful to them, we must have intensive training. Both our own people and the people of our allies who directly participate in the confrontation posed by communism could well utilize this knowledge, and they must have training.

Certain improvements over the bill introduced in the last Congress appear in the version introduced today.

Most important, the provisions for training foreign students are positively emphasized. Every year, with the occurrence of every new Communist onslaught on an independent country, the need to train non-Communist students to recognize Communist techniques and to teach them methods to effectively resist Communist aggression becomes more critical.

The Freedom Academy bill comprehends this need. If the bill is enacted, the strength of our allies to resist Communist incursion will be appreciably heightened.

Then, not so basic but offered to conciliate criticism of an apparent though not intended defect in the previous bill, all authorization to the Freedom Commission to publish textbook material is deleted. The information center remains so that interested persons can obtain accurate information, but the center has no authorization to disseminate information so actively as previously proposed.

Mr. President, extensive hearings on this proposal have been conducted both in the Senate and the House. The Senate passed the bill during an earlier session. This year, hopefully, we can take this action which would strengthen our capacity to preserve freedom and independence.

Mr. President, I ask that the bill lie at the desk until February 25, to enable other Senators who might wish to do so to become cosigners.

A Freedom Academy bill was passed by Congress in 1960 with a glowing report from the Senate Committee on the Judiciary. I commend it to the attention of the Senate.

I ask unanimous consent to have printed in the RECORD a nine-point statement of policy and also an excerpt from the report of the Senate Committee on the Judiciary dated January 30, 1960.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk and the statement and excerpt will be printed in the RECORD, as requested by the Senator from South Dakota.

The bill (S. 1232) to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Foreign Relations.

The statement and excerpt, presented by Mr. MUNDT, are as follows:

1. The United States in preparing to defend its national interests in coming years faces grave and complex problems in the nonmilitary as well as military areas.

2. First and foremost are the problems raised by the unremitting drives by the Soviet Union and Communist China seeking world domination and the destruction of all non-Communist societies. The Communist bloc and the various Communist parties have systematically prepared themselves to wage a thousand-pronged aggression in the nonmilitary conflict area. Drawing on their elaborate studies and extensive pragmatic tests, Communist leaders have developed their conspiratorial version of nonmilitary warfare into an advanced, operational art in which they employ and orchestrate an extraordinary variety of conflict instruments in the political, psychological, ideological, economic, technological, organizational, and paramilitary areas enabling them to approach their immediate and long-range objectives along many paths. This creates unique and unprecedented problems for the United States in a conflict that is being waged in student organizations, peasant villages, labor unions, mass communication systems, in city and jungle and institutions and organizations of every description, as well as in the world's chancelleries. Recognizing that nonmilitary conflict makes extraordinary demands upon its practitioners, the Communists, for several decades, have intensively trained their leadership groups and cadres in an extensive network of basic, intermediate and advanced schools. The Sino-Soviet conflict capacity has been immeasurably increased by the mobilization of research, science, industry, technology, and education to serve the power-seeking ambitions of Communist leaders rather than the needs of their people.

3. Second, the problems of the United States are complicated by the emergence of many new nations, the unstable or deteriorating political, social, and economic conditions in many parts of the world, the revolutionary forces released by the rising expectations of the world's people, and other factors, all of which increase the difficulties of achieving our national objectives of preventing Communist penetration while seeking to build viable, free, and independent nations.

4. The nature of the Sino-Soviet power drive, the revolutionary and fluid world situation, the emergence of the United States as the major leader of the free world and the need to deal with the people of nations as well as governments, has compelled the United States to employ many new instruments under the headings of traditional diplomacy, intelligence, technical assistance, aid programs, trade development, educational exchange, cultural exchange, and counterinsurgency (as well as in the area of related military programs). To interrelate and program these present instruments over long periods already requires a high degree of professional competence in many specialties, as well as great managerial skill.

5. However, the United States has fallen short in developing and utilizing its full capacity to achieve its objectives in the world struggle. Not only do we need to improve the existing instruments, but a wide range of additional methods and means in both the Government and private sectors must be worked out and integrated with the existing instruments of our policy. Otherwise, the United States will lack the means to defeat many forms of Communist aggression and to extend the area of freedom, national independence and self-government, as well as to attain other national objectives. However, this will require an intensive and comprehensive research and training effort first to think through these additional methods and means, and, second, to educate and train not only specialists, but also leaders at several levels who can visualize and organize these many instruments in an integrated strategy, enabling the United States to approach its national objectives along every path in accord with our ethic.

6. There has been a tendency to look upon strategy as a series of discrete problems with planning often restricted by jurisdictional walls and parochial attitudes and too much piecemeal planning to handle emergencies at the expense of systematic, long-range development and programing of the many instruments potentially available to us. While there has been marked improvement in such things as language training at agency schools, and university centers have made significant progress in area studies, nowhere has the United States established a training program to develop rounded strategists in the nonmilitary area or even certain vital categories of professional specialists, particularly in the area of political, ideological, phychological, and organizational operations, and in certain areas of development work. Nor has the United States organized a research program which can be expected to think through the important additional range of methods and means that could be available to us in the Government and private sectors.

7. Finally, the cause of freedom has been severely handicapped by the inhibited attitude of the United States toward the education and training of foreign nationals. Nowhere, with limited exceptions, is education and training provided for foreign nationals which will acquaint them, in depth, with the spectrum of Communist subversion and insurgency and the wide range of instruments that may be developed and utilized to defeat this while seeking to build free, independent, and viable societies. Yet, the principal burden of repelling Communist subversion and insurgency must be borne by the citizens of the nations involved.

8. In implementing this legislation the following requirements for developing our national capacity and the national capacities of other nations for global operations in the nonmilitary area should receive special attention:

(a) At the upper levels of Government, the United States must have rounded strategists with intensive interdepartmental training and experience who understand the range of instruments potentially available to us and who can organize and program these instruments over long periods in an integrated, forward strategy that systematically develops and utilize our full national capacity for the global struggle.

(b) Below them, Government personnel must be trained to understand and implement this integrated strategy in all of its dimensions. Through intensive training, as well as experience, we must seek the highest professional competence in those areas of specialized knowledge required by our global operations. Government personnel should have an underlying level of understanding as to the nature of the global conflict, the goals of the United States, and the various possible instruments in achieving these goals to facilitate team operations. We should seek to instill a high degree of élan and dedication.

(c) National security personnel at all levels must understand communism with special emphasis on Communist nonmilitary conflict technique. It is not enough to have experts available for consultation. This is basic knowledge which must be widely disseminated, if planning and implementation are to be geared to the conflict we are in. (The present 2-week seminar offered at the Foreign Service Institute is entirely too brief for even lower ranking personnel.)

(d) The private sector must understand how it can participate in the global struggle in a sustained and systematic manner. There exists in the private sector a huge reservoir of talent, ingenuity, and strength which can be developed and brought to bear in helping to solve many of our global problems. We have hardly begun to explore the range of possibilities.

(e) The public must have a deeper understanding of communism, especially Communist nonmilitary conflict technique, and the nature of the global struggle, including the goals of the United States.

(f) Foreign nationals must understand the spectrum of Communist subversion and insurgency and the wide range of methods and means potentially available to defeat this while seeking to build free, independent, and viable nations; and they must be motivated to act.

9. The hereinafter created Freedom Academy must be a prestige institution and every effort should be made to demonstrate this is a major effort by the United States in a vital area.

FROM THE REPORT BY THE SENATE COMMITTEE ON THE JUDICIARY, JUNE 30, 1960

The committee considers this bill to be one of the most important ever introduced in the Congress. This is the first measure to recognize that a concentrated development and training program must precede a significant improvement in our cold-war capabilities. The various agencies and bureaus can be shuffled and reshuffled. Advisory committees, interdepartmental committees, and coordinating agencies can be created and recreated, but until they are staffed by highly motivated personnel who have been systematically and intensively trained in the vast and complex field of total political warfare, we can expect little improvement in our situation.

This one lone Freedom Academy, costing a fraction of the Cuban sugar subsidy, can lay the foundation for a major breakthrough. Properly staffed and funded, it will stand as a symbol of our determination to win the cold war. It will give courage to our friends and dismay our enemies. It is a practical, fundamental approach to our national survival. The committee recommends the enactment of the Freedom Commission bill at the earliest possible time.

DISTRICT OF COLUMBIA CHARTER ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 11, 1965, the names of Mr. DOUGLAS and Mr. INOUYE were added as additional cosponsors of the bill (S. 1118) to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes, introduced by Mr. BIBLE, for himself and other Senators on February 11, 1965.

NOTICE OF HEARING RELATING TO SENATE CONCURRENT RESOLUTION 2

Mr. HAYDEN. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Subcommittee on Standing Rules has scheduled a hearing on Senate Concurrent Resolution 2, a concurrent resolution to establish a Joint Committee on the Organization of the Congress. The hearing will be held on Wednesday, February 24, in room 301, Old Senate Office Building, starting at 2 p.m. Any Senator or other person wishing to testify at the hearing should notify the staff director, Kent Watkins, room 133, Senate Office Building, extension 2235, in order to be scheduled as a witness. Additional hearings will be held if necessary.

ANNOUNCEMENT OF HEARINGS ON ELIMINATION OF AGRICULTURAL RESEARCH

Mr. HOLLAND. Mr. President, I wish to give notice that the Appropriations Subcommittee for the Department of Agriculture and Related Agencies, of which I am chairman, will hold public hearings beginning Thursday, February 25. These hearings will include an examination into the justifications submitted to the committee by the Secretary of Agriculture with regard to the proposed elimination of several agricultural research stations and lines of research, which were included in an announcement by the Secretary, carried in a press release last December 31. The subcommittee will review with the departmental officials the material submitted by the Department of Agriculture to the committee, in order to develop a full and complete record regarding these stations.

House Joint Resolution 234, making supplemental appropriations for the Department of Agriculture carried a provision which precludes the Secretary from proceeding with the closure of stations and elimination of lines of research prior to May 1, 1965. I make this announcement so that all Senators and other interested parties will be on notice and if any of them desire to submit statements for the record, the subcommittee will avail them of an opportunity to do so.

As chairman of the subcommittee, I have received a number of communications from State officials and others protesting the elimination of various research projects, and I expect that the subcommittee will receive additional communications of this nature. If any Senator has received a request from a delegation to appear before the subcommittee, I wish to advise that I am not encouraging groups to come to Washington from great distances when they can achieve the same purpose by submitting a prepared statement for the record, either directly to me or through the Senators from the respective States which are affected by these proposals to eliminate research. I can assure everyone concerned that a full and complete hearing will be held, and all statements received will be carefully considered by members of the subcommittee.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of W. Averell Harriman, of New York, to be Ambassador at Large; Thomas C. Mann, of Texas, to be Under Secretary of State for Economic Affairs; Jack Hood Vaughn, of Virginia, to be an Assistant Secretary of State; Raymond R. Guest, of Virginia, to be Ambassador to Ireland; Angier Biddle Duke, of New York, to be Ambassador to Spain; Robert C. Good, of the District of Columbia, to be Ambassador to Zambia; Geoffrey W. Lewis, of Virginia, to be Ambassador to the Islamic Republic of Mauritania; C. Robert Moore, of Washington, to be Ambassador to the Republic of Mali.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

LITHUANIAN INDEPENDENCE

Mr. SIMPSON. Mr. President, I rise today to commemorate an independence anniversary celebrated in exile from its native land. I refer to the 47th anniversary of the independence of the Republic of Lithuania. This day, which would normally be the occasion for national celebration within Lithuania, will be greeted by the outward silence of a people held captive by the Soviet Union. Yet, the free world must not confuse their silence with a loss of hope, hope in the eventual liberation of their land and its people, hope in the restoration of their national sovereignty.

If fate and the force of Soviet arms has dealt these noble people a cruel blow, the continued survival of freedom within the non-Communist world must be their assurance that there is not a permanent mortification. Yet, how long, Mr. President, are the people of Lithuania to wait for the forces of freedom and the champions of national determination to actively take up their cause? How distressing must be the image of this powerful nation as she placates and seeks conciliation with the architects of aggression. Why do we hesitate to give life to the proposed Captive Nations Committee? What interest of freedom can be served by this timid withdrawal from a glaring opportunity to strike at our Communist enemies a blow on behalf of our captive friends? Mr. President, let this great Congress hesitate no longer, let us act to create this committee and thus act to bring closer to reality that happy day when freedom will return not only to Lithuania, but to all of the lands of Eastern Europe. As a society of free men now striving to assume the title "great," how can we do less?

ANNIVERSARY OF ESTONIAN INDEPENDENCE

Mr. LAUSCHE. Mr. President, on February 24, Estonians all over the world will pause in solemn commemoration of the day in 1918 when Estonians reestablished their sovereign rule over their ancient native land by proclaiming Estonia an independent democratic republic.

The history of Estonia during the past 47 years is a familiar story to those acquainted with the plight of the captive nations colonized under the Communist domain.

During this period the democratic republic of Estonia labored unceasingly to maintain her independence and to establish good relations with other nations. However, on August 23, 1939, the Soviet Union and Nazi Germany signed a treaty of nonaggression. This treaty was supplemented by a strictly secret protocol, according to which Estonia, Latvia, part of Lithuania, Finland, and certain other areas of Eastern Europe were placed under the Soviet sphere of influence.

Shortly thereafter the Soviet Union imposed a treaty of alliance upon Estonia, and by the end of August 1940, the tragic conversion of Estonia into a Soviet colony was completed.

It is ironic that in as much as World War II brought liberation from dictatorial tyranny to Western Europe and initiated the emergence of new nations from the yoke of Western colonization, it also was instrumental in the subjugation of the countries of eastern Europe—Estonia being one of the first victims—into the Soviet neocolonial empire.

Estonia, though oppressed and exploited, will never reconcile herself to the status of a Soviet colony.

This flagrant incorporation of Estonia into the Soviet Union has never been recognized by the United States, and never should be.

Soviet colonialism is a strange oddity, especially at a time when the principles of freedom and self-determination for all peoples in the world have found universal recognition as the guiding idea of this century's international life and is being placed in practice in all parts of the world. Estonian people are fighting for the recognition and application of these same principles in Eastern Europe.

We in the United States ardently hope and pray for the deliverance of these freedom-loving and freedom-seeking people from Communist totalitarian tyranny.

ADDRESS BY THE VICE PRESIDENT AT THE INTERNATIONAL CHRISTIAN LEADERSHIP LUNCHEON

Mr. McGOVERN. Mr. President, on February 4, Vice President HUMPHREY delivered a brief, eloquent address at the International Christian Leadership luncheon, in Washington, D.C. The remarks of the Vice President reflect the broad humanitarianism and the commitment to peace which always have characterized him.

I ask unanimous consent that the Vice President's remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, INTERNATIONAL CHRISTIAN LEADERSHIP LUNCHEON, WASHINGTON, D.C., FEBRUARY 4, 1965

It is an honor and a pleasure to join this distinguished group at the annual International Christian Leadership luncheon. I congratulate the sponsors for bringing together the distinguished Ambassadors of so many nations around the world.

I would like to take this occasion to speak briefly on a subject which concerns us all. I speak of peace.

Last night President Johnson spoke of some of the domestic programs being undertaken in our country to bring the benefits of social justice and modern society to all our people. But his final conclusion should command the special attention of this group here today. He said: "But the success of all we undertake—the fulfillment of all we aspire to achieve—rests finally on one condition; the condition of peace among men."

If we fail to keep the peace abroad, our achievements here at home in this nuclear era will be ashes in our hands. The same is true in all countries.

We rejoice that the claims of international social justice command growing assent around the world. The interdependence between rich nations and poor, between developed continents and underdeveloped, is increasingly recognized.

The international machinery for channelling assistance is being perfected. Agencies of the United Nations are bringing health facilities to added millions in every land. New programs to feed the hungry and train the unskilled have been launched. The U.S. food-for-peace program and the Peace Corps serve humanitarian objectives recognized by all. And these objectives will be further served to the extent that other nations participate in food-for-peace programs and in Peace Corps-type activities.

But all these endeavors can bear fruit only if peace is preserved and nuclear war avoided. In this nuclear age the deliberate initiation of full-scale war as an instrument of national policy has become folly. Originally a means to protect national interests, war today can assure the death of a nation, the destruction of a continent.

The goal of peace, as President Johnson has stated, will not be finally grasped "in a day or a year or a decade in 120 nations or more—not perhaps in a lifetime." But to achieve this goal, we must begin. "The longest journey begins with a single step," the President said.

Today in the year 1965, our vision of the folly of war and the necessity of peace is enlarged because some world leaders have had the vision and courage to take that single step on the long road to peace.

In 1963 that great and good man, Pope John XXIII, gave the world his vision of the path to peace in his encyclical "Pacem in Terris." It was later that same year that the late President John F. Kennedy responded to this call and launched the initiative which culminated in the nuclear test ban treaty.

Since that single step in 1963, others have followed. Through the United Nations, we have agreed to prohibit the stationing of weapons of mass destruction in space. The United States, Great Britain, and the Soviet Union have agreed to slow down the race for larger nuclear stockpiles by cutting back the production of fissionable materials. To avoid the miscalculation which might lead to nuclear war, we have established a "hot line" between Washington and Moscow.

We shall continue to pursue additional steps along this road to peace. President Johnson has made it clear that he will travel anywhere and meet with anyone if this will enhance the pursuit of peace, peace with justice, peace with freedom. I am hopeful that the leaders of the world will respond in like manner.

It has long been my belief that that which God has given, no man has the right to destroy. Since that day when man exploded the atom and acquired the power to obliterate himself from the face of the earth, war has worn a new face. And the vision of its destructiveness has sobered all men and demanded of them a keener perception of mutual interests, a higher order of responsibility. For 2,000 years we have been exhorted by the Bible to "pursue peace." Today our common humanity, our common interests in a nuclear age require that we heed the Biblical injunction as never before. They require that we spare no effort to build a world where peace is more than a hiatus between wars. This is the common task of all nations represented here today, of all peoples throughout the world.

REPEAL FEDERAL EXCISE TAX ON TELEPHONE CALLS

Mr. McGOVERN. Mr. President, I have received a resolution from the West River Cooperative Telephone Co. of South Dakota urging repeal of Federal excise taxes on telephone calls.

I ask unanimous consent that this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE BISON, S. DAK., WEST RIVER COOPERATIVE TELEPHONE CO.

Whereas many small rural telephone companies such as the West River Cooperative Telephone Co. operate on close and small margins and the Federal excise tax on telephone calls tends to defer the greater use of telephones in the rural areas; and

Whereas the repeal of said tax would immediately afford relief to small telephone companies and its patrons and would encourage and promote telephone use and thus stimulate rural area economy and develop greater and better telephone service: Now, therefore, be it

Resolved, That the Congress of the United States be encouraged to repeal the Federal excise tax on telephone calls; and be it further

Resolved, That a copy of this resolution be sent to each of the Congressmen of South Dakota.

LESTER BLOMBERG,
Secretary.

OPPOSITION TO PROPOSED NATIONALIZATION OF OUR RAILROADS

Mr. PEARSON. Mr. President, on January 16, the Railway Labor Executives Association announced that it would press for nationalization of the country's railroads. Next week, on February 22, this group will meet, to develop specific legislative proposals for this action.

To take one of the Nation's largest industries out of private hands and to put it under Government ownership would be in violation of the most basic economic principle of our free-enterprise system. Not only would it be contrary to our long history of successful economic achievement, but it also would set a precedent which would mark a turning point in our Nation's economic and political life.

In addition to the unacceptable political implications of railroad nationalization, there is no reason to believe that it would solve any of the economic difficulties which some railroads have faced. Rather, it would create inefficiency and dissatisfaction for the general public and for the industrial users of railroad service. It would cause a chaotic situation for all the other modes of transportation, as well.

A well-conducted survey by the magazine Traffic World gives indisputable evidence of the fact that those who use railroad services—shippers who control over $50 billion annually of transportation service—overwhelmingly oppose nationalization. Over 96 percent of those surveyed indicated their opposition to such a proposal.

Mr. President, I ask unanimous consent that this article and an editorial from Traffic World be printed at this point in the RECORD.

There being no objection, the article and the editorial were ordered to be printed in the RECORD, as follows:

[From Traffic World magazine, Feb. 3, 1965]

DO YOU FAVOR RAIL NATIONALIZATION?—NATION'S PROFESSIONAL SHIPPERS ANSWER WITH AN EMPHATIC "NEVER"

(By R. Stanley Chapman)

The Nation's industrial traffic executives—the professional shippers who exercise corporate control over the payment of more than $50 billion a year to rail, motor, water, and air carriers—are overwhelmingly opposed to Government ownership and operation of the Nation's railroad network. In fact, only about 3 out of every 100 American traffic executives are in favor of rail nationalization.

Those American shippers who favor rail nationalization do so from a conviction that railroad service is inadequate and probably would be improved under Government direction. Those who oppose nationalization are convinced that the only result of such a step would be poorer rail service at higher costs. Some of those opposed to nationalization also feel that rail labor, one segment of which recently advocated nationalization, would suffer greatly under Government control.

The railroad nationalization idea, largely dormant in the United States for more than 40 years, was revived January 16 when the Railway Labor Executives' Association announced it would press for Government ownership and operation of all U.S. railroads. An organization composed of the chief executives of 22 rail labor unions or divisions, the RLEA will meet February 22 to develop a legislative program aimed at rail nationalization. George E. Leighty, chairman of the RLEA, says he has Congressmen willing to introduce such legislation.

In support of the nationalization proposal, the RLEA argues that present-day rail management cannot or will not provide the efficient rail network needed by an expanding American economy.

Naturally, this argument draws sharp criticism from the railroad industry. After the RLEA has made its announcement, the Association of American Railroads was quick to point out that, according to public-opinion surveys taken at various times in the last 15 years, only about 10 percent of the general public favors nationalized railroads.

But what of the shipping public that deals more directly with the Nation's railroads than any other American population group? How great a percentage of that difficult-to-define segment of the public favors nationalization of the railroads?

Just over 3 percent, according to a survey conducted by Traffic World.

In fact, the shipping public feels nationalization of the rail industry would:

Result in rail service so poor that the flow of freight across the Nation by any and all forms of transportation would be significantly slowed.

Drive shipping costs ever upward, thus increasing the cost of virtually every consumer product sold to the American public.

Lead inevitably to the nationalization of air and water carriers and, through preferential treatment of the nationalized carriers, so inhibit motor carriers as to reduce the now prosperous and growing truck and bus industries to the small-business level.

Constitute a dangerous precedent for the nationalization of other basic industries.

Take away from Federal and local governments large slices of tax revenue—revenue that would have to be made up elsewhere.

Attribution of such definite views to the shipping public demands verification. This can be found in Traffic World's survey, in the way in which it was conducted, in the corporate indentification of the executives covered by it, and in the response of the shipping public to it.

By the strictest definition, the term "shipping public" embraces everyone who uses the services of a carrier to move goods or passengers—everyone from the person who ships one parcel-post package a year to the vice president of traffic who ships millions of tons a year for his corporation.

By a more widely used definition, however, the term "shipping public" has come to embrace those persons who make up the Nation's industrial traffic management profession. These are the professional shippers who bear the corporate responsibility for overseeing the movement of the vast majority of the Nation's freight and some of its passengers—the professionals who, according to estimates by the Transportation Association of America, contribute more than $50 billion a year to the Nation's economy in the form of payments to carriers.

The exact number of these industrial traffic executives can only be guessed, but on Traffic World's subscription list are 4,988 executives who identify themselves as professional traffic management officials employed by noncarrier corporations. To each of these individuals, and to another 529 shipper-oriented executives who identify themselves for Traffic World subscription purposes as transportation consultants and attorneys, Interstate Commerce Commission practitioners or State and Federal regulatory officials, Traffic World recently sent a questionnaire asking:

1. Do you favor Government ownership and operation of the Nation's rail system?

2. Are you a shipper?

3. If so, about how much a year does your company pay to railroads in transportation charges?

4. Will you identify the basic type of commodity shipped by rail by your company?

To date, 2,467 persons have answered and returned the questionnaire to Traffic World. Of these individuals, 68 favor nationalization of the railroads; 2,390 oppose such a step and 16 either favor or oppose nationalization with some qualifications.

Professional opinion samplers feel that any questionnaire-type survey resulting in a "return" of 25 percent produces data from which legitimate projections, spanning the total number of individuals contacted, can be made.

Traffic World's survey resulted in a return of 44.8 percent, a figure considered "quite high" by professional polltakers. Thus, by projection, it may be said that only 3.1 percent or slightly over 3 out of every 100 of the Nation's professional shippers or shipper-oriented officials are in favor of nationalization of the railroad industry.

The 3.1 percentage figure has elicited expressions of surprise and satisfaction.

Expressing surprise at the figure as "higher than anticipated" were various officials of the ICC, professional shipper organizations, and Traffic World's senior editors, all of whom have been in close association with the shipping public for more than 20 years. Expressing satisfaction with the 3.1 figure were various railroad executives, one of whom, contrasting the 3.1 figure with the 10-percent figure developed through the AAR's general public survey, said:

"It's about what we would expect from an informed group. The men who were contacted are the Nation's real pros when it comes to shipping. Naturally, they would be in the best position to judge—and emphatically reject—a nationalized rail system."

Insofar as corporate size is concerned, the "largest" traffic executive answering Traffic World's survey and the "largest" shipper to state opposition to rail nationalization pays about $350 million a year for railroad service. The "largest" shipper favoring nationalization pays about $15 million a year for rail service.

More than 90 percent of the individuals replying to the survey took the trouble and time to comment on their views.

Among those opposed to rail nationalization, comments ranged from a single word—"ridiculous"—to a two-page typewritten letter. Several shippers also commented less directly by furnishing speeches or articles written by them in recent years in opposition to railroad nationalization.

Among those favoring nationalization, comment ranged from three words—"poor rail management"—to four typewritten paragraphs.

The basic thread of complaint running through the comments of those shippers who favor rail nationalization is the "failure" of railroad management to provide adequate service, particularly to the small shipper. This complaint is expressed in various ways, but the following comment from a shipper of manufactured products spending about $9 million a year for rail service illustrates general views expressed by those shippers favoring nationalization.

"It has become increasingly and painfully obvious that the management of the railroads is inadequate, untrained, and quite unequipped to cope with the problems confronting it today.

"During the past several years, there have been signs of desire by railroads to modernize their management, but these efforts are much too little and too late. Therefore, the situation couldn't be much worse under Government ownership and operation than it is—and has been—under private operation and 'management.'

"My specific complaint (or, I should say, major complaint) concerns the fact that the wishes and desires of railroad customers (expressions of which are constantly solicited by railroad sales representatives) are not acted upon. There is no consistent evidence of a desire to run the railroads according to the needs and wishes of the customers. What evidence there is in this area is transitory and sporadic.

"Furthermore, let us not overlook the fact—that despite much obvious effort on the part of railroads in this country to paint a grim picture—the fact remains that Government ownership and operation of railroads in many other countries (with similar density of traffic and similar problems) does work and works well. It accordingly follows, even granting the dreadful inefficiencies, graft, and indolence rampant in our Government today, that it [nationalization] is worth a try."

Such views run counter to the beliefs expressed by those shippers who oppose rail nationalization. Most (but not all) of these shippers feel rail management is doing an adequate job or, at least, beginning to do an adequate job. Most feel that rail service is adequate and improving and that Government ownership and operation of the rail system would provide the shipping public only with poorer service.

Spanning virtually all of the wide-ranging views of those shippers opposed to nationalization and offering rail labor a novel suggestion is this comment from a shipper of building products who spends about $5 million a year for rail service:

"As an industrial traffic manager, I feel that the disadvantages would far outweigh the advantages that might be secured through nationalization of the Nation's railroads. Off hand, the only advantage to the shipping public that I can possibly see would be the elimination of strikes and threats of strikes. While this problem is serious, there is no guarantee that nationalization of the railroads will completely eliminate strikes. I note that the nationalized railroads in France recently underwent a brief strike.

"The disadvantages of a state-owned railroad system are many and are serious. There is ample background for studying the effects of nationalized railroad systems in countries all over the world. In nearly every country, these railroad systems operate at a tremendous deficit. In this country our own Post Office Department is not able to break even and constantly suffers at the hands of privately owned competitors who must keep their charges at or below the Post Office level, provide as good or better service, and pay taxes. In short, there in no reason at all to expect that a nationalized railroad system would not almost immediately become a drain on the general tax income of the Government. Not only will the railroads begin to drain away national tax funds, but, by being nationalized, they will destroy sources of tax income to State and local governments. In some areas of the country, some units of local government are heavily dependent upon railroad property taxes.

"Once the railroads are operated from Washington on the basis that there is no need to attract traffic, I am fearful that the service will deteriorate badly. Railroad service in many parts of the country is extremely poor now, but I shudder to think what would happen if there were no incentives at all to provide satisfactory service.

"The nationalization of the Nation's railroads cannot help but lead to the nationalization of the inland waterway industry, the airlines, and so on. Will this eventually lead to the nationalization of kiddie rides at the local park?

"Union management obviously is frustrated by the fact that the number of railroad jobs has declined over the past 2 years and continues to decline. They also are frustrated because railroad management appears to be stiffening its stand on concessions to union employees. This is particularly true in those cases where certain employees are totally unnecessary or the work performed is not actually required.

"Union management bases its suggestion for nationalization on the premise that the current owners of the railroads are not looking out for the general interests of the public. Inasmuch as the union leaders have recognized this 'great fault' of the present owners of the railroads, perhaps they are prepared to undertake to manage railroads more effectively. I would suggest that the unions raise funds among their own members and purchase one of the railroads, particularly one in the east that is in serious financial difficulty. I suggest the eastern part of the United States because of the very heavy truck competition and so that the new management of the railroad would be faced with the problem of immediately cutting costs and improving service in order to hold on to the last remaining bit of traffic now moving by railroad.

"From my remarks, I am sure that you can see that at least this industrial traffic manager—and I am sure nearly everyone in my position in industry—is very much opposed to the nationalization of the railroads."

Among those executives contacted by Traffic World were several Canadian shippers who regularly deal with Canada's nationalized railway and its privately owned railway. These Canadian views, although not tabulated as part of Traffic World's survey, are interesting in that every Canadian shipper expressed opposition to the nationalization of U.S. railroads. Illustrating the Canadian viewpoint are these comments:

From a shipper of manufactured products spending about $10 million a year for rail service:

"Government control of railways in Great Britain resulted in a worsening financial position. Government control in Canada involves millions in subsidies yet Canadian National Railways continues to show red figures."

From a shipper of petroleum spending "some millions" each year for rail service:

"We are Canadian shippers. The Canadian National Railways, our Government-owned railway system, has become an efficient, progressive organization, but due—at least in part—to its privately owned competitor, the Canadian Pacific Railway."

To recapitulate the results of Traffic World's survey:

The Nation's professional shippers—corporate executives who deal most directly with railroads and, thus, are obviously in the best position to judge the merits of railroad nationalization—are emphatically opposed to such a step because they believe the Government could not provide them with efficient service at reasonable cost. Perhaps the objections of the Nation's professional shippers to rail nationalization is best summed up in this blunt comment from one of them:

"It is my belief that one of the worst things that could happen to the transportation system of our country is for the operation of the railroads to be taken over by the Federal Government.

"I don't believe Uncle Sam could run a peanut stand and come out even."

[From Traffic World magazine, Feb. 13, 1965]

PRIVATELY OWNED TRANSPORT WELL DEFENDED

Users of the services of for-hire carriers of freight in this country are certainly better qualified than other members of the American public to say whether it's desirable to place any mode or all modes of for-hire carriage under Federal Government ownership and operation. Good, reliable transportation service is essential, of course, to satisfactory operation of any establishment that produces, processes, manufacturers, and/or markets the goods that flow in the channels of trade.

And so, to the buyers of transportation, many of whom long have been and still continue to be outspoken critics of the for-hire carriers' performances, a strongly supported proposal that the railroads be taken over by the Federal Government is a matter that puts before the carriers' customers this extremely important question: Would we, and our country as a whole, be better off if the railroads (and, possibly, the other public carriers) were nationalized?

On the shippers' answer to that question, rather than on the contentions of a group of sulking and possibly vindictive labor union leaders, the Federal lawmakers should base their decision for or against nationalization, if and when proposed legislation is introduced in Congress to implement the recent agreement, by a "unanimous majority" of the members of the Railway Labor Executives' Association, to press for Government ownership of the U.S. railroads.

In a Federal administration that in more than one way has revealed pro-labor-union leanings, any proposal that has the backing of several labor organizations must be regarded as "strongly backed." For that reason, Traffic World proceeded, shortly after the RLEA announcement of advocacy of railroad nationalization, to mail questionnaires to industrial and commercial traffic executives on the Traffic World subscription list, asking them to state their views on the railroad nationalization issue. We were a bit reluctant to send out this questionnaire because we realize that many good citizens are generally hostile to the idea of filling out questionnaires. However, we were at the same time hopeful that the questionnaire returns would be numerous enough to reflect adequately the attitude of a substantial majority of the principal transportation-service users of this country toward substitution of public ownership for private ownership of the American railroads.

None of us in the editorial department of this magazine, not even the editorial associate who promoted and devised the questionnaire, dared to predict that the percentage of questionnaire returns would be half as large as it actually was. The questionnaires were mailed to 5,500 of our subscribers. The morning of February 11 the returns totaled 2,467—and more were received with each mail delivery. Checking of the answers revealed the significant fact that more than 96 percent of the friends of Traffic World who filled out and returned the questionnaires were firmly opposed to the placing of the railroads in the Government's hands. All but a few of these respondents (as shown in our report on the questionnaire returns, on other pages of this issue) stated explicitly their reasons for opposing nationalization of the rail carriers.

To all the Traffic World readers who responded so promptly and helpfully in this referendum by mail we say, "Thank you very much. We feel sure that if and when the nationalization issue is brought out into the open on Capitol Hill, the opinions you have expressed, anonymously but clearly and forcefully, will help the legislators to make the right decision."

In a speech in Cleveland, February 4, Dean George P. Baker, of the Harvard Graduate School of Business Administration, who is chairman of the TAA board of directors, specified five good reasons for junking the nationalization proposal which, he said, would be "a national disaster if implemented."

These would be the disastrous results of nationalization of the railroads, Dean Baker asserts:

1. Government monopoly would be substituted for the private competition upheld and advocated by President Johnson and the late President Kennedy.
2. The cost (to the taxpayers) of nationalizing the railroads would be at least $50 billion, and the taxes now paid by the railroads would be lost to the Government.
3. Bargaining issues in dispute between rail labor unions and the owner-manager of the railroads (the Government) would be converted into political footballs.
4. By nationalizing an industry that has operated long and successfully as a part of the American private enterprise system, we would be making a false confession of weakness of our capitalistic system.
5. Nationalization of one large industry would be likely to cause public indifference to, or acceptance of, proposals for nationalization of other modes of transportation and other key industries, and the United States would be converted from a capitalistic to a socialistic country.

In May 1963, Eugene Landis, the director of transportation of the International Minerals & Chemicals Corp., made a speech in Jacksonville in which he satirically envisioned some transportation news stories that might be published in 1970 if the railroads were to be nationalized. He read an imaginary "dispatch" about issuance by the Director General of the Federal Railway System of a temporary order making a 12-hour demurrage rule effective immediately, "because of the backup of train shipments at the east coast ports." Other imaginary "dispatches" that he read pertained to establishment of a new rate structure "based on the 435 newly created Federal Railway districts"; the subsequent cancellation of that "module rate system" after a flood of protests against it; a critical car shortage, and ultimate denationalization of the railroads, in order to clear up the mess resulting from Federal ownership.

Mr. Landis and many other traffic executives and defenders of private enterprise aver that Government ownership of the for-hire carriers would be inefficient and costly. They and we are in hearty agreement with the opinion written by one of the respondents in our referendum by mail:

"I don't believe Uncle Sam could run a peanut stand and come out even."

CUBA AND FIDEL CASTRO—ADDRESS BY MISS JUANITA CASTRO

Mr. DODD. Mr. President, early last year the world was startled by the news that Fidel Castro's sister, Miss Juanita Castro, had defected to Mexico, and that her first action was to go on the air to denounce the Castro regime for what it had done to the Cuban people and for what it planned to do to the peoples of the Americas.

Since her defection, Juanita Castro has been an indefatigable speaker against Castro tyranny. No one has warned more eloquently or more stubbornly than she against the danger of doing nothing about Castro.

In a speech which Miss Castro delivered before the Los Angeles World Affairs Council, on February 8, she made several statements which I wish to call to the attention of the Senate.

About Fidel, Juanita Castro said the following:

> After studying Fidel closely, I am sure that we are in the presence of another Hitler. If Fidel had at his disposal the enormous

resources which were Hitler's, humanity would already be deeply entrenched in world war III. Fidel's hatred is aimed not only against the United States but also against all of his fellow men. It does not matter to him that he may bring catastrophe to the nations of the hemisphere so long as he is able to satisfy his brutal ambition of conquering and dominating the continent.

About Fidel Castro's plans for Latin America, Juanita Castro said that she had heard her brother utter these words:

> If we train but 300 men to act as group leaders in each country, we will have enough to explode the Socialist revolution volcano in Latin America. If to this we add the militant and/or nonmilitant Marxist-Leninists in all Latin America who will act as a fifth column, as well as the other elements which, through contagion, economic, or social frustration, political ambition—either left or right—are conditioned to join an insurrectional movement, Soviet rockets will not be needed in the takeover of the entire continent.

Mr. President, I ask unanimous consent that the complete text of Miss Castro's statement be printed in the RECORD, at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SPEECH PRONOUNCED BY MISS JUANITA CASTRO ON MONDAY, FEBRUARY 8, 1965, IN LOS ANGELES, CALIF., BEFORE MEMBERS OF LOS ANGELES WORLD AFFAIRS COUNCIL

Distinguished members of the Los Angeles Council for World Affairs, ladies and gentlemen, I am deeply grateful for the opportunity you have given me to come to this meeting and speak of the heartbreaking facts which my country is facing. I am also taking advantage of this occasion to present my personal testimony on the now historical treason which has been perpetrated against my homeland, a treason which continues even now trying to stamp out all democratic forces on the island of Cuba as well as those of all other nations of this American Continent. The United States, indirectly, is the very special target of this carefully conceived action.

The full realization of the goals of my brother, Fidel, came to me very slowly while I was still in Cuba. But, as I watched the monstrous plans being put into effect, first against defenseless Latin American countries and then against the United States itself, I could not stand the torment which took hold of me for I could see the tragic destiny which had befallen my country and was now threatening other peaceful and trusting peoples.

I suffered through endless days and nights of indescribable anguish. I was only able to share my fears with my poor, late mother, and her pain was indeed great as she watched her sons (and I watched my brothers) dragging our nation to the brink of destruction, betraying our people, and preparing to do the same to other nations.

As I listened to their planning and watched how things developed and I realized the inhumanity and treachery which existed, the decision that I had to make became extremely clear. My Christian upbringing certainly aided me greatly in making my choice. And what were my alternatives? God and my country or an aggressive military bloc (such as is the Sino-Soviet one). The traditional feeling of brotherhood which has always existed among all the nations of this continent is being threatened by a sinister conspiracy which flows simultaneously from Moscow, Havana and Peiping. From these strategic positions the intrinsically perverse nature of international communism, which was, is and always shall be one and the same, regardless of what form it may take or of how peculiar circumstances may tend to conceal the ultimate goal which is world domination. To most, it seems that this goal is being attained through two methods: the Soviet Union's coexistence and Red China's violence. The target of either one, however, is the Christian civilization of democratic countries.

I make these statements because I have ample and well-founded reasons. I was an eyewitness to the facts and plans that substantiate my conclusions.

This is the story I wish to tell you and all people for, from the moment that I became fully aware of the monstrosity which was being perpetrated, I swore to denounce this fact on all corners of the free world, anywhere where someone is willing to listen to me, willing to consider this lethal danger which threatens humanity. My efforts will not cease until both the governing classes and the people wake up from their lethargy which is based on an erroneous confidence in a strategy inadequate to combat the monstrous Marxist-Leninist conspiracy.

I trust in God for our salvation. I trust in the history of mankind which shows that somehow visionary leaders always appear to enable victory over the forces which would retrograde humanity to a barbarian or slave state.

I believe in the strength of democracy in which I have placed my trust along with millions of souls and this is why I appeal to its moral and material reserves.

Humanity has just lost one of those visionaries who, after offering his people "blood, tears, sweat, and sacrifices," led them on to victory. But many years before the unfortunate day of his death, he clearly identified the new totalitarian menace which he dubbed "the Iron Curtain." Behind this Iron Curtain, as is well known to me and millions of people who have had to live under its slavery, mass killings are an everyday occurrence as are the premeditated and relentless preparations for the death of even more innocent victims and the burial of universal democracy.

Let us do something to stop this crime which hides behind a mask of ideology to confuse those naive souls who search utopian formulas, those useful idiots and those who have been misguided in the placement of their trust.

Let us do more than we are doing because, and I can assure you from personal experience, any effort is too small, only thus can we overcome the monstrous plans which are being formulated to destroy our Christian civilization.

These plans include all countries, both great and small. International communism has prepared a mortal trap for every category, for every nationality, for every power.

He who doubts this, he who thinks that I exaggerate, let him observe and study a map of the world and see the subversive movements and the frontal attacks which international communism has made on the face of that world. There he will find the evidence. In less than half a century, the Sino-Soviet empire has ensnared 38 nations and 1,260 million people who are desperately awaiting liberation but who are impotent to do the job. The Kremlin and Peiping, like armed fanatics, thrust their power against nations who desire nothing but peace and coexistence but not the coexistence which the treacherous Communists describe, for they do not use the definitions that our Christian doctrine or our grammars have taught us.

They cynically classify the dictatorship of a group of opportunists who have developed from the new ruling class as a "dictatorship of the proletariat." For them, tyrannies are "popular democracies." And so on and so forth. We thus can see how the Marxist-Leninist dictionary has completely changed the accepted meanings of words and how the system does not respect human rights.

He who doubts or believes that I exaggerate should try to find an explanation for the Cuban case. How could this have happened? A little island like the island of Cuba; 6 years ago it was militarily insignificant, its population only 7 millions. And look at it today. An arsenal of nuclear weapons aimed at the very heart of the American continent. That Cuba, only 90 miles from the U.S. mainland, has been transformed into an aggressive power by Communist imperialism was clearly demonstrated in the October 1962 crisis, when the late President, John F. Kennedy, ordered a blockade of the little island.

He who doubts or believes that I exaggerate should ask himself if 6 years ago he would have believed that this little island would one day have one of the most powerful and aggressive armed forces in all of Latin America and that its Government would be cynical enough to state that it would be willing to place all resources at the disposal of forces bent on the destruction of democratic institutions in all the nations of the Americas, thus turning them into carbon copies of the Cuban drama.

I personally was a witness to the formulation of those plans. I shall relate to you some of the facts which came to my personal attention.

With all sincerity, with the clearness of vision necessary to recognize the truth, with the valor which is needed to meet the challenges of the enemy, with the crudeness which the inhumanity of these plans has forced me to use in my efforts to denounce this treason on all corners of the earth, I must say that those who doubt the danger that this aggressive, Communist imperialism holds cannot in any way be a part of the victorious legion who believed in the vision and courage of Winston Churchill. These will pass into history along with Chamberlain's umbrella.

Let us study these plans that I will now explain to you. Let us evaluate the facts and try to draw practical conclusions so as to save this continent and its citizens.

In the month of October of 1960, I located Fidel in one of the many houses which he had appropriated for his personal comfort, and which he used as hideouts in which to plot against those whom he had decided were not being blindly obedient and should be removed. This characteristic of Fidel's is well known to all of his intimate followers. It is a pathological affliction. This particular house was a most elegant one, situated in Cojimar, which is a few miles out of Havana. Fidel let it be known that he lived in this particular house; but very few people actually knew where he would spend any particular night.

Around this date, Fidel no longer even trusted his own personal guard which had been with him since his Sierra Maestra days when the revolution was still on Cuban mountains. The guard was composed of poor, young peasants to whom he despectively referred as the little donkeys because during his many hikes through the mountains they had been forced to follow him, first of all to protect him, and secondly to carry Fidel's knapsacks.

He dropped these young men as soon as he reached Havana and started to choose militant Communist Party members in their place. This, of course, was necessary because the new guard was going to hear only that which would please a Communist. This would not have fallen well on the ears of these farmers who had been promised "justice, bread, and liberty."

One day I observed with great sadness how these peasants who had guarded my brother while he was in the Sierra Maestra Mountains were cast aside. I commented on this to Fidel and he answered: "These little donkeys have to be indoctrinated so that they may learn Marxism. This is why I have given them scholarships and sent them off to study."

That was not Fidel's first inhuman action nor would is be the last. I had seen many signs of it before and the world is now witness to the many which have followed.

I was able to find out that Fidel was silently plotting to turn over all key positions of the revolutionary government to Communist Party agents. Thus he set about, systematically, to displace all veterans of the revolution in military and government positions.

And so it was that Fidel's partners in arms, his friends who faithfully served under him during the many years of the revolution, those men who had risked their lives within the cities and on the mountains, those who made victory possible on that January 1, 1959, were periodically replaced, upon Fidel Castro's direct orders, by militant members of the Communist Party. These changes were usually made very secretly. The men who were thus advanced into top government jobs had neither sacrificed themselves nor risked their lives during that revolutionary war which took so many.

On that day and in that Cojimar mansion, Fidel was meeting with the international adventurer known as "Che" Guevara and other old Communist leaders: Blas Roca, Carlos Rafael Rodriguez and Lázaro Peña. Both the civil and military structure was being rearranged to fit the Soviet mold.

I was amazed to see how meekly Fidel accepted the proposals of the Communist Party leaders as they indicated just what steps should be taken by Fidel and the revolution. "Che" Guevara and Carlos Rafael Rodriguez were explaining facts to Fidel and urging his continental future.

It was hard for me to contain by amazement but I did manage to mantain my serenity sufficiently so as to be able to analyze the magnitude of the plans which had been traced by the old Cuban Communist guard. Fidel was becoming more and more enthusiastic as they successfully goaded his ego and I realized that day just how great his ego really was.

I still recall the exchange of conversation between Blas Roca and Fidel, words which I was not fully able to believe until some time later when I had accumulated other corroborating facts.

Blas Roca, one of the top Cuban Communists told Fidel: "Whatever you do in Cuba via a Marxist-Leninist revolution, our organization in Latin America will take care that it is presented as the only possible social solution for those countries. With the help of Russia and Red China, you will become a continental hero. We shall place all resources in your hands. First, we must start out with psychological propaganda. This will then be followed by sufficient material to make it possible for you to carry out whatever revolutions are necessary to deliver all Latin American nations into your hands."

I confess that, upon hearing these words, I thought that they were kidding Fidel or that perhaps they were staging a little comedy. Soon, however, my doubts vanished. Fidel presented the following arguments, very seriously: "That plan is exactly what I want. While I was up in the Sierra Maestra 'Che' and Carlos Rafael gave me a rough idea of how it could work. I know that you are aware of this but, of course, I needed to have assurances of Russia's backing. I now see that I have this."

The old-guard Communists, Moscow's trusted agents in Cuba, answered: "It is an absolute fact."

"Che" Guevara then gave a detailed account of how conditions in the different Latin American nations favored a revolution.

I was awed by the information that the "Che" had on each Latin American country and especially by the way he presented his material, cleverly adapting the general panorama so as to build up Fidel's ego. After quite a bit of time, my brother spoke and I noticed that he had been thoroughly convinced of his ability to obtain what they had described as a continental objective. He said: "This continental action must begin with the two countries where conditions are the most favorable; i.e., Venezuela and Brazil. It will take about 10 or 15 years to get all of the other nations into the fold. When all countries have socialist governments we will be able to place them under one single military and civil head. This is when I shall be able to assume the leadership in the name of the Latin American revolution."

Then Blas Roca smiled cynically and said: "Those nations will be called the Union of Socialist Republics of the Americas (U.S.R.A.) and they will become part of the Communist bloc."

Fidel's enthusiasm was uncontrollable. His eyes were popping out of their sockets as he paced back and forth among the group, once suddenly stopping to say:

"I am willing to do anything and I will not be satisfied with this little island. But, in order to get territorial advances I must have military help as soon as possible."

This was immediately promised, in Russia's name, by Blas Roca, Carlos Rafael Rodriguez and "Che" Guevara.

On one point Fidel insisted: "I must keep Cuba armed with the most modern equipment so that the United States and some of the Latin American nations can be restrained until the moment that we are able to launch our continental plans. In order to do this I need hundreds of thousands of light and heavy infantry weapons, planes, and IRBM's. Every nation of this continent must be within our range, from New York to Washington, from Santiago de Chile to Buenos Aires. If I do not have this I will not be able to act from a position of strength, I will not be able to unleash revolutions, for I would immediately be dealt a crushing blow. This must be understood by the Soviet Union for, it is she who possesses the arms and projectiles that I need."

I confess and repeat that, even though I had already come to believe Fidel capable of the craziest of schemes I never thought that his monstrous plans would be on such a large scale and much less ever even dreamed that these would come true. But I had further opportunities to confirm the fact that the matter had indeed been referred to the Kremlin. Toward the end of 1962 I found out that Russia had placed the IRBM's in Fidel's murdering hands. He now had the American Continent within his gunsights.

From that moment on I was to learn, through very bitter experience, that Fidel and Communist imperialism were capable of anything in their drive to dominate all humanity.

But there are other important details which clearly show that Fidel and international communism have not given up their ambitions.

Anastas Mikoyan was forced to tell Fidel that Russia had to withdraw its missiles because of the October crisis.

Why did Fidel finally approve the measure? It was not only because he was forced to do so because I know that in return for his cooperation both Russia and Red China (which is even more aggressive than Fidel) agreed to continue to aid him in his plan to conquer Latin America through subversion, terrorism, and a strategy which was aimed at the immediate crumbling of all democratic institutions in Latin America so as to permit the colonial expansion of communism into the American Continent.

During Mikoyan's visit to Cuba, at the time of the October crisis, I learned of the details of the new plan which, I assure you, in no way eliminated the possibility that Cuba would once again have her nuclear warheads if the Western Powers dared to "doze" off again, as Fidel insisted they would. Fidel was most insistent with Mikoyan on the point that the missiles should be returned to Cuba the very first minute that the democratic countries showed the slightest signs of relenting.

Later on, Fidel started demanding loudly that the antiaircraft rockets which were in charge of the Russians be put in Cuban hands. This has now been accomplished.

Fidel was quite indignant in his conversation with Mikoyan. "The United States has forced me to shelve my plan temporarily but someday we will drop bombs on the United States and this will be my revenge."

I can assure you that his madness knows no limits. All those of us who know him have no doubt in this matter. He most decidedly would not hesitate to drop bombs on the heads of millions of human beings. It would make no difference to him whether this be on a North American or South American city. The reason I can make this statement is that Fidel is very open about his plan when he is around his followers. He makes no effort to conceal these thoughts from his intimate circle.

After studying Fidel closely I am sure that we are in the presence of another Hitler. If Fidel had at his disposal the enormous resources which were Hitler's, humanity would already be deeply entrenched in world war III. Fidel's hatred is aimed not only against the United States but also against all of his fellowmen. It does not matter to him that he may bring catastrophe to the nations of the hemisphere so long as he is able to satisfy his brutal ambition of conquering and dominating the continent.

On another occasion I heard Fidel say: "The power of the United States must be immobilized. This can be done by conquering Latin America so as to have them fight the North. The strategic encirclement must come from below. It's just like taking a rebel hill by controlling all the flanks. This operation would be tantamount to crushing an inverted pyramid. The material backing needed to bring down this pyramid will be found in Russia, Red China or anywhere I can get it." (This is the way he talks to his inner circle).

Fidel has not abandoned this strategy. Although he has been set back by failures such as that he found in Venezuela and Brazil which, somehow, managed to escape from his hands when civic and military forces joined to produce a coup that deposed the Castro-Communist instruments who had been in power, Fidel's tenacity is dangerous. He is determined to reach his ambitious goals. He is backed by Asia and is maneuvering the African countries so as to blackmail Moscow. This will probably give him more military and economic aid.

Since 1960 Cuba has been the Latin American "Technical Institute" for the destruction of democracy and massacre of human beings.

Cuba graduates thousands of young Latin American youths who have become masters in the art of terror and guerrilla warfare. Upon their graduation, they return to their homelands as agents of Soviet imperialism to foment disturbances and create rebel zones.

These young men, whom the Marxist-Leninist poison has turned into fanatics, will not be pioneers in the reconstruction and social progress of their countries but will be, much to their own and their countries' sorrow, the criminal agents who will carry out the plans for continental domination which have been conceived by treacherous Fidel Castro.

Fidel's deadly robots continue to travel using Mexico as a pivot for their operations. Mexico, a nation which is loved by all of us who belong to the Latin American family of nations, and each one of us would like to see her back in the fold and a part of the defensive action which seeks to keep Cuba's aggressive regime out of Latin America and to help restore the right to self-determination to Cuba.

Referring to this training of Latin American youths, I heard Fidel utter these words: "If we train but 300 men to act as group leaders in each country, we will have enough to explode the Socialist Revolution volcano in Latin America. If to this we add the militant and/or nonmilitant Marxists-Leninists in all Latin America who will act as a fifth column as well as the other elements which through contagion, economic or social frustration, political ambition, either left or right, are conditioned to join an insurrectional movement, Soviet rockets will not be needed in the takeover of the entire continent."

These were his words. The facts now clearly demonstrate that Cuba has met and passed the goal which Fidel set 4 years ago. More and more guerrilla fighters have been trained and the results can be evidenced in any morning newspaper. Several heads of State and continental newspapers are ever decrying the active presence of the Castro-Communist guerrillas.

The U.S. Under Secretary of State for Latin American Affairs, Mr. Thomas C. Mann, recently stated: "Cuba continues to train agents in guerrilla warfare and to send them out into Latin America to carry out their activities. Guerrilla groups exist in Venezuela, Colombia, Honduras, Guatemala, and in the central region of Bolivia. And I believe," added Mr. Mann, "that this threat to hemispheric peace will continue for some time to come."

It has given us great satisfaction to see the solidarity of the labor movement in Latin America which has resulted in the taking of effective measures against the ships and the countries which feed the Communist Cuban regime. We quite deliberately state that they only feed the regime because the industrial and agricultural products which capitalistic countries send to Cuba do not reach the starving Cuban people. This only serves the regime's privileged bosses or is reshipped to Moscow, the metropolis of Soviet imperialism. In the meantime, blockade or no blockade, the Cuban people will continue to suffer from want and hunger.

Now let us be alert to the latest maneuver which has been conceived by the diabolical minds of Fidel and his followers.

I can assure you that this is a fact. When Fidel considers that he is lost and is about to be overthrown by the patriotic Cuban people, and such an attempt is apt to be tried at any moment because internal dissention exists within the ranks of the Havana regime, and besides the fearless and harassing landings from outside which will continue, he will not leave without carrying out the plan which he has prepared for such an emergency.

This plan calls for immediate action, even to the extent of provoking war with some Latin American country, in order to avoid being toppled by an internal uprising. Should this moment come, Fidel will be more dangerous than ever.

I heard Fidel say on one occasion: "If I ever find that I have lost, thousands of men will have to fall with me because any armament that I have at my disposal will be fired against the United States or against any neighboring country on the continent. I shall thus force collective action against us for one thing. I will not have the world think that we have been destroyed by the people."

Fidel has never kept one single constructive promise. This was true when he lived with us in our home and is still true now that he keeps his homeland in a state of agony. But Fidel has kept most of his warlike threats and he has never been particularly shy about confessing this, sometimes privately, sometimes in public.

I would like to alert all countries on this continent, whether these be small or large, to the fact that Fidel does have sufficient resources to produce a most disastrous catastrophe, something which must be avoided and can only be avoided if steps are taken in time. His plan is similar to that of Nero when he set Rome afire. His plan calls for a retreat to some mountainous Cuban region where he will entrench as long as it is possible for him to survive but, in the meantime, he will not cease his efforts to produce a retreat which will be catastrophic not only to Cuba but also to all neighboring countries.

If the democratic countries of this continent feel, as those of us who know Fidel do, that he is a definite menace to continental peace, let us all do something quickly so as to prevent the execution of his diabolical plan for a bloody retreat.

Let us take strategic action before he has a chance to put his plans into effect.

Let us take preventive measures so as not to have to regret, later on, for not having taken adequate action in the face of what Fidel is planning at present, plans which will have disastrous effects on Cuba and all of her neighboring countries.

Let us remember that a malignant tumor must be cut away the moment it is discovered and not after it has spread all over the organism.

Let us remember that there exists a Communist conspiracy that has sworn to bury us and is rocking the foundations of our democratic institutions.

Let us remember that that aggressive and treacherous conspiracy is but 90 miles away from this great Nation on whose shoulders rests the burden of preserving Western civilization.

Let us remember that the democracies of the continent, those which they plan to destroy, do have the resources and means to act before it is too late.

Let us remember that when we are forced to be on the defensive, the offensive action of the enemy becomes even more dangerous.

Let us remember that almost 7 million inhabitants and a sister nation, which tomorrow could be your own and today is Cuba, are nailed to the cross of martyrdom.

Let us think about what those who today idly stand by and watch this crime being perpetrated and what they would do if tomorrow—and I pray to God that He deliver them from such a fate—they themselves were the victims.

Let us not forget that a sister nation is being crucified right in the heart of the Americas.

In the name of Christian charity, help us.

Help us so as not to prolong the agony which my martyred nation suffers while it anxiously looks to the free world for its salvation.

We, the people of Cuba, are not asking that you sacrifice your brave sons who are risking and sacrificing their lives every day in the defense of Christian civilization.

We are more than willing to sacrifice our lives.

My country is now ready to fight the necessary and justified war.

My people ask only that there be solidarity among the democracies on the continent and that this be evident in the form of material resources.

The rest of the task is ours and God's and we trust in Him to guide us on the road to liberation.

THE FLIGHT STATION AT SHERIDAN, WYO.

Mr. SIMPSON. Mr. President, last year the Federal Aviation Agency served notice of its intention to "remote" 42 flight-service stations at various points throughout the country. The Agency's plan includes a number of stations in Wyoming. At the time of the announcement, I strongly protested the action, which would, in effect, automate a number of extremely important flight-service stations in mountainous, meteorologically unpredictable areas, thereby depriving pilots and others of the most valuable asset of the stations as presently constituted—human intelligence and availability. This, in my view, is one of the least sensible manifestations of automation.

Wyoming has areas of rapidly changing weather, mountainous terrain, and sparse population. The manned flight-service stations perform a very necessary and basic safety function. The location of the Wyoming flight-service stations in proximity to the high mountains combines with the unpredictable weather of Wyoming to make these stations the most strategic in the United States. Time after time, flight-service stations in Wyoming have proven their worth in saving lives. Their importance is not in question.

Services provided by manned stations in such an area enhance flying safety, by providing extra flight information during times of marginal weather. These Wyoming stations are not just aids to the local operator, but are of very great assistance to cross-country operators who are not familiar with the mountainous area.

I submit, for printing in the Record, a wire-service dispatch describing an incident which occurred last week in Wyoming. The dispatch was sent to me by a good friend, Dr. Peter Madsen, vice president of the Wyoming State Senate. This case graphically presents the factors I have set forth in my arguments in opposition to the proposed action of the Federal Aviation Agency.

I appreciate the move for economy in Government. However, this is one case in which human safety must be the prime consideration. Life should not be measured in terms of dollars. I strongly urge the Administrators of the FAA to take this fact into consideration when contemplating any change in the present setup of flight-service stations. I take this opportunity to express my sincere appreciation to all the personnel who took part in that rescue. I especially compliment the personnel of the Laramie fight-service station for a job well done.

There being no objection, the article was ordered to be printed in the Record, as follows:

Rescued Pilot Asserts He Wants To Live in Wyoming

Laramie, Wyo.—Dutch Van Dox could have died in a lonely area northwest of Laramie Tuesday night after his plane went down, but the veteran pilot said he's returning to Wyoming to stay if he ever gets the chance.

"They have men up here (in Wyoming)," said Van Dox, after a rescue crew brought him into Laramie. The rescue party spent all Tuesday night and most of Wednesday morning pushing through deep snow in an effort to get to the plane and its 44-year-old pilot.

Van Dox, who lives in Caracas, Venezuela, said he was on vacation when he had to land the light plane he was flying in the rugged country 18 miles northwest of Laramie after missing an approach at the Laramie airport.

He said he had to take the plane down in the first clear spot he could find because his airspeed indicator had frozen. He said within minutes after he brought the plane into "a nice soft landing," the snow was 2 inches deep on the wings.

Van Dox had nothing but praise for the ground search crew, the Federal Aviation Agency control tower, and pilots of Western and Frontier Airlines, all of whom were instrumental in his rescue.

"In my 20 years of flying, I've never ran across such professionals in their businesses," he said. Van Dox said if it hadn't been for the professional way the FAA relayed fixes on his position, "I'd be dead right now."

Van Dox said soon after his landing he picked up radio contact with an airliner which helped fix his position.

"Later, a Western pilot helped fix my position," he said. "It was a DC-3 flown by a fabulous guy. I hope to meet him someday. The pilot picked me up on his way to Casper, then came back down on his way back, and stayed in the area close to 2 hours marking me for the people on the ground."

He said the two airline pilots worked together to fix his position for the search crews.

He said he had radio contact and kept warm by running the motor of his plane until the fuel ran out.

"Then it got awful cold," Van Dox said.

Temperatures in the Laramie area dropped to zero during the night.

Van Dox said, "The FAA in Laramie is the finest group of men the FAA has ever had—and that goes for the citizens of Wyoming, too."

"I met men today who stomped around all night in the deep snow looking for me, and they were hardly out of breath when they found me," he added.

"If I ever get a chance for a job in the States, I'm heading for Wyoming," he said. "I feel wonderful now. I'm awestruck at the way people in Wyoming do things. I just wish the rest of the world had the integrity of people I've met since I've been here."

Van Dox said he is currently on vacation and has contacted his wife in Venezuela. He said he plans to get the airplane and be on his way when the weather clears enough to retrieve the craft.

REORGANIZATION OF CONGRESS

Mr. LONG of Missouri. Mr. President, one of the major jobs the Senate should face this year is consideration of its procedures. We must make sure this body can function in a manner adequate to meet the great challenges that face it and the grave responsibilities it owes the American people.

The distinguished senior Senator from Oklahoma [Mr. MONRONEY] has submitted a concurrent resolution to establish a Joint Committee on the Organization of Congress. Senator MONRONEY is truly a leader in the field of congressional organization, as is witnessed by the La-Follette-Monroney Act of 1946. It is an honor to join him in sponsoring his proposal, Senate Concurrent Resolution 2.

The Kansas City Star, one of our Nation's most noted and respected newspapers, recently published a comprehensive editorial in support of the concurrent resolution. I believe that all members of Congress will find the editorial interesting and thought-provoking. Therefore, Mr. President, I ask unanimous consent that the editorial, entitled "One of Congress' Big Jobs: Congress," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONE OF CONGRESS' BIG JOBS: CONGRESS

"We've got to stop acting like a bunch of retired farmers sitting on cracker barrels around a potbellied stove"—Senator MIKE MONRONEY, Democrat, of Oklahoma.

By rough calculation, Congress, sitting around that potbellied stove, will transact a $100-billion business this year. We share with Senator MONRONEY the suspicion that the lawmakers could find a more efficient and moneysaving method to do what they have to do. For there certainly was no literary exaggeration when the Oklahoman carried his colorful language a bit further, mixed his metaphors and said:

"We who are the comptrollers of the world's biggest business are figuratively using a high slant-top desk, an old-fashioned revolving stool, a big thick ledger and a quill pen."

But alas, in the last several years we have heard the issue of congressional modernization discussed for the benefit of Congressmen who seem to have a deaf ear. We have, in fact, mentioned it ourselves on occasion and we must confess that, along with other commentators, political scientists, and some lawmakers, we have precious little to show for our efforts. We trust that Senator MONRONEY will be more successful.

We say this with some optimism, in fact. For on this matter of congressional reorganization, Senator MONRONEY is an old warhorse. As a Member of the House he was cosponsor of the LaFollette-Monroney Act of 1946, the last serious attempt on the part of Congress to do something about its own House (and its Senate, for that matter). We sense that the Senator is charging forth to battle. We're with him.

As we understand it, MONRONEY, in announcing his intention to seek congressional modernization, was speaking less of such philosophical problems as seniority and the filibuster, and more of certain procedural anachronisms that have been frozen into the Capitol Hill status quo. The obstacle to his success will be the traditional affection for the status quo on the Hill.

Nor does his proposal rule out the possibility of some changes in the seniority system and the filibuster rule. On the issue of seniority, at least, the chief impetus seems to be coming from the House, where Representative RICHARD BOLLING, Democrat, of Missouri, and the Democratic study group have been at work. The House liberals obviously are opening up a hornet's nest and without some aid and comfort directly from the man in the White House, we can't see much hope for their cause this year, justified as it may be.

But the Monroney movement needs only the cooperation of his fellow lawmakers. Some, we could imagine, are rather bitter over his indictment of the Capitol Hill club. Nevertheless, most men with experience in either House ought to understand what their colleague is talking about. Indeed, we should think that they would be the first to voice their discontent with the frustrations that inevitably must be a part of the congressional career.

In effect, Senator MONRONEY proposes that a joint, bipartisan committee should make a yearlong study of legislative procedures. We would assume that such a committee, although it should be careful of getting trapped in the old liberal-conservative fight, would nevertheless include the seniority system and the filibuster within its field of action. But primarily, MONRONEY has suggested that:

The committee structure should be studied to see whether certain committees are overloaded or, perhaps, no longer necessary in the legislative process. Presumably this would include some attention to matters of staff and the relationship in size between the minority and majority staff. At least, we hope that it would.

The casework of the lawmakers—demands made by their constituents for things big and little—should somehow be lightened, while preserving the right of the people to petition their representatives on Capitol Hill.

Congress should consider the possibility of using computers and other modern aids in processing the immensely complex Federal budget. (On this point, we might add that in 1946, when Representative MONRONEY succeeded in his earlier congressional reorganization, the budget was a mere $60 billion. This year, it may top $100 billion. And all of this, if we may be permitted a comparison of our own, sometimes seems to be computed by the lawmakers on an abacus.)

Majority vote, rather than the current unanimous consent, should be enough to let committees meet while the Senate is in session.

Committees should meet as early as December 1, to start filling the pipeline with bills for Congress to consider when it meets in January. At present, both Houses must sometimes wait for weeks for the committees to give them something to do.

Something should be done about the Tuesday-to-Thursday system that permits legislative holidays on almost every Monday and Friday.

Certain details in private bills, now handled by Congress, should be turned over to the executive branch or the courts.

The present mandatory adjournment date of July 15—rarely observed—should be moved to August 15. And mandatory should mean mandatory "except in time of declared war."

Under the Constitution, each House would have to write its own new rules and thus in effect, the committee would operate as two committees. We should think that the two committees, as an example of timesaving and efficient techniques, might join in their hearings at least in the beginning. We would hope that testimony would be heard from other lawmakers, from students of government and from members of the executive branch. Frankly, we would expect this joint committee to be in session for many days. Its assignment would be one of the most important in the 89th Congress.

This is not to say that Congress has always failed to do its job. Indeed, we move into the 89th Congress with the generally fine record of the 88th looming large in the history books. It was a legislative class that wrote laws of immense importance, on subjects ranging from civil rights to tax reduction to education.

Nevertheless, the 88th Congress left much undone that ought to have been done and probably did some things that should not have been done. The quality of legislation is not the best of criteria for judging the efficiency of the congressional mechanism. Some brilliant words can be spoken around a potbellied stove and an accountant sitting at a slant-top desk can turn in a perfect ledger book.

The large issue is whether Congress, as the vital national institution that it is, is doing its job in the most efficient manner possible. On another level of reform, there are the issues of seniority, of the filibuster, of the power of committee chairmen to halt legislation, and the like. These—excepting the filibuster, which exists only in the Senate—are the matters of prime concern to the Democratic liberals of the House. But they will be asking their colleagues to sit in judgment on traditional procedures and to stand up and be counted for or against what is, in effect, the establishment.

MONRONEY is asking for nothing more than a little commonsense in writing the rules for Capitol Hill. It strikes us that his proposal to establish a study committee should have the support of both parties and should be acceptable on each side of Capitol Hill. He seeks only to free Congress of its own built-in inadequacies and to free its Members of the terrible demands of unnecessary legislative wheelspinning on their time.

The word, if our reading is correct, is efficiency. Perhaps even efficiency—or modernization, as you will—would not take all the bugs out of the legislative mechanism. But it certainly would help.

The new Congress will have many things to discuss and will have little time on its hands. But we suggest that high on its agenda should be the problem of Congress itself. The Members of the 89th Congress would serve their Nation admirably if they would give the Monroney proposal a try. In fact, we would say that a genuine modernization of Congress, this year or next, would find for the 89th a real place on the roster of our most illustrious legislative assemblies.

AWARD TO SENATOR SYMINGTON BY INTERNATIONAL CORRESPONDENCE SCHOOLS

Mr. LONG of Missouri. Mr. President, my distinguished colleague, the senior Senator from Missouri [Mr. SYMINGTON], was honored recently as "Home Study Man of the Year" by his alma mater, International Correspondence Schools, of Scranton, Pa.

This news may come as quite a surprise to those of us more familiar with the fact that he was a member of the class of 1923 at Yale University. However, it is also a matter of record that when my colleague went to work in a foundry, right after college, his boss—who knew of his Yale background—ordered him to "Go to a good correspondence school and learn something about making a living." It was then that he enrolled with the ICS.

Today, STUART SYMINGTON's second alma mater boasts over 7 million alumni, including a former Secretary of the Navy, Dan Kimball; and a former Secretary of Commerce, Luther Hodges. The ICS now has a worldwide student body of nearly 200,000 adults, in more than 50 countries. They could find no better record to emulate, should their career be public service or private industry, than that of STUART SYMINGTON.

Mr. President, I ask unanimous consent that the text of the award be printed at this point in the RECORD.

There being no objection, the award was ordered to be printed in the RECORD, as follows:

HOME STUDY MAN OF THE YEAR FOR 1964: STUART SYMINGTON

Yale University, 1923.

International Correspondence Schools, 1929.

Machine-shop apprentice at age 14, Army veteran at 17, company president at 24, member of the Truman administration, 1945, first Secretary of the Air Force, 1947, U.S. Senator from Missouri since 1952.

For his remarkable leadership during the past two decades when his entire career has been devoted to the security and well-being of his nation;

For the integrity and candor which characterize his views;

For his special concern for the human values which must always be paramount in a democratic society;

For demonstrating to millions of his countrymen desperately in need of more education and training that an individual's ambition, motivation, and ability are the true keys to learning; and

For his conviction born of personal experience that sound correspondence instruction is, to quote him, "consistent with the American aim and ambition for self-improvement—no man or woman in this Nation is denied the opportunity to study as long as there is a mailbox within reach."

To STUART SYMINGTON, his alma mater, International Correspondence Schools, presents its award as "Home Study Man of the Year, 1964."

JOHN C. VILLAUME,
President, International Correspondence Schools.

WASHINGTON, D.C., *February 16, 1965.*

ETTA GALLAGHER, OF LACONIA, N.H.

Mr. McINTYRE. Mr. President, death is never a solely personal affair. When Mrs. Etta Gallagher, of Laconia, N.H., passed away, early this week, her passing left in her community a void, and emptiness.

I have had the honor of knowing Mrs. Gallagher for many years. She was born in Indiana; but she came to Laconia, N.H., 40 years ago, and made it her home and her workshop.

Etta Gallagher was never one to sit by and accept the world as she found it. Her concern was for the welfare of her fellow men; and the unique element of her character was her ability to translate that concern into action which, more often than not, succeeded in making life measurably more livable for all the members of her community.

As president of the Citizen Publishing Co., publishers of the Laconia Evening Citizen, Mrs. Gallagher was at the same time a newspaperwoman and a newspaperman's wife. Thus, she had two difficult tasks; and her success in both tasks was a measure of her stature.

I speak from personal knowledge of Etta Gallagher's skill, for I was mayor of the city of Laconia at a time when she was a member of our school board. Her concern led to improvement of our children's education, and such results are a more enduring testimonial than any words I can utter.

Etta Gallagher received many of the awards which a grateful community can bestow. She was truly an outstanding woman. Both Mrs. McIntyre and I extend our sympathy to her family.

Mr. President, I ask unanimous consent that a newspaper notice of Mrs. Gallagher's death be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ETTA GALLAGHER, LACONIA CITIZEN PRESIDENT, DIES

LACONIA.—Mrs. Mary Etta (Gates) Gallagher, of 16 Messer Street, wife of former Mayor Edward J. Gallagher, died early Tuesday afternoon at Laconia Hospital. She had been a patient there for 3½ weeks.

She was a native of St. Mary's, Daviess County, Ind., and moved to Laconia 39 years ago from Concord. She was president of the Citizen Publishing Co., which publishes the Laconia Evening Citizen, established by the Gallaghers when they came here.

Mrs. Gallagher attended business college in Indianapolis, Ind., and taught school in Martin County, Ind.

Her father was president and cashier of the First National Bank in Loogootee, Ind.

She was married on January 27, 1914, and among Mr. and Mrs. Gallagher's treasured mementoes of the golden wedding anniversary was a papal blessing.

Mrs. Gallagher was a past president of the Laconia Business & Professional Women's Club; first grand regent of Court of Our Lady of the Lakes, Catholic Daughters of America; a former member of the school board, and a member of the State constitutional convention in 1938–39.

She also was a member of Mary Butler Chapter, DAR; Laconia Woman's Club, Lakeport Women's Club, and an honorary member of the Laconia Emblem Club. She was chosen Woman of the Year by the BPW Club some years ago. She was a communicant of St. Joseph Church.

Besides her husband, who is publisher of the Citizen, members of the family include a daughter, Miss M. Alma Gallagher, the assistant publisher; and several nieces and nephews.

The funeral will take place Thursday morning from the Wilkinson-Beane Funeral Home here followed by a solemn high mass of requiem at 9 o'clock at St. Joseph Church. Burial will be in Calvary Cemetery, Concord.

Friends may call at the funeral home this afternoon and evening.

PRESIDENT TRUMAN SUPPORTS PRESIDENT JOHNSON'S ACTIONS IN VIETNAM, WHICH WERE TAKEN WITH THE FULL SUPPORT OF CONGRESS

Mr. YARBOROUGH. Mr. President, in recent days the newspapers have been full of articles to the effect that the President is receiving a greater measure of support from the party across the aisle than he is from his own party. This is nonsense. In the aggregate, the President has the same broad support from both parties today that he received last fall when the Senate, by a vote of 88 to 2, and the House, by a vote of 414 to 0, passed a joint resolution approving and supporting "the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

The President and his advisers are in a better position than any of us to formulate strategy on Vietnam. The President has the ability—the wisdom, the foresight, the knowledge—to do what is best to defend the cause of freedom in southeast Asia. There are no easy solutions. There is no magic formula for success. We must maintain our strength and be ever on our guard. We must have foresight, to give us the needed patience to endure our present trials until the passage of time brings about a new reality in which our present enemies will have grown in economic and political maturity. In that future time, many of the causes of their present intransigence will not longer be with us. We must be firm, yet responsible, to preserve freedom in today's world, while the new world of tomorrow is being born. We would not be fulfilling our trust to generations yet unborn if we retreated in panic at this moment.

This week, former President Truman spoke for the entire Nation when he declared his "every confidence" that President Johnson would work out a practical solution to the crisis in Vietnam. I ask unanimous consent that President Truman's remarks, as reported in the New York Times of February 17, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 17, 1965]

Truman Supports Johnson's Moves: Urges That Everyone Back President on Vietnam

Independence, Mo., February 16.—Former President Harry S. Truman said today he had "every confidence" that President Johnson would work out a practical solution to the crisis in Vietnam.

The 80-year-old former President said in a prepared statement that he believed the presence of U.S. troops in South Vietnam had one purpose "and that is to help keep the peace, and to keep ambitious aggressors from helping themselves to the easy prey of certain newly formed independent nations."

"If we abandon these to the new marauders and the 'little Caesars,' we are again headed for deep trouble," Mr. Truman said.

"If we should commit the grave folly of abandoning the United Nations, or allow the defaulters to curb its effectiveness, we will be setting the stage for a third world war."

"What we have been trying to do throughout the world, is to keep the peace while we are perfecting the machinery to enforce it," Mr. Truman said. "It had been a costly and thankless job. Our patience has been sorely tried."

The former President said his statement was in response to questions and comments he had received on the Vietnam conflict. He did not appear in person.

The statement said responsibility for the conduct of foreign policy was vested in the President. "This, by no means, puts a President above questioning or beyond criticism," he added, "and President Johnson would be the first to affirm it. But the President is badly served in his task, as is the Nation, by those irresponsible critics, or sideline hecklers who neither have all the facts—nor the answers."

"We have faced many discouragements—yet we have had to put up with them," Mr. Truman said. "Some of our recent comrades in defense seem to be suffering from short memories, and worse yet, shortsightedness. Some of those that could not defend themselves against invasions have grown vain and inflated and are now turning their backs on us.

"It is not a pretty picture when those whom we have helped to rescue only yesterday, are now deliberately trying to do us harm.

"President Johnson knows what needs to be done, and he knows what should be avoided.

"His is the responsibility for working out a practical solution. I have every confidence that he will do so. In this situation he deserves, and should have, the confidence of everyone."

STRONG TESTIMONY SUPPORTS THE COLD WAR GI BILL (S. 9)

Mr. YARBOROUGH. Mr. President, this morning, for the second consecutive day, the Subcommittee on Veterans' Affairs was privileged to hear numerous witnesses testify on the merits of S. 9, the cold war GI bill.

To illustrate the fine caliber of that testimony, and to allow Senators the advantage of becoming acquainted with the persuasive assets of the bill, I ask that several excerpts from the testimony be printed in the Record.

In particular, I refer to testimony given by Frank Weil, for the American Veterans' Committee; by Pete Wheeler, the legislative director of the National Association of State Approval Agencies; and by a young man who now is in the military service—Richard Kelley, journalist 3d class, U.S. Navy.

I ask unanimous consent that these statements be printed at this point in the Record in the hope that the impact provided by this public demand, as well as the interest of the 40 cosponsors of this bill, will help show Congress and the administration the urgency of the need for the enactment of this proposed legislation.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Testimony of the American Veterans Committee Before the Veterans Subcommittee of the Senate Committee on Labor and Public Welfare, by Frank Weil

The American Veterans Committee has, throughout its history, felt the provisions of the so-called GI bill were part of the process of readjusting the veteran to civilian life which our platform specifically endorses.

The following provision of the platform, cited above, bears directly on the legislation before the subcommittee:

"Experience with the World War GI bill of rights has given ample evidence of the value in increased productivity to the Nation and in the increased taxes to the Government of that law's education and training provision.

"AVC endorses a modified GI bill of rights for peacetime draftees and volunteers who have been on extended active duty. It is our belief that such men who enable our country to maintain peace and meet its commitments and responsibilities to our allies are entitled to basic readjustment benefits to enable them to return without distress to civilian life at the end of their service and become useful and productive members of their communities.

"Therefore, in principle, AVC endorses any peacetime bill of rights which will carry out the principles hereinabove set forth and which will allow for equitable readjustment benefits to peacetime veterans."

AVC understands that certain agencies of the administration, notably the Bureau of the Budget have headed the opposition to the enactment of this legislation. Publicly available statistics have shown that those who were educated under the World War II GI bill of rights have paid in taxes many times the sums expended on assisting them in getting that education. These additional taxes are attributable to income they would not have had without the education they acquired under their GI bill.

AVC feels therefore, that the attitude of the agencies opposing the bill is shortsighted, and that authorizing the present expenditures provided for in this legislation will result in increased revenues over time, and the expenditures should be regarded as an investment in the future of our country.

For the foregoing reasons the American Veterans Committee wholeheartedly approves and endorses the principle of the peacetime GI bill of rights.

Statement by Pete Wheeler, of Atlanta, Ga., Legislative Director, National Association of State Approval Agencies Before Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, U.S. Senate

The National Association of State Approval Agencies, having observed the operation of the educational programs under all previous legislation, is convinced beyond doubt that these programs are a result of the greatest educational legislation that has ever been enacted by the U.S. Congress. These veterans educational benefits and the manner in which the veterans availed themselves of these privileges to further their education, probably resulted in the greatest advances in public education which the State and Nation have ever experienced within one generation, as well as benefits to future generations.

Many of the veterans would have been unable to secure an education without the veterans program. These people appreciate the value of what they have received and will insist on their children putting forth the effort needed to become educated. In the early part of this century discussion as to whether or not a girl should be given the advantages of an education was frequently justified with the statement, "Educate a girl and you educate a family." A big factor in the dropout problem today is uneducated parents and we know that the veterans' education program has done much to eliminate this factor in the future generations. We could well say, "Educate the parents and you educate a generation."

During this important legislative year for the Great Society and as this committee considers the advisability of legislation, providing education and training for the cold war veteran, I hope the need for a well balanced America will not be overlooked. The security of our cherished freedoms, our economic growth and productivity, our social well-being, and our moral standard depends not only upon the select few, but upon every citizen in between. Provision for higher education is important and necessary. The average Mr. and Mrs. America has made and will continue to make up the solid foundation. Therefore, it is paramount that provisions for education and training include opportunities for the acquiring of skills and abilities to fit the needs of all the people.

The need for technicians to support our scientists and engineers is growing. Technicians are not always in the realm of the select few. Many are trained on the job. Thousands upon thousands have acquired their skills by receiving training as a result of the veterans education program over the past years prior to February 1, 1955. A chain is only as strong as its weakest link. Let's be sure and provide the means to have each link strong. One thing is for sure—the strength of our Nation lies not in signed agreements between nations, but in the strength of each and every citizen of our Nation. The idea uppermost in the minds of the men who founded the United States, was that each and every human being was important. Our Republic can hope to survive only as long as the principles upon which it was founded are respected and followed. Only the productive can be strong, only the strong can remain free. Our Nation needs each person to the outmost edge of what he is and what he can become, the academically gifted, the slow learner, and the rest in between. These hearings have established beyond any doubt that the educational assistance programs provided for veterans have been successful. They have succeeded even beyond the expectations of the wise and farsighted legislators who conceived them.

STATEMENT BY RICHARD W. KELLY, U.S. NAVY JOURNALIST, THIRD CLASS

Mr. Chairman and members of this subcommittee it is very gratifying for me to be able to stand before you today and testify on the "cold war" GI bill (S. 9) for this is the culmination of 3 years of a personal endeavor to show in my small way that I, as well as many persons in my position, favor the passage of this bill. I first became interested in the "cold war" GI bill while I was deployed with a Seabee battalion in Guantanamo Bay, Cuba, during the Cuban crisis in the fall of 1962. My interest stemmed from the fact that I was not fortunate enough to be able to attend college after high school due mainly to financial difficulties and this problem still confronts me today. I have been attending night school at the University of Maryland in order to cut the overall expense of college when I do resume my education, but I discovered that a full-time course of study would be more desirable in realizing my educational goals.

After discussing the bill with many of my contemporaries, I wrote a letter to Senator SMATHERS, of Florida, requesting any pertinent information about the bill. Upon receipt of this information I discussed the technical aspects of the bill with both officer and enlisted personnel serving with me. The bill was favorable with everyone that I talked to, and in fact, many of these people also wrote their respective Congressmen asking for more information on the bill. I have continued to query people about their opinion on the bill for the past 3 years and have asked them to carefully weigh the merits of the bill in an unbiased and objective manner. I found during this long period of personal research that there was unanimous approval of the bill. To my surprise, I also discovered that those persons who knew they were exempt from their military obligation would candidly admit that it was unfair to the 40 percent of America's youth who shoulder the entire military burden of our country, and even though they are given this added responsibility, they receive no readjustment for it. It is easily seen that the 60 percent of America's youth who are exempt from military service have a decided advantage over we who are not exempt. Consequently, while our postwar veterans fulfill their service obligations, their civilian counterparts are acquiring college degrees, industrial training, and seniority in the business world.

Many people would ask me why should all of the veterans be eligible for the GI bill when all of them do not risk their lives by serving in a "hot spot." Ironically enough, I would like to point out that I would be eligible for a "hot spot" GI bill. However, I cannot sincerely and honestly admit, as I'm sure most people will agree, that this would be sufficient conciliation to justify the placing of veterans' lives in jeopardy. More important though, is the fact that the initial purpose of the bill is to make readjustments to all of our military personnel, who have sacrificed time and energy during the most productive years of their lives in order to serve our country. All of our servicemen have sacrificed this time and energy, whether they were stationed in Saigon or Washington.

I would now like to dispel a popular misconception. It is believed by most people that the proposed GI bill would place a financial burden on our Government. This is not so. The initial outlay for financial assistance would eventually be repaid through the increased taxes realized from the added income of persons who would utilize the bill. Indicative of this is the fact that the persons who utilized the Korean GI bill are now paying our Government an extra $1 billion a year in taxes.

This bill, as the previous GI bills have done, would strengthen America in a lasting and beneficial way, which is by helping to educate and train its youth. More than 1 million persons achieved their educational goals under the World War II and Korean GI bills. Right here in Congress, for instance, approximately 12 percent of our Representatives and 10 percent of our Senators have attended college under the GI bill.

Mr. Chairman, and members of this committee, I hope by stating my personal opinion, and more important, the opinion of many of my contemporaries, that I have clearly stated why it would be advantageous for our country and its citizens to have this, the 89th Congress pass the "cold war" GI bill.

CHAIRMAN JOHN HARLLEE CHARTS OFFSHORE AREA COURSE FOR FEDERAL MARITIME COMMISSION

Mr. GRUENING. Mr. President, the Camara de Comercio de Puerto Rico has made an imaginative contribution to progress in solving problems of water transportation to offshore areas, by devoting its 51st annual meeting on February 10–12 to a discussion of this important factor in the economy of Alaska, Hawaii, and Puerto Rico. The people of Alaska and Hawaii, as well as those of Puerto Rico, are indebted to the able President of the Camara de Comercio, Mr. Justo Pastor Rivera, and his assistants for providing the opportunity for a very useful exchange of views between representatives of the three affected areas.

The meeting was highlighted by an address at the closing dinner on February 12 by Rear Adm. John Harllee, Chairman of the Federal Maritime Commission, who took the occasion to express the policy of the Federal Maritime Commission respecting regulation by the Commission of the offshore trades. While Chairman Harllee's remarks were directed particularly to special factors unique to Puerto Rico, his views are also of great interest to Alaska, which has many of the same problems of water transportation that Puerto Rico has.

Chairman Harllee took note of the similarity of interest of Alaska and Puerto Rico, by calling special attention to a comprehensive study of the Alaska trade which has been undertaken by the Federal Maritime Commission. As described by Chairman Harllee:

> The goal of this study is (1) to learn from all shippers the problems they face in importing and exporting their merchandise; (2) to examine closely the way in which each of our ocean lines serve these trades to determine whether we can recommend improvements; and (3) to find out how much it costs each line to provide efficient service.

Alaska looks forward to completion of the Commission study, scheduled for September 1965, in the hope that it will point the way to the lowering of our extremely high freight rates and to progress in improvements of service. This is of special importance to the southeastern and western parts of Alaska, which have not been benefited by improved services introduced in the rail belt area in the last few years.

I ask unanimous consent that Chairman Harllee's address at San Juan be printed in the RECORD at the conclusion of these remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY REAR ADM. JOHN HARLLEE, U.S. NAVY (RETIRED), CHAIRMAN, FEDERAL MARITIME COMMISSION, AT THE ANNUAL BANQUET OF THE CHAMBER OF COMMERCE OF PUERTO RICO AT THE SAN JUAN HOTEL IN SAN JUAN, PUERTO RICO ON FEBRUARY 12, 1965

It is a distinct pleasure to be here this evening and to bring to Puerto Rico the best wishes of our great President, Lyndon B. Johnson.

President Johnson has already outlined in his state of the Union message the "Great Society" that he envisions.

The Great Society is a magnificient concept. Its aim is to bring dignity, education, and freedom from poverty to every man, woman, and child in the United States. I am sure that President Johnson does not limit the goals of the free society to Americans living within the continental boundaries of the United States, but intends that it cover American citizens everywhere—that it cover citizens in our offshore areas such as Hawaii, Alaska, Guam, the Virgin Islands, Samoa, and particularly Puerto Rico. Tonight I want to talk to you about the Federal Maritime Commission. It must help fashion the Great Society in this great Commonwealth.

Indeed my purpose in visiting Puerto Rico this week is to learn firsthand from the people of Puerto Rico how this responsibility can be discharged. I came here to learn. This is not my first trip to the Caribbean. Years of my boyhood, way back in the twenties, were spent in the tropics munching sugarcane on the plantations of the Dominican Republic and Haiti. Many of my happiest Navy liberties were spent years ago in San Juan and in Cuba. But this trip has been by far the most delightful and enlightening one.

As Chairman of the Federal Maritime Commission it is my duty and responsibility, along with Vice Chairman Day and Commissioners Barrett, Hearn, and Patterson, to see that your trade continues to flow at reasonable rates and in a manner conducive to the public interests. We must see that it is conducted in a manner which is neither restrictive nor discriminatory but fair to all concerned—exporters, importers, carriers, and consumers.

The Federal Maritime Commission regulates ocean shipping lines and related industries that transport the goods America imports from and exports to every corner of the earth. I consider the job exciting and rewarding. It is, however, sometimes frustrating, particularly with respect to foreign commerce, where we have less authority over the charges and practices of steamship lines than we do in the domestic trades and where our regulation is often misunderstood.

The domestic offshore trades, however, are different. In these trades there are no foreign sides. We therefore have no serious jurisdictional problems; we have adequate regulatory tools. We hope to have, we must have, and we will have a growing understanding between the Federal Maritime Commission and Puerto Rico.

If we do not do our job well in the Puerto Rican trade, we can have no meaningful excuses.

We already have undertaken tremendous projects to help provide the best regulation possible of the steamship lines between continental United States and Alaska, Hawaii, Puerto Rico, and the other domestic offshore trades.

For example, we have underway an exhaustive study of the Alaska trade which was seriously affected by the terrible earthquake last year. The goal of this study is (1) to learn from all shippers the problems they face in importing and exporting their merchandise; (2) to examine closely the way in which each of our ocean lines serve these trades to determine whether we can recommend improvements; and (3) to find out how much it costs each line to provide efficient service. Our target for the completion of the Alaskan trade study is September 1965.

I am happy to announce here for the first time, that in October of this year, we will begin a similar comprehensive study of the Puerto Rican trade. By this time next year many of the people in this audience will have been contacted by our staff to learn your shipping problems. They will be in the market for any solutions to these problems that you can suggest.

Regulation of the commerce between Puerto Rico and the United States is one of the most vital and challenging functions of the Federal Maritime Commission. In my view, none of our functions is more important. I knew many of the reasons for this before I arrived here last Sunday. Since then I have visited your waterfronts, your factories, and sugar centrales and have tried to see and understand how your economy works. I have this week seen a magnificent traditional culture vitalized by a modern economy. I have, I think, seen the pioneer path that Latin America ultimately will follow. The Alliance for Progress—the "Alianza"—can have no finer showcase than Puerto Rico.

Most of you know why ocean shipping between Puerto Rico and continental United States is so important. Puerto Rico has more than 2½ million people who need the products of the United States if they are to thrive. I have learned to my amazement that more than one-half of all the money that Puerto Ricans spend, at home and abroad, is used to buy goods from the continental United States. And over 90 percent of all that Puerto Rico exports is shipped to the continental United States. Add to this the fact that Puerto Rico's economy has nearly tripled since 1950 and it is no wonder that Puerto Rico has become the fifth largest trading partner of the continental United States. It will probably rank third in the near future.

Thus, Puerto Rico is vitally dependent upon trade with the continental United States and the United States in turn is dependent upon Puerto Rico as a major trading partner. The great bulk of this trade is carried by ship lines. In a very real sense the ship lines that connect Puerto Rico to continental United States form the Puerto Rican lifeline.

Responsibility for regulating this traffic is much more vital than responsibility for regulating other U.S. transportation systems because of your island economy's unique dependence upon ocean carriers. There are three reasons for this. First, if an importer in a city in the United States needs to purchase merchandise he can find suppliers in all directions. For example, the New York merchant can buy from a merchant in his own State, a nearby State, a distant State, or overseas. He can use a truck, a railroad, or a ship depending upon rates and his needs. But the Puerto Rican merchant is in a different situation—almost all of his products are purchased from or sold to the continental United States and must be transported by ship. Second, many of the people with whom the Puerto Rican merchant deals have low incomes. Despite the dramatic increase in the per capita income of the average Puerto Rican from $279 in 1950 to $736 in 1963, the prices the average Puerto Rican can pay for the staples of life are limited in terms of the standards of the rest of the United States. Lastly, the Puerto Rican manufacturer must deal with raw materials which he must import from the United States. He needs cheap transportation if he is to manufacture for resale. Therefore, enlightened regulation of the ships that constitute your lifeline is more important than almost any other kind of regulation.

I conceive the Commission's job to be to stimulate an ocean transportation system that will strengthen the economic development of Puerto Rico and will keep the price of transporting foodstuffs low. The economy must be expanded so that the people of Puerto Rico can afford what they need. The price of transporting foodstuffs must be kept low so that the staples of the Puerto Rican diet can be bought at prices the people can afford. Accordingly, the Commission must do everything within its power to keep the ocean carriers serving Puerto Rico strong, efficient, low-priced, and particularly sensitive to the needs of the Island.

The first thing that is needed for this kind of transportation system is a dynamic economy. The Puerto Rican economy is dynamic. Its imports and exports have more than tripled since 1950. All projections indicate that the trend will continue.

This tremendous growth has attracted to the Puerto Rican trade strong, imaginative, and sharply competitive ocean lines. They offer the most modern and varied kinds of ocean services to be found anywhere in the world. From our North Atlantic ports you are served by ships which offer to transport your cargo in containers that become truck bodies when they move overland, or in rail cars, as well as ships that specialize in transporting vehicles, and ships that move cargo in the conventional break-bulk manner. From South Atlantic ports you have service by barges and trailerships, and you have conventional and container ship service from gulf ports and west coast ports. These generally are strong and progressive ship lines. Puerto Rico has an economy which generates the cargo to attract ships, and it has numerous different kinds of carriers offering a variety of service. In short, it has an efficient transportation system.

The question is whether this efficiency is being passed on to shippers and consumers. We believe it is. We believe that Federal Maritime Commission regulation helps in this respect. The carriers in the Puerto Rican trade have not had a general rate increase since 1959, although there have been such increases almost everywhere else. There have been rate increases on some commodities, but there have been more decreases than increases since 1959. We think that the carriers in the Puerto Rican trade should make money but that the fruits of their efficiency should be—and we believe are being—shared with the people of Puerto Rico, who generate the traffic that keeps them in business.

It is within the power of the Commission to keep the carriers that serve Puerto Rico from realizing exorbitant profits and, if the overall rates of these carriers become unreasonable, we will invoke this power. It is also within the power of our Commission to see that rates on particular commodities are not too high, and we review every rate increase to see that this does not happen. In reviewing individual rates, we give serious consideration to complaints from individual shippers, trade associations, and the Commonwealth government. Finally, it is our responsibility to see to it that competition is not destructive, and we constantly test rate reductions to see to it that they are not for the purpose of driving carriers out of the trade or competing unfairly.

This is not to say that we do not want carriers to compete; we do, because competition is what keeps transportation cheap. But in order for competition to be effective as a rate regulator there must be competitive shipping lines. Irresponsible competitive practices must not be used as a device to limit the number of competitors.

As I have already said, I came here to learn how your shipping problems can be minimized and how the Federal Maritime Commission can do its part in developing the Great Society in Puerto Rico. I recognize that I am not the only person at the Commission who must go through this educational process if our job is to be done fully. Mr. Edward Schmeltzer, the very able Director of the Bureau immediately responsible for regulation of the Puerto Rican and other domestic offshore trades, is accompanying me on this trip and learning firsthand about your great Commonwealth. He is trying to identify the shipping problems and work out solutions.

The Commonwealth Government shares our desire for mutual understanding. It has accepted my invitation to send to Washington one of its experts in ocean traffic to observe the day to day regulation of the Puerto Rican trade. When he arrives, he will learn a great deal by working with us in Washington just as I am learning a great deal working with you in Puerto Rico this week. He will observe that a Commission tariff expert examines every rate change made by every carrier providing service between continental United States and Puerto Rico. Where there is even a hint that the rate change may be unfair either to shipper or other carriers it is thoroughly studied. Often our staff consults a representative of the Commonwealth Government and in every case carefully studies every protest against the rate. Where the staff cannot resolve the problem it may recommend that the Commission institute formal hearings to determine whether the particular rate change is unlawful. Although our Puerto Rican visitor may not always agree with every decision of the Commission, he will come home with the assurance that the Commission does everything possible to see to it that rates in the Puerto Rican trade are fair and beneficial to the economy.

The transportation system between Puerto Rico and continental United States that I have described has grown up during the past 5 or 6 years. Before that time Puerto Rico was served by one predominant carrier whose rates and traffic practices were followed almost uniformly by its smaller competitors. Now we have a variety of carriers who make rates independently of each other and in a way that is best suited to their individual operations. We believe that this has benefited Puerto Rico and that it has encouraged its remarkable economic growth.

In closing, let me say that your present highly developed system of ocean transportation is attributable to many things. The Commonwealth Government deserves great credit. It appears before the Commission regularly to set forth the position of the people of Puerto Rico on the kind of transportation system and the rates that are needed. The carriers themselves deserve tremendous credit. They have had the imagination to institute new technology and the initiative to compete with one another. And we hope our Commission deserves some credit for providing a regulatory climate in which competition prevails and efficient transportation at low rates is the goal. We have tried to encourage this very efficient and cheap transportation system rather than stifle it and we will try to do more. The benefit goes to the citizens of Puerto Rico and mainland buyers and sellers with whom they deal. You are the people who have established one of the most exciting economies in the world. You deserve and will have the kind of transportation system that will keep Puerto Rico dynamic.

UNWISE ALLEGED ECONOMIES INHIBIT RESOURCE DEVELOPMENT AND ECONOMIC IMPROVEMENT

Mr. GRUENING. Mr. President, I must report that everyone in Alaska concerned about the well-being of the mining industry is shocked and unbelieving at a proposal by the Department of the Interior to reduce drastically the Alaska activities of the U.S. Bureau of Mines.

Specifically, according to information furnished to me by the Department, the Bureau would reduce personnel at the Alaska Bureau of Mines Laboratory, which is located at Douglas, across Gastineau Channel from Juneau, the capital, from 26 to 9. At the same time, it is proposed that the Anchorage Health and Safety Office, which has two employees, be closed entirely, and that three employees stationed at Anchorage, and engaged in mineral-resource-development work, be eliminated. The last three consist of a petroleum engineer who is conducting investigations of the oil and gas industries of Alaska, and two employees who are engaged in sampling and analyzing coal from Alaska mines which is supplied to military bases near Anchorage and near Fairbanks.

The Department of the Interior claims that these actions will save $350,000 a year. This may be true, Mr. President—but at what a cost.

The Division of Mines and Minerals of the Department of Natural Resources of the State of Alaska, using an area comparison method so highly favored by both oil and mining geologists, but limiting it to the 11 Western States and current economic conditions, concludes that only the lack of exploration and development prevents Alaska from now having an annual mineral production of $250 million, a short-range goal of $500 million, and a future goal of $1 billion.

The closures and reductions now advocated by the Interior Department would dim this bright prospect, if not extinguish it. Thus, we would lose an operation designed to reduce, not Alaska's, but the Nation's economic, and even political, dependence on foreign suppliers of minerals.

The proposed action is a startling denial of the opinion of the world's largest copper producer, as expressed by M. J. O'Shaughnessy, manager of the New Mines Division of the Kennecott Copper Corp. Mr. O'Shaughnessy, in addressing the Fairbanks Chamber of Commerce, 2 months ago, said that the total of those areas in Alaska which have favorable geology, by comparison with developed countries, indicate that Alaskan mineral production should reach $5 billion a year. A similar comparison and optimistic conclusion, without mention of a definite production figure, was made about a year ago by Paul A. Bailly, president of Bear Creek Mining Co., Kennecott's exploration company.

The Department of the Interior notes that the Bureau of Mines' exploration and development program grew to considerable size during World War II and the Korean war, but that it was not cut back as much in Alaska as it was in the other States. Nevertheless, the Department statement observes that "progress has been almost imperceptible." Apparently, it is concluded that a program that has not demonstrated sufficient worth in a 24-year period should be abolished, without any attempt to evaluate the work that has been done and the information that has been compiled, or to see whether such work and information, as well as the excellent facilities and competent personnel in Alaska, can be incorporated into a program that does not suffer from arteriosclerosis.

Mr. President, we Alaskans think the national demand for mineral supplies, free from the uncertain policies of other nations, is much too great to permit the eradication of an organization that has the capability of giving powerful assistance to the meeting of that need. We are convinced that the Alaskan branch of the U.S. Bureau of Mines has that capability. The files in the Douglas, Alaska, office are filled with unpublished information that can be made useful when available to the public, and the laboratory and the equipment are first rate. Even more important, the well-qualified staff of the branch has experience and knowledge that would be wasted if staff members were to be scattered through other Bureau branches.

In response to the often repeated demand for an "inventory" of Alaska's mineral resources, we are certain that, acting on newly revised directives, the Alaska branch could make rapid strides toward the preparation of an inventory of attractive exploration targets, through the use of its own information and trained fieldmen. When the better exploration targets are identified and when the investigative efforts are published, private companies will be induced to spend far more on actual prospecting and development than was spent by the Bureau.

It is not difficult for a newly appointed administrator, such as the Bureau of Mines now has, to discover a situation that requires corrective action, nor it is difficult to amputate a seemingly unproductive function. In our opinion, the real test of administrative quality is the ability to recognize a need that is not being met, to establish a goal, to redirect all efforts toward reaching that goal, and to employ fully all that is useful in the earlier work.

There is no duplication of effort in the work of the Bureau of Mines, the Geological Survey, and the State division of mines and minerals. Instead, all three agencies complement each other to such an extent that the practical loss of one will reduce the effectiveness of the others. The Geological Survey bears the burden of mapping all of the geology of the State, and incidentally noting evidence of mineralization. In unusual cases, the Survey undertakes detailed work on a mineralized locality, as has been done on the tin-beryllium deposits near Lost River, on Seward Peninsula. In that instance, close field and office cooperation with the Bureau of Mines was at least partially responsible for the initiation of a large development project by a private company.

The division of mines and minerals does not attempt large-scale geological mapping or detailed examinations of prospects, since these jobs are well handled by the Geological Survey and the Bureau of Mines, respectively. Instead, the division relies heavily on the work accomplished and the assistance given by these agencies, in its job of making detailed geological mapping and evaluation of prospecting targets.

Mr. President, my colleague, Senator BARTLETT, in discussing this proposed action, last week—while I was away from Washington, attending the fifth Mexico-United States Interparliamentary Conference, as one of the appointed representatives of this body—confessed himself "amazed, bewildered, surprised, and shocked" at the Interior Department's plans. Our Governor, the Honorable William A. Egan, describes the Interior Department's proposal as "one of the most ill advised, shortsighted actions" he has ever known a governmental agency to contemplate. I share the views of my fellow Alaskans; and the only reason why I have not expressed myself previously is that I have been away from this floor, on official business.

Mr. President, I earnestly express the hope that the Bureau of Mines in Alaska will receive more, rather than less, support from all of the people who in the future will urgently require the minerals from prospects that must be found today and in the next few years. These people are the people of the United States.

FAIR LEGISLATIVE APPORTIONMENT—RESTORING A BASIC PRINCIPLE OF THE CONSTITUTION

Mr. DOUGLAS. Mr. President, the fight to obtain fair representation in the State legislatures is at a crucial stage this year in many States of the Union. In some of the States, a victory for representative government is at hand; in others, the malapportionment is so great that those working for fair representation are vastly overpowered. Nevertheless, even in these States, those who favor government by the people, under equal citizenship, are putting up a courageous battle, which should inspire others.

Georgia is such a State. There has come to my attention a recent address by State Senator James P. Wesberry, Jr., of Atlanta, one of the vigorous leaders of the fair apportionment fight in Georgia. His pleas for the restoration of the equal representation of people in State legislatures are worthy of the attention of Congress and of State legislators across the country. I ask unanimous consent that his address, entitled "We, the Factors Other Than People," as delivered by Senator Wesberry to the De Kalb Democratic Forum on February 16, 1965, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WE, THE FACTORS OTHER THAN PEOPLE

(Delivered by Senator James P. Wesberry, Jr., of Atlanta at the De Kalb Democratic Forum, at Emory University, on February 16, 1965)

Every 15 minutes a unique ritual occurs in the Georgia House of Representatives this year. The clerk reads a resolution which usually does little less than call for the abolition of the U.S. Constitution and the restoration of the Articles of the Confederacy. Then some red faced member makes a fiery speech, most of which is unintelligible to one whose native language is English, but which unmistakably indicates that the U.S. Supreme Court has upon its own initiative overhauled the Constitution of the United States from top to bottom. The speaker calls on his fellows to "restore the Constitution." They do—by clapping, yelling, turning redder than the speaker and voting for the resolution which barely passes by a vote of about 194 to 8 (not counting rebel yells).

This unforgettable orgy, which would bring a glow of anticipation to the eye of any psychiatrist, is not common only to Georgia. It is called a reapportionment session and it may be found going on in form similar to the foregoing in the legislative chambers of most of the States of what we hopefully continue to call the Union. Any resemblance between a "reapportionment session" and a Watusi ritual can be easily distinguished by noting that in the former the men in the pot are all dressed in long black robes. Also the man selling "Earl Warren dolls" and hat pins looks suspiciously like former Gov. Marvin Griffin's purchasing agent. Identification becomes complete when he puts 10 percent of the purchaser's change in a box labeled "Cheney."

To one unschooled in modern legislative processes the proceedings of the Georgia House might appear unorderly, unorthodox, and unrelated to the making of laws for the State of Georgia. Enlightenment is gained by the following explanation: The Georgia House members are representing factors other than people.

This should fully explain their actions. After all shouldn't an elected official reflect the views of his constituents? If his constituency consists primarily of factors other than people, why then should he give regard to old-fashioned human thinking? Indeed why shouldn't man who represents factors other than people act in a nonhuman manner. So they do.

The nonpeople factor has recently been exposed in House Resolutions 9, 47, and 135 and Senate Resolution 14 in the Georgia General Assembly, in which the authors seek to insert the nonpeople factor into the Constitution of the United States.

Perhaps we should now forgive all our previous legislatures for the poor laws they passed. They weren't really representing people. Prior to reapportionment of the senate, senators were actually representing 78.6 percent of factors other than people. The house, right up to the present day, contains 148 members out of its 205 membership who represent factors other than people. Stated as a percentage, 77.5 percent of the house members represent factors other than people.

Now that we people have had the nonpeople factor explained to us fully we can understand the political history of the State of Georgia. Now we can understand the logic of the county-unit system, the white primary, the speed trap, the fee system. Now we can understand why Georgia government was for so many years run by political hacks, cronies, and their relatives. We now can see how it is possible for the State to enter into long-term leases for nonexistent property which neither begin nor end within some of our lifetimes. We can understand the awarding of purchases without bids, the kickbacks, the graft, in short the wholesale disregard of the people.

We may still wonder just what factors other than people are but even if we never get an explanation the exposure of the nonpeople factor in State government certainly answers a lot of questions we have been asking for some time. We can even see that until 1962 the selection of our Governor was prescribed by the nonpeople factor thus explaining the actions of many of our former Governors selected by the county-unit system.

Now, who has rewritten the Constitution of the United States?

The original Constitution of the United States started out "We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." There was no mention here of "factors other than people"—and no thought was given it by the Framers of the Constitution.

When the Union was formed only four States (Maryland, New Jersey, Connecticut, and Rhode Island) utilized apportionment plans based on anything other than population and their plans deviated little from truly representative reapportionment. The fact is that the original legislative apportionment of the Thirteen Original States makes our present-day apportionment look pitiful by comparison.

The same Congress which adopted, ratified, and began to function under the U.S. Constitution passed the Northwest Ordinance in 1789. It guaranteed the inhabitants of the Northwest Territory, soon to become States, proportionate representation in their future legislatures. A similar pattern prevailed in the admission of all States except Vermont and Nevada from 1789 to 1889. Thus population equity was the main criterion for apportionment in 30 of the 36 States during the first century of our Nation's existence. No one ever even mentioned "factors other than people."

In the early years Thomas Jefferson criticized what today would be a minor malapportionment in his own beloved Virginia Legislature and stated "equal representation is so fundamental a principle in a true republic that no prejudices can justify its violation."

Our Georgia constitution says that "All government, of right, originates with the people." No "nonpeople factor" can be found in it.

Georgia's first legislature was unicameral and was apportioned based upon population. Today's Supreme Court would have upheld it. Georgia history rings with the voices of its great statesmen who advocated popular representation. In 1839 at the age of 27, Alexander H. Stephens proposed a plan which would have meant the abandonment of the old 3–2–1 formula for county unit representation in the Georgia house. The plan stood in spite of Stephens—in spite of the great Robert Toombs—until stricken down by the U.S. Supreme Court ruling of June 15, 1964. The minor malapportionment of Stephens' and Toombs' day was to become major as the people moved from the farms to the cities.

"Factors other than people" began to creep into the Constitution of the United States in the latter part of the 19th century. No one can actually say when the Constitution was revised to include "factors other than people" but in general this quietly occurred between 1890 and 1960. This perversion of our Constitution did not come about through formal amendment—nor through judicial or legislative fiat. It came about through the failure of the legislatures to recognize the large-scale and rapid urbanization of the country by reapportioning themselves, their failure to act was contrary, in many cases, to their own constitutions requiring reapportionment. It was successful because the courts bent over backward to avoid entering the "political thicket."

Thus was the Constitution of the United States changed—thus were the principles of the Founding Fathers altered—not by the courts but by the inaction of the legislatures—and thus was representation in our great country transferred from the people to "factors other than people"—the great unwritten amendment to our Constitution.

When the Supreme Court ruled on March 26, 1962, and again on June 15, 1964, that "factors other than people" should be stricken from our Constitution, they were not changing the Constitution of 1789—it was they who were restoring it. And the 70 percent of Americans living in urban areas—the 12,000 people who leave rural areas each day to live in our urban areas—should be everlastingly grateful that the U.S. Supreme Court had the courage, the wisdom and the will to stand up against the petty politicians, against the unrepresentative legislatures throughout this country and to declare in decisions that will ring throughout the pages of history that "factors other than people" have no place in the land of the free and the home of the brave—that "one man" deserves "one vote" and that in America he will get it.

THE BONNEVILLE UNIT OF THE CENTRAL UTAH PROJECT

Mr. BENNETT. Mr. President, in January, when the budget was submitted to Congress, the people of Utah were understandably shocked and dismayed to learn that no funds were included to begin construction of the $300 million Bonneville unit of the central Utah reclamation project.

The central Utah project is the heart and soul for Utah of the entire Upper Colorado River project, for through it Utah will realize the major portion of her share of the water of the Colorado River, now backing up behind the large dams. The central Utah project will bring critically needed water for irrigation, municipal and industrial use, and hydroelectric-power development to a large area, from Salt Lake City south to Garfield County. Utah's future economic growth depends upon it.

The central Utah project, including the Bonneville unit, was authorized by Congress in 1956. Since then, extensive planning and designing have been completed by the Bureau of Reclamation, which now is ready to launch its long-awaited construction program. The budget contained $3.6 million to begin construction of the Bonneville unit; but then the reclamation program was slashed, purportedly to divert funds to the so-called poverty program and similar programs. Can it be that good, solid reclamation projects that pay for themselves are to be pushed aside for welfare state doles? This is false economy which cannot be tolerated.

The water and power to be generated by the central Utah project are needed now; and the demand will increase with Utah's rapidly growing population and industrial development. Since the Bonneville unit will take several years to build, time is of the essence.

I ask unanimous consent to have printed in the RECORD a letter I have received from the general manager of the Central Utah Water Conservancy District, and also a resolution adopted by the Utah Water and Power Board. Both communications indicate the importance of the appropriation of funds to initiate construction of the Bonneville unit of the central Utah project during the fiscal year 1966.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CENTRAL UTAH WATER
CONSERVANCY DISTRICT,
Provo, Utah, February 2, 1965.

Hon. WALLACE F. BENNETT,
U.S. Senate, Washington, D.C.

DEAR SENATOR BENNETT: It was with great concern that the board of directors of the Central Utah Water Conservancy District received the news that the President's budget did not include funds to initiate construction on the long-awaited Bonneville unit of the central Utah project. During the past few years by untiring and dedicated efforts on the part of the citizens of the State of Utah the Central Utah Water Conservancy District was established so that this project could move forward. After such a determined and successful effort by so many then to receive this disappointing and unexpected news, it was indeed a shock. This was especially difficult to accept after the long awaited project planned report had been made available by the U.S. Bureau of Reclamation.

The board of directors, at a recent special meeting of the board called to review this development, unanimously expressed their position that it was imperative that actual construction start during this fiscal year on the Bonneville unit of the central Utah project. The board could see no justifiable reason for its delay. They, therefore, advised the legislative committee to proceed immediately to use all possible means available to gain the support of Congress in establishing funds so that this long awaited and essential project could get underway.

Your untiring efforts have been appreciated by the citizens in the State in bringing this project to its present status, but once again the board of directors feel the need to request your urgent support toward the establishing of these construction funds. They would appreciate the guidance of your office in their efforts. Also, the district will be glad to provide you with any assistance or material needed to enhance your efforts. Please advise us of your needs.

We once again express our appreciation for your cooperation and efforts and look forward to your assistance in bringing about the full realization and benefits of the ultimate central Utah project.

Very truly yours,

LYNN S. LUDLOW,
General Manager.

RESOLUTION BY UTAH WATER AND POWER BOARD

SALT LAKE CITY, UTAH.

Resolution in support of appropriations of funds by the 89th Congress, 1st session, for initiating construction of the Bonneville unit of the central Utah project

Whereas the initial phase of the central Utah project, including the Bonneville unit, was authorized for construction as a participating project of the Colorado River storage project by the Colorado River Storage Project Act of 1956 (70 Stat. 105); and

Whereas the Bonneville unit of the central Utah project is an important segment of a plan for the diversion, storage, and transbasin conveyance of waters of the Colorado River Basin into the Bonneville Basin, the salvage and beneficial use of water being lost by evaporation, the conversion of water from irrigation uses to industrial and municipal uses, the maintenance of water at a quality suitable for sustained use, recreation, fish and wildlife enhancement, and flood control; and

Whereas the Central Utah Water Conservancy District was created on March 2, 1964, by order of the Fourth Judicial District Court of Utah to act as the legal agency to contract with the Secretary of the Interior for repayment of reimbursable costs of the project; and

Whereas the Bureau of Reclamation, the Bureau of Indian Affairs, Ute Indian Tribe, Utah State engineer, Utah Water and Power Board, and the Upper Colorado River Commission during the 9 years since project authorization have worked diligently and effectively to resolve problems and plan a resource development agreeable to all parties; and

Whereas more than sufficient progress has been made in all areas of planning and preconstruction to justify initiating construction of the Bonneville Unit in fiscal year 1966; and

Whereas the Central Utah Water Conservancy District is currently negotiating a repayment contract with the Secretary of the Interior and expects to have the contract signed at an early date: Now, therefore, be it

Resolved by the Utah Water and Power Board at a special meeting in Salt Lake City, Utah, on February 5, 1965, That reaffirming its position that the initial phase of the central Utah project is the State's No. 1 item of priority in the development of its water resources, does hereby urge the U.S. Congress to appropriate $3,500,000 for the initiation of construction of the Bonneville unit of the central Utah project in fiscal year 1966; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, Director of the Bureau of the Budget, Secretary of the Interior, Commissioner of the Bureau of Reclamation, members of the congressional delegation of the State of Utah, the Honorable Calvin L. Rampton, Governor of the State of Utah, the Upper Colorado River Commission, and to other interested parties.

Attest:

JAY R. BINGHAM,
Executive Director.

THE KANSAS CITY COMMUNITY BLOOD BANK

Mr. LONG of Missouri. Mr. President, some 7 or 8 years ago, the Federal Trade Commission began an investigation of the Community Blood Bank of Kansas City. The investigation and the legal action against the blood bank have dragged on for years and years. Recently, at the annual business meeting of the bank, Dr. Perry Morgan pointed out that so far the legal defense has cost approximately $175,000, with the possibility of costing $50,000 more if the case has to be appealed to the courts.

I ask unanimous consent to have printed at this point in the RECORD a recent article from the Kansas City Times of January 28, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BLOOD BANK STRESS ON FIGHT WITH FTC—DEFENSE AGAINST BOYCOTT CHARGES EXPENSIVE, DIRECTOR SAYS—YEAR'S SERVICES CITED—HEAD OF COMMUNITY OPERATION SPEAKS AT ANNUAL MEETING

The major concern of the community blood bank continues to be the drawnout battle with the Federal Trade Commission (FTC) over its allegation of boycott against two commercial blood banks here, Dr. Perry Morgan said yesterday.

Dr. Morgan, the director, spoke at the annual business meeting at the blood bank headquarters, 4040 Main Street.

YEAR IS REVIEWED

In addition, Dr. Morgan reviewed the blood bank's 1964 services to 52 area hospitals. These services in blood drawn, processed, and provided for hospital patients, including those with heart operations, reached a new high, he said.

The battle with the FTC, including a 15-week hearing here in 1963 and arguments before the whole Commission last December in Washington, has so far cost the community bank and its associated respondents $175,000, Dr. Morgan estimated.

The 1963 examining commissioner found against the respondents. Decision by the whole Commission after last December's arguments has not yet been announced.

If that decision is adverse, the case probably will be appealed to the Federal courts, Dr. Morgan said.

DEFENSE IS EXPENSIVE

"The defense of our innocence has been extremely expensive," he said. "We estimate the cost of an appeal through the courts will be $50,000 more.

"The heavy legal cost is endangering our community-type blood bank operation. Outside financial aid is needed."

Meanwhile bills which would exempt community blood banks from the antitrust laws have been introduced in Congress by Senator EDWARD V. LONG and by several representatives in the lower house.

Co-respondents with the community bank against the FTC action include the Kansas City Area Hospital Association and various hospitals and pathologists.

PRODUCT IS DIFFERENT

They challenge the Commission's authority to bring the action, assert that medical uses of blood is a professional service and that human blood should not be a commodity to be bought and sold on the open market.

Last year the community bank received 34,584 pints of blood and processed 1,691 more pints than in 1963, for distribution to hospitals.

New officers and directors elected to the bank yesterday—New members of the corporation—Dr. Hilliard Cohen, reappointed from the Jackson County Medical Society; Dr. Robert Meyers, Allen County Medical Society; Dr. Jack Cooper, Johnson County Medical Society; Dr. James W. Fowler, reappointed from the Jackson County Medical Society; Dr. John E. Johnson, reappointed from the Wyandotte County Medical Society; Dr. Robert S. Mosser, Jackson County Medical Society; Dr. Russell J. Eilers, appointed for 1-year term from the Wyandotte County Medical Society; Dr. Arch E. Spelman, Clay County Medical Society; Richard V. Riddell, Buchanan County Medical Society; and Dr. Stanley J. Sulkowski, Jackson County Osteopathic Association.

Area hospital association appointees: Charles D. Swint, assistant director of Children's Mercy Hospital; Carl Migliazzo, chairman of the board of Lakeside Osteopathic Hospital, reappointed; John Murphy, member of the advisory board of St. Mary's Hospital; A. Neal Deaver, administrator of Independence Hospital, 1-year term; James L. Smith, assistant director of the Menorah Medical Center, and Dr. Robert W. Wright, reappointed.

Public members: Ben N. Allmayer, reelected; Dr. LeRoy C. Lewis, Mrs. Samuel L. Sawyer, Peter Newquist, Ed G. Borserine, Homer C. Wadsworth, reelected, and David Schnabel, 1-year term.

Board of directors: Dr. Robert S. Mosser, Dr. Hilliard Cohen, reelected; Dr. Richard V.

Riddell, reelected; John Murphy, reelected; James L. Smith; Charles D. Swint, reelected; Meyer L. Goldman; Msgr. J. Kenneth Spurlock, reelected; Theodoric C. Bland, and Mrs. Samuel L. Sawyer.

Mr. LONG of Missouri. Mr. President, I think the length of time and the cost involved in this litigation are outrageous. They should remind us, if we need to be reminded, that the procedures under which agencies such as the FTC operate are outmoded and cumbersome.

I am glad to report that something is being done to update these procedures. The distinguished minority leader, Senator Dirkson, and I shall introduce, very soon, a revised and highly refined new version of the Administrative Procedure Act. I am hopeful that this proposal, which has been under intensive consideration for several years, will be enacted by Congress without undue delay. If our whole administrative machinery is not overhauled, it will eventually grind to a halt.

GOLD RESERVE REQUIREMENTS

Mr. ROBERTSON. Mr. President, I was personally gratified by the fact that on yesterday only seven votes were cast against the President's bill to remove the gold cover from Federal Reserve deposits, which I had the honor of handling for the President on the floor of the Senate. I am sure that my Senate colleagues fully realize that I derive no personal satisfaction from carrying the flag on the floor of the Senate for a program to remove any part of the gold backing for our money supply. But, as the great Grover Cleveland once said, "We are facing a fact, not a theory."

The fact is that France, and perhaps other nations, have been threatening to demand payment in gold for their dollars, in a sum greater than the $1½ billion of free gold we now have. Consequently, it was a categorical imperative to demonstrate to France and to the world that we have available more than enough gold to meet the demands on our gold supply by any nations which might be foolish enough to think that the American dollar may no longer be the best currency in the world, or to think that the American dollar may no longer give access to the best market in the world to those who possess our dollars.

As the vote on final passage clearly indicated, the real issue that disturbed Senators was, not the stop-gap measure of a partial removal of our gold cover, but the basic problem of recurring deficits in our international balance of payments, under which foreign nations have been able to accumulate far more dollars, theoretically redeemable in gold, than the present total of our gold supply.

While many Senators expressed their concern over this problem, no Senator was more genuinely concerned than was my distinguished friend and eminent colleague from Massachusetts [Mr. Saltonstall]. He indicated his desire to see an immediate study made of the balance-of-payments problem; and I told him that the Banking and Currency Committee would undertake such a study at the earliest possible date.

I went on to say that I had already been discussing the subject of hearings on the balance-of-payments problem with the distinguished Senator from Maine [Mr. Muskie], the chairman of the Banking and Currency Committee's Subcommittee on International Finance, and that we had agreed that such hearings would be held in the very near future. In fact, I had approved having an initial hearing on this subject held before the Subcommittee on International Finance on next Tuesday, February 23; but, unfortunately, Senator Muskie had scheduled hearings on that date on his air pollution bill, and numerous vital witnesses had already planned to come on that date and during the remainder of next week. Consequently, it was not possible to begin the other hearings next week.

However, Mr. President, the distinguished Senator from Maine [Mr. Muskie] and I are working out arrangements to begin these hearings on the balance of payments early in March—by March 2, if essential witnesses are available by that time. We will make every effort to have a thorough and complete study made of the matter, taking advantage of all previous hearings and studies which already have been made in the field, so that we can come up with some definite affirmative recommendations for prompt and effective action to eliminate our balance-of-payments deficits.

We shall, of course, welcome the cooperation of all the great business organizations to which the President yesterday appealed for help—for example, the American Bankers Association, the U.S. Chamber of Commerce, and the National Association of Manufacturers. And, of course, we shall expect to hear the Secretary of the Treasury and other Government officials present the President's program; and also to hear witnesses, including the Secretary of State, on such subjects as foreign travel; and to hear the Secretary of Defense speak to us on military exports and other matters in his sphere. We shall also welcome the views of economists informed in the field, as well as the views of businessmen who have been concerned with one aspect or another of the matter.

SIOUX FALLS VA CENTER

Mr. McGOVERN. Mr. President, Representative Olin Teague has opened hearings on the House side on the announced closing of Veterans' Administration hospitals and the consolidation of administrative centers.

I have taken an active interest in this announcement, because the VA center in Sioux Falls is one of the offices affected.

Mr. Ray Asmussen, claims representative and field officer of the South Dakota Veterans Department, has written me a most thoughtful letter, analyzing the effect of the proposed consolidation in South Dakota.

So that other Senators may benefit from Mr. Asmussen's comments, I ask unanimous consent that his letter to me be printed at this point in the Congressional Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

South Dakota Veterans Department,
Sioux Falls, S. Dak., February 15, 1965.
Hon. George McGovern,
U.S. Senate,
Washington, D.C.

Dear Senator McGovern: The proposed merger of the Sioux Falls Regional Office of the Veterans' Administration activities with that of the St. Paul office represents economy based upon innuendo and not in accordance with commonsense. In early days loan guaranty, vocational and rehabilitation benefits were administered at the Sioux Falls office; however, these activities were discontinued inasmuch as there were delimiting dates for these benefits. The benefits for education and loans are gradually being phased out.

The Sioux Falls regional office administers veterans' compensation, pension, and death benefits. The number of claims for these benefits is increasing. The basic laws regarding these benefits as administered in 1947 remain. Recent veterans' legislation has extended benefits such as special pension for being housebound, aid and attendance, Public Law 86–211, war orphans education, insurance benefits and Public Law 88-664. Every year there has been the addition of new benefits or extension of old benefits under legislation.

The so-called efficiency report of the Veterans' Administration indicates that the Sioux Falls office has low productivity and that it costs $6.58 per man-hour to keep the Sioux Falls office open while it would cost $4.47 per man-hour if merged with St. Paul. Mr. Goulde stated that paper processing can be done as efficiently at the St. Paul office at less cost to the taxpayer; that the jobs being abolished are overlapping supervisory and clerical overland positions; and that the same personal service can be rendered to the veteran that has been given. These statements made to the Argus Leader by a VA official are figments of the imagination and are not proven facts.

The South Dakota Veterans Department handles approximately 48 percent of the processing of claims for all benefits including assistance in the development of evidence as well as assisting the veterans in their applications and counseling. The DAV and VFW handle a great many applications and furnish personal contact in counseling of the veterans. The claim applications and development of evidence by the VA contact service are small. The service organizations; namely, South Dakota Veterans Department, American Legion, Disabled American Veterans, Veterans of Foreign Wars, and the American Red Cross, process approximately 75 percent of all the claims and requests for benefits including the development of evidence to support the claim. Mr. Goulde should check to see the number of powers of attorney held by these organizations. A veteran submitting a claim for benefits in his own behalf is advised by the adjudication division as to the type of evidence required. The VA contact office is not involved in such assistance to the veteran. Furthermore, if an application for benefits is filed by the VA contact office and development of evidence is necessary the adjudication division still advises the veteran of the necessary evidence to submit in order that full consideration can be given his claim. Therefore, the three VA contact officers do not involve themselves with the development of the evidence. There is a lot more to a claim than just completing an application or paper processing as Mr. Goulde would have you believe. It is fantastic to think that two VA contact officers can handle all of the claim processing and assist the veteran properly in the prosecution of his claim.

Next, Mr. Goulde did not consider the cost of shipping a claims folder from the St. Paul office to Sioux Falls on a temporary basis in the event of this so-called economy merger. It costs 5 cents an ounce to ship a folder one way and this is not considering the packing, boxing, or the time spent in St. Paul to locate a file. The average file weight is 32 ounces and there are many files that are heavier. Here the cost to ship a file would be $1.60 and since this is a two-way shipping the cost would be $3.20 without considering employee costs, boxing, and the like. This movement of files would be a tremendous additional cost. Furthermore, they did not figure the vast amount spent to allow department heads to travel to South Dakota on official business, as has been the practice since the loan guaranty division was moved to St. Paul. Recently the St. Paul office had 95,000 pieces of unopened mail and this shows at least a 6 weeks' delay. Under these circumstances why all of a sudden has the St. Paul office become so efficient?

Mr. Goulde would have you believe that the consideration of a veteran's claim for benefits is merely paper processing. If such were the case there would be no need for a rating board, authorization section, or an adjudication officer. The adjudication division is more than a paper processing media. The veteran's claim and all of the evidence of record is considered and a deliberated judgment made. A narrative summary including the facts and the reason for the decision is made. Is administering, interpretation of the laws and regulation, judgment and the award of benefits a paper processing affair? The answer is obviously "No," and the VA officials know it. These actions based upon rules, regulations and public laws require continual interpretation and discussion. This cannot be reduced to a routine operation. Every veteran is entitled to the fullest consideration of his claim as a man who served his country without mental reservation.

Since the VA feels that the overlapping and clerical overhead positions should be abolished then such positions should be eliminated without transfer of the Sioux Falls office. The VA should eliminate those positions and submit a new table of organization. Under this proposed merger all of the personnel of Fargo and Sioux Falls would be integrated in the St. Paul setup. The present organization of the adjudication division in St. Paul consisting of approximately 77 employees would be increased to 102 under the new setup. Under such reorganization there would be no saving and the supervisory grades would be raised from a grade 13 to 14 and a grade 14 to 15. Under this arrangement there would be no saving. How can you combine all of the three offices, retain the same employees and still save money? The answer is obviously, "No, you cannot."

The service officers average approximately 10 to 12 contacts each day with VA personnel concerning discussion of evidence, prosecution of claims and awards of benefits. In many instances their contentions are voiced orally. The allegation that "anything dealing with people is left here" is a misnomer and unfounded. This personal service with the awarding section is lost and contact cannot make a decision. Contact is not an administering unit but more of a paper processing unit. Under the proposed merger the contact office cannot handle these personal services. The adjudication division deals with people every day including service officers, veterans, the hospital personnel and administrative service. The adjudication division is the core of the whole operation and all of the services revolve around it. To remove the adjudication division denies the veteran of benefits that he is entitled to.

The proposed merger is based upon so-called work measurement reports which lack practicability and were based upon pilot studies that did not show a fair study of the end product codes. The larger offices show "slipshod" work and thus less time spent to complete an end product. Why doesn't the VA examine rating decisions, award actions of the Sioux Falls office as compared with St. Paul office? In claims folders that I have seen the St. Paul office does not in their rating decisions present full and complete discussion of their actions. What has been the rating based upon a survey by central office of the St. Paul office as compared with the Sioux Falls office? I am sure that the Sioux Falls adjudication division has a higher rating on the quality of the work performed.

The Veterans' Administration based their decision as to low efficiency on an outmoded pilot study concerning work measurement several years ago. The time allotted for end products was based upon applications that were relatively simple such as non-service-connected pension and claims for compensation by veterans who were recently released from service. The pension claims were from veterans of World War I who were 65 years of age who needed only a 10-percent disability and evidence of unemployability. Now claims for pension by veterans of World War II are increasing. The claims for pension by veterans who are approximately 40 to 50 years of age require a greater disability warranting more time in evaluating disabilities. The end product time now allotted is not sufficient since more time is required to consider a claim for pension by a World War II veteran. You cannot use the same criteria to consider a World War II veteran's claim. Now there are more claims for disability compensation being filed by veterans who have had 20 to 30 years of service. The time allotted for such end products is not sufficient since there are more records to review and consider. In addition, claims for compensation being filed by veterans of World War II or Korean service require more development and continuity evidence but the VA allots the same amount of time for this claim as it did previously. The work measurement report allows no time for additional statements of the case to the veteran after the first is given. This is free and not measured. Therefore the time allotted to consideration of claims and awards is not fair and not correct inasmuch as it was based upon a time study that is obsolete and not based upon the present working conditions. The examples given are not all but just a few samples of unfairness of the present system of work measurement.

The VA states that "this was no random move." It is noted that an arbitrary judgment was made by the VA to close those regional offices of the States having less than 100,000 veterans. South Dakota has approximately 75,000 veterans. An arbitrary figure was arrived at by the VA simply to make a random guess to close such offices. This fact shows that the move was a random judgment not based upon adequate and fair consideration.

The present organization consisting of a manager, assistant manager, chief medical officer, administrative assistant to the chief medical officer, personnel officer, and assistant personnel officer are to remain to administer the hospital. This appears to be too much top management. Certainly such entails an overlapping of supervisory positions. This whole setup entails too many chiefs and not enough men to do the work. This supervision is unmeasured work. Certainly some adjustment should be made.

Personnel at the VA in Sioux Falls has not furnished opinions on this merger. These employees should be called before an investigating committee, placed under oath, and asked whether they were told to be quiet and not say anything until the "VA factfinder" left the station. This is unfair and contrary to our Constitution. This subduing employees by way of reprisals does not represent justice and fair play. Does a VA employee forfeit his right to freedom of speech or to express an opinion? Does the VA operate on the same system as the Army? The freedom of speech was denied because of the fear of reprisal or the loss of his job. I am sure our Congress does not operate under this delusion denying the freedom to be heard. The factfinder did not come to gather data—he came simply to arrange the transfer in spite of the Congress or the people.

Therefore, in conclusion an impartial investigation should be made by the Congress of the United States to determine the full facts and those employees of the Sioux Falls office should be palced under oath and testify as to the facts.

The merger is ill-advised and not warranted because:

1. Personal service to the veteran will be hindered and will become nonexistent. The adjudication division is the core of the VA operation and is not a paper processing unit under any stretch of the imagination.

2. The work study conducted by the VA several years ago does not accurately measure the current work. The work measurement is obsolete and unrealistic when based upon an outmoded study several years ago.

3. Survey reports by central office of the adjudication division of the Sioux Falls office will show a higher quality of work performed than that of the St. Paul office.

4. SDVD, AL, DAV, VFW, and ARC service officers perform approximately 75 percent of the work in connection with all claims for benefits. The VA contact personnel perform a small percentage of the work at present. To eliminate the work of service organizations would definitely deny aid and assistance to the veteran. The present merger would leave two contact officers who would be figureheads acting as paper pushers.

5. If there are overlapping supervisory and clerical overhead positions then the VA should eliminate such positions and submit a new table of organization for the Sioux Falls office and allow the adjudication division, chief attorney, and the administrative section to remain here.

6. The merger and move would not save money since supervisory personnel at the St. Paul office would be promoted to higher grade positions, adjudication personnel of the Fargo and Sioux Falls offices would be integrated with the St. Paul office without reduction but personnel would be increased from 77 to 102.

7. The St. Paul office lacks the facilities to consolidate the movement of office space for personnel and storage space for the additional records. The St. Paul office is behind in its work and this confusion of movement would delay the timely consideration of claims.

8. The top management personnel remaining in the Sioux Falls office after the merger would be excessive in the administration of the hospital. Here again the costs would be out of line with the generally accepted principle of sound business management.

9. The VA used an arbitrary method of selecting a regional office for abolishment based upon a State having less than 100,000 veterans in population. South Dakota has 75,000 veterans. The dependents of the veteran were ignored in this computation.

10. The quality and kind of service to the veteran and his dependents have been the best and are far superior to the St. Paul office. A review can be made of claims folders of both offices and this will be clearly evident.

11. The VA employees were not allowed freedom to express opinions or present facts to the service organizations regarding the merger. They were silenced due to their employer-employee relationship.

For all of the reasons and facts stated this merger should not take place and also a full, complete, and impartial investigation should be made.

Very truly yours,

RAY ASMUSSEN,
Claims Representative and Field Officer.

PARIS, ILL., COUPLE RECEIVE AWARD FOR DISTINGUISHED SERVICE IN INTERNATIONAL EDUCATION

Mr. DOUGLAS. Mr. President, since 1956, the Institute of International Education has been giving service awards to educational institutions, organizations, corporations, communities, and individuals, in recognition of their voluntary activities in educational and cultural exchanges.

Mr. and Mrs. T. J. Trogdon, Jr., of Paris, Ill., were one of five recipients of this distinguished award from the Institute of International Education-Reader's Digest Foundation for 1965. This is a great honor to a fine family which is personally known to me. Mr. and Mrs. Trogdon have displayed great patriotism in their untiring and effective efforts to help promote international understanding by providing a program of hospitality to foreign students and visitors in Paris, Ill. Their successful efforts have also made this program possible in other Illinois cities.

Illinois and the Nation are proud of the Trogdons and others who have participated in promoting friendship between the United States and our foreign friends.

I ask unanimous consent that the citation to Mr. and Mrs. Trogdon, from the Institute of International Education-Reader's Digest Foundation for 1965, be printed in the RECORD.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

INSTITUTE OF INTERNATIONAL EDUCATION-READER'S DIGEST FOUNDATION CITATION TO AN INDIVIDUAL FOR DISTINGUISHED SERVICE IN INTERNATIONAL EDUCATION

To Mr. and Mrs. T. J. Trogdon, Jr., for their untiring and effective efforts to provide hospitality to foreign students and visitors and to broaden the horizons of their fellow Americans, the Institute of International Education and the Reader's Digest Foundation present their award for distinguished service.

For the foreign student or visitor, the opportunity to know and understand the America which extends beyond the campus or the special facility he is visiting is one of the most rewarding aspects of his exchange experience. Since 1956, Mr. and Mrs. Trogdon have provided this opportunity to hundreds of visitors from abroad. In that year they organized, in their hometown of Paris, Ill., the Thanksgiving fellowships which have made it possible every year since then for more than 100 foreign students attending nearby colleges and universities to spend the 4-day Thanksgiving holiday in local homes. So rewarding was this program to the students and to the host families that the Trogdons undertook to develop Thanksgiving 4-day fellowships in other communities. Today their idea flourishes in seven Illinois towns and cities.

The original venture in international understanding launched by Mr. and Mrs. Trogdon in Paris is now but a part of the year-round community program, which includes regular visits to this American community by Allied airmen at Chanute Field during the summer, and year-round visits of special guests sent by the State Department and other public and private agencies. Many of these visitors have enjoyed the hospitality of Mr. and Mrs. Trogden who have played a leading role in the expansion of their community hospitality program.

The Trogdon's advice, experience and good will are sought by local, State, and National organizations and they have assisted many educational and cultural exchange agencies, including the experiment in international living, COSERV, and the American Foundation for World Youth Understanding.

Their effort to encourage international understanding at the local community level constitutes a heartening example not only of high purpose but also of effective voluntary action. IIE and the Reader's Digest Foundation are proud to present their award for distinguished service to Mr. and Mrs. T. J. Trogdon, Jr.

THE NEW YORK TIMES AND GHANA

Mr. DODD. Mr. President, in July of 1963, after taking the testimony of the Ghanaian opposition leader, Dr. K. A. Busia, and after receiving from him many documents relating to the situation in Ghana, the Subcommittee on Internal Security issued a report to which I wrote a foreword.

In the foreword I stated:

> The evidence strongly suggests that Kwame Nkrumah's Ghana has become the first Soviet satellite in Africa.

I said that Ghana had become the focal point for the subverision of Africa, just as Cuba is the focal point for the subversion of the Americas; and I described Ghana as the mortal enemy of true freedom and independence for the peoples of Africa, and the mortal enemy of African peace.

For this statement, I was severely taken to task by the New York Times, which advised its readers:

> Such wild statements are, in fact, calculated to drive any African leader toward communism.

The violent anti-American riots in early January 1964 led many people to do some rethinking on the subject of Ghana.

The New York Times, which only 6 months previously had challenged my characterization of Nkrumah, included in its issue of January 8, 1964, a page 1 article under the caption "Ghana is Viewed as Going Marxist." According to the article:

> Diplomats in Accra, the capital of Ghana, have concluded almost unanimously that the country is rapidly becoming an undisguised Marxist state.

Now the pendulum has swung all the way. Responding to the news that five Ghanaian opposition leaders, including two former Cabinet Ministers, had been condemned to death by Kwame Nkrumah's courts, the New York Times published an eloquent and scathing editorial with which I find myself in wholehearted accord.

Hindsight is better than no sight at all; but one of the worst faults of hindsight is, not that it is tardy, but that it finds it so difficult to forgive foresight.

Because I think these items are of some historic interest, Mr. President, I ask unanimous consent to have printed in the RECORD the New York Times editorial on Ghana, of July 16, 1963; excerpts from the New York Times article of January 8, 1963; and the New York Times editorial captioned "Kwame Nkrumah's Betrayal," as published on February 15, 1965.

There being no objection, the editorials and the article were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 16, 1963]

EDITORIAL

The statement by Senator DODD, of Connecticut, that Ghana is probably "the first Soviet satellite in Africa" is almost as harmful to the position of the United States in Africa as it is unjust to Ghana. The irresponsibility of the statement is obvious from the fact that even Senator DODD only claims to have talked to one man, who is a respected Ghanaian opposition leader in exile, Dr. Kofi Busia.

Conclusive evidence of President Kwame Nkrumah's communism, according to Senator DODD's way of thinking, seems to be that Mr. Nkrumah made a trip behind the Iron Curtain. Even Dr. Busia, for all his hostility, did not testify that Ghana in his opinion is a "Soviet satellite." He argued that it is "Communist oriented."

The evidence is mixed, even contradictory. The aid being given by the United States and British Governments and the World Bank was arranged after careful inquiries. A new Ghanaian investment law to encourage foreign private investments has just been adopted. The American Peace Corps has had a successful program.

Ghana's foreign policies do often coincide with the Soviet position; but that is a very long way from saying that Ghana—or any other African state—is a satellite. Guinea was stereotyped in the same way by many Americans until a year or two ago, when the essential African determination to be nobody's satellite became clear there—and Guinea was much nearer to being a Soviet satellite than Ghana has ever been.

None of this means that the Nkrumah government is pro-Western or democratic. Nothing could be less democratic than the autocratic, authoritarian, one-party system of Ghana, with Kwame Nkrumah as the tribal chieftain of his nation. Moreover, no one can question the fact that Mr. Nkrumah is a fanatical anticolonialist, anti-imperialist African leader with, doubtless, imperial ambitions of his own in West Africa. Besides which, he is a variation of a Marxist since he has introduced what he himself calls a policy of African socialism.

Senator DODD seems to believe all this makes Ghana a "Soviet satellite." Such wild statements are, in fact, calculated to drive any African leader toward Moscow. It is hard for foreigners to realize that people like Senator DODD, fortunately, do not speak for the United States, or the U.S. Government or, in his case, even for the U.S. Senate.

[From the New York Times, Lagos, Nigeria, Jan. 8, 1963]

GHANA IS VIEWED AS GOING MARXIST

Diplomats in Accra, the capital of Ghana, have concluded, almost unanimously, that the country is rapidly becoming an undisguised Marxist state.

They hold that the government of President Kwame Nkrumah is seeking complete ideological control over the judiciary, education, the civil service, the army, and the police.

These views are confirmed almost daily by the Government-owned press and radio, which have proclaimed "total war" on capitalism and are demanding a nationwide purge of all "antiprogressive" elements.

The Government press continued its stepped-up attacks against the United States and what it called other "imperialist" countries of the West. Typical was a commentary in the Ghanaian Times that demanded the expulsion of all Peace Corps volunteers. They were described as "spies and meddlers."

* * * * *

Party members were further heartened by an announcement by the President on New Year's Eve. He said that a constitutional amendment making the Convention People's Party Ghana's sole political party would be put to a referendum January 24.

SOVIET PARALLEL NOTED

The proposed amendment is taken almost word for word from article 126 of the 1936 Soviet Constitution.

The abortive attempt on Mr. Nkrumah's life last Thursday has served to intensify the drive against "reactionaries" and "counter-revolutionaries." The President was not hurt in the attack, but a bodyguard was killed.

The tone of the Government's campaign was set by Kofi Baako, the Defense Minister. Hailing the President's escape in the attack, he declared; "Kwame is to Africa today what Lenin was to the Soviet Union in 1917."

[From the New York Times, Feb. 15, 1965]

Kwame Nkrumah's Betrayal

President Nkrumah has just about read himself and his government out of the comity of civilized nations. Five persons, including two former cabinet ministers have been condemned to death by a court from which Mr. Nkrumah virtually demanded death sentences. Three of the men had had a fair trial after their arrest on suspicion of complicity in the attempted assassination of President Nkrumah in August, 1962. The Chief Justice, Sir Arku Korsah, who presided over a special court to try the men, acquitted three of them.

Thereupon, Mr. Nkrumah dismissed the chief justice, had the verdict quashed, appointed some new judges, and saw to it that the men were found guilty. The death sentences may well be commuted by Nkrumah, but nothing can remove the stigma of as flagrant an example of political justice as has been seen anywhere in years.

These developments came to a head just as the former leader of the opposition in Ghana, Dr. Danquah, died in prison of the hardships that had been inflicted on him. He was a brave, patriotic, high-minded Ghanaian who did as much as Kwame Nkrumah to lead the successful struggle for independence.

President Azikiwe of Nigeria commented on Dr. Danquah's death and on the general situation in Ghana in words that all responsible African statesmen would applaud. "If," he said, "independence means the substitution of indigenous tyranny for alien rule, then those who struggled for the independence of former colonial territories have not only desecrated the cause of freedom; they have betrayed their people."

President Nkrumah has deeply discouraged those in Europe and the United States who support African causes. He has done more harm to the new Africa than and supposed colonialism or imperialism could do.

All this happens while Ghana's economy is in extremely bad shape because of a fall in the price of cocoa on the world markets, a sharp rise in imports and a program of deficit financing that has no relation to the rules of economics. If Ghana is to avoid a runaway inflation and a balance-of-payments crisis, she will need help from abroad. This is a curious time for Kwame Nkrumah to flout or ignore world opinion.

INDIANA DUNES NATIONAL LAKESHORE

Mr. DOUGLAS. Mr. President, the endorsement by President Johnson of the Indiana Dunes National Lakeshore, in his truly great message on natural beauty, is an important boost to the long effort to save the Indiana Dunes. However, as Chicago's American recently pointed out in an editorial, on the same day when the President sent his message to Congress, the Senate Subcommittee on Parks and Recreation heard protests against the proposed park from a company whose workers and their families will be among the chief beneficiaries of the national lakeshore. The subcommittee heard the same protests last year, but wisely chose to side with the people. It reported S. 2249, which was passed by the Senate on September 30.

I am confident that the Subcommittee on Parks and Recreation will again approve the new lakeshore bill, S. 360—which is identical to S. 2249—with its boundaries intact, so that the Senate can speedily approve this much needed park in the heart of the Gary, Ind.-Chicago region.

I ask unanimous consent that the Chicago's American editorial of February 10 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Chicago (Ill.) American, Feb. 10, 1965]

An Antiugliness Program

President Johnson's special message to Congress on conservation was an urgent appeal for action, as it should have been. The President's solemn, inflated style is not the most effective, and we wish he could get along without such phrases as "indifferent alike to the judgment of history and the command of principle." Still, he was not exaggerating at all about the need for some strong antipollution and antiugliness legislation, and we hope Congress gives his program a high priority.

In his message, Johnson himself gave encouragingly high priority to the Indiana dunes, and the need for saving what's left of them by designating 11,000 acres as the Indiana Dunes National Lakeshore. The need was promptly demonstrated by representatives of Inland Steel Co., who set up a howl of protest against losing 830 acres of Inland's property to the public. William A. Blake, an Inland official, complained before a Senate subcommittee that Inland's territory adjoining the park area would be turned into a Coney Island.

Obviously, the fight to save some of this uniquely beautiful area for public enjoyment is not won yet.

Under a "compromise" arrived at last year, Illinois Senator Paul Douglas and other conservationists salvaged the lakeshore area by giving up 4,677 acres to two other steel companies, Bethlehem and National. The companies wanted the property primarily to build a port facility at Burns Ditch, in Porter County, and Indiana politicians battled on their behalf as though the State's economy were at stake.

Actually, it is very doubtful that the Burns Ditch port will ever amount to anything but a gift from the taxpayers for the exclusive benefit of the steel companies. There is no evidence that other industries or shippers will get any good from it, or even that public terminal facilities will ever be built there. Now Inland, which actually opposed the Burns Ditch harbor because it had no access to the site, is battling the conservation measure for its own reasons.

All this should show what kind of a fight will be called for if this country is going to save its natural beauties from systematic destruction. As Johnson made clear, there is no time to waste.

PRESIDENTIAL AND VICE PRESIDENTIAL SUCCESSION — PRESIDENTIAL DISABILITY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid down and made the pending business, and that the morning hour be concluded.

The VICE PRESIDENT. Without objection, the Chair lays before the Senate the unfinished business.

The Chief Clerk. A joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I move that the order for the quorum call be rescinded.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business to consider the nominations on the Executive Calendar, beginning with the Department of Defense.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committee.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the first nomination, beginning with the Department of Defense.

DEPARTMENT OF DEFENSE

The Chief Clerk read the nomination of Kenneth E. BeLieu, of Oregon, to be Under Secretary of the Navy.

Mr. STENNIS. Mr. President, I shall detain the Senate only a few minutes. I wish to express myself briefly with reference to the confirmation of this fine appointment and to commend the President for selecting a man of the background and experience that Mr. BeLieu has for a civilian position in the Department of Defense. This young man has had fine experience both on the field of battle and in the battle of operating the Government. He has been connected with some of us in our duties in the Committee on Armed Services, where he did work of the highest order.

I have never known a person who had a better attitude or a more dedicated attention to duty. Mr. BeLieu has already proved himself to be a capable administrator as Assistant Secretary of the Navy. I feel certain that his work will continue in the same fine order of outstanding accomplishment.

Mr. BeLieu served in the Army for more than 10 years and was promoted on the battlefield. I am proud to see in the civilian branch of the Government the appointment of a military man of his background and splendid dedication. I hope there will be more such appointments.

Mr. SALTONSTALL. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. From this side of the aisle, I wish to endorse the statement of the Senator from Mississippi. Mr. BeLieu was a member of the staff of the Committee on Armed Services. He was appointed to that particular position by the present President of the United States. He gave us excellent assistance when he was an important adviser to our committee, and since then he has acted most cooperatively and understandingly with the members of the Committee on Armed Services on questions that concerned the Navy.

He has now been promoted. I am certainly happy to endorse his nomination, as the Senator from Mississippi has just done.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. DIRKSEN. I concur fully in the observations made today. Ken BeLieu served with distinction on the Military Preparedness Subcommittee, when he was closely associated with the then distinguished majority leader of this body, who is now the President of the United States.

I can think of no one who performed his duties more diligently. I can think of no one who brought to his duties a higher patriotic fervor than Ken BeLieu. Nearly every Member of the Senate knew him quite well.

It is a high compliment to him that he should be advanced; he richly deserves it. I fully concur in the action of the President in sending his name in for appointment.

Mr. STENNIS. Mr. President, I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. AIKEN. Mr. President, I can add nothing to what has been said about Ken BeLieu personally. I commend the President for appointing him to the position of Under Secretary of the Navy. It is a good appointment.

Mr. STENNIS. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Mr. President, I join my colleagues in what they have said about the appointment by the President of Mr. Kenneth E. BeLieu to the office of Under Secretary of the Navy.

Mr. BeLieu is an excellent American. He has proved his mettle as the distinguished Senator from Mississippi has said, on the field of battle and in the Senate committees as well as in the Department which he has served so effectively over the past several years.

This is one of the best appointments that could be made. I am delighted, and am certain that the nomination will be confirmed unanimously by the Senate.

Mr. STENNIS. I thank the Senator. This gentleman was originally brought to the Committee on Armed Services by the Senator from Georgia [Mr. RUSSELL], and was taken away from us to the Space Committee by the present President of the United States.

Mr. JACKSON. Mr. President, I wish to associate myself with the remarks of my colleagues regarding the nomination of Mr. Kenneth E. BeLieu to be Under Secretary of the Navy. His nomination was reported unanimously by the Committee on Armed Services. In my judgment he has brought to the Navy and to the Department of Defense the rich experience of the professional soldier and professional staff member of the two Senate committees. He served in the U.S. Army with great distinction from 1940 to 1955.

He was a professional staff member of the Committee on Armed Services.

Subsequently, he served as staff director of the Senate Preparedness Subcommittee of the Committee on Armed Services. He also served as staff director of the Aeronautical and Space Sciences Committee. The latter two committees were chaired by the then Senator Lyndon Johnson.

I have had the privilege of working with Mr. BeLieu during the time that he served with such great distinction on the staffs of the committees I have mentioned.

I have also observed his work over the past 4 years as Assistant Secretary of the Navy.

Mr. BeLieu is a man of great integrity, a man who has done outstanding work in all the assignments he has undertaken for his Government.

Mr. President, I ask unanimous consent to have a biographical sketch of Mr. BeLieu printed at this point in the RECORD.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

KENNETH E. BELIEU, ASSISTANT SECRETARY OF THE NAVY (INSTALLATIONS AND LOGISTICS)

Mr. BeLieu was born in Portland, Oreg., on February 10, 1914. He is the son of Ila Jean BeLieu and the late Perry G. BeLieu of Oregon. He is married to the former Margaret Katherine Waldhoff of Anoka, Minn., and has two sons, Kenneth E., Jr., and Christopher Michael.

He attended Roosevelt High School (class of 1933) in Portland, Oreg., the University of Oregon, Eugene, Oreg. (class of 1937), and the Harvard Business School (advanced management program, 1955).

After 3 years in business in Portland, in 1940 Mr. BeLieu volunteered for active duty with the U.S. Army and was commissioned a second lieutenant of Infantry. His World War II service carried him from the Normandy landings through the campaigns in France, the Battle of the Bulge, and into Germany and Czechoslovakia. He was awarded the Silver Star, Legion of Merit, Bronze Star, Purple Heart, and Croix de Guerre for gallantry in action. He was discharged from the Army in 1945 with the rank of lieutenant colonel.

Shortly after returning to civil life, he was offered a commission in the Regular Army, which he accepted in July 1946. He was ordered to Washington, D.C., where he served in various assignments in Department of the Army headquarters. In July 1950, Mr. BeLieu volunteered for action in Korea and, while there lost his left leg below the knee in November of 1950 and was returned to the United States. While in Korea, Mr. BeLieu was decorated by both the United States and Korean Governments. From the spring of 1951 until his retirement in October of 1955, he served as executive officer to two Secretaries of the Army.

In November 1955, Mr. BeLieu became a professional staff member of the Senate Armed Services Committee. In January 1959, he assumed two principal responsibilities. First, he became staff director of the Senate Committee on Aeronautical and Space Sciences—the committee which has jurisdiction to survey and review all aeronautical and U.S. space activities and analyze all legislation dealing with the National Aeronautics and Space Administration. Second, Mr. BeLieu became staff director of the Preparedness Investigating Subcommittee of the Senate Committee on Armed Forces. This committee has broad authority to review, investigate, and make recommendations on all aspects of the Nation's military policies, programs, and operations. The Senate Committee on Aeronautical and Space Sciences and the Preparedness Investigating Subcommittee of the Senate Committee on Armed Forces were chaired by the then Senator Lyndon B. Johnson.

Mr. BeLieu was confirmed by the U.S. Senate on February 6, 1961, and sworn in as Assistant Secretary of the Navy for Installations and Logistics on February 7, 1961.

Mr. JACKSON. Mr. President, Mr. BeLieu understands the duties and responsibilities of the Congress and the executive branch of the Government in the field of national security.

I feel that the Navy and the Department of Defense and the country as a whole will be honored by his service as Under Secretary of the Navy.

Mr. DODD. Mr. President, the career of Kenneth E. BeLieu is one of steady progress upward, to successive positions of increased demands and responsibilities.

Senate confirmation of Ken BeLieu today, to be Under Secretary of the Navy, will be further recognition by us of the fact that he consistently does an outstanding job, regardless of where he may be called upon to serve.

And I am sure that Ken BeLieu will reach even higher positions within the Federal Government in the future.

In January 1959, my first month in the Senate, Ken BeLieu was appointed staff director of the Senate Space Committee, a committee to which I was assigned at the same time.

Ever since then, I have known Ken well and have worked closely with him. He has without exception been courteous, responsive and, whenever possible, helpful to me when I have come to him with a problem.

I know that my colleagues have received the same high quality of service from Ken, especially during the last 4 years when he has carried out with distinction the difficult duties of Assistant Secretary of the Navy for Installations and Logistics.

President Johnson has chosen well, I believe, and with his nomination of Kenneth BeLieu he has continued his excellent policy of promoting deserving people up through the ranks.

I can think of no better experience and background for this position of Navy Under Secretary than Ken BeLieu's, as a businessman, Army officer, staff man in the Congress and Assistant Secretary of the Department in which he will continue to serve.

I urge prompt and unanimous approval of his nomination by the Senate.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

The legislative clerk read the nomination of Graeme C. Bannerman, of the District of Columbia, to be an Assistant Secretary of the Navy.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The legislative clerk proceeded to read sundry nominations in the Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Air Force will be considered en bloc; and, without objection, they are confirmed.

U.S. NAVY

The legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Navy will be considered en bloc; and, without objection, they are confirmed.

U.S. MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE ARMY, IN THE NAVY, AND MARINE CORPS

The legislative clerk proceeded to read sundry routine nominations placed on the Secretary's desk in the Army, Navy, and Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

OFFICE OF EMERGENCY PLANNING

The legislative clerk read the nomination of Buford Ellington, of Tennessee, to be Director of the Office of Emergency Planning.

Mr. BASS. Mr. President, I shall take only a moment to commend the President for the wise choice that he has made in selecting the former Governor of Tennessee to be Director of the Office of Emergency Planning.

Mr. Ellington has had a distinguished career in public service, both in the executive and legislative branches of the Government. He served with distinction in the State Legislature of the State of Tennessee, and then in the office of secretary of agriculture for our State for a period of 6 years.

After that time, he was chosen to be the Governor of our State, and served with distinction in that office for 4 years. He left the office of Governor probably as popular as any man in the history of our State.

Governor Ellington has been a close associate of President Johnson's for a number of years. Serving in this very important office, where, as was stated, he will also be a member of the Security Council, his experience and ability will serve the Nation well.

I also commend Governor Ellington for accepting the position. Governor Ellington was well situated in private life in Tennessee. I know that in many instances today it is a great sacrifice for some Americans to leave the security of important positions to come with the Government to serve in these needed capacities.

Mr. Ellington has made a sacrifice to accept this position. I commend him for this. I commend Mr. Ellington to the Senate. I hope that the Senate will advise and consent with the President on this most important nomination of Governor Ellington to become the Director of the Office of Emergency Planning.

Mr. STENNIS. Mr. President, with reference to the confirmation of the nomination of Hon. Buford Ellington to be Director of the Office of Emergency Planning, I know the gentleman from Tennessee to be a very able man of fine experience, having been a highly successful Governor of the great State of Tennessee. I know not only of his ability, but also of this splendid attitude as a public official and public servant.

This is a highly important office for the added reason that he will be a member of the National Security Council, in which position I feel that his advice and counsel will be of great value.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, Senate Joint Resolution 1, be temporarily laid aside and that the Senate proceed to the consideration of S. 985.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 985), to regulate interstate or foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain commodities distributed in such commerce, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

DECLINE OF MORALITY IN THE UNITED STATES

Mr. TALMADGE. Mr. President, there appeared in the January 18 edition of the San Francisco Examiner one of the most forthright editorials I have had an opportunity to read on a matter which is of increasing concern to the American people—the decline of morality in the United States.

The newspaper asked editorially, "What Has Happened to Our National Morals?" and then it recites chapter and verse which leads only to the conclusion that they have fallen to perhaps the lowest level in the history of our country. As the Examiner pointed out, and I quote:

> In the two decades since the end of World War II we have seen our national standards of morality lowered again and again.
>
> We have seen a steady erosion of past principles of decency and good taste.
>
> And, we have harvested a whirlwind. As our standards have lowered, our crime levels and social problems have increased.

Mr. President, this editorial deserves the widest dissemination possible, for it calls attention to a problem with which we must soon come face to face and which we must take action to correct.

I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection the editorial was ordered to be printed in the RECORD, as follows:

> [From the San Francisco Examiner, Jan. 18, 1965]
>
> ### THE APPALLING EROSIONS OF MORAL STANDARDS
>
> What has happened to our national morals?
>
> An educator speaks out in favor of free love.
>
> A man of God condones sexual excursions by unmarried adults.
>
> Movies sell sex as a commercial commodity.
>
> Bookstores and cigar stands peddle pornography.
>
> A high court labels yesterday's smut as today's literature.
>
> Record shops features albums displaying nudes and near nudes.
>
> Nightclubs stage shows that would have shocked a smoker audience a generation ago.
>
> TV shows and TV commercials pour out a flood of sick, sadistic, and suggestive sex situations.
>
> A campaign is launched to bring acceptance to homosexuality.
>
> Radio broadcasts present discussions for and against promiscuity.
>
> Magazines and newspapers publish pictures and articles that flagrantly violate the bounds of good taste.
>
> Four letter words once heard only in barroom brawls now appear in publications of general distribution.
>
> Birth control counsel is urged for high school girls.
>
> Look around you. These things are happening in your America. In the two decades since the end of World War II we have seen our national standards of morality lowered again and again.
>
> We have seen a steady erosion of past principles of decency and good taste.
>
> And we have harvested a whirlwind. As our standards have lowered, our crime levels and social problems have increased.
>
> Today, we have a higher percentage of our youth in jail * * * in reformatories * * * on probation and in trouble than ever before.
>
> Study the statistics on illegitimate births * * * on broken marriages, on juvenile crimes, on school drop-outs, on sex deviation, on dope addiction, on high school marriages, on crimes of passion.
>
> The figures are higher than ever. And going higher.
>
> Parents, police authorities, educators and thoughtful citizens in all walks of life are deeply disturbed.
>
> They should be. For they are responsible. We of the older generation are responsible.
>
> Our youngsters are no better and no worse than we were at the same age. Generally, they are wiser. But—they have more temptations than we had. They have more cars. They have more money. They have more opportunities for getting into trouble.
>
> We opened doors for them that were denied to us. We encouraged permissiveness. We indulged them. We granted maximum freedoms. And we asked for a minimum in respect * * * and in responsibility.
>
> Rules and regulations that prevailed for generations as sane and sensible guides for personal conduct were reduced or removed. Or ignored.
>
> Prayer was banned from the schoolroom and the traditional school books that taught moral precepts as well as reading were replaced with the inane banalities of "Dick and Jane."
>
> Basically, there are just two main streams of religious thought in these United States. Those who believe in a Supreme Being. And those who do not.
>
> The first group far outnumbers the second. But this Nation that was founded on the democratic concept of "majority rule" now denies the positive rights of many to protect the negative rights of a few.
>
> As prayer went out of the classroom so, too, did patriotism.
>
> No longer are our children encouraged to take pride in our Nation's great and glorious past.
>
> Heroes are downgraded. The role played by the United States in raising the hearts and hopes of all enslaved peoples for a century and a half is minimized.
>
> We believe this is wrong. We are convinced that a majority of our citizens would welcome an increase in patriotism and prayer and a decrease in the peddling of sex, sensationalism, materialism, and sordidness.
>
> In a few days the Examiner will present the first in a series of profiles of our Nation's heroes. We will salute the men and women who contributed so much to our national legacy in valor, science, education, religion, and art.
>
> In the months ahead we will also intensify our efforts to fight back against the appalling vulgarization of sex.
>
> We do not propose prudery. Neither do we propose wildeyed, fanatical patriotism.
>
> In both areas, we propose to address ourselves to the problems as we see them with calm reason and respect for the rights of those with views contrary to ours.
>
> As a newspaper we have an obligation to reflect life as it is, not as it ideally might be. We will, therefore, continue to print all the news. That which is sordid and tawdry we will treat in a manner suitable for a family publication.
>
> Over the years we have refused to accept advertising which we felt exceeded the bounds of good taste. We will pursue this course with greater dedication in the future.
>
> Our test will be our own standards of good taste. We do not claim infallibility. Readers have felt we erred in the past. Others will undoubtedly feel we do so in the future. Such errors of excess—if they occur—will be in spite of our efforts, not because of them.
>
> If the general public is as deeply disturbed as we are by the decline in national morals and in national pride, let it speak out.
>
> Together we can put down the sex peddlers without lifting the bluenoses. And, with God's help, we can put prayer and patriotism back in our classrooms. And in our hearts and homes, as well.

FIFTH MEETING OF MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

Mr. TYDINGS. Mr. President——

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from Maryland is recognized.

Mr. TYDINGS. Mr. President, it was recently my privilege to serve in the American delegation to the fifth meeting of the Mexico-United States Interparliamentary Group in Mexico from February 11 to 18.

The U.S. delegation committee was headed by the distinguished Senator from Alabama [Mr. SPARKMAN], and had on it the distinguished Senator from Oregon [Mr. MORSE], the distinguished Senator from Tennessee [Mr. GORE], the distinguished majority leader of the U.S. Senate [Mr. MANSFIELD], the distinguished Senator from Alaska [Mr. GRUENING], the distinguished junior Senator from New Mexico [Mr. MONTOYA], the distinguished senior Senator from Vermont [Mr. AIKEN], the distinguished Senator from Utah [Mr. BENNETT], the distinguished Senator from Wyoming [Mr. SIMPSON], and the distinguished Senator from Arizona [Mr. FANNIN].

In addition, as a part of the U.S. delegation there was a distinguished group from the House of Representatives, headed by Hon. ROBERT N. C. NIX, of Pennsylvania; and including Hon. HARRIS B. McDOWELL, JR., of Delaware; Hon. JAMES C. WRIGHT, JR., of Texas; Hon. HAROLD T. JOHNSON, of California; Hon. RONALD BROOKS CAMERON, of California; Hon. JOHN M. SLACK, JR., of West Virginia; Hon. HENRY B. GONZALEZ, of Texas; Hon. EDWARD J. DERWINSKI, of Illinois; Hon. WILLIAM L. SPRINGER, of Illinois; Hon. F. BRADFORD MORSE, of Massachusetts; Hon. JAMES HARVEY, of Michigan; and Hon. ALPHONZO BELL, of California.

The purpose of my taking the floor is to invite the attention of Senators to the fact that during this Interparliamentary Conference the problem of population growth was considered. It was considered and discussed at length by one of the committees of the Conference. It was discussed openly and candidly. The various implications of unchecked population growth, particularly in the backward sections of the world, were explored at length.

As a result of the discussion between the Mexican and United States representatives, a resolution was adopted and included in the report, both of the American reporter for the section of the Conference and of the Mexican reporter.

I should like to read two paragraphs included in the report and call to the President's attention the fact that this may be the first time an international conference has publicly taken cognizance of this problem and requested the respective governments of the participants to take specific action. I read these two paragraphs from the U.S. report, which is entitled "Demographic Conference":

> Deeply concerned with the present rate of world population growth, Committee III appointed a subcommittee composed of two members from our respective delegations, and this subcommittee drafted a committee proposal that the Mexican and United States delegations "recommend to their respective Governments that they take immediately such steps as may be necessary to initiate, either through existing international organizations or independents, if necessary, an international conference to study the problem of world demographic growth."

I believe this was an extremely important contribution made by the conference. I hope note will be taken of it.

Mr. HART. Mr. President I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING—REFERENCE OF SENATE BILL S. 985

Mr. HART. Mr. President, it is my understanding that the pending business is the question of reference of S. 985.

The PRESIDING OFFICER. The bill (S. 985) is before the Senate for disposition at the present time.

Mr. HART. Mr. President, Senators will recall that this bill was introduced several weeks ago. At that time, the distinguished minority leader asked that it lie on the table. It was his intention to raise questions with respect to the appropriate reference of the bill.

As the introducer of the bill, my request was that it be received and appropriately referred. In view of the concern expressed by the Senator from Illinois [Mr. DIRKSEN], I now ask unanimous consent that the bill be referred to the Committee on Commerce. I do this inasmuch as that is where the bill, the preliminary events concerning which I have described, would normally be referred.

I do this for a simple reason. Established tradition and precedents clearly require and direct that proposed legislation that would establish labeling requirements on goods moving in interstate commerce should be referred to and be under the jurisdiction of the Committee on Commerce. This is precisely such a bill; and under the precedents I move that this reference now be made.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. I presume that at the end of the discussion, on the basis of parliamentary advice, the Chair will make a reference; and I am assuming, of course, in line with the request of the distinguished Senator from Michigan, that the bill will be referred to the Committee on Commerce. Is that correct?

The PRESIDING OFFICER. The Senator from Michigan has moved to refer the bill to the Committee on Commerce.

Mr. DIRKSEN. Mr. President, I make it plain now that I have no quarrel with the jurisdiction of the Commerce Committee, because I believe that its jurisdiction is involved. However, I would first request that the distinguished Senator from Michigan agree, if he is in position to agree, that after the Commerce Committee completes its work on the bill, it shall go to the Committee on the Judiciary.

Failing of that, I would probably have to take an appeal from the ruling of the Chair. Is that correct?

The PRESIDING OFFICER. The motion to refer is now pending before the Senate for its determination.

Mr. HART. Mr. President, several weeks ago, when the bill was introduced, and the question first developed, I indicated that I felt that at this juncture it would be inappropriate and indeed undesirable to direct the reference of this bill to any committee other than the Committee on Commerce. It may well be that in the form reported, if at all reported, by the Committee on Commerce, the bill could be referred to some other committee, including the Committee on the Judiciary.

I feel very strongly, however, that it would be undesirable at this juncture to condition the reference to the Committee on Commerce on a subsequent reference to the Committee on the Judiciary.

My motion was to refer the bill to the Committee on Commerce.

The PRESIDING OFFICER. That is the pending motion.

Mr. HART. The reason why I make the motion is that this question was raised by the Senator from Illinois at the time of the introduction of the bill. It would not be appropriate, as I see it, that the question be resolved by an appeal from the decision of the Chair under these circumstances.

Mr. DIRKSEN. I agree with the Senator from Michigan; but I think a substitute is in order—if it is in order—to give direction to the Chair, and that is that the bill be referred to the Committee on the Judiciary.

The PRESIDING OFFICER. The pending motion is not amendable, except to add instructions to the committee. If the motion is defeated, the question reverts to whatever motion the Senator may propose.

Mr. DIRKSEN. The motion now before the Senate is for reference of the bill to the Committee on Commerce.

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Mr. President, this bill on packaging and labeling was introduced in the 87th Congress. There was very little action at that time. Subsequently, an identical bill was introduced in the 88th Congress. We are now in the 89th Congress.

The introducer or author of the bill has undertaken only to modify it in one respect. Heretofore it was offered as an amendment to the Clayton Act. That certainly gave it antitrust attributes and clearly placed it within the jurisdiction of the Judiciary Committee. It is now introduced as an independent bill without reference to the Clayton Act.

As I have indicated, I do not dispute the fact that under the rule it could very well go to the Commerce Committee. However, I believe that under the circumstances the bill should not be taken from the hands of the Judiciary Committee, and I shall assign some reasons for that.

In the first place, the author of the bill himself, in his report in connection with the bill, when it passed from the subcommittee to the full committee, said:

> This bill then is in the tradition of the antitrust laws, and also this bill would bring the antitrust laws up to date, insofar as the nonprice form of competition represented by packaging and labeling is concerned.

He therefore recognized on that occasion, and I believe on other occasions, that it had antitrust characteristics. Very properly, then, it went to the Committee on the Judiciary.

A bill either identical or substantially similar was introduced in the House, and that bill went to the House Judiciary Committee.

Let us consider for a moment the work that has been done on the proposed legislation. There were 15 days of legislative investigation, 11 days of hearings, 88 witnesses were heard, and many statements were filed. We took about 2,000 pages of testimony. It cannot be said, therefore, that the Judiciary Committee did not make a thorough examination of the bill.

I thought it was rather mischievous. I thought it had a hole in it. I saw no warrant for the bill. I saw in it an unwarranted imposition upon industry and business. I could see that it would be an attack on innovation in the whole packaging field. As a consequence, it occurred to me that it should not be passed at all. I have been opposed to it, and we have fought the bill.

That is one reason why it never came out of the Judiciary Committee. I must speculate, however, on this point, and say that if it had gone to the full committee for a vote, I feel reasonably certain that the bill would not have been approved by the full committee.

We can see how much mischief might be involved if a bill were introduced and it were referred to a committee, and if, after nearly three sessions of Congress no favorable action were taken on it, it were undertaken to modify the bill, not in its text, not in its substance, not in its purposes, not in its objective, but only for the purpose of enhancing the hope that perhaps another committee would pass favorably on the bill.

Let us suppose that that kind of precedent were to stand in the Senate, and that the author of a bill had no luck with one committee and then modified it somewhat and had it referred to another committee. Consider, first of all, the duplication of work, and consider also our feelings in the matter, to the effect that hereafter, after all this period of time, we must feel that our labors were pretty much in vain.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MAGNUSON. The precedent, if there was one, is that the bill was originally sent to the Judiciary Committee. In the past, such bills have always come to the Commerce Committee. These bills belong to the Committee on Commerce. At the time it was referred to the Judiciary Committee I made a mild protest, but it went unheeded. The bill is now "home," in the Commerce Committee, where it belonged in the first place.

Mr. DIRKSEN. No; it properly went to the Judiciary Committee.

Mr. MAGNUSON. I do not think so.

Mr. DIRKSEN. Yes; because in the first instance, it involved an amendment to the Clayton Act.

Mr. MAGNUSON. Part of it was an amendment to the Clayton Act, but the main purpose involved truth in packaging. We have always handled bills referring to labeling and packaging, and other bills of that type. The bill should have gone to the Commerce Committee in the first place, despite the fact that it contained a section dealing with the Clayton Act.

Mr. DIRKSEN. But in the very first instance it was made clear that the bill would be an amendment to the Clayton Act, which is in the general antitrust field.

Mr. MAGNUSON. The bill related to truth in packaging no matter what act it would amend, and that subject is within the province, under any conceivable interpretation of authority, of the Committee on Commerce.

Mr. DIRKSEN. I should like to read to the Senator what the distinguished author of the bill said at the first hearing. His opening statement included the following statement:

> What does this bill attempt to do? It is an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition—packaging and labeling.

I did not write that language. I did not make that statement. The author of the bill made it in his opening statement to identify the bill with the antitrust laws.

Mr. HART. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HART. We were talking about a previous bill. We were not talking about the bill which is now at the table awaiting reference. The Committee on Commerce would not in anywise undertake to amend any of the antitrust laws. Clearly, the bill at the table is a subject for the consideration of the Committee on Commerce. The worst that could be said for the precedent I suggest is that proposed packaging and labeling legislation, which everyone agrees should go to the Committee on Commerce, should also be referred to some other committee afterward because it may have some secondary implications.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MAGNUSON. The committee has considered 10 or 12 commodities in connection with labeling, including wool and fur. Some of the bills that were passed contained penalties and involved the amendment of some laws that might have properly, to a limited extent, concerned the Judiciary Committee. The Judiciary Committee never asked to have those bills referred to it. We had to put some teeth into them. But the whole broad subject comes under the jurisdiction of the Committee on Commerce.

I do not know whether the bill will be reported by the Committee on Commerce. I do not believe that there is any more favorable climate in that committee than in the Judiciary Committee. The only conclusion that I could come to is that the climate in the Judiciary Committee is not favorable, and that there is a possibility that it may be favorable in the Commerce Committee. I am not so sure. The committee will conduct hearings. Everyone will have an opportunity to have his say. But it is a part of our work in the general field of interstate commerce.

Mr. DIRKSEN. Mr. President, the answer to that argument is very simple. I have in my hand the bill that was introduced in the 87th and 88th Congresses. I read the first section:

> Paragraph 80. An act entitled "An act to supplement existing laws against unreasonable restraints and monopolies and for other purposes, approved October 15, 1914, commonly known as the Clayton Act," is amended by inserting therein, immediately after section 3 thereof, the following new section.

That bill would amend the Clayton Act. The bills of 1962, 1963, and 1964 in their text were absolutely identic with Senate bill 985, which is not even in print. I have in my hand a mimeographed copy of the bill. The initial language of the bill states—

> It shall be unlawful for any person—

And so forth.

The text is absolutely identic.

We did not hold hearings on the first section. We held hearings on the text of the bill and what complete standardization would do to business, industry, and commerce in this country in virtually dampening down any innovation in that field, scarcely taking into account all the difficulties that would be encountered in the packaging field.

I know something about it from my own early business experience. We used to buy a package of pretzels and shake it to see whether it was what is called in the trade a "slack" package. There would be some air space in the top of the package, and for a reason. When the pretzels were packaged, they were warm and had not settled. But when they are put into a carton and sent out to a merchant, they settle in the package, and a slack package will result. How can that kind of difficulty be overcome?

I point out also that the bill is an ultimate effort to standardize weights, I am sure, of so many items irrespective of the quality of the product.

One might go into a store and look at the bakery goods available and see a package of rolls of a common dough. As a former baker, I know something about that. The price is 49 cents. There is a stated weight. But next to that package will be a package that will seem to be the same size made of Danish dough and called "Danish pastry" with a higher price, but weighing perhaps 2 ounces less.

Would we standardize under those circumstances? There are millions of diversities in the business domain. For that reason I saw only mischief in what was attempted to be done.

After having taken 2,000 pages of testimony, and having before us some of the greatest experts in the country, we discover that after we did all that work it is now proposed to drag that bill out of the Judiciary Committee in the belief that it would be a little easier to get action in some other committee. The whole effort of the Judiciary Committee will have been wasted, unless and until that bill reaches the Senate floor; then we shall have our day in court.

Mr. HART. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished chairman of the committee.

Mr. HART. With respect to the bill now before the Senate and the earlier bill, I should like to make the following comment: Not alone does the current bill make no reference to the antitrust laws, but, in addition, there are differences in the bill. The canning industry's concern with respect to reasonable weights and measures has been considered, and changes have been proposed.

The candy and spice manufacturers were concerned about standardization. Those provisions have been considered and modifications have been made.

Responding to the suggestion of the glass bottle manufacturers—and, parenthetically, the effectiveness of these groups to voice their concern and to respond is very strong, as I believe we are seeing—changes in the measure indeed have been made.

But I believe the greatest uproar in the subcommittee hearings on the bill was because it was a proposed amendment to the Clayton Act. That concern has also been reflected in the new bill, so that it is no longer an amendment to the antitrust law. It is a straight effort to establish requirements with respect to packaging and labeling of goods in interstate commerce.

Mr. President, I think under the precedents of the Senate the measure should be referred to the Committee on Commerce. That is the motion. I have heard nothing in the course of the discussion that would change my opinion one iota.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COTTON. I appreciate the distinguished minority leader yielding to me for a moment. The only reason I have interrupted his speech is that what I have to say will be brief, and I should like to get it into the RECORD at this point. It relates to what he is saying.

I regret that I cannot go along with the distinguished Senator from Illinois in his attitude on the reference of the bill. As the senior minority member of the Committee on Commerce, I desire to go on record as agreeing with the distinguished chairman of the Committee on Commerce that that is the committee in which the bill should have been all the time. The distinguished minority leader is quite correct when he calls attention to the fact that the author of the bill is undoubtedly largely responsible for its referral to the Judiciary Committee in the first place. Though we do not discuss each other's motives, he may be quite correct that the author of the bill wished it referred to the Judiciary Committee for reasons of his own at the time the reference was made. But, after all, the question before the Senate today is not whether the author did something wrong before. Two wrongs do not make a right. It is true that the Judiciary Committee has given the subject careful consideration. But we on the Commerce Committee can read the record—and all the testimony is available to us.

There are many ways in which corporations in this country might enter into monopolies and conspiratorial activities. But one that I doubt they have entered into very often is engaging in some kind of conspiracy to puff and praise their competitor's goods by improper advertising. I believe there is more likely to be competition than a lack of competition. Fundamentally, the bill should have been in the Committee on Commerce. I dislike to see the jurisdiction of the Committee on Commerce surrendered, even though the bill has been in the hands of the Committee on the Judiciary. I assure my distinguished leader that the Senator from New Hampshire is not for one moment committing himself to the bill; he believes the bill contains elements that should be subjected to careful scrutiny. We are discussing merely the matter of the jurisdiction of the committee.

If the bill should be referred to the Committee on the Judiciary, it could go down the line and take transportation bills and all other kinds of bills that are within the province of the Committee on Commerce. The Committee on the Judiciary could divest the Committee on Commerce of two-thirds of the bills upon which it is exercising and always has exercised jurisdiction.

So as a member of the Committee on Commerce, I wish to make my position plain, with all respect to the distinguished minority leader. I understand completely his position in this instance. But fundamentally, right is right, and I believe the bill should be referred to the Committee on Commerce.

Mr. DIRKSEN. Mr. President, let me say to my distinguished friend from New Hampshire that, in the first place, at no time when the bill was introduced in the 87th and 88th Congresses did I ever go to the desk and speak with the Parliamentarian or the Presiding Officer and ask where the bill should be referred. It did not make any difference to me. When the bill was examined to see what the overriding interest was, it was then, doubtless on the advice of the Parliamentarian, referred to the Committee on the Judiciary. But the minority leader had nothing to do with that. The bill was officially referred to the Committee on the Judiciary, and in consequence we addressed ourselves to it over the whole long period. Are we now to be divested of jurisdiction because of the minor changes and the fact that this bill is not hooked up with the Clayton Act?

Let me add to this statement something that happened only yesterday. The distinguished Senator from Alabama [Mr. SPARKMAN] introduced a bill, and this is what he said:

> Before closing, I wish to make one further point. I have never made it a policy of suggesting to which committee a bill that I introduced was referred. I do wish, however, to call attention to the fact that the bill I introduce today, "The Fair Compensation Act of 1965," crosses many jurisdictional lines of Senate committees. The Committees on Banking and Currency, Public Works, Interior and Insular Affairs, and Commerce, among others, have jurisdiction over programs which would be affected by this bill. Possibly it is appropriate under those circumstances to recall that the Committee on Government Operations has already made a study of this matter in its consideration of my earlier bills, S. 2802 and S. 671. I, therefore, ask that this bill be referred to the Committee on Government Operations.

There was multiple jurisdiction; but the bill was referred to the committee that had already considered some aspects of the proposal.

That is exactly what should happen in this instance. The Committee on the Judiciary believes it has jurisdiction. We do not say that the Committee on Commerce does not have jurisdiction. But in views of the testimony of 88 witnesses, numerous statements, and 2,000 pages of testimony, why should the bill be taken out of our hands? If that is to be the policy, will it become necessary to monitor every bill that will be introduced from now on before it is referred, and raise a question as to where it should be referred? We shall have a pretty kettle of fish before we get through.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COTTON. I thank the Senator from Illinois. I shall not interrupt him again.

The Senator from New Hampshire wishes to make it perfectly clear that he does not contend that the bill should be referred to the Committee on Commerce because of any changes that have been made in it since a similar bill was originally introduced. One cannot make an elephant a camel by calling it a camel. The mere fact that when the bill was introduced, it contained a title and a reference to the Clayton Act, in the opinion of the Senator from New Hampshire, to be perfectly frank, and without reflecting unduly on the Senator from Michigan [Mr. HART], was not sufficient to warrant its reference to the Committee on the Judiciary.

I do not criticize the distinguished minority leader for the position he has taken; but fundamentally the fact remains that when the bill was originally introduced, it should have been referred to the Committee on Commerce. The Senator from Washington [Mr. MAGNUSON], chairman of the committee, said he made a mild protest. I do not recall. The Senator from New Hampshire did not say a word. Probably I was not on the floor, and I might have been guilty of being dilatory. But in the opinion of the Senator from New Hampshire, the bill should have been referred to the Committee on Commerce. We would be consenting to an invasion of our jurisdiction were we to agree to the reference of this bill to the Committee on the Judiciary.

If the bill were to be referred to the Committee on the Judiciary immediately, in one fell swoop, the Committee on Commerce should then lose jurisdiction over the quality stabilization bill, and we should have lost jurisdiction of the railroad work rules bill, jurisdiction that we exercised at the last session. The Committee on Commerce would lose jurisdiction of many of the transportation regulation bills, including the legislation the effect of which would be to substitute antitrust law regulation for Interstate Commerce Commission regulation.

Such bills have been referred to our committee in the past, and I believe there is one pending; but, under the Senator's proposal, they should have been referred to the Committee on the Judiciary. Most of the jurisdiction of our committee would be invaded. That was the point I was raising. All of us have an understanding and appreciation of the justice of the position of the Senator from Illinois on this particular bill because of what has happened in the past.

Mr. HRUSKA. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. HRUSKA. It is interesting to observe that the Senator from New Hampshire is so zealous concerning the jurisdiction of the Committee on Commerce. He contends that the packaging bill involves commerce and that a failure to refer it to the Commerce Committee will be usurpation of the jurisdiction of that committee. If we were to apply his reasoning literally the Antitrust and Monopoly Subcommittee would have no jurisdiction whatsoever. Everything it handles deals with goods in commerce. The subcommittee has held extensive hearings throughout the years on almost everything that flows in the stream of commerce.

There have been hearings on steel, automobiles, bread, drugs, hearing aids, roofing materials, insurance, and funerals, to name only a few. Name a line of commerce, and we have had hearings on it. We are the members of the subcommittee that is expert in everything. Every one of the subjects I have mentioned is inseparably connected with commerce.

To apply the reasoning advanced by the Senator from New Hampshire would leave the Antitrust Subcommittee with nothing to do. Perhaps that might be wise. Our budget is substantial, and this is the day of economy. We have a Great Society to support. We could cancel the appropriation for this subcommittee, an appropriation which amounts to half a million dollars, and turn our attention to something else, flooding the Committee on Commerce with all these subjects.

I have read carefully the packaging bill introduced this session and compared it with those introduced in the 87th and 88th Congresses. Its provisions are the same as those in prior bills. Its proscriptions are the same. Its procedures are the same. Most important, its purposes are the same. In all material respects, the bill at hand is identical to those bills which previously have been considered, without objection or question, by the Antitrust Subcommittee. In light of this, any divestiture of the jurisdiction of the Judiciary Committee and its subcommittees at this point clearly would be out of order.

I am not unmindful that the new bill, if it may be called that, has been modified to the extent that its sponsors now refrain from calling it an antitrust bill and have ceased to urge it as an amendment to the Clayon Act of the antitrust laws. By deleting the reference in their bill to the Clayton Act they apparently think they have successfully cleansed it of its antitrust implications. The issue, therefore, is whether the bill still is essentially an antitrust measure.

This cannot be determined by examining the descriptive phrase in the bill; calling a tort a contract and vice versa does not make it so. This can be determined only by examining the substantive provisions in the measure. The sponsors may call their bill anything they like, hang on it any label they please. However, this body is not interested in how a bill is described or where the codifiers may station it. This body is concerned with substance and what a bill will do if enacted.

What is S. 985? Excluding the introduction, it is the same bill that twice has been introduced in the Senate and twice referred to the Senate Judiciary Committee. It is the same bill that twice has been referred to the House Judiciary Committee. It is the same bill as the one which was described by its sponsors in 1962 and again in 1963 as "an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition, packaging and labeling."

It is a bill in which are used such phrases as "restraint of trade" and "unfair competition," both key concepts of the antitrust laws. In sum, it is a bill which sounds deeply and irrevocably in antitrust law. As such, it falls squarely within the confines of even a critically narrow interpretation of the jurisdiction of the Judiciary Committee. To deny the committee its claim or jurisdiction in such a case would be a travesty of the rules of the Senate. It would mean that the referral of legislation in this body is controlled by whim and not by reason, logic, and the clear meaning of the language of a bill.

Those of us who believe in strict compliance with procedures run the risk of being labeled "nitpickers." This is not unsettling to those who have worked in the courts and watched the forums operate. Without sound rules neither justice nor meaningful legislation would be attainable. Without rules both our courts and legislatures would soon disintegrate into houses of babble.

The referral of the packaging bill involves serious practical considerations. The Antitrust Subcommittee has labored nearly 4 years with this legislation. It literally has heard thousands of words of testimony. It has listened to carefully prepared and well reasoned arguments of experts from both business and Government. It has gained a knowledge of the contents and mechanics of the packaging bill that no one else in the Senate shares. It has considered the bill many times in executive session and painstakingly prepared a report which presents in detail the several points of view regarding the merits of this bill.

Now the proponents of S. 985 ask the Senate to proceed de novo. They ask this body to strike off in an entirely new direction and to ignore and disregard all the expertise and experience that has been acquired. In short, they ask the Senate to be a party to a waste of knowledge, experience, time, energy, dedication, and diligence.

It is contended that since the packaging bill relates to "goods in interstate commerce" the Commerce Committee logically has exclusive jurisdiction. Certainly that committee has a vital interest in many subjects involving commerce. However, I doubt that any of its members would seriously contend that the mere mention of the word commerce in a bill automatically vests their committee with plenary jurisdiction. Were this the case, the Antitrust Subcommittee would become a useless and unneeded arm of the Senate.

Virtually all legislation coming before the Antirust Subcommittee involves commerce in one way or another. In the past, this subcommittee has probed into many areas of the economy.

This is not to imply that the Commerce Committee is totally without jurisdiction in these areas. The point is that the phrase "interstate commerce" is not a magical expression. Indeed, standing alone, it is meaningless. A wise judgment regarding jurisdiction simply cannot be made without a precise understanding of the contents of a bill; how those contents will be put into action and by whom.

As I have said, the language and history of S. 985 clearly reveal it to be an antitrust measure. The proponents already have acknowledged their bill is loaded with antitrust implications. Their view is shared by others, many of whom are antitrust experts.

In a speech last December, Mr. Joseph Sheehy, Director of the Bureau of Restraint of Trade of the Federal Trade Commission made this pertinent comment regarding the relationship between product standardization as called for in the packaging bill, and the antitrust laws. He said that standardization of products by industry might "fit into a trade restraining pattern that brings it within the ambit of the law." In other words, the packaging bill would compel producers to adopt patterns of business that presently are probably outlawed by the antitrust statutes. Can anyone deny that a bill that actually requires conduct violative of the antitrust laws, is not pregnant with antitrust considerations and implications.

Certainly, this body does not want to be a party to any act, such as denying the Judiciary Committee jurisdiction over this bill, that is grounded upon such specious and twisted and ironical reasoning that is the essence of the proponents' case.

To those who have lingering doubts regarding the nature of the packaging bill and whether it should be referred to the Commerce Committee or the Judiciary Committee, I recommend an examination into the enforcement provisions in the measure.

Usually the Interstate Commerce Commission is the agency most immediately concerned with the matters comprising the bulk of the legislation considered by the Commerce Committee. Nowhere in S. 985 is reference made to the Interstate Commerce Commission. On the contrary, the references are to the antitrust statutes, and the agencies which administer them plus the Food and Drug Administration.

I am certain that were the Commissioners of the ICC to read this bill, they would immediately disclaim any interest and recommend consultation with the Antitrust Division of the Department of Justice or the Federal Trade Commission. Indeed, these agencies together with the Food and Drug Administration will administer the packaging bill if it becomes law. Can there be any clearer sign of the true character of the packaging bill? If the packaging bill is not a bill to regulate competition then why drag in the Federal Trade Commission. If it is essentially a commerce matter why not give enforcement power to the ICC. The proponents of S. 985 know why not. They know their bill is not a commerce bill within the ordinary meaning of that phrase.

The point has been raised that the relevance of the packaging bill to the antitrust laws has been questioned by the minority members of the Antitrust Subcommittee, and that the position we now urge is inconsistent with our prior stand. This simply is not the case. To my knowledge the minority has never argued that the packaging bill does not involve antitrust concepts. To the contrary, we acknowledge that the bill abounds with such concepts. What we question is the wisdom and propriety of these concepts.

Since their inception the antitrust laws have been aimed to two evils, concerted action to restrain trade and monopolies. They outlaw conspiracies and collusive arrangements and agreements among businessmen as well as the accumulation of monopoly power. Of course, collusion and conspiracy cannot exist without some form of agreement and joint behavior involving two or more people.

The packaging bill strikes off in an entirely new direction as far as existing antitrust philosophy is concerned. It is not concerned with conspiracy or concerted action. It is not concerned with collusive contracts and agreements. It is not concerned with monopolies. It is concerned with regulation. The enforcement of its provisions is not contingent upon an unlawful agreement between two parties. In the bill it is provided that its provisions may be brought to bear, "whenever the Secretary—as to any food, drug, device, or cosmetic—or the commission—as to any other consumer commodity—determines that additional regulations are necessary to establish or preserve fair competition between or among competing products by enabling consumers to make rational comparison with respect to price and other factors, or to prevent the deception of consumers as to such products, the Secretary or the Commission, as the case may be, shall—promulgate regulations," and so forth.

No bad intent need be present for these regulations to issue. No contracts or unlawful agreements need be involved. All that is required is a determination by the Secretary of Health, Education, and Welfare or the Federal Trade Commission that regulations are needed to establish or preserve competition.

Certainly, this is an antitrust concept because it is directly pointed at the regulation of competition. But it is a concept that has no precedent in existing law. It is a concept that sweeps aside all requirements of contracts, collusion, and conspiracy, which lie at the heart of our antitrust laws, and proceeds directly to Government regulation.

We have devoted the greater part of 4 years in this subcommittee to studying this philosophy and all that it involves. Witnesses have appeared before the committee in great number. All this work will go for nothing if the Judiciary Committee is denied jurisdiction.

It is the departure from tradition and sound thinking that the minority has challenged. We consider the approach to the regulation of competition recommended in the packaging bill not only unwise but downright dangerous. We see it as a technique highly susceptible to further exploitation. We see it as a means by which Government ultimately may acquire full power over private enterprise including, but not limited to, the fixing of prices and wages.

In sum, the jurisdictional claim of the Judiciary Committee in this matter is well founded. It rests upon sound logic and reason. It is supported by ample precedent.

By any name, the bill at hand is an antitrust measure. It is the product of antitrust thinking by antitrust experts. It requires antitrust enforcement.

The position that has been taken by the proponents of the packaging bill in seeking to deny the Judiciary Committee jurisdiction puts them at war with all their previous words and actions in this matter.

As recently as January 15, Chairman HART of the Antitrust Subcommittee in his letter to Chairman EASTLAND of the Judiciary Committee justifying his appropriations request for the coming year said:

> The subcommittee plans to continue to examine, investigate, and make a complete study of the nature and extent of trade and commercial practices affecting the consumers in a manner which tends or may tend to restrain competition in interstate commerce and fraudulent, or unfair practices in the production, processing, packaging, labeling, branding, advertising, statement of prices, and other conditions of sale, marketing and furnishing goods and services to consumers.

If the chairman of the subcommittee is sincere in his plans to conduct these inquiries, he has placed himself in the curious position of claiming jurisdiction over packaging and labeling in one instance and denying it in another. Now is the time to determine which line of thinking is to prevail. Certainly, if the chairman of the subcommittee stands ready to quitclaim all right to matters involving commerce that fact should be known. If the Antitrust Subcommittee is getting out of the business of matters affecting the Nation's commerce, its budget demands certainly will be diminished.

Mr. President, I urge that the Judiciary Committee not be denied its rightful claim of jurisdiction in the matter at hand.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. COTTON. Mr. President, in view of the fact that the distinguished Senator from Nebraska referred to what the Senator from New Hampshire just said, I believe the Senator had not come in the Chamber when the Senator from New Hampshire first spoke briefly and made some comments on this question.

By the very logical and legal presentation of the Senator from Nebraska, he makes out quite a case for having this bill considered—as being fundamentally related to antitrust legislation. But, as a matter of practical fact, the antitrust laws are generally designed to prevent collusion, to prevent agreement, the fixing of prices, and the stifling of competition, whereas in practice the bill seeks to reach really extreme competitive practices, and practices which are alleged to be improper competitive practices.

So from the commonsense standpoint, the bill is at the very opposite pole from the antitrust laws.

The Senator from New Hampshire wants to make it crystal clear that some of the remarks of the distinguished Senator from Nebraska are very much to the point in regard to the bill. The Senator from New Hampshire in discussing the jurisdiction of the committee wants it crystal clear that he is not committing himself to the bill. There are, in his opinion, many dangerous provisions in it. Some comments have been made on the merits of the bill and the conferring on the Secretary of certain regulatory rights. The Senator from New Hampshire is as concerned about this as anyone could be. But the fact remains that from a commonsense standpoint, this bill was not originally an antitrust bill. It was a labeling bill. The fact that it was originally misreferred is not a reason that it should be misreferred again. That is the position that was taken by the Senator from New Hampshire. I thank the Senator.

Mr. HRUSKA. Mr. President, the record and the text of the bill clearly show that it was designed, entitled, and always considered, as an amendment to the Clayton Act, and having to do with the antitrust laws. It is a bill to regulate competition by directly regulating business.

I believe the views of Mr. Sheehy, the Director of the Bureau of Restraint of Trade, of the Federal Trade Commission, were quite accurate when he characterized it in that way.

Mr. MAGNUSON. Mr. President, as I read the bill introduced by the distinguished Senator from Michigan [Mr. HART], if Congress were to pass the bill, the Federal Trade Commission would be responsible for its enforcement. Unless there be a conspiracy in packaging big enough to violate some antitrust law, it would not be the concern of the Attorney General.

What the Senator from Michigan refers to are not violations of the antitrust laws. These are separate and individual violations similar to violations of the Federal Trade Commission Act and other labeling acts. These are individual violations that the Federal Trade Commission has the responsibility to check on and see that they cease and desist through the use of their administrative procedures.

This is an indication as to what committee should have jurisdiction of the bill.

I am not personally interested in obtaining jurisdiction over this bill. The bill is a very complex one. I agree with the Senator from Illinois that it will entail a good deal of work. But the objective of the bill is something that is long overdue.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Senator from Michigan is recognized.

Mr. HART. Mr. President, I believe it is only right that the RECORD contain a statement that is very much in point with the comments that have occurred.

I wish to make it very clear that I had no idea of the attitude of a single Senator concerning this legislation. The Senator from New Hampshire [Mr. COTTON] wanted to make it clear that he had reservations. I think it is desirable that it be made very clear that no direct or indirect head count had been obtained.

I think it is required that I make this statement in fairness to the members of the Committee on Commerce.

Mr. DIRKSEN. Mr. President, I shall offer one further observation. Less than a month ago the chairmen of the subcommittees had to submit their budget estimates to the chairman of the Committee on the Judiciary, and that was done.

In the letter that was addressed to the chairman by the chairman of the Subcommittee on Antitrust and Monopoly, this was said:

> The subcommittee plans to continue to examine, investigate, and make a complete study of the nature and extent of trade and commercial practices affecting the consumers in a manner which tends or may tend to restrain competition in interstate and fraudulent, or unfair practices in the production, processing, packaging, labeling, branding, advertising, statement of prices, and other conditions of sale, marketing and furnishing goods and services to consumers.

That was to be the scope of the work in the first session of the 89th Congress. It clearly included packaging, labeling, and so forth.

The budget was approved by the committee. It had my approval. I went before the Committee on Rules and Administration with the chairman of the subcommittee, who is the author of the bill, and asked the committee to approve that budget. That kind of work was included, or was within our conception, for the first session of the present Congress. Now it is proposed to take it out.

I could make a pretty good argument for reduction of the budget under those circumstances. I did not do so. I supported the chairman in his budget, because this measure had been included and he felt he had to have a certain amount of money to do the job.

More attention will be devoted to the matter of referring bills from now on, if a bill can go to a given committee, and then suddenly, only because of a few technical changes, be lifted out of that committee, after hearing witnesses for weeks, after having taken thousands of pages of testimony, and when the committee had the bill before it as a result of reference from the Presiding Officer of the Senate.

Mr. President, the majority of the Subcommittee on Antitrust and Monopoly approved, by a vote of 5 to 3, Senate bill 387, the packaging and labeling bill, which now is Senate bill 985; and the subcommittee submitted a report in which, among other things, it was stated:

> This bill then is in the tradition of the antitrust laws—

And—

> This bill would bring the antitrust law up to date insofar as the nonprice form of competition represented by packaging and labeling is concerned.

Therefore, Mr. President, would not it be reasonable to conclude that Senate bill 985 involves a sufficient issue of antitrust law?

The sponsor of the packaging bill stated, in introducing it in the Senate in 1962 and in 1963, and stated again in his opening statement in the hearings on the bill:

> What does this bill attempt to do? It is an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition, packaging and labeling.

Therefore, would not it be reasonable to conclude that Senate bill 985 does involve a sufficient issue of antitrust law, irrespective of whether I or the minority of the subcommittee disagree with that statement?

After the chairman, his counsel, and several of the proponents of the packaging bill reiterated that nonprice competition is the heart of the packaging and labeling bill, and that it has antitrust-law characteristics, would not it be reasonable to conclude that Senate bill 985 does involve sufficient antitrust-law issue to warrant jurisdiction by the Judiciary Committee, and to have its Antitrust Subcommittee deliberate on the antitrust aspects of the bill and resolve them?

Before proceeding with illustrations of the antitrust characteristics of S. 985, let me make this point: We also have the question of the establishment of a precedent. The subcommittee conducted investigative and legislative hearings that took the valuable time and energy of nine Senators on the subcommittee, in successive years from 1961 to 1964, on the theory that the subject matter had an impact on the antitrust laws. The chairman of the subcommittee claims it is no longer a matter of antitrust law, and has revised the bill slightly, which may lead its referral to the Commerce Committee. He has gone one step further, by objecting to a unanimous-consent request—action tantamount to barring his subcommittee from jurisdiction of his own bill, after the Commerce Committee completes its work on the bill.

What will this do to the future hearings contemplated by the subcommittee, Mr. President? If the packaging and labeling bill does not belong in the Antitrust Subcommittee, on the record shown herein, how can it have jurisdiction to hold hearings on insurance, on the funeral industry, on professional boxing, on doctor-owned pharmacies and repackaging firms, on the Columbia Broadcasting System's purchase of the New York Yankees, and on other such subject matters that have far, far less affect on the antitrust laws than the record shows the packaging and labeling bill has. What is so sacred about the antitrust aspects of the funeral industry, or the insurance industry, or doctor-owned pharmacies, and so forth, as to give the subcommittee jurisdiction, while at the same time the chairman denies jurisdiction to the antitrust aspects of the packaging and labeling industry. In this connection, I refer to the activities report.

Mr. President, I know of no better way to wreck the prestige of a committee than to have one of its so-called key bills rewritten in a manner that technically may lead to reference of the bill to another committee, thus barring the original committee from jurisdiction of the bill, although the substance of the bill is the same. If this is permitted, I can envision a situation in which the Antitrust Subcommittee would be relegated to a minor status; more significantly, I can envision the use of carefully phrased terminology in order to get a bill before one committee, whereas the substance and the purposes of the bill would have required its reference to another committee under our present rules.

After the chairman of the House Judiciary Subcommittee, Representative CELLER, and Representatives GILBERT and MULTER reintroduced in the House, this year, a similar packaging and labeling bill, and after that bill was referred to the House Judiciary Committee, would not it be reasonable to believe that S. 985 involves sufficient issue of antitrust law to require that the Senate also give jurisdiction to the Judiciary Committee, after the Commerce Committee completes its action on the bill?

The Clayton Act is not controlling, in connection with referral of the bill to a committee; but the substance of the proposed law is most important in determining whether the bill has antitrust aspects.

In view of the fact that the Department of Justice and the Federal Trade Commission consider standardization and nonprice competition as factors relating to antitrust law violations, would not it be reasonable to conclude that S. 985 involves sufficient issue of antitrust law to warrant reference of the bill to the Judiciary, to have it deliberate on and resolve the antitrust aspects of the bill, and to leave to the Commerce Committee jurisdiction of other aspects of the bill?

I shall cite briefly five additional reasons why the Judiciary Committee should be given jurisdiction of the bill:

First. Regulations to be promulgated by the FDA and the FTC, under S. 985, would fix sizes and quantities of packages and product contents, on an industrywide basis; and these may raise problems of antitrust violation by industry members cooperating in such standardization. I refer, Senators, to a speech on "Pricing Problems," pages 7–8—December 11, 1964—by Joseph E. Sheehy, Director of FTC Bureau of Restraint of Trade. Thus, standardization of product by industry action may "fit into a trade restraining pattern that brings it within the ambit of the law." Such antitrust conflicts are within the jurisdiction of the Judiciary Committee.

Second. Senator HART's letter of January 21, 1965, to Senator EASTLAND, concerning the budget and program of the Antitrust and Monopoly Subcommittee for the coming year, states, in part:

> The subcommittee plans to continue to examine, investigate, and make a complete study of the nature and extent of trade and commercial practices affecting consumers in a manner which tends or may tend to restrain competition in interstate and foreign commerce, with particular reference to deceptive, misleading, fraudulent, or unfair practices in the production, processing, packaging, labeling, branding, advertising, statement of prices, and other conditions of sale, marketing, and furnishing of goods and services to consumers.

In view of these wide-ranging plans by the subcommittee to study deceptive packaging, labeling, and advertising practices in the coming year, it would surely be appropriate to have the results of the subcommittee's study brought to bear also on the Commerce Committee's study and its report on S. 985, which undertakes to cover a quite similar area of business activity.

Third. The revised provisions of S. 985, in paragraph 4(b), as to hearing procedures under provisions of the Administrative Procedure Act, for some—but not all—of the authorized regulations, raises problems of administrative practice and interpretations of the Administrative Procedure Act which would normally be considered by the Judiciary Committee, which originated and reported the Administrative Procedure Act in 1945. I refer, Senators, to Senate Report No. 752, 79th Congress, 1st session, 1945, and to House Report No. 1980, 79th Congress, 2d session, 1946.

Fourth. The enforcement provisions of S. 985 which could result in the imposition of penalties on business firms violating a final order of the Federal Trade Commission—I refer to paragraph 5(c) and 15 U.S.C. 45(1)—require affirmative enforcement action by local U.S. attorneys and the Department of Justice, which are under the jurisdiction of the Judiciary Committee.

Fifth. The provisions of S. 985 for product standardization entail an interplay among various executive departments and agencies, including the Department of Justice; the Food and Drug Administration of the Department of

Health, Education, and Welfare and the Federal Trade Commission, which warrants consideration by all committees with proper jurisdiction, and, in particular, by the Judiciary Committee. In a comparable instance, questions as to the amenability of food processors and grocery chains having meatpacking operations to various FTC and antitrust provisions were resolved by a statutory amendment considered by the Judiciary Committee, as well as by the Committee on Agriculture and Forestry in 1957 and in 1958. I refer Senators to Senate Report No. 1564, 85th Congress, 2d session, April 22, 1958, a joint report of the Agriculture and Forestry and the Judiciary Committees.

Mr. President, in view of these citations and the memorandum submitted, is it not reasonable to conclude that there are sufficient issues of antitrust law and matters affecting the Judiciary Committee and its subcommittees to warrant jurisdiction by the Judiciary Committee of S. 985? Let the Senate vote for such jurisdiction.

Under the rules of the Senate, the Judiciary Committee and its Antitrust Subcommittee constitute the appropriate forum for deliberation and report on an issue which affects the antitrust laws, especially when that antitrust issue is in serious dispute within the Antitrust Subcommittee and the Judiciary Committee, and should be resolved by them. Therefore, the Judiciary Committee, not the Commerce Committee, is the appropriate committee to resolve the antitrust aspects of S. 985; and then the Commerce Committee could deliberate on and resolve other aspects of S. 985.

Mr. President, on February 4, I asked unanimous consent that S. 985 be referred to the Judiciary Committee, after the Commerce Committee completed its action on the bill. That unanimous-consent request was objected to by the distinguished Senator from Michigan [Mr. HART], who said, in part:

> It is conceivable that the Commerce Committee, in its analysis of the bill and in its determination, would report a bill which should go to one or more of the antitrust laws. In that case, clearly it should go back to the Judiciary Committee. Absent that, it would be inappropriate at this juncture to direct another committee than the Committee on Commerce.

I replied:

> Technically, I could concede the point the Senator from Michigan makes, except there is no question that the Senate Antitrust and Monopoly Subcommittee could also claim jurisdiction to hold hearings on the packaging and labeling bill, because the bill deals with standardization and so-called nonprice competition which are factors that have been considered by the Antitrust Division of the Department of Justice and the FTC as reasons for looking into certain antitrust law violation cases.
>
> And I cite that fact that the bill is exactly the bill that was before the Judiciary Committee. There may have been some minor modifications, other than the fact that it does not tie into the Clayton Act. Other than that, it is the same subject matter to which the Judiciary Committee has devoted so much time. I make my suggestion in good conscience and good grace that it should go back to the Judiciary Committee.

Mr. President, I shall take the distinguished Senator at his word; and since the record, by his own words, shows that antitrust laws are affected, I expect him to support my request for referral to the Judiciary Committee after the Commerce Committee has completed its action on S. 985.

Let us examine the record: In the report of the Antitrust Committee it is stated:

> It is with the unfair practices arising from the package's role as salesman that this bill is concerned. These practices have also become a form of unfair competition which can be seriously prejudicial to business rivals who do not engage in similar practices.
>
> It is well established that the Federal Government has a responsibility for maintaining the integrity of markets which it has fully asserted with respect to the antitrust laws.
>
> This bill then is in the tradition of the antitrust laws as it seeks to promote fair competition, to maintain the integrity of markets, to enhance the competence of consumers, and to promote efficiency in industry.
>
> This legislation is designed to accomplish these objectives by delineating specific areas in which regulations may be necessary to foster fair practices and to prohibit unfair practices. And it provides a procedure to accomplish these ends within a framework of direction from Congress.
>
> The legislation does this by amending the Clayton Act, naming, as restraints of trade, those areas in which unfair, confusing, or deceptive methods of packaging and labeling have made it extremely difficult or impossible for buyers to compare prices.
>
> It was the purpose of the original Clayton Act to provide more certain guides for business conduct by specifically prohibiting practices which had come to be recognized as capable of impairing effective competition.
>
> This bill would bring the law up to date insofar as the nonprice form of competition represented by packaging and labeling concerned by making existing law more specific and certain in regard to the practices resulting in unfair competition in this field.

Mr. President, at this point it would be well to define nonprice competition, through quotations from the testimony of Dr. Irston Barnes, a Columbia University professor, formerly of the Antitrust Division and the Federal Trade Commission, and a leading exponent of the nonprice-competition theory and the antitrust laws. As shown beginning at page 370 of the printed hearings on packaging and labeling—March 30, 1963—he said:

> S. 387 (now S. 985) is directed to the correction of the competitive practices associated with the packaging of consumer products. Nonprice competition, with which the committee has been concerned, is a natural outcome of the development of supermarkets with an emphasis upon preselling. Nonprice competition refers to all those forms of rivalry which are primarily concerned with diverting patronage from one seller to another without thereby increasing the advantages accruing to buyers. A principal form of nonprice competition is product differentiation. Packaging is an important aspect of product differentiation and of nonprice competition. Packaging is essentially an extension of the advertising and promotional campaign. The Federal Government's responsibility for maintaining the integrity of markets is most fully asserted with respect to the antitrust laws, which are directed to three purposes, all of which in some measure be furthered by the proposed truth-in-packaging bill.

According to Dr. Barnes, not one, not two, but three purposes of the antitrust laws will in some measure be furthered by the packaging and labeling bill. Regardless of whether Dr. Barnes' statement is challenged, the packaging bill does involve the antitrust issue; and that issue can be resolved only by the appropriate committee which has jurisdiction over antitrust law—namely, the Judiciary Committee.

During the hearings, the record was replete with statements, by Chairman HART, by the majority counsel, and by certain witnesses, that nonprice competition went to the very heart of S. 387. In his opening statement on S. 387, Senator HART said at page 5:

> What does this bill attempt to do? It is an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition, packaging, and labeling. We do this by amending the Claytön Act to provide a procedure by which guides can be established to prevent such restraints.

The fact that the new packaging bill, S. 985, has dropped the Clayton Act as its forum does not change by one iota the major premise of Senator HART's bill, which, we repeat:

> Is an effort to bring up to date the antitrust laws by recognizing the emergence of a relatively new form of nonprice competition, packaging and labeling.

The fact that the minority members of the subcommittee disagreed with the majority does not alter the fact that a serious issue exists as to the antitrust characteristics of S. 387; and therefore, under the Senate rules, the Judiciary Committee—not the Commerce Committee—is the appropriate one to resolve this issue.

In the minority views, I said:

> Because the packaging and labeling bill was placed in section 3A of the Clayton Act, and antitrust law, the Senate referred it to the Judiciary Committee and not the Commerce Committee. Our objection was noted on the first day of the hearings and we reserved the right to challenge the jurisdiction. Now that the hearings have been held there is no further need to parry over which committee is going to conduct the hearings.

Of course, those views were written after the hearings were completed and after the Antitrust Subcommittee had voted 5 to 3, on June 13, 1963, to report favorably S. 387 to the Judiciary Committee. It should be noted also that, due to the controversial civil rights bill before the Judiciary and before the Senate, no serious attempt was made to bring up the packaging bill. I am sure the records of the Judiciary Committee will verify this. There is also no doubt that if a vote had been taken, it would have been a close one, either way.

Mr. President, much more could be said; but I do not wish to labor the point. I could quote from the Antitrust Subcommittee activities reports, which reveal that the subcommittee would have to relinquish one-half of its investigations and hearings if it followed the precedent it is attempting to establish by trying to bar itself from further jurisdiction of the packaging and labeling bill.

On the other hand, the Senate has always been generous in giving jurisdiction to more than one committee, when the facts warranted such a course. I cite a few examples: The Judiciary Committee and the Committee on Agriculture and Forestry conducted hearings, in 1957, on amendments to the Packers and Stock Yards Act; the Joint Economic Committee and the Antitrust Subcommittee of the Judiciary Committee conducted hearings on the Common Market issue; the Antitrust Subcommittee of the Judiciary Committee and the Commerce Committee had jurisdiction over a bill granting a moratorium in the approval of mergers among railroad companies; and the Committee on Aeronautical and Space Sciences, the Commerce Committee, and the Foreign Relations Committee were granted jurisdiction over their appropriate specialities in connection with the communications satellite bill. All that is asked here is that the Judiciary Committee have the same privilege, and thus obtain jurisdiction over the packaging bill after the Commerce Committee completes its action.

I have faith that the 11 Democrats and the 5 Republicans sitting on the Judiciary Committee will be fair and judicious in protecting the best interests of all the people in connection with S. 985 and any other bill referred to it.

Mr. HART. Mr. President, I wonder if I may have unanimous consent that the full letter with respect to the proposed activity of the Antitrust Subcommittee to which the Senator from Illinois made reference be incoroporated in the RECORD. It will show the broader activities contemplated in more specific language.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE ON ANTITRUST AND MONOPOLY

January 21, 1965.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Antitrust and Monopoly Subcommittee of the Committee on the Judiciary today approved the following budget and proposed resolution approving Senate Resolution 40 for continuing study and investigation of unlawful restraints and monopolies and of antitrust and monopoly laws of the United States.

Antitrust laws existence reflects the American people's preference for competition as their economic way of life. Certainly, a free, competitive society possesses unmatched advantages over other economic systems. Introduction of new and better products and processes is constantly stimulated by competition. The public is assured of getting the gains of modern science and technology. Also competition automatically channels resources out of declining and into expanding areas.

In addition to economic advantages, competition has unique social attributes. A competitive way of life offers hope to those who wish to establish enterprises of their own; and where competition is effective, restricts the opportunity for undue abuse of economic power.

To transform the ideal of competition into a reality, the Congress over the years has created a series of antitrust laws. These laws are directed generally against combinations and arrangements which unreasonably restrain trade, against restrictive practices damaging competition, and against existing concentration and monopoly. It is within the framework of these laws that the program for the subcommittee is set.

The problem of economic concentration is of primary concern to the subcommittee and last year an examination of the structure of concentration of economic power was started. Testimony revealed that regardless of the method of measurement employed, the share of total manufacturing activity or resources held by the 100 largest corporations increased between 1947 and 1962 by 8 to 10 percentage points. For example, the 100 largest manufacturing corporations increased their share of the total assets of all manufacturing firms from 39.3 percent in 1947 to 48.1 percent in 1962, while their share of the net capital assets (land, building, and equipment) rose from 45.8 percent in 1947 to 56.9 percent in 1962. This increase in overall concentration is one of the more important domestic problems confronting the Nation and is certainly one of the most significant problems in the antitrust field.

The subcommittee plans to continue this inquiry seeking answers to such questions as: What is the level and trend of concentration in manufacturing as a whole; i.e., overall concentration? Which specific industries are characterized by relatively high levels of concentration? What factors are associated with changes in concentration? What have been recent developments in public policy with respect to mergers? To what extent are the rising levels of concentration the result of the requirement of large-scale operations for efficiency? What validity is there to the argument that scientific research, inventions, and innovations can be developed most effectively by large corporations? What is the effect on competition of changes in the structure of industries? What is the motivation for growth through merger rather than internal expansion?

The subcommittee, for some months, will continue to hear from eminent authorities on the general question of concentration. Thereafter the plan is to direct attention to certain patterns of concentration as illustrated by specific industries.

Another major area of subcommittee concern relates to the antitrust laws and their impact on foreign trade. Many have expressed to the subcommittee the feeling that uncertainty surrounds the application of U.S. antitrust laws to oversea activities of American firms. Certainly, there have been relatively few adjudicated cases and there is little settled and established law in this area. Some businessmen have complained that the antitrust laws have interferred with oversea expansion. Others complain that the antitrust laws are not strong enough to prevent undue restraints on their legitimate efforts to engage in foreign trade. Most agree clarification may be desirable.

The subcommittee is concerned further with the nature and extent of international cartels and more modern and subtle cartel-type situations affecting U.S. foreign trade, restrictive operations under the Webb-Pomerene Act exemption, export cartels formed abroad and their effect on U.S. imports, private impediments to U.S. exports and imports, and the charge that enforcement of U.S. antitrust laws is a block to exports and imports.

Here again, hearings during the past year reviewed the overall aspects of the problem. The subcommittee intends to hear further witnesses who wish to testify on the general aspects and then to proceed more fully into some of the specifics. Certainly, as companies become more internationalized in ownership and operations, as oversea subsidiaries and joint ventures become more prevalent, the possibility of inadequacies and inequities in our antitrust laws and their enforcement increases.

Another major area which the subcommittee intends to enter this year relates to distribution problems as they affect the smaller businessman.

Since the end of World War II, the structure of distribution has been radically changed. The independent retail store has given way to the chainstores, and the small chains to the large chains. Similar changes have taken place at other levels of distribution. It is generally conceded that this structural change has increased the efficiency and lowered the cost of moving goods from processor to consumer.

But concomitant with the vast changes in the distribution process, new problems and practices have arisen which substantially affect the livelihood of the smaller businessman. In adition, there are problems in applying antitrust laws to these new practices which may be unduly hindering the survival chances of smaller businessmen.

The subcommittee has received many expressions of concern by small businessmen, directed not alone at practices in competition but to enforcement policy which appear inconsistent with the philosophy of antitrust law. Many of these complaints suggest that practices and policies singled out have no relationship to efficiency of operation.

There are also other areas within the framework outlined in which the subcommittee expects to hold hearings this year. During the past year, the subcommittee investigated a type of practice similar to that which section 3 of the Clayton Act—prohibiting exclusive dealing and tie-in contracts—is directed. This is the increasing ownership by doctors of pharmacies and drug repacking houses. Just as tie-in contracts restrict the businessman's freedom of choice, so can the patient-consumer's freedom of choice be denied by physician ownership of drug-merchandising enterprises. It has been brought to the subcommittee's attention that similar types of restrictive arrangements may exist in certain other areas which we will examine.

The subcommittee also began hearings last year into possible anticompetitive practices in the funeral industry which might be contributing to the high cost of dying. The hearings concentrated on practices by funeral trade associations and their effect on competition. This year the hearings will center on the suppliers to the funeral industry and their effect on industry competition.

The subcommittee also has received complaints from small drug manufacturers that in order to secure approval of their new drug applications to the Food and Drug Administration, they must duplicate clinical tests already completed and approved by other companies. This, they contend, is required even though the drug is already on the market. The result, they point out, is to prevent them from competing in the sale of established drugs on which there is no patent restriction. This requirement of duplicate clinical testing and its effect on competition is another matter which may require subcommittee attention.

The subcommittee plans to continue to examine, investigate, and make a complete study of the nature and extent of trade and commercial practices affecting consumers in a manner which tends or may tend to restrain competition in interstate and foreign commerce, with particular reference to deceptive, misleading, fraudulent, or unfair practices in the production, processing, packaging, labeling, branding, advertising, statement of prices, and other conditions of sale, marketing, and furnishing of goods and services to consumers.

Under the direction of Senator DODD, the subcommittee also will continue to examine, investigate, and make a complete study of the insurance industry to determine whether

State regulation is adequately protecting the public interest in accordance with the purpose of the McCarran Act (Public Law 15, 79th Cong.).

In its examination into the effectiveness of State regulation, the subcommittee will continue to consider whether the McCarran Act should be amended as to any aspect of the insurance industry, especially when the States are powerless to regulate such aspect.

Other questions the subcommittee will consider, for example, are: Does State regulation protect the public interest by safeguarding the solvency of all insurers? Does it allow the insurance industry to provide the types of coverage the public needs at reasonable rates? Does it permit the maximum possible competition within the industry consistent within the public interest?

In addition to the investigative investigations outlined above, another vital aspect of the work of the subcommittee is the holding of legislative hearings. Hearings are anticipated on legislation assigned to the subcommittee by the Judiciary Committee. This, of course, may come about as the result of specific legislative proposals sent to the Congress by the President as well as important measures introduced by the Members of Congress.

It is anticipated that among the other proposals on which hearings will be required are the professional team sports bill and legislation to amend the Robinson-Patman Act by making section 3 a part of the antitrust laws.

Further, the subcommittee itself will continue to look for ways to improve the antitrust laws and suggest changes in these laws when necessary.

Finally, if special and unforeseen circumstances arise which warrant the subcommittee's attention toward any particular industry or problem, every effort will be made to consider that industry or problem.

The attached budget and proposed resolution are submitted with the recommendation that they be approved.

It is understood, of course, that any member of the subcommittee can raise objections to any part of the program or specific hearings at any time during the course of the year.

Sincerely,
PHILIP A. HART,
Chairman.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. What is the immediate issue now pending?

The PRESIDING OFFICER. The only question before the Senate at this time is on agreeing to the motion of the Senator from Michigan [Mr. HART] to refer the bill to the Commerce Committee.

Mr. McCLELLAN. To refer the bill to the Commerce Committee.

Mr. President, I have listened to some of the discussion this morning. I should like to propound another parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Is there ample precedent for referring a bill to a second committee after one committee has acted on it if the bill contains provisions which are under the jurisdiction of the second committee?

The PRESIDING OFFICER. Answering the inquiry of the Senator from Arkansas, that may be done by unanimous consent, and has been done, or by motion, if the Senate agrees to the motion.

Mr. McCLELLAN. There is precedent for it?

The PRESIDING OFFICER. That is correct.

Mr. McCLELLAN. This would not be a proper parliamentary inquiry, but, obviously, the bill contains several matters and proposes legislation that properly comes under the jurisdiction of two separate committees of the Senate. I believe the Commerce Committee should have an opportunity to consider the bill. I believe, with possibly equal emphasis, the Judiciary Committee should have an opportunity to consider certain aspects of it.

In the interest of sound legislative practice, since a controversy has arisen as to which committee should consider the bill, I wonder if the controversy could not be settled by unanimous consent that the Commerce Committee take the bill, process it, and make whatever recommendations it wishes, and that it be agreed that the bill shall then be referred to the Judiciary Committee for a reasonable length of time—not to kill the bill—but for a reasonable length of time for the committee to consider the bill, and submit its report on the measure.

It seems to me that is a procedure which could be adopted and which would preserve and protect all interests of the committee and of those interested in the legislation, both those who oppose and those who favor the bill. It would permit us to move along in a favorable and smooth legislative procedure.

I have been told that a unanimous-consent request along that line has already been submitted. I do not know whether there is any parliamentary hindrance to submitting a second request after discussion.

Mr. President, I ask unanimous consent that, if the bill be referred to the Commerce Committee for such time and such action as the Commerce Committee deems necessary to perform its function, when the Commerce Committee has submitted its report, the bill be then referred to the Judiciary Committee for a period of 60 days, to give that committee an opportunity to study it and make a report.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. HART. Mr. President, as I did earlier, I object. The impression of the Senator from Arkansas is correct, that a somewhat similar request has been made, to which I objected.

Mr. McCLELLAN. Mr. President, if I still have the floor, I am somewhat at a loss to understand why, when the Judiciary Committee spent so much time on the bill at the request of the distinguished author of the bill when the bill was first introduced, we find no objection now from the author of the bill to having that committee have a look at it after the Commerce Committee has weighed it, held hearings, considered it, and reported the bill. I do not understand. I would like the distinguished Senator to tell me why. What has intervened now that gives cause for objection to the Judiciary Committee's having an opportunity to again consider the bill.

Mr. HART. Because the bill that the Judiciary Committee considered was a bill which would have amended the antitrust law. That is in the jurisdiction of the Judiciary Committee. We will resist any efforts by any other committee to take away jurisdiction of such bills.

The present bill is not a bill to amend the antitrust laws in any respect. The dominant feature of it has to do with standards for labeling and packaging of goods in interstate commerce.

For the same reason that I would seek to protect the Commerce Committee if another committee sought to reach for a bill that was within its jurisdiction, I would seek to protect the Judiciary Committee in its jurisdiction over a bill that was within its jurisdiction. It is for that reason that I object.

The PRESIDING OFFICER. Does the Chair correctly understand that the Senator from Michigan entered an objection to the unanimous-consent request?

Mr. HART. Yes, but I am willing to have the matter discussed.

Mr. McCLELLAN. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator has the floor.

Mr. McCLELLAN. Mr. President, I was trying to understand. I thought I heard the distinguished minority leader say that the substance of the bill is the same, with the packaging and labeling provisions in the bill. In other words, the text of the bill is the same as that on which the Judiciary Committee has already held hearings. Is that correct?

Mr. HART. Making clear that certain of the criticisms and concerns that were voiced about the proposed amendments to the antitrust laws have been responded to and changes are incorporated in the bill now pending, the answer is "Yes." But one of the criticisms voiced to the earlier antitrust bill, which has been responded to, was to remove it as an antitrust proposal. This was one of the most persistent of the criticisms voiced. I have reacted to that criticism—and have been persuaded among others by the Senator from Illinois—that it has no business in the antitrust law. For that reason, as I see it, the bill should go to the Committee on Commerce.

Mr. McCLELLAN. Let me ask the Senator this question: Has the bill which the Senator is now introducing yet been printed?

Mr. HART. It has been filed. I would assume not printed, since it was held at the desk.

Mr. McCLELLAN. Let me ask the Senator a further question: As chairman of the Subcommittee on Antitrust and Monopoly of the Judiciary Committee, I ask the distinguished Senator if it is true—as the distinguished minority leader said on the floor—that he included the cost of the hearings on the bill in the budget when he requested expenditure funds for the subcommittee?

Mr. HART. The answer is "No." The request made of the Rules Committee was to continue investigation into packaging and labeling as we requested authority to make investigation of concentration in professional sports, and so forth; but it is important that we make the distinction which I believe is valid, that the charge against the Subcommittee on Antitrust and Monopoly is twofold, to investigate wide-ranging problems relating to monopoly in restraint of trade, as we see it, and second, to undertake to see that the Senate acts legislatively on the antitrust laws.

The pending bill is not a bill that relates to the antitrust laws. The role of the subcommittee in the past, and I hope in the future, will be to develop legislative proposals that the Senate may likely refer to other committees. That clearly is the proposal that now pends. A bill that developed following investigative hearings now takes the clear form of a proposed piece of legislation which it is expected will go to the Committee on Commerce.

Mr. McCLELLAN. I may have misunderstood the distinguished minority leader with respect to the contemplated hearings on the bill being included in the budget request for operating expenses of the subcommittee. He appeared in support of that proopsal.

Mr. DIRKSEN. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. DIRKSEN. Let me read the title of the bill. It is in mimeographed form. It has not been printed. Its title is:

> A bill to regulate interstate or foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes

Now let me read what was presented in the letter to the chairman of the Judiciary Committee in support of the budget for the subcommittee:

> The subcommittee plans to continue to examine, investigate and make a complete study of the nature and extent of trade in commerce, and practices affecting consumers, in a manner which tend or may tend to restrain competition in interstate and foreign commerce with particular reference to deceptive, misleading, fraudulent or unfair practices in the production, processing, packaging, and labeling, branding, advertising, statement of prices and other conditions of sale, marketing and furnishing of goods and services to consumers.

If that is not an identic purpose, I do not know what is.

Mr. MAGNUSON. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. MAGNUSON. That does not mean that it belongs in the Judiciary Committee.

Mr. DIRKSEN. I did not say so.

Mr. MAGNUSON. It belongs in the Committee on Commerce.

Mr. DIRKSEN. It was used to support the purpose.

Mr. HART. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. HART. I believe that what we are saying is that investigations and hearings often are held and may well in the future be held by the committee with respect to packaging claims under a resolution directing such investigations, but the clear responsibility for legislative action, if there is to be legislative action, often lies with other committees depending upon the thrust of the bill. The thrust of the bill is clearly one that reaches the jurisdiction of the Committee on Commerce.

Mr. McCLELLAN. I was trying to ascertain—and I am not complaining about the amount of the budget—whether, at the time the Senator submitted the budget for the operating expenses of the subcommittee, he had in mind a continuation of the processing of legislation such as the committee considered last year, and that inasmuch as the contents of the Senator's letter to the chairman of the Rules Committee—if correctly read by the distinguished minority leader—clearly indicates that at that time it was contemplated that there would be a continuation of hearings on the bill, such as the committee had last year, I wonder whether something had happened to cause the Senator, since presenting his budget for committee expenditures, to change his mind, or if this bill was already drafted at that time.

(At this point, Mr. KENNEDY of New York took the chair as Presiding Officer.)

Mr. HART. Perhaps the analogy that the Senator from Arkansas would appreciate is this: I believe that the Antitrust and Monopoly Subcommittee should always be in a position, when necessary, to conduct investigations with respect to practices in packaging and labeling, and other things that bear on the public interest, and perhaps of legislative necessity when a bill is being formulated. The bill should go to the committee with appropriate jurisdiction. Over the years, the Senator from Arkansas has constructively investigated—and I assume will continue to do so—practices in trade unions. It may have been that he has introduced legislation reflecting reaction to some of those investigative discoveries.

That proposed legislation need not and does not thereby go to the committee that made the investigation. The fact that proposed legislation has been submitted does not stop, and certainly should not be interpreted as stopping, an investigative committee from continuing its concern, where necessary, in the matter of trade unions. The situation here is exactly the same.

Mr. McCLELLAN. If I understood the Senator's letter it said, "continuing the investigation" or "conducting the hearings in that field." I know of no other factor with respect to packaging and labeling. I know of no other inquiry the committee had conducted except what was premised on the consideration of that bill. Had it?

Mr. HART. No.

Mr. McCLELLAN. The Senator said "continue."

Mr. HART. But the bill having been introduced does not, as I see it, require it to be referred to the committee, nor does it stop our committee from continuing its concern with respect to the broad practices in the flow of commerce. Yet, a piece of legislation that results from such an investigative study should go to the committee where appropriate under our rules it finds its place. In this situation, I believe that it has produced a bill which should go to the Committee on Commerce.

Mr. McCLELLAN. I stated a while ago that I am not objecting to the bill going to the Committee on Commerce. I think that possibly the Committee on Commerce should consider it, even though the Committee on the Judiciary should consider it first. It is a bill which covers the jurisdiction of both committees, I think. That was not my objection to it. I was trying to ascertain whether it is possible—and apparently it is—and I was trying to ascertain the reason why it is not satisfactory for both committees to consider the bill inasmuch as both of them actually, in my judgment, have jurisdiction over the subject matter.

It indicated to me, as the minority leader read the Senator's report or request of the Committee on Rules and Administration, and the statements that were made in support of the request, that it was contemplated at that time that the subcommittee would continue its study of this subject, as it did last year when the bill was before the subcommittee. That is the only study that was made of packaging and labeling by the subcommittee, so far as I know. To continue it meant that it had to be in existence. Of course, the Senator can change his views about it.

Mr. HART. Let me summarize the subject in this way: There is nothing, save the general language read by the Senator, that bases our budget on hearings on the truth-in-packaging bill. The bill itself should go to the Commerce Committee. Since it is no longer proposed as an amendment to the antitrust laws, the jurisdiction of the Antitrust Subcommittee does not reach in this instance.

Mr. McCLELLAN. I have no objection to the bill being referred to the Commerce Committee. I am not objecting to it. I believe it should be referred to that committee.

However, I did not want to leave the record in the position where it might be interpreted that those of us who are members of the Subcommittee of the Judiciary Committee dealing with antitrust and monopoly legislation were silent and acquiescing in this procedure and waiving any right or jurisdiction the committee may have.

When the bill is returned to the Senate from the Committee on Commerce, I shall reserve the right to consider this matter further. If I find that the Judiciary Committee has substantial jurisdiction over the subject matter of the legislation, I shall either move myself or join with other Senators in moving to refer the bill to the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan to refer the bill to the Committee on Commerce.

Mr. DIRKSEN. As I understand, at this time, after action is taken on the motion of the Senator from Michigan, a motion to send the bill to the Judiciary Committee, after it has been reported from the Commerce Committee, would be in order. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. A motion to that effect, however, would be in order when the bill is reported by the Commerce Committee. Is that correct?

The PRESIDING OFFICER. And the bill is before the Senate.

Mr. DIRKSEN. Yes.

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. I wish to make plain one further point. I asked the chairman of the subcommittee whether he would not agree that when the bill came from the Commerce Committee it should go to the Judiciary Committee, because I said I did not dispute the fact that under the rule the Commerce Committee would have jurisdiction, similar to that of the Judiciary Committee. But he has felt, for reasons best known to himself, that he could not agree to such a request. Therefore, we are out of court, so far as the motion is concerned, and we shall have to wait until the bill comes back from the Commerce Committee, if it comes back from the Commerce Committee, and is then before the Senate, at which time we shall have to make a motion to send it to the Judiciary Committee.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The question is on agreeing to the motion of the Senator from Michigan.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to vote on the motion of the Senator from Michigan, but that prior to the vote the Chair determine the presence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

What was the request of the Senator from Louisiana?

Mr. LONG of Louisiana. I ask unanimous consent that the Senate proceed to vote on the motion, but that prior to the vote the Chair determine the presence of a quorum.

Mr. COTTON. Mr. President, reserving the right to object——

Mr. WILLIAMS of Delaware. Mr. President——

Mr. COTTON. A Senator is seeking recognition. Is the Senator from Louisiana trying to shut off debate?

Mr. LONG of Louisiana. I was under the impression that all Senators who cared to speak on the motion had spoken. If the Senator wishes to make another speech, I do not wish to cut him off.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. FONG. Mr. President, I do not object to referring S. 985 to the Commerce Committee. However, I firmly believe that the bill should also be referred to the Judiciary Committee.

The motion before the Senate is to refer only to the Commerce Committee, rather than to both the Judiciary Committee and the Commerce Committee.

The bill, S. 985, is virtually identical with S. 387, the measure that was before the Judiciary Committee during the 88th Congress. Other than some technical and minor modifications of S. 985, the bills are substantially the same.

The proponents of the bill and the Antitrust Subcommittee's majority report have consistently and rightly maintained that the substance and purposes of the proposal are "in the tradition of the antitrust laws as it seeks to promote fair competition, to maintain the integrity of the markets, to enhance the competence of consumers, and to promote efficiency in industry."

The Judiciary Committee and its Antitrust Subcommittee are therefore the appropriate forums to consider S. 985.

Mr. President, long hearings were held by the Judiciary Antitrust Subcommittee on S. 387, when it was before the 88th Congress and many witnesses were heard. Now it is proposed that the bill go to the Commerce Committee and not be referred to the Judiciary Committee.

The Senate should not abandon its long-established practice of assigning jurisdiction to the committee or committees most concerned with the substance and purposes of a bill.

If the Senate allows technical language and careful phraseology rather than substance to govern referral of proposals to appropriate committees, the Senate's committee system will be greatly weakened.

Normally, Senators desiring membership on a particular committee will seek assignment to that committee because of their interest and concern with the substantive matters over which the committee has jurisdiction.

If a bill is assigned to make it convenient to report out, and not for substantive reasons, then the primary purpose for seeking committee membership is defeated.

I believe the Senate should adhere to its sound precedent of conferring legislative jurisdiction on the basis of substance and purpose.

Mr. President, there is ample precedence for granting jurisdiction of a proposal to more than one committee, and the Senate has not hesitated to do so when such referral was warranted by the facts.

In view of the compelling facts I have cited, and since the motion before the Senate is merely to refer the bill to the Committee on Commerce, without also granting jurisdiction over the bill to the Committee on the Judiciary, I urge that the motion be defeated.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

Mr. LONG of Louisiana. If no other Senators wish to speak on the motion, I ask unanimous consent that the Senate proceed to vote.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Michigan [Mr. Hart].

The motion was agreed to.

The bill (S. 985) to regulate interstate or foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, was read the second time by its title, and referred to the Committee on Commerce.

PRESIDENTIAL AND VICE-PRESIDENTIAL SUCCESSION—PRESIDENTIAL DISABILITY

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate Joint Resolution 1.

The Senate resumed the consideration of the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may yield to the Senator from Alaska [Mr. Gruening] for 10 minutes without losing my right to the floor and that, notwithstanding the rule of germaneness, the Senator may proceed on another subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MESS IN VIETNAM—III

Mr. GRUENING. Mr. President, the news from Vietnam continues to be disturbing.

This morning's reports indicate that the so-called government of General Khanh has been overthrown by the military forces. There are many in this country who glibly talk of "losing face" through any U.S. talk of a cease-fire in Vietnam as a prelude to a negotiated peace there. How much "face" however do we lose and have we lost by maintaining the pretense that U.S. military forces are in South Vietnam only at the specific request of the "friendly" Government of South Vietnam.

What government? Today's, yesterday's, or tomorrow's?

These are not secret overthrows of the Government of South Vietnam. They take place publicly for all the world to see. We may continue our practice of self-deception in claiming a continuation of the predecessor government's request for our continued advice and assistance. But the other nations of the free world can analyze the news more objectively, especially in the light of events of the last few weeks.

Apparently, having found the South Vietnamese unwilling to fight for their freedom, we have determined to "go it alone" and to escalate the war there, if need be, in our determination to contain Red China physically and militarily, whether or not there is anything substantive beneath the facade of what passes for the Government of South Vietnam.

In an advertisement appearing in this morning's New York Times the issue is clearly stated:

> America must decide between a full-scale war and a negotiated truce.

That is clearly the choice for the United States. A full-scale war in Vietnam—and over Vietnam—would be unthinkable for those who cannot see the United States engaged in a ground war against the Red China hordes thousands of miles from our shores.

I ask unanimous consent that the advertisement from today's New York Times be printed in full in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **GRUENING**. Two items appearing in the New York Times on February 10, 1965, dealing with the U.S. position in South Vietnam are also particularly worthy of note and comment.

The first item—an editorial entitled "What Price Vietnam"—raises questions which should be faced and answered not only by the leaders in the executive branch of the Government and by us here in the Congress, but by every citizen in the United States interested in the U.S. posture abroad as an effective fighter for peace throughout the world.

The editorial raises the following questions:

> The Americans went into Vietnam in 1954 to fill the vacuum left by the French and to contain the advance of communism in that part of southeast Asia.
>
> The motives are exemplary and every American can be proud of them, but the crucial questions are: Can it be done? Is the price too high? Was the military decision in the Kennedy administration to increase American forces in Vietnam mistaken? Are the dangers of escalation too great? Is this a good battleground of the cold war on which to fight? Is the United States losing more than it is gaining? All leads up to the basic question that some Senators are asking: Is this war necessary?

Mr. President, can the United States contain "the advance of communism in that part of southeast Asia" by fighting a ground war in South Vietnam with some 23,000 so-called "advisers" to a South Vietnamese Army which has no will to fight, with an unstable, "here today, gone tomorrow" government, and with a civilian population confused, war-weary, and uninspired?

The answer is clearly in the negative.

The New York Times then asks: "Is the price too high?"

Mr. James Reston, associate editor of the New York Times, in his excellent column entitled "A Time for Reflection on Vietnam," on the very same editorial page, gives one answer when he recalls that the French Army, our predecessors in South Vietnam, were defeated although they had an army of over 380,000," ending 70 years of French control over Indochina, and cost the French 172,000 casualties." It is the cruelest kind of deception to lead the American people to believe that we can succeed with 23,000 so-called "advisers" where the French failed with an army of over 380,000.

Our growing list of casualties—growing at an alarming rate—attests to the price being too high. For "too high" must be judged in terms of future prospects of victory and the war in South Vietnam cannot be won on the battlefield. It is a political issue—a civil war—which can be settled only at the conference table.

The New York Times editorial then asks the question, "Was the military decision in the Kennedy administration to increase American forces in Vietnam a mistake?" I would answer this question in the affirmative, modifying it to include both the Eisenhower and Kennedy administrations. For the fact remains that the plans for the intensification of our involvement in South Vietnam were prepared under the direction of President Eisenhower and were ready for President Kennedy's OK shortly after he took office, when his own advisers had barely time to get their feet wet.

The next question asked by the New York Times in its editorial is, "Are the dangers of escalation too great?" In my opinion, the dangers of escalation are far too great for the United States to continue on its present collision course. The greatest present danger—apart from the ever-present danger of our retaliation escalating into a thermonuclear disaster—is that we will become embroiled in a Korea-type foot war.

The New York Times editorial continues in its questioning of U.S. policy: "Is this a good battleground of the cold war on which to fight?" Here, too, it is obvious that the answer is in the negative. The war in South Vietnam is being fought at the wrong time, and in the wrong place. For the United States to engage in a ground war in 1965 in South Vietnam where the indigenous population is more interested in fighting among themselves rather than in fighting communism makes no sense whatsoever.

The New York Times editorial also asks: "Is the United States losing more than it is gaining?" It is difficult to answer this question because it presupposes that we are making some gains, and on the basis of all the facts available, it is obvious that we are not making any gains in South Vietnam but rather are losing ground steadily. Our napalm bombing of villages has surely not endeared the United States to the non-Vietcong population. Economic development and planning cannot go forward in a country rent with civil war, under a government that does not command the loyalty or respect of the majority of the people.

The final question asked by the New York Times editorial is: "Is this war necessary?"

Emphatically—no. The United States should never have gotten itself involved in the first place. We should adopt the course of action which I have been advocating for some time now and which is echoed in the column by Mr. James Reston when he advises:

> The Korean solution of a ceasefire and withdrawal on either side of the 17th parallel is probably the best anybody can get out of it, and the first step in this is clearly a self-imposed ceasefire on both sides of the line.

I ask unanimous consent that both the editorial on Vietnam in the New York Times and Mr. James Reston's column in the same paper for February 10, 1965, be printed at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibits 2 and 3.)

EXHIBIT 1

[From the New York Times, Feb. 19, 1965]

VIETNAM: AMERICA MUST DECIDE BETWEEN A FULL-SCALE WAR AND A NEGOTIATED TRUCE

A spiraling exchange of blows and counter blows in Vietnam can lead to a major war involving the United States and China—a war nobody wants and no one can win. The present tragic conflict can only be resolved by political, not military means. Join with us in asking negotiations to end the war in Vietnam. Help mobilize public opinion to—

Stop the widening of the war—Bombing North Vietnam will not stop the conflict in South Vietnam. Widening the war only serves to invite the intervention of the North Vietnamese regular army, the U.S.S.R., and China.

Seek a cease-fire—No issues will be decided by prolonging the bloody and fratricidal conflict in South Vietnam. The fighting must be brought to a halt so that the devastated nation may recover.

Negotiate an international settlement—Now, before the war escalates into a major disaster, means must be found and found urgently to take the issue from the field of battle to the conference table.

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EXHIBIT 2

[From the New York Times, Feb. 10, 1965]

WHAT PRICE VIETNAM?

There is no cause to quarrel with the sentiments of President Johnson in commenting to his Boy Scout visitors on the American reprisals against North Vietnam:

"We love peace," he said, "but we love liberty the more and we shall take up any threat, we shall pay any price to make certain that freedom shall not perish from this earth."

The people of the United States do love peace; they love freedom; they will fight for it. Mr. Johnson was on completely safe ground, even to a little forgivable plagiarism from Abraham Lincoln.

But the American public is not asking for truisms about Vietnam. It must surely want sound, solid, persuasive arguments to justify the cost in lives and materiel, and the risk being run in this dangerous southeast corner of the continent of Asia.

The true reasons tend to be blurred by rhetoric. The United States is not in Vietnam, as is so often implied by the White House and State Department, in order to bring democracy, Western style, to Vietnam. It would indeed be helpful if Saigon did have a popular, stable, democratic government; but the historic, political, social, religious and tribal factors militate against such a development, without counting the personal rivalries of generals and politicians. Those who profit by the American presence want the United States to stay. Those who feel frustrated by American power—nationalists, Communists, Buddhists and probably the majority of the peasantry, who simply ask to be left alone—want the Americans to go.

The plain fact, which such fine language as President Johnson's tends to confuse, is that the United States is in Vietnam because it believes that its own security is involved. Vietnam is a battle in the cold war, which is sometimes hot. The Americans went into Vietnam in 1954 to fill the vacuum left by the French and to contain the advance of communism in that part of southeast Asia.

The motives are exemplary and every American can be proud of them, but the crucial questions are: Can it be done? Is the price too high? Was the military decision in the Kennedy administration to increase American forces in Vietnam mistaken? Are the dangers of escalation too great? Is this a good battleground of the cold war on which to fight? Is the United States losing more than it is gaining? All leads up to the basic question that some Senators are asking: Is this war necessary?

These questions cannot be answered by saying that "freedom shall not perish from this earth." The questions reflect genuine doubts and anxieties. They require precise answers. The American people should not be asked to take the sacrifices of Vietnam for granted. There has been a confusion in the public mind which Washington has thus far failed to dispel.

A straightforward explanation on a high intellectual level of practical politics and strategy is in order. Americans would then, at least, be in a position to resolve their own doubts one way or another.

EXHIBIT 3

[From the New York Times, Feb. 10, 1965]

WASHINGTON: A TIME FOR REFLECTION ON VIETNAM

(By James Reston)

WASHINGTON, February 9.—This may not be a bad time to take a hard look at the nature and mathematics of the war in Vietnam.

According to the official intelligence estimates, the Communists are now sending between 500 and 1,000 new trained revolutionaries a month into South Vietnam.

These are both the brains and the bone structure of the Communist apparatus now operating below the 17th parallel. They number, to the best of our knowledge, between 28,000 and 34,000, and lead between 60,000 and 80,000 night raiders who operate in small units all over the country.

Behind these guerrillas in North Vietnam is an uncommitted army estimated here at 225,000 men. This is the successor to the force that defeated a French Army of over 380,000, ending 70 years of French control over Indochina, and cost the French 172,000 casualties.

THE DECEPTIVE FIGURES

The force levels on our side are impressive but misleading. The South Vietnamese have 240,000 men in their army, navy, air force and marines; and another 290,000 in the national guard, military police, special forces, coast guard, and national police.

These are backed, trained, and often transported by U.S. forces, now numbering 23,000, who have overwhelming superiority in firepower, airpower, and naval power.

The mathematics of guerrilla warfare, however, is nothing like the mathematics of normal warfare. The Algerian rebels prevailed over the best of the French Army, though they were outnumbered by more than 20 to 1.

The problem is quite different from what it was when the Communist PT boats attacked our destroyers in international waters in the Gulf of Tonkin. Then it was possible to attack and knock out the PT bases. The target was clear and the counterattack effective.

Stopping the flow of Communist infiltrators into South Vietnam, however, is a quite different thing. They leave from many different parts of Communist territory in very small numbers and reach the south by many different trails, most of them hidden in the jungle.

Trying to spot-bomb this steady trickle of revolutionaries is like trying to bomb a stream of water. We can make a big splash in the headlines, but the stream will go on.

THE INFILTRATION PROBLEM

President Johnson, therefore, still faces his most difficult problem. As long as he was faced merely with punishing an isolated Communist attack, he could strike and fall back. But stopping the infiltration, which as he says is the main problem, will probably require much greater risks than he has ventured to assume so far.

"We seek no wider war," he said in a White House statement. "Whether or not this course can be maintained lies with the North Vietnamese aggressors. The key to the situation remains the cessation of infiltration from North Vietnam and the clear indication by the Hanoi regime that it is prepared to cease aggression against its neighbors."

Nobody should underestimate the seriousness of this remark. It is a clear threat that the war will be extended unless Hanoi withdraws, and there is absolutely no indication by Hanoi or its Communist backers that withdrawal is intended.

The President does not want to go north or retreat south. But he is now in a position that satisfies very few people. He has compromised between those here who want him to go on about as before and those who want him to use his airpower on the Communist industry in the north. He has issued a challenge and given the Communists the initiative in deciding what to do about it.

A KOREAN SOLUTION?

This is an odd thing to do at a time when officials here are telling us that the war is really going well—despite the political troubles in Saigon—but anyway it has been done and an elaborate test of will and pride is now ahead.

In this situation, the main hope is that both sides will stop where they are for a while and think. The U.S. cannot win the battle on the ground without a major effort against the uncommitted North Vietnamese Army of a quarter of a million men, and the North Vietnamese cannot win against the air and naval power of the United States.

The Korean solution of a ceasefire and withdrawal on either side of the 17th parallel is probably the best anybody can get out of it, and the first step in this is clearly a self-imposed ceasefire on both sides of the line.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Delaware [Mr. WILLIAMS] for 5 minutes, at the conclusion of which the Senator from Indiana [Mr. BAYH] will be prepared to undertake to discuss the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FALLACY OF THE PROPOSED $700 MILLION TAX BREAK FOR BUSINESS

Mr. WILLIAMS of Delaware. Mr. President, yesterday I commented upon a press report in which the President was quoted as saying that as the result of a Treasury ruling business would receive an additional $700 to $900 million tax reduction.

At the time I raised the question as to how, by Executive order a new—and it was described as "new"—$700 to $900 million tax reduction for business would be possible unless, in interpreting the 1962 act, the Treasury Department had been in error and was correcting a previous ruling. I could not see how it would be possible otherwise to interpret a law which had been in effect since 1962 and give an additional tax reduction.

Since then I have had a series of conferences with officials of the Treasury Department, and it has developed that I was correct. The so-called new tax reduction is not a new tax reduction as it was described to be. One of the officials, who wished to remain identified only as a spokesman, said that he thought the press had been in error in reporting the President's statement. Whether it was the press or a slip of the tongue on the part of someone else, I do not know. But it is now admitted that the new ruling would not be a new tax reduction. It merely provides that business will get those benefits which the 1962 act intended that they have.

In 1962 the Congress revised our depreciation schedules by doubling the benefit of investment credits. At the same time, the Treasury Department issued a new bulletin which changed the previously listed existing life of much of the depreciable property. That ruling, which was contained in a new bulletin, was much more favorable to business and, coupled to the legislative action of the Congress, by doubling the investment credit it did have the effect of substantially liberalizing the depreciation schedules for business.

After that law was enacted the Treasury Department issued a ruling providing in effect that unless a business elected to convert or adopt the new depreciation schedules within a 3-year period the business would lose or forfeit the right to make the conversion. The result has been that during the 3-year period many business establishments were unable to bring their new depreciation schedules into compliance or take advantage of the new schedules. Unless the 3-year limitation were removed it would have meant that many American businesses would be deprived of the advantages of the more liberalized schedules that were provided in 1962. So yesterday under a new ruling the 3-year limitation was removed. This had been an arbitrary interpretation of the act by the Department after the enactment of the 1962 law, and they are now correcting their error.

In other words, it is a correction of a ruling that was made by the Treasury Department, a ruling in which in my opinion the Treasury was wrong at the time it made it. I believe the Department was correct when it issued its ruling yesterday. I am glad it has done so. But I believe the record should be clear that the ruling yesterday does not give to American business any additional benefits which Congress did not provide in the 1962 law. The ruling merely provides that business will be able to get the full advantage of the reductions afforded in the 1962 laws and will not be deprived of that advantage as a result of an arbitrary ruling that was adopted in 1962 limiting the conversion privilege to only 3 years.

I do not question that the Treasury ruling with respect to the 3-year limitations was issued with the best intentions. Probably it felt it could bring business into acceptance at this early date, but it has now corrected its error. I am in complete agreement with what the Treasury did yesterday, but I am not in agreement with the interpretation that it is a new tax cut of $700 to $900 million. There is nothing new about it at all. It was passed in 1962. To call it a new tax cut is nothing but political ballyhoo.

This ruling of yesterday definitely is not a new tax cut for American business, and as further evidence of this point the Department admits its new ruling will have no effect on the President's budget as submitted in January.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. In what form did the Treasury Department impose the 3-year limitation within which business would have to make conversion to the new basis of depreciation?

Mr. WILLIAMS of Delaware. It was done by a 1962 ruling issued by the Treasury Department, a ruling which the Treasury had a perfect legal right to make. However, I do question the advisability of the ruling. I think they were wrong. I am glad it has now been corrected. Had it not been corrected many business establishments would not have been able to take advantage of the 1962 liberalization of depreciation rates. To that extent it can be said that had the ruling of yesterday not gone into effect business would have lost several hundred million dollars.

I have seen a figure of $200 million or $300 million, but later a figure of $700 million to $900 million. But whether the figure be $200 million, $300 million, $700 million, or $900 million, it is not a new tax cut; it is merely a ruling that business will have additional time in which to take advantage of the liberalization provided in the 1962 act. I want to make it clear that I am in complete agreement with the ruling issued yesterday. It was the intention of Congress—at least, it was my intention as one member of the Committee on Finance—that there be no such arbitrary cutoff date anyway.

The Treasury is correct when they nullify this earlier ruling—but let us call it what it is—and not ballyhoo it as a new tax reduction.

Mr. HRUSKA. The Senator from Nebraska is a little confused. Is there any provision in the law that was passed in 1962 which gave the Secretary of the Treasury the right to put a time limitation on the obligation that business would have?

Mr. WILLIAMS of Delaware. That was not the intention of the 1962 act.

Mr. HRUSKA. Is it customary for the Department of the Treasury to say with respect to a law that has been passed by Congress and signed into statute by the President that it will be in effect only X years, and that from then on it will not be in effect? Is it customary for the Department to do that?

Mr. WILLIAMS of Delaware. No; but the ruling was not made in exactly that way. In 1962, or prior to 1962, there were old depreciation schedules. For instance, a piece of property or equipment might have been depreciated in 10 years or 25 years. Under the new schedule, the period might have been reduced to 7 years or 18 years. Most businesses would automatically convert to new schedules over a shorter life period, which gave them a more liberal depreciation schedule.

However, some businesses found they could not or that it did not suit to convert readily without complications, because perhaps the life had only 5 more years to run, and it would not have been profitable to convert.

The Treasury, I believe, with the best of intentions, believed that industry could convert in 3 years and operate completely on the new schedule; but the law did not so provide.

Mr. HRUSKA. There was no limitation. What right did the Treasury have to say that the law would be effective for 3 years?

Mr. WILLIAMS of Delaware. I think the Treasury made a mistake. I do not know whether it had a legal right to do that; anyway, it made it. The Treasury ruling does have the effect of law unless and until it is upset by the courts or is changed. In this instance the Treasury changed its ruling.

But the Senator from Nebraska is perfectly correct; there was nothing in the law as it was passed in 1962 which gave any indication that Congress even intended that there be a time limit. I think the Treasury was wrong when it established a time limit. I believe the Treasury is correct in its ruling of yesterday.

But it is just as erroneous to ballyhoo this later ruling as a great new tax reduction for business as it would have been for the administration in 1962 to have been charged under the 3-year ruling of initiating a $900 million tax increase. They should have had equally big headlines, saying that the administration would take away from American business benefits of $700 to $900 million that Congress gave them. But the Treasury never said a word about that, but now when it reversed its ruling it is ballyhooed as a great new tax reduction. This was a ruling the Treasury should never have made in the first place, but now the reversal of its ruling is being ballyhooed as a tax reduction.

I recognize political ballyhooing—and that is what I call it. American business should know that it is only getting, as a result of the ruling yesterday, what Congress intended it should get in the first place. It was never the intention of Congress that that amount of money be taken away from business through any arbitrary rulings of the Department.

I am glad the Treasury has taken this corrective action. I have no objection to the administration's trying to make political hay out of it if it wants to; but we understand what the facts are and have a right to call it political ballyhoo. I think the country should understand this. If taxes are to be cut Congress will cut them. Congress passes laws; they are not passed in the White House.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG of Louisiana. While the Senator is on the subject—I do not care to debate the point—it might be well to recall that this action is similar to a situation that has been publicized recently about the Du Pont ruling. My impression was that counsel in the Treasury had an idea that Du Pont ought to pay more money than Du Pont felt it should pay. After a period of debating back and forth, the Du Pont lawyers said, "We will go to court, and we will defeat you."

So after the Government lawyers thought about the case for a while, they concluded they were wrong, and they proceeded to write a different opinion, which the Du Pont people were willing to agree was correct, and the parties settled on that basis.

Mr. WILLIAMS of Delaware. The recent Treasury ruling which the Department issued was in direct conformity with the order of the Court and was what the Treasury should have done, as the Senator from Louisiana will agree. That is comparable to what was done in this instance. In the first instance Congress laid down the rule for taxing of the distribution of General Motors stock by the Du Pont company under guidelines laid down by the Supreme Court. The Treasury Department later decided it should follow those guidelines of the Court. I think the Treasury was correct when it did so. Otherwise, I feel certain the Government would have lost in court.

Likewise, I believe almost any businessman could have gone into court and upset the 3-year ruling as it applied to the 1962 depreciation schedule.

It is clear from the hearings and the records of legislation that there was no intention that there be a 3-year limitation. The new depreciation schedules were adopted. It was fully the intention of Congress that all American business in the future, until the law was changed, would have the benefit of the more liberal provision with no strings attached. The ruling of yesterday merely carries out the intent of Congress and the intent of the law. I believe the later ruling is correct. But in no instance was there a tax reduction for anybody.

Mr. LONG of Louisiana. As one member of the Committee on Finance and of the Joint Committee on Internal Revenue and Taxation, I do not quarrel with the Collector of Internal Revenue for demanding more money than the taxpayer believes the taxpayer owes. I also believe that at such time as the Collector finds he is in error in demanding too much taxes, he ought to correct himself rather than to have some one take him to court and make him repay the taxpayer.

Mr. WILLIAMS of Delaware. I hope I misunderstood the Senator from Louisiana. Did I correctly understand him to say that he would not blame the Commissioner for collecting more than a man owes? If so, I disagree with him completely.

Mr. LONG of Louisiana. I believe my words failed to convey my thought. I meant that if the Collector thinks a taxpayer owes a certain amount of money, he ought to claim it.

Mr. WILLIAMS of Delaware. The Senator is absolutely correct on that point.

Mr. LONG of Louisiana. But if after consultation with the taxpayer and the taxpayer's lawyers and accountants, and with whomever in the Treasury he wishes to consult, he then becomes convinced he is wrong, he should do what he then believes is right and rule in the way he believes the law requires.

Mr. WILLIAMS of Delaware. Mr. President, I am in complete agreement. I think that the Treasury Department has the responsibility to collect that which it thinks the taxpayer owes—no more, no less. When a taxpayer comes to the Treasury Department and shows that he owes less, the Treasury Department should be gentlemen enough to admit it, just as much as the taxpayer should if he has made a mistake and owes more.

In this instance, the Treasury Department had made a mistake. They corrected the mistake. I compliment them on correcting it.

But again, the only reason that I discuss this subject at all is that I am receiving a few inquiries from businesses back home asking, "Just how will this tax deduction affect me? How will I compute taxes differently than before?"

The answer is, there is no new tax cut. They merely have additional time to take advantage of the 1962 liberalized depreciation. No change has been made. The Department admitted that its new ruling will not affect the 1964–65 budget of the President one single dime. Certainly this is not any new tax reduction; otherwise, it would seriously affect the budget. Politics is politics—taxes are taxes; let us keep them separate.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HRUSKA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HRUSKA. Is the Senate operating on limited time?

Mr. MANSFIELD. We are on the bill. But we obtained unanimous consent to take up the other measure.

Mr. LONG of Louisiana. Mr. President, we are waiving the germaneness rule.

Mr. HRUSKA. We have been waiving the rule all week.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 2 minutes.

Mr. HRUSKA. With respect to the ruling of the Commissioner, Congress passed a law making certain bases of depreciation available. The Commissioner undertook to negate this law, to write it off the books and not make it available to the taxpayers after 3 years. By what authority did he do so? I cannot understand it. If he does that on depreciation, why can he not do it in connection with another section of the law and say, "When 3 years passes, section 'X' in the law will no longer be effective." That is exactly what he did. That is very puzzling to me.

Mr. WILLIAMS of Delaware. Those taxpayers who had made an election prior to the 3-year expiration date would have continued to receive the benefits had this last ruling not gone into effect. But taxpayers who had not made an election would not have an opportunity to make such election after the expiration of the arbitrary 3-year period which the Treasury Department had established.

Congress did not intend that there be any limitation at all. It was intended that a taxpayer 10 years from now, if he wished could take advantage of the new schedules. It was the intention of Congress that he make this election when he was ready and at whatever date he chose. The 3-, 4-, 5-year period should never have entered into it.

The Treasury Department by its most recent ruling has removed that time limitation. I compliment them. The Treasury Department is recognizing its error. But I point out that American business is not getting any additional tax cut that it did not have under the 1962 law or that Congress did not intend that they have fully under the 1962 law. It was not the intention of Congress that anyone who had not made this election prior to a 3-year period be deprived of it.

I repeat, this is not a new tax cut.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENTIAL AND VICE-PRESIDENTIAL SUCCESSION—PRESIDENTIAL DISABILITY

The Senate resumed the consideration of the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Mr. BAYH. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of further amendment, not prejudicing the rights of any Senator to further amend the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 2, line 17, after "SEC. 3.", to strike out "If the President declares in writing" and insert "Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration"; in line 23, after "SEC. 4.", to strike out "If the President does not so declare, and the Vice President with the written concurrence of a majority of the heads of the executive departments or such other body as Congress may by law provide, transmits to the Congress his written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President." and insert "Whenever the Vice President, and a majority of the principal officers of the executive departments or such other body as Congress may by law provide, transmit to the President of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President."; on page 3, line 13, after the word "the", where it appears the second time, to strike out "Congress" and insert "President of the Senate and the Speaker of the House of Representatives"; in line 18, after the word "the", where it appears the first time, to strike out "heads" and insert "principal officers"; and at the beginning of line 23, to strike out "will immediately" and insert "shall immediately proceed to"; so as to make the joint resolution read:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

" 'ARTICLE —

" 'SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

" 'SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

" 'SEC. 3. Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, such powers and duties shall be discharged by the Vice President as Acting President.

" 'SEC. 4. Whenever the Vice President, and a majority of the principal officers of the executive departments or such other body as Congress may by law provide, transmit to the President of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

" 'SEC. 5. Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President, with the written concurrence of a majority of the principal officers of the executive departments or such other body as Congress may by law provide, transmits within two days to the Congress his written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall immediately proceed to decide the issue. If the Congress determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of the office, the Vice President shall continue to discharge the same as Acting President; otherwise the President shall resume the powers and duties of his office.' "

Mr. BAYH. Mr. President, I send to the desk an amendment to section 5 of the bill and ask that it be stated. I feel that this was the intention of the committee. It is a change of wording that needs to be made in order to have the bill conform to the intention of the committee. It does not change the bill in any way at all.

The PRESIDING OFFICER. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 3, in line 17, strike the following: "with the written concurrence of" and insert in lieu thereof: "and".

On page 3, line 20, strike the following: "transmits within two days to the Congress his" and insert in lieu thereof: "transmit within two days to the President of the Senate and the Speaker of the House of Representatives their".

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Indiana.

The amendments were agreed to.

Mr. BAYH. Mr. President, and Members of the Senate, on December 1, 1964, the President of the United States had a small growth removed from his hand. The Nation wondered. On January 23, 1965, Americans awoke to learn that during the night the President had entered the hospital with a cold. The Nation, and, indeed, much of the world worried. But we were fortunate on each of those occasions.

Today we have a strong, forthright, and vigorous President of the United States. I might also add that we are fortunate today because we have an able-bodied and vigorous Vice President of the United States. This was not the case in the sad months following November 22, 1963.

We have not been so fortunate in the past to have had able-bodied, vigorous Presidents and Vice Presidents.

Sixteen times in the history of our country we have been without a Vice President. All Americans can recall the eight Presidents who have died in office, but our memories fail us in remembering that seven Vice Presidents died in office; and one Vice President, John Calhoun, resigned to become a U.S. Senator.

The total span during which this Nation has not had a Vice President has been in excess of 37 years.

There have been serious presidential disabilities over various periods of the history of our country. I should like to review them briefly.

President Garfield lay disabled for 80 days after being struck by the bullet of an assassin.

Ruth Silva, in her book "Presidential Succession," described that period in these words:

> During these 80 days a great deal of urgent business demanded the President's immediate attention: there were postal frauds; officers did not perform their duties because they had not been commissioned; the country's foreign relations were deteriorating * * * Nearly every day the newspapers mentioned some important matter which was ignored because it required the President's personal attention.

And still there was no one to perform the functions that only the disabled President could perform.

President Wilson had a serious illness lasting 16 months. To all intents and purposes, history shows that his wife and his physician conducted the Government of the United States. No member of the Cabinet was permitted to see the President for a minute. No one could see or hear a word he said or wrote.

Presidential Assistant Joseph Tumulty was not allowed to see the President. However, in good conscience, he felt he was compelled to give Mrs. Wilson a list of business which he felt needed Presidential action.

I quote from Eugene Smith's "When the Cheering Stopped," relating to that time:

> The railways taken over during the war still awaited return to their owners, the Costa Rican recognition matter was still up in the air, a commission to deal with the mining strike situation should be appointed, the Secretaries of the Treasury and the Interior and the Assistant Secretary of Agriculture needed replacements, there were vacancies in the Civil Service Commission, Federal Trade Commission, Interstate Commerce Commission, Shipping Board, Tariff Committee and other agencies, and that diplomatic appointments were needed for Bulgaria, China, Costa Rica (if recognized), Italy, the Netherlands, Salvador, Siam, and Switzerland. Also, the Democratic leadership in the Senate desperately wanted an expression of Wilson's policy in dealing with the Lodge amendments to U.S. entry into the League of Nations.

Subsequently, without Presidential advice, America's entry, and later the League of Nations itself, failed.

President Cleveland underwent a major operation, in complete secrecy, aboard a private yacht cruising off Long Island.

More recently, in the memory of all of us, President Eisenhower had three serious illnesses. The Vice President, Mr. Richard Nixon, in his book "Six Crises," describes the period surrounding the Presidential heart attack on September 24, 1955, as a period of "governmental lull."

However, if it was a period of governmental lull, I wonder what a period of governmental crisis would have been. I quote from the New York Times of September 27, 1955, relating to the times in which we lived:

> Top-level decisions were pending on disarmament policy, budgetary problems, military force levels, certain politicostrategic questions, withdrawal of troops from Korea, future military policy toward Formosa, and reduction of forces in Japan.

For some 2 months after President Eisenhower's heart attack the Government was directed, for all intents and purposes, by a six-man committee, comprised of Vice President Nixon, Presidential Assistant Sherman Adams, Mr. Dulles, Secretary of State, Attorney General Brownell, Secretary of the Treasury Humphrey, and General Persons.

Vice President Nixon wrote of this period in his "Six Crises":

> Although it was hardly mentioned, I am certain that many of us realized our team-government would be inadequate to handle an international crisis, such as a brush-fire war or an internal uprising in a friendly country or a crisis of any ally. The ever-present possibility of an attack on the United States was always hanging over us. Would the President be well enough to make the decision? If not, who had the authority to push the button?

Vice President Nixon, after President Eisenhower's second illness, which was a 30-minute operation for an attack of ileitis on June 8, 1956, says, in his book "Six Crises":

> On several occasions afterwards he (Eisenhower) pointed out to me that for the 2 hours he was under anesthesia the country was without a chief executive, the Armed Forces without a Commander in Chief. In the event of a national emergency during those 2 hours, who would have had the undisputed authority to act for a completely disabled President?

Again, Vice President Nixon, on President Eisenhower's third illness, which was a stroke on November 27, 1957, stated in his book:

> It was a time of international tensions. Only a month before the Soviet Union had put its first Sputnik in orbit * * *. The most immediate problem was a scheduled meeting of NATO only 3 weeks away * * *. On the domestic front, the first signs of the 1958 economic recession were becoming obvious * * *. We were having serious budget problems.

So wrote the former Vice President, who was forced to serve during three serious Presidential illnesses.

Former Attorney General Brownell, who was one of the committee of six during the illness mentioned, wrote of the half hour when President Eisenhower was unconscious during his ileitis operation that:

> It was realized that the announced intention of the President to undergo a serious operation might entice a hostile foreign power to make some drastic move in the expectation of finding, at the critical moment, confused and uncertain leadership in the United States.

Senate Joint Resolution 1 is an effort to guarantee continuity within the executive branch of Government. It is designed to provide that we shall always have a President or Acting President physically and mentally alert. Second, and of equal importance, it is to assure that whoever the man may be, there will be no question as to the legality of his authority to carry out the powers and duties of the office.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BAYH. I am glad to yield.

Mr. LONG of Louisiana. I commend the Senator for the fine work he has done both in studying the background and problem and also in bringing the measure before the Senate at this very early date. The Senator has labored long in the vineyard on this matter. I believe he managed the measure in the previous Congress, which the Senate passed. Unfortunately, on that occasion, the House failed to act. I certainly hope that the efforts of the Senator will be crowned with success, and also the efforts of his committee; and that this measure, having passed the Senate, will be promptly acted upon by the House of Representatives in the first session of Congress.

Mr. BAYH. I am grateful to the Senator for his kind words. I know of his long interest in this subject and have discussed it with him. I know of his concern that this loophole in the Constitution of the United States should be filled.

(At this point Mr. Pell took the chair as Presiding Officer.)

Mr. BAYH. Mr. President, let me review for a moment what has gone on before, to establish and clarify the Executive authority of the U.S. Government. First, I refer to article II, section 1 of the Constitution.

I believe we should refer to article II, section 1 of the Constitution on this particular question. The contents of article II deal with the responsibility of the Executive authority in our country.

Section 1 specifies:

> The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

In addition, article II, following the Executive powers, or executive contingencies, deals with the selection of electors, it deals with the manner in which the President and Vice President shall be elected. This, let me point out, has subsequently been amended in the 12th amendment. It deals with the qualifications which are prescribed for the President and the Vice President. It deals with Presidential compensation. It deals with the oath of office which the President is required to take. It deals, most important of all, with the powers and duties which are given to the President. It deals with messages—the state of the Union message, and others—which the President may make to the Congress. It also provides for the event of removal, death, resignation, or inability of the President.

I should like to read this last provision, because it is this provision with which we are dealing specifically in Senate Joint Resolution 1.

The clause reads as follows:

> In case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

Senate Joint Resolution 1 is designed to clarify the ambiguity, and remove the uncertainty and doubt which have been raised over the years by this clause.

I ask unanimous consent to have printed in the Record the text of Senate Joint Resolution 1, as amended by the committee, and more recently amended by unanimous consent of the Senate.

There being no objection, the joint resolution, as amended, was ordered to be printed in the Record, as follows:

S.J. Res. 1

Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President in unable to discharge the powers and duties of his office

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several

States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"SEC. 3. Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. Whenever the Vice President, and a majority of the principal officers of the executive departments or such other body as Congress may by law provide, transmit to the President of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"SEC. 5. Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President, and a majority of the principal officers of the executive departments or such other body as Congress may by law provide, transmit within two days to the President of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall immediately proceed to decide the issue. If the Congress determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of the office, the Vice President shall continue to discharge the same as Acting President; otherwise the President shall resume the powers and duties of his office."

Mr. BAYH. Mr. President, Senate Joint Resolution 1 removes all doubt about the Vice President succeeding to the office of President.

There may be some Senators who might believe it rather foolish to deal with a problem of this kind when all America takes it for granted. All America does not take it for granted. There is significant constitutional authority, and constitutional scholars are concerned about the fact that there still is a scintilla of doubt as to whether the President, upon dying, is succeeded by the Vice President who succeeds to the office as President, or merely assumes the powers and duties of the office as Acting President.

I ask Senators to recall with me the first tragedy which occurred when President William Henry Harrison was lost, and he was succeeded by the then Vice President Tyler. The first papers which were given to the new President to sign contained under his name the words "Acting President." Subsequently, a close analysis of what our constitutional forefathers discussed in the Constitutional Convention leads us to believe that there was good reason for including the words "Acting President."

Inasmuch as Vice President Tyler decided that he did not wish to be acting President, that he wished to be President, he struck the word "acting." Ever since that time, it has become so entrenched in the laws of the land that it is indeed the law of the land today.

We feel that we should remove any doubt whatsoever about this issue.

The point is not so ridiculous as it seems because on December 10, 1963, following the tragedy in Dallas, Tex., the New York Times published an article concerning a New Mexico lawyer named Leonard Jones, who had forwarded a brief to the Attorney General challenging the right of President Johnson to take the oath of office as President, rather than the oath as Acting President.

I also point out that the 22d amendment to the Constitution which is a relatively recent amendment, reads in part as follows:

> SECTION 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President—

I emphasize the word "acted"—

> for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once.

Therefore, in the recent history of amending the Constitution, we have referred to the possibility of the Vice President perhaps being Acting President instead of being President. This can be remedied and should be, I feel—and will be—by specifying, as we do, in section 1 of Senate Joint Resolution 1, that upon the death of the President, the Vice President shall become the President.

It also provides that in the event there is a Vice-Presidential vacancy either because of death, resignation, or removal—of either Vice President or President, both cases of which would result in a vacancy—the President would be nominated by a majority vote in both Houses of Congress, and subsequently a new Vice President would be elected, who would, in fact, be the Vice President.

This formula provides, first, that there would be a Vice President at all times; second, that there would be a Vice President who would be acceptable to the President, a Vice President with whom the President could work.

I hope all Senators will agree with me that at a time of international crisis, such as the death of a President in the United States, the last thing we would need would be a Vice President with whom the President could not get along.

Third, it would provide for a Vice President who would have received a vote of confidence and would have been, in fact, elected by the Members of both Houses who have the responsibility for being close to the people and knowing what they desire and expressing their wishes in Congress.

I should like to emphasize briefly for the RECORD the importance of having a Vice President at all times.

I do not believe that there is any office in existence which has been subjected to more puns and ridicule at one time or another in the history of our country than the office of Vice President. This might have been well directed toward some Vice Presidents at an earlier age in the development of the country, but today we have seen a rapid development in the office of Vice President to the point where he is now a full-time officeholder.

Today, the Vice President is not a figurehead. He is the chief ambassador of our country, traveling all over the world carrying the flag and the good will of America with him. He sits in at Cabinet meetings. He is a member of the National Security Council. He is Chairman of the National Aeronautic and Space Administration. He is Chairman of the President's Committee on Equal Employment Opportunity. He presides over the Senate. He has the opportunity—and I feel that he should—to relieve the President of many of the social obligations which rest upon the Chief of State.

In addition, the Vice President is only one heartbeat away from the most powerful office in the world.

Therefore, I believe that it is abundantly clear that we need provisions in the Constitution to enable the United States to have a Vice President at all times.

Let me hastily point out that in the area of succession Congress has dealt with the problem on three occasions—in 1792, 1886, and 1894. On all three occasions it did not deal with replacing a Vice President or with the necessity of finding someone to serve as President when the President was unable to perform the powers and duties of his office, but only with the contingency that would arise when both the President and Vice President were removed.

Let us pass quickly to sections 3, 4, and 5 of the joint resolution, which deal with the inability of the President to carry out the powers and duties of his office.

Searching high and low for the intent of our Founding Fathers for a reference to which I referred earlier, first, inability and, second, disability, we find little solace in the notes on the Constitutional Convention. Only one question was raised on this point, and that was raised by John Dickinson of Delaware, wnen he rose on the floor and said:

> What is meant by the term "disability," and who shall determine it?

To that question no answer was given. That is the only reference to this subject.

Mr. President, absent any direction by our Constitutional Fathers, we have been drifting on a sea of indecision for the best part of two centuries. We have not dealt with the admittedly complicated problem of Presidential inability.

Let us consider how Senate Joint Resolution 1 deals with the problem.

Section 3 specifies that the President may voluntarily declare his own disability, and, upon doing so, and upon transmitting to the Speaker of the House and the President of the Senate his written declaration, the Vice President shall assume the powers and duties of the office as Acting President for the duration of the President's illness or disability.

Let me emphasize two things. The Vice President assumes only the powers and duties of the office, not the office itself, and does not become President but, in fact, is only Acting President.

This, I think, is a reasonable assumption to make. It is an assumption which the Attorney General made in testifying before our committee. It is the assumption that Presidential power given up voluntarily may be assumed in the same manner in which it was given when the President desires to do so.

Mr. HRUSKA. Mr. President, will the Senator yield, or would he prefer to finish his statement before yielding for a question?

Mr. BAYH. How extensively does the Senator wish to interrogate me?

Mr. HRUSKA. This deals with the Vice President assuming the powers and duties of the Presidency as Acting President. I should like to ask only a brief question on that point.

Mr. BAYH. I yield. I do not desire to avoid questions from my good friend from Nebraska, who I am sure has many penetrating questions to ask. However, I would like to complete my statement and not yield if the questioning is to be extensive.

Mr. HRUSKA. I have only a brief question.

Mr. BAYH. I yield.

Mr. HRUSKA. In regard to the question of the Vice President assuming the powers and duties of the President's office, may I ask whether there is any language in the joint resolution for creating the office of Acting President if the Vice President then in office is disabled and unable to act?

Mr. BAYH. There is not.

Mr. HRUSKA. There is not?

Mr. BAYH. No; not as long as there is a Vice President who is merely Acting President, and the President is alive.

Mr. HRUSKA. But if the President is disabled or is incompetent or for some other reason is not able to assume the duties and powers of the Presidency, under the joint resolution there will be no means by which a Vice President can be selected. Is that correct?

Mr. BAYH. The Senator is correct. I might elaborate on that point by giving the feeling of the sponsors as well as the members of the committee, by trying to incorporate very quickly some of the testimony which was brought before the committee. As the Senator knows well, and as I mentioned a moment ago, Congress has dealt with the problem of Presidential and Vice-Presidential deaths in three succession acts. Therefore, the Speaker of the House is next in line. We could become entangled in the question of separation of powers more than we have. Would the Speaker have to give up his office or resign from Congress? We have dealt with the two most important emergencies so far as the Executive is concerned, first, the need to have a Vice President at all times and, second, to have an able-bodied President. We feel that we should get this provision into the Constitution and then deal with some of the other eventualities and perhaps propose another constitutional amendment.

Mr. HRUSKA. That is one of the weaknesses in putting all these procedures into a constitutional amendment. There is no flexibility which would be called for in the event of a contingency which is not covered in a constitutional amendment. It would necessitate a long, extended and rather tortuous course under another constitutional amendment.

Mr. BAYH. It depends on whether the Senator feels that the removal of the President from office even temporarily is of such significance that we should incorporate within the Constitution certain basic provisions that must be followed and the protections that must be given to the President, such as the protections already given, as in the case of impeachment, and such provisions as that under the 12th amendment so far as only the President is concerned.

Mr. HRUSKA. In the amendment which I understand will be offered by the Senator from Illinois [Mr. DIRKSEN], provision is made for the contingency in this language:

> The Congress may by law provide for other cases of removal, death, resignation, or inability of either the President or Vice President.

That contingency with respect to the Vice President is not contained in Senate Joint Resolution 1.

Mr. BAYH. The Senator is correct. It is not.

Mr. HRUSKA. I thank the Senator.

Mr. BAYH. I trust that we shall have the opportunity to discuss in some detail the relative merits of dealing with the question by statute compared with dealing with it by constitutional amendment, because I believe this is a question which should be discussed. I have certain strong feelings on the question, which are supported by a majority of the committee—though my friend from Nebraska disagrees with them—that a statutory approach would be insufficient to deal with the problem. We have a difference of opinion, to be sure.

Mr. HRUSK. I thank the Senator for his courtesy.

Mr. ELLENDER. Mr. President, since the Senator from Indiana has yielded to my good friend the Senator from Nebraska, will he yield to me?

Mr. BAYH. I yield.

Mr. ELLENDER. Article II of the Constitution gives to the Congress some rights to determine who shall succeed the President. Am I to understand that one of the main purposes of the amendment is to provide for the selection of a Vice President in the event the President should die and the then Vice President should succeed him?

Mr. BAYH. That is correct.

Mr. ELLENDER. Does the Senator from Indiana concede that, other than providing for a method of selecting a Vice President, under the Constitution the Congress would have the right to do every other thing that is provided in the joint resolution?

Mr. BAYH. I am not certain that I understand the question. The proposed constitutional amendment would not in any way limit the powers which Congress already has to deal with the subject.

Mr. ELLENDER. I am not speaking of that. Since the joint resolution relates to ways and means of selecting a Vice President should a President die and be succeeded by the then Vice President, could Congress now do everything that is proposed in the joint resolution except that part which relates to the selection of the Vice President?

Mr. BAYH. In other words, the Senator feels that Congress already has sufficient authority to deal with the question of disability.

Mr. ELLENDER. I am merely asking the question.

Mr. BAYH. It is my opinion that that is not the case.

Mr. ELLENDER. Will the Senator point out why? Article II of the Constitution seems very specific. It provides as follows:

> In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President—

If that should happen, we would no longer have a Vice President, for he would have taken charge.

Continuing to read from article II—

> and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The Congress has the right to do all those things now. I am wondering if Congress does not now have the authority to do everything that is proposed in the joint resolution we are now considering except providing for ways and means to select a Vice President.

Mr. BAYH. To be honest with the Senator from Louisiana, some Senators believe that Congress does have the authority. Others believe that Congress does not have the authority. The great weight of the evidence before our committee, including the message of the President of the United States and the testimony of various Attorneys General—including former Attorney General Brownell and former Attorney General Rogers—is to the effect that now there is no power to do the things contained in the resolution.

I should like to point out the reason behind that attitude. The joint resolution is supported by the American Bar Association and many other similar associations. Two very small words in article II, section 1, which the Senator has read, are pointed out particularly. I should like to reread that portion of the article:

> In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve—

What did our Constitutional Fathers mean when they used the word "same"? Did they mean the office or the powers and duties of the office? There is a great difference when we deal with disability.

Mr. ELLENDER. If a President should die and the Vice President should succeed him, the Vice President would certainly have the same powers as now devolve upon the President.

Mr. BAYH. Still the question of the President coming in remains. If the President is dead and cannot resume the powers and duties of the office, it does not make any difference whether he is Acting President or President. As Henry Clay said in discussing the subject when Tyler was making the decision, it is impossible to separate the powers and duties from the office. Once the Vice President has taken over from a sick President, it is impossible for the President to resume his office if that is true. During the illness of President Garfield the unanimous feeling among members of the Cabinet at that time was that Vice President Arthur should act, that he should take over. But it was the majority feeling, which was supported by the then Attorney General, that if he did—if he once assumed the powers and duties of the office—Garfield upon recovering could not take over the office again.

Mr. ELLENDER. As I interpret the language of the Constitution, should the President be disabled, Congress could fix ways and means whereby the President could take over again after the disability was removed. The article states that Congress has the power to take certain action in the event of disability. The last part of the article states: "declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected."

That would indicate to me that if the disability were removed, Congress could certainly fix ways and means by which the President who might be disabled could resume the office.

Mr. BAYH. I should like to ask the Senator from Louisiana to go back to the language immediately prior to the point at which he started reading the last time.

Mr. ELLENDER. I am considering the entire section.

Mr. BAYH. I think we must look at each word individually. In part, the section states, "and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President."

Mr. ELLENDER. Yes.

Mr. BAYH. There has been a considerable amount of opinion that Congress could not provide relief by law unless both the President and the Vice President died. The first succession statute which was passed was in 1792. It might be pointed out that many of our constitutional fathers who attended the Constitutional Convention were in that Congress at that time.

If that had not been their interpretation, it seems to me they would have provided for other contingencies that would not have required both the President and the Vice President to be out of the picture before Congress could act.

Mr. ELLENDER. As I recall, Congress provided, without constitutional amendment, for a succession to the office.

Mr. BAYH. But only in the event both the President and the Vice President were involved.

Mr. ELLENDER. Yes; I understand.

Mr. BAYH. We are now dealing with only one of them.

Mr. ELLENDER. I understand that. But, as I have said, it is my belief that the language of the Constitution is broad enough to permit the Congress to do the very thing which the Senator desires to be done under that joint resolution which we are now discussing except the selection and the method of selecting a Vice President.

Mr. BAYH. Although the Senator from Louisiana and I apparently differ——

Mr. ELLENDER. I am merely trying to get information.

Mr. BAYH. I must say that if the question were in the balance—if a scale were in front of me and I were asked to choose which interpretation the Constitutional Fathers meant—it would be difficult for me to decide. The distinguished Senator from Louisiana and I have spent a great deal of time discussing the question. I have tried to point out that there is a considerable doubt on the part of others. Should we not reconcile such doubt once and for all by inserting in the Constitution an amendment which would provide for these contingencies? If we should be confronted with an implementing statute that had been passed, we would be met with all the uncertainties of a court test every time we needed to use the statute. Under the proposed amendment, at any time we should need certainty of action, we would have the whole procedure of court tests before us.

Mr. ELLENDER. That may be. I point out that we may have a court test on the very language which we are now discussing. I am surprised that we have not had it up to now. As I recall Vice President Stevenson came very close, although he did not go into court.

Mr. BAYH. The constitutionality of a provision in the Constitution cannot very well be tested.

Mr. ELLENDER. I am refering to an interpretation of the provision.

Mr. BAYH. The constitutionality of a constitutional amendment has been tested?

Mr. ELLENDER. The language could be tested for a determination of its meaning.

Mr. BAYH. That is correct. But it would be necessary to test not only the intention of a statute but also its constitutionality.

We feel that there is sufficient doubt to warrant placing an amendment in the Constitution.

There is another reason for dealing with the problem by constitutional amendment. The distinguished Senator from North Carolina [Mr. ERVIN] was one of the strong proponents of this theory in the Committee on the Judiciary. He said that by dealing with the situation by constitutional amendment, certain guarantees of Presidential action could be provided. For example, a two-thirds vote is required by Congress before the President can be removed. But if it were left to Congress to specify by law what formula should be followed, that could best be done by a majority vote. I believe that that would afford insufficient protection for the President.

I believe we can deal with this problem now, after long objective study of the problem, and not be confronted with a hasty statute, which might be changed to meet the contingencies of the hour.

One of the basic reasons why we believe there must be a constitutional amendment is that it would provide the greatest degree of certainty.

If I may proceed with my statement, I shall try to answer questions later. This is a highly complicated area, as the Senator from Louisiana knows.

I have just finished stating the history of section 3, which permits the President to relinquish the powers and duties of his office during the tenure of his disability, and permits the Vice President to assume those powers and duties as Acting President.

I should like to cite one other factor that might be an answer to the question raised by the Senator from Louisiana. Although probably a statute would remove doubts from the mind of the Vice President, there has been much reluctance upon the part of previous Vice Presidents, particularly Vice Presidents Arthur and Marshall, to consider exercising the powers and duties of the office of President, because there were no statutory or constitutional provisions for them to do so. We believe that this difficulty should be cleared up once and for all, so that the Vice President can legally have the constitutional responsibility to act in the event the President is unable to do so.

Section 4 provides for the eventuality that the President is unable to make a declaration of his own inability, or for other reasons does not declare his own inability. In such an eventuality, Senate Joint Resolution 1 provides that the Vice President, acting with the concurrence of a majority of the principal officers of the executive department, or such other body as Congress may by law provide, may, by submitting a written declaration and transmitting it to the Speaker of the House and the President of the Senate, assume the powers and duties of the office of President.

It is my opinion that the Vice President has the constitutional obligation to act in the event that the welfare of the Nation demands it and the President is unable to perform the powers and duties of the office, and that the Cabinet—those who are closely associated with the President—could adequately protect the President from a coup or the usurpation of his office by a power-hungry Vice President.

Section 5 provides for the very difficult situation in which a dispute may arise between the President, on the one hand, and the Vice President and a majority of his Cabinet, on the other. For example, suppose the President says, "I have recovered," but the Vice President and a majority of the heads of the executive departments say, "Mr. President, you may be well enough to walk and talk, but we who have had an opportunity to examine you carefully and who know you well believe you have not sufficiently recovered, and that the best interests of the country dictate that the Vice President continue to carry on the powers and duties of the office of President." In such an eventuality, the Vice President and a majority of the Cabinet taking one position, and the President taking the other, the resolution provides the only solution which I feel is feasible; namely, that Congress shall decide this difficult question, and that a two-thirds vote of Congress shall be required to protect the President, similar to the two-thirds vote which is required in impeachment proceedings.

That is what Senate Joint Resolution 1 attempts to accomplish. It seeks to provide the Nation with a Vice President at all times; to provide it with an able-bodied President, or Vice President acting as President, who can adequately carry out the powers and duties of the office of President.

A question was raised by the Senator from Louisiana [Mr. ELLENDER] about the need for a constitutional amendment. I should like to list some of those who have testified before our committee believing it is imperative that there be a constitutional amendment:

The present Attorney General, Mr. Katzenbach.

Former Attorney General Brownell and former Attorney General Rogers.

Presidents and past presidents of State bar associations.

The American Bar Association House of Delegates has unanimously recommended that a constitutional amendment be adopted.

The Committee on Economic Development was emphatic in its recent study that a constitutional amendment is required.

Paul Freund, a noted constitutional scholar at Harvard University, was equally emphatic.

Also, former President Eisenhower, former Vice President Nixon, Vice President HUMPHREY, and, more recently, President Lyndon Johnson himself.

I should like to quote from the message that the President sent to Congress on this subject. He said:

> I am, accordingly, addressing this communication to both Houses to ask that this prevailing will be translated into action which would permit the people, through the process of constitutional amendment, to overcome these omissions so clearly evident in our system.
>
> * * * * *
>
> Believing, as I do, that Senate Joint Resolution 1 and House Joint Resolution 1—

House Joint Resolution 1 is a similar proposal and was introduced by Representative CELLER, chairman of the House Committee on the Judiciary—

> would responsibly meet the pressing need I have outlined, I urge the Congress to approve them forthwith for submission to ratification by the States.

As I said in my colloquy with the Senator from Louisiana, the basic theory has been that if there is a doubt as to whether or not a constitutional amendment is needed, we should be sure of our action. One of the main purposes for feeling that the controversial question of inability of the President should be settled by constitutional amendment is to provide some degree of certainty if the Nation is confronted with a disabled President. Dealing with the problem in statutory form alone would create all the uncertainty of a court test of the constitutionality of the statute. That, we believe, should be avoided, if at all possible.

One of the most important elements of the ready transfer of executive authority in time of crisis is to have widespread public acceptance. On the horrible day of November 22, 1963, when President Kennedy was no longer with us, the one important fact for which we could thank God was that Lyndon Johnson, a man who was readily accepted as the Vice President, was available to move into the office of President.

It is our feeling that a constitutional amendment which is not only subjected to the scrutiny of both Houses of Congress and requires a two-thirds vote, but also must be ratified by three-fourths of the State legislatures has much wider public acceptance, and the public is much more aware of its terms than they are of a statute which is passed by a majority vote of both Houses of Congress.

The problems which I have discussed briefly are so obvious that many have asked me, "Why has not Congress solved these problems? Why has no thought been given to them?"

I have quickly come to the defense of my colleagues and our predecessors in this body by saying that it is not true that Congress has not dealt with these problems, and that no thought has been given to them. In the last session alone, we had 13 measures before the Subcommittee on Constitutional Amendments, of which I am chairman.

This year more than 30 proposals are before the House of Representatives. If there is any reason why we have not solved the problem, it is not that we have not given it much thought, but that we have been unable to reach an agreement or consensus around which we could rally a two-thirds majority.

At the risk of taking a copyrighted story of my friend, the Senator from North Carolina [Mr. ERVIN], I should like to pay him the compliment of repeating one of his typical examples which he gave in the debate last year. I think this very adequately describes our problem. It tells the story, if the Senator from North Carolina recalls, of the dog that had a bone. He looked into the river and saw there the reflection of another dog who also had a bone. He thereupon reached down and dropped his bone into the river, and as a result he did not have anything. This is the quandary in which we in Congress have been driven. Everyone has insisted on his own ideas. Senate Joint Resolution 1 is not my own amendment. It is not the amendment of any of the 70-odd cosponsors of different measures. It is the result of many hours of work and effort. Many Senators are to be complimented. The American Bar Association is to be complimented.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. ERVIN. In addition to the Aesop fable about the dog with the bone, a very apt adage is that "Too many cooks spoil the broth."

A multitude of amendments were offered along this line in seeking to take care of the situation. I introduced an amendment myself. I thought it was rather good. But I think the reason why we have progressed as far as we have in this matter is that the Senator from Indiana [Mr. BAYH] recognized that too many cooks can spoil the broth.

If we try to get everything to accord with our own notion, we get nothing. The Senator has recognized the need for clarification of a constitutional question. As a result of his fine example in that respect, other members of the Subcommittee on Constitutional Amendments and members of the full Committee on the Judiciary have been influenced by his example and have sacrificed their individual views in an attempt to get some proposal that would recognize the problem, the necessity for a solution to the problem, and also that there must be a good deal of give and take.

I ask the Senator if one of the great problems which was before the committee—was not the question whether, in case of a vacancy, the Vice President would be appointed by the President for the sake of continuity in administration, or whether he should be elected by Congress for the sake of having some voice exercised by the representatives of the people in the selection of a Vice President.

Mr. BAYH. The Senator is correct. Those are two of the possibilities. As the Senator well recalls, two such proposals were before the Subcommittee on Constitutional Amendments. It was the opinion of the subcommittee, plus that of the American Bar Association in their consensus group, and the full Committee on the Judiciary, that by combining both presidential and congressional action, we were doing two things. We were guaranteeing that the President would have a man with whom he could work. We were also guaranteeing to the people their right to make that decision.

Mr. ERVIN. If my recollection serves me correctly—and if it does not, the Senator from Indiana can correct me because he has given great study to this measure—one of the things that former President Eisenhower emphasized was the necessity of having continuity of administration through a Vice President who was a member of the same party as the President. He laid more stress on that than on any other one thing in his advocacy of congressional action.

Mr. BAYH. The Senator is correct. As the Senator well knows, President Eisenhower who, more than any other living American, has had to deal with the problem of presidential inability, laid particular stress on the fact that this is a particular responsibility which the Vice President cannot escape.

Mr. ERVIN. The Senator from Indiana will recall that I introduced an amendment to provide not only for the election of the Vice President by Congress, but also for the selection by Congress on the theory that Congress was composed of representatives of the people.

Mr. BAYH. The Senator is correct. The Senator from Indiana felt it to be important that we should get a plan which would work, rather than any particular plan.

Mr. ERVIN. Mr. President, I ask the Senator from Indiana if the committee, after studying the proposals from both inside and outside of Congress, did not finally come to the conclusion that the best thing to do to reconcile these differences and give added protection to the people would be to let the Vice President be nominated by the President, so that there would be continuity of administration in the man who might be sent to the office of the Presidency.

Mr. BAYH. The Senator is correct.

Mr. ERVIN. Was it not also felt that in order to keep the President from being a dictator, it was necessary that the nomination should be confirmed by the Senate?

Mr. BAYH. The Senator is correct. As the Senator pointed out in committee, there is some precedent, although not exactly on point, in the advice-and-consent provisions that the U.S. Senate has in dealing with executive appointments, and the great power that the President has to nominate his own Vice President in our convention.

Mr. ERVIN. This is really a conciliation of divergent views to facilitate the presentation of the amendment and give us assurance that the President will nominate the man and Congress will elect him, thus insuring that he would be a good, capable man who could cooperate with the administration.

Mr. BAYH. The Senator is correct.

Mr. ERVIN. I was interested in the colloquy engaged in by the senior Senator from Louisiana and the Senator from Indiana a moment ago with reference to the power of Congress. Does not the Senator from Indiana agree with the Senator from North Carolina that it would devolve upon Congress to designate the succession to the Vice-Presidency, and then to the Presidency, that necessarily we cannot designate individuals, but would have to designate the occupants of the particular offices, as we have always done in times past?

Mr. BAYH. The Senator is correct.

Mr. ERVIN. It would be conceivable, while that situation does not exist at the present moment under the succession statute, that the office of Vice President or President, under such a succession, could fall upon a man who was not qualified for the position.

Mr. BAYH. The Senator is correct.

Mr. ERVIN. He might be a man in whom the people would not have confidence.

Mr. BAYH. The Senator is correct.

Mr. ERVIN. And so, instead of having the man arbitrarily determined, regardless of what his particular qualifications for the Vice-Presidency might be, this resolution would allow the selection to be made when the vacancy actually occurs; and then conceivably, of course, the President and Congress together could select the best qualified man.

Mr. BAYH. I am of the opinion that, with the provisions to which the Senator has referred, we would have a President who would be under close public scrutiny, when the main ingredient for consideration would be the qualifications of the man to succeed in that office.

Mr. ERVIN. Does not the Senator from Indiana agree with the Senator from North Carolina that the proposed amendment provides the most practical and workable solution of this problem, in that when the President is mentally capable of recognizing his disability, it provides a very easy and painless process by which that disability can be established?

Mr. BAYH. I believe this measure is as close as we are going to come to a workable plan.

Mr. ERVIN. In addition, in the adversary procedure, a majority of the members of the Cabinet must take action, and that action is subject to review by Congress.

Mr. BAYH. In essence, this action would have to be taken twice by the Vice President and Cabinet. I point out that the members of the Cabinet have been appointed by the President. They are friends of the President. They would be seeking to establish disability. They would make the declaration that the President was unable to perform his duties. He might make a declaration that he was able. The members of the Cabinet would have to make a second serious deliberation and declaration that he was unable to do so. Then two-thirds of the Congress would have to affirm that action. That is more protection than is given to a President in the event of impeachment, because it takes only a two-thirds vote of the Senate to convict and a majority of the House to impeach, whereas in this particular instance action is required by two-thirds of both Houses of Congress.

Mr. ERVIN. That would take care of preventing a situation such as occurs in South Vietnam, where the government changes almost from day to day.

Mr. BAYH. That is correct.

Mr. ERVIN. Is it not true that the requirement of a two-thirds vote prevented a tragic event in our history, when it was attempted to convict President Johnson? The impeachment failed by one vote because the Constitution provided for a two-thirds vote to convict. It would have been a tragic event if President Johnson had been convicted because only a majority vote instead of a two-thirds vote had been required.

Mr. BAYH. There have been many occasions when Congress has been controlled by one party and the President has been a member of the opposite party. Most Congresses would not attempt to remove a President because of political expediency, but let us be certain that we do not tempt some future Congress. Let us require a two-thirds vote for such action.

Mr. ERVIN. Is it not true that recommendations have been made for some action to be taken by a constitutional amendment to clarify this subject by both former President Eisenhower and Vice President Nixon, who was confronted with the problem of presidential disability during President Eisenhower's administration; also, was it not recommended by the late President John F. Kennedy, and is it now not recommended by President Johnson?

Mr. BAYH. In all honesty, I do not have the record of the late President Kennedy's position on this question. I know of no statement he made publicly. But everyone else to whom the Senator has referred is on record. We have written testimony in the committee hearings from both the former President and Vice President, as well as the present President and Vice President.

Mr ERVIN. I thank the Senator for yielding. I commend him for the work he has done as chairman of the Subcommittee on Constitutional Amendments and for bringing this measure to the floor of the Senate. It is due more to his effort than that of the other members of the committee that the proposed legislation is in as fine a form as it is.

Mr. BAYH. I thank the Senator from North Carolina for his kind remarks. Much as I appreciate them, I do not believe I deserve that praise. It has been my responsibility as chairman of the Subcommittee on Constitutional Amendments and author of one of these measures to try to work out a solution. It would have been impossible to get as far as we have gone if it had not been for the help of Senators who have studied this problem over a longer period of years than I have. Many of our colleagues had measures which they were willing to forgo in order to come to a consensus.

There may have been times in the history of our country when the health of a particular President at a given hour was not of international importance, or when the existence of an able-bodied Vice President was not of international importance, when the pigeon was our most rapid means of communication, when horse-drawn caissons were one of the prime ingredients of an artillery unit. Perhaps it would not have been too bad in those days, but now we can move armies halfway around the world in a matter of hours, and we can destroy our entire civilization in a matter of minutes. I believe it is imperative that we take some action. This has been a give and take and we have come up with a consensus. History has been trying to teach us a lesson. I suggest that we try to learn from that lesson. We should accept this measure and send it to the State legislatures.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. BAYH. I yield.

Mr. ELLENDER. The distinguished Senator from Indiana has stated that he placed a great deal of confidence in the members of the Cabinet and in their being able to act. Why the provision in the joint resolution for some other body to pass upon this matter? Why bring Congress into it, since the Senator wants to make it more or less definitive? Why not make it specific that the Cabinet, by a majority, and the Vice President shall decide the question? Why is it necessary to put it in the hands of Congress by giving Congress the right to appoint a body which it might see fit to select?

Mr. BAYH. That provision was included in the original measure as a result of the consensus for which we have striven. I hope Congress will pass upon it, but I am certain that the Senator will admit that Congress is not infallible. We cannot foresee all contingencies. We do not know whether the Cabinet will reach an insurmountable obstacle. This measure provides that some other body in the future can be provided for, giving it some flexibility.

Mr. ELLENDER. Does the Senator mean that if a majority of the Cabinet could not act and choose, Congress would then provide for the selection of a group which might do so?

Mr. BAYH. If the Cabinet approach proved unworkable, Congress could provide another body. This would have to be done by law, and the Congress would have to override a veto, if there were one.

Mr. ELLENDER. Suppose the Vice President is not in accord with the Cabinet members, does the Senator believe that if Congress tried to provide a separate body, as this recommendation indicates, the Vice President might be tempted to veto such a measure?

Mr. BAYH. The Vice President?

Mr. ELLENDER. Yes. I mean, if he is Acting President.

Mr. BAYH. I am not certain I understand the Senator's question, because the decision has already been made.

Mr. ELLENDER. But the Senator, as I understand it, has not been specific. Evidently this provision has been submitted to satisfy some Senators or someone who favors the bill.

Mr. BAYH. The feeling is that we need a degree of flexibility so far as that particular part of the bill is concerned.

Mr. ELLENDER. When would such a body be selected by Congress? Under what conditions could the Congress act?

Mr. BAYH. At any time the Congress felt that the Cabinet was serving as an arbitrary obstacle to what was in the best interests of the Nation, namely, the President was obviously deranged, yet the Cabinet would not cooperate with the Vice President—I suppose it could, and it could attempt to establish another body.

Mr. ELLENDER. That would have to be done by an act of Congress.

Mr. BAYH. The Senator is correct; that would have to be done by an act of Congress.

Mr. ELLENDER. I presume that the acting President would have the right to veto the measure?

Mr. BAYH. The Senator is correct; I am sure he would have that right.

Mr. ELLENDER. Suppose the Vice President acts with the Cabinet, and he is in favor of what the Cabinet does, and Congress should pass such a measure, he could veto it?

Mr. BAYH. He could veto it; that is correct.

Mr. ELLENDER. Does not the Senator believe that the Vice President would be tempted to do it, if he is not in agreement with the decision reached by the Cabinet?

Mr. BAYH. The only time that Congress would provide another body would be when it was in disagreement with the Vice President, I would think. If the Vice President is in office, if he has assumed the powers and duties as Acting President, he must have acted in agreement with the Cabinet. Then the Congress would have to feel that the Cabinet or the Vice President acted wrongly, would it not, and that the Vice President should not be there.

Congress has that power now, one-third plus one can keep the Vice President from continuing in office now. It would take two-thirds to override a veto, but would need only one-third plus one.

Mr. ELLENDER. As I understood the Senator a while ago, he wished to make this resolution cover all and leave Congress out. As I stated a while ago, it would seem to me that Congress has the right or the power to do everything that this resolution provides, except the method of selection of a Vice President. I am surprised that the resolution should bring in the Congress to be able to create a body in the event of disagreement between Cabinet and Vice President.

Mr. BAYH. It is entirely a different set of circumstances, it seems to me, although I have no objection to Congress dealing with it. Presently, I do not feel that it has the constitutional authority. I am suggesting and the resolution is suggesting that Congress should be kept in as a check and a balance.

Mr. President, at this point I should like to yield briefly to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. I thank the Senator from Indiana for yielding to me.

Mr. President, I should like to submit amendment No. 33, and ask that it be stated.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. It is intended to be proposed by Mr. DIRKSEN as a substitute for the language of Senate Joint Resolution 1:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"In case of the removal of the President from office or of his death or resignation, the said office shall devolve on the Vice President. In case of the inability of the President to discharge the powers and duties of the said office, the said powers and duties shall devolve on the Vice President, as Acting President until the inability be removed. The Congress may by law provide for other cases of removal, death, resignation, or inability, of either the President or Vice President, declaring what officer shall then be President or Vice President, or in case of inability, act as President, and such officer shall be or act as President accordingly, until a President shall be elected or, in the case of inability, until the inability shall be earlier removed. The commencement and termination of any inability shall be determined by such method as Congress may by law provide."

Mr. DIRKSEN. Mr. President, I shall not discuss the amendment at this moment. I am grateful to the Senator from Indiana [Mr. BAYH] for permitting me to offer it at this time. It is actually a substitute for the entire proposal that comes from the committee.

Mr. SIMPSON. Mr. President, will the Senator from Indiana yield?

Mr. BAYH. I yield.

Mr. SIMPSON. Mr. President, let me first of all compliment the able and distinguished junior Senator from Indiana [Mr. BAYH] for a very fine presentation with respect to this all important subject.

Mr. President, as a cosponsor of this proposed legislation, the record has been filled with interesting materials on the history of this Nation which clearly shows the need for complete and adequate laws regulating the succession to the office of the President of the United States. A great many Members of Congress have made reference to the days of President Eisenhower's illnesses and the questions that arose during that time about the authority of the office of the President and the responsibilities of the Vice President.

In earlier history, the administrations of Presidents Garfield and Wilson were challenged by the same questions. Fortunately, the Nation was permitted to endure these times of crisis and has grown and prospered in spite of the inadequacies and doubts that we have concerning the highest office in the land.

Directly relating to the problem of Presidential inability is that of a vacancy in the office of Vice President. That office has been vacated 16 times in the Nation's history for a total period of 38 years.

In past years, the office of Vice President was subject to more ridicule than respect, but such is not the case today. Vice President Richard Nixon brought a new respect to the office because of the yeoman service that he gave to the Nation and to the world. The Vice President is the possible successor to the Nation's highest office. He has many responsibilities. I feel there is ample evidence that the United States needs a Vice President at all times. I believe that the constitutional proposal we are discussing today sets forth a reasonable and complete plan for providing for Presidential inability and vacancies in the office of Vice President.

I am pleased to have been a cosponsor of this proposed constitutional amendment, both in the 88th and the 89th Congresses. As indicated, the need for this type of action is long overdue. Unfortunately, it was not until the tragedy of November 1963, that we realized the possible consequences of not having a clear and adequate plan for succession to our executive offices.

Many of the great legal minds throughout the country have studied this proposed constitutional amendment and I believe, for the most part, are in full support of it. It is the simplicity of the proposal that gives it strength and, thus, makes it appealing.

The first section of the resolution provides that the Vice President will become

President in the case of death or resignation of the President. When there is a vacancy in the office of the Vice-Presidency, the President is to nominate a Vice President who will take office upon confirmation by a majority vote of both Houses of Congress.

Section 3 provides that if the President declares in writing that he is unable to discharge the powers and duties of his office, the Vice President shall act as President.

Under the terms of this proposed constitutional amendment, the Vice President and the majority of the Cabinet members can determine the President to be disabled. If the President disputes the decision of the Vice President and the Cabinet members, Congress will decide the issue.

Seldom does the Senate agree unanimously on a problem of such magnitude and importance as is this proposed constitutional amendment on presidential inability and vacancies in the office of Vice President, but last year when we considered the matter, there was not a dissenting vote.

It is my hope that this proposal will receive the approval of Congress and the necessary States so that the people of America can be assured that we will have a leader to deal with any crisis that may arise. I am proud to support this proposal.

Mr. BAYH. I thank my colleague, the distinguished Senator from Wyoming [Mr. SIMPSON], for his articulate presentation.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from Mississippi will state it.

Mr. STENNIS. Does the Senator from Indiana have the floor?

The **PRESIDING OFFICER.** The Senator from Indiana [Mr. BAYH] yielded to the Senator from Wyoming [Mr. SIMPSON].

Mr. BAYH. Mr. President, I have finished my presentation. I am ready to accept any questions Senators may wish to ask.

Mr. TYDINGS. Mr. President, will the Senator from Indiana yield?

Mr. BAYH. I yield.

Mr. TYDINGS. One of the points made by the distinguished Senator from Louisiana [Mr. ELLENDER] questioned the language in section 4, which reads as follows:

> Whenever the Vice President, and a majority of the principal officers of the executive department of such other body as Congress may by law provide—

This seems to be one of the phrases which was providing some concern to the Senator from Louisiana [Mr. ELLENDER].

My recollection of the committee hearings is that the reason for inserting the language "principal officers of the executive department or such other body as Congress may by law provide" was occasioned by the history of the development of our Cabinet. Originally the Cabinet consisted of four members. Subsequently, it was enlarged. Today the Cabinet consists of 10 members.

It was felt that perhaps in another year or two Congress might create a new post in the Cabinet. Congress might feel that the Chairman of the National Security Council or some other important official ought to be included in the Cabinet.

Therefore, we wanted to provide a little flexibility in the constitutional amendment, so that Congress could adjust the circumstances as it wished.

That is my recollection of the principal reason why this language was placed in the joint resolution.

NEED FOR FOLLOW-ON MANNED BOMBER

Mr. STENNIS. Mr. President, I must again express my mounting concern and alarm over what I consider to be a dangerous and unwarranted gamble with our future national security. I refer to the continued and deliberate delay in authorizing the development of a follow-on strategic bomber.

As the Senate will recall, the Secretary of Defense last year requested only $5 million for this program. The Congress, however, took a different view and authorized and appropriated $52 million in fiscal year 1965 funds for an advanced manned strategic aircraft. This was done after Gen. Curtis E. LeMay, then Chief of Staff of the Air Force, had told us positively and flatly that it was of the utmost urgency that action be commenced immediately for the orderly and expeditious development and ultimate procurement of a new bomber. General LeMay, in his characteristic frank and candid fashion, said:

> I am afraid the B-52 is going to fall apart on us before we can get a replacement for it. There is a serious danger that this may happen.

This warning and advice of the world's greatest expert on strategic airpower went unheeded by his civilian superiors. The development of a follow-on strategic bomber as a system was not approved. Only a portion of the $52 million appropriated by the Congress was released by the Secretary of Defense and the funds which were released were primarily for the study of propulsion systems and avionics. While these matters are, of course, important in the development of a follow-on manned aircraft, they are of general application in the aviation field.

The situation is the same this year. The defense message which the President sent to the Congress on January 18, 1965, made it clear that the follow-on manned bomber is still being delayed. The President said we are "continuing development of engines and other systems for advanced aircraft to retain our option for a new manned bomber. I completely disagree, I think the need has already arisen."

This subject has been before Congress more than once in the last 2 or 3 years, and time and again it has appropriated additional funds for this purpose, but each time only a portion of the money appropriated has been released.

Let us take a look at the facts. For the first time in the history of American strategic air power, there is no follow-on manned bomber under development. Our B-47 aircraft are being phased out. The B-52 has been in the inventory for more than 10 years and it is only through costly modifications that the service life of these aircraft can be extended. More than $300 million is being requested in the fiscal year 1966 budget for this purpose. Two squadrons of the earlier and older B-52's are already being phased out.

These 52 bombers, on which we rely chiefly, have not been produced since 1962.

In the absence of a program for developing a follow-on bomber, the modification of the B-52's appears to be an essential but risky venture—essential because we have no other choice in the light of the decision not to proceed with the development of a new aircraft—risky because there can be no guarantee that these aircraft will be capable of performing their mission in the 1970's or that they will not be subject to some catastrophic failure from fatigue and old age, with an attendant and tragic loss of American lives which could be avoided by timely action.

The remaining strategic bomber—the B-58—will also be obsolete in the 1970's. Only about 80 of these aircraft are in the operational inventory. The last one came off the production line in the fall of 1962.

Thus, the two strategic aircraft which will remain in the operational inventory after the phase out of the B-47's, that is, the B-52's and the B-58's, were both designed and developed in the 1950's. Both have proved themselves to be excellent weapons systems. However, with the passage of the years, both will become increasingly ineffective and will ultimately die as a result of fatigue and operational use for which they were not designed.

Under present planning, there is little prospect of an early start on the actual development of a new bomber. As a matter of fact, there is no assurance that the effort will ever advance beyond the current low level study phase. Even if a decision to go ahead was made today, it would be perhaps 8 to 10 years before the new bomber could join the operational inventory in significant numbers. Thus, under present planning, we will enter the 1970's with the bulk of our strategic aircraft fleet being 15 years old. Never before in our history—not even in the lean years prior to World War II—have we dared to place our strategic airpower reliance upon a 15-year-old plane.

We are, therefore, faced with the prospect of a tremendous and dangerous gap in our strategic bomber capabilities. The inevitability of this gap will become more pronounced each day that the decision to proceed with the follow-on bomber is postponed.

We have a tremendous investment—built up over the past 20 years—in our strategic retaliatory forces. They now constitute a superb offensive fighting machine which has been successful in deterring a general nuclear war. By its awesome capability and overwhelming superiority, this force has maintained the uneasy peace and has discouraged the enemy from escalating lesser conflicts into all-out nuclear exchanges.

The Strategic Air Command has had a leading role in convincing would-be aggressors that, if they launched an attack upon us, we would have the capability to defeat them decisively. If we are to maintain the peace and to insure our continued survival, this deterrence and its credibility must be continued through the years and decades to come.

I do not downgrade the importance and destructiveness of our intercontinental ballistic missiles at all. They have their role—just as the manned bomber has its own—and are a vital, essential, and important part of our deterrent and striking power.

Missiles have given us a new and tremendous nuclear strike capability, especially in the compression of time between launch and impact. We are in the process of making significant and dramatic improvements in missile system accuracies. General LeMay himself has defined the role of the intercontinental ballistic missile as the initial strike of time-urgent targets. For this mission it has no equal.

However, I am convinced, as I have been over the years, that we cannot place our entire strategic reliance upon long-range missiles.

That is the key line, if I may say so, and that is the thought I want to stress here today in my brief remarks. We cannot place our entire strategic reliance upon long-range missiles.

This is no new matter. As I say, we have gone into it for several years in the Preparedness Subcommittee. It has been gone into by the Armed Services Committees and the Appropriations Committees of the House and the Senate. It has been thoroughly explored time and again.

The congressional judgment each time has been to provide additional funds because of the conviction that it was needed. Still there has been no approval for the system development of an effective manned long-range bomber for future years. The role of the long-range bomber is far broader and more flexible than that of ballistic missiles. It is conceivable that missiles could be neutralized almost overnight if the Soviets should be successful in developing the effective antimissile missile for which they are striving.

Strategic aircraft and long-range missiles are complementary systems in nuclear war just as the long-range bomber and the short-range fighter-bomber are complementary systems in limited war. The long-range bomber can also complement our theater forces by being able to operate from secure bases far from the battlefield and delivering large payloads over great distances, thereby reducing our dependence on oversea bases and force deployment with their vulnerability and adverse balance-of-payments characteristics.

The inherent versatility of the bomber is not always recognized. Historically it has been used for roles that were created by the urgency of the situation. In World War II, the B-29 bomber was used in mine-laying missions. In Korea it was used in close support roles, a mission normally reserved for fighter aircraft. During the Cuban crisis, the B-52 flew alert sorties and performed vital reconnaissance missions.

I repeat for the information of Senators that the B-52 is what we call the "big bomber." It is the largest one we have. I pray that the situation in Vietnam will not develop so that the use of that bomber might be called for. But I point out that there is no more powerful deterrent than to have some of those bombers close by, be it Vietnam or elsewhere. Those are the bombers that are now out of production; those in service are actually wearing out and nothing is planned to replace them.

There is another side of the coin. The Soviets are fully aware of the threat of the manned bomber. Consequently, they are compelled to expend billions on air defense. Should the capabilities of our strategic aircraft dwindle to insignificant proportions, the Soviets will be free to divert their huge air defense expenditures to offensive systems and the strategic balance between the two nations might then shift heavily in their favor.

I should like to point out that they have never had a really formidable long-range bomber fleet. I believe one reason for this is that we pressed them so heavily with the threat provided by our own fleet of long-range bombers that they were compelled to place priority on air defense. If we go out of business with our manned bombers, they will be able to concentrate on offensive systems.

All Air Force leaders, including General LeMay, Gen. J. P. McConnell, the current Air Force Chief of Staff, Gen. Thomas S. Power, former commander in chief of the Strategic Air Command, and Gen. Bernard Schriever, commander in chief of the Air Force Systems Command agree that a new bomber is urgently needed to complement our missile systems in their strategic role.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. The Senator from Mississippi is making a very important and timely speech. He has presented a picture that is really frightening, for he has said that 15 years from now we shall have no new bombers available. We shall have none except those that were made 6 or 8 years ago. That situation exists despite the fact that the Chief of Staff of the Air Force and all the leading military officials whom he has mentioned, most Members of the Congress, and particularly all of those connected with the armed services, many of whom are on the Appropriations Committee, have wanted to embark upon research and develop a new plane to take the place of the B-52. In spite of all that, one man has stopped further development. It seems to me that such action puts the defense of our country in a rather weak ahd even frightening position.

Mr. STENNIS. I thank the Senator from North Dakota, who has stated in a very few sentences the situation with which we are faced. The Senator has referred to the military officers who have testified on this point. I do not remember ever having talked to those men on the subject except when I have talked to them in hearings. Those statements are on record. In speaking now I am not frightened by something that they or someone else has told me on the side. What I have stated is based upon hard, proved, and straight facts which have been on the record for years and are becoming more urgent with the passage of every year.

While I am speaking on that subject, I wish to point out that though I happen to be chairman of the Subcommittee on Preparedness Investigation, I am not now speaking for the subcommittee because it has not yet had an opportunity to go into the subject. Heretofore, the subcommittee has gone into it, and then I was authorized to speak for it. Members of the committee spoke for themselves, too. This year we have had other pressing issues. But the facts are the same. We expect to start the armed services posture hearings next week. I thought I should proceed at least to put my thoughts on the subject before the Senate prior to the commencement of those hearings.

It is also the opinion of the Joint Chiefs of Staff that the manned bomber is an essential element of our strategic striking force. In view of all this, the failure of the Department of Defense to proceed with the modernization of this country's long-range strategic aircraft capability is both alarming and disturbing.

Let me emphasize that the proposed follow-on manned bomber would be entirely different from either the B-52 or the B-58. It would have greatly enhanced operational capabilities. It would be able to penetrate enemy defenses at very low levels—or "on the deck"—at the speed of sound. At high levels its speed would be more than twice the speed of sound. It would have the range to penetrate to many enemy targets and to return to its home base without refueling. It would carry a wide variety of improved armament, including vastly improved, versatile, and accurate air-launched missiles.

I am aware of the proposals to use the F-111 and the YF-12A in a strategic role. These would be acceptable stopgap measures but, in my judgment, would not meet the long-range need for a follow-on strategic bomber system.

A decision made now for the orderly and expeditious development and ultimate procurement of a new bomber will buy precious time for us. It is time that we get out of the area of low-level feasibility studies which only delay getting the operational aircraft into the inventory. Unfortunately, there seems to be a growing tendency to limit work on major weapon systems which are essential to our national defense to such feasibility studies. In many cases, such systems have been literally studied to death. The B-70 is a prime example of what happens to weapon systems development when it is subjected to repeated stops and starts and there is no strong, orderly, and continuous program to bring it to a completion. As a result, although we gained valuable technological information, we have nothing in the way of hardware to show for the billion and a half we spent on the B-70 except two test-bed aircraft.

The proposed follow-on manned bomber has already been studied and restudied for the past 2½ years. All of the experts tell us that the development and production of it is well within the present state of the art and the current capabilities of our aerospace industry. We should start at the earliest practicable date on systems development. Each day of the delay only compounds the inherent danger of the gamble which is being taken with our future national security.

I am convinced, that if we continue down the present road much longer, our bomber capability will decay to the point where the Strategic Air Command will be virtually out of business as far as the manned strategic aircraft is concerned. I am further convinced that if this should happen, there will come a day when we will be forced to undertake an expensive, inefficient, and extravagant crash program to restore our bomber fleet and the effective fighting force which now maintains and operates it. The way to avoid this is to develop an optimum orderly program on a timely basis and carry it through without disruptive stops and starts. The possibility of these highly trained bomber crews, with their specialized skills, being disbanded in the years to come is not entirely ideal. They will necessarily be disbanded if the day should come when they have no planes to fly. Once they have gone and the existing force dismantled, it will take a long time and much money to retrain new men with those skills.

The Congress has willingly provided the money for our strategic retaliatory force buildup as and when it was needed. As a result, we now have an effective and powerful mixed force which has a clear and convincing superiority over our potential enemies, either individually or collectively. Our present problem is to maintain our superiority and to insure that we maintain a modernized force which has the capability of operating in the future.

In conclusion, Mr. President, let me say that I believe, in view of the rapid and successful buildup of our Minuteman and Polaris missile forces, the most urgent need today in the strategic retaliatory field is the accelerated and rapid development of an advanced manned strategic aircraft. This action, if taken now, will prevent the dangerous gap in our forces which is otherwise inevitable by the 1970's. It will insure an effective mixed strategic retaliatory force for the next 20 years. It will also insure that we will keep the inherent flexibility and versatility in our striking forces which has assured the peace over the past two decades.

I hope that my words and the words of others will be heeded by the military planners. I have never been more certain of anything than that this question ought to be entirely reviewed from every level in the Air Force and from every level in the Military Establishment, and especially by those who make the ultimate and final decisions.

I have no doubt about what Congress is willing to do and will do toward providing such money as is necessary. I hope the question will be reconsidered and that we can get started on the program.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LAUSCHE. My question is for the purpose of information. What has been done in the past to get the program the Senator has suggested underway? And if anything has been done, why has the program not gotten underway?

Mr. STENNIS. Year after year, Congress has provided funds in appropriation bills on the recommendation of the Committees on Armed Services and the Committees on Appropriations of the two Houses. Yet there has been no approval of systems development. There have been certain low-level studies but the Secretary of Defense has not yet come to a decision that a new bomber system should be approved. He has repeatedly vetoed moving into the field of system development. He has publicly presented his side of the argument and his contentions many times.

Mr. LAUSCHE. Concisely, what is the Senator from Mississippi now recommending?

Mr. STENNIS. My proposal is that Congress provide additional money this year for system studies and system development. There is a small amount—$3 million, I believe—in the budget for such system studies. There are additional amounts for propulsion and avionics studies and research.

There is $300 million to "beef up," as it is said, our present B-52 bombers; but that is a different matter. The primary part is to get a decision that a follow-on bomber is necessary so that we can move forward with system development in an orderly and expeditious manner.

My proposal is that Congress provide whatever additional sum is necessary for this purpose. I do not have a figure in mind now. This money should be spent to move into the field of defining and developing a manned bomber as a complete weapon system so as to make the system a reality in as short a time as is practical.

Mr. LAUSCHE. I thank the Senator from Mississippi.

Mr. THURMOND. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from Mississippi. I do not know of any more urgent matter requiring the action of Congress this year, or on which to have the Department of Defense take action, than to go forward with a follow-on manned bomber.

The plan of the Department of Defense now seems to be clear: To rely entirely on missiles beginning about the year 1969 or 1970. In my judgment, this is a great mistake.

The Senator from Mississippi stated a few moments ago that it is known that the Communists have an antiballistic missile system. That was brought out first in secret sessions of the Committee on Armed Services and was later published in the newspapers. A number of magazines and newspapers have published articles to the effect that the Russians have such systems deployed around Moscow and Leningrad. Undoubtedly, they are planning to build antiballistic missile systems around their other big cities. If they are successful in building a system that will knock down intercontinental ballistic missiles—at present, it seems that they may be able to knock down intermediate-range missiles—what protection would we in this country have?

Another point is this: The Communists are capable now of building a superbomb. By a "superbomb" I mean a bomb of 100 megatons. Such a bomb, according to some of our scientists, could possibly be able to destroy the electronic brains in the missiles. If that should happen, where would we be? If the electronic brain in a missile were destroyed and the communications in the missile destroyed, the missile could not take off; or if it did take off, it could not be guided to the target. So I think it is clear that we cannot rely entirely on missiles. The antiballistic missiles may knock them down.

Next, suppose the Communists should make the first strike. I might say that most of their forces fall within a first-strike category. It is clear from a book written recently by a prominent officer in the Russian Army, General Sokolosky, that the policy of the U.S.S.R. is based on a first strike or preemptive strike philosophy. There is other information too, that it is the policy of the Russian Government—the Communists—to make the first strike when they feel that the time is appropriate to do so.

If that is their policy, and if the strike should be by superbombs, and they could destroy the communications and electronics in our missiles, we would have no means of retaliation; we could not respond to that strike. If the Communists knew that their superbombs could destroy the electronic brains in our missiles, and knew that we could not retaliate, would not that in itself encourage a strike by the Communists whenever they felt the appropriate time had arrived?

It is my judgment that we should go forward by all means with the program to develop and build follow-on bombers. I think we are jeopardizing the American people and are jeopardizing this country's security by delaying a single day. Yet this program has been delayed for years. For a number of years, I have advocated that we go forward with the program.

I have also advocated that we go forward with the antiballistic missile system, a system to knock down an enemy's missiles. Such a system would be costly. The main argument for not producing one is apparently that it would cost billions of dollars. But suppose it cost a number of billion dollars. If it would save the lives of millions of Americans, which it is admitted it will do—it is said that it would save 30 or 40 million Americans—I say it is worth the cost.

Further, the destruction that could be wrought in one or two of the cities in this Nation alone would amount to as much as the cost of moving forward with that system. I think we are making a mistake in not moving forward and building the antiballistic missile system. I think we are making a mistake in not going forward and building these strategic bombers which we need in order to have a deterrent to the Communists. This would be a credible deterrent. Building these bombers would help to avert a war. Building these bombers and having them ready to go would be a tremendous deterrent. It might keep this country out of an all-out war.

I commend the able Senator from Mississippi for calling attention to this important matter at this time. I hope that Congress will not delay any longer on this matter.

Mr. STENNIS. Mr. President, I thank the Senator.

I was asked a question by the Senator from Ohio concerning some budgetary figures. As I said, there is $3 million provided in the 1966 budget for system studies of a new manned bomber. This is a relatively small amount for a matter as important as this. It will mean that the system studies will necessarily be on a low-level basis.

In the 1966 budget there is also $24 million for propulsion and $12 million for avionics. These matters are, of course, important in the development of an advanced strategic bomber. But they are also of more general application and their finding does not mean that there has been a decision to go ahead with a new bomber system. In fact, it is clear that the decision is not to go ahead with this. My plea is for a "green light" for the development of a follow-on bomber as a weapon system. I believe we should go ahead as soon as possible. Anything short of that will not meet the demands of our future security. If it requires $50 million or more in 1966, to give it the high priority that it really deserves we should provide it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CARLSON. I commend the distinguished Senator from Mississippi for calling the attention of the Senate and the country to a situation that concerns, I am sure, every Member of Congress. That situation pertains to the future strategic bombers that are to be built to protect this great Nation. Those of us who have followed the development of these planes in the past have been greatly concerned over their deterioration, their being phased out, and the fact that no effort, or at least no substantial effort, is being made to begin to get the plans on the drawing boards.

I was amazed at the figures read by the Senator from Mississippi concerning the amount that we are to spend on research and development of planes that are absolutely necessary if we are to preserve the defense of this great country.

I commend the Senator for calling attention to this matter.

Mr. STENNIS. I thank the Senator. I hope that my presentation of this information will bring it into focus for the consideration of the proper committees when they study our military program.

Mr. ERVIN. I ask the Senator from Mississippi if one vital distinction between a missile and a long-range bomber is not that when the missile is once fired, it is gone forever.

Mr. STENNIS. The Senator is correct.

Mr. ERVIN. A long-range bomber can carry a load of bombs and, if it is not shot down, it can come back and carry another load.

Mr. STENNIS. The Senator is correct. It is ready for use again. It has that human brain in it, too.

Mr. ERVIN. Mr. President, I ask the Senator if a normal missile would be equipped to carry a nuclear warhead.

Mr. STENNIS. The Senator is correct.

Mr. ERVIN. On the contrary, a long-range bomber can carry a load of conventional or nuclear bombs, depending upon which is advisable in the particular movement that is being made.

Mr. STENNIS. The Senator is correct. All it requires is changing the bomb racks.

Mr. ERVIN. They are more flexible.

Mr. STENNIS. The Senator is correct. Their great virtue is their flexibility.

Mr. ERVIN. Mr. President, I ask the Senator from Mississippi if most of the missiles are not stationary, and therefore subject to hostile action.

Mr. STENNIS. The Senator is correct. They are sitting targets. The question is, How well can we protect them? We think we have them protected as well as man can protect them. But there is a question of whether that is sufficient protection.

Mr. ERVIN. Is it not true that long-range bombers could be placed in motion in the event of a hostile attack, and therefore they are far less vulnerable to attack than a missile?

Mr. STENNIS. The Senator is correct.

Mr. ERVIN. I know that the Senator from Mississippi, because of his service on the Armed Services Committee, believes, as I do, that we need an adequate number of both missiles and long-range bombers.

Mr. STENNIS. That is the mixed concept that we have been talking about. We do not want to detract from our missiles. But there is always some uncertainty about being able to protect them. There is some uncertainty as to the extent to which they are vulnerable. To abandon the concept of a new bomber is unthinkable to me.

Mr. ERVIN. Does not the Senator from Mississippi know, as a member of the Armed Services Committee, that virtually all the men who have devoted their lives to the military service and have spent their days and nights studying how this country should be defended, recommend that we should have a program for renewing our long-range bombers?

Mr. STENNIS. The Senator is correct. I quoted some of the chief ones a few moments ago.

Mr. ERVIN. Does not the Senator from Mississippi agree that when we get down to the fact that we cannot foretell what precise weapons we shall need in these two areas or whether we need them both, it is the height of folly for the sake of economy or anything else, not to be prepared with both missiles and long-range bombers?

Mr. STENNIS. We cannot afford to do otherwise.

Mr. ERVIN. There is no advantage in having Uncle Sam become the richest man in the graveyard by virtue of having saved some money that should have been spent for long-range bombers.

Mr. STENNIS. The Senator has expressed it very well, as usual.

I shall review quite briefly the figures I cited a moment ago—$3 million is provided in the 1966 budget for system studies, $24 million is provided for propulsion, and $12 million for avionics. But those in the Air Force who know tell me that they do not understand that this is in any way earmarked for a new bomber system or that such a system has been approved by the Secretary of Defense.

I hope that in our hearings, and in the process of considering the budget, we can get a promise to earmark an adequate amount for a new manned bomber system. Then we can put in such additional amounts as we find necessary for other weapons and other airplanes. Certainly, some of the technology applicable to an advanced manned bomber—such as propulsion and avionics—is also applicable to other aircraft. But we ought to make a start now on a bomber system.

As I have said, I think this matter ought to be brought up early this year and discussed fully. I hope Mr. McNamara will be able to assure us in the hearings that he will give a green light to a new bomber system and that adequate funds will be made available for this purpose if they are appropriated by the Congress.

PRESIDENTIAL AND VICE-PRESIDENTIAL SUCCESSION—PRESIDENTIAL DISABILITY

The Senate resumed the consideration of the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Mr. BAYH. Mr. President, I wish to yield to the distinguished Senator from Hawaii [Mr. FONG].

Mr. FONG. Mr. President, as a cosponsor of Senate Joint Resolution 1 and as a member of the Judiciary Subcommittee on Constitutional Amendments, I should like to compliment and highly commend the distinguished junior Senator from Indiana for his dedication, hard work, diligence, and constant effort in drafting and guiding this critically important legislation through the subcommittee and the Judiciary Committee.

The Senator from Indiana has certainly done yeoman service in this regard and has given the subject long, deep, and scholarly thought. He has listened with great patience to the advice and counsel of the country's outstanding political scientists and other leading experts in this matter. He has forged a proposal from these considerable resources and has produced an outstanding document that is a practical and workable solution to the problems of presidential disability and vice-presidential vacancies.

The joint resolution before us is therefore a product of considerable thought and effort and represents a consensus of many proposals.

Two years ago, the tragic assassination of President Kennedy pointed up once again the urgent need to resolve these two critical gaps in the U.S. Constitution.

First. The Constitution does not say anything about what should be done when there is no Vice President. No one in America today doubts that the Vice President of the United States today carries very vital functions of our Government.

He is the President's personal representative and emissary; he is a member of the Cabinet; Chairman of the National Aeronautics and Space Council; member of the National Security Council; head of the President's Committee on Equal Employment Opportunity; and he takes part in other top-level discussions which lead to national policymaking decisions.

The modern trend toward the increasing importance of the Vice-Presidency began with President Franklin D. Roosevelt. President Eisenhower furthered this trend greatly in assigning Vice President Nixon many duties of critical importance, and President Johnson has made it very clear that he intends to make it an even more important office.

Ever since Vice President John Tyler took over the Presidency in 1841, when President William Henry Harrison died, this precedent has been confirmed on seven occasions. Vice Presidents Fillmore, Andrew Johnson, Arthur, Theodore Roosevelt, Coolidge, Truman, and Lyndon Johnson all became President in this manner.

Besides his many duties, the Vice President is the man who is only a heartbeat away from the world's most powerful office.

Yet, on 16 different occasions in our history the Nation has been without a Vice President.

The security of our Nation demands that the office of the Vice President should never be left vacant for long, such as it was between November 22, 1963, and January 20, 1965.

Second. The Constitution does not say anything about what should be done when the President becomes disabled, how and who determines his disability, when the disability starts, when it ends, who determines his fitness to resume his office, and who should take over during the period of disability.

In short, there is no orderly constitutional procedure to decide how the awesome and urgent responsibility of the Presidency should be carried on.

Third. The Constitution also is unclear as to whether the Vice President would become President, or whether he becomes only the Acting President, if the President is unable to carry out the duties of his office.

These are very closely related problems, since they involve the devolution and orderly transition of power in times of crisis.

Mr. President, as a member of the Subcommittee on Constitutional Amendments, I have studied very carefully all the various proposals submitted by other Senators during the 88th Congress and in this current session of the 89th Congress. I have considered the testimony submitted to the subcommittee in previous hearings, including those of the distinguished experts who have testified. I have read the data collected and have read the research done by the subcommittee's staff.

I believe that any measure to resolve these very complex and perplexing problems must satisfy at least four requirements:

First. It must have the highest and most authoritative legal sanction. It must be embodied in an amendment to the Constitution.

Second. It must assure prompt action when required to meet a national crisis.

Third. It must conform to the constitutional principle of separation of powers.

Fourth. It must provide safeguards against usurpation of power.

I believe Senate Joint Resolution 1 best meets each of these requirements.

Senate Joint Resolution 1 deals with each of the problems of vice-presidential vacancy and presidential inability by constitutional amendment rather than by statute.

Mr. President, on this legal controversy, well-known legal authorities have argued persuasively on both sides of this question. At issue is the interpretation of the "necessary and proper" authority of article I, section 8, clause 18—Does Congress have the power to legislate with respect to the question of vacancy and inability?

Recently there appears to have been a strong shift of opinion favoring a constitutional amendment over the statutory approach. Two past Attorneys General—Herbert Brownell and William Rogers—and the present Attorney General Nicholas Katzenbach, the American Bar Association, and many other State and local bar associations say a constitutional amendment is necessary.

The most persuasive argument for an amendment is that so many legal questions have been raised about the authority of Congress to act on these subjects, that any statute on these subjects would be open to criticism and challenge at the most critical time—when a President dies in office; when a President had become disabled; and when a President sought to recover his office.

We must not gamble with the constitutional legitimacy of our Nation's executive branch. When a President or Vice President of the United States assumes his office, the entire Nation and the world must know without doubt that he does so as a matter of right. Only a constitutional amendment can supply this necessary legitimacy.

With respect to the problem of vice-presidential vacancies, Senate Joint Resolution 1 provides for the selection of a new Vice President when the former Vice President succeeds to the Presidency within 30 days of his accession to office; the selection is to be made by the President, upon confirmation by a majority vote of both Houses of Congress.

I believe this is sound.

The vice-presidential office, under our system of government, is tied very closely with the Presidency. The extent to which the President takes the Vice President into his confidence or shares with him the deliberations leading to executive decisions is largely determined by the President.

Another important reason for allowing the President to nominate a Vice President is that the close relationship between the President and Vice President will permit the person next in line to become familiar with the problems he will face should he be called on to assume the Presidency.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. SALTONSTALL. Is it not also true that a Presidential nomination of a Vice President to succeed him should presumably be of one of the same party as the President?

Mr. FONG. Yes. The President must work closely with the Vice President. He is a very close confidant of the President. The Vice President would succeed the President, and he should be of the same political party.

Mr. SALTONSTALL. And, therefore, the President should nominate him?

Mr. FONG. And, therefore, the President should nominate him, and the Congress should have the right to confirm his nomination by a majority vote. Senate Joint Resolution 1 provides precisely these points.

The bill proposes what I believe to be a practical solution to a practical problem.

With respect to the problem of presidential disability, Senate Joint Resolution 1 makes clear that when the President is disabled, the Vice President becomes Acting President for the period of disability. It provides that the President may himself declare his inability and that if he does not, the declaration may be made by the Vice President with written concurrence of a majority of the Cabinet.

The determination of presidential inability by the Cabinet—along with the Vice President—is sound. It is reasonable to assume that persons the President selects as Cabinet officers are the President's most devoted and loyal supporters who would naturally wish his continuance as President.

The Vice President and the Cabinet are a close-working unit, having a daily relationship with the President. They are in the past position to assess the President's capacity to perform his duties and functions.

In addition, a majority of the Cabinet usually are members of the President's political party. They would be the last to declare his inability to carry out the duties of his office if he were able to do so.

Senate Joint Resolution 1 provides that the President may declare his own fitness to resume his powers and duties, but if his ability is questioned, the Cabinet by majority vote and the Congress by a two-thirds vote of both Houses resolve the dispute.

These provisions of Senate Joint Resolution 1 not only achieve the goals I outlined earlier, but they are also in consonance with the most valued principles established by our Founding Fathers in the Constitution.

They observe the principle of the separation of powers in our Government. They effectively maintain the delicate balance of powers among the three branches of our Government. Most important of all, they insure that our Nation's sovereignty is preserved in the hands of the people through their elected representatives in the National Legislature.

Several amendments to Senate Joint Resolution 1 have been proposed which in substance place back into the hands of the Congress many of the problems we have been discussing.

It is my considered judgment that these amendments will serve only to leave these critical questions unanswered—and we would not have accomplished what we intended to accomplish under Senate Joint Resolution 1.

I believe that these amendments should be voted down.

Mr. President, this is the first time since 1956, when a full-scale congressional study of the problems was conducted, that wide agreement has been reached on these vastly complex constitutional problems.

Last September, a measure similar to Senate Joint Resolution 1 was passed by the Senate by the overwhelming vote of 65 to 0. It was sent to the House, but Congress adjourned before any further action could be taken.

Last January, at the call of the American Bar Association, a dozen of the Nation's leading legal authorities meeting in Washington came up with a consensus, which is essentially embodied in the provisions of Senate Joint Resolution 1. This consensus was subsequently endorsed by the ABA house of delegates.

I understand that Senate Joint Resolution 1 is being cosponsored by a bipartisan group of 77 Senators.

I am most delighted and pleased to cosponsor this proposal with the very distinguished and able junior Senator from Indiana [Senator Bayh]. As one who has worked closely with him on this joint resolution, I know that he has worked hard to draft and guide it through the Subcommittee on Constitutional Amendments and the full Judiciary Committee.

Mr. President, I highly commend Senate Joint Resolution 1 to the Senate as a meritorious measure that should be enacted promptly into law.

Mr. SALTONSTALL. Mr. President, will the Senator from Hawaii yield?

The PRESIDING OFFICER (Mr. Montoya in the chair). Does the Senator from Hawaii yield to the Senator from Massachusetts?

Mr. FONG. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. What the Senator has said in substance is that Congress should act now on this subject, that it should act by constitutional amendment, and that the constitutional amendment should be specific in its terms rather than general, in order to leave future actions to future Congresses to supplement it.

Mr. FONG. The Senator is correct. We have been working on these problems for a long time, but have not been able to come up with a substantively sound proposal. Now, we have such a proposal in Senate Joint Resolution 1, which is specific in its terms, in order to leave no doubt as to the devolution and orderly transition of power, and the constitutional legitimacy of our Government. I believe that the various amendments which have been proposed to give the Congress statutory power to act on these problems will only lead us back to where we started.

The resolution of these problems are much too critical to leave for future statutory action, and, like the problem of presidential succession, be the subject of political decision.

I believe that we should pass Senate Joint Resolution 1 now, because it is statesmanlike and the very best possible solution to critical problems and will specifically deal with the problem as we wish it to be dealt with.

Mr. SALTONSTALL. The Senator would deal with the problem by a constitutional amendment rather than by statute.

Mr. FONG. The Senator is correct. That is the consensus of all the experts.

Mr. BAYH. Mr. President——

The PRESIDING OFFICER (Mr. Harris in the chair). The Senator from Indiana.

Mr. BAYH. Mr. President, I compliment the Senator from Hawaii [Mr. Fong] on his well-defined statement, in which he covered all the principal points, and in which he stressed the need for the Senate to join behind the consensus of the experts, feeling that we have the best proposal before the Senate now, and that if we spend more time searching for that which is perfect it will become a search for the impossible. We are solving the two key problems which have confronted us—namely, vice-presidential vacancies and the disability of a President; and if we solve these two problems, we can solve the other problems at a later date.

I compliment the Senator and thank him for the cooperation he has given the subcommittee, as well as for the personal sacrifice he made to be in the Chamber this afternoon to participate in this debate.

Mr. FONG. I thank the Senator from Indiana. He has been working hard on this measure. It is through his dedication that the joint resolution is now before the Senate. This has not been an easy resolution to arrive at. The Senator from Indiana and the other members of the committee have worked very hard on it. They have given it deep thought. We have listened to the experts on the subject, and this is the best possible solution that we can suggest. I believe that it is a completely workable and practical solution to the two key problems.

Mr. SCOTT. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I yield.

Mr. SCOTT. Mr. President, I rise in support of Senate Joint Resolution 1, but first, I commend the distinguished Senator from Hawaii for the fine presentation he has made, and for the scholarship which is evident in his exposition.

Let me say, for my part, that I shall support the proposed Dirksen substitute for Senate Joint Resolution 1 because I believe it to be simpler, wiser, and more farsighted on a long-range basis to leave to Congress the discretion to prescribe, by statute, procedures for the transfer of the President's powers and duties in the case of presidential inability.

It occurs to me that one illustration as to why Senate Joint 1 should leave this discretion to Congress is that there is no provision in Senate Joint Resolution 1, as reported to the Senate, that deals with the inability of a Vice President to perform his duties. If a Vice President dies or resigns, there is a provision for filling the vacancy. Let us suppose, however, that the Vice President suffers from an inability. It would be rather awkward, it seems to me, to overburden the Constitution with procedural details, better and more flexibly prescribed by statute, in an effort to foresee and imagine every possible eventuality and to meet every conceivable contingency.

Yet, with the increased importance of the office of Vice President, the contingency of the Vice President's inability becomes a significant consideration and Congress could take care of it by law, as it would be permitted to do under the broader language of the Dirksen amendment.

I am an original cosponsor of Senate Joint Resolution 1, but subsequent study of the Judiciary Committee's hearings and report, particularly the views expressed therein by my distinguished minority leader, has persuaded me to accept the Dirksen amendment.

However, if the Dirksen amendment should not be adopted, I revert, then, to my desire to see a workable proposal adopted, one which will be at least as wisely considered and prepared as Senate Joint Resolution 1, sponsored by the distinguished Senator from Indiana [Mr. Bayh]. I would, then, as a cosponsor, support Senate Joint Resolution 1.

Mr. President, the tragedy which this Nation witnessed only 15 months ago brought most forcefully to our attention once again the striking absence in the Constitution of appropriate provision for continuity of presidential leadership. In this era of recurring crises at home and abroad, it is imperative that at no time should there be any doubt in anyone's mind as to who is exercising the powers and duties of the Presidency. That is the central issue we are dealing with today in Senate Joint Resolution 1.

This measure, of which I am honored to be a cosponsor, provides a workable means of assuring continuity of presidential leadership. It recognizes the very distinct nature of the two exigencies—death and inability—under which the Nation may lose the leadership of its President, and it provides suitable solutions for each of these peculiarly different situations.

The uncertainty concerning the legitimacy of our traditional method of providing for presidential succession, which is prompted by the existing vague constitutional language, would be removed. The addition of language providing for the filling of vacancies in the office of the Vice President, which occur upon the death, resignation, or removal of the President, would assure the Nation that it will always have a Vice President ready and able to assume the office of President or exercise the powers and duties of that office should the occasion arise.

Provision of continuity of presidential leadership is an urgent need that must be met now. There is widespread support for Senate Joint Resolution 1, and the climate for early ratification of this measure by the States seems to be favorable. Let us therefore promptly approve it.

Before closing, Mr. President, let me heartily commend the junior Senator from Indiana for his thorough study and diligent efforts in drafting Senate Joint Resolution 1, and for bringing it to the floor of the Senate. And I thank the Senator from Hawaii for giving me this opportunity to express my views.

Mr. FONG. I thank the Senator for his compliments. In answer to his questions, let me say that the Dirksen amendment would leave us almost in the same position as that from which we started. Many questions will still remain unanswered. If something should happen to the Vice President, we would not have the answer to that problem. It does not militate against Senate Joint Resolution 1. At present, no one succeeds to the position of Vice President if a Vice President succeeds to the office of President. I believe that if we take one step at a time, we shall accomplish what we are trying to accomplish. I believe that the present resolution is workable and practical.

THE CONSTITUTIONAL RIGHTS OF ALL AMERICANS

Mr. EASTLAND. Mr. President, in 1954, soon after the decision in Brown against Topeka, I made the statement that it was impossible to fulfill the implications of Brown against Topeka without destroying the constitutional rights of all other American citizens and all other rights embodied in the Constitution and guaranteed to the people.

Acting under the contemporary and current insanity in the country relating to so-called civil rights, various bureaus are issuing edicts and decrees without any justification in law which deprive the American people of their basic rights.

The Department of Defense under Secretary McNamara, together with certain underlings, has probably been the most zealous of these department heads in issuing decrees irrespective of the rights of the American citizens. I wish to read to the Senate a letter which I have just received from Hon. Perry S. Ransom, Jr., of Ocean Springs, Miss., to show to the Senate how far these Government bureaus have gone in surrendering basic rights to the current insanity of the country:

PERRY S. RANSOM, JR.,
CONSULTING ENGINEER,
Ocean Springs, Miss., February 16, 1965.

Senator JAMES O. EASTLAND,
U.S. Senate,
Washington, D.C.

DEAR SIR: Realizing full well the large volume of mail that you receive daily from the people you represent and the futility of individual correspondence, I nevertheless feel compelled to write. Under our system of democratic government we claim the right of the individual citizen to protest when we feel the Federal Government exceeds the limitations set forth by our Constitution.

For my explicit protest the following facts are herewith submitted:

The Jackson County Baptist Association is currently conducting in numerous Baptist Churches a school of missions, whereby missionaries come to our churches and relate to us the work that is being done for the Lord on local and foreign fields. Through this mission emphasis our Christian people are made aware of just what our denomination is doing to fulfill our Lord's great commission to "go and teach unto all nations." One of our scheduled missionary speakers was to be a Sergeant Fuller (first name, serial number, and specific assignment unknown to me), who is currently stationed at Keesler AFB in Biloxi, Miss. Our association has now been informed that said Sergeant Fuller has received orders from his superiors in the Air Force that he is not to speak in our church as the audience is segregated. How can the first amendment which guarantees the complete separation of church and state be ignored by the military in prohibiting this man from exercising his religious beliefs by speaking to a local Baptist Church group because there are no Negroes in the audience? To the best of my knowledge the Baptist Negroes of Ocean Springs are completely satisfied and happy in their own church and have no desire to attend our church. Can it be that the Government will attempt to compel the Negroes to integrate our churches, or can not the Great Society leave a soul's salvation to the individual and to the Lord?

To reiterate, I, as an individual citizen strongly protest the actions of the military at Keesler AFB to prevent any American citizen from exercising his religious beliefs just because he happens to be in the Air Force.

Any actions that you may be able to make to rectify this situation are endorsed and encouraged.

Yours very truly,
PERRY S. RANSOM, JR.,
One American Citizen.

In other words, a sergeant in the U.S. Air Force, who happens to be a religious person, was invited to address on a religious subject other Americans who belonged to his religious sect. Because the meeting of this sect was not integrated, Sergeant Fuller of the U.S. Air Force was deprived of his right of free speech. The religious association was deprived of their religious liberty. Freedom of assembly was likewise violated.

Mr. President, I bring this to the attention of the Congress in order that the Congress may know just how far the insanity of the country has progressed and the insanity of the bureaus which are administering the laws under the Constitution of the United States.

Mr. President, this brings me to ask the Secretary of Defense one question: If Sergeant Fuller can be prohibited from attending a Baptist church in Ocean Springs, Miss., to make a few remarks, then can the Secretary of Defense prohibit Sergeant Fuller from attending that Baptist church in Ocean Springs?

I do not expect that Sergeant Fuller's troubles or the troubles of the Baptist Church at Ocean Springs, Miss., will attract the wrath of either the National Council of Churches or the Civil Liberties Union, but I do think the country might be interested in the subject matter if they are apprised of it.

PRESIDENTIAL AND VICE-PRESIDENTIAL SUCCESSION—PRESIDENTIAL DISABILITY

The Senate resumed the consideration of the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I am about to propound a unanimous-consent request.

I ask unanimous consent that 1 hour for debate be allowed on the Dirksen substitute, to be equally divided between the sponsors of the substitute and the Senator in charge of the joint resolution on the floor of the Senate, the Senator from Indiana [Mr. BAYH]; that an hour for debate be allowed on each amendment, the time to be divided between the sponsors of the amendment and the Senator from Indiana [Mr. BAYH]; and that 2 hours for debate be allowed on the joint resolution, to be equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the further consideration of the joint resolution (S.J. Res. 1), proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases were the President is unable to discharge the powers and duties of his office, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Indiana [Mr. BAYH]: *Provided,* That in the event the Senator from Indiana is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said joint resolution, debate shall be limited to 2 hours, to be

> equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said joint resolution, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, in my opinion, one of the most important pieces of legislation to be considered by this session of Congress is the pending joint resolution regarding presidential succession and presidential disability.

I commend the distinguished Senator from Indiana [Mr. BAYH] and the members of the subcommittee of the Judiciary Committee and the Judiciary Committee for having devoted so much time to the hearings and the preparation of the joint resolution.

For the best part of two centuries, the Congress of the United States has not dealt effectively with the dual problems of vice-presidential vacancies and presidential disabilities. Sixteen times, over a period in excess of 37 years, this Nation has been without a Vice President. President Garfield lay for 80 days unable to perform the powers and duties of his office—President Wilson was disabled for 16 months—President Eisenhower had three serious disabilities. Fortunately, the country was not confronted by an international crisis during any of these periods. We must not take for granted that history will continue to treat us so kindly.

Over the years, Congress has studied these dual problems at great length. The main reasons for the lack of solution are the inability to arrive at a consensus and the unwillingness of individual Members of Congress to amend their own personal views in order to arrive at a workable plan which could receive two-thirds vote in each House of Congress. A great deal of effort has gone into the consensus embodied in Senate Joint Resolution 1—the American Bar Association, the Committee on Economic Development, legal scholars, constitutional lawyers and members of the executive and legislative branches of the Government have worked together to develop a workable solution.

The main problem confronting Congress is writing a constitutional provision which would assure no break in the exercise of the presidential power. More than that, no doubt should be permitted to arise as to who holds the office.

In addition to these two requirements, the procedure for transferring of power should be fast, efficient, and easily understood.

The Senate Judiciary Committee has spent days taking testimony of able and qualified individuals, discussing every phase of this subject.

From the beginning of our Nation, we have been without a Vice President in excess of 20 percent of the time.

The preponderance of testimony has declared that these problems must be solved by constitutional amendment. They are of sufficient importance to our country to be embedded in the bedrock law of the land—the Constitution. Some of those supporting this contention have been President Lyndon Johnson, Vice President HUBERT HUMPHREY, former President Dwight Eisenhower, Attorney General Nicholas Katzenbach, former Attorney General Herbert Brownell, former Attorney General William Rogers, the American Bar Association's House of Delegates by a unanimous vote, president of the American Bar Association, Lewis Powell, and immediate past president of the American Bar Association, Walter Craig.

Opinion is divided as to whether Congress has authority to deal with the problem of disability. Any statute dealing with this problem would be subjected to constitutional challenge in the courts at a time of grave national crisis when action and certainty, not inaction and doubt, were demanded by the national interest.

Sections 3 and 4 of this joint resolution deal with the very difficult problem of Presidential disability.

Section 3 enables the President to declare his own disability to perform the powers and duties of his office and the Vice President to assume these powers and duties as Acting President. This provides for the eventuality that the President may be undergoing a serious operation or he himself feels seriously ill and feels that the best interests of the country dictate that he voluntarily should turn over the powers and duties of the Presidency to the Vice President for the tenure of the President's disability.

Section 4 provides that, if the President is unable to declare his own disability, the Vice President and the majority of the Cabinet may do so, and the Vice President would assume the powers and duties as Acting President for the tenure of the President's disability. Thus, the country would be protected under such circumstances as a Presidential heart attack, which finds the Nation's Chief Executive under an oxygen tent when an effort is made to return missiles to Cuba.

The Vice President has the constitutional responsibility to act and the Cabinet, appointed by the President, serves as a sufficient protection against a power-hungry Vice President.

It is impossible for Congress to foresee every eventuality that could incapacitate the President or his successors. Congress can, however, and I believe should, make every effort to remove the anxiety and apprehension that arises out of the uncertainties of the present law.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. BAYH. I compliment the Senator from Kansas on his statement, particularly the emphasis he placed on the fact that there has been much give and take, and that this is as close as we are likely to come to being able to nail down a final determination. The time for us to act has come. If we continue to postpone this issue, we shall get further and further away from the horrible sequence of events which awakened public interest in this subject and it will recede further and further into the past.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CARLSON. Mr. President, I stated at the beginning of my remarks that I felt the proposed legislation was one of the most important measures that would be considered by this session of the Congress. I sincerely hope that action can be taken on it at this session.

Mr. DIRKSEN. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 15 minutes.

Mr. DIRKSEN. I am sensible of the urgency that is involved in connection with the proposal to amend the Constitution. Events in history such as what happened on the 22d of November 1963, the assassination of President Garfield, who signed only a single extradition paper while he lay in a virtual coma for 90 days, and the difficulty that the country encountered at the time President Woodrow Wilson was stricken, have from time to time reenergized this issue. I am quite aware of the desire to have something done and to have it done as quickly as possible.

However, I am rather sensible of an old line in the Book of Exodus:

> Thou shalt not follow a multitude to do evil.

The word "evil" might mean "error," and it can be used in its broadest sense. I believe it has been pretty much of a rule in our constitutional history that we do not legislate in the Constitution. We try to keep the language simple. We try to keep it at a high level, and we offer some latitude for statutory implementation thereafter, depending upon the events and circumstances that might arise. For that reason I have submitted a substitute, which is extremely short—in fact, a single paragraph—which I believe would encompass the problem that confronts us, would meet virtually every exigency, and would leave in the hands of the Congress whatever legislation might be necessary.

Before I go further, I commend the distinguished Senator from Indiana [Mr. BAYH]. No one has been quite so diligent in pursuing this subject. The same statement can be made concerning the staff. The Senator has worked hard. He is anxious to obtain action in this body; and he hopes to obtain action in the other body so that the constitutional proposal can then go to the country.

The substitute which I have offered has been skeletonized so that there would be no ambiguities. There would be no holes of any kind. If there were, they could always be remedied by congressional enactment. The substitute provides merely that if the President is removed from office, if he dies, or for other reason leaves the office, the office of President shall devolve on the Vice President.

That subject has been controversial ever since Chester A. Arthur came into office, and, for that matter, even at the time William Henry Harrison died in office and was succeeded by a President who at the time was not sure whether or not he should accept the office or only undertake the duties and the responsibilities. My substitute would make it pretty clear—and I believe it is true also of Senate Joint Resolution 1—that in the case of removal, death, or resignation, the office would devolve on the Vice President. That is very simple, and the language would nail it down.

But in the case of the inability of a President to discharge the powers and duties of the office, the powers and duties would devolve upon the Vice President. For example, the President might be alive. He might be incapacitated and unable to discharge his responsibilities as President. So the office would not devolve upon the Vice President, but merely the powers and duties.

The Vice President would be designated as Acting President, and no more. He would maintain that status until the inability had been removed.

My amendment would further provide that—

> The Congress may by law provide for other cases of removal, death, resignation, or inability, of either the President or Vice President—

There might be a situation in which both the President and the Vice President would be disabled. There might be a situation in which the Vice President would be disabled, but the President would be in possession of his faculties and could carry on. In that event the Congress, under the proposed substitute, could enact a law to meet the situation which would arise under those circumstances, and would also be able to declare what officer shall be President or Vice President, in the case of inability, to act as President; and such officer would be or act as President accordingly.

That is rather broad language, but it is designed to be broad. I believe it is in keeping with the language of the Constitution itself.

The amendment contains one other further provision:

> The commencement and termination of any inability shall be determined by such method as Congress may by law provide.

The distinction between the substitute and Senate Joint Resolution 1 is that section 4 and section 5 of the joint resolution provide in a little detail, at least, what shall be done when there is an inability, if the President is disabled and is not in a position to declare his inability. Then it would be up to the Vice President and a majority of the principal officers of the executive departments or such other body as Congress may by law provide to transmit to the Congress written declarations that the President was disabled; and the Vice President would immediately assume the powers and duties of the office as acting President.

Mr. President, there might not be a Vice President. How could he then join with the principal officers of the executive departments in transmitting a message to the Congress?

The language of the joint resolution is as follows:

> Whenever the Vice President and a majority of the principal officers transmit that message—

But if there is no Vice President, obviously we cannot fulfill the equations that are carried in Senate Joint Resolution 1.

I believe that one could point out some other defects that would give me some cause for concern. For that reason I believe that a measure of the kind proposed should be broadly sketched, and that ample latitude should be left for the Congress to act.

It is said that we must "nail it down" and dispose of the matter forthwith. But if and when the proposal—and I am hopeful that a proposal of some kind will go to the country—is disposed of by Congress, the committees can begin to work at once upon legislation to implement such a constitutional proposal. It could be ready, and all the hearings and details could be disposed of, as soon as the necessary number of States had ratified the amendment. Then it would not require more than a matter of days to enact the necessary implementing legislation, so that no time would be lost. We would always preserve the necessary latitude.

For that reason, I think we ought to proceed on a broader base than we presently contemplate. That must have been in the thinking of the President in connection with his message to Congress on January 28. The President said:

II. VACANCY IN THE OFFICE OF THE VICE PRESIDENT

> Indelible personal experience has impressed upon me the indisputable logic and imperative necessity of assuring that the second office of our system shall, like the first office, be at all times occupied by an incumbent who is able and who is ready to assume the powers and duties of the Chief Executive and Commander in Chief.
>
> In our history, to this point, the office of the President has never devolved below the first clearly prescribed step of constitutional succession. In moments of need, there has always been a Vice President; yet, Vice Presidents are no less mortal than Presidents. Seven men have died in the office and one has resigned, in addition to the eight who left the office vacant to succeed to the Presidency.

It is a question whether in the case of succession it would be possible under Senate Joint Resolution 1 to fill that office or not. So it would be something of a departure from what the President said about the indispensable need of having the second office as well as the first office always occupied. With that general proposal, I fully agree.

There are other matters that I might present in connection with the amendment.

I shall submit at this point a general statement on the general subject, and also some questions that have been raised. I ask unanimous consent that they may be printed at this point in the RECORD, together with an article entitled "Bayh Amendment—Second Thoughts on Disability," written by Roscoe Drummond, and published in the Washington Post of recent date.

There being no objection, the statement, questions, and article were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

We have before us Senate Joint Resolution 1. It is a proposed amendment to the Constitution to meet the problem of presidential inability and of vacancies in the office of Vice President.

I commend the distinguished chairman of the Subcommittee on Constitutional Amendments. He has worked throughout his period of service on the committee on this problem. He has devoted a tremendous amount of time and energy to the issue and his work has helped to keep the issue before us.

It is a pressing domestic issue. It is not a new issue by any means. It has been before the Congress numerous times. It has been the subject of endless study by legislators, constitutional authorities, and others. All have sought to provide an answer, but no proposed solution has been found that met the problem. Nonetheless, a solution must be found. We must contrive language that will solve the problem.

There are those who contend that no constitutional amendment is required, that the entire matter can be disposed of by legislation. I do not hold to this view although many distinguished scholars support it. Rather I share with our distinguished subcommittee chairman, our subcommittee, and the full committee, the view that a constitutional amendment is required.

The problem however is this: How do we fashion the amendment? Do we follow the advice of the Attorney General who says:

"Apart from that, the wisdom of loading the Constitution down by writing detailed procedural and substantive provisions into it has been questioned by many scholars and statesmen. The framers of the Constitution saw the wisdom of using broad and expanding concepts and principles that could be adjusted to keep pace with current need."

And do we follow the advice of another noted constitutional scholar, Martin Taylor, chairman of the Committee on Constitutional Law, New York Bar Association, who has been most active in this field and who urged the subcommittee only last year that:

"In the first plan, you have a basic fundamental principle of constitutional law that any amendment should be simple. I am substantially quoting from John Marshall. It should not give detail. You see the error of that in a great many proposals because, as time goes by, there might be great disagreement as to the practicability of applying it under changed circumstances. So the fundamental [principle] that you give broad enabling powers in the Constitution is what you should rely on, changing, if you please, implementation with changing conditions."

That is the view I hold. Keep constitutional amendments simple. Leave the detail to implementing legislation which can be changed to reflect changing circumstances. Leave the Constitution as the basic document from which all authority flows, but do not attempt to detail the application to specific problems in the basic document itself.

And that is the difficulty with Senate Joint Resolution 1 as reported by the full committee with amendments. It was pointed out by the Attorney General when he was before the subcommittee. He said he had difficulty with the amendment. It was necessary for him to make a number of assumptions in regards to the operation of the amendment. This should not be—the amendment should be clear and understandable.

What were the problems that the Attorney General had with the amendment? This is what he said:

"First, I assume that in using the phrase 'majority vote of both Houses of Congress' in section 2, and 'two-thirds vote of both Houses' in section 5, what is meant is a majority and two-thirds vote, respectively, of those Members in each House present and voting, a quorum being present. This interpretation would be consistent with longstanding precedent (see, e.g., *Missouri Pac. Ry. Co.* v. *Kansas,* 248 U.S. 276 (1919)).

"Second, I assume that the procedure established by section 5 for restoring the President to the powers and duties of his office is applicable only to instances where the President has been declared disabled without his consent, as provided in section 4; and that, where the President has voluntarily declared himself unable to act, in accordance with the procedure established by section 3, he could restore himself immediately to the powers and duties of his office by declaring in writing that his inability has ended. The subcommittee may wish to consider whether language to insure this interpretation should be added to section 3.

"Third, I assume that even where disability was established originally pursuant to section 4, the President could resume the powers and duties of his Office immediately with the concurrence of the Acting President, and would not be obliged to await the expiration of the 2-day period mentioned in section 5.

"Fourth, I assume that transmission to the Congress of the written declarations referred to in section 5 would, if Congress were not then in session, operate to convene the Congress in special session so that the matter could be immediately resolved. In this regard, section 5 might be construed as impliedly requiring the Acting President to convene a special session in order to raise an issue as to the President's inability pursuant to section 5.

"Further in this connection, I assume that the language used in section 5 to the effect that Congress "will immediately decide" the issue means that if a decision were not reached by the Congress immediately, the powers and duties of the Office would revert to the President. This construction is sufficiently doubtful, however, and the term "immediately" is sufficiently vague, that the subcommittee may wish to consider adding certainty by including more precise language in section 5 or by taking action looking toward the making of appropriate provision in the rules of the House and Senate.

"In my testimony during the hearings of 1963, I expressed the view that the specific procedures for determining the commencement and termination of the President's inability should not be written into the Constitution, but instead should be left to Congress so that the Constitution would not be encumbered by detail."

Did the action of the full committee in amending Senate Joint Resolution 1 correct the deficiencies pointed out by the Attorney General? Let us consider what he said before the full Judiciary Committee of the other body. He began observing that:

"As the committee well knows, the factual situations with which House Joint Resolution 1 is designed to deal are numerous and complex. Inevitably, therefore, some aspects of the proposal will raise problems of ambiguity for some observers. In order to assist in resolving any such ambiguity, I propose to set forth the interpretations I would make in several difficult areas so that the committee may consider whether clarification is needed."

He then repeated the first observation that he made before our subcommittee regarding his assumption of the meaning of "majority vote." He then repeated his second observation regarding the procedure established by section 5 of Senate Joint Resolution 1, and then added:

"However, I note in this regard that the Senate Committee on the Judiciary has recently approved an amended version of Senate Joint Resolution 1, the counterpart of House Joint Resloution 1, under which the President may resume his powers and duties in this situation only by following a procedure comparable to that established by section 5. I would much prefer a provision which would clearly enable the President to terminate immediately any period of inability he has voluntarily declared."

He then repeated the third and fourth observations he made to our committee but then made this further observation:

"The Senate Committee on the Judiciary has revised Senate Joint Resolution 1 to provide that all declarations, including the declarations by the President under sections 3 and 5 and the declaration by the Vice President under section 4, shall be transmitted to the President of the Senate and Speaker of the House of Representatives. This change, the committee states, would provide a basis on which congressional leaders could convene Congress if it were not then in session. However, the Constitution expressly authorizes only the President to convene Congress in special session (art. II, sec. 3, clause 2), and in view of that provision it might be argued that Congress cannot be convened in special session by its own officers. Accordingly, I would think it preferable to provide that the Acting President must convene a special session in order to raise an issue under section 5 as to the President's inability. Although section 5 as it now stands could be construed in that way, the committee may wish to consider whether it would not be advisable to add express language which would make that intention unmistakable.

"Fifth, I assume that the language used in section 5—to the effect that Congress 'will immediately decide' the issue—means that if a decision were not reached by the Congress immediately, the powers and duties of the office would revert to the President. This construction is sufficiently doubtful however, and the term 'immediately' is sufficiently vague, even though used also in article I, section 3, clause 2 of the Constitution, that the committee may wish to consider adding certainty by including more precise language in section 5 or by taking action looking toward the making of approximate provision in the rules of the House and Senate.

"The Senate Judiciary Committee, in approving Senate Joint Resolution 1, has changed the language 'immediately decide the issue' to 'immediately proceed to decide the issue.' This change seems to have the effect of reversing the interpretation I have indicated, the result being that under Senate Joint Resolution 1, as approved by the Senate committee, the Acting President would continue to exercise the powers and duties of the Presidency while Congress considered the matter and until one of the Houses of Congress brought the issue to a vote and failed to support the Acting President by a two-thirds vote.

"I note that the committee has before it several proposals (H.J. Res. 3, H.J. Res. 119, and H.J. Res. 248) which would provide that once the issue of inability was referred to Congress, the President would be automatically restored to the powers and duties of his Office if Congress failed to act within 10 days. These proposals would add a measure of protection for the President against interminable consideration of the issue by Congress. However, it would still be possible under these proposals for the issue to be decided by delay rather than by a vote on the merits.

"In view of the difficulty of establishing in advance exactly what period of consideration would be appropriate, the most effective course might be to initiate promptly the adoption of rules for the consideration of questions of inability that would insure a reasonably prompt vote on the merits. I do feel that, if the issue of national leadership is to be importantly affected by delay, then delay should favor the President. Particularly is this so if the President may not, under section 3, unilaterally declare an immediate end to periods of inability which he has voluntarily declared."

But there is another course open to us. In the 88th Congress a simple and complete amendment was introduced by Senator Kefauver, then the chairman of the Constitutional Amendments Subcommittee, and cosponsored by Senator Keating. It was Senate Joint Resolution 35.

In his appearance before the subcommittee on June 18, 1963, Attorney General Katzenbach, then the Deputy Attorney General suggested two minor modifications to the amendment. As modified the amendment would read:

"In the case of the removal of the President from office or of his death or resignation, the said office shall devolve on the Vice President. In case of the inability of the President to discharge the powers and duties of the said office, the said powers and duties shall devolve on the Vice President as Acting President until the inability be removed. The Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then be President, or in case of inability, act as President, and such officer shall be or act as President accordingly, until a President shall be elected or, in case of inability, until the inability shall be earlier removed. The commencement and termination of any inability shall be determined by such method as Congress may by law provide."

The Attorney General endorsed the amendment as changed, saying:

"In addition, crucial and urgent new situations may arise in the changing future—not covered by Senate Joint Resolution 28—where it may be of importance that Congress, with the President's approval, should be able to act promptly without being required to resort to still another amendment to the Constitution. Senate Joint Resolution 35 makes this possible; Senate Joint Resolution 28 does not.

"Since it is difficult to foresee all of the possible circumstances in which the Presidential inability problem could arise, we are opposed to any constitutional amendment which attempts to solve all these questions by a series of complex procedures. We think that the best solution to the basic problems that remain would be a simple constitutional amendment, such as Senate Joint Resolution 35, which treats the contingency of inability differently from situations such as death, removal, or resignation, which states that the Vice President in case of Presidential inability succeeds only to the powers and duties of the office as Acting President and not to the office itself, and which declares that the commencement and termination of any inability may be determined by such methods as Congress by law shall provide. Such an amendment would supply the flexibility which we think is indispensable and, at the same time, put to rest what legal problems may exist under the present provisions of the Constitution as supplemented by practice and understanding."

He reaffirmed his support for this amendment in 1964 by submitting his 1963 statement for the record, and, I might say his three predecessors, Attorneys General Brownell, Rogers, and **Kennedy**, have also endorsed the amendment. The House of Delegates of the American Bar Association has endorsed that amendment on two separate occasions. The New York State Bar Association reaffirmed its support of such an amendment this very week and it has been supported by the Association of the Bar of the City of New York.

Let me point out that this amendment, as modified, would permit precisely what Senate Joint Resolution 1 attempts to do but it would reserve the detailed procedure in Senate Joint Resolution 1, which has proved the principal difficulty, for legislation where such details can more properly and easily be defined.

What is the practical difficulty with Senate Joint Resolution 1? It is the questions left unanswered. Must the President wait two days to regain his authority when he has voluntarily relinquished it? If the President is disabled and the Congress is not in session, who calls it into session? Under the Constitution only the President can. What happens if a Vice President, who is serving as Acting President, became disabled himself?

Then, too, if the method of filling a vacancy in the office of Vice President proves unworkable, would it not be preferable to change the procedure by legislation rather than by another constitutional amendment as Senate Joint Resolution 1 requires?

These are but a few of the questions that come to mind as I study this amendment. Consider the problems that the State legislatures will have. Who will be present to answer the questions of the members of the legislature concerning the mechanics of all of these details? Wouldn't the simpler amendment which merely clarifies the present Constitution and leaves the details to be legislated be far preferable and more easily understood?

I recite a number of questions that occur to me in connection with Senate Joint Resolution 1:

1. Where in section 5 is there any language limiting it to those instances where the Vice President and a majority of the heads of the executive department have declared the President unable to discharge the powers and duties of office?

2. If there is no such language, should there be?

3. Must the President wait 2 days to see if the Vice President files a declaration that the President is still under a disability before recovering his office even though he had voluntarily relinquished it?

4. One of the purposes of Senate Joint Resolution 1 is to permit the President to declare his own inability with the assurance that he can immediately regain it upon the termination of inability. Would the complicated procedure contained in Senate Joint Resolution 1 for regaining the office make it highly unlikely that a President would use it in most cases?

5. If a President were physically unable to write or even sign his name, how could he make a written declaration of his own inability?

6. Another purpose of Senate Joint Resolution 1 is to make certain that the offices of President and Vice President are filled at all times. Testimony before the committee indicated the urgency of this. The national security was involved, it was said. The President in his message to Congress on January 28, 1965, said:

"Indelible personal experience has impressed upon me the indisputable logic and imperative necessity of assuring that the second office of our system shall, like the first office, be at all times occupied by an incumbent who is able and who is ready to assume the powers and duties of the Chief Executive and Commander in Chief."

7. Does Senate Joint Resolution 1 make provision for having the offices filled at all times?

8. Suppose the President becomes disabled and the Vice President becomes Acting President. Where is the provision for filling the office of Vice President?

9. What happens if the Vice President is under a disability when the President becomes disabled?

10. The Constitution says that only the President can call Congress into special session. What happens if Congress is not in session when the Vice President and a majority of the heads of the executive departments declare the President unable to discharge the powers and duties of his office? How is Congress called into session to discharge its function under section 5?

11. If the method of filling a vacancy in the office of Vice President as provided in Senate Joint Resolution 1, proves unworkable or undesirable, wouldn't it be preferable to be able to change it by legislation rather than by another constitutional amendment as required by Senate Joint Resolution 1?

BAYH AMENDMENT—SECOND THOUGHTS ON DISABILITY

(By Roscoe Drummond)

Some influential Senators are having second thoughts on the wisdom of the Bayh amendment as a means of dealing with Presidential disability, not on the urgency of the action. And there is no acute dissent on what should be done, only on how it should be done.

The how is important. It could be crucially important.

The second thoughts, which are growing on the Hill, have to do with whether to write detailed procedures into the Constitution to try to cover all contingencies or to propose a simple amendment that would authorize Congress to deal with these matters.

Senator EVERETT M. DIRKSEN, of Illinois, the Democratic Senator EUGENE MCCARTHY, of Minnesota, have come out on the side of a simple enabling amendment. Other Senators, both Republican and Democratic, have indicated either their support or their openmindedness.

There is a strong case to be made in favor of an authorizing amendment without attempting to write detailed law into the Constitution.

The role of the Constitution is to distribute authority between the three branches of the Government and between the Federal Government and the States. Its function is not to prescribe in detail how that authority shall be used. Since Congress does not have the power to deal with Presidential disability and Vice Presidential vacancies, the only need is to give Congress that power.

Amendment to the Constitution should not legislate. Good precedent: The 16th amendment, which gave Congress authority to "lay and collect taxes on incomes." It did not attempt to write a tax code. Bad precedent: The 18th amendment, which wrote the prohibition law into the Constitution and made repeal of the amendment the only redress when it did not work.

Can't we profit from the experience of the 18th amendment, or must we repeat it all over again? It seems to me once is enough.

What if we write into an amendment all the precise procedures for filling Vice Presidential vacancies, and coping with Presidential disability? And then later we find contingencies nobody foresaw? Or what if some major provision proves inadequate? Then the amending process would have to start all over again.

These are practical questions. For example, one proposal to go into a possible amendment would leave it wholly with the President to affirm that he has recovered from a disability. But what if he insists upon exercising his powers when he is unable to do so It has happened twice. President Garfield lingered for 80 days between life and death, disabled but unwilling to accept his disability at any time. The same with President Wilson for 17 months.

The voluntary arrangements established by Presidents Eisenhower, Kennedy, and Johnson with their Vice Presidents suggest that this fearful hoarding of power might not be repeated. But we cannot be sure that some future President, after being disabled, would not seek to recapture his authority before he was ready. One proposed amendment would leave this matter unresolved.

Congress cannot possibly foresee every contingency. That is why it seems to me that Senator DIRKSEN and Senator MCCARTHY are wise in urging that detailed methods not be embedded into the Constitution and that instead, the necessary authority be granted to Congress to act.

Mr. DIRKSEN. Mr. President, where, for instance, in section 5 is there any language limiting that section to instances in which the Vice President and a majority of the heads of the executive departments have declared the President to be unable to discharge the powers and duties of his office? If there is no such language, should there be?

Must the President wait 2 days to see if the Vice President files a declaration that the President is still under a disability before recovering his office, even though he had voluntarily relinquished it?

One of the purposes of Senate Joint Resolution 1 is to permit the President to declare his own inability, with the assurance that he can immediately regain it upon the termination of such inability. Would the complicated procedure contained in Senate Joint Resolution 1 for regaining the office make it highly unlikely that a President would use it in most cases?

If a President were physically unable to write or even sign his name, how could he make a written declaration of his own inability?

Another purpose of Senate Joint Resolution 1 is to make certain that the Offices of President and Vice President are filled at all times. Testimony before the committee indicated the urgency of this matter, and that is the reason why I recited the extended paragraph from the President's message to Congress.

Does Senate Joint Resolution 1 make provision for having the offices filled at all times?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The 15 minutes yielded to himself by the Senator from Illinois have expired.

Mr. DIRKSEN. I yield myself 2 additional minutes.

Suppose the President becomes disabled and the Vice President becomes Acting President. Where is the provision for filling the office of Vice President?

What happens if the Vice President is under a disability when the President becomes disabled?

The Constitution provides that only the President may call Congress into special session. What happens if Congress is not in session when the Vice President and a majority of the heads of the executive departments declare the President unable to discharge the powers and duties of his office? How would Congress be called into session to discharge its function under section 5?

If the method of filling a vacancy in the office of Vice President, as provided in Senate Joint Resolution 1, proves unworkable or undesirable, would it not be preferable to be able to change it by legislation rather than by another constitutional amendment, as required by Senate Joint Resolution 1?

Mr. President, those are some of the questions that arise. My interest is that there be no ambiguities and no rigidities written into the Constitution that could be modified only by another constitutional amendment.

My preference is for flexibility and for adequate powers in the hands of Congress to deal with the problem. I am sensible of the fact that something must be done. I am glad that the distinguished Senator from Indiana [Mr. BAYH] has carried the proposal to this point. For aught I know, my name may be on the joint resolution. Certain it is that I voted for the proposal in the previous Congress, but always with the reservation that proposals that might be made after the measure had left the committee could without prejudice be submitted on the floor of the Senate. So I exercise only the reservation that I kept unto myself both in the subcommittee and in the full committee, because I wanted to see some measure come to the floor of the Senate upon which the Senate could work its will and get it to the other body, and finally to the country.

The PRESIDING OFFICER. The additional time yielded to himself by the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, in the discussion and consideration of the joint resolution, both in the present session of Congress and earlier, there were two principles that I felt were most important. One of those points was just emphasized by the Senator from Illinois, when he spoke in favor of his substitute measure, namely, the inadvisability placing too many detailed procedural provisions in the Constitution.

This makes the Constitution very inflexible. Flexibility is a principle which has been inherent in our Constitution. It has been followed quite consistently. Exceptions to it are very few indeed.

I fear that with the great number of procedural provisions found in the Senate joint resolution, as reported by the committee, we shall very likely, if we are ever called upon to exercise it, run into something that will prove unworkable. For that reason, it would be better to couch the proposed amendment in general terms and then provide that Congress shall be empowered to implement, by the legislative process, the amendment.

There are two ways of doing it. One would be the substitute resolution of the Senator from Illinois. The other is proposed in the amendment offered by the Senator from Vermont on behalf of the Senator from Kentucky [Mr. COOPER].

The latter method would grant to Congress the power to prescribe any other plan for dealing with disability, in the choice of a Vice President and the filling of a vacancy in addition to that detailed in Senate Joint Resolution 1.

That is one of the principles. The other principle is the matter of separation of power. We have had testimony, throughout the past 6 or 8 years, that it is desirable for an amendment dealing with this subject to respect the doctrine of separation of powers. It has been my view that that doctrine is violated in the resolution as approved by the Committee on the Judiciary, since the decision as to whether or not disability has terminated is left for Congress.

When we ask another branch of the Government for the decision, the doctrine of separation of powers is violated. That was debated thoroughly. The Senator from Indiana has developed a fine body of testimony which is contrary to that viewpoint.

It is, however, a viewpoint that was at one time the judgment of our present Attorney General, three of his predecessors, as nearly as I remember.

As I have indicated in my individual views of the committee report, it is my view we should abide by these two principles. The substitute amendment of the Senator from Illinois complies with those two principles.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. Mr. President, I yield 5 minutes to the Senator from North Carolina, or as much time as he may care to use in the opposition to the Dirksen amendment.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 5 minutes.

Mr. ERVIN. Mr. President, I rise in opposition to the Dirksen amendment. The Dirksen amendment totally ignores one of the crucial questions which has brought this matter to the floor of the Senate. That is the fact that vacancies occur in the office of Vice President.

The Dirksen amendment makes no attempt to provide for the election of a Vice President in case a Vice President succeeds to the office of President, or is removed from office by impeachment. It ignores one of the things which has made this question so crucial. It ignores the necessity of having someone continue in the office of Vice President.

There is another fatal flaw in the Dirksen amendment. That is the provision that "the commencement and termination of any inability shall be determined by such method as Congress may by law provide."

I thank God that was not placed in the Constitution when the Constitution was adopted. If it had been placed in the Constitution, we would have seen, in the most tragic period of our history, the total blackout of government of the people, by the people, and for the people in this Nation. I refer to the tragic days when a congressional group was trying to take complete power in this Nation. The group was led by the then Senator Ben Wade, who was President pro tempore of the Senate and who wanted to be President. At that time there was no Vice President. Lincoln had been assassinated and had been succeeded in the office of President by Vice President Andrew Johnson.

This group in Congress had intimidated the Supreme Court of the United States after that Court had handed down one or two courageous decisions. The group scared the Supreme Court so that it did not dare to decide cases as they should have been decided.

The group then decided that they would impeach Andrew Johnson. The only thing that saved Andrew Johnson from impeachment, and saves us from behaving as a "banana republic" often behaves on the seizure of power by ambitious men, was the provision of the Constitution that required a two-thirds vote before the President could be removed from office. Power-hungry men, headed by a man who aspired above everything else to become President of the United States, and who was in line for the Presidency if Andrew Johnson had been removed from office, were prevented from taking control by a provision of our Constitution which required a two-thirds vote for impeachment, and then by only one vote short of the two-thirds majority.

If the provision referred to had been in the Constitution at that time—"The commencement and termination of any inability shall be determined by such method as Congress may by law provide"—Andrew Johnson would have been removed from office. The group would have set up a medical commission and had President Johnson declared mentally disabled. But they did not have the power under the Constitution. The only way that they could have removed him would have been by impeachment, and only by impeachment by a two-thirds majority.

With this substitute amendment incorporated in the Constitution, any time that power-hungry men in Congress were willing to go to the extremes that men were willing to go to in those days, they could take charge of the Presidency. Under the Dirksen proposal, they could provide that one of their favorite Members should succeed to the office of President if there were no Vice President at the time. That is a dangerous thing.

Mr. President, someone has very wisely said that a nation which does not remember the history of the past is doomed to repeat its mistakes.

So this amendment should be rejected for at least two reasons. It does not deal adequately with the question of vacancies in the Vice Presidency, and it would place dangerous power in the hands of Congress.

I am not disturbed about the doctrine of the separation of powers here, because the powers of government are not always separated. The Constitution provides, for example, that a President can be impeached, and be removed from office by the Senate. The Constitution provides a good many things that must be done by the President and the Congress. The Constitution provides that the President may make treaties, but they must be ratified by the Senate. It provides that the President shall appoint heads of departments of the Federal Government, judges, ambassadors, and other officers of the United States; but the nominations are subject to confirmation by the Senate, under the Constitution.

So there are many cases in which the powers of government are jointly reposed in both the executive and the legislative branch.

This amendment should be rejected for those two reasons. The joint resolution presented by the committee contains full protection against any group of men thirsting for power taking over the office of the Presidency, as could be done by the Dirksen proposal, because it requires a two-thirds vote. It requires action of the Vice President and members of the Cabinet and action by Congress to remove the President or Vice President.

I agree with my good friend from Nebraska, in that I do not like to have too many specific things written into the Constitution, but when we try to protect somebody, we had better write specifics into the Constitution if we do not want to run the risk of converting the United States into what I would call a banana republic. We had better provide for a two-thirds vote by the Congress, such as the joint resolution reported by the committee provides, to remove the President from office, where he risks the charge of disability.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. BAYH. I am glad the Senator from North Carolina has pointed out the time when our forefathers determined that there should be a commingling of the various branches which in most cases we keep separate. I am also glad he pointed out the need for specifics under certain circumstances.

It seems to me that a close analysis of our Constitution discloses that it is a wonderful, broad, general plan for a wonderful society, but at the same time certain basic specifics to protect certain inalienable rights are necessary, such as the basic features provided in article 2, section 1, which has since been replaced by the 12th amendment. It specifically provides, in great detail, how elections shall be conducted, because we do not want Congress to take away from the people the right to decide for themselves.

As the Senator knows, the Constitution contains many specific qualifications—for example, to be President, and to be Members of this great body.

I commend the Senator for what he has said about the qualifications provided.

Mr. ERVIN. As the Senator knows, in the Bill of Rights specifics are provided for the protection of the individual against governmental tyranny. There are specifics protecting the individual against unreasonable searches and seizures of his papers, effects, and home. The Constitution contains specifics to protect many rights.

That is the reason why the amendment proposed by the committee was prepared in the form it is in. It was necessary to protect a President against a power-hungry Congress, on the one hand, and also to see to it that there was proper protection before such drastic steps should be taken.

Mr. SALTONSTALL. Mr. President, will the Senator from Indiana yield for a question?

Mr. BAYH. I am glad to yield to the Senator from Massachusetts, who has been an ardent ally from an early date.

Mr. SALTONSTALL. This may be a small, immaterial matter, but I would like to clarify it in my mind and for the RECORD.

Turning to section 3 of the Senator's proposed constitutional amendment, it reads:

> Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, such powers and duties shall be discharged by the Vice President as Acting President.

Under the Constitution, the Vice President is President of the Senate, but if he became Acting President under this amendment, he would no longer be President of the Senate, but the President pro tempore would become the President of the Senate. Is that correct?

Mr. BAYH. That is correct.

Mr. SALTONSTALL. The Vice President would become Acting President and thereby lose his title as President of the Senate. Is that correct?

Mr. BAYH. That is correct. I point out for the RECORD, with respect to the wording of the amendment, that, as originally introduced and as reported by the committee, it was suggested that the message would be transmitted to Congress. We were determined to think of all eventualities that could possibly happen. We determined that such an eventuality might happen when Congress was not in session. Therefore we changed the wording so that it would read that the transmission should be to the President of the Senate and the Speaker of the House of Representatives. By that wording, the normal, legal procedure of delivery would take place in the manner set out. Delivery to the President of the Senate and the Speaker of the House would be sufficient for the intention of the resolution.

Mr. SALTONSTALL. May I ask the Senator from Indiana, who has worked so hard in this matter, a question? Perhaps he has answered it in his speech when I was not present in the Chamber. If Congress were not in session, would the fact that the transmission is to be to the President of the Senate and the Speaker of the House automatically call Congress into session?

Mr. BAYH. It is specifically provided in section 5, when it is necessary for Congress to convene, that it shall immediately proceed to decide. We think that is sufficient to enable the President of the Senate or the Speaker of the House to call a special session.

Mr. ERVIN. Mr. President, will the Senator from Indiana yield to me for the purpose of clarifying the question asked by the Senator from Massachusetts?

Mr. BAYH. I yield.

Mr. ERVIN. The amendment originally provided for the report to be made to Congress. The question was raised whether a report could be made to Congress when Congress was in adjournment. So we adopted the language that the report should be made to the President of the Senate and the Speaker of the House of Representatives to make certain that the Vice President could take over, immediately, in case of the President's disability, without waiting for Congress to meet. But it is implied that Congress shall meet, because section 5 contains the language, "Congress shall immediately proceed."

Mr. SALTONSTALL. Therefore, either the President of the Senate or the Speaker of the House, or both, would call Congress into session, and they would have the power to do it?

Mr. ERVIN. Yes; that would be implied from the fact that Congress would meet immediately.

Mr. SALTONSTALL. But if Congress adjourned sine die, there would not have to be any provision in the sine die adjournment to permit those officers to call it back into session.

Mr. ERVIN. No.

Mr. SALTONSTALL. We sometimes include such a provision.

Mr. ERVIN. Yes.

Mr. SALTONSTALL. It would be automatic?

Mr. ERVIN. Yes.

Mr. President, my good friend from Nebraska referred to the testimony of the present Attorney General in 1963. I invite the Senator's attention to the hearings, at pages 10 and 11. I read from the bottom of page 10:

> In my testimony during the hearings of 1963, I expressed the view that the specific procedures for determining the commencement and termination of the President's inability should not be written into the Constitution, but instead should be left to Congress so that the Constitution would not be encumbered by detail. There is, however, overwhelming support for Senate Joint Resolution 1, and widespread sentiment that these procedures should be written into the Constitution. The debate has already gone on much too long. Above all, we should be concerned with substance, not form. It is to the credit of Senate Joint Resolution 1 that it provides for immediate self-implementing procedures that are not dependent on further congressional or Presidential action. In addition, it has the advantage that the States, when called upon to ratify the proposed amendment to the Constitution, will know precisely what is intended. In view of these reasons supporting the method adopted by Senate Joint Resolution 1, I see no reason to insist upon the preference I expressed in 1963 and assert no objection on that ground.

Mr. BAYH. Mr. President——

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Indiana.

Mr. BAYH. I should like to suggest that this might be the appropriate time to ask unanimous consent to have printed in the RECORD a letter which I received yesterday from the Attorney General, Nicholas Katzenbach, in an effort to clarify and point out specifically that his opinion does away with some of the rumors to the contrary.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 18, 1965.

Hon. BIRCH BAYH,
U.S. Senate, Washington, D.C.

DEAR SENATOR BAYH: I understand that recent newspaper reports have raised some question as to whether I favor the solution for the problem of presidential inability embodied in Senate Joint Resolution 1, or whether I prefer a constitutional amendment which would empower Congress to enact appropriate legislation for determining when inability commences and when it terminates.

Obviously, more than one acceptable solution to the problem of presidential inability is possible. As the President said in his message of January 28, 1965, Senate Joint Resolution 1 represents a carefully considered solution that would responsibly meet the urgent need for action in this area. In addition, it represents a formidable consensus of considered opinion. I have, accordingly, testified twice in recent weeks in support of the solution embodied in Senate Joint Resolution 1 and House Joint Resolution 1.

My views on the particular question here involved were stated on January 29, 1965, before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, as follows:

"In my testimony during the hearings of 1963, I expressed the view that the specific procedures for determining the commencement and termination of the President's inability should not be written into the Constitution, but instead should be left to Congress so that the Constitution would not be encumbered by detail. There is, however, overwhelming support for Senate Joint Resolution 1, and widespread sentiment that these procedures should be written into the Constitution. The debate has already gone on much too long. Above all, we should be concerned with substance, not form. It is to the credit of Senate Joint Resolution 1 that it provides for immediate, self-implementing procedures that are not dependent on further congressional or Presidential action. In addition, it has the advantage that the States, when called upon to ratify the proposed amendment to the Constitution, will know precisely what is intended. In view of these reasons supporting the method adopted by Senate Joint Resolution 1, I see no reason to insist upon the preference I expressed in 1963 and assert no objection on that ground."

I reaffirmed these views with the same explicit language in my prepared statement delivered on February 9, 1965, before the House Judiciary Committee. In view of the above, there should be no question that I support Senate Joint Resolution 1.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Attorney General.

Mr. ERVIN. Mr. President, my opinion is that the present Attorney General can now claim something which all of us would like to be able to claim; namely, that we are wiser today than we were yesterday.

Mr. BAYH. I wish to thank my good friend the Senator from North Carolina [Mr. ERVIN], and the distinguished Senator from Massachusetts [Mr. SALTONSTALL]. Both Senators have been of great help in trying to forge the final content of our arguments.

There are one or two additional points which were raised by the minority leader, on which I should like to comment.

First, I should like to point out that in the quotation which he read from the Presidential message, the President was at that particular time addressing himself to the need for a Vice President at all times, to elect a Vice President by Congress and Presidential appointment, a matter which is not even contained in the Dirksen amendment.

As I said in my statement, the President unequivocally, on all fours, endorsed both disability and Vice-Presidential replacement provisions in the joint resolution.

Second, I refer to my earlier remarks, that under the provisions of section 3 where the President voluntarily gives up his powers, it is the understanding—reinforced by the testimony of the Attorney General—that he could assume it merely by declaration, and would not have to invoke the provisions of section 5 and bring in the Vice President, the Cabinet, and Congress.

Next, I should like to point out that if we had a President unable to write his name, the matter would not be considered under section 3, as the distinguished minority leader has suggested, but rather it would be considered under section 4, which is specifically provided for in the resolution in a case in which a President of the United States might have a heart attack and be in an oxygen tent at a time when missiles might be moving to Cuba or some other area of the world. The health and welfare of the country would demand immediate action; and thus the Vice President and a majority of the Cabinet would act, when the President might be unable to do so.

The issue of calling a special session has been well covered in previous colloquy and I shall not repeat what has been stated; but it is our understanding that sufficient authority has been indicated in the report to adequately point out that the intention of the amendment is to give this power to the President of the Senate and the Speaker of the House.

I close by saying that it seems to me we are making a general policy determination which was articulated so well by my colleague, the Senator from North Carolina [Mr. ERVIN], as to whether we are going to open Pandora's box to permit a blanket check provision to be given to Congress to provide laws in these vital areas at some later date.

Let me reemphasize that if we give Congress the power by law to decide later, we shall not be able to prevent a majority of Congress from passing any laws it may wish to pass, and then we immediately negate the two-thirds protection residing in the impeachment provisions of the Constitution since its inception, and which is also provded in Senate Joint Resolution 1, as so vividly pointed out by the Senator from North Carolina [Mr. ERVIN].

There has been a trend of thinking that if we have a loosely drawn, nonspecific constitutional amendment, the legislative bodies might be more inclined to adopt it. I am satisfied that several Members of this body who have had legislative experience at the State level can speak with more authority than I. But my 8 years in the Indiana General Assembly have led me to believe that this was a false assumption. With this in mind, we sent copies of Joint Resolution 35, which was merely an enabling act giving Congress power to act, and Joint Resolution 139 of the previous year, which is almost identical with Senate Joint Resolution 1, to the president of the senate and the speaker of the house of all the States.

The preponderance of evidence—I believe we received only three letters to the contrary—was that State legislative bodies would prefer to enact the ratification resolution, that State legislatures should deal with a specific proposal and not give Congress a blank check to take away the safeguards to which the Senator from North Carolina [Mr. ERVIN] has so adequately directed our attention.

Mr. SALTONSTALL. Mr. President, will the Senator from Indiana yield?

Mr. BAYH. I yield.

Mr. SALTONSTALL. Is it not true, following up what the Senator has said, that in this instance this subject had been discussed for many years, and that if we send it back in a general form and say that Congress will do something if the amendment should be adopted, the average legislator, the average citizen will say, "Pshaw. Congress is putting the thing off further, and this is not definite."

Mr. BAYH. The Senator is absolutely correct. The effect would be very much the same, I am sure, as that contained in the 20th amendment, which provides for that eventuality. Thirty-two years ago that provision was specified, and Congress has done nothing since that time. If an enabling constitutional amendment were passed by the two Houses of Congress and sent to and subsequently ratified by the House, we still would have to enact a law, which we have not done in 170 years.

Now that we are close to solving the problem, why put it off to some day in the future when interest may have waned, and Congress may be dilatory about it, as it has been in the past?

Mr. SALTONSTALL. That is an appealing argument. That is the fundamental argument with the average member of a State legislature.

Mr. BAYH. I thank the Senator from Massachusetts for pointing this out.

Mr. President, one last point and then I shall have concluded my arguments, which have ably reenforced by many Senators. I believe that the most important ingredient in a constitutional amendment such as this is general public acceptance of a formula which we provide. As I pointed out in my earlier remarks, the horrible tragedy in Dallas, Tex., would have been much worse—if that is possible to imagine—if we had not had a definite procedure which was accepted by the people of America so that Lyndon Johnson could assume the office of President, succeeding to the office from that of Vice President.

It is my judgment that a constitutional amendment—passed by a two-thirds vote of the Senate, passed by a two-thirds vote of the House of Representatives, and subsequently ratified by three-fourths of the State legislatures, with all of the attendant publicity—would be much better accepted by the people of America, and they would be more aware of its provisions, than a law which passed both Houses of Congress by majority vote.

The PRESIDING OFFICER. Who yields time?

Mr. HRUSKA. Mr. President——

Mr. BAYH. Mr. President, I yield back the remainder of my time.

Mr. HRUSKA. Mr. President, if there is any time left on the substitute amendment, I yield back the remainder of that time.

The PRESIDING OFFICER. All time is yielded back.

Mr. HRUSKA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. I ask for the yeas and nays on the Dirksen substitute.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN]. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], are absent on official business.

I also announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the senior Senator from Minnesota [Mr. MCCARTHY], the junior Senator from Minnesota [Mr. MONDALE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

On this vote, the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the senior Senator from Minnesota [Mr. MCCARTHY] is paired with the junior Senator from Minnesota [Mr. MONDALE]. If present and voting, the senior Senator from Minnesota would vote "yea," and the junior Senator from Minnesota would vote "nay."

In this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Oregon would vote "nay."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from Connecticut [Mr. RIBICOFF]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from California would vote "yea," and the Senator from Missouri would vote "nay."

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Alaska would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN] and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from California [Mr. KUCHEL] is absent on official business.

The Senator from Colorado [Mr. DOMINICK] is detained on official business.

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from Connecticut [Mr. RIBICOFF]. If present and voting, the Senator from Idaho would vote "yea" and the Senator from Connecticut would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from California would vote "yea" and the Senator from Missouri would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Utah would vote "nay."

If present and noting, the Senator from New York [Mr. JAVITS] would vote "nay."

The result was announced—yeas 12, nays 60, as follows:

[No. 23 Leg.]

YEAS—12

Bennett
Boggs
Case
Cotton
Dirksen
Hickenlooper
Prouty
Scott
Smith
Thurmond
Tower
Williams, Del.

NAYS—60

Aiken
Allott
Bartlett
Bass
Bayh
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Curtis
Dodd
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hart
Hartke
Hayden
Hill
Holland
Hruska
Inouye
Jackson
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Montoya
Mundt
Murphy
Pastore
Pearson
Pell
Proxmire
Randolph
Robertson
Saltonstall
Simpson
Sparkman
Stennis
Talmadge
Tydings
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—28

Anderson
Bible
Burdick
Clark
Cooper
Dominick
Gore
Gruening
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
McCarthy
Miller
Mondale
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Ribicoff
Russell
Smathers
Symington
Williams, N.J.

So Mr. DIRKSEN's amendment was rejected.

AMENDMENT NO. 29

Mr. THURMOND. Mr. President, I call up my amendment No. 29 and ask unanimous consent that its reading be dispensed with, but that it be printed at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. Amendment No. 29 is as follows:

On page 2, beginning with line 10, delete all down through and including line 16, and insert in lieu thereof the following, to wit:

"SECTION 1. If the office of President becomes vacant because of the death, removal from office, or resignation of the President, the Vice President shall become President. If the office of Vice President becomes vacant because of the death, removal from office, or resignation of the Vice President or the death of a Vice-President-elect before the time fixed for the beginning of his term, or because the Vice President or a Vice-President-elect has assumed the office of President by reason of the death, removal from office, or resignation of the President or the death of a President-elect before the time fixed for the beginning of his term, the electors who were chosen to cast ballots in the most recent election of President and Vice President shall meet in their respective States on the Monday of the third week beginning after the date on which the office of Vice President became vacant, and shall then vote by ballot for a new Vice President. They shall name in their ballots the person so voted for as Vice President, and shall make a list of all persons voted for as Vice President and the number of votes for each, which list they shall sign and certify, and transmit to the President pro tempore of the Senate. The votes so cast shall then be counted, and a new Vice President shall be selected, in the manner prescribed by the twelfth article of amendment to this Constitution for the selection of a Vice President.

"SEC. 2. Electors for President and Vice President chosen in any State under this Constitution shall serve as such until the date on which electors are chosen for the next regular election of a President and a Vice President. Vacancies which may occur before that date in the membership of electors of any State because of death, removal from office, or resignation shall be filled by the selection of successors in the next regular election of that State in which members of the House of Representatives are chosen. In the event that a vacancy in the membership of electors of any State exists and a vote for a new Vice President occurs at a time prior to the next regular election of that State in which members of the House of Representatives are chosen, the remaining electors of such State shall choose a successor to serve until such next regular election.

"SEC. 3. If the Congress is not in session at a time at which a new Vice President is to be selected under this article, the person discharging the powers and duties of President shall convene the Senate and the House of Representatives in joint session for that purpose.

"SEC. 4. A Vice President chosen under this article shall serve as such until the end of the term for which the Vice President or Vice-President-elect whom he succeeds was elected."

Renumber succeeding sections accordingly.

Mr. THURMOND. Mr. President, the amendment proposes to delete sections 1 and 2 of Senate Joint Resolution 1. The substance of section 1 of Senate Joint Resolution 1 which clearly states that the Vice President shall become President upon the death, resignation, or removal from office of the President is contained in the amendment which I propose. In addition, the present sections 3, 4, and 5 of Senate Joint Resolution 1, dealing with presidential inability, would remain unchanged if my amendment were adopted.

This amendment, Mr. President, contains the substance of Senate Joint Resolution 25, which I introduced in the Senate on January 15, 1965. There is one change, which I shall mention later. This amendment was referred to the Judiciary Committee of the Senate and subsequently to the Constitutional Amendments Subcommittee, and it was available for consideration by that subcommittee during the hearings and executive sessions held in connection with this overall problem. I wrote a letter to the chairman of the Constitutional Amendments Subcommittee, the junior Senator from Indiana [Mr. BAYH], recommending the electoral college approach for the selection of a new Vice President in the case of a vacancy in that office. This letter stated my general reasons for preferring the electoral college approach to the method contained in Senate Joint Resolution 1, which calls for the nomination of a new Vice President by the President and confirmation by a majority vote of both Houses of Congress.

At the outset, I would like to outline exactly what my amendment calls for. A vacancy in the office of Vice President may occur for any of the following reasons: death, removal from office, resignation, death of the Vice-President-elect before his term begins, or his assumption of the office of the President or President-elect for any reason. All of these contingencies are provided for in my amendment.

If for any of these reasons, a vacancy occurs in the office of the Vice President, the electors who were chosen in the most recent presidential election would meet in their respective States on the Monday of the third week beginning after the date on which the vacancy occurred. The electors would cast their ballot for a new Vice President, certify the result of their election, and transmit this certified list to the President pro tempore of the Senate. The President of the Senate then would proceed in accordance with the provisions of the 12th amendment to the Constitution to count the ballots and certify the election of a new Vice President. In the event that no candidate received a majority of all the electoral votes, then the Senate would choose a new Vice President in accord with the provisions of the 12th amendment to the Constitution.

Section 2 of this amendment provides for filling any vacancy among the electors of any State by election at the next regular election of that State in which Members of the House of Representatives are chosen. In the event that a vacancy exists among the electors of any State when it is necessary to elect a new Vice President, the vacancy would be filled by the remaining electors. This is to insure that the full vote to which any State is entitled would be cast. This latter provision is the only modification of Senate Joint Resolution 25 as I originally introduced it.

Section 3 of my amendment provides for the calling of a special joint session of Congress by the person discharging the powers and duties of the President in the event that Congress is not in session at the time a new Vice President is to be selected. Section 4 merely provides that the Vice President elected under the procedure provided for in that amendment would serve only during the term for which the Vice President or Vice-President-elect whom he succeeds was elected.

Mr. President, I believe that the method of selecting a new Vice President provided for in my amendment is preferable to that provided in Senate Joint Resolution 1, for several reasons. First, it has the advantage of retaining the general election process which we all recognize as so necessary in a republican form of government. Second, the popularly elected body of the people, the electoral college, is the proper body to fill vacancies in the office of Vice President. Third, election by the electoral college would generate a greater degree of public confidence and a broader base of support for the individual chosen.

The only objections to this proposal which have come to my attention are that the electoral college is too cumbersome and time consuming to act quickly in emergencies, and that it is not equipped to conduct hearings on the qualifications of a candidate for the position. I do not believe that either of these objections has enough merit to outweigh the obvious advantages of the electoral college plan as compared with the presidential nomination plan. The election of a new Vice President would, under the terms of my amendment, take place on the Monday of the third week beginning after the vacancy occurred in the office of the Vice President. This would mean that the electoral college would have acted within a month after the vacancy occurred. This would provide a sufficient amount of time for all serious candidates for the office to make their positions clear, and yet it would be timely enough to avoid any crippling gap due to a longlasting vacancy in the office of Vice President. As to the contention that the electoral college is not equipped to hold hearings, I do not believe that formal hearings are necessary to the election of a new Vice President. After all, the views of any serious candidate will be well known, and everyone will have the opportunity of expressing their opinion and preferences.

As a practical matter, the individual chosen by either the method contained in my amendment, or the method contained in Senate Joint Resolution 1, would probably be the same. Undoubtedly, the President will make known his wishes as to the choice of a new Vice President. The electors in the individual States, having elected the President, would presumably elect his choice for a new Vice President. Therefore, I do not feel that the objections voiced to the electoral college method are sufficient to overcome its distinct advantages.

Section 2 of Senate Joint Resolution 1 raises some very pertinent questions which are not answered in the Judiciary Committee's report; for example, the amendment states:

> The President shall nominate a Vice President who is to take office upon confirmation by a majority vote of both Houses of Congress.

Under this wording, it is not clear whether the Senate and House of Representatives are to meet in joint session and confirm the nominee of the President by a majority of the 535 of both Houses taken together, or whether they are to meet independently and have a majority of each House voting separately. This is a detail which easily could, and should, be clarified. However, no clarifying language on this point is contained in the committee's report.

One reason advanced in support of the presidential nomination procedure contained in Senate Joint Resolution 1 is that, in practice, it conforms with what occurs in the nominating conventions of the two major parties at the present time. It is true that the presidential nominee of both parties is given great latitude in choosing his vice-presidential running mate in the convention. However, I feel that there is a great deal of difference between choosing the man who is to run on the same ticket with the presidential candidate, subject to the vote of the people, and naming the man who would almost automatically become the new Vice President. This distinction may seem minor to some; however, to my mind, the proposal contained in my amendment is preferable.

Mr. STENNIS. Mr. President, will the Senator yield me 2 minutes?

Mr. DIRKSEN. I yield 2 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, the Senate is now exercising one of its greatest responsibilities, that of considering a proposal to amend the Constitution of this great Nation. And the specific proposal now before us, Senate Joint Resolution 1, is clearly one of the most important matters before the Congress. It is my privilege to cosponsor this resolution and to speak in its support today.

As all Members of the Senate know, Senate Joint Resolution 1 has three basic purposes: First, to provide that upon the occurrence of a vacancy in the office of the Presidency, the Vice President shall become President; second, to provide for the selection of a new Vice President in event of a vacancy in that office; and, third, to provide a method of determining when the Vice President shall serve as Acting President in the event of the inability of the President, and also to provide a method of determining when the President is able to resume the duties of his office. While there may be disagreement as to the specific proposals to resolve these issues, I believe that the provisions of Senate Joint Resolution 1 represents the best possible solution.

I do not believe it necessary to discuss each of these provisions in detail, because the Senator from Indiana [Mr. BAYH] has done an outstanding job of presenting to the Senate both the need for this resolution and an explanation of its terms. He is to be highly commended for his diligent study of this problem and for his perseverance in mobilizing a national sentiment for immediate action.

Although the Senator from Indiana has performed such an excellent service in presenting this issue to the Senate, I do want to comment briefly on the major provisions of Senate Joint Resolution 1. The question has been raised, for example, that this proposal is too detailed, and that it would be best to leave the determination of specific provisions up to the Congress. It is the consensus of legal authorities, however, that Congress does not have the constitutional authority to provide by legislation that the Vice President shall actually become President upon the occurrence of a vacancy in that office. Section 1 of Senate Joint Resolution 1 resolves this issue by simply providing that the Vice President shall become President in such an event.

Surely no one can question the fact that a constitutional amendment is necessary in order to provide for the selection of a new Vice President whenever there is a vacancy in that office. Congress would clearly be assuming authority not granted by the Constitution if it were to attempt to provide for such a contingency by legislation. And yet, who can question the necessity of insuring that this Nation will never be without both a President and a Vice President?

It has also been argued that sections 4 and 5 of Senate Joint Resolution 1 treat in too great detail the method of determining the factual questions of both the inability of the President and the removal of that inability. I submit, however, that a close consideration of these sections reveals that it is imperative that the method of resolving these issues be spelled out in the Constitution in the manner prescribed by Senate Joint Resolution 1. To provide any broader standards, such as simply giving Congress the authority to determine these questions by statute, would encroach on the authority of the executive branch and would constitute a violation of the separation of powers doctrine. In my opinion, sections 4 and 5 handle these problems effectively without writing into the Constitution such great detail as to destroy the necessary flexibility.

Mr. President, in this modern age it is imperative that we not leave to chance any possible question of who shall exercise the powers and responsibilities of the most powerful office in the world. Congress, if it fails to act on this crucial national issue, will have refused to accept its responsibility. I believe that Senate Joint Resolution 1 presents the best possible answer to the problems of Presidential inability and succession. It represents a consensus of legal and constitutional authorities. It provides a solution to an issue of such urgency, not only for our Nation, but also indeed for the whole world, that it is incumbent on the Congress to take immediate action. I strongly support this resolution and hope that the Senate will pass it by an overwhelming vote.

I yield back any additional time that I have.

Mr. BAYH. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 1 minute.

Mr. BAYH. Mr. President, I have said repeatedly in the Chamber that one of the main criteria, if not the main criterion, for the orderly transition of executive authority is acceptance by the people. With all due respect to the Senator from South Carolina, since we have been involved in this discussion, I have repeatedly consulted people in my State and other States that I have visited, who were the members of the electoral college from their State. To date, I have found one person who knew one member of the electoral college.

I believe that the people of the United States would accept a judgment made by this body and our colleagues in the House. I think they would wonder what in the world was being perpetrated upon them if we brought in members of the electoral college whom they did not know from Adam.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. BAYH. I yield back the remainder of my time.

Mr. THURMOND. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from South Carolina.

The amendment was rejected.

The PRESIDING OFFICER. The joint resolution is open to further amendment. The Chair recognizes the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 20, strike out the word "two" and insert in lieu thereof the word "seven."

Mr. HRUSKA. Mr. President, my amendment pertains to section 5, which involves a situation in which a President has been disabled and a Vice President is performing the duties and assuming the powers of President as Acting President.

When the President declares in writing and sends to Congress his declaration that he has become restored to competence and ability once again, the bill as reported by the committee, provides a period of 2 days in which the Vice President, with the concurrence of a majority of the Cabinet members, can take issue with the President on the question of his ability.

Thereupon Congress shall immediately proceed to make a decision. The language of section 5 provides that "Thereupon Congress shall immediately proceed to decide the issue."

It is my contention that the 2-day period is insufficient for the Vice President and members of the Cabinet to decide whether they want to raise the issue of the President's ability. In these days when much traveling is done by members of our Cabinet, and when on occasion the Vice President also travels frequently, if there would be such a declaration by the President in the absence of these parties the 48-hour period would obviously prove to be much too small.

Originally I had intended to make the period 10 days. However, I feel that 7 days would be an appropriate and adequate time for the members of the Cabinet to discuss the matter. They could inform themselves of the actual condition of the President, perhaps visit with him, perhaps visit with his personal physician. Then they could decide for themselves, on the basis of intelligent and full information, whether they should uphold the President's statement that he was again restored to capacity. For that reason my amendment provides that there shall be an increase in the permissible period of time from 2 to 7 days.

Mr. BAYH. Mr. President, I yield time to the Senator from Arkansas [Mr. MCCLELLAN].

Mr. McCLELLAN. Mr. President, I shall vote for Senate Joint Resolution 1. I commend the Senator from Indiana [Mr. BAYH], the principal sponsor and architect of this proposed constitutional amendment, for the dedicated work he has done in this vitally important field.

One of the most important procedures in our democracy is the orderly transition of our Executive power, especially in time of crisis. Our system of government is perhaps most susceptible to forces of disruption during a period of Executive transition, and therefore we cannot afford a breakdown, or even a slowdown in such a changeover phase. While we may hope for the best, we must always be prepared for the worst. This was never more true than in today's nuclear age, when this morning's crisis is often relegated to the back pages of the afternoon newspapers headlining still another crisis.

This Nation recently survived a tragedy of the worst proportions that led to the ascendancy of our President, Lyndon Johnson. But then we were fortunate in having a Vice President, particularly one who had served in the forefront of our Government at its highest levels.

At some future time we might not be so fortunate.

Now is the time to face the problem, and now is the time to act, before the next crisis, so that we will be prepared should the need again arise. And we must act with extreme care, for we are dealing with a constitutional amendment, which by its nature bespeaks of permanency.

To cope with the problems of Presidential inability and vacancies in the Office of the Vice President, we must provide means for orderly transition of Executive power in a manner that respects the separation of powers concept, and maintains the safeguards of our traditional checks and balances system. Finally, any such provision must have the confidence and support of our people if it is to accomplish the desired results.

I believe that the pending measure meets these tests.

So, Mr. President, I salute our able young colleague, Senator BIRCH BAYH, for meeting the challenge. He saw the need, and while others talked about it, he took the lead in working out a solution and then worked steadfastly for its adoption. I was privileged to join Senator BAYH as a cosponsor of this resolution and take this opportunity to commend the junior Senator from Indiana for his fine contribution in filling this gap in our Constitution that has plagued our Nation since its establishment.

Mr. BAYH. I thank the Senator from Arkansas, not only for his kind remarks, but for the significant contribution he has made, not only in his cosponsorship of the proposal, but in the enlightening debate which was had in the subcommittee.

Mr. President, I yield 5 minutes now to the Senator from Tennessee [Mr. BASS].

Mr. BASS. Mr. President, first of all, I commend the Senator from Indiana for the outstanding contribution he has made and the diligent effort he has put forth in bringing this proposed constitutional amendment to the Senate.

I had planned to offer an amendment to the proposed legislation, but I work under no misapprehension that my amendment would be accepted.

I would call to the attention of the Senate, however, some of the hazards involved in the legislation now pending. In section 2 it is provided:

> Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

During our recent history I can recall two occasions, one when we had a situation of a President of one party having gone to that Office from the Vice-Presidency, and another when there was a vacancy in the Vice-Presidency of one party with both Houses of Congress under the control of the other party. I refer to former President Harry Truman.

It would be naive for us to argue that a Congress controlled by one party having in the Speaker's chair the No. 2 man who would succeed to the Presidency in case of the death of the President, would immediately act on the recommendation for a new Vice President by the President then in power and in the opposite party.

We all remember another recent occasion in which, during 6 years of the term of President Eisenhower, Congress was controlled by the opposite party. Should the occasion have arisen at that time when Congress would be called upon to confirm the nomination of a Vice President nominated by the President of one party with an overwhelming majority of the Congress being composed of the opposite party, I could foresee the attempt to delay and stall the confirmation, because, after all, the prize of 1600 Pennsylvania Avenue is seldom given up without some fight or some desire to maintain its possession by any party. We all understand that.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. LONG of Louisiana. To put the matter in context, if Richard Nixon had become President and had sent to Congress the nomination to make EVERETT DIRKSEN Vice President, the Democrats in Congress would have been in a position to say, "After all, EVERETT is a wonderful fellow. I suppose if we have to have a Republican Vice President, we could not find a better man. But, if we can take our time, perhaps Sam Rayburn can become President."

Mr. BASS. The Senator is correct.

Mr. LONG of Louisiana. While the Senate would be cooperative, it would be reluctant to give up such a great advocate of free speech, and Senators in the majority party might say, "We might take our time about this matter. We have been working with Sam Rayburn, and if in the course of time something should happen to the new President, we would not be unhappy to have Sam Rayburn as our President."

Mr. BASS. The Senator is correct. This situation occurred a few short years ago, when Sam Rayburn was Speaker of the House. At that time there was a majority in the Democratic Party of 70 in the House of Representatives, with a Republican President. If Vice President Nixon had succeeded to the Office of the Presidency, his nomination, from my own experience in the House, would have been delayed and stalled, because Members of the House had a deep respect for Sam Rayburn. They felt at that time that he was as qualified to succeed to the Presidency of the United States as any man in America. They would have considered it a slap in the face to take up any recommendation to displace Mr. Rayburn as the next possible President.

The PRESIDING OFFICER. The 5 minutes of the Senator from Tennessee have expired.

Mr. BAYH. Mr. President, I yield 1 additional minute to the Senator from Tennessee.

Mr. BASS. I expect to vote for the Senate joint resolution. The Senator from Indiana is to be commended for bringing it up. I hope it will be passed, but I hope it will be changed so that members of the President's party in the Congress would vote for the confirmation. If that is not possible, I think we should definitely impose a time limit so that Congress would be forced to act immediately on such a recommendation, and not have the situation that we have had in the past few years. We have had this situation on three different occasions.

So, Mr. President, I make these remarks only to point out some of the hazards we are facing in adopting the amendment. I hope that the Senator from Indiana will give consideration to adopting some of the recommendations which I have made.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. BAYH. I am glad to yield.

Mr. PASTORE. I do not mean to be facetious in asking this question, but does not the Senator from Tennessee [Mr. BASS] feel that we should also take into account rule XXII of the Senate Rules, that a band of Senators could actually conduct a filibuster without any limitation as to time for debate and could defeat the very purpose of this constitutional amendment?

Mr. BASS. The Senator is correct. I did not point to the specific ways it might be stalled or delayed, but that is one of the methods by which it could become one of the hazards involved in adopting such an amendment.

Mr. BAYH. Mr. President, let me point out, in studying this situation carefully, that the Senator from Tennessee and the Senator from Rhode Island hit upon only two of the many possibilities, if we are to expand our wildest dreams.

The specific point to which the Senator from Tennessee refers, I should like to point out, is very little different from the customary constitutional requirements of advise and consent which the Senate has had over Executive appointments; and that during the period to which the Senator referred, the President was of one party and the Congress was of another, there was very little discussion and refusal on the part of the legislative branch to accept the appointments of the President.

Mr. BASS. I believe that we would have much more of a problem in confirming the recommendations of the President if we knew—or if we refused to confirm one of his recommendations—that one of our own people would go to the job next. That question is involved.

Mr. BAYH. I have more faith in the Congress acting in an emergency in the white heat of publicity, with the American people looking on. The last thing Congress would dare to do would be to become involved in a purely political move.

Mr. BASS. The election of the President is just as political as anything can be, under our American system. With the next man in line sitting in the Speaker's chair, this becomes a political bomb. We are very political in choosing our President. I hope that situation will always remain. I believe that it should be that way. Under our system, it must be that way.

Mr. PASTORE. Mr. President, will the Senator from Indiana yield for a question and an observation?

Mr. BAYH. I yield.

Mr. PASTORE. I was looking at lines 22 to 24 on page 3 of the resolution, which read:

> Thereupon Congress shall immediately proceed to describe the issue.

It shall transact no other business until this issue is decided. If we are talking about restoring the Presidency, it would occur to me that there should be a mandate upon Congress that once such an issue came before it involving the chief elective office of the United States, the man who has the trigger on the atomic bomb, Congress should not indulge in any other business until it has decided that issue. That should be a part of the section.

Mr. BAYH. This situation was discussed at great length in the committee, where two diametrically opposed points of view were developed, one of which was that a time limit was needed, as the Senator from Tennessee specifies, and as the Senator from Rhode Island urges immediacy; the other thought being that we did not wish to be pushed to a close limitation, that Members of this body and Members of the House of Representatives would not have sufficient time to call the doctors, or members of the Cabinet. If it is the wisdom of the Senator from Rhode Island, the Senator from Tennessee, and the majority of this body that they shall not discuss or——

Mr. PASTORE. Transact any other business.

Mr. BAYH. Transact any other business until this matter has been decided, if this ties us down, I shall be very happy to accept it, if the Senator will write it up.

Mr. BASS. I would agree with the Senator from Rhode Island. I believe that Congress should meet in joint session and conduct no other business until this particular issue is satisfied. That is only a thought on my part, but I believe that the suggestion of the Senator from Rhode Island is very good, but some limit should be put on it in some way, to make sure that stalling and delaying tactics cannot be carried out.

Mr. ERVIN. Mr. President, will the Senator from Indiana yield?

Mr. BAYH. I yield.

Mr. ERVIN. Does not the Senator from Indiana agree with me that the word "immediately" does exactly that? The words "immediately proceed" mean that we are going to do that and nothing will occur in between.

Mr. BAYH. That is exactly my feeling, as the Senator from North Carolina knows.

Does the Senator from North Carolina object, if it clarifies the point to some Senators, to including the reference that was made by the Senator from Rhode Island? The reason this was not tied down more specifically——

Mr. ERVIN. I do not see the necessity for it, because that is what the word "immediately" means to me.

Mr. PASTORE. It does not mean that to me.

Mr. BAYH. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Indiana still has the floor.

Mr. BAYH. Let me suggest that the Senator from Rhode Island and the Senator from North Carolina might discuss this for a moment while I discuss the pending amendment, which is a different amendment, if I may return to it.

The amendment suggested by the able Senator from Nebraska [Mr. HRUSKA], raising the number of days from 2 to 7 in which the Vice President and the Cabinet would have to deliberate on this important decision, would make it a better resolution, give time in which to study and review the evidence, and perhaps discuss it with the President. I shall be glad to accept the amendment.

Mr. President, I yield back the remainder of my time on the amendment.

Mr. HRUSKA. Mr. President, I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HRUSKA].

The amendment was agreed to.

Mr. PASTORE. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island [Mr. PASTORE].

Mr. PASTORE. Mr. President, I move to amend Senate Joint Resolution 1 by adding on page 3, line 24, after the word "issue," the following words: "and no other business shall be transacted until such issue is decided."

Mr. BASS. Mr. President, will the Senator from Indiana yield?

Mr. BAYH. I yield.

Mr. BASS. My point has been that the amendment in section 2 should be on the election of a new Vice President. The Senator from Rhode Island is proceeding on the issue of Presidential inability. I am talking about the election of a new Vice President.

Mr. PASTORE. I am talking about Presidential inability.

Mr. BASS. What about the election of a new Vice President?

Mr. PASTORE. The Senator can submit that amendment for himself.

Mr. BASS. Mr. President, I offer an amendment to section 2——

Mr. PASTORE. Mr. President, will the Senator wait until my amendment has been considered?

Mr. MANSFIELD. Put them both in together in line 16.

The PRESIDING OFFICER. The Senator from Rhode Island still has the floor.

Mr. PASTORE. Mr. President, I ask that my amendment be read.

Mr. BAYH. Mr. President, let me ask Senators to think about this issue for a moment. As has just been pointed out to me by the Senator from Nebraska, the difficulty of getting specific, precise language "immediately proceed to decide" means, to me, just what we are trying to accomplish, with one exception, that if it is necessary, as the Senator points out, to declare war or some other great national emergency should come upon us, there can be little question in the minds of anyone that it is mandatory and that we must discuss and decide. This, however, takes a little time. Does this proposal not preclude us from doing that?

Mr. PASTORE. The Senator from Indiana just finished saying that we must act as reasonable people. We are talking about restoring a President who is the rightful occupant of 1600 Pennsylvania Avenue. In the meantime, suppose we have a serious crisis on our hands. We may have to go to war. Do we not believe that Congress should act immediately and decide no other business until we find out who the President is going to be—that is, the man who will have his finger on the trigger of the atomic bomb? That is precisely the question that I am raising. Naturally, we are talking about the President of the United States, the one man who, above all others, is the only person who can decide whether a hydrogen or an atomic bomb will be dropped.

We are living in a sensitive and perilous world. All I am saying is that if this serious question ever comes before Congress—and God forbid that it ever will—but if for some reason we have a President who becomes incompetent and has been declared incompetent and the Vice President has taken over, and later the President comes forward and says, "I am restored to competency and health. I wish my powers back, the powers that were given to me by the people of the United States," I do not wish to witness a filibuster. We could be in a filibuster. That is what is wrong with the proposed legislation. We are not getting to the root of the issue—the root of it being the rules of the Senate. The Senate is still subject to the rules of the Senate. Here we are. We are met with a crisis.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield himself some time?

Mr. PASTORE. I do.

Mr. HARRIS. Mr. President, will the Senator yield to me?

Mr. PASTORE. May I finish, please?

All that I am saying at this time is, if the words "immediately proceed to decide" mean exactly what I say they mean, then, of course, we are really arguing in a paper bag. I do not think the language is that explicit. I believe it should be clarified. What the Senator from Indiana has brought to the floor is a masterful piece of work. However, once this issue comes before Congress, these doors ought to be closed, and we ought to stay here until we decide that question, even if we must sit around the clock, or around the calendar, because this problem involves the Presidency of the United States.

I would hope that we would not get ourselves "snafued" in a filibuster, in which two people could say, "We want the Speaker of the House to be President." We do not want them to be able to say, "We do not want the man whose name has been submitted to be President." I would hope that we would think too much of the country and the welfare of the country and the peace of the world to indulge in that kind of antic.

However, we ought to write this provision into law, because it is a fundamental question, and we should decide nothing until that question is decided.

If the present language means that, I am satisfied. I have no pride of authorship. If it does not mean that, it ought to be corrected.

The PRESIDING OFFICER. The difficulty is that the Senator's amendment is not at the desk.

Mr. PASTORE. I cannot write quite that fast. If I may have a moment, I shall be glad to write it out.

Mr. HARRIS. If the Senator will yield to me, he will have time to write it out.

Mr. PASTORE. I yield.

Mr. HARRIS. Mr. President——

Mr. BAYH. Mr. President, I should like to suggest that this is time which is being consumed on the amendment to be offered by the Senator from Rhode Island, which he is in process of inscribing in his fine hand.

Mr. PASTORE. I agree that it will be in a fine hand.

The PRESIDING OFFICER. The Chair so understands.

Mr. HARRIS. The Senator from Rhode Island has yielded to me.

Mr. PASTORE. I yield to the Senator from Oklahoma.

Mr. HARRIS. I should like to ask the distinguished Senator from Indiana a question. I have been discussing this matter with a certain Senator, and he tells me that the word "immediately" deals with inability. He also tells me that if the amendment were adopted and the Vice President should become the President of the United States, the Speaker of the House would no longer be next in line. Is that correct?

Mr. BAYH. The Senator is correct.

Mr. HARRIS. What happens, and who becomes President if no nomination has been confirmed?

Mr. BAYH. The Speaker of the House.

Mr. HARRIS. I have just asked that question of the Senator.

Mr. BAYH. No; the Senator did not ask me that question. He has asked if the nominee whose name is before Congress becomes Vice President, then who becomes President?

Mr. HARRIS. No. If Congress does not confirm, if no nomination is before Congress, is the Speaker of the House still in line for the Presidency?

Mr. BAYH. Yes.

Mr. HARRIS. Therefore, in section 2 of the joint resolution there is no time limit.

Mr. BAYH. Is the Senator addressing me? Does the Senator wish me to give an answer to that question, if it is a question?

Mr. HARRIS. Yes.

Mr. BAYH. I would be glad to tell the Senator the difference between the word "immediately" in section 5 and the word "immediately" in section 2.

Mr. HARRIS. There is no word "immediately" in section 2.

Mr. BAYH. I should like to explain it to the Senator.

Mr. HARRIS. I should like to have an explanation.

Mr. BAYH. In section 5, which is being considered by the Senator from Rhode Island [Mr. PASTORE], we deal with the question: "Who is the President of the United States?" That can be only one man.

In section 2 we are dealing with the selection of a Presidential replacement when a vacancy exists.

Mr. HARRIS. I understand.

Mr. BAYH. There is a President who is able to conduct business and to carry on the affairs of our country. I should dislike to see everything that must be decided by Congress come to a stop in the event Congress becomes logjammed on this question. It is conceivable that the example the Senator from Tennessee cites could come to pass. However, I believe there is very little likelihood that it would.

However, we would have a President, if Congress should become involved in a dispute which could not be solved; and by adding the word "immediately" we are saying that Congress cannot discharge its duties while it is deciding on the Vice President. I do not attach the same importance to the decision with respect to the Vice President as I do with respect to the President.

Mr. HARRIS. The Senator may not attach the same importance to it, but we would have the situation that was described before if we did not impose a time limit within which action must be taken. If we had a President of one party and a Congress of another party, we would still encourage stalling and delay, and we could wind up for a period of 6 or 8 months or even 2 years in which Congress would not have to act in this situation, and we would still be in the same position of having the Speaker of the House the next man in line.

That situation should be changed. I agree with the Senator that Congress should elect the Vice President. I had hoped that it would be only by members of the President's own party. However, I will accept his amendment. At the same time, I wish to warn him that if he does not put some time limit in the amendment as to when Congress shall act on it, we shall find ourselves in the same situation; and if we do nothing, the Speaker of the House will be the next man in line. If the majority party in Congress is not the same as the party of the President, no action will be taken.

Mr. BAYH. Mr. President, I yield myself sufficient time to address myself to the amendment offered by the Senator from Rhode Island.

I should like to say one word of explanation as to the intent of the word "immediately" on page 3 of the report. I quote:

> Precedence for the use of the word "immediately" and the interpretation thereof may be found in the use of this same word "immediately" in the 12th amendment to the Constitution.

In the 12th amendment, as the Senator knows, in the event no candidate for President receives a majority of the electoral votes, it is the responsibility of the House to decide who the President shall be; in the case of the Vice President, it is the responsibility of the Senate.

We should have some sense of urgency in this situation and put all other things aside.

Mr. PASTORE. Does not the Senator believe that it would take care of any ambiguity if we wrote that language into this provision? All that my amendment provides is, "No other business shall be transacted until such issue is decided."

That is very clear. It is not inimical to any other provision of the Constitution. It should be written in as a safeguard, so that there will be no question about it. If the Senator agrees with me that that is what we mean, we should put such language in the provision. We should not have the issue come up and have someone say, "Let us refer it to committee," because the committee could hold hearings, and we would accept that as immediate consideration.

I want to keep Congress in continuous session on this point. I want 100 Senators on the floor and 435 Representatives on the floor in the House until they have decided this important question, because it is vitally important. I say we must not transact any other business until we have decided this question.

Mr. BAYH. I believe the record of the debate will make it abundantly clear that the Senator from Indiana agrees with the Senator from Rhode Island as to the urgency that is involved.

I would prefer not to use additional language. I do not believe there is any more urgency in deciding this problem than there is when the House and the Senate must decide the question of who the President and Vice President shall be under the terms of the 12th amendment.

Mr. PASTORE. Will the Senator agree to take the amendment to conference? If it is necessary that it be eliminated in conference, I shall feel no offense. What harm can it do if we recodify it?

Mr. HART. Mr. President, will the Senator yield?

Mr. BAYH. I yield to the Senator from Michigan, who has the answer.

Mr. HART. The Senator from Michigan believes that the answer of the Senator from Indiana to what he has just said would be "no."

Mr. BAYH. I am sorry; I did not hear what the Senator said.

Mr. HART. The Senator from Rhode Island read language which would require us to conduct no other business until we resolved the question, which in the case of sections 4 and 5 would be: "Who is the President of the United States?"

I agree that we would all be pretty responsible in attempting to answer the question as promptly as we could.

What we are talking about is a situation in which the Senate, in the event of a cruel national crisis might find two men contending that each is the President of the United States.

Pray God that it never happens. If the Senate should adopt the amendment offered by the Senator from Rhode Island, under the pressure and heavy sense of responsibility that would be present, we would conduct no other business until we have answered the question as to who the President is. I know the ingrained traditions of the Senate with respect to unlimited debate. But why could we not add additionally the language—and I think a constitutional amendment would override the rules of the Senate—that we shall vote not later than 3 calendar days thereafter? If in 72 hours we cannot determine who is the President of the United States, the world will have passed us by, anyway. Why do we not pin down precisely when we shall vote on the question?

Mr. BAYH. Mr. President, I invite the Senator from North Carolina [Mr. ERVIN] to speak to the specific point now being discussed, because it was debated at great length in the committee.

Mr. ERVIN. I think the answer to the question is that we are attempting to deal with the question of the disability of the President. The problem may be one of mental disability, and evidence would have to be adduced. I presume Congress could appoint a committee to take care of that question. The testimony might not be completed in 3, 4, or 5 days. I believe that is the answer.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. BAYH. I yield to the Senator from Nebraska.

Mr. HRUSKA. If we get into the process of amending a proposed constitutional amendment on the floor of the Senate, we shall be treading on dangerous ground. I say that the proposed amendment is difficult, and probably unnecessary, although I shall not oppose the amendment for the purpose of taking it to conference so that the conferees may consider it.

However, the subject was considered in the committee, as the chairman knows.

Let us remember, that the issue is very serious. It could not be raised unless at least six members of the Cabinet, who would have been appointed by the President, should assert his inability, together with the transmittal of a message by the Vice President, to the Congress.

We considered the idea of a filibuster in the committee. But the difficulty is in respect to the period of time that would be allowed. Should we provide for a period of 10 days, 3 days, or 60 days?

Suppose the question should relate to the mental ability of the President. An examination would be necessary. Psychiatrists would not be able to go into the President's office, look him over, and say, "The man is insane," or, "the man is not insane." They would need time in which to observe and conduct tests. Congress would need time to hear the reasons why the members of the Cabinet had said, "Mr. President, you are not able to resume the duties and powers of your office." That process would take time. It was felt, in the committee, that the Congress would rise to the importance and urgency of the task at hand. How silly it would be of us to insert restricting language to the effect that while we might be waiting for the report of psychiatrists, we could transact no other business. I believe that such action would reflect upon the intelligence and the good faith of the Congress and would not be advisable in a constitutional amendment.

All of those points were taken into consideration before we agreed to leave the provision as it is.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BAYH. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. Is the Senator from Nebraska actually saying that the word "immediately" means that other business could be transacted in the meantime?

Mr. HRUSKA. No.

Mr. PASTORE. That is what I thought the Senator was saying.

Mr. HRUSKA. It means that the Congress should address itself immediately to the question which we are discussing. Meanwhile collateral questions might arise; and while hearings were being conducted on that question, why should we tie our hands? An urgent situation of national import might arise.

Mr. PASTORE. Why should we tie our hands? As I have said many times before, we are living in a very sensitive world. The only man in the United States under our law who has the power to drop the atom bomb is the President. It is absolutely important to decide who that President shall be. God forbid that we should ever be placed in such a position. But I can conceive of nothing more important to the people of our country and the peace of the world than to determine the question as to who is the President of the United States. We ought to do nothing until we determine the answer to that question even if it should mean that we would be required to remain in the Senate Chamber around the clock.

I do not agree that the measure ought to be limited as to time because, after all, I do not know what the situation would be. All I am saying is that while such an important question—the most important question that could beset the people of our country—as determining who is the President, in a moment of crisis, is pending, we ought to determine that and nothing else.

We should include a restriction in the joint resolution that we would do nothing else but determine that question, and we would do so expeditiously. But if we should permit Senators to talk about what color the rose in the State of Rhode Island should be, or what flower we should adopt as our national flower, and have a morning hour to talk about pansies in the spring while we are trying to determine who the President of the United States should be—and there is sometimes a tendency to indulge in such things in moments of capriciousness—we might face serious consequences. I say let us avoid that. Let us act correctly. We desire to amend the Constitution. I say that when there is a question as to who should be the President of the United States, we should do nothing else until we make a decision on that question. Such a provision ought to be in the law.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BAYH. I yield to the Senator from Montana.

Mr. MANSFIELD. It is my understanding that both the Senator in charge of the joint resolution and the ranking minority member of the committee have stated that they will accept the amendment offered by the Senator from Rhode Island and take it to conference.

Mr. PASTORE. Oh, no. They have not said that yet. I am waiting for them to say it.

Mr. HRUSKA. I have so indicated.

Mr. PASTORE. But the Senator in charge of the bill has not said that he would accept it.

Mr. HRUSKA. I would not join in writing in such an amendment, but I have said that I would not object to the amendment being accepted and taken to conference. I do say that the sense of urgency and importance which has been described so eloquently by the Senator from Rhode Island would seem to make it the type of problem to which the Congress will react in a proper fashion. That was the considered judgment of the committee after lengthy discussion. I make that statement now because the subject will be considered in conference, and the conferees should have the reasons for the committee's action.

Mr. BAYH. Mr. President, it seems to me that we are unanimous in our intention. Our dispute is with respect to what words would adequately express our intention.

Mr. PASTORE. That is correct.

Mr. BAYH. I should like to ask the Senator from Rhode Island a question. Does the Senator feel that we would decide a different question in relation to section 5 of Senate Joint Resolution 1 than would be decided under the provisions of the 12th amendment of the Constitution, in the event this body were required to decide who the Vice President would be, and the House were required to decide who the President would be, where the use of the word "immediately" is present? We have precedent for that. It means "immediately," "get going," "dispense with everything else."

Mr. PASTORE. I agreed with everything that the Senator from Indiana said until the Senator from Nebraska asked, "Do you mean to say that while this matter is being considered we would not be able to transact any business?"

That question would imply, under the proposed language, that we could transact other business.

Mr. HRUSKA. We certainly could and we might want to.

Mr. PASTORE. The Senator from Rhode Island is trying to avoid that—and I am being very explicit about it—by saying, "Write a provision in the joint resolution to the effect that we could not transact any other business until the question discussed had been decided."

If that is what the Senator desires, what would be the harm?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana has the floor.

Mr. BAYH. Mr. President, I should like to yield to the Senator from North Carolina.

Mr. BASS. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** Does the Senator from Indiana yield for that purpose?

Mr. BAYH. I yield for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state his parliamentary inquiry.

Mr. BASS. Does the amendment now pending, offered by the distinguished Senator from Rhode Island, include language that mentions section 2 of the bill, which relates to the election of a new Vice President?

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 16, after "Congress," it is proposed to add: "and no other business shall be transacted until such issue is decided."

Mr. BASS. The Chair, then, would have to answer my inquiry in the affirmative; is that correct?

The PRESIDING OFFICER. The Senator is correct. The Senator from North Carolina has the floor. Has he yielded the floor?

Mr. ERVIN. Yes.

Mr. HART. Mr. President, on the Pastore amendment, may I have a moment?

Mr. PASTORE. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 20 minutes remaining.

Mr. PASTORE. I yield to the Senator from Michigan as much time as he requires.

Mr. HART. It was I who inquired why there ought not, in effect, be a time certain. I suggested that the action be taken within 3 days. I heard the Senator from Rhode Island reply that he would not go that far; that he could not see a capricious person holding the floor and talking about the color of the rose in Rhode Island, and so on. What concerns me——

Mr. PASTORE. No; I said I could see such a person.

Mr. HART. If the Senator could see one, I should think it would be desirable that some time limit be set. But even if he could not see such a person, I can see—and I ask Senators if they might not see—35 sincere men in a time of intense danger and high emotional crisis saying that a Vice President who would not put missiles somewhere was a better man than a President, who wanted to come back and would put missiles somewhere. Such a debate could continue for a long time. Would we be better off leaving the question unresolved? Basically, that is the problem.

Mr. ERVIN. If we cannot trust Members of the Senate and House to exercise intelligence and patriotism in a time of national crisis, we might as well not do anything. We might as well not try to improve the situation. I think we should pass a constitutional amendment and leave the action to be taken under that constitutional amendment to those who are in office at the time such action must be taken. I think we shall have to indulge the assumption that those persons will love their country as much as we do; that they will not jeopardize their country by holding up the consideration of matters of that kind.

This is essentially a subject, as I said before, which will require the taking of testimony. We cannot put a time limit on the search for truth, especially when it concerns the intelligence of the President.

The amendment offered by the Senator from Rhode Island would not jeopardize the situation in that way. I see no objection to his amendment. But to try to set a time limit because it is feared that the action of those who would be controlled by this condition would be delaying, requires us to assume that they would not be patriotic and intelligent and would not act reasonably.

Mr. HART. The patriotism of the 35 Senators who would not wish to put missiles down is not in question.

The PRESIDING OFFICER. Who yields time to the Senator from Michigan?

Mr. BAYH. I will yield time.

Mr. HART. I presume that the patriotism of the 35 Senators who would have at heart the interests of their children is not in question. I presume that 35 Senators who would not be under a cloud would also be patriotically motivated, and thus the debate could go on forever.

Mr. ERVIN. Has not the Senator's own language overcome the conclusion that the 35 Senators would not perform their duties but would determine the physical state or mental state of the President, instead of concerning themselves with where the missiles shall be placed?

Mr. HART. I would hope that each of us would attempt to be objective in his review of the medical testimony. But I greatly fear that if there were a deep conviction harbored by 35, there would be tragedy compounded, and the result would be the bringing back of a man whose policy would be to bring back missiles that would create havoc, and we would confuse medical testimony with our obligation.

I think the roll should be called at some precise time, and I suggest 3 days.

Mr. BAYH. The situation to which the Senator from Michigan refers is one that has not gone unnoticed by the Senator from Indiana. Before this circumstance arose, the Vice President, a majority of the President's Cabinet, and two-thirds of the House of Representatives, which does not have unlimited debate, would have to support the contention of the Vice President. As soon as one less than two-thirds of the House cast their votes, the issue would become moot, and the question would be "out of court."

Mr. HART. Would not the Senate have a voice in that decision?

Mr. BAYH. It would take two-thirds of the Senate and two-thirds of the House to sustain the position of the Vice President.

I think the record is abundantly clear that the Senator from Rhode Island and the Senator from Indiana see eye to eye. The record is written.

Mr. PASTORE. Do I correctly understand that the Senator from Indiana will accept my amendment?

Mr. BAYH. I was under the impression that the Senator from Rhode Island did not think it was necessary.

Mr. PASTORE. I did not say that at all. I never said that.

Mr. BAYH. I see no objection to taking the amendment with one proviso. I should like to drop the last word; I do not think it is necessary.

Mr. PASTORE. Very well; if the Senator does not believe it is necessary, I shall drop it.

Mr. BASS. Mr. President, what is the situation now?

Mr. BAYH. The amendment of the Senator from Rhode Island would then read as follows: "and no other business shall be transacted until such issue is decided."

Mr. PASTORE. That is correct.

Mr. BASS. Does that also apply to section 2 of the joint resolution?

Mr. BAYH. No, it does not apply to section 2. I thought I had made it abundantly clear that we were dealing with two different provisions. It is imperative that the Senate immediately proceed to decide who the President is. It will be necessary to have an able bodied President. I do not believe we need to grind everything to a halt to decide who the Vice President is. Two different issues are involved.

Mr. PASTORE. That is correct.

Mr. BAYH. I ask the Senator from Tennessee: What is the worst thing that could possibly happen if we did not include the word "immediately" in section 2?

Mr. BASS. The worst thing that could happen would be that Congress would stall, delay, and use dilatory tactics. We would end exactly where we are. If we do not accept this conclusion, we might as well strike out everything in the amendment and deal only with the disability phase. If we are to deal with succession, we shall have to include some sort of requirement.

Why does not the Senator include the word "immediately" in this section, as he did with respect to disability?

Mr. BAYH. Because I do not attach the same importance to the choosing of a Vice President as I do the choosing of a President. If the Senator from Tennessee desires to propose such an amendment, I suggest that he offer it separately.

Mr. BASS. I shall offer a separate amendment.

Mr. BAYH. I suggest that he do so.

Mr. SALTONSTALL. Mr. President, will the Senator from Indiana yield?

Mr. BAYH. I yield.

Mr. SALTONSTALL. I hope we shall not adopt this amendment or any additional amendments of this character. We are trying to amend the Constitution with respect to an important question. If an amendment is to be offered on the floor of the Senate, I believe the bill should be returned to committee for a limited time, to make possible a careful discussion of what the amendments are.

Both the Senate and the House are governed by rules. If there were to be a declaration of war, or if some other matter of grave importance should arise, we have rules, and we can limit debate. If we have any confidence in the great majority of the Members of the Senate, we can count upon two-thirds of the Senate to impose cloture and thus close debate.

I hope that we can have confidence that future Members of Congress will exercise commonsense on a question of this character. I hope sincerely that the amendment of the Senator from Rhode Island—and I have great respect for the Senator from Rhode Island—will not be adopted. I hope that the proposed constitutional amendment will be passed as the committee has recommended it.

If there is any question of the proposed constitutional amendment not being agreed to, I shall use whatever parliamentary procedure I can to send the proposed constitutional amendment back to committee for 1 or 2 weeks to try to improve this measure.

I hope that the amendment of the Senator from Rhode Island will be rejected.

Mr. PASTORE. Mr. President, if the Senator from Massachusetts will make a motion to send the measure back to committee, I shall second the motion.

We are amending the Constitution of the United States. I hope that no frivolous arguments were made by the Senator from Rhode Island. All I say is that if it is important enough to determine who the President of the United States shall be in a time of crisis—and I repeat that he is the man who, under our law, has the sole authority to drop an atomic bomb—I think it is incumbent upon this body to transact no other business until that issue is determined. That is all the Senator from Rhode Island is doing. What is wrong with it, I ask the Senator from Massachusetts?

The argument is made that there might be involved an issue that means a declaration of war. Does not the Senator think we ought to find out first who the President of the United States is before we declare war? That is the man who can drop the bomb.

Mr. SALTONSTALL. Mr. President, will the Senator yield? He has asked a question. Will he yield so that I may give my answer?

Mr. PASTORE. I yield.

Mr. SALTONSTALL. My answer is simple. This is a very important section of our fundamental law. We cannot decide on this proposed amendment in the Senate Chamber pursuant to an amendment written in long hand. I do not think the amendment is necessary. We can depend upon the commonsense of our successors in this body if the question arises. But if the majority of this body feels that we should have something of this kind, the proposed constitutional amendment should go back to the committee and be carefully worded and worked out.

Mr. PASTORE. I do not object to that. But we have a perfect right to debate these questions. That is all we are doing. We have a perfect right to set forth our arguments. That is all we are doing.

If the Senator from Massachusetts is so sensitive that, because this is a proposed constitutional amendment, we cannot even make a logical argument, no matter how logical it is, what are we doing here? We might as well take what the committee produces, close our eyes, put on blindfolds, or wear blinkers, and say, "That is it."

We are seeking to improve the joint resolution. The Senator in charge of the joint resolution has already admitted that there is some substance to the argument that is being made. His only argument is that the joint resolution with the present language does exactly what I am proposing to do. The only trouble is that the minority leader disagrees with him. All I am trying to do is to straighten it out by inserting certain language.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Mr. President, assuming that the proposed constitutional amendment were adopted, may I inquire whether the swearing in of a Senator to fill a vacancy would constitute the transaction of other business?

The PRESIDING OFFICER. The Chair informs the Senator that that is not a parliamentary inquiry. That is an inquiry of substance.

Mr. McCLELLAN. Mr. President, is the swearing in of a Senator a transaction of business by the Senate?

The PRESIDING OFFICER. It is.

Mr. McCLELLAN. Then I point out, Mr. President, that if there were a vacancy in the Senate when this issue arose, and a State had only one Senator at the time, but a second Senator had been appointed and was ready to be sworn, that State would be denied its constitutional representation in this body during that time.

So there is one situation, and there may be other situations, in which the Senate ought to transact some other business.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. HRUSKA. Mr. President, would not another situation be in the event a situation arose between the time of the election of Congress and the time that Congress were to meet? It would be necessary for the House to organize, and that is the transaction of business. There would not be anyone qualified to consider this business until other business was transacted.

Mr. McCLELLAN. Mr. President, if the amendment is accepted, I hope it will be referred back to the committee for further study.

Mr. BAYH. Mr. President, I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, my remarks are addressed to the amendment proposed by the Senator from Rhode Island. I have listened with interest to the eloquence of the Senator. I point out that the Subcommittee on Constitution and Bylaws of the Committee on the Judiciary, and, in fact, the entire Committee on the Judiciary, considered the very point which the Senator from Rhode Island raises.

We felt that the language "immediately," already in article XII of the Constitution—which has to do with the selection of the President and the Vice President—is good language.

We also considered a considerable number of amendments similar to those proposed by the Senator from Michigan. They related to a time of 2, 3, 10, 15, or 60 days. But we considered the entire context of section 5. Section 5 establishes that procedure which would be followed after two circumstances take place.

In the first place, the President, or Vice President, and a majority of the members of the President's own Cabinet would have to place their career, reputation, and their sacred honor at stake, and publicly write and declare that the President was not fit or able to serve as President.

Mr. HART. Mr. President, will the Senator yield at that point?

Mr. TYDINGS. I would prefer to finish before yielding.

Secondly, the President would then assert himself and send a declaration to Congress. Then his Vice President and a majority of the members of his Cabinet would again, in a sense, have to place their sacred honor and reputations at stake that they felt that the President, the man who had selected them, was not able to hold down the office of President.

Then the question would go to the Congress of the United States. We felt that the language "immediately" used in the article XII of the Constitution would be the best language. If we put in language such as that used by the Senator from Rhode Island, which would restrict, tie up, and stop the Government, in effect, from operating, it might compound an already difficult situation.

I oppose the amendment of the Senator from Rhode Island for the reason that I think his amendment, rather than doing what he would want to do; namely, improve the situation, might actually compound a bad situation and tie up the Government worse than it already was. If such a situation were to occur, it would be difficult enough.

The word "immediately," already in the Constitution, is sufficient, and it ought to be retained.

The PRESIDING OFFICER. The Chair would like to have the amendment restated for clarification of the RECORD.

The LEGISLATIVE CLERK. On page 3, line 24, after the word "issue," add the following: "and no other business shall be transacted until such issue is decided."

On page 2, line 16, after the word "Congress," add the following: "and no other business shall be transacted until such issue is decided."

The PRESIDING OFFICER. Will the Senator from Indiana yield to the Senator from Michigan?

Mr. BAYH. If I have time. My own time is running very short. I yield to the Senator from Michigan.

Mr. HART. I wish simply to express a concern that with the remarks of the Senator from Maryland, I now entertain. I confess, as a member of the Judiciary Committee, I recall the discussion, but this point never occurred to me until tonight. The Senator speaks of the safeguard by reason of the fact that a majority of the President's Cabinet, on their honor, must take their position. A Cabinet appointed by whom? Do we do anything to safeguard the situation when the President is disabled and the Vice President acts, and then fires the Cabinet, and then puts his own Cabinet in? How do we respond to that problem?

Mr. BAYH. Mr. President, this is another problem, if the Senator from Michigan cares to discuss it. It is a good question. We have thought about it. We are dealing with this one amendment. May we dispose of it, and then discuss another question?

Mr. HART. Reluctantly, I have indicated that there are unanswered questions. Perhaps the night is not going to be long enough.

Mr. BAYH. Mr. President, a moment ago, hoping we could accomplish what we wanted to accomplish, I said I was willing to accept the Senator's amendment. I acted hastily.

I feel wisdom requires us to proceed on the measure presented by the committee, as the committee carefully studied the measure. I cannot see a more firm determination made by the Congress than the determination which it makes under the 12th amendment, in which it is provided that in the event neither candidate for the Presidency receives a majority of the electoral votes, Congress shall immediately decide the issue. We say, in the event that it cannot be determined whether the President is able to carry on his duties, Congress shall immediately decide the issue.

Frankly, this question has been discussed in committee. It has been discussed on the public platform. I do not think we can come closer to resolving this question than by using the terminology in the joint resolution before us.

If the Senator from Rhode Island wishes to proceed, wisdom would cause me, with great reluctance, to vote against his amendment. I think it is wrong. I think the wording in the joint resolution is tight. The urgency is clear. The record is written. No Member of this body does not share the feeling that this is a matter which the U.S. Senate should not decide immediately.

Mr. BASS. Mr. President, will the Senator yield?

Mr. BAYH. Mr. President, is the Senator from Tennessee going to pose a question?

Mr. BASS. Yes.

Mr. BAYH. I yield.

Mr. BASS. Let us assume that the Senator believes the word "immediately" is adequate in the section so far as disability is concerned. Would the Senator be willing to accept one single word, "immediately" in section 2, so the Congress would act forthwith on the selection of the new Vice President?

Mr. BAYH. No, I would not.

Mr. BASS. Would the Senator explain what his objection would be?

Mr. BAYH. I have explained it. I will try again. In section 5 we are questioning the disability of the President, the man who has his "finger on the button." This issue needs to be decided immediately. But in section 2 we are trying to decide who the Vice President shall be.

The Senator from Tennessee has concocted a situation that he thinks might foreseeably exist. I asked him to state a while ago the worst possible thing that could happen, and the worst possible thing is to leave it where it is now. Why tie up Congress to correct a system that has worked for 176 years? We are not looking for delays.

Mr. BASS. It has not worked for 176 years. This amendment passed only 16 years ago. The amendment providing that the Speaker of the House of Representatives shall succeed to the Presidency was adopted only 16 years ago.

Mr. BAYH. That is a provision which goes into effect only when there is a dual tragedy, when both the President and Vice President have dropped out of the picture.

Mr. BASS. But not at the same time. The Vice President can die 3 years later.

Mr. BAYH. During the same term of office.

Mr. BASS. The Senator does not admit that a matter of time is involved, in that case, but he insists that Congress shall act without delaying tactics in the other matter. I see absolutely nothing wrong in providing that Congress shall act upon the nomination without delay. If there is anything wrong in that, I do not see where it is. I do not see anything wrong in providing that the Congress shall act with dispatch on the recommendation of the President, belonging to one party, when the Congress may oppose the recommendation because it is of the opposite party. All the amendment does is add one word—"immediately."

Mr. BAYH. No, that is not all there is to it. The Senator wants section 2 to read as the Senator from Rhode Island wants section 5 to read.

The PRESIDING OFFICER. All the time of the Senator from Indiana has expired.

Mr. BAYH. Mr. President, I yield 2 minutes on the bill to the Senator from North Carolina [Mr. ERVIN].

Mr. ERVIN. Mr. President, I wish to reply to the Senator from Tennessee. Section 2 of the resolution does not deal with a vacancy in the office of the President; it deals only with a vacancy in the office of the Vice President:

> Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

There is a President involved in the language which the Senator from Rhode Island wishes to amend. The Senator from Tennessee wants to amend the provision relating to the nomination of the Vice President. He says he is afraid that, when the Vice President's office is vacant, Members of the House who are anxious to get their Speaker in the Presidency will "sit still" on the nomination until the President dies.

God help this Nation if we ever get a House of Representatives, or a Senate, which will wait for a President to die so someone whom they love more than their country will succeed to the Presidency.

That does not apply to this section. It is based on the idea that either the House or the Senate, when there is a vacancy in the Vice-Presidency, is going to pray for the President to die so somebody they love more than they love their country will succeed to the Presidency.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BASS. Mr. President, I have an amendment at the desk. I offer the amendment.

Mr. BAYH. Mr. President, a point of parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his point of parliamentary inquiry.

Mr. BAYH. There is an amendment pending, which has been thoroughly debated, by the Senator from Rhode Island. I wish to inquire as to what disposition we can make of that.

The PRESIDING OFFICER. The Senator from Tennessee has offered an amendment to the amendment offered by the Senator from Rhode Island.

Mr. BAYH. Mr. President, may I yield myself 30 seconds to ask a question of the Senator from Tennessee? Because of the complexity of the issue, will the Senator from Tennessee permit us to get one question voted on, and then he can offer his amendment, or as many amendments as he wants to?

Mr. BASS. I am going to resolve the question by offering a substitute amendment.

Mr. BAYH. Very well.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The clerk will report the amendment.

The LEGISLATIVE CLERK. In lieu of the language on page 2, line 16, as offered by the Senator from Rhode Island [Mr. PASTORE], insert the word "immediately."

Mr. BASS. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Tennessee.

Mr. BASS. Mr. President, the only change in the joint resolution would be one word. Only one word would be added to the joint resolution. If the Senator from Indiana will check section 2, only one word, the word "immediately," which is the word he used in his own section—in section 5—would be added to section 2. This would merely mean that if we had a situation in which there was a vacancy in the office of the Vice President and the President submitted a nomination, Congress would be required to act with some dispatch. There would be no time limit, no given number of days, but we are using the same language as the language in section 2, which the committee itself wrote into section 5.

This would mean that Congress would have to act with some dispatch.

The only thing it does is add one word to the resolution, which means that Congress would act immediately on the recommendation of the President to confirm a new Vice President.

I can see nothing wrong with asking Congress to act immediately upon recommendation of the President, because if we were in a situation in which one party in power would be stalling and delaying the recommendations of the party in power in the White House, we would be in the same situation in which we are now.

Mr. HRUSKA. Mr. President, will the Senator from Indiana yield me 2 minutes?

Mr. BAYH. Mr. President, I am glad to yield 2 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 2 minutes.

Mr. HRUSKA. Mr. President, let me make a brief observation. We did consider the word "immediately" in section 5 in that same context.

What does the word "immediately" mean?

Does it mean that there will be no hearings? Does it mean that there will be no debate? Does it mean that there will be no consideration of any kind to determine what kind of person the nominee is?

Those are questions which have already been considered; and I earnestly recommend that the amendment be defeated.

Mr. BAYH. Mr. President, I thank the Senator from Nebraska and the Senator from North Carolina who have adequately expressed my views. I have tried earlier to do so. I suggest that the Senate now vote.

Mr. BASS. Mr. President, I yield back the remainder of my time. I am ready to vote.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment of the Senator from Tennessee [Mr. BASS].

The amendment in the nature of a substitute was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

Mr. HOLLAND. Mr. President, I ask that the amendment be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 16, and on page 3, line 24, after the word "issue," insert the following: "and no other business shall be transacted until such issue is decided."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was rejected.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

Mr. BAYH. Mr. President——

The PRESIDING OFFICER. If there are no further amendments, the question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time.

Mr. HART. Mr. President——

The PRESIDING OFFICER. Who yields time to the Senator from Michigan?

Mr. BAYH. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Indiana.

Mr. BAYH. I yield myself such time as I may require from the time on the bill.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. I wish to explain and clarify something which has been brought to my attention by the Senator from New York, which has been discussed at some length previously with the Senator from Michigan and the Senator from Rhode Island.

Let the RECORD show that as the Senator in charge of the bill, I am fully aware of the complexity of the terms with which we are dealing, and feel that the word "inability" and the word "unable," as used in sections 4 and 5 of this article, which refer to an impairment of the President's faculties, mean that he is unable either to make or communicate his decisions as to his own competency to execute the powers and duties of his office. I should like for the RECORD to include that as my definition of the words "inability" and "unable."

Mr. PASTORE. Mr. President, will the Senator from Indiana yield at that point?

Mr. BAYH. I yield.

Mr. PASTORE. The statement was made by the Senator from Indiana, on page 20 of the hearings:

> Let me intervene momentarily. I am certain the Senator from Nebraska remembers that the record shows that the intention of this legislation is to deal with any type of inability, whether it is from traveling from one nation to another, a breakdown of communications, capture by the enemy, or anything that is imaginable. The inability to perform the powers and duties of the office, for any reason is inability under the terms that we are discussing.

In other words, what the Senator from Indiana has just stated is a clarification of that statement?

Mr. BAYH. The Senator is correct.

Mr. MANSFIELD. Also an indication of the intention of the Senate in consideration of the joint resolution.

Mr. BAYH. Either unable to make or communicate his decisions as to his own competency to execute the powers and duties of his office.

Mr. HOLLAND. Mr. President, will the Senator from Indiana yield for a question?

Mr. BAYH. I yield.

Mr. HOLLAND. I am in thorough accord with what is intended by the proposed constitutional amendment. There is one thing about the debate which has disturbed me. The proposed amendment does not specifically replace or specifically amend any part of the present Constitution. It does by implication, it seems to me, amend certain portions of article II, section 1, clause 5.

I have been disturbed by what seems to be the assumption by some Senators that the present statute providing for the succession to the Presidency would still be in force.

Looking at these two matters hurriedly, that is the present provision of the Constitution. What is proposed would be a new section of the Constitution, and would only by implication change the present provision. It would seem to me that that part of the present Constitution which allows the Congress by statute to declare what officer shall then act as President in the case of the removal, death, resignation, or inability both of the President and the Vice President, could apply only in two cases.

One would be a situation in which the President and Vice President were both killed in a common disaster. The second would be where the death of one should come so quickly following the death of another that there would have been no time permitted for the functioning of Congress under the proposed amendment, if it should become a part of the Constitution.

I am asking the Senator in charge of the joint resolution if that is also his understanding as to the only fields in which Congress would be left with statutory authority to provide for the succession.

Mr. BAYH. The Senator is correct; that is the way I would interpret it.

Mr. HOLLAND. The proposed amendment, if it became a part of the Constitution, would reduce the present power of Congress to the two situations which I have outlined in my question.

Mr. BAYH. As the Senator from Florida well knows, there is a considerable amount of debate as to whether Congress has power to legislate by statute in this field at the present time. The original succession statute was passed in 1792; and the Congress which passed that statute contained several members of the Constitutional Convention. Their interpretation of article II, section 1, should be considered in light of the succession statute which they passed, which dealt only with succession. The law would apply only when there were two deaths, as the Senator from Florida [Mr. HOLLAND] has described.

In other words, they must surely have interpreted clause 5, to which the Senator refers, reading "Congress may by law provide for the case of the removal, death, resignation, or inability both of the President and of the Vice President," to mean that that was a limitation on the Congress and that both of those contingencies had to come to pass before it could enact legislation.

Mr. HOLLAND. But, if I may restate my question, in the event the proposed amendment should be adopted and become a part of the Constitution, would it not confine the statutory authority of Congress to the two cases which I have outlined?

Mr. BAYH. Yes. This does not alter it. The Senator is correct.

Mr. HOLLAND. I beg the Senator's pardon.

Mr. BAYH. The Senator is correct.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. HART. Mr. President, may I ask a few questions, which may help all of us in understanding this subject?

Mr. BAYH. I yield.

Mr. HART. The Senator has just stated a definition of inability, dealing with the impairment of the President so as not to be able to make or communicate a decision as to his own competency. Is it clear that this means far more than disagreement with respect to a judgment he may make, a decision he may make with respect to incapacity and inability, or must it not be based upon a judgment that is very far reaching?

Mr. BAYH. The Senator from Indiana agrees with the Senator from Michigan that we are not dealing with an unpopular decision that must be made in time of trial and which might render the President unpopular. We are talking about a President who is unable to perform the powers and duties of his office.

Mr. HART. This may have been clarified in the report, and I plead guilty to not having read it very carefully.

With reference to the heads of the executive departments, is it clear that we are talking about those whom we regard as comprising the Cabinet, as referred to in 5 U.S.C. 1 and 2?

Mr. BAYH. The Senator is correct.

I ask unanimous consent that there may be included in the RECORD at this point, to further describe the contents of 5 U.S.C. 2, a report that was given to the junior Senator from Indiana by the Library of Congress, which sets this matter out specifically.

Mr. HART. That would be helpful.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., February 18, 1965.

To: Hon. BIRCH BAYH, Chairman, Senate Subcommittee on Constitutional Amendments.

From: American Law Division.

Subject: Executive departments.

Reference is made to your inquiry of February 17, 1965, requesting, among other things, some precedents regarding definition of "executive department."

As we informed you during our telephone conversation of above date, the phrase is defined in 5 U.S.C. 2 which provides: "The word 'department' when used alone in this chapter, and chapters 2–11 of this title, means one of the executive departments enumerated in section 1 of this title."

Section 1 referred to above reads as follows: "The provisions of this title shall apply to the following executive departments:

"First, the Department of State.

"Second, the Department of Defense.

"Third, the Department of the Treasury.

"Fourth, the Department of Justice.

"Fifth, the Post Office Department.

"Sixth, the Department of the Interior.

"Seventh, the Department of Agriculture.

"Eighth, the Department of Commerce.

"Ninth, the Department of Labor.

"Tenth, the Department of Health, Education, and Welfare."

The phrase also makes an appearance in the Constitution. Article 2, section 2, clause 1 reads, in relevant part, as follows: "He [President] may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices."

No relevant annotations appear to the foregoing section.

In *Brooks* v. *United States,* 33 F. Supp. 68 (1939) an action brought by an enlisted man in the U.S. Navy to recover reenlistment allowances—the District Court for the Eastern District of New York examined petitioner's status for purposes of determining whether it was without jurisdiction under the Tucker Act, 28 U.S.C. § 41 (20) (1939). The court stated that the expression "heads of departments" comprehended the members of the President's Cabinet, and did not include a mere bureau head:

"Admittedly, the plaintiff was not appointed by the President or by a court of law and it remains only to consider whether he was appointed by a head of a department. A long line of cases establishes that the term 'Head of a Department' as used in this clause of the Constitution means one of the members of the President's Cabinet. It does not include a mere bureau head. *United States* v. *Germaine,* 99 U.S. 508, 25 L. Ed. 482; *Burnap* v. *United States,* 252 U.S. 512, 40 S. Ct. 374, 64 L. Ed. 692; *Steele* v. *United States* No. 2, 267 U.S. 505, 45 S. Ct. 417, 69 L. Ed. 761. Thus in *Morrison* v. *United States,* 40 F. 2d 286, D.C.S.D.N.Y., a petty officer not appointed by the President or a cabinet officer was held not to be an officer of the United States and therefore capable of suing in this court, whereas in *Foshay* v. *United States,* 54 F. 2d 668, D.C.S.D.N.Y., a clerk appointed by the Postmaster General, the head of an executive department, was held to be an officer of the United States and incapable of suing for pay in this court. *Oswald* v. *United States,* 9 Cir., 96 F. 2d 10, similarly held a court reporter, appointed by the court, under a disability to sue for salary in the district court under the provisions of the Tucker Act. Numerous other cases such as *Scully* v. *United States,* 193 F. 185, 187, C.C.D. Nev., have defined 'officer of the United States' in terms of the constitutional meaning of the records. See, also, *United States* v. *Van Wert,* D.C. Iowa, 195 F. 974; *United States* v. *Brent,* D.C. Iowa, 195 F. 980; *McGrath* v. *United States,* 2 Cir., 275 F. 294."

The holding was reaffirmed in *Surowitz* v. *United States,* 80 F. Supp. 716, 718–719 (1948) wherein the court declared:

"This does not mean that the courts have always applied one test of an officer under the criminal law and another under the civil law. The difference resides in the application. The test itself has been fairly uniform; only he is an officer who is an officer in the constitutional sense, that is (so far as is here involved), a person appointed under authority of law by the head of a department to a post created by law. The head of a department has been authoritatively defined to mean a member of the President's Cabinet. *United States* v. *Smith, supra; United States* v. *Germaine, supra;* see *Burnap* v. *United States,* 190, 252 U.S. 512, 515, 40 S. Ct. 374, 64 L. Ed. 692."

In *United States* v. *Germaine,* 99 U.S. 508 (1879), the Supreme Court was called upon to determine whether a surgeon appointed by the Commissioner of Pensions was an officer and therefore amenable to prosecution under a criminal statute punishing extortion by an "officer of the United States." The Court held that defendant was not an officer and the Commissioner of Pensions was not the head of a department within the meaning of the Constitution. Portions of the opinion dealing with the later consideration follow:

"As the defendant here was not appointed by the President or by a court of law, it remains to inquire if the Commissioner of Pensions, by whom he was appointed, is the head of a department, within the meaning of the Constitution, as is argued by the counsel for plaintiffs.

"The instrument was intended to inaugurate a new system of government, and the departments to which it referred were not then in existence. The clause we have cited is to be found in the article relating to the executive, and the word as there used has reference to the subdivision of the power of the executive into departments, for the more convenient exercise of that power. One of the definitions of the word given by Worcester is, 'a part or division of the executive government, as the Department of State, or of the Treasury.' Congress recognized this in the act creating these subdivisions of the executive branch by giving to each of them the name of a department. Here we have the Secretary of State, who is by law the head of the Department of State, the Departments of War, Interior, Treasury, and so forth. And by one of the latest of these statutes reorganizing the Attorney General's office and placing it on the basis of the others, it is called the Department of Justice. The association of the words 'heads of departments' with the President and the courts of law strongly implies that something different is meant from the inferior commissioners and bureau officers, who are themselves the mere aids and subordinates of the heads of the departments. Such, also, has been the practice, for it is very well understood that the appointments of the thousands of clerks in the Departments of the Treasury, Interior, and the others, are made by the heads of those departments, and not by the heads of the bureaus in those departments.

"So in this same section of the Constitution it is said that the President may require the opinion in writing of the principal officer in each of the executive departments, relating to the duties of their respective offices.

"The word 'department,' in both these instances, clearly means the same thing, and the principal officer in the one case is the equivalent of the head of department in the other.

"While it has been the custom of the President to require these opinions from the Secretaries of State, the Treasury, of War, Navy, and so forth, and his consultation with them as members of his Cabinet has been habitual, we are not aware of any instance in which such written opinion has been officially required of the head of any of the bureaus, or of any commissioner or auditor in these departments."

In *United States* v. *Hartwell,* 73 U.S. [6 Wall.] 393 (1868), the Supreme Court held that one appointed under an act of Congress authorizing an assistant treasurer, with the approbation of the Secretary of the Treasury, to appoint a specified number of clerks, is appointed by the head of a department within the meaning of article II, § 2. Germaine, supra, the Court held that it was being consistent with the Hartwell since "it is clearly stated and relied on that Hartwell's appointment was approved by the Assistant Secretary of the Treasury as acting head of that Department, and he was therefore, an officer of the United States."

In *Price* v. *Abbott,* 17 F. 506 (1883) the Court held that appointments made by the Comptroller of the Currency, or receivers of national banks, as provided by acts of Congress, are to be presumed to be made with the concurrence or approval of the Secretary of the Treasury, and are made by the head of the department within the meaning of the Constitution.

In *Frelinghuysen* v. *Baldwin,* 12 F. 395 (1882) it was held that a receiver of a national bank appointed by the Comptroller of the Currency, who was the chief officer of a bureau of the Treasury Department charged with the execution of all laws passed by Congress relating to the regulation and the issue of a national currency secured by U.S. bonds, was appointed by the head of a department within the meaning of the Constitution, as the Comptroller performed this, as well as all other duties, under the general direction of the Secretary of the Treasury.

We are sending herewith duplicate copies of the material delivered to you last evening, material requested this morning, and loan copies of the United States Code. See in particular 5 U.S.C. 1, 2, 133z–3, 133z–5; the Executive order (No. 10495) following 5 U.S.C. 6.

RAYMOND J. CELADA,
Legislative Attorney.

Mr. HART. Mr. President, we are talking now, not about the usual situation, but one which we hope will never occur. The language is clear, but I am afraid that there is no conversation, in terms of an exchange, even with the manager of the bill, to show that we can avoid what all of us want to avoid; namely, a usurping Vice President who consolidates his position by firing the Cabinet.

Is there any way in which we can, in this exchange on the floor, help to avoid that situation, or make very clear that this is not the grant that we make?

Mr. BAYH. The Senator from Michigan knows full well the advice and consent authority of the Senate so far as any Cabinet members are concerned.

Mr. HART. Yes; I do.

Mr. BAYH. He also knows of the two-thirds provision, which would be required to sustain the position of the Vice President and his new Cabinet if he were to take this most unfortunate step.

The committee in its hearings discussed this subject at some length, because we must tread a very narrow line, on one side of which we do not want a usurping Vice President to fire the Cabinet, while on the other side we do not want a Vice President who is acting in good cause, say, for example, in a 3-year term of office, being unable to reappoint Cabinet members who may have died or resigned.

Mr. HART. What about interim appointments to the Cabinet? Is there not some place short of tying the hands of a 3-year incumbent Vice President as President and leaving wide open this possibility? Is it not our responsibility at least to establish the check that a Vice President who becomes President temporarily at least should not be able to appoint a Cabinet majority through interim appointments?

Mr. BAYH. I reiterate what I said before. Before the position of the Vice President could be sustained even in an interim position, the President would have the opportunity, under the provision of section 5, to take this to Congress. Unless the Vice President could be sustained by a two-thirds vote, he would be "out."

Mr. HART. I believe I have voiced the apprehension, which perhaps now more broadly is established than when we were discussing the subject in committee. I believe it is essentially our responsibility in this situation, where we talk about Cabinet appointees over whom we have some authority to suggest against interim appointees. Ought we not at least to go that far?

Mr. HRUSKA. I yield myself 3 minutes.

That question was considered in committee. We discussed the possibility of the Vice President dispensing with the members of the Cabinet and appointing a Cabinet of his own choosing. Does not the real protection against that kind of situation lie in the good judgment of Congress? If there were an overreaching by him which would be that transparent, the good judgment of the House and of the Senate would assert itself. Congress would say, "We will have no part with that kind of usurpation and grasping for power."

On the contrary, if by a two-thirds vote Congress agreed with him, that would be the democratic process in action. That is the fashion in which it should be done. The real, ultimate protection is in the good judgment of the Members of Congress, by a two-thirds majority.

Mr. HART. I should like to make one further comment on that.

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Michigan?

Mr. BAYH. I yield.

Mr. HART. Is it the understanding of the Senate, in taking this action, that the Under Secretary, in the event of a vacancy in the office of Secretary, shall be empowered as would the Secretary himself, in participating in the decision with respect to ability or disability?

Mr. BAYH. It is the opinion of the junior Senator from Indiana that it is not.

Mr. HART. This would reduce it by as many Under Secretaries as may be involved in the situation with respect to those who would participate in the Cabinet decision. Is that correct?

Mr. BAYH. I ask the Senator from Michigan—and I know he is asking penetrating questions which are very valuable in making this record clear, and I also know that a scintilla of doubt will remain—but I ask the Senator to look at the history, in which the role of the Vice President has been quite to the contrary.

He has been reluctant to move, although urged to do so, particularly in the case of the Garfield situation, when all of his Cabinet urged him. He is a human being, with a conscience and a heart and a soul, and, as the Senator from North Carolina has said, his political future would be ruined if he attempted to usurp the office.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the passage of the joint resolution.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. LAUSCHE. Am I correct in my understanding that there are two situations in which there would be a change in the Executive Office of the Nation: First, whenever the President on his own transmits to the Speaker of the House and the President of the Senate his written declaration that he is unable to discharge his office. Is that correct?

Mr. BAYH. That is one.

Mr. LAUSCHE. The second is whenever the Vice President and a majority of the principal officers of the executive departments transmit to the President of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge his duties.

Mr. BAYH. The Senator is correct.

Mr. LAUSCHE. That must be confirmed by a two-thirds vote in the Senate?

Mr. BAYH. The President would bring the issue and Congress would decide it. The President would have to say "You are wrong."

Mr. LAUSCHE. I have a final question, and I ask it to elucidate what the Senator from Michigan has been asking.

In an instance in which the incapacity of the President would be announced by the Cabinet and the Vice President, is it or is it not a fact that the President would continue in office with full power to veto until such time as the Cabinet, the Vice President, and a two-thirds vote of the Congress had established that the President was incapable of performing his job?

Mr. BAYH. No, that is not correct. That question got us into the very touchy question as to who should act during the questionable period, the President or the Vice President. It was the judgment of the committee—and I concur in that judgment—that whenever the Vice President and a majority of the Cabinet, which would have been appointed by the President himself, should become sufficiently concerned that, in the glare of the publicity which would be attendant upon something of the nature that we are discussing, they would make the declaration that there was sufficient doubt, the Vice President would assume the powers and duties of the office while the issue was being tried.

Another reason for the proposal was that we desired to try to prevent a back-and-forth ping-pong sort of situation in which the Vice President and the Cabinet would make a declaration. The President might be out and the Vice President would be in. Then the issue would go to Congress and Congress might make a declaration that the Vice President should be out and the President in. Under the proposal there would be fewer transfers of power and more continuity, which I feel should be basic.

Mr. LAUSCHE. I should like to ask another question. Suppose that the Vice President should declare that the President is incapacitated, a minority of the members of the Cabinet should say that he is incapacitated, and a majority should say that he is not. Under the joint resolution Congress would proceed to establish its views and would either confirm or reject the findings of the Cabinet and the Vice President. Would the President whose incapacity had been charged have the right to a veto?

Mr. BAYH. Yes, the other body, as Congress may by law prescribe.

Mr. LAUSCHE. That is, if and when Congress should feel that it should step in under the language which provides that such other body as Congress by law may provide, the Vice President would not act, but the President would continue to act, although he had been charged by the Congress and charged by the Vice President with being incapacitated.

Mr. BAYH. That is correct; and the number of votes prescribed would override the veto, or the same number that would support the Vice President.

Mr. ALLOTT. Mr. President, I am fully aware of the lateness of the hour, but I do not believe the questions asked by the distinguished Senator from Ohio included one that I would like to ask.

Section 4 contains a provision that the Vice President shall assume the powers and duties of the office as Acting President under certain conditions.

Section 5 states:

> Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President, with the written concurrence of a majority of the principal officers of the executive department or such other body as Congress may by law provide, transmits within 2 days to the Congress his written declaration that the President is unable to discharge the powers and duties of his office.

There would be a legal acting President.

Mr. BAYH. That is correct.

Mr. ALLOTT. The President would then send to Congress his written declaration. Who would be President during the 7 days?

Mr. BAYH. The Vice President, the Acting President. I thank the Senator from Nebraska for his suggestion. It makes a considerable difference. As I explained, we wrote in that language for two basic reasons. First, whenever the Vice President and a majority of the Cabinet of the President who is about to be deposed feel that there is sufficient cause that, in the great heat attendant publicitywise, they would make such a declaration, there would be a serious enough doubt about the mental capacity—and usually it would be the mental capacity of the President—that the decision would be made, the Vice President would assume the powers and duties as Acting President while the decision was being made by Congress.

Such a provision would cut down the number of times the power of the Presidency would change. We desire to keep it to a minimum. The President would leave the office and the Vice President would take over, and then the Vice President would leave and the President might resume his office, and that would go on down the line.

Mr. ALLOTT. To get to the question in another way, so the issue will be clear, if a Vice President had assumed the duties of acting President, and the elected President then decided that he wished to state that there is no inability any longer, it would be 7 days before he could possibly resume the office of President.

Mr. BAYH. That is correct.

Mr. ALLOTT. There is no question about that. That is the intent.

Mr. BAYH. That is the intent. I should like to clarify the record on one point. The question which the Senator from Colorado has posed about requiring a mandatory 7 days would only apply if there should be a contest under section 5. The provision would not prevent the Vice President and the President agreeing to a lesser period of time.

Mr. HRUSKA. Mr. President, agreements devised by the President and his Vice President in past administrations to cope with an inability crisis are not satisfactory solutions. Recent history has also made us very much aware of the need for filling the office of Vice President when a vacancy arises.

It is abundantly clear that, rather than continue these informal agreements, the only sound approach is the adoption of a constitutional amendment.

The hearings, which have been held on this important subject in recent years and in which this Senator has had the opportunity to participate, have led me to prefer a different approach than the present one. As in other legislative matters, the finished product requires the refinement of individual preferences. In the spirit of this simple reality, I shall support the proposed amendment. It is my earnest hope that the Congress and the State legislatures will approve and ratify it promptly.

There are two major reasons for my acceptance of the proposed amendment.

The first is the urgent need for a solution. Differences of opinion in Congress have deprived us of a solution for far too long. It is time that these constitutional shortcomings be met.

Secondly, the proposed language approaches the product which would have resulted under the proposal which I had urged, so that this amendment is acceptable as proposed and amended.

The refinements that have been made on the original language of Senate Joint Resolution 1 will clarify the detailed procedure to be followed in a case of disability.

The role of Congress is narrow. It is as an appeal open to the President from the decision of the Vice President and the members of the Cabinet. It will be brought into the matter only in those limited circumstances where the Vice President, with a majority of the principal officers of the executive departments, and the President disagree on the question of restored ability. It is important to note that Congress will not have the power to initiate a challenge of the President's ability.

The procedure by which Congress shall act is properly left to later determination within rules of each branch thereof. A point of possible conflict is resolved in the understanding that Congress shall act as separate bodies and within their respective rules.

The language that "Congress shall immediately proceed to decide the issue" leaves to Congress the determination of what, in light of the circumstances then existing, must be examined in deciding the issue. Thus, the matter will be examined on the evidence available. It is desirable that the matter be examined with a sympathetic eye toward the President who, after all, is the choice of the electorate.

It is apparent that Senate Joint Resolution 1 does have aspects which alleviate the dangers attendant to a crisis in presidential inability. Nevertheless, it is felt by this member of the committee that caution and restraint will be demanded should this inability measure be called into application.

A time does arrive, however, when we must fill the vacuum. The points which I have emphasized and previously insisted upon are important; but having a solution at this point is more than important, it is urgent. For this reason, I support Senate Joint Resolution 1 and urge its passage. I hope that it will be given expeditious approval by the other body and early ratification by the required number of States.

Mr. BAYH. Mr. President, I yield back the remainder of my time.

Mr. HRUSKA. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is, Shall the joint resolution pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MONDALE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MONDALE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN] and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from California [Mr. KUCHEL] is absent on official business.

The Senator from Colorado [Mr. DOMINICK] and the Senator from California [Mr. MURPHY] are detained on official business.

If present and voting, the Senator from Kentucky [Mr. Cooper], the Senator from Colorado [Mr. Dominick], the Senator from New York [Mr. Javits], the Senator from Idaho [Mr. Jordan], the Senator from California [Mr. Kuchel], the Senator from Iowa [Mr. Miller], the Senator from Kentucky [Mr. Morton] and the Senator from California [Mr. Murphy] would each vote "yea."

The yeas and nays resulted—yeas 72, nays 0, as follows:

[No. 24 Leg.]

YEAS—72

Aiken
Allott
Bartlett
Bass
Bayh
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Montoya
Morse
Mundt
Pastore
Pearson
Pell
Prouty
Randolph
Robertson
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—28

Anderson
Bible
Clark
Cooper
Dominick
Fulbright
Gore
Gruening
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Miller
Mondale
Morton
Moss
Murphy
Muskie
Nelson
Neuberger
Proxmire
Ribicoff
Russell
Smathers
Symington
Williams, N.J.

The PRESIDING OFFICER (Mr. Montoya in the chair). Two-thirds of the Senators present having voted in the affirmative, the joint resolution (S.J. Res. 1) is passed.

Mr. BAYH. Mr. President, I move that the Senate reconsider the vote by which the joint resolution was passed.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MAGNUSON. Mr. President, earlier I had asked the Senator from Indiana to yield for 10 seconds, but I did not pursue my request because I wanted to have the joint resolution passed promptly. But I believe it is apropos now, after all the discussion today, that the Senate should wish the President and Vice President good luck and good health.

FORMATION OF BUSINESS ADVISORY COMMITTEE ON TRADE WITH EASTERN EUROPE

Mr. MAGNUSON. Mr. President, all of us who view expanded trade as a sensitive tool for piercing the Iron Curtain, welcome President Johnson's formation of a business advisory committee on trade with Eastern Europe, announced yesterday. I am particularly pleased that this committee, in charting new paths to increased peaceful trade with Russia and the other European bloc countries, will work in close cooperation with our dynamic new Secretary of Commerce, John T. Connor.

It is significant that the President announced his action during the throbbing crisis in Vietnam, for it should serve as a healthy reminder to those who see East-West trade in unthinking, cold war terms, that our object in expanding trade is not sentimental but the hardheaded pursuit of our own economic and strategic self-interest.

Less than 3 weeks ago, I introduced in the Senate, Senate Joint Resolution 36, to establish a high level permanent Council for Expanded Trade, composed of leading private citizens from the business, labor, and academic communities to advise the Congress and the President on a continuing basis of "the extent to which and the methods by which trade between the United States and countries within the Communist bloc can profitably be expanded in furtherance of the national interest."

In the past, business leaders and Government officials have each tended to let the other take the lead in urging innovations in our trade policies toward the bloc countries. As a result, businessmen in general have remained confused and uncertain of the guidelines of national trade policy, while the Government has been unable to grasp the commercial realities involved in the pursuit of expanded trade with the East.

What should be a great national debate has too often been obscured by myth and misconception. Before we will be able to establish a rational exchange of goods and services with the bloc countries, we must establish a rational machinery for the exchange of ideas, experience, and fact between our own business and Government.

The President's committee represents an exceedingly important first step toward the establishment of such machinery. But the exploration of expanded trade with the Communist bloc should not be a one-shot affair. The interchange of ideas on East-West trade between business and Government must be placed on a permanent basis so that the President and Congress might not only be informed of trade developments with the East but so that business leaders, in turn, might be informed of Government policies on such trade.

The development and cultivation of trade relationships is a continuing process which will undoubtedly take many years. Problems which now exist, and which may in the future arise, will require continuing scrutiny and attention.

For these reasons, while I wholeheartedly endorse the President's formation of his study committee, I believe that Congress has an obligation to place the effort to expand East-West trade on a more permanent, institutionalized basis, and so I urge that Congress support President Johnson's goal of an active East-United States trade policy by enacting Senate Joint Resolution 36.

AVAILABILITY OF FINE HARDWOOD LOGS FOR VENEER

Mr. BAYH. Mr. President, last evening, Senators Hartke and Javits and I discussed the critical problem of excessive cutting of black walnut logs which will occur due to the removal of an export control order by the Secretary of Commerce.

In our discussions we suggested that the source of supply of replacement woods was virtually nonexistent in the United States and was, in fact, in short supply worldwide.

To fully describe the critical proportions of our veneer quality log supply I would like to have inserted in the Record a speech by the Director of the Forest Products Division of the Department of Commerce, Mr. Thomas C. Mason, entitled "World Availability of Fine Hardwood Logs for Face Veneer." This speech analyzes the total world supply of walnut logs and other fine hardwoods and emphasizes the dimensions of the shortage we face.

This speech by a respected Department of Commerce official again underscores the folly of removing the export quota and I commend it to my colleagues attention.

There being no objection, the speech was ordered to be printed in the Record, as follows:

World Availability of Fine Hardwood Logs for Face Veneer

(Speech by Thomas C. Mason, Director, Forest Products Division, BDSA, at the annual spring meeting of the Hardwood Plywood Institute luncheon, Mar. 5, 1964, Las Vegas, Nev.)

BLACK WALNUT

Coincidence of growing domestic and foreign demands for American black walnut veneer logs has, since 1958, resulted in excessive drain on the resource.

As of the end of 1958, the resource was able to provide about 18 million board feet of veneer logs per year.

Domestic use increased from about 12 million board feet in 1958 to 19½ million in 1962 and continued at a high level in 1963.

Exports increased from 2¼ million board feet in 1958 to 10⅓ million in 1962, and well over 14 million in 1963.

In 1962, domestic use and exports combined were nearly twice the indicated growth reported late in 1963 by the Forest Service.

For those of you who may be interested in details, I have copies of two small charts. These compare annual growth and drain of veneer-quality black walnut: In the one case, had 1960–63 trends of use been allowed to continue; in the other, the trends anticipated as a result of the conservation program.

In 1963, estimated domestic consumption plus exports were at an annual rate materially exceeding twice the indicated growth. If this rate had been permitted to continue, it would have taken less than 10 years to exhaust all the growing capital of veneer-quality black walnut trees down to 15 inches in diameter breast high. All the larger trees available for cutting, from which the high-quality veneer logs come, would have been exhausted much sooner that that. After about 10 years, the only supply of walnut veneer logs would have come from what is known in forestry terminology as in growth in the veneer tree size class; in other words, trees which reach 15 inches in diameter breast high during the year. The indicated volume of in-growth is less than

10 million board feet, in fact, less than half of current usage alone.

The pinch in walnut veneer log supply is already here. It is reflected in an increase of 75 percent in the average price of walnut veneer logs cut between 1954 and 1962. It is reflected in usage of a much lower quality and smaller size of logs for veneer purposes. For example, in 1962 the walnut logs cut into veneer by one large producer averaged only 87 board feet per log, against a normal average well above 100. It is reflected in lower quality and increased prices of walnut veneer, and in the greater quantity of veneer that must now be bought by users to make the same quantity of their finished product.

OTHER AMERICAN FINE HARDWOODS

I hesitate to delve into the subject of the supply of other fine American hardwoods, since many of you are much better informed of this than I am. However, this is how we sum up the situation for veneer logs of the more important species.

Hard maple: Grown in the Northeast, Lake States, and Appalachian areas (as well as Canada), supply very limited and declining, imports from Canada restricted.

Yellow birch: Grown in the Northeast and Lake States, supply virtually exhausted and logs being imported from Canada whenever permitted by Canadian restrictions. Birch veneer is imported from Canada and also birch plywood from Canada, Finland, and Japan.

Oak: Grown in Eastern United States, supply of veneer quality logs low, competition for finest trees with the bourbon stave industry.

Cherry: Of veneer quality, limited pretty much to parts of Pennsylvania, supply very short.

Elm: Grown in Eastern United States, veneer-quality supply short, declining due to inroads of Dutch elm disease introduced in burl elm logs imported from Europe for furniture veneer manufacture.

Pecan: Grown in the southern gulf area, veneer-quality supply short, reportedly being supplemented by substitution of other hickories which are deficient in supply of quality trees.

In a broad way, the current Forest Service updating of the Timber Resources Review, which was based primarily on 1952 data, confirms these observations. Mr. Edward P. Cliff, Chief of the Forest Service, speaking at the Fifth American Forest Congress in October 1963, stated in part:

"The cut of timber substantially exceeds growth in the larger tree diameters where quality is concentrated, both for softwoods and hardwoods. Most of the cutting is limited to preferred species. As a result of these trends, less than 10 percent of the total hardwood inventory, for example, is now in trees above 15 inches in diameter in those species having established markets. (This includes select red and white oak, yellow birch, hard maple, cottonwood, sweet gum, yellow poplar, ash, black cherry, and walnut.) Moreover, only a portion of this 10 percent is top-grade material. Today we import nearly half of the wood used in hardwood plywood and veneer—a forcible reminder to look to the quality of our timber growth and inventory rather than to volume alone."

THE WORLD PICTURE

Hardwood log production and availabilities in the free world are shown in this tabulation, developed from 1961 statistics published by the Food and Agriculture Organization of the United Nations. I must emphasize that these data include both sawlogs and veneer logs, separate data are not available. On the average, we estimate that probably 20 percent of these quantities represent veneer logs. The proportion is lower than this for developed countries, such as the United States and Europe, with little or no virgin timber, and higher for less developed countries with considerable virgin high forests.

Since the United States currently requires about 20 million board feet of black walnut for domestic production of veneer and exports over 10 million feet of such veneer logs, we are talking about an alternative supply of hardwood logs, combining the veneer and sawlog grades, of the order of 100 to 150 million board feet, as far as this tabulation is concerned.

Please note first that the United States produces (and uses) more hardwood sawlogs and veneer logs than any other country or principal geographical area of the free world, excepting free Asia. The United States has a deficit in veneer logs alone, and in most years in all hardwood logs. The small indicated surplus in the total in 1961 is due entirely to our imbalanced trade with Canada, which can import our logs freely but imposes controls on exports of Canadian logs.

Look at the trade balance column in the tabulation with the figures of 100 to 150 million board feet in mind. Even in free Asia, which produces more hardwood logs than any other area, there is a trade deficit, much less a surplus of this order. Moreover, the lauans and related woods which make up a large part of Asia's total, are largely not suitable for fine furniture, although excellent and widely used for plywood.

Canada

Of total hardwood log cut of 732 million board feet, about 120 million or 17 percent were veneer logs. Principal domestic furniture veneer species consumed were birch (88 percent), maple (7 percent), and elm (3 percent). Veneer log imports are all from the United States. Exports sharply restricted by export controls, see chapter on such restrictions. Very little opportunity for the United States to increase its imports from this country.

Central America

Production of all logs low in relation to forest resource, some substantial undeveloped forest areas, largely inaccessible at present. Trade in all logs essentially in balance, no indication that any major increase in exports is possible in immediate future.

Principal furniture species is mahogany, but mahogany logs from this area are used especially for lumber for solid wood furniture, the figure (grain) of the wood being less desirable for veneer than the African species. Most accessible mahogany has been cut. See also South America.

A variety of other woods useful for furniture veneer occur as scattered individuals in stands made up of 100 to 200 or more species, none of which can be produced in substantial quantities for export.

Export restrictions prevalent in this area, see chapter on same.

South America

Production of all hardwood logs substantial, but plus balance of trade minor. Probably a higher proportion of veneer logs are involved, since much of the forest resource being used is virgin. Even at that, trade levels and net plus balance are not of the order of the 100 million board feet in which we are interested.

The principal furniture species grown in South America is mahogany, which is also depended on for lumber for use in solid wood furniture. Some increase in mahogany production is in the works, but will add only a relatively minor amount to veneer log supplies. Accessible stands have largely been cut, development of new areas difficult and slow. Logging restricted to a few months because of rainy season in tropics. Expansion of production also hampered by restrictions and economic burdens placed on foreign operators in many countries; most native operations are primitive. Other furniture veneer species in much the same situation as in Central America. Rosewood, for example, is available only in very limited quantities at higher prices.

Control of log exports by several countries are covered elsewhere, including those of Brazil and Colombia, which countries provide over 60 percent of the production of the area.

Free Europe

Despite substantial production of all hardwood logs, free Europe is sorely deficient in its supply of such wood, with a deficit exceeding 900 million board feet in 1961. The essential lack of virgin forests probably reduces the portion of total log production that is of veneer quality.

This area is most significant to our problem not only as the principal importer of American black walnut veneer logs but as the United States principal competitor for hardwood veneer logs produced elsewhere in the world, mostly in the tropics. In 1961, European countries imported over 1,057 million board feet of tropical logs, while in the same year the United States imported less than 43 million board feet of such logs. European imports of tropical logs are increasing steadily. The index of quantity, with 1955 as 100, reached 137 in 1958, 161 in 1959, 196 in 1960, and 198 in 1961. While European imports of such logs virtually doubled between 1955 and 1961, U.S. imports of the same had decreased in 1961 to only 41 percent of the 1955 level of 104 million board feet. In other words, European competition for veneer log supplies everywhere in the world is extremely serious.

France, which produced 40 percent of free Europe's total hardwood logs in 1961, restricts exports of veneer logs. West Germany, with 17 percent of free Europe's total hardwood log production, and Italy, with over 7 percent of free Europe's total, have export control authority applicable to logs, whether used or not at present, which has not been determinable. See chapter on export restrictions.

Free Asia

Free Asia's production of all hardwood logs in 1961 was by far the largest of any area, but Asia imported more logs than it exported. The principal countries contributing to this area's production are the following:

Japan, with a total hardwood log production of 2,416 million board feet, or 32 percent of the area's total, is deficient in hardwood timber, mainly because of its large exports of products made from hardwood logs. It imported 1,293 million board feet of such logs in 1961, especially from the Philippines and North Borneo, but including black walnut veneer logs from the United States; on the other hand, Japan's total exports of hardwood logs amounted to less than 0.1 million board feet.

The Philippines, producing 1,301 million board feet of all hardwood logs in 1960 (1,578 in 1962) or 17 percent of the area total, but exported 775 million board feet or more than 52 percent of the area's total exports. Its forest resources are being devastated by a combination of excessive logging and the slash and burn practices of nomadic agriculture (Kaingin farming). Logging companies are going into more remote areas for their timber, and aerial observation by even casual observers shows considerable destruction of the resource. With domestic production of hardwood lumber, veneer, and plywood increasing rapidly the need for logs, there is growing demand for control of log exports if not a complete ban. Required legislation has been proposed in the Philippine Congress. Of all hardwood log exports in 1962, 88 percent went to Japan.

Most of the Philippine resource is in species of the lauans, not desirable for high quality furniture while in great demand for plywood. Many desirable quality furniture woods are scattered in the timber stands, but concentrating on major increases of production of any one of them would be difficult if not impracticable. One of these, for example, is Dao or Paldao, a fine wood resembling walnut. While widely distributed, its market cut is limited by the fact that 30 to 45 percent of the log is unusable sapwood, felling of tall buttressed trees is difficult, and native superstitions limit the willingness of native workmen to fell it.

The Philippines is not a promising long-term source of substantial quantities of hardwood logs suitable for fine furniture veneers.

Indonesia, with a 1961 production of 862 million board feet of all hardwood logs, or 11.5 percent of the area's production, is not a stable source of exports.

India, with a production of 595 million board feet, or 8 percent of the area total, has relatively little volume of timber capable of producing furniture veneer logs. Indian rosewood is one such species, is relatively scarce and expensive. India's log exports are minimal.

Malaya, with production of 497 million board feet, or 6.6 percent of area total, has wood primarily of the lauan type (known as meranti in Malaya), rather than of the fine furniture veneer type. Malaya exercises control of exports of all log species which it can readily use domestically.

North Borneo, with production of 576 million board feet, or 7.7 percent of the area total, has relatively low domestic manufacturing facilities (although these are increasing) and exports over 86 percent of its production. Here again, most of the timber is of the lauan type (known locally as seraya), not suitable for fine furniture veneers although desirable for plywood. Japan takes 78 percent of the exports. Federation with Malaya and the growth of log utilization in the new federation as a whole, may change the freedom of log exports from this source. Sarawak, with less than half of North Borneo's production, is in much the same position.

Thailand, with hardwood log production of 297 million and Burma with 227 million are the other substantial producers in the area. Here again, plywood veneer type woods predominate, instead of the denser furniture veneer types. An exception is teak, which is prominent in both these countries. However, the teak timber resource is limited, is being overcut, and the increasing European demands for the wood limit its availability to the United States. In Burma, the state timber board is the major operator, controls the trade in teak logs, and is increasing its domestic usage in manufactures. In Thailand, the Government is also involved in teak utilization and trade is being centralized.

Africa

Africa, with a substantial production of fine hardwood logs from its virgin forests is the outstanding area of the free world in the ratio of log exports to log production. Nearly half of the production is exported. The four principal producing countries are Ghana, with 405 million board feet, Gabon with 386 million, Nigeria with 294 million, and Ivory Coast with 288 million. All are substantial exporters, but Europe is the principal buyer, with its historic ties to the west African tropical area. Ghana has nationalized its timber trade, and industry sources report that Nigeria is moving in that direction. This trend, along with the increasing facilities for local manufacture, is considered by the international timber trade as threatening the continuation of log supplies from Africa. The Europeans particularly are concerned, and are constantly seeking substitute sources of quality logs. This is one of the factors, reportedly, in the growth of European demand for our black walnut.

African mahogany is by far the most important furniture veneer wood grown in Africa. The readily accessible supply has been cut or is being operated, and substantial transportation difficulties must be overcome to increase supply. Ghana has been an important source, but nationalization of the trade is interfering with its supply.

Many other species of excellent furniture wood exist but as small parts of very complex stands of many scores of species, making it difficult if not impossible to concentrate on any one species. Many of these woods lack the distinctive figure or grain so desirable in fine furniture (mahogany is an exception). Regular and substantial supply of any one wood, a characteristic necessary to furniture producers, is usually a serious problem. There is growing opposition to the costly practice of high grading of timber stands for select species.

Oceania

All but 100 million board feet of Oceania's total production of all hardwood logs is accounted for by Australia, for which FAO reports no log exports. By far the predominating woods are eucalypts which are not desirable for fine furniture veneers. However, some of the production includes a wide variety of rain-forest species, some of which are quite desirable for furniture veneer. Export of logs of at least one of these, Oriental wood or Australian "walnut," is completely embargoed, according to trade sources. In general, Australia has a well-developed veneer and plywood industry, imports veneer logs, and should not be considered as a source of veneer logs for the United States.

Only Africa has a substantial trade surplus. However, Europe, with its old colonial ties and developing new trade ties with Africa, has the inside track on this source of logs. It is by far Africa's principal customer. In 1961, Europe imported over 1 billion board feet of tropical logs, mostly from Africa, compared to only 43 million board feet of tropical logs imported by the United States. European imports of such logs continue to grow (in 1961 they were double the 1955 figure), whereas the U.S. total in 1961 was less than half the 1955 quantity. Even at that, the European hardwood veneer industry is concerned with the adequacy of its African log supplies and is constantly seeking additional sources of fine hardwoods. In fact, this reason has been advanced in Europe to explain Europe's increasing interest in American black walnut.

Tropical hardwood resources, in Africa and in Latin America especially, are of course much greater than 1961 production indicates. But these resources are undeveloped, inaccessible, and comprised of a wide variety of species, many of them not suitable or desirable for fine veneer. Most of the accessible forests have been high-graded for the few species in demand; it will take time, money, and the solution of many problems to increase production materially. No one species is found in pure stands and thus is readily available in large quantities. There is always the difficulty of developing public acceptance of a new species at considerable expense only to encounter the hazards of an unsteady or dwindling supply.

Another major stumbling block is the fact that restrictions on log exports are prevalent and growing today over the world. Many countries exercise some controls, including Canada, Mexico, Brazil, Colombia, Malaya, Australia, France, to mention just a few. In Burma, exports are controlled by the State Timber Board, which also exercises a monopoly of the trade in teak. In Ghana, log exports have also been taken over as a Government monopoly with pricing and other provisions interfering with the trade.

SUMMARY

Briefly, it can be said that the world supply of fine hardwood veneer logs is not bright; specifically, we find no adequate replacement for veneer-quality American black walnut.

World availability of hardwood timber

[In millions of board feet]

Area	Cut	Exports	Imports	Balance
United States	5,502	50	49	+1
Canada	732	19	29	−10
Central America	322	4	5	−1
South America	2,725	67	51	+16
Europe	3,896	218	1,125	−907
Asia	7,495	1,482	1,508	−26
Africa	2,098	933	18	+915
Oceania	1,554	1	40	−39

NOTE.—Charts accompanying above not printed in the CONGRESSIONAL RECORD.

Source: United Nations, Food and Agriculture Organization; and Forest Products Division, Business and Defense Services Administration, U.S. Department of Commerce.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to inquire of the distinguished majority leader what the program will be for the rest of today and also for the forepart of next week.

Mr. MANSFIELD. Mr. President, the distinguished minority leader knows, I am sure, what my private prescription is; but my public pronouncement, with which he agrees, is to have the Senate go over until Monday, at which time the only business to come before the Senate will be the reading of Washington's Farewell Address. Then the Senate will adjourn until Tuesday, at which time it will take up Calendar No. 63, S. 805.

U.S. AUTHORIZATION TO PARTICIPATE IN INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 63, S. 805, be laid before the Senate for consideration and that it be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 805) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

RECORD OF LEGISLATIVE ACCOMPLISHMENTS

Mr. MANSFIELD. Mr. President, this week the Senate acted on two more of President Johnson's legislative recommendations. The first one implements a recommendation in his economic message to adapt the gold reserve provisions of the Federal Reserve Act to the realities of present and prospective monetary requirement, by eliminating the provision of existing law that the Federal Reserve banks hold gold certificates equivalent to at least 25 percent of their own deposit liabilities. The similar requirement that a gold certificate reserve of 25 percent be maintained against Federal Reserve notes in circulation is not affected in any way. We are most grateful to Senator ROBERTSON and his committee for the expeditious and expert handling of this bill. We are also indebted to Senators MUNDT, ALLOTT, LAUSCHE, HARTKE, WILLIAMS of Delaware, SALTONSTALL, JAVITS, DOMINICK, DOUGLAS, THURMOND, GRUENING, MCGOVERN, and TOWER for their enlightening contributions in the debate. Senate passage completed congressional action on this measure and it is now at the White House awaiting approval.

Today the Senate sent to the House a proposal, strongly supported by the President, to amend the Constitution relating to presidential inability and vacancies by spelling out a procedure permitting the Vice President to become Acting President in the event the President becomes disabled and providing for filling a vacancy in the office of the Vice President. The distinguished and very able Senator BAYH, the sponsor and floorleader of the constitutional amendment, is to be congratulated for his expert handling of this important measure. He has proved his mettle as a constitutional lawyer and an extremely capable floor manager. Full credit should also go to Senators HRUSKA, DIRKSEN, and ERVIN for their contributions to the passage of this measure.

I might say also that a great deal of credit should go to Senators HART, PASTORE, KENNEDY of New York, BASS, TYDINGS, LAUSCHE, SALTONSTALL, ALLOTT, and others who made contributions directly and indirectly toward strengthening the intent of Congress as far as this constitutional amendment is concerned.

Next week the leadership hopes the Senate will complete action on another of the President's legislative recommendations, a bill providing for a $750 million increase in the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank—over a 3-year period at the rate of $250 million a year. This represents the U.S. share of a planned $900 million increase in the Fund which will serve to strengthen multinational aid and the Alliance for Progress.

As to what we may expect in the next week or so the Senate Agriculture Committee on the 8th, 9th, and 16th of this month, held hearings on the President's recommendation to authorize production and marketing limits on an acreage-poundage basis. However, at present there is no reporting date.

The Appropriations Committee started Interior hearings February 15 and have scheduled Agriculture hearings for February 23.

The Armed Services Committee plans to start hearings February 24 on the President's military procurement program.

The Committee on Banking and Currency will hold hearings on balance of payments early in March—by March 2.

The Commerce Committee held a hearing Friday, February 19, on a bill establishing a National Oceanographic Council. On March 2 through 4 hearings will be held on S. 325 and S. 348—rail transportation service in the northeastern seaboard area. On March 8–10 the committee will consider the present helicopter service and whether subsidies are warranted in this area. S. 558 will be the subject of hearings on March 17 and 18, a bill relating to foreign markets for U.S. products. On the 23d and 24th of March the committee will hold hearings on cigarette labeling and advertising.

The Committee on the District of Columbia has announced hearings to start March 8 on the President's home rule recommendation.

The Foreign Relations Committee held a 1-day hearing February 16, on an amendment to the Foreign Agent's Registration Act but it will be from 2 to 3 weeks before this bill will be ready for floor action. On the 22d and 23d the committee will hold hearings on the President's request to amend the Arms Control and Disarmament Act to authorize appropriations of $55 million for the 4-year period of fiscal years 1966 through 1969. This bill passed the House on February 17 and it is expected to be ready for Senate action about the first week in March. On February 24–26, the committee will hold hearings on East-West trade.

The Committee on Interior and Insular Affairs has completed hearings on S. 360, a bill establishing the Indiana Dunes National Lakeshore in Indiana, in response to the President's request to expand our present system of parks, seashores, and recreation areas. The committee has also completed hearings on S. 21, the river basin planning authorization, and it is now ready for full committee action. On February 25, the Public Lands Subcommittee will hold hearings on S. 426–428 and S. 645 dealing with the Outer Continental Shelf, and on S. 435 relating to the Kaniksu National Forest, Idaho. On the 2d and 3d of March, the committee plans hearings on improvements on the Water Research Act enacted last Congress.

The Joint Atomic Energy Committee is in the process of holding hearings on its annual authorization bill which are expected to continue into the third week in March.

The Antitrust and Monopoly Subcommittee of the Judiciary Committee is holding hearings on S. 950, a bill clarifying the status of professional team sports under the antitrust laws. The Immigration Subcommittee started hearings February 10 on the President's request to correct serious defects in immigration laws by eliminating the national origins quota system which is incompatible with our basic American tradition.

The Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare is in the process of holding hearings on S. 9, the cold war GI bill. The education hearings for elementary and secondary schools were concluded on February 18, and the hearings are in the process of being printed prior to markup. The Manpower Subcommittee concluded hearings on the President's proposals to liberalize the present program for training the unemployed in new skills, including a new plan to create 10,000 jobs a month. The Health Subcommittee has just received its printed hearings on S. 510, a bill extending the Community Health Services, and S. 512, Health Research Facilities Amendments, both are Presidential recommendations and it is anticipated the subcommittee will act early next week. Hearings have been completed on the President's recommendation to authorize a 5-year program of project grants to develop multipurpose regional medical complexes for an all-out attack on heart disease, cancer, stroke, and other major diseases. It is expected as soon as the hearings are printed, the subcommittee will start its markup. On February 24 to 26, there will be subcommittee hearings on S. 315, a bill to establish a National Foundation on the Arts.

The Committee on Public Works will hold hearings February 23 to 26 on water pollution control at Federal installations—for reporting soon thereafter.

The Rules and Administration Committee will hold hearings February 23 and March 1 on rule XXII.

In summarization, the Senate thus far has either completed action or passed 9 of the President's recommendations and confirmed 18,698 of his nominees. These were the agricultural supplemental, gold cover bill, Appalachian aid, Bighorn Canyon Park, Coffee Agreement implementation, stockpile disposal, VA distressed homeowners relief, water pollution control, and Presidential inability. In addition, 66 other measures have been passed. The committees are moving ahead nicely and it looks as if we will have a productive session and early adjournment.

Mr. HRUSKA. Mr. President, I congratulate the junior Senator from Indiana for the excellent service he rendered today. It is the combination of months of hard work on his part.

I am sure that through the conscientious effort he put into it, he has made possible the passage of a joint resolution which is a landmark in its field. It is a significant contribution. I congratulate the Senator for his excellent work.

Mr. BAYH. Mr. President, I thank the distinguished Senator from Nebraska for his kind words. But more than that, I thank him for the great contribution he has made. We did not see eye to eye on all provisions of this resolution, but the Senator from Nebraska was one who led us through the morass of different possibilities and contingencies, ever toward our goal which we reached because of all our efforts a few moments ago. I am deeply appreciative.

Mr. YARBOROUGH. Mr. President, I congratulate the Senator from Indiana. It is a very rare occasion when any Senator has an opportunity to place his name on a constitutional amendment that seems as destined for passage, as this seems to be. In view of the few years that the Senator from Indiana has been a Senator, it is an even greater accomplishment for him.

I had the privilege of adding my name as a cosponsor to the amendment. I hope it is eventually written into the fundamental law of the land.

I believe that the leadership of the Senator from Indiana, in framing this language within the first 60 days of the session, is a very fine accomplishment for him, as it would be for any Member of the Senate to have such a measure acted on within such a short period of time.

Mr. BAYH. Mr. President, I thank the Senator from Texas for his cosponsorship of the measure, as well as his counsel from time to time. I am grateful for his assistance.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM MONDAY TO TUESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday afternoon, it stand in adjournment until 12 o'clock noon on Tuesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL BILL INTRODUCED

Mr. DIRKSEN, by unanimous consent, introduced a bill (S. 1233) relating to the status under the Internal Revenue Code of 1954 of the Local 738, I.B.T.-National Tea Co. Employees' Retirement Fund, which was read twice by its title and referred to the Committee on Finance.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that, under the order previously entered, the Senate stand in adjournment until 12 o'clock noon, Monday next.

The motion was agreed to; and (at 7 o'clock and 26 minutes p.m.) the Senate adjourned, under the previous order, until Monday, February 22, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 19, 1965:

DEPARTMENT OF THE INTERIOR

Stanley A. Cain, of Michigan, to be Assistant Secretary of the Interior for Fish and Wildlife.

DEPARTMENT OF STATE

Thomas C. Mann, of Texas, a Foreign Service officer of the class of career minister, to be Under Secretary of State for Economic Affairs.

Jack Hood Vaughn, of Virginia, to be an Assistant Secretary of State.

W. Averell Harriman, of New York, to be Ambassador at Large.

DIPLOMATIC AND FOREIGN SERVICE

Angier Biddle Duke, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

Raymond R. Guest, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ireland.

Robert C. Good, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zambia.

Geoffrey W. Lewis, of Virginia, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Mauritania.

C. Robert Moore, of Washington, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mali.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Joseph R. Rutland, Fitzpatrick, Ala., in place of F. W. McLaurine, retired.

William E. Streetman, Hurtsboro, Ala., in place of J. J. Chambliss, retired.

Milligan Earnest, Opelika, Ala., in place of A. J. Peacock, Sr., retired.

Willie R. Finch, Samson, Ala., in place of E. E. Johnson, retired.

ARKANSAS

Thomas E. Nelms, Brookland, Ark., in place of J. P. Lamb, retired.

Ralph W. Blair, Fort Smith, Ark., in place of Cooper Hudspeth, retired.

Betty L. Cochran, Hector, Ark., in place of L. B. Hurley, retired.

CALIFORNIA

George R. Mitchell, Clearlake Oaks, Calif., in place of I. C. Ketterman, retired.

John A. O'Guin, El Centro, Calif., in place of E. E. Keltz, retired.

Lewis N. Hanson, Rio Linda, Calif., in place of E. M. Fisher, retired.

Ruby M. Willoughby, Stevinson, Calif., in place of C. E. Coker, retired.

COLORADO

Carrol E. Byerrum, Grand Valley, Colo., in place of Otis Murray, retired.

Wayne F. Wilcoxen, Idalia, Colo., in place of Rose Ramseier, retired.

Harry N. Pearson, Ignacio, Colo., in place of N. B. Marker, retired.

Barbara M. Spencer, Ouray, Colo., in place of M. H. McCullough, retired.

Frank A. Batman, Jr., Pierce, Colo., in place of E. F. Huitt, retired.

DELAWARE

Clifford W. Truitt, Dagsboro, Del., in place of F. E. Williams, retired.

Clarence A. Schwatka, Jr., Townsend, Del., in place of E. M. Conner, retired.

GEORGIA

H. Bryson Turk, Flowery Branch, Ga., in place of F. N. Carlisle, retired.

J. Dwight Todd, Gibson, Ga., in place of M. W. Dukes, retired.

Jesse L. Garland, Martin, Ga., in place of O. C. Elrod, transferred.

James E. Pevey, Pembroke, Ga., in place of J. N. Hope, resigned.

IDAHO

Hortense H. Tyler, Ucon, Idaho, in place of M. A. Ritchie, retired.

ILLINOIS

Kathryn E. McLaughlin, Troy Grove, Ill., in place of R. H. Zorn, resigned.

INDIANA

Carldean Merrifield, Sr., Wolcottville, Ind., in place of M. H. Rice, retired.

Chester A. Etchason, Jr., Plainfield, Ind., in place of A. C. Morphew, retired.

IOWA

Dalbert D. Holst, Harris, Iowa, in place of Thelma Allen, retired.

KANSAS

Melvin C. Webb, Cimarron, Kans., in place of J. D. Egbert, retired.

Virgil J. Hitz, Hudson, Kans., in place of M. M. Metz, retired.

Charles T. Lingo, Wakarusa, Kans., in place of E. L. Allison, retired.

KENTUCKY

Martin W. Willson, Dixon, Ky., in place of M. B. Moore, deceased.

James A. Estill, Mays Lick, Ky., in place of W. R. Guilfoile, transferred.

LOUISIANA

Edmund F. Perkins, Clayton, La., in place of D. A. Williams, retired.

MAINE

Emilio E. Hary, Owls Head, Maine, in place of B. L. Borgerson, retired.

MASSACHUSETTS

Edwin G. Fabian, Hanson, Mass., in place of H. A. Kane, retired.

Francis A. Woodlock, Medfield, Mass., in place of F. G. Haley, retired.

MICHIGAN

Robert E. McMullen, St. Joseph, Mich., in place of E. M. Evans, retired.

MINNESOTA

Elwyn A. Guyer, Taconite, Minn., in place of L. W. Wivell, retired.

MISSISSIPPI

John D. Rosamond, Gholson, Miss., in place of L. C. Skipper, Jr., declined.

Hayden L. Martin, Pittsboro, Miss., in place of L. R. Beckett, retired.

Charles H. Wellington, State College, Miss., in place of J. D. Mullen, deceased.

Annie R. Lagrone, Steens, Miss., in place of O. O. Odom, transferred.

MISSOURI

Aldace Naughton, Jr., La Plata, Mo., in place of G. C. Brammer, retired.

Eugene F. Schaberg, St. Charles, Mo., in place of H. I. Holmes, retired.

Gerald A. Robertson, Sullivan, Mo., in place of R. L. Cunelo, deceased.

NEW JERSEY

Doris M. DaKay, Delaware, N.J., in place of V. B. Brader, retired.

NEW MEXICO

Norman M. Booker, Hobbs, N. Mex., in place of L. L. Gholson, removed.

NEW YORK

Walter W. Rostenberg, White Plains, N.Y., in place of J. M. Paul, retired.

NORTH CAROLINA

Robert L. Baysden, Ernul, N.C., in place of M. B. Ipock, retired.

NORTH DAKOTA

Sylvester J. Schneider, Hannah, N. Dak., in place of R. E. Milligan, retired.

OHIO

Mauna L. Pullins, Irwin, Ohio, in place of H. B. Gorton, retired.

Frank Dobrozsi, Middletown, Ohio, in place of L. M. Taylor, resigned.

Arthur E. Rau, Sardinia, Ohio, in place of J. F. Crawford, transferred.

OREGON

Allan B. McVay, Alsea, Oreg., in place of Eugene Bedell, retired.

June Y. O'Connor, Ione, Oreg., in place of R. O. Roberts, retired.

PENNSYLVANIA

Eugene D. Mitchell, Beaver Springs, Pa., in place of L. B. Wetzel, retired.

Joseph D. Murphy, Bryn Mawr, Pa., in place of M. C. Barone, transferred.

John Gajdosik, Floreffe, Pa., in place of W. R. Weir, retired.

William K. Whiteford, Shiremanstown, Pa., in place of E. E. Tritt, retired.

SOUTH CAROLINA

John W. Rogers, Pelzer, S.C., in place of Sue Scott, retired.

Vertie Lee Salley, Salley, S.C., in place of O. J. Salley, retired.

TENNESSEE

Taskel T. Rich, Byrdstown, Tenn., in place of C. L. Wells, retired.

George W. Whaley, Middleton, Tenn., in place of H. G. Simpson, retired.

William R. Broadway, Ten Mile, Tenn., in place of A. M. Edgemon, transferred.

TEXAS

Clarence T. Davis, Jr., Amarillo, Tex., in place of G. B. Jordan, retired.

James T. Youngblood, Jr., Burkeville, Tex., in place of M. M. Woods, retired.

Dorothy F. Ehrlich, Follett, Tex., in place of A. C. Cotney, Jr., transferred.

Aubra C. Fuqua, Jr., La Porte, Tex., in place of R. F. Fuqua, retired.

Louis F. Parsons, Thornton, Tex., in place of W. F. Cannon, transferred.

Ernest L. Ryan, Weslaco, Tex., in place of N. G. Hargett, retired.

VIRGINIA

Willie L. Yeatts, Altavista, Va., in place of Z. J. Barbee, Jr., retired.

Edwin A. Crowder, Boydton, Va., in place of E. C. Oslin, transferred.

Jennie D. Luck, Montvale, Va., in place of A. G. Whitten, retired.

WASHINGTON

Kenneth A. King, Coupeville, Wash., in place of E. L. Mudgett, retired.

WEST VIRGINIA

Lansing H. Walker, Berwind, W. Va., in place of R. M. McGlothlin, resigned.

Ova H. Tolley, Dunbar, W. Va., in place of O. H. Young, retired.

Myrna F. Proffit, Hansford, W. Va., in place of O. G. Toney, retired.

William E. White, Newell, W. Va., in place of C. E. Mills, retired.

WISCONSIN

Ferne L. Thompson, Wyocena, Wis., in place of R. E. Andrews, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 19, 1965:

OFFICE OF EMERGENCY PLANNING

Buford Ellington, of Tennessee, to be Director of the Office of Emergency Planning.

DEPARTMENT OF DEFENSE

Kenneth E. BeLieu, of Oregon, to be Under Secretary of the Navy.

Graeme C. Bannerman, of the District of Columbia, to be an Assistant Secretary of the Navy.

U.S. AIR FORCE

The following-named officers to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, of the United States Code:

Lt. Gen. William H. Blanchard, 1445A (major general, Regular Air Force), U.S. Air Force, to be general.

Maj. Gen. James V. Edmundson, 1863A, Regular Air Force, to be lieutenant general.

Maj. Gen. Robert J. Friedman, 1397A, Regular Air Force, to be lieutenant general.

Maj. Gen. William K. Martin, 1697A, Regular Air Force, to be lieutenant general.

Lt. Gen. James Ferguson, 1530A (major general, Regular Air Force), to be senior Air Force member, Military Staff Committee, United Nations, under the provisions of section 711, title 10, of the United States Code.

U.S. NAVY

Rear Adm. Charles T. Booth II, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving, to be vice admiral.

Adm. Harold P. Smith, U.S. Navy, for appointment to the grade indicated, when retired, pursuant to title 10, United States Code, section 5233, to be admiral.

U.S. MARINE CORPS

Lt. Gen. Henry W. Buse, Jr., U.S. Marine Corps, having been designated, in accordance with the provisions of title 10, United States Code, section 5232, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated, while so serving, to be lieutenant general.

IN THE ARMY

The nominations beginning Edward H. Frick to be colonel, and ending John H. Ziegler to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 3, 1965.

IN THE NAVY AND MARINE CORPS

The nominations beginning William C. Adams, Jr., to be captain in the Navy, and ending John W. Winters, Jr., to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 8, 1965.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 22, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., quoted this verse from Joshua: 1: 9: *Be strong and of good courage for the Lord thy God is with thee whithersoever thou goest.*

Most merciful and gracious God, we thank Thee for this day commemorating the character and conduct of our first President, whom we reverently and affectionately call the Father of his Country.

Our hearts expand with pride as we think of his courageous spirit of adventure, his fortitude in times of hardship, and his fidelity to the principles of justice and righteousness, which urged him to champion the cause of the oppressed colonists.

We thank Thee above all for his humility and devout faith which sent him down upon his knees in prayer at Valley Forge in order that he might know how to march in step with the eternal will and wisdom of God.

Grant that the memory of his life may strengthen and support the soul of our Republic and inspire us to live and labor, in faith and in faithfulness, for the freedom of all mankind.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 18, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of office.

RESERVES AGAINST DEPOSITS IN FEDERAL RESERVE BANKS

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, February 18, 1965, he did, on February 19, 1965, sign the following enrolled bill of the House:

H.R. 3818. An act to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

GEORGE WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to the order of the House of February 9, 1965, the Chair recognizes the gentleman from California [Mr. DEL CLAWSON] to read George Washington's Farewell Address.

Mr. DEL CLAWSON read the Farewell Address as follows:

To the People of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, suffering and successes.

But these considerations, however powerfully they addressed themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyments of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state it is requisite, not only, that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be involved, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding of them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled; controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me fellow citizens) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interest.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; contantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

Geo. Washington.

United States,
17th September, 1796.

EIGHTY-THREE PERCENT OF THE AMERICAN PEOPLE SUPPORT PRESIDENT JOHNSON'S POLICY OF MEASURED RETALIATION AGAINST COMMUNIST MILITARY STAGING AREAS IN NORTH VIETNAM

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, last Thursday I introduced House Joint Resolution 341 which announced the sense of Congress in support of President Johnson's policy of measured retaliation against North Vietnam's military installations as the situation requires. It was encouraging to me to read this morning in the Washington Post the latest Harris survey which shows 83 percent of the people in this country believe that

Mr. Johnson was right in ordering retaliatory bombings. It is my hope that the Members of the House will read the Harris survey and that we will get early action on House Joint Resolution 341. Adoption of this resolution would not only put us on record in support of our President but would also let the people of South Vietnam know that despite their own internal difficulties, we recognize that to withdraw from South Vietnam at this time would open the whole of southeast Asia to Communist aggression. Furthermore, it would be my hope that Congress would approve House Joint Resolution 341 so that the Communist aggressors from North Vietnam would realize this country will not treat Communist aggression and subversion in South Vietnam with impunity.

For the United States to chose any other course at this time would be an open invitation to the Communists for a complete takeover of all of southeast Asia.

Mr. Speaker, the Members of Congress can take comfort in the knowledge that the American people are overwhelmingly in support of President Johnson's decision to stand up to Communist aggression and subversion in South Vietnam. True, the American people are concerned about escalation but so is the President.

Mr. Johnson is charting a very cautious course which serves notice on the Communists that they must be prepared to suffer the consequences of their aggression in South Vietnam, but at the same time the President is being most careful not to involve us in an all-out war in Asia.

Mr. Speaker, the Harris survey follows:

THE HARRIS SURVEY—RAIDS ON NORTH VIETNAM STRONGLY SUPPORTED

(By Louis Harris)

The American people have closed ranks firmly behind President Johnson in his decision to bomb Communist supply bases in southern North Vietnam. In a just-completed nationwide survey, 83 percent of the public believe Mr. Johnson was right in ordering retaliatory bombings.

Underlying the mood of public opinion in the country, however, is a deep concern that the fighting in Vietnam could escalate into a major war with China. Most people want to avoid military action that will lead to such an escalation.

A heavy majority of 75 percent of the American people favor an eventual negotiated settlement of the whole Vietnam issue. Clearly, however, they do not see this moment as the time to ask for such negotiations. An even larger 79 percent say that in their judgment a U.S. withdrawal would doom all of southeast Asia to being overrun by the Communists. Eight out of ten people feel it is very important that this not happen.

What course, then, do people believe this Nation should follow in the sensitive and delicate days ahead? The clear mainstream of American opinion is this: We should shore up the effort of the South Vietnamese to resist further Communist advances, use retaliatory airstrikes only when extreme guerrilla activity warrants it, and when we have made enough show of power so the Communists can see we will not yield, then finally negotiate a settlement.

The people are very clear about what has already happened: A big majority of 82 percent believe that the U.S. bombings to date have been merely retaliation for attacks on and killings of American soldiers, not an effort to extend war to North Vietnam.

Perhaps surprisingly, a majority also sees the Chinese Communists, rather than the North or South Vietnamese Communists as the real force behind the recent stepped up guerrilla activity.

People were asked:

"Do you feel that the recent attacks and killings of American soldiers stationed in South Vietnam are mainly part of the civil war in South Vietnam, or that the Communist government of North Vietnam is mainly behind them, or that the Chinese Communist government is mainly behind them?"

	Percent, total Nation
Part of civil war in South Vietnam	7
North Vietnam behind them	26
China behind them	53
Not sure	14

As for future bombings, people are quite explicit about what they would and would not like to see done. When asked about extending U.S. bombings to the whole country of North Vietnam, instead of confining them to supply bases in the southern part of that country, a plurality of 4 to 3 believes it important to keep the targets limited to southern Communist bases. Similarly, when asked if they think bombings of China are going to be necessary, by 2 to 1, people believe such bombings can be avoided.

It is perfectly evident that the American people do not want to see the war extended to North Vietnam. The main reason is that they do not want any provocation that would bring Red China into the fighting with their own troops and planes. By almost 3 to 1, people believe that taking the war to North Vietnam would bring the Chinese directly into the fighting. And this, quite clearly, the people do not want to see happen, for as many put it, such action would produce "a big war" between the United States and China.

But the public also sees disaster if the United States takes an opposite course of withdrawal now from Vietnam. People were asked:

"From what you have read or have heard, in your opinion do you think if we now withdrew from Vietnam, the Communists would take over all of southeast Asia or do you feel that might not happen?"

	Percent, total Nation
Communists would take over all southeast Asia	79
Might not happen	10
Not sure	11

When asked a followup question on the importance of preventing the Communists from such a takeover of southeast Asia, 79 percent replied very important.

The public is clearly in the throes of making some of the same choices now facing our national leadership. In Deerfield Beach, Fla., a retired skilled laborer said, "I'm in favor of anything to prevent war, but as conditions are now, I see no alternative but to stay on and do what has to be done to end this thing once and for all. We must not let the Communists go any further."

A 27-year-old machinist in Aliquippa, Pa., added: "If we don't stand our ground, more Communists will come in as they did in Cuba."

But most are also not unmindful of the risks. A businessman in Decatur, Ill., said, "The French fought with their best troops for 5 years without victory. I'm for advisors and arms and ammunition from us. But I don't want another Korea with a lot of American blood shed."

A white-collar man in Danbury, Tex., summed up the dilemma, "I think as long as we are over there, let's fight to win. If we aren't going to fight to win, let's come home." Then he paused and added, "The trouble is, I'd like to do both, and I don't think we really should do either."

In the end, therefore, the largest group of Americans believe we should continue to hold the line in South Vietnam. Although the number who want to negotiate right now and get out is rising and the number who want to take the actual fighting to North Vietnam is dropping. Back in November, again in January just before the stepped-up fighting, and now just after the bombings, people were asked:

"Which of these three courses do you favor for the United States in Vietnam: Carry the war into North Vietnam, at the risk of bringing Red China into the war; negotitate a settlement with the Communists and get out now; or continue to hold the line there to prevent the Communists from taking over South Vietnam?"

[Percent]

	February	January	November
Hold the line	46	40	40
Negotiate and get out	35	23	20
Carry fighting to North Vietnam	12	17	20
Not sure	7	20	20

The people have backed their Commander in Chief overwhelmingly in ordering the retaliatory bombings, but only to show the Communists they can't get away with attacks on and killings of Americans. But the people also make it abundantly clear that they want no part of precipitating a war with China.

Rather they seek a buildup of United States and South Vietnamese strength to the point where a negotiated settlement that might save southeast Asia can be achieved. The difference between the 75 percent who say a negotiated settlement should be our ultimate objective and the 35 percent who say "negotiate and get out" today is recognition by the people that negotiations can be conducted only from strength.

OUR GOVERNMENT POLICIES ARE INCONSISTENT

Mr. **TEAGUE** of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **TEAGUE** of California. Mr. Speaker, the President has properly expressed great concern over our balance-of-payments problem and our dwindling gold supply. He has asked for more exports and for a reduction in American capital being invested overseas.

The Secretary of Labor appears to have missed the message. The end of the bracero program and our California farmers' difficulties in finding qualified American farmworkers to replace the braceros will contribute further to our unfavorable balance of foreign payments situation. Exports of California fruit and produce, which have been running about $30 million a year, are likely to dwindle or disappear entirely.

If labor is not available for harvesting California crops, there will be a commensurate increase of crop imports from

Mexico. The seriousness of this prospect from a balance-of-payments standpoint will be readily noted in a review of the imports going back to 1952. Since that time, agricultural imports from Mexico to the United States have increased by 65 percent.

Imports of some Mexican crops, harvested at about one-eighth of the labor cost prevailing in California, have increased as follows:

From 1958 to 1963: Fresh strawberries from 5,000 pounds to 2 million pounds.

From 1952 to 1963: Canteloupes from 6 million pounds to 110 million pounds; oranges from 6 million pounds to 50 million pounds.

From 1955 to 1963: Fresh tomatoes from 66 million pounds to 242 million pounds; tomato products from 400 pounds to 6 million pounds.

Also, because of the uncertainty of being able to harvest crops in California, there is an ever-increasing tendency of canners and processors to move to Mexico. Even a few California growers have moved their operations to Mexico and others have made tentative plans to do so.

The farm labor problem in California also threatens to saddle American taxpayers with greater farm price support costs. This is because tomato, lettuce, and strawberry growers who cannot find American harvest laborers are converting their acreage to the planting of dry beans and other field crops which require little or no hand labor. These crops qualify for Federal Government price supports—tomatoes, lettuce, and strawberries do not.

The President, in his recent farm message, said he would like to have the cost of farm price supports reduced. Even without the authority of the bracero law to stand on, the Secretary of Labor could help the President do this by permitting Mexicans, under provisions of the Immigration and Nationality Act, to enter California on a temporary basis to harvest our crops. But the Secretary says he will not do that.

So it appears that we will get more beans, which already are bulging the seams of Government warehouses with the taxpayers footing the bill.

CORRECTING INJUSTICES IN SOCIAL SECURITY LAW

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing today for consideration of this body a bill designed to correct a real injustice in our social security laws.

The Social Security Act requires that a person under the age of 72, if he is to receive full benefits coming to him under the law, cannot earn for himself more than $100 a month. If he is able and willing to use his skills to work and help beyond that to meet his own financial needs he is penalized for that effort.

If a social security beneficiary accumulates annual earnings between $1,200 and $1,700, then the Government withholds from his social security check $1 in benefits for every $2 of annual earnings above the $1,200 figure.

If he earns more than $1,700 then his social security benefits are reduced by whatever amount he earns above that figure.

My bill would simply double the amount which social security beneficiaries can earn through their own efforts without being penalized.

Under this bill a person receiving social security benefits can earn up to $2,400 a year without being penalized for his effort. It would mean that our older citizens would have a better opportunity for helping to take care of their own needs—certainly an opportunity which the Government should not prohibit.

There is ample evidence to show why this bill ought to be approved in this session of the Congress.

First, social security benefits by themselves are almost totally inadequate to meet the daily requirements of persons over 65.

Second, most of us are aware of the substantial public support for an increase in the earnings limitation. Several bills have been introduced in the past to achieve this objective. Letters have flowed into Congress from all parts of the country expressing support.

Third, at a time when we are giving special attention to help for senior citizens, it is an ironic contradiction that the Government should actually penalize older people who are able and willing to supplement their income.

Surely not all persons over 65 are the same. There are great differences in their needs and abilities. Government should make a maximum effort to provide help where the need is the greatest. And those who can take care of themselves should be given every chance to do so.

For many senior citizens who are able to work, idleness means boredom, a feeling of futility, and perhaps it may affect their physical and mental health. For many of them the opportunity to utilize their earning power provides a healthy feeling of usefulness and self-reliance.

It is an opportunity we should not deny to them. We should provide all American citizens, in whatever ways we can, with the best chance possible for achieving economic independence. And with that objective in mind I urge early consideration and approval of my bill.

PRESIDENT SHOULD CALL CONSTITUTIONAL CONVENTION OF NATO

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I have today suggested to President Johnson what I consider to be a powerful and peaceful way to take the initiative in the not-so-cold war with the Communists.

In a letter, I suggest that the President call a constitutional convention of North Atlantic Treaty Organization nations.

The object of the convention would be to propose for ratification a plan to unify the military, monetary, trade, and foreign policies of the nations which make up NATO. The mere proposal of this convention would put us in a positive position in the contest with communism, strengthen our position of free world leadership and put the Communists in a difficult defensive position.

Since World War II we have been hopping from one Communist-inspired crisis to another—Berlin, Lebanon, Quemoy, Cuba, Vietnam. It is high time we take the initiative and put the Communists on the defensive. The constitutional convention idea is both powerful and peaceful, as American history itself attests.

The work our forefathers did in Philadelphia in 1787 in creating the U.S. Constitution did more to strengthen freedom and extend peace than any other act in history. Under the Constitution, States beset with monetary, trade, and military problems—weakened by division—were brought together effectively and permanently. This unity was achieved in a system that gives the Central Government needed strength but protects individual liberty and the authority of local government.

The problems confronting the free nations today parallel in many ways the problems the 13 Original U.S. States faced. Today, as then, division weakens the cause of freedom and magnifies the problems of the free world.

In his Farewell Address on leaving the U.S. Presidency, George Washington warned against "entangling alliances" and added these significant words:

> To the efficacy and permanency of your (the United States) Union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which alliances in all times have experienced.

As presently constituted, the NATO organization of today must be classified as one of the undependable entangling alliances about which Washington warned. Certainly it is doing no better than Articles of Confederation which failed to meet the problems of the 13 Original States in the preconvention period. Infractions and interruptions of the alliance are apparent at every turn of the road. A government for the whole of NATO is just as indispensable today as it was for the 13 Original U.S. States in 1787, when a Constitutional Convention was called.

Those who prize freedom today must somehow match the achievements of our forefathers in 1787.

INTER-AMERICAN DEVELOPMENT BANK

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. YOUNGER. Mr. Speaker, last Thursday the House passed an authorization increasing the capital of the Inter-American Development Bank by $750 million, the increase to take place in three stages of $250 million each and the first increase to be included in the 1965 fiscal year.

Quoting from the Summary of Activities of the Inter-American Bank for 1964, we find this quote:

> A primary concern of the Bank in the field of economic development has been to increase the volume of external funds available for agriculture and industry. This is being accomplished through loans made directly by the Bank to private and public enterprises and through loans made to Latin American financial institutions which relend the proceeds in turn to small- and medium-scale producers, thus benefiting the small-scale businessman and farmer who has previously not had access to international credit facilities.

While the House was taking this action, the President was addressing 370 American international business and banking leaders at the White House and made a plea to them in these words:

> I want you to go back to your offices and call in your controllers and your vice presidents. I want you to ask them to consult you every time they face a decision that involves sending money abroad. And I count on you to cut those outflows to the bone.

It seems to me that much of the Federal Government money which goes abroad does not return. I believe the debate shows that the Inter-American Development Bank is now making 85-percent soft loans and only 15-percent hard loans. It is true that business has invested a lot of money overseas, much of it upon appeal from the Federal Government. Up until the end of 1956, individuals and private business organizations had invested a total of $33 billion overseas. At the end of 1963, this oversea investment had risen to $66 billion but these investments return dividends every year and assist in our balance of payments.

I am not suggesting that the private business organizations and individuals should continue to send money overseas at any such rate, but I cannot reconcile the fact that the President on the one hand recommends that the taxpayers' money should go overseas in the name of the Federal Government while at the same time recommending that individuals and business organizations should stop sending any of their money for investment overseas. It is the old story that what is good for the goose ought to be good for the gander.

SOUTHEAST ASIA POLICY

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, one of the very curious elements of today's public discussions regarding our southeast Asia policy is the fact that so many Americans, including some high officials, appear to be entirely unable to learn from the lessons of history. For years now the Communists of Asia, as well as elsewhere, have followed their tactics of continual public agitation and subversion, and continual probing for weak spots, ready to advance when they can, or to bide their time when they cannot.

Their efforts to portray the United States as morally wrong in Vietnam are paying off for them. It was only a few years ago that our foreign policy was predicated on the supposition that having witnessed the advance of Communist domination throughout China, North Korea, large parts of Laos, and North Vietnam, we would draw the line where South Vietnam was concerned, and act to show that this was the line we would defend.

But now, partly because in the past 4 years we appeared to be hesitant about our determination on this point, as evidenced by our eagerness to accommodate the Communists in Laos, thereby leaving the Ho Chi Minh trail open for Communist infiltration into South Vietnam, the Communists of Asia are pressing harder. And with this, some would have us believe that South Vietnam is not, after all, the place for us to draw the line. These people say that maybe Thailand is the place. Or maybe Singapore, or perhaps the Philippines.

This phenomenon, and where it can lead us, is given excellent treatment in a column by John Chamberlain appearing in the Washington Post of February 18, 1965, called "Back to Waikiki and Key West." I request that it be reprinted here and I urge its consideration:

BACK TO WAIKIKI AND KEY WEST

(By John Chamberlain)

The sudden heightenting of the conflict in southeast Asia last week caused an almost instantaneous polarization of sentiment inside the United States that was reminiscent of the war and peace party standoffs of the late 1930's. Senator WAYNE MORSE, of Oregon, who happened to be on a speaking expedition to New England, sat for a 15-minute filmed interview denouncing our "warmongers in the Pentagon," and the film was subsequently run off as the piece de resistance at a big peace rally in the Yale Law School auditorium in New Haven, Conn.

The Young Americans for Freedom quickly got into the act with denunciations of WAYNE MORSE's crew of peacemongers. To anyone with vivid memories of the bad blood of the late thirties, when the America Firsters and the William Allen White prowar committee members were busy impugning each other's motives, it was all a little ominous.

What is especially sobering is that an internal quarrel over our Far Eastern policy could, if events cause it to sharpen, end up by becoming considerably more debilitating than the battle of the 1930's.

The peace party of the pre-World War II times was a mixture of pacifists and isolationists, but the vast majority were fundamentally motivated by a loyalty to the land of their birth. Practically none of the America Firsters wanted to see a Nazi victory and there were certainly no admirers of Japanese expansionism among them.

When Pearl Harbor came, most of the America Firsters got in the war as a matter of course. Charles Lindbergh, for example, tested war planes for the Ford Motor Co., and later flew some incognito missions in the Pacific. Chester Bowles became such a big wheel in the Roosevelt wartime price control apparatus that everyone forgot he had been a member of America First.

The difference in the pre-1941 atmosphere and that of the present is that many members of our current peace party are at least half-convinced that the Russians and the Red Chinese represent "progressivism." Nobody would have said that of the Nazis; indeed, Anne Lindbergh, who was accused of calling fascism "the wave of the future," actually said that the Nazis were the "scum on the wave of the future." The peace party, this time, isn't calling the Red Chinese "scum."

Instead, there is every effort, to make it appear that the United States, by becoming involved in South Vietnam, is morally in the wrong. Senator MORSE speaks of "our outlawry in southeast Asia." We are accused of supporting "unpopular, illegal governments" even in cases where we are willing to accept any government that happens to have the support of whoever or whatever happens to be the constitutive power in a land that has never known democracy.

This columnist does not go for the conspiracy theory of history. It is my contention that it is contagion, not conspiracy, which explains the spread of doctrines that prevent the West from making a stand for its own values anywhere outside its own narrow borders. The contagion is abetted by a dominant group in the State Department that has obviously never made any basic study of Marxist theory and practice.

Put into a nutshell, the foreign policies of both Soviet Russia and Red China are based on a sapper's concept of a never-ending warfare. It is a matter of tunnelling and undermining wherever such tactics promise to pay off.

The guerrilla and the fifth columnist are the conscious agents of the enemy. But there are the unconscious ones—the stupid intellectual who never can look beneath the surface, the shallow moralist who falls for holy verbiage, the person who believes that socialism is coming anyway so why make a fight of it.

To win in a sapper's war, one has to know the enemy for what he is and be prepared to meet him on his terms if you aren't willing and able to impose your own. But we are too honorable to help Chiang Kai-shek put his own guerrillas ashore on the Chinese mainland, and too simple hearted to give the green light to an infiltrating government-in-exile for Cuba. We never learn, and so we are destined to lose. Our frontiers in the future are likely to be the sands of Waikiki and the beaches of Key West.

UNDERWITHHOLDING OF FEDERAL INCOME TAXES FOR 1964

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. CLANCY] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. CLANCY. Mr. Speaker, as April 15 draws near, more and more taxpayers are learning the sad truth about the underwithholding of Federal income taxes during 1964, leaving them in the difficult position of not having adequate funds readily available to meet their tax liabilities.

Although this problem was anticipated by many of us who knew that payroll deductions were not being made at the rate of tax liability, it is clear that a large number of taxpayers were unaware of this withholding snafu.

In order to lessen the impact of the tax burden facing so many of our citizens, I am cosponsoring a bill which will give taxpayers until April 15, 1966, to pay one-half of the 1964 withholding deficiency. The balance of the deficiency would be spread out through 1965, in this way taking care of the extra underwithholding.

Enactment of this measure should obviate the need of using up savings and should prevent any undesirable effects on the economy as a result of decreased purchasing power. I strongly urge early and favorable action on this proposal.

OBLIGATIONS OF GERMAN GOVERNMENT IN MIDDLE EAST

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the cancellation by West Germany of her agreement to supply Israel with defensive military equipment is an abject and deplorable surrender to the blackmail of the Nasser dictatorship. Morally, the West German position is indefensible. It will prove to be harmful and self-defeating even to the Germans. Appeasement has never worked in international relationships and the history of this century is replete with such examples.

I urge that the Bonn government reconsider its actions and evaluate both public opinion throughout all the free world and carefully assay the damage her actions threatens in upsetting the balance of power that has prevailed in the Middle East. Chancellor Ehrhard's government must understand that their course of action is designed to weaken Israel and to strengthen Egypt, both militarily and in terms of prestige and influence. It will serve to encourage and inflame Arab passions and will be a dreadful disservice to Israel, the only nation in that part of the world that looks to the West and is dedicated to freedom.

The U.S. Government should do everything possible to urge the West German Government to change her decision of last week. Our State Department certainly should inform both the German Government and the German people that the indefensible West German posture, when added to German reluctance to extend the statute of limitations enabling the prosecution of those guilty of genocide, and the continued presence of German scientists in Egypt working on missiles and other nonconventional weapons, must conjure up both ugly memories and frightful prospects. The Congress of the United States should make its sentiments known so that there should be no misreading of the American temper and reaction. This is not a "Jewish matter." It is far more extensive than that. Germany's action threatens the U.S. position in the Middle East since we have clearly declared our intention of guaranteeing the territorial integrity of Israel.

The military balance in the Middle East must not change so as to weaken Israel in any way. It is incumbent upon the United States to see to it that Israel gets the arms it must have to maintain its defensive strength and security in the face of Arab threats of aggression. Such a policy is in keeping with the historic position of the United States. In 1962, the late President John F. Kennedy, made available to Israel, our Hawk antiaircraft system. This was not done secretly but openly and was a clear declaration of our national interest in the maintaining of Israel's defense capacity. Our Government should not be hesitant in this grave matter. All of us must recognize that Israel is the only ally of the free world in the eastern Mediterranean.

Americans should never yield to threats or the application of blackmail tactics. In order to forestall the insidious infiltration of Arab boycott into the American scene the "Roosevelt bill" has been introduced in the House of Representatives. That bill would prohibit American firms from replying to the questionnaires circulated by the Arab Boycott Office and would make it illegal for American business to succumb to Nasser's pressure.

West Germany and the United States must understand that the interests of a free world demand that they move together with economic and military measures to insure the peaceful growth and development of democratic Israel. Certainly, West Germany, in particular, is historically indebted in this situation, and the United States, throughout its entire history, has been irrevocably committed to the maintenance of freedom for those who wish to be free. Capitulation to Egypt is an unthinkable course.

Nasser has clearly forfeited any call upon U.S. economic assistance, and such assistance as has been scheduled should be immediately halted. Under the system of American Government, authority to make these decisions property rests with the President of the United States. I, therefore, urge that President Johnson, quickly and carefully, review the actions of recent days and take those steps necessary to safeguard the integrity of Israel which, I might add, is the only thing that our own national integrity can permit.

CONSTITUTIONAL AMENDMENT NEEDED TO GIVE THE PEOPLE OF THE STATES THE RIGHT TO DETERMINE THE COMPOSITION OF THEIR OWN LEGISLATURES

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, Mr. Cornelius B. Kennedy, counsel to the Senate Judiciary Committee, has written a very cogent and scholarly analysis of the Supreme Court's interpretation of the reapportionment cases. Mr. Kennedy's remarks, which appear in the February 1965 issue of the American Bar Association Journal, constitutes one of the most informative and best presentations on this subject that I have been able to read.

I believe the Members of the House and Senate, our State legislative bodies, the press, and others will be interested in reading this analysis and I therefore include the article in the body of the Record:

The Reapportionment Decisions: A Constitutional Amendment Is Needed

(After analyzing the Supreme Court's decisions last year in the reapportionment cases, Mr. Kennedy urges a constitutional amendment giving the people of the States the right to determine the composition of their own legislatures, providing that one house is based on population. The issue at stake, he asserts, is not "one man, one vote," but the principle of a government representative of the people governed by it.)

(By Cornelius B. Kennedy)

On June 15, 1964, the Supreme Court of the United States handed down decisions dealing with the reapportionment of the legislatures of six States—Alabama,[1] New York,[2] Maryland,[3] Delaware,[4] Colorado,[5] and Virginia.[6] But the effect of the decisions was much greater, because they promulgated a broad rule for apportionment of all State legislatures: "We necessarily hold that the equal protection clause requires both houses of a State legislature to be apportioned on a population basis."[7]

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[1] *Reynolds* v. *Sims*, 377 U.S. 533 (1964).

[2] *WMCA, Inc.* v. *Lomenzo*, 377 U.S. 633 (1964).

[3] *Maryland Committee for Fair Representation* v. *Tawes*, 377 U.S. 656 (1964).

[4] *Roman* v. *Sincock*, 377 U.S. 695 (1964).

[5] *Lucas* v. *Forty-fourth General Assembly*

[6] *Davis* v. *Mann*, 377 U.S. 678 (1964).

[7] *Reynolds* v. *Sims*, *supra* at 576. There are four principal opinions in this group of six decisions: (1) the majority opinion of Chief Justice Warren in the Reynolds case; (2) the dissenting opinion of Justice Harlan at 377 U.S. 589; (3) the dissenting opinion of Justice Stewart at 377 U.S. 744, in which Justice Clark concurred; and (4) the dissenting opinion of Justice Clark at 377 U.S. 741. The quotations in this article attributed to the Court are from the majority opinion by Chief Justice Warren in the Reynolds case. The quotations attributed to Justice Harlan are from his dissenting opinion. The quotations attributed to Justice Stewart and Justice Clark are from their dissenting opinions in the Lucas case.

With these words the Supreme Court brushed aside as an "after-the-fact rationalization" the Federal analogy under which one house of a State legislature is apportioned on population and the other house is apportioned on area or other factors. It also rejected the present reality that, regardless of whether the States adopted the Federal analogy in their original constitutions, it has become the common form of legislative organization in the States today. The Court brushed aside, as well, the argument that it could have righted the wrong in each of the cases without reaching the question of the Federal analogy.

But more important, in promulgating this broad rule, the Court rejected the principle that all segments of the population should be represented in the body which governs them. Significant geographic or economic interests should not be unrepresented because they are small in population. That principle was the underlying basis for the Federal analogy and for the Great Compromise of 1787 upon which the analogy was based. Without the application of that principle in the Great Compromise, the citizens of the small States would have had little voice in the Congress of the new Federal Union, merely because they happened to live in small States. Now, because the Court has rejected that principle in these decisions, many citizens will be denied representation in the legislature of their State.

That this should be done in the name of the equal protection clause is ironic because, certainly, all of the people of a State are entitled to equal protection under that clause. In a representative government this must mean that people should not be denied or granted representation merely on a population basis. It has been the genius of our form of government that it has combined the concepts of majority rule and a government representative of all citizens in a workable fashion by having one house of a legislature based only on population and the other house based on area or other factors. And history has shown that governments are not likely to survive if segments of the population are denied representation in the government.

The extent to which the Supreme Court has carried the "population only" test is indicated by the Colorado case. There the apportionment plan, according to Justice Stewart, had been "adopted overwhelmingly by the people in a 1962 popular referendum," was "entirely rational," provided by its terms for keeping the apportionment current, and "while clearly insuring that in its legislative councils the will of the majority of the electorate shall rule, has sought to provide that no identifiable minority shall be completely silenced or engulfed." Nevertheless, the Supreme Court held the apportionment plan unconstitutional and substituted for the expressed will of the majority of the people of that State its own test that "population is, of necessity, the starting point for consideration and the controlling criterion for judgment in legislative apportionment controversies."

Indeed, after discussing other factors which had been used in apportionment plans, the Court turned to political subdivisions, which it described as a consideration of more substance in justifying deviation from the population test, and then firmly said: "But if, even as a result of a clearly rational State policy of according some legislative representation to political subdivisions, population is submerged as the controlling consideration in the apportionment," the apportionment would be unconstitutional.[8]

Thus, not only does the Court's insistence on the population test not contain the flexibility which some have tried to find in it, but the Court's concept of equality is based on sheer numbers rather than on a plan of rational representation of the interests in a State.

Not all members of the Court agreed with these decisions, however. Justice Harlan stated that since it can "be shown beyond doubt that State legislative apportionments, as such, are wholly free of constitutional limitations, save such as may be imposed by the republican form of government clause," the action of the Court in bringing them within the purview of the 14th amendment "amounts to nothing less than an exercise of the amending power [of the Constitution] by this Court."

Justice Stewart, in a separate dissenting opinion, stated:

"To put the matter plainly, there is nothing in all the history of this Court's decisions which supports this constitutional rule. The Court's draconian pronouncement, which makes unconstitutional the legislatures of most of the 50 States, finds no support in the words of the Constitution, in any prior decision of this Court, or in the 175-year political history of our Federal Union."[9]

Justice Clark joined Justice Stewart in this comment and went on to add in another dissenting opinion: "Finally, I cannot agree to the arbitrary application of the 'one man, one vote' principle for both houses of a State legislature."[10]

WHY THE DECISIONS HAVE STIRRED A STORM

Why this sharp language by Justices Harlan, Clark and Stewart? What provoked them not only to dissent but to make such pointed comments about the majority opinions written by Chief Justice Warren? Why did the opinions stir the U.S. Senate to weeks of debate and cause the House of Representatives to pass a bill withdrawing jurisdiction over such matters from the Federal courts?

The answers to these questions may be found, first in the fact that a cherished idea derived from the Constitution itself was held to be unconstitutional; and second in the fact that established institutions of Government were suddenly held to be unconstitutionally constituted; and third, in the content of the opinions themselves.

The idea held to be unconstitutional was that the Great Compromise could be applied to the apportionment of State legislatures. One by one over the years, the States had adopted a plan for legislative apportionment similar to that embodied in the Great Compromise because it provided the means of resolving conflicting interests within each State by assuring the representation of such interests in the State legislature. This plan became known as the Federal analogy. Nebraska even adopted the idea for its unicameral legislature by weighting the apportionment 80 percent on population and 20 percent on area.[11]

But because this method of apportioning State legislature was not protected by specific language in the Constitution, the Court found that it was forbidden by the equal protection clause of the 14th amendment, which was adopted after the Civil War. The effect of the opinions is to require every State to fashion its legislative branch, not on the basis of reflecting the various interests in the State, but solely on the basis of population. Until that is done, the Supreme Court has now held, a State's legislature is unconstitutionally constituted.

ANALYSIS OF THE WARREN OPINION

While the sudden and sweeping effect of the decisions of course has had a great impact, much attention has also been directed to the principal Warren opinion itself. The legal analysis of that opinion divides it into five parts.

The first part begins with the statement that the Constitution of the United States protects the right of all qualified citizens to vote, in State as well as in Federal elections. This is followed by the citation of cases dealing with the right to vote, the right to have one's vote counted and not destroyed by alteration of ballots or diluted by ballot-box stuffing or refused for racial considerations, and finally by the conclusion that "the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise."

In the second part the Chief Justice discusses *Baker* v. *Carr*, 369 U.S. 186 (1962),[12] *Gray* v. *Sanders*, 372 U.S. 368 (1963),[13] and *Wesberry* v. *Sanders*, 376 U.S. 1 (1964).[14] However, he comments that "Gray and Wesberry are of course not dispositive of or directly controlling on our decision in these cases involving State legislative apportionment controversies. Admittedly, those decisions * * * were based on different constitutional considerations and were addressed to rather distinct problems." And he describes *Baker* v. *Carr* as holding that a claim challenging the constitutionality of the apportionment of seats in a State legislature "presented a justiciable controversy subject to adjudication by Federal courts."

The third part of the legal analysis in the Warren opinion consists of the citation of cases supporting the propositions that " 'the right to vote is personal'," that the impairment of the right to vote "touches a sensitive and important area of human rights," that " 'the political franchise of voting' " is " 'a fundamental political right'," that "the Constitution forbids 'sophisticated as well as simple-minded modes of discrimination,' " and that "invidious discrimination based on factors such as race * * * or economic status" impairs basic constitutional rights. The Chief Justic then follows this part of the analysis by holding that the equal protection clause of the 14th amendment requires both houses of a State legislature to be apportioned on a population basis.

The text of the fourth part of the Warren opinion cites a case in support of the proposition that political subdivisions are "created as convenient agencies for exercising such of the governmental powers of the States as may be entrusted to them."

Finally, in the fifth part the Chief Justice returns to the citation of *Baker* v. *Carr* and

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[8] Quotation from *Reynolds* v. *Sims, supra* at 581.

[9] *Lucas* v. *Forty-fourth General Assembly of Colorado, supra* at 746.

[10] *Lucas* v. *Forty-fourth General Assembly of Colorado, supra* at 742.

[11] Council of State Governments, Book of the States 1964–65, 64 (1964).

[12] Justice Stewart comments: "It has been the broad consensus of the State and Federal courts which, since *Baker* v. *Carr*, have been faced with the basic question involved in these cases, that the rule which the Court announces today has no basis in the Constitution and no root in reason," 377 U.S. 746, note 9.

Justice Harlan comments: "Before proceeding to my argument it should be observed that nothing done in *Baker* v. *Carr* or in the two cases that followed in its wake, *Gray* v. *Sanders* and *Wesburry* v. *Sanders*, from which the Court quotes at some length, forecloses the conclusion which I reach. * * * [I]t is evident from the Court's opinion [in *Baker* v. *Carr*] that it was concerned all but exclusively with justiciability and gave no serious attention to the question whether the equal protection clause touches State legislative apportionments." 377 U.S. at 592.

[13] Justice, Stewart comments: "The rule of *Gray* v. *Sanders*, 372 U.S. 368, is, therefore, completely without relevance here." 377 U.S. at 744.

[14] Justice Stewart comments: "Consequently, the Court's decision in *Wesberry* v. *Sanders*, 376 U.S. 1, throws no light at all on the basic issue now before us," 377 U.S. at 744–745.

Wesberry v. *Sanders*, in spite of his earlier statements distinguishing them.

WHAT THE WARREN OPINION FAILS TO DO

The Warren opinion does not contain any analysis of the 14th amendment or the equal protection clause itself, or any reference to the legislative history of the 14th amendment or to any contemporaneous statement of its meaning. Justice Harlan commented on this omission in the introduction to his dissent:

"Had the Court paused to probe more deeply into the matter, it would have found that the equal protection clause was never intended to inhibit the States in choosing any democratic method they pleased for the apportionment of their legislatures. This is shown by the language of the 14th amendment taken as a whole, by the understanding of those who proposed and ratified it, and by the political practices of the States at the time the amendment was adopted. It is confirmed by numerous State and congressional actions since the adoption of the 14th amendment, and by the common understanding of the amendment as evidenced by subsequent constitutional amendments and the decisions of this Court before *Baker* v. *Carr*, *supra*, made an abrupt break with the past in 1962." [15]

Justice Harlan followed this with 17 pages of opinion, accompanied by 7 pages of appendix, containing an analysis of the 14th amendment and statements made by the authors and supporters of the amendment during the congressional debates concerning the purpose and meaning of the amendment.

Justice Stewart, in his dissenting opinion in the Colorado and New York cases in which Justice Clark joined, referred to "the excellent analysis of the relevant historical materials contained in Mr. Justice Harlan's dissenting opinion" and said:

"After searching carefully through the Court's opinions in these and their companion cases, I have been able to find but two reasons offered in support of this rule. First, says the Court, it is 'established that the fundamental principle of representative government in this country is one of equal representation for equal numbers of people.' With all respect, I think this is not correct, simply as a matter of fact. It has been unanswerably demonstrated before now that this 'was not the colonial system, it was not the system chosen for the National Government by the Constitution, it was not the system exclusively or even predominantly practiced by the States at the time of the adoption of the 14th amendment, it is not predominantly practiced by the States today.' Secondly, says the Court, unless legislative districts are equal in population, voters in the more populous districts will suffer a 'debasement' amounting to a constitutional injury. We are not told how or why. * * * I find it impossible to understand." [16]

Thus, Justices Harlan, Clark, and Stewart are critical of the Warren opinion for not answering or even considering the legal argument that the equal protection clause of the 14th amendment is not and was not intended to deal with the problem of the apportionment of State legislatures.

THE CHIEF JUSTICE AND POLITICAL PHILOSOPHY

When the Chief Justice turned his attention to the proper composition of a State legislature as a philosophical question, he reached three conclusions. First, if population is submerged as the controlling factor in the apportionment of a State's legislature, the right of all the State's citizens to cast an effective and adequately weighted vote would be unconstitutionally impaired. Second, this would be true even though a clearly rational State policy of according some legislative representation to the various interests in the State might be appropriate. And third, this right of all citizens would be frustrated unless the "population only" test were applied to both of the house of a State legislature to prevent the majority will, expressed by the representatives of the majority in one house, from being thwarted by the action of the representatives of a minority in the other house.

In commenting on the exclusion by the Chief Justice of any factor other than population as controlling, Justice Harlan said:

"I know of no principle of logic or practical or theoretical politics, still less any constitutional principle, which establishes all or any of these exclusions. Certain it is that the Court's opinion does not establish them." [17]

REASON REQUIRES A REPRESENTATIVE LEGISLATURE

After stating that, "What the Court has done is to convert a particular political philosophy into a constitutional rule," Justice Stewart defines representative government as "a process of accommodating group interests through democratic institutional arrangements. Appropriate legislative apportionment, therefore, should ideally be designed to insure effective representation in the State's legislature * * * of the various groups and interests making up the electorate."

Using Colorado as an example, he pointed out that the State is not an economically or geographically homogeneous unit. Instead, he said, the State contained four distinct regions, and he noted that the district court had found that the people living in each of these four regions had interests unifying them and differentiating them from those in the other regions. "Given these underlying facts," he said, "certainly it was not irrational to conclude that effective representation of the interest of the residents of each of these regions was unlikely to be achieved if the rule of equal population districts were mechanically imposed."

With respect to New York, he pointed to the statement of Elihu Root at the New York constitutional convention of 1894 that in a State with a dominant urban population centralized at one point it would be appropriate to provide for a reasonable balancing of the political power among all the areas of the State.

Justice Clark, in his opinion in the Colorado case, commented that what the Warren opinion "overlooks is that Colorado, by an overwhelming vote, has likewise [as in the case of the Federal Constitution] written the organization of its legislative body into its constitution, and our dual federalism requires that we give it recognition". Finding that Colorado's arrangement was not arbitrary, but rested on reasonable grounds, he concluded:

"In striking down Colorado's plan of apportionment, the Court, I believe, is exceeding its powers under the equal protection clause; it is invading the valid functioning of the procedures of the States, and thereby commits a grievous error which will do irreparable damage to our Federal-State relationship. I dissent."

Thus, Justices Harlan, Clark and Stewart emphasized the practical consideration that the rationale of the Great Compromise has been as useful and effective in constructing workable governments for the States as it has been in constructing the Federal Union. At one point Justice Clark commented: "Now in its 176th year the Federal plan has worked well. Most legislation is the product of compromise."

COURT'S RULE RAISES A MAJOR ISSUE

The rejection by the Warren opinion of State legislatures based on such a compromise has raised a major issue, in addition to the narrow issue in the reapportionment cases. The narrow issue was whether the equal protection clause of the 14th amendment expressly or implicitly forbids the States to model their legislatures after the Congress, with one house based on population and the other house on area or other considerations.

The major issue is whether or not, under our form of representative government, the composition of the governing body of a State should reflect the diversities which exist within a State. That issue can be determined only by the people. They cannot overrule the Supreme Court, but they can change the language on which the Supreme Court based its decision by amending the Constitution and thus permitting the Federal analogy to be used by the States.

Constitutional amendments to achieve this result were introduced in both Houses of the 88th Congress [18] and there was considerable discussion of their provisions during the various debates on legislation pertaining to the apportionment question.[19] At the beginning of the 89th Congress, proposed amendments were introduced again in both Houses.

Within 4 days after it was introduced, Senate Joint Resolution 2, sponsored by Senator EVERETT M. DIRKSEN of Illinois, had attracted 38 cosponsors. It provides that the right and power to determine the composition of the legislature of a State and the apportionment of its membership shall remain in the people of the State. It then expressly recognizes the principle of the great compromise by providing that nothing in the Constitution shall prohibit the people of a State from apportioning one house of a bicameral legislature on the basis of factors other than population, or from giving resonable weight to factors other than population in apportioning a unicameral legislature, if, in either case, the apportionment has been submitted to a vote of the people "in accordance with law and the provisions of this Constitution and has been approved by a majority of those voting on that issue."

Under such an amendment the citizens of each State would be free to choose whether or not to adopt the Federal analogy. If the people in three-fourths of the States feel that the citizens of each State should have this choice, they will agree with Justice Stewart, with whom Justice Clark joined, when he said:

"It is important to make clear at the outset what these [reapportionment] cases are not about. They have nothing to do with the denial or impairment of any person's right to vote. Nobody's right to vote has been denied. Nobody's right to vote has been restricted. Nobody has been deprived of the right to have his vote counted. Second, these cases have nothing to do with the "weighting" or "diluting" of votes cast within any electoral unit.

"The question involved in these cases is quite a different one. Simply stated, the question is to what degree, if at all, the equal protection clause of the 14th amendment limits each sovereign State's freedom to establish appropriate electoral constituencies from which representatives to the State's bicameral legislative assembly are to be chosen. The Court's answer is an abrupt one, and, I think, woefully wrong."[20]

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[15] *Reynolds* v. *Sims*, *supra* at 590–591.

[16] *Lucas* v. *Forty-Fourth General Assembly of Colorado*, supra at 745–746.

[17] *Reynolds* v. *Sims*, *supra* at 623.

[18] For example, S.J. Res. 185 introduced by Senator DIRKSEN for himself and 23 other Senators, H.J. Res. 1055 introduced by Representative McCULLOCH, similar resolutions introduced by 35 Representatives and the many other joint resolutions introduced in the House and Senate after June 15, 1964, the date of the decision in *Reynolds* v. *Sims*.

[19] See, for example, the Senate debate on the Dirksen-Mansfield amendment to the foreign aid bill, H.R. 11380, Aug. 13, 1964, to Sept. 24, 1964, and the House debate on the Tuck bill, Aug. 19, 1964.

There is a substantial indication that the people do feel this way. By the end of 1964 nearly half of the required number of States had already petitioned the Congress to call a national constitutional convention for the purpose of proposing this constitutional amendment if the Congress did not propose and amendment itself. In December 1964 the 17th Biennial General Assembly of the States adopted a resolution calling for such a constitutional convention. Men who have devoted their lives to urban affairs have warned of the need for this amendment,[21] and congressional support for an amendment has come not only from Members representing rural areas but also from those representing the largest urban centers of population. For example, the cosponsors of Senate Joint Resolution 2, introduced this January, come from all parts of the country.

The issue at stake, as Justice Stewart clearly pointed out, is not "one man, one vote", but the principle of government representative of the people governed by it. It is the need to preserve that essential basic ingredient of our form of government that has caused the broad-based support throughout the country of a move to preserve the Federal analogy for use by the individual States.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Brown of Ohio (at the request of Mr. Gerald R. Ford) on account of the death of his mother.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Perkins, for 1 hour, tomorrow.

Mr. Pucinski, for 30 minutes, on Wednesday, February 24.

Mr. Gross, for 15 minutes, on Wednesday, February 24.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mrs. Reid of Illinois) and to include extraneous matter:)

Mr. Curtis.

Mr. Bow.

(The following Members (at the request of Mr. Purcell) and to include extraneous matter:)

Mr. Kastenmeier.

Mr. Gibbons in three instances.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of office; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3818. An act to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on February 19, 1965, present to the President, for his approval, a bill of the House of the following title:

H.R. 3818. An act to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

ADJOURNMENT

Mr. PURCELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Tuesday, February 23, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

603. A letter from the Chairman, National Commission on Food Marketing, transmitting a draft of proposed legislation entitled, "A bill to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission"; to the Committee on Agriculture.

604. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "To amend title 10, United States Code, to authorize language training to be given to a dependent of a member of the Army, Navy, Air Force, or Marine Corps under certain circumstances"; to the Committee on Armed Services.

605. A letter from the Secretary of the Army, transmitting a copy of the annual report of the U.S. Soldiers' Home for fiscal 1964, and a copy of the report of the annual inspection of the Home, 1964, pursuant to act of Congress approved March 3, 1883, as amended (24 U.S.C. 59, 60); to the Committee on Armed Services.

606. A letter from the Secretary of Commerce, transmitting the 70th quarterly report of activities under the Export Control Act, for the fourth quarter 1964, pursuant to the Export Control Act of 1949; to the Committee on Banking and Currency.

607. A letter from the President of the Board of Commissioners of the District of Columbia; transmitting a draft of proposed legislation entitled "A bill to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes; to the Committee on the District of Columbia.

608. A letter from the Comptroller General of the United States, transmitting a report on erroneous payments for military pay, leave, and travel at Charleston Air Force Base, S.C.; Department of the Air Force; to the Committee on Government Operations.

609. A letter from the Director, Bureau of Land Management, U.S. Department of the Interior, transmitting copies of individual and consolidated reports of negotiated contracts for disposal of materials during the period July 1 through December 31, 1964, pursuant to Public Law 87-689; to the Committee on Interior and Insular Affairs.

610. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation, entitled, "A bill to amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers"; to the Committee on Interstate and Foreign Commerce.

611. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Commission as of December 31, 1964, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

612. A letter from Attorney General, transmitting the annual report of the Department of Justice for fiscal year 1964, pursuant to law; to the Committee on the Judiciary.

613. A letter from the National Quartermaster-Adjutant Veterans of World War I of the U.S.A., Inc., transmitting the annual reports covering the activities of the organization for the year ended August 31, 1964, pursuant to sections 15 and 16 of Public Law 85-530; to the Committee on the Judiciary.

614. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend paragraphs b and c of section 14 of the Bankruptcy Act"; to the Committee on the Judiciary.

615. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 7, 1964, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Deckers Creek, Morgantown, W. Va., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 31, 1957; to the Committee on Public Works.

616. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation, entitled "A bill to extend coverage under the Federal old-age, survivors, and disability insurance system of the Social Security Act to temporary and intermittent service performed in the employ of the District of Columbia if such service is not covered by a retirement system established by a law of the United States"; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLANCY:

H.R. 5233. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

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[20] *Lucas* v. *Forty-fourth General Assembly of Colorado, supra* at 744–745.

[21] Moses, "Robert Moses Warns Against Mob Rule," Nation's Business, December 1964, pp. 100, 102. Senator Frank Lausche, former Governor of Ohio: "I was mayor of Cleveland. If the city bosses were to get control of the legislature, I would fear it greatly." (Id. at 96.)

By Mr. DYAL:

H.R. 5234. A bill to amend section 104 of the Revised Statutes of the United States relating to proceedings against certain witnesses; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 5235. A bill to amend the St. Lawrence Seaway Act to provide that the St. Lawrence Seaway Development Corp. shall not engage in publicity or promotional activities such as free or paid advertising; solicitation of cargoes; publication of ocean, rail, port, or motor carrier rate or service comparisons; or other activities that are actually or potentially disruptive to the flow of waterborne trade among ports in the United States; to the Committee on Public Works.

H.R. 5236. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 5237. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

H.R. 5238. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 5239. A bill to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H.R. 5240. A bill to amend section 5(1) of the Interstate Commerce Act to eliminate the requirement for approval of pooling arrangements between motor common carriers of household goods, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5241. A bill to amend section 20a(12) of the Interstate Commerce Act to eliminate the necessity for prior approval of the Commission for a person to hold the position of officer or director of more than one carrier when such carriers are in a single integrated system of carriers lawfully operated under common control, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5242. A bill to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification of acquisition of control comes within the exemption provided for by such paragraph; to the Committee on Interstate and Foreign Commerce.

H.R. 5243. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency; to the Committee on Interstate and Foreign Commerce.

H.R. 5244. A bill to amend the Interstate Commerce Act and certain supplementary and related acts with respect to the requirement of an oath for certain reports, applications, and complaints filed with the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 5245. A bill to amend section 1(22) of the Interstate Commerce Act so as expressly to include within the exemption provided therein, the construction, acquisition, operation, abandonment, and joint ownership or joint use of spur, industrial, team, switching or side tracks, and terminals incidental thereto, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5246. A bill to amend sections 20a and 214 of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

H.R. 5247. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5248. A bill to amend part II of the Interstate Commerce Act, as amended, so as to authorize exemption from the provisions of such part, of services and transportation of such nature, character, or quantity as not substantially to affect or impair uniform motor carrier regulation; to the Committee on Interstate and Foreign Commerce.

H.R. 5249. A bill relating to the use of Interstate Commerce Commission records and testimony of Commission personnel in regard to accidents involving motor carriers and railroads; to the Committee on Interstate and Foreign Commerce.

H.R. 5250. A bill to amend part III of the Interstate Commerce Act to authorize the Interstate Commerce Commission to revoke, amend, or suspend water carrier certificates or permits under certain conditions; to the Committee on Interstate and Foreign Commerce.

H.R. 5251. A bill to repeal the Medals of Honor Act applicable to outstanding acts of heroism involving railroads and motor carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. RIVERS of South Carolina:

H.R. 5252. A bill to provide for the relief of certain enlisted members of the Air Force; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 5253. A bill to provide educational assistance to veterans who serve in the Armed Forces in the southeast Asia theater of operations; to the Committee on Veterans Affairs.

H.R. 5254. A bill to designate Vietnam as a combat zone for Federal tax purposes; to the Committee on Ways and Means.

By Mr. SMITH of Iowa:

H.R. 5255. A bill to authorize the Department of State through the Agency for International Development to encourage and assist colleges and universities in the establishment, strengthening and maintenance of programs on foreign development and for their provision of research, education, training, advisory and technical assistance, directly or in cooperation with foreign universities, in connection with programs of assistance to developing nations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BOB WILSON:

H.R. 5256. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

H.R. 5257. A bill to amend the Civil Service Retirement Act to permit premium compensation of firefighting employees to be considered as basic salary for the purposes of such act; to the Committee on Post Office and Civil Service.

By Mr. DYAL:

H. Con. Res. 313. Concurrent resolution to endorse the concept of World Farm Center; to the Committee on Agriculture.

By Mr. GIBBONS:

H. Con. Res. 314. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the French Republic to the United States made by the World War Foreign Debt Commission and approved by the President; to the Committee on Ways and Means.

By Mr. HANNA:

H. Con. Res. 315. Concurrent resolution to endorse the concept of World Farm Center; to the Committee on Agriculture.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

49. By the SPEAKER: Memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States to call a convention for the purpose of amending the Constitution of the United States so as to provide that a State having a bicameral legislature may apportion membership in one house of its legislature on other than a population basis; to the Committee on the Judiciary.

50. Also, memorial of the Legislature of the State of Nevada, memorializing the President and the Congress of the United States relative to proposing an amendment to the Constitution of the United States permitting one house of a bicameral legislature to be apportioned other than according to population; to the Committee on the Judiciary.

51. Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to the Dodd bill and any other Federal legislation relating to regulation and registration of mail order firearms sales; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 5258. A bill for the relief of Francisco K. Melich (also known as Franz Kuntner Melich) and his wife, Maria Melich (also known as Maria Toth De Melich); to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 5259. A bill for the relief of Mr. and Mrs. Bernardo Da Silva De Jesus; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 5260. A bill for the relief of Horacio Pereira; to the Committee on the Judiciary.

H.R. 5261. A bill for the relief of Laudalina D. F. Pereira; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 5262. A bill for the relief of Anastasious Poukamissas; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 5263. A bill for the relief of Francisco Mougruza Fortea; to the Committee on the Judiciary.

H.R. 5264. A bill for the relief of Tam Wai King; to the Committee on the Judiciary.

H.R. 5265. A bill for the relief of Gordon E. Martin; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 5266. A bill for the relief of Elizabeth Leithton Breuer (nee Elizabeth Alice Leighton); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

106. The SPEAKER presented a petition of the president, National Railroad Pension Forum, Inc., Chicago, Ill., petitioning consideration of their resolution with reference to requesting establishment of a special committee to develop the needs and recommend legislation to bolster the financial structure of the railroad retirement system, so as to enhance retirement security and bring about a reduction in the tax on earnings, which was referred to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, FEBRUARY 22, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Clair M. Cook, Th. D., Methodist minister and legislative assistant to Senator HARTKE, offered the following prayer:

O Thou God, to whom generations of Americans have looked for guidance in the destinies of the Nation, on this day of historic commemoration, we lift our hearts again to Thee.

Today, we recall the founding of these United States by men who sought and found Thy guidance as they formed a more perfect union for self-governance in democratic freedom. We remember the dark hours of Valley Forge and the crisis facing George Washington there, as he knelt to seek the strength which Thou alone can provide. We marvel at the God-given wisdom by which he steered the frail young ship of state through treacherous shoals in our first years as a republic. And as we hear again the treasured advice he addressed to the people of this blessed land as he bade them farewell, let us realize how firmly those precepts are rooted in the deep and abiding faith of their author, a faith in God which is a strong and ever-living example unto this and all generations.

As we, ourselves, face the vast problems confronting our far more complex times, let us take heart from the knowledge that this Nation still stands "under God," as we freely acknowledge. Give us still, day by day in this Chamber, devotion to the right for the sake of right; charity and love of others, both here and abroad; and wisdom akin to that of George Washington. May we, too, serve faithfully our fellow men and our God, even as did he, Thine obedient servant, whom we remember this day in reverent gratitude. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 19, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Douglas MacArthur 2d, of the District of Columbia, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State, vice Frederick G. Dutton, which was referred to the Committee on Foreign Relations.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes, and that the routine business come before the reading of Washington's Farewell Address.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AUDIT REPORT OF NATIONAL FUND FOR MEDICAL EDUCATION

A letter from the executive vice president, National Fund for Medical Education, New York, N.Y., transmitting, pursuant to law, an audit report of that fund, for the year ended December 31, 1964 (with an accompanying report); to the Committee on the Judiciary.

REPORTS OF VETERANS OF WORLD WAR I OF THE U.S.A., INC.

A letter from the national quartermaster-adjutant, Veterans of World War I of the U.S.A., Inc., Washington, D.C., transmitting, pursuant to law, reports covering the activities of that organization, for the year 1964 (with accompanying reports); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Two concurrent resolutions of the Legislature of the State of South Carolina; to the Committee on the Judiciary:

"CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

"*Be it resolved by the house of representatives (the senate concurring)*, That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"*Be it further resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect, be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"Attest:

"INEZ WATSON,
"*Clerk of the House.*"

"CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

"*Be it resolved by the house of representatives (the senate concurring)*, That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SEC. 1. Among the rights reserved to the States shall be the right to sole and exclusive jurisdiction of public school systems in the separate States, and all rights, privileges and immunities of citizens of the separate States, as they relate to public school education, shall be determined solely by State courts. This Constitution shall not be construed in a manner to empower the President of the United States, the Congress or the Federal judiciary to disparage or nullify this inherent right in the States.'

"*Be it further resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"Attest:

"INEZ WATSON,
"*Clerk of the House.*"

A concurrent resolution of the Legislature of the State of Missouri; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION 2

"*Be it resolved by the house of representatives (the senate concurring)*, That this legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate unit shall be apportioned.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"*Resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

A resolution adopted by the Council of the Town of Woodside, Calif., favoring a constitutional amendment relating to reapportionment; to the Committee on the Judiciary.

By Mr. MUNDT:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Finance:

"Senate Concurrent Resolution 1

"Concurrent resolution memorializing the Congress of the United States to protect the economies of the States and territories by enacting legislation providing that 10 percent of the individual and corporate Federal income tax generated in the States and territories be retained and returned to the States and territories for their exclusive use beyond Federal control

"Whereas vast amounts of income taxes and other taxes are being siphoned each year into the Federal Treasury from the several States and territories, which lessens the ability of those governmental subdivisions, and its peoples, to meet their obligations on the local level and to raise revenue sufficient to carry the rise in cost of State and local governments and to meet the demand of needed improvements; and

"Whereas the Federal Government is being pressed on all sides for various and sundry uses of the taxes so collected; and

"Whereas the Federal Government's attempts to make amends therefor, by returning to the States certain funds in the way of grants-in-aid, subsidies and dollar-matching enterprises conceived at the national level ofttimes complicate the economic problems of the several States and political subdivisions; and

"Whereas it is neither economical nor efficient to withdraw huge sums out of the States and territories and redistribute funds under bureaucratic regulations from the Federal Treasury; and such shifting of funds results in considerable loss due to increased administration requirements, entails additional burdens on the States and territories by requiring matching funds, and deprives the States of a proper direction and control over such funds; and

"Whereas experience now dictates that of the funds collected by the Federal Government from the above sources, a portion thereof in many areas of relief and assistance can be better utilized by the several States and territories if left therewith prior to their deposit and retention in the Federal Treasury, thereby reversing the trend of centralizing all of the funds therein: Now, therefore, be it

"*Resolved by the Senate of the State of South Dakota (the House of Representatives concurring therein)*, That the Congress of the United States be respectfully urged and requested to adopt legislation whereby the States and territories would receive from the appropriate district director of Internal Revenue, at the end of each quarter, 10 percent of all taxes collected on individual and corporate income under Federal statutes which would be deemed revenue for the States and territories, to be used by the States and territories as their several legislative bodies might dictate without any Federal direction, control or interference; and be it further

"*Resolved*, That the secretary of the Senate of the State of South Dakota transmit copies of this resolution to His Excellency, the President of the United States, the Honorable Lyndon B. Johnson; to the Honorable Karl Mundt, and the Honorable George McGovern, U.S. Senators from South Dakota; the Honorable E. Y. Berry, and the Honorable Ben Reifel, Representatives in Congress from the State of South Dakota, within 10 days after the passage and approval of this resolution.

"Adopted by the senate February 1, 1965.

"Concurred in by the house of representatives February 15, 1965.

"Lem Overpeck,
"*President of the Senate.*

"Attest:

"Niels P. Jensen,
"*Secretary of the Senate.*
"Charles Droz,
"*Speaker of the House.*

"Attest:

"Walter J. Matson,
"*Chief Clerk.*"

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Labor and Public Welfare:

"Senate Concurrent Resolution 5

"Concurrent resolution protesting the proposed combination of the Veterans' Administration regional office now located at Sioux Falls, S. Dak., with the regional office in St. Paul, Minn., and the resultant problems such combination would create for South Dakota veterans

"Whereas the Veterans' Administration has maintained a regional office in Sioux Falls, S. Dak., since that Federal agency was set up following World War I, and such office has handled the administration of veteran law affecting the veterans of South Dakota, and adjudication of their claims without undue expense of time or money to such veterans; and

"Whereas this has been a service affecting the physical and economic interest of 70,000 veterans and economic interest of their families, comprising in all a substantial portion of the population of the State; and

"Whereas the Veterans' Administration now proposes to combine the Sioux Falls regional office with the St. Paul regional office at St. Paul, Minn., along with the files and the administration and adjudication of South Dakota cases; and

"Whereas this proposal was made without consultation with or approval of the Congress; and

"Whereas it can mean only delay and added expense to South Dakota veterans and their accredited representatives and service officers in the protection of the interest of said veterans, with a minimum economy of space or personnel: Now, therefore, be it

"*Resolved*, That the South Dakota Legislature protests said transfer and urges that it be reconsidered and that the regional office in existence in Sioux Falls, S. Dak., be continued in existence; and that copies of this resolution be sent to the President, the Administrator of Veterans' Affairs, and members of the South Dakota delegation in the Congress of the United States.

"Adopted by the senate February 5, 1965.

"Concurred in by the house of representatives February 15, 1965.

"Lem Overpeck,
"*President of the Senate.*

"Attest:

"Niels P. Jensen,
"*Secretary of the Senate.*
"Charles Droz,
"*Speaker of the House.*

"Attest:

"Walter J. Matson,
"*Chief Clerk.*"

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Public Works:

"House Concurrent Resolution 8

"Concurrent resolution, requesting the Corps of Engineers of the U.S. Army to establish visible markers delineating the take lines of the Missouri River reservoirs

"Whereas it was the pledge of the Corps of Engineers that the Missouri Basin development program would cause the adjacent landowners no economic loss;

"Whereas the Corps of Engineers has failed to delineate the take lines of the Missouri River dams with visible markers; and

"Whereas the taking lines of the Missouri River dams are by metes and bounds rather than along political subdivision lines; and

"Whereas the owners of land adjacent to the Missouri River dams have been forced to hire private surveyors to plat and to survey the take lines, and then mark such take lines;

"Whereas it is unfair to the adjacent landowners to have to pay for such surveying and the establishing of such markers; and

"Whereas the lack of adequate markers for the take lines results in a problem of great magnitude affecting a large number of the citizens of the State of South Dakota: Now, therefore, be it

"*Resolved*, That the House of Representatives of the State of South Dakota (the Senate concurring therein), respectfully requests the Corps of Engineers to establish visible markers delineating the take lines of the Missouri River reservoirs; be it further

"*Resolved*, That copies of this concurrent resolution be forwarded to the Honorable Secretary of the Army of the United States; to the Chief of the Corps of Engineers of the U.S. Army at Omaha, Nebr.; to the Honorable Karl Mundt and the Honorable George McGovern, U.S. Senators from South Dakota; and to the Honorable E. Y. Berry and the Honorable Ben Reifel, Representatives in Congress from South Dakota."

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 3, 1965:

S. 985. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes: Mr. Clark, Mr. Kennedy of New York, Mr. McIntyre, and Mr. Ribicoff.

Authority of February 9, 1965:

S. 1071. A bill to provide for the humane treatment of vertebrate animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government, and for other purposes: Mr. Muskie.

Authority of February 10, 1965:

S. 1108. A bill to amend Public Laws 815 and 874, 81st Congress, in order to make permanent the authorization for certain payments under the provisions of such laws, and for other purposes: Mr. Bass, Mr. Fong, Mr. Hartke, Mr. Holland, Mr. Inouye, Mr. Long of Missouri, Mr. McGee, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Pell, Mr. Randolph, Mr. Tydings, and Mr. Williams of New Jersey.

Authority of February 17, 1965:

S. 1140. A bill to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment: Mr. Ribicoff and Mr. Scott.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Douglas MacArthur 2d, of the District of Columbia, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State, vice Frederick G. Dutton.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

VIETNAM CRISIS

Mr. MANSFIELD. Mr. President, developments in Saigon once again point to the coup-on-coup-on-coup procedure which seems now to have become the adopted policy of the Vietnamese leaders, themselves. This possibility has been inherent in the situation at least since the deplorable assassination of President Diem, and certainly since the coup which unseated his successor, General Minh, about a year ago. In a statement on the floor of the Senate, almost a year ago to the day, these questions were raised:

> Does this coup mean simply that the cards of military power in Vietnam have been reshuffled? Does it mean merely that military coup begets military coup and the second is but a precursor of the third? How many will it take before these changes have become totally irrelevant to the life of the Vietnamese people? Until their only significance will be in terms of who shall receive our aid and wield the power which it represents in Vietnam?

The answers are becoming very clear, and they are regrettable. The number has reached, according to the latest available reports, at least 13 coups or attempted coups. If this process continues it would appear to me that we shall be handcuffed and hogtied in our attempts to assist the people of South Vietnam. The result of this process may well be that the Vietnamese military factions will engage in increasingly violent struggles with each other while the Vietcong guerrillas sit, waiting, on the sidelines. And at the end of the process, the people of South Vietnam, already close to the point of exhaustion, may well be placed on a platter in the lap of the Vietcong.

We are being boxed in by our friends, or at least by the leaders through whom we have sought to assist the people of Vietnam. This is an incredible situation, which had to happen to be believed. Despite the intense efforts of three Presidents of the United States for more than a decade to help the people of Vietnam establish and maintain their freedom, the President of the United States, today, is placed in the unenviable position of trying to find a way out of a labyrinth which becomes more tortuous and more complicated with each passing day.

It is my belief that the President, aware of all the factors, is faced with a situation, not of his making, for which there is no clearcut answer. He has worked day and night with his advisers to try to devise a way to provide some breathing space and some time to evolve more effective policies. He has acted as Commander in Chief with great courage, firmness, and restraint. Time and again the ground has been cut out from under him by those who have the most at stake. President Johnson can be counted on to continue to work with complete dedication on this problem; but the quicksands of Saigon's power politics and military conspiracy make this task infinitely more difficult. They underline the instability of the Vietnamese leaders, who seem to be more interested in personal power and prestige than in winning their own war. The leaders should realize that in the present situation, their country—not ours, their war—not ours, their future—not ours, lie in the balance. The people of South Vietnam, not their personal prestige, are what matters. Without their dedication to the needs of the people, without regard for self, their prestige is likely to be swept away, and soon. The United States is committed to aid the people of Vietnam. It is not committed to continued subsidy of intramilitary struggles for power and prestige, with American lives and resources. The jealous generals of Saigon should realize that the hour is very late in Vietnam.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield for a comment?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. I rise to support the majority leader 100 percent in what he has said. Is not our objective in Vietnam to support those who wish to remain free? If the leaders fight among themselves and weaken themselves to such a degree that they cannot be leaders of the free nation, then we shall have failed in our principal objective.

Mr. MANSFIELD. The Senator from Massachusetts is correct. It makes the task of the Vietnamese people more difficult; it makes our task in that country more difficult.

Mr. SALTONSTALL. Almost impossible.

Mr. MANSFIELD. Quite difficult.

Mr. KUCHEL. Mr. President, I had not intended to comment on the tragedy of Indochina. However, I feel it somewhat incumbent upon me to rise for a moment to point out that international communism seeks to destroy a free people. If I have read the 1953 accords correctly, in 1954 communism agreed to respect the 17th parallel, and not continue any more marauding attacks upon the innocent human beings who lived then and who live now south of the parallel.

In the last several weeks, in California, I have stated that it is too late to argue over whether we should have gone to the assistance of the Vietnamese in 1954. That day is past. I agree with the majority leader when he observes the stringent difficulties which the people of South Vietnam face in continuing lack of stability on the part of that government. Here in America we can hope—for the sake of peace and for the sake of mankind—that stability will come to the Government of South Vietnam.

Meanwhile, let the world—friend and foe, alike—understand that the United States has made a commitment, and that the United States does not breach its commitments. We seek peace. When this country is faced with danger, those on this side of the aisle, representing the minority, the loyal opposition, stand behind the Chief Executive of our country, whoever he may be.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Under the order of January 24, 1901, Washington's Farewell Address will be read by the Senator from Kansas [Mr. PEARSON], heretofore designated for that purpose by the Vice President of the United States.

Mr. PEARSON advanced to the desk, and addressed the Senate, as follows:

Mr. PEARSON. Mr. President, this is indeed one of the honored days in American history, and I am beholden for the opportunity to participate in this manner.

It may be of some interest to know that Washington's Farewell Address was not delivered to Congress, either in person or by message; but on September 19, 1796, was conveyed to the people of the United States through the press. This was done for four purposes: First, although the people had received word that Washington would not again be a candidate, he wished to make some formal declaration of this fact; second, the address was to serve as a rallying cry of support for the National Government; third, it was to admonish the American people concerning excessive partisan politics; and, last, and for which the speech is most famous, it was to admonish the American people against foreign entanglements—not so much an admonition against any assistance, in an isolationist sense; but, rather, to stay apart, in the early days of the development of this country, until its institutions had been established. With those purposes in mind, Washington prepared this address for delivery to the people:

To the People of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, suffering and successes.

But these considerations, however powerfully they addressed themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyments of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state it is requisite, not only, that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be involved, remember that time and habit are at least as necessary to fix the true character, of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding of them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit or party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me fellow citizens) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interest.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them..

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

ADJOURNMENT

Mr. GORE. Mr. President, pursuant to the order entered on Friday, February 19, I move that the Senate adjourn until 12 o'clock noon, tomorrow.

The motion was agreed to; and (at 12 o'clock and 59 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, February 23, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nomination received by the Senate February 22, 1965:

Douglas MacArthur 2d, of the District of Columbia, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State, vice Frederick G. Dutton.

EXTENSIONS OF REMARKS

Social Security Income Limitation Increase

EXTENSION OF REMARKS

OF

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1965

Mr. GIBBONS. Mr. Speaker, today I introduce a bill to raise the limitation on income which individuals may earn without losing their social security benefits from $1,200 to $3,000.

Today, we live in a fast-moving and constantly changing world. The standards and the limitations of yesterday often are not good enough for today. We, the elected representatives of the American people, must ever be alert to the ever-changing society which we serve and the constantly changing needs of its citizenry.

Today Americans are living longer and longer, thanks to the miracles of modern medicine, laborsaving devices, and a whole host of other conveniences. While in 1900, only about 4 percent of the Nation's population lived to age 65 or over, today, in 1965, that figure has increased to over 10 percent. In my own State of Florida, for example, we outstripped the Nation with a population increase of 133 percent among our older population during the past 10 years, while the Nation as a whole showed an increase of 35 percent in this category in the same period.

With the benefits which the 20th century have bestowed on us as a nation, there have also been accompanying problems. With advanced age, health care is required. For those in their senior years, the necessities of life are more difficult to obtain. It is sad, but true, that jobs for persons over 45 are hard to find, much less for those over 65.

Today, life can be rich and rewarding well beyond the purely customary retirement age of 65. For today, many of our older citizens are making very valuable contributions to their communities based upon their past experiences, their wisdom and their talent.

Today, the average monthly benefits under the social security system are a rather pitiful $76. It is just impossible for the average retired couple living in Florida, or in California, or any other place in the country, for that matter, to do more than merely survive on the savings from their earlier years plus social security payments.

Under the present social security law, an individual receiving benefits and fortunate enough to hold down a part-time job may earn only $100 a month in income without having his Government pension checks reduced.

Today, when the President of the United States has declared "unconditional war" on poverty afflicting American families with a total annual income of $3,000 or less it is high time, now, to act for the benefit of that segment of our population which has already contributed so much to their Nation's welfare and our society, and who can contribute so much more if they are allowed to maintain a decently adequate standard of living.

In my own State of Florida, among the 224,365 families headed by persons 65 or over in 1960, there were about one-tenth with incomes of less than $1,000. One-third had incomes of less than $2,000 and over one-half had incomes of less than $3,000.

Therefore, I am today introducing appropriate proposed legislation to raise the unrealistic income limitation of $1,200 to $3,000 annually. In my mind, this is a long overdue, fair, and proper way to help our older citizens live with respect and continue to be productive members of society. Surely, we can do no less.

Herlong-Curtis Eldercare Bill Supported by Junior Chambers of Commerce

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1965

Mr. CURTIS. Mr. Speaker, I call to the attention of my colleagues the views of active free enterprise businessmen who make up the membership of the 5,000 chapters of the junior chamber of commerce. Note especially that a ratio of 14 to 1 of those chapters polled on the medicare issue favor the private sector Government approach to the Herlong-Curtis bill, rather than the compulsory social security total Federal Government administered King-Anderson proposal.

I wish to insert in the RECORD, at this point, a press release that I issued from my office on February 3, 1965:

HERLONG-CURTIS ELDERCARE BILL SUPPORTED BY JUNIOR CHAMBERS OF COMMERCE

Congressman THOMAS B. CURTIS, second ranking Republican on the House Ways and Means Committee, today welcomed the support of the Hudsonville (Mich.) Junior Chamber of Commerce for his eldercare bill—H.R. 3727—an alternative to the King-Anderson compulsory Federal health care bill.

"I have been informed that the Hudsonville (Mich.) Chamber of Commerce will send a health care for the aged educational kit to 5,000 local junior chambers of commerce later this week, in an attempt to urge support of local chapters for the bill that Congressman HERLONG and myself introduced last Wednesday. I welcome this effort," CURTIS stated.

"I understand that the national junior chamber of commerce policy against medicare expired as a matter of routine after 3 years in existence" said CURTIS. "The Hudsonville Jay Cee Chapter, under the leadership of Mr. Robert Plekker, a dentist, and Mr. Norman Unema, an engineer, will initiate, as a coordinating chapter, a national jay cee effort to uncover the limitations of the administration's Federal health care bill, and urge, in its place, the backing by the local chapters of the Herlong-Curtis bill."

"Mr. Plekker stated to me that the health care approach that I have introduced would be in line with the national junior chamber of commerce belief that 'economic justice can best be won by free men through free enterprise.' "

The kit would contain a pamphlet comparing the administration bill with Herlong-Curtis eldercare and other materials whereby the local chapter could communicate their viewpoint to their Congressmen.

"I also understand that a referendum was sent to all 5,000 jay cee presidents, when it was discovered that the national jay cee policy expired, and that these presidents returned the ballots at a ratio of 14 to 1 in favor of reinstating the national policy against medicare, but it was too late to be adopted as official policy of the organization."

The Herlong-Curtis bill would allow States to contract with private health insurance companies or Blue Cross, to cover all citizens of the State over the age 65. The costs of the premiums would be borne totally by the States for those presently eligible for Kerr-Mills and OAA assistance. The bill would also allow tax deductions for those who pay their own premiums—thus emphasizing the prepaid health insurance idea.

Address by John A. Gronouski, Postmaster General, at the Annual Banquet of the Texarkana Chamber of Commerce, Texarkana College, Texarkana, Tex.

EXTENSION OF REMARKS

OF

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1965

Mr. KASTENMEIER. Mr. Speaker, the distinguished gentleman from Wisconsin, John A. Gronouski, Postmaster General of the United States, delivered an excellent address before the Chamber of Commerce of Texarkana, Tex., on January 28. He discussed in his usual lucid and intelligent manner the business of his department.

In addition, he had some kind words to say about some distinguished gentlemen, particularly my friend, the gentleman from Texas, WRIGHT PATMAN, chairman of the Banking and Currency Committee of the House, and he also pays his respects to the highly respected chairman of the House Interstate and Foreign Commerce Committee, the gentleman from Arkansas, Hon. OREN HARRIS.

I believe most assuredly that the address deserves national attention and I am proud to place it in the CONGRESSIONAL RECORD:

My pleasure at being here with you today is twofold.

First, because the invitation came from your very distinguished U.S. Congressman WRIGHT PATMAN. Mr. PATMAN is one of those rare people in Congress who not only represents his constituency well but who also stands like a tower on the national scene. As the highly respected chairman of the House Banking and Currency Committee, he is one of the acknowledged experts in the United States on our monetary system. When he speaks he is always listened to, and he always speaks with a voice of authority and experience. He is also a fine gentleman, and I am honored that he should want me to come here to speak.

But one does not come to Texarkana and speak only of Wright Patman, for this city boasts not one but two Congressmen of national stature. The other, of course, is Oren Harris, the distinguished chairman of the House Interstate and Foreign Commerce Committee. I am sure that all of you, as businessmen, realize what a vital and influential body this committee is. At the present time, it is holding hearings on the illegal sale of narcotics and is scheduled to consider such problems as health, transportation, and the labeling of tobacco products. It is not too much to say, in fact, that much of the Great Society legislation will originate under Oren Harris' leadership.

I also welcome the opportunity to speak to this distinguished group of business leaders because—quite frankly—I need your help. I need the help of every postal customer in the United States to meet the challenge of the tremendous growth in our mail volume.

I call it a mail explosion which, in fact, is far outstripping our better known population explosion. To give you an idea of how dramatic the situation has become, I might point out that from 1940 to 1964, our population increased at the rate of only 46 percent, while our mail volume, during the same period, increased by 166 percent. We are now generating mail at the rate of 72 billion pieces a year, which is half as much as the rest of the world's volume combined.

But, let me assure you that my comparison between our population and our mail volume ends with a statement of the problems. The solutions are entirely different. Birth control is a hot enough issue without my advocating a plan for mail control.

Nor would I want to, for that matter.

Our mail volume is a true barometer of our national economy. When times are good, the amount of mail increases. When times are bad, it slows down. For example, our mail volume during the depression years of 1930 to 1933 actually slipped from 27 billion pieces to 19 billion pieces.

But the mail is even more than a barometer of the economy; it is a contributing factor to the economy, the lifeblood of our business community—a vehicle for paychecks, bank deposits, bids, contracts, pensions, bills, payments and business orders and merchandise. I am told, in fact, that the insurance industry conducts 90 percent of its business by mail.

So I am not going to ask you to stop sending so many letters and packages. Far from it. I welcome the business.

But if we recognize the mail explosion as a mid-20th-century phenomenon, we must also recognize that it will take mid-20th-century methods to keep it moving.

In sum, we can keep the mail moving, and we can keep postal rates to a reasonable level, but we all have to change our thinking and our methods in the process.

And we will need the cooperation of the American business community to do it.

Why the business community? Because 80 percent of all our mail is business mail. If we can keep this mail from bottlenecking in our large city post offices, the rest will take care of itself.

You remember back in the 1940's when business and industrial leaders were recruited for Government service. They were called dollar-a-year-men and they brought to Washington a tremendous amount of talent and experience that otherwise would have been lost to us. Well, we are now going to expand on that program. We are going to call into Government service the $10 billion worth of automatic data processing equipment that is now in operation throughout our business community.

Using this equipment, large-volume mailers will be asked to sequence their mailing lists according to ZIP code and then presort their mail so that it goes directly to its carrier station destination before it is ever taken out of the sack. This will save us from having to sort the mail several times along the way—thus cutting down our manpower requirements—and will speed delivery in the process. McCall's magazine, for example, recently ran an experimental survey on ZIP coded mail to Florida and discovered that in every case, magazines were delivered at least a day earlier than before, and in some cases, 2 and 3 days earlier.

This program of presorting is the most revolutionary postal innovation of the 20th century. It represents a major breakthrough in the problem of ever-increasing volumes of mail—not only for the 1960's, but for the 1970's and 1980's as well.

And so, with this in mind, I am, by administrative action, planning to require all large-volume second- and third-class mailers to begin ZIP code presorting.

Further, I am planning to ask Congress for legislation to require the same of large-volume first-class mailers. We are now far enough along on our ZIP code program for this to have an immediate effect on our overall postal operation—and frankly, I do not see any other way out.

Now I am not so naive as to think I am going to escape criticism. I expect it in fact. But I am a firm advocate of Harry Truman's law of Government service: "If you can't stand the heat, stay out of the kitchen." Furthermore, I recognize my responsibility as Postmaster General for providing the best possible postal service at the lowest possible cost. If I failed in that, I would be criticized even more—and rightly so—by every large mailer and chamber of commerce group in the United States.

I know, too, that in requiring mailers to presort, I will be criticized for asking the business community to do part of my job. But there again I ask you to remember that public cooperation is an accepted fact of our times. Twenty years ago, the motto of America's retailers was "Service with a smile." Today, it is "Serve yourself." People pick out their own food in supermarkets, flock to self-service department stores and drugstores, and there are indications they may soon be pumping their own gas. They get their own coffee and soft drings out of vending machines, write out their own trip insurance, and rent their own trucks. All this is recognition of the fact that today labor is too dear a commodity to waste on jobs that the customer can do himself.

Perhaps the best example of the benefits that accrue from self-service has been provided by the telephone company. Several years ago, when you wanted to call long distance, you asked the operator to do it. Today you do it yourself. And, as a result, the American Telephone & Telegraph Co. was recently able to announce an across-the-board rate reduction for long-distance calls.

So all we in the postal service are trying to do is catch up with the times so that we, too, will be able to put a check on soaring costs.

Last week, I established an advisory panel, made up of distinguished members of the American business and labor communities, to conduct a thorough study of our postal rates and to assist me in making recommendations to the President. And, in the meantime, we will move ahead with a number of programs to cut costs while maintaining the highest possible level of service.

From the mailers' point of view, presorting will be a major instrument in our efforts to keep postal rates at a reasonable level.

As you know, President Johnson sent to Congress last Monday a $99.7 billion budget for fiscal year 1966. But you may not know what a herculean task it was to contain the budget so effectively. I do, from personal experience, and I recognize what a significant achievement this is, for it represents the lowest budget, as compared with our gross national product, in 15 years. It is a tight budget, but it is also a budget with vision.

It will provide better and broader educational opportunities for our children, step up the war against poverty, promote advances in the Nation's health, improve conditions in the urban areas, strengthen our social security protection and foster continued economic expansion.

In striving for these goals, however, there is no room for Government waste. We must continue to provide, in the words of President Johnson, "a dollar's worth for a dollar spent." In his budget message, Mr. Johnson insists "upon stringent criteria to control the growth of Federal civilian employment. It is important," he said, "that we have enough people to carry on the Government's business efficiently, but we must also see that we have no more employees than we need."

As the head of the largest civilian work force in Government, it is my job to carry out those instructions—and I intend to do so, with your help.

Thank you.

France Should Repay Her War Debts: A Brief Statement

EXTENSION OF REMARKS

OF

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1965

Mr. GIBBONS. Mr. Speaker, I wish to join the growing number of voices both in and out of Congress who are calling for pressure to be put upon France to resume payments on the World War I debt which she owes us. It is a well-known fact that France has not paid a penny on her World War I debt since June 15, 1931. As of June 30, 1964, her World War I debt amounted to over $6.4 billion; of this amount $1.9 billion in principal and nearly $2.6 billion in interest is past due.

I fully recognize that there were compelling circumstances in the depression of the 1930's, the fateful years of World War II, and the early years of reconstruction which can justify the moratorium of debt payment for possibly 20 years. But now nearly 34 years have elapsed since France made her last payment. She is showing new vitality, new economic gains, and a revived spirit of independence of action. She is in a favorable balance-of-payments position. At the same time, as all the world knows, our balance-of-payments position remains unfavorable and there is little prospect of early improvement. When we then receive word that General de Gaulle is determined to demand gold for its U.S. dollar holdings, it is high time to demand of him that he in all honor recognize this debt contracted nearly 50 years ago and start making payments.

There is no better time than now, when the distinguished Foreign Minister of France, M. Couve de Murville, is our guest in Washington, to bring this matter into the open. Therefore, I, too, wish to introduce a resolution expressing the sense of the Congress that France start resuming its payments on its World War I indebtedness without further delay. France is in a better position to resume payments on these debts stemming back half a century than any other nation of the free world which still owes us a legal debt from that time. By taking up the payments that have been neglected for nearly 34 years, France can demonstrate her moral integrity, her economic strength, and her belief in the cooperation of the free nations of the world.

Address by Hon. John J. Rooney

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1965

Mr. BOW. Mr. Speaker, it was my privilege to attend a meeting of the Propeller Club, Port of Washington, on Thursday, February 18, at which time my distinguished colleague, the gentleman from New York, John J. Rooney, was honored and was the principal speaker.

I need not remind my colleagues that John Rooney is one of the most capable Members of the House and is sincerely dedicated to the best interests of our Nation.

However, I feel that the subject of his address on that evening is one that should be of interest not only to the Members of Congress, but to the Nation at large.

I compliment my colleague for his remarks and, although we sit on opposite sides of the aisle, I am in complete accord with what he had to say on this occasion.

Under unanimous consent, I include with my remarks the address given by the distinguished gentleman from New York:

Remarks of Congressman John J. Rooney Before Propeller Club, Port of Washington, D.C., February 18, 1965

Mr. Toastmaster, Reverend Father Hartke, my distinguished colleagues in the Congress, honored guests, friends, ladies and gentlemen, I appreciate this opportunity to talk to you tonight about the American merchant marine. I am normally one of not too many words and almost never make a long speech. Having raised your hopes, now let me lower them. Tonight I am departing from my usual procedure.

Tonight I hope to offer some suggestions for further improving the status of our merchant marine. First of all, I know it costs money to keep our American flag on the seven seas. However, I am reminded of a remark made by Winston Churchill when he was told he should drink less liquor—that it took too much out of him. He said, "I have taken more out of liquor than it ever took out of me." I feel this way about the American merchant marine. The country has gotten much more out of the merchant marine than the merchant marine ever got out of the country. This may sound strange coming from a member of the House Appropriations Committee. But I believe that what we spend each year in enabling our U.S.-flag fleet to compete on the high seas is returned manyfold in jobs, in taxes, in service, in security, in the promotion of our import and export commerce, and in our national stature among the nations of the world.

It has been apparent to the Congress since the beginning of the Republic that the United States needs a strong U.S.-flag merchant fleet. One of the first laws passed by our earliest Congress was designed to encourage American-flag shipping. In our time the Congress, through the acts of 1916, 1920, 1928, 1933, and 1936, has reiterated this same need for an American merchant marine. As set forth in section 101 of the Merchant Marine Act of 1936, Congress has established a basic overall maritime policy declaring that "the United States shall have a merchant marine (a) sufficient to carry its domestic waterborne commerce and a substantial portion of the waterborne export and import foreign commerce of the United States, and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign waterborne commerce at all times; (b) capable of serving as a naval and military auxiliary in time of war or national emergency; (c) owned and operated under the U.S. flag by citizens of the United States insofar as may be practicable; and (d) composed of the best equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel."

Generally, all of our citizens are only concerned about our merchant marine during times of emergency. This appears to be true of each succeeding administration. However, this concern all too often diminishes with each return to peace. In short, peacetime is hard on our merchant marine. The same old story is always repeating itself. Congress adopts a policy to provide a merchant marine. Legislation is then enacted detailing how the policy will be carried out. In addition, aids or support programs are provided to make sure that we have a merchant marine. Then a strange thing happens. Our merchant marine gradually declines until a crisis arises. We then put on a crash program to build a merchant fleet and resolve legislativewise to never be caught short again. But for some strange reason the old cycle is repeated again.

The big question is, Why does this happen? Why are we always faced with a peacetime anti-merchant-marine complex? It even seems to creep into some avenues of Government. This is a strange phenomenon and might well be the subject of a special study to determine its causes. Certainly it exists in no other maritime country and shouldn't exist here. Our merchant marine is vitally important to our peacetime needs. We should not have to rely upon intermittent wars to give it continued strength.

The real causes of the ebb and flow of our merchant marine are obviously difficult to pinpoint. In a real sense we have never had in modern times an adequate, well-rounded, peacetime merchant fleet.

At the beginning of World War I our merchant fleet was carrying only 9 percent of our foreign commerce. Most of our foreign commerce then, as now, moved at the convenience of foreign-flag shipping. With the outbreak of war, these foreign-flag ships deserted our trades to serve their own needs. Freight rates soared. Ships to carry our cargo were not available even though freight rates increased approximately 1,500 percent between 1914 and 1918. In spite of this experience, our overdependence on foreign ships continued through the 1920's. During that decade the general strike of 1926 in Great Britain occurred. This immobilized many foreign-flag ships upon which our commerce depended, and we were again in rather desperate straits.

The situation was a little different at the outset of World War II. This country had the beginning of a modern merchant marine which was adequate to carry about 30 percent of our foreign commerce—thanks to the 1936 Merchant Marine Act. In addition, the coastwise-intercoastal trade employed 800 dry cargo ships that were immediately available to the war. While a shortage in total ships again developed, rate increases were kept normal in terms of other price increases. This was due in major part to the availability of a relatively more effective American merchant fleet and greater Government interest in the problem. This time the war lasted longer and our expanded shipping needs required a costly $12.5 billion building program.

Under this program approximately 5,000 ships were provided for ourselves and our Allies, making it possible to win the war. Had we maintained an adequate and balanced merchant marine program during our peaceful years, we would have had more ships in readiness and could have saved thousands of lives and reduced much of our costly war expenditure. But here again, the peacetime anti-merchant-marine complex was overly indulged in by those who could not grasp the need for healthy continuity.

During the Korean hostilities in 1950–53, the demand for shipping again rose sharply. Our commerce moved and freight rates remained reasonable only because we still had a fairly large private fleet in operation and an adequate number of vessels available in the reserve fleet.

Today we are back where we have been many times in the past. Relatively speaking, our overall merchant marine posture appears in worse condition in terms of number of ships and total amount of cargo carried than ever before.

Today, while liner carriers handle over 30 percent of our commerce in this area, American-flag ships overall are carrying less than 10 percent of our foreign, waterborne commerce. Domestic shipping, coastwise and intercoastal, has been almost eliminated by rate discriminations on the part of the railroads and permitted by the ICC. In the bulk trades which provide the basic sinews of our great domestic industries, American-flag shipping is practically unknown. Since 1925 the foreign commerce of the United States has increased more than 300 percent. During the same period, the actual tons of this commerce carried in American-flag ships has declined by 10 percent.

But there are some encouraging signs in certain segments of American shipping. The fine fleet of cargo liners being built by the subsidized group is a bright spot in the total picture. These splendid ships—the finest and fastest of their type in the world—will maintain a high degree of competence in the berth-line trade. In this area the purposes of the Merchant Marine Act of 1936 are being met, and I congratulate the lines engaged in this most creditable endeavor. This success of the berth liners must be met and surpassed in the passenger, tanker, dry bulk, and coastwise services.

It is clear that we do not have the type of overall merchant fleet which Congress envisioned in its various reiterations of policy. This is due in some degree to identifiable reasons. Included among them is the failure of our administrative agencies to adequately carry forth their responsibilities of developing programs designed to implement the Nation's maritime policy. It is due in some measure to recurring labor unrest. It is due also to an unwillingness on the part of management to promote maximum operation under the American flag. It is due to the lack of an economic nationalistic spirit among our exporters and importers to patronize the flagships of their own country. And last but not least, it is due in large part to the greed of a few U.S. corporations which would abandon the American flag and put the dollar sign above the welfare of a great nation and her people.

May I say, since coming to the House of Representatives in the 78th Congress, representing the vast Brooklyn commercial waterfront, it has been my privilege to participate in congressional maritime activities with considerable detail and responsibility. This experience has given me a few ideas which I would like to pass along to you.

LABOR-MANAGEMENT RELATIONS

It should be crystal clear to the industry, to labor, and management, that if we are to have a strong American-flag merchant marine, it must be the result of cooperative leadership on their part. Collective bargaining disputes should be prevented from reaching such proportions as to tie up our ships and ports and impair the health and welfare of the Nation. The workers involved never recoup the lost pay resulting from such periods of idleness. Interruption of our shipping, resulting from jurisdictional labor disputes, is nonsensical. It is high time for all sides to pursue courses calculated to advance our maritime posture in the world. Moreover, it appears that they cannot look to the Federal Government to successfully implement the merchant marine policy as enacted by Congress without the most vigorous and affirmative leadership on the part of both labor and management themselves.

JOINT LABOR-MANAGEMENT EFFORTS

In the field of cooperation and promotion, joint labor-management groups can be especially effective. In this regard I compliment the industry on forming the Labor-Management Maritime Committee, which has been an effective organization since it was formed in 1950. I believe there should be more of this type of joint effort in promoting our maritime objectives. At all odds, the time has passed for the indulgence in any activity which will keep labor divided or management fragmented, or hinder either from cooperating with the other in the implementation of our merchant marine policy. Horizons are changing and new and untried concepts are being advanced. These must meet the tests of labor's and management's combined abilities and experience, if the industry and the Nation are to benefit from them.

In the final analysis, the basic problem of the American-flag merchant fleet today is lack of adequate cargo. This problem must be more vigorously attacked. I am sure that the average American would be appalled if he knew that less than 5 percent of our purely commercial waterborne foreign commerce was carried in U.S.-flag ships. I am certain also that many Americans, including those who are stockholders of some large companies, look askance at the use of foreign-flag ships (1) to keep from employing the people who buy their products; (2) to avoid the payment of their share of U.S. taxes; (3) to maintain substandard safety conditions and poor conditions of work on their ships; or (4) to create a foreign fleet whose value to the security of the United States is of no greater value than would be our reliance on their soldiers to defend us.

THE SIZE OF THE FLEET NEEDED

I hear a lot of talk among Congressmen and from industry people today about the future of the industry and the size of fleet we need. I suggest that Government, in cooperation with labor and management, determine the specific kind of merchant marine our Nation requires to implement our congressional maritime policy. Having done that, I would suggest that a program be developed which is designed to build and maintain that kind of a merchant marine and that such a program be presented to the Congress for consideration.

REORGANIZATION HAS NOT ACHIEVED MARITIME PURPOSES

Our maritime history has been prolific with administrative reorganization of the agencies responsible for carrying out our established merchant marine policies. With each reorganization there have been promises of a program to implement these policies. The last reorganization in 1961 was requested by the then Secretary of Commerce to give him the administrative authority to accomplish this. Today, 4 years later, it does not appear that much, if anything, has been accomplished. Some of the proposals now being advanced seem to be directed toward the demise of the merchant marine rather than to its promotion.

There have been suggestions that we should establish a Department of Transportation to carry out our congressional policy. I do not know whether or not we need this. However, it should be given serious study by the appropriate administrative agencies, in consultation with maritime labor and management, and determination made. Perhaps, instead of a Department of Transportation, what we need is to bring all transportation together under an independent commission responsible to the Congress. It would appear to me that if this were done, all of the administrative functions of such a commission should be separate and apart from the ratemaking functions.

BETTER USE OF EXISTING LAWS NEEDED

I suggest that we might make better use of existing laws. I call your attention to section 28 of the 1920 act which gives cargoes preferential treatment over inland transportation systems when assigned to American-flag ships; section 19 of the 1920 act which requires all Government agencies to cooperate with the Federal Maritime Administrator in administering maritime legislation; section 212(b) of the 1936 act which requires the Maritime Administration to cooperate with the industry in generating cargoes for American-flag ships through various cargo preference acts; and the authority of the Office of Emergency Planning under the Trade Expansion Act of 1962.

INCREASING RELIANCE ON COMMERCIAL CARGOES

We must achieve greater utilization of our own merchant fleet in the transportation of American commercial cargoes. This will obviously call for greater effort in the development of a vigorous public relations and cargo solicitation program for the industry. The No. 1 problem will always remain—the development of more cargo for American-flag ships. In this regard I believe that there are probably sufficient laws on the books, if faithfully implemented, to achieve the desired goal.

THE EFFECTIVE CONTROL POLICY

On the Government side, it seems to me the maritime agencies have not displayed any great adeptness in carrying out their responsibilities under the law. For example, I have great concern over the effective control concept pursued by the Government where ships owned by American capital are permitted to transfer foreign and still be considered available for return in an emergency. I doubt either the wisdom or practicality of this. It will be difficult to succeed in mutual security arrangements with responsible allied nations when we place their merchant marine below that of the so-called effective control merchant fleet. The sooner the wartime tubs under the flags of the so-called effective control fleets vanish, the better off we will all be. We should replace them with American-built ships under the American flag.

THE TRADE ROUTE CONCEPT

The trade route concept should be strengthened to assure adequate U.S.-flag service to and from our ports. Undoubtedly there should be greater flexibility and variation in trade route patterns in order to develop maximum trade. I am opposed, however, to any wholesale abandoning of the trade-route concept. The philosophy of regular scheduled sailings is essential to our commercial well-being, with proper and reliable service to the shippers. The parity principle of the Merchant Marine Act is sound and should not be tampered with except to strengthen and support it. I am convinced that any abandonment of this principle will prove hazardous.

WE MUST MAKE THE MOST OF OUR SHIP CONSTRUCTION PROGRAM

Construction subsidies are available to responsible operators of American-flag ships engaged in our foreign commerce. Programs must be developed to assure the building of ships in American yards and their operation under the American flag. This is necessary to maintain our foreign commerce in keeping with our domestic growth. I have heard proposals that we allow ships to be built in foreign yards and then return to our foreign and domestic trades without losing any other benefits or privileges under existing law. This leaves me completely cold. Our shipyards are not only essential to our commerce but vital to our security. It would make just as much sense to build all of our security instruments abroad and transfer our industrial productions to foreign soil.

OUR PASSENGER SHIP SERVICE

For many years now we have permitted a deterioration in our American-flag passenger service. This has occurred at a time when most foreign nations are building up their passenger service. In the domestic cruise service, foreign-flag ships have almost a stranglehold on the business. In this field, particularly, I believe there are many ships carrying American citizens with safety capabilities greatly inferior to U.S.-flag ships. I doubt very much if there are really any foreign-flag passenger ships that could be placed under the American flag. They simply do not meet the American Bureau of Shipping Safety Standards nor those required of either the Government or the industry. Yet, the Maritime Administration—and, I may say, some of the companies—are reported to be considering the abolition of the American passenger ship.

I shall consider it a sad day in our maritime history when Americans who travel by sea must rely principally or entirely on foreign ships. The recent permission to transfer the SS *America* to Greek registry and then operate her in services where she carries almost 100-percent American passengers, is just further exemplification of the deterioration of our passenger-ship policy. I cannot help but recall that both the company, United States Lines, and the Congress provided for a suitable replacement of the SS *America* and special legislation was passed to achieve it, but the executive department 6 or 7 years ago declined to make it effective. Now it may be altogether too late.

THE MARINE HOSPITALIZATION PROGRAM

I must point out another development in which I have a deep interest. Beginning with the end of World War II the Bureau of the Budget began to adopt practices which seemed designed to eliminate medical and hospital care for our seamen. There have been persistent moves to close the U.S. Public Health Service general hospitals. Thanks to the constructive work of shipping labor-management groups and the Congress itself, the Bureau of the Budget has not been permitted to carry out such a purpose to date. However, this year the Bureau, utilizing the Department of Health, Education, and Welfare, is again making a strong attempt to further impair this essential service by closing hospitals and transferring the seamen to veterans' hospitals already overcrowded and not tuned to the needs of shipping. I am one of those in the Congress who will oppose this ill-conceived proposal. The most concerted action by labor and management will be required to save these hospitals. It is unthinkable to me that a hospital service which has contributed so much to the medical and hospital care of the Nation should be under such heavy attack by the Bureau of the Budget. We should do everything possible to obtain a direct Presidential pronouncement to strengthen and maintain this service as well as our Veterans' Administration hospitals for the future. Such an action would be in keeping with all of the President's proposals on health and a greater society.

CARGO PREFERENCE

I can't believe that anyone is serious in wanting to phase out any segments of our industry from cargo preference in carrying Government aid. Those who argue that it is giving assistance where assistance is already given apparently do not apply the same criteria to the foreign ships. They should remember the scores of bargain-priced ships sold foreign to rehabilitate foreign fleets; the use of counterpart funds to help shipping and shipyard interests; the sale of American grain below our cost to the taxpayers to make shipments possible; the acceptance of foreign currency of questionable future value to provide the cargo which these foreign ships carry. We sometimes seem to have a strange philosophy in our country where we are blind to everything except what we can bestow on someone else. I believe our cargo preference laws are only one way of assuring that U.S.-flag ships may share in the product of American enterprise while at the same time sharing with those who are hungry and in need.

The Congress looks to the industry, both labor and management, for counsel and recommendations on maritime policies requiring congressional action. Building a strong American merchant marine is the job of all of us. In the industry, labor and management must close ranks and through deliberate cooperation, one with the other, come forward with recommended programs to lift our maritime posture to the high status it deserves. Aggressive action on your part in this regard is required.

In conclusion, may I say that the American merchant marine must always be alert and ready for change. We live in dynamic times. Let us always adopt the best of new methods and devices in the interest of progress. However, let us retain the stable and proven processes which time has tested, including those human standards which transcend all other considerations. There is no virtue in change merely for the sake of change. There is every virtue in modification required for true progress in a fast-moving world.

I am sure that you all now agree that I can be somewhat lengthy when the occasion calls for it. I hope my remarks may prove helpful in some manner to the American merchant marine. If they do, then my departure from short speeches in this instance will have been well worthwhile.

Secrecy in Government Should Be Eliminated

EXTENSION OF REMARKS

OF

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1965

Mr. GIBBONS. Mr. Speaker, I believe that we should take every step possible to reduce secrecy in Government, and I am pleased to join with many of my colleagues in urging the passage of legislation to assure that Government records are available to the public. Too long the records of Government agencies have been shrouded in mystery and secrecy, surrounding the operations of our Government in a paper wall, which sometimes even a Congressman cannot cut, and preventing citizens from access to information to which they are rightfully entitled.

Under the provisions of the bill I am introducing today, every Government agency would be required to "make all its records promptly available to any persons." However, sensitive information areas would be exempt, such as security and personnel matters and information that private concerns must submit to the Government. To enforce the right of citizens to receive information to which they are entitled, my bill provides that if a person is denied access to public records, he can go into a Federal district court and obtain an order for the production of agency records or information improperly withheld from him. It would be up to the Government to prove its right to withhold the records, and the courts could punish agency officials for contempt if they refused to comply with a judge's order.

The eight categories of "sensitive information" exempt from my bill are: national security secrets specifically protected by executive order; documents solely related to personnel records and practices; information specifically protected by other laws; privileged private commercial information obtained from the public, such as trade secrets; agency memorandums dealing solely with matters of law or policy; personnel and medical files; files of law enforcement agencies dealing with investigations; and reports of financial institutions submitted to regulatory agencies.

Secrecy in Government should be eliminated. It is by having a citizenry, knowledgeable in all facets of Government, that we remain strong. Freedom of information belongs to citizens whose Government is by the people, of the people, and for the people.

Congress should enact freedom of information measures to assure the free access of information from Government agencies; it can also lead the way by opening many of its executive, or secret, hearings to which the public is barred.

SENATE

TUESDAY, FEBRUARY 23, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God of all ages, we bow before Thee in need for this day and age.

This is a day and age of unrest and anxiety. Remind us of the words of Jesus, "Come unto Me, all ye that labour and are heavy laden, and I will give you rest."

This is a day of hate, distrust, and little peace throughout the world. Remind us of the words of our Lord, "Peace I leave with you; My peace, I give unto you."

On the other hand, ours is a day and age of great discovery, thrilling living, and glowing hope. Surround these blessings of real life with Thy love. Through the touch of God, may we have more faith, hope, and love—the greatest of these being love.

O God of all ages, visit us in this day and age, through our leaders, our good citizenship, and our daring hopes.

We pray in the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 22, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Special Subcommittee on Air and Water Pollution of the Committee on Public Works was authorized to meet during the session of the Senate today.

RESOLUTION OF THE OKLAHOMA STATE LEGISLATURE IN RELATION TO THE ELIMINATION OF THE U.S. ARMY RESERVE AND THE REORGANIZATION OF THE NATIONAL GUARD

Mr. HARRIS. Mr. President, for myself and Senator Monroney, I present, for appropriate reference, and ask unanimous consent to have printed in the Record, a concurrent resolution from the Oklahoma State Legislature expressing the opposition of the Oklahoma State Legislature against the proposed elimination of the U.S. Army Reserve and the reorganization of the National Guard. I renew the protest that I previously made to the Secretary of Defense, and I trust and hope that the appropriate committee of the Senate will investigate the question in order to see that the proper defenses of our country are preserved.

I should like to associate myself with the statement to be made by the senior Senator from Oklahoma [Mr. Monroney], my distinguished colleague, and I ask unanimous consent also that his remarks appear immediately following the resolution in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The concurrent resolution was referred to the Committee on Armed Services, as follows:

Senate Concurrent Resolution 5

Concurrent resolution expressing opposition of the Oklahoma State Legislature to the proposed elimination of the U.S. Army Reserve and reorganization of the National Guard

Whereas during our Nation's history, it has been necessary to wage wars in order to destroy tyrannies which were dedicated to the destruction of our status as a free people, and such tyrannies continue to exist; and

Whereas the very history of our country attests to the wisdom of its traditional military concept that, as a democracy, it may best deter aggression by the effective implementation of relatively small but thoroughly trained professional armed forces, adequately supported, however, by civilian components of such armed forces; and

Whereas such civilian components have proven themselves equal to the tasks assigned to them both in peace and in war, and have provided our country with a reservoir of personnel dedicated to its defense in numbers which its economy could not support and which its citizens would not tolerate as a standing professional armed force; and

Whereas we adhere to the firm belief that although weapons have changed and no doubt will continue to change, as they have throughout the history of mankind, the successful defense of our country, and of its people, must, in the final analysis, depend upon the ability of the people of our Armed Forces to take and to hold ground; and

Whereas in such belief, we do not discount the effectiveness of any weapon or weapons, but rather deem it folly to rely solely on one instrument or on a few instruments of war to the exclusion of all others: Now, therefore, be it

Resolved by the Senate of the 30th Oklahoma Legislature (the House of Representatives concurring therein):

Section 1. The Oklahoma State Legislature hereby records its complete opposition to the recent move of the Secretary of Defense of the United States, the effect of which, if implemented, will be the destruction of the U.S. Army Reserve and the reduction of the National Guard to a status of ineffectiveness.

Sec. 2. That a duly attested copy of this resolution be immediately transmitted by the secretary of the Oklahoma State Senate to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each Member of the Congress from Oklahoma, and to the presiding officer of each branch of each State legislature or assembly of the United States.

Adopted by the senate the 7th day of January 1965.

Lea Winters,
President of the Senate.

Adopted by the house of representatives the 13th day of January 1965.

J. D. McCarthy,
Speaker of the House of Representatives.
Basil R. Wilson,
Secretary of the Senate.

Mr. MONRONEY. Mr. President, the resolution passed by the Oklahoma Legislature, which my colleague [Mr. Harris] and I have brought to the attention of the Senate today, emphasizes the complete unacceptability of proposals which would destroy the identity of such highly regarded fighting units as the 45th Division and such experienced and skilled outfits as the 95th Reserve Division.

Ill-advised mergers or consolidations of well identified and close-knit military organizations, such as the 95th and the 45th, could do irreparable damage to our national defense posture.

This resolution is most emphatic. In it, the Oklahoma Legislature records its firm opposition to the proposals recently advanced by the Secretary of Defense to merge and consolidate Army Reserve and National Guard organizations. In the opinion of the Oklahoma Legislature, the plans advanced by the Secretary, and here I quote, "Will be the destruction of the U.S. Army Reserve and the reduction of the National Guard to a status of ineffectiveness."

This legislative enactment stems from an intimate understanding of the contributions made by Oklahoma Army Reservists and Oklahoma National Guardsmen. This is not blind or unreasoning opposition.

The leaders of these two Oklahoma-based divisions have made it clear during the past few weeks that they desire to cooperate fully with higher headquarters in working out reorganizations that will bring economies and improve the mobilization readiness of their units.

I repeat, none of the Oklahomans who have discussed this matter with me, and I have had hundreds of my constituents comment to me on the subject, have taken an unreasonable attitude. They are not arguing against all changes. They are not opposed to progressive modernization of our Reserve and Guard organizations.

In Oklahoma, a number of reasonable alternative plans that deserve careful study have been advanced. But I am concerned, and this resolution makes it obvious that the Oklahoma Legislature is concerned, that a ruling clique in the Pentagon will act without full appreciation of the role these military organizations have played in the past. With the best of intentions, a small, insulated and isolated group of decisionmakers in the Pentagon may do irrevocable damage to military organizations whose future strength and effectiveness are due in no small way to their identification with a proud and honorable past.

A disturbing trend toward overcomputerization and dehumanization is apparent in top level defense planning these days. There are adequate reasons to fear that Pentagon planners are relying too much on the cold sciences and mathematics of weaponry, ignoring far too often the more difficult equations based on assessments of human elements.

It is one thing to design, test, and produce a reliable gun, and a completely different thing to recruit and induct a citizen, to indoctrinate him, to train him in the use of a gun or other weapon, and to equip him with an esprit de corps based on an organization identity and tradition, to make a soldier of him.

Much is being said these days at the Pentagon about cost effectiveness. Many brilliant, dedicated men are engaged in an effort to reduce the tremendous cost of our defense system. But last December, when they disclosed plans for drastic reorganization of the Army's Reserve and National Guard structure, they raised grave questions concerning their methods of calculation. Adding machines or electronic data processing machines have not yet been invented that will measure the fighting spirit of our soldiers. How anyone could calculate the destruction of tried and proven military organizations without grave misgivings concerning the validity of such calculations is very difficult to understand.

Probably no State in the Union has more pride in its citizen soldiers of the Guard and Reserve than does Oklahoma. The 45th Infantry Division participated in eight campaigns during World War II for a total of 511 days in combat. Hundreds upon hundreds of Oklahoma's finest young men sacrificed their lives in defense of their country under its banners. In Europe and in Korea the enemy bloodied the hills and the valleys in unsuccessful efforts to haul down those banners. What an irony it would be to strike those banners only in the interest of doubtful economy.

In the past few days the Oklahoma delegation has been advised by the Secretary of the Army, Mr. Ailes, that steps are being taken to preserve the identity of the 45th Infantry Division as the 45th Infantry Brigade, a unit which would retain the history, honors, colors, lineage, and traditional designation of our historic fighting Guard division.

As Oklahomans, we have the same interest in retaining the identity of the 95th Reserve Division, one of the high priority training divisions which now functions independently of the Guard through a separate chain of command direct to the Pentagon. Many good and valid arguments have been advanced to keep the Reserve units under separate management from our Guard outfits. I am particularly impressed with the fact guardsmen must double in brass, performing such missions as State militiamen under control of the Governors of the States—duties which sometimes mean involvement in civil disorders and disasters, requiring a diversion from military training activities. The considerations involved here are exceedingly complex, requiring the technical skill of the military scientists, but I would remind our Pentagon leaders the talent and genius for analyzing problems of this kind are not the sole monopoly of this city or that big building just across the Potomac.

The competition that has existed between our Guard and Reserve organizations has been of incalculable help to our defense posture. What kind of machine was used at the Pentagon to calculate the value of this competitive approach.

I suspect that one of the big risks we run in our current defense philosophies and concepts is over reliance on weaponry, on rockets, on our hardware, and under emphasis and neglect of those difficult arts that come into play in converting the average American boy into a tough, reliable fighting man.

I was pleased to learn recently that the Preparedness Subcommittee of the Armed Services Committee, under the always tough, reliable leadership of Senator Stennis, has scheduled hearings in order to review the proposals that have been advanced by the Secretary of Defense.

I have brought to the attention of the Preparedness Subcommittee alternatives that have been advanced by the National Guard and Reserve officers of Oklahoma.

I am confident the subcommittee will give close scrutiny to the various proposals that have been advanced. This study by a qualified Senate subcommittee can make an immeasurable contribution to our future national defense.

I am sure that the members of the Oklahoma Legislature, who adopted the resolution submitted here today, will be deeply interested in the outcome of the hearings.

We were advised that the Pentagon planners have virtually completed the blueprint of this consolidation of Reserve and Guard units. We were told that troop lists for each of the States will be sent to the Governors in the early part of March, and the Governors will be asked to approve that portion which deals with their particular State.

Oklahomans who are alarmed by this merger and consolidation program have been assured that alternative proposals advanced by the senior commanders in the field have received the most careful consideration. It is equally important that Pentagon calculators and planners give fullest consideration to the reaction of the rank and file, both military and civilian, as reflected in the Oklahoma legislative resolution, which my colleague [Mr. Harris] and I bring to the attention of the Senate today.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 1234. A bill to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of New York and Connecticut to negotiate and enter into a compact to create their own New York-Connecticut Rail Authority, and by guaranteeing certain bonds of, and furnishing certain assistance to, such authority; to the Committee on Commerce.

S. 1235. A bill for the relief of Miss Agnese Goffredo; and

S. 1236. A bill for the relief of Elizabeth J. Padilla; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. TALMADGE (for himself and Mr. Hart):

S. 1237. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

By Mr. HART:

S. 1238. A bill for the relief of Clifton M. Chippewa; to the Committee on the Judiciary.

S. 1239. A bill to amend the Internal Revenue Code of 1954 to allow an exemption for a dependent who has attained age 65 without regard to the amount of income of such dependent; to the Committee on Finance.

S. 1240. A bill to provide for exemption from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the last two above mentioned bills which appear under separate headings.)

By Mr. HART (for himself, Mr. Fong, Mr. Kennedy of Massachusetts, Mr. Pell, and Mr. Scott):

S. 1241. A bill to amend section 245 of the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 1242. A bill to amend the Internal Revenue Code of 1954 to treat income from property created by the taxpayer as earned income for certain purposes; to the Committee on Finance.

By Mr. JACKSON (by request):

S. 1243. A bill to authorize the Secretary of the Interior to employ aliens in a scientific or technical capacity; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 1244. A bill for the relief of Mrs. Maria Luisa D. Furtado;

S. 1245. A bill for the relief of Maria Manuela Sousa Carvalho;

S. 1246. A bill for the relief of Emmanouel Christos Stasinos; and

S. 1247. A bill for the relief of Pablo Cordero; to the Committee on the Judiciary.

By Mr. FONG:

S. 1248. A bill to provide for the approval of a payment in lieu of taxes to be made for the fiscal year ended June 30, 1959, by the Hawaii Housing Authority to the city and county of Honolulu; to the Committee on Government Operations.

By Mr. McGEE:

S. 1249. A bill for the relief of Leo Weiss; to the Committee on the Judiciary.

S. 1250. A bill to amend Public Law 874, 81st Congress, relating to financial assistance for local educational agencies in federally impacted areas, in order to give the Commissioner of Education discretion to waive a minimum requirement for such assistance; to the Committee on Labor and Public Welfare.

By Mr. NELSON:

S. 1251. A bill to prescribe certain safety features for all motor vehicles manufactured for, sold or shipped in interstate commerce; to the Committee on Commerce.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 1252. A bill to give farmers an additional month in which to meet the requirement of filing a declaration of estimated tax by filing an income tax return for the taxable year for which the declaration is required; to the Committee on Finance.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 1253. A bill for the relief of Lolita G. Soriano; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 1254. A bill for the relief of Ljubica Dajcinovic; and

S. 1255. A bill for the relief of Lauiro Torres Quiazon; to the Committee on the Judiciary.

By Mr. TOWER (for himself and Mr. Pearson):

S. 1256. A bill to amend Public Law 874, 81st Congress, providing assistance to schools in federally impacted areas, in order to provide for a more gradual reduction of payments pursuant thereto as a result of termination of activities of the Department of Defense; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Tower when he introduced the above bills, which appear under separate headings.)

By Mr. TOWER:

S. 1257. A bill to extend for 5 years Public Laws 815 and 874, 81st Congress, relating to Federal assistance to education in federally impacted areas; to the Committee on Labor and Public Welfare.

By Mr. NELSON:

S. 1258. A bill for the relief of the widow and minor children of the Reverend Donald Aksel Olsen; to the Committee on Finance.

CONCURRENT RESOLUTION

TO EXPRESS THE SENSE OF CONGRESS RELATIVE TO SELF-DETERMINATION OF PEOPLES OF LATVIA, LITHUANIA, AND ESTONIA

Mr. MILLER (for himself and Mr. Hickenlooper) submitted a concurrent resolution (S. Con. Res. 23) to express the sense of Congress relative to self-determination of peoples of Latvia, Lithuania, and Estonia, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Miller, which appears under a separate heading.)

RESOLUTION

MEMORIAL SERVICES ON THE LIFE, CHARACTER, AND PUBLIC SERVICE OF THE LATE SENATOR CLAIR ENGLE

Mr. MANSFIELD (for himself and Mr. Dirksen) submitted a resolution (S. Res. 81) providing for memorial addresses on the life, character, and public service of Hon. Clair Engle, late a Senator from the State of California, to be held at 2 o'clock p.m., on Monday, March 1, 1965; which was considered and agreed to.

(See the above resolution printed in full when agreed to, which appears under a separate heading.)

CREATION OF A NEW YORK-CONNECTICUT RAIL AUTHORITY

Mr. JAVITS. Mr. President, I send to the desk a bill to create a New York-Connecticut Rail Authority to deal with the critical problem of continued commuter services on the bankrupt New York, New Haven & Hartford Railroad.

I ask unanimous consent that the bill may be referred to the Committee on Commerce. I wish to state for the RECORD that my office has checked with the staffs of the Committee on Commerce and the Committee on the Judiciary. I understand that such referral is acceptable to those committees, so that all hearings on the New Haven situation may occur in one committee. If the chairmen of either of the committees have any question about the request, I shall move to set aside the unanimous-consent agreement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill will be received and referred to the Committee on Commerce.

The bill (S. 1234) to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of New York and Connecticut to negotiate and enter into a compact to create their own New York-Connecticut Rail Authority, and by guaranteeing certain bonds of, and furnishing certain assistance to, such authority, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. JAVITS. Mr. President, the critical nature of the New Haven's present situation demands emergency action by both the affected States and the Federal Government. We must face up to two basic facts—one, that the New Haven's cash situation is absolutely critical; and two, that it is possible that the U.S. Federal district court judge now presiding over the New Haven, under the Bankruptcy Act, could seek to take action on his own to curtail or discontinue passenger service on the ground of protection of the existing assets for creditors of the bankrupt railroad.

The operating cash funds of the New Haven were reduced from $8.5 million at the end of 1963 to $6.2 million at the end of 1964, a loss of $2.3 million for the year. An additional $1.7 million is owed by the railroad for a retroactive wage increase. The trustees of the New Haven estimate that the operating cash fund will have dwindled to $4.4 million—less than 1 month's payroll—by July 1. An unexpected snowstorm or disruption of passenger and freight services of the type which cost the railroad $3.9 million in February of 1961, would substantially reduce this estimate.

The time for discussion has almost run out. While a long-term solution should not be overlooked, it is essential that financial aid be made available promptly to permit the New Haven to continue operations. The amount of financial aid needed is relatively modest, and in view of the sizable amounts which the States and the Federal Government have spent in sustaining highway construction, air service, helicopter travel, ship construction, and other means of transportation, financial assistance to sustain the New Haven which serves in excess of 30,000 commuters daily, is, we believe, fully justified. Failure to keep the New Haven operating would bring about not only intolerable restrictions on the flow of commuter traffic in heavily urbanized areas of New York and Connecticut, but would result in increasing the burdens of already crowded highways and the need for added Federal and State expenditures for highway construction under a 90–10 or 50–50 matching fund program. The loss of the four tracks of the New Haven would, according to a recent survey, require the construction of 80 highway lanes at prohibitive cost.

The two-State emergency compact is the most workable and immediately attainable alternative in this emergency situation. It can be approved by the participating States in a much shorter time than the four-State agency which we originally called for, and which we still feel is essential to meet long-term, regional transportation problems.

Under this measure, the authority could be expanded to include additional northeastern States, such as New Jersey, Rhode Island, and Massachusetts, and transit systems within all the participating States, such as the New York City rapid transit system.

The bill we are proposing today would establish a New York-Connecticut Public Authority to operate commuter services of the New Haven and other rail systems in the two States needing Federal and State assistance. The authority could operate the New Haven's commuter services by itself or on a leasing basis and could administer Federal aid available under the Mass Transportation Act of 1964. The bill would authorize the Secretary of Commerce to pay for a 2-year period, one-third of any excess of operating costs over revenues which the authority incurred; with the participating States paying the remainder under a formula to be determined by the authority with the consent of both States.

The measure allows the authority to submit to the participating States a request for payment of their agreed upon share of such costs and provides for means of payment consistent with the States own constitutional and legal requirements for financing future obligations. The bill also permits the participating States, as well as the Federal Government, to guarantee tax-free bonds, publicly offered by the authority in an amount of up to $500 million for capital expenditures, including purchase of new commuter cars. The authority could also lease cars from State and Interstate agencies, such as the Port of New York Authority, and make them available to needy railroads.

Positive steps have been taken both by the States and the Federal Government. On January 21, the Governors of New York and Connecticut announced an agreement to support contributions by each State of $5 million and to seek $10 million from the Federal Government under the Mass Transportation Act of 1964 for the purchase of 80 new multiple unit commuter cars and the rehabilitation of 50 others for the New Haven. At that time, the need to provide help to the New Haven to meet its operating deficts was expressly acknowledged. We believe such a need must be urgently dealt with, and urge the States of New York and Connecticut to set aside funds in the next month to meet the railroad's operating deficit.

On a Federal level, the Interstate Commerce Commission has guaranteed $8 million of trust certificates sold by the trustees to provide operating cash and stands behind an additional $4.5 million of unissued certificates. The ICC is also presently considering the inclusion of the New Haven Railroad in the pending Pennsylvania Railroad-New York Central merger. We have favored such a merger in the public interest. This merger may well provide a long-term solution to some of the New Haven's problems. We have also met with the Chairman of the ICC, Commerce Department officials and administrators of the mass transportation program to obtain up to date information on what action the Federal Government can take and we are continuing to seek aid for the New Haven Railroad under that program. We have also met with the trustees of the New Haven and have talked with the Attorney General and officers of the Pennsylvania and New York Central Railroads concerning this matter.

While a short-term solution has been sought, we have endeavored also to find a long-term answer to the New Haven's problems and the overall regional rail transportation needs of New York, Connecticut, New Jersey, Rhode Island, and Massachusetts. On January 8, Senator PELL, of Rhode Island, introduced legislation to establish a four-State Northeast authority. While we disagreed with some of the financing provisions of that bill which would have, in our belief, imposed open and long-term financial obligations upon the participating States which made acceptance difficult, we strongly endorsed the principle of a four-State agency to deal with the long-term problems of rail systems in the Northeast.

The legislation we introduce today, expressly provides authority for the inclusion of additional States as members of the authority. It is hoped that the States of Rhode Island and Massachusetts and New Jersey would be interested in entering this compact and that this expanded authority would deal with regional problems. A comprehensive planning authority for this region is necessary. A short-term solution for the New Haven's critical situation is essential now, but the machinery for a long-term solution must also be established without delay.

We have urged the States to act, and we shall continue to do so, especially in terms of the immediate contribution of cash. But the Federal Government must also play an essential role in the solution of the problem.

So I urge the immediate attention of Congress to this critically important matter. I would like to compliment the chairman of the Committee on Commerce, the distinguished Senator from Washington [Mr. Magnuson] and the Senator from Rhode Island [Mr. Pastore] on scheduling early hearings.

AMENDMENT OF THE INTERNAL REVENUE ACT OF 1954

Mr. HART. Mr. President, I introduce for appropriate reference a bill to amend the Internal Revenue Act of 1954 to allow an exemption for a dependent who has attained age 65 without regard to the amount of income of such dependent. This is similar to a bill I introduced at the close of the last session, too late for a departmental report. This I hope will shortly be forthcoming this year, so that action can be taken.

The bill seeks to respond to a very difficult problem, which is a burden borne by a great number of people in this country—the case of a child who assists materially in the support of a parent who has more—but often not much more—than $600 a year income. Since the parent under present law cannot be claimed as a dependent, often the child has to pay very burdensome medical expenses for the parent without being able to claim the parent's medical exemptions. In my exploration of this matter with the Internal Revenue Service I got the impression that cases like this are more common than many of us realize, and I believe the Congress should take steps to lessen the burden borne so cheerfully, and willingly, but at great financial cost, by children of parents in this category. I hope the Finance Committee looks into this question with the appropriate department so that we may move forward during this Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1239) to amend the Internal Revenue Code of 1954 to allow an exemption for a dependent who has attained age 65 without regard to the amount of income of such dependent, introduced by Mr. Hart, was received, read twice by its title, and referred to the Committee on Finance.

EXEMPTIONS FROM ANTITRUST LAWS, RELATING TO BALANCE-OF-PAYMENTS POSITION OF THE UNITED STATES

Mr. HART. Mr. President, in his persuasive message to the Congress of February 10, the President made a number of recommendations to meet the balance-of-payments problem. Some of these recommendations would require legislative action. Such is the case if the banking community is to cooperate effectively in the overall efforts of the administration on this most pressing problem. To cooperate will require certain exemptions from the antitrust laws.

Mr. President, I am pleased to introduce a bill which would carry out the suggestions on this point, and ask unanimous consent that the text of the bill, together with a letter from the Attorney General to the Vice President of the United States, be printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1240) to provide for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States, introduced by Mr. Hart, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is declared to be the policy of Congress to safeguard the position of the United States with respect to its international balance of payments. To effectuate this policy the President shall undertake continuous surveillance over the private flow of dollar funds from the United States to foreign countries, the solicitation of cooperation by banks, investment bankers and companies, insurance companies, finance companies, and pension funds to curtail expansion of such flow, and the authorization of such voluntary agreements or programs as may be necessary and appropriate to safeguard the position of the United States with respect to its international balance of payments.

Sec. 2. (a) The President is authorized to consult with representatives of banks, investment bankers and companies, insurance companies, finance companies, and pension funds to stimulate voluntary efforts to aid in the improvement of the balance of payments position of the United States.

(b) When the President finds it necessary and appropriate to safeguard the United States balance of payments position, he may request banks, investment bankers and companies, insurance companies, finance companies, and pension funds to discuss among themselves the formulation of voluntary agreements or programs to achieve such objective. If the President makes such a request, no such discussion nor the formulation of any voluntary agreement or program in the course of such discussion shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States, provided that no act or omission to act in effectuation of such voluntary agreement or program is taken until after such voluntary agreement or program is approved in accordance with the provisions of subsections (c) and (d) hereof.

(c) The President may approve any voluntary agreement or program among banks, investment bankers and companies, insurance companies, finance companies, and pension funds that he finds to be necessary and appropriate to safeguard the United States balance of payments position. No act or omission to act which occurs pursuant to any such approved voluntary agreement or program, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act.

(d) No voluntary agreement or program shall be approved by a delegate of the President except after submission to the Attorney General for his review as to its effect on competition and a finding by the Attorney General that the actual or potential detriment to competition is outweighed by the benefits of such agreement or program to the safeguarding of the United States balance of payments position.

(e) The Attorney General shall continuously review the operation of any agreement or program approved pursuant to this Act, and shall recommend to the President the withdrawal or suspension of such approval if in his judgment its actual or potential detriment to competition outweighs its benefit to the safeguarding of the United States balance-of-payments position.

(f) The Attorney General shall have the authority to require the production of such books, records, or other information from any participant in a voluntary agreement or program as he may determine reasonably necessary for the performance of his responsibilities under this Act.

(g) Upon withdrawal of any request or finding made hereunder or approval granted hereunder, or upon termination of this Act, the provisions of this section shall not apply to any subsequent act or omission to act.

Sec. 3. The President may require such reports as he deems necessary to carry out the policy of this Act from any person, firm, or corporation within the United States concerning any activities affecting the United States balance of payments position.

Sec. 4. The President may delegate the authority granted him by this Act, except that the authority granted in section 2(c) may be delegated to only officials appointed by the President with the advice and consent of the Senate, whether acting singly or jointly or as a committee or board.

Sec. 5. This Act and all authority conferred thereunder shall terminate on December 31, 1967, or on such date prior thereto as the President shall find that the authority conferred by this Act is no longer necessary as a means of safeguarding the balance of payments position and shall by proclamation so declare.

The letter presented by Mr. Hart is as follows:

Office of the Attorney General,
Washington, D.C., February 17, 1965.

The Vice President,
U.S. Senate, Washington, D.C.

Dear Mr. Vice President: Transmitted herewith for consideration and appropriate reference is a draft bill entitled "An act to provide for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States."

This bill is submitted to implement recommendations contained in the President's message to Congress of February 10, 1965, on the balance of payments (H. Doc. 83, 89th Cong.). In that message the President indicated that he was requesting the Chairman of the Board of Governors of the Federal Reserve System in cooperation with the Secretary of the Treasury to enroll the banking community in a major effort to limit lending abroad. The President also stated that to insure effective cooperation by the banking community he would request legislation which would authorize voluntary cooperation by American bankers under governmental auspices and provide such exemption from the antitrust laws as might be necessary to permit cooperative plans of action. The enclosed draft bill is designed to effectuate the President's objective. Adequate safeguards are provided in the bill to make certain that joint action does not exceed that which is necessary to deal effectively with the balance-of-payments situation.

It is contemplated that as part of the program representatives of the Treasury Department and the Federal Reserve System may meet from time to time with the banks and other institutions significantly engaged in foreign financing and consult with them individually and in groups concerning means of curtailing the outflow of funds through extension of credits. In this connection, we understand that the Board of Governors of the Federal Reserve System has already requested banks to limit credits to foreigners. It could become necessary for the President or his delegates to request financial institutions to develop and undertake specific voluntary agreements or programs to restrict their lending activities. Under this proposed legislation the President would be authorized to approve voluntary agreements or programs formulated by the cooperating institutions.

To assure full cooperation, the bill would exempt from the prohibitions of the antitrust laws and the Federal Trade Commission Act activities in connection with the development and implementation of voluntary agreements and programs undertaken at the request of the Government. The proposed legislation is similar in many respects to the provisions of the Defense Production Act of 1950 which were in effect during the Korean war period and continue in effect to a more limited extent today.

The exemptions provided in the enclosed bill are carefully limited. The authority of the President to approve voluntary agreements and programs may be delegated only to officers appointed by the President with the advice and consent of the Senate. It is contemplated that such agreements and programs would be approved only if found to be necessary and appropriate to safeguard the U.S. balance-of-payments position. Unless an exceptional situation arises requiring direct action by the President himself, they will be approved only after submission to the Attorney General for his review as to the effect on competition and a finding by him that the actual or potential detriment to competition is outweighed by the benefits in safeguarding the U.S. balance-of-payments position. The Attorney General is authorized to require the production of any books and records that he may need in order to keep a careful watch as to the effects of any agreement or program upon competition, and to recommend to the President the withdrawal or suspension of any approval given pursuant to the act if in his judgment the actual or potential detriment to competition outweighs its balance-of-payments benefits.

The bill also provides needed legal authority pursuant to which the President can require reports so that constant surveillance may be maintained over the trends in foreign lending and other significant aspects of the President's balance-of-payments program.

The proposed enactment would expire on December 31, 1967, or sooner if the President determines and by proclamation declares that the authority conferred by the act is no longer necessary as a means of safeguarding the balance-of-payments position.

This bill has been prepared in consultation with the Treasury Department and the Board of Governors of the Federal Reserve System. Both agencies join in urging its prompt enactment.

The Bureau of the Budget has advised that enactment of this legislation is in accord with the program of the President.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Attorney General.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT OF 1952

Mr. HART. Mr. President, on behalf of myself, the Senator from Hawaii [Mr. FONG], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Rhode Island [Mr. PELL], and the Senator from Pennsylvania [Mr. SCOTT], I introduce for appropriate reference, a bill to amend the Immigration and Nationality Act of 1952 to permit the adjustment of status of refugees resident in the United States, who are natives of countries contiguous to the United States or of any adjacent islands, including Cuba.

The bill eliminates the technical requirement of our immigration laws which requires such aliens to leave this country and reenter, in order to become eligible for permanent residence. I do not question this requirement for aliens who have come here through normal procedure and in casual circumstances, and then elect to apply for permanent residence. The requirement, however, would seem to have little justification in the case of refugees from the Communist regime in Cuba. Certainly, their entry into this country was anything but normal and casual—they were under duress and fleeing oppression.

Moreover, the requirement inhibits the rather substantial Federal program of assistance administered by the Department of Health, Education, and Welfare. As Senators know, the purpose of this program is to render effective asylum by providing our Cuban guests with opportunities for self-support, chiefly through resettlement. The program is carried out in cooperation with several voluntary agencies, religious bodies, and civic organizations.

Mr. President, the talents of many Cuban refugees are going to waste because State professional licensing laws keep those without permanent status from practicing their skills or professions. This situation, and the expensive and laborious procedure to obtain this status under present law, is keeping refugees on relief rolls in various difficult circumstances. I am thinking of examples in Michigan, where, because of their immigration status, qualified Cubans have been unable to teach Spanish in the local public schools. It is obvious, however, that such refugees could fill an urgent need if given the opportunity for adjustment of status.

Examples in Michigan are multiplied throughout the country; in every State and on the public assistance rolls of the Cuban Refugee Center in Miami.

The bulk of the refugees are highly skilled and educated persons: qualified teachers of Spanish; professional, technical, and managerial workers; office personnel; and skilled workers. In my book, this reservoir of talent should be tapped to the fullest extent in the interest of the individual Cuban, for the development of our society.

Legislation to permit an adjustment of status for Cuban refugees would help accomplish this objective, and also assist in phasing out the Cuban refugee program.

Legislative action should also encourage the resettlement of Cubans to other countries in this hemisphere, where refugee talent would contribute to economic, social, and political development. And certainly, there are no more effective spokesmen to describe the destruction of freedom under Castro's brand of communism than the Cubans who have fled their homeland.

Today, however, refugees are hesitant to leave the United States. Under their present immigration status they are not assured of reentry, if for valid reasons they choose to return. The proposed bill would help remedy the situation.

The Subcommittee on Refugees and Escapees, which I have had the honor to serve as chairman, conducted extensive hearings on the Cuban refugee problem. On the basis of its findings, I believe that passage of the bill I offer today would have beneficial effects for all concerned.

It should be noted that the bill is permissive rather than mandatory. It does not automatically blanket all Cuban refugees with an adjustment of status. The bill is a limited measure, which will afford an opportunity for adjustment of status to those refugees who need or desire it to ply their skills and talents. The usual screening process, of course, would apply in all cases.

Public Law 85-559, enacted in 1958 for Hungarian refugees, is somewhat of a precedent for the bill I offer today.

Mr. President, I hope, sincerely, the Senate will act promptly on the bill.

I ask unanimous consent that the bill I offer today lay on the desk for 1 week for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will lie on the desk as requested.

The bill (S. 1241) to amend section 245 of the Immigration and Nationality Act, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

EMPLOYMENT OF ALIENS IN A SCIENTIFIC OR TECHNICAL CAPACITY BY DEPARTMENT OF THE INTERIOR

Mr. JACKSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to employ aliens in a scientific or technical capacity.

This measure was drafted by the Department of the Interior, and was transmitted to the Congress with a request for introduction and reference. It would extend to the Interior Department the same authority now possessed by a number of other agencies of the Federal Government to recruit and compensate qualified scientists and technicians who are not U.S. citizens for special projects and studies.

The measure would provide for adequate security and other appropriate investigations of any aliens so engaged. It is made necessary by a provision in the Public Works Appropriations Act which precludes use of appropriated funds to compensate aliens for employment in the United States except under certain restrictive conditions.

Mr. President, I ask unanimous consent that the text of the bill and the accompanying letter from the Interior

Department be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1243) to authorize the Secretary of the Interior to employ aliens in a scientific or technical capacity, introduced by Mr. Jackson, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 1243

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior to the extent he determines to be necessary, and subject to adequate security investigations, and such other investigations as he may determine to be appropriate, and subject further to a prior determination by him that no qualified United States citizen is available for the particular position involved, is authorized to employ and compensate aliens in a scientific or technical capacity at authorized rates of compensation without regard to statutory provisions prohibiting payment of compensation to aliens.

The letter presented by Mr. Jackson is as follows:

U.S. Department of the Interior,
Washington, D.C., February 8, 1965.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill to authorize the Secretary of the Interior to employ aliens in a scientific or technical capacity.

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill extends to this Department authority to employ aliens of any country in a scientific or technical capacity. The Secretary of the Interior is precluded by the Public Works Appropriation Act from using appropriations to compensate aliens whose post of duty is in the continental United States unless certain statutory requirements are met. Section 502 of the Public Works Appropriation Act, 1964, approved December 31, 1963, Public Law 88-257, provides in part:

"Unless otherwise specified and during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act, who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date, (3) is a person who owes allegiance to the United States, or (4) is an alien from Poland or the Baltic countries lawfully admitted to the United States for permanent residence. * * * That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies."

A provision similar to that quoted above has been carried in one of the appropriation acts for several years, and it is assumed that it will be repeated in the future.

Authority similar to our proposed bill was recently granted by the Congress to the National Aeronautics and Space Administration and to the Smithsonian Institution. Congress has exempted the Department of Defense from the prohibitions against employment of noncitizens. The Departments of State and Agriculture, the Immigration and Naturalization Service, and the Public Health Service have also been given authority by Congress to employ noncitizens for certain necessary purposes.

The proposed legislation enables this Department, in the absence of qualified U.S. citizens, to broaden its area of recruitment in searching for talented personnel with unique technical and scientific skills, regardless of the country of origin of an individual being considered. It removes the anomalous situation whereby individual scientists of outstanding ability and experience, who are citizens of neutral countries, may not be offered employment unless they are employed on projects for which funds can be transferred from agencies that do have authority to hire such specialists.

The authority will be used to fill vacancies in current research and investigations programs that require qualified scientists and engineers with a depth of training and experience or a special combination of unusual abilities not commonly available in a single person. Lack of qualified applicants to fill present vacancies may result in postponement of needed research programs.

Examples of the kinds of specialists currently being sought include nuclear scientists skilled in mass spectrometer techniques and experienced in the absolute dating of rock specimens for geochronological studies (most of whom are Swiss nationals); scientists experienced in Arctic or Antarctic exploration with sufficiently broad training to extract maximum information from field work performed at high cost under the most severe working conditions, including work performed on limited time schedules at points of observation where access is difficult, as in certain areas of Alaska (such specialists are few in number and are principally Scandinavian or Canadian nationals, of which Swedish and Finnish scientists cannot currently be employed). Other examples include scientists with technical training and linguistic ability in the central European, Asiatic, and other less well-known languages, and with geographic familiarity with areas not currently accessible to travel, who would act not as translators as such, but provide scientific interpretations of materials produced in the geographic areas they know.

These specialists would be employed "subject to adequate security investigations, and such other investigations as he (the Secretary of the Interior) may determine to be appropriate" and "at authorized rates of compensation." These investigative provisions are not intended to permit lower investigative standards for aliens than for citizens. Rather, the above provisions are intended to insure that no security risks will be employed and that aliens will not be employed in scientific or technical capacities at rates which exceed those of citizens in identical or similar positions within the Department. Additionally, the bill provides that these specialists would be hired only after a determination by the Secretary of the Interior that no qualified U.S. citizen was available for the particular position involved.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,
D. Otis Beasley,
Assistant Secretary of the Interior.

S. 1243

A bill to authorize the Secretary of the Interior to employ aliens in a scientific or technical capacity

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior to the extent he determines to be necessary, and subject to adequate security investigations, and such other investigations as he may determine to be appropriate, and subject further to a prior determination by him that no qualified United States citizen is available for the particular position involved, is authorized to employ and compensate aliens in a scientific or technical capacity at authorized rates of compensation without regard to statutory provisions prohibiting payment of compensation to aliens.

PROVISION OF SAFETY FEATURES FOR ALL MOTOR VEHICLES USED IN INTERSTATE COMMERCE

Mr. NELSON. Mr. President, today automobile accidents are a major and increasingly serious hazard to the public. The automobile ranks as one of the four leading causes of death in the United States. While millions of dollars are spent on cancer and heart research, two other major killers, we continue to ignore these dramatic statistics:

Over 47,000 people were killed on our Nation's highways last year.

Approximately 4.8 million people were injured in automobile accidents last year.

In the critical age group of 5 to 29, the automobile is the No. 1 killer.

An American's chances of escaping injury in a car crash during the whole of his lifetime is no better than 50–50, as estimated by one expert in the January issue of American Trial Lawyers.

Approximately 50 times as many people died in auto accidents as died in airplane accidents last year.

The U.S. Air Force loses more of its men in auto accidents each year than in aircraft accidents.

The figures are appalling, yet the slaughter goes on. What is being done to protect the millions of Americans whose lives are directly affected by the automobile?

Progress has been slow, but there is at last some indication of possible action. The Senator from Connecticut [Mr. Ribicoff] deserves our congratulations for the traffic safety statement he made last week. His proposal to review the Federal Government's role in accident prevention should receive universal support. The problems of poor highway construction, confusing signs and traffic markings, inadequate driver licensing programs and mechanical failure of the automobile all deserve attention. They certainly contribute to the high death rate on our highways. I have introduced legislation to protect the consumer from faulty tires by requiring minimum safety standards and a system of quality grading and labeling.

These approaches to traffic safety problems attempt to get at part of the problem. They deserve consideration. But there is more to be done. We must direct our attention to another fundamental matter: the unsafe construction of cars themselves.

Forty-three percent of the people who die in auto accidents die under survivable conditions, according to the estimate of Elmer Paul, of the U.S. Public Health Service Accident Prevention Bureau. Their accidents have many causes, but their deaths have one: the unsafe nature of the car itself.

This means that almost one-half of our total highway fatality rate is unnecessary and could be eliminated by simple reconstruction of the vehicle.

It is only realistic to acknowledge that as long as the human being is in control of the vehicle, accidents will occur. Our attention must therefore be focused on reducing injury after the original impact has occurred. This concept is often referred to as safety during the "second collision"—the collision not only of the car in the accident, but of the occupant of the car with the interior of his own vehicle.

Dr. James Malfetti of the safety project at Columbia University recently stated:

> We design cars and roads and then tell the driver to adapt himself to them as best he can. We should start the other way around. Let us first find out what the driver's capacities are and then build cars and roads to fit them.

How to achieve safety in the "second collision" is a concept which has been studied by the experts. Serious research has been going on for over a decade. There is agreement that the present construction of most cars hamper the driver's ability to avoid accidents. This results in the actual causation of accidents. Beyond this, there is a consensus that the construction of cars contributes to unnecesary injuries and deaths after the original impact.

The findings of such groups as the crash injury research project at Cornell University, the Institute of Transportation and Traffic Engineering of the University of California, the University of Minnesota, the University of Michigan Medical School, Harvard University, Wayne State University, the American Association for Automotive Medicine, and the U.S. Public Health Service are important contributions to the field of safety research. These expert groups have shown that:

If cars were built so that protection could be provided for the head alone, at least one out of five people who are now dying in auto accidents would be saved.

If cars were built with seat and shoulder belts which would hold people in the car in an accident, thousands of lives would be saved: If a person is thrown from the car, the chance of death is five times as great.

If cars were built with only three basic changes, occupants could probably survive any crash up to 35 miles per hour—and statistics show that 87 percent of all accidents occur at impact speed of 35 miles per hour or below. The three basic changes are: shoulder harnesses; doors which will stay closed in a crash; and collapsible steering shafts.

What do these statistics mean in practical language? Simply, that if we take action now to make cars themselves safer, the frightening number of deaths and injuries occurring on our highways can be dramatically reduced.

The need for changes is obvious. But one factor impedes progress in this area. That factor is the conviction in Detroit that "safety doesn't sell." It is the stylist who reigns supreme in the automobile industry, not the safety and engineering experts.

The slightest mention of safety standards seems to cause panic in the automobile industry and I can understand their concern about ill-considered regulation. But, there is no intent to propose impractical or unreasonable standards. The industry will be consulted at each step of the way. This is a matter of great public concern. The purpose of the proposed legislation is to find a way to reduce the death toll on the highways.

Last year a very important step toward safety regulation of the automobile industry was taken when the Congress passed legislation authorizing the drafting of minimum safety standards for federally purchased automobiles.

The proposal being made today would extend the new Federal safety standards for Government automobiles to all cars manufactured for, sold or shipped in interstate commerce. We now know how to write safe standards for 60,000 publicly owned cars. The purpose of this measure is to give the benefit of such safety standards to the public as a whole.

This proposal will establish a number of required safety features. Among these are: collapsible steering wheels, shoulder harness safety belt anchors, specific types of safety glass, smog removing exhaust systems, standardized transmission controls to avoid confusion, and uniform bumper heights.

These new features have been tested, proven effective and will be available in Government-purchased cars by 1967. Installation of these features will be of great benefit. And, there are other steps which will increase our ability to deal with this problem.

A second proposal would authorize and provide funds to the Federal Government to develop and test a prototype safety car.

Both the Liberty Mutual Insurance Co. and the Engineering Department of the University of Minnesota have developed safety cars with encouraging results. Some who have studied such designs contend that the adoption of special safety features could save as many as 640,000 lives over the next 15 years. I intend to introduce a bill to authorize safety car research in the near future.

These proposals could do much to save lives. We have the opportunity, the technological know-how, and the manpower to eliminate one of the greatest hazards to the motorist and the public as a whole. It is the responsibility of the Congress to seize this opportunity and eliminate unnecessary injuries and deaths on the highway.

Mr. President, I ask unanimous consent that the bill, together with a list of the General Service Administration's safety standards applicable to the 60,000 automobiles purchased by the Government annually, be printed in the Record and that the bill be held at the desk through March 5 for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and list will be printed in the Record and the bill will lie on the desk, as requested by the Senator from Wisconsin.

The bill (S. 1251) to prescribe certain safety features for all motor vehicles manufactured for, sold or shipped in interstate commerce, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the manufacture for sale, the sale, or the offering for sale in interstate commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported in, interstate commerce or for the purpose of sale, or delivery after sale in interstate commerce, or the use in interstate commerce, of any motor vehicle manufactured after the date of this Act, shall be unlawful unless such motor vehicle is equipped with passenger safety devices prescribed in accordance with the provisions of this Act.

Sec. 2. The Secretary of Commerce shall prescribe and publish in the Federal Register standards for passenger safety devices required under authority of the first section of this Act, which standards shall to the extent deemed desirable be consistent with standards prescribed by the Administrator of General Services pursuant to the provisions of Public Law 88–515. The standards first established under this section shall be prescribed and published not later than one year from the date of enactment of this Act.

Sec. 3. The Secretary of Commerce shall cooperate with other Federal departments and agencies and with other public and private agencies, institutions, organizations, and companies, and with any industries involved, in the establishment of safety standards under this Act. Where other Federal instrumentalities have prescribed standards in the field of automotive safety, standards issued hereunder shall be fully coordinated with those of such instrumentalities.

Sec. 4. Any person violating the provisions of section 1 of this Act shall be fined not more than $1,000. Such violation with respect to each motor vehicle shall constitute a separate offense.

Sec. 5. As used in this Act the term "motor vehicle" means any vehicle, self-propelled or drawn by mechanical power, designed for use on the highways principally for the transportation of passengers, and light trucks up to a gross vehicle weight of 10,000 pounds, but will not include any vehicle designed or used for military field training, combat, or tactical purposes, and motor vehicles subject to standards prescribed by the Interstate Commerce Commission.

Sec. 6. This Act shall take effect on the date of its enactment except that section 1 of this Act shall take effect one year and ninety days after the publication of standards for passenger safety first established under section 2 of this Act. If additional standards are established, or if the standards first established hereunder are later changed, such standards, as so later established or changed, shall take effect one year and ninety days after the date of their publication.

The list presented by Mr. NELSON is as follows:

Standards for passenger safety devices

RATING OF DEVICES FOR PASSENGER SAFETY ACCORDING TO VEHICLE APPLICATION

	Sedans	Buses	Carry-alls	Station wagons	Light trucks up to 10,000 pounds g.v.w.
Anchorages; seat-belt assemblies, passenger types	34	48	34	35	34
Outside rear view mirror	---	---	---	---	---
Safety door latches, locks, and hinges	36	79	39	34	37
Safety glass	42	42	42	42	42
Impact absorbing steering wheel and column displacement	43	71	43	42	47
Dual operation of braking system	47	42	43	43	43
Anchorage of seats	47	50	49	45	57
Padded dash and visors	47	90	52	34	44
4-way flasher	47	54	45	54	52
Tire and safety rim	50	38	43	47	40
Backup lights	52	48	43	48	47
Sweep design of windshield wipers and washers	53	49	52	49	52
Standard gear quadrant (P R N D L)—Automatic transmission	58	86	62	55	59
Recessed dash instruments and knobs	60	78	53	57	57
Glare reduction surfaces—Dash and wipers	63	80	52	61	54
Exhaust emission control system	65	49	66	66	66
Standard bumper heights	79	87	77	76	85

FEDERAL STANDARD NO. 515/1

Anchorage; Seat belt assemblies

Requires anchorages for lap and shoulder belts on all front seats.

Requires anchorages for lap belts only on rear seats.

Each lap belt anchorage to sustain 2,500 pounds.

Each shoulder belt anchorage to sustain a pull of 1,500 pounds.

FEDERAL STANDARD NO. 515/2

Padded dash and visors

Requires installation of energy absorbing material over dash and visors.

Requires visor mounting location to minimize head injury.

FEDERAL STANDARD NO. 515/3

Recessed dash instrument and control devices

Requires breakaway or receding controls if they project from dash.

Requires instrument bezels recede to level of panel surface under impact.

FEDERAL STANDARD NO. 515/4

Impact absorbing steering wheel and column displacement

Steering wheel assembly to develop to more than 2,500 pounds force when impact by object weighing 75 pounds at 22 feet per second.

Steering column shall not be displaced rearward more than 8 inches on collision with barrier at 30 miles per hour.

FEDERAL STANDARD NO. 515/5

Safety door latches and hinges

Must withstand 2,500 pounds of longitudinal loading.

Must withstand 1,700 pounds of transverse loading when fully latched.

Must withstand 500 pounds of transverse loading in latch position.

FEDERAL STANDARD NO. 515/6

Anchorage of seats

Requires anchorage of seats and backs against forward and rearward loads.

SAE Standard applies only to front seats but this covers all.

FEDERAL STANDARD NO. 515/7

Four-way flasher

Provides warning by simultaneously flashing all turn signals.

Based upon new standards being developed by SAE.

FEDERAL STANDARD NO. 515/8

Safety glass

Applies the requirements of ASA Standards, ICC Regulations and National Education Association Standards to Government vehicles.

FEDERAL STANDARD NO. 515/9

Dual operation of brakes system

Under failure of hydraulic system requires that unaffected brakes stop vehicle in reasonably straight line.

FEDERAL STANDARD NO. 515/10

Standard bumper heights

Sets static height to better insure bumper contact between vehicles.

FEDERAL STANDARD NO. 515/11

Standard gear quadrant (PRNDL)

Requires single quadrant arrangement for all automatic transmission reducing human error.

FEDERAL STANDARD NO. 515/12

Sweep design of windshield wipers—washers

Requires multispeed electric wipers.

Other requirements in accordance with SAE recommended practice.

Provides for windshield washer system.

FEDERAL STANDARD NO. 515/13

Glare reduction surface—instrument panel and windshield wipers

Provides for reduction of glare from all surfaces in operator's field of view.

FEDERAL STANDARD NO. 515/14

Exhaust emission control system

Incorporates the California test procedure and criteria.

In accordance with clean air act.

FEDERAL STANDARD NO. 515/15

Tires and safety rims

Requires that tires conform to Federal specification ZZ-T-381.

Requires that rims conform to the tire and rim association regulations.

In event of tire failure the rim will retain the tire.

FEDERAL STANDARD NO. 515/16

Backup lights

Requires rear white lights to be illuminated automatically when the vehicle is in reverse gear day or night.

FEDERAL STANDARD NO. 515/17

Outside rear view mirrors

Requires left outside rear view mirror for all vehicles.

Requires right outside rear view mirror for buses, station wagons, carryalls, and trucks.

Establishes certain limits on a location.

CHANGE OF DATE ON WHICH FARMERS MUST FILE INCOME TAX RETURNS

Mr. MUNDT. Mr. President, when I was back in South Dakota during the Lincoln Day recess a number of farmers, lawyers, and accountants in our South Dakota small towns inquired of me as to whether it would be possible to change the date on which farmers must file their income tax return. All advised me that because of the need established for exacting accounting procedures in their operations and the intricate tax forms which farmers must file with the Internal Revenue Service it takes an increasingly long time to prepare the return. Because of these accounting procedures and intricate forms most farmers must rely on expert tax accountants or lawyers to help them prepare their tax returns so that they are in compliance with all IRS laws and regulations. There are only a very few tax experts in the small towns and rural areas of America and these experts are finding it more and more difficult to prepare all of the returns of their farmer clients so they can meet the February 15 filing date.

All advised me that if the filing date was set back to March 15—or 1 month—it would give them the additional time needed to prepare and file the returns of farmers.

It should also be pointed out, Mr. President, that March 1 of each year is moving time for tenant farmers. It is the date that most of them establish for their accounting period and a March 15 filing date would be most helpful to them.

Many farmers rely on their canceled checks for much of their record substantiation. Many canceled checks for year-end debts and transactions are not cleared through the bank by February 1 and are not available soon enough to permit as much as 15 days for preparation of the tax return. By giving the farmer another 30 days it insures that all records are available so a complete return can be made and filed in an orderly and unhurried manner.

Because of these reasons indicating the need for more time for permitting farmers to prepare and file their income tax returns I am introducing legislation which establishes March 15 of each year as the final date for farmers to file their income tax returns. I hope this bill will receive early consideration by the Finance Committee so that it can be acted on this year and become effective for the filing of tax returns in 1966. I ask that my proposal be printed in full at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1252) to give farmers an additional month in which to meet the requirement of filing a declaration of estimated tax by filing an income tax return for the taxable year for which the declaration is required, introduced by Mr. MUNDT, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 6015(f) of the Internal Revenue Code of 1954 (relating to return considered as declaration or amendment) is amended by striking out "February 15" and inserting in lieu thereof "March 15."

(b) The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1964.

ASSISTANCE TO SCHOOLS IN FEDERALLY IMPACTED AREAS

Mr. TOWER. Mr. President, on behalf of myself and the Senator from Kansas [Mr. PEARSON], I introduce, for appropriate reference, a bill that I hope will assist school districts in areas where defense installations are being closed down.

My State has been affected, Mr. President, as have virtually all other States by the closing of Army, Navy, and Air Force installations which the Department of Defense feels are no longer necessary for the national security. I have been pleased with the efforts of the Department of Defense and the individual communities involved to lessen the economic impact of such closings.

However, it appears to me that an additional step can be taken in the vital area of education. As every Senator knows, the so-called impacted areas laws provide Federal financial assistance to school districts that educate children from federally connected families. This is a most worthwhile and necessary program.

As now constituted, Public Law 874 provides a system of cutting off funds for those school districts that fall below certain levels of enrollment of federally connected children.

Public Law 874 now applies to those school districts that have an enrollment containing 3 percent or more federally connected children. The law provides that when districts fall below that rate—as many will because of the recent defense base closings—such districts are eligible in the first year to receive payment for the actual number of federally connected children remaining enrolled. The next year, such districts receive one-half of the first-year amount. After the second year, they receive nothing.

I propose that this tapering-off period be liberalized so as to stretch out the economic impact caused by the curtailment of such funds. I have discussed this matter with many school superintendents, and you have only to chat with them a few moments to realize the importance of impacted areas funds in their budget planning. Since school budget planning must necessarily be plotted several years ahead so that sufficient classrooms, teachers, and programs are available, I believe a longer tapering-off period for impacted areas aid would be of vital benefit to the affected school districts.

I wish to point out that this Government already has recognized its obligation to assist communities in realinement of their economies to make up for loss of income from defense bases. This Congress also has graphically recognized its responsibility to see that education is not denied to the Nation's children.

Therefore, I introduce this bill to deal with the Federal obligation to those school districts who have in good faith participated in the impacted areas program while defense installations swelled their enrollments.

My bill would apply only to those school districts affected by defense installation closings. It would provide that such districts continue to receive impacted areas aid as long as they have 1-percent enrollment of federally connected children. When the 1-percent level is reached, such districts would receive in the first year one-half of the 1-percent level payment; in the second year, one-third of that payment; and in the third year, one-fourth.

I believe such a liberalized stretching out of the impacted areas payment curtailment will measurably assist such districts and will meet the Federal obligation not only to assist in education, but also to help in economic readjustment of cities where defense bases are closed.

Mr. President, may I take just a moment more to illustrate the scope of this problem in my own State?

You will recall that four major defense installations are being phased out or curtailed in Texas under the most recent Department of Defense announcement. There will be a total of 6,498 children now counted as federally connected who will not be so counted when the curtailment is complete. Some of these will move away with their families. Most families will not move. The total amount paid for these children in fiscal year 1964 was $873,115.

In the Dyess Air Force Base area near Abilene 2 school districts now claim 554 federally connected children for which the payment in 1964 was $73,381.

In the area of the Eagle Mountain Station near Fort Worth there were 178 children claimed by 17 school districts with a total payment of $18,816.

When James Connally Air Force Base is closed at Waco, there will be a loss of Federal assistance in the amount of $219,585 affecting 40 different school districts and 1,607 children.

At Amarillo, where the airbase is to be closed, there are 4,158 affected children in 19 affected school districts which have been receiving a Federal assistance payment of $476,180.

I know, Mr. President, that such figures are duplicated in dozens of other States represented in this Senate, and I hope that we can provide good-faith relief to these school districts that have served our Nation's Defense Establishment in good faith.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1256) to amend Public Law 874, 81st Congress, providing assistance to schools in federally impacted areas, in order to provide for a more gradual reduction of payments pursuant thereto as a result of termination of activities of the Department of Defense, introduced by Mr. TOWER (for himself and Mr. PEARSON), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. PEARSON. Mr. President, I express my support of the impacted areas-military base closing bill introduced today by the Senator from Texas, and I am pleased to join in cosponsoring the bill.

This is a matter of great urgency to many States—in particular, to my State of Kansas. We are required to close Schilling Air Force Base, at Salina, Kans., within the next 135 days and to uproot more than 13,000 officers, enlisted men, and their families. This loss of residents represents a 25-percent reduction in the entire population of Saline County.

The closure of Schilling will take more than $34 million in effective purchasing power from the $109 million annual buying income of Salina—a loss of nearly 35 percent.

The community leadership of Salina, although staggered by the deactivation of the air base, is working with resoluteness and enthusiasm to offset the loss. Civic and business leaders have organized a countywide committee to offset the slack by finding new uses for the base facilities.

Regardless of the positive efforts of local leaders and the fine cooperation of the Office of Economic Adjustment of the Department of Defense, Salina is left with a host of problems due directly to the closing of the base, and especially the brief period of adjustment involved. This bill would cushion some of the impact by relieving a heavy burden of educational costs incurred directly as a result of the presence of the Air Force.

We had been advised 1 year ago that B-47 bombers presently stationed at Schilling would be phased out in March of this year and would be replaced by B-52 bombers in June of this year. With the announcement that the base is to be closed in June, the Air Force will not move these bombers onto the base and undoubtedly will continue its B-47 phaseout next month.

Funds to aid the operation of school systems in federally impacted areas are based on two programs under Public Law 874: 3a students are those whose parents live and work on a Federal installation and 3b students are those who live in communities adjacent to Federal installations and whose parents work at the installations. During the 1963-64 school year, Salina received $552,059 for students under Public Law 874. In 1965, on the basis of enrollment in the fall, Salina would receive $688,217 because of a greater number of students enrolled.

The number of students eligible under this measure has been determined in Salina by taking a census in October, and again in April, and then dividing by two. For 12 years, this system has proven satisfactory to the Federal Government, for purposes of determining the amount of Public Law 874 funds.

After the B-47's leave Schilling in March, the number of dependents remaining on the base in April could be negligible. Thus, Salina's public-school system faces reductions of at least $500,000 in Public Law 874 payments, if the present applicability is permitted to remain in effect.

This completely unanticipated chain of events leaves the Salina Board of Education with a deficit of 2,266 students classified under sections 3a and 3b of Public Law 874. Even though students may be taken from their classes and transferred to other schools, the Salina area still must honor its contracts to the many teachers who have been hired to educate students in the community and at the Air Force base.

Salina residents now are faced with paying off $3½ million in school-construction bonds—which were issued prior to the announcement last November that Schilling Air Force Base would close. Through Public Law 815 funding, Federal money financed 14.8 percent of the total cost, even though 22.9 percent of the students in the Salina school system were federally connected.

Under the terms of the bill which today I join in sponsoring, the original cutoff point at which 3 percent of the total number of students enrolled are required to be connected with a Federal installation—established as a phaseout point for funds, would be reduced, so that only 1 percent of the total number of students would be required to be in the federally impacted classification. Furthermore, in the case of Salina, the percentage reduction in funds would be graduated over a 3-year period, with the funds being cut off at the end of the fourth year. Existing legislation specifies the payment of only one-half of the cost in the second year, and no payment in the third year. The bill introduced today would liberalize the phaseout portion of Public Law 874, and would give a community the benefit of funds for a longer period of time, even though the number of students identified with the federally impacted program was diminishing.

Today, I have stated the Salina story in considerable detail, because this Kansas community is undergoing a tremendous economic shock, due to the closing of the Air Force base. It is my belief that we must help all communities which experience a cutback in defense installations until they are able to reestablish their economies with new industries or by means of expansion of existing businesses. The relaxation of the phaseout schedule for Public Law 874 funds would be a significant step toward the achievement of this goal.

EXTENSION FOR 5 YEARS OF PUBLIC LAWS 815 AND 874, 81ST CONGRESS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a second bill designed to extend the entire impacted areas program for 5 years. It is now scheduled to expire in 1966. My bill extends that date to 1971.

I believe this extension is necessary, Mr. President, in order that school districts can continue to make long-range budget plans. In addition, I believe this longer extension will remove this vital program from the arena of partisan politics in which it has unfortunately found itself in recent election years.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1257) to extend for 5 years Public Laws 815 and 874, 81st Congress, relating to Federal assistance to education in federally impacted areas, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. WILLIAMS of Delaware subsequently said: Mr. President, earlier this afternoon, the Senator from Texas [Mr. TOWER] introduced two bills (S. 1256 and S. 1257) dealing with education.

On his behalf, I ask unanimous consent that these bills remain at the desk for 3 days so that other Senators who may wish to do so may cosponsor them.

The VICE PRESIDENT. Without objection, it is so ordered.

SOVIET FORCES STATIONED IN LATVIA, LITHUANIA, AND ESTONIA

Mr. MILLER. Mr. President, I send to the desk a concurrent resolution and ask that it be printed in the RECORD, that it be printed, and appropriately referred.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, it will be printed in the RECORD, and printed.

The concurrent resolution (S. Con. Res. 23) was referred to the Committee on Foreign Relations, as follows:

S. CON. RES. 23

Whereas the United States has consistently recognized and upheld the right of the Baltic peoples to national independence and to the enjoyment of all independent rights and freedoms; and

Whereas the Charter of the United Nations declares as one of its purposes the development of friendly relations among nations based "on respect for the principle of equal rights and self-determination of peoples"; and

Whereas the Union of the Soviet Socialist Republics has by force suppressed the freedom of the peoples of Latvia, Lithuania, and Estonia and continues to deny them the right of self-determination by free elections: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States should seek through diplomatic and economic action to bring about the withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia and the holding of free elections in those nations to the end that they may once again live as free, independent, and sovereign members of the community of nations.

Mr. MILLER. Mr. President, this concurrent resolution, which I present on behalf of myself and my colleague [Mr. HICKENLOOPER], would resolve that—

> The President of the United States should seek through diplomatic and economic action to bring about the withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia, and the holding of free elections in those nations to the end that they may once again live as free, independent and sovereign members of the community of nations.

I would point out that, while included in the idea of diplomatic and economic action is possible action in the United Nations, it is not the intention of the sponsors of the concurrent resolution that the activities of the President be confined to such action as may be indicated in the United Nations. However, I would point out that the Charter of the United Nations make it very clear that the United Nations stands for the principle of equal rights and self-determination of peoples, which, the evidence is clear, has been denied the particular nations to which I have referred.

I invite attention to the fact that the anniversary of Lithuanian independence was observed on February 18. I believe it would be helpful to the morale of the captive nations if they were to understand that the concurrent resolution not only had been agreed to by Congress but that the United States was actively engaged in implementing it.

I hope that the concurrent resolution will receive a favorable response by the Committee on Foreign Relations and by the State Department. I understand that the State Department heretofore has been concerned that action in the United Nations might not be indicated at this time. I repeat: Action in the United Nations is only one of the areas of possibility that are envisioned by the sponsors of the concurrent resolution.

AMENDMENT OF INTER-AMERICAN DEVELOPMENT BANK ACT, RELATING TO AN INCREASE IN THE RESOURCES OF THE FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK—AMENDMENTS

AMENDMENTS NOS. 36, 37, AND 38

Mr. GRUENING submitted three amendments, intended to be proposed by him, to the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 39

Mr. MORSE submitted amendments, intended to be proposed by him, to House bill 45, supra, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 40, 41 AND 42

Mr. LAUSCHE submitted two amendments (Nos. 40 and 41), intended to be proposed by him, to House bill 45, supra, which were ordered to lie on the table and to be printed.

Mr. LAUSCHE also proposed an amendment (No. 42) to House bill 45, supra, which is pending.

ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the next printing of S. 1035, a bill to amend the Internal Revenue Code of 1954, the name of the senior Senator from Indiana [Mr. HARTKE] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. MANSFIELD. Mr. President, at its next printing, I ask unanimous consent that the name of the senior Senator from Texas [Mr. YARBOROUGH] be added as a cosponsor of the bill (S. 1160) to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, there are two measures which were introduced recently with which I desire to associate myself. These are S. 709 introduced by Senator BURDICK, and others, to amend the Consolidated Farmers Home Administration Act of 1961 to increase the limitation on the amount of loans which may be insured under subtitle A; and S. 1034, introduced by Senator MONTOYA, to authorize the Secretary of Agriculture to grant loans to improve and extend waste disposal and fuel distribution systems serving rural areas.

I ask unanimous consent, Mr. President, that at the next printing of these bills my name be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

Certain portions of the program at the Governor's prayer breakfast, Charleston, W. Va., Monday, February 22, 1965, including: Introduction of U.S. Senator J. CALEB BOGGS by Senator JENNINGS RANDOLPH; address by Senator BOGGS; remarks by Gov. Hulett C. Smith, of West Virginia; and benediction by Dr. Stewart H. Smith, president of Marshall University, Huntington, W. Va.

KENNETH BeLIEU, UNDER SECRETARY OF THE NAVY

Mr. DOUGLAS. Mr. President, I add my words of appreciation for the appointment of Kenneth BeLieu as Under Secretary of the Navy. Mr. BeLieu was an officer of the highest type in the Armed Forces, and at the same time he is a firm believer in the ultimate principle of civilian supremacy. He had a most distinguished record as a brave combat soldier in both World War II and the Korean conflict. He was decorated for bravery in the Normandy campaign with both the Bronze Star and the Silver Star; and in the Korean conflict he was severely wounded, and lost a leg.

He has served both in the Pentagon and on the staff of the Senate Armed Services Committee; and in both capacities he has shown himself to be a hard worker, fairminded, and one who always puts the interests of the Nation first. As Assistant Secretary of the Navy for some years, he mastered the peculiar problems of that branch of the armed services. He is indeed a man of the highest character; and the President has chosen well. Mr. BeLieu's intimate knowledge of the problems of the armed services, his keen mind, and his resolute devotion to the fundamental principles of a democracy make him an ideal choice.

DEATH OF SEMINOLE INDIAN CHIEF BILLY BOWLEGS

Mr. HOLLAND. Mr. President, last Wednesday, February 17, I placed in the CONGRESSIONAL RECORD the account of the death of Seminole Indian Chief Billy Bowlegs.

I have now received a copy of the Clewiston News, one of the closest newspapers to his last dwelling place, and I think it is appropriate to complete my reference to this famous Indian chief by quoting the news article and the editorial from the pages of the Clewiston News for February 18, 1965. The news article is, in part, as follows:

SEMINOLE CHIEF DIES AT 103—FUNERAL SERVICES HELD FOR BILLY BOWLEGS III, MONDAY

Several hundred friends and relatives gathered at the Ortona Cemetery Monday afternoon to pay final respects to Florida's oldest and most colorful Seminole Indian Chief, Billy Bowlegs III, who would have observed his 103d birthday Wednesday, February 17.

The son and grandson of two of the Seminole's fiercest warriors passed on to his happy hunting ground in his two-room Government-built house on the Brighton Indian Reservation in northern Glades County Friday night or early Saturday morning. It was only in his final days that Billy moved into the house, prefering to live his life in his palmetto thatched hut until his doctor urged the move.

Services were conducted by Rev. Edward Leader, of Brighton, and Rev. Billy Osceola, of Dania. In paying his final tribute to Billy Bowlegs, Osceola, in both native tongue and English said that in his lifetime he had never heard the deceased say a harsh or untrue word about anyone and that he always conducted himself in a manner that was a credit to his people.

In true native custom, he was buried wearing his colorful ceremonial clothes as worn at fairs, celebrations, and special events through the years. All of his personal belongings were buried with him.

Billy was exceptionally well known in Glades and Hendry Counties, having attended the fairs, festivals, and special occasions through the many years of his life.

He was on hand to welcome former President Herbert Hoover when he visited Clewiston at the Hoover Dike dedication. He has been present at all 16 Chalo Nitka Festivals in Moore Haven, competing in various animal calling contests until recent years. He had made plans to attend the 1965 festival.

Albert DeVane of Lake Placid, Indian historian and 30-year friend of Billy, often tells of Billy Bowlegs' integrity and honesty, citing a 125-mile walk from a camp of Okeechobee Marsh to Kissimmee when he heard a white man had accused him of telling a lie.

Until recent years, Billy had been content to bank his money in hollow trees, cans, and various places about his camp, yielding only in the past year to placing his life savings in a white man's bank for safekeeping.

Billy was born on Arbuckle Creek, 3 miles from Lake Istokpoga, while his family was on a bear hunt, in February 1862. Astronomers figured back and designated the night of February 17 as the night of the little moon, on which he reportedly was born.

Mr. President, the editorial from the Clewiston News reads in full, as follows:

FAREWELL TO BILLY BOWLEGS III

In a tender but curious mixture of Christian and Seminole rites, graveside services were conducted for 103-year-old Billy Bowlegs III, patriarch of the Florida Indians, in Ortona Cemetery Monday.

Billy's life had spanned the age of transition; he had seen his people emerge from the fastness of the Everglades where they existed for generations on their skill as hunters and fishermen. He saw them accept society's opportunities for better health, better education and better job opportunities.

Billy became a legend many years ago for his prowess as a hunter. His reputation as the greatest hunter in Florida was never challenged; the great men of the State in all walks of life came to the 'Glades area to hunt with Billy. They never went home emptyhanded.

But to those who knew him, Seminole and white American alike, Billy will be enshrined in their hearts for the attributes of his noble character. Those who knew him best testify to his complete and absolute honesty and truthfulness. He was never known to cheat or tell a lie.

Without benefit of Christian teaching in his youth Billy believed that man has a noble spirit, which lives after the body is dead; and that the spirit of those who have lived the right life will go, after death, to the Happy Hunting Ground.

His kindly expression, his poise and his serene dignity have added grace to many gatherings, and we shall miss him.

DEATH OF JUSTICE FRANKFURTER

Mr. SALTONSTALL. Mr. President, Mr. Justice Frankfurter will be missed by those who knew him and those who did not know but who respected him for his views on many different facets of our life. We are saddened by his death. He was a man of many unusually diversified interests. The principle one was the law and the interpretation of the law under our Constitution. He had undying faith in our Constitution and his decisions on the problems that came to the Supreme Court in recent years always reflected faith and confidence in our fundamental law.

But his interests were not confined to legal problems alone. He read the key newspapers and the Manchester Guardian each morning, I always felt before 7:30. Then, while his health was good, he walked part way to his office and discussed vital issues with the then Secretary of State Dean Acheson. On more than one occasion he saw me on the sidewalk, jumped out of his car and walked up the Hill with me to inquire concerning affairs in the Senate. During my time here in Washington, he and I lunched together in each other's office several times each year and I last visited him several weeks ago when, while he was weak physically, his mind and his interest in affairs was just as active as ever.

He came to the Harvard Law School as a professor in 1914. I was in his first class on criminal law and later in one of his other classes. So I grew at an early date to have respect for his keen mind and clear exposition of his thoughts and questions. Certainly his opinions, many of which I understand were given without notes from the bench, will always stand as fine examples of judicial exposition.

Many people of all faiths and walks of life will be saddened by his death. I join with them in missing one whom we may almost call unique in the modern-day history of our country and its Government.

I send to Mrs. Frankfurter the deep sympathy of Mrs. Saltonstall and myself. I feel I have lost a true friend and shall miss his wise words of counsel.

Mr. JAVITS. Mr. President, the people of the Nation deeply mourn the death of one of the most brilliant of our Supreme Court Justices, Associate Justice Felix Frankfurter. Justice Frankfurter has made an outstanding contribution to the jurisprudence of the Nation and, indeed, to the structure of Anglo-Saxon law, so critically important to the history of all mankind. His incisive, articulate Court opinions have left a permanent imprint upon the framework of our country. His craftsmanship as a lawyer and a judge has been recognized and acclaimed far and wide.

It is significant that the span of Justice Frankfurter's creative and energetic career ranges from the Sacco-Vanzetti case to the Tennessee apportionment case. It is pertinent to the history of our country and a source of great inspiration of our youth that Felix Frankfurter was a Jewish immigrant who sailed from Europe to this country in steerage at the age of 12. He worked his way through Harvard Law School and had a distinguished career in the Federal service and in 25 years on the faculty of Harvard Law School prior to his appointment to the Court in 1939.

Justice Frankfurter's deep concern with the doctrine of judicial restraint was etched throughout his many articulate opinions. He had a passion for fundamental fairness in criminal proceedings and civil liberties, a deep belief in the protection of individual freedoms.

The life of Felix Frankfurter is not only a monument to the great tradition of justice which we have inherited from the Christian-Hebrew civilizations, of which we are so much a part, but, more than that, is an eloquent tribute to the fact that there is still plentiful opportunity for the poor, the immigrant, and the lowly born in this Nation. If Felix Frankfurter could speak to us today, I know his parting words would be: "May it ever be so."

I extend my condolences to his family and my deep thanks on the part of the people of my State for the important contributions Felix Frankfurter has made in the interests of our Nation, the world, and all mankind.

Mr. GRUENING. Mr. President, a great man has left us—one of the Nation's alltime greats—and while the country is infinitely poorer because of the departure of Felix Frankfurter, it is infinitely richer because he lived and served with his rare ability, devotion, enthusiasm, perspicacity.

His one-fourth-of-a-century tenure on the Supreme Court, rich in the memorable contributions he made to law and thought, may have caused many to forget his earlier, long, effective service to government, first before he became a professor at Harvard Law School, and then through the following academic years when he guided hundreds of able young men into public service.

Excepting President Franklin Delano Roosevelt, it may be ventured that no one did more to make the New Deal effective than did Felix Frankfurter although holding then no public office.

His record is all the more remarkable in that when he arrived in this country as an immigrant youngster at the age of 11, he had never heard a word of English spoken. His was another example of the miracle of America which makes it possible for people coming from the Old World, fleeing from its restrictions and persecutions, to achieve happiness and greatness in this land of freedom, promise, and opportunity. For, with only a public school education in New York City and City College, Felix Frankfurter became, for 3 years, the top-ranking student in his Harvard Law School class—in the fastest company in the academic world.

What is his great legacy? What he said of Dean James Barr Ames, of the Harvard Law School, during his student days there is fully applicable to himself:

> What he left behind him is that which Pericles says in his funeral oration is the most important thing. His deposit is in the minds of men. He excited and touched more first-rate minds in the profession of the law than any man who ever had pupils.

Felix Frankfurter was brilliant, joyfully combative in the intellectual field, spritely, witty, stimulating, compassionate. Volumes will be written about him, his great contributions to the law, his indefatigable concern for the democratic process; for few men in our history have served so productively, so constructively, and whose influence was so widely projected through his multiple personal contacts, and the breadth of his and their varied interests.

But perhaps his life will best—or at least not less—be memorialized in the consciousness of hundreds of living men whom he counseled, guided, stimulated, helped; and it is probably true of Felix Frankfurter—to adapt the words of Robert G. Ingersoll at his brother's funeral—that:

> If everyone for whom he had done a deed of loving kindness were to lay a blossom on his grave, he would sleep tonight beneath a wilderness of flowers.

BROTHERHOOD WEEK

Mr. SALTONSTALL. Mr. President, this week the National Conference of Christians and Jews is again sponsoring national observance of Brotherhood Week. For more than 30 years this organization has worked hard to further human understanding and cooperation and has served as a constructive force in removing prejudices. Our Nation is the better for its efforts.

The complexity and inevitable conflicts of private and public affairs, as well as our preoccupation with our own problems and undertakings result in our neglect of our fellow man. Too often we are unaware of his need and his accomplishments, and fail to give him a pat on the back when he deserves it, or to lend a helping hand when that is required. A nation which places great emphasis on the dignity of the individual cannot afford to withhold good will and proper consideration from one person or a section of our population. We have become a great nation because we respect our fellow men and because we believe everyone should have the opportunity to develop to his fullest capacity. The true spirit of brotherhood extends far beyond toleration of others. It involves a positive effort and attitude and a commitment to man that reaches far beyond artificial political, economic and social barriers. It dictates the elimination of prejudice, selfishness, and discrimination.

I congratulate the national conference for once again drawing attention to the value, both for ourselves and for our Nation, which comes about when a spirit of brotherly love and concern for others governs our thoughts and our actions.

AWARD OF GEORGE WASHINGTON HONOR MEDAL TO CLARENCE N. SHOEMAKER, JR.

Mr. JORDAN of Idaho. Mr. President, Idaho is very proud of Clarence N. Shoemaker, Jr., elementary school principal of Nampa, Idaho. We are proud also of Nampa public schools where Mr. Shoemaker teaches. Both have been selected to receive the George Washington Honor Medal Award from Freedoms Foundation of Valley Forge.

I congratulate Mr. Shoemaker and Nampa public schools for this splendid recognition which they have received. Mr. President, I ask unanimous consent that a statement by Superintendent Harry C. Mills and the winning essay by Principal Clarence N. Shoemaker, Jr., be printed in the Record.

There being no objection, the statement and essay were ordered to be printed in the Record, as follows:

News Release

Clarence N. Shoemaker, Jr., a local elementary school principal, and the Nampa public schools have both been selected to receive the George Washington Honor Medal Award from the Freedoms Foundation at Valley Forge, Valley Forge, Pa.

This was revealed at a special news conference held at Kenwood School early this morning. Making the announcement of the 16th annual national awards was Harry C. Mills, superintendent of the Nampa public schools.

Shoemaker, Kenwood and Greenhurst school principal, has been selected by the trustees and officers of the Freedoms Foundation at Valley Forge to receive an award of $100 and the George Washington Honor Medal Award. He was selected to receive these awards for an essay, "I Am America," which he wrote last fall.

His honor medal will be engraved with the following citation: "An outstanding accomplishment in helping to achieve a better understanding of the American way of life."

Shoemaker will be notified at a later date of the time and place of a special regional awards presentation in this area. He is expected to attend this special presentation.

Superintendent Mills noted that the Nampa public schools were selected to receive the George Washington Honor Medal Award for their 1963–64 school program.

He went on to say that "we have been selected to receive this award mainly on the basis of Mr. Shoemaker's Staff Bulletin which he writes and distributes to his teachers, school board members and fellow administrators once a week."

"The contents of which," Mills added, "include a wide variety of teaching materials and aids on the subjects of Americanism and patriotism.

"He has also carefully studied many of the successful programs of Americanism and patriotism in other school systems throughout the country and shared this information with his colleagues.

"All employees of the Nampa public schools," Mills noted, "are to be congratulated on the part they had in helping us win this national award from the Freedoms Foundation. This is something which we can all be proud of."

All award selections are determined by a distinguished, independent national and school awards jury of 30 or more State supreme court jurists and national executive officers of patriotic, service club and veterans' organizations.

The Freedoms Foundation at Valley Forge is dedicated to the fundamental principle that freedom belongs to all the people, and only by thoughts and acts in their everyday lives can the American people preserve and extend their liberty under law.

Freedoms Foundation was established in March 1949. It is nonprofit, nonsectarian, and nonpolitical. Under its charter Freedoms Foundation exists: "To create and build an understanding of the spirit and philosophy of the Constitution and Bill of Rights and of our 'bundle' of indivisible, political and economic freedoms inherent in them.

"To inspire love of freedom and to support the spiritual unity born of the belief that man is a dignified human being, created in the image of his Maker, and by that fact, possessor of certain inalienable rights."

To this end, Freedoms Foundation acts to encourage all citizens to "speak up for America" through its annual national and school awards program.

I AM AMERICA

(By Clarence Newell Shoemaker, Jr.)

My birth certificate is the Declaration of Independence and I was born on July 4, 1776. I am a fabulous country of many things and many people. I am the United States of America.

I am over 180 million living souls and the ghost of millions who have courageously lived and died for me.

I am William Penn and Paul Revere. I stood on the Lexington green and fired the shot heard around the world. I am Washington, Jefferson, Hale, and Patrick Henry. Bunker Hill, Valley Forge, and Yorktown are a part of my heritage. I am John Paul Jones, Daniel Boone, the Green Mountain Boys, and Davy Crockett. I am Generals Lee, Grant, and MacArthur. I am Abraham Lincoln and the Gettysburg Address.

I remember the Alamo, the Lusitania, Pearl Harbor, and Iwo Jima. Whenever freedom called, I answered that call. I have left my heroic dead in the Argonne Forest, Flanders Field, on the rock of Corregidor, and on the cold bleak slopes of Korea.

I am the Golden Gate Bridge, the wheat lands of Kansas, the farm lands of Idaho and the fabulous forests of the Northwest. I am the Grand Canyon and Old Faithful. I am a small village in the hills of New England, an open-pit copper mine in Montana, and a farm in South Dakota.

My Capital, Washington, D.C., is like no other American city. It is completely free from any State government and there are no factories or commerce here. It has but one business and that is government.

From the top of the Washington Monument you can look north to the White House and to the east you see the Capitol. To the west is the long reflecting pool and the memorial to Lincoln. Inside is the famous statue of him by Daniel Chester French. His face is compassionate, sad and strong.

Looking south, you see the Tidal Basin, the famous cherry trees, and the memorial to Jefferson, author of the Declaration of Independence and our third President.

Across the Potomac River in Arlington, Va., in the huge national cemetery, is the Tomb of the Unknown Soldier. All during the day and night, back and forth, paces an armed sentry in honor of those men who are known "but to God." There is no other memorial in my Capital which is quite so symbolic of our Republic as this one. There have always been the unknown Americans who have played a fundamental part in my progress, in addition to the famous men whose names have been known to all.

I am a Christian nation founded upon Christian principles. My people recognize God's power and authority and their responsibility to Him.

I am a nation that believes in the worth and dignity of the individual and his inability to solve his own problems without the help of God.

A sense of responsibility to God carries my people beyond the short-range view of what they can get for the moment. They consider the future benefits or damages as a result of their actions and conduct.

I am a government that is responsible to God and the people. Most of my organic documents of government—the Mayflower Compact of 1620, the Declaration of Independence of 1776, the Constitution of 1789—give recognition to God.

I am a nation of freedom loving people. God created my citizens as free moral agents with the power to choose between right and wrong. Freedom is possible for those citizens who choose the right. Tyranny, suppression, and slavery is the lot for those who choose the wrong. William Penn, one of my great statesmen and patriots, summed it up accurately when he said: "If men will not be governed by God, then they must be ruled by tyrants."

I am the front porch of a farmhouse in the Midwest. The front porch is associated with no other country. It is a place to sit and relax for a few moments before you finish the day's chores. It is a place to sit and read the paper or visit with your neighbors.

Political posters tacked on the country store near the crossroads down by the creek are a part of my heritage. The tiny country churches, roaring snows, howling winds, endless fields, and crystal clear lakes are all a part of me.

I am big. I sprawl from the Atlantic to the Pacific, more than 3½ million square miles of throbbing private enterprise. Within my boundaries lies a wondrous country. I am a land of fertile fields, country mailboxes and winding country lanes. I am remote, quiet villages and large metropolitan cities that never sleep.

I am a republican form of government with the Constitution as my cornerstone. It is the best plan ever devised by man to assure freedom and to release the creative powers of everyone. Its guarantees of life, liberty, and property have made possible the great "American way of life."

You can look at me and see Patrick Henry ending his fiery speech before the Virginia Convention with these defiant words: "I know not what course others may take; but as for me, give me liberty or give me death." You can see the colonists discussing their problems at a town meeting, the building of the Wilderness Road and Lewis and Clark crossing the Continental Divide. You can see the multicolored lights of Christmas and hear the strains of "Auld Lang Syne" as the old year passes.

Yes, I am the United States of America and these are the things that I am. I was conceived in freedom and, God willing, in freedom I will spend the rest of my days.

May I always possess the integrity, moral courage, and strength to keep myself unshackled, to remain a stronghold of freedom and a beacon of hope to all the oppressed throughout the world.

This is my prayer—my goal—my wish.

May God be with me, always.

CLOSING OF VETERANS' ADMINISTRATION FACILITIES—RESOLUTION

Mrs. SMITH. Mr. President, the 102d Legislature of the State of Maine, has passed a joint resolution protesting the ordered closing of Veterans' Administration hospitals, domiciliaries, and regional offices.

On behalf of my colleague [Mr. MUSKIE] and myself, I ask unanimous consent that a copy of that resolution be placed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Joint resolution protesting the ordered closing of VA hosiptals, domiciliaries, and regional offices

Whereas the Administrator of Veterans' Affairs, Veterans' Administration has summarily and publicly announced the intention of closing permanently 31 Veterans' Administration facilities throughout the Nation, including 11 hospitals and 4 soldiers' homes; and

Whereas the Veterans' Administration plans to transfer these veterans who are patients to other facilities, presumably including the Togus, Maine, Veterans' Adnimistration hospital which is already filled to capacity, thereby creating hardships on Maine veterans; and

Whereas the ordered closings of the Veterans' Administration regional offices in New Hampshire and Vermont and the merging of their functions with the Boston Veterans' Administration office raises grave doubts as to the future of the Togus regional office; and

Whereas it was clearly the intent of the Congress of the United States, the veterans organizations and a grateful Nation that our disabled veterans be cared for and that they and their dependents be rendered every possible assistance in applying for the other benefits to which they are rightly entitled; and

Whereas the ordered closings of the Veterans' Administration facilities will render undue hardship to our Maine veterans and their families, as well as those in New England and the entire Nation, in seeking care and benefits: Now, therefore, be it

Resolved, That the 102d Legislature of the State of Maine does hereby protest the said closings, and requests the Veterans' Administration to cease and desist in its efforts to close the said facilities; be it further

Resolved, That the Members of the U.S. Congress from the State of Maine are hereby urgently requested to use every possible means to cause the decision to close said facilities to be reversed; and be it further

Resolved, That a copy of this resolution, duly authenticated by the secretary of state, be transmitted by the secretary of state to the Honorable Lyndon B. Johnson, President of the United States; to the Honorable RALPH

W. Yarborough, chairman of the Senate Committee on Veterans' Affairs; to the Honorable Olin E. Teague, chairman of the Veterans' Affairs Committee of the House of Representatives; to Hon. William J. Driver, Administrator of Veterans' Affairs, Veterans' Administration; and to the Members of the U.S. Congress from the State of Maine.

USE OF CEMENT INSTEAD OF MARBLE, LIMESTONE, AND GRANITE IN NEW PUBLIC BUILDINGS IN WASHINGTON

Mr. AIKEN. Mr. President, I ask unanimous consent that I may speak for 10 minutes to discuss a matter of great importance to my State and, I think, to the rest of the country, as well.

The VICE PRESIDENT. Is there objection to the request of the Senator from Vermont? The Chair hears none, and the request is granted.

Mr. AIKEN. Mr. President, some weeks ago it was reported to me that a radical change in construction of public buildings in Washington is underway.

Whereas the present architecture of Washington is famous the world over for its beauty, durability, and designs, I was informed, to my amazement and chagrin, that a new era has arrived and that new public buildings in Washington instead of being constructed of classic marble, limestone, and granite will henceforth be built of cement.

Before I say any more, I wish to state that in a sense I am provincial.

I have long held that any person who does not take pride in his community or his State and who does not sponsor and promote the welfare and the economy of his own community and his own State will be unlikely to contribute maximum values to his country or the world.

In other words, civic pride and loyalty begin at home.

Since the production of marble and granite is one of Vermont's major industries, I naturally felt quite concerned at the report that the Nation's Capital, famed for its dignity and beauty, is to become a cement city.

I was quite incredulous when advised that word was being passed in architectural circles that any designs for new public buildings in Washington must not provide for stone facing if the approval of the Fine Arts Commission is to be received.

Not only is this condition seemingly applied to public buildings, but also to private buildings constructed in the District over which the Fine Arts Commission exercises censorship.

When I expressed doubt as to this attitude on the part of the Commission members, my attention was called to an article published on page B1 of the Washington Star of March 19, 1964, in which it was reported that three reputable Washington architects were criticized by members of the Commission for submitting designs for two private buildings in Washington, one at 700 17th Street, and the other on the old Raleigh Hotel site, for not having any great conviction, not having any excitement, or because the architect did not come in here fighting mad for his convictions.

The designs so severely frowned upon by the Commission members, incidentally, called for limestone construction in keeping with the historic style of the buildings now on Pennsylvania and Constitution Avenues.

Mr. President, I ask unanimous consent to have printed at this point in the Record the well-written article published in the Washington Star.

There being no objection, the article was ordered to be printed in the Record, as follows:

They're Looking for Some Exciting Architecture

(By Robert J. Lewis)

Members of the new Fine Arts Commission are gaining more confidence with each new meeting. Yesterday they gave a demonstration that left three architects in what appeared to be a mild state of shock.

To picture what happened, it is well to understand that Commission members play a censor's role over architecture in certain areas of Washington. Designs they don't like can seldom reach the construction stage. So it's understandable that architects are glad to have clues on how to please the Commission.

As it turned out yesterday, the members did not want to be pleased.

What they're really looking for is to make architects fighting mad "for their convictions," according to one member, Gordon Bunshaft.

All this came out when Edwin A. Weihe, a Washington architect, presented a design for a 10-story office building to replace the present Mills Building at 700 17th Street N.W.

Mr. Weihe told the Commission that the building would be of limestone, the windows would appear vertical to onlookers and his client "wishes to get as much for his money as possible."

At this point, Mr. Bunshaft said the building's design was "harmless" but that he didn't "sense any structural concept or any great conviction" in the design.

What's more, said Mr. Bunshaft, an architect himself, "the proportions are unpleasant.

"It's just bits and pieces—just decoration. What we're saying is that architecture should come from the total building."

Mrs. Aline B. Saarinen, another member, commented:

"I don't think this building is unto itself."

Burnham Kelly, a third member who had reservations of his own, interjected:

"I think the way the columns are handled at street level denies the bulk of the building."

Mr. Weihe said he didn't want to ask any "dirty questions" but did the Commission have any "limitations, one way or another" in mind, such as about the use of limestone?

But none of the members was inclined to be specific on details.

"Our concern is with real architecture," said Mr. Bunshaft, enunciating the policy, "and to have an architect come in here fighting mad for his convictions."

Chairman William Walton, who was silent during most of the meeting, told Mr. Weihe as he was about to leave: "Now you have a sample of our thinking."

Earlier, Edmund Dreyfuss, Washington architect, explained to the members that a building he designed to replace the Raleigh Hotel, at 12th Street and Pennsylvania Avenue NW., would have a limestone facade and a three-level underground garage with an entrance in a wing facing 11th Street.

The building will occupy a prominent site on Pennsylvania Avenue, which is proposed for redevelopment in a plan not yet announced.

The building's design left Mr. Bunshaft unimpressed.

"We think it's a very dull design, very flat, with no relief. The whole design doesn't have any excitement to it," he said.

Mr. Dreyfuss replied, in apparent perplexity:

"It's very hard to know when to excite and when not to excite. I came in here 5 months ago and tried to get a lead but got nothing except it be made a detached building."

Mr. Bunshaft hadn't been aware of that.

"Five months ago, I wasn't here," he told Mr. Dreyfuss.

Still seeking a clue, the architect noted that his building could be "designed in a number of fashions."

"That's just it—fashions," Mr. Bunshaft said. "A good piece of architecture is more than that."

Then Mrs. Saarinen said:

"I think we're looking for architecture in which structure, facade, and site are welded into one thing, inevitably one coherent, forceful expression."

Mr. Bunshaft put it differently. "We're looking for a building that looks like a piece of architecture," he said.

Bravely, as it turned out, Mr. Dreyfuss persisted by saying that "being in this location, we didn't want to design a building that was too exciting."

But Mrs. Saarinen, an art critic, told him: "I feel that people who come in here with convictions about what they want to do fare better with us."

The third architect confronting the Commission yesterday was David Dimon, who started to explain the Smithsonian Institution's Zoo redevelopment project.

Members said they felt Mr. Dimon's architectural firm should use materials of fewer varieties.

"I think what we're thinking is that you get more character, intimacy, and warmth with more unity of materials," said Mr. Bunshaft.

Mr. AIKEN. Mr. President, traces of my incredulity remained until Thursday of February 18, 1965, when the Washington Post, on page B1, reported that the Fine Arts Commission had enthusiastically approved designs for the building on the old Raleigh Hotel site presented by an architect who had been criticized only the year before.

This time, however, instead of recommending limestone the architect's plans called for an expressive concrete structure.

Mr. President, I ask unanimous consent that the article entitled "Grand Plan Moves a Step Closer," published in the Washington Post of February 18, 1965, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Grand Plan Moves a Step Closer: New Office Building Approved for Avenue

(By Wolf Von Eckardt)

The grand plan for Pennsylvania Avenue moved a step closer to realization when the Fine Arts Commission yesterday enthusiastically approved the design for the first private office building that is to help give it its hoped-for splendor.

The building, at the corner of 12th Street, replaces the demolished Raleigh Hotel. It will be constructed within a year by a syndicate headed by Jerry Wolman.

An expressive concrete structure with a rhythmic, sculptured facade, the building design was lavishly praised by Fine Arts

Commission members as marvelous and distinctive.

It sits firmly on recessed columns from which it cantilevers at the third-floor level to provide a shopping arcade along both Pennsylvania Avenue and 12th Street. Harmonizing with, though in no way aping the Renaissance style Federal Triangle buildings across the avenue, its chast brawniness contracts sharply with the flat chested modern glassboxes we find in such abundance hereabouts.

The proposed building is, in fact, exactly what the Fine Arts Commission and the Pennsylvania Avenue Council visualized for this visually strategic corner. And no wonder.

The Council's staff architect, John Woodbridge, who did most of the Pennsylvania Avenue plan's visualizations, worked closely with the building's architect, Edmund Dreyfuss.

The collaboration was arranged by the Council which also quietly persuaded Wolman last October to conform his building to the grand plan even though there wasn't and still isn't any legal requirement for the proposed setback and height limitation.

Mr. Woodbridge is a member of the San Francisco office of the famous architectural firm Skidmore, Owings & Merrill, whose head, Nathaniel A. Owings, is chairman of the Council.

Technically the Council, appointed by President Kennedy in the summer of 1962, went out of business after it submitted its proposal to President Johnson last year. Actually it is quietly and voluntarily helping to put its much praised plan into effect.

This effort is shortly expected to get another boost when President Johnson recreates a new Pennsylvania Avenue Council with broader powers and a working staff. An order to this effect is reportedly on the President's desk.

Mr. AIKEN. Mr. President, it was also reported, from what the news media would call "a reliable source," that several buildings proposed or currently under construction have been approved by the Fine Arts Commission—all to be constructed with exposed concrete exteriors.

These buildings are the new National Air Museum, the new FBI building, the new FOB No. 5 "Little Pentagon" building, new Housing and Home Finance Agency building, the new Hawthorne School and the proposed new Labor Department building.

Further inquiry on my part brought out the information that the Housing and Home Finance Agency building will have a base of granite with upper floors of precast concrete. The columns will be entirely of concrete with the customary stone sheathing being omitted.

I have as yet been unable to learn if any stone will be used in any way in the other buildings other than quoting from a letter which I shall shortly submit—"some bits of natural stone for effect"—but it appears that the exterior of all these buildings—the part which the public sees will be of cement.

Since all my information up to this point had been given me orally, I wrote on February 4, 1965, to Mr. William Walton, Chairman of the Commission of Fine Arts, seeking further information in writing. Under date of February 17, 1965, Mr. Walton considerately replied to my request.

Mr. President, I ask unanimous consent that both my letter to Mr. Walton, of February 4, 1965, and Mr. Walton's letter to me of February 17, 1965, be printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

February 4, 1965.

Mr. William Walton,
Chairman, Commission of Fine Arts,
Washington, D.C.

Dear Mr. Walton: I am gravely disturbed by repeated reports that the Commission of Fine Arts has laid down a policy decreeing that stone must not appear on any building winning its approval.

This is said to be common knowledge in construction circles. I have also been told on highly reliable authority that architects have learned that to win acceptance of their designs they must use some form of exposed concrete.

I should like to know specifically what policy, if any, has been adopted by the Commission to govern the selection of concrete or a natural stone. I should also like to know if it is true that, since the appointment of the present Commission in 1961, more than half a dozen major buildings which have been approved are being built or are to be built of poured or precast concrete. In this connection it would be helpful to have a list of all buildings constructed since 1961 with the Commission's approval, and to what extent concrete in any form and/or natural stone is used for exteriors.

I should like to know why it is, if true, that in planning these new buildings only contemporary design is used instead of the monumental structures of classic design that have made Washington one of the great architectural centers of the world.

Finally, it is only fair to ask if it is true that the policy of former Commissions, which held that marble should be used for buildings on the Mall and limestone for those on avenues adjoining the Mall, was changed within 2 years after the present Commission took office.

I emphasize that this is not intended as criticism of the talented persons who comprise the Commission. My concern is that the architectural beauties of our Capital be preserved and expanded by the continued use of those natural stones of lasting quality that have made Washington buildings truly outstanding.

It also seems to me that if concrete rather than stone is to be used in our new Federal buildings, such decision would be inconsistent with Mrs. Lyndon Johnson's campaign to make our Capital City still more beautiful.

Sincerely yours,
George D. Aiken,
U. S. Senate.

The Commission of Fine Arts,
February 17, 1965.

Hon. George D. Aiken,
U.S. Senate,
Washington, D.C.

Dear Senator Aiken: At the outset of this letter I wish to make a flat statement that the Commission of Fine Arts has at no time laid down any policy forbidding the use of stone in buildings that come to us for review. The Commission does not choose materials for buildings: it either accepts or rejects the designs that are presented by General Services Administration and private architects. I start out with these statements because I want them clearly emphasized.

Your letter suggests that at some time in 1961 the members of this Commission adopted a new policy. May I point out to you that six of the seven members of this Commission took office in the summer of 1963. The seventh took office in 1962. Therefore, I think you will see that it was impossible for us to have laid down some new policy in 1961, and to the best of my knowledge no such policy has been adopted, nor do I think it ever will.

I would like to emphasize to you that the members of this Commission are entirely openminded in their approach to architecture, both as to style and to content, which includes materials. Our aim is the same that has guided the Commission since its inception in 1910. We wish to contribute to the development of a harmonious city, which I would interpret to mean that new buildings had to fit with their neighbors. For instance, if I were expressing a personal prejudice, I would say that I thought that the Mall area was an unsuitable site for any building that was largely glass, like many of the tall buildings along Park Avenue in New York. Glass buildings have their place, but I don't feel that it is here.

I have asked my staff to prepare a list of all buildings that have been reviewed by the present members of this Commission, a period that really covers only about 18 months. I will forward that list to you as soon as it has been compiled. In the meantime let me say that the two major designs that have come before us were for Federal Office Building No. 5 and for the National Air and Space Museum. The architects specifications called for construction of both of those buildings in some kind of concrete aggregate which, as I understand it, includes small bits of natural stone and gives an effect far different than the kind of raw concrete we associate with factories and other commercial buildings. In neither of these cases did the Commission choose the material. We approved the designs and in so doing approved the material. When handsome natural stone buildings are proposed to us, I dare say we will approve them too.

I have tried to answer your questions, but if I have left any corners unlit please let me know. I would be happy to discuss it with you at any time and will send along the list of buildings in the near future.

With best wishes.

William Walton,
Chairman.

Mr. AIKEN. Mr. President, it will be noted that Mr. Walton states at the start of his letter that the Commission "has at no time laid down any policy forbidding the use of stone in buildings that come to us for review" but simply passes on the designs that are presented.

I accept this statement at face value. It is apparent that the Commission has adopted no fixed policy for future buildings, but does accept or reject the design for each building as it is presented.

It is becoming increasingly apparent, however, that only those buildings with concrete exteriors are likely to be found satisfactorily designed.

One point which has been raised during my quest for information has been the suggestion that buildings constructed of poured and precast concrete might cost less than buildings based and faced with stone.

Not being an expert in this field, I wondered if the durability or life of the building should not be taken into consideration. There seemed to be no better place to start looking for comparisons than right here in the Capitol.

Except for certain recent extensions, the Capitol with marble and sandstone exteriors was built from 100 to 170 years ago. The excellent condition of the stone today is apparent to everyone.

The Senate Office Building, with marble walls facing the streets and limestone facing on the court, was built in

1909. These stone exteriors are in superb condition today, 56 years later.

Now, what about the concrete buildings? Four were built in 1918 under wartime conditions. All these are reported to show cracks, shrinkage, and discoloration. Patching and painting is said to be a continuing process.

However, we do not have to go back 47 years to find an unfavorable comparison for the cement construction. The General Services Administration building, built in 1934, is said to be in the worst condition of all.

The National Airport building, of 1940, is reported cracking.

The District of Columbia Stadium, built in 1962, shows considerable interior cracking and some signs of exterior cracking.

The Dulles Airport building, also built in 1962, is causing worry because of fine cracks appearing at the base of the pylons.

It seems to me that durability should be given a substantial weighting in determining the structure of a new building.

I am well aware that the guidelines of the executive branch place full emphasis on contemporary design of new buildings.

I am also aware of the fact that some contemporary-minded people may regard many of the Government buildings on Pennsylvania and Constitution Avenues as ugly or even hideous. To me, however, these dignified buildings of marble, sandstone, and granite mean something. They represent an era—an era in American history which saw 13 struggling colonies develop into the greatest nation on earth.

I am not ashamed of that era, and I want its meaning impressed upon the minds of every young American and the millions of people who come every year to stand in awe before the simple, dignified, durable, and inspiring buildings of Washington.

I sometimes wonder why it is that some people will give of their time and money to unearth the history of the Nile, or to reconstruct the pyramids of the Toltecs, and then ignore or look down upon those very traditions which made it possible to have that time and money to spend.

In speaking as I have today, I want it understood that I am not criticizing the estimable and intellectual members of the Commission of Fine Arts. I am glad that they do look ahead to continuing improvement of our art and culture.

There is, however, a time and place for everything, particularly historic values.

I make no charges against the cement industry. It is a very important industry. Its product has improved over the years. Yes, the cement industry is industrially potent and politically persuasive. It knows how to outwit competitors and get new business. It should not be blamed for that.

It has every reason to rejoice over the apparent plans to make the Nation's Capital a cement city, from which it may be expected that cement construction of public buildings will radiate.

I am speaking now for the purpose of alerting the public, so far as that is possible, in the hope that the people themselves will make the final determination as to whether we shall unconditionally give way to contemporariness or whether some part of our presently inspiring Capital City may be dedicated to dignity, simplicity, and tradition—a continuing memorial to those who brought democracy and freedom to America.

Mr. TALMADGE. Mr. President, I wish to join the distinguished Senator from Vermont in expressing concern over any action that has been taken or that might be taken by the Washington District of Columbia Commission of Fine Arts which would tend to mar or depreciate the natural and lasting architectural beauty of the National Capital.

The questions that have been raised by the Senator from Vermont and all others who are equally concerned about this situation, including the Representatives from the Ninth District of Georgia, are certainly valid ones, and they deserve to be answered.

The Capital City of the United States belongs to all of the people of this country and not to any special interests. Washington, with its wide boulevards and the dignity of its magnificent edifices, is recognized as one of the most beautiful cities in the world. The people take great pride in their capital, and they desire to assure the preservation of its beauty for generations yet unborn.

Legitimate quesions have been raised as to whether or not the Commission of Fine Arts has decreed that natural stone cannot appear on any Federal building subject to its approval, and that the exterior design must be of some form of concrete instead of time-tested stone. I do not know if any such policy has been adopted by the Commission but certainly the substitution of concrete for stone exteriors of four new buildings to be built here indicates to me that some attempt apparently is being made to establish a new trend of architecture.

I understand that plans approved by the Commission call for the substitution of concrete for stone in four new buildings currently authorized to be built at a cost of more than $120 million; namely, the Federal Office Building No. 5; the National Air and Space Museum of the Smithsonian Institution; the new FBI building; and the new headquarters for the Housing and Home Finance Agency.

In view of the actions taken with regard to these structures, the Congress and the people have every right to ask if more are to follow.

I earnestly hope not. It is inconceivable to me that the Fine Arts Commission would by its actions rule out the use of natural stone, whose permanence and beauty has weathered every test, in the exterior design of Federal buildings in Washington.

If the Commission has any such plans or intentions, I hope it will reconsider them.

INVITATION TO DEMONSTRATION OF EDUCATIONAL FILMS, LANGUAGE LABORATORIES AND OTHER MODERN TEACHING EQUIPMENT IN EDUCATION

Mr. MORSE. Mr. President, I have today, as chairman of the Education Subcommittee of the Senate Committee on Labor and Public Welfare, issued a cordial invitation to all Senators and their staffs to attend a demonstration of educational films, language laboratories, and other modern teaching equipment in education which will be held in the auditorium of the New Senate Office Building at 1:30 and 3:30 p.m. tomorrow, Wednesday, February 24.

Of particular interest, in my judgment, will be the presentation by a master teacher of a demonstration class using these techniques. We are privileged to have with us for that afternoon a fifth-grade class from Scott Montgomery School here in the District. The class will take two lessons in public from a master teacher whom they have met only once previously. I urge all Senators and members of their staff whose schedules permit to take this opportunity to see for themselves what can be done by a skilled teacher who has adequate equipment to do his work. In addition, in the foyer of the auditorium competent teachers will demonstrate the actual operation of different types of equipment used in our better schools.

As an added inducement—if one were necessary and I am sure it is not—I am advised that there may be coffee available.

Mr. President, I ask unanimous consent that my full invitation be printed at this point in the RECORD.

There being no objection, the invitation was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON LABOR
AND PUBLIC WELFARE,
February 22, 1965.

Hon. ——— ———,
U.S. Senate, Washington, D.C.

DEAR ———: The Education Subcommittee of the Senate Committee on Labor and Public Welfare has, as you know, completed its hearings on S. 370, the Elementary and Secondary Education Act of 1965.

During the course of our hearings we were privileged to receive much testimony upon new teaching methods and techniques using modern equipment which illustrated some of the ways in which educationally handicapped children can be helped in our elementary and secondary schools through programs financed by the provisions of the bill.

In order that you and your staff associates may have an opportunity to see for yourselves what can be done, I have arranged for two special demonstrations of the use of modern and audiovisual tools in education. These will be held in the auditorium of the New Senate Office Building on Wednesday afternoon, February 24, at 1:30 and 3:30 p.m. I cordially invite you to attend the demonstration if your schedule will permit.

The subcommittee has arranged this demonstration because we believe it is important for the Senators to have the opportunity to learn of the increasingly important role which films, TV, language laboratories and similar modern tools are assuming in the improvement of classroom instruction. These devices and materials have been shown to our subcommittee in its hearings on the Elementary and Secondary Education Improvement Act.

Of particular interest, I believe, will be the 45-minute presentation by a master teacher working for the first time with a fifth-grade class from the District of Columbia school system using a variety of the new materials and equipment to strengthen the effectiveness of his own teaching.

Cordially,

WAYNE MORSE,
Chairman, Education Subcommittee.

CONSERVATION RESOLUTIONS

Mr. MORSE. Mr. President, on February 18 I called the attention of my colleagues to the fact that a conservation battle is underway in our land. The soil and water conservation districts of America have organized a nationwide effort through their national association to counteract the administration's proposal that Congress enact legislation to authorize a revolving fund through which soil conservation districts, farmers, ranchers, and other landowners would pay the Federal Government $20 million in 1966 to help finance a part of the cost of technical assistance from the Soil Conservation Service.

I announced then that I have joined the soil conservation districts in opposition to the proposed revolving fund, because it would not be in the public interest. Some of my colleagues have asked me for more details regarding this proposition.

Such details were set forth in resolutions adopted by the National Association of Soil and Water Conservation Districts at their annual convention in Portland, Oreg., on February 9. I think my colleagues will find them of great interest. I ask for unanimous consent to have the NACD resolutions printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION 1

PROPOSED REVOLVING FUND

The Bureau of the Budget has proposed that Congress enact legislation to authorize a revolving fund through which soil conservation districts, farmers, ranchers, and other landowners would pay the Federal Government a part of the cost of technical assistance from the Soil Conservation Service of the Department of Agriculture used in planning and applying soil and water conservation practices on the land.

If adopted, this proposal would seriously slow down the soil and water conservation effort on the privately owned lands of the Nation. We believe it would result in an estimated decrease of 40 to 50 percent in the annual application of conservation practices and would reduce the quality of the practices applied.

This proposal, if adopted, would reverse a policy of 30 years standing. In 1935, Congress began a policy of providing technical assistance from the Soil Conservation Service without charge to farmers, ranchers, and other private landowners willing to cooperate in scientific, farmwide conservation programs on their properties.

We believe adoption of this proposal would serve to undermine landowners' confidence in the Federal Government's consrvation purpose and its desire for an effective conservation partnership with landowners.

We believe it would weaken the exercise of local leadership and the functioning of self-government in resource conservation and development. Further, the proposal creates the prospect that soil and water conservation district governing bodies may be asked to function as collection agents for the Federal Government.

If adopted, this proposal would, in our judgment, break faith with State and local governments. State legislatures and county governments over a quarter of a century have been steadily building up their financial contributions to the total soil and water conservation effort on privately owned lands, with the understanding that the local-State-Federal team effort would be maintained as a team effort for the universal good of the Nation and all its people.

Adoption of the revolving fund proposal would treat American landowners unfairly. It would charge American landowners for technical assistance which the Federal Government now provides free of charge to the people of many foreign nations.

Under this proposal, farmers would assume still more of the town and city responsibility for soil and water conservation. Soil conservation, flood control, and water development contribute to the well-being of all the people because they depend on our limited supplies of soil and water for their daily requirements of food, water, and a productive countryside.

We believe adoption of this proposal would severely retard water conservation and development work in America. Problems of water shortage, floods, pollution, and sedimentation must be met first within the confines of each local watershed. Water comes from rain and snow which falls primarily on land surfaces. The farmers and ranchers who control our farms, range, and woodlands also are in a position to control the movement and protect the quality of the water falling on their lands.

If adopted, the revolving fund proposal would slow down the effort to reduce water pollution. The conservation needs inventory of the Department of Agriculture showed that erosion is still the dominant soil problem on two-thirds of the Nation's land area. Soil eroded from watershed areas pollutes rivers and streams, and clogs harbors and bay areas with sediment.

Moreover, adoption of this proposal would slow down work that is contributing to the good appearance and beauty of the American countryside. Green valleys, clear waters, contoured fields, well-managed forest, lush pastures, and developed watersheds are basic to the beauty of the countryside. Gullied fields and muddy streams detract from the beauty of America as much as auto graveyards.

If this proposal were to be adopted, we believe it would act as a major drag on the development of recreational facilities on private lands. The Soil Conservation Service type of technical assistance for recreational development on rural lands is not available anywhere else, even for hire.

Without question, establishment of the revolving fund would slow down needed adjustments in land use. In 1964, technical assistance guided more than 1 million soil and water conservation district cooperators in converting 2,500,000 acres from crop use to less intensive uses such as grass and tree production.

In addition, we should recognize clearly that adoption of this proposal would hit hardest in economically depressed areas. Much of what can be done to alleviate poverty in rural areas is bound up in the improved use of soil and water resources. Soil and water conservation is basic to economic development and family farm stability in rural areas.

We believe adoption of this proposal would penalize most the small farmer and the poor farmer who can least afford to pay. Family-owned farms are the very backbone of rural America. They operate most of the land and are the first custodians of most of our water.

The proposal also invites serious questions about certain commitments of the Secretary of Agriculture. In long-term contracts with farmers and ranchers in special programs, such as the Great Plains conservation program the pilot cropland conversion program, the Secretary has contract commitments under long-term agreements to furnish technical assistance for applying conservation practices set forth in the agreed plan of operations.

Adoption of the Budget Bureau proposal would jeopardize the morale of Soil Conservation Service employees. It would constitute a vote of diminishing belief in the importance and purpose of the agency. The Soil Conservation Service today is recognized as the finest scientific agency of its kind in the world for supplying technical assistance for complete natural resource planning and development, acre by acre, farm by farm, property by property on individual landholdings, watersheds, and whole communities. This standard of excellence could be lost.

A revolving fund would increase total conservation costs. A collection system outside the accepted tax collection structure would have to be devised. Thousands of farmers would need more financial assistance to pay for technical aid—or else give up the oportunity of taking part in soundly developed conservation programs.

We believe future generations would suffer most if the soil and water conservation effort of the Nation is slowed down and dissipated. To recover from a slowdown begun in our time, another generation would be forced to take 11th-hour extreme actions which would be costly in terms of money, damaging in terms of our basic institutions, and unsatisfactory in terms of the resources themselves.

Further, we resist the prospect that the leadership of the Nation in the 1960's should be marked as the one which turned its back on the national soil conservation program so constructively undertaken by Franklin D. Roosevelt and the leaders of the 1930's.

For these several preceding reasons, the National Association of Soil and Water Conservation Districts will:

1. Lead a nationwide effort, and assist the Nation's 3,000 local soil and water conservation districts, to defeat the proposed revolving fund; and

2. Request the Administrator of the Soil Conservation Service to undertake promptly a nationwide study—district-by-district and State-by-State—to evaluate the impact of the Budget Bureau proposal on the conservation and resource development work on the privately owned lands of the Nation, and the ensuing effect on the well-being of the American people.

RESOLUTION 2

SOIL CONSERVATION SERVICE APPROPRIATIONS

The workload in soil and water conservation districts involving the planning and applying of soil and water conservation practices continues to increase each year. Districts are being requested to supply increased soil survey information to farmers, agricultural workers, land appraisers, planning commissions, credit agencies, educators, economists, and other public officials. Districts are also assuming new responsibilities in programs for conservation, resource development, land-use adjustments, and economic development in rural America.

These new district responsibilities are based to a very large extent on farm conservation plans which farmers develop in cooperation with local soil and water conservation districts, or on plans developed by organized groups of landowners.

Meanwhile, the cost of technical assistance has continued to increase as the national economy has grown. Federal funds appropriated to the Soil Conservation Service have been inadequate to furnish sufficient technical assistance to meet the growing obligations in districts.

The National Association of Soil and Water Conservation Districts therefore requests the Congress to appropriate additional funds to the Soil Conservation Service to provide needed technical assistance, watershed planning, watershed protection, and service to the Great Plains conservation program during fiscal year 1966.

More specifically, we ask the Congress of the United States to appropriate $115,040,000 for the conservation operations in fiscal year 1966.

We urge the Congress to kill the proposed revolving fund through which soil conservation districts and farmers and ranchers would make $20 million of payments to the Soil Conservation Service for technical assistance.

We ask that $750,000 of new funds be appropriated to provide technical assistance staff to 25 new soil and water conservation districts expected to be organized during fiscal year 1966.

We further ask that an additional $10,187,000 of conservation operations funds be appropriated to meet the current backlog in staffing needs of 1,518 man-years of technical assistance in soil conservation districts.

Watershed planning:

We ask the Congress of the United States to appropriate $10 million for watershed planning in fiscal year 1966.

This $4¼ million increase over the budget estimate is needed to permit a step-up in the rate of watershed planning because nearly 1,200 communities are on the waiting list for planning assistance.

Watershed protection:

We ask the Congress of the United States to appropriate $85 million for watershed protection in fiscal year 1966.

This would permit beginning construction on approximately 100 new watershed project starts instead of only 70 new starts as proposed in the budget estimates.

Flood prevention:

We ask the Congress to appropriate at the budget estimate level of $25,417,000 for flood prevention in fiscal year 1966.

This has been a current and adequate level of flood prevention operations for several years.

Great Plains conservation program:

We ask the Congress of the United States to appropriate $20 million for the Great Plains conservation program in fiscal year 1966.

The increase over the budget estimate is needed to help meet the backlog of nearly 5,000 farmers who have made application for help but are still waiting for assistance.

Resource conservation and development:

We ask the Congress of the United States to appropriate at the budget estimate level of $4,303,000 for resource conservation and development in fiscal year 1966.

This would permit the continuation of operations in the 10 pilot R.C. & D. projects now underway and would permit the authorization of planning on 10 more pilot R.C. & D. projects in 1966.

We urge soil and water conservation district supervisors and watershed directors to inform their Senators and Representatives of these needs and request support for such appropriations.

Resolution 3

AGRICULTURAL CONSERVATION PROGRAM FUNDS

All citizens of the Nation benefit from actions taken to conserve and develop natural resources, including the basic resources of soil and water.

We recognize that the economy of agriculture is such that farmers cannot finance, wholly, all the costs of planning and applying the conservation practices that are needed.

The agricultural conservation program of the USDA encourages, assists, and gives individual farmers an incentive, through sharing the cost of applying conservation measures, to proceed with the work of conserving natural resources.

The NACD, therefore, opposes the proposed $100 million budget reduction in the advance authorization for the agricultural conservation program in 1966. We ask the Congress to maintain the authorization at the 1965 level in order to maintain progress toward the conservation of natural resources.

Resolution 4

CONTRACT ARRANGEMENTS IN WATERSHED PROJECTS

Under provisions of the Great Plains conservation program, landowners may enter into long-term contracts with USDA whereby they adopt a conservation plan for their entire unit and agree to make land-use changes, apply conservation practices, and establish desirable cropping and use systems, all according to an agreed upon time schedule. The USDA, for its part, agrees to provide technical assistance and cost-sharing to further adoption of this farmwide conservation plan according to the time schedule.

We urge an amendment to the Watershed Protection and Flood Prevention Act authorizing the use of similar contract arrangements within approved watersheds. We recommend a time schedule of from 3 to 10 years for completion of essential conservation measures on whole farms covered by such watershed contracts.

PETITIONS BY CORNELL UNIVERSITY STUDENTS ON U.S. POLICY ON VIETNAM

Mr. MORSE. Mr. President, last night I lectured at Cornell University. At the conclusion of the lecture, a group of students handed me some petitions in opposition to U.S. policy in South Vietnam.

I ask unanimous consent to have them printed in the RECORD at this point with the names.

There being no objection, the petition and names were ordered to be printed in the RECORD, as follows:

To the PRESIDENT OF THE UNITED STATES:

We, the undersigned members of the Cornell University community, strongly protest the bombing and strafing attacks on North Vietnam by the U.S. Government on February 7 and 8, 1965. In spite of official statements to the contrary, we believe that such actions can lead only to the escalation of a war that the United States should not be fighting in the first place; especially since we are supporting regimes disliked by and detrimental to the Vietnamese people.

We hereby join with the growing number of citizens who have voiced their opposition to the United States presence in Vietnam.

We demand that the U.S. Government withdraw from Vietnam now.

Larry Faulkner, Fred Rosen, Mark Sommer, Douglas Hainline, Lincoln Bergman, Daniel Morrison, Charles F. Nagel, Janet A. Schleicher, Stephen R. Kellert, Bruce Bridgman, Martha Grinnell, Mr. and Mrs. Christopher S. Kinder, William E. Schleicher, Joyce Stark, Jill Ann Borkey, Michael Astor.

Mark Leider, Carol Newman, Tim Hall, Dan Segrim, Steve Fankuchen, George M. Alexis, Richard Englesteen, Thomas D. Hill, Ralph Schwartz, Abby Canfield, Ronald A. Schneider, James P. Snyder, Bruce E. Kaplin, Sue J. Estey, Murray Cohen, Les Jacobs, Serina Weaver, Fred Weaver, Brenda Milder, Eugene C. Holman III, Mary Dolores Nichols, John Canfield, George R. Price, Sander Helihsby, David Kirkwood, Stanley Perlo.

Gary H. Deissman, Helen Chuckrow, Michael Dossily, Ruth Goldwarren, R. Stewart Jonas, Kenneth G. Rhuess, H. Carol Woodcock, Philip L. Gilman, Martha E. Trae, Nancy Sorkin, Adam J. Sorkin, Richard Peiser, Richard Brenblatt, Hal S. Kibley, Joe H. Griffith, Nypar Feldner, Peter Long, Stephen LeRoy, Doreen Brenner, Robert Gechfeld, Eric Lee Geytman, Katherine Porter, David Leseohier, William Schecter, Dainoz Fineman, Lawrence Jones, Jonothan Sabin, Robye Cooper, Henry Balsen, Judith S. Kessel, Richard Unger, James W. Boghosian.

Ann Suitow, Richard Epond, Helene Brosuis, Natalie Kent, Steven Gelber, Marie Gould, Peter Salwen, Steven Faigelman, Walter J. Wilie, James R. Willcox, Mike Smith, Susan Higgins, Jo Hailperin, N. E. Dukin, G. Epoty, Claire Eisenhandler, Gail Boesel, Thomas C. Barnt, Tatman Walter, Jerry Sobel, Paul Epstein, William Duell, Bruce Bennett.

Michael Rudetsky, Peter L. Gale, Nathaniel W. Pierce, Mark L. Klein, Paul Seidel, David Rader, Steve M. Handschu, Christy Reppert, Helen Jones, Peter Dormont, Malcolm Campbell, Judy Russell, Martha N. Simon, Joe H. Griffith, John N. Vournakis, Karen Vournakis, Jeanne Duell, Carol V. Kaske, and Henry Daniel.

PRESIDENT JOHN F. KENNEDY'S STATEMENTS FOR GI BILLS

Mr. YARBOROUGH. Mr. President, this year the cold war GI bill, S. 9, is receiving the greatest support that it has ever had from the Members of this body. In addition to having 40 cosponsors, the high caliber and earnestness of testimony by several Senators before the Subcommittee on Veterans' Affairs demonstrates that opposing forces will have a harder time blocking the consideration of this bill than they have ever had before.

I would like to remind my colleagues that the late President John F. Kennedy was an earnest supporter of readjustment assistance for our veterans. In Senate Document No. 79 of the 88th Congress, a compendium of speeches and statements made by John F. Kennedy during his service in Congress, there are two statements concerning readjustment assistance. The first of these is in support of the Korean GI bill, and the second recommends raising the allowances paid under the then existing GI bill. I ask unanimous consent that these two statements be inserted at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

THE KOREAN GI BILL, H.R. 7656, JUNE 5, 1952

Mr. KENNEDY. Mr. Speaker, I want to take this opportunity to be recorded as supporting fully and vigorously the Korean GI bill, H.R. 7656, now under consideration.

Close to a million Americans have participated in the Korean struggle. They are justly deserving of the same consideration that the veterans of World War II were accorded.

The assistance in obtaining educational training which the Korean veterans will receive under this bill will benefit not only the young men and women themselves. It will help insure for the future of America an informed citizenry, which will be capable of guarding well the priceless American heritage of freedom.

Had I not been necessarily absent because of an injury, I would have voted for this bill providing for veterans' education and training.

INCREASED EDUCATION AND TRAINING ALLOWANCES UNDER VETERANS' READJUSTMENT ASSISTANCE ACT OF 1952, JULY 21, 1955

Mr. KENNEDY. Mr. President, I introduce, for appropriate reference, a bill to increase the education and training allowances under the Veterans' Readjustment Act of 1952. Specifically, this proposal would increase veterans' educational benefits by approximately 14 percent over the 1952 level.

In view of the continuing rise in educational costs, it seems to me that such increase as mentioned above is clearly warranted. One can easily see, by viewing at approximately the same level since 1952, the cost of education has, in the same period, increased by more than 10 percent and is expected to rise to over 14 percent of its 1952 level in the next school year.

It has been argued by some that inasmuch as the basic philosophy of the 1952 act was one of assistance and not complete subsidy, any increase would not be in harmony with this underlying philosophy. This argument is irrelevant to this bill, which would only increase veterans' allowances in proportion to increases in the cost of education since 1952. On the contrary, I feel that my bill if enacted, will erase many of the inequities presently existing under the 1952 GI bill of rights. Korean veterans presently enrolled in institutions of higher learning should not be rewarded for their services to a lesser extent than veterans who enrolled during the early days of the act.

Mr. YARBOROUGH. In addition, Mr. President, I should like to point out that when this bill passed the Senate on July 21, 1959, during the 1st session of the 86th Congress, both the late President Kennedy and our present President, Lyndon B. Johnson, were among those who voted for its enactment.

I suggest that a bill which has had the support of 2 Presidents, 1 past and 1 present, and 40 Senators in the present, should be given early consideration by this body. The fate of 5 million cold war veterans is worthy of immediate consideration.

THE FAMILY FARMER HAS EARNED THE THANKS OF THE NATION

Mr. YARBOROUGH. Mr. President, no segment of our society has done a better job of production than the American family farmer. He has produced abundantly, and at a very reasonable cost to the consumer.

In 1964, we Americans spent only 18.6 percent of our income dollar to feed ourselves; yet we eat better than any other country in the world. In return for this efficient production, the family farmer is not now, nor has he in the past, received a fair return for his labor or a fair return on his investment. I rise to express again my extreme alarm over the continually worsening economic plight of the farmer and rancher. Worse than the farmers' economic plight are the unjustified attacks being made upon the family farmer by large and powerful interests in this country, aided and abetted by certain Government bureaucrats.

The farmers of this Nation have earned the thanks of the Nation. They should be thanked, not condemned.

In the February 18, 1965, Tulia Herald, Mr. H. M. Baggarly, winner of numerous journalism awards State and National, correctly states the dilemma faced by the American family farmer. I ask unanimous consent that this column from the Tulia Herald, of Tulia, Tex., be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Tulia (Tex.) Herald, Feb. 18, 1965]

THE COUNTRY EDITOR

(By H. M. Baggarly)

There are many reasons why we became a newspaper publisher instead of a farmer. Topping the list is the fact that we were conditioned against farming from the time we started to school.

In our day, the teachers and especially the school principals did a lot of moralizing. They seldom let a school assembly pass without an attempt to inspire their charges to "get an education," "to study hard," and "to strive for success."

The alternative was to become a failure—and the penalty for failure was to become a farmer.

Even the parents of our friends who happened to be farmers joined with the teachers in urging their offspring to go on to school and get an education so they could live a better life than the parents.

We were impressed by this moralizing. We had no desire to become a farmer which, in our reasoning was the equivalent of failure.

Strangely enough, all this took place not during a general depression but during what was then considered an era of prosperity—the late 1920's. Business was enjoying great prosperity. Labor was prospering—yet the farmer was on the bottom rung of the economic ladder.

Business was in a position to demand its share of the economic pie, and so was labor. Only the farmer had to accept what was offered him for what he produced. Even though he constituted a highly important and necessary part of the economy, he simply had to accept what was left after business and labor were satisfied. He had no bargaining power.

Of course he was free to plant what he wanted in any amount. He had that "freedom" which some farm leaders long for today. Strangely enough, from many sources we hear the cry of farmers to be unshackled, the cry to be free from Government controls of production, a cry to be governed only by the law of supply and demand.

The fact is, agriculture had never even approached parity with other segments of the economy until Government controls were instituted in the early days of the New Deal. Business can look backward to a time of prosperity before the depression. Even labor earned a respectable wage before Roosevelt—but not agriculture.

It was not until the day of the farm program that the farmer emerged from the clodhopper stage, the day when farm youth wore homemade haircuts and unstylish clothing, were made the brunt of unkind jokes, enjoyed none of the cultural opportunities now available to city and farm folks alike.

It was not until the day of the farm program that agriculture became attractive even to college graduates.

Yet, there are those people who imagine they can have their cake and eat it too. They imagine they could be freed to plant fence to fence, anything they desired—and keep right on living like they do today—perhaps better, because they could grow more wheat and cotton.

We'd like to see the looks on some faces if these people were turned loose and were offered 10 cents a pound for their cotton and 50 cents a bushel for their wheat, and their overhead remained at the present level as it would.

Of course such a catastrophe would be the dream of a few millionaire corporate farmers who would delight at the opportunity to pick up a lot of cheap land.

Segments of the economy tend to seek advantage. Each wants not just its fair share but more. The British aristocrats who founded our Nation sought to favor the aristocracy, the merchants, the big plantation owners. They would even have denied the no-landowner the right to vote. In politics of the time, it was the aristocracy versus the laborer, farmer, frontiersman, and planters. This pattern continued until the industrial revolution and the rise of big business.

As big corporations were formed to build railroads, steel factories, manufacturing concerns, a tremendous economic imbalance developed. The rich merchants lived in vulgar luxury. At a party held in the old Waldorf-Astoria Hotel in New York, these heads of industry on one occasion lighted their cigars with $10 bills. Meanwhile, their employees labored long hours in sweatshops for low wages. Often their lives were endangered as they toiled in multistory frame buildings with inadequate fire escapes. Coal miners died like flies because mining companies refused to take safety precautions.

The inevitable result was the rise of the trade union movement. Gradually labor came into its own with the result that both labor and business benefited. As labor achieved a higher standard of living it became a better customer of business which had things to sell.

Although business and labor had come to terms, the farmer continued in his old pattern. Even in the late 1920's when business and labor were enjoying their best years up to that time, the farmer was in what we would now call depression. He was on the bottom rung of the economic ladder, accepting what was offered him for what he produced.

Not until the great depression was a farm program initiated. Government loans spoiled the favored position of the grain speculators in Chicago and Kansas City who took control of the farmer's grain when the market was low and the farmer had to sell, then sold it when the market was high. It was the speculator who reaped the reward for the farmer's labor.

An effort was made to bring production out of chaos which uncontrolled production inevitably leads to.

For the first time, the farmer was able to produce in an orderly manner and be assured of a reasonable reward for his efforts.

Not only did his financial status improve but his children were able to compete culturally with their town cousins, his wife was able to take her rightful place in society, and he became something much more than "a country hick."

It's amazing what a few dollars can do for underprivileged people.

Neither the farmer nor the laborer achieved his new status by being turned loose to run his affairs without outside interference.

This is a luxury that even the multimillionaire merchant cannot afford. We are all a part of the whole. Controls, which is the only thing that prevents chaos in our complex society, is not an evil word.

The oil industry gladly submits to production controls for the good of the industry.

Professional groups all submit to controls by their associations.

Controls are imposed on the teaching profession, particularly in the field of certification.

Labor is regulated by the unions.

Business is controlled by antitrust laws, health laws, and by the Federal Trade Commission.

Communications media are controlled by the FCC.

And so must agriculture be subject to controls for its own good.

The source of control varies. In some instances, good control is all that is necessary. In other instances, good judgment brings groups together informally for voluntary controls.

Due to the nature of agriculture, only the Government is able to exercise control. The automobile industry is able to control its production within the industry. It would never permit itself to manufacture more cars than it could sell just because it has the facilities.

But the farmer is different. He will plant fence to fence on the theory that "the little extra I produce won't affect the overall picture."

Agricultural regulation is morally just and economically sound.

With all segments of our economy gladly accepting controls, it would be chaotic for the farmer to buck the tide.

Some farmers, however, openly demand the "right to go broke" on the theory that that is their business.

But in our society, we don't even permit this right if it affects others. We are too closely allied. We cannot live unto ourselves.

We tell a man he can't even leave his key in his car which on the surface seems to be an unreasonable regulation. But the fact is, if he leaves the key in his car, and the car is stolen, the police must come to his rescue, we all pay the police, then we all become involved over his carelessness.

So it is that the farmer cannot go broke without dragging the rest of the economy down with him. He will take with him the small town, manufacturers of farm implements, and finally a huge part of the economy.

Some farmers seem to have troubled consciences over so-called handouts from Uncle Sam. They have the martyr complex. They don't want to take that which, they say, does not belong to them.

To be a martyr may be noble, but it isn't practical unless one wants to go all the way. An economic martyr owes it to himself to go all the way and shoot himself.

Society has developed an economy in which all its segments are subsidized one way or another. Manufacturers are subsidized by tariffs on imported goods. Shipbuilders and the airlines are subsidized by direct grants from the Government. Labor, in fact, is subsidized by minimum wage and other laws.

Since 1951, business and labor have enjoyed a hike in real income of 48 percent. During that same period, farm income dipped 23 percent. Farm families now have about 50 percent income parity with other groups. Yet cost of farm products to the consumer has dipped 15 percent.

So the farmer need shed no tears for his so-called handouts. Rather he should tell business and labor, "we'll end the farm subsidy on the same day that we end business and labor subsidy."

There are other reasons why we must have a strong, sound farm economy.

We cannot afford to have our farm plant eroded by income deflation. The farm plant must be ready to feed and clothe all our people.

We have noted many fallacies in our public thinking concerning agriculture.

One is that organized protection of farm prices is responsible for over production. Not so.

Another is that the removal of controls with prices guided only by a free market would automatically bring supply and demand in line and everybody would be prosperous and happy. Not so.

Still another is that we can solve farm problem by asking agriculture to return to laissez faire economics of the 19th century. Absurd.

All the thinking world abandoned this theory after the great depression. Why don't we?

Letting the farmer take what he can get while producing what he would is suicide.

STATE LEGISLATIVE APPORTIONMENT

Mr. HART. Mr. President, as the Senate again moves toward committee consideration of proposed constitutional amendments on State legislative apportionment, there are many critical questions which should be completely and thoroughly aired.

One such question was raised in a telling editorial last month in the St. Louis Post-Dispatch.

It asks the question: "What Other Factors?" Some of the proposed amendments suggest that one house of a State legislature may be apportioned on factors "other than population," and the editorial rightly makes the point that the question of "what other factors" must be raised again and again until we can make clear the hazards of such an amendment.

The editorial suggests that this language would permit "other factors" to be the number of automobiles in a given legislative district. That is a novel idea which a Senator from Michigan might well support.

I commend the editorial to all who are concerned that once again the Congress is about to consider an amendment to the Constitution which could well have far-reaching implications in its every word. I ask unanimous consent that the Post-Dispatch editorial of January 29, 1965, be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

What Other Factors?

The basis for most proposals, by the Missouri House and in Congress, to defeat the Supreme Court's one man, one vote apportionment ruling is the idea that States should be able to create one legislative house on the basis of "factors other than population." What other factors?

This was the searching question raised before the Missouri House Federal-State Relations Committee by Jules Gerard, associate professor of law at Washington University. Speaking for the American Civil Liberties Union Chapter here, Mr. Gerard said that while those "other factors" supposedly referred to geographical representation, the proposal to amend the Constitution did not say so.

"Others factors" is a sweeping term, encompassing everything but representation based on population, which is the only fair kind. Suppose the Nation were to adopt the constitutional amendment, as House Speaker Graham recommends in Missouri and Senator Dirksen and Symington suggest in Washington: Could not Mississippi then base representation on race? Could not some other State base it on religion? Those are possible "other factors."

In colonial times and later, representation was sometimes attempted on the basis of property holding. In Fascist countries, including Spain today, representation is provided for corporations. And if people are to be excluded as a direct factor in representation, why not provide for representation for trees, cornstalks, cows or automobiles? Those are certainly "other factors."

No doubt proponents of the amendment will say that they do not have such factors in mind at all—but their legislation does not say so. What they do have in mind is to protect legislators' jobs, and to defend a misrepresentative system that has meant rural domination of the States and all too frequently a stand-pat, conservative rule. Naturally, their legislation does not say this, either.

Yet, in seeking their selfish and antidemocratic ends, the champions of "other factors" want to write into the U.S. Constitution an unlimited grant of special privilege to the States and to those who presently govern them. They want to wipe out a portion of judicial review, cancel out basic constitutional protections of equal rights under the law and, for the first time, diminish the constitutional meaning of liberty.

The Missouri House and its committee, of course, had their minds made up in advance. The amendment resolution was rushed through by the outstate majority without much thought for the grave questions involved, or any other factors. In Washington, some Congressmen are equally intent on a collision course with the existing Constitution.

The American people ought to rise against these attempts to substitute other factors for freedom.

OPPOSITION TO MEDICARE UNDER SOCIAL SECURITY BY COLORADO CHAMBER OF COMMERCE

Mr. DOMINICK. Mr. President, recently I received from a friend and constituent of mine, Mr. Howard Yates, a statement prepared by the board of directors of the Colorado Chamber of Commerce on the medicare issue. It takes up the problems which the medicare issue will create with respect to our social security system. Since the subject is important and is going to be one of the issues before us in this session of Congress, I ask unanimous consent that the statement be included in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Medicare Remains Prime Issue

The recently adjourned 88th Congress rejected a program of medical care for the aged under the OASDI payroll-tax financed structure. Some congressional leaders and others now are suggesting that the fall election results amount to a mandate to pass the administration's medicare program.

The addition of such a costly and unnecessary mandatory program to an already financially insecure social security program has no more merit today than it had yesterday. The State chamber is opposed to a program of medical care under the OASDI tax structure because it would inevitably lead to:

Government control of health and medical care which would both increase costs and lower quality of medical services for everyone;

Unpredictable costs, which, as program expanded, could eventually threaten solvency of the present social security cash benefits program;

The use of a social security program of hospital care for elderly as the opening wedge in the establishment of compulsory

Government medicine for all, with its attendant bureaucracy, redtape, and tendency to promote mass-production, assembly-line procedures in which quantity takes precedence over quality and both suffer.

The State chamber believes in a realistic, practical social security system, enlarged and strengthened as the Nation can afford it. There should be continuing study of the many still-unsolved problems involved so that any further legislation in this field may be based upon careful appraisal of experience with the actual operation of the program.

Prominent among these unsolved problems are that (1) no consistent relationship exists between amounts of tax contributions of individuals and the amounts of benefits they ultimately may receive; (2) the program is one of sharply rising costs for the next several decades and a major portion of costs of pension rights being earned now is being postponed for future generations to bear, and (3) the cost-deferment characteristic hides from public consciousness the future cost impact of obligations being incurred currently.

There is need for basic decisions correcting OASI financing weaknesses. In any event, future law changes increasing OASI costs should be accompanied by commensurate tax increases in order to create a clear public understanding of the cost impact.

Every effort needs to be made to find and put into effect the best possible solutions of these problems.

VIETNAM

Mr. DOMINICK. Mr. President, I have recently had the pleasure of reading the February 22 issue of the Washington Report issued by the American Security Council, containing an article entitled "Why We Can't Negotiate Now."

This article deals very clearly with the situation facing us in South Vietnam, and refutes one argument after another suggesting negotiation in Vietnam. It points out very logically and clearly the reason why we must stand firm in that area. The article is of real value because it answers some points which have been made. One of the cries we hear constantly, in Congress and outside, is that we cannot win militarily.

One of the points made in the article is that every guerrilla war engaged in between World War II and now has been either lost or won, not just stalemated. Dependent on the issue of whether it has been won or lost has been the whole course of freedom in those areas.

The writers of the article come to the conclusion that this war can be won, that the President's policy should be firmly supported, and they go further with respect to possible support from Red China and the Vietcong.

I do not want to indicate that I am necessarily in favor of or in opposition to the last paragraph of the report, but the entire article points out so many factors with which we have been dealing that I ask unanimous consent that the entire report—which is only four pages—be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY WE CAN'T NEGOTIATE NOW

A great swirl of climactic events has followed President Johnson's order to give concrete effect to his repeated warnings to the Communists to cease their aggression against South Vietnam. The difficult but extremely necessary decisions have at last been taken. Inevitably in such cases, an atmosphere of crisis is created by the outraged cries and threats of international communism. Just as inevitably, the calls for a negotiated settlement are redoubled on the free world side of the line. Many well meaning people find it difficult to understand why President Johnson does not at least accompany his military action by an offer to enter into immediate negotiations to end the Vietnam war.

Undoubtedly, the President would like nothing better—nor would any other person of good will—if negotiation presently offered a reasonable prospect of fulfilling our pledge to defend the people of Vietnam; it is this pledge which we must honor if there is ever to be any hope of lasting peace in the world. But in considering negotiation the Administration is faced with a series of very unpleasant facts, which are either unknown or forgotten by the general public.

One set of facts concerns the inherent nature of guerrilla wars. The military tactics and political purposes of such wars are not subject to stalemate or compromise. For example, much of the current argument for negotiation rests on the hypothesis that a military victory for either side is impossible. This is begging the question. Since World War II, when the guerrilla war came into vogue, they have invariably been won or lost. Either the guerrillas win in the sense of achieving a take-over of the country or government in question, or else they are militarily defeated, at least to the point where they are reduced to a harmless remnant. There have been no exceptions to this rule.

The guerrillas triumphed completely against the Dutch in Indonesia, against the French in Algeria and Indochina (except here they settled for North Vietnam in 1954 rather than risk U.S. intervention), against the British in Palestine and Cyprus, and against Batista in Cuba. They were decisively defeated in Greece, the Philippines, Malaya, Burma, and—apparently—Venezuela. Whenever negotiations were held it was only for the purpose of ratifying the guerrilla victory. In the majority of cases this was not of a decisive military nature. The French were never beaten in Algeria and even after Dien Bien Phu they could have held on at least in Hanoi and Saigon. The Dutch could have held Indonesia for some time as could the British in Palestine and Cyprus. But either the will to resist was broken or else a reevaluation of national interests caused them to consider the area no longer vital.

CEASE FIRE MEANINGLESS

On the basis of all past experience, therefore, a negotiated settlement in Vietnam can only have the purpose either of confirming a Communist decision to abandon the drive for control of Vietnam, or else an American decision to admit defeat and withdraw. A cease fire would be meaningless. It would only leave the guerrillas in place and free to use the interval to run in more reinforcements and arms until they were ready for the next push. Withdrawal of all Communist guerrillas behind the 17th parallel, as is sometimes suggested, woud be fine, but would of course be tantamount to a total Communist defeat in Vietnam. President Johnson has no intelligence as yet to lead him to suppose that the Communists are ready for anything of the sort.

On the contrary—and this is the second set of facts prevailing in the Vietnam situation—the Communist world remains unanimous in its declarations that the only basis for a negotiated settlement in Vietnam is the complete withdrawal of American forces, which is tantamount to a complete American defeat.

These statements might be written off as mere propaganda bargaining were they not backed up by a great deal of background information coming out of Communist China, which indicate that she believes time and events are very much on her side. Since the second hypothesis for negotiations is that they must include Communist China, her attitude is obviously decisive to the outcome. Here are some of the more public facts which the President must consider:

1. Between December 21, 1964, and January 4, 1965, the first session of the Third National People's Congress was convened in Peiping. Nearly 3,000 deputies met behind closed doors to hear speeches by the leaders of Communist China. In addition to statements by Marshal Ho Lung boasting that the Chinese people's army has been considerably enlarged, supplied with up-to-date equipment, and is now supported by powerful naval and air force units, the Chinese published on December 30 an abbreviated version of Premier Chou En-lai's report on Chinese domestic and foreign policy.

The speech reflected great pride and self-confidence resulting from the explosion of the atomic bomb, the surmounting of the very serious difficulties between 1959 and 1961, resulting from the failure of the great leap forward, and the intention of transforming China into a world power with the most modern industry, agriculture, technology, and defense within the shortest possible time. Reviewing foreign policy, Chou pledged support to all—and he listed each one—revolutionary movements and centers of unrest. He declared that Peiping would consider negotiation with the United States only after it had given up Taiwan and would deal with the United Nations only when it had thrown out Nationalist China.

Chou further asserted that the east wind would prevail over the west wind, and that favorable conditions for such an outcome are the storm centers of world revolution in Asia, Africa, and Latin America. The speech forces the conclusion that the Chinese Communists are not only conscious of their power, but are also prepared to use it to support wars of liberation wherever possible in a continuing struggle against imperialism.

2. As a concrete example that Chou meant what he said and that the "falling domino" theory in southeast Asia was not a figment of John Foster Dulles' overstimulated imagination, Peiping formally announced on February 5, 1965, the formation of a patriotic front to overthrow the pro-Western Government of Thailand and eradicate American influence there. For some time now, Communist agents have been infiltrating into Thailand in order to form the nucleus for subverting that country. The Thais have instituted energetic countermeasures which have so far kept them under control, but it is foolish to believe that Thailand would or could resist a Communist takeover backed by China if South Vietnam is lost. The Chinese do not even wait until one victim is gobbled up before proclaiming their plans to take over the next one.

3. Mao Tse-tung stated in a January interview with American journalist Edgar Snow that the crisis in Vietnam will not lead to war between China and the United States so long as China is not invaded. He also said that the war in Vietnam would last only another year or two because the South Vietnamese are deserting in large numbers and the Americans will lose interest. While this statement greatly reduces the likelihood of any Chinese retaliation againt our raids on North Vietnam, it gives no comfort to those urging negotiation. If Mao really believes that the war will be won by the Communists in another year or two, then it is obvious that he looks on negotiation only to confirm this fact, which is another point he actually made in the interview. Unless he can be shaken in this conviction there is no possible basis for negotiation with China.

MUST STOP REDS

It is easy for those without responsibility to call for negotiation, as though this were the automatic panacea for all the world's ills. But the U.S. Government is faced with the kinds of facts mentioned above, as well as much more grim data of a secret nature, which cannot be shrugged off. This is why it has consistently rejected calls for a new Geneva Conference and why even the British have supported this stand. It is accepted as axiomatic by most policymakers that under present circumstances negotiation could lead only to an American defeat.

Such a defeat cannot be accepted, not simply for reasons of foolish national pride, but because the Chinese have made it so very plain that Vietnam is only part of a much wider plan for aggrandizement and trouble making. We are helping Vietnam because it is in the interest of freemen everywhere that the Communist challenge be halted at this point.

The President is trying to create a new psychological situation in Asia. His decision to retaliate against North Vietnam is the only one which offers any hope of success. It has been long overdue and is all the more difficult for that reason, but it is still not too late. Mr. Johnson should be warmly congratulated for his action. If we carry through our policy with resolution there is still an excellent chance that we can win the Vietnam war at least in the sense that the Communists are induced to call off the war as a bad business and either withdraw the guerrillas into North Vietnam or else cease outside aid completely and leave them to their fate. Only then can there be a genuine basis for a negotiation which will ratify this decision.

The Communists will not come willingly or easily to such a disagreeable choice. Previous U.S. vacillation has led them to count the Vietnam war as already won. It will probably take time and a great deal of punishment before they call off the war. But they are practical men and eventually bow to reality. What is essential now is that the President be given the time to make the full effect of his new policy felt in Hanoi, Peiping, and Moscow without being continually badgered to negotiate. The calls for negotiation only make the task harder and bloodier because it encourages the Communists to think that we may still falter in our purpose. It is still a Chinese article of faith that world and domestic pressures can be mobilized to thwart any resolute action by the U.S. Government. Many past follies have confirmed them in this viewpoint.

TURNING POINT IN HISTORY

A great experiment is underway—the experiment to see whether we can successfully contain Communist China on the mainland of Asia. If we cannot, the consequences to our children are hideous to contemplate. The Chinese have the numbers, the drive, the ambition, and the eventual potential to rule the world. The days through which we are now passing will mark one of the great turning points of world history.

The United States has very strong trumps to play in this contest. If North Vietnam is willing, or is forced by China to sacrifice herself in a continuing effort to win South Vietnam, there is yet one final arrow in our quiver. We can threaten China with the one punishment she would most fear: The destruction of her nuclear plants by aerial bombardment. If forced to carry out this threat, we would at least prevent or delay the looming menace of a nuclear-armed China.

FRANK J. JOHNSON,
Foreign Editor.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS' ADMINISTRATION DOMICILIARY AT THOMASVILLE, GA.

Mr. TALMADGE. Mr. President, there was published in the February 7 edition of the Jacksonville, Fla., Times-Union an excellent article concerning the operation of the Veterans' Administration domiciliary at Thomasville, Ga., one of the facilities which it was announced is scheduled to be closed.

This article clearly shows the domiciliary's value, both to the veterans it serves and to the community in which it is located. It is my hope that the operation of this facility will not be discontinued, and that the Veterans' Administration will reconsider its plans.

It is indeed regrettable to me that our veterans should suffer because of a purported economy move by the administration, although it must be kept in mind that our disabled veterans must be domiciled and provided home and medical care, and that if this facility is closed, they will have to be moved and cared for at some other location. I fail to see any economy in such a move.

As pointed out in the article, there are both human and economic factors to be considered, and I hope they will not be disregarded by the Veterans' Administration.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUMAN, ECONOMIC ELEMENTS HINGE ON VETERANS' UNIT

(By Carey Cameron)

THOMASVILLE, GA., February 6.—Both the human and the economic elements are of concern to those who will be affected if the Veterans' Administration domiciliary here is closed.

Thomasville and Thomas County residents and businessmen are concerned about the economic element. Counting payroll, other expenditures and non-VA jobs affected by the VA payroll, the area may lose about $6 million annually, says chamber of commerce Executive Vice President Lloyd Eckberg.

The members who live at domiciliary (they are called members, not patients, stresses J. W. Legg, assistant domiciliary director), their few relatives and the American Legion are concerned with the human element—the displacement of 765 residents of the home, 25 percent of which are indigent.

It is possible that everything will turn up roses on both accounts. Lockheed of Georgia, a corporation that does 98 percent of its business with the Government, will submit a bid February 15 for the right to operate an Urban Job Corps Training Center under the Office of Economic Opportunity programs.

W. A. Pulver, president of the corporation, has told the Thomasville-Thomas Chamber of Commerce that the school will be located at the domiciliary site if Lockheed gets the contract. Revenue here from the school could reach $7 million annually, Lockheed estimates.

Plans are being worked out to transfer domiciliary members to various combination hospital-domiciliary centers in other locations. But Lockheed may not get the training center contract and Donald E. Johnson, national American Legion commander, has charged that there is no assurance new homes will be found for the veterans.

On January 12 the VA announced plans to close 11 hospitals, 16 regional offices, and 4 domiciliaries. This plan would eliminate 3,201 domiciliary beds. Although medical care is offered in clinic and infirmary-type departments, domiciliaries are not hospitals.

"They are domiciles (homes) for veterans who have disabilities preventing them from earning a livelihood," Legg explained. When a domiciliary member needs hospital care he is taken to a veterans hospital. Veterans at the Thomasville facility are usually sent to Lake City, Fla.

In return, patients recovered enough to no longer need hospital care are sent back to domiciliaries to make way for new patients. The other three domiciliaries to be closed are at Clinton, Iowa, in Commander Johnson's home State; White City, Oreg., and Bath, N.Y. The Bath home is a VA center, offering both hospital and domiciliary care, Legg explained.

At Thomasville, the domiciliary has an annual budget of $1,800,000. Members' income from social security, pensions and other compensation totals $1.5 million. The capital assets are about $3.5 million, Legg said.

An evacuation plan, subject to approval by the central VA office in Washington, calls for all members to be moved out by March 31. The staff of 161 employees would be gone and the operation closed by June 30.

Members not discharged or transferred to hospitals by March 31 would be moved to centers at Biloxi, Miss., Bay Pines, Fla., Dublin, Ga., and Mountain Home, Tenn.

On January 13 admissions to all receiving domiciliaries were frozen. The Thomasville facility has 800 beds but operates on a planned average member load of 750, leaving a margin of up to 50 beds. On January 14 it had 765 members of which 193 were Florida residents and 263 were Georgia residents.

World War II veterans, a group whose need for domiciliary care is growing now that their average age has reached 45, comprised 56.84 percent of the residents while World War I veterans made up 33.28 percent. There were lesser numbers of Korean and peacetime veterans. Six residents are Spanish-American War veterans.

Other facilities also have a margin between total beds and caseload and it is figured that this margin plus natural turnover will make room for those being moved from the closing facilities, Legg explained.

The Thomasville domiciliary was built during World War II as Finney General Hospital. Like most military facilities of that day its exterior appearance is crude but interiors are comfortable.

About 50 percent of the rooms are private or semiprivate and a main dining room accommodates 408 men who are fed in 2 shifts. Light recreation, such as shuffleboard, is available for those able to take part. Some can play the game but others are in wheelchairs.

After the war, the old general hospital was used for 1 year as a VA hospital before the domiciliary was opened officially December 1, 1948. Legg, who works under Administrator E. C. McDaniel, has been here since 1948.

When news of the closing was announced, Thomasville Mayor Roy Lilly and Frank Neel, immediate past chamber president, went to Washington to see what could be done but were given assurance the order would not be revoked.

Therefore, the chamber has endorsed the Lockheed proposal which involves a Government aid program which Neel believes has practical use in that it would train high school dropouts. From 2,000 to 2,500 boys, aged 16 to 21, would be enrolled to learn six types of skills. It is hoped that satellite industries which could take advantage of the skilled labor will follow the school to Thomasville.

AMERICA'S FORGOTTEN ARMAMENTS

Mr. TALMADGE. Mr. President, Dr. Walter R. Courtenay, minister of the First Presbyterian Church in Nashville, Tenn., and twice the winner of the Freedoms Foundation Award, has delivered another timely and thought-provoking sermon to his congregation.

Dr. Courtenay will be remembered for his splendid messages of 1963 and 1964, when he discussed "The Problems of Equality" and "The Problem of Equilibrium" in the context of the controversial issues of the day.

Dr. Courtenay is, without a doubt, one of the Nation's most forthright spokesmen for religion and morality, in every walk of life.

In his sermon of Sunday, February 14, Dr. Courtenay talked of the moral and military strength, or lack of strength, of the United States at a time when we are faced as never before with the threat of global communism and nuclear disaster. He eloquently describes how the American people can best arm themselves against this threat.

I would not attempt to expand upon his advice and counsel, but I strongly recommend his message to Members of the Senate and, indeed, to the people of the United States.

Mr. President, I ask unanimous consent to have Dr. Courtenay's sermon printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

DR. COURTENAY WARNS OF U.S. FORGOTTEN ARMAMENTS

Honesty, faith in God and patriotism are the forgotten armaments of America's national defense, Dr. Walter Rowe Courtenay, minister of First Presbyterian Church and two time Freedoms Foundation Award winner, told his congregation this week.

Speaking Sunday morning on "The Forgotten Side of National Defense," Dr. Courtenay declared that Vietnam is now a brush fire which threatens to become a forest fire, then a prairie fire, "a fire swept on by the high winds of Red China, and thus endangering the entire world with searing flame.

"Now, in Vietnam," he said, "a little nation tests our patience and our positiveness, and why not? Did we not wage a Korean war and fail to win it? Did not our failure there encourage Asian communism to try again? Is not the present unpleasantness part of the tooth-marked aftermath of our Korean vacillatory actions?"

As in the case of Dr. Courtenay's second award-winning sermon, the Banner herewith reproduces in full Sunday's message.

THE FORGOTTEN SIDE OF NATIONAL DEFENSE

Three times in my life war has come to the United States of America. These wars have always begun in a similar manner, namely, with events abroad creating strife, with someone somewhere pushing people around and exerting military pressures, the affair always beginning with a smallness that in time became a bigness. Thus World War I, World War II, and the Korean war began, and all three are sharply etched upon my consciousness. Millions of our men have been involved. Unaccountable billions of our wealth have been invested, and we have given the strength of this Nation to make the world safe for democracy, to end war, to defeat dictators, and to establish peace. And with what results?

Today the Communists number in their ranks about 40 percent of the people of the world. Their hunger for world domination and world control diminishes not at all with the passing of time. Through their satellites, pressures are exerted on us in particular, harassing us, taunting us, teasing us, bullying us, and daring us to act with positiveness and power. The other free nations of the world seem almost totally exempt, but not us. The United States and the U.S.S.R. are the poles of modernity, one West and one East. As they turn so turns the rest of the world, for we are the giants of this topsy-turvy age. The giants of yesterday are almost schizophrenic because of it. Britain and France, who once were giants, find it difficult to live as nations diminished in size and importance. The golden age they knew haunts them, and the modern age they know taunts them, and they do not know what role they ought to play in a world where new giants walk.

WHAT OF OTHERS?

The other nations, the pigmy and the larger ones, many of whom act like children released for vacation—what of them? The ones on our side talk big because we are big. Those against us talk big because Russia is big. Some gravitate to us because of what we are, and others gravitate to Russia because of what she is. Thus is the modern world divided, and in this world there are no neutrals, for how can any nation be neutral in a nuclear age?

Now, in Vietnam, a little nation tests our patience and our positiveness, and why not? Did we not wage a Korean war and fail to win it? Did not our failure there encourage Asian communism to try again? Is not the present unpleasantness part of the tooth-marked aftermath of our Korean vacillatory actions? What is now a brush fire in Vietnam may become a forest fire, then a prairie fire, a fire swept on by the high winds of Red China, and thus endangering the entire world with searing flame.

I have asked myself many times this week: Are we ready? Are we ready in case the brush fire becomes a large conflagration?

Two things need to be said here and said today:

1. We live in a world where aggression is still a profitable business. Russia understands this, and so do all the satellites. In my lifetime a handful of Bolsheviks in Russia have parlayed their winnings into a rich jackpot. Aggression still pays. Russia knows this and so do Red China, Tito, Ulbricht, Castro, Sukarno, and all the rest. We still live in a world where aggression can be a profitable business.

2. We live in a world where military power is still positive power, and where only strong nations succeed and survive. The world is still controlled by the militarily strong, for it is strength that creates nations and it is strength that sustains them. Russia, strong in weapons and plans, offers the peoples of the earth the security of enslavement and regimentation. We, strong in weapons, but weak in plans, offer the peoples of the earth security with what?

Twice in my lifetime this Nation has saved the British. Twice in my lifetime this Nation has saved France. Twice in my lifetime this Nation has saved the free world. Not only have we been the decisive element in winning the wars, but we are the ones who have financed the rebuilding of the world, and the freeing of the world. Now, you would think that in the light of all that we have done in the last 50 years the world would love us as it loves no other, and would trust us as it trusts no other. Having given the free people of the earth a chance to remain free, our place of leadership should be unquestioned. After all, it is our strength that has created whatever freedom still remains, and on our strength the free world rests.

This is an awesome responsibility for us to face, and I ask myself again and again, "Are we strong enough? Are we worthy enough? Are we ready enough?"

We are told that we are the strongest military force on the face of the earth today. We are also told that we are the strongest Nation in the history of mankind. (May God prevent us from ever having to prove it.) It is amazing, therefore, that the Vietcong do not believe this. It is amazing that this handful of guerrillas in Vietnam is unimpressed. If we were Russia she would be impressed, and this whole business would have been settled at least 2 years ago. Russia would not have put up with this nonsense 2 weeks. The difference between us is that we fear world opinion and Russia has no such fear. We are afraid to act lest somebody shake a finger at us, and call us names. Not Russia—if you do not believe it look back at what happened in East Berlin and in Hungary when people asked for relief from Communist repression.

In nuclear power, in air power, in sea power, and in productive power, we are the strongest Nation on the face of the earth—we think—but are we strong enough? When is a nation strong enough? When is a nation adequately prepared?

1. I would say that a nation is strong and adequately prepared when her weapons are modern, and her personnel well organized and superbly disciplined. We are moving so fast in the modern world that what was good enough in 1960 may not be good enough for 1965, and what is good enough for 1965 may be of little value by 1970. Our weapons are modern at the moment, our weapons are impressive, and we are well organized—on paper. In terms of discipline—who knows? You can never know how well disciplined you are until war conditions exist. Based on past performances, however, if we are not ready, given a little time, we will get ready.

May I add that wars are never won by armies by themselves. They may be well equipped, and well trained, but a nation's strength is the strength of her people as a whole. It is the homefront that, in the end, determines the power of a nation.

2. That brings me to my second answer. While we are strong in weapons and well disciplined in manpower, there is a forgotten side of national defense; namely, the spirit of our people. A failure in human nature is always a failure in an ultimate sense. Well-trained men can throw away weapons that are still operational. They can desert planes and tanks and command posts. At the front they can frustrate the plans of a whole nation. On the homefront they can refuse to work and to sacrifice in behalf of those at the fighting front. They can leave supply lines empty, and also leave the heart of fighting men devoid of purpose. That is why I say that a nation's future depends on her people's attitudes, upon their general philosophy of life. Everything depends on the spirit of a people, their faith in themselves, their cause, their goals.

Here I read a statement that is now 15 years old but remains truthful and forceful, "The political leaders of the so-called democratic nations, who depend on popular choice, seldom try to develop moral power and a sacrificial spirit until war is upon them." In other words, as a Nation we never get around to building strong moral fiber into our Nation until the chips are down and the crisis of destiny is upon us. Mr. Kennedy, I think, sensed this, and it was this sensitivity that moved him to say, "Ask not what your country can do for you, but what you can do for your country." I say to you that this is a sentence that shines, and is a timely one, but what did it produce in the life of our Nation? How many people were changed? How many people suddenly became devoutly patriotic and self-sacrificing as a result of it? How many became bigger, better Americans?

BASIC HONESTY NEEDED

I am saying to you this morning that we need additional armaments, and the first basic armament that we need is basic honesty. Judging by all signs we have hit an all-time low in the realm of basic honesty—in government, in industry, in the labor movement, in education, and in your life and in my own. Basic honesty means the ability to be aboveboard, to be fair, to deal justly, to be true to the trust of others. When we have it, it adds other qualities to our lives and works wonders in a nation. Nothing endangers the strength of a nation more than dishonesty among its people. Dishonesty strikes at the very roots of selfhood and a good society. On the other hand, when we are honest, we have self-respect, inner strength, fearlessness, courage, dependability, punctuality, honest work, productive work, stable homes, and serious political views and loyalties. Once we build basic honesty into our lives all the other fruits of the spirit take root, and grow, and flourish.

2. The second armament we need to add to that which we already have is faith in God. Faith in God means faith in something big, Someone big, Someone who is not temporal, or transient, Someone who is permanent, and permanently earth related. When you believe in such a One you begin to understand what we talk about when we talk about sin; namely, this crude, cruel self-centeredness, and selfishness that is a part of every human life. Our faith also teaches us to appreciate the fact that we are responsible for our choices, and our conduct, and must face a judgment. Men shall be rewarded for their virtues. Men shall be punished for their wickedness.

Across the face of this Nation we have written, "In God We Trust." This ought to mean that as a nation we are on God's side. We are for righteousness, we are for justice, we are for truth, we are for morality. But are we? Where are we when a single atheist in the United States can silence the voice of prayer throughout the educational life of a nation? Where are we when a single atheist can determine the religious customs of the majority of our people?

Ours is a nation "under God," and such a nation must live by moral standards. This must mean temperance in all things, purity of life, fair dealings with other people, concern for other people, and right human relationships. Too often we Americans forget that it was the religious aspirations of our founders that laid the foundation for our materialistic success. All too easily today we forget the original source of our greatness and become as materialistically oriented as Russia herself.

3. The third armament that we need to add to that which we now have is patriotism. By patriotism I do not mean crowds, parades, flag waving, and nationalistic chest-thumping speeches. To me patriotism means a well-rounded knowledge of our history—undebunked, to know the roots out of which we have come, to understand the source of the greatness of our people and our system. Patriotism to me means a knowledge of our system of government and economics, of faith in the dreams of our fathers, faith in our system, and a willingness to live by it, a willingness to live for it, and a willingness to die for its perpetuation.

Honesty, faith in God, and patriotism. These are armaments that are essential on all fronts of our national life today.

The situation that actually exists in the United States today does not speak well of our public schools and the type of education we now support. The crime rate is too high for us to feel that all is well in public education. Our loose philosophy of life, the increase of disobedience, disregard for law and sexual irresponsibility, our inadequate understanding of our political system, and our profit-motive economy, does not warrant a complacent attitude toward the fruitage of our current educational endeavor.

Neither does the situation speak well for our homes, the basis of all else in American life, since it is our first school, church, court of law, and community. The looseness that characterizes them, the lack of integrity within, can only mean a further weakening of our wills and our ways at a time when we need increased strength.

The current situation does not speak well for our general philosophy of life, nor for the future that must grow out of our current points of emphasis.

WHAT CAN WE DO?

I ask myself, therefore, "What can we do?"

First, we must keep America strong militarily regardless of cost. If we do not, we are sitting ducks in a world where the Communists have not for a moment diminished their determination to control all nations.

Second, we must keep America strong in her faith in God, which means moral stability at the very center of our lives.

Third, we must keep America strong intellectually, so that our people really know this system of ours, and why we should live for it, and if necessary, die for it.

Fourth, we must keep America strong religiously.

Fifth, we must keep America strong patriotically.

We have written across the face of this Nation, "This Nation Under God," and something must be done soon about the new sentence that now threatens us, "This Nation Under Godlessness."

It was Dr. Henry C. Link who years ago observed that while Moses was up on the mountain receiving the divine law from God, the nation was down in the valley worshipping the golden calf. If that is not where we are today, where are we?

I believe in a free people, and a free society, but I wonder sometimes if we are not too free with our freedom. In this country we are free to be significant and we are free to be insignificant; free to be worthy and free to be worthless; free to be successful and free to be failures; free to work and free to be lazy; free to share and free to sponge; free to worship and free to tell God to seek a warmer climate; free to learn and free to remain ignorant; free to be Americans and free to be Communists and traitors to our history. I wonder sometimes how much adverse freedom a free nation can afford before she destroys herself.

Two cliches of modernity worry me:

1. One is that in this Nation there must be no second-class citizens. But you cannot avoid having second-class citizens, and even third- and fourth-class citizens, not because the Nation by law makes it so, but because the people themselves make it so. How can you make first-class citizens out of those who by nature, desire, and effort classify themselves as second class, third class, and fourth class? When citizens refuse to be first class how can you avoid their slipping down into other classes?

2. The other cliche says that we must treat all persons as persons: that we must never treat persons as things. But what if certain persons live like things? What if they lack the main ingredients of persons, such as love, appreciation, thoughtfulness, forgiveness, unselfishness, and a great loyalty to the best life shares? Many persons become things as a result of what they think and how they live, and when a person is a thing how can you deal with him as a person?

Our Nation may be standing on the verge of another Korea. If she is, then this time no Yalu River will stop us. We will go beyond the Yalu River regardless of the price we are called upon to pay. But if our situation is worsening—are we strong enough militarily, and are we strong enough where it really counts, in you and me, in terms of our basic honesty and all that it produces, in terms of our faith in God, in terms of our love of country, in terms of our being first-class citizens and persons of worth?

It has been written, "Blessed is the Nation whose God is the Lord." Ah, but if our God ceases to be the Lord, what then?

PROXMIRE REPLY TO BUDGET DIRECTOR GORDON ON FARM INCOME

Mr. PROXMIRE. Mr. President, after Budget Director Kermit Gordon's widely discussed and controversial article was published in the Saturday Review of Literature, relating to economy in Government and also to our farm program, I wrote him a letter challenging some of his conclusions regarding our farmers.

He replied to me recently, and in closing sent me a speech delivered by Under Secretary of Agriculture Charles Murphy, on which Mr. Gordon had based much of his analysis of the farm problem.

Mr. President, I intend to have these three documents printed in the RECORD but before doing so, let me make these points:

First, a sharp diminution in the farm population, which Mr. Gordon sees as the principal basis for the solution to the farm program, is taking place right now, as it has taken place for many years.

Since 1952 the farm population has dropped from 21.7 million to 12.9 million. I submit that this is the sharpest, most decisive, and startling drop in population this growing country has ever suffered in its history in any large, important, and productive group.

But, has there been a significant improvement in the income of the remaining more efficient farmers?

The answer is an emphatic "No."

Per capita farm income remains a dismal 60 percent of off-farm income, although farm efficiency has increased three times as fast as off-farm efficiency, and although farmers work harder, invest more heavily, and risk more greatly than any other segment of the economy.

Second, Budget Director Gordon cannot deny the unfairness of comparing the income of the 40 percent most prosperous farmers with the income of the entire off-farm population. Obviously, the only fair comparison is to compare the 40 percent most prosperous farmers with the 40 percent most prosperous off-farm population.

Mr. Gordon concedes that if we do that, there is the same disparity, the same unfair disadvantages against the farmer that we have when we compare farm income with off-farm income and find the farmer's income is only a pitiful 60 percent of off-farm income.

The assumption that the removal of the 60 percent least prosperous farmers from the farm will leave the 40 percent who now on the average earn near-income-parity returns with 100 percent of off-farm persons in the same relative income position they now enjoy, is demonstrably false. The experience of past years should show that as farm population diminishes, as the least prosperous farmers leave the farm the income of the remaining farmers does not improve relative to the rest of the population. Indeed, so long as farmers continue to produce so efficiently and so productively, and we fail to find any way in which they can limit their production to what they can sell at a fair price, this situation will continue.

What has happened is that we have enjoyed this immense growth and improvement in our national prosperity because of farm efficiency. The average American who 10 years ago spent 26 percent of his income for food, today spends something like 17 percent, $1 out of $6 of his income on food. No citizen of any country in the world has ever enjoyed anything like this bargain. In prosperous European countries the best any nation can do is one-third of income for food, in Russia one-half. By freeing five-sixths of income to buy everything else, American farm efficiency has made a mighty contribution to prosperity. But the farmer's reward is an insultingly low income.

He will diminish in numbers in the future but this will worsen, not strengthen, his economic position unless he organizes like every other economic group in America to limit his production to what he can sell at a fair price.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter which I wrote to Director of the Budget Kermit Gordon, the Budget Director's reply, and the speech made by Under Secretary of Agriculture Charles Murphy on which Budget Director Gordon based his reply.

There being no objection, the letters and speech were ordered to be printed in the RECORD, as follows:

JANUARY 11, 1965.

Hon. KERMIT GORDON,
Director of the Budget, Bureau of the Budget, Washington, D.C.

DEAR KERMIT: Although the bulk of this letter is directed at some points of sharp disagreement with your recent article in the Saturday Review, I must concur in your refreshing and persuasive analysis of "economy" as: the efficient allocation of resources.

I also agree that our farm program has failed to solve the cruel problem of low farm income for the vast majority of our farmers. And I applaud your questioning of the value of enormous Federal investment in reclamation projects which have the consequence of increasing our agricultural surplus.

But, unfortunately, your article is sure to be widely interpreted as giving the authority of your office and your excellent reputation to the wholly fallacious thesis that the heart of our farm problem is that 60 percent of American farmers are unproductive and inefficient, while the other 40 percent operate prosperous, thriving businesses.

This notion is just as wrong as it can be. American farming has already gone through one of the cruelest economic wringers in American history. In a country that prides itself on its efficiency, farming is by almost any standard the most efficient of all. You and other economists have agreed with this with virtual unanimity.

The "wringer" has eliminated literally millions of so-called marginal, in some cases, inefficient farmers. And the process of leaving the farm is going on right now and will continue. But the American farmer who can make a living and support his family in farming today is perforce efficient. That living is not a good living by current American standards. For virtually no American farmer is it an adequate living in the light of the efficiency, the investment, the labor and the risk the farmer puts into his business.

I will be more specific: I vigorously disagree with the concluding sentence in the following paragraph, excerpted in part from your article:

"The 1 million farms with cash receipts of over $10,000 accounted for only 27 percent of the number of farms but for almost 80 percent of the sales of farm products. These 1 million farmers could produce all of the Nation's farm needs, including our large commercial exports. Taking into account earnings from off-farm work, the 1963 average income of these 1 million relatively successful farmers was over $9,500 up 13 percent from 4 years ago. These 1 million farmers earn average rates of return on their capital investments and labor almost equal to the corresponding averages in the nonfarm economy."

Will you document as fully as you can your assertion that "these 1 million farmers earn average rates of return on their capital investments and labor almost equal to the corresponding averages in the nonfarm economy?" This statement drastically conflicts with all the statistical information that I have seen. A year or so ago I made a study of both "rate of return" and "hourly earnings" for farmers in various sections of the country, and with respect to various commodities.

I found that farm rate of return was consistently far below—less than half—the rate of return in manufacturing, for example.

In making the comparison of the 40 percent most efficient farmers with manufacturing, for instance, for rate of return on investment, would it in your judgment be fair to exclude the least efficient 60 percent of manufacturing enterprises? In such a case you would be comparing the rate of return on the 40 percent most efficient manufacturers with the rate of return on the 40 percent most efficient farmers. Is there any reason to suspect in this case that the sharp disparity, the heavy advantage in favor of return on manufacturing would not still be 2 to 1 or better?

In terms of distributive justice, isn't it also true that in comparing rates of return you are ignoring the big fact that farmers have increased their efficiency at least twice as much in the past 10 years as manufacturers or any other sector of the American economy? Isn't it also true that the reward of farmers for this increased efficiency has been approximately zero, while increased return on investment for manufacturing enterprises has outpaced increases in efficiency?

Isn't it also true that in the sector of our economy that accounts for most of the Nation's earnings and expenditures—labor—that wages have increased at least as rapidly as productivity?

As a result of this, isn't it true that factory wages today are two, three, or four times higher than hourly earnings of farmers, if you allow farmers say a 4-percent return on their invested capital? The most recent statistics I have seen, for example, show factory wages last year averaged $2.53 an hour. Agricultural statistics show that farm hourly earnings vary, depending on the commodity and the section of the country, usually within a range from 60 cents to $1—far less than the current legal minimum wage off the farm.

It is true that such a comparison includes all farmers, marginal as well as prosperous. But on what possible assumptions can one argue that if we ruled out the 60 percent least efficient, low-earning wage earners, the 40 percent factory workers with top earnings would not have a similar advantage over the 40 percent farmers whose labor return is the highest?

Indeed almost any comparison of farm earnings and nonfarm earnings in terms of efficiency is very likely to show a sharp disadvantage for farmers also because the number of farmers has already diminished so rapidly and continues to fall very rapidly.

It is certainly a logical presumption that marginal farmers with low incomes and low efficiency are more likely to have left the farm than efficient farmers. In the past 20 years American farming has endured one of the heaviest emigrations of low-income, low-efficiency operators that any economic group has suffered in our economic history.

On the contrary, our nonfarm labor market has been expanding apace, it is logical to assume that with new entry into the labor market, with less efficient workers able to find new employment—the efficiency of the nonfarm labor market would tend to improve much less rapidly than farm labor.

What all this comes down to is that in spite of the immense efficiency increases of the American farmer, his heavy investment, the long hours he works, the big risk he takes with his investment, it is clear that low farm income is the number one economic injustice, the shame of America.

Any fair, just, and practical solution of our farm problem must begin with the big fact that farm income for virtually all farmers is too low, and I mean much too low. The farmer must be given an opportunity, in the marketplace, to increase that income.

Any proposal that would divide the already pitifully divided farmers further; i.e., "the most efficient" 40 percent versus the rest overlooks the fact that farming as a whole as well as in part is the most efficient industry in America, and suffers by all odds the most unjust and inadequate return.

Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

BUREAU OF THE BUDGET,
Washington, D.C., February 19, 1965.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: As I explained in our telephone conversation, I very much regret the delay in replying to your thoughtful and penetrating letter of January 11, relating to my recent speech which was printed in the Saturday Review.

First, you have asked me to document the statement that "these 1 million farmers earn average rates of return on their capital investments and labor almost equal to the corresponding averages in the nonfarm economy."

This statement is based on recent studies made by the Economic Research Service of the Department of Agriculture. Some of the findings of these studies were summarized by Charles S. Murphy, Under Secretary of Agriculture, in a speech of November 16, 1964.

In this speech, Under Secretary Murphy said:

"There are somewhat less than a million farms in the United States that sell more than $10,000 worth of products annually. These efficient farms make up only 27 percent of the total number of farms, but market nearly four-fifths of the total product. They have the capacity to produce all of the Nation's needs for agricultural products in the foreseeable future.

"There is good reason to be optimistic about the longrun future for the efficient commercial family farms. They have sufficient resources, present and potential, to provide their operators with satisfactory returns.

"Analyses made in the Department indicate that a substantial part of the efficient family farms are now receiving returns roughly near 'income parity.' In fact, average returns for the top 1 million farms would have been at parity in 1963 if gross farm income had been increased about 5 percent, either by higher prices or larger Government payments. The increase in net income would have had to be larger in percentage terms—perhaps 10 to 15 percent above 1963—for returns to this group of farm operators to have been at parity."

A copy of Under Secretary Murphy's speech is enclosed. I am sure that the Economic Research Service of USDA would be happy to provide you with a detailed explanation of the methods and criteria employed in developing these findings.

Second, you point out quite correctly that the average income of the 3½ million farms in America, taken as a single group, is very substantially below parity with average nonfarm earnings of labor and capital. I am sure you are also correct in maintaining that the average income of the 1 million relatively successful farmers (27 percent of the total, not 40 percent) would be very substantially below the average income of the top 27 percent of nonfarm income recipients.

While I agree with both of these statements, I do not believe that either invalidates the points I was trying to convey. I sought to call attention to the fact that our farm commodity programs have helped to achieve near-parity incomes for the 1 million farmers who market nearly four-fifths of the total product; but since our commodity programs provide assistance to farmers roughly in proportion to their cash receipts, they have done little to help solve the problems of the other 2½ million—many of whom are desperately poor.

In distinguishing the 1 million relatively successful farmers from the others, it was not my intention—as you suggest—to "divide the farmers," but rather to divide the problem. Once it is seen that the commodity programs do not come to grips with the problems of the low-income farmers, the need becomes clear for expanded public efforts to improve the earning power of this group.

With help, some of these low-income farmers can move up to successful commercial farming. Most, however, can aspire to decent incomes only in nonfarm jobs. This does not mean, of course, that they must abandon farming; there are today some 900,000 small part-time farmers who earn, on the average, nearly five times as much from nonfarm sources as they earn from farming. Others will choose to shift to full-time nonfarm jobs, either in rural or urban areas.

Helping small farmers to improve their lot in these various ways requires, as I am sure you will agree, better education and skill training in rural areas; intensified efforts to assist small farmers by such organizations as the Farmers Home Administration and the Extension Service; organization of community action programs in low-income rural areas, and a strengthened program to spur industrial development in the countryside. Most of all, of course, it requires expanding job opportunities such as only sustained national prosperity can yield.

Third, you very properly call attention to the remarkable record of productivity improvement in agriculture in recent years. The great improvements in physical output per man and in yields per acre are at the source both of our unparalleled agriculture abundance and of our persistent farm income problem. With output per man increasing more rapidly than the total demand for farm products, the pressures thereby created have exerted a persistent depressing effect on farm incomes. This, of course, lies at the heart of the anomaly to which you refer—productivity improvement so rapid that despite heavy migration out of agriculture, the low income problem persists.

I appreciate this opportunity to elaborate my views, and I am very pleased to learn that you share my opinions on the meaning of economy as a goal of public policy.

Sincerely yours,

KERMIT GORDON,
Director.

FARM POLICY ISSUES FOR THE YEARS AHEAD

(Talk by Charles S. Murphy, Under Secretary of Agriculture, at the 42d Annual Agricultural Outlook Conference, Washington, D.C., November 16, 1964)

I am glad to be here again this year. At the last Outlook Conference, I talked to you some about how outlook information is used in the process of making decisions in carrying on our farm programs.

The outlook affects those decisions significantly, and at the same time there is a feedback—the decisions on farm programs can and do change the outlook. This past year was a classic case.

Last fall, at this time, this conference looked for a drop in farm income in 1964 as a result of the defeat of the wheat referendum. But then a new wheat program was enacted earlier this year—and realized net farm income this year is running just about the same as last year.

In fact, we have had an unusually long period of 4 years of stable, fairly high incomes as compared with past experience. In a real sense, this is an index of effective response of farm programs to an unfavorable outlook.

Although this conference is focused primarily on the outlook for 1965, I want to take a longer look at the major policy issues. By and large, the commodity programs that we have now will be in effect next year and the outlook is clarified to that extent. But by 1966, a number of farm program decisions will have to be made by the Congress—at least with respect to feed grains, cotton, wheat, and wool, and perhaps for other commodities as well. The dialog will start early in the next session of the Congress.

Probably the discussions will hold within a narrower range than in previous years—well within the outer limits of pervasive mandatory controls on the one hand and the "free market" on the other. A consensus appears to have developed toward the broad middle ground—and I do not rest this conclusion only on the results of the first Tuesday following the first Monday in November. It is apparent also in the report of the National Agricultural Advisory Commission "Farm Policy in the Years Ahead" published last week. I should add that the Commission, which is appointed by the President, is made up of distinguished farm leaders of both major parties, and their report will provide a bipartisan base for consideration. You will find this document very helpful to understanding our present problems and the direction of future policy.

The broad middle ground—the course we are now pursuing—has been effective in raising the level of farm income and maintaining that higher level during the past 4 years. We hope for and expect further progress in improving farm income. But we must recognize that our ability to achieve such improvement is limited by the kinds of programs farmers find acceptable and by the levels of cost to the Government.

President Johnson has established a goal of parity of income and parity of opportunity for farm families and for other rural people as well. It is important to remember that, in terms of people, the nonfarm part of this goal is far larger than the farm part. Even today, fewer than one-fourth of our rural people live on farms. In the years ahead, it will be still less. And over half of those who do live on farms will be on part-time or retirement farms, or other farms with resources inadequate to provide a decent living from farming operations.

In the farm sector of the rural economy, we should certainly seek to make it possible for the efficient family farmers who account for most farm production to reach parity of income from farming operations. By parity of income, I mean returns to the efficient farm operator for his capital, labor, and management comparable to returns received in other pursuits.

There are somewhat less than a million farms in the United States that sell more than $10,000 worth of products annually. These efficient farms make up only 27 percent of the total number of farms, but market nearly fourth-fifths of the total product. They have the capacity to produce all of the Nation's needs for agricultural products in the foreseeable future.

There is good reason to be optimistic about the long-run future for the efficient commercial family farms. They have sufficient resources, present and potential, to provide their operators with satisfactory returns.

Analyses made in the Department indicate that a substantial part of the efficient family farms are now receiving returns roughly near "income parity." In fact, average returns for the top 1 million farms would have been at parity in 1963 if gross farm income had been increased about 5 percent, either by higher prices or larger Government payments. The increase in net income would have had to be larger in percentage terms—perhaps 10 to 15 percent above 1963—for returns to this group of farm operators to have been at parity.

We must emphasize this point: The income position of these farmers is as favorable as it is only because of our price and income support programs. Their outlook will continue this favorable only so long as effective Government farm programs continue.

The price and income programs now in effect have been evolving over three decades. They are working reasonably well. There appears to be little prospect for drastic or radical changes at the present time.

Few any longer seriously propose junking our programs. Studies made here in the Department, at Iowa State University and Cornell University, and just last month by Dr. Walter Wilcox for the Congress, have documented the catastrophe that would result from such a course.

Dr. Wilcox finds that if price support and acreage diversion programs had not been in effect in the 1961–63 period, net farm income would have averaged only about $6 billion a year. This is less than half the average of $12.6 billion actually received. Economists like to talk about multipliers. In this case, each $100 of Commodity Credit Corporation expenditures on price support and acreage diversion programs increased farm income by $236.

Net income would have been even lower, if, in addition, there had been no marketing orders, Public Law 480 exports, or agricultural conservation payments.

If a return to a mythical free market for agriculture is not a realistic alternative, neither are we likely to take the road to further mandatory restrictions on production. Neither the farmers nor the Congress appear ready to accept such a course, even though it might provide price and income support at less cost to the Government than other kinds of programs.

To say that drastic changes in our price and income programs are not in prospect does not rule out the need of making any changes. We must continually reappraise our programs to maintain farm income, to hold down costs to the taxpayer, and to keep them responsive to the needs of our rapidly changing agriculture. Program changes could be of major significance, although not drastic or radical.

I am not going to offer you a blueprint for future program changes this morning, but let me suggest a couple of examples that might well be in the general interest.

First, we need to develop a larger, more effective long-run land retirement program. Our problems of overcapacity are going to be with us for a long time. We are now paying to withhold about 57 million acres in the feed grain, wheat and conservation reserve programs. We will continue to have somewhere between 50 to 80 million acres more cropland available than we need for farm production. As a minimum, such a program should provide for the retirement, more or less permanently, of submarginal land not needed for farming. It also should provide a better way to divert land not needed in the short run because of excess capacity.

Second, the National Advisory Commission has proposed—and I agree—that producers ought to take a look at quantity limitations rather than acreage limitations for some crops such as tobacco where mandatory production controls are in effect. Tobacco producers as well as the rest of the tobacco industry have been seriously discussing poundage quotas for several years. Emphasis on high yields under acreage limitations has created a serious quality problem. Under poundage quotas, growers would have a greater incentive to produce high quality tobacco in order to receive more dollars for the quantity allowed. This would improve the competitive position of American tobacco in the export market. Tobacco producers should consider this suggestion carefully. Primarily, it will be up to them.

Now I want to turn to another outlook—away from "commodity outlook" to "people outlook." I have noted that this conference will consider the problems of rural people as well. Commodity programs may be the proper route for the 1 million or so farm families of efficient commercial agriculture. But they cannot provide adequate income for the 2½ million families on the smaller farms or for the 12 million other families of rural America.

A prosperous commercial agriculture is a necessary foundation for the economy of rural America. But programs for commercial agriculture cannot alone create the parity of opportunity that rural people must have if they are to achieve a standard of living comparable to that of city people. Only 1 out of 10 boys now growing up on farms can expect to make a decent living as farm operators.

In rural America, there are massive problems of a chronic nature—problems of surplus manpower, of inadequate education, of substandard income and substandard living conditions. This is really the great challenge for the years ahead.

Rural America has half of the Nation's poverty, although it contains less than a third of the total population.

The percentage of dilapidated and substandard houses in rural areas is three times that of the cities. A fourth of all farm homes and a fifth of rural nonfarm homes do not have running water.

Rural children get a third less medical care than those in nearby cities. Their mortality rate is 50-percent higher. They get less schooling and less money is spent on their education than for children in cities.

This is the classic vicious circle. Lack of resources has kept rural America from providing the educational, health, and other public services necessary to develop the skills and talents of its citizens. And because the lack of skills has kept earning power low, rural America has been unable to accumulate the resources it needs.

Breaking this circle is our most important job in the years ahead.

One figure illustrates what we have to do. The increase in jobs needed between 1960 and 1970 to absorb the increase in the rural labor force, and to alleviate rural unemployment and rural underemployment, is over 6 million. This is an increase of 40 percent over the total number of rural employment opportunities existing in 1960.

Not all of these new jobs must be found in rural America. The increasing efficiency of agriculture will release additional manpower, and migration from farms to cities will continue.

But experience proves we cannot look to migration to solve the ills of rural America. The flow of rural population into the cities has left serious problems in its wake.

Many rural areas have been stripped of their younger, best educated and most productive citizens. This loss of human resources and potential leadership has seriously weakened rural institutions.

For many other farm people uprooted by technological change, particularly the poorly educated, migration has meant exchanging poverty in the country for poverty in the city.

Our first step in coping with the problem of poverty in rural America is to give our rural youth a chance to compete successfully for a decent income, either in the city or in the country. Many of us believe that the No. 1 "farm problem" now and for the future is the widespread deficiency in rural education.

The humanitarian reasons for providing equality of opportunity for our rural youth are obvious. The economic justification is just as compelling. Various studies have demonstrated that the returns for public investment in human resources provide greater returns than investment in physical or natural resources. For example, returns on investment in primary education appear to be about 35 percent for the Nation as a whole, and it probably is much greater for some of the disadvantaged groups. Returns on a typical water or land resource investment, on the other hand, seldom reach 10 percent.

Our public policies for rural America have been too heavily weighted in favor of investment in real estate, or plants and animals, as compared with investment in human development. We must shift the emphasis toward greater investment in people.

One of our major objectives is to give rural people a fair chance to choose whether they stay in their home communities or move to the city. For many, it is a very poor choice under present conditions, considering the disadvantages of education, jobs and incomes, housing and public facilities, in rural areas.

How to move all of rural America and its people into the mainstream of national economic progress may well occupy the center stage of policy issues with which this conference will be concerned in the years ahead.

REVISION OF RULE XXII—STATEMENT BY SENATOR ROBERTSON BEFORE SUBCOMMITTEE

Mr. STENNIS. Mr. President, it was my privilege this morning to attend a hearing conducted by a subcommittee of the Committee on Rules and Administration, where I heard the Senator from Virginia [Mr. ROBERTSON] testify in a very fine way in opposition to Senate Resolution 6, Senate Resolution 8, and Senate Resolution 16, now pending before the subcommittee, which propose amendments to rule XXII of the Senate.

As always, the remarks of the Senator from Virginia were learned and based on a fine understanding of our form of government, particularly the operations and functions of the Senate and the privileges and responsibilities of Senators.

His remarks are worthy of the attention of every Senator and of every citizen, and entitled to wide circulation. I therefore commend their reading to everyone. I ask unanimous consent that his remarks at that sitting of the subcommittee be printed in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ROBERTSON

I always have been opposed to restricting Senate debate because the Senate is the one forum in our Government where minorities may appeal to the people against hasty and ill-advised legislation which at any given time may happen to muster the support of a majority.

My opposition is stronger than ever this year, because recent events have demonstrated how unnecessary it is to place any new restrictions on debate.

For many years the chief argument of those who advocated a tighter cloture rule was that they could not get action on civil rights bills under the existing rule XXII, which requires two-thirds of those present and voting to limit debate.

But since 1957 three civil rights laws have been put through the Senate without a tougher cloture rule, and the last one—in 1964—was so all-inclusive that I cannot imagine what further legislation in this field could be justified.

Less than a year ago, on June 10, 1964, the Senate voted 71 to 29 to invoke cloture, which brought a final vote 1 week later on the 1964 Civil Rights Act.

Less than 3 years ago, on August 14, 1962, the Senate invoked cloture by a vote of 63 to 27 to pass the Communications Satellite Act.

In the face of these recent developments, how can it be argued now that important legislation will be blocked unless the Senate reduces the two-thirds requirement for limiting debate?

Your committee now has before it three proposals all designed to make it easier to curtail debate.

1. Senators ANDERSON, Democrat, of New Mexico, and MORTON, Republican, of Kentucky, are sponsoring Senate Resolution 6, to permit three-fifths of those present and voting to apply cloture. Assuming a full attendance of 100 Senators, this would reduce from 67 to 60 the number required to limit debate.

2. A bipartisan group led by Senator DOUGLAS, Democrat, of Illinois, is sponsoring Senate Resolution 8, which would permit a majority of all Senators "duly chosen and sworn" to invoke cloture. This would reduce the number required from 67 to 51.

3. Senator MORSE, Democrat, of Oregon, has offered Senate Resolution 16, which provides that after the unfinished business has been pending before the Senate for not less than 7 calendar days, a simple majority of those voting could invoke cloture. Since 51 Senators constitute a quorum, adoption of the Morse plan would make it possible for 26 Senators to gag all of their colleagues.

In view of the fact that, even with the two-thirds requirement, cloture has been imposed twice in less than 3 years, this committee would be fully justified in reporting back to the Senate on March 9 that no change in rule XXII is necessary or desirable at this time.

It is true that the Senate went for a period of 35 years—from 1927 to 1962—without invoking cloture under the two-thirds requirement, and that during that period it rejected 16 cloture petitions. But these statistics only serve to point up the fact that the Senate traditionally has been reluctant to curb freedom of debate.

I would remind the advocates of rule changes that they will find it difficult now to convince anyone that the opposition is merely a southern effort to block civil rights legislation, when every major facet of civil rights has already been brought under Federal control.

There is some talk about the possibility that this session of Congress may be asked to pass another civil rights bill to protect voting rights.

I can see no necessity for further action, in view of the voting safeguards written into the civil rights laws of 1957, 1960, and 1964. During that period we also have amended the Constitution to abolish the poll tax in Federal elections.

The 1957 Civil Rights Act extended the jurisdiction of the district courts to include any civil action designed to recover damages or secure relief in voting rights cases. This act also empowered the Attorney General to seek injunctions to prevent an individual from being deprived of voting rights.

The 1960 law allows the Attorney General to follow up civil suits brought under the 1957 act by asking the courts to make a separate finding that a pattern of discrimination in voting rights exists in certain areas. If a court found that such a pattern exists, any Negro in that area could apply to the court for an order making him eligible to vote, if qualified under State law.

In 1964 voting was the first issue dealt with in the comprehensive 11-part civil rights law. That law curbs literacy tests, protects registrants from being turned down because of immaterial errors on application forms, and requires election officials to apply the same standards for qualification to all applicants for voting rights.

I would also remind advocates of a new rule that in the years ahead many other issues will arise on which Senators who now clamor for a tighter rule may want to speak at length to prevent passage of some measure they do not like. If they find themselves in the minority, they will want time in which to try to win the public over to their viewpoint.

But if these advocates of a new rule succeed now in reducing the number of votes required for cloture, they may be the first to suffer from their own newly forged weapon.

I recall that only last year a handful of Senators who did not want the Senate to interfere with the Supreme Court decision on reapportionment of both houses of State legislatures, exercised the right of unlimited Senate debate to prevent passage of a motion, seeking to give the States more time in which to comply.

I mention this to show that when Senators find themselves in the minority they welcome the protection afforded them by freedom of debate, regardless of whether they fall into the category of liberal or conservative Senators.

Only a decade ago, in 1954, the Senate went through a gruelling filibuster over an atomic energy authorization bill because some liberal Senators were disturbed over some of its features.

The original two-thirds cloture rule was placed on the books back in 1917, not because of civil rights, but as a result of a filibuster against arming American merchant ships, which were being exposed to German submarine attacks before the United States was drawn into World War I.

It must also be remembered that when the cloture rule was drafted in 1917, and for many years thereafter, we still had the "lame duck" sessions of Congress every other year, which were tailormade to aid filibustering.

These "lame duck" sessions convened in December, following the biennial election, and ended automatically at noon on March 4. Members who had been defeated for reelection in November continued to serve through the short session, and since it was necessary to jam all of the annual appropriation bills through both Houses in a 3-month period, Members could use the threat of a filibuster to get concessions from the leaders as the March 4 deadline approached.

But, thanks to a constitutional amendment, the "lame duck" sessions have been done away with. A new Congress, with its newly elected Members, convenes in January, and Congress may stay in session for the entire 12 months of each year, if the leaders so desire.

In practice, the sessions have been getting longer with the passing years, and this in itself has made it more difficult to defeat worthy legislation by filibuster. It has also lessened the need for a more stringent cloture rule.

In the early days of our Nation the first set of Senate rules included the right to move the previous question, which is the most drastic weapon for ending debate. But over a period of 17 years only four attempts were made to use that weapon, and only three succeeded.

This shows that from the start the Senate recognized that its function was to act as a balance wheel and a check upon hasty action on legislation coming over from the House, where the larger membership makes limitation of debate necessary.

After the Founding Fathers agreed upon a House, to be elected by the people every 2 years, on the basis of population, the smaller States began to wonder how their rights could be protected from the whims of a majority in the House.

After long debate, at times acrimonious, the wise and venerable Benjamin Franklin came up with the solution of equal representation for all States. In a further attempt to protect the Senate from passing waves of majority sentiment, the original Constitution provided for selection of Senators by the State legislatures.

Some of that protection for minorities in the original setup of the Senate was withdrawn when the Constitution was amended to provide for the direct election of Senators. This left freedom of Senate debate as the main protection for minorities.

When Senate rules were rewritten in 1806 the previous question motion was dropped. In 1807 debate on an amendment at the third reading of a bill was forbidden. For nearly 40 years thereafter no further limitations were placed on Senate debate.

In 1841 Henry Clay sought to revive the previous question, but had to abandon it in the face of strong opposition. He also proposed the "hour rule" to accomplish the same result, but this also was abandoned.

In 1846 the Senate inaugurated the practice of limiting debate by unanimous-consent agreements, which are still used today. The unanimous-consent agreement has proved an effective method of preventing debate from dragging on needlessly when there is no serious opposition to passage. This device, however, has enabled Senators who want changes made in a bill to win concessions from the leaders by blocking unanimous-consent agreements until their amendments are adopted.

A distinguished Virginian, Senator Thomas F. Martin, played a leading part in the adoption of the two-thirds cloture rule in 1917. The rule has been modified twice, but without departing from the two-thirds principle.

In its original form the rule permitted two-thirds of those present and voting to limit debate on a "measure." This was held to mean that cloture could not be applied to "motions" to take up a bill.

In 1949 rule XXII was broadened to permit cloture to be invoked on any measure, motion or other pending matter. At the same time, it was amended to require two-thirds of the entire membership instead of two-thirds of those present and voting to limit debate.

In 1959, when President Johnson was majority leader, the rule was liberalized by going back to the original yardstick, allowing two-thirds of those present and voting to invoke cloture.

In the 1959 resolution the Senate made another important change. It added to rule XXXII a flat declaration that the rules of the Senate continue from one Congress to another unless changed in accordance with existing rules.

This change was intended to fortify and strengthen the doctrine that the Senate is a continuing body. This doctrine has become a major issue in recent years, because some Senators who want to revamp long-standing rules have advanced the argument that the Senate, like the House, has a right to adopt new rules at the start of each Congress.

At the start of each Congress for a decade or more, the advocates of a new cloture rule have attempted to present new rules on the floor on the opening day of the session and have them acted upon without delay.

This maneuver has had the dual objective of bypassing the Rules Committee and also avoiding the necessity of mustering the two-thirds required by the existing rules to limit debate on a proposed new rule.

Some of the advocates of this novel doctrine seek to rely on the constitutional provision that each branch of Congress shall make its own rules as the basis for their contention that in any given Congress the Senate should not be bound by the rules of a previous Senate, any more than the House, which readopts its rules for each Congress.

This argument glosses over the fact that when a new Congress convenes, there are no Members of the House until the entire membership is given the oath on opening day, whereas the Senate is never without two-thirds of its Members.

The Founding Fathers left no doubt that they wanted the Senate to be a continuing body by providing that only one-third of the membership should be elected every 2 years.

Even prior to 1959 there was an abundance of evidence to sustain the contention that the Senate is a continuing body, and the rule adopted that year merely confirmed the doctrine.

The passage in 1913 of the law creating the Federal Reserve System is one of the historical events which proves that the Senate is a continuing body. My distinguished predecessor, Carter Glass, who was then a Member of the House, had secured House passage of his bill, setting up the Federal Reserve System. After passing the bill, the House adjourned sine die. The Senate Finance Committee failed to report it out, and the Senate adjourned sine die.

But President Woodrow Wilson then called the Senate into special session, and the Democrats, being in control, created the Committee on Banking and Currency and placed at its head Senator Robert Owen, of Oklahoma, an authority on fiscal matters and banking.

Senator Owen put the Federal Reserve bill through the Senate at that special session, at a time when the House was not in session, and it has proved a valuable and effective agency for the management of monetary policy. Senator Owen was able to accomplish what he did in 1913 because the Senate was a continuing body.

Another incident in 1947 also served to demonstrate that the Senate is a going concern from the moment a new Congress convenes, because two-thirds of its members are fully qualified to act as soon as the convening gavel falls.

On January 3, 1947, there were 36 Senators-elect waiting to be sworn in (4 more than usual because of vacancies). A controversy had developed over the seating of Senator Bilbo of Mississippi which delayed the usual routine administering of the oath to new Senators.

Senator Bilbo's name was second on the alphabetical list, and, after swearing in one new Member—Senator Baldwin of Connecticut—the Senate spent 2 days debating the procedure to be followed with regard to Senator Bilbo. During that debate tnere were several rollcall votes on procedural questions, while one-third of the Senators sat on the sidelines, ineligible to vote. The Senate was functioning as a continuing body, with its holdover Members.

Every man who has served in both the House and Senate knows that, with a membership of 435, the House cannot let all of its Members air their views thoroughly in floor debate, or even ask all of the questions they would like to hear answered before a bill passes.

That is why it is important to preserve freedom of debate in the Senate, so that important and highly controversial issues may be thoroughly considered before they reach the final stage of conference between the two Houses.

President Johnson has presented an imposing workload to this Congress, including medicare for the aged, new Federal aids to health and education facilities, revision of excise taxes and measures to reduce the deficit in our balance of international payments. On top of these legislative proposals, we have all of the 12 or more annual appropriation bills to consider.

If the Senate becomes involved in a long controversy over its rules in mid-March, we will find ourselves laboring through the summer and fall on a backlog of administration measures.

UNITED NATIONS HELP FOR INDIA'S POPULATION PROBLEM

Mr. GRUENING. Mr. President, a United Nations Planning Advisory Mission is in India, at the request of its Government, to help India solve its exploding population problem. This is encouraging news.

India's economic progress is imperiled by its present high birth rate of 42 per thousand of inhabitants, as opposed to its death rate of 19 per thousand. The natural increase of 23 births per thousand adds 11 million new citizens yearly to India's present 460 million.

Poverty and exploding population walk hand in hand. We cannot expect to see much development or solution of India's problems until this fact is recognized.

India's request to the United Nations is a welcome augury of some progress. The cost of the United Nations Family Planning Advisory Mission will be about $22,000. It is hoped that this modest investment forecasts a turning point in international teamwork on the population problem. The United Nations mission has members from Britain, Chile, the United States, Korea, and from the U.N.'s Office of Social Affairs. Let us hope this first mission will open wide the door for similar requests. Time is running out, even as our population problem grows.

I ask unanimous consent that a newspaper article about the Mission, as published in the Washington Post of February 21, 1965, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.N. TO ASSIST INDIA'S BIRTH CONTROL EFFORTS

(By Louis B. Fleming)

UNITED NATIONS.—The United Nations is sending a team to India in the organization's first comprehensive birth-control project.

A six-member team will spend 2 months seeking to speed up family planning efforts in India. The survey probably will lead to a more ambitious international assistance program to begin later this year.

It is the first comprehensive and major effort by the United Nations in the area of birth control, which has stirred some sharp controversies in the United Nations in the past.

JOINT EFFORTS

The new plan will be linked to governmental and private efforts, including the work of planned parenthood, signaling a change of policy in the United Nations toward direct efforts in the use of mechanical or medical techniques to prevent fertilization.

The subject is still so delicate and controversial, however, that the project was developed under careful secrecy until it was completed, and other requests for aid along these lines are not being publicized pending final action.

Impetus for the new move by the United Nations came from the U.N. Economic Commission for Asia and the Far East, which approved last year a demand of one of its own population conferences for technical assistance in all aspects of family planning. This, in turn, inspired the Economic and Social Council last summer to give indirect endorsement by drawing the attention of the General Assembly to the proposal.

WHO ENCOURAGED

These new moves also have encouraged the World Health Organization, which has avoided direct action on birth control, to give some indications that it may assume a different position.

The original mission to India will cost about $22,000. This will come from contingency funds of the U.N. expanded program of technical assistance. The technical assistance money comes from voluntary contributions of member governments. The United States has put up 40 percent of the total in the past but has not yet made its pledge for this year.

Among the problems to be considered by the team of experts are organization of family planning programs, communication of new planning ideas, winning popular acceptance for family planning approaches, and training field workers.

AN ALASKAN VIEW OF THE VETERANS' ADMINISTRATION

Mr. GRUENING. Mr. President, the Alaska Legionnaire, in its excellent editorial entitled "VA Turns Back on Alaskan Veterans," published in its January 1965 issue, has expressed admirably what all the members of the Alaska delegation feel—a view which is shared widely, and almost without exception, I believe, by all Members of Congress.

It is to be hoped that the administration will fully reconsider the unwise alleged economies proposed in this field, and will remember that we owe our veterans a debt which can never be adequately repaid.

I ask unanimous consent that the editorial from the Alaska Legionnaire be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VA TURNS BACK ON ALASKAN VETERANS

Along with 30 other VA facilities around the Nation, the Veterans' Administration in Washington has announced that Alaska's only VA office is to be closed, as a "sound business move to realize a savings to the Government."

Assistant VA Field Director Henry Peck said: "The fear of retarded service to veterans under the consolidation move is unfounded. Most of the VA business here is handled by mail anyway, and can be continued easily from Seattle." To borrow General McAudie's famous reply when the Germans demanded his surrender in World War II: "Nuts." Mr. Peck's simple dismissal of this closure of VA services to which Alaskan veterans are entitled is a slight to any veteran whose right it is to present his case in person without having to make an outlay of a roundtrip plane fare from either Juneau, Anchorage, or Fairbanks, to a distant office in Seattle. Increased efficiency and economy in Government is always welcome, but Alaska's location in relation to the south 48 is such that it becomes an entirely different situation than the mere combining of one or more offices within a given State. We wonder, would Mr. Peck consider this a form of taxation without representation? It's a dangerous precedent, and an inconsiderate affront to Alaska's veterans who are entitled to at least one VA office in their State without having to resort to Mr. Peck's ridiculous dismissal of the closure by in effect telling Alaskan veterans that the mail service is good enough for your problems. Mail service at best is an impersonal way of doing business, and we wonder whether Mr. Peck would like to offer an easy solution to weather delays when flights are canceled, particularly in the winter months. How, Mr. Peck, can such VA business emanating from Alaska, be easily handled by your Seattle office? Would Alaska's veterans be penalized by VA business transacted by mail that was delayed due to airports being socked-in by bad weather, or would a note from the airline, post office, or weather bureau explaining the delay, be sufficient—or accepted?

This wrong to Alaska's veterans should be righted. Every American Legion post in the State should send a petition signed by every member to Washington demanding that Alaska have their own regional office for the convenience of even a single Alaskan who doesn't wish to discuss his problems by mail, or who doesn't wish to spend the money, or worse yet—can't afford to, for a trip to Mr. Peck's haloed Seattle office.

THE 47TH ANNIVERSARY OF LITHUANIAN INDEPENDENCE

Mr. McCARTHY. Mr. President, on February 16, Americans of Lithuanian descent commemorated the founding of the Lithuanian Kingdom and the 47th anniversary of the declaration of independence by the Republic of Lithuania following World War I.

In 1918, after a century of revolts, the Republic of Lithuania was reestablished; and in the 22 years which followed, the Lithuanian people made great advances in their economic, social, and political development.

Although Lithuanian independence was later lost, the people of Lithuania and their friends in all parts of the world still deeply desire the benefits of a free and independent life, as men of good will do in all places in the world.

The Lithuanians' love of freedom, their rich sense of culture, their spirit of self-reliance, and their abiding respect for spiritual values are widely known and understood in our State of Minnesota.

Our State and our Nation have been enriched, and all of us have benefited by these values and characteristics.

On this 47th anniversary of Lithuanian independence, we look forward to the day when all nations and all peoples will have an opportunity to plan their own future and to determine for themselves the system of government under which they will live.

This event reminds us of the rich and full meaning of liberty and the need for a world in which the rights of all men are honored.

THE PRESIDENCY AND COMMUNISM

Mr. McGEE. Mr. President, on the heels of the recent election campaign, James G. Patton, president of the National Farmers Union, had occasion to respond to a worried citizen's fears that the Communist conspiracy was so pervasive in this Nation that it could, in fact, gain control of the Presidency.

The exchange of letters reveals that Mr. Patton's correspondent was really groping for an answer to the extreme charges bandied about during the recent campaign.

I ask unanimous consent that the text of Mr. Patton's thoughtful reply be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 25, 1965.

Mr. JOHN L. WILTSEY,
Spud Center Local No. 1442,
Hemingford, Nebr.

DEAR MR. WILTSEY: Normally I do not bother to answer the rare letters I receive which question whether or not Communists control the President of the United States, but your letter is different in tone and I am going to try to give you a detailed answer.

First, it seems to me that the central issue involves our basic aims: that men shall have freedom of speech and of worship; that they shall be free to choose the type of government they want and to choose the leaders of their government in open, free elections; that they shall have an equal opportunity in the economic and social life of the Nation and equal treatment before the law; and, finally that they shall have freedom of action and movement consistent with the rights of others. Extremists of the right and of the left oppose many of these aims of our democracy. That is why we must oppose these extremists—but we must oppose them without adopting their methods.

Jesus Christ was crucified by extremists. Martin Luther, when he nailed his 15 points on the church at Wittenberg was rebelling against the extremist cruelty of the church. The Nazis, who were not only against Jesus, but were militaristic and opposed to freedom of speech, of thought and of action, were a modern variety of extremism.

Certainly, actions of Russia, her satellites and the Peoples Republic of China, commonly referred to as Red China, have been extreme ones to which people like myself are wholeheartedly opposed.

Similarly, I am opposed to the racists and John Birchers who would deny people of a different color or people of a different opinion their right to work, to speak, and to enjoy the fruits of American life. I stand squarely behind the U.S. Constitution, its Bill of Rights, and the Declaration of Independence. There is not the slightest doubt in my mind that President Lyndon B. Johnson and HUBERT HUMPHREY hold the same basic beliefs that I do. After his San Francisco speech followed by his unwillingness to disengage himself from the racists, from the John Birch Society and other extremists, I could not say the same for Senator Goldwater.

Man's basic struggle for freedom and peace has gone on throughout human history. I suspect that even after all of the guns are silenced and all of the bombs destroyed, some human beings will still be trying to deny other human beings their personal rights and their freedom. It would not be called the Christian Crusades or nazism or communism or the John Birch Society or the Ku Klux Klan. It will have another name but it will be basically the same thing—man's inhumanity to his fellow man.

There are many ways to fight communism, fascism, and other extremism, but the poorest way in the world is to "label" everyone with whom you disagree as a Communist or a Fascist or a John Bircher. These are the very tactics which were employed by Hitler, by Mussolini, and by Stalin.

In my opinion, the United States is in much more danger of being dominated and taken over internally by huge monopoly groups or militarists or Madison Avenue hucksters than it is by Communists.

Although there are many ways to fight communism, first one must understand communism, and the varying forms of communism. Marxist communism is different than democratic socialism where everybody has a right to vote for or against what the government is doing. In Russia the right to vote is specious because no choice is offered the voter. In Sweden and England and Holland a greater percentage of the people vote than in America, yet these countries practice what is commonly known as democratic socialism and they are completely opposed to communism. "Communism," as practiced and preached by the Chinese and by the Russians and their satellites is a derivative of Marxism but not the Marxism which Marx envisaged 100 years ago.

The philosophy being preached in Communist circles is not a single philosophy but several. Hence, the increasingly apparent differences between Russia and China.

The real point is how should we fight communism. With both sides having enough bombs to destroy the world, we are not going to get anywhere by destroying civilization. Suicide is not victory.

The best way to fight present day communism is to do what the National Farmers Union is doing in Latin America, Africa, and elsewhere. In Latin America we are working with the Catholic church and in the AID program. We are training young leaders. We are teaching them cooperation and the principles of democracy, the rights of free men and how they can produce more food and develop a better environment and opportunity for themselves. For generations dictators, mostly from the right and mostly men in uniform, have held them down and shot them down. These people provide a readymade seedbed to receive the untruths, the half-truths and the false promises of the Communists even though they have lost their fear of guns and wouldn't understand the potential of an atom bomb no matter how hard you tried to explain it to them.

Our struggle against communism will, in my opinion, continue for at least several more generations. Basically, it is a struggle between two fundamental ideas—man's freedom, and the denial of mans' freedom, either by organized force or by the power of an individual dictator in control of economic and military power.

Again, may I say that I am completely convinced that President Johnson and Vice President HUMPHREY, like myself, are willing to use force if that is the final alternative but, in the meantime, we are dedicated to the concept that ideas cannot be contained in a vacuum and that they must be met head on with better ideas. The rich—American and Western Europe—must lend a helping hand to the poor—the underdeveloped countries. We must help the poor to help themselves so that they will have a genuine stake in freedom—a piece of land, a home and a life of comfort and dignity.

This has been a long letter but I think you deserve a thoughtful answer and this I have tried to give you.

Sincerely,

JAMES G. PATTON.

A WORD FOR HOME

Mr. MUNDT. Mr. President, the reports we receive daily from South Vietnam are devoted for the most part to the actual battles which are taking place, the difficulties we have in attempting to achieve a stabilized government there, and the impact this struggle has on the future of both peace and liberty in this area of the world, so distant from our shores.

I doubt that any member of this body needs to be told of the personal involvement and sacrifices of young Americans in this struggle to preserve freedom for the people of South Vietnam from the aggressive designs of communism. Each of us is fully aware of the commitment that has been made in behalf of liberty.

However, I do feel that an occasional reminder of what is involved is not out of order, particularly when such comes from this remote area of the world.

Such a reminder of our stake in this difficult war comes from one of our Army chaplains, serving with our forces in South Vietnam. He is Capt. James L. Jones, of Memphis, Tenn.; and in a recent interview over the National Broadcasting Co.'s Monitor radio program, Chaplain Jones was asked if he had any particular message for the folks back home in America.

This is what Chaplain Jones had to say:

I would like to say, above all to mothers and fathers, and very specially to wives, that there is nothing so important in our mission here as the individual feeling that his family back home loves him, is concerned about him, and sends him as frequently as possible letters that are spirited—that the words are of encouragement.

The greatest problem, as I have indicated before, of morale, is lack of mail, or letters that come reading of depression, despondency, of problems or difficulties in the home that tend to lower morale more than any other factor. Then, too, especially I would say a word as chaplain here: I have seen many men—friends of mine that I closely felt a deep affection for—I have seen them go down; I have conducted memorial services for them. Many times a question comes, "Is this vain or is this waste?" I have over and over evidence that relatives often write and wonder if this isn't a ridiculous world we're in.

And I would say to you at home, as I have said to our men here, and as I believe they feel deeply, the men who have given their lives here have not given their lives in vain. The real price of life is always the price death to fine dedication.

Our nation was built by men who loved their principles—the truth for which they lived by much more than they loved life itself. Our nation was built and shall only exist by our standing for the truth that we hold dear, and as we are here in this land, we are not only working and laboring and dying here for Vietnam but for America, for the world.

Our world is a very small tiny village today, and we cannot have our neighborhood wars. We can only have a peace that can be a peace for all of us. I would say, let us dedicate ourselves, and you, to the task of liberty, and freedom, and human dignity for all people, and let us be proud of the men here, whether they are special forces out in the field; whether they be pilots-navigators in the sky; whoever, they might be.

Most will come home—some will not—but let us be proud of them and let us remember them and dedicate ourselves to this task of bringing freedom and peace to our world.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is S. 805.

The Senate resumed the consideration of the bill (S. 805) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

VIETNAM AND THE NEW ISOLATIONISM

THE NEW ISOLATIONISM

Mr. DODD. Mr. President, there has been developing in this country in recent years a brand of thinking about foreign affairs which, I believe, can aptly be described as "the new isolationism." This internal phenomenon is, in my opinion, potentially more disastrous in terms of its consequence than the major external problems that confront us.

Its background is a growing national weariness with cold war burdens we have been so long carrying, a rising frustration with situations that are going against us in many places, a long-simmering indignation over the fact that our generosity and sacrifice have too often been met abroad, not just with indifference and ingratitude, but even with hostility and contempt.

Its political base seems to be to the left of center, although it forms as yet a distinct minority there.

Its scareword is "escalation"; its cure-all is "neutralization."

Its prophets include some of my colleagues in the Congress, influential spokesmen in the press, and leading figures in the academic world. Some are new volunteers in this cause of retrenchment; they regard themselves as pragmatists. Others are old hands at Pollyanna-ism, those unshakable romantics who were disillusioned by Moscow at the time of the Hitler-Stalin pact, disillusioned by Mao when they discovered that he was not really an agrarian reformer, disillusioned by Castro when they learned that he was not a cross between Thomas Jefferson and Robin Hood—and who, having again dusted themselves off, now look for new vistas of adventure.

If I may digress, let me say that I have always admired their durability. The manner in which they have survived, unchastened, a whole series of intellectual Dunkirks is, if nothing else, a tribute to man's invincible confidence in himself; and their adeptness in avoiding discreditation, in the face of repeated catastrophes and evacuations, must be acknowledged as one of the marvels of modern history—a triumph of self-rectitude over reason.

The basic premise of the new isolationism is that the United States is overextended in its attempt to resist Communist aggression around the world, overcommitted to the defense of distant outposts, and overinvolved in the murky and unintelligible affairs of remote areas.

The corollaries of the new isolationism are many. It is contended that we should deemphasize the cold war and reverse our national priorities in favor of domestic improvements; that we should withdraw from South Vietnam; that we should cease involvement in the Congo; that we should relax the so-called rigidity of our Berlin policy; that foreign aid has outlived its usefulness and should be severely cut back; that our Military Establishment and our CIA, organizations that seem particularly suspect because they are symbols of worldwide involvement, should be humbled and "cut down to size" and stripped of their influence in foreign policy questions.

In my judgment all of these propositions have one thing in common. Each of them would strike at the heart of our national effort to preserve our freedom and our security; and collectively they add up to a policy which I can describe by no other name than "appeasement," subtle appeasement, unintentional appeasement, to be sure, but appeasement nonetheless.

My purpose, this afternoon then, is to oppose these propositions and to enlist Senators' opposition against them—for the new isolationism is as bankrupt as the old.

First of all—to tackle the main premise—I reject the assumption that the United States is overextended, or overcommitted, or overinvolved.

We are enjoying a spectacular growth in every index of national strength. Our population, our wealth, our industrial capacity, our scientific potential, our agricultural output, all are enjoying great upward surges. We were informed that our gross national product was again up in January, and the trend seems ever upward.

Far from overextending ourselves in the cold war, we are actually in a period of declining defense budgets, of steadily lowered draft calls, of sharply reduced foreign aid, of one tax cut after another.

Let me emphasize this: In every basic resource, we have greater capacity today than during the past 5 years; by every military or economic standard, we are stronger; and by every physical measurement, the percentage of our resources going into the cold war is lower. Why then should we talk of weariness or overcommitment?

We are not even straining ourselves. We are actually pursuing today a policy not only of both guns and butter, but of less guns and more butter.

So far as our resources go, we are capable of indefinite continuation and even intensification of our present efforts, if need be. It is only our mental, and perhaps our moral, resources which seem to be feeling the strain.

We would, of course, prefer to live in a world in which it were possible for us to have no commitments, a world in which we could devote all of our energies to the task of perfecting our society at home and enriching the lives of our people.

But we must face the world as it is. And the basic fact of our world is that Western civilization, itself terribly rent and divided, both politically and philosophically, has been forced into a twilight war of survival by a relentless and remorseless enemy.

It is incontestable, in terms of peoples enslaved and nations gobbled up over the past 20 years, that we have not been holding our own. And each year, the world Communist movement is committing more and more of its resources to the task of subjugating our allies, all around the perimeter of freedom.

Against this background it is preposterous to maintain that we should reduce our effort and lessen our commitment to the great struggle of our century.

Yet, according to Time magazine, it is the widespread sentiment of the academic world that we have overreached ourselves and ought to pull back. Walter Lippmann, the well-known columnist, for whom I have great respect, says that "the American tide will have to recede."

It has been argued that we would be in a "precarious situation" if we were attacked on several fronts. Of course we would, but does anyone believe that we can solve the problem by abandoning our commitments and defensive alliances? Would the loss of these countries be any the less disastrous because they were given up undefended?

On the contrary, if we are not strong enough to honor our commitments today, then we should solve the problem, not be reducing our commitments, but by becoming stronger, and by aiding our allies to become stronger.

The defense of the free world rests on a very delicate balance. The key elements in that balance are American power and American determination. If we lack the power to maintain that balance then certainly all is lost. If we reveal that we lack the determination, if we, for instance, allow ourselves to be pushed out of Vietnam, such a humiliation may indeed be the second shot heard around the world; and a dozen nations might soon throw in the sponge and make whatever accommodation they could with an enemy that would then seem assured of victory.

Fortunately, at the present time we do not lack the power to carry on the defense of freedom. Our power is at its peak and we have the capacity to increase it vastly if necessary. It is our spirit, apparently, that needs shoring up.

Four years ago, after a visit to southeast Asia, I said on the floor of the Senate:

> If the United States, with its unrivaled might, with its unparalleled wealth, with its dominion over sea and air, with its heritage as the champion of freedom—if this United States and its free world allies have so diminished in spirit that they can be laid in the dust by a few thousand primitive guerrillas, then we are far down the road from which there is no return.
>
> In right and in might, we are able to work our will on this question. Southeast Asia cannot be lost unless we will it to be lost; it cannot be saved unless we will it to be saved.
>
> This problem, seemingly so remote and distant, will in fact be resolved here in the United States, in the Congress, in the administration, and in the minds and hearts of the American people.

The passage of 4 years has not diminished my belief in this course.

If the main premise of the new isolationism is erroneous, then surely the lesser premises are fraught with terrible danger.

It is argued that we should deemphasize the cold war and turn more of our resources to domestic welfare.

The annual congressional revolt against the foreign aid bill grows more violent and successful each year, and the administration, forced to yield, now sends foreign aid requests 40 percent below what it solemnly declared 2 years ago to be the minimum figure tolerable for free world survival.

And a small but growing band of Senators have begun offering each year amendments making across-the-board percentage cuts in our defense budget, cuts not directed to any specific economy, but rather to a principle—the principle that we should be spending less on defense and more on welfare.

Here, in my judgment, are surefire formulas for defeat.

Where are the victories in the cold war that would justify such a reversal of priorities? In what global trouble spots are there lessened tensions or improved postures that would make this plausible? I can see a lot of cold war areas where things are looking worse—but very few where things are getting better.

More effort, more sacrifice—not less—is the need of our time. And I speak as one who does not disparage the need or the importance of domestic improvements. As a credential of this I recommend to Senators my scorecard, compiled last year by the ultraconservative Americans for Constitutional Action, which asserts that I voted right only 13 percent of the time—one of the worst records, alas, in the Congress.

But I say to you that if our foreign affairs are going badly, no aspect of internal welfare is secure or stable. And if we cope successfully with the great problem, the cold war, no internal problem can long defy solution.

Our first national priority is and must ever be the survival of our country and our freedom—and if the 20th century has taught men anything, it is that survival and freedom cannot be purchased on the cheap, in a discount store or a bargain basement.

But our situation is such that we can meet our needs both at home and abroad—not as handsomely as we would prefer, but well enough. This I take to be the objective of the Johnson administration. The war on poverty and the struggle against tyranny can go hand in hand, if our vision be broad.

Twenty-five years ago, our country, comparatively new and untried among the great nations of the earth, through passage of the Lend-Lease Act, described by Winston Churchill as "the most unsordid act of recorded history," embarked irrevocably upon the path that has brought us to our present posture in history. Through that act, we affirmed the preservation and expansion of liberty as our highest goal; we acknowledged that freedom was insecure everywhere so long as tyranny existed anywhere; and we assumed the burden, and the glory, of being the champion and defender of man's highest aspirations.

Since that embattled hour, when the light of freedom was but a flicker in the dark, our journey across the pages of history has been fantastic and unprecedented: tragic, to be sure, in its mistakes and naivities, but heroic in its innovations and commitments, prodigious in its energy and power, gigantic in its generosity and good will, noble in its restraint and patience, and sublime in its purpose and in its historic role.

We have not realized the high goals we set for ourselves in World War II.

But we have preserved freedom and national independence in more than half the earth; we have prevented the nuclear holocaust; we have restored Western Europe; we have helped friend and foe to achieve prosperity, freedom and stability; we have launched a world peace organization and have kept it alive; we have offered the hand of friendship and help to the impoverished and backward peoples of the world if they will but take it.

It may be said of our country today, as of no other in history, that wherever people are willing to stand up in defense of their liberty, Americans stand with them.

We cannot know at this hour whether our journey has just begun or is nearing its climax; whether the task ahead is the work of a generation, or of a century. President Kennedy said, in his inaugural address, that the conflict would not be resolved in our lifetime.

The Chief of Staff of the Army recently told the Congress that it might well take 10 years to decide the issue in Vietnam alone. And Vietnam is only one symptom of the disease, the epidemic, we are resisting.

Against this somber background, how foolish it is to talk of deemphasizing the cold war, of pulling out of Vietnam, of abandoning the Congo to Communist intrigue, of slashing the defense budget by 10 percent, or of any of the other irresponsibilities of the new isolationism.

VIETNAM

It is against this background that I take up today the question of Vietnam, which has been the favorite target of those who urge withdrawal and retrenchment.

Over the past several months, a number of my most respected colleagues have taken the floor to urge that we get out of Vietnam or that we enter into negotiations over Vietnam.

The propriety of our presence in Vietnam and the validity of our position has been challenged. It has even been suggested that we are the real aggressors in Vietnam. The war has been called "McNamara's War." It has been suggested that we more or less ignore Asia and Africa and concentrate on Europe and the Americas.

I have listened with growing dismay to these presentations—and with all the more dismay because of the respect and affection I have for the Senators who made them.

If I have not risen to reply to my colleagues before now, it was not because Vietnam was a new subject to me, but because I felt that their arguments required the most carefully considered and most painstakingly prepared reply.

I had visited most of the countries of southeast Asia in early 1961, and I have spoken a number of times on the floor of the Senate on the subject of Vietnam and Laos and Indonesia since my return. I have endeavored to keep up with the situation in that part of the world as best one can do by reading the press and official publications. But I realized that there were important gaps in my information because the press coverage of Vietnam was, with a few outstanding exceptions, weak and in some cases completely misleading. I have, therefore, sought to fill these gaps by correspondence with friends in Vietnam, both Vietnamese and American, and by conversations with Americans who have served in Vietnam in various capacities—some of them for long periods of time.

The senior Senator from Wyoming [Mr. McGEE] and the senior Senator from Oklahoma [Mr. MONRONEY] on the one side, and the distinguished minority leader, the junior Senator from Illinois [Mr. DIRKSEN] and the senior Senator from Massachusetts [Mr. SALTONSTALL] have already spoken eloquently on the need for standing fast in Vietnam.

A debate has been joined which is worthy of the best traditions of the Senate.

I hope that the remarks I make today will contribute at least in some measure, to the further unfolding of this debate. Out of this debate, let us hope, will ultimately emerge the kind of assistance and guidance that every President must have in dealing with vital issues of our foreign policy.

What we say here may help to guide the President. But in the final analysis the terrible responsibility of decision is his and his alone. He must listen to the exchanges which take place in this Chamber He must endure a hundred conflicting pressures from public sources, seeking to push him in this direction or that. He must also endure the impatience of those who demand answers to complex questions today, and who accuse him of not having made the American position clear when he has in fact made our position abundantly clear on repeated occasions.

And finally, when all the voices have been heard, when he has examined all the facts, when he has discussed all aspects of the situation with his most trusted advisers, the President must alone decide—for all Americans and for the entire free world—what to do about Vietnam.

No President has ever inherited a more difficult situation on coming to office. No President has ever been called upon to make a decision of greater moment. At stake may be the survival of freedom. At stake may be the peace of the world.

I believe the United States can count itself fortunate that it has found a President of the stature of Lyndon B. Johnson to meet this crisis in its history. I also believe that, whatever differences we in this Chamber may have on the question of Vietnam, our feelings to a man are with the President in the ordeal of decision through which he is now passing.

I have said that I have been dismayed by the rising clamor for a negotiated settlement. In the type of war which the Communists are now waging against us, I fear that, although those who urge negotiation would be among the first to oppose an outright capitulation, their attitude may not be construed in this way by the Communists.

The Vietnamese war, in the Communist lexicon, is described as a "war of national liberation." Its strategy is based on the concept of what the Communists call "the long war." This strategy is premised upon the belief that the free world lacks the patience, the stamina, the fanatical determination to persist, which inspires the adherents of communism. It is based on the conviction that if the Communists keep on attacking and attacking and attacking in any given situation, they will ultimately be able to destroy the morale and the will to resist of those who oppose them in the name of freedom.

China affords the classic example of the long war. It took 20 years for Mao Tse-tung to prevail. There were several times during this period when his entire movement seemed on the verge of collapse. But, even in his blackest days, Mao Tse-tung remained confident that, if he persevered, ultimately his enemies would crack and he would emerge as China's undisputed ruler.

There is no more cruel test of courage and staying power than "the long war" as it is waged by the Communists. Five years, 10 years, 20 years, means nothing to them. And if they detect any sign that those opposed to them are flagging, that their patience is growing thin or that their will to resist has weakened, the Communists can be relied upon to redouble their efforts, in the belief that victory is within their grasp.

I disagree strongly with my colleagues who have spoken up to urge negotiations. But if there is any way in which my voice could reach to Peiping and to Moscow, I would warn the Communist leaders that they should not construe the debate that is now taking place in this Chamber as a sign of weakness; it is, on the contrary, a testimony to our strength.

Nor should they believe that those who speak up in favor of negotiations are the forerunners of a larger host of Americans who are prepared to accept surrender because there is no one here who believes in surrender or believes in capitulation. I believe the senior Senator from Idaho made this abundantly clear in his own presentation, in which he underscored his complete support for the retaliatory air strikes against North Vietnam.

WHY ARE WE IN VIETNAM?

I have been amazed by a number of letters I have received asking the question, "Why are we in Vietnam?" or "What is our policy in Vietnam?" I have been even more amazed to have the same questions put to me by sophisticated members of the press.

To me the reasons for our presence in Vietnam are so crystal clear that I find it difficult to comprehend the confusion which now appears to exist on this subject.

We are in Vietnam because our own security and the security of the entire free world demands that a firm line be drawn against the further advance of Communist imperialism—in Asia, in Africa, in Latin America, and in Europe.

We are in Vietnam because it is our national interest to assist every nation, large and small, which is seeking to defend itself against Communist subversion, infiltration, and aggression. There is nothing new about this policy; it is a policy, in fact, to which every administration has adhered since the proclamation of the Truman doctrine.

We are in Vietnam because our assistance was invited by the legitimate government of that country.

We are in Vietnam because, as the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], pointed out in his 1963 report, Chinese Communist hostility to the United States threatens "the whole structure of our own security in the Pacific."

We are in Vietnam not merely to help the 14 million South Vietnamese defend themselves against communism, but because what is at stake is the independence and freedom of 240 million people in southeast Asia and the future of freedom throughout the western Pacific.

These are the reasons why we are in Vietnam. There is nothing new about them and nothing very complex. They have never been obscure. They have never been concealed. I cannot, for the life of me, see why people fail to understand them.

IS THERE A POSSIBILITY OF A NEGOTIATED SETTLEMENT?

The senior Senator from Idaho, and several other Senators who spoke last Wednesday, repeated the proposal that we should seek negotiations for the purpose of terminating the bloodshed in Vietnam and of avoiding an enlargement of the war. We are told by some people that negotiations are the way of diplomacy and that if we reject negotiations now, we are in effect rejecting diplomacy.

The proposal that we negotiate now overlooks the fact that there does exist a negotiated agreement on Vietnam, approved by the participants of the Geneva Conference of 1964. The final declaration of this agreement read, and I think it is worth while reading it for the RECORD and for our own recollection:

> Each member * * * undertakes to respect the sovereignty, the independence, the unity, and the territorial integrity of the above-mentioned states and to refrain from any interference in their internal affairs.

Since there is no point to negotiating if it simply means reiterating the Geneva agreement, I cannot help wondering whether those who urge negotiations envisage rewriting the agreement so that it does not "guarantee the territorial integrity of the above-mentioned states."

The history of negotiated agreements with the Communists underscores the fact that their promises are worthless and that only those agreements have validity which are self-enforcing or which we have the power to enforce. A report issued by the Senate Subcommittee on Internal Security—on which I have the honor to serve—establishes that the Soviet Union has since its inception violated more than 1,000 treaties and agreements. The Communists have repeatedly violated the terms of the Korean armistice, of the Geneva agreement on Vietnam, and of the Laotian armistice.

Incidentally, I had hoped the Senator from Idaho [Mr. CHURCH] would be present. He had hoped to be here. He is tied up on another matter, but hopes to get here later.

The Senator from Idaho has held up the Laotian armistice as an example of a rational agreement with the Communists that has served our interests. He could not possibly have picked a worse illustration for his argument.

I can think of no more dramatic proof than the Laotian armistice that agreements with the Communists are worthless, and that every time we try to escape from today's unpleasantness by entering into a new covenant with an implacable aggressor, we are always confronted on the morrow by unpleasantness compounded 10 times over.

I traveled through southeast Asia just before the conclusion of the Laotian armistice.

I talked to many people at that time. It is true that the armistice was favored by our Ambassador in Laos, and it obviously must have had the support of important members of the State Department hierarchy. But the personnel of our Embassies in Saigon and in Bangkok did not conceal from me their grave apprehensions over the consequences of such an armistice for Vietnam and southeast Asia.

All of this I reported on confidentially upon my return.

At that time, the Saigon government still controlled the situation throughout most of the countryside, although the 15,000 Vietcong guerrillas were giving it increasing difficulty. Our Embassy personnel in Saigon expressed the fear that the conclusion of the Laotian armistice would enable the Communists to infiltrate men and material on a much larger scale and would result at an early date in a marked intensification of the Vietcong insurgency. Needless to say, the apprehensions which they expressed to me have been completely borne out by subsequent developments.

The Laotian armistice has served Laos itself as poorly as it has served the cause of freedom in Vietnam. The Communists have continued to nibble away at what is left of free Laos, in one aggressive act after another, so that by now they firmly control more than half the country, while their infiltress and guerrillas are gnawing relentlessly at government authority in the rest of the country.

In mid-1964, I asked the Library of Congress to prepare for me a study of Communist violations of the Laotian armistice agreement. The study which they submitted to me listed 14 specific violations up until that time.

That was last year. There have been many more since then.

Mr. President, I plan to insert into the RECORD at the conclusion of my remarks a copy of the survey of Communist violations of the Laotian armistice prepared for me by the Library of Congress. I earnestly hope the Senator from Idaho will take the time to study this before he once again holds up the Laotian armistice as a model for Vietnam.

I should also like to quote from a statement made on March 30, 1963, by Gen. Kong Le, the neutralist military commander who, as is common knowledge, had favored the conclusion of the Laotian armistice. Kong Le's statement is significant because it illustrates how Communists will deal tomorrow with non-Communist elements that they are prepared to accept into coalition governments today.

Referring to certain Communist stooges, Gen. Kong Le said:

> Despite their continual defeats, however, these people learned their lessons from their Communist bosses. * * * When the Prime Minister went abroad, they moved rapidly to destroy the neutralist forces. They used tricks to provoke the soldiers and people to overthrow Colonel Ketsana. When these did not succeed, on February 12 they used an assassin to murder Ketsana. They also savagely killed or arrested all neutralist party members, and their bloody hands caused the death of many people.

This was the statement of Gen. Kong Le, one of those who had pressed the hardest for the Laotian armistice, after he saw what the armistice had done to his country.

Finally, I do not believe that the Laotian armistice has served the interests of the other peoples of southeast Asia. I have in my possession a map of northern Laos showing areas where the Chinese Communists have been building roads that would give China direct access to the borders of Burma and Thailand. The construction of these roads bodes ill for the future peace of southeast Asia. That they are intended for future military use is taken for granted by everyone in the area.

So much for the example of the Laotian armistice.

All this does not mean to say that we must not under any circumstances enter into negotiations with the Communists. I do not suggest that at all. It simply means that when we do so, we must do so with our eyes open and with a clear understanding of the ingredients required to enforce compliance with the agreement about to be entered into. That is all I have ever urged.

Moreover, there is a time to negotiate and a time not to negotiate.

The demand that we negotiate now over Vietnam is akin to asking Churchill to negotiate with the Germans at the time of Dunkirk, or asking Truman to negotiate with the Communists when we stood with our backs to the sea in the Pusan perimeter in Korea. In either case, the free world could have negotiated nothing but total capitulation.

The situation in Vietnam is probably not as desperate and certainly no more desperate, than Britain's plight at the time of Dunkirk or our own plight at the time of Pusan. If we are of good heart, if we refuse to listen to the counsels of despair, if we again resolve that "we will never give in"—as Churchill put it—there is every reason to be confident that a time will arrive when we can negotiate with honor and for a more acceptable objective than a diplomatic surrender.

There are those who say that the whole of southeast Asia will, whether we like it or not, go Communist. These people are at least consistent in urging negotiations now. But anyone who believes that we can negotiate now and not lose Vietnam to communism is deluding himself in the worst possible way.

THE CONSEQUENCES OF DEFEAT IN VIETNAM

It is human to oppose the cost of staying on in Vietnam when American boys are dying in a faraway land about which we understand very little. I am conscious of this. I am sensitive to it. I share the troubled minds of all Senators. But I am convinced that the great majority of those who advocate that we abandon Vietnam to communism, either by pulling out or by "negotiating" a settlement, have not taken the time to weigh the consequences of defeat.

In my opinion, the consequences of an American defeat in Vietnam would be so catastrophic that we simply cannot permit ourselves to think of it. This is truly an "unthinkable thought," to use an expression coined by the Senator from Arkansas. He was not applying it to this problem, I point out, but I find the words particularly apt in reference to Vietnam.

GENOCIDE

For the Vietnamese people, the first consequence would be a bloodletting on a genocidal scale.

In the Soviet Union and in Red China, tens of millions of "class enemies" were eliminated by the victorious Communists. While it is true that there are some slightly more moderate Communist regimes in certain countries, Vietnamese communism is characterized by utter disregard for human life of Stalinism and Maoism. What will happen to the more than 1 million refugees from North Vietnam? What will happen to the millions of peasants who resisted or bore arms against the Vietcong. I shudder to think of it. The massacre of innocents in Vietnam will be repeated in every southeast Asian country that falls to communism in its wake, in a gigantic bloodletting that will dwarf the agony and suffering of the war in Vietnam.

Those who urge our withdrawal from Vietnam in the name of saving human lives have the duty to consider the record of Communist terror in every country that has fallen under the sway of this merciless ideology, with its total disregard for human life.

The total number of victims of communism will probably never be known. Students who have followed the Chinese Communist press closely claim that it can be demonstrated that Chinese communism has cost the lives of at least 25 million and more, probably 50 million people, while students of Soviet communism put the overall figure for the Soviet Union at approximately the same level. They point out that, entirely apart from the purges and mass killings at periodic intervals and the forced starvation of 5 million Ukrainian farmers, the reported death rate in the Soviet forced labor camps ran approximately 25 percent per annum in bad years, and 15 to 20 percent in good years. If one accepts the average population of the slave labor camps as 10 million over the 20 odd years of Stalin's undisputed rule, this would mean that approximately 2 million slave laborers died annually in Stalin's camps, or 40 million for the 20-year period.

According to the Polish Government in exile, in London, the Soviets deported 1½ million Poles to Siberia after they had occupied eastern Poland in the wake of the Hitler-Stalin pact. Approximately 150,000 were returned through Teheran after the Nazi invasion of Russia. Another 300,000 drifted back after the war. More than 1 million never came back. Such was the mortality in the Soviet slave labor camps.

All of this seems incredible to the Western mind.

I remember, when I was in Nuremburg, that when I first read the terrible statistics about the mass killings by the Nazis, I could not comprehend them. If I suggested to Senators that a train wreck had occurred in which 100 persons had lost their lives, or a shipwreck in which 150 had lost their lives, or some common disaster with hundreds or even thousands of lives lost, we would react, we would feel it. But if I suggested that 1 million murders had taken place, our minds would not be able to grasp the enormity of such a crime.

Perhaps that is just as well. There must be built into our intellectual mechanism some kind of governor. Unfortunately, while it does probably save us from insanity, the fact that our minds cannot comprehend the murder of 1 million people or 40 million people serves as a protective asset to the perpetrator of such an evil deed. It does not make the crime any less horrible. It simply makes our task that much more difficult.

Even after Khrushchev's denunciation of Stalin confirmed all the essential charges that had been made against the Soviet regime, men of good will in the Western World refused to believe that the Communist regime could be so evil. They refused to believe, because it is difficult for them to conceive of horror and brutality on such a mass scale.

To those who refuse to believe, I would like to read the eloquent words penned by Dr. Julius Margolin, a prominent Jewish leader in prewar Lithuania, one of the scores of thousands of Lithuanians deported to Soviet slave labor camps after the Soviet occupation of his country. When he was released after 7 years in the camps, Dr. Margolin wrote:

> Until the fall of 1939, I had assumed a position of benevolent neutrality toward the U.S.S.R. * * * The last 7 years have made me a convinced and ardent foe of the Soviet system. I hate this system with all the strength of my heart and all the power of my mind. Everything I have seen there has filled me with horror and disgust which will last until the end of my days. I feel that the struggle against this system of slavery, terrorism, and cruelty which prevails there constitutes the primary obligation of every man in this world. Tolerance or support of such an international shame is not permissible for people who are on this side of the Soviet border and who live under normal conditions. * * *
>
> Millions of men are perishing in the camps of the Soviet Union. * * * Since they came into being, the Soviet camps have swallowed more people, have executed more victims, than all the other camps—Hitler's included—together; and this lethal engine continues to operate full blast.
>
> And those who in reply only shrug their shoulders and try to dismiss the issue with vague and meaningless generalities, I consider moral abetters and accomplices of banditry.

Let those who talk of getting out of Vietnam for the ostensible purpose of saving human lives weigh the words of Dr. Julius Margolin—a man who, like themselves, refused to believe that communism could be so inhuman until he saw its punitive machinery at work with his own eyes.

And if the administration should ever succumb to their pressure and negotiate the surrender of Vietnam, and if the Vietnamese Communists then embark on the orgy of bloodletting which has always accompanied the establishment of Communist power, let those who are pressuring for negotiations not be heard to say, "But we didn't intend it this way." Because there is today no excuse for ignorance about communism.

(B) THE FURTHER CHOICE: COMPLETE WITHDRAWAL OR MAJOR ESCALATION

Our withdrawal from Vietnam would immediately confront us with an agonizing choice.

If we decide to try to defend what is left of southeast Asia against the advance of communism, it will require far more money, far more men, and far more American blood than we are today investing in the defense of Vietnam. What is more, it would involve a far greater risk of the major escalation which we seek to avoid.

If, on the other hand, we decide to abandon the whole of southeast Asia to communism, as some of the proponents of withdrawal have frankly proposed, it would result in the early disintegration of all our alliances, and in the total eclipse of America as a great nation. Because no nation can remain great when its assurances are considered worthless even by its friends.

(C) MORE VIETNAMS

Whether we decide to abandon southeast Asia or to try to draw another line outside Vietnam, the loss of Vietnam will result in a dozen more Vietnams in different parts of the world. If we cannot cope with this type of warfare in Vietnam, the Chinese Communists will be encouraged in the belief that we cannot cope with it anywhere else.

In the Congo, the Chinese Communists have launched their first attempt at applying the Vietnamese strategy to Africa.

In the Philippines, the Huk guerrillas, after being decisively defeated in the early 1950's, have now staged a dramatic comeback. According to the New York Times, the Huks are now active again in considerable strength, control large areas of central Luzon, and are assassinating scores of village heads and local administrators on the Vietcong pattern.

In Thailand, Red China has already announced the formation of a patriotic front to overthrow the Government and eradicate American influence. This almost certainly presages the early launching of a Thai Communist insurrection, also patterned after the Vietcong.

An article in the Washington Post on January 16, pointed out that the Venezuelan Communists now have 5,000 men under arms in the cities and in the countryside, and that the Venezuelan Communist Party is openly committed to "the strategy of a long war, as developed in China, Cuba, Algeria, and Vietnam."

And there are at least half a dozen other Latin American countries where the Communists are fielding guerrilla forces, which may be small today, but which would be encouraged by a Communist victory in Vietnam to believe that the West has no defense against the long war.

It is interesting to note in this connection that, according to Cuban reports, a Vietcong delegation which came to Havana in 1964 signed a "mutual aid pact" with the Venezuelan guerrilla forces. In addition, Marguerite Higgins, the distinguished correspondent for the Washington Star and other papers, points out that Vietcong experts have teamed up with experts from Communist China and the Soviet Union in training Latin Americans for guerrilla operations in the several schools maintained by Fidel Castro.

(D) WHAT NEW DEFENSE LINE?

It has been suggested that if we abandon southeast Asia, our seapower would make it possible for us to fall back on Japan and the Philippines and the other Pacific islands, and constitute a more realistic defense line there. This is nonsense. American seapower and American nuclear power have thus far proved impotent to cope with Communist political warfare. Cuba is the best proof of this.

If we abandon southeast Asia, the Philippines may prove impossible to hold against a greatly stepped-up Huk insurgency.

Japan, even if it remains non-Communist, would probably, by force of circumstances, be compelled to come to terms with Red China, adding the enormous strength of its economy to Communist strategic resources.

Okinawa, where our political position is already difficult, would become politically impossible to hold.

If we fail to draw the line in Vietnam, in short, we may find ourselves compelled to draw a defense line as far back as Seattle and Alaska, with Hawaii as a solitary outpost in mid-Pacific.

(E) THE ECLIPSE OF AMERICAN PRESTIGE

To all those who agree that we must carefully weigh the consequences of withdrawal before we commit ourselves to withdrawal, I would refer the recent words of the well-known Filipino political commentator, Vincente Villamin. The abandonment of Vietnam, wrote Mr. Villamin, "would be an indelible blemish on America's honor. It would reduce America in the estimation of mankind to a dismal third-rate power, despite her wealth, her culture and her nuclear arsenal. It would make every American ashamed of his Government and would make every individual American distrusted everywhere on earth."

This is strong language. But from conversations with a number of Asians, I know that it is an attitude shared by many of our best friends in Asia.

VIETNAM AND MUNICH

The situation in Vietnam today bears many resemblances to the situation just before Munich.

Chamberlain wanted peace. Churchill wanted peace.

Churchill said that if the free world failed to draw the line against Hitler at an early stage, it would be compelled to draw the line under much more difficult circumstances at a later date.

Chamberlain held that a confrontation with Hitler might result in war, and that the interests of peace demanded some concessions to Hitler. Czechoslovakia, he said, was a faraway land about which we knew very little.

Chamberlain held that a durable agreement could be negotiated with Hitler that would guarantee "peace in our time."

How I remember those words.

Churchill held that the appeasement of a compulsive aggressor simply whetted his appetite for further expansion and made war more likely.

Chamberlain's policy won out, because nobody wanted war. When he came back from Munich, he was hailed not only by the Tories, but by the Liberals, and the Labor Party people, including leftwingers like James Maxton and Fenner Brockway.

Churchill remained a voice crying in the wilderness.

But who was right—Churchill or Chamberlain?

Who was the true man of peace?

In Vietnam today, we are again dealing with a faraway land, about which we know very little.

In Vietnam today, we are again confronted by an incorrigible aggressor, fanatically committed to the destruction of the free world, whose agreements are as worthless as Hitler's. Indeed, even while the Communist propaganda apparatus is pulling out all the stops to pressure us into a diplomatic surrender in Vietnam, the Chinese Communists are openly encouraging a new Huk insurgency in the Philippines and have taken the first step in opening a Vietcong type insurgency in Thailand through the creation of their quisling Thai patriotic front.

In signing the Munich agreement, it was not Chamberlain's intention to surrender the whole of Czechoslovakia to Hitler. The agreement was limited to the transfer of the German-speaking Sudetenland to German sovereignty. And no one was more indignant than Chamberlain when Hitler, having deprived Czechoslovakia of her mountain defenses, proceeded to take over the entire country.

While there are some proponents of a diplomatic solution who are willing to face up to the fact that negotiations at this juncture mean surrender, there are others who apparently quite honestly believe that we can arrive at a settlement that will both end the war and preserve the freedom of the South Vietnamese people. If such negotiations should ever come to pass, I am certain that the story of Czechoslovakia would be repeated. Having deprived South Vietnam of the political and military capability to resist, the North Vietnamese Communists would not tarry long before they completely communized the country.

And, before very long, those who urge a diplomatic solution for the sake of preventing war, may find themselves compelled to fight the very war that they were seeking to avoid, on a bigger and bloodier scale, and from a much more difficult line of defense.

I take it for granted that no one in this Chamber and no loyal American citizen believes that we should stand by indifferently while communism takes over the rest of the world.

I take it for granted that every intelligent person realizes that America could not long survive as a free nation in a world that was completely Communist.

I take it for granted that everyone agrees that somewhere, somehow, we must draw the line against further Communist expansion.

The question that separates us, therefore, is not whether such a line should be drawn, but where such a line should be drawn.

I believe that we have been right in drawing the line in Vietnam and that President Johnson is right in trying to hold the line in Vietnam, despite the setbacks we have suffered over the past year. Because, if this line falls, let us have no illusions about the difficulty of drawing a realistic line of defense anywhere in the western Pacific.

NEITHER SURRENDER NOR ESCALATION

We have been told in many statements and articles that the only alternative to withdrawal from Vietnam, with or without negotiations, is a dramatic escalation of the war against the North. And we have been warned that such an escalation might bring in both Red China and the Soviet Union and might bring about the thermonuclear holocaust that no one wants.

These are supposed to be the choices before us.

It is my belief, however, that the tide of war in Vietnam can be reversed and that this war can ultimately be won without an invasion of the North and without a significant intensification of our military effort. It is my belief that there are many measures we can take, primarily in the nonmilitary field, to strengthen our posture and the posture of South Vietnamese forces in the fight against the Vietcong insurgency.

Before outlining some of the measures which I believe can and must be taken, I wish to deal with a number of widely accepted fallacies and misconceptions about the situation in Vietnam, because one cannot intelligently approach the problem of what to do about Vietnam without first establishing the essential facts about the present situation in that country.

THE FALLACY THAT THE VIETNAMESE WAR IS A CIVIL WAR

The belief that the Vietnamese war is a civil war is one of the most widespread misconceptions about Vietnam. This is frequently associated with the charge that it is the United States, and not North Vietnam or Red China, which is intervening in South Vietnam.

The war in South Vietnam is not a civil war. It was instigated in the first place by the North Vietnamese Communists, with the material and moral support of both Peiping and Moscow. There is overwhelming proof that Hanoi has provided the leadership for the Vietcong insurrection, that it has supplied them massively, and that it has served as the real command headquarters for the Vietcong.

The present insurrection in South Vietnam goes back to the third Communist Party Congress in Hanoi in September of 1960. At this Congress it was decided "to liberate South Vietnam from the ruling yoke of the U.S. imperialists and their henchmen in order to achieve national unity and complete independence." The Congress also called for the creation of a broad national front in South Vietnam directed against the United States-Diem clique. Several months later the formation of the front for the liberation of the south was announced.

I understand that there is an official report, according to which, the U.S. Military Assistants Command in Vietnam is in possession of reliable evidence indicating that probably as many as 34,000 Vietcong infiltrators have entered South Vietnam from the north between January 1959 and August 1964.

The report indicates that the majority of hard-core Vietcong officers and the bulk of specialized personnel such as communications and heavy weapons specialists have been provided through infiltration. Infiltrators, moreover, apparently make up the major part of Vietcong regulars in the northern half of South Vietnam.

The infiltration from the north supplies the Vietcong with much of its leadership, specialist personnel, key supplies such as heavy ordnance and communications equipment, and, in some cases, elite troops.

This information is derived from the interrogation of many thousands of Vietcong captives and defectors and from captured documents.

It is this hard core that has come down from the north that has provided the leadership cadres in all major insurgent actions, including the series of sensational attacks on American installations.

The scale on which Hanoi has been supplying the Vietcong insurgency was dramatically illustrated this weekend when an attack by an American helicopter on a ship off the coast of South Vietnam resulted in the discovery of an enormous arms cache—almost enough, in the words of one American officer, to equip an entire division. The haul included a thousand Russian-made carbines, hundreds of Russian submachine guns, and light machine guns, and Chinese burp guns, and scores of tons of ammunition. There were also a variety of sophisticated land mines and ammunition for a new type of rocket launcher used against tanks. A Communist guerrilla who was captured in the action said that the ship which delivered the weapons had made six trips to bases along the South Vietnam coast, dropping off supplies.

Finally, we would do well to consider the fact that the general offensive launched by the Communist forces in Vietnam 2 weeks ago was preceded by an open call by Hanoi radio for assaults throughout the country on Vietnamese and American positions.

The public confusion on the nature of the Vietnamese war stems in large measure from the sabotage of the Communist member of the three-man International Control Commission set up to supervise the carrying out of the Geneva agreement. By 1961, reports of 1,200 offensive incidents of Communist agents, ranging from one-man assassinations to large-scale military actions, had been presented to the Commission. The Commission, however, took no action because the Polish Communist member consistently refused to investigate reports of North Vietnamese intervention in South Vietnam. In this way, this entire massive body of evidence of Hanoi's intervention in South Vietnam was muted and rendered ineffective.

In order to understand the war in Vietnam, we have to get away from traditional concepts in which armies with their own insignias cross clearly marked national demarcation lines after their governments have duly declared war.

Communist guerrilla warfare is waged without any declaration of war. In the case of Vietnam, it is waged from external sanctuaries which claim immunity to attack because the state which harbors them has not formally declared war.

It blends military cadres who have infiltrated into the country with native dissidents and conscripts, in a manner which conceals the foreign instigation of the insurgency, and which enables the Communists to pretend that it is merely a civil war.

It is time that we nail the civil war lie for what it is. It is time that we recognized it as a form of aggression as intolerable as open aggression across marked frontiers.

Why did Ho Chi Minh decide to launch the current war for the liberation of South Vietnam? The answer to this question is really very simple.

After the Geneva agreement, it had been the expectation of the Communists that South Vietnam would collapse in administrative and political chaos before many months had passed, and that it would fall into their hands like an overripe plum. Indeed, when Ngo Dinh Diem took office as Premier after the surrender of North Vietnam to the Communists, 99 percent of the Western press viewed the situation in South Vietnam as hopeless and predicted an early takeover by the Communist guerrillas.

Cut off from the mineral and industrial riches of the north; swamped by an influx of 1 million refugees; without an adequate army or administration of its own; with three major sects, each with private armies, openly challenging its authority—confronted with this combination of burdens and handicaps, it seemed that nothing could save the new born South Vietnamese Government.

But then there took place something that has properly come to be called the Diem miracle; this term was used at different times by President Kennedy and Secretary McNamara prior to Diem's overthrow, which most people, I believe, now realize was a tragic mistake.

Diem first of all moved to destroy the power of the infamous Binh Xyuen, a sect of river pirates who, under the French, were given a simultaneous monopoly on the metropolitan police force of Saigon and on the thousands of opium dens and houses of prostitution and gambling that flourished there.

So powerful was the Binh Xyuen and so weak were the Diem forces at the time that even the American Ambassador urged Diem not to attack them.

Diem, however, did attack them and drove them out of Saigon.

Having defeated the military sects and integrated them into the Armed Forces of the republic, Diem within a few years was able to resettle the 1 million refugees and to create a stable unified state where none had previously existed.

I could not help feeling indignant over articles and publications dealing with North Vietnam which have underscored what the Communists have done for their people. Among other things, they have stressed the fact that the Communists have greatly expanded their school system. What these articles did not mention was that from 1955 to 1963 President Diem has doubled the number of students in elementary schools, while at the secondary school level the increase has been fivefold.

The remarkable progress in the field of education was no exception. The entire South Vietnamese society scored remarkable advances in every field of economic and social endeavor, so that in 1963 South Vietnam for the first time had a sizable rice surplus for export. There were significant increases in all sectors of industry and agriculture, and a 20-percent rise in per capita income.

Meanwhile, in North Vietnam, things were going from bad to worse. As in every other Communist country the collectivization of the peasants resulted in a dramatic reduction of food output and in chronic food shortages throughout the country. The resentment of the peasants was compounded by the brutal and indiscriminate punishment of hundreds of thousands of peasant farmers who were hailed before so-called people's courts and charged with being bourgeois elements or exploiting landlords. During the course of 1955 peasant revolts broke out in several areas. There was even a revolt in Ho Chi Minh's own village. And there was some evidence that the troops sent to suppress these revolts sometimes sympathized with the peasants. Shortages increased year by year. The people became increasingly apathetic.

The contrast between the growing prosperity of the South and the growing misery in the North confronted the Vietnamese Communists with a challenge they could not tolerate. That is why they decided that they had to put an end to freedom in South Vietnam. While they have scored some sensational victories in their war of subversion against the South Vietnamese Government, I think it important to point out that this war has gravely complicated the already serious internal difficulties of the North, so that in 1963, for example, the per capita output of rice in Communist North Vietnam was 20 percent lower than in 1960.

And I also consider it important to understand the significance of the fact that the Vietcong insurgency was directed not against a government that had failed to improve the lot of its people but against a government which, over a short period of time, had scored some of the most dramatic economic and social advances recorded anywhere in Asia.

ESCALATION: FACT AND FALLACY

There has been a good deal of talk about the United States escalating the war in South Vietnam. Several Senators who spoke last week warned that if we escalate the war by means of air strikes against North Vietnam, the escalation may get out of hand and wind up as a war with Red China or perhaps even a world war.

But it is not we who have escalated the war; it is the Communists. Peiping and Hanoi have been busy escalating the war in South Vietnam for several years now. They have sent in tens of thousands of soldiers of the North Vietnamese Army; they have trained additional tens of thousands of dissident South Vietnamese; they have supplied them with massive quantities of equipment; and they have stepped up the tempo of their attacks against the Vietnamese people.

Now we are told that if we take any action against the territory of North Vietnam, which has mounted and directed the entire attack on South Vietnam, it will entail the risk of world war.

If the Communists are always to be permitted the privilege of escalating their attempts to take over new countries, while we shrink from retaliation for fear of further escalation, we might as well throw in the sponge now and tell the Communists the world is theirs for the taking.

I find it difficult to conceive of Red China sending in her armies in response to air strikes against carefully selected military targets. After all, if they did so, they would be risking retaliation against their highly vulnerable coastal cities, where most of Red China's industry is concentrated. They would be risking setting back their economy 10 or 20 years.

Moreover, both the Chinese Communists and the Hanoi Communists are aware that the massive introduction of Chinese troops would create serious popular resentment because of the traditional Vietnamese suspicion of Chinese imperialism.

That there will be no invasion of the North by Vietnamese and American forces can, I believe, be taken as axiomatic. Nor do I believe there will be any large-scale involvement of American troops on the Korean model. We will have to continue to provide the Vietnamese with logistical support and air support, as we are doing now. But on the ground, the fighting can most effectively be done by the Vietnamese armed forces, supported, I believe, by military contingents from the other free Asian countries.

THE FALLACY THAT THE ASIAN PEOPLES DO NOT KNOW THE MEANING OF FREEDOM

It has been stated by the senior Senator from Idaho [Mr. CHURCH] and by other critics of our foreign policy in Vietnam that it is pointless to talk about fighting for freedom in Asia because the Asian people historically do not know the meaning of freedom. It has even been implied that, because of their ignorance of freedom and their indifference to it, communism exercises a genuine attraction for the peoples of Asia.

I am sure that most Asians would consider this analysis condescending and offensive. I myself would be disposed to agree with them. It is an analysis which, in my opinion, is false on almost every score.

We have grown accustomed to equating freedom with the full range of freedoms that we in the United States today enjoy. But, in the world in which we live, the word "freedom" has at least three separate and perhaps equally important connotations.

First, there is national freedom, or independence from foreign control.

Second, there is freedom of speech and press and the other freedoms inherent in parliamentary democracy, such as we enjoy.

And, third, there is the type of natural freedom that is enjoyed by primitive peasants and tribesmen in many backward countries, even under political autocracies.

It is true that most Asian governments are autocratic; and it is probably true that the Vietnamese people do not understand or appreciate freedom in the sense of parliamentary democracy. But they certainly understand the meaning of "freedom" when the word is used to mean independence from foreign rule. They are, in fact, a people with a long and proud history and a strong sense of national identity. Every Vietnamese schoolboy knows that his people fought and triumphed over the hordes of Genghis Khan in defense of their freedom; and he also knows that his country was free for five centuries before the French occupation. Finally, he knows and takes pride in the fact that his people drove out the French colonialists despite their army of 400,000 men. Do not tell me that these people know nothing about freedom.

To the westernized Saigonese intellectuals, freedom of speech and freedom of the press are certainly very real issues; and even though they may have not mastered the processes, they would unquestionably like to see some kind of parliamentary democracy in their country. It is completely understandable that they should have chafed over the political controls that existed under the Diem government, and that have existed, in one degree or another, under succeeding governments.

But in the countryside, where the great mass of the people reside, the political controls that exist in the city are meaningless. The peasant is free to own his own land, to dispose of his produce, to worship according to his beliefs, to guide the upbringing of his children, and to elect his local village officials. To him, these freedoms that touch on his everyday life are the freedoms that really count, not the abstract and remote freedoms of constitutional and federal government.

And, if on top of granting him these natural freedoms, the government assists him by building schools and dispensaries and by providing seed and fertilizer, then, from the standpoint of the southeast Asian peasant, his life is full and he is prepared to fight to defend it against the Communists.

It is, in short, completely untrue that the Vietnamese people and the other peoples of Asia do not know the meaning of freedom. And it is equally untrue that communism is acceptable to the Asian peasant because of his indifference to freedom.

Communism has never been freely accepted by any people, anywhere, no matter how primitive.

It has never been accepted for the simple reason that even primitive peoples do not enjoy being pushed around and brutalized and terrorized, and told what to do and what not to do, and having their every activity ordered and supervised by political commissars.

This is why communism must govern by means of ruthless dictatorship wherever it takes power.

This is why the primitive mountain peoples of both Laos and Vietnam have, in an overwhelming majority, sided against the Communists.

This is why there are almost 8 million refugees from Communist rule in Asia today—people who have seen the reality of the so-called People's Democracy, and who have given up everything they possessed and frequently risked their lives to escape from it.

That is why there is barbed wire and iron curtains surrounding the Communist countries. The inhabitants of the Communist countries would all leave if they could.

There is one final comment I would like to make while dealing with this subject. Too often I have heard it said that the Vietnamese people are not fighting because there is nothing to choose between communism and the kind of government they now have.

To equate an authoritarian regime like that in South Vietnam, or Taiwan, or Thailand with the totalitarian rule of communism is tantamount to losing all sense of proportion. Not only have these regimes never been guilty of the massive bloodletting and total direction of personal life which has characterized Communist rule in every country, but, carefully examined, it will turn out that these regimes are a mixture of natural democracy at the bottom with political controls of varying rigidity at the top.

Even at their worst, the political autocracies that exist in certain free Asian countries are a thousand times better than communism from the standpoint of how they treat their own people. And at their best, some of these autocracies have combined control of the press and political parties with remarkably progressive social programs.

But perhaps more important from our standpoint is that these free autocracies, for lack of a better term, do not threaten the peace of their neighbors or of the world or threaten our own security, whereas world communism has now become a threat of terrifying dimensions.

THE FALLACY THAT THE VIETNAMESE PEOPLE HAVE NO WILL TO RESIST COMMUNISM

We have been told that the Vietnamese people are indifferent to communism; that they resist it only halfheartedly. Some commentators have even sought to create the impression that America is in a position of coercing the South Vietnamese to fight against communism.

This estimate of the attitude of the South Vietnamese people is totally false.

True, South Vietnam is suffering from political instability.

True, the war against the Vietcong is going badly.

But these things by themselves do not constitute proof that the Vietnamese people are indifferent to communism or that they do not have the will to resist.

The people of South Vietnam are, in fact, one of the most anti-Communist peoples in the world. Among them are more than 1 million refugees who sacrificed everything they possessed to flee from North Vietnam to South Vietnam after the country was divided by the Geneva agreement of 1954; and it is estimated that there are another 300,000 internal refugees who have fled from Communist-controlled areas in the south. Among the present population of 14 million, in addition, there are several million peasants and workers and students who have at one time or another borne arms against the Communists, some of them in the Vietnamese Army, the majority in village self-defense units.

The overwhelming majority of the people of South Vietnam know what communism means because they have experienced it on their own backs. There are indeed very few South Vietnamese who do not have friends or relatives who have been the victims of Communist brutality and terror.

Let me tell the story of one such act of Communist terror, because statistics by themselves tend to be meaningless.

In the village of Phu Hoa, there was a teenage girl by the name of Giau, the pride of her parents and a born leader of others. As a member of the Republican Youth Organization, she organized the village youth and gave talks. On the evening of January 15, 1962, she was abducted from her village by Vietcong soldiers. The next morning her mutilated and decapitated body—I have a photograph of it—was discovered in the roadway outside the village with a note on her breast captioned "Death Sentence for Giau," and signed by the "People's Front of Liberation."

For a long period of time, assassinations such as this were going on at the rate of some 500 a month, or 6,000 a year. The victims were most frequently active supporters of government, local administrators, village heads, and schoolteachers. The families of village militiamen were another favorite target. The Vietcong would entice the militia away from the village—and when they returned they would find their wives and children massacred.

While the facts of these mass assassinations are not generally known in our country, they are known in Vietnam. And this is one of the reasons why the Vietnamese people hate the Communists, and why they continue to resist them despite the chronic political instability in Saigon and despite the seeming hopelessness of their situation.

For some strange reason, the torture of one Vietcong prisoner aroused far more indignation in our country than the assassination of scores of thousands of innocent civilians by the Vietcong Communists, including the bombing of a schoolbus in which a score of children died.

But, if the Vietnamese people are anti-Communist, I have been asked: Why has the Vietnamese Army put up so poor a show?

The Vietnamese Army has been handicapped by political instability by the frequent shifts of officers, by poor staff work, by its inadequate use of scouts and security patrols, and by the many disadvantages under which counterguerrilla forces must always operate. But, it is simply not true that the Vietnamese Army has shown no willingness to fight.

They have fought bravely in thousands of engagements. They have taken heavy casualties and inflicted much heavier casualties on the enemy.

The belief that the Vietnamese people do not have the will to resist the Communists and that the Vietnamese forces have fought poorly against them, is in large measure due to the unfortunate emphasis which the press always places on disasters and defects.

It probably also springs in part from the traditional attitude of the American newspaperman that it is his duty to mercilessly expose every weakness in his city government, in his State government, in his National Government.

I do not complain about that. I suppose that is the way it has to be.

But whatever the reasons may be, the emphasis in the press has been so misleading that even knowledgeable members of the administration have been confused by it. For example, a member of the administration who very recently visited Vietnam informed me that, contrary to his impressions from reading the press he was amazed to learn that in eight engagements of battalion size and larger which took place during the month of January 1965, the Vietnamese Army got the better of the engagement in every single case.

I have here the comparative figures for Vietnamese and Vietcong casualties for the 3-year period 1962–64, which I have received from an official source. I wish to read them, Mr. President, because they throw an altogether new light on the situation in Vietnam. I do not know why these figures were not released long ago. I hear people complaining that they do not know what is going on in Vietnam. The release of these figures would have helped them to understand.

In 1962 the Vietnamese Army lost 4,400 killed in action against 21,000 Vietcong killed, and 1,300 prisoners against 5,500 captives taken from the Vietcong.

Those are pretty good statistics. They ought to be read and studied by those who have been telling us that the South Vietnamese have no will to fight.

Listen to these further figures:

In 1963 the figures were 5,700 Vietnamese soldiers killed in action against 21,000 Vietcong, and 3,300 missing or captured against 4,000 Vietcong captured.

And even last year, when the fortunes of war turned against the Vietnamese government, the Vietnamese Army killed 17,000 Vietcong against a loss of 7,000 men, and took 4,200 Communists captive against 5,800 captives lost to them.

To those who say that the Vietnamese Army has not shown the will to resist, I point out that, over the 3-year period for which I have presented figures, this army suffered a total death toll of 17,000 men, which is almost as high as the total American toll in South Korea. The enemy's casualties have been much heavier. But the Communists have continued to attack regardless of losses. And because it has not been possible to reconstitute a stable government since the overthrow of Diem, and, because no one knows where guerrillas may strike next, and because unlimited terror is a dreadfully effective instrument, the Vietcong, over the past 15 months, have been able to make most of the Vietnamese countryside insecure.

The fact that the Vietcong seem to be winning and that they have been so effective in resisting government counterattacks, has led some people to believe that the Vietcong soldier is convinced of the justice of his cause and that this is why he fights more grimly.

The Communists are masters of the art of imposing iron discipline by means of unlimited terror.

Senators will recall that during the Korean war we all marveled at the discipline of the Chinese Communist soldiers who kept on marching without breaking step while they were being bombed and strafed by American planes, or who attacked our positions, wave upon wave, apparently oblivious to casualties.

I remember people saying, "See the dedication of these Chinese Communists. See how they bear themselves against bullets and bombs. See how fanatically they believe in their cause." I did not think that was the reason, but I did not have an effective answer until after the war was over.

Senators will recall the terrible riots in the Koje prisoner-of-war camp, when the prisoners seemed so grimly united against us that for weeks on end American soldiers could not venture into the POW compound. Again, the common assumption was that the prisoners were all fanatical Communists.

But then the end of the war came—and it turned out that 20,000 out of 25,000 of the Communist prisoners in our hands asked for refugee status rather than return to North Korea or China. And these were supposed to be the dedicated Communists who believe so fanatically in communism.

Of the 5,000 who returned home, there is reason to believe that the majority did so with heavy hearts, because of strong family ties and not because of any love for communism.

I remind the Senators—because these things tend to be forgotten—of the evidence which emerged that the Koje prisoners of war had been terrorized by a tiny minority of Communist militants who ran the camp with an iron hand, torturing political opponents, staging kangaroo courts, and executing and burying those who were sentenced.

I also remind them of the scenes that took place when the prisoners were brought before the Communist interrogators under the procedures set up by the Neutral Nations Repatriation Commission. The prisoners had to be dragged before the interrogators forcibly, their arms pinned behind their backs by Indian soldiers. When the Communist interrogators spoke to them, urging that they return to their homeland, the prisoners spat out their hatred with a vehemence that Western observers found frightening. So embarrassing were the interrogations for the Communists that after a number of sessions they decided to call off the whole show.

In the light of this conclusion, how much significance can one attach to the seemingly fanatical courage displayed by the Chinese and North Korean soldiers in attacking our positions, or to the grim unity of the Koje prisoners of war in resisting their American captors?

Before we marvel at the apparently high morale of the Vietcong forces in South Vietnam, I suggest that we recall the experience of the Korean war, because the evidence is overwhelming that the Vietcong Communists are using terror on the same scale and in the same manner that it was employed on the Korean battlefront and in the prisoner-of-war camps.

That the morale of the Vietcong forces is not 10 feet tall is demonstrated by the substantial number of Vietcong prisoners taken over the past 3 years. It is demonstrated even more dramatically by the fact that from February 1963 through the end of 1964 there were approximately 17,000 Vietcong defections. The number of defections would be far larger, I am certain, if a stable government could establish itself in Saigon.

It is interesting to note that, while most of the defectors have been young peasants who were conscripted by the Vietcong, their ranks also include North Vietnamese officers who were told that they were going south to fight the Americans and who broke when they discovered that they were fighting their own people.

Impatient constituents have sometimes asked me why the Communists have been able to plan elaborate attacks on our airfields and other installations without advance intelligence reaching us from members of the local population who must have observed the Communists.

The instrument of terror is also applicable to the control of the civilian population. Whenever the Communists take over a village or a town, they systematically massacre all known anti-Communist leaders and those who are suspected of informing. They frequently mutilate their bodies as an example to the people. If we could give the Vietnamese villagers a feeling of greater security, I am sure that more intelligence would be forthcoming. As matters now stand, the average Vietnamese peasant fears that the Communists are going to win the war, and he knows the terrible punishment that awaits those who inform on the Communists. This is why our intelligence has admittedly been inadequate—one of the reasons, certainly. But this is a situation that could change dramatically if we succeeded in convincing the Vietnamese people of our determination to help them retain their freedom, and if we succeeded in inflicting a number of significant defeats on the enemy.

THE BUDDHIST FALLACY

I now wish to discuss the Buddhist situation, about which we have heard so much over the several years.

The myth of Buddhist persecution and the parallel myth that the Buddhists are opposed to the Government, have because of the so-called militant Buddhist movement, become important political factors in Vietnam. It is, therefore, important that we should seek to understand the nature of this movement, the motivation of its leaders, and the real degree of influence it exerts over the Vietnamese people.

It is, indeed, idle to debate the subject of Vietnam and our policy there, and not understand the so-called Buddhist problem. There has been much loose talk about it, but there has thus far been little hard, factual information.

The campaign which resulted in the overthrow of President Diem was marked by the charge that he had subjected the Buddhist religion to inhuman persecution; and, in protest against this alleged persecution, a number of Buddhist monks went through the horrifying ritual of self-immolation.

Week after week, month after month, the American people and the people of the world were inundated with stories supporting the charge that Diem was persecuting the Buddhist religion. There were a number of experienced correspondents of national reputation who challenged the authenticity of these stories. But their voices were drowned by the torrent of charges and allegations that appeared in some of our major newspapers, and that were lent further credence because of repetition of our offical information agencies.

At the invitation of President Diem, the U.N. General Assembly decided to send a factfinding mission to South Vietnam to look into the situation. I find this rarely referred to in any discussion of the Buddhist question, but it is a fact that the United Nations did send a mission over there.

While the mission was still in the country, President Diem and his brother, Ngo Dinh Nhu, were overthrown and assassinated.

The mission decided that the overthrow of Diem made it unnecessary to come up with a formal finding. I believe that this was most regrettable. But the summary of the testimony which it had taken in Vietnam pointed strongly to the conclusion that the persecution of the Buddhists was either nonexistent or vastly exaggerated and that the agitation was essentially political. This, in essence, was what I was told in a personal conversation with Ambassador Fernando Volio Jiminez, of Costa Rica, who had introduced the motion calling for the setting up of the U.N. mission and who served as a member of it.

I went to New York and saw Ambassador Volio. I said, "Mr. Ambassador, I understand you were a member of the United Nations commission which went to Vietnam. I should like to ask you what the facts are." Ambassador Volio gave me the facts as I have given them to you here.

Ambassador Pinto, of Dahomey, another member of the U.N. mission, expressed himself in similar terms in public.

The entire tragic story suggests that the free world was made the victim of a gigantic propaganda hoax, as a result of which the legitimate government of President Diem was destroyed and a chaotic situation created which has inevitably played into the hands of the Communists.

If Senators have not yet had time to read the report of the U.N. factfinding mission to Vietnam, I urge them to do so because it throws essential light on the current activities of the militant Buddhists. I am arranging to have copies mailed to every Senator, and I hope that all Senators will read it, because they will learn a great deal about the present Buddhist situation from it.

The first fact which needs to be established in evaluating the militant Buddhist movement is that the Buddhists do not constitute 80 or 85 percent of the population, as was widely reported at the time of the Buddhist crisis. According to Dr. Mai Tho Truyen, one of the greatest authorities on Vietnam Buddhism, the Vietnamese Buddhists number approximately 4 million people, or about 30 percent of the population.

The second point that must be made is that the militant Buddhists constitute only a small fraction of the total Buddhist population. The millions of the Buddhist peasants, in their great majority, do not approve of the militant political actions and the government-toppling intrigues of the Buddhist militants in Saigon. Their activities, indeed, run completely counter to the pacific traditions of the Buddhist religion.

It is questionable whether the Buddhist militants have been able to mobilize as many as 50,000 active supporters in all the demonstrations they have staged in Saigon and Hue and other cities. But because political power resides in the cities, the several tens of thousands of Buddhist militants, by their clamor and their persistent demonstrations and their clever propaganda, have succeeded in creating the impression that they speak for the people of the cities and for the majority of the people of Vietnam.

What do the Buddhist militants want? Before the overthrow of President Diem, Thich Tri Quang told Marguerite Higgins frankly: "We cannot get an arrangement with the north until we get rid of Diem and Nhu."

The evidence is clear that Thich Tri Quang and some of his other militants are still bent on an agreement with the north. Indeed, only last Friday, Quang called for U.S. negotiations with Ho Chi Minh.

If there is reason to believe that Thich Tri Quang is a neutralist, there is even more reason for fearing that some of the other members of the Buddhist opposition movement are openly pro-Communist or that they have become tools of the rather substantial Communist infiltration which is known to exist in the Buddhist clergy in the various countries of Asia.

That such an infiltration should exist is not surprising because there are no barriers to it.

A man who wants to become a Buddhist monk does not have to prepare himself for his ministry by engaging in studies, nor does he have to be ordained, nor does he take any vow.

He simply shaves his head and dons the saffron robe and enters a monastery—and overnight he becomes one of the religious elite.

When he wishes to leave the monastery, he sheds his robe and leaves it; if he wishes to reenter, he dons his robe again and reenters. That is all there is to it.

I do not criticize this procedure on religious grounds.

Buddhism is one of the great religions of mankind and much can be said for an arrangement that enables every man of religious disposition to spend at least a portion of his life under the voluntary monastic discipline characteristic of Buddhism.

But, regrettably, it is a procedure that leaves the door wide open to Communist infiltration.

I remember that when we were digging into the files of the Nazis at Nuremberg, we found that Hitler had under consideration a program of infiltrating the churches by inducing young people to enter seminaries, so that he could have them at his disposal.

When I first began to hear of the Buddhist situation, it occurred to me that more than likely there was a similar infiltration of religion at work.

The militant Buddhists have used the influence and prestige which accrued to them from the overthrow of Diem for the prime purpose of making stable government impossible: in this sense, whatever the intent of their leaders, they have been serving the desires of the Communist Vietcong.

They have organized demonstrations, provoked riots, inflamed passions with highly publicized fasts and self-immolations, and subjected the government to a ceaseless propaganda barrage. They overthrew the Khanh government. Then they overthrew the Huong government which succeeded it. And they seem to be intent on making things impossible for any government that may come to power.

It is, of course, difficult to deal with a political conspiracy that camouflages itself in religious robes. In any case, this is a matter for the Vietnamese Government and not for our own Government. But it would make matters immeasurably easier for the Vietnamese authorities if the true facts about Buddhism in Vietnam were given to the American people and if they could be helped to understand how little the Buddhist militants really represent, how nefarious their political activities have really been, and how much they have done to undermine the fight against Communists.

No stable government can be created in Vietnam without the participation and support of responsible Buddhist leadership. But this responsible leadership cannot be found among the handful of monks of questionable antecedents who have been misdirecting the militant Buddhist movement in the cities of Vietnam.

It is time to speak bluntly on this issue.

THE FALLACY OF THE FRENCH ANALOGY

Over and over again in recent months I have heard it said that our position in Vietnam is impossible because the French, who knew Vietnam so much better than we do, were compelled to admit defeat after 8 years of war against the Vietminh. A recent half-page advertisement in the New York Times asked: "How can we win in Vietnam with less than 30,000 advisers, when the French could not win with an army of nearly half a million?"

Our own position is entirely different from the French position in Indochina. The French were a colonial power, exploiting and imposing their will on the Indochinese people and stubbornly denying them their freedom. The French military effort in Indochina was doomed because it had against it not only the Communists but the overwhelming majority of the Indochinese people. It was a war fought by Frenchmen against Indochinese.

The United States, however, does not seek to impose its control on Vietnam or exploit Vietnam. We are not a colonial power. We seek only to help the people of South Vietnam defend their freedom against an insurgency that is inspired and directed and aided by the North Vietnamese Communists. This is understood by the Vietnamese people. And that is why hundreds of thousands of Vietnamese who fought with Ho Chi Minh against the French are today fighting for the Saigon government against the Vietcong.

That is why the war against the Vietcong can be won, while the war of French colonialism against the Indochinese independence movement was doomed from the outset.

There is no similarity in the two situations that has any meaning or validity.

WHAT CAN BE DONE?

I believe the war in Vietnam can be won without a significant increase in our military effort. There are many things that can be done to improve the performance of our side, and most of them lie essentially in the nonmilitary field.

Let me set forth some of the things that I believe can be done.

THE NEED FOR IMPROVED LIAISON

One of the most obvious and most serious weaknesses of the American position in Vietnam is the lack of adequate liaison with the leaders of the various sectors of the Vietnamese community.

Because of this lack of communication, we have frequently been caught unawares by developments; we have remained without serious ability to influence them; and we have not been able to effectively assist the Vietnamese in communicating with each other and in stabilizing the political situation in Saigon.

No one person is to blame for this. It is, rather, the system which rotates military officers and AID officials and other Americans in Vietnam on an annual or 2-year basis.

As one American officer pointed out in a recent interview, "It takes about 8 months before you can really get to know the country and the people. And, just about the time you are beginning to understand something, you are rotated home and that is the end of your utility."

I believe that something can be done to improve this situation.

I have met a number of Americans, former soldiers and former AID officials, who have spent 5 years or more in Vietnam, have built up personal friendships with leaders of every sector of the Vietnamese community, enjoy the confidence of the Vietnamese because of their understanding and dedication, and who would jump at the opportunity to return to Vietnam for the purpose of helping it in this critical hour. I am told that there may be as many as 10 or 12 such people in this country.

I have proposed in a letter to the President that these Americans be constituted into a liaison group and that they be dispatched to Saigon immediately for the purpose of helping the Embassy to establish the broadest and most effective possible liaison with the army leaders, with the Buddhists, with the intellectual community, and with the Vietnamese political leaders.

I know that there is always a tendency on the part of World War II officers to resent World War I officers, and on the part of those who are involved in a situation today to resist the assistance of those who preceded them. There is also sometimes a tendency for those who were there yesterday to believe that they understand things better than those who are there today.

But this is a situation in which I am confident every American, no matter what his rank, will seek to rise above his personal prejudices. It is a situation that demands the utilization of every ounce of experience and dedication available to us.

It is my earnest personal conviction that the dispatch of such a liaison group to Saigon would result in an early improvement in our ability to communicate with the Vietnamese and in our ability to assist them in achieving the political stability which is essential to the successful prosecution of the war.

THE NEED FOR A STEPPED-UP POLITICAL WARFARE EFFORT

From many conversations with Vietnamese and with Americans who have served in various capacities in Vietnam, I am convinced that another one of our major weaknesses lies in the field of political warfare.

We have, by and large, been trying to meet the Communist insurgency by traditional military methods or by traditional methods slightly tailored to meet the special requirements of guerrilla warfare. In the field of political warfare, where the Communists have scored their most spectacular triumphs, our own effort has been limited, and halting, and amateurish, and, in fact, sadly ineffective.

The prime goal of political warfare, as it must be waged by freemen, is to win men's minds. The prime goal of political warfare, as it is waged by the Communists, is to erode and paralyze the will to resist by means of total error.

An effective political warfare program requires three major ingredients: First, a handful of basic slogans which capsulize popular desires and which are capable of striking responsive chords in the hearts of the people; second, a propaganda apparatus capable of conveying this program both to those on the Government side and those on the side of the insurgents; third, specially trained cadres to direct the effort.

But the slogans we have are inadequate. Our propaganda program is dismally weak compared with that of the Communists. And according to my information, we still have not assisted the Vietnamese to set up an intensive training program in Communist cold war methods and how to counter them.

An article in the New York Times on August 3, 1964, pointed out that in every area "the basic cutting tool of the Vietcong is a squad of about 10 armed men and women whose primary function is propaganda." The article also said that "Most of the experts in psychological warfare and propaganda here believe the Vietcong's agitprop teams have done the Saigon government more damage than even the tough Vietcong regular battalions." Finally, the article made the point that according to estimates there were 320 Vietcong "agitprop" teams working in the country, against 20 "information teams" for the government side. This gave the Vietcong an edge of 16 to 1 in the field of propaganda personnel. And the edge was probably even greater in terms of finesse and effectiveness.

Even if we help the South Vietnamese Government intensify its propaganda effort, there would still remain the problem of basic goals and slogans.

I have pointed out that the Vietnamese people have a proud history and a strong sense of national unity. All Vietnamese, whether they live in the north or south, would like to see a unified and peaceful Vietnam. But as matters now stand, only the Communists are able to hold forth the prospect of the reunification of Vietnam. To date we have not given the South Vietnamese Government the green light to set up a "Committee for the Liberation of North Vietnam," as counterpart to the "Liberation Front" which the Communists have set up in the south. This places the South Vietnamese side at a grave disadvantage.

There are any number of patriotic North Vietnamese refugees who have been itching for the opportunity to set up a Liberation Committee for the North. The establishment of such a committee could, in my opinion, have an immediate and profound impact on the conduct of the war.

But above all, the situation in Vietnam underscores the need for an effective training program in political warfare, for our own foreign service and military personnel so that they can help to communicate this knowledge to nationals of other countries who, like the South Vietnamese, are engaged in a life-and-death struggle for survival against the most cunning and most ruthless practitioners of political warfare history has ever known.

In this connection, I wish to bring to the attention of my colleagues the fact that there has been pending before Congress for some 6 years a bill calling for the establishment of a Freedom Academy. This would be an institution where Americans and citizens of other free countries could receive concentrated training in Communist techniques and operations, and in tactics and methods designed to frustrate the Communists at every operational level, from elections for the control of trade unions and student organizations, to street riots, to attempted insurrections.

The Senate Judiciary Committee in reporting this measure to the floor in May of 1960, described the bill as "one of the most important measures ever introduced in the Congress." But, unfortunately, although the bill was passed by the Senate, the House took no action.

When the bill was reintroduced for the third time in early 1963, it has the sponsorship of the following Senators: MUNDT, DOUGLAS, CASE, DODD, SMATHERS, Goldwater, PROXMIRE, FONG, HICKENLOOPER, MILLER, Keating, LAUSCHE, and SCOTT.

The distinguished senior Senator from South Dakota last Friday reintroduced the measure for the fourth time, and it is now lying on the table, so that those who wish to add their names as cosponsors may do so. It is my earnest hope that the measure will have the sponsorship of an even larger bipartisan group of Senators than it did in 1963. It is my hope too that there will be no further delay, no foot dragging, in enacting this long-overdue measure. It is time, high time, that we recognize the imperative need to equip ourselves and our allies with the knowledge and the trained personnel required to meet the Communist onslaught.

CARRYING THE GUERRILLA WAR TO THE NORTH

First of all, I think there is a growing acceptance of the need for punishing the North with hit-and-run raids. It would be much more effective if these raids could be carried out in the name of a North Vietnamese Liberation Front than in the name of the South Vietnamese Government.

Second, I have reason for believing that increasing consideration is being given to the need for countering the Vietcong insurgency in the South with a guerrilla warfare effort in the North.

In May of 1961, when I returned from Laos and Vietnam, I made a statement, which I should like to repeat today:

> The best way for us to stop Communist guerrilla action in Laos and in South Vietnam is to send guerrilla forces into North Vietnam; to equip and supply those patriots already in the field; to make every Communist official fear the just retribution of an outraged humanity; to make every Communist arsenal, government building, communications center and transportation facility a target for sabotage; to provide a rallying point for the great masses of oppressed people who hate communism because they have known it. Only when we give the Communists more trouble than they can handle at home, will they cease their aggression against the outposts of freedom.

I believe that every word I said in 1961 is doubly valid today. It is not too late to embark upon such a program. And if we do give the South Vietnamese Government the green light to embark upon it on an effective, hard-hitting scale, again I think it would add significantly to the psychological impact of the entire program if all guerrilla activities were carried out in the name of the "Committee for the Liberation of the North."

A FEW MILITARY SUGGESTIONS

I do not pretend to be a military expert. But I have discussed the situation in Vietnam with a number of military men of considerable experience in the area, and I have been encouraged to believe that the several suggestions which I have to make in this field are realistic.

I submit them for the consideration of my colleagues, because I think they make sense.

My first proposition is that we cannot regard the war in Vietnam in isolation from the rest of southeast Asia.

The Communist Party over which Ho Chi Minh presided for many years was the Communist Party of Indochina. Indeed, to this day, there is no such thing as a Communist Party in Vietnam. Ho Chi Minh's thinking and strategy are directed toward the reunification of all the former territories of French Indochina under his personal sway. This makes it imperative for us to develop a coordinated strategy for the entire area if we are to cope effectively with the Communist strategy.

Proposition No. 2 is that there are certain dramatic military actions open to us that do not involve the territory of North Vietnam.

The hub of the Ho Chi Minh trail is the town of Tchepone, inside the Laotian frontier, just south of the 17th parallel, the dividing line between North Vietnam and South Vietnam. Through Tchepone pour most of the reinforcements and equipment from North Vietnam. From Tchepone the men and equipment are infiltrated into South Vietnam along hundreds of different jungle trails.

I recall that when I met with President Diem in April of 1961, he urged that the Americans assist him and the Laotian Government in preemptive action to secure three key centers in the Laotian Panhandle—Tchepone, Saravane, and Attopeu—in order to prevent the large-scale infiltration which is today taking place. I still have a copy of the marked map which he gave me in outlining his project. Had Diem's advice been followed there would have been no Ho Chi Minh trail. But this was at the time of the Laotian armistice and we were not disposed to take any actions which might provoke the Laotian Communists. So nothing was done.

The seizure of Tchepone by Laotian and Vietnamese forces, with American air support would, I have been assured, be a feasible military operation and one that could be carried out with the means available to us on the spot. It would do more to put a crimp in the Ho Chi Minh trail than any amount of bombing we could attempt. And it would have as dramatic an impact on the situation in Laos as on the situation in Vietnam.

Finally, there is the matter of collective action by the SEATO nations.

As late as April of 1961, the SEATO nations in the immediate area of the Philippines, Thailand, Australia, New Zealand, and Pakistan—all favored common action against the Communist menace in Laos. But the British and French were opposed to such action, and we ourselves sat on the fence; and the result was that nothing was done.

The charter of SEATO will have to be modified so that one nation cannot veto collective action by all the other nations. Britain, I am inclined to believe, would now be disposed to support collective action by SEATO because of the situation in Malaysia. But, perhaps France should be invited to leave SEATO, on the grounds that she has no vital interests in the area, and her entire attitude toward Red China is one of appeasement. In view of the fact that something has to be done immediately, however, the sensible course is to encourage collective action by the free nations in the area, outside the framework of SEATO, until SEATO can be reorganized in a manner that makes it effective.

In this connection, I am most encouraged by the news that South Korea has decided to send a contingent of several thousand military engineers to South Vietnam, and the Philippines have decided to do likewise. It is infinitely better from every standpoint to have Asian troops supporting the Vietnamese forces against the Vietcong on the ground, than it is to have American troops actively involved.

THE NEED FOR UNDERSCORING OUR LONG-TERM COMMITMENT

The retaliatory strikes ordered by President Johnson against the North have had the effect of reiterating our commitment in a manner that the Communists understand; and this, in the long run, is probably more important than the damage wrought by these strikes.

But if the Communists are to be discouraged from continuing this costly war, we must seek every possible means of underscoring our determination to stand by the people of South Vietnam, to pay whatever cost may be necessary, and to take whatever risk may be necessary to prevent the Communists from subjugating the Vietnamese people and other peoples in the area.

It is important to reiterate our resolve at every opportunity. And it is even more important to translate this resolve into hard political and military actions.

The American Friends of Vietnam have suggested another dramatic measure. They have suggested a commitment to a massive southeast Asian development program based on the harnessing of the Mekong River—a kind of Tennessee Valley Authority for southeast Asia. Such a plan, they point out, would offer incredible promise to Laos, Cambodia, and Thailand as well as to South Vietnam, and it would offer equal promise to the people of North Vietnam, which only the continued belligerence and noncooperation of their Government could frustrate.

This, to me, sounds eminently sensible.

FOR A COMMITMENT TO VICTORY

If we decide to withdraw from Vietnam we can certainly find plenty of excuses to ease our path. We can blame it on the geography; or on the topography; or on local apathy; or on political instability; or on religious strife; or even on anti-Americanism. But that will fool no one but ourselves. These conditions make our success there difficult, but only our own timidity and vacillation can make it impossible.

It has become obvious that we cannot go on fighting this undeclared war under the rules laid down by our enemies. We have reached the point where we shall have to make a great decision, a decision as to whether we are to take the hard steps necessary to turn the tide in Vietnam or whether we are to refrain from doing so and thus lose inevitably by default.

The ultimate outcome of the cold war depends upon an affirmative decision to do whatever is necessary to achieve victory in South Vietnam. The events of recent weeks demonstrate again that the administration is not lacking in resolve and that it is rapidly approaching such a decision.

Whether that means a larger commitment of forces, or continued retaliatory strikes against the North, or carrying guerrilla warfare to the enemy homeland, or completely sealing off South Vietnam from Communist aid—I say to the administration, "Give us the plan that will do the job, and we will support you."

Whether our victory be near or far, can we, dare we, turn away or begin to turn away from the task before us, however frustrating or burdensome it may be?

Here surely is a time for us to heed Santayana's maxim "Those who will not learn from the past are destined to repeat it."

And so I speak today not merely to urge that we stand fast in Vietnam, but also to urge that we meet head on the new isolationism in its incipient stages, before the long months and years of discontent, frustration, and weariness that lie ahead have swelled the chorus urging disengagement and withdrawal to a deafening roar.

Let us expound a foreign policy nurtured in our constantly growing strength, not one fed by fear and disillusionment; a policy which each year is prepared to expend more, not less, in the cause of preserving our country and the decencies of man.

Let us insist upon a defense budget based upon the dangers we face abroad, not upon the benefits we seek at home.

Let us embrace a doctrine that refuses to yield to force, ever; that honors its commitments because we know that our good faith is the cement binding the free world together; a doctrine that recognizes in its foreign aid program not only that the rich are morally obligated to help the poor, but also that prosperity cannot permanently endure surrounded by poverty, and justice cannot conquer until its conquest is universal.

Let us, above all, encourage and inspire a national spirit worthy of our history, worthy of our burgeoning, bursting strength, in our arms, in our agriculture, in industry, in science, in finance, a spirit of confidence, of optimism, of willingness to accept new risks and exploit new opportunities.

And let us remember that providence has showered upon our people greater blessings than on any other, and that, great though our works have been, much greater is expected of us.

In recent days, the free world has paid tribute to its greatest champion of our age, Winston Churchill.

It is a curious thing that though Churchill is acknowledged on all sides as the preeminent figure of our time and as the highest embodiment of Western statesmanship, he was, throughout his life, and remains today, a prophet unheeded, a statesman whom men venerate but will not emulate.

It may well be that Winston Churchill's greatest legacy will prove to be, not the legacy of his immortal deeds, but that of his example and his precepts; and that freemen of the future will pay him the homage denied by his contemporaries, the tribute of imitation and acceptance of his message.

As we ponder the passing of this heroic figure and reflect upon his career and try to draw from it lessons which we might apply to the aggressive onslaught that we face today in a hundred ways on a hundred fronts, we might take to heart this advice which he gave in the dark days of 1941 to the boys of Harrow, his old school:

> Never give in. Never, never, never, never. Never yield to force and the apparently overwhelming might of the enemy. Never yield in any way, great or small, large or petty, except to convictions of honor and good sense.

Let us resolve to nail this message to the masthead of our ship of state in this year of decision.

Mr. President, I ask unanimous consent to have printed in the RECORD the following documents: First, a summary of Communist violations of the Laotian armistice prepared for me by the Library of Congress; second, a copy of a statement released yesterday by the American Friends of Vietnam, under the caption of "A New Policy for Vietnam"; third, a copy of a telegram to the President from the Veterans of Foreign Wars; fourth, various newspaper clippings bearing on the situation in Vietnam.

There being no objection, the sundry documents were ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., May 28, 1964.

To: Hon. THOMAS J. DODD.
From: Foreign Affairs Division.
Subject: List of violations by the Communist Pathet Lao of the Geneva armistice of 1961–62.

July 27, 1962: Laotian cease-fire committee of the three factions (neutralists, rightists, and pro-Communist Pathet Lao) reaches an agreement on principles to implement a truce: Forces of each faction will remain in their previous positions; frontline forces and military supplies are not to be increased; and troops of the three factions will not attack each other.

August 22, 1962: Several companies of pro-Communist Pathet Lao troops attack outposts of rightist forces near Sam Neua in northeastern Laos.

November 27, 1962: U.S. C–123 cargo plane, flying rice and other supplies to neutralist forces, is shot down over the Plaine des Jarres. Two American airmen are killed and one wounded. Investigation shows that the plane was shot down by dissident neutralist troops tied up with Pathet Lao.

April 4, 1963: Premier Souvanna Phouma announces that Pathet Lao troops have attacked neutralist troops of Gen. Kong Le in the Plaine des Jarres. On April 8 the U.S. State Department accuses the Pathet Lao of a serious violation of the cease-fire.

April 15, 1963: Following brief cease-fire, fighting breaks out again on the Plaine des Jarres. The neutralist forces of Gen. Kong Le are attacked and suffer new setbacks. On April 16 U.S. Under Secretary of State George Ball says that the United States does not rule out the possibility of sending troops into Laos if the situation should continue to deteriorate. Warnings are also issued by Secretary of State Dean Rusk on April 18 and President Kennedy on April 19.

May 3, 1963: Pathet Lao troops fire on two helicopters of the International Control Commission in the Plaine des Jarres, destroying one and wounding four occupants. On May 10, U.S. Ambassador Leonard Unger accuses the Pathet Lao of disrupting the peace and violating the Geneva accords, and he says that the United States will never leave Laos standing alone "to face its enemies from within and abroad."

May 21, 1963: Premier Souvanna Phouma issues communique stating that severe fighting has been going on for 2 days in the Plaine des Jarres between Pathet Lao troops and neutralist forces. On May 23, the ICC asks Britain and the Soviet Union to issue immediate appeal for a cease-fire on the Plaine des Jarres.

June 1, 1963: Premier Souvanna Phouma charges that Pathet Lao forces are continuing their attacks, resumed on May 30, against neutralist positions near the Plaine des Jarres.

September 7, 1963: U.S. C–47 unarmed cargo plane is shot down by Pathet Lao in central Laos. The government says they carry only rice and other relief supplies.

September 9, 1963: Fighting breaks out in Vientiane between the Pathet Lao and the rightist police force under Deputy Premier Phoumi Nosavan.

November 17, 1963: Cease-fire is broken as fighting resumes in the Plaine des Jarres. Talks between neutralist and Pathet Lao military leaders subsequently break down as the Pathet Lao rejects a proposal for the ICC to police the cease-fire.

January 29, 1964: Neutralist military headquarters reports that six Pathet Lao and four North Vietnamese battalions have launched an attack in southern Laos, have defeated neutralist and rightist forces at Na Kay, and are now heading toward the the strategic post of Thakhek.

April 19, 1964: Military coup in Vientiane, organized by rightist army officers, ousts government of Premier Souvanna. Coup leaders give as reason for their action the premier's failure to establish peace in Laos.

May 15, 1964: The Laotian Government reports that Pathet Lao forces have seized Tha Thom, a key town about 90 miles northeast of Vientiane. It also reports that an attack on the defense perimeter of Paksane is imminent. On May 16, Pathet Lao forces renew attacks on neutralist position on the Plaine des Jarres. A State Department spokesman calls the new attacks a "flagrant and open violation" of the Geneva accords of 1961–62.

DAVID E. LOCKWOOD,
Analyst in Far Eastern Affairs.

A NEW POLICY FOR VIETNAM

(Statement by the American Friends of Vietnam)

THE DILEMMA

If we are to identify wisely our most effective forward course in Vietnam, it is important first to understand the exact nature of our dilemma there. We know the inherent generosity, both toward free Vietnam and its neighboring countries, which has led us to involve our substance and our blood. We know that but for our commitment, free Vietnam would long since have fallen into the political darkness and physical despair which oppresses Communist North Vietnam. We know that our presence there is in response to the wish of most segments of Vietnamese leadership, however they differ among themselves on other matters. We know that our presence there is earnestly desired by most neighboring countries of southeast Asia. We know that our purpose is to assist responsible and responsive government and to enable Vietnam and its neighbors to maintain national independence against external encroachment. We know that we have neither wished to "establish" nor "dominate" a Vietnamese government nor to seek for ourselves political, military, or economic advantage.

Our dilemma flows in part from the fact that this knowledge is not shared by all of the Vietnamese people, is not accepted by the members of the Vietcong, is not believed in parts of the less developed world still suffering the scars of recent colonial experience. Nor, in fact, is this understanding uniformly shared by our own people.

The dilemma is sharpened further by a spreading doubt among leadership elements in independent southeast Asian countries that the United States has staying power. Thailand's foreign minister, Thanat Khoman, recently warned members of the Overseas Press Club: "The Thai Government knows much better but some people are not sure we can depend on outside help—especially when there is so much talk of quitting and going home. The Communists have never spoken that line of quitting. When they go some place they stay there."

In part, at least, this skepticism is fostered by the doubt among some Americans that any valid purpose led to our presence in Vietnam in the first place.

THE ALTERNATIVES

The lack of public understanding flows in part from inadequate examination of the alternatives confronting the United States now. In our opinion there are six choices:

1. Continue as now. Whether or not the Vietcong are, in fact, increasing their effectiveness there is a growing conviction in Saigan, in the United States, and in much of the rest of the world, that this is so. This alone makes continuation of our present policy undesirable. The overriding hazard of the present policy is the undeniable fact that it has not provided sufficient psychological and political potency to sustain a Vietnamese Government.

2. Withdraw. This would violate our pledge not to abandon the Vietnamese people. It would manifest throughout the world a U.S. inability to long sustain an effort designed to frustrate Communist intentions. The implications would be read as eloquently in Berlin or in Cuba, as they would be in Vietnam, Indonesia, or India. There can be no question that this alternative would require the Governments of the Philippines, Thailand, Taiwan, India, Japan, to reassess totally present policy and to reorient toward what would be the dominating new facts of Asian life.

("Neutralization" of Vietnam is not suggested here for a simple reason: genuine and reliable neutralization of Vietnam is not possible at the present time. What is most often talked of in this connection is merely a rhetorical euphemism designed to make withdrawal more palatable. On the other hand, the proposals discussed here are valuable to part precisely because they do hold the promise that they may generate sufficient free Vietnamese vitality to make true and assured neutralization possible at some future time.)

3. Military cordon sanitaire across Vietnam and Laos. An estimated military force of up to 100,000 would be involved in making such a cordon truly effective and enemy penetration genuinely hazardous. Its greatest contribution would be in providing hard evidence of new determination to maintain southeast Asian integrity. Although military effect of interdicting the Vietcong's transport and supply may be limited, it is nonetheless one useful alternative, especially when employed with other steps outlined here.

4. Extend military action to the north. Until last week, steps taken in this direction were, in our judgment, not sufficiently explicit, either to rekindle Vietnamese faith in our intentions or to inspire confidence in other Asian countries that we are indeed willing to accept risk as the price of our commitment to freedom. The increased external, Communist intervention in South Vietnam has made it both reasonable and essential that there be a vigorous anti-Communist military response. The limited air strikes in North Vietnam by American and Vietnamese planes constituted such an appropriate response.

There are many other forms of stronger American action and involvement and they are not mutually exclusive. They include:

(a) Formation of an open, well-publicized North Vietnam liberation movement sponsoring major psychological operations programs, including paramilitary action, against the North Vietnamese regime.

(b) Establishment of an International Voluntary Corps dedicated to the maintenance of free nations in the Mekong basin. This corps should consist primarily of volunteers from Asian countries but may also contain a liberal admixture of Americans with military experience. Operating normally in small units with sufficient air support, this force—under the sponsorship of the proposed North Vietnam Liberation Movement—would harass the enemy wherever suitable targets exist, including targets within North Vietnam.

(c) Positioning of U.S. combat forces within South Vietnam to act as a general reserve—a sizable firefighting force. Such a military contingent (perhaps as many as two brigades) should not be used for routine combat or security duties, but as an immediate-reaction fighting force intended to engage Vietcong troops in fixed positions. Desirably, combat elements from other nations will be attached to this force.

(d) Continued bombing of selected military targets in North Vietnam. In contrast to the indiscriminate terrorist activity of the Vietcong in South Vietnam, the free world's concern for the Vietnamese people in both halves of the country make it undesirable for us to conduct warfare upon cities where the innocent will be hurt. However, those military targets in North Vietnam which are vital to their aggressive capability and which can be destroyed with our assistance are, in our view, legitimate targets for stage-by-stage destruction.

What is the risk involved in such action? In our judgment the possibility of Chinese involvement in South Vietnam would be only slightly increased. The possibility of Chinese help thrust upon North Vietnam would be greater. However, this probability may be precisely what is needed to make clear to even the most Communist leaders of North Vietnam how undesirable such help is to them in the long run. A heightened awareness of this danger might, in fact, force greater restraint upon the Government in Hanoi than our present policy can achieve.

Frankly, however, the direct military damage inflicted on the Communist regime in North Vietnam is the lesser of our reasons for suggesting that these steps be undertaken. In our opinion, it is urgent that the people of free Vietnam be assured that President Johnson means what he says—that we mean to stay and help, no matter what risks we must incur. It is equally urgent that these intentions be understood also in Japan, Thailand, the Philippines, Indonesia, the rest of Asia, and the world. Stanch, long-term American commitment—fully communicated and understood—would provide a lift to morale in free Vietnam, inject new vitality in the Vietnamese Government and require a new assessment of the United States among neighboring countries and among Asian allies elsewhere.

There is one final reason we support this painful course of action. Basic requirements for victory in Vietnam are not primarily military. They are psychological, social, and economic. Below we address ourselves to instruments which can meet the nonmilitary aspects of the undertaking. But neither the economic nor political measures we propose will get off the ground without evidence of the seriousness of our military intention. Nor will our military commitment produce the desired results without the companion economic and psychological supports.

America's experience in relation to the instability in postwar Europe is clearly relevant. The Marshall plan did not begin to come to life until the physical security promised by NATO was added. Nor would NATO by itself have been meaningful without the human vision and economic future presented by the Marshall plan.

5. Forging a more popular or responsive government. It is clear that the difficulties confronting any Vietnamese Government under Communist attack are enormous. We can but sympathize with those who carry the burdens of government in circumstances so frustrating and continuously demanding. It is possible that 20 years of civil war, colonial war, and Communist insurrectionary war, have so debilitated the structure of government as to preclude the immediate possiblity, no matter how desirable, of absolutely stable government. There are political personalities with nationalist backgrounds who are deserving of our help and encouragement. We must do what we can to help them and bring them forward. At the same time, we must help to diminish the present conflict of personalities that has proved in past years to be so destructive. In any event, we believe it is futile to concentrate, as we have in the past, on personalities, rather than on purposes, ideas, and institutions.

6. Injection of new purpose. If charismatic leadership is unavailable, charismatic purpose can be found. One aspect of that purpose involves the modest extension of military effort discussed above. It involves the clear demonstration that the United States means to remain committed even at enlarged risk. And such charismatic purpose must, of necessity, accept as workable "the best available choices of Vietnamese Government personnel"—choices made by the Vietnamese not by us. But our object would be to harness our military commitment and the Vietnamese effort to an infinitely larger objective than has previously motivated our participation. It would make crystal clear that the objectives which unite us with the Vietnamese people, as with our other allies on southeast Asia, are constructive and inextricably linked to the welfare of all southeast Asian peoples.

We suggest that all of our military, political, and economic programs in Vietnam be subordinated to a massive southeast Asian development program. A Johnson plan for the full flowering of southeast Asian economic resources and independence will have as much potency and promise for success in that corner of the world as the Marshall plan did in Europe and the Tennessee Valley Authority in the United States.

The Mekong Basin is one of the world's richest and least developed areas. In an area of the world already food rich there is an opportunity to harness the tributaries of the Mekong Basin toward an economic flowering offering infinite promise to Laos, Cambodia, and Thailand as well as to South Vietnam, and offering to the people and the Government of North Vietnam economic opportunity which only their blindness or noncooperation can frustrate. To Burma, Malaysia, and even India, this would present an opportunity in both economic and political terms which, especially at this moment, could not possibly be more desirable. To the Philippines such a program would provide the same magnetic opportunity for participation as led them generously to create and man Operation Brotherhood a decade ago. It would also offer the first possibility of really involving the wealth and energy of the Japanese Government and people. A Johnson development plan for southeast Asia would manifest to the entire world that the welfare of the people of southeast Asia is our only purpose.

The Mekong Basin development program will provide for the first time a future-oriented thrust around which a Vietnamese resurgency program can be made vital and toward which the efforts of Americans, Japanese, Lao, Thai, Cambodians, and Filipinos can hopefully be attracted.

THE MISSING LINK

Within the last 3 years the Communist nations have revealed their inability to meet their own most pressing economic needs. The shortcut to the future has suddenly proved to be a dead end of economic failure, recrimination, and political embarrassment. But this has not frustrated the wars of national liberation nor prevented the Communists from mounting insurrectionary warfare whether in Congo or Vietnam. National governments and native peoples assaulted by such Communist purposes have, at best, sought to sustain their own energy through defensive effort. Virtually unused has been the enormous potential for hope which can be found only in the non-Communist, world, cooperatively employing the resources of the United States and nations friendly to it whether in Asia, the Pacific, or Western Europe.

We have offered to the Vietnamese people our assistance in their struggle for national independence. We have failed, however, to harness that struggle and our assistance to an all but miraculous future, a flowering of man, his capabilities, his resources, his aspirations. Ours indeed is the truly revolutionary opportunity. The Johnson plan offers to southeast Asia a genuine opportunity to harness nature, enlarge justice, extend life, eradicate the scourges of illness and illiteracy and enable long-suffering peoples to reap the fruits of their soil and the permanent benefits of national independence. Behind this large vision, men throughout the world may be led to voluntary association in Lincoln Brigades, Gandhi Brigades, Magsaysay, and Marti Brigades—an international volunteer corps for peace and freedom.

The Johnson plan for the development of the Mekong Basin has, in our judgment, the following potential, essentially unavailable in the present circumstances:

1. It will inject dramatic, viable, and politically potent new purpose adequate to sustain popular support of Vietnamese Government leaders.

2. It will infuse new energy into the Vietnamese already risking their lives in daily defense against the Vietcong.

3. The plan offers concrete reasons for the cooperative involvement of neighboring southeast Asian countries as well as a generous commitment able to sustain emotionally an international corps of volunteers.

4. It contains an enormous incentive to North Vietnam to turn away from its present fratricidal course.

5. Finally, the Johnson plan constitutes a pioneering laboratory of hopeful consequence to other less developed areas where Communist insurrectionary warfare presently finds soil in which to sow the seeds of destruction.

VFW ENDORSES PRESIDENT JOHNSON'S NORTH VIETNAM ACTION

WASHINGTON, D.C., February 8, 1965.—The national commander in chief of the Veterans of Foreign Wars of the United States, Mr. John A. Jenkins, of Birmingham, Ala., today informed President Johnson of the "wholehearted and unreserved support of the VFW" for the President's decision to retaliate against North Vietnamese military installations.

In his telegram to the President the VFW commander pointed out that such military action against North Vietnam was in full accord with the unanimously adopted resolution of the 1964 VFW national convention, supporting whatever action is necessary to win in South Vietnam. The text of Commander Jenkins' telegram to President Johnson follows:

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Veterans of Foreign Wars wholeheartedly and without reservation supports your decision in taking retaliatory armed action against the Communist aggressors in North Vietnam. Your wise and bold decision in this matter will go far toward assuring our allies throughout all Asia that the United States stands by its commitments and will not be intimidated by Communist threats and aggressive action. U.S. action against North Vietnam is entirely consistent with the unanimously passed resolution of our 1964 VFW national convention which called for all action necessary to win in South Vietnam. The VFW, consisting of 1,300,000 overseas combat veterans fully recognizes that communism has launched a deliberate attack against all southeast Asia and, consequently, the interest of U.S. security and the cause of freedom can be protected, in the final analysis, only by the judicious and willing use of military power.

JOHN A. JENKINS,
Commander in Chief, Veterans
of Foreign Wars of the United States.

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1. THE CONTINUING RESISTANCE

[From the New York Times, July 31, 1964]

"PLEASANT VALLEY": A VIETNAMESE SUCCESS STORY—SAIGON'S FORCES WREST AREA FROM STRONG RED CONTROL—"SHOW CONFIDENCE IN PEOPLE," MAJOR SAYS OF HIS METHOD

(By Jack Raymond)

PHOUC CHAI, SOUTH VIETNAM, July 26.—In Vietnamese, Phouc Chai means "pretty valley," and that is just what this collection of hamlets is. It represents a success story in South Vietnam's desperate struggle to defeat the Communist insurgency.

Phouc Chai is about 45 miles west of Tamky, in the northern part of South Vietnam. For more than 2 years, until 6 months ago, this valley, with its population of about 6,000, was virtually controlled by the Vietcong.

The insurgents grew rice here to feed the guerrillas. They "taxed" farmers. They maintained rest stations and assembly points for fighters who blew up bridges and terrorized villages.

Two organized Vietcong battalions with a regimental headquarters operated without Government interference. Then a 34-year-old major, Hoang Tho, appeared with his outfit, the 6th Regiment of the 2d Division, Army of the Republic of Vietnam.

TRAINED IN GEORGIA

Major Tho has been an officer since 1951, when he fought for the French against the Communist Vietminh. He received training at the U.S. Army's military-government school at Fort Gordon, Ga., and at the Fort Denning, Ga., infantry training center.

Articulate, English-speaking and self-confident, Major Tho has evidently won the complete confidence of his troops and of American advisers here. He lives in Danang with his wife and five children.

He spoke matter-of-factly about having organized 10 defended hamlets after achieving military victories over the Vietcong.

Last February, the major recalled, he sent patrols into the valley. They located Vietcong units, ambushed some and drew others into stand-up battles of company and battalion size.

REDS FOUGHT HARD

The Vietcong fought hard for the valley; it was important as a source of food as well as a military center for the countrywide guerrilla campaign. Yet in a month the 6th Regiment drove the Vietcong into the jungle.

"It was only phase 1," Major Tho said. "Now came phase 2, the administrative and political phase."

Major Tho stood with a pointer before an operations map as he continued his story.

Before evacuating the valley, the Vietcong ordered the peasants to take 15 days' supplies into the jungle. They assured the peasants that the Government forces would not stay and that the Communists would soon resume control.

But the Government forces stayed. Major Tho and his men seized 40 tons of rice originally planted by the Vietcong. They distributed 20 tons and destroyed the rest because they could not handle it and did not want the Vietcong to try to recapture it.

THE PEASANTS EMERGE

Two weeks went by, and the peasants came out of the jungle to reclaim their homes and farms. "We let the people come back and keep their rice," Major Tho continued. "We said to them, 'You see, the Vietcong took your things, but we do not.' "

The major went on:

"Many of the villagers came to us and denounced their neighbors as Vietcong. Some gave me a list of 40 men to be executed. But I realized that many were not hard-core Vietcong, only forced to do the bidding and pay allegiance to the Communists."

Major Tho weeded out those he thought were incorrigible Vietcong members and sent them to higher headquarters. Others, including some who had held positions under the Vietcong, he gave new assignments.

"I recommended no executions," Major Tho added. "I wanted to win the confidence of the people. I called the chief villager and asked him how he had organized the villages, and with a few changes I let the organization run the same old way for the time being.

"I wanted to show that we would protect the people against the Vietcong, and I provided special guards for those who took tasks as village administrators and hamlet chiefs. Every night I discussed village problems with the chiefs."

WEAPONS ARE REDISTRIBUTED

Then Major Tho collected weapons. He paid for all that were turned in. Most were rifles and carbines of varied origin. Some were American, captured from Government forces, and others were Russian and Chinese brought in from North Vietnam.

After collecting all the weapons, the major added, he redistributed them in the hamlets.

"I wanted to show confidence in the people," the major recalled. "I said, 'Here, take the weapons, and use them against the Vietcong if they bother you.' "

Major Tho retained one hamlet chief who had worked for the Vietcong, but he sent him to higher headquarters for questioning. The man died while traveling, and Major Tho ordered the body brought back for burial. He arranged a big funeral.

GESTURE WITH A MORAL

"I make propaganda, too," Major Tho explained with a smile. "I wanted to show that even those who had served with the Vietcong could be forgiven and could take a proper place in our community."

Now 10 Government hamlets flourish in a valley that was once a Vietcong stronghold. As Major Tho accompanied a visitor on a jeep ride to meet the people, they greeted him with apparent pleasure and showed off a new school. Pupils on roughhewn benches in a big shack were writing the alphabet in notebooks.

There have been no incidents in the valley for more than 4 months, and the Vietcong have apparently been unable to reestablish links with villagers who were once more than ready to help them.

Yet all around the valley, the Vietcong are known to patrol in strength.

"They set up ambushes," the major said, "but they do not come within 2 or 3 miles of the valley. We have established good morale here."

[From the Baltimore Sun, Sept. 26, 1964]

VIETNAM HAMLET REPULSES REDS—PENTAGON RELEASES ACCOUNT OF RECENT CLASH

(By Mark S. Watson)

WASHINGTON, September 25.—Messages from the U.S. command in South Vietnam today permitted the Pentagon to supply in almost unprecedented detail an account of a well-conducted defense and counterattack recently, with the South Vietnam Government forces gaining a substantial success over Vietcong guerrillas.

It was at and near Luong Phu, a little hamlet of some 75 men, women, and children in the swampy delta of the Mekong River, southwest of Saigon. This is the region where the Communist Vietcong has long been generally in control, even before 1954 when the beaten and discouraged French withdrew from southeast Asia.

LOYAL TO GOVERNMENT

Luong Phu, largely because it remained loyal to the government has long been subjected to Communist harassment, the dispatch from Saigon mentioning 50 incidents thus far in 1964, including 15 genuine attacks, of which the latest was the most violent.

In the official account of this occasion there were several aspects so important as to attract attention.

1. The 40 men composing the hamlet's own defense, only lightly armed, held off the attack, with temporary loss of only an ammunition bunker.

2. A group of them had the spirit to counterattack and regain the bunker without loss of its contents, but with four of the loyal force killed.

RELIEF FORCES CALLED

3. A relief force, summoned by radio, came within artillery range and provided quick assistance to the defense.

4. The relief force commander, moving in by a U.S. landing craft (one of five in the Mekong Delta's rivers) was warned by one of his agents that a Vietcong force was in ambush near the riverbank, awaiting him, after the familiar guerrilla practice.

He opened fire on the hidden guerrillas and broke up the ambush with large casualties, his own craft taking only one serious shot from the guerrillas' 57-millimeter rifle. The relief of Luong Phu was completed, with 40 enemy dead around it and a larger number in the ambush party carried away by river boats.

It was this combination of stout resistance at the attack point, prompt radio report to the district command, quick advance of relief forces, and alertness to the danger of ambush, with which the Saigon authorities are obviously most pleased.

PATTERN OF COUNTERINSURGENCY

This is the pattern of their counterinsurgency training, but nobody pretends that it is easy to accomplish that operation with all its four phases perfectly executed. With any of the four missing, the whole operation has small chance of success.

The landing craft and patrol boats and motorized junks on the several rivers and canals are—save for the helicopters—the prime means of rapid movement of reinforcing troops and weapons. They make possible a fairly rapid use of guns and heavy mortars.

The other artillery application is by mounts of single guns in an entrenched position (dotted over the countryside) permitting movement of the gun throughout 360° and prompt laying of fire on any target within range.

This method presupposes the existence of excellent maps and prime ability to use them effectively for fire or an unseen target. A most encouraging aspect of the war in South Vietnam is that the maps do exist and that there is interesting skill in their efficient use.

CONTINUING MYSTERY

There is one continuing mystery in Vietnam, namely the reason for the Vietcong guerrillas' strange failure to take wide advantage of the South Vietnam Government's semiparalysis as a result of the most recent coup. It would have seemed the ideal time for massive assaults.

A growing theory is that the guerrilla movement has been hurt more than is generally realized, and compelled to slow down for a time in order to regather strength for another strong assault at widely scattered points.

Such an assault is still thought likely, the surprise being that it was not timed to take advantage of governmental confusion.

[From the Evening Star, Nov. 9, 1964]

VIETNAM VILLAGERS FIGHT ON

(By Marguerite Higgins)

MEKONG DELTA, SOUTH VIETNAM.—From the distance the boom of artillery sounded a steady reminder that the frontlines of the war were at hand.

A few rice paddies away there was the authoritative crackle of small arms fire which was, as to be expected, harassing the helicopter that was whirring down on the dirt road next to the quaint and charming little village of thatched roofs that now gave haven to the broken bodies of two American sergeants killed by an electrically detonated landmine.

It was a road of bitter memories, this muddy, tortured dirt lane surrounded by emerald green rice paddies and a deceptively lyrical and limpid stream in which the big-eyed children played, not even looking up when the angry machinegun bursts got close and mere adults looked for cover.

In the summer of 1963 there had been a nasty fire fight on the road, in which several American reporters lost face but not much else when they made a run for it. In November 1963 this reporter revisited the road and its villages on the day that it claimed the lives of two United Nations agricultural workers. And now the death of the two sergeants.

FAMILIES FIGHT REDS

Yet, at the end of the road is a small village—Van Thien—whose 150 families have been overrun six times by the Vietcong and who still fight back. And one reason they fight back is because every day American advisers and Vietnamese soldiers, American aid teams and Vietnamese engineers defy the danger and travel back and forth with their guns and supplies and medicines to help Van Thien try to stay free.

And this is the real miracle of South Vietnam—this fact that somehow the war is still fought anywhere at all with devotion and sacrifice and hope despite the selfish joustings of the politicians in Saigon, the power plays of the military, the riots of the draft-dodging students and the political poisons spread by a handful of power-hungry Buddhist leaders whose intrigues are totally disapproved by the genuinely religious Buddhists here in the countryside.

Indeed, here in this section of the delta, I found the progress of the war far less depressing than I had expected. Chaos, lack of direction, arbitrary arrests, and purges have taken their toll, of course. But in giddy, gaudy Saigon the spoiled intellectuals and politicians do not know the Vietcong firsthand and can indulge their political death wishes with a garishly gay ignorance of what would happen to them if the Communists took over.

VIETCONG DEPREDATIONS

But in Van Thien it is only a short moment in time since the Vietcong disemboweled the wife of the district chief and kidnaped 14 youngsters of the village. So long as there is the slightest hope of real and effective outside help against the Vietcong, the people will fight to keep them out of the Van Thiens of the delta.

Mytho is the headquarters for the 7th Vietnamese Division, which guards four key provinces in the delta. When I first visited Van Thien in the summer of 1963, it had just been liberated for the first time from a long period of Vietcong rule. And elsewhere in the delta, the fight against the Communists, while tough and hard, was beginning to show results. That summer perhaps 64 percent of the population in these key four provinces were under central Vietnamese control.

Then came the coup d'etat of November 1963, the murder of Diem and Nhu, the disintegration of the entire fabric of Vietnamese governmental structure, all of which was taken as a signal by the Vietcong to really go on the warpath. As a consequence, when this reporter revisited the 7th Division provinces in late November 1963, it had been impossible to even go near many areas that had been clean and clear of Vietcong the previous summer. By early 1964, the Vietnamese controlled less than 25 percent of these four provinces.

NEED TO START OVER

"And so," said the American colonel in Mytho, "we had to start over. By April, we got a new and less ambitious pacification program. Somehow despite the tumult in the cities the supplies kept coming. Everytime a new coup d'etat was rumored everything ground to a halt, of course.

"Slowly and painfully we have gone back into village after village. It has been heartwarming to see places where we began with deserted marketplaces and burned schoolhouses soon make a comeback and become bustling again. I think we can win this war against the Vietcong. I am an optimist.

"You have to see for yourself how deeply the Vietnamese people fear and hate the Vietcong if they think they can oppose them and not have their throats cut. My team is working its heart out. But all this is dependent, of course, on some sort of stable strong governmental direction."

And it is precisely because so many fine people in the countryside are working their hearts out—and giving their lives—that a visit to the front lines renews a sense of fury at the intrigues in the city—intrigues that may mean that all this devotion and dedication here at the front will add up to nothing.

The war will not be won in Saigon. But Saigon can prevent it from being won.

[From the Washington Evening Star, Dec. 9, 1964]

COURAGE AT VIETNAM OUTPOST

(By Marguerite Higgins)

PLEI ME, VIETNAM.—The morning had begun with a mine disaster. Literally. It was a "Jumping Betty" mine—one of those that jumps out of the dirt and explodes in the air. And so it had cruelly mangled the bodies of 16 of the work detail that Capt. Ronnie Mendoza, of Los Angeles, had sent to repair about three and a half miles of the red dirt jungle road the Vietcong had severed by digging great, gaping ditches across it.

Many of the wounded were only 11 to 14 years of age, children or relatives of the Vietnamese and Montagnard (non-Mongol mountain people) soldiers who, along with Captain Mendoza's 12-man team, use this isolated outpost near the Lao border for patrols and ambushes and other counterguerrilla operations against the Vietcong.

COPTER ARRIVES

Soon the helicopter arrived at Plei Me to lift out the wounded. The two pilots—Capt. John Mustard, of Montesand, Wash., and Capt. Charlie E. Bryant, of Ocilla, Ga.—spoke feelingly of the courage with which the big-eyed Vietnamese and Montagnard children tried to suppress their cries of pain.

This is high, spectacular country where the jungle covered mountains rise, steeply, 7,000 feet high and where air currents in the intervening valleys can be tricky. The helicopter bumped and dipped as it fought the turbulent currents.

From the air, Plei Me is an eyesore with its barbed wire outer fences, its trenches, its mortar emplacements and sandbags, its brick and tin barracks building. It seems an improbable and unexpected scar in the green jungle.

In this part of Vietnam the jungle trails are prowled not just by the Communist Vietcong but by mighty tigers that European hunters once traveled far to shoot.

And despite the morning tragedy, Mendoza had not been able to keep his mind off those jungle trails because 100 men of his special forces, including 2 American sergeants, were out there on a week long patrol, 3 days of which had passed. Their mission was to try and spot possible infiltration routes and the supply dumps that the Communists always prepare in advance at points a day's march apart.

Since his men had last checked in by radio, a lot of sniper fire had been heard in the next valley and Mendoza, a cool and controlled sort, nonetheless was eagerly awaiting the next radio report which would come at 4 p.m.

The itinerary of the patrol had been worked out by Mendoza in consultation with his Vietnamese counterpart, Capt. Nguyen Van Thoi who was known all over the valley as one of the few Vietnamese who could command the loyalty of the Montagnards.

I asked him if the morning mine casualties might have any effect on the morale of the soldiers.

"There has never been a desertion from this camp and there will not be," the Vietnamese captain said with pride.

"Were his men happy with the new regime in Saigon?" I asked.

"Madam," said the Vietnamese captain, "I am an officer and not even I know the name of the leader in Saigon. My men do not fight for Saigon. They fight for their village. They fight because the Vietcong takes their rice and steals their children and kills their kinfolk. They fight because the Americans give them rice and the American doctor treats their wife and children. And that is how it is."

Finally, it was 4 o'clock and the air was electric with good news. "Nobody hurt," said Mendoza after his curt quick radio exchange with the patrol.

When night came and it was time for mere reporters to leave, Mendoza saw us off and yelling against the noise of the chopper blades said something that sounded like, "We can take care of things up here if they can just keep those rioters quiet in Saigon."

It was the same high morale everywhere at the front. And it made you so mad at the so-called student and Buddhist rioters who cause chaos back in the soft-living city.

2. NORTH VIETNAMESE INTERVENTION

[From the Washington Star, Feb. 20, 1965]

EIGHTY TONS OF VIETCONG ARMS UNCOVERED, BIG SHIP SUNK

(By Peter Arnett)

TUY HOA, VIETNAM.—By far the biggest haul of Communist weapons for the Vietcong was uncovered yesterday, near a remote cove where a large mystery vessel was sighted and sunk earlier in the week. Officials estimated 80 tons of armaments—much of it Russian and Chinese—had fallen into government hands.

The weapons, ammunition, and medical supplies, including whole blood, apparently had been shipped along the coast from Communist North Vietnam to equip Red guerrillas fighting in the South, United States and South Vietnamese officials said.

"We thought the supply routes were through Laos and Cambodia, but look at this lot," said Col. Theodore Mataxis, of Seattle, Wash., a senior adviser. "They could easily be arming a new division to launch against us up here."

CAMOUFLAGED SHIP SUNK

The materiel was found in the hull of the sunken vessel and in caches on the beaches of a cove on Vung Ro Bay here, 240 miles northeast of Saigon and about 50 miles south of Nha Trang, site of a major U.S. military installation.

A routine helicopter patrol uncovered the cache Tuesday. Flying over the bay, the helicopter crew sighted what looked like a drifting island. Then, heavy fire came up from the island. It turned out to be a well-camouflaged ship, about 400-feet long. South Vietnamese fighter-bombers were called in and sank the vessel.

Lt. Gen. Nguyen Khanh personally ordered troops into the area. After heavy fighting, they took over the cove and beach area Friday, when some of the armaments were found.

A captured Communist guerrilla said the ship had made six trips to bays along Vietnam's central coast, dropping off supplies.

Then yesterday the South Vietnamese uncovered more caches. One area, said an official, was "literally covered with weapons, six deep."

The haul included 1,000 Russian-made carbines, several hundred Russian submachineguns and light machineguns, and Chinese burp guns. All had been wrapped in waterproof cloth.

Scores of tons of ammunition were found for these weapons, some of it made as recently as last year in Chinese factories, according to ordnance experts at the scene.

There was also a selection of sophisticated mines and grenades, and ammunition for a new type of rocket launcher used against tanks.

The large supplies of captured medicines included many cases of penicillin, antimalarial drugs, and whole blood produced in Japan late last year.

ONE BIG SUPPLY FACTORY

Four caches had been found up to late yesterday. Troops probing through the hills under the guns of Communist snipers expected to find more.

"These hills are just one big supply factory," said Mataxis.

The extent of the Communist supply depots shocked U.S. advisers.

"This is just massive," one said.

The Vietcong put up a determined fight to keep government troops from the caches. But they had to pull back. Several government soldiers have been killed in isolated mortar and sniping attacks.

Government forces intend to stay in the region as long as it is necessary to clear it of supplies.

The commander of the 23d Division, Gen. Luu Lan, said, "What we have found here is of tremendous importance. The Communist aggressors have been able to confuse people, so that the truth has been hard to discover.

"But here we have discovered one link of the massive chain of weapons introduction into South Vietnam. This is one of the reasons why we and our American allies have had to take the actions we have taken," the General said.

This was a reference to retaliatory air strikes in North Vietnam.

Members of the International Control Commission, the organization created to police the Geneva accords on Indochina, were shown the arms haul by Khanh.

The commission is made up of Indian, Canadian and Polish delegates. Included in the Communist medical supplies were drugs from Poland.

COMMUNIST BUILDUP

U.S. sources said the apparent buildup of Communist arms along the coast may coincide with reports that increased numbers of guerillas have been infiltrating from North Vietnam in the past 3 days.

The Vietcong have made determined attempts in recent months to take over the central Vietnamese region. They have met with considerable success so far.

Some Americans expressed belief the Communists will use ships more frequently to supply the Vietcong.

U.S. jet planes have been attacking the Communist supply routes through Communist-held territory in Laos.

[From the Baltimore Sun, Feb. 11, 1965]

CONCEPT OF "INTERNAL REVOLT" IN SOUTH VIETNAM PUNCTURED

(By Mark S. Watson)

WASHINGTON, February 10.—From the torrent of events in southeast Asia since the weekend one politically useful fact emerges. That is the well-publicized radio order from Communist Vietcong headquarters in the north to all Vietcong agents south of the border to redouble their activities immediately.

The promptness with which the order was obeyed at widely separated points shows how well organized are the Vietcong's controls. But more important in its long-range political effects may be this plain proof of a fact that hitherto the Communist leaders have denied; namely, that the whole internal revolt in South Vietnam is, and always has been, skillfully engineered from Red headquarters far to the north.

WORLD OPINION DISCUSSED

The victim of assassination is not greatly concerned with who kills him. But world public opinion, which communism has tried for years to delude with this "internal revolt" fiction, now is in better position to know that even while the Communist powers were agreeing to the Geneva neutralization pact the Communist machine in North Vietnam was already beginning its subversion and assassination program in the south.

In this program of deception a large influence was the International Control Commission, set up to assure that the pledges of neutrality were kept. By 1961, reports of 1,200 offensive "incidents" by Communist agents, ranging from one-man assassinations to fairly large scale military actions, had been laid before the commission. None was acted on.

The reason given by an American White Paper was that the Polish Communist member of the commission refused to investigate any charge that might embarrass the Communist Vietcong, and the Indian member refused to start an inquiry that would embarrass his Polish colleague. Opposed by two, the one remaining member, the Canadian, was powerless.

LEADERS KNOWN

For some reason, possibly the difficulty in remembering the oriental names, the Vietcong leaders have, with two exceptions, remained largely unknown to the American public.

There is no mystery about the others, for captured or defecting Vietcong agents and officers have divulged almost all details of the Red machine for which they worked. Full information about that complex and surprisingly efficient mechanism and its operators at all levels now can be reported without endangering security.

Of the two familiar names one is that of Ho Chi Minh, head of the North Vietnam political government and of its Lao Dong (Workers) Party, and tirelessly active in its all-important Central Research (Intelligence and Operations) Agency and other working elements. The other fairly familiar name is that of Gen. Vo Nguyen Giap, Defense Minister, one of the world's great guerrilla leaders.

The Lao Dong Party follows the pattern of Russia's Communist Party, and its Secretary General, Ho Chi Minh, that of Russia's usual one-man-in-two-jobs, premier of the nation and secretary general of the party. The military is subordinate to Ho, the political chief, and all the way down the line and into the kindred Lao Dong of South Vietnam at all levels the political leaders uniformly command the military. That is one way of assuring unity.

FRONT CREATED IN 1960

To provide a cloak of respectability and conceal in some measure the responsibility of the Hanoi organizers with murder and insurrection against Saigon, Ho Chi Minh in 1960 created the "Front for Liberation of South Vietnam."

It is still guided wholly by Ho Chi Minh's Central Committee, immediately directing work in the "South Central" zone (just south of the 17th parallel border) and in the "Nambo" region (south and southwest, including Saigon and the Mekong Delta).

For the Central Committee, supervision is exercised in Hanoi by a "Committee for Supervision of the South," made up of Le Duc Tho, of the Politburo, Phon Hung, Vice Premier of North Vietnam, and Brig. Gen. Nguyen Van Vinh, chairman of the board for reunification. Each of the two zones has its own secretary general, a deputy and a dozen members; each its agencies for training, propaganda and action.

To this political leadership the military, as remarked, is subordinate. Its principals are Ga Vinh, who is indeed a member of that Committee of the South but pointedly a "junior member"; Brig. Gen. Nguyen Don, in charge of military work in the South-Central zone but directly responsible to Tran Luong, of the Lao Dong in Hanoi, and Brig. Gen. Van Muoi, similarly responsible to Muoi Cua, a politican.

The Central Research Agency, a prime "action" unit for subversion, forgery, arming, radio command, intelligence and military command, is actively directed by Ho Chi Minh and Giap. Its prime center for disorder in South Vietnam was at Vinh Linh, the target of Sunday's fierce bombing attack. Other centers handle Cambodian and overseas intelligence, with Gen. Hoang Dao, Col. Le Can and Col. Van Trong as principal agents.

This is regarded as the agency chiefly responsible for conveying Ho Chi Minh's directives straight to the guerrilla pockets in South Vietnam, and seeing that the supply of men and weapons continues pouring over the many branches of the so-called Ho Chi Minh trail into South Vietnam.

[From the Washington Post, Jan. 27, 1965]

AGGRESSION ADMITTED

(By Joseph Alsop)

At last, the administration's policymakers are somewhat reluctantly admitting the importance of the North Vietnamese troop movements into South Vietnam and Laos. Being clandestine, these Communist troop movements were long and obstinately poohpoohed. Now, however, they are an officially acknowledged fact. While the fact is admitted, its meaning is still being played down. Even the resulting solid proof of North Vietnamese aggression has not been greatly stressed. As for the military implications, they have been hardly mentioned; yet they are potentially very great indeed.

In Laos, to begin with, the whole balance of the war has been upset. It is a tiny war. The non-Communist Laotians, although they have fought very well against Laotian Communist sympathizers, have always fared ill in their rare engagements with North Vietnamese units. Hence the appearance in Laos of several additional North Vietnamese battalions changes the whole local outlook.

Because Laos is both a subsidiary war theater and a corridor to South Vietnam, it is not quite certain how the additional battalions are to be used. Some think they are intended for use in Laos, since they have moved into the heart of Laos to the west of the corridor-region of the Ho Chi Minh Trail. If this is correct, the brilliant Communist commander, Gen. Vi Nguyen Giap, must be planning a semifinal test of strength in Laos.

Because of the generally misty character of every Laotian situation, a prompt American riposte to such a test of strength will be extra difficult. And a major Communist thrust in Laos will have the gravest repercussions in South Vietnam, unless the American riposte is both prompt and massive.

It is equally possible, however, that these new battalions spotted in Laos are eventually destined to be moved into South Vietnam. For a good many months, organized battalions of the North Vietnamese Army have been filtering into the South Vietnamese fighting—moving by truck down the Ho Chi Minh Trail to the Chepone region, crossing the border in small bands, and then reforming and marching to their assigned areas of operations.

There have long been plenty of signs to prove that the North Vietnamese had reached the stage of sending organized battalions into the fighting, instead of mere cadres to lead their guerrillas. As noted, for instance, in this reporter's recent dispatches from Saigon, young North Vietnamese army conscripts are now quite often found among prisoners of war.

The invasion of South Vietnam by two, three, or even four new Communist battalions per month may not sound like much by the standards of modern war. But this war in Vietnam is not very modern. An entire province may be defended by no more than five government battalions.

If the Communists already have seven battalions, as they do in Quang Nai Province, for instance, the addition of two more battalions may cause the Dien Bien Phu-like disaster that is General Giap's obvious aim in this phase. That is the real meaning of the persistent Communist troop movement into South Vietnam.

For this very reason, Gen. Maxwell Taylor has repeatedly recommended stronger, more direct action against the North Vietnamese. He wanted something much more effective than the brief retaliatory raid after the incident in the Gulf of Tonkin. He wanted retaliation after the attack on the U.S. airfield at Bien Hoa. He again asked for retaliation after a U.S. officers barracks in Saigon was destroyed by a Communist-planted bomb.

The recommendations of General Taylor were disapproved by President Johnson in all three instances. As a less dangerous sort of retaliation, the President instead authorized bombing of the Ho Chi Minh Trail, first by the Laotian air force, and then by the U.S. fighter-bombers that recently destroyed a key bridge at Ban Ban.

The degree of power this deployed against the infiltrators may be gaged from the fact that one-half the Laotian air force has just been put out of action by a single accidental bomb explosion in an airplane hangar. In any case, mere air attacks on the Ho Chi Minh Trail are wildly unlikely to produce any solid result, even if made with 10 times the power.

The truth is, the war in southeast Asia is steadily going from bad to worse. The enemy is getting bolder, and he is steadily reinforcing his frontline troops. The reinforcement is not being countered. Hence there is no hope of any counteroffensive, unless President Johnson has important surprises up his sleeve.

Perhaps the President has such surprises in preparation, for he is a man of surprises. But as of now, we are drifting toward final defeat.

[From the Washington Post, Jan. 23, 1965]

RED ASIAN BUILDUP CONFIRMED

(By Murrey Marder)

U.S. officials confirmed yesterday that there has been increased infiltration of Communist North Vietnamese troops into Laos and South Vietnam. But they called it a cause for continuing concern, not sudden alarm.

The Communist buildup of forces in both places during 1964 and continuing into recent weeks is significant in relative terms, but not a dramatic or grave turn, officials said.

In both on-the-record and background comments, administration officials sought to demonstrate an attitude of skeptical calmness about recently published reports that the conflicts on the Indochina peninsula may be approaching a stage of more massive, open warfare.

Few hard facts or figures were disclosed in the process. Officials said more details should be available early next week after consultations with the U.S. mission in Saigon, capital of South Vietnam.

It became increasingly evident yesterday that both in South Vietnam and in Washington there are conflicting interpretations about the facts and the significance of the increased Communist infiltration.

Those officials most eager to strike more directly at Communist bases in North Vietnam appear to interpret the infiltration reports as evidence to justify that. This group believes the Communists are increasingly preparing to shift from guerrilla tactics to direct offensives.

But the less-alarmist school of thought rates such a shift in Communist strategy as unlikely.

Significantly, it is the latter, less-alarmist group that holds the controlling viewpoint inside the Johnson administration.

The administration has endeavored to convince congressional critics of U.S. policy in southeast Asia that this calmer attitude is justified, and that American policy, heavily committed physically and psychologically in Laos and South Vietnam, should continue in its present framework.

To buttress that position, administration officials said that while there has been increased Communist infiltration, North Vietnam has by no means committed all its power to either the Laotian or South Vietnamese conflicts.

Perhaps more importantly, these officials assert, the Chinese Communists, who give the North Vietnamese moral and physical support, continue to demonstrate considerable caution about any direct involvement with the United States.

State Department Press Officer Robert J. McCloskey said yesterday that there have been indications in recent weeks of North Vietnamese military movements into southern and central Laos.

McCloskey said he could not state either the size or objective of the infiltration. He said, in answer to questions, that the troop movements might or might not be a seasonal increase coinciding with the ending of the rainy season, a shifting of forces, or a movement designed primarily to send reinforcements to South Vietnam.

Many officials here believe that the troops are being funneled through the so-called Ho Chi Minh network of trails in Laos, for use in South Vietnam.

McCloskey described the situation as "a cause for concern but not for alarm." He said, "We're following the situation closely."

Other authoritative sources said it appears that the thousands of South Vietnamese who were being trained in North Vietnam for use in the south are about used up, and that the Communist northerners are now sending down native-born men from the Red territory.

But while there have been published reports that between 15,000 and 20,000 men have been filtered into South Vietnam from the north during 1964, official sources here yesterday would speak only of "several thousand" men. In addition, it was said, these numbers have been offset by an increasing callup of South Vietnamese forces to fight them.

In Laos, officials said that since last May, when U.S. T-28 "reconnaissance" and "escort" planes were sent in to help the royal Government withstand the Communist Pathet Lao and North Vietnamese, the neutralist central regimes position has improved considerably.

What has helped improve it is what officials will not admit publicly—the air pounding of Communist positions by American jet fighters during recent months.

[From the New York Times, June 26, 1964]

HANOI IMPROVES SUPPLY LINE TO SOUTH VIETNAM—MORE TROOPS CROSS LAOS BY HO CHI MINH TRAIL—ANALYSTS FEAR LARGE FORCE MAY OPEN NEW FRONT

(By Hedrick Smith)

WASHINGTON, June 25.—Recent U.S. reconnaissance missions have confirmed earlier reports that Communist forces have been improving their road network in southern Laos and have considerably stepped up the pace of their supply convoys there.

Officials here report that the Communists now have stretched their road network south from Tchepone, previously the terminal point for truck traffic on the supply network known as the Ho Chi Minh trail. Other links of the network are reported to have been improved.

The Ho Chi Minh trail, a complex of dirt roads tapering off into scores of jungle trails, has long been one of the principal supply routes from North Vietnam to Communist guerrillas in South Vietnam.

Officials declined to give precise figures on the number of trucks recently seen operating in the Tchepone region, but intelligence estimates indicate that roughly 3,000 North Vietnamese troops are on more or less permanent duty in southeastern Laos near the South Vietnamese border.

FEAR OF NEW MOVES RISES

This concentration and the increases in supply convoys during the recent dry season are reported to have raised fears among U.S. officials including Ambassador Henry Cabot Lodge, about North Vietnamese intentions.

Officials have been worried for fear the Communists might try to infiltrate large forces across the Laotian border into the central Vietnamese highlands while South Vietnamese Government forces were largely concentrating on fighting guerrillas south of Saigon.

Other officials suspect that the activity in southern Laos may be a prelude to future offensives against Saravane and Attopeu, two rightwing strongholds in southern Laos. Hostile forces nearly surround both towns now.

Since neither town is in the Mekong Valley, some analysts here are concerned lest the Pathet Lao assume they can be attacked without fear of American intervention. The United States has often warned that its mantle of protection extends over the Mekong Valley bordering Thailand.

The stepped-up operations in southern Laos, officials said, began last fall and have increased in tempo this spring since pro-Communist Pathet Lao units gained control of the Nakay Plateau in January.

These officials consider the southern operations to be unrelated to recent offensives by Pathet Lao and North Vietnamese troops around the Plaine des Jarres in north-central Laos.

That fighting, which pushed the United States toward the brink of a major conflict, has now almost halted.

Although the ground fighting was confined to the region north of Paksane, Laotian Air Force T-28 fighter-bombers, supplied by the United States, have carried out strikes this month against some Pathet Lao positions in southern Laos as well.

Officials here have also dropped hints that some plans held in readiness would call for the South Vietnamese Air Force to raid Communist supply routes in Laos and possibly in North Vietnam.

So far such raids are considered a fairly distant possibility. Premier Nguyen Khanh has told U.S. officials he is opposed to carrying the war beyond his borders until he has developed a more stable base at home.

The principal roads from North Vietnam into southern Laos are Route 8, from the city of Vinh through the Nape Pass, and Route 12 through the My Gia Pass, a bit farther south.

Since last fall, intelligence reports indicated that the Communists were building up Route 12-A to connect Route 12 at Nhommarath with the town of Muong Phine about 80 miles to the south on Route 9.

From there, truck loads of troops and shipments of ammunition, weapons, fuel, medical supplies, and other equipment were reported moving east toward Tchepone on Route 9 and also down Route 23 toward Saravane, 80 miles to the southwest, to Pathet Lao guerrillas operating in that area.

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3. MORE VIETNAMS

[From the Washington (D.C.) Evening Star, Feb. 19, 1965]

DETENTE HOPE DECEIVES UNITED STATES, LATINS SAY

(By Marguerite Higgins)

SAN JUAN, PUERTO RICO.—It is commonplace in Central America to hear experienced diplomats express the hope that Washington is getting over its hypnotism with the idea of a Russian-American detente and its misinterpretation of the Sino-Soviet split.

What hypnotism? What misinterpretation?

Said an experienced Venezuelan diplomat:

"No country in Latin America would be happier to welcome a rapprochement between Washington and Moscow—if it were genuine. But we fear it is not genuine so far as Latin America is concerned. Indeed we believe that hope of a detente has been used by Moscow to pull the wool over Washington's eyes while the Communists down here profit from America's nonseeing attitude to intensify guerrilla activities, violence, and terrorism—or at least try to.

"As to the Sino-Soviet split, we think that far from restraining the Soviet Union, it has merely spurred Moscow on to greater assistance to so-called wars of liberation in Latin America—assistance designed to prove that Moscow is not soft on the West as Peiping says."

CITES ATTACKS

"Washington was apparently surprised," the diplomat went on, "to hear of the Kosygin visit to North Vietnam. We were not surprised at all. For in Cuba, Russians, Chinese, and North Vietnamese have been cooperating in the training and planning for guerrilla attacks in Latin America."

According to Cuban broadcasts and to the Cuban press, a delegation from the Vietnamese liberation front, more commonly known as the Vietcong, came in 1964 to Havana where it signed a mutual aid pact with the Venezuelan guerrilla forces.

The Venezuelan guerrillas, who halted their attacks briefly in 1963, are once more in the mountains, burning and killing and blowing up things.

The fact that the overwhelming majority of Venezuelan peasants hate the guerrillas does not deter their terrorist leaders any more than the fact that the Vietnamese peasants hate the Vietcong deters Hanoi.

Intelligence reports indicate that this weird consortium planning and plotting liberation wars from Cuba includes four countries—Communist China, the Soviet Union, Czechoslovakia, and North Vietnam.

Here in Puerto Rico it is very unpopular for strangers to speak of Communist doings or even intentions. This is understandable perhaps in light of the tourist trade and continuing attempts to lure American business investment.

MINORITIES EXPLOITED

And, of course, this is perfectly correct. There is no Communist threat to Puerto Rico in the sense that the Communist consortium in Cuba and local extremists have made any real inroads in this country. Indeed, no responsible official or writer has ever alleged that the Communists are about to take over in Puerto Rico.

But whether Castro and his cohorts are exploiting certain minority elements in Puerto Rico and seeking to prepare the ground for mischiefmaking in Puerto Rico is another matter.

In relatively prosperous Puerto Rico there is plenty of evidence that the ideological divisions of the Communist camp have not prevented their cooperation in seeking to propagandize persons who hopefully may one day serve their purposes.

[From the Washington Post, Feb. 6, 1965]

CHINA PICKS THAILAND AS NEXT TARGET—PLEDGES SUPPORT TO REBEL MOVEMENT

TOKYO, February 5.—Communist China announced today that a "patriotic front" had been formed in Thailand to overthrow the pro-Western government and eradicate American influence there.

It was the first time that Peiping had openly named Thailand as the next target of a Communist campaign in southeast Asia.

Thailand is the stanchest U.S. ally on the Asian mainland. Bangkok, the capital, is the headquarters of the Southeast Asia Treaty Organization (SEATO)—the American-led defense alliance in the Orient.

(In Washington, U.S. officials expressed concern but said that Peiping's announcement of support for the front had been anticipated.

"It strikes me as the logical step in Peiping's policy of supporting subversion wherever possible in southeast Asia," one official said).

[From Bangkok, Reuters reported that Thailand had tightened its anti-Communist security as refugees from the fighting in Laos continued to enter the country across the Mekong River. Police sources said 56 Communist suspects had been arrested in northeastern Thailand in the past few days. Latest figures place the number of Laotian refugees at 15,000.]

Communist China's designs on Thailand were made clear in a broadcast of the New China news agency heard here today, although the "patriotic front" was first announced January 1 in a clandestine Thai-language broadcast.

Today's broadcast urged "all patriotic people to unite as one and launch a resolute struggle to drive out U.S. imperialism and realize the independence, democracy, peace, neutrality, and prosperity of Thailand."

The broadcast outlined a program aimed at "overthrowing the Fascist dictatorial government"; withdrawing from SEATO and "driving all imperialist troops * * * out of Thailand"; economic reforms with emphasis on restricting foreign capital "whose aim is to seize profits from Thailand * * *" and "suppressing and meting out severe punishment to traitors and bureaucrats who oppress the people."

The "reforms" followed the same revolutionary textbook that the Communists have used in Vietnam and tried to use in Malaya and the Philippines.

[From the Washington Post, Jan. 16, 1965]

COMMUNISTS PLAN VENEZUELAN TERROR

(By Norman Gall)

CARACAS.—The Venezuelan Communist movement, after 13 months of relative quiet since the December 1963 elections, is planning a "counteroffensive" aimed at conquest of power through another cycle of terrorism and heightened guerrilla warfare.

According to recently obtained internal Venezuelan Communist Party documents, the current "defensive situation" of the Armed Forces of National Liberation (FALN) scheduled to last "at least 6 months" will give way to coordinated violence in urban and rural areas and in infiltrated military installations.

Venezuela's Communists received a severe setback when their call for boycott of the presidential election was ignored despite threats of violence. The small party never received widespread support, even before the government restricted it in an effort to end terrorist acts.

The "defensive situation" described in a memorandum of the party's politburo circulated in recent months among FALN guerrilla units consists of accelerated programs of training guerrillas abroad, a campaign for amnesty for jailed insurrectionists, offers of a truce to the government, quiet gestation of more guerrilla operations and deepening infiltration of the regular armed forces.

According to this memorandum, the "general counteroffensive plan" consists of:

"Simultaneous insurgency in military installations with occupation of strategic objectives with sufficient flexibility to establish a long struggle. In these military insurgencies previous arrangements should be made for distribution of arms to our cadres and to the civilian population under our control."

Action of urban guerrillas, "including those formed with personnel and equipment coming from abroad, against industrial installations permitting a notable economic paralysis."

"Specialized action to disrupt roads and installations for centers of consumption which could supply troops for combat against our units.

"Provocations at military bases and in cities to occupy troops which otherwise could act against our insurgents, and guerrilla activity to occupy enemy forces (in the mountains)."

Some longtime students of Communist operations here question FALN's present capacity to execute such large-scale operations, though current military estimates place rural guerrilla strength at 2,000 men, including those already trained and pursuing normal occupations while waiting orders, and 3,000 urban combatants.

According to these observers, 1964 was a year of quiet recuperation of Communist strength in Venezuela, despite reversals suffered in the universities and failure to organize a united front of leftist groups inclined to support anti-Government insurgency.

The Communists' achievements of 1964 consisted mainly in extending the number of guerrilla bands in gestation or in open operation and their success in creating a climate favorable for amnesty for jailed insurrectionists.

President Raul Leoni is being steadily pressured by the two parties which have joined Accion Democratica (the Government party) to form a coalition government into giving favorable consideration to the amnesty appeals.

Another internal Communist document, a report on party organization in eastern Venezuela, laments the decline in party activity in many localities after the election.

But the same report notes considerable strength in the iron and steel producing region of Bolivar state.

In the past the Communists have concentrated their labor effort in penetrating unions in the mining and petroleum industries.

The dominant Communist strategy in Venezuela, over the objection of a dissident minority opposing continued violence, is based upon the concept of "long war" as developed in China, Cuba, Algeria and Vietnam.

A training program advocated in the party strategy memorandum advocated "a prolonged period of specialization for the group that returns to Venezuela by irregular means."

[From the New York Times, Dec. 20, 1964]

GUATEMALA REBELS STEP UP FIGHT AGAINST REGIME

(By Paul P. Kennedy)

GUATEMALA, December 18.—Revolutionary forces fighting as guerrilla units in the Caribbean area of Guatemala are taking advantage of the political indecisiveness here to step up their activities against the military government of Col. Enrique Peralta Azurdia.

The well-equipped, well-trained groups in the mountain and jungle areas in the Department of Izabal are estimated at 150 to 300. They are said to have more than 1,000 adherents in the urban areas, particularly here in the capital.

They regularly produce the newspaper Revolucionario Socialista and also distribute pamphlets throughout the Republic. Persons caught distributing the publication face a heavy fine and prison sentence.

The guerrilla forces get ransoms from the families of kidnap victims and more money by holding up travelers on the Puerto Barrios Highway. But it appears evident now that the movement is receiving funds from outside sources as well.

SHIPMENT OF FUNDS

There has been considerable speculation over the reported shipment last month of $100,000 in quetzals from a bank here to a New York bank.

The Guatemala bank assumed the costs of commission, insurance and the shipping at the going rate of 1 percent for the total transaction. There was no indication here of the identification of the consignee in New York. The Guatemala Government, while it enforces dollar control, does not ask for details of quetzals-for-dollars transactions. The quetzal is on a par with the dollar.

The theory prevalent here is that the underground movement is being supplied by adherents traveling from Mexico. This theory, vaguely defined, holds that in transactions such as the quetzal-dollar exchange the messengers for the guerrilla forces smuggle in the funds from Mexico. The question of finances arises from the certainty that the expenses of the underground movement are mounting and that there is no way to account for its funds except from outside sources.

Marco Antonio Yong Sosa, called "El Chino" because one of his parents was Chinese, admitted in an interview with the leftist Mexican magazine writer Victor Rico Galan that a number of the incursions of the guerrilla forces he leads have brought in about $100,000. The principal contribution was $75,000 paid as ransom for Jorge Samayoa, the kidnapped son of a Guatemalan movie chain operator.

REVENUE FROM RAIDS

Additional revenue has come from raids on provincial United Fruit Co. treasuries and small banks.

Mr. Yong Sosa, in the interview published in the leftist Mexican magazine Siempre on October 30, 1963, conceded that his forces had assassinated several public figures and a large number of army officers ranging up to colonel in rank. Most of the assassinations, he said, were for political reasons.

The guerilla forces, even their supporters in the capital concede, are primarily of nuisance value. But they have an unsettling political effect not only in the mountains but also in the urban centers. In the cities, particularly in the capital, they plant small bombs and occasionally kidnap or shoot persons considered to be enemies of the movement. Earlier this week they exploded about a dozen bombs here. These explosions followed a police search that found caches of mortars, machineguns, small arms, and ammunition.

There is some question whether Mr. Yong Sosa, who was trained as a guerrilla fighter by the United States in the Canal Zone, was himself a Communist. He has told at least one Guatemalan politician that he is accepting assistance from Communist sources in Mexico and Cuba.

This politician is Francisco Villagran Kramer, a young lawyer who is head of the leftist Revolutionary Democratic Union Party. At one time Mr. Villagran Kramer and his party contemplated a union with the Yong Sosa organization, the lawyer said. Representatives of the two organizations, according to Mr. Villagran Kramer, held a series of conferences, but these were broken off when the Villagran Kramer party decided to go to the polls on its own last May. This decision, Mr. Villagran Kramer said was made over the heated objections of the Yong Sosa group, which maintained that a revolutionary overthrow of the Peralta government was Guatemala's only political solution.

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4. THE ECONOMY, NORTH AND SOUTH

[From the New York Times, Mar. 16, 1964]

VIETNAM SPEEDS GAIN IN INDUSTRY

(By Philip Shabecoff)

Amid the carnage of civil war, industrial birth is continuing in Vietnam.

At Bienhoa, 20 miles outside of Saigon, a new papermill will officially begin production today. The opening will culminate 26 months of construction work, frequently interrupted by skirmishes between Vietnamese troops and the Vietminh.

At Anhoa, 530 miles north of Saigon, work on a giant Government industrial complex is moving steadily ahead, despite frequent incursions by guerrillas.

The first phase of the project, including a coal mine, a hydroelectric plant, a nitrogen fertilizer plant, and a calcium-carbide plant, is about 75 percent completed and should be finished by early next year.

INTERNATIONAL TEAMWORK

The Cong Ty Ky Nghe Giay Vietnam pulp and paper mill was completely built by the Parson & Whittemore-Lyddon organization, with a team of workers and technicians that included Vietnamese, Americans, Canadians, Taiwan Chinese, Frenchmen, Germans, Indians, and Swiss.

The plant was built under difficult conditions. An American executive who visited the site said that workers were frequently the target of snipers—particularly occidental workers.

The mill, which will produce newsprint and writing paper, is owned by the Vietnamese Government. Foreign exchange for the purchase of machinery was provided by the Agency for International Development, and Parsons & Whittemore has subscribed for 19 percent of the share capital.

The Anhoa site, less than 100 miles south of the 17th parallel, partitioning Vietnam, was selected for the industrial complex because of the coal deposits at nearby Nongson.

The industrial project in the populous province of Quangnam, was aided by a $1.7 million grant from the Development Agency, $400,000 of which was used to purchase a fleet of 14 pieces of construction equipment from Allis-Chalmers International.

The Nongson coal mine is already in operation and last year produced some 200,000 tons of anthracite.

A SECOND PHASE

The second phase of the giant project, which is also owned by the Vietnamese Government, is scheduled for completion by 1968. This phase will include a caustic-soda plant, a glass factory, a cement plant, a dry-ice plant and several other producing facilities.

A third phase, which will depend on whether more coal can be found in the Nongson bed, will include development of nearby magnetite, hematite, gold, copper, lead, and other metal deposits and a factory for ore concentration.

The French and West German Governments have also made grants to assist the Anhoa-Nongson complex.

The project area is accessible by a railroad, two highways, and the Thubon River. Because of heavy guerrilla activity, however, military helicopter is often the only safe way of reaching the development.

One American technician, who recently returned from working on the complex, said that the first thing he was issued when he arrived was an M-1 rifle.

[From the Christian Science Monitor, Feb. 19, 1964]

VIETNAM

(By Robert R. Brunn)

WASHINGTON.—Communist North Vietnam's woes are giving sizable encouragement to the South Vietnamese regime and the United States.

Some kind of a respite is being offered hard-pressed American officials dealing with the guerrilla war. They argued that now is the time to place aggressive pressure on the Communist forces.

Self-admitted weaknesses of the Hanoi government of North Vietnam, some rather surprising assumptions by the Communists, and U.S. intelligence assessments add up in this way:

Hanoi grimly assumes that the anguish-provoking war will continue, without any question through 1964 and beyond. This is despite Washington's acknowledgement that the next 4 months are "crucial."

Hanoi is combating the widening unpopularity of the war in the south which is draining off resources from a seriously depressed economy. Apathy often characterizes the civilian attitude.

MOSCOW REJECTION

Last year's North Vietnamese harvest was at least 20 percent below 1962's middling harvest. Some starvation is visible but there is no general disaster in sight.

Moscow has flatly turned down a direct Hanoi plea for aid to support the war. The North Vietnamese reason that they can't afford to turn their backs politically on Peiping, and that Peiping's gasping economy can give them little help in terms of food or weapons.

Morale among the Communist Vietcong troops in the guerrilla war is a continuing problem for the North Vietnamese Government. Analysis have seen absolutely no evidence that the division between pro-Peiping and pro-Moscow camps seriously hampers the war effort, as such. The major Hanoi decision to side openly with Peiping was bound to leave a disappointed minority but there have been no demotions, no dissident voices raised.

Hanoi has a healthy, decisive respect for U.S. military power and sees the superior weapons, equipment, and manpower of the South Vietnamese are still a major obstacle to victory. The Communists fear an escalation of the war, bringing an open U.S. invasion of North Vietnam, and this has tended up to now to keep the Communist military effort within a limited framework.

While the Vietcong at times has its guerrillas at battalion strength, they are in no position to coordinate such units in massive movements against the South Vietnamese. One factor is the lack of well-anchored supply bases for such operations.

Neutralization of North Vietnam is considered to be utterly out of the question in the minds of the Hanoi regime.

Much of the above analysis comes out of a careful American study of the most important statement made by the Hanoi government in several years.

PROTRACTED TRIALS

It was spelled out in two articles in the January and February issues in Hanoi's principal journal, Hoc Tan, and a third article in the newspaper Nhan Dan.

This official line laid down by the articles in Hoc Tan is designed to seep down through the ranks of the faithful and be imported to South Vietnam and discussed by the fighting guerrillas, observers here believe.

When the articles speak of new, hard, long, protracted trials in the war and use the word "protracted" over and over again, the signal is that the Hanoi Communists are not thinking in terms of a rapid termination of the war or the imminent defeat of the South Vietnamese army.

On the contrary, the Communists expect a mounting military initiative in South Vietnam and complain that often they will have to meet modern weapons with rusty nails and crossbows.

ECONOMIC DRAIN

Analysts emphasize there is no widespread disaffection in North Vietnam. The farm situation is grim but not beyond hope.

But there is little doubt there is a solid body of opinion in the north that the never ending war is the primary cause for the weakness of their economy.

The war in South Vietnam is seen here as basically an indigenous one, gaining in its support from within Vietnam. It is a dirty war and one which has its grim aspects for the Communists who have had no spectacular victories. These magazine articles were designed to buck up the morale of the fighting men.

5. COMMENTS AND EDITORIAL OPINION

[From the Washington Post, Feb. 23, 1965]

NEGOTIATIONS

It would be a mistake to allow the world to believe that the people of the United States have fallen into an irreconcilable division on the question of whether we should or should not negotiate a settlement in South Vietnam. There are differences of opinion, but they do not relate to the idea of negotiation; they concern the kind of negotiation. Sentiment surely is overwhelmingly in favor of negotiations that would end the fighting, set up enforceable peace terms, preserve the rights of our friends in South Vietnam and leave intact the honor and prestige of the United States. Just as certainly, sentiment is against negotiations that would not do this. The choice is not "negotiations" or "no negotiations." The question is: "What kind of negotiations?"

In 1954, the French were driven into negotiations of a kind we must avoid. Mendez France was in desperation. He had promised to get France out of Indochina. To do it he had to abandon many of the people of North Vietnam to Communist vengeance. He had to get the Soviet Union to intervene with Ho Chi Minh and by allowing the EDC treaty to fail in the French chamber he encouraged that collaboration. But French power was being drained away in Indochina. The nation was literally bleeding to death. History can forgive a weak power at the end of its resources for upsetting its allies in Europe, for deserting its comrades in arms in Indochina and for closing its eyes to the consequences in Asia. France had no other choice.

The United States, however, is not a small European power at the end of its military, economic, and political resources. It is a great global power whose might is undiminished. It will be judged by different standards. It cannot permit savage reprisals to be worked upon anti-Communist South Vietnamese. It cannot allow them to died by battalions in order to save the lives and property of Americans. It cannot offer the Soviet Union or any other intervenor political concessions at the expense of European allies. It cannot be indifferent to the extension of Chinese Communist power in Asia.

Many feared at the time that the 1954 negotiations would not end the fighting. And indeed they permitted it to continue on terms advantageous to communism. They did not provide a settlement that enforced itself or one that permitted anyone else to enforce it.

Can negotiations in 1965 do any better? If the North Vietnamese and their Chinese sponsors understand the difference between a powerful United States and an exhausted France they might. But they must be made to understand that difference. If they are convinced that this country has the power and the will to pursue its legitimate ends as long as it may be necessary to do so, negotiations might be feasible and arrangements of an acceptable peace possible. Until the posture of the United States is understood by those with whom negotiations must be conducted, this country must look to the practical military means of better protecting its position in South Vietnam.

It is perfectly clear that we need greatly to increase the effectiveness of our conduct of the war inside the borders of South Vietnam. Several immediate steps are self-evident to military authority: (1) The routes by which North Vietnam is maintaining replacements and supplies for 35,000 infiltrators must be more nearly sealed off by the use of more troops on the border and by a tighter naval blockade; (2) the ratio of South Vietnam to Vietcong forces must be raised from 5-to-1 to at least the 8-to-1 level by which the British gained success against Communists in Malaya; (3) points from which troops are embarked and material shipped in North Vietnam must not enjoy immunity from reprisal attack; (4) the command structure of the South Vietnam forces must be stabilized; (5) the South Vietnam civilian government must be strengthened.

There is no time limit in which we must achieve these objectives. The scale of expenditures is not prohibitive. We can keep up operations on an even greater scale, year after year and decade after decade, if that is vital to our interests.

At the same time, it must be acknowledged that nothing is possible without a primary effort by the South Vietnam people themselves. The war against the Vietcong is their war. And it is a war which only South Vietnam forces can win. The struggle for the loyalty of the people is the struggle of Vietnamese leaders. It is conceivable that the South Vietnamese may fail completely on these fronts. If that happens, regretfully and sorrowfully, it will be necessary for us to be governed by what we can do and not by what we would like to do or what we ought to do.

At the same time that we proceed to the more effective prosecution of the war and the more efficient organization of the civilian Government in South Vietnam, we should continuously make known the very limited nature of our objectives. Unlike the French in 1954, we have no colonial ambitions. We wish to see an independent South Vietnam, safe from external aggression, free to choose in peace the kind of government its people wish (even if it is a Communist government in the end), open to normal trade and intercourse with North Vietnam and other Asian neighbors with whom it surely must be closely associated in the future. Such a South Vietnam would not menace any Asian neighbor or threaten any legitimate interest of North Vietnam.

More than mere oral assurances are needed to assure the future of such a country. There are, however, many sorts of satisfactory performance bonds that could be given by a North Vietnam Government desiring peace on these terms.

Surely there is not much mystery about the conditions to settle the war in South Vietnam. When there is a fair prospect for arriving at these conditions, there will be little difference among Americans as to the wisdom or desirability of negotiating.

[From the Washington (D.C.) Evening Star, Feb. 15, 1965]

Washington Close-Up—Vietnam: The Domino Theory

(By Crosby S. Noyes)

With the way things are going in Vietnam it is only natural that a certain amount of thought should be given these days to the domino theory.

It was President Eisenhower who first used the metaphor to explain and justify our presence in Vietnam. If our position there should topple, he thought, a whole series of non-Communist states in southeast Asia would almost automatically fall under Communist rule.

The domino theory is a good deal less popular in administration circles today than it once was. As the political situation in Vietnam deteriorates and the possibility of Communist victory grows, serious consideration is being given to the ways and means of limiting the extent of a possible defeat there.

Since administration leaders tend to question the validity of the domino theory, they also tend to deny rather emphatically any total withdrawal of American military power from southeast Asia in the event of a withdrawal from Vietnam. The argument sometimes made by Vietnam bitter-enders, that it would mean a retreat back to Hawaii and an end to our presence in Asia, is rejected.

It can be argued on the contrary that there is no country in the world harder to defend against Communist subversion than South Vietnam. The almost impossible task of trying to create a country where none exists in the midst of a revolution that had been in progress for a decade before the Americans arrived would not confront us elsewhere.

Thailand, for example, would provide infinitely more favorable ground for resistance to the Chinese Communist thrust. There, at least, there is a sense of national identity and a tradition of government authority. And while the history of the country is not exactly one of heroic defense of freedom, the Thai, with encouragement, have shown themselves quite determined in opposing Communist pressures.

These pressures, perhaps, could be expected to increase if the position in Vietnam were lost. But the problems of waging a subversive war against a country as relatively well organized as Thailand are enormously different than in Vietnam. There is no reason to suppose that Mao Tse-tung's guerrillas would find the waters of Thailand's population very congenial.

Open military pressure through Laos would involve substantial risks for the Chinese. As a member of the Southeast Asia Treaty Organization, Thailand could call on—and presumably receive—aid from Australia, France, New Zealand, Pakistan, the Philippines, Britain, and the United States.

Under the terms of this treaty, in fact, the power of the United States is already committed in Thailand, to the extent that it might be needed to resist either Communist subversion or outright attack. And though there is little reason to believe that our commitment would reach anything like the proportions in Vietnam, there is no reason whatever to suppose that it would be withdrawn.

There are those in Washington today who deplore this state of affairs. The advocates of worldwide American "disengagement" are inclined to the theory that American power and prestige should never have been committed in Vietnam in the first place. And from here they argue that its commitment in any of the so-called soft areas of southeast Asia—which, presumably, means all of it—should be avoided at all cost.

There are also those who contend that any substantial transfer of American power to Thailand would simply serve to invite increased Communist pressures there. The converse of the domino theory is that the only way to contain the spread of militant communism in the area is by strict noninvolvement and the encouragement of neutralist states on the periphery of China.

The trouble with both theories is that they are belied by the evidence. The evidence is that strong Communist pressure already is being brought to bear on neutral states in southeast Asia. It may be that these pressures can be resisted by reasonably well integrated nations with a reasonable amount of political stability and military backing. It is not to minimize the seriousness of a defeat in Vietnam to say that it would not necessarily mean defeat everywhere.

It is time to face up to the fact that we are engaged in a continuing process of containing or at least limiting the thrust of Communist China which threatens all of southeast Asia. To pretend that this thrust does not exist, or that it does not represent a threat to vital American interests, or that it can be limited by diplomacy, could well turn defeat into disaster.

[From the National Observer, Dec. 28, 1964]

At a Crossroads in Asia?—Vietnam: Fading Friendship and New Focus on Domino Theory

The speaker was no leftist demagog, though his attack on U.S. policy was full of words like interference and colonialism. The speaker was, instead, an American ally in a war against communism, South Vietnam's Lt. Gen. Nguyen Khanh. And his words raised serious questions about the very basis of American policy in southeast Asia.

It is better, said General Khanh, "to live poor but proud as free citizens of an independent country rather than in ease and shame as slaves of the foreigners and Communists." South Vietnam, he added, should be prepared to go it alone against the Communist Vietcong and spurn further U.S. help.

Washington was stunned by last week's attack from the wily ex-Premier, once regarded as South Vietnam's best hope of achieving victory over Red guerrillas. And the question, once again, was being asked in the Nation's Capital, "What would happen if the United States pulled out?"

CURTAILMENT OF AID?

To be sure, no high administration official went so far as to urge outright withdrawal. But Secretary of State Dean Rusk, expressing the Government's opposition to last week's Saigon house-cleaning by young army officers, hinted at a curtailment of proposed U.S. aid. "Obviously," he said, "if there are problems of unity, there are certain kinds of assistance that are simply not feasible." And Senate Majority Leader MIKE MANSFIELD revived his proposal to transfer the question of Vietnam's future from the battlefield to the conference table. "I don't think neutrality is a bad word," he said.

Indeed, the voices urging a sharp reappraisal of America's Asian policy received an additional boost on Christmas Eve. A terrorist bomb exploded in the garage of the main U.S. officers' billet in Saigon, killing 2 Americans and injuring 110 persons. The bomb apparently was smuggled into the heavily guarded building in a U.S. jeep, another indication of increasing Vietcong boldness despite the intense U.S. effort in South Vietnam.

Why doesn't the United States pull out of Vietnam? The answer can be summed up in three words: The domino theory.

Through the years, American officials have argued that if South Vietnam were to fall to the Communists, the other nations of southeast Asia would likewise topple—like a row of stacked dominoes.

WHAT THE REDS WOULD GOBBLE

Landlocked Laos, already two-thirds in Communist hands, would be swiftly gobbled up by the Reds. Thailand, which caved in to Japanese invaders after only 5 hours of fighting in December 1941, would sue for some accommodation with Red China in hope of preserving a semblance of its long-cherished independence from foreign rule. Burma, whose government already has cut most of its ties with the West, would become little more than a Chinese province. Cambodia, recently professing friendship with China, would succumb quickly to Communist domination.

The domino theory extends even further. Pessimistic proponents of the theory fear that if the United States is forced out of South Vietnam, either by a Communist conquest or by the Saigon government, all of Asia might be opened to Chinese Communist penetration, either through subversion or outright invasion. At least, they argue, strongly pro-Western nations such as Japan, Malaysia, the Philippines, and Formosa could no longer trust the United States to fulfill any promises to protect them. India, Pakistan, and South Korea, too, might have second thoughts about alining themselves too closely with the United States.

A clear-cut Communist victory in South Vietnam, the domino theorists maintain, would have worldwide repercussions. The Communists in Peiping would win the argument with the Communists in Moscow over how to spread their ideology. Communists would expand their Chinese-style subversive activities in Africa and South America, confident that the United States would refuse to become involved in another expensive guerrilla war.

LEAVE THE WEAPONS BEHIND?

The domino theory is based, of course, on the presumption that without U.S. aid South Vietnam would collapse before the Communists. But if the United States did withdraw, most probably American weapons and equipment now stored in that country would be left behind. The South Vietnamese armed forces would certainly not succumb to the Communist guerrillas overnight.

But psychologically, South Vietnam would be weakened. The South Vietnamese military situation, after all, has steadily deteriorated despite American aid of more than $1,500,000 a day and the presence of 22,000 American advisers. Without American support, the best guess is that the South Vietnamese would quickly seek a political, rather than a military, solution to the Red threat.

The Communists probably would be willing to negotiate a cease-fire, figuring it would be less expensive to them to subvert the Government from within.

BATTLE WITH NO FRONTLINES

The United States, even if it pulled out of South Vietnam, still would remain the strongest military power in Asia. The 7th Fleet now protects Formosa from Communist Chinese invasion and could quickly hustle troops to any Asian country threatened by Communist military forces. But, the domino theorists say, the 7th Fleet has failed to prevent Red subversion in Laos and South Vietnam. Although the United States is the world's mightiest military power, they say, nuclear bombs, tanks, and aircraft carriers are of little use against a guerrilla force fighting a battle with no front lines.

At a press conference last week, Secretary of State Dean Rusk ducked a question about whether the United States still subscribed to the domino theory.

He did say, however, that if South Vietnam were lost to the Communists, "they would simply move the problem to the next country and the next and the next. And, as I say, this is not dominoes. This is the kind of Marxism that comes out of Peiping."

Mr. Rusk asserted that South Vietnam's "primary requirement" in the fight against the Communists is national unity. "Unity," he said, "would be worth many, many divisions." But there was no unity in South Vietnam last week.

The latest upheaval began in the same way as most of the previous coups and attempted coups—with the rumbling of trucks filled with soldiers in the streets of Saigon. The purge was carried out speedily. Soldiers, under command of a clique of 9 junior officers, arrested most of the members of the 15-man High National Council, the country's provisional legislature, and several dozen other political figures.

The officers acted, they said, because the council was dominated by "counter-revolutionary elements that were acting against the spirit of national unity." The arrested council members, the officers said, had been "conspiring" against the armed forces in hope of furthering "their own personal ambitions."

OFFICER FACTIONS FEUD

But more than the personal ambitions and rivalries of the officers seemed to be involved. The nine officers all hold key positions in the military, although in seniority they rank below many officers without field responsibility. The two officer factions have been feuding for months. On December 18 the junior officers formed an organization called the Armed Forces Council, with no representation from the senior officers. The council then drew up an order calling for mandatory retirement of all officers with at least 25 years' service. This would retire about 40 officers, including Maj. Gen. Duong Van Minh, former Premier who is popular with South Vietnam's Buddhists.

The High National Council refused to approve the order. So the junior officers abolished the legislative group. The purge leaders, Air Commodore Nguyen Cao Ky, commander of the air force, and Brig. Gen. Nguyen Chanh Thi, commander of the 1st Army Corps, defended the military's right to "act as mediator" of disputes within the Government.

The officers said their move was aimed at eliminating political interference in the conduct of the antiguerrilla war. But, although they disbanded the legislative arm of the Government, they pledged continued support to Premier Tran Van Huong and his Cabinet. The Premier has been under attack by militant Buddhist organizations almost since he took office October 30. The purge leaders indicated they believed their move would pave the way for reconciling the Buddhists and the Huong government.

MOTIVES CALLED SINCERE

The U.S. Embassy in Saigon quickly opposed the purge. Conceding that the officers' motives in attempting to stabilize the Government were sincere, Embassy officials said the purge would only further disrupt the Government. U.S. Ambassador Maxwell D. Taylor held hurried consultations with the junior officers, General Khanh, and Premier Huong. The officers refused to back down.

General Khanh's position in the maneuvering was unclear, but there were plenty of rumors. One said he had been at odds with the junior officers in recent weeks because of his refusal to pledge his support to Mr. Huong, his successor as Premier. The junior officers were said to have threatened December 6 to jail General Khanh unless he publicly announced support of the Premier. It was rumored, too, that General Khanh was quietly conferring with Buddhist leaders, presumably in hope of capitalizing on any Buddhist-provoked overthrow of the Huong government.

In a radio address after a meeting with Ambassador Taylor, General Khanh accepted full responsibility for the purge. Then he swung into his attack against the United States. "We make sacrifices for the country's independence and the Vietnamese people's liberty, but not to carry out the policy of any foreign country," he said. He defined the role of the military as "acting as an intermediary to settle all disputes and differences if they create a situation favorable to the common enemies: communism and colonialism in any form."

CRITICAL OF AMBASSADOR TAYLOR

In private interviews with American reporters, General Khanh was sharply critical of Ambassador Taylor. If he "does not act more intelligently, the United States will lose southeast Asia and we will lose our freedom," said General Khanh. He charged the U.S. Envoy had acted "beyond imagination as far as an ambassador is concerned."

In Washington, the Johnson administration replied with a message of support for its man in Saigon. "Ambassador Taylor," said the State Department, "has been acting throughout with the full support of the U.S. Government."

Secretary Rusk, at his news conference the next day, took a more conciliatory tone toward the junior officers and General Khanh. The remarks by General Khanh, he said, "might have been made in the heat of the moment." But Mr. Rusk suggested that U.S. aid might be curtailed if the difficulties in Saigon continued.

The latest flare-up came just as plans were shaping up for South Vietnamese air strikes against Communist Vietcong supply bases and infiltration staging areas in Laos near the South Vietnamese border. Gen. Phoumi Nosavan, Deputy Premier of Loas, visited Saigon last week, presumably to put the finishing touches on plans to strike at the Communist bases.

THE FLAMES OF WAR

These preparations were enough to alarm the Red Chinese, who threatened to plunge Indochina into war if the United States bombs supply lines through Laos. "The flames of war will spread to the whole of Indochina if U.S. imperialism succeeds in its criminal scheme," warned the Peiping People's Daily.

Whether the United States would go along with these plans in view of the present turbulence in Saigon was uncertain. For one thing, it was no longer clear who actually held power in the country. U.S. officials were unsure whether General Khanh had again assumed the role of strong man or whether he was only acting as the mouthpiece of the junior officers. Nor was Premier Huong's position clear. Despite strong gestures of support from Washington, the Premier remained in the background, tacitly, at least, giving his approval to the purge. The Buddhists, too, stayed quiet, awaiting the military's next move. The United States alone was standing fast publicly against the purge. And the United States suddenly seemed to have very few friends in South Vietnam.

RICHARD EGAN.

[From the New York Herald Tribune, Dec. 25, 1964]

MATTER OF FACT: HOW NOT TO DO IT

(By Joseph Alsop)

HONG KONG.—The political trouble in Saigon began at almost the moment when this reporter was starting home for Christmas. But even on the road home, with no opportunity to study detailed developments, it is easy to see that we are being given another demonstration of how not to do it.

The Vietnamese generals have no doubt contributed their share to this demonstration, but so have the Americans. To be sure, the fault on the American side does not lie with Gen. Maxwell Taylor. The fault lies with the instructions that General Taylor was given, and even more with the ludicrously unrealistic ideas and prejudices in which those instructions partly originated.

It has been the same old story from the period when large numbers of U.S. officials, military officers and one must add, newspapermen, were doing everything in their power to undercut the beleaguered Chinese Nationalist Government, down to the present melancholy moment. Almost always, the same two tendencies have recurrently marked—and too often fatally marred—American dealings with situations like that in Vietnam.

In such situations, first of all, a good many Americans mysteriously tend to be hypercritical of precisely those allied leaders whose aims and purposes most closely coincide with American interests. It is never enough, for Americans of this stripe, that our interests are being served.

Whether in China, or Korea, or today in Vietnam, they must always be designing ideal governments; their ideal governments generally exclude the local leaders whose aims coincide with American interests. This was emphatically the case in Vietnam in the years of Ngo Dinh Diem, and in a considerable measure, it is today.

The rights and wrongs of the young generals' renewed intervention in Vietnamese politics cannot be judged from this distance. But from any distance, it is perfectly clear that these are the men most deeply committed to resisting the Communist attack on South Vietnam. It is also clear that with the possible exception of Prime Minister Tran Van Huong, they are the most effective personalities on the scene.

The motives for their renewed intervention may well have been a great deal more justifiable than one might suppose from a brief perusal of the pompous pronouncements of the State Department spokesman. Just before they acted, for example, there were strong indications that Phan Khac Suu, the nice, bewildered old gentleman who is the official chief of state, was about to make a dangerously muddled compromise with the political Buddhists.

Moreover, you need only ask any American in Saigon, whether political or military, what protection we have against a neutralist government finally coming to power because of the general deterioration in South Vietnam. The answer always is, "The army leaders will not permit it." In these very possible circumstances, in short, we are actually counting on the army leaders' intervention.

Because of American tendency No. 1, however, the army leaders are now the targets of the State Department's righteous indignation. As for tendency No. 2, it is symbolized by Phan Khac Suu, the chief of state above mentioned. He has clean hands and sore feet. And he wonderfully illustrates the usual results of ideal government designing.

It was a fairly hair raising experience to go straight from an audience with this amiable old man, with his white foot bandages and obvious feebleness, to a long meeting with one of the ideal government designers.

"Now," this American kept saying, "we've got a government we can really work with—a government with real promise of stability." And he went on to talk with pious enthusiasm about the high national council's promising first attempts to prepare a national election in South Vietnam.

In reality, it would be flattering to call the high national council a basket of eels. As for the notion of holding a general election in Vietnam at this juncture or at any time in the near future, this alone would almost excuse the dissolution of the high national council by the young generals.

Working for sane civilian leadership by men like Prime Minister Huong is one thing. Trying to stage a kind of comedy or parody of normal, duly elected democratic government in Saigon at this stage of the war, is quite another thing. The purpose of the parody is clear, of course. It looks nice in the papers back home, and thus consoles the large element in the U.S. Government that always worries about appearances.

The time has come to say, however, "To the devil with appearances. What matters is averting a shattering defeat."

[From the Philadelphia Inquirer, June 17, 1964]

ON THE SPOT: VIETNAM ERRORS OFFER VITAL LESSON

(By Marguerite Higgins)

NEW YORK.—One way for the United States to better its present chances (perhaps 50–50) of winning the war in Vietnam is to face coldly and honestly the consequences of its past mistakes.

Putting aside matters of America's image, world opinion, and the like, the greatest, and possibly disastrous, blunder of the last year was the decision to signal the overthrow of the Diem regime in midbattle. Quite apart from the resulting chaos and disorganization that permitted the Vietcong to take over 7 million (out of 14 million) Vietnamese in 2 months, the demoralizing effect of the first and second coup d'etats on Vietnam's fledgling officer corps has changed the very nature of the war.

The demoralization is such that many Vietnamese officers have become de facto hors de combat even though they are nominally still at their posts. The morale of many key officers has been crippled because they do not know whom to trust. In the wake of the successive purgings of the "ins" by the "outs" during the two revolts, who can blame these officers if they are fearful of taking responsibility and executing orders. After all, their general or other superior officer may be "in" today "out" tomorrow. If they do their duty today they may be punished tomorrow.

And the United States is not without blame for this uncertain atmosphere. If the American Embassy in Saigon had spoken out half as forcefully against the reign of terror perpetrated recently (mainly against Catholics) in Vietnam as it did during the so-called Buddhist crisis, there might be a saner atmosphere. The phony trial of the Catholic Mayor Dang Sy, the war hero (seven decorations) who was condemned for having carried out orders of his Buddhist superiors in Hue last May, is but one example of this reign of terror. And if Catholics carry signs saying "Henry Cabot Lodge Go Home" it is because they think the United States has stayed strangely silent in the face of what almost everybody on the scene in Saigon considers a mockery of justice—only one among many.

In any case, the morale of many Vietnamese officers in crucial areas is shot.

Further, this country is going to have to stop trying to fight this war with its left hand. It is not serious warfare, to give but one example, to send over military advisers for 1 year only. The advisers are the first to say it. Said Maj. Olen O'Connor, of Arizona: "It takes about 6 to 8 months to get to know your Vietnamese opposite number and work smoothly with him. And just as things are really beginning to mesh, it is time to go home."

Further, the Communists, who convinced themselves early in 1964 that the United States was about to bow out of Asia, must be put on notice that this country will do whatever is necessary to prevent a Communist victory. This means, if necessary, the commitment of American troops, sabotage and other dirty tricks in North Vietnam, etc. The Communists know that the United States has the power to win in southeast Asia. And if Peking and Hanoi are convinced that the United States is prepared—at last—to use it, the invocation of this power may not be necessary.

6. THE BUDDHIST MILITANTS

[From the Washington Star, Jan. 23, 1965]

ISN'T IT TIME TO FACE TRUTH?

(By Marguerite Higgins)

The spectacle in Saigon of brown-robed monks egging on delinquents, both juvenile and adult, to smash the windows of our libraries leads to one insistent question:

Isn't it time the United States told the American people the truth concerning the way in which a handful of Buddhist politicians in Vietnam have used a religious cover to camouflage a campaign of chaos that for the last 18 months has served only Communist ends?

Is it embarrassing to admit that the United States made a mistake in giving asylum at its Saigon embassy no less than twice (3 months in 1963, 1 day in 1964) to the intellectual powerhouse of the rock-throwing clique, the Buddhist Monk Thich Tri Quang?

Is it difficult to acknowledge that perhaps we should have checked a little further into Quang's past, his two arrests by the French for serving with the Communists, his statements that Marxism and Buddhism were alike, his furtive meetings with leaders of the Vietcong National Liberation front?

Will faces turn red if we admit further that for many months Quang bamboozled many well-meaning Americans into believing his absurd claim that his particular clique of Buddhists represented "85 to 90 percent" of the Vietnamese people when in point of fact Buddhists in Vietnam may just possibly constitute 30 percent of the people (see "Buddhism in Vietnam" by Dr. Mai Tho Truyen, chairman of the Vietnamese Association of Buddhist Laymen) and further, Quang's faction is bitterly opposed by truly religious Buddhists such as those at Saigon's Xa Loi Pagoda, which is not on speaking terms with the Buddhist center run by the Communist-tinged extremists?

Embarrassing as all this may be, embarrassment has become, and resoundingly, the lesser of the evils. The moment of truth is at hand.

The truth is vital because otherwise American opinion is going to fall, just like that, into the trap so cleverly and deviously prepared by Quang—the trap of believing that the so-called and in fact nonexistent "Buddhist majority" of the Vietnamese people have turned against the United States.

The truth is, and it needs to be repeated loud and clear, that the man behind the persons cradling the rocks that smash our library is Quang as well as others who have been intriguing with the Vietcong Communists for a very long time, as the American intelligence record—to its credit—shows even though the policymakers have chosen to disregard the evidence.

But if and when the majority of the American people begin to believe that utterly false, but so carefully prepared, piece of Communist-abetted propaganda to the effect that the illusory Buddhist majority wants us to go home, then the clamor for Americans to give up and get out of Vietnam could become irreversible.

All right, so the United States made a mistake back in the summer of 1963. We can now see, in retrospect, that the Vietnamese army, the Vietnamese security police, and Vietnamese President Ngo Dinh Diem were completely right when they tried to tell us from the very beginning of the Buddhist crisis that in Vietnam the Communists do not, after all, play cricket, but play dirty. They play real dirty and indulge in precisely such tricks as infiltrating the Buddhist movement, and not only that, infiltrating also, to some degree, the Catholics, Cao Dai, Hoa Hao, mountain tribesmen, the ancestor worshippers, and the many other non-Buddhist sects and religions of Vietnam.

More recently, Premier Tran Van Huong was perfectly correct in warning that ace-government toppler Quang talked like a Communist, acted like a Communist, and served Communist ends.

The United States' mistakes are painful, but not shameful. Contrary to the Communists, we have not been plotting for 25 years to seize Vietnam and have not meticulously studied every village, every province, every religion, every superstition, with the aim of subverting them to our ends. If it is any comfort, our inexperience is born of virtue—the virtue of a Johnny-come-lately desperately seeking to save a drowning man without time to find out much about him, let alone bone up on his family tree.

And the essential, and most salutary point of admitting past mistakes is that this is the only way to stop repeating them.

[From the Washington Evening Star, Jan. 8, 1965]

CONTROLLING THE BUDDHISTS

If the militant Buddhist leaders in Saigon are recognized as subversive conspirators instead of the spiritual characters they pretend to be, the problem of containing their power and rendering them relatively harmless should not be insoluble.

The methods of doing this are hardly up to Americans to decide. The best they can do is to encourage Premier Tran Van Huong to face up to the situation and take corrective action. The worst they can do is to keep insisting that Huong find some ground for compromise with men who are actively seeking to overthrow his government.

The problem of dealing with widespread and well-organized subversive conspiracies, after all, is not exactly new. Even the fact that this conspiracy may command wide public support does not make it all powerful. The French, for example, faced something of the same situation with the Communists in the late 1940's, complete with infiltration of the army, police and government, nationwide strikes and impressive street riots. It was not necessary to annihilate the Communists to contain the threat to the security of the state.

What gives the Buddhist conspiracy its uniquely dangerous twist is the pseudo-religious cover of its leadership. The majority of Buddhists in Vietnam are quite certainly neither proneutralist nor pro-Communist. Yet the militant leaders in Saigon naturally seek to identify themselves with, and presume to speak for, every Buddhist in the world.

Certainly they will raise the cry of religious persecution at the first hint of trouble. Given the experience of the unfortunate President Ngo Dinh Diem, it is a highly effective form of defense. And every effort must be made to avoid lending credence to the charge.

It seems improbable, therefore, that an attempt to crush the conspiracy by force will be called for. But short of this, there are plenty of things that the Saigon government could do.

It could, for instance, put considerably more backbone in suppressing the kind of senseless juvenile hooliganism that fills the daily news columns from Saigon.

It could screen out of the army and police force those elements which might be likely to side against the Government in any real showdown with the Buddhist leadership.

It could strengthen the hand of more conservative (and more religious) Buddhist leaders who, at present, are themselves the targets of strong-arm tactics by their militant coreligionists.

It could, in short, face up to the problem instead of shrinking from it. What is essential in Vietnam is that the power to overthrow governments—any government which they do not control—be taken away from this handful of monks. If this is not done, and soon, there will be no prospect whatever of any stable government in South Vietnam.

[From the Washington Evening Star, Jan. 8, 1965]

BUDDHISTS BRAG OF SUBVERSION

(By Marguerite Higgins)

On the bulletin board of the newest pagoda in Saigon there recently has appeared a communique in which the Communist-oriented wing of militant Vietnamese Buddhism claims to have subverted at least four regiments of the Vietnamese National Army.

The sinister Thich Tri Quang, Vietnam's ace toppler of governments, boasts that 2,000 officers of the Vietnamese army would lay down their arms and refuse to fight the Communists if he ordered them to do so. How valid are these boasts?

It is a crucial question—and an appalling one. For if the Vietnamese regular army has been subverted to this extent today, what will happen tomorrow?

First, it should be pointed out that there appears to be a widespread misconception in this country about the southeast Asian Buddhist movement. According to the respected work "Buddhism in Vietnam," written by Dr. Mai Tho Truyen, the greatest Vietnamese authority on Buddhism, the movement in Vietnam has expanded to at least 4 million persons (or about 30 percent of the population of 14 million). But again according to Dr. Truyen, the overwhelming majority of Vietnamese Buddhists do not agree—and indeed disapprove—of the Communist-tinged extremism and violence of the Thich Tri Quang wing.

Dr. Truyen, who is additionally head of South Vietnam's powerful Buddhist Laymen's Association, cooperates with and supports Vietnam's Buddhist-dominated Government led by Premier Tran Van Huong. Certainly the Huong government has no quarrel with the Buddhist but rather vice versa.

As Huong put it in a cabled answer to my question on the subject:

"You refer to a quarrel. But my government has never answered attacks and accusations directed against the Government and myself by certain Buddhist elements. If these attacks were halted, the quarrel would die automatically."

But if there is a genuine schism in the Vietnamese Buddhist movement between the moderates and the extremists, and if the extremists are in the minority, how have they managed to infiltrate the Vietnamese army?

It goes back to last summer when Gen. Nguyen Khanh was still fighting for his political life and was under the illusion that he could appease his most vocal tormentor—the same extremist monk, Thich Tri Quang—by giving in to his demands. One of these demands was to give Quang the right to assign Buddhist chaplains to every army company.

Three-man Buddhist chaplain teams (in reality political cells) were soon thereafter attached to the army and soon trouble started. A few irate Vietnamese commanders began to expel the chaplains when they caught them distributing tracts telling soldiers they need not obey their officers if they felt they were acting in the interests of colonialist Americans or persons unfaithful to the nationalist cause.

But for the most part, individual Vietnamese army officers have been unwilling to take upon themselves the expulsion of these cohorts of Thich Tri Quang, particularly so long as his capacity to wrest further appeasement from the Government and from the Americans seemed unchecked.

In any case, the capacity of a militant minority to make trouble out of all proportion to their true importance is part of the current political landscape in Vietnam. And even if Quang's boast of subverting the Vietnamese armed forces is exaggerated, it is surely criminal negligence not to take whatever steps necessary to destroy his capacity to spread political poisons among Vietnam's fighting men.

[From the Evening Star, Jan. 7, 1965]

THE BUDDHISTS IN VIETNAM

In some ways, the American Government is its own worst enemy in Vietnam. In its refusal to come to grips with the problem of Buddhist subversion and its fatuous insistence on the theme of a broadly based civilian government in Saigon it is in itself largely responsible for the near paralysis of the regime of Premier Tran Van Huong, a paralysis not likely to be broken by today's reported agreement to form a new coalition council.

The threat raised by the militant Buddhist leaders is now perfectly clear. After months of behind-the-scenes incitement of disorder, the two top "venerables," Thich Tri Quang and Thich Tam Chau, are in open revolt against the Huong regime. They are threatening to overthrow it, using the same methods of mass disorder that led to the downfall of President Ngo Dinh Diem in November of 1963.

It is also perfectly clear that the Buddhist leaders would use the same tactics against any effective anti-Communist government in Vietnam. So it is high time to stop acting as if the significance of these men is to any substantial extent religious. Whether or not they are actually agents of the Communists makes no real difference. The fact is that their activities are destructive to the freedom of the country and that attempts to arrive at some sort of compromise with them will very probably prove fatal.

Estimates vary on the effectiveness and size of the Buddhist apparatus in Vietnam. The more effective, however, the more essential it is that it be dismantled or neutralized without delay. The Huong government should be getting the strongest American encouragement to this end.

It is not getting any such thing. The Huong government, in dealing with the Buddhist threat, is inhibited, as all governments since the overthrow of Diem have been inhibited, by the feeling that the Americans are more interested in preaching democracy in Vietnam than they are in effective government there. We seem to be defending our fuzzy liberal ideal against the army—the only real source of strength for any government in Vietnam.

The sad fact of the matter is that American policy is still very much under the influence of the men who were responsible for the overthrow of Diem and who are still determined to justify their action. It apparently makes little difference that the highest officials of the administration are convinced—and were convinced at the time—that this move was a tragic mistake. The same thinking that produced the mistake is still shaping our policies in Vietnam today. It is time the nonsense stopped.

[From the Christian Science Monitor, Dec. 21, 1964]

BUDDHISM WIDENS WORLD ROLE

With Christmas less than a week away, Buddhism continues to be active on the world's newsfronts.

The South Vietnamese Government has been on full alert, braced against the possibility of large-scale Buddhist demonstrations. Tension between some of the country's Buddhist factions and the Saigon government has been increasing daily.

In the midst of the Vietnamese friction, the religion that claims as many as half a billion adherents is being buffeted by new winds from Communist China and soothed by statements from the Vatican.

COOPERATION ASKED

Among the past week's developments involving Buddhism around the world:

Pope Paul VI appealed for Buddhists and Roman Catholics to cooperate, "especially in certain zones where the two communities live together and are confronted with the same problems." The zone that bests fits this situation is Vietnam.

The Chinese Communist Government stripped the Dalai Lama of Tibet of his remaining post as chairman of the preparatory committee for the "Tibet Autonomous Region" of China. It called him a "traitor who is an incorrigible running dog of imperialism and foreign reactionaries."

The move dropped all Chinese pretense that the Buddhist god-king of Tibet, now in exile in India, retained any further secular or spiritual authority in his conquered land.

The Theravada Buddhist sect, an important minority in Vietnam, sent a petition to the Government asking for arms to fight the Communist Vietcong. It is unlikely it will be granted.

REACTION WATCHED

Vietnam has been badly fragmented by fighting religious sects before. And Theravada, weak as it may be in Vietnam, represents 95 percent of the population of adjoining Cambodia, a country with strong anti-Saigon leanings.

Political observers in Saigon were watching closely reactions of Vietnam's ranking Buddhist layman, Mai Tho Truyen, who returned home Friday from a World Buddhist conference in India.

Mr. Truyen is a vice president of the world body but, more importantly for Vietnamese Buddhism, he is a member of the High National Council, the Saigon Government's interim legislature.

Mr. Truyen has not joined the recent Buddhist protests and is regarded by some as the best hope for getting antigovernment Buddhist priests together with the government of Premier Tran Van Huong.

The Vietnamese Commissioner General for Buddhist Youth Affairs, Thich Thien Minh, said Vietnamese Buddhists had striven hard to live up to "Lord Buddha's teachings of compassion and altruism." He said the best way for Buddhists to combat communism was to come together in one united, centralized body to advance the Buddhist ideology and eliminate social injustice.

DISSENT INDICATED

In another quote, the State Department in Washington termed a letter written to President Johnson by another Saigon Buddhist leader, Thich Tam Chau, "a propaganda device and not an appropriate means of communicating with the President of the United States." The priest had written charging Premier Huong's government with oppressing Buddhism.

Meanwhile there has been evidence that not all Buddhists follow the protesting priests. It is known that many of the monks in the vanguard of last year's struggle against the Ngo Dinh Diem rule have opposed the current anti-Huong campaign. At least one of them, Thich Duc Nghiep, has been denounced by the North Vietnamese Government.

Thich Duc Nghiep has opposed the anti-Huong demonstrations and urged priests to take to the countryside to preach against the Vietcong.

Perhaps his followers are gaining ground. A week ago violent demonstrations and self-immolation by priests was predicted. But they failed to materialize. The same predictions have been made again.

NEW AGITATION

The Government has obviously mustered some support for its position and has successfully clamped down on troublemakers.

But some sources report agitation now is strong in the large cities of Hue and Da Nang farther north where Saigon control is less effective.

Meanwhile, the Saigon Government has admitted that the Buddhists are not the only factionalists dividing South Vietnam.

It announced the formation of an Armed Forces Council to iron out differences between the old guard officers and the "young Turks."

And Chief of State Phan Khuc Suu has proposed that seven new members be added to the High National Council. He suggested names representing the south, central, and north sections of the country in order to try to overcome regional factionalism.

[From the Christian Science Monitor, Dec. 2, 1964]

SAIGON SCHISM: BUDDHIST STRUGGLE SAPS FIGHT AGAINST COMMUNISTS

(By Takashi Oka)

SAIGON.—The struggle between Premier Tran Van Huong and the Buddhist leadership continues, and South Vietnam is the loser.

Neither side talks to the other except in propagandistic appeals to the population. Each day of political instability at the center makes more difficult the task of pacification against Communist insurgents in the countryside.

Washington, engaged in intensive review of its Indochina policy, must decide whether or not continuation of military and economic aid on the present scale of more than $500 million a year can bring victory against the Communists without taking the war into North Vietnam.

It must also decide how this aid can most effectively be used as leverage to promote political stability within South Vietnam.

It is the second of these two tasks that preoccupies the American Embassy here these days. Washington formally supports the Tran Van Huong government, which came into being according to provisions of the October 20 constitution and which cannot legally be overthrown unless the 15-man High National Council votes it out.

Yet there is full recognition that Buddhism in South Vietnam constitutes a powerful political force, that leaders of the Buddhist hierarchy have been dissatisfied with the Huong government from its inception, and that whatever legal rights and wrongs of the situation, an all-out confrontation between Buddhists and the Government can benefit no one but the Communists.

REGIME ATTACKED

Americans have, therefore, sought to keep an open bridge between the Government and Buddhist leadership. But the task becomes more difficult with each passing day.

Saturday Thich Tam Chau, one of the Buddhist hierarchy's two most prominent leaders, held a press conference bitterly attacking the Huong government.

The following day he permitted a student-sponsored funeral procession for a youth killed in government-student clashes last week to start out from Buddhist headquarters, the Vien Hoa Dao or Institute for Execution of Dharma.

Buddhist sources say Vien Hoa Dao will call for popular noncooperation with the Government.

A nightly program of loudspeaker broadcasts from within Vien Hoa Dao is to be launched this week. Those who gather in streets to listen will do so at their own risk, presumably.

BUDDHISTS ACCUSED

The Government accuses the Buddhists of mixing religion and politics by using the religious prestige of the hierarchy to promote secular causes such as the overthrow of the Government. Thich Tam Chau responds that "all things in the world are related."

To an observer the Buddhist hierarchy seems to be testing its strength with the people. Last August's events have already proved that on some issues they can win overriding popular support.

Whether this support will stay with them on lesser issues is problematical. But the Huong-Buddhist confrontation has had a snowballing effect. What seemed bridgeable and nonessential at the start has built up into a major test of strength from which neither now can afford to withdraw.

CAMPAIGN HINTED

[Meanwhile, the Associated Press reported the Buddhists may again turn to suicide by fire in an intensive campaign to overthrow Premier Huong's government, quoting an unnamed Buddhist leader.

[Leading monks deny there are plans for more such suicides. But Buddhist strategists generally keep their plans secret to the last moment.

[A Reuters dispatch said Government forces are pressing their gains against Communist Vietcong guerrillas while the Buddhist leaders work out a strategy for ousting the civilian government.]

[From the Washington Evening Star, Nov. 12, 1964]

PAINFUL VERDICT IN VIETNAM

(By Marguerite Higgins)

Key U.S. officials in Vietnam have come to a painful but significant conclusion. It is that a tiny faction of Vietnamese—too clever to reveal their motives and too powerful for comfort—are bent on using the cloak of religion as a cover for undeclared warfare designed to prevent the emergence of a stable government in Vietnam. In other words, whenever any regime in Saigon shows any sign of being able to govern the drive to topple it will begin.

There are some dissenters from this view in the Embassy in Saigon. But this conclusion is nonetheless held widely and strongly enough to explain why the Embassy gave the strongest sort of backing to the decision of Vietnam's new premier, Tran Van Huong, last weekend to call out the army to repress the Buddhist-instigated demonstrations against his fledgling government.

WILY MONK

Thus Tran Van Huong's new regime, for whom practically nobody has great hopes, is momentarily one up on the wiliest, slickest demagog in Vietnam, the Buddhist monk, Thich Tri Quang, who, Americans believe, was behind last weekend's initial attempt to topple the latest Saigon regime, just as he had previously masterminded the toppling of Ngo Dinh Diem and Gen. Nguyen Khanh.

But in this matter of government toppling, the smart money is on Thich Tri Quang, especially if his boasts of having swung some personalities of the Catholic, Cao Dai, and Hoa Hao faiths into his camp, are at all true.

It has taken some time for U.S. officials to permit themselves to face the fearsome and indeed awesome truth about Thich Tri Quang. Of late, Ambassador Maxwell Taylor in Saigon and State Department officials in Washington have taken to describing Thich Tri Quang as "the Makarios of southeast Asia."

There used to be brisk arguments among Americans in Saigon and Washington as to whether Thich Tri Quang, who once served with the Communist Viet Minh and whose two brothers serve Ho Chi Minh, is "still a Communist."

It is only recently that Americans have begun to realize that this begs the real issue which is whether Thich Tri Quang serves Communist ends. And the answer here is that if the Vietcong themselves had been writing the scenario as to how any given Buddhist monk could play into their hands, they could not have improved on the real life doings of Thich Tri Quang, including his current attempt to topple the new civilian government.

For if Thich Tri Quang and his followers can, by demonstrations, riot, and propaganda successfully keep on perpetuating the near chaos that has prevailed from the top down in Vietnam, it is just a matter of time until the Vietcong take over the country from within.

The civilian regime of Tran Van Huong required great courage to proclaim the separation of politics from religion, because if this much needed step were carried out it would checkmate some of the antigovernment troubles masterminded by Thich Tri Quang.

It would, as a few examples:

End the vigilante squads of Buddhists who have taken law into their own hands in the provinces and arrested Catholics on the pretext that they are Diemists (it is a pretext because almost all educated Vietnamese worked for the Government between 1954 and 1963 and hence were Diemists).

End the system where triumvirates of Buddhists are attached to Vietnamese battalions with the divisive and dangerous habit of conducting antigovernment propaganda from this sensitive vantage point.

End the custom that came into practice during the Khanh regime where even a proven Vietcong agent would often be released if, as became standard operational procedure, the prisoner would state that he was "Buddhist" and claim—with Buddhist backing—that his imprisonment therefore amounted to religious persecution.

PUBLIC RECOGNITION

If it sounds a bit insane that practices such as these have been permitted to take place in a nation supposedly at war with the Communist Vietcong, it can only be replied that the new Premier is the first to have recognized publicly these insanities and may soon lose his political head as a result.

But now that the United States privately recognizes that Thich Tri Quang is working at totally cross purposes in Vietnam, is there not some way to checkmate his design for chaos? Or has it already gone too far?

The fate of the new civilian regime should provide some clues as to the answer.

[From the New York Times, Oct. 18, 1964]

POLITICS HAMPERS VIETNAM'S WAR

(By Peter Grose)

SAIGON, SOUTH VIETNAM, October 17.—Maxwell D. Taylor, the U.S. Ambassador, was given a poignant insight into the whys of Vietnamese politics the other day. Talking socially with a middle-aged politician, the Ambassador broached the subject of present political pressures from diverse groups on the Saigon Government and the possibly harmful effects of this agitation in the war against the Communist Vietcong insurgents.

"You Americans view all this in the terms of your own country," said the politician, not as a reproach but in an effort to let Americans understand what is going on in Vietnam.

"You must realize that this period—these few weeks—is the first moment in my lifetime that we Vietnamese are able to participate in the normal political interplay your democratic countries have enjoyed for decades."

SEEMING CONTRADICTION

"First we were under French domination, then came the war and rule by the Japanese. After the war we had to choose between the French again or joining the Communists. Those of us in the south got our independence with a non-Communist government but Diem kept all political parties down just as the French had.

"When Diem was overthrown it was the army that ran everything. They let us politicians talk in the open but nothing we said ever seemed to have any effect on the decisions of the military government.

"Now at last we are able to act as real citizens, not just as tools of one or another group which holds all the power, whether spokesmen of the people like it or not. There's nothing disloyal about politics."

The conversation, trivial in itself, nevertheless made an impression on Ambassador Taylor, who now freely admits that his frequent visits to Vietnam as Chairman of the Joint Chiefs of Staff, did not prepare him for the political complexities and struggles he faces in the role of Ambassador.

Gradually U.S. officials are discovering a seeming contradiction underlying American and Vietnamese attitudes toward the war effort against the Vietcong. From this contradiction comes American impatience with Vietnamese intramural quibbling over forms of government. From it comes also Vietnamese suspicions about American motives here, suspicions that are only increasing.

COLD WAR TRENCH

To Americans, Vietnam seems to be a trench in the cold war, a chosen battlefield for the non-Communist world to confront Communist expansionism.

The Vietnamese do not see their plight in these terms at all. The upheavals of the last 2 months have made abundantly clear. To the articulate Vietnamese, the struggle is to build a viable nation and government, a government of justice truly representative of what the leading forces of society want. For too long they have lived under a government and policies imposed upon them by outside influence. Communism would be another of these outside influences, but perhaps so now is the American notion of winning a war at whatever cost by whatever government.

THE COMING STORY

Resolution of this contradiction will be the story of South Vietnam in the months to come.

Considering the lack of political opportunity, the fumblings of the Vietnamese in their quest for representative and just government should come as no surprise.

Nor is the accumulation of transitory political institutions—piled up in a haphazard and seemingly self-nullifying manner—alien to Vietnamese experience as any examination of the postwar years under the French will show.

At the top of the political pile now is an ad hoc body of 17 men called the High National Council. Appointed September 26 by Maj. Gen. Duong Van Minh, the chief of state, after consultations with leading religious and social groups of the nation, the council is designed to resemble a representative asembly, not for the purpose of governing the country but only for deciding how the country should be governed.

The constitution it produces is supposed to be provisional, the personnel installed in high office only temporary, until some kind of national elections can be held.

The 17 men are a strange mixture. Only a few have any personal political futures or ambitions.

So remote from immediate cross-currents of politics does the council seem that many Vietnamese have dubbed it the "High National Museum." To American policymakers and Vietnamese officials, however, the council is the only available link between the tormented past and the promised land. Seldom has so much international stress been placed on such a weak link.

The extent of the council's responsibilities is unclear, the demands put upon it are enormous and diverse. So-called civilian government is the goal, but Premier Nguyen Khanh has insisted that the armed forces must have "a place of honor" in the Government to compensate the military establishment for its sacrifices in defending the nation on the battlefield.

The religious and political groups pressing for civilian government have not made clear whether they will be satisfied with civilian ministers alone or whether they will press further for military officers to be replaced as chiefs of some—or even all—of the country's 45 provinces.

Once the principles of government structure are determined, who are to be the personalities to fill leading posts? Some political groups insist that only immediate elections can bring forth leaders truly claiming the confidence of the people. Others recognize the difficulty of holding elections in the midst of a guerrilla war and propose instead the naming of "acceptable" persons as yet another interim measure.

Whether this course would solve anything is open to question since the ideal of a popularly supported government would remain remote.

Yet this is the ideal ever before Vietnamese political figures these days as they luxuriate in the democratic interplay they missed for so long.

WAR IS NOT THE ISSUE

If it all sounds remote from the war in the countryside, it is. The campaign against a purposeful Communist enemy is not much of an issue in the political jousting of Saigon. No agitation group admits to being neutralist; even the most intransigent of politicians can be at the same time sincerely anti-Communist.

The political groups making the most headway among the people outside of Saigon—the Central Vietnamese Political Movement led from Hue University is a prime example—are not openly advocating a ceasefire or a negotiated settlement with the Vietcong and suspicions to this effect once expressed are vehemently denied with seeming conviction.

If the war is not an issue and all groups wish to continue the anti-Communist struggle and that is the end of the story, American policymakers should be able to sit back and await with equanimity the outcome of Vietnam's first self-conscious adventure with democracy. But, of course, this is not the end of the story and the Americans realize perhaps more clearly than the Vietnamese that the Communists are moving effectively into the governmental vacuum, in the countryside at least.

American officials maintain they have no ready answer to Vietnamese political strivings, no ideal government structure to propose. This time they are willing to let the Vietnamese work out their own government just the way they want it. But what the Americans in contact with members of High National Council are encouraging is rapid adjustment and conciliation toward some common denominator—anything in fact that would restore the central direction to the war effort that has been lacking since Premier Khanh stepped down as President last August 25.

So the interplay goes on and no end is in sight. The stable and popular government that the Vietnamese seek and that the Americans hope will arrive from somewhere before it is too late seems as remote as ever.

[From the New York Times, Sept. 13, 1964]

BUDDHIST POWER GROWS—IN SOUTH VIETNAM THEY HAVE CREATED A STRUCTURE THAT DRAWS THE LOYALTY OF MANY PERSONS

(By Peter Grose)

SAIGON, SOUTH VIETNAM, September 12.—A Buddhist revolution is taking place in South Vietnam. Its lines and goals are still far from clear even to many of the Buddhists themselves, but seasoned observers consider it the most significant and far-reaching trend in present-day southeast Asia. Its implications stretch far beyond the frontiers of this country. They extend not only to nations nearby but also, because of Buddhism's unclear relation to the ideology and power of communism, the Vietnamese experience could alter the entire power structure the United States has been fighting to maintain in the southwestern Pacific.

The Buddhists seem to be gambling that they can produce a new basis for stability.

So far what has actually happened is that the American-supported Premier of South Vietnam, Maj. Gen. Nguyen Khanh, has accepted in general and in detail an immediate Buddhist formula for reforming his Government along new civilian lines. This is the outcome, now apparent, of this country's political crisis last month.

PREMIER FIRST

That crisis was the second step in an evolution starting 16 months ago. The first step was reached last November, when 9 years of rule by President Ngo Dinh Diem collapsed in a bloody coup d'état. Both the Buddhists and the Vietnamese Army contributed to President Diem's downfall, but the Buddhists were neither organized nor motivated to fill by themselves the void left when President Diem was removed.

Since November 1 the army has governed South Vietnam. On January 13 there was a change in leadership—General Khanh took over where a junta had failed to get off the ground—but throughout his first 7 months in power the army remained Premier Khanh's principal base of support, his only real claim to hold power in a land torn by war and popular dissent.

Now the Military Revolutionary Council, the instrument of army rule, has been disbanded. A constitution that seemed to institutionalize military dictatorship was withdrawn. Premier Khanh is in the process of easing his former military cronies out of their Government positions. Many have already resigned.

"I am still a general," Premier Khanh said the other day, "but I am Premier first." The former field commander now wears civilian clothes. He has shaved off the little goatee he sported throughout the military phase of his rule. He never stated publicly why he had grown this beard in the weeks preceding his coup d'etat, but from the smiles and jokes of officers around him it is clear the goatee had a certain barrack-room symbolic value to the military clique that helped him into power. Now both the goatee and the clique are gone.

NEW FOUNDATION

The full story of why the army gave up so easily has yet to come out—maybe it was only a tactical retreat to prepare for new power plays, perhaps by a younger generation of colonels. Some elements would have the people believe there were secret inducements—that is to say, money—that persuaded certain individuals to abandon their claims to power. More likely the generals felt an onrush of frustration and helplessness from 10 unpleasant months in power, even a feeling that they might as well get out while the going was still good.

However it happened, the army says it has abandoned its foray into politics and now theoretically will return to the business of fighting a war. Political power is forming on a new foundation.

Spokesmen in the Buddhist hierarchy will firmly deny any political aspirations for themselves as persons or for Buddhism as such. They are speaking, they say, solely in the name of the Vietnamese people of whatever religion.

A GOOD CLAIM

In fact, Buddhist leaders have as good a claim as anyone else, and better than many, for presenting the views of "the people," for Buddhism is the family religion of the vast majority of Vietnamese. It has been so for centuries. Premier Khanh himself has long had a Buddhist shrine to his parents in his house.

Figures are difficult and misleading since there are a few criteria for claiming to be a Buddhist. Out of a population of 14 million an estimated total of 5 or 6 million people are practicing Buddhists responsive to the voice of the hierarchy. Many more who say they are Buddhists if asked pay little more than lipservice to any religion. Others adhere to Buddhist-oriented sects that nevertheless shun the central Buddhist organization.

Furthermore, there are clear geographical distinctions of attitude among even the most faithful of Buddhists. Until recently the most politically active were bonzes, or monks, from North Vietnam who had fled to the south to escape Communist rule. They gravitated toward Saigon, establishing their own pagodas separate from the pagodas of their brothers native to South Vietnam.

Northerners are outspoken in their opposition to communism and have supported the military government in active prosecution of the war against the Communist Vietcong. The best known spokesman for the northern refugees is Thich Tam Chau, who holds the position of rector, or chairman of the Buddhist Secular Institute, the organizational center of Buddhist political activity.

At the opposite extreme in zeal are the Buddhists of the far south, the populous and rich Mekong Delta. In this area the orthodox hierarchy is weak, laymen have greater influence and religion plays a lesser role in the comfortable life of the population. Here also thrive many independent sects of Vietnamese Buddhists as well as a militant anti-Communist group of Buddhists of Cambodian origin who adhere to the "hinayana," or "lesser vehicle," branch of international Buddhism. Vietnamese Buddhism is predominantly "mahayana," or "greater vehicle," in which the Buddha is deified.

HARDEST TO DEFINE

It is the Buddhists of central Vietnam who have spurred the most significant recent advances into politics. Their intellectual center is at Hue. These are the Buddhists hardest to understand or define in political terms. They profess anticommunism and antineutralism, but they also seem far from happy with the present American policy for fighting the war.

Their undoubted leader is Thich Tri Quang, considered by many the mastermind of last year's Buddhist revolt against President Diem. By seeking refuge in the U.S. Embassy a year ago, he forced the U.S. Government to take sides with the Buddhists against the Diem government, which was trying to arrest Buddhist leaders.

Though Tri Quang lacks Tam Chau's prestigious position as head of the Secular Institute, he seems now to be the most influential single Buddhist in the country. There are some observers who look upon his political skills as setting the pattern for Buddhism throughout southeast Asia.

A long-term Buddhist revolution is taking place both within the movement and in the country at large. Its goal is undefined. Its purpose, according to the bonzes, is to "protect Buddhism." Neither the meaning of this phrase nor the means to realize it have been made clear to nonbelievers.

A basic strain within the movement is the whole question of whether Buddhism should deal in temporal politics. Any typical Buddhist declaration will be couched in terms of religion, shunning partisan involvement in worldly political matters. Bonzes such as Tri Quang will evade difficult political questions by insisting they are solely men of religion and not competent to speak on matters of politics.

DRIVE REMOVED DOUBT

Considering their role last year and this, it is difficult to refrain from charges of hypocrisy on this point. Any doubt about the potential political strength and interests of at least some Buddhist leaders was removed in their campaign against President Diem.

With the November coup their effectiveness seemed ended for the moment, since they had no viable organization capable of retaining political control after 10 centuries of relative noninvolvement. Quickly but quietly this was changed.

Starting on January 3, when the "Vietnam Unified Buddhist Church" came into being, the Buddhists under Tam Chau and Tri Quang have established a shadow government across the country, a shadow rapidly assuming substance. At the top there are two "institutes," one for religious affairs, which has nominal and honorific responsibilities equivalent to those of a chief of state, and the other for secular affairs, which, like a premier, wields actual power over the organization.

POLITICAL STRUCTURES

In the secular institute there are six "general offices," resembling ministries, for clergy affairs, Buddhist studies, cultural affairs, construction and finance, lay peoples' affairs, and youth. Each general office is headed by a commissioner.

Down in the provinces there are delegates and deputies, all bonzes, mostly in their thirties or early forties, all appointed, like the Government's province chiefs, by their own administration in Saigon.

This is the political structure the Buddhists were erecting during the 10 months of military rule over South Vietnam.

How effective would this structure be in support of a government favorable to Buddhists? The matter has not yet been put to a test—little has so far been demanded of the Buddhist population by their leaders. But many observers think the test will come in the next months as long as Premier Khanh leans more and more heavily on apparently the one non-Communist element of the nation that has not yet been brought into active participation in the Government.

[From the New York Tribune, Sept. 11, 1964]

VIET: BUDDHIST PRESS LASHES UNITED STATES

SAIGON.—South Vietnam's leading Buddhist publication yesterday blamed the United States for the political and religious turmoil that has swept the country since mid-August.

The publication, Hai Trieu Am, charged indirectly that Americans are manipulating the Saigon government to extend U.S. influence in South Vietnam—an accusation previously voiced privately by some Vietnamese officials.

The paper also backed rebellious students' charges that Americans triggered the recent bloody clashes between Buddhists and Roman Catholics in the northern city of Da Nang.

PROTEST

More student trouble developed yesterday as Saigon's politically active student union denounced the ruling military government for not creating a promised "high national council" quickly enough. The council is to take steps within 2 months toward setting up a civilian government by late next year.

Hai Trieu Am, in voicing the Buddhist charges, said that "if one wishes to learn the deep reasons for the anger of the people of Da Nang, one must find them in the August 16 constitution, which certainly was not drafted by Maj. Gen. Nguyen Khanh."

INFLUENCE

The inference was that the Military Revolutionary Council, which approved the constitution, as well as strongman General Khanh were influenced by the United States.

The constitution, under which General Khanh was elevated from Premier to President and given sweeping powers, was rescinded in response to violent rioting and Buddhist demonstrations. General Khanh reverted to Premier and became the dominant member of the ruling military triumvirate. On Wednesday he also took over the Defense Minister's post.

The Buddhist publication criticized American press reports of Buddhists' razing of the Catholic sector of Da Nang, charging they failed to indicate the real causes of the rioting.

Asserting that "since the distant past until the arrival of Americans here, Buddhists have never destroyed or burned any houses," Hai Trieu Am said that "the immediate reason (for anger in Da Nang) was the shots fired in the air by Americans."

U.S. soldiers had fired shots in the air to disperse Buddhist demonstrators who tried to break into the U.S. Army compound in Da Nang.

The student union, meeting ostensibly to debate criteria for prospective civilian statesmen's conduct, denounced former U.S. Ambassador Henry Cabot Lodge for allegedly being soft on the late President Ngo Dinh Diem. It charged that Mr. Lodge recently told a Paris audience that Mr. Diem, who was overthrown and slain in last November's coup, might have survived if he had been a better President.

The students termed this "a flagrant interference in the affairs of Vietnam."

EXILES

Raising a touchy political issue, the students also questioned the status of five generals exiled to the mountain resort of Dalat by Premier Khanh when he seized power last

January. General Khanh charged at the time the generals were plotting a neutralist solution for the country's war against the Vietcong Communist guerrillas. He said Wednesday the five officers were being returned to active duty.

The students asked whether this meant that the generals were falsely accused or whether General Khanh now is willing to admit high-ranking neutralists in his high command.

The Vietcong's clandestine Radio Liberation joined the anti-U.S. chorus yesterday with a broadcast plea to South Vietnamese religious leaders, intellectuals, and soldiers to help drive out the Americans.

Turning around U.S. charges that the Vietcong deliberately fomented interreligious strife, the Red National Liberation Front's top political official, Nguyen Huu Tho, said the "U.S. aggressors and their lackeys" plotted to separate Buddhists from Catholics "with the aim of invading our country and enslaving our people."

[From the Evening Star, Sept. 7, 1964]

VIETNAM ANSWERS SOUGHT

(By Marguerite Higgins)

What do the Buddhist political leaders of Vietnam really want?

What is the objective of the drumfire of propaganda and demonstrations against the predominantly Buddhist government of Vietnam that began as early as last April—a time, unfortunately, when the American Embassy and the American people had their mind on other things?

In secret meetings in Saigon late last week with top Buddhist leaders, Ambassador Maxwell Taylor tried urgently to find the answers to these questions because, among other things, he is under pressure from Washington to explain increasingly worrisome signals as to Buddhist intentions.

During the meeting, General Taylor addressed most of his questions to the Reverend Thich Tam Chau, a refugee from North Vietnam, a genuine anti-Communist in principle albeit something of a timid soul in practice, and ostensibly the leader of the United Buddhist Movement of Vietnam.

But the answers that really counted belonged to the Reverend Thich Tri Quang, a one time associate of the Communist Vietminh, the mastermind of the anti-Diem campaign of last summer and fall, and currently the spearhead of a deadly struggle for power inside the Buddhist movement against the Reverend Tam Chau. Tri Quang is additionally the leader of a sometime open and sometime secret drive to topple the Khanh regime.

There are some who say that the Buddhist Monk Tri Quang is, next to General Khanh, the most powerful Vietnamese figure in South Vietnam today and that tomorrow he may be the most powerful.

It is of significance therefore that General Taylor's telegrams on the Buddhist situation produced so many somber faces around the Department of State.

For the time being, at any rate, it appears according to Ambassador Taylor's assessment that the moderates among Vietnam's nearly 5 million Buddhists (out of a population of more than 14 million of which the majority are ancestor worshippers) are being skillfully and relentlessly outmaneuvered by the extremist wing led by the Reverend Tri Quang, whose flamboyant oratory and calls for direct action have far more appeal, for example, to Vietnam's citified, riot-prone young people than the pleas for caution issued by the Reverend Tam Chau.

As to the political game being played by the Reverend Tri Quang, a key administration official who had read General Taylor's telegrams summed things up this way:

"A defensible case can be made for the theory that Tri Quang will sooner or later seek to undermine any stable anti-Communist government in Vietnam in the belief that anarchy will drive the United States to go home, permitting the emergence of a neutralist or possibly pro-Communist state with himself at the helm."

He continued: "If Tri Quang wants to deliver Vietnam to neutralism or communism under his own leadership, it would explain the mystery of why he raised the false issue of persecution which is ridiculous in light of all the concessions—indeed the favoritism—shown the Buddhists by Khanh's regime.

"But the cry of Buddhist persecution—as Tri Quang well knows—brings an almost Pavlovian reaction in the outside world where most people are too uninformed and too naive to believe that a Buddhist monk might make up such accusations out of whole cloth to gain his own ends."

The issue now seems less and less whether the Reverend Tri Quang aspires for a neutralist and pro-Communist Vietnam under his leadership.

It is focusing more and more on the fact that his actions are pointing in that direction. The question now is whether anything can be done effectively to stop him as he operates from within the privileged psychological sanctuary of being a Buddhist monk.

[From the Baltimore Sun, Nov. 5, 1963]

REDS SEEK NEW COUPS OF BUDDHIST-LED TYPE—REPORTED TRYING TO SPREAD VIETNAM RELIGIOUS REVOLT TO LAOS

(By Paul W. Ward)

NEW YORK, November 4.—Having seen Buddhism spearhead a drive that toppled Vietnam's Diem regime, Communists now are trying to organize like offensives elsewhere in southeast Asia.

So it was learned here today following announcement that a United Nations mission sent to South Vietnam October 22 to investigate charges that Buddhists were being persecuted there has completed its task and will reassemble next Monday in New York.

IMMEDIATE TARGET

Laos, which lies just west of Vietnam and also abuts Communist China, appears the immediate target of a campaign originating in Peiping. Its aim is to set Buddhist communities throughout Asia to filing complaints against elements of Laos' coalition Government akin to those they had been pressing against the Diem regime at Saigon until it fell last Friday.

The chief indication was provided in broadcasts from Hanoi, in North Vietnam, and Peiping reporting that the "Laotian Buddhist Association [has issued] a statement strongly protesting against the bombardment of a monastery by the Phoumi Nosavan troops and reactionaries among Kong Le's troops."

Gen. Phoumi Nosavan heads the anti-Communist wing of a troika-form government set up in Laos last year to carry out an agreement to neutralize that southeast Asian kingdom worked out at a Geneva conference which included the United States, the Soviet Union and Communist China among its participants.

Gen. Kong Le commands the troops of the coalition's neutralist factions and enjoyed avowed support by Peiping and Hanoi until the Communists concluded several months ago that he is sincerely neutralist and will not help them take over Laos.

COMPENSATION DEMAND

Since then, they not only have been denouncing him but trying to win over his subordinate officers to their side.

The Laotian Communist radio station, calling itself the voice of Laos, also broadcast the statement attributed to the "Laotian Buddhists Association," that alleged their foes had "destroyed a [Buddhist] monastery and acting Buddhists" at Ban Ton Nuong in Kieng Province's back country by a bombardment during the night of October 16–17.

The statement demanded "that the Phoumi Nosavan clique compensate the losses and immediately stop all moves against the Buddhists." Otherwise, "it would bear full responsibility for the consequences," it said, adding:

"All Laotian monks and Buddhists are urged to strengthen their solidarity, heighten their vigilance, and resolutely oppose all schemes of the U.S. imperialists and their lackeys."

The Communists have been denouncing the anti-Communist and neutralist factions of Laos' coalition government as puppets of the United States, just as they formerly denounced South Vietnam's Diem regime and are currently trying to discredit on like grounds the military junta that displaced it Friday.

To further what began as a Buddhist campaign against the Diem regime, Communist China also staged shortly before that regime's fall a 3-day conference of Buddhist clergy and laymen from 11 Asian countries.

Held in Peiping's Fayuan Monastery the conference was devoted in large part to orations against "the United States-Ngo Dinh Diem clique" at Saigon.

MONKS REPORTED BEHEADED

Its participants, now touring Communist China under the aegis of a Peiping atheist regime, included:

1. The Venerable Thich Thien Hao, listed as president of the Luc Hao Buddhist Association of South Vietnam, who made a long speech about atrocities, including beheadings and disembowelings of Buddhist monks, that he attributed to "the United States-Diem clique."

2. The Venerable Thepbouary Pramaha Khamtank, named as president of the Buddhist Association of Laos, who charged the United States is trying to turn that country into a "colony" and demanded that Washington cease giving military aid to the Laotian Government, asserting:

AUGUST DENUNCIATION

"We Asian people and Buddhists are the masters of our own affairs. We don't need any other masters lording it over and ruling us."

Mainland China's Communist rulers, who in August denounced as "political agents" of Chiang Khai-shek a group of Buddhist monks from Formosa then visiting India, also brought together in Fayuan Monastery Buddhist monks and laymen from Cambodia, Indonesia, Japan, Korea, Nepal, Pakistan, Thailand, and North Vietnam, which, like Cambodia and Thailand, also abuts Laos.

Having produced on October 20 a formal appeal to Buddhists everywhere to join in the anti-Diem campaign, the conferees gave themselves over to a series of fetes arranged in their honor by the Peiping regime that only a few years ago was charged before the United Nations Assembly here with having destroyed more than 1,000 Buddhist monasteries in Tibet.

NORTH VIETNAM CHARGES

There was no Tibetan participation in the Buddhist conference at Peiping.

North Vietnam's Communist regime has sent to the International (i.e., Polish, Indian, and Canadian) Control Commission for both parts of Vietnam a compilation of "Buddhist persecution and atrocity" charges against the Diem regime that said in part:

"Gen. Ton That Dinh, military governor of Saigon, personally directed troops to martyrize pupils of Vietnamese and French middle schools" on September 7.

TO HEAD NATIONAL POLICE

He currently is slated to be Interior Minister (i.e., chief of police forces) in the new regime at Saigon, having turned revolutionist after being refused the same post in the

> Diem regime, according to reports relayed from Saigon via Washington.
>
> Today Moscow's radio stations continued to denounce the military junta in Saigon just as they previously had denounced the Diem regime as an American puppet and the United Nations mission to Vietnam as a Washington invention designed to protect and preserve the Diem regime.
>
> Meanwhile, it was noted here that in Burma, homeland of U Thant, United Nations Secretary General, the military regime in control at Rangoon is under attack from the venerable U Kaythara, who, at 83, is the ranking Buddhist priest at Mandalay.
>
> Addressing mass rallies asembled in defiance of the regime and overtly inviting arrest, he has also been predicting that Gen. Ne Win, the regime's head, will meet the same end as Gen. Aung Sau, Burma's national hero, who was assassinated in 1947.
>
> In a statement relayed from Saigon and issued here today, a spokesman for the factfinding mission that headed back to New York yesterday contended its departure from Vietnam was not occasioned by the coup d'etat there, but was "as scheduled," although in statements prior to the coup the mission had claimed inability to estimate when it would complete its on-the-spot investigation.
>
> Today's statement also said the mission "had not been able to interview Thich Tri Quang [a Buddhist monk] who was in asylum at the U.S. Embassy" in Saigon. It added that "the former government of the republic had informed the mission that, according to the laws of asylum, a person in asylum was not allowed to make any contacts whatsoever while in asylum."
>
> ### BURMESE COMPLAINT
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> Meanwhile, there were these additional developments at United Nations headquarters:
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> 1. James Barrington, Burma's chief delegate here and its representative in the currently recessed disarmament conference at Geneva, complained in one of the Assembly's standing committees about a tendency toward "bilateralism" by Washington and Moscow and consequent bypassing of the lesser powers, including neutralists, in disarmament matters.
>
> 2. Mrs. Agda Rossel, Sweden's chief delegate took steps in another committee to initiate debate on a resolution—sponsored also by Austria, Ceylon, Ecuador, Uruguay, and Venezuela—that is aimed at getting all governments to follow the example Liechtenstein set in 1798 by abolishing capital punishment.

During the delivery of Mr. Dodd's speech,

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. JAVITS. I believe that my record on the scoreboard of the Americans for Constitutional Action is even lower than the record of the Senator from Connecticut.

I share with the Senator from Connecticut the feeling that it only demonstrates that we are trying in new ways to have the government use its powers for the people without at the same time jeopardizing individual freedom. We can only hope and pray that among the makers of these arbitrary scoreboards there could be a greater reflection of the consensus of our own people in our own States. Then I think the scoreboard would be very different for the Senator from Connecticut and myself.

Mr. DODD. I appreciate the Senator's making that observation. The Senator is one of the great minds in this body. He stands out particularly in the area of which he has spoken. I am happy to be in his company on that scoreboard.

Mr. President, I ask unanimous consent that the colloquy in which I have just engaged with the Senator from New York be placed at the end of my remarks so that I may have my speech in continuity.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, am I to understand that the Senator from Connecticut does not wish to yield?

Mr. DODD. I am happy to yield. I merely wish that whatever yielding I do may appear at the end of my remarks, unless there is some reason for it to appear elsewhere.

Mr. ELLENDER. I have been listening to what the Senator has said with much interest, because I have visited southeast Asia on many occasions. I have often described to the Senate—and I believe my reports will so indicate—the situation that was prevalent in southeast Asia. I am almost certain that my good friend will agree that were he to go to South Vietnam now, he would find things quite different from what they were when he visited that country 4 years ago.

Mr. DODD. I am sure that is true.

Mr. ELLENDER. There is no doubt about that. On several occasions I made the statement on the floor of the Senate that unless we could persuade our allies to assist us in carrying this load—and I am sure the Senator agrees that that ought to be done—and unless a stable government could be established in South Vietnam, we would be in serious trouble.

Mr. DODD. Yes. I wholly agree with those two points. I refer to a speech I made 4 years ago, in which I made the same point. I said I thought it was absolutely essential that our friends and allies in that part of the world join us in the struggle to preserve the freedom of the South Vietnamese. I pointed out—and I shall touch on the issue later today—that there is a basic structural fault in the SEATO organization which gives a veto power to any one member; and, as the Senator knows, that power has been exercised by France and Britain.

We must have a stable government in South Vietnam. The Senator is a well-informed Member of this body on these problems. I have great respect for his opinions.

Mr. ELLENDER. The question I should like to ask the Senator is as follows: Should we continue to intensify our efforts in that area if we cannot get our allies to assist us or if a stable government is not established in South Vietnam? That is the question.

Mr. DODD. The Senator's question is part of a larger question. There are many things we must do. Those are two things that we must do. I believe that we must get our friends and allies in that part of the world to assist us. We are getting them. Already Korea has announced that it is sending men to that area.

Mr. ELLENDER. Two thousand men.

Mr. DODD. Two thousand men. The Philippines are sending in several thousand men. All this is encouraging. They are starting, at least. I would like to see other nations do as much or more, and I expect that they will. I believe we are underway, and that this is no time to quit, because now we have the signs and beginnings to indicate that our allies are starting to do what the Senator from Louisiana and I believe they should have done long ago.

Mr. ELLENDER. I am not suggesting that we quit now.

Mr. DODD. I know the Senator is not.

Mr. ELLENDER. We have gone so far into it that we may well find ourselves in over our heads.

What I fear—and I have said so on the floor of the Senate and have included it in my reports—is that the situation that now exists in South Vietnam may become similar to the one that now exists in South Korea. The Senator will remember that the South Korean war was supposed to be a United Nations affair, in which all the membership of that great organization was to join us in fighting in South Korea. But what happened? We took hold of the situation there; and as I recall the figures, 96 percent of the cost of that war was paid by the United States, and about 95 percent of the foreign men who died in that conflict were Americans.

Mr. DODD. I accept the Senator's statistics.

Mr. ELLENDER. That is as I remember them.

Mr. DODD. They seem to me to be approximately correct.

Mr. ELLENDER. Today we are stuck, as it were, in South Korea. We are trying to maintain 18 local divisions there. It is very costly to do that. In addition, we are maintaining 2 of our own divisions there. As the Senator from Connecticut knows, we cannot pay the expenses of our soldiers there with collar buttons. It is necessary to have the money and the wherewithal to do it.

What I have feared all along is that unless we can persuade our allies to assist us in South Vietnam, and unless a stable government can be established there, a condition may develop which will be worse than the situation that confronts us in South Korea. That is what has worried me.

Mr. DODD. I know the Senator from Louisiana is worried; and so am I. It is a proper problem to worry about. There is no question that a stable government must be established in South Vietnam.

The trouble began, in my opinion, with the assassination of Diem. Diem was the best thing we had going for the free world in that area, and the tragedy of his death still haunts us.

I hope that at some time the proper committee will conduct a formal inquiry as to his overthrow and assassination and what part, if any, officials of the U.S. Government played in this tragedy. We have never been told anything, except through some newspaper articles. So far as I know, no formal inquiry was ever made, although there have been many ugly rumors. But officially, we do not know why Diem was overthrown, or how his death occurred.

That was the beginning of our trouble in South Vietnam. I make this statement only for historical reference, so that I may put my response in better perspective. We have since the death of Diem been plagued with the fall of one government after another in South Vietnam. There must be a stable government, and we can and must try to help the South Vietnamese achieve it.

Mr. ELLENDER. Suppose we cannot accomplish that?

Mr. DODD. I do not think that will happen. I think it can be done.

Mr. ELLENDER. The Senator has been speaking about Diem.

Mr. DODD. It is an "if" question. I do not know that anyone can ever answer it. The Senator says "suppose." I could add a hundred other suppositions that would make his question of no moment. Suppose we were attacked by the Soviets tomorrow morning with nuclear weapons; I do not think we would then be able to do much in Vietnam. But I do not believe that will happen. I do not think we get anywhere by such suppositions.

We must strive to assist the South Vietnamese in obtaining a stable government. I think that with our help, they can establish such a government; then we shall do better.

Mr. ELLENDER. I should like to speak about Diem, if the Senator will permit me to do so.

Mr. DODD. Certainly.

Mr. ELLENDER. I was in South Vietnam within a matter of months after Diem took office and on several occasions thereafter. I remember on my second visit there discussing with him the existence in his country of two pockets or areas, one in the delta and one to the northwest of Saigon, that were infested with Communists. He knew that. As I recall, we made efforts to encourage him to take action to satisfy those people, but we could never get him to do so. Those two pockets continued to grow in size. They may have been dominated by Buddhists, because it is alleged that 90 to 92 percent of the people are Buddhists.

Mr. DODD. No; the Senator is in error. This is a common mistake. Not more than 30 percent of the population are Buddhists.

Mr. ELLENDER. Thirty percent are Buddhists?

Mr. DODD. Thirty percent. I can document my belief.

Mr. ELLENDER. I wish the Senator would.

Mr. DODD. This is a common error. Such statements are made frequently. There is nothing to substantiate the figure of 90 percent.

Mr. ELLENDER. What is the division?

Mr. DODD. I should like to place that information in the RECORD in an orderly way. I shall discuss it.

Mr. ELLENDER. I want the Senator from Connecticut to know that I have taken part in debates in the Chamber in respect to South Vietnam on many occasions, but I am not one to try to dictate to the President what he ought to do.

Mr. DODD. Neither am I.

Mr. ELLENDER. We have gone so far now that I do not know what the whole picture is. I still contend that unless we can persuade our allies to assist us in that area, and unless we can enable the South Vietnamese to build up to the point where they will have a strong, stable government, there is no telling how long we shall be in that country, and there is no telling how many American lives will be lost. I doubt that there is any way to win there under present conditions.

As the Senator may recall, the late President Kennedy said—and I well remember when he said it, because I discussed it with him in person, following my last visit to South Vietnam—that if victory were to be attained in South Vietnam, the South Vietnamese would have to achieve it. In my opinion, that cannot be done unless there is a stable government there that is willing, with our assistance, to fight. Does not the Senator agree?

Mr. DODD. Yes. I am much in agreement with the Senator from Louisiana. I have great admiration for him. I know how hard he has worked on these subjects and how widely he has traveled. I am grateful to him for his comment. I shall touch on these subjects later.

Mr. President, I reiterate my earlier request that this colloquy be placed at the end of my speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. I am deeply interested in what the Senator is saying. If I do not remain in the Chamber all the time, I shall read his speech in the RECORD. I should like to have the benefit of his statistics concerning the religious aspects of the trouble in South Vietnam.

Mr. DODD. Yes. I am grateful to the Senator from Louisiana.

Mr. President, I am pleased to observe in the Chamber the distinguished junior Senator from Alaska [Mr. GRUENING]. I am happy that he is here, because I hope to receive his views as I proceed to discuss this subject.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. DODD. I am delighted to yield to my distinguished friend the Senator from Illinois.

Mr. DOUGLAS. I had the privilege of reading overnight the very able address of the Senator from Connecticut. In fact I read it over no less than three times.

Mr. DODD. I am indeed complimented.

Mr. DOUGLAS. I commend the Senator for many features of his address. First, I commend the spirit which animates his speech, the refusal to indulge in personalities, the crediting of high motives to those who differ in their prescriptions.

Mr. DODD. If I may interrupt, that could well have been learned from the Senator from Illinois.

Mr. DOUGLAS. I commend the general elevation of attitude and the powerful logic of the speech. This is the most puzzling and dangerous problem which our country has faced since October 1962.

I agree with the Senator from Connecticut that many Americans do not sufficiently appreciate what the loss of South Vietnam would mean to the free world and to the anti-Communist forces. I am not an expert on the subject of this territory, but a study of the map indicates what is involved. The Senator is completely correct in his statement that the fall of South Vietnam, or a withdrawal from South Vietnam, unless conditions change, would mean the almost immediate fall of Cambodia and Laos into the Communist camp. Laos is already half there; Cambodia is perhaps half there.

Then, if Senators will look at a map of the area, they will see that Thailand would be half encircled. As the Senator from Connecticut has pointed out, the North Vietnamese announced a few days ago that they were setting up a committee for the national liberation for Thailand.

Mr. DODD. Yes.

Mr. DOUGLAS. With that kind of power base, with North Vietnam pushing, with China behind North Vietnam, and with the United States out of the area, would not Communist influence take over Thailand and then spread north into Burma and south into Malaysia?

Mr. DODD. Most assuredly.

Mr. DOUGLAS. Then to the 650 million Chinese would be added 250 million Malays. What then would be the position of India?

Mr. DODD. Then it would be hopeless.

Mr. DOUGLAS. I remember talking many years ago with an eminent Indian, who was not pro-Western and not pro-Communist, but rather was a neutralist. I addressed this question to my Indian acquaintance: "How long could India be kept neutral if southeast Asia were to go Communist?" The reply was almost immediate. "We could not keep India neutralist for more than a year."

I know that the "domino" theory is being attacked now as not being applicable; but if these were an absence of force to check the Chinese, it would seem to many of us to be almost inevitable that all of Malaysia and virtually all of India would go Communist. We would then face a combination of 350 million Indians, 250 million Malays, and 650 million Chinese—1,250 million people. That would not be merely a change of political government——

Mr. DODD. Oh, no.

Mr. DOUGLAS. ——but would be the conquest by a country bent on world domination which treats the United States as its basic enemy. It would be a powerful force dedicated to the defeat of the United States of America.

If the Senator from Connecticut would permit me to do so, I should like to underscore some of his remarks on neutralization. I suppose that if there could be genuine neutralization, that would be highly desirable.

Mr. DODD. Of course; I should have made that point. No one would be happier than I if genuine neutralization, as the Senator puts it, could be achieved. I was talking about neutralization in the sense in which the Communists use it. We are too inclined to believe that the Communists mean genuine neutralization, when what they mean, in fact, is communization.

Mr. DOUGLAS. If it were genuine neutralization, it should certainly apply to North Vietnam as well as to South Vietnam.

Mr. DODD. That would be genuine neutralization.

Mr. DOUGLAS. Even if it were applied to South Vietnam, it would not be effective in view of Communist philosophy and power, unless there were some adequate supervisory body having real authority to police the agreement.

We have all noticed press reports, which are authentic, that North Vietnam has even expelled the small inspection teams which, under the Geneva Convention of 1954, were placed both in North Vietnam and South Vietnam, to see what was taking place and to report. They are being expelled and forced out. So there will be no eyes and no voices—no eyes to detect and no voices to report the military preparations and movements of North Vietnam.

Mr. DODD. That is correct.

Mr. DOUGLAS. If there were a strong, effective United Nations, with a mobile police force, that force could be placed in this area to help fill the power vacuum.

Mr. DODD. There is no doubt about that.

Mr. DOUGLAS. I was in Egypt and Israel in 1956, shortly after the Suez hostilities. I was greatly pleased about the excellent work of the United Nations police force. The Senator from Connecticut and I may have differed somewhat about the role of a United Nations police force in the Congo, but to my mind it represented a healthy principle.

Mr. DODD. I have no difficulty with the Senator from Illinois on that point. I am sure the Senator would agree that we can make mistakes. But the principle is correct: A United Nations police force should be used wherever this is feasible.

Mr. DOUGLAS. Yes. Unfortunately, as we all know, the Russians and, I am sorry to say, the French also, have virtually stymied the creation of such a force by refusing to contribute to its support.

Mr. DODD. Yes.

Mr. DOUGLAS. So it will be almost impossible in the near future to finance and to place a United Nations police force in the field.

Another political change is occurring inside the U.N.; namely, a shift of power from the Assembly to the Security Council, where the Russians can interpose a veto and thus stymie any resolution of the U.N.

As one who has always been a supporter of the U.N., and who still is, I observe many signs that the United Nations is being weakened in the same fashion that the League of Nations weakened in the middle and late 1930's. I hope that this will not happen.

Mr. DODD. So do I.

Mr. DOUGLAS. We should try to prevent that from happening, but we should not ignore reality.

To those who say that there is no analogy between the cumulative conquests of Hitler and Mussolini in the late 1930's and the cumulative developments of the Chinese in Asia in the 1960's, I should say that there is grave danger that they delude themselves. It would be a terrible thing if we woke up to find all of Asia Communist.

Mr. DODD. It would be a dreadful disaster. Earlier I described it as an "unthinkable thought," borrowing my words from the Senator from Arkansas.

Mr. DOUGLAS. It would have tremendous propaganda influence in Africa, much greater than the Russians alone could have, because the Russians, after all, are members of the white race. But the members of the yellow race or the brown race can make a much greater appeal to the blacks than the white nations can.

The Senator from Connecticut has performed a real public service in stressing the dangers. It should be noted also that he cannot be accused of being a war hawk. He does not advocate the indiscriminate bombing of North Vietnam or a bombing attack on China.

Mr. DODD. No.

Mr. DOUGLAS. He suggests the possibility of guerrilla warfare in the north, which would have to be done by South Vietnam, rather than by the United States.

Mr. DODD. Only because of what North Vietnam is doing to South Vietnam. This seems to me a proper corrective measure only so long as North Vietnam persists in its activities.

What we all hope for, I need not say to the Senator, is a settlement of the differences between countries, so that they can drop their arms and get on with the business of improving the lives of their people.

Mr. DOUGLAS. The Senator proposes political warfare and economic aid to be of real benefit to the people of South Vietnam; the development of SEATO; and various other measures.

I feel certain that the country will appreciate what the Senator from Connecticut has done. I urge that his warnings and his suggestions should not be dismissed summarily.

I can remember how, in the 1930's, after two trips to Europe, I felt that the combination of Hitler and Mussolini was moving to take over the free world. I believe that it was the duty of all who loved freedom to resist that movement. There is a similar obligation upon us today to resist totalitarianism of the left, as well as totalitarianism of the right. One is as bad as the other.

Mr. DODD. The Senator is correct. I am glad that the Senator made that observation.

Mr. DOUGLAS. I thank the Senator. Perhaps certain features of his program, such as the proposal to capture a staging area just inside of Laos may not be the right thing to do. But, in general, the program suggested is modest, moderate, and in good temper. I hope his program will be considered by the American people and that it may serve to offset some of the finely motivated but incomplete suggestions that have been made.

Mr. DODD. I am deeply grateful for the observations of the Senator.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. DOMINICK. Mr. President, I congratulate the distinguished Senator from Connecticut on making what I think is a valuable contribution to the national debate on what we should do in southeast Asia.

I not only had an opportunity to read the statement before it was delivered, but I also had the pleasure of listening to the delivery. There are several points that the Senator made which I think were publicly made for the first time. The one that I should like to emphasize at this point concerns some of the strategic implications, gained by looking at a map, of what might happen if the Red Chinese decide to move south.

The implication is rather plain that the Senator does not think they will do that. I agree. Among the things that would deter them from doing that is the presence in Taiwan of a highly trained air force. The Nationalist Chinese very much want to go back to the mainland if they have an opportunity. If the Red Chinese forces were to be drawn to the south, that would give them the chance to move, which chance they might not have again.

The Senator presented figures on what the Vietcong has done in the way of murder and terror within the country. The Senator said that almost 500 a month, or 6,000 a year, within the village hamlets have been murdered by the Vietcong.

Mr. DODD. The Senator is correct.

Mr. DOMINICK. I wonder if the Senator can tell me where the figures originate.

Mr. DODD. I hope the Senator will be satisfied with my statement. I am sure they are from an official source of the administration.

Mr. DOMINICK. The reason I asked is that figures have been given to me which are of a very substantial nature, but not quite that large. When I have mentioned the figures from time to time, in the process of meeting with groups and talking about the terrorism that has been inflicted, people had not heard of this before. They had never understood what was going on. They had no concept of the problem.

Mr. DODD. I do not know whether the Senator was in the Chamber before, but when I obtained the figures, I said, "Why in the world have the figures not been made public?" I think the figures should have been made public. I do not see much sense in classifying this material and concealing it. The people do not know these facts.

Mr. DOMINICK. It is particularly important with respect to the argument made by those who would like to see us negotiate and neutralize. The South Vietnamese villages are not with us. But it is very difficult to have them cooperate with us if they are under the grip of terrorism and many people in their areas are being murdered. Until we give them the security they need, it is hard for them to be able to do anything.

Mr. DODD. The Senator is correct.

Mr. DOMINICK. Mr. President, one of the things that has not been made plain in the overall debate, I feel, is the fact that there is a contest of willpower in this area. There is no doubt in my mind, from the study that I have made of the overall situation, that the Communists are using the so-called national liberalization plan as a test mechanism to determine how great the willpower of the free world is. If this plan should be successful in persuading us to negotiate or neutralize, it is inevitable that this technique will spread widely throughout the world, through Africa, South America, and Latin America.

It is already being used. But I believe it will be accelerated sharply. I think the Senator brought that point out very well. I congratulate him on making a very useful contribution.

Mr. DODD. I thank the Senator.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. MUNDT. I congratulate the distinguished Senator from Connecticut for having presented a most conclusive and comprehensive statement on this whole Vietnamese problem. It is the type of white paper which I hoped the State Department would have placed before the American people long ago.

I believe it would still be well for them to do so. In his analysis of the historic developments of the problems and the consequences involved in this important theater of the world, the Senator leaves little doubt as to his accuracy.

While men may disagree among themselves as to the various processes to be used to bring this matter to a successful culmination, the matters that the Senator has anticipated are the type that should emanate from the State Department, carrying the full weight of the administration and the Government. I am sure that would convince many fine American citizens, who are beginning to doubt their own judgments in these areas, as to what is involved.

I congratulate the Senator on a most comprehensive study. I am happy to note the emphasis and the importance which the Senator places on a step-up political warfare in this area.

The distinguished Senator from Connecticut has long tried to establish a training institution in this country so that we could prepare Americans to go overseas for the type of warfare we wish to pursue, with a stable, constituted government in Vietnam.

I hope that the State Department, which has shown such a stubborn reluctance to provide the type training required for this type of warfare, will consider carefully the emphasis that the Senator places on this particular recommendation for future activity.

The Senator talks about cadres of trained political leaders and emissaries from these countries who are equipped and capable so that they could deliver the type of guidance and inspiration needed by our friends in South Vietnam. Unfortunately, this is always debated in a vacuum in our ability to wage a cold war.

I happen to be one of those who believe honestly that had the other body approved in 1960 what the Senate then did approve, legislation for the creation of a freedom academy—following a wonderful report written in large part by the Senator from Connecticut, as a member of the Committee on the Judiciary, emphasizing the need for this adjunct to our contest against the Communists overseas—we would have had 5 long years within which not only to train ourselves, but also to provide for young governmental officials and career people in the government in Saigon to come here and learn the full truth about the techniques and devices employed by the Communists. These officials and career people would have learned to understand the maneuvers and manipulations of the Communist conspiracy, and been trained to be better able to convince their fellow citizens on the free side of the Vietnamese struggle of the dividends which accrue to freedom, and the importance of Communists.

There would not have been the melancholic succession of quick changes in the officialdom of South Vietnam. We would have obtained what all hands agree is an indispensable requirement in bringing success to our efforts there—the creation of a stable government in South Vietnam which has not only the will to win, but also the respect of the local people, so that it in turn would support the Government and maintain its stability in office, so that the people there could get on with the work to be done.

Mr. DODD. The Senator gives me credit for the idea of the Freedom Academy. It was the idea of the Senator from South Dakota. I was merely a minor help in getting it through the Senate. The Senator from South Dakota deserves great credit for it.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. DODD. I yield to the Senator from Texas.

Mr. TOWER. I join my distinguished colleagues from South Dakota and Colorado in commending the able and distinguished Senator from Connecticut for his comprehensive contribution to the dialog on southeast Asia. It must be made clear to the American people that we must take stringent action in southeast Asia if we are to deter and discourage further aggressive adventures by the Communists. Again I thank the Senator from Connecticut very much.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DODD. I yield to the Senator from New York.

Mr. JAVITS. The speech of the Senator from Connecticut is altogether too provocative and he has done his homework altogether too well for him to be complimented merely on a good job. It is a good job, however, and I should like to join my colleagues from Texas, South Dakota, and other States who have said so. Any time the Senator devotes himself to this kind of work, it helps the country.

The Senator from Connecticut has done a thorough job in presenting new ideas. This is the place for them, for we are not inhibited by the administration or its policies, especially when a Democrat puts forth a good idea.

One lack, as I have said before, is that retaliation has been pictured as a policy. It is not a policy. It is a reaction. We support it. We close ranks behind the President. We have common interests in it and in the losses. The losses break our hearts, but we try to do something about them. However, it is not a policy.

The Senator from Connecticut is trying to work out a policy. Whether it be a good or a bad policy, he is right in trying to work it out, because he proposes something positive, which takes us on a road where there is a big lack. That is what is causing doubts among the people as to whether this country is going to pull out of South Vietnam or go forward.

Granting all that I have said, I should like to ask the Senator some questions.

In the first place, the Senator does not deal with something that troubles many of us, and that is the question, "Is there still a majority in South Vietnam who do not want communism? Do a majority of the people want to fight against it?" We cannot fight a war without soldiers. That statement goes whether the fight is for an ideology or for freedom. That is one question we must always determine. We cannot put our head on other people's shoulders and assume they are "buddies." We may, for example, be bitterly opposed in Albania and other places, because the people there may want communism. They may like it. That is a very gnawing question with respect to South Vietnam: What is the attitude of the people of the country?

Only a declaration of the President of the United States can answer. I know that is so often said that it must sound like a cliche, but it is the President who has the vast reservoir of intelligence information. I think all of us, notwithstanding difference of party, would accept a declaration on the facts by the President of the United States. We are talking about the Presidency; it is not the man or party we are talking about. It is the office we are speaking of.

So, first, we ought to have a declaration and assurance, based on the whole combination of intelligence, diplomatic, and military advice, that a majority still favors fighting communism in that country.

I wish the Senator would comment on that point.

Mr. DODD. The Senator from New York was not in the Chamber when I commented on that point; but I pointed out that, from all the information I can get, the Vietnamese people are overwhelmingly in favor of resisting Communist aggressors.

I pointed out that the people of Vietnam have a long history of resistance against oppression. I know and I have pointed out that many people believe that the people of South Vietnam have no will to fight, and that communism has an attraction for them. But the record shows that at the several different periods in their history, when they have been under attack, they have demonstrated their will to resist. It was the people of Vietnam who successfully resisted Genghis Khan. In our own time, they threw out the French. And they had been free for 500 years before the French occupation. They are proud of the fact that they threw the French out with their army of 500,000 men. So, I repeat that the Vietnamese people have historically displayed the will to resist and they are displaying the same will today. They behave very well, in fact. And the evidence is that they are overwhelmingly anti-Communist.

I pointed out that some people say the Vietnamese do not know anything about freedom, and that it is silly to talk about freedom for the Vietnamese. There are, however, three or four or five kinds of freedom.

The primitive peasant in the mountains knows what freedom is. Many of them have lived under communism, so they also know what slavery is.

The freedom enjoyed by the Vietnamese peasant I call a natural freedom. The peasant can plant his own seed, raise his crops and sell his produce. He has a family life, he can guide the upbringing of his children, he can elect local officials. If, in addition, the government builds a school, and dispensary, or supplies him with fertilizer, he thinks he is about as free as anybody in the world can be.

They do not have to have democratic, parliamentary freedom such as we have. I do not mean to detract from parliamentary democracy, but historically it is a refined form of democracy. However, it just is not true that the Vietnamese people do not know very much about freedom. They do know much about it. They have demonstrated that again and again.

There is another kind of freedom, and that is freedom from foreign domination. They know the meaning of this, too. As I said before, they defeated Genghis Khan, and they threw out the French. That they have the will to resist communism is borne out by the fact that 1 million have fled south. Roughly 5 million of them have, at one time or another, fought the Communists.

If we make allowance for wives and children, that would make a figure of 9 or 10 out of 14 million. The percentage may even be higher.

Again I repeat that the Vietnamese people do have the will to resist. All they want from us is aid to counterbalance the technicians and personnel, and weapons that the Communists have been pouring in to support the Vietcong guerrillas.

I cannot give the Senator from New York the declaration which he wisely says we ought to have on Vietnam. I cannot speak in that capacity. I can say that, from my information—and I cited it—I am convinced that the facts are as I have stated them.

Mr. JAVITS. The Senator referred to the fact that the answer to my question is mentioned in his speech. I was not present in the Chamber all the time he was making his speech, but I have read it. I would not have presumed to ask the Senator these questions had I not read it. The purpose of my questions is more for emphasis.

The Senator from Connecticut has already answered a collateral question in the course of his last reply; namely, whether the South Vietnamese want our help.

I am pleased to hear the Senator say that a declaration by the President on this subject would be a good thing. It is necessary. I am not critical, but that does not stop us from urging what would be good for the country and the world.

Mr. DODD. I knew the Senator was present. I was aware of his presence while I was speaking.

I think it is good to do anything that would help our people understand where they are, and what we are trying to do in Vietnam.

Mr. JAVITS. One big point being made is on the question of negotiation. The Senator has said that the demand that we negotiate now over Vietnam is akin to having asked Churchill to negotiate with the Germans at the time of Dunkirk and President Truman to negotiate at the time of Pusan. I assume that also goes for President Kennedy with respect to Castro.

Let me ask the Senator this question, which concerns a Presidential declaration. I do not know what the answer of the Senator will be, therefore I may be making a mistake, because a trial lawyer should not ask a question to which he does not already know the answer, but I believe that——

Mr. DODD. That is not what is worrying me. I am worrying as to whether I know the answer.

Mr. JAVITS. It is important that we explore each other's minds to see whether we agree with each other's point of view.

As the President has stated, we are ready to negotiate. We are ready to negotiate if negotiations do not represent a sellout of the people of South Vietnam or a sellout of the cause of freedom.

I should like that formula better, because this is a big question in the world: "Is the United States in a mood for unconditional surrender?" The Senator and every newspaper editor in the world know precisely what I mean by that.

What are we saying here—that someday, somehow, as in the case of the Berlin airlift, or other emergencies which looked as though they would never be settled, some way will be found out of the situation? The same thing occurred in Korea. The day came when there was some kind of negotiation, good, bad, or indifferent. Therefore, would the Senator, consistent with his conscience and his views, subscribe to the proposal that we should assert that we are ready to negotiate, provided it is not a sellout negotiation and not a negotiation for face-saving purposes because we wish to find a good reason to pull out, but that we are ready to negotiate honestly and legitimately for a political settlement of the issue, now, tomorrow, or at any other time?

Mr. DODD. Perhaps I could answer the Senator's question better and more directly if he would tell me what it is that he would suggest we negotiate.

Mr. JAVITS. I suggest that we negotiate the political future of South Vietnam, or that we encourage South Vietnam to negotiate it, in or out of the United Nations, in or out of the Geneva conventions, so long as the conditions which are the framework of the negotiations do not show the United States to be pulling out of South Vietnam.

Mr. DODD. What I am worried about is the fact that we already have an agreement. We have already negotiated one. It has been violated. What do we negotiate? Do we sit around a table and say, "You have broken your agreement. Stop doing it. Get back and obey its terms." I suppose that could be described as negotiation in a crude sense. But it seems to me that this is all we have to negotiate.

I do not like to use the term "negotiation" when what we are really talking about is a breach of covenant. If I have a contract with the Senator from New York and I should break it, I believe that he would use stronger language than negotiation.

I do not wish to be evasive. If it would help to sit down and talk with the Communists, I would be in favor of it. But, I have serious doubt that it would help us in this crisis. Certainly, in a general sense, the President has stated that we are always willing to negotiate.

If there is anything, really, to negotiate, and if it would help, I am sure the President would do it.

I would put it a little differently. We do not know what there is to negotiate. We already have an agreement. We say, "We have an agreement which you have violated and which has caused some trouble. All you have to do is to retire from your aggressions, and cease attacking your neighbor." If the Communists are willing to talk about this, then I suppose we should do so.

Mr. JAVITS. I have suggested the framework for negotiations, and let me say that the Senator has just made what could be an excellent opening statement by the United States in such a negotiation. I believe that within that framework, the Senator and I could agree.

But let me make one further comment on this subject which is important. In debate and in fortifying our own conscience on this issue, we must not forget that we are supposed to have allies in the Southeast Asia Treaty Organization, in mutual defense agreements, even in the offer of the Japanese to mediate. Perhaps, if we could suggest something, I would most enthusiastically join the Senator in a plea for vigorous action by the administration to enlist the participation of our allies. If any such vigorous action is in fact being taken, it is so quiet, so submerged, so subdued, that even we who are extremely sensitive and have many places where we can get information, have heard nothing about it.

I believe it is in this area that we should push and press. Bringing in our allies does not have so many of the connotations of negotiations with the other side—that is, with the Communists; but we really should make massive demands and keep at it eternally to get help in this situation, so that Asians may get into the struggle, which is a struggle for the whole of Asia.

Mr. DODD. I wholly agree with the Senator from New York. I have said so many times years ago.

Mr. JAVITS. The Senator is correct.

Mr. DODD. When I came back from the trip which I made, I referred to it on the floor of the Senate. I then thought it was urgent and necessary. It is even more urgent and necessary now. I completely agree.

Mr. JAVITS. I thank the Senator from Connecticut.

Mr. HARRIS. Mr. President, will the Senator from Connecticut yield?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Connecticut yield to the Senator from Oklahoma?

Mr. DODD. I am glad to yield to the Senator from Oklahoma [Mr. HARRIS].

Mr. HARRIS. Mr. President, I wish to associate myself with the remarks of the Senator from Connecticut and to commend him for the excellent thinking through which he has done on this grave problem and for the presentation of his very important recommendations in this critical situation. I commend him particularly for the overall position that what we are doing is so much better than two or three of the other alternatives which are available to us, among which are pulling out altogether from South Vietnam or neutralization without adequate safeguards, which would result in the same end as withdrawal from South Vietnam and eventual withdrawal from southeast Asia.

I believe that a general debate on this and all other matters of foreign policy are of great benefit, and help the people of this country establish a general consensus, which we as public officials have the responsibility not only to discover but also to lead toward. Nevertheless, it seems to me that we must be careful that we do not by our statements indicate to the people of southeast Asia, or to those who are our adversaries there, that this country plans any kind of negotiation which would result in our abandonment of the people of South Vietnam and, by any such statements, perhaps, accomplish the same results which many fear—that is, that we would force the administration to ever-increasing military efforts to keep those people from thinking that we are going to pull out.

I believe that is the greatest danger in the dialog on this subject. I believe that every Senator and others who have spoken have had much to add, but I especially wish to commend the Senator from Connecticut and to associate myself with his strong recommendations, particularly in regard to the intensification of political warfare in that troubled sector, and the encouragement of greater collective action by other people of the Asiatic nations.

Mr. DODD. I am deeply grateful to the Senator from Oklahoma for his comments.

Mr. MONRONEY. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I am glad to yield to the Senator from Oklahoma.

Mr. MONRONEY. I should like to join my distinguished junior colleague in complimenting the able and distinguished Senator from Connecticut on his stand and the position he has taken in regard to Vietnam.

I had the great good fortune to represent the Senate in a visit to southeast Asia between Thanksgiving and Christmas for 3 days—to make the most of some 3 days by interviewing men who had served in that theater. Later, I talked to many who have served throughout the entire Far East theater of operations. I am convinced, as the Senator from Connecticut is convinced, that an attempt to arrange a negotiated settlement at this time would be folly in the extreme.

The Communists could use these so-called negotiations merely as a stalking-horse to get their apparatus more firmly at work or to gain time, or to gain place, or gain a position, or gain land, or gain in the conflict. I spent some time in Korea—3 days there. The only reason the Korean armistice has worked is the fact that we have had military power back of the 38th parallel, in a commanding position in the mountains, and have got air cover behind that, and tanks behind the air cover to make that line stick.

Otherwise the armistice agreement would not have been worth the paper on which it had been written, if we had had to depend on the Communists. Then it was the Korean Communists; this time it is the Vietnamese Communists. They are all of the same breed of cats. They may differ in their ideologies, as between the Chinese Reds and the Russian Reds, but they are both Reds; they are both Communists. In 99 percent of the cases, agreements are made by them for the very purpose of breaking them and misleading and tricking their opponents, and without any hope of having them honor their written commitments in any manner, shape, or form.

I am surprised that so many Members of the Senate, with good and peaceful intentions, invariably are taken in by this absolutely phony argument, which bears the hallmark of deceit and intent at misrepresentation and the obvious purpose of deceiving. I am surprised that it should fool anyone. I regret very much that so many of my able and distinguished colleagues in the Senate, who are in a position to know better, seem to think that because peace is so wonderful and so much to be sought after we should allow the Communists to trick us into negotiations, which would be used to exploit us for their purpose. The way to get peace is to try to improve our position, to be able to proceed from a standpoint of strength, rather than from a standpoint of weakness. When we reach that point we shall not be laying ourselves open to helping them in their objective to propagandize themselves and the alleged position that they have in Vietnam.

I compliment the distinguished Senator on his firm position.

Mr. DODD. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I yield to the Senator from Ohio.

Mr. LAUSCHE. I am extremely delighted to state that my views have in the past coincided with the views of the Senator from Connecticut and coincide with them today. It is my recollection that in the Korean negotiations, the proposal to negotiate was not made by the United States, but by the North Koreans. Does the Senator have a recollection on that point?

Mr. DODD. That is my recollection.

Mr. LAUSCHE. I am quite certain that that is correct. Now it is proposed that we negotiate, and those who make the proposal used the analogy of what happened in Korea. Actually there is no analogy.

I heard the discussion about terrorism I would like to hear the Senator's view on whether the terrorism is in the main practically and in completeness the acts of the guerrillas of North Vietnam against the peasants in the hamlets in South Vietnam.

Mr. DODD. I do not want to be understood as altogether absolving the South Vietnamese from any acts of terror. Unhappily, these things have occurred on both sides. However, I believe that the overwhelming number of acts of terror are chargeable directly to the Communists. There is no doubt about that. Terror is a part of their policy; whereas to some extent it may be true of South Vietnam, it is not the stated policy.

Mr. LAUSCHE. I agree completely with the Senator from Connecticut that it is their technique to intimidate and terrorize the peasants working in the fields and living serenely in their homes, descending upon them at night to decapitate their leaders and place their separated heads on poles, so that the peasants will begin to fear that if they take up the position of chieftan or leader they will likewise suffer the same fate.

Mr. DODD. That is why it is done.

Mr. LAUSCHE. I heard the discussion between the Senator from Connecticut and the Senator from Illinois about drawing a lesson from what happened following the violation of treaties going back to 1939. Unless we take a look at these incidents of appeasement we shall miss completely the lessons that must be drawn from past conduct in order to guide ourselves in the future.

Mr. DODD. That is very true. I do not offer these analogies because I think think they are exact parallels. The Senator understands that, I am sure. There are always some differences. I know that. However, we learn from what happened in the past, certainly from what happened in the near past, and we study these happenings in order to learn from them. If others made mistakes, we should try to learn how to avoid repeating them. I drew these analogies for that purpose. There are other examples in history—these are not the only ones—but the ones that I drew on are the latest and perhaps the most pertinent.

Mr. LAUSCHE. There was the Versailles Treaty and the League of Nations covenants, the Kellogg-Briand Treaty, and the Lucarno Treaty. All of them contained provisions which were violated by the Japanese as early as 1922.

Mr. DODD. Yes.

Mr. LAUSCHE. By Hitler beginning about 1932, and by Mussolini at the same time. In instance after instance it was thought that if we would give in, it would be the end of it.

Mr. DODD. That is true. I referred to Nuremberg and what we discovered there. One of the thinks we learned was that at the time Hitler ordered his troops to occupy the Rhineland, he had given instructions that if they met any opposition at all they should immediately retreat. How easy it would have been for us to stop him cold then. There was considerable dissatisfaction with Hitler in his own military circles, and, as we know, there was an attempt made later to get rid of him.

We failed in that situation to take the appropriate steps. Our failure enabled Hitler to remain in power.

There were those who said, "Oh, no; war would result if we tried to stop Hitler now, and it would be terrible." We did not do what we should have done, and in that way a terrible war was brought on.

Mr. LAUSCHE. It has been suggested that we negotiate the future political status of South Vietnam. What does that mean? Does it mean that we should negotiate a new type of government for South Vietnam?

Mr. DODD. I do not know. I do not believe that the Senator from New York meant it that way. As I understood him, he made a good point. I am sure the Senator from Ohio shares my feeling on that point. As I understood the Senator from New York, we do not want to do anything that will give the impression that we are for unconditional surrender and, on the other hand, we do not want to give the impression that we will have nothing to do with the Communists. That is all that the Senator from New York meant, I am sure.

Mr. LAUSCHE. There is now in existence a pact by which we have abided and by which the South Vietnamese have abided, but which the North Vietnamese have violated.

Mr. DODD. The Senator is correct.

Mr. LAUSCHE. That is the Geneva Pact of 1954.

Mr. DODD. The Senator is correct.

Mr. LAUSCHE. In addition, to that, a new agreement was made in 1962, in Laos.

Mr. DODD. Yes.

Mr. LAUSCHE. There we followed the policy of negotiation.

Mr. DODD. Yes. I believe it was in 1961.

Mr. LAUSCHE. May I ask whether the Laotian agreement worked out as it was anticipated it would work out by the sponsors of it?

Mr. DODD. Not at all. It could not have worked out worse than it did. For the people of Laos and the people of southeast Asia and for us it has been a complete farce. It has been repeatedly violated, and it is being violated every day. It is another case of our inability to trust those people.

Mr. LAUSCHE. I commend the Senator from Connecticut for his presentation, because I believe what he has said and what others have said on this point will bring home to the minds of the American people that what is involved is not merely wanting to be in southeast Asia, but that our national security is involved. In my judgment, words to the contrary, are not at this time helpful to the achievement of the common objective that we seek to achieve.

Mr. DODD. I am grateful to the Senator for his compliment, which I do not deserve, but which I enjoy.

Mr. President, I yield the floor.

APPOINTMENT BY THE VICE PRESIDENT

The **PRESIDING OFFICER** (Mr. TYDINGS in the chair). On behalf of the Vice President, pursuant to Public Law 87–758, the Chair announces the appointment of the Senator from Vermont [Mr. PROUTY] as a member of the National Fisheries Center and Aquarium Advisory Board for a 4-year term.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

Mr. FULBRIGHT. Mr. President, I move that the Senate resume to the consideration of Calendar No. 64, House bill 45.

The **PRESIDING OFFICER** (Mr. TYDINGS in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. FULBRIGHT. Mr. President, I wish to make a brief statement in support of S. 805, a bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Bank's Fund for Special Operations.

I say that the statement will be short. I do so not as an indication of the strength of my support for the measure—indeed, I thoroughly approve of this bill—but in order to spare Senators a complicated and wearisome recital of factual material. A plethora of facts and figures will be found in the printed material on Senator's desks. As with data on any financial institution, there is virtually no end to the figures, charts, and tables. Oversimplification of such material in this case may be a service rather than a danger.

I have said that I heartily approve of this bill, and I am sure that my reasons for this position will be shared by a great number of Senators, for this is the kind of foreign assistance activity in which the United States should be engaged. The purpose of the bill is easily and fully identifiable. The financing is of a kind which is particularly suited to the needs of friendly countries. We can readily keep track of the process of lending through ample public information on projects and their results. Self-help and responsibility are engendered through the participation of the countries being assisted. Criteria for eligibility are kept high. And the United States does not become embroiled in political squabbling or become the target of resentment and unseemly pressures.

However, before elaborating on any of these points it is necessary to give at least a very simplified explanation of the purposes and effects of this proposed legislation. We should start, I think, with the important fact that Latin American countries by and large are in a position where they find it increasingly difficult to service loans for economic and social development on conventional or hard terms. In addition, many vitally necessary projects in the so-called infrastructure category must be undertaken as a precursor to overall economic development. Since these projects do not represent an immediate or short-term economic return, they generally cannot be financed through ordinary banking operations. It almost goes without saying that loans for social projects such as housing, technical training, and education require special kinds of financing.

The need for this kind of lending activity was recognized at the time of the Inter-American Development Bank's establishment 5 years ago, and a Fund for Special Operations was created as a completely separate window of the Bank to service this requirement. At the same time, the initial resources made available to this special Fund were quite modest in comparison with the amounts subscribed toward the ordinary conventional lending operations of the Bank. Moreover, it was not then recognized how closely intertwined were the fields of economic and social development, and the Fund for Special Operations was not designed as an underwriter of social projects. To fill the resulting gap, the United States in 1961 unilaterally contributed a large sum to be administered through yet a third window by the Inter-American Bank; this window has been known as the Social Progress Trust Fund. A total of $525 million has been made available to the social fund by our country.

Now we confront a situation in which the resources contributed to these two funds will be completely exhausted within the next 2 to 3 months. A plan to deal with this problem was formally presented within the Bank and accepted by its governors approximately 10 months ago. The proposal has been pending before the 20-member governments of the Bank since last summer. In the resolution which the Bank's governors recommended for acceptance, it was decided that the Fund for Special Operations would be replenished by a sum of $900 million over a period of 3 years, and that the United States would make no further contribution to the Social Progress Trust Fund, in effect virtually closing this third window of the

Bank. Along with this decision, however, came full agreement that the functions of the Social Progress Trust Fund would henceforth be merged into the Fund for Special Operations, and that social projects would be considered equally along with economic ones.

The share of the United States in this increased contribution to the Fund for Special Operations would total $750 million, to be made available in three installments of $250 million each in the years 1965, 1966, and 1967. The Latin American countries would contribute the other $150 million equivalent in three annual installments. All these sums would be contributed in the form of national currencies, involving no transfer of gold, and a letter of credit could be substituted for cash until expenditures were actually required for the Bank's approved projects.

Although it is obvious that the United States is the only member country of the Bank able to provide the needed foreign exchange, some explanation nevertheless is required to clarify the reasons for what may seem a disproportionate contribution by this country. Basic to this explanation is the fact that the two funds which have been making loans on flexible terms are being merged, and that the Latin American countries did not in the past contribute to the Social Progress Trust Fund. Therefore, while it seems that the relative percentage of the Latin American contribution to the Fund for Special Operations has dropped, the point is that the other member countries of the Bank will be making a larger relative contribution than they did to the two funds in the past. Beyond this, it should be stressed that the sense of participation and consequent responsibility accruing to these countries through their contributions is certainly not in proportion to the relative size of their participation. It is this feeling of sharing in a joint venture which I am sure is responsible for much of the success of the Inter-American Bank—and it certainly has been a definite success.

Now a few words about the lending terms to be adopted by the expanded Fund for Special Operations. To a considerable extent these terms will strike middle ground between those which heretofore have been standard in the special fund and the Social Progress Trust Fund. It is anticipated that the expanded Fund for Special Operations will maintain a substantial degree of flexibility in its lending arrangements, but that the average terms will be as follows: Loans may be repaid in the currency of the borrower with provision for maintenance of value; maturities will range from 20 to 30 years; total interests and charges will be around 3 to 4 percent, broken down between the interest payable in soft currency and a dollar service charge of three-fourths of 1 percent.

Yet it should be stressed that these are average figures. While the softest terms would not go below the minimum figures, there is ample flexibility for the Bank to be enabled to arrange harder terms when a situation seems to justify this course. It should also be emphasized that the stringent criteria for eligibility of social projects maintained by the Social Progress Trust Fund should be adopted by the expanded Fund for Special Operations.

The Committee on Foreign Relations approved S. 805 by a vote of 15 to 1, and there has been almost no public opposition to this bill. Nevertheless, I think it would be useful for me to anticipate some of the questions which may occur to my colleagues at this time. Many of these questions, I am sure, will revolve around the balance-of-payments issue. This interrogation certainly will be justified.

In response, let me say first that the entire contribution of the United States authorized by this bill will be subject to "tied loan" provisions, whereby most of the money will be spent for the purchase of goods and services produced in this country. According to the testimony of Secretary of the Treasury Dillon, between 80 and 90 percent of our contemplated contribution will actually be tied. Under this computation the maximum annual effect on our balance of payments could be no more than $50 million in each of 3 years. However, judging from our experience with the Social Progress Trust Fund in the past, with a rate of tied lending ranging above 90 percent, it is highly unlikely that anything like the maximum upper figure of $50 million will be reached.

A second point is that, because of the use of the letter-of-credit procedure, the balance-of-payments impact will be delayed and will result from the rate of actual expenditures, rather than being related to a particular year. Under these circumstances, it is quite possible that the actual balance-of-payments effects of this specific proposal will spread out over a longer period than the 3 years, and may reach only one-half or even one-third of the maximum annual rate of $50 million.

There is a third point to be considered in this connection. While the initial effects of the Inter-American Bank's ordinary capital operations on our balance of payments were adverse, in 1963 there was actually a favorable balance of almost $22 million for the United States as a result of these regular operations. Beyond this, a distinction must be made between cash payments which affect the balance of payments, and commitment or authorization figures which do not; thus, for example, only about $230 million of the $675 million the United States has contributed to the FSO and the SPTF—most of it tied to purchases here—has entered into the payments equation.

It will be seen, therefore, that no simple calculations will easily reveal the actual effects of this legislation on our balance of payments, but that there is every reason to believe that the adverse impact will be small and will be kept to a minimal figure—probably on the order of $12 or $13 million a year, if I am forced to make an educated guess. In any case, if we are tempted to make the payments issue the touchstone of our foreign policies, I submit we should confine the temptation to areas where conditions seem adverse to our interests. The last place where we should apply such erroneous doctrine is in an area of particular interest to us—Latin America—and toward an institution which has successfully promoted that interest.

I also realize that there are some who have reservations about the merits of the multilateral approach to development lending, and that a major factor in their thinking is the question of the degree to which the United States theoretically loses control over its contributions. I do not intend at this time to embark on a long discussion of the point—even though I dispute its validity—because the question really does not arise in connection with the bill before us. The fact of the matter is that the United States, with about 42 percent of the voting strength of the Bank's members, in effect has a veto power over the activities of the Fund for Special Operations. For the bank charter requires a two-thirds vote of approval before any loan commitment may be made.

One final anticipation of an objection may be worth citing. There are some who believe that the possibility of expropriation is a critical issue at the present time, even though there has been no occasion for the Bank to be involved in such a problem. Here again, the voting strength of the United States within the Bank gives assurance that there would be no conflict between our bilateral policy and our participation in multilateral activities, in the event that the so-called Hickenlooper amendment might be applied within the context of our foreign aid program. Moreover, I am sure that the Bank members themselves, with their stake in the activities of the institution, would be strongly opposed to any member government's taking an action which could adversely affect all its partners.

Mr. President, I will not continue dealing with essentially negative factors connected with the proposed legislation because I believe that this is one of the most positive and fruitful items of legislation likely to come before us in this session of the Congress.

We have had moderately heartening news in recent months about the trend of events within the Alliance for Progress. I think we are at last developing some momentum in the direction of bringing stability and economic and social progress to most areas of our hemisphere. Especially at a time when we are debating the question of a possible American overextension in areas of Asia and Africa, it seems even more vital for us to make sure that conditions are favorable to our interests close at home. I think there is ample evidence that the Inter-American Development Bank is one of the main instruments for achieving this mutually held concept of hemispheric cooperation and progress. And I believe that we should make available the funds and talents to keep up our momentum in this area.

I urge my colleagues to register a heavy vote in favor of S. 805.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. ELLENDER. Is it the view of the Senator from Arkansas that in section

14(a) of the pending measure, the consolidation he speaks of will take place by virtue of the acceptance of a resolution that is now before the Governors?

Mr. FULBRIGHT. Yes.

Mr. ELLENDER. Has the Senator a copy of that resolution? If so, will he make it a part of the record?

Mr. FULBRIGHT. The text of the resolution is in the hearings. I do not have a separate copy. Perhaps I could clarify my statement by saying that the purpose of the resolution is to discontinue the separate social fund of the Bank but to merge the type of lending that was formerly done——

Mr. ELLENDER. In other words, instead of three windows, there would be two windows?

Mr. FULBRIGHT. Yes. On page 20 of the hearings is "Annex A—Resolution—Increase of Resources of the Fund for Special Operations." Would the Senator like to have me read it, or would he prefer that I place it in the RECORD?

Mr. ELLENDER. The Senator may place it in the RECORD.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD "Annex A—Resolution—Increase of Resources of the Fund for Special Operations," as it appears on page 20 of the hearings on S. 805.

There being no objection, Annex A was ordered to be printed in the RECORD, as follows:

Annex A

Resolution—Increase of Resources of the Fund for Special Operations

(Adopted at Panama City, Panama, April 16, 1964)

Considering that an increase in the resources of the Fund for Special Operations is urgently needed for the reasons set forth in the annex of this resolution;

The Board of Governors recommends that the members take such action as may be necessary and appropriate to give effect to the following proposal:

PROPOSED RESOLUTION

The Board of Governors resolves that—

(a) Subject to the provisions of this resolution, the resources of the Fund for Special Operations shall be increased in the equivalent of US$900 million through additional contributions by the members, as follows:

[In thousands of dollars or the equivalent]

Argentina	US$33, 402
Bolivia	2, 682
Brazil	33, 402
Chile	9, 171
Colombia	9, 165
Costa Rica	1, 341
Dominican Republic	1, 788
Ecuador	1, 788
El Salvador	1, 341
Guatemala	1, 788
Haiti	1, 341
Honduras	1, 341
Mexico	21, 474
Nicaragua	1, 341
Panama	1, 341
Paraguay	1, 341
Peru	4, 473
United States	750, 000
Uruguay	3, 582
Venezuela	17, 898
Total	US$900, 000

(b) Each member shall make its additional contribution in its own currency, and the entire amount of each contribution shall constitute national currency to which the provisions of article V, sections 1(c) and 4, of the agreement establishing the Bank, shall be applicable.

(c) The additional contributions shall be made in three equal installments payable, respectively, on or before December 31, 1964, December 31, 1965, and December 31, 1966, or such later dates as the Board of Executive Directors may determine.

(d) None of the additional contributions shall become payable unless at least 14 members whose increased contributions total not less than US$860 million shall each have deposited with the Bank, on or before December 31, 1964, or such later date as the Board of Executive Directors may determine, an appropriate instrument setting forth their agreement to their making the contribution to the increase in the Fund for Special Operations in accordance with the terms of this resolution.

(e) In the future, the Bank shall include in the operations of the Fund financing for social development purposes, including those heretofore financed through the Social Progress Trust Fund. Similarly, the Board of Executive Directors in establishing financing policies for the Fund shall take into consideration the policies which have guided the operations of the Social Progress Trust Fund.

(Approved in the Fourth Plenary Meeting on April 16, 1964.)

MEMORANDUM OF INFORMATION ON THE NEED FOR ADDITIONAL RESOURCES OF THE BANK

1. Background

1.1. At its Fourth Annual Meeting held in Caracas in April 1963, the Board of Governors of the Bank approved the following resolution (AG–6/63):

Considering the fact that the Board of Governors has adopted the resolution recommending that the member countries take the measures necessary for the approval of the resolutions presented in the report of the Board of Executive Directors, of March 18, 1963, entitled "Proposal for an Increase in the Resources of the Inter-American Development Bank";

Having in mind that said report points out that further consideration should be given at an appropriate time to additional increases in the resources of the Fund for Special Operations;

The Board of Governors Resolves:

1. To express its gratification for the report of the Board of Executive Directors to the Board of Governors and for the adoption of the aforesaid resolution.

2. To recommend that each member country take the legislative and administrative actions necessary to make the proposed increases effective as soon as possible.

3. To request that the Board of Executive Directors, bearing in mind the desirability of strengthening the Bank's operations in carrying out the basic objectives of the Alliance for Progress and in the light of the needs of the member countries for the financing of economic and social development, submit a report to the Board of Governors on the future relationships of the Fund for Special Operations to other activities of the Bank and on the sufficiency of the Fund's resources.

1.2. The need for considering the future relationship of the Fund for Special Operations to the other activities of the Bank and the sufficiency of the Fund's resources arises from the existence of three separate and distinct sources of funds under which the Bank, either in its own capacity or in the capacity of trustee, finances programs and projects dedicated to the economic and social development of its member countries. These sources of funds are the Ordinary Capital Resources of the Bank, the Fund for Special Operations and the Social Progress Trust Fund. The Ordinary Capital Resources and the Fund for Special Operations constitute the Bank's own resources subscribed by its member countries while the Social Progress Trust Fund has been entrusted to the Bank by the United States for administration.

2. Ordinary capital resources

Initially, the Bank's authorized Ordinary Capital was $850 million of which the equivalent of $400 million constituted paid-in capital and the equivalent of $450 million was callable when required to meet the Bank's obligations as provided in the agreement establishing the Bank. The Ordinary Capital is used to make loans repayable in the currency loaned on normal banking terms comparable to those of other international lending institutions of a similar nature. Because Cuba did not become a member of the Bank, total capital subscriptions amounted to $813,160,000, of which the equivalent of $381,580,000 was paid-in capital and the equivalent of $431,580,000 constituted callable capital. On January 28, 1964, the Board of Governors approved an increase of $1 billion in the callable capital stock to strengthen the Bank's guarantee resources for the purpose of enhancing its borrowing capacity. The actual subscriptions are to be effected over a 2-year period. The increase is expected to enable the Bank to raise sufficient funds in the world's capital markets to cover its needs for normal banking type loans until 1967. A more detailed description covering this aspect of the Bank's needs and operations is contained in the report of the Board of Executive Directors to the Board of Governors of April 1963 entitled "Proposal for an Increase in the Resources of the Inter-American Development Bank."

3. Fund for Special Operations

3.1. The agreement establishing the Bank was drafted during the first 3 months of 1959 and the record of the proceedings reveals that the Fund for Special Operations was incorporated in the agreement in recognition of the need to make loans on terms and conditions adapted to meet special circumstances arising in specific countries or with respect to specific projects. The inclusion of the Fund for Special Operations reflected the desire of the member countries to create a mechanism for financing not only projects in those countries whose foreign exchange debt capacity was in question but also certain so-called overhead projects without which the process of economic development is not possible. The deliberations of the drafting committee indicate that it was expected that the Fund would finance both "economic overhead" projects such as roads, ports, and power facilities, and so-called social overhead projects, such as public health, housing, and educational facilities. It was recognized that the latter type of investments, despite their enormous impact on development, had been previously relegated to a secondary priority in international financing of the needs of less developed countries. Indeed, the language establishing the Fund (art. IV, sec. 1) "for the making of loans on terms and conditions appropriate for dealing with special circumstances arising in specific countries or with respect to specific projects," was designed to give broad scope of eligibility for projects or programs to be financed with the resources of the Fund.

3.2. The Fund for Special Operations was established with initial resources in the amount of $146,316,000, of which $100 million was contributed by the United States and $46,316,000 by the Latin American members of the Bank. Each member was required to pay its contribution one-half in gold or dollars and one-half in its national currency. As of March 31, 1964, the Board of Executive Directors had approved 38 loans for a total equivalent to $124.1 million, including 1 loan for $640,000 for a private industrial enterprise; 10 loans for $50.8 million to development institutions; 4 loans for $19.5 million for water supply and sewerage; and 23 loans for $53.1 million to government or government enterprises, including loans for highway projects, farm settlement and colonization, mining, technical assistance, irrigation, electric power, and industrial projects. The "Proposal for an Increase of the Resources of the Inter-American Development Bank" submitted by the Board of Executive Directors to the Board of Governors in April 1963, referred to in paragraph 2 above, gives a detailed exposition of the activities carried out under the Fund and concludes that the activities of the Fund require additional dollar resources at the rate, at the minimum, of $50 million per year. On the basis of this report, as a 1-year measure, the Board of Governors, on January 28, 1964, approved a proposal to increase the resources of the Fund by $73,158,000.

4. Social Progress Trust Fund

4.1. The Social Progress Trust Fund was created pursuant to an agreement entered into between the United States and the Bank on June 19, 1961. Its genesis lay in the initiative of Dr. Juscelino Kubitschek, then President of Brazil, as expressed in his proposal for Operation Pan America. In July 1960, the "Declaration of Newport" of then President Eisenhower stated it to be the policy of the United States to cooperate with the countries of Latin America in enlarged programs of economic and social development. In September of the same year, the U.S. Congress authorized $500 million to carry out the principles of the Declaration of Newport. Armed with this authority, the U.S. delegation to the third meeting of the Committee of 21 at Bogotá, Colombia, in the same month, proposed a new program for hemispheric social development.

4.2. The resulting agreement, the "Act of Bogotá," was an intermediate step between the proposed Operation Pan America and the Alliance for Progress. The act outlined a broad program for social development, and proposed the Special Fund for Social Development, with the Inter-American Development Bank designated as the principal administering institution. It made recommendations for the economic development of the hemisphere and called for a special meeting to draw up plans and coordinate them with the activities of other international organizations.

4.3. The Act of Bogotá was a great step forward in the strengthening of inter-American unity, but it was not as far reaching as the principal objective of Operation Pan America—a broad cooperative program of economic and social development. On March 13, 1961, President John F. Kennedy proposed a new policy with these words:

"If we are to meet a problem so staggering in its dimensions, our approach must itself be equally bold, an approach consistent with the majestic concept of Operation Pan America. Therefore I have called on all the people of the hemisphere to join in a new Alliance for Progress—Alianza para el Progreso—a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools—techo, trabajo y tierra, salud y escuela."

Five months later, representatives of the OAS assembled in Uruguay for the signing of the "Charter of Punta del Este," which established the Alliance for Progress as an endeavor of all the member countries.

4.4. In May 1961, the Congress of the United States appropriated $500 million to implement the Act of Bogotá. Of this amount $394 million were assigned to a Social Progress Trust Fund to be administered by the Bank under a trust fund agreement. This agreement authorized the Bank to make loans in the fields of land settlement and improved land use, housing for low-income groups, community water supply and sanitation facilities, and supplementary financing of facilities for advanced education and training related to economic and social development and to provide technical assistance related to these fields and to the mobilization of domestic resources. The Bank accepted the administration of the Fund for these purposes, deeming it to be consistent with the provisions of the agreement establishing the Bank and to strengthen the efforts of the Bank to foster balanced economic growth and greater social progress.

4.5. In February 1964, the United States and the Bank signed a protocol whereby $131 million was made available for the Social Progress Trust Fund, in addition to the original resources of $394 million.

4.6. As of October 1, 1963, the approximate second anniversary of actual operations under the Social Progress Trust Fund, the Bank in its capacity as trustee had authorized 65 loans in the amount of $357.9 million from the Fund or a rate of commitment approaching $200 million per year, a figure which the Board considers would be a reasonable measure of minimum effective operation in the future. In the last part of 1963 and the first months of the current year the lack of resources definitely available for the future caused a reduction in the level of commitments. It may be expected that with the new resources now available the rate of authorization will rise and that the funds will be entirely exhausted before the end of the current calendar year. The loans committed as of March 31, 1964, fall in the following categories:

Social Progress Trust Fund

	Number	Amount (million dollars)
Loans for—		
Improved land use, land settlement, agriculture credits, etc.	21	68.6
Housing for low-income groups	21	168.7
Community water supply and sanitation	24	118.3
Facilities for advanced education	9	16.2
Total	75	371.8

5. Possibility of combining operations

5.1. The Act of Bogotá dealt separately with "Measures for Social Improvement" (ch. I) and "Measures for Economic Development" (ch. III). Given the fact that existing international lending institutions in general had not financed social development projects, that the Inter-American Development Bank, the primary mechanism for the administration of the Fund, was in the earliest stages of its existence, and that the concept of making funds available for this purpose represented a major change of policy on the part of the donor of the Fund as well as the beneficiaries, it can easily be understood why the Social Progress Trust Fund was created as an entity separate from the Bank's own resources. The provisions of the Trust Fund Agreement reflect the provisions of the Act of Bogotá, not only in terms of the fields to which the activities of the Fund apply but also with respect to the separate nature of its existence.

5.2. Subsequent to the creation of the Social Progress Trust Fund, the Charter of Punta del Este, establishing the Alliance for Progress, stated that "it is the purpose of the Alliance for Progress to enlist the full energies of the peoples and governments of the American republics in a great cooperative effort to accelerate the economic and social development of the participating countries of Latin America, so that they may achieve maximum levels of well-being, with equal opportunities for all, in democratic societies adapted to their own needs and desires."

The charter declares the interrelationship of economic and social development and incorporates in title II the measures whereby development of both kinds might be achieved, including the role of the Bank in the financing thereof. It was recognized that economic development and social development are but two sides of the same coin. Ill-housed, poorly educated, and disease-ridden farmers and workers have neither the capacity nor the incentive to participate responsibly in organized political and economic life. Therefore, the Charter of Punta del Este emphasizes the need for fostering both social and economic improvements.

5.3. From the Bank's experience in the operations of the two funds it can be seen that the activities carried on under the Fund for Special Operations and the Social Progress Trust Fund have much in common. Loans from both funds are made on liberal long terms with low interest rates, usually are repayable in the currency of the borrower, and are for projects for which financing from the Bank's Ordinary Resources is not feasible. The primary difference, if any, relates to the designation of the Trust Fund for "social development," although it carries out operations, such as in agriculture and water supply, which have a direct economic impact, while the loans of the Fund for special operations have been directed chiefly to economic development, but with operations like water supply and sewerage which have important social effects. The interdependence of both concepts is well illustrated by the fact that parallel loans have been made from the resources of the Fund for Special Operations in the area of land use and land settlement and potable water and sewerage. Since the Trust Fund came into effect very early in the Bank's existence, it was never necessary to consider whether housing projects would be eligible for financing from the resources of the Fund for Special Operations although the Bank's Board of Executive Directors in discussions setting forth the operating policies of the Bank in early 1960 included projects for low-cost housing among those eligible for financing from the Fund for Special Operations. In short, sufficient flexibility exists in the Bank's charter to permit the financing with the resources of the Fund for Special Operations of the types of projects now assisted through the Social Progress Trust Fund.

5.4. As confirmed by the Charter of Punta del Este, it has been the absence of credit for agriculture, low-cost housing, potable water, adequate sewerage systems and educational facilities which is one of the elements creating, in the terms of the Bank's constituent agreement, "special circumstances" requiring financing from the Fund for Special Operations on terms and conditions appropriately flexible. A single fund for the financing of such special operations would obviously substantially simplify operations and make them more effective. Administratively, it could be expected to lessen the cost of operation, particularly in the area of reports and separate accounting systems. As a matter of policy, a single fund to which all members contribute and which is multilateral in character will accurately reflect the cooperative nature and spirit of the Bank and the Alliance for Progress.

5.5. In considering the need for an increase in the resources available to the Bank, the Board of Executive Directors has taken into consideration the minimum target figures of $2 billion per year of external funds established in the Charter of Punta del Este, the country programs submitted to the Committee of Nine Experts, the magnitude of applications and inquiries pending before the Bank and the needs of the member countries as expressed at the meetings of the Inter-

American Economic and Social Council at Mexico City in 1962 and in São Paulo in 1963.

With the population growth and the development of a better institutional framework, not only are the needs for external credits consistently increasing, but also there is an increasing absorptive capacity for effective utilization of external financing. In view of the increased emphasis placed by the Bank on preparatory work designed to assist members to identify projects and to bring them to the point of financing, as well as the other technical assistance work of the Bank and other development institutions, it can be expected that the Bank will continue to receive a growing volume of meritorious applications in both the economic and social fields.

In addition to the general need for an increase in external financing on conventional terms, the need for credit on the kind of terms offered by the Fund for Special Operations and the Social Progress Trust Fund is also expected to expand. The experience not only of the Bank but also of other agencies such as the International Development Association and the Agency for International Development is that such needs have been growing, and the evident balance-of-payments pressures in Latin America point to the probability that in coming years they will continue to do so. At the same time, the increasing awareness of indispensable social requirements also calls for an expansion of lending on special terms, and the progress of institutional reforms in Latin America will logically produce both a greater number of well-conceived social projects and more efficient organizational structures for executing and operating programs in these fields.

5.6. In its report to the Board of Governors on the "Proposal for an Increase in the Resources of the Inter-American Development Bank," the Board of Executive Directors pointed out that it is essential to assure the orderly development and continuity of the Bank's lending operations over a reasonable period by providing an adequate degree of certainty that the needed resources will be available. These same factors, which were persuasive in approving an increase in ordinary capital sufficient for a 4- to 5-year period, are present in the need for increase in the other resources of the Bank. The increase in the Fund for Special Operations in January 1964 was a transitory measure designed to cover the requirements of 1 year. The Bank, as a financial institution desiring to cooperate with the member countries in carrying out well-conceived programs of development must have reasonable assurance of adequate resources over a minimum 3-year period. It would, therefore, follow that any increase in the Fund for Special Operations should provide sufficient funds until at least 1967.

Mr. ELLENDER. Mr. President, the Senator stated that the consolidation of the funds will enable the countries of South America to contribute more to the fund, and that their obligation will be reduced. Will the Senator explain how that will happen?

Mr. FULBRIGHT. They contributed nothing to the Social Progress Trust Fund. We contributed all $525 million. Now the Latin American countries will contribute $150 million out of a total of $900 million. The United States will contribute $750 million over 3 years.

Mr. ELLENDER. As I recall, the total authorization for the Development Bank is $1,500 million. Is my understanding correct?

Mr. FULBRIGHT. The Senator is probably talking about the regular capital. I am talking about the Inter-American Development Bank, whose total subscribed capital is $1,284,985,000.

Mr. ELLENDER. Of the $900 million, as I understand it, we are to furnish a total of $750 million.

Mr. FULBRIGHT. The Senator is discussing the bill before us, and not the original capital structure.

Mr. ELLENDER. I am not opposed to this measure. I am trying to get all the information possible into the RECORD so that interested Senators will know what we are trying to do.

I believe that the expenditures that we are now making in South and Central America are in accordance with a formula that was worked out quite a while ago. Under this formula, before the loans are made, certain forms must be executed by the countries which receive the money.

Mr. FULBRIGHT. The Senator is correct.

Mr. ELLENDER. So long as that procedure is carried out and the money is spent for the purposes indicated, it is a good program. I am in thorough agreement with it. I would appreciate it if the Senator would elaborate a little on the consolidation and indicate what would be the total contribution that we would make to the authorized capital structure of the Bank. That is the figure that I would like to have in the record if it is possible to obtain it.

Mr. FULBRIGHT. The figure is contained in the transcript of the hearings. I cannot find it at the moment. We are discussing the Social Progress Trust Fund. That is aside and apart from the regular capital of the bank itself. We have approximately 42 percent of the voting strength in the Bank. That is approximately the percentage of the contribution we make to that original amount. The conventional Inter-American Development Bank makes the hard loans, on regular terms, 5, 5½ percent interest, and so forth.

We are not bothering the regular, conventional capital structure of the Bank. We are merging the Social Progress Trust Fund, to which we have contributed $525 million, with the Fund for Special Operations.

When the two are considered together, we contributed 90.65 percent prior to this merger. The contribution of the Latin American members was 9.35 percent. They contributed only to the Fund for Special Operations, not to the Social Progress Trust Fund. Now when we combine the two under the formula contained in the bill, the United States will contribute 83⅓ percent. The other members will contribute 16⅔ percent. This action increases their percentage. After the two are combined, their relative participation is increased.

The percentage reflects the total figure for 3 years of $900 million, of which we pay $750 million and they pay $150 million.

Mr. ELLENDER. Does the consolidation result in the expenditures being made for the same purpose?

Mr. FULBRIGHT. The Senator is correct.

Mr. ELLENDER. Then there will be no change.

Mr. FULBRIGHT. The Senator is correct. The whole purpose is to amalgamate the two.

The purpose of this fund and the regular loan funds are different; this involves lower interest rates and longer terms for repayment.

Mr. ELLENDER. Mr. President, I noticed that it was contended that although our subscription would be made in dollars, from 75 to 80 percent of those dollars would come back to us. I assume this is to supposedly result from purchases made of materials to be used in the construction of houses, and other purposes covered by the resolution.

Mr. FULBRIGHT. The testimony showed a higher percentage than that. These loans will be tied to the requirement of purchases in the United States, to the utmost extent possible. I believe the Secretary of the Treasury testified that he thought it would be 85 to 90 percent. Practically all material, except a minimum of local purchases, will be bought in this country.

Mr. ELLENDER. Mr. President, there is nothing in the bill itself that would compel the Government to do that. Is that correct?

Mr. FULBRIGHT. The Senator is correct. That is the policy of the bank. The Senator knows that it takes the approval of two-thirds majority to make a loan. We have approximately 42 percent of the voting stock.

Mr. ELLENDER. I understand that. But I should feel a little better if we could have some kind of language in the bill that would carry out that view.

Mr. FULBRIGHT. It is hard to usurp the functions of our representative. He may not be as smart as we think he should be. But I think he will perform his duty. The Treasury Department is as interested as we are in correcting the situation. They have gone into it at great length. I do not think they are trying to work at cross purposes with us as far as balance of payments is concerned.

Mr. ELLENDER. I understand that very well. But I well remember that when we started to make loans years ago I offered several amendments to provide that a certain portion of the funds we were making available to our friends would be spent here. The Treasury Department and the State Department said that they did not see how that could be done. They said that it might involve foreign countries in some adverse way to the extent that they would not do business with us. They said that it would invade their sovereignty.

It is my belief that if we had put such language in the bills a long time ago, our balance-of-payments problem would not be in the condition it is now.

Mr. FULBRIGHT. The Senator has selected the least offensive part of our foreign policy. The part that contributes most to the balance-of-payments problem is the military. How are we to pay for the upkeep of our armies in Germany, Japan, Vietnam, or wherever they may happen to be? The part the Senator is dealing with is a very small part.

Mr. ELLENDER. The amendments that I offered at that time were directed toward having the Department provide that whenever it made funds available abroad, such funds, or a portion of them, would be spent for purchases in this country. That concerned foreign aid. It had nothing to do with the military.

When we first commenced to make money available by way of grants, there were no strings attached. Four, five, or six years ago we loaned, as I recall it, $150 million to India, for the purpose of dam-building. We woke up and found out that India used that $150 million to buy equipment in Europe.

If the amendments that I had offered at that time and before that time had been written into the law, the chances are that most of the money that we donated, or even loaned, in the foreign aid program would have been spent in this country instead of abroad.

I realize it is a little late now, because our balance-of-payments problem has become so acute. It certainly would have been of assistance if the Treasury had been a little more careful. In any event, as I said, I would feel much better if we were able to place an amendment in the measure to make it unequivocal that of any money we loaned or granted as the result of this program, at least 75 to as much as 80 percent would be used and spent for goods, merchandise, and materials in our country.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. One of the difficulties about the argument that 80 percent of the U.S. dollars will be spent in the United States is the fact that the records show that imports from the United States in South American nations have been growing less and less. We can tie 80 percent of that money to purchases in the U.S. markets, but we do not tie those nations and prevent them from spending their other moneys in foreign countries.

While the argument is being made that 80 percent will be tied into purchases in the United States, the other moneys which we free through the aid are usable for spending wherever the recipient nation wants to spend them.

I do not agree with the Senator from Arkansas that 95 to 98 percent, according to the testimony, will be spent. The proof is that about 80 percent will be spent. Some words with the figure "95 percent" were used, but the final analysis is 80 percent. It was proposed in the House hearing that the matter be nailed down so that, with reference to our subscription, at least 80 percent will have to be spent in the United States.

Mr. FULBRIGHT. I am in no position to prove these figures independently, on my own authority. I did not make the investigation, and I have no means of doing it. I can only quote the Treasury's statement on this subject. I read from the statement of the Treasury Department:

> In spite of substantial economic assistance expenditures, over the past few years to date, the United States has gradually been working down its payments to Latin America and now has been able to develop an overall surplus with the Latin American Republics at a time when this area has developed a large surplus in its international transactions with other areas. This is a trend offering maximum assurance that aid extended by the United States, bilaterally or multilaterally, on a "tied" basis requiring a predominance of exports of U.S. goods and services will not be "leaked" to other countries but will actually be spent in the United States.

A table is appended giving the trade balances with this country and the rest of Europe. On the whole, it is 63 percent with Western Europe. With Latin America, there was a deficit of $405 million. With Western Europe there was a surplus of $402 million.

Mr. LAUSCHE. If they intend to spend 80 percent in this country, what would be wrong with having a condition in the bill that the money shall be made available only under a commitment with the Inter-American Development Bank that 80 percent will be spent here?

Mr. FULBRIGHT. The Bank is a multilateral operation. I assume if we did it, every other country——

Mr. LAUSCHE. We are putting up 83 percent of the money.

Mr. FULBRIGHT. We put up most of it. I am looking forward to the time when we shall not. I hope we do not always do it. We are trying to get those countries off the ground, and on their own. I think this kind of formal restriction would be very difficult for them to accept.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. In the first place, I take the statement of the Treasury Department with a considerable grain of salt, particularly since they have been explaining last year's tax bill to the public. I do not think there is any way of telling what part of the money we put into the Inter-American Development Bank will come back. I think if one has a sharp pencil, one can get 90 percent. If the pencil is dull, one will not get over 30 or 40 percent.

There are other factors to be considered. By strengthening the Inter-American Bank, we presumably make more secure American investments which have been made in Latin America, and we make the governments of those countries more secure. We have many billions of dollars invested in those areas. I do not know what the returns are, but I assume they are substantial.

Further, if our investments in Latin America and our contributions to the Inter-American Bank are not sound, I do not know any place in the world where we could safely invest the money. It seems to me that the Western Hemisphere is becoming closer and closer every day. I doubt if we are taking a chance in making this contribution that we would take in making it in many other parts of the world—in fact, most parts of the world, with the possible exception of Western Europe.

It is my belief that at the end of 3 years, when we have contributed $350 million, they will be back for more contributions to the Bank, and there is no quick and easy way of getting the money if we need it.

I think it is worthwhile. If it is not worthwhile in this case, it is not likely to be worthwhile anywhere else in any other part of the world.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. I have had personal experience with the Inter-American Development Bank and with the situation that it affects in Latin America. I would consider myself derelict in my duties if I did not testify to it at this moment.

In the first place, I was in Chile in March 1964, during the parliamentary by-elections in the province of Curico, which resulted in a sharp reversal in the strength of the democratic coalition and a plurality for the Socialist-Communist candidate. As a consequence of the subsequent realinement of the democratic forces Eduardo Frei, the candidate for the Christian Democratic Party, came out on top as the leading presidential candidate. He won decisively as President of Chile on September 4, 1964.

The results of the Chilean presidential elections gives some measure of the meaning that we were there ready to assist in a constructive way, without interfering in their democratic processes. This was the real hope of the country. The question was whether the new Chilean Government could proceed with what we might regard as a rather radical socioeconomic revolution without feeling that it would be stabbed in the back and jeopardized as far as American aid was concerned. It was with the greatest assurance that I told Frei, as a Senator long concerned about Latin American affairs, that this would not be the case, and that our aid would not be politically tied; that the vast resources of the Inter-American Bank were not to be used other than in the role of doing an honest job in the development of the country.

It is fair to say that Frei's election could very well mark—and history will show—the apogee of the Communist threat to Latin America and the point at which it began to recede, provided that we do the things we really must do in this situation.

I very much respect the views of Senators who find imperfections in this or that, which I do not dismiss, but I make these comments as a witness of what actually occurred in terms of reliance upon the Bank. That is the point I wish to make.

Let me comment on one other instance. Senators know the work I did in respect to the creation of the great private investment company known as the Adela Investment Company in Latin America, which now has $30 million in capital and has a vast potential because it includes the resources and know-how of the leading companies in the United States, Europe, and Japan with $200 billion-plus in resources—which includes the Ford Motor Co., Caterpillar Tractor Co., IBM; you name them and they are subscribers of the company. This has limitless possibilities for Latin America. Again, it could not have been possible without having the Inter-American Development Bank as its substructure.

These are the facts and the evidence which are tied in directly with the Inter-American Development Bank.

One of the men who was most helpful in putting this idea together was loaned to me by Felipe Herrera of Chile, President of the Inter-American Development Bank. Without that great banking structure to tie to, with good insurance that it would look after the infra-structure which is at the bottom of any real private investment, the Adela effort would not have been possible.

It is for those reasons—and I am sorry to detain the Senate so long, but it is only in this way that when the Senator in charge of the bill is speaking one can get his point across——

Mr. FULBRIGHT. I appreciate the views of the Senator.

Mr. JAVITS. I am a witness, because I have actually lived through it myself and have seen the evidence as to the validity of the concept. Without any "niggling" on my part about the objections of the Senator from Ohio [Mr. LAUSCHE], or the Senator from Oregon [Mr. MORSE], or other Senators as to what the terms and conditions may be, the fundamental point is that the Bank represents a great element of dignity and self-respect as well as the source of financing for building the fundamental substructure without which Latin America could not get the kind of private investment needed to build a healthy, viable private sector. The Bank, plus CIAP, really gives Latin America a "Marshall plan." I hope that in the "crunching"—as we say in curbstone language—we will support the fundamental effort to keep this concept viable, active, and working with liquid resources.

Mr. SYMINGTON. Mr. President, will the able Senator from Arkansas yield?

Mr. FULBRIGHT. I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the able chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT]. With the Senator's permission, I would make some observations, then ask a question of the distinguished Senator from New York [Mr. JAVITS] who knows of my respect for his knowledge in this field.

Last year many Senators in complete agreement with the World Bank were nevertheless apprehensive about placing hundreds of millions of dollars of additional money into the "soft loan" window of that bank—the International Development Association. We were voted down, although it was close. We felt that loaning money for 50 years, no interest charge, no repayment of principal for 10 years, was actually a gift, not a loan.

In that case our apprehensions were increased by the fact the World Bank had developed on its own a surplus of over $800 million. Many of us believed the World Bank should use some of that surplus. They certainly did not need any such amount.

I assure the Senator from New York that I agree with him as to the value of the Inter-American Development Bank. But, we get into all these "soft loan" windows of these various international organizations where we put up nearly all the money and have relatively little to say about what is done with the money.

In IDA we found people were borrowing money for 50 years, with no interest rate, then lending that money for only 15 years, at interest rates as high as 12 percent.

To me that is no loan.

I ask the Senator from New York: Does this latest tapping of the Treasury to the tune of $750 million, with all other countries involved putting up only a total of $150 million——

Mr. LAUSCHE. Mr. President, will the Senator from Missouri yield at that point?

Mr. SYMINGTON. May I finish my thought first?

Irrespective of the merits or demerits of the proposed legislation, is it not a bit incongruous for us to urge full cooperation from private industry to prevent it from increasing expenditures abroad and hope for cooperation and hope also that deposits and profits abroad be carried in American banks instead of foreign banks; in other words, urging policies to correct what could be the most serious domestic problem we face today. At the same time we are urging in this manner and to this extent the cooperation of private business, we are now asked to put up an additional $750 million of the taxpayers' money, and on the basis of these extraordinary soft loan terms.

I do not see how we can urge such corrective measures as restrictions on foreign borrowing in U.S. capital markets, applying capital controls to long-term bank loans, and so forth, and at the same time be requesting this $750 million from the taxpayers, with its automatic adverse impact on our growing balance-of-payments problem.

I ask my good friend from New York, to consider the logic of these two dissimilar positions.

Mr. JAVITS. I shall be happy to do so, if the Senator from Arkansas will yield.

Mr. FULBRIGHT. I am glad to yield.

Mr. JAVITS. First, I believe that we must place this problem in focus. If the Senator from Missouri [Mr. SYMINGTON] will bear with me for a moment, it is $250 million a year rather than $750 million in a year.

Mr. SYMINGTON. $250 million a year for the United States for 3 years, totaling $750 million; and $50 million from all the other countries, totaling $150 million. The total of the program is $900 million.

Mr. JAVITS. The Senator is correct. The Senator also knows that the balance-of-payments impact of the U.S. contribution will be limited as the administration already notified the Bank of its intention to tie our contribution to the purchase of American goods and services. I am sure that the Senator from Arkansas [Mr. FULBRIGHT] will deal with this point effectively. We are talking essentially about a 10 percent spread, or at the most 15 percent, between what will be spent here and what will be spent abroad.

I would be well in favor of being convinced on that point before I voted "yea," because that is what we are doing, essentially, with foreign aid everywhere. Certainly the rules should be no different for Latin America than they are anywhere else.

I justify this flexibility on the further ground set forth in the report. We cannot have preclusive buying where it is uneconomic. Therefore we are dealing, in contribution to the imbalance in international payments, with something between $25 and $37½ million per year. I would justify it. I do not regard this as inconsistent with what the President has done, on the ground that there are many things that contribute to what is the imbalance. There are many things made up for by the $6 billion export surplus.

In short, we are not at anytime going to give ourselves a firm balance of payments. We are lucky to get our imbalance down to $1 billion, and we can afford to carry it for 5 or 10 years, as the Secretary of the Treasury himself feels.

Mr. SYMINGTON. The fact my good and able friend the Secretary of the Treasury said we can continue to afford this heavy unfavorable balance over an extended period does not necessarily mean we agree with him.

Mr. JAVITS. I did not mean to quote the Secretary of the Treasury. I am saying that we can sustain a modest imbalance for a period of time. I could not agree more with the Senator with respect to the basic question of a $3 or $4 billion imbalance. He and I have both addressed ourselves to it.

In view of payments for our overseas Military Establishment, necessary economic aid, defense support, or whatever it is called, when we are dealing with a problem like that in Korea and in South Vietnam, and considering the condition in Latin America, and the fact that we will also permit some flotation of foreign securities in the U.S. market, even though it is only Canadian, I believe that the roughly $25 million to $37½ million outflow resulting from the U.S. contribution to the Bank is justified on security grounds. Why? Because of our sensitivity with respect to our situation in Latin America, and because I believe in Latin America we are further ahead in terms of likelihood of success than anywhere else with the exception of what was accomplished under the Marshall plan.

I am of the school of thought—I could be wrong—that even if we must endure some imbalance in our international payments, we would be most unwise to curtail many of the activities that we carry on.

I do not agree with the President with respect to restrictions on oversea investments.

After all, much of our exports are premised on the components which are fed into the places where these investments have taken place. The Senator is a very good student of these figures. So I say we get a net gain in the balance of payments in further income from foreign investments over and above the net outgo.

For these reasons we could justify the expenditure of this money.

Mr. SYMINGTON. Mr. President, my friend from New York realizes we are not discussing the pluses or minuses of the administration's position with respect to private investments abroad. I join with him in saying the fact that we got back last year some $3.8 billion in profits as against $1½ billion of investment is significant.

Nevertheless and notwithstanding, for the last 15 years, with the exception of 1957, we have had heavy unfavorable balances of payments. This year, in the private sector, we had a favorable balance running to some $6 billion, but the fact we bear and foster an increasing number of these governmental activities, results year after year in the projected improvement in our balance-of-payments position turning out to be incorrect.

I agreed with President Eisenhower when he said we could make reductions in our military position in Europe, where today live nearly a million Americans. All of this also affects adversely our balance of payments.

I am glad to note the President is giving consideration to other fields, such as the interest equalization tax, extending the idea to long-term loans, and so forth.

The point I was trying to get at is that it is a little incongruous to have the Government, where there is no profit motive, putting out such a heavy additional amount of money on these soft terms, at the same time we try to curtail oversea private financial activity.

I say to my good friend from New York that I cannot "buy" all the figures floating around about how much comes back to us, after we put this money out.

Recently I received some figures which almost showed that the more money we spend on the AID program, the more money we will receive back in this country.

It does seem at times that we are getting ourselves into a position where we justify this constant expenditure of American treasure on the grounds that, if we really get down into the details of the figures, ultimately it will all work to the net benefit of our fiscal and monetary position.

Mr. JAVITS. I should like to wind up this discussion with the indulgence of the Senator from Arkansas. Even if it were justified only on the security grounds, I would still be for it, because I think this very type of activity in Latin America can be justified on security grounds.

Mr. SYMINGTON. Security as a word can cover a great deal. Only recently I read an address delivered by my good friend, George Meany, who says that we are doing business with countries behind the Iron Curtain shows the selfishness of American businessmen who are more interested in profits than in security. I do not agree, and know my good friend from New York does not agree.

Mr. JAVITS. I certainly do not.

Mr. SYMINGTON. I should think the heads of labor would be interested in profits, or the lack of them, and also interested in jobs, or the lack of them. We get into many tangents when we talk about all the facets of security.

There was a speech made this afternoon which worried me, because the logic of his proposal could only lead, ultimately, to the use of the hydrogen weapon in south Asia. There are more combat troops in the Army of North Vietnam than there are in the Army of the United States. I checked these figures only this afternoon. As a matter of fact, if we take the number of Vietcong in South Vietnam, then add to them the number of troops in North Vietnam, we find together they have more troops than we have, even if we add the marines to the Army.

I am anxious to cooperate with people who want a more secure United States. But I would hope everyone thinks this one through. We already have two of these divisions in Korea, and five more of them in Germany—and we have not yet considered the odds if we start talking about the Chinese Army.

Is it not interesting that all these programs, including those of the "overkill boys" as one group, another group who want to give, and continue to give, tremendous amounts to other countries in the hope they will not become Communists, and a third group which preaches hate for every man, woman, and child under Communist domination, demands we have nothing to do with them, all these groups end up recommending heavy expenditure by the American people for their particular program. Invariably their appeal is made on the grounds of security. It adds up to quite a bill for the taxpayer.

Mr. JAVITS. The Senator has spoken of a sense of proportion. I join him in that statement. My comments on the security value involved were proportionate to what was involved. That is why I analyzed it first as $25 to $37.5 million per year.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WILLIAMS of Delaware. In connection with the percentage of the money which would come back to our country and be spent here, it was my understanding that to a large extent the loans which would be made, would be made to finance housing projects, sanitation projects, sewers in various areas, according to a list which I hold in my hand, and educational programs. Practically all of those funds would be spent locally. They would not be spent in the United States of America. So I wonder if on the question of the money involved in these loans we are not overestimating the 70 percent or 80 percent.

Mr. SYMINGTON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. There is merit in the Senator's observations. The Senator will remember that the IDA program was merchandized at one point on the grounds it would primarily help Central and South America. We investigated the loans, and found that 60 percent of all of them went to India, and 80 percent to either India or Pakistan. That may not be relevant to the discussion, but as I said, I do not believe we get the money back into this country to the extent these extrapolations would attempt to prove. In any case, my primary position about the bill in question has to do with the fact it is detrimental to our growing balance-of-payments problem.

Mr. WILLIAMS of Delaware. That is the point I was attempting to make. I did not necessarily intend to speak against the measure. We must weigh all the effects and the benefits to be derived from it. But I do not think we can kid ourselves that the measure will not have an effect on the balance of payments, because to a large extent the money we spend will be spent primarily in the countries that would be the beneficiaries. I do not see how we can get away from that.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I merely wish to point out that last week we discussed on the floor of the Senate most vigorously the need to apply ourselves to the balance-of-payments problem. I heard the Senator from Massachusetts [Mr. SALTONSTALL] inquire of the Senator from Virginia [Mr. ROBERTSON] whether or not the Committee on Banking and Currency would apply itself to ways and means of solving the balance-of-payments problem. The Senator from Virginia vigorously stated that an existing committee would apply itself to the issue.

One week later we are considering a bill that admittedly would produce an imbalance, at the least, of $37.5 million a year. It might be said that that amount is not large. But the accumulation of all these small amounts add to a larger amount. I have no opposition to providing aid into the fund if and when our monetary situation becomes such that we can do so safely. I do not think that that time has yet come.

I should like to ask the Senator from Oregon if he can answer a question. Perhaps Mr. Marcy will also listen. Is there included in the $6 billion favorable balance of trade about which we have been speaking the export of food that we send out under the Public Law 480 program? I am having a check made on that subject now.

Mr. FULBRIGHT. If the Senator is speaking about total imports and exports, it is. That is the trading balance. Our deficit arises from other sources.

Mr. LAUSCHE. The value of all the food that we sell foreign countries for soft currency under Public Law 480 is included in what is supposed to be the favorable balance of $6 billion.

Mr. FULBRIGHT. I believe that is correct.

Mr. LAUSCHE. I would therefore submit that when we use the figure of $6 billion as a favorable balance of——

Mr. FULBRIGHT. I have not used it as a favorable balance. I used it only for the purpose of comparison. Nobody disputes the fact that we have an unfavorable balance of payments. We have a deficit. But the deficit does not arise from that source. Even if we should subtract the food delivered under the Public Law 480 program and everything else, we would still have a favorable trading balance, and we would have a substantial deficit. That deficit arises from military aid abroad, tourism abroad, short-term capital investment abroad, and economic aid abroad. All of those contribute. The largest is military.

Mr. LAUSCHE. I fully agree with that statement, but I also respectfully submit that it is unfair to credit ourselves with exports, giving dollar-for-dollar value, when we are in truth giving away this——

Mr. FULBRIGHT. It is not unfair as long as we understand the situation. We are not trying to fool the Senator by saying that the money involves the export of automobiles. Everyone understands that. There is nothing unfair about it. All we are stating is that this is what the value of our exports was. We do not get paid except in local currency for what is exported under the Public Law 480 program. That is true. There is nothing unfair about it. That is an overall statement of our physical exports.

Mr. LAUSCHE. I recognize the position taken by the Senator from Arkansas, but I still submit that when the statement is made that we have sold $6 billion worth of goods more to foreign countries than we have bought from them, it is incorrect, unless we also deduct from that $6 billion the amount of dollars that we have credited to foreign countries for sales which were not sales but were gifts. I do not know what that amount is.

Mr. FULBRIGHT. I believe that is correct. On that ground the aid under the Public Law 480 program I believe is a little more than $1 billion. I believe it is $1.2 billion. But some other factors are included.

I have not tried to fool anyone about the character of the exports. I would not minimize the importance of the deficit in our balance of payments. All I said before this particular exchange started is that a very small amount is involved in the bill and, in regard to some of the comments of the Senator from Missouri [Mr. SYMINGTON], there is nothing inconsistent about restricting the investment on capital funds in the developed countries in Western Europe and at the same time trying to assist the underdeveloped countries. That has been the policy that we have followed for a long time in encouraging assistance, either from a private sector or public, in the underdeveloped countries of Latin America, and discouraging it in Germany, France, and England.

Those countries do not need our money. All that has happened is that the opportunities for profit in a private company are a little greater there than they are here. Competition is not so great. Also, the interest rate there is a little higher, perhaps 1 or 2 percent. Therefore, a person can run off to Europe to get a little higher interest rate. This accounts for the substantial shifts in the balance of payments, to our disadvantage at the moment.

The Secretary of the Treasury stated, as appears on page 65 of the hearings:

> Previous U.S. contributions to the FSO have been available for worldwide procurement, while U.S. contributions to the SPTF were available only for U.S. procurement or procurement in other member countries of the IDB. Under this new proposal, the U.S. contribution to the expanded FSO will be available on the same basis as the SPTF procurement in the past, that is, only for the purchase of goods and services in the United States or from the country of the borrower; or in some cases, from the other member countries of the bank if such transaction would be advantageous to the borrower. On the basis of past experience with the SPTF this would mean that well over 80 percent of future U.S. contributions to an expanded FSO would be utilized to finance U.S. exports.

In the background is the important consideration that we have a favorable balance of trade with Latin America. Latin America has an unfavorable balance of trade with Western Europe, as I said a moment ago. So what they need with relation to us is some dollars to help balance their exchange, their balance of payments. The device they use is the letter of credit procedure, which in effect ties these loans to purchases in the United States. I have a memorandum on that point which reads:

> The letter of credit procedure that will tie the dollars used for local costs to U.S. exports is operated through normal commercial banking channels. This means that shipping documents must be presented in order to justify drawings under the letter of credit. Therefore, no doubt will exist as to linkage of FSO dollars to U.S. exports.
>
> The latest available official data on Latin American trade and payments indicate that Latin America, far from diverting dollar receipts to Europe, actually has a payments surplus with Europe and the rest of the world. By contrast, Latin America has a deficit with the United States. Thus, Latin America must not only use dollar receipts from the United States to cover its trade deficit with the United States, but must use part of its earnings from other areas for this purpose, as well.
>
> Using evidence as to the U.S. share of the overall Latin American market to prove something about the Latin American payments situation as between the United States and other areas is simply relying on a non sequitur.

Mr. MORSE. Mr. President, I wish to make a brief statement this evening. I have been advised that there will be no votes tonight. I shall speak later at greater length in opposition to the bill. However, I desire to have the RECORD show this statement tomorrow.

S. 805 is one of the measures whereby U.S. aid is being shifted into multilateral agencies. The $250 million a year for 3 years called for in the bill replaces the old Social Progress Trust Fund, which was financed entirely by the United States.

Moreover, there is no corresponding reduction in bilateral aid funds requested for the Alliance for Progress. In fact, the administration is requesting $70 million more for the Alliance this year than it received last year, for a total of $580 million.

That plus this sum for the Inter-American Development Bank will bring Alliance funds up to $830 million this year. I cannot find a single year when we have provided that kind of money for the Alliance. Of course, it will not all be called Alliance for Progress money any more because a quarter of a billion will be under the IDB and hence, "non-AID."

The suggestion that foreign aid should be "multilateralized" falls to the ground when the capitalization of another lending operation is merely tacked onto an ongoing bilateral aid program instead of becoming a substitute for it.

The administration says that about half the Inter-American Bank funds are spent in the United States, compared with a claimed 90 percent of all bilateral aid. Secretary Dillon said that discussions are underway—note the use of his language—to tie at least 80 percent of these new funds to purchases in the United States. But it is not clear that they are final and binding.

This relates to commitments in regard to foreign expenditures, just as we have to make such commitments in respect to domestic expenditures through the authorization process. So far as specific expenditures are concerned, we are making sacrifices by the language of the bill. That is what the bureaucrats are up to. The bureaucrats desire to weaken the system of congressional checks on the expenditure of the taxpayers' money. This is another of the "sleeper" bills that will help along that cause.

The steadily declining U.S. share of Latin American trade suggests that even if our loan funds are spent here—and that is questionable—they are merely freeing dollars to buy imports from Europe. We have done very poorly in holding Latin American markets for U.S. exporters, and I think our aid program has in large part been responsible. It is time we had as much concern for our own bad balance-of-payments position as we have for the imbalance of Brazil and Chile.

There is no provision in the Bank's charter comparable to the Hickenlooper amendment relative to expropriation.

I shall offer an amendment that will place a check on this item. The amendment I shall draft will differ somewhat from the amendment of the Senator from Ohio [Mr. LAUSCHE], although I shall support his amendment. He seeks to amend the charter; I seek to direct the voting power of the United States to be used against any proposed loan that conflicts with the Hickenlooper amendment.

If the bureaucrats are not tied down, I say to the American people that they will be stolen blind this year in connection with the foreign aid program. The administration is talking about a $3.4 billion aid program. It will be nearer a $7 billion foreign aid program. But the administration is not talking about that. Their semantics cover it up. This is another example of the practice of concealment on the part of the administration, in connection with our foreign policy.

The senior Senator from Oregon repudiated the administration the other night on the floor of the Senate in regard to its Vietnam policy. I repudiate it tonight in regard to its foreign aid policy. I am perfectly satisfied that the American people will repudiate it. The President will go out of office the most discredited President in our history if he does not start now to protect the American people in connection with their foreign policy.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. I am glad to learn that the Senator from Oregon has prepared an amendment which will tie the Hickenlooper principle into this bill. As the Senator from Oregon knows, I have also had an amendment of this character prepared. I shall study the Senator's amendment.

Mr. MORSE. I want both amendments offered.

Mr. LAUSCHE. I shall offer mine.

Mr. MORSE. I want it offered. I shall support the amendment of the Senator from Ohio.

Mr. LAUSCHE. I thank the Senator very much.

Mr. MORSE. Mr. President, repeating what I said, there is no provision in the Bank's charter comparable to the Hickenlooper amendment relative to expropriation. The United States has 42 percent of the vote on any loan, which amounts to a veto, since loans must be approved by two-thirds vote. But there is no guarantee that loans contrary to the Hickenlooper principle will be vetoed. My amendment would assure that they are. Otherwise the bill merely constitutes an evasion of the Hickenlooper amendment.

This bill would extend for at least 3 more years the soft-loan character of what was heretofore the Social Progress Trust Fund.

That Trust Fund emerged from the Act of Bogotá, which included a mention of a special fund to be set up for social development, including land reform and resettlement, housing, education, and public health.

The senior Senator from Iowa [Mr. HICKENLOOPER] and the senior Senator from Oregon were the two Senators present at the conference at Bogotá. We joined in setting up the Social Progress Trust Fund. But we had no intention that it should be in perpetuity. We had no intention that it should be set up for a long time. We intended that we should be able to taper it off.

The burden of my argument tomorrow will be to carry out the premise which I now lay down, that it should be tapered off. But that is not what would be accomplished by the sleeper that is provided in the bill.

The American taxpayers are going to be taken for a ride once more. We are going to pour money into Latin America with no hope of getting it back under the "soft loans." Let us stop kidding the American people. The time has come when the Latin American countries ought to be willing to assume at least 50 percent, in hard loans, of the money for the type of projects that would be covered by the bill.

I shall make that proposal tomorrow, and let Senators stand up and be counted.

Mr. President, the language of the act referred to "flexible terms and conditions, including repayment in local currency and the relending of repaid funds, in accordance with appropriate and selective criteria in the light of the resources available."

For a time it was necessary and desirable that a part of U.S. aid to Latin America take the form of grants and soft loans. Some grants and soft loans are still needed, but not in such largess amounts as contemplated in the bill. At least 50 percent of what is contemplated in the bill ought to follow the so-called tapering off process that I recommend. It ought to be transferred into hard loans, not into soft loans.

Why in the world should American taxpayers be building all the things contemplated by the report of Committee on Foreign Relations in connection with the projects to be covered by this loan? We have just completed a discussion of a vote on a poverty bill.

What we require in our own country to answer the humanitarian needs of the underprivileged by way of checks that we impose upon our own legislation is a far cry from the giveaway programs with no effective checks encompassed in the bill.

In my State chaos reigns tonight. This administration is still sitting on its haunches so far as concerns supplying the assistance needed by the flood-stricken people of my State. I wish the President of the United States would assign someone from the White House to come to my office, read my mail, and answer it.

The people of my State are justifiably antagonized over the failure on the part of the administration and Congress to supply the funds needed to meet the emergency problems that exist in northern California, most of the State of Oregon, southern Washington, and parts of Idaho.

This administration knew that the funds for the Small Business Administration and the various disaster needs of the country were practically gone at the time this flood occurred.

I wrote a letter to the President the other day, calling his attention to the serious situation in Oregon. I say, to his everlasting credit, that we did get some recommendations from him for appropriations. But, Mr. President, his agencies have let him down. The Bureau of the Budget completely failed in its responsibility to move and move quickly in connection with this American domestic issue.

If we had the same situation in Chile, Brazil, Peru, or any other Latin American country, the bureaucrats down in the Department of AID, in the Department of State would be falling all over themselves trying to get the millions of dollars spent. I have no doubt that the contingency fund of the President would be tapped—it has been tapped in the past—for aid abroad.

It is about time that Congress and the administration started thinking about its own taxpayers in its debate this afternoon.

Mr. President, our greatest security weapon is the economic welfare of our own people and the strength of our own economy. We do not help our people or our economy with the kind of sleeper measures contained in this bill.

Mr. President, I shall work hard tomorrow on the series of amendments I shall offer to try to return this form of government to its historic concept of checks and balances.

We know and recognize, or some of us recognize, that there is a growing tendency in the Government to change us more and more into a British parliamentary in which more and more power is given to ministries.

Mr. President, I object to the tendency to take away from Congress and place in international bodies more and more control over the American taxpayers in a bockdoor approach to a British administrative system in this form of government. I will have none of it.

I want none of the British parliamentary system. We cannot improve upon our system of checks and balances. The Government should stop delegating its powers to the executive branch and exercise its powers as contemplated by the Constitutional Fathers when they set up this system of checks and balances.

Mr. President, to continue this portion of the Alliance in the same amount for 8 years without phasing any of it into hard loans is both unnecessary and undesirable. I do not think the American people should be committed to doing that indefinitely. The Act of Bogotá contemplated a program of economic progress. It must be assumed that as the nations of Latin America make this progress they will undertake a more responsible share in furnishing the capital for it. I think the time is now here, after 5 years of the Alliance for Progress, when the nations to the south should be expected to undertake at least a portion of these social improvement projects on a truly reimbursable basis.

I do not believe the United States should furnish more than half the amount called for in S. 805 for soft loans.

We ought to stop deceiving the American people and recognize that the so-called soft loans for the most part are used as giveaways.

I am perfectly willing to give away money for proven humanitarian purposes. But a good many of the projects encompassed in this bill cannot be justified on a giveaway program from the American taxpayers.

As I said earlier, we are freeing some of the hard dollars of Latin American countries so they can go to France, Germany, Great Britain, Italy, and Japan, where they enter into hard cash transactions, made possible because of our giveaway program. This must be stopped, and we must put some checks in it. It will not be stopped if we turn it over to the bureaucrats in the State Department and the foreign aid administration.

To furnish three-quarter billion more for soft loans will lead to future demands for more dollars for more soft loans when the 3 years are up. That is unfair to American taxpayers and it will be unfair to Latin America when American taxpayers finally call a halt.

Finally, I want to say that this bill is a good example of the dangers of dividing up foreign aid legislation into several packages. We already have one major aid bill, which is called "barebones" and which totals $3.380 billion. But it ignores S. 805, which for all practical purposes adds $250 million to the foreign aid request, bringing it to $3.630 billion.

It ignores a series of other foreign assistance programs which are foreign aid—I do not care what label is attached to them—and they bring the total recommended foreign aid by this administration to almost $7 billion, instead of $3.380 billion.

This administration ought to tell the American people all the facts at the same time that it starts talking about a segment of foreign aid. There is not a whisper by this administration as to what is involved in the foreign aid program over and above its so-called barebones program.

There are other spigots, in the form of other measures, which I shall discuss when the foreign aid bill is before the Senate. In addition, we are committing ourselves to another half a billion in the future.

It appears to me that a strategy of presenting Congress with several foreign aid bills each calling for several hundred million is designed to raise the total amount provided by extracting money from Congress in small doses rather than in one big dose.

Mr. LAUSCHE. Mr. President, will the Senator yield at that point?

Mr. MORSE. Let me finish these two or three paragraphs, and then I shall yield.

Putting large portions of it under the control of international agencies is another means of increasing the total, because I have heard nothing and seen nothing from administration sources or from the Senate Foreign Relations Committee which suggests to me any expectation of replacing bilateral aid with multilateral aid.

If this bill, S. 805, were accompanied by a quarter billion cut in the funds requested this year for the Alliance for Progress, I would have one less objection to it. But to the contrary, $70 million more is being asked for the Alliance.

Passage of this bill will head us down the road of a rising, not a declining, foreign aid program, only one freed from past and future policy restraints imposed by Congress. Therefore, I shall vote against it.

Mr. President, I would be perfectly willing to have half the money figures in the bill transferred to the hard loan window of the Inter-American Bank. I have a right to speak about the Inter-American Bank because the CONGRESSIONAL RECORD will show that I was one of the chief spokesmen in the Senate, as chairman of the Latin American Subcommittee, for the establishment of the Inter-American Bank.

I am strongly for the Inter-American Bank, but I am not strongly for its soft loan window, because, in my judgment, if we leave it to the bureaucrats, they are going to channel more and more of their work through the soft loan window.

I want to see a strengthening of the Latin American economy, and the maintenance of the economic stability of the United States, and channeling such loans through the hard loan window.

It has been said that, in effect, this program is to be a Marshall plan for Latin America. I heard many Senators last year and this year talk about changes they would have voted for in the Marshall plan if they had to do it over again. One of the main changes they keep talking about is that they would insist on a loan program, and not on a giveaway program, because, if it is a sound program, it will pay out. But it is said that we are talking about roads and hospitals and schools. They are capital investments. As we help build them in those countries, we are helping to build up the economy of those countries.

The Senator from Oregon has always been willing to lend the money on a hard-loan basis, at reasonable interest rates, and on a long-term basis—longer than Latin American countries can obtain from any other nation in the world. We all know that when they get loans from France, West Germany, the Netherlands, or any other European country, they pay high interest rates and get shorter term loans. We are the Santa Claus of the world. It is about time we stopped being Santa Claus, and get the people to respect the soundness of our economic system, by making loans based on good investments, on projects that will pay out.

Does a hospital pay out? Of course it does. If a country needs a hospital, it ought to be willing to build the hospital. We may have to give them money for some of them; but if a country wants to have a hospital, it should be willing to take a loan on a 50-year basis and pay interest that will cover the cost of using the money. That is all I have asked for. I have never asked them to pay a profit interest rate.

The time has come to teach Latin America, as well as other countries, that there is a floor in our economy below which we cannot go if it is to support a sound superstructure.

The bill needs to be drastically amended. I shall attempt to amend it tomorrow to accomplish the purposes which I have outlined in this relatively short speech for the senior Senator from Oregon.

Now I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I think we ought to have clearly set forth in the RECORD what the total cost will be to the U.S. taxpayers of what we call the general foreign assistance program. The President's recommendation for what we call foreign aid is $3,380 million. Under Public Law 480 the expenditure will be $1,200 million worth of food given away.

Mr. MORSE. As the Senator knows, we found out how much foreign aid there was in connection with the Nasser issue the other day. We do not call it foreign aid, but it is.

Mr. LAUSCHE. The program we are discussing would have $250 million a year in it. Then we have the Peace Corps and the soft loan department of the Export-Import Bank.

My understanding is that the total amount will be about $6 billion——

Mr. MORSE. Then there are contributions to the World Bank and the International Monetary Fund.

Mr. LAUSCHE. I think I will have prepared the figures for the RECORD before we leave tonight, but, first——

Mr. MORSE. I have them in my office. I will use them tomorrow, but I suggest that the Senator from Ohio use them tonight. The amount is well over $6 billion.

Mr. LAUSCHE. What is the Senator's opinion of what the amount is?

Mr. MORSE. Between $6 and $7 billion, and closer to $7 billion than to $6 billion.

Mr. LAUSCHE. That is the total amount that we could provide for foreign countries as foreign aid, although the Foreign Aid bill by itself will have in it only $3,380 million if we accept the figures recommended by the President.

Mr. MORSE. In my judgment that can be legitimately listed as a foreign aid program in contrast to the semantically narrow item which the administration talks about when it talks about foreign aid or $3.3 billion-plus.

Mr. LAUSCHE. Let me ask the Senator from Oregon [Mr. MORSE] to what extent it is necessary now more than ever to guard against the sending of American dollars to foreign countries.

Mr. MORSE. The President is telling us that he does not even wish us to take trips abroad this year, because the situation is so critical. Our money can leave the country through all these spigots, but not our people.

Mr. LAUSCHE. Why is it——

Mr. MORSE. It is because of our balance-of-payments problem, because of the demands which will be made upon us by our alleged allies for gold.

Mr. LAUSCHE. Is it the opinion of the Senator that there may be some grants and help that we could give if our balance-of-payments position was good; but because it is admittedly bad, and dangerously bad, we cannot now do what we ordinarily might do.

Mr. MORSE. There are some humanitarian grants and soft loans which I believe from a moral standpoint we must make, balance-of-payments problem or no balance-of-payments problem; but we should never go beyond that point. Many of the projects which are called for under the program on the basis of so-called humanitarian appeal do not qualify, because if we analyze the situation in the country concerned, they can take a hard loan if we make it for a long enough period and keep the interest low enough.

In this debate, I am not going to give anyone justification for saying, "The Senator from Oregon does not pay attention any more to the moral obligations of American taxpayers to the people who are suffering from the great wants that many people in the world are suffering from."

Of course, I am going to support some soft loans and I am going to support some grants; but let me say respectfully that those in the administrative branch of the Government have been riding that horse to death. They have exhausted him, because they are making the argument constantly that they should be given whatever they ask for under the soft loan sleeper bill for humanitarian reasons.

My point is to make a careful analysis of the economy of the country concerned and its ability to pay off in the future a hard loan, and we shall find that I am really understating my case when I state that we should take 50 percent of what is being asked for in this bill and transfer it to the hard loan window of the Inter-American Development Bank. If we did this, there would be great satisfaction in Latin America and in every country that would get the opportunity to make that hard loan, but so long as they will get it given to them in a soft loan, so long as we are not going to stop this gross, economic injustice to the American taxpayer, of course they will take the soft loan.

What I am pleading for, as chairman of the Subcommittee on Latin American Affairs, is to make it perfectly clear to our Latin American neighbors that this is the year they should start tapering off, that this is the year they should get ready to reduce their requests for soft loans and to increase their requests for hard loans. This is the place to start.

Mr. LAUSCHE. I thank the Senator from Oregon.

Mr. President, I would favor this grant and loan to the Inter-American Development Bank if our monetary situation warranted it. However, based upon the discussions which we had last week, I am convinced that we need blood from our own lifeline and not to use our inadequate supplies of vitality to build up other nations.

AMENDMENTS NOS. 40, 41, 42

Mr. President, I send to the desk three amendments.

The first amendment provides that we shall subscribe moneys finally provided in the bill to the Inter-American Development Bank on condition that the Board of Governors of the Inter-American Development Bank agree not to float any new securities issues in the United States during the fiscal years of such authorization and appropriation. We do not wish American dollars to be sent to foreign countries to buy foreign bombs. We do not wish that to happen now, because of the dangerous position we occupy on the imbalance in payments.

Second, I send to the desk an amendment to the bill which provides that the Inter-American Development Bank, to which the United States is a major contributor, shall not make any grants or loans to any nation which has expropriated the property of American citizens. This amendment is predicated upon the Hickenlooper principle. It contemplates cutting off foreign aid to a country while the Inter-American Development Bank continues to disperse loans on an existing agreement or contracting new loans with such country. If and when a country in the Western Hemisphere expropriates property belonging to American citizens, and does not, within a reasonable time, compensate such U.S. national in a reasonable amount covering the value of the property, these moneys provided by the bill will not be allowed to be paid out.

I send to the desk a third amendment, Mr. President, which reduces the authorization from $250 million to $225 million a year. The present annual subscription under this bill would be $250 million. The administration has recommended that amount for each of 3 years.

My amendment would decrease the amount from $250 million to $225 million for each year and it would be effective for 2 years instead of for 3 years.

The **PRESIDING OFFICER.** The amendments will be received and printed, and will lie on the table.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that there be printed in the RECORD a statement of the present capital structure of the Inter-American Development Bank.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Inter-American Development Bank capitalization and contributions

	U.S. subscription	Subscription of other members	Total
Ordinary capital:			
Paid-in capital:			
In gold or U.S. dollars	$150,000,000	$115,790,000	$265,790,000
In currencies of other subscribing members		115,790,000	115,790,000
Total paid-in capital	150,000,000	231,580,000	381,580,000
Callable capital:			
Initial subscription	200,000,000	231,580,000	431,580,000
Additional subscription	205,880,000	265,945,000	471,825,000
Total callable capital	405,880,000	497,525,000	903,405,000
Total subscribed capital	555,880,000	729,105,000	1,284,985,000
Fund for Special Operations:			
Initial contribution:			
In gold or U.S. dollars	100,000,000	23,158,000	123,158,000
In currencies of other members		23,158,000	23,158,000
Additional contributions:			
In gold or U.S. dollars	50,000,000	11,302,500	62,302,500
In currencies of other members		11,302,500	11,302,500
Total contributions to Fund for Special Operations	150,000,000	68,921,000	218,921,000
Total ordinary capital subscriptions and Fund for Special Operations contributions	705,880,000	798,026,000	1,503,906,000
Social Progress Trust Fund:			
Initial commitment	394,000,000		394,000,000
Additional commitment	131,000,000		131,000,000
Total Social Progress Trust Fund commitment	525,000,000		525,000,000
Total ordinary capital, Fund for Special Operations and Social Progress Trust Fund:	1,230,880,000	798,026,000	2,028,906,000

Mr. LAUSCHE. I also ask unanimous consent that there be printed in the RECORD the table on page 121 of the hearings, showing the runaway inflation which exists in Argentina, Brazil, Chile, and Uruguay.

There being no objection, the table was ordered to be printed in the RECORD.

Data on Argentina, Brazil, Chile, and Uruguay

Country	External debt [1] (millions)	Internal debt		Government-financed enterprise	Kind of government
		Dollars (millions)	Local currency (millions)		
Argentina	[2] $2,258	$1,420	213,000 pesos	Railways, petroleum, electric power, natural gas, telephone and telegraph, commercial airlines, merchant and river fleets.	Democratic and constitutional.
Brazil	[3] 2,394	(4)	(4)	Transportation, power, communications, manufacturing (steel and automobiles), mining and petroleum.	Democratic reformist.
Chile	[5] 1,046	[6] 332	891 escudos	Railroads, electric power, mining and refining, petroleum exploration, national airlines, postal and telegraph, steel.	Do.
Uruguay	[7] 149	[8] 142	2,591 pesos	Water sanitation, electric power, railroads, telephones, fishing, petroleum, cement, water and sanitation, radio and TV.	Democratic, moderately Socialist welfare state.

[1] Source: IBRD. Includes private debt guaranteed by the debtor's government. Excludes short-term debt, IMF transactions, swaps, arrears, and debts payable in local currency or nonconvertible currencies.

[2] As of December 1963.

[3] As of June 1963. Including IMF, swaps, and short-term obligations. Brazil's external debt totals over $3 billion.

[4] Not available.

[5] As of August 1964.

[6] Source: Central Bank Report, April 1964.

[7] As of December 1965.

[8] Source: Central Bank Report, Nov. 30, 1964.

Mr. LAUSCHE. In Uruguay, the peso is losing value at the rate of about 40 to 50 percent a year. In Brazil, the loss of value is more than that.

I especially call attention to the fact that Argentina, Brazil, Chile, and Uruguay, the countries with the biggest inflation, are operating as follows:

Argentina is operating railways, petroleum production, electric power, natural gas, telephones and telegraphs, commercial airlines, merchant, and river fleets. In Argentina the government is called democratic-constitutional.

In Brazil, where inflation is more than 100 percent, and it is difficult to explain, the Government is operating the transportation system completely—power, communications, manufacturing, steel, and automobile production; also mining and petroleum. In that country the political complexion is supposed to be democratic-reformist.

Chile operates railroads, electric power, mining and refining, petroleum exploration and national airlines, postal and telegraph services and steel.

Here we have a good example of what happens in these countries.

I yield the floor.

Mr. MANSFIELD. Mr. President, does the Senator from Ohio wish to offer one of his amendments, so that it will be the pending business tomorrow?

Mr. LAUSCHE. Yes. I offer the amendment which provides that the Board of Governors of the Inter-American Development Bank must agree not to float any new security issues in the United States during the fiscal years in which the authorization contained in the bill pending before the Senate is in effect.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 10, strike out the quotation marks.

On page 2, after line 10, insert the following:

> (c) The authorization and appropriation referred to in subsections (a) and (b) of this section are subject to the following condition: That the Board of Governors of the Inter-American Development Bank agree not to float any new security issues in the United States during the fiscal years of such authorization and appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE].

Mr. MANSFIELD. Mr. President, no action and no votes will be taken on the amendment tonight.

MEMORIAL ADDRESSES ON THE LIFE, CHARACTER, AND PUBLIC SERVICE OF THE LATE SENATOR CLAIR ENGLE, OF CALIFORNIA

Mr. MANSFIELD. Mr. President, on behalf of myself, the Senator from Illinois [Mr. DIRKSEN], and the Senators from California [Mr. KUCHEL and Mr. MURPHY], I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 81) was considered and unanimously agreed to, as follows:

> *Resolved*, That on Monday, March 1, at 2 o'clock p.m., the legislative business of the Senate be suspended to permit the delivery of memorial addresses on the life, character, and public services of Honorable Clair Engle, late a Senator from the State of California.

ADJOURNMENT UNTIL 11 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand adjourned until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 24, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 23, 1965:

IN THE NAVY

Chief, Bureau of Supplies and Accounts

Rear Adm. Herschel J. Goldberg, Supply Corps, U.S. Navy, for appointment as Chief of the Bureau of Supplies and Accounts in the Department of the Navy for a term of 4 years.

IN THE AIR FORCE

The officers named herein for appointment as Reserve commissioned officers in the U.S. Air Force under the provisions of sections 8218, 8351, 8363, and 8392, title 10, of the United States Code:

To be major generals

Brig. Gen. Dale E. Shafer, Jr., AO433414, Ohio Air National Guard.

Brig. Gen. Donald J. Smith, AO695779, Illinois Air National Guard.

To be brigadier generals

Col. John A. Johnston, AO707699, Michigan Air National Guard.

Col. Robert H. Morrell, AO427688, South Carolina Air National Guard.

Col. Jack H. Owen, AO403870, Kentucky Air National Guard.

Col. Robert L. Pou, Jr., AO651005, Texas Air National Guard.

Col. William H. Webster, AO431580, Kentucky Air National Guard.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 23, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., quoted these words of Scripture, Colossians 4: 2: *Continue in prayer, and watch in the same with thanksgiving.*

Let us pray.

Our gracious Benefactor, always and everywhere we need Thee, in our weakness to encourage and sustain us, in our strength to discipline and direct us.

Fortify us with prayer against those specters of fear which haunt us in our times of adversities.

Grant that with increasing tenacity of faith we may lay hold upon the glorious promise that they who wait upon the Lord shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint.

May we desire and choose Thy ways of righteousness and peace, for those who follow Thee shall not walk in darkness but shall have the light of life.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON PUBLIC WORKS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may sit this afternoon during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PEARSON-ANDERSON DISTORTIONS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, in company with a great many others in public life, I have had good reason to challenge the veracity of statements published by Drew Pearson and Jack Anderson. Out of curiosity I have researched some of the findings of other people. The results are most interesting. In recent years, two Presidents, Franklin D. Roosevelt and Harry S. Truman, called one of them a chronic liar or worse. Doubtless, this was done with sufficient supporting evidence. During this period no less than 64 Cabinet members, U.S. Senators, Congressmen, and other prominent persons have had occasion to publicly classify one or both of these individuals as liars in varying degee. A list of these leaders and their comments is being brought up to date and will be available. I am confident that each spoke with sound judgment, after mature consideration, and upon good authority. I find myself in good company.

By contrast, I find no record of any instances where responsible leaders in Government or in the business world have vouched for the truthfulness of the statements of Pearson and Anderson. Not a single instance. The kindest comment I have noted is that they are masters of innuendo and the half-truth. It appears there are two sides to every question—the true side and the Pearson-Anderson distortion.

Mr. Speaker, the record stands.

RANGER VIII SPACECRAFT

Mr. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER. Mr. Speaker, we have all taken note in the past few days of yet another major American space achievement in the mission of Ranger VIII. For the second time in less than a year, a Ranger spacecraft has successfully taken closeup pictures of the lunar surface and returned them to earth from a distance of a quarter of a million miles. Like its predecessor, Ranger VII, this spacecraft followed a precise path and impacted within 15 miles of its preselected target on the Sea of Tranquillity. During the last 23 minutes of its 65-hour flight, Ranger VIII took more than 7,000 photographs. This remarkable achievement demonstrates the magnificent strides which the United States has taken under the leadership of the National Aeronautics and Space Administration. California Institute of Technology's Jet Propulsion Laboratory is to be congratulated on executing, once again, a difficult space assignment.

My congratulations to Dr. William Pickering and his fine staff.

There are some pictures of the lunar surface in the lobby. Although they may not mean much to you or me, I would like to call attention to the fact that when the first ones—the Ranger VII pictures—came out, Dr. Kuiper, the chairman of the committee of evaluators of the pictures and head of the Department of Astronomy of the University of Arizona, said that the astronomers would have 10 years of work ahead of them interpreting the pictures, that they were the greatest breakthrough in astronomy since the invention of the telescope some 400 years ago.

SPECIAL ORDER GRANTED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from Missouri [Mr. Ichord] for today be transferred to March 1.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on House Administration or any subcommittee thereof may sit today while the House is in session and engaged in general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMERICAN INVESTMENTS IN AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on many occasions I have voiced my faith in the future of Africa. I wish our people were better informed on the progress being made by the African countries and the growing participation of American businessmen.

In the last 13 years American investments in Africa have increased from $287 million to $1.423 billion—a story of progress, not by governmental aids but by private capital, that should be told again and again.

Sierra Leone is a relatively small country in Africa to which we have given the very minimum of aid. Here is the story of what Sierra Leone is doing for us, furnishing a market for heavy machinery of American make to be used in the manufacture of a multimillion-dollar refinery that will end the world shortage of the important mineral of rutile.

Here is the absorbing story as told by the marine editor of the Baltimore News American in the February 22 issue of that newspaper:

Port Will Load African Refinery

(By Joe Wachtman)

A multimillion-dollar plant that will increase world production of the titanium dioxide mineral, rutile, by some 60 percent will begin moving through the port of Baltimore this week.

First shipment of plant construction materials is scheduled to be lifted at Dundalk Marine Terminal Friday by Farrell Lines' SS *African Comet*, according to Modern Storage, Inc.

Destined for Sierra Leone, on the West Coast of Africa, the refinery is being constructed by Sherbro Minerals Ltd., 80 percent of which is owned by Pittsburgh Plate Glass Co. and 20 percent by British Titan Products Co., Ltd.

To be located near the site of the world's largest proven reserve of rutile, the new refinery will be in full operation and is expected to end a worldwide shortage of the important mineral by late next year.

From the refined rutile, other firms will produce titanium oxides, widely used to impart whiteness and opacity to paints and also used in the manufacture of paper, rubber, and floor coverings.

Titanium metal, whose strength-to-weight ratio is nearly twice that of alloy steels, is also highly temperature resistant and is an important construction material in aircraft and space vehicles.

Current world production of rutile is only some 170,000 to 180,000 tons per year. The new refinery will have initial production of 100,000 tons per year.

Materials and equipment for the plant will come from various areas of the United States, with the bulk coming to Modern Storage, Inc., which operates a 120,000-square-foot warehouse at Dundalk Marine Terminal under lease from the Maryland Port Authority.

Among the Baltimore share of the movement will be five 50-ton diesel engines, including three to generate electricity at the plant and two to operate pumps on a hydraulic dredge used to mine the mineral.

A dry mill will be shipped from Jacksonville materials for a 40-home village to be erected at the plant site are moving through Port Everglades and the dredge and other marine equipment will be floated down the Mississippi River and towed to Africa.

VIETNAM

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I am not prone always to agree with the Washington Post, but I found a very provocative editorial in this morning's Washington Post with regard to the situation in Vietnam.

I have from the outset backed the efforts of the President of the United States in stepping up the activity which is required of us in Vietnam, and I see no reason to withdraw that support from him at the present time.

Some controversy has existed between Members of this body and Members of the other body, as well as among Members of this body, as to who supports the President in his action in Vietnam and who does not. I wish to make it clear once again that I support the action of the President in Vietnam; and he is deserving of the unanimous support of the Congress in this matter.

AUTHORIZING THE DISPOSAL OF ZINC FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 1496) to authorize the sale, without regard to the 6-month waiting period prescribed, of zinc proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ASPINALL. Mr. Speaker, reserving the right to object—and I shall not object—I think I speak for all of us who are interested in the welfare of the lead-zinc industry when I say that we appreciate and commend the distinguished chairman of the full committee, the gentleman from South Carolina, the Honorable L. Mendel Rivers, and the able gentleman from Massachusetts [Mr. Philbin], who is now handling the legislation on the floor, for their action in scheduling prompt hearings on legislation designed to make limited amounts of lead and zinc available from the stockpile in order to fill our current domestic requirements for these vital materials, and bringing the bills before this body so expeditiously.

As you know Mr. Speaker, I have a dual interest in the welfare of the lead-zinc industry: Lead and zinc are produced in various areas of Colorado including the district which I represent; in addition, the Committee on Interior and Insular Affairs, of which I have the honor to be chairman, has jurisdiction over mining interests generally. We, therefore, are deeply concerned to assure a continuing supply of all minerals and metals while, at the same time, providing for maximum development of domestic sources.

In the circumstances existing today, we support such releases of lead and zinc from the stockpile as are necessary to meet urgent consumer requirements, provided that, in doing so, there is no disruption or adverse effect on the domestic mining industry. My colleagues know the difficulties involved in seeking to ascertain the quantity of a material that is required at a particular moment and the quantity that can be brought into the market artificially and still not have an adverse effect on our own market sources. Let us be frank in recognizing that the stockpile was not created for the purpose of providing reserves for normal domestic consumption and that, accordingly, any release from the stockpile becomes an artificial means of supplying market demand as contrasted with the normal channels, which consist of a combination of domestic production and imports from foreign sources.

Parenthetically, let me call to the attention of my colleagues the fact that 32 Members of the House have joined me in sponsoring legislation that is now before the Ways and Means Committee for the purpose of establishing flexible quotas for lead and zinc, which we believe is the means to solve the long-range needs for lead and zinc in this country and at the same time assure a continuing domestic supply of these metals during periods of industrial expansion as well as for our national security in times of emergency.

Releases from the stockpile are, therefore, temporary measures and should not be treated as affording any long-range solutions or stability. Those of us in Congress who have responsibilities for mining industries have viewed the legislation before you today in this context. The producing industries have likewise studied the legislation in this context.

Despite the fact that many people in the respective industries were wary of authorizing 150,000 tons of lead and 150,000 tons of zinc to be fed into the market at this time—just when they are beginning to feel the benefits of the improved market position that lead and zinc have enjoyed recently—the industry leaders have, in my opinion, taken a very constructive approach and, in the overall national interest, agreed, and persuaded others to agree, to the release of the 150,000 tons each of lead and zinc that is provided for in H.R. 1496 and H.R. 1658.

In the circumstances, we should be hesitant to cloud the issue at this time by giving consideration to the release of any additional amounts of lead and zinc. In this connection, let me point out that it makes no difference, in my opinion, whether the additional amounts that might be authorized for release would be authorized for sale or for use by Federal agencies, because the use of stockpiled material by a Federal agency displaces a like amount of material that would otherwise come through normal market channels and therefore constitutes an inroad on the normal sources of supply. At the same time, I do not think that it makes any particular difference whether the material to be released comes from one inventory or the other and if, as some of the consuming industries have indicated, there is a possibility that material more suitable for some of the necessary immediate uses can be found in the supplemental stockpile, rather than in the national stockpile, it seems only appropriate to provide for the release of materials from both stockpiles to assure that these consumer needs are met satisfactorily.

Mr. Speaker, I understand that the General Services Administration, under the leadership of Mr. Maurice J. Connell, has, in coordination with the various segments of the lead-zinc industry, developed disposal plans that are acceptable to the industries. These plans provide for initial offerings of a portion of the lead and zinc tonnages that would be released under the legislation before you, to be followed by further consultation by General Services Administration with other affected Federal agencies as well as with segments of the industries before disposing of the balance of the tonnages that are made available for disposal.

Not only do I want to compliment Mr. Connell for his performance in the development of these particular disposal plans, but I would like to take this opportunity to commend him for the cooperation he has exhibited with our committee and with industry in general in connection with the various disposals of metals and minerals that have been accomplished by the GSA.

The Committee on Interior and Insular Affairs has, as I indicated a moment ago, been concerned with these matters over a long period of time. We have been continually following the specific questions involved in connection with lead and zinc, including mine production as well as the level of producers and consumers stocks.

In view of all the factors and existing conditions, I urge favorable consideration of H.R. 1496 and H.R. 1658, to provide for the immediate release of 150,000 short tons of zinc and 150,000 short tons of lead, respectively, from Government stockpiles. As to the additional releases of 50,000 short tons of each metal for the use of Federal agencies, I wish to take no position as of this time.

Mr. Speaker, I withdraw my reservation.

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Massachusetts a question.

It is my understanding that the two bills dealing with stockpile disposal have been unanimously reported by the Committee on Armed Services.

Mr. PHILBIN. Yes. I may say to the distinguished gentleman that they were unanimously reported by the subcommittee and the full Committee on Armed Services.

Mr. GROSS. And, pricewise, the disposals as authorized by these two bills will be advantageous to the Government?

Mr. PHILBIN. Yes, it is considered by the committee that this will be advantageous to the Government.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

Mr. GERALD R. FORD. Mr. Speaker, further reserving the right to object, I wish to commend the committee for taking this action. The commodities covered by these two bills are needed very greatly in American industry to meet a very acute need. I hope and trust that the other body will follow suit and take as expeditious action as the House is taking on this important legislation.

I understand, in further response to the gentleman from Iowa [Mr. Gross], that there will be actually a profit if the sales are made on the basis of the price anticipated.

Again I compliment the gentleman from Massachusetts and the members of the committee for taking needed action on a very serious problem.

Mr. PHILBIN. I thank the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation

Mr. ARENDS. Mr. Speaker, reserving the right to object, I wish to say that the gentleman from Massachusetts [Mr. Philbin], who handled this matter in our subcommittee, worked very expeditiously. He was very fair. There were innumerable witnesses heard before our committee. Everyone was in complete agreement that this should be done and should be done now.

Then the full committee quickly, under the leadership of our chairman, the gentleman from South Carolina, moved ahead. We are trying to keep the pace, so that the other body can see what we have done and move as quickly as possible, so that these bills can be sent down to the White House, so that they may be signed into law.

Mr. PHILBIN. I thank the gentleman.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation.

Mr. HARVEY of Indiana. Mr. Speaker, reserving the right to object—and I shall not object—I also wish to compliment the subcommittee as well as the full Committee on Armed Services for prompt action in this regard. This action will be not only good for the Government, which holds this stockpile of zinc, but also it will release for private industry a section of this stockpile of zinc that is in very short supply.

So it serves a double purpose. The promptness with which the committee has acted on this need certainly deserves commendation.

Mr. Speaker, I withdraw my reservation.

Mr. PHILBIN. Mr. Speaker, I appreciate the gentleman's remarks.

Mr. WHITE of Idaho. Mr. Speaker, reserving the right to object, and I shall not object, I would like to point out to the House that as we continue to release lead and zinc from the stockpile we are continuing a condition that is detrimental to the domestic base metals mining industry in the United States, particularly in using these withdrawals as a basis for continuing a depressed price that we now have prevailing in the domestic metals market.

I intend to introduce legislation, along with my colleague from Oklahoma [Mr. Edmondson], to extend the Small Producers Act, which is legislation to help the domestic lead and zinc mining industry. Other beneficial legislation for the domestic producing mining industry will be reintroduced during this session. I hope that Congress will take a look at this particular legislation so that we can enlarge our domestic production and not have to continue to furnish materials from our stockpile whenever the consuming industry feels a pinch in supply. I also want to point out that we have not had an evaluation of what the nuclear war stockpile objective should be in the case of lead and zinc. We now have just an analysis for a conventional war. I hope that we can come up with a nuclear war objective at some time in the near future.

Mr. Speaker, I withdraw my reservation.

Mr. EDMONDSON. Mr. Speaker, reserving the right to object, I want to join my colleagues in expressing appreciation to the able chairman of the full Committee on Armed Services, the gentleman from South Carolina [Mr. Rivers], and the gentleman from Massachusetts [Mr. Philbin], chairman of the subcommittee in charge of this matter, for the promptness of their attention to a very urgent matter that exists in the country today with respect to the shortage of these materials. Bearing out the statement of the gentleman from Michigan just a minute ago as to the likelihood of a profit occurring with reference to these materials when they are sold, I might say that a profit in excess of $30 per ton is almost certain to accrue in the sale of lead and that a profit of approximately $10 per ton is equally predictable in the sale of zinc. So the Government is not only acting here to meet a critical market shortage which exists in this country and to meet it from surplus materials which we have on hand, but here we have a demonstration of the fact that these materials in the stockpile do not represent a heavy loss of money on the part of the Government but actually represent assets which in this instance are going to be converted to cash in the Treasury of the United States.

Mr. Speaker, I commend the Committee on Armed Services for their wisdom and foresight which have marked their deliberations in connection with stockpile management from the very start.

Mr. Speaker, I withdraw my reservation.

Mr. MICHEL. Mr. Speaker, further reserving the right to object, the gentleman from Massachusetts [Mr. Philbin] will recall that some time ago I inquired as to the possibility of releasing some of the Manila sisal which is in the stockpile. My understanding is after a period of years this material deteriorates to the point where it really cannot be usable later on. Is the subcommittee giving any consideration to a hearing on this particular problem? Can the gentleman give me any kind of information with respect to this matter?

Mr. PHILBIN. The committee does not have any plans at the moment with respect to this, but the committee is aware of the interest which the gentleman has in the point he raises. You may be sure that we will give the matter very careful consideration as we go along.

Mr. MICHEL. The gentleman is a very considerate man, and I appreciate his observation.

Mr. Speaker, I withdraw my reservation.

Mr. CONTE. Mr. Speaker, I wish to join with my colleagues in urging the passage of the bill now before the House authorizing the release of zinc from the national stockpile.

Last month when I introduced a bill which would have authorized the sale of 150,000 tons of zinc there were some 1,505,234 tons of zinc in the national stockpiles. This amount of zinc represented some $422,318,100. Yet the purpose the Government holds this zinc—the national stockpile objective—was abandoned in 1960 when the objective was reduced to zero. The release of this zinc by the Congress and its sale would not therefore adversely affect the national defense. In fact, by making it available to the many industries which are now finding it difficult, or impossible, to purchase zinc through normal channels, we would be strengthening the national defense capabilities of these industries and thereby strengthening the defense of this country.

Mr. Speaker, there is at the present time a critical shortage of this metal in the United States which demands the passage of this bill. Not only in Massachusetts, where there is a large and diversified demand for zinc, but in the entire metal industry there are many plants which rely on zinc in one or more facets of their operations. These industries are now, and have been for some time, faced with an acute shortage of zinc. The shortage shows no sign of abatement, but rather the exact opposite appears more than likely. As our economy continues to expand, and as the needs of industry increases, those industries dependent upon zinc will suffer even more than they are now. As their last remaining supplies of zinc are exhausted, they will be faced with a curtailment of production and the laying off of workers.

Many plants even today that are dependent on zinc in their operations have been forced to curtail their production. This certainly is not a healthy situation when so much of our monetary thinking is based on an ever increasing economy. As this shortage continues—as it will unless we take affirmative action today—even more industries will be compelled to lay off their workers. The result will not only be disruptive to the metal industry, but to the local economies dependent on full employment. I need not remind my fellow Members of the hardships with which the families of these workers will be faced.

I would like to point out that the Office of Emergency Planning, which is charged with the responsibility of determining the stockpile objective of strategic materials, is in accord with the provisions of the bill now before us.

You will also find that the General Services Administration has indicated that it favors early enactment of this legislation.

I am also happy to draw the attention of the House to the fact that the Bureau of the Budget has taken the position that from the standpoint of the administration's program there is no objection to this bill.

But, before the badly needed zinc can be released from the national stockpiles, Congress must act. I would like to commend the speed with which the subcommittee of the House Armed Forces Committee reported this bill to the full committee and also the dispatch with which the full committee reported this bill to the House. Now it is our turn to act with the same speed, for speed is essential if we are to alleviate this shortage. In accordance with the Strategic and Critical Materials Stock Piling Act and the Agricultural Trade Development and Assistance Act of 1954, congressional approval is required for the disposal of materials from the stockpiles.

I therefore ask that congressional approval be given, and that my colleagues on either side of the aisle join with me in passing this most necessary legislation.

Mr. PHILBIN. Mr. Speaker, this bill, H.R. 1496, and H.R. 1658 to follow, are in my judgment of no inconsiderable urgency.

These bills, as introduced, authorize the disposal of 150,000 short tons of zinc and lead, respectively, to be released without regard to the 6-month waiting period, from the national stockpile.

The executive branch recommended that the bills be amended to increase the amount contemplated by the disposal from 150,000 short tons to 200,000 short tons of each of the metals. In each case, 50,000 tons were allocated for direct use by agencies of the U.S. Government.

In addition, the executive branch recommended that the bills be amended to make the disposals applicable to the supplemental stockpile, as well as the national stockpile, in order to permit the greatest possible choice of grades of these metals in the various storage locations to be included in the disposal plans.

At the present time, the conventional war stockpile objective for these metals is zero, and there are over 1 million pounds of each of these metals in the various governmental stockpiles.

Representatives of the Government and industry testified in favor of enactment of these bills with the amendments suggested by the executive branch. There was also agreement upon the disposal plan which would be on an off-the-shelf basis to all segments of the industry on a pro rata basis. The disposal plan also would limit sales for domestic consumption only.

The subcommittee and the full committee were convinced that there is a severe shortage of these metals in the domestic market, and recommend immediate action on these bills as amended, in order that further hardship may be alleviated.

In view of these urgent needs, I respectfully urge the House to take prompt, favorable action now.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

H.R. 1496

A bill to authorize the sale, without regard to the six-month waiting period prescribed, of zinc proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one hundred and fifty thousand short tons of zinc now held in the national stockpile. Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, relating to dispositions on the basis of a revised determination pursuant to section 2 of said Act, to the effect that no such disposition shall be made until six months after publication in the Federal Register and transmission to the Congress and to the Armed Services Committees thereof of a notice of the proposed disposition, but in such disposition the Administrator of General Services shall comply with the other provisions of such section 3, particularly these which require that the plan and date of disposition shall be fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Amend the title so as to read: "A bill to authorize the disposal, without regard to the prescribed six-month waiting period, of zinc from the national stockpile and the supplemental stockpile."

With the following committee amendment:

Strike everything after the enacting clause, and substitute the following:

"That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one hundred and fifty thousand short tons of zinc now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

"SEC. 2. The Administrator is also authorized, without regard to the provisions of the Strategic and Critical Materials Stock Piling Act, to make available an additional fifty thousand short tons of zinc now held in the national and supplemental stockpile for direct use by agencies of the United States Government."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of zinc from the national and the supplemental stockpile."

A motion to reconsider was laid on the table.

DISPOSAL OF LEAD FROM THE NATIONAL STOCKPILE

Mr. **PHILBIN**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 1658) to authorize the sale, without regard to the 6-month waiting period prescribed, of lead proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

H.R. 1658

A bill to authorize the sale without regard to the six-month waiting period prescribed, of lead proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to sell, by negotiation or otherwise, at the fair market value thereof, approximately one hundred fifty thousand short tons of lead now held in the national stockpile. Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, relating to dispositions on the basis of a revised determination pursuant to section 2 of said Act, to the effect that no such disposition shall be made until six months after publication in the Federal Register and transmission to the Congress and to the Armed Services Committees thereof of a notice of the proposed disposition, but in such disposition the Administrator of General Services shall comply with the other provisions of such section 3, particularly those which require that the plan and date of disposition shall be fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Amend the title so as to read: "A bill to authorize the disposal, without regard to the prescribed six-month waiting period, of lead from the national stockpile and the supplemental stockpile."

With the following committee amendment:

Strike everything after the enacting clause, and substitute the following:

"That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one hundred and fifty thousand short tons of lead now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

"SEC. 2. The Administrator is also authorized, without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, to make available an additional fifty thousand short tons of lead now held in the national and supplemental stockpiles for direct use by agencies of the United States Government."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of lead from the national stockpile and the supplemental stockpile."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. **PHILBIN**. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the two bills just passed.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LET US STAND IN VIETNAM

Mr. **ZABLOCKI**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **ZABLOCKI**. Mr. Speaker, I know you are fully aware of my deep and continuing interest in the situation in Vietnam.

Today I want to reaffirm my view that this area must not be permitted to be lost to the Communists, either by default or by design.

Whether we like it or not, we have a political and moral commitment to the people of South Vietnam to assist them against Communist insurgency from within, and Communist aggression from without.

This commitment has been confirmed by three successive Presidents of the United States.

This commitment cannot be lightly dismissed or negotiated away. Unpleasant as it may be, our choice already has been made. We must stand firm in Vietnam.

This does not mean, Mr. Speaker, that negotiations may not ultimately help resolve the situation in Vietnam. But negotiations should not, must not, be used as a coverup for surrender. And unless the position of the free people of Vietnam, aided by the United States, is considerably improved, negotiations now may only result in a complete rout of those who are trying to contain Communist expansion in southeast Asia.

For who, Mr. Speaker, would be willing to take the side of a "paper tiger" to oppose the expanding military might of Red China? If Vietnam goes down the drain, if we now withdraw our support from the effort being waged by its people, where will we make our stand? Which country in the Far East would be willing to put any trust in us then?

These questions are ignored by those who advocate immediate negotiations—or, in truth, our prompt withdrawal from Vietnam. And yet these very questions must be faced, and answered, before we embark upon a course which will lead us past the point of no return not only in southeast Asia but in the Far East and in Western Pacific as well.

It is for this reason that I have obtained permission to insert in the daily CONGRESSIONAL RECORD an article which appeared in Sunday's New York Times, by the respected military commentator, Hanson W. Baldwin. Mr. Baldwin urges greater use of American military power in Vietnam. He believes we must stand firm and fight now to avert irreparable defeat.

Although I do not agree in every detail with Mr. Baldwin's observations and recommendations, I believe that his views deserve the careful attention of my colleagues.

EXCISE TAX ON AUTOMOBILES SHOULD BE REMOVED

Mr. FARNUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FARNUM. Mr. Speaker, in joining with my distinguished colleague from Michigan, the Honorable MARTHA W. GRIFFITHS, and with other Members in support of a bill to remove the 10-percent excise tax from automobiles, my primary concern has been the economic well-being of the Nation rather than short-range interests of my district and State.

I have explained this in detail to those who have approached me from the city of Pontiac in my district and from other great automobile manufacturing centers.

A point I made was that unless the tax savings were passed on to the consumer, the measure would have not my support but my opposition.

I have received assurances that a reduced take-home price for automobiles will be the result of removal of the tax.

I wonder if the honorable Members are fully aware of the significance of, in effect, a substantial cut in the price of automobiles to the people of each and every one of the 50 States?

Most understand, I am sure, that when the automobile business is poor, the Nation's entire economy tends to be poor; when the automobile industry is hard at work, most of America also tends to be hard at profitable work.

Among the reasons for this is that automobiles, wherever they may be assembled, are the product of practically all of the States.

To manufacture millions of automobiles you need materials in units often ordered in the tens of millions. It would be idle to tell the exact number of acres of cotton, of sheep ranches, of chemical plants needed to produce the raw materials for the many millions of yards of fabrics needed merely for automobile interiors.

Similarly astounding statistics could be gathered in telling the story of paint ingredients and their compounding, of metal mining and of fabrication of parts resulting, of rubber components, and of all the rest.

As impressive as that aspect of automobile manufacture is in all 50 of our great States, it is not the equal, possibly, to the economic effect produced locally when great numbers of persons are able to enjoy the ownership of new automobiles. The entire locality of sale soon undergoes economic invigoration.

To understand why this is so, it is merely necessary to visualize a gasoline service station. This is possibly the most common sight in the land and it is the outward manifestation of a great supplier and service industry that is even more diffused than the once centralized assembly of automobiles.

Once the mind is focused on this huge generator of economic well-being, it would be difficult indeed to think of any part of America that would not get a substantial local economic boost out of increased ownership of new automobiles.

A remaining question to be faced is, Can the Nation afford the tax removal? A better question is, Can the Nation afford not to remove this outdated and outmoded tax?

We have had considerable proof recently, and increasingly are getting more of it, that over a period a tax cut may not reduce revenue—if the cutting is well planned. A cut in the excise tax on automobiles may well leave the U.S. Treasury in a better position, after a reasonable time, than it held before the cut.

I ask this honorable body to consider again the great economic activity that a price cut in automobiles would stir up throughout the 50 States. Economic activity of this kind always is reflected in tax revenues from various sources and it requires little imagination to see that cutting the excise tax on automobiles would result in increases in revenue from a host of other sources.

There is one final thought I would leave with the honorable gentlemen. This is the joy a new automobile brings to its owner. Is there a better way to pursue happiness, and to bring domestic tranquillity within the family circle, than in a gleamingly new automobile fresh off the showroom floor? I doubt it. A reduction in automobile prices, through an overdue cut in the excise tax, would make meaningful the "unalienable right" to pursue happiness for Americans from Hawaii to Maine and from Alaska to Texas.

PEDDLERS OF HATE

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I call the attention of my colleagues and the Nation to a vicious anti-Semitic campaign being waged on college campuses in the Philadelphia area and elsewhere. A lunatic fringe group calling itself the Christian Youth Corps of St. Petersburg, Fla., has mailed to college students a vile anti-Semitic letter seeking to raise an army of hate. The leaders of the group are identified in the letter as a Col. Oren F. Potito and a Lt. Philip D. Le Bus. This fanatical group talks hysterically about—and I quote—"Red hordes that will soon attack the United States." This extremist group in its hate letters asks, and again I quote, "young Christian Americans of Anglo-Saxon stock to join us in the fight to save our beloved Nation from the Jew-Communist conspiracy." This so-called Christian Youth Corps goes on at length in its vicious diatribe to make the Jewish religion synonymous with communism and it then urges college students to become "brothers-in-arms," to equip themselves for "guerrilla warfare operations" by obtaining knives, rifles, 1,000 rounds of ammunition, and other war supplies. Mr. Speaker, like most of my colleagues, I have seen a great deal of the hate trash which fanatical groups such as this "Christian Youth Corps" circulate throughout the Nation. But I have rarely seen material as vicious as this. I am alarmed, Mr. Speaker. I am alarmed that not enough light is being thrown on the activities of such crackpots. I am today asking that the House Committee on Un-American Activities investigate the operations of this vicious group of hate peddlers calling itself the Christian Youth Corps. They might more properly be called vigilantes of hate. The committee investigation of this group could properly be handled with the proposed committee investigation of that similar group calling itself the "Minutemen." I urge my colleagues to support such an inquiry to shed light on the outrageous activities of these groups.

Mr. Speaker, WCAU radio in Philadelphia has done a great public service by calling the public's attention to the hate-mongering Christian Youth Corps. I am inserting WCAU's editorial. In addition, Mr. Speaker, I am inserting a copy of the Christian Youth Corps letter because I feel my colleagues and the people of this Nation should have an opportunity to see for themselves the vile trash which these hate peddlers are circulating:

[WCAU radio editorial]

INVESTIGATE HATE ARMY

Hate peddlers have launched a vicious anti-Semitic campaign on college campuses in the Philadelphia area and elsewhere.

A lunatic fringe group has sent its hysterical outpourings to at least one fraternity at the University of Pennsylvania.

Behind this attack is a recruiting campaign for an army of hate.

The organization which is trying to capture the minds of college students calls itself the Christian Youth Corps. It's based in St. Petersburg, Fla.

The ravings of that organization fell on fallow ground at the Penn fraternity house. These decent, intelligent young men scorned the barefaced appeal to join an army of hatred.

But will other young men across the country have the intellectual fortitude to resist this base attack, particularly where religious intolerance already exists? We hope so.

But there's an old saying that if you throw enough mud on a fence, some of it will stick. There's always the possibility that such propaganda will take root in some young and impressionable minds.

The blazing emblem of this Christian Youth Corps is a black cross on a field of white and red. That's the color scheme of the Nazis. The impression it gives, along with the printed matter, is more suggestive of the swastika.

The Youth Corps calls the late President Franklin D. Roosevelt a tool of what it describes as the Jewish brain trust. They say this brain trust arranged the Second World War.

The Youth Corps describes Philanthropist Samuel Fels as the man who financed the Russian revolution, and killed 21 million Christians. But the University of Pennsylvania is proud to point to the Fels Institute of Local and State Government on its campus.

And here's a direct quote from this so-called Christian Youth Corps: "Today Jews control our Government and our money system, and are responsible for all the racial strife that is tearing the Nation apart by organizing and financing pro-Communist organizations such as the NAACP, CORE, ACT, and the Black Muslims."

Throughout the diatribe, the Jewish religion is made synonymous with communism. For example, the Christian Youth Corps calls on youth of Anglo-Saxon stock to fight to save this country from the, and we quote, "Jew-Communist conspiracy."

The Christian Youth Corps warns college students a Communist attack will come very soon. It tells them they better be on the right side, or be destroyed with the Jews. They urge the students to obtain a rifle and 1,000 rounds of ammunition. They urge the students to join their army of 10 million Christians, including the Minutemen, now facing investigation by the House Un-American Activities Committee.

WCAU radio has pledged to expose the activities of hate groups wherever we find them. We are sending copies of this hate propaganda to the appropriate Government agencies and officials. And we call for a complete investigation of this attempt to recruit a lawless army of hate in our Nation.

Christian Youth Corps

Asks young Christian Americans of Anglo-Saxon stock to join us in the fight to save our beloved Nation from the Jew-Communist conspiracy.

Only the Christian young men of this Nation can save it from the ever tightening Red grip that Satan's children (international Jewry) are fastening upon us.

Prepare yourselves for this battle for Christ, when the Christ hating Jews unleash their Red Communist hordes upon us.

Remember that Karl Marx was a Jew, whose real name was Moses Mordecai Levi, the son of a rabbi. Lenin and Trotsky were also Jews, as are all top Communists.

That the Russian revolution was financed by American Jews Jacob Schiff and Felds, owner of Fels-Naphtha Soap Co. More than 21 million Christians have died in Red purges since.

That international Jewish bankers (the House of Rothschild) promoted World War I and succeeded in getting Christian to fight against Christian until 15 million were killed. The Jews and communism were the only profiteers.

That U.S. entry into World War II was conveniently arranged by the Jewish brain trust that ran the (Rosenvelt, his Dutch Jew name) administration, to prevent destruction of communism by Germany.

That all but one of the atomic spys who gave our atomic secrets to Russia were Jews.

That today Jews control our Government and our money system; and are responsible for all the racial strife that is tearing the Nation apart by organizing and financing pro-Communist organizations such as the NAACP, CORE, ACT, and Black Muslims.

Christian Anglo-Saxon young men we ask you to join us in our battle against Judaistic communism. Remember what our Lord and Saviour, Jesus Christ said to the Jews, "You are Satan's children and his works you do."

All atheistic communism is attempting to do is take control of the world for Satan, and international Jewry is carrying out this plan to the letter.

However, Almighty God is going to give we Christians the final victory through his beloved Son when He returns. You had better be fighting on the right side or you will be destroyed as will be the Jews, and all other enemies of Christ.

We are brothers-in-arms with the U.S. rangers, the California rangers, the Minutemen, the Texas Rangers, the Green Mountain boys in New England, and many other smaller localized organizations all of which comprise a vast national Christian army of over 10 million patriotic men who are ready to defend this Nation against the Red hordes that will soon attack the United States.

Each man needs the following basic equipment for guerrilla warfare operations.

1. Any standard rifle of at least .30 caliber.
2. One good quality hunting knife, 6-inch blade.
3. At least 1,000 rounds of ammunition.
4. Regulation canteen-holder—webbed belt.
5. Any suitable type backpack on which can be mounted; a good quality sleeping bag; a good quality two-man tent.
6. Three pair of camouflage fatigues of heavy duck cloth.
7. At least one pair of insulated paratroop type boots.
8. Seven-day supply of concentrated food packs.
9. At least 500 water purification tablets.
10. Snake bite and first aid kit.
11. One mosquito bar.
12. One camouflaged waterproof poncho.

This is a basic equipment list that will allow you to operate an an effective guerrilla unit.

We shall fight from the fields, from the plains, from the swamps, and from the mountains; and although overwhelmingly outnumbered in men and equipment we shall still be victorious for we have Almighty God on our side and at the precise moment His heavenly armies will intervene and give us the victory through the triumphant return of His blessed Son.

Let us remember the words of our late Christian president who was assassinated by the anti-Christ Jew-Communists, "I am a Berliner," and in the spirit of these brave people let us prepare to defend our Christian heritage for Almighty God, for Christ, and the Nation.

For more information write to: Col. Oren F. Potito, or Lt. Philip D. Le Bus, Post Office Box 20183, St. Petersburg, Fla.

Le Bus Antique Aeroplane Co.,
St. Petersburg., Fla., January 31, 1965.

ATO Fraternity.

Dear Brothers: It pleases me to tell you that we now have a large number of brothers in the corps ready to fight for Christ and Nation.

Fraternally yours in the service of Jesus Christ,

Philip D. Le Bus.

SECRETARY CARVER'S ADDRESS TO VIRGIN ISLANDS CONSTITUTIONAL CONVENTION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include an address by Under Secretary Carver.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, in 1954 when Congress enacted the Virgin Islands Organic Act, it was anticipated that from time to time it would be desirable to analyze the legislation and perhaps offer amendments. Congress recognized that eventually the Virgin Islands and its inhabitants should have a constitution into which their wishes and needs would be incorporated. In order to implement these needs the Virgin Islands Constitutional Convention convened in Charlotte Amalie on December 7, 1964. The Honorable John A. Carver, Jr., the then Assistant Secretary of the Interior for Public Land Management and now Under Secretary of the Interior, attended the opening session of the convention and delivered the following address which I am pleased to present to our colleagues:

Remarks by John A. Carver, Jr.

Mr. Chairman, what you are undertaking to do in this convention constitutes the very essence of democracy. It is, therefore, a truly thrilling experience for me to have been invited to participate in the opening of so noble an enterprise.

The right of citizens, individuals and groups, to petition their government is a cherished part of our heritage, explicitly set forth in our Constitution. Rarely, however, is it utilized in so formal and methodical a way as you have chosen to plan for your own political future.

Your action in convening this convention is the ultimate answer to those who practice tyranny at home but preach self-determination in the distant halls of international deliberation. I hope that my presence here, as a representative of the Federal Government to wish you well and to encourage the most fundamental kind of evaluation, will add one more spike in the coffin in which we bury the lie of American colonialism.

For nearly 4 years now, I have wrestled with the wide variety of problems that are committed to my office by delegation from the Secretary of the Interior. But of all the responsibilities which he has given me, that which places me in close, almost daily, contact with the offshore territories is the most satisfying. In this, all the basic elements of government are found. Each territorial entity, with its own personality, is a separate microcosm—a unique political phenomenon whose life processes can be comprehended as a unified whole, whereas in the gargantuan size and intricate workings of our Federal Establishment there is given to each department but a slice or portion. The same is true, also, in our 50 States. The situation in the territories lets us see representative government as it was at the beginning of our Republic.

You are in the very enviable position of being able to make your governmental institutions serve quite directly the needs of your community.

In one respect you are not completely free agents. Unlike the States whose sovereign existence and powers are preserved by constitutional format, the territories are peculiarly creatures of Federal discretion. In a large sense you are direct participants in the exercise of a Federal prerogative. We are both participants in a most interesting experiment—the development of self-government by direct congressional action.

This is the real essence of the process you are initiating here this evening. You are proposing to consider the basic elements in the delicate relationship that exists between your political community and its creator, the Congress of the United States.

Traditionally, changes in the organic powers and governmental structure of the territories have emanated from the source of that power—the Federal legislative and executive institutions. But I think it particularly fitting and proper that the moving force for change originate with those most directly affected, the citizens of the territories. Through this device, the Congress can be assured that the proposed changes represent the true desires of the territory. It will be a signal to the outside world that the principle of self-government is a working force in a truly democratic system.

This occasion has something of a nostalgic quality about it for me. Nearly 4 years ago it became my good fortune to represent the executive branch of the Federal Government at the inaugural ceremonies for Governor Paiewonsky.

This was my first direct contact with any of the territories over whose affairs the Department of the Interior exercises a degree of supervision. It has, therefore, been a most interesting experience to review the remarks I made on that occasion and the developments which have occurred in the 4 years of our relationship—to see what progress we have made and whether our predictions on that optimistic day had any validity.

I said on that occasion that it was not our intention to impose administration on the Virgin Islands or any other territory whose organic legislation provided for an elected legislature chosen by free people. That declaration has been adhered to. Your Governor and your legislature have been left free to develop your own solutions to the problems that have come with maturity.

I said also at that time that "progress toward self-government will be found in the attitudes which exist in the hearts and minds of the people concerned and the manner in which that attitude is reflected in the exploitation of resources for the general good." In the context of our meeting here tonight, that statement was prophetic. For you are here convened to deliberate and to give formal expression to the attitudes which have developed in your community in the intervening 4 years of time.

In that 4-year period, under the highly competent direction of Governor Paiewonsky and the responsibility and leadership of your legislature, the Virgin Islands have made monumental progress. Your educational and health programs have been upgraded to standards which were hardly imaginable in a short decade ago. The College of the Virgin Islands is a reality.

Diversification of business and industry is a fact. The virtues of the territory as a vacation spot are known throughout the mainland. Your election laws have broadened citizen participation in the governmental process. You have elected to take on the responsibilities for providing services—power and water—rather than rely on Federal management of those resources.

These are truly concrete evidences of progress and civic maturity. It is, then, wholly appropriate that you should now turn to the question of your governmental charter and the political instrumentalities through which you manage your own destinies for the future.

As in all facets of public affairs, the assumption of authority to express political aspirations carries with it a grave obligation to protect the broader national interest. As full citizens of the United States, you must assure that the recommendations coming from this convention conform to the document which establishes the ultimate Federal sovereignty, the U.S. Constitution. More than that, in exercising the democratic prerogative of petition, you must be ever mindful of the image of America as it is seen in other quarters of the world. Every element of my experience with the Virgin Islands generates confidence that you will be responsive to these basic obligations.

Above all, we must recognize that the work of this convention will only be a beginning. Ours is not a government of whim or proclamation. You are beginning a process of communication with the basic source of Federal authority in matters of territorial government—the Congress. The role of my Department in this process cannot be a wholly neutral one, but it must be a responsible one. We shall do our utmost to make your communication to the Congress both meaningful and productive. We tender our good offices, both to make your deliberations fruitful, and to promote understanding between you and the Congress.

Four years ago, I called for "the creation of a social, economic, and political environment which will permit the residents of the area to make a free choice as to their ultimate form of relationship to the United States."

Those 4 years have established milestones of progress toward that ideal. It is now for you to express the true hopes and aspirations of this community with respect to the ultimate political question of association with the rest of the broader national community.

HORTON IMMIGRATION BILL

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, along with my distinguished colleague from New York, the Honorable OGDEN REID, I have introduced today a bill to tie the test of immigration to an individual's ability and ambition to contribute to the progress of America. The 11-point measure parallels the provisions of legislation I sponsored in the last Congress to revise the restrictions regulating U.S. entrance of emigrants.

Our immigration practices and policies present a serious situation wholly out of step with our country's concepts of individual values. This Nation's basic law governing who shall pass through the portals of America is now in its fifth decade—unchanged and unrealistic.

Therefore, I am proposing legislation to overhaul these outdated laws. The provisions of this measure substitute standards of skill for the present pattern of awarding admission to America based on birthplace. The proposal also gives preference to the blood relatives of American citizens so that families need no longer undergo the inhuman hardship of separation.

While this immigration bill would revise and extend the opportunity of citizenship, it would have little effect on the total number of persons allowed admission annually. The approximate doubling in new quotas would be negligible, since current quotas presently permit 155,000 immigrants annually and special legislation adds another 150,000 each year outside the official quotas.

I first offered the immigration reform legislation in May of 1964. Later last year, I testified in the bill's behalf at Judiciary Committee hearings on this and other bills proposing immigration procedure amendments.

Mr. Speaker, I include with my remarks the following section-by-section explanation of the bill I am introducing:

1. An approximate doubling of the present 155,000 quota numbers to 300,000 annually; and the basing of future quotas upon one-sixth of 1 percent of the total number of people in the United States as determined by any future U.S. census. A quota figure thus obtained would be distributed among the various nations in proportion to actual immigration and proven desire to enter the United States between 1924 and 1964. The actual increase in those coming to the United States would be negligible as special legislation regularly admits about 150,000 per year outside the official quota numbers.

2. Unused quotas in any given year would be redistributed from countries which do not use them (the United Kingdom) to countries which need them but do not have enough quota numbers (Italy). This redistribution would be within each of four major regions: Europe, Asia, Africa, and Australasia.

3. Parents of U.S. citizens are made nonquota and would be promptly admitted. The uniting of families is important to this country and should be made a reality for many who are now tragically separated.

4. First preference would be given to those persons whose services are especially advantageous to the United States. This wording is substantially more liberal than the present law which restricts first preference to those who are needed urgently.

5. A fourth preference is established for brothers, sisters, married sons and daughters of U.S. citizens, thus doubling the number of visas available to them under former provisions; and parents of resident aliens are added to the preference list. Unused numbers are made available to persons willing to work at jobs for which a shortage of willing workers exists in the United States.

6. The concept of racial or ethnic origin for Orientals is abolished. This is the so-called Asia-Pacific triangle concept. A person's nationality under this bill would be determined by the place of his birth. A person of Chinese ancestry born in Brazil would be treated as a Brazilian rather than as a Chinese for purposes of immigration.

7. Minimum quotas are doubled to 200 (this includes dependent territories).

8. Quotas are abolished for all countries and adjacent islands in North, Central, and South America. This includes both independent countries and dependent territories.

9. Second-class citizenship as between native-born and naturalized Americans is abolished. This places in legislation that principle which the Supreme Court has recently affirmed.

10. Provision is made for annual parole of refugees and escapees into the United States up to a number of 15,000—or up to any number if the President decides an emergency exists. Such refugees may be given immigration status after 2 years in numbers up to 25,000 per year.

11. Provisions for naturalizing persons who have served honorably in our Armed Forces are liberalized.

IMMIGRATION LEGISLATION

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, it is vital that we have new immigration legislation. For far too long we have been content to permit a discriminatory and outdated law be the basis of immigration into the United States.

It is high time that the repugnant national origins quota system be abolished and provision be made for the reuniting of families and the admission into this country of persons with needed skills.

Accordingly, I am today introducing a bill in concert with my distinguished colleague the gentleman from New York [Mr. HORTON] which represents an administratively feasible, fair, and thorough reform of our present immigration laws. This bill embodies suggestions first put forward by former President Eisenhower more than 8 years ago.

It is important that these far-reaching changes be made a matter of clear and progressive law—equally applicable to all; not subject to caprice and winds of political pressure which can affect administrative judgment.

The major provisions include:

First. An approximate doubling of the present 155,000 quota numbers to 300,000 annually; and the basing of future quotas upon one-sixth of 1 percent of the total number of people in the United States as determined by any future U.S. census. A quota figure thus obtained would be distributed among the various nations in proportion to actual immigration and proven desire to enter the United States between 1924 and 1964. The actual increase in those coming to the United States would be negligible as special legislation regularly admits about 150,000 per year outside the official quota numbers.

Second. Unused quotas in any given year would be redistributed from countries which do not use them—the United Kingdom—to countries which need them but do not have enough quota numbers—Italy. This redistribution would be within each of four major regions: Europe, Asia, Africa, and Australia.

Third. Parents of U.S. citizens are made nonquota and would be promptly admitted. The uniting of families is important to this country and should be made a reality for many who are now tragically separated.

Fourth. First preference would be given to those persons whose services are especially advantageous to the United States. This wording is substantially more liberal than the present law which restricts first preference to those who are needed urgently.

Fifth. A fourth preference is established for brothers, sisters, married sons, and daughters of U.S. citizens, thus doubling the number of visas available to them under former provisions; and parents of resident aliens are added to the preference list. Unused numbers are made available to persons willing to work at jobs for which a shortage of willing workers exists in the United States.

Sixth. The concept of racial or ethnic origin for Orientals is abolished. This is the so-called Asia-Pacific Triangle concept. A person's nationality under this bill would be determined by the place of his birth. A person of Chinese ancestry born in Brazil would be treated as a Brazilian rather than as a Chinese for purposes of immigration.

Seventh. Minimum quotas are doubled to 200—this includes dependent territories.

Eighth. Quotas are abolished for all countries and adjacent islands in North, Central, and South America. This includes both independent countries and dependent territories.

Ninth. Second-class citizenship as between native-born and naturalized Americans is abolished. This places in legislation that principle which the Supreme Court has recently affirmed.

Tenth. Provision is made for annual parole of refugees and escapees into the United States up to a number of 15,000—or up to any number if the President decides an emergency exists. Such refugees may be given immigration status after 2 years in numbers up to 25,000 per year.

Eleventh. Provisions for naturalizing persons who have served honorably in our Armed Forces are liberalized.

Our immigration laws are basically 45 years out of date—and are still based on the census of 1920. We make a fetish out of the discriminatory quota system, yet the facts show we ignore it more often than we use it.

In the last 10 years, 1 million immigrants came here under quotas which would have allowed 1,500,000 to enter—which means one-third of those quotas were wasted on countries which did not use them.

In the same period 1,800,000 other immigrants came in outside the quota system or under special and temporary legislation and exceptions, such as were needed, for example, to give asylum to the gallant freedom fighters of Hungary.

That means that two out of every three immigrants during the decade came in outside the quotas.

I submit that when two-thirds of our immigrants came in outside the quota system, it is high time to change the law.

Our present immigration system discriminates flagrantly in favor of northern and western Europeans and against southern Europeans. Is there any justice in the fact that Italy, with 51 million people, has a quota of only 5,666 a year while Great Britain, with 53 million has a quota of 65,000? Is there any logical reason why Greece with 8,500,000 people is allowed only 308 immigrants per year while Sweden, with less than 7,500,000, has 3,300—10 times as many?

Nor is that the end of the unfair differences of treatment. An American who has a Swiss brother can get him admitted at once. But his neighbor, whose sister is Italian, may have to wait years to get her a quota number—under our regular immigration laws. Both are Americans and both have the American sense of fairness, and both, therefore, would be equally offended by such unequal and inequitable treatment.

Mr. Speaker, an American is a hybrid of many breeds and has the vigor of that high heritage. What began with an Italian, sailing in a Spanish ship, has seen, in our own time, an immigrant's grandson reach the White House—and so the grand story goes on. We are truly a Nation of immigrants. If we would honor our heritage we must put an end—here and now—to discriminatory national origins quotas, second-class citizenship, and divided families. We must have a just and equitable immigration policy as a matter of law.

EXPORT CONTROLS ON WALNUT LOGS

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, I rise today to speak in support of export controls on walnut logs. On Friday, February 12, 1965, the Secretary of Commerce saw fit not to extend this export control. This in itself is a unique story in a day and age of increasing Federal controls. This control was originally imposed on February 14, 1964, after all the major manufacturers of walnut veneer in the United States had made application under the Export Control Act for relief from excessive drain of the diminishing supply of walnut logs and resulting inflation in prices. But this is just not a matter of protecting an industry—it is a matter of conservation of one of America's finest furniture woods. It would be a great tragedy if we knowingly let this wood become extinct or in such short supply that its cost would be prohibitive to all except the very wealthy.

This fine wood grows only on the North American Continent and the supply could become exhausted within 7 years. The manufacturers for their part have cooperated to the utmost. They have cut the thickness of their walnut veneer to one-thirty-sixth of an inch from one-twenty-eighth of an inch. This technological change was accomplished at no small cost to the manufacturers and with no little amount of complaining from their customers.

Now the Department of Commerce has stated that the controls were lifted, because they were not 100-percent successful as a price control measure. However, the figures show that the program has been eminently successful, when measured by any yardstick of success for any similar Government-control program. The figures show that controls did decrease the export of the walnut logs, and greatly held down the domestic consumption—much below the average annual increase. This fact is even more germane, when it is noted that it took nearly 3 months of this 12-month period of control to shift to the new thickness.

This matter of walnut wood looms large in the furniture industry. The cost of walnut veneer is only 2 to 3 percent of the wholesale price of a piece of that furniture, but in 1964 $36 million worth of walnut veneer was sold and used in approximately $1 billion worth of furniture. It is a matter of pride to those of us from Indiana that we have 15 veneer mills that produce 70 percent of the Nation's walnut veneer.

There is another factor to be considered here. If this decision is allowed to stand it could mean the exhaustion of the supply of this wood. This in turn would mean importing of foreign hard woods, with the resultant loss of American currency and further damage to our balance-of-payments position. There is, of course, the short range view that with this control lifted exports of this wood will increase. However, the end result would be the loss to other nations of our export market. There are other hard woods available in the world, but none that are an adequate substitute for walnut veneer.

Therefore, I request that the Secretary of Commerce suspend this decision until further hearings can be held. We have an obligation to future generations here to protect a natural resource. We have an obligation to the consumer to keep the price of walnut veneer down. We have an obligation to this group of manufacturers to see that they are not forced out of this business or to a foreign source for wood, due to a nearsighted Government policy. I request that the Secretary of Commerce therefore, give urgent reconsideration to this decision and hold a hearing on this entire matter at the earliest possible moment.

RIGHTEOUSNESS EXALTETH A NATION

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, on the 20th of January last at the Bristol Hotel in Beirut, Lebanon, on the occasion of a ceremony honoring the inaugural of President Johnson, a very moving address was made by Dr. Charles Malik of the faculty of the American University in Beirut, Lebanon.

The title of this address is "Righteousness Exalteth a Nation," and is as follows:

RIGHTEOUSNESS EXALTETH A NATION

(Devotional message at the Presidential prayer breakfast, on the occasion of the inauguration of Lyndon B. Johnson as President of the United States, delivered at the Bristol Hotel, Beirut, Lebanon, January 20, 1965, by Dr. Charles Malik)

America was founded on religious liberty and on faith in God. The primary motive of those who crossed the ocean three centuries ago was not economic, but religious. The economic motive came two centuries later after the religious motive had succeeded in establishing a new nation and taming and unifying a whole continent. These men and women believed in righteousness, because righteousness is nothing but conformity to the will of God. Nothing was more obvious, nothing more taken for granted in all their dealings and in all their life than that righteousness exalteth a nation, but the wicked shall fall by their wickedness. Read the literature of the 17th and 18th centuries; read Jonathan Edwards; despite the rationalist-humanist influences of the enlightenment which started streaming into the land from the middle of the 18th century and on, and which, however, providentially came in preparation for the great political constructions that were then about to dawn, the American mind lived day and night in the presence of something awesome, something invisible, something more real than anything visible; it lived in the presence of God, a living and judging God; it submitted itself to an order of being full of wonder and meaning to which it felt it must conform if it wanted to live, and woe to it if it did not conform. Perhaps the verse which stood before the American mind in those days more poignantly than any other verse in the Bible was this verse from the Psalmist: "Thou lovest righteousness, and hatest wickedness: therefore God, thy God, hath annointed thee with the oil of gladness above thy fellows" (Psalm 45: 7). Wherever there was success and gladness, the thing was not attributed to luck or to the ordinary operations of nature; the thing was conceived as coming direct from God as the gracious reward of the righteous. There was a direct correlation, then, between happiness in this life and doing the will of God. Of course existence then was full of danger and struggle and uncertainty and suffering, but the one staying hand, the one fixed star that gave the ship of state, both of individuals, families and whole communities, steadiness and direction, peace and certainty and joy, despite all struggle and all suffering, was this living sense of God's presence and His relevance, through His law and His will, to every situation in life. How much strength and courage, how much consistency and character, how much unity of purpose and quality of life, how much ability to endure and overcome, the American Nation throughout its history has owed this original, living sense of God, is a matter that has again and again supplied pregnant themes for poet and philosopher, for saint and even for statesman.

People are worried today about the spread of atheism and cynicism, and the wave of materialism, economic determinism, and moral relativism that has swept not only across American but throughout the whole world. I am worried about these things too, and I do what I can to combat them. In fact I talked about some of them last fall on the campuses of 30 American universities and colleges. The positive response I got was beyond any previous expectation of mine. Some sophisticated people, especially on the east coast, have already given up. They speak of this as a "post-Christian" age, an age of science and technique and efficiency, an age of computers and automation, an age of what they call "creature comforts," and all this in order to justify the way they live; namely, as animals without any moral restraints or standards whatsoever. But I found the Middle West, the South, and the West relatively free of this degeneracy, relatively more pure and more wholesome; and urban life in the big cities is not representative of American character even in the East. He does not know the real America who is impressed and misled by the cheap sex literature now on display on every newsstand, by the cheap movies, and by the drinking and chambering that goes on in the great industrial communities.

We know that 80 million people went to church in the United States last Sunday. We know that the statistics of the churches indicate that 72 percent of the American people are church-affiliated. We know that one Gallup poll disclosed that 92 percent of the American people consider themselves related to a church in one way or another. Everywhere you go you find new churches building. The seminaries, I was told, are flourishing as never before. The ecumenical movement is gaining momentum, among Protestants, Catholics, and Orthodox, and between them. Things are happening in this realm—such as a Catholic bishop preaching in a Protestant church and a Protestant minister taking part in a Catholic ritual—that would have appeared fantastic even 5 years ago. Until last year Union Theological Seminary never had Catholic priests among its students; last year 2 priests enlisted and this year 16 of them are taking courses in that most famous of Protestant seminaries in America. When Karl Barth came to America 3 years ago he was a sensation everywhere he went, and he drew enormous crowds at all his appearances. Paul Tillich, who tries in his own way to make religion intelligible to the blasé intellectuals, never fails to draw large crowds, from among the young and the old alike.

Hans Küng last month drew a crowd of more than 5,000 people from all over the United States at his lecture at Georgetown University on freedom in theology. And everywhere you go you find wonderful God-fearing people: humble folk, concerned, rooted, given to prayer, doing their utmost to be faithful to their best lights; people who live their Christianity without fanfare and ostentation; who, when they pray, enter into their closet, shut the door behind them, and pray alone on their knees to their Father which is in secret, and when they give alms they never let their left hand know what their right hand is doing; people who know and love Christ and in their own way have given their lives to Him, and who believe nothing more surely than that He is the meaning of all our yearning and suffering, the cause of all our search and unrest, the hope of history and the light that enlighteneth every man that cometh into the world. You do not find these men in the streets or in bars or in movie houses or in wild parties; but they exist by the millions in homes and churches, in schools and factories, in universities and in government offices. Oh, I have seen hundreds of them—students, teachers, administrators, workers, mothers, humble men, happy and full of joy. When you meet them you know them and you thank God for them. And you know that it will be from their ranks, and not from the ranks of the cynics or unbelievers or morally degenerate, that God will send saviors of America in every realm and at every level.

You cannot therefore agree with those who speak of this as a "post-Christian" age and of America as having turned her back on God. What these people mean is that they wish the facts were so and doubtless they are working to make them so. But what they do not know is that, now that Christ has come, there can never be a "post-Christian age." We shall always be living in the Christian age until the end of time. The cynics and atheists have no idea what all this means. There is in America a wonderful leaven that will certainly leaven the whole lump. God is above all and He knows how to confound the wicked. "Righteousness exalteth a nation and blessed the nation whose God is the Lord." Despite every reason for discouragement and frustration, America's God at her heart is the Lord.

DOCTOR'S CARE, HOSPITALIZATION, AND MEDICINE FOR THE ELDERLY

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I am today introducing the Herlong-Curtis bill which will provide for our elderly citizens complete medical aid when in need. This bill will make possible doctor's care, hospitalization, and medicine for those senior citizens whose income falls below a standard set by the local community and the State. This bill will provide extensive health insurance coverage for our elderly people through private enterprise. It will grant certain income tax benefits to those purchasing adequate health insurance.

The so-called medicare bill—King-Anderson bill—will not provide full coverage for our needy elderly citizens. The Medicare bill will only provide limited benefits and increase social security taxes. The medicare bill would provide for medical attention to wealthy people and would tax our already overburdened workers further to pay the hospitalization for those in good financial condition.

Mr. Speaker, the bill I am introducing will not take from the social security program and will be no threat whatsoever to those who have paid into the social security program and who are entitled to its benefits in their elderly years. My bill will not tax our young people for 45 years in order that wealthy citizens might go to the hospital now. The Herlong-Curtis bill is a fair bill, it is reasonable and will take care of those actually in need.

Mr. Speaker, we are all acquainted with people who have paid into social security since it started in 1937 and who have not drawn a dime. It would be tragic and unfair to add social security tax burdens to these in order to send those to the hospital who are able to pay their bills while many of the needy still go unattended. We are all greatly concerned about the increasing cost of hospitalization, medicine, and domiciliary care. In a society with the highest standard of living of any country in the world, it should be of concern that many of our aged, diseased, crippled, and blind are in need of medical attention. This is an era when lifetime savings can be wiped out almost overnight when sudden illness strikes requiring prolonged hospitalization. This situation should be of concern to every thoughtful American.

Mr. Speaker, medicare—King-Anderson bill—would lead to nationalized Federal medicine, with long waiting lines, blanks, and forms to fill out, channels to go through, and with a huge Federal bureaucracy. Nationalized medicine, with its political pull and overcrowded hospitals, would only be a cruel hoax on our aging and disabled citizens who are really in need. The Congress, in considering my bill for the aged and needy must profit from the experience of England, Germany, and other countries with national socialized medicine. During the first 4 years of Sweden's national health program, absenteeism in her plants increased 25 percent. Hospitals were crowded and doctors harassed by patients with the slightest aches and pains. In Germany the average hospital stay is 29 days as compared to 8 days with similar type ailments in the United States during 1961. Doctor's strikes in Canada, Belgium, and South America caused chaos in these countries. A steady stream of doctors is leaving England annually. Socialized medicine cannot solve America's medical problems. There would not be time nor room in such a program for our aging citizens to receive the attention they deserve.

The very fact that the United States has an increasing need for more medical aid to the elderly is a tribute to the superiority of our private enterprise medical standards. In 1900 the span of life in the United States was only 47 years—today it is 70 years.

The maternal death rate since 1915 has decreased by 94 percent. The infant mortality rate has experienced a fantastic decline.

Salk vaccine, which has played such a vital role to eliminate the threat of polio, was developed in the United States under our private enterprise system of medicine. We are on the threshold of controlling cancer and heart diseases through private research. We are making more progress than any of the nations with socialized medicine.

The dedication of our American doctors, our superb hospitals, their excellent staffs and the quality of our medical care and research with private enterprise incentive, is the best in the world.

Mr. Speaker, I urge the Congress to enact the Curtis-Herlong bill, which will provide medical aid through a dignified, American program. My bill will extend comfort and understanding to our senior citizens in the sunset of life.

BIG SANDY FLOOD CONTROL REPORT, BIG SANDY RIVER AND TRIBUTARIES, KENTUCKY, WEST VIRGINIA, AND VIRGINIA

The SPEAKER. Under previous order of the House the gentleman from Kentucky [Mr. PERKINS] is recognized for 60 minutes.

Mr. PERKINS. Mr. Speaker, the need for Federal assistance to stimulate the economy of the Appalachian region of our country is one of the most pressing matters now before the Congress. The President has recommended legislation, the Senate has passed it in the form of S. 3, and this bill has been favorably reported, without amendment, by the House Committee on Public Works. The Appalachia legislation will very shortly become the pending business of the House of Representatives. I support this measure and I am confident that it will be enacted into law, although I do not think it goes far enough to come to grips with all of the problems. Possibly no district in the entire Appalachian region is more beset by economic problems and needs more help than my own Seventh District of eastern Kentucky.

I take the floor today to discuss the need for an expanded program of water resources development, as one way to help eastern Kentucky regain the economic ground it has lost over the past several decades. The "Corps of Engineers' Survey Report on Flood Control" and related water resources development on the Big Sandy River and tributaries in Kentucky, West Virginia, and Virginia, has been completed by the district engineer in Huntington and forwarded by the division engineer in Cincinnati to the Board of Engineers for Rivers and Harbors, where it is now undergoing review. The people of my district have an important stake in this report. I have already brought a delegation in to meet with the Bureau of the Budget urging that its approval of the report be expedited. I have also taken a group of people to meet with the division engineer in Cincinnati to advise him of our interest, and to point out the need for strengthening the report. Perhaps a dozen trips or more have been made to discuss Big Sandy problems with the district engineer in Huntington, W. Va.

The steep slopes and narrow mountain valleys in eastern Kentucky give rise to a multitude of water resources problems. Denudation of forest slopes by timber operators, improper spoil disposal from coal mining, and overfarming of the limited area of agricultural land have intensified the ever-present danger of floods. Twice in less than 10 years the area has been ravaged by extreme flooding. Along with the flood and siltation problem, the rapid runoff of water prevents proper recharge of the ground water and in dry periods the same areas which are flooded suffer from a lack of streamflow. Sewage and industrial wastes are polluting the rivers, and water storage is needed for low-flow augmentation. For these reasons the report on flood control and allied purposes in the Big Sandy River Basin is of very great importance to our people. These problems are not of recent origin; they have gone on for decades, sapping the resources of our people. This particular report is being made in response to authorizations going back to 1954.

In addition to the primary purposes of flood control and low-flow augmentation, experience with earlier projects that have been constructed shows that reservoirs providing bodies of water in a pleasant mountain setting serve as tremendous magnets, attracting people from the cities for hundreds of miles around the area to the recreational opportunities provided. In fact, one of the primary provisions of the Appalachia legislation is for the construction of access roads to open up these beautiful valleys as centers of recreational activities.

The Big Sandy River Basin is blessed with numerous good reservoir sites. Dewey Reservoir was built some time ago on Johns Creek, a tributary of the Levisa Fork. Fishtrap Reservoir is now under construction on the main stem of the Levisa Fork, along with the north fork of Pound and John W. Flannagan Reservoirs to control outflow from the Pound River. Haysi Reservoir is authorized to be constructed on the Russell Fork, and the current report proposes that it be constructed at a more economical location slightly upstream from the old location. When the system is completed, it will provide good flood protection along the upper reaches of the Levisa Fork; however, a great deal more is needed if this area is to regain its rightful position in the economy of the Eastern United States.

The current report on the Big Sandy River Basin is a step toward helping the region to regain its position, and has given the communities of the Big Sandy River Basin renewed hope that their serious problems will be solved. The report recommends several new projects to aid development. These are Yatesville Reservoir on Blaine Creek, and Paintsville Reservoir on Paint Creek, in Kentucky, and the Panther Creek Reservoir in West Virginia. In addition, the report recommends channel improvements at Martin, Ky., on Beaver Creek. The Corps of Engineers has been very cooperative in working with the people of eastern Kentucky and we have succeeded in convincing the division engineers that the Bureau of the Budget's requirements for extensive local financial contributions toward the recreation benefits of the reservoirs are not applicable to the projects recommended in this report.

The report, however, does not go far enough to control the flood damages along the Tug Fork Valley which forms the boundary between West Virginia and Kentucky in this area. The Corps of Engineers considered projects to provide better flood control in this valley but did not recommend them on the grounds that the benefit-cost ratio was not quite up to unity. The projects needed are local flood protection works along Pond Creek, a tributary of Tug Fork, which comes in from Pike County just above Williamson, W. Va., and the Knox Creek Reservoir which would control flooding from Knox Creek, one of the major tributaries of Tug Fork above Williamson. The small Panther Creek Reservoir, the only upstream reservoir recommended in the Tug Fork Valley, is just not adequate to do the job. One reason for the poor economic showing of the Knox Creek Reservoir and the Pond Creek Channel improvement is that the Corps of Engineers has not made sufficient allowance for the economic growth that will be brought about by the measures recommended in the Appalachia legislation. For the Pond Creek Channel improvement, the engineers assumed zero growth rate, and for the Tug Fork Valley just 2 percent annual growth rate was assumed.

Even with such a gross underestimation of the economic growth to be expected from the Appalachia program, the Engineers' figures show a benefit cost ratio of 0.97 to 1 for the Pond Creek channel improvement, and 1.01 to 1 for the upper Knox Creek Reservoir alternative. For the lower, alternative site on Knox Creek, which I believe is much the better site since it controls about four times as much drainage area and is much closer to the areas of flood damage, the ratio is shown to be a little less. I am confident that a restudy of these benefits by the Board of Engineers for Rivers and Harbors will show these projects to be justified. Eastern Kentucky should not be compelled to wait to justify these projects under the provisions of the Appalachian legislation.

Failure to recommend these projects leaves the citizens and business firms in the Tug Fork Valley dangling between hopes of prosperity and fears of economic destruction brought about by floods. There were major floods in January 1957 and March 1963. Because of these two recent floods our people live in constant fear of additional floodings. They are afraid to invest in modernization of their homes or to expand their businesses. There is little opportunity for attracting new industrial development to the Tug Fork Valley because of the memory of these recent floods. This has given rise to a feeling of apathy among many of the residents which has led the Army Engineers to their conclusion that there will be no economic growth over the period of the life of the projects in Pond Creek, and only 2 percent per annum in the rest of the Big Sandy River Basin. I am confident that these two projects will provide just the stimulus needed to bring about growth which in itself would justify the projects.

The Tug Valley Chamber of Commerce, subsequent to the completion of the district engineers' report, made a new survey of flood damages in the 1957 and the 1963 floods. This survey shows a total of $13,651,000 in damages in just those two floods. This does not include losses of business, accounts receivable, and other losses of businesses located in areas protected from physical damages by the completed floodwall in Williamson, W. Va. These losses would push the total to over $14 million, or more than $2 million a year for the 7 years covered. The flood threat is growing and another flood might well result in even greater damages. Total cost of the Knox Creek Reservoir is estimated at $33,280,000 and for the Pond Creek project, $2,292,000. Annual economic costs are estimated by the Corps of Engineers to be $1,241,400 for the Knox Creek Reservoir and $114,300 for the Pond Creek project. While I am not sure that all of the $2 million average annual flood damages would be prevented by these projects, there are benefits to other purposes, and the margin is close enough that the justification for these projects should be reconsidered, particularly in the light of the fact that the Appalachian region is a primary target for renewed economic development under legislation now before the Congress.

The Tug Valley flood damage survey also turned up no less than 42 business firms which will definitely expand their activities if flood protection is provided and an additional 12 firms that will probably expand their facilities if such protection is provided. The Knox Creek Reservoir would reduce flood stages by as much as 3½ feet at Williamson, while the Panther Creek Reservoir alone would take only about 2 feet off the highest flood peaks. It has been perfectly obvious for several years in the Williamson and South Williamson area that this immediate section is now confronted with serious drinking water problem during the summer and fall months. I cannot see how the Board of Engineers for Rivers and Harbors can sweep under the rug this most serious water shortage problem in the Williamson area. It is clear that we must move ahead with all of these projects to give this area the protection that is needed to stimulate the economy.

Accordingly, in addition to the Yatesville, Paintsville, Panther Creek, and Martin projects, I intend to press for authorization of the Knox Creek and Pond Creek projects, subject to a reevaluation of the economic benefits prior to construction. However, I am hopeful that the Board of Engineers for Rivers and Harbors will revise the report to this extent.

I want to say a few words also about the cost-sharing policies advocated by the Bureau of the Budget, which call for a very substantial local contribution toward the cost of the Paintsville, Yatesville, and Panther Creek reservoirs because of the large recreational benefits. This is a policy that the Bureau of the Budget has been trying to put across ever since 1952, on the grounds that recreational benefits are primarily local benefits and therefore the costs should be borne by the local people. The policy was first enunciated in the infamous Budget Bureau Circular A-47 of December 31, 1952, which provided for recreation facilities, including access roads, to be included in projects only if the State or local governments, or other beneficiaries, agreed to repay the full cost thereof. Fortunately, the Eisenhower administration never did succeed in getting this policy accepted by Congress, since the Flood Control Act of 1944 clearly authorizes the Chief of Engineers to construct, maintain, and operate public parks and recreational facilities in reservoir areas at Federal expense.

In May 1962, the Kennedy administration revoked the old provisions of Circular A-47 and issued a new statement of policies and principles which was published as Senate Document No. 97. This authorized full consideration to be given to recreation as a project purpose but left the matter of cost allocations and reimbursability to be dealt with later. Since that time the Bureau of the Budget has continued to promote a policy under which States or local interests would have to pay part of the costs of reservoir projects benefiting recreation. By a letter dated November 2, 1963, the Bureau of the Budget submitted a draft bill which would accomplish its purpose by providing a sliding scale of limits to the amounts of the costs of reservoirs which could be allocated to recreation with non-Federal interests required to pay all the costs above these limits. H.R. 9032 was introduced in the 88th Congress embodying this legislation. Hearings were held and the Committee on Interior and Insular Affairs reported the legislation with amendments on March 3, 1964, but the House refused to take it up, nor has the Senate taken favorable action on such legislation. There is absolutely no basis for this bill to be considered to establish a policy which must be followed. The district and division engineers of the Corps of Engineers recognized this and have deleted any requirements for local reimbursement of reservoir costs allocated to recreation from their report on the Big Sandy River. I commend these officials for their ability to foresee the inapplicability of the Budget Bureau's proposed policy to these projects. It does not make sense on the one hand to try to stimulate development through the Appalachia legislation and on the other hand to hold up water resource development by trying to force local interests to put up large sums of money that they do not have as a local contribution for recreation.

This question of local cost participation should be resolved at this time in the Big Sandy report. Perhaps I should state that the people in the Kentucky River area and the Licking River Valley will be unable to develop their water resources under the new surveys that have been ordered by the Congress as long as we have a policy under which States or local interests would have to pay part of the cost of reservoir projects benefiting recreation.

Recreation cost-sharing legislation has been reintroduced in the 89th Congress in the form of H.R. 52, however, no action has been taken as yet and I have good information to the effect that the Bureau of the Budget is considering a revision of its proposed recommendations.

The Big Sandy projects must not be held up awaiting any such new recommendations for a new policy. The projects as shown in the Corps of Engineers' reports are abundantly justified, and by an accurate consideration of the growth that will take place in this area, the Pond Creek and Knox Creek projects also can be justified. Accordingly, I urge the Corps of Engineers to submit the Big Sandy report to Congress at the earliest possible date with these modifications, and at the appropriate time, I intend to urge the Public Works Committee to give favorable consideration to the inclusion of these projects in authorizing legislation to be considered in the current session of Congress.

Mr. Speaker, in conclusion, I want to say that the Big Sandy Valley is one of the most economically depressed areas in the United States. We are taking steps through the Appalachia program and other programs, to bring it back on its feet. The Big Sandy report is now progressing through the Corps of Engineers and I appreciate greatly the efforts made by the district and division engineers to get the report to Washington in time to be considered this year. We cannot yet relax our efforts. I intend to continue to press for favorable consideration of the Big Sandy projects, including Knox Creek Reservoir and the Pond Creek channel improvement, so we can get some work going to bring economic assistance to the people of eastern Kentucky and western West Virginia. The Board of Engineers for Rivers and Harbors can perform a great service to an area that needs assistance by revising the Big Sandy report to the extent of approving the Lower Knox Creek Reservoir and the Pond Creek channel improvement, and in sustaining the Division engineer by eliminating local cost participation. These modifications can be made without causing any delay and I am hopeful as a matter of justice they will be made.

Mr. ASPINALL. Mr. Speaker, would my friend from Kentucky yield to me?

Mr. PERKINS. I certainly will.

Mr. ASPINALL. Does my friend object to having a uniform formula which applies to all of the allocations for fish and wildlife and recreation for all water resource projects regardless of where they are located?

Mr. PERKINS. I certainly object to a uniform policy inasmuch as we are trying to pass an Appalachian bill at the present time to give an area some special assistance. I fear the uniform policy, notwithstanding the legislation that was passed last year developing the conservation fund, would result in delaying an adequate flood control program for the Appalachian area in eastern Kentucky several years.

Mr. ASPINALL. If my friend would yield again, does he not think that it would be better to develop this area in which he has been so interested, and rightfully so, as an exception under the Appalachian program rather than as an exception to the formula used for such projects generally throughout the Nation?

Mr. PERKINS. Well, first, let me state that I do not know what the formula so provides to which the gentleman has referred. I know that I have chatted with the Bureau of the Budget representatives on numerous occasions but they have never been able to give me any definite information. Their policy—and I believe the gentleman will agree—has been so flexible and has changed so many times that neither of us know just what their policy is down at the Bureau of the Budget.

Mr. ASPINALL. Would my colleague yield again?

Mr. PERKINS. Yes.

Mr. ASPINALL. They have not been as flexible, perhaps, as my colleague would lead us to believe, as some other agencies have been very flexible in their recommendations to us.

For the benefit of my colleagues and others who are interested in this matter, the gentleman from Colorado now speaking has just dropped into the hopper a bill which states the position of the Bureau of the Budget, speaking for the administration on this matter.

This represents a different approach than that handled in H.R. 9032 a year ago which bill was passed by the Committee on Interior and Insular Affairs and left with the Committee on Rules at that time so that the Members could study it.

But I would suggest to my friend that he read over the provisions of this bill and then stand ready to testify before our committee.

Mr. PERKINS. Let me ask the gentleman this question: How does the proposal differ from H.R. 9032?

Mr. ASPINALL. If the gentleman will yield further, it differs in several particulars and in some particulars would be more advantageous to the local agencies of Government and the local communities involved.

I would make this suggestion also, that cost sharing is going to be necessary if the provisions of the land and water conservation bill are properly carried into effect, because here is where we get to the States a great deal of the contributions from the Federal Government. If these are going to be generated and distributed throughout the United States, then the formula should be uniform.

Mr. PERKINS. Let me say to the gentleman from Colorado that last year I supported the land and water conservation bill.

Mr. ASPINALL. And, I think the gentleman was wise.

Mr. PERKINS. But I realized at the same time that H.R. 9032, in all probability, was the bill that the administration was sponsoring, hand in glove, with the water conservation bill.

Mr. ASPINALL. No. If my colleague will yield to me further, that is not entirely correct. H.R. 9032 was sponsored by the representatives of the administration and by the gentleman from Colorado now speaking. It had a favorable report from the Bureau of the Budget, but it was not an administration bill at that time.

The bill which was dropped in the hopper today is an administration bill.

Mr. PERKINS. I certainly wish to compliment my colleague from Colorado for the great work he has done on the Interior and Insular Affairs Committee in promoting conservation policies in general throughout the Nation; but in this area I feel that the Corps of Engineers should not be censored, as perhaps indicated by my good friend from Colorado. I personally feel they should be complimented in differing with the policies of the Budget Bureau because the 1944 Flood Control Act made it very clear that the Corps of Engineers is governed by an act of Congress. The Federal Government was to pay for the reservoirs, we were to develop the area. That policy has been in effect throughout the years, and we have not up to this date changed that policy by any legislative enactment.

Let me make a further observation. In the report I am concerned about, the Big Sandy report, we have three reservoirs recommended by the Corps of Engineers, and we hope to get those reservoirs in the omnibus bill and authorized during the present year. If this cost-sharing formula is put into effect in this instance we will not be able to build these reservoirs for the next 15 years. I say it is a matter of the gravest injustice, not only to the people of the country, but to the Congress, to undertake to make this applicable to any studies that are now underway by the Corps of Engineers.

That is my point of view, and I know it will throw a monkey wrench into our efforts to have an adequate flood control program in Kentucky.

Mr. ASPINALL. I wish to be perfectly understood that I have never been distinctly critical of the Army Engineers, and I do not intend to be in the future. I wish to advise the gentleman this is not the first approach to what has been suggested on the question of cost sharing because the principle of cost sharing is written to a certain degree in the Flood Control Act of 1962. I intend to support the Appalachia bill now and in the future, but I would suggest that the extension be made a policy program rather than an overall water development program. I am appreciative of my colleague giving me this time. I am not so sure we are too far apart.

Mr. PERKINS. The right solution to this problem means much to eastern Kentucky.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the issues coming before the House this week is the budget for the House Committee on Un-American Activities. I have just learned that my name has been used, and some of the things I have had to say, quoted by a committee which terms itself a Committee to Abolish the House Un-American Activities Committee.

I have had some correspondence with this committee which I placed in the Congressional Record on February 8, 1965, p. 2126–2131. This committee has obviously misconstrued the points I was making, and I take this time to try to set the record straight.

Far from supporting the committee's avowed objective to abolish the House Un-American Activities Committee I favor the retention of the House Un-American Activities Committee. I also favor this committee's investigating the Ku Klux Klan, the Minutemen, or any other group which is actively engaged in promoting ideas which might be subversive or "Un-American" within the definition of this term which has been developed over a period of years by the activities of the House committee. Mr. O'Connor's committee is opposed to the House Un-American Activities Committee extending its investigations to include these organizations.

On the other hand I want to hear at all times any complaints or arguments that may exist on the subject of the House Un-American Activities Committee, particularly where these complaints allege impropriety on the part of the House Un-American Activities Committee, or indeed on the part of any committee of the House of Representatives. I also want to be certain that those who are serious in registering their complaints have a proper congressional forum in which to document these complaints.

I am not certain that the Committee to Abolish the House Un-American Activities Committee is serious in wishing to establish the truth of any complaints. I offered to place in the Congressional Record any response the national committee chose to make to the answer which the director of the staff of the House Un-American Activities Committee had made to the unsubstantiated general charges publicly made and disseminated. I placed the full answer of the House Un-American Activities Committee staff in the Record at the time I commented that regretably the national committee had not availed itself of the opportunity to respond.

On February 22 I received a letter dated February 19, 1965, from Thomas L. Emerson, Yale University Law School, New Haven, Conn., which reads as follows:

Hon. Thomas B. Curtis,
House Office Building,
Washington, D.C.

Dear Mr. Curtis: This will acknowledge your letter of January 5, 1965, addressed to the National Committee to Abolish the House Un-American Activities Committee, concerning the petition signed by 100 authorities in the public law field requesting the abolition of the Committee on Un-American Activities. Your letter enclosed a copy of the reply made to the petition by Mr. Francis J. McNamara, Director of the House Un-American Activities Committee, and asked for comments of the national committee. The national committee forwarded your letter to me shortly after receipt.

The petition in question was drafted by the late Dr. Alex Meiklejohn and myself, and sponsored by the 2 of us together with 10 other persons concerned with constitutional law. The National Committee to Abolish the House Un-American Activities Committee performed only clerical and administrative services in circulating the petition. Consequently the responsibility for answering your letter and commenting upon Mr. McNamara's reply to the petition properly falls upon me. Unfortunately, I have been so busy with other commitments I have not had the opportunity to prepare comments upon Mr. McNamara's statement. I shall do so as soon as possible.

I agree with you upon the importance of a direct and open dialog on this matter of the continuance of the House Un-American Activities Committee and regret very much the delay in forwarding you my response.

Sincerely,

Thomas Emerson.

In other words although serious charges have been leveled against the House Un-American Activities Committee with widespread publicity, those responsible for leveling the charges are not prepared to back them up. These serious charges which not only bring the House Un-American Activities Committee into public disrespect but the Congress itself were not even submitted to the accused before they were publicly disseminated.

I now find that 17 of my House colleagues have circulated a letter to all House Members asking for support to have full and open hearings before the House Administration Committee before the budget of the House Un-American Activities Committee is approved, and have referred to the comments I made in the Record of February 8, 1965, as support for their position. Obviously they need to read my full remarks. I suggest the burden of proof lies heavily with them inasmuch as their case rests upon charges which are derogatory to say the least. My colleagues have made no effort to assume the burden of proof anymore than did the national committee which obviously has solicited their support.

Up to date the charges against the House Un-American Activities Committee remain specious. The only documented charge that I know of to date is the one leveled by Dr. Huber against the House Un-American Activities Committee which I examined into and to which I referred in my February 8, 1965, remarks. This charge when fully examined is hardly justification for the general charges of irresponsibility which have been leveled against the House Un-American Activities Committee.

I am setting out again for emphasis the letter I wrote to the national committee on January 5, 1965, inviting it to respond to the reply of the House Un-American Activities Committee director. I am also setting out a recent letter I wrote in response to a February 1, 1965, appeal by the national committee to oppose investigations of the House Un-American Activities Committee into what is termed "rightist groups."

House of Representatives,
Washington, D.C., January 5, 1965.

National Committee To Abolish the House Un-American Activities Committee,
Post Office Box 74757,
Los Angeles, Calif.

Gentlemen: I received your letter of August 4, 1964, in which you enclosed the tentative draft of a petition relating to the House Un-American Activities Committee.

I forwarded a copy of your letter and the enclosed petition to the House Committee on Un-American Activities for its comments.

I am enclosing for your consideration a copy of the rather extensive reply I received from Mr. Francis J. McNamara, Director of the House Un-American Activities Committee. I would appreciate receiving the comments of your committee on this reply.

I believe the final draft of the petition of your committee followed essentially the form of the tentative draft, although I do not have a copy of your final draft. If this is so the comments of Mr. McNamara's reply to me remain pertinent.

In order that your committee may prepare the kind of a reply to my letter which I seek, I should state that up to date I have been unimpressed with both the substance of the charges your committee has made against the House Un-American Activities Committee and the techniques your committee has employed in widely disseminating these charges without accompanying them with substantiation and before making a direct confrontation of the House Un-American Activities Committee with these charges so that your committee has the benefit of the response of those accused.

I intend to place the material I have received up to the present in the Congressional Record. I would be happy to place any response your committee wishes to make in this matter in the Congressional Record as well.

In this way perhaps we can develop a national dialog on this very important subject and avoid the battle of self-serving press releases (on both sides of the question) which up to date seems to have been the techniques employed. The use of these techniques in lieu of developing a dialog creates public confusion rather than promotes public understanding and so hampers intelligent decisionmaking.

Sincerely,

Thomas B. Curtis.

NATIONAL COMMITTEE TO ABOLISH THE HOUSE UN-AMERICAN ACTIVITIES COMMITTEE,
Los Angles, Calif., February 1, 1965.
Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: We are alarmed by suggestions lately that the House Committee on Un-American Activities investigate the Minutemen, the American Nazi Party, and other rightist groups; we urge you to oppose investigations by the Committee on Un-American Activities regardless of the viewpoints of those attacked.

When such groups engage in overt actions (e.g., insurrection, breaking into the House Chambers), we have adequate tools of government without the Committee on Un-American Activities; namely, police and FBI to apprehend, grand juries to indict, and courts to try. If laws in the area of overt actions affecting internal security are inadequate, the House Judiciary Committee is empowered to recommend remedial legislation.

But the Committee on Un-American Activities is empowered to investigate only where the first amendment forbids Congress to legislate: speech and press ("Un-American and subversive propaganda") and assembly and petitioning ("un-American propaganda activities"). The ideas and political activities of dissident groups are not what we have to fear; the heart of our democracy rests on the citizen's right to say what he thinks without fear of governmental coercion.

Those who would justify attacks on unpopular groups by contending that government needs to give information on them and expose them should be reminded that it is the job of citizens and private political organizations to debate with and organize against those they disagree with.

It is ironic that the Committee on Un-American Activities is now being called on by some to check rightist activity, for the committee's admittedly unevaluated files (protected from libel proceedings by legislative immunity) have fed the attacks on citizens by such groups.

We urge you to oppose the Committee on Un-American Activities' violations of anyone's civil liberties, to speak out against its appropriations, to support a full debate on it, and to vote for its abolition.

Respectfully yours,
HARVEY O'CONNOR,
Chairman.

FEBRUARY 15, 1965.

Mr. HARVEY O'CONNOR,
Chairman, National Committee To Abolish the House Un-American Activities Committee, Los Angeles, Calif.

DEAR MR. O'CONNOR: I was interested in the letter your organization has sent to the Members of the U.S. House of Representatives, including myself, expressing your alarm at suggestions that the House Un-American Activities Committee investigate the Minutemen, the American Nazi Party, and other rightest groups. I personally think the committee should do so to clarify the picture.

I might agree with you that today these groups are considerably less ominous to the integrity of our constitutional government than they were in the 1930's when foreign governments heading up powerful societies in Germany and Italy supported these groups financially and trained their members in the arts of sabotage, subversion, and false propaganda. However, it is always important to have as clear a picture of just what these groups are up to, even though they no longer have this kind of backing. It becomes particularly important to have the full truth about the extreme rightwing groups, inasmuch as they have become a convenient whipping boy for the extreme leftwing organizations to utilize to distract the attention of the American public to the real purport of the leftwing activities. Some of these are such convenient whipping boys that I would like to reassure myself that these particular ones are not actually financed and supported by the Communist International.

For example, I have found the extreme leftwing group constantly misrepresenting what at least appears to me to be the extent of influence and activity of the extreme rightwing groups. I find the extreme leftwing has a tendency to include any conservative organization in the category of extreme rightwing activity. Now, it is important to know the extent to which this may or may not be true. Indeed, in following out the attacks on the extreme rightwing groups, we may very well find further information about the extreme leftwing groups. Certainly the committee process of studying and gathering information is the fair and proper way for our society to evaluate these matters.

Now, the extreme leftwing groups are a serious threat to the constitutional government in our society inasmuch as many are supported financially and their members are trained in sabotage, subversion, and false propaganda by governments of powerful societies abroad. This is not just a question of indigenous Communists, but rather, part of an international organization avowedly designed to overthrow constitutional government in the United States. I don't worry so much about the indigenous Communist or the indigenous Fascist, in the United States. Public debate, freedom of assemblage, and freedom of speech will take care of their theses. But when a foreign power deliberately seeks to utilize these people, finances them and trains them in the ways of violence to men and to ideas, we must follow closely what they are doing.

I find your organization has not had much followthrough on what you profess your interest to be, to oppose violations of the Committee on Un-American Activities of anyone's civil rights. I have tried to follow this course and I have found cooperation from the House Un-American Activities Committee in trying to improve its rules and procedures. Your organization has continued to take the low road of widely disseminating to the public charges against the committee which you fail to substantiate when opportunity is afforded to you.

In our previous correspondence I supplied to you the House Un-American Activities Committee answer to your recent bill of complaint against the committee, calling to your attention that your organization had issued this bill of complaint without giving the House Un-American Activities Committee an opportunity to give its response. You have not seen fit to reply to the committee's answers. Your organization seems unconcerned about getting the record straight on the truth of charges or the correction of errors. I can well understand if your organization is seeking to thrive on propaganda in the nature of developing unsubstantiated charges why you would not seek to get the record clarified either on your charges against the House Un-American Activities Committee or to get at the real truth of the extent of the power and activities of the extreme rightwing organizations.

Now, do you have a response to the detailed reply which the House Un-American Activities Committee made to your charges, which I placed in the CONGRESSIONAL RECORD, or don't you? Frankly, I am beginning to wonder just what your organization has been set up to accomplish, in light of your record of hit-and-run tactics. If your group is truly interested in civil rights, I suggest you start following the procedures which reflect the spirit and theory which lie at the base of the Bill of Rights.

Sincerely,
THOMAS B. CURTIS.

ASSOCIATE JUSTICE FELIX FRANKFURTER: A TRIBUTE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the American people, of course, but people everywhere who cherish freedom invested with knowledge and scholarship, who admire a high order of intellectual courage, and who appreciate service, dedication and patriotism will mourn with an extraordinary sense of respect, the passing of Associate Justice Felix Frankfurter. It is not enough to say that he was—as indeed he was—one of the greatest jurists of this century and among the greatest of the great to sit on the U.S. Supreme Court. He had the unique valor of the American patriot who could face a sea of malice and rise above the indignities thrown at him with an aplomb and with weapons of conviction and integrity that confounded his enemies for all time. Those who differed with him on the level of decent intellectual combat and for whom he had friendship if not argumentative acquiescence, never failed to show him in their words and their deeds, or in their personal relationships, the honor and the esteem in which he was basically regarded by the fair and the tolerant.

But for me, as long a legislator as he was a teacher and a judge, I held him high because of the reverence and the measured deference he showed for the decisions or the acts of the Congress of the United States, legislatively or in committee. I do not believe he would have used a word like arrogance, but he held it unwise, certainly undemocratic and unworthy, for nine lifetime appointees to the highest court of the land, to dissolve or disintegrate or cancel into nothingness the legislative enactments of so broad and widely representative an elective body as the Congress of the United States. This deep, unalterable highly judicial respect for the democratic process, and this unwillingness, except in the most urgent and flagrant cases, to interfere with the legislative process, marked him in my mind as the judge having the most precise, and, in my judgment, the most valuable qualifications for the tremendously distinguished post that he held so brilliantly for so long.

More than that, he was so intensely and so honorably judicial—I prefer to say extrajudicial—that he separated, against the most poignant stirrings of his own heart and his own emotional wishes, his feelings as a man, from his duty as a judge. He never confused or confounded or mixed his own prejudices, however justified and ordinarily logical, with his sacred trust as an Associate Justice of the U.S. Supreme Court. Thus again and again and still again he rendered decisions and wrote opinions that conformed in their brilliant purity with the law and its intellectual pursuit but that ran diametrically counter to his personal and perhaps emotional views.

This, as we all know, can be proved in such matters, for instance, as civil rights. Yet, precious as these convictions of the man were to him as a human being, he never permitted them to impinge upon his groping for the truth and the pristine dictates of the Constitution of the United States and the righteous limits and restraints established by law.

He never set his own predilections above the law and he had no faith in absolutes.

It is this, apart from his learning and his skill, that made him the supreme example of the great judge.

Thus, he was sublimely careful to keep the court on which he served operating within the orbit set for it by the Constitution. He never sought to make the Court a depository of power he felt was denied to it by the basic law of the land. Yet personally and individually, as a man serving his country before he went on the bench and afterward, he did as a citizen, wield an immense power and influence. This he did, not only through his superbly helpful relationships with Presidents of the United States through the last 30 or 40 years—as I well know—but also through his effort in bringing to the Government agencies the finest talents in the history of our civil service. I should like to end my appreciation of this patriot and citizen, this teacher and judge, with his own remarkable words uttered from the bench which, to me, represent the soul and the character of Felix Frankfurter. He once said and I quote:

> One who belongs to the most vilified and persecuted minority in history is not likely to be insensible to the freedoms guaranteed by our Constitution. Were my purely personal attitude relevant, I should wholeheartedly associate myself with the general libertarian views in the Court's opinion, representing as they do the thought and action of a lifetime
>
> But as judges we are neither Jew nor gentile, neither Catholic nor agnostic. As a member of this Court I am not justified in writing my private notions of policy into the Constitution, no matter how deeply I may cherish them or how mischievous I may deem their disregard.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. GERALD R. FORD. I join with the distinguished Speaker of the House in expressing the deep regret of Members of the House at the passing of Justice Frankfurter. He was a renowned scholar, a great teacher, an eminent jurist whose opinions, whether in the majority or the minority, will be documents which will play a tremendous part in the writing of law for this country.

I particularly approved of his view, which was one of wise judicial restraint. I personally believe he has given us guidelines not only in the law but which should be followed in other areas of life also. His passing will be mourned by all of us.

Mr. McCORMACK. I appreciate very much the remarks of my distinguished friend from Michigan.

SPECIAL ORDER VACATED

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from New York [Mr. Lindsay] for February 27 be vacated.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FEED GRAINS PROGRAM MALADMINISTRATION CAUSED $2.8 BILLION LOSS IN LIVESTOCK VALUE

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, in my opinion, maladministration of the feed grains program beginning in 1961 is responsible for a $2.8 billion drop in livestock and poultry farm inventory values in the past 2 years.

Under the feed grains program, market prices were driven down and kept down by Government dumping. Cheap corn always means cheap livestock. This rule of economic life invited overproduction of livestock and this, in turn, triggered low hog and cattle prices.

The numbers of livestock and poultry have not shifted appreciably in the past 2 years, but values have. The aggregate value of livestock and poultry on the farm on January 1, 1963, was $17,251 million. Figures for January 1, 1965, just released by the U.S. Department of Agriculture, show this figure had skidded in just 2 years to $14,427 million—a drop of over $2.8 billion.

The adverse effect of the feed grains program had filtered through the farm economic system by early 1963, and by the end of the year it was almost devastating.

Illinois has been hit especially hard, due to the importance of hog and cattle production in our State. The aggregate value of livestock and poultry on farm dropped $136 million during the same 2-year period. On January 1, 1963, it was $812 million. On January 1, 1965, it had skidded to $676 million.

Cattle dropped from $142 per head to $118, while hogs went from $28.30 to $25.70.

The change in total numbers was not significant. For the Nation cattle increased from 104 million to 107 million, while hogs dropped from 59 million to 53 million. In Illinois, cattle held even while hogs declined only slightly from 7.9 million to 7.4 million.

When all the facts are in, the feed grains program—with its collossal cost to taxpayers, its adverse effect on our private grain merchandising system, and now its staggering blow to on-farm livestock values—will go down in history as the prize example of how not to administer farm programs.

ANTITRUST BILL

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. MATHIAS. Mr. Speaker, during 1964 the United States spent more than $18 million on the activities of the Federal Trade Commission and the Antitrust Division of the Department of Justice. Was this sum too much or too little to preserve real freedom of the marketplace in American industry? Did the activities of these agencies tend to cultivate competition or to frustrate it? Did these activities result in lower prices to the consumer or higher prices to the consumer? Did they result in better products or worse products? Were these activities our best shield against the dangers of monopolies and cartels or were they merely an unnecessary impediment to the natural development of our economy? Did these activities have any significant or consistent effect, one way or the other? Are our tax laws encouraging monopolies? Do our international commitments discourage competition in domestic markets?

Mr. Speaker, I do not have the answers to these questions. And I submit that no one does. Seventy-five years ago Congress passed our basic antitrust law, the Sherman Act. A confusing patchwork of additions and amendments has followed—in 1914, 1936, and 1950, some of which may now be aimed more at destroying market freedom than promoting it. Consider the changes in technology of the past 75 years. Consider the changes in the world's political economy and of our changing role in international trade over the past 75 years. Compare the needs of 1890, 1914, 1936, and 1950 with those of today. Are the statutes of those years adequate for the needs of today?

In the 1963 joint economic report, the Republican minority members of the Joint Economic Committee recommend the establishment of a Commission on Antitrust Laws to determine the impact of these laws upon U.S. productivity, long-range economic growth, trade, and on foreign investment and on foreign policy generally. They recommend further that the Commission should make such recommendations for changes in the substance and procedures of the antitrust laws as seem necessary to promote our economic objectives.

In the last Congress I introduced a bill—H.R. 12544, 88th Congress, 2d session—to establish a Conference on the Antitrust Laws. Today, I offer again what is essentially that same bill. I have noted with pleasure that the gentleman from California [Mr. Roosevelt] last month introduced a bill—H.R. 1575—calling for the establishment of a commission to revise the antitrust laws. Mr. Roosevelt's bill closely parallels a bill which Senator Javits has introduced several times in the Senate—that is, S.

1255, 88th Congress, 1st session. The preamble to Mr. ROOSEVELT's bill declares flatly that our antitrust laws "are in certain major areas of their application in need of revision" and that under the present statutes there exist "conflicts in policy." I have not come to these conclusions yet. I believe the matter needs study. And Mr. ROOSEVELT appears to agree. I submit that the questions which I posed earlier are in desperate need of imaginative, unprejudiced, systematic study. And I welcome this apparent recognition from the other party of the need to which we in the minority have been trying to call attention.

My bill would establish a Conference on the Antitrust Laws and direct it to report with recommendations within 2 years. The Antitrust Conference, like the Administrative Conference, would consist of a Council of 12 members plus a general membership of at least 61 additional members.

This method of organization would permit drawing upon all knowledgeable and responsible groups who could be of real assistance, including members of the business community and the academic and legal professions, both within and outside Government. At the same time, control would not be so widely dispersed as to result in ineffectiveness.

Mr. Speaker, too often events reported in our newspapers remind us that the buying public is at the mercy of groups possessing greatly concentrated economic power. Rejecting as we do the alternative of socialism, the only real guarantee to the man in the street that he is getting the best goods at the lowest cost comes through a truly free market. I question whether the consumer is now getting the fair shake that the truly free market can give him. I believe there is urgently needed a thorough study of the operation and effect of existing antitrust statutes upon competition, price levels, employment, profits, production, consumption, and the capability of the economy to best sustain the Nation at home and abroad. I believe this job can be done if the available talent is called upon. We must develop a consistent antitrust policy which relates to fact and not just slogans, to results and not just theory, if our economy is to continue to grow and prosper and produce to meet the growing needs of our people and of our international responsibilities. I firmly believe that the bill I now offer is a necessary first step in developing such a policy.

FEDERAL EMPLOYEES' COMPENSATION ACT AMENDMENTS

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, today I am reintroducing a bill similar to one I introduced in 1964 to make certain necessary improvements in the Federal Employees' Compensation Act. The Federal Employees' Compensation Act is the workmen's compensation law which compensates Federal employees for injuries they incur in the performance of their duties.

The legislation I am introducing is designed to correct two shortcomings in the present law in order to alleviate conditions for injured Federal workers while they are out of work and at the time they return to work.

The first amendment contained in the bill would provide financial relief to an injured worker between the time of his injury and the time he receives his first compensation payment. Presently, the worker must remain without salary or compensation while disabled until his claim is processed and his first Federal Employees' Compensation Act payment is sent to him. In many instances this can be a prolonged and difficult period for the employee and his family, throughout which he must meet his regular financial obligations to provide his family with the necessities of life.

The bill I am sponsoring provides that during this hiatus, the injured Federal employee shall receive his regular pay in effect prior to his injury. Should an overpayment occur, the bill provides for making any necessary adjustment by withholding portions of the employee's Federal Employees' Compensation Act payments in such a manner as may be equitable to the employee and the Government.

The second change made by the bill would allow a disabled employee who returns to work to be credited with annual and sick leave for the period he is on the Federal Employees' Compensation Act rolls. Under present law no annual or sick leave credits may be made during the period an employee is on leave without pay and drawing Federal Employees' Compensation Act benefits. The situation is just the opposite when the employee is on annual or sick leave. When he is away from his job on such leave he is earning more leave credits. I fail to see why a different rule should apply to those who have been injured on the job.

I urge my colleagues on the Committee on Education and Labor to grant this bill early and understanding consideration.

NEW YORK CITY IN CRISIS—PART X

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following installment of "New York City in Crisis," which appeared in the New York Herald Tribune of January 31, 1965.

This installment is comprised of two separate articles on New York City's hospitals, the first relating to New York's aged citizens and their attempts to utilize the services of these hospitals; and the second to the problems of running a network of hospitals in the Nation's largest city.

The articles follow:

NEW YORK CITY IN CRISIS—CITY HOSPITALS: NIGHTMARE FOR THE AGED

(By Barry Gottehrer)

It was early one morning last July when 84-year-old Anna Gross collapsed in her small apartment on West 82d Street. Thirty minutes after her boarder had telephoned for assistance, two policemen and two hospital attendants had arrived with an emergency ambulance.

Despite her objections (she asked to go to Roosevelt Hospital, a private hospital she had stayed at 4 years before when she underwent minor stomach surgery), she was taken to Knickerbocker Hospital, a private hospital in Harlem.

After a preliminary examination, doctors learned that she had suffered a stroke and severe dehydration brought on by diabetes. They then told her relatives—a grandson and two cousins—that Knickerbocker, the hospital she had been brought to, did not have any ward space to accommodate her.

At this point, her grandson telephoned Roosevelt Hospital and was told by someone in emergency admissions that there was room there and an ambulance would be sent to Knickerbocker to pick her up.

After a second ambulance ride and a second examination at Roosevelt (which produced the same details as the earlier one), she was told that her grandson had been misinformed—and that Roosevelt also did not have any ward space available.

While she waited alone and unattended in a small room off the emergency entrance for nearly 2 hours, one doctor finally got around to trying to find a bed for her somewhere. Because there is no daily master list of available bed space in New York's hospitals, the doctor had to call each hospital individually.

Though city records later showed that there were more than 3,000 unused beds in New York hospitals that day, the doctor was unable to find a bed for the aged woman until his seventh call—to Metropolitan Hospital.

It was not until nearly 7 p.m., more than 8 hours since she had been picked up by the first emergency ambulance, that the 84-year-old woman was finally settled in a hospital bed and received treatment.

In just 1 day, 84-year-old Anna Gross (an alias) had become a victim of the city—and what makes it so much worse is that it could have happened to any old and disabled New Yorker with limited resources. In fact, it had already happened to thousands of aging New Yorkers before her.

It is rarely easy to be old and it is never easy to be poor in any city. But, for those both old and poor, life in New York City today has become a nightmare—where, forgotten by their families, the aged find themselves increasingly ignored by the city.

TOO LITTLE FOR TOO FEW, TOO LATE

In the last census, 813,827 New Yorkers—more than the total population of San Francisco or Washington, D.C.—reported they were 65 or older, with 229,663 above 75.

This represents an increase of 749 percent since the turn of the century compared to a 126-percent increase for the city's total population. Today, 1 in every 10 New Yorkers is 65 or older and, by 1970, more than 1.5 million residents are expected to fall into this age group.

What makes the aged problem so critical is that this group's income and opportunities have not kept pace with its increased longevity. Of New York's aged families, 102,712 had incomes of less than $3,000 in 1960. And, of the 144,127 living alone or with nonrelatives, 70 percent earned less than $2,000 a year.

Despite an annual city outlay of more than $300 million for institutional care for the aged, the Citizens Committee on Aging, a branch of the Community Council of Greater New York, believes that "unfortunately for both the taxpayer and the elderly, this amounts to 'too little for too few, too late.' "

"We all know that there are many aged and aging persons who need some kind of care including preventive care, who are not now getting it," said Mayor Robert Wagner. "There are many who could remain or be returned as active and productive members of our society if they could be given proper rehabilitation, and the social guidance that is part of scientific rehabilitation work. The costs involved are immense but what we could save, both socially and economically, by doing what we should for our senior citizens, is also immense."

Mayor Wagner made this statement in October of 1962. Yet today, more than 2 years later, the problems of New York's aged and aging remain critical and no closer to solution.

Medical care is perhaps the greatest problem for the aged of New York City but housing is not far behind. Despite the construction of 2,866 apartments designed and priced for the elderly (another 6,897 are either under construction or in planning), more than 50,000 elderly single New Yorkers still live in substandard dwellings with no place to go, no one to turn to, and little hope for the future.

What is it like to be old, poor, and disabled in New York City?

WHERE TO GO—NURSING HOMES INADEQUATE

Let's take a closer look at Anna Gross, a New Yorker for all but the first 10 of her 84 years. Since the death of her son in 1951, the widow had lived off his insurance and savings in a small apartment on West 82d Street, between Columbus and Amsterdam Avenues.

Unable to collect social security because of a technicality (unaware that the law had been amended in 1959, making her eligible, she had failed to file in time), she had relied on a series of elderly boarders.

Despite her increasing age, she had remained in good health, physically sound and mentally alert. And, despite one grandson and several cousins who lived outside the city, she had remained totally self-sufficient and self-sustaining, spending her leisure hours socializing with her aging neighbors and watching television.

This was her life until last July. It will never be the same again.

Within 6 weeks after her admission to Metropolitan Hospital, her diabetes was fully under control and, despite paralysis of one arm and leg due to the stroke, she was considered mentally alert enough and physically able enough for discharge.

The problem, however, was where could she go. She could not return to her apartment because she no longer could take care of herself. She could not afford a nurse because her savings had dwindled to nearly $1,000. And she could not move in with her relatives because they did not have sufficient room for her.

Obviously, she needed to be discharged into a nursing home, but in New York City, when a patient's savings are limited and she is unable to care for herself, this is no longer an easy matter.

Oddly enough, the majority of nursing homes in this city, both public and private, are not equipped to take care of patients who need 24-hour medical attention or who are unable to take care of themselves. And some of the others—particularly the private homes supported by charitable organizations—lose interest when they learn a patient or his relatives are unable to make a contribution at the time of admission.

It is not at all unusual for a patient to be accepted (which means he is acceptable but then must wait on a waiting list of indefinite length) while, at the same time, a relative is told by an official of the charity home that, because of his income, he should contribute a specified amount to the home.

What happens if he doesn't is always left unsaid.

Two months after she was ready for discharge and nearly 5 weeks after a hospital social caseworker had filed for welfare, Mrs. Gross had still not heard from the Amsterdam Welfare Center.

This did not happen last week or the week before—when the department of welfare was terribly undermanned because of its strike of 7,000 workers.

This happened last fall—when the department was supposed to be operating at full strength.

Telephone calls by the hospital worker and by her relatives invariably found the Welfare Center's phones busy. And, finally, when a call did manage to go through, it was, at first impossible to locate the application or the worker assigned to handle it.

While she waited, Mrs. Gross was moved half a dozen times from one room in a ward to another, at one point spending several nights in the hallways.

The longer she stayed—and the longer she waited—the more she felt she was being ignored by the hospital's doctors and nurses. Whether right or wrong, she was convinced that, as one of the few white, English-speaking patients in the ward, she was being discriminated against.

Yet, to an outsider, a visitor to the wards of Metropolitan Hospital, discrimination, even if it does exist, is only a minor problem facing the hospital's patients. For many of the patients—white, Negro, or Puerto Rican—the attitude and caliber of the staff creates a far more considerable hardship.

SICK PATIENTS—IGNORED BY NURSES

Typical was one afternoon last fall.

Despite six buzzer calls from six different patients all seeking assistance in the same ward, two registered nurses and five lesser female employees continued talking in their room at the entrance to the ward. When a visitor told them that one patient had vomited all over herself and needed assistance, the head nurse said it would be taken care of.

Fifteen minutes later, though five of the women including the nurse in charge remained in the room talking, not one of the six patients had been attended to. Reminded by the visitor, the head nurse snapped, "We heard you the first time, Mister. We'll take care of it when we have time."

It was another 10 minutes before the six patients were attended to.

"I don't mind dying of old age but I don't want to be killed," Mrs. Gross told her relatives. "Please get me out of here."

Her fears and her complaints are by no means unique. Other patients at Metropolitan and the other city hospitals have suffered for years because of the city's failure to attract and satisfy top personnel.

This does not mean, however, that all city hospitals and all city hospital employees are inferior. That is clearly untrue. It does mean, however, that many patients and the city, which is paying for most of them, frequently are not getting their money's worth.

Though a welfare investigator finally did get around to checking out Mrs. Gross' case, she was able to leave Metropolitan Hospital only when a relative found a vacancy for her in the Kingsbridge Heights Nursing Home in the upper Bronx. Yet—even in her transfer—the aged woman was to receive a further example of a city hospital in action.

One morning, a few days before she left the hospital, someone (no one seems to remember exactly who it was) moved her from one room to another. During the moving, the woman's dentures, which had been in a glass next to her bed, disappeared. Though she repeatedly asked for them during the next few days, she received neither the teeth, nor an explanation.

A STATISTIC—CITY WOULD LIKE TO FORGET

Finally, after a relative wrote the hospital supervisor demanding an explanation, the hospital replied in a letter several weeks later that the dentures apparently had been lost. The hospital was extremely sorry for the inconvenience and added that, if the patient wanted to file a claim, she should do it with the department of hospitals.

The letter did not bother to say what the woman was supposed to do until she received funds from the city (which could drag out endlessly) to replace the dentures.

Mrs. Gross remained at the home in the upper Bronx for 5 weeks sharing a small room in a private home with four other aged women. For $95 a week, which she paid out of her remaining savings, she received her room and her board (because she had no teeth she could eat only a bland diet). The weekly doctor's visits and medication were extra.

She liked the home but, when an opening came up in a larger home with medical treatment included, she decided to move.

Now, in another home in the Bronx, she has turned over all but $120 of her savings (which the city welfare people have permitted her to keep for burial expenses). She had been assured by administrators of the home that she now has nothing to worry about. They have told her that when her funds run out the department of welfare will continue to pay for her upkeep at the home.

Her relatives have told her that they will not contribute to her upkeep and now, because of the welfare strike and the announcement that only emergency new cases will be accepted until it is settled, she doesn't know what will happen to her.

Like a great many other older New Yorkers, Anna Gross has given up. In just 7 months, she has learned that the city and the people who work for it have little time and less interest in her problems and what becomes of her.

To her relatives, who cannot afford to support her and don't have room enough to take her in, she has become something of a burden.

To the people who run the home she now lives in, she has become little more than a means of obtaining welfare funds from the city.

And to the city itself, she has become a statistic, a number the administration would like to forget.

To New York, a city which has failed to provide adequate services and a good life for its young and middle-aged citizens, the problems of the aged may seem secondary. But to a city in which the aged population has increased sharply and will continue to increase in the next decade, it is a problem that no longer can be ignored.

NEW YORK CITY IN CRISIS—CITY HOSPITALS: A PRODUCT OF BUREAUCRACY

(By Claude Lewis and Barry Gottehrer)

Isaiah Lee is a 30-year-old Formosan who can speak and understand Chinese, Japanese, French and English. He cannot, however, speak or understand Spanish.

For most New Yorkers, this linguistic limitation would present no special problem. But Isaiah Lee is an exception. He is a social caseworker, employed by the department of hospitals, at Manhattan's Metropolitan Hospital where the majority of the patients are Puerto Ricans who speak and understand only Spanish.

It is his job to obtain detailed biographical and financial information from each of 150 patients assigned to him, make applications for welfare and then help the patients prepare for care after discharge.

EXPEDIENCY

The fact that he is bright (he holds a master's degree from the University of Nebraska) and dedicated hasn't made it any easier for him or his patients in the 7 months he has worked at the hospital.

Because of his heavy accent, most of his patients (even English-speaking ones) have difficulty understanding his questions. And, because of his inability to speak or understand Spanish, he has even greater difficulty in understanding their answers. Yet even when he has been able to communicate with his patients, he has learned that it is almost impossible to help them.

Unfortunately, this tragic lack of understanding and communication is not limited to Isaiah Lee and his patients at Metropolitan Hospital. Today, it permeates almost every level of life in New York City where the government has consistently failed its workers and has increasingly forgotten about its citizens.

Metropolitan Hospital, located on the outskirts of Spanish Harlem at 97th Street and First Avenue, is certainly not the worst of the 21 city hospitals. It is not the best either.

Yet 1 month there—as a worker or as a patient—is enough to convince anyone that the city, despite a talented and diligent commissioner of hospitals, is clearly not keeping pace with its problems.

According to the department of hospitals' personnel section, the only requirement for Mr. Lee's position as social caseworker is a master's degree in social casework from an accredited college.

NO TEST REQUIRED

No test, no language proficiency and no depth interview are required, according to a department spokesman. Since the job pays $6,290 a year to start and reaches a maximum of only $7,490 after approximately 6 years, the city cannot afford to be particularly selective in its hiring. Top personnel, if they accept a lower-rung city job, rarely stay long before moving elsewhere, generally into private industry.

Seated in a narrow fifth-floor office within walking distance of the four wards he must cover daily, Isaiah Lee is surrounded by paperwork and buried by bureaucracy.

Dozens of applications for welfare are piled neatly in one corner of the desk, many of them still unanswered though he had forwarded them to one of the city's welfare centers weeks and even months before.

Mr. Lee no longer is surprised by the waiting. Since there is no master list showing exactly which nursing home might have a vacancy. Mr. Lee is faced with three choices:

He can telephone each of the city's more than 50 public and private nursing homes each day (which he simply doesn't have time to do).

He can rely on relatives and friends (if they are willing) to find a home for the patient.

Or, overwhelmed by the workload, frustrated by the redtape, and distressed by the lack of progress, he can simply give up. Like a great many other people working for the city, secure in their jobs regardless of their performance, he can become immune to anyone's problems but his own.

Isaiah Lee has not yet given up but it is not because he did not have considerable reason.

"We have many people here who are too old and senile to do much for," he said. "It's the others who are still alert, who don't belong in a hospital any more but have no place to go. You want to help them and you try to help them. But things move very slowly, very very slowly. You want to do more but you can't."

It is not that the supervisors at Metropolitan Hospital are unaware of these problems. They are. But, for them, the problems and frustrations are so far ranging that they stagger the imagination.

Once located on Welfare Island, Metropolitan Hospital moved to its present location in 1957 and today, with 1,000 beds (the same number it had in 1957), it serves all of the people living and working in an area that stretches from river to river and from 42d to 116th Streets.

"Our No. 1 problem is overcrowding," says Dr. Ferdinand Piazza, administrator of the hospital. "On occasion, we have to treat patients in an outpatient clinic when they should be in the hospital. It's what we call a calculated risk. There just isn't any place to put all of the people who should be in bed in a hospital with proper nursing, quiet, facilities required to bring them back to a healthy state. We could use another 1,000 beds here in order to function at a good and proper level to meet the needs of our community."

NURSE SHORTAGE

In 1964, Metropolitan Hospital treated 505,995 people, an average of nearly 1,400 a day, in its outpatient clinic with a staff of only 68, including only 36 nurses.

To take care of more than 24,000 inpatients each year (only Bellevue and Kings County have more), Mrs. Ruth Rose, senior supervisor of nursing at the hospital, says she needs 297 registered nurses. Right now, Metropolitan has only 74 registered nurses on its staff.

"I would rather have 297 registered nurses than $1 million," says Mrs. Rose, who has been forced to hire 219 practical nurses (less educated, less experienced, and not permitted to perform many duties a registered nurse can) to try and make up for the shortage. "It's hard to get people to work nights, because of attacks by men in this area. It's not safe to walk the streets here at night. We complain and get some relief, but we need more police in the area."

Because of the limited pay scale, the overcrowded, understaffed conditions, the difficulty in accomplishing anything, and the locations (many are in or nearby slum areas), the city hospitals have been forced to settle for second best in personnel. Yet the problems at Metropolitan and other city hospitals are by no means limited to the quantity and quality of its personnel.

Typical is Metropolitan's request for a generator. Several years ago, when the city suffered a massive power failure, the city government decided that each of its hospitals must have generators just in case the city's power should ever fail again. Today, nearly 4 years since the major city power failure, Metropolitan still is without its generators. The reason for the delay? Redtape.

A HOPE

"We expect them soon," said Dr. Piazza, and smiled.

Despite its $15 million budget (only Bellevue and Kings County are larger), there is still a daily shortage of towels, sheets, and more vital equipment.

"Sometimes it takes a full year to get a piece of equipment you really need," says Dr. Piazza.

Though the hospital personnel and administrators are frustrated and disillusioned by the city's inability and indifference to their problems, it is the patient who inevitably must pay, with his health and occasionally with his life.

OPEN LETTER TO THE PRESIDENT

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, all of us today are concerned about the situation in Vietnam. The President is being criticized from all sides. I believe, however, that there is far more widespread support for the President's approach to the problem than appears from the public media.

I have developed this thought in an open letter to the President, which I am sending him today. It reads as follows:

DEAR MR. PRESIDENT: If one were to judge from the public media, one might suppose that the general line you have been following in Vietnam has little support in this country. Most speeches, articles or ads attack you for being either too hard or too soft. On the one hand, we have the Goldwaters, the Nixons, and the Joe Alsops, calling for full-scale war against North Vietnam and maybe Communist China. On the other hand, we have all kinds of people, including especially many liberals, who are either urging a pullout from Vietnam or who keep telling you to negotiate, negotiate, negotiate.

While they may not be so outspoken, the majority of the American people refuse as you do to accept an oversimplified either/or position. While they are miserably unhappy about the situation (as I am sure you are) and while they may wish that a cease-fire were in effect and negotiations for a viable settlement were going on (as I am sure you do also), they do not want you to let the Communists have their way in Vietnam and they do not want you to widen the war.

Hanson Baldwin's article in Time magazine for February 21, which I take to be a statement of the views of many Pentagon military men, is a brilliant exposition of a policy the American people, in my view, simply will not support. Mr. Baldwin calls for a Korean-type war in Vietnam, fully recognizing the likelihood that Red China would probably be drawn in. Pointing to the Cuban precedent, he predicts that the Soviet Union would not respond with nuclear attacks, and he may be right, but to bomb North Vietnam's vitals, would the American people be prepared to accept the risks they were prepared to accept to get Soviet missiles, aimed at our vitals, out of Cuba? I doubt it. The threat in Vietnam to our security is too indirect, too remote, and the benefits to be reaped are too tenuous and uncertain.

Stand fast against the "hawks," Mr. President. The American people are with you.

At the same time, as the polls show, majority sentiment in this country is not for a pullout from Vietnam. There is wide recognition of what such a decision would do to the morale of our friends around the world who are resisting communism—in Thailand, in the Philippines, in West Berlin, in Venezuela—and to their confidence in us. (I found last summer, even in countries such as Burma and India, people hoping that the United States will not withdraw and leave southeast Asia completely unprotected against the Chinese Communists.)

But what about these more and more frequent appeals to you to negotiate? Do these perhaps reflect American public opinion? After all, Americans are great believers in the conference table.

Here again, I suspect that your position is more widely understood than the flood of published comment might indicate. The question surely is not as simple as many of the appeals imply. It is not whether to negotiate, but under what circumstances, with whom, with what end in view, and with what prospects of success.

As traders, Americans can understand that. They might understand it better if you could spell it out for them, but they know you can't lay all your cards on the table. It may well be, for example, that you have concluded that any settlement in Vietnam, in order to be viable, must be part of a package involving the settlement of many broader issues affecting the future of the Far East, but that you do not feel in a position today to indicate your thinking as to the outlines of such a broader settlement.

To those of my fellow liberals who keep urging a cease-fire and negotiations, I should like to suggest a few questions worth pondering:

Why should Peiping be interested in serious negotiations over Vietnam now (except for our virtual surrender)? If North Vietnam might have greater reason to call off the fighting, what can we do to widen this potential area of disagreement between Hanoi and Peiping? Can we work with the Soviet Union in this area? What steps can we take to strengthen the position of the South Vietnamese Government among the people of South Vietnam? If a neutralization of all Vietnam could be achieved, as suggested by De Gaulle, what guarantees could be provided against a Laos-type erosion of the agreement? In light of the absence from the U.N. of both Vietnams and mainland China, and in light of the permanent members' veto power in the Security Council, what else can the U.N. realistically do beyond providing a peacekeeper's presence if an agreement is reached? What is the necessary relationship, if any, between a cease-fire and negotiations (remembering that in Korea we negotiated for many months while the fighting continued)?

You, Mr. President, are well aware of these questions. They represent just a few of the complexities involved, complexities which too often seem ignored by the simple pleas to negotiate. Last fall Senator Goldwater was rightly accused of oversimplifying international problems. Some of your liberal friends who today are criticizing you, Mr. President, might do well to consider whether they are not oversimplifying from the other end of the political spectrum.

I hope and believe, Mr. President, that you agree with the view that in the long run military measures alone cannot solve the problems of Vietnam and that a new political settlement must be our objective. I hope and believe that you and your advisers are giving great thought to the possible nature of such a settlement and to the possible means for achieving it. What you can tell us about all this would be welcome and, I am sure, reassuring. But, whether you can tell us or not, the world knows that you are no jingoist and that you desperately want to preserve the peace. (The general reaction overseas to our recent retaliatory bombings confirms the widespread trust of the United States and its motives.) The world also knows that, remembering Munich and the Sudetenland, you realize that appeasement is not the way to preserve the peace.

There is nothing easier in this complex world of ours than to frame false either/or imperatives. More often than not, such expressions represent a kind of immature impatience. A measure of our maturity, as we perforce carry the responsibilities of the most powerful nation on earth, may well be the degree to which we are willing to accept the burdens of long-term sacrifices and resist the false appeal of quick solutions that may well represent disaster. That you, Mr. President, will meet this test is the conviction of this Congressman and, I believe, of the majority of the Congress and the American people.

Respectfully yours,
Jonathan B. Bingham,
Member of Congress.

APPORTIONMENT OF STATE LEGISLATURES

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Ichord] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ICHORD. Mr. Speaker, article V of the U.S. Constitution reads in part as follows:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; * * *

Last December I met in Chicago with leaders of the Council of State Governments and it was later decided that the council would urge the legislatures of the various States to petition the Congress to either call a convention or submit an amendment to the Constitution for ratification. Last week the Missouri Legislature finally passed the resolution proposed by the council and is one of the 16 States to have done so. It should be noted that the wording of the resolution is identical to House Joint Resolution 64 which I have introduced. Those of us who have introduced resolutions on this very important constitutional issue are determined that the Congress should have the opportunity to vote on a constitutional amendment in the very near future. To this end we have formed a steering committee to press for immediate consideration. As a member of the steering committee I intend to take all action available to us under the rules to reach a vote as early as possible.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the body of the Record and include a copy of House Concurrent Resolution No. 2, as passed by the Missouri General Assembly by a vote of 109 to 45 in the House of Representatives and 21 to 11 in the Missouri Senate:

House Concurrent Resolution 2

Be it resolved by the house of representatives (the senate concurring), That this legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"Article —

"Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State;

"Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership governing bodies of its subordinate units shall be apportioned.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress; be it further

"*Resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

THE ROLE OF ORGANIZED LABOR IN THE ALLIANCE FOR PROGRESS

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the charter that emerged from the meeting of the American Republics at Punta del Este, Uruguay, from August 5 to 17, 1961, is destined to be remembered as one of the most comprehensive and significant documents of the 20th century. This charter, which established the Alliance for Progress, is only 3½ years old. It is widely known but not widely understood. For I believe that in the years to come, when the Charter of Punta del Este has had the chance to be sufficiently used and tested to achieve the purposes for which it was designed, it will earn its place alongside the Magna Carta, our own Declaration of Independence and the Constitution, the Constitution of Mexico, and the other great instruments of freedom and social justice.

One of the noteworthy achievements of the charter is its recognition of the role that organized labor must play in any national program of social and economic development. The preamble to the charter states:

> We, the American Republics, hereby proclaim our decision to unite in a common effort to bring our people accelerated economic progress and broader social justice within the framework of personal dignity and political liberty.

The charter itself expands upon this lofty goal and sets out the basic requirements for economic and social development. According to chapter II of title II:

> 1. Participating Latin American countries agree to introduce or strengthen systems for the preparation, execution, and periodic revision of national programs for economic and social development consistent with the prin-

ciples, objectives, and requirements contained in this document. Participating Latin American countries should formulate long-term development programs.

Such national development programs are supposed to incorporate self-help efforts directed toward "improvement of human resources and widening of opportunities by providing adequate remuneration for work performed, encouraging the talents of managers, entrepreneurs, and wage earners; providing more productive employment for underemployed manpower; establishing effective systems of labor relations, and procedures for consultation and collaboration among public authorities, employer associations, and labor organizations."

Labor participates in the Alliance primarily through the American Institute for Free Labor Development—AIFLD—a nonprofit organization supported jointly by unions, employers, and government. It has operated as a school to train Latin American labor leaders and as an arm for the planning and construction of social projects in Latin America. The fact that the Alliance has helped build 200,000 new houses is a partial tribute to the success of this phase of the program.

In the February 1965 issue of the Boilermakers-Blacksmiths Record, the publication of the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, is an article entitled "The Alliance for Progress." This well written and illuminating article, by Lester L. Zosel, tells the story of labor's role in the Alliance. It is succinct and well worth reading for the understanding of our international partnership with the countries of Latin America which it furthers. With unanimous consent I am inserting the article by Lester L. Zosel in the RECORD:

THE ALLIANCE FOR PROGRESS—SOCIAL AND ECONOMIC REFORMS IN THE AMERICAS OR POVERTY, CHAOS, AND CONTINUED OPPRESSION?

(By Lester L. Zosel)

On March 13, 1961, the late President Kennedy announced that he was calling upon all of the people of this hemisphere to join in an "Alliance for Progress * * * a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools."

He unveiled this sweeping new program to a group of Latin American leaders attending a White House reception. The next day, March 14, he sent his program to Congress with a request for the necessary funds to give it life. In August 1961 the charter for the Alliance was signed by representatives of 20 nations at a conference in Punta del Este, Uruguay.

The signers were: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, United States, Uruguay, and Venezuela.

Naturally, the newspapers and other communications media gave publicity to the Alliance when it was announced, as is the case with Presidential proclamations. There also was reporting on the Punta del Este conference. But what have you read or heard about it since? Chances are, the answer is "very little."

The chances are greater still that you have read nothing in the daily press regarding the role being played by United States and Latin American labor in this worthy project. Such participation by labor is designed to insure that assistance reaches those for whom it is intended.

For the most part the continuing story of the Alliance has been shamefully ignored by most of our Nation's newspapers, magazines, radio, and television—this despite the fact that the Alliance is a program involving money, plans, and far-reaching objectives to dwarf anything of its kind in past history.

Unfortunately, this article, limited as it must be, cannot begin to fill the news gap on the Alliance. Instead, my modest design is to bring you an appreciation of the program's importance and its staggering dimension, and to describe labor's role in helping to advance its nobility of purpose.

The sweep of the Alliance is best illustrated by its charter, wherein signatories are pledged to achieving a long list of imposing objectives—economic and social development, land and tax reforms, improved wages and working conditions, better housing, a greatly reduced rate of illiteracy, stabilized prices, improved health and sanitation, stimulated private enterprise, and stronger democratic institutions.

Notable advancement toward these goals is expected to require at least $100 billion over the next 10 years. Latin American nations will provide some $80 billion of that amount. The United States has pledged a major share of the remaining $20 billion. However, some funds also are coming from other nations, international organizations, and private enterprise.

The task of implementing U.S. participation in the Alliance falls to the Agency for International Development, a State Department Agency which administers foreign aid programs. U.S. funds for the Alliance come out of the annual foreign aid authorizations by Congress. AID's Administrator has the authority and responsibility for carrying out Alliance projects.

The Alliance, unlike too many foreign aid programs in the past, has prerequisites for those who are to receive its assistance—individuals, communities, or governments. Recipients must prove they also are trying to help themselves, plans are required to have some long-range characteristics and Latin American governments are committed to make long-overdue reforms.

While these prerequisites still are not being met as rapidly as hoped for, the Alliance has brought reforms, to varying degrees, in Latin America.

Sixteen countries have improved their tax programs within the past year. A number of these have tightened up collections on previously wealthy families. Tax revenues in some countries are up as much as 30 percent. Land reform has been undertaken in 12 countries since 1960.

What are Alliance's accomplishments in 3 years of existence? That's a big question—far too big to be fully answered here. How will anyone be able to tabulate, at any given time, the results of a "peaceful revolution" that is to stretch through a 7,000-mile-long continent inhabited by more than 200 million people living in jungles, mountains and massive cities?

Even so, AID Administrator David E. Bell has assembled some impressive statistics. He reported that by the end of June the Alliance will have helped to build 220,000 new houses, constructed more than 23,000 classrooms, trained 20,000 new teachers and printed 6 million books. Over 550 mobile health units, hospitals and health centers will have been established.

More than 200,000 agricultural loans have been made. Nearly 15 million people in more than 1,000 towns and villages now get clean water from Alliance-built supply systems. Millions of dollars in loans are supporting industrial development; electric powerlines are going up; roads are being built; community development programs are clearing slums, fighting disease, and improving diets. Credit unions and cooperatives have blossomed forth in more than a dozen countries.

Not only does the Alliance charter call for labor's participation in its great endeavor, but it also lists establishing of effective labor relations as an important "self help" to be initiated in developing a project. This firm recognition of labor's importance has brought strong support for the Alliance from free unions throughout the Western Hemisphere.

The American Institute for Free Labor Development is the key instrument for labor's participation. Begun in 1960, it is a nonprofit organization supported jointly by unions, employers, and government. AFL-CIO President George Meany is its president. Its executive director is Serafino Romualdi, a man of wide experience in labor's inter-American affairs. The Brotherhood of Railway Clerks chief executive officer, George M. Harrison, serves on AIFLD's board of trustees.

In June 1962 AIFLD opened a school in Washington to train Latin American labor leaders that they in turn might help to strengthen democracy and improve the economy in their homelands. When the seventh class completed its course at the end of June the school had graduated 249 trade unionists. Meantime, graduates have fanned out to become the teachers in similar AIFLD schools now operating in Latin America.

Joaquin Otero, a former AFL-CIO Railway Clerks' general chairman on the St. Louis Terminal Railway, now a director for the International Transport Workers' Federation in Latin America, has helped with the development of one such school in São Paulo, Brazil. Following the recent coup in Brazil, leaders of the new government called upon him to assist them in bolstering the country's labor movement.

AIFLD has a social projects department, begun 16 months ago, which has aided Latin American unions in securing loans—some directly from the AFL-CIO—for low-cost workers' housing projects. The department also has sponsored cooperatives and savings and loan institutions—as well as helping with food-for-peace distribution in Latin American countries.

In 1961 and again in 1962, Senator HUBERT HUMPHREY, Democrat of Minnesota, an important member of the Senate Foreign Relations Committee, visited Latin America to see the Alliance in action. In a comprehensive report, he hailed labor's "excellent" participation. Comparing his two visits, he summed things up like this: "The Alliance has taken a giant leap forward in terms of where it was a year ago. In terms of where it has yet to go, it has taken only a short faltering step."

Bell, himself, has been frank and honest in evaluating the Alliance. In April of this year, he said, "Not all has gone well. Some countries have conspicuously failed to buckle down to the hard economic decisions. Private investment from the United States has not moved in nearly the volume hoped for. Nevertheless, the tangible evidences of change are impressive."

Meanwhile, in his report, HUMPHREY stressed a point that needs to be put clearly before our citizens—that "the success of the Alliance will in the long run thwart the spread of communism in the Western Hemisphere" by reducing the extreme poverty and hunger which communism thrives upon.

Certainly, labor in this country has often expounded the fact that the very poor are communism's main targets. Yet, as HUMPHREY pointed out, this is a lesson still to be learned by those who are "mesmerized" by the military threat of Castro's communism. The truth is, the Minnesota Senator noted, that communism threatened Latin America before Castro came to power; it will continue as a threat even should he be removed from the scene.

In a recent address marking the Alliance's third anniversary, President Johnson undoubtedly had a similar thought in mind when he warned that "there's no easy or painless path to progress in this hemisphere."

The President then went on to emphasize that "the Alliance's basic principles of economic development, social justice and human freedom are not only the right path; they are the only path. To those who prize freedom, there just simply is no alternative."

MILES SCULL, JR., VETERAN LEGISLATIVE AFFAIRS SPECIALIST

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last Thursday, February 18, 1965, Miles Scull, Jr., a veteran legislative affairs specialist, died at the age of 54 of a heart attack. I knew him and worked with him since my first days in Washington, D.C., as a U.S. Congressman and he was, in my opinion, one of the unsung heroes of the Federal Government.

From September 1964 to the time he passed away he was a congressional liaison officer for African affairs, Agency for International Development—AID. This most recent post capped off a career of more than 30 years as a public relations director and congressional aid.

He was born in Little Rock, Ark., in 1910. He received a B.A. from the University of Illinois in 1932. During World War II he served with honor and distinction as a major in the U.S. Air Force in Indochina and Burma. In 1946 he was named as an aid to Senator JOHN L. MCCLELLAN. Miles Scull served in that capacity until 1952 when he became personnel relations director for the National Fund for Medical Education.

From 1953 to 1955 he was a staff member for the Commission on Organization of the Executive Branch, known commonly as the Hoover Commission. In 1955 he returned to Congress as a staff member of the Senate Committee on Government Operations. He was chief of the office of congressional liaison, Federal Aviation Agency, from 1961 to 1962, and from 1963 to 1964 was the legislative assistant to Senator SPESSARD L. HOLLAND. In 1964 he was a member of the Senate Judiciary staff until his appointment as congressional liaison officer for AID.

He was a member of the honorary journalistic fraternity, Sigma Delta Chi, a past president of the Society of Industrial Editors, and a director of the National Council of Industrial Editors.

Mr. Speaker, Miles Scull, Jr., was one of the many dedicated public servants with which this Nation is blessed. His abilities and talents were as well known and appreciated in this august body, the House of Representatives, as they were in the Senate. He brought to his work in Congress and in the executive branch a wealth of experience and a depth of knowledge rarely equaled by any Federal official. Most importantly, he brought human compassion, the awareness that the Government is composed of people and that its purpose is to serve the people.

I know from personal experience the good that he did, and I testify to it. It would be well if every man saw his duties and responsibilities as clearly and performed them as nobly as Miles Scull, Jr.

It is therefore fitting and proper that we in the House pause to pay homage to this man, Miles Scull, Jr., and to acknowledge our loss.

PROPOSED REVISION OF CONTRACT PROCEDURES FOLLOWED BY AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, on Monday I introduced a bill which I believe, if enacted into law, would result in much better use of some of the money that is now being spent for contracts by the Agency for International Development. It is the same bill that was introduced in the Senate by Mr. MCGOVERN, Mr. MANSFIELD, Mr. RIBICOFF, Mr. RANDOLPH, Mr. NELSON, Mr. MONTOYA, Mr. MOSS, Mr. BAYH, Mr. MCCARTHY, Mr. MCGEE, Mr. INOUYE, Mr. LONG of Missouri, Mr. YARBOROUGH, and Mr. MUSKIE on Friday. I would also have introduced it in the House the same day that it was introduced in the Senate, but the House was not in session on Friday.

AID has been making contracts under which people go to other countries and make studies designed to help in planning the use of our economic assistance. After a contract is completed, a report is made which I feel in many cases is not used very extensively thereafter. The idea under this bill is to use part of this money to develop competence in certain institutions of higher education. And this competence and knowledge would be available on a continuing basis to the Department of State and others, so that the economic assistance dollars would do more good. A particular university would concentrate on one area of the world and the university development centers would be spread geographically throughout the United States.

The bill is an adaptation of the Hatch Act of 1887 under which our agricultural experiment station system was developed and under which our achievements in agricultural technology became the wonder of the world. The bill follows the pattern of grants-in-aid to assist the colleges and universities to strengthen their staff and facilities for this technological assistance work with separate grants for actual projects. The grants-in-aid would probably be on a basis of 10 years, subject to 5-year renewal periods and subject to modification by mutual consent. This is necessary so the colleges could properly plan and also to assure retention of the knowledge gained so that greater benefits would flow from the money spent. Since more than 100 colleges and universities now have technical assistance contracts representing aggregate outlays of between $150 to $200 million and since there are also numerous other contracts with companies and individuals, the authorizations in this bill do not really represent new appropriations as much as they represent a better use of appropriations that we have previously had.

Our colleges and universities have heavy demands on their faculties these days, not only as a consequence of mounting enrollments, but as a consequence of many needs for research and the assistance of the highly trained people on university faculties. As one consequence, university budgets are strained. They cannot carry large faculties with light teaching loads, which might make it possible to spare a few experts for the research, training, and execution of special projects.

When schools take a short-term AID contract, the probability is that they must recruit personnel for it. Because it is a short-term contract and the universities lack "cushion" money, the new personnel cannot be offered long tenure, with retirement and benefits of tenure. The universities cannot afford to carry extra staff people between contracts, especially when there is no certainty that any new contract will be forthcoming. The schools do need the assistance in "tooling up" to handle the technical assistance projects; "tooling up" in terms of staff, adequate and special facilities required, and training of personnel. They also need the same assurance of continuity of support from the Federal Government, and continuity of the technical assistance programs as a national undertaking, that the recipient nations need if they are to rely upon us.

There is one other affirmative aspect of this program that warrants discussion, especially at this time when our ability to produce agricultural products is running ahead of normal increases in consumption. Developing countries have been increasing their purchasing of American farm products faster than their per capita income increases. Their purchases of general imports increase about 11 percent for each 10 percent of gain in their own per capita income. This applies to the 56 less-developed countries which have been studied. But their purchases of U.S. farm products increase 21 percent for each 10-percent gain in per capita income. This indicates that food is the product most in need and that when they are able to raise dollar credits, they will spend more for food.

A study by the Economic Research Service of the Department of Agriculture concluded:

> The less-developed world is a vast, virtually untapped market for U.S. farm products. The study shows this world will buy U.S. foods—often in preference to those of other exporting nations—if its people have the income to buy.
>
> Japan, of course, is the most graphic example of what a vigorous people, on their own initiative and with some U.S. assistance, can accomplish. From 1954 to 1957 food aid accounted for about 30 percent of Japan's agricultural imports from the United States. By 1962 virtually all U.S. aid had been phased out.
>
> In the meantime, Japan had become top dollar market for U.S. farm exports.
>
> Between 1938 and 1961, U.S. exports of all kinds to Japan increased 6.1 times, from $240 million to $1.7 billion. U.S. agricultural exports went up even more, in fact, 9.3 times, from $44 million to $458 million.
>
> Today, Italy, Spain, and Venezuela are nations with growing per capita incomes in which U.S. dollar markets have expanded considerably.
>
> Technical assistance is not an entirely charitable undertaking. It is good business. It is one of the best economic, political, and moral investments we can make and we have, in our colleges and universities, institutions with proved ability to get us a high return on our investment.

Mr. Speaker, I believe this bill is worthy of serious consideration and I hope that it will be fully studied by the appropriate subcommittees in the near future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Charles H. Wilson (at the request of Mr. Miller), from February 23, 1965, to March 5, 1965, on account of illness.

Mr. Ellsworth (at the request of Mr. Gerald R. Ford), for today, on account of illness.

Mr. Mailliard, until March 2, 1965, on account of official business away from Washington, D.C.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ichord (at the request of Mr. Albert), for 60 minutes, on March 1.

Mr. Burleson, for 45 minutes, on Thursday, February 25.

The following Members (at the request of Mrs. Reid of Illinois) and to revise and extend their remarks and include extraneous material:

Mr. Mathias, for 30 minutes, today.

Mrs. Dwyer, for 1 hour, February 25, 1965.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mrs. Reid of Illinois) and to include extraneous matter:)

Mr. Cederberg.

Mr. Fino.

(The following Members (at the request of Mr. Dow) and to include extraneous matter:)

Mr. Teague of Texas.

Mr. Conyers.

ADJOURNMENT

Mr. DOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 24, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

617. A communication from the President of the United States, transmitting a report indicating the necessity for a supplemental estimate of appropriation for the Department of State for the fiscal year 1966 (H. Doc. No. 92); to the Committee on Appropriations and ordered to be printed.

618. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to facilitate the work of the Department of Agriculture, and for other purposes"; to the Committee on Agriculture.

619. A letter from Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other firms for the period July to December 1964, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

620. A letter from the Comptroller General of the United States, transmitting a report on unavailability of certain aircraft at an oversea location due to maintenance and supply deficiencies, Department of the Army; to the Committee on Government Operations.

621. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on all tort claims paid by the Department under section 2672, title 28, United States Code, for calendar year 1964, pursuant to section 2673 of the title; to the Committee on the Judiciary.

622. A letter from the national secretary-treasurer, Sons of Union Veterans of the Civil War, transmitting a copy of the annual certified public accountant's audit of the books, and the report of the activities of the organization for the fiscal year ended June 30, 1964, pursuant to sections 15(a) and 16 of Public Law 83-605; to the Committee on the Judiciary.

623. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled, "A bill amending section 107 of the River and Harbor Act of 1948, relating to the support and maintenance of the Permanent International Commission of the Congresses of Navigation"; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASHMORE: Committee on the Judiciary. H.R. 821. A bill for the relief of the town of Kure Beach, N.C.; with amendment (Rept. No. 55). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1763. A bill to amend section 1825 of title 28 of the United States Code to authorize the payment of witness' fees in habeas corpus cases and in proceedings to vacate sentence under section 2255 of title 28 for persons who are authorized to proceed in forma pauperis; without amendment (Rept. No. 56). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3990. A bill to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors; without amendment (Rept. No. 57). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3996. A bill to amend provisions of law relating to the settlement of admiralty claims; without amendment (Rept. No. 58). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 5267. A bill to authorize a 3-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHMORE:

H.R. 5268. A bill to waive certain limitations upon claims under Public Law 88-519 (78 Stat. 699); to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 5269. A bill to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (by request):

H.R. 5270. A bill to provide for the restriction of certain areas in the Outer Continental Shelf, known as the Corpus Christi Offshore Warning Area, for defense purposes and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5271. A bill to provide for the restriction of a certain area in the Outer Continental Shelf for defense purposes, and for other purposes (Matagorda Water Range); to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 5272. A bill to revitalize the American gold mining industry; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 5273. A bill to provide coverage under the Civil Service Retirement Act for employment in an excluded category which follows employment subject to the act without a break in service of 30 days or less, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5274. A bill to exempt from the manufacturers excise tax on automotive parts and accessories modifications involving trucks; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 5275. A bill to amend the Manpower Development and Training Act of 1962, as amended, and for other purposes; to the Committee on Education and Labor.

By Mr. CAHILL:

H.R. 5276. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 5277. A bill to provide for the conveyance to the State of Michigan of certain land in Grayling Township, Crawford County, Mich., to be used for National Guard purposes; to the Committee on Armed Services.

H.R. 5278. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 5279. A bill to provide for the appointment of four additional circuit judges for the fifth circuit on a temporary basis; to the Committee on the Judiciary.

H.R. 5280. A bill to provide for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:

H.R. 5281. A bill to authorize wartime benefits under certain circumstances for peacetime veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. DICKINSON:

H.R. 5282. A bill to authorize improvement of Perdido Pass Channel, Ala., in the interest of navigation and allied purposes; to the Committee on Public Works.

By Mr. DONOHUE:

H.R. 5283. A bill to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 5284. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 5285. A bill to authorize improvement of Perdido Pass Channel, Ala., in the interest of navigation and allied purposes; to the Committee on Public Works.

H.R. 5286. A bill to amend the Civil Service Retirement Act to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed therefor; to the Committee on Post Office and Civil Service.

By Mr. FARNUM:

H.R. 5287. A bill to repeal the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 5288. A bill to alleviate certain hardships to employees in the administration of the Federal Employees' Compensation Act, and for other purposes; to the Committee on Education and Labor.

By Mr. FINO:

H.R. 5289. A bill to amend title II of the Social Security Act to provide monthly insurance benefits in certain cases for brothers, sisters, and other relatives of individuals who die fully insured under such title; to the Committee on Ways and Means.

By Mr. FLYNT:

H.R. 5290. A bill for the relief of the State of Georgia; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 5291. A bill to amend the Internal Revenue Code of 1954 to provide tax-exempt status for nonprofit nurses' professional registries operated by nurses' professional associations; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 5292. A bill to repeal the retailers excise taxes on jewelry, furs, toilet preparations, and luggage and handbags; to the Committee on Ways and Means.

By Mr. HARDY:

H.R. 5293. A bill to amend chapter 7 of title 37, United States Code, relative to allowances for quarters, and for other purposes; to the Committee on Armed Services.

By Mr. HARVEY of Michigan:

H.R. 5294. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

H.R. 5295. A bill to amend the Civil Service Retirement Act to provide for the adjustment of inequities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5296. A bill to repeal the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 5297. A bill to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. HORTON:

H.R. 5298. A bill authorizing a survey of Irondequoit Creek, N.Y., and tributaries, including Allens Creek, N.Y., in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. HOSMER:

H.R. 5299. A bill to incorporate the Pearl Harbor Survivors Association, Inc.; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 5300. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such waters; to the Committee on Public Works.

By Mr. McFALL:

H.R. 5301. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such waters; to the Committee on Public Works.

By Mr. MACHEN:

H.R. 5302. A bill to authorize the Secretary of the Army to conduct a complete investigation and study of water utilization and control of the Chesapeake Bay Basin; to the Committee on Public Works.

By Mr. MATHIAS:

H.R. 5303. A bill to establish a Conference on the Antitrust Laws; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 5304. A bill to amend the Tariff Act of 1930 with respect to the rate of duty on brooms made of broomcorn; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 5305. A bill to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes; to the Committee on Banking and Currency.

H.R. 5306. A bill to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors; to the Committee on Banking and Currency.

By Mr. POOL:

H.R. 5307. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs for health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 5308. A bill to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of New York and Connecticut to negotiate and enter into a compact to create their own New York-Connecticut Rail Authority, and by guaranteeing certain bonds of, and furnishing certain assistance to, such authority; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.R. 5309. A bill to authorize the conveyance of certain lands in the city of Barrow, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. RONCALIO:

H.R. 5310. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5311. A bill to amend the Internal Revenue Code of 1954 to provide for the gradual reduction and eventual elimination of the tax on communications services; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 5312. A bill to amend section 128 of title 23 of the United States Code to require at least 30 days' notice before any public hearing is held under that section, and for other purposes; to the Committee on Public Works.

By Mr. SCHMIDHAUSER:

H.R. 5313. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. SCHNEEBELI:

H.R. 5314. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 5315. A bill to extend the operation of the National Wool Act of 1954, as amended; to the Committee on Agriculture.

H.R. 5316. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such waters; to the Committee on Public Works.

By Mr. SMITH of New York:

H.R. 5317. A bill to amend the Internal Revenue Code of 1954 to encourage the prevention of water pollution by allowing the cost of water pollution control facilities to be amortized at an accelerated rate for income tax purposes; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 5318. A bill to amend the provisions of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 5319. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

H.R. 5320. A bill to amend title 38 of the United States Code to provide additional compensation to veterans who incur total deafness or blindness in combination with service-connected total blindness or deafness, respectively, to reflect the greater disability then resulting from their service-connected disability, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 5321. A bill to repeal the excise tax on amounts paid for communication service or facilities; to the Committee on Ways and Means.

By Mr. WALKER of New Mexico:

H.R. 5322. A bill to provide certain increases in annuities payable from the civil service retirement and disability fund, to improve the financing of the civil service retirement system, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5323. A bill to promote the general welfare, foreign policy, and security of the United States; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 5324. A bill to amend titles I, II, III of the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 5325. A bill to amend titles I, II, III of the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 5326. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. DYAL:

H.R. 5327. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 5328. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 5329. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 5330. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 5331. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.J. Res. 342. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RONCALIO:

H.J. Res. 343. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands; to the Committee on Interior and Insular Affairs.

By Mr. HANSEN of Iowa:

H. Con. Res. 316. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H. Res. 240. Resolution to provide for the payment of compensation to certain employees of standing and select committees of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

52. By Mr. CONTE: Memorial of the House of Representatives of the Commonwealth of Massachusetts urging the Members of the Congress of the United States from the New England States to cause a bipartisan investigation of the Civil Aeronautics Board's action in ordering the discontinuance of the Florida run by Northeast Airlines; to the Committee on Interstate and Foreign Commerce.

53. By the SPEAKER: Memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States relative to requesting full consideration of the value of salmon fisheries to Alaska, to the Pacific Northwest, and to the Nation as a whole, and to take appropriate action necessary to preserve this industry; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CABELL:

H.R. 5332. A bill for the relief of Jean Kathleen Baker; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 5333. A bill for the relief of Jeanne Sumitra Heinert; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 5334. A bill for the relief of Miss Helena Hilda Butterfield; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 5335. A bill for the relief of Chung-Liang Huang; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5336. A bill for the relief of Joseph Artio; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 5337. A bill for the relief of Silvana Violante; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 5338. A bill for the relief of Mrs. Stella T. Pittman; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 5339. A bill for the relief of Joao Vaz Lopes; to the Committee on the Judiciary.

By Mr. HARVEY of Indiana:

H.R. 5340. A bill for the relief of Martha B. and Omer B. Pea, and their minor child, James B. Pea; to the Committee on the Judiciary.

By Mr. JONES of Missouri:

H.R. 5341. A bill for the relief of Nagako Naito; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 5342. A bill for the relief of Mrs. Lydia Schmidt Thompson; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 5343. A bill for the relief of Maria Teresa Diaz; to the Committee on the Judiciary.

By Mr. KREBS:

H.R. 5344. A bill for the relief of Mrs. Mari Ipekciogullari; to the Committee on the Judiciary.

H.R. 5345. A bill for the relief of George Napier, Sr.; to the Committee on the Judiciary.

H.R. 5346. A bill for the relief of Yaghoub and Achraf Foroutanzad; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 5347. A bill for the relief of Mauro Vescovi; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 5348. A bill for the relief of Nikolaos Vrotsos; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 5349. A bill for the relief of Mrs. Rose Thomas; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5350. A bill for the relief of David A. Senior; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 5351. A bill for the relief of Giuseppe De Stefano; to the Committee on the Judiciary.

By Mr. STAFFORD:

H.R. 5352. A bill for the relief of Jan Z. Wiranowski; to the Committee on the Judiciary.

H.R. 5353. A bill for the relief of Mrs. Marija Malnar; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 5354. A bill for the relief of Eulalia Carmona, Dolores Del Arco, Ines Alonso, Elena Gomez, Cristina Fernandez, Maria R. Martin, Alfonsa Lavado, and Jacinta Montes; to the Committee on the Judiciary.

By Mr. WHITE of Texas:

H.R. 5355. A bill for the relief of Javier Chavez; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 5356. A bill for the relief of Giovanni Nigro; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

107. The SPEAKER presented a petition of Leon E. Lofton, Jr., and Esther M. H. Lofton, Los Angeles, Calif., petitioning consideration of their resolution with reference to closing schools under the jurisdiction of the Los Angeles Unified School District, which was referred to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

West Virginians Hear Challenging Spiritual Message From U.S. Senator J. Caleb Boggs at Governor's Prayer Breakfast—State's Chief Executive Hulett C. Smith Speaks

EXTENSION OF REMARKS
OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 23, 1965

Mr. RANDOLPH. Mr. President, on Monday, February 22, 1965, it was my privilege to be in Charleston, W. Va., at the annual Governor's prayer breakfast. Sponsored by recently elected Gov. Hulett C. Smith, this memorable event was attended by approximately 350 citizens from all sections of the Mountain State. Mayors, college presidents, student leaders, clergymen, businessmen, representatives of State and local governments, labor unions, and industry were present.

The program was opened with the singing of "America," led by Jack Clinard, choir director at Alderson-Broaddus College, Philippi. Judge John W. Hereford, of Huntington, presided. Dr. William J. L. Wallace, president of West Virginia State College, gave an inspiring invocation.

Following breakfast, honored guests were introduced, including the former Governor of West Virginia, the Honorable William Wallace Barron.

The Old Testament lesson was read by the Honorable Paul L. Jefferson, District Manager of the Social Security Administration, and the lesson from the New Testament was presented by the Honorable Laban White, Jr., speaker of the West Virginia House of Delegates. Cecil Kelly, of Charleston, then delivered words of intercession for National, State, and local elective leaders.

Mr. President, it was my distinct pleasure to present the principal speaker of the morning, the Honorable J. CALEB BOGGS, U.S. Senator from Delaware. The sincere and stirring words of our colleague were warmly received by an appreciative audience. After outlining the difficult and dangerous times in which we live, Senator BOGGS pointed out that we must continue to rely on Almighty God for strength and guidance.

> None of us is so self-sufficient that we do not need to lean on the Almighty. Our Nation's first leaders did, and were humble enough to acknowledge it. The great men of our Nation in the generations since have understood their own limitations and therefore turned to God.

At the conclusion of Senator BOGGS' address, Governor Smith spoke briefly. He emphasized the need for constant and thankful prayer as a source of direction for lives or service to mankind.

The program closed with the singing of the Lord's Prayer by Mr. Clinard, accompanied by Wayne Eich, and a meaningful benediction by Dr. Stewart H. Smith, president of Marshall University, Huntington.

Mr. President, I request that the following portions of the program at the West Virginia Governor's prayer breakfast be printed in the RECORD:

Introduction of U.S. Senator J. CALEB BOGGS by Senator JENNINGS RANDOLPH; devotional message by Senator J. CALEB BOGGS; remarks of Gov. Hulett C. Smith, of West Virginia; benediction by Dr. Stewart H. Smith, president, Marshall University, Huntington, W. Va.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GOVERNOR'S PRAYER BREAKFAST, CHARLESTON CIVIC CENTER, FEBRUARY 22, 1965

REMARKS OF SENATOR JENNINGS RANDOLPH, DEMOCRAT, OF WEST VIRGINIA, INTRODUCING SENATOR J. CALEB BOGGS, OF DELAWARE

It was with genuine appreciation that I accepted the invitation to participate in this noteworthy event—the Governor's prayer breakfast.

It is significant to witness those responsible in government, edcuation, and private industry joining together to ask guidance for enlightened leadership, to reaffirm a faith in the Divine Being, and to give expression to the principle of religious conviction. It affords us the opportunity to emphasize the fact that no physical courage, no brilliant intellect, and no great strength can be substituted for divine assistance, which sustains mankind.

I am additionally appreciative of having the privilege of introducing our guest speaker, the Honorable J. CALEB BOGGS, U.S. Senator from Delaware.

Senator BOGGS was elected to the House of Representatives in 1946, after serving with distinction and valor in numerous World War II campaigns of the European theater of operations. Since that time he has maintained an uninterrupted record of public service to this Nation and his native State of Delaware—6 years in the U.S. House of Representatives, 8 years as Governor, and more recently, 5 years as an able Senator.

Last year, Senator BOGGS was the principal speaker at the Connecticut prayer breakfast sponsored by the Governor of that State, and also at a similar event organized by the President of Costa Rica, in Central America.

It is my privilege to meet with this devoted colleague and my cherished friend, at our weekly Senate prayer breakfast. I am confident that his message this morning will be most helpful and inspiring.

SPEECH BY U.S. SENATOR J. CALEB BOGGS

Thank you, Senator RANDOLPH.

Mr. Chairman, reverend clergy, Governor Smith, distinguished guests, and friends, it is an honor to be with you here in the great State of West Virginia this morning, and it is an additional honor, I assure you, to be introduced by a Senator I admire as much as I do JENNINGS RANDOLPH. I consider him a friend, as I do his colleague, Senator BYRD.

I can't think of any better way to mark the birthday of our first President than gathering together at this wonderful Governor's prayer breakfast. This event has not come about by chance, I well realize. It has involved the hard work of many people, and especially the unflagging efforts of Judge Hereford.

It was my pleasure to meet Judge Hereford at one of our Senate prayer breakfasts in Washington and knowing him made me all the more eager to accept your kind invitation to come here today.

May I congratulate Governor Smith in having this prayer breakfast, and congratulate each one of you as well, because simply by being here this morning you are giving witness to the importance you attach to spiritual values.

Many of you have come here this morning at considerable personal sacrifice and inconvenience, and that makes your presence all the more meaningful. I salute you. I am sure you will find rewarding both the fellowship and sense of spiritual purpose evident in this gathering.

What we are doing today is the outgrowth of a movement started about 30 years ago in Seattle, Wash., where a group of businessmen met and resolved that some action must be taken to improve the corrupt moral and civic conditions of the community. From this nucleus prayer breakfast meeting, groups have been organized in every part of the United States and in many foreign lands.

I am personally most familiar with the Senate prayer breakfast group, which meets every Wednesday while Congress is in session. After breakfast in the Capitol we have a 30-minute discussion of some religious topic, with one of members designated each week as a leader. From 20 to 25 Senators usually attend, and the discussion is both informative and entertaining. Both of your distinguished Senators participate, I am happy to say.

Many of the participants, as you might imagine, feel they can make a spiritual point best by telling a little story, and some of the Senate's best storytellers belong to this group.

The other day Senator ROBERTSON, of your neighboring State of Virginia, for instance, used the following story to illustrate a point.

He told about this man who had been in the great Johnstown flood, and had helped rescue some of the people whose homes were swept away in that famous disaster.

He just couldn't forget the flood, and in his travels always telling about what a tremendous event it was.

He finally died and went to heaven. As soon as he got within the pearly gates he struck up a conversation with St. Peter.

"Let me tell you about the great Johnstown flood," he said, and then did, at great length.

"The next time you have a meeting up here, St. Peter," he said, "how about putting me on the program. I'd like to tell folks about this flood."

St. Peter obliged and a couple of weeks later got him on the program for a meeting.

Just as the fellow was about to speak, though, St. Peter leaned over and whispered to him:

"Perhaps I ought to tell you," he said, "Noah is in the audience."

These weekly prayer breakfasts mean a great deal to me personally, and I am glad to say the idea is rapidly catching on throughout the country. At the Presidential prayer breakfast in Washington earlier this month, for instance, it was reported that literally hundreds of small groups are meeting regularly to foster faith and freedom in this land and around the world. Participants include businessmen, civic officials, secretaries, clerks, housewives, and college students.

What has given the greatest impetus to breakfasts such as this one, of course, are the annual Presidential prayer breakfasts which I just mentioned. I don't know how many of you were privileged to attend this year's breakfast—although your Governor and Mrs. Smith were there, I know—but I give you my personal reaction that it was the most impressive of the 10 or so which I have been to.

The very fact that more than 2,500 busy people gathered together, including the President, the Vice President, members of the Cabinet, members of the Supreme Court, members of the diplomatic corps, Governors of the various States, and over half the membership of the U.S. Senate and House of Representatives, as well as religious and lay leaders from across the Nation, gives ample testimony of the importance this annual event has achieved.

The Presidential prayer breakfast affirms, as does this one, that our Nation's leaders recognize their reliance upon God in the conduct of their private and public lives.

It is also indisputable evidence, it seems to me, of the key role that faith in God has played, and plays today, in the governmental life of the United States.

We have a spiritual heritage. It sets our Nation apart. It is an indispensable source of our country's strength.

I can't help but wonder what would have been the response if a breakfast such as this one were held about 190 years ago at the time of our Nation's founding.

If we can imagine for the moment that the great men of that day could have overcome the problem of getting quickly from one place to another, I am sure we could safely count on an illustrious attendance.

The man whose birthday we celebrate today would have come. Of that we have no doubt. He well understood, and frequently expressed, his dependence on God.

His little prayer after his inauguration in 1789 comes immediately to mind.

"Almighty God, we make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; to entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large."

Old Benjamin Franklin would have come, I believe. Many will remember that in the midst of framing our Federal Constitution, it was he who said:

"If it be true that not a sparrow can fall to the ground without His notice, how can we hope to see a new empire arise without His aid."

These first heroes of our struggle to become a nation are here no longer, of course, nor are their dedicated companions, but I am convinced we are helping to perpetuate their ideals by gathering here together in spiritual fellowship this morning.

Like our Nation's Founding Fathers, we are of diverse faiths, but we recognize that this does not prevent our common acknowledgment of dependence upon God.

Like our Nation's Founding Fathers, we are of different backgrounds and occupations, but this does not diminish the understanding and appreciation we have of our Nation's spiritual heritage.

Like our Nation's Founding Fathers, we are not always satisfied with the conduct of our personal and public lives, but this does not prevent us from overcoming the defeats of the day and setting out anew toward goals to enrich not only our lives, but the lives of those around us.

Above all, our Nation's Founding Fathers accepted their responsibilities as men devoted to the cause of freedom, and this acceptance won for them, and us, the Nation we have today.

I have not the slightest doubt that in these different days and times we, no less than our forefathers, will accept our responsibilities and acquit them honorably.

But we need help, and that is what brings us together this morning.

To quote from Corinthians: "Where the Spirit of the Lord is, there is liberty."

Our actions must be buttressed by faith, the same faith which guided the architects of our Nation. Their burdens were great, as ours are today, and we need great faith if we are to see our country through the troubles of this modern age.

Change and challenge are everywhere.

The world is aflame with the fierce desires of new nations lunging toward their own destinies.

We know the people of the world are buffeted by ideas based on a godless ideology which seeks to sweep away our basic beliefs in the individual worth and dignity of man.

We dare not be any less resolute than the patriots of an earlier day, particularly the great patriot we honor today. And we dare not overlook the rock of faith which supported our struggling Nation's leaders in their gloomiest hours.

You may have noticed the interesting article in the current issue of the American Legion magazine describing the cruel conditions under which Washington's tattered army crossed the Delaware River and captured Trenton. His soldiers' feet were bloodied by the ordeal and left the snow red. But they kept on, and their victory rallied the young Nation at a time when it was faltering badly. Who can doubt that Washington's great faith, and the faith of his men, was intimately involved in this miraculous performance by a patchwork army.

It takes but little reading of history to realize that those who strained to give birth to this Nation wrestled against tremendous odds, and stood to lose their lives and fortunes if their cause had been unsuccessful. Faith was the additional ingredient in a revolutionary struggle marked by a succession of defeats before the final victory. But the determination to guarantee to citizens of a new nation "certain inalienable rights * * * endowed by their Creator" was too strong, with God's help, to be denied.

We all know that in the course of our Nation's history our leaders have had to contend with many pitfalls, and that prayer has helped guide them through.

Who can forget Lincoln's well-known declaration: "I have been driven many times to my knees by the overwhelming conviction that I had nowhere else to go."

If I could leave one thought with you today, it would be this:

None of us is so self-sufficient that we do not need to lean on the Almighty. Our Nation's first leaders did, and were humble enough to acknowledge it. The great men of our Nation in the generations since have understood their own limitations and therefore turned to God.

In modern times, as well as in the past, we can heed the spiritual thoughts of great men.

President Eisenhower, for instance, asked the Nation to pray with him at his first inauguration. His personal prayer is a moving declaration of faith, and I will quote part of it for you:

"Almighty God, as we stand here at this moment, my future associates in the executive branch of the Government join me in beseeching that Thou wilt make full and complete our dedication to the service of the people in this throng and their fellow citizens everywhere. Give us, we pray, the power to discern right from wrong, and allow all our words and actions to be governed thereby and by the laws of the land."

And President Kennedy said at a Presidential prayer breakfast 4 years ago:

"No man who enters upon the office to which I have succeeded can fail to recognize how the President of the United States has placed special reliance upon his faith in God. Every President has taken comfort and courage when told, as we are told today, that the Lord 'will be with thee. He will not fail thee nor forsake thee. Fear not—neither be thou dismayed.'"

Just 19 days ago, at the breakfast in Washington which I have mentioned, President Johnson solemnly said:

"I find for myself, as I know men and women throughout this great Government of ours also find, a sustaining strength from the moments of prayer, whether we assemble together or whether we pray silently alone. What has become a tradition and practice in our times is actually one of the oldest public traditions of our national life."

Finally, I would like to call attention to the concluding paragraphs of the inaugural address of your fine Governor, delivered just over a month ago:

"I pray to Almighty God that I be given the light to perform my duties with courage, wisdom, and compassion.

"With this prayer, I welcome the challenges and the burdens; the tasks and the responsibilities of this office."

These words follow in the splendid tradition of the other great Americans I have mentioned.

I don't have to tell you that we live in a turbulent 20th-century world. It is a world where men search for answers—and sometimes make the mistake of thinking that computers can answer everything for them. But computers don't fathom the human heart. To move the mountains of inner problems which modern life brings we need to turn to God. And if we learn to live and work in harmony with God's will—if we here make a commitment to do so and join others in other places with the same goal—then surely our communities, States, and the nations of the world will see a brighter tomorrow.

Regardless of our station in life, we are all builders of the future. In all that we do we are adding to the heritage of our children. Let us remember in our work the ancient psalm: "Except the Lord build the house, they labor in vain that build it."

Thank you for your kindness in having me here today.

REMARKS OF GOV. HULETT C. SMITH

We are here this morning because we have an understanding of the power of prayer, and because we want to renew and strengthen our personal relationship with God.

Prayer should not be "a sometime thing."

On George Washington's birthday, we are reminded of his frequent practice of prayer, as he led this Nation in its most crucial moments * * * and of his realization of the value of prayer.

In his first inaugural address, Washington, recognized the importance of prayer in the affairs of government when he said: "The * * * smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right which Heaven itself has ordained."

The same is true today.

Our determination as men and women living today, then, should be to make prayer not "a sometime thing," but a continuing habit.

Perhaps the biggest void in our understanding of prayer is that our prayers are often like voices of those crying out in need from the wilderness * * * instead of voices raised in thanksgiving and jubiliation for the good which is ours.

It has been said, "He who cannot pray when the sun is shining will not know how to pray when the clouds come."

Today, let us give thanks for the beauty of this land, as we ask for help in the leadership of our State and Nation.

Let us give thanks for the privilege of living in a free society, as we ask for the courage and compassion to perform our respective roles in society well.

Let us give thanks for the abundance which has been ours to share in the past, as we ask for help in bringing West Virginia and her people to a happy and healthy future.

Let us always pray with thanksgiving.

Those of us who have the responsibility of guiding the future of this State, and who have the privilege of being a part of government, recognize our great need to be in constant conversation with God.

Our State is at a new juncture in history, and today, we prayerfully seek His wisdom in meeting the many problems we face to take us from an era of mediocrity to an era of excellence.

The need for His guidance in our daily endeavors was the basis for the goal to add a chapel * * * a prayer room * * * to the State capitol * * * a quiet sanctuary, where men and women in government can have a place away from the complexities and often hectic schedule of daily chores and meetings for the most important meeting of all—a prayerful meeting and conversation with God.

Today, as we pray together, let our prayers be that we may all work together in a spirit of understanding and compassion, and that we may govern wisely in this State.

This prayer breakfast may be the rock that is thrown into a pond * * * from which ripples flow outward.

May it expand to our cities. May it go to our college campuses. May it lead men and women to come together for the highest purpose of all—the purpose of recognizing and understanding the greatness that can be ours through uniting in prayer to Almighty God.

BENEDICTION BY DR. STEWART H. SMITH, PRESIDENT, MARSHALL UNIVERSITY, HUNTINGTON, W. VA.

We thank Thee, Lord, for the privilege of participating in this prayer breakfast. We ask Thy richest blessing upon Governor Smith, his family and his associates in State government.

May we all return to our daily tasks refreshed and inspired—with a deeper resolve to help improve the educational, economic, and especially the moral conditions of our fellow West Virginians.

We know that the greatest strength we have is not political or industrial—but the strength of the human spirit.

Our Governor has called upon all of us to work with him in raising the sights of our people, in being unsatisfied with anything less than the attainment of excellence in all our endeavors.

Let us resolve this morning to help him lead our State to new heights of achievement and to help our people enjoy a healthier, happier, and a greater future.

We cannot do this without Thy guidance—O Lord, give us the courage and strength and determination to do what we know needs to be done. Amen.

A Bill To Broaden Coverage of Social Security Benefits

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1965

Mr. FINO. Mr. Speaker, today I reintroduced my bill to broaden coverage of social security benefits to include brothers, sisters, and other dependent relatives of a deceased individual fully insured under the act.

At present, a dependent brother, sister, or other relative of a deceased wage earner is left in the cold as far as social security payments when that wage earner dies. Except for funeral expenses paid, all of the deceased's social security contributions are lost unless there is a surviving spouse.

My proposed legislation would remedy this great injustice. Under this legislation, if a dependent brother, sister, or relative of an unmarried wage earner can show that he or she was receiving at least half support from the wage earner, that dependent would be entitled to monthly insurance benefits. To my mind, this sort of humanization of our existing social security law is a necessity.

The Adjudication of Veterans' Claims

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1965

Mr. TEAGUE of Texas. Mr. Speaker, the Committee on Veterans' Affairs has conducted a continuing study of the adjudication system of the Veterans' Administration over a period of several years. Extensive hearings held in the 86th and 87th Congresses resulted in the enactment of two significant public laws.

Public Law 87–666 established a new appeals procedure. Under the old procedure a claimant who desired to appeal the denial of his claim to the Board of Veterans' Appeals merely signed a notice of appeal to the Administrator of Veterans' Affairs. The regional office then forwarded the file to the Board of Veterans' Appeals.

In most instances the veteran had never been informed of the facts found by the regional office and had not been informed of the reasons for the denial of his claim. Consequently, the issues were not stated and the so-called appeal was really more in the nature of a review by the Board of Veterans' Appeals. This system encouraged claimants who had been denied in the regional office to appeal to the Board of Veterans' Appeals.

Under the new system established by Public Law 87–666 a claimant whose claim has been denied in the regional office files a notice of disagreement. The regional office then reviews the claim and, if this review does not result in the withdrawal or allowance of the claim, then a statement of the case is prepared, a copy of which is furnished the claimant and his representative.

The statement of the case contains a summary of the material evidence, a statement of the applicable rules of law, and a statement setting out the reasons for the denial of the claim. The claimant then has 60 days in which to respond to the statement of the case. If the response of the claimant does not result in allowance of the claim by the regional office, it is certified to the Board of Veterans Appeals in Washington.

Statistics prepared by the Board of Veterans Appeals for the calendar year 1964 are included at the conclusion of these remarks. These statistics show that 41,565 notices of disagreement were received in regional offices during the year; that 2,214 of these were withdrawn; and that 34,602 statements of the case were issued. In 13,235 cases the appeal was abandoned when the claimant failed to respond to the statement of the case. Twenty-three thousand, seven hundred and twelve appeals were received by the Board of Veterans Appeals during the calendar year.

It is significant to note that the new appeals' procedure has substantially reduced the number of appeals received by the Board of Veterans Appeals. This is because more claims are now being finally determined in the regional office without going through the costly appeals procedure. This is largely due to the fact that the claimant under the new procedure receives such complete information about the denial of his claim that he recognizes the futility of proceeding further with it. This is shown by the fact that 13,235, or 37.9 percent of the claims were abandoned in the regional office after the claimant received the statement of the case.

Under the old procedure, approximately 42,700 claims were appealed annually which is 18,988, or 44 percent more than the number of appeals received in the calendar year 1964. In fiscal year 1961, 3,831 claims, or 8 percent, of the total appeals were allowed by the Board of Veterans Appeals. Under the new system, in calendar year 1964 the Board of Veterans Appeals allowed 2,600, or 12.7 percent, of the appeals it considered. In the calendar year 1964, the regional offices allowed 5,730 claims, or 13.5 percent, after the notice of disagreement had been received and allowed 1,631, or 6.7 percent, after receipt of the claimants' response to the statement of the case. In all, a total of 9,961 claims were allowed after the notice of disagreement was received. This constitutes 23.4 percent of the 42,546 notices of disagreement disposed of during the calendar year 1964.

Public Law 87–671 established a procedure whereby the Board of Veterans Appeals might refer to independent medical experts outside of the Veteran's Administration claims which involved complex medical questions. In such cases the claim is first referred to the Chief Medical Director of the Veterans' Administration and, if this results in an opinion unfavorable to the claimant, the medical question involved is then referred to an independent medical expert outside the Veterans' Administration.

The statistics appearing at the conclusion of my remarks disclose that the Board of Veterans Appeals, during the calendar year 1964, acted upon 149 claims in which they had received opinions from medical experts outside the Veterans' Administration. Of these 149 claims the independent medical experts disagreed with the Chief Medical Director 51 times and agreed with the opinion of the Chief

Medical Director 98 times. This means that 51 appealed claims, or 34 percent of the total referred to independent medical experts, were allowed.

Except for the relatively few cases which are referred to independent medical experts and except for claims arising under Government life insurance contracts, the decision of the Veterans' Administration on veterans claims is final and conclusive. A veteran's claim is, in effect, a claim against the Veterans' Administration and it does not seem proper that the Veterans' Administration should be the sole judge of a claim against itself.

The Committee on Veterans' Affairs has given consideration to the establishment of an independent tribunal to which all claims denied by the Board of Veterans Appeals might be appealed. This proposal has been opposed by some on the ground that an independent tribunal outside the Veterans' Administration might be unduly strict and impose rules which would interfere with liberal policies of the Veterans' Administration and require them to apply more restrictive rules in the adjudication of claims.

I believe the following report, showing that independent medical experts outside the Veterans' Administration reversed the opinions of Veterans' Administration doctors 34 percent of the time, shows that independent judgment, free from the influence of the Veterans' Administration, will not be more restrictive but, in fact, will be more liberal:

Status of appeals (4-stage process), cumulative from Jan. 1 through Dec. 31, 1964

	Number	Percent
Stage I. Notice of disagreement:		
1. Pending, Jan. 1, 1964	6,203	------
2. Received, to date	41,565	------
3. Disposed of, to date	42,546	100.0
(a) Allowed	5,730	13.5
(b) Withdrawn	2,214	5.2
(c) SOC issued	34,602	81.3
4. Pending	5,222	------
Stage II. Statements of case:		
1. Pending, Jan. 1, 1964	5,202	------
2. Issued, to date	34,602	------
3. Disposed of, to date	34,912	100.0
(a) Substantive appeal filed	21,677	62.1
(b) Failure to respond	13,235	37.9
4. Pending	4,892	------
Stage III. Substantive appeals:		
1. Pending, Jan. 1, 1964	3,100	------
2. Received, to date	25,078	------
3. Disposed of, to date	24,348	100.0
(a) Allowed	1,631	6.7
(b) Withdrawn	590	2.4
(c) Certified to Board of Veterans Appeals	22,127	90.9
4. Pending	3,830	------
Stage IV. Board of Veterans Appeals:		
1. Pending, Jan. 1, 1964	2,408	------
2. Received, to date	23,712	------
3. Disposed of, to date	20,514	100.0
(a) Allowed	2,600	12.7
(b) Remanded	2,504	12.2
(c) Denied or dismissed	15,142	73.8
(d) Withdrawn	268	1.3
4. Pending	5,606	------

NOTE.—Percentages shown in each stage relate to dispositions in that stage only.

Report of outside medical opinions requested by Board of Veterans Appeals, calendar year 1964 (Public Law 87–671)

Item description	Total	Disability compensation	Death compensation	Other
1. Independent expert medical opinions: [1]				
(a) Number requested, total	195	157	37	1
Percent of total appeals in these categories disposed of	2	----------	----------	----------
Number requested in connection with appellate consideration	164	132	31	1
Number requested in connection with reconsideration	31	25	6	0
(b) Number of favorable opinions submitted to a 2d medical expert or panel	0	0	0	0
(c) Number of unfavorable opinions submitted to a 2d medical expert or panel [2]	2	2	0	0
(d) Source of requests: [3]				
Congressional	24	17	7	0
BVA on own motion	75	57	18	0
Veterans' organizations:				
AL	27	23	3	1
AMVETS	4	3	1	0
DAV	19	17	2	0
VFW	27	25	2	0
Other	22	18	4	0
Veteran	6	6	0	0
Dependents of veteran	4	0	4	0
(e) Cost:				
Average per opinion	$48.89	----------	----------	----------
High per opinion	$150.00	----------	----------	----------
Low per opinion [4]	0	----------	----------	----------
2. Opinions requested from Chief Medical Director [1]	509	431	71	7
3. Number of appeals allowed after getting an IME or CMD opinion	209	171	34	4
Regular appellate decisions	166	134	29	3
Reconsideration appellate decisions	43	37	5	1
4. Disposition by the Board after getting an IME or CMD opinion:				

	Allowed	*Denied*
IME	51	98
CMD	158	257

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[1] Figures shown in items 1 and 2 relate to requests, not dispositions during report period. Although the Board requested 195 independent medical expert and 509 Chief Medical Director opinions, only 180 independent medical expert and 473 Chief Medical Director opinions were received.

[2] 2d medical expert opinion in each case was also unfavorable.

[3] Some may be dual requests, i.e., service organizations and Member of Congress, etc.

[4] 17 opinions rendered by the Armed Forces Institute of Pathology; no fee involved.

NOTE.—When the Board decides, on the basis of medical controversy or complexity, that the opinion of an independent medical expert is to be sought, an expert opinion is usually first obtained from the Chief Medical Director of the VA, if such opinion is not already of record. If the opinion of the CMD is favorable to the claimant, the Board usually decides the case without proceeding further. If it is unfavorable, the IME opinion is obtained by the Board before finally deciding the appeal.

Huron-Manistee National Forest Attracts Record Number of Visitors

EXTENSION OF REMARKS

OF

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1965

Mr. CEDERBERG. Mr. Speaker, one of the many tourist attractions in Michigan is the Huron-Manistee National Forests, and I am pleased to state that last year this was the second most used forest area in the Nation from a recreation standpoint. Eight of the fifteen countries in which this forest area is located are a part of Michigan's 10th Congressional District which I have the honor to represent.

The Huron-Manistee National Forests are situated within a day's drive for 45 to 50 million people and the record shows that more and more of these citizens are attracted to Michigan's great recreation wonderland.

These counties and the net forest areas acres within their boundaries are: Alcona, 102,901 acres; Crawford, 45,554; Iosco, 102,395; Ogemaw, 19,771; Oscoda, 142,880; Roscommon, 40; Mecosta, 2,534; and Montcalm, 1,381.

The combined area of these forests, located in the northern part of Michigan's Lower Peninsula is 866,500 acres.

Those of us who have followed the development of these two forests in recent years are going to miss Louis A. Pommerening, retiring forest supervisor, who started his career with the Forest Service in the Huron Forest in May 1933, and concluded his work last December after more than 30 years of faithful service to the Forest Service. He has been succeeded by John von Bargen.

I would like to pay tribute to Pommerening and compliment him on the splendid job he has done in administering these forests through the years. I know he will reap much reward in his retirement in the knowledge that the area has become such an attraction for visitors.

I also want to extend to the new supervisor, Mr. John von Bargen, and his staff my cooperation in future development of these two fine forests.

Our visitors are going to find their visits even more enjoyable in the future due to the improvements being made in these two forests. Within the past year 175 new family camping units were completed and when spring comes, work will start on 50 more camping units. A must on any visitor's sightseeing schedule in our area is Lumbermen's Monument in the Tawas City area and plans are underway to redevelop the site to make it even more attractive. Nearly 40 miles of forest roads were constructed in the two forests and another 10 roads were restored. The combined forests already have 792 miles of forest roads.

Michigan's visitors traveling slowly over these roads may be treated to the sight of a doe and her fawn, a strutting buck, and other animals whose habitat is within the boundaries of this forest area. Bird lovers, too, will be well repaid for their visit. Not only game birds but song birds abound. A few months ago I called attention of my colleagues to the efforts of the Forest Service to provide a refuge for the annual visit of Kirkland's warblers, a rare bird, which pays our section of the State a visit each year. Thirty-one bald eagle nests were spotted by forest rangers. Nine of these were active at time of location and 17 young were being produced.

To insure adequate cover for wildlife in the years ahead the Forest Service has a carefully managed program. Last year over 4 million trees were planted in the Huron-Manistee Forests. In addition two waterfowl dams were constructed and numerous wildlife waterholes were established.

Fishermen, hunters, nature lovers, mushroom and berry pickers, bird watchers, hikers, and all lovers of the out of doors will find the Huron-Manistee National Forests of interest.

Department of Agriculture Honors George Washington Carver

EXTENSION OF REMARKS

OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1965

Mr. CONYERS. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to bring to the attention of the House a speech delivered last Thursday by our colleague, the Honorable HERBERT TENZER, of New York, on the occasion of a plaque being presented to the U.S. Department of Agriculture as a memorial to the late George Washington Carver.

Congressman TENZER was introduced to a distinguished gathering of public officials and civic leaders of the District of Columbia by Mrs. Rosa L. Gragg, chairman of the George Washington Carver Commemoration Committee. It is my great honor and privilege to have such a wonderful person as Mrs. Gragg as one of my constituents. The Honorable Orville L. Freeman, Secretary of Agriculture, accepted the plaque on behalf of the Department.

The speech follows:

Mr. Secretary, Mrs. Rosa Gragg, distinguished guests, ladies and gentlemen, George Washington Carver's greatest contribution lay in his efforts to help the poor farmers of Alabama wrest a living from an indifferent soil. His bulletins were directed toward practical ends. They were simply and concisely written, they made the work of the laboratory available to the plowman.

Carver had a unique capacity for applying good ideas. He once stated his philosophy in these terms, "Look about you. Take hold of the things that are here. Let them talk to you. You learn to talk to them." In a similar vein, he showed that his faith was allied to his science, when he said, "I like to think of nature as an unlimited broadcasting system, through which God speaks to us every hour, if we will only tune in."

To perpetuate his memory, there was established at his birthplace, in June 1951, the George Washington Carver National Monument, consisting of 210 acres, located in southwestern Missouri, administered by the National Park Service.

This monument was added to the other tangible expressions of a grateful nation, such as the Carver Museum on the Tuskegee campus, dedicated by the late Mr. and Mrs. Henry Ford in 1941, and the new science building dedicated in his honor at Simpson College in 1956.

Today, while elsewhere there are those who toy and tamper with human rights, we add another page to the history of a nation's gratitude to an eminent botanist, a pioneer conservationist, and great benefactor of mankind.

On the occasion of the presentation of a plaque to further honor his memory, I have been authorized by the owners of Carver Memorial Park to announce a grant of a piece of land to the George Washington Carver Commemoration Committee, to be dedicated for use as a museum, where his great agricultural achievements and contributions to mankind can be viewed by the greatest possible number of interested persons near the Nation's Capital City. The location of the intended site is on U.S. Highway No. 1 approximately 2 miles south of Laurel, Md. The design will be decided upon in a competition and it is expected that it will be in harmony and in consonance with the design of the outstanding monuments and Government building in the Nation's Capital area. Here more than 300 synthetic products made from peanuts and the 118 products developed from the sweetpotato will be placed on display by manufacturers and producers of these products. The museum will also house interesting memorabilia marking the life and record of this slave boy who rose to humble manhood and who became one of our Nation's great scientists.

Mr. Secretary I have the honor to present this plaque in honor of George Washington Carver, eminent scientist, agricultural researcher, agronomist and benefactor of mankind. This plaque is presented to the U.S. Department of Agriculture as a permanent memorial by the George Washington Carver Commemoration Committee of the District of Columbia for his contributions to the Bureau of Plant Industries in the U.S. Department of Commerce; his nationwide program in soil rebuilding and crop rotation; his experiments with the peanut, sweetpotato and other plants, which produced hundreds of useful products for mankind. Upon his death of January 5, 1943, President Franklin Delano Roosevelt's telegram to Tuskegee Institute said, "all mankind are the beneficiaries of his discoveries."

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 24, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used these words from the psalmist:

Psalm 62: 5: *My soul, wait thou only upon God; for my expectation is from Him.*

O Thou merciful and gracious God, Thy loving kindness is always directed toward our welfare and happiness.

Help us to believe that none of the perplexing problems that we are struggling with are beyond the reach of Thy divine wisdom and power.

May we have the vision to see that our Republic has a divinely ordained and appointed part for bringing about world peace.

Grant that our lives may always be radiant with a sense of Thy presence and inspire us to cultivate our faculties of effort and enthusiasm in hastening the dawning of the day of good will and brotherhood.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CENTENNIAL ANNIVERSARY OF SECOND INAUGURAL OF ABRAHAM LINCOLN

Mr. PRICE. Mr. Speaker, I offer a resolution (H. Res. 241) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 241

Resolution to provide funds for the expenses of the committee on arrangements for the commemoration of the centennial anniversary of the second inaugural of Abraham Lincoln

Resolved, That the expenses of the committee on arrangements for the commemoration of the centennial anniversary of the second inaugural of Abraham Lincoln, incurred pursuant to Public Law 88–427, approved August 14, 1964, not to exceed $15,000, shall be paid out of the contingent fund of the House, on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

The SPEAKER. The Chair understands that this resolution has been screened.

Mr. PRICE. That is correct, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FILING OF DISCHARGE PETITION ON HOUSE JOINT RESOLUTION 2

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am filing a discharge petition on House Joint Resolution 2, which provides that nothing "in the Constitution of the United States shall prohibit a State having a bicameral legislature from apportioning the membership of one house of its legislature on factors other than population." I know this is very controversial, but we have lots of support. It will be necessary to get half of the Members to sign, or a majority, that is, 219, before the discharge petition can be brought up on the floor of the House as specified in the rules, and then it will be necessary to have a two-thirds vote in order to pass it. I know that, but we feel very strongly about it and we are going to make every effort to make the discharge petition succeed. We would appreciate any support that you would like to give us. Remember, in signing this petition you are only asking that it be brought on the floor of the House for consideration. You are not obligating yourself to vote for or against it, but just stating that you believe it ought to be considered. On that basis we would like for you to sign the petition.

FILING OF DISCHARGE PETITION ON HOUSE JOINT RESOLUTION 2

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend his remarks .

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BALDWIN. Mr. Speaker, I would like to ask the gentleman from Texas [Mr. PATMAN] during my 1 minute, if it is correct that the gentleman from Texas has been kind enough to indicate that if an amendment is offered on the floor of the House when his constitutional amendment reaches the floor to provide that there should be approval by the vote of the people of the State involved, he would be willing to accept such amendment.

Mr. PATMAN. The gentleman is correct.

Mr. BALDWIN. I think the discharge petition filed by the gentleman from Texas [Mr. PATMAN] is highly desirable. I do not believe that the Supreme Court should have made the decision it made in the field of legislative reapportionment of State legislatures, and I urge the Members of the House to sign the discharge petition as soon as possible so that we can rectify the wrong that has been committed.

THE MOST IMPORTANT DOMESTIC ISSUE—LEGISLATIVE REAPPORTIONMENT

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, the 89th Congress is faced with many controversial matters though I know of none more important than protecting the rights of rural America. This can be done by submitting a constitutional amendment to the States providing, after proper ratification, that States having bicameral legislatures may apportion one house on factors other than population.

This issue, let me emphasize, is not a partisan one, nor a philosophical one, but one involving basic constitutional separation of powers. One, I might add, which threatens our Federal system and our system of democratic decisionmaking because the U.S. Supreme Court, the only body not politically responsible within the American system, on June 15, 1964, took unto itself the right to alter essential elements in our Nation's basic covenant.

While disagreeing with the Court's sweeping decision let me hasten to add, I recognize that in some areas urban citizens have been deprived of an effective voice in State legislative bodies. The point I wish to make is that enactment of House Joint Resolution 2, introduced by the gentlemen from Texas, WRIGHT PATMAN, with an amendment providing for submission of any apportionment plan to the electorate of the State involved, will assure every State of "balanced" representation. Kansas now enjoys balanced representation as the State senate is apportioned strictly on a population basis while in the State house of representatives each county has one State representative—wherein 250 votes were cast at the last general election—and distribution of 20 additional house seats have been made to more populous counties.

It is our sovereign duty to permit the people themselves to determine what changes are to be made in the fundamental principles of our representative government. I urge my colleagues to join in the effort initiated today by our colleague from Texas [Mr. PATMAN].

THE MOST IMPORTANT DOMESTIC ISSUE—LEGISLATIVE REAPPORTIONMENT

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, I rise to commend the distinguished gentleman from Texas [Mr. PATMAN], chairman of the Committee on Banking and Currency, on filing this discharge petition. I would hasten to say that my name will be among the first signers of the discharge petition. I think that the Supreme Court decisions dealing with State legislative reapportionment present to the American people one of the greatest constitutional issues of this century. The House should have the opportunity at the earliest possible moment to pass upon a constitutional amendment dealing with State legislative reapportionment.

It is my personal view that the Supreme Court in the Colorado decision, in the decision of Baker against Carr and the many other court decisions affecting State legislative assemblies has not properly interpreted the Constitution but rather has amended it by judicial decree. This is a matter which the House and the Senate and the American people should be permitted to pass upon.

I would further state that the Committee on Rules, chaired by the distinguished gentleman from Virginia, Judge SMITH, should also consider bringing out a rule on this constitutional amendment much as it did in respect to the Tuck bill. A rule might be a better way for the House to resolve the issue.

DISCHARGE PETITION ON REAPPORTIONMENT

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I have signed the discharge petition which has been placed at the Speaker's table today having to do with apportionment and reapportionment of State legislatures.

Mr. Speaker, I do not see how we in the Federal Government can reasonably say to the several States that they are forbidden to pattern their State governments after the Federal Establishment. It has worked at the Federal level, it has worked at the State level. We cannot forbid State governments from apportioning or reapportioning one House of the State legislatures where bicameral legislatures exist on factors which take into account factors other than population. It has come time that the Congress concern itself with the fact that the Court has again demonstrated their contempt for the Constitution.

CALL OF THE HOUSE

Mr. BALDWIN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 21]

Boggs
Bow
Brock
Brown, Ohio
Celler
Conte
Curtis
Ellsworth
Farnsley
Fisher
Flood
Fulton, Tenn.
Giaimo
Gonzalez
Green, Oreg.
Hagen, Calif.
Hall
Hanna
Hawkins
Hays
Holifield
Holland
Irwin
Karsten
Karth
Kelly
King, Calif.
Lindsay
Long, Md.
Macdonald
Mailliard
Martin, Mass.
Minshall
Nedzi
Nix
O'Brien
Passman
Pickle
Pirnie
Pool
Powell
Redlin
Reid, N.Y.
Rhodes, Ariz.
Roosevelt
Scheuer
Skubitz
Staggers
Sullivan
Thompson, Tex.
Toll
Tunney
Ullman
Widnall
Wilson, Charles H.

The SPEAKER. On this rollcall 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PAN-AMERICAN DAY

Mr. SELDEN. Mr. Speaker, I call up House Resolution 242 and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 242

Resolved, That the House of Representatives hereby designates Wednesday, April 14, 1965, for the celebration of Pan American Day, on which day, after the reading of the Journal, remarks appropriate to such occasion may occur.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FUNDS FOR INVESTIGATIONS AUTHORIZED BY H. RES. 44

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 232) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 232

Resolved, That, effective January 4, 1965, the expenses of the studies and investigations to be conducted pursuant to H. Res. 44 by the Committee on the District of Columbia, acting as a whole or by subcommittee, not to exceed $50,000, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of such committee and approved by the Committee on House Administration.

Sec. 2. The chairman, with the consent of the head of the department or agency concerned, is authorized and empowered to utilize the reimbursable services, information, facilities, and personnel of any other departments or agencies of the Government.

Sec. 3. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

With the following committee amendments:

On page 1, line 1, strike out "January 4, 1965" and insert "January 3, 1965"

On page 1, line 5, strike out "$50,000" and insert "$25,000"

On page 2, after line 10, insert:

"Sec. 4. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on the District of Columbia shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPENSES INCURRED PURSUANT TO HOUSE RESOLUTION 94

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 139) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 139

Resolved, That, effective from January 3, 1965, the expenses of the studies and investigations to be conducted pursuant to H. Res. 94 by the Committee on Education and Labor, acting as a whole or by subcommittee, not to exceed $467,200, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the Committee on House Administration.

Sec. 2. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

With the following committee amendments:

On page 1, line 5, strike out "$467,200" and insert "$440,000"

On page 1, lines 11 and 12 strike out "on vouchers authorized and signed by the Committee on House Administration" and insert: "Of such amount $35,000 shall be available for each of six subcommittees of the Committee on Education and Labor, $50,000 for the Special Anti-Poverty Subcommittee, and not to exceed $180,000 shall be available to the Committee on Education and Labor. All amounts authorized to be paid out of the contingent fund by this resolution shall, in the case of each subcommittee, be paid on vouchers authorized and signed by the chairman of the subcommittee, cosigned by the chairman of the committee and approved by the Committee on House Administration; in the case of the committee, such amount shall be paid on vouchers authorized and signed by the chairman of the committee and approved by the Committee on House Administration."

On page 2, add the following section:

"Sec. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Education and Labor shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON ARMED SERVICES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 119) and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 119

Resolved, That effective from January 4, 1965, the expenses of the investigation and study to be conducted pursuant to H. Res. 118, by the Committee on Armed Services, acting as a whole or by subcommittee, not to exceed $150,000, including expenditures for the employment of special counsel, consultants, investigators, attorneys, experts, and clerical, stenographic, and other assistants appointed by the chairman of the Committee on Armed Services, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of the Committee on Armed Services, and approved by the Committee on House Administration.

With the following committee amendments:

On page 1, line 5, strike "$150,000" and insert "$100,000"

On page 2, line 3, insert the following new section:

"Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Armed Services shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON AGRICULTURE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 108) and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 108

Resolved, That effective January 4, 1965, the expenses of conducting the studies and investigations authorized by H. Res. 89, Eighty-ninth Congress, incurred by the Committee on Agriculture, acting as a whole or by subcommittee, not to exceed $100,000 including expenditures for the employment of accountants, experts, investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House, on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Sec. 2. The official committee reporters may be used at all hearings, if not otherwise officially engaged.

With the following committee amendments:

On page 1, line 5, strike "$100,000" and insert "$75,000"

On page 2, line 3, insert:

"Sec. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Agriculture shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON BANKING AND CURRENCY

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 134, with committee amendments, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 134

Resolved, That, effective from January 3, 1965, the expenses of conducting the investigations and studies authorized by H. Res. 133, Eighty-ninth Congress, by the Committee on Banking and Currency, acting as a whole or by subcommittee, not to exceed $950,000, for the Eighty-ninth Congress, including expenditures for employment, travel, and subsistence of accountants, experts, investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on voucher authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Banking and Currency shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendments:

On page 1, line 5, strike out "$950,000" and insert in lieu thereof "$225,000".

On page 1, line 9, strike out "voucher" and insert "vouchers".

Mr. PATMAN. Mr. Speaker, will the gentleman from Maryland yield for a question?

Mr. FRIEDEL. I yield to the gentleman from Texas.

Mr. PATMAN. It is my understanding that this appropriation does not include funds for the Subcommittee on Housing of the Committee on Banking and Currency; is that correct?

Mr. FRIEDEL. The gentleman is correct. No part of these funds will be used for the Housing Subcommittee.

Mr. PATMAN. I just wanted to tell the gentleman from Maryland that I expect very soon to introduce a resolution to provide funds for the Subcommittee on Housing.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 137 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 137

Resolved, That, effective January 3, 1965, the expenses of investigations and studies to be made pursuant to H. Res. 80 by the Committee on Interior and Insular Affairs acting as a whole or by subcommittee, not to exceed $100,000, including expenditures for the employment of professional, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Interior and Insular Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendment:

On page 1, line 4, strike out "$100,000" and insert in lieu thereof "$75,000".

The committee amendment was agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 109 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 109

Resolved, That effective January 4, 1965, the expenses of conducting the studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations, acting as a whole or by subcommittee, not to exceed $820,000 including expenditures for employment of experts, special counsel, and clerical, stenographic and other assistants, which shall be available for expenses incurred by said committee or subcommittees within and without the continental limits of the United States, shall be paid out of the contingent fund of the House on vouchers authorized by said committee, signed by the chairman thereof, and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

SEC. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Government Operations shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendments:

On page 1, line 1, strike out "January 4, 1965" and insert "January 3, 1965".

On page 1, line 5, strike out "$820,000" and insert in lieu thereof "$650,000".

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. In looking over the chart that has been prepared, I notice that funds made available for the Committee on Government Operations for this particular session of the Congress are $650,000, which was $200,000 more than any other committee in the House received.

Can the gentleman tell me how this figure compares with the figure for the previous session of the Congress so far as this committee is concerned?

Mr. FRIEDEL. In the 88th Congress that committee received $1,239,045 covering both the sessions. It returned $149,000. That meant they spent a little over $1.1 million.

Mr. GERALD R. FORD. They had available, as I analyze the figures, as much last year as they are requesting this year; is that correct?

Mr. FRIEDEL. That is correct.

Mr. GERALD R. FORD. Can the gentleman tell me how many staff members are serving this committee for which $650,000 is being requested?

Mr. FRIEDEL. As far as I can recollect, I think they have 55 employees.

Mr. GERALD R. FORD. Fifty-five employees. Can the gentleman tell me how many of those 55 employees are assigned to or under the jurisdiction and responsibility of the minority?

Mr. FRIEDEL. I think from the report we received in committee there were three.

Mr. GERALD R. FORD. In other words, the minority on this committee gets 3 out of 55 employees, which is about 4 percent. It seems to me that is a very disproportionate share of the committee which will spend $650,000 this year.

Did the committee make any investigation of whether this was a right proportion or a wrong proportion of the allocation of employees?

Mr. FRIEDEL. The chairman was questioned, and he said he does not hire people to represent the majority separately and the minority separately. They represent both the majority and the minority.

Mr. GERALD R. FORD. If that is the case, why did he allocate even three employees to the minority?

Mr. FRIEDEL. I do not know.

Mr. GERALD R. FORD. It seems to me this is a committee that has a responsibility, and a very serious responsibility, to investigate all parts of our Government, particularly the executive branch of Government. It would seem to me this does not give the minority of the committee an adequate staff to participate adequately in these investigations.

Mr. FRIEDEL. It is a very important committee.

Mr. GERALD R. FORD. I agree it is a very important committee.

Mr. FRIEDEL. The main thing we went into is—were the funds needed, were they justified, and what they were doing. In their report they showed they saved the Government over $700 million. We talked to the chairman and he said he does not bring up the question of whether they are Democratic or Republican.

Mr. ROSENTHAL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from New York.

Mr. ROSENTHAL. I might suggest to the gentleman from Michigan that we discussed this matter at great length in the committee. The point was made, and I think properly, that this is an investigating committee to investigate the deficiencies of the entire operation of the executive branch.

The point is that these people are highly trained, and they are hired for the purpose of serving the committee. The committee does not investigate whether they have the majority point of view or the minority point of view. The people who have been hired from the outside are hired without consideration of whether their affiliation or background is with the minority or majority. All of the members of the committee have been thoroughly satisfied with the job done, and the actions and performance of these staffs. Some have not been satisfied, of course, and suggested that they have the right to hire these people, but it seems to me that the major element in the hiring by the committee should be the performance and ability to serve all of the members of the committee, including the minority.

Mr. GERALD R. FORD. It is my recollection, and if it is not correct I should like to have it corrected, that in the last two sessions there have been instances where reports came from the Committee on Government Operations where there was a majority view and a minority view. It seems to me that if the minority is to express its views adequately, it needs some kind of staff to participate independently in the investigation and to participate in the preparation of the report.

Mr. ROSENTHAL. I might suggest that 90 percent of the investigations are on the merits of efficiency and economy in the Government. There have never been minority reports in the majority of those cases. There may have been a few instances in the last session where minority reports were entered. If those were cases motivated by partisan considerations, I think the gentleman would have a good point, but in over 90 percent of the cases it has been a matter of investigations reported out of the committee.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I understand that the gentleman from New York referred to the views of the minority. I want it understood that he was not speaking for this member of the minority.

The Committee on Government Operations, which has the highest budget of any committee of the House, has both legislative and investigative jurisdiction. While our legislative jurisdiction may be small, the committee handles controversial bills such as the proposal to create a Department of Urban Affairs, for example, and all other bills which propose reorganization of the executive branch. The point was made that there have not been very many partisan investigations held by our committee. One of the subcommittees investigated the dealings of Billie Sol Estes, but the minority was very inadequately staffed in that situation.

It should be borne in mind that the Committee on Government Operations is the committee which has jurisdiction to investigate the executive branch of the Federal Government. Of course, the executive branch is now controlled by the same political party as the committee itself. In a situation like this, the public interest demands that the minority be adequately staffed. Surely it cannot be fair or in the public interest to allocate to the minority on the committee only 3 of the 55 staff employees of the committee. However, that is the situation as this resolution is considered today.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Illinois.

Mr. McCLORY. I had the privilege of sitting during the last 2 years on the Committee on Government Operations. I have the greatest respect for the chairman of the committee. Certainly it is his intention to do the right thing as far as the minority and the majority are concerned. But I cannot help but concur with the views expressed on this side of the aisle. The Committee on Government Operations could do a much better job for the Members on both sides of the aisle if there were a larger minority staff. Having been in a number of investigations on behalf of this committee, I think I speak with firsthand knowledge. I served on two subcommittees, and I did have part-time use of one staff member, but I could have used at least two staff members and possibly more.

I should like to suggest this, too. All of the reports of the General Accounting Office, of course, came to our committee. I will tell you this, that I had a briefing each week on the General Accounting Office reports. I do not know whether any other member on the Government Operations Committee did this or not. I think the committee is falling down on the job, as far as carrying through on GAO reports is concerned. We have this wonderful agency which is conducting investigations continuously of all the various departments and agencies, but the staff to follow through on what they report is quite inadequate. I think the committee should consider this independently, not only with respect to the majority and minority, but with regard to what the GAO tells us.

Mr. GERALD R. FORD. The implication is now made by the gentleman from New York that more minority staff necessarily means more partisan views expressed by the minority. I think the contrary is probably true. If the minority had more staff, the probability is they would not have as many partisan viewpoints. It would give the minority a better opportunity to analyze fully all of the facts and information and the net result might well be less and not more partisanship. I think if you want a good investigating committee, and this one has a great responsibility in that area, it seems to me that the minority particularly ought to have more staff than 3 out of 55. This is a very disproportionate share for a committee with this great responsibility.

Mr. FRIEDEL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 235) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 235

Resolved, That for the first session of the Eighty-ninth Congress, the expenses of conducting the studies, investigations, and inquiries authorized by H. Res. 35, Eighty-ninth Congress, acting as a whole or by subcommittee, not to exceed $262,000, including expenditures for employment of experts, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Interstate and Foreign Commerce shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendments:

On line 1, after the word "*Resolved,*" strike out "That for the first session of the Eighty-ninth Congress," and insert "That, effective January 3, 1965,".

On line 5, after the word "subcommittee" insert "of the Committee on Interstate and Foreign Commerce".

The committee amendments were agreed to.

The resolution was agreed to.

The title was amended so as to read: "Resolution providing funds for the Committee on Interstate and Foreign Commerce for the Eighty-ninth Congress".

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR THE COMMITTEE ON THE JUDICIARY

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 88) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 88

Resolved, That, effective January 4, 1965, the expenses of conducting the studies and investigations authorized by H. Res. 19 of the Eighty-ninth Congress, incurred by the Committee on the Judiciary, acting as a whole or by subcommittee, not to exceed $250,000 including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House and the chairman of the Committee on the Judiciary shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendment:

On page 1, line 1, after the word "effective" strike out "January 4, 1965" and insert "January 3, 1965".

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Maryland [Mr. FRIEDEL] is recognized for 1 hour.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. GROSS. I note there is another resolution which would make available $90,000 for this same committee. Is that $90,000 for some special purpose or how do you explain the two resolutions providing money for the Committee on the Judiciary?

Mr. FRIEDEL. This is a special committee. This is to provide $250,000 for the full Committee on the Judiciary. The other resolution that the gentleman is referring to has to do with State taxation of interstate commerce and they will probably complete that investigation by June 30 of this year and that will be the end of that.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR THE COMMITTEE ON THE JUDICIARY UNDER PUBLIC LAW 86-272

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 123) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 123

Resolved, That, effective January 4, 1965, the expenses of conducting the studies authorized by Public Law 272 of the Eighty-sixth Congress, as amended, incurred by the Committee on the Judiciary, acting as a whole or by subcommittee, not to exceed $90,000, including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman of such committee and approved by the Committee on House Administration.

With the following committee amendments:

On page 1, line 1, strike out "January 4, 1965" and insert "January 3, 1965".

On page 2, after line 2, insert:

"SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on the Judiciary shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds."

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Ohio.

Mr. DEVINE. Mr. Speaker, in order to clarify the record on this, it is my understanding that the State taxation of interstate commerce division of the Judiciary Committee request is more or less terminal; that the $90,000 is the last to be asked for.

In previous years the investigation has been conducted. In fact, for the past 2 years the committee has had $355,277 authorized, but our subcommittee and the Committee on House Administration has approved the sum of $90,000 for a 1-year period, with the understanding that this will be terminal, to permit the committee to write a report and go out of business. Is that a correct understanding?

Mr. FRIEDEL. The gentleman is correct.

The SPEAKER pro tempore. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR EXPENSES OF STUDIES, INVESTIGATIONS, AND INQUIRIES AUTHORIZED BY HOUSE RESOLUTION 141, BY THE COMMITTEE ON PUBLIC WORKS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 142) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 142

Resolved, That, effective January 3, 1965, the expenses of the studies and investigations to be conducted pursuant to H. Res. 141 by the Committee on Public Works, acting as a whole or by subcommittee, not to exceed $960,000, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, as the chairman deems necessary, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. The chairman, with the consent of the head of the department or agency concerned, is authorized and empowered to utilize the reimbursable services, information, facilities, and personnel of any other departments or agencies of the Government.

SEC. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Public Works shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendment:

On page 1, line 4, strike out "$960,000" and insert "$450,000".

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR THE EXPENSES OF STUDIES, INVESTIGATIONS, AND INQUIRIES AUTHORIZED BY HOUSE RESOLUTION 112, BY THE COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 237) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 237

Resolved, That effective January 3, 1965, the expenses of the studies, investigations, and inquiries authorized by H. Res. 112, incurred by the Committee on Science and Astronautics, acting as a whole or as a duly authorized subcommittee, not to exceed $250,000, including expenditures for employment, travel, and subsistence of attorneys, experts, and consultants (including personnel of the Library of Congress performing services on reimbursable detail) and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

With the following committee amendment:

On page 2, insert:

"SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Science and Astronautics shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds."

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INVESTIGATION AUTHORIZED BY HOUSE RESOLUTION 13

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 239

Resolved, That effective January 4, 1965, the expenses of the study and investigation to be conducted by the select committee created by H. Res. 13, not to exceed $325,000, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

With the following committee amendments:

On page 1, line 1, strike out "January 4, 1965" and insert "January 3, 1965."

On page 1, line 4, strike out "$325,000" and insert "$300,000".

Page 1, after line 9, insert:

"SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Select Committee on Small Business shall furnish the Committee on House Administration information with respect to any study or investigation to be financed from such funds."

The amendments were agreed to.

The resolution as amended was agreed to.

A motion to reconsider was laid on the table.

NECESSARY EXPENSES OF COMMITTEE ON WAYS AND MEANS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 182 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 182

Resolved, That, effective January 3, 1965, in carrying out its duties during the Eighty-ninth Congress, the Committee on Ways and Means is authorized to incur such expenses (not in excess of $85,000) as it deems advisable. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

With the following committee amendments:

On page 1, line 4, strike out "(not in excess of $85,000)" and insert "(not in excess of $35,000)".

On page 1, after line 8, insert:

"SEC. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Ways and Means shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds."

The amendments were agreed to.

The resolution as amended was agreed to.

A motion to reconsider was laid on the table.

COMPENSATION TO CERTAIN EMPLOYEES OF COMMITTEES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 240 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 240

Resolved, That there shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay the compensation for services performed during the period which begins immediately following the date of expiration of the thirty-day period referred to in H. Res. 146, Eighty-ninth Congress, dated January 28, 1965, and ends at the close of February 28, 1965, by each person—

(1) who on January 2, 1965, was employed by any standing committee or any select committee of the House in the Eighty-eighth Congress and whose salary was paid under authority of a House resolution adopted during the Eighty-eighth Congress, and

(2) who is certified by the chairman of the appropriate committee of the House as performing such services for such committee during the period covered by this resolution.

Such compensation shall be paid to such person at a rate not in excess of the rate which such person was receiving on January 2, 1965.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from California.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman please explain the purpose of this resolution?

Mr. FRIEDEL. This is a continuing resolution. There are two committees that have not received any funds; the Post Office and Civil Service Committee and the Merchant Marine and Fisheries Committee. The employees who are on the payroll as of January 2 would continue on the payroll with the same salaries.

Mr. LIPSCOMB. This resolution then just applies to those two committees?

Mr. FRIEDEL. Those are the only ones I know of.

Mr. LIPSCOMB. They are the only two committees for which the gentleman's committee has not approved a resolution for additional funds?

Mr. FRIEDEL. The Merchant Marine and Fisheries Committee, the Post Office and Civil Service Committee; and, I understand, the Housing Subcommittee of the Committee on Banking and Currency.

Mr. LIPSCOMB. The gentleman means that this affects the Housing Subcommittee, too?

Mr. FRIEDEL. If the employees were on the payroll as of January 2, for that subcommittee, they would be continued on the payroll.

Mr. LIPSCOMB. I understand that there was no resolution before the committee to take care of that; is that correct?

Mr. FRIEDEL. There is no resolution before the committee.

Mr. LIPSCOMB. Do we have any assurance that there will be such a committee?

Mr. FRIEDEL. The gentleman heard the chairman of the committee, the gentleman from Texas [Mr. PATMAN], say that he was introducing a resolution when he learned of the situation.

Mr. LIPSCOMB. But the staff is still on the payroll?

Mr. FRIEDEL. I do not know if they have any staff or not. The only two committees I know of are the Merchant Marine and Fisheries Committee and the Post Office and Civil Service Committee. There may be employees on the other committee.

Mr. LIPSCOMB. Is the gentleman saying that this resolution, House Resolution 240, was introduced in order that the Committee on Merchant Marine and the Committee on Post Office and Civil Service could continue to pay their staff, because the gentleman's subcommittee has not acted on their resolution?

Mr. FRIEDEL. That is correct.

Mr. LIPSCOMB. So this affects just those two committees?

Mr. FRIEDEL. That is correct. If they have employees on the Housing Subcommittee, who are still employed, they would be covered under this resolution, too.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. GERALD R. FORD. What is the termination date of this resolution?

Mr. FRIEDEL. February 28.

Mr. GERALD R. FORD. And it covers how long a time?

Mr. FRIEDEL. So they may be covered for the month of February; that is all.

Mr. GERALD R. FORD. They shall be paid for the month of February as a result of this resolution?

Mr. FRIEDEL. That is right.

Mr. GERALD R. FORD. May we expect that there will be a resolution on the budget problem for the Committees on Post Office and Civil Service and Merchant Marine and Fisheries within the next 30 or 31 days?

Mr. FRIEDEL. I hope they will get their budget before our committee, take it up with the Committee on Rules, and we hope to appropriate within the next 2 weeks.

Mr. GERALD R. FORD. Have we the assurance of the gentleman from Maryland that that will be the case; certainly before the end of the next 31-day period?

Mr. FRIEDEL. I can almost assure the gentleman that that is so, although I cannot say so positively.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. GROSS. Can the gentleman tell us why these two committees have not made an application to the House Administration Committee for funds?

Mr. FRIEDEL. The two committees that I know of have not even appeared before the Rules Committee for a rule.

Mr. GROSS. Does the gentleman have any idea why they have not taken the necessary and proper steps to get their money?

Mr. FRIEDEL. I have not any idea.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRESIDENT'S MESSAGE ON THE NATURAL BEAUTY OF OUR NATION

Mr. DUNCAN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DUNCAN of Oregon. Mr. Speaker, just 16 days ago the President sent to this body his inspiring and imaginative challenge to all Americans to protect and enhance the natural beauty of our great Nation. He pointed out clearly one measure of this challenge was "the evolution of responsibility for the disposal of waste."

He described the fact that "in the last few decades entire new categories of waste have come to plague and menace the American scene." But the President reminded us as well, that while "we still do not have effective means of control" for disposing of some "technological wastes," that "in some cases we can control pollution with greater effort."

It is to expand this effort appreciably and effectively that I am introducing a measure today to authorize increased authorizations under Public Law 87-88, authored by the distinguished gentleman from Minnesota [Mr. BLATNIK], to assist State and local governments in their effort to insure that sewage and garbage "do not menace health or contaminate the environment."

The original Blatnik bill was and is a great step forward in the Federal Government sharing more fully in solving a national as well as a local problem, but the authorization is now too small to meet the great challenge ahead of us.

As the President said of these problems, "we cannot wait for slow evolution to deal with them."

During the period this Federal grant program has been in effect, the annual contract awards for waste treatment facilities have more than doubled, from an average of $220 million before 1956 to $550 million last year.

I am informed that from 1956 through 1964, 5,508 grants totaling $524.5 million have been made for waste treatment projects costing $2.9 billion.

This tremendous achievement can be better understood by realizing that these projects in the aggregate will provide adequate waste treatment for more than 48 million people, and improve water quality in more than 52,000 miles of rivers and streams and many additional miles of lake and ocean shoreline.

But what is the measure of the challenge before us? The States report that 5,700 communities need new sewage treatment plants or enlargements of existing facilities to serve about 36 million people. The total cost of these projects is estimated at $1.9 billion.

In addition to this need now, each year almost half a billion dollars in construction is needed to replace obsolete facilities and provide additional capacity needed by our growing population.

At the end of 1964 there were 1,511 requests for Federal grants in preparation or under review. If all were to be approved and accepted, it would require $184.8 million in Federal funds. The 1966 budget request of $100 million, the maximum presently authorized, would help provide for only 800 of these projects.

Therefore, Mr. Speaker, I am today introducing a bill to increase the authorization for Federal assistance to such projects to $200 million for fiscal 1966 and $200 million for fiscal 1967.

I would like to suggest to the Members of this body that we give study and attention to increasing the amount of the Federal share of such vital projects. Present law provides for grants of 30 percent, not to exceed $600,000.

Perhaps this should be increased to an equal sharing with the communities of the responsibility for protecting the health and beauty of America, with a substantial increase in the maximum Federal grant per project, or perhaps the elimination entirely of this restriction.

The need is great. The challenge has been presented to us in ringing terms by the President, to create a greater, more healthful, and more beautiful environment for the American people. My proposal today represents, in my judgment, a minimum step toward this goal.

FEDERAL SCHOOL AID BILL

Mr. AYRES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, the 88th Congress has received commendation for its outstanding work in the field of education. Certainly it devoted itself to creating greater opportunity for equality of training for all. Particular stress was placed on education for our less fortunate citizens. President Johnson was most laudatory in his remarks about our work in this most important field.

As a long-time member of the House Education and Labor Committee, I am fully aware that we must constantly try to improve the educational facilities. I have great faith in our local school administrators and the members of the various boards of education. They are dedicated people who work well with the funds available to them. I also have faith in the Governors of our various States. I know that they strive for constant improvement in their educational systems.

Hearings have been completed in the House Education and Labor Committee on the administration's Federal school-aid bill. We have been told that this measure was created so that help might be provided for large numbers of economically deprived children. It has been emphasized that here again is an "equal opportunity" measure.

We do know that some schools in large cities and impoverished rural areas are being overwhelmed by large numbers of school-age children whose environment leaves them unprepared to take advantage of educational opportunities.

I am most sympathetic toward this matter and at first glance at the proposed bill could but agree that the problem cried for solution.

Upon delving deeper into the measure however, I was shocked to discover that the very impoverished areas for which this measure was created were to have secondary consideration in comparison to the wealthiest sections of our Nation.

Under the proposed bill, 94 percent of the Nation's 3,000 counties would receive Federal funds and this includes the 10 wealthiest counties. These 10 rich counties would receive far more funds than the poorest counties for which the bill was intended. Certainly this is not "equality of opportunity," as is the avowed intent of the bill.

It is difficult for me to believe that the formula, as outlined in the measure, was the purpose of the drafters of the bill. I do not accuse them of any desire to mislead us.

Any county with at least 100 school-age children of families earning less than $2,000 a year is eligible. The amount of the Federal grant is figured by multiplying the total number of children from impoverished families by one-half the State average expenditure per public school pupil.

The weird results of this formula are shown in the following table, which compares the 10 wealthiest counties in the

United States with 10 of the poorest counties, and shows the benefits to each under the proposed bill. I include this chart at this point in my remarks:

Administration's school-aid bill—Federal funds for the wealthy

County and State	Family income data			School-age children		Funds for county in 1st year under administration's school bill
	Median income	Under $3,000	$10,000 and over	Number in families with less than $2,000 income	Percent of all school-age children	
		Percent	*Percent*			
United States	$5,660	21.4	15.1	4,911,143	11	$972,726,965
10 wealthiest counties:						
Montgomery (Md.)	9,317	5.5	44.6	2,343	2	572,864
Arlington (Va.)	8,670	6.0	38.6	1,347	4	235,725
Fairfax (Va.)	8,607	5.8	37.8	1,994	3	348,950
Du Page (Ill.)	8,570	5.9	36.0	1,853	2	443.794
Marin (Calif.)	8,110	8.8	33.4	1,278	4	338.670
Westchester (N.Y.)	8,052	8.0	36.3	6,210	3	2,189,026
Bergen (N.J.)	7,978	6.4	32.1	4,631	2	1,315,204
Union (N.J.)	7,746	7.8	30.5	3,743	3	1,063,012
Montgomery (Pa.)	7,632	7.4	30.7	3,535	3	857,238
Fairfield (Conn.)	7,371	9.3	29.1	5,629	4	1,553,604
Total eligible children and funds				32,563		8,918,087
10 poor counties:						
Grant (W. Va.)	$2,437	64.0	3.0	833	35	124,950
Falls (Tex.)	2,287	60.6	4.0	2,233	41	432,086
Sunflower (Miss.)	1,790	68.1	3.9	6,184	42	745,173
Knox (Ky.)	1,722	70.5	1.7	3,137	39	470,550
Tensas (La.)	1,683	70.9	3.3	1,651	41	329,375
Williamsburg (S.C.)	1,631	68.3	2.5	6,118	41	810,000
Sumter (Ala.)	1,564	72.3	2.7	2,790	43	390,600
Holmes (Miss.)	1,453	72.0	2.8	4,543	52	547,432
Breathitt (Ky.)	1,432	76.0	2.0	1,998	39	299,700
Tunica (Miss.)	1,260	77.8	3.7	2,965	54	357,283
Total eligible children and funds				32,452		4,507,149

Sources: U.S. Department of Commerce, Bureau of the Census, "County and City Data Book"; Committee on Education and Labor, House of Representatives, "Education Goals for 1965" (Committee print), pp. 65-126.

Mr. Speaker, as this analysis shows, the 10 wealthiest counties have nearly the same number of impoverished children as the 10 poor counties; in the wealthy county these children represent a very small percentage of the school-age population—from 2 to 4 percent—but in the poor counties the impoverished children account for 35 to 54 percent of all the school-age children.

In the wealthiest counties children from impoverished families attend some of the finest schools money can buy; schools which are among the best in the world. In the poorest counties, children attend schools that reflect the poverty in the area.

Yet the astounding effect of the administration's school-aid bill, as this analysis shows, is that the 10 wealthiest counties of all the 3,000 counties in the Nation receive twice the amount of money as the 10 very poor counties. The 10 wealthy counties, with 32,000 impoverished children, would receive $8,918,087; the 10 poor counties with 32,000 impoverished children would receive $4,507,149.

This is an incredible result. The rich get richer and the poor get very little. Let me cite some specific examples of how this bill would work. I think that you will then agree, Mr. Speaker, that drastic changes are in order.

Montgomery County, Md., the home of many thousands of Federal employees, is the wealthiest county in the United States. This county, with an abundance of taxable wealth and splendid schools attended by rich and poor alike, has a median family income of $9,317, far above the national average—44.6 percent of its families have an annual income of $10,000 or more, compared with 15.1 percent for the Nation. Only 2 percent of its school-age children—2,343—come from families with less than $2,000 annual income. Wealthy Montgomery County would receive $572,864 from this bill.

Compare this with the poorest of all the Nation's counties, Tunica County, Miss. The median family income in Tunica is $1,260, only 22 percent of the national median family income; and 77.8 percent of its families earn less than $3,000 per year. Over one-half—54 percent—of its school-age children are from families with less than a $2,000 income. There are 2,965 such children in Tunica. Yet Tunica County would receive only $357,283 from this bill—or $215,581 less than wealthy Montgomery County.

Mr. Speaker, this situation is even more ridiculous when we consider that Montgomery County last year got nearly $4 million in Federal impact aid for its schools. In fact, the second and third wealthiest counties in the United States are nearby Arlington and Fairfax in Virginia, and these three wealthiest counties last year received over $11 million in impact aid for their schools. Under this bill, they would total over $1 million additional Federal aid for their schools.

I am not picking on these three counties, but this bill is a strange way to fight poverty in our schools.

One more example should suffice to show that the administration bill is wildly inconsistent with its supposed purpose of concentrating Federal funds in poverty-ridden schools. Compare Westchester County, N.Y., and Williamsburg, County, S.C. Each has just over 6,000 school-age children from families with less than $2,000 annual income.

Westchester is the sixth wealthiest of our 3,000 counties. Its impoverished children represent only 3 percent of its total school-age population. Its schools are about as good as money can buy. If more money is needed to help the schools, Westchester County should be able to find it.

Williamsburg is one of the Nation's poorest counties. Its median family income of $1,631 is one-fifth that of Westchester's; and 41 percent of its school-age children come from families with under $2,000 annual income. Yet, with the same number of eligible children, Williamsburg County would receive $810,000 from this bill, less than one-half the $2,189,026 that would flow into Westchester County.

Mr. Speaker, our committee may tinker with this bill, but mere tinkering is not enough. For example, we could raise the qualifying family income level to $3,000 and cut the percentage of the State per pupil educational expenditure to 25 percent. That would change a few of these appalling figures a few dollars one way or the other, but it would not change the overall effect.

We need a whole new look at the problem of educational finance and a whole new approach from that found in this bill. Surely the States themselves, if they were permitted to distribute these funds, would not squander $9 million on our 10 wealthiest counties.

Mr. Speaker, I do not speak out, here on the floor of the House, in a sense of partisanship. I would call the attention of the House to the inequities in this measure. I believe that you can but agree with me that this bill does not meet the objectives for which it was intended.

If we were to be honest, we would retitle this bill and change it to read: "A bill to assist schools by providing the most help where it is least needed and the least help where it is most needed."

Equality of opportunity through education should indeed be our goal. The proposed bill does not further our attempts to bring this most worthy objective into reality.

THE DIFFICULTY IN ACCEPTING THE REASONING OF THOSE WHO ADVOCATE NEGOTIATED PEACE IN VIETNAM

The **SPEAKER** pro tempore (Mr. ALBERT). Under previous order of the House the gentleman from New Jersey [Mr. GALLAGHER] is recognized for 60 minutes.

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, it is difficult to accept the reasoning of those who advocate, at this time, a so-called negotiated peace in Vietnam. Need we be reminded that the aggressions of the Communist Vietcong, supported and directed by the Communist government of North Vietnam, and encouraged by the Government of Red China, are already a violation and abuse of a negotiated peace?

It is even more difficult to rationalize the statements of those responsible citizens who urge withdrawal from South Vietnam. This we must view in the harsh light of political realism as a first step toward ultimate abandonment of the free nations of southeast Asia to Communist control.

In the face of some stepped up Communist pressure in South Vietnam and mounting political frustrations, an easier course may appear, at least for the present, to be one of those actions.

I am certain that situations somewhat like that which confronts us in southeast Asia are precisely what the late President Kennedy had in mind when he said in his inaugural address, "Let us never fear to negotiate, but let us never negotiate from fear."

Certainly we must keep open the door to negotiation, but shall we fall on our knees and hammer on a door that was slammed on our face? If we are not to negotiate from fear, let us not negotiate either from a position of "peace at any price." Let us walk in dignity to any conference table but let us not run before anyone is there. To compel negotiation at a time when it appears that the psychological and political resources of the defender are at a momentary low ebb is the long-range objective of the Communists in their war of insurgency. Negotiation under these circumstances is capitulation, and I do not believe the American people are any more in favor of giving ground to the Communists in southeast Asia than they are in favor of abandoning our positions in Europe or Korea.

Hanoi and Peiping have been intractable in their demands that we not only terminate our assistance to South Vietnam, but that we surrender the entire western Pacific to Communist domination. This hardly leaves room for genuine negotiations at a conference table.

The fact is that there already have been two political settlements with the Communists in southeast Asia; the Geneva accord on Vietnam in 1954, and the Laotian agreement in 1962. Both of these conferences attempted to effect a permanent settlement by political means. The agreement at Geneva committed North Vietnam and Communist China to respect the independence of South Vietnam. But since 1954 these two countries have masterminded the Vietcong campaign of terror against South Vietnam. They have continually violated the Geneva agreement by providing material support to the Vietcong, and in the case of Hanoi, by providing thousands of soldiers and technicians to the Vietcong—the stepchild they have tried to foist off as a homegrown "liberation front."

Furthermore, the ink was still moist on the Laotian agreement in 1962 when it became clear that North Vietnam was not withdrawing its military personnel, as required by the agreement; that North Vietnam was using the corridor in Laos to supply men and equipment to both the Pathet Lao and the Vietcong, again in violation of the agreement; that in short, Hanoi and Peiping still had no intention of abandoning their expansionist plans among their Asian neighbors.

Negotiation at this time and under existing circumstances would be merely a renegotiation of the Geneva agreement and once again the only thing to be negotiated is our part of the last negotiation, South Vietnam. Under existing conditions, the advantages would be wholly on the side of the Communists.

Negotiated settlements mean absolutely nothing unless they are kept. If the Communists cannot keep the agreements they already have signed in regard to southeast Asia, what reason is there to believe they would keep a new one?

Since the beginning the Vietcong campaign has been directed politically and militarily by the Communist regime in North Vietnam. With typical Communist inconsistency, Hanoi has, from time to time, dropped the masquerade, and admitted that its objective is to "liberate" South Vietnam by all the means at its disposal.

The Vietcong effort is supplied by weapons and equipment sent by North Vietnam which is in turn supported by Red China. And there is substantial evidence that the flow of Chinese Communist weapons and military supplies has been increasing steadily.

Our Military Establishment also has proof that the infiltration of North Vietnamese military personnel into South Vietnam has strongly increased during the past year. Although much of the Vietcong enlisted force is recruited in the south, largely through intimidation, the hard core units, including most of the Vietcong leaders and technicians, are supplied from North Vietnam.

The talk of neutralization and abandonment of our commitment in southeast Asia gives new validity to the argument of the Communists that we will grow tired, impatient, and weary in Vietnam and retire and leave the field to them and that their conquest will be won by default.

It seems to me that this is the biggest impediment to a diplomatic termination of the agony of Vietnam. Diplomatic termination will come only when we demonstrate our resolve to protect freedom, and reassure them of our staying power.

Our President has made it clear that we are willing to withdraw as soon as the foreign powers supporting the Vietcong leave the field and live up to commitments they agreed to in 1954 and 1962, which means a free nation in South Vietnam.

Does such a thing exist as unilateral negotiation? For if Peiping and Hanoi remain intractable in their right to subvert a free government in violation of our existing agreements, what is there to negotiate except the abandonment of freedom? It would mean stepped-up military activity on their part and a need for an accommodation with the Communist powers by those who are now free in southeast Asia, as well as a defeat by default on our part.

Can anyone seriously believe that neutralization of South Vietnam would not mean immediate Communist takeover there and a new battle beginning in Thailand the next day?

The advocates of such a policy must understand that our abandonment of commitments to protect freedom in southeast Asia is a recognition that we expect Communist China to absorb all of southeast Asia. Are we prepared for some future negotiations for the partitioning of Hawaii which is on the collision course of the Communists on their way to Seattle?

Vietnam must be viewed in its military and political context and as its status relates to the whole of southeast Asia. I do not necessarily subscribe to the so-called falling domino theory, which to my mind is an oversimplification of the problem. I am certain, however, that abandonment of South Vietnam to the Red hordes of China and North Vietnam, either through negotiation or withdrawal of military support, will lead to increased Communist pressures on the other countries of southeast Asia and their eventual takeover by the Communists.

We are not seeking in South Vietnam only to save a nation. We are attempting to hold a militarily strategic land area encompassing four countries without committing the U.S. military in forces of sufficient size to do the job itself. Our goal is to eventually bring about in all of those countries—South Vietnam, Laos, Cambodia, and Thailand—the political, economic, and military stability that will permit them to stand alone as free nations and free from Communist aggression or subversion.

We must weigh, the strategic importance of South Vietnam as a critical landmass bordering the South China Sea and as a holding point against Communist military aggressions in Malaysia and the other independent countries that dot the south Pacific. They are themselves of strategic value because they stand as outposts along the airlanes and sealanes that lead to Australia, New Zealand, Japan, and the Philippines.

We must consider South Vietnam as a holding point essential to the continued independence of Thailand, Cambodia, Laos, and Burma as tenuous as that independence may be. Occupation of the landmass incorporated in those countries would give Red China a corridor to and control of the Indian Ocean.

These are the military factors that must determine our policies and actions in that part of the world. South Vietnam is a link in the free world perimeter and I do not expect that a marauding force of Communist guerrillas, no matter how well supported by the Communist governments of North Vietnam or Red China, will be able to snap that link or thwart the determination of the United States and her allies to stand unyielding on a line that was defined and agreed to in the Geneva accord of 1954. That accord is not subject to renegotiation so long as the Communist government of Ho Chi Minh continues to support and direct from its command post in Hanoi a campaign of terror and insurrection in South Vietnam in total disregard of conditions to which it agreed a decade ago.

To talk of new negotiations when the Communists show no inclination to honor past agreements is merely a sign to them of weakness on our part. To talk of withdrawal from South Vietnam merely encourages the schemers in Hanoi and Peiping to plan new aggressions in southeast Asia.

I returned recently from a factfinding trip to South Vietnam convinced that all in that country is not as bleak as newspaper accounts from Saigon would indicate. The years of intelligent and dedicated work by U.S. military advisers in organizing and training the South Vietnam Army and the regional and popular forces are showing even better results. I was impressed too, by the desire of the South Vietnam forces to fight and die in defense of their country and its freedom and each day they are doing just that. Increasing numbers of technically qualified officers and noncommissioned officers and specialists are being graduated from army schools which are conducted under our guidance. This phase of our effort brings improvement throughout the armed force. I was assured by U.S. military advisers that the leadership and command of the South Vietnamese Army are improving.

I was impressed by the assurances of our advisers that the efficiency and combat effectiveness of the greater number of units in the regional and popular forces are improving. Certainly the army and its reserve elements do not measure up to our standards, but George Washington's army was thought to be substandard when it fought for freedom. The South Vietnamese Army was described to me by U.S. officers as being, "sophisticated and well trained considering the relatively few years it has been organized." It would be, in my opinion, sheer folly to abandon our military advisory effort at a time when its years of effort are showing cumulative results.

I was similarly encouraged by favorable reports by U.S. Air Force advisers who are helping to train the fledgling South Vietnam Air Force.

The United States has a tremendous investment in that military force and I shudder at the prospect of turning it over—rifle stock and gun barrel—to the Asian Communists, which is what could well happen as the result of renegotiation at this point and what would certainly happen if we were to withdraw our support from South Vietnam.

During my stay in South Vietnam I was made aware of the many accomplishments of our Agency for International Development whose programs parallel our military effort in that country. Here, too, the many years of dedicated effort by AID men and women are bearing fruit. Our investment in dollars and human effort is too great to consider abandonment.

There is no easy path to the accomplishment of our whole task in South Vietnam—nor is there a shortcut. The trail is long, arduous, frustrating, and complex.

I rise, Mr. Speaker, to voice my full support for the manner in which President Johnson and his administration has responded to the events of the past several weeks in Vietnam. Many Americans tend to reduce complicated issues such as Vietnam to fairly simple alternatives.

The Chief Executive—who is privy to far more information and many more considerations—must avoid what often appears to be the easy and most popular course and choose the course that reflects the best interests of the American people and the free world.

Let none delude themselves that the conflict in South Vietnam has been a civil war. The aggressive actions of Hanoi and Peiping have made the fate of South Vietnam our most important responsibility in world affairs today. This is not, Mr. Speaker, a partisan issue. I would like for the RECORD to state that the actions taken by President Johnson on Vietnam have the support of former Presidents Truman and Eisenhower, British Prime Minister Wilson, the distinguished minority leader of the Senate, the Honorable EVERETT DIRKSEN, Gen. Lucius Clay, Gen. Mark Clark, and Ambassador Henry Cabot Lodge.

If we are to remain a great power, risks such as we are taking in South Vietnam are unavoidable. But we should realize that the risks of inaction are surely as great as the perils of action. If some risk had been taken on behalf of Poland in 1938, the Second World War could conceivably have been avoided.

We should have learned from that experience and many others since that no nation's independence is expendable, that every loss of freedom on the part of some other people chips away at our own and merely postpones an inevitable showdown with the forces of aggression. We are supporting ourselves in supporting the people of South Vietnam.

There must not be any American Dienbienphu. Let us not negotiate ourselves into one, either, for the effect could be the same.

Mr. Speaker, I would like to recall to this House the text of the joint resolution of the 88th Congress last August in support of President Johnson's response to the Gulf of Tonkin attack:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.
>
> The United States regards as vital to its national interest and to world peace the maintennace of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Mr. Speaker, President Johnson deserves our support on Vietnam at this time—even more than he did last August. I am confident that the Congress and the American people will continue to support him. Let us be ever mindful that our security and the security of the free world depends in large measure on our success in Vietnam. It is his determination to assure our security which guides the President in the difficult decisions he must make in this critical situation.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the distinguished majority leader.

Mr. ALBERT. First, Mr. Speaker, I desire to associate myself with the remarks of the able gentleman from New Jersey, who is a very industrious, constructive, and effective member of the Committee on Foreign Affairs. He has stated this matter succinctly and he has stated this matter well. I commend him on the high quality of his statement.

Next, Mr. Speaker, I cannot let this discussion pass without taking the opportunity to speak out in support of the courageous and difficult policy President Johnson has followed in the Vietnam crisis.

Let me, at the outset, disassociate myself from those who would question the motives of those who disapprove of these policies. God knows, Mr. Speaker, these are not days of ease and comfort in our Nation's life. American men are engaged in a life and death struggle in Vietnam. Their own lives and the life of this Republic are both involved. If we believe, as I believe, that a democratic society can best make its greatest decisions through discussion, then we must encourage free and searching discussion of this problem. We can only have such a discussion if we are prepared to assume that difference of opinion does not involve divergence of objective—that those who agree with the details of a given policy are not necessarily more patriotic that those who disagree.

Further, Mr. Speaker, I hope we can all find common ground on the proposition that neither political party can gain any partisan advantage from this debate. There are vast areas of public policy in which each of the two great political parties can, with pride, point to its own position and criticize that of the other party. But in foreign policy, when the future of the whole people is the stake, a striving for partisan advantage is, at the very least, in poor taste. I hope we can avoid it now, and in whatever circumstances the present crisis may bring forth.

Mr. Speaker, I support the President. I support him because it seems to me that he is making every effort to prevent the collapse of an important bastion of the free world. I support him because he has adopted a cautious policy of the use of American strength on a scale precisely measured to fit the needs of the situation.

We could, of course, lash out against the Vietcong or their allies with all the overwhelming strength of American arms. We could bring to all of Indochina—perhaps all of southeast Asia—the all-pervading peace and quiet of the graveyard. This is a solution that is not open to us alone. If it were a morally acceptable choice—which I question—it would still hardly be a strategically sensible option.

At the other extreme of the spectrum of choice lies paralysis or retreat. We could let a healthy respect for what can happen degenerate into a craven fear of the consequences of any action at all.

Hesitating—and Mr. Speaker, we ought to hesitate—before we throw ourselves fully into an all-out war, we could decide that no risks are worth such stakes.

President Johnson has shown himself to be able to steer capably between both these dangerous alternatives. He has used force effectively. He has used it in a way and at a level calculated to make our position in southeast Asia crystal clear—and yet he has neither plunged over any brink himself, nor has he pushed our adversaries nearer to one.

I am reminded, in these critical days, of the tense 2 weeks in October 1962, when John F. Kennedy was guiding the Nation—and the free world—through what we all knew could have been its ultimate crisis. In those dramatic days, John F. Kennedy coolly weighed the alternatives, courageously prepared himself to wield the mightiest weapons man has ever developed—and patiently sought a means by which those weapons might remain unused.

He succeeded and his Vice President, who sat with him throughout that 2 weeks, and who has now succeeded to those awful responsibilities—is following that same prudent, proud, and patient path.

Lyndon Johnson's task is, if anything, more difficult. The nature, even the identity, of our enemy is more obscure. The strategic stakes and the tactical imperatives are less obvious. In the Vietnamese crisis, to an even greater extent than in the Cuban missile crisis, the full facts, in all their intricacy, must of necessity, be known only by the President and his immediate advisers.

During the Cuban crisis, there was an outpouring of national dedication to the task ahead that must have been very encouraging to President Kennedy. People who had, a week earlier, bitterly criticized the President, then picketed the White House in support of his stand. Without knowing of and drawing strength from, the ability of this great people to face whatever the dawn might bring, even the cool courage of John Fitzgerald Kennedy might not have been equal to the task.

Today, with the stakes as great, with the need for patience, understanding, and courage even greater, the President of the United States deserves to be told that his countrymen are behind him. Debate and honest criticism are very much in order—as they always are among freemen.

But expressions of what I believe to be the sentiments of the great majority of the American people are also in order.

Mr. Speaker, I hope this discussion will show the President—and the tough-minded adversaries he faces on our behalf—that his prudence meets our demands, his determination is matched by our readiness to support him, and his courage is rooted in that of a free people.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the distinguished chairman of the Committee on Foreign Affairs.

Mr. MORGAN. Mr. Speaker, the distinguished gentleman from New Jersey is to be commended for securing this time to focus on U.S. policy and actions in Vietnam. As chairman of the Foreign Affairs Committee, I have kept posted on developments in that troubled area, and I am personally convinced that President Johnson is cautiously following a course of action there which is aimed primarily at serving our long-range security interests and needs.

The constant probing aggression of the Communist forces in Vietnam is proof of their savage and implacable resolve to impose their control in every area lacking strength to oppose their creeping conquest. We are in South Vietnam because it is in our security interest to help these people retain their freedom from Communist aggression. We are there at their request.

Our President has wisely followed the course of firmness in Vietnam. He has demonstrated a strong desire to achieve a realistic peace on honorable terms. He has shown every wish to limit conflict and steer the conduct of operations in Vietnam toward the goal of peace.

At the same time, the President has resisted premature demands for negotiations with the aggressors. We would all like to see negotiations leading to peace, but to negotiate now would be to repeat and compound the folly that lead Chamberlain to compromise with Hitler. Neither our generation nor those that follow us can forget the terrible aftermath of those futile negotiations.

While the situation has deteriorated in Vietnam, we must remember that the people of that country have had a long history of disunity, and unlike the British in India, the French, on departing, left no legacy of equipment for self-government. In spite of this, the struggle for freedom has gone on and in some respects has even improved recently.

This is not the time to urge the President to relax in the firmness of his policy. When the North Vietnamese give satisfactory assurances of a real desire for peace on honorable terms, there will be no problem in negotiating. Until then, the President deserves and merits our strongest support in his efforts to win our goals in Vietnam. We must never allow ourselves to forget that this is but another of many Communist probes, in which they tirelessly seek to press their conquests in areas where the free world might fail to marshal its forces to stop them. If we let premature negotiations cost us the eventual enslavement of South Vietnam, we can only look forward to a renewal and an escalation of Communist aggression in other areas.

Mr. Speaker, I appreciate this opportunity to express my full confidence in our President, in the Secretary of Defense, the Joint Chiefs of Staff, and in the bipartisan leadership who all stand united in support of U.S. policy in Vietnam.

Mr. GALLAGHER. Mr. Speaker, I thank the distinguished chairman of our committee. At this time I yield to the gentleman from Iowa [Mr. GROSS], a member of the Committee on Foreign Affairs.

Mr. GROSS. Mr. Speaker, I have asked the gentleman to yield so that I may read a short two-paragraph news dispatch of this afternoon. It is as follows:

> UNITED NATIONS.—Secretary General U Thant disclosed today he had been engaged in private discussions for some time with the United States and other parties to the Vietnam conflict and had made concrete proposals aimed at a negotiated settlement.
>
> He declined to disclose the nature of his proposals, but told a news conference he was confident a formula could be found which would end the fighting and enable the United States to withdraw gracefully once stability has been achieved.

Mr. Speaker, I wonder how this gentleman injected himself into the picture in the nature of a peacemaker or an alleged peacemaker?

Mr. GALLAGHER. Mr. Speaker, I thank the gentleman for his comments and observations. I think the statement he read reflects the desire of the administration to leave South Vietnam whenever the Communists decide to leave that nation to its freedom. If the Communists go on home and call off the war I am sure we would be happy to make a graceful exit.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, the gentleman from New Jersey has made a constructive and a statesmanlike speech, and I commend him for his firm statement of support for President Johnson's policy in Vietnam.

I want to join the gentleman from New Jersey, and our distinguished majority leader, in declaring my own support for the President's strong stand in Vietnam, and for his declared determination to prevent any expansion of Communist power in Asia.

This is an issue on which all Americans should stand united, and on which we can have only one Commander in Chief—the President of the United States.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Illinois.

Mr. MICHEL. Mr. Speaker, I want to say to the gentleman from New Jersey that I appreciate his having taken this special order to open up the discussion of this subject matter.

I do not happen to be one of those who feels that a discussion of this nature in the foreign policy field should be limited to the other body. It is a legitimate area for discussion in the House of Representatives.

I am sorry that I did not get to hear all of the remarks of the gentleman from New Jersey but I believe in essence I heard the greater part of them. I hope the gentleman will correct me if I am in error, but the gentleman takes the position, does he not at this time, that he is opposed to our going into any negotiations at the present time and that the gentleman's position in a general way would be opposed to one of neutralizing the area?

Mr. GALLAGHER. I believe that the gentleman from Illinois states the case with regard to my position on neutralization of South Vietnam.

I believe that history has demonstrated that the course of neutralization merely means a new Communist campaign of insurgency to begin the next day in another country.

I do not believe that it has ever been the policy of our country to refuse meaningful and honest negotiations. We are perhaps the greatest negotiators in history. But I do not believe we should run to a conference table at which no one has yet taken seats. I believe if we panic ourselves into a position of negotiation, disregarding our moral obligation not to barter away another nation's freedom, that this in itself would be the greatest detriment to a diplomatic termination of the struggle now going on in Vietnam.

Mr. MICHEL. If the gentleman will yield further, I recall the gentleman's reference to the year of 1938 at the time of the partitioning of Czechoslovakia.

I had occasion to look up the direct quote of Winston Churchill with reference to that in which he said:

> The belief that security can be obtained but by throwing a small state to the wolves is a fatal delusion.

Mr. Speaker, I feel that this statement is very apropos for the present day with respect to South Vietnam.

Might I ask the gentleman from New Jersey, if he will yield further, if he feels, as I do, that before we go into any negotiations, we want to go into such negotiations from a position of strength? How does the gentleman feel we could strengthen our position in South Vietnam in order to go to any kind of a conference table for a negotiation from that position of strength to which I am sure he referred?

Mr. GALLAGHER. I thank the gentleman for participating in this discussion as well as the other Members of this body. We are demonstrating staying power. The Communists seem to feel that we will grow tired and weary of the battle there and will withdraw. I think the President has demonstrated strength, prudence, and a desire to protect freedom. He is demonstrating the staying power of the United States.

Just today we have learned of the first use of heavy bombers in the fight in South Vietnam. So I think the demonstration of our determination to remain there, if need be, is the best way to let the Communist leaders know that we mean business and, perhaps, they will then live up to the agreements to which they themselves were a party in 1954 and in 1962.

Mr. MICHEL. If the gentleman will yield further, I am sure the American people are somewhat concerned over these frequent turnovers of government and of generals themselves tossing out one another.

Since the gentleman from New Jersey has just come back from that area, did he obtain any kind of impression as to whether or not the generals in the military themselves, the South Vietnamese, were wearying of the battle? Is there still that determination from top to bottom among the military in South Vietnam to the effect that the fight should continue to be joined?

Mr. GALLAGHER. Strangely enough, when you leave Saigon in South Vietnam and go out into the country you find a fierce determination on the level of field officers and company commanders as well as the provincial governors to continue the fight. These people are each day fighting and dying to protect their country and for the cause of freedom.

Of course, it is my own opinion—that until there is political stability in Saigon the military plans cannot move ahead in the field. In other words, if the field commander must keep one eye on Saigon and the other eye on the enemy, it is difficult for them to carry on the fight with maximum efficiency.

I think the forces that are presently there are sufficient to do the job, but no job can be done well unless we have political stability in Saigon. So, I think that the generals and religious politicians should start putting their country ahead of their own personal feuds.

Mr. MICHEL. Is this really the biggest deterrent or detriment to political stability?

Mr. GALLAGHER. The gentleman has stated it correctly. Political stability is the most significant detriment or deterrent to military victory and the saving of freedom in South Vietnam from the Communist aggressors. If they have stability I think we can move on to victory without escalation.

Mr. MICHEL. Does the gentleman feel our retaliatory strikes to date have been effective, and that they should be stepped up or continued?

Mr. GALLAGHER. No doubt they have been extremely effective. I think the Communists now know they are not going to have an easy time if they pursue their present game. They are no longer immune from the violence they enjoy handing out. It is becoming quite costly to them.

Mr. MICHEL. What answer would the gentleman have to those who argue or say we ought to recruit volunteers from some of the other neighboring Asian countries out there to help South Vietnam defend their own land or for that matter to carry on guerrilla warfare in the north?

Mr. GALLAGHER. I would agree to that. In some of the other countries that I visited on my way to Vietnam I found there is a growing desire to send troops and trained guerrillas, especially in the Philippines. They are prepared to send a regiment. They had a similar problem during the Huk uprising, so they are knowledgable to the ways of this war. There is a stability there now, freedom is flourishing. I think there have been five or six nations that already indicated a desire to send volunteers.

Mr. MICHEL. Does the gentleman feel our Government, as such, is giving sufficient encouragement to that venture?

Mr. GALLAGHER. Yes, I do.

Mr. MICHEL. I thank the gentleman for yielding.

Mr. GALLAGHER. I thank the gentleman very much for his remarks. They were most helpful.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I should like to join in commending the gentleman from New Jersey for taking this time to make possible a discussion of a subject that I think is more on the minds of the American people today than any single subject in America. I am sure the gentleman will be most encouraged to know that the very inspiring statement he made here in attempting to define American policy in Vietnam is supported by more than 83 percent of the American people.

It was my privilege to include in the RECORD last Monday the latest Harris survey which clearly indicates that 83 percent of the American people support President Johnson's policy of measured retaliation against military staging areas in North Vietnam from which the Communists launch their aggression against South Vietnam.

I am sure that the discusison here today in the House, being led by a distinguished member of the Committee on Foreign Affairs, will be of great solace and comfort to the people of South Vietnam. It gains in significance particularly when they hear of the statement made by the highly respected majority leader of this Chamber, the gentleman from Oklahoma [Mr. ALBERT], and also the statement of the very capable and dedicated Chairman of the Committee on Foreign Affairs of the House, Dr. MORGAN, all joining ranks behind President Johnson in his determined effort to keep the spirit of freedom alive in South Vietnam.

The gentleman from Iowa read a dispatch from the wire services which referred to efforts being made by Secretary General U Thant to resolve the problems in Vietnam. There also are reports that the British have been engaged in similar efforts to find a solution to this problem. Certainly we as Americans have no objection to either U Thant or the British, or any other responsible government, trying to find a solution to the problem of Vietnam. This indicates that Vietnam is not a battle in which we alone are involved, but one that properly concerns the entire world; at least that segment of the world which should be inerested in preserving freedom for the people of South Vietnam.

But I think that notwithstanding these efforts, well meaning as they may be, the President of the United States, Mr. Johnson, has set forth our policy as clearly and succinctly as anyone I know of, a policy that all Americans can support and rally behind regardless of their political affiliation. Mr. Johnson has made it clear that our position on South Vietnam is to remain there and continue helping them until the North Vietnamese Communists have withdrawn all their forces from South Vietnam; cease their aggression, and stop their subversion. We can then, and only then, begin seriously considering some form of discussion or negotiation for settlement of the conflict between North and South Vietnam.

I believe it would be unfair to President Johnson and indeed to our Government, to try to read into the actions of U Thant or the British action, some meaning that the United States plans to withdrawn its commitment to the people of South Vietnam. President Johnson has never closed the door to a discussion about methods to peacefully resolve the conflict but he has made it crystal clear that we shall remain in South Vietnam until the freedom of her people is secure from Communist aggression or subversion.

We have never refused to consider negotiations, but we are reminded that it was only 10 years from Manchuria to Pearl Harbor. It was only 18 months from Moscow to the rape of Poland. Both of these tragedies occurred while the world was negotiating.

We must never forget that we were negotiating in Panmunjon for 11 years. President Eisenhower went to Korea in 1953 in good faith. He won a truce while both sides were to negotiate a peace treaty. There were specific conditions laid down for this truce. One of the conditions was that the Communists would not move in any additional troops or firearms, aircraft, or ships or build any military installations in North Korea, and we would do likewise in South Korea. Yet the fact of the matter is that while we have been negotiating in Panmunjon, the Communists have moved large supplies of aircraft and munitions into North Korea during these past 11 years of negotiations. North Korea has become one of the most powerful Communist bastions in the world.

We are also aware that in Warsaw we have been holding informal discussions with the Peiping Communists. We have had more than 128 meetings with them. Not in one instance have they shown their willingness to stop their aggression and subversion in Asia and conduct themselves as civilized people.

In southeast Asia, indeed, there have been many other examples of negotiations, all failing to Communist infamy. We need only look at the broken Communist promises in Laos. Furthermore Mr. Speaker, we would not be in South Vietnam today if the North Vietnam Communists had not violated the pledges we negotiated from them in the Geneva Conference in 1954.

So it would seem to me, Mr. Speaker, that this discussion today is essential because it helps emphasize the determination of the American people to stand firm in South Vietnam.

It would be my hope that the Member in the well and the other members of the House Committee on Foreign Affairs would give careful and favorable consideration to House Joint Resolution 341, which I introduced last week. I should like to read it:

Announcing the sense of Congress in support of President Johnson's policy of measured retaliation against North Vietnam military installations as the situation requires.

Whereas the United States, during the administrations of President Truman, President Eisenhower, President Kennedy, and President Johnson, has been committed to a policy of assisting the people of South Vietnam preserve their freedom and independence from Communist aggression; and

Whereas the North Vietnamese Communists have in recent months stepped up considerably their aggression against both civilian and military installations in South Vietnam; and

Whereas this aggression has caused the serious loss of life to South Vietnamese soldiers and civilians and to American observers presently stationed in South Vietnam to help train South Vietnamese troops against Communist aggression; and

Whereas the President of the United States has had to order carefully measured retaliatory action against the North Vietnamese military staging areas where Hanoi and Peiping Communists have been or are being trained for aggression against South Vietnam; and

Whereas the President of the United States has made it abundantly clear that to withdraw American assistance from South Vietnam would expose the whole of southeast Asia to occupation by the Chinese Communist forces; and

Whereas such occupation would violate all the principles of the Geneva Conference of 1954 in which South Vietnam was guaranteed its independence and freedom from Communist aggression; and

Whereas withdrawal of American support from South Vietnam would only serve to hasten the day when Communist forces in Asia and China would wage all-out aggression against the rest of the world; and

Whereas the Hanoi and Peiping Communists have failed to show a single overt sign which would indicate the problems of Vietnam could be settled through negotiation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress, speaking for the American people, that

(1) This Nation stands firmly behind President Johnson's determination to wage carefully measured and meaningful retaliation against military installations in North Vietnam which serve as the staging areas for training Communist forces to carry on continued aggression against South Vietnam,

(2) That the people of the United States stand firmly behind the people of South Vietnam in their long and tireless efforts to preserve for South Vietnam freedom and independence, and

(3) The people of the United States, through their elected representatives in the Congress of the United States, send to the people of South Vietnam their heartfelt admiration for the great sacrifices which the people of South Vietnam have endured during the past twenty years in their struggle to retain self-determination and human dignity.

I sincerely hope the Congress will approve the resolution as a reaffirmation of our position in supporting President Johnson and the people of South Vietnam.

It would be my hope that this joint resolution would do much to strengthen the spirit of the South Vietnamese. Very often we hear people say, "Do the Vietnamese have the spirit to win?" Any nation, any people, who have survived and endured the hardships of Communist aggression and subversion for 20 years as the people of South Vietnam have done, certainly do not need any further proof of their will to win. While we are aware and concerned about the internal problems in South Vietnam, we must understand that these are problems which frequently follow in nations in turmoil. But the fact of the matter is that the South Vietnamese also have the right to ask to what extent the free world is ready to help them in their heroic struggle.

I think the gentleman from New Jersey [Mr. GALLAGHER] and the Members who have participated in this discussion have made a great contribution today in sending word to the people of South Vietnam and in the final analysis it is the people of a nation who really count—that we stand firmly along side of them in their heroic struggle and we shall remain in South Vietnam until her brave people can take their place among the free peoples of the world.

Again I congratulate the gentleman from New Jersey for leading this very significant discussion here today.

Mr. PIKE. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. PIKE. Mr. Speaker, I, too, want to congratulate the gentleman from New Jersey [Mr. GALLAGHER] for taking this time today. We have heard so much of the voices of criticism and the voices of opposition.

It is so easy to stand back and snap at a policy that somebody else has to carry out.

Mr. Speaker, we have heard very little of the support I feel is in the hearts of the American people. I appreciate the opportunity to add my own support today.

Mr. Speaker, in common with every other Member of Congress, I have received a great many letters from my constituents calling for "negotiations" to end the war in Vietnam. Almost without exception the writers refer to some vague "international guarantees" which can assure security there. Some call for "United Nations' guarantees of the peace," while others call for turning the matter over to the Southeast Asia Treaty Organization. These people are indulging in wishful thinking, and I would expect that deep in their hearts they know they are indulging in wishful thinking.

In the year 1954 there were negotiations of exactly the type which they request, and these negotiations resulted in the division of Vietnam into two nations, a North Vietnam which was to be Communist, and South Vietnam, which was not. The United States was not a party to these negotiations, nor to the Geneva accord which resulted from them, but it has abided by them.

The Communists of China, the Soviet Union and North Vietnam were a party to those negotiations, and that accord, and let us examine whether they have abided by them. From 1954 to 1959 the new nation of South Vietnam was becoming the success story in southeast Asia. One hundred and forty thousand landless peasant families were given land through an agrarian reform program. The principal crop, rice, jumped from the prewar production of 3½ million tons to 5 million tons by 1960. Rubber production exceeded prewar totals. School enrollments had tripled; primary school teachers had tripled; almost 3,000 medical aid stations and maternity clinics had been established throughout the country.

What had happened in North Vietnam? Its per capita gross national product was 38 percent lower than South Vietnam; its per capita food production was 10 percent lower by 1960 than it had been in 1956; so North Vietnam, which had participated in the negotiations, and which had signed the Geneva accord of 1954, cast hungry eyes southward.

In 1960 Ho Chi Minh stated that the north was being "more and more consolidated and transformed into a firm base for the struggle for national reunification." Just 6 years after the Geneva accord, the head of North Vietnam publicly declared his intention to violate it. To those who say that shooting is not the answer, I can only say, I agree. But let them remember that in 1959 the Communists embarked in South Vietnam on a program of sabotage, terror and assassination, in a program of attacks on innocent hamlets and villages, and on a program of the coldblooded murder of thousands of schoolteachers, health workers, and local officials who opposed their form of liberation. This was how the Communists who had signed it honored the Geneva accord.

In the years 1960 and 1961 almost 3,000 South Vietnamese civilians in and out of government were assassinated; 2,500 were kidnaped. So to those who say "Let us negotiate," I say, "What is the purpose of negotiating a new treaty with people who will not honor the treaty already negotiated?"

Negotiation is not an end in itself, but is only a means to an end. All of us recognize the frightful dangers implicit in an escalation of the war in Vietnam, or in the latter half of the 20th century of any other war, any other place, any other time. But does this mean that at all times and at all places we will make meaningless treaties rather than fight for those things to which Americans have always been most deeply committed? Do we fail to recognize the equally frightful dangers of making aggression easy and attractive? Have we learned nothing from the lessons of recorded history? Do we fail to recognize the dangers of an escalation of appeasement? The situation in South Vietnam is in a state of daily change, and we live in a time of peril where all of the alternatives are ugly alternatives, but I submit that the ugliest of all of them would be for an American retreat which would make aggression look easy and attractive.

In this time of change, the one thing which does not change, and the one thing which has not changed throughout recorded history, is that when aggression is allowed to become attractive anywhere, when aggression is allowed to become easy anywhere, when aggression is unopposed anywhere, then attractive, easy, unopposed aggression breeds more aggression, as surely as the night follows the day.

There are those who say that South Vietnam is not the right place to fight communism; that the South Vietnamese people and their leaders are neither the right people nor the right leaders with whom to fight communism. I believe that the place to fight communism is where communism is being fought. In 4 years of American military commitment in South Vietnam we had, as of February 15, lost 281 lives due to Communist military action. In the year 1964 alone, in the county in which I reside, we lost 202 lives in traffic accidents. I have not received one letter condemning the waste of lives upon our highways. We accept it as part of the American way of life, and it may be part of our difficulty that we accept too much as part of our American way of life; that we take the kind of government under which we have prospered so much for granted that we assume it to be some sort of inevitable divine right, and it is no such thing.

When we criticize the South Vietnamese, let us remember that for 4 long years the South Vietnamese people have suffered 5,000 fatalities a year in the fight against communism—fatalities at a higher rate in proportion to their population than the United States has ever incurred in any war it has ever fought. Can we say that such a people don't have the will to fight? Can we say that we should abandon such a people? When we criticize the instability of their government, and Lord knows we wish that a George Washington or a Ulysses S. Grant or a Robert E. Lee were to rise among them who could unite his people and coordinate their efforts, let us nevertheless remember that this is a nation just 11 years old, which has spent 5 of those years in stability and increasing prosperity, and 6 of those years under an outright subversion and attack.

I do not say that we should not ever negotiate. I certainly do not say that we have any desire to lose more lives in South Vietnam, or spend more money there, or broaden the war there. But I do say that it is in our own self-interest to demonstrate there, as we have been called upon to demonstrate time and again throughout our history, that aggression, whether overt or subversive, against the freedom and against the dignity of human beings, will not go unchallenged.

Two weeks ago the halls of this Chamber rang with voices saying, "Don't weaken the President's position in dealing with the Arab nations"; "Don't weaken the President's position in the conduct of our foreign affairs." What on earth are we doing to the President's position in the conduct of our foreign affairs when voices are raised in the Congress of the United States, saying, "We have to pull out of South Vietnam"? We have lost 281 lives fighting the Communists in South Vietnam. The South Vietnamese have lost over 20,000 lives fighting the Communists in South Vietnam. We talk about their will to fight, but what on earth do you think it does to their will to fight when the Halls of Congress ring with the demand that we abandon them?

America has to be something more than a hardware store selling fine military hardware. It must remain the principal advocate of those principles in which the free world believes if it is to retain any claim to its position as the leader of the free world. We believe in the right of human beings to guide their own destinies, and we believe in free elections as the means by which people guide their own destinies. We believe in social evolution through political means, and not through war, but we do not recognize kidnaping and assassination as legitimate political means.

The call will be for a neutralization of South Vietnam. In 1954 the call was for a neutralization of all of Vietnam. Any time that the Communists indicate any desire to abide by the Geneva accords, I believe that our people would be delighted to pull out of Vietnam. But I do not believe that so long as the Communists persist in the techniques of subversion, of bombings of civilians, of the kidnaping and assassination of civilian governmental officials, that our people are prepared to abandon another people who fight such techniques.

The Communists say, and the Communists believe, that we have lost the will to resist communism. Those who say, "Negotiate," are rendering a great disservice to the cause of freedom, unless they also say, "Negotiate from a position of strength. Negotiate not simply for the disengagement of American forces, but for the preservation of American ideals."

Perhaps we have lost our will; perhaps we have become too fat from eating what we should have saved; perhaps we have become too soft from riding where we should have walked; perhaps we have become too dulled from watching where we should have participated; perhaps we have become so spoiled from being one of the most pampered people the world has ever seen, that we have lost the will to respond to the cry of humanity in trouble.

I believe, and pray, that we have not. Our enemies have always underestimated us; our enemies have always underestimated our dedication to the cause of freedom, our determination that man shall be the master of his own destiny. Each generation of Americans in its time has been tested, and no generation of Americans has been found wanting. For us to be found wanting at this hour will not only mark the end of America's day as the leader of the free world, it will mark the beginning of the night for freedom everywhere.

The SPEAKER pro tempore (Mr. Price). Under previous order of the House, the gentleman from Illinois [Mr. Pucinski] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, I yield to the gentleman from New York [Mr. Stratton].

Mr. STRATTON. Mr. Speaker, I thank the gentleman for yielding to me. I would like to take just a moment to commend the gentleman from New Jersey [Mr. Gallagher] for taking this time so that all of us who feel, as he does, that the President is doing a brilliant job in handling the Vietnamese situation might have a chance to express that sentiment publicly.

The gentleman may recall that early in January I had occasion to speak briefly on the floor of this body to express my concern over the fact that some Members of the other body were talking about negotiating and talking about getting out of Vietnam. I had occasion then to say that I felt this was extremely dangerous, that this talk was jeopardizing our position there, and that it would be as foolish for us to pull out of the commitment we had made in Vietnam as it would have been to pull out of the commitments we had made in Greece or in Turkey or the commitment we had made in Berlin or the commitment we had made in Korea and in the Formosa Straits.

Since that time, of course, President Johnson has taken actions that reinforce, as the gentleman from New Jersey has pointed out, our determination to stay in Vietnam not only with the strikes against the north, but also, as today's news reports indicate, with American-piloted jet attacks against the Vietcong in South Vietnam. Both actions are designed to demonstrate to the Communists that their continued support of infiltration in the south will be increasingly costly to them and to convince them that perhaps they might agree to live up to the promise the gentleman from New York [Mr. PIKE] mentioned a moment ago they had made way back in 1954 and have since been violating.

I fully support President Johnson in these actions and I agree with what the gentleman from New Jersey says with regard to these demands for negotiation. There have been Members of the other body and there have been people in the press, too, who say, "Why does the President not go on television and tell us what our policy is?" Well, perhaps one thing that this special order today can do is to reiterate the very simple policy that, as I see it, we are following; namely, we are doing in Vietnam the same thing we did with the Marshall plan, the same thing we did in Greece and Turkey, the same thing we did in Berlin, the same thing we did in Korea, and the same thing we did in Formosa and in Cuba—we are resisting and trying to contain the spread of aggressive expansionist communism.

If we were to pull out of Vietnam now under such circumstances I think a very substantial part of what our courage and our money and our patience accomplished in years past would go down the drain, as the gentleman from New Jersey [Mr. GALLAGHER] has so eloquently demonstrated. Certainly there is no unwillingness on our part to sit down around a table and talk at any time. But as the gentleman from New York [Mr. PIKE] mentioned a moment ago, if the Communists are prepared to agree to get out of South Vietnam and to leave the South Vietnamese people alone, and to abide by the commitment they made in 1954, we would all be happy. But any other kind of agreement, any other kind of negotiation, would, as Senator DIRKSEN stated on the floor of the other body some days ago, be tantamount to running up the white flag of surrender. I believe our policy is that the commitment in 1954 be honored by the North Vietnamese Communists.

Mr. Speaker, I would like to say one further thing. The gentleman from Illinois [Mr. PUCINSKI] mentioned that the Gallup poll indicates that 83 percent of the people of this country are behind the President in this matter. I would like to add a personal experience to back that up. Over the past weekend I had occasion to go back to my district and, without feeling that this was necessarily the popular view, I took advantage of several speaking engagements to reiterate this particular position in support of the President on Vietnam. I would like to advise the gentleman from New Jersey that I was surprised and pleased to find the sentiment in my district of upstate New York overwhelmingly in favor of this policy and behind the President of the United States.

I think it is time, as the gentleman has said, for us here in the House to say this out loud, and make crystal clear that we in the Congress are not about to throw away the long and successful history of American responses to Communist expansion in critical areas around the globe.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Speaker, I should like to commend the gentleman from New Jersey [Mr. GALLAGHER] for his presentation today and for the opportunity which it gives all of us to discuss a very serious subject. This situation in Vietnam is, of course, quite sensitive, because there are admittedly differences of opinion back home and here in Washington, too, as to what the appropriate course of this country should be.

Let me state that in my opinion it is important that we remain firm with respect to our policy in Vietnam. In my opinion, also, our present policy is correct. It seems to me a most inopportune time for us to be considering publicly the possibility of a neutralization which almost surely would not be meaningful, of southeast Asia or of South Vietnam. It seems highly unlikely that discussions at this time would ever result in conditions that would bring about an end to the tensions which plague that area. For that reason I think we have really no alternative but to proceed along the course we have taken.

Unlike some, I do not believe this is a question of whether the Gallup polls support the position of the President of the United States. National policies need the support of public opinion, but public opinion should not be the decisive factor in determining the wisdom of national policies. Nor do I think it is a question of deciding whether or not the President is doing a brilliant job. There is room for differences of opinion about the way in which he is exercising his responsibilities for leadership.

I do feel, however, that we could undercut the vital interests of this country if we should, for one reason or another, decide to abandon what we have been doing. If we do not show steadiness of purpose, if we do not recognize that a firm response is necessary to the continuing subjugation and aggression which has been occurring, we might well contribute to the political instability in Saigon, which is presently one of the problems that South Vietnam faces. For that reason I think we should support the administration in its efforts to see to it that the Communists do not take over South Vietnam. Should this occur, it would inevitably increase the possibility of widening Communist aggressions still further. I should hope that differences of opinion among us will not confuse us as to the essentiality of what we are attempting and the justification for the course we are following at the present time.

Mr. GALLAGHER. I thank the gentleman for his enlightening remarks, his observations, and his contribution to the discussion.

Mr. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New Jersey.

Mr. DANIELS. Mr. Speaker, I thank the gentleman for yielding.

I wish to compliment my able colleague from New Jersey for his stand and views on this most important issue and wish to associate myself with him. Increasingly, we are hearing calls from colleagues in both Houses and from the press for negotiations leading to a political settlement in South Vietnam. The argument is made that neither side can win a guerrilla war in Vietnam, that the South Vietnamese people are weary and unwilling to support the war further, and that the United States and South Vietnam are risking a major conflict by bombing targets in North Vietnam.

The position of the U.S. Government is frequently interpreted as not favoring the idea of negotiations leading to a political settlement. Obviously, our Government wants the killing of soldiers and civilians in South Vietnam to cease. It wants to see an end to the wanton destruction of property, and the cruel disruption of the lives of the Vietnamese population. Our administration leaders have made it clear that the United States does not seek the destruction of North Vietnam. Our country seeks no special privileges or concessions in South Vietnam, and we would be glad if all our assistance could be channeled into the peaceful economic development of the country instead of into arms, military assistance, barbed wire, and floodlights.

The very real question before us today is: What is there to make us think that a new political settlement would solve the problems of South Vietnam when there has already been a political settlement?

On July 21, 1954, there was concluded at Geneva a treaty which bound the participants to respect the independence and territorial integrity of both North and South Vietnam, Laos, and Cambodia. These 1954 Geneva accords were agreed to both by North Vietnam and Communist China. North Vietnam specifically agreed to withdraw its military forces from South Vietnam and not to interfere in the internal affairs of that country.

The U.S. Government had reservations about a political settlement which handed over the entire territory of North Vietnam to Communist administration. Even though we did not subscribe to the Geneva accords, however, we issued a statement at that time promising to respect them and warning that we would view renewed Communist aggression in violation of the accords as a serious threat to the peace and security of the area.

We all know what has since happened.

The North Vietnamese Communists, confident that the chaotic political and economic situation existing in South Vietnam would soon lead to a total breakdown, bided their time for several years in the belief that South Vietnam would drop into their hands like a ripe mango. Meanwhile, the North Vietnamese had secretly left behind in South Vietnam a large number of Vietcong agents and numerous arms caches, ready to be activated in the manner of an explosive device when the proper time arrived.

When it became apparent to North Vietnam that South Vietnam was growing stronger instead of weaker, and would not easily fall victim to North Vietnamese subversion, the decision was taken in Hanoi, initially in 1957 and then on a more ambitious scale in 1959, to activate the subversive apparatus already present in South Vietnam and to step up the rate of infiltration of guerrilla fighters, arms, and terrorism into the southern part of the country. Last year, an estimated 37,000 guerrillas were infiltrated from North Vietnam into South Vietnam. This is the peak figure which has been steadily increasing during the past 5 years.

The South Vietnamese efforts to defend themselves, their appeal to the United States and other free world nations for assistance, and the events which have flowed from these Communist and South Vietnamese decisions are well known to all of us. Ever since 1954, on a day-month-and-year basis, the Communist North Vietnamese have willfully and systematically violated the Geneva accords they are pledged to observe. These violations have also extended to North Vietnamese obstruction of the work of the International Control Commission teams to inspect reported violations of the accords, which established the ICC's right of operation in both North and South Vietnam.

In these difficult circumstances, the South Vietnamese Government and people have and are taking military action to defend themselves. This action, and the U.S. military assistance given in response to requests for help from South Vietnam, is consistent with international law and with the Charter of the United Nations—every nation possesses the right of self-defense.

Since there already exists a political solution for Vietnam which has not been lived up to by the Communist side, what is present today which would make us believe that a new negotiated agreement would solve all our problems? Certainly the record of Communist actions since 1954 gives us no cause for assurance on this score.

The late President Kennedy once stated that we would never negotiate from fear, but that we would never fear to negotiate. The United States has never shut the door to negotiations on any matter. What is required in the present situation, however, is an end to North Vietnamese infiltration into South Vietnam and evidence that the North Vietnamese Government is prepared to leave its neighbors alone. The decision will be made by Hanoi. Should it decide to cease attacking its southern neighbor, I am confident that North Vietnam will find there is nothing inflexible about the policy of the United States. We want peace and security in South Vietnam.

Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, domestic critics of our Government's policy of extending military and economic support to South Vietnam are speaking and writing a great deal these days about the high and increasing number of American military casualties there, as well as the huge cost of maintaining our support effort to that southeast Asian nation. Some of these critics—and they are not military experts—are calling either for major increases in U.S. military involvement in the war in South Vietnam, or a total pullout of U.S. forces and support. The argument seems to run like this: If we cannot win the war in South Vietnam, or if the South Vietnamese cannot do it even with massive U.S. assistance, let us cut our losses and get out.

Another argument which the critics of U.S. policy in South Vietnam are using these days is that the South Vietnamese armed forces cannot or will not fight effectively against the Communist Vietcong. Some people claim that the Vietnamese soldier is lacking in aggressiveness. Others claim that he and his officers are unwilling to accept advice from their American military advisers.

Both these arguments, Mr. Speaker, are grossly unfair to the Vietnamese and American soldiers who are daily risking their lives—and in many instances dying—in the fields, swamps, and jungles of South Vietnam.

The record of both South Vietnamese and Americans in Vietnam today is one in which all Americans and other free world peoples can take pride.

Reports of individual heroism and self-sacrifice appear frequently in our newspapers and news magazines. Does anyone doubt the truth of these reports by experienced American news correspondents?

I remember reading of one recent case in which a village hamlet in South Vietnam was attacked and its outnumbered garrison overrun by the Communist Vietcong attackers. The hamlet defenders were not regular South Vietnamese armed forces, but a small detachment of the provincial Popular Forces—something like the State Guard in this country—assisted by two or three U.S. military advisers, I believe a lieutenant and two sergeants.

The Government forces radioed for help, which arrived too late to prevent heavy Government casualties, but the rescuing force succeeded in driving away the Vietcong. Among the survivors was a wounded Popular Forces soldier who had fired his machinegun until he ran out of ammunition. Then, although wounded, he had buried his weapon in the mud to prevent it from falling into the hands of the Vietcong.

During the week of February 7–13, the South Vietnamese armed forces suffered a greater number of casualties than in any similar period during the war. During the same period, the Vietcong likewise suffered more casualties than during any other week.

During that week, 290 members of the South Vietnamese armed forces were killed, 655 were wounded in action and 610 are missing in action. At the same time, the Communist Vietcong lost 795 dead and 105 captured. This may be considered a low estimate for Communist casualties, since the Vietcong carry away their dead and wounded with them whenever possible, and total figures cannot therefore be tabulated for the Vietcong.

All Americans can take very great pride in the personal courage and devotion which have been exhibited by our American military advisers. One Congressional Medal of Honor and numerous Silver Star, Bronze Star, and Air Medals—all awarded for bravery in combat—have been bestowed on our ground and air advisers. U.S. naval forces are also doing a fine job of supporting the South Vietnamese junk fleet, which patrols the coastline and guards against the introduction of Communist men and munitions by sea.

Mr. Speaker, our U.S. military advisers now serving in South Vietnam are aware of the criticisms which I mentioned at the beginning of my speech. Their wives and families clip these articles out of newspapers and magazines and mail them to South Vietnam.

Our military advisers in Vietnam are helping their Vietnamese counterparts fight a dirty, vicious, and extremely difficult guerrilla war. Of course they are not enjoying it, but they have both demonstrated great stamina and tenacity. The Vietnamese are not quitting, and they are profoundly grateful for our help. Our own soldiers are convinced of the necessity for their presence there, and that with our assistance the Vietnamese can win their fight against the Communists, if we on the home front continue to give them our full support.

Secretary of Defense McNamara told the Armed Services Committee last week that the situation in Vietnam is grave but by no means hopeless. This country has been in tough spots before, and has not survived all these years by throwing in its cards and walking away from the table when the going got rough.

Let us support our armed forces in South Vietnam. They are doing a crucial job out there for all of us. They deserve our full backing, no less than the South Vietnamese armed forces and people, as the record shows, deserve our full backing against a common enemy.

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, my esteemed colleague, the gentleman from New Jersey [Mr. GALLAGHER], has delivered a clear and penetrating outline of the problems in Vietnam.

Certainly it is obvious to one and all that the war in Vietnam is filled with complexities. We cannot, however, let this war serve as an exercise in futility.

No one wants war. I, too, am appalled that our American soldiers are dying on battlefields in Vietnam. Most of the persons with whom I have talked wish there were no fighting in Vietnam. So do I. However, these same people also express a desire that the United States not bow to this aggression by the Chinese Communists. These people know that surrender here would merely serve as a signal for the Chinese Communists to open up new aggressions elsewhere.

I favor a negotiated peace but not at the price of defeat. I agree with President Johnson that we should withdraw only when foreign powers supporting this war also withdraw and begin living up to the commitments agreed to in 1954 with the French and the Laotian agreement in 1962.

What assurances do we have the Communists would respect agreements made at a forced negotiated peace such as some persons are now demanding? Why, when the Communists are currently violating agreements made in 1954 and 1962, should we believe they will not violate any agreement with us as soon as we withdraw from South Vietnam?

The war in South Vietnam has been subject to a great deal of misunderstanding here in the United States and abroad.

It is sometimes represented as a local war, in which Vietnamese are fighting against Vietnamese.

It is also represented as an Asian war, in which the Communists charge that Americans and other westerners are illegally interfering.

It is often represented as a popular uprising against an unpopular and unrepresentative Government in Saigon. Now, in the jargon of communism, "wars of national liberation" are essentially local efforts to overthrow oppressive and imperialistic governments and to replace them with so-called democratic governments which will truly represent the interests of the people. The Communist countries furnish political, military, economic, and psychological support to their foreign "brothers" in such common, fraternal struggles against imperialism. This is how the Communists represent the situation in South Vietnam and elsewhere.

The true facts, however, are quite different.

These wars of national liberation are actually guerrilla wars which are organized, directed, and supplied by foreign Communist powers utilizing the tools of murder, wholesale destruction of property, and terrorism to intimidate the local population and to subvert and destroy the legally constituted government. This terrorism is compounded by open irregular warfare in which guerrilla units, sometimes operating in battalion strength, ambush Government military units, mount sneak attacks on airfields, damage railroad lines, assassinate local officials, and do everything possible to destroy the Government and economy of the country under attack.

Behind the Communist Vietcong guerrillas in South Vietnam are the North Vietnamese Communists in Hanoi. Behind the North Vietnamese Communists are the Chinese Communists in Peiping, ruling over the world's largest nation of more than 650 million people.

Down through the mountain passes from Communist China into North Vietnam roll the railroad cars with their freight of Communist Chinese and Soviet arms and military equipment. Down the Ho Chi Minh trail through southeastern Laos roll the trucks carrying the same deadly freight. Over the mountain trails from Laos into South Vietnam, on the backs of thousands of porters, go the same arms and equipment into the hands of the Communist guerrillas who will use them to kill Vietnamese soldiers and their American military advisers, as well as many innocent women and children who happen to get in the way. A smaller, but still significant amount of military equipment is smuggled into South Vietnam by sea, usually in harmless-appearing fishing boats.

By this time, isn't the nature and source of this insurgency clear enough?

In addition to the incontrovertible evidence consisting of captured Communist documents, testimony obtained from Vietcong prisoners, and the seizure of thousands of weapons manufactured in the Communist bloc, the most recent and dramatic proof of foreign Communist intrusion in South Vietnam came last week, and on a massive scale.

A Communist Vietcong ship was spotted hidden in a cove on the South Vietnamese coast, in Phu Yen Province. After aerial investigation, air strikes were called for and the ship was sunk. South Vietnamese military units moving into the area encountered unusually fierce Vietcong resistance. When the area was finally cleared after several days' fighting, Government forces found themselves in possession of a Vietcong weapons cache covering about 100 by 300 yards—an estimated 80 tons of Communist-manufactured weapons. Among this arsenal were 2,000 rifles and 150 crew-served weapons—machineguns, mortars, and antiaircraft guns—enough war material to equip many Vietcong battalions. More arms, ammunition, and explosives now being off-loaded from the sunken ship will bring the total even higher.

The capture of these Communist weapons and the sinking of the Communist ship which was in the act of bringing arms from North Vietnam should prove to even the most doubting that the Communist claim that the war in South Vietnam is simply a "civil war" is utterly false.

The Communist North Vietnamese leader, Ho Chi Minh, and the Chinese Communists have regularly and insistently demanded that the United States get out of South Vietnam. They demand that we remove our 23,500 military advisory personnel, end our military assistance to the South Vietnamese Government, and depart from the area. The problems of Vietnam, the Communists say, would then be settled by the Vietnamese people themselves without outside interference.

There would be no need for large numbers of U.S. military advisers in South Vietnam if that country had not been attacked by its Communist neighbor to the north. As Secretary of State Rusk stated not long ago: "We have no desire for any bases or permanent military presence in that area." We are there today because the South Vietnamese Government has asked for our support. That support should and must be continued as long as it is necessary.

We should not lose sight of the fact that almost 30 other free world nations, including many other Asian nations, are providing or have agreed to provide military and economic support to South Vietnam. This support takes many forms. Some nations are providing mobile hospitals and ambulances; others technicians and commodities for water supply and communications improvements; still others are sending teachers and offering scholarships. Even though a war is in progress, economic activity and social services must continue.

It is a test of the will of the entire free world in the face of Communist aggression. In this struggle, I am confident that the United States will not be found wanting in will or action, and that we shall continue to set an example for other free world nations who, though smaller, are just as dedicated as we are to the preservation of freedom.

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. McGRATH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. McGRATH. Mr. Speaker, recent events in South Vietnam appear to be causing a noticeable strain on the patience of Americans with both the conduct of the fighting there and the continually unsettled state of the South Vietnamese Government.

In some quarters, this strain has given rise to fears on the part of some and hope on the part of others that the patience of the Government of the United States might soon evaporate. Further, stepped-up Communist military activity has caused insistence by some Americans that the United States negotiate itself out of South Vietnam.

I cannot agree with those of short patience who would hurry the United States to the negotiations table. I cannot agree that this is the time to "play it safe," and back out of our pledge to the South Vietnamese people by face-saving agreements which, in the light of past experiences with the Communists, we could not expect to be honored.

I do agree, however, with President Johnson's actions aimed at convincing the Communists in North Vietnam and their advisers and conspirators elsewhere that the United States is determined to abide by its pledge to the South Vietnamese and continue to fight Communist aggression and subversion in southeast Asia.

The situation in South Vietnam has now become a test of wills between the Communists and the United States and other defenders of freedom. To win this test, we must be patient and must not permit our determination to waiver.

It might be well to remember that the Communists have been fighting continually in southeast Asia since the Japanese began their invasion of the Asian mainland in the late 1930's. In many respects, the burdens on the Communists have been heavier and the rewards fewer for them than have been the burdens and rewards of the United States.

Therefore, it behooves all Americans to fall into step behind President Johnson and to maintain our resolve to keep South Vietnam and other southeast Asian nations from falling prey to communism. Only with all of us pulling together can we at home support the sacrifices our military men are making in blood and, thereby, convince the Communists that our resolve is implacable, our resources unstintingly given and our faith in the righteousness of our cause is unending.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from California.

Mr. COHELAN. Mr. Speaker, I would like to take this opportunity to compliment the gentleman from New Jersey [Mr. GALLAGHER] for his very forthright and excellent statement.

It was my great privilege only this last fall to be in southeast Asia at the same time the gentleman from New Jersey was in that area for the Committee on Foreign Affairs.

In the interest of time I am not going into any great detail other than to say that in 1964, prior to the great national political campaign, the issue of Vietnam, of course, was very important and very much a part of that national debate. It was my good fortune to be present at the Commonwealth Club in San Francisco on September 22, 1964, when the Honorable Dean Rusk, Secretary of State, dealt with this general question in a major address.

Mr. Speaker, I believe it is relevant at this point in the discussion this afternoon to quote one section of his very thoughtful speech on the subject of southeast Asia.

He said to the Commonwealth Club in San Francisco:

> Let me turn for a few minutes to our most serious immediate problems in southeast Asia. That area entered a new chapter in its strife-torn history with the partition of Vietnam in 1954 and the consolidation of the Communist regime in Hanoi. It requires no domino theory to explain the subsequent pressures on Laos and South Vietnam. One need only recall the Communist appetite for world revolution, an appetite which grows upon feeding.
>
> When President Kennedy took office in January 1961, he found in Laos, for example, an active battleground between government forces supported by the United States and a combination of neutralists, Pathet Lao and North Vietnamese forces supported by a Soviet airlift. He became convinced after studying the evidence that the Laotians themselves, if left to themselves, had no inclination to kill each other or to cause trouble for their neighbors—

And may I say as an aside, having been in Laos while in southeast Asia on two separate occasions over a period of 3 years, I can attest to that fact—

> their tradition was one of peace; their ambition, to be left alone. He, therefore, posed the question, "Why not get all the foreigners out of Laos and let these people work out their own future as an independent and neutral nation without outside interference?"

And, as Secretary Rusk so rightly recalled:

> Chairman Khrushchev agreed to that in Vienna in 1961, and that became the object of the Geneva Conference on Laos and was the result agreed to in the accords of 1962. But before the ink was dry, Hanoi, with the backing of Peiping, treated with contempt the pledges it had just given. All Viet Minh, that is North Vietnamese military personnel, were not withdrawn from Laos—

And, having been in Laos in November 1964, I can testify that half of the country is occupied by the Vietminh and Pathet Lao forces—

> thousands remained. And North Vietnam continued to infiltrate guerrilla cadres and certain supplies through Laos into South Vietnam. The International Control Commission was paralyzed in its efforts to observe noncompliance. And Prime Minister Souvanna Phouma of the government of National Union, who supported those accords of 1962, was denied authority over territory or forces controlled by the Pathet Lao and the Vietminh.
>
> It is true that today neutralists and conservatives are now working together and that there is no Soviet supply line supporting the Pathet Lao. But a peace which would be so simple to achieve is blocked by the continuing refusal of Hanoi and Peiping to comply with the accords of 1962.
>
> And so, when people ask you, "What about the neutralization of South Vietnam?" keep your eye on Laos because there was a sincere and genuine effort to give the Laotians a chance to be independent and neutral in the most fundamental sense of those terms. And there was an agreement which has been frustrated by those who seem not to be content so long as there is any chance to expand their world revolution.

Mr. Speaker, there are no quick or easy or ready solutions to the very difficult situation confronting us in South Vietnam and southeast Asia.

It is too late to debate the question of whether or not the United States should have responded in 1954 to a cry for help from a new country seeking to preserve its newly found and shaky independence. The fact is that we joined in an agreement to defend southeast Asia from aggression—a policy which has been supported by President Eisenhower, President Kennedy, and President Johnson. We have stayed to help an embattled people free themselves from outside interference and domination so that they might develop their own society, choose their own leaders, and determine their own course of development. We have stayed because we believed our national security as well as the great principles for which we stand are at stake.

There are those who argue that we should pull out now; that we should withdraw on the best terms possible, but in any case withdraw.

But, Mr. Speaker, we are in no position to pull out of Vietnam or southeast Asia until and unless an effective means is found to guarantee the independence of these people. If we were to withdraw from South Vietnam today, or tomorrow, or even the next day without such a guarantee, the inevitable result would be the fall of that country to a Communist attack which, while waged in the south, is financed and supplied and supported from the countries to the north—from North Vietnam and Communist China itself.

The loss of South Vietnam to the Communists would clearly menace neighboring Thailand and Cambodia. It would bring increased pressure to bear on already beleaguered Malaysia. It would open a side door into India. It would threaten the Philippines and even Australia. It would make impossible any alternatives for Indonesia. In brief, Western interests and indeed freedom itself throughout southeast Asia and the Pacific would be imperiled.

James Reston, writing in the New York Times 10 days ago, stated:

> Very few people here question the necessity for a limited expansion of the war by U.S. bombers into Communist territory. The American and the South Vietnamese position was crumbling fast, and the political and strategic consequences of defeat would have been serious for the free world all over Asia.

But, Mr. Speaker, a series of retaliatory bombings do not constitute a foreign policy and I am fully confident that this fact is recognized by the President of the United States.

He has stated that, "We seek no wider war," that "our goal is peace in southeast Asia."

This peace cannot be achieved by arms alone; neither can it be achieved by unilateral withdrawal or surrender.

Mr. Speaker, it is imperative, I feel, that we heed the wise words of Secretary Rusk concerning Laos; that we keep our eyes on the relevant facts of current history.

It is also imperative, I feel, that we remember the President is charged under our Constitution with the conduct of our foreign policy; that we support him in his efforts to preserve both peace and freedom in southeast Asia in this very sensitive and delicate period of world history.

Mr. GALLAGHER. I thank the gentleman for his observations, and also compliment him for the suggestions he made on his tour in southeast Asia.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I would like to make this one point. We all want peace in Asia and throughout the world. We should bear in mind that we do not gain ground by giving up. You do not improve your position by retreat and you do not strengthen your leadership by a statement of weakness. You cannot negotiate with the deaf.

Mr. Speaker, as the headlines continue to blare at us every day, many questions are being raised about our involvement in southeast Asia, "How did we ever get in Vietnam? What are we doing so deeply committed in far-off parts of Asia? Whose idea was all this, anyway?"

Most of the people asking these questions seem to believe that our interest in Asia, and especially southeast Asia, is something brand new, something strange, and even something a bit irregular. But nothing could be further from the truth. Our interest in southeast Asia goes back some 130 years, when the first diplomatic contacts between the United States and the Kingdom of Siam, now Thailand, took place. Since that time, we have helped in the opening of Japan to the West; we were the ruling power in the Philippines for nearly 50 years; and we risked and waged two wars because we were concerned over the basic proposition that it was in the interest of the free world—and particularly of the United States—that Asian nations be allowed to develop themselves free from outside aggression.

Whether we like it or not—especially some of our short-memoried and rainbow-seeking friends—we are looked to throughout the world as the one Government which will help small independent nations remain free. It is a heavy responsibility; but it is a proud banner we carry. At their invitation, we have offered help to the nation of Vietnam. That little country—beset with the greatest conflicts of racial riddles, religion and distrust—is fighting for its life—fighting against communism.

These are tortuous and exasperating times for all of us. Voices of doubt and appeasement and negotiation plead that we should take the easy—and temporary—course of immediate withdrawal. But this is unthinkable; we cannot give an inch to aggression, or the aggressors—like the proverbial camel—will soon be inside our own tent. We must steel our determination and stiffen our backs with the firm faith that right makes might.

In the beginning, we were either right or wrong to help the free people of Vietnam; and we are either right or wrong now to preserve and maintain our commitment. There is no middle ground. Our course is the right one; the determination to see it through tough times is the difficult task. The wise and the worried know this. The weak and doubtful want to ignore it. But history cannot let us escape it.

In our time, our society faces one great issue—we must meet and answer the threat of communism. It is a confrontation that cannot be escaped. In Korea, we either met it or lost north Asia; in Vietnam, we either meet it or lose all of southeast Asia. You do not gain ground by giving it up. You do not improve your position by retreating; you do not strengthen your leadership by a statement of weakness. And you cannot negotiate with the devil.

What would it profit us to abandon Vietnam only to have a worse threat in India or Pakistan or Turkey or France or Mexico—on and on—until the cries of retreat grow into a thunderous tidal wave of isolationism—and we are left alone. It is better to have the confrontation now—to firm up our resolute position—than to close our eyes to the tyranny.

President Johnson has answered these threats with positive and forthright action. You can be sure that this same kind of reply will be forthcoming whenever and wherever freedom is endangered. The American people support the President in these hours. And history will praise him for the strong leadership he is giving us today.

We are not embarked on some new and remote adventure in Vietnam; we are embarked on just one part of the defense of freedom that has occupied us since we became a nation almost 190 years ago. The scale of our participation may be new, but the fact of our participation is old, continuous, and honorable.

Mr. GALLAGHER. I thank the gentleman from Texas for his statement.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Speaker, I would like to take this opportunity to highly commend the gentleman from New Jersey for taking this special order to speak out on this very important question. I unhesitatingly associate myself with the remarks of the gentleman who, as a member of the Committee on Foreign Affairs, is in a position to have a superior knowledge of the background of the South Vietnam situation and the present state of affairs.

I personally feel that there have been altogether too many speeches both inside and outside of the Congress by gentlemen who are not as highly informed on the situation as the gentleman from New Jersey. We of the Armed Services Committee—and the Presiding Officer now in the chair is a ranking member of that committee—also had the occasion, the opportunity, and the duty of dealing with the South Vietnam situation at length. Although I am not authorized to speak on behalf of the committee I believe I would be correct in saying that all members of the committee, both on the Republican side and on the Democratic side, give the President of the United States their wholehearted support in his announced policy on South Vietnam.

I thank the gentleman for yielding.

Mr. GALLAGHER. I thank the gentleman for his kind words.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Florida.

Mr. PEPPER. I wish to commend the able gentleman from New Jersey and those who have worked with him in this important matter on the splendid sentiments which he and they today have expressed giving notice to the President and to the potential aggressors of the world that America will not falter in standing against those who commit aggression in any part of the world.

I think all of us realize that it is of the utmost importance at this critical time that nothing which shall be said in the Congress or in the country by any responsible voice shall give any encouragement to those who are watching with the most critical eye to see whether the faith and the courage of the people of America will falter in this high resolve of defending freedom; whether we will regard the end as hopeless; or whether we will count the cost too great and the cause not worthy of the aid that we give.

Mr. Speaker, many of us for a long time have had great hope in the United Nations organization as the peacekeeping force of the world. Unfortunately, it has not been able to achieve that status; unhappily, recent events in the Assembly have discouraged the hope that the United Nations was making real progress toward stemming aggression and keeping the peace of the world.

So today, Mr. Speaker, if the United States with the strength and the will that it possesses does not defend the cause of freedom in the world, where will freedom find a champion? If we falter here, withdraw elsewhere where we stand as the bulwark of freedom, the aggressors can sweep across a large part of the world without any effective opposition. Until more collective machinery can be provided effectively to defend freedom, the dedicated might of America is the only force which can shield the weak and the free against the aggressive strong in many vital parts of the world.

Mr. Speaker, the motives of the people of America in respect to Vietnam and wherever else we assert our power have no selfish ends. We seek no ill gain; we support no colonialism; we are a part of no conspiracy to preserve the status quo because it is the status quo. We are in league with none who would suppress the legitimate ambitions of those slow to arrive at the center part of the world stage. We are part of no combine to hold back any who have the right to progress, whoever it be and wherever they are. We do not propose to dictate anywhere to establish for selfish purposes any area of influence or to dominate any field or play the game of power politics according to the old way of nations. We do not arrogate to ourselves the only righteousness or infallibility of judgment and, of course, we are always willing to reason with those who want to reason about right and how to do it or to negotiate over what is negotiable and here in Vietnam as well as elsewhere we will negotiate about the best way of preserving the freedom of an independent people and protecting them against aggression with any of good will. But, we shall not negotiate relative to our determination to discharge our solemn duty under the United Nations Charter to defend freedom against aggression and we shall not negotiate as to whether we withdraw from duty whatever the difficulty, however great the danger.

So, Mr. Speaker, I think it is highly important that we let the word go forth from the will and the heart of America that there is no weakening of our will, there is no division in our sentiment, there is no faltering in our faith to stand behind the cause of freedom and against aggression wherever that threat occurs. Let the word go forth that in pursuance of this high resolve we will stand with others if we can or, God helping us, we will stand alone if we must.

Mr. GALLAGHER. I thank the distinguished gentleman, who has served with such distinction in the other body and in this House of Representatives.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from South Carolina.

Mr. DORN. I join in supporting the President and the distinguished gentleman in the well, and congratulate the gentleman on having taken this time, because this issue is the greatest single issue before the American people today. It is one of national survival.

To me it is utterly fantastic and incredible that any responsible person in the United States in view of the past 20 or 30 years of history of the modern world would propose that we pull out of South Vietnam or negotiate at a time when Kosygin in Hanoi a few days ago demanded that we get out of South Vietnam. He demanded that we leave there, and branded the United States as imperialistic; this at a time when Mao Tse Tung has also demanded that we abandon the cause of freedom in South Vietnam.

To me it is inconceivable that anyone in this country should acquiesce in that blackmail and turn these people over to the ruthless international banditry known as communism.

I want to commend the gentleman, and point out that during the last few days reports continue to come through that hordes of Red Chinese soldiers are massing on the borders of India. As Lenin is reported to have said more than 45 years ago, the road to Paris is the road through Peiping. They have Peiping. If we give them South Vietnam, we would be giving them all southeast Asia. India and 67 percent of the world's untapped oil in the Near East would be next. Then north Africa, which is just a part of the great Afro-Eurasian land mass, will fall. Western Europe would be outflanked and would collapse as predicted by the Communists. The road to America will be completely open because, as the gentleman knows, it is only 1,500 miles from Africa to South America.

The defense and security of this Nation and of the entire western world and our western civilization is hanging in jeopardy today in South Vietnam.

Mr. Speaker, I want to again commend the gentleman from New Jersey [Mr. GALLAGHER] and I rise to stand by the President of the United States in his earnest desire that there be no withdrawal and, certainly I think at this time, no negotiation, with the Communist gangsters.

Mr. GALLAGHER. I thank the gentleman for his contribution and for his kind words.

Mr. MORRIS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New Mexico.

Mr. MORRIS. Mr. Speaker, I have long admired the gentleman from New Jersey [Mr. GALLAGHER] for his wide knowledge in the field of foreign affairs. Today the gentleman has brought something to the attention of this House and to the attention of the Nation, and I am very proud to stand here in this House of Representatives at his side in support of what the gentleman says and in support of what the President of the United States says.

Mr. Speaker, I am more than pleased to see that this discussion today has been treated on a nonpartisan basis—that the great leaders in the Republican Party are speaking as Americans and speaking in behalf of the United States.

Mr. Speaker, I think the gentleman from New Jersey has done the country a great service today.

Mr. GALLAGHER. I thank the gentleman for his kind observations.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. GRAY. Mr. Speaker, I consider it a high honor and a great privilege to associate myself with the remarks of the distinguished gentleman from New Jersey [Mr. GALLAGHER]. The gentleman has made a very valuable contribution to our foreign policy and well-being here today and I commend him very highly for taking this time to discuss this vital subject.

Mr. GALLAGHER. I thank the gentleman from Illinois very much for his kind remarks.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Florida, a member of the Committee on Foreign Affairs.

Mr. FASCELL. Mr. Speaker, I join in the general commendation of the gentleman in the well of the House who is discussing this subject and giving the House an opportunity to give its support to the policy of the President of the United States in this very difficult situation.

The rest of the world must and should know that the United States is not frustrated—we do know what our duty is and we are doing our duty. Despite the fact that there may be some question of what needs to be done, we know in our hearts we are doing the only thing that can be done at the present time, looking to the future and working for a different way to resolve the problem. I think most of us agree that we must hold the line and beat back the efforts being made by the aggressors, or we will not have the future opportunity to work toward another solution.

The Vietnam and Cuban problem, emphasizes the continuing difficulty that the United States and the free world have in dealing with a new concept of international politics which has been evidenced by the Communist world. We no longer have fixed lines in the old military sense. That went out many years ago. We no longer have a direct or overt crossing of a boundary line by a recognizable armed force. We no longer have a clear-cut definition of what is armed, overt, or just plain aggression. This requires us on the free world side to maintain more than military flexibility. A standard, flexible, or new military response appears to be insufficient to a problem like the one we are facing in Vietnam, despite the fact that we are committed to a military response and may have to respond in an even greater degree.

But we have not solved the basic problem of how to deal effectively in nonmilitary terms with what is commonly called subversion, either military, economic, or political. We are willing and should be willing to commit the necessary manpower, materiel, and resources to meet any military threat, but we must also look one step ahead and be working to obtain those solutions which will permit us to deal effectively with subversion without being forced into a partial or full military response.

Vietnam is not the last place that we are going to meet subversion.

The United States cannot afford to be nibbled to death and we are not going to be nibbled to death.

We have made that clear. No enemy should have any doubt about that. The history of the American people is clear, that we will stand up, fight and die if necessary to protect what we believe in.

But we face a new kind of warfare and we must be prepared to deal in every way with that new kind of warfare.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Illinois.

Mr. MICHEL. The point the gentleman from Florida makes is a good one. I have heard mentioned earlier in this discussion Korea and several other cases in point.

Would the gentleman not agree that Korea was an act of overt aggression? Rather than lumping the two together, here we see a classic example of indirect aggression at play. It is something new. Here we make, really, the first full test of whether or not we will meet this as we met the overt aggression.

Mr. FASCELL. The gentleman from Illinois is correct. Of course, we must meet it. We will meet it. The fact is that our enemy is working in all other countries of the world in this same fashion, but without the obvious military overtones to their acts.

Mr. GALLAGHER. I thank the gentleman, who is a most knowledgeable member of the Committee on Foreign Affairs.

Mr. GRABOWSKI. Mr. Speaker, I have made it clear over the past few weeks that I am opposed to any withdrawal of American forces from South Vietnam at the present time.

There is no other honorable action that we can take at the present time. We must stand up to the Communist threat here as we did in Cuba. We must let the Communists know we mean business as we did in Berlin. We must draw the line on Communist aggression as we did in Korea.

This Nation intends to live up to its commitments and we intend to live up to our commitment in Vietnam.

I have stated before and I say again that I support President Johnson's actions in Vietnam and will support future additional steps that are necessary to insure the continued freedom of this area.

The American people—judging by my mail—are beginning to realize that not only is South Vietnam at stake, but freedom—freedom for every peace-loving nation in the world. If we back down here, the Communists will have gained an important victory in a strategic area of the world and will have made the United States look like the paper tiger that Red China claims she is. If that should ever happen, how could we expect our allies to believe us when we say that we stand shoulder to shoulder with them.

I am tired of listening to proposals of retreat and appeasement to the Communists. I believe that these proposals do a great deal of harm to American world leadership.

Since the emergence of the United States as the natural and willing leader of the free world we have led and will continue to lead the fight against Communist aggression.

If the time should come that we are no longer willing to oppose communism, then let us make that clear. But we are not going to abandon the battle now.

And if we should quit in Vietnam, the rest of the world will take this as a signal that we are quitting the fight and giving the Reds a victory by default. And they will think that this is the beginning of a policy of giving in to the Communists throughout the world.

Mr. Speaker, during the past few years things have not been easy. They have been far from easy. But we have always shown the world that we will fight the Communist aggressors and will stick to our commitments.

We should not and will not quit the battle now—or until the face and soul of communism is wiped from the face of the earth.

Mr. FARNUM. Mr. Speaker, in my opinion this honorable body has been greatly enlightened by the report of my distinguished colleague from the State of New Jersey, the Honorable Cornelius E. Gallagher, on the conditions prevailing in Vietnam.

Without necessarily agreeing in their entirety with my colleague's conclusions, it appears to me that in his factual report he has rendered a significant service in calling the attention of this body and of our Nation to the necessity for a view of the entire situation when statements are made about our policies in that area of conflict with communism.

There is certainly no suggestion on my part that free and unlimited debate be limited in the slightest. That is unthinkable in a democracy.

But it would serve the national interest, I believe, if all who have occasion to speak of affairs beyond our borders, and particularly at this point in history of affairs in the Far East, keep in mind some of the points made by the honorable Member.

Certainly all of us agree with him that we must continually serve notice on the world that our Nation is united in meeting the challenge of communism in Vietnam.

Mr. NEDZI. Mr. Speaker, we who join in today's discussion are conscious of the need for the House of Representatives to speak responsibly and with understanding on the situation in Vietnam. I am pleased that we are doing so.

Both Houses of Congress have a role to play, as elected representatives of the people, in reviewing, criticizing, and explaining our foreign policy. But we should do so with the constant realization that the President has the constitutional duty to make foreign policy. While not infallible, he has far more military and diplomatic intelligence available to him than any of us. He has acted with wisdom and restraint in South Vietnam. I trust him, and I support him.

In the last few weeks, we have seen the appearance of an abundance of "oversimplifiers"—those who see the answer in "escalation," and those who see the answer in "negotiation." In my judgment, neither view is appropriate at this time.

Bombing of North Vietnamese targets is not an answer in itself, although we must be prepared to pursue it if circumstances warrant. I say this fully cognizant of the risk of escalation inherent in our policy of measured response.

Negotiation for a neutral and unified Vietnam, as suggested by some, is a futile idea under present circumstances. For one thing, it implies that the Communists will not only abandon their drive to communize all of southeast Asia, but will also agree to neutralize North Vietnam. This is illusory. Indeed, North Vietnam and China have made it abundantly clear in radio broadcasts that they will not negotiate until the United States withdraws from South Vietnam. This is not negotiation; this is a call for unconditional surrender.

There are two ultimate ways to end any war: You either beat the enemy in a full scale confrontation, or you negotiate a settlement. That is obvious. If we do not have an all-out war, then we will ultimately have some settlement by negotiation. But the blunt truth is that in Vietnam today, there is little, if anything, that is negotiable.

We are in a situation where events compel us to continue a policy in between escalation on the one hand, and withdrawal on the other. It is a difficult position, inconsistent with characteristic American preference for quick and clean solutions. Regardless of the difficulties, however, we must persevere.

Under the best of circumstances, the creation of a secure Vietnamese state will be a long, slow process. Inevitably, the main burden of meeting and beating the Vietcong must fall on the people of South Vietnam. They have accepted this burden in large measure, particularly in military operations. We should observe, for example, that their fighting forces go into battle day after day, notwithstanding coup and countercoup in Saigon. Their will to fight is still strong.

Now, nobody is happy with the political instability in Saigon. The American Ambassador awakes every morning not knowing if he will have a coup as an appetizer with his breakfast. We do not pretend that things are going well. But the case is not hopeless.

Insurgency tactics are not unbeatable. While, admittedly, there are some significant differences, we have seen similar tactics beaten in Greece, in the Philippines, and in Malaya. In a jungle country, where many villagers have no sense of nation, a relatively small number can disrupt the normal processes of living.

Of course, our response must be more than military. Of course, progressive economic, and social programs are needed. But in recognizing this, we must not ignore the role that terrorism plays. The majority of people are uncommitted. Moreover, they are naturally afraid to get stuck backing a loser. Eliminate terrorism, give the people a decent chance to make a choice, and you will probably get a favorable choice.

We should remind the critics that when Vietnam was divided in 1955, many observers gave the south a life expectancy of 6 months. Its economy and administration was a shambles, and transportation had broken down.

But the south survived. It wiped out city gangs and absorbed over a million northerners who had fled across the border to escape the Communist system. In the first 4 years, school population increased fourfold; per capita food production rose in the south, fell in the north. The contrast was not permitted to stand. In 1959, the Vietcong began a calculated effort of terrorism and infiltration. If this can be cut down, progress can be renewed.

What of the recent coordinated attacks on U.S. personnel? For one thing, they should dispel the view still held by some that the struggle in South Vietnam is merely a local civil war. It is not. It is largely planned, equipped, and directed from Hanoi.

Let the critics address themselves to these questions:

First. What impact would U.S. withdrawal from South Vietnam have on Thailand and Malaysia, and the rest of southeast Asia?

Second. What would our withdrawal mean to Japan and India, two democracies without nuclear arms who might some day need our nuclear guarantee in the face of a hostile, nuclear-armed China? What would it mean to their confidence in us?

Third. What would our withdrawal mean to the people of South Vietnam, who have resisted communism for a decade?

Fourth. Would our collapse in this insurgency encourage more insurgency in Asia, Africa, and Latin America?

One does not have to fully accept the automatic operation of the so-called "domino theory" to recognize the strategic and psychological importance of South Vietnam.

Our policy is to stay until South Vietnam's ability to maintain its own security is firmly established. Our aim is to help stabilize the government, pacify the countryside and present an attractive alternative to communism.

Whatever we do in the short run, affects our interests in the long run. As the principal guardian of the free world, we must honor our commitments now, or risk complicating our expected responsibilities 10 and 20 years from now.

Those calling for immediate negotiations are harming the situation rather than helping it. They are not thinking things through. Moreover, they are narrowing the President's options and flexibility without coming forth with any real, affirmative, viable alternatives.

Let the Vietcong abandon their aggression and no negotiations, no new Geneva Conference will be needed. Peace would return to Vietnam.

The President has rejected surrender, and he has rejected brash action. I commend him for his restraint, his patience, and his wisdom in dealing with this thicket, where no easy answers are to be found, and our alternatives are limited and harsh. Let us meet our responsibilities with toughness, patience, and understanding.

Mr. DUNCAN of Oregon. Mr. Speaker, I am delighted that the debate on American policy in Vietnam has finally spread to the House. We are indebted to the gentleman from New Jersey for his initiative in this matter. I think further that the colloquy in which he has engaged with the gentleman from Illinois [Mr. MICHEL] has contributed to a better understanding of this problem.

There has been discussed on this floor the question of the desirability of a negotiated settlement in South Vietnam. One of the difficulties we have in expressing ourselves in the English language—as Winston Churchill once pointed out—is that we must not only listen to what is said but also try to understand what the speaker means to say. Someone else has recently pointed out that every armed conflict sooner or later must end up at the conference table. So I think we must define what we mean by "a negotiated settlement."

A negotiated settlement of the problems in South Vietnam which accomplished the objectives for which we have made a military commitment in that unhappy country would surely be welcomed by all of us. Negotiation with less than that objective cannot, it seems to me, be accepted or even undertaken. Those who fear negotiation at this juncture cannot forget that the present conflict rose from negotiations which followed Dien Bien Phu. Those who fear negotiation cannot forget the story of the rising young Communist officer who, when asked on an examination what he would do in an engagement with the enemy as his ammunition ran low, replied, "I would commence negotiations for a settlement until more ammunition was brought up."

I cannot help but feel that a defeat in South Vietnam, whether at the negotiating table or in the field, would lead to an envelopment by Red China, and nations satellite to Red China of portions of Asia and the South Pacific the equal of or greater than that to which Japan aspired a quarter of a century ago. And we will all remember the 4 years of bloodshed we accepted to frustrate Japan's ambitions in World War II.

I fear not just for the fall of Laos, Cambodia, and Thailand. I do not see how the new nation of Malaysia could survive in the nutcracker of Red China on the north and Indonesia on the south. Indonesia is the fifth most populous nation in the world, rich in natural resources and scattered across the trade routes of the East Indies. It already harkens to the pipes of Peiping. I fear Indonesia would be lost forever to the free world.

Should this happen the great subcontinent of India, already under Chinese pressure along its Himalayan frontier, would be a prime target for further expansion of communism. Here we have involved not only the Indians but also the Pakistani. The Philippines, Taiwan, and Japan are likewise flanked and could not survive infiltration, subversion or assault. The Chinese colossus would then be at the front door of Australia and New Zealand, both with only token defense forces.

Where can the stand be made? Unfavorable as Vietnam might be, where will conditions be better? With each victory, with each swallow our enemy will grow stronger and the free world weaker. This lesson is not lost on Australia and New Zealand, both of which are beginning to look to their defenses.

Our policy, through both Republican and Democratic administrations, has been to contain communism—and it has generally been successful. Since the dust settled on World War II with Eastern Europe behind the Iron Curtain, only North Vietnam, North Korea, and Cuba have fallen to the Communists. Even in Korea, unsatisfactory as the conclusion there might seem to many people, communism did not advance beyond the 38th parallel. It was contained.

We have heard it said that communism contains within itself the seeds of its own destruction. There are signs that these seeds are maturing and that the Communist empire is beginning to break up. Freedom cannot be forever suppressed. A successful policy of containment—of denying the expansion of communism—will expedite this process. Expansion to include the mushrooming population and the great resources of southeast Asia can only strengthen our enemy and weaken the free world's ability to finally take a stand—as take a stand we must.

It is far easier to say what must be done than it is to say how it should be done. On this score we must rely on those better informed than we, but we cannot help but speculate on what might work.

I am pleased to note the observations of the gentleman from New Jersey that the South Vietnamese in the field are prepared to continue the battle. I agree that a prime objective must be a stable government in Saigon capable of attracting the loyalty of the South Vietnamese. I deplore the lack of leadership and the internecine strife that has characterized South Vietnam for too long. Yet, I think it is not too much to expect that South Vietnam will produce—perhaps with our help—the leadership it so desperately requires just as England produced its Churchill at the ebb of the tide, as France accepted De Gaulle in the midst of chaos, indeed as Malaysia produced its Tunku. This must be the objective of our diplomacy.

Militarily, all is not as black as is painted but success in the field is vital to the establishment of a stable government. I would support—as all of us would—a multination effort in lieu of bearing the entire responsibility ourselves. But there is no possibility at this point of a United Nations peacekeeping operation. The current U.N. financial crises makes this apparent. Britain has its hands full with its commitment in Malaysia. France urges virtual withdrawal. Only token internationalization is possible but this I would support.

I would then pursue with even greater diligence and a greater commitment of Western troops—yes, American troops, if necessary—the fortified village concept which ultimately led to success in Malaya. I say Western troops because the job in Malaya was easier in that the enemy—the Chinese Communists—were ethnically different from the Malayans. The Vietcong refuse to wear black hats and the "protected villages" which the South Vietnamese "liberate" fall when left to the protection of the home guard which frequently contains one or more of the Vietcong. I am aware of the greatly increased effort this would require of the United States and South Vietnam.

A greater effort must then be made to interdict the border and stop the flow of men and arms to the south. This is a tremendous job. I like to think of our air strikes to the north as being not only "retaliatory"—in which objective I have little confidence—but also as being aimed at marshalling points and transportation lines and therefore an effort to interdict the border by the best and easiest means at hand. I am apprehensive of escalation but doubt that such will occur at the present level of "retaliation."

And then, long since, I would have brought the Soviet Union into conversations about this area. A major war between China and the United States, from which Russia could abstain, would of course be in the Russian interest. Short of that, however, Russian interests in southeast Asia far more closely parallel American interests than they do those of the Chinese.

We had a bitter lesson in opportunistic negotiation before World War II, as area after area was sacrificed to fascism by the inactivity and, perhaps, the fear of the Western powers. The list is long—Ethiopia, Albania, Austria, the Saar, the Sudetenland. We need not, I hope, learn that lesson again. The task is not easy. It calls for the highest level of diplomacy, the most persistent, skillful, and patient military policy. The President's job—which is the job of all of us—is most difficult.

The President has my confident and assured support.

Mr. BROWN of California. Mr. Speaker, I have been deeply concerned that we develop in the Congress, and among the people of this Nation, a more enlightened discussion of our country's foreign policy—particularly our policy in certain crisis situations such as Vietnam. Without this enlightened discussion, based upon facts rather than pure emotion, this Nation, the Congress, and the administration will be unable to properly develop a reasonable consensus as to our national intent. Consequently, we would be unable to adequately relate our policy and actions throughout the world to that national interest.

Instead, we will tend to merely react to crises in trouble spots around the world—crises created by our enemies in most cases. These reactions may well be inspired by the most laudable of goals—the protection of freedom and democracy, the honoring of commitments to our friends, the maintenance of our national honor—but, because an emotional reaction is never a sound basis for decisionmaking in the complex field of foreign affairs, the actual results may, in fact, reduce our effectiveness in achieving those goals.

The realities of the world today force us to recognize that our country is not all powerful; that our national will cannot prevail in every situation; and that we may even be wrong in our evaluation of what is desired by, or desirable for, the citizens of other countries. Under these circumstances, it is imperative that we realistically evaluate and assign priorities to matters affecting our national interest. We must carefully utilize our national forces and resources to achieve limited and practical goals, and we must be sensitive to the changing political forces in every part of the world.

With this introduction, I want to say that I welcome the increasing popular and Congressional concern on the subject of Vietnam. There are very legitimate, different points of view on this complex issue. They all need to be aired. Personally, I cannot agree with all of our actions in South Vietnam and the policies behind them. I intend to develop my own views on this subject before the public, and the Congress, during the days ahead.

Today, as a beginning, I would like to insert in the RECORD the newsletter which I sent to many of my constituents and to the newspapers of my district on February 15, 1965. I would also like to insert, at this point, the thoughtful column of Walter Lippmann which appeared in the Los Angeles Times of February 21, 1965. I shall follow this with a further elaboration of my views in the days ahead.

The newsletter and column follow:

WASHINGTON HIGHLIGHTS

(By Congressman GEORGE E. BROWN, JR., 29th Congressional District, California)

Last week in Washington there was some indication that the rapidly deteriorating situation in South Vietnam might finally produce some discussion of U.S. policy among the Members of Congress.

It is clear that the United States is carrying on an undeclared war against North Vietnam. U.S. forces are being used in air strikes against North Vietnamese targets. The pretense that we are merely supplying advisers to a friendly country to aid them in controlling guerrilla insurgents is hardly tenable under present circumstances.

The question for the American public, and for the Congress, to answer is: "When is a war a war?" Without a doubt, if a foreign power was to make an air strike on U.S. territory we would consider it an act of war. U.S. strikes on North Vietnam are quite comparable in magnitude to the Japanese attack on Pearl Harbor, and probably far greater in their relative damage to North Vietnam than was the damage done to the United States at Pearl Harbor. Probably, the North Vietnamese were not taken quite as much by surprise by our attack, as we were by the Japanese attack, but, in other respects, the events are comparable.

If we are at war with a foreign country (and I think we are), then Congress, which under the Constitution is the only body authorized to declare war, is cooperating with the executive branch in a violation of the Constitution. How far must we go in this ridiculous pretense? Is it possible that some day soon this country will find itself engulfed in a nuclear maelstrom, still blithely pretending that we are at peace?

I strongly disagree with this country's action, and lack of policy, in Vietnam. Even more strongly do I object to the squandering of billions of our tax dollars and hundreds of American lives in a situation which may involve us in world war III, without an opportunity for the American people and their Representatives in Congress to debate the issue.

What vital American interests are involved in an Asiatic jungle which France, after being bled dry, gave up over 10 years ago?

What evidence is available that the peasants of South Vietnam, or even the military puppets who claim to head the government, really want the United States in their country?

In 10 years our level of assistance has risen from about 1,000 men and $100 million, to 25,000 men and $600 million—supported by a large part of our Navy, which we do not even count in these figures. Instead of improving our situation, this has left us in a far worse position than we were in 10 years ago.

What astute American general is willing to predict what the situation will be next year or the year after? Will it be fifty or a hundred thousand U.S. soldiers? Will it be $2 or $3 billion per year in American taxpayers' money?

But the amazing part of the whole situation is that no logically foreseeable outcome of our present involvement in South Vietnam can either help America's position in the world today, strengthen democracy, or weaken international communism. The most realistic military analysts hope only for a temporary stalemate in Vietnam.

The additional chaos that we are helping to create in South Vietnam weakens the possibility of North Vietnam being able to continue as an independent Communist force, or of South Vietnam achieving a viable neutrality. Further escalation of this war only drives the Communists closer together—South Vietnam with North Vietnam—North Vietnam with Red China—Red China with Russia.

Our carefree willingness to help destroy Asiatics only strengthens the rapidly growing view that white Americans are quite willing to lend their military technology to the destruction of as much of the nonwhite world as possible.

All of these things weaken America's position in the world today, weaken our hopes for a stable world, and endanger the future of our country.

I would hope that vast numbers of American citizens would join with me in demanding that we have a full, free and informed discussion of this problem by the public and by the Congress. Out of this discussion should come a policy which would protect America's interest and America's future.

[From the Los Angeles (Calif.) Times, Feb. 21, 1965]

ASIAN REDS, ON BRINK OF CONQUEST, MAY BE COOL TOWARD NEGOTIATIONS

(By Walter Lippmann)

We are just seeing another attempt to form a government in Saigon, and much depends for the near future at least on whether it is able to hold together for a decent time. For the reason why the situation in Vietnam has become so critical in the past 3 months is that South Vietnam has been crumbling and is at the point of collapse.

The Vietcong have been so near winning the war and forcing the United States to withdraw its troops that Hanoi and Peiping have brushed off feelers for a negotiated peace. They believe themselves to be in sight of a dictated peace.

We, for our part, have found ourselves quite unable to put together a South Vietnamese government which is willing or able to rally enough popular support to hold back the advancing Vietcong. The American Army fighting the Vietcong has been like men trying to drive away a swarm of mosquitoes with baseball bats. However, because there is nothing else to do, we keep on. We do not wish to face the disagreeable fact that the rebels are winning the civil war.

The easy way to avoid the truth is to persuade ourselves that this is not really a civil war, but is in fact essentially an invasion of South Vietnam by North Vietnam. This has produced the argument that the way to stabilize South Vietnam is to wage war against North Vietnam.

The more thoughtless and reckless members of this school of thinking hold that only by attacking North Vietnam with heavy and sustained bombardment can we snatch a victory in South Vietnam from the jaws of defeat. They have not yet carried the day in Washington. But the President, when he ordered the retaliatory raids, no doubt intended to remind Hanoi and Peiping that the United States could, if it chose to, inflict devastating damage.

Apart from the question of the morality and the gigantic risks of escalating the war, there is not sufficient reason to think that the northern Communists can be bombed into submission. We must not forget that North Vietnam has a large army—larger, it is said, than any other army on the East Asian mainland except China's. This North Vietnamese army can walk, and nobody has yet found a way of bombing that can prevent foot soldiers from walking.

It is most likely that if we set out to devastate Hanoi and North Vietnam, this army would invade South Vietnam. In South Vietnam we could not bomb the army because that would mean that we would be killing our South Vietnamese friends. There is little reason to think that the Saigon Government and its very dubious troops would be able to fight back, or in fact that it would want to fight back.

The Asian Communists fight on the land, and they think about war in terms of infantry. I believe that the reason why they are not terrified, nor much deterred, by our kind of military power is that they believe a war on the mainland will be fought on the ground and will be decided on the ground. There they have not only superior numbers, but widespread popular support.

For this country to involve itself in such a war in Asia would be an act of supreme folly. While the warhawks would rejoice when it began, the people would weep before it ended. There is no tolerable alternative except a negotiated truce, and the real problem is not whether we should negotiate, but whether we can.

It is not certain, given the weakness and confusion in South Vietnam, that Hanoi and Peiping who are poised for the kill will agree to a cease fire and a conference and a negotiation. But while this has, I believe, been the implied objective of our policy, the time has come when it should be the avowed objective, an objective pursued with all our many and very considerable diplomatic resources.

Mr. TALCOTT. Mr. Speaker, most of the recent talk in and out of the Congressional Chambers about negotiation of South Vietnam is irrelevant.

Certainly, we must support the present position of the President to "not negotiate."

Under what authority is the United States entitled to negotiate—barter or trade away—any part or parcel of South Vietnam. We own nothing there.

We have no "rights" there. Are we not in South Vietnam simply and solely at the specific invitation of the Government of South Vietnam? Would any respectable invitee undertake to sell or trade away his host's property or possessions—let alone his freedom or liberty.

The Administration has a better "right" or authority to negotiate or trade away Alaska or Hawaii—at least in the latter cases we have some indicia of ownership.

If we have any justifiable reason to be in South Vietnam it is a responsibility—a responsibility to help defend their liberty from external aggression and a responsibility to help establish internal stability from insurgency—but certainly no right.

Somehow our State Department in recent years seems to excel in negotiating away free lands and the liberty of free peoples. The Communists never negotiate any nation away to freedom.

If we participate in negotiations which neutralize or communize South Vietnam, I doubt that many free nations will invite Uncle Sam back. Imperiled nations will tell us to go home while they still have their possessions.

GENERAL LEAVE TO EXTEND

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may be permitted 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. (Mr. PRICE) Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I also ask unanimous consent that the special order of the gentleman from Illinois [Mr. PUCINSKI], may be printed in the RECORD immediately following that of the gentleman from New Jersey [Mr. GALLAGHER].

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SOUTH VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. MURPHY] is recognized for 15 minutes.

Mr. MURPHY of New York. Mr. Speaker, it is a pleasure for me to join my colleague the gentleman from New Jersey [Mr. GALLAGHER] in expressing my personal, and I know the overwhelming sentiments of my district, concerning the militant role that we must play in southeast Asia.

I think we must bear in mind that military force is an extension of a nation's foreign policy and that force is used when diplomacy fails. The question in this case, however, is, Who used force first and what is the proper solution in dealing with a foe that has resorted to the tactics the Communist bloc has initiated in the southeast Asian region?

The Honorable William P. Bundy, Assistant Secretary of State for Far Eastern Affairs, spoke before the Washington Chamber of Commerce, Washington, Mo., on Saturday, January 23, 1965, and traced the history of the present situation starting with the year 1898. I include some of his remarks:

AMERICAN POLICY IN SOUTH VIETNAM AND SOUTHEAST ASIA

(Address by Hon. William P. Bundy)

I

The first question requires a look at history.

Even when the Far East was much more distant than it is today, we Americans had deep concern for developments there. Americans pioneered in trade and missionary effort with China and in opening up Japan to Western influence. In 1898 we became in a sense a colonial power in the Philippines, but began almost at once to prepare the way for independence and self-government there—an independence promised by act of Congress in 1936 and achieved on schedule in 1946. By the 1930's, we had wide interests of many types in the Far East, though only few direct contacts in southeast Asia apart from the individual Americans who had served over decades as political advisers to the independent Kingdom of Thailand.

Events then took a more ominous turn. We became aware that the ambitions of Japanese military leaders to dominate all of Asia were a threat not only to the specific interests of ourselves and other Western nations, but to the peace of the whole area and indeed of the world. China, in which we had taken a lead in dismantling the 19th century system of foreign special privileges, was progressively threatened and large parts overrun. We ourselves were finally attacked at Pearl Harbor and in the Philippines. We responded to aggression by conducting with our allies a major Pacific war that cost the United States alone 272,700 casualties and over a hundred billion dollars.

In the end Japanese militarism was defeated, and the way apparently cleared for an Asia of free and independent national states that would be progressively freed of colonialism, that need threaten neither each other nor neighboring states, and that could tackle in their own way the eternal problems of building political and economic structures that would satisfy the aspiration of their peoples.

That kind of Far East was a pretty good definition of our national interests then. It is equally valid today. We cared about the Far East, and we care today, because we know that what happens there—among peoples numbering 33 percent of the world's population, with great talent, past historic greatness, and capacity—is bound to make a crucial difference whether there will be the kind of world in which the common ideals of freedom can spread, nations live and work together without strife, and—most basic of all—we ourselves, in the long run, survive as the kind of nation we are determined to be. Our basic stake in the Far East is our stake in a peaceful and secure world as distinct from a violent and chaotic one. But there were three great flaws in the 1945 picture after the defeat of Japan.

1. In China, a civil war had been raging since the 1920's between the Government, led by Chiang Kai-shek, and the Chinese Communist movement. After a brief and edgy truce during the war against Japan, that civil war was resumed in circumstances where the Government had been gravely weakened. We assisted that government in every way possible. Mistakes may have been made, but in the last analysis mainland China could not have been saved from communism without the commitment of major U.S. ground and air forces to a second war on the Asian mainland. Faced with a concurrent threat from Soviet Russia against Europe and the Near East, we did not make—and perhaps could not then have made—that commitment. And there came to power on the mainland, in the fall of 1949, a Communist regime filled with hatred of the West, with the vision of a potential dominant role for China, but imbued above all with a primitive Communist ideology in its must virulent and expansionist form.

2. In Korea, a divided country stood uneasily, half free and half Communist. With our military might sharply reduced after the war, as part of what may have been an inevitable slackening of effort, we withdrew our forces and reduced our economic aid before there was in existence a strong South Korean defensive capacity. With Soviet backing North Korea attacked across the 38th parallel in June 1950. With the Soviets then absent from the U.N. Security Council, the U.N. was able to condemn the aggression and to mount a U.N. effort to assist South Korea. The United States played by far the greatest outside role in a conflict that brought 157,530 U.S. casualties, cost us at least $18 billion in direct expenses, and in the end—after Communist China had also intervened—restored an independent South Korea, although it left a unified and free Korea to be worked out in the future.

In retrospect, our action in Korea reflected three elements:

A recognition that aggression of any sort must be met early and head on, or it will have to be met later and in tougher circumstances. We had relearned the lessons of the 1930's—Manchuria, Ethiopia, the Rhineland, Czechoslovakia.

A recognition that a defense line in Asia, stated in terms of an island perimeter, did not adequately define our vital interests—that those vital interests could be affected by action on the mainland of Asia.

An understanding that, for the future, a power vacuum was an invitation to aggression, that there must be local political, economic, and military strength in being to make aggression unprofitable, but also that there must be a demonstrated willingness of major external power both to assist and to intervene if required.

3. In southeast Asia, finally, there was a third major flaw—the difficulty of liquidating colonial regimes and replacing them by new and stable independent governments. The Philippines became independent and with our help overcame the ravages of war and the Communist Huk rebellion. The British, who had likewise prepared India and Burma and made them independent, were in the process of doing the same in

Malaya even as they joined with the Malayans in beating back a 12-year Communist subversive effort. Indonesia was less well prepared; it gained its independence, too, with our support, but with scars that have continued to affect the otherwise natural and healthy development of Indonesian nationalism.

French Indochina was the toughest case. The French had thought in terms of a slow evolution to an eventual status within some French union of states—a concept too leisurely to fit the postwar mood of Asia. And militant Vietnamese nationalism had fallen to the leadership of dedicated Communists.

We all know the result. Even with substantial help from us, France was unable to defeat the Communist-led nationalist movement. Despite last-minute promises of independence, the struggle inevitably appeared as an attempt to preserve a colonial position. By 1954, it could only have been won, again, by a major U.S. military commitment, and perhaps not even then. The result was the settlement at Geneva. The accords reached there were almost certainly the best achievable, but they left a situation with many seeds of future trouble. Briefly:

1. North Vietnam was militantly Communist, and had developed during the war against the French an army well equipped and highly skilled in both conventional and subversive warfare. From the start, North Vietnam planned and expected to take over the south and in due course Laos and Cambodia, thinking that this would probably happen by sheer decay under pressure, but prepared to resort to other means if needed.

2. South Vietnam had no effective or popular leadership to start with, was demoralized and unprepared for self-government, and had only the remnants of the Vietnamese military forces who had fought with the French. Under the accords, external military help was limited to a few hundred advisers. Apart from its natural self-sufficiency in food, South Vietnam had few assets that appeared to match those of the north in the struggle that was sure to come.

3. Cambodia was more hopeful in some respects, more remote from North Vietnam, with a leader in Prince Sihanouk, a strong historical tradition, and the freedom to accept external assistance as she saw fit. From the start Sihanouk insisted, with our full and continuing support, on a status of neutrality.

4. Laos, however, was less unified and was left under the accords with a built-in and legalized Communist presence, a disrupted and weak economy, and no military forces of significance.

Such was the situation President Eisenhower and Secretary Dulles faced in 1954. Two things were clear—that in the absence of external help communism was virtually certain to take over the successor states of Indochina and to move to the borders of Thailand and perhaps beyond, and that with France no longer ready to act, at least in South Vietnam, no power other than the United States could move in to help fill the vacuum.

Their decision, expressed in a series of actions starting in late 1954, was to move in to help these countries. Besides South Vietnam and more modest efforts in Laos and Cambodia, substantial assistance was begun to Thailand.

The appropriations for these actions were voted by successive Congresses, and in 1954 the Senate likewise ratified the Southeast Asia Treaty, to which Thailand and the Philippines adhered along with the United States, Britain, France, Australia, New Zealand, and Pakistan. Although not signers of the treaty, South Vietnam, Laos, and Cambodia could call on the SEATO members for help against aggression.

So a commitment was made, with the support of both political parties, that has guided our policy in southeast Asia for a decade now. It was not a commitment that envisaged a U.S. position of power in southeast Asia or U.S. military bases there. We threatened no one. Nor was it a commitment that substituted U.S. responsibility for the basic responsibility of the nations themselves for their own defense, political stability, and economic progress. It was a commitment to do what we could to help these nations attain and maintain the independence and security to which they were entitled—both for their own sake and because we recognized that, like South Korea, southeast Asia was a key area of the mainland of Asia. If it fell to Communist control, this would enormously add to the momentum and power of the expansionist Communist regimes in Communist China and North Vietnam, and thus to the threat to the whole free world position in the Pacific.

Let us look at Vietnam from the beautiful city of Saigon. I visited Saigon in December of 1963 with five of my colleagues, and spoke at length with Gen. Paul D. Harkins, commander of our Military Assistance Advisory Group, Ambassador Henry Cabot Lodge, and many of our American military and businessmen in the area. The most striking thing about Vietnam is the fact that it is the richest agricultural area in the world. The experts have said that sufficient food can be produced in this area to feed almost all of Asia. This territory in the southern portion of Vietnam also permits guerrilla forces to live off the land without a constant resupply to sustain their activities in the field. The area is abundant in geese, ducks, and of course the staple commodity—rice.

During the early phase of the Vietnamese operation against the Vietcong, our military adviser initiated a policy wherein all of the villages of the country were organized and defended in a unique manner. Instead of letting the farmers fall prey to small marauding bands of Vietcong, each town was fortified. The valuables were placed in a warehouse or hut in the center of town, and at the first sign of an attack, the villagers would retreat to this redoubt, and a radio call for help was sent to the nearest army force whose immediate response was guaranteed through the use of helicopters and other high-speed aircraft, in conjunction with paratroop operations. When the war was virtually won in the north the Vietcong were starved out, but in the south they could rely upon the overabundance in the Mekong Delta to support their operation, hence their success in the Saigon area.

The war has been further complicated by the very complex situation within the country. You can imagine the problems our advisers had with the turnover of governments. The American advisers had to get military advice to the proper authorities, and to determine who was in power very often caused a cessation of combat operations with the enemy. In effect, the war would stop while the heads of government and the key leaders in the Army were changed, and this meant a complete retraining program by the American mission of all military unit heads as well as political subdivision chiefs.

Probably one of the hallmarks of our mission in Vietnam has been the extreme patience of our American advisers, from our Ambassador and military commanders, down to the valiant Americans who spill their blood along with their Vietnamese comrades. The situation, to say the least, is vexatious but we must always keep our eyes on our strategic role—that of thwarting these Communist advances.

We will be successful. The Vietnamese will win their struggle. However, the road to victory never has been easy. The future may call for more intensive strikes at the base and source of Communist power and aggression in North Vietnam. The borders of South Vietnam may have to be sealed to prevent the flow of reinforcements and war material to the subversive Communist army. The 1,800 miles of coastline must be patrolled and the potential for resupply of North Vietnamese operations on the sea be destroyed.

The American people stand firm behind their President and behind the principles of freedom everywhere.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. MURPHY of New York. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Speaker, I would like at this point in the RECORD to include an observation to the effect that the gentleman from New York [Mr. MURPHY] is speaking from a very knowledgeable position, being a graduate of the Military Academy and having been one of the great heroes of the Korean war. He full well knows what the battle with the Communists means. He is fully prepared to evaluate properly exactly what we are doing in southeast Asia.

Mr. Speaker, I want to thank the gentleman for his very knowledgeable opinions in this debate here today.

Mr. MURPHY of New York. I thank the gentleman from New Jersey.

BANKING POLICY AND NEW BANKS

Mr. HANNA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman California?

There was no objection.

Mr. HANNA. Mr. Speaker, it is fairly obvious that the Comptroller of the Currency's office in general, and the recent more liberal policy for new bank entry in particular, has become a popular agency not only for criticism but also a rebuke. No agency has operated infallibly and, therefore, all are open to criticism. Also, it is fair to observe that these departments of Government are no more likely to be completely clear of partisanship under a Democratic administration than they were under a Republican administration and I do not think that anyone is surprised that this is so.

The Office of Comptroller has taken on the vigor and assertedness not always present in its operations and there are many who would have preferred the previous status. Mr. Saxon announced candidly his intention of broad competition in the banking field, and injected new ideas and new personalities into the field. This he has done in the normal course available under the law by chartering new banks. This policy, coming as it did after a long history of very limited new bank entry, gave the appearance of a revolutionary change and, in fact, on filling the area of banking expansion to meet the level of banking service and need as determined by his office. Mr. Saxon's first year's service struck with particular impact. In our judgment, and I think those of sober objective observers, the soundness of the Saxon policy can only be ultimately determined by the results of that policy when time has given a sufficient period to correctly assess the affects of that policy.

Banking is, under our laws, a quasi-public activity, with special privileges and special responsibilities. To the degree that new bank entries are extremely limited it can become a private monopoly under public protection. It occurs to this Representative that our country, in its past, has preferred policies of maximum competition in a free market and such a policy is ill served by a banking policy which would develop fewer and fewer banks as our population and economic strength expanded.

Mr. Speaker, if an investigation, upon appropriate grounds, is indicated as being desirable, I would suggest that such investigation direct itself to an objective scrutiny of the policy of the Comptroller, seeking to determine whether the results of free competition, better and newer services, and wider business opportunity have in fact been achieved. The operations of all Government agencies are no doubt open to some sniping on the details of particular cases, but if there is, beyond that, a charge raising the question of criminal action or malfeasance in office, these should be particularly made and particularly pursued, with emphasis of responsibility on the part of those making the charges.

There remains one further observation, Mr. Speaker. Some of the confusion and much of the criticism should be directed against the confusion in the laws Congress has drawn relative to banking regulations. Some recent events have demonstrated clearly that responsibilty has been too broadly proliferated in three agencies: the Federal Reserve, the Comptroller, and the Federal Deposit Insurance Corporation. Some better mechanism for cooperation between the State and Federal agencies should be devised and, finally, such new regulatory laws as may in the future be devised, should provide administrative action that assists compliance with the laws more than to punish for failure to comply. The agency should be as much a partner as it is a policeman.

It is our opinion that when time has given a proper measure for performance, Mr. Saxon's contribution will, on balance, have been a constructive one.

INVESTIGATION NEEDED WITH RESPECT TO SOME PHASES OF THE BANKING BUSINESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 15 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, an investigation of some phases of the banking business in this country is overdue.

Evidence has come to the surface indicating there is something wrong in the way national banks are being chartered, denied charters, and in the general administration of banking laws.

The Bobby Baker investigation, as halfhearted and spineless as it has been, has provided evidence indicating political influence is involved at least to some extent in the chartering of national banks by Comptroller of the Currency James Saxon.

Certainly, the strong political complexion of some of the stockholders of the District of Columbia National Bank raises some serious questions that call for a much deeper investigation than there has been to this date.

Such an investigation, to have any real meaning, must disclose the names of all political figures—including Members of the U.S. Senate and House of Representatives—who are dealt in on the original stock and thereby stand in a position to make a financial killing.

The payment of a $5,000 fee to Wayne Bromley, a former assistant to Bobby Baker, and the cashing of the check in that amount by Baker, certainly raises some questions in connection with the Redwood National Bank at San Rafael, Calif. Baker and Bromley have taken the fifth amendment on all questions relating to the possible use of political influence in that and other matters, but this provides no excuse for Congress to fail to do a full investigation.

I repeat that these cases and others raise danger signals that the chartering of national banks is serving a type of political patronage. There is also evidence that the activity of political figures has been an important factor in the decision to reject an application for a national bank charter.

The full evidence is not available but what is available indicates that former Secretary of the Navy, Fred Korth, of Fort Worth, Tex., was involved in political string pulling to block the issuance of a national bank charter in Winters, Tex. Only a thorough investigation by the Senate or House, or both, will determine the extent of the hanky panky involved in this case.

If Korth was not involved in the use of political influence at the Office of the Comptroller of the Currency, then he and some of his banking associates misrepresented their political fixing ability in order to get additional new deposits for Korth's Continental National Bank in Forth Worth.

Correspondence that Korth made available in connection with the TFX warplane investigation discloses strong evidence of political manipulations in connection with at least one national bank charter. Here is a brief chronology of what happened in this case:

First. An application was filed for a new national bank charter in Winter, Tex. It was opposed by several bankers, including Fred Holland, president of the Merchants and Planters National Bank of Sherman, Tex., and John Q. McAdams, president of the Winters State Bank of Winters, Tex.

Second. Holland wrote to Korth on November 7, 1962, asking the then Secretary of the Navy for help in blocking the national charter for Winters, and promising to "make it worthwhile" to the Continental National Bank at Fort Worth. Holland commented that there were other banks in the Winters, Tex., area that would be equally grateful if Korth and his associates at Continental in Fort Worth would block the Winters charter.

It should be noted at this point that Winters, Tex., is a considerable distance from either Fort Worth or Sherman, Tex.—far too distant to be competitive in normal banking business.

Third. On November 9, 1962, Korth replied to Holland stating he would "do everything I can" to assist in blocking the Winters application.

Fourth. Holland replied on January 22, 1963, enclosing a copy of a letter to Comptroller of the Currency Saxon and making reference to the fact that G. E. "Gus" Holmstrom, senior executive vice president of Korth's bank, knew all about it and added:

> We will greatly appreciate you helping us with this matter and shall certainly look forward to the opportunity of returning the favor.

Bear in mind that Korth, then Secretary of the Navy, was the former president of Continental National Bank and still owned about $160,000 worth of stock in Continental.

Fifth. On April 23, 1963, Holmstrom wrote to McAdams, of the Winters State Bank, assuring him that he and Korth would do all they could to block the issuance of a national bank charter at Winters.

Sixth. On the same day, April 23, 1963, Holmstrom, the senior vice president of Fort Worth's Continental National, wrote to Korth, then Navy Secretary, and I quote the following from that letter:

> Just a short note to let you know that John Q. McAdams has increased his account with us substantially, and I am convinced now that if the application for a national bank charter at Winters could be declined, we would probably get all of his business. Thought you might be interested in having this information.

Seventh. On June 21, 1963, Comptroller of the Currency Saxon rejected the application for the new national bank charter at Winters.

Eighth. A few days later, on June 29, 1963, McAdams wrote to Navy Secretary Korth:

> Want to thank you as sincerely as I know for the assistance you gave in defeating an application for a national bank in our town. If the opportunity is ever presented for me to show my appreciation for this favor it shall be my intention to try with determination.

This is not the whole story but it is enough to demonstrate that a penetrating investigation is called for in this case and other cases involving the business of banking. And let it be a fair and decent investigation, not a repetition of the Bobby Baker affair which has long been smothered under an avalanche of whitewash.

Following are the texts of the letters released by Korth after he found an investigating committee hot on his trail in the TFX fighter plane contract case:

THE MERCHANTS & PLANTERS
NATIONAL BANK,
Sherman, Tex., November 7, 1962.

Hon. FRED KORTH,
Secretary of the Navy,
Washington, D.C.

DEAR FRED: I first want to apologize for taking your valuable time to discuss a matter of relative unimportance, in view of the fact that you have so many very important things to do.

Gus told me a couple of days ago that he had talked with you about the application here for a national bank charter. I believe he also told you, at the same time, that the sponsoring group was Charles Spears and his associates, who presently have the Grayson County State Bank and the Texoma Savings & Loan Association.

Presently there are 2 banks in Sherman and 10 banks in Grayson County, which we sincerely believe take care of the banking needs of our community. The proposed location of this new bank is less than five city blocks from the Grayson County State Bank, and is to be located in a shopping center which we understand will be started in the near future.

We know the prevailing attitude with respect to new charters, as well as branch banks in general, and feel that we must have assistance from friends like you if we are to effectively oppose this application.

I have assured Gus that if we are successful in our efforts that we shall certainly make it worth while to his bank, and would like nothing better than to solicit similar assistance from the banks in Denison, Whitesboro, Whitewright, and the others in our area.

When you have time I would appreciate having your thoughts on this subject.

Respectfully yours,
FRED HOLLAND,
President.

NOVEMBER 9, 1962.

Mr. FRED HOLLAND,
President, the Merchants & Planters National Bank, Sherman, Tex.

DEAR FRED: I have your letter of November 7 and certainly share your concern with reference to the proposed new national bank charter. I shall do everything I can consistently to assist you in blocking what I consider an improper application.

I will discuss this matter with the proper people.

With best regards.
Sincerely,
FRED KORTH.

THE MERCHANTS & PLANTERS
NATIONAL BANK,
Sherman, Tex., January 22, 1963.

Hon. FRED KORTH,
Secretary of the Navy,
Washington, D.C.

DEAR FRED: I am enclosing copy of a letter to Mr. Saxon relative to our opposition to the granting of the new bank charter here. You will notice that we have based our opposition on the lack of community need and stayed completely away from the fact that it will be actually a part of the Grayson County State Bank and Texoma Savings & Loan Association, which you will remember are both controlled by Charles Spears.

Gus Holmstrom knows the situation here well and I am sure he would tell you that if there was a need for another bank at this time we would be the first to recognize it.

We will greatly appreciate your helping us with this matter and shall certainly look forward to the opportunity of returning the favor.

Cordially yours,
FRED HOLLAND,
President.

APRIL 23, 1963.

Hon. FRED KORTH,
Pentagon Building,
Washington, D.C.

DEAR FRED: John Q. McAdams keeps calling me concerning a new bank charter application in Winters. I have told him that we would do whatever we could, and I also admonished him to be very careful as to what statements he made, as we were not in a position to commit ourselves in any way, due to our correspondent at Abilene.

However, it seems rather foolish for the national department to grant a charter in a town with only 3,000 people, and only $4 million on deposit.

The bank now located there is adequate for this size town, especially when there are many banks in the county in every direction from Winters.

With kindest regards.
Yours very truly,
G. E. HOLMSTROM,
Senior Executive Vice President.

CONTINENTAL NATIONAL BANK OF
FORT WORTH,
Fort Worth, Tex.

Hon. FRED KORTH,
Secretary of the Navy,
Washington, D.C.

DEAR FRED: Just a short note to let you know John Q. McAdams has increased his account with us substantially, and I am convinced now that if the application for the national charter at Winters could be declined, we would probably get all of his business. Thought you might be interested in having this information.

With kindest regards.
Sincerely,
G. E. HOLMSTROM.

THE WINTERS STATE BANK,
WINTERS, TEX., *June 29, 1963.*

Hon. FRED KORTH,
Secretary of the Navy,
Washington, D.C.

DEAR FRED: Want to thank you as sincerely as I know for the assistance you gave in defeating an application for a national bank in our town. When word came a day or two ago of this negative answer the whole town and those composing the area, except for a few individuals, were as happy as people can get. You know, Fred, if the Lord himself had a bank he could not have 100-percent support.

If the opportunity is ever presented for me to show my appreciation for this favor, it shall be my intention to try with determination.

My personal regards to you.
Cordially and sincerely,
JOHN Q. MCADAMS.

VIETNAM

The SPEAKER pro tempore (Mr. PRICE). Under previous order of the House the gentleman from New York [Mr. RYAN] is recognized for 30 minutes.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I am delighted today that Members of the House of Representatives have taken time in which to discuss the serious situation which exists in Vietnam. I believe that we have heard this afternoon from the gentleman from New Jersey [Mr. GALLAGHER] and the other Members who have addressed the House, a very sincere discussion of some of the very complicated and complex problems which confront us in the entire area.

Mr. Speaker, last June 10 when the Foreign Aid Act of 1964 was under consideration on the floor of the House, I discussed some of the very serious problems confronting the United States in Vietnam. I said then:

> The military situation in the area is steadily deteriorating and the United States is becoming more and more involved in a mean and ugly war.

I suggested then that there should be debate in the House of Representatives concerning our policy in this war-torn area. Unfortunately, since then the military situation has gone from bad to worse and our involvement has become even deeper. But debate has begun in the House of Representatives and in the other body. It is very important that elected representatives of the people present their views on an issue which is fraught with so much complexity and so much danger and has so many ramifications for the American people.

Although recent events, including the bombing of North Vietnam, have heightened the crisis, the fundamental situation has not really changed since I talked on June 10. It is still true that the shifting governments in Saigon have not been able to gain the support of the South Vietnamese people. Indeed, it is difficult to see how anyone in South Vietnam could be fiercely loyal to the Central Government when that Government hardly exists. There have been eight coups in 16 months. The most recent occurred only a few days ago.

Mr. Speaker, this political instability, this pattern of coup after coup, coup within coup, and coup and countercoup—can only breed cynicism and indifference on the part of the great majority of the people of South Vietnam. The political situation in South Vietnam casts doubt upon slogans about protecting the "freedom" of the people. The fact is that there is no elected government.

Not only is there no constitutional government in South Vietnam, but the discontent of the Buddhists, students, and others is apparent. No wonder a responsible commentator, Walter Lippmann, almost a year ago estimated:

> The Saigon government has the allegiance of probably no more than 30 percent of the people and controls (even in daylight) not much more than a quarter of the territory.

The lack of support of the people is of great military significance, for this is not a conventional war. It is a guerrilla war. The enemy infiltrates into South Vietnam by walking through the jungle. He mingles with, and is usually indistinguishable from, the local population which supports him. Since the Vietcong live among the South Vietnamese, it is highly unlikely that attacks such as the one at Pleiku, which require advance planning and coordination, can be successful unless the South Vietnamese can be counted on not to inform the Americans. Mr. Speaker, we must face the facts in South Vietnam.

In spite of the evidence, it often is argued that this guerrilla war can be won in South Vietnam. The experiences in Greece, Malaya and the Philippines are cited. Without going into great detail, there are essential differences between those situations and the one we face in South Vietnam.

In Greece the Communist guerrillas were not defeated until Yugoslavia closed its border, depriving them of their sanctuary. Moreover, the Greeks were motivated to win.

In Malaya the guerrillas belonged to the Chinese minority, and there was no active sanctuary next door. Despite advantages the British had in Malaya, which do not exist in South Vietnam, it took 13 years and cost $3 billion to defeat 8,000 guerrillas with 300,000 men.

In the Huk uprising in the Philippines the guerrillas were cut off from outside help, and a sound agricultural reform program deprived the Communists of much of their appeal. Yet it took 7 years for approximately 60,000 men to defeat 8,000 to 10,000 guerrillas.

If one seeks a parallel to Vietnam, let us look to the French involvement in Algeria where 760,000 men were tied down for 8 years at a cost of $12 billion, fighting a guerrilla force which shrank from 60,000 to 7,000 at the time of the cease-fire. By the time the French were "winning the war" it appeared that it would require the maintenance of 200,000 to 300,000 troops in Algeria to prevent the recurrence of guerrilla activity. The Algerian experience suggests that, if the minds and hearts of the people are lost, it is almost impossible to win a guerrilla war by military means.

Mr. Speaker, what alternatives are feasible in this situation? It has been seriously proposed in some quarters that the war be greatly expanded by massive bombing of North Vietnam and a massive troop commitment to South Vietnam. The New York Times editorial of last Sunday, February 21, pointed out:

> Not one of our major allies in the West could be expected to endorse, much less actively assist, an American involvement so massive it would amount to a military occupation of leaderless South Vietnam.

Furthermore, the New York Times said that the costs of such an adventure would end America's efforts to demonstrate the superiority of its social system by abolishing poverty and building a Great Society.

Increasing escalation of the war in South Vietnam will bring the Chinese closer and closer to open intervention and increase the possibility of a Korean style war. Moreover, this would provide the paste and glue for the Chinese and the Russians to paper over their differences—differences which we should seek to exploit. As Walter Lippmann said in his column of February 18:

> For this country to involve itself in such a war in Asia would be an act of supreme folly. While the warhawks would rejoice when it began, the people would weep before it ended.

While it would be highly dangerous to escalate the war, while there is no pat answer to the problem, I do not stand here to advocate a complete withdrawal. A complete withdrawal from the area would probably lead to Communist control of the whole peninsula. The pressures on Cambodia, the pressures on Thailand, would be enormous. In addition, we have a commitment, and if we were to abrogate that commitment, our action would lessen the reliability of our commitments elsewhere in the world. Therefore, in considering our future course, we must make it clear that we do not intend to bargain away the independence of South Vietnam.

However, within that framework it seems to me there are reasonable, sensible, and honorable alternatives which should be explored and which we must explore, for time is running out. If we keep in mind President Kennedy's immortal words, "Let us never negotiate out of fear but let us never fear to negotiate," we can seek a negotiated settlement which guarantees the independence of South Vietnam.

I suggested last June that we steer such a course. The United States today is still in a good position to negotiate an honorable settlement. Despite the deteriorating position in the south, North Vietnam has its difficulties and faces serious problems. The North Vietnamese have spent 10 long and arduous years in building up their industrial policy, which they know could be destroyed overnight by the U.S. Air Force. Our recent bombing raids should have left little doubt of the increasing possibility that the United States will use its air power to the fullest and maximum extent.

Moreover, as the situation grows more intense, as the war steps up, there is the greater possibility that Communist China will "volunteer" to aid North Vietnam by sending troops into that country. The North Vietnamese have had experience with Chinese occupation before. The Chinese occupied North Vietnam for centuries, and it is doubtful that the North Vietnamese would want to repeat that experience. It also appears that the Russians would not want to see the Chinese take over North Vietnam because that would lead to further expansion into southeastern Asia.

Economically and geographically North and South Vietnam complement each other. The north needs the rice from the south. Before the war there were large imports of rice from the south. Certainly the south could use the industrial goods of the north.

Mr. Speaker, the elements for negotiation in this situation do exist. Once there is a willingness to negotiate, a proper forum within which to negotiate can be found whether it is through the machinery which was set up in 1954 at the Geneva Conference or through the United Nations or some other forum or international conference.

It is impossible at this moment, I realize to set forth any sure-fire formula for negotiations. However, various possibilities can be suggested. Again let me stress that any plan must insure the independence of South Vietnam.

In the first place, there must be an immediate cease-fire. Then there can be serious discussion of the terms of a potential political settlement. Any agreement for a settlement would have to be guaranteed by both the United States and the Soviet Union.

A minimal agreement might guarantee that both North and South Vietnam would agree not to join any military alliances or attempt to overthrow each other either directly or by subversion. Each would be allowed to develop its own form of government. The South would agree to normalize trade relations with the North, but it would not be necessary to offer diplomatic recognition. The relationship between East and West Germany might be used as an example in that respect. As I suggested last June, joint economic projects between the North and South might lead to eventual reunification and free elections.

Another possible area of solution might be to provide for both North and South Vietnam to enter the United Nations on the stipulation that all aggressive action, including subversion, cease between them and, furthermore, that trade be resumed. The United Nations might very well be called upon to send a peacekeeping force into the area to supervise such an agreement.

Then there is another possibility, one which in the long scope of history and on the basis of a long-range look into the future should be given very serious consideration. That is the creation on a regional level of an agreement which would include North and South Vietnam, Laos, Cambodia, and Thailand. Such an agreement would prohibit the signatory countries from joining any military alliances or attempting to overthrow the governments which are parties to the agreement.

A common market might be devised for North and South Vietnam, Laos, Cambodia, and Thailand. Consideration might be given to the establishment of a customs union and a payments union to finance special projects and long-term economic development. A regional planning bank could plan projects for the entire area or for the individual countries.

Mr. Speaker, whatever political settlement is envisioned would have, I say again, to be guaranteed by the great powers. Either the International Control Commission under the Geneva agreement or the United Nations would be expected to play a peacekeeping role in the area.

As I said at the beginning, there are no final answers to the difficult problem of South Vietnam. However, neither is there any satisfactory military solution. Therefore, a diplomatic resolution of the problem must be found.

I return to the thought of a recent editorial which appeared in the New York Times on February 9, 1965, which is expressed in this way:

> The only way out is diplomatic, international, political, economic—not military. A solution will not be found by exchanging harder and harder blows. Perhaps a new start can be made from an untried base—that Americans, Vietnamese, Chinese, and Russians are all sensible human beings who are ready for peace in southeast Asia, or at least willing to consider it.

Mr. Speaker, it is time to make a new start in Vietnam.

MR. JUSTICE FELIX FRANKFURTER

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. CONTE. Mr. Speaker, it is an irony of life that amid our rejoicing and celebrations we must give pause to mourn. Two days ago, on the birthday of the first American President, we lost a man who had become, within his lifetime, first among American judges. Felix Frankfurter never sat as the Chief Justice of this land, but he was its chief jurist.

Long before his death, novice and trained lawyers studied and were guided by the brilliance of the law he set down in his opinions and as, indeed, they shall long be guided after his death. For no man more epitomized the clarity, the intricacy, the sternness and the mercy of the law than did Mr. Justice Frankfurter.

And if for future generations we must mark this man, if mark him we can, then let us say: "To no one did he sell, to none did he deny or delay, right or justice."

Mr. Speaker, at this point, I wish to insert into the RECORD the New York Times editorial of February 24, 1965:

FELIX FRANKFURTER

Felix Frankfurter was the heir and exemplar of several traditions that have mingled successfully in the rich tapestry of American life.

Had he lived in the 18th century enlightenment, he would have been at home in Dr. Johnson's London or in the Paris that so warmly welcomed Thomas Jefferson and Benjamin Franklin. He had a Jewish love of learning for its own sake as befit the descendant of six generations of rabbis and Talmudic scholars. He was an effervescent, insatiable conversationalist—a suitable taste and talent for a man born, as he was, in 19th-century Vienna.

Frankfurter had the authentic radical's need to protest against injustice and, in so doing, to risk unpopularity with the rich and respectable. He exposed the wrongful conviction of labor leader Tom Mooney during the patriotic excitement of World War I. He crusaded in behalf of a new trial for Sacco and Vanzetti, in 1927, shocking many defenders of the status quo in Harvard Yard and the Commonwealth of Massachusetts. He was active in innumerable dissenting movements.

But Frankfurter had also the authentic conservative's devotion to the past, respect for power and taste for balance and order and moderation. He entered public life under the auspices of Henry L. Stimson, one of America's great conservative statesmen. As Chairman of the War Labor Policies Board in World War I, adviser to Presidents finally Associate Justice of the Supreme Court, Frankfurter served his Government with conspicuous devotion. Nor was it any accident that he contributed the phrase "with all deliberate speed"—with its nicely balanced double imperative—to the Supreme Court's school desegregation decision.

During more than 20 years at the Harvard Law School, he was a superb teacher of law. Combining erudition with enthusiasm, he awakened, stimulated, goaded, enlightened and finally educated hundreds of young men—not only as skilled professionals but as civilized men and as future public servants with lively consciences.

Among his admirers there was a school of thought that for Frankfurter elevation to the Supreme Court, although it seemed to crown his career, was in fact an anticlimax and a wrong turning. This greatest of teachers, some believed, lacked the ultimate self-confidence to wield judicial power, intimately acquainted though he was with the workings of political power.

Certainly his death will only temporarily still the long-continuing controversy between the judicial activists and the advocates of judicial self-restraint whose cause he championed. There is no need here to arbitrate this rich and fruitful intellectual dispute. One has only to observe that he was admirably brilliant, honest and unsparing in his contribution to the public dialog.

As a philosopher and scholar of the law, a judicial craftsman, a master of prose style and a formative influence on a generation of American lawyers and public officials, Felix Frankfurter was a major shaper of the history of his age.

FORT SNELLING

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, a citizens' group in Minnesota, named the Fort Snelling State Park Association and headed by Samuel H. Morgan, of St. Paul, has been doing a magnificent job in working to preserve the historic and natural values of the Fort Snelling area, the birthplace of modern Minnesota. Plans are underway now, with notable accomplishments already recorded, for a State park in the fast-growing Minneapolis-St. Paul metropolitan area within easy access of nearly two-thirds of the population of the State. It has been designated as a national historic landmark.

Over $200,000 has been raised from private sources to implement the work of this association. Because this park is so important to the entire State of Minnesota I am inserting in the RECORD today a portion of the chapter entitled "The Americans Build Fort Snelling," from the book "Minnesota—A History of the State," by Dr. Theodore C. Blegen, the dean emeritus of the University of Minnesota graduate school. Dr. Blegen's excellent one-volume history of our State was published in 1963 by the University of Minnesota Press, Minneapolis, Minn.

The excerpt is as follows:

MINNESOTA—A HISTORY OF THE STATE

The establishment in 1819 of Fort Snelling (first called Fort St. Anthony) at the junction of the Mississippi and Minnesota Rivers marks a significant historical turning point. In a sense it is the beginning of the modern, American period of Minnesota.

Interweaving forces explain the emergence of this frontier fort toward the end of the second decade of the 19th century. Among them were the termination of the War of 1812 and the exploitation of the fur trade by Americans. National interest had been alerted to the need of frontier protection from external hazards and from hostile Indian action; and this interest involved also the desirability of promoting peace among the Indian tribes. Spurred by the Louisiana Purchase and Jefferson's policies, Americans wanted to extend their knowledge of the relatively unknown lands of the West; and there was a growing awareness of the likelihood of westward expansion in the years ahead—the coming "tread of pioneers." The past demonstrated that treaties of themselves, especially if boundaries were ill defined, could not extend American authority into the wilderness. Only occupation could turn authority into actuality.

Frontier defense developed as a significant part of national policy after the War of 1812. In the formation of that policy American fur-trading interests undoubtedly played a role. They did so especially through the machinations of the American Fur Co. and the skill of the business genius at its head. Astor's will prevailed, as has been noted, in the law of 1816 which in effect restricted the fur trade on American territory to American ownership and control. Only a year later the fur magnate bought out the remaining British interest in the old South West Co. and thenceforth had in his hands the former posts, on the American side, of both the North West and the South West Companies. In the reorganization of the American Fur Co. he gave attention to the trade of the Middle West, alongside his many other commercial and financial operations. In this same period he used every effort to bring about the dissolution of the factory system, which meant governmental competition, minus the profit motive, with the privately owned fur trade. Not so well known is the fact that Astor played a part in the movement to accord official military protection to the fur traders.

He was informed about the Selkirk war and disturbed by the news of Lord Selkirk's capture of Fort William. He was particularly irked by reports that Selkirk had carried confiscated trade goods into American territory in contravention of American laws. In 1816 Astor appealed to the Secretary of State, James Monroe, for the dispatch of an American military expedition to take by force the goods Selkirk was believed to have seized.

Such an expedition was not sent, but the American Government, after the War of 1812, embarked upon a broad policy of frontier defense. As early as the summer of 1815 a treaty of peace was negotiated with the lately hostile Sioux Indians, who pledged friendly relations and acceptance of American authority. Mackinac, the same summer, was taken over by American forces. The next summer Prairie du Chien was occupied by American infantry, and a new fort—Fort Crawford—erected. This was no single action unrelated to a wider plan, for the same year—1816—saw the emergence of Fort Armstrong, at Rock Island, and Fort Howard, at Green Bay, and also the building of the second Fort Dearborn at Chicago. The larger strategy was aimed at a chain of military posts supplementing to the north and west the forts stretching from Detroit to St. Louis and southward. In 1816 and 1817 Monroe and John C. Calhoun, the latter Secretary of War, studied the problem of frontier defense. Calhoun set up a board of officers to "examine the whole line of our frontier" and to recommend appropriate sites in a range from Minnesota to the Missouri country.

Even before Calhoun announced this plan, a military expedition was made from St. Louis, in the summer of 1817, to the Falls of St. Anthony. This was led by Maj. Stephen H. Long, an experienced topographical engineer who, earlier in his career, had taught mathematics at Dartmouth College. He went north under instructions from the War Department to examine the portages of the Fox and Wisconsin Rivers and to ascend the Mississippi to investigate the sites acquired by Lieutenant Pike 12 years earlier and to make recommendations to the Department concerning their suitability for military posts. Long duly carried out his assignment. He spent 76 days going up the Mississippi in a six-oared skiff, examined the earlier sites, and at the mouth of the Minnesota chose a "high point of land, elevated about 120 feet above the water, and fronting immediately on the Mississippi." This, he believed, was the place best suited for a "military work of considerable magnitude," a choice confirmed by Calhoun in 1818.

Realistic in his judgment of the site, Long was a romantic at heart, and his diary describes the place as "the most interesting and magnificent of any" he had ever seen. He took occasion to explore Carver's Cave, also Fountain Cave, and he recorded, from the lips of an Indian—"Shooter from the Pine Tree"—the romantic legends of Maiden Rock on Lake Pepin and of the Falls of St. Anthony.

Events now began to move at a faster pace. Plans were announced in the spring of 1818 for a fort to be built at the mouth of the Yellowstone, far up in the Missouri country. In December Secretary Calhoun reported that a fort would soon be established in the Minnesota area favored by Major Long. Both these forts, he said, were to be erected "for the protection of our trade and the preservation of the peace of the frontiers." The plans afoot made it clear that the two forts, and yet others designed for the Missouri, were parts of a grand program of frontier defense. As things turned out, the Yellowstone plan did not materialize, though Fort Atkinson was built in Nebraska, a military post strategic in the early history of that State. The Minnesota fort was established, however, and it took on added importance because, in the absence of the intended fort at the Yellowstone, its sphere of influence extended to the Missouri country.

Fort Snelling, like Rome, was not built in a day. The 5th U.S. Infantry at Fort Gratiot (Detroit), under Lt. Col. Henry Leavenworth, a veteran of the War of 1812, was entrusted, under an order dated February 10, 1819, with the job of building it. Characteristic of American negligence in its Indian relations was the fact that nobody had ever paid the Sioux the $2,000 promised by Pike in the treaty of 1805. The Government suddenly realized that in order legally to build the fort on land acquired by Pike, it must first make good its 14-year-old promise. As a result the Indian agent at Rock Island, Maj. Thomas Forsyth, was sent north concurrently with the troops. He divided the payment (in goods) among a half-dozen chiefs, including Wabasha and Little Crow (grandfather of the Sioux War leader), liberally lubricating the transactions with liquor.

Colonel Leavenworth did not arrive at the mouth of the Minnesota until late in August (the 24th). With him came a detachment of 98 soldiers, and in September the post was augmented by an additional 120. Thus some 200 soldiers, with their officers, initiated the frontier post, building first a temporary cantonment (New Hope) on the south side of the river, near present Mendota. Then, after a miserable winter marked by a disastrous attack of scurvy, in which it appears that no fewer (perhaps more) than 40 soldiers died, a summer camp of tents was occupied on the west side of the river (Camp Coldwater). Leavenworth made plans for a permanent fort some distance north of the site finally chosen. Before its building was launched, however, he was transferred, and his place was taken by Col. Josiah Snelling.

It was the vigorous and competent Colonel Snelling, Boston-born veteran of the War of 1812, who designed and built Fort Snelling while serving as commandant (from 1820 to 1827). Snelling promptly selected the present site of Fort Snelling at the crest of the bluff above the river junction. Precisely when the various structures were erected is difficult to say, but by the summer of 1824 the colonel was able to report that that year would witness the completion of the fort; and it was in the same year that Gen. Winfield Scott inspected the post and was so deeply impressed that he recommended to the War Department the dropping of the old name, Fort St. Anthony, and its renaming as Fort Snelling, a change richly merited and made official in 1825.

The job of fort building, done by the soldiers under Snelling's supervision, was laborious and praiseworthy. The men cut pine logs in the Rum River region, floated them down the Mississippi, and built a sawmill at the Falls of St. Anthony that was doing business by 1822. Gradually the fort took shape—a diamond shape, completely enclosed by stone walls 10 feet in height. Encrusted with Minnesota historic lore are the limestone hexagonal and round towers, each with loopholes for musketry, the one bastion overlooking the Minnesota Valley, the other standing like the prow of a ship at the prairie end of the area, both structures still in existence. At other corners were a pentagonal tower and a battery and lookout. Within the enclosure were officers' quarters, barracks, commandant's house, shop, hospital, parade grounds, guardhouse, commissary, and quartermaster store, magazine, a well, and even a schoolhouse. At the Falls of St. Anthony were both a gristmill and a sawmill plus additional barracks.

The frontier fort has been described as an isle of safety in the wilderness, impregnable to Indian assault (though not to artillery). It would be difficult to overestimate the importance of Fort Snelling in the development of Minnesota. It was not, indeed, the scene of battles—even in the 1860's when the Sioux outbreak occurred—but for more than three decades it was the northern military outpost of the Mississippi Valley. Fort Snelling was a strategic center for encircling settlement, and in the course of time the two greatest cities of Minnesota grew up only a short distance above and below the Mississippi from the fort. Symbol of American authority, the fort was the focus for negotiations with the native tribes. Under the protection of the fort the fur trade flourished. Its soldiers were farmers as well as carpenters, masons, and builders, millers, and sawyers. Snelling saw to it that wheat and corn were planted.

A visitor in 1823 noted that more than two hundred acres of land were under cultivation for wheat, oats, corn, and garden vegetables—guarantees against the return of the fearful scurvy that assailed the soldiers in their first year. In 1824 Snelling reported 4,500 bushels of potatoes stored from the previous summer and said that he expected a larger crop in 1825. The fort was the Minnesota center to which, as the years went by, just about all visitors to the region came—explorers, missionaries, travelers. It was the objective of steamboat travel on the Mississippi after navigation pioneered the northern course of the river in 1823. And through more than a century and a quarter the fort (save for a short period before the Civil War) was a military center serving region and nation in successive wars as well as in peace.

Important as is its local story, Fort Snelling must be interpreted in the larger setting of the services of the U.S. Government in the forwarding of the westward movement. The Government "guided, directed, and protected the movement." As a historian of American frontier forts has written, the Army "surveyed rivers and lakes; it improved harbors and built fortifications; it surveyed routes and built roads and bridges; it protected mail routes, Government stores, roads, and ferries; it ejected squatters and established legal claimants; it protected agents and commissioners; it restrained and regulated hunters and trappers; it assisted officers of the law; it protected whites against Indians and Indians against whites; and finally it fought those occasional battles which seemed to be inevitable."

Even these varied categories do not tell the full story of such forts as Snelling and the Army's contributions to the building of the West. The frontier posts were not merely "isles of safety," not merely hubs around whch vast growth and development would come with the passing decades, but also communities of civilized people whose own lives and activities were a part of the unfolding culture of the Middle West.

Fort Snelling, once it emerged from its initial ordeals, was a center not only for military duty and work, but also for reading, dances, theatricals, hunting, schooling, family life, adventure, and the formalities of reviews, the daily ceremony of flag raising, and entertainment of visiting dignitaries. The fort's history reveals interesting personalities. Colonel Snelling himself, peppery red-haired commander, affectionately nicknamed "The Red Hen" by his soldiers, was an officer of the old school, stern in discipline, hard driving, hard drinking, efficient in getting things done; and his wife was a lady of acknowledged charm. After Snelling's departure in 1827, the fort was commanded for a year (from the summer of 1828) by a future President of the United States, Zachary Taylor. But life at the fort proved an unhappy experience for "Old Rough and Ready," who was not impressed by the glories of Minnesota. A "most miserable and uninteresting country," the southern-born officer wrote before his transfer to Fort Crawford.

In 1823 Snelling brought out to his fort as a tutor for the children of the officers a Harvard graduate, John Marsh, who studied medicine under the fort's surgeon, Dr. Edward Purcell, and also served as mail carrier between the fort and Prairie du Chien. One of Marsh's pupils was the colonel's eldest son, William Joseph Snelling, wayward, adventurous, and a near genius. Then and later the pupil took a lively interest in the Sioux Indians, and in 1830 published a book of stories, "Tales of the Northwest," a portrayal of Indian life marked by authentic realism and not in the Cooper cardboard tradition—a minor frontier classic.

Life at the fort seems to have been a spur to writing, for many other records were produced, one entitled "Three Score Years and Ten" by Charlotte Ouisconsin Van Cleve, daughter of a lieutenant and born at Prairie du Chien (1819) as the family was on its way to the frontier. Mrs. Van Cleve wrote late in life, looking back with nostalgic eyes at the scenes of her childhood.

In the 1830's the physician of the fort was Dr. John Emerson, who brought to Minnesota (in 1836) his slave, Dred Scott. Later Scott, who married his wife Harriet at the fort, was taken to Missouri by the doctor. After Emerson's death Scott sued for freedom because, he alleged, the fact that he had lived at Fort Snelling, in the Missouri Compromise area on which slavery was prohibited, had emancipated him. So the story of the frontier fort is entwined with one of the most famous of legal cases in the background of the Civil War. Commandant for a brief period in 1837 was Capt. Martin Scott, Vermont Yankee, famed as a hunter who kept a pack of 20 or more dogs, deadly marksman, ready for a duel at the slightest insult, at the end killed in battle in the Mexican War. Dr. Edward Purcell, Irish-born surgeon who accompanied Leavenworth in 1819, administered in his post quarters the first hospital in Minnesota and was himself the pioneer practioner of medicine in the region. He struggled with the problems of scurvy during the first year, but after that ordeal there were relatively few deaths among the soldiers during the years of Dr. Purcell's services, which continued until his death at the fort in 1825.

A commander of Fort Snelling in the 1840's was Seth Eastman, a scenic artist whose many paintings have enriched the regional lore. His wife Mary recorded in a very popular book the legends of the Sioux as she heard and collected them in the Minnesota country. Not a few officers who attained high rank in the Civil War saw frontier service at the Minnesota fort. These included Thomas W. Sherman, wounded at Port Hudson in 1863 and later breveted brigadier general; Maj. Gen. Edward R. S. Canby, who had charge of Federal troops in New York City after the draft riots of 1863 and who captured Mobile in 1865; and Eastman, who was breveted brigadier general in 1866 after Civil War service. The Confederate general, Simon Buckner, who surrendered Fort Donelson to General Grant in 1862 had also been stationed at Fort Snelling.

The lot of officers and their families was lightened by many amenities, but that of the men was one of drills and routine from reveille to tattoo, rollcalls, fatigue duties, parades, hard work on assigned jobs, care of horses and cattle, special errands, a cash income of $6 a month, severe punishment for infractions of rules (including floggings sometimes administered personally by the commandant with a cat-o'nine-tails). There were not infrequent desertions, and there are some evidences of occasional near mutinies. For all at the fort, life in wintertime meant isolation, the river highway closed to transportation. But for the officers and their families there was the post library, and there were diversions in cards, chess, checkers, dominoes, balls, and frequent amateur plays—the post records tell, for instance, of a performance of Monsieur Tonson. In summer there were picnics and rides or walks to Minnehaha Falls and nearby lakes. Frequently there was the excitement of visiting Sioux and Chippewa, with their dances and violent games of lacrosse. And the feuds of the inveterate enemies sometimes erupted within the very shadows of the frowning walls of the fort. Now and then animosities among the officers found vent in duels—once Colonel Snelling himself was challenged, as commanding officer declined, and his place was taken by his son William. The son was wounded slightly and the officer with whom he fought was court-martialed.

An enclosed little world, this diamond post north in the Mississippi Valley. It was remote from, yet an extension of, the centers of civilization. Its officers and men were alert to the importance of their military mission but they probably were little aware of their role as pioneers of a coming State whose people would look back to Fort Snelling as to a shrine. Its memories would be collected and preserved and the time would come in the 20th century when the very site would be excavated to expose foundations of buildings long since destroyed and to bring to light artifacts as of some ancient culture.

Far in the past Fort Snelling may seem to modern eyes, but it is linked with the modern commonwealth, not merely through cherished lore, but in the evolution of the State. From earlier to later times it played a role significant, colorful, influential, and worthy of the traditions of the American Army. In its earlier years, it had scarcely been established before it began to function as host to a succession of exploring expeditions that spanned the length and breadth of Minnesota, while the same early period witnessed a new chapter in the exploitation of the fur trade under American control and management, with the center of that trade established across the river from the fort. Old Fort Snelling was the nucleus of life and enterprise in Minnesota as it emerged into its American period. It may fairly be said to have "set in motion the transformation of a vast Indian territory into an American state." In view of the role played by Fort Snelling through close to a century and a half, it is appropriate that in 1960 it was given status as a national historic landmark. This emphasized its importance in the history of the American West and of the United States. The enduring Minnesota interest in the fort was in turn given recognition in 1961 when its original site was turned over to the State by the Federal Government. The area thus transferred is known as the Fort Snelling Historical State Park, and it is expected that in time it will be greatly expanded.

STATE LEGISLATIVE REAPPORTIONMENT DECISION

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BETTS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. BETTS. Mr. Speaker, I believe the Congress, still faced with the issue of the legislative apportionment decision of the U.S. Supreme Court, must act swiftly to allow the people of each State to determine the composition of their State legislature. To accomplish this objective I have introduced a resolution providing for a constitutional amendment authorizing one house of State legislatures to be apportioned on factors other than population. This issue is of paramount importance to the people of the Eighth Congressional District of Ohio who have given their wholehearted support for such an amendment to our Constitution.

The vital significance of this proposal can be vividly demonstrated in my own State of Ohio. There a Federal court nullified the Hanna amendment in the Ohio constitution which guaranteed each county at least one State representative. The general assembly was called into special session to develop a reapportionment plan and to define the boundaries of legislative districts. An amendment to Ohio's constitution has been proposed, which, if ratified, would authorize an apportionment board to establish a legislature of 140 seats, each having a population of approximately 69,000 persons. Now let us examine the effect of all this on my congressional district.

The Eighth Congressional District is composed of seven counties and has a population of slightly over 300,000 citizens. Each county presently has a State representative, but under the apportionment ruling it is evident several of these counties must be merged in some manner. Marion and Seneca Counties may not feel the effect of reapportionment as the population of each is above 60,000. But what of Crawford, Hancock, Hardin, Morrow, and Wyandot Counties, whose populations range from 19,000 to 53,000 on the basis of the 1960 census? Some of them are certain to lose their representative, and to a great extent will lose an important part of their identity as individual counties. The State representatives serving the counties within the district I represent are but a token number when we consider the thousands of legislative seats affected by the Supreme Court's apportionment decision.

I am compelled to continue the fight to reverse the decision not only from personal conviction and my constituents' endorsement of this position but also because I believe the decision violates the basic right of the people to choose the basis on which one house of their State legislature will be composed. In addition to the damage which will be done to individual counties, legislative apportionment thus strikes at the foundation of State sovereignty.

The U.S. Supreme Court through its interpretation of the "equal protection" clause of the 14th amendment for the first time in our history invaded the domain of State sovereignty in its so-called one-man, one-vote decision. The people of America are not mere numbers, they have dissimilar problems and needs and live in widely differing geographic and population areas. To destroy this traditional relationship, thrusting almost unbridled power upon a few metropolitan centers, will play havoc with the continuing responsibilities of State government.

The inherent danger of the Supreme Court's invasion of the prerogatives of the people of the several States was pointed out in the Farewell Address of President George Washington when he said:

> It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism.

What President Washington was warning against is the destruction of our fundamental system of checks and balances. The Founding Fathers recognized this when, in framing article I of the Constitution, they provided for the establishment of a Congress with one House based strictly on population and the other on geographical boundaries. The first 10 amendments to the Constitution place restraints on the Federal Government, preserving the rights of the people and the sovereignty of the States. I believe we must all work to preserve the checks and balances system which is a vital segment of our Republican form of government.

It is time that Congress turn its attention to some of these basic concepts of government. Individual liberty depends upon a maximum role of local, self-government. The people of each State are competent to determine how they want to compose their State legislature. We do not need in America a Supreme Court that decides what it thinks is best for the States. We do not need an all-powerful Central Government, any branch of which is devoted to making decisions that rightly should be made by the people themselves or by the sovereign States. The resolution I have introduced today is a beginning point for the return to established American principles of government, the very foundation of our Constitution.

The text of the joint resolution follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE XXV

"SECTION 1. Nothing in the Constitution of the United States shall prohibit a State, having a bicameral legislature, from apportioning the membership of one house of its legislature on factors other than population, if the citizens of the State shall by majority vote assent to the plan of apportionment.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

HEALTH CARE FOR THE ELDERLY

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I have today introduced a major new national health care proposal for the elderly. The measure represents a sound alternative to the controversial social security medicare plan and could form the basis of an attractive compromise for both supporters and opponents of the administration plan.

The Schweiker bill creates a national association of insurance companies through which senior citizens could buy low-cost private health insurance policies by using, depending upon their incomes, up to $150 in tax credits—money they would otherwise owe for income taxes. No "means test" is required.

Persons 65 or older with incomes so small that they do not owe as much income tax as the credit to which they would be entitled under the Schweiker plan would be given Treasury Department certificates covering the difference. Insurance companies would accept the certificates in payment for the policy and would redeem the certificates for cash with the Treasury Department.

The National Association of Insurance Carriers created by the legislation would develop low-cost private insurance plans on a nonprofit, tax-free basis with special provision for concerted selling and risk pooling. The policies would be available to all persons 65 or over.

Benefits under the Schweiker plan would be more comprehensive than under the administration plan and would cover bills for surgeon's fees, doctor's services, and prescription drugs used outside a hospital, none of which are covered by the medicare plan.

This plan would assist over 85 percent of the Nation's 17.5 million aged. Those not covered by the bill are in the highest income brackets of the 65-and-over age group. They would be eligible to purchase the policies, but without tax credit assistance.

Individuals 65 or over with incomes of less than $2,000 would receive the full $150 tax credit under the plan, subtracting $150 from their annual income tax bill or obtaining a Treasury certificate. This category covers about 70 percent of the aged.

Those with incomes of between $2,000 and $2,499 would receive a credit of $125; those with incomes between $2,500 and $2,999, $100; and those with incomes of $3,000 to $3,499, $75.

The income ceilings and credits would be doubled for persons filing joint returns. Thus, a couple with joint income of $3,999 or less would be entitled to a tax credit of $300 with which to purchase health insurance.

The Schweiker bill provides that policies purchased with tax credit funds must contain at least the following minimum benefits for the elderly at a cost of no more than $150 annually—either

Hospital room and board charges up to 90 days yearly at the hospital's customary semiprivate room charge; $120 a year for hospital ancillary charges, including outpatient surgery or emergency treatment; $300 in surgical charges; $6 daily for 31 days yearly for convalescent hospital room and board charges immediately after hospital confinement; and $5 per call for 25 physicians' calls in a year; or

Payment of at least 75 percent, subject to a lifetime maximum of at least $10,000 and a patient-paid deductible not to exceed $200, of charges incurred for a semiprivate hospital room and board; hospital ancillary charges; 90 days at $6 each for convalescent hospital room and board charges; surgical charges up to $300; $5 per call for physicians' services other than surgery or postoperative care; $16 daily up to 30 days for private duty nursing; prescription drugs and medicines; diagnostic X-rays and laboratory tests; blood or plasma; anesthetics and oxygen; X-ray, radium, or isotope treatment; and rental of medical or surgical equipment such as wheelchairs.

The bill provides that the national insurance association would make "standard policies" containing at least these minimum benefits available for no more than $150 to all persons 65 or over, regardless of previous health history. The "standard policies" are to be guaranteed renewable.

The proposed legislation also permits the association, with approval of the Secretary of Health, Education, and Welfare, to offer "alternative policies" which at least meet the same purpose and dollar value of the standard policies.

Such policies could also be purchased with the tax credit funds. The provision for "alternative policies" will provide desirable flexibility to insurance carriers encouraging them to offer better policies at a savings to the elderly.

I have been assured by insurance experts that, under the proposed legislation, private companies could provide the minimum benefits outlined in the bill for no more than $150.

The administration's King-Anderson bill would not provide payment for any part of a doctor's services in home or office, nor would it pay a surgeon's fee or for medicines used outside the hospital. The Schweiker bill would cover these items.

The administration medicare proposal makes no distinction between those who need help with their medical expenses and those who do not. The wealthy would receive the same help as the poor.

The regressive tax increases required under the administration social security medicare plan would mean that a worker earning $5,600 each year would pay as much to support it as the wealthy businessman making $56,000 each year.

Among the advantages of the Schweiker bill are that it is voluntary rather than compulsory; it would pay medical as well as hospital costs; it would aid those really in need, encouraging people through tax incentives to help themselves; and it would not place the financing burden on those least able to pay, young people, and those earning less than $5,600.

In addition, this plan would utilize the free enterprise system to the greatest extent possible and would not increase the heavy social security tax burden, now scheduled to reach 9.25 percent by 1968.

The administration medicare plan would increase social security taxes for both employee and employer by 0.45 percent and boost the amount of taxable earnings for social security purposes from $4,800 to $5,600.

To the worker earning $5,600 or more, who today pays $174 yearly in social security taxes, for example, the administration medicare plan would mean increased taxes of $25.20 to support medicare.

Thus a 25-year-old worker who still has 40 years of social security contributions to make before retirement can expect to be taxed at least an extra $1,008 during his working years to pay for medicare. His employer would experience an identical increase, making a total tax boost of $2,016 to pay for medicare.

Mr. Speaker, I urge serious consideration of the Schweiker bill. Its enactment would go a long way to solve the serious health care problems of our senior citizens.

JAMES M. YATES

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have introduced for the consideration of the Subcommittee on Claims of the House Judiciary Committee a private bill for the relief of James M. Yates, now a second lieutenant in the U.S. Army.

The occasion for the introduction of this legislation is the alleged overpayment of Mr. Yates by the Department of the Army during his second and third years of training in the Reserve Officers' Training Corps while Mr. Yates attended Washington University as a graduate student. The Army maintains that when the sophomore and junior years of ROTC training are compressed the student shall be considered as only a second year student and therefore not eligible for commutation of expenses as if he were considered to be a third year student. After his second year of training without payment, the student advances to the fourth year where he is eligible for such commutation of expenses.

The first point for consideration is that Mr. Yates was neither a sophomore nor a junior, but was in fact a graduate student in a program of 3, rather than 4, years. Second, Mr. Yates has indicated that there was no reduction in ROTC class time or assignments as a result of this so-called "compression." Third, the Army has since changed the regulations—AR 145-350, section 31—so that the regulations regarding "compression" are no longer worded in terms of junior and senior years, and so forth, but rather in terms of the "period of concurrent training." This change went into effect on May 15, 1963, and does not affect Mr. Yates who at the time of his "compression" was under the previous provisions in terms of junior, senior years, and so forth.

The amount paid to Mr. Yates during the period of his "compression" was $238.50. The Army is now in the process of withholding $39.75 per month from Mr. Yates' monthly salary of $222.40 as a second lieutenant. I am now introducing legislation to relieve Mr. Yates of this alleged indebtedness of $238.50 to the Department of the Army, and to have the Army return any sums which may have been deducted from Mr. Yates' monthly salary.

PUT AN END TO HELPING SUKARNO

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, in view of Congress actions some time ago in urging the cutting off of further aid to Indonesia, and the constant stream of insults hurled in the direction of the United States by this demi-Hitler, Sukarno, it is surprising to note that this administration has not yet learned its lesson.

I understand that Sukarno has suspended all newspapers except those of the Communist Party and government mouthpieces because he claims that all private newspapers are run by the CIA.

Sukarno's government has taken over three U.S. Information Service libraries in Indonesia so far and government-inspired riots against the United States continue unabated.

It seems incredible that our State Department and the administration do not take Sukarno's hint and stop the continuation of any assistance of any sort to Indonesia.

Two years ago, I sponsored an amendment to cut off further American aid to Indonesia with the proviso that the President could continue such aid if he considered such assistance in the public interest.

The letter of this aid cutoff has been carried out, but certainly not the spirit. We are still training some Indonesian military here in the United States. We still are supplying funds for such programs as malaria eradication. We still maintain a Peace Corps contingent in Indonesia with the noble purpose of teaching physical education to students who evidently do not have enough to eat.

We still have two USIS libraries in Indonesia which Sukarno will undoubtedly close at a later date when it best suits his purpose of whipping up more anti-American sentiment.

We have tried the carrot long enough, and it has been an expensive carrot. It has not worked. So let us withdraw the carrot and remember there is still the stick.

Even the former "go slow" advocates in our dealings with Sukarno, who somehow could not believe that any man could be as completely bad as Sukarno seemed, have had enough.

I call the attention of my colleagues to an editorial which appeared in the February 17, 1965, edition of the Detroit News, entitled "Quit Helping Sukarno," which follows:

QUIT HELPING SUKARNO

It is time the United States quit turning the other cheek to President Sukarno, of Indonesia in view of that two-bit dictator's latest insult to this country.

On direct orders from Sukarno himself, the Indonesian Government took over a third U.S. Information Service library in Jakarta after 17,000 Indonesians took part in a government-sponsored demonstration against the United States. The purpose was to protest the U.S. airstrikes against North Vietnam, whose Communist government is backed by Sukarno.

In recent months, Sukarno had displayed his displeasure with United States actions and policies by closing two other USIS libraries. Now only two are left open in all of Indonesia, a country of 100 million people.

USIS libraries, highly regarded in most countries, often are given credit for winning more friends and influencing more people on behalf of the United States than any other U.S. program. They often have been targets of unsympathetic governments, probably because they stock books, magazines, and newspapers providing objective accounts of world events not normally available in countries like Indonesia.

Sukarno always has been a pain in the neck, but he has become even more so in recent years. With his domestic economy in a mess, he has engaged in more and more foreign adventures. After having bulldozed the United Nations into giving him West New Guinea, he now wants territory in North Borneo and is waging guerrilla warfare against the Federation of Malaysia to get it. He's been playing footsie with the Communist regimes in Pieping and Hanoi, too.

Congress has been threatening to bar all aid to Indonesia unless Sukarno halts his troublemaking. The least the United States should do is to pull out its libraries and let Sukarno explain to his people why they've lost a friend and supporter.

FEDERAL REGISTRAR BILL

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MCCLORY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I have today introduced a bill to strengthen the hand of the Federal Government in assuring to all eligible citizens the right to register and to vote.

The specter of American citizens being summarily and prejudicially prevented from exercising the precious franchise of the ballot has caused widespread national concern.

The right to vote is basic to the promotion of constitutional civil rights. Improved understanding between peoples of different races and colors can be promoted best in the municipalities and States where problems of this type exist. However, it is doubtful that any substantial progress can result until racial discrimination is removed from voter registration and election practices.

The bill I have today introduced will permit the appointment of Federal registrars to facilitate registration and voting procedures. Penalties for violation of the proposed law are also set forth. However, there is no provision in my bill for the voiding of any election. The uncertainty and unfairness to elected public officials which might result from the voiding of an election would render any such provision objectionable, in my opinion.

Mr. Speaker, I am hoping that an early hearing on this bill can be conducted by the House Judiciary Committee, and that the House may consider this subject at the earliest possible date.

REPUBLIC OF ESTONIA

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, February 24 commemorates the Independence Day of the Republic of Estonia, which was reestablished 47 years ago in the closing period of World War I.

In the brief period between the two Great Wars, the Estonian people developed a flourishing nation. This nation, however, suffered greatly during World War II under both Nazi and Soviet forces, and at the close of the war Estonia was subjugated by the Soviet Union and is now one of the captives of the present day Communist empire.

It is especially important that we continue cooperating with legitimate leaders in exile who are the true spokesmen for the Estonian people.

Mr. Speaker, our support of the Estonian people's strong desire for independence would be shown if the Congress approved a resolution requesting the President of the United States to instruct our Ambassador to the United Nations to place the Baltic States question on the U.N. agenda and to have the United Nations request the Soviets to withdraw their troops and controls from Estonia, Latvia, and Lithuania. This resolution would also call upon the U.N. to conduct and supervise free elections in these three Baltic nations so that the historic principles of self-determination of peoples would be legitimately applied there. I have introduced this resolution again this year and urge that it be considered as soon as possible.

I am also especially anxious that the House establish a Special Committee on the Captive Nations, believing that this would be a most effective instrument to expose the hypocrisy of Soviet colonialism and to call to the attention of the entire world the legitimate aspirations of the captive peoples of communism for freedom and independence.

UNDERWITHHOLDING OF FEDERAL INCOME TAX FOR 1964

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, as we get nearer to the moment of truth for most American taxpayers, April 15, it is suddenly becoming clear to many people that their 1964 withholding of income tax will not be adequate to cover their tax liability. This is not a case of saying I told you so even though I pointed out that this was being done last year as a political gimmick or a pump primer to the economy. Schedules set up following the tax cut enactment did not honestly reflect the tax obligations of citizens in almost all brackets and now they will be called upon to cough up $200 to $500 more in average income brackets.

Today I have introduced legislation which will afford the innocent taxpayer some break in this situation. My bill would give taxpayers until April 15, 1966, to pay one-half of the 1964 withholding tax deficiency. The balance of this deficiency would be spread out through 1965 to take care of the underwithholding of 1964 tax.

I think that this legislation has great merit and it will obviate any need of using up savings or, in many cases, borrowing to meet the April 15, 1965, tax deadline. The American taxpayer is blameless and, moreover, I think the effect on the economy will be a positive one if my bill passes.

PROPOSED DESIGNATION OF MARCH 16 AS GODDARD DAY

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. MORSE. Mr. Speaker, there have been many examples throughout our history of men who were far ahead of their time, men whose contributions to human thought and progress became known only many years after their occurrence. Such a man was Dr. Robert Hutchings Goddard, who in 1926 on March 16 tested and successfully launched a liquid-fuel rocket in Worcester, Mass. Dr. Goddard is truly the father of our modern rocket systems.

Only in recent years, have Dr. Goddard's enormous achievements received the attention they deserve. In 1959, Congress voted to award a gold medal to Dr. Goddard posthumously for his efforts, and this medal was presented to his widow on the occasion of the dedication of the Goddard Space Flight Center in Greenbelt, Md.

The Commonwealth of Massachusetts is pardonably proud of this famous son, who was not only born in our State, but educated there as well at Worcester Polytechnic Institute and Clark University.

I am today introducing legislation that would promote public knowledge and understanding of our Nation's achievements in the field of aeronautics and space technology by designating March 16 as Goddard Day.

An identical measure, introduced in the Senate by Senator SALTONSTALL has already won the approval of that body. Congressman DONOHUE, of Massachusetts, who represents Dr. Goddard's home city of Worcester has also introduced this measure and worked hard for its passage. I am proud to join with them in urging prompt House enactment of this well-deserved tribute to a great American scientist.

The bill follows:

H.R. 2112

A bill to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Doctor Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that rapid advances and developments in the fields of astronautics and related sciences are having an increasing impact on the daily lives of the people, the national security, and long-range human progress. It is therefore desirable and appropriate that steps be taken to promote greater public knowledge of the progress and achievement being brought about in these fields, and for that purpose to provide for special recognition and honor to Doctor Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics, and to designate and set aside a special day to honor his memory and his accomplishments.

SEC. 2. (a) The Administrator of the National Aeronautics and Space Administration shall promote public knowledge of progress and achievement in the field of astronautics and related sciences by providing for appropriate ceremonies, meetings, and other activities on March 16 of each year, a day to be known and celebrated as Goddard Day in honor of the epochal achievement in these fields by the late Doctor Robert Hutchings Goddard.

(b) The President is authorized and requested to issue annually a proclamation calling upon officials of the Government and the public to participate in the ceremonies, meetings, and other activities held in observance of Goddard Day.

FEDERAL ELECTRIC POWER DEBACLE—BPA CRITICIZED BY GAO

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the Bonneville Power Administration is misrepresenting its financial position to all of us according to the General Accounting Office.

Last week I made a rather comprehensive statement to this body concerning the Federal reclamation-power program in which reference was made to the repayment debacle in the Missouri River Basin project. It was not my intention at that time to expand my remarks to include what might be called the Federal power debacle. However, the recent Comptroller General's report to the Congress on GAO's examination of the Bonneville Power Administration's financial statements for fiscal year 1963 has prompted me to comment further.

I will not report fully on this matter at this time, since time has not permitted a detailed evaluation of the implications of the February 16 report. Today, I merely want to call the attention of my colleagues to the very serious indictment of the Bonneville Power Administration's financial statements by the Comptroller General. For example, he states the categorical opinion that the financial statements of BPA "do not present fairly the results of power operations or the financial position of the integrated power system." He goes on to point out that the financial statements do not properly disclose the combined results of electric-power generating, transmitting, and marketing operations and proper disclosure is essential to evaluating the adequacy of power rates to recover the cost of producing and transmitting electric power and energy, as required by the Bonneville Project Act and other authorizing legislation.

The implications of the report are clear. BPA has been dishonest to the American people by claiming only a $5.5 million deficit for fiscal year 1963. The Comptroller General's report clearly states:

> If the financial statements for fiscal year 1963 had been prepared on a basis consistent with that of the preceding year, including a proper presentation of total power-generating costs, we estimate that the net deficit reported for fiscal year 1963 would have again exceeded $13 million.

This is the sixth straight year for these serious deficits.

Included in the report is a letter the Comptroller wrote to the Secretary of the Interior on December 18, 1964, which concludes with the statement:

> The need for firm cost allocations has existed for several years without being satisfactorily corrected or resolved. Since fiscal year 1954, we have been unable to render an opinion, without qualification, that the financial position and results of operations of the integrated power system have been fairly presented in financial statements, because this matter has not been satisfactorily resolved. This matter is now accentuated and compounded by the use of revised tentative cost allocations for two projects.
>
> In view of these circumstances and the failure to properly disclose the cost of generating power in the financial statements, we have concluded that, until financial statements are prepared by the Administrator that fully disclose and fairly present the financial results of power operations and the financial position of the integrated power system in conformity with the principles, standards, and related requirements for accounting prescribed by the Comptroller General of the United States for executive agencies of the Federal Government, our continued examinations of these financial statements will serve no useful purpose. Accordingly, until appropriate principles relating to financial-statement disclosure are adopted and applied, our audits of the Bonneville Power Administration hereafter will not include an examination of the financial statements relating to the Columbia River power system.

Mr. Speaker, this report of the General Accounting Office—which is a part of the legislative branch—is a serious indictment of the operations of a Federal power marketing agency which cannot, and must not be taken lightly by the Congress. However, it is only one of a series of revelations about the current status of the Federal power program recently. When I have had the opportunity to analyze the Comptroller's report more fully, I will discuss the question in more detail with my colleagues here on the floor.

IMPENDING REAPPORTIONMENT CRISIS

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. McCULLOCH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, the people and the States of our Nation are faced this year with a crisis unique in all our history—a crisis that concerns us all, and one that demands our time, our thought, and our efforts toward its solution.

I am referring, Mr. Speaker, to the impending reapportionment crisis in which the legislative makeup of at least 40 of the 50 States will become unconstitutional unless they reapportion both State houses on the one-man, one-vote basis.

As this pressing subject is a matter of the utmost importance to me, it was with deep interest that I noted the address given by my friend and colleague the gentleman from Georgia, the Honorable HOWARD CALLAWAY, before the Georgia General Assembly on February 10.

Mr. CALLAWAY has joined with me and at least 66 other Members of the House in introducing a resolution to amend the Constitution in order to return to the people of the sovereign States the right to apportion one house of a bicameral legislature on factors other than population.

It was in support of this amendment and in hope of its passage that the distinguished gentleman addressed the Georgia General Assembly. And I commend to the attention of this body that shortly after Mr. CALLAWAY had concluded his remarks, the Georgia Senate, like the Georgia House of Representatives before them, passed by an overwhelming majority a resolution to call a constitutional convention to deal with the reapportionment amendment.

Mr. Speaker, in light of the interest shared by all of us in this grave matter, under unanimous consent I insert the remarks of my able colleague, given in Georgia on February 10, in the RECORD:

ADDRESS BY REPRESENTATIVE HOWARD H. CALLAWAY BEFORE THE GEORGIA STATE SENATE, FEBRUARY 10, 1965

Governor Geer, members of the senate, it is indeed an honor for me to appear before you today. I come not as a Republican, or as a Democrat, but, as one who shares with you an overriding concern, a goal that guides our every effort. That concern, that goal, my fellow Georgians, is the good of our great State of Georgia. It is in the interests of Georgia that I come before you today, and it is of the interests of Georgia that I wish to speak.

My appearance today is prompted by many things—not the least of which is your own action—an act of the Georgia House of Representatives. This is the first request that I ever received from the Georgia General Assembly. You have asked my support for a constitutional convention to amend the Federal Constitution in order to return to the people their sovereign right to determine the composition of their own State legislatures, a right that was taken from them in the Supreme Court decisions of last June.

And it is on this subject that I wish to speak—the subject of a proposed constitutional amendment, to allow the people of each State to apportion one house of their State legislatures on factors other than population.

From the time of the establishment of the Federal Union—in which certain powers were delegated to the Federal Government and the remainder reserved to the States and to the people—and until 1962, Federal courts universally refused to enter into the matter of legislative or congressional apportionment, regardless of the alleged constitutional basis upon which such challenge was made.

Then in March 1962, the U.S. Supreme Court overturned these precedents by ruling that Federal courts have jurisdiction over the apportioning of State legislatures.

And in June 1964, the Supreme Court, by a 6-to-3 decision, held that the equal protection clause of the 14th amendment requires that both houses of a bicameral legislature must be apportioned on a population basis as nearly as is practicable.

There are two basic philosophies of apportionment and representation. One is the purely democratic concept that population is the sole justifiable basis for representation in either a unicameral or bicameral legislature. The other is the traditional concept of a republican form of government that geography, history, economic interests, and other factors should be given consideration in one house of a bicameral legislature.

Adding support for the traditional concept is the strong feeling of most Americans that the people of each sovereign State should be given the right to determine for themselves the factors which should govern the selection of their own assemblies.

This principle was expressly embodied in the U.S. Constitution in the creation of the Congress, with population the controlling factor in representation in the House of Representatives and geography or State interests the controlling factor in representation in the Senate. Each State has two Senators regardless of size. So important is this principle that it remains the only part of the Constitution that cannot be amended. No amendment may be offered to reduce the representation of any State in the Senate without its consent.

A measure of the effect of the June 15 decisions may be found in the fact that a larger number of the States have patterned their legislatures after the example set by the Constitution for the Congress. As a matter of fact, the framers of the Constitution, at the Constitutional Convention in Philadelphia, patterned our Federal Legislature after the bicameral system then existing in three States: Vermont, Pennsylvania, and Georgia. Our interest in this issue, my fellow Georgians, is uniquely historic among all the States.

Recent U.S. Supreme Court decisions on legislative reapportionment are not based on sound legal principles. The Supreme Court should not change the intent of the Constitution without further amendment. On this, Mr. Justice Harlan said in his dissent:

"The Constitution is not a panacea for every blot upon the public welfare, nor should this Court, ordained as a judicial body, be thought of as a general haven for reform movements. The Constitution is an instrument of Government, fundamental to which is the premise that in a diffusion of governmental authority lies the greatest promise that this Nation will realize liberty for all its citizens.

"This Court, limited in function in accordance with that premise, does not serve its high purpose when it exceeds its authority even to satisfy justified impatience with the slow workings of the political process."

Prior to June 15, 1964, between two-thirds and three-fourths of the States used factors other than, or in addition to, population in apportioning one house of their bicameral legislature, and the second house being based primarily upon population. Among the Original Thirteen States which formed the Union, several did not base either legislative body on direct population.

The theory of bicameralism is that one house reflects the popular will at any given time—while the other house—apportioned on factors in addition to mere numbers of people—provides a more calm and mature judgment, and prevents or minimizes the excesses of the masses. The whole system is then in delicate balance, providing majority rule, but always protecting minority rights. Today, the Court has by its fiat removed one of these balances.

If the theory of bicameralism is unjust in a State legislature, it is also unjust in the Federal Government, where 226,000 Alaskans elect as many U.S. Senators as 17 million New Yorkers. It is then also unjust in the General Assembly of the United Nations, where 176,000 Icelanders have as many votes as the 450 million people of India. And I might mention that this disparity in the United Nations is over 30 times greater than the disparity between Echols County and Fulton County in our Georgia House of Representatives.

Obviously, as history attests, it has been a workable, effective plan of government with built-in buffers—which we refer to as the system of checks and balances.

Earl Warren, then Governor of California, said in 1948: "Many California counties are far more important in the life of the State than their population bears to the entire population of the State. It is for this reason that I have never been in favor of restricting their representation to the State senate on a strictly population basis. It is for the same reason that the Founding Fathers of our country gave balanced representation to the States of the Union, equal representation in one House, and proportionate representation in the other. Moves have been made to upset the balanced representation in our State, even though it has served us well and is strictly in accord with the American tradition and the pattern of our National Government. Our State has made almost unbelievable progress under our present system of legislative representation. I believe we should keep it."

What, one must then wonder, induced Justice Warren to change his mind? Especially when one considers the effect of reapportionment on the State of California. Under the new Supreme Court decisions, 21 out of 40 members of the California Senate would be elected from the Los Angeles area, leaving only 19 senators to represent the rest of that vast State.

But California is not alone with her problem—the legislative makeup of at least 40 of the 50 States could be declared unconstitutional under the new ruling.

My fellow Georgians, since the decision of June 15, many voices have been raised in righteous protest against the Court and its actions. But looking back in our history, one voice stands out as a warning to all of us. Thomas Jefferson wrote in the year 1823 that: "there is no danger I apprehend so much as the consolidation of our Government by the noiseless, and therefore unalarming, instrumentality of the Supreme Court."

The only recourse now available to the people to regain their prerogatives of representative government is for the Congress to propose an amendment to the Constitution (or for 34 States to petition for a constitutional convention) which would enable each State to apportion, if it so desired, at least one house of its legislature on factors other than population.

To this end, my fellow Georgians, I have introduced a bill proposing just such a constitutional amendment. My bill, House Joint Resolution 199, states that "nothing in the Constitution of the United States shall prohibit a State, having a bicameral legislature, from apportioning the membership of one house of its legislature on factors other population, if the citizens of the State shall by majority vote assent to the plan."

This is a reasonable approach, and one that has the support of Democrats and Republicans, of liberals and conservatives, of northerners and southerners. This identical bill has been introduced by Representatives SAMUEL STRATTON, a Democrat from New York State, and by "Bo" CALLAWAY, a Republican from the State of Georgia—surely this proves my point.

And why this divergent and widespread backing? Because we are reasonable men. Because we do not seek to thwart the Court, and we do not seek to back ourselves into a corner with outlandish approaches. Instead we seek a legitimate means to give the people a choice in their method of apportionment—further, the people will be using the one-man one-vote method to make the choice itself.

To this end, my fellow Georgians, 68 other Members of the House of Representatives (34 Democrats and 34 Republicans) have introduced similar proposals.

To this end 38 Democrat and Republican cosponsors signed Senator DIRKSEN'S proposed amendment at the time that it was introduced—and since that day, many Senators have introduced similar proposals.

And to this end, at least nine State legislatures, five State senates, and three State houses (one of them Georgia) have passed the resolution that calls for a constitutional convention to deal with the reapportionment amendment. And this has taken place within the last few weeks.

Surely these facts alone explain why so many Democrats and so many Republicans are confident that this amendment will pass.

Let us share their optimism, my fellow Georgians, and let us as well keep in mind that it has been the history of constitutional amendments that if they were reasonable, they were then ratified by the States. There is no more reasonable, no more justifiable amendment than the one we speak of today.

We know that it is impossible to predict what will happen. Neither I nor anyone else could assure that this amendment will pass the Congress. But I can assure you of two things. First, that I will use every means in my power and every resource at my command to achieve our goal. To do less would surely betray the honor and trust bestowed on me in this petition from the Georgia House of Representatives. And second, I can report to you that this amendment has, and is gaining favorable consideration throughout the Congress, including many of the members of our Georgia delegation—most of whom I have approached on the subject.

Let me further state clearly that I do not presume to tell this august body what to do. But I do feel a genuine duty to report the situation as I see it, so that this body may deliberate with all the facts at hand. In the light of the facts, then—let us here in Georgia study the issues with all the thoughtful attention we can muster, let us weigh the issues, let us deliberate, and let us give the strongest consideration to our own plan of action, always letting our decisions be guided by our commonsense and patriotic interest in the future of our State and Nation. I am confident that this will be done.

May our work, with God's blessing, contribute to the good of America, and the greatness of Georgia.

ESTONIAN INDEPENDENCE DAY

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. LINDSAY. Mr. Speaker, 47 years ago the Estonian people proclaimed their nation an independent republic. This was a great moment, not only for Estonia, but for the entire free world. After years of oppression by czarist Russia, it appeared that this industrious and imaginative people had finally secured their freedom. The speed with which they implemented a working democracy would be significant under any circumstances; in the face of Soviet hypocrisy, it is awesome.

Later that year, on November 15, 1918, Lenin declared all peoples of former czarist Russia free to secede from Russia. Thirteen days later, in a complete breach of promise, Soviet troops invaded Estonia. The people of that diminutive nation rose to face the armies of the neighboring giant and in a display of heroism seldom equaled in modern times, repelled the invader for 14 months. On February 2, 1920, the Soviet Union signed a peace treaty, renouncing voluntarily and forever, all rights of sovereignty held by Russia over the people and territory of Estonia.

In April 1919, while the war of liberation was in progress, a constitutional assembly was convened which was elected on the basis of universal suffrage. This assembly, truly representing the Estonian people, adopted a democratic constitution and legislated a sweeping agrarian reform, eliminating the prevailing system of large estates, a legacy of feudal times. On September 22, 1921, Estonia was admitted to the League of Nations. Thus, in both the domestic area and the field of foreign affairs, Estonia was establishing herself in a most progressive and enviable fashion. There can be no question that Estonian democracy was firmly rooted; one needs only to recall the abortive Communist coup d'etat of 1924, which failed completely.

Since that time, however, through treachery and brute force, the Russians have again occupied Estonia, setting up a puppet government subservient to them, and trying to effect the sovietization of the country. However, as the Communists have discovered, it is impossible to break the spirit and love of freedom which have always characterized the Estonian people. After the reoccupation of the country in 1944, a new reign of terror claimed 10 percent of the Estonian population. Still the Estonians remained willing, as they do today, to lay down their lives in order to keep the light of liberty flickering in the land. They became no more submissive, and in 1949 the Russians were forced to deport thousands of Estonian farmers before even attempting to organize agricultural collectives.

And so, as we solemnly commemorate that bright and hopeful day of 47 years ago, let us assure the Estonian people of our intention never to acquiesce to the permanent captivity of their nation. Living, as they are, under the brutal yoke of Soviet imperialism, it is more important than ever that they know of our continuing fidelity to the ideal of Estonian independence.

NATIONAL SERVICE LIFE INSURANCE PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I have introduced, for appropriate referral to the Veterans' Committee, a bill to reopen for 1 year the National Service Life Insurance program for insurable war veterans.

Last year we succeeded in obtaining a limited reopening of this enormously beneficial program, Mr. Speaker, and I think that circumstances warrant a reevaluation with a view toward granting full reinstatement.

Public Law 88-644 will permit the grant of GI insurance to the service-connected disabled next May 1. It also permits the issuance of insurance to certain uninsurable non-service-connected veterans. Present law excludes insurable veterans of World War II and Korea who have not established with the Veterans' Administration the existence of a service-connected disability.

In the last Congress, I sponsored legislation which would have reopened the insurance program to all veterans, regardless of disability, for a 1-year period. A substantial measure of this objective was achieved with Public Law 88-644. Now, Mr. Speaker, we must act to extend this unique program to all of America's veterans who, within the originally stipulated time periods following the Nation's conflicts, did not enroll.

Many veterans unfortunately did not anticipate that their right to enlist would be cut off in such a short time. In contrast, veterans of World War I were granted 33 years in which to apply for Government insurance. And there was, amongst many of our younger men, a great deal of misunderstanding and a lack of knowledge which painfully coincided with readjustment difficulties immediately following the war.

Last year, I quoted figures before the Veterans Committee which clearly demonstrated the attractiveness of the program and its aid to veterans and their families. I said that the average net annual premium charged by some leading private firms for 5-year insurance at age 35 would be about $6.65 per $1,000 of insurance, compared with only $1.20 for NSLI.

A full reopening would entail no substantial cost to the Government. Veterans who subscribe would incur additional charges covering the expenses of administration, and the cost of any medical examination or special tests required by the Administration in connection with the issuing of the insurance would be levied against the applicant.

Mr. Speaker, the strictures of fair play and equity demand that we take this positive step in restoring to many veterans the right to insurance wihch was so abruptly terminated in 1951. I cannot stress too sharply the need for this relief which is felt in so many quarters.

We have believed, and continue to believe, that those Americans who carried the ultimate burden of waging war should be extended certain privileges to compensate for their great service and to represent the overwhelming debt of gratitude owed by us all. NSLI, as much as the educational bill, characterized a worthy and eminently deserving approach. I think we should recognize the shortcomings which marred the original granting of the GI insurance by reinstating the right to those who through circumstances did not enlist earlier.

Mr. Speaker, I trust my bill will be accorded a sympathetic and favorable action by the Congress. And I urge my colleagues to join in sponsoring this bill for a reopening of the insurance program to all insurable veterans.

CONSERVATION SHOULD BE STRENGTHENED, NOT WEAKENED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, as a person who is vitally interested in the field of conservation, I have been able to applaud most of the efforts of the Kennedy and Johnson administrations in this vital area of national concern. When our years of effort culminated in the passage of the wilderness bill in the last session of Congress, I anticipated bigger and better conservation programs which would extend to air and water pollution, two serious national problems.

Just as I have supported vital conservation programs in the past and worked for their passage, I must now, in the same spirit, rise to reflect the grave concern of conservation workers in my district and throughout the country at the proposals in the 1966 budget which will curtail these proven farm conservation programs of the past. The Johnson administration has proposed that the $220 million agricultural conservation program—ACP—which is administered by local ASC committees be cut $100 million in the next fiscal year. While there are many aspects of the farm program which engender hostility and inject Federal bureaucracy into the American farm, the ACP program is uniformly hailed as a landmark in effective cooperation between the farmer and the Federal Government.

This program is designed to encourage conservation by sharing with farmers, ranchers, and woodland owners the cost of carrying out approved soil-building and soil- and water-conserving practices, including related wildlife-conserving practices, which farmers generally would not perform to the needed extent with their own resources. The rate of cost-sharing (which may be in the form of conservation materials and services or a payment after completion of the practice) averages approximately 50 percent of the cost.

Conservation measures for which cost-sharing is offered include those which are primarily for, first, establishment of permanent protective cover; second, improvement and protection of established vegetative cover; third, conservation and disposal of water; fourth, establishment of temporary vegetative cover; fifth, temporary protection of soil from wind and water erosion, and sixth, benefits to wildlife.

Under the 1963 program, new or additional practices were established on 1,127,980 farms and ranches, consisting of 169 million acres of cropland and 405 million acres of farmland. The following practices, along with others, were installed under the 1963 program:

[In thousands]

Constructing water storage reservoirs (structures)	57
Constructing terraces (acres)	651
Establishing stripcropping systems (acres)	355
Establishing permanent sod waterways (acres)	42
Establishing or improving enduring vegetative cover (acres)	5,493
Controlling competitive shrubs on range or pasture (acres)	1,963
Water supply and management on existing cropland and pasture through:	
Better irrigated land practices (farms)	25
Better drainage practices (farms)	53
Planting trees and shrubs (acres)	224
Improving stands of forest trees (acres)	183

Funds are distributed among the States on the basis of conservation needs. They are, in turn, distributed by the agricultural stabilization and conservation State committees to counties, and the agricultural stabilization and conservation county committees make commitments of conservation practice cost sharing to eligible persons.

Loans from Commodity Credit Corporation are used to make advance payments to vendors for conservation materials and services furnished to farmers and ranchers prior to the time funds are appropriated each year. Repayment is made from balances of prior appropriations or from new funds appropriated.

The effect of a cut from $220 million to $120 million in ACP expenditures would certainly deter the steady record of progress which has been achiveed by ASC offices throughout the 17th Ohio District as well as the entire State of Ohio and Nation. I will use every effort to have this cut canceled and the full ACP figure appropriated for 1966. I have always been a stanch advocate of economy but miserly handling of funds which promote conservation is not economy. It would be easy to suggest 100 other places where $100 million can be cut which in no way would jeopardize our greatest natural resource, our land.

The thought of cutting $20 million from the technical assistance which farmers receive from local soil conservation districts is, when added to the 40-percent slash in ACP funds, the straw that breaks the camel's back. Somewhere along the line, the President has gotten some bad advice because the untiring, professional work of the Soil Conservation Service—SCS—is one of the few which has broad general support by taxpayers and farmers alike. It has no politics, little bureaucracy, and a meritorious record of accomplishment. I have conferred with most of the soil conservationists in our seven-county congressional district and find this proposed cut would seriously curtail their beneficial activities. In many cases, SCS districts would have to cut their technical assistance staff in half.

Soil Conservation Service districts have an unpaid board of supervisors who oversee the professional work in their area. Without exception, each SCS district in my section of Ohio is adding more and more cooperators to the program each year. Their annual reports are one of the most impressive and satisfying résumés of governmental activity which I read each year.

The suggestion that a rotary fund be set up to which the farmers would pay on an assessed basis for technical assistance received from the SCS would stunt the growth of conservation among farmers. As a practical matter, most SCS technicians, their staff cut in half at the outset by this slash in funds, would have their effectiveness severely hampered because they would have to spend more of their time explaining why it is now necessary to charge for services which were formerly free than in advising the farmer on constructive conservation practices.

The President's state of the Union message placed great stress on beautification of our countryside and better conservation practices. As I mentioned before, I am hopeful that we can address our efforts toward workable programs in the fields of air and water pollution. It is distressing that our efforts now have to be applied toward rescuing from oblivion the fine existing programs of the agriculture conservation program and the Soil Conservation Service. This cut of $100 million in ACP funds and $20 million in SCS funds would definitely be a backward step in the Great Society. Soil conservation is our first line of defense in the vital endeavor of preserving our natural habitat and assuring a future supply of food and fiber and I strongly oppose any cut in these frugal, constructive services.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SALARIES FOR THE SUPREME COURT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CORMAN. Mr. Speaker, traditionally the salaries of Justices of the U.S. Supreme Court have equalled or exceeded the salaries paid to both the Vice President and the Speaker of the House of Representatives.

Through passage of the Government Employees Salary Reform Act of 1964, the salary for the Vice President and the Speaker of the House of Representatives was raised to $43,000 per annum. By contrast, the annual salary of the Chief Justice was set at only $40,000 and that for the Associate Justices at $39,500. This discrepancy arose from the adoption of an amendment in the Senate by a narrow vote of 46 to 40. The Senate's action overturned the recommendation of the Post Office and Civil Service Committes of both Houses, the 1954 Report of the Commission on Judicial and Congressional Salaries, and the 1963 Report of the Randall Commission.

Senator GRUENING, of Alaska, who voted with the majority in the adoption of the Senate amendment last year, has now introduced legislation providing for a return to the traditional salary relationship for high echelon officials of the three branches of Government.

Our constitutional system of checks and balances has often led to disagreement among the legislative, executive, and judicial branches. But our interactions, nevertheless, should always be governed by the sound dictates of mutual respect. The traditional equality of salaries for high officials in each branch is a necessary expression of that mutual respect.

I, therefore, take this opportunity in joining the distinguished chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], in introducing legislation to raise the salaries of the Chief Justice and the Associate Justices in the amount of $3,000 each.

The small cost involved is, indeed, a wise investment in the future of responsible self-government.

NATIONAL ENGINEERS' WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CORMAN. Mr. Speaker, the week of February 21–27, 1965, is National Engineers' Week.

This Congress and this Nation are faced by great challenges in the fields of national defense, space exploration, air and water pollution, mass transport, urban redevelopment, and technical training. Our success in meeting these national challenges largely depends upon the competence and dedication of the engineering profession.

Not so many years ago engineers were either military engineers or civil engineers. However, in a short span of time, engineers have ventured forth on many new frontiers. Their versatility can be illustrated by the four contracts recently awarded by the State of California to aerospace firms. These contracts provide for research in crime prevention and control, information systems to improve the quality of public service, preparing a State transportation system, and the control and management of wastes. We can be grateful that engineers are now at work in solving the crucial questions which will determine whether our free society will survive.

I believe it is proper during this period of well-deserved praise for the engineering profession to reflect upon what we owe to these outstanding men and women.

In my own district, in the San Fernando Valley, I am well acquainted with the personal sacrifices made by members of this profession. Our national needs in defense and space are changing. These talented citizens are potentially endangered by these changing patterns of procurement. There are several ways in which this Congress can reduce these dangers and, simultaneously, spur our economic growth. Enactment of the State technical services act and creation of the National Commission on Economic Conversion and Diversification are specific steps which will help insure useful employment for these highly trained citizens. In addition, there must be intensive consideration of "portable" pension rights which will guarantee that our engineers, often forced to change employment in response to altered national requirements, will not face retirement robbed of the rewards which they have earned.

Therefore, Mr. Speaker, I take this opportunity to appeal for not only the good wishes of my colleagues for the Nation's engineers but also for their determination to strengthen this dynamic profession and, in so doing, build the capacity of the United States to meet its commitment to the Great Society at home and abroad.

FEDERAL SAVINGS AND LOAN ASSOCIATION ACT OF 1965

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HANNA. Mr. Speaker, during the time I have served on the House Committee on Banking and Currency, I have been impressed by the exceptionally fine job performed by the 1,982 savings and loan associations which have been chartered by the Federal Government during the past three decades.

These associations have accumulated over the years total financial assets amounting to more than $61 billion. This represents approximately half of the total resources of the savings and loan industry, the remaining half held by savings and loan associations chartered by the several States as mutual and stock institutions.

In recent years, Mr. Speaker, the Federal Home Loan Bank Board which has the overriding Federal responsibility in this field, has seen fit to adopt a number of regulations designed to strengthen the industry—including higher reserve requirements—against the time when the Nation's economy might not be quite as vibrant as it is today. In addition, the Congress has imposed upon this industry a new tax levy which is materially affecting the operations of Federal associations and will continue to do so in the years ahead.

At the present time, federally chartered associations are organized exclusively as mutual institutions and must rely on current earnings to meet the cost of increased reserve and tax requirements. Inasmuch as reserve allocations are based on growth of the association, there is a practical limit on expansion of a Federal association since the institution must for all practical purposes rely on current earnings to finance its growth.

New Federal requirements imposed on Federal savings and loan associations have prompted a study of the corporate structure and organization of Federal associations by the National League of Insured Savings Associations. A committee of the league, under F. Marion Donahoe, president of the Citizens Federal Savings and Loan Association of San Francisco, has recommended that Federal associations be permitted by law to issue shares of guaranty stock in an effort to strengthen the corporate base of these institutions.

The league's program has been embodied in a bill—which I and the gentleman from Florida [Mr. Pepper] and the gentleman from California [Mr. Del Clawson] are introducing today for the purpose of study and discussion. Essentially, the bill would permit any Federal association—if it desired to do so—to issue guaranty stock to its savers representing the total value of the reserves of the institution. In addition, the association could then sell an additional amount of the stock to its shareholders or the general public. I would like to emphasize that the plan contained in the bill is fair and equitable; each saver would receive his fair share of the value of the institutions' reserves either in stock or in cash.

Mr. Speaker, the proposed Federal Savings and Loan Association Act of 1965 deserves more than superficial study. Holders of more than 20 million savings accounts in Federal associations throughout the United States could receive the benefit of a stock or cash dividend if this legislation were to be adopted and all existing institutions put the plan into effect. The obvious benefit to the Nation's economy would be tremendous and far reaching.

LAWRENCE JOSEPH CARDINAL SHEHAN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Fallon] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FALLON. Mr. Speaker, Baltimore, the first See established by the Vatican in North America, is proud and glad because of the new honor that has come to her in the raising of Archbishop Lawrence Joseph Shehan to the College of Cardinals. Cardinal Shehan is the only American among the 27 new cardinals on whom Pope Paul VI bestowed the red hat at the public consistory held on February 22. Baltimoreans take pride in the fact that our new cardinal is a native Baltimorean himself, born in an old section of the city, pupil of St. Anne's parochial school, and graduate of St. Charles Seminary in neighboring Catonsville. Though Cardinal Shehan has been archbishop of Baltimore only a little over 3 years—December 8, 1961—he came to the See as no stranger, having served as auxiliary bishop of Baltimore for more than 7 years, 1945 to 1953, before his transfer to the diocese of Bridgeport.

Commenting upon his elevation, friends and colleagues of Cardinal Shehan have described him as a well-read, energetic leader, priestly, scholarly, and the essence of courtesy and tact. Among the priests and laity of the archdiocese, he has a devoted, affectionate following. In the sessions of the Second Vatican Council, he has distinguished himself by his efforts on behalf of Christian unity. Within his own archdiocese he has acted boldly and effectively for the establishment of friendly, cooperative relationships with other Christian churches, and has taken a leading part in the struggle for justice in race relations. With characteristic humility and zeal, Cardinal Shehan has taken his high ecclesiastical honor, not as a tribute to his personal worth and a reward for his achievements, but rather as an endorsement of the ideals to which he has devoted his life and energies—Christian unity and racial justice.

One of the first major official acts of Archbishop Shehan, upon his accession to the See of Baltimore, was to establish an Archdiocesan Commission on Christian Unity, the first such commission in the United States. In Rome, last year, he was chosen by the bishops of the United States to organize the national ecumenical affairs committee, under the National Catholic Welfare Conference. He was also appointed to the Vatican secretariat for the promotion of Christian unity.

In 1963, Archbishop Shehan issued a pastoral letter condemning all racial prejudice and segregation in his archdiocese. With his authorization and encouragement, priests and lay Catholics of the archdiocese have taken part in sit-ins, marches, and other forms of protest against racial discrimination and injustice. In the same year, Archbishop Shehan broke precedent in church relations by addressing a group of about 100 Episcopal clergymen in a Baltimore Protestant church. Pointing out that his presence at the meeting was at least as important as anything he could say, he told the clergymen:

> Ten years ago, I couldn't have imagined myself being invited to address a group like this; and I couldn't imagine myself having accepted.

Humble and energetic, precedent breaker and man of human warmth and tact, selfless and conscientious servant of God, Baltimore may well be proud to present such a prelate as Lawrence Cardinal Shehan as a leader in the hierarchy of the United States and in the government of the Catholic church.

A BILL TO PROHIBIT THE SALE OF ALCOHOLIC BEVERAGES TO MINORS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today introduced a bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sale of alcoholic beverages to persons under 21 years of age.

At the present time, in the District of Columbia, liquor may not be sold to anyone under 21. Beer and light wines may be and are sold to minors all the time.

In recent years we have seen an increase in such sales to minors who reside in the adjoining jurisdictions of Maryland and Virginia. These youngsters do their drinking in Washington and then start "hot-rodding" along Washington's streets into the suburbs. Because of their drinking they become very definite hazards to themselves and to other motorists and pedestrians. If we raise the drinking age on beer and wine to 21 perhaps we can cut down on the tragic number of accidents in this area involving minors who have obtained their beverages in Washington.

There is no good reason to continue this situation and I strongly urge that this proposal be given consideration by the District of Columbia Committee at the earliest possible time. The bill would not tamper with the right of parents or guardians to serve their children alcoholic beverages at home if they so desire, but would merely prohibit the sale of those beverages to anyone under 21. It would eliminate some of the undesirable traffic in the District.

DESECRATED CEMETERIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I am pleased to call attention once again to the efforts to restore the cemeteries desecrated by the Nazis in World War II.

The representatives of the World Center of European Rabbis, whose president is the revered Rabbi Moses J. Rubin, recently met with Government representatives in West Germany and discussed the matter of desecrated cemeteries with those officials. They have also formally presented the matter to the Bundestag—the German Parliament.

At a conference in New York City on January 24, 1965, Rabbi Eleazer Ebner, president of the Rabbinical Council of Canada made the following important statement:

Ever so often our attention is called to the inhuman deeds perpetrated by the Nazis during their reign of death, disorder, and destruction. Perhaps, one item on their timetable of doom was the malicious descration of Jewish cemeteries. Ghoulish as this conduct was, little has been done to right the wrong. The millions of slaughtered cannot be restored but certainly something can be done to restore Jewish cemeteries that have been destroyed.

It is unfortunate that this violation has gone unnoticed for so long a time. Though they lived in fright and terror, their bones should at least rest in peace. Some time ago this entire matter was brought before a group of rabbis who decided that something ought to be done about it. The World Center of European Rabbis was born at that meeting. Their aim was to work for the preservation of Jewish cemeteries destroyed in Russia, Poland, Hungary, Rumania, Czechoslovakia France, Belgium, Holland, and Norway. Not too long ago, the organization met in Jerusalem and the conference was attended by more than 400 European rabbis. They drew up their aims:

1. To remind world Jewry of their sacred obligation to remember the graves of their own family who are buried in Europe—to maintain and preserve them.

2. To see to it that the bones of the slaughtered Jews buried in mass graves are brought to Israel for reburial.

3. To publish "memorium books" which would perpetuate the memory of men and women who were buried in Europe and whose graves were completely destroyed.

The president of the world center is Rabbi Moses Joseph Rubin, who at one time was the president of the Union of Rabbis in Rumania. It is opportune to mention at this time a letter received from the Grand Rabbi S. Halberstam of Bebow. He writes: "Such a gigantic task can be trusted only to a well-known Rabbinical personality who has already undertaken similar rescue efforts with success. I lived as a refugee in Rumania and was an eyewitness to the work done by Rabbi Rubin in organizing a rescue committee to save 250,000 Jews who had been driven to Transniestra to die there of hunger and disease. He set up community kitchens, hospitals, and Talmud Torahs. At a time when it was worth a death penalty to hide a refugee Jew in one's home, Rabbi Rubin threw open his 9-room apartment and hid hundreds of Jews there. Not only did he do this for 4 years, but was instrumental in getting other Jews to follow his lead."

Rabbi Rubin and his colleagues are all revered, learned, respected, brave gentlemen. They have undertaken a gigantic task. They ask for no money from fellow Jews, just effort, cooperation, and their signatures, 1 million signatures to be exact. Their aim is to present this petition to the West German Government to support their claim that money be turned over to the International Red Cross to be used to restore the defiled cemeteries, rebuild broken fences, replace desecrated tombstones, and give a semblance of dignity and decency to these sanctified burial grounds. Is that asking too much?

The world center has helped organized committees of government representatives in the free countries of Europe and in the United States. These groups have already raised their voices in their respective government bodies for this cause. In the United States, the Hon. ABRAHAM J. MULTER, Congressman from New York, has addressed the House of Representatives on this topic.

Recently a delegation of rabbis went to West Germany and was well received by government representatives. Included in the receiving delegation were Dr. Ehrhard, Dr. Conrad Adenauer, Willy Brandt, mayor of Berlin, and Dr. M. Hirsch, chairman of the reparation committee of the Bundestag.

The delegation presented their arguments forcefully on three principal subjects: the extension of the statute of limitations for the prosecution of Nazi murderers, the withdrawal of German scientists from the Middle East and particularly from the United Arab Republic, and the restoration of the Jewish cemeteries which had been destroyed on the European Continent.

They declared that as the spiritual leaders of European Jewry, a third of which were murdered by the Nazis, including over 9,000 rabbis, they feel a responsibility to call to the attention of the West German Government the consequences of the limitation law, and the German scientists employed in Egypt.

They stressed that even though millions of Jews killed can never be returned to life, the 2,000 cemeteries in Europe destroyed by the Nazis can be restored, if the West German Government will make the necessary funds available.

Rabbi Rubin called attention to the fact that support for their position had been sparked on behalf of Members of the U.S. Congress by the Honorable ABRAHAM J. MULTER, and American citizen support was engendered by the Honorable ROBERT F. KENNEDY, junior U.S. Senator from the State of New York.

It is interesting to note that the delegation of the presidium of the World Center of European Rabbis is composed of Rabbi M. J. Rubin, Rabbi Dr. E. Ebner, president of the Rabbinical Council, Canadian division; Rabbi H. Grunewald representing Chief Rabbi Dr. I. Brodie, of England, Chief Rabbi I. Kaplan of France, Rabbis Unterman and Nissom, chief rabbis of Israel, Rabbi Silver, Rabbi Moishe Feinstein, Rabbi David Lifschitz, Rabbi I. E. Yeruchem, and Rabbi M. Steinberg.

The organization is sponsored by the Agudas Rabbonim, Histadruth Rabbonim, Egud Rabbonim, and the National Council of Young Israel.

It is important to stress that Dr. M. Hirsch and his committee approved in principle the claims on indemnification for the Jewish cemeteries destroyed by the Nazis, and will present it to the Bundestag for appropriation.

And here is how all of us can help. We are not being asked for money, just signatures. You must help us obtain 1 million signatures so that we can present this united front to the German Government. Many of us were unable to help our Jewish brothers when they were still alive. Let us at least preserve their last resting place.

Sign, get your neighbor to sign, get your entire family to sign. Enlist your Landsmanshaft to help both here and abroad. This is the last respect we can show the dead.

NEW YORK CITY IN CRISIS—PART XI

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, continuing the excellent series of articles on "New York City in Crisis," I commend to the attention of our colleagues the following installment which appeared in the New York Herald Tribune of February 1, 1965:

NEW YORK CITY IN CRISIS—PUERTO RICAN POVERTY TRAP

(By Barry Gottehrer and Claude Lewis)

The day Francisco and Julia Sierra and their two young children arrived in New York City for the first time, it was raining very hard. That day, April 18, 1964, is a day they will never forget.

At home in San Juan, Puerto Rico, they had listened to friends talk of the good life, the job opportunities, and the plentiful food and housing to be found in New York. And, unhappy with their own life in Puerto Rico where the opportunities were not so good, they finally decided to do something about it.

Though the airlines boast of the remarkably low rates between San Juan and New York, it still took Francisco Sierra, who earned $35 a week as a milk delivery man, 7 months of scrimping to save $120 for two one-way tickets.

Because of the unique relationship that exists between the Commonwealth of Puerto Rico and the United States, the price of two tickets was all they needed.

Though they could speak and understand no English, though they had only $23.65 left in their pockets and though they had no jobs or lodging awaiting them, they—as citizens—were entitled to enter the country at will.

And, unfortunately, like the vast majority of Puerto Ricans who have come to the United States, the Sierras did not bother to enroll in the voluntary but vital courses offered throughout the island to prepare migrants for the facts of life about New York.

The first thing the Sierras did when their plane landed was to head for his sister's apartment in Manhattan. Though he had not even written to her about their plans, Francisco Sierra hoped that his sister, who lives with her husband and two children in Spanish Harlem, would put them up—at least until they found an apartment of their own.

His sister had other ideas. He says she told them that she simply did not have room for them—even for a night.

"But it is raining," said Francisco.

His sister opened a closet, handed him an umbrella, and led the new New Yorkers to the door.

This is how the Sierras spent their first few hours in this city of plenty. And, from then on, with few exceptions, their life has grown progressively worse.

Today, 9 months later, they are convinced that the good life their friends had spoken about—and the American dream they had dreamed about—was a complete fabrication. As members of New York City's 650,000-member Puerto Rican community (more than the population of the city of San Juan), they have first begun to learn what poverty and prejudice are all about.

In a city in which the problems of the Negro and the aged are extreme, the problems of the Puerto Ricans are even more critical.

If job opportunities are limited for Negroes, they are worse for Puerto Ricans.

If housing is poor for Negroes, it is worse for Puerto Ricans.

And if prejudice against Negroes is bad, it is worse, much, much worse, against Puerto Ricans.

THE POVERTY TRAP

"In the present climate of concern for the plight of the American Negro, there remains widespread unawareness of the fact that in occupational status, family income and education achievement, the Puerto Rican New Yorker is below the deplorable level of the Negro New Yorker," say Dr. Francisco Trilla, chairman of the Puerto Rican Forum, Inc., a citywide group of Puerto Rican leaders. "The Puerto Rican New Yorker is today caught in a poverty trap. His low occupational status dictates low family income; his low income condemns his children to limited educational goals and achievement, which in turn are a sentence to low occupational status with low pay. And so on and on."

This does not mean that all of New York's Puerto Ricans are failures, chained to a ghetto and a life of poverty. There are Puerto Rican teachers and there are Puerto Rican policemen, social workers, and lawyers. But these are the exceptions. For the vast majority of Puerto Ricans now living in New York, life cannot be beautiful.

According to the last census, one-third of the city's Puerto Rican families earned less than $3,000 a year compared to 13 percent for all New York families and 26.7 percent for all nonwhites.

Half of the Puerto Rican families were living on less than $3,839 a year (compared to $6,548 for half of the city's families) and only 3 percent (compared to 22 percent for all families) earned more than $10,000.

Because of this, it is not at all surprising that 22 percent of the Puerto Ricans in New York are now receiving welfare compared to 17 percent for Negroes.

Limited by income, they are even more limited by their educational shortcomings.

Puerto Ricans of the prime working age of 25 and older averaged only 7.7 years of schooling, 3 years less than the entire city and 2 less than all nonwhites. Nearly 30 percent of the Puerto Ricans in this age group had less than 5 years of education (9 percent for all New Yorkers and 11 percent for nonwhites). And, only 10 percent of the city's Puerto Ricans 25 and older (compared to 24 percent for all New Yorkers) had finished high school.

THE LANGUAGE BARRIER

The language problem affects Puerto Ricans of all ages. It is always difficult for an adult to survive in New York if he is unable to speak or understand English. Yet he can always go to night school and learn.

It isn't that easy for the Puerto Rican children. At home, invariably among other Puerto Ricans, they generally speak and hear only Spanish. And at school, they have tremendous difficulty in making themselves understood and in understanding their English-speaking teachers (in 1963, only 235—0.6 percent—of the city's 42,223 professional educators were Puerto Rican.

Though the board of education and many teachers continue to make an extra effort to assist and educate New York's Spanish-speaking youngsters, progress has been painfully slow.

"Today the average man who arrives here from Puerto Rico can't even ask for a job in English," says Joseph Gonzales, head of the Puerto Rican Voters League. "How can anybody expect to get by in this city if he doesn't even speak the language?"

It isn't easy, but language is only one of the problems confronting Puerto Ricans in New York. The employment prospects are terrible, but the housing available to them because of their income, their race and their accent is even worse.

For the most part, they are offered and, in most cases, forced to take poorly furnished and subdivided apartments, six and eight to a room, at excessive rentals in deteriorated dwellings. (According to the board of health, a study of people treated for rat bites a few years ago showed that 300 of the 500 people had Spanish names.)

Unable to communicate and uncertain of their legal rights, they are easy victims for the slumlords, who, at times, seem to enjoy immunity under a city government that moves extremely slowly in enforcing its housing code.

Despite the belief of some people that Puerto Ricans don't really want to work because they have a fairly easy life on welfare, the truth is that the vast majority of this city's Puerto Ricans do want to work but are unable to—either because of their language difficulty, because of their limited skills or because of prejudice.

"The city has not yet faced up to the fact that we cannot afford not to educate our citizens," says Joseph Monserrat, director of the migration division of Puerto Rico's Department of Labor. "What we are building up is an inferior city when we turn out inferior kids because of inferior schools and inferior housing, inferior wages and inferior thinking. Whether they are Puerto Rican, Negro, or white, they are the city and if we mistreat them as we've been doing for generations it is going to come back to us."

To many people, it already has. Many of the city's drug addicts are Puerto Ricans, taken to drugs out of despair or out of moral disintegration, who have turned to crime to feed their habit.

Though Puerto Rico first became an American possession after the Spanish-American War and its residents have been citizens since 1917, the real influx of Puerto Ricans into the United States did not begin until the years following World War II.

A CONTACT IS MADE

Today, there are nearly 1 million Puerto Ricans in the United States with almost 70 percent of them clustered in and around New York City. Yet they are so spread out that only 75,000 live in El Barrio, the main Puerto Rican ghetto that stretches from East 96th to East 125th Streets and is called Spanish Harlem.

Francisco and Julia Sierra did not settle in Spanish Harlem. When his sister turned them out into the streets, Julia remembered the name of a man a friend had mentioned to her in Puerto Rico. And, after wandering around in the rain and trying with much difficulty to make themselves understood for several hours, they finally located Angel Rodriguez, who took them in.

The next week and a half was just about the only enjoyable time the young couple—he is 19, she is 20, and they both look about 15—have spent in New York. Despite his inability to speak or understand any English at all, he found a job almost immediately through an agency. His job—operating a machine for a company making plastic swimming pools. His salary—$54 a week.

Though $54 a week is not enough to support a family of four in New York, the Sierras were happy. They weren't happy for long.

Toward the end of his second week, Francisco and three other Puerto Ricans, who had been hired the same day he had, were fired. He says he doesn't know why he was dismissed but thinks the owner may have been prejudiced. The owner denies this. He says that the four Puerto Ricans just couldn't understand English and claims they were unable to do their jobs.

Since he was out of work and couldn't find another job immediately, the Sierras applied for and started receiving nonresident welfare, a circumstance which, he says, he hoped to avoid.

They had already rented an apartment at 181 Reade Street but, when they failed to pay their $86-a-month rent, the landlord telephoned the welfare people and complained.

WHAT HAPPENED?

The welfare people were amazed. The Sierras had already received $300 over the past 8 weeks to cover food and rent. What had happened to that money?

Francisco Sierra said he had understood the money was to be for food and clothing and not for rent and claimed that he had obviously misread the instructions printed by the welfare people.

The welfare people did not accept his excuse—the instructions had been printed both in English and Spanish and, even if he had quit school at the end of his eighth year, they felt he should still have been able to understand.

For this reason, the Sierras were removed from nonresident welfare pending a further investigation of the case.

When the landlord learned they had been removed from welfare, he asked them to leave. When they refused, he had them evicted and locked out of the apartment. With no money and no place to go, they simply settled down in the hallway outside the apartment.

"We had nowhere else to stay," says Julia Sierra, now 8 months pregnant. "We were lost in New York. We had no money and nobody to turn to. We just walked around in the streets all day and slept in the hallway at night. We always had enough money to buy milk for the children but sometimes Francisco and I only had a sandwich between us all day."

Finally, after four nights in the hallway, someone told them that the East Harlem Democratic Club might be able to assist them. It was good advice. Juan Escobar, the club's vice president, took them to his home for a week where they lived with his family—13 people jammed into 4½ rooms.

They spent the next few weeks moving from one apartment to another until an investigation showed that they really had need and they started receiving welfare again. They now live in a cramped apartment at 346 West 36th Street, where their rent is $84 a month. Though he has looked for a job, Francisco has not worked regularly in 5 months and, improperly clothed for New York's winter (the lowest temperature in Puerto Rico's history was 39 degrees), says he is willing to do anything.

"I want a job—anything where I can make $45 or $50 a week," says Francisco, who now receives $60.90 twice a month for food and $42 twice a month for rent. "People tell me there's a lot of discrimination here. I don't understand that. I do not think about my head (he has not had a haircut in nearly 3 months). I think only about my stomach. We have been hungry for a long time. I just want to work. But where is a job?"

Obviously there are transient jobs available as a dishwasher, as a delivery boy, or as a porter. But, even in those instances when Francisco has attempted to find an unskilled job, he also has been rebuffed.

The day manager at a small restaurant that refused to hire him as a dishwasher was quite candid.

"I don't have anything against Puerto Ricans," he said. "We have several here and they're good workers. But how can you hire someone who can't speak any English at all? You ask him to do something and he doesn't know what you're talking about. I run a restaurant. I just don't have time to teach school. A person who can't understand you has to slow you down. I just can't use a man like that. Puerto Ricans should learn English if they want to work here."

Francisco Sierra is now attending school, taking a special course in English at P. S. 33 3 nights a week. Though he has been attending classes for nearly a month, he has difficulty making himself understood except when he says, "I need a job to feed some keeds" and "I need money to leaf."

Talking to him over this 9-month period as he has grown more and more discouraged, one gets the impression that he is becoming increasingly resigned to his welfare existence.

How has the city failed Francisco Sierra and the thousands of other Puerto Ricans like him?

Obviously, no one is keeping him here. If he finds the life so bad, he could always go back to Puerto Rico. It is certainly not the city government's fault that he has chosen to stay. Though his wife already wants to go home, he, however, remains convinced that, as bad as their life is now in New York, it one day has to be better than it ever could be in Puerto Rico.

INDIFFERENT OFFICIALS

This is his decision and he must accept the consequences. But so must the city government, which allows him to arrive uneducated, unprepared, and unable to do anything except become a drain on the city's already troubled finances. The city cannot prevent him from coming and it cannot prevent him from staying, but it obviously can prevent him from wasting his life and the taxpayers' money once he's here.

Despite the magnitude of the city's Puerto Rican problem, city officials—except at election time—choose to look elsewhere, indifferent to if not ignorant of the problem.

SATURDAY EVENING POST ARTICLE ENTITLED "THISTLES IN PARADISE"

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MOELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOELLER. Mr. Speaker, I would like to call the attention of my colleagues to an article by Mr. Bill Davidson, entitled "Thistles in Paradise," which appeared in the January 16, 1965, issue of the Saturday Evening Post. The subtitle of this very interesting article tells us that the truth about retirement housing will finally be presented to the American public. It is important to keep in mind that what we are to read is purported to be a truthful presentation of the facts. This is to be contrasted, according to the author, with the false promises of paradise promoted by many retirement communities. Mr. Speaker, I plan to demonstrate that much of what Mr. Davidson writes in this article is very far from the truth.

The author presents five basic arguments. According to him, retirement communities are often: First, in remote and undesirable locations; second, built with substandard or inadequate facilities; third, falsely advertised by promoters; fourth, sponsored by groups with inadequate financial resources; fifth, not conducive to the good mental health of the elderly.

These are serious charges, especially so when we consider that the Federal Government through the Community Facilities Administration or the Federal Housing Administration has either provided the funds through direct loan—CHA—or has provided mortgage insurance—FHA—to many of the groups sponsoring the retirement communities. One would expect that Mr. Davidson would not make such serious charges unless he had the hard data with which to support them.

As Mr. Davidson points out, the retirement projects could be divided into three categories: First, publicly financed projects for the low-income elderly; second, nonprofit old-age communities (sponsored in most cases by church groups); third, commercial developers. For those in group 1, he has little if anything to say. However, what he reports is generous. For group 2, his comments are also generous. However, there are a few church retirement communities which are attacked in his article. Group 3 receives the bulk of his criticism.

Mr. Davidson surely realizes the bad publicity he has given those communities which he mentions in his article. Should his charges be true, he has performed a public service in exposing them. However, if these charges should prove to be false, he has needlessly and carelessly smeared the good name of worthwhile institutions.

Among the communities singled out for criticism is the East Ridge retirement community. He has listed this community in the same category as others which were forced to close down because of their isolated location and inadequate financial resources.

On page 21, he states:

> The Missouri Synod of the Lutheran Church's East Ridge retirement community in the boondocks of southern Florida nearly suffered the same fate [foreclosure] and for the same reason [financial difficulty]. East Ridge has been on the brink of foreclosure several times and is just barely holding on.

There are three constituent parts to this statement. No. 1, the community is isolated. No. 2, it is having trouble finding people to move into the community—partly because it is isolated. No. 3, it has been and is on the verge of foreclosure. To arrive at the truthfulness of these assertions, it is necessary to test each of the charges with the evidence of hard data.

East Ridge is located, according to Mr. Davidson, in the boondocks of southern Florida. Presumably, this is one of the major causes both for its few residents and its financial difficulty. Mr. Davidson surely must know that southern Florida contains more than just the Everglades. Certainly, he knows that it contains Florida's largest metropolitan area—935,047 people according to the 1960 census—and that State's largest city, Miami—291,688 people in 1960. Moreover, he should know that the Miami metropolitan area population is expanding at a rapid rate. The Census Bureau estimates that the population of the Miami metropolitan area grew from 935,047 in 1960 to 1,049,000 in 1963—estimated July 1963 population.

Perhaps, Mr. Davidson is under the illusion that East Ridge is located in one of southern Florida's very beautiful swamplands. If he had bothered to check out his "facts," he would know that the East Ridge retirement community is located in the Greater Miami area. To be more precise, it is between 8.5 and 9 miles south of the city of Miami in one of Miami's southern suburbs.

Mr. Davidson is certainly on solid ground in attacking retirement projects isolated from community services, hospital, and recreational facilities. The Community Facilities Administration of the Housing and Home Finance Agency, in fact, will not grant loans "for isolated projects which deprive occupants of the access they need to the society of persons of all ages and to the activities that are so essential to continued activity and health." Among those services which this Agency suggests be in the vicinity of retirement projects are: museums, medical centers, churches, buslines, shopping centers, and community centers.

According to East Ridge's "Exhibit for Accreditation," the community "is only a short drive from the heart of Miami and a few minutes away from the many points of scenic, sports, and cultural interest for which southern Florida is justly famed the world over." Without belaboring the point, just a few of these nearby facilities will be mentioned. Anyone wishing to check the facts on this need only inspect any detailed map of Greater Miami. Within a 5-minute drive of East Ridge and accessible by the shuttle bus service maintained by the community is the Cutler Ridge Shopping Center. Nearby are golf courses, bowling alleys, the Fairchild Botanical Gardens, Parrot Jungle, Matheson Hammock Park, Monkey Jungle, Easter Garden Aquarium, Dade County Hospital, Baptist Hospital, the University of Miami, and so forth. Since East Ridge is located on the east coastal ridge near Biscayne Bay, it is quite close to several beaches and facilities for water sports.

East Ridge was organized by a foundation sponsored by a federation of Lutheran churches of the Florida-Georgia district. The objective was to build an attractive community in which elderly Christians could spend their retirement years among congenial neighbors in a stimulating Christian environment. The Christian-centered nature of the project is clearly evident from the operational guidelines established by East Ridge.

Says "Exhibit for Accreditation":

> Lutheran welfare and Lutheran welfare philosophy are Biblically oriented. Accordingly they find their motivation in the love of God for all men as disclosed in the incarnation, life, death, and resurrection of His Son. The Lutheran Church regards God's love in Christ to all mankind to be central to a definition of Christian welfare.

It is not surprising to note that the village has a very extensive religious program. East Ridge has its own chapel for the benefit of those who cannot attend services outside the village. Moreover, residents are encouraged to attend churches in neighboring communities and to become active participants in their church life.

Besides the many nearby community services, recreational facilities, and churches, East Ridge offers its residents a library, a post office, and a hospitality shop for sundries. Each of the village's seven neighborhoods—each with some 30 apartments—has its own shuffleboard and barbecue pits. Besides having kitchen facilities within each of the apartments, East Ridge also maintains one of the three largest and most complete kitchens in Dade County. Moreover, it operates an ultramodern 40-bed medical health center. The community also maintains 24-hour nursing service and a physician is always available.

Mr. Davidson is indulging in sheer fantasy when he claims that East Ridge is in the boondocks or is in any sense isolated.

If few people are moving into East Ridge, it is not because it is isolated. However, there is no evidence that East Ridge is having difficulty finding residents. Mr. Davidson has compared East Ridge with another retirement home in which only 8 of 300 units were occupied. Presumably, the financial difficulty of both this community and East Ridge results from the fact that it has very few occupants. What are the facts of the case?

In late 1962, the last dedication of the various units at East Ridge took place. It was built for a total capacity of 400 people—320 units. By December 31, 1962—the very year it was completed—45 of the units were either occupied or about to be occupied. On December 31, 1963, this figure had jumped to 110 units. There is no hard data available indicating that East Ridge had or is having difficulty finding residents.

One of the adverse consequences of Mr. Davidson's article lies in the fact that people might be discouraged from applying for residence at East Ridge. In fact, one of the purposes for inserting this report in the Congressional Record is to show that the charges leveled against East Ridge are based on fantasy—not fact. It is hoped that this report will help restore the reputation of this worthwhile nonprofit retirement community.

The last charge made is that East Ridge is on the verge of foreclosure. If East Ridge is on the verge of foreclosure, it is not for the reason given by Mr. Davidson. We have pointed out that East Ridge is having no difficulty finding residents. However, is East Ridge in fact on the verge of foreclosure? What are the facts on the matter?

The Federal Housing Administration, after investigating the exhibits presented by the sponsors of East Ridge, agreed to insure a mortgage of $4,113,900 on February 10, 1961. This was amended on February 27, 1961, and the insurance was increased to $4,904,000. It will be recalled that East Ridge was dedicated in late 1962. Payment of the principal was to begin that same year—November 1, 1962. Because an immediate market failed to develop, East Ridge requested that the FHA grant a 1-year deferment of principal payments. This was granted. Since large numbers of units were occupied during 1963, East Ridge was able to commence payment of amortization on November 1, 1963. Mr. Philip N. Brownstein, FHA Commissioner, stated in a letter to me:

> East Ridge's payments have been made regularly since November 1, 1963. At no time has the project been in default and it has never been on the brink of foreclosure. The project enjoys the endorsement of the Missouri Synod of the Lutheran Church and we have every reason to believe in its success.

Mr. Davidson should be complimented for his concern over the well-being of America's senior citizens. The Lutheran Senior Citizen's Foundation, sponsors of East Ridge, and numerous other retirement communities are equally concerned that our older people spend their retirement years in a stimulating and healthy environment. The dishonest promoters of substandard retirement projects are certainly to be attacked. However, a journalist who prints fiction as fact is indulging in an equally unethical practice. Contrary to the subtitle of Mr. Davidson's article, the truth about East Ridge could not be gained by reading "Thistles in Paradise." Perhaps, the editors of the Saturady Evening Post will print an apology for permitting such a poorly substantiated article to appear in their magazine. Perhaps, Mr. Davidson himself will publicly clarify the matter. In any case, it is important that the truth on the matter be stated publicly.

"THISTLES IN PARADISE"

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, I want to associate myself with the remarks by the distinguished gentleman from Ohio, the Honorable Walter Moeller.

He has performed a valuable service here today in setting the record straight on the subject of retirement communities, and in all fairness and equity it should be done.

I agree with my colleague from Ohio, the East Ridge retirement community is by no means isolated—to the contrary, it is in the middle of the fastest growing area of Dade County, Fla., which has a population of over 1 million people and is still growing at a tremendous rate.

East Ridge is within easy access to numerous modern shopping centers and only minutes away from the heart of downtown Miami.

Since the Federal Housing Administration has confirmed the fact that East Ridge is not in financial difficulty, it seems highly improbable, therefore, that any reasonable person could draw the conclusion which was drawn by the writer of the Saturday Evening Post article. He may be entitled to his opinion, but the facts seem to indicate that he is grossly in error on this point.

PROPOSED TAX REDUCTION FOR EDUCATION EXPENSES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I rise in support of H.R. 4936, which I introduced on February 16, a bill to amend the Internal Revenue Code of 1954 to allow a deduction, for income tax purposes, based on expenses incurred by the taxpayer for the higher education of his children.

H.R. 4936 provides that there shall be allowed as a deduction an amount equal to one-half of any amounts paid by the taxpayer during the taxable year for educational expenses, which are incurred at an institution of higher learning for any child of the taxpayer.

Deductions from the following educational expenses would be as follows: Tuition, laboratory, library, field study, enrollment, and other required fees and charges; required books and materials necessary in study or research; room and board; which are necessary, for an effective education at an institution of higher learning.

Such an "institution of higher education," must apply only to a duly accredited educational institution which maintains a regular faculty, an organized student body where its activities are carried on, and a curriculum which offers education at a level above the 12th grade.

The universities and colleges of the United States are currently being called upon to expand their traditional educational programs. High school graduation classes today are, by far, the largest—and best prepared—in the history of our country, but these students must also have the need for continuing education in a period of rapid change more than ever before.

Financial needs and pressures are so great and sources so inadequate that the Congress of the United States has recognized this problem. The Congress has already instituted such programs as college housing loan programs, Federal support of research, Federal action for specialized educational purposes, research in agriculture and related fields, increased support for the humanities and the arts, and so forth.

I am now asking that the Congress of the United States give some relief to the taxpayers, the mothers and fathers, who carry on the greatest burden in order that their children might be educated. Any donation or contribution made to an educational institution under present law is allowed as a deductible item. It is my belief that there should be no distinction between an outright contribution made to an educational institution and the payment of expenses incurred by the taxpayer to such institutions for the education of his or her dependents.

We must provide relief for those taxpayers who are assuming their responsibilities by giving to their children every opportunity to be a useful citizen in our society. By lessening the cost of higher education on the parent and taxpayer, we will insure that our free society and our democratic society, through the processes of education, will endure forever.

DR. FREDERIC SUTTER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, on Thursday, February 25, 1965, the Kiwanis Club of Staten Island, N.Y., will honor the Reverend Dr. Frederic Sutter who will celebrate his 90th birthday.

Dr. Sutter was born near Metz, Germany on February 26, 1875. Since his ordination as a Lutheran minister on June 26, 1897, his life has been a history of religious devotion to duty and family in every corner of our borough. It was Staten Island's gain when he left Liberty and Hudson, N.Y. to become pastor of Trinity Lutheran Church in Stapleton, where he is now pastor emeritus.

The real growth in size and fame of Wagner College is due in great part to his inspirational services as president of the board for more than 40 years. The Kiwanis Club honoring him on this occasion, is fortunate indeed to have had him as its member for approximately 30 years.

I want to extend my congratulations to Dr. Sutter on his 90th birthday and commend him for his contributions to our community.

ESTONIAN INDEPENDENCE DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Minish] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MINISH. Mr. Speaker, today marks the 47th anniversary of the establishment of the Estonian Republic. On February 24, 1918, the Estonian National Council proclaimed the independence of the small and gallant Baltic Republic of Estonia.

The life of the young republic proved cruelly short, but during the two decades of freedom the Estonians made tremendous economic progress and achieved outstanding educational, artistic, and cultural standards.

It is among the great tragedies of World War II that the Red army occupied Estonia which was subsequently incorporated into the Soviet Union. Since then these heroic people have been compelled to live under the yoke of Soviet tyranny, but oppression has not stamped out their spirit. Hope and determination that one day their country will regain her independence animate the hearts of the Estonians as they suffer under Communist oppression.

It is fitting that today we express our sympathy and our regard for the aspirations of the Estonian people. Let us join with them and with our fellow Americans of Estonian descent in praying for the country's deliverance from totalitarian dictatorship.

ESTONIAN INDEPENDENCE DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. McGrath] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McGRATH. Mr. Speaker, each year on February 24, Estonians in America and elsewhere in the free world observe the occasion of Estonia's anniversary of independence. This 47th anniversary of that independence, unfortunately, cannot be observed in Estonia itself, since Estonians in Estonia are captives of communism behind the Iron Curtain.

Since February 24, 1918, the people of Estonia have courageously and continuously combated forces which would strip them of that independence, Fascist and Communist alike.

It is fitting that today we join with those Americans of Estonian origin and descent in saluting them on this anniversary, since their fight to maintain their freedom is also our fight to maintain our own freedom. For just as surely as the Soviet Union robbed Estonia and her Baltic neighbors of their independence, international communism threatens the United States with the same fate if we are not vigilant and determined.

On this 47th anniversary of Estonian independence, it seems fitting, then, that we not only pay tribute to this heroic people, but pledge ourselves to keep our lamp of freedom burning brightly so that some day, soon, we pray, we may help relight their lamp of freedom.

ESTONIA'S 47TH INDEPENDENCE ANNIVERSARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Krebs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KREBS. Mr. Speaker, too often many of us are prone to take national freedom of a country for granted. We tend to lose sight of the fact that in parts of the world entire nations have come under a form of enslavement that tries to destroy national identity and the natural yearning for freedom. On the occasion of the 47th anniversary of independence for the country of Estonia, I wish to salute these people with the prayer that they may not long suffer under the imposition of a foreign power that talks about self-determination but refuses to recognize its application among its own neighbors.

A NEW GI BILL—FOR JUSTICE AND NATIONAL INTEREST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, today I have introduced a bill to extend the benefits of the so-called GI bill to veterans of the cold war. One of the most important pieces of legislation Congress has pending before it is this proposal to provide readjustment assistance to cold war veterans. My support for this program is based on two considerations. Simple justice requires it. The national interest demands it. This indisputably significant measure should be given high priority on the list of necessary legislation.

As long as the selective service law remains in effect, young men accomplishing the tremendous task of guarding freedom will be disadvantaged by military service. Forsaking at least 2 years at a crucial period in their lives, these servicemen are handicapped in their careers and education in relation to those who do not serve. I fail to see the logic of the argument advanced by some that only those veterans who serve in areas of hostilities should receive any kind of readjustment assistance. Previous GI bill benefits were never conditioned upon combat duty. Service in the Armed Forces now, as in the past, involves a sacrifice of precious time and opportunities in a competitive labor market. To return young people to civilian life without attempting to restore to them opportunities to prepare for a useful future is clearly unjust. The very least we can do is provide education and training benefits and home and farm loans as set forth by this proposal.

The other consideration which makes this legislation so essential are today's demands for highly skilled and well educated citizens to meet the challenges of the future. In view of existing needs for the Federal Government to provide more assistance for education and training it is difficult to substantiate a case against conserving the talents of these deserving veterans through the proposed program of readjustment assistance. These youths who serve in the Armed Forces must meet special mental and physical standards and are especially able to benefit from readjustment assistance. Restoring to them opportunities for training and education would release a reservoir of vitally needed human resources now being shamefully wasted.

It has been pointed out many times that the World War II veterans are the best educated group of people in the history of the United States and that this is so because of the GI bill. Also often mentioned is the fact that the monetary investment in this program has paid large dividends in higher tax returns. The incalculable values of our previous GI bills are certainly indicative of the tremendous contributions a new GI bill would make to strengthen the Nation both economically and educationally.

By 1973 we shall have an estimated 5 million veterans of the so-called cold war. Some 20,000 will be from my own State of Hawaii which adopted a resolution in 1963 requesting Congress to provide benefits for peacetime veterans. I believe that the enactment of a readjustment assistance program for cold-war veterans will constitute an act of justice for those Americans who have defended freedom around the globe so that all of us might have a better country in a better world in which to live.

ESTONIAN INDEPENDENCE DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOWARD. Mr. Speaker, today marks the anniversary of an event in the history of Eastern Europe which deserves to be remembered by all Americans. I am speaking, of course, about the establishment of the Republic of Estonia, which took place on February 24, 1918. On this day a people long denied freedom and independence proclaimed to the world that henceforth they would decide their own future and make their own laws. Similarly, our own forefathers proclaimed their independence in 1776.

The Estonians had been aware for years of the problems attendant upon independence for their small country of 18,000 square miles. Early in modern times they placed themselves and their country under the sovereignty of Sweden in hopes of maintaining in this manner their independence and national characteristics. Unfortunately for this brave people, their alliance with Sweden was not able to prevent an invasion by the czar in 1710 which began two centuries of Russian domination and oppression. In 1918, however, the Estonian people had not forgotten their age-old desire to be free. They had maintained their integrity and national characteristics against overwhelming odds; and, when the opportunity arose, they proclaimed their independence. The years between 1918 and 1939 were fine ones for the Estonians. Under their new free republican form of government the country prospered and the people were able to develop their individual talents. Unfortunately, they were not able to withstand the Russian invasion and Communist takeover that took place early in the Second World War.

Today the Estonians are suffering under the harshest governmental system yet devised by man. Nonetheless, they have not forgotten their former freedom, nor given up the hope that the future will bring independence to their land again. This country has refused to recognize both the Communist puppet government in Estonia and the Russian contention that Estonia is a part of the Soviet Union. Americans of Estonian descent have supported their countrymen in their desire to have freedom once again.

On this very special day I am happy to join with my colleagues in extending my support to the Estonian National Committee in the United States and in expressing to Estonian people all over the world my support of their crusade for the restoration of Estonian independence. Tyranny has always fallen and it will again.

The Estonians have proved that they can nurture the idea of freedom in their hearts for hundreds of years and then act when the opportunity is presented to them. Today, also, the desire for liberty is very much alive in Estonia. On this day of celebration, Mr. Speaker, we look confidently forward to the time when all men can choose their own government and live in freedom and peace with all men of the world.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hays, Mr. Boggs, Mrs. Kelly, and Mrs. Sullivan (at the request of Mr. Albert), through March 1, 1965, on account of official business (British-American Parliamentary meeting).

Mr. Mailliard (at the request of Mr. Gerald R. Ford), through March 1, 1965, on account of official business while attending as a delegate the British-American Parliamentary meeting.

Mr. Gonzalez (at the request of Mr. Albert), for today, on account of official business.

Mr. Charles H. Wilson (at the request of Mr. Albert), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Murphy of New York, for 15 minutes, today.

Mr. Ryan, for 30 minutes, today; and to revise and extend his remarks.

Mr. Halpern (at the request of Mrs. Reid of Illinois), for 10 minutes, today.

Mr. Ashbrook (at the request of Mrs. Reid of Illinois), for 15 minutes, today.

Mr. Cunningham (at the request of Mrs. Reid of Illinois), for 60 minutes, on March 1, 1965.

Mr. Olsen of Montana (at the request of Mr. Albert), for 30 minutes, on March 3, 1965; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Fino.

Mr. Garmatz.

(The following Members (at the request of Mrs. Reid of Illinois) and to include extraneous matter:)

Mr. Don H. Clausen.

Mr. Rumsfeld.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Callan.

Mr. Fallon.

Mr. Moorhead.

Mr. Corman.

Mr. Fuqua.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 30 minutes p.m.) the House adjourned until tomorrow, Thursday, February 25, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

624. A letter from the Comptroller General of the United States, transmitting a report of an audit of the financial statements of the Veterans' Canteen Service, for fiscal year 1964, Veterans' Administration; to the Committee on Government Operations.

625. A letter from the Comptroller General of the United States, transmitting a report on unnecessary procurement of shipping containers and packaging materials for 2.75-inch rockets, Department of the Navy; to the Committee on Government Operations.

626. A letter from the Comptroller General of the United States, transmitting a report on savings to be realized by encouraging private physicians to permit Veterans' Administration pharmacies to fill prescriptions with less expensive, generically equivalent drugs, Veterans' Administration; to the Committee on Government Operations.

627. A letter from the Chairman, Federal Power Commission, transmitting the annual report of the Commission for fiscal year July 1, 1963 to June 30, 1964; to the Committee on Interstate and Foreign Commerce.

628. A letter from the Director, Administrative Office of the U.S. Courts, transmitting bill to amend the Bankruptcy Act to permit a a draft of proposed legislation entitled, "A husband and wife to file a joint petition in ordinary bankruptcy and chapter XIII (wage earner) proceedings"; to the Committee on the Judiciary.

629. A letter from the Assistant Secretary of Defense for Manpower, transmitting a report of the Department on certain civilian positions, also a report on positions established to carry out research and development activities using specially qualified scientific or professional personnel, for the calendar year 1964, pursuant to section 503(a) of Public Law 84-854, as amended, and section 601 of Public Law 85-322 as amended; to the Committee on Post Office and Civil Service.

630. A letter from the Acting Administrator, General Services Administration, transmitting copies of a report of the status of construction, alteration or acquisition of public buildings authorized under section 11(a) of the Public Buildings Act of 1959 (40 U.S.C. 610(a)), and submitted pursuant thereto; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 232. Resolution to provide funds for the expenses of the studies and investigations authorized by House Resolution 44; with amendment (Rept. No. 59). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 139. Resolution providing for the expenses incurred pursuant to House Resolution 94; with amendment (Rept. No. 60). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 119. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 118; with amendment (Rept. No. 61). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 108. Resolution to provide funds for the expense of studies and investigations authorized by House Resolution 89; with amendment (Rept. No. 62). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 134. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 133; with amendment (Rept. No. 63). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 137. Resolution to provide funds for the expenses of the investigations authorized by House Resolution 80; with amendment (Rept. No. 64). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 109. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations; with amendment (Rept. No. 65). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 235. Resolution providing funds for the Committee on Interstate and Foreign Commerce for the first session of the 89th Congress; with amendment (Rept. No. 66). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 88. Resolution to provide funds for the Committee on the Judiciary; with amendment (Rept. No. 67). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 123. Resolution to provide funds for the Committee on the Judiciary under Public Law 86–272; with amendment (Rept. No. 68). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 142. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 141; with amendment (Rept. No. 69). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 237. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 112; with amendment (Rept. No. 70). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 239. Resolution to provide funds for the study and investigation authorized by House Resolution 13; with amendment (Rept. No. 71). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 182. Resolution to provide funds for necessary expenses of the Committee on Ways and Means; with amendment (Rept. No. 72). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 240. Resolution to provide for the payment of compensation to certain employees of standing and select committees of the House of Representatives; without amendment (Rept. No. 73). Ordered to be printed.

Mr. WILLIS: Committee on the Judiciary. H.R. 824. A bill granting the consent of Congress to a compact relating to taxation of motor fuels consumed by interstate buses and to an agreement relating to bus taxation proration and reciprocity; with amendment (Rept. No. 102). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 3995. A bill to transfer certain functions of the Secretary of the Treasury, and for other purposes; without amendment (Rept. No. 103). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3994. A bill to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans.; without amendment (Rept. No. 104). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 151. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; with amendment (Rept. No. 105). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASHMORE: Committee on the Judiciary. H.R. 1217. A bill for the relief of Capt. Paul W. Oberdorfer; with amendment (Rept. No. 74). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1218. A bill for the relief of T. W. Holt & Co. and/or Holt Import & Export Co.; without amendment (Rept. No. 75). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1224. A bill for the relief of Francis Janis and certain other Indians; without amendment (Rept. No. 76). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1291. A bill for the relief of the children of Mrs. Elizabeth A. Dombrowski; without amendment (Rept. No. 77). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1309. A bill for the relief of Edward Berger; without amendment (Rept. No. 78). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1356. A bill for the relief of the estate of Johanna Gristede, deceased; without amendment (Rept. No. 79). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1374. A bill for the relief of CWO Elden R. Comer; without amendment (Rept. No. 80). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1380. A bill for the relief of Mrs. Nathalie Iline; without amendment (Rept. No. 81). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1381. A bill for the relief of the estate of Rafaello Busoni; without amendment (Rept. No. 82). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1384. A bill for the relief of Theodore Zissu; without amendment (Rept. No. 83). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1475. A bill for the relief of Mrs. Helen Veselenak; with amendment (Rept. No. 84). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1487. A bill for the relief of Maj. Kenneth F. Coykendall, U.S. Army; without amendment (Rept. No. 85). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1870. A bill for the relief of Edward G. Morhauser; without amendment (Rept. No. 86). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2155. A bill for the relief of Mrs. Gertrude Reskin; without amendment (Rept. No. 87). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2299. A bill for the relief of Robert L. Yates and others; without amendment (Rept. No. 88). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2354. A bill for the relief of William L. Chatelain, U.S. Navy, retired; with amendment (Rept. No. 89). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2681. A bill for the relief of Shirley Shapiro; with amendment (Rept. No. 90). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2924. A bill for the relief of the Outlet Stores, Inc.; with amendment (Rept. No. 91). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3075. A bill for the relief of Bryce A. Smith; without amendment (Rept. No. 92). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3076. A bill for the relief of the estate of Bart Briscoe Edgar, deceased; with amendment (Rept. No. 93). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3096. A bill granting jurisdiction to the Court of Claims to render judgment on certain claims of N. M. Bentley against the United States; without amendment (Rept. No. 94). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3111. A bill for the relief of Victor L. Ashley; without amendment (Rept. No. 95). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3536. A bill for the relief of George R. Lore; without amendment (Rept. No. 96). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3634. A bill for the relief of CWO Edward E. Kreiss; with amendment (Rept. No. 97). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3638. A bill for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel; without amendment (Rept. No. 98). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3685. A bill for the relief of Russell D. Harris; with amendment (Rept. No. 99). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3051. A bill for the relief of Vermont Maple Orchards, Inc., Burlington, Vt.; without amendment (Rept. No. 100). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1453. A bill for the relief of the Jefferson Construction Co.; with amendment (Rept. No. 101). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5357. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending high school or college; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 5358. A bill to establish an office within the Federal Bureau of Investigation to assist the States in locating individuals for whom a warrant of arrest has been issued for abandonment, desertion, or nonsupport of children; to the Committee on the Judiciary.

H.R. 5359. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 5360. A bill to extend the operation of the National Wool Act of 1954, as amended; to the Committee on Agriculture.

By Mr. BATTIN:

H.R. 5361. A bill to authorize the Secretary of the Treasury to fix the silver content of certain coins of the United States, and for other purposes; to the Committee on Banking and Currency.

H.R. 5362. A bill to authorize establishment of the Fort Union Trading Post National Historic Site, N. Dak. and Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5363. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain expenses of higher education; to the Committee on Ways and Means.

By Mr. BECKWORTH:

H.R. 5364. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year under such title (and under sec. 5 of the Railroad Retirement Act of 1937) without any deductions from benefits; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 5365. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. BERRY:

H.R. 5366. A bill to provide (1) that the United States shall pay the actual cost of certain services contracted for Indians in the States of Minnesota, North Dakota, South Dakota, Washington, Idaho, and Wisconsin; and (2) for a more equitable apportionment between such States and the Federal Government of the cost of providing aid and assistance under the Social Security Act to Indians; to the Committee on Interior and Insular Affairs.

By Mr. BYRNES of Wisconsin:

H.R. 5367. A bill to amend the Internal Revenue Code of 1954 to provide that the admissions tax shall not apply where the proceeds inure to hospitals which are exempt from income tax; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 5368. A bill to provide flood control on the Big South Fork, Cumberland River Basin; to the Committee on Public Works.

By Mr. DON H. CLAUSEN:

H.R. 5369. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

H.R. 5370. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

By Mr. COHELAN:

H.R. 5371. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such waters; to the Committee on Public Works.

By Mr. CONTE:

H.R. 5372. A bill to authorize the release of up to 100,000 short tons of copper from the national stockpile; to the Committee on Armed Services.

By Mr. CORMAN:

H.R. 5373. A bill to provide research, technical, and financial assistance with respect to the disposal of solid wastes to the several States and political subdivisions thereof; to the Committee on Interstate and Foreign Commerce.

H.R. 5374. A bill relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 5375. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DOWNING:

H.R. 5376. A bill to authorize the Secretary of the Army to conduct a complete investigation and study of the Chesapeake Bay Basin; to the Committee on Public Works.

By Mr. DUNCAN of Oregon:

H.R. 5377. A bill to amend the Federal Water Pollution Control Act; to the Committee on Public Works.

By Mr. DUNCAN of Tennessee:

H.R. 5378. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 5379. A bill to terminate the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5380. A bill to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of California:

H.R. 5381. A bill to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 5382. A bill to correct inequities in the Civil Service Retirement Act, the Retired Federal Employees Health Benefits Act, and in other laws governing civil service retirement benefits and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5383. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5384. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such water; to the Committee on Public Works.

By Mr. ELLSWORTH:

H.R. 5385. A bill to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, and for other purposes; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 5386. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 5387. A bill to provide for the establishment of the National Humanities Foundation to promote progress and scholarship in the humanities and the arts, and for other purposes; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 5388. A bill to authorize the erection of a statue of Queen Isabella of Spain in the rotunda of the U.S. Capitol; to the Committee on House Administration.

H.R. 5389. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 5390. A bill to authorize the Secretary of the Interior to construct a multipurpose dam and reservoir on Big Kinkaid Creek, Jackson County, Ill.; to the Committee on Interior and Insular Affairs.

By Mr. GRIFFIN:

H.R. 5391. A bill to amend the Internal Revenue Code of 1954 to deny deductions for certain payments for the use of, or interest payments on mortgages on, industrial plants financed by tax-exempt obligations to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 5392. A bill to terminate the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HANNA:

H.R. 5393. A bill to authorize an additional method for Federal savings and loan associations to raise capital, and for other purposes; to the Committee on Banking and Currency.

H.R. 5394. A bill to promote fair competition among subcontractors and to prevent bid peddling on public works contracts by requiring persons submitting bids on those contracts to specify certain subcontractors who will assist in carrying them out; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 5395. A bill to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

H.R. 5396. A bill to make the civil forfeiture provisions of section 222(h) of the Interstate Commerce Act applicable to unlawful operations and safety violations by motor carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5397. A bill to amend section 402(c) of the Interstate Commerce Act to provide for the issuance of certificates of exemption upon application and proof of eligibility, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5398. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5399. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5400. A bill to amend section 203(b) (5) of the Interstate Commerce Act to provide for the issuance of certificates of exemption upon application and proof of eligibility, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5401. A bill to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON:

H.R. 5402. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

H.R. 5403. A bill to amend section 4241 of the Internal Revenue Code of 1954 to reduce the club dues excise taxes from 20 to 10 percent; to the Committee on Ways and Means.

H.R. 5404. A bill to amend section 4242 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. JARMAN (by request):

H.R. 5405. A bill to provide veterans' benefits for members of the units of the Student's Army Training Corps at Alva, Okla., and Edmond, Okla., during World War I; to the Committee on Veterans' Affairs.

By Mr. LEGGETT:

H.R. 5406. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

H.R. 5407. A bill to provide assistance to the States of California, Oregon, Washington, and Idaho for the reconstruction of areas damaged by recent floods and high waters; to the Committee on Public Works.

H.R. 5408. A bill to encourage the States to extend coverage under their State unemployment compensation laws to agricultural labor; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 5409. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 5410. A bill to amend the definition of a small business corporation for purposes of subchapter S of chapter 1 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. McGRATH:

H.R. 5411. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; to the Committee on Public Works.

By Mr. MACKIE:

H.R. 5412. A bill to repeal the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 5413. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans Affairs.

By Mr. MILLER:

H.R. 5414. A bill to provide for an Export Expansion Act of 1965; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE:

H.R. 5415. A bill to amend section 315 of the Communications Act of 1934 to provide that persons defamed during broadcasts by political candidates shall be afforded an opportunity to answer; to the Committee on Interstate and Foreign Commerce.

H.R. 5416. A bill to amend the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacture of sweaters; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 5417. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such waters; to the Committee on Public Works.

By Mr. MULTER:

H.R. 5418. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

By Mr. O'HARA of Michigan:

H.R. 5419. A bill providing for the reduction of the basis of representation of States denying or abridging the right of its citizens to vote, and for other purposes; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.R. 5420. A bill to amend section 2 of title IV of the District of Columbia Revenue Act of 1937; to the Committee on the District of Columbia.

By Mr. PUCINSKI:

H.R. 5421. A bill to provide a hospital insurance program for the aged under social security, to amend the Federal old-age, survivors, and disability insurance system to increase benefits, improve the actuarial status of the disability insurance trust fund, and extend coverage, to amend the Social Security Act to provide additional Federal financial participation in the Federal-State public assistance programs, and for other purposes; to the Committee on Ways and Means.

By Mr. RESNICK:

H.R. 5422. A bill to amend section 104 of the Revised Statutes of the United States relating to proceedings against certain witnesses; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 5423. A bill to authorize the construction of a dam on the Susquehanna River, Pa.; to the Committee on Public Works.

By Mr. ROBISON:

H.R. 5424. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 5425. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUDEBUSH:

H.R. 5426. A bill to provide that common-law marriages may not be contracted in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RYAN:

H.R. 5427. A bill to protect civil rights by providing criminal and civil remedies for unlawful official violence, and for other purposes; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 5428. A bill to amend section 110 of title 38, United States Code, to provide for the preservation of total disability ratings under laws administered by the Veterans' Administration where such ratings have been in force for 15 years or more; to the Committee on Veterans' Affairs.

H.R. 5429. A bill to prevent the importation of flat glass which is the product of any country or area dominated or controlled by communism; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 5430. A bill to authorize the construction of a dam on the Susquehanna River, Pa.; to the Committee on Public Works.

By Mr. SCHWEIKER:

H.R. 5431. A bill to provide for the health care of senior citizens through a program of voluntary medical and hospital insurance and tax credits, and for other purposes; to the Committee on Ways and Means.

By Mr. SENNER:

H.R. 5432. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.R. 5433. A bill to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 5434. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be 60 years; to the Committee on Ways and Means.

By Mr. SICKLES:

H.R. 5435. A bill to establish the Chesapeake & Ohio Canal National Historical Park in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 5436. A bill to waive certain limitations upon claims under Public Law 88-519 (78 Stat. 699); to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H.R. 5437. A bill to authorize the Secretary of the Army to grant rights of storage and transportation on flood control projects; to the Committee on Public Works.

By Mr. DINGELL:

H.R. 5438. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY:

H.R. 5439. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

By Mr. BARING:

H.J. Res. 344. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. BETTS:

H.J. Res. 345. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. CORMAN:

H.J. Res. 346. Joint resolution to designate Monday, October 4, 1965, as Free Enterprise Day; to the Committee on the Judiciary.

By Mrs. MAY:

H.J. Res. 347. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ADAMS:

H. Con. Res. 317. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. CONABLE:

H. Con. Res. 318. Concurrent resolution expressing the sense of the Congress with respect to the withdrawal of Soviet troops from, and the conduct of free elections in, the Baltic States; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Res. 243. Resolution providing for the consideration of H.R. 7; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

54. By Mr. OLSEN of Montana: Resolution of the Legislature of the State of Montana requesting the Secretary of Agriculture to study prices paid to meat producers, costs of processing, and retail prices to determine if meat processors and retailers are receiving unwarranted profits; to the Committee on Agriculture.

55. By Mr. REIFEL: Memorial of South Dakota State Legislature protesting the proposed combination of the Veterans' Administration regional office now located at Sioux Falls, S. Dak., with the regional office in St. Paul, Minn., and the resultant problems such combination would create for South Dakota veterans; to the Committee on Veterans' Affairs.

56. Also, memorial of South Dakota State Legislature memorializing the Congress of the United States to protect the economies of the States and territories by enacting legislation providing that 10 percent of the individual and corporate Federal income tax generated in the States and territories be retained and returned to the States and territories for their exclusive use beyond Federal control; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GEORGE W. ANDREWS:

H.R. 5440. A bill for the relief of S. Sgt. Billy F. Grimes, U.S. Air Force; to the Committee on the Judiciary.

By Mr. BETTS:

H.R. 5441. A bill for the relief of Cora Durbin; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 5442. A bill for the relief of John Michael Thomas, his wife, Margaret Louise Thomas, and their three minor children, Sean Thomas, Helen Thomas, and Rosanna Maria Thomas; to the Committee on the Judiciary.

H.R. 5443. A bill for the relief of Athanasios Leonardopulo; to the Committee on the Judiciary.

H.R. 5444. A bill for the relief of Mrs. Afra Brunetti and her minor son, Mauricio Brunetti; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 5445. A bill for the relief of Joanna Bruckner; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 5446. A bill for the relief of James M. Yates; to the Committee on the Judiciary.

By Mr. DAWSON:

H.R. 5447. A bill for the relief of Hyo Hyun Byun; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 5448. A bill for the relief of Woo Soon Kook; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5449. A bill for the relief of Gabriel and Angelina D'Orsi; to the Committee on the Judiciary.

H.R. 5450. A bill for the relief of Gaetano DiSotto; to the Committee on the Judiciary.

H.R. 5451. A bill for the relief of Phyllis Mayers; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 5452. A bill for the relief of Angelo Adalberto Noce; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 5453. A bill for the relief of Nicholas M. Rodosovich; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 5454. A bill for the relief of Dr. Sydney Philip Traub; to the Committee on the Judiciary.

By Mr. McGRATH:

H.R. 5455. A bill for the relief of Flora Veiro Gonzales; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 5456. A bill for the relief of Wong Ban Kuen (also known as Wong Suen Fon and Wong How Chung); to the Committee on the Judiciary.

By Mr. MACKIE:

H.R. 5457. A bill for the relief of Maria del Rosario de Fatima Lopez Hayes; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 5458. A bill for the relief of Rafael Angel Pantoja; to the Committee on the Judiciary.

H.R. 5459. A bill for the relief of Giuseppe Ippoliti; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 5460. A bill for the relief of Joseph Assal; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 5461. A bill for the relief of Emanuel Chiotis and his wife, Maria Chiotis; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 5462. A bill for the relief of Mrs. Shiu-sun Ma (King); to the Committee on the Judiciary.

H.R. 5463. A bill for the relief of Manuel Andrade; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5464. A bill for the relief of Santo Lipani; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 5465. A bill for the relief of Odette A. Eid; to the Committee on the Judiciary.

H.R. 5466. A bill for the relief of Dr. Nahmood Mousavipour; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 5467. A bill for the relief of Virginia Draculan; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5468. A bill for the relief of Saleh Zen and his wife, Saripah Salmiah Zen; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 5469. A bill for the relief of Dr. Edmundo Payao Valencia; to the Committee on the Judiciary.

H.R. 5470. A bill for the relief of Maurice Jean Marcel Belanger, Jr.; to the Committee on the Judiciary.

By Mr. STALBAUM:

H.R. 5471. A bill for the relief of the widow and minor children of the Reverend Donald Aksel Olsen; to the Committee on the Judiciary.

By Mr. SWEENEY:

H.R. 5472. A bill for the relief of Stavros and Panagiota Tsipas; to the Committee on the Judiciary.

SENATE

WEDNESDAY, FEBRUARY 24, 1965

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF.)

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, our Father, Thou hast so made us that our hunger of soul can be satisfied only with the bread that cometh down from heaven. Lead us, we pray, from all the feverish pressures of these draining days into the place of still waters and the green pastures of quiet contemplation.

Grant us courage for the living of these days in the remembrance that we are the children of intrepid forebears who dared the wrath of devils and the scorn of tyrants. Match us with the challenge of these fear-haunted times, and make us worthy of those who in the dangerous yesterdays were strong and unafraid, lest through our nerveless hands we miss that which Thou dost intend in this prophetic hour.

Chasten us by the present pressing difficult national decisions. Strip us of our illusions. Humbled under Thy hand, fit us to be the instruments of Thy will in the healing of this stricken world of contending men whose relations one to another are so often blinded by misunderstanding and by the hatred which crucifies brotherhood. We ask it in the Redeemer's name. Amen.

The ACTING PRESIDENT pro tempore. Does the senior Senator from Montana desire to make any requests?

Mr. MANSFIELD. Yes; the Senator from Montana desires to do a great many things, but he is constrained not to do them, even though Montana has the floor.

The ACTING PRESIDENT pro tempore. If the senior Senator from Montana would make a unanimous-consent request, the junior Senator from Montana would certainly grant it.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 23, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Luther L. Terry, of Alabama, to be Surgeon General of the Public Health Service for a term of 4 years, which was referred to the Committee on Labor and Public Welfare.

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittees on Arts and Humanities and on Veterans' Affairs of the Committee on Labor and Public Welfare, the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, the Subcommittee on Standing Rules of the Committee on Rules and Administration, the Committee on Rules and Administration, and the Special Subcommittee on Air and Water Pollution of the Committee on Public Works were authorized to meet during the session of the Senate today.

LEAVE OF ABSENCE

Mr. KUCHEL. Mr. President, the junior Senator from Vermont [Mr. Prouty] is absent by reason of illness in his family. I ask unanimous consent that, by leave of the Senate, he be excused from attendance on the sessions of the Senate for an indefinite period.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports of U.S. Soldiers' Home

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the U.S. Soldiers' Home, for the fiscal year 1964, together with a report of the annual inspection of the home, 1964, by the Inspector General of the Army (with accompanying reports); to the Committee on Armed Services.

Amendment of Title 10, United States Code, To Authorize Language Training for Certain Dependents

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize language training to be given to a dependent of a member of the Army, Navy, Air Force, or Marine Corps under certain circumstances (with an accompanying paper); to the Committee on Armed Services.

Report on Federal Contributions Program—Equipment and Facilities

A letter from the Acting Director of Civil Defense, transmitting, pursuant to law, a report on the Federal contributions program—equipment and facilities, for the quarter ended December 31, 1964 (with an accompanying report); to the Committee on Armed Services.

Report on Procurement From Small and Other Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on procurement from small and other firms, for the 6-month period ended December 31, 1964 (with an accompanying report); to the Committee on Banking and Currency.

Amendment of Section 107 of the River and Harbor Act of 1948

A letter from the Secretary of the Army, transmitting a draft of proposed legislation amending section 107 of the River and Harbor Act of 1948, relating to the support and maintenance of the Permanent International Commission of the Congresses of Navigation (with an accompanying paper); to the Committee on Public Works.

Amendment of Merchant Marine Act, 1936, Relating to Mobile Trade Fairs

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs (with accompanying papers); to the Committee on Commerce.

Amendment of Act Relating to Establishment of a Register of Names of Certain Motor Vehicle Drivers

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers (with an accompanying paper); to the Committee on Commerce.

Proposed Legislation of Interstate Commerce Commission

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting drafts of proposed legislation, as follows:

A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes;

A bill to make the civil forfeiture provisions of section 222(h) of the Interstate Commerce Act applicable to unlawful operations and safety violations by motor carriers, and for other purposes;

A bill to amend section 203(b)(5) of the Interstate Commerce Act to provide for the issuance of certificates of exemption upon application and proof of eligibility, and for other purposes;

A bill to amend section 402(c) of the Interstate Commerce Act to provide for the issuance of certificates of exemption upon application and proof of eligibility, and for other purposes;

A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes (with accompanying papers); to the Committee on Commerce.

Report of Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Commerce.

Report of Federal Trade Commission

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Commerce.

Extension of Reporting Date of National Commission on Food Marketing

A letter from the Chairman, National Commission on Food Marketing, Washington, D.C., transmitting a draft of proposed legislation to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission (with an accompanying paper); to the Committee on Commerce.

Work Release Program for Certain Persons in the District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Extension of Coverage Under Federal Old-Age Survivors and Disability Insurance System to Certain Persons in the District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to extend coverage under the Federal old-age, survivors, and disability insurance system of the Social Security Act to temporary and intermittent service performed in the employ of the District of Columbia if such service is not covered by a retirement system established by a law of the United States (with an accompanying paper); to the Committee on Finance.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on erroneous payments for military pay, leave, and travel at Charleston Air Force Base, S.C., Department of the Air Force, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unavailability of certain aircraft at an oversea location due to maintenance and supply deficiencies, Department of the Army, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on erroneous payments for military pay, leave, and travel at Ellsworth Air Force Base, S. Dak., Department of the Air Force, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

Notice of Proposed Rule by Department of the Interior

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, a copy of a notice of a proposed rule by that Department, relating to regulations and criteria by which that Department proposed to implement the Classification and Multiple Use Act, approved September 19, 1964 (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Negotiated Contracts for Disposal of Materials

A letter from the Director, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, a report on negotiated contracts for disposal of materials, for the 6-month period ended December 31, 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Final Settlement of Claim of Certain Indians

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, on the final settlement of *The Sioux Tribe of Indians of the Lower Brule Reservation, South Dakota* v. *United States of America;* to the Committee on Interior and Insular Affairs.

Exemptions From Antitrust Laws To Assist in Safeguarding the Balance-of-Payments Position of the United States

A letter from the Attorney General, transmitting a draft of proposed legislation to provide for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States (with an accompanying paper); to the Committee on the Judiciary.

Report on Tort Claims Paid by Department of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on tort claims paid by that Department, for the calendar year 1964 (with an accompanying report); to the Committee on the Judiciary.

Amendment of Paragraph B and C of Section 14 of Bankruptcy Act

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend paragraph b and c of section 14 of the Bankruptcy Act (with accompanying papers); to the Committee on the Judiciary.

Report of Secretary of the Senate (S. Doc. No. 14)

A letter from the Secretary of the Senate, transmitting, pursuant to law, his report for the 6-month period ended December 31, 1964 (with an accompanying report); ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Labor and Public Welfare:

"Enrolled Joint Memorial 5 of the State of Wyoming

"Joint memorial memorializing the Congress of the United States of America with reference to the opposition of the people of the State of Wyoming to the announced closing of the Veterans' Administration offices at Cheyenne, Wyo., and the transfer of the functions of such office elsewhere

"Whereas the announced closing of the Veterans' Administration offices at Cheyenne, Wyo., is a move which has not been calculated to serve the best interest of the citizens of Wyoming. Such action taken in the name of economy is but a pennywise divestiture of rights at the expense of Wyoming veterans and their families; and

"Whereas the benefit to be gained by this action is at best illusory whereas the resulting hardship is readily apparent. The economy of Wyoming in general, and of Cheyenne in particular, will be adversely affected by such announced closing; and

"Whereas the State's veterans will be subjected to great inconvenience and handicap by being forced to travel vast distances to advantageously utilize the facilities of a division of Government established primarily to safeguard their individual rights and interests: Now, therefore, be it

"Resolved by the House of the 38th Legislature of the State of Wyoming (the Senate of such Legislature concurring): That the President and Congress of the United States of America be and they are hereby memorialized and earnestly solicited to reverse the Veterans' Administration's decision to close the Cheyenne, Wyo., offices. Such closing is deplorable as it can be effected only by completely ignoring the interest and welfare of the veterans and the people of the State of Wyoming; be it further

"Resolved, That attested true copies hereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, U.S. Senator MILWARD L. SIMPSON, U.S. Senator GALE W. MCGEE, Representative in Congress TENO RONCALIO and to the Administrator of Veterans' Affairs.

"ANDREW MCMASTER,
"President of the Senate.
"WALTER B. PHELAN,
"Speaker of the House.

"Approved 3:20 p.m., February 15, 1965.

"CLIFFORD P. HANSEN,
"Governor."

A resolution of the Senate of the State of Washington; to the Committee on Commerce:

"Senate Resolution 1965–24 of the State of Washington

"Whereas in the words of the late Cordell Hull, issued in 1937, when he was Secretary of State:

" 'Large bodies of American citizens are of the opinion that the salmon runs of Bristol Bay and elsewhere in Alaskan waters are an American resource; that the salmon fisheries relate to and are linked with the American continent, particularly the Northwest area; and, that for all practical purposes, the salmon industry is in fact a part of the economic life of the Pacific Northwest coast. The fact that salmon taken from waters off the Alaskan coast are spawned and hatched in American waters, adds further to the conviction that there is in these waters a special and unmistakable American interest'; and

"Whereas the North American salmon would cease to exist were it not for the continuing restrictions of the United States and Canadian conservation policies; and

"Whereas the North Pacific salmon fisheries have a special importance to our coastal communities as a source of livelihood, and to the Nation as a food and industrial resource; and

"Whereas it is vital to maintain these fisheries on a sustained yield basis; and

"Whereas widespread Japanese fishing for salmon, using highly efficient new methods and techniques, seriously threatens the North American salmon fisheries with depletion if not destruction; and

"Whereas the 1953 North Pacific Fisheries Treaty entered into between the United States, Canada, and Japan is now in process of renegotiations; and

"Whereas present Japanese fishing policies urgently require establishment of additional controls west of the present treaty line: Now, therefore, be it

"Resolved by the Senate of the State of Washington, That we do respectfully petition the Congress of the United States to consider with the greatest care the value of our salmon fisheries to Alaska, to the Pacific Northwest, and to the Nation as a whole, and to take all appropriate action necessary to preserve this industry by insisting upon language in the revised treaty that will furnish adequate protection for it; and be it further

"Resolved, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

"WARD BOWDEN,
"Secretary of the Senate."

Two resolutions of the House of Representatives of the State of Washington; to the Committee on Appropriations:

"Resolution of the House of Representatives of the State of Washington

"Whereas the Columbia Basin project is the major irrigation development in Washington State and holds great benefits to the region and the Nation; and

"Whereas revised repayment contracts have been validated by the courts for all three of the project irrigation districts; and

"Whereas the second half of the project should be developed under an orderly construction schedule; and

"Whereas required funds for development of irrigation blocks 36 and 35 have not been provided in the fiscal year budget of 1966; and

"Whereas these funds should be provided in the budget now before the Congress, if this long planned irrigation construction is to proceed on an orderly basis: Now, therefore, be it

"Resolved by the Washington State House of Representatives, That the Congress of the United States, and those committees concerned with appropriations, be requested to provide for funds in the 1966 fiscal year budget of the Department of the Interior to carry out the additional Columbia Basin project construction above enumerated; and be it further

"Resolved, That the clerk of the house of representatives transmit copies of this resolution to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

"Adopted February 8, 1965.

"S. R. HOLCOMB,
"Chief Clerk,
"House of Representatives."

"Resolution of the House of Representatives of the State of Washington

"Whereas the federally financed Columbia River fishery development program operated jointly with the States has proven the most effective beneficial means of rebuilding the waning Columbia River fish runs; and

"Whereas the installation of the Willamette Falls fishways is the most important development under this program; and

"Whereas New Willamette Falls fishways at Oregon City, Oreg., would improve the economy of the States of Washington and Oregon by increasing the annual production of salmon and steelhead trout by some 320,000 fish valued at $4 million; and

"Whereas this project is now designed and federally licensed, with construction scheduled to begin with funds made available in fiscal year 1966; and

"Whereas the required funds of $1,600,000 are not now provided in the fiscal year budget of 1966; and

"Whereas it is the consensus of the House of Representatives of the State of Washington, in which the Legislature of the State of Oregon concurs, that it is essential that these funds be provided in fiscal year 1965 to obtain the maximum benefits of this long planned improvement to the fishery economy of these States; and

"Whereas large numbers of juvenile salmon already have been transplanted above this obstruction from which adult fish will return in 1966, requiring efficient passage at Willamette Falls, Oreg.: Now, therefore, be it

"Resolved by the House of Representatives of the State of Washington, That we do respectfully petition the Congress of the United States, and those committees thereof concerned with appropriations, to consider this joint request for restoration of these funds in the Department of the Interior's budget for the Columbia River fishery development programs; and be it further

"Resolved, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each Member of Congress from the State of

Washington, and to the Secretary of the Department of the Interior.

"Unanimously adopted February 4, 1965.

"S. R. HOLCOMB,
"*Chief Clerk,*
"*House of Representatives.*"

A resolution of the House of Representatives of the State of Arizona; to the Committee on Commerce:

"HOUSE MEMORIAL 2 OF THE STATE OF ARIZONA

"Memorial urging the Congress of the United States to oppose the Dodd bill or any other Federal legislation relating to regulation and registration of mail-order firearms sales

"*To the Congress of the United States:*

"Your memorialist respectfully represents:

"Whereas, since the unfortunate and untimely death of President John F. Kennedy, considerable impetus has occurred for the passage of the Dodd bill relating to regulation and registration of mail-order firearms sales; and

"Whereas the Dodd bill (S. 14), if enacted, will require citizens desiring to purchase a firearm by mail to submit sworn statements on forms obtained from the U.S. Treasury Department, whereby said purchase will subject such citizens to police investigation and harassment and lead to registration of said firearms; and

"Whereas such requirements will cause an inconvenience, and an undue burden on, law-abiding people of this country, particularly in rural areas, and such legislation will give every local police or sheriff in the United States a virtual veto on purchasing of firearms by mail and possibly open the door for the Treasury Department to regulate who may buy firearms; and

"Whereas the Bill of Rights of the Constitution of the United States and article 2, section 26 of the constitution of the State of Arizona, guarantee to its citizens the right to keep and bear arms, and the Dodd bill, if enacted, will be in direct violation of such guaranteed rights; and

"Whereas responsible organizations such as the National Rifle Association, National Wildlife Federation, and others have no objection to workable laws that will prevent the misuse of firearms by increasing penalties for crimes committed with firearms; and

"Whereas the Dodd bill, if enacted, will seriously hamper small industries that build fine custom rifles for mail-order trade throughout the Nation; and

"Whereas any restrictive legislation should be directed to merely requiring that shipments of concealable firearms in interstate commerce be made in compliance with the laws of the State of destination; and

"Whereas, since practically all States have laws regulating sale of firearms to juveniles, convicted felons, and incompetents, and against carrying concealed weapons, and since there are already Federal laws which make it a crime for a convicted felon to transport firearms across State lines, no Federal law for regulation and registration of mail-order sales of firearms is necessary;

"Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

"1. That the Congress of the United States take positive action leading to the defeat of the Dodd bill (S. 14).

"2. That the Congress of the United States carefully examine and oppose any other Federal legislation relating to registration and regulation of firearms which restricts the rights of law-abiding citizens and usurps the police power of the States to control firearms.

"3. The secretary of state is directed to transmit copies of this memorial to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each Member of the Arizona congressional delegation.

"Adopted by the house February 5, 1965, by the following vote: 74 ayes, 2 nays, 4 not voting.

"Approved by the Governor, February 8, 1965.

"Filed in the office of the secretary of state, February 8, 1965."

The petition of Leon E. Lofton, Jr., and Esther M. H. Lofton, of Los Angeles, Calif., relating to the closing of schools under the jurisdiction of the Los Angeles Unified School District; to the Committee on the Judiciary.

A resolution adopted by Johnson Post 382, the American Legion, of Hawley, Minn., protesting against the closing of the Veterans' Administration regional office at Fargo, N. Dak.; to the Committee on Labor and Public Welfare.

A memorial signed by Mrs. C. H. Brandt, and sundry other members of the American Legion Auxiliary, Sioux Valley Post 614, Jackson County, Minn., remonstrating against the closing of certain Veterans' Administration facilities; to the Committee on Labor and Public Welfare.

The petition of George W. Finnigan, of Chicago, Ill., praying for the establishment of a special committee to develop the needs and recommend legislation to bolster the financial structure of the railroad retirement system; to the Committee on Labor and Public Welfare.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 21. A bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning (Rept. No. 68).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF:

S. 1259. A bill to provide for the distribution of motor-vehicle tires, and for other purposes; to the Committee on Commerce.

S. 1260. A bill for the relief of Joseph P. Hennessey;

S. 1261. A bill designating the birthday of Winston Spencer Churchill as a legal holiday; and

S. 1262. A bill for the relief of Manual J. Vicent; to the Committee on the Judiciary.

By Mr. BENNETT (for himself, Mr. HOLLAND, Mr. DIRKSEN, Mr. SYMINGTON, Mr. HICKENLOOPER, Mr. LAUSCHE, Mr. MUNDT, Mr. RANDOLPH, Mr. CURTIS, Mr. ALLOTT, Mr. HRUSKA, Mr. LONG of Missouri, Mr. TOWER, Mr. SIMPSON, and Mr. DOMINICK):

S. 1263. A bill to require the procurement of certain services by Government agencies from commercial suppliers whenever economy will result from such procurement; to the Committee on Government Operations.

By Mr. BENNETT (for himself, Mr. MCCLELLAN, Mr. MUNDT, Mr. DIRKSEN, Mr. LAUSCHE, Mr. WILLIAMS of Delaware, Mr. TOWER, Mr. MILLER, and Mr. FANNIN):

S. 1264. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

By Mr. CLARK (for himself and Mr. SCOTT):

S. 1265. A bill to authorize the construction of a dam on the Susquehanna River, Pa.; to the Committee on Public Works.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 1266. A bill for the relief of Stella McKee; and

S. 1267. A bill for the relief of Jack C. Winn, Jr.; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 1268. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself and Mr. MUNDT):

S. 1269. A bill to provide that certain lands shall be held in trust for the Lower Brule Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

S. 1270. A bill to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938; and

S. 1271. A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease of tobacco acreage allotments; to the Committee on Agriculture and Forestry.

By Mr. HARTKE (for himself and Mr. SYMINGTON):

S. 1272. A bill to amend title 23 of the United States Code to increase to 60,000 miles the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mrs. NEUBERGER:

S. 1273. A bill for the relief of Ana Folja; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 1274. A bill for the relief of Lee Kean Wong; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself and Mrs. SMITH):

S. 1275. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges; to the Committee on Commerce.

By Mr. MOSS:

S. 1276. A bill to amend the Federal Crop Insurance Act, as amended, so as to permit the Federal Crop Insurance Corporation to continue to make insurance available to farmers in high risk counties or areas, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 1277. A bill for the relief of Henry Vea Kaufusi; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 1278. A bill to repeal the tax on general telephone service; to the Committee on Finance.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 1279. A bill for the relief of Miss Sofia Michaelidou; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. Long of Louisiana, and Mrs. Neuberger):

S.J. Res. 51. Joint resolution to authorize printing of publication entitled "Smoking and Health"; to the Committee on Rules and Administration.

By Mr. JAVITS (for himself, Mr. Kennedy of New York, Mr. Bennett, Mr. Burdick, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Curtis, Mr. Douglas, Mr. Fannin, Mr. Fong, Mr. Harris, Mr. Hickenlooper, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Jordan of Idaho, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. McGovern, Mr. Morse, Mr. Mundt, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Thurmond, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of North Dakota):

S.J. Res. 52. Joint resolution to establish the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HART:

S.J. Res. 53. Joint resolution to establish a Tercentenary Commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MUSKIE:

S.J. Res. 54. Joint resolution designating the fourth Saturday in August of each year as Children's Day in Sports; to the Committee on the Judiciary.

By Mr. SIMPSON:

S.J. Res. 55. Joint resolution requesting the President to proclaim the week of November 16 to 22 as National Student Council Week; to the Committee on the Judiciary.

CONSTRUCTION OF DAM ON SUSQUEHANNA RIVER AT SUNBURY, PA.

Mr. CLARK. Mr. President, on behalf of my colleague from Pennsylvania [Mr. Scott] and myself, I introduce, for appropriate reference, a bill to authorize the construction of an inflatable dam at the forks of the Susquehanna River at Sunbury, Pa.

Although the Susquehanna is the largest river on the Atlantic seaboard south of the St. Lawrence, it runs wide but shallow. As a result, its vast recreational potential has barely been tapped.

Complicating the problem is the fact that any sizable dam structures in the upper Susquehanna may interfere with flood control levees.

But the Pennsylvania Department of Forests and Waters, under able direction of its secretary, Maurice K. Goddard, has come up with an answer which the Commonwealth of Pennsylvania is willing to try.

Using an inflatable fabric dam which can be inflated with water under pressure, the Commonwealth will create a lake extending several miles up both the West and North Branches of the Susquehanna and covering about 3,000 acres. Should the flood warning system indicate that a flood was on its way, however, the dam would be deflated in order to let the high waters pass. Once the river returned to its normal level, the dam would be reinflated.

A separate fishway will be provided in order not to interfere with fish runs.

The new water area will be used for boating, swimming, and other water-based recreation on the front doorstep of such river communities as Sunbury, Danville, Lewisburg, and Milton.

Mr. President, a large part of the credit for the acceptance of the design of this rather unique dam should go to Gen. Norman Lack, formerly of the Corps of Army Engineers, at present a successful businessman in Wilmington, Del., and a Delaware member of the Delaware River Basin Commission.

General Lack has worked indefatigably to develop this new type of pneumatic dam and to have it accepted by the Commonwealth of Pennsylvania. I commend him for his efforts and have every hope that as a result of his initiative and ingenuity we shall soon have at the forks of the Susquehanna a dam which will provide substantial new recreational features.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1265) to authorize the construction of a dam on the Susquehanna River, Pa., introduced by Mr. Clark (for himself and Mr. Scott), was received, read twice by its title, and referred to the Committee on Public Works.

BILL TO AMEND TITLE 23 OF THE UNITED STATES CODE TO EXTEND THE INTERSTATE HIGHWAY PROGRAM

Mr. HARTKE. Mr. President, in 1956 under the Federal-Aid Highway Act, we began a 16-year program of construction of a 41,000-mile interstate highway program. It was a big undertaking, but it was not big enough. Today I introduce a bill to extend that program from 41,000 to 60,000 miles, the same bill which I introduced last September 22, when it bore the number S. 3200 in the 88th Congress.

We are now at the halfway mark in the program. It is as true today as it was in 1959, 6 years ago, that as Dr. Robinson Newcomb said in an address to an industry group:

> You've been told many times it's a big program. But in relation to the size of the country and in relation to its volume of traffic, it isn't a big program.

As this economist, who has served as a Government consultant, pointed out there, highway traffic grows faster than the economy. This is substantiated, and the need indicated, by projected trends which show a population growth from 188.5 million in 1963 to 210 million in 1970—11 percent. But the estimate of motor vehicle mileage jumps by 21 percent in the same period, from 800 to 970 billion miles.

As auto sales go to the 8 million mark and move on toward a figure of 10 million new cars which the industry can already see ahead, the extension of the Interstate Highway System can save not only dollars but lives. It is this which concerns me; that we are not improving enough and are not improving fast enough to save as many dollars and lives as we could.

I have asked in my bill, Mr. President, for an extension of the system by 19,000 miles. I do so because proposals for the system, presented to the Bureau of Public Roads and rejected in spite of the showing of need on which the States relied, totals approximately this much. E. H. Swick, Director of Rights-of-Way and Location in the Bureau of Public Roads, in a memorandum of June 10, 1963—now almost 2 years since—stated:

> We have on file proposals from the various States totaling almost 20,000 miles, including over 12,000 miles that did not receive favorable action in the 1957 system expansion.

What will 19,000 additional miles of four-lane limited-access roads accomplish?

First, it will reduce the toll of deaths and agony so often caused, or at least compounded, by collisions which separation strips avert. It was in such an accident that my own sister met death last summer; an accident which could hardly have occurred on an interstate highway. It is estimated that on regular highways traffic deaths mount to 9.7 per 100 million miles of travel—but on interstate highways the rate is only 2.8 traffic fatalities per 100 million miles. Put another way, the estimate is that each 1,000 miles of interstate highway open to traffic saves 200 lives annually as compared to expectations on present roads carrying traffic between the same destinations. Any one of us who has experienced the old roads, and then covered the same journey on a portion of the new, knows exactly what I am talking about. One need go no further than from Washington to Frederick, Md., to recognize the vast difference.

So by adding 19,000 miles to the system we can save some 3,800 lives per year. Each year in my own State alone we are adding 100,000 new drivers from among the youth who acquired their first licenses. How many of them may be killed some day on a road which could be safer under interstate highway standards? Traffic fatalities, as the National Safety Council report for 1964 reminds us, in the 12 months ending July 31, 1963, reached an all-time high of 46,220.

Every accident causes damage. Every time a car is brought to a stop from 60 miles an hour the cost is 2 cents. Last year, the Bureau of Public Roads has estimated, the interstate mileage open to traffic saved about $2 billion for passenger cars and $750 million for trucks. Completion of the presently scheduled system will bring, after 1972, an estimated $11 billion a year in savings, enough to pay for the entire 41,000 miles in the space of 4 years. My proposal is not a wild dream to spend more Federal money. It is rather a sound proposal for investment which is self-liquidating in terms of the future economy, in terms of savings reaped from economic savings. And, in addition, who can measure the value of even one life saved?

Mr. President, I know there are others in this body who are in sympathy with measures to save lives and money in such a way. I wish to give them an opportunity to express their views by joining with me as cosponsors. I therefore request, Mr. President, that this bill lie on the table for 1 week for the purpose of receiving cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table as requested.

The bill (S. 1272) to amend title 23 of the United States Code to increase to 60,000 miles the total mileage of the National System of Interstate and Defense Highways, introduced by Mr. HARTKE (for himself and Mr. SYMINGTON), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. SYMINGTON. Mr. President, I wish to associate myself with the remarks made by the senior Senator from Indiana [Mr. HARTKE], with regard to an extension of the mileage of our Interstate Highway System. I am pleased to add my name as a cosponsor of his proposal to extend this program from 41,000 to 60,000 miles.

Millions of Americans now enjoy the benefits and the safety offered by our growing network of interstate highways. These arteries of commerce present a tremendous advantage to our expanding economy and our increasing population.

In 1956, Congress anticipated the need for a nationwide transportation system and authorized the construction of a 41,000-mile National System of Interstate and Defense Highways.

More than 19,000 miles of these highways are now open to traffic and the entire project is scheduled for completion in 1972. This interstate chain will carry over 20 percent of all our Nation's traffic and is designed to meet our civilian and defense needs for years to come.

Although only half of our presently authorized system has been completed we must plan now to extend the original mileage to enable our highways to keep pace with our rapid growth and the increasing number of our motor vehicles.

The Midwest is but one example of an open space in our Interstate System that needs attention. I specifically cite the necessity for an interstate route which will bind the metropolitan communities of Kansas City and New Orleans.

Not only would such a route be of commercial value to these two cities, but the continued development of our inland cities in western Missouri, western Arkansas, and northern Louisiana are dependent upon the availability of good transportation routes to industrial areas and the many recreational facilities now offered by this section of our country.

At the present time, Interstate 29 begins near the Canadian border and is planned through the Missouri Valley to Kansas City where it terminates.

An extension of this route would connect the fertile upper Missouri Valley and Kansas City to the growing Springfield-Joplin areas of Missouri. From this point Interstate 29 would pass through Arkansas and down through Louisiana to Baton Rouge, the historical city of New Orleans, and the sealanes of the Gulf of Mexico.

A study of a network map of the present system quickly discloses the "blank spot" of which I am speaking.

To the east, Interstate 55 extends from Chicago to St. Louis, then follows the Mississippi River as far as Memphis; then turns into midstate Mississippi, through Jackson and terminating in New Orleans.

To the west, Interstate 35 originates at Duluth, passes through Minneapolis, Des Moines, and St. Joseph to Kansas City. At this point the highway veers sharply westward through Wichita, Oklahoma City, and Dallas where it connects with Interstate 45 en route to Houston and the Gulf coast at Galveston.

The distance from Memphis to Oklahoma City—between Interstate Routes 55 and 35—is 490 miles. From Dallas to Jackson the distance is 415 miles. Clearly, this represents a blank in our presently authorized system.

Many prominent people in the areas involved—in my State and in Arkansas and Louisiana—have expressed their interest in a proposed new four-lane interstate highway to remedy this oversight in the present system.

I am confident that such a program would receive the approval of the people in this area, the administration, and the Congress.

In southwestern Missouri this proposal would relieve the problem of heavy congestion resulting from increased traffic due to the completion of such developments as Table Rock and Pomme de Terre Dams. The traffic will further increase with the completion of Stockton and Kaysinger Bluff Reservoirs now under construction.

An interstate highway in this area, with its safety factors, would make these recreation areas easily accessible to the people of Missouri and the Nation and give an economic boost to these States that would more than justify this development and the elimination of this blank spot on the map—and the number is increasing.

The lives that these highways would save will more than justify their creation. This week, U.S. News & World Report estimated that nearly 1,000 Americans lose their lives in auto accidents each week.

I urge that the extension of our interstate mileage be favorably considered by this Congress.

AMENDMENT OF FEDERAL CROP INSURANCE ACT

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Crop Insurance Act, as amended, so as to permit the Federal Crop Insurance Corporation to continue to make insurance available to farmers in high risk counties or areas, and for other purposes.

I ask unanimous consent that my bill lie on the table for 1 week so other interested Senators may have an opportunity to cosponsor this measure with me. I also request that the text of the bill be printed in full after the conclusion of these remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Utah.

The bill (S. 1276) to amend the Federal Crop Insurance Act, as amended, so as to permit the Federal Crop Insurance Corporation to continue to make insurance available to farmers in high risk counties or areas, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 509(a) of the Federal Crop Insurance Act, as amended, is amended by inserting immediately after the tenth sentence thereof the following new sentences: "Notwithstanding the preceding sentence, the Board may provide insurance at reasonable rates in any county or area determined by the Board to be a high risk county or area because of prolonged or repeated losses resulting from unavoidable causes referred to above; and whenever the amount paid out by the Corporation to cover claims and losses in any such county or area, during any period of five consecutive years, is in excess of the total amount collected in premiums in such county or area during such period, the Corporation shall report the amount of the net loss to the Congress. Such funds as may be necessary to reimburse the Corporation for the amount of such net loss in any such period are hereby authorized to be appropriated to the Corporation. In computing whether a net loss has ben sustained in any consecutive five-year period, no year previously used for such purpose may be used again."

REPEAL OF TAX ON GENERAL TELEPHONE SERVICE

Mr. MUNDT. Mr. President, President Johnson has called for reduction in Federal excise taxes in his state of the Union address and again in his budget message. Specific recommendations have not been transmitted to Congress as yet. However, present indications are that excise tax reductions will be requested on such luxury items as jewelry, furs, luggage, and other leather goods. In addition, recommendations are expected to make some of the other excise taxes permanent. There is concern in some quarters that the President will include general telephone services in this latter category.

I think any efforts in that direction would be unfortunate because this tax was imposed as a "temporary" measure during World War II not for the purposes of raising revenues but to reduce the traffic load on telephone plants overburdened by wartime calls, and to discourage new service that would necessitate installing critical new equipment.

The tax is unfair and is discriminatory to every user of the telephone. There is no service tax imposed on other public utilities generally. Furthermore, the tax treats telephones as a luxury subjecting them to the same taxes imposed on luxury items. In fact the telephone has become a necessity in the everyday lives of modern Americans.

While telephone service has become a necessity in our urban areas, it has become even more important in rural America during the past decade or more as rural telephone associations across the country have taken tremendous strides in developing a rapidly growing telephone network in our rural areas. Many of these rural telephone associations are marginal operations and have obtained financial assistance from the Government. This excise tax has placed a particularly heavy burden upon them.

I think the elimination of the excise tax on this vital domestic service is long overdue and for that reason I am introducing today a bill which would terminate the general telephone service tax to become affective upon enactment of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1278) to repeal the tax on general telephone service, introduced by Mr. MUNDT, was received, read twice by its title, and referred to the Committee on Finance.

ESTABLISHMENT OF ANNUAL NATIONAL AMERICAN INDIAN DAY

Mr. JAVITS. Mr. President, together with 33 other Senators, I introduce for appropriate reference a joint resolution calling for the establishment of an annual national American Indian Day on the fourth Friday in September.

Cosponsoring the joint resolution are Senators KENNEDY of New York, BENNETT, BURDICK, CASE, CHURCH, CLARK, COOPER, CURTIS, DOUGLAS, FANNIN, FONG, HARRIS, HICKENLOOPER, HRUSKA, INOUYE, JACKSON, JORDAN of Idaho, LAUSCHE, LONG of Missouri; MAGNUSON, MCGEE, MCGOVERN, MORSE, MUNDT, NELSON, PELL, PROUTY, RANDOLPH, SCOTT, THURMOND, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of North Dakota.

A similar measure which I introduced passed the Senate on August 14, 1961, but no further action was taken in the House.

American Indian Day is intended to provide proper recognition of the important contributions to our country by the American Indian, was first suggested to me in 1960 in a letter by a 7-year-old school girl, Lynn Michaelson, of Jackson Heights, N.Y. In pencil she wrote:

> Why don't we have a day called Indian Day as a national holiday? We should have that day because we shouldn't forget the poor Indian who used to live on this land. We have Columbus Day and Washington's Birthday and even Mother's Day.

After the introduction of the bill, I received from the Y-Indian guides of the YMCA petitions signed by more than 2,000 schoolchildren from 22 States urging enactment of the joint resolution. Many other national organizations have since expressed support.

It has been my hope that the annual celebration of American Indian Day would assist in focusing public attention on the cultural, social, and educational growth of the American Indian and would provide a reminder of the full respect and dignity to which the American Indian is entitled.

The contributions of the American Indian to our culture are inextricably intertwined with the fabric of our society and our national character. Their inventive accomplishments, participation with valor in the ranks of our Armed Forces, and contributions to the arts, sciences, and good government, among many others, have been noteworthy and have left an indelible imprint on this country's history. A day set aside to honor their contributions will, I believe, acknowledge publicly our historic debt to the American Indian.

New York State has always been extremely proud of its Indians and has, along with a number of other States, proclaimed its own American Indian Day. The passage of this joint resolution would provide deserving national recognition.

Efforts have been made since 1960 to have the joint resolution passed. It has been gathering more support all the time. I hope that it will become law in this Congress.

Mr. President, I ask unanimous consent that the joint resolution lie on the table until March 2 for additional cosponsors.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the table as requested by the Senator from New York.

The joint resolution (S.J. Res. 52) to establish the fourth Friday in September of every year as American Indian Day, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

TERCENTENARY COMMISSION TO COMMEMORATE THE ADVENT AND THE HISTORY OF FATHER JACQUES MARQUETTE IN NORTH AMERICA

Mr. HART. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a Tercentenary Commission to commemorate the historic presence of Father Jacques Marquette in North America.

The function of the Commission will be to develop and execute suitable plans for the celebration of the 300th anniversary of the arrival of Father Marquette at Quebec on September 20, 1666. In conjunction with these plans, the Commission, in cooperation with the Secretary of the Interior, will investigate the desirability of establishing a permanent national monument or memorial.

Mr. President, Michigan is proud to claim Father Marquette as one of her own. Two years after his arrival in North America, he established a mission at Sault Ste. Marie. Later, in 1671, he founded the Mission of St. Ignatius at the Straits of Mackinac, and this remained his home until his death.

Returning from a missionary trip to Illinois in 1675, he died on the eastern shore of Lake Michigan near the present city of Ludington. He is buried in our State. Michigan rivers, counties, townships, cities, and streets proudly bear his name.

But Father Marquette is known in American history for what he accomplished beyond our boundaries. Two hundred and ninety-two years ago, Father Marquette and the renowned explorer, Louis Joliet, set out to explore our continent's greatest river—the Mississippi. The histories say that on May 17, 1673, Father Marquette and Joliet left St. Ignace with two bark canoes, five French guides, and a little smoked meat and Indian corn.

In 4 months they descended the Mississippi to the mouth of the Arkansas, satisfied themselves that the river emptied into the Gulf of Mexico, and returned to St. Ignace—a journey of 3,000 miles. They brought back with them knowledge of America's greatest river and richest wilderness.

Today as we puzzle the complex problems of science, space, economic growth, and human relations, I believe it not inappropriate that we give thought to those early pioneers—among them Father Marquette—who met with determination and courage the basic and compelling challenges of their day—the exploration of a vast uncharted continent, and the planting in its rich soil of the tender shoots of civilization.

Mr. President, I hope Congress will act to make possible an appropriate anniversary observance in commemoration of Father Marquette's contributions to our country.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 53) to establish a Tercentenary Commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

APPROPRIATIONS FOR PROCUREMENT OF VESSELS AND AIRCRAFT AND CONSTRUCTION OF SHORE AND OFFSHORE ESTABLISHMENTS FOR THE COAST GUARD—AMENDMENT (AMENDMENT NO. 43)

Mr. MAGNUSON. Mr. President, by request, I submit an amendment, intended to be proposed by me, to the bill (S. 1053) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard. I ask unanimous consent that the amendment be printed in the RECORD, together with the letter from the Secretary of the Treasury requesting its submission.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment and the letter will be printed in the RECORD.

The amendment (No. 43) was referred to the Committee on Commerce, as follows:

At the end of the bill insert the following new section:

"SEC. 2. Any of the authority in the first section of this Act may be utilized for alteration, addition, expansion, and extension to facilities acquired from any military department: *Provided*, That the total cost of projects constructed under this section shall not exceed $5,000,000."

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 17, 1965.
The Honorable WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On February 1, 1965, this Department transmitted to the President of the Senate and the Speaker of the House of Representatives a draft bill to authorize appropriations for procuement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard. The draft bill was referred in the Senate to the Committee on Commerce and introduced by you as S. 1053 on February 9, 1965.

Since the submission of this bill, the possibility has developed that the Coast Guard will acquire facilities which are to be closed or deactivated by the Department of Defense pursuant to the recent announcement of such closings throughout the United States. At least one such facility will be acquired by the Coast Guard when it is vacated by the Department of the Army and in connection with that acquisition, construction and rehabilitation to make the facility suitable for Coast Guard use is required.

In the circumstances, the Department recommends the addition of the enclosed new section to S. 1053 in order to permit the Coast Guard to use funds authorized by the bill for the construction and rehabilitation required at this facility. Since the acquisition will take place prior to the end of the next fiscal year, it would be inexpedient to await submission of the next authorization bill to provide for the necessary work. The language of the section would establish a maximum limit on the total amount of funds appropriated for acquisition, construction, and improvement which could be used for the work contemplated. If necessary, these funds would be made available through the deferment of projects which have previously been authorized.

In support of this addition, information will be furnished to the committee as to the projects which are intended to be accomplished in a form similar to that for the items listed in the first section of the bill. Additionally, the Department will be prepared to submit any other available data that the committee or staff may require.

An identical proposal has been transmitted to the chairman of the House Committee on Merchant Marine and Fisheries.

The Department has been advised by the Bureau of the Budget that the proposed legislation would be in accord with the President's program.

Sincerely yours,

DOUGLAS DILLON.

AMENDMENT OF INTER-AMERICAN DEVELOPMENT BANK ACT, RELATING TO AN INCREASE IN THE RESOURCES OF THE FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK (AMENDMENT NO. 44)

Mr. LAUSCHE. Mr. President, I offer an amendment which I send to the desk. The amendment proposes to change the authorization for increased capital from the recommended sum in the bill of $900 million to a reduced sum of $480 million.

Under my amendment the U.S. Government would obligate itself to pay $200 million a year for 2 years, instead of $250 million a year as provided in the bill now pending before the Senate.

Mr. President, I ask that the amendment be printed.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

ADDITIONAL COSPONSORS OF BILLS

Mr. ANDERSON. Mr. President, I ask unanimous consent that the junior Senator from Idaho [Mr. JORDAN] be added as a cosponsor of S. 21, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, and that his name be listed in the next printing of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, in introducing my bill for establishment of the Lincoln Trail Memorial Parkway extending from Hodgenville, Ky., to Springfield, Ill., I correctly stated in my remarks that it had the cosponsorship of all six Senators from the three States involved. However, the name of the senior Senator from Kentucky [Mr. COOPER] was inadvertently omitted from the bill as it was sent to the Printer. In order to correct the RECORD, and to make clear that my statement was correct, I ask unanimous consent that his name may be added at the next printing, as it should have been in the beginning, as one of the cosponsors of S. 1226.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MARINE EXPLORATION AND DEVELOPMENT ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 10, 1965, the names of Mr. FONG, Mr. KENNEDY of Massachusetts, Mr. KUCHEL, Mr. MORSE, Mr. MUSKIE, Mrs. NEUBERGER, Mr. TYDINGS, and Mr. YARBOROUGH were added as additional cosponsors of the bill (S. 1091) to provide a program of marine exploration and development of the resources of the Continental Shelf, introduced by Mr. BARTLETT (for himself and other Senators) on February 10, 1965.

NOTICE OF FINAL HEARING ON BILLS RELATING TO THE FORMATION OF A JOINT COMMITTEE ON THE REORGANIZATION OF CONGRESS

Mr. HAYDEN. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Subcommittee on the Standing Rules has scheduled a final hearing on bills relating to the formation of a joint committee on the reorganization of Congress. The hearing will be held on March 1 in room 301, Old Senate Office Building, starting at 2 p.m.

Any Senator or other person wishing to testify at the hearing should notify the staff director, Kent Watkins, room 133, Senate Office Building, extension 2235, in order to be scheduled as a witness.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary: William P. Copple, of Arizona, to be U.S. attorney, district of Arizona, for a term of 4 years, vice Charles A. Muecke, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, March 3, 1965, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF PUBLIC HEARING ON S. 1228

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks and Copyrights of the Committee on the Judiciary, I have previously announced that the subcommittee will conduct a public hearing on bills pending before the subcommittee to fix the fees payable to the Patent Office. Subsequent to this announcement, Senator JOSEPH D. TYDINGS, introduced S. 1228, which likewise fixes Patent Office fees.

I wish to announce that S. 1228 will be included as part of the subcommittee hearing which will commence on Wednesday, March 3, 1965, at 10 a.m., in room 3302, New Senate Office Building.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], and myself.

REFLECTIONS ON VIETNAM FACTS—ARTICLE BY ERIC SEVAREID

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Reflections on Vietnam Facts," written by Eric Sevareid, and published in the Washington Evening Star of February 23. In part, the article reads as follows:

> No vital facts are being withheld from us. The difficulty is that one set of facts falls from one side of the road, another set from the other side, and the result is a roadblock.

Elsewhere in his article, Mr. Sevareid says:

> There are no good solutions; there are only choices between evils, some of which, we must remember, are more evil than the existing evil.

There being no objection, the article was ordered to be printed in the Record, as follows:

Reflections on Vietnam Facts

(By Eric Sevareid)

My credentials as a card-carrying columnist and compulsive commentator would surely be revoked by what follows, if a committee of professional censure existed in this calling. Like all those whose slow brain must make the daily race with rapid events, I have periodically longed for a week, say, of enforced illness, be it at home, in a hospital, or jailhouse—a week for nothing but reading, listening, and reflection. Ah, the mental mists that would melt away, the clarity that would emerge.

Now I have been granted the blessed week—in a most accommodating hospital, ordered thence for rest and routine tests of minor ailments; and I have read, listened to, and thought about virtually nothing but Vietnam, in detail and in cosmic consequence.

No, that is somewhat misleading. What I have read, what I have listened to, are other men's reflections on Vietnam, and what I have found myself actually reflecting on is this mass of reflection. I cannot recall an intellectual stalemate quite like this one over Vietnam and what the U.S. course should be. An intellectual blockade, really, since the mass of suggestions, which run the gamut from A to B—from the preposterous to the dubious—confuse, in their totality, far more than they clarify.

This is a prime example of the falsity of the cliche that if only the people are given the facts they will always find the road. No vital facts are being withheld from us. The difficulty is that one set of facts falls from one side of the road, another set from the other side, and the result is a roadblock.

But our system ordains that writers must write, speakers must speak, and politicians must do both. The net result amounts to a supreme example of what Voltaire meant by his remark: "The necessity of saying something, the embarrassment produced by the consciousness of having nothing to say, and the desire to exhibit ability, are three things sufficient to render even a great man ridiculous."

I find myself in the same predicament with the great. I must say something since newspaper space, like nature, abhors a vacuum, but I can illuminate nothing. If I feel less ridiculous about this than most, it may be because when I first began a career of uttering in public, the remarkable man who hired me, Ed Murrow, gave this unprecedented advice, "When there is no news, just say so. When you are unsure of your facts, admit it. When you have no solution to offer, don't pretend otherwise. Who knows, people might appreciate that."

The only facts I feel sure about are mostly negative in nature—the heaviest conceivable bombing of the supply lanes from North Vietnam will not stop the supplies, since there is always the night and the brush; even a very large American air- and road-oriented ground force will not destroy a guerrilla force; pinprick bombing inside North Vietnam will not seriously injure them militarily or weaken their will; saturation bombing of North Vietnamese harbors, railways, bridges, and factories may produce favorable political results (it may also bring a mass infantry invasion of South Vietnam), but we would kill hundreds of women and children in the process; negotiation for a neutral and unified Vietnam is a hopeless idea, since it implies asking the northern Communists to abandon communism; negotiation for a neutralized South Vietnam can probably be brought about only if the Vietcong agrees to a cease-fire; and a neutral South Vietnam could be maintained only by a heavy internationalized presence that the United Nations, at least, can no longer risk or afford.

There are no good solutions; there are only choices between evils, some of which, we must remember, are more evil than the existing evil. This remains very limited warfare. The political world has not been overturned by our bombing retaliation; the basic alinements and hostilities among the great powers remain as they were. I do not believe that great power war is going to grow out of the mess in southeast Asia, partly because Communist China will probably not risk winning a war on foreign ground at the cost of all she has built up at home.

I fail to follow the argument that a withdrawal from South Vietnam would mean the retreat of U.S. military power to Pearl Harbor. I fail to follow the contrary argument that getting off the Asiatic mainland and resting on our air and sea power would leave us in a stronger position. If air and sea power cannot prevent the subversion of South Vietnam, I don't see how it could prevent the subversion of Laos, Cambodia, and Thailand.

What we are doing now is stalling and muddling through, hoping that something will turn up. This is unsatisfying to the American temperament and tradition, but the scoffers should remember that an astonishing number of Micawbers in life avoid heartbreak as well as heart attacks. Time and patience don't always heal, but often enough they do.

Put this down as the special prejudice natural to anyone doing his reflecting from a hospital bed.

SIXTH ANNUAL INTERVIEW OF WALTER LIPPMANN ON COLUMBIA BROADCASTING SYSTEM

Mr. MANSFIELD. Mr. President, on February 22, a telecast—the sixth in an annual series—of an interview with Walter Lippmann was carried on the CBS network. Mr. Lippmann was interrogated by Eric Sevareid.

Mr. Sevareid's expert questions led this distinguished journalist through a wide ranging and penetrating survey of the situation—domestic and international—in contemporary public affairs. The results of the interview, as transcribed, are of immediate value to public understanding of these affairs as well as of historic value.

I ask unanimous consent that the transcript previously described be inserted at this point in the Record.

There being no objection, the text of the interview was ordered to be printed in the Record, as follows:

CBS Reports "Walter Lippmann, 1965" as Broadcast Over the CBS Television Network, Monday, February 22, 1965, 10–11 p.m., e.s.t.

The Announcer. Six years ago, at his home on the coast of Maine, Walter Lippmann, newspaperman, whose column appears in 285 newspapers here and abroad and who has been called one of the essential Americans, made his television debut on "CBS Reports." He has been a television tradition ever since. Tonight, that tradition continues as Mr. Lippmann discusses with CBS News Correspondent Eric Sevareid the state of the Nation, and the state of the world, from our dilemma in Vietnam, to De Gaulle, to President Johnson and his Great Society.

Now here is Mr. Lippmann and Eric Sevareid in a conversation filmed in Washington 4 days ago.

Mr. Sevareid. Mr. Lippmann, there's a great deal we'd like to hear from you tonight. This is the 20th year since the end of the great war. We seem to be surrounded by a lot of paradox. We're the most powerful country in the world, and we can't seem to find either victory or peace in a small Asiatic land. There's almost a feeling that this is a prewar period. What do you think the President's real choices are now in Vietnam?

Mr. Lippmann. The President has a very hard choice to make. He's really in a dilemma, and either horn of that dilemma is extremely uncomfortable, and unpleasant. One horn is to escalate, that is to widen and increase the war, which is a very terrible choice because it almost certainly would lead us into a war with China before it ended. And we can't tell what Russia would do in the case of a war with China. Anyway, the risks are incalculable of widening the war, and the President, of course, is doing his best to avoid that.

The other dilemma is to negotiate a truce in Vietnam. We're not sure that we can because the interior situation in South Vietnam is breaking up, crumbling, and that is what the victory of the Vietcong is feeding upon. We're not sure that the Chinese or the North Vietnamese, who think they're winning and have good reason to think that they're winning, would be willing to negotiate something that, that stopped them short of complete victory. Complete victory would be a collapse of the Vietnamese Government, and a setting up of a new government which would invite the United States to go out, to leave.

The reason that dilemma is so bad is not only that it would be embarrassing and humiliating, but because we have, in the course of these years we've been in there, whether we ought to have been there in the first place is another question, but having got in there, a great many Vietnamese have become dependent on us, and the chances for their future if we leave is very slim. I don't know that they'd all be liquidated, some of them would have to flee the country, but we have a debt of honor to those Vietnamese who have thrown themselves on our side in this civil war. And therefore, it's very hard for the President to choose that side which is disengagement. What he is doing now, of course, is to try to find something between these two extremes.

Mr. Sevareid. Mr. Lippmann, you've called this a civil war. The administration talk is always about the intervention from North Vietnam, another state. You really think it is just a civil war?

Mr. Lippmann. I think it is, but like all civil wars, foreign outer powers intervene in them, and that's been true of every civil war you can think of, from our own, beginning with the French intervention in that. The intervention from the outside is very important, but it isn't the revolution. The American Revolution wasn't made by the French, it was made by the Americans, and all these revolutions, the Russian revolution, the Chinese revolution, all were made by the people of the country itself, and that's true also in Vietnam, in my view.

Mr. Sevareid. What is the most we can hope for as the outcome of negotiations, however it takes place?

Mr. Lippmann. The most we could hope for, is that there will be a sufficient political truce in the civil war, for a period of time—some years—so that they can adjust themselves to each other—I mean the people who have been fighting on opposite sides in the civil war. This can heal their wounds, and that's about all. I mean, we can't make South Vietnam, and we can't make southeast Asia, an American outpost. We don't want to, the President says we don't want to. And we can't do it. What we can do is see that it doesn't become a Chinese military outpost, which is quite a different thing from saying that it will be eventually within the Chinese sphere of influence.

I don't know of any man living who thinks that 35 years from now, when the Chinese are one-half of the whole human race, they aren't going to be the dominant power in southeast Asia. Of course they are, but they're not there now, and we have to protect the people who would be liquidated, killed, really, persecuted if we suddenly disappeared. That's our problem.

Mr. SEVAREID. Isn't much of the dilemma whether you actually can get the negotiations going?

Mr. LIPPMANN. It is a real question whether we can rally enough world opinion, and enough diplomatic support from the Soviet Union particularly, and from Japan and India and other Asiatic countries, something to induce them to negotiate. So we have to find ways of going behind the scenes. And there are many ways behind the scenes to China, to Moscow, to Tokyo—of course, there's no great difficulty for us—and New Delhi, and so on, also to London and Paris, to create a situation diplomatically which nobody in the world can define today, which will make it advantageous and necessary for the Communists to negotiate.

Mr. SEVAREID. You'd need a cease-fire from the Vietcong before such negotiations.

Mr. LIPPMANN. You'd have to do the diplomatic exploration which I've been talking about, which is not a conference, you'll have to do that before there's a cease-fire. Now, one of the terms I would think indispensable to a negotiation, or any kind of talk, back and forth, would be that before we would not withdraw while the thing was going on. You see, we are faced with an ultimatum—have been from Hanoi, and Peiping, that we must get out, and then talk. Now, that we can't do, because that means abandoning all our friends and all our interests and that would be scuttling the ship.

Mr. SEVAREID. Mr. Lippmann, there are complaints in the press that this is not only an undeclared war we're conducting, but an unexplained war, and the President is criticized for not talking to the public about this involvement. Do you think he should?

Mr. LIPPMANN. Well, I think he's in a very difficult position. An irresponsible journalist can tell the truth, but if the President of the United States tells it, morale will probably collapse in Saigon. That government would just blow up. If he tells what he wants to do, on what terms he would be willing to consider negotiating, they'll immediately reject them publicly, which makes it impossible for them to accept it in the end, and here, there'll be a great outcry from the warhawks that he's appeasing. So he's caught in a jam and I don't think he can explain the war more—I think he has to work, because of the nature of this involvement, and that's one of the mischiefs of getting involved in it—he has to work through really what amounts to secret diplomacy.

Mr. SEVAREID. In your own work here in Washington, do you really find a serious war party, warhawks so to speak, who want to make a big roar out of this war in Vietnam?

Mr. LIPPMANN. They're very strong and powerful. I don't think they're a big camp, but I think they're quite powerful and influential.

Mr. SEVAREID. Do you care to say in what areas they would be found?

Mr. LIPPMANN. Well, I think as a matter of fact, they would be found in the military area, and to some degree in the diplomatic area. But they're not found in the interior and at the top of the White House. That I feel sure of.

Mr. SEVAREID. Well, in the White House there's only one top man, so I assume that you mean that you're convinced that the President——

Mr. LIPPMANN. I mean that the President is not a warhawk. The warhawks want to bomb Hanoi, and all the industries. They want to knock out the whole industrial system of North Vietnam; if anybody says "Well, the Chinese will come in, intervene if he does," he says, "Then bomb China, too." The President's policy in bombing is a very strictly controlled and regulated policy. We're not bombing North Vietnam, we're bombing the borderland above the 17th parallel, which is a rather empty country, and we signal our attacks and they know when we're coming. There's no surprise attack, and they are really public relations jobs, much more than they are military jobs.

Mr. SEVAREID. They're political bombing——

Mr. LIPPMANN. They're political bombings, and they don't kill many people. I don't think they kill anybody. There's no evidence that they do, because what we bomb is wooden sheds. Now, I don't think there's any doubt at all, that if we bomb North Vietnam the way the warhawks want it bombed, and make it uninhabitable, the Vietnamese Army, which by the way is the largest land army in eastern Asia, except China's, will move right down into South Vietnam where they can't be bombed, and where there are rich prizes, and I don't think South Vietnam will resist them. They couldn't.

Now, the warhawks' answer to that is: Yes, it's so important we must send troops in. And they're talking when they—when they, you really press them, in hundreds of thousands of American troops to hold the line. If we are in the position in Vietnam that England was under with Churchill in 1940, if they were on our beaches, we'd have to do that, but 8,000 miles away, I don't think we have to do that, and I don't—I hope we won't.

Mr. SEVAREID. Suppose, Mr. Lippmann, in the showdown the warhawks, so to speak, have their way. Then what happens?

Mr. LIPPMANN. At first, if the warhawks prevail, and we become involved in a big war, they will rejoice, but in the end the people will weep.

Mr. SEVAREID. You don't agree then, with those who say that South Vietnam is another Berlin or Korea?

Mr. LIPPMANN. No. It's not a Korea, because it's not an invasion as Korea was. That was an open, old-fashioned invasion by an army that crossed a frontier and you had battles in the open. This is not. This is like a flood, like water spreading, and you can't beat it back or shoot it with a shotgun. It won't go back.

Mr. SEVAREID. One would suppose the warhawks learned their own lesson, a military lesson from Korea when the Chinese came into it.

Mr. LIPPMANN. Well, they will tell you, they say the Korean syndrome, they call it, has made the Americans frightened. Well, I don't know, maybe they've learned from experience. That's another way of putting it.

Mr. SEVAREID. Mr. Lippmann, there are many people here who think that if we do withdraw from that part of southeast Asia, however it happens, that we will have suffered an enormous and historic American defeat.

Mr. LIPPMANN. Well, I tell you, if you made a mistake, and I think we made a mistake to involve ourselves in a war on the land in Asia, contrary to all previous American teaching, military teaching and doctrine, we have to expect to pay some price for it. You can't expect to get out gloriously from a mistake. But if you mean by that, that the United States will cease to be a power in Asia because it negotiates itself out of Vietnam eventually, the answer to that is not true. The United States controls the whole Pacific Ocean, all the water, all the air above it, and all the air over the way into the interior of China and so on. Now that is a situation which has never existed before in American history, and that will continue to exist.

Mr. SEVAREID. I take it you're not concerned about any immediate toppling of dominoes in the rest of southeast Asia.

Mr. LIPPMANN. Not immediate. But I never deceive myself. I never believed in going into southeast Asia, I've said many times, and written it in all kinds of things. I've never believed we ought to be there, but as long as we are there, I believe what we have to do is to stay there long enough to make the process orderly rather than disorderly and violent.

Mr. SEVAREID. Does this Government have an overall policy for Asia?

Mr. LIPPMANN. We have objective commitments, which I do not believe is policy for the long run. I'm not talking about tomorrow, but 5, 10, 15, 20 years from now, are not tenable. We have these commitments as a result of our victory over the Japanese Empire in the Second World War. We find ourselves in places where we can't expect to stay for the rest of time. We aren't going to stay forever in South Korea, and we aren't going to stay forever in South Vietnam, nor forever in Taiwan, nor in Okinawa, which is part of Japan. If we have any sense, any maturity, we will adjust our minds to the fact that over the generations, there's going to be—the tide is going to recede to something more normal and natural.

Mr. SEVAREID. What you're saying then, as I understand it, is that in the long run, we must be prepared to live with Chinese Communist domination of southeast Asia.

Mr. LIPPMANN. The situation for us in the Pacific is very like what happened in Europe with the Russians. We have lived with the Soviet domination of Eastern Europe since 1945, and look at it now. It's dissolving. If we can hold China, in a great military sense, from building a navy like the Japanese Navy was at Pearl Harbor, becoming a real threat to our peace, and wait as we've waited with the Soviet Union, in the end the same forces will work in China that have worked in the Soviet Union. She'll relax her grip.

Mr. SEVAREID. But East Europe is confronted with a countervailing force in the sense of the great weight and prosperity of West Germany and the rest of West Europe pressing close on East Europe's very borders. You wouldn't have that, really, would you, in the Far East? Where would the contrast and the other force come from?

Mr. LIPPMANN. The best I would expect on looking now at the long run, I mean, we can get the kind of pause, and interlude—that I think, is the best we can hope for. I think that, for instance, Vietnam, which was always anti-Chinese, will follow the same line that Tito has followed in Europe as against the Soviet Union. It will be Socialist or Communist in a manner of speaking, because those words don't apply very well in Asia, but it'll be tending to be anti-Chinese and independent and that will be, from our point of view, quite satisfactory.

Mr. SEVAREID. Do you fear the Chinese possession of the bomb?

Mr. LIPPMANN. I certainly do. I fear it very much. I'm not having hysterics about it, because it's a long way off, before it's a threat to us. And I'd be willing, I haven't absolutely made up my mind about it, but I think we probably could afford to offer the countries that are threatened by the bomb, which would be India, Japan—those would be the two important countries—they can't use the bomb on South Vietnam, or something like that—India and Japan—a guarantee not that we'd defend them with troops and ships and everything else, airplanes, but that if they are hit with a nuclear bomb, we'll hit back with a nuclear bomb. We could give a nuclear guarantee to them, and while I'm not sure that that's the right policy, I think we ought to consider it very carefully.

Mr. SEVAREID. Well then, that would make a full circle, wouldn't it, of American commitment? We have made this commitment for Europe, for Latin America under Mr. Kennedy, at the time of the Cuban missile crisis, and now you would include Asia, too.

Mr. LIPPMANN. That is a commitment which we are able to fulfill. Holding villages in the jungles of Vietnam is not a commitment that the American troops can really fulfill.

Mr. SEVAREID. Mr. Lippmann, do you think what's happened recently in Vietnam, including our bombing, has altered the relations between Moscow and Peiping?

Mr. LIPPMANN. Moscow is forced to aline itself with Peiping, but the underlying differences between those two powers are so deep that I don't think in the long run, they can become one power again, and I think therefore, we can count on, in this diplomatic offensive which I was talking about before, on quiet Russian support. First of all, they have a territorial conflict, over a frontier which is the longest in the world, and the most badly defined, stretches 4,000 miles across Asia between Siberia—Soviet Siberia, and China, with territory in dispute all along the way. That doesn't make for peace, and there's been a lot of fighting going on that never got reported on that frontier.

The other thing is, that they're in different stages of development. The Russians have passed the revolutionary stage in their own development. They have a going society with big industry, and they don't have to keep the country in a state of war alarm—war tension—in order to get the people to endure the hardships that the regime requires. China doesn't want a war any more than Russia does, but she wants a state of war feeling, because she needs it for her own affairs, and Russia needs the opposite. She needs intercourse and commerce with the West. That was the original—that's the original root of the quarrel between Khrushchev and Mao-Tse-tung, and it continues with Khrushchev's successors, and that's an irreconcilable difference.

Mr. SEVAREID. Well, when China is a highly industrialized country, she's apt to be much more cautious, is she not? She'll be more vulnerable to atomic attack and destruction, for one thing, than she is as a village.

Mr. LIPPMANN. She'll go through the same evolution that every revolutionary society goes through. She'll become middle class, which is what the Russians are becoming. And when they're middle class, they don't like to have their property destroyed, and their families broken up, and their savings lost, and in other words, they become soft. And that softening process has happened in Russia, and it will happen if we can hold off war long enough, for say 15, 20 years, in China.

The ANNOUNCER. You are watching Walter Lippmann, 1965, a 1 hour conversation between America's distinguished newspaperman, Walter Lippmann, and CBS News Correspondent Eric Sevareid.

Mr. SEVAREID. Mr. Lippmann, may I turn to our relations with Europe now for a minute. There's a sense here, in Washington, that President Johnson has changed the terms of reference in our relations with the NATO Alliance countries; what is this change?

Mr. LIPPMANN. He has changed them, I think, and changed them for the better. After the World War, and up to President Johnson's time, the United States was not only the protector of Europe, the defender, military protector, but it was the banker, and it was the general political and moral boss, superintendent at least, of Europe. And in the course of that, we got ourselves very badly entangled, first with the British, who thought they were our special friend, resulted in their being excluded from the Common Market, by General de Gaulle. Then we got into a tangle with the Germans, who thought they were the special favorites of the United States. In those days, Chancellor Adenauer was the Chancellor of Germany. He was our chief adviser on European affairs.

We oughtn't to have special favorites among our Allies, and President Johnson, who has kept on excellent terms with the British, and with the Germans, has ended that. And the key to that whole business, that came over this proposal to create a multilateral mixed-manned nuclear fleet, which the Germans would have owned 40 percent of, and that aroused fury all over—in France, among all the people who fear Germany, and there are a great many people who still fear Germany in Europe, all over Eastern Europe and in the Soviet Union, and he put that on ice, he suspended that.

Mr. SEVAREID. Is this what you once called masterly inactivity?

Mr. LIPPMANN. Masterly inactivity. You see, when you are no longer needed as the leader of Europe, then the right thing to do is to stop trying to lead it. Let Europe develop in its own way, which is I think going quite satisfactorily.

Mr. SEVAREID. Is it going in the direction of a more cohesive united Europe?

Mr. LIPPMANN. Yes; it's going in the direction of the breaking down of the Iron Curtain, between the two halves of Europe. This is a process of trade, and sport and cultural communication between the two halves of Europe.

Mr. SEVAREID. Do you think we could have arrived at that rather favorable point had we not taken the great leadership for many years, had we not had all these troops in Europe?

Mr. LIPPMANN. We had to do it. It was under our protection, and with our financial help, that Europe recovered, but it has recovered. It's like a family, you have to recognize that the child has grown up, it has grown up and you can't treat it as if it were a baby.

Mr. SEVAREID. Mr. Lippmann, in Germany now, there seems to be a revival of interest in the reunification of that country. Do you see this coming about?

Mr. LIPPMANN. I think it's going to come. I'm not surprised at the revival of interest, because Germany without, divided as it is, not even in possession of its own capital, is a sick country. It's done very well economically, but politically, it's sick. And it will never be well until it's reunified. The reunification can come about, I think, only by the process I was talking about, by the gradual weaving together of the two parts of Europe. When that has taken place, Germany will be reunited in the process.

Mr. SEVAREID. President de Gaulle is now the last of the great wartime leaders of the West, and the most powerful political personality in Europe. Why don't we get along with him better? Who misunderstands whom?

Mr. LIPPMANN. Well, there's a good deal of misunderstanding both ways, I don't doubt. Memories of the war. He and President Roosevelt didn't get on. He and Churchill had difficulties, but they got on better than President Roosevelt and De Gaulle. But the basic difficulty about De Gaulle, I find this from lots of people, De Gaulle is like a man who can't see very clearly what's right in front of him, who sees pretty well what's across the room, or halfway down the street, but who sees absolutely perfectly what's in the distance. He has the farthest vision, he can see further, than any man in our time, and I don't even exclude Churchill. De Gaulle foresaw, at the worst moment in the fall of France, how in the end, the war would be won; namely, by the coming in of Russia and the United States. That kind of vision is very annoying to public men who don't see that far.

On the other hand, the fact that he doesn't see very clearly in front of him, and stumbles over the furniture, is very annoying too, and kicks their shins, as he goes, that sort of thing. But that's the problem and the genius of his vision is so important. For instance, he has foreseen, and we have followed—we didn't take it from him, but we are following the same policy by the same logic—he has foreseen, that the reunification of Germany and of Europe, would have to come about through increasing connections with Eastern Europe, between East and West Europe. He's doing that. He's been much closer to the East Europeans than anybody.

Well, we're doing that too. In the Far East, it is very annoying to us that he recognized China. It was a sign of very great vision, to see that there'd never be peace in the Far East until it was made with China. You can't make it with anybody else, and that kind of thing is the cause of the difficulty.

Mr. SEVAREID. You think President Johnson ought to personally meet with President de Gaulle any time soon?

Mr. LIPPMANN. I'm in no hurry for that. I don't think they're built to understand each other too well. I think they'd better meet through very skillful ambassadors.

Mr. SEVARIED. Apparently the President wants to go to Europe sometime soon, and to Russia too. Do you think the time is really ripe for that?

Mr. LIPPMANN. Well, if he asked my advice, which he hasn't, I would not advise him to go.

Mr. SEVAREID. Why not?

Mr. LIPPMANN. I'd advise him to get the Great Society going in this country, and we have something in the bank to talk about. His style isn't the style that Europeans naturally understand, this old-fashioned American style, and I wouldn't think he'd do too well, and I don't think you can accomplish anything by face-to-face talk with a man like De Gaulle, or with a man like Kosygin.

Mr. SEVAREID. It's just a mass public relations exercise.

Mr. LIPPMANN. It will be public relations and too many reporters, and too many cameras, and too many everything, and it wouldn't work, and they'd all say things that they'd wish they hadn't said, when it's over. So I'm in favor of the President staying home. If he wants to travel I think he might go to South America, one or two trips. That might be useful.

Mr. SEVAREID. Mr. Lippmann, if the President does go to Russia, he'll find a new regime now, Mr. Khrushchev gone since we last had these conversations. Why do you think he did go, and what's different about this new regime?

Mr. LIPPMANN. Well, I don't know. I haven't been to Russia. I don't think—the cards are not face up on the table. We can't read it clearly. If you look at the underlying forces, Kosygin has just as great an interest as Khrushchev had first of all, in avoiding nuclear war with the United States, and also, an interest in getting better relations with Eastern Europe, and the Western World for economic reasons.

I'm told by everybody I've talked to, and I've only talked to one relative of one of the new rulers of Russia, who was here on a scholarship, they got tired of Khrushchev's inefficiency, and his wildness. He promised things that he hadn't the authority to promise. And that was the reason they said let's get this more organized, and more orderly, and the very noticeable fact is that first, they've divided Khrushchev's jobs into two jobs. Khrushchev was both Secretary of the Communist Party, which was considered the most powerful job, and the other job, he was Prime Minister of the Soviet Union, or Chairman of whatever they call it. Now they have two men, Kosygin and Brezhnev, and it's very interesting, they no longer travel together. They don't go to foreign countries together as in the early days before Khrushchev got the both jobs, he used to travel around with his other man.

Mr. Sevareid. Bulganin.

Mr. Lippmann. Bulganin.

Mr. Sevareid. Well, I suppose one of these two men must be the prevailing one eventually.

Mr. Lippmann. Unless there's been a change and this—Russia is evolving unless the evolution is that the Communist Party is no longer the militant world party that it was when Khrushchev first came into power.

Mr. Sevareid. The established church instead of church militant, in other words.

Mr. Lippmann. Yes.

Mr. Sevareid. Mr. Lippmann, about Great Britain, I think you were there recently. There seems to be a feeling of deep crisis about that country. Financial crisis for one thing, a government with a bare majority in Parliament. What is really happening with them?

Mr. Lippmann. There is a deep crisis in Great Britain, and it may be that the historians will say that it was Labor Party's misfortune to come into power too soon, because the things that prevent the Labor Party from doing what it says it wants to do, and may be able to do which is to revivify Great Britain from within; its industrial life, and its technology and its education, is postponed because they're still dealing with the remnants of their Empire out in Malaya, all the way from Aden to Singapore, and with the remnants of their old sterling area, which is a remnant from the days when London was the banker of the world. Now Labor is having the job of dealing with that, and that's a job that should be done by Conservatives. That's their business.

Mr. Sevareid. Mr. Lippmann, did you follow the Churchill funeral ceremonies on television?

Mr. Lippmann. I did.

Mr. Sevareid. Well, what was the real significance in your mind of the enormous emotional impact of this? Merely the man as a personality, great turning point in British history? What was it?

Mr. Lippmann. Oh, I think the fundamental emotion here, at least the one I felt, and I assume that other people—was one of immense gratitude to this man who had saved the world from nazism, and fascism. That's one of the great achievements of a single man in modern history.

Mr. Sevareid. You mean, he did this?

Mr. Lippmann. He did that. Without him, there was no reason to think that Great Britain could have resisted, or would have resisted.

Mr. Sevareid. Well, did the funeral of this man represent in a sense the burial of the British lion that the world has known for 300 years, everywhere in the world?

Mr. Lippmann. Well, I've heard people say that, but I don't think we're in a position to make any such—reach any such conclusion here. I don't think so. I remember a song of Beatrice Lillie, "There's Life in the Old Girl Yet," and we'll probably see that.

Mr. Sevareid. Were you particularly upset about the fact that the Vice President did not go to the funeral?

Mr. Lippmann. No, I think the President made a mistake about this, when he couldn't go himself. I think he was too sick. His head wasn't clear enough to have done the obvious and right thing to do, which was to appoint General Eisenhower as his personal representative. Eisenhower was already invited by Lady Churchill to come to the funeral, but he should have been the American representative. He was the man who was Supreme Commander under Churchill, he had been President twice, he was the man. There was too much confusion in the White House to think out the right thing. I don't blame the President for not wanting the Vice President to leave when he himself was sick.

Mr. Sevareid. Mr. Lippmann, a moment ago you said that the President, before he goes abroad, ought to get the Great Society program really working. How do you define this program, the Great Society? What's the essence of it?

Mr. Lippmann. Well, I think the best way to answer that is to say how it differs from the New Deal, the Fair Deal, or the Square Deal, of all those deals, that have preceded it. All of those older deals were based on the assumption that the amount of wealth in the country was more or less fixed, and that in order to help the poor, or to educate people or to do anything, you had to divide the wealth, take away from the well-to-do, and give it either to the Government or to the poor or somebody. That's why it's called a New Deal. It's the same pack, but you deal it differently—or a Square Deal, and so on.

Now, the Great Society is a result of a revolution that's occurred, a silent and beneficent revolution that's occurred in our generation, under which, we have learned not perfectly, because it's very difficult—it's a new art, we have learned how to control, regulate and promote the production of wealth in an advanced industrial society like our own. We are able to produce more wealth by putting on taxes, interest rates, and all the budgetary arrangements that we use, and make the thing grow, and we finance the new developments, education and everything that we talk about in the Great Society, the beautifying of cities, and everying of that sort out of the taxes on the increase of wealth that we're able to produce. We increased the wealth, the product of the United States by—I don't know—30 billions last year. The taxes on that will pay for the whole of the Great Society, and nobody is any poorer, everybody's richer. Now, that is what the Great Society—that's its basis.

Mr. Sevareid. Well, what's the single most important aspect of the President's program?

Mr. Lippmann. It's education, because it's like a vestibule from which all the corridors lead out. Unless you have education you cannot take away from the poorest part of the population, the thing which keeps them poor, their inability to—they haven't learned enough and been trained enough to keep a good job, to do a good job. It also leads to research, to production of people to increase the scientific knowledge and the technical knowledge. It's the basic of making the democracy work.

Mr. Sevareid. Mr. Lippmann, do you agree with the claims of some people in the press, that President Johnson in trying to govern by consensus, so to speak, is refusing to spend any of his political capital; that he doesn't want to lose any of his mass public support; that a great President ought to be more courageous on that score. Do you feel that way?

Mr. Lippmann. On the contrary, I think he's just—I am in entire sympathy with him. It applies internally. Now, when you get abroad, that's another question. But within the country, the only real way to solve a problem like, for instance, the racial problem, is by having an overwhelming majority in favor of enforcement of civil rights. Unless you get—a concensus, really means that about between 65 and 75 percent of the people are in favor of the policy, that's really what it means. Not everybody's going to be in favor of it, and that's what the President had—he was in that range, when he was elected—and that's what he's trying to conserve. And he's quite right to conserve it. He will, if anybody can solve the civil rights problem in the United States, it will be done that way, having the law, enforcing the law, but getting observance of the law by consent, voluntary consent, by a great mass of people.

The same is true of capital and labor. You can't solve them, except by a consensus, and the same is true of this whole argument that we heard so much about, about the welfare state, and what do you do for the poor, and what do you do for the rich and all that. Now, consensus politics is possible only in a society which has reached the kind of revolutionary condition that we have, where we can control the output of wealth.

Mr. Sevareid. Mr. Lippmann, most of us don't think of President Johnson as a philosopher in any formalized sense, or an ideologist in any sense, what's the secret of his appeal to the people?

Mr. Lippmann. The root basis of it is that he is really one of them, to a degree, which very few Presidents in recent times have been. He doesn't have to be told what simple Americans, farmers, businessmen, are thinking. He already feels it himself. It's in him, and they know he feels it, and that's what gives—that creates the relationship between them.

Mr. Sevareid. Well, does he have that quality of appreciation instinctively, more than President Kennedy, or President Eisenhower?

Mr. Lippmann. He does indeed. If you think of their careers, as compared with his, you'll see that they were as compared with Johnson, outsiders, coming into the political life of this country. But he's right in the heart of it, where it grows, and the thing is in him. He doesn't have to be taught it.

Mr. Sevareid. Mr. Lippmann, since we last had one of these conversations, we had quite a considerable national election. The Republican Party, in terms of offices held at all levels in the country, is at its lowest point in about 30 years. Are we in danger of a one party system here?

Mr. Lippmann. No, we're in no danger of having a one party system. We may have a condition which we've had several times before in our history when one party was predominant for a generation. But the party system always revives in a free country and we're a free country, so there's no danger. The problem is for the other party to mean something and correct its mistakes. The great mistake of the Republican Party since the time of Theodore Roosevelt, is that it quarreled with the intellectual community in the United States, and they all went over to the Democrats and that gave the Democrats an intellectual capacity for dealing with issues that the Republicans simply didn't have.

Mr. Sevareid. Mr. Lippmann, this is the 20th year since the birth of the United Nations. President Kennedy I think, once called it the keystone of our foreign policy. Most people in the world seem to have great hopes for it. What do you think now about its present condition, and its prospects?

Mr. Lippmann. Well, I think it's in great difficulties. It's going through a crisis. The League of Nations and the United Nations, these two versions of the same idea, both required before they could operate successfully, that peace should be made. The reason the League of Nations failed was that it couldn't make a peace, it needed to have a peace to keep. The same is happening to the United Nations. It's in the grave difficulty because there's no peace in Europe from the Second World War, Berlin, you know, the occupation, division, and there's no peace in Asia, and I don't expect that the United Nations can make that peace, the great powers have got to make the peace.

After it's made, and on the basis of its being made, the United Nations can function to keep it from tipping over and keeping order and balance and the question is, I think, it's the crucial question for not merely for the United Nations but for the world, is whether we can bridge these next years of 10, 15 years without war, in which case the United Nations will survive, and so will the peace of the world.

Mr. Sevareid. But surely there will always in this revolutionary time, be outbreaks of one kind or another in many, many places.

Mr. Lippmann. There'll be outbreaks and, of course, the world is in ferment, and moving very rapidly, but the great power confrontations, which are a very different thing from rioting, even in the Congo, or a place like that, those great power confrontations have to be put in order, in some balance that is acceptable to the great powers.

Mr. Sevareid. Would any institutional reorganization of the United Nations be of much value?

Mr. Lippmann. Well, I think we made a great mistake about the United Nations in, I forget the year, I think it was about 1948. We had wanted to use the United Nations to prevent wars and troubles breaking out, and the Soviet Union vetoed everything, and we wanted to get around the veto, and so we decided let's give the power to keep the peace to the General Assembly, where we then had a perfectly clear and certain majority. Now, that is the decision which the Soviet Union is rebelling against. That's why they won't pay their dues, because they won't admit that the General Assembly ever had the right to raise an army and use it for peacekeeping purposes, and we admit in theory that actually, we don't want to have the General Assembly commit us to go into war anywhere. We're willing to, theoretically, we're not really arguing with the Russians. We're just saying these were the rules. The U.N. is bankrupt, Congress won't appropriate money, if you don't pay up, if we pay all the bills, pay up and then we'll go on from there. That's the situation as I understand it.

Mr. Sevareid. Would there be any great advantage in putting the decisive power back in the Security Council?

Mr. Lippmann. The only advantage of it is that that's the only place you can put decisive power. When you have decisive power, you have to give a veto. The Senate of the United States would never have ratified the charter if we hadn't had a veto. And if the Senate of the United States were asked today, would you be willing to go to war, because 75 of the 112 nations in the General Assembly voted you to go, but you didn't want to go, would you go? Well, of course you wouldn't go.

Mr. Sevareid. Well, the whole affair in the Congo beginning 1960, when the U.N. tried to intervene and stabilize it, this has damaged the U.N. in more than financial ways certainly. But what about Africa and this central part of it, the Congo? How far ought we to go in trying to stabilize that place?

Mr. Lippmann. Well, we've always known, we knew then back in, when was it, 1960, whenever it was that the Congo was liberated, or made independent, we knew then that we didn't want to get in there. We were afraid that the Russians would come in and therefore we turned to the United Nations, and asked Dag Hammarskjold to take care of the Congo, keep it in order so that we wouldn't get involved and the Russians wouldn't get involved. And that's how the United Nations got in there, and that was done successfully for quite a long time. The original idea of giving it the United Nations was correct. The United States has no business becoming militarily involved in Africa. It's bad enough to be involved in southeast Asia, but to be involved in Africa, too, would be the height of absurdity, and we couldn't do everything at once.

Mr. Sevareid. Well, you're not terribly concerned about what happens in the middle of Africa, are you?

Mr. Lippmann. I'm rather concerned, but I don't take the thing ideologically as seriously as some people do. I think the war and trouble in the eastern Congo with the Chinese mixing in and so on is tribal fighting and not really a question of communism or anticommunism, and even if it were, what difference does it make in that corner of the middle of Africa, and if it does make a difference, what can we do about it, and why should we have to do it?

Mr. Sevareid. Well, Mr. Lippmann, there is a great argument here, again this year, and it gets more critical every year about just how far we ought to go in many places in the world in terms of our involvement, even our economic involvement. Now, why has this disenchantment come about, about American economic and diplomatic interventions around the world?

Mr. Lippmann. Well, I think basically, it's come about because we have involved ourselves in too many places and we couldn't fulfill the promises we made, when we went in and therefore, it's reacted against us. So our involvement causes not friendliness to the United States but unfriendliness and we have to concentrate and focus our effort.

Mr. Sevareid. One manifestation has been this great wave of riots and burning of our information offices, libraries, attacking embassies. How far can a great power tolerate this, really? Do we just continue to stand by and just ask for apologies?

Mr. Lippmann. Well I think what we ought to do in a place like say Cairo, if they burned down our library, is leave it burned down. Just leave it there. Don't rebuild it, don't clean the street even, and let it stand there as a monument to the thing. I think they'll soon want to clean it up themselves.

Mr. Savareid. You mentioned Cairo, and President Nasser. Sukarno of Indonesia is another example. It would appear that foreign aid from this country is becoming a political instrument in the hands of the recipients rather than the donor.

Mr. Lippmann. Well, I think I'm right in saying that Sukarno told us to go jump in the lake or something like the equivalent of it, about our aid, and I would do that, I would just stop it.

Mr. Sevareid. Nasser also said we could take our aid and jump in the lake.

Mr. Lippmann. I would not—I'd stop the aid.

Mr. Sevareid. You would?

Mr. Lippmann. I'd send him a formal note, and say, you are reported as saying you don't want our aid. Don't you want our aid? And let him say which he wants.

Mr. Sevareid. Then why don't we stop it?

Mr. Lippmann. Well, don't ask me why we don't stop it. I think I would stop it if I had anything to say about it.

Mr. Sevareid. Mr. Lippmann, the brunt of much of what you said in this hour is to the effect that we are overextended in the world, we are in too many places, we will have to pull in our horns to a considerable extent. Is it fair to say that Walter Lippmann, 1965, has become an isolationist?

Mr. Lippmann. Well, I don't think those words mean anything or at least I don't care whether anybody uses them. I don't care about the word "isolationism," and I don't care about the word "appeasement." I'm interested in the rights and needs and responsibilities of the United States. We are not the policeman of mankind. We are not able to run the world, and we shouldn't pretend that we can. Let us tend to our own business which is great enough as it is. It's very great. We have neglected our own affairs. Our education is inadequate, our cities are badly built, our social arrangements are unsatisfactory. We can't wait another generation. Unless we can surmount this crisis, and work and get going on to the path of a settlement in Asia, and a settlement in Europe, all of these plans of the Great Society here at home, all the plans for rebuilding of backward countries in other continents will all be put on the shelf because war interrupts everything like that.

Mr. Sevareid. Mr. Lippmann, thank you very much.

The Announcer. "CBS Reports: Walter Lippman, 1965," was filmed and edited by the staff of "CBS Reports" under the supervision and control of CBS News.

ESTONIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, 47 years ago today, February 24, the people of Estonia celebrated the Declaration of Independence of the Republic of Estonia. Like the other Baltic States, Estonia's enjoyment of self-government was brief, for in 1940 the armies of Soviet Russia ruthlessly took over the country.

In spite of the years of Communist oppression, the people of Estonia have kept alive their hopes for freedom and eventual independence. The United States cannot accept the enslavement of these once free peoples. The Soviet action has no basis in international law and is in violation of understandings given by the Soviet Union to the Allied Powers of World War II. The right of self-determination is a principle of international justice and the United States has emphasized over and again that it will never become reconciled to Communist domination of the Estonian and other non-Russian captive peoples.

As we commemorate the anniversary of Estonia's Independence Day, we must reaffirm the hopes of the people of Estonia for the return of self-determination—their zeal for independence must be kept alive by our support. We must use all the resources of diplomacy, morality, and world public opinion in a continued effort to free these captive peoples.

TRIBUTE TO FLEET ADM. CHESTER W. NIMITZ ON HIS 80TH BIRTHDAY ANNIVERSARY

Mr. FONG. Mr. President, today marks the 80th birthday anniversary of a magnificent American—Fleet Adm. Chester W. Nimitz, U.S. Navy. The name of this brilliant, yet modest, military leader is preserved for all time in the history of World War II, for it was his unfailing overall command in the Pacific theater that turned the tragic debacle of Pearl Harbor into a sweeping Allied victory less than 4 years later.

The people of Hawaii know Admiral Nimitz well and affectionately. From his Pearl Harbor headquarters, shortly after he took command in the dark days after the attack, Admiral Nimitz rebuilt a shattered Navy, unified all branches of our armed services in that vast area, and rolled the enemy back thousands of miles to his homeland.

A most timely article about Admiral Nimitz has been written and published in the Honolulu Star-Bulletin by its able editor and veteran war correspondent, William H. Ewing. It is a masterly personality sketch of the admiral and his ability to mobilize and transform our military forces from defeat to victory. It is written with sincere admiration and affection.

The people of Hawaii share these warm sentiments. We are proud and grateful to have had such an outstanding military commander directing the war from our mid-Pacific bastion.

In tribute to Admiral Nimitz on his 80th birthday today, I salute him and ask unanimous consent to have printed in the RECORD at this point Mr. Ewing's article which appeared in the Pacifica 20 special edition of the Honolulu Star-Bulletin on February 15, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIMITZ

(By William H. Ewing)

Christmas Day, 1941, fell on a Thursday. But those of us on duty in Pearl Harbor, along with other thousands in uniform or out elsewhere in Hawaii, hardly noted the passage of the day as such. A harbor covered with debris and grimy oil from sunken ships, plus the knowledge that thousands of dead men still lay beneath those waters, was enough to demand our full attention to the tragedy that had befallen us and our country.

It was on this Christmas Day, Thursday, December 25, 1941, that I first saw Fleet Adm. Chester W. Nimitz. With a companion I was standing on the second deck of the Administration Building when an elderly officer and his aide emerged from a door and walked ahead of us. "That's Nimitz," said my friend. "He's come to take over."

I looked again, and I was not impressed. I thought Admiral Nimitz looked more like a retired banker than the kind of hell-for-leather leader we needed to pull us out of the worst hole the country had ever been in. I suppose I, along with nearly everyone else, had formed an image of what kind of man we would require. But Admiral Nimitz had white hair, he had a kindly, fatherly expression, and his khaki uniform was too big. It probably was the first khaki uniform he had ever worn; khaki was new to the Navy, and, having just come from Washington, he probably had changed from his normal blues to khaki en route. He had traveled, incidentally, on a Navy flying boat.

The admiral's gentle demeanor, however, belied completely the firmness and resolution that lay beneath it. Most of the time his steel-blue eyes twinkled but I have seen them glitter when the chips were down and there was an absolute implacability about his determination to go ahead, to win. There was the period of uncertainty after the landing on Tarawa, for example. I happened to see Admiral Nimitz for a moment during this time. He obviously had been up all night at his Makalapa headquarters, and through that long night nobody had been quite certain whether the Marines would stay on Tarawa or not. Admiral Nimitz's face that morning expressed anything but gentleness; it was chiseled out of stone. Our casualties had been very heavy—over 3,000 in the first few hours of fighting. Admiral Nimitz knew that many more must die if the island was to be held. But he also knew that retiring, and then trying again, would be even more costly. So the order was to stay, and the Marines stayed. Later, at a press conference, Gen. Howland "Howling Mad" Smith, who was in active command, said it was the Marines' "will to die" that accounted for the victory, and this was literally true. It ought to be remembered that this was the first step of the offensive against Japan, and that the forces under Admiral Nimitz' command, from Tarawa to Iwo, never took a backward step.

A RARE CHARACTERISTIC

This characteristic of Admiral Nimitz, of ranging from the benign and gentle to heights of resolution, of accepting terrible costs in order to win a necessary objective, is a very rare one. It was noted in Abraham Lincoln by Carl Sandburg in an address before a joint session of Congress on Lincoln's birthday, February 12, in 1959. Sandburg referred to Lincoln as a man "of both steel and velvet * * * as hard as a rock and soft as drifting fog." The analogy is applicable to Chester William Nimitz as well. As Mark Van Doren, the playwright, said of Lincoln: "He was gentle but this gentleness was combined with a terrific toughness, an iron strength."

Looking back now on how swiftly things happened after that memorable Christmas Day in 1941 which marked the Admiral's arrival, it seems amazing that so much could have been achieved so soon. Six weeks after that Christmas Day, Adm. William F. Halsey was in the Gilbert and Marshall Islands with a task force compiled out of the slender resources left to the fleet. Within less than 6 months the Battle of Midway would be fought, the great turning point of the Pacific War in which Japan lost fighting ships and aircraft it could never replace. Japan actually lost the war at Midway. Six months is not a long time from the desperate plight of late December to one of the greatest sea battles of all time, in which men who had never been in action fought with superb gallantry to break the back of Japanese seapower.

To go back to the beginning, Admiral Nimitz was seated in his home in Washington early in the afternoon of December 7, 1941, listening to Toscanini conduct the National Broadcasting Co. orchestra. In his own words, "There was a pause in the program and a flash: 'Pearl Harbor had been attacked by the Japanese'—and this report was repeated several times."

TO DUTY STATIONS

"In a very few minutes the Assistant Chief of the Bureau of Navigation, Rear Adm. Jack Shafroth, who lived nearby (Admiral Nimitz was then the officer in charge of the Bureau which is now known as the Bureau of Personnel) called me and said he would join me to go down to our duty stations at the Navy Department." They found the old Navy Department on Constitution Avenue buzzing with excitement. Hundreds of telegrams and telephone calls were pouring in from anxious parents and relatives of personnel in the Navy and Marine Corps at Pearl Harbor. This situation continued for many days and Admiral Nimitz and his assistants spent most of their time trying to establish current lists of casualties and notifying next of kin. Also during this period, a number of Congressmen came in to enlist in the Navy.

Again, in Admiral Nimitz' own words: "On the 16th of December, I was called to the Office of the Secretary of the Navy, Frank Knox, who asked me how soon I could travel. To this I responded that it depended on where I was going and how long I would be away. Then he told me he had just returned from a conference with President Roosevelt where it had been decided that I was to go out to Pearl Harbor to take command of what was left of the Pacific Fleet."

The President, it developed, had decided that a relief for Adm. Husband E. Kimmel as commander in chief, Pacific, was imperative. The reason was that the Roberts Commission, headed by Associate Justice Owen J. Roberts of the U.S. Supreme Court, had already proceeded to Pearl Harbor and begun an investigation of the entire situation. Mr. Roosevelt decided that it would be inconceivable to have Admiral Kimmel in command at the same time that he was under investigation and hence had relieved him.

In response to Admiral Nimitz' question as to where he was going and how long he would stay, Colonel Knox had a ready answer. He told the admiral that he would go and stay as long as necessary to bring the war to a successful conclusion.

It was characteristic of Admiral Nimitz that his first concern on reaching Pearl Harbor was the officers under whose command the United States had suffered the most tragic defeat in its history. He inherited three staffs, those of Admiral Kimmel, Vice Adm. William S. Pye, and Rear Adm. Milo S. Draemel. Says Admiral Nimitz today, "These were all fine men but they had just undergone a terrible shock and it was my first duty to restore morale and to salvage these fine officers for further use and this I proceeded to do."

Having been told of his mission, Admiral Nimitz proceeded as thoughtfully and without undue haste as though he were undertaking an ordinary mission instead of one that would require Herculean powers of patience, faith, and resolution. Before leaving Colonel Knox's office he told the Secretary that he should have a relief in the office of the Bureau of Navigation who could take over without a long period of indoctrination. He suggested Rear Adm. Randall Jacobs, who had been Admiral Nimitz' Assistant Chief of Bureau until a short time before the attack. At first Colonel Knox demurred, partly because Admiral Jacobs had just taken command of the Atlantic Fleet Base Force. But he finally agreed and when Admiral Nimitz left Colonel Knox's office he ran into Admiral Jacobs in the corridor. He took him by the arm, led him to his own desk, and informed him that he was thenceforth Chief of the Bureau of Navigation.

Thereafter occurred 2 days of confused and hurried packing, as Admiral Nimitz describes it, and then the railway trip from Washington to San Diego which put him in San Diego on December 22.

"I needed that railroad journey," says Admiral Nimitz, "to catch up on my sleep and collect my thoughts. Stormy weather delayed my departure from San Diego until December 24, when I took off and landed at Pearl Harbor in the early forenoon of December 25.

"I found the lochs covered with oil one-half inch thick from the sunken ships. Many boats were hurrying back and forth between the wrecks and the peninsula. I was met by Rear Adm. P. N. L. Bellinger, the Pacific Fleet aviation officer, who informed me that the boats were picking up drowned sailors and marines from ships and taking their bodies to a central point on the peninsula.

"I was met at the landing by Admiral Pye who escorted me to the quarters that I occupied during the time I was in Pearl Harbor before I shifted headquarters to Guam (in 1944). When I asked who lived in the quarters with me, Pye said, 'Nobody.' I then invited him to come in and, over his protest, made him eat a second breakfast while I had mine. Thus was my cheerful reception at Pearl Harbor on Christmas Day, 1941."

Nobody recognized better than Admiral Nimitz the tremendous task he was undertaking or the colossal responsibility pressed upon him. I had remarked in my letter to him that our military situation in the Pacific was "chaotic" after the attack on Pearl Harbor. That, said Admiral Nimitz in his reply, was definitely an understatement. He added:

"From the time the Japanese dropped those bombs on December 7 until at least 2 months later, there was hardly a day passed that the situation did not get more chaotic and confused and appear more hopeless. The decision at the highest level of government to concentrate on the defeat of Germany, while holding off Japan, was a wise one and was well understood by all of us who had to carry on the war in the Pacific.

"The several errors made by the Japanese on December 7, 1941, helped very materially to shorten the war. Their failure to come back a second day to destroy our repair facilities at the Navy yard and to burn our 4½ million barrels of fuel oil in surface tanks was a most serious error. These tanks could have been destroyed by machinegunning them with 50-caliber incendiary machinegun bullets.

"Likewise, the Japanese made an even more serious error on December 7 by leaving our submarine base on Quarry Point free from attack. As a consequence, no submarines or supporting equipment were damaged and submarines could proceed immediately to stations in the far western Pacific and start their long campaign of destruction of the Japanese merchant marine which was a primary factor in the defeat of Japan. The submarines sank in excess of 75 percent of Japanese merchant marine shipping.

"At the time of the attack on December 7, there was under construction at Red Hill, back of Pearl Harbor, an underground bombproof storage for all petroleum products. At that time in the Atlantic, allied tankers were the principal targets of the German submarines and you need only check the figures for 1941 and 1942 of the Atlantic losses to see what might have happened had the Japanese destroyed the 4½ million barrels of oil we had on the surface at Pearl Harbor.

"For me, meantime, after my arrival on Christmas morning of 1941, I sweated blood until the underground bombproof storage was complete and our oil supply safely piped therein. Had our oil supply been destroyed, and considering the tremendous shortage of fuel and petroleum production, generally, in Europe, it would have taken years to reestablish that supply and would have delayed our Pacific war accordingly. Had our Pearl Harbor installations for repairs been destroyed, our fleet would have been forced back to the west coast of the United States for support, another item which would have prolonged the war.

"So in spite of the reverses we suffered on December 7, 1941, there were some spots on which we could congratulate ourselves on our luck."

There was further cause for rejoicing in the fact that the Japanese had made the attack on our fleet while it was inside Pearl Harbor. Had the fleet been at sea, Admiral Kimmel would certainly have tried to force a battle to bring into play the powerful armament that our battleships carried. However, Admiral Nimitz points out, these ships would have been limited to a maximum speed of about 18 knots while the Japanese task force had a fleet speed of 22 knots.

This difference in speed would have imposed on Admiral Kimmel a tremendous disadvantage. He could not have forced a fleet engagement until the Japanese commander was ready for it.

Furthermore, said Admiral Nimitz:

"The Japanese Task Force that came to Pearl Harbor that day had six aircraft carriers whereas Admiral Kimmel had none—the Lexington being far to the westward on another mission. Imagine, if you can, what would have happened to our slower battleships in such an action with the aircraft of six carriers working on them and with our fleet having no air cover at all. Remember that on December 7, the Japanese destroyed all of the aviation strength of the Army, Navy, and Marine Corps on Oahu. Instead of losing some 3,700 to 3,800 men as we did at Pearl Harbor, we would have lost by drowning or capture almost 20,000 men had our fleet been in deep water.

"By this time you will agree that the good Lord was looking out for us although it didn't seem so at the time. The men salvaged from the sunken ships in Pearl Harbor were used to form the nuclei of crews that manned the new ships that were coming down the ways in the United States. Had our old fleet not been so completely destroyed, there might have been difficulty in securing the funds to build the ships needed to match the more modern Japanese ships."

A UNITED NATION

"Finally, the Japanese attack served to unify our country which was not at all sure it wanted to get mixed up in World War II."

The question naturally arises as to the responsibility for our having an old and inferior fleet to oppose a much more modern and stronger sea arm from a country we were accustomed to think of an inferior. With regard to this, Admiral Nimitz said, "I will not endeavor to answer this question but will simply offer a suggestion—that you consult the Navy Department requests for funds for shipbuilding before the war and compare them with the appropriations actually made for new ships."

Admiral Nimitz is one of the two surviving five-star commanders of World War II. The other is Gen. Dwight D. Eisenhower. Gen. Omar N. Bradley was made a five-star general in 1950. These officers remain on active duty and serve at the direction of the President.

Admiral and Mrs. Nimitz now make their home at Quarters 1 on Yerba Buena Island, San Francisco. They are in excellent health although the Admiral himself suffers some discomfort from the results of a fall in October of 1963 which severed a tendon in his right knee. They live in the center of a Navy community about equidistant from friends in San Francisco and the East Bay cities.

Admiral Nimitz's only complaint is that the inflamed muscle in his right hip deprives him of one of his favorite sports, pitching horseshoes, but he has hopes that these aches and pains will gradually subside. During the war he kept a pistol target range and a horseshoe pitching lane outside his headquarters at Makalapa where, when pressure rose too high, he could repair and seek a few minutes of relaxation. He was and is an excellent practitioner of both arts.

CAPE LOOKOUT NATIONAL SEASHORE

Mr. ERVIN. Mr. President, one of the great natural resources of my State and of the Nation is the Outer Banks of North Carolina. An important historic and recreation area, and among the last unspoiled beauty spots in eastern America, it is one of the natural wonders of the world that the Outer Banks have survived substantially as they were at the time Blackbeard terrorized the seas and took refuge there.

Recently, I cosponsored a bill to make a portion of this long stretch of beaches a national seashore. If enacted, this bill would provide a model of cooperative federalism and effective conservation. It is only when the State and National Governments work together that a major conservation project can achieve optimum success. When those most affected, the local people of the area, are also enthusiastic over such a project, all the ingredients for the permanent preservation of a great resource are present. Such is the case with the Cape Lookout National Seashore.

The background work and outlook for the national seashore were outlined last week in the outdoors section of the Washington Post. In order that my colleagues may benefit from the plans for the national seashore in considering this project and others, I ask unanimous consent that the article entitled "Outer Banks Sought for National Seashore," by Aubrey Graves, from the February 19, 1965, edition of the Washington Post be inserted at this point in the RECORD.

There being no objection, the article was ordered to tbe printed in the RECORD, as follows:

OUTER BANKS SOUGHT FOR NATIONAL SEASHORE—AREA RUNS 58 MILES, OCRACOKE TO BEAUFORT

(By Aubrey Graves)

When private property is taken for public purposes, almost inevitably some bitter controversy is involved. This is particularly true when the private property happens to be part of such a limited, diminishing, and coveted resource as ocean frontage.

The proposed Cape Lookout National Seashore gives promise of becoming a happy exception.

North Carolina owns most of the 30,000 acres of land, water, and marshes within the seashore's proposed boundaries and wishes to donate them to the Federal Government for protection, restoration, development, and use.

Only about 1,700 acres, located on Shackleford Banks, need be purchased to complete the acquisition on the Outer Banks. In addition, an area not to exceed 100 acres may be acquired on the mainland to serve as a headquarters tract. Besides Coast Guardsmen, there are only half a dozen permanent residents in the entire 30,000-acre area. These live in the village of Portsmouth.

In addition, there are three hunting and fishing camps, three rod and gun clubs, and 10 weekend or vacation cottages.

The area sought consists of the North Carolina Outer Banks south of Cape Hatteras National Seashore, lying within Carteret County. Forming a long link in the chain of narrow barrier reefs, the area extends for 58 miles from Ocracoke Inlet to Beaufort Inlet.

Fishermen from the Washington metropolitan area know this country well. It has drawn campers, birdwatchers, painters, and others who enjoy solitude.

Rich in recreational potential, and of vital economic importance to the adjacent mainland, it is high on the list of outstanding scenic shorelines the Johnson, and before it the Kennedy administration, have been anxious to preserve for the enjoyment of the public in this generation and in generations to come.

Senator B. EVERETT JORDAN, Democrat, of North Carolina, has introduced bill S. 251 and Representative DAVID N. HENDERSON, Democrat, of North Carolina, has offered H.R. 1784 in the current Congress to accomplish this purpose.

Along the outer banks bottle-nosed dolphin (porpoises) and other marine species are often seen breaking water close inshore. Marsh rabbits scurry about the interior. Along the beaches fiddler crabs, sand crabs, and ghost crabs are numerous.

The abundant bird life includes sea gulls, terns of various kinds, boat-tailed grackle, sandpipers, black skimmers, and many migratory waterfowl.

Channel bass, Spanish mackerel, king mackerel, bluefish, trout, and spot are among sport fish caught by surf casting or trolling near the shore. Commercial watermen find shrimp, crabs, oysters, and clams in fair to plentiful supply.

The ageless ocean rolls in, in all its moods, sometimes lapping gently and pleasantly at the shoreline, sometimes lashing it with awesome violence.

The shoreline has become increasingly more vulnerable to the assaults of wind and wave. Each new storm leaves it a little less resistant to the next.

The hurricanes of 1954–55 and Helen of 1958 caused tremendous damage. Aware that these islands are all that stand between the Atlantic Ocean and the mainland, the State of North Carolina studied the problem of their restoration and protection.

Working out an effective long-range restoration and preservation program with private property owners proved to be impossible. Thereupon, North Carolina's Governor recommended that the State acquire the outer banks from Ocracoke Inlet to Beaufort Inlet.

He also recommended a detailed survey and study of what would be required to accomplish the needful.

Then came the disastrous Ash Wednesday storm of 1962, focusing national attention anew on the pressing need to protect and preserve our ocean beaches.

Interior Secretary Stewart L. Udall suggested the time had come for land adjustment and acquisition by the Federal Government of more ocean frontages for public purposes, particularly public recreation and wildlife preservation. He huddled with Gov. Terry Sanford about the North Carolina seacoast.

By mid-1963 the State had purchased about 80 percent of the 58 miles of seashore. The State's 4-year study and the U.S. Corps of Engineers estimates of the cost of beach rehabilitation now made it clear that the scope of the job was beyond North Carolina's ability to undertake.

Five million people live within 250 airline miles of the Outer Banks. The Marine Corps' Cherry Point and Camp Lejeune establishments are within 40 miles; some 200,000 people live within a radius of 50.

The Outer Banks are accessible only by boat or small aircraft capable of landing on the beaches.

Sometimes jeeps and beach buggies are taken over by boat and driven over the sand. Boats generally reach the area through defined channels from Morehead City, Beaufort, Harkers Island, Davis Landing, and Atlantic.

Under the plan of the National Park Service, the Core Banks Gun Club is to retain ownership of its property, as long as it uses the property only for hunting or fishing.

Except for an ocean front strip extending 750 feet inland from mean high water, all property between Cape Lookout Lighthouse and Cape Lookout Coast Guard Station land will remain in private ownership.

Use of the national seashore will be mostly day use, except for camping and fishing. Some low-cost overnight accommodations will be provided. Surf fishermen are expected to make the greatest use of these.

But if the Outer Banks are to be preserved just for this, let alone future generations, first and prompt efforts by all means must be concentrated upon dune construction, plantings, and other beach restoration and erosion control work.

SERVICE TO MAINE VETERANS

Mrs. SMITH. Mr. President, a very forceful statement has been made by Robert R. Washburn, Maine Commissioner of Veterans Services. I ask unanimous consent that it be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FUTURE OF SERVICE TO MAINE VETERANS IN GRAVE DOUBT

The future of the Veterans' Administration's system of serving veterans and widows is now hanging by a thread. After May 1, as matters now stand, the VA will close 31 facilities throughout the Nation. In New England, VA regional offices in New Hampshire and Vermont have been ordered closed and their functions merged with the Boston office.

A regional office handles claims from veterans for pension or service-connection of disabilities and related compensation, also pensions, burial, and death claims on behalf of widows and orphans, GI loans, and the like.

After those offices close, veterans and their dependents in those two States will have no place north of Boston they can go personally on their claims. Nor presumably will they know or reasonably be able to confer with any person who can act for them on a first-hand basis, such as service officers or claims representatives, since their records will be in Boston.

The situation is even more alarming in Alaska. The regional office in Juneau has been ordered closed and its functions transferred to Seattle. This is no more farfetched than if the VA had ordered it moved to Pagopago, for all the good it will do a veteran or dependent there who needs personal attention. We know that in many cases only personal conferences can satisfactorily resolve a claim. Many times their claims may be stalled in a maze of unfamiliar complexities of laws or regulations that require personal conferences to untangle.

Eleven VA hospitals have been ordered closed, including Rutland Heights, Mass. We are informed by our Washington sources that these closings will result in transfer of patients to Togus. There is now a waiting list of Maine veterans seeking admission to Togus. This would likely result in Maine veterans needing hospitalization waiting even longer for admittance.

As the VA in Maine does not come under the closing order at this time, what does this mean to Maine veterans? The handwriting on the wall seems clear. It is my considered judgment and that of our Washington sources that if the ordered closings of the regional offices stand up, then the future of our regional office at Togus will be short-lived. It then becomes only a question of whether it will survive for 6 weeks, 6 months or 6 years.

It seems strange and unwarranted that such a policy should arise in the VA at a time when social security offices have been expanded and brought closer to serve the people, and rightly, by the location of offices in most major centers of population, plus itinerant service to outlying areas.

We are strongly opposed to any veteran or his widow becoming just a blip on a computer tape. Those in our profession providing representation to veterans know that such a centralized, computerized, mail order system is wrong and not in the best interests of veterans and widows.

We hold that: The idea that consolidation will effect economies is questionable; the concept that centralization will result in increased efficiency is strongly debatable; and the theory that, as a result, veterans and widows would receive as good or improved service, to which they are rightly entitled, is completely unacceptable and lacks any and all humanitarian considerations.

Veterans in Maine and their friends must realize the day of reckoning is here—after May 1 will be too late.

Please register your protest in Washington now. Do not write letters to the members of our delegation in Congress. Instead, write your protests to the White House, and send copies to your congressional delegation. They are aware of the goings-on, but I am sure would welcome further support.

These closings are the result of an administrative order, and presumably only our Chief Executive can now change that decision.

ROBERT R. WASHBURN,
Commissioner.

A CHAT WITH CHURCHILL—ARTICLE BY BARNET NOVER

Mr. ALLOTT. Mr. President, belatedly I should like to invite the attention of Senators to an article entitled "A Chat With Churchill," which was published in the Denver Post of February 7, 1965. The article was written by that veteran Washington newsman, known and respected by virtually everyone in this city who is connected with Capitol Hill, Barnet Nover, chief of the Denver Post Washington bureau.

In his own inimitable style, as a result of just one short personal association with Sir Winston Churchill, Barney has given each of us a rare insight into the warmth of personality, the fire of principle, and the human qualities of one of the greatest men of the century. Barney's memory, refreshed by a diary he kept that year as president of the Overseas Writers, vividly ushers into contemporary history the strength of Sir Winston as well as his awareness of everything, every event, and everybody around him at all times.

I am grateful to Barney for what I think is a warm, wonderful, and well-told story about a man and a time that nurtured in all the peoples of the world a penchant for greatness and the willingness to make the sacrifices to achieve it.

If I may add just one note of wistfulness, having known Barney as long as I have, I only regret that our facilities in producing the CONGRESSIONAL RECORD are not such that the picture which accompanies this marvelous story could be reproduced. My colleagues who know Barney now, but did not know him then, can be assured, at one time in his life at least, he did have hair. The picture proves it.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Denver (Colo.) Post, Feb. 7, 1965]

A CHAT WITH CHURCHILL: POST'S MAN IN WASHINGTON RECALLS 1943 LUNCHEON

(By Barnet Nover)

On September 2, 1943, after his arrival in Washington from Quebec where he, President Franklin D. Roosevelt, their civilian advisers and the combined (Anglo-American) chiefs of staff had considered, among other great wartime problems, the impending Italian surrender, I was informed that an invitation I had sent to Prime Minister Winston Churchill to be the guest of the working press of Washington at a luncheon would be accepted.

I need hardly add that I was delighted and gratified. For 8 months, as president of the Overseas Writers, an organization of Washington correspondents who had served as foreign correspondents, I had been trying to get Churchill to come and speak to us but up to then without success.

Nothing happened until September 2. An entry in the diary I kept that year tells of this:

"FRIDAY, SEPTEMBER 2.—I had just finished the first page of my column for Saturday—a column on the invasion of Italy—when Jack Winocour (of the British Information Service in Washington) phoned to tell me there was a very good chance Churchill would accept my invitation to address the Overseas Writers and through it the working press. He said that he would call me back, adding that if the answer was yes the luncheon would have to be held the next day (Saturday). Also, that Churchill first would have to ask President Roosevelt."

That worried me a bit so I phoned Steve Early (Roosevelt's press secretary) and urged him to help us. As it happened Early hadn't heard about the possibility of a Churchill luncheon with the press. He said he was all for it.

(I later discovered that Roosevelt also thought it was a capital idea. The last Churchill press conference had been held in the White House, with Churchill standing on a chair in the President's Office. I was told that neither of the great figures, happy as their relations generally were, liked to perform at a press conference in the presence of the other.)

It must have been shortly before 1 p.m. that Winocour phoned again to say that everything was OK and that Churchill would come to lunch with us at 1:30 p.m. Saturday. I got busy.

There was a room at the hotel to be reserved. There was a list of invited guests to draw up. There was the matter of a cocktail party to precede the luncheon. There was the question of getting out notices. There were, as I later discovered, a thousand other matters to attend to and only 24 hours to take care of them all.

It was soon after Winocour's call that somebody is Churchill's entourage phoned to ask what food would be served. I told him the Statler, where we had tied up the ballroom for the luncheon, planned to serve cold soup, chicken, salad and ice cream. It was agreed that the Prime Minister would get warm soup, roast beef, salad and cheese.

The phone rang constantly, and when it wasn't ringing I was busy trying to compose a brief speech of welcome to our illustrious guest.

"SATURDAY, SEPTEMBER 3.—We had engaged a room on the 11th floor to entertain our guests of the speakers' table, and when I got there many already were on hand."

There was Paul Wootton, the secretary of the Overseas Writers, and Eugene Meyer, Ray Swing, Walter Lippmann, Marquis Childs, and Charles G. Ross, representing the Gridiron Club, and Ned Brooks of the standing committee and Merriman Smith of the White House Correspondents Association, and Felix Cotton of the National Press Club.

Also Sir Willmott Lewis of the London Times and David Bowes-Lyon, brother of the Queen (now the Queen Mother), Sir Ronald Campbell, the British Chargé d' Affaires, and Sir Alexander Cadogan, the permanent Under Secretary of the Foreign Office. Edgar Mowrer arrived but had to be identified by David Bowes-Lyon and myself before the Secret Service men would let him in.

(I later discovered, from the bill sent us by the Statler, that in addition to Churchill and his staff, we also had been hosts to 35 Secret Service men, 32 United States and 3 British. Wartime security was tight, and expensive.)

Soon after 1 p.m., Brendan Bracken (Britain's Minister of Information and a close personal friend of the Prime Minister) arrived, and I had a brief chat with him about the arrangements. Then, around 1:15 in walked Churchill in a cream-colored summer suit, looking very wide of body and face.

I took him around and introduced him to everyone in the room. Later he sat down in a corner with Meyer who tried to dissuade him from publicly denouncing Drew Pearson as apparently Churchill had planned to do for certain "malicious" remarks (the word was Churchill's) Pearson had made about Churchill's second front plans.

Pearson had charged that before invading the Continent, Churchill wanted to wait until the United States could supply 70 percent of the strength because Churchill, realizing that Britain had been bled white in the last war, wanted to keep casualties down in this.

I sat down for a moment with Churchill, and he asked me about the clubs that were participating in the luncheon after I had pointed out to him that this was the first time these clubs had ever joined forces.

It was then time to go downstairs.

Because of wartime precautions we couldn't go down to the mezzanine lobby and on to the ballroom that way. Instead, we took the service elevator to the second floor and through the Statler's huge kitchen to the ballroom.

As soon as we stepped in there was applause, and it continued for some time after we had all taken our places at the head table.

There was one amusing bit of byplay. When we got to the steps leading up to the speaker's table I stepped by to let Churchill precede me.

"The chairman always goes first," he said. So on I went, a little trembly in the knees. But I got to my place and held out the chair on my right for Churchill.

When we sat down Churchill said he didn't want to make a speech but was prepared to answer questions. Written questions, I asked. No, he said, let them come from the floor. That will be better.

The waiters brought on the soup. Cold soup for us. Hot soup for the Prime Minister. When the main course came we had chicken. For Churchill, as per orders, there came a large thick slice of roast beef which caused him to whistle—and also to ask for mustard. He then spoke to me again of the Pearson articles and wanted to know if Pearson was in the room. I told him he hadn't come, and he seemed a bit disappointed at getting that information since he was obviously eager to flay Pearson. As it happened, he didn't.

It was a long lunch, and I had an opportunity to talk to Churchill on a variety of subjects. Once I recalled to him his book, "The World Crisis," and said that after reading it I had become fully convinced of the rightness of his Gallipoli plan (to turn the flank of the Central Powers in World War I by a drive through the Dardanelles and establishing contact with Russia).

Pointing to Raymond Swing, the radio broadcaster, who sat on Churchill's right, Churchill said: "He was there on the other (the Turkish side.)"

I also mentioned to Churchill that beautiful passage in "The World Crisis" in which he spoke of his visit to Compiagne in June 1918 and how he had taken a walk and thought of the enemy before him.

"Yes," he said, "I remember that very distinctly. And so many of the young men I saw on my visit to the front at that time were destroyed in the (German) drive that followed."

At one point I said: "You won't mind Mr. Prime Minister, if in introducing you I call you a great journalist?"

"Not at all," he replied, obviously pleased. We talked of Spain.

"You know I changed my mind about that," he said. "At the beginning I was for the rebels. The others had made a mess of it. Besides, I felt that if I had been in Spain, I, as were members of my class, would have been exterminated. But later, after the Germans and Italians began to intervene, I changed my mind. My attitude was determined entirely by considerations of international policy."

"The Spaniards," said Churchill, "are a very bold people."

He said it was his impression that the next stage would be a monarchist restoration and that, at least, would mean the release of political prisoners.

"I'm a royalist, you know," he said.

"Monarchy is all right," I said, "if the monarch does not overstep his limits. That doesn't happen in Britain."

"Yes," said Churchill, grinning, "we know what to do with him if he does, and it can be unpleasant."

At one point Churchill talked to Swing and me about Russia. He said he had got along well with Stalin. Stalin had talked rough, and he had, too, and they understood each other. Swing made some remark about present relations, and Churchill launched into a discussion of the problem. He said he would not and did not hesitate to speak freely on the subject at a secret session of the House of Commons but that, for public consumption, he had to temper his remarks. But the Russians are outspoken, and sometimes it was necessary to be outspoken to them.

When the question of the possibility of the Russians making a separate peace was raised, Churchill said he did not believe they would. He cited a saying that Russia always ends a war on the opposite side from which she begins. That happened in the last war. "And in this war," Churchill noted, "they were on the German side at the beginning, so they'll be on our side at the close."

By this time the moment had arrived to introduce our speaker. I welcomed him not only as a leader of his people but as "one of the ablest practioners of our craft. We welcome him as a fellow journalist."

I pointed out that before the war, when Churchill was not writing histories, painting pictures, making speeches, and laying bricks, part of his energies were devoted to turning out a fortnightly column on world affairs.

"We think of his speeches," I said, "as inspiring oratory on the road to victory. We newspapermen cannot help but regard them as magnificent reporting. We are even prepared to forgive Mr. Churchill for scooping us from time to time."

I was later told that at this point Churchill turned to Brendan Bracken and asked: "What does scooping mean?"

At another point when I spoke of the ties of blood and language and history and law uniting the British and American peoples, I heard Churchill remark: "Hear, hear."

When I ended, after saying: "Ladies and gentleman, the Prime Minister of Great Britain, the Right Honorable Winston Churchill," the audience arose and applauded him with great vigor.

He spoke on his feet very briefly. He said he was delighted to find on his desk the invitation to this luncheon since he wanted to meet press members informally and talk to them off the record, and this was a capital way to do it because there was an excellent luncheon thrown in.

He talked of the responsibility of the press and how, in a country which had freedom of the press, discussion of strategic problems, when it takes place at all, should be all-sided.

"If we can't have silence," said Churchill, "let us have Babel."

He said he was ready to answer any questions, no holds barred, and as tough as they came he would try to answer them.

Then for more than an hour the questions came. He parried none. He spoke freely and vigorously and with great gusto and high good humor. His words flowed from him in a beautiful flood—well-rounded, eloquent, classic. It was a sheer delight to listen to him, to see the beautiful play of his mind, the precision of his thought, the depth of his feelings. Tense as I was with the responsibilities of the chairmanship I enjoyed every minute of it.

At one point—it was then exactly 3:30 p.m.—I decided we had taken enough of Churchill's time so I announced that there would be just one more question.

"No," said Churchill booming out, "let it go on."

At another point I urged the questioner to speak out loud so he could be heard.

"Loud, but not menacingly," Churchill interjected.

About 10 minutes to 4 he said in a loud stage whisper: "This is the last," after which I closed the meeting.

In the course of the luncheon I had a chance to study Churchill's face. Beautiful skin, smooth and pink like a baby's. No wrinkles. Strong eyes. A strong jaw.

When the photographers came to make pictures he said he would not eat since the photographers have a habit of taking pictures at embarrassing moments, such as when a mouthful of food was suspended in the air at the end of a fork. The photographers—there were four of them—took four pictures each and left.

At the beginning of Churchill's speech the microphone gave out static every time he pounded the table to emphasize a point. He insisted it be taken away.

"What a puny race we've become," he said. "I've spoken in the greatest halls in England and America without such contraptions."

The microphone remained permanently hidden the remainder of the luncheon.

After his introductory remarks Churchill remained seated. That added to the feeling of intimacy of the meeting.

Much of the questioning at the luncheon had to do with immediate issues connected with the war. Some of these issues, such as relations with General Badoglio, of Italy, were ephemeral. Churchill himself in his book on "The Second World War" has given us the authoritative version of those questions. A few of the things Churchill said on that Saturday afternoon in 1943 as he and Roosevelt and the rest of the Allied world waited for the Italian surrender, still have a real point, as reflecting the way Churchill was thinking then.

He made it clear, for instance, that he did not belong to the Morgenthau school (or the English branch headed by Lord Vansittart) that wanted Germany crushed forever. The Germans, he said, have a heavy bill to pay. But he, Churchill, had never attacked anything but Nazi tyranny and Prussian militarism. There had to be tolerance. Who knows what the future will bring?

He defended the Allied deal with Darlan in North Africa which, he said, had saved a lot of lives. He revealed that, contrary to a widespread belief, the Russians, far from disliking the deal, favored it.

"They told me," Churchill said, "that in military affairs it was perfectly all right to walk with the devil and his grandmother."

Churchill also deprecated the idea of forever casting into limbo all those who had been tainted with the Vichy taint. We must have tolerance.

The Prime Minister had arrived at the luncheon minus those big black cigars that had become his hallmark. At one point during the luncheon he turned to me and said: "Cigar?"

That's one thing I had failed to anticipate. But I thought perhaps Eugene Meyer, a cigar addict, would help out. But Meyer revealed that this time he had come without his beloved Belindas and had only picked up a couple of 15-centers at the hotel's cigar counter.

Crestfallen, I went back to tell Churchill the bad news. But the hotel itself came through wonderfully. Having been alerted that Churchill was coming, it had sent a box of Churchill's own favored Havanas down from New York. So it was with an air of triumph that the maitre d'hotel, who had been hovering in the background, supplied Churchill with the kind of cigar he favored, and in the middle of the press conference he turned to the press and asked permission to light up.

Diary entry, September 4: "At the railroad station I ran into Sir Owen Dixon, the Australian Ambassador (now chief justice of Australia) who wanted to know what Churchill had drunk in the course of the luncheon. I answered: Two martinis before lunch, a Scotch with his roast beef, port with his cheese, and a brandy afterwards."

Sir Owen revealed that at the Saturday meeting with Churchill at 11 a.m. in the White House (with Churchill still sitting up in bed) the Prime Minister had had two Scotch and sodas with the Dominion representatives.

What a man.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EFFORT TO "GET" SENATOR WILLIAMS OF DELAWARE

Mr. SIMPSON. Mr. President, one of America's leading syndicated columnists, Holmes Alexander, in a column published in the February 14 Wyoming State Tribune, has zeroed in on the political long knives who are out to discredit the Senate's crusading Republican from Delaware. Columnist Alexander writes of efforts to "get something" on Senator WILLIAMS through the Agriculture Department files, in order to silence him on the Bobby Baker issue. Other efforts, according to columnist Alexander, include ploys to discredit Senator WILLIAMS through the pages of the Washington Post-owned Newsweek magazine.

I request, Mr. President, that this column be published in the body of the CONGRESSIONAL RECORD, where it can be perused by Senators and others concerned with a full revelation of the facts of the Bobby Baker case.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wyoming State Tribune, Feb. 14, 1965]

WASHINGTON KNIVES

(By Holmes Alexander)

WASHINGTON.—In older gangland days the victim would be given the "black hand." In later times he would get word that he was "on the spot." In the political back alleys of character assassination an intrepid corruption fighter like Senator JOHN WILLIAMS, Republican, of Delaware, is accorded more refined warnings.

He is told to "lay off" his dispassionate but devastating exposure of Billie Sol Estes; of Bobby Baker, the former secretary of the Senate majority; of Walter Jenkins, the White House aid; of Matt McCloskey, the former Democratic treasurer and builder of the District of Columbia Stadium; of Don Reynolds, the insurance man and a donor of a highly publicized hi-fi set.

After the warnings come some knife flecks by way of further emphasis. During the election campaign, President Johnson made two appearances in three-electoral-vote Delaware, urging voters to defeat the troublesome WILLIAMS and elect "a man I can work with." In December, the Democratic-run Rules Committee caused the honor-bright WILLIAMS to leave the room because, he said, he resented being called "a liar."

In January there was a caustic Senate floor innuendo by liberalissimo JOE CLARK, Democrat, of Pennsylvania, about scandals which WILLIAMS "might drag up about the Baker case." By this time the counterinvestigators had combed the Agriculture files to "get something" on WILLIAMS, who owns or operates 300 or 400 acres of farmland. By now the Johnsonian Washington Post had run two derogatory cartoons. Newsweek magazine, owned by the Washington Post, had printed a filthy insinuation by quoting the Baker-affiliated beauty queen, Carol Tyler, as having seen "at 6:30 a.m. in a roadside diner with a lady—not his wife—an unnamed Senator" whom "newspapermen have elevated to moral watchdog of the Nation."

Where do you research such a story? I went to Senator WILLIAMS for an interview and he said: "I've been warned some time ago that if I pushed things too hard I could look out for reactions. It was indicated that there would be a systematic plan to destroy me. I've alerted my family on what to expect."

WILLIAMS, lank and laconic, self-sufficient and as remorseless as a bad conscience, wears the slanderproof armor of transparent decency and multiple accomplishment. His revelations have jailed two Truman cronies, Caudle and Connelly; exiled an Eisenhower insider, Sherman Adams; convicted a Federal tax collector of embezzlement; embarrassed subsidy takers on the farm and in shipping; harpooned ADAM CLAYTON POWELL for junketeering in European night spots and EMANUEL CELLER for conflict of interest in doing business on an Army contract with Bobby Baker.

The Senator won't touch money that the Government gives to other farmers for conserving, banking, draining, fertilizing, or reforesting their land. He refunds the unspent Senate allowance for stationery and declines to travel on Government expense accounts. He walks the righteous path, and everyone in Washington knows it, but he hears the footfall behind him of the knaves with the short knives, and he says:

"I'm not afraid of anything they can say about me. But a half-truth is worse than a lie."

The half-truth is the short knife of the character killers.

JUSTICE FRANKFURTER: 55 YEARS OF SERVICE

Mr. BARTLETT. Mr. President, retired Associate Justice of the U.S. Supreme Court Felix Frankfurter is dead.

He was born in Vienna in 1882. He came to this country at the age of 12, and attended New York City public schools and City College. Thereafter, he went to Harvard Law School, and graduated with honors in 1906.

Shortly after that, he was recommended by Harvard's dean, James Barr Ames, to be an assistant to President Theodore Roosevelt's U.S. attorney in New York, Henry L. Stimson. When Mr. Stimson became Secretary of War, in 1911, Felix Frankfurter came with him to Washington.

In 1914, a prominent Boston attorney, Louis D. Brandeis, soon to become a Justice of the U.S. Supreme Court, successfully urged Mr. Frankfurter's appointment as a member of the Harvard Law School faculty. With the First World War brewing, Mr. Frankfurter remained at Harvard for only a few years, and returned to Washington in 1917. For 2 years he served as an assistant to the Secretaries of War and Labor, and subsequently he became Chairman of the War Labor Policies Board. In 1919, at the end of the war, he went to the Versailles Peace Conference, where he represented the cause of Zionism.

For 20 years, from 1919 until President Franklin D. Roosevelt appointed him to the U.S. Supreme Court in 1939, Felix Frankfurter distinguished himself as a scholar and teacher at Harvard Law School. There he became a student and a critic of the U.S. Supreme Court and a trainer of legal minds. Many of his students were urged to come to Washington and to devote themselves to Government service.

It was during this period that Mr. Frankfurter became nationally prominent for the part he played in alerting the Nation to what he deemed to be a gross miscarriage of justice in the case of Sacco and Vanzetti.

His years of service on the U.S. Supreme Court, until his retirement on August 28, 1962, brought him international fame as a jurist and the affection of the American bench and bar. Judge Learned Hand considered him "the most important figure in our whole judicial system."

Mr. President, today the New York Times has reprinted a tribute to this distinguished American which was written by a former Secretary of State, Dean Acheson, for the Harvard Law Review of November 1962. Perhaps this tribute will help those of us who did not personally know Justice Frankfurter to appreciate something of his personality, his humor, and what Mr. Acheson calls "his loving spirit."

I ask unanimous consent that the tribute be printed at this point in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

TRIBUTE BY DEAN ACHESON

It has been said of Leslie Stephen, by Maitland, I think, that those who did not know him would never understand the source and magnitude of his influence. For that reason he would be an enigma to future generations. Reading his written words would give a quite inadequate, often erroneous, impression of the man, and no sense at all of the effect on the bearer of the spoken word. This is preeminently true of Felix Frankfurter. One could read everything that he has written—a formidable task from several points of view—and still have little more than an inkling, if that, of why this man has evoked in so many such passionate devotion and exercised for half a century so profound an influence. I can think of no one in our time remotely comparable to him, though it would not surprise me if in another time Dr. Franklin might have had something of the same personal influence.

In the same way, the words, especially the written words, of another cannot convey the reality of Felix Frankfurter. There is no substitute for the apprehension of the senses. One needs to see, to hear—particularly to hear his laugh, his general noisiness—to realize what an obstreperous person this man is, to have one's arm numbed by his viselike grip just above one's elbow, to feel the intensity of his nervous energy. Above all, one needs years of experience to know the depth of his concern about people. He lives in personal relationships as a fish lives in water. This is no secluded scholar immured in library or laboratory, absorbed in intellectual problems, but a man immersed in people. At a moment's notice he will concentrate his mind and heart on their interests, their joys, or their troubles.

It has been said that Felix Frankfurter has a genius for friendship. This is not only true but true by reason of the basic quality from which genius springs. He has an infinite capacity for taking pains about his friendship. He elevates friendship from a vague consciousness of being sympathetic with another person to an art which he practices assiduously. He thinks a great deal about his friends, talks about them with other friends, worries about them if they are unhappy or unfortunate, praises them, sometimes chides them. When he comes across something which would interest one of them, off goes a note or a clipping. He spends hours talking with them on the telephone; he must be a mainstay of the telephone company.

The other passion of his life, an avidity for good talk only swells his absorption in people, so that a friendship which is old and tried, where talk flows easily and common interests are many and vigorous, can become for both parties utter joy. For 20 years we walked downtown together every fair day. My wife would speculate in amazement on what we could find to talk about for an hour every morning and during a telephone call or visit in the evening. Yet the talk never stopped and never ceased to absorb us. For one reason everything he begins to say brings in something else, parenthesis forms within parenthesis; the texture of the narrative becomes incomparably rich, varied, gay, fascinating in content. I remember what started to be a simple statement, to the effect that someone we knew did something begun one morning as we started out and completed 14 blocks later with encyclopedic and delightful embroidery detailing the history of all the relatives and other connections of everyone involved. As time went on, our inability to stop our talk at the Pennsylvania Avenue entrance to the old State Department led to amused comment, which drove us to an agreement that we would stop, even in the middle of a sentence, as we passed a certain crack in the sidewalk. But it was no use. He claimed that to stop walking, but not talking, when we came to the crack, was only proper avoidance, and not illegal evasion, of the rule.

I have heard Felix Frankfurter vigorous in argument; and know that his replies are often sharp, though never with me. Norman Hapgood used to say that F.F. enjoyed nothing so much as to win in argument and by unfair means, if possible. But this, I think, came from Norman's frustration, himself a witty and adroit dialectician, at always being outpointed. Judge [Learned] Hand was right in the view attributed to him, when F.F. said to me one day, "What do you bet that B. says of me when I'm not present, 'Sure you can differ with him, but the little cuss is honest.' "

F.F. has a way with children. He treats them formally and seriously (again reminiscent of Dr. Franklin); they respond with unembarrassed directness. When this directness turns the tables on him, he is delighted. Years ago he came to our house to call on a family staying with us. The parents were out, but the "dulcet and harmonious breath" of a recorder, expertly played, floated down from the second floor. F.F. followed it to a bedroom where the young son of our guests was nursing a cold. As the stranger appeared, the lad stopped his playing and looked up. "Peter," said F.F., "I'm a friend of your parents and a Justice of the Supreme Court; but I would rather be able to make music as you do than be a judge."

"So would I," said Peter.

F.F. was delighted. "Good, wasn't it?" he would shout as he told the story again and again.

To our own children over three decades, and now to grandchildren, he has been an ever beloved, understanding, and gay friend. During the war a stream of letters, clippings, and court opinions went to the Pacific to nourish days and months on a destroyer; and to the girls, too, with trials of their own, he was an ever-present help.

Over the years a phrase keeps coming to my mind which seems to give the essence of my friend. It is the title of a book which I read long ago, "The Loving Spirit."

LITHUANIA, LATVIA, AND ESTONIA INDEPENDENCE DAYS

Mr. CASE. Mr. President, each year we celebrate the anniversaries of the independence days of three Baltic nations—Lithuania, Latvia, and Estonia—just as today we celebrate Estonia's declaration of independence 47 years ago. After centuries of oppression, all three nations achieved their independence during the upsurge of self-determination following the close of World War I.

Twenty years later these Baltic States lost their hard-won independence in the face of Stalin's notorious nonaggression pact with Hitler, under the protection of which the Soviet Union subjugated much of Eastern Europe.

The taste of freedom the Baltic States experienced during that 20-year period has lingered on, in spite of the mass deportation and Russification campaigns of the Soviet Union. During these years, the Baltic States enjoyed the kind of progress that could be achieved only under their own free governments, through their own voluntary labor. This kind of labor is born out of love, not out of force; out of love of one's country, for the advancement of that country—not for the advancement of oppressors; out of love of one's children, for a brighter future for those children—not for a brighter future for oppressors. During the years of freedoms, all three nations witnessed a new prosperity, with expanded trade and constantly rising industrial and agricultural production.

We hope that the people of the Baltic nations of Estonia, Latvia, and Lithuania will soon be able to work, not out of fear, but out of love of their independent nations.

POLAR RESEARCH

Mr. GRUENING. Mr. President, recently I had an opportunity to visit Antarctica and to see at firsthand the important research that is being performed under the auspices of the National Science Foundation and the admirable logistics supplied by the U.S. Navy, now under the command there of Rear Adm. James Reedy, an officer of outstanding ability. On this visit I was accompanied by the Senator of Utah [Mr. Moss] and by Rear Adm. Richard

Blackburn Black, USNR retired, a veteran Antarctic explorer who was at Little America during the second Byrd expedition, and was in charge of east base during the first Government expedition, some years later, when he explored and mapped vast areas, and since that time has continued his active and productive exploration and studies in the south polar regions. Together, we visited the Amundsen-Scott U.S. South Pole station on January 31. That was, of course, the Antarctic summer, corresponding to what would be July 31 in the Northern Hemisphere. The temperature at 90° south was only 37° below zero. We likewise visited the Byrd Station—all of these separated by hundreds of miles—and inspected thoroughly the research activities at the American principal base and port of entry on McMurdo Sound. I think we all agreed that the dedicated performance of the scientists and of the Navy personnel is deserving of the highest praise. They have been working under conditions of considerable physical hardship and deprivation which in no way have diminished their zeal and effectiveness.

For many years an invitation has been extended to me by the Navy to visit Antarctica. The invitation stems from the fact that 27 years ago, in 1938, President Roosevelt decided that the U.S. Government should sponsor an expedition into Antarctica. Two previous expeditions, sponsored and commanded by the late Rear Adm. Richard Evelyn Byrd, had been financed by private contributions, and had awakened a wide interest in the unique aspects of Antarctica, up to that time an almost totally unexplored and unknown continent—a continent as large as the United States and Mexico combined—and in the important research that could be accomplished there in many fields. This research would obviously be of more than abstract value. It would have important bearing on questions related to terrestrial magnetism, weather, geophysics and geology, space exploration, oceanography, marine biology and much else.

President Roosevelt appointed a committee of four, representing four different Departments—the Treasury Department, which has jurisdiction over the Coast Guard; the Navy Department; the State Department; and the Interior Department. The other members of the Committee were: Hugh Smith Cumming, Jr., of the State Department; Capt. Charles Conway Hartigan, of the Navy; and Adm. Russell R. Waesche, Commandant of the Coast Guard. I was then Director of the Division of Territories and Island Possessions, in the Interior Department; and President Roosevelt asked me to serve as Chairman of this Committee. At the same time, he created, by Executive order, the U.S. Antarctic Service, which became a part of the Division of Territories and Island Possessions.

The service was duly organized, and prepared the way for the permanent undertaking of exploration and research, which were greatly accelerated and amplified during the International Geophysical Year, 1957–58.

For a number of years, I was unable to accept the Navy's invitation, due to lack of time; but in view of the importance of polar research, both in the Northern Hemisphere and in the Southern Hemisphere, and perhaps the need to find what coordination between them could be usefully established, I felt that this year I should go. The University of Alaska is active in Arctic research, and is the institution ideally qualified for it.

There are vast differences between the conditions at the two poles. In the words of Isaiah Bowman, an internationally known geographer, and onetime president of Johns Hopkins University, the South Polar regions are a hump, and the North Polar regions a hole. The fact is that the South Pole finds itself in the center of a great land mass—actually the continent with the highest altitude of all continents, with an average elevation of 7,500 feet, whereas the North Pole is located within the Arctic Ocean.

Apart from these vast physical differences is the basic fact that Antarctica, has always been totally uninhabited, except for scientists and other personnel sent there, and indeed has no land of fauna, although the sea surrounding it is extremely rich in species of all kinds, including the shore amphibious species of seals and penguins.

On the other hand, the Arctic regions are inhabited in Siberia, European Russia, Finland, Scandinavia, Canada, and Alaska; and the activities in the Arctic have a definite interest for these northern peoples, and may be productive of direct benefits for them. It has seemed to me useful that we study the possibility of coordinating these two geographically separated, but scientifically related, research enterprises.

It is pertinent that two scientists from the University of Alaska, Alaska's Geophysical Institute, have been serving in Antarctica. They are enthusiastic about the potentials of research there. Their presence and their activity in the South Polar region augur well for future coordination of research at both extremities of our earth.

Recently, upon their return, Dr. Victor Hessler, professor of geophysics at the University of Alaska's Geophysical Institute, issued a press release which I believe all those concerned with polar research, as well as others, will find of interest. I ask unanimous consent that the release, entitled "University of Alaska Professor Returns From Antarctic Research," be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF ALASKA PROFESSOR RETURNS FROM ANTARCTIC RESEARCH

A trip to Antarctica and 3 weeks at a Russion research station resulted in more than scientific dividends for one of the world's top authorities on the aurora.

"I feel I've gained 14 new friends," said Dr. Victor Hessler, professor of geophysics at the University of Alaska's Geophysical Institute, "and I believe they feel they have a new American friend."

In reminiscing about his recent trip to Vostok, a Soviet research station located at the coldest point on earth deep within the Antarctica Continent, Dr. Hessler refers to the 13 Russians and 1 Czechoslovakian who operate the station. Vostok is situated high on the south of the earth's magnetic field, a key position for studies of geomagnetism and related mysteries of the polar skies.

Dr. Hessler went to the station to install scientific equipment that is being used in a study of micropulsations, or rapid changes in the earth's magnetic field. In a spirit of international cooperation the Russians are operating the American equipment, with each nation receiving identical copies of the scientific data.

A similar station, operated by Americans at Thule, Greenland, is likewise recording data for Dr. Hessler's study as well as for Russian scientists. Dr. Eugene Wescott, assistant professor at the Geophysical Institute, is coinvestigator with Dr. Hessler on the study.

Dr. Hessler's trip to Antarctica began in mid-November when he flew to Hawaii, the Fiji Islands, and Christchurch, New Zealand, the jumping off point for Antarctica expeditions. From Christchurch he was flown to Cape Hallett, then McMurdo Station, headquarters for all U.S. Antarctic research operations. Before proceeding to his ultimate destination of Vostok, Dr. Hessler took side trips to Byrd Station and Amundsen-Scott, South Pole station at the very bottom of the world. Amundsen-Scott, 9,200 feet above sea level, served as an altitude adaptation stopover for Vostok, 11,500 feet or almost 2¼ miles above sea level.

At Vostok, Dr. Hessler joined another Alaskan—John Jacobs, a 25-year-old University of Alaska graduate student who has been spending a year with the Russians and Czechoslovaks at the station as part of an annual exchange of scientists between the United States and U.S.S.R. Antarctic stations. The first American to work at Vostok, Jacobs was investigating radio signals generated naturally in the earth's magnetic field, and was maintaining the Vostok link of a continental network of forward scatter radio equipment established last year by National Bureau of Standards.

The temperature at Vostok during Dr. Hessler's visit ranged from −30° to −40°, but the scientist said the cold proved no problem. The coldest recorded temperature at the station is −127°, set in August 1960.

"Since it was midsummer," Dr. Hessler said, "the sun was up 24 hours a day. There was very little overcast, hardly any wind and the sun was so brilliant that the cold was unnoticeable."

Of the Soviets only the station doctor spoke English. He had learned the language from Jacobs, who in turn was learning Russian from the doctor. The Czech, fluent in both languages, acted as interpreter.

One of the highlights of the visit, Dr. Hessler remembers, was a party to celebrate four birthdays. Midway through the occasion the camp leader proposed a toast to further scientific cooperation between America and the U.S.S.R. "so that we may make more good American friends to the end that our countries might live in peace and harmony."

Dr. Hessler's project involving the Vostok station was arranged by the Academies of Science of the United States and U.S.S.R. and financed by the National Science Foundation. The Soviet Union established Vostok during the International Geophysical Year 7 years ago especially to investigate the influences on the earth of subatomic particles from the sun.

The station is currently contributing to the success of the International Years of the Quiet Sun, the complement of IGY, now in its final year.

After a short stopover at the Geophysical Institute Dr. Hessler will proceed to Barrow on way to a new drifting research station in the Arctic, ARLIS IV, about 150 miles northeast of Point Barrow. He will remain on the ice floe about 6 weeks, making studies related to the Aurora.

GOLD AND THE BALANCE OF PAYMENTS

Mr. HARTKE. Mr. President, in the midst of the current discussion of our gold position and the balance of payments, I call the attention of the Senate to some words of good sense from a man whom I consider highly, both as an economist and as a friend.

He is Eliot Janeway, whose columns appear regularly in the Chicago Tribune and elsewhere. In an article published on February 11, he made the point that we are not alone in being confronted by the problems, and that "every major international power, including the Soviet power, is in or is exposed to a payments deficit." He also noted that De Gaulle's call for a return to an international gold standard is a hollow demand, since the dollar is so strong that no other currency enjoys a trading premium over it.

Mr. President, I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PAYMENTS DEFICIT NOT JUST A U.S. PROBLEM

(By Eliot Janeway)

NEW YORK, February 10.—What's all this fuss about gold? From the tone of the headlines, you'd think that the United States is in some kind of serious international financial trouble, and that foreigners don't want dollars. Of course, everyone doing business abroad knows better.

Responsible for this confusion and commotion is a private, "inside" war of nerves between President Johnson and President de Gaulle. They are using headlines around the world to one-up each other. A skillful player at the game of political one-upmanship, and each lanky, vain head of state is a past master, can make a public jab carry a private needle.

Turnabout is fair play. In their last go-round, Johnson gave De Gaulle the needle when Washington launched a trial balloon with the threat of a U.S. emergency tax on tourist spending. If the U.S. Government were really to do this, and, confidentially, it won't, it would hit De Gaulle where he lives. For, contrary to the pronouncements which proclaim France to be the custodian of world financial power, she is in fact teetering near the brink of a payments deficit of her own. Only her lush cash intake from Americans, who are more welcome than they may sometimes think, is keeping her ahead of the game. The trial balloon about a tourist tax was a public way of reminding De Gaulle in private that we're onto his bluff.

DE GAULLE IDEA NONSENSE

De Gaulle's riposte has been to raise his ante by calling on the world to follow France back to an international gold standard, the implication being that the dollar is too weak and too suspect for foreigners to want it. On the merits, this is nonsense; no country, not even France, is going to retreat to gold from today's flexible dollar standard.

In terms of the game of pins and needles being played back and forth between Washington and Paris, De Gaulle's gold call is good show business. A gold scare in the headlines can be trusted to catch the eye and to confuse the mind of the public. De Gaulle's counterjab has been successful. U.S. opinion is once more gaping at the bogey of a dollar payments crisis, and only a minority see that it's no more real than a wax figure in Madam Tussaud's chamber of horrors.

There's a simple, marketplace test of whether the dollar is weak or strong. Does any other currency enjoy a trading premium over it? Does gold? Back when the dollar was weak, before the bank holiday of the 1930's, the answer was "Yes." Today it is "No."

WEST GERMANS IN RED

A problem of financing payments deficits does confront the world today, but it is not a U.S. problem—it is a world problem. Every major international power, including the Soviet power, is in or is exposed to a payments deficit. Even West Germany now is running in the red internationally. France is being subsidized by the tourist dollar.

Our payments deficit is up not because of financial weakness but because of political strength. We've been saving our immense investment and our growth markets in Britain, Italy, Japan, Brazil, Argentina, and Venezuela. All this takes dollars which are reckoned against us in the payments calculation, but count for us in the continuing competition for power and wealth.

In fact, looking forward to the international sales problem which is being created by today's worldwide industrial boom, it's sound that every expanding industrial economy is putting out more cash than it's taking in. The automated plants built in the 1960's will need customers around the world, come the 1970's. Now these new customers are growing up toward the dollar standard, too. The fact that cash is moving not from the United States to other industrial powers, but rather from the whole industrial bloc to the industrializing areas is a promise of more trade and less burden. The dollar is lots stronger than it seems.

YOUNG DEMOCRATS AT UNIVERSITY OF TEXAS SUPPORT GI BILL NOW

Mr. YARBOROUGH. Mr. President, since the veterans of the cold war are not organized into national groups which express their interest, the support of the cold war GI bill is truly a grassroots support—coming mainly from individuals and endorsements from other organizations.

Recently I received just such an endorsement from the University of Texas Young Democrats, in the form of a resolution which they unanimously passed at their February 10, 1965, meeting. As an indication of the feeling toward this bill on our college campuses, I ask unanimous consent that the letter and the resolution be printed at this point in the RECORD.

There being no objection, the letter and the resolution were ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF TEXAS,
Austin, Tex., February 18, 1965.

Senator RALPH W. YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: The enclosed resolution was passed unanimously at the last meeting of the University of Texas Young Democrats on February 10, 1965.

Our club feels that this resolution will be of interest to you.

Sincerely,

JILL HODGE,
Acting Secretary, the University of Texas Young Democrats.

Whereas the University of Texas Young Democrats have consistently advocated a policy for public-supported education which will enable each young person in our society to achieve the highest quality of education of which our society is capable of providing and the greatest amount of education of which he is capable; and

Whereas the senior and Democratic U.S. Senator from Texas, RALPH W. YARBOROUGH, has long advocated and worked vigorously for a so-called cold war GI bill, which will extend the educational opportunities available under the GI bill of rights to veterans of the cold war; that is, the many U.S. servicemen who have been necessary to our national security but who have not served in a so-called hot war: Therefore be it

Resolved, That the University of Texas Young Democrats heartily commend Senator RALPH YARBOROUGH for his courage and persistence in promoting this vital bill, which will take our country a giant step toward the optimum educational goals which we advocate, and we also commend and support those groups which have recently been soliciting grassroots support for the bill.

SOUTHWESTERNER OF COLUMBUS, N. MEX., DESCRIBES TROUBLES WITH EXTREMISTS

Mr. YARBOROUGH. Mr. President, in the February 18, 1965, edition of the Tulia Herald, of Tulia, Tex., an article from the Southwesterner, a newspaper published in Columbus, N. Mex., is reprinted. The writer, Bill McGaw, used his clever writing talents to describe the problems which his small newspaper is having with the John Birch Society.

Although he is struggling against the pressure of groups which would try to censor his paper, Mr. McGaw maintained an admirable sense of humor in concluding "Well, I may be broke; but, thank God, I've got the right enemies."

I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

QUOTABLE QUOTES

Bill McGaw in the Southwesterner (Columbus, N. Mex.). The Southwesterner hasn't made any money since it started, nearly 4 years ago. We've had our problems, like the time about 18 months ago when a member of the John Birch Society wrote a letter to our advertisers asking why they didn't withhold their support from the Southwesterner, which was following, he said, the Communist Party line. This turned out to be, according to this letterwriter, a Southwesterner article disagreeing with the John Birch Society and asserting that it is basically the same thing as the Communist Party.

Now, this letterwriter was so proud of his work and so sure of his facts, that he signed with an alias; with a completely false name. Signed his name "Patrick J. Hale." Ain't that a pip? "Patrick J. Hale," something like "Benjamin Franklin Washington."

Anyway, we found out who this character was and sent him a registered letter advising him he had better write another letter, signed by his real name and admitting he was a John Birch Society leader, and tell the very same folks that he was an unmitigated liar. If he didn't do this, I warned him, I was going to sue him and the John Birch Society for a considerable sum of money, just about what I considered my reputation, the paper's, and my patriotism was worth, which is considerable.

Matter of fact, the suits were filed nearly a year ago against the letterwriter hiding behind an alias and the John Birch Society for more than $3½ million, in total. We hope these suits will be coming to trial soon, too, for we can use the money.

We can use the money because we just had a round with the Internal Revenue Service and as usual, we ended up with our face in the mud and both arms broken. It seems that under certain circumstances you can be taxed twice on the same income if you are both an individual and a corporation.

The result is, I am just now signing a statement for the Internal Revenue Service that I owe the Government some money because I have been taxed twice on the same income. Now, this wouldn't make me too mad, if also I couldn't read—as well as couldn't add.

I learn there are people like H. L. Hunt who pay no taxes on radio programs, TV shows, etc., all advocating John Birch Society principles (if indeed it has any) and advocate such other dandy ideas as doing away with income tax and the Supreme Court, all at once.

If you spout this kind of sedition, you are tax free, but if you point out the inherent anarchism involved in this program (espoused incidentally by Barry Goldwater and his tribe) you are taxed twice.

You pay twice because you don't have the money to hire high-priced bookkeepers, lawyers and other addenda to put you on equal footing with Hunt and the others.

Hunt, incidentally, is reputed to be the richest man in the world by none other than Jean Paul Getty, an expert, because Getty had that title—until he bestowed it on H.L.

"I am just on the board of directors of firms worth that much money and can't control it," explained Getty, "while all Hunt has to do is call his sons in and after a short consultation, he can do as he wishes with his."

It is impossible to give an exact worth on a man of that much wealth, but it has been reported his income is around $200,000 a week and his total worth at something like $2 billion. That's $2 billion.

This makes both his weekly income and his total worth somewhat higher than mine. It is impossible to estimate mine, too, but for quite a different reason: I haven't got any.

But I have a right to be proud. I owe more taxes on my newspaper than he does on his TV shows, etc., for I get taxed twice, while Hunt is taxed not at all.

This, of course, makes me very proud—very poor, but very proud.

Especially when I read that H.L.'s son, Nelson Bunker Hunt, was one of the three principal Dallas businessmen who chipped in $1,463 to a John Birch Society coordinator named Joe Grinnan to pay for an appropriately black-bordered ad that ran in the Dallas News on the morning of November 22, 1963, outlining the treasonous background of President John F. Kennedy, shot dead that afternoon on the streets of Dallas. This was finally divulged in the Warren report, but it didn't explain whether the sum was a part of the nontaxable variety.

In passing, I would like to point out that H.L. wasn't the only father with a son who was busy that day in Dallas. My son, Dr. William Michael McGaw, was one of the doctors at Parkland Hospital who tried to save the life of the President and treated Governor Connally. (I am glad he took this method of showing his concern for his country, rather than buying an ad in the newspaper to announce his supertype patriotism.)

It is comforting also to know that Jack Ruby, who killed President Kennedy's assassin (thus depriving us of ever getting the story straight from the source) was carrying with him at the time, according to the Warren report, "two radio scripts of a right-wing program promoted by H. L. Hunt, whose political views are highly conservative."

And we might add, his radio and TV programs are also highly tax free.

Then, as if this isn't enough torment, I receive a letter now and then from some idiot charging the Southwesterner with selling out its opinion for money—along with the rest of the American press. I hope the other editors are getting more for their opinions than I am, though, or the American press is very near the point of collapse, if graft and bribery is all that's holding them up.

These letters come from radicals who are told to believe this, and they want to silence every publication that has some misgiving about the virtue of the John Birch Society or the intellect of Goldwater.

This is the tribe that howled and rose as a body to shake its collective fist at the TV and press gallery as a demonstration of its disdain and antagonism.

As an encore, they booed one of their own Governors off the platform.

Well, I may be broke, but thank God, I've got the right enemies.

EDUCATION AT THE UNIVERSITY OF HAWAII

Mr. INOUYE. Mr. President, in building the Great Society, President Johnson has wisely placed heavy emphasis on education. We in Hawaii are doing our utmost to participate in the Great Society by building a great university for our young people and scholars.

The February 26 issue of Time magazine tells the story of our efforts and of the fine leadership provided by Gov. John A. Burns and Dr. Thomas H. Hamilton, president of the university. If there is no objection, Mr. President, I respectfully request permission to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNIVERSITIES: NEW TIDES IN THE PACIFIC

"The world is moving toward a new era—the Pacific era," says Hawaii's Gov. John A. Burns, and his State shows a lively new determination to make its mid-Pacific location the center of the region's rising tide of intellectual and scientific achievement.

Atop Hawaii's clear, cloud-free Mauna Kea (13,784 feet), new telescopes sweep the skies from a site that Astronomer Gerard Kuiper terms "the finest in the world—I repeat, in the world." Five space-tracking stations in the islands now spot missiles and satellites. A hundred miles northeast of the island of Maui, a place where the ocean is 3 miles deep has been chosen for the $71 million Project Mohole—an attempt to drill 3 miles through the earth's crust to the underlying mantle. A recent business-sponsored survey projected a possible annual income of $100 million for State firms from oceanic research.

REVITALIZED UNIVERSITY

The battery powering much of this activity is the revitalized University of Hawaii under its new president, Dr. Thomas Hale Hamilton, 50. A former vice president for academic affairs at Michigan State, Hamilton served for 3 years in the frustrating presidency of the State University of New York's 58 uncoordinated branches before quitting in 1962 to take the Hawaii post. Now, with a central campus and a clear line of authority, he is carrying out his concept of the great university. "A university is established by a society to insure what the values to which that social order subscribes are perpetuated," he said in his inaugural address. "And yet, in its rarer moments, society also acknowledges that it is equally important to examine and indeed to modify its orthodoxy. Thus the university is mandated to question the value system which it is also supposed to preserve."

Physically, the school for which Hamilton set this goal is as spectacular as its symbol, the rainbow. Its 268-acre campus abounds in landscaped lawns, red and yellow hibiscus, shower trees and coconut palms. Semicircled by the greenery of Manoa Valley's bordering volcanic mountains, the campus overlooks Honolulu, Waikiki Beach and Mamala Bay. Students dress in almost as colorful as the sunsets. An Indian girl in a scarlet sari strolls with a Chinese girl in sneakers and blue jeans. Caucasian girls in muumuus and poi pounders (an above-knee muumuu with long, tight pants) vie for attention with others in Polynesian prints and Bermuda shorts. The motto on the university gates is fitting: "Above all nations is humanity."

SHAKEUP

Until 4 years ago, the intellectual life was as placid as the setting. Then former Gov. William F. Quinn fired the entire board of regents, appointed an energetic new group headed by Dole Corp. President Herbert C. Cornuelle. This board brought in Hamilton, who began a 10-year development program that strives for particular excellence in those fields in which Hawaii enjoys natural advantages. Hamilton sees these as the behavioral sciences related to the area's multicultural citizenry, those cultural disciplines in which "the East-West dialog is best promoted," and natural sciences tied to Hawaii's geophysical location.

Pursuing this plan, Hamilton launched a new graduate library school, which will include a $2,500,000 research library and will nearly quadruple the university's present 800,000 volumes. Research in Asian and Pacific linguistics, including compilation of dictionaries of little-known Asian languages, is a major goal. Hamilton intends to add eight new doctoral programs, including oceanography, linguistics and Asian and Pacific languages, to the 18 now offered. An effective public salesman, he coaxed $30 million from the legislature for his current budget, compared to $12 million in 1960, and expects to get $41 million for next year.

Much of the money is needed to keep up with the university's rising enrollment: it was 5,000 in 1950, 10,000 in 1960, and is 15,519 now. Buildings are going up so fast that wags call the university "an empire in which the concrete never sets." Yet a significant sum has been used to improve salaries and lure top teachers and researchers to Hawaii.

Hamilton has netted such names as Windsor Cooper Cutting, former dean of the Stanford Medical School, to direct the university's Pacific Biomedical Research Center; Schuyler Hoslett, a Dun & Bradstreet vice president, as dean of the College of Business Administration; and UCLA Economics Chairman Wytze Gorter as graduate-school dean.

ATOMIC-FED FISHERIES

The university's main contribution to the State's intellectual thrust has been in the natural sciences. Grants, mainly for scientific research, should reach $15 million this year. Even bigger sums are foreseen by Hawaii's newly imaginative faculty.

Hawaii was selected for the National Science Foundation's huge Mohole project[1] mainly through the energy of the new director of the university's Hawaii Institute of Geophysics, George P. Woollard. He gambled some $15,000 of university funds in a crash survey of likely sites, came up with the winner. Convinced of the growing interrelationship of meteorology, geology, solid-earth geophysics, and oceanography, he has lumped all four studies into an unusual single department of geophysics. His institute is engaged in tidal wave research at sea, cloud research atop mountains. He envisions the dumping of atomic wastes into the area's underwater volcanic mountains to create thermal currents that would drive nutrients to the surface for new fisheries.

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[1] Which was proved feasible in drilling tests off La Jolla, Calif., and Guadalupe Island, Mexico, in 1961 after being stalled by wrangling among scientists, engineers, and politicians.

At the biomedical research center, Cutting directs studies of the high rate of stomach cancer among Japanese males, seeks antiviral agents in Pacific herbs and fungi. Other university scientists have developed new techniques for commercialization of macadamia nuts and launched gravitational studies that may prove Tokyo to be some 400 meters closer to San Francisco than mapmakers now believe, which would be a matter of considerable interest to the world's missilemen.

One beneficiary of the university's progress is the semiautonomous East-West Center, which occupies soaring-lined buildings designed by Architect I. M. Pei on the university campus; the center taps the university's resources but has its own chancellor and is financed by Congress. Founded in 1960 as a vehicle of American-Asian understanding, it floundered at first for lack of direction. But Hamilton has served as acting chancellor for the last year, tightened its organization, and eased the strain between Hawaiian and Washington officials. Soon U.S. Ambassador to Indonesia Howard P. Jones will become chancellor, and the center finally seems past its growing pains.

ASIAN STUDIES AT UNIVERSITY OF HAWAII—"OKINAWAN STUDIES ABROAD"

Mr. INOUYE. Mr. President, the University of Hawaii is increasingly becoming one of the foremost centers for Asian studies in the United States. The establishment in Hawaii, by the U.S. Congress, of the Center for Cultural and Technical Interchange Between East and West has aided immeasurably in this effort. However, not a small reason for this progress is traceable to the personal contributions of faculty personnel in residence at the university, such as Dr. Shunzo Sakamaki.

Professor Ishikawa writes of this rise to preeminence of the university in the specific field of Okinawan studies, and gives special credit to Dr. Sakamaki. I think the article is especially fitting, being written, not by an American scholar, but by a scholar from Okinawa.

I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OKINAWAN STUDIES ABROAD[1]

(By Kiyoharu Ishikawa)

It may not be an exaggeration to say that the University of Hawaii is playing a leading role in Okinawan studies. The foundation for this has been laid by the university's program of inviting professors and research scholars in the field and by the acquisition for the university of one of the most comprehensive and valuable collections of materials on Okinawa—the Frank Hawley collection—by Dr. Shunzo Sakamaki, a professor of history at the university, who has been keenly interested in Okinawan studies and who personally went to Kyoto to purchase the collection. Furthermore, it should be noted that the university, mindful of the need to uncover and preserve local historical materials which have been given little attention and might easily pass into oblivion, sent one of its research staff members, Mr. Mitsugu Sakihara, on a mission to locate and microfilm such materials, not only on the main island of Okinawa but also on the neighbor islands and in Japan. This effort reflected the great zeal of Dr. Sakamaki and the policy of Dr. Raymond Nunn, who had obtained his doctoral degree in library science for his dissertation entitled "Modern Japanese Book Publishing," and who was recruited to become the director of the oriental collection of the University of Hawaii Library. Their attempt at a difficult task of systematically collecting rare Okinawan materials should be given full credit. When I visited Prof. Nakasone Seizen at the University of Hawaii, I was amazed at the mountainous volumes of materials stored in the Ryukyuan collection in Crawford Hall. I still remember vividly the radiant face of Professor Nakasone remarking to me that it would take more than one's lifetime to read all the materials.

The special interest of Dr. Sakamaki, whose doctoral dissertation was titled "Japan and the United States (in the mid-19th century)," appears to be in Okinawa's foreign relations. The next stage in the effort toward the collection of materials by the university would then cover Taiwan, the Philippines, Hong Kong, Burma, Thailand, and other countries of southeast Asia. Dr. Sakamaki has contributed an article, "Ryukyu and Southeast Asia," to the Journal of Asian Studies, and another article of his, "The Rekidai Hōan," has appeared in the Journal of American Oriental Society.

Another area of emphasis in developing Ryukyuan studies at the university is the system of inviting teaching and research personnel to come to Hawaii. The first to be invited was Dr. William Lebra of the University of Pittsburgh, who obtained his doctoral degree at Harvard for his dissertation, "Okinawan Religion." He was followed by Dr. Thomas Maretzki, who received his Ph. D. from Yale University for his dissertation, "Child Rearing in an Okinawan Community." Both of them joined the department of anthropology at the university. The recruitment of these young and energetic scholars, who are among the very few engaged in Okinawan studies, has given a new direction in the discipline of social anthropology. Subsequent invitations were extended to the late Mr. Nakahara Zenchu, Mr. Higa Shuncho, Prof. Nakasone Seizen, Prof. Kobata Atsushi of the department of history at Kyoto University, and Professor Liang of Tunghai University in Taiwan, all of whom are noted scholars in Okinanwan studies. During their residence in Hawaii, they were asked to make commentaries on old documents, to assist in the collection and classification of materials, and to give instructions in courses relating to the Ryukyus. Messrs. Nakahara, Higa, and Nakasone need no introduction here; they are established scholars in Okinawan studies. During their stay in Hawaii, they completed their research on Ryukyuan scholarship students studying in China (in premodern periods), Okinawan names, and the Nakijin dialect, respectively. Dr. Kobata of Kyoto University is known for his book, "Chūsei nantō bōeki shi no kenkyū" (a study of the history of trade of the southern islands in the Middle Ages), which was based extensively on the Rekidai Hōan (precious documents of successive generations), and his doctoral dissertation was titled "Nisshi kōshō shi no kenkyū" (a study of Sino-Japanese relations). When Messrs. Higaonna Kanjun and Asato En take their departure, Dr. Kobata should be regarded as the only authority on Ryukyu's foreign relations. Not much is known about Professor Liang of Tunghai University, but he has been engaged in Ryukyuan studies for some 20 years. He seems to have done a partial translation of the Rekidai Hōan while in Hawaii.

At present Hawaii has another visiting scholar, Miss Nakane Chie of the Department of Anthropology, Tokyo University. Her former works include the "Hiki no kenkyū" (a study of patrilineal kinship) and the "Okinawa no shakai soshiki joron" (an introduction to social organization in Okinawa); thus, she should be regarded as a scholar engaged directly or indirectly in Okinawan studies. We may add that there are two graduate students at the University of Hawaii now working for the Ph. D. degree in Asian history—Mr. Mitsugu Sakihara, who completed his master's thesis titled, "The Omoro Era," at the University of Oregon, and Mr. Mitsugu Matsuda, who wrote "The British and the Ryukyus, 1600–1879."

HAWAII PREPARED FOR NEW ERA OF SCIENTIFIC PROGRESS

Mr. INOUYE. Mr. President, from time to time I feel constrained to inform Senators of wondrous new developments in the State of Hawaii. Because Hawaii is located more than 2,000 miles from the coast of California, I sometimes fear that Senators may not be fully aware of the great strides being made in the 50th State.

Just a few weeks ago, Gov. John A. Burns, of Hawaii, held a Governor's Conference on Science and Technology on the island of Maui. Some of the Nation's leading scientists attended the conference.

Among them—to name but a few—were Dr. Frederick Seitz, president of the National Academy of Sciences; Dr. Donald F. Hornig, the President's Science Adviser; and Dr. James H. Shannon, Director of the National Institutes of Health.

One of the announcements of interest made at the conference was that Hawaii had been chosen as the drilling site for the $71 million Mohole project, which will seek to explore the mysteries surrounding the formation of the planet on which we live.

The delegates also learned that five giant aerospace firms have agreed to join in financing five manned underwater scientific laboratories off the island of Oahu. These laboratories will constitute a 2-mile-long test and evaluation range for military, industrial, and pure science investigations in oceanics.

The plan is to sink a series of 200-ton, concrete laboratory units at depths of 50, 150, 300, 450 and 600 feet, respectively. Scientists will be able to live and to conduct research in these units for long periods without surfacing.

The great Texas firm of Ling-Temco-Vought plans to establish an applied research and development firm in oceanics in an affiliate project with the University of Hawaii.

While we are convinced that Hawaii has a great future in oceanographic research, we are also looking to the stars. The air is crystal clear atop Mauna Kea, a 13,796-foot volcano on the Island of Hawaii.

Scientists tell us that at no mainland observatory can the viewing conditions at this elevation in Hawaii be matched. We hope that this mountain will play an important role in the future of ground-based astronomy in the United States.

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[1] A translation of an article in two parts from the Okinawa Times of Jan. 9 and 10, 1965. The author is associated with the library of the University of the Ryukyus.

Another volcanic peak—Haleakala, on the Island of Maui—is already the site of the University of Hawaii's new solar observatory. And the University of Michigan will operate a $5 million, federally financed infrared and normal light observatory nearby.

Indeed, we have so many things to offer in Hawaii that our astronauts recently visited the State, to find out what life might be like on the moon. They did so by taking long hikes over lava beds in the craters of our volcanoes.

With several key tracking stations, Hawaii even helps to keep track of the astronauts in orbit.

The point is that Hawaii—long known for its ideal climate, matchless beaches, and beautiful people—wants to do its part to keep this Nation ahead in its great quest for scientific knowledge.

We are determined to make significant contributions to this end in the years ahead.

T. JOE CAHILL, CITIZEN OF WYOMING AND THE NATION

Mr. SIMPSON. Mr. President, the first citizen of my State, a friend of many Senators, and beloved by many of those who will read this Record, recently passed from this life to what must surely be an eternal reward. Thomas Joseph Cahill—"T. Joe" to his legion of friends, and "Mr. Wyoming" to those of us who loved him—died, in Cheyenne, of a protracted illness. The dates which mark his time with us form a backdrop for his story, which is one of the finest chapters in the history of the West.

He was born on August 7, 1877, in the then Territory of Wyoming; and he died on February 12 of this year, the 75th anniversary of Wyoming's statehood. T. Joe Cahill never occupied the Governor's office; his voice was never raised in the legislative halls of either my State or our Nation. With the exception of the early municipal posts he held in the city of Cheyenne, one could not say that "T. Joe" ever filled a major office of "trust and honor." Yet, "T. Joe" will be the subject of happy memories long after we have forgotten many of the men whose lot it was to fill these high positions, for T. Joe Cahill was trust and honor.

Mr. President, in an era in which we are constantly reminded of power and material gain, it is well for all of us to pause and be instructed by the life of this man who combined humble means with priceless good will, to accomplish great deeds on behalf of his fellow men. History will note that T. Joe Cahill was an early lawman, a true frontiersman, and an articulate champion of the West he loved. A more enduring tribute will be found in the orphanage which he was instrumental in establishing at Torrington, Wyo., and in the countless other charitable causes which benefited from his ready assistance. The scope of his concern was as wide as human need; his charity was a manifestation of a boundless spirit.

The tributes which have been paid to his memory would fill the pages of this Record; however, I have selected a number of editorial and news comments from newspapers published in the Rocky Mountain West which eloquently summarize the reaction of his many friends. I ask unanimous consent that these items be printed in the Record at the conclusion of my remarks.

There being no objection, the editorials and articles were ordered to be printed in the Record, as follows:

[From the Denver (Colo.) Rocky Mountain News, Feb. 15, 1965]

Cheyenne Cathedral Packed at Last Rites for T. Joe Cahill

Cheyenne, February 16.—More than 600 friends of "the man with a million friends" packed St. Mary's Cathedral in Cheyenne Tuesday in final tribute to T. Joe Cahill, 87, of Cheyenne.

Burial was in Olivet Cemetery at Cheyenne.

Mr. Cahill was known throughout the Nation as "Mr. Wyoming." He was famed as a frontier lawman and a patron of charities. It was said he never let a friend down.

Those who attended the funeral were indication that Cahill's friends came from all walks of life. Some wore furs and some were clad in workmen's clothes. There were Caucasians, Latin Americans, Negroes, and Orientals.

Mr. Cahill's wife, Susan, in failing health, was unable to attend the services.

SIMPLE FUNERAL

Mr. Cahill had asked for a simple funeral and no eluogy. But he had too many friends to allow it.

His fame put the story of his life at death on front pages of most regional newspapers.

The Most Reverend Hubert M. Hewell, bishop of Cheyenne, eulogized Mr. Cahill for "all those whose lives have been enriched" by having known him.

Bishop Newell said Mr. Cahill was a true example of faith, hope, and charity.

"For 87 years, T. Joe Cahill has called Cheyenne and Wyoming his home" the bishop said, "And he, much as any man this State has fathered, has embodied the qualities of friendship, of openheartedness, and openhandedness that symbolize the West.

HIS FAITH

"T. Joe expressed his faith and his hope by his efforts to share the happiness of others, to lessen their sorrows, and especially to make a decent life for children who were deprived of a good home and the care of loving parents."

Bishop Newell said Mr. Cahill's, "unusual quality of giving of himself stands in happy contrast to the spirit of selfishness and indifference to others which characterize most of us."

While funeral services for Mr. Cahill were held in Cheyenne, tribute came from Mexico City.

Senator Milward Simpson, Republican, of Wyoming, representing the United States at an interparliamentary conference, said, "The people of Wyoming have lost their best friend.

"Joe Cahill represented all that is fine and wholesome in the West," Simpson said.

"To review the life of this man is to relive the history of our State and of the West that he loved. His deeds and exploits on behalf of law and order are the subject of legend.

"BEST REMEMBERED

"Yet I believe that T. Joe will best be remembered as one of the greatest humanitarians of our time. His loss will be mourned by the people of my State, by the citizens of Cheyenne, but most especially by the orphans at St. Joseph's in Torrington. For nearly 40 years this frontiersman was their special friend, their most constant benefactor."

The Wyoming House moved under a suspension of rules Tuesday to purchase the home of Mr. Cahill.

Early in the session, the senate approved a $45,000 appropriation for purchase of the property which may be converted into use for State office space.

Mr. Cahill had lived in the home near the capitol for many years.

[From the Cheyenne (Wyo.) State Tribune, Feb. 14, 1965]

T. Joe

(By James M. Flinchum, editor)

There never has been anyone quite like T. Joe Cahill in the 87 years that he was more or less—mostly more—intimately associated with the State of Wyoming. There probably will never be again.

Born at old Camp Carlin, an Army Quartermaster depot set up to supply the military posts in the western Indian campaigns, T. Joe Cahill stood as a mighty link between the days of the frontier and the present.

He undoubtedly was the best known man in Wyoming; and outside the State, its most famous citizen.

For a man who never achieved high office—he served as Laramie County clerk and Cheyenne fire and police chief—why this great and abiding respect and widespread fame?

"He never let a friend down," said W. H. (Bill) McInerney today of his longtime friend, T. Joe.

That was his outstanding characteristic.

When a youthful T. Joe Cahill helped hang his longtime friend, Tom Horn, the famous stock detective who was sentenced to die on the gallows for the slaying of a ranch youth, at the turn of the century, he did so at Horn's request.

Perhaps T. Joe's greatest and most enduring monument to his memory is the St. Joseph's Orphanage at Torrington which he helped found with the late Bishop P. A. McGovern of the Catholic Diocese of Cheyenne.

He gave unstintingly of his services over a period of nearly four decades to this one project alone, and characteristically it was one for the aid and succor of those among us who need help the most—little children, bereft of their parents.

"Any cause that he took up," say Bill McInerney, "received his wholehearted support. He never quit until the job was done."

Mr. McInerney remembers T. Joe from many, many years when Mr. Cahill was manager of the Cheyenne Indians, an early day local baseball team. "I was shagging foul balls for T. Joe," says Mr. McInerney. Cahill was the team manager, the latter recalls: "He was the one always rustling up the money, selling the tickets, and getting the players."

And that was T. Joe Cahill; he was always rustling up the money from some source for orphans or for some good cause; and people gave unstintingly because they believed in T. Joe basically, and then in what he represented at the moment.

All of his life amounted, then, to a daily living tribute to his great character of honesty, courage, boundless energy and above all—great compassion for his fellow man.

If there is a lesson for us all in the life of T. Joe Cahill, it is that the accumulation of great wealth or high office is as nothing compared with the place that a man carves in the hearts of other beings.

Those toilers for their own material possessions are moral pygmies when measured against the likes of the T. Joes of the world.

And so he has departed, but our world is a better and brighter place for having been graced by T. Joe Cahill.

[From the Torrington (Wyo.) Telegram, Feb. 15, 1965]

(By Ed J. Fessler)

Once in every century * * * a State, if it is fortunate * * * produces a man who is destined to become the very personification of his State—to achieve this rare place in history doesn't require that the man be one who has held high office or accumulated great worldly possessions.

Such a man was T. Joe Cahill—a friend of ours for a quarter century. Friday evening he stepped into his place in history following an extended illness.

It would be hard—if not impossible—to define just what it was about T. Joe Cahill that led to his fame throughout the Nation—for he numbered among his friends during his 87 years some of the greatest in all fields—from politicians to clergy to journalists and sports figures—but more important—legions of ordinary people plus his beloved orphans.

One thing about the man which always struck us was his uncanny memory—on many occasions we saw him approach people visiting in Cheyenne—and to the amazement of the person—recalled their meeting perhaps 20 or 30 years earlier—T. Joe would recite where they had met and recall parts of the conversation that they had had following the introductions—we never saw him be mistaken in the matter of identity.

It was largely through his efforts that St. Joseph's Orphanage has grown to its present status—he always carried a set of small chisels in his coat pocket—and would remark that he was chiseling for "his children" at the orphanage.

His life held its share of tragedy—but you would never know when his heart had been dealt a cruel blow by fate from his actions.

Each day he would make a trip to the post office to mail out birthday cards to friends scattered all over the world—his list of more than 10,000 names grew each day as he carefully added the names of children born to his friends and swelled with the addition of new friends whom he met daily—his thoughtfulness for others extended to cards of sympathy sent when a loved one would die and cards of rejoicing at the time of the birth of a child.

T. Joe was a born promoter—frontier days would probably never have grown to its present world fame had it not been for him. Madison Square Garden would have to have waited years to offer rodeo entertainment had it not been for "Mr. Wyoming" who single handed promoted the idea.

We know that we are a better person for having known T. Joe Cahill.

[From the Denver (Colo.) Rocky Mountain News, Feb. 15, 1965]

T. JOE CAHILL

A part of Wyoming died Friday when Thomas Joseph Cahill surrendered to the big sleep after almost 88 years.

Here was the patriarch of Wyoming—a gentle, smiling, green-eyed Irishman who had seen the whole transition from playing games with Sioux Indian kids outside the stockade of Camp Carlin where he was born August 7, 1877, to Carlin's Atlas missiles burrowed in silos on the perimeter of Cheyenne.

Here was Mr. Wyoming—the beloved T. Joe whose acquaintances ranged from Chief Sitting Bull to J.F.K. and L.B.J., popes and potentates, and princes.

Here was a frontiersman who lived with Indians before they were subdued, who helped freight the plains, who ranched, who was a sheriff, who tamed the old cattle wars, who helped found Cheyenne and to make it great, who gave the world a wild and wooly kind of entertainment called the rodeo, who gave literature a new set of romantic and symbolic western terms, whose sunset years were spent in dedication to the orphanage he helped found in 1927 at Torrington, Wyo.

And T. Joe became part of Colorado, too. He had more friends in Denver and Colorado than he had in Wyoming just because there are more people here. It is significant that when T. Joe was made a chief of the Crow Indian tribe they named him well—Chief Travels Well Known.

God blessed him with strength of body and spirit to allow him a life of almost nine decades—years filled with sadness, tribulation, and much joy. We know that Chief Travels Well Known will be well received in the Happy Hunting Ground, for his lifetime on earth was dedicated to making it a better and more exciting place to live.

[From the Denver (Colo.) Rocky Mountain News, Feb. 15, 1965]

A. T. JOE CAHILL MUSEUM?

(By Pasquale Marranzino)

I wonder what disposition T. Joe Cahill made in his will for the small museum of Western Americana he had in the basement of his Cheyenne home.

When Mr. Wyoming died Friday he left little behind, I'm certain, in a monetary way. He left a great legend and his museum and many happy memories I was happy to share.

The museum, however, was his pride and joy because it represented to T. Joe the real West that he saw dying in his watery greenish eyes in the final years.

The Wyoming he was born in nearly 88 years ago was a raw, wide open territory shared by Indians and the invading whites—among whom was his father, Thomas Joseph Cahill, "Roarin' Tip" from Tipperary who was quartermaster and horse wrangler for the U.S. Cavalry at Fort Carlin outside Cheyenne, where T. Joe was born.

As a boy Joe helped wrangle horses and then helped his father in the freighting business. Why Joe ran a team that dredged the foundations for the Wyoming State Capitol.

He was insurance salesman, fireman, sheriff, chief of Cheyenne police, and prime mover in the founding of the Cheyenne frontier days, the daddy of them all.

He had a sense of history that was happening around him and he squirreled away many mementoes—paintings, photographs, letters, the flotsam and jetsam of those pioneer Wyoming days.

The photographs are remarkable because they are a running history of Wyoming with T. Joe in most of them standing with famous Indian chiefs, the first rodeo hands, scouts, cavalry greats, great lawmen, great outlawmen, celebrities, dignitaries.

In his basement is a strand of the rope with which he carried out the execution of Tom Horn, the hired gun who bloodied up Wyoming ranges in the days of the cattle wars. And there is the limb from which the famous Cattle Kate, the woman rustler, was hanged in 1893.

There are cavalry horns, rowels, spurs, peace pipes, headresses he got in tribal ceremonies, wampum, fire horns, badges from the most famous firemen and policemen of his times.

The cowboy art and photographs are priceless—pictures of the early pokes of the 2–Bar Warren Ranch at Chugwater, the Y Cross at Horse Creek, Charlie Irwin's Y–6. The pictures of the first rodeos with the early greats—Thad Sowder, Harry Brennan, Sam Scobey, Clayton Danks, Bill Pickett, Will Rogers, and Buffalo Bill Cody.

I hear talk Cheyenne wants to do something with T. Joe's home, the basement of which is filled with these priceless historical treasures. Why not take it over and create a memorial called the T. Joe Cahill Museum of Western Americana?

THE JOURNALS OF LEWIS AND CLARK

Mr. SIMPSON. Mr. President, last night viewers on NBC were privileged to witness one of the finest documentaries yet produced by the skill and expertise of American television.

From 10 to 11 o'clock, those watching Channel 4 became a part of the Lewis and Clark Expedition, which began at St. Louis, Mo., in 1804, and ended 2 years later on the Pacific shore of Oregon.

This program and the excellent review it received from Washington Post Critic Lawrence Laurent are of particular interest to me, not only as a member of the Lewis and Clark Trail Commission, but also because a portion of the documentary was filmed in Wyoming.

Producer Ted Yates, formerly of Sheridan, Wyo., is an old and valued friend. He did indeed take on—in the words of Mr. Laurent—"a most difficult assignment when he decided to film 'The Journals of Lewis and Clark.'"

Mr. Yates, his writers, and the cameramen produced a most remarkable story of an unforgettable journey. They also produced a chronicle of the destruction of the tribes and wildlife that once inhabited the Northwest Passage country. The filming was made even more remarkable by Producer Yates' ability to find, for the filming, tracts of wilderness unspoiled by excesses of man and industry.

I commend the National Broadcasting Co., Ted Yates, and all who acted and took part in the filming of "The Journals of Lewis and Clark," and I request that the Laurent column be published in the RECORD, with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HISTORIC EXPEDITION REVIEWED TONIGHT

(By Lawrence Laurent)

Preview: Producer Ted Yates took on a most difficult assignment when he decided to film "The Journals of Lewis and Clark." The filming demanded physical endurance, enormous logistics problems and it faced the unalterable fact that little is left in the United States that was seen by the adventurers during the years 1804–06.

On that remarkable expedition, Meriwether Lewis and George Rogers Clark lost only one man, a sergeant who died of a ruptured appendix. During the filming, one man was killed. He was a pilot who worked rounding up antelope.

Neither Yates nor NBC executives will discuss the cost of this 1-hour program. It was as expensive as any television documentary ever made. But whatever the cost, the results are worth the money.

What Yates, along with Writer Calvin Tomkins, Cameramen Dexter Alley and Richard Norling, and Film Editor Georges Klotz have succeeded in doing is to make every viewer a participant in that transcontinental journey.

There is a lot of blood in the show. Buffalo were killed, antelope were shot and one silver tipped grizzly bear died. One might, with validity, object to the gore, until he remembers that this program is supposed to create the sights, sounds and the attitude of a more violent time.

The narrator is Lorne Green, the man with the rich voice who is known as Ben Cartwright on "Bonanza." His work on "The Journals of Lewis and Clark" reminds us, once more, that Greene was Canada's top announcer before he took up acting and residence on the Ponderosa.

Yates, who grew up in Sheridan, Wyo., used the program to make observations on topics about which he feels quite strongly. One is our treatment of the American Indians. Another is the terrible, tragic waste of the Nation's natural beauty and scenic splendor.

The script notes that the friendly Otos Indians are now extinct; that a million buffalo "were killed just for their tongues"; that for 80 years the Teton Sioux Indians "fought their losing battle with the white man," and that once Lewis and Clark had explored the West, "the days of the plains Indian, as well as the beaver, were numbered."

There is particular eloquence in the story of the Nez Perce Indians. This tribe was friendly for "70 years, until a long succession of betrayals and broken promises forced the Nez Perce to revolt. The U.S. Army then destroyed them."

Along with pictures and Clark's description of the "remarkably clear Columbia River," narrator Greene comments: "that remarkably clear river is polluted today and no longer crowded with salmon."

This is another of the programs that must be seen in color for full enjoyment. It is the kind of program that has permanent value and as producer Yates said: "You won't be able to do such a show a few years from now. Civilization, in the name of progress, will have ruined all of the scenery."

OREGON LEGISLATURE CALLS FOR CONTINUATION OF VETERANS' ADMINISTRATION DOMICILIARY AT CAMP WHITE

Mrs. NEUBERGER. Mr. President, the Oregon Legislature, now in session, recently adopted House Joint Memorial 1, which states in clear and concise terms the need for continuing the Veterans' Administration domiciliary at White City, Medford, Oreg. The resolution speaks for itself; and I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE JOINT MEMORIAL 1

To the Honorable Senate and the Honorable House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the 53d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas planned closure of White City Domiciliary, Medford, Oreg., has been announced; and

Whereas the domiciliary provides a much-needed facility for veterans with disabilities which incapacitate them from earning a living but which are not so severe as to require hospitalization; and

Whereas the domiciliary has a waiting list and operates at less cost than a hospital can; and

Whereas the domiciliary houses 1,015 members and employs 202 persons; and

Whereas members of the domiciliary, its employees and their families have become part of the Medford community; and

Whereas the proposed closing has been protested by the Oregon Departments of the Disabled American Veterans, the Veterans of Foreign Wars, the American Legion, and the Veterans of World War I of the United States of America, by the United Labor Lobby of Oregon, consisting of the Oregon AFL–CIO and independent unions in Oregon, and by the Oregon State Grange; now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to prevent the closing of White City Domiciliary.

(2) A copy of this memorial shall be transmitted to the President of the United States, to the Administrator of the Veterans' Administration, and to each member of the Oregon congressional delegation.

ELDERCARE

Mr. MUSKIE. Mr. President, during the past few weeks the American Medical Association has spent a great deal of time and money in promoting what it has chosen to call "eldercare." "Eldercare," presumably, is the AMA's attempt to answer the King-Anderson bill.

The current issue of Consumer Reports contains an excellent analysis and evaluation of "eldercare" in relation to the King-Anderson bill. I believe Members of the Senate will find the article instructive and enlightening. Therefore, I ask unanimous consent that the article entitled "Medicare Versus the AMA's Latest Substitute," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Consumer Reports for March 1965]

MEDICARE VERSUS THE AMA'S LATEST SUBSTITUTE

After two decades of effort, 1965 appears to be the year for medicare—a federally administered national hospital insurance plan, financed through social security contributions for persons over 65. This time the administration's medicare bill seems assured of passage. As usual, though, the American Medical Association has proposed a last-gasp substitute. A comparison of the two proposals is instructive.

The medicare bill may of course be altered in the legislative process, but its four basic provisions are not likely to be changed significantly. They can be outlined briefly. For those over 65, medicare would:

Pay the full costs of up to 60 days of hospitalization (in ward or semiprivate accommodations), minus a first-day deductible, for each benefit period (which begins on the first day of hospitalization and ends whenever the patient has accumulated 90 days out of the hospital within a period of 180 days).

Provide for an additional 60 days of post-hospital care for each illness in a convalescent or rehabilitation center operating under an agreement with a hospital (not an ordinary, custodial-care nursing home).

Pay for up to 240 home nursing visits a year under medical supervision, in programs organized by nonprofit voluntary or public agencies.

Provide payment for hospital outpatient diagnostic services and tests, minus a deductible that would exclude routine low-cost laboratory or other diagnostic procedures.

These provisions would be financed by an increase in the social security withholding tax. Ultimately, a citizen would contribute (to a special, separate health care trust fund within the social security system) 0.45 percent of his earnings up to $5,600, and his employer would contribute an equal amount. Special provision would be made for those now over 65 who are not covered by social security through the Government's general fund.

The medicare program gives the citizen free choice of physician and hospital. It does not pay the costs of doctor bills, out-of-hospital drugs, prolonged or catastrophic illness requiring long, continuous hospitalization, or extended custodial care in nursing homes.

CU's medical consultants believe that this is, by and large, a sound basic package. The 60-day provision would encompass all but about 5 percent of the usual hospital stays of older persons, and the extended-care proposal would both relieve the pressure on general hospital beds and spur the construction of badly needed convalescent and rehabilitation facilities in many communities. Services of this kind are essential in many illnesses following their acute stage and prior to the time a patient can return to his home or transfer (if necessary) to a custodial institution.

The provision for organized home nursing services has obvious value: such services often preclude the need for hospitalization and permit earlier discharge from hospital or convalescent center. Outpatient diagnostic services also are capable of averting many costly hospitalizations by encouraging the early detection and treatment of disease—at a time when it may be cured or controlled by relatively simple short-term procedures.

Since the heaviest health cost of the elderly is hospitalization, the medicare coverage could make it financially possible for the first time for many citizens to purchase voluntary insurance (of the Blue Shield type) to cover physicians' bills and other supplementary costs.

The AMA substitute for medicare at first glance seems invitingly comprehensive. (It is, in fact, a resurrection of proposals made during the Eisenhower administration that the AMA bitterly opposed at the time, and again just a few months ago at its house of delegates meeting. The AMA now refers to its "new" proposal as a "redefinition" of policy.) The AMA substitute simply proposes the use of State and Federal funds to buy Blue Cross-Blue Shield or commercial health insurance for indigent persons over 65—it does not say how the funds would be raised, in the absence of a social security tax.

The proposal does say, however, that a means test would be required to determine the eligible poor, with the States using State and Federal money to pay all, some, or none of the insurance premium cost, depending on the citizen's qualification under the means test. Means tests are—moral considerations aside—enormously expensive and difficult to administer. Furthermore, the program would be administered by the States, raising the possibility that there would be 50 different kinds of governmental machinery, eligibility standards, and payment procedures. (Under some State rules setting eligibility for help under the current Kerr-Mills law, ownership of property or even ability of one's children to pay can make an old person ineligible.)

The subsidized insurance would pay for physicians' and surgeons' bills and drug costs as well as hospital bills, and an AMA statement asserts that this would be "comprehensive health care" and not "limited to hospital and nursing home care representing only a fraction of the cost of sickness." As CU has pointed out, however, this "fraction" covers the heaviest, the most financially crippling share of the burden. Furthermore, since the AMA has not spelled out specifically what the private insurance would cover (and in existing voluntary insurance policies, cash benefits, days of coverage, and other provisions vary widely from plan to plan and from area to area), it is difficult to tell how "comprehensive" the protection of the AMA's proposal would be.

The current medicare proposal, obviously, will not solve every aspect of the Nation's health problems, even for those over 65. It does not and cannot guarantee good medical care to its beneficiaries, and it pays relatively little attention to the quality of the services it pays for (though the bill does contain a provision for periodic review, by the medical staffs of participating hospitals, of the necessity for hospitalization, length of stay, and other such features). However, it is a significant beginning.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE VIETNAM CRISIS

Mr. McGEE. Mr. President, during the past few days there has emerged here on this floor an expression of views on the great crisis in Vietnam that seems to have flowered into what some choose to call the great debate. To the extent that it can in truth remain a great debate, it can serve well the best interest of our country's concern about the peace of the world.

In the course of the floor debate, I addressed myself some few days ago to the two central questions at issue: First, why not negotiate now; and, second, if there are to be no negotiations now, what policy can we best pursue that affords the greatest opportunity to stabilize the balance of power in the world at the same time that we best preserve the chances for an acceptable settlement in the Far East?

In regard to the first question, that of negotiations now, it seems to me that it is unthinkable to undertake them at this moment. They could only be interpreted in Hanoi as a sign of weakness, however else we might intend them. To invite in North Vietnam the conclusion that we lead from fear or weakness could only risk an explosive impasse unintended by either side. If indeed it is true that North Vietnam believes that we intend to pull out and go home, and if it is likewise true that the President of the United States and those of us who support his policy genuinely intend to have us stay, there are thus the makings for the type of international explosion that could lead irresponsibly to a war that no one wants. It would be war by accident or by misunderstanding.

In order, therefore, to clear the air and to remove the uncertainties, at least on our side, it is important that we address to the North Vietnamese and, through them, to Peiping a clear and unequivocal declaration of the American intention to remain in southeast Asia. It is for the purpose of placing this intent beyond any misunderstanding that I have suggested a firm six-step approach which, in my judgment, would achieve that end. That approach includes the following measures:

First. We should make crystal clear to both Hanoi and to Peiping, and incidentally to the world at large, that we have no territorial ambitions anywhere in Asia—or around the globe, for that matter; and that we have no designs on their government or their internal politics. They must wrestle with their own internal futures, so far as we are concerned.

Second. We should announce the drawing of a firm line along the 17th parallel and projected westward along a route to conform with the independent status of the other countries bordering on China, making it clear that we intend to tolerate no breeches of that line; and that, starting along the 17th parallel, the Vietcong infiltrations from the north must cease at once.

Third. If within a specified number of days the Vietnamese do not cut off their probing activities across the line, we should announce our intention to bomb all military bases, airfields, marshaling areas, and encampments in North Vietnam.

Fourth. If this still does not persuade them of our intention to stand in southeast Asia, then we should announce that we will proceed to the bombing of logistic targets—bridges and transportation lines.

Fifth. Should the above measures still not persuade the Vietcong of our full intentions, we should also announce that we shall next proceed to the bombing of industrial centers and other obvious supply targets in support of their military effort.

Sixth. Simultaneously, we should make clear that we are ready to talk, that we are prepared to negotiate a reasonable settlement in Indochina. We should make clear, however, that the 17th parallel and the land below it are not negotiable.

The advantage of this approach would be first, to strengthen our bargaining position at such a time as negotiations would seem to become practicable; and second, to remove all uncertainties in the minds of the men in Hanoi or Peiping as to our intentions. It would leave up to them the clear-cut decision as to whether then they are willing to talk terms or whether they are willing to plunge the region into large-scale warfare.

In the latter eventuality, that would be their decision, not ours. In any case, we would not be stumbling into war or retreating into it piecemeal, as might conceivably be the case under our present policy of tit for tat. Under these circumstances, we are forced to assume the worst, but hope for the best. Should the worst occur, it is better that we face it now in a position of relative strength and greater capability, rather than later, when time and indifference might take the same frightful course in regard to national capabilities that they did in other parts of the world when the will to resist aggression wavered.

Because this proposal has engendered a good deal of discussion since I first advanced it on the floor of the Senate, on February 17, 1965, I ask unanimous consent to have printed in the Record editorial comment on the proposal from two Wyoming newspapers, as well as a transcript of a radio interview by the Westinghouse Broadcasting Co. In the latter, entitled "Washington Viewpoint," I was interviewed by Ann M. Corrick, Assistant Chief of WBC Washington news bureau, and Pete Clapper, WBC correspondent.

There being no objection, the editorials and the interview were ordered to be printed in the Record, as follows:

[From the Wyoming State Tribune, Feb. 18, 1965]

Amen—Call the Reds' Hand

One of the pleasures of living is the unexpected: One never knows what might happen next.

Today, we have been rocked to our Goldwater-Miller buttons by a statement by Senator McGee, with whom we have quarreled on many occasions, on the Vietnam situation.

Differing with a group of Senate liberals, Mr. McGee says this country ought to call the hand of Red China and the Communists "even if it means risking full-scale war."

Says the Senator from Wyoming: "If Red China is prepared to go to war to expand its sphere of influence and territory in southeast Asia, we might as well find that out right now, before it's too late."

This is the hottest war-hawk statement we have seen since the Republicans in 1962 were crying for aggressive action against the Russian meddling in Cuba; but it is one that a lot of citizens will support.

McGee says that to negotiate now "is as unthinkable as it was to negotiate when the Communists threatened to take West Berlin and Germany; when they attempted to take Korea; when they attempted to make an armed camp of Cuba."

"Our commitment in Vietnam is no less than our commitments were and are in those other areas of the globe," McGee says.

He also suggested that the United States deliver an ultimatum to the Hanoi regime "that would be every bit as serious and deliberate as the late President Kennedy's ultimatum to Russia during the Cuban crisis."

Furthermore, the United States should serve notice it will no longer tolerate infiltration or military raids in Vietnam below the 17th parallel; and that this should be coupled with a reaffirmation that this country has no desire to intrude into North Vietnam and no territorial ambitions in Asia.

This was in direct contrast and opposition to a statement issued by a group of other Democratic Senators including Senators George McGovern, of South Dakota, Stephen Young, of Ohio, and Frank Church, of Idaho, that this country ought to seek a negotiated settlement in Vietnam.

It is in direct opposition to the stance of Oregon's Wayne Morse who long has questioned the fact that we are in Vietnam at all. Mr. Morse wants the United States out of there.

In fact, it even is a stronger statement than one issued by the Republican leadership yesterday, which was praised and accepted by two other Democratic Senators, Long, of Louisiana and Lausche, of Ohio. The Republican leaders, Dirksen, of Illinois and Ford, of Michigan, said they support President Johnson's action in ordering strikes against the Communist supply bases in North Vietnam.

But Mr. McGee would go even further. He urges action which would, in effect, tell the Red Chinese, "Put up or shut up."

Mr. McGee's statements are the most aggressive we have heard uttered on the Vietnam situation; if a certain person whose initials are BMG had made such statements a few months ago, the outcries against him would have been even greater than they were.

But we support the McGee thesis nonetheless. It is time to call the hand of the Communists in Asia; in fact, it is long past due.

This goes beyond what President Johnson has said thus far, which is that we seek no extension of the war there.

Mr. McGee suggests a deadline with the Ho Chi Minh regime being warned that to cross it will mean dire consequences. He doesn't say what the consequences should be but we should imagine the threat is one of all-out retaliation.

Whatever this latter might be, the proposal is to call the hands of the Red Chinese as well as of all the Communists; and we hope the Johnson administration will hear and act.

We can no longer procrastinate, parley, and persevere. Time is on the side of our enemies.

[From the Laramie Daily Boomerang, Feb. 19, 1965]

Time To Call the Hand

Vietnam is the key to southeast Asia. That is the primary reason why the Communists are seeking to infiltrate the area and take over control of the South Vietnam Government. That is the reason the United States is just as stubbornly trying to maintain its freedom.

There are three reasons why Vietnam occupies a position of importance in Asia. It raises a surplus of rice in a part of the world where hunger is an always present feature. A Communist victory in South Vietnam would flank a vital part of the Asian land mass, setting up other nations for conquest, and third, if the Communists would win, nations threatened by them could have no future confidence in the United States.

The Vietcong has stepped up its efforts in South Vietnam, reportedly on orders from Hanoi in North Vietnam. For this reason the United States and the Vietnamese Government have carried out retaliatory raids into North Vietnam.

We're at war in Vietnam whether it's an official or recognized war. The price in American lives hasn't been as high as it has been previously in other areas, but one life is a high price to pay. That price is mounting daily with the Vietcong carrying out raids against American installations. Yet, how can we say the price is too high if the effort results in freedom?

We're not winning the war in Vietnam, but then neither are the Communists.

The Vietcong is ahead at present because of propaganda and partly because the willpower of the American people isn't strong enough. We fight in Vietnam against the protests of many of our leaders. Many urge negotiation, others suggest withdrawal.

We protest the seemingly lone defense of the United States against the spread of communism, but somewhere it has to be stopped. Many say we should let Vietnam go, that it is of no importance, but barring its importance for the above-named reasons, it's still another nation in the communistic plan to take over more and more territory, and with each country gained the Reds grow in strength.

We believe that our country is the best in the world. We feel that we are the leader in the free world, but if we are, then we have to take the lead in defending that freedom.

Senator Gale McGee said Wednesday that the United States "should call the hand of Red China and the Communists in South Vietnam even if it means full scale war."

We've lived for several years under the premise of peaceful coexistence with the Communists, yet, all of that time the Communists have had world designs, working to infiltrate various countries as they did in Cuba, taking over against the wishes of the majority. These countries have fallen from the ranks of the free. Others are endangered. As long as we don't make a stand the pattern will continue.

We must stop the Communists somewhere if there is to be any justification for the term "peaceful coexistence." If we don't do it in Vietnam we lose the confidence of the rest of the free world, and it's unlikely we'll have the guts to stop them some place in some future time. If we do stop them here and hold the line, then it could mean an end to future communistic encroachment.

Senator McGee called the shot, and we think that we, as a free nation, must go along with that call if we hope to preserve our freedom for our children.

Washington Viewpoint

Miss Corrick. Good evening. This is Ann Corrick with Pete Clapper in the Senate radio-television gallery on Capitol Hill. Our guest on Washington Viewpoint this evening is Democratic Senator Gale McGee, of Wyoming, a former university history professor, who was reelected last November to his second term in the Senate. Senator McGee is a member of the Senate Appropriations Committee, Commerce, and the Post Office and Civil Service Committees.

Senator, a full-scale great debate appears to be developing in the Senate over Vietnam and the Communist influence in southeast Asia. For your part, you have said we should call the hand of Red China and the Communists even if it means risking full-scale war. Red China already has exploded one nuclear device and the State Department says it has reason to believe she will touch off another one any day. Doesn't that mean that a full-scale war means nuclear war? And isn't that too high a price to pay to save a country that doesn't appear to have the determination to save itself?

Senator McGee. Well, you ask a very deep question and a very long question, in terms at least of the reply. First, the stakes are high in Vietnam. I view Vietnam as the last in a link of crisis areas that have to be stabilized before the world is fully balanced—its stability restored in the wake of the last World War. You can draw a line now from Finland all the way across Eastern Europe and across northern Greece and Turkey and Pakistan and India to the China Sea, and that line is not crossed recklessly by either side, until you get to southeast Asia. The world will not be back in balance until that line is drawn firmly. If we don't draw it firmly, southeast Asia goes to the Chinese or Communists. That is enough with its resources to unbalance the world. So what I'm saying is that the same price we risked at Berlin, that we risked in Greece, which was all-out war, if they wanted to go that far, that we risked in Korea, has to be risked in Vietnam. I believe that this a probing action that's going on there, the same as it was in the other areas of the globe. They're testing us out, but we have to assume the worst, and hope for the best. And that was the reason for my reference, that if they chose this to be the occasion for war, that would be their choice—better we learn it now rather than discover it piecemeal much later under less favorable circumstances.

Miss Corrick. Do you really believe that at this stage in the game and considering the alliance with Hanoi and Peiping and Moscow, that the Communists will back down simply if we issue an ultimatum?

Senator McGee. Oh, I don't know. Only they can answer that. First, I don't think that Hanoi is too comfortable with the prospect of China moving in. I think Hanoi worries as much about Peiping as do the rest of the countries in southeast Asia. Secondly, I don't believe that the Russians relish China dominating this large and fruitful area of the world to the exclusion of the Russians. Therefore, there are some inhibiting factors present. The other is that they alone can decide whether a showdown in Vietnam is worth risking their current emerging economy. China doesn't have nuclear capabilities, won't have for some time to come. She has exploded nuclear devices. Her cities are vulnerable. Her industry has not yet really gotten off the ground. If this is what she's ready to risk now in an all out war, that's for her to decide. I would doubt that she would, but if she does, it's better we know that now when we have every measurable advantage of striking capability than to discover it as we discovered it with Mr. Hitler in Czechoslovakia and then in Poland, where we surrendered to an aggressor one step at a time. I think that it's imperative to force a showdown.

Miss Corrick. If we should force a showdown, which side would Russia go on?

Senator McGee. My guess is that Russia would probably applaud any kind of an open conflict between the Chinese and the Americans. It gives Russia a free hand.

Miss Corrick. You mean she'd stay out?

Senator McGee. I think that she would stay out, as she did in the Far East in World War II until it could be determined what the shape of it was going to be. It's to her advantage. There are three giants in the world—two real giants—Russia and the United States. China is only a budding giant, a long way from arriving yet. And I think that the Soviets would not get directly involved, would not find it desirable to do so, or fruitful to do so. Every advantage would accrue to them not to do so. There's no friendship of any substantive sort between Peiping and Moscow. Historically there's never been. There's not about to be now. And I think from the Soviet point of view, there would be no reason for involvement there. They're not deeply involved in southeast Asia even at this time. This has been largely a Chinese affair.

Miss Corrick. They're not supplying aid to the Vietcong?

Senator McGee. No. They haven't been involved there in any way as a matter of fact. This has been pretty much preempted by China. They're making noises now, but that's, I think, for propaganda purposes in the Communist world, rather than for any realistic purpose of our own world.

Miss Corrick. Pete Clapper.

Mr. Clapper. Senator McGee, there has been a good deal of concern expressed on the Senate floor, but not many positive proposals for what to do about South Vietnam. And you have a plan of action. What is it?

Senator McGee. Well, the first plan of action, in my judgment, is that we dare not negotiate right now. I think we've got to be sure that we don't do the wrong thing. I think it would be a mistake to seek negotiations right now. And that's important. And that's been the real nub of the debates in the Senate this past week. There's been a drive on by some of the very excellent Senators to demand negotiations at this time. The reason I say this is not the time is that we have reason to know that Hanoi and Peiping both are convinced we're going to get out of there; if not this week, next year. And that time is on their side. Therefore, they're not interested in negotiating in realistic terms.

The noises that are being made on the floor of the Senate, the protestations that are being made in some portions of the press, all are taken 10,000 miles away as indications that America is beginning to waiver in its position in southeast Asia, and therefore, if we were to approach now on negotiation, after these airstrikes that they have just made on our airfields and our billets and other installations in South Vietnam, it could only, and would only be interpreted by them as leading from weakness. Now you and I know that we're going to stay. The American President has made it clear that we're going to stay. But what we know is irrelevant. What the Communists think is what really counts because that's what motivates them. And they're confident, even as illustrated in the conservations that Edgar Snow had not very long ago with Mr. Mao, that we're going to be out of there in a measurable period of time. That's why we dare not negotiate now. So I propose that we serve an ultimatum on North Vietnam which says that the infiltration of northern troops across the 17th parallel must stop at once, and give them a chance to stop—*x* number of days. If they continue to cross the line, then we tell them—we will have warned them—we bomb every bona fide military installation—that means, every encampment, every barracks, every airfield, that sort of thing, in North Vietnam. If they still think that's a joke, that it's only bluff, then after the passage of a specified number of preannounced days, we then would bomb all of the logistical facilities—the bridges, the highways, the railroads. And if this still hasn't communicated in a language that they alone seem to understand when the chips are down, then we should announce that we will bomb the industrial centers. That would be the planned, announced, and scheduled acceleration of the war. The purpose would be, not to spread the war, but to write in strong, unadulterated terms, our intentions to stay there. I think this would have a great advantage in clearing the air and getting through to both Hanoi and Peiping. We should accompany this ultimatum with a very clear statement again that we don't want their country, we don't want their government, we have no territorial ambitions in Asia, but we do intend to keep them north of the 17th parallel and nothing below the 17th is negotiable. I think those are the terms in which we ought to speak, and that does raise the question whether Hanoi would accept it or not. Maybe they won't. I think this will hurt Hanoi enough that they would have to, but it leads us inescapably, then would China decide that she had to go into the war. And I think it's time we know the answer to that question.

Mr. CLAPPER. Senator McGEE, two practical questions: Do you think that our side could tell if the infiltration is coming to an end at *x* number of days? Is this possible in that jungle?

Senator McGEE. Yes. I think without betraying any classified information, we know who comes across, where they cross, where they came from in crossing, where they go after they've gotten across. Our intelligence there is not without some real strength.

Mr. CLAPPER. OK. The next question is, Do you think that bombing would be enough? This is a backward country, this North Vietnam. Does bombing really knock anything worthwhile out?

Senator McGEE. Bombing doesn't knock armies out.

Mr. CLAPPER. That is right.

Senator McGEE. But bombing knocks out a warwaging capability. Because the troops that are coming into South Vietnam now are highly trained, skilled troops. These are not the inside guerrillas that we've been talking about for several years over there. These are highly skilled, highly trained, imported guerrilla fighters. And by destroying their bases, you're going to at once cut down their source of supply. They'll still be over in there. You will not have thrown them out of the south. But out first task, it seems to me is to do two things—cut off that supply and communicate the message. It would be very difficult for Hanoi to continue any protracted campaign except on the isolated guerrilla basis. And this is the real issue at stake here. Winning the guerrilla combat is quite another problem. That's another question. But we want to make sure that Hanoi understands that by carrying this along in a delaying way is not going to cause the Americans to pull out or to get tired and go home.

Mr. CLAPPER. Senator McGEE, you touched on something a little while ago that fascinates me. Do you feel that the Senators who are now urging negotiations might, in fact, be giving the wrong signal to the Communists and thus might be doing a disservice to our country?

Senator McGEE. Well, I think that these Senators making these speeches are doing a great service to our own people. I think this question should have been out in the open and being debated in these hard terms long ago. That has been one of our blind spots. I do think that the Communists will misread and misinterpret these remarks. And to that extent, it is unfortunate. It is even dangerous. But nonetheless, I am not one of those that thinks that you ought to shut up debate on a great question such as this. I think that is one of the risks that we have to take now for not having made it clear earlier that we are there really to stay.

Mr. CLAPPER. Senator, one last question on this general area. Have you discussed your proposals with the White House yet?

Senator McGEE. I have sent the proposals to the White House.

Miss CORRICK. Senator McGEE, if we should reach the point where negotiation would be possible and honorable, whom would we negotiate with?

Senator McGEE. There is no one to negotiate with if Hanoi and Peping won't negotiate. Again, negotiations are at least bilateral and preferably multilateral. This could include third powers, at least in initiating the negotiations. We would negotiate such negotiations depending upon the agenda that would be agreed upon. It might be limited between Hanoi and the Vietnamese, with us as participants in the discussions. But it would almost certainly have to include spokesmen, unofficially at least, from Peiping. Anyone that pretends that we can isolate this whole question as though Peiping didn't exist is just playing a little game of fairy tales, and you've got to be realistic about it. Peiping is there and it's not about to go away, and it's there in a very sinister way.

Miss CORRICK. If we get Red China to the conference table, wouldn't that be de facto recognition of Red China, which we have denied up to this point?

Senator McGEE. This would be de facto recognition of a crisis that we're willing to talk about.

Miss CORRICK. Wouldn't that lead to Red China's admission into the U.N.?

Senator McGEE. It wouldn't lead to that. But it would be talking with the Chinese. We've already talked to the Red Chinese. We've talked to Red Chinese in Czechoslovakia. We've talked to the Red Chinese in Geneva—that is, with their spokesmen. And as President Kennedy once said, we must never be afraid to talk with anybody. And I mean anybody. We must always be willing to negotiate freely, was his actual phrase, but we should never be willing to negotiate freedom. And I think that's why we have to draw this firm line.

Miss CORRICK. Doesn't South Vietnam itself present a problem in reaching any sort of a solution to this problem? It keeps changing its government. If we should have negotiations, the South Vietnam Government might change overnight. Who would want to negotiate with——

Senator McGEE. The basis of a negotiation, in my judgment, would first be that there will be no further depredations across the 17th parallel. They would center around the terms under which we would police such a firm line. That would then stabilize the situation, much as it did the 38th parallel in Korea. That's not the most desirable settlement in the world, but it's a pretty fair substitute to all of the bloodletting that was going on up there. We've learned to live with two Koreas, two Berlins, two Germanys, two Chinas. I think we could learn to live with two Vietnams. And I think that the conditions in South Vietnam and around Saigon are secondary in this case. The primary consideration is to prevent the breakthrough from the north. The basic consideration is to rebalance this section of the world. Having done that, what happens to the future of economic development, and the political maturing of South Vietnam, are secondary issues, which we have an interest in only as people who wish well for all nations, but it should not become a point of dictation by us. We can't make little democrats out of those people. We can't make little Americans out of them. And whatever they can put together in the way of their own independent government is their business. And I think our only interest is in that one word "independent." We could not care less what type. They're not going to get democracy in that part of the world for a hundred years or 50 years. It takes a long time. We've been working at it nearly 200, and we still haven't quite arrived in the true democratic concept. I draw the parallel very often with Greece. In Greece we plunged in in 1946 and 1947 because of the Communist threat to the north, and we had to back the wrong guys in Greece for a while in order to win the first round; namely, to keep the Communists out so that there would be time for Greece to become more democratic and more economically viable. And I think the parallel is not without its point in Vietnam.

Mr. CLAPPER. Senator McGEE, does it concern you at all that the motive of some Pentagon war hawks in possibly bombing North Vietnam might be an escalation of the war aimed ultimately at destroying the Red Chinese nuclear plants?

Senator McGEE. Yes. That concerns me a great deal. I don't happen to believe that this at any time ought to be one of our motivations, one of our targets, of bringing it to a head for that reason. I would bring it to a head only as the last recourse by being realistic. I think that there are enough inhibiting circumstances present in Hanoi to lead us to believe that a firm and controlled escalation will bring about a realistic willingness to talk. Only if that fails must we then be prepared for the worst. But I think that puts it clear down the list, whereas the suggestion that you just made, Pete, would indicate that there are those manipulating it in that direction as the primary objective. And I would reject that.

Mr. CLAPPER. What's your own feeling about destroying those Red Chinese nuclear plants? Should we?

Senator McGEE. Well, only if the Chinese were to make the decision that this was worth an all-out commitment of 2½ million trained Chinese military. If they are willing to commit that to this real estate in southeast Asia, then I think the answer is yes.

Miss Corrick. Aren't you worried, Senator, that people might start calling you a warmonger?

Senator McGee. Oh, they already have started. I suppose I'm one of the strangest ones to be talking this language, being dubbed on most questions a liberal and all that, but I likewise would like to be realistic. And the risk that we have there in Vietnam right now is exactly the risk we took in Berlin, exactly the same risk. That was, to call the Russian hand. It's the risk we took in Cuba. We didn't know the Russians would back down. We hoped they might. But we pledged all-out nuclear war if necessary, backing up our firm line beyond which we would not retreat.

We did it in Greece—this same commitment was made. And I say this is the one language that these fellows can understand in the critical areas, and this is a critical area.

Miss Corrick. But you know, now today we've got these terrible weapons of destruction—the hydrogen bomb, the nuclear bombs. We didn't have those in 1947.

Senator McGee. We had them in 1962 when the showdown in Cuba came, and the showdown in Cuba was: Do you want the big war? That was the ultimatum. It's language that you've got to be prepared to use and back up, not bluff, over the critical points around the world. And I classify those critical points as the equivalent of Berlin or Germany, as the southeastern part of Europe—the eastern Mediterranean—and as southeastern Asia. The wealth, the resources, as well as the people—not to mention the people—constitute an empire that can affect the rebalancing of the world. Japan was willing to wage World War II to get it. Britain waged a war to get it. France waged a war to get it. The Dutch did. The Portuguese did. In all history this has been one of the great balancing contingents in this thing we call the balance of power. I think that the Chinese and the Russians fit into a category that Lord Palmerston once described best of all when he said: "They will continually probe outward along their peripheries seeking weakness; finding weakness they'll break through and grab it, but finding resistance, they pull away." And I think this is a probing action in southeast Asia. And I think that's the reason a line has to be drawn. If it's the issue for a war, then I say that we've got to know that now rather than discover it several years after Munich.

Mr. Clapper. Senator McGee, you're a Democrat. Do you think that President Johnson has said enough—has told the American people enough about this war in Vietnam?

Senator McGee. I think all of us have failed to tell the people enough about the war in Vietnam. We've talked too much about economic reforms, and land reforms and the dreams of working toward democratic governments, the well-being of these people, of our unselfish motivations, to permit time to talk about the harsh realities of power politics. And before you can really raise the level of the world, you have to restore, in the wake of any war, the world balance of power. It's doing that that is really the extension of the war itself, and who wins that phase is going to have a pretty strong hand in the shape of the world to come. And so what we've been waging is a fight ever since 1941, clear down to the present, for a chance to have a voice in the shape of the world to come. And people sometimes get impatient and think that what we're doing is trying to arrive at peace. We haven't won the chance to shape the peace yet, as I see it. We're still fighting for that chance.

Mr. Clapper. Senator, shouldn't the President call a spade a spade the way you just have? Don't you think he should?

Senator McGee. I think he has done that in the last several weeks. I think he's laid the cards on the table for us, but this has to be done again and again and again, in order to get the idea fully understood around the country. You just don't say something once. It's been a long time coming. But I think it ought to be phrased in these terms bluntly. And I think while the people may not like it, I think our people would rather know it as the truth or the direction things are going, and they rise to the occasion.

Miss Corrick. Do you think the President is firmly convinced in his own mind of a policy—tactics and objectives in southeast Asia?

Senator McGee. I think he is, yes. I think that he understands this question better than any of us as a matter of fact. And when it really comes down to the final fateful moment, he and he alone has all the facts at his fingertips and only he can make the decision. And I'm confident that he has these, that he knows these, and that's the reason I think we should take this strong stand and support the position that he is beginning to make very clear.

Miss Corrick. Thank you, Senator McGee. I'm sorry we have to bring our discussion to a close, but our time is up. Our guest on "Washington Viewpoint" this evening has been Democratic Senator Gale McGee, of Wyoming. This is Ann Corrick with Pete Clapper in the Senate radio-television gallery on Capitol Hill.

POEMS ON WYOMING'S 75TH ANNIVERSARY

Mr. McGEE. Mr. President, as I have pointed out previously, the year 1965 is a landmark year for the State of Wyoming. Wyoming—the Equality State—this year marks its 75th anniversary of statehood, and will do so formally at ceremonies in Cheyenne on July 10.

Evidence that the people of the United States are not only aware of Wyoming's diamond jubilee, but also will aid Wyomingites everywhere in marking the anniversary is certainly welcome. Such evidence has come to me from Andrea DeMaio, of the Holy Family Civics Club, in the Bronx, New York City. She enclosed some poetry composed by members of the club in honor of Wyoming's diamond jubilee. In behalf of all Wyoming citizens, I express my thanks to the club and to its moderator, Sister Joan of Arc, for their interest in a sister State.

I ask unanimous consent that the poems be printed in the Record.

There being no objection, the poems were ordered to be printed in the Record, as follows:

East Greets West

(By Carole Lochard)

Wyoming, our sister State of diamond jubilee boast
Greetings from New York, and to you our birthday toast.
We hope your mighty forests continue to thrive and grow
And grasslands furnish health and hoe.
May your rivers and valleys flow, run, and blend,
Your canyons and your mountains your mightiness contend,
May you always, dear sister, enjoy birthdays evermore,
Happy 75th birthday from the Bronx in New York State.

Wyoming Celebrates

(By Beth Campbell)

Wyoming is the home
Of majestic Yellowstone.
It is the land in which not too long ago
Were found Indians and buffalo.

Wyoming has great geysers
That rise so very high,
They seem to reach the sky.
I think it is in order to brag and boast.

For the geyser known
From coast to coast
Old Faithful is the one,
To bring endless pleasure and lots of fun.

Our 44th State

(By Lucille Storen)

In this year of its diamond jubilee,
The State of Wyoming looks back,
A glorious page in our country's history
It presents; not much does it lack.

The Wyoming rodeo, known far and wide;
Its Indians, Cheyenne and Crow;
The legendary cowboys, saddles and rawhide;
This State, to all seekers, will show.

A State in 1890, yes, Wyoming is there,
Forty-fourth is its star in our flag,
We know it wouldn't be fair to say
It ever dishonored that flag.

Wyoming, Wyoming, pride of our land,
To us you will always be
A loyal State, a great State, beautiful and grand,
Spectacular, amazing, Oh! We all agree.

Treasure State

(By John Krantz)

Wyoming! Wyoming!
Your treasure is great.
Some are hot springs, geysers,
Yellowstone National too.

Wyoming, Wyoming,
It is your diamond jubilee.
The Green River rendezvous,
Could only be for you.

Wyoming! Wyoming!
People trot your land of late
So we the pupils of New York State
Give you a hand, and congratulate.

A Sister State

(By Wanda Kowalski)

In eighteen hundred ninety
This land became a State
And nature blessed it greatly
With forest, cattle, and bait.

You recognize this place too
Where resources abound
Wyoming, peopled with races two
Has a wonderful heritage all around.

With equality a password
And freedom so common a thing
This State truly must be rated well
So its praises must New Yorkers sing.

Come to the Jubilee

(By Eileen Tils)

Wyoming land of beauty and grace
Whose heritage is great.

Became our 44th State
July 10, 1890, is the date.

Now this year Wyomingites celebrate
Their diamond jubilee.
All their festivities you can see
If you go to Wyoming State.

People will come from everywhere
To see the beauty of their fair.
Indian girls of 70 tribes
Miss Indian American to try.

Adventure will head the show.
With a great big race, you know,
If you want adventure and fun,
To Wyoming you must come.

WYOMING NOW

(By Rita Moore)

Where the Indians used to roam
Is where some had to make their home
They couldn't resist canyons and parks,
The State where geysers still can spark.

All visitors stop and stare
At Old Faithful still there.
New York, go to Wyoming, take a dare
You might find yourself staying there.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill.

Mr. MANSFIELD. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. The pending amendment is the amendment of the Senator from Ohio [Mr. LAUSCHE].

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Am I correct in my understanding that my amendment, No. 42, is the pending business?

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUSCHE. Mr. President, the pending amendment, if adopted, would prevent the Inter-American Development Bank from floating in the United States any bond issues which by the natural impact of such flotation would take American dollars out of our country and put them into foreign countries.

The question may well be asked as to why I have proposed that if and when more money is subscribed to the Inter-American Development Bank, we should prohibit the bank from selling bonds in the United States, if and when it determines to procure more money for its operations. That question is quite pertinent, and, of course, it must be answered.

Yesterday I made the statement that last week there was before the Senate a bill dealing with gold. We discussed the perilous position in which we find ourselves because of the constant movement of gold out of the country.

In the face of those arguments, but having hanging over us another threat, which was of greater consequence, we decided to remove the 25-percent gold coverage on deposits which the member banks of the Federal Reserve System have in their Federal Reserve banks.

In those discussions last week the Senator in charge of the bill, the Senator from Virginia [Mr. ROBERTSON], pointed out the gravity of the issue which was being discussed, and in effect declared that he would make efforts to find ways and means by which the causes of the outflow of gold would be removed.

The Senator from Massachusetts [Mr. SALTONSTALL] posed the question to him. He asked him when the study would get underway. The Senator from Virginia said that it would get underway promptly.

Does my amendment propose action which would help to solve the problem related to the outflow of our gold? I believe that is the principal issue that Senators will have to decide. Am I on sound ground in stating that any future bond issues floated by the Inter-American Development Bank will have to be floated in foreign countries, particularly Western countries, and possibly in Japan, rather than the United States?

I believe that I shall be able to demonstrate, not by my statements, but by the statements made by executive officials of the Government, and principally contained in the Economic Report of the President filed in January. To that Economic Report there is attached a message of the President of the United States. His message is predicated upon the report. In it there is a rather broad discussion of one cause of the drain upon dollars out of the United States and into foreign countries, where they are used as the basis for demands upon our gold reserves.

On page 72 of the Economic Report of the President transmitted to the Congress in January 1965 and pages following there appear statements on the issue. I should like to read them:

> The various actions taken to raise domestic demand and to adapt monetary policy to the dual requirements of external balance and domestic expansion have been discussed above. Other measures taken in 1961 and 1962 and reinforced in mid-1963 included more direct efforts to stimulate exports, to reduce the Government's contribution to the payments deficit through its oversea expenditures, to reduce outflows of private capital, and to moderate the growth of tourist outlays abroad. New techniques were devised for financing the deficit in ways that would minimize gold outflows and strengthen confidence in the dollar.

It is stated in the message that in 1961, 1962, and 1963 the Government took several steps to help solve the problem related to the outflow of gold which confronted us. First, it made an effort to stimulate exports. We appropriated money that would be used to encourage exports and to finance exhibits of the U.S. Government in foreign countries, where our manufacturers would have an opportunity of showing their goods.

Second, we attempted to reduce the Government's contribution to the payments deficit through its oversea expenditures; we called back to the United States the families of the members of the Armed Forces that were in foreign countries; we reduced the number of military men that we had in foreign countries—all for the purposes of improving the balance-of-payments problem.

Third, we reduced the outflow of private capital. We did so, or tried to do so, by the passage of the interest equalization bill.

Fourth, we tried to moderate the growth of tourist outlays abroad. With respect to the fourth effort, not much was done. We had a program to induce American citizens to view America. The President called upon the citizenry to do so. But in my judgment the program was not a success. The dollars which American tourists spent in Europe and other foreign countries in 1964 will in all probability exceed by $1.5 billion the money spent by foreign tourists in the United States.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. MORSE. On the point of tourism, is it not true that in recent days the President of the United States has made another public appeal for Americans voluntarily to restrict their travels abroad and see America first, reviving the old slogan "see America first"? Is that not true?

Mr. LAUSCHE. That is true. My hope is that the people of the United States will recognize the peril to our dollar and will heed the plea that they view America and stop spending their dollars in foreign countries.

After World War II, when Europe was devastated, we encouraged tourists to go to those countries. We encouraged the spending of our dollars in those countries. But now we are in a different position. The shoe is on the other foot. We ought to be given help in solving the problem.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. LAUSCHE. I yield.

Mr. MORSE. Is it not also true that in recent days the President of the United States, in a conference with leading businessmen and industrialists of our country, made a plea to them to spend their money in the United States in order to help meet this balance-of-payments problem, which, of course, is a polite and, I believe, somewhat tactful way of saying that they ought to stop exporting American jobs abroad and start investing more in the economy of our own country here at home, solving our own job problem, and helping with the balance-of-payments problem? Is that not true?

Mr. LAUSCHE. That is correct. I shall discuss that phase of the problem in greater detail. I shall demonstrate that one of the greatest contributing factors to our peril to the dollar is the lending of money to foreign countries. Those foreign countries then have our dollars for which they might demand gold in payment.

Mr. MORSE. Mr. President, I not only support the amendment of the Senator from Ohio, but I shall expand his point of view in connection with some amendments that I shall offer later this afternoon, and probably some time next week. If the leadership has any hope of getting rid of this bill on the floor of the Senate, I wish them to know they will get rid of the bill only after several days of debate on the floor of the Senate to educate the American people about what the administration is doing in connection with its foreign aid program. This is only a part of the foreign aid program. The senior Senator from Oregon believes it is now time to start a prolonged discussion on the floor of the Senate, issue by issue, so that the American people can be aroused against the giveaway program of this administration. In my judgment, if we do not stop it in this foreign aid bill, we shall undercut our economy.

Mr. LAUSCHE. I thank the Senator from Oregon.

Mr. President, following this statement in the economic report are other statements which I shall quote. They appear on pages 73, 75, 76, and 77. In the President's report on the economics of our country it is stated that these gains have been achieved through the plea to tourists not to go to Europe, the reduction in spending upon our military forces, the plea that we not buy foreign bonds, and the adoption of the interest equalization tax on dividends earned in foreign countries.

The statement continues:

> Despite these gains, the decline in the deficit has been less rapid than had been hoped in 1961. The principal reason has been the relatively large rise in private capital outflows—an element of the balance of payments which might have been expected to advance less rapidly or even to decline in a period of rising domestic activity. While changes in the capital account are interrelated with other components in the balance of payments—for example, some capital outflows serve directly to finance our exports—and therefore should not be viewed in isolation, the overall magnitude of capital outflows by mid-1963 had become a clear cause for concern. This led to the adoption of special remedial measures, notably the imposition of the interest equalization tax on purchases of new and outstanding foreign securities by U.S. investors.

That refers to the bill passed by Congress in 1963 to equalize interest payments that are made by foreign countries which sell bonds in the United States, which did not have the desired effect. The report continues:

> The progress achieved during 1964 further strengthened confidence in the dollar.

Then these ominous words occur:

> Yet there are clouds in the record for the year that cannot be ignored, and that raise new questions for the future. In particular, U.S. purchases of newly issued foreign securities as well as long-term bank loans to foreigners were unusually large in the latter part of the year, operating to produce a higher deficit in the fourth quarter.

That last sentence reemphasizes the fact that one of the principal causes of the outflow of our dollars is the sale of foreign bonds to American citizens and the making of long-term bank loans by our banks to foreigners to be used in foreign countries. The economic report of the President contained the further statement on this subject. I hope Senators will understand why I am reemphasizing this proposition. I am doing so because, in my judgment, it is of such importance that, in truth, it cannot be overemphasized.

The economic report of the President places its finger, first, on the imbalance being caused by the outflow of private capital into direct foreign investments and into loans made to foreign countries. "Capital Markets and Capital Flows" is the title of the section in the book. I read from it as follows:

> Large capital outflows have in part been required to finance growing U.S. exports. Moreover, the establishment of convertibility and the growing confidence in the continued freedom of international payments have led to a substantially greater international mobility of capital and a related tendency toward increased integration of international financial markets. In this context, our highly efficient, relatively low cost, and readily accessible long-term borrowing facilities have undoubtedly tended to add to the net drain on our balance of payments.

I quote further:

> Outflows of direct investment have shown a continuing rise; by 1964 they were one-third higher than in 1961. The share going to Western Europe also continued to expand; in 1964 it was approximately two-thirds of the total. The desire of American companies to establish or expand productive facilities close to rapidly growing European markets and inside the EEC tariff walls continued to provide the major incentive.

With regard to the last quotation, we know that American manufacturers are building plants in Europe and in other parts of the world in order to place themselves in a better competitive position to sell their goods to world markets. This trend has contributed to the aggravation of the imbalance of the gold situation. I quote further:

> The volume of new foreign issues in our markets bought by Americans, which had averaged about $500 to $600 million between 1959 and 1961, rose dramatically in 1961 to $1.1 billion and then in the first half of 1963 soared further to an annual rate of almost $2 billion. Following the administration's announcement in July 1963 of its intention to ask for enactment of an interest equalization tax, it dropped sharply to an annual rate of about $600 million and remained at this level until the autumn of 1964. After the actual enactment of the interest equalization tax in September 1964, there was a renewed spurt of new security issues by Canadians (who are exempt from the tax). However, for 1964 as a whole, both the total of new foreign security issues and Canadian borrowings were sharply below the rate reached in the first half of 1963.

An examination of the economic report of the President will show that one of the important causes of our drain on gold has been the flotation of foreign bond issues in the United States bought by U.S. banks and U.S. investors.

Let us now see what has been done on this issue by the Inter-American Development Bank. Since 1961, when the Inter-American Development Bank started in operation, it has received subscriptions from the United States in the amount of $150 million as paid-in capital during each of the years 1960, 1961, and 1962; $394 million to the Social Progress Trust Fund in 1961; $100 million to the Fund for Special Operations in 1961; $50 million for the FSO in 1964; $130 million to the Social Progress Trust Fund in 1964. That is a total of $825 million that we have paid into the Inter-American Development Bank.

Added to this enumerated outflow in dollars is $225 million of Inter-American Development Bank bonds floated in the United States during 1962 and 1964. We paid $825 million into the fund. We also purchased in the United States, through private investors, bonds of this banking institution in the amount of $225 million. While $225 million of bonds were sold in the United States, only $47,600,000 of bonds were floated in Western European countries. In Italy, it was $24 million worth of lire; in Germany, $15 million; and in England, on September 2, 1964, $8.4 million.

Thus, the fiscal situation, so far as we are concerned with regard to the Bank, is that we have paid in $825 million. Our citizens have purchased $225 million in bonds. This makes a total of $1,050 million that has gone into South American countries.

On the other hand, the European countries, which are now enjoying a high degree of success, have purchased $47,600,000 of bonds.

I repeat the purpose of my amendment. The Inter-American Development Bank will in the next several years undoubtedly want to sell bonds again. It will have to choose whether it will sell them in Europe with high interest rates, or whether it will sell them in the United

States, where we are trying to keep the interest rates low.

If it decides to sell them in the United States, there will be an added outflow of dollars. With an added outflow of dollars, we have the increased possibility that the holding countries will say, "We do not want your dollars. We want gold."

We can encounter the same threat that De Gaulle is making now. He has said, "You owe the Central Bank of France money. We do not want your dollars. We want you to pay us in gold."

I respectfully submit that this is not an idle question. It is a serious question. We ought to begin guarding now against the further outflow of our dollars, especially when we know that there are highly prosperous European countries that could well purchase these bonds if and when they are floated.

I reread my amendment. It reads:

> The authorization and appropriation referred to in subsections (a) and (b) of this section are subject to the following condition: That the Board of Governors of the Inter-American Development Bank agree not to float any new security issues in the United States during the fiscal years of such authorization and appropriation.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. MORSE. The Senator is making such a worthwhile contribution to the record that I should like to help him point up, for the information of the American people, some of the issues that are involved.

Is it not true that this bill would set up a procedure that would constitute a substitute or replacement for the old Social Progress Trust Fund?

Mr. LAUSCHE. The Senator is correct.

Mr. MORSE. And the old Social Progress Trust Fund was an outgrowth of the act of Bogotá, entered into at the time of the Bogotá Conference?

Mr. LAUSCHE. The Senator is correct.

Mr. MORSE. The Social Progress Trust Fund was established for the providing of grants and soft currency loans to certain types of projects in Latin-American countries. Those were projects such as hospitals, roads, some health programs, various types of social welfare programs, construction of schools, and, in some instances, helping with the maintenance of schools. The projects included a body of what we usually include under the welfare label, social welfare, and humanitarian purposes. Is that not correct?

Mr. LAUSCHE. Those are the exact purposes of the Social Progress Trust Fund.

Mr. MORSE. Under the Social Progress Trust Fund program, arrangements for any funds to be made available, either by grant or soft currency loans, were by way of negotiations between the United States and the Bank. But the funds were furnished entirely by the United States.

Mr. LAUSCHE. The Senator is correct.

Mr. MORSE. Therefore, if Boliva, Equador, Peru, Chile, or any other country wanted to make a case for some funds to help with any of these social welfare programs, it primarily had to convince the representatives of the United States. When it was all our money the United States would in effect decide whether those funds would be forthcoming and what the terms and conditions of the grant or soft currency loan would be. Is that not correct?

Mr. LAUSCHE. That is correct.

Mr. MORSE. I want the American people to know what the "sleeper" is in the bill. I want the American people to know they are being taken for a ride again. I want the American people to know this is another attempt on the part of bureaucrats to turn us more and more into a British ministerial form of government rather than the precious constitutional form of government we have, in which the check rests in the Congress.

Once a token amount of local funds is put into this account, we will find our control over our own portion diluted just as surely as if we had changed the control procedure.

I am aghast at the number of Senators and Representatives who are apparently willing to abdicate more and more of their responsibilities in the administration of our foreign policy. If the people do not stop them—obviously they are not going to stop themselves, at the rate they are going—the American people will wake up some morning to find that they are living under what has become an entrenched government of executive supremacy.

I know I am talking about abstract principles of government, but it happens that these abstract principles of government apply to such a bill as this. The American people must wake up before it is too late.

I am seeking, in my colloquy with the Senator from Ohio, to point out that under the substitute plan of the bill, we are transferring the decisionmaking on these projects from a bilateral arrangement between our country and a foreign country—which is in keeping with the American system of checks and balances—to an inter-American bank composed of a board of directors of which the United States composes only a part, although we have a so-called 42 percent veto power.

I shall not interrupt the Senator any longer. I have made my major point. I shall speak about it, however, at great length, because I want the American people to understand what we are doing.

The Senator from Ohio and I are members of the Foreign Relations Committee. He cannot deny, and no one else can deny, that on that Foreign Relations Committee there are men who for some time, and particularly during the last 2 or 3 years, have been trying to change the foreign aid program of this country into a program in which more and more authority is being given over the American taxpayers' dollars to multilateral international bodies—in this instance the Inter-American Bank. There are Senators on the Foreign Relations Committee of which I am now speaking who would turn the same power over to the Export-Import Bank, the World Bank, or the International Monetary Fund. Their scheme is that they have a better chance of carrying on the wasteful, inefficient foreign aid program that has caused corruption around the world, and has aided the Communists around the world by increasing millions. The senior Senator from Oregon has been trying to warn the American people for 2 years that the foreign aid program is defeating our objectives around the world. It is aiding the Communists. It has supported the cause of communism, as a result of the spreading corruption on the part of corrupt politicians whose pockets are being lined with American taxpayers' money in huge sums, instead of having the money go into sound investment projects that would occur if it were the loan program that the Senator from Ohio has been insisting it should be. I am warning the American people to focus their eye on the Foreign Relations Committee of the U.S. Senate and insist that it change its policy.

Mr. LAUSCHE. In relation to what the Senator from Oregon has said, I should like to point out a further trend that is appearing. This trend is to keep agencies that are spending money of the taxpayers from coming back to the Congress to give an accounting of what has been done, and justifying the efficiency of what has been done, and proving that it has been of benefit to the country. They are asking, not for a 1 year's authorization or for a 2 years' authorization, but they are jumping into a 3-year authorization. In the Disarmament Agency they want a 4-year authorization.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. LAUSCHE. May I finish this thought?

Mr. MORSE. Yes.

Mr. LAUSCHE. With respect to the Inter-American Bank, the authorizations in the past have been $150 million a year for 2 years. At the end of the 2 years, the administrators of the fund would have to come back and tell Congress what was done. They would have to come back and find out how much money we have in the Treasury, and whether we are able to carry the burden.

Under the bill before the Senate, they are now given 3 years of operation without the necessity of coming back to Congress, a 3 years' pledge that this money will be available.

The amount is increased from $150 million a year to $250 million a year.

So the comparison is that, under the law as it is now written, we are giving to the Inter-American Development Bank $150 million a year for 2 years. At the beginning of the third year, the officials have to come back to Congress and give an accounting.

Under the terms of the bill before the Senate, if it is passed, they will be given $250 million a year for 3 years before they will have to come to Congress and give an accounting. I submit that is not sound practice.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. LAUSCHE. I yield.

Mr. MORSE. Before I ask the question, let me say that the Senator from Ohio put much more eloquently and clearly than I did the problem that I raised with regard to the transfer of power from Congress to an international body. That is what the majority of the Committee on Foreign Relations is up to. Can we not imagine haling before the committee the Board of Directors of the Inter-American Development Bank, or of the World Bank, or of the International Monetary Fund? Let me say to the American people that once its Congress delegates this kind of power, they will have lost their check so far as any effectiveness in exercising it is concerned.

"Oh," it will be said, "we can come back after 3 years and refuse to give them any more money."

An interesting aspect of precedent and habit establishing themselves in Congress is that after 3 years have elapsed, we can hear the argument that it will be embarrassing to the United States in its relations with other countries if we do not go ahead and let them "take us for a ride" for another 3 years. We will establish a precedent by way of practice and will have a hard time drawing it back.

This is the time to prevent the start of such a practice. We must defeat the bill and send it back to the Committee on Foreign Relations, emphasizing that we are not a British Parliament with all the authority that goes to Ministries, that this happens still to be the U.S. constitutional system, with the right of Congress and the duty of Congress to exercise a check on the expenditure of funds.

That is the issue. That is what is at the bottom of the whole problem. I am satisfied that if we wait long enough for the American people to become aware of it, some politicians will have second thoughts.

Mr. GRUENING. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. Is not this proposed legislation evidence of the fact that the statements made earlier in the session that the foreign aid bill was a "barebones" bill, and described as the lowest amount ever asked for by the administration in recent years, are really not so? Is it not true that this pending legislation is, indeed, a substantial amplification of foreign aid, plus the fact that it is an amplification over which Congress will have less control than it has had over the existing foreign aid program?

Mr. LAUSCHE. The fact is that what we normally label as the foreign aid program is reduced in amount in the request. But, we are already increasing other channels of foreign aid. It cannot be said with certainty at this time whether increases in other channels will more than offset the decrease in what is commonly known as the foreign aid program.

Mr. GRUENING. Mr. President, will the Senator from Ohio yield for a further comment?

Mr. LAUSCHE. I yield.

Mr. GRUENING. The Senator from Ohio will find that when the other channels as the Senator calls them—I would prefer to call them spigots—are all added up, the $3 billion and a few hundred million proposed in the administrations' aid program is only approximately half of what we propose to give away or lend away in the next year

Mr. LAUSCHE. It would be approximately half, when Public Law 480, the Export-Import Bank, and other agencies are considered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr MANSFIELD. Mr. President, I think a few more Senators ought to be present in the Chamber. I ask unanimous consent that I may be permitted to suggest the absence of a quorum without the Senator from Ohio losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, the Senator from Arkansas [Mr. FULBRIGHT], the Senator in charge of the bill, was not in the Chamber when I made my previous statement, intending to establish that the outflow of dollars as a consequence of U.S. citizens buying foreign bonds is one of the prime causes of our gold outflow catastrophe. I read a number of quotations from the Economic Report of the President, transmitted to Congress in January 1965. The quotations which I read from that report stated, in a number of instances, that the gold problem, in part, has been caused by the increased quantity of foreign bonds being bought by American banks and American private citizens.

One of the quotations which I read is as follows:

> The volume of new foreign issues in our markets bought by Americans, which had averaged about $500 to $600 million between 1959 and 1961, rose dramatically in 1962 to $1.1 billion.

Then in the first half of 1963, the amount soared further, to an annual rate of almost $2 billion. In 1963 President Kennedy announced the need of doing something about it. He recommended to Congress that we pass an interest equalization tax. We did that. But that has not helped to solve the problem. Canada has been exempted from its operations.

My amendment contemplates, as I have previously stated, prohibiting the Inter-American Development Bank—while we are increasing our subscription to its special fund—from selling its bonds to American private investors.

I may be asked, "What makes you think that the Inter-American Development Bank will sell bonds?" To that question, I give the answer, "The Inter-American Development Bank has sold $225 million of bonds to U.S. investors." The bank had other bond flotations in the amount of $47 million, which went to Italy, England, and Germany.

The question will be asked by the Inter-American Development Bank later, if it contemplates issuing bonds, "Where shall we sell them? Shall we sell them to European investors, who will want a high interest rate, or shall we sell them to investors in the United States, where the interest rate is far less than that charged in Europe?"

If and when that question is posed, there will be one answer given by the South American countries, who have 53 percent of the vote, and probably another answer given by the United States, which has 47 percent of the vote. The South American nations will say, "Let us sell our bonds where the interest rate is low. The interest rate is low in the United States." The U.S. Government will say, "We have a balance-of-payments problem. Our gold reserves are moving out. You ought not to sell those bonds in the United States."

I should assume that the 19-member banks would go along with us. But why anticipate that? Why do we not write the provision into the law that if any bonds are floated by this banking institution, they shall not be sold in the United States, but shall be sold in some other area of the world?

I further point out that when we get money from this Bank through the sale of bonds, there is no tie-in to American purchasers. There is a tie-in of the moneys loaned by the Bank, obtained through subscription of the members.

I should like now for a moment to discuss the graph which shows how our exports to South America have moved since 1958. This Bank was established in 1960. We have paid into the Bank $1.5 billion. We bought $225 million of those bonds. The argument is made that 80 percent of this money comes back by way of the purchase of American goods, and therefore the dollars come back.

The figures on the graph which show the amount of goods that the South American nations have been buying in the United States reflect that the trend has been constantly downward. The U.S. share of the total South American imports has slipped steadily downward from a level of 51.5 percent in 1957 to a level of 38.6 percent in 1963.

The figures for the intervening years between 1957 and 1963 are as follows: In 1958, 47.3 percent; in 1959, 45.9 percent; in 1960, 45.1 percent; in 1961, 44.1 percent; in 1962, 40 percent; and, finally, in 1963, 38.6 percent.

The fall from 51.5 percent of their imports in 1957 to 38.6 percent in 1963 has occurred in spite of the fact that since 1960 we have made available to this Bank $825 million paid in cash and $225 million of bonds purchased by the United States.

The present bill, if passed as written, contemplates the subscription of an additional $750 million to the special fund. The present subscription to that fund has been at the rate of $150 million a year. The bill contemplates increasing the $150 million to $250 million for a 3-year period instead of the present 2-year period.

Mr. President, I should like to point out the actual impact upon the money that we have put into the Inter-American Development Bank. How much of it has come back to the United States? How much of it has been spent in other countries?

Mr. Dillon testified that of the regular funds, 47 percent of all procurement, identified or unidentified, stimulated by Inter-American Development Bank loans, has come to the United States; 53 percent has gone to other countries.

This meant that of the $1,165 million in total IDB loans approved as of December 31, 1964, approximately $547 million was spent in the United States and the balance, $503 million, spent in other countries or not accounted for.

To Senators who may oppose my amendment, several questions ought to be put. Do we have a balance-of-payments problem? No one can answer that question except in the affirmative. Secondly, Is the balance-of-payments problem partly caused by the outflow of U.S. dollars in the purchase of foreign bonds? That question, if honestly answered, likewise must be replied to in the affirmative.

If anyone contemplates answering that question in the negative, I ask him to explain the plain and simple statement contained in the President's report of January 1965.

If we have a balance-of-payments problem, and if it is caused partly by the outflow of American dollars in the purchasing of foreign bonds, what is wrong with writing into this bill, "We will give you $750 million, at the rate of $250 million a year, but we want the bank to promise that it will not float any bond issues in the United States?"

In my judgment, that question likewise, if approached objectively, if approached with a purpose of dealing in a businesslike way with the problem, must be answered in the affirmative.

It will not do to answer, "We have 47 percent of the vote"—or whatever it is—"and we will persuade them not to issue bonds in the United States." If that answer is sought to be given, I ask what explanation is given to the fact that $225 million worth of bonds were floated in the United States between 1962 and 1964, in the years when we have had this grave problem with respect to the outflow of gold.

Mr. President, that is my case. An objective approach to this amendment calls for a vote in the affirmative. I do not expect to get the necessary affirmative votes. I feel quite certain that if Senators were present and learned about the true issue and exercised an honest, independent judgment, I would get the affirmative votes, but one cannot talk to visitors in the galleries, to the Chair, to the marble desk, and empty chairs, and expect to make any effective impact.

During the delivery of Mr. LAUSCHE's speech,

Mr. ELLENDER. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I am glad to yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I had intended to make a statement in respect to the pending bill. I have been engaged all morning with the Subcommittee on Appropriations for Defense, which heard Mr. McNamara, the Secretary of Defense.

Mr. LAUSCHE. Mr. President, I yield to the Senator from Louisiana [Mr. ELLENDER] for the purpose of making his statement, provided that in doing so I shall not lose my right to the floor.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, in spite of any arguments the administration might make that this year's aid request is the smallest ever sent to the Congress, the fact is that the total amount of aid today is as large as it was when the program started. The bill the Senate is considering is an example.

Before I go further, I have always taken the position that I should assist, so far as possible, the economies of the countries in South and Central America. In 1958, when I visited there, I stated in my report that ways and means should be found whereby this country would be able to enmesh its economy with that of South and Central America. If, as, and when our hungry mills needed iron ore, copper, and other natural resources—inasmuch as we cannot obtain supplies of those resources from the east, the west, or north—we must direct our attention to the south of us. In my opinion, if we are to assist any area in the world, we should direct all possible assistance, to the peoples of South and Central America.

As to the amount of aid programed for this year, it is true that the President has asked us for a total mutual defense and development program of $3,380,370,000. But in addition to that sum, we will be called upon to provide moneys which will aggregate $3,499,130. This includes our contribution to the International Development Association, an amount of $104 million. Then we have the International Monetary Fund where we chip in $1,031,250,000. If we should add those figures together, plus Food for Peace which aggregates $1,658 billion, and this year's expected total appropriation of $705,880 to the Inter-American Development Bank, the total amount of foreign aid for this fiscal year will be $6,879,500,000.

Mr. President, I ask unanimous consent that a memorandum I have prepared to show these figures be included in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Foreign aid: Fiscal year 1966 [1]

[In thousands]

AID	
Development loans	$780,250
Technical cooperation	210,000
Alliance for Progress:	
Loans	495,125
Technical cooperation	85,000
Total	580,125
Supporting assistance	369,200
Contingency Fund	50,000
International organizations and programs	155,455
American schools and administration of programs	65,340
Total economic assistance	2,210,370
DEFENSE	
Military assistance	1,170,000
Total, mutual defense and development program	3,380,370
Inter-American Development Bank:	
Callable capital, fiscal year 1966	205,880
Supplementals, fiscal year 1966	250,000
Supplemental,[1] fiscal year 1965	250,000
Total	705,880
International Development Association	104,000
International Monetary Fund[1] supplemental, fiscal year 1965	1,031,250
Food for peace	1,658,000
Aid outside foreign aid bill	3,499,130
Grand total	[1] 6,879,500

[1] Includes $250,000,000 for Inter-American Development Bank estimated as a supplemental for fiscal year 1965, and includes $1,031,250 estimated for International Monetary Fund as a supplemental for fiscal year 1965.

Mr. ELLENDER. These facts should be presented to the Senate and to the American people as indicative that the program of foreign aid seems to have no end.

I hope, when the foreign aid program comes up again this year, to go a little deeper into it and to show that the total

amount of money we are spending every year is far in excess of the amount the President usually sends us and which he says is "barebones."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing amount of foreign aid money the Congress has appropriated each year since 1948–49, and also a table showing the various international organizations engaged in oversea credit and financing operations to which we contribute. We are engaged with eight of them. The first table indicates the status of all foreign aid funds made available by the Congress. The second indicates the capital stock of the association is, the nature of the loan, whether soft or hard; also the rate of interest, the nature of the guarantees, and other important data.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

MUTUAL DEFENSE AND DEVELOPMENT PROGRAM AND PREDECESSOR PROGRAMS

Summary of status of funds, 1948–64

[This report includes funds authorized and appropriated pursuant to the Foreign Assistance Act of 1961, as amended, the Mutual Security Acts of 1951 and 1954 and amendments thereto, and funds (including public debt authorization) heretofore available for the European recovery program, China aid, and mutual defense assistance program. It also includes point 4 as authorized in the Mutual Security Act of 1951, as amended, but excludes funds obligated in fiscal year 1951 under the Act for International Development]

[In millions of dollars]

Year and purpose	Executive branch authorization request (1)	Authorization by Congress (2)	Executive branch appropriation request (3)	Appropriated by Congress (4)	Appropriations adjusted for transfers and other receipts (5)	Total available for obligation and reservation (6)	Net obligations and reservations (7)	Total unobligated and unreserved balance (8)	Unobligated and unreserved balance available in subsequent year (9)	Unobligated and unreserved balance returned or reserved for return to Treasury (10)	Gross expenditures (11)	Unexpended balance (12)
1948–49: Economic assistance	8,520.0	6,913.0	6,782.0	6,446.3	6,460.8	6,460.8	6,286.3	174.5	174.5	--------	4,549.6	1,911.2
1950:												
Military assistance	1,400.0	1,314.0	1,314.0	1,314.0	1,314.1	1,314.1	1,100.9	213.2	213.2	--------	51.7	1,262.4
Economic assistance	4,430.0	4,280.0	4,198.2	3,728.4	3,785.1	3,959.6	3,596.9	362.7	362.7	--------	3,437.2	2,259.1
Total, 1950	5,830.0	5,594.0	5,512.2	5,042.4	5,099.2	5,273.7	4,697.8	575.9	575.9	--------	3,488.9	3,521.5
1951:												
Military assistance	5,222.5	5,222.5	5,178.0	5,222.5	5,223.4	5,436.6	4,676.9	759.7	759.7	--------	934.2	5,551.6
Economic assistance	2,950.0	2,700.0	2,567.7	2,262.5	2,136.0	2,498.7	2,385.1	113.6	113.6	--------	2,082.2	1,592.9
Total, 1951	8,172.5	7,922.5	7,835.7	7,485.0	7,359.4	7,935.3	7,062.0	873.3	873.3	--------	3,736.4	7,144.5
1952:												
Military assistance	6,303.0	5,997.7	5,997.6	5,744.0	5,267.6	6,027.3	5,591.2	436.1	436.1	--------	2,385.9	8,433.3
Economic assistance	2,197.0	1,585.7	1,485.4	1,540.4	2,015.1	2,128.7	1,962.8	165.9	165.9	--------	2,147.8	1,460.2
Total, 1952	8,500.0	7,583.4	7,483.0	7,284.4	7,282.7	8,156.0	7,554.0	602.0	602.0	--------	4,533.7	9,892.5
1953:												
Military assistance	5,425.0	4,598.4	4,598.4	4,219.8	4,098.1	4,534.2	2,512.1	2,022.1	1,905.9	−116.2	3,953.1	8,462.1
Economic assistance	2,475.0	1,894.3	1,894.3	1,782.1	1,914.1	2,080.0	1,864.1	215.9	210.4	−5.5	1,766.6	1,602.2
Total, 1953	7,900.0	6,492.7	6,492.7	6,001.9	6,012.2	6,614.2	4,376.2	2,238.0	2,116.3	−121.7	5,719.7	10,064.3
1954:												
Military assistance	4,274.5	3,681.5	3,648.6	3,230.0	3,219.1	5,125.0	2,383.8	2,741.2	2,422.5	−318.7	3,629.5	7,733.0
Economic assistance	1,652.6	1,574.1	1,475.9	1,301.5	1,504.5	1,714.9	1,646.0	68.9	41.1	−27.8	1,126.9	1,832.0
Total, 1954	5,927.1	5,255.6	5,124.5	4,531.5	4,723.6	6,839.9	4,029.8	2,810.1	2,463.6	−346.5	4,876.4	9,565.0
1955:												
Military assistance	1,778.3	1,591.0	1,580.0	1,192.7	1,141.4	3,563.9	3,354.5	209.4	33.9	−175.5	2,277.8	6,421.1
Less unliquidated obligations transferred to "economic assistance"					−261.3	−261.3	−261.3					−261.3
Total, military assistance	1,778.3	1,591.0	1,580.0	1,192.7	880.1	3,302.6	3,093.2	209.4	33.9	−175.5	2,277.8	6,159.8
Direct forces support (common-use)	70.0	60.0	70.0	60.0	70.0	70.0	70.0				19.4	50.6
Economic assistance	1,828.1	1,601.9	1,788.5	1,528.8	1,593.9	1,635.0	1,593.5	41.5	14.7	−26.8	1,953.1	1,446.0
Add unliquidated obligations transferred from "Military assistance"					261.3	261.3	261.3					261.3
Total, economic assistance	1,828.1	1,601.9	1,788.5	1,528.8	1,855.2	1,896.3	1,854.8	41.5	14.7	−26.8	1,953.1	1,707.3
Total, military and economic assistance, 1955	3,676.4	3,252.9	3,438.5	2,781.5	2,805.3	5,268.9	5,018.0	250.9	48.6	−202.3	4,250.3	7,917.7
1956:												
Military assistance	1,278.0	1,133.0	1,125.0	706.0	713.1	747.0	573.5	173.5	159.7	−13.8	2,511.5	4,347.6
Direct forces support	317.2	317.2	317.2	317.2	311.2	311.2	275.2	36.0	35.8	−.2	108.6	253.0
Economic assistance	1,812.8	1,835.6	1,824.4	1,681.1	1,687.5	1,702.2	1,510.3	191.9	142.6	−49.3	1,585.3	1,760.2
Total, 1956	3,408.0	3,285.8	3,266.6	2,703.3	2,711.8	2,760.4	2,359.0	401.4	388.1	−63.3	4,205.4	6,360.8

Mutual Defense and Development Program and Predecessor Programs—Continued

Summary of status of funds, 1948–64—Continued

[This report includes funds authorized and appropriated pursuant to the Foreign Assistance Act of 1961, as amended, the Mutual Security Acts of 1951 and 1954 and amendments thereto, and funds (including public debt authorization) heretofore available for the European recovery program, China aid, and mutual defense assistance program. It also includes point 4 as authorized in the Mutual Security Act of 1951, as amended, but excludes funds obligated in fiscal year 1951 under the Act for International Development]

[In millions of dollars]

Year and purpose	Executive branch authorization request (1)	Authorization by Congress (2)	Executive branch appropriation request (3)	Appropriated by Congress (4)	Appropriations adjusted for transfers and other receipts (5)	Total available for obligation and reservation (6)	Net obligations and reservations (7)	Total unobligated and unreserved balance (8)	Unobligated and unreserved balance available in subsequent year (9)	Unobligated and unreserved balance returned or reserved for return to Treasury (10)	Gross expenditures (11)	Unexpended balance (12)
1957:												
Military assistance	2,925.0	2,225.0	3,000.0	2,017.5	2,022.0	2,217.5	1,664.5	553.0	538.8	−14.2	2,356.3	4,252.1
Economic assistance	1,747.5	1,802.6	1,860.0	1,749.1	1,749.9	1,892.5	1,631.1	261.4	225.4	−36.0	1,601.5	1,872.6
Total, 1957	4,672.5	4,027.6	4,860.0	3,766.6	3,771.9	4,110.0	3,295.6	814.4	764.2	−50.2	3,957.8	6,124.7
1958:												
Military assistance	1,900.0	1,600.0	1,600.0	1,340.0	1,317.3	1,856.1	1,828.3	27.8	21.5	−6.3	2,189.8	3,373.3
Economic assistance	3,444.6	2,392.1	1,786.9	1,428.9	1,458.0	1,683.4	1,622.8	60.6	44.6	−16.0	1,431.8	1,882.8
Development Loan Fund	2,000.0	1,125.0	500.0	300.0	300.0	300.0	267.4	32.6	32.6		1.5	298.5
Other	1,444.6	1,267.1	1,286.9	1,128.9	1,158.0	1,383.4	1,355.4	28.0	12.0	−16.0	1,430.3	1,584.3
Total, 1958	5,344.6	3,992.1	3,386.0	2,768.9	2,775.3	3,539.5	3,451.1	88.4	66.1	−22.3	3,621.6	5,256.1
1959:												
Military assistance	1,800.0	1,605.0	1,800.0	1,515.0	1,542.8	1,564.2	1,512.2	52.1	52.1		2,368.1	2,548.0
Economic assistance	1,297.9	1,271.4	1,950.1	1,778.1	1,781.5	1,826.1	1,784.0	42.1	42.1		1,498.7	2,165.6
Development Loan Fund			625.0	550.0	550.1	582.7	569.3	13.4	13.4		66.6	782.0
Other	1,297.9	1,271.4	1,325.1	1,228.1	1,231.4	1,243.4	1,214.7	28.7	28.7		1,432.0	1,383.6
Contingency fund	200.0	155.0	200.0	155.0	155.0	155.0	154.8	.2	.2		30.4	124.6
Total, 1959	3,297.9	3,031.4	3,950.1	3,448.1	3,479.3	3,545.4	3,451.0	94.4	94.4		3,897.2	4,838.2
1960:												
Military assistance	1,600.0	1,400.0	1,600.0	1,300.0	1,357.2	1,409.3	1,358.4	50.9	50.9		1,635.3	2,269.9
Economic assistance	2,109.4	3,101.2	2,630.0	1,770.8	1,760.8	1,802.9	1,727.3	75.6	66.4	−9.2	1,490.7	2,426.6
Development Loan Fund	700.0	1,800.0	1,200.0	550.0	552.2	565.6	521.7	43.9	43.9		204.5	1,129.7
Other	1,409.4	1,301.2	1,430.0	1,220.8	1,223.4	1,252.1	1,220.4	31.7	22.5	−9.2	1,286.2	1,311.7
Less unliquidated obligations transferred to contingency fund					−14.8	−14.8	−14.8					−14.8
Total, other	1,409.4	1,301.2	1,430.0	1,220.8	1,208.6	1,237.3	1,205.6	31.7	22.5	−9.2	1,286.2	1,296.9
Contingency fund	200.0	155.0	200.0	155.0	124.1	124.3	123.8	.5	.5		129.4	119.3
Add unliquidated obligations transferred from "Other economic assistance"					14.8	14.8	14.8					14.8
Total, contingency fund	200.0	155.0	200.0	155.0	138.9	139.1	138.6	.5	.5		129.4	134.1
Total, 1960	3,909.4	4,656.2	4,430.0	3,225.8	3,256.9	3,351.3	3,224.3	127.0	117.8	−9.2	3,255.4	4,830.6
1961:												
Military assistance			2,000.0	1,800.0	1,802.4	1,853.3	1,786.9	66.4	58.1	−8.3	1,466.2	2,597.7
Economic assistance			2,000.0	1,781.4	1,783.9	1,850.3	1,767.9	82.4	47.8	−34.6	1,599.7	2,576.2
Development Loan Fund			700.0	600.0	611.5	655.4	655.4				270.0	1,471.2
Other	1,279.9	1,216.2	1,300.0	1,181.4	1,172.4	1,194.9	1,112.5	82.4	47.8	−34.6	1,329.7	1,105.0
Contingency fund	175.0	150.0	275.0	250.0	277.5	278.0	268.8	9.2	9.2		210.1	201.5
Alliance for Progress	600.0	600.0	600.0	600.0	600.0	600.0		600.0	600.0			600.0
Total, 1961			4,875.0	4,431.4	4,463.8	4,581.6	3,823.6	758.0	715.1	−42.9	3,276.0	5,975.4
1962:												
Military assistance	1,895.0	3,400.0	1,885.0	1,600.0	1,591.5	1,649.6	1,585.4	64.2	64.2		1,404.6	2,784.6
Economic assistance	2,883.5	8,559.5	2,896.5	2,314.6	2,320.9	2,977.9	2,878.7	99.2	89.5	−9.7	1,844.0	3,844.9
Development loans	1,187.0	7,200.0	1,200.0	1,112.5	1,094.5	1,094.5	1,059.6	34.9	27.2	−7.7	431.0	2,127.0
Contingency fund	500.0	300.0	500.0	275.0	284.9	294.1	292.0	2.1	2.1		272.8	223.4
Add unliquidated obligations transferred from "Other economic assistance"					9.8	9.8	9.8					
Total, contingency fund	500.0	300.0	500.0	275.0	294.7	303.9	301.8	2.1	2.1		272.8	223.4

MUTUAL DEFENSE AND DEVELOPMENT PROGRAM AND PREDECESSOR PROGRAMS—Continued

Summary of status of funds, 1948–64—Continued

[This report includes funds authorized and appropriated pursuant to the Foreign Assistance Act of 1961, as amended, the Mutual Security Acts of 1951 and 1954 and amendments thereto, and funds (including public debt authorization) heretofore available for the European recovery program, China aid, and mutual defense assistance program. It also includes point 4 as authorized in the Mutual Security Act of 1951, as amended, but excludes funds obligated in fiscal year 1951 under the Act for International Development]

[In millions of dollars]

Year and purpose	Executive branch authorization request (1)	Authorization by Congress (2)	Executive branch appropriation request (3)	Appropriated by Congress (4)	Appropriations adjusted for transfers and other receipts (5)	Total available for obligation and reservation (6)	Net obligations and reservations (7)	Total unobligated and unreserved balance (8)	Unobligated and unreserved balance available in subsequent year (9)	Unobligated and unreserved balance returned or reserved for return to Treasury (10)	Gross expenditures (11)	Unexpended balance (12)
1962—Continued												
Economic assistance—Continued												
Other	1,196.5	1,059.5	1,196.5	927.1	941.5	989.3	969.5	19.8	17.8	−2.0	1,059.7	975.0
Less unliquidated obligations transferred to contingency fund					−9.8	−9.8	−9.8					
Total, other	1,196.5	1,059.5	1,196.5	927.1	931.7	979.5	959.7	19.8	17.8	−2.0	1,059.7	975.0
Alliance for Progress						600.0	557.6	42.4	42.4		80.6	519.4
Total, 1962	4,768.5	11,959.5	4,781.5	3,914.6	3,912.4	4,627.5	4,464.1	163.4	153.7	−9.7	3,248.6	6,629.5
1963:												
Military assistance			1,500.0	1,325.0	1,404.3	1,368.5	1,442.7	25.8	25.8		1,767.2	2,421.7
Economic assistance			3,074.8	2,573.9	2,601.4	2,690.9	2,297.6	393.3	376.5	−16.8	2,079.6	4,349.8
Development loans			1,250.0	975.0	801.7	828.9	716.4	112.5	96.2	−16.3	702.4	2,210.0
Contingency fund	400.0	300.0	300.0	250.0	250.0	252.1	125.0	127.1	127.1		137.2	336.2
Alliance for Progress	3,000.0	2,400.0	600.0	525.0	706.7	749.1	652.8	96.3	96.3		336.8	889.3
Other	1,031.3	924.8	924.8	823.9	943.0	860.8	803.5	57.3	56.8	−.5	903.2	914.3
Subtotal			4,574.8	3,898.9	4,005.7	4,159.4	3,740.3	419.1	402.3	−16.8	3,846.8	6,771.4
Foreign investment guarantee fund	100.0	(180.0)	180.0	30.0	32.9	34.2	−83.6	117.8	117.8		(*)	268.6
Advance acquisition of property					.1	5.1	1.4	3.7	3.7		.9	4.2
Total, foreign assistance			4,754.8	3,928.9	4,038.7	4,198.7	3,658.1	540.6	523.8	−16.8	3,847.7	7,044.2
1948–63 cumulative:												
Military assistance			37,213.9	32,902.7	32,134.2	31,480.9	31,455.1		25.8	−653.3	29,059.2	2,421.7
Economic assistance			39,579.7	34,827.9	35,986.1	35,754.4	35,377.9		376.5	−231.7	31,404.6	4,349.8
Development loans			5,475.0	4,087.5	3,910.0	3,886.0	3,789.8		96.2	−24.0	1,676.0	2,210.0
Contingency fund			1,475.0	1,085.0	1,116.1	1,116.1	989.0		127.1		779.9	336.2
Alliance for Progress			1,200.0	1,125.0	1,306.7	1,306.7	1,210.4		96.3		417.4	889.3
Other			31,429.7	28,530.4	29,653.3	29,445.6	29,388.8		56.8	−207.7	28,531.3	914.3
Subtotal			76,793.6	67,730.7	68,120.3	67,235.3	66,833.0		402.3	−885.0	60,463.8	6,771.4
Foreign investment guarantee fund				267.5	269.2	269.2	151.4		117.8		.6	268.6
Advance acquisition of property					5.1	5.1	1.4		3.7		.9	4.2
Total, foreign assistance				67,998.2	68,394.6	67,509.6	66,985.8		523.8	−885.0	60,465.4	7,044.2
1964:												
Military assistance	1,405.0	1,000.0	1,405.0	1,000.0	1,141.8	1,167.6	1,142.6	25.0	25.0		1,475.8	2,087.7
Economic assistance	1,457.3	499.1	3,120.3	2,000.0	1,960.7	2,337.2	2,331.9	5.3	5.3		2,130.4	4,180.1
Development loans		−575.0	1,060.0	687.3	690.3	786.5	783.5	3.0	3.0		810.4	2,089.9
Contingency fund	300.0	160.0	300.0	50.0	2.4	129.5	129.5				147.4	191.2
Alliance for Progress	250.0	105.0	850.0	590.0	592.3	688.6	686.3	2.3	2.3		326.7	1,154.9
Other	907.3	809.1	910.3	672.7	675.7	732.5	732.5				845.9	744.1
Subtotal	2,862.3	1,499.1	4,525.3	3,000.0	3,102.5	3,504.8	3,474.5	30.3	30.3		3,606.2	6,267.8
Foreign investment guarantee fund					4.7	122.5		122.5	122.5			273.2
Advance acquisition of property					1.0	4.7	2.1	2.6	2.6		1.8	3.4
Total, foreign assistance	2,862.3	1,499.1	4,525.3	3,000.0	3,108.2	3,632.0	3,476.6	155.4	155.4		3,608.0	6,544.4
1948–64 cumulative:												
Military assistance			38,618.9	33,902.7	33,276.0	32,622.7	32,597.7		25.0	−653.3	30,535.0	2,087.7
Economic assistance			42,700.0	36,827.9	37,946.8	37,715.1	37,709.8		5.3	−231.7	33,535.0	4,180.1
Development loans			6,535.0	4,774.8	4,600.3	4,576.3	4,573.3		3.0	−24.0	2,486.4	2,089.9
Contingency fund			1,775.0	1,135.0	1,118.5	1,118.5	1,118.5				927.3	191.2
Alliance for Progress			2,050.0	1,715.0	1,899.0	1,899.0	1,896.7		2.3		744.1	1,154.9
Other			32,340.0	29,203.1	30,329.0	30,121.3	30,121.3			−207.7	29,377.2	744.1
Subtotal			81,318.9	70,730.6	71,222.8	70,337.8	70,307.5		30.3	−885.0	64,070.0	6,267.8
Foreign investment guarantee fund				267.5	273.8	273.8	151.4		122.4		.6	273.2
Advance acquisition of property					6.1	6.1	3.5		2.6		2.7	3.4
Total, foreign assistance			81,318.9	70,998.1	71,502.7	70,617.7	70,462.4		155.3	−885.0	64,073.4	6,544.4

NOTE.—The foreign assistance program, as reflected in this schedule, includes the mutual security program and selected antecedent programs and excludes others. For the most part, major foreign aid programs authorized since 1948, exclusive of GARIOA and Korean civilian relief and rehabilitation funds, are included in this schedule. The general "guideline" for including or excluding funds originally appeared in the Mutual Security Act of 1951 in the form of language bringing forward unexpended balances from certain antecedent programs. Wherever the authority to bring forward unexpended balances appeared in the Mutual Security Act of 1951, the entire prior programs appear in the totals of this report. Where funds appropriated for one purpose are utilized for another pursuant to provisions of sec. 401(a) of the Mutual Security Act of 1954, asamended (or similar provisions in previous legislation), the obligation and expenditure appear under the category for which the appropriation was originally made.

U.S. and international agencies engaged in oversea credit and financing operations

	Export-Import Bank (Eximbank) (dollars)	Agency for International Development (AID)		International[1] Monetary Fund (IMF) (currencies of member countries, gold, and dollars)	International Bank (IBRD) (currencies of member countries)	International Finance Corporation (IFC) (dollars)	International Development Association (IDA) (currencies of member countries)	Inter-American Development Bank (IDB) (currencies of member countries, principally dollars)	Special Inter-American Fund for Social Progress (IDB administered trust fund) (dollars)
		Dollars	Foreign currencies (Cooley loans)						
Purpose	Assist in financing, and facilitating, U.S. exports and imports.	Promote the economic development of less-developed countries—emphasizing long-range programs designed to develop economic resources and increase productive capacities.[2]	Assist foreign economic development and expansion of markets for U.S. surplus agricultural commodities.	Promote international monetary cooperation and encourage stability by providing resources to meet short-term balance-of-payments problems and by other means.	Aid the development of productive facilities and resources in member countries.	Further economic development by encouraging growth of productive private enterprise in less developed member countries.	Promote economic development in member countries by providing finance on terms not possible under IBRD, of which IDA is an affiliate.	Contribute to accelerating process of economic development in member countries.	Provide capital and technical assistance to support efforts of Latin American countries to achieve greater social progress and balanced economic growth.
Resources	$9,000,000,000 of lending authority.	Authorized $8,550,000,000 for period fiscal years 1962-66. Through fiscal year 1964, $3,574,800,000 was appropriated.	Up to 25 percent of proceeds of sales of surplus agricultural commodities under title I of Public Law 480.	Resources consist of gold and holdings of member currencies aggregating $15,600,000,000. The U.S. quota is $4,125,000,000.	Capital subscriptions of member countries—$21,100,000,000, of which approximately $2,100,000,000 paid in and $19,000,000,000 is callable, U.S. subscription $6,350,000,000, of which $5,700,000,000 is callable, if required by the Bank to meet its obligations.	Capital subscriptions of member countries of $99,000,000, and proceeds of sale of investments.	$995,700,000 subscribed. U.S. subscription is $320,300,000. Review of resources required every 5 years, with a view to replenishment.	Authorized capital of $1,800,000,000 (U.S. share $762,000,000) for "Ordinary operations." $219,500,000 for "Fund for Special Operations," of which U.S. share is $150,000,000.	$525,000,000 appropriated by the United States.
Nature of loans	(1) Project loans; i.e., to foreign governments and private enterprises (United States and foreign) for purchases of U.S. goods and services for development projects abroad; and (2) exporter credits.	Loans to foreign governments, public entities, and private firms (United States or foreign) for purposes which promote economic development.	Loans to (1) private U.S companies only, including their subsidiaries and affiliates abroad, and (2) U.S. or local private companies for expanding markets for U.S. agricultural commodities abroad.	Take form of a member's purchase from the Fund of the currencies of other members for an equivalent amount of the member's own currency. A member's purchase of currency from the Fund must be repaid by repurchases.	Loans to member governments, and to other public or private entities if guaranteed by a member government.	Investments in productive private enterprises. May now subscribe to their capital stock. Guarantee of member government not sought.	Credits to member governments or political subdivisions of such members and to public or private entities in territories of a member.	Making, or participating in direct loans to member governments and private entities in those countries.	Loans to governments, public institutions, private borrowers and cooperatives, in fields of land settlement and use, low income housing, community water and sanitation, and, to a limited extent, higher education.
Nature of guarantees	Export credit insurance on short and medium suppliers' credits in partnership with private insurance associations and guarantees of loans by private lenders for purposes noted above.	Full or partial guarantees up to $2,500,000,000 of private U.S.-owned investment against expropriation, inconvertibility, war damage, and certain political risks; partial guarantees up to $180,000,000 against all risks; guarantees of investments up to $150,000,000 for self-liquidating pilot housing projects.	Not applicable.	Not applicable.	Full or partial guarantees of loans by private lenders for purposes noted above, if such loans are guaranteed by a member government. Guarantee authority has not been exercised.	Not applicable.	Not applicable.	May guarantee in whole or in part loans by private investors.	Not applicable.

See footnotes at end of table.

U.S. and international agencies engaged in oversea credit and financing operations—Continued

	Export-Import Bank (Eximbank) (dollars)	Agency for International Development (AID)		International[1] Monetary Fund (IMF) (currencies of member countries, gold, and dollars)	International Bank (IBRD) (currencies of member countries)	International Finance Corporation (IFC) (dollars)	International Development Association (IDA) (currencies of member countries)	Inter-American Development Bank (IDB) (currencies of member countries, principally dollars)	Special Inter-American Fund for Social Progress (IDB administered trust fund) (dollars)
		Dollars	Foreign currencies (Cooley loans)						
Relationship to other sources of financing.	Cannot compete with private capital, and does not loan where private capital available on reasonable terms.	Must take into account whether financing could be obtained from other free world sources on reasonable terms.	Not applicable	Cooperates with and acts through member countries' treasuries, central banks, stabilization funds, or similar fiscal agencies.	Cannot lend where private capital available on reasonable terms.	Cannot invest where sufficient private capital available on reasonable terms.	Cannot lend where private capital available on reasonable terms or where financing could be provided by loan of type made by IBRD.	Cooperates with other sources of financing. Takes into account the ability of borrowers to obtain private loans on terms which in the Bank's opinion are reasonable, taking into account all pertinent factors.	Must take into account whether assistance can be obtained from national or international agencies or private sources on reasonable terms.
Maturity of loans	Generally up to 5 years on exporter credits; up to 20 years on project loans.	Generally up to 40 years with provision for grace period up to 10 years prior to start of amortization of principal.	Depending upon the economics of the project but generally not more than 10 years.	Members undertake to repurchase (repay) within a period not exceeding 3 to 5 years.	Generally 15 to 25 years.	Generally about 10 years.	All credits so far extended for 50 years with 10-year grace period and graduated amortization.	10 to 20 years on basis of experience to date.	Generally 15 to 30 years.
Currency of repayment	U.S. dollars	U.S. dollars	Foreign currency loaned.	Gold or convertible currency.	Currency lent	Currency invested—usually U.S. dollars.	Currency lent, or other foreign exchange as appropriate.	For "Ordinary operations" in currency lent; for "special operations" in whole or part in currency of country where project is located.	Largely in the currency of the borrowing country.
Interest rate or fee	Current rate 5½ percent for development loans. Exporter credits at higher rates.	Most loans to governments, ¾ percent during grace period and 2 percent thereafter.	Related to prevailing local rate.	Service charge of ½ of 1 percent plus interest on purchases in excess of quota increasing with length of time purchases outstanding and amount purchased. Lowest rate is 2 percent per annum.	5½ percent currently.	Currently about 7 percent for loans. No fixed return on equity participations.	No interest; ¾ of 1 percent service charge.	"Ordinary operations" 6 percent; "Special operations" 4 percent; payable in currency loaned.	3½ percent for water and sewer systems including a ¾ of 1 percent service charge payable in dollars. 2 percent for other projects, including ¾ percent service charge payable in dollars.
Where proceeds of loan must be spent, including guaranteed private loans.	In the United States.	Largely in the United States.	In country whose currency is loaned.	Not limited to U.S. procurement.	Not limited to U.S. procurement.	Not limited to U.S. procurement.	Not limited to U.S. procurement.	Not limited to U.S. procurement.	Limited to United States and member countries of IDB.
Decisionmaking body	Board of Directors with advice of National Advisory Council on International Monetary and Financial Problems (NAC).	Administrator of AID with advice of Development Loan Committee, with general advice of NAC.	Administrator of AID, with general advice of NCA.	Board of Governors or, as delegated, the Board of Directors; U.S. Director instructed by NAC.	Board of Governors or, as delegated, the Board of Directors; U.S. Director instructed by NAC.	Board of Governors or, as delegated, the Board of Directors; U.S. Director instructed by NAC.	Board of Governors or, as delegated, the Board of Directors; U.S. Director instructed by NAC.	Board of Governors or, as delegated, the Board of Directors; U.S. Director instructed by NAC.	IDB Board of Governors, acting as trustees, or as delegated, IDB Board of Directors; U.S. Director instructed by NAC.
Legal authority	Eximbank Act of 1945, as amended.	Foreign Assistance Act of 1961, as amended.	Sec. 104(e) of title I, Public Law 480 (Cooley amendment).	Articles of Agreement, and Bretton Woods Act.	Articles of Agreement, and Bretton Woods Act.	Articles of Agreement, and International Finance Corporation Act.	Articles of Agreement, and International Development Association Act.	Articles establishing the Inter-American Bank, and Inter-American Development Bank Act.	Agreement establishing the Social Progress Trust Fund and Act, authorizing Inter-American social and economic cooperation program.[3]

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[1] IMF's contribution in economic development efforts, while important, is indirect rather than direct.

[2] AID also extends grant assistance for development. In some circumstances, supporting assistance may take the form of a loan. The interest rate is generally 3½ percent, with maturity up to 40 years including a grace period up to 10 years.

[3] Social Progress Trust Fund agreement between the United States and the IDB signed June 19, 1961.

Source: Office of Development Financing and Private Enterprise, AID, July 31, 1964.

Revised Aug. 14, 1964.

Mr. ELLENDER. I would emphasize again what I have said heretofore, that in our assistance to the countries of South and Central America, we must fulfill certain obligations. However, I hope that the administrators of our programs will be a little more attentive to the manner and method in which those funds are expended.

I have particular reference to the counterpart funds which are generated from title I of the Public Law 480, surplus disposal program. In Brazil, where we have had more than $600 million worth of surplus sales, we were supposed to use at least 60 percent of those funds to assist in the development of the economy of Brazil.

What has happened? Instead of using it to develop the economy of Brazil, much of that money has been permitted to remain in the coffers of large Brazilian banks. In the meantime, the Brazilian cruzeiro has gone down and down, to the point where the huge amount of money that we had on hand in Brazil has now been reduced to about a third of its original value.

It is my contention that if the huge sums we now have in Brazil and other countries were used for economic development, we could get along much better and spend fewer American dollars.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MORSE. Before I ask the Senator a question or two, I wish to say something out of my heart to the Senator from Louisiana. For several years, before some of the rest of us had our eyes opened in connection with some of the great wrongs and abuses and inefficiencies in our foreign aid program, the senior Senator from Louisiana was standing on the floor of the Senate, warning us. He was pretty much a voice in the middle of the night in those days. His predictions have come true time and time again in regard to the inefficiencies and abuses in the foreign aid program. He, along with other Senators who have subsequently urged reforms in the foreign aid program, has been falsely charged with being against foreign aid. The Senator from Louisiana has never been against foreign aid. He has been in favor of sound foreign aid, of efficient foreign aid, of nonwasteful foreign aid, which would protect the interests of our country.

We are dealing, as I said last night in the debate, with a bill which I think has two horrendous defects in it, and many other serious defects.

It has two major defects. Is it not true that the bill has the effect of transferring to a multilateral international body, called the Inter-American Bank, great authority over the expenditure of funds that come within its jurisdiction, including American taxpayer funds?

Mr. ELLENDER. That is in the basic law. I understand that a resolution has been adopted whereby one of the windows in this operation will be closed, and the activities will be handled through two windows, instead of three. The Social Progress Trust Fund is to be merged with the Fund for Special Operations. Supposedly this will mean a greater percentage contribution on the part of our Latin American neighbors.

Mr. MORSE. I understand that, but the American taxpayer will put up at least 80 percent of the funds.

Mr. ELLENDER. There is no doubt about that.

Mr. MORSE. The jurisdiction will no longer be on a bilateral basis between the United States and the country concerned, vis-a-vis a specific project, but will now go to an international body, multilateral in nature, with 42 percent of the funds controlled by the United States which, as I shall show in a major speech later, is a misnomer so far as its effectiveness will prove to be because of the human factors that are bound to develop in the administration of an international body such as this.

The second question the Senator has already commented on, but I wish to pin it down. It involves the nature of the loans that will be made, to the extent that they are loans and not grants—and nothing stops them from making grants, although there is some language in the committee report to the effect that Mr. Dillon feels that they will be able to get some of the money into hard loans, but he does not commit himself to any percentage—although I will give him an opportunity to commit himself before the debate is over, because I shall offer an amendment to provide that at least 50 percent must be hard loans—but the point that I am now making is this: It is true, is it not, that we are dealing here with a soft loan program?

Mr. ELLENDER. There is no doubt about it; that is, for the greater portion of the amount.

Mr. MORSE. With the soft currencies, that is, the counterpart funds, being stowed away in the banks, and not used, can there not also be the danger, in regard to these soft loan currencies, that they will be stowed away in the banks?

Mr. ELLENDER. As I said a moment ago, it would seem to me that if the soft currencies that we have stowed away in those banks now in many of these countries were used, we would not need to spend so much cash.

It would seem to me that the AID Administrator should find out how much soft currencies are in the countries already and use them for economic development, instead of converting more American dollars, and creating more counterpart funds. If that were done, in my humble judgment, he could do very well with fewer dollars.

Mr. MORSE. Is it not true also that those soft currencies, those counterpart funds, which our Government tells the American people constitute loans, are meaningless loans which are stowed away in the banks and cannot be spent by the United States without the consent of the country in which they are stowed away, and the country can always say—and it has been said in many instances—that the expenditure of this money would be disturbing to the economy and therefore we cannot spend it? So, in the long run, we are merely making grants, and these loans will never be collected in terms of expenditures. Does the Senator agree with me?

Mr. ELLENDER. I do indeed. That was the burden of my argument. Years ago, when we started this program—that is, at least in the past 4 or 5 years—before many of my good friends had become converts, I put it on the line many times by saying that these funds were being put in the banks and that they could have been used in order to develop the economies of those countries. But, no, they wanted more and more dollars.

I believe we have $3 billion or $4 billion by way of counterpart funds, plus all funds that have been collected from past loans that we have made, repayable in those currencies, which should be used instead of asking the United States to put in more and more and more dollars.

That is what ought to be done. As I have said, it is pertinent not only to South and Central America, but also to Asia and some very little in Europe.

Mr. MORSE. Around the world.

Mr. President, will the Senator yield for one further comment?

Mr. ELLENDER. I yield.

Mr. MORSE. The Senator is completely correct. As I said earlier, he has been making that statement for some years on the floor of the Senate. I suffered from myopia. At the time I did not see it. What I thought I saw at the time—and it was a mirage—was that we could count on our beneficiaries around the world to cooperate in carrying out what was the real intended purpose of the whole program. If that purpose had been carried out, we would not have gotten into its abuse and its misuse. But the Senator from Louisiana recognized in advance the danger of the abuse; and the abuse developed.

Mr. ELLENDER. I thank my good friend, the Senator from Ohio [Mr. LAUSCHE], very kindly for permitting me to make that brief statement.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the statement of the Senator from Louisiana and the dialog which followed be placed in the RECORD subsequent to my statement.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection, it is so ordered.

Mr. LAUSCHE. The Senator from Louisiana placed in the RECORD his understanding of the total cost of the foreign aid program of 1964?

Mr. ELLENDER. No; the cost during the current year.

Mr. LAUSCHE. Nineteen hundred and sixty-five. I have in my hand a paper delivered to me by a staff member of the Committee on Foreign Relations which shows that for the fiscal year 1964 total expenditures were $6,498,300,000. That figure proves that it is not only the money involved in what is known as the foreign aid program that constitutes the aid, but a number of different services and programs of help that we give.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. ELLENDER. Last year the President had asked for $3,450 million, as I recall, but we gave him only $3 billion. And yet the Senator has shown that over $6 billion was spent, which, in a measure, corresponds with the data that I submitted. Usually the amount we spend is almost double the amount the President asks for.

Mr. LAUSCHE. For example, in the foreign aid program we do not have the food-for-peace program.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. In the fiscal year 1964 that program, which in effect gives the products away for soft currency, cost us $1,963 million.

Mr. President, the staff of the Committee on Foreign Relations has been trying to obtain overall figures on foreign aid type activities for fiscal years 1965 and 1966 from the executive branch. It appears that the Agency for International Development can furnish these figures only for those activities under its jurisdiction. The Budget Bureau on the other hand relies entirely on the figures set forth in the fiscal year 1966 budget, which are not, however, arranged in such a manner as to show the total of our effort abroad. In a short period of time, it was therefore impossible to obtain definitive figures. The staff, however, has quickly gone through the budget and prepared the following table, which can be said to at least show an order of magnitude of our activities. I am aware that this table will no doubt be challenged by the budget experts downtown, since our staff does not contain such experts and there may be some overlapping figures. I would welcome such challenge, in fact, since that may be a way of obtaining the figures I want. At any rate, this table is not to be considered the last word on foreign assistance for fiscal years 1965 and 1966.

I ask unanimous consent to have the table printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated foreign assistance, fiscal years 1965–66

[In millions of dollars]

	Estimated expenditures,[1] fiscal year 1965	Recommended new obligation authority, fiscal year 1966
Agency for International Development	[2] 2,050.0	2,100.0
Social Progress Trust Fund	[3] 60.0	----------
Food for Peace	1,661.0	1,658.0
Export-Import Bank	537.0	616.0
Military assistance	1,200.0	1,170.0
Other economic	501.1	749.2
International financial institution	320.0	595.0
Peace Corps	80.0	125.0
U.N. loan obligation	17.4	----------
Inter-American Highway	23.4	4.3
Philippine war damage	34.6	----------
Trust territories development and support	17.5	17.3
Libyan special purpose	(4)	(4)
Administrative area development	(4)	(4)
Migration and refugee assistance	8.2	7.6
European Atomic Energy Commission	(4)	(4)
Total	6,009.1	6,293.2

[1] Excludes interagency transactions.
[2] Does not include U.N. programs.
[3] Approximate amount left available for obligations.
[4] Not available.

U.S. assistance—Net obligations and loan authorizations, fiscal years 1960–64

[In millions of dollars]

Agency	Fiscal year 1960	Fiscal year 1961	Fiscal year 1962	Fiscal year 1963	Fiscal year 1964[1]
AID and predecessor agencies[2]	1,866	2,012	2,508	2,296	2,273.0
Social Progress Trust Fund	------	------	224	125	38.4
Food for Peace	1,106	1,325	1,576	1,790	1,963.4
Export-Import Bank	305	962	535	572	576.8
Other economic programs[3]	97	88	234	363	190.5
Military[4]	1,845	1,462	1,526	1,834	1,455.4
Total	5,219	5,850	6,603	6,980	6,498.3

[1] Preliminary.
[2] Includes escapees and refugees, Intergovernmental Committee for European Migration, ocean freight, voluntary relief agencies, strategic materials, American schools abroad, U.N. technical assistance, U.N. Relief Works Agency, U.N. Children's Fund, Indus Basin Development Fund, U.N. Emergency Forces, malaria eradication (WHO), North Atlantic Treaty Organization, U.N. for Congo technical assistance, International Atomic Energy Agency, medical research (WHO), FAO world food program, community water supply (WHO).
[3] Includes civilian supplies, United Nations loans, Inter-American and related highways, Peace Corps, Philippine war damage claims, development and support (trust territories), Libyan special-purpose funds, administrative area development, migration and refugee assistance, European Atomic Energy Commission, IDA, Inter-American Development Bank.
[4] Excludes cash sales.

Mr. LAUSCHE. I should like to point out to the Senator from Louisiana the purport of my amendment. We are faced with a balance-of-payments problem. My amendment would prohibit the Inter-American Development Bank from floating any bond issue and selling it in the United States during the period in which the money which would be authorized under the bill would be available. I have concluded to offer the amendment because the Inter-American Development Bank thus far, since 1961, has issued $272 million worth of bonds; $225 million of bonds were issued in the United States. When we buy bonds of South American countries with private money, our dollars go out. To the extent that those dollars go out, they become potential claims upon our gold. Therefore I suggest that we attach a condition to the bill that no moneys will be granted if during the pending authorizations those countries sell bonds in the United States.

A moment ago I stated that $47 million worth of bonds of this bank were sold in Europe, and that is the amount. They were sold in Italy, Germany, and England. I fear that when they decide to sell bonds, South American countries will say, "Sell them in the United States where the interest rate is allegedly low. Do not sell them in England, because England is asking 7 percent interest for its money. It wants to stop the outflow of its pound, and the way it is doing so is by raising the interest rates."

We must stop the outflow of our dollars. One way to do so is to dissuade American private investors from buying foreign bonds sold in the United States.

I cannot see how a valid argument can be made against my proposal. Are we suffering terribly because of the outflow of dollars and the purchase of foreign securities? That question must be answered in the affirmative. My word need not be taken. All one needs to do is to read the President's report submitted to the Congress in January of 1965. Repeated statements are contained in that report to the effect that our balance-of-payments problem is aggravated by the large outflow of American dollars purchasing foreign bonds for which interest rates are supposedly liberal. A while ago I quoted statements from that economic report.

The question is, Is the purchasing of bonds affecting our gold reserves? It can only be answered in the affirmative. If the question is answered in the affirmative, I suggest that my amendment is a valid and sound one.

I wish to discuss a bit further the question of our subscription to the Inter-American Development Bank.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE].

Mr. FULBRIGHT. Mr. President, I have only a few comments to make. I think a provision such as this which is a direction to the Board of Governors is inappropriate. If it is desired to inhibit the sale of Bank bonds in this country, the bill should be directed to the Secretary of the Treasury. We already have an interest equalization law on the books, which is designed to inhibit sales of bonds in this country by advanced, industrialized countries. It does not apply to underdeveloped countries.

It is a matter of major importance to our country to help underdeveloped countries, particularly those in Latin America, which are geographically, and politically closest to us. I believe this amendment is a most inappropriate way to balance our payments. I would not approve the amendment, anyway, but, assuming it should be approved, it should be directed at our own Government, not to the Inter-American Bank.

The Inter-American Development Bank is an international institution, and its members would not take kindly to a directive from our Government.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I submit the Senator has had his opportunity to speak. I would like to get on with my comments. Then I shall yield to him, if I may. My comments will not take very long.

Our propensity for telling international organizations or other countries how to conduct their business is one of the unfortunate characteristics of the United States. We should tell our own officials. Already they have sought to inhibit sales of bonds in this country by industrialized countries, through the interest equalization tax law.

The Senator from Ohio described why the Bank wished to sell bonds in this country. It is because our interest rates have traditionally been, and I believe they are presently, lower than are interest rates in Europe.

I discussed yesterday and put into the RECORD the best information I know of with regard to the effect on our balance of payments. The Secretary of the Treasury and others testified to the effect on our balance of payments and the desirability of this program.

I can only again refer to the figures to which I alluded yesterday showing the overall balance of payments with Latin America. In 1963, 13 countries involved in this legislation ran a deficit with the United States to the extent of $405 million, according to the Treasury figures. This same group of countries, while they had a deficit with us, or we had a surplus with respect to them, had a surplus in Europe of $402 million.

So, on balance, while every country did not have a deficit with us, there was a total deficit of $405 million. This means they need dollars to purchase in the United States.

In addition, we described yesterday the nature of the "tied" aspect of purchases under the agreement. This tieing of loans to U.S. purchase does not apply to the sale of bonds, but the funds will be supplied by a letter of credit. Those funds will be made available only when the bills of lading are presented for advancement and credit at the time of the purchase of the goods in this country.

Now I yield to the Senator from Ohio, if he wishes me to do so.

Mr. LAUSCHE. The Senator made a statement that it is an imposition when our Government or Congress takes a position which states in effect, "This Congress will give $750 million, as you have requested, but we will do so provided only that you agree not to float a bond issue in the United States." He contends that is an imposition. What about the imposition upon us when we have the problem of balance of payments growing worse instead of better? We are sending our money to these people to help them. Why cannot we ask them, inasmuch as we give them the $750 million, to promise not to float any bond issues in the United States while the United States is in trouble. What is wrong with that?

Mr. FULBRIGHT. I do not believe that is the proper way to go about it, if this were to be the policy of Congress, it should be directed to our own Government. Normally, it is not considered proper practice to issue directives in this fashion to any international body of which we are a member.

There is some idea of proper relationship and proper decorum. One reason we created and participate in the International Development Bank is to foster the idea that other countries have a responsibility in it. They are countries which we do not seek to dominate or to make our satellites. We should treat them with some degree of respect. If we have to deal with the problem of foreign bond sales in the United States, we should do so through our own domestic policies and legislation—for example by imposing a higher tax.

If the Senator does not think the 1-percent differential is sufficient under the equalization tax, he could increase it to 3 percent. But this is not in accordance with the overall policy with regard to underdeveloped countries.

Why was it, last year when the Committee on Finance approved the equalization tax, it did not make it applicable to all the underdeveloped countries and to Latin America? It was because only less than a year ago it was believed to be our best policy to restrict this phase of it to the countries of Western Europe, Japan, and Canada.

We made some exemptions with regard to Canada solely because of the overriding interests of friendship—of political considerations, in other words—because we have very special relationships with Canada. But what we were really getting at was that there was no excuse for floating bonds in the United States by such countries as France, Germany, Italy, Switzerland, and others, which have a strong international balance-of-payments situation. The only reason they are coming here is to take advantage of low-interest rates. That is what we decided less than a year ago. If Congress wishes to do so, it can make it applicable to all countries, including the Bank, but I believe that the proper procedure is through our own Government.

The approach of this amendment is bad practice. At the moment, it is likely to be viewed as a precedent for our undertaking to direct an international organization which is created by sovereign nations, of which we are a member, or to begin to direct its policy. That is a matter for the board of directors, of which we are a member, of course, to say whether it will offer its bonds. It cannot sell them unless the market wishes them, or unless our banks and our people desire to purchase them. They cannot be forced on the market. But we do have a problem. The way to prevent it is by increasing the equalization tax, if the Senator approves of that policy. The Congress did. It could do so with all proper decorum, in any case. There is nothing wrong with that, but it would be improper to undertake to direct the Bank as to how to conduct its business. Congress does not have that responsibility, and I do not believe that it is proper. But, in any case, I disagree with it on its merits. As to the program in Latin America, we have to weigh the advantages and the disadvantages. The impact upon the balance of payments must be weighed against our interest in trying to promote stability and development in Latin America.

We are doing that to our own ultimate advantage—we believe that it is an advantage—to bring the countries along in an orderly development, instead of having them go along with Castro.

It always puzzles me that there are those who on one occasion are adamant against Castro and condemn him with great fervor, but when a measure of this kind comes before the Senate, one of the principal objectives of which is to prevent the spread of Castroism in Latin America, they object to that proposal.

I do not know what they wish to do, except that they always seem to feel that the only solution would be to use arms somewhere. I believe that this is an effort to use our economic interest in the area to accomplish the purpose, generally speaking, of which we all approve.

Mr. HARTKE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BASS in the chair). Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. FULBRIGHT. I yield.

Mr. HARTKE. The Senator is correct in his basic assumption that we have a serious balance-of-payments problem, and that he is in accord with the President's request to discontinue activities or make contributions toward minimizing the balance-of-payments problem. We should forget for the moment whether it is the direct policy of the Bank, that it is the direct introduction of the President's message which would prevent this kind of imbalance which will continue with the sale of the bonds. In other words, does not the sale of these bonds in our markets really contribute to the balance-of-payments problem?

Mr. FULBRIGHT. If they should sell bonds in this country, and to the extent the money is not spent, it would. As I stated yesterday—and I do not wish to labor the issue—the testimony of the Secretary of the Treasury is the best evidence we have that there will be a relatively small impact on our balance of payments. Most of the money will be in the form of what we call tied expenditures—in other words, the money will be spent in this country. Past experience has shown that a large percentage, as the Secretary said—80 percent or more—is spent in this country.

Mr. HARTKE. I wish the Senator from Arkansas to know that I am in sympathy with that statement.

Mr. FULBRIGHT. There is some impact. It is estimated to be somewhere around $12 million to $25 millon a year. The maximum would be $50 million, but we do not believe it would be that much.

Mr. HARTKE. As I understood the President's message, he made no differentiation. As the Senator from Arkansas said, this money would be spent to help the underdeveloped nations of Latin America. It may be that the President, when he made his recommendation on travel, for example, did not say that we should not travel only to the countries which are at present developed, but his travel prohibition request applies to undeveloped nations and to the developed nations, does it not?

Mr. FULBRIGHT. It does.

Mr. HARTKE. The amount of travel which would be involved to those nations certainly could not account for much in excess of what is involved in the sale of bonds.

Mr. FULBRIGHT. I do not have the figures, but my impression is that a vast number of tourists go to Europe to the developed countries rather than to Latin America—except for Mexico.

Mr. HARTKE. What I am saying is that the amount of travel to the underdeveloped nations should not be material. Why would it not be proper for us, if we are to consider that question, to discourage the kind of travel to the developed nations, to be consistent in the approach to the question of balance of payments?

Mr. FULBRIGHT. I have no objection. I would rather consider some further restrictions on tourism, because it would be much better for a year or two for Americans to take a look at their own country. But that is not the issue before us. I do not believe that this is the vehicle to solve our problem. We have a bill involving $750 million for a period of 3 years, and I would hope that we can dispose of that. All the other good ideas for improvements we can leave for some other vehicle.

Mr. HARTKE. I see a basic inconsistency with what the Senator has pointed out. We cannot take the balance-of-payments problem and be on one side of the situation one moment and on the other side the next moment. We should adopt a policy which should apply universally throughout the Government.

Mr. FULBRIGHT. I do not believe that the President, even though he is concerned about the balance of payments—as we all are—believes this to be so important that our foreign policy—every activity that we have—will be subject to that one consideration. I do not believe it is quite that critical. It may become such. If the program that the President suggests does not work as efficiently as he would like it to work, I am sure he would be prepared to come in with stronger controls until we do work out a balance.

I am sure that if it continues, tourism can be restricted in more direct ways. I notice in this morning's newspapers that Secretary Udall and others have been trying to persuade Americans to travel in the United States for a year or two, to look at our own country. This is a healthy way of approaching the problem. It will not work if people insist on going to Monte Carlo to be fleeced instead of going to Las Vegas to be fleeced. If they continue to go to Monte Carlo we may have to put some restrictions on their travel abroad. However, I believe they may be content to be fleeced in Las Vegas, rather than in Monte Carlo, for a year or two, at least, and then, if we are in a better position, they can go over there again.

At any rate, we have a specific problem before us, and that is whether we wish to participate in carrying out an agreement which has been entered with all the members of the Bank over a period of many months. We can either take it or not. Of course, Congress is at liberty to reject it if it wishes to reject it. At any rate, I do not believe we should issue congressional directives that are not to the point. We have a way of reaching the issue properly if we wish to do it through putting on a tax which would make it unattractive to float such bonds in this country.

Mr. LAUSCHE. Mr. President, I shall be very brief. We are not telling the International Development Bank what to do. It wants $750 million of our money, at the rate of $250 million a year. We are, in effect, saying, if my amendment is adopted, "We will allow you to have that money, but you must remember that we have a balance-of-payments problem, and therefore if in the future you should decide to sell bonds, you must agree not to sell them in the United States."

The manager of the bill has argued that our Government through the Secretary might be able to handle it without my amendment.

To that statement I give the answer that from 1962 to 1964, at a time when our balance-of-payments situation was growing worse, $225 million worth of bonds were sold in the United States. Those dollars paid by our private investors for bonds of the Inter-American Development Bank are not tied into the purchase of U.S. goods. They can be used to buy goods wherever the recipient country desires to buy them.

It is argued that we should enact a law which would increase the interest equalization tax rate. That has not worked. I would not be at all surprised to have a new request made of us.

To the Senator from Indiana I should like to say that our balance-of-payments problem, as described by the Senator from Arkansas, does grow from a number of causes. One is the presence of American troops in foreign countries, where they spend our dollars. The second, to a substantial degree, is the large number of American tourists who are spending dollars in foreign countries, and the small number of foreign tourists who are coming to the United States to spend their dollars here. The third is the investments which American business is making directly in building factories around the world. The fourth—and not in a minor degree, but in a substantial degree—is the American dollars that are buying foreign bonds.

There may be other causes, but these are the primary ones. All of them contribute to create the grave problem that is facing us.

All I wish to do is to start effectively. Secretary Udall has asked the people of the United States to travel in America. President Kennedy asked the people to do the same thing in 1963. The Commerce Department set up a program to encourage travel in America. These efforts did not work. There was not much response to it. My belief is that it did not work because the people were not conscious of the grave problems confronting us.

The Senator from Arkansas speaks of solving the problem in some wishful way. He says, "Let us speak with sweet words; let us appeal, and it will be solved."

My proposal is to write it into the law and say to the Bank "We will make this money available to you in the amount that is suggested, but all we want is that you, the Bank, will not further aggravate our balance-of-payments problem by selling new issues of bonds in the United States."

The Senator from Arkansas admits that our interest rates are low. In England, as I pointed out earlier, the interest rate is 7 percent for loans. When these 20 countries assemble and decide to sell bonds, the normal impulse will be to sell them in the market that charges the lowest rate of interest. Where is that? It is in the United States. Therefore I respectfully suggest that we should not try to wish ourselves out of this task and problem that confronts us and that we had better start taking affirmative action. Adopting my amendment is one way of doing it.

Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? The report is not sufficiently seconded.

Mr. LAUSCHE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceed to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The question is on agreeing to amendment No. 42, offered by the Senator from Ohio [Mr. LAUSCHE]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Minnesota [Mr. McCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Oregon [Mrs. NEUBERGER], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that the Senator from South Carolina [Mr. JOHNSTON], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I further announce that, if present and voting, the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. HICKENLOOPER] are absent on official business to attend meetings of the British-American Interparliamentary Group.

The Senator from Kentucky [Mr. COOPER] is necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent by leave of the Senate because of illness in his family.

The Senator from Delaware [Mr. BOGGS] is detained on official business.

If present and voting, the Senator from Vermont [Mr. PROUTY] would vote "yea."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from

Nebraska would vote "yea" and the Senator from Delaware would vote "nay."

The result was announced—yeas 35, nays 46, as follows:

[No. 25 Leg.]

YEAS—35

Allott
Bennett
Bible
Burdick
Byrd, Va.
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Gruening
Hartke
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Miller
Morse
Mundt
Murphy
Pearson
Robertson
Simpson
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—46

Aiken
Anderson
Bartlett
Bass
Brewster
Byrd, W. Va.
Cannon
Case
Church
Clark
Dodd
Douglas
Fulbright
Harris
Hart
Hayden
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Mondale
Monroney
Montoya
Morton
Moss
Muskie
Pell
Proxmire
Ribicoff
Saltonstall
Scott
Smith
Sparkman
Yarborough

NOT VOTING—19

Bayh
Boggs
Carlson
Cooper
Dirksen
Hickenlooper
Hruska
Johnston
McCarthy
Metcalf
Nelson
Neuberger
Pastore
Prouty
Randolph
Russell
Smathers
Tydings
Williams, N.J.

So Mr. LAUSCHE's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I should like to inquire if it is possible to obtain an agreement to vote on the amendments and on the final passage of the bill.

Mr. MORSE. Mr. President, I believe I can answer the Senator from Arkansas. The answer is "No."

Mr. FULBRIGHT. Will the Senator not agree to any kind of agreement?

Mr. MORSE. None at all.

Mr. FULBRIGHT. At any time?

Mr. MORSE. At any time.

Mr. FULBRIGHT. Will the Senator from Oregon indicate, for the information of the Senator in charge of the bill, whether he objects to a vote today or tomorrow?

Mr. MORSE. Let the debate run its course. I doubt whether there can be a vote today or tomorrow.

Mr. FULBRIGHT. The Senator doubts it?

Mr. MORSE. I doubt it.

ALIANZA POR PROGRESO NEEDS SUPPORT TO FURTHER DEMOCRACY IN LATIN AMERICA

Mr. YARBOROUGH. Mr. President, neighbors, be they nations or individuals, inevitably find that mutual advantage lies along the path of good relations. We are neighbors with all the nations on earth, because we inhabit the same planet. But, both historically and geographically, we bear a special relationship to our neighbors to the south.

Today, the Latin American nations of this hemisphere face a great challenge. Social, political, and economic change must, of necessity, be brought about. The question impatiently awaiting answer is this: Will the change be evolutionary or revolutionary?

The Alliance for Progress has been advanced as our primary offering to meet the challenge, by evolutionary steps. We in Congress have the duty to do everything we can to enable the Alliance to succeed in its work.

The people of Texas feel a particularly close friendship for our Latin American neighbors. Texas was once a part of Mexico; we still share a long border with our good friends to the south. The culture of Texas reflects the influence of our unique Mexican past, and is one of our irreplaceable treasures. Fifteen percent of all Texans, more than 1½ million people, have Spanish surnames.

Mr. President, I state categorically my support of the aims of the Alliance for Progress. Thus far, the program has not lived up to the expectations of many; but perhaps some of those expectations were unrealistic. It would be difficult to imagine a more difficult goal than that to which the Alliance is dedicated: Widespread, rapid, evolutionary—rather than revolutionary—social change.

> The Alianza para el Progreso has taken a giant leap forward. In terms of where it has to go, it has taken only a short, faltering step.

These words were written in 1963 by the then Senator HUBERT H. HUMPHREY. They still serve to describe the Alliance's accomplishments. Hundreds of thousands of housing units have been built. But the need is for over 10 million. Classrooms have been built, and the number of persons in Latin America who can read and write is at an alltime high; but 54 percent of the population is still illiterate.

Experience has taught us that the conditions of extreme poverty and inequality of opportunity which exist throughout so much of Latin America are breeding grounds for the Communist line which preaches economic advancement, but which results in shackles of totalitarian control. Thus far, Castro has not succeeded in getting any other nation to follow his example. But if the values of Western civilization are to shape the future of Latin America, then it is imperative that, at this crucial stage in the development of this hemisphere, we show what can be accomplished by a free people in a democratic society. More houses and more schools must be built. Agricultural and industrial production must be stepped up. Land reform is needed. The barriers to social and economic justice must be blasted away. At the same time, attention must be paid to the unrest and the insecurity which arise during times of rapid social change. We must show the people of Latin America that the future belongs to those with the vision to see that man's fulfillment comes not only from material accomplishment, but also from a realization of the nature of the human spirit; that man is more than an animal, more than a mouth to be fed, more than a number in a statistician's notebook.

The pending bill, which authorizes a $750 million increase in the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank, and which permits the merger of the FSO with the Social Progress Trust Fund, can bring us one step farther down the long road to a stable, democratic Latin America.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. GRUENING. Mr. President, I yield to the senior Senator from Oregon with the understanding that I may have the floor after he speaks.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, What is the pending business?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

> At the end of the bill strike out the quotation marks and add the following new paragraph:
>
> "(c) The contribution of the United States under this section shall be made upon condition that at least 50 per centum of the aggregate amount of loans made from such contribution shall be repayable in United States dollars."

Mr. MORSE. Mr. President, will the Senator from Alaska yield for a question?

Mr. GRUENING. I yield.

Mr. MORSE. How long does the Senator intend to speak?

Mr. GRUENING. Approximately 12 minutes.

Mr. MORSE. Mr. President, I often find myself in my present predicament. I am trying to operate an education demonstration. I see that the senior Senator from Illinois [Mr. DOUGLAS], a great teacher, is present in the Chamber. He ought to be here with me. The demonstration is employing the use of audiovisual techniques from Chicago, and a group of sixth grade youngsters.

I am sorry that the Presiding Officer cannot be with me. He has heard me discuss this question in the committee.

I shall leave the floor to attend as much as I can of the demonstration. I would not be surprised if the Senator from Alaska were asked some questions.

May I have a gentleman's understanding with the Senator from Alaska that when he finishes his speech, he will ask for a quorum call and protect me with respect to any unanimous-consent agreement relating to limiting debate on this bill?

Mr. GRUENING. I will.

THE MESS IN VIETNAM—IV

Mr. GRUENING. Mr. President, day by day, events in South Vietnam are making the United States look evermore ridiculous in the eyes of the rest of the world.

If almost every edition of the newspapers did not carry reports of more American fighting men being killed and wounded in a bloody, senseless war in the swamps of South Vietnam, the political and military situation there would be humorous—indeed farcical—if it were not so tragic.

What is our excuse for being in South Vietnam fighting an undeclared war?

Because, answers our Government, we were asked for assistance in resisting Communist aggression by the free, democratic Government of South Vietnam.

What government? Yesterday's? Today's? Tomorrow's?

Why were we given the signal honor of having our fighting men killed in the swamps of South Vietnam?

Our men are dying in defense of a people who do not care, who only want to be left alone, and who have so little appreciation of our efforts that, when placed on guard duty, they permit our men to be slaughtered in their barracks.

One of our officers reported that the barbed wire entanglements around our barracks were designed not to keep the Vietcong out, but to keep the South Vietnamese in and thus keep them from deserting.

Our men are dying in defense of a government that is no real government at all, that is composed of civilians and/or military having little regard for anything other than their own personal gain and of power-grasping, petty military men similarly interested only in their own gain and advancement. The last year's record on this score is conclusive and unanswerable. And there is no prospect of anything different.

Why are we fighting alone in Vietnam? Where are our allies—our cosigners of the Southeast Asia Treaty? Where are the fighting men from Australia, from France, from New Zealand, from Pakistan, from the Philippines, from Thailand, and from the United Kingdom?

Are treaty obligations honored only by us and not by the other signatories?

Or do we interpret our treaty obligations differently?

Our interpretation has certainly changed since September 15, 1954, when Secretary of State Dulles, explaining our obligations under the Southeast Asia Treaty, stated:

> Thus, the treaty will not require us to make material changes in our military plans. These plans already call for our maintaining at all times powerful naval and air forces in the western Pacific capable of striking at any aggressor by means and at places of our choosing. The deterrent power we thus create can protect many as effectively as it protects one.

I reiterate. Secretary Dulles emphasized that we were not prepared to commit foot soldiers to fight in the swamps of Vietnam. We would have, however, according to Secretary Dulles "powerful naval and air forces in the western Pacific capable of striking at any aggressor by means and at places of our choosing."

Our present involvement in the land fighting in South Vietnam must be judged in the light of an analysis of the type of conflict there. We are aiding one side in a civil war. We are already providing more military support to our side in the civil war—the South Vietnamese—than North Vietnam is supplying to its side—the Vietcong.

But unless we are willing to drop the futile disguise that our military men are in South Vietnam as advisers and take over all of the actual fighting, then the civil war will be successful only to the extent that the South Vietnamese are willing to fight—and this they are not willing to do. They are more concerned with being left alone.

And now on the horizon appear the "hawks," urging that the United States take over the actual fighting in South Vietnam; even if it means taking on in ground battle the fighting forces of North Vietnam, Red China, and Russia; even if it means risking the last world war—a thermonuclear war destroying civilization.

What is involved in escalating the war as demanded by the "hawks" is clearly set forth by Hanson Baldwin, the noted military expert, in Sunday's New York Times.

Mr. President, I ask unanimous consent that the article entitled, "We Must Choose," by Mr. Hanson W. Baldwin, published in Sunday's New York Times of February 21, 1965, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, Mr. Baldwin openly admits that escalation of the war could result in our having up to a million men fighting in South Vietnam in a Korea-type military operation. This does not include the number of military troops we would have to send to Korea if Red China—as is most likely—decided to reopen that front.

Such an escalation of the war would stop our steps toward economy in Government, our war against poverty, and our attempts to establish the Great Society.

In defense of the United States, this we should be prepared to do. This I am prepared to support.

But I cannot support those who urge an escalation of an undeclared war in a remote area of the world at a time, in a place and under circumstances chosen by the Communists.

The New York Times stated last Friday, February 19, 1965, in its editorial entitled "The War Hawks," criticizing their proposal, the "road out of the present hazardous situation is to invite world destruction. The American people made it overwhelmingly clear in the last election that they do not want to plunge recklessly down that road."

The New York Times, Sunday, again in an editorial, urged negotiation of the crisis in Vietnam. It said in part:

> The course of sanity is to explore the initiatives opened up by Secretary General Thant and General de Gaulle for negotiations to seek a neutralization of Vietnam and all southeast Asia. For a year the objection has been that our military position is too weak to allow negotiations. Every week it has grown weaker, and the latest upheavals in the Vietnamese military and political structure indicate that total collapse may be imminent. To send hundreds of thousands of Americans into an endless jungle war or to bomb North Vietnamese ports and industrial centers on a saturation basis would be a surer road to global holocaust than to a "victory" arms can never win for either side.

As Mr. James Reston stated in his column in the New York Times on the same day:

> But most of the people in Washington, including President Johnson, are neither hawks nor doves but something in between, who want to find an honorable way out of the confusion.

The opportunity for an honorable way out of the mess in Vietnam has been afforded the United States by the pleas for negotiation made by the Pope, by the Secretary General of the United Nations, by India, and by France, and by numerous private citizens, including some of our colleagues.

Those who urged the escalation of the undeclared war in South Vietnam should ponder well the words of the then-Senator from Massachusetts John F. Kennedy who, in the CONGRESSIONAL RECORD, volume 100, part 4, beginning on page 4671, said:

> To pour money, material, and men into the jungles of Indochina without at least a prospect of victory would be dangerously futile and self-destructive * * *. I am frankly of the belief that no amount of American military assistance in Indochina can conquer an enemy which is everywhere, and at the same time nowhere, an enemy of the people which has the sympathy and covert support of the people * * *. For the United States to intervene unilaterally and to send troops into the most difficult terrain of the world, with the Chinese able to pour in unlimited manpower, would mean that we would face a situation which would be far more difficult than even that we encountered in Korea.

I ask unanimous consent that there be printed at the conclusion of my remarks the editorials from the New York Times for Friday, February 19, 1965, and Sunday, February 21, 1965, and the column by Mr. James Reston in the same paper on February 21, 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRUENING. I hope the President will not attach too much significance to the urging he has received that he adopt the position of the "hawks" from such outstanding Republican leaders as the former Vice President, Richard Nixon, the former GOP presidential candidate, Barry Goldwater, and the able and distinguished minority leader [Mr. DIRKSEN]. As has been pointed out, if we become involved in a Korea-type, bogged-down foot war in South Vietnam, all three of these distinguished gentlemen will, when the casualty lists from an escalated war start coming in, be among the first to dub the war "Johnson's war" and to revive the cry that the Democratic Party is the "war party."

I hope, also, that the President will heed well the voices raised by his former colleagues on this side of the aisle who, having at heart only his best interests and the best interests of our country, have been urging him to heed the pleas of the Secretary General of the United Nations and the Pope, as well as those of our friends and allies in India and France, that the Vietnamese problem be brought to the negotiating table.

EXHIBIT 1

[From New York Times magazine, Feb. 21, 1965]

WE MUST CHOOSE—(1) "BUG OUT", (2) NEGOTIATE, (3) FIGHT—A MILITARY COMMENTATOR ARGUES FOR A GREATER USE OF OUR POWER IN VIETNAM: "WE MUST FIGHT A WAR TO PREVENT AN IRREPARABLE DEFEAT"

(By Hanson W. Baldwin)

What should we do—"bug out" or fight? Should we be "hawks" or "doves"? Or is there a third choice—negotiations now?

Recent events in Vietnam indicate that "the war that is not a war" has reached a crossroads. Washington's policy of the past 4 years, based on the polite fiction that we were not fighting a war but merely helping the Vietnamese to defeat the Vietcong insurgents within their own territory, has reached a point of no return.

Compromise and consensus—perhaps applicable to some of the Nation's great domestic problems—cannot be guideposts to foreign policy. There must be a clear-cut and courageous decision. And though in Vietnam we face the hard problem of risking much to gain little, the risk must be taken: We must fight a war to prevent an irreparable defeat. We must use what it takes to win.

Our policy should not be "unconditional surrender" or unlimited victory. Our goal of victory should be the defeat of Communist attempts to conquer South Vietnam and extend their control deep into southeast Asia.

The reasons we must fight for Vietnam have little to do with making Saigon safe for democracy or freedom. There has been far too much cant on this point, far too much effort devoted to trying to establish a politically legitimate South Vietnamese Government after our own image. Nor does it do much good to argue the past, debating whether or not we should have become involved in Vietnam in the first place. The facts are that Communist expansionism in Asia has been consistent, related, and progressive, that the end of the Korean war, without a simultaneous settlement in Vietnam, gave Peiping and North Vietnam's Ho Chi Minh the opportunity in southeast Asia they have so well exploited.

Belatedly, but nevertheless clearly, the United States became aware of the threat. Our commitments to Saigon began in the Eisenhower administration and were enormously amplified after the Kennedy administration took power 4 years ago. Today, we are committed—fully committed—by the words of Presidents and Cabinet members, by the actions of the Government, by the deep involvement of U.S. military forces.

U.S. global prestige and power is intimately bound up with the outcome of the Vietnamese struggle. In Vietnam, we are attempting to formulate an answer to the Communist strategy of creeping aggression, of subversion and insurgency, of what Khrushchev called "wars of national liberation." If the might and will of the United States cannot evolve a victorious answer to such tactics, we are undone; the map of the world will gradually became red. And if we will not fight in Vietnam, where—after the series of Communist conquests in the past 20 years—will we fight? Where will we draw the line?

The psychological and political consequences of a U.S. defeat in Vietnam, a U.S. withdrawal or a negotiated peace likely to lead to a Communist takeover, would be disastrous in much of Asia. It would undermine Thailand (already openly threatened by Peiping), Laos (even now half conquered by communism), Malaya, the Philippines (with its growing anti-Americanism), Burma, India, Japan, and even Taiwan, Okinawa, and Australia.

For a long time after the politically stalemated end of the Korean war, Peiping was successfully depicting the United States to the peoples of Asia as a "paper tiger." The defeat of the French—backed heavily by American aid—in Indochina enhanced this image of a windy, weak-willed, feeble Uncle Sam. That image has since been dispelled by U.S. actions in and around the Taiwan Straits, during the Cuban missile crisis and, recently, by President Johnson's retaliatory air attacks upon North Vietnamese objectives. But the portrait of flabby indecision could be easily revived if the United States loses in Vietnam.

Strategically, South Vietnam is too important to be allowed to go by default. North Vietnam badly needs the rice of the South. More important, the area is the traditional rice bowl of the continent. Geographically, Vietnam is a long appendix pointing toward the rich archipelago of Indonesia and abutting strategic sea passages. Whoever dominates it will eventually control most of the Indonesian archipelago.

The strategic importance of the area is similar to the so-called rimlands, or maritime nations, of Western Europe which represent a powerful bastion against the "heartland" of Soviet Russia. In Asia, the non-Communist strategic position vis-a-vis Red China is based upon mainland positions—Pakistan, India, southeast Asia and the island bastions of the Philippines, Taiwan, Okinawa, and Japan. If the rimlands of Asia fall to communism, the island positions will be doomed sooner or later. Ultimately the Communists will challenge us upon what is now our unchallenged domain—the oceans.

In a word, we must remain in southeast Asia for our own security needs. South Vietnam is in itself not vital in the sense that the United States cannot live without it. But if lost we would be forced to commence the next chapter of the world conflict in retreat, and at a disadvantage.

Despite the admitted importance of South Vietnam to the U.S. global position, the current breed of neoisolationists and the "doves" who believe we must cut our losses and get out advance many arguments against deeper involvement and in favor of withdrawal.

Most of the arguments represent the voices of defeat and despair, caution, and fear.

WHY NOT NEGOTIATE NOW?

Any negotiations opened now would lead from weakness, not strength. If we want to negotiate—and not to surrender—we shall have to raise our ante considerably. And "meaningful" negotiations are "meaningful" to the Communists only if they are faced with superior power and a position of strength.

We must "arm to parley." Personally, I seriously doubt whether talks can guarantee peace in Vietnam and southeast Asia, as some quarters have suggested, by neutralizing the area politically and militarily; in short, by eliminating the struggle for influence between Communists and non-Communists. Nevertheless, we need not fear negotiations if we speak from strength, by really putting up a fight for Vietnam.

Continuing U.S. air and sea attacks on North Vietnam would serve notice on Hanoi, Peiping, and Moscow that the United States will no longer tolerate "sanctuary warfare." They might—hopefully—force Hanoi to the conference table. Indeed, such a policy would appear to be the minimum necessary to open any kind of negotiations. Yet even such a program will not "win" the war in the south.

"If the French couldn't win, how can the United States achieve victory?"

The implication of this argument is twofold: (1) we have donned the colonial mantle of the French, and (2) our power is no greater than that of Paris. Both suggestions are absurd.

As some of our diplomats have found to their discomfort, South Vietnam is distinctly an independent country—not, as in France's day, part of a colonial empire. In fact, the fear of Chinese Communist colonialism is probably greater in all of Vietnam, and in North Vietnam in particular, than the fear of U.S. imperialism. As for a comparison between the political, economic, and military power of the United States and France, there is none. Particularly in the air and at sea we can mobilize power completely unavailable to France, backed up by the ultimate force which France did not possess—a nuclear arsenal.

"You can't win a war against guerrillas."

Not true. We have dressed up the fighting in Vietnam with a fancy name—"counterinsurgency," but some of its basic military elements resemble the kind of war Americans have fought successfully many times in the past in Nicaragua, Haiti, and behind the main fighting fronts during the Korean war. Other anti-Communist guerrilla wars were won in Greece, the Philippines, and Malaya. The Portuguese seem to have done a pretty good job of stamping out the rebellion in Angola. Guerrillas can be defeated, but it takes careful organization, special training, and security forces that should be from 10 to 30 times larger than the guerrillas. It takes infinite determination and patience.

"Continued fighting or expanded U.S. involvement will mean higher U.S. casualties and greater risks of broadening the war."

Of course, you cannot win a war without spilling blood. We must pay the price of power. Risks are unavoidable in any foreign policy worthy of its name. The question is not whether there will be risks, but the degree of risk. For against the perils of action must be weighed the perils of inaction. Political and military history clearly reveal that compromise, hesitancy, or appeasement merely lead to ultimate disaster. In Vietnam, the longer we wait, the greater the price we shall have to pay for even partial victory (as we are now discovering), and the more restricted our choice of options.

"We have no moral right to be in Vietnam, or to attack North Vietnam."

Neither do the Vietcong. Nor does North Vietnam have the right to support the civil war in the South. Our involvement was a response to Communist aggression. Since the beginning, Hanoi has organized, supplied, and directed the Vietcong insurgency. We were invited by the South Vietnamese Government to come to its aid. A high moral purpose is an essential element of our foreign policy but we can be left with no purpose—moral or otherwise—if we are conquered by the doctrine that the ends justify the means. If we are inhibited from action by Hamlet-like indecision over legalistic concepts of international law, we shall lose the world.

"What's the use of further military involvement, when the political instability of South Vietnam pulls the rug from under our feet?"

Here is one of the more cogent objections to greater involvement. But in the long history of Vietnam there have always been feuding sects and factions. Moreover, the French left behind them a people still unequipped for self-government. Yet somehow or other the war has gone on, and somewhat better in some respects recently. Greater U.S. involvement—above all, a tangible determination to win—may well do more for Saigon's political stability than any amount of diplomatic pressures.

"Isn't the real danger that escalation might involve us in a larger war? Wouldn't the Chinese come in?"

This is the $64 million question. It is quite clear that if the United States becomes more involved we must be prepared for greater effort by the enemy. Escalation in some form would be not only possible, but likely. But we have advantages. We are fighting, as we did in Korea, on a peninsula where our superior sea and airpower can be most effective. North Vietnam's few powerplants and industries are vulnerable to destruction. The Gulf of Tonkin is easily blockaded. And China itself, with an obsolete air force and minimal naval power, could not defend itself effectively against a determined air and sea attack.

Nevertheless, an expanded effort by the United States in Vietnam may well be answered by an increased flow of supplies and men from North Vietnam, perhaps by an all-out attack by the North Vietnamese Army, and perhaps ultimately by aid from China into South Vietnam. Though the flow could be hampered and reduced by air attacks it could not be completely halted. It is quite possible that the United States might become involved in a new kind of Korean war. But this would not be hopeless by any means. In fact, some well-informed authorities believe the United States could win a Korean-type of war in South Vietnam-Laos against the best that the Chinese Communists could throw against us.

"What about the specter of nuclear weapons? Wouldn't Russia join in, even if China didn't have enough A-bombs to do us any harm?"

There is no certain answer to these questions, but a full-scale nuclear war is highly unlikely. The United States has scared itself to death by its own nuclear propaganda. The fear of a nuclear exchange—never probable, or even likely—has been the greatest single restraint upon a positive and firm U.S. diplomacy since World War II.

Presidents and public alike have been inhibited by the nightmare of the mushroom cloud. Yet the lessons of the Cuban missile crisis should be remembered. Is it in any way probable that the Kremlin would risk for Vietnam what it would not risk for Cuba? Moscow knows our nuclear power. Would Russia invite its own destruction as a nation by invoking the use of nuclear weapons in any cause except the defense of its own soil? The questions answer themselves.

We must also remember the risks of delay. If there is a danger of nuclear retaliation today by Peiping, how much greater will it be tomorrow when China will have accumulated a stockpile of weapons? Time is restricting our options.

Clearly, then, the stakes in Vietnam are large enough to warrant the risks of greater U.S. involvement. Whether or not we raise our ante, the enemy will. The Communists are implacably determined to triumph, and the only factor that can prevent their victory is superior power in all its forms. More of the same on our part will no longer serve any purpose, save slow defeat.

What should we do? First and foremost, we must recognize as a government and as a people that we are fighting a war in Vietnam, not merely advising how to fight one. Such a recognition would awaken a greater sense of national and military determination, inspire a Presidential and congressional enunciation of purpose, and create a more streamlined military operation in Vietnam.

Second, the United States itself must provide maximum possible security in Vietnam to major U.S. installations, such as airfields, supply depots, and headquarters. Secretary McNamara's statement that it was impossible to guard against such attacks as those recently made by the Vietcong against U.S. airfields and barracks is no answer. Of course, 100-percent security is impossible in any war; defense against terrorism and sabotage is especially difficult. But there is no doubt whatsoever that we can provide better security to key installations than the South Vietnamese, who have been responsible for the job in the past.

We need U.S. tactical units in South Vietnam to defend our installations. We need infantry battalions, military police companies, Army Engineers and Navy Seabees to build aircraft revetments, dugouts and protected barracks. Yet all this is purely defensive; it should reduce U.S. casualties but it will not "win" the war.

Another essential measure is simplification and streamlining of both the high military command and the "country team" units, composed of representatives from various Government agencies, that support our aid effort in Vietnam. We must get more Americans and more Vietnamese out of the bistros of Saigon and into the bush. The coordination between the military, the Central Intelligence Agency, the State Department, the U.S. Information Agency and the Agency for International Development is far better than it once was. But it is still far from perfect in Saigon or in Washington. The war has shown, for instance, that South Vietnamese-United States teams have been able in many instances to carry out the military portion of the clear-and-hold prescription for victory. But AID—not the military—is responsible for police and internal security forces in Vietnam, and these cadres rarely have been able to hold an area once it has been cleared of the Vietcong. Perhaps military troops should be charged with the "hold," as well as the "clear," part of the operations. Certainly internal policing needs a major overhaul.

A basic change in the prescription for victory demands a United States-South Vietnamese unified command such as now exists in South Korea.

Continuous and heavy air and sea attacks against staging areas, supply routes, training fields, camps and recuperation centers of the Vietcong in North and South Vietnam and Laos will be necessary for any appreciable diminution in the flow of men and supplies to the Communists. The one-shot retaliatory raids have only temporary and minimum military importance; viewed as political and psychological warnings, they are likely to provoke the Vietcong and North Vietnam to a redoubled war effort.

The history of airpower dictates the need for unrelenting, massive attacks. Bombing targets in North Vietnam probably would have to be broadened to include powerplants, bridges, industries, road junctions, docks and oil storage facilities. A naval blockade and naval gunfire may well supplement the air bombardment. To carry out effectively any such program as this, U.S. air and naval forces in the Western Pacific would require material strengthening.

Meanwhile, it would take years of effort inside South Vietnam itself to reduce the Vietcong to manageable proportions. Much larger, and better led, South Vietnamese forces would be necessary. They would have to be supplemented by U.S. ground troops—perhaps in small numbers at first, but more later, particularly if North Vietnamese regular forces and Chinese soldiers joined the Vietcong.

How many U.S. soldiers would be needed is uncertain—probably a minimum of 3 to 6 divisions (utilized chiefly in battalion or brigade-size units), possibly as many as 10 or 12 divisions. Including Air Force, Navy, and supporting units perhaps 200,000 to 1 million Americans would be fighting in Vietnam.

Obviously, this would mean a Korea-type conflict, a major war, no matter what euphemisms would be used. Nor could we wage it in the present "business-as-usual" economy. We would require partial mobilization, vastly beefed-up military production. Many weaknesses in our military structure would need strengthening. Even so, we could not anticipate quick success. The war would be long, nasty, and wearing.

No one could relish such a prospect as this; the stark statistics of war explain the President's reluctance to embark upon a path that has no turning.

Vietnam is a nasty place to fight. But there are no neat and tidy battlefields in the struggle for freedom; there is no "good" place to die. And it is far better to fight in Vietnam—on China's doorstep—than fight some years hence in Hawaii, on our own frontiers.

EXHIBIT 2

[From the New York Times, Feb. 19, 1965]

THE WAR HAWKS

A comparatively small group of Americans, at this moment predominantly political in character and predominantly Republican in politics, is doing its best to multiply the perils and frustrations of the war in southeast Asia.

This group ignores the realities of the present situation. It ignores the obvious war weariness of the people of South Vietnam. It ignores the steady stream of desertions from the Vietnamese Army. It ignores the difficulty of protecting isolated American bases against the surprise attacks of guerrillas.

It ignores the possibility of an invasion of South Vietnam by the very considerable North Vietnamese Army. It ignores the problem of how an aerial counterattack could cope successfully with a massive ground attack of this character. It ignores the possibility of Chinese intervention. It ignores the logistics and belittles the cost in lives lost, blood spilled and treasure wasted, of fighting a war on a jungle front 7,000 miles from the coast of California.

The whole aim of this group is to expand the Vietnamese war, even if it means drawing in China and perhaps the Soviet Union as well. By its lights, Presidents Johnson's declaration that the United States seeks no wider war is as much a prescription for failure as any attempt at a negotiated peace. It is one thing to say, as Secretary McNamara did in his testimony yesterday, that this country has "no other alternative than continuing to support South Vietnam against the Red guerrilla onslaught." It is quite another to argue that the road out of the present hazardous situation is to invite world destruction. The American people made it overwhelmingly clear in the last election that they do not want to plunge recklessly down that road.

[From the New York Times, Feb. 21, 1965]

THE DEBATE ON VIETNAM

A great debate on the Vietnamese conflict is now raging all over the United States. It goes from the White House, Congress, and the Pentagon to every home, office, factory, and farm. It is unresolved because the Government has not yet decided on its policy or, if it has, President Johnson is not telling the American people. The debate's subject, in its simplest form, is whether to fight a big war in Vietnam or to seek a way out through a combination of continuing defense and diplomatic negotiation.

The case for a vastly stepped-up American military commitment—as set forth in today's Magazine by military analyst Hanson W. Baldwin—is that the "Communist strategy of creeping aggression" must be stopped in Vietnam before it swallows all of Asia and the world. Under this theory, the United States should undertake saturation bombing of North Vietnam and send as many as a million American soldiers, sailors, and fliers into a "war to win."

Such an approach discards any pretense that our objective in Vietnam is to protect the Vietnamese people; it turns the conflict into a naked ideological struggle that ignores all the deep cleavages recent years have brought in both the Communist and free worlds. Not one of our major allies in the West could be expected to endorse, much less actively assist, an American involvement so massive it would amount to a military occupation of leaderless South Vietnam. America's efforts to demonstrate the superiority of its social system by abolishing poverty and building a Great Society would vanish under the necessity for pouring our youth and treasure into a limitless solo adventure.

On the Communist side the effect of a large-scale American assault on North Vietnam would be to resolidify the fragmented Moscow-Peiping-Hanoi axis. Communist China would have to send her land armies to the rescue, as in North Korea, or be labeled a "paper tiger." Soviet Russia, now manifestly unhappy about anything that would enhance Chinese prestige or dominion, would find it almost impossible to stand aloof. The end result would be an escalation of such dimensions that no one could be sure it would not wind up in the kind of calamitous atomic exchange Secretary McNamara described so graphically in his testimony last week.

There are many, of course, who contend that the United States will eventually have to fight a nuclear war with China anyway, and that it is better to have the showdown now when our superiority in weapons and delivery devices is so great. These are the same people who a decade ago were advancing precisely the same argument on why the United States should not wait to drop the bomb on Moscow. The notion that all Communists are alike and that all must be destroyed is the road to world annihilation.

The struggle between East and West is enormously complex, and nowhere more so than in Vietnam, a country that has been occupied or neutral for 2,000 years and that now shows no will to fight in its own defense. The Vietnamese, both North and South, have an inherited fear and dislike of the Chinese. The Russians undoubtedly have at least as much desire as the United States to keep them from being swallowed into Peiping's empire.

The course of sanity is to explore the initiatives opened up by Secretary General Thant and General de Gaulle for negotiations to seek a neutralization of Vietnam and all southeast Asia. For a year the objection has been that our military position is too weak to allow negotiations. Every week it has grown weaker, and the latest upheavals in the Vietnamese military and political structure indicate that total collapse may be imminent. To send hundreds of thousands of Americans into an endless jungle war or to bomb North Vietnamese ports and industrial centers on a saturation basis would be a surer road to global holocaust than to a "victory" arms can never win for either side.

[From the New York Times, Feb. 21, 1965]

WASHINGTON: THE AGONIES OF VIETNAM

(By James Reston)

WASHINGTON, February 20.—President Johnson is not the only one who is having trouble with the war in Vietnam. It raises so many new problems that the lawyers, the journalists, and even the architects here are as baffled by it as the politicians, diplomats, and soldiers.

Consider the lawyers at the State Department. With their gift of proving the legality of either good or evil, they are expected to demonstrate that the Communists in Vietnam are breaking their international agreements, which is easy, but proving that the United States has been faithful to the same agreements is not so simple.

The main legal argument of the United States in Vietnam is that it has intervened in that country at the request of the legally established Government, but there have been 8 Governments in Vietnam in the last 16 months, most of them established by force.

This is awkward, even for competent lawyers. They can easily demonstrate that the Communists have broken the 1954 Geneva agreements against subversion and aggression in South Vietnam, but the United States sent more military advisers into Vietnam and refused to agree to elections in Vietnam—in violation of the same Geneva agreements—and this complicates the argument.

The American journalists are in even more trouble here and in Saigon than the lawyers. They are supposed to report what is going on in Vietnam, but how could they? They cannot see what is happening beyond the 17th Parallel in Communist North Vietnam, where the U.S. Navy and Air Force are bombing, and they cannot even keep up with the changes in the South Vietnamese Government in Saigon.

All the techniques of diplomatic correspondents of the past are now out of date. A reporter used to know in a foreign capital who was in charge. Sometimes he even knew who was ahead. But in Saigon, Prime Ministers change like bus drivers at the end of the run, and unless they are numbered, like football players, it is almost impossible to know who is on the field.

PUZZLE FOR THE PRESS

Even the most resourceful and responsible American news agencies and newspapers have only one or two reporters on the scene, but there are now over 40 different wars going on in Vietnam under different circumstances and in different provinces and, in Saigon itself, the conflicts between political, military, and religious factions are so varied and complex that they would tax the energy and ingenuity of the entire Washington press corps, now numbered in the thousands.

Almost all the normal assumptions of the democratic society of the United States are challenged when they come into conflict with the assumptions of the peoples of Asia. We believe in individual responsibility; the Buddhist countries regard this principle as a formula for chaos. We put the children of the family first; they put them last. We assume that the people of Vietnam want to be helped to have our kind of personal, family and political life, but the experience to date, after almost 20 years of war, is that the people of Vietnam want peace under almost any terms.

THE ARCHITECTURAL PROBLEM

Oddly enough, even the architects of the State Department, who build the U.S. Embassies abroad, illustrate the problem. They are thinking of the majesty of their country, of its power, its culture, and its vision of the future.

So they build symbols of America's aspirations: Open glass palaces, prominently placed in the center of foreign capitals where everybody can appreciate the glory of American freedom.

The Russians are more cynical. They build compounds, with high walls, to discourage the political demonstrators. They are introducing the new imperialism, and the new colonialism, but they expect trouble in the process, and they prepare for it, both politically and architecturally.

The American architects, however, like the American lawyers, journalists, diplomats and soldiers, prepare for the world as they want it to be, rather than for the world as it is. They assume that the world will be sensible, that it will accept our standards and our ideals and aspirations, though the whole history of American intervention in Vietnam defies our assumptions.

What we need in the modern world are policies, men and institutions that are practical to the facts as they are. We are trying to make the world conform to our ideals, our concept of the way Congress and the President would like it to be, but the world of Asia has a different idea of man and his relations to the world and eternity.

So we are in trouble. We have in Washington our "hawks," who want to take any risks to impose our will on the politics and religions of Asia, and our "doves," who want to take no risks about anything. But most of the people in Washington, including President Johnson, are neither hawks nor doves but something in between, who want to find an honorable way out of the confusion.

Fortunately, Washington, Peiping, and Moscow are all holding back for the moment. All are trapped by the dangers of using the power at their command. They talk big but act with some restraint, and this is the main hope of a settlement in the end.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. GRUENING. I am glad to yield to the distinguished Senator from Wyoming.

Mr. McGEE. If I may speak for a moment, I should like to address myself to some of the points raised by the Senator from Alaska. I believe the central point of this case stems from the open question as to the importance of southeast Asia in the power balance of the world. It is my judgment that the area of Indochina, Cambodia, Laos, Thailand, Malaysia, Indonesia, the Philippines, is such a rich enough empire in its total context, with tin, rubber, oil, rice, and a number of other important resources, that it makes a difference to the powers of the world what happens to that segment of resource potential. It particularly makes a difference to a country that has too many people and too few resources. It was worth a war on the part of Japan. The reason she made war in the Pacific was to make this area a part of the Japanese Empire. So also was it worth a war by the British, by the French, by the Dutch, and the Portuguese in earlier, colonial times.

Especially in the atomic age, in the mid-20th century, the same importance attaches to that region; and if it is surrendered to one nation that looms as one of the great political powers, we are aiding and abetting the imbalance that will result.

On this basis in particular do I believe it is important that there be a sincere effort to withhold from Red China acquisition of a great territorial empire. That is where I begin to disagree with the distinguished Senator from Alaska.

Mr. GRUENING. I appreciate the statement of my colleague from Wyoming. His references to the eagerness of the former colonial powers, England, Japan, France, and others, to seize this territory, points up the very difference between the situation then and the situation now. Because of that difference I believe we should leave this question to be settled by the people directly concerned, the people of South Vietnam and southeast Asia. We should not, as a government, succeed to the position of any former colonial power—although, in effect, we have—and take over the burden once borne by France, after she had suffered 175,000 casualties, at a cost of billions of dollars, to which we contributed. Let the Asians settle the problem, in which case it will be settled far better than if the governments of the West attempt to settle it. The white man cannot, in my view, settle the problems of Asia.

As Walter Lippmann pointed out in a recent column, we did not interfere in a case of manifest aggression when Tibet was invaded by the Chinese. We did not interfere in the more tragic case of Hungary where the people were ruthlessly mowed down by Russian tanks. We did not do so for various reasons. The reasons for our interfering then were more cogent than they are now, because we might have had a chance in those areas of succeeding by recognizing promptly the free government of Hungary. We would have been helping a people who were willing to fight, the Hungarians. Moreover, they had been led to believe by Secretary Dulles that we would roll back the Russian invaders.

The tragic thing about this situation, which has been amply demonstrated by events of the last few years, is that the South Vietnamese have no will to fight. The constant overturn of one South Vietnam Government after the other, the government which we invoke as being a friendly government of a brave people which has asked us to help them, does not hold water. It has become a myth.

Mr. McGEE. Mr. President, will the Senator yield at that point?

Mr. GRUENING. The Senator from Wyoming will remember that in the case of the Korean war, which has been occasionally invoked as a parallel issue, there were important differences. First, we were there under a United Nations mandate, fighting side by side with the troops of eleven other nations of the West.

Where are our allies today?

The situation might be different if we were supported by the troops of all our Southeast Asia Treaty Organization allies, by the British, by the French, by the Australians, by the New Zealanders, by the Filipinos, by the Pakistanis, by the Thai. But, where are they?

They are conspicuous by their absence. None of their boys have lost their lives on the firing line. Why should the United States alone be called upon to sacrifice the lives of its young men for people who do not wish to fight?

Mr. McGEE. Mr. President, will the Senator from Alaska yield at that point?

Mr. GRUENING. I yield.

Mr. McGEE. I address myself to the pertinent question raised by the Senator from Alaska: Why is it any of our business? Even our allies will not stand with us, and the Vietnamese do not wish to fight. Needless to say, we all would wish that we had allies beside us and that the Vietnamese were in better order south of the 17th parallel than they are, and that they had the will to go on, and that sort of thing: but I believe this is relatively irrelevant. The real point is once again the old political power struggle that takes place in the wake of any great war. This has been going on since the end of World War II. There were only two nations left standing at the end of World War II capable of reconstructing the balance of power politics around the globe. One of them was in Moscow and the other was in Washington. We did not seek this leadership. History thrust it upon us. We could either have forfeited to the Russians at that time or have seized that responsibility ourselves. We have been trying to carry out that responsibility ever since. Without trying to run over the history of World War II again, which I know the Senator from Alaska knows even better than I, suffice it to suggest that as a result of American policy, we succeeded in drawing a firm line to represent our rebalancing of the world, a line that extends from Finland all the way down eastern Europe across to the eastern Mediterranean and north to Greece and Turkey, Iraq, Iran, India, Burma, and China, to the last link in southeast Asia.

It is a line drawn firmly enough so that at least neither side dares to cross it with impunity. That is the reason it makes a difference to us. Irrespective of the Vietnamese Government in the south, irrespective of what the British do, or the French do, or anyone else does, it has become our lot to try to rebalance the world in order that out of that imbalanced world we might once again obtain the opportunity—win the opportunity, if we will—to direct the course of the history of our time in more useful directions than otherwise might be the case.

That is what is at stake right now.

Better that we should have a united government in Vietnam. However, we do not have it. Do we, then, forfeit by chance or by inadvertence, or because of the quarrelsomeness among the generals in South Vietnam, the obligation to finish the rebalancing job around the world to the kinds of undeveloped or unsophisticated or indecisive political forces that come into play in South Vietnam?

I say that we would forfeit our right to be the representative leaders of the world if we were to do it that way. I would rather have people with us, but let me say to my friend, the distinguished Senator from Alaska [Mr. GRUENING], that we do this not to be patted on the head, not to be loved by other nations, but that we do it because we have to do it, to save our very existence. Balance alone, is our only substitute for major war under our present system on the globe; we have found no measurable substitutes for the power politics and the balancing of the political spheres of the world. Because the world is still older, it is no longer possible to confine this kind of contest to the mainland of Europe, or western Europe, as used to be the case in the 18th century and the 19th century, because the forces of power and their great capabilities are now worldwide. We have to rebalance an entire globe, rather than one continent. That is what is at stake, as I see it, in Vietnam.

That is the reason it makes a difference to us what happens there, no matter what the Vietnamese do, or what the French do, or what anyone else does. We have the capacity for doing it, if we still have the determination to see it through.

We have paid a considerable price until now to get as far as we have. It would seem to me to be a travesty upon the sacrifices made up to this time, to get cold feet now and pull out at the moment that we have an opportunity to realize ultimate stability in an area that does make a difference to us.

Therefore, I submit to the Senator from Alaska, that what happens in Vietnam and the rest of the peninsula, and all of southeast Asia, does indeed play an important role in the rebalancing of the globe, and that we can have a hand in making that readjustment of this rebalancing possible. That is where I take issue with the Senator from Alaska.

Mr. GRUENING. I thank the Senator from Wyoming for his lucid exposition of his views, which I do not share in any particular. I do not believe that American security is imperiled by what happens in South Vietnam. I have said repeatedly, and say again, that I consider all of South Vietnam not worth the life of a single American boy.

Moreover, I do not believe that we can win this battle by military means. If the implications of what the Senator has said are followed through, it means that regardless of whether the South Vietnamese fight—which they clearly have shown no disposition to do—that we must move in with our American troops, and take over the whole war. As Hanson Baldwin indicated in the Sunday Times article which I just placed in the RECORD, we shall need a million men there. When the casualty lists which have been steadily growing start coming in in even greater numbers, we shall hear from the American people. My mail already shows, in a ratio of over 100 to 1, that our Vietnamese policy is not approved by the American people, who prefer an effort to stop the killing and attempt a policy of negotiation which I have advocated—this is a most representative mail.

This mail comes from all parts of the country. It includes Episcopal bishops, Catholic priests, presidents of universities, retired Army generals, heads of foundations, business executives, doctors, lawyers, clergymen, laborers, housewives—people from every State in the Union.

That proportion of more than 100 to 1 is so overwhelming that I believe I can say advisedly that the effort to achieve peace by negotiation, by arbitration, by conference, is what the American people wish. We are, incidentally, pledged to do that by our adherence to the U.N. Charter. The Senator from Wyoming will find that sentiment is growing. Some of the letters which I receive come from his State of Wyoming.

Mr. McGEE. Mr. President, will the Senator yield at that point?

Mr. GRUENING. I am glad to yield.

Mr. McGEE. I also have received a good bit of mail on this question. With all due respect to the Senator from Alaska, let me suggest further that the issue in the world today is so critical that this country—upon whose shoulders the mantle of leadership has fallen—cannot afford to project its foreign policy with a 5-cent postage stamp. We cannot afford to weigh the mail. We must try to do what we believe is right in the national interest, and then we must try to provide the leadership that can lead to the attainment of that objective. I receive the same kind of mail that the Senator from Alaska does. In fact, I may get some which is even more vituperative, because some of us have been labeled as "war hawks," which is as much a mistake as labeling some other Senators as "pacifists." We are all interested in achieving the same objective.

However, I am receiving mail, some of which I am not proud of, saying, "Amen, you are doing a great job" I am speaking of the John Birch Society. I am speaking now of some of the extremist groups that we have developed in this country. "Welcome to the club. You have now joined our ranks." That is hard to take, because as the Senator from Alaska knows, I was one Senator who helped expose the extremists of the right. I carry no brief for them in any respect. In my judgment, any coincidence of interest on this question of policy is shear coincidence.

Let me say to the Senator from Alaska that here is where the Senator should now start being a Senator, rather than being aware of mail, that this group should start providing leadership, should provide a voice that can direct the course of policy and give it a push. Our direction, I believe, is tied in with the national interest, rather than with groups, according to the whims of public opinion at any given moment. I believe that our position is much bigger than reflecting public opinion. We should contribute to the molding of public opinion. We are not going to do it if we read letters first and then act. Sometimes we must act according to the mandates of history. I believe that the mandate of history is unmistakably clear at this particular moment.

Mr. GRUENING. The Senator from Wyoming makes reference to the interesting question concerning negotiation. Why not negotiation now? When we sit down to negotiate, we sit down to try to make some reasonable, rational adjustment in an area where there are honest differences of opinion.

Mr. McGEE. Mr. President, we have no indication that anyone wishes to sit down on the other side. We have no indication that we would be able to lead from any kind of position of strength that would enable us to exert any influence on the shape of a settlement. At this very moment, as the Senator proposes that kind of negotiation, we are confronted with the effrontery of those to the north of the 17th parallel, who have attacked our army billets and our airfields from which our airplanes are deployed, and who are deliberately set upon a policy of harassment in that part of the world. For us to say now, in the midst of these circumstances, "No matter what you have done, let us sit down now and talk about it," would be interpreted in Hanoi and in Peiping to mean that we have had enough and that we are willing to call it off and go home. It would be interpreted, rightly or wrongly, as our leaving from weakness.

That, in itself, would foment exactly the wrong reaction in North Vietnam. The President is committed to see it through in Vietnam. Our policy is to see it through in Vietnam.

One of the most serious mistakes that we could make right now would be to lend credence to the view on the other side that we are only bluffing, that we are engaged in some kind of game. That is the stuff of which unintended and accidental wars are made.

It is imperative that we get through to them, loud and clear, that this is no joke, that this is no academic exercise on our part. Once we can make sure that the men in Hanoi know that we mean business, only then, it seems to me, dare we talk in realistic terms of negotiating.

All of us believe in negotiation. However, we believe that we ought to negotiate in times and circumstances when we have a little more control than we have had up until now.

That is why it is imperative that we hold back at this time on the proposal to negotiate.

The Senator has quoted from what the late President Kennedy has said. I repeat a bit more wisdom of the late President, when he said, "While we will negotiate freely, we shall never negotiate freedom."

The time is here when we must draw a line, across which we will brook no further infiltration or supplying of the forces that are now waging combat in South Vietnam. I believe that drawing that line, and making it clear that we intend to hold that line, gives us the best chance to stabilize conditions in the countries surrounding Vietnam and in all of southeast Asia.

It is this pursuit, it seems to me, that will best clear the air.

It is not without point that Edgar Snow reports to us from his conversations in both Hanoi and Peiping that the gentlemen in charge there believe that in perhaps 2 years we shall be off the mainland, that we will go home. They must be disabused of that notion, because of the dangerously explosive assumption it represents, namely, that they can bluff us out.

It is only in those circumstances, the pursuit of this policy of bluff, that the world can explode into a war that no one intended or wanted.

That is the basis for the proposal I submitted the other day, in order to contribute, I hoped, to the substantive debate, which I believe is essential in connection with this subject. The Senator from Alaska has contributed a great deal by his courage in carrying forward his views.

I have suggested that we serve an ultimatum on North Vietnam that if it continues to supply its troops across the 17th parallel, and if it continues to send in materials of war, we shall step up and escalate our bombardment of North Vietnam, for one reason, and for one reason only, that reason being to make it clear that we are there to stay, to disabuse them of the false notion that somehow or other if they make themselves enough of a nuisance, we shall pack up our bags and go home. Once we clear the air on that point, we shall be in a position to sit down and talk realistically about some kind of settlement of the issues that have generated unrest in this area.

Mr. GRUENING. It is my recollection that the quotation from President Kennedy was somewhat different from that cited by the distinguished Senator from Wyoming. My recollection of what President Kennedy said was: "We shall never negotiate from fear, but we shall never fear to negotiate."

It may be that in another quotation the President used the word "freedom," and not the word "fear," which I used.

I believe that the quotation the Senator from Wyoming has reference to was the one that the President used when he said, "We shall never negotiate from fear, but we shall never fear to negotiate."

Mr. McGEE. The quotation which I had occasion to use is one that I have checked, and one I have used many times. It is, "We shall never fear to negotiate freely, but we shall never negotiate freedom." That is the substance of what we are talking about.

Mr. GRUENING. The point is that President Kennedy said, "We shall never fear to negotiate." This is the time when it appears that the Senator from Wyoming fears to negotiate.

Mr. PELL. Perhaps there were two quotations, made at different times. I recollect both.

Mr. McGEE. I used the one that I thought best described the situation. The Senator from Alaska has used another quotation that he, likewise, believes has application in other circumstances. I believe the one I used fits these circumstances. It is not a matter of failing to negotiate, but one of negotiating meaningfully. A proposal from our side at this time to negotiate would add fuel to the fires now burning in North Vietnam, which would lead to their expectation that we are leading from weakness, and, therefore, they would say, "Why should we talk?"

Mr. GRUENING. The Senator from Wyoming has referred to a commitment which we have made. He feels that in order to carry out the commitment we must do what we are doing now and a great deal more.

The only commitment that I know of from the administration was the one made by the President in his state of the Union message, and perhaps repeated subsequently; namely, that we are there to help the people of South Vietnam, and that it is they who must win their freedom. We are merely there to help them. I do not remember any commitment with respect to North Vietnam, Cambodia, Laos, or the rest of southeast Asia. The Senator is escalating that commitment into an allout war in southeast Asia, to do whatever may be necessary. I do not share that view.

I have the great fear, which those of us who oppose the policy of the administration share, beginning almost a year ago, on March 10, that we may become involved in a major war. That is contrary to all our professions of peace and our repeated statements that we seek only peace.

I do not see how it is possible to achieve victory—and I put the word "victory" in quotation marks—by military means.

Let us suppose that we send in a million men, as Hanson Baldwin feels it will be necessary to do to "win." We probably could conquer North Vietnam and South Vietnam militarily and hold it for a while. Then what would happen?

We would in all probability have to fight a war with China; possibly with Russia, too. Our policy is pushing Russia back into China's arms. Our policy appears to be closing the split between them.

But even if that does not happen—war with China—does anyone believe we could hold Vietnam indefinitely? That is a prospect which few Americans will approve when we consider the forces that exist in Asia—forces for self-government that will assert themselves.

It is my conviction that we cannot win this war by military means—perhaps it can be won by other means in time. Therefore, I am one who feels that a great tragedy is confronting the American people, the loss of hundreds and in the future, if we persist, of thousands and tens of thousands of young American lives, in a war which ultimately will be settled in the form in which the North Korean conflict was settled—a stalemate. I believe that that is what we should avoid.

I feel that U.S. security is not involved in the operations down there. I believe that the United States has no business to be all over the world unilaterally wherever there is a fracas and a Communist threat and send our young men to die for people who will not fight for themselves. That is the point at which the Senator from Wyoming and I differ.

Mr. McGEE. I point out to the Senator from Alaska that our difference is not based upon the willingness or unwillingness to risk the lives of American boys. Unless and until we are willing to wage peace as vigorously as we are always willing to wage war—that means the commitment to the calculated risks of seeking a chance to reach peace—we shall not achieve it. That is exactly what is now at stake. It was the risk that was taken in Berlin; it was the risk that was taken in Greece; it was the risk that was taken in Korea; it was the risk that was taken in Cuba. The same calculated risk must be taken now. We cannot with certainty predict what the other side will do. If we could, we could make much wiser calculations than those of which mortals are capable.

But we must know what our standards and stakes are. In my judgment, the stakes in southeast Asia are the equivalent of the stakes that we have already measured up to in other areas where the risk was all-out war, and where the risk was literally hundreds of thousands of American lives, if need be. It is the willingness to take the risk under carefully calculated conditions that is the measure of our opportunity to win—not peace—but the opportunity to shape the peace. The price that we have already paid for it is a rather frightening one.

Mr. GRUENING. To use the words of the Senator from Wyoming that "we should wage peace," I point out that that is precisely what we have not done. It seems to me that early in the Johnson administration, when the President was not as committed as he is now, when our casualties were relatively minor and we had not made extravagant promises, when we had not sent Mr. McNamara over there to lead the campaign for General Khanh, and when we had not increased the number of so-called advisers—which have not been advisers—from 16,000 to 18,000 to 23,000, that was the time when, in conformity with the Charter of the United Nations, to which we are signatory, we could have tried negotiation, conference, arbitration, to see how far we could have gotten. At that time it might have been a great deal easier to do it than it is now. I think now we are deeply committed. The problem of disentangling ourselves is surely more difficult. I think precisely we should have waged peace in the beginning as we have waged war.

Mr. McGEE. The waging of peace involves a willingness to risk war. In the rebalancing of the power vacuums of the world that has always been the case. To obtain peace, we risked war in Berlin. We risked it in Greece. We even had to support the wrong side in the Greek civil war in order to win the opportunity for the so-called right side to get a chance to establish a better economic level and a more democratic form of government.

History is not always as kind as it ought to be on questions of alternatives that have faced us. I submit in all sincerity that the people of Malaysia—whatever it is they want—the people in South Vietnam—whatever they may ultimately desire—or the people anywhere else in southeast Asia will have a better opportunity to realize the dignity of national independence if we are capable of rebalancing the world to the point of stopping the territorial influence and expansion of forces that have been bent on taking whatever portions of the world they can get, either free or at a very cheap price.

The analogy is excellent. It applied to the Soviet Union in the earlier stages of its cold war. It applies to China now. It is to their advantage to reach out and press on the periphery for settlement. Wherever there is a soft spot and they can break through, they attempt to do so in their own national interest, for they can attain the objective cheaply. Wherever we have stood firm, events up to now have proved they are willing to pull back.

That is the line we must now make clear in southeast Asia. If they choose not to pull back, their decision becomes an overt act of war, and it is their calculation. It is better for us to know that that is their decision now than to discover it piecemeal after some wishful Munich of 1965. It is important that we force that crystallization of the main interest and main intent of the colossus to the north that is Peiping, while we are in a position to do something about it, than to fritter our efforts away through false expectations or wishful thinking and drift into the most inexcusable kind of war—an accidental one. This is no time to indulge in wishful thinking about peace. What is required is realistic thinking about the hard political factors in rebalancing the world.

Mr. GRUENING. One uncertain aspect of the situation upon which the Senator relies to make his case is that our response in North Vietnam was definitely in response to aggressive action by the North Vietnamese. That has by no means been proved. I believe the performance of the United States has been far more aggressive in South Vietnam than there is any evidence that the people of North Vietnam have been. It has been alleged that this last attack in which eight Americans were blown up was a North Vietnamese action. I have yet to see any demonstration that that is so. The contrary appears to be the case. It was a Vietcong operation. I have no doubt that there has been infiltration from the north. But the evidence we have is that the incident was another action by the Vietcong. It was made possible by the supineness and passiveness of our South Vietnamese alleged allies. The record will show, I believe, that to date the United States has been far more of an aggressor in its actions than have the North Vietnamese, but that fact remains to be more fully determined.

Mr. McGEE. Verification of that fact is no longer a question of classified material but is public property. The Vietnamese infiltration across the line in substantial numbers is becoming the backbone of the problem. I am not addressing myself to the interior guerrillas, the endemic ones which may have been there for a long time. I am speaking now of what has happened in the stepped-up version of the conflict in the last few months. We not only know what has taken place; we know where it is taking place, how many there are, and where the marching orders are coming from. This has been established, it seems to me, in all due respect to the Senator, beyond the shadow of a doubt. We are not insisting that they pull out the guerrillas. The North Vietnamese cannot command all the guerrillas of the south. But we can address ourselves to the kind of infiltration that is taking place now. A thousand men have crossed the 17th parallel. From the standpoint of those on the other side, that is the strength of a division. As the distinguished Senator from Alaska knows, in guerrilla warfare the proportion ranges from 8 to 1, 10 to 1, and sometimes 20 to 1. By putting 1,000 well-trained men over the line, they are capable of holding down a full division in terms of the kind of warfare that is being conducted.

The price is not cheap, and the task is not easy. There is great risk. But it is the kind of risk that we can best take now, as our course offers a more reasonable chance to stabilize conditions in that part of the world.

Mr. PELL. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. PELL. I have one question to ask the Senator from Wyoming in connection with the number of people coming south from North Vietnam. I think the number of guerrillas born in North Vietnam and coming from North Vietnam, as opposed to South Vietnamese who have come home to engage in a revolution, is less than the number of American soldiers in South Vietnam. Is that correct?

Mr. McGEE. I understand that to be true.

Mr. PELL. I am glad the Senator pointed out that it would take 10 soldiers, or 10 military men, to balance one guerrilla, which is the ratio accepted as necessary.

Mr. McGEE. The disproportion there is still very considerable. Our troops together with all the troops from South Vietnam—and the proportions we are told are about 4 to 1—are still playing a very limited game which we have no opportunity to command or to control, because of the shortage of manpower. For that reason, we must deal more realistically with the guerrilla problem behind the scene. We shall lose ground rather than gain it if we permit a substantial infiltration of the North Vietnamese-trained troops across the line.

Mr. PELL. Mr. President, one other question has occurred to me. Does the Senator believe there is really a close analogy between the situation in Vietnam and the situations which occurred in Greece, Berlin, Korea, and Cuba? Each of those countries had a firm government and specific tactical situations of which we could take hold. In this instance we are dealing with what might be called a political vacuum. We may be faced eventually with the problem of a government that might ask us to depart. Would we then have to organize a countercoup to throw that group out, so that we could organize a new government that might ask us to stay? I do not believe there is an analogy. In Greece there was a firm government that displayed great bravery in the war. In Berlin we have a strong ally in the West Germans and West Berliners. In Cuba we had a specific tactical situation. In Korea we had, earlier, a tactical situation that we could control, with the sea on all three sides and a narrow isthmus; akin to the British in Malaysia.

In Vietnam we have an area that has a boundary far longer on the land than it is on the sea, and a government that is much more unstable. I dislike to see us going back to those analogies, because I believe we get into trouble by doing so.

Mr. McGEE. I would not deny that the political and geographic analogies are somewhat different; but the situations have been different in every one of the circumstances with which we had to deal. The situation in Korea was different from that in Berlin. The situation in Berlin was different from that in Korea. But fundamentally there is one factor that is the same in all instances. Once again we find aggressor-bent nations probing for weaknesses, so that they can know the areas of their control. They must be stopped; otherwise we are only deluding ourselves into the belief that we are improving our chances to achieve a more stable peace. That is fundamental. We must remember that the crisis in Vietnam is not similar to those in Korea, Berlin, and Greece.

Cuba is in a class by itself. It had qualities that were largely our own. There was the capability of nuclear attack, which required the courage to repel that was shown by President Kennedy. We emerged successfully, under the circumstances.

But in southeast Asia, what is likely to happen if we pull out? Probably the North Vietnamese do not want the Chinese in that country; but the North Vietnamese are in no position to stop the Chinese from coming in if the Chinese choose to do so. Those people will have to make their peace with China if we go home; and if there is any doubt about the American position, they want to know it now. It is the same substantive uncertainty that prevailed in Western Europe after the last war. The Europeans have read the history books. They read how we went home at the end of World War I and left them with the great uncertainties and unrest. They want to know this time whether we shall see them through or make peace with the Russians and try to get along with them in some compromising way. We rose to that great height and met that test. As a consequence, the recovery of Western Europe has emerged as one of the great achievements in the existence of the cold war. We showed our willingness to take the risks that were involved.

In the context of Asia and the Asian peoples, allowing for the lack of sophistication and the lack of stability in their governments, and for a lack of experience in democracy, the power factors remain the same, whatever the form of government or lack of government. Therefore, we must be prepared to take the risks by stabilizing the line in southeast Asia. I believe it is as important to do so there as it is in Berlin.

Mr. GRUENING. There is still one further point of difference between the Senator from Wyoming and the Senator from Alaska.

I very much question the amount of aggression which we are resisting, which the Senator considers a cardinal principle. I have no doubt there was some infiltration, but I should say advisedly that far more aggression has been committed by the United States of America in South Vietnam than has been committed by any of the North Vietnamese.

When the Senator says that this is now proved beyond the shadow of a doubt, he also raises some doubt as to the reliability of our news. We have been told from the very beginning that the 16,000, 18,000, or 23,000 men we had in South Vietnam were advisers. We learned painfully that they were not advisers; but that they were in combat. The American people have not been given the full truth about this situation. That is one of the factors that make it all the more difficult to judge the situation. We are supposed to assume that everything we do is perfectly sacrosanct, while everything the other side does is wrong.

Mr. McGEE. I agree with the Senator from Alaska that we have been less than candid about our activities, and that is unfortunate. However, our fundamental purpose, our national interest, is to bring about a more stable condition throughout the world. Whether we achieve it will depend on what we do and how we do it in southeast Asia. Whether our men are there as advisers or in another capacity, let us understand why they are there. They are there to try to draw a line of strength; to try to hold back expansion of the war from the north. One may label it in any way he chooses; the result is still the same.

I believe it would be a mistake to become involved in the kind of democracy that exists in Vietnam. They will probably not have democracy there in the Senator's time or mine. We in this country have been working at it for 200 years and have a little way to go. Their kind of government is their business; but we can create an opportunity for them behind the line to assert national independence. That is the only kind of line we can draw—a line that will give them a chance for independence. That is a secondary priority. The first priority is that we draw the balance of the world so as to withhold from potentially great powers all the resources that are so urgently needed in that part of the world.

The Senator raises the question of the kind of support we are receiving. I have already mentioned, earlier in my remarks, that I am hearing from all the wrong people. Some of our good friends on the other side of the aisle are rallying behind the President. If we are not careful, we shall end by having the war called "Mr. Johnson's war," as we ended by calling the war in Korea "Mr. Truman's war."

Mr. GRUENING. That could happen.

Mr. McGEE. And it is still beside the point. The point is, What must we do in order to try to win a chance to stabilize Asia?

No matter who calls whom what name, whether the Senator from Alaska be called a pacifist and I be called a warhawk—people are already calling us names—we cannot pay attention in this instance, as the first priority, to the calling of names. We must try to approach the policy in the national interest, in a way that will enable us to cope with all the business that engulfs us in times like these.

It behooves us to recognize that the President alone must make the decision. In the final analysis, he alone must assess all the give and take involved in this debate. That is a part of our system. The President is operating under a mandate from Congress, one that we all voted for in August.

Mr. GRUENING. Not all.

Mr. McGEE. As I recall, 2 distinguished Senators out of 534 Members of Congress, opposed the resolution. But let us say that the vote was overwhelming.

Mr. GRUENING. I should say to keep the record straight there are two Senators who are still proud that we voted against the resolution, including myself. The events of the succeeding months would seem to have demonstrated conclusively that we were not wrong. Several Senators have told me privately since that they wished they had voted as the senior Senator from Oregon [Mr. MORSE] and I voted.

This discussion has been useful. There should be a debate of this kind. I hope it will be extended and that it will enable President Johnson to achieve the right decision.

Mr. McGEE. I thank the Senator from Alaska for his courtesy and indulgence.

Mr. GRUENING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1496. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of zinc from the national stockpile and the supplemental stockpile; and

H.R. 1658. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of lead from the national stockpile and the supplemental stockpile.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles, and referred to the Committee on Armed Services:

H.R. 1496. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of zinc from the national stockpile and the supplemental stockpile; and

H.R. 1658. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of lead from the national stockpile and the supplemental stockpile.

OUTRAGES COMMITTED AGAINST U.S. PROPERTY ABROAD

Mr. HARTKE. Mr. President, a few days ago this body adopted an amendment to an appropriation measure nullifying an amendment previously passed by the House of Representatives. I refer to the House action in seeking to ban shipments to Egypt under Public Law 480, and our subsequent action in leaving this discretion in the hands of the President.

Powerful arguments were used to persuade Congress to leave such decisions with the President as our sole architect of foreign policy. I was one of those recorded in opposition to the Senate amendment, preferring the more severe House language, even though I recognize the role of the President as the architect of our foreign policy. I want it understood that I have complete trust in the wisdom of President Lyndon Johnson and know that he will exercise such authority in the best interests of our great country. My opposition is based on a basic belief in congressional responsibility. In no way would I want it to be said that I was trying to keep the hand of the President from being upheld in the matter of foreign policy.

Since then events have marched swiftly and we have retaliated against the North Vietnamese. Other events have marched swiftly and our property has been placed under attack in many parts of the world.

Soon this body and the other body will have another opportunity to decide whether to appropriate funds for the disposition of grain to Egypt and other nations. Because of the events that followed Senate softening of the House stand on the surplus foods sale to Egypt, including new attacks on our property abroad, I believe it is well for us to look at all these things and to place them in proper perspective.

The action of the House of Representatives was taken, in part at least, in response to attacks on our libraries in Egypt. Once it was nullified, the Egyptian press and governmental officials seized upon this action by the Senate as evidence of our softening our position vis-a-vis their country. They did not present our action as a matter of upholding the hand of the President.

Cairo has insisted variously that first, our shipments under Public Law 480 are not aid, and second, they are aid.

Ali Sabri, Prime Minister of the United Arab Republic, stated on February 10 in the National Assembly:

> I hereby announce clearly that the United Arab Republic does not obtain aid either from West Germany or any other country.

Cairo Domestic Service on January 28 stated:

> The only way the wheat ban will affect us is that the money for this wheat will go somewhere else than the United States.

On the same day, the Egyptian Gazette stated:

> There is no need for the United States to exercise the pressure. The United Arab Republic will simply do without U.S. aid in the form of food or anything else.

A short time later the United Arab Republic blackmailed West Germany, an ally of ours, into stopping shipments of arms to Israel, defensive arms to withstand possible attacks by the United Arab Republic which is armed with Russian and Czechoslovakian weapons.

When West Germany backed down from its agreements to sell arms to Israel and the U.S. Senate compromised the House action on Public Law 480 shipments, Al Kifah, the Lebanese Journal reported:

> The Arab bloc can dictate its wishes not only to Germany and Japan, but also to the United States, Britain, and France.

Other statements and publications from the Arab world bear this out. Our action and that of Germany have been viewed as victories for Nasser and his policies of bluster and blackmail.

Meanwhile, other countries have taken their cue from the United Arab Republic where the most recent outrages against our property started. They have felt they could, with impunity, attack our property and our Foreign Service personnel and get away with it.

The time has come for us to demonstrate that we mean business, that we stand up for our friends and against our enemies.

We should provide our embassies with tear gas and other weapons for breaking up mobs in countries that do not seem to understand the courtesies of civilized people.

We should show that blackmail and threats will not bend our determination.

The Senate will face another test when the question of the extension of Public Law 480 comes up. We will be able to state in clear language whether we shall take a firm position against blackmail and whether we shall support our friends and enemies or just our friends.

If one wants some very interesting reading from a very fine magazine, the Reporter for this month, he can find some very interesting reading about Public Law 480 funds and our wheat shipment to another Communist country, but more friendly to the United States; namely, Poland, about which I shall have more to say later.

TOWARD A PROGRAM OF JUSTICE FOR THE AMERICAN FAMILY FARMER

Mr. YARBOROUGH. Mr. President, a frequently recurring theme of American historians is that as America made the transition from a primarily rural agricultural economy to a predominantly urban, industrially based society, an atmosphere of mistrust and suspicion toward the cities began to grow in rural areas. I raise this point in order to note that, whatever the validity of this thesis, the reverse of it is occurring today. There is growing in some quarters a feeling that we can just write off the family farm and forget about it. Many sociologists, economists, Government bureaucrats, and others who would formulate public policy have never lived on a farm, never worked in the fields, never been in rural America, except to zip through on a superhighway. Because our society is predominantly urban, and because so many of our opinionmakers come from urban backgrounds, the importance to our whole society of agriculture, of nature, and of life outside the city is being lost sight of.

This phenomenon may be explainable and understandable. But it is also wrong.

We cannot cut ourselves off from nature. Man's most intimate link with nature is agriculture, where man and nature work together in a harmonious relationship. It is no mere nostalgic longing for the past that raises my ire; it is a concern for our future. I can think of no more disastrous course for us to follow than to destroy the family farm and replace it with huge, monolithic, faceless "agricultural factories."

In a new study, Leon Keyserling, former Chairman of the President's Council of Economic Advisers, argues eloquently and persuasively against the view that 2½ million farmers should leave the land and should find improved incomes and employment elsewhere. Mr. Keyserling finds that this viewpoint neglects abysmally both the experience of the past and the contours of the future. He writes:

> From the economic, social, and moral viewpoint, the most economical thing for the Nation to do with its farmers is to encourage them to continue to produce foods and fibers, grant them a fair share of our national income for doing so, and develop outlets for utilization of these foods and fibers in meeting human needs at home and overseas.

Mr. President, I ask unanimous consent that a summary of the study, entitled, "Agriculture and the Public Interest—Toward a New Farm Program Based Upon Abundance," dated February 21, 1965, and issued by the Conference on Economic Progress, be printed at this point in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

According to its author, Leon H. Keyserling, "the objectives set forth in this study are closely in accord with those set forth in President Johnson's farm message to the Congress on February 4. But these objectives will be frustrated, if farm legislation embodies the completely erroneous analysis now accepted in many important quarters, and articulated very recently by Kermit Gordon, the Director of the Budget. While the President's ideas and ideals are inspiring and affirmative, the Budget Director's specifics are discouraging and negative, and some way must be found to 'cut the Gordon not.' The study proposes, in implementation of the 'parity of opportunity for rural America' which the President's message advocated, that legislation be enacted in the form of an Agricultural Employment Act, as a counterpart to the Employment Act of 1946, and designed to make maximum employment, production, and purchasing power in agriculture an important weapon in promoting maximum employment, production, and purchasing power throughout the whole U.S. economy."

1. Contrary to the Budget Director's view that about 1 million farmers could produce the foods and fibers we need, and that about 2½ million farmers should find their way into other occupations, the study finds this: To bring a truly American standard of food and fiber consumption to all of our own people, especially the beneficiaries of the war against poverty, to meet the needs of U.S. industries at sustained full employment, and to make a proper contribution to the war against starvation in those countries of the world where more than half of the people go hungry, we need practically to stabilize farm employment between now and 1975, even allowing for the onrushing farm productivity and technology.

2. Contrary to the view that 2½ million farmers should leave the land and find improved incomes and employment elsewhere, the study finds that this viewpoint neglects abysmally both the experience of the past and the contours of the future. In 1964, probably one-third of the excessive unemployment throughout the United States—and maybe half—was attributable to the number of workers forced out of agriculture from 1953 forward. Between a fourth and a fifth of our total national production deficiency of about $590 billion (uniform 1963 dollars), during the 12-year period 1953–64, inclusive, was directly traceable to the deficiencies in farm income from all sources. Those forced off the farm have merely compounded the costs of unemployment, poverty, and dislocation in nonfarm areas. Trends in technology and automation in various sectors of the nonfarm economy makes it crystal clear that reduction of unemployment to even tolerable levels will be a herculean task, even without continuing to aggravate this problem by the ejection of people from agriculture. From the economic, social, and moral viewpoint, the most economical thing for the Nation to do with its farmers is to encourage them to continue to produce foods and fibers, grant them a fair share of our national income for doing so, and develop outlets for utilization of these foods and fibers in meeting human needs at home and overseas.

3. Contrary to the Budget Director's statement that about a million farmers (about 27 percent of the total number) have "cash receipts of over $10,000 and earn average rates of return on their capital investments and labor almost equal to the corresponding averages in the nonfarm economy," the study finds this: After deducting costs of operations, and looking at income as usually measured, in 1963 only 8 percent of farm families (not 27 percent) were at $10,000 or more, contrasted with 20.7 percent of nonfarm families. Meanwhile, 43.4 percent of farm families were under $3,000 contrasted with only 17 percent of nonfarm families; 28 percent of the former were under $2,000, contrasted with only 9.5 percent of the latter; and 11.1 percent of the former were under $1,000, contrasted with only 3.3 percent of the latter. And the $3,000 figure is only a benchmark for poverty, not an acceptable level of income. Only 16.4 percent of farm families in 1963 had incomes of $6,000–$10,000, contrasted with 33.8 percent of nonfarm families. Putting aside the 4 percent of all farms which are really large or giant in nature, and which receive far more help from the Government than they need, almost all of the rest of the farm population needs a drastically reoriented farm-income policy, which would also benefit the whole economy.

4. Contrary to the notion that the agricultural category in the Federal budget should be a prime target for further cuts in order to make room for other needed programs, the study finds this: Because so much of the nationwide poverty and paucity of public services concentrates in agriculture, because most farm-program outlays do not consume national wealth but merely redistribute national income along lines which help the whole economy to function better than it otherwise would, and because of the failure thus far to reduce the disparities in farm income which are so damaging to the whole economy, farm outlays have already been cut excessively. When proper allowance is made for recoupments by the Government, estimated fiscal 1965 budget outlays in the agricultural category come to only 10.4 percent of total budget outlays for all domestic programs, even though 15 percent of all the poor people in the United States live on farms, and even though about 18 percent of the total U.S. personal income deficiency in calendar 1964 was represented by the deficiency in farm income from all sources. Measured in ratio to gross national product, without allowance for recoupments, agricultural outlays in the budget fell from 1 percent in fiscal 1963 to 0.7 percent in fiscal 1965 (a decline of 30 percent in the ratio), while nonagricultural outlays fell from 15.3 percent to 14.5 percent (a decline of only about 5.2 percent in the ratio).

Using an equilibrium model which takes into account the interrelated needs of the farm and nonfarm sectors of the U.S. economy, and also our international objectives, the study sets forth these balanced goals for 1975, compared with 1964: (1) Almost all types of farm production need to be expanded greatly—for example, red meat output should be up 35 percent, dairy products up 46 percent, wheat up 31 percent, and cotton up 52 percent—even assuming that only the free world, but not Communist Asia, is included within the scope of our export efforts by 1975; (2) On the same assumptions, total farm acreage should be up 10 percent, and farm employment held within 10 percent of the 1964 level; (3) Most of the poor and substandard commercial farms should be helped to become self-sustaining family-type farms, instead of chasing the futility that their occupants can find adequate incentives and rewards outside agriculture; and policies should be designed to shift more of total farm sales and incomes toward family-type farms, and away from giant and corporate farms; (4) The so-called farm surpluses have been been fantastically exaggerated. For the period 1953–64 as a whole, annual farm output averaged only 1.8 percent in excess of utilization, while true unemployment (including the full-time equivalent of part-time unemployment and concealed unemployment) averaged 8.1 percent, and the nationwide production gap averaged 8.8 percent. For most items, even now, the so-called surpluses are far below an adequate food reserve; (5) By 1975, compared with 1964, gross national product should be up about $489 billion, and farm personal income from all sources up almost $24 billion. Even so, per capita farm income would be only about 92 percent of per capita nonfarm income, compared with less than 58 percent now. The number of farm families living in poverty should be reduced from more than 1.3 million to about 70 thousand; (6) The programs in the Federal budget attuned to these ends would average annually less than 1 percent of the total size of the Federal budget, or about the average of the past few years, assuming that the total budget were properly expanded to meet the growing needs of a growing nation, and the ratio of farm outlays to total outlays would continue to decline.

The study's main policy recommendations are: (1) enactment of an Agriculture Employment Act, setting in motion a President's economic report for agriculture, a Council of Agriculture Advisers to the President, and a congressional Joint Committee on the Economic Report for Agriculture—this parallelism with the Employment Act of 1946 serving to promote the parity for agriculture which President Johnson seeks; (2) this act would stress a three-sided attack upon poverty: poverty in our farm population, deficient food and fiber consumption of the U.S. poor in general, and poverty overseas within the range of our productive resources after meeting our needs at home; (3) goals for domestic consumption would be to bring a truly American standard of diet to every American family, by special distribution programs even prior to when the general war against poverty would accomplish this result; (4) goals for exports would include vigorous efforts to improve our competitive position in commercial markets, but would accent utilization of our farm products to help bring the free peoples of the world up to a minimum adequate diet by 1975, after allowance for increases in their own production and imports by them from other countries; (5) goals for farm production would be based upon inducements to maintain a fair balance between annual production and annual outlays; (6) Government aid to farmers would be shifted gradually from price supports to income payments. This would induce needed changes in patterns of production, and shift income assistance from those farmers who need help least to those who need help most. It would also help domestic consumers, facilitate commercial exports, and reduce Government costs relative to benefits, by gradual relinquishment of the effort to support farm prices across the board; (7) the so-called farm surpluses would be held for the most part as an adequate food reserve, and would not be used self-defeatingly to compete with farm income by dumping these surpluses upon the open market; this would be accompanied by Government withdrawal from all forms of farm marketings and storage which compete with farmers and their organizations; (8) more credit would be made available to farmers on more reasonable terms; (9) every effort would be made to steer farm production toward the family-type farm; (10) equalization efforts would be made by the Government to remedy the deficiencies of public services in farm and other rural areas, especially in education, housing, and health services; (11) the Government would undertake a vast and sustained effort to educate the whole American public about the farm problem, so that prevalent misconceptions would not block programs mutually beneficial to the farm and the nonfarm population; (12) to assure agriculture an increasing voice in national farm policies, representatives of farm organizations would have major representation on the Council of Agriculture Advisers, and coordination of programs would be encouraged by the Secretary of Agriculture serving as Chairman of this Council.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

The Senate resumed the consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE]. [Putting the question.]

The amendment was rejected.

The VICE PRESIDENT. The bill is open to amendments.

There being no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 45) was ordered to a third reading, and was read the third time.

VIETNAM

Mr. LONG of Louisiana. Mr. President, I feel that I should express my disagreement with the position taken by the Senator from Alaska today with regard to the position which we hold in Vietnam. We had the opportunity to vote on that matter, and we did vote with respect to the President's strong action on the Bay of Tonkin, to afford no sanctuary to those who attacked our forces, and to resist aggression.

When we did so, we said, quite forcefully and effectively, we approved of the President's striking back at aggression, and when he did strike back at aggression we felt when further aggression occurred he should act strongly and forcefully and effectively with regard to this Nation's position.

The House of Representatives, by a vote of 414 to 0, approved of the strong position taken by the President. The Senate voted by a vote of 88 to 2 to approve of the strong position taken by the President.

When we did that we indicated that we strongly recommended that when the Communists strike at us, we would strike back still harder. If they wanted to strike back still harder, then we would strike back even harder than that. If they wanted to escalate, we proposed to escalate.

When they destroyed a four-story barracks building housing our troops, we struck back at their barracks.

By a vote of 502 to 2 we voted to approve such action. The Senator from Oregon [Mr. MORSE] voted against it. So did the Senator from Alaska [Mr. GRUENING]. Those two Senators have said more on this subject than those 502 Members of Congress who voted to uphold the President, but until we have voted for another resolution, this Senator considers that 88 Members of this body have approved of the President's action. I feel that the 414 Members of the House feel as strongly as we do. So far as I know, nobody who voted for it has changed his mind. We believe in maintaining a strong position in the face of Communist aggression and we are united behind our Commander in Chief.

ORDER OF BUSINESS

Mr MORSE Mr President a parliamentary inquiry

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The chair will recognize the majority leader after he makes certain appointments.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 372 of the 84th Congress, I appoint the Senator from Minnesota [Mr. MCCARTHY] as a member of the Franklin Delano Roosevelt Memorial Commission.

Pursuant to Public 759 of the 87th Congress, I appoint the Senator from Tennessee [Mr. BASS] as a member of the Battle of New Orleans Sesquicentennial Celebration Commission, in lieu of former Senator Walters, of Tennessee.

Pursuant to Public Law 1028 of the 84th Congress, I appoint the following Senators as members of the Board of Visitors to the U.S. Military Academy: Senators BARTLETT, PASTORE, and BOGGS.

Pursuant to Public Law 1028 of the 84th Congress, I appoint the following Senators to the Board of Visitors to the U.S. Naval Academy: Senators ROBERTSON, MCGEE, and PEARSON.

Pursuant to Public Law 207 of the 81st Congress, I appoint the Senator from Connecticut [Mr. DODD] as a member of the Board of Visitors to the U.S. Coast Guard Academy.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

The Senate resumed the consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The VICE PRESIDENT. The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. Mr. President, my parliamentary inquiry has to do with this question: Has there been a third reading on the pending bill?

The VICE PRESIDENT. The third reading has been had.

Mr. MANSFIELD. I ask unanimous consent that the third reading be reconsidered.

Mr. LONG of Louisiana. Mr. President, I object.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. AIKEN. Mr. President, I second the motion.

Mr. LONG of Louisiana. Mr. President, I should like to be heard on the motion. We have been given notice that the Senator from Oregon proposed to debate this matter for 3 days. On occasion I have done that sort of thing myself, and I have sought other Senators' help in waging a one-man filibuster. But when a Senator seeks to engage in a big or little filibuster, he should be here. He should not be outside the Senate Chamber, or back home, or in his office, and have word left to hold up proceedings until he can get back.

I would like to have the Senate do its work. I propose to give any Senator a pair if he cannot be here in this Chamber, so his vote will be effective even when he is absent.

In this case, I made no commitment that the Senate would not vote, and I know of no one else who made any such commitments. If a Senator does not want a vote to be had, he ought to be at his desk ready to keep talking. I heard the Chair take all deliberate time to put the motion for a third reading. No Senator was present to oppose it.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. I wonder if the Senator will be interested in the statement I now make. The Senator from Oregon had agreed to permit the Senator from Indiana [Mr. HARTKE] to take the floor and make the statement he made. When I left, I asked the Senator from Indiana to request a quorum call, because I was called from the floor by the Under Secretary of State, who wanted to talk with me. I was in the reception room conferring with him.

The Senator from Louisiana has an especial duty on the floor as majority whip. I did not vote for him, and his conduct in this matter explains one reason why I did not vote for him.

As majority whip the Senator should protect a Member of the Senate when he has parliamentary rights. I want the Senator to know that so long as he and I serve in the Senate I will never look to him to protect my rights. The Senator knew full well that I intended to speak on the amendment, and he knew there would be a vote on the amendment. I did not intend to speak long. I made perfectly clear that it was not a filibuster. I was going to proceed amendment by amendment in the regular course of debate.

The amendment had not been so much as presented or discussed by its supporters or opponents. Even normal parliamentary procedure required that the interested Senators be notified that the Senate was returning to the pending business.

That is perfectly all right. I expected this from the Senator from Louisiana; and we know where we stand.

Mr. LONG of Louisiana. Since the Senator has made that statement, let me say that I have the highest admiration for him, and always will have, even when we disagree. I am sure he will agree that if he wants his rights to be protected he ought to have an understanding with the leadership to protect his rights. He could tell someone who occupies the desk where I am standing or someone on this side of the aisle who works for the leadership to do it for him. But if a Senator has an agreement with some individual Senator that that Senator is going to protect his rights, that is another matter. I have on occasion protected the rights of the Senator from Oregon, and so has the Senator protected mine. But when a Senator fails to do so, he should not expect his opponent of the moment to protect him. That is why we southern Senators keep someone present on the floor when we are engaged in long debate. A Senator should have someone here to protect his rights when he is not ready to permit the Senate to vote.

On this occasion I am not going to insist. I am going to consent to the unanimous-consent request, if the majority leader wishes to make one. But when a Senator has served notice that he is going to keep the Senate tied up for 3 days he should plan to be here.

Mr. MORSE. I was present. I was in the precincts of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to rescind the order by which the third reading was had.

Mr. FULBRIGHT. Mr. President, reserving the right to object, I do not know how we can speed things up. I am not going to speak, but we have been sitting in the Chamber all day. The Senator from Louisiana [Mr. Long] has made a good point. If we are to have unlimited debate for an indefinite time, I do not know why Senators who wish to pursue unlimited debate should not remain on the floor and pursue unlimited debate. We have spent all afternoon in debate, most of which has had nothing to do with the bill. It was carried on by an ally of the Senator from Oregon [Mr. Morse] on a wholly irrelevant subject. It had nothing whatever to do with the bill, but was on a subject which can, I predict, occupy an indefinite number of hours.

The Senator from Louisiana [Mr. Long] is justified in making his point, that if we are to have extended debate, Senators who wish to conduct it should conduct it and be in the Chamber and carry on the debate, at least some part of it relevant to the bill which the Senate is considering.

The Senator from Oregon [Mr. Morse] will admit that the debate so far this afternoon has had nothing to do with the bill which is actually before the Senate, or anything to do with his amendment. I understand, of course, his call from the floor. He can make his own arrangements. He knows how to do that as well as any other Senator. I respect arrangements made like that, but I do hope that his colleagues who oppose the bill will pursue debate on all amendments offered by the Senator, and at least make some headway. We make no headway at all when the subject goes off on Vietnam or some other subject.

Mr. MORSE. Mr. President, the Senator from Arkansas knows, as well as does the majority leader, that I have no intention of filibustering the bill. I do not know why the Senator is using the word "filibuster." There are amendments that will have to be adopted in the regular course of debate. The Senator asked me how long would be required. I stated that I thought 2 or 3 days would be necessary for debate. I still believe that 3 days will be necessary for debate if we go back to the bill and stick to it until 4 p.m. every day as we are supposed to do under the Senate rules. Let the Senator make up his mind as to how to run the Senate. If all the technical rights are desired, go ahead. I know how to use mine subsequently.

Mr. FULBRIGHT. I have stated that I do not intend to debate but that I wished to make a statement on the subject. As is well known, I respect the Senator's right to his position on this or any other bill in this field. It is an unpopular bill. I have never "run" on the subject. I do not consider that it inspires great enthusiasm by my constituents. It is just one of the duties which I feel I must carry out. We should confine ourselves reasonably, at least, to debate on the subject matter so that we can make some headway. This, as a precursor of the main foreign aid bill, would mean that we will be held here again all year. I do not expect to object at this time, but I do believe that all of us cannot protect the Senator's rights. As the Senator from Louisiana stated, he will have to make arrangements to make sure that his rights are protected. I shall not object.

The VICE PRESIDENT. Without objection, the motion to reconsider is agreed to.

Mr. MORSE. Mr. President——

The VICE PRESIDENT. The motion to reconsider the third reading has been approved. The vote on the amendment will have to be reconsidered.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote disagreeing to the amendment which was pending at the time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the amendment will be reconsidered, and is now pending.

The Chair recognizes the Senator from Oregon.

Mr. MORSE. Mr. President, before I discuss the amendment, let me briefly discuss the parliamentary situation so far as I am concerned.

A considerable amount of discussion was held with me today as to when the Senate would reach a vote. I stated that I was not going to give unanimous consent to limit the time to vote, on this or on any other bill in the foreseeable future. If some emergency develops—and I believe it is definitely in the interest of my country that unanimous consent be given to speed up consideration of proposed legislation—I shall, of course, cooperate.

Mr. President, full floor debate is becoming more and more essential in the Senate. In recent years, there has been a growing tendency for the Senate to delegate more and more of its powers and functions to the executive branch of the Government. There has also been a tendency in recent years, more and more on the part of the Senate, to abdicate the responsibilities which it owes to the people of this country for full debate on the issues that come before it. After all, we should not overlook the fact that the Senate is also an educational institution, and the people of the country are entitled to the information that comes from serious Senate debate.

The tendency to make this only a meeting place for Senators to convene, or to vote, without presenting to the American people their position on issues which are involved in proposed legislation, constitutes a bad trend, in my judgment. That is why I am not going to be prone this year to give unanimous consent to fix a time to vote, or to limit debate on bills and amendments thereto.

We are going to reduce this body to the equivalent of the French Senate or the Italian Senate, whose membership is an honor but all the real decisions are made by others, if we continue much further down this path.

There is nothing new in that position, on my part. Time and again I have, in my many years' service in the Senate, refused to give unanimous-consent agreement on bills that I thought would be desirable to have discussed, and for the American people to have the benefit of the information that would be brought out in such debate.

So far as the parliamentary situation this afternoon is concerned, my statement is as follows:

I made clear to the majority leader today that I had no intention of filibustering the bill, but that I did intend to offer some amendments—and other Senators will offer amendments—but I wished the amendments to be subject to full debate. I also made it clear that I do not have any plans to speak at any great length in connection with the amendments I shall offer.

The majority leader knew that. The chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. Fulbright], sat with me on the floor of the Senate, not so many minutes ago, before I was called from the floor by the Under Secretary of State Thomas Mann.

The Senator from Arkansas [Mr. FULBRIGHT] asked me if the Senate was about to reach a vote on my amendment. I said I thought it would happen rather shortly, inasmuch as I did not intend to speak at any great length, but I was going to make my case and then come to a vote.

The Senator from Arkansas [Mr. FULBRIGHT] said, "You mean tonight?"

I said, "Yes. I believe this afternoon."

The chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], a committee of which I am a member, knew my intentions with regard to the amendment.

I did not talk with the whip. I did not have an opportunity to talk with him, but when I talked with the majority leader, that sufficed.

Mr. President, Senators should have known that they cannot cite—and I challenge them to cite—a single instance in my 20 years in the Senate, in which I have not extended to Senators on both sides of the aisle every courtesy that they asked of me in connection with any procedural matters in the Senate, such as yielding my time, postponing my speeches until the pending business of the day was over, and so forth. I shall continue to do that, no matter what tactics are used against me. I happen to believe in that kind of relationship, men to men.

However, I take judicial notice of the fact that the Democratic whip took advantage of a parliamentary situation which existed on the floor of the Senate, when I had been called from the floor and my amendment was the pending amendment, when he knew perfectly well that it had not been presented or debated and that I was going to speak on that amendment. He is perfectly within his rights under the rules. I say in complete defense of the Senator from Indiana, whom I had permitted to speak in advance of presenting my amendment, because it was a courtesy to which he was entitled, that as I left the floor of the Senate while he was speaking, I told him that I had been called from the floor and asked him to request a quorum call. I said that twice, but the Senator said that he did not hear me, but that he should have called for a quorum because he knew what my position was.

The Senator from Indiana is in no way at fault in regard to the parliamentary situation that developed. The whip himself is the one responsible for the incident which occurred. As I said before, I shall, from now on—with the notice which has been served upon me by the chairman of the Foreign Relations Committee, and by the whip—never leave the floor of the Senate until I leave a Senator watchdog on the floor to protect my parliamentary rights. I offer my services to every other Senator who at any time needs such a watchdog assistant when I am on the floor of the Senate. I shall be glad to stay and oblige him. The Democratic whip does not serve Democratic Senators, but only those presenting a bill. That is his concept of his function and we must all operate henceforth on that understanding.

Mr. President, the attempt to steamroller the bill through the Senate by this parliamentary tactic this afternoon has proved my case. The bill cannot stand full disclosure. The bill cannot stand full debate across this country before the American taxpayers, who in my judgment are being done a great wrong by the bill.

As I said yesterday, and as I repeat today, there is a movement on foot—and it is very strong within the Foreign Relations Committee—to pass more and more of the control and decisionmaking and jurisdiction over American foreign aid to multilateral bodies, international in scope, to divest the Senate more and more of the very important checking control that it has over the purse strings of this country.

I believe the Foreign Relations Committees, as the authorizing groups, and the Appropriations Committees of the two bodies, as the appropriating groups, owe it to the American taxpayer to look into the projects into which American taxpayer money will be sunk, whether it be by direct authorization of Congress, project by project, whether it is by the Inter-American Bank, or by the International Monetary Fund, or by the World Bank, or by any other international organization. That is what we are giving up to a greater degree by the procedures that would be permitted under the pending bill.

I said yesterday, and I repeat today, that I was one of the two congressional delegates at Bogatá when the act of Bogotá was adopted. I strongly supported, then, the Social Progress Trust Fund. We did not intend to continue it without change for a long period of time. I was in favor of a larger amount of soft loans at that time, to help get the Latin-American countries on their way to carrying out the subsequently adopted Alliance for Progress program. As I said yesterday, and as I argue today, the time to taper off has come. The purpose of my amendment is really to taper off. It is a tapering amendment.

I would require, by the amendment, that 50 percent of the dollars be repaid in dollars. Therefore, it ought to be hard loan money.

I shall not cover the interest rate matter at this time, because amendments will be offered on the interest rate. The Senator from Alaska [Mr. GRUENING] has an amendment, which he will offer, to provide for 5¾ percent interest. I agreed to cosponsor it in order to make possible debate on the amendment. However, that interest rate is too high. Five and three-quarters percent is unreasonable in view of the objectives that we have in mind in connection with the Fund. I believe that an interest rate in the neighborhood of 2 to 3 percent for these hard loans should be considered the maximum. That would come pretty close to covering the cost of the use of the money.

There are a number of reasons for 50 percent of this money going into hard loans, to be repaid in American dollars. I have two objectives in mind. It is a mistake to continue to create the impression and to raise the false hope in Latin America and in every other part of the world that we will continue to pour out millions of dollars each year with little or no hope of getting the money back in loan repayments in the form of American dollars.

The so-called soft currency loans will never be collected. We shall never get anything back from them. The discussion earlier today showed that there is a great quantity of soft currencies stacked up in banks and other financial institutions in various countries of the world in which soft loans have been made and where these counterpart funds have been established. We do not even have the authority to spend that money. We must obtain the approval of the country where the money is stored to even spend the money, because the country has the right—and that right has been retained—to determine whether the expenditure might have an adverse effect on the country's economy.

In my judgment, there is at least a misleading of the American people when we talk about loans in connection with this program. I believe it to be a misuse of the word "loan."

It is deceptive to talk of this transaction as a loan, because it creates the impression with the average American taxpayer—and the taxpayers are the ones who will be affected—that we will get the money back.

I ask Senators to go out and talk to the first 50 taxpayers they meet on the streets of America, or in the hotels of America, or, for that matter, on the college campuses of America, and ask them what a "soft" loan is. Most of them will say they never heard of it. If they were asked if they realize that these loans are for the currency of the country in which the American dollars will be spent, they will say, "No."

That is why I say it is important that we inform or educate the American people in regard to some of the problems in connection with the foreign aid program that will confront us in the months ahead, starting with the pending bill, because this bill represents a section of the foreign aid program of this year. This is a part of the foreign aid program. Although it is not called that, that is exactly what it is. This is a part of the foreign assistance program, which is a much more substantial program than the President in his so-called bare bones bill would lead the American people to believe. He calls for $3.380 billion. He says that is his foreign aid request, his foreign assistance request. The total is between $6 and $7 billion, not $3.380 billion. It will be nearer $7 billion than $6 billion. It is important in the debate in the weeks ahead that, as we debate foreign aid, we keep the American people informed as to all the details that are involved in the foreign aid program, which I believe needs to be drastically reduced. I have so argued for the past 3 years in the Senate. It is very easy to say, "The senior Senator from Oregon is against foreign aid." I have been charged with that in many critical newspaper editorials in the country. Nothing could be further from the truth.

I shall vote more money, and I have always been willing to vote more money for foreign aid than the Presidents under whom I have served have recommended, but for an entirely different kind of foreign aid. I am in favor of foreign aid that is sound financially, which will avoid the abuses that have been set out time and time again in the confidential reports of the Comptroller General of the United States; that will avoid the abuses that we as Members of the Senate have observed with our own eyes as we have gone around the world; that will avoid the use of foreign aid in many countries, such as South Korea, where it has been productive of a large amount of corruption, where foreign aid has corrupted many officials. Graft and stealing have been characteristic of a great deal of foreign aid, and it should be stopped. We have a duty as legislators, in behalf of the taxpayers of the country, to adopt reforms in our foreign aid program which will accomplish such ends. I have made these criticisms many times.

What has been the position of the Foreign Relations Committee in the Senate, on which I serve? What has been the position of the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], who has presented our committee reports in the last 2 years, but which we, as members of the committee, have never signed?

In the Foreign Relations Committee we have the habit of making committee reports which have not been submitted to members of the committee for signature in advance of the time they are placed on the desks of Senators in the Senate Chamber.

Two years ago—and I refer to the incident by reference, but accurately—the report of the Foreign Relations Committee in effect set forth my criticisms. The chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], told the administration that it ought to do something before the next year about certain criticisms or it would have trouble getting a bill through the next year.

I have had an interesting experience in the Foreign Relations Committee. Many members of that committee agree with the criticisms, but they have not been willing to vote for amendments that would remove the criticisms. They think the executive branch of the Government ought to do something about it.

But that is a legislative responsibility, and is not the responsibility of the executive branch of the Government. It is for the executive branch of the Government to recommend; it is for the Congress to enact. The sad fact is that we have been enacting recommendations of the executive branch at the very time that we know those recommendations ought to be reformed. They keep saying to the executive branch of the Government, "You do the reforming."

Last year the committee again received a bill from the executive branch of the Government. The executive branch had not paid any attention to the warnings of the Senator from Arkansas [Mr. FULBRIGHT] of the year before in his committee report. They did not bring about any of the reforms proposed.

Last year the Foreign Relations Committee went through the same old rigmarole of having the representatives of the executive branch come before the committee, asking pertinent questions of them, and giving them strong warnings that they ought to do something about the abuses that were self-evident to the members of the committee. But once again another committee report was presented to the Senate which, as individuals, we had nothing to do about so far as its writing is concerned. It was never submitted to us for signature. Again we suggested to the administration that it ought to do something about foreign aid.

I do not know anything about the background of the reasons of the Senator from Arkansas, the chairman of our committee, for not desiring to handle the foreign aid bill on the floor of the Senate this year. But my surmise is that he is probably disappointed in the fact that the recommendations that he has made to the State Department have not brought forward any reform.

I shall remain in the fight if I am the only one in the fight on my side. But I shall not be. There will be increasing numbers this year. I shall try again to bring some reforms in the foreign aid program so that we can have a better foreign aid program. I shall offer an increasing number of amendments to the foreign aid bill this year.

I wish to say this afternoon that I shall again offer an amendment which I have offered for the past 2 years and for which there is a great deal of cloakroom support. This year my amendment will provide that we will end all foreign aid at the end of the fiscal year 1967. Two years ago my amendment provided that we would end it at the end of the fiscal year 1965. As I recall, last year I proposed that we end it at the end of the fiscal year 1966. I have been here too long not to know that there is often a long period of lag between the introduction of some proposals and their final enactment by the Congress. Usually there is a lag of 2 to 12 years.

I hope that this year we can win on this sound amendment. That does not mean that we shall end foreign aid permanently. It means that we would end foreign aid as we know it now. As Senators know, the amendment which I have offered each year has provided that we would then limit the number of countries to which we would make available foreign aid to not more than 50. Members of the Foreign Relations Committee and other Senators have a hard time when we say to them, "Give me a list of countries beyond 50 to which you really think we ought to be giving foreign aid."

Usually I receive the reply, "Fifty is probably too many."

I wish to say for the record now that I have not been able to make a recent check in regard to the number of countries that are now receiving American foreign aid, but the last count I saw showed that the number was 93—93 countries into which we are pouring American taxpayers' dollars under a program we call foreign aid, economic, military, or other forms of international assistance monetarywise.

Mr. President, we cannot justify it. It is absurd to be giving aid to 93 countries many of which are in as good a position to aid themselves as we are.

For a long time we have assumed that by making foreign aid available to weaker, underdeveloped countries, we shall get their support in the United Nations; that they will be inclined to vote for us; or they will support us in regard to our position in OAS; they will support us in regard to our position in NATO; or they will support us in regard to our position in SEATO.

The record is pretty sad. Of course, even the suggestion shocks me. The lack of morality of the suggestion makes it unacceptable. To use an ugly word, such a suggestion is based upon a motivation that, "Perhaps the country can be bought." But the fact is they never seem to stay bought—and, of course, they should not, because a briber ought always to be beaten. A briber ought always to be the loser.

Mr. President, I am against using foreign aid as a form of bribe. I am against using foreign aid as a form of international payoff. I am against the use of foreign aid in an attempt to influence governments to support American policy.

I believe that our policy should be supportable upon the merits. If we cannot win on the merits, we shall not help the cause of our country by trying to obtain support on such sordid and unacceptable terms as are suggested when it is argued that we must give aid to all those countries, in part at least, in order to have their support.

I would have the Senate keep in mind many other facets as the background for this amendment. We do not help a government, and we do not help the people of that government, by following a foreign aid course of action in which we give and give and give by way of one grant after another. The interesting thing is that in many parts of the world that course has not bred respect for the United States; it has created false notions of expectation on the part of the recipient countries that this country has somewhat of a bottomless economic barrel from which we can always dish out more and more American taxpayers' dollars for those countries to do with as they wish, and at the great sacrifice of the congressional checks to which I have previously alluded in my remarks.

In many instances the foreign aid program, as it has come to be administered, has cost us dearly, psychologically, around the world. I do not believe it has increased respect for us or confidence in us. On the other hand, it has also created a tendency on the part of some governments to begin to feel that they are entitled to such grants as a matter of right.

Let me take Senators to Lima, Peru, and discuss what happened there only a few short weeks ago. A conference was held in Lima, Peru. I could not attend; but as chairman of the Subcommittee on American Republics Affairs, I have had a briefing in depth as to what took place at the Lima Conference. I should think that our State Department representatives would have learned a lesson from that Conference, because I know they were sorely shocked. When they entered that Conference, they found that some of the delegations to it, from a surprising number of countries, had come to believe that as a matter of right they were entitled to be supplied by us with additional quantities of so-called grant money. That is a dangerous trend.

To the everlasting credit of our State Department representatives who attended that Conference, it should be said that they disabused the minds of the representatives of those countries concerning what we would do. On the other hand, I am satisfied that our State Department representatives did not succeed at all in changing the minds of those representatives; they succeeded only in disabusing their minds so far as expectation was concerned. They did not change their minds as to the feelings toward the United States in regard to their allegations as to what they considered our obligations should be.

That is not the only area of the world in which this notion is developing. We have seen it break out in the Middle East. We find that some of our friends in Asia seem to believe that they have something coming from the United States as a matter of right. It is about time for Congress to give them the answer of the American taxpayers, for I am perfectly willing to take judicial notice of what that is. The American taxpayers certainly want to have that false notion cleared up. We cannot continue year after year, in perpetuity, this drain on the economy of the United States, and still keep the economy strong.

My next point is that I believe the course of action we are following is a mistaken one from the standpoint of the welfare of those governments and of the people themselves. In my judgment, it is not developing the concept of mutual aid or of mutual responsibility upon which the Alliance for Progress is bottomed. President Kennedy made it perfectly clear when he enunciated that great humanitarian program, which has come to be known as the Alliance for Progress, that it was a program of mutuality, in which we agreed that we would be of assistance to them, but that the amount of our aid would be determined by the extent to which the recipient countries were willing to be of assistance to themselves.

I suggest that Senators would be well served if they were to review some of the noble speeches President Kennedy made not only at the time he initiated the Alliance for Progress but in support of the program thereafter. I would have Senators keep in mind particularly that it was the expressed hope of the then President of the United States that the Alliance for Progress should develop as rapidly as possible into a loan program, not a giveaway program, not a grant program. Of course, a certain amount of grants will be needed for some time. President Kennedy never intended that the so-called grant program in connection with the Alliance for Progress should be continued for a long period of time.

So I raise the question this afternoon, in support of my amendment, Has the time come when we can safely taper off our grant program, our soft currency loan program, into a hard loan program? I believe so. I believe I have been exceedingly fair and exceptionally lenient in the percentage fixed in the amendment, which is 50 percent. The amendment reads:

> The contribution of the United States under this section shall be made upon condition that at least 50 per centum of the aggregated amount of loans made from such contribution shall be repayable in U.S. dollars.

What is wrong with that? It is interesting to read what the committee report says on that subject.

I would appreciate having the members of the staff of the Foreign Relations Committee who are in the Chamber locate for me the remarks of Secretary of the Treasury Dillon, as they appear in the committee report. My recollection is that they are to the effect that some of these loans may very well be hard dollar loans, although the Secretary did not bind himself. The lesson I have learned in my 20 years as a Member of the Senate is that either we must tie the bureaucrats down with language that leaves no escape hatch for them, or else we will have accomplished nothing at all by the language that is used. Hints of that kind are often thrown out to pacify Members of Congress. But once the bill is passed without the binding language the matter is dropped.

That is why I am tying Mr. Dillon down; why I am tying Mr. Rusk down; why I am tying Mr. Ball down. I am proposing to tie the downtown bureaucrats down in my amendment by the mandatory requirement that at least 50 percent shall be hard, cold American dollar loans. Again I ask, What is wrong with that?

I return to the comment I made a moment ago concerning the position of Secretary Dillon. I thank Mr. Holt for finding this comment in the committee report. I knew I had read it. I read from page 5 of the committee report:

> According to the testimony of Secretary of the Treasury Dillon, it is expected—"that loans from the expanded FSO will be repayable in the currency of the borrower with provisions requiring maintenance of value and with maturities ranging from 20 to 30 years. Interest would also be payable in the currency of the borrower and would be between 2¼ and 3¼ percent. In addition, there would be a service charge of three-fourths of 1 percent, payable in dollars—making a total of from 3 to 4 percent for the annual charges."
>
> It is understood that these are average figures and that the terms for an educational project, for example, would be lowest on a sliding scale, while those for an industrial project might well be highest on the scale. Obviously, repayment in hard currency should not only be allowed for, but encouraged, whenever a project or a country comes to a point where such repayment is possible in whole or in part.

That is what is called gesturing to a sound idea. That is what is referred to as paying lipservice to a sound idea.

Mr. President, I think we should start approaching that objective with some graduality. I propose to do that in my amendment. I say to Mr. Dillon and to others downtown that I have no doubt that we could find the ability in those countries to pay in hard currency, over a long period of time, for 50 percent of the loans that the countries make. That is a rather good start for tapering off, is it not? We give them 50 percent of the loan in soft currency, which practically means, as I have said before, that we grant it to them.

I do not expect any of the soft currency loans ever to be collected in a form that would be of any benefit to the American taxpayer. It might be a little more forthright on our part if we stopped talking about soft currency loans and merely discussed grants and hard currency loans. It would be psychologically better for the governments and the people of Latin America. It would avoid what I consider to be a matter of at least misleading, if not deceiving, the American people in regard to this program.

But it is said, "Senator, what about the hospital?" I say, "What about it?" I know of no reason why over a 40- to 50-year period any country in Latin America should not be expected to pay out on a hospital. Name one country that cannot. Probably the weakest one at the present time may be Bolivia. But, 50 years is a long time. I think it would be much better for Bolivia if at least 50 percent of the loan were covered by this section of the foreign aid bill in hard dollar loans. It is important to create the understanding in Bolivia that they must develop both a stable economy and a stable government so that they can become economically sound and pay their debt. Do not forget that we shall have to give some grant money for emergencies and for food supplies when a drought has hit the country and created a near-starvation problem. There are disasters of one type or another.

The time has come when at least half of these loans ought to be on a hard-dollar basis over a 50-year period, with a very low interest rate, somewhere from 2 to 3 percent. I think we owe it to the taxpayers of the United States. We owe it to the people of the other countries.

I close my argument in support of my amendment with one final point. There should be less waste, inefficiency, corruption, and lining of politicians' pockets abroad. It would be more inducive to developing responsibility in government if there were loans that they know are repayable in hard cold dollars than if we were to dish it out as we have been doing in relation to soft currency loans. What they think they are getting for nothing, they usually treat as not being something to create in them a very deep responsibility to protect and to really see to it that it is spent for the benefit of the people.

I strongly believe that in our foreign aid bill this year we must increase the loans and decrease the grants. We must increase the hard dollar loans and decrease the soft currency loans. We must start making perfectly clear by our own fiscal policy that the various governments must pay up and pay off the legitimate indebtedness they incur as the result of the cooperation they are receiving from the American people. They are receiving it from the American people. The American people are raising hard-earned tax dollars for maintaining the kind of foreign policy that we think will really establish for us friendly understandings rather than the misunderstandings that our present foreign aid policy is creating in so many parts of the country.

I may have more to say about the amendment later. I say to my majority leader, however, that I am very anxious to have a rollcall vote on my amendment. Therefore, unless some Senator wants to speak on my amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I wish to clear up one point that was asked by a Senator during the quorum call, as to whether or not my amendment would affect half of each individual loan to be paid in dollars. The answer is "No." The hard loan amendment I have offered requires that at least half of the aggregate $750 million provided for in this amendment would have to be in hard dollars. If Senators will note the language, the amendment provides that at least 50 percent of the aggregate amount of the loan made from such contributions shall be repayable in U.S. dollars.

Therefore, if there is a situation in which, on the basis of the facts, a hospital ought to be built, a school program ought to be supported, a health program ought to be financed, but we are satisfied that, under the circumstances, it cannot be done at the community or State level, then soft currency loans can be made.

But it will be found that it will not come anywhere near totaling 50 percent. That is why I said I am lenient in my amendment when I fix the amount at 50 percent of the aggregate to be repaid in dollars. In other words, not every loan must be repaid in dollars, but half of the total amount of our contribution of $750 million must be repaid in dollars.

Under my amendment, of the entire $750 million, half, and only half, will have to be paid in dollars. But I hope that Mr. Dillon will be able to carry out the objective he gives words to in the quotation I cited from his statement, to the effect that we hope there will be more than 50 percent in hard loans.

I am sure my disappointment would not particularly concern him, although I am very fond of him. But I shall be disappointed if the chairman of the Foreign Relations Committee does not take this amendment to conference, because I do not know of a better opportunity he has to demonstrate to the State Department and the executive branch of the Government the soundness of his observations, both 2 years ago and again last year, that the foreign assistance program needs to be reformed.

Here is a good place to start, and I wish he would take it to conference.

Mr. FULBRIGHT. Mr. President, I appreciate the Senator's suggestion. I do not believe that this is the proper bill in which to undertake the reform. I have already stated some aspects of how I should like to introduce major foreign aid reform. At the proper time, I expect either to introduce a bill or to offer amendments which will substantially change the pattern of the major foreign aid bill which will be considered at a later date.

The particular activity with which we are now concerned, I believe, is one of the best that we have in this field, and not alone because it deals with Latin America with which we have a special relationship, and a rather special responsibility for our own interests, as well as those of Latin America.

The Senator from Oregon and I disagree as to the one major aspect of the proposed legislation. The multilateral approach of the Inter-American Development Bank is one of its principal assets. I believe the Senator from Oregon stated a short time ago that the Social Progress Trust Fund had formerly been administered on a bilateral basis and that in consolidating it with the Fund for Special Operations, we were multilateralizing a program which had been bilateral. That is not quite accurate. The administration of the Social Progress Trust Fund has been the same that the administration of the Fund for Special Operations will be under this proposed legislation. It has been done by the Bank.

The Social Progress Trust Fund was unilateral in the sense that we were the sole contributor to that fund, whereas in this Fund for Special Operations we are contributing $750 million out of $900 million over the course of 3 years. But it will still be administered by the Bank and is not a bilateral program in which we directly make a loan to another country.

I also invite the attention of the Senator from Oregon to a table which has been supplied to us by the Inter-American Development Bank, which gives a statement of loans from the Fund for Special Operations as of December 31, 1964. I have not made a calculation of the total amounts which are repayable in dollars, but I note on looking it over—and it is available to all Senators who wish to look at it—that quite a large number of them are payable in the currency loaned. This is the provision.

Just as an example, in Argentina there is a loan, repayable in semiannual installments, beginning January 1965, interest and principal, in the currency loaned—in other words, if they were loaned dollars, it would be repayable in dollars. If they were loaned pesos, it would be repayable in the local currency.

I note that the projects are of an economic nature—that is, manufacturing, mining, or something of that kind, as distinguished from what is called the infrastructure, such as schools, sanitation, sewerage, and so forth; that those of an economic character are largely repayable in dollars or in the currency loaned—which would be dollars, if they borrowed dollars, but if they borrowed pesos, they would repay in pesos.

So that this particular fund for special operations is a hybrid, in the sense that some of the loans are repayable in pesos—that is, local currency, even though the loan was made in dollars, if it is for social projects, but a number, and quite a large number of them are repayable in dollars.

I have not calculated the amount—it would take some time to do that—repayable in dollars, but the main purpose of the Fund for Special Operations is to provide an opportunity for loans on less stringent terms than those made by the Bank itself in its regular operations, all of which are repayable in dollars, just as the Alliance for Progress loans made or authorized in the regular foreign aid program are repayable in dollars and not in local currency.

The main difference is the length of the term of the loans, and the interest rate. In many Latin American countries, due to past loans, and their inability to get on their own feet as quickly as we had hoped, the payment on past loans, the servicing and interest charges as well as the repayments, have created stringent circumstances. They need easier terms for the additional loans, particularly for those projects which are not directly self-liquidating—that is, the kind I mentioned, such as those in education, sanitation, sewage, and so forth. They have a different characteristic from a loan to a mine, or a factory, which gets into operation much more rapidly and returns a profit in the very near future.

I do not believe that this is the proper place to undertake any change. I would rather have this kind of arrangement than any of the regular foreign aid programs. When that bill comes up, I know that we will welcome suggestions from the Senator from Oregon. He stated a moment ago that he would be willing to support a larger amount for foreign aid if it was administered in the proper way and under a proper bill.

I can only suggest that perhaps he should try his hand at it. I would be curious to see his solution to the problem. I know that we would take any bill that he introduced very seriously, if he knows how to do it better.

I do not like many of the provisions in the foreign aid bill, as I have already made clear during the past several months, and even before that. I introduced bills in the past year. Unfortunately, my ideas of the program do not coincide with those of the Senator from Oregon, but neither of us is pleased with the kind of bill we had in the past year, and the year before that.

We differ as to the proper way the problem should be approached. I happen to believe that the multilateral approach is preferable to an extension of bilateral loans. I base that belief to a great extent upon the experience we have had over a number of years with international lending agencies, such as the Bank and its subsidiaries.

I hope that the Senate will not accept this amendment. I believe that it negates the principal purpose of the Fund for Special Operations. In a sense, it would amount to merely increasing the amount under the terms of the Bank's ordinary operations and decreasing by almost half the amount available for the softer loans, for infrastructure and similar projects.

Mr. MORSE. Let me say to the Senator from Arkansas that I am terribly disappointed. The many amendments which I have introduced in the past 2 years have not been recognized by him as more than the skeleton structure of the foreign aid bill for which I have been battling. If we took all my amendments and put them together, we would have the bill. I am going to offer them again.

Mr. FULBRIGHT. Put them all together in one bill.

Mr. MORSE. When we are through offering amendments we shall have before us a foreign aid bill. This is a foreign aid bill. I have met most of the criticisms made by the Committee on Foreign Relations. Its members have criticized the foreign aid program rather vociferously with the Secretary of State and the Director of Foreign Aid, Mr. Bell. The only place I have fallen down is with the funds——

Mr. FULBRIGHT. The Senator is correct.

Mr. MORSE. Not with the approval of Senators. Therefore, I shall offer the amendments again and make it easier for the Senator from Arkansas to get them all in one bill.

Mr. FULBRIGHT. That is good.

Mr. MORSE. I shall put them in that form as a substitute bill this year. I promise the Senator from Arkansas that I will offer a substitute bill which will be simply tying together the amendments I have offered over the past 2 years.

Let me say further, as to the remarks of the Senator from Arkansas, I stated earlier that some of these loans are hard money loans. I do not know what the percentage is. I do not believe that it has ever reached 50 percent. What is wrong, if it is at present more than 50 percent, in putting the 50-percent floor in, or at least that there is an enactment by Congress which expresses the congressional will that we are not to take from the American taxpayers more than 50 percent in so-called loans, which amount, in my judgment, to grants.

It seems to me that my friend from Arkansas is not giving the emphasis that is due me on the length of time of these loans, of 40 to 50 years. I said I was perfectly willing to have them as 50-year loans. My amendment does not affect their duration or their interest rates.

However, developments, like hospitals, health centers, schools, streets, viaducts, roads, and many other items listed in our hearings into which these soft loans would go, are wealth-creating investments.

When we build a road in the United States, we are producing an investment which, so far as wealth creating is concerned and so far as increasing our gross national product is concerned, is highly instrumental in increasing our gross national product.

These are wealth-creating projects. When we build a hospital, school, bridge, road, or any of the other items that are involved in the so-called soft loans, we are giving a great benefit to the wealth production that will go into the economy of a country. There is no reason why they should not be for a 50-year period.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. Does not the Senator from Oregon recognize that although local wealth is created in the case of a hospital, or a highway, it is different from investing in a mine or a factory, which begins to produce and export and earns foreign exchange which can be used to service a loan. That is one of the major differences that I am sure the Senator knows would be involved.

I did not mean to insinuate at all that roads or hospitals or sewer systems or water systems are not wealth creating. There is somewhat the same difference within the United States, for instance, when the Federal Government takes on the duty of building a road, because the States cannot do it. However, rarely does the Federal Government go into a State to finance a factory. That is quite different. That can be financed in the regular banking area. Many of the other so-called infrastructures call for a different kind of financing.

While I am on my feet I should like to point out that the Social Progress Trust Fund had far more soft loans than the Fund for Special Operations. In merging the two, for purposes of efficiency of administration, the new Fund will have a larger percentage of soft loans, in the sense of being repayable in local currencies, than was true of the old one. However, that is the purpose of this special fund. It was created for the purpose of making loans to help what is called the social infrastructure of a country.

The decision is very simple. We either want to do it or not. If we want to cut it out, all right, but that would be easier than putting on this kind of inhibition, that only 50 percent can be used. That is equivalent to obliterating nearly all of the loans which were formerly made from the Social Progress Fund.

Mr. MORSE. Mr. President, let me say quickly that I am not eliminating anything. The Senator, a few moments ago, pointed to some of the hard money loans. They will continue to be hard money loans. I am saying we will put in a floor, stating that it is the intention of Congress that at least 50 percent of the aggregate is to be in hard dollar loans. I am not eliminating anything. We do not want to eliminate anything. Let us not forget that every dollar of the $750 million will be borrowed, either in 50-percent soft loans or in 50-percent hard loans.

However, I now wish to return to the Senator's reference to infrastructure. I did not say that a bridge or sewer system or waterworks or hospital or school is the same kind of investment as a factory or a railroad or some plant that is being used in manufacturing goods or performing services related to the manufacturing of goods.

I did say, and I repeat now, that each of the items included in the so-called soft loan program is wealth producing.

Let us not forget that when we improve the health of a community, when we improve the education of a community, when we improve the transportation of a community, we produce a great stimulus to the economy of the community over that 50-year period. We make it a richer community from every standpoint. As we make it a richer community, the American people are entitled to have that project, which they financed, paid for in dollars.

That is the burden of my argument. I except from that argument instances when it is possible to show that for straight humanitarian or moral reasons we ought to be charitable and do it as a matter of charity. That will not encompass 50 percent of the instances, however.

I am asking for congressional checks. My friend from Arkansas does not like to hear me argue about congressional checks.

The more we get into the multilateral program that he is advocating in connection with foreign aid, the more we will weaken the congressional checks. That is why I want Congress to look at these loans.

I have had a little difficulty in the past few weeks, as did the Senator from Alaska before me last year, when Alaska suffered a great earthquake, when we battled to get money for our people, where great humanitarian causes exist, with fellow Americans suffering great losses as a result of the act of God in Oregon from the flood that we had up there.

We still have not set up the channels for the delivery of the Federal assistance that the Government ought to rush through, not stall through, to come to the assistance of the people of my State and of the people of southern Washington and northern California and parts of Idaho. We use congressional checks in that instance. I am all for congressional checks. We ought to have done it faster than we did it. I am in favor of authorizations. I am for showing all the facts that justify the expenditure of the money. I have not asked for my State, and I will not ask for my State, anything that does not go through the checking system. One of the great weaknesses of the foreign aid program is that it does not have those checks. We do not exercise those checks that I am urging we exercise. I urge that we exercise congressional checks with the amendment I am offering. All I am saying—and I am just as sure of this as I am that two plus two make four—and I am sure that the overwhelming majority of the taxpayers of America will agree with me, that the time has come to put congressional checks in the bill by saying to the bureaucrats downtown, "You cannot have more than 50 percent in soft currency loans in connection with this program. The rest you will have to have by way of hard dollar loans."

By doing so we will increase respect for us in Latin America. It will produce some changes within their own governments. In the long run they will thank us for it. We owe it to our taxpayers to start putting these checks in.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Missouri.

Mr. SYMINGTON. I thank my able friend from Oregon. In his fine message on balance of payments, the President stated he was urging private business to cooperate in the plans for reducing our continuing unfavorable balance of payments.

With that in mind, the thinking of the Senator from Oregon is important—I—even though there is voluntary cooperation from business, the lead story in the Wall Street Journal today would imply his thinking is now even more important. This article, at least, implies there will not be much cooperation from private industry. The headline of the article states:

> Spending Abroad: Advance Commitments, Competition Bar Big Cut in Foreign Investment—Businessmen Restudy Plans in Light of Johnson Plea, See Only a Limited Impact—Logic of Voluntary Curbs Hit.

The article then quotes many members of the business community with investments abroad. If what the article says is going to be the reaction, the words of the able Senator from Oregon can only increase in importance, because everyone agrees our continuing unfavorable balance of payments is becoming serious, and if not reversed, over the long pull could become critical. I ask unanimous consent that at the conclusion of these and his remarks the article in question be printed in the RECORD.

Mr. MORSE. I thank the Senator from Missouri. I wish him to know that I have been very happy to stand shoulder to shoulder with him on one proposed amendment after another to the foreign aid program which seeks to give us better protection in regard to this serious balance-of-payments problem that confronts us and which is involved in the question, too.

There being no objection, the article, to which Mr. SYMINGTON referred, was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Feb. 24, 1965]

SPENDING ABROAD: ADVANCE COMMITMENTS, COMPETITION BAR BIG CUT IN FOREIGN INVESTMENT—BUSINESSMEN RESTUDY PLANS IN LIGHT OF JOHNSON PLEA, SEE ONLY A LIMITED IMPACT—LOGIC OF VOLUNTARY CURBS HIT

(By J. Russell Boner)

GENEVA.—If President Johnson counts on voluntary cutbacks in foreign investment by U.S. companies to make a significant dent in the Nation's balance-of-payments deficit, he's almost certain to be disappointed.

Bankers, economists, and businessmen on both sides of the Atlantic believe the President's stern plea for a reduction in oversea business investment may be heeded by some companies who were planning to venture abroad for the first time. But they are convinced the appeal will do little to slow the furious and far more significant pace of expansion by firms that are already active in the foreign market.

Sales of foreign manufacturing affiliates of U.S. companies are soaring and many firms find big expansions are needed to keep up with the strong demand. Sales of these foreign units shot up to an estimated $35 billion last year, well ahead of the $31.3 billion of 1963 and nearly double the $18.3 billion racked up as recently as 1957. Another major increase is expected this year.

A SURGE IN SPENDING

To support this sales growth U.S. industry has been steadily stepping up direct oversea investment, last year spending a record $2.2 billion. The surge of spending and lending abroad became so pronounced in the final quarter of last year that it helped push the U.S. payments deficit to an annual rate of $6 billion.

The situation is so alarming to the Federal Government that President Johnson in recent weeks launched a campaign to cut down on U.S. foreign investment. He asked the Nation's bankers to voluntarily slice foreign lending this year to only $500 million, an 80-percent reduction from last year's fat total of $2.5 billion. He also called upon U.S. industry to voluntarily reduce its net flow of dollars overseas this year by 15 to 20 percent.

But without specific Government restrictions, it seems clear the heavy flow of foreign investment will not be turned off. Not only are the lush profit potentialities of the foreign market an almost irresistible magnet for investment funds, but there are other considerations. One is that many U.S. companies are so deep in expansion plans they couldn't turn back if they tried; some firms are committed to heavy spending overseas for as many as 6 years ahead.

AN EYE ON COMPETITION

Another factor is that many companies which have poured millions of dollars into oversea investments in the past feel they can't afford to unilaterally cut back on investment and see their market position snatched away by less patriotic companies or by aggressive foreign concerns.

Perhaps as important as any reason for the reluctance to cut back is the fact that most executives simply don't agree with the Presidential philosophy that a reduction in foreign investment is the answer to the country's payments problem. Many argue that only through continued U.S. investment abroad does the Nation have any hope of eventually generating enough surplus credits to offset heavy foreign aid and military spending. They point out that past foreign investments already yield a $4 billion annual flow of dividends and other payments to the United States, an amount nearly double current outlays. As a result, U.S. manufacturing operations abroad in 1963 (latest figure available) actually netted the United States a surplus of $2.4 billion.

"I don't think it's feasible for any dynamic U.S. company to stop investment abroad," insists Alan K. Jackson, an official of International Research Consultants, Inc., a marketing advisory concern headquartered here. "The plea is only good when it makes economic sense and it doesn't make sense for U.S. manufacturers to let their markets here evaporate."

NEW EXPANSION PLANS

Certainly, announcements by American concerns in recent days hardly indicate any letup in their expansion abroad. Declaring that rising auto sales are creating "inexorable" pressure for it to expand its facilities at home and abroad, General Motors Corp. this month disclosed plans for a huge new $100 million assembly plant in Antwerp, Belgium. A few days later, Texaco, Inc., confirmed reports that it would hold a 49-percent interest in a new $20 to $25 million refinery to be built in Bavaria in partnership with a German oil company.

Allegheny-Longgoz, S.A., a Belgian stainless steel producer jointly owned by Allegheny Ludlum Steel Corp. and Belgian interests, says it also may expand its operations soon. The company now operates a mill with a capacity of 1,500 metric tons monthly and, though opened only in 1963, the mill already is too small for sales needs. A decision on whether or not to expand has yet to be made, but when it is it will be based on economic grounds and not political considerations, says F. H. Kirkpatrick, assistant managing director.

Mr. Kirkpatrick is quick to note that the present mill, located at Genk, Belgium, consumes $1 million a month in stainless steel imported from Pittsburgh. Since Allegheny Ludlum's investment in the mill is only about $3.5 million, the company actually is adding a surplus to the balance of payments, he says.

Lynn Townsend, president of Chrysler Corp., reports the auto company's receipts from exports and its earnings on foreign investments exceeded its foreign purchases and investment by more than $1 billion in the 10 years through 1963, and in each year the company showed a favorable balance to the United States. So Chrysler International, S.A., plans to go ahead with expansion projects already announced. These include a current $72 million expansion in Australia and a planned 4-year, $32 million outlay to construct manufacturing facilities in South Africa.

The Geneva-headquartered international arm of Chrysler needs expanded facilities to support sharply rising sales. It sold 131,000 vehicles last year, up from 98,000 in 1963, and it expects sales to hit 165,000 units this year.

Despite these sharp sales increases, Chrysler maintains the foreign market is far from saturated. Arys Missakian, general marketing manager for Chrysler International, notes, for example, that the ratio of residents to cars in Common Market countries averaged only 10.3 to 1, when the latest figures were compiled in 1963. This is far short of the 2.4-to-1 ratio which exists in the United States.

IMPACT OF TARIFFS

American executives say Europe's rapidly changing tariff structure adds great pressure for a buildup in foreign operations. Mainly because of the coming elimination of internal tariff barriers within the European Economic Community and the European Free Trade Association, along with the maintenance of external duties, many companies figure that to compete profitably in Europe they will have to build plants in the area.

"In the next couple of years it will be impossible to import [components] and assemble in the Common Market," predicts Thomas W. Koos, director of distributor sales for Chrysler International.

Most companies insist it's too late to think of halting projects they've already announced. Air Products, Ltd., of London, a wholly owned subsidiary of Air Products & Chemicals, Inc., Allentown, Pa., within the past 5 months announced plans to build industrial gas plants in England, Belgium, and West Germany at a total cost of $20 million. "They couldn't possibly be stopped," says a spokesman. "We're under long-term contracts to steel companies signed before the start of this year."

COMMITMENTS ON GAS

William A. Westphal, vice president of Rockwell Manufacturing Co.'s international division, says the company "intends to proceed with its 1965 capital spending plans in Europe," and notes "These are all based on prearranged foreign financing." While the official of the Pittsburgh-based company says it's too early to evaluate the effect of President Johnson's request beyond 1965, the company may be hard pressed to resist a projected expansion of its power tool manufacturing facilities at Munich. The reason: Increased leisure time in Europe has helped Rockwell boost sales of portable power tools to do-it-yourself enthusiasts by a whopping 100 percent in 1964, and the company looks for an even greater increase this year.

Some commitments go far beyond 1965. American firms, for instance, are estimated to have more than a 50-percent stake in the exploration for natural gas off the shores of Britain—and to get these concessions they had to sign commitments to develop the areas. The license holders as a group are required to spend more than $224 million in the first 6 years, it's estimated.

Bankers and businessmen insist that as a matter of course most companies already are following procedures most beneficial to the balance-of-payments position. "The first objective of any American treasurer is to finance in local currency," says a U.S. banking executive stationed in London. "That way he has less risk from a devaluation of the local currency."

But economists cite a reluctance of exchange-control officials in certain European countries to allow American companies to borrow heavily from local sources unless the funds will produce substantial exports. The governments naturally resist loans to companies where the return of profit to the United States from local sales will worsen the host country's balance of payments.

In fact, one banker insists that the hostile attitude toward American investment now growing in France, Germany, and the United Kingdom may do considerably more to discourage American investment than President Johnson's pleas.

Some economists overseas worry that President Johnson's efforts to curb the flow of business dollars abroad might have detrimental effects on both the balance of payments and the U.S. economy. A number note that fears of some form of restriction on dollar flow abroad might cause some firms to hoard cash in foreign countries for future expansion, worsening the U.S. balance-of-payments deficit.

Mr. MORSE. Mr. President, I submit the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Pennsylvania [Mr. Clark], the Senator from Minnesota [Mr. McCarthy], the Senator from Wisconsin [Mr. Nelson], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I also announce that the Senator from Georgia [Mr. Russell] is absent because of illness.

I further announce that the Senator from South Carolina [Mr. Johnston] and the Senator from Rhode Island [Mr. Pastore] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Rhode Island [Mr. Pastore], and the Senator from Florida [Mr. Smathers] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] and the Senator from Iowa [Mr. Hickenlooper] are absent on official business to attend meetings of the British-American Interparlimentary Group.

The Senator from Kentucky [Mr. Cooper] is necessarily absent.

The Senator from Illinois [Mr. Dirksen] is absent because of illness.

The Senator from Nebraska [Mr. Hruska] is absent on official business.

The Senator from Vermont [Mr. Prouty] is absent by leave of the Senate because of illness in his family.

The result was announced—yeas 42, nays 43, as follows:

[No. 26 Leg.]

YEAS—42

Allott
Bartlett
Bennett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Cotton
Curtis
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Gruening
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
McIntyre
Metcalf
Miller
Morse
Mundt
Murphy
Neuberger
Pearson
Pell
Robertson
Saltonstall
Simpson
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—43

Aiken
Anderson
Bass
Boggs
Case
Church
Douglas
Eastland
Fulbright
Harris
Hart
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Long, Mo.
Magnuson
Mansfield
McGee
McGovern
McNamara
Mondale
Monroney
Montoya
Morton
Moss
Muskie
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Stennis
Tydings
Yarborough

NOT VOTING—15

Bayh
Carlson
Clark
Cooper
Dirksen
Hickenlooper
Hruska
Johnston
McCarthy
Nelson
Pastore
Prouty
Russell
Smathers
Williams, N.J.

So Mr. Morse's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. MOSS. I move to lay that motion on the table.

Mr. MORSE. On the motion to lay on the table, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. Harris in the chair). Is there a sufficient second?

Mr. MORSE. Mr. President, I withdraw my request for the yeas and nays. I understand that the Senator from Virginia has left the Chamber. I told him I would not ask for another yea-and-nay vote today.

The PRESIDING OFFICER. The request of the Senator from Oregon is withdrawn. The question is on agreeing to the motion of the Senator from Utah [Mr. Moss] to lay on the table the motion of the Senator from Arkansas [Mr. Fulbright] to reconsider.

The motion to lay on the table was agreed to.

AMENDMENT NO. 39

Mr. MORSE. Mr. President, I call up my amendment No. 39 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 2, strike out the quotation marks at the end of line 10.

On page 2, after line 10, add the following:

"(c) The voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country if the government of such country or any government agency or subdivision within such country, on or after January 1, 1962, has taken any action referred to in paragraph (A), (B), or (C) of subsection (e)(1) of section 620 of the Foreign Assistance Act of 1961, and has failed within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. Mr. President, for the information of the Senate, the amendment of the senior Senator from Oregon [Mr. Morse] is the pending business. There will be no further voting tonight.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I move that when the Senate completes its business this evening, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

The Senate resumed the consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

Mr. MORSE. Mr. President, I do not intend to discuss my amendment at any length tonight.

I want the attention of the Senator from Ohio. We have two amendments that seek to accomplish the same objective—the amendment of the Senator from Ohio [Mr. Lausche] and my amendment.

I want the Senator from Ohio to know that I offered my amendment because the distinguished majority leader asked me to offer it.

I shall vote for the amendment of the Senator from Ohio in the event that my amendment should happen to be defeated tomorrow.

I prefer the procedure of my amendment. It is a direction to the American representatives on the Board. The amendment of the Senator from Ohio seeks to amend the charter of the Bank. I think that is more difficult and more complicated.

We are thoroughly within our powers of check to direct our Governor on the

Board to follow a certain course of action. It is the Hickenlooper amendment on expropriation, applied to the program in the bill.

Mr. President, while there are enough Senators in the Chamber, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I yield the floor. I shall not leave the Senate Chamber, however. I shall be here to protect my rights.

Mr. LAUSCHE. I think the amendment offered by the senior Senator from Oregon which proposes to achieve the inclusion of the Hickenlooper principle in the loans to be made is sounder than the amendment which I have prepared.

I do not think it is sound to deal with the charter in this manner. That is what I contemplate doing.

Mr. MORSE. Mr. President, I should like to have the Senator be a cosponsor of my amendment.

Mr. LAUSCHE. Mr. President, I am glad to be a cosponsor of the amendment of the senior Senator from Oregon.

Mr. MORSE. Mr. President, let the RECORD show that the Senator from Ohio [Mr. LAUSCHE] wishes to cosponsor my amendment.

SENATORS RANDOLPH AND BOGGS ADDRESS THE AMERICAN ROAD BUILDERS

Mr. RANDOLPH. Mr. President, earlier this afternoon, in company with Senator J. CALEB BOGGS, it was my responsibility to address the national convention of the American Road Builders at the Statler Hotel. During that panel program, in participation with Representatives FALLON and CRAMER, it was not possible for Senator BOGGS and me to return to the Chamber to vote on the amendment of Senator LAUSCHE. The RECORD indicates that we were absent on official business, and how we would have voted if present. Senator BOGGS and I discussed the progress of our highway programs, and stated our plans, as members of the Committee on Public Works, in consideration of proposed legislation.

TIME FOR A NEW CONSERVATION MOVEMENT—ADDRESS BY SENATOR McGOVERN

Mrs. NEUBERGER. Mr. President, speaking at the convention of the National Association of Soil and Water Conservation Districts at Portland, in my home State, Senator McGOVERN paid a much-deserved tribute to the farmers who have established soil and water conservation practices for the contribution they have made to beautifying America. He called for opposition to the Budget proposal that cost of technical assistance provided farmers in drawing up farm conservation plans be charged to the farmers.

Senator McGOVERN said:

Planning to make America more beautiful and at the same time proposing to cut back the soil and water conservation program on private lands—the program that has brought more beauty to America than any other in our history—is wholly inconsistent. Our changing land use pattern—with its majestic contour sweeps and its wooded and grassed slopes and its windbreaks and its dams and lovely ponds and wildlife areas—beautifies as well as protects our land. A conservation farm is one of our loveliest sights.

The Senator argued that farmers pay nearly all of the cost of installation of the conservation practices. In many instances they do not get either immediate or long-term benefits.

I ask unanimous consent, Mr. President,, to have printed in the RECORD the text of Senator McGOVERN's address, in which he calls for a broad new resources conservation movement in America.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TIME FOR A NEW CONSERVATION MOVEMENT

(Address of Senator GEORGE McGOVERN)

It is a privilege to address this 19th annual convention of the National Association of Soil and Water Conservation Districts. You are the leaders of the most extensive, pioneering conservation movement in history with more than 2 million resource custodians enrolled across the land. Recent events have thrust upon you and the movement you lead an unusual responsibility. Conservation of resources has a new urgency today. Our own population growth and greater international responsibility mean growing demands on U.S. resources in the next half cenutry if we are to move toward a greater society at home and a more peaceful world abroad. Yet, your programs are now threatened by pennywise pound-foolish budgetary cutbacks. You have doubtless made plans at this convention to meet this adversity, to turn the forces misdirected against you on a forward course. In your effort you will have many friends and allies. I am one of them and that is why I am here.

It is appropriate that we should meet in Portland—a city associated with the fascinating adventure of Captains Meriwether Lewis and William Clark.

The Lewis and Clark exploration, which reached its climax down the mighty Columbia River just a few miles from this meeting place, covered well over 2 years. Much of it was painfully accomplished. The hardy crew thought 30 miles was a good day's travel.

In coming here from Washington, I traveled by air, covering in just a few hours a distance which was traversed so arduously and so dangerously in 2 years in the early 1800's.

The contrast in travel is no more striking, however, than the progress we have made in our land management, and in our attitude toward resources that citizens in the days of Lewis and Clark thought inexhaustible.

In their haste to conquer the continent, many of our forebears wrote a regrettable chapter of waste and plunder. Perhaps that chapter was part of the price a vigorous young nation had to pay to become a world power in a hurry.

The voices of conservation got little attention on the frontier. The warnings of the Marsh's, the Powell's, and the Muir's were drowned in the creaking of the Conestoga wagons, in the ring of railroad spikes, in the crashing of timber. The men spearheading the advancing frontier were a rough, restless, and sometimes violent breed.

Hindsight reveals mistakes in the slaughter of wildlife, the erosion of lands, the plowing of grasslands, the stripping of forests. In South Dakota, we now know that "the plow that broke the plains" did a great disservice to much of our State. Farmers are still trying to survive economically on low farm returns while they heal the scars of the past and restore the land to the type of production it can sustain. The Homestead Act, for all of its wisdom, unfortunately required that a settler must plow much of his land to qualify for patent. A consequence of that requirement was the duststorm that swept Washington, D.C., with Great Plains soil in 1935, just a few days before Congress passed the Soil Conservation Act.

It is an inspiring commentary on the Nation's good sense in the thirties that Congress acted so quickly to approve a Federal-State-farmer partnership to halt the duststorms and to bring order out of the error and plunder of earlier days. We have made splendid progress since then in spite of occasional attacks by misguided critics or special interests.

Despite the progress during the past 30 years, the conservation job ahead is more challenging than the one behind us. Two-thirds of the land and water conservation job remains to be done.

We did believe that we had turned the corner, however, in regard to public understanding. We had an idea that most people understood the reasons for protecting land and water—and developing these prime resources for greater uses. We felt the big battles might be over—that our main concern would be speeding up our rate of progress, which we know is still too slow.

But how wrong we were.

There are those who now propose to shrink the conservation partnership between the farmer and his government.

There are those who say farmers and ranchers, despite low prices for their products, should pay the bill for surveying, planning, and installing works to overcome the damage of the past, including the cost of technical services which have been provided by a willing public partner in the past.

They propose to reduce national responsibility and reverse a policy adopted by Congress in 1935, a policy to save our land for future generations of Americans. This is a policy which has been renewed by every Congress since 1935. It has in fact been fortified since 1937, when soil conservation districts were initiated under State laws.

The national soil and water conservation program conducted through locally managed soil and water conservation districts on the privately owned lands of America is facing its greatest crisis, a crisis in which it must carry the great part of the burden to reach national conservation objectives.

The proposed cuts in agricultural and conservation programs did not originate in the Department of Agriculture.

The proposals directly affect the 15,000 officers and 2 million cooperators of 3,000 soil conservation districts with whom Department of Agriculture people have been working year in and year out for a generation. After years of fruitful cooperation between State, Federal, and local agencies, a relationship has grown up so close that such a step would have been discussed with you in advance if initiative for the proposed changes rested with the Department of Agriculture.

Did your officers or any of you even hear of this move to cut $20 million from the Soil Conservation Service budget, and require farmers to pay for technical assistance as well as the cost of installing needed practices, until rumors about the budget began to appear early this year?

You did not, and I did not. The proposal was a closely guarded secret. There was no disclosure until a public commitment was made by its announcement.

One of the things that impressed me in President Johnson's excellent state of the Union message was his reference to the soil conservation work which had been done in his home country in Texas. Referring to the LBJ Ranch and the countryside around it, the President said:

"It was once a barren land. The angular hills were covered with scrub cedar and a few large live oaks. Little would grow in

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the hard caliche soil of my country. And each spring the Perdenales River would flood our valley.

"But men came and they worked and they endured and they built.

"And tonight that country is abundant; abundant with fruit and cattle and goats and sheep, and there are pleasant homes and the floods are gone."

You Texas conservation district supervisors know the story behind this lovely picture of the Perdenales country. You know that the soil conservation districts of Blanco and Gillespie Counties, Tex., guided by public-spirited men who serve without pay, and with onsite assistance of professional soil conservationists assigned by the Federal Government, have helped the landowners to protect and beautify this land as they have done in countless other communities. I am informed that 74 percent of the land in these two soil conservation districts is signed up for conservation, and that 69 percent of the land either has basic conservation plans or is in the process of getting them.

No, we have reason to believe that the scheme for repudiating the partnership which has played a role in the transformation of the Perdenales did not come from the President. I trust and believe that when it comes to his attention we will have a powerful ally in the fight that lies ahead.

There is every indication that this is another instance of shortsighted, callous Budget Bureau policymaking. I recently protested against this in the case of farm price support programs, following the appearance in the Saturday Review of Literature of an article by the Budget Bureau Director which dealt with the farm problem.

The Saturday Review of Literature, as I then commented, is a fine magazine but hardly one of our leading farm journals. Its degree of sophistication in the field of agriculture was demonstrated by the pictures it used to illustrate the article. The pictures included a cluster of milk cans around a supposedly up-to-snuff dairy, a milking machine which has probably been in an agricultural museum several years, and an automatic feed dispenser of pre-Korean war vintage. It appeared quite clear that the Saturday Review or whoever supplied their pictures, hadn't obtained any "modern" shots on an actual farm since my teenage children were born.

The article stated that 2.5 million of our 3.5 million farm families "do not now and cannot in the future be expected to operate successful commercial farms." It implied that the 2.5 million farmers could best be helped to move out of agriculture.

I asked then—and I ask again, for I have had no reply—where to? Into what jobs? Is this a scheme for filling up the Job Corps? Or is this a plan to convert rural poverty into urban poverty?

Back in 1961, the Subcommittee on National Policy Machinery of the Senate Government Operations Committee issued a report which suggested that the Budget Bureau is an ideal place for "program planning and budgeting which starts with the formulation of policy objectives and ends with costed and time-phased programs for action." That is exactly what is happening to agriculture today.

Our soil conservation program was costed, and 2½ million farmers were "time-phased"—"time-phased" out of agriculture, that is.

It is perfectly clear where these new farm proposals originated.

The Senate subcommittee report on the Budget Bureau included some warnings:

It cautioned:

"Unless the Bureau [of the Budget], from top to bottom, has a clear and current understanding of the President's aims, its predilections may come to substitute for the President's pleasure. The Bureau then becomes an independent agency, a rival of both the departments and its chief."

I think we see that very circumstance today—the predilections of Budget Bureau personnel showing through.

But to resume the warnings of the subcommittee report. It said:

"One point above all. The Bureau ought to be staffed more broadly and richly with officials who have a substantive understanding of the issues crossing their desks. The Bureau need not have a stable of experts in every specialized field. But its members should be able to comprehend the significance of programs in terms of the President's overall policy objectives."

I could be wrong, but I am convinced that we are up against a serious fight because someone who obviously lacked a substantive understanding of the tremendous importance of soil conservation to this Nation, who did not "comprehend the significance of the program," pushed the button that started this conflict. Have any of you had a Budget Bureau official out inspecting your district or discussing your work with you lately?

It is a tragic fact that we cannot identify anywhere in the President's immediate establishment—Budget Bureau, Council of Economic Advisers, or staff assistance—a man who is thoroughly oriented in agricultural and conservation problems.

Conservation and agriculture have never had a greater need for men in high office with substantive knowledge and comprehension of their role in national life than now.

The image of agriculture has been distorted and blurred by a steady barrage of half-truths and untruths in smart magazines and from supposedly sophisticated circles.

The notion, for example, that conservation is responsible for excess production is widely held. Countless uninformed people, all of them enjoying abundant, low-cost food, and many themselves the beneficiaries of Federal subsidies, have accepted this mistaken view.

We do have abundant production—thank God.

As a consequence, Americans pay 18½ percent of their incomes for food—the lowest food cost ever achieved by any nation. It is so low that our citizens have money to buy homes and automobiles and many other things they could not afford if food cost one-third of total income, as in European countries, or 50 percent of income as in some of the Communist countries.

We have had supplies of food in excess of our own requirements to use in a war against want abroad. This is a favorite theme of mine for, as you know, I served as Director of the food-for-peace program under President Kennedy. We should thank God for our abundance, and find more ways to use it intelligently to end hunger and build peace in the world.

The value and the urgency of speeding up the soil conservation job—not retarding it with dangerous and inequitable charges—must somehow be impressed on the citizens of this land.

The fight we are entering upon must not end when appropriations are finally made by Congress.

We need more than defensive action, we need a new forward thrust in the resources and conservation fields that will capture the public attention, create a new understanding of the necessity for developing our whole resource base, and provide a continuing inventory of where we stand in all resource and conservation fields.

It is time for a new conservation movement.

I have been joined by 15 other Senators in proposing to Congress that we now establish a Council of Resource and Conservation Advisers.

The need for a regular annual review of our resources and conservation situation, is demonstrated by the misconception implicit in the Budget proposal to slow down soil and water conservation work.

For example, planning to make America more beautiful as the President has proposed, while the Budget Bureau proposes to cut back the soil and water conservation program is to work at cross purposes. Our changing land-use pattern—with its majestic contour sweeps and its wooded and grassed slopes and its windbreaks and its small dams and lovely ponds and wildlife areas—beautifies as well as protects our land. A conservation farm is one of our loveliest sights.

A land of wasted soil and water is not only ugly, but it is poor land, and poor land has always meant poor people. This is the story of many lost civilizations. The Great Society has little chance in any community that is losing its natural resources. Conversely, properly developed natural resources are the base upon which a Great Society can be built.

Those of us who are pressing for a Council of Resources and Conservation Advisers to the President want to see a White House general staff on resources which maintains a continuous survey of where we stand on all resource problems. We want an annual report from the President to the Congress and the public which tells us authoritatively whether the rate, quality, and extent of our resource development work as a nation is adequate to meet our oncoming national requirements for these resources. Our natural resources are the foundation of our economy. The way in which we develop them will in large measure shape our society and our institutions.

We can protect and develop our basic resources in an intelligent, orderly way—preserving the fundamental institution of private property in the process—and still meet our oncoming needs on time. We can—if we commit ourselves to do it and if we have the necessary leadership to guide us in this tremendous task.

The alternative is to keep natural resource issues in the background, give them a low priority, and discourage public discussion. This is the route to an uniformed public, to low-gear resource programs, and to ultimate trouble of the most dangerous kind. It is the route which will lead us, with grim certainty, to resource shortages, 11th-hour crash programs searching for remedies, and costly losses—in time, money, and resources—all of which are avoidable.

The value of natural resources to American life is at the heart of the matter. I say that natural resources are of the utmost importance—now and increasingly so in the future. As a nation we do not have them in such abundance that we can afford to brush their development aside.

I say that natural resource development—water, land, forests, mines, petroleum, and power—is a national imperative. It is not a subsidiary question. It ranks with national defense, education, and health as essentials in our national life. It deserves the full-time attention of an expert Council of Resource and Conservation Advisers to the President. It warrants a thorough report by the President to the Congress and the people once a year.

The Select Committee on National Water Resources made a major point of our need for a biannial assessment of water supply and demand, by regions of the United States, so that every area will have warning of approaching shortages. The data involved in such an assessment is scattered in a half dozen agencies in four departments of the Government. The assessment job isn't being done because there is no center of leadership on resources and conservation problems that can insist on such reports.

Senators John F. Kennedy and Lyndon B. Johnson committed themselves to the establishment of the Council of Resource and Conservation Advisers in the 1960 presidential campaign.

In 1961, President Kennedy asked Congress to postpone enactment of the necessary bill until he obtained reports from the National Academy of Sciences and the Office of Science and Technology on our resources—and evaluated the need for a new agency.

Those two scientific agencies reported in 1962 and 1963. Their reports sustained the position of the advocates of the Council. The renewable resources report of the National Academy of Sciences said:

"It is evident that the optimization of natural resources for human use and welfare cannot be achieved by fragmentary and sporadic attention given to isolated parts of the problem, but that the issue involved must be made the subject of a permanent, systematic process of investigation, recording and evaluation, carried on continuously in reference to the total perspective. It would appear mandatory, therefore to entrust an independent organization with the task."

This is the very essence of the case for the Resources and Conservation Act. It could almost have been copied from statements made in support of the Murray-McGee-Engle bills, and now my own bill.

I believe John F. Kennedy would have supported the Resource Council's establishment when the Academy report was brought to his attention. I believe Lyndon B. Johnson will support it when it is brought to his attention.

We have been fortunate to have considerable farsighted resources leadership in the Senate in recent years. Senator CLINTON P. ANDERSON's water and recreation legislation, Congressman JOHN BLATNIK's pollution control work, and Congressman WAYNE ASPINALL's land policy review commission are outstanding examples.

But Members of Congress do not have the staff, the uninterrupted time, nor the facilities for maintaining a permanent, systematic, continuous review of resource problems in reference to the total perspective.

I appreciate the support your great organization has given in the past toward getting a Council of Resource and Conservation Advisers to the President. I appreciate your continuing support, for I am convinced that such a Council can be the basis for the new conservation movement we need—a conservation movement that does not deal with fragments of our natural resources problems, but with the whole; one that will not flare up and subside, but will have the continuity our growing population needs.

Now is the time for all good men in conservation to stand and fight.

You have many friends in Congress and elsewhere. Alert them all. Convince them all—and everyone else who will listen—of the practical facts about the development of soil and water resources. Let them know how much long-range harm a slowdown of this vital program could do.

I pledge you my unqualified support. But you are the force which will determine whether we retreat or advance.

United and a little angry, you can win.

Disorganized and a little meek, you will lose.

I wish you and all the forces of conservation Godspeed in the weeks and months just ahead in which a crucial conservation battle must be fought—and won.

END DISCRIMINATION IN EMPLOYMENT DUE TO AGE—RESOLUTION

Mrs. NEUBERGER. Mr. President, the Fraternal Order of Eagles has been in the forefront of the fight to eliminate discrimination in employment because of age. I am pleased to call to the attention of the Congress a resolution adopted recently by the Coos Bay Aerie No. 538, Fraternal Order of Eagles, calling for the enactment of such Federal legislation.

The resolution states:

> One-third of all Americans will be between the ages of 40 and 65 and considered unemployable by a majority of employers by 1975.

Certainly the abilities and skills of these Americans should be fully utilized. Mr. President, I ask unanimous consent to have the resolution printed in the CONGRESSIONAL RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION REQUESTING MEMBERS OF CONGRESS TO ADOPT LEGISLATION OUTLAWING DISCRIMINATION IN EMPLOYMENT BASED ON AGE (40 TO 65)

Whereas job barriers against older workers in industry are cruel, wasteful, and unsound and deprive the economy of much valuable skill and experience; and

Whereas the most neglected man in the employment picture today is the man be. tween 40 and 65, who is too young to retire on social security but too old to find a job; and

Whereas by 1975, one-third of all Americans will be between the ages of 40 and 65 and considered unemployable by a majority of employers; and

Whereas discrimination in employment based on age deprives persons in the prime of life of the earnings they need to provide a decent standard of living for themselves and their families and causes persons from 40 to 65 to live under the shadow of constant fear that, if they lose their job, they will be unable to find another; and

Whereas it is irrational for a society to do with one hand everything possible to extend the life of man while with the other hand, writes him off as useless because of the date of his birth; and

Whereas in 1964 Congress adopted Public Law 88–352 which makes it an unlawful employment practice for an employer with 25 or more employees and engaged in an industry affecting interstate commerce, to discriminate against employees or applicants for employment because of their race, color, religion, sex, or national origin; and

Whereas section 715 of Public Law 88–352 provides that the Secretary of Labor shall make a study of discrimination in employment because of age and shall report the results of such study to Congress not later than June 30, 1965, "and shall include in such report such recommendations for legislation to prevent arbitrary discrimination in employment because of age as he determines advisable": Therefore be it

Resolved, That the Members of the Congress of the United States be requested to enact at their present session legislation which will make it an unlawful employment practice for employers to discriminate against employees or applicants for employ. ment because of their age being between 40 and 65.

GROVER J. HANNA,
President.
S. C. LYUBLANOVITZ,
Secretary.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate this evening, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p.m.), the Senate adjourned, under the previous order, until tomorrow, Thursday, February 25, 1965, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate February 24, 1965:

PUBLIC HEALTH SERVICE

Luther L. Terry, of Alabama, to be Surgeon General of the Public Health Service for a term of 4 years. (Reappointment.)

EXTENSIONS OF REMARKS

A Bill To Designate the Fourth Friday in September of Every Year as American Indian Day

EXTENSION OF REMARKS
OF
HON. DON H. CLAUSEN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 24, 1965

Mr. DON H. CLAUSEN. Mr. Speaker, I am today introducing a bill which would designate the fourth Friday in September of every year as American Indian Day. The language of the bill is quite simple, and I will cite it briefly for the benefit of my colleagues:

That the fourth Friday in September of every year is designated as American Indian Day, and the President of the United States is authorized to issue annually a proclamation setting aside that day as a public occasion and inviting the people of the United States to observe that day as a day of educational and cultural observance.

Mr. Speaker, I thought perhaps my colleagues would like to be apprised of this intention so that they may join in this move to pay homage and render due honor to America's first citizens, if they so desire. My reasons for doing this are not to set them apart, but only to enable all Americans to convey to them the honor and recognition that they have long deserved, as part and parcel of the great historic tradition of our country.

Briefly, to clarify my reasoning further:

First. The American Indians are the original Americans and have resided on this continent since time immemorial; and

Second. They have made an indelible imprint on our national character and culture by their contributions to the history of the ancient world and the civilization of the modern world; and

Third. American Indians have lifted themselves from the status of a primitive race of people to that of an educated, responsible, patriotic, and significantly important section of our population; and

Fourth. American Indians have made persistent efforts to remain uniquely individual and independent as a race and as Americans; and

Fifth. Because of all of these things, the light of truth and knowledge should be turned upon the American Indians to aid in the development of a better understanding of them, to promote and encourage respect for them, and to help create conditions in which their economic, cultural, and educational welfare may be advanced.

With the adoption of this bill and the proper focus of national attention on the original inhabitants of this land, I believe we can start to develop far-reaching programs that will maximize the participation of Indians in the advancement of their personal objectives.

In this way, the Indian community will benefit from the evolving economic opportunities and all America will benefit from the broader display of Indian lore and its place in American history.

"To the Last Hour," Factual Story of a Living Man

EXTENSION OF REMARKS

OF

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1965

Mr. CORMAN. Mr. Speaker, those of us who have the good fortune to be Members of Congress from the great State of California are indeed proud that our State is the home of one of the world's most far-reaching and creative industries: motion pictures.

During my travels as a Member of Congress, both in our country and abroad, I have encountered many self-styled critics of the California film industry. Because of the almost unlimited freedom the motion picture industry enjoys, its products are often susceptible to criticism. But I do not think such criticism is too high a price to pay for freedom of expression.

However, from time to time a motion picture comes forth that is very nearly above criticism. Recently, I learned about a film which I believe will be exactly that. This motion picture is presently on the drawing boards of the Metro-Goldwyn-Mayer Co. and is entitled "To the Last Hour." Although I know little about the technicalities of motion picture production, the very nature of this film demands comment—even by a layman.

"To the Last Hour" is a factual story of a living man named Oskar Schindler. On Christmas Eve 1963, the Government of Israel presented Mr. Schindler with a citation honoring him for saving the lives of 1,300 Jewish men and women in Poland and the Sudetenland during World War II. In commemoration of Mr. Schindler's bravery, a tree has been planted in his name in the famous Park of Heroes in Jerusalem. Perhaps the most significant point is that Oskar Schindler is a German and a Catholic.

From what I have ascertained, the theme of the film transcends the barriers of language, religion, nations at war, and even personal heroism. The true hero of this story is the precept that man's humanity to man must always prevail; that if, in the face of incredible dangers and adversities, a man can be found who will become his brother's keeper, then we must accept this sign of hope that one day a true peace will be built from friendship and understanding.

I know of no motion picture in recent times that conveys so great a message or that has the potential to weave all peoples into the common thread of international brotherhood. I wish to congratulate Metro-Goldwyn-Mayer Co. and its president, Robert O'Brien, for lending their facilities and talents to the creation of a film of this scope.

National FFA Week

EXTENSION OF REMARKS

OF

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1965

Mr. FUQUA. Mr. Speaker, this week is National Future Farmers of America Week in recognition of the great contribution which this organization of the farm youth of America has rendered, is rendering, and will render to this Nation.

The Future Farmers of America stretch the length and breadth of our land as part of our vocational agriculture program in our schools. Brilliant in conception, it gives practical application to those lessons taught within the schools. Leadership, scholarship, and vocational agriculture are made meaningful through participation in the FFA.

Might I allude to a personal reference, for no experience other than my church and my family has meant as much to me personally. Having once trod the trail of greenhand, chapter farmer, State farmer and American farmer, I know full well what the FAA can mean to a boy.

Perhaps the greatest thrill of my life came when I was elected by my fellow FFA members in Florida to serve as their State president. It was a thrilling and rewarding experience, and I feel that this experience and broadening were directly responsible for my ambition to serve as best I could, our fellow man. From this I feel came my election to the Florida House of Representatives and then to the Congress, and for this I am deeply grateful.

The FFA recognizes a new day in agriculture. It makes it meaningful. It teaches of increased productivity, of sound management of our natural resources, and for the good, full life which all would enjoy.

Florida is celebrating 37 years of FFA activity, with 9,700 members at present. During its years of operation in Florida, the FFA has had over 100,000 members.

In every county we have seen its benefits. Increased productivity has followed knowledge. Increased leadership has followed training. Increased scholarship has followed instruction.

This Nation is richer because of the Future Farmers of America.

In a day when knowledge and leadership are vital to our Nation, in a day when we require only the best of each individual in order to survive, the FFA has played a vital role.

I salute the men in the teaching and adviser role of the FFA, to those in its administration, and particularly to the young men who number themselves on its roll.

I join all Americans in saluting February 20–27 as National Future Farmers of America Week. All Americans are richer for its having been founded and for its success in enriching agriculture in particular, and American youth in general.

Agriculture and the Farm Programs in the United States

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1965

Mr. CALLAN. Mr. Speaker, I should like to point out a few facts regarding agriculture in the United States and the farm programs. According to researchers in this field, the production of the American farmer is increasing at an ever faster pace.

In the 20-year period from 1920 to 1940, farm production increased at the rate of 1.1 percent a year. In the 15-year period from 1940 to 1955, the rate of increase was 2 percent a year. In spite of increasing acreage diversions, the rate of production since 1955 has continued. The population of this country has also been increasing but the increase has not kept up with the increases in production. While the increase in consumption has been greater than that of population, it has not kept pace with the increases in production and we find that the domestic demand for farm products was expanding at a slightly lower rate than farm production in the last 10 years.

Moreover, had acreage allotments not been in effect during this period, production of farm products would have increased at a rate of about 3.5 percent a year. Had production been allowed to increase as fast as technology permitted, with no acreage diversion programs, the economists estimate that the volume of crop and livestock moving through commercial markets would have been larger than it was by 5 percent or more.

Economists find that a 1-percent increase in farm products sold lowers farm prices by about 4 percent. This means that farm prices almost surely would have fallen by 20 percent or more had there not been acreage and commodity diversion programs. Net farm income would have fallen even more. The economists estimate that wheat prices would have dropped as much as one-half, and feed grain prices more than one-fourth. These facts vividly point out the need for continuing and strengthening farm programs, if we are to maintain and improve income for commercial agriculture.

Remarks of Congressman John C. Mackie at the Annual Meeting of National Limestone Institute, Washington, D.C., January 19, 1965

EXTENSION OF REMARKS

OF

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1965

Mr. FALLON. Mr. Speaker, I call to the attention of my colleagues the remarks made by Congressman John C. Mackie, at the annual meeting of the National Limestone Institute held in Washington, D.C., on January 19, 1965.

Congressman Mackie is one of Michigan's best known public officials. He served as State highway commissioner for a number of years. Under his leadership, Michigan moved into a position of national leadership in highway construction and today has more than 70 percent of its designated 1,080-mile Interstate System open.

As president of the American Association of State Highway Officials, Congressman Mackie played a major role in efforts to improve and expand the Nation's highway system.

I am glad to offer his excellent remarks for the Record:

Remarks by Congressman John C. Mackie at the Annual Meeting of National Limestone Institute, Washington, D.C., January 19, 1965

It is indeed a pleasure to be with you today.

Last fall, when your president, Bob Koch, invited me to address today's session, I was in the middle of a political campaign and wasn't quite sure whether or not I'd be in or out of public life after November 3.

I was still State highway commissioner in Michigan and it seemed only natural that I should talk about highways. So I wrote Bob and said I'd talk on "The Future of the Interstate System."

Several things have happened since last fall. I was elected to Congress and I'm now an ex-State highway commissioner.

Since my arrival in Washington, many people have asked me what I did before my election to Congress. When I tell them I served as State highway commissioner for nearly 8 years, they invariably ask me which Governor appointed me to the job.

And they are usually amazed when I tell them I was elected. Until January 4 when I resigned, Michigan was the only State in the Nation that elected its highway commissioner in a statewide election. We had been doing it that way for more than 50 years until some political scientists decided there was a better way. They were helping rewrite our State constitution and decided a four-man bipartisan highway commission appointed by the Governor was better than a highway commissioner elected by the people. I don't quite agree with that theory, but that's another story.

One of the real pleasures of serving as State highway commissioner in Michigan was to guide the development of our freeway system. Eight years ago, Michigan had about 100 miles of freeways. Today, we have more than 1,200 miles.

About 800 miles of these freeways are interstate highways. The other 430 miles are State freeways built to interstate standards. The only difference is in the financing, 90 percent Federal money on the interstate routes and only 50 percent on the State freeways.

So I've had an opportunity to see firsthand the impact that interstate highways have on Michigan and its people.

Motorists love them. Business and industry like them. And so does the farmer.

Freeways are here to stay.

The present Interstate Highway System will total 41,000 miles when it is completed in 1972. About half of the system is now completed.

But there are problems ahead, mostly financial. Some people seem concerned about the balance of the highway trust fund and they suggest maybe the completion of the Interstate System should be postponed from 1972 until 1975 or later.

There are other problems, too. Most of the toll roads and turnpikes are part of the 41,000-mile Interstate System. Congress must decide how these toll roads and bridges are to become free just like the rest of the Interstate System.

In Michigan, I might add, all of our superhighways are toll-free with the exception of the $100 million Mackinac Bridge which is part of Interstate 75.

In my new role as a Congressman, I'll do everything possible to urge that the present Interstate System be completed by 1972—earlier if at all possible.

At the same time, I would hope that Congress would authorize additional interstate mileage to be built after 1972. Several proposals already have been introduced in Congress calling for a 10,000- to 20,000-mile expansion of the Interstate System after 1972.

I favor expansion of the system and I believe Congress should adopt the necessary legislation this year so the Bureau of Public Roads and highway departments in the 50 States can start now to plan for construction of the additional mileage after 1972.

Some people, including a few of my colleagues in the House, might think such legislation can wait until next year or the year after that. What's the hurry—1972 is a long way off.

I would only remind them that the original planning for the present Interstate Highway System began in 1921; that's right, in 1921. After World War I, the War Department made comprehensive studies of highway routes important to the Nation for the movement of wartime goods.

The Army officers who made the study worked closely with the Bureau of Public Roads which, by the way, was then a part of the Department of Agriculture.

The studies made in the 1920's formed the foundation for further studies out of which evolved the Interstate Highway System. But it wasn't until 1944 the Congress adopted legislation creating the Interstate System and another dozen years passed before adequate financing was made available to build the Interstate system.

So you can see it's not too early to start planning for after 1972.

America is in the midst of the greatest economic boom in its history, nearly 4 years of uninterrupted prosperity.

And a new wave of young drivers—the war babies—is upon us. They not only need more colleges to go to—but cars, roads, and parking space to go along with them.

In 1922—when I was 2 years old—Americans drove 67 billion miles. America was on wheels and rolling. Who would have believed it in 1912, 10 years before? But that was just the beginning. Let's see how the miles driven rose, then skyrocketed in the past few years.

In 1922 Americans drove 67 billion miles.
In 1932, 200 billion miles.
In 1942, 268 billion miles.
In 1952, 513 billion miles.
In 1962, 767 billion miles.

What will this figure be this year with 8 million new cars and hundreds of thousands of new drivers on our roads?

What will it be in 1972? My hunch would be that we Americans will drive more than a trillion miles that year.

Actually, traffic congestion has plagued mankind since early days of the Roman Empire. Julius Caesar was probably one of the first persons who tried to solve the problem. He banned wheeled traffic from the heart of Rome during the daytime. But this interfered considerably with sleep and didn't solve the problem.

We are spending billions to put a man on the moon while traffic jams continue to plague us as they did in Caesar's time.

The automobile industry is building and selling cars faster than we can build new highways to accommodate them.

The general population is growing at a faster rate than our highway capacity.

I am sure no one would suggest that we dispense either with new cars or new people, so the solution eventually must be an expanded highway program.

The importance of highways in the growth and development of America is gaining increased recognition. Road authorities at all levels of government are being called upon to be more intensely involved with local planning for development of industrial parks, urban renewal, airports and recreational park areas.

In order to meet our transportation problems, they must be attacked in a broad and impartial manner with a goal of developing the safest and best transportation system for the ultimate benefits of all our citizens, especially the traveling public. The motorist, after all, is the one who pays for our roads and streets.

Continued economic growth and good highway programs are inseparably tied together. Like love and marriage in the song, you can't have one without the other.

Thank you.

Fino Seeks Tax Change Allowing Unmarried Homeowner To Be Taxed at Rate of Head of Household

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1965

Mr. FINO. Mr. Speaker, today I reintroduced my bill to allow any unmarried homeowner to be taxed at the rate provided for the head of household.

Where the taxpayer in question owns a home and is obliged to pay the expenses thereof, there is no reason for discrimination based on whether or not the taxpayer is married as far as determining the rate of taxation to be applied to that individual's income. My bill would end such discrimination.

The concept "head of household" ought to relate to the expenses of upkeep of an individual dwelling rather than to the vagaries of the marital laws. The marital status of an individual properly reflects itself in many aspects of our tax structure, but this should not be one of them.

Lithuanian Independence

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 24, 1965

Mr. GARMATZ. Mr. Speaker, while this year we observe the 47th anniversary of the Republic of Lithuania Day, it is interesting to note that the Lithuanians can actually trace their history back to the second century, A.D. In the belief that this will be of interest to the Members, I am listing the important events in Lithuanian history.

IMPORTANT EVENTS IN LITHUANIAN HISTORY

Second century A.D., Roman historian Tacitus praises the advanced agriculture of the Aistians/Latvians, Lithuanians, Old Prussians and Jatvegians.

Ninth century A.D., Aistian chemical activities described in Old English literature by Wulfstan, explorer of King Alfred the Great.

In 1251, introduction of Christianity to Lithuania. Baptism of King Mindaugas, his royal family and the other nobles.

In 1253, coronation of Mindaugas as the Christian King of Lithuania.

In 1323, establishment of Vilnius as the permanent capital of Lithuania by King Gediminas.

In 1362, Grand Prince Algirdas defeats the Tartars, and extends the boundaries of Lithuania to the Black Sea.

In 1410, Lithuanians with their Slavic and Tartar allies defeat the Teutonic Knights at Tannenberg in Prussia.

In 1569, formation of the Lithuanian-Polish Commonwealth, and the end of Lithuanian Empire.

In 1772–95, partition of the Lithuanian-Polish Commonwealth. Most of Lithuania occupied by Russia.

In 1812–63, three Lithuanian revolts against the Czar.

In 1864, Lithuanian language in the Roman alphabet outlawed by the Russians.

In 1904, Lithuanians regain freedom of publication.

In 1918, declaration of the restoration of an independent Lithuania with her capital at Vilnius.

1918–20, Lithuania fights for independence against Germany, Poland, and Russia.

In 1922, United States of America recognizes Lithuania as an independent Republic.

In 1935, first recorded court trial of 122 Nazis at Kaunas.

In 1940, Soviet Russian occupation of Lithuania, and the deportation of innocent people to Siberia.

In 1941, Lithuanians revolt against the Soviets.

In 1941–44, Nazi German occupation of Lithuania, and persecutions by the Gestapo.

In 1944, Soviet Russia reoccupies war-torn Lithuania, and persecutions by the NKVD.

In 1944–52, active bloody guerrilla warfare in Lithuania.

In 1953 to now, passive resistance continues in Lithuania and the other Soviet Russian enslaved nations.

Mr. Speaker, the Governor of Maryland and the mayor of Baltimore officially proclaimed February 16 as Republic of Lithuania Day.

Last Saturday the Council of Lithuanian Societies of Baltimore held its annual banquet to commemorate the affair and it was my privilege to be one of the guests, along with the Postmaster of Baltimore, William F. Laukaitis, and former member of the Maryland House of Delegates, Nadas Rastenis. The Reverend Anthony Dranginis of St. Alphonsus Roman Catholic Church gave the invocation and benediction. Mr. Thomas G. Gray, president of the council, served as toastmaster. The assembled group adopted a resolution which I wish to insert here.

We, American-Lithuanians of the Free State of Maryland, having met this 20th day of February 1965, at Lithuanian Hall, under the sponsorship of the Council of Lithuanian Societies of Baltimore, to commemorate the 47th anniversary of the February 16, 1918, declaration of independence of Lithuania, did unanimously adopt the following resolution:

Whereas 25 years have elapsed since the sovereign Lithuanian nation lost its national independence in the wake of the illegal annexation by the Soviet Union; and

Whereas during this period of time the Soviets have continuously tried to obtain recognition by the free world of their forcible seizure of Lithuania and the Baltic States of Latvia and Estonia; and

Whereas our brother and sister Lithuanians in our mother country are still suffering under constant Soviet pressures to denationalize them and sovietize their homeland and their children: Now, therefore, be it

Resolved, That we again express our appreciation and gratitude to our Government for its firm stand in refusing to recognize the fruits of the brutal Soviet aggression, and our trust that our Government will continue to maintain this just and honorable position and let the Government of the U.S.S.R. know in no uncertain terms how distasteful Soviet aggression and the harsh oppression of the captive nations are in the eyes of the free world; and

That we hereby reaffirm our steadfast resolve to continue even more strongly our efforts to keep the cause of freedom and independence of Lithuania alive in the minds of the Government and the people of the United States and in the American press; and

That we hereby request the President of the United States to instruct the U.S. delegation to the United Nations to bring up the case of the illegal Soviet occupation and annexation of Lithuania and the other Baltic States at each and every opportunity.

THOMAS G. GRAY,
President.
L. LASKARSKAS,
Secretary.

Mr. Speaker, in this connection I would like to mention that again this year I introduced a House concurrent resolution along the lines outlined in the resolution adopted at the banquet, which reads as follows, and which I urge the members of the Committee on Foreign Affairs to report out so that the House can act on it at an early date.

The resolution is as follows:

HOUSE CONCURRENT RESOLUTION 14

Whereas the greatness of the United States is in large part attributable to its having been able, through democratic process, to achieve a national unity and freedom of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this national unification of the free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere; and

Whereas so many countries under colonial domination have been or are being given the opportunity to establish their own independent states, the Baltic nations, having a great historical past and having enjoyed the blessings of freedom for centuries, are now subjugated to the most brutal colonial oppression; and

Whereas the Communist regime did not come to power in Lithuania, Latvia, and Estonia by force of arms; and

Whereas Lithuanians, Latvians, and Estonians desire, fight, and die for national independence and freedom; and

Whereas the Government of the United States of America maintains diplomatic relations with the Governments of the Baltic nations of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced incorporation into the Union of the Soviet Socialist Republics; and

Whereas no just peace and security can be achieved in the world while these and other nations remain enslaved: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Senate and House of Representatives of the United States of America request the President of the United States to bring up the Baltic States question before the United Nations and ask that the United Nations request the Soviets—

(a) to withdraw all Soviet troops, agents, and controls from Lithuania, Latvia, and Estonia; and

(b) to return all Baltic deportees from Siberia, prisons and slave camps in the Soviet Union; and be it further

Resolved, That the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision.

The 47th Anniversary of the Estonian Republic

EXTENSION OF REMARKS
OF
HON. DONALD RUMSFELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 24, 1965

Mr. RUMSFELD. Mr. Speaker, today marks the 47th aniversary of the establishment of the Estonian Republic. On February 24, 1918, the people of this historic land proclaimed a free democratic republic, and during the First World War successfully defended themselves against both German and Soviet offensives, which resulted in the renouncement of all claims to the territory of Estonia. The nation then set to the task of expanding her agriculture and industry and promoting trade with other nations. In the atmosphere of freedom, the people of Estonia made great progress.

Then came World War II, and in violation of existing treaties the overwhelming military might of the Soviet Union and of Germany alternated in occupying this land and depriving its citizens of their freedoms, culminating in the forced incorporation of the country into the U.S.S.R. The United States and other Western countries have refused to recognize this annexation.

Although the people of Estonia have been silenced and cannot openly commemorate this memorable day in the history of their country, we know that they continue to hope and work for liberation. And we who cherish the principles of freedom and justice must continue to share these hopes and to seek effective means to restore the independence of these people and the neighboring Baltic nations that have also fallen behind the Iron Curtain. The world cannot hope for peace so long as there is suppression of man's right to liberty and justice.

Mr. Justice Felix Frankfurter

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1965

Mr. MOORHEAD. Mr. Speaker, about 10 years ago, Justice Frankfurter said that "to pierce the curtain of the future, to give shape and visage to mysteries still in the womb of time, is the gift of the imagination. It requires poetic sensibilities with which judges are rarely endowed and which their education does not normally develop. These judges must have something of the creative artist in them; they must have antennas registering feeling and judgment beyond logical, let alone, quantitative, proof." Felix Frankfurter would not have said so, but he himself, most assuredly, was the exact kind of judge he was describing in those words.

No other Justice in our time has had such a profound impact on American jurisprudence. His career over a half century included the education of lawyers at Harvard Law School, White House adviser, and Justice of the Nation's highest court.

Justice Frankfurter's great influence in public life was not limited to his role of teacher, adviser, or judge. His lively personality and wit brought him a wide circle of friends in many other worlds than law. He left an impact on the minds of leading journalists, Government officials, and scholars.

Matthew Josephson wrote of Frankfurter, in 1940, "Wherever Frankfurter is there is no boredom. As soon as he bounces in—he never walks, he bounces—the talk and laughter begin, and they never let up."

SENATE

THURSDAY, FEBRUARY 25, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, very great, yet very near—nearer than breathing, nearer than hands or feet: Wherever goodness is, or truth or beauty, there Thou art.

We thank Thee for human love, which at its purest and best bears witness to Thee, and evermore keeps faith and hope alive in the world.

With all our imperfections and fallible judgments, grant unto us a compassion for others, whatever their need—a sympathy which understands and pities and forgives.

Undergird us, we pray, with the vision splendid of eternal values which have supported the valiant who were seeking ends too great to be reached in their own lifetimes.

In a confused world where we see the dreadful penalties of selfish human separations, dedicate us anew as we strive to serve this anguished generation, as builders of bridges across all the dividing gulfs which mar and rend this sadly severed earth.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 24, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Upon request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Immigration and Naturalization of the Judiciary Committee and the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PAYMENT OF INCENTIVE PAY FOR SUBMARINE DUTY

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to authorize payment of incentive pay for submarine duty to personnel qualified in submarines attached to staffs of submarine operational commanders (with an accompanying paper); to the Committee on Armed Services.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the fourth quarter of 1964 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED LEGISLATION RELATING TO FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 12 of the Natural Gas Act with respect to the issuance of securities for the construction, acquisition or operation of pipeline facilities (with an accompanying paper); to the Committee on Commerce.

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies (with an accompanying paper); to the Committee on Commerce.

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Natural Gas Act to require a certificate of public convenience and necessity for the acquisition of a controlling interest, through the ownership of securities or in any other manner, of any person engaged in the transportation of natural gas, and for other purposes (with an accompanying paper); to the Committee on Commerce.

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend subsection 14(a) of the Natural Gas Act to provide the Commission with broad authority to gather information concerning the operations of the natural gas industry, and to publish and disseminate appropriate information thereon for the benefit of consumers, interested agencies, and the industry itself (with an accompanying paper); to the Committee on Commerce.

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 2(7) of the Natural Gas Act to enlarge the definition of "interstate commerce" to include commerce across the international boundaries of the country (with an accompanying paper); to the Committee on Commerce.

APPOINTMENT OF COMMISSIONERS OF THE FEDERAL MARITIME COMMISSION

A letter from the Chairman, Federal Maritime Commission, Washington, D.C., transmitting a draft of proposed legislation to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes (with accompanying papers); to the Committee on Commerce.

PROPOSED LEGISLATION RELATING TO DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation relating to the rental of quarters by the District of Columbia, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for subsistence supplies for severely handicapped children in schools or classes established for their benefit in the public schools of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

REPORTS OF COMPTROLLER GENERAL OF THE UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of financial statements, fiscal year 1964, Veterans' Canteen Service, Veterans' Administration, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings to be realized by encouraging private physicians to permit Veterans' Administration pharmacies to fill prescriptions with less expensive, generically equivalent drugs, Veterans' Administration, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary procurement of shipping containers and packaging materials for 2.75-inch rockets, Department of the Navy, dated February 1965 (with an accompanying report); to the Committee on Goverment Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred in the procurement of reusable metal containers for the Bullpup missile, Department of the Navy, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF CHAPTER XI OF BANKRUPTCY ACT

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF BANKRUPTCY ACT TO PERMIT A HUSBAND AND WIFE TO FILE A JOINT PETITION

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend the Bankruptcy Act to permit a husband and wife to file a joint petition in ordinary bankruptcy and chapter XIII (wage earner) proceedings (with accompanying papers); to the Committee on the Judiciary.

REPORTS OF NATIONAL MEDIATION BOARD AND NATIONAL RAILROAD ADJUSTMENT BOARD

A letter from the Chairman, National Mediation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, together with a report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1964 (with accompanying reports); to the Committee on Labor and Public Welfare.

REPORT ON POSITIONS IN GRADES GS-16, GS-17, AND GS-18

A letter from the Assistant Secretary of Defense, Manpower, transmitting, pursuant to law, a report on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1964 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT ON STATUS OF CONSTRUCTION, ALTERATION, OR ACQUISITION OF PUBLIC BUILDINGS

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on the status of construction, alteration, or acquisition of public buildings, dated December 31, 1964 (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **ACTING PRESIDENT** pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

"CHAPTER —

"Senate Joint Resolution 3—Relative to legislative apportionment

"Whereas the U.S. Supreme Court has held that both houses of a bicameral State legislature must be apportioned on the basis of population; and

"Whereas it will now be totally impossible to apportion representation to reflect the diverse and conflicting interests within a State; and

"Whereas California's present apportionment unduly deprives urban areas of adequate representation in the State senate, nevertheless the Court's decision will enable heavily populated areas to dominate State legislatures, and will lead to a virtual loss of representation in all other areas of the State; and

"Whereas in order to prevent this complete disruption of the legislative process in the States, and to preserve for each State the right to balance its representation in the manner best suited to its individual situation, it is essential that the Constitution of the United States be amended to enable the State to apportion one house of its legislature on factors other than population: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That they respectfully request the Congress of the United States to propose an amendment to the Constitution of the United States, in accordance with the provisions of article V thereof, to add an article providing that:

" 'ARTICLE —

" 'SECTION 1. Nothing in the Constitution of the United States shall prohibit any State, which has a bicameral legislature, from apportioning the membership of one house of its legislature on factors other than population, provided that the plan of such apportionment be submitted to a vote of all of the people of the State at an election in which the franchise is not denied on the basis of race, creed, or color and resubmitted to a vote of all of the people of the State, prior to the implementation of the apportionment plan, and at regular intervals not to exceed 10 years.'

"*Resolved*, That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the Daughters of Isabella, Holy Family Circle No. 824, Carver County, Minn., favoring price support programs for basic commodities; to the Committee on Agriculture and Forestry.

The petition of E. L. Decker, of Sun City, Ariz., praying for the enactment of S. 1, to provide a hospital insurance program for the aged under social security; to the Committee on Finance.

A resolution adopted by the city council of the city of Millbrae, Calif., favoring the adoption of a constitutional amendment relating to reapportionment; to the Committee on the Judiciary.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. THURMOND. Mr. President, on behalf of myself and my colleague, the senior Senator from South Carolina [Mr. JOHNSTON], I send to the desk a concurrent resolution adopted by the South Carolina State Legislature memorializing Congress to protest the proposed drastic reduction in technical assistance to soil conservation districts. I ask that this resolution be printed in the CONGRESSIONAL RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO PROTEST THE PROPOSED DRASTIC REDUCTION IN TECHNICAL ASSISTANCE TO SOIL CONSERVATION DISTRICTS

Whereas the budget proposal of President Lyndon B. Johnson provides for a reduction of $20 million in funds to USDA Soil Conservation Service for the provision of technical assistance to landowners in the application of the soil conservation district program; and

Whereas this proposal also embraces a change in the traditional method of financing the cost of technical assistance through soil conservation districts to landowners thus increasing costs and problems to soil conservation districts and landowners; and

Whereas such a reduction would mean the elimination of all technical assistance to some districts and some reduction of assistance to all districts, thus causing a sharp decrease in amounts of conservation work applied on the lands of South Carolina; and

Whereas this program has been exceedingly successful and popular in our State and significant progress in conservation has been made in a democratically organized and operated program; and

Whereas the State and many local governmental units in South Carolina have participated financially and otherwise to supplement the assistance furnished by the Federal Government in soil and water conservation activities: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Members of the U.S. Congress from South Carolina are urged to strongly protest these changes and lend their efforts to the restoration of these funds to the level of the needs of local districts in the 1966 and future budgets of the U.S. Department of Agriculture; be it further

Resolved, That a copy of this resolution be forwarded to all Members of Congress from South Carolina.

Inez Watson,
Clerk of the House.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL (for himself and Mr. Kennedy of Massachusetts):

S. 1280. A bill to amend the Tariff Schedules of the United States with respect to electrical indicating instruments; to the Committee on Finance.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE:

S. 1281. A bill for the relief of Sister Maria Clotilde Costa; to the Committee on the Judiciary.

By Mr. METCALF (by request):

S. 1282. A bill to restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. SPARKMAN:

S. 1283. A bill for the relief of Mary Eliadou Rutherford; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 1284. A bill to amend section 203(a) of the Communications Act of 1934 with respect to the filing of schedules of charges by connecting carriers; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. HAYDEN (for himself, Mr. Fannin, Mr. Anderson, and Mr. Montoya):

S. 1285. A bill to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of North Dakota:

S. 1286. A bill for the relief of Mariann Rugh Bjerregaard; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 1287. A bill to amend the Communications Act of 1934 with respect to the provision of broadcasting facilities to candidates for public office; to the Committee on Commerce.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 1288. A bill to establish an Academy of Criminal Justice and to provide for the establishment of such other Academies of Criminal Justice as the Congress may hereafter authorize; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD (for himself and Mr. Pell):

S. 1289. A bill to amend the Interstate Commerce Act, as amended, to authorize the Interstate Commerce Commission to assist common carriers of passengers by railroad in preserving and improving essential passenger train services and facilities, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Kennedy of Massachusetts, Mr. Fong, Mr. Pell, and Mr. Scott):

S. 1290. A bill for the relief of certain displaced nationals of the Netherlands; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana:

S. 1291. A bill to amend the Internal Revenue Code of 1954 to provide for treatment of the recovery of losses arising from expropriation, intervention, or confiscation of properties by governments of foreign countries; to the Committee on Finance.

S. 1292. A bill for the relief of the Kauders-Steuber Co., and Max N. Tobias and the Max N. Tobias Bag Co., Inc.; to the Committee on the Judiciary.

(See the remarks of Mr. Long of Louisiana when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. LONG of Louisiana (for himself and Mr. Ellender):

S. 1293. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself, Mr. Anderson, and Mr. Fulbright):

S. 1294. A bill to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes; and

S. 1295. A bill to authorize the erection of a statue memorializing Spencer F. Baird, the second Secretary of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. CHURCH:

S. 1296. A bill to authorize the Secretary of the Army to grant rights of storage and transportation on flood control projects; to the Committee on Public Works.

By Mr. CHURCH (for himself and Mr. Jordan of Idaho):

S. 1297. A bill to authorize the Secretary of the Treasury to fix the silver content of certain coins of the United States, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Church when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. Kennedy of New York):

S. 1298. A bill to provide for an additional payment of $40,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. SIMPSON:

S. 1299. A bill to provide that the Administrator of General Services shall convey certain property of the United States to Laramie County, Wyo.; to the Committee on Government Operations.

By Mr. SALTONSTALL (for himself, Mr. Anderson, and Mr. Fulbright):

S.J. Res. 56. Joint resolution authorizing the President to proclaim the occasion of the bicentennial celebration of the birth of James Smithson; to the Committee on the Judiciary.

RESOLUTION

TO AMEND RULE XXII RELATIVE TO THE NUMBER OF SENATORS REQUIRED TO INVOKE CLOTURE

Mr. MILLER submitted a resolution (S. Res. 82) to amend rule XXII relative to the number of Senators required to invoke cloture, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That rule XXII of the Standing Rules of the Senate is amended by striking out the third paragraph of section 2 and by substituting in place thereof the following:

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting and also by a majority of the Senators affiliated with each of the two major political parties present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

AMENDMENT OF TARIFF SCHEDULES OF AUGUST 31, 1963, RELATING TO CLASSIFICATION OF ELECTRICAL INDICATING INSTRUMENTS

Mr. SALTONSTALL. Mr. President, on behalf of my colleague, the junior Senator from Massachusetts [Mr. Kennedy], and myself, I introduce, for appropriate reference, a bill to amend the Tariff Schedules of August 31, 1963, with respect to the classification of electrical indicating instruments.

For over 50 years electrical indicating instruments, including mechanisms suitable for measuring voltage, amperage, resistance, and wattage, were subject to an importation duty of 50 percent. A decision of the U.S. Court of Customs and Patent Appeals in 1962 upholding a court of customs ruling resulted in the reduction of the tariff to 12 percent. This decision transferred the classification of electrical indicating instruments from paragraph 368(a) of the 1930 Tariff Act which covered, among other things, devices suitable for measuring the flowage of electricity, to paragraph 353 of that act, which pertains to articles having as an essential feature an electrical element.

We believe there is considerable merit to the position that these instruments were classified correctly under paragraph 368(a) and regret that after such a long period of time a change was made which affects seriously the domestic electrical indicating instruments business. American manufacturers have invested substantially in the designs for these instruments and in facilities for their manufacture and have developed an experienced group of skilled workmen to prepare them. They have done so in the belief that the 50-percent importation duty which had stood for more than half a century was well established and would not be altered significantly. To reduce these tariff rates from the historic level of 50 to 12 percent has important implications. We need these workers and we need the facilities which exist to make these instruments.

The instruments, for example, play a key role in submarine, air force, and missile bases, radar and communications equipment, as well as in key defense-supporting industries such as utilities, steel, and petroleum. The importance of these instruments to our national defense needs means that we must be careful not to impair domestic production.

This bill would have the effect of restoring the traditional 50-percent importation duty.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1280) to amend the Tariff Schedules of the United States with respect to electrical indicating instruments, introduced by Mr. **SALTONSTALL** (for himself and Mr. **KENNEDY** of Massachusetts), was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF SECTION 203(a) OF COMMUNICATIONS ACT OF 1934, RELATING TO FILING OF SCHEDULES OF CHARGES BY CONNECTING CARRIERS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 203(a) of the Communications Act of 1934 with respect to the filing of schedules of charges by connecting carriers. I ask unanimous consent that the letter from the Chairman of the Federal Communications Commission, together with an explanatory statement of the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and explanatory statement will be printed in the RECORD.

The bill (S. 1284) to amend section 203(a) of the Communications Act of 1934 with respect to the filing of schedules of charges by connecting carriers, introduced by Mr. **MAGNUSON**, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanatory statement presented by Mr. **MAGNUSON** are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., February 3, 1965.
The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 89th Congress a proposal to amend section 203(a) of the Communications Act so that connecting carriers would be required to file a tariff covering communications subject to the Commission's jurisdiction where there is no fully subject common carrier obligated under section 203(a) of the act to file a tariff. Thus, whenever a connecting carrier provides interstate or foreign communication service which is subject to the Commission's jurisdiction, there would be a tariff on file with the Commission setting forth the charges and practices relating to the rendition of that service.

The Commission's explanation and draft bill to accomplish the foregoing objective were submitted to the Bureau of the Budget for its consideration. We are now advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto.

The consideration by the Senate of the proposed amendment would be greatly appreciated. The Commission would be happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,
E. WILLIAM HENRY,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO SECTION 203 OF THE COMMUNICATIONS ACT OF 1934 TO REQUIRE FILING OF TARIFFS BY CONNECTING CARRIERS (47 U.S.C. 203(a))

This proposal would amend section 203(a) of the Communications Act so that connecting carriers would be required to file a tariff covering communications subject to the Commission's jurisdiction where there is no fully subject common carrier obligated under section 203(a) of the act to file a tariff.[1] Thus, whenever a connecting carrier provides interstate or foreign communication service which is subject to the Commission's jurisdiction, there would be a tariff on file with the Commission setting forth the charges and practices relating to the rendition of that service.

At present, even though the Commission is required to regulate the charges and practices of connecting carriers under sections 201 through 205 of the Communications Act, there are instances where these carriers, by virtue of section 203(a), are not required to file a tariff on which the Commission may base its regulation. As a result, the only method available to the Commission for obtaining necessary information is by request or order to the carrier. Furthermore, unless a tariff is filed the Commission may not even be aware that interstate service is being provided.

Section 203(a) of the Communications Act expressly exempts connecting carriers from the requirement of filing a tariff. Thus, for example, a connecting carrier located in a State bordering Mexico or Canada may interconnect by wire or radio with a foreign carrier. The foreign carrier, not being subject to our jurisdiction, does not file a tariff, and the connecting carrier, because of section 203(a), is not required to file one.

Similarly, where a connecting carrier in one State interconnects with a connecting carrier in an adjoining State by wire or radio, they both may retain their exempt status as connecting carriers, notwithstanding the fact that the communication service they are rendering is interstate in character and subject to the Commission's jurisdiction.

Another example of where, despite the interstate character of the communication service involved, there is no tariff required to be filed, is in those instances where a connecting carrier provides services in connection with chain broadcasting or incidental to radio communication. In such cases, the Commission has held that, although the provision of such service is subject to its jurisdiction, a carrier does not lose its connecting carrier status by providing it. Capital City Telephone Co., 3 FCC 189 (1936).

The proposed amendment is the same as that contained in S. 1503 and H.R. 6018, introduced in the 88th Congress as a part of the Commission's legislative program. The House bill was the subject of hearings before the Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce, House of Representatives, April 9 and 10, 1964. At those hearings, the U.S. Independent Telephone Association opposed the bill unless it was modified to exempt "connecting carriers" from filing tariffs with the Federal Communications Commission for all services for which tariffs are filed with a State commission or other regulatory authority. The association contended that the independent telephone companies would, without justification, be burdened with the cost of duplicate tariff filings with State and Federal regulatory bodies.

The charges, which the proposed amendment would cause to be filed with the Federal Communications Commission, are those applicable to interstate or foreign common carrier communications subject to the jurisdiction of the Commission. State commissions do not have authority to regulate such charges and filing them with State commissions would not inform or otherwise assist the FCC in discharging its regulatory responsibilities with respect thereto. Effective rate regulation requires publication of rates in tariff schedules so that the users may be advised of the legally applicable charges for services or facilities, and the regulatory commission, which has jurisdiction regarding such charges, may have the opportunity to review them and, if necessary, to investigate their lawfulness. Thus, all rates for interstate or foreign common carrier communications should be set forth in tariffs required to be filed with the FCC.

BILL TO AMEND SECTION 315 OF THE COMMUNICATIONS ACT OF 1934

Mr. SCOTT. Mr. President, I send to the desk a bill to amend section 315 of the Communications Act of 1934, the equal-time provision, and ask that it be appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1287) to amend the Communications Act of 1934 with respect to the provision of broadcasting facilities to candidates for public office, introduced by Mr. **SCOTT**, was received, read twice by its title, and referred to the Committee on Commerce.

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[1] Sec. 3(u) of the Communications Act defines a "connecting carrier" as "a carrier described in clause (2), (3), or (4) of section 2(b)."

The pertinent parts of sec. 2(b) of the Communications Act provide:

"(b) Subject to the provisions of section 301, nothing in this act shall be construed to apply or to give the Commission jurisdiction with respect to * * * (2) any carrier engaged in interstate or foreign communication solely through physical connection with the facilities of another carrier not directly or indirectly controlling or controlled by, or under direct or indirect common control with such carrier, or (3) any carrier engaged in interstate or foreign communication solely through connection by radio, or by wire and radio, with facilities, located in an adjoining State or in Canada or Mexico (where they adjoin the State in which the carrier is doing business), of another carrier not directly or indirectly controlling or controlled by, or under direct or indirect common control with such carrier, or (4) any carrier to which clause (2) or clause (3) would be applicable except for furnishing interstate mobile radio communication service or radio communication service to mobile stations on land vehicles in Canada or Mexico; except that sections 201 through 205 of this act, both inclusive, shall, except as otherwise provided therein, apply to carriers described in clauses (2), (3), and (4)."

Mr. SCOTT. Mr. President, the 1964 presidential, congressional, and gubernatorial campaigns raised more strikingly than ever before one of the most perplexing problems facing American democracy—the cost of campaigning for major political office. It is no secret that by far the most expensive single item in a candidate's budget is radio and television time. Yet an effective campaign for major office in this age demands increasing use of these media of mass communication to reach the electorate directly, quickly, and in substantial numbers.

One-half hour of network prime time costs a national candidate about $60,000. A 1-hour broadcast runs about $100,000. Estimates place expenditures for radio and television time during the 1964 campaign at more than $40 million, of which at least half was spent at the national level.

As one who, in this past year, has personally suffered under the financial pressures of a hard-fought senatorial campaign, I believe that some steps must be taken to reduce this burden before the cost of becoming a candidate for major public office reaches prohibitive levels for all but the most affluent.

There are two basic reasons why radio and television costs rise to the herculean proportions that they do in a major campaign. The first is inherent in section 315 as it is presently constituted. That section now requires that a broadcaster who makes free time available to candidates of either the Republican or Democratic Parties must provide equal free time to all other candidates, regardless of their number, or the size of their respective followings. The practical effect of this requirement has been to prevent free time being made available to anyone, forcing the major candidates to pay the full cost of the time which their campaigns inexorably demand.

The second basic reason why a major political campaign is becoming financially prohibitive is the high station charges for radio, and particularly for television time. The broadcaster is now permitted to charge a candidate for public office the same rate which it charges a commercial advertiser. No consideration is taken of the distinctly different nature of a candidate for public office and a commercial advertiser insofar as the public interest is concerned.

My bill would make the following basic changes in section 315:

First. It would permit the broadcaster to make free time available to major candidates without requiring that he make similar free time to the nominee of each and every splinter group.

Second. If a station chooses to sell time to a major candidate, it could effectively charge no more than two-thirds of the rate which the candidate would, under present law, be required to pay.

My colleagues, the senior Senator from Indiana [Mr. HARTKE], and the junior Senator from Virginia [Mr. ROBERTSON] have recently introduced bills to repeal completely the equal-time provision. While I share their concern with the problems which section 315 has raised, I fear this proposed solution might create a plethora of new difficulties.

Section 315 has been the subject of heavy attack by the broadcasting industry and the press. The prime objection voiced by its critics is that the equal-time requirement prevents the kind of debate which we saw in 1960 between the presidential candidates, under a special suspension of the section, because it fails to distinguish between the major party candidate and the nominee of a splinter group.

The presidents of both major television networks have recently delivered speeches urging complete repeal of this section. It is understandable that the broadcasting industry would like to see the equal-time provision pass into oblivion so that it could exercise sole power over which candidates would appear and under what circumstances. This may be the ultimate answer, but I suggest an approach which I believe to be presently preferable.

My amendment would meet the legitimate objections of the industry, while still preserving certain guarantees of fair and equitable use of broadcasting facilities. Furthermore, it would assure a reduction in the actual charges for television and radio time which a major candidate would have to pay, in keeping with the public interest in a vigorous campaign between qualified candidates, regardless of their financial resources.

This would not impose an unreasonable burden on the broadcasting industry.

Chairman Henry of the Federal Communications Commission, while urging changes to meet the weaknesses of section 315, argues effectively for the retention of that section as the only real guarantee of equality of treatment where equality is called for. He further urges adoption of some mechanism for reducing the cost of political broadcast time. I have incorporated some of Mr. Henry's suggestions in my bill. I ask the Senate to consider carefully what I believe to be a constructive alternative to those proposals which would abolish the section altogether and leave the question of equal treatment solely to the broadcaster, without assuring any real reduction in the cost of a campaign for public office.

Mr. President, I ask unanimous consent to have this bill lie on the table for 7 days so that other Senators may join in cosponsoring it, and I further ask unanimous consent that the text of my bill together with a brief explanation of its provisions be inserted in the RECORD immediately following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, the bill will lie on the desk, as requested by the Senator from Pennsylvania; and the bill and explanation will be printed in the RECORD.

The bill (S. 1287) is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 315 of the Communications Act of 1934 is amended—

(1) in the first sentence of subsection (a) by inserting after "to use a broadcasting station" the following: "in return for a payment of any kind"; and

(2) by redesignating subsection (c) as subsection (d) and inserting before such subsection the following new subsection:

"(c)(1) For the purposes of this subsection the term 'major candidate' means any person who is a legally qualified and nominated candidate for the office of President or Vice President of the United States, Senator, Representative, Delegate, or Resident Commissioner in Congress, or Governor of a State or Commonwealth of the United States, and who is the nominee of a political party whose candidate for such office in the preceding election was supported by not less than 10 per centum of the total votes cast for such office.

"(2) If any licensee shall permit any major candidate to use a broadcasting station without charge, it shall afford equal opportunity in the use of such station to all other major candidates for the same office.

"(3) If any licensee shall permit any major candidate to use a broadcasting station for any period of time in return for a payment of any kind, the charges for such time shall not exceed two-thirds of the charges made for comparable use of such station for other purposes."

The explanation presented by Mr. Scott is as follows:

ANALYSIS OF SCOTT AMENDMENT TO SECTION 315 OF COMMUNICATIONS ACT OF 1934

The proposed amendment to section 315 of the Communications Act of 1934—the so-called equal time provision—has two fundamental purposes. First, it is intended to encourage broadcasters to grant free time for discussion of key election issues, by limiting to major party nominees for the most important national and State offices the right to demand equal treatment when free time is made available. Second, it is intended to decrease the cost of a major political campaign by reducing by one-third the charges for radio and television time sold to such nominees.

The technical aspects of the proposed bill, through which these purposes are accomplished, are relatively simple.

The insertion of the payment clause in the first sentence of subsection (a) is designed to secure fundamental standards of equal treatment for all candidates for all offices with regard to the purchase of paid broadcast time, but to except grants of free time from this requirement.

The definition of the term "major candidate" in subsection (c)(1) provides the vehicle by which free time and reduced price time are made available to the leading candidates for the most important offices. A "major candidate" is defined as (a) a candidate who has been nominated (b) for the office of President, Vice President, Senator, Representative, or Governor (c) by a party receiving 10 percent of the vote in the preceding election for that office.

It should be noted that this definition excludes from coverage by the provisions of the subsection: (a) All primary campaigns, where candidates may be so numerous as to raise the same problems a broadcaster now faces in major campaigns; (b) offices for which the campaigns do not generally carry such a heavy financial burden; and (c) candidates of splinter parties without claim to substantial popular support.

Paragraph (2) of subsection (c) assures equal treatment with regard to grants of free time for all major candidates.

Paragraph (3) of subsection (c) limits the amount which a broadcaster can charge a major candidate to a maximum of two-thirds of the normal station rate for such time. The limitation takes recognition of the great national interest in vigorous campaigns for high public office without imperiling the sound financial status of the broadcasting industry.

ACADEMY OF CRIMINAL JUSTICE

Mr. KENNEDY of Massachusetts. Mr. President, I am introducing, for appropriate reference, a bill to create an Academy of Criminal Justice, which will seek, through education and training, to improve the practice and administration of criminal law in the United States.

No other branch of the law is so clearly in need of invigoration. This has been generally recognized by the public and the legal profession for many years. Many lawyers do not handle criminal cases, except on assignment from the court. Those who make criminal work a substantial part of their practice are often the least well paid, and often the least well regarded members of the legal profession. When an outstanding lawyer takes a criminal case for a poor client, we hear about it because it is so unusual.

But at the same time the need for more criminal lawyers is increasing. The Supreme Court, in the case of Gideon against Wainwright, has pronounced, as indispensable to due process of law, that a State must furnish counsel to indigent defendants in the general run of criminal cases, not merely in such serious charges as murder, robbery, or rape.

This will mean a vast increase in the number of defendants entitled to assigned counsel.

In addition, Congress has passed the Criminal Justice Act of 1963, which provides for competent defense for defendants unable to afford adequate presentation themselves. It makes available to the lawyers the auxiliary, investigatory, medical, and other services so needed for adequate defense presentation.

Several recent studies show that the thousands of defendants with appointed counsel enter guilty pleas much more often than those with their own attorneys. They stand less chance of getting the charges against them dismissed. If they go to trial, they have less chance of acquittal. If convicted, they have less chance of securing probation.

The public defender system, while an improvement in many communities, is still too limited to be a complete answer.

The poor ought to receive equal representation. It is an essential element of equal justice.

At the same time there is a need for broader training for police officers, prosecutors, correctional administrators and even judges. The Supreme Court has laid down more stringent requirements for arrests and arraignments, for searchers and confessions. Psychology and psychiatry are entering more and more into determinations of criminal responsibility. The law has recognized that criminal behavior is intertwined with social forces—that many who transgress the law have themselves been transgressed—by their home life, by their environment, by their lack of opportunity. Yet, how many lawyers and how many administrators of criminal law really understand these problems? How many defense attorneys are familiar with the hereditary aspects of criminal behavior? How many judges are thoroughly familiar with the new techniques of individual and group therapy as a method of treating criminals? How many policemen know of the new techniques of dealing with the families of delinquents?

The time has come for the Federal Government to encourage the development of well-trained professionals in the field of criminal law. I propose this be done by establishment of a criminal justice academy, which would offer this training at the law school level. I propose that college graduates interested in becoming lawyers be offered a free legal education, majoring in criminal law and related fields, in return for their commitment to devote an equivalent time, after graduation, to practice in the criminal field.

They could be employed in police departments, in prosecutors' offices, as specialized juvenile court, family court and criminal court judges, as correctional administrators, as members of boards of parole. If they choose private practice instead of public service, they would devote a substantial part of their time as defense attorneys.

At the present time, the typical law school student takes one course in criminal law for one-half a year. He may have a criminal case in his moot court trial or appellate work. A few—too few—work on criminal matters in their extracurricular legal aid work.

This means less than one twenty-fifth of the average law student's course time is spent in this field. Much more time is spent on courses in taxation, property, corporations, and even accounting. We are training our lawyers to serve the wealthy and the interests of property, not the human beings who need their help so desperately.

There are whole areas of the law where no more than a handful of lawyers go to assist those most in need of legal help. How often does one find the needy represented by counsel in dealing with social welfare agencies, or unemployment compensation review boards, or school and welfare officials, or finance companies, or the slum landlords?

The Academy which I propose would take its place with, and hopefully train the same caliber of public servants as, West Point, Annapolis, and the Air Force Academy.

It would be practical to establish the Academy in one of the major law schools, where the climate and much of the teaching personnel already exist. If this first Academy is successful, others can be established in conjunction with other law schools, until we have a network of training centers for criminal law, one in each part of the country.

Such an Academy will elevate the quality of criminal representation. It will raise the standard of criminal justice. It will generate new prestige and new talent for this kind of legal work. But most important, it will give criminal defendants, so long the forgotten people of the legal system, the kind of assistance that is their right. And in so doing, it will take us a long step toward the goal of equal justice for all.

The bill I introduce was first suggested by Prof. Sheldon Glueck, Roscoe Pound professor of law emeritus at Harvard University, and his associate the Harvard and Boston Law Schools.

Professor Glueck is a pioneer, and the premier authority in this field in the United States. For 40 years he and his wife, Eleanor Glueck, have carried on studies and written books which have dug deep into the roots of crime and delinquency. I greatly acknowledge the assistance of Professor Glueck and those who work with him, not only for inspiring this bill, but for the substantial help in drafting its provisions.

I ask unanimous consent that the bill and a section-by-section analysis be printed at this point in my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 1288) to establish an Academy of Criminal Justice and to provide for the establishment of such other Academies of Criminal Justice as the Congress may hereafter authorize, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The bill and section-by-section analysis are as follows:

A BILL TO ESTABLISH AN ACADEMY OF CRIMINAL JUSTICE AND TO PROVIDE FOR THE ESTABLISHMENT OF SUCH OTHER ACADEMIES OF CRIMINAL JUSTICE AS THE CONGRESS MAY HEREAFTER AUTHORIZE

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

ARTICLE I. FINDINGS, ESTABLISHMENT, AND PURPOSE

SECTION 101. Title: This Act shall be known and may be cited as the "National Academies of Criminal Justice Act."

SEC. 102. The need for Academies of Criminal Justice: The Congress finds that there is a lack of interest in the administration of criminal law which is detrimental to the national welfare. This has resulted in a scarcity of qualified criminal lawyers, judges, and other concerned with criminal law. It has also led to outmoded concepts of, and techniques for, the prevention of criminal behavior, the protection of the criminally accused, and the rehabilitation of the criminally convicted. The resulting increase in criminal behavior and the loss to the Nation of the services of the unrehabilitated have led to a waste of national resources and to a deterioration in national morals detrimental to the economic, political, and social welfare of the Nation.

There thus exists a need not only to attract able persons to the field of criminal justice and to train them for their tasks, but also to improve the image of the criminal lawyer and his clients so that public attention may be focused on the importance of justice and proper treatment for those accused or convicted of crime.

There is furthermore a need to study the structure and purposes of criminal law in the light of modern disciplines such as medicine, psychology, and sociology.

In view of these findings, the Congress concludes that it is in the national interest to establish National Academies of Criminal

Justice. Such Academies will be centers for the study of criminal law and its relationship to the national welfare. They will educate students dedicated to criminal justice and generally awaken the Nation to the importance of modern techniques for the prevention of crime and the treatment of criminals.

SEC. 103. Establishment of an Academy: There is hereby established an Academy of Criminal Justice, which shall be an agency of the United States and shall be located at a law school within the continental United States to be selected by the President of the United States. The Congress will establish other Academies at law schools in other areas of the United States as the need therefor arises.

SEC. 104. Degrees: Degrees and certificates will be conferred, upon fulfillment of Academy requirements, at the discretion of the law school at which an Academy is established under this Act.

SEC. 105. Purposes: The purposes of each Academy which Congress establishes under this Act are—

(a) to provide education and training for students interested in the administration of criminal justice, including students who intend to become criminal lawyers, criminal judges, juvenile or family court judges, public defenders or public prosecutors, or who intend to work in police departments, correctional institutions, or on parole boards, or in any other capacity or in any other body or institution related to the administration of criminal law;

(b) to provide opportunities for the study of criminal justice to persons already employed in the administration of criminal justice; and

(c) to provide opportunities for research in criminal justice and related fields.

SEC. 106. Construction: The provisions of this Act shall be construed liberally to accomplish the purposes thereof.

ARTICLE II. THE BOARD OF REGENTS

SEC. 201. Establishment: There shall be a Board of Regents for each Academy which Congress establishes under this Act.

SEC. 202. Members: The Board of Regents of each Academy shall consist of seven members, as follows:

(a) the Attorney General of the United States, who shall be the Chairman;

(b) the dean of the law school at which the Academy is established;

(c) two outstanding jurists;

(d) the dean of another law school;

(e) a distinguished public defender or voluntary defender; and

(f) a distinguished public prosecutor.

All but the first two of these shall be appointed by the President with the advice and consent of the Senate. The first five appointments made under this act shall be for terms of two, three, four, five, and six years respectively. Each appointment made thereafter shall be for a term of five years. The President is empowered to fill vacancies due to resignation or other cause, but a member so appointed shall hold office only for the remainder of the unexpired term.

SEC. 203. Compensation of the Board of Regents: The Academy shall compensate each member of the Board of Regents at the rate of $100 for each day spent in the performance of his duties or in travel necessary therefor, including travel to and from meetings of the Board of Regents. The Academy shall also reimburse them for all expenses of such travel and for all other expenses, including the expenses of preparing the annual report to the President and Congress referred to in section 204.

SEC. 204. Duties: The duties of the Board of Regents are—

(a) to hold at least four meetings during each academic year;

(b) to determine general policy and establish fundamental principles for the development of the Academy and the fulfillment of its purposes;

(c) to provide guidance, subject to the rules and policies of the law school at which the Academy is established, to the Director in the administration of the Academy and the execution of his duties;

(d) to approve all faculty and administrative positions created by the Director;

(e) to approve all major expenditures, including acquisitions of real property and construction of buildings;

(f) to receive and approve an annual financial report prepared by the Director and his staff; and

(g) to report annually to the President and Congress on the financial condition and general state of the Academy.

SEC. 205. Powers: The Board of Regents is empowered to—

(a) establish visiting committees, from among its membership or otherwise, for the purpose of inquiring into matters relating to the Academy, and to order the Director to compensate the members of such committees in the same manner as herein provided for members of the Board of Regents;

(b) call in advisers for consultations and direct the Director to compensate them in the same manner as is herein provided for the Board of Regents; and

(c) perform all other functions necessary for achieving the purposes of this Act.

ARTICLE III. THE DIRECTOR

SEC. 301. Establishment of the office of Director: Each Academy established pursuant to the provisions of this act shall have a Director as its principal administrative officer.

SEC. 302. Appointment: The Director of an Academy shall be appointed for a term of five years in the following manner:

(a) He shall be nominated by the Board of Regents of the Academy at which he will serve.

(b) The nomination must be approved by the law school at which an Academy is established.

(c) The President of the United States may then appoint the nominee with the advice and consent of the Senate.

The Director can be reappointed at the end of his term.

SEC. 303. Removal from office: The Director may be removed from office only by a vote of five of the seven members of the Board of Regents, and only for failure to carry out its policies or obey its directives or for other abuse of office. If the office of Director is left vacant, by resignation or otherwise, the Board of Regents shall appoint an Acting Director to serve until a successor is duly nominated, approved, and appointed.

SEC. 304. Compensation: The President shall set from time to time the rate of compensation of the Director of each Academy established under this act. The compensation shall be based on the salaries of comparable officials at leading universities.

SEC. 305. Duties: The Director shall administer the Academy within the scope of the policies established by the Board of Regents and subject to its supervision and approval. The duties of the Director include, but are not limited, to the following:

(a) to create faculty and staff positions and establish qualifications therefor, subject to the approval of the Board of Regents;

(b) to determine the course of study at the Academy as provided in article IV of this Act;

(c) to appoint faculty and staff on a full- or part-time basis, in accordance with the provisions of the civil service laws and regulations and the Classification Act of 1949, as amended. Such laws and regulations and the Classification Act of 1949, as amended, may be disregarded with the approval of the Board of Regents, but no compensation may exceed GS-18 of the Classification Act of 1949, as amended;

(d) to make arrangements for the conduct of research by private and public institutions at the Academy;

(e) to administer the financial affairs of the Academy; and

(f) to grant allowances to faculty members for research and writing.

ARTICLE IV. CURRICULUM

SEC. 401. Course of study: The course of study at each Academy shall extend over 4 academic years for persons seeking an LL. B. degree and consist of—

(a) the basic course of study at the law school at which the Academy is established, as modified by the Director with the approval of the Board of Regents; and

(b) such other required courses, elective courses, seminars, and papers as the Director, with the approval of the Board of Regents, prescribes.

SEC. 402. Curriculum: The Director, with the approval of the Board of Regents, may designate subjects of study at the Academy in addition to the basic course of study of the law school at which the Academy is established. The curriculum may include, but is not limited to, the study of—

(a) The biologic, social, and economic conditions generating delinquency and crime;

(b) The legislative methods of defining and controlling crime;

(c) Comparative criminal law and procedure;

(d) Organization and administration of courts, penal institutions, and departments of prosecution and police;

(e) Prosecution and defense;

(f) The sentencing function;

(g) The administration of probation, parole, and pardon;

(h) The juvenile and family courts and auxiliary agencies;

(i) Social work;

(j) Methods of rehabilitation; and

(k) Interrelated problems of law, medicine, psychiatry, psychology, sociology, and other sciences relevant to the administration of criminal justice.

ARTICLE V. STUDENTS

SEC. 501. Student; student body defined: For purposes of this act, "student" means a person enrolled in the 4-year course of study referred to in section 401. "Student body" means all students enrolled in the Academy.

SEC. 502. Appointment: The student body of each Academy established under this act shall consist of 105 students. One shall be appointed by each Senator, and five shall be appointed by the President of the United States from the country at large.

SEC. 503. Qualifications for appointment: To qualify for appointment under section 502, a student must—

(a) qualify for admission to the law school at which the Academy is established; and

(b) possess a baccalaureate or, in the Director's opinion, the equivalent thereof in college study. However, for this purpose a student shall be deemed to possess a baccalaureate if he has completed 3 years of study in preparation for such a degree and if the college at which he has studied will award him the degree prior to or upon his graduation from the Academy on the basis of work done at the Academy.

(c) sign a pledge to enter, upon graduation, fields relating to administration of criminal law and to practice therein for a period of time equal to the time spent at the Academy.

SEC. 504. Expenses: The Academy shall assume all expenses of students at the Academy, except for personal and incidental expenses.

SEC. 505. Summer employment: The Academy shall attempt to insure that, during the summers while he is a student at the Academy, each student secures employment relating to his studies. Such employment may be with one of the following: A police department in a large city, the Federal Bureau of Investigation, a prosecuting office, a law office, a court, a parole board, or a correctional institution. The Director may extend such financial aid to each student as he considers necessary in order to permit the student to engage in this employment.

ARTICLE VI. GRADUATE COURSE OF STUDY

Sec. 601. Graduate student; graduate student body defined: For purposes of this act, "graduate student" means a person admitted to an Academy who is not enrolled in the 4-year course of study referred to in section 401. "Graduate student body" means all graduate students admitted to an Academy.

Sec. 602. Establishment: Subject to the approval of the Board of Regents, the Director may establish a course of study extending over one or more academic years for graduate students and may admit persons to it.

Sec. 603. Qualifications for admission: In order to qualify for admission as a graduate student, a person must be approved by the law school at which the Academy is established. The graduate student body may include practitioners who hold an LL.B. degree or other persons who wish to advance their knowledge in the field of criminal justice.

Sec. 604. Expenses of graduate students: If sufficient funds are available the Academy may assume in whole or in part the expenses of graduate students.

ARTICLE VII. MISCELLANEOUS

Sec. 701. Appropriations: There are hereby authorized to be appropriated to the Roscoe Pound Academy of Criminal Justice, out of any money in the Treasury not otherwise appropriated, such sums not in excess of $600,000 per annum as may be necessary to carry out the purposes of this Act. Funds may remain available until expended.

Sec. 702. Use of funds: Funds appropriated for the purposes of this act or transferred to the Academy by other Government agencies for such purposes are available for the exercise of any authority granted by this Act.

Sec. 703. The Academy is authorized to use funds contributed by private sources, including but not limited to foundations. There is hereby established in the Treasury of the United States a special fund into which moneys described in this section can be contributed and from which they can be disbursed for the purposes enumerated in this Act.

SECTION-BY-SECTION ANALYSIS

Academies would be located on or near the campuses of "host" law schools and would share their facilities. Because the study of criminal justice is more closely related to law than any other academic discipline, the establishment of Academies at law schools would most effectively foster their development. It is envisioned that each Academy would be related to the host law school as a quasi-independent body cooperating with the law school. An Academy would be subject to the ultimate control of the law school in regard to the granting of degrees (sec. 104), the nomination of the Director (sec. 302(b)), the basic course of study for LL.B. candidates (sec. 401(a)), and the admission of students (sec. 503 and 603). Its policies could not conflict with those of the host school in other respects (sec. 204(c)). Nevertheless, most of an Academy's activities would be governed by its own Director and Board of Regents with the Attorney General as Chairman.

LL.B. candidates at an Academy would take all the courses required by the host school, but their course of study would last 4 instead of the usual 3 years and would include courses offered by the Academy independent of the host law school. Provision is made for practitioners holding an LL.B. or persons active in fields related to the criminal law who seek to advance their training in this field to undertake graduate study.

Basic expenses of LL.B. candidates at an Academy, including the tuition and other expenses of the host law school, would be paid by the Academy. If sufficient funds are available, the Academy might assume some of the expenses of the graduate students.

The extent of the physical plant of an Academy would be determined by the Board of Regents and the Director and also, of course, by the amount of funds made available by Congress. Administrative and faculty offices, as well as classrooms, would be essential. Research facilities, libraries, dormitories, eating and other facilities could be established by the Academy or shared with the host law school.

ARTICLE I

The primary purpose of article I is to define the reasons for the need of such Academies and the purposes they will serve. We do not need to seek far to justify their existence. The present scarcity of qualified criminal lawyers reflects a lack of concern with the criminal law that has relieved the courts and the bar of responsibility for initiating reform even though our traditional position, as a nation, has been to rely on them for fairness in the administration of punitive justice. Society's needs are great, but the criminal bar is understaffed and in many instances incompetent. Other areas of the law have grown with the times. Law firms engaged in negligence or corporate practice operate on a supermarket basis, while the criminal lawyer maintains a greengrocer enterprise characterized by inefficiency and inadequate representation. Reform is shunted off to administrative agencies, pardon boards, and parole boards manned by political appointees who are not familiar with the problems and may be uninterested in finding solutions. Yet, as Roscoe Pound recognized in 1923, "[O]n the whole, Americans will insist upon law and judicial justice in criminal administration more than anywhere else." Ironically, "this insistence has played a large part in enabling a criminal law based on out worn philosophy, obsolete psychology, and ignorance of all the modern achievements of medical science" and the relevant behavioral disciplines "to endure so long" (Harvard Alumni Bulletin, Jan. 25, 1923, at 28).

Academic institutions that attract able students into the field and stimulate them to devote part of their professional careers to work in the criminal law serve two important purposes: They help to maintain high standards of criminal justice, and they clarify to the public the causes of delinquency and criminality in society. Although the Roscoe Pound Academy of Criminal Justice could provide only a small number of lawyers qualified with special training in this field, it is hoped that their interest would promote increased activity on the part of the organized bar with respect to criminal law.

Another consideration prompts intensified focus on criminal justice. The Supreme Court, in the recent decision of *Gideon* v. *Wainright*, 372 U.S. 335, held that the right to counsel, at least in a felony case, is a matter of fundamental due process which must be fully implemented for indigent defendants by the State.

The Federal Government has recognized the need for competent and adequately compensated counsel for indigent defendants awaiting trial in Federal courts for felonies and misdemeanors. The Criminal Justice Act of 1964, Public Law 33–455, 18 U.S.C. 3006(a), empowers each Federal district court to adopt one of several statutory plans for providing paid counsel for defendants financially unable to obtain an adequate defense. States have reacted by commentary in local bar association journals and by proposing legislation to conform to the Gideon requirements. Among the suggested legislation is the Wisconsin proposal that counsel be provided at the misdemeanor and magistrate level whenever a term of imprisonment can be imposed. Generally there has been a recognition of the fact that something more than a public defender system is needed to provide full scale justice. In his book "Not Guilty" at 88–89 (1957), Jerome Frank challenges the adequacy of the assigned counsel system. Since an unpaid and often inexperienced attorney has an interest in avoiding the further expense of a trial, he may choose to plead his client guilty rather than argue for his defense. Thus bargain-basement counsel means only casual representation not likely to result in full justice to the defendant.

This draft actually establishes only one Academy, fictionally located at the Harvard Law School, which would draw a student body from the entire Nation. It is, however, envisioned that other Academies would be established at other law schools to draw students from various regions of the country. Thus, eventually there might be five Academies, one for each of the following areas: New England, Middle Atlantic, South, Middle West, and West.

ARTICLE II

This article puts each Academy under the supervision of a Board of Regents. The Board would be the principal governing authority of the Academy. It would be generally a supervisory body but would be required to meet four times a year, to approve numerous actions of the Director, and to make an annual report to the President and Congress. Thus, it would have more extensive powers and be more directly responsible for the welfare of the Academy than is the usual board of trustees of similar schools and universities. The Board would consist of seven members—the Attorney General of the United States, who would be the chairman, the Dean of the host law school, and five outside members, whose qualifications are prescribed in section 202. These five members would be appointed by the President. Their terms of office would be 5 years. Their powers should be broadly construed to allow them to carry out the objectives of the act.

ARTICLE III

This article establishes and defines the office of the Director, the principal administrative officer of the Academy.

The act provides for his appointment as follows: He would be nominated by the Board of Regents; the nomination would be subject to approval by the law school or university at which the Academy is established; the nomination as approved would then be sent to the President, and he would make the appointment with the advice and consent of the Senate.

The Director would be appointed for a term of 5 years; however, since his primary duty would be to execute the policies of the Board, he would be removable by the Board for failure to do so, or for other abuse of office. In case the office is left vacant, whether by removal, death, resignation, disability, or otherwise, the Board would have the power to appoint an Acting Director to serve until a successor is duly nominated and appointed.

The rate of compensation of the Director would be established from time to time by the President and would be based on the salaries of comparable officials at leading universities (section 304).

The duties of the Director are contained in a general responsibility clause and in a list of specific duties (section 305). The general clause describes his function as the direction and administration of the Academy within the scope of the policies decided upon by the Board and subject to its supervision and approval.

The Director is given broad discretion to develop the full potential of the Academy because it is difficult to anticipate in advance the particular problems he would encounter and because the spirit of academic freedom requires broad-based powers of administration.

ARTICLE IV

The theory behind the Academies is to encourage lawyers to devote a substantial part of their time to criminal justice. It is contemplated that an LL.B. degree would be conferred upon students who have satisfied the course of study prescribed by section 401.

Most students at the school would undertake the same basic course of study as other law students, although their course of study would last 4 years. They would use the additional year to supplement their knowledge of criminal law through the study of relevant legal or extralegal materials. An academy that imparts only a knowledge of the criminal law is performing only half of its function. The Academy must awaken interest in remolding the law to meet modern conditions and in improving modern methods of practice. The Joint Committee on the Improvement of Criminal Justice, representing the ALI, the Association of American Law Schools, and the ABA, proposed in 1931 a program of advanced instruction in criminal law. Their suggestions are incorporated in section 402 as subjects of study which would provide academic knowledge requisite for successful criminal practice.

ARTICLE V

One hundred five regular students would attend the Academy—one appointed by each Senator and five by the President from the country at large. The act contains three basic qualifications for appointment: (1) Qualification at the law school at which the Academy is established; and (2), a bachelor's degree or the equivalent thereof in 4 years of college study. This requirement is waived in the case of a student who has completed 3 years in preparation for an undergraduate degree and whose college will grant him a bachelor's degree upon or before completion of the program of study at the Academy; (3) signing of a pledge to enter, upon graduation, fields relating to the administration of criminal law. These could include family law and juvenile-delinquency law. The pledge could be honored by the student either by entering public service in these fields, or by devoting at least half of his time to these fields if he is in private practice.

The act provides for basic expenses of these students, including tuition and other expenses of the host law school, to be paid by the Academy. Certain expenses (tuition, cost of Academy dormitory space, etc.) would probably be paid directly by the Academy. Other expenses such as board, school supplies, etc., might be defrayed by an allowance to each student in an amount determined by the Director.

It is thought that the academic year of the Academy would be the traditional one from September to June. However, the summers of the students should be profitably employed. Thus the act provides for employment of the student in a job related to his studies in criminal justice. It would be the responsibility of the Academy to assist the student in finding a suitable job and to encourage the student to undertake employment. Such jobs might be found in the police departments of large cities, in the FBI, in prosecuting offices, or in certain courts, parole boards, and correctional institutions. These jobs, of course, might not support the student financially, and the act empowers the Director to make grants to students to enable them to engage in such work.

ARTICLE VI

The act gives the Director and the Board of Regents the authority to establish a course of study for graduate students and to admit qualified students to it. The purpose of providing for a graduate program is to enable individuals already engaged in work related to the administration of criminal justice to increase their understanding of the problems in the area. Participation in the program is not limited to lawyers, because others such as social workers and probation workers also contribute to the effectiveness of our criminal law and should be offered advanced training.

While the host law school must approve the admission of nonlawyers as well as lawyers to the program, admission requirements would necessarily differ for the two groups. Since the host law school might, in its discretion, confer an advanced degree on graduate students already possessing an LL.B., it would probably subject this group to the same requirements as its own graduate students. Nonlawyers, who might receive certificates, should be subjected to requirements more appropriate to their own backgrounds.

Because graduate students might also experience financial difficulties, and because their contributions to the advancement of criminal justice are potentially valuable and should be encouraged, the academy might assume some of their expenses if sufficient funds exist.

Mr. KENNEDY of Massachusetts. Mr. President, Professor Glueck spoke eloquently on this subject at a luncheon at Harvard Law School during commencement week in June 1963. I ask that the part of his speech dealing with the Criminal Justice Academy be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM "LAW AND THE STUFF OF LIFE," ADDRESS BY PROF. SHELDON GLUECK, REPRINTED IN JUNE 1963 HARVARD LAW SCHOOL BULLETIN

I come now to the second proposal—a suggestion for professionalizing administrators of criminal justice. I will not bore you with the sickly recitals of corruption and inefficiency in public affairs of which we have evidence in almost every day's newspapers. All that need be said is that the time is long overdue for the systematic professionalization of all services dealing with delinquency, criminalism, and other fields of human maladjustment cognizable by the law. Professionalization means not only relevant education and training but dedication to an ideal of service beyond the pressing task of earning a livelihood.

It is highly regrettable that some of our States seem to be unable to cope with widespread inefficiency and questionable practices in the administration of the criminal law and related branches. In 1936 I published a book called "Crime and Justice," which analyzed the status of criminal justice in America from the points of view of inadequate personnel, inefficiency, corrupt practices and the general sluggish climate of public opinion in which such undesirable conditions are permitted to flourish. Because the book was rather widely read and reviewed, I was in hopes that it would stimulate much needed reforms. Yet, although ending it on an optimistic note, it is regrettable that, were I to write a new book to be entitled "Crime and Justice Revisited," it would have to be a very pessimistic jeremiad.

Today I am impelled to the conviction that some sort of fundamental, and symbolically striking, Federal intervention is called for. I suggest that there is a crying need in our country for a "West Point" for administrators of criminal justice. While normally opposed to federalization of services that ought better to be performed locally or through voluntary efforts instead of by the central government, I believe that here is an area in which matters have become so desperate as to call for heroic measures.

If the Federal Government were to establish an educational and training institution dedicated to raising the standards and vision of police officials, prosecutors, judges, correctional administrators, and others concerned with criminal justice, then I believe earnest and dedicated young men and women would eagerly apply for places, just as youths have long competed for appointments to West Point, Annapolis, and the Air Force Academy.

Such a center need not, indeed should not, be located in some isolated spot apart from a great university in a large urban community. In a pardonable blend of pride and prejudice I suggest that the "West Point of Criminal Justice" be established at Harvard; its core and guiding center at the Harvard Law School. Harvard has long had a tradition of research in the administration of criminal justice, beginning with the famous Cleveland Crime Survey, under the direction of Dean Pound and Professor Frankfurter, and carried forward (if I may be permitted to say so) in the numerous investigations of delinquency, crime and criminal justice conducted over the years by my wife and myself. Harvard has excellent facilities not only in law but in the medical, psychologic, anthropologic and sociologic fields; and by facilities I mean not only laboratories and libraries but, most important of all, creative scholars. In addition, Harvard has one of the finest law and general libraries in the world.

The urgent need of the proposed Federal educational institution for administrators of criminal justice has recently been dramatized not only by the increasing requirement of counsel in juvenile courts, but by the Supreme Court's decision in the case of *Gideon* v. *Wainwright*. This pronounces, as indispensable to due process of law, that a State must furnish counsel to indigent defendants in the general run of criminal cases, not merely in such serious charges as murder, robbery or rape. It took a long time for the Supreme Court to climb the slippery slope of fair play in its varying interpretations of the Constitution's guaranty of the right of counsel; but, like Old Mother Hubbard's trek to the historic cupboard to get her poor dog a bone only to find the closet bare when she got there, the Supreme Court, when it finally "got there," found the cupboard of justice devoid of a lawyer to aid the indigent defendant.

But of course the graduates of the "West Point of Criminal Justice" would not confine their activities to defense of the poor. I envisage their taking turns in the staffing of leadership at all stages and in all major activities of criminal justice. They would be employed in police departments, in prosecutors' offices, as specialized juvenile-court, family-court and criminal-court judges, as correctional administrators, as members of boards of parole. In brief, the time has arrived for developing a specialist criminal lawyer—or rather, a specialist concerned with problems of law involving persons more than property—who will dedicate himself to the public service both in and out of office and whose range of interests will include all stages of the administration of criminal law and related problems.

The "West Point of Criminal Justice" would of course train not only future Federal officials, but also State and municipal. It is to be anticipated that these young cadets of justice will develop an esprit de corps analogous to the professional pride and warm camaraderie of the graduates of the academies for officers of the armed services.

This is of course not the occasion to go into detail; the various implications of the proposal require careful consideration. But certain principles occur on even preliminary reflection:

First, as to numbers, it seems wise to start modestly, with a student body of not more than a hundred. Even a few well-trained and dedicated young men and women in a community could raise the entire tone of criminal justice.

Second, it might be advisable to include in the project facilities for admitting not only regular students ready for academic and legal studies, but also a small group of graduate students (those already possessing a degree in law) as well as some younger practicing lawyers. These would be afforded the opportunity of 1 or 2 years of graduate study designed to give them interdisciplinary perspective, clinical contacts, and guided experience.

Third, one envisages an interwoven legal and extralegal curriculum, with not only the behavioral sciences but the humanities permeatively involved in the essentially legal program. To cite a few examples, the extralegal courses and seminars might include such topics as criminology and penology, relevant biologic sciences, theories of personality, behavior problems of childhood, puberty and adolescence, psychology of motivation, the socialization process in varied family structures, clinical problems of psychiatry, punishment in the light of the views of the systems of ethics, and even crime and correction in utopian literature. Simultaneously with consideration of such topics there would be the fundamental courses in law, especially criminal law and constitutional law. Experimentation with various curricular patterns would aid in the selection and interweaving of relevant courses and seminars.

Fourth, it would seem advisable to require students to pledge themselves to practice in the fields of criminal law, family law, and juvenile delinquency law—preferably, though not exclusively, in public office—for a period at least equivalent to the time spent in obtaining their free education at the "West Point of Criminal Justice."

Fifth, while the Government should underwrite a minimal annual budget, there should also be provision allowing the educational institution to obtain funds from various private sources, including foundations.

Finally, it ought to go without saying that neither the Government nor private sources of subsidy should in any way dictate the curriculum or the manner of instruction.

Mr. KENNEDY of Massachusetts. Mr. President, an article in the Boston Herald of December 7, 1964, "Lawyers Shun Criminal Field—Money, Prestige Lacking," is an excellent report on the situation in the legal profession in Boston; the same would be found, I am sure in most communities.

It contains an interview with Erwin Griswold, dean of the Harvard Law School, which makes the point that lawyers do not stay out of criminal law from choice. He says:

> We are told that they are interested only in representing corporations, and that they are not willing to deal with the sometimes sordid affairs, involved in criminal cases—

He said—

> I doubt that this is either an accurate or adequate explanation.
>
> There is a large measure of idealism, and of desire for public service, among our young lawyers. The simple fact is that it is virtually impossible for a young lawyer to make a living in the private practice of criminal law. There are plenty of criminal cases, but there are relatively few criminal clients who can pay for legal services.

I ask unanimous consent that this article appear at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Boston (Mass.) Herald, Dec. 7, 1964]

MONEY, PRESTIGE LACKING: CRIMINAL LAW SHUNNED

(By Arthur Stratton)

The dearth of lawyers willing to practice on the criminal side of the law is bringing deep concern to the legal profession.

"There has been great complaint in recent years that young lawyers do not go into the field of criminal law."—Dean Erwin N. Griswold of the Harvard Law School.

INCENTIVES LACKING

"There is a void now existing in the criminal law field which cries for relief."—Attorney Walter H. McLaughlin, president of the Massachusetts Bar Association.

Could the reason be that today young lawyers are being deprived of the two vital incentives to go into the practice of criminal law, specifically: money and public recognition?

The big push today is to persuade young lawyers to busy themselves providing free counsel for indigent defendants. What a reception for a young man who has spent a lifetime studying and scrimping, and walks on to the threshold of what he thought was going to be a brilliant career in criminal law with substantial renumeration.

And the second big push is to crack down hard on any lawyer who has the temerity to reach a decision that a little publicity for his client might help his client and might rub off a bit on his lawyer. His renowned predecessors in criminal law never reached their heights through obscurity; that is for sure.

So with these handicaps confronting him in the criminal field, with lush verdicts being returned in the arena of civil law, where everyone is suing everyone else, and with an insurance company in the background ready to pay the bill, it is not baffling to understand the path into which the young lawyer turns for his first yield on a tremendous educational investment.

There is no doubt that today it is considered out of order for a defense attorney to do much talking about his client, or his case, to the press. The New Jersey Supreme Court recently ordered a ban on potentially prejudicial statements to the press by defense attorneys. Many bar associations have taken strong official stands against their members who disclose pretrial information.

However, veteran attorneys are inclined to doubt this is much of a factor in turning lawyers away from criminal practice.

"If he's any good, he'll show himself in the proper place—in the courtroom—and then he is bound to receive public recognition," observed one. "The oldtimers used to get a lot of publicity by appearing interviews with their clients, and by telling his side of the story long before the trial, but those who reached prominence in the criminal field also had the courtroom ability. I don't know of any lawyer who fell flat on his face in the courtroom more than once or twice and got anywhere."

Another called the current gagging of criminal lawyers "just another cycle that we go through from time to time."

PUBLIC DEMAND

"Let the right case and the right lawyer come along in an instance of great public interest and it will be on everyone's lips just as before," he predicted. "There will be such pressure to see the accused and hear his side of the story that his lawyer will dress him up and bring him before TV cameras and to press conferences.

"Every few years we go through one of these righteous moods. Then some atrocity occurs and the public won't stand for being kept in the dark. Then this will be followed by demands for another legal clamming up.

"A good illustration is the press coverage of the tragedy at Dallas. The Warren Commission was critical of it, or so it seemed to most of us. But if there was another event of the magnitude of the assassination tomorrow, the press, and the TV cameras, would give the Nation the same all-out and complete coverage, and officialdom would participate just as it did in Dallas. An aroused public won't be denied. And there always will be those ready to give the 'straight story' whether it's straight or not."

But there is no question that young lawyers are shunning criminal practice, and in ever-increasing numbers.

Boston University's School of Law has introduced a new course in an admirable effort to meet the crisis.

"We hope, through the course, to interest law students in entering criminal trial practice and to change the negative atmosphere of recent years surrounding the practice of criminal law," reported Robert Spangenberg, assistant dean at the Boston University School of Law and director of the school's Legal Studies Institute.

LIBERTY AT STAKE

Attorney McLaughlin, the State bar leader, in recognizing the problem, is frank enough to admit lawyers have found other fields more fruitful. "There is no more vital field in the practice of law than that which deals with liberty of individuals, and the bar must plead guilty to some degree of devoting its talents primarily in the more lucrative field of property and civil rights," he said. But then he asserted that "the field of criminal law can no longer be left to the selected few."

Dean Griswold holds the firm conviction that young lawyers can be attracted to criminal law if the public only will recognize the problem and support corrective measures.

"We are told that they are interested only in representing corporations, and that they are not willing to deal with the sometimes sordid affairs involved in criminal cases," he said. "I doubt that this is either an accurate or adequate explanation.

"There is a large measure of idealism, and of desire for public service, among our law students and among our young lawyers. The simple fact is, that it is virtually impossible for a young lawyer to make a living in the private practice of criminal law. There are plenty of criminal cases, but there are relatively few criminal clients who can pay for legal services.

"If a client can pay, he is likely to seek out a lawyer with an established reputation. Consequently, it is extremely difficult for a young lawyer to work out a career in the practice of criminal law. Of course, there are exceptions. But these are few enough to make them conspicuous.

"If we had adequate public defenders' offices established in our big cities, these would be a natural training ground for young lawyers interested in the field of criminal law. Here they could work with older and experienced lawyers, handling simple matters on their own, and moving on to bigger things as their experience and abilities warranted. Some might want to make a career in the public defenders' office. Others, after a period of training, might find it desirable to move into private practice. Many of these would retain an interest in the practice of criminal law.

"The basic fact is that with the present paucity of public support, there is not enough money available in the aggregate to enable very many lawyers to make their living practicing criminal law in the representation of defendants.

"When the public responsibility here is recognized, many more young men can go into criminal law through the offices of public defenders, or under paid assignments made by the court. If this could be worked out, the practice of criminal law could be made possible for the ordinary trial lawyer, and the number of persons qualified to provide legal defense in criminal cases would be greatly increased.

"There is no reason for a lawyer to expect to get rich in the practice of criminal law, and few wish to do that. But two other points are equally true: 1, There is no reason why lawyers should be expected to provide professional services in the defense of indigent criminals without any compensation, and 2, the scarcity of persons interested in the practice of criminal law is directly traceable to this lack of publicly recognized responsibility."

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. MORSE. I rise only to commend the Senator from Massachusetts. As an old professor of criminal law and criminal procedure, and for many years as one who worked in the Criminal Division of the Department of Justice on criminal law enforcement problems, I highly endorse the Senator's proposal. I wish him to know that any assistance I can be to him in regard to his bill, I shall be at his service.

Mr. KENNEDY of Massachusetts. I appreciate the remarks of the Senator from Oregon.

FIVE-YEAR PROGRAM OF FEDERAL MATCHING ASSISTANCE FOR RAILROAD PASSENGER TRAVEL SERVICE

Mr. DODD. Mr. President, on behalf of myself and the Senator from Rhode Island [Mr. PELL], I introduce, for appropriate reference, a bill to establish a 5-year program of Federal matching assistance for railroad passenger travel service.

It provides a total authorization of $75 million for the 5-year period, with a limit of $20 million for any one railroad during the first year of operation.

The first year the Federal Government would make a 100-percent contribution, with no requirement for State and local matching. But for the subsequent 4 years the Federal contribution, of 80, 70, 60, and finally 50 percent, would depend on what the other governmental entities do by way of direct assistance, tax relief, and so on.

My most immediate concern in introducing this bill, of course, is the problem of the New Haven Railroad and the fact that the trustees have forced the issue, in effect given us a deadline for action, by announcing their intention to discontinue a substantial amount of the New Haven's commuter services.

In addition, the trustees have made no secret of the fact that in the very, very near future they intend to discontinue all of the New Haven's passenger services.

This creates a difficult situation for me, my colleagues, and officials from the States served by the New Haven, and, most importantly and most regrettably, an almost impossible situation for the individual commuters to whom this form of transportation is a necessity.

Difficult though this may be, and however much I and others may dislike the New Haven crisis we have been presented with, this situation was probably inevitable.

For this is probably just what is needed as a catalyst to insure that the States, the communities, and the Federal Government assume their proper responsibilities to the much-neglected commuters.

Neither the States, with the exception of Connecticut, the individual communities, nor the Federal Government have done much to date.

I know that people are probably getting tired of hearing me contrast Connecticut's efforts with those of the other States serviced by the New Haven Railroad.

But as the Chairman of the Interstate Commerce Commission, Charles A. Webb, told me in a television interview several weeks ago, "Connecticut has made a strong effort to help."

In 1963 Connecticut authorized $3 million to defray some of the operating expenses and capital expenditures of the railroad. And for a number of years my State has been contributing up to $500,000 a year for improvements made on railroad crossings by the New Haven Railroad.

What of a similar, positive nature has any one of the other States done? The answer, as we all know, is nothing.

During the recent years the attitude within the Federal Government has been in general hostile to any direct assistance to the New Haven and other railroads with commuter and passenger problems. Only a modest beginning was made last year when the Urban Mass Transportation Act was approved by Congress.

It is not until this year, I think, that there may be a receptiveness to substantial Federal financial assistance. To illustrate this point, I will refer to the proposal I am introducing today. A year ago I had the rough outlines of the bill ready and I had a draft speech prepared for delivery in which I intended to mention this plan, after a fairly detailed analysis of the background to the New Haven's problems.

However, I never made the speech and the reason for this is that it seemed at that time to be a futile, pointless exercise to come out in public and advocate what in effect would be a Federal subsidy for railroad passenger service.

No one seemed to be too interested in such a radical departure from traditional practice.

This year, however, I believe I detect a changed attitude among my colleagues and, hopefully, among officials in the executive branch.

This year, starting with the hearings before the Senate Commerce Committee next week, perhaps we will successfully thrash out and resolve the question of whether this assistance is a Federal responsibility, a Federal-State one, or purely a matter for the States to undertake.

My position is clear on this and it is reflected in my bill.

I firmly believe that the shoring up of the commuter and passenger operations of the New Haven Railroad should be done primarily by the States and communities with the largest stake in them.

At the same time, however, the passenger and freight operations of the New Haven are interstate in character and therefore the Federal Government has an interest in, a responsibility and indeed a duty to intervene and try to assist in achieving a solution to the problems of the New Haven and the people who depend on it for transportation and other services.

There is always the possibility too that the States will not come through with enough of the essential financial assistance in time, even though the Dempsey-Rockefeller agreement offers some hope that this will be done.

I have drafted my bill purposely to provide two basic kinds of relief for the New Haven:

First. Immediate financial assistance to help meet the present emergency situation; up to $20 million would be available to the New Haven, for operating and modernization expenses; and

Second. Interim assistance, to encourage greater State and local efforts, so that we can maintain and improve services pending the establishment of a permanent, interstate agency or some other lasting solution.

I do not consider this bill to be a solution, even a partial one, to the New Haven's problems. It is a stopgap measure, to give us time while we explore the various possibilities for setting the New Haven's passenger and freight services back on a sound, profitable basis.

Last week, in a brief statement on Judge Anderson's approval of the trustees' wish to discontinue commuter services, I stated:

> The New Haven has not been on a sound operating and financial footing for 30 or 40 years. It has been a poorly run railroad, mismanaged by a succession of officials during this period of time.

This is true. There has consistently through these years been insufficient funds made available for the important modernization of both the New Haven's physical plant and its service techniques.

And this lack of funds has been even more acute during the past 10 years when large sums of money have been lost on passenger services and these losses have demanded an almost complete deferral of the technological and marketing advances which are necessary for the New Haven or any other railroad to keep abreast of national and sectional transportation requirements.

The diversion of funds into a losing passenger service has caused an unfortunate deterioration of the New Haven's once profitable freight business.

In 1953, for example, the New Haven's income from freight was $23.3 million. By 1961, the year it went into receivership, the New Haven's freight deficit, not income mind you but deficit, was $7.2 million. In 1964, the freight deficit was an estimated $5.9 million.

I am trying to bring out these points because I would like the hearings next week, on March 2 and March 3, to cover the whole problem, that of the New

Haven's place in New England as a passenger and freight carrier, rather than focus merely on one aspect of the New Haven's status, the more dramatic one of how to assure commuters and others who travel as passengers continued service.

I will close now, not because I have covered this problem and the main features of my bill, actually I have only scratched the surface, but because I intend to expand on these points during my testimony next week before the Senate Commerce Committee.

I hope we will achieve something constructive and concrete with these hearings and with the discussions and ideas that have been precipitated by the trustees' desire to halt commuter and passenger services.

And I hope this constructive and concrete action will be in the form of legislation, approved by the Senate, along the lines I have suggested today.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1289) to amend the Interstate Commerce Act, as amended, to authorize the Interstate Commerce Commission to assist common carriers of passengers by railroad in preserving and improving essential passenger train services and facilities, and for other purposes, introduced by Mr. Dodd (for himself and Mr. Pell), was received, read twice by its title, and referred to the Committee on Commerce.

Mr. RIBICOFF. Mr. President, my colleague Senator Dodd has again demonstrated his continuing concern with the problems of the New Haven Railroad. His bill to assist hard-pressed commuter operations will, I am sure, receive serious consideration by the Commerce Committee in their hearings beginning March 2. Together with my bill, S. 325, it offers effective short-range financial assistance to the New Haven—and to the growing number of other commuter lines similarly beset with deficits, inefficient service, and obsolete equipment—until the essential long-range solution can be implemented.

Senator Dodd, Governor Dempsey, and I are all working together in the battle to save the New Haven.

RELIEF OF CERTAIN DISPLACED NATIONALS OF THE NETHERLANDS

Mr. HART. Mr. President, on behalf of myself, the Senator from Massachusetts [Mr. Kennedy], the Senator from Hawaii [Mr. Fong], the Senator from Rhode Island [Mr. Pell], and the Senator from Pennsylvania [Mr. Scott], I introduce, for appropriate reference, a bill for the relief of certain displaced nationals of the Netherlands. A companion bill, H.R. 423, has been introduced in the other body by the distinguished chairman of the House Judiciary Committee, the gentleman from New York [Mr. Celler].

The bill authorizes, over a 3-year period, the issuance of approximately 10,000 special nonquota immigrant visas to Dutch nationals displaced from Indonesia and West New Guinea by the extreme nationalism of the Sukarno regime. Only those Dutch refugees residing in continental Netherlands at the time of the bill's enactment, would benefit from this legislation. They would be found eligible for issuance of immigrant visas, and admitted to the United States, under the provisions of the Immigration and Nationality Act.

Mr. President, nearly 40,000 refugees remain unsettled in the Netherlands. They include some 2,500 persons whose applications for admission under previous legislation, Public Law 85–892 and Public Law 86–648, were not processed fully before the acts expired on June 30, 1962. They also include persons who had not reached the Netherlands from Indonesia before enactment of the previous legislation, and the recent arrivals from New Guinea.

Several thousand Dutch-Indonesian refugees were admitted to the United States under the public laws just mentioned. Many others were resettled in Australia, Canada, and countries in Latin America.

Those admitted to the United States have adjusted rapidly. As a group they were proficient in English. A substantial number possessed skills and professional abilities urgently needed in our society.

Today these Dutch nationals are proving to be sturdy members of their adopted communities, and are contributing their talents unselfishly to our economy and democratic way of life. Certainly it is true of those who came to Michigan, and spokesmen of America's voluntary agencies assure us this story is repeated throughout the country. I need only refer Senators to testimony before a House subcommittee last year by Mr. Richard F. Smith, of the American Friends Service Committee, and the Reverend John W. Schauer, director of Immigration Services for Church World Service. Similar information has come to me from Dr. Ralph J. Danhof, stated clerk of the Christian Reformed Church.

The earlier resettlement program for Dutch-Indonesian refugees is one of the most effective on record. The program's success is a tribute to the fine qualities of the refugees, and to the men and women who directed the splendid efforts of America's voluntary agencies, religious bodies, and civic organizations.

Experience would indicate, Mr. President, that the bill I offer today has considerable merit from the standpoint of all concerned, including that of the interested governments, but especially the refugees, who count many relatives and friends among our citizens. I hope sincerely that Congress will act favorably on this bill.

Parenthetically, Mr. President, I would add that special circumstances prompt the introduction of this bill. They include the serious doubt that the subjects of this bill would benefit under the refugee provisions of S. 500, the pending immigration bill. I would hope, however, that the bill I offer today, and other limited bills offered by my colleagues, do not detract from continuing efforts to abolish the national origins quota system of selecting immigrants. This objective is of major and overriding importance, and one which, hopefully, will be attained in the very near future.

Mr. President, I ask unanimous consent that the bill I offer today lay on the desk for 1 week for additional cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriatey referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Michigan.

The bill (S. 1290) for the relief of certain displaced nationals of the Netherlands, introduced by Mr. Hart (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

TAX TREATMENT OF RECOVERIES OR LOSSES ARISING FROM EXPROPRIATION, INTERVENTION, OR CONFISCATION OF PROPERTIES BY FOREIGN COUNTRIES

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide for treatment of the recovery of losses arising from expropriation, intervention, or confiscation of properties by governments of foreign countries.

Mr. President, this bill consists entirely of certain provisions of H.R. 8050 as amended and passed by the Senate on September 28, 1964, in the 2d session of the 88th Congress. Congress adjourned before the House of Representatives reconsidered H.R. 8050 as amended. The provisions of H.R. 8050 which are identical in this bill were carefully considered by the Treasury Department for many months and it had no objections to them in the form passed by the Senate. It is my understanding that the Treasury Department continues to have no objections to these provisions.

At the present time the Internal Revenue Code at sections 1331 through 1337 provides for treatment of recoveries of war losses incurred in World War II. The proposed bill would provide similar treatment for recoveries with respect to losses which arise as a consequence of expropriation, intervention, or confiscation of property by foreign governments. Under present law taxpayers would be required to compute tax on recoveries of foreign expropriation losses in accordance with section 111 of the Internal Revenue Code. Several difficulties have arisen in the application of the rules set forth in this section as applied to taxpayers engaged in foreign operations.

For example, they do not take into account the fact that the initial deduction of the losses may have offset income which, in any event, would not have been taxed because of the presence of a foreign tax for which a credit could have been taken. Further, the present rules do not take into account that the deduction may have offset income which otherwise would have been taxed at a relatively low rate, such as capital gains. The bill meets these problems by developing a more exact measure of the tax benefit derived from the initial deduction of the losses. The more exact measure does take into account such factors as the presence of foreign tax credit and differences in rates at which income would be taxed.

The bill also provides that the tax rates to be used in taxing these recoveries are to be the rates in effect in the year of recovery.

Under present law the entire tax on a recovery must be paid as part of the tax for the year in which the restoration of the loss occurs. Under this bill provision is made for payment of the tax on recoveries, in hardship situations, in 10 annual equal installments bearing interest at the rate of 4 percent. There is a statutory precedent under sections 6166 and 6601(b) of the Internal Revenue Code for extension of time for payment of tax in hardship cases and for application of a 4-percent interest rate in such cases. This treatment is applicable to the estate tax where a large part of the estate consists of an interest in a closely held business so that a hardship would be imposed if the taxpayer were required to dispose of part or all of the business in a quick sale in order to obtain funds to pay the tax.

Similarly, a hardship would arise in the case of a recovery of a foreign expropriation loss if the recovery were primarily either in the form of long-term obligations of a foreign government or in the form of the expropriated property itself. If the recovery were in the form of long-term obligations of a foreign government, it is anticipated that the taxpayer might be unable to sell such obligations to secure funds to pay the tax. Should the recovery be in the form of property, the taxpayer would be faced with the necessity of using available funds to rehabilitate facilities which might be in a rundown condition.

In addition, provision is made for taxing recoveries with respect to foreign expropriation losses where the benefit from the tax deduction was received by a corporation holding stock or securities of another corporation whose property was expropriated. In such a case, tax on the recovery must be paid by the corporation holding the securities if it received an initial benefit from the loss.

The proposals set forth in this bill are reasonable and it is not anticipated that U.S. revenue will be decreased in a substantial amount.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1291) to amend the Internal Revenue Code of 1954 to provide for treatment of the recovery of losses arising from expropriation, intervention, or confiscation of properties by governments of foreign countries, introduced by Mr. LONG of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

ON SAVING OUR SILVER COINAGE

Mr. CHURCH. Mr. President, we have heard it said many times recently that the United States is in a silver crisis. This is no rhetorical exaggeration. Put quite simply, the crisis is this: The world uses 400 million ounces of silver per year, 250 million of it in the United States, but the world produces only slightly over 200 million ounces, 40 million of that in the United States. Thus, this country is producing only 17 percent of its annual demand.

While such a situation would seem to lead to spiraling prices, it presently does not, because the U.S. Treasury is selling off its silver reserves for $1.29 an ounce. As a result, last year, between January 1964 and January 1965, the Treasury's silver stockpile dwindled from 1.53 billion ounces to 1.19 billion ounces—a loss of 340 million ounces, or 90 million ounces more than we used in the United States during that time, and nearly 9 times more than we produced.

Obviously, the price of silver is being held at an artificially low level. This has two effects.

First. It deprives silver producers of the price they could receive in an unsuppressed market. This discourages new exploration which, in turn, hinders the expansion of silver production, so clearly called for.

Second. The price situation encourages hoarding and speculation. In some places, our silver dollars are already being melted down. Once the price of silver breaks through its present ceiling, when the Treasury's stockpile is exhausted, our silver dollars and subsidiary coinage will be melted down for the silver content.

It is apparent that the first and second effects of this artificial price situation work, potentially, at cross purposes. Any solution must take account of this fact, and must cautiously deal with all ramifications of this delicate dilemma.

Certain things are evident.

First. The coinage system must be changed so that the intrinsic value of the silver in any coin will not come to exceed the face value of the coin itself. At the same time, we must undertake to preserve a precious metal coinage, with as much silver content as rising market prices will permit. Retaining silver in our coins befits the greatest commercial Nation of the world, and will help to guarantee continuing public confidence in our money.

Second. Since we presently pump more than $3 billion in coins through vending machines each year, any change in silver content should guard against the sudden and ruinous obsolescence of these machines.

Finally, the United States should stop supplying one-half of the silver demand of the free world out of Treasury stocks, so that the silver bullion we still have left will remain available to fill our future coinage requirements.

With this in mind, I wish to introduce a bill which would help in solving our problems. It was first introduced in the House by one of our best informed Congressmen on silver, Representative COMPTON I. WHITE, of Idaho's First Congressional District.

This bill provides for the reduction of the silver content in coins. The silver dollar could be reduced from 371 grains to a minimum of 120, with a corresponding reduction in the silver content of subsidiary coins. This reduced minimum is low enough to insure a long-term supply of Treasury silver for minting purposes, and is still high enough to allow vending machines to operate without substantial change. The new coins would look, sound, and perform the same as the coins we now use.

Naturally, this reduction in silver content requires that the monetary value of silver be raised. The bill would set the new value at $4 per fine troy ounce, when demanded as redemption for silver certificates still outstanding.

Enactment of this bill, Mr. President, will enable us to preserve our precious metal coinage. It will protect against the hoarding and melting of coins, regardless of such increase in the market price of silver as is likely to occur in the foreseeable future.

It might also be useful to specify some of the things the bill will not do.

It does not specify which alloy will be used with silver, how much coins will weigh, or how they shall be minted; therefore, it does not handcuff the Treasury Department.

It does not solve the current problem of scarcity of our subsidiary coins. This shortage is attributable to a rapid increase in the use of vending machines and the popularity of coin collecting as a hobby, and it will not be relieved until the mints have completed their planned expansion and the needed additional coins have been put into circulation.

Finally, it does not lessen the necessity for S. 338, recently introduced by Senator GRUENING, which is another proposal I cosponsor. This bill would allow an income tax deduction, as a business expense, of the costs of new exploration for silver. The present tax law obstructs exploration at the very time that it ought to be encouraged. The need for this change in tax treatment remains urgent.

Accordingly, Mr. President, on my own behalf and on behalf of my colleague [Mr. JORDAN] I send to the desk this bill to change the silver content of our coinage. I ask that it lie on the table for 1 week for the addition of cosponsors, and that it thereafter be referred to the appropriate committee.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1297) to authorize the Secretary of the Treasury to fix the silver content of certain coins of the United States, and for other purposes, introduced by Mr. CHURCH (for himself and Mr. JORDAN of Idaho), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JORDAN of Idaho. Mr. President, as Senator from the leading silver producing State in the United States I am pleased to join with Senator CHURCH, of Idaho, in cosponsoring a bill that will retain silver as an integral part of our coinage system but will reduce the content of silver in certain coins.

This bill will permit transition from our present coin system with the least possible disruption. It will extend our present silver supply for a considerable period of time because it will be possible to mint at least double as many dimes, quarters, half dollars, and dollars as we now do with the same amount of silver.

When our silver situation has been stabilized coins now being hoarded will again come back into circulation and will be recovered by the Government over a period of years through banks, coin machine operators, toll road collections, and through others who usually take in and handle large numbers of coins.

Mr. President, we should keep silver in our coins. If we should go entirely to base metal coins with no intrinsic value there would be a wholesale hoarding of our present supply of silver coins. Our economy would be seriously and abruptly disrupted. Greshan's law states that, "Bad money drives out good money."

Other countries of the world have learned that silver is a necessary part of their subsidary coinage systems and are now turning to a silver-base coinage program. Italy, France, Japan, and West Germany are the most notable examples. They are finding it necessary to do so in order to restore public confidence in their currency systems. They found that in the interval between the First and Second World Wars when coinage of silver was eliminated in their countries that their currency suffered drastic inflation.

Mr. President, this bill will retain sufficient silver in our coins so there will be no disruption in our use of coin-operated machines and facilities. It will tend to return coins now hoarded. It will extend our supply of silver and it will keep the intrinsic value of our coins which will keep public confidence in our monetary system at a high level.

Mr. President, the Treasury Department is now making a complete study of our silver situation. It is my hope that this bill will be of assistance to them and that we will study it carefully in the Congress so that we may be able to pass silver legislation that will forestall any crisis in our present operations.

I have some editorials from the pen of R. J. Bruning of the North Idaho Press, Wallace, Idaho, and from the Spokesman-Review and Spokane Daily Chronicle from Spokane, Wash.

I ask unanimous consent that these be inserted in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Wallace (Idaho) North Idaho Press, Dec. 18, 1964]

STREAM OF THOUGHT

(By R. J. Bruning)

Earlier this year, several local mining companies mailed to their stockholders a small pamphlet urging them to write their Congressmen, asking them to keep silver in our coinage and "not to trade a clink for a clunk."

The point was that there are suggestions the clink be removed from our coinage by replacing silver coins with "clunkers" made of base metal.

The current issue of Look magazine, however, declares: "If our revved-up economy is to have enough coins to keep its gears well greased, we may have to settle for chicken-feed that clunks instead of clinks."

Whether it was coincidence or not, we are happy that Look magazine used the "clink-clunk" phrasing; especially so because it said "we may have to settle" for coins that clunk instead of clink.

"We may have to settle" is the key. It implies that taking silver out of our subsidiary coinage, and making such coins out of base metal, is not a happy solution but one that may be forced upon us.

We can certainly agree that such a course would be a most unhappy solution.

As the Look article points out, there are emotional, traditional, and practical problems involved in switching from silver to base metal in our coinage; the practical problems being the hoarding of silver coins such a policy would induce and the fact that vending machines would not accept base metal coins—and vending machines did more than $3 billion in sales last year.

But brushing aside these arguments, Look concludes there probably is no other solution to the problem of the current imbalance between silver supply and silver consumption than to remove silver from our subsidiary coinage.

Look magazine, we feel, didn't pursue the alternatives far enough.

Another solution is proposed by Dr. Elgin Groseclose, a noted monetary expert, in testimony before the Senate Banking and Currency Committee in April, 1963. Dr. Groseclose is with the firm of Groseclose, Williams & Associates of Washington, D.C.

He proposes doubling the value of all silver in circulation.

In other words, a dime would be worth 20 cents, a quarter would be worth 50 cents, a 50-cent piece would be worth a dollar and a silver dollar would be worth $2.

This would have the effect of increasing the amount of coins in circulation, helping solve the coinage shortage; it would bring hoarded coins out of hiding and into circulation, and because such coins would have a legal tender value in excess of any prospective market value it would keep them in circulation until mints could provide a substitute supply.

Objections to this proposal, Dr. Groseclose says, are largely psychological—it would be a shock to the public to discover the magnitude of the silver crisis. Another objection is the windfall profit to holders of such coins, but such coins are widely held and the profit would be widely distributed and not many would make a financial killing.

Admittedly, there would be confusion the first few days of such a program, getting accustomed to counting a dime as 20 cents, a quarter as a half dollar, and so on.

But this confusion would be insignificant compared to that which would result if the Government substituted base metal coins for silver coins.

Silver coins then would disappear overnight. People would hold them because of their intrinsic value, and the coinage shortage would be multiplied.

Why are silver coins so highly prized?

David R. Maxey, senior editor of Look, says: "Silver coins seem, somehow, intrinsically moral. Their sheen liberates the soul; their pleasant weight draws down the pocket in the sweetest burden of all. A silver dollar slapped down on a bar reasserts virility. In a church collection plate, it puts worldly force behind 'In God We Trust.' Silver coins are—well, American."

Well spoken, Mr. Maxey.

It is the best argument in the world for not trading a clink for a clunk.

[From the Wallace (Idaho) North Idaho Press, Jan. 4, 1965]

STREAM OF THOUGHT

(By R. J. Bruning)

Seemingly well-planted "leaks" the past few days give an indication of what kind of silver legislation the Treasury will propose to Congress within the next 2 months or so.

An Associated Press writer Friday said a nonsilver coin has been designed for the Treasury, which, apparently, the Treasury would have replace the silver coins that now are in circulation.

Sylvia Porter, a syndicated writer on monetary problems, at about the same time was saying in her column that a law will be passed this year that will "drastically reduce or completely eliminate" the silver content of our subsidiary coins.

She said such a recommendation will be submitted to Congress about April 1.

It takes no soothsayer to say that the silver content of subsidiary coins will be reduced. The mining industry agrees that some such action must be taken to protect the dwindling stocks of silver remaining in the U.S. Treasury vaults.

The mining industry does argue, however, that it would be a mistake to eliminate silver entirely from our coinage system, for two principal reasons: Base metal coins have no intrinsic value and their introduction would lead to hoarding of present silver coins; no satisfactory base metal coin has been found yet that will operate in vending machines.

The rash of stories regarding possible new coinage may be part of a trial balloon program by the Treasury to determine the public's reaction to a new silver program. If it is, then the Treasury should be careful that the writers with whom it plants the leaks get their facts straight.

The Associated Press writer, for instance, said that if a nonsilver coin is adopted it will free "billions of ounces" of silver for industrial uses.

Technically, that may be correct, for 2 billions would be "billions." But the manner in which it is written leads the reader to believe it would be several times 2 billion.

The Treasury now has 1.2 billion ounces of silver remaining in its vaults. From 1934 through 1962 the Treasury used 1,149,737,660 ounces of silver in coinage. Some of this represented recoinage—worn coins that were melted down and recast into coins. From 1792 through December 31, 1961, the value of all silver coinage minted in the United States was $2,891,768,585. There are now an estimated 13 billion silver coins in the country, and if all these were melted down, they would not add up to any large number of billions of ounces.

The same writer said silver-producing States are "eager to keep the Treasury as a major customer for silver."

He apparently is not aware that the Silver Purchase Act was repealed in 1963, and that the Treasury no longer purchases newly mined domestic silver, and that as a matter of fact for several years preceding repeal domestic mines sold only a negligible amount of silver to the Treasury. Production instead went directly to industry.

The Treasury now is permitted to sell silver to any customer—domestic and foreign, including Communists—but it cannot buy silver.

Sylvia Porter, competent as she is on monetary matters, overlooks Gresham's law in her column on silver. She says that reduction or elimination of silver from coinage would mean nothing to the average person.

Gresham's law states that "bad money drives out good money." In other words, if nonsilver money were introduced the silver money—the kind that has an intrinsic value—would be hoarded and only the "bad" money, the base metal kind, would circulate.

The Nation presently is concerned about the shortage of subsidiary coins, even though there are an estimated 13 billion in circulation. If a substantial part of these 13 billion were hoarded—as they would be if nonsilver coins were introduced—the coin shortage would be multiplied several times.

We are indebted to Miss Porter for one quotation in her column. She quotes Dr. Vladimar Clain-Stefanelli, chief coin expert of the Smithsonian Institute, as saying: "Silver has gone hand in hand with civilization through most of recorded history. But now the time has come, after 2,500 years, to set sentiment aside and to close out the career of silver."

And Miss Porter adds that after 172 years it is time for a change in our silver-coinage system.

As Dr. Clain-Stefanelli says, silver has been used as money for more than 2,500 years.

We might add, so has gold.

And so-called sophisticated experts have said we do not need gold for monetary backing or international payments. But the countries of the world rapidly are learning they must depend upon gold, and Dr. Franz Pick, noted monetary expert, predicts devaluation by all major western nations, in order to stretch out the world's gold supplies.

In like manner, we will learn we also need silver.

[From the Spokesman-Review, Jan. 3, 1965]

SILVER OF REGION IS GAINING VALUE

One of the exceptional resources of the favored Inland Empire consists of its deposits of nonferrous metal, of which the most interesting at this time is silver.

The interesting thing about silver is the greatly increased demand for it. Apart from coins, which the mints are producing on almost an around-the-clock basis to try to meet requirements, industrial demand for the precious metal is now vastly greater than ever before.

Many of the exotic new products of manufacturing in the electronic and space industries are heavy users of silver. Photography is requiring ever-increasing amounts of the metal, along with a myriad of other products.

Partly because of its monetary aspect, the price of silver does not rise in direct proportion to the increase in its demand. The artificially controlled price, however, can not forever be immune to the requirements for more production. A higher price will bring more silver ore out of the ground, and sooner or later a higher price will have to be set.

The time can be postponed by the Government by adjusting coinage policies and the silver content of coins—even, potentially, to the extreme and wholly disadvantageous point of making coins entirely out of base metals or other materials. It is to be expected that the Government will soon do something to cut down on the amount of silver being consumed for coinage. Even so the essential purposes that only silver can serve will keep demand high.

Under these circumstances, the Midas hoard of this precious metal secreted by nature in the mountains of the Inland Empire can only become more critically important and more valuable. The Nation and the world will have to look increasingly to this area to supply the essential metal, and that bodes well for our prosperity.

[From the Spokane (Wash.) Daily Chronicle, Jan. 21, 1965]

SILVER HOARDERS REPORTED ACTIVE

NEW YORK.—Silver hoarders and speculators bought heavily in the last 4 months of 1964, Handy & Harman said today in its review of the year.

The company, leading refiner and fabricator of precious metals, estimated that 70 million ounces of silver—about one-sixth of world supplies—were in speculative holdings and inventory buildups last year.

It was the first year since 1961 that any silver was estimated to be held by hoarders and speculators.

Handy & Harman said that the "rapid decline in U.S. Treasury stocks during 1964 created the widespread belief throughout world markets that higher prices were imminent."

It also said it believes the price of $1.293 an ounce will be maintained by the U.S. Treasury, putting a ceiling on silver prices.

The company said U.S. Treasury stocks declined 23 percent, most of it for coinage but more than a third in sales to the public at the $1.293 price set by law.

It said U.S. industry consumption was up 11 percent and consumption in the free world outside the United States up 15 percent.

For the first time since World War II lend-lease shipments, the United States was a net exporter of silver. Total exports were triple the 1963 figure.

Handy & Harman repeated its view that silver should be eliminated from U.S. coinage over a period of years. It said that at the present rate of depletion, Treasury stocks would lose up to 400 million ounces this year.

The Treasury has about 1.1 billion ounces left and is expected to recommend congressional action in a month or two that would reduce or eliminate silver in coins.

EXPERT COMMENTS

How long the Treasury maintains the price of silver at $1.293 an ounce depends upon how fast outstanding silver certificates are redeemed, an authority on silver said here today.

When the silver certificates are out of circulation, the Treasury may raise its selling price to as high as $1.38 an ounce, said Robert M. Hardy, Jr., president of Sunshine Mining Co., a leading silver producer, and chairman of the American Mining Congress Silver Committee.

That is the monetary value of silver coins now in circulation, he said, and the Treasury would be forced to hold the price at that figure until new coins of lesser silver content could be substituted for them.

If the price were allowed to rise higher, he said, the old coins might be melted down for their silver content.

STAND IS OPPOSED

Hardy and other producers oppose the Handy & Harman view that silver should be eliminated from U.S. coinage. They contend silver can be maintained in coinage if the silver content of coins is reduced to stretch out the supply.

"Nearly everybody admits that silver is the best metal for coinage," Hardy said. "Only five metals—silver, gold, copper, magnesium and aluminum—have the electrical conductivity needed by vending machines. Magnesium and aluminum are too light in weight, gold is even scarcer than silver, and copper is the symbol of low-denomination coins such as pennies.

"Treasury officials are experimenting with a cladding process which would retain the present 90 percent silver content on the outside of new silver coins while permitting the body or inside of the coins to be made of only 10 percent silver.

"Reduction of the size of silver dollars to slightly larger than half dollars also is being studied."

COMPENSATION TO THE VILLAGE OF HIGHLAND FALLS, N.Y.

Mr. JAVITS. Mr. President, I introduce for appropriate reference, on behalf of myself and my colleague from New York [Mr. KENNEDY], a bill to provide for an additional payment of $40,000 to the village of Highland Falls, N.Y., toward the cost of a water filtration plant constructed in 1954.

This bill is an important piece of legislation to the village of Highland Falls, N.Y., which has faced a severe shortage. This situation would only be remedied by construction of a water filtration plant. This bill authorizes an additional payment to the village because of the increased construction costs of the Government's proportionate share of liability toward the plant. The reason for the construction of the plant was that Federal activity at the U.S. Military Academy of West Point, N.Y., so increased the turbidity of the water supply in the area that filtration facilities were necessary.

Contribution to the cost of this construction was considered by the 80th Congress, and Public Law 627, approved June 12, 1948, authorized payment of $85,000 to the village of Highland Falls. After the enactment of Public Law 627, land was conveyed without consideration to the village of Highland Falls for construction of a water filtration plant, which conveyance was authorized by Public Law 91, 82d Congress, approved July 30, 1951. The cost of construction, which was completed in April 1954, amounted to $250,000 which included expenditures for legal and engineering work in the amount of $25,000. The cost of the construction of the plant has been considered reasonable in view of the rise in costs. The plant capacity is 1,500,000 gallons per day, as originally planned in 1948, with no added improvements.

Legislation to provide Federal compensation for a larger amount was originally introduced in the 83d Congress, and has been subsequently introduced. The original bill passed the House of Representatives in the 86th and 87th Congresses, although modified in amount, but action has not been taken by the Senate.

It is time that the Congress acted favorably in this matter to dispose of an outstanding obligation which has been pending too long. I hope very much that we may at long last be successful, as a matter of considerable justice is involved.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1298) to provide for an additional payment of $40,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village, introduced by Mr. JAVITS (for himself and Mr. KENNEDY of New York), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF TITLE 38, UNITED STATES CODE, TO SET ASIDE FUNDS FOR RESEARCH INTO SPINAL CORD INJURIES AND DISEASE (AMENDMENT NO. 45)

Mr. LONG of Louisiana submitted an amendment, intended to be proposed by him, to the bill (H.R. 203) to amend title 38, United States Code, to set aside funds for research into spinal cord injuries and diseases, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

AUTHORITY FOR PERMANENT SUBCOMMITTEE ON INVESTIGATIONS TO FILE REPORT

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations may have until Friday, March 5, 1965, in which to file its report on narcotics and crime.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF TIME FOR JOINT ECONOMIC COMMITTEE TO FILE REPORT

Mr. DOUGLAS. Mr. President, section 5(b)(3) of the Employment Act of 1946, as amended, requires that the Joint Economic Committee file its report on the President's Economic Report by March 1. This year the Congress passed Senate Joint Resolution 3 extending the date of transmission of the President's 1965 Economic Report from January 20 to January 28. Because of this late filing of the Economic Report our committee was not able to hold hearings and prepare its own report in time to meet the deadline of March 1.

I ask unanimous consent that the Joint Economic Committee be permitted to file its report by March 17, instead of March 1.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK FOR ADDITIONAL COSPONSORS

Mr. HARTKE. Mr. President, on February 18 I introduced S. 1203, providing for deductibility of certain expenses of teachers in advancing their professional education. At that time I requested that the bill remain on the table until the close of business on February 26.

Because of the considerable interest which has been expressed, and because I believe some Members who might desire to cosponsor may otherwise be unable to appear on the bill at its first printing, I request unanimous consent that the time may be extended 1 week, until the close of business on March 5.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 1091) to provide a program of marine exploration and development of the resources of the Continental Shelf, now pending before the Committee on Commerce, introduced by me, the name of the senior Senator from North Carolina [Mr. ERVIN] may be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from New Jersey [Mr. WILLIAMS] be added as a cosponsor of the bill (S. 1126) to amend the emergency loan authority of the Secretary of Agriculture under subtitle C of the Consolidated Farmers Home Administration Act of 1961 to authorize such loans in areas where credit is not otherwise available because of serious economic conditions for farmers or ranchers which is now pending before the Committee on Agriculture and Forestry.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the senior Senator from Massachusetts [Mr. SALTONSTALL] be added as a cosponsor to S. 93, a bill to amend section 2 of the act of August 22, 1949—63 Stat. 623; 20 U.S.C. 53a—to authorize appropriations to the Smithsonian Institution for the purchase of reprints from technical journals, and so forth, and S. 94 a bill to amend Public Law 722 of the 79th Congress, and Public Law 85-935, relating to the National Air Museum, and that his name be added at the next printing of these bills.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska [Mr. BARTLETT] be added as a cosponsor of the resolution (S. Res. 55) to amend rule XXV, to create a Committee on Veterans' Affairs.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I am happy to request that the Senator from Rhode Island [Mr. PELL] may be added as a cosponsor of my bill, S. 1124, to extend child's benefits under social security to the age of 22 so long as the child is attending school, so that his name may appear on the next printing of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, I also ask unanimous consent that, at its next printing, my name be added as a cosponsor of the concurrent resolution (S. Con. Res. 13) expressing the sense of Congress on increasing the authorized bed capacity for all Veterans' Administration hospitals.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, I ask unanimous consent that upon its next reprinting the name of the senior Senator from Oregon [Mr. MORSE] be added as a cosponsor of S. 598, a bill to give producers 100 percent of parity return from domestic food wheat.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HUMANE ANIMAL CARE ACT OF 1965—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 10, 1965, the names of Mr. MAGNUSON and Mr. MORSE were added as additional cosponsors of the bill (S. 1087) to authorize the Surgeon General of the Public Health Service to establish minimum standards for the humane care and treatment of animals used in research, introduced by Mrs. NEUBERGER on February 10, 1965.

NOTICE OF HEARINGS ON INDIAN CLAIMS

Mr. METCALF. Mr. President, for the information of the Senate I should like to announce that the Subcommittee on Indian Affairs of the Senate Interior Committee has scheduled a hearing for Monday, March 8, 1965, at 10 a.m., room 3110 New Senate Office Building, on the general subject of Indian claims. At that time we shall hear from representatives of the Indian Claims Commission and the Department of Justice on the progress being made in adjudicating the many claims filed by tribes in accordance with the 1946 Claims Act.

The Claims Commission is scheduled to terminate on April 10, 1967. I think it is certain that many pending cases cannot be completed by that date. We hope to learn what has been done to date, the number of dockets still to be heard, and means by which the whole process may be speeded up.

Our concern in this matter stems from an interest in seeing these cases adjudicated and awards paid out to tribes at the earliest possible time.

BALANCE-OF-PAYMENTS HEARINGS—MARCH 9

Mr. MUSKIE. Mr. President, I should like to announce that the International Finance Subcommittee of the Banking and Currency Committee will start hearings on the balance-of-payments problem on Tuesday, March 9.

No more serious problem has confronted the financial world in recent years than our balance-of-payments situation—our continuing deficits in our balance of payments and the resulting gold outflow which made it necessary for us to amend our gold-reserve requirements.

This is a problem which has been studied many times by many people. But we have not solved it. We must solve it and solve it promptly. And the present is the time to solve it while we have the world's largest stock of gold and a prosperous economy, with the world's largest production of industrial and agricultural commodities.

When the Banking and Currency Committee was considering the administration's gold-reserve requirements bill, there was unanimous agreement that the bill itself did not solve the underlying problem—the balance-of-payments problem. The bill merely gave time to the Government to solve the problem in an orderly and responsible way. There was, I think, universal agreement on this same point when the Senate discussed the bill. There was, I think, universal agreement that we must devote our attention to the balance-of-payments problem at once and that we must not relax our efforts just because the gold-reserve requirements bill was overwhelmingly passed.

Beginning Tuesday, March 9, we expect to hear the administration position on the subject of the balance of payments. We expect to have as witnesses representatives of the Treasury Department, the Federal Reserve System, the State Department, the Defense Department, the Commerce Department, and the Export-Import Bank. At later hearings, we expect to hear from representatives of major industry groups, from individual businesses, and from economists and others with a special knowledge or interest in the field.

We shall, of course, explore the President's message and the suggestions he has made to solve the balance-of-payments problem. We shall also explore any other possible avenues which may be suggested in addition to those suggested by the President.

While the hearings will be held before the International Finance Subcommittee, all members of the full committee are being invited to attend and participate.

DEATH OF FORMER SENATOR JAMES P. KEM

Mr. SYMINGTON. Mr. President, it was with deep regret that I learned of the death yesterday of Senator James P. Kem, my predecessor in the Senate, at the University of Virginia Hospital at Charlottesville, after an illness of many months.

Senator Kem, in his first race for political office, was elected to the Senate from Missouri in 1946 and served 6 years. During that time he established a reputation as a relentless opponent of many Government programs. He was a man of conviction, strong in his beliefs, outspoken in his opinions, vigorous in debate, an indefatigable campaigner, a tough opponent.

Although at times one might have thought him wrong in his votes as a Member of the Senate, no one ever questioned Senator Kem's patriotism or love of country, and no one ever could.

Mrs. Symington and I extend our deepest sympathy to his gracious wife and to his family.

I ask unanimous consent to have inserted at this point in the RECORD the article from this morning's Washington Post reporting the sad news of Senator Kem's death.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EX-SENATOR J. P. KEM DIES; NOTED AS NEW DEAL FOE

Former Senator James Preston Kem, Republican, of Missouri, 74, died yesterday in the University of Virginia Hospital after a long illness.

A resident of Fauquier County, Va., since he retired from a Washington law practice 8 years ago, Mr. Kem had been in ill health since he was injured in an automobile accident last July. He reentered the hospital 3 weeks ago.

A conservative Republican who won election to the Senate in 1946 by fighting the Pendergast machine and the New Deal, he served one term.

Mr. Kem didn't enter politics until 1943, when he became Jackson County (Mo.) Republican chairman. His campaign for the Senate was his first try for public office and he plunged into it with zest.

During a 6-week stumping tour in 1946, he frequently told the driver of his car to stop several miles from rallies at which he was scheduled to speak. With his wife, the former Mary Elizabeth Carroll, of Louisville, he then walked the rest of the way. Many a local GOP chairman was astonished to learn that the Kems were "down the road a ways, walking in."

His Senate service was punctuated by public feuds with former Agriculture Secretary Charles F. Brannan, who accused Senator Kem of voting "against the farmers" whenever there was a conflict between farmers and the private power industry.

Before his election, he represented various oil interests, and after his defeat, he was a registered lobbyist for sugar and felt industries.

Born in Macon, Mo., son of a merchant and a teacher, Senator Kem graduated from the University of Missouri and Harvard Law School. He was a past president of the Lawyers Association of Kansas City.

He was an infantry veteran of World War I.

A gentleman farmer who didn't smoke and drank nothing stronger than light wines, he enjoyed quoting the father of the Democratic Party, Thomas Jefferson, whenever the occasion arose. A friend once remarked that Senator Kem "probably has more books on Jefferson than any Democrat in the State of Missouri."

The Senator saw no contradiction in considering Jefferson "one of the four greatest men on the American continent." He said he firmly agreed with the third President's teaching of "State's rights and economy and simplicity in the operation of the Federal Government."

He is survived by his wife; two daughters, Mrs. Virginius R. Shackelford, Jr., Orange, Va., and Mrs. John E. Knapp, New York City.

Services will be at 2 p.m. Friday in Emmanuel Episcopal Church, Middleburg, Va., with burial in Middleburg Memorial Cemetery.

Mr. SALTONSTALL. Mr. President, this morning's newspapers report the sad news of the death of our former colleague, Senator James P. Kem of Missouri. Senator Kem had been in poor health since last July when he was injured in an automobile accident. Three weeks ago he reentered the hospital from his home near Middleburg, Va., where he had lived since retiring from a Washington law practice 8 years ago.

Jim Kem served one term as a U.S. Senator from 1947 to 1953, having been elected to this body in his first attempt for public office. He was a hard-working and conscientious Senator who was well informed about all proposed legislation with which he was connected. He was a conservative in outlook and a vigorous advocate of his point of view in debate. No one ever doubted where Senator Kem stood on an issue. He expressed himself clearly and his discussions were to the point. He was a frequent critic of foreign aid, and on domestic issues opposed the expansion of Federal power. He believed very strongly that government should be kept as close to home as possible, and thus spoke out against what he regarded as efforts to downgrade State and local governments and to make them more dependent on Washington.

Although Senator Kem was firm in his views, he was a pleasant and affable colleague who had many friends on both sides of the aisle. As one who became a friend of his and who visited at his home and came to know his wife and children, I shall miss Jim Kem. I valued his friendship and our associations, and I look forward to continued association with members of the Kem family. Mrs. Saltonstall joins me in sending our deep sympathy to Mrs. Kem and other members of his family.

Mr. LONG of Missouri. Mr. President, I noted with great sadness the recent death of former Missouri Senator James P. Kem.

In his term in the U.S. Senate, Mr. Kem represented Missouri with ability and distinction.

A native of Macon, Mo., Senator Kem was a graduate of the University of Missouri and the Harvard Law School. He served his country with honor as a member of the infantry in World War I, and made an outstanding record as a highly successful lawyer in Missouri.

Widely respected and admired in his native State, Senator Kem's passing brings grief to many Missourians, and a sense of great personal loss to his many friends everywhere.

It is with deep sadness that I join in paying respect to the late Senator James P. Kem, a distinguished Missourian, and an able American.

COMMON MARKET THREAT TO AGRICULTURAL EXPORT MARKET

Mr. TALMADGE. Mr. President, the protectist attitude being adopted by the nations of the European Economic Community, the Common Market, poses a very serious threat to our agricultural export market.

It is indeed a major stumbling block in the way of achieving amicable and mutually beneficial trade agreements in the Kennedy round of the GATT negotiations now underway.

We already have seen what happened to our poultry market in the six Common Market countries, especially in West Germany, because of restrictive tariffs. There understandably is increasing fear that further steps may be taken to freeze out other agricultural commodities, such as feed grains, soybeans, and peanuts. Unfortunately, recent actions of the Common Market point ominously in the direction of additional tariff barriers against our agricultural imports.

The importance of the Common Market to the United States as a buyer for our agricultural products cannot be overstated. The United States currently exports about $1.2 billion worth of farm products to the Common Market for cash. This accounts for approximately one-third of our total agricultural exports.

If the Common Market closes its doors to U.S. agriculture, it would be a tremendous blow to our trade economy, and of course would further aggravate the

balance-of-payments problem, which already has reached a critical stage.

The United States and our trade negotiators must exert every effort to hold on to Common Market access for our agricultural products. If it is at all possible, we must work diligently to increase this market even more. As a member of the U.S. delegation to the negotiations of the provisions of the Trade Expansion Act of 1962, I am in frequent contact with our chief negotiator, former Secretary of State, Christian Herter.

I have repeatedly insisted that our agricultural commodities not be subordinated to industrial products in the current trade talks, and I have been assured that they will not be relegated to secondary importance. I am told that everything possible will be done to keep trade lanes open to the Common Market for our farm products, and I am hopeful that these efforts will be successful.

Mr. President, there appeared in the February 1965 issue of Banking magazine, the journal of the American Bankers Association, an excellent article appraising the threat of the Common Market to U.S. farm exports, which I wish to call to the attention of the Senate.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EUROPEAN TARIFF POLICIES THREATEN U.S. FARM EXPORTS

(By Fred Bailey, Jr.)

Just a little more than 2 years ago, U.S. poultrymen were gleefully banking profits from a brisk $38 million a year business they had built selling broilers to the six member nations of the European Economic Community, also known as the Common Market. Today, the number of broilers the Common Market buys from the United States has plunged to less than a third its former level.

But even in 1962 as the United States was edging toward the brink of a tariff war over chickens, farm groups and Federal officials were looking far beyond the henhouse. A larger concern, scarcely hidden even then, were the signals that similar fates might await other commodities in the $1.2 billion a year bundle of farm products being sold for dollars to the increasing affluent population of the Common Market. There is mounting evidence that such premonitions were well founded.

Latest item which it's feared the Common Market may have in mind crossing off its annual U.S. shopping list is about $400 million worth of grain that, to date, has helped to support an expanding European livestock industry. The EEC aim, if current signs are correctly read, is self-sufficiency. The method is protectionism.

The consequences of such a policy, if not reshaped by pressure from U.S. negotiators headed by former Secretary of State Christian Herter, would be bad news for American agriculture. And, indeed, bad news for the Nation. U.S. farmers, equipped with a production plant, the outpourings from which far exceed domestic demand, are increasingly dependent on export outlets for their produce. Substantial loss of a $400 million market would come as a severe jolt.

Neither, officials here fret, can the roughly $800 million of other farm goods presently exported to the Common Market be considered entirely safe if, in fact, the Market members are bent on carrying out a protectionist trade policy. Among the products involved: Soybeans and tobacco.

THE HEAT IS ON

While concern over Common Market trade policies has alternately smoldered and erupted for a period of some 4 years, the heat of the argument has probably never been hotter than it is right now.

Reason: The recent announcement that after a bitter and lengthy debate which at times threatened even to crumble the entire EEC alliance, agreement had at last been reached on a series of uniform prices for grain. The prices—which are expected to mean an on-farm average of $2.60 to $2.70 a bushel for wheat and $1.80 to $1.85 a bushel for barley—are to become effective in all Common Market countries 2 years hence.

The uniform price agreement was no small political accomplishment. Consider, for example, the problem of soft wheat. In West Germany, the average producer price of this major bread grain has been $3.00 per bushel. And German politicians, mindful of the farm vote in upcoming elections, were understandably reluctant to sharply lower this price.

French farmers, on the other hand, were accustomed to far lower prices, an average of only $2.20 per bushel. For fear of sparking a new flareup of inflation, the Government stood adamant against a price hike to the levels enjoyed by German farmers. Feed grains were caught in comparable conflict.

The significance of the newly agreed to uniform prices lies less in the fact that they are below the German levels than in the extent to which they are above the existing French levels. For it is in France, more so than any other Common Market country, that there is a sizable potential for further production increases.

French grain yields, for example, lag behind those of other countries of Western Europe. But, spurred by the promise of higher prices, it's predicted that the efficiency gap could quickly be closed. If so, France—which is already a net exporter of grains—could move a long way toward meeting the Common Market grain needs filled, up to now, by the United States.

VARIABLE IMPORT DUTY

Particularly irksome to the United States is a so-called "variable import levy." This is a duty equal always to the difference between the going world price and the EEC's minimum import price. For example, if the United States is able to deliver barley to a Common Market port for, say $1.20 a bushel and the minimum import price is roughly $2 a bushel, the variable levy will be 80 cents. The result, by intent, is to shield Common Market members from outside price competition from more efficient nations.

U.S. reaction to the announcement of uniform target prices for grain, while officially cautious, is summed up by Raymond Ioanes, Administrator of USDA's Foreign Agricultural Service:

"This decision," Mr. Ioanes predicts, "is one which will unquestionably encourage greater grain production in the EEC and thereby curtail imports of grain from outside countries. It is therefore of extreme importance that we develop market access arrangements during the current negotiations."

PROTECTIONIST TRADE BLOC

Still another concern in the current controversy over the Common Market is the potential impact as the EEC extends beyond its present six-member alinement. Already, for example, an associate status exists with both Turkey and Greece. Designed to provide favored treatment for Common Market industrial exports, the agreement is equally likely to arm Turkey and Greece with advantages—at the expense of the United States—in sales of tobacco to the EEC.

Also known to be in the works is a similar arrangement with Nigeria—a major producer of peanuts. Peanuts are highly competitive with soybeans which the United States now exports in large quantity to the Common Market.

What does it all add up to? The real danger in the situation, U.S. farm officials fear, is the creation of the EEC as a farflung protectionist trade bloc which would almost certainly result in more restrictive, rather than freerer, world trade. And this, it's insisted, would be in the long-run interest of neither the United States or the Common Market.

To prevent such a development is clearly the goal of U.S. strategy in the so-called Kennedy round of GATT negotiations now underway. It is equally clearly U.S. farmers' only remaining hope for averting a potentially large loss of essential export markets. How farmers fare in this multibillion-dollar international poker game may well hinge on how expertly Washington plays its hand.

To date, however, negotiations have not yet progressed even to the stage where there is agreement as to what is negotiable. Ministers of the Common Market would prefer to dicker on the subject of price. The United States wants to talk in terms of guaranteed market access.

EEC CONCESSIONS

Presumably, the kind of "concessions" the EEC has in mind would involve freezing its uniform prices at the presently announced level, at least for some stipulated period of time. This, it's argued, would assure the United States that the EEC would not further boost incentives to Common Market farmers to expand farm production and thereby move nearer self-sufficiency.

The EEC stand reflects in large measure a conviction that the United States is unduly alarmed over Common Market developments, and that the threat to U.S. exports is more imagined than real.

But Washington doesn't see it that way. "If this is the case," declares Mr. Ioanes, "then the Common Market has nothing to lose by granting reasonable guarantees of continued market access for U.S. farm products." This, in a nutshell, is the U.S. position.

Whether the U.S. position will finally prevail depends largely on two things:

First, the extent to which the Common Market is willing to concede in matters of agriculture in order to win for its booming industry a bigger slice of the rich U.S. consumer market. "European industrialists," Mr. Ioanes predicts, "will be our most important ally in arguing for trade liberalization."

Second, U.S. success depends, too, on Washington's determination to withstand pressures from certain segments of American industry; pressures, that is, to subordinate farm exports if necessary to accomplish quick settlement of industrial trade liberalization.

Indeed, a nagging fear that agriculture may be "sold out" at the bargaining table is the chief worry of a so far small but audible group of administration critics. In support of their concern, they charge that the United States has already backed down from its tough-line pledge that agricultural and industrial trade would be negotiated only as a single package, not separately. Late last year, U.S. negotiators in Geneva agreed to temporarily table topics of agricultural trade and to take up industrial trade differences.

"It's a change in tactics rather than substance," officials here retort. What's more, it's added, the U.S. position is the same as before: No trade agreement will be concluded that does not include concessions for U.S. agriculture. "That's definite."

On at least one often-asked question—Washington's timetable for achieving bargaining table victory—negotiators are both officially and unofficially mum. "If you have a deadline and the other fellow doesn't," insists Mr. Ioanes, "you always lose."

Despite the earlier analogy of an international poker game for high stakes, it's fervently contended here that if more liberal trade can be won, then everyone is a winner. American farmers have plenty of reason to hope so: It's their chips.

THE CRISIS IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, we read in the Washington Post of February 24 exactly what we have had reason to expect during the recent weeks. One of South Vietnam's Buddhist leaders, Thich Tam Chau, told a gathering, "You cannot win the war through fighting. Killing Vietcong guerrillas was the same as killing brothers." This, of course, will probably be followed by statements of other Buddhist leaders in power in South Vietnam and then probably by some of the ambitious generals who have banished the former strong man, Gen. Nguyen Khanh, that they seek an end to "civil war" and "Americans go home."

Today, Mr. President, the Prime Minister of South Vietnam announced that his nation should not continue the conflict and he sought peace with honor for South Vietnam. This according to the 7:30 o'clock radio report.

Do we have a duty to send our armed forces into the jungles to maintain freedom for some 8 million people who do not have the will to preserve freedom for themselves?

Do we Americans have a mandate from Almighty God to police the world?

Mr. President, when the conflict was raging in South Korea and American lives were being lost, this was derisively termed "Truman's war" by some persons. In 1954 we became involved in South Vietnam. Our Commander in Chief sent in fighting men of our armed services. General Eisenhower was President then. You remember early in 1954 Vice President Nixon announced that President Eisenhower was planning to send our ground forces into Indochina and following that after a period of vacillation a few hundred soldiers were sent there.

Nixon is still a war hawk. Both he and former presidential candidate Barry Goldwater are urging that we bomb Hanoi. In 1954, following Vice President Nixon's statement which apparently somewhat vexed the then President, President Eisenhower then modified his position somewhat and plans were temporarily postponed to send in some thousands of soldiers.

In 1954 and the following years under President Eisenhower an increasing number of men of our Air Forces and ground forces went into South Vietnam, then a part of Indochina. They were termed military advisers. By 1961 when President Eisenhower left the White House we were committed with our Armed Forces in South Vietnam, a country where religious controversy then as now raged between the Catholic and Buddhist leaders. Many people in South Vietnam even then were saying "Yankee go home." That chorus from Saigon has increased in volume as time went on and the number of Americans stationed over there increased. There is just as much justification for terming the conflict in South Vietnam "Eisenhower's war" as there ever was for terming the Korean war as "Truman's war."

Do not be surprised if a newly formed government in South Vietnam announces to the world that Americans should get out. Either leaders of the government now being formed or of the next one which, judging the immediate future by the past, may be only a few weeks from now may do so.

It appears that officials of the United Kingdom, the Soviet Union, and perhaps also North Vietnam are hinting that negotiations could be undertaken to end this civil war. It is my judgment that our officials in Saigon and in Washington should be receptive to any negotiations initiated to end a conflict where from 1954, when under President Eisenhower we committed our Armed Forces to southeast Asia, the lives of 300 Americans in our Armed Forces have been lost in this effort to repel Communist aggression and guerrilla infiltration in what was Indochina.

In South Vietnam we have observed an unparalleled and fantastic instability of governing groups with some eight changes of government in a mere 16-week period. This instability and evident lack of will on the part of the people of South Vietnam to save themselves from the aggressors to the north is a great handicap to the forces of the free world.

Is it better we retain a professional general, Maxwell Taylor, as Ambassador though he must have incurred animosity of some leaders in South Vietnam during the months of turmoil with things going from bad to worse during the time he represented us as Ambassador? It would have been natural also for any Ambassador during such period to have acquired likes and also dislikes toward some of the South Vietnamese officials with whom he had dealt. Would it not be better that we send in a skilled and experienced diplomat—one of our great men—a civilian—whose career has been marked with successes and who deservedly enjoys the confidence of all Americans? A fresh start in that direction might be advisable. I would suggest Ambassador Averell Harriman or Ambassador Adlai Stevenson or former Senator Kenneth Keating.

The Founding Fathers provided that in the United States civilian authority must always be supreme over military authority. Personally, I lack confidence in a professional general as ambassador of the United States in a critical area in this grim cold war period. Is the decision to win the war in Vietnam worth the risk and sacrifice? I believe it is. Unquestionably, our administration should make it crystal clear at this time to the heads of state throughout the world that we have committed our forces to save South Vietnam from Communist aggression. We will not withdraw until the civil war raging in South Vietnam is ended and Vietcong infiltrators and aggressors abandon their operations. Very definitely we shall continue to repel force with force. Very definitely we shall destroy staging areas within North Vietnam where installations used by Vietcong forces are located. Very definitely it is irresponsible talk to urge that our warplanes bomb and destroy Hanoi.

Mr. President, we shall continue to fulfill our commitments to the Government of South Vietnam. However, that Government has failed miserably to obtain the loyalty and support of the South Vietnamese people. That Government—if it can be called a government at this point—is nothing more than a series of military dictators each grabbing for himself what he can before he is overthrown by a fellow officer. Our Vietnam policy is almost at a dead end. I believe that our interests can now be served best by a political and diplomatic solution rather than by military means which to date have failed. A reasonable diplomatic solution to this problem would end a profitless involvement in an armed conflict which has resulted in terrific casualties to the Vietcong and substantial casualties to armed forces and civilians of South Vietnam. After 10 years of steadily increasing American aid to South Vietnam, the Government there is weaker than it was before and its ability and capacity to win the war there must be doubted. Unfortunately, 300 Americans have been killed in this conflict and many more wounded.

We should again state to the heads of state of the world through our embassies that as soon as the Communists to the north agree to withdraw their forces from South Vietnam and agree to leave their neighbors to the south alone, and demonstrate their good faith by their actions, we will immediately withdraw our forces. Surely an honorable truce and neutralization of Vietnam is to be hoped for and it should be achieved at the conference table. We wish to see an independent South Vietnam safe from aggression and free to determine in peace the kind of government its people wish. Such a South Vietnam should not be menaced nor would it menace its neighbors.

Our President has made it clear we seek no bases and that we shall withdraw our forces when the Communists leave their neighbors to the south alone. Let us face the facts. It is too late now to argue that President Eisenhower was wrong in committing our forces in 1954 in the first instance. That is history. It would be as wrong to term the Vietnam conflict "Eisenhower's war" as it was unfortunate and untruthful to term the Korean war as "Truman's war." The free world would gain if there were to be a conference in Geneva or London or Hong Kong where the representatives of the heads of state of North and South Vietnam, Red China, the Soviet Union, the United Kingdom, Japan, India, Australia, Thailand, Pakistan, France, and the United States, and representatives of other nations of Europe and Asia, negotiate fully and freely to neutralize all of what was once Indochina. The facts are that by negotiation we have achieved complete neutralization of Korea and Austria. Laos has also been neutralized. The limited nuclear test ban has been achieved. This treaty has not been violated by the Soviet Union nor by any other nation. Now is the time to hope to add North and South Vietnam to the list of neutral areas.

It appears that we have demonstrated our strength in the retaliatory blows we have struck from our carriers and that the South Vietnam forces have defended themselves over the last 10 years and that now is the time for diplomats and foreign affairs officials of the Communist nations and the leaders of North and South Vietnam and the nations of the free world to offer to negotiate.

PROSECUTION OF NAZI WAR CRIMINALS

Mr. JAVITS. Mr. President, the West German cabinet voted yesterday to support an extension of the May 8 deadline which now marks the end of the period of limitations for the prosecution of Nazi war criminals. This matter will be acted upon by the Bundestag in a debate to begin on March 10. I express the hope that the Bundestag may follow the cabinet in ratifying this decision.

Normally, we do not consider what is taking place in the parliament of another government. However, this is properly a subject cognizable everywhere, including the U.S. Senate, because it deals with world crimes of the most heinous character—designated world crimes by the tribunal at Nuremberg and by the action which that tribunal took in the name of legality and justice throughout the world. Those words—"legality" and "justice"—are the key words which were used in the resolution adopted by the West German cabinet. All of us must feel deeply gratified that Chancellor Ludwig Erhard has led his cabinet into making this constructive decision.

Much is at stake—not only bringing to justice men guilty of the most heinous crimes, but also upholding the conscience of the people of Germany in the eyes of the whole world, and upholding, too, the image of the Federal Republic of Germany as being a government determined and empowered by the people to do justice in its own heart with respect to the crimes committed by Hitler and his cohorts in the name of the German people.

When this is done, the responsibility for action will rest clearly upon East Germany and the satellite powers of the Soviet Union, which have made many allegations that they have evidence of Nazi criminals not yet prosecuted who will escape prosecution if the deadline of the statute of limitations is not extended. I am confident now that the deadline will be extended by the will of the German people. We shall see now whether the Communist countries will play politics with elementary justice and hide from the just punishment of their crimes thousands of Nazi criminals concerning whom they claim to harbor information. It seems to me that what is proposed by the West German cabinet is the way the matter should be handled.

As one who believes there can be a Pan-European renascence and a unified Germany if the path of justice and righteousness is pursued, I am deeply gratified that this action has been taken.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "West German Cabinet Supports Extension of Nazi Crimes Law," written by Philip Shabecoff, and published in the New York Times of February 25, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WEST GERMAN CABINET SUPPORTS EXTENSION OF NAZI CRIMES LAW

(By Philip Shabecoff)

BONN, February 24.—The West German Cabinet voted unanimously today to support the proposed extension of the statute of limitations for the prosecution of Nazi war criminals beyond the May 8 deadline.

A Government statement said that the decision was based on the fact that new evidence indicated that criminal acts committed during World War II would go unpunished if the 20-year statute were allowed to expire as scheduled.

Today's vote in effect reverses the decision last November 5 when the Cabinet declared that legal obstacles prevented extension of the statute.

Chancellor Ludwig Erhard said at the time that he disagreed with that decision but would go along with his Cabinet.

However, the Government took pains in today's gingerly worded statement to note that it had not specifically reversed its previous decision.

"The Federal Government," the statement said, "will support the German Bundestag (lower House of Parliament) in its efforts to create the possibility of satisfying justice while maintaining the principles of legality."

In other words, the Federal Government will not itself make any suggestions to extend the statute of limitations, but will support legislation introduced in Parliament that is designed to do just that.

A Bundestag debate on extension of the statute is scheduled for March 10.

The cautious tone of the Cabinet statement was a case of political egg walking. Dr. Ewald Bucher, West Germany's Minister of Justice, has steadfastly maintained that the statute could not be legally extended and has threatened to resign if the Cabinet did not accept his recommendations.

Dr. Bucher based his opposition to an extension of the statute on article 103 of the West German Constitution, which prohibits retroactive legislation.

However, Parliament can amend the Constitution and probably will do so if it desires to extend the statute.

STEP HELD MORALLY DEFENSIBLE

It has been contended that such an amendment would weaken the rule of law in West Germany's young democracy. But current opinion seems to hold that bypassing the ex post facto provision in this particular instance is morally defensible.

Dr. Bucher went along today with a Cabinet decision that in effect shifted responsibility for action to Parliament.

Apparently Dr. Bucher felt he could go along with the Cabinet since it was not specifically repudiating its previous position and in so doing rejecting his own recommendations.

Today's vote actually was to approve a report on the action taken against Nazi criminals and to be presented to the Bundestag March 1. The Government statement declared the investigation and prosecution of Nazi misdeeds was "unique in extent in all legal history."

The report noted that about 70,000 Germans had already been sentenced for Nazi war crimes in West Germany and abroad and that under systematic investigations not yet completed 13,000 other prosecutions were underway.

The Government pointed out that it had appealed to the nations of the world to make available any information pertaining to Nazi crimes not yet investigated.

It noted that much additional material had come in from Eastern-bloc states and that officials of East Germany had declared that they had tons of documents relating to war crimes that had not yet been sifted 20 years after the war's end.

"The suspicion of propagandistic misuse (of these materials) is hardly avoidable," the Government said.

It concluded in its report "that contrary to the previous assumption, the possibility cannot be excluded that new punishable acts will become known after May 8, 1965, which would necessarily occasion further investigation."

New information aside, informed observers here believe that the Cabinet decision on the statute was in large part influenced by a shift in political sentiment recently.

West German opinion on extending the statute may have been ambivalent last fall, but there seems to be wide sentiment for extension today.

This sentiment appears to have been reinforced by the belief that West Germany let Israel down when it canceled arms shipments to her under pressure from the United Arab Republic.

THE SITUATION IN VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD certain editorials and communications which I have received expressing opposition to a continuation of the U.S. undeclared war in Asia.

There being no objection, the editorials and communications were ordered to be printed in the RECORD, as follows:

[From the Daily Courier, Grants Pass, Oreg.]

SOLDIER SEES VIETNAM WAR AS FOOLISH, USELESS

We read, each day, about what is going on in Vietnam, periodically, we are given some correspondent's version of just what it is all about.

But what are the actual observations of the country, its people, and the fighting that go on in the heads of our servicemen stationed there? Only they can say.

We have been allowed to peek into one of these soldiers' minds via a letter he wrote to local kin and the view is rather startling. It also is eloquent and enlightening.

The writer is a captain in the U.S. Army, is a medical doctor, and is assigned to one of our advisory teams in South Vietnam. What he writes is this, in part:

"You asked about the advisory team. As far as I know, this is unclassified information. Incidentally, from occasional information which we get from our enemy, the Vietcong, they know each of us, our arrival dates, our ranks, serial numbers, and our jobs, so advisers are not too secret.

"Well, America was more or less 'invited' to help in this war many years ago and we are, therefore, 'guests' of the country.

"We supposedly do not actually fight the war, so it is a trifle different than your Korea. Someone said the other day, however, that, 'yes, we are advisers in the war. We drop several thousands of pounds of "advice" every day.'

"There are advisers for everything: cooks, artillery, infantry, commandos, doctors—everything except beggars, but they seem to make out fairly well anyway.

"My particular role is somewhat nebulous, I'm afraid, but it deals with helping Vietnamese Army doctors take care of civilians in their particular areas. I work in two different provinces which lie directly north and directly south of Saigon. There are about 3 million people in the two states and about six fully trained doctors, so we have plenty to do usually. I am the leader of three grizzly sergeants, and we just travel around training Vietnamese Army medics in the treatment of the civilian population.

"We call it 'The Traveling Medicine Show' and the amount of actual good which we do is questionable. But you know the Army—'it is not for us to question why * * *.'

"Saigon is a fantastic city. It is oriental enough to be full of intrigue and danger, and French enough to be beautiful and exciting. The city sprawls out like a big woman curled along the Saigon River. Saigon is the heart, the pride and the joy of all South Vietnam. She is the biggest center of industry, culture and population of the entire nation. I am afraid that I love her.

"But the people are the real reason for my existence. They are a beautiful, curious, industrious and active group. They are not as artistic or original as their Chinese ancestors, nor are they as aggressive as their Japanese neighbors. They are small, affectionate, beautiful, simple (superficially) and mystic. They have never really known peace, and their attitude in war is one of complacency and patience, almost indifference.

"They are good people. They have fed me when I was hungry, given me their mats when I was tired and given me their friendship and trust when I was a stranger. Someday I hope that I can return something to them.

"For it is a fabulous country, this Vietnam. High rugged mountains with their tops poked through the mist clouds, rushing white water and deep mountain pools, a beach of white-tan sand which stretches for 1,200 miles, islands that would give Hawaii jealousy, a jungle with all the color and danger and life of Africa, all superimposed upon a culture as old and as deep as the earth itself.

"War, of course, ruins it all, and I really believe that that is what the man who said 'war is hell' actually meant. Someday I shall tell you about the war, when we can talk for hours.

"The chief points are:

"(a) This is a war, despite what newspapers may call it, and (b) war is useless, pointless, and ridiculous.

"At first it was (and I hate to admit it) exciting: getting shot at, always worried about mines on the roads or mortars at night, and the sounds of artillery at night (it is a wonderful sound, you know), but then after a while, the foolishness and waste of it just gets downright tiresome.

"Useless, ridiculous, pointless, foolish, wasteful, tiresome. That's what wars are to the men who fight them. But so long as tyranny and jealousy and greed exist between nations, I imagine we can expect more useless, ridiculous, pointless, foolish, wasteful and tiresome wars, and more men will fight, and die, and learn the truth about the whole process."—H.L.E.

[From the Toronto Globe and Mail]

SEEKING A WAY TO SETTLE AN EXPANDING WAR

Prime Minister Lester Pearson proposed no solutions to the Vietnam dilemma in his speech this week, and he is undoubtedly right to insist, at this critical stage, that any specific views the Canadian Government has should be expressed privately in Washington. The United States carries a heavy and dangerous burden in Vietnam, and this is no time for friendly governments that do not share that burden to go faultfinding in public.

From Mr. Pearson's analysis of the problem, however, it is fairly plain that the Government sees a negotiated settlement leading to the withdrawal of all foreign forces, as the only way to peace and stability in southeast Asia.

Mr. Pearson sees no hope of mastering the Vietcong guerrilla forces in a continuing war confined to South Vietnam and only a faint hope that air attacks on North Vietnam might bring the Communist leadership to the conference table; in fact, such an enlargement of the war could well succeed in producing a major Far Eastern war between the United States and Communist China.

The Prime Minister endorses the appeal this week by the Government of India for "an immediate suspension of all provocative action in South Vietnam as well as North Vietnam by all sides," and an international conference to settle the future of the area.

This is substantially the way out urged repeatedly by President Charles de Gaulle of France. In the French view, no amount of force would be sufficient to defeat the Vietcong.

Mr. Pearson also drew attention to the essential weakness of the United States position in South Vietnam, in that the "free" Vietnamese Government it is supposed to be helping has no basis of popular support in the country.

Ideally, he said, there should be "a unified, independent, neutral Vietnam," ending both foreign intervention and the partition imposed by the 1954 Geneva agreement. But how to prevent a unified Vietnam from turning inevitably Communist under Chinese pressure?

The answer to Mr. Pearson's question is probably that no stable Vietnamese Government, North, South, or unified, can now be formed without Vietcong participation, if not dominance. The one realistic hope is, by international guarantees emerging from a news conference, to prevent southeast Asia from falling under the dominion of the Chinese Government.

In the present climate of American opinion, this is a difficult outlook for the U.S. Government to accept. A still greater obstacle to negotiation over southeast Asia is the fact that any conference would have to include Communist China as one of the principally interested powers.

Under President Lyndon Johnson, U.S. policy shows no signs of abandoning its refusal to recognize the existence of China. The 1954 Geneva conference could be held without direct U.S. participation, because France was the Western Power mainly involved. This time it is the U.S. responsibility, and Washington's stubborn refusal to deal with Peiping is one of the major reasons why war continues and threatens to expand in southeast Asia, Korea, the Formosa Straits, and now Vietnam; crisis after crisis, and still the United States will not face the realities of power in the Far East. Mr. Johnson has rejected out of hand the international appeal for a new Geneva-style conference.

Yet, as the events of this week have shown, the only likely alternative to negotiation is escalating warfare. The Chinese-American war Mr. Pearson warned of is only part way up the escalator; at the top is a world holocaust. The whole world therefore is vitally concerned with the immediate future in Vietnam, and the world has a right to demand more from U.S. leadership than the present static policy of retaliatory or "deterrent" reactions to Vietcong attacks.

The air strikes on North Vietnam bases may be justified as an interim measure to stave off complete defeat for the United States-sponsored South Vietnam Government. But only if there is also a real effort to find a formula for peace.

[From the New York Times]

THE DANGERS IN VIETNAM

The Vietnamese situation has entered a new stage. The war will not be the same since the Vietcong attack on Pleiku and the reprisals against North Vietnam which continued yesterday. It seems axiomatic of this type of warfare that it either escalates or it stops. For the present, it is escalating and becoming more expensive in lives and more perilous every day.

Pleiku has once again proved, as Secretary McNarama said, that the American forces cannot protect themselves against this type of "sneak attack." Its sequel served notice on Hanoi—and indirectly on Peiping and Moscow—that the United States will retaliate when Americans are attacked. The whole affair indicates forcibly that the long-recognized dynamism of the Vietnamese conflict has risen to a dangerous level.

Secretary McNamara says that the situation has not reached a crisis; but it has done so in the sense that the United States is becoming less and less able to restrict the conflict to minor proportions. The possible choices of action or inaction are being steadily whittled down. The United States is gradually approaching a point where it either goes on to a major engagement involving North Vietnam and Communist China, or it actively seeks a diplomatic solution, which amounts to a disengagement on reasonable and honorable terms.

President Johnson has in the past denied that the United States has any intention of carrying the war to North Vietnam. Yet he considered it necessary in the past few days to help the South Vietnamese raid North Vietnam twice. Since it is not to be expected that the Vietcong in South Vietnam will cease their attacks on their tactics, and since Peiping and Moscow are committed to help Hanoi, the dangers of the future are only too obvious.

The Americans working on the Vietnamese problem in Washington and Saigon must often feel as if the problems have a nightmarish or fourth dimensional quality. Western ideas, modes of thought and methods do not function as it seems that they logically should. Mortars and bombs do speak a universal language; but they may ultimately lead to the unthinkable conclusions of a nuclear war.

The only sane way out is diplomatic, international, political, economic—not military. A solution will not be found by exchanging harder and harder blows. Surrender is out of the question and "victory" for either side is impossible.

Perhaps a new start can be made from an untried base—that Americans, Vietnamese, Chinese, and Russians are all sensible human beings who are ready for peace in southeast Asia, or at least willing to consider it. There would be prices to pay, but there would be gains as well as losses. Diplomacy is surely not yet a lost art or a dead language.

[From the New York Times]

BLACK DAY IN VIETNAM

The slugging match in Vietnam continues; the war escalates; the danger grows; the goal of peace recedes. Just in 1 day—yesterday—many Americans were killed when an enlisted men's barracks was blown up by Vietcong terrorists, while in the north, in a pitched battle that began on Monday, Vietcong guerrillas wiped out five companies of South Vietnamese troops. Everybody concerned is braced for Washington's response, in accordance with the new policy of reprisals.

There is a frightening "normality" about the situation. Events are occurring with the inexorability of a Greek tragedy. President de Gaulle, who yesterday returned to his suggestion of another Geneva Conference and a negotiated settlement, was right in saying that the war cannot be won no matter how much air and naval power the United States commits or what reprisals China may take. It cannot be won by any outsider, American or Chinese.

Washington evidently hopes that if North Vietnam is threatened enough or punished enough it will agree to a truce, Korean style; and then the United States will be in a position to negotiate peace or a controlled neutralization from a position of strength. The greatest weakness of this reprisal policy against North Vietnam is that while it is true the Vietcong gets orders, advice, some arms and some men from North Vietnam, the war is being fought in South Vietnam. That is where American lives were lost yesterday and where American-trained and armed Vietnamese soldiers were defeated.

The Vietcong live and operate in South Vietnam, using American arms captured from the Vietnamese. The peasants either help them, or accept them, or are cowed into submission by them. The guerrillas, as Vietminh against the French a few years ago, or as Vietcong today, have been fighting for two decades. They are tough, dedicated, fanatical, well trained. Perhaps they are not winning, but certainly they are not losing. Meanwhile, each day that passes gives further evidence of the relentless escalation of the conflict.

This is what gives special point to President de Gaulle's renewed suggestion to recall the 14-nation Geneva Conference to seek an "international accord excluding all foreign intervention" in southeast Asia. The key factor in the De Gaulle proposal—and the main stumbling block for the United States—is that no conference and no settlement is possible in that region without the participation of Communist China. Whether we like it or not—and we do not like it—Communist China is an interested party; and the United States knows of course that North Vietnam cannot be bombed as if Communist China did not exist.

There may still be a choice: talk or fight. If everybody waits too long, the chance to talk will be gone.

[From the New York Times]

GREATNESS BY RETRAINT

Escalation of the war in Vietnam, such as took place last week, has led the United States to the entrance of a one-way street. If followed to the bitter end, this road could lead to a major war involving Communist China and probably the Soviet Union. But there is still time to stop.

A great power can demonstrate its greatness by its restraint. The United States has the air and naval power to destroy everything of importance in North Vietnam; but this country would show itself to be far wiser and far stronger by refraining from doing so than by pursuing a policy of repetitive retaliation, which is at once so seductive and so dangerous. Despite the administration's oft-restated desire "to avoid spreading the conflict," this present policy of reprisals is inexorably carrying the United States into a major armed struggle in southeast Asia—unless a halt is called, and soon.

When President Johnson ordered last Sunday's retaliatory strike after the Vietcong attack on Pleiku, there was understanding and support for his action. Yet it was recognized that the two actions—the assault on a U.S. military installation in South Vietnam and the American decision to respond by striking at staging areas in North Vietnam—vastly increased the perils to world peace that have always been inherent in the Vietnamese conflict.

Now each side feels obliged to match a show of power by the other with an even greater response—a course that can only invite holocaust. For the United States the problem is made severer by the impossibility of striking effectively at the Vietcong without carrying the war into North Vietnam and thus intensifying the pressure on Peiping and Moscow to become actively involved.

President Johnson is up against his greatest foreign policy test. Surely he knows that the complex problems of Vietnam and southeast Asia cannot be settled by arms alone. An infinity of social, political, economic, religious, tribal, nationalistic, historic and traditional factors are at work in Vietnam. This country can best demonstrate its wisdom and responsibility by keeping its powder dry and meanwhile trying patience, diplomacy and negotiation.

History, good intentions and a concatenation of events have led the United States into a morass where we sink deeper each day. The Vietnamese conflict should not be almost exclusively a U.S. burden. The Russians have good reasons to want peace in Vietnam. The French want to bring about an international conference. So does United Nations Secretary General Thant. The Chinese would probably refuse to attend one or even to compromise; but nobody will know unless a conference is tried.

What the United States is now doing in Vietnam is playing directly into the hands of Communist China by taking actions that—however defensive in intent—lead to a steadily escalating, and hence more dangerous, conflict. This, surely, is the last thing in the world that the Johnson administration and the American people want. Therefore something else should be tried, and this something has to be negotiation with all parties concerned.

The United States has made its point very forcefully with bombs during the last week. Its power is indisputable. In the light of the strength this country has shown, it can now offer to continue the argument over a conference table where its power will be undiminished. But the outcome might then be peace instead of war.

[From the New York Times]

THE PRESIDENT ON VIETNAM

If the United States has a policy in South Vietnam, its outlines do not emerge with any clarity from the statement President Johnson appended to his speech before the National Industrial Conference Board yesterday.

The President reiterates that this country wants no wider war, yet his statement surrenders all initiative to the Vietcong and their external allies. "Our continuing actions will be those that are justified and made necessary by the continuing aggression of others," Mr. Johnson says. He stresses that the United States seeks no conquest and that its sole aim is to "join in the defense and protection of the freedom of a brave people."

All this is admirable as a reaffirmation of the consistent American position on the Vietnamese conflict, but it provides no answer to two factors that have emerged with overwhelming force in recent weeks. One is that the South Vietnamese, ruled by a succession of fragile governments under the domination of bickering warlords, are showing little appetite for doing any fighting in their own defense or even for helping to guard our troops against sneak attack. The second is that the nature of the Vietcong guerrilla tactics makes it almost impossible to hit back at the Communist forces without carrying the attack into North Vietnam and thus creating the wider war the President wants to avoid.

Each northward strike enlarges the peril of active intervention by Communist China and increases the pressure on Soviet Russia to abandon the withdrawn position it so plainly prefers. What is still lacking in the President's formulation is any hint of the circumstances under which a negotiated settlement, of the type proposed by Secretary General Thant of the United Nations, might be approached. Without such a move, the potentiality of a vastly expanded war increases each day.

[From the New York Times]

THE WAR HAWKS

A comparatively small group of Americans, at this moment predominantly political in character and predominantly Republican in politics, is doing its best to multiply the perils and frustrations of the war in southeast Asia.

This group ignores the realities of the present situation. It ignores the obvious war-weariness of the people of South Vietnam. It ignores the steady stream of desertions from the Vietnamese Army. It ignores the difficulty of protecting isolated American bases against the surprise attacks of guerrillas.

It ignores the possibility of an invasion of South Vietnam by the very considerable North Vietnamese Army. It ignores the problem of how an aerial counterattack could cope successfully with a massive ground attack of this character. It ignores the possibility of Chinese intervention. It ignores the logistics and belittles the cost in lives lost, blood spilled and treasure wasted, of fighting a war on a jungle front 7,000 miles from the coast of California.

The whole aim of this group is to expand the Vietnamese war, even if it means drawing in China and perhaps the Soviet Union as well. By its lights, President Johnson's declaration that the United States seeks no wider war is as much a prescription for failure as any attempt at a negotiated peace. It is one thing to say, as Secretary McNamara did in his testimony yesterday, that this country has "no other alternative than continuing to support South Vietnam against the Red guerrilla onslaught." It is quite another to argue that the road out of the present hazardous situation is to invite world destruction. The American people made it overwhelmingly clear in the last election that they do not want to plunge recklessly down that road.

[From the New York Times]

NEGOTIATE OR ESCALATE

It is time for someone in Washington to remember John F. Kennedy's words in his inaugural address: "Let us never negotiate out of fear. But let us never fear to negotiate."

The pressures on this country to seek a negotiated settlement of the Vietnamese conflict are approaching a point where the United States is being isolated. In recent days Russia has joined France in appealing for talks; the British would like to see negotiations started; the news from North Vietnam hints at a desire to confer; India had previously expressed the same wish, and yesterday Secretary General Thant of the United Nations disclosed that he has been engaged in discussions with the United States and other involved nations and has made "concrete proposals" for a negotiated settlement.

Washington, to be sure, is not quite alone. Communist China has been adamant against negotiations and it is quite possible that Peiping will refuse to talk. However, Mr. Thant, President de Gaulle and the Russians believe that China can be induced to join a reconvened meeting of the 14-nation Geneva conference.

Yesterday it was announced that American jet bombers, with Americans manning the weapons as well as the controls, are now fighting in Vietnam. Their involvement makes Americans open combatants in the war, not just "advisers"; thus the conflict has again been escalated. Correspondents in Washington are being informed that United States policy now permits attacks on North Vietnam even without further provocations. The point of no return on a wider war may be at hand.

A State Department spokesman goes on repeating that the United States will reject negotiations so long as Hanoi supports the Vietcong guerrillas; Peiping says it will not talk until all American troops are out of Vietnam. Both preconditions are utterly unrealistic. One of the fundamental reasons for negotiations is precisely to arrange for a cease-fire and nonintervention.

Unquestionably, President Johnson worries about the effect on South Vietnamese morale of any move toward negotiations, but the recent upheavals in Saigon have indicated that the will to resist the Vietcong, even among the commanders of the armed forces, is already near the vanishing point.

Time is working against the United States. Secretary Thant is right in saying that the situation is going "from bad to worse." The notion that to negotiate would be a defeat for the United States has become one of the most pernicious misapprehensions of the conflict. The United States is amply proving its military strength and its determination to stay in South Vietnam in present circumstances. An agreement to negotiate surrenders nothing; it opens up the possibility for determining whether the goals of effective neutralization now being sought militarily can be achieved at the conference table.

The most significant thing that Secretary Thant said yesterday was this: "I am sure that the great American people, if it only knows the true facts, will agree with me that further bloodshed is unnecessary and that political and diplomatic negotiations alone can create conditions that will enable the United States to withdraw gracefully from that part of the world."

President Johnson is the man to whom the American people look for the true facts.

[From the New York Times]

India Urges Conference on Vietnam

New Delhi, February 8.—India's External Affairs Ministry called today for a Geneva-type conference for Vietnam and said it was "essential for a peaceful and enduring solution to the problem."

Shortly after this statement was issued, Prime Minister Lal Bahadur Shastri said he was writing to President Johnson and Premier Aleksei N. Kosygin of the Soviet Union to urge that they meet as soon as possible to insure that peace is not disturbed in southeast Asia.

Mr. Shastri spoke upon emerging from two almost consecutive half-hour meetings with Premier Georges Pompidou of France, who arrived today with his wife and Foreign Minister Maurice Couve de Murville on an 8-day official visit to India. Mr. Pompidou observed that he was glad to say he had found the positions of the French and Indian Governments on Vietnam "very close."

The External Affairs Ministry's statement said, "There should be an immediate suspension of all provocative action in South Vietnam as well as in North Vietnam by all sides."

India is chairman of all three international control commissions set up in Geneva at the seven-power conference of 1954 to maintain peace in Vietnam, Laos, and Cambodia. Although not a participant in that conference, India was invited to head the control commissions.

[From the New York Times]

United Nations: The Frustrations of the U.N.

(By James Reston)

United Nations, N.Y., February 18.—The weakness of the United Nations was never more obvious than in its present paralysis over the Vietnamese crisis. It could not hope to settle that conflict, for it was never organized to deal with the disputes among the great powers, but at least it was organized to talk, and it is not even talking about Vietnam.

The excuses for not talking about it are clear enough. Three of the four major antagonists in Vietnam—Communist China, North Vietnam, and South Vietnam—are not members of the international organization.

The Communists regard the Vietnamese struggle as an internal war of national liberation, and therefore deny the competence of the U.N. to deal with it. The Soviet Union would veto any action on the question by the Security Council, and the General Assembly is now so dominated by the new nations of Asia and Africa that even the Johnson administration is not sure it would be supported in that body.

SECURITY AND MONEY

Beyond all that, U.N. officials are so worried about the security problems that would arise in New York if the Chinese Communists were to come here to discuss the Vietnamese question that they are not eager to get into the controversy. And they are so concerned about the financial bankruptcy of the U.N. that they are talking more about money and voting than they are about their principal responsibility, which is the maintenance of peace.

Nevertheless, there are at least three arguments for having a U.N. debate on the subject of Vietnam or any other threat to the peace. First, the principles and spirit of the U.N. Charter require it. Second, the U.N. will be weakened even more than it now is if it ignores Vietnam. And third, a U.N. debate might have a restraining effect on the military operations in Vietnam and would probably end with a resolution that would put pressure on both sides to negotiate an honorable settlement.

What is going on now over Vietnam is an increasingly dangerous military struggle amidst a tangle of verbal obscurities and misleading propaganda.

The Communists are engaged there in what they call a "war of national liberation," which any careful debate in the U.N. would expose as nothing more than an international war for Communist domination of the whole country and peninsula.

Washington is also playing the obscurantist game. The President says he "wants no wider war," but widens it anyway by bombing North Vietnam. These bombing raids, however, are not usually described as "bombings" or as "raids," but as "responses."

HYPOCRISY UNLIMITED

At least a debate in the U.N. would expose this hypocrisy on all sides, including the hypocrisy of our allies, who are treaty-bound to help us in South Vietnam, but are doing nothing of the sort. And while a debate would cause us some embarrassment in the U.N., it would surely make clear the central fact—namely, that Washington went into that country originally to prevent the Communists from overpowering the South Vietnamese in violation of specific international agreements.

The United Nations is in a sad plight. It is broke, but it need not be bankrupt in spirit. More than likely it is not going to be able to take effective military action in the future to oppose aggression, as it did in the Congo.

All it has left, therefore, is the power to talk and clarify, to appeal to the conscience of the peoples, and if it is going to give up this responsibility it will have little or nothing left in the field of international politics.

The Secretary General of the United Nations has tried to get the antagonists in Vietnam into negotiations, but both he and the Pope have been brushed aside—even in Washington.

The main reason for the weakness of the U.N. today, of course, is that its principles have constantly been violated by the Communist nations ever since it was founded 20 years ago. Washington, however, also has to take a part of the blame.

BLOC VOTING

For it was the United States that started the practice of bloc voting in the organization. Now the Communists have taken it up, and with all the new nations from Africa and Asia, they have a bloc that threatens to overwhelm, not only the American bloc, but the principles of the charter as well.

The U.N. cannot be revived, however, by silence and capitulation. It has to speak out for its principles in the Vietnamese crisis, even if it cannot make them prevail.

[From the St. Louis Post-Dispatch]

Illusions and False Analogies

Assuming that there is still time to think about Vietnam—that the deadly cycle of military escalation is not yet irreversible—Americans should examine the validity of the official rationale for the reprisal bombings of North Vietnam.

The rationale is that attacks on South Vietnamese and American bases are planned, armed and supplied predominantly from the north, and that the attacks will stop if we hit the north hard enough. The fatal flaw in this theory is that the major portion of the weapons used by the Vietcong are American weapons, captured and turned against us. While supplies from the north undoubtedly help the Vietcong, there is little basis for supposing that they are indispensable, or that the Vietcong would fade away if supply lines could be cut—even if the lines could be cut by air action alone, which is most improbable.

Should it not be clear by now that we are not dealing with a simple case of external aggression, as the official policy of our Government assumes? If after 10 years of steadily increasing American aid the South Vietnamese Government is weaker than it was before, then something other than externally supported subversion must be involved.

All the evidence points to a high degree of local sympathy or outright support for the Vietcong as a major element in its success. The bombing of North Vietnam does not touch this source of conflict and probably strengthens it.

The false assumption of external aggression as the essential element in the situation is strategic as well as tactical. It is one of the major reasons our forces are in Vietnam.

Apologists for official policy are fond of quoting Churchill's warning after the partition of Czechoslovakia in 1938—"The belief that security can be obtained by throwing a small state to the wolves is a fatal delusion."

Czechoslovakia, however, was a victim of direct external aggression. What we face in Vietnam is the quite different problem of an indigenous revolution, 25 years in the making, which has succeeded in ending French colonialism and withstanding 10 years of American intervention.

In such a situation even our great military strength does not give us power to decide, by a simple decision to fight, that a small state shall be "saved." It is one thing to go to the aid of a nation under overt attack, and another to interfere in a local revolution, in which the essential element is not external aid but the people themselves. Only they can "win the war," and after 10 years of not winning, South Vietnam's will and capacity to do so must now be doubted.

Some Americans, of course, believe that it is our national mission to police the world, particularly to police it against revolution. That belief, in our view, is as immature as isolationism was, and indeed may well be an over-reaction to isolationism.

The United States tried to turn its back on the world, and failed; participation in the Second World War established firmly the commonsense proposition that for America involvement in international affairs is unavoidable. But what is involvement? Some Americans evidently swung so far from their isolationist past that they regard involvement as deciding everything for everybody, and particularly deciding the nature and scope of social revolution anywhere. A role in world leadership certainly is the American mission, but we need a more sensible view of what world leadership really is.

The truth is that Vietnam does not present a simple case of external aggression, direct or indirect, and a policy based on that false assumption is bound to fail, as ours has failed for 10 years. No matter how strenuously we may justify the bombing of North Vietnam to ourselves, and no matter how well it might be defended as pure reprisal or revenge, the fact remains that there is no military solution to the problem so far as the United States is concerned.

If we step up our attacks and the degree of our involvement, and even if we do not provoke Chinese or Russian intervention, all we can really expect is to take over the whole war from the South Vietnamese—in other words, to occupy and govern South Vietnam indefinitely.

What would such an occupation gain for us? It would not serve our true national interests, it would poison our relations with half the world, and it would hamper our freedom of maneuver in more important areas of conflict.

Our Vietnam policy is at a dead end. Our interests can now be served only by a political rather than a military solution, one that will enable us ultimately to end a profitless involvement in a profitless Asian land war. Unless President Johnson is seeking a political solution, he is not only risking nuclear war but basing national policy on dangerous illusions.

[From the New York Times]

Washington: The Undeclared and Unexplained War

(By James Reston)

Washington, February 13.—The time has come to call a spade a bloody shovel. This country is in an undeclared and unexplained war in Vietnam. Our masters have a lot of long and fancy names for it, like escalation and retaliation, but it is war just the same.

The cause of the war is plain enough. The North Vietnamese Communists, with the aid of Red China and to a lesser extent the Soviet Union, have sent their guerillas into South Vietnam in violation of the 1954 and 1962 Geneva agreements, for the express purpose of taking over the government and territory of South Vietnam.

AMERICA'S RESPONSE

The course of the war is equally plain. We were getting licked in South Vietnam. The Communists were steadily defeating the South Vietnamese armed forces, terrorizing a war-weary and indifferent population, and taking advantage of a divided and quarrelsome South Vietnamese Government.

More than that, the Communists were stepping up their attacks on the bases and barracks which serve the 23,000 American troops in South Vietnam, and it was in response to this that President Johnson ordered the bombing attacks on the Communist military installations in the south of North Vietnamese territory.

Very few people here question the necessity for a limited expansion of the war by U.S. bombers into Communist territory. The American and South Vietnamese position was crumbling fast, and the political and strategic consequences of defeat would have been serious for the free world all over Asia.

There is a point, however, where this exercise will become critical. As the military targets in the southern part of Communist Vietnam are knocked out, and our bombers move northward, they will soon come within the range of the North Vietnamese and Red Chinese Mig fighters, and if we get into that situation, the pressure for attacks on the air bases in North Vietnam and South China will steeply increase.

The immediate problem, therefore, is how to put enough pressure on the North Vietnamese to bring them into negotiations for a settlement of the war, without provoking a mass Communist counterattack we are in no position to meet.

This is a delicate and highly dangerous situation. The United States has the air and naval power to wipe out North Vietnam and the Chinese Air Force, if it comes into the battle. But the North Vietnamese have a quarter of a million men under arms who have never been committed to the battle at all, and few observers in Washington believe this force could be stopped without the intervention of a very large American army on the ground.

THE SILENT WHITE HOUSE

Nobody has made all this clear to the American people. President Johnson has not made a major speech on the details of this war since he entered the White House. Neither did President Kennedy. We have had one long speech on the subject by Secretary of Defense McNamara on March 26 of last year, and a lot of statements here and in Saigon, many of them highly optimistic and misleading. But the fact is that we are in a war that is not only undeclared and unexplained, but that has not even been widely debated in the Congress or the country.

The whole history of this century testifies to the difficulty of predicting the consequences of war. We imposed a policy of unconditional surrender on the Kaiser only to find that the two greater menaces of Communism and Nazism took his place. One of the main objectives of the two World Wars was the freedom of Eastern Europe, which ended up with less freedom under the Communists than it had before.

LIMITING THE WAR

Few people here question that President Johnson wants to limit the war in Vietnam and avoid a ground war on the continent of Asia, but the future is not wholly in his control. He may be bombing merely to force a negotiated settlement, but the Chinese and the North Vietnamese don't know that. In fact neither do the American people, whose airmen are carrying out the President's orders.

Nor, for that matter, do the allies, who are treaty-bound to support us if we get into a larger war in southeast Asia. They will undoubtedly support a policy of limited retaliation in North Vietnam if it is for the purpose of negotiating a settlement, but they will not support us for long unless we define and limit our aims.

The implications of this war, then, extend far beyond Vietnam. President Johnson's hopes of building a strong alliance with Japan and the other free nations of Asia are not likely to be promoted by replaying the old script of American planes once more bombing Asians.

He has started on a massive program of reconstruction and development at home, but he can forget about his Great Society if he gets bogged down in a major land war in Asia on territory favorable to the enemy. Freedom expands in peace and authoritarian government in war, and this is precisely the danger now, for the Communists have the manpower to cause us an almost unmanageable situation not only in Vietnam but in Korea, and force us into a war that could divert our energies from the larger constructive purposes of the Nation.

In this situation it is difficult to understand why the problem is not discussed more openly by the President, why the terms of an honorable settlement are not defined, and why the negotiating efforts of the Secretary General of the United Nations and other world statesmen are so blithely brushed aside.

It is true that the instability, weakness and sensitivities of the South Vietnamese Government have to be kept in mind, but nobody is suggesting a sellout at their expense. The talk here is not about a Munich agreement but a Korean agreement in which South Vietnam, like South Korea, would be in a better position to order its own life.

This would not be ideal, but it would be better for the South Vietnamese and for the United States than what we have now, and it would be better for North Vietnam and China than a larger war.

CHINA'S DANGER

For if this dangerous game gets out of hand, it is not likely that China's new industries, including her atomic installations at Taklamakan Desert in Central Sinkiang, will be spared. What her manpower can grab beyond her borders would be worth far less than what she would lose at home.

Somebody, however, has to make a move to reverse the trend and stop the present crooked course. For the moment, we seem to be standing mute in Washington, paralyzed before a great issue, and merely digging our thought deeper into the accustomed military rut.

Syracuse, N.Y.

Dear Senator Morse: I send you this letter to indicate my appreciation of your article in the January 17 issue of the New York Times magazine, and my support of your demands for negotiations in the Vietnam conflict. My opinion that victory is impossible in Vietnam, and that the United States has no right to sponsor mindless fratricide there is shared by many of my professors and fellow students here at Syracuse University. Please continue to protest current U.S. policy, and persist in your demands for negotiations.

Yours truly,

Miss Dale Brabant.

Cleveland, Ohio.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: You have restored again my faith in democracy. Enclosed is a copy of my letter to the President in support of your position on South Vietnam.

Sincerely yours,

R. Didchenko.

Cleveland, Ohio.

Mr. Lyndon B. Johnson,
President of the United States,
White House, Washington, D.C.

Mr. President: I take it upon myself, as a concerned citizen and your supporter, to urge you that you heed the warnings of Senator Morse and others regarding our policies in South Vietnam.

The honor of a great nation does not require from her leaders to sacrifice the lives of her people rather than admit a past mistake in policy. Our involvement in South Vietnam was a mistake. Let us have wisdom and courage to admit it.

Respectfully yours,

R. Didchenko, Ph. D.

Medford, Oreg.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: For several months I have been intending to write and thank you for your stand on one great, current issue—our involvement in Vietnam. I thank you. I admire you for your suggestion that we submit the issue to the United Nations. I want to add my bit of support for your efforts.

Of course, I have excuses for not writing you before this. But they are not good excuses. With the current escalation of our military actions in Vietnam and the ever-increasing visibility of our Government's untruthful news releases and stubborn persistence in the same shameful rut, I could no longer delay writing you without violating my conscience further.

I wish sincerely that the current administration would struggle to come up with as visionary ideas for our responsibilities to the poverty stricken and politically repressed people of Vietnam and other nations as they have for such people in our own country.

As long as I have pen in hand I do want to relate another somewhat narrower but, I believe, important concern. That is the VA intention to close a number of their hospital and domiciliaries including the nearby one at White City. If one grants the VA's apparently clear assumption that their responsibility is only for acute medical treatment for veterans it is difficult to refute the logic of their action. Even if one agrees with that assumption, however, I think that one could argue that building new and larger hospitals in the big cities in conjunction with medical schools sometimes results in admissions being based on what do we want to teach the medical student next, rather than on what medical services do the veterans need. In any event I see reasons to argue with their basic assumptions. To point out only one—the domiciliaries were set up as homes, not as hospitals. They were set up to meet a social need of disabled and underprivileged veterans. The Great Society has not yet arrived—there are inadequate economic and social supports for these veterans and the domiciliaries are still providing an essential service to this segment of our poverty stricken society. Whether or not hospitals are associated with these domiciliaries is therefore beside the point.

If the VA is bound and determined to get out of the homes service, I would at least hope that Congress would pressure them to phase out the domiciliaries over a period of time—so that individual planning for the provision of alternative services could be provided for some of these veterans—rather than shipping them en masse from their own communities to distant parts of the country.

Yours truly,

Robert R. Gohrke.

Princeton, N.J.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: I wish to commend your opposition to our policy in Vietnam. It takes a great deal of courage to stand against such emotion-laden policies. You have my admiration and unqualified support in your efforts to do so.

The basic trouble in our foreign policy is that it is a holding action designed to preserve the world status quo. But the status quo is an abominable mess. We need a positive policy aimed at accelerating political, economic, and social reforms.

If you will excuse me for departing from the realm of the practical, for my own satisfaction I would like to suggest that the basic planks in our foreign policy should be the following:

1. A massive worldwide program for birth control.

2. The establishment or improvement of public health programs. Most people live at the mercy of disease.

3. A program of agricultural reform and industrial expansion, backed by the kind of money we put into war.

4. The development of education on a worldwide basis. Only in education can we hope to improve men's thinking.

5. Forceful support of movements to establish social justice, which we too often oppose.

6. The encouragement of democratic institutions. Only on this point is even our thinking straight. But I do not think we do much to implement it.

Sincerely yours,

John C. Bowen.

Elsinore, Calif.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Please permit me to tell you that my family and I fully support your stand on Vietnam.

No good, decent person wants the escalation of this useless terrible war. It can only end in a holocaust for the world and what will remain will not be democracy, therefore it must be stopped now.

Wishing you good health and happiness and thank you for your fine leadership.

Respectfully yours,

Mrs. Nina Hammer.

Dear Sir: In light of the recent events in Vietnam, the Swarthmore Student Council presented the enclosed resolution to referendum to the Swarthmore student body on February 18, 1965. The resolution passed by a vote of 370 to 255, with about 60 percent of the student body voting.

Sincerely yours,

Ann B. Mosely,
President, Swarthmore Student Council.

Resolution on Vietnam

On the basis of publicly available information concerning the situation in Vietnam, we believe that with each passing week, the situation there poses an increasing threat to world peace. We view with great fear any new military action which would further heighten the danger of escalating the conflict. For this reason we strongly protest the recent air strikes against North Vietnam. Further, we believe that:

1. U.S. attacks on North Vietnam not only violate international law but also increase the possibility of Chinese intervention in the undeclared war.

2. U.S. support of the Khanh regime in South Vietnam is unwarranted on our Government's stated grounds of support for freedom and democracy. It is apparent to all that the Khanh regime lacks the backing of the South Vietnamese people.

3. Military tactics used by the United States in South Vietnam such as defoliation (which destroys crops as well as revealing guerrilla hideouts) and strategic hamlets (which involve the forced eviction of families from their villages) have not been effective and are deplorable on humanitarian grounds.

4. Our Government has failed in its duty to supply the American people with full information on its policies and actions in Vietnam.

We conclude that the use of brinkmanship policies in the grave situation in Vietnam could escalate the war from an internal conflict to a broader struggle. We therefore support a negotiated peace settlement and withdrawal of American military forces from South Vietnam.

North Bend, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Get us out of Vietnam. Let's not worry about dignity—just get out.

We never should have been there, and it won't hurt us as a nation, to admit a mistake.

With your position in the Senate, your knowledge, and your following, you should be able to throw a lot of weight around.

Sincerely yours,

Roscoe B. Hazer.

San Diego, Calif.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: May I express my appreciation for your position regarding our country's illegal and dangerous intervention in Vietnam? Your Denver speech was a masterpiece of logic and intelligent patriotism. Most people seem to be either confused or to feel that it is useless for a citizen to voice an opinion that is contrary to Government policy.

I heard part of a quotation from your remarks regarding our recent bombing of North Vietnam on the radio during the night, but it was never repeated, and I have been unable to find any mention of it in the daily press.

I would appreciate receiving any of your speeches or remarks since your Denver address on December 11, 1964. If possible, I would like to receive any of your future remarks on the above subject without making a separate request on each occasion.

Yours very truly,

Mark Fisher.

Cambridge, Mass.

Dear Senator Morse: I am so appalled at the undoubted signs our Government has chosen war. Is there nothing to be done? Who is advising the President in such a disastrous course?

I have just read a dreadful article by Hanson Baldwin which I feel is the Government point of view, in the Sunday Times, which must be answered point by point. I do hope you will do this.

I am so grateful to you and the other Senators—Gruening, Church, and so on—for your positions on this dangerous situation.

It would be possibly of great importance for you all to answer Hanson Baldwin's shocking article.

Very gratefully,

Phyllis Byrne Cox.

St. Helens, Oreg.

Dear Senator: Please use your influence and vote to get a social security medicare bill.

We would like repeal of section 14B, Taft-Hartley Act.

We like your stand on the Vietnamese question.

Keep up the good work.

Sincerely yours,

Mr. and Mrs. Carl Kohlstrand.

New York, N.Y.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Deep gratitude to you for standing firm for negotiations. Keep up the fight.

Elizabeth Moos.

BANDON, OREG.

Hon. WAYNE B. MORSE,
Senator from Oregon,
Senate Office Building,
Washington, D.C.

DEAR MR. MORSE: This is to let you know the thoughts and wishes of Mrs. Burris and myself relative to the handling of this country's foreign affairs.

We agree with you that the United States should get out of South Vietnam at once and quit this foolish waste of American lives and resources. France saw the futility of the situation and wisely went home. Such a withdrawal at this time would not mean defeat but if we continue on our present course it can lead only to total war on the Chinese mainland.

We also heartily agree with Dan Smoot that we should abandon Africa completely and withdraw all forms of aid from countries that don't want or don't appreciate it. This country has been dissipating its resources all over the world for many years, surely to the delight of the Communists, while our national debt continues to grow out of control. It is not enough to simply balance the budget, which this country has not done for a long time. It is mandatory that we start to reduce the national debt at once. If we are unable to do so now, when the President reports our national economy is at an all-time high, then we had better give up. We cannot spend our way into prosperity at home, or in city, State or Federal governments.

It is our hope that you use your full power toward getting this country out of all its foolish commitments around the world. Let us discontinue all of our silly giveaway programs and adopt a get-tough policy. Conserve our resources, strengthen our country and reduce our national debt, and all countries will have to respect us. There is no reason why we should be openly insulted and scorned by such petty nations as Cuba, Panama, Africa, and others too numerous to mention, while we continue to pour more money into those same countries than they ever saw. We should take every penny away from them and see how much the Communists want them then. Then get us out of the United Nations. We are footing practically the entire bill and it is unable to accomplish a thing. Their intentions were of the best but they just won't work.

We thank you for the fine stand you are taking in these matters, and also for your kindness in looking out for the welfare of retired Federal civil service employees. May we be fortunate in having you as our Senator for many years.

Respectfully yours,
HAROLD T. BURRIS.

PORTLAND, OREG.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: In reference to the Vietnam situation, I would appreciate it if I could be advised on what particular legislation the President is carrying on the so-called housekeeping operations in South Vietnam. I am particularly interested in the matter since the Constitution of the United States declares that Congress has the responsibility of declaring war. Is there any particular legislation which has delegated this responsibility to the President under certain conditions of limited warfare. It is a distressing situation. Our failure to adhere to our own Constitution and also fundamental principles of international law is keeping us in a state of turmoil. I would like more enlightenment on the subject.

Sincerely,
DONALD C. WALKER.

Senator WAYNE MORSE.

DEAR SIR: This letter that I am writing may not do much good, for perhaps I am one in a million that would attempt to write their opinion of the things that are prevailing today which are very wrong, and to my way of thinking, could be curtailed if the heads of our Government would really try to solve these problems now. They say what they will do, but I fail to see action. Perhaps the medicare will not go through for some time, maybe never, but if they would increase the lower bracket social security, people then could perhaps afford their own medical aid. But, how could I as one of many situated the same as I, and I am widowed with $85 coming in a month. Impossible to do anything with that amount, and this excise tax was to be taken off too—I fail to see that in effect. I think it wrong that social security people should have to pay it. Many people think as I do and I think you will approve too, that Robert S. McNamara, Secretary of Defense said, and I quote—that: "The Vietnam crisis is grave, but by no means hopeless," and expressed doubt the Chinese would step in with a major attack. It's obvious they would. I think he should be removed and many more think the same for if he is left in charge we will surely be involved. We're sitting on a bomb right now, and I don't think the people realize the grave situation we are in. I have a son that was in the World War and a Pearl Harbor survivor, and I have four grandsons and I'm certainly sure I wouldn't like to see them and many more of our young men involved in another war. So I think they had better get busy and down to earth with some way of solving this serious situation that is hanging over us. I know you have great influence and on these people the masses of people are surely depending for peace and prosperity and to help our own people first.

Sincerely,
MRS. BEATRICE GERRANS.

BEAVERTON, OREG.

Hon. WAYNE MORRIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This letter is written to let you know what my opinions and feelings are concerning some of the matters which are before Congress at the present time.

First, may I say that I'm in agreement with you in regards to the Vietnam problem.

Second, my opinion on Federal aid to schools; well and good if confined to public schools. Private schools and institutions receive enough aid as it is by being tax exempt in many ways. As a church member I believe their business property, investments, and holdings should be taxed. If people think enough of their churches they will support them. Let church and state remain separated as our wise forefathers intended.

Third, that of foreign aid: It seems to me that a lot of our money has been wasted on those countries that show no appreciation. Why keep trying to buy friendship and respect? We've given away billions—in return for what? Those countries that received most—Egypt, France, etc.—where's the appreciation? They speak for themselves—"Go jump in the ocean," and even now France wants our gold, why can't she apply some of those dollars she has to repay our loan. Yet we still believe that we can buy friendship? Let us cut down on foreign aid and use some of that money in our own country and loan only to those countries that appreciate our aid like little Finland. Please tell Congress to use discretion with our (tax) dollars.

Thank you for listening.

Yours truly,
N. C. THOMPSON.

EUGENE, OREG.

DEAR SENATOR MORSE: I am a Reed College graduate (1961) and a graduate student at the School of Music at the University of Oregon. You have my constant support and affection for your work in the Senate. I consider your stand on Vietnam a really courageous act. Is there any chance we can get out of there?

I feel so terribly uninformed about Vietnam—where can I find out what is really going on?

With respect,
JON APPLETON.

NEW YORK, N.Y.

Senator WAYNE MORSE,
Senate of the United States
Washington, D.C.

DEAR SENATOR MORSE: This is just a short note to voice my admiration of your long and hard battle against our involvement in South Vietnam. Developments in that area of the world certainly point to the correctness of your views. I hope you will continue your fight for reason—particularly for the involvement of the U.N.—in the Vietnam problem.

Sincerely yours,
WILLIAM WOLPERT.

LANDENBERG, PA.

DEAR SENATOR MORSE: This is just to let you know that I am fully in agreement with your opposition to our further involvement in Vietnam.

Why not let the U.N. give it a try as U Thant has suggested?

Sincerely yours,
V. WEINMAYR.

OLMSTEAD FALLS, OHIO.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: I heard over the radio the talk you gave at the City Club in Cleveland, Friday, February 19.

We thought your talk an excellent one and wished every city in our country could have heard the talk and the questions after your speech which you answered very well.

If the people of our country could hear the truth about Vietnam as you gave it in your talk to the City Club, the administration's actions in Vietnam would be ended soon; immediately.

I would like to have a copy of this talk. If you have many copies, please send me several. We can get it reproduced in Cleveland and distribute several hundred copies.

Thank you very much for giving the truth to the American people.

Sincerely yours,
MRS. VIVIAN WILSON.

NEW YORK, N.Y.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: As I read Hanson Baldwin's article in the New York Times Magazine section yesterday, I became filled with terror. Can our country be so arrogant, so reckless as to risk total war over Vietnam, an area in which we have no business entrenching ourselves, and where we are hated by the overwhelming majority of the people?

I applaud your courage in speaking out, almost alone in the Senate, and I want you to know that many people are behind you.

Sincerely yours,
MRS. CLAUDIA ZASLAVSKY.

OAKLAND, N.J.

DEAR SENATOR MORSE: I support you 100 percent in your opposition to our presence in Vietnam. Please keep up the good work.

Sincerely yours,

NELLE K. MORAN.

PHILADELPHIA, PA.

Senator WAYNE MORSE.

DEAR SENATOR: You are fighting for all the men in U.S. forces in southeast Asia and for the people there and for us here.

We believe that you will not give up no matter what the administration may do.

Thanking you very truly,

ARTHUR and HELEN BERTHOLF.

VENICE, CALIF.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your courage and integrity in becoming the spokesman for an unpopular view regarding our policy in Vietnam is sincerely appreciated.

We strongly oppose bombing of North Vietnamese supply lines or extending the war in Vietnam.

We urge you to continue to do all in your power to bring about immediate negotiation.

Yours truly,

MRS. MARILYN HORN.

PALO ALTO, CALIF.

Hon. WAYNE MORSE,
Senate Office Building.

DEAR SENATOR MORSE: We commend you on your forthright position in demanding U.S. withdrawal and negotiations in South Vietnam. We have written letters to President Johnson and to our congressional delegation to do likewise.

We need more representatives like you in Congress.

Sincerely,

SARA ALCHERMES.
ERNEST J. ALCHERMES.

SALEM, OREG.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: I am writing in regard to the situation in Vietnam. I understand how you feel in regard to this. Before more pressure builds up to attack the North, vigorous efforts should be made to negotiate an end to the war. The U.N. should have a vital role in this. What South Vietnam needs is an internationally supported program to establish stable government. We all know this, but how to accomplish it is the problem.

Sincerely,

ELLA B. BRADFORD.

NARRAGANSETT, R.I.

DEAR SENATOR MORSE: Keep up the good work re South Vietnam.

FRANK G. WIENER.

SANTA CRUZ, CALIF.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: We are solidly back of your efforts to persuade the U.S. Government to try to negotiate an end to the war in Indochina.

If negotiations should fail, we should not under any circumstances commit a larger land army to the mainland of Asia. In the long run it would be a trap and sure suicide for thousands of our men, if we tried to beat the unlimited manpower of China on the ground.

China entered Korea when she was much weaker, and the present government had been in power only 3 years.

If we invade to the north, I believe China would enter an unlimited number of soldiers to stop us, and her millions could not be stopped.

We are a great sea and air power, and I believe we could hold the Pacific and the islands now in our possession indefinitely. Let's withdraw from the mainland now, while it is possible.

Please continue your efforts.

Yours truly,

GEORGE M. GATES.

CINCINNATI, OHIO.

Hon. WAYNE L. MORSE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: In the last 2 weeks I have sent a pair of wires to President Johnson and a letter to each of the Ohio Senators. In these messages I deplored escalation of the conflict in Vietnam and urged our immediate withdrawal. In any event, I want those who have spoken up for disengagement in Vietnam to know that their views are not without some support among the citizens of Ohio.

If it was not apparent previously, the events of this weekend, which found our South Vietnamese allies turning the weapons we supplied them against each other, surely prove beyond any doubt that defense of South Vietnam is impossible (short of establishing a government of occupation and committing all of our resources). And though loss of South Vietnam would be regrettable, isn't this inevitable in any event? We cannot hope to win a land war in Asia, should China become a participant, and surely not even the administration is prepared to make good upon that eventuality. This means that all of Vietnam must ultimately come under the influence of her powerful neighbor. And deplore this as we must, it is foolhardy to commit our prestige and the lives of our citizens in a quixotic adventure bound to end in failure.

My main concern, however, is not for our prestige. What I fear most immediately is that increasingly reckless actions growing out of a hopeless situation will plunge the world into nuclear war. By our rash attacks of 2 weeks ago we entered upon a course which if continued can only lead to the entrance of China and the Soviet Union, and at last—unless God should intervene—the final world war.

I love my country and I value the peace of the world too much to keep silent at such a time. Nothing, no cause, no principle—certainly nothing so insubstantial as prestige, can ever justify risking the destruction of America in nuclear war. And though tough talk may appeal to some of our countrymen, there will be only curses—and no applause, on that day of doom that brings the bomb to the United States.

The President is playing Russian roulette with American security. I urge you to do everything in your power to end this deadly game, calling for the sane and reasonable conduct of our foreign policy in a very dangerous world.

Most sincerely,

PAUL G. SCHMIDT.

BERKELEY, CALIF.

DEAR SENATOR MORSE: I urge you to work for a peaceful, negotiated settlement in Vietnam and to oppose a continuation or an escalation of this fruitless conflict. We are indeed losing this war, not because of intervention by North Vietnam but because the Vietcong, a basically indigenous movement, has the support of the South Vietnamese people. In a situation which called for political and economic measures, we chose to rely on military force.

The disastrous results of this policy are now obvious. We cannot win this war. Escalation only leads to the prospect of a larger war in Asia with North Vietnam and possibly China; this larger conflict in turn would probably lead to a general nuclear war. The situation demands a peaceful settlement; the American people want a peaceful settlement, not a larger war. Therefore I urge you to continue to speak out and to express your dissatisfaction with our present policy. We must begin negotiations now with all interested parties to work for a peaceful and neutralized Vietnam. There is no alternative to a negotiated settlement except a general war.

Sincerely,

WILLIAM B. CORT.

DEAR SIR: My name is Mrs. Jo Ann Heltsley of 496 Brittain Road, Akron, Ohio.

I was listening to the news this evening and heard a portion of the speech you made concerning the United States and Vietnam. I have heard many speeches concerning Vietnam but you seemed to be just about the only one who feels as I do.

I have a special interest in Vietnam due to losing my husband there.

His name was Pfc. Paul R. Heltsley, III, RA–15675814, the first Akron area serviceman to die in Vietnam. He was killed July 17, 1964, while accompanying a patrol as a medic on a combat mission.

I guess I'll never understand the Vietnam problem. In the telegram I received from the War Department it said he was killed by hostile action while on a combat mission. I also have received many letters from servicemen in Vietnam concerning my husband's death, or should I say murder. Even President Johnson wrote me telling me my husband died while performing duties for his country.

I wrote President Johnson shortly after receiving his letter asking him some questions. As I told him, I have a baby girl who will never know her father. Someday I'm going to have to explain his death to her. How can I possibly explain something I don't understand?

Before my husband's death he wrote many letters concerning Vietnam. How the people wouldn't fight for themselves, how his buddies were getting killed each day, and how he wanted to come home safely.

It seems like all President Johnson can say is, "Be proud of him, as we are, he died for something we as Americans believe in."

I don't feel Johnson or anyone can know how helpless we are in Vietnam until you lose someone there. I'm not only speaking for myself, but for the other American people who have lost sons, husbands, and fathers in this so-called undeclared war.

Before my husband left the United States he told me he would receive hazard-duty pay, also $10,000 insurance in case of death. This proved to be untrue. I guess the Government doesn't feel he was in the danger zone. If this is true I'd like to know why he was in the combat zone. I've also been told that there is no insurance on the men unless the United States declares war.

I can't understand why our men are giving their lives in a war that isn't a war. Maybe someday I'll be able to explain to my daughter the truth about Vietnam, if it's ever brought out in the open. I just wanted you to know that there's an awful lot of good Americans who feel the same way about Vietnam as you do.

May God bless you.

Sincerely,

MRS. JO ANN HELTSLEY.

IDLEYLD PARK, OREG.

WAYNE MORSE,
Oregon State Senator,
Eugene, Oreg.

DEAR SIR: I wish to go on record that I desire a cease fire in Vietnam and a negotiated settlement.

I know what your personal opinion on this matter has always been, and I admire you for speaking out. Some of the rest of us wish to speak out also.

On the radio news this morning I heard this statement made by Senator CHURCH, of Idaho, then the commentator added that much of the mail voicing this opinion would be "Communist inspired."

I wish to state that I am most certainly not "Communist inspired," and I know many people who hold this opinion who are not.

Sincerely,

MRS. HELEN DAVIS.

[From the New York Times]

AN OPEN LETTER TO PRESIDENT JOHNSON ON VIETNAM: LET US TAKE THE INITIATIVE

Each day we hear fresh news from Vietnam, news both strange and grim. We strike by air in reprisal against North Vietnam because our soldiers, sent as armed technicians and advisers to an army which cannot yet guard them well, have been attacked in their barracks in the very heart of South Vietnam. We have widened the war—how wide will it become?

Fear of escalation of this undeclared war against North Vietnam mounts with each sudden report of renewed violence. Unless the situation is very different from what it appears to be, we have lost the political initiative in Vietnam and are attempting to substitute military actions for political ones. We face grave risks in Vietnam. Americans have faced even graver risks for good and high cause, Mr. President, but we must first understand why we must take such risks. What are our goals in Vietnam? Are they just? Can they be accomplished? Are they truly worth what they are bound to cost in dollars and human lives?

With whom are we allied in Vietnam? Are our soldiers fighting side-by-side with troops of a representative and legitimate national government, or are we embroiled in defense of an unpopular minority in a fierce and costly civil war? Our representatives assure us that we and the Saigon government have the overwhelming support of the Vietnamese people. How can this be so? On the same day that Mr. McNamara said sneak attacks upon our soldiers cannot be prevented, an American officer on the scene in Vietnam declared that "any of the people in the hamlet over there could have warned us that the Vietcong were around, but they did not warn us." The weapons used against us are most often American weapons, captured from or surrendered by the South Vietnamese Army. Mr. President, we submit that weak field intelligence in South Vietnam and a steady loss of workable weapons to the enemy, are deep symptoms of an unpopular cause.

Why are we fighting in Vietnam? Mr. President, we think we understand why we went into Vietnam after the French withdrew. It was because this Nation hoped to encourage the development of a popular, stable, and democratic government which would help to lead all southeast Asia toward lasting peace. Historical, political, social, religious and sectional factors have prevented this development. The original assumptions are no longer valid. We have become increasingly unwelcome everywhere in southeast Asia. Our presence seems to deepen, rather than to relieve, the bitterness and hostility of the people. It was only 10 years ago that the Vietnamese defeated a French army of nearly half a million men. Will the same battles occur again?

Can we win in Vietnam? Mr. President, we know that our Nation has sufficient firepower to destroy the entire world. We also know that you do not wish to call upon this awesome power. How can we possibly win and yet prevent a widening of this conflict? How can we win in Vietnam with less than 30,000 "advisers" when the French could not win with an army of nearly half a million fighting both north and south of the present dividing frontier?

Is it worth the cost? The French defeat in Indochina cost them 172,000 casualties. Yet, before their final bloody defeat at Dienbienphu, the French generals and diplomats spoke with the same toughness and optimism, the same assurances we now hear from our leaders.

The French had overwhelming numbers and firepower but they lost in Vietnam because they lacked the support of the population. Do we face the same prospect, or are there facts which the public does not know which show our situation to be clearly different?

Mr. President, we are aware that you have secret information which cannot be shared with us. But could such information completely refute the picture of events and the political insights provided to us by serious newspapermen who have been in the area for years?

All we can see is a seemingly endless series of demonstrations and riots in Saigon and Hue, of military coups, of threats and challenges to the dignity of our Ambassador and our other representatives by the very men we seek to sustain in power.

We have lost the initiative in Vietnam. A few guerrillas can trigger American reactions that widen the war. The events of the past week are leading step by step along the path to war with China.

Would it not be both prudent and just to take the initiative toward peace in Vietnam? If we are not to widen the war beyond all conscience, as reasonable men we must initiate negotiations while there is still time.

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(Institutional affiliation for purposes of identification only.)

If you approve of this statement, reprint it in other newspapers and write or wire President Lyndon B. Johnson, White House, Washington, D.C.

This open letter is being published as an advertisement paid by the signers. Comments and contributions toward cost should be sent to Ad Hoc Committee for Open Letter on Vietnam, Post Office Box 35, Belmont, Mass., Prof. Salvador E. Luria, chairman; Prof. Cyrus Levinthal, treasurer.

[From the St. Louis Post-Dispatch]

An Incredible Situation

The Senate Democratic leader, Mike Mansfield, of Montana, is putting it mildly when he terms conditions in South Vietnam "an incredible situation." He says the squabbling generals should take notice that the United States is not committed to support the situation that now exists.

South Vietnam is pretty close to anarchy. Lt. Gen. Nguyen Khanh, the strong man for 13 months, was bounced over the weekend by a group of quarreling generals. The latest civilian government installed a few days ago by General Khanh is still nominally in power. But Khanh is out. So it seems almost irrelevant for Washington officials to say the United States is continuing full support of the civilian regime. What is to be supported?

The situation is going from worse to worse. The Communist-led Vietcong have now virtually cut South Vietnam in two and continue to make gains. U.S. troops are keeping the war going, but it is a losing struggle. The United States might have profited from its recent retaliatory air raids on North Vietnam by maneuvering for negotiations in the hope that it could speak from a strengthened position, but that potential initiative has been lost.

Instead, Washington dispatches say the administration is firmly resisting all efforts by Allied governments to bring about a negotiated political settlement. If this is so, it also is an incredible situation. The arguments of French Foreign Minister Maurice Couve de Murville, General de Gaulle's top foreign policy expert, apparently fell on deaf ears. Couve de Murville spent an hour with President Johnson last week; he reportedly told the Chief Executive he thinks North Vietnam and Red China would be interested in negotiations. He urged the United States to seek a political solution immediately.

This may be distasteful, but what is the alternative in the absence of a Saigon government ready, willing, and able to carry on? It would be comforting to think that the Americans, the Russians, and the Chinese do not mean precisely what they say, that somewhere in the diplomatic underground people are talking privately about public conferences. That would be a sensible and statesmanlike procedure; we only hope there is more to it than the stuff of dreams.

Boston University,
Boston, Mass.

Mr. Morse,
Senate Building,
Washington, D.C.

Dear Senator: I am a 22-year-old senior at Boston University. Although I am a New York State resident voter, I wish to applaud you for taking a stand in favor of peaceful negotiations in Vietnam.

I sincerely believe in working toward peace positively. I am very pleased the U.S. Government has created and is continuing the Peace Corps. I also deeply believe in democracy and defending the United States and I am anxious to prevent communism from dominating the world. However, I am aware of the unique conditions under which the United States developed its political system. I am cognizant also of the fact many of the underdeveloped countries seem to need a socialistic form of government to cope with their basic problems such as hunger and land distribution. I do not equate socialism with Russian or Red Chinese communism necessarily. I believe that each country should develop the type of government which most successfully helps it grow.

I believe our foreign policy in South Vietnam has been and is being mishandled badly. It is as much a fault of Americans' indifference as it is of the Government. Our policy has been and is immoral. We are supporting a government which is supported by 30 percent of the South Vietnamese at the most. Even worse for us, we are working against a main goal in the cold war. By our current militant strategy, we are pushing Russia and Red China closer together and forcing North Vietnam closer to them.

In view of the rise of nationalism in the world and the fact the fighting in Vietnam began as a civil war, I am not certain that Red China would dare to militarily occupy Vietnam if we withdrew from South Vietnam.

It is basically for these reasons that I am in favor of peaceful negotiations in Vietnam. I gravely hope that the Government as a whole will have your courage and vision to recognize our errors and turn toward negotiation to settle the Vietnam crisis instead of edging the world further toward destruction.

To have any type of successful negotiations, it may well be necessary to include Red China. If it is, I would be in favor of such action.

I have also written to Senators KENNEDY and JAVITS and President Johnson, stating my beliefs.

Yours truly,

MRS. NANCY MOORE.

CHICAGO, ILL.

Senator WAYNE MORSE,
Care of Illinois Institute of Technology,
Chicago, Ill.

DEAR SENATOR: The enclosed article on Vietnam and our actions there, appeared in a prominent Canadian magazine this week. In view of your great interest in the deplorable South Vietnam situation, I deemed it important enough to place in your hands. The author, a well-known RCAF officer and a former member of the International Control Commission would have little reason to magnify the situation but apparently has been able to publish in Canada, views which would be heavily censored in our country.

Whether we should remain in Vietnam or not, we are there and apparently making the same mistakes we did in Korea, only this time, we aren't supposed to be at war.

I feel confident that not only will this article furnish you with material you would want to have but that you will continue to force the issue with all the vigor so prevalent in your distinguished career.

Sincerely,

ROY B. NORDHEIMER.

HUGH CAMPBELL SAYS—THE AMERICANS ARE THEIR OWN WORST ENEMIES IN VIETNAM

The United States is now entering its third year of full-scale war in Vietnam. Any day now we can expect the customary New Year pronouncement from the American high command in Saigon to the effect that, while the situation is serious, it is not hopeless; and that the war can and will be won.

After nearly 2 years in Vietnam, I've heard a good many such assurances. But since, as a Canadian delegate on the three-nation International Control Commisison, I had a unique opportunity to observe the war from both sides of the firing line, I think the Americans are talking through their well padded brass hats. The war, as it's now being waged, cannot be won by our side—because the Americans, for all their brave talk about developing new antiguerrilla techniques, are still using obsolete methods to fight a new kind of invisible enemy.

Exactly how invisible this enemy—the Communist Vietcong—can become was forcibly demonstrated to me one day on a dusty gravel road leading through the jungle in North Vietnam. It was a routine inspection patrol for the International Control Commission and, for no apparent reason, the Communist officer in the lead jeep suddenly suggested a halt. We piled out of our jeeps and stretched our legs, apparently in the middle of nowhere. Just as inexplicably, he then suggested we resume the patrol. As the convoy started off, he beeped his horn and, somewhere nearby, a whistle shrilled.

Instantly, both sides of the road were lined with troops, grinning infantrymen whose faded khaki uniforms contrasted sharply with the dark jungle background. They'd been there all the while, standing not a dozen yards from the convoy. But because of the foliage that covered their backs from helmet to canvas sneakers, they'd been invisible to three experienced military officers.

There was nothing threatening about this mock ambush. The Communist troops were simply practicing camouflage, and used the International Control Commission as an unwitting umpire. And although their camouflage was excellent, it was the mobility of the troops that impressed me most. They were many miles from any known base, and they carried on their backs everything necessary for living and fighting. They didn't need roads, jeeps, helicopters, or mobile kitchens. They were jungle fighters, as elusive as poison gas and twice as deadly—the kind of guerrillas who wore down the French masters of Indochina, and finished them off at Dienbienphu in 1954.

The Pentagon, naturally, has been determined not to repeat France's mistakes. In the past 3 years they've poured in aid and advisers at the rate of more than a million dollars a day. So generous, so overwhelming has been this avalanche of assistance, that it's aided South Vietnam almost to death.

In 1962, there were fewer than 300 U.S. military advisers in the country—and they were making noticeable headway against the Vietcong. The advisers were scattered in tiny detachments around the country. They were tough, highly trained men, and they were revered by the Vietnamese.

But the Pentagon apparently reasoned that 20,000 advisers could win the war 20 times as fast as 300; they started airlifting them into Saigon by the thousands (in defiance, incidentally, of the Geneva truce agreement). With them came wives, children, PX supermarkets, Coca-Cola machines, air conditioners, officers' clubs, station wagons, insurance salesmen, schoolteachers, public relations men—all the equipage of a progressive suburb, without which the American military seems unable to function abroad. Suddenly, it stopped being a jungle war, with Americans fighting on the same terms as their enemies. It became instead a desk-soldiers' war, with the fatuities of Saigon's brass hats canceling the efforts of the men in the field. A gap appeared between the South Vietnamese and their American protectors, and the gap has been widening ever since.

There's also a gap between the Pentagon's concept of mobility and that of the guerrillas. Putting troops on wheels or in helicopters has proven unrealistic in a jungle war. Disguised as peasants, the Vietcong simply watch the machines charge futilely by—perhaps into a mine trap or ambush or, if they're detected, simply melt into the jungle. Pursuit on foot is fruitless; the South Vietnamese troops, carrying enough American-made equipment to fight the Battle of the Bulge, would be ineffective even if they were as hardy as their enemy. But of course they aren't, since they're now accustomed to riding to work.

But all the mistakes haven't been committed by the military. There are a host of non-military agencies fighting Saigon's war, from the spooks of the CIA to the flacks of the U.S. Information Agency. They frequently operate at cross-purposes and, in general, it may be said that they do not enhance America's image abroad.

Take, for instance, the unimportant but revealing case of the American pro football player who arrived in Saigon under State Department auspices to set up an athletic program for the Vietnamese. "Gonna teach these gooks football," he announced to all within earshot. Several days later, he announced a change in policy: the gooks, he'd decided, were too small for football—so he was going to teach them soccer, a game he'd never played himself.

Or take the average American service wife in Saigon: for boorishness, offensiveness and condescension toward her inferiors, she takes the fur-lined mug. The generous allowances, PX privileges, villa, chauffeur and servants are all new to her—and with rare exceptions, it shows. Her kids are no better. The spectacle of a bunch of crew-cutted, gum-chewing teenagers lording it over the natives in the streets of Saigon is a lesson in how not to conduct foreign relations.

Or, finally, take the matter of Saigon's justly famous night life, which consists of scores of saloons, each equipped with a bevy of the prettiest little bar girls in southeast Asia. The patrons are almost exclusively American; and one South Vietnamese woman, who owns a string of such establishments, told me she estimates that half her girls are actively pro-Vietcong, while the rest maintain a profitable neutrality by spying impartially for both sides. Multiply this example by a hundred, and you have an effective intelligence network—and an explanation for the failure of so many well-planned, secret sorties against the Vietcong.

The result of all this ugly Americanism has been exactly what you'd expect: the South Vietnamese is starting to wonder if his Communist enemies might not be preferable to his American friends. Once he publicly mourned the loss of American lives. Now, the nearly 300 Americans killed in Vietnam seem meaningless compared with his own terrible losses—more than 160,000 dead. Once he believed that his Government, good or bad, would be free of foreign interference. Now he's convinced that his Government—whichever assortment of generals happens to be in power at the moment—is a puppet of the Pentagon. And every time a big American car zips by him on the streets of Saigon; every time he enters a restaurant he can no longer afford; every time he returns to his shabby dwelling (the Americans have grabbed all the best accommodations) he sees himself moving closer and closer to second-class citizenship.

If the foregoing sounds like an anti-American tirade, it's not intentional. There are still hundreds of smart, dedicated, and effective Americans in Vietnam. They want to win this tragic war and, through a firsthand acquaintance with the realities of guerrilla warfare, they think they know how to do it. Unfortunately, they're only fighting the war, not running it. And they're vastly outnumbered and outranked by the desk-pilots in Saigon.

For this reason, the Communists are almost certain to nibble their way to victory eventually. When they do, it will be a disaster for the West. For all my reservations about life in the Saigon sector of the free world, I'm convinced, after seeing both places, that the South Vietnamese are vastly better off than their countrymen to the North.

When I went to Vietnam, I shared the common Canadian view of such faraway places. I half suspected that, for those unfortunate enough to live in such countries, life in the free sector was just about as miserable as life under communism. But a few visits to Hanoi and other Communist centers quickly disabused me of this notion. I'll never forget the people who would pass me on the streets and whisper "A bas les Communistes," or the officials who risked their freedom to tell me privately of their hatred for the regime of Ho Chi Minh. It was a rude contrast with Saigon, where free speech, while not prevalent, is at least still possible.

For all their strategic failings, the Americans are fighting a just war. But they're going to lose it unless they make drastic changes—for at present, the American is his own worst enemy in Vietnam. By his obtuse policies and actions he has squandered the good will of his allies. Without it, he can't win. Without it, there is nothing left to win.

Duluth, Minn.

Hon. Wayne Morse,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Senator Morse: My wife and I wish to thank you for your courageous efforts and sound thinking about the Vietnam mess.

May your efforts meet with increased and growing support and be ultimately crowned with success. Were it not for voices like yours, one would be inclined to think he were habitating a giant madhouse.

Enclosed is a copy of a letter we are sending to President Johnson and our Senators as well as Vice President Humphrey.

Again may we express our appreciation for your outspoken intelligent attitude and further advise you that countless numbers of our friends, neighbors and associates share our views.

Respectfully yours,
George E. and Rhoda L. Dizard.

Ruscomb Products Co.,
Fleetwood, Pa.

President Lyndon B. Johnson,
White House, Washington, D.C.

Dear President Johnson: As a free and independent man I urge you to reconsider our present policy in Indochina.

This policy has alienated Cambodia and continues to hurt our image in many otherwise friendly nations. We have given full support to one dictatorship after another in South Vietnam, thereby, probably pushing those people closer to communism.

As a mature nation we are surely capable of altering our policies when necessary without fear of losing prestige.

Very truly yours,
Frederick Schwartz,
President.

Ruscomb Products Co.,
Fleetwood, Pa.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: There have been many occasions in the past years that I have read with admiration, of the positions you have taken on various issues.

I agree with your views concerning U.S. foreign policy in southeast Asia.

You are courageous and I wish there were many more Senators like you.

Very truly yours,
Frederick Schwartz,
President.

Pioneer Methodist Church,
Portland, Oreg.

Hon. Wayne Morse.

Dear Sir: Please accept my support in your attempts to get the war in Vietnam stopped. Which is more dishonorable? To pull out now without victory? or to wait 3 years and pull out then still without victory?

Sincerely yours,
P. Malcolm Hammond.

Resolution on South Vietnam

"Whereas the conflict in South Vietnam has reached such proportions that it threatens to escalate into a third world war; and

"Whereas it is becoming more apparent daily that the presence of the U.S. forces is an anathema to the citizens of South Vietnam; and

"Whereas the vast sums of money that our country is expending could be put to use in more humane ways in our own country, instead of supporting a group of militarists who do not have the confidence of their own people; and

"Whereas our posture as so-called advisers to South Vietnam has become untenable morally and economically; therefore be it

"*Resolved,* That the 57th Assembly District Council Issues Conference of the California Democratic Council urge in the best interests of the United States and all parties concerned that our Government find means immediately to negotiate a settlement of this conflict."

Moved, seconded, and passed on February 20, 1965, at said Issues Conference, Encino Community Center, Encino, Calif.

Los Angeles, Calif.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We are enclosing a copy of two resolutions acted upon by our council. We submit them for and request your thoughtful action.

Richard J. Hunter,
First Vice Chairman, 57th Assembly District Council, California Democratic Council.

Binghamton, N.Y.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to you to express my support of your position on Vietnam. Further U.S. military action in this area can lead to a situation where freedom for all peoples and all nations will be at an end, where everything of value will be utterly destroyed.

The United States can do as much as almost any nation in the world to turn away from a course toward war and toward one where meaningful and moral acts are possible. Military action cannot achieve the goals of freedom or self-determination. The choice of the United States may be the most crucial one in history.

Sincerely yours,
Alice Sardell.

Cleveland, Ohio.

Hon. Senator Wayne Morse.

Dear Sir: I agree with your views on Vietnam 100 percent and all this intervention will just bring on a big war.

We've got enough problems here at home without worrying about every country in the world. All we're doing is making enemies by supplying arms and giving our money away.

You're doing a fine job and many people are with you, thank you very much.

Sincerely,
Edwin J. Kozeluh.

Willoughby Ohio.

Dear Senator Morse: I read in the Cleveland Plain Dealer about your speech in City Club Forum. We are proud to say, you are one of our greatest Americans.

Sincerely,
Joseph Renz and Wife.

Cambridge, Mass.

Senator Wayne Morse,
U.S. Senate, Washington, D.C.

Dear Senator Morse: Although I am not one of your constituents, I am taking the liberty to write to you to express my appreciation for the position you are taking concerning our involvement in Vietnam.

One hears the voice of reason and justice in your speeches, and I trust it will reach more and more people in our country. I feel grateful to you for your statesmanlike approach to this problem.

Sincerely yours,
Peter R. Prifti.

Santa Barbara, Calif.

Dear Senator: You have put up a good, long, honest fight to get our troops out of that Vietnam mess. We hope and pray that God gives you the strength and health to keep on fighting.

Why do we have such fools for leaders?

Yours respectfully,
Jack E. O'Donald.

Royal Oak, Mich.

Dear Senator Morse: Mr. Dirksen says "are we going to run away from the Communists?" I might remind him, we have been running from them since the Korean war. We couldn't lick the North Koreans, how we going to defeat Red China?

We shelved the big bomb during the Korean war; the Russians didn't explode their first atom bomb until 1952. Then, they had no stockpile in 1950 at the outset of the Korean conflict. Why didn't we explode the atomic bomb against North Korea? We didn't hesitate to use it on the Japs.

Mr. Morse, we cannot defeat Red China without the use of nuclear weapons. That is very evident. We cannot afford a long, drawn out jungle war.

We have but two alternatives; viz:

We can furnish Chiang Kai-shek atomic weapons and let him fight his way back to the mainland; or

We can pull out entirely from southeast Asia and wait for Russia and Red China to eventually engage each other in an all-out conflict.

In any case we must not make the tragic mistake of exchanging frontline pawns with Red China.

Yours truly,
Melvin I. Smith.

San Jose, Calif.

Senators Morse, McGee, Fulbright, Mansfield, and Gruening,
Senate Office Building,
Washington, D.C.

Sirs: I wish to express my heartfelt appreciation for whatever you have done in your effort to get someone to listen to the wish of people who really think, to call a halt to this foolish fighting in Vietnam.

The beginning, of course, must be a cease-fire and withdrawal of American troops from Vietnam but to stop there would be pretty negative.

I think there needs to be widespread publicizing of proposals for and actual beginnings on an extensive "TVA" type of development of the Mekong Delta resources for power which could make possible the sort of economic development which would form the basis for the increased human welfare which is the really deep need in this trouble area.

To move forward in this area with aid comparable to that which we are pouring down the drain in military action would—or could—go a long way toward allaying the fears of those who feel that withdrawing our troops might throw wide open the doors to a Communist takeover.

It seems to me that the ones who arrive "the fustest with the mostest" of what will really help the people will render an inestimable service not only to the people of Vietnam but to mankind as a whole. For it seems to me that this is the only dependable way to work at stabilizing the situation there and preventing the spreading of hostilities.

Keep up your good work—and expand it in every way possible.

Very truly yours,
Marie E. Anderson.

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Cleveland, Ohio.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to express my wholehearted agreement with the views you expressed here on what we should do in South Vietnam—I oppose escalation of the war there. I believe that we should do everything we can possibly do through diplomatic channels to bring about a peaceful settlement in that wartorn and politically unstable country.

I agree with your ideas of exporting economic freedom to underdeveloped countries. I do not believe in giving military aid to countries which can then use this military aid against us and those we support. Look at what Sukarno is up to now.

Thanks for coming to Cleveland and expressing your views. They need to be heard.

Yours truly,

Katheryn S. Weitzel.

McMinnville, Oreg.

Dear Senator Morse: I want to commend you on your forthright stand concerning Vietnam. Any expansion of the war would be suicidal—and I only hope that it is not too late to negotiate honorably.

While I often disagree with you, I admire your courage and honesty. On this problem, I am 100 percent with you.

Sincerely yours,

Carle H. Maldue.

Chicago, Ill.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: I am writing you to tell you that many people around the country are grateful to you for your efforts to prevent America getting involved in a world war in Asia. We hope that you will keep it up, so that all will know that the American people are not ready to rubberstamp an escalation. We hope that you will continue to attack the policy of retaliation in the North.

There follows a short poem in honor of the present confusion:

"Big Minh, Khanh, and Little Minh,
When one is out, the other's in.
Who's in charge? We do not know,
He surely stands for freedom though.
And if we risk a world war,
It's certainly worth dying for."

Sincerely yours,

David B. Barron, M.D.

Berkeley, Calif.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: We strongly support your position of favoring negotiations on the question of South Vietnam.

Yours truly,

Prof. and Mrs. Herbert Strauss.

Carmel, Calif.

My Dear Senator: I certainly agree with you about a cease fire and negotiate a peace in Vietnam and get out of there. We cannot police the world. The U.N., instead of recessing, should have stayed in session and have done something about the mess out there. I heard you and the Senator from Alaska speak about getting out of Vietnam, over a year ago.

Best regards to you,

Emily L. Turner.

St. Louis, Mo.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Have you seen the article in the Bulletin of the Atomic Scientists (December 1964), which outlines the remarkable work which many countries are joining in to develop the lower Mekong Valley?

It describes a more humanitarian solution to Vietnam than the course we are pursuing. You are no doubt familiar with the subject matter of the article, but it does set it out in complete form.

Why can't we support this instead of shooting each other?

Sincerely,

Marie Bliss.

Cincinnati, Ohio.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I would like to commend you for your brilliant views on the Vietnam crisis. I feel very strongly for a settlement and withdrawal. I sincerely hope you continue your strong stand concerning this vital situation.

Thank you very much,

Jeffrey Berliner.

Portland, Oreg.

Hon. Wayne Morse,
U.S. Senator:

It is hard to believe that the United States deliberately is trying to settle a dispute by force outside the United Nations. The United Nations was created to avoid future wars, to negotiate differences. All countries should take part in this matter. In order to be effective for disarmament, an army consisting of members of all countries should be the only body to have the right to police and watch that nobody is able to arm secretly.

Sincerely,

E. Merki.

Lebanon, Oreg.

Dear Senator Morse: We implore you to use all the influence you have to stop this foolhardy mission in Vietnam.

We worked hard for Johnson before election, but feel that he has betrayed the hopes and trust of Democrats and Republicans alike.

We are not concerned with "loss of face." (Leave that to the orientals.) We are concerned with peace in the United States. Martin Luther King made more sense in his TV message to his people on nonviolence, than any of the soothing syrup that has come out of Washington. This is an insult to any American who can read. We can see the flag-draped coffins of our men, who died needlessly.

Before we set out to show another country how to run their government, let us repair our own. For this purpose, Americans will more gladly give their hard earned tax money. We need our money here at home to take care of our old people. We need it for education. We need it for the protection of our citizens from criminals.

I wish I could say all these things to President Johnson, but I would have to have a fairy godmother to make that possible.

I am a Democrat. I am an American. I hope that someday I can say that proudly again, and in any country I might be in. Today, I would be afraid to travel, because we are hated and scorned.

May God grant you power and health, Wayne Morse. You have not let us down.

Very sincerely,

Winnie Thompson.

Elma, N.Y.

Senator Wayne Morse,
Washington, D.C.

Sir: Enclosed with this letter is a copy of a letter we have addressed to Senator Kennedy of New York, also to Representative Richard McCarthy of the 39th Congressional District, New York.

We fully endorse the stand you take in the Senate in relation to our activities in southeast Asia and we believe you will be interested to know that there are some people like us who share your views and who sympathize with the victims of the U.S. militarists and their allies. We reject completely all military activities. They are vicious, cruel, and stupid and entirely unfit for human beings to engage in.

Respectfully yours,

R. W. and G. H. Baum.

Elma, N.Y.

Senator Robert Kennedy and
Representative McCarthy:

The writers of this letter wish to express their feeling of horror concerning the vicious activities of the U.S. military machine on the rampage in southeast Asia. Are these really the acts of human beings? Is Congress really so helpless in the wake of all of this vicious brutality? Is Congress a mere rubber stamp for the Pentagon and its allies?

Won't you do your part to put an end to this disgraceful performance, demanding that U.S. forces be brought home where they belong? The people of southeast Asia must be permitted to settle their affairs peacefully, which they would have done years ago if they had been permitted to do so.

Mr. Eisenhower, when President, addressing a Governor's conference on August 4, 1958, had this to say:

"Now let us assume that we lost Indochina * * * the tin and tungsten that we so greatly value from that area would cease coming.

"So when the United States votes $400 million to help that war, we are not voting a give away program. We are voting for the cheapest way that we can prevent the occurrence of something that would be of a most terrible significance to the United States."

And to obtain cheap tin and tungsten and more on our own terms we have become the world's most loathesome people. Hiroshima is not forgotten.

R. W. and G. H. Baum.

We, the undersigned, wish to state our firm opposition to the continuation of current U.S. policy in Vietnam. Our reasons are various and individual, but we are together in calling for an immediate cessation of American military activities in Vietnam, in calling for the U.S. Government to seek actively a negotiated settlement, and in supporting Senators Morse, Gruening, McGovern, Church, and other public officials who have dared to challenge the administration's orthodoxy and who have called for a negotiated peace in Vietnam.

We also call upon Senator Fulbright and the Senate Foreign Relations Committee to conduct thorough and public hearings on the Vietnam policy of the United States in order that the American people may know exactly what their Government has been doing there and why.

James D. Hunt, Evert Makinen, Bert Fowler, Robert Lain, Carl Beal, David Borthwick, Byron Fox, Harvey Bates, Vernon Biefer, Morris Barker, Bill Eckhouse, Sandra Ann Dryers, Jill Ferguson, Judy Labeu, John A. Strong, A. Achanya, Joao Webba, David Wiener, Patrick Brumzawcebridge, Alfred D. Bredber, and Anbin Pesko.

Syracuse, N.Y., *February 22, 1965.*

Lyndon B. Johnson,
President of the United States,
The White House, Washington, D.C.

Dear President Johnson: I am forwarding the enclosed petitions to you on behalf of their signers who are students and faculty members of Syracuse University and/or residents of Syracuse, N.Y.

As the petition says, the reasons of the signers are various and individual. My own reasons are twofold. As a Catholic, I feel conscience-bound to oppose your current policy in Vietnam as basically unjust and immoral. I can find no moral justification for it, not even within the provisions of the Catholic Church's doctrine of "just war," a more permissive standard, perhaps, than the strictures of the gospel. I can cooperate in no way with you in this crime. Nor can I say that I am proud to be a member of the Great Society that engages in such misadventures.

My second reason for objecting to your policy is based on my analysis of the Vietnam situation as a student of political science. Along this line, suffice it to say that I am in essential agreement with Senator Wayne Morse.

I hope that the beclouded picture one gets of your Vietnam policy in the press is only a function of your wariness of public opinion. If so, perhaps this letter and petition will help you to see your way clear to a different course of action.

Until such time, I remain in sincere and complete opposition to you on this topic.

Very truly yours,

Evert Makinen.

Dear Senator Morse: Enclosed is a copy of a letter and petition that I have sent to the President. A copy has also been sent to Senator Fulbright.

Together with the others who signed the petition, I am hoping that this small action on our part will provide support for your efforts and encourage you and Senators Church, McGovern, Gruening, and others to continue in your efforts to change the course of the administration's policy.

My wife and I were very happy to hear you speak on the Syracuse University campus recently. I wonder if it would be possible for you to send us a copy of that speech, together with a copy of the remarks you have printed on pages 242–253 of the 1965 Congressional Record of January 6.

Sincerely,

Evert Makinen.

San Francisco, Calif.

Dear Senator Morse: I firmly applaud your stand in favor of a negotiated settlement of the situation in Vietnam through peaceful means.

Your actions are much, greatly appreciated, and lend hope and inspiration to an otherwise cloudy picture.

Please continue your efforts; you are right.

Yours,

J. Sullivan.

Hon. Wayne Morse.

Dear Senator: Thank the good Lord we have a courageous man like you, who is not afraid of being a loud and clear opposition and who raises his voice in defense of truth and sanity.

We need to hear your point of view more often.

How can we bring your ideas to the people more often so they can see for themselves that there is another point of view?

The trend of the times since Roosevelt's day seems to me to have been defined in one single easy conclusion. We're the good guy in the story, and Moscow is the bad guy, or China, and that is all there is to it.

But the turmoil of our world is much more complex when so many millions of peoples are involved, in tiny nations as well as great ones; therefore, I feel the problems which confront the world will not necessarily be solved by our way, nor will force bring our way about any sooner. Why can't we have a newscast from our Government in which all sides of a picture are freely discussed?

Whether we live or die in atomic war is too grave a question to leave to our leaders. If we are going to chance annihilation, we, too, should have a clear view about that which we give up all humanity for.

Why shouldn't we help decide?

What I and many of your admirers would like is to hear from you more often (and men like you). Only truth on all sides and logic can keep us free and safe.

Thank you for fighting always for the right as you see it.

We wish there were many more peoples' representatives like yourself.

Sincerely,

Mrs. Pauline Dickson.

Farmington, Pa.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We have just sent the following telegram to the President:

"Dear Mr. President: Our hearts cry out for peace. We beg you to lead the American people and the world away from the abyss of escalating war in Vietnam. Friendly nations, the United Nations, leaders of worldwide stature have offered their services to help us overcome the obstacles to peace. We beg you to hear the world's longing in this crucial hour and to lead us into the ways of peace."

We appreciate very much and are grateful to you that you have raised your voice on this issue, and used your influence to prevent precipitate action. We would like you to know our support for this.

Respectfully yours,

For the Society of Brothers:
Arthur Wiser,
John Winter,
Donald Noble,
Andreas Meier,
Michael Brandes,
Johann C. Arnold.

New York, N.Y.

Dear Senator Morse: Bravo for your courageous stand on the Vietnam fiasco. It is through voices like yours that the truth will finally seep through to the public. If we can get the United States to recognize its illegality, perhaps whoever is running this show will get around to negotiate rather than retaliate. Instead of bombing to show the strength which the whole world knows we have, we can show our strength of character by a unilateral cease-fire. This should bring many more benefits to us in the world, than any display of our well-known military capacities.

Sincerely,

Philip Brandstein.

Duluth, Minn.

Hon. Lyndon B. Johnson,
President, United States of America,
White House,
Washington, D.C.

Dear Mr. President: We are extremely concerned about the situation in Vietnam. Long articles, not to mention books, have been written on the subject. We do not intend, herein, to develop involved points of view and further we recognize that this is not a simple situation.

We do however want to make a few obvious observations:

1. We live in a nuclear age. It is difficult for the average human mind to grasp fully the implications of this. The magnitude of the destructive possibilities should not escape the grasp of those in positions of leadership who are in effect the custodians of the results of thousands of years of slow and painful development of the human race.

2. Vietnam is in the backyard of China. This is not said to excuse any abuse of the responsibility of elementary neighborliness by any nation anywhere, except to pose the question this way:

What would our reaction be if some other nation was engaged in military action in Mexico or Canada?

Would such actions be inclined to encourage friendly attitudes and potential relations or suspicion and hatred?

3. What evidence do we have of the desire of the South Vietnamese for the kind of protection we are giving them? This last question directed to the chaotic game of "musical chairs" currently played by the various in and out factions vying for power in South Vietnam.

We feel strongly about this situation. Our friends and neighbors and associates generally are expressing a growing uneasiness over this situation.

We urge that our Government respond to the suggestions of numerous governments, the U.N. Secretary General, the Pope, and various other organizations and individuals and agree to participate in a broad conference of all interested parties seeking to find a peaceful settlement for this war weary people and an ultimate disengagement of our Armed Forces.

Respectfully yours,

George E. and Rhoda L. Dizard.

Copies to the Honorable Hubert H. Humphrey, Vice President; Hon. Eugene McCarthy, U.S. Senator; Hon. Walter F. Mondale, U.S. Senator.

University of Oklahoma,
Norman, Okla.

The Honorable Wayne L. Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Your courageous stand on the South Vietnam war will be remembered by those of us who wince every time our Government issues an official statement on that war as a welcome voice allaying our frustrations caused by lack of a forum. Your thorough article that appeared some time ago in the New York Times Sunday magazine I found irrefutable.

My wife and I, both, are native Oregonians. We are proud to claim you as a Senator from our home State. We enjoy the arguments that our esteem for you gets us into.

If it is possible, we would appreciate any materials that you could send on the Vietnam war so that we may better enlighten our friends of "the other view."

Very truly yours,

Herbert W. Titus,
Assistant Professor of Law, University of Oklahoma.

New York, N.Y.

Dear Senator Morse: Please continue your present course on Vietnam.

Your course and that of Senator Gruening have set the pace and, with recent recruits to your side, can well turn the tide.

Please do not falter.

Respectfully yours,

Robert Melton.

Mr. MORSE. Mr. President, next week I hope to have finished a speech that I am now preparing in answer to others that have been given in the Senate in recent days by my colleagues who want to continue America's aggressive policies in Asia. The advocates of a war-hawk approach in our course of action in southeast Asia ought to ponder for a long time the statement issued yesterday by Secretary General of the United Nations U Thant. That is particularly true for those in the Senate who are trying to cover over the fact that there is a civil war going on in southeast Asia.

One of the most remarkable announcements of recent days was that this is not a civil war at all. Mr. President, it is completely a civil war, plus the aggressive course of action of the United States

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participating where it has no business or right to be.

Mr. U Thant made it perfectly clear yesterday that it was a civil war. One of the saddest hours is the hour in which we find the administration of our Government releasing statements to the press to the effect that it is not interested in negotiating a peace.

I say with sadness in my heart that, in my judgment, the United States of America is the greatest threat to the peace of the world in this dark hour. We are the greatest threat to the peace of the world because of the illegal war that we are fighting in southeast Asia quite openly and blatantly, with American jet planes dropping bombs on North Vietnam. These planes are completely manned by American military personnel. This is being done without a declaration of war.

Let me say to the war hawks in the Senate and House of Representatives, "You ought to bring in a declaration of war, if you really want to support a war in southeast Asia."

I shall continue to pray that reason and sense will come to pervade the leaders in the Pentagon, the State Department, and the White House so that America will stop its shocking outlawry. If we continue this course of action—and let someone in the Senate deny it on the basis of the briefings we have heard in recent days—we are bound to provoke Red China into committing an overt act.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The time of the Senator has expired.

Mr. MORSE. Mr. President, may I be permitted to speak for 1 additional minute?

The PRESIDING OFFICER. Without objection, the Senator from Oregon is recognized for 1 additional minute.

Mr. MORSE. Mr. President, that will give the war hawks of the Pentagon, the State Department, and the White House an excuse, but not a reason, to bomb the Chinese nuclear installation—which I am satisfied is their objective and has been their objective for some time.

When that installation is bombed, the big show will be on. Let no one deny that it would require sending to Asia immediately no less than 300,000 American boys who would start meeting Chinese ground forces that would be poured in, to the number of several million—300,000 American soldiers would be but a start in the sacrifice that the United States would have to make in the event of an all-out war on the ground in Asia, which we can never win, I care not how many American divisions we pour into Asia. We would bog this country down for 25 or 50 years, and drain it dry in materiel and blood, until some candidate for President runs on a platform of "I will go to Vietnam" and negotiate a settlement.

This is a critical hour in the history of our Republic. My voice will continue to be raised in opposition to my Government's warmaking policies in Asia, short of a declaration of war. Present that declaration of war; vote it through Congress; and, on the basis of the present facts, I shall vote against it. But once we vote for a declaration of war, I shall urge that we unite behind that declaration until we can somehow, in some way, put that war behind us. But that war, plus our present outlawry in southeast Asia, does not have a scintilla of justification to support it.

Mr. KUCHEL. Mr. President, I believe that I reflect the views of the American people when I say that we are a peace-loving country.

We joined the United Nations because we believe in peace. We seek no aggrandizement. We desire no colonies. We have the responsibility of leadership, as I see it, in the cause of peace with justice around this unhappy globe.

The senior Senator from Oregon is my friend. But the Senator from Oregon is completely in error in the comments which he has just made.

I suggest that, 10 years after the President of the United States saw fit to respond to a call for assistance by the people in the Government of South Vietnam, it is far too late to argue whether we should have taken that position at that time.

Let me recall that only a year ago Congress overwhelmingly adopted a resolution clothing the President with complete authority to utilize the might and power of the people of the United States with respect to the commitment that this country, in 1954, had made. Representatives of the Senate and the House of Representatives overwhelmingly gave that kind of authority to the President.

An agreement was reached in 1954. The major nations of the world, on both sides of the Iron Curtain, participated in that agreement. That agreement was that there would be no further marauding from north of the 17th parallel to the south.

I agree with the President. This sad conflict can be terminated immediately if the Communists abide by the agreement which was entered into in 1954. In the meanwhile, as an American citizen, I support the President of the United States.

Mr. MORSE. Mr. President, I shall take 3 minutes to reply to the Senator from California.

I completely disagree with the premises laid down. In the first place, the United States started immediately to violate the same agreement that the Senator from California is talking about. We did not negotiate the agreement. We did not even sign the agreement. The neutral commission that was set up has found us to be in violation of it.

Why do people who continue to advocate the outlawry in South Vietnam not tell the American people the facts about our violation of that agreement? The Secretary General of the United Nations knows those facts and it may be that Americans will have to learn from him what our own Government will not tell us.

The Senator from California repeats the argument that we made a commitment in South Vietnam. Whether we set up that puppet government in 1954 or not, that is our puppet today. That fact does not give us any right to make war in South Vietnam.

The Senator spoke about the United Nations. No nation is as guilty of scuttling the United Nations at the present time as is the United States, as a result of the conduct of our United Nations Ambassador in the latest session. To think that our Ambassador would stand up and try to tell the American people that we voted only on a matter of procedure the other day. The United Nations voted. Mr. President, are you surprised to hear the spokesman for Red China say, as announced in the press, that the United States has lost its case in the United Nations because of the surrender we made on the vote the other day? The sad fact is—I am sorry it must be admitted—that he is correct. The United States has much to answer for in the shocking position it took which resulted in the weakening of article 19 of the United Nations Charter. We should have held Russia's and France's noses to the grindstone. A better figure of speech would be that we should have held them to the rule of law. We have let France and Russia get away with defying the Charter of the United Nations.

I repeat now, by reference, every word I said to which the Senator from California attempted to reply. Now is the time for the United States to make clear to the world that we are willing to negotiate honorably, but only honorably, for an honest settlement in Asia. Let me say to the Senator from California that if we continue this action we are going to get the world in an unnecessary war.

The argument that we have given power to the President to act overlooks the fact that we do not have the constitutional authority to delegate our power under article I, section 8 of the Constitution.

I shall always be glad to have my descendants read that I voted against the resolution to which the Senator referred. The resolution cannot give the President legal power to make war. Congress ought to adopt another resolution, a declaration of war, if that is what Congress wants.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the text of the Indochina joint resolution passed at the previous Congress.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

> Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and
>
> Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and
>
> Whereas the United States is assisting the peoples of southeast Asia to protect their

freedom and has no territorial, military or political ambitions in that area, but desires only that these people should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Approved August 10, 1964.

Mr. KUCHEL. I also ask unanimous consent to have the rollcall on that joint resolution printed in the RECORD.

There being no objection, the vote on the joint resolution was ordered to be printed in the RECORD, as follows:

SOUTHEAST ASIA RESOLUTION

Subject: Resolution on maintaining peace in southeast Asia (H.J. Res. 1145). Vote on passage.

Action: The resolution was passed.

The result was announced—Yeas 88, nays 2, as follows:

Yeas, 88: Aiken, Allott, Bartlett,[1] Bayh,[1] Beall, Bennett, Bible,[1] Boggs, Brewster,[1] Burdick,[1] Byrd of Virginia,[1] Byrd of West Virginia,[1] Carlson, Case, Church,[1] Cooper, Cotton, Curtis, Dirksen, Dodd,[1] Dominick, Douglas,[1] Eastland,[1] Ellender,[1] Ervin,[1] Fong, Fulbright,[1] Goldwater, Gore,[1] Hart,[1] Hartke,[1] Hayden,[1] Hickenlooper, Hill,[1] Holland,[1] Hruska, Humphrey,[1] Inouye,[1] Jackson,[1] Javits, Jordan of North Carolina,[1] Jordan of Idaho,[1] Keating, Kuchel, Lausche,[1] Long of Missouri,[1] Long of Louisiana,[1] Magnuson,[1] Mansfield,[1] McCarthy,[1] McClellan,[1] McGee,[1] McGovern,[1] McIntyre,[1] McNamara,[1] Mechem, Metcalf,[1] Miller, Monroney,[1] Morton, Moss,[1] Mundt, Muskie,[1] Nelson,[1] Neuberger,[1] Pastore,[1] Pearson, Pell,[1] Prouty, Proxmire,[1] Randolph,[1] Ribicoff,[1] Robertson,[1] Russell,[1] Salinger,[1] Saltonstall, Simpson, Smathers,[1] Smith, Sparkman,[1] Stennis,[1] Thurmond,[1] Tower, Walters,[1] Williams of New Jersey,[1] Williams of Delaware, Young of North Dakota, Young of Ohio.[1]

Nays, 2: Gruening,[1] Morse.[1]

Not voting, 10: Anderson,[1] Cannon,[1] Clark,[1] Edmondson, Johnston,[1] Kennedy,[1] Scott,[2] Symington,[1] Talmadge,[1] Yarborough.[1]

Analysis of vote

Yeas	88
Nays	2
Not voting	10
Total	100

Republicans:	
Yeas	32
Nays	0
Not voting	1
Total	33
Democrats:	
Yeas	56
Nays	2
Not voting	9
Total	67
Positions of Senators not voting:	
Not paired—position "yea" (Republican)	[1] 1
Not paired—position "nay" (Democrat)	[2] 9

[1] Scott.

[2] Anderson, Cannon, Clark, Edmondson, Johnston, Kennedy, Symington, Talmadge, Yarborough.

Absent: Official business: Johnston, Talmadge. Necessarily absent: Cannon, Clark, Edmondson, Scott, Symington, Yarborough. Illness: Anderson, Kennedy.

Mr. KUCHEL. Mr. President, I do not stand here to argue the legality of the action under which Congress passed that joint resolution, for I think there is no question about it. It is the type of commitment made with respect to the treaty for the Atlantic Alliance.

RESOLUTION OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. PELL. Mr. President, my senior colleague and good friend, Senator JOHN O. PASTORE, is known not only for his ability and concern for the people of our State and Nation, but for his oratorical ability; an ability which we have often seen displayed in this body. A remarkable example of this ability and one that was seen by our whole Nation and the world, was last August at the Democratic National Convention. There, Senator PASTORE combined the breadth of his wisdom, the depth of his knowledge, and the sharpness of his logic into a truly remarkable speech that brought the convention to its feet time and time again. He set the tone and pattern for the ensuing campaign which resulted in one of the greatest mandates our Democratic Party has ever received.

Because our State is proud of its favorite son, our general assembly passed a resolution to this effect. I ask unanimous consent that this resolution may be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution congratulating the President of the United States upon his choice of Senator JOHN O. PASTORE, senior Senator from Rhode Island, to make the keynote address at the Democratic National Convention held at Atlantic City, N.J., in August 1964

Whereas Hon. JOHN O. PASTORE, senior Senator from Rhode Island, has been a Member of the U.S. Senate from 1950; and

Whereas he has demonstrated through the years, his ability as a legislator and orator; and

Whereas Senator PASTORE has a record of stanch support for the administration; and

Whereas the President recognizing the outstanding attributes of the senior Senator from Rhode Island in calling upon him to make the keynote address at the 1964 Democratic National Convention: Now, therefore, be it

Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations heartily congratulate the President of the United States upon his choice of Senator JOHN O. PASTORE, of Rhode Island, to make the keynote address at the Democratic National Convention held at Atlantic City, N.J., in August 1964; and be it further

Resolved, That the secretary of state be and he hereby is authorized and directed to transmit a duly certified copy of this resolution to the President of the United States.

AUGUST P. LAFRANCE,
Secretary of State.

JUSTICE FELIX FRANKFURTER

Mr. YARBOROUGH. Mr. President, as a Member of this legislative body, as a lawyer, and as a former judge, I have great respect for the human forces which influence, shape, and ultimately determine the course of law in this Nation.

With the death of Justice Felix Frankfurter, this country suffered the loss of one of the most significant legal scholars and judges of this century. As a jurist and as an academician, the vast influence exerted on our social and legal system by Justice Frankfurter was always exemplified by a judicial and compassionate sense of justice. His numerous decisions and his thoughtful commentaries are his own tribute, and they will long stand as an example to those who are the guardians of the liberties and the welfare of our Nation.

BALANCE OF PAYMENTS

Mr. ROBERTSON. Mr. President, there have been many comments on the subject of the balance-of-payments problem and the President's recent message on the subject.

One comment which I think should be brought to the attention of the Senate is an article, published in Business Week for February 20, showing the point of view of the business community. I ask unanimous consent that two items from Business Week—entitled "Business Cool to Payments Program" and "Washington Outlook"—be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Business Week, Feb. 20, 1965]

BUSINESS COOL TO PAYMENTS PROGRAM—PRESIDENT'S PLAN TO EASE U.S. DEFICIT THROUGH CURBS ON INVESTMENT ABROAD DRAWS FIRE

President Johnson's stepped-up drive to end this country's persistent balance-of-payments deficit—in part by limiting private investment overseas has not won broad support from the U.S. business community.

A Business Week survey of U.S. companies shows that most businessmen feel this time the President has made a wrong move. Leaders of the Business Council backed the President's call for voluntary restraint on direct investment abroad. But few other executives like the program, and many doubt that it will work. A Washington briefing session by Secretary of Commerce John T. Connor this week—aimed at explaining the

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[1] Democrats.

[2] Republicans.

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program to business leaders—cleared up some of the confusion but it isn't likely to silence critics.

NEXT STEP

To be sure, most businessmen will try to comply by exporting fewer dollars for oversea investment and by sending home more of the funds they now hold overseas. There is general agreement that the payments deficit—$3 billion in 1964—must be eliminated. Says President William B. Murphy of Campbell Soup Co.: "I think business will do everything it can to benefit our balance of payments."

There is also the realization that if the voluntary approach fails, the next step could be direct exchange controls—tight rationing of the dollars that U.S. companies and individuals could take abroad. "We shudder to think what would happen if voluntary controls don't work," says a spokesman for a major electronics company.

TWO COUNTS

Still, there is substantial opposition to the President's program, and it comes on two broad counts.

There is the widespread belief that other remedies should have been tried—tightening credit at home, cutting back on military and foreign aid spending—before the administration took aim at private oversea investment. "My initial reaction," says Randal W. Reed, treasurer of Atlantic Refining Co., "is that the President didn't face up to the problem. He's skirting around the main issues—military and foreign aid spending." And Financial Vice President Morris J. Vollmer of Milwaukee's A. O. Smith Corp. says: "I'm afraid banking and business are going to be the whipping boys for the balance-of-payments problem."

Beyond this, there's the argument that clamping a lid on private investment abroad will shake the competitive standing of U.S. companies in world markets—and in the long run cut the income from foreign investments, which now considerably exceeds the outflow for new direct investment.

Ford Motor Co., on this count, notes that between 1950 and September 30, 1964, it had "made a plus contribution of $2.981 billion to the U.S. balance of payments." General Motors Corp. puts its contribution at $2.2 billion in the past 5 years. More blunt is the eastern businessman who snaps: "If we lose our foreign markets, we'll have a deficit so big there'll be no way of closing it."

NOT A LID

The administration is not seeking an outright lid on direct oversea investment. It realizes that more dollars flow in than flow out through this channel, and that a prolonged cutback would hurt the long-range U.S. balance-of-payments position. It wants companies to finance more of their oversea investments without sending dollars abroad—by borrowing funds abroad and by tapping the earnings of oversea operations.

Companies also would step up the repatriation of funds held abroad. The administration reckons that there are billions of dollars held abroad by companies simply to gain the higher returns offered in some foreign capital markets. Companies would report quarterly on what are, in effect, their own individual payments positions.

Moreover, the program would apply only to investments in the industrial nations—in Europe and Japan.

HOW EFFECTIVE?

Where businessmen differ is over how well this program—with its emphasis on voluntary controls—can work.

If the plan does falter, most company executives agree, it will be because competitive pressures (and the lure of a possibly higher return overseas) pushed too hard against voluntary restraints. "A voluntary program can work for just so long," says a New York City executive. "It fails the day you realize that going along has given your competitors an edge." And a midwesterner echoes: "I can't see that Johnson's proposal is going to be effective. Companies have to move where their interests dictate. You can't stand still and let opportunities abroad go sailing by."

The big international oil companies—most of them now scrambling to set up in the North Sea gasfields—feel they could be particularly hard hit by a curb on oversea investment. Equally unhappy are the drug companies—many of which derive a substantial share of earnings from their foreign ventures. An electronics company executive argues: "If we give an inch anywhere, the Japanese will swarm all over us."

NEWCOMERS FEAR

Some companies say they can get by without exporting more dollars. GM this week announced plans for a $100 million Belgian plant—to be financed through locally borrowed funds and earnings from its Belgian operations. But other companies wonder if they will be able to borrow enough locally—at rates they can afford—when U.S. companies turn heavily to local capital markets.

A number of U.S. corporations say they will step up repatriation of funds. A number already have, to protect themselves against a possible devaluation of the pound sterling. Yet there also are rumors of companies rushing to beat the new program by funneling dollars abroad. A midwestern capital goods company concedes: "Last week we were sending dollars overseas as a hedge against Johnson's action—a half-million here, a half-million there."

Hurt most keenly perhaps, will be companies just pushing into oversea markets. Says a spokesman for Cleveland's Diamond Alkali Co.: "The established companies may be able to do business with existing facilities, but companies new to oversea markets can't stop in midstream. If they do, they drown."

[From Washington Outlook, Feb. 20, 1965]

COLD SHOWER FOR BUSINESS ON DEFICIT

The administration goal now is to arouse the U.S. business community—chiefly big bankers and big industrialists—to what could happen if the voluntary campaign to narrow the balance-of-payments deficit should fail.

Business leaders who trooped to Washington this week got the cold shower treatment: Unless there is a dramatic improvement in the deficit soon, the administration may have to decide between tight money—and an end to the business boom—or mandatory exchange controls for the first time in U.S. history.

Thus the skeptics in this country and abroad who say the voluntary program will fail really serve the administration's purpose.

The last thing officials want is to make the administration's approach look easy. The stress is on how tough the job will be and how short the time is.

STRESS PUT ON QUICK TIMING AND HARD FIGHT

On the question of timing: One of the top financial officials of the country says the voluntary program has only "3 or 4 months" to show solid results.

There is also the question of how deep the cut in the deficit should be this year.

For this, a look at the recent record is helpful.

The deficit has been edging slowly down: $3.6 billion in 1962, $3.3 billion in 1963, $3 billion in 1964. Last year was the shocker. There had been hopes the deficit would fall as low as $2 billion, and on down to $1.5 billion this year.

The goal for 1965 is still $1.5 billion. If the deficit averages this low for the year, the administration probably will be satisfied. But reaching it will not be easy. In the last quarter of 1964, the deficit was running at an annual rate of $6 billion; even adjusted for nonrecurring items, the rate was $4 billion.

BANK LENDING MAY HOLD KEY

Whether the voluntary program succeeds may depend on what happens to short-term bank lending abroad.

The Federal Reserve will seek to limit new loans abroad this year to no more than a 5-percent rise over the $9 billion outstanding at yearend. This would be a rise of only $450 million, if the goal is met, compared to a rise of around $2 billion in 1964.

By comparison, the effort to get industry to cut down on the outflow of funds has a relatively modest potential. One guess is that a maximum of $500 million could be saved, partly by postponing direct investment and partly by curtailing the practice of sending short-term funds abroad to earn higher interest rates.

Smaller potential savings are seen in a reduction of portfolio lending to foreigners, further cutbacks in defense spending abroad, and by cutting the limit on duty-free goods bought by U.S. tourists from $100 to $50. Altogether, these items will not affect the balance very much.

The administration's eggs are in the banking basket, although this will not be stressed in the drive to get across-the-board business backing for the program.

TUNGSTEN

Mr. ROBERTSON. Mr. President, as chairman of the Joint Committee on Defense Production, I call to the attention of the Senate a disposal plan announced by the General Services Administration, under which 77.9 million pounds of tungsten would be disposed of under the provisions of the Defense Production Act covering the disposal of the materials from the Defense Production Act inventory.

The disposal program would cover all the tungsten in the Defense Production Act inventory. This tungsten, much of which was acquired under other laws, had an acquisition cost of about $315 million. Its market value, last June, was approximately $105 million. By December 31, the market value had risen to more than $160 million.

I ask unanimous consent that a statement on this subject be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TUNGSTEN

On February 18, 1965, the Acting Administrator of the General Services Administration notified the chairman of the Joint Committee on Defense Production of a planned disposal of 77.9 million pounds of tungsten contained in ores and concentrates from the Defense Production Act inventory. The Joint Committee on Defense Production receives notification of proposed sales from the Defense Production Act inventory. This proposal covers the total amount of tungsten in the Defense Production Act inventory.

The Joint Committee on Defense Production has the responsibility of reviewing the execution and administration of programs authorized in the Defense Production Act. This includes an inventory of materials having a cost value of $1,426 million and a market value of $909 million as of December 31, 1964. These materials were acquired by the Government as a byproduct of expanding productive capacity to overcome shortages in supply.

There has been a substantial increase in the market value of tungsten in recent months. The acquisition cost of all tungsten in the Defense Production Act inventory was approximately $315,800,000 as of December 31, 1964, and the market value was estimated to be $161,900,000. This compares with an estimated value on June 30, 1964, of $104,479,000.

The tungsten for disposal consists of about 52.6 million pounds of stockpile grade and 25.3 million pounds of nonstockpile grade. The tungsten is in the form of ores and concentrates, and is in a wide variety of classes, origins, and types, stored at many locations throughout the United States.

The quantity of tungsten to be offered for sale during the first year will be approximately 1 million pounds, exclusive of quantities to be made available for direct Government use and special governmental projects.

The Administrator of the General Services Administration has advised the chairman of the Joint Committee on Defense Production that GSA will make the material available; first, for sale on a competitive basis; second, for transfer to agencies of the U.S. Government for direct or indirect use; third, for payment for services involved in upgrading Government-owned inventories or for other barter transactions; fourth, for sale under foreign-aid programs; or, fifth, for disposition in such other manner as may be in the best interest of the Government.

Section 303(a) of the Defense Production Act provides that minerals and metals in the Defense Production Act inventory shall be sold at not less than the current domestic market price.

Although the current stockpile objective for tungsten is 44 million pounds, the last 5-year, long-term objective was 94 million pounds. The highest objective was 146 million pounds.

In purchasing tungsten under Public Law 206, the Congress bypassed the Banking and Currency Committee, beginning in 1953, and used Defense Production Act funds for a purpose that was not provided for in the Defense Production Act. In the recent annual report, the Joint Committee on Defense Production reported that the probable loss on tungsten purchased under the domestic regulations that were extended by Public Law 206 was estimated to be $126,106,000 as of June 30, 1964.

Although the Banking and Currency Committee and the Joint Committee on Defense Production did not have the responsibility for reviewing stockpile objectives for tungsten, the unrealistic stockpile objectives became part of the total overall requirements that we were called upon to meet through the use of Defense Production Act expansion programs.

The surplus tungsten in the Defense Production Act inventory is being offered for sale by the General Services Administration. These sales should be made in such manner as to avoid disrupting the market and to protect the investment of the Government. The language contained in the Defense Production Act provides for sales at less than the current domestic market price. This language is intended to provide protection for consumers, producers, and the Government. The Joint Committee on Defense Production believes that surplus materials in the Defense Production Act inventory should be sold when such sales may be made in an orderly manner with due regard to the defense needs, and the interest of the Government, the public, consumers, and producers.

FREE PRESS AND FAIR TRIAL

Mr. ERVIN. Mr. President, the proper balance between free press and fair trial, always a subject of consternation to members of the bench, bar, and press, has become a full-blown controversy since the assassination of President Kennedy. For the grotesque hours following the murder, the world's spotlight was turned on Dallas; and it became apparent that a fair trial for either Oswald or Ruby by 12 impartial jurors would be difficult, at best. Following the report of the Warren Commission, the clamor for restrictions on the press' access to pretrial information increased.

In recent months, courts, bar associations—including the American Bar Association, and individual lawyers have called for various limits and restrictions on the flow of information to the press, following the commission of a crime. As a former judge at all levels of the bench in North Carolina, and as a lawyer, I share the deep concern of others for making certain that a fair trial is not endangered by adverse publicity.

However, I also have a deep and everlasting respect for the constitutional guarantee of a free press and the corollary right of the public to know. No provision in the first amendment would allow us to bridle the few irresponsible newsmen, while leaving the rest of the press—which constitutes the great majority—unfettered.

Also, for every instance in which a defendant's case has been prejudiced by an unfair press, there is another in which the press has exonerated an innocent person and has revealed the identity of the true criminal. Moreover, our history is replete with contributions that a free press has made to our system of responsible government and to the proper administration of justice. We must be vigilant in making certain that any restriction we place on the press does not limit its potential for making future contributions.

This does not necessarily mean that the Constitution precludes any improvement in the present situation. For instance, Miles H. Wolff, president of the American Society of Newspaper Editors, and Sam Ragan, president of the Associated Press Managing Editors Association, have suggested that meetings among members of the press and of the bar could produce a consensus compatible with both free press and fair trial.

The Subcommittee on Constitutional Rights has undertaken a background study of the subject. I hope that at such time as the preliminary study is complete, hearings will be held to determine the extent of the conflict and the need for legislation in the area of free press and fair trial.

In the meantime, I commend to the attention of Members of Congress the following articles, which I ask unanimous consent to have printed at this point in the RECORD: "Press Concerned About Curbs on Crime Coverage," by Raleigh Allsbrook, from the February 21, 1965, Raleigh News and Observer; "A Judge's View of Trial and Pretrial Publicity," by Judge J. Braxton Craven, Jr., one of the country's finest district judges, and also appearing in the News and Observer on February 14, 1965; "Crime and Publicity," by Robert L. Bartley, appearing in the Wall Street Journal on February 23, 1965; and "U.S. Order To Curb Pre-Trial News," by Fred P. Graham, appearing in the New York Times on February 2, 1965.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Raleigh (N.C.) News-Observer, Feb. 21, 1965]

PRESS CONCERNED ABOUT CURBS ON CRIME COVERAGE

(By Raleigh Allsbrook)

NEW YORK.—A woman is hacked to death in bed and her husband, a man of some prominence, is arrested and charged with the crime.

How much are the press, television, and radio entitled to report on the case?

Suppose the man signs a statement admitting the slaying, and police learn that years before, in another State the man was accused but later freed in a similar case.

Should newsmen be given these facts along with others they normally get in talking with police and prosecutors?

Or should certain rules be set up restricting what the press and broadcasters can say about criminal cases?

LAW AND TASTE

Newsmen in the past generally have been bound only by the laws of libel and slander and—for the most part—the dictates of good taste.

They have been able to talk freely with police and other sources and use their own ingenuity in digging up information.

But recently a number of bar organizations, judges and others, have ordered or proposed specific restrictions on reporting criminal cases.

Most of these developed since the Warren Commission report criticizing coverage of events in Dallas following the assassination of President John F. Kennedy.

The Warren Commission described the influx of newsmen into Dallas as utter chaos and called for a code of ethics to cover such situations.

Both police and newsmen were blamed for what the Commission called the "undigested flow of evidence" conveyed to the public.

CITIZENS INJURED

Law enforcement agencies attempted to keep the press fully informed on the investigation, the committee said, and in the process a great deal of misinformation was disseminated and innocent citizens injured by unfavorable publicity.

Last November, the New Jersey Supreme Court banned potentially prejudicial statements to newsmen in criminal cases by prosecutors, police, and defense attorneys.

Singled out were statements about confessions or incriminating admissions, remarks on "open and shut" cases and references to a defendant's prior police record.

The ruling, if strictly observed, could dry up sources for many crime stories.

It left unclear, however, whether any action could be taken against news media for using information considered prejudicial by the court.

Arthur Sills, New Jersey attorney general, later told a committee of the New Jersey Press Association, the order was not intended to curb news coverage.

He promised to stress commonsense in discussing it with police and prosecutors.

Similar restrictions were contained in guidelines recommended last December by the Philadelphia Bar Association.

The proposal, now under study, drew sharp criticism from news media, law officers, and even some members of the judiciary.

Mayor James H. J. Tate of Philadelphia insisted that the public's right to know is one of the fundamentals of American life.

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Under the plan, attorneys could not make statements or be interviewed about criminal cases. Police and prosecutors would not be allowed to release records, photographs, or other material, including confessions or statements made by suspects.

RELEASE OF INFORMATION

The guidelines also propose:

"During the investigation * * * information should not be furnished unless the publicizing of certain events will help the investigation."

In Nevada last December 21, State Supreme Court Justice Gordon R. Thompson advised district attorneys and police to stop giving out information that might prejudice cases of suspects.

"I think it behooves all prosecuting officers in the State to concentrate on trying their cases and not to worry about publicity," Thompson said.

Declaring a serious situation has resulted in case after case being endangered by prosecutors giving newsmen information, he added:

"It's making law enforcement very difficult."

MISTRIAL GRANTED

And in Rhode Island, Superior Court Judge Arthur A. Carrellas granted a mistrial January 19 because a defendant's criminal record was published in a local newspaper.

"Even if the court instructed the jury to disregard the article, the harm already has been done," the judge said.

Another mistrial resulted in a murder case in San Bernardino, Calif., Superior Court Judge Karl B. Hilliard ruled December 7 that adverse publicity may have made it impossible to select an impartial jury.

Senator Wayne Morse, Democrat, of Oregon, has introduced a bill in Congress restricting both prosecution and defense in releasing pretrial publicity on defendants in Federal criminal cases.

Morse said events in Dallas after the President's assassination emphasized the need for the legislation.

ESTES RULING

The Texas Court of Appeals, however, ruled in the Billie Sol Estes case that widespread notice about a defendant does not harm his case.

Lewis F. Powell, president of the American Bar Association, surveyed the situation and urged the legal profession and news media to find a sensible balance between freedom of the press and guaranteeing an accused person a free, fair trial.

"The bar and courts," he said in a Miami speech, "must protect accused persons from pretrial publication of prejudicial information." He said they have the power to control sources of this information and should be far more willing to exercise this power.

The bar president further said that "the guarantee of a public trial was never intended to protect any right of the public to be entertained or even to be informed of current events. The purpose is to prevent secret trials."

Powell, however, said he blamed lawyers first and news media second "for overzealousness in pretrial activity."

What has been the reaction of the press and broadcasters to these restrictive proposals?

STUDY ADVISED

Virtually all major organizations representing news media have advised a careful study with the view to seeing that both the freedom of the press and the right to fair trial are protected.

Some named committees to discuss the problem with the American Bar Association.

Gene Robb, president of the American Newspaper Publishers Association, and publisher of the Albany (N.Y.) Times-Union and Knickerbocker News, commented:

"The public interest is paramount in any consideration of these two constitutional guarantees—a free press under the first amendment and a fair trial under the sixth amendment.

"These few instances where they appear in conflict should be resolved without any loss of our liberties. Indeed the studies now embarked upon concerning the relationships of a fair trial and a free press in administration of justice ought to help preserve and strengthen both. That is our purpose."

Miles H. Wolff, president of the American Society of Newspaper Editors and executive editor of the Greensboro (N.C.) Daily News, said:

"My own opinion—and I believe I can speak for the special ASNE committee which is working on the problem—is that I would strongly resist efforts to restrict coverage of criminal cases.

"I think the New Jersey Supreme Court and the Philadelphia Bar Association—to name two specific groups—have gone much too far in their suggestions for regulation of coverage.

"I am willing—and I think most newspapermen are willing—to meet with members of the bar to discuss mutual problems and see what can be done without surrendering prerogatives guaranteed by the Constitution."

STATEMENT BY RAGAN

Sam Ragan, executive editor of the Raleigh (N.C.) News and Observer and Raleigh Times and president of the Associated Press Managing Editors Association, appointed to a committee named by the American Newspaper Publishers Association, said:

"Our purpose is to meet with other people such as members of the bar, judges, and law enforcement officers to see that the rights of all people are preserved. This is something that we feel can be discussed intelligently without sacrificing the rights of anyone.

"I do not feel that the American Bar Association or any press association has the right to sit down and bargain away the right of the people to know the most fundamental right of all.

"I do not feel that a free press and a free trial are incompatible. We could not have a fair trial without a free press.

"The purpose of our blue ribbon committee is to meet with a similar committee of the American Bar Association and discuss the problem to understand the role both have."

Bruce B. Palmer, president of the Radio-Television News Directors Association and news director of station KWTV in Oklahoma City, has attacked the threatened curbs in a number of addresses.

"Talk we will and must," he said recently, "but only with the aim of agreeing on standards of ethical behavior on the part of newsmen—and on the part of bar members."

Palmer acknowledged that actions of some newsmen had led to the proposed restrictions, but he said "some elements of the bar, especially at local levels, are waging almost open warfare on us."

In Philadelphia, he said, attorneys "in their legal wisdom have adopted what amounts to a proposal to impound all information about criminal cases except the testimony that is taken in open court."

Alfred Friendly, chairman of the Press Access Committee of the American Society of Newspaper Editors and managing editor of the Washington Post, made this comment:

"The press has some hard thinking and hard work to do in improving its coverage of criminal proceedings, with the goal of avoiding injury to the right of fair trial.

"There are many useful steps it can and should take, in cooperation with the bench, the bar, and the law enforcement agencies, to progress toward this objective without, at the same time, undermining its own responsibilities to keep our democratic society properly informed.

"But some of the recent proposals of the bar would serve to rivet such tight shackles on its own wrists as to have the effect of imprisoning the public also, unduly and perilously. Too heavy a curtain of silence on criminal proceedings can result in a degree of blackout that would be intolerable to the community.

"The restrictions could create machinery of suppression full of worse dangers, and more frequent ones, than those with which the bar charges the press."

BOTH ESSENTIAL

Ralph Sewell, president of Sigma Delta Chi, national journalism society, and assistant managing editor of the Oklahoma City Times and Daily Oklahoman, said "fair trial and free press are both essential. To imply there must be a choice of one over the other does an injustice to both interests.

"If the matter can be discussed reasonably, it's doubtful that anyone can be against fair trial except those jackleg lawyers and criminals who profit from lawlessness. Certainly, newsmen are not against fair trial; they have fought for centuries to protect that right. But neither do we believe justice can flourish behind a wall of secrecy.

"That secrecy can only add protection for criminals and those who turn them loose on endless series of bail bonds, to steal, rape, and murder again and again."

Defense of news freedom also has come from groups outside the industry.

John McKee, president of the Dallas Crime Commission, said the reluctance of some papers to print names of juvenile offenders is one of the reasons for an increase in juvenile crime.

He urged news media to focus as much light as it can on crime and added:

"Some of the criminal bar associations throughout the country, as well as some of the so-called do-good organizations could be of great assistance by sitting down and analyzing how they actually are contributing to the increase in our crime rate by restrictive laws."

[From the Raleigh (N.C.) News and Observer, Feb. 14, 1965]

A Judge's View of Trial and Pretrial Publicity

(By Judge J. Braxton Craven, Jr., U.S. District Court for Western North Carolina)

(Editor's Note.—This article is adapted from the author's remarks to the second annual press-broadcasters court reporting seminar held at the institute of government at Chapel Hill.)

I have much more respect for the working press than I used to have, and I have always had right much.

Writing opinions is by far the hardest and most challenging thing I have ever attempted to do. Like most lawyers and judges, I have a tendency, which I constantly fight, to write what I call tedious Gothic. I can't seem to say what I mean any other way.

I have sometimes marveled at your ability to condense in a few columns of space what has happened in 1 or 2 days of trial time with everyone talking almost at once for hours on end. You don't always succeed, as you well know, but you do it with surprising frequency.

NEW BERN CASE

Some time ago I was assigned to hold court in the eastern district of North Carolina at New Bern, and it fell to me to sentence Kirchofer and Thompson, of a securities firm, for fraud.

A judge is supposed to represent the sober second thought of the community. Sometimes it's harder to do it than to know what it is. Leniency from the bench requires much more moral courage than does harshness.

I heard the evidence and the arguments for more than a full day. One defendant had already served a term of imprisonment under sentence of the State court, and the other was a sick man. I decided that both ought to be given a sentence and that the sentence ought to be suspended and that they be placed on probation.

Very conscious of the justifiable indignation of their many victims, I carefully explained at great length why I reached the lenient decision. I had three reasons and enlarged on them.

I would not have been surprised to have received letters of protest from injured persons all over the State, and I think I would have but for the news account written by Bill Womble and published in the Raleigh News and Observer which fairly and accurately, but succintly, stated all three of my reasons for deciding on suspended sentences.

Last summer, in the sensitive area of civil rights, I largely approved a school plan of the Buncombe County Board of Education, but felt required to make the board do some things that it would rather not have done. The hearing took all day.

What I said after it was over took at least a half hour and ran to many hundreds of words.

In a report remarkable for its concise accuracy, Phillip Clark reported in the Asheville Citizen not only what had been done, but why it was being done. As in the securities fraud case, I have had not one single letter of protest, and I think it might have been otherwise but for the excellence of the reporting.

Most crimes have their own built-in punishment without regard to what sentence, if any, may ever be imposed by a judge.

This is true of the two securities firm members and of a post office employee whom I sentenced recently. He now makes less than $3,000 a year instead of $8,000, has lost all retirement benefits, and must live with the shadow of shame that he has cast over a splendid young son.

Why also imprison him? Restitution has been made. Only a small sum of money was involved. What is to be gained from the viewpoint of society in a term of imprisonment?

Or take the case of the lawyer whom I recently sentenced for fraudulent failure to file income tax returns. I required him to pay a $2,500 fine. The civil penalties for his tax delinquencies will more than double (with interest) the original tax liability. He will end up at least $20,000 short of what he would have had if he had paid his taxes as they came due.

His other losses are beyond computation. Clients have, of course, quit him, and others that might be attracted to him will not come. Most important of all, I think, in some cases, is the loss of human dignity and self-respect.

Nobody keeps statistics on these things as far as I know, but I suspect I am given to the short sentence more than most judges. I define short sentence to mean less than 6 months. I suspect I impose as many such sentences as any judge who ever sat on a bench.

YOUNG OFFENDERS

I think that many young offenders, particularly in crimes of violence, are helped by an active sentence of from 30 days to 6 months. Terms of longer than 6 months—certainly longer than a year—have no rehabilitating effect, in my opinion.

I am convinced that capital punishment is not worth what it costs in terms of time, money, and loss of human dignity. It will eventually go, and I note with pleasure that it was voted out recently in Oregon. One bad side effect of the controversy over capital punishment is that it distracts us from more important problems (more important except to the handful who are executed) of penology, such as disparity of punishment, parole standards, work release, recidivism, social and mental defectives—and what to do with them, etc.

I cannot recall a single instance of pretrial publicity which I felt prevented me from according to the State and the defendant a fair trial. Pretrial publicity does undoubtedly increase the cost of sensational criminal trials to some extent.

Certainly such additional expenditures would not justify abridging the freedom of the press. I clipped out of the Charlotte Observer and read with much care a pretrial account of the Rinaldi murder trial appearing on the beginning day of the trial.

It told of the trial beginning on Monday; that Rinaldi's wife was found dead, battered, and gagged at 1:30 p.m. on December 24, 1963, in their Chapel Hill apartment; that the defendant planned to testify; that Rinaldi had been in jail since last August—held without bail; who the lawyers were; that 17 witnesses had been subpenaed for the prosecution and 20 for the defendant, of which 6 were summoned for both sides.

None of the foregoing reported facts would, in my opinion, prejudice a prospective juror. I do not believe the trial is made appreciably more difficult by such reporting.

Frank Wetzel was tried twice for his life for the murder of two highway patrolmen, and my recollection is that both trials occupied the press to a remarkable extent.

Yet, the rather amazing fact remains that if this be termed trial by newspaper the result in both cases was, nevertheless, a recommendation of mercy and life imprisonment. It is difficult to imagine the State contending that it is hurt by such pretrial publicity, and Wetzel could not possibly have hoped for more than leniency.

In England, I understand that the inherent contempt power of the courts is commonly invoked to curtail the press reporting of trials. It has been suggested that a strong judiciary in America should copy the English judges.

MENCKEN'S VIEW

The famous newspaperman, H. L. Mencken, supported such a proposal: "Journalistic codes of ethics are all moonshine * * *. If American journalism is to be purged of its present swinishness * * * and God knows it's needed * * * it must be accomplished by external force."

I do not agree with Mencken. If any controls are needed, they ought first be imposed on prosecutors, law-enforcement officers, and defense attorneys.

The only general conclusion I can come to is this: An independent judiciary and a free press are both essential. The sense of responsibility of the press in North Carolina is such that there is no irreconcilable conflict between the two, and I envision none in the foreseeable future.

[From the Wall Street Journal, Feb 23, 1965]

CRIME AND PUBLICITY: WHITMORE CASE POINTS UP GOOD AND BAD OF NEWS COVERAGE

(By Robert L. Bartley)

"The Killer" headlined the New York Journal-American over a two-column mug shot of George Whitmore, Jr., a slow-witted Negro youth who last April stood accused of the sadistic knife slaying of career girls Janice Wylie and Emily Hoffert.

But it turns out Mr. Whitmore was not the killer in the Wylie-Hoffert case after all. Yet now the Journal-American, along with several other Manhattan newspapers, is lining up to take acclaim for discrediting his alleged confession. The case is a textbook example of the great publicity which often attends a violent crime. Stanley J. Reiben, the chief defense counsel, asserts, "The press had Whitmore three-quarters strapped into the electric chair, but then it got him back out."

The question of how publicity affects criminal cases is especially current because of a rash of proposals to keep lawyers and police from releasing information on pending cases, a system long standard in Great Britain. Variations of this have been urged by the Warren Commission on the Presidential assassination, the Philadelphia Bar Association, the New Jersey Supreme Court, and even on a national scale by U.S. Senator MORSE.

For the most part, the press resists any such notion, arguing that the public interest requires full disclosure. Both sides of the dispute will find support for their cases in the Whitmore episode, but the complexity of publicity crosscurrents may stop each long enough to reexamine its own position.

The argument for full disclosure is summed up by an assistant district attorney quoted in the New York Times, "If this had not been a celebrated case; if this case hadn't got the tremendous publicity; if this was what we so-called professionals call a run-of-the-mill murder, Whitmore might well have been slipped into the electric chair and been killed for something he didn't do."

The great publicity stirred especially thorough investigations by both press and prosecutors. Newspaper reporters apparently were instrumental in finding witnesses who provided a partial alibi. Their persistent inquiries also evidently played a part in the prosecutor's public admission that a photograph found in Mr. Whitmore's wallet was not, as police had first indicated, of Miss Wylie or in any way traceable to her apartment.

SECOND SUSPECT ARRESTED

After these disclosures, police arrested a second suspect in the Wylie-Hoffert killings and dropped charges against Mr. Whitmore. They did nothing about two other purported confessions obtained at the same time. Trial is pending on a third knife murder, and the youth has already been convicted of an attempted rape, which was tried first although many lawyers argue more serious offenses should be resolved first. Defense lawyers are trying to win a new trial on the rape charge, partly on the grounds that the admitted falsity of one confession also discredits the others.

Mr. Reiben, the defense counsel, freely gives the press considerable credit in getting the Wylie-Hoffert charges dropped. "Some of these newspapermen did a real police job of investigation, pounding at police and prosecutors alike. I cannot praise too much a lot of reporters who jumped in with both feet once this thing started to reverse itself."

Publicity and newspapers also unquestionably helped secure experienced counsel for the defendant. Mr. Reiben says he originally declined to adopt the case when two young Brooklyn lawyers urged him to do so. He says he changed his mind when World-Telegram Reporter Selwyn Raab came to him with the information discrediting the critical photograph.

What if a British-type system had stopped all newspaper publicity? Mr. Reiben, for one, is willing to speculate. Theoretically, he says, an acquittal would still be possible through investigation by "a topflight defense counsel with unlimited funds." Practically, however, Mr. Whitmore would have been unlikely to have either of those advantages, and "chances are in this case the true facts would never have come out."

Like most lawyers, particularly defense specialists, though, Mr. Reiben still favors some kind of restriction on pretrial publicity. Indeed, Herman B. Glasser, president

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of the New York Association of Trial Lawyers, argues, "The tremendous controversy surrounding the Whitmore case offers new evidence of the need for a regulation" banning the release of information for pretrial news stories.

The crux of this argument is that the Whitmore case demonstrates that the typical flood of pretrial publicity, with its probable tendency to prejudice jurors against the defendant, can unquestionably be directed against an innocent man.

Looking back at the news coverage of Mr. Whitmore's arrest, it certainly seems unlikely many readers would be inclined to suspend judgment on his guilt. If they missed the Journal-American's terse summary, they might find the World-Telegram headline, "Wylie Murder Solved: Drifter Admits Killing Two." The sedate Times did squeeze the qualifier "accused" into its first headline, but seemingly closed the case by heading a second story, "Agony of Waiting Ends for Wylies."

All of the stories related minute details of the purported 61-page confession, giving a minute-by-minute summary of how Mr. Whitmore supposedly chanced into the girls' apartment, discovered one of them nude, bludgeoned her with a soft drink bottle, bound and repeatedly knifed both her and a roommate who suddenly returned, then calmly washed up and left. The papers did report that Mr. Whitmore recanted the confession upon arraignment, but the Post was not too atypical in including this in the 23d paragraph of its story the day after its first banner report.

In addition, there was a plethora of authoritative police statements. "We wouldn't have booked him if we weren't sure" was a quote opening one Herald Tribune piece. It ended "Deputy Inspector Frank E. Weldon reiterated there was 'no doubt in our minds' that Whitmore killed both girls. He described as 'ridiculous' the court-assigned counsel's statement that the youth made his confession under duress."

EFFECT ON JURORS

Can jurors suspend their knowledge of such news stories to render an impartial verdict? After the rape attempt conviction, the Times reported, "The jurors maintained that the foreman had excluded all discussion of the other crimes and had been impatient with a juror who commented during the deliberations, 'This is nothing compared to what's coming to him.'" Obviously, while this may demonstrate the foreman's competence, it is also evidence that at least one juror had already rendered a guilty verdict on untried charges he knew only through the press.

To assess the influence of publicity, however, it should be noted that in the rape case the confession was corroborated by evidence which, while it is currently under renewed attack by the defense, could easily impress many jurors. The intended victim identified the suspect. Also, he owned a coat with a button missing, and the remaining buttons at least appeared to match one wrenched from the assailant.

More important to an assessment of the whole episode is the recognition that whoever concocted the fictitious confession, it was not the newspapers. They only related an account given on authority both high and, in claiming airtight cases, usually reliable. The press understandably holds its primary duty is to tell what's going on. If police or prosecutors make public statements, the papers have little choice but to report them.

Such recognition gives added weight to the recent comments by Dean Erwin Griswold, of the Harvard Law School, "If the lawyers will simply put their own house in order, much of the problem can be eliminated." The minimum lesson of the Whitmore case is that with or without new "regulations" police and prosecutors should be cautious in making public claims for their case. Whatever the confession's specious origin, many top legal officials obviously believed it completely—just as they will completely believe "airtight" cases in the future.

At the same time, the case seems to show that, just as the press always has claimed public scrutiny can help check police abuses. The police department is investigating the circumstances of the confession. A separate inquiry is underway into another confession supposedly obtained by the same detective and instrumental in another conviction. The case provoked one New York assemblyman to introduce a bill allowing confession as evidence only if a defense attorney or judge is present when they are taken.

If police are to extort false confessions in one way or another, it certainly should be brought forcefully to public attention. Even if no legislation results, the lesson of public debate may not be lost on police interrogators. If, however, there were no pretrial news stories, a confession which proved defective almost certainly would be conveniently forgotten and escape public notice.

DEFENSE COUNSEL'S VIEW

"Up until this case, I was a wholehearted proponent of the English system," Mr. Reiben reports. Now he more modestly suggests a first step of press and bar mutually agreeing to stop pretrial publicity of confessions and past criminal records, because these two items are often not admissible in court. Ideally, he says, "the press should at least know what's going on without necessarily printing it." That might prove a touchy setup, but the significant thing is that a prominent defense lawyer recognizes a British type system would not be without its own defects.

The Whitmore debacle provides plenty of blame to share, and the press itself cannot escape a weighty portion. Until late in the episode, no paper consistently remembered that a suspect is innocent until proven guilty, though the degree of forgetfulness varied widely.

Perhaps as important, it is in the best traditions of the press that statements from high places are read critically rather than credulously. The only prominent party who observed that tradition upon Mr. Whitmore's arrest seems, ironically, Miss Wylie's uncle, author Philip Wylie. Weighing the confession's internal evidence from first reports to far-off Honolulu, he concluded, "It sounds to me like a guy who got scared into a confession or wanted to make a name for himself." It took months for New York's reporters and editors to approach this perspicacity, and to introduce the resulting wariness in their coverage.

The Whitmore case seems to call for greater caution in either advocating or opposing new ethical standards for pretrial publicity. The case on neither side is as simple as it seems to some. But while the debate goes on about new standards, it's well to observe that early in this case the press flinched in upholding those it has long professed. The same can be said with even greater force of police and prosecutors.

None of those mistakes is really redeemed by the subsequent exoneration. They will be redeemed only by sticking closer to the established standards in future cases when the suspect is as obviously guilty as George Whitmore was 10 months ago.

[From the New York Times, Feb. 21, 1965]

U.S. ORDER TO CURB PRETRIAL NEWS

(By Fred P. Graham)

Attorney General Nicholas deB. Katzenbach is preparing an order to limit the flow of pretrial information on Federal cases to the press.

A Justice Department spokesman last week confirmed earlier reports that Mr. Katzenbach has circulated a proposed draft of the order among Federal attorneys to get their views on how much information department officials should be allowed to give the press about pending criminal cases.

The draft was reported to prohibit all pretrial releases except a copy or summary of the charge, the defendant's name, age, residence, employment, and marital status, and the place and time of arrest and the arresting agency.

The draft reportedly covered all public statements by representatives of the Justice Department, including the Federal Bureau of Investigation.

For many years the FBI Director, J. Edgar Hoover, has issued detailed accounts of arrests in important cases. Much of the detail that has appeared in past releases by Mr. Hoover could not be released under this draft.

Ed Edstrom, Assistant Director of Public Relations for the Department, said in a telephone interview that this draft had been modified, but that "eventually, an order on this subject will be issued by the Attorney General."

Meanwhile, a check of New York Times correspondents across the Nation revealed that very little was being done on the State and county level to carry out the Warren report's recommendations for maintaining a free press and fair trials.

Soon after the Warren report on the assassination of President Kennedy was published, the New Jersey Supreme Court issued an order prohibiting prejudicial statements by police officers, prosecutors, and defense lawyers, and the Philadelphia Bar Association recommended that the courts of Pennsylvania do the same.

LITTLE OTHER ACTION

However, the check of correspondents disclosed little activity in other States.

Bills have been introduced in the legislatures of Massachusetts and Florida to limit pretrial publicity, but neither is given much chance to pass.

Faint protests have been heard in the bar association of Colorado, Michigan, Kentucky, Virginia, and Texas, but no action has been taken.

Elsewhere, the reports were of apathy, or at most of isolated suggestions of restrictions which were immediately put down by vigorous protests from the news media.

Still, there were continuing indications of concern on the part of journalists. Last Wednesday Ralph Sewell, the president of Sigma Delta Chi, national journalism society said in a speech that bar associations throughout the country and other special interest groups had "declared open season on the press."

A CHANGE IN SCOPE

An analysis of the press coverage of last week's biggest arrest story—the alleged plot by four conspirators to dynamite the Statue of Liberty and other national monuments—shows that the proposed codes would drastically change the present scope of coverage, if they are ever enforced.

Under the New Jersey Supreme Court code and the proposed Pennsylvania code, two vital aspects of the dynamite story could not have been released to the press.

One was the long statement by Police Commissioner Michael J. Murphy, quoting alleged admissions by the plotters to the police undercover man who exposed the plot. The statements included colorful details of how the defendants allegedly hoped to blow the arm and the head off the Statue of Liberty, and also the explanation that they were motivated by a desire "to dramatize the plight of the Negro."

The codes would also have prohibited the disclosure by the police of prior arrests of three of the alleged conspirators.

If the arrests had occurred in States where such codes were in effect, the police officers could have told only the details of the arrests, and the identity and photographs of the accused, their residences descriptions and family status.

However, the fact that the dynamite story was reported in full in the New Jersey newspapers illustrated the difficulty of limiting press coverage under American law.

The U.S. Supreme Court held in 1941 that a judge cannot punish a journalist for contempt for commenting about a pending trial unless there is a "clear and present danger" of obstructing justice.

This is in sharp contrast to the British practice, where judges impose harsh fines and prison sentences on journalists who print details about accused persons prior to their trials.

But even if the dynamite suspects had been arrested in New Jersey, the judges could not have enforced their rules against the police officials, since their code says such violations should be punished by superior officers.

Thus the court-imposed bans can be enforced only against lawyers subject to the judges' discipline, and even this control is subject to "leaks."

In recent years the courts have demonstrated a growing tendency to declare mistrials when they feel the news media has prejudiced the public against a defendant.

Dr. Sam Sheppard was released from Ohio State penitentiary, after serving 10 years of a life term for the murder of his wife, in part because a Federal district judge felt his case had been prejudiced by unfair newspaper publicity.

Mistrials have been declared in recent months in Nevada and Rhode Island because the trial judges felt the defendant's chances for a fair trial had been prejudiced by newspaper publicity.

EDITOR IS CRITICAL

Police officers have criticized the proposed press bans on the grounds that the public should be informed when a dangerous criminal who has been terrorizing a community has finally been caught.

Felix R. McKnight, executive vice president and editor of the Dallas Times Herald, recently said in a speech to the Oklahoma Press Association:

"More and more protective measures are asked for the accused criminal, and fewer and fewer freedoms for the press to publicly unmask these degenerates who rob, rape, murder, and intimidate the citizens of this country."

Many representatives of the communications industry have said there is a real need to protect the rights of defendants, and in Massachusetts and Oregon the press and bar have adopted joint guides for their relationship.

On the national level the American Newspaper Publishers Association organized a Committee on Free Press and Fair Trial last week, the Associated Press Managing Editors Association has a committee working on the problem, and the American Society of Newspaper Editors is urging all branches of the news media to study the matter.

The American Bar Association has a parallel committee working on a 3-year study under the chairmanship of Justice Paul C. Reardon of the Supreme Judicial Court of Massachusetts.

THE PRESIDENT NEEDS OUR SUPPORT AS VIETNAM POLICY UNFOLDS

Mr. BARTLETT. Mr. President, McGeorge Bundy recently said, "Wars always end in negotiation."

No doubt the present war in Vietnam will also end in this way. Already, preliminary probings have been undertaken by allies, neutrals, and trusted third parties. Once again the Secretary General of the United Nations is demonstrating his skill and his great usefulness by his responsible services as a reliable go-between.

I am not dismayed by this turn of events, Mr. President; I welcome it. I welcome negotiations, not because I believe the United States should or could pull out from its commitment in South Vietnam, but because I believe this commitment lacks purpose, sense, and direction unless we are willing to work on all fronts, diplomatic as well as military, in our efforts to stabilize the area. "War is but a political instrument," said Von Clausewitz, and Churchill added, "We arm to parley."

We arm and we war for nothing if we refuse to parley. Most certainly this is true in southeast Asia, where our unquestioned superiority in the air and on the sea makes it impossible for other nations to ignore the might of our commitment, while at the same time Red China's strength on the ground and her geographical proximity make her inevitably a part of any equation for the stabilization of southeast Asia.

I do not fear our parley on the settlement of the war in Vietnam. In recent weeks, we have more than demonstrated our determination and our power to insure that South Vietnam will not be engulfed by her neighbor to the north. We have made clear to all concerned that we have the capability and, if need be, the will to level the north, to preserve the integrity of the south. We shall not be speaking from weakness when we go to the conference table. It will be no Munich, no appeasement, no surrender.

Last, and most important, I have no fear of parley, because we have, in the person of our President, one as skilled as any in recent history in the power of persuasion and the art of negotiation. His surpassing talents in understanding men, their motivation, and their feelings will serve us well as the United States undertakes discussions at whatever level.

Our Nation would go to the conference table with a strong hand and a skilled player.

Mr. President, of course we cannot know now just what is underway in international channels. We do know that the British, the French, the Indians, the Russians, and the Secretary General are participating in a search for a mutually acceptable basis from which negotiations might proceed. We do know that Ho Chi Minh has repeatedly sought such negotiations. And we do know that the President has informed our allies that the United States has no stated objections to their interest and that "we have naturally given them a full account of the situation and our views." Well and good, Mr. President; well and good.

I believe it is important for Senators to give the President the support he needs as these delicate and critical events unfold. He must have the flexibility and the freedom of action he needs at this juncture—a flexibility and a freedom which our confidence and our support can supply.

I ask unanimous consent that three articles dealing with these matters be made a part of the RECORD at this point. The first, by Drew Middleton, is from the New York Times; the second, by Murray Marder, is from the Washington Post; and the third, by Thomas Hamilton, is also from the New York Times.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times]

HANOI SAID TO ASK FRANCE TO PRESS UNITED STATES TO NEGOTIATE—HO CHI MINH IS REPORTED EAGER FOR GENEVA TALKS ON VIETNAM SETTLEMENT—DE GAULLE EFFORT SEEN—MEDIATION ROLE SUGGESTED—WASHINGTON REJECTS IDEA OF NEW CONFERENCE NOW

(By Drew Middleton)

PARIS, February 22—North Vietnam recently urged France to intensify her efforts for a negotiated settlement of the war in South Vietnam, a reliable French source said today.

The appeal was made during the present crisis and was related to President de Gaulle's last call, on February 10, for the reconvening of the Geneva Conference to negotiate a peace, the source said.

He did not link the North Vietnamese move directly to the U.S. air strikes on targets in North Vietnam. Inquiries tonight failed to elicit either confirmation or denial of the connection.

He emphasized, however, that the government of Ho Chi Minh had proposed that, in view of France's known support of a negotiated peace, General De Gaulle's government take a more active role in calling a conference.

SUPPORT FOR MOVE HINTED

The French have interpreted this suggestion as a hint that North Vietnam would support France if she proposed a date for the reconvening of the Conference and would attend the meeting.

(In Washington, officials said that they had refused to give the French a mandate as mediators and that they were not interested now in reconvening the Conference.)

The North Vietnamese have used the French mission in Hanoi, headed by Jacques de Buzon, for overtures to the United States before the one disclosed today.

Diplomatic sources have reported Foreign Minister Maurice Couve de Murville as having said, as early as last December, that President Ho Chi Minh had told France that he wanted to discuss the basis for an accommodation with the United States either directly and privately or through a third party, presumably France.

An even earlier indication of President Ho Chi Minh's desire to negotiate developed at the first meeting between President Johnson and U Thant, Secretary General of the United Nations, after the assassination of President Kennedy.

At that encounter, according to diplomatic sources, Mr. Thant gave Mr. Johnson a message from the North Vietnamese President suggesting talks on a settlement.

The French source who disclosed the latest approach said France had told President Ho Chi Minh she did not wish to do anything to embarrass the United States at this critical juncture.

The French Government, allied diplomats said, appeared to be playing a rather involved role in the crisis.

The French source said the Government believed China and North Vietnam would be responsive to proposals for a conference

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that would discuss the future of southeast Asia and of the United Nations.

Allied diplomats here are convinced that General de Gaulle's government is trying to elbow its way into a central position as mediator between the United States and the two Asian powers.

This French effort is being made despite the continuing opposition of the administration in Washington to either a conference or negotiations carried out directly or through a third power.

France's insistence that China participate in a negotiated settlement on the future of southeast Asia has developed some new aspects.

According to this source, China would probably accept and France would be amenable to a conference that discussed both southeast Asia and the future organization of the United Nations.

General de Gaulle proposed a meeting of the major powers, including China, on the future of the United Nations on February 4. Six days later the French Cabinet renewed its appeal for a meeting of the Geneva Conference as the forum for a negotiated settlement in South Vietnam.

PEIPING CONCESSION SEEN

The French apparently are convinced that, despite Chinese demands that the United States withdraw from southeast Asia as a condition for a meeting, Peiping would accept a conference with American troops still in South Vietnam.

The Chinese, however, have not offered any warm, public diplomatic support for French initiatives on a conference.

The source's estimate of the course of events in southeast Asia after a negotiated settlement apparently reflects President de Gaulle's long-term thinking.

It is taken for granted here that the United States would leave South Vietnam and Laos as a consequence of any settlement and that this would leave France the dominant Western Power in the area because of economic and cultural ties left over from the colonial era.

This, however, would be a transitory period. The French expect the advent of "revolutionary authoritarian socialism" throughout southeast Asia, the source said.

The impression given by this source was that the French want to expand their role as mediator in the southeast Asia crisis. Mr. Couve de Murville, they expect, will transmit the views of President Johnson and Secretary of State Rusk to the Chinese Ambassador here on his return from the United States.

U.S. Bars a Mandate

Washington, February 22.—In his talks here this week with President Johnson and other officials, Foreign Minister Couve de Murville said the French Government had reason to believe that North Vietnam and Communist China would agree to negotiations called without conditions.

French officials did not disclose the basis of this belief and U.S. officials said they had not been told of any specific Communist overtures. They said they had refused to give the French a mandate as mediators in the Vietnam situation and were not interested at this time in a return to the conference table.

[From the Washington Post]

Still Adheres to Its Right To Hit Back

(By Murrey Marder)

Confirmation came yesterday that the United States wants a door kept open for possible negotiations on the Vietnamese crisis, without relinquishing the American option to strike again at North Vietnam.

British Prime Minister Harold Wilson said his nation now is "actively engaged in diplomatic consultations of a confidential nature," to seek a basis for "peaceful settlement" of the Vietnamese conflict. The State Department confirmed discussions with Britain on Vietnam, but avoided characterizing their purpose. Britain in fact is engaged in probing talks with the Soviet Union.

In Paris, Soviet Ambassador Sergei Vinogradov had a 20-minute meeting with President de Gaulle. A French official said at a diplomatic reception afterward: "The Soviet Union wants to put us in her game in the preparation of a possible conference on Vietnam."

These events came against a background of other diplomatic reports which, cumulatively, raised speculation that the crisis now may be clearly headed toward negotiations.

But informed sources here hold this is an ironic case in which there is considerably less diplomatic motion below the surface than there appears to be from the seeming activity on the surface. Even the most negotiation-minded sources agree that there is nothing yet in sight that begins to form a basis for negotiations.

Britain, it was earned, is conducting more talks with the Soviet Union in Moscow to determine if the Russians would be interested in reviving the British-Soviet cochairmanship of the 1954 Geneva Conference on Indochina, North and South Vietnam, Laos, and Cambodia.

At present the Soviet Union acknowledges that it has a cochairman role only for Laos, which was the special subject of a 1961–62 conference designed to reinforce that nation's neutrality.

DOUBTS ON SOVIET COURSE

If the Soviet Union were now to indicate interest in asserting a cochairmanship role for all former French Indochina, that would indicate a willingness to serve in some mediating capacity in the Vietnamese crisis.

Even if the Soviet Union demonstrates interest in such a course, that would be several steps removed from any actual negotiation.

Some diplomatic sources are especially doubtful that the Soviet Union wants to make such a decision now, because of the international Communist conference scheduled in Moscow for Monday.

That meeting originally was called to prepare for a Communist world conference, which many thought might bring a showdown in the world ideological rivalry between Russia and Communist China. But the Vietnamese conflict has tended to create some greater degree of Sino-Soviet common interest. It is for this reason that the Soviets may be especially reluctant now to be cast in any mediating role over Vietnam.

The United States will get a direct opportunity today to take its own soundings with Communist China on the Vietnamese crisis.

John M. Cabot, U.S. Ambassador to Poland, is due to meet in Warsaw with Chinese Communist Ambassador Wang Kuo-chuan.

While the United States and Communist China do not have official diplomatic relations, the Warsaw talks will be the 126th meeting that the two nations have held intermittently for diplomatic contacts since the collapse of French power in Indochina in 1954.

Since the United States and South Vietnamese retaliatory air strikes against North Vietnam, Red China has warned the United States that it is risking a repetition in Vietnam of the Chinese military intercession in the Korean war. China publicly has been goading the Soviet Union to hold a firm line in support of North Vietnam.

U.S. STATEMENT

American officials again avoided any substantive comment on either the Vietnam crisis or the diplomatic maneuvers. All that was said here in response to questions about Prime Minister Wilson's remarks in the House of Commons was the following cryptic statement by State Department Press Officer Robert J. McCloskey:

"The British and other governments have been in touch with us with respect to our attitude on South Vietnam, and we have naturally given them a full account of the situation and our views."

That phrasing officially enabled the United States to continue avoiding any public hint of interest in possible negotiations on the Vietnam crisis. The Johnson administration is continuing its policy of publicly avoiding that issue entirely, so that it can, if it deems it necessary, repeat its efforts to apply pressure on North Vietnam by air strikes or other retaliatory measures.

The carefully drawn statements yesterday in London and Washington allowed each nation to serve its own interests. The British statement enabled Wilson to create the impression that a good deal was underway in secret confidential talks, particularly to soothe the leftwing of his British Labor Party. The United States, in turn, sought to create the impression that it was holding itself at arm's length from British diplomatic probing of the Soviets.

Reports from Paris during the previous 2 days, stating that North Vietnam recently urged France to settle the crisis, were strongly denied again here by several sources, including French diplomatic sources. French Foreign Minister Maurice Couve de Murville, in urging negotiations in his talks here last week, did not contend that North Vietnam was soliciting them, all sources here agreed.

SOVIET VERSION GIVEN

After Soviet Ambassador Vinogradov's call on President de Gaulle yesterday, Soviet sources in Paris were quoted as saying that he left a memorandum summarizing what he told De Gaulle. The sources said the message "underlined the gravity of the present situation" in Vietnam, "especially the American bombing of North Vietnam."

[From the New York Times]

Thant Asks Vietnam Talks Leading to a U.S. Pullout—U.N. Chief Reports He Has Offered Some Proposals—Says That if Americans Had Facts They Would Back Him

(By Thomas J. Hamilton)

United Nations, N.Y., February 24.—The Secretary General, U Thant, advocated today informal negotiations for the establishment of a stable government in South Vietnam and the withdrawal of U.S. forces "from that part of the world."

The Secretary General said at a news conference that he had presented "concrete ideas and proposals" to "some of the principal parties directly involved in the question of Vietnam," including the United States. He declined to disclose their responses.

Mr. Thant reiterated his belief that the prospects for a peaceful settlement would become more and more remote "with the passage of time" but that it was not too late to make an attempt at "diplomatic and political methods."

He did not directly criticize the Johnson administration's refusal to agree to negotiations on Vietnam. He said he had "the greatest respect for the great American leader, President Johnson, whose wisdom, moderation and sensitivity to world public opinion are well known."

GREAT AMERICAN PEOPLE

At the same time, Mr. Thant declared:

"I am sure that the great American people, if only they know the true facts and the background to the developments in South Vietnam, will agree with me that further bloodshed is unnecessary.

"The political and diplomatic method of discussions and negotiations alone can create conditions which will enable the United States to withdraw gracefully from that part of the world. As you know, in times of war and of hostilities the first casualty is truth."

A U.S. spokesman declined to comment on Mr. Thant's statement.

The Secretary General was informed after his news conference that the Soviet Union and France had decided to take preliminary action toward a conference on Vietnam. He commented that this was "not unexpected."

PLAN DEALS WITH TECHNIQUE

Reliable sources said that Mr. Thant's proposals dealt with the technique of negotiating rather than the substance of a settlement. According to these sources, Mr. Thant has suggested a series of informal talks, with himself or some other third party as an intermediary, between the principal parties, including the United States, Communist China, North and South Vietnam, France, the Soviet Union, and Britain.

The Secretary General, it was understood, envisions a series of interlinked "dialogs" as a preliminary to negotiations at a formal conference.

Instead of direct talks between the United States and China, for example, the intermediary would talk with a U.S. representative, then discuss the issues in dispute with a Chinese representative, and so on.

The Secretary General did not explain what "facts" regarding Vietnam were not known by the American people.

A United Nations source said Mr. Thant felt that Americans were not adequately informed about two "facts" the Secretary General considers important: that military action will not resolve the situation and that Communist China, which the United States has refused to recognize, is a factor.

Citing the example of his native Burma, which was confronted with a widespread Communist insurrection after independence in 1948, Mr. Thant criticized the U.S. policy of supplying military advisers and equipment to South Vietnam for the suppression of the Vietcong guerrillas.

The Secretary General, who had cabinet status from 1948 until he became Burmese representative at the United Nations in 1957, said that "the Burmese Government dealt with this internal problem by its own means, without asking for any outside military assistance or outside military arms or outside military advisers—or whatever you call them.

"The Burmese Communist Party is still underground after 17 years and still illegal," he added, "but let me tell you: There has not been a single instance of outside help to the Burmese Communists inside Burma in the last 17 years. And Burma has maintained and still maintains the friendliest relations with all its neighbors—with Thailand, with Laos, with mainland China, with India, and with Pakistan."

NOT ONE AMERICAN LIFE

Pointing out that Burma has a 1,000-mile frontier with Communist China, the Secretary General said that if she had requested outside assistance to suppress insurrection, one of two things would have happened: "Either the country would be divided into two parts or the whole country would have become Communist long ago.

"Not one American life has been lost in Burma," Mr. Thant said. "Not one American dollar has been spent in Burma in the last 17 years. We should ask the great question: Why?"

The Secretary General suggested last Friday that the 1954 Geneva Conference on Indochina be reconvened to take up the Vietnam question, but this is opposed by the State Department.

Asked if he was still in favor of such a move, he replied that "if there are still difficulties on the part of some of the large powers as regards the immediate convening of a Geneva-type conference, it could be worth while exploring the possibilities of informal, private, and confidential dialogs between some of the parties directly involved, as a preliminary step toward the convening of a more formal conference."

He remarked that he had never advocated the immediate withdrawal of U.S. forces from South Vietnam, then said:

"But I feel that once the diplomatic and political methods have been tried, and if there is any perceptible improvement in the situation, if an agreed formula is at hand, if some sort of stability can be restored in the country, then at that time, of course, the United States can withdraw its troops with dignity."

CONTROL OF OIL IMPORTS

Mr. MORTON. Mr. President, I wish to address this body for a few minutes on a subject of great interest to both the coal producers and the oil producers in my State, and of vital concern to all the United States—the question of the integrity of the Johnson administration's program controlling imports of oil into this country.

Recent pronouncements by the Secretary of the Interior, Stewart Udall, give rise to suspicion that the oil imports control program—already riddled by politically motivated loopholes—is about to be manipulated anew.

I refer to Mr. Udall's announcement of February 11, which he evidently timed very nicely, so as to coincide with Congress' recent absence from Washington. At a press conference on that day, he revealed plans to juggle the U.S. import program, so as to allow an additional 50,000 barrels a day of petroleum feedstock from the Caribbean to enter via Puerto Rico.

Mr. Udall attempts to justify this latest of a series of special decisions under the oil-import program by saying that it would benefit the economy of Puerto Rico. I have no doubt that it would help Puerto Rico's self-sufficiency, and this is a goal all of us would favor. Thanks to the special import quota Mr. Udall has promised, one American oil company is planning to invest $600 million in a sprawling petrochemical complex on that beautiful island.

As I suggested, I am all for Puerto Rico's boosting her economy by all appropriate means. We must admire and salute the Puerto Rican people on the success of their Operation Bootstrap. I wish them the very best.

The point I wish to make, however, is that while we may applaud the benefits to Puerto Rico from Mr. Udall's efforts, we had better make extra sure that in the bargain, he does not destroy the integrity of a program affecting the energy market and, indeed, the economic balance of the entire United States.

I pose no idle conjecture. This single project proposes dumping from 15,000 to 25,000 barrels a day of gasoline into the already chaotic east coast U.S. gasoline market. And beyond the immediate threat of dumping products and byproducts in the U.S. market is the very real prospect that this will create new pressures for additional patchworks in what is already a crazy quilt of special deals.

Right now, for example, I understand that the Interior Department has under consideration some special import arrangements for a duty-free petrochemical complex in the New Orleans area.

According to press reports on his recent news conference, Mr. Udall called his Puerto Rico deal "inviting in terms of hemisphere politics." That is a nice choice of words; but his remarks would have been just as pertinent without the word "hemisphere."

From the start, politics seems to have been the yardstick of this program. One has only to leaf through back copies of oil industry publications to discover all sorts of examples.

Here one finds an account of probably the largest existing loophole; that is, until Mr. Udall's Puerto Rico proposal. This is the so-called northern tier situation.

An article in the Oil Daily for November 26, 1962, tells about two oil companies which are, to this day, receiving special treatment, totaling well over 15,000 barrels a day.

Under the Trade Expansion Act, President Johnson must give his blessing to any substantial changes in the oil-import program. Therefore, before a Presidential proclamation seals his Puerto Rican deal, I suggest that Mr. Udall be asked to come up with some convincing answers to a number of questions:

First. If the White House is planning to issue a new proclamation on oil imports, what reassurance can Mr. Udall give us concerning continuing restriction of residual oil imports into the United States?

Second. In view of the fact that the Johnson administration has asked American corporations to reduce by 15 to 20 percent their net flow of dollars out of this country, will this new increment of foreign imports through Puerto Rico help or aggravate the balance-of-payments problem and the gold-flow position?

Third. What specific products are to be produced, and in what quantities, by the proposed Puerto Rican chemical plants?

Fourth. Where will the products produced in this new complex be marketed?

Fifth. What quantities of what specific products will be dumped in the U.S. market?

Sixth. What is the specific position in the U.S. market—shortage or depressed surplus situation—of each product to be produced in the Puerto Rico complex?

Seventh. Will anything be done, as a counter to the Puerto Rican project, to plug existing loopholes, such as the northern tier situation?

Eighth. How does Mr. Udall propose to arrange this Puerto Rican deal, "consistent with the basic objectives of the mandatory oil import control program," as stated in his press release of February 11, 1965?

I ask unanimous consent to have printed at this point in the RECORD a copy of Mr. Udall's February 11 press release and several pertinent news accounts.

There being no objection, the release and the articles were ordered to be printed in the RECORD, as follows:

[From the U.S. Department of the Interior, Feb. 11, 1965]

Decision Announced To Establish Petrochemical Industry in Puerto Rico

Secretary of the Interior Stewart L. Udall today announced his decision to take action under the oil import control program to encourage a huge petrochemical complex to be established in Puero Rico.

Secretary Udall has determined that the establishment of a petrochemical industry on the island deriving its feedstocks from the Caribbean would not be inconsistent with the objectives of the oil import program. This determination was based on a careful study in the Department and on an examination of the record of a hearing on the matter of a proposal for the establishment of a petrochemical complex conducted by the Oil Import Administration on July 31, 1964.

Secretary Udall made the announcement in the presence of Commonwealth Governor Roberto Sanchez Vilella following a discussion of the basic economic situation in Puerto Rico.

Secretary Udall said that economic progress in Puerto Rico has been remarkable as a result of Operation Bootstrap conducted by the government of the Commonwealth. It is evident, however, that unless there is a fundamental shift in the nature of the economic development of Puerto Rico to the establishment of basic industries that are capable of affording greatly increased opportunities for stable employment on the island, the Commonwealth will face serious economic difficulties and mounting unemployment in the relatively near future.

In recognition of the difficulties confronting the island, Secretary Udall pointed out, officials of the Commonwealth have concluded, after extensive planning and research, that one of the most attractive possibilities from the standpoint of potential employment would be the establishment in Puerto Rico of the nucleus of a petrochemical industry. The existence of such a nucleus would make feasible the establishment of a broad range of satellite operations capable of utilizing a large labor force in the manufacture of products, including consumer goods, from petrochemicals.

Today's announcement clears the way for the initiation of active negotiations leading to the establishment of a petrochemical nucleus.

In carrying out the decision Secretary Udall indicated initial consideration would be given by Department officials to a highly promising proposal by the Phillips Petroleum Co.

Phillips has made a concrete offer to the Commonweath government and to the Department of the Interior for the establishment of a petrochemical core facility. The Oil Import Administration has given careful consideration to this offer and last July conducted a public hearing on the matter. In light of the importance of developing basic industry in Puerto Rico, the Department will enter final negotiations with Phillips to ascertain whether a plan can be developed which will insure the building of a major petrochemical complex that will involve maximum economic benefits and maximum employment opportunities for Puerto Rico. In conducting these negotiations it was indicated that Interior intended to work closely with, and look for general guidance to, the Governor of Puerto Rico in making any final decisions concerning the Phillips Petroleum proposal.

If satisfactory arrangements can be made, it would be the Department's intention to allow petroleum import allocations to the successful applicant sufficient to provide feedstocks for the proposed complex. Any arrangements made, in addition to providing a stimulus to the Puerto Rican economy, would be consistent with the basic objectives of the mandatory oil import control program.

[From the Oil and Gas Journal, Feb. 22, 1965]

Watching Washington: Will Product Imports From Puerto Rico Be Restricted?

(By Gene T. Kinney)

Pressure is being revived to place Puerto Rico under a quota system to control imports from the Commonwealth to the U.S. east coast.

It arises from Interior Secretary Stewart L. Udall's approval of Phillips Petroleum Co.'s plans to build a petrochemical plant there and ship byproduct gasoline to the United States.

Udall has approved in principle the quota of 50,000 barrels a day in unfinished oils for the plant, as well as the shipment of gasoline to the United States. He is negotiating with Phillips to minimize the gasoline volume, which the company has estimated would range up to 24,800 barrels a day.

The Interior Secretary is assuring the domestic industry that the gasoline imports won't boost the U.S. total. They are to be accommodated somehow without raising nonresidual imports into district 1–4 above the 12.2 percent ratio to domestic production.

Just how it will be worked out has not been decided, Udall indicates. Anything he does will be an exception to present regulations which will have to be changed accordingly.

Will other importers have to move over to make room for Phillips' increase? Will Phillips have to use any of its 21,100-barrels-a-day existing quota for this purpose?

The Independent Petroleum Association of America is pressing Udall for a specific answer. So is the Texas Independent Producers & Royalty Owners Association. TIPRO raises again the issue of foreign-source products which enter the United States from Puerto Rico outside the mandatory controls program.

Udall's assurances of holding the line on total imports are placating neither domestic producers nor refiners. They complain of circumvention of the program and unfair competition from a significant increase in foreign products in an already oversupplied east coast market.

When mandatory controls were imposed in 1959, regulations were drawn to freeze light products shipments from Puerto Rico to the mainland at 1958 levels. This was done by the indirect method of controlling crude allocations.

The two Puerto Rican refiners are allowed to import enough crude to meet local and export demand, and to continue the 33,000 barrels a day of light products shipments to the United States that were being made when controls were imposed.

If the full Phillips plant output were added to this, gasoline and distillate imports from the island would almost double.

This arrangement, TIPRO charges, rewards the Puerto Rican economy and importing companies at the expense of domestic producers.

U.S. refiners maintain that the deal violates the arrangement made in lieu of a proposed quota system for products from Puerto Rico. It therefore again raises the question of restricting Puerto Rican shipments which the Commonwealth successfully resisted 6 years ago.

Some sources suggest a quota system on imports from Puerto Rico as a substitute for controls on imports into the island.

While its legal status would be uncertain, advocates of the plan say shifting the point of control would solve two problems. It would open up the island to competing refiners and petrochemical companies to serve local and foreign markets from plants to be built there. At the same time, it would close what many consider to be a loophole in the imports program.

[From the Oil Daily, Feb. 22, 1965]

Udall Assures IPAA on Imports From Puerto Rico

WASHINGTON.—Interior Secretary Udall has assured the Independent Petroleum Association of America that any oil product shipments from Puerto Rico to the U.S. mainland, resulting from the proposed petrochemical complex to be built by Phillips Petroleum Co. will not result in any "net increase" in imports to the United States under import controls set by the Government.

Minor Jameson, Jr., executive vice president of the IPAA, said that "the intent is clear—any increase in shipments from Puerto Rico to the United States will be deducted from the controlled import level set by the Interior Department, either products or crude oil. We oppose any product imports, but if these are continued then it would seem any shipments by Phillips from Puerto Rico would force other importers to 'move over.'"

Interior Secretary Udall wrote H. A. True, Jr., IPAA president, that if "establishment of such a complex results in increased shipments of gasoline or other petroleum products into the United States, we can assure you that it would be our intention to seek adjustments of the program to insure that net receipts in the United States of petroleum products from foreign areas would not be increased as a result of such shipments."

[From the Oil Daily, Feb. 17, 1965]

Interior Department Seeks To Clarify Point in Phillips Complex OK

WASHINGTON.—Top officials at the Interior Department are now trying to clarify one point Interior Secretary Udall believes may not have received enough emphasis in reports dealing with his tentative approval of the Phillips Petroleum Co. plans to build a massive petrochemical complex in Puerto Rico.

They said that Udall wants to make it clear that if the Government permits Phillips to import byproduct gasoline from Puerto Rico to the east coast mainland, this import will be covered in the level of imports which is set to control the flow of crude, unfinished oils and finished products into districts I–IV.

However, the Interior officials acknowledged that this would represent merely a change in mechanics involved in import controls and did not indicate whether the policy would be to increase the controlled flow into districts I–IV to accommodate Phillips' gasoline imports or whether these imports would be deducted from the level set (as are imports from Canada now).

[From the Oil Daily, Feb. 16, 1965]

TIPRO Hits Puerto Rico Import Order

HOUSTON.—The Interior Department's indicated approval of Phillips Petroleum Co.'s plan to sell gasoline byproducts of its Puerto Rican chemical plant in the continental United States focuses new attention on an obvious loophole in the oil imports program, M. D. Abel, president of TIPRO, asserted:

"Even if, as you indicate, these additional imports are placed under the 12.2 percentage ratio, the adverse effect of importing 25,000 more barrels of gasoline daily will not be fully offset." Abel said in a letter to Interior Secretary Udall:

"And you have given no indication the entire overflow and other loophole sources will be placed under a stable ratio.

"This surely involves another inequity in an already inequitable system."

Noting that Interior has stressed the need for developing more domestic petroleum reserves, Abel said its Phillips decision appears to contradict that conclusion.

"Dumping more gasoline, which is already in serious oversupply, on the domestic market can have grave consequences," he asserted.

"For all practical purposes, these additional gasoline imports would not only effectively escape quantitative restrictions intended under the mandatory import program but also evade the 52.5 cents per barrel duty which is supposed to apply to all gasoline imports."

TIPRO's concern is intensified "by the fact that you felt compelled to make your decision only weeks before the announced full-scale review of the import program," its president said.

"We remain hopeful that this March 10–15 hearing will provide a no-stacked-cards opportunity to reevaluate the oil import program in terms of what it is supposed to accomplish."

[From the Oil & Gas Journal, Feb. 15, 1965]

PUERTO RICAN PLANT APPROVED—UDALL TENTATIVELY AGREES TO 50,000-BARREL-A-DAY IMPORT QUOTA FOR PETROCHEMICAL COMPLEX TO BE BUILT BY PHILLIPS PETROLEUM

The Interior Department last week gave conditional approval to a $100 million petrochemical complex to be built in Puerto Rico by Phillips Petroleum Co. Foreign feedstocks will be used.

Secretary of Interior Stewart L. Udall committed himself to giving a 50,000-barrel-a-day unfinished oils quota for the plant if certain details are worked out.

These are:

Agreement by Phillips to push the complex—which it estimates will lead to a $500 million investment—to the third stage, involving manufacturing which would employ large numbers of workers and boost the Commonwealth economy.

Minimizing shipments to the United States of byproduct gasoline, estimated at 24,800 barrels a day.

Udall expressed confidence both problems could be worked out. He said Interior would begin negotiations with Phillips to that end.

Of the U.S. gasoline shipments, Udall added: "We will squeeze it as hard as we can. We'll accommodate it within the overall program. They will have an import quota. It is the size we are trying to pin down."

Phillips president, Stanley Learned, apparently believes that Udall's announcement means the project is formally approved.

He said: "We are highly gratified that the Department of Interior approves our application to import hydrocarbon feedstock."

IMPORT REGULATIONS

The project is presumed to have advanced White House clearance for the quota, since present regulations make no provisions for this type of proposal.

Any shift in import levels requires a change in the Presidential proclamation governing the program.

"The President has not been involved in the decision here," Udall said. "It may require a change in the proclamation, and he will get in at that time."

Emphasizing Interior formulates oil policy in the Johnson administration, Udall declared: "We have made a basic decision to make whatever changes are necessary in the control program in June to permit Puerto Rico to develop a petrochemical industry."

COMPETITORS' PROSPECTS

Asked whether quotas would be available to other companies for similar investments, Udall replied:

"This has been out in the open for a year and a half. Our doors have been wide open. This is the only company that has come in with a proposal."

He said it wasn't practical to put such projects up for bid because the problem had been to lure investment capital to Puerto Rico.

"We would have been willing to consider other proposals," he said.

Udall said Phillips' switch from Algerian to all-Caribbean feedstock sources had eliminated a "serious problem." Venezuela is the main supplier for Puerto Rico. He denied any inclination toward country quotas, but described Western Hemisphere oil as much more inviting in terms of hemisphere politics.

[From the Oil & Gas Journal, Dec. 14, 1964]

INTERIOR POSTPONES ANY CUT IN IMPORTS—HEARINGS SET NEXT MARCH TO CONSIDER MAJOR REVISION IN POLICY—INDEPENDENTS, STUNNED BY REJECTION OF PLEAS FOR REDUCTION, PROMISE FIGHT IN CONGRESS

The Johnson administration will extend the present import policy through the first 6 months of 1965, but major changes are a good bet for the last half of the year.

Continuation of the present formula will result in a 28,000-barrel-a-day increase in nonresidual imports for the first half of next year over the last half of 1964. The total, excluding residual fuel in districts 1–4, will be 1,237,804 barrels a day.

Interior also made further reductions in historical quotas for the period.

Stung by rejection of their bid for a cut of 275,000 barrels a day in import levels east of the Rockies and closing of certain loopholes, independents vowed a congressional fight for relief.

In releasing the allocations, Interior Secretary Stewart L. Udall called a public hearing for next March "looking to a major revision of all aspects of the mandatory oil-import-control program."

The Independent Petroleum Association of America took the attitude that Interior already has enough facts to justify the cutback it sought. The independents obviously expected some results from their blockbuster statistical presentation to Interior November 18 showing only major producers are prospering.

UDALL DEFENDS ACTION

Anticipating some complaints, Udall made two points in addition to announcing the hearing that could be taken as a defense of continuing the status quo.

He noted that in districts 1–4, from the second half of 1962 to the second half of 1964, production climbed 350,000 barrels a day. And the increase in imports in the next allocation period is based on a further gain of 199,000 barrels a day.

The Interior Secretary, given the job of oil policymaker by President Johnson, also observed that the study of the financial health of the domestic industry isn't quite complete.

He had a preliminary report from Adm. O. P. Lattu, Director of the Office of Oil and Gas. But this didn't include "a sufficiently detailed analysis of the mass of data that have been assembled" to make a decision.

The full report will be completed and available to industry by the end of January. This diagnosis of what—if anything—is wrong with the industry will be one of the more important documents presented at the March hearing.

FIRST HALF ALLOCATIONS

There were actually fewer changes by Interior this time than in any previous allocation order.

The revisions that were made were in line with phasing out historical quotas and juggling input percentages to cut up the pie equitably.

Allocations were made as follows:

Districts 1–4 imports of crude and unfinished oils will rise 14,782 barrels a day from the second half of this year to 712,971 barrels a day. Finished products will hold even at 76,634, boosting the district's total to 789,605 barrels a day.

The increase is based on expected domestic production of crude and natural-gas liquids of 7,986,000 barrels a day.

Interior, of course, held to its ratio of 12.2 percent of this estimated figure as a starting point for computing licensed imports. From this total it subtracted the products allocation, along with estimated overland imports of 30,000 barrels a day from Mexico and 154,500 barrels a day from Canada.

The Mexican figure has remained constant for some time, but the Canadian estimate is up about 9,000 barrels a day from the current period.

District 5 imports will rise 13,486 barrels a day. Imports of crude and unfinished oils will be 322,308 barrels a day, compared to 308,822 barrels a day the second half of this year. Finished products imports of 10,689 barrels a day will be unchanged.

Overland imports from Canada the first half of next year are estimated to be down 3,500 to 141,000 barrels a day.

Puerto Rican imports will hold steady—crude and unfinished oils at 112,600 barrels a day compared to 112,263 barrels a day, and finished products at 2,612 barrels a day, a negligible change from 2,620 barrels a day in the current period.

ALLOCATION CHANGES

Interior continued its program of phasing out historical allocations with reductions similar to those made in the last two orders.

In districts 1–4, importers on a historical basis were dropped from 61 percent of their last quota under the voluntary program to 59 percent.

Northern tier refiners with allocations based on historical overland imports from Canada were dropped from 52.75 to 49.75 percent of their last voluntary quota.

In districts 1–4, nonhistorical importers whose quotas are based on refinery runs will receive allocations under this formula:

Average barrels per day of input	*Percent of input*
Up to 10,000	17.0
10,000 to 30,000	11.6
30,000 to 100,000	9.2
Over 100,000	5.53

Each category got a slightly larger percentage in order to divide the larger total allocation, with the smallest size going up the most—2 percentage points.

In district 5, the smallest refiners were boosted 5 percentage points while others were cut slightly. This, an Interior official explained, was to offset the gains of larger refiners in the last allocation.

This is the district 5 formula:

Average barrels per day of input	*Percent of input*
Up to 10,000	60.0
10,000 to 30,000	33.7
30,000 to 100,000	20.4
Over 100,000	14.1

INDEPENDENTS' COMPLAINT

H. A. True, IPAA president, lashed out instantly at Interior's decision not to cut imports.

He called it "a discouraging shock to thousands of independent oil producers who have played a dynamic and essential role in maintaining our position of energy supremacy."

"The collective economic strength and the position in the industry of these thousands of producers have eroded to the extent that the Nation's future supplies of oil and gas are no longer assured," True declared.

The IPAA president quoted Udall and John M. Kelly, Assistant Secretary of the Interior, as having called attention to the difficulties of the domestic industry and the inadequate level of exploration.

The proposed hearing, he added, could only document what had already been established.

"We are compelled by circumstance, therefore," True concluded, "to present our case for a reduction in imports and essential changes in the import program to the Congress. When the 89th Congress convenes, we will advocate as vigorously as possible such congressional action as might be required to reduce and stabilize import levels for the future."

A COLD WAR VETERAN OF THE BERLIN AND CUBAN CRISES RELATED HIS NEED FOR A GI BILL

Mr. YARBOROUGH. Mr. President, we are now in the midst of the hearings on Senate bill 9, the cold war GI bill. There have already been four different sessions of the Veterans' Subcommittee, in hearing testimony on the bill.

Often in considering proposed legislation which will affect large numbers of Americans, there is danger that we shall lose touch with the separate individuals involved, and shall think of them only in terms of a group.

The cold war GI bill will affect 5 million veterans—over 3 million of whom would be eligible for the benefits of the bill if it were enacted today. To emphasize the position of these young veterans, and to illustrate the position of these individual veterans whose accumulated problems require the enactment of this proposed legislation, I ask unanimous consent that a letter from Mr. James L. Hall, of Teutopolis, Ill., be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 6, 1965.

DEAR SENATOR YARBOROUGH: It is, indeed, a pleasure to see that someone is sincerely interested in the cold war GI. I served in the U.S. Air Force from 1959 to 1963, during the Berlin crisis and Cuban crisis. I never did make it to Vietnam, but several of my friends did.

With all this talk and planning etc., of the Federal Government spending billions on education, I feel, the cold war veteran should be included 100 percent.

When you stop to consider the number of young men in our country who do not serve in the Armed Forces, it is appalling. * * * While I was wearing the uniform for 4 years, they were civilians, going to college etc., getting ahead in life.

I would not trade my Air Force years for a million dollars, but if I had it to do over again, I would probably decide differently, after seeing how things are now. All of my friends who stayed out of the Armed Forces have it made, in comparison to myself. Most of them are college graduates now, and those who did not go to college are established in good jobs. I find myself at the bottom of the totem pole, so to speak.

If your cold war bill were to be passed, I am sure it would benefit the country as a whole, to a very great extent. I think the cold war veteran would be a sound investment, where education is concerned. If he can invest 4 years of his life for his country, then surely, he should be worth consideration in the billions of dollars for education.

Most sincerely,

MR. JAMES L. HALL.

TEUTOPOLIS, ILL.

OFFICE OF EDUCATION CONSOLIDATES OLD JOURNALS AND PUBLISHES NEW JOURNAL ENTITLED "AMERICAN EDUCATION"

Mr. YARBOROUGH. Mr. President, last year the Office of Education ceased publication of two magazines, entitled "School Life" and "Higher Education." To replace these two magazines, the Office of Education has now published its first issue of American Education, one magazine now dealing with the complex problems of education, just as the administration of most of the complex educational laws enacted by Congress is concentrated in the Office of Education.

To illustrate the excellence of the articles in the new magazine, I ask unanimous consent to have printed in the RECORD, from volume I, No. 1, the article, beginning on page 8, entitled "An All-Age, All-Job Program," which outlines the need for a balanced vocational program in our country. I also ask unanimous consent to have printed in the RECORD an article, appearing at page 12, entitled "Our Own Language Barrier," which narrates the lack of knowledge of the English language by millions of Americans, and the barrier that lack imposes upon them in our society.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From American Education, January 1965]

AN ALL-AGE, ALL-JOB PROGRAM—THAT'S THE IDEAL, SAYS A TOP EXPERT, BUT RIGHT NOW OUR VOCATIONAL EDUCATION IS FAR FROM BALANCED

Last summer the Fellows family of Bethlehem, Pa., climbed into the family car and headed west. Harry Fellows and his wife and two children were joining the many Americans who pull up roots each year in search of new opportunities.

The Fellows trekked off to southern California, where Harry's new job in an aircraft plant waited. Shortly after arrival they purchased a home, and soon they were settled into the routine of California life. When school started in the fall, daughter Mary found a new assortment of fifth grade playmates in her elementary school. But Harry, Junior, found problems in his senior year at the local high school.

Back in Bethlehem, Harry, Junior, had been attending Liberty High School, a comprehensive high school with a strong vocational education program. His vocational courses, taken along with a regular academic program, would have been sound preparation for immediate employment upon graduation.

In his new high school, however, similar vocational courses were not available. Many students were bound for 4-year colleges. Others planned to enter one of the area's fine community or junior colleges for postsecondary training before beginning the vital first job. In the strongly academic program of this college-oriented high school there was no place for Harry, Junior.

The wide variety of educational opportunities available to American students is truly a blessing of our democracy. In few areas of the United States, however, has enough thought been given to planning a total balanced program of vocational education so that, in the words of the Vocational Education Act of 1963, "persons of all ages in all communities of the State will have ready access to vocational training or retraining."

In many sections of the country, it is true, we do find elements of a balanced program. Connecticut, for example, has secondary vocational-technical education programs, well organized and State operated, in 14 regional schools and is proceeding to meet the postsecondary needs of the advanced student through high-standard technical institutes. But the State has the problem of providing adequate occupational training opportunities for young people of less than average ability, or disadvantaged young persons, particularly in large cities.

In contrast, certain localities, such as the southern California community where the Fellows family relocated, though they offer excellent postsecondary programs to train the skilled workers required by local industries, are not equally helpful to high school students who after graduating must enter the competitive labor market. In such communities such students find only limited vocational-technical programs to prepare them for a job.

By and large, the findings of a special panel of consultants which studied vocational education in 1962 still hold true. The panel observed that if the effective specific programs found here and there were put together and made available in all communities or States, many of our massive problems would be greatly diminished or solved. This has not yet happened, anywhere.

What is a balanced program?

Generally speaking it is one that is tailored to the requirements of communities and defined areas, yet does not lose sight of the patterns emerging in the State and national labor market. Such a program not only must make room for all the persons it expects to serve; it must reflect the arrival and departure of businesses and industries and the flow of workers to and from a State or area labor market.

North Carolina has been planning and working toward such an ideal since 1957. By this past fall, the State had taken its first big step. It had in operation 20 strategically located industrial education centers providing excellent trade and technical education offerings at the post-high school level and for adults. Last year the State proceeded to improve and expand its secondary vocational education programs, also through substantially increased appropriations earmarked for that purpose. Now, by means of special projects under the Manpower Development and Training Act, the State is developing multiple occupational training courses along with basic education courses to serve the needs of boys, girls, and adults.

Last November, 2 projects involving a total of more than 600 young people were approved at Winston-Salem and Durham. These young people, many of them disadvantaged, will receive training in a variety of occupations. Some of the jobs they will learn to perform are those of saw operator, auto mechanic, draftsman, and psychiatric aid.

Cleveland, Ohio, is laying plans to expand its vocational training programs in 15 comprehensive high schools. These programs will be supplemented by improved and expanded programs at two vocational-technical high schools.

Cleveland is also planning possible vocational training centers designed to provide shop and laboratory instruction to students from two or more comprehensive high schools in various sections of the city. Students would still graduate from their home high schools. Such planning can and will lead to a total, balanced program of vocational education in this great city.

What are some of the more detailed elements of a total, balanced program of vocational education?

At the high school level we must provide sound vocational programs for the student who does not plan to go on to college. These programs will offer training in occupational skills that is sufficient for immediate employment after graduation. At the high school level we must also provide preparatory training for the vocational student who plans to complete his education at the postsecondary level and we must meet the great and critical need for a wide variety of occupational training programs for high school-age youth of less than average ability. Many of these young people can be readily identified as potential dropouts.

Basic to this vocational training is a sound exploratory experience for the world of work. This function has been implemented by practical arts programs, particularly in the junior high schools. Included as part of every student's general education, these courses explore the use of machines, tools, processes, and materials. They are not designed to prepare him for employment but to assist him in selecting an occupational goal.

At the postsecondary level, above high school, there must be vocational programs for the student who would continue his occupational training or elect a new occupational training program. These are offered through vocational-technical schools, junior colleges, community colleges, technical institutes, and 4-year colleges. Some high schools, too, offer post-high school programs.

Such institutions as the Norwalk State Technical Institute in Norwalk, Conn., have been established in direct response to the needs of industries in their areas. Electronics, chemical and medical research, and precision equipment manufacture demand well-educated and trained technicians; and increasing numbers of students are seeking preparation for these job opportunities.

An excellent example of a similar response to the requirements of industry at the secondary level is found at Liberty High School, Bethlehem, Pa., the school that Harry Fellows left behind. Liberty provides strong technical programs in its vocational department. In addition to such traditional courses as those in automotive and building trades, distributive education, drafting, printing, and woodworking, this comprehensive high school offers electrical-electronics, machine technology, metallurgy technology, and tool design courses.

The growing number of vocational-technical schools serving wide geographical areas rather than single school districts has been one of the most heartening developments in education. More than 400 of these area schools are in operation this year. Georgia, Kansas, South Carolina, Ohio, and New Jersey are among the States now rapidly expanding their area school systems. Kentucky, Louisiana, Wisconsin, and Minnesota are among those that long since established complete systems and are now in the process of expanding and improving them. With all this development, there is still great need to develop institutions and programs that will serve the large cities in a similar manner.

Adult education must be available, at both the secondary and post-secondary level, to serve the veteran worker who needs retraining or upgrading, the adult who failed to complete college, the displaced worker, and the adult, particularly the woman, who seeks to enter or return to the labor market. We must have full-time and part-time programs on extended day and evening schedules.

Beyond these programs for the more usual kinds of vocational students, we must have special programs geared to the particular needs of groups that cannot benefit from the regular vocational programs. The slow learner, the disadvantaged, the migrant worker—these are examples of students who may not fit into the regular occupational training programs designed for others in the community.

When should vocational education begin? There are many answers to this persistent question.

Pennsylvania takes the position that basic academic education must be insured before the student can be effectively prepared for a working life. In junior high school, therefore, industrial arts courses are offered that will readily combine with other general education subjects. Intensive occupational training, along with adequate related and general education, is offered in grades 10, 11, and 12. In Allentown, Williamsport, and York, 12th-grade students frequently are also placed in a cooperative program, in which they attend classes part time while working at a part-time job.

A number of educators believe that a student should not commit himself as early as 10th grade to a vocational program, because it may later prove inappropriate to his true interests and abilities. A good high school vocational program, however, often trains for a "family" of similar or related occupations, thus permitting some latitude in choice. In delaying vocational training until the postsecondary level, moreover, we oftentimes fail the student who must take a job when he graduates. Besides, the fact that he enrolled in high school does not terminate his right to change his mind.

Cooperative programs like those in Pennsylvania have been utilized for years in many areas and have been widely accepted by employers as a means of education for nonprofessional jobs in industry, business offices, agriculture, and merchandising and marketing.

In Allentown the training pattern goes like this:

For 2 years, at the 10th and 11th grade levels, the student receives organized shop and laboratory instruction along with general education subjects. In the 12th grade he begins his work-study arrangement. Usually two students are assigned to the same job. While one works, the other is in school, and every 3 weeks they exchange places. Upon graduation, cooperative education students have completely made the transition from school to work.

This kind of education lends itself handily to the kinds of jobs that bridge the traditional categories of occupational training. A vocational agriculture student in Arkansas, for example, may receive cooperative training in an occupation that does not involve actual farming but requires agricultural knowledge and skills—farm machinery repairman, perhaps, or salesman.

He will require occupational training that spans the areas formerly confined to distributive education, and to trade and industrial education, as well as vocational agriculture.

Advantages in schoolwork combinations for vocational students are to be found in almost any American community. There should be many more such opportunities to supplement formal instruction with personal experience on the job, in all kinds of occupations, at both secondary and postsecondary levels. We should offer as many cooperative work-study programs as are needed to do the training job, yet in some States many communities have made virtually no use of this valuable training device.

Vocational education is truly everybody's business today. Although the State board for vocational education has primary responsibility for carrying out the plan which the State must submit before it can qualify for Federal funds under the Vocational Education Act, the involvement of the whole community is vital. This has been proved over and over again in localities and States that have established good vocational and technical education programs through the use of active advisory committees representing labor, management, civic organizations—all the groups from which the public schools draw their strength.

The effective advisory committee supplies the vocational educator with a means of measuring the pulsebeat of the community. The interest and active participation of representative elements of the community in designing the framework for education and training will pay dividends. This has been shown repeatedly by the experiences of States that have attracted new industries.

The presence of training facilities often speaks volumes to a relocating industry. North Carolina's system of 20 strategically located industrial education centers has supplied workers for at least 300 enterprises since the first center opened its door in 1959. Industries like textiles and furniture, which require machine operators, craftsmen, technicians, and supervisory personnel, and which from time to time need to update veteran workers, know that North Carolina can fill the bill. Last year North Carolina ranked 10th among the States in capital expenditures for new plants and equipment. The total dollar amounts devoted to industrial expansion rose from $168,612,000 in 1958 to $294,191,000 in 1962, the latest year for which figures are available.

Goodland, a community of under 6,000 in the predominantly wheat and cattle raising area of northwestern Kansas, is another place that stands to gain by application of the area idea. With the leadership of the Kansas State Board for Vocational Education and through the cooperative efforts of local school districts, Northwest Kansas Area Vocational-Technical School was dedicated there in September. It will serve not only northwest Kansas but adjoining areas of Colorado and Nebraska as well.

The new institution, the seventh of its kind in the State, was established with two goals in view. The first was to attract new industry by showing that training was available for industrial workers. The second, a long-term objective, was to encourage young people who are leaving the surrounding farms to remain in their home areas to live and work. It is planned that the curriculum will include courses in auto mechanics, electricity, carpentry, business, and technical drafting. It will also stress training in farm-related occupations such as farm machinery repair and maintenance, pest control, and similar subjects. More than 300 young people and adults, twice the number expected, have requested training at both secondary and postsecondary levels.

I wish we had the details of the origin, the organization, and the operation of all the outstanding accomplishments in vocational and technical education. We might feed those details into a computer, analyze them, and obtain a list of the techniques that insure a total, balanced program of vocational and technical education. From this we could draw a blueprint for planning vocational education for those who are still in high school and those who have graduated or dropped out; those who will go on to college and those who will not; those who are at work and those who are unemployed; and those with needs that cannot be met by any of the regular programs of vocational education.

We haven't now at hand any such neat blueprint, but we can see much that is excellent in the present, piecemeal picture, and the Vocational Education Act, which contains a provision for a unique and important research program, will help fill in the blanks. The self-searching required by States and localities that receive Federal assistance and support funds under the terms of the act will reveal many needs and problems.

OUR OWN LANGUAGE BARRIER—FOR MANY AMERICANS ENGLISH IS A FOREIGN LANGUAGE; LINGUISTS HELP THEM WITH NEW METHODS

(By James E. Alatis)

"By George, she's got it!" cried Prof. Henry Higgins with glee. Eliza Doolittle had finally succeeded in learning good British

English. After months of effort, Bernard Shaw's fabled Cockney flower girl had learned to speak like a lady—and had taken the first step toward being accepted by upper class English society.

The story of Professor Higgins' experiment—a social satire as told by Shaw in "Pygmalion" and a musical extravaganza as adapted by Lerner and Loewe in "My Fair Lady"—has a special appeal today to the professional linguists in the U.S. Office of Education and in colleges and universities across the country. The linguistic community has set in motion a quiet revolution in language teaching to enable thousands of children and adults to break down barriers that now keep them from full participation in the cultural and economic life of America.

The "revolution" has grown out of the scientific study of language over the past 30 years, and out of the audiolingual techniques used during World War II to give members of the Armed Forces a practical speaking knowledge of nearly 30 languages. Since the war, more study and better techniques have enabled U.S. universities and Government agencies to help thousands of foreigners gain proficiency in American English. And now the linguistic community, with Federal help, is applying the same techniques to the teaching of standard English to many Americans, both native and foreign born.

In effect, this is essentially what Professor Higgins did for Eliza Doolittle. With similar methods he taught her good English as a second language.

But first, just what is the problem?

Our modern-day Eliza Doolittles are not necessarily poor or culturally deprived. The trouble is simply that they cannot speak good English—or, more properly, acceptable English. That they cannot do so drastically reduces their chances of making headway in modern American society.

And who are these contemporary Eliza Doolittles?

In the Southwest they are American Indians and Mexican Americans. In south Florida they are Cuban exiles. In the Northeast, and even to a small extent in the Midwest, they are mainly Puerto Rican Americans and fresh waves of immigrants.

In New York City alone, some 87,000 public school students in the 1963–64 school year were considered language handicapped—that is, non-English-speaking. For many of these students, faced with learning the traditional subjects and special skills in what to them is a foreign language, school is a frustrating and discouraging experience. And their problems are often further complicated by pressures of cultural conflict between home and school. Many of these youngsters are among the school dropouts.

In Los Angeles, which has more Mexican inhabitants than any other metropolis except Mexico City, about 74 percent of the students with Spanish surnames leave high school before graduation. Statistics from other Southwestern cities indicate that even larger percentage of Mexican-American students are dropping out of high school.

A much larger group, whose native tongue is English, speak a substandard dialect, or a kind of patois all their own. They are found mainly in the big cities—ranging from the Negro slum ghettos to the smaller ghettos of the new hillbilly immigrants from America's pockets of poverty.

None of this is to suggest, of course, that every Puerto Rican American or every American Indian or Negro is culturally deprived, or that none of those caught in the grip of poverty or handicapped by cultural lag can break loose and rise by their own bootstraps. Many of them do. But too many, despite a good deal of effort, do not succeed.

Why are so many of our Puerto Rican or American Indian children linguistically handicapped? Are they not given essentially the same kind of instruction in English as other public school children? Why do they end up speaking substandard English?

Take the case of Carlos, not at all culturally deprived, only culturally different. His difficulties have been described by Charlotte K. Brooks, who knew him when she taught in New York City.

Carlos' parents were born in New York City and speak English, but because Carlos' grandfather lives with them, they often speak Spanish in the home. The family has little money but loves music and dancing and often attends free concerts or goes to art galleries. But Carlos didn't say much in school because he was shy and not sure that he always had the right English word. As a result his teachers placed him in a slow class.

Carlos eventually escaped from his near-crippling situation with the aid of a friendly tutor, one of about 500 women who on their own time went into the homes of Puerto Rican children in New York City to help them learn English. But this fragment of his school experience suggests how an above-average boy with a fine cultural heritage can easily be sidetracked because of inadequate coaching and teaching.

Looking at a different aspect of essentially the same problem, Leo A. Pederson of the University of Minnesota has found in a study he made in Chicago that young Negroes become linguistically crippled, by failing to acquire the all-important standard speech. The failure is largely the result of segregated school districts. The young Negro comes from a background in which nonstandard American English is the common tongue, and his school denies him the opportunity to gain the socially approved dialect through adequate contact with indigenous white speakers. Dr. Pederson notes that the average Chicago Negro, native or immigrant, speaks a variety of English different in many ways from that of the rest of the city's population. To his Chicago neighbors, Pederson says, the nonstandard tongue of the average Negro may "identify him as a suspicious one * * *" and "may create a real barrier to the acquisition of a fluent command of the standard English so necessary to social advancement within the world of the white majority."

Like Carlos—like the American Indian, the Mexican-American, new immigrant, and the Cuban exile—many American Negro pupils are now learning that their native dialect, while perfectly suitable at home, is a major liability in the world outside.

It should be stressed, however, that in programs now underway to teach our linguistically handicapped citizens to speak the language the rest of us commonly use, the modern linguist does not reject outright the native tongue or dialect of the various students. He believes, rather, that we should leave the student's language alone (and teach him a second idiom as if it were a foreign tongue). His native language or dialect is vitally important to him in maintaining social acceptability in his own immediate environment. Certain of our young men, to put it in down-to-earth terms, need to be able to communicate properly in the employment office without losing their status in the poolroom.

The linguist approaches the task of teaching a language with the view that the student's chief goal is to acquire a speaking knowledge of the language.

The major principle of the linguistically oriented teaching of language is based on the belief that language is speech, not writing. To the average American, this statement comes as something of a shock, according to William G. Moulton of Princeton University. All the language the average American can remember learning is "connected with learning to read and write during his first school years," so that to him learning a language and learning to read and write are inseparable. Yet to linguists, Professor Moulton points out, the basic fact arising from a scientific study of languages is that speech is primary and writing is secondary.

The conclusion drawn from scientific linguistics is that a student should first be taught to speak the foreign or secondary language. He should be taught to read it at a later stage, and then by quite different methods. The teaching pattern, with the emphasis on spoken language, runs in this order: Listening, speaking, reading, writing. This is the basis for the audiolingual approach.

The speech-before-writing principle, incidentally, should not be misunderstood to mean that linguists are downgrading or brushing aside reading and writing as unimportant or that they advocate only audiolingual mastery. The principle applies, in fact, even when the teaching goal is for the student to achieve competence only in reading. Having first mastered the basic language constructions orally, he can more readily enlarge his reading capacity.

Robert Lado of Georgetown University points out that students who have mastered the new language orally can learn to read by themselves or with only limited help, but that students who have learned to decipher script generally have trouble learning to speak by themselves. Moreover, students who have learned the written forms of a language before they learn to speak the language tend to feel that the speech is a distortion of what they imagined the pronounciation to be—and this interferes with further learning.

Another important feature of the "new approach" is the use of teaching materials based upon a scientific linguistic analysis of the language to be studied, carefully compared with a parallel description of the native language of the student. As Charles C. Fries, former director of the English Language Institute, University of Michigan, has pointed out, the effectiveness of the "oral approach" depends not solely upon the student's having much oral practice but also upon his using materials selected and arranged in accord with sound linguistic principles. It is the practical use of linguistic description, in the choice and sequence of materials, that is the heart of the new approach to language teaching.

The linguistic movement, though highly successful so far and expanding rapidly, is still relatively new here. We need to learn more about languages. We may need to improve linguistic techniques; we certainly need to give them wider application. And we need more research directed at developing materials for teaching children. Until now, the development of second-language materials has been guided largely by the requirements of adult students. These materials are simply not suitable for children, who learn languages by a different process. More research is also needed in the social, functional, and regional types of American English.

The interest of the Federal Government in helping its citizens learn the language of the land is indicated by the financial support it is giving to various cooperative research projects. In one of these projects Gerald Dykstra of Teachers College, Columbia University, is experimenting with a set of materials designed to teach English as a second language to early elementary school children from a wide range of linguistic and cultural backgrounds. Two features distinguish this experiment: The use of exercises based on comparative linguistic and cultural studies; and the cooperation of a team of scholars in the fields of linguistics, reading, anthropology, psychology, and teaching English as a second language. In another project Raven I. McDavid of the University of Chicago is exploring the differences in details of face-to-face communication between Negro and white adults of the middle and lower classes.

The effort to apply audiolingual techniques to the teaching of English as a second language is gaining a good deal of momentum. Colleges and universities are beginning to train teachers in the basic essentials of linguistics and in the methodology of teaching a second language. State and local boards of education are launching training courses for their teachers, concentrating on the teaching of English as a second language and on audiolingual teaching methods. Both public and private agencies are beginning to earmark funds to develop linguistically based instructional materials. And in just the last few years a series of conferences have been held to stimulate interest and activity in the teaching of English as a second language.

A major step toward the improvement of that teaching was taken recently when the U.S. Government gave official recognition to the fact that English is not the mother tongue of a growing number of students and that this lack of competence is creating major social and economic problems for the students and for the Nation.

An amendment to the National Defense Education Act, approved by President Johnson in December 1963, authorized the Office of Education to support institutes for advanced training of public school teachers in teaching English as a second language to non-English-speaking students.

Two institutes were held last summer, one in California and one in Puerto Rico. The participating 110 teachers received training in applied linguistics, in new methods of teaching English as a second language, and in Spanish and English—Spanish for teachers who did not speak it but had pupils who did, and English for Spanish-speaking teachers whose pupils needed to learn English. Both institutes emphasized the importance of teachers understanding the problems pupils have in adjusting their attitudes and behavoir to conform to an unfamiliar culture. Both institutes also organized demonstration classes to give the trainees ample opportunity for supervised practice teaching.

The Office of Education now plans, under new authority given in the last congressional session, to extend the training program to include institutes for teachers who must teach standard English to schoolchildren handicapped by substandard dialects.

The need for trained teachers is critical. Not only are thousands of native-born and new Americans heavily dependent on being properly taught standard American English, but great numbers of people around the world are crying for instructicns in American English as a second language.

Finally, the role of the teacher is crucial. While many people might assume that the new language laboratories, the teaching machines, and the like will eventually replace the teacher or at least relieve the teacher shortage, most experienced educators in the field vigorously disagree.

Put another way, no machine could by itself have taught Eliza Doolittle to speak the King's English—although the new gadgets might well have made the experience less taxing on Professor Higgins' nervous system.

THE ADMINISTRATION'S FARM PROGRAM

Mr. EASTLAND. Mr. President, the farmer is being made the whipping boy for the financial problems of our Government. Mr. Kermit Gordon, Director of the Bureau of the Budget, assaulted the farmer and farm programs enacted by the Congress in an unjustified manner in a recent national magazine article. In this act Mr. Gordon usurped the policymaking power of the Congress in a vital domestic field. The Bureau of the Budget was not created for this purpose and its Director has created a controversy by poisoning the well of agricultural information that is dividing our society because of only a partial presentation of the facts.

The daily press has latched on to this popular pastime as indicated by the article in the Evening Star of Tuesday, February 16, 1965, on page A–9. I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Washington (D.C.), Feb. 16, 1965]

(By Eric Sevareid)

JOHNSON ACTS CAREFULLY ON FARMING

The Johnson administration has had the courage to tackle, in a direct if limited fashion, two of the three most conspicuous and enduring areas of tax money waste—outmoded military installations and outmoded veterans' installations. Successive Congresses are more to blame for the wastage, but the administration takes the heat in the effort to correct the maladjustment.

The third area of conspicuous waste is in the Department of Agriculture, specifically the crop support subsidies that successive Congresses have maintained since they were first started as a supposedly temporary measure, and which have become so much a part of our economic structure that no administration has been able to think of a way to end them without risking recession and a severe dislocation of rural life.

This one the President is tackling slowly and obliquely. Special Presidential commissions are generally established for one of three reasons—to find the facts, to postpone or prevent action, or to give a President a supporting phalanx of eminent names so that he may act from greater strength.

It is fair to assume that the third reason pertains this time with the President's "blue ribbon" commission on agriculture.

The months and years ahead are the time for action as city taxpayers become more and more aware of the farm surplus paradox, as the number of farmers dwindles rapidly toward the rockbottom minimum, and as the disproportionate legislative strength of farmers in State capitals is diminished by compulsory reapportionment. This President is determined that there shall be action.

In no modern country is agriculture self-supporting. If American farm economics is infested with absurdities, its total productive result is equally amazing. American food prices are not high proportionate to income; we help feed dozens of other countries and we still ought to take 50 million acres or more out of production. But this does not really justify the fact that the Agriculture Department spends about 7 times as many dollars as it did 30 years ago when there were twice as many farms. It does not justify the fact that the Government spends more on the problem of surplus food and fiber in the countryside than it does on the problem of surplus human beings in the cities, a good many of whom have left the land.

It does not justify the fact that Federal subsidies, no matter how you try to arrange them, will always benefit the big and rich farmers far more than the small and poor farmers. That is just as inevitable as is the allocation of Government defense contracts to big industry in times of emergency.

In 15 short years no more than 5 percent of our people will make their living directly from the soil. They will, nearly all of them, be connected with big-scale, big-capital, mechanized corporation farming. This transformation cannot be avoided; it can only be made as smooth as possible to reduce human suffering. We are seeing the end of the era of family-farm rural life.

It is hard for one of middle years or more to grasp this, so deep in our literature, our art, our folklore, our memories that life and mystique have been interwoven. Yet the true era of the family farm was a short era—little more than a hundred years. It is strange to think that in time this era will make no more than a chapter in the American story, but that is the truth of it.

If family-farm rural living must disappear, rural life itself need not disappear and ought not. We shall have to start thinking of country and small town living in other than purely agricultural terms. We shall have to think of it in the context of a new pattern, as new, sanitized factories move out of the cities, as new recreational centers develop in the countryside, as hospitals, rest homes, and study centers spring up in and around the villages of the open spaces.

The true farm life may wither away, but country life will be sought by men and women as long as the yearning for peace of mind exists. We ought to treat its new manifestations with realism and the utmost care.

Mr. EASTLAND. Mr. President, there is no animosity in Mr. Sevareid's article. I am sure he developed it in good faith based upon partial fact and came to some conclusions that provide disparagement toward the farmers of this Nation.

In the second paragraph of his article he states:

> The third area of conspicuous waste is in the Department of Agriculture, specifically the crop support subsidies that successive Congresses have maintained since they were first started as a supposedly temporary measure, and which have become so much a part of our economic structure that no administration has been able to think of a way to end them without risking recession and a severe dislocation of rural life.

Along with the error in the first part of this statement that Federal expenditures in agriculture is a "conspicuous waste," there is much truth in the latter part of it that to further maim our agricultural economy would provide an economic recession.

As farm population declines, farmers become a less potent political force and their participation in our economy is tremendously enhanced. Three out of ten persons employed in private industry look to the farm for their employment. They are involved in "agri-business" which contributes nearly $150 billion of our gross national product. They are involved in providing farmers with the machinery, fertilizers, insecticides, and other inputs in farm production. They are also involved in warehousing, processing, transporting, and distributing the products of the farm. Any further deterioration in farm income will simply aggravate the movement of farm people to industrial areas, disturb the financial integrity of the industries serving farmers with production needs and the distribution of the commodities he produces.

I do not consider the public investments by the Congress a conspicuous waste. I think it is the highest paying investment of public funds yet made, nor is the farmer the hog guzzling at the public trough that he is so often pictured.

Mr. Sevareid states further in his article:

> American food prices are not high proportionate to income; we help feed dozens of other countries, and we still ought to take 50 million acres or more out of production. But this does not really justify the fact that the Agriculture Department spends about seven times as many dollars as it did 30 years ago when there were twice as many farms. It does not justify the fact that the Government spends more on the problem of surplus food and fiber in the countryside than it does on the problem of surplus human beings in the cities, a good many of whom have left the land.

The implication here is that the few farmers who are left to feed this country are obtaining a whole lot more of the taxpayers' money, constituting conspicuous waste, than the average citizen.

I am one of the first to admit that American agriculture is capable of surplus production for our domestic needs and for the export markets we have been able to develop. This does not mean that we produce more than is needed, as testified by the fact that nearly one-half the people in the world are undernourished, some of them to the point of starvation. Our problem is not overproduction, but of poor distribution.

We have attempted to make use of this surplus production to our domestic needs and are currently exporting nearly $6 billion worth of farm commodities, approximately one-third of our total exports. Most of these exports are for dollars and help our current gold situation. The remainder is sold for foreign currencies to be used in the future or given away to feed the hungry people of the underdeveloped countries. These latter contribute both to the political, economic, and social relationships with these countries.

Let us take a look at how well this gluttonous farmer at the Federal trough is doing comparatively with our other citizens and what his actual contribution is for the pittance he receives. Mr. Sevareid says that the Department of Agriculture "spends about seven times as many dollars as it did 30 years ago." In 1935, the Department of Agriculture spent $1,219 million. In 1965, it is estimated that the Department will spend $6,858 million, or an increase of 463 percent. Total Federal expenditures in 1935 were $6,497 million as against estimated expenditures for 1965 of $97,481 million, or an increase of 1,400 percent. From these figures it appears that the farmer is lagging about 1,000 percent behind in dollars to our total population on Federal expenditures. In 1935, 18.76 percent of the national budget was in agriculture and in 1965, only 7.03 percent is in agriculture.

I would like to analyze this a little further. In 1935, half of the Federal expenditures in agriculture were in public works programs, blacktopping streets in small communities, purchasing, and planting pines on eroded lands, and providing employment for the Civilian Conservation Corp. In my State the lands that were so purchased and forested are now a part of the national forests and are public domain. The costs, however, were charged to farmers.

My good friend and colleague, Senator AIKEN, made an outstanding speech on this floor in the early days of this Congress, and on page 561 of the CONGRESSIONAL RECORD for 1965, on January 12, he inserted in the RECORD a table showing the expenditures of the Department and distinguishing between those made for farmers and those made in the public interest. In his statement concerning this table, he said:

> It appears that for the fiscal year 1964 the cost of programs which are predominantly for stabilizing farm income was $3,318 million, while the cost of programs benefiting consumers, businessmen, and the general public was $4,608 million.

For 1965, the estimated expenditures are $2,221 million for farmers and $4,565 million for the others. We are still pursuing the policies established 30 years ago of financing through the Department of Agriculture programs for the benefit of consumers, businessmen, our needy, and others, and charging the stigma of such expenditures to our farm population. The estimate for 1965 reveals that over $2 will be spent for others for every dollar spent for farmers by the Department of Agriculture.

Now, what has this whipping boy contributed to the general public other than the $2 for $1 involved in the agricultural appropriations? Mr. Sevareid used a 30-year period in which he provided a partial analysis. I will continue to use 1935 and 1965 to be consistent. In 1935 the average citizen of this country spent 23.4 percent of his income for food. In 1965, however, the forecast is that he will spend only 18 percent of his income for food. This forecast is realistic as evidenced by the fact that last year he spent only 18½ percent for food. The farmer, then, has reduced the cost of food, based on income, by 5.4 percent for the American consumer. If we were spending 23.4 percent of our income for food in 1965, our food bill would be $106.6 billion as against the $82 billion that is being spent. The farmer's efficiency, then, has contributed $24.6 billion to the American citizen in additional purchasing power, and the farmer has been rewarded with a per capita income of less than half of the national average. In addition, the farmer has contributed in this percentage projection over $8 billion worth of built-in maid service in new techniques for processing and preparing food either partially or completely for the housewife. Combining these we find that the citizen consumers of America are receiving $32.6 billion in reduced food prices and services for the small Government pittance of $2,221 million for 1965.

Mr. President, in what other area of taxpayer investment dollars have we received such tremendous returns? The $2,221 million of taxpayers' money invested in farm programs directly to farmers provides a comparative return of $32.6 billion, or nearly 15 to 1.

The farmer has been made the whipping boy to provide a smokescreen to hide total citizen participation in Federal programs. He is unduly charged $3 for the $1 he receives. He shares the stigma of poverty because of his comparatively low per capita income. His participation in increased Federal expenditures for the 2 years 30 years apart is approximately one-third of the national increase.

We are told that farm programs will have rough sledding in being extended and perfected in this session of Congress. We are told that the budget has been submitted on a reduced basis for agriculture. Many research stations contributing to improved technology in production are proposed to be eliminated. I warn the Members of this Congress and the citizens of this Nation that if we pursue this fallacy of economy that the farmer's ability to produce will be reduced and the cost to consumers, and in other public welfare programs due to displaced farm people seeking employment in industrial areas, will be multiplied many times over. Let us blow away the smoke and look at the farm problem realistically in the total picture of our economy and deal with the facts as they are, no matter how sincere such metropolitan journalists as Mr. Sevareid may be.

In fact, because of the intelligence of the American farmer, the soil and climate of a benevolent God, and a progressive science in the Department of Agriculture, the cornucopia continues to flow and the American people sit at a table of plenty enjoying the greatest bargain that humanity has ever known.

SPRINGTIME IN MONTANA

Mr. METCALF. Mr. President, if you like to see life asserting its power after the long winter sleep, and if you enjoy generous and intimate contact with nature, a spring day in Montana can be one of the great pleasures of life. As one Montanan who would like to be back in the big sky country this spring but who will probably be kept here in Washington, I read with enjoyment and gratitude a description of an April day in Montana. The accuracy and poetic qualities of this description made it the next best thing to actually being there. It is an excerpt, printed in Holiday magazine, from a forthcoming book by Alfred B. Guthrie, Jr. Mr. Guthrie is a Montanan to his bones. For him, Montana is more than a place to live. It is a place to feel the infinity of life. And he has a wonderful faculty for communicating this feeling in words, as he does in this article, and in "The Big Sky" and other books about Montana.

I ask unanimous consent that this remarkable article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Holiday magazine, March 1965]

AN APRIL IN MONTANA

(By A. B. Guthrie, Jr.)

I like Montana, and I like Montanans. Most of my people, aside from their certain rigidities, are agreeable and generous and in person engaging. The rancher in a pickup stops to ask if he can help you with a flat. The oldtimer, his youth renewed by 100 proof, talks of his friend, the history of just yesterday. The moneyed man plays poker with his barber and asks him home to take potluck. So it's been a bad year? What the hell—another season's coming up. The bartender, just presented to a giant of a man, says cordially, "Jesus Christ. You're big enough to eat hay." The chambers of commerce, confusing size with quality and in that delusion tendering sugartits to industry, can still brag of the fish and game that only uncongestion can account for.

Time and adjustment and liking and my sense of context. The mind-heard echoes of old trappers on the beavered stream. The grind of prairie schooners. A buffalo skull in a wallow. The time-gentled melancholy of the first homesteaders, forced to leave the sunsets. An arrowhead shining in the gravel after rain. All these and more.

Mountain water over shining rock, which De Voto said he loved the best of all. Stars like bonfires. Clouds swelling in the bellies of the peaks in Glacier Park. A cottontail at the edge of a thicket. A horseman and a bronc. Old Chief Big Lake's grave on a benchland facing westward over the Valley of the Teton. Fishing streams and one trout rising to my Royal Coachman, and my not caring much if it should get away. A bar of song remembered from some country schoolhouse dance. The wild geese V-ing, shouting their adventure. A buck's antlers through the quaking aspen. The first men here and the things they saw that I see now. The coyotes calling.

A different, a less harried, a more open and a better world. My world?

April in Montana is a harsh and fretful month, a time of wayward winds and unpredicted snows and rains as cold as snow. If the sun shines for a day or two or three, the eager willows swell, and sap warms the wintered aspens in the foothills, and magpies start building nests like twiggy basketballs—but all too early, all too soon. Snow will come again, and cold, and the reaching grasp at new life will be discouraged and postponed. Ordinarily, that is.

It is the last of April, and we have just had a big snow which, after a dry winter, is good for grass and wheat but bad for birds and buds. Even now there is a touch of storm in the air, and the sun, after trying to shine, seems ready to give up.

I am at Twin Lakes, looking more often out a quart-sized picture window than at this waiting page. The place is a pocket in the great eastern apron of the Rockies, and I have kept the unimaginative name, not wanting to monkey with history even if I could persuade people to indulge my monkeyshines.

I am alone, but when I look down at the floor I see my old, dead dog again. She hates cold and misty-moisty weather, and gazes up with pleading eyes, knowing I am God and could change things if I would. I dislike to disappoint her. All gods must feel regretful.

It is good to be alone, though lonely, while the fire in the old range crackles and gladdens bones as furnace fires and fanned electric heat cannot. It is good to think, to sit and think, or just to think you're thinking, to let come to mind what will—convictions, fancies, the bigs and littles of experience and fragments of a dance tune danced to long ago. And here you are, the product of what has gone before; yet not all of it can account for the you that you've become.

A few days more and I shall wish for people and routine and someone to do the dishes, but now I find release in living as I please, alone, erratic and untidy, and in working as I please, with books and papers and unanswered letters scattered around me and discarded pages underfoot. I have a hunch that all clean desks have littered drawers. It is good to be away from noise and the barbiturate temptation of TV, to be free of outside rule and expectation. Internal fret is fret enough.

Outside, the snow is melting but the sky still overcast. Clouds obscure Ear Mountain, but I know it stands there, 4 miles away, and on brighter days will bolster me again. The green grass shows on the shoveled path beyond the window, and birds are feeding on the grain that I have scattered. Now is the season of the junco, the Oregon snowbird. In sight are some two dozen of them, perky little creatures, smaller than English sparrows, with dark hoods pierced by white beaks, and rusty-red backs and sides. They arrive to feed as if on signal and, on signal wing away, shortly to return together. Something about the window keeps confusing them as it does not other birds. Four or five have hit it, leaving bits of down on the glass, and one lay shut-eyed and gasping afterward. I went out and picked him up and brought him in and, though confident of his identity, checked him against my key to birds. In an hour he got his breath and vision and fluttered hot pulsed in my palm and on release set out uncertainly.

A yellow-headed blackbird, a rare sight at this altitude, just made a landing on the path, brilliant in his gold and ebony against the farther snow. Out toward the woodpile six or seven magpies are shouting grace for fare left there. A solitary chipmunk munches something on the fence rail. I cannot see the home lake from my makeshift desk but know a greenhead and a lady mallard are making love offshore and that a goldeneye, resplendent for his courting, cruises with his mate.

We shall have young life around the place again this year. Not only ducklings. Magpies, the smartest of our birds. White-crowned sparrows. Pine squirrels. Flickers. Clark's nutcrackers. Every season squirrels and flickers fight for homes in one old hollow aspen. Hard to say which side will win. Sometimes one does, sometimes the other. Already the great horned owls that like the north lake have hatched their broods. Perhaps I should say brood, for I don't know that more than one pair nests there. One pair does though, and has for year on year—the only Twin Lakes birds to mate before the ides of March.

Cottontails a cup would cover will explore our world, their eyes fluid with wonder, and a doe will lead her fawn to a salt block on the hill, and in the early morning the marmots will be out. The tramp black bear of last year may recommence his rounds. With luck we'll see a mountain lion. No sweat. We go unmolested, without arms.

Interruption.

I just shot a skunk.

I'm always glad of interruptions. They take me from the typewriter, and I find excuses for not coming back. Well, tomorrow will be another day and, from the look of things, one like today.

The skunk—a male, I think, but, male or female, not an "it" because animals aren't "its" to one withdrawn from human company—he came poking around the woodpile, nosing for the scraps that I had left for magpies. When I went out he spread his black and white body and stomped his front feet, warning that he'd pivot and perfume me if I dared another step. At my retreat he ambled off with fine contempt, poised possessor of world power. I put shells in my 20-gage and followed him and shot. Usually a skunk, dying, releases a defiant charge. This one didn't. With all his powers he fell and lay, his farewell to the world unfired.

Not until late years did skunks invade my country. We had assumed we were too high for them. They came, though, perhaps as a consequence of great increases lower down. I incline to think their thriving may be due in part to the proud war on coyotes by experts of the State and Nation, for there is evidence that coyotes, though daunted by grown skunks, still feast on those newborn.

A skunk is more than a nuisance to watch for in the dark, to call your pup away from if you can. An egg and chick eater, he is the first destroyer of ground birds. Give him free rein, and larks and sparrows, prairie chickens, pheasants, grouse and even ducks will thin out and maybe disappear. That he is a mouser, too, is no atonement for his sins.

The animals I trap or shoot or poison I kill reluctantly, in the hard knowledge that I should or must.

Take that noisome little clown, the pack or trade rat. Once inside your cabin—and he'll get there if you don't watch all openings, including the dampers on your stove—he'll wreak havoc while, with merry thumps of tail, he beats out his vandal's glee. He'll soil, he'll chew, he'll steal, he'll hide his loot and leave behind a stench impervious to all the vaunted hosts of cleansers and deodorants.

I can say nothing for the porcupine except, when I consider his figure and fecundity, that love indeed must conquer all. He's stupid. He's destructive. He thrashes his cruelly needled tail without discrimination, into the faces of dogs, which go insane with pain and fury, and against the velvet noses of merely curious calves and colts and often older livestock. Unattended, the quills may strike the brain or central nervous system, for they are feathered to work deep. First, though, unable to suckle or to graze for the stubbled torture in their muzzles, ranch animals may starve unless detected, locked in a squeeze and operated on with pliers. Some great authority will have to tell me how porcupines contribute to nature's equilibrium.

Pack rats and porcupines and skunks—these I destroy, and one other creature that I hate to most of all. That is the beaver.

I see him every summer, for he keeps insisting that my premises are his. I see the quiet V he wedges in the lake at sundown. I hear the hard smack of his tail as, startled, he submerges. I spot him on the shore, braced by his tail, chipping at a lovely aspen with teeth like sharp and highly tempered chisels. I see his winter store of severed saplings, set under water in the mud close by his house. I see and, seeing, know this gentle creature will have to be removed.

Given less time than even I with my experience can think, he'll lay waste an aspen grove. A neurosis afflicts him. Like the human layers-waste of forests, though with more mystic motivation, he has to be logging, whether downed trees serve the purposes of food or dams or not. He has to be as busy as a beaver and, under this compulsion, is as dedicated as any bureaucrat. More, like the Corps of Engineers or the brass of Reclamation, he can't endure the sight of running water. So he clogs not only streams, with sometime benefit, but irrigation ditches that, dammed, could never contribute to power or navigation. Ten times or more each summer he crams his cuttings in the round-holed headgate that lets a ditch into my lake, though not the best of dams there would create a pond. It is enough for him, an engineer, that he slow or stop the flow.

But still I like to watch him and feel poorer when I shoot him or take him from a trap.

It used to be that the animals and I had privacy. Eight hundred acres, no matter that they're poor, provided range enough. We could roam and run and take a dip, knowing that the sky, eccentric though it might be, was free of peering eyes. Now planes spy on us and take pictures, I suppose, always, by my impression, when the human hiker halts his steps on nature's orders and stands or squats exposed; and their drone in any case is alien and unwelcome, remindful of the fact that progress leaves us no retreat. Not often but too often they are Forest Service planes and private kites; and yesterday there came a jet. So perfected that it can't work up a sweat within the speed of sound, it broke the barrier with its synthetic thunderclap and upset the animals and me and shook the bones of this old cabin, which seemed to me to whimper all night long while the west wind tried to soothe it. Old things ought not to be shook up. Price of survival, the smooth brass of the Air Force tells us smoothly.

The jet cleaved the air, leaving against the unoffending sky the white cut of its swipe. I watched it out of sight, hoping it would fall on a scientist.

In a wild moment once I undertook to underscore, by means of a hillbilly song, my hoary and admittedly excessive attitude. This humdinger was to be the cry of a mountain man like me—who wanted space and air, but folks moved about, and as folks do they bred a crew till only the air was bare.

Hiatus here because, after this infirm beginning or something close to it, I skipped the next and connecting verse and, under a strong wind, sailed into the chorus. It went this way:

Keep them jaybirds outta my sky,
Where only birds was meant to fly,
And the Lord on High
Says you're coming too nigh.
Keep them noisy, nosey, pyznus jimcracks
Outta my sky!

At this point I decided the task was beyond my talents, and anyhow, my case was long since lost.

Better than drawing boards, test flights and test explosions, I like the military preparations said to have been pursued by a loser in the Riel or Cree Rebellion up north in Canada some eight decades past. He slipped across the line into Montana, and with him somehow slipped nine squaws. His intention: to breed a family fighting force so numerous as to right the wrong. Of course the war was never waged, but the man tried mightily, so mightily that hereabouts and nowadays a man can hardly number the fruits of his endeavors.

Gazing out the window toward my fence line, I feel a twinge, residual from history and myth, because I don't raise something here, but let nature take her course instead. Not much of this rock-and-jackpine country recommends itself for cultivation, but there's a spot or two where hardy garden stuff would grow if the grower fenced and garrisoned the garden against sneak attacks by cottontails, and black-tailed deer, and mountain gophers. But I'd rather walk than hoe, rather recognize wild flowers than weed tame turnips. Coralroot, an orchid of a sort, rises colored in the aspen grove, like asparagus with apoplexy, and Indian paintbrush blows, and on the flats in season the yellow loco lifts its deep-piled carpet above the modest carpet of the carpet flowers. And I delight in knowing among what I'm cast, delight in surely saying this plant is this, that animal that, and here a deer survived its journey through the night.

But still the sturdy yeoman, who plows not, but only watches and from time to time puts labored words on paper. Who asks not for handouts either, for growing or not growing.

What did happen to yesterday's stout yeoman?

A new arrival, a redpoll, not so jaunty as the juncos, feeds with them on the path, feeds unafraid and unmolested, his Roman red respected. And two bronze grackles, male and female, lower flaps and come to earth. No jolts. No taxiing. Perfect, runless two-point landings. Unconcerned with other birds, they peck and preen. One preens, that is. The male, not yet allowed by her to sow, reaps a tame oat and then extends his wings and spreads his tail and flutters all his feathers and, that display done, cocks his pale eyes at the sky as if asking heaven when. The show-off ritual, the beginning ritual of love.

Idly, while I've watched, I've wondered what I want, where I stand, and what's my doctrine. A simple answer came, though the years have taken part of its fulfillment:

To lean but, more important, to be leaned on,
For that's what friendship's for.
To be loved, but to love,
Or what's the use?
To be generous toward life,
Else I lose myself.
Above all else, to care!

Suddenly the yard is bare, abandoned by the birds, left vacant at the last by the chipmunk after he had flirted good night from the woodpile; and I feel deserted and thrown in on myself, as if I were the last of life.

Westward, astride the backbone of the Rockies, the sun sets through the mist. Time to have a drink. To have two, maybe. Almost time, as old-time camp cooks used to say, to burn a mulligan.

End of an April day.

THE CONTINUED NEED FOR MANNED FLIGHT SERVICE STATIONS

Mr. SIMPSON. Mr. President, last week I brought to the attention of the Senate the episode of a small-plane pilot, Dutch Van Dox, and his narrow escape from death in a Wyoming blizzard. Mr. Van Dox, a pilot from Indiana passing through my State on a vacation, credits the manned FAA flight service station in Laramie, Wyo., with coordinating the search and rescue efforts which saved his life. The facts surrounding this story were reported in my previous remarks; the details have now come to light, and I request that they be printed along with editorial comments from local papers at the conclusion of my remarks. Suffice it to note that Mr. Van Dox is typical of the pilots who attempt to navigate the rugged and unfamiliar mountains of my region. The weather forces which combine to influence flight conditions in this type of terrain are unique and foreign to many pilots.

In such conditions, the presence of the manned flight service stations is the most reassuring factor upon which these air travelers have come to rely. To replace this human factor with an automated data system would be to work a false economy which subordinates human life to theoretical budgetary savings. Data control is a vital element in promoting flight safety; however, it is not the end of the necessary steps which must be taken. The incident which terminated in the rescue of Mr. Van Dox from a plateau north of Laramie, Wyo., points up graphically the folly of efforts to remove human presence and intellect from flight stations in rugged mountain areas which Wyoming has in abundance. Last year when the Federal Aviation Agency served notice of its intention to remove 42 flight stations throughout the country, I strongly protested the action. My protests will continue, refortified by the near tragedy in my own State—a tragedy averted by the presence of a man rather than a cold computer at a flight service station.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEARCHERS RESCUE DOWNED AIRLINE PILOT

(By Vern Shelton)

A 44-year-old commercial airline pilot was rescued chilled but unharmed Wednesday from a windswept plateau near Bosler where he spent the night in ground blizzards and near-zero temperatures after making an emergency landing in a light plane.

A ground crew in a special snow vehicle reached Dutch Van Dox of Valparaiso, Ind., shortly before noon Wednesday.

They were guided to the scene by a plane piloted by Larry Kertzinger, Wyoming Aeronautics Commission safety officer, with Jerry Bowser of Laramie Aviation as observer.

The air sighting ended a widespread search that started Tuesday night after Van Dox's plane was forced down in the Cooper Lake area southwest of Bosler and north of Laramie.

The plane was undamaged in the landing, enabling Van Dox to maintain radio contact with aircraft overhead. Radio contact wasn't lost until 3:35 a.m. when the plane's fuel supply was exhausted, Federal Aviation Agency flight specialists at Brees Field reported.

A low ceiling prevented early morning air searches Wednesday. A brief break in the weather gave Bowser and Kertzinger a chance to take off at 9:52 a.m. They had the aircraft in sight at 10:41 a.m.

The men dropped a survival kit to the downed pilot and directed ground units to the location. The kit, containing sleeping bag, food, and clothing, landed within 20 feet of the plane.

"I'm just awfully glad it happened out here where you have men instead of little boys," Van Dox said in Laramie. "You grow men around here, not just human beings."

Van Dox, who was on vacation, was en route to Portland, Oreg., by way of Boise, Idaho. He arrived in Laramie from Chicago, Ill., Monday night. He left for Boise at 2 p.m. Tuesday.

"I left here and climbed on top with a westward heading," he explained. "I found the mountains were filled up and it was snowing so I turned east to Medicine Bow to see what the northern airway routes looked like.

"I found them filled up with clouds and snow. When I left the field, the entire south end of the valley was clear with some scattered clouds. I headed for the clear area that I had left and found it closed up. I advised Laramie radio that I was on top and that I wanted to get down and asked them if they had any hole in sight. They called me back a few minutes later and said there was a large hole just south of the airport.

"I came down through it," Van Dox continued. "I had been given a clearance for an approach at Laramie and used this hole instead of the clearance because it was a good hole. When I got down to the bottom of the hole, there was another deck of clouds, I notified Laramie radio that I was making a turn and would be coming inbound."

INSTRUMENTS FAIL

The Indiana pilot was making an instrument approach to Brees Field when his airspeed indicator and artificial horizon failed.

"I executed a missed approach and headed north-northwest in the clear," he explained "In about 4, 5, or 6 minutes, I found a nice, flat plateau and made a normal landing. I immediately got in touch with aircraft overhead and had them relay messages to Laramie for me."

Van Dox had been given clearance for an approach and was nearing the airfield when he reported he was turning away, Richard Guy, FAA flight service specialist, and C. H.

Weidner, station chief, said Wednesday. When current weather was radioed to him, there was no acknowledgment.

"The Denver air traffic control center was contacted and immediately started search and rescue and alert notice procedures," Guy explained. "Here at Laramie we alerted the State highway patrol and the Albany County sheriff's office. We were in contact with the aircraft most of the time after it landed. He could read us but we couldn't read him. So we relayed messages through planes overhead."

The exact position of the downed plane was not immediately determined. Game and fish commission units, county vehicles, members of the Albany County sheriff's posse, sheriff's officers, elements of the Wyoming National Guard, Wyoming highway patrolmen, and men in a four-wheel drive vehicle from Rinker's Wrecker Service searched through the night.

Their efforts were coordinated through the FAA station, Undersheriff Ken Lankford and Deputies Bill Owens and Everett Winchell at the sheriff's office in the courthouse, and Sheriff Ted Burnstad and Deputy Jesse James in the field.

"About 2 or 3 a.m., I could see the lights of the searchers," Van Dox said. "The vehicles were riding the ridges. I was showing the plane's rotating beacon but with the exception of about an hour, we had a real mansized Wyoming blizzard on our hands. I ran out of gas about 4 a.m. From then on, it was just plain cold."

One ground party sighted the blinking light but their vehicle became stuck in drifts before Van Dox could be reached. Due to poor visibility, they were unable to locate him later. At one point, they were within 4½ miles of the plane.

At 12:10 a.m. Wednesday, a World Airways airliner sighted the plane on the ground approximately 15 miles north-northwest of Laramie, Weidner said. The search was centered in the area. Capt. Jack Gardner, pilot of Frontier flight 610, circled the plane for nearly 4 hours to assist searchers.

HELICOPTER CALLED

Wednesday morning a helicopter from Greybull was called into the search. A paramedical unit from Hamilton Field at Riverside, Calif., and a mountain rescue team from Colorado Springs, Colo., were preparing to come to Laramie when the plane was pinpointed. The helicopter was stopped at Medicine Bow.

The small plane will be refueled and flown out as soon as weather permits, Van Dox said. The pilot planned to leave Wednesday night to rejoin his wife in Chicago.

"Special notice should be paid to the FAA people and to the pilots of the other planes involved," he emphasized. "You can't describe how much they did, along with Sheriff Burnstad, the highway patrol and the many, many volunteers."

FAA flight specialists on duty during phases of the rescue operation were Joe McChesney, Wesley Butler, George Jauss, Guy and Weidner, chief of the station.

Others who assisted in the operation were Don Veal, Merlin Williams, Dick Foster, Charles Hillman, Andy Lessenden, and Fred Knadler.

[From the Laramie (Wyo.) Daily Boomerang, Feb. 11, 1965]

STATION'S NEED POINTED UP

An Indiana pilot is alive today after he made an emergency landing near Bosler. If it hadn't been for a Federal Aviation Agency station, manned 24 hours a day, that pilot might very well have been found dead when he was eventually located.

When the pilot left Laramie the weather was clear with clouds to the north and west. He climbed over the clouds but found the mountains filled in so that landmarks were not distinguishable. He headed north to see if it was any clearer that way. He ran into more storm and headed back to Laramie.

At Laramie he found the field closed in by clouds and finally was forced to make an emergency landing near Bosler.

All of this happened in an area where the weather is supposed to be remoted out of Denver if the FAA station is abandoned as previously indicated.

The FAA managed to keep in contact with the pilot after he went down through relay messages between commercial planes and the ground. They knew at the FAA station here where the plane's general location was, but with that much to go on ground crews couldn't find it during the night because of blizzard conditions, although the downed pilot could occasionally see lights.

Weather proved a factor in continued slowing down of search operations the next morning. The downed plane was without radio communication now, for its fuel supply had been exhausted. Finally a break in the weather allowed a plane to take off from Brees Field and in less than an hour the plane had been spotted.

Without FAA in the area no communication would have been established. Without the agency on a 24-hour system the location of the plane would have been a matter of speculation. Without that location pretty well fixed, search pilots would have had a wide area to cover and only a brief period in which they could fly to spot the plane. Without FAA present, no one would have been aware for possibly days that the plane hadn't made it to its destination. Then, the search area would have been a vast one.

The pilot wasn't dressed for cold weather. He wouldn't have been able to leave his plane and walk out with any hope of success.

The single incident brings attention to the need for maintenance of the FAA station at Laramie. There's little doubt that if such a station hadn't been in operation in the area that the pilot of the light plane would have been found dead of exposure at a later date.

The FAA station plays an important part in aviation in the mountain area where weather is constantly changing. To close one down would mean disaster in many cases. It would set aviation safety back a number of years. The situation here has been found necessary in the saving of a pilot's life, but even under normal conditions it's sorely needed.

RESCUED PILOT ASSERTS HE WANTS TO LIVE IN WYOMING

LARAMIE, WYO.—Dutch Van Dox could have died in a lonely area northwest of Laramie Tuesday night after his plane went down, but the veteran pilot said he's returning to Wyoming to stay if he ever gets the chance.

"They have men up here (in Wyoming)," said Van Dox, after a rescue crew brought him into Laramie. The rescue party spent all Tuesday night and most of Wednesday morning pushing through deep snow in an effort to get to the plane and its 44-year-old pilot.

Van Dox, who lives in Caracas, Venezuela, said he was on vacation when he had to land the light plane he was flying in the rugged country 18 miles northwest of Laramie after missing an approach at the Laramie airport.

He said he had to take the plane down in the first clear spot he could find because his airspeed indicator had frozen. He said within minutes after he brought the plane into "a nice soft landing," the snow was 2 inches deep on the wings.

Van Dox had nothing but praise for the ground search crew, the Federal Aviation Agency control tower, and pilots of Western and Frontier Airlines, all of whom were instrumental in his rescue.

"In my 20 years of flying, I've never ran across such professionals in their businesses," he said. Van Dox said if it hadn't been for the professional way the FAA relayed fixes on his position. "I'd be dead right now."

Van Dox said soon after his landing he picked up radio contact with an airliner which helped fix his position.

"Later, a Western pilot helped fix my position," he said. "It was a DC-3 flown by a fabulous guy. I hope to meet him someday. The pilot picked me up on his way to Casper, then came back down on his way back, and stayed in the area close to 2 hours marking me for the people on the ground."

He said the two airline pilots worked together to fix his position for the search crews.

He said he had radio contact and kept warm by running the motor of his plane until the fuel ran out.

"Then it got awful cold," Van Dox said.

Temperatures in the Laramie area dropped to zero during the night.

Van Dox said, "The FAA in Laramie is the finest group of men the FAA has ever had—and that goes for the citizens of Wyoming, too."

"I met men today who stomped around all night in the deep snow looking for me, and they were hardly out of breath when they found me," he added.

"If I ever get a chance for a job in the States, I'm heading for Wyoming," he said. "I feel wonderful now. I'm awestruck at the way people in Wyoming do things. I just wish the rest of the world had the integrity of people I've met since I've been here."

Van Dox said he is currently on vacation and has contacted his wife in Venezuela. He said he plans to get the airplane and be on his way when the weather clears enough to retrieve the craft.

THE ARTS IN AMERICA

Mr. JAVITS. Mr. President, in a forthcoming issue of Art in America, Richard Mühlberger, a Woodrow Wilson Fellow in art history at Johns Hopkins University, sketches the development of public interest in the arts in America.

The Government's role in promoting the arts reached its culmination, states the author, with the passage of the National Arts and Cultural Development Act of 1964. Since I had a considerable—and longstanding—interest in the passage of that measure, I read Mr. Mühlberger's article with considerable interest, and recommend it to Senators. His plea for the creation of a National Arts Foundation—which was voted by the Senate, but not by the House, last year—is a logical extension of the historic progress Americans have made in our national culture. As a cosponsor of that measure, I am hopeful that it will be passed promptly.

I ask unanimous consent that the text of Mr. Mühlberger's article entitled "John Adams Had a Dream," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHN ADAMS HAD A DREAM: THE DREAM WAS OF AN AMERICA WITH THE OPPORTUNITY TO STUDY ART, POETRY, AND MUSIC AT LEISURE; IN A COMPARATIVELY SHORT SPAN OF 164 YEARS, THIS DREAM HAS GRADUALLY BECOME A REALITY, FINALLY ENDORSED BY THE 1964 PASSAGE OF THE NATIONAL ARTS AND CULTURAL DEVELOPMENT ACT

(By Richard C. Mühlberger)

John Adams had a dream: "I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and

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philosophy, geography, natural history and naval architecture, navigation, commerce, and agriculture, in order to give their children a right to study painting, poetry, music, architecture." From Adams to Kennedy, 164 years; from a nation young in luxury to one with over half of the world's symphony orchestras, where annually more people visit museums than attend baseball games—America has grown.

"All their attention seems to be concentrated on a sensible arrangement of the business of living, and on foreseeing all mishaps," wrote Stendahl in the second decade of the 19th century. He eyed Americans with a curious admiration mixed with pity. "When at last they reach the point of harvesting the fruit of so much care and orderly planning," he continued, seeming hardly quite able to believe his own report, "they find they have no life left with which to enjoy." He was careful to add that his conjecture was confirmed by the absence of artists and writers in North America. "The United States," he added, "have not yet supplied us with so much as a scene of a tragedy, a single picture, or even a life of Washington."

"A nation young in luxury," a young visitor from England called the United States. In 1819, Frances Wright wrote home that Americans were "a race of shrewd artificers, speculating merchants, and plodding farmers, with just enough manners to growl an answer when questioned and enough of learning to read a newspaper, drive a hard bargain, and reason upon the advantages of free trade."

In the morning days of the new Republic the call to arts and letters by the visionary Thomas Jefferson—like the Liberty Bell—sounded only once. But the changes were to be rung again and again on the practical and realistic theme of Benjamin Franklin. The citizens of the new Nation nursed themselves on the Christian ideals of the 18th century patriots. They romanticized them into beloved patriotic principles. They practiced them into an ethos elemental in everything that made the Republic a world power.

CULTURELESS, COLORLESS

But the practical Protestant principles and the rugged land conceived an uncultured child. John Ruskin's criticism of Europeans is applicable here. "A strange colorless tessara in the mosaic of human mind," he called the 1830's and 1840's. "There has not before appeared a race like that of * * * this day, thoughtfully unproductive of all art—ambitious, industrious—investigative—reflective, and incapable."

Some rays of cultural hope did shine, however, during the first half of the 19th century.

The ghastly years of doubt and distress of the deep hollow of the depression are bordered in history by two periods of great optimism. In 1837, Emerson told the intelligentsia of Harvard University that "perhaps the time is already come * * * when the sluggard intellect of this continent will look from under its iron lids and fill the postponed expectation of the world with something better than the exertions of mechanical skill."

In 1840, Congress directed the formation of a gallery of art as part of the National Institution for the Promotion of Science. The Secretary of War was the senior officer of the institution. In 1841, he said, "Here, the people reign—all power is centered in them; and if we would have them not only maintain their ascendancy, but use their power discreetly, no expense or pains should be spared to inspire them with a love of literature, and a taste for the fine arts. To effect this, the effort must be made here. It must originate at the seat of government, and spread from this place over the populous plains and fertile valleys of the land." Joel R. Poinsett's ideas were premature. His notion of nationalized arts promotion was not to be heard again for 100 years, when another depression prompted the Government to patronize the painting of 22,000 murals in public institutions, and, more recently and subtly, when "patron of the arts" became only one more moniker in the legend of President John F. Kennedy.

The late John F. Kennedy was not this century's first President to concern himself with the arts. Theodore Roosevelt extended White House hospitality to artists, scholars, and poets. William Howard Taft established the District of Columbia's Commission of Fine Arts; Franklin D. Roosevelt's WPA paid 1,600 artists in New York City alone $23.86 a week. Harry S. Truman called for vigorous and imaginative action from the Government in support of the arts. And Dwight D. Eisenhower asked Congress to do more "to give official recognition to the importance of the arts and other cultural activities."

KENNEDY PERSISTENCE

No President was more persistent than Kennedy in seeking a place within the structure of Government for recognition and support of the arts. He echoed George Washington's belief that the arts "are essential to the prosperity of the state and to the ornament and happiness of human life" when he spoke at Amherst College in October 1963: "I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist. If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him. I look forward to an America which will reward achievement in the arts as we reward achievement in business or statecraft. I look forward to an America which will steadily raise its standards of artistic accomplishment and which will steadily enlarge cultural opportunities for all our citizens."

An Advisory Council on the Arts was ordered to be established by President Kennedy in June 1963. The late President noted that "for the first time the arts will have some formal Government body which will be specifically concerned with all aspects of the arts and to which the artist and the arts institutions can present their views and bring their problems." August Heckscher was chosen to evaluate the state of the arts in America and the impact of various general Government policies and programs on the arts.

SOLID BASE FOR ART

In commissioning Mr. Heckscher, President Kennedy said that "art is no exception to the rule in human affairs—that of needing a stable and ample financial and institutional base. * * * The Government has a responsibility to see that this important aspect of our lives is not neglected. The concept of the public welfare should reflect cultural as well as physical values, esthetic as well as economic considerations. We have agencies of the Government which are concerned with the welfare and advancement of science and technology, of education, recreation, and health. We should now begin to give similar attention to the arts." President Kennedy's action and his emphasis on the financial foundation of the arts, in ordering his bursarless council, egged Congress on toward realizing a 15-year-old project.

Early in the fifties, legislation in favor of the arts was sheepishly presented on Capitol Hill by Congressmen GEORGE M. RHODES, FRANK THOMPSON, JR., EMANUEL CELLER, LEE METCALF, ADAM CLAYTON POWELL, and HENRY S. REUSS. The earliest bills and resolutions were negated by laughter. A very comprehensive plan to establish a system of annual arts honors, and information and study bureaus for the arts, was drawn up by the painter Danield Millsaps and presented to the House of Representatives during their 1954–55 session by Usher L. Burdick, of North Dakota. A decade later the spirit of that bill and the labors of its inspiration reached fruition.

On August 20, 1964, the House of Representatives pasesd the National Arts and Cultural Development Act which, in effect, established by law President Kennedy's Advisory Council on the Arts. "I do not believe that we ought to depend upon the promotion of the arts simply out of the White House," one legislator declared. "We ought to have this thing deep enough in the social fabric of our country that there is continuing support for the support of the arts among the Representatives in the Congress."

The new 25-member National Council on the Arts will represent music, drama, dance, folk art, literature, architecture and allied arts, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, radio and television. The members of the Council and their paid Chairman will be selected by the President from among those "who are widely recognized for their broad knowledge of or experience in, or for their profound interest in the arts." The Council will recommend ways to maintain and increase the cultural resources of the United States, propose methods to encourage private initiative in the arts, and will conduct studies and make recommendations regarding standards and opportunities in the arts and appreciation of the arts; with local, State, and Federal departments and agencies, it will concern itself with the fostering or artistic and cultural endeavors. By law, that's all it can do, but it can't, of course, do all of that. It's a very big task.

BILL WITH TEETH

A similar bill was introduced in the Senate by Senators JAVITS, CLARK, HUMPHREY, and PELL. Their bill had teeth, so to speak, by the inclusion of an Arts Foundation which would assist various art groups with $10 million in grants-in-aid. The Senate gave it overwhelming support. When they had to drop the Arts Foundation section in a compromise with the money-conservative House of Representatives to enable the Council part of the bill to get underway, the Senate made it clear that Government finances for the arts was still their goal.

The Senate sees its Foundation as seed money that would multiply. Senator JAVITS estimated that every $10 million of Federal expenditure would bring at least $50 million from private sources. From an initial State appropriation of $50,000 and over a 3-year period, almost $400,000 was derived from private sources to help finance new cultural activities which the New York State Art Council initiated. John Walker, the director of the National Gallery of Art, stated that "The importance of this legislation is the stimulus it will provide for private donations for cultural enterprises, especially on the part of the great foundations which now devote so small a part of their total resources to the arts." Senator HUMPHREY refused to call the Foundation a spending program. "We are talking about the expression of the spirit and of the mind and of the intellect * * *" and $10 million he added "is, at best, a modest acknowledgement on the part of the Government * * * that the arts have a significant place in our lives."

The Senate bill was based in large part on the Canada Council on the Arts and the Arts Council of Great Britain. The success of these two organizations and the experiences of a number of State and local art councils in the United States which receive direct support from local government was persuasive evidence that governmental interference in the arts is a bugaboo. The Senate sees official apathy as much the greater danger.

Legislators themselves have stated that Congress lags considerably behind the public in its realization of the condition and needs of the arts. But to say that Congress has finally caught up with its constituents hardly explains recent art legislation. The average American does not militate for the arts. Congress felt little outside pressure. One full-time man in Washington from Actors' Equity did represent to them the performing arts and the Washington International Art Letter has for 2 years been a nonpartisan resource service to Congressmen and Senators. But finally it must be said that the National Council on the Arts and the proposed National Arts Foundation are the progeny of the legislators themselves.

The increasing leisure time of working people and of old people in the United States was a major impetus behind the arts legislation. Roy R. Neuberger, president of the American Federation of Arts, has said that America's "new frontiers are not only those of space, but also those of the arts of wisdom and leisure." "When more and more of the material wants of our people are satisfied and great leisure time is given to them, their thirst for meaningful, enriching activity is increased," stated Senator HUMPHREY. "Our culture is the sum total of what makes life worth living," he continued. "It is through developing an appreciation of the arts that our new leisure time will be spent constructively."

THE YEAR 1962'S $9 BILLION

Private philanthropy during 1962 from all sources including individuals, foundations, business, and charitable bequests totaled over $9 billion. Private support for the arts amounted to less than 2 percent of this total. "That is not enough," exclaimed Senator JAVITS in expressing the viewpoint of the majority of his colleagues. The weak financial basis of the arts today is a major concern of the Senate.

August Heckscher reported to President Kennedy that "The very demands which changing public tastes have made upon established artistic institutions have strained the financial resources available to them. Older forms of patronage have not in all cases been adequately replaced." John D. Rockefeller III emphasized this point. "* * * I have no reservations about the need—even the urgency—for government action at all levels—city, State, national—in the area of the arts. The need is real. It is pressing." He also stated that "The purposes of the Council * * * are consistent with our traditional conviction that responsibility for the arts should be in private hands but that private efforts can be advantageously supplemented by an informed and interested government."

THE LONE DISSENTER

During week-long investigations in the Senate and House of Representatives, when more than a hundred authoritative persons in the arts and government shared their experiences and opinions with the lawmakers to strengthen the proposed legislation, there was only one dissenting voice. The air was also positive during debate on the Senate floor. The House of Representatives refused the $10 million grants-in-aid section of the bill and a few rural voices were raised against furthering bureaucracy. A formal minority view read in part: "We can fully expect, if this bill is sanctioned, that the Federal Government, in the name of art and culture, will soon be called to subsidize everything from bellydancing to the ballet; from Handel to the Hootenanny; from Brahms to the Beatles; from symphonies to the striptease." One congressman from Ohio suggested defeat of the legislation on the grounds that homosexuals would benefit from it. Support of the bill was generally strongly bipartisan. Negative votes were largely from areas where art activity is still immature. Only 6 of the 24 representatives from Ohio, a State which has become the heart of the midwest renaissance, voted affirmatively.

That it does not provide for aid to education in the arts was the major criticism of the Senate and House legislation by some of its supporters. Albert Bush-Brown, president of the Rhode Island School of Design, asked, "Where will the artists be educated, those who are to perform? Unless the foundation can support education at responsible, professional schools of the arts, there will be no more superior performances." Howard Conant, chairman of Art Education at New York University, suggested that a penetrating study of existing conditions in every branch of the arts "would cause the proposed National Council on the Arts and/or the National Arts Foundation to give at least as much attention and support to organized programs of art instruction in our schools as they would to the activities of professional groups and the needs of adult audiences in the visual and performing arts. * * * Unless we simultaneously improve the art educational programs in our schools, our efforts to strengthen the arts in American culture are likely to do no more than enrich the enlightenment of those comparatively few persons who have already gained insight into the realm of esthetic understanding."

SUPPORT OF EDUCATORS

In April 1964, a report sponsored by the American Council of Learned Societies, the Council of Graduate Schools in the United States and the United Chapters of Phi Beta Kappa, was published. It recommended to the President and to Congress that a National Humanities Foundation be established "to develop and promote a broadly conceived policy of support for the humanities and the arts." Education would be a major responsibility of the Foundation. The report expressed hope that the proposed foundation would be combined with the National Arts Foundation should the latter become law.

"World leadership of the kind which has come upon the United States cannot rest solely upon superior force, vast wealth, or preponderant technology," the humanities report stated. "Only the elevation of its goals and the excellence of its conduct entitle one nation to ask others to follow its lead. These are things of the spirit. If we appear to discourage creativity, to demean the fanciful and the beautiful, to have no concern for man's ultimate destiny—if, in short, we ignore the humanities—then both our goals and our efforts to attain them will be measured with suspicion."

FAIR TREATMENT FOR THE FARMER—ADDRESS BY SENATOR MONDALE

Mr. McGOVERN. Mr. President, last week the distinguished Senator from Minnesota [Mr. MONDALE] addressed 5,000 members of the Farmers Union Central Exchange, at their annual meeting in St. Paul. His message to that important gathering indicated clearly that the farmers of Minnesota and America have an able and true friend in the man chosen to replace the Vice President in the Senate.

I have been most impressed with Senator MONDALE's forthright, perceptive, and energetic attention during his first few weeks in office to the farmer's problems. I am confident that he not only understands their problems, but also will work intelligently on their behalf.

The message he delivered to the Central Exchange deserves an even wider audience, and I commend it to the attention of Senators. I therefore ask unanimous consent that his speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR MONDALE TO FARMERS UNION CENTRAL EXCHANGE

As I discuss with my Senate colleagues the problems of our Nation and our States, I am reminded, daily, of the common purpose and common concern that binds this great land together.

Among all of the different problems of the domestic economy that we face daily, one that seems to concern producers and consumers everywhere is the problem of maintaining fairness in the marketplace—fairness to the producer and fairness to the consumer.

As many of you know, one of my major concerns as attorney general of Minnesota was to create a sound producer-consumer relationship—to promote fair dealing and ethical standards in the purchase and sale of goods and services. I quickly came to know and appreciate the contribution of your fine organization to that effort.

By representing the farmer in his dual role as both producer and consumer, you are as much concerned with what he must pay as with what he gets. When you lower the cost of distribution of goods and services to your patrons, you reward efficiency and thus serve the true purpose of a free competitive system.

President Johnson's farm message assures us that the Great Society will not stop at the city limits.

He has rejected as unsound the suggestion of those who would move 2½ million farm families out of agriculture.

The President has reaffirmed our need to strengthen our farm programs in order to provide the efficient family farmer with an opportunity to earn parity of income; assist farm families to enlarge and improve their productive capacity in order to achieve a decent living; improve and extend our food-for-peace program as a permanent instrument of foreign policy; promote international trade and expand exports; maintain reserve stocks of agricultural commodities for national security—without charging the cost to the farm program.

To assure the development of a reasonable and sensible farm program in the national interest, the President has ordered the establishment of a "blue-ribbon" Agricultural Advisory Commission with broad representation from all segments of our national economy.

These are affirmative measures designed to bring to rural America greater economic opportunity, greater dignity—more of the abundance of our land to which farm people have contributed so much.

Poverty is twice as prevalent in rural areas as it is in urban America, with 46 percent of rural families living on less than $3,000 a year. For them, a decent life often depends on their getting an honest value for every dollar spent.

A strong and effective system of producer-consumer cooperatives, serving rural America, is one of the best ways I know of furthering the President's program to raise the quality of life and the standard of living on our farms and in our rural communities.

But there are danger signals ahead that threaten your strength and your effectiveness—and it is about those dangers that I will speak tonight.

Never in their history have farm cooperatives faced greater challenges than they will face during the coming decade.

Never has the American farmer's need for cooperative strength been more urgent.

The signs are everywhere around us for all to read.

They are written by those who would destroy the farmer in the name of a sane farm policy.

They are written by those who would impoverish the rural economy in the name of economy in Government.

They are written by those who would cut the farm program by enlarging the poverty program.

Farmers do not quarrel with the need to adjust farm policy in response to changing technology.

But they object—and rightfully so—to solutions that can bring consequences that are worse than the problem.

A rational farm policy cannot be achieved by moving misery around.

Farm policy must be developed as a part of overall national policy—not as something separate from it.

But the development of a fair and rational farm policy is threatened by a variety of self-styled experts, with little knowledge and less understanding, who fan the flames of urban-rural conflict raising doubts in the minds of our urban neighbors concerning the need or wisdom for Government support of farm prices.

All reasonable people will agree that any national policy of the size, cost, and importance of our farm program cannot remain static.

We should reexamine it from time to time in the light of national needs and international commitments, as the President has directed, to assure that we are getting the maximum return out of the dollars we spend.

But before we make drastic changes in the lives and livelihood of 3½ million farm families; before we pull the rug out from under 13 million people now living on farms—plus the additional 6½ million employed on the land—we had better deliberate long and hard.

We had better know what we're doing.

Most important of all—we had better be sure of our facts and what they mean.

First of all we should correct the misleading talk about a $7 billion farm program.

While that's the figure that Budget charges to agriculture, the fact is that more than half of the $7 billion is spent for purposes that are primarily of benefit to the general public or the Nation at large rather than for supporting farmer prices.

For fiscal 1964 the cost of all programs designed for stabilization of income was $3.5 billion, while programs benefiting consumers, businessmen and the general public was $46 billion.

Now let's look at this $3.5 billion program for a moment—the program designed to maintain farm income.

Major criticism has centered around the claim that 80 percent of the $3.5 billion annual cost goes to 1 million of the country's largest farmers—those with annual cash sales over $10,000 who account for 80 percent of all production.

We are told that these 1 million farmers with average annual incomes of over $9,500 are prosperous commercial enterprises, which can produce all of our domestic and export needs.

Since 20 percent of the $3.5 billion must be spread thinly over the 2.5 million farms with sales under $10,000, we are told that our present program fails where it's most needed.

We are told that these 2.5 million farm families should be moved out of agriculture because there's really no future in it for them.

Now let's separate the facts from the fictions.

The $9,500 average family income of the top 1 million farms takes in an awfully big spread—farms with sales of $10,000 and up.

Of these 1 million farms, about 400,000 have annual sales over $20,000.

These larger farms pull up the average and distort the results.

In addition, the $9,500 net income average includes about $1,800 in nonfarm income—extra income earned in town, perhaps, by members of the farm family in order to help make ends meet.

When you break it down, here's what the facts really show.

There are about 1.5 million farmers in the United States with annual sales of $5,000 to $40,000 who market 55 percent of all our farm products. During the past 3 years their net income averaged $5,700—over 20 percent below comparable returns for labor and capital in industry.

In the top 1 million group—those who are supposed to be doing so well—there are 600,000 with sales of $10,000 to $20,000. Their net income from farming averages $7,700—20 percent below the parity level.

Without commodity programs, all farmers—the top 1 million included—would have been reduced to poverty.

Even with support programs, over 90 percent of our farm families are underpaid at present price levels. Of the Nation's 3.5 million farmers, only 3 percent—100,000 farmers—with annual sales over $40,000 have net incomes that even approached a return on capital and labor comparable to industry.

But most important of all—all of these income figures include payments under our price supports and other programs.

Without these programs, the net income of all farmers—the large and the small—would have been 40 to 50 percent less.

Farm policy cannot be judged on cost alone. Cost is important, but it must be balanced against benefits.

It's time that all Americans were told about the benefits of our farm programs—what we get for what we pay.

It's time to speak up strongly and affirmatively to say that the American farmer has given to the Nation more than he has received—that he is giving rather than receiving a subsidy from the rest of the economy.

We must stop being defensive about Government programs to support farm income.

America's farmers have made the urban people of this Nation the envy of the world—better fed, better clothed, at less cost than any people in history.

Due to the amazing efficiency of the American farmer, the overall cost of food to consumers in relation to earnings is at the lowest point in history—18 percent of average family income—down from 27 percent in 1947 and 23 percent in 1950.

Today the American farmer produces enough to feed himself and 45 others. In contrast the Soviet peasant can feed only himself and 7 others, a mark we passed in 1900.

The American consumer's expenditure of 18 percent of his income for food compares with 30 percent in the United Kingdom, 32 percent in France, 53 percent in Russia.

But he has done more than merely reduce the cost of the consumer's food bill. His productive efficiency has enriched the Nation's economy and strengthened its hand in the conduct of foreign policy.

Consider for example that—

Output per man-hour in agriculture has been rising nearly 3 times as fast as in industry.

Rising productivity has freed consumer dollars otherwise spent for food, contributing materially to America's standard of living.

Agriculture is by far this country's biggest earner of dollars in the export market—$6 billion a year or nearly one-third of our total export business—contributing more than any other industry to our balance of payments.

Our farm production is one of the greatest advantages that we have in the cold war.

It is a powerful instrument of foreign policy, which, under the Public Law 480 program has promoted world peace, stimulated economic growth in the newly developing countries, and encouraged distressed nations to adhere to the democratic principles of the free world.

These are some of the benefits that have accrued to the Nation and to the free world.

How has the farmer shared in these benefits?

First we should note that if all Government costs of farm and related programs—including aid to underdeveloped countries—were added to the Nation's food bill it would be increased by less than 5 percent.

While prices at retail have increased some 30 percent since 1947, 88.5 percent of the increase has gone to processors and marketing agencies—the middleman—not the farmer.

Over the past 16 years prices received by farmers for food delivered to the marketplace have dropped 16 percent while the prices of things he buys are up by 30 percent.

Per capita income of people living on farms today is only a little more than half that of nonfarm people—even though farm population has declined by 50 percent since 1945.

This is the balance sheet of costs and benefits.

The consumers of this Nation have received from the farm program more—much more—than it costs.

Since the free marketplace does not return to the farmer the value of his production, simple justice and equity demand that in a democratic society this imbalance be corrected by responsible government.

There is nothing unusual or unique about America's need to support farm income.

America isn't the only country that assists its farmers.

Every civilized nation in the world with a farm economy and a marketing system has found it necessary to adopt measures to support farm income.

There are two basic reasons that justify and require Government protection of farm prices:

1. Lack of farmer bargaining power compared to the power of those to whom they sell and from whom they buy supplies and equipment.

2. A rapidly improving farm technology that has resulted in production far beyond what the market will take at reasonable prices.

The law of supply and demand—that reliable old cure-all for all of our economic ailments—operating alone—cannot solve the farm income problem without bringing consequences that are worse than the cure.

A drop in farm prices does not greatly increase demand. One of the reasons for this is that farmers receive less than 40 cents of the consumer's food dollar; 2.5 cents for the corn in a 28-cent package of corn flakes; 4 cents for the wheat in a 29-cent package of soda crackers; 2.5 cents for the wheat in a pound loaf of bread.

As a result, farm prices must fall 25 percent to get a 10-percent drop in consumer prices.

While a drop in prices may increase the demand for some foods, usually it just shifts consumers from one food to another, without increasing the total demand for all farm products.

As Secretary Freeman once said: "You can't put 5 quarts of food in a 4-quart stomach."

Industry lays off workers and cuts production when demand for its products falls off. Oftentimes prices fall little, if at all.

In recent years many of our major industries showed large profits while operating at 60 percent of capacity.

But lack of bargaining power makes farmers vulnerable to even a small surplus, and a drop in demand has little or no immediate effect on production.

Without price supports, a 10-percent excess of supply over demand can drive prices down 40 percent—far below the cost of production.

The law of supply and demand doesn't correct the supply problem by bringing it in balance with demand. While that's what we might expect, just the opposite happens.

Because of high fixed costs and the inability to shift their investment elsewhere, farmers respond to lower prices by increasing their efficiency, by increasing production, in order to maintain the same level of cash income.

The effects of a "no program—no price support" policy have been carefully studied by farm economists. It would lead in a few short years to:

A 50-percent drop in total net farm income—from an average of $12 billion over the last few years to $6 billion.

A decline in real estate values that could wipe out some $45 billion in farmer's equities.

The shift of millions of our farm population off the farm to rural and urban communities ill prepared and ill equipped for handling them.

A destruction of the tax base and economic vitality of rural businesses and communities, imposing a heavy burden on the entire economy.

Monopolization or severe concentration of the ownership of our agricultural resources by those strong enough to survive the attrition.

The effect on schools, churches, and local governments could well be disastrous.

The public cost of minimizing the impact of such a "no program—no price support" policy would far exceed the total cost of all our farm programs. In the end, we would all lose—the urban consumer as well as the farmer.

Such a policy would be as inequitable as it is inhumane; as unwise as it is unfair.

Instead of rewarding efficiency, it penalizes it; instead of enriching rural life, it would impoverish it.

The key to the problem is demand—an increase in demand at home and an expansion of our export demand.

For the foreseeable future, however, we will still need price and income support programs to maintain reasonable levels of income for our farm population.

We must make sure that in our negotiations in the Common Market that agriculture is not given a back seat to other segments of our industry.

Our aim should be to ease trade restrictions—to promote greater freedom of trade in those commodities for which we have a comparative price advantage.

But even here we face difficulties.

Free trade in export markets is a two-way street. And we don't control all the traffic lights.

International agreements and the domestic farm policies of foreign countries complicate the problem and limit our ability to expand our exports.

These are the things that must be told by farmers to the city taxpayers if there is to be continued support for an effective farm program—if our farm economy is to survive.

The key to that survival is cooperation—cooperation to gain sufficient bargaining strength in the marketing place; cooperation in support of legislation that will permit efficient operators of well-managed family farms to share equitably in the Nation's prosperity; cooperation to inform urban consumers that they have been the principal beneficiaries of the Nation's farm programs; cooperation to explain to America that an effective farm program returns to the Nation more than it costs.

Farmers are not statistics.

Farm families are not numbers to be moved around like so many lines on an economist's graph.

Three-and-a-half million farm families mean 14 million decent, hard-working human beings who ask not for charity, but only a fair chance; not for a handout, but only for equity; not for subsidies, but only for the correction of the shortcomings of the marketplace.

I intend to do all in my power to help them in that fight.

"CONTROLLED PRESS"—BUNK

Mr. CHURCH. Mr. President, another in a seemingly unending series of myths spun out by the radical right is the belief that the American press is controlled. The foolishness of the myth and, more important, the question of who promotes it, and what results, was summed up by Philip F. Miller, editor of the Royal Oak, Mich., Daily Tribune, writing in the Quill, the monthly publication of the National Journalism Society, Sigma Delta Chi. The title is " 'Controlled' Press?—Bunk." It is an excellent editorial, and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Quill, February 1965]

"Controlled" Press?—Bunk

(By Philip F. Miller)

I didn't quite catch the lady's name but her intent was obvious. She was protesting the stand which the Tribune had taken in the presidential campaign.

She went on to complain that the majority of the newspapers of the country, many of them usually Republican, also had endorsed Lyndon B. Johnson for President.

Then she said, "Of course, we know the press is controlled."

"Wait just a minute," I answered, "What do you mean 'controlled'? Controlled by whom?"

"Well, I don't exactly know," she stated, "but I know it is controlled."

"Do you have any idea at all how the newspapers of this country are run?" I asked her. "There are almost 10,000 newspapers, daily and weekly, each with a few exceptions, run by the men who own them. Not one of them claims to put out a perfect newspaper, any more than we do. But each is an individual, responsible only to his own conscience for the way his paper is published and the stands which it takes. There is no possible means for any "conspiratorial force" to control newspapers. What makes you think that this can happen?"

Her answer explained a lot. "I belong to both the Manion Forum and the John Birch Society, and I know," she stated emphatically.

There is no doubt that many of the extreme right-wing groups have been spreading this falsehood about the controlled press. A study of the tactics used shows that only by discrediting the accepted authorities, the press, radio, TV, the Government, schools and church, can such societies strengthen their own position as being the only sources of truth and their literature and publications the only ones to be bought and read by their followers.

This situation is getting so bad that, according to United Press International, "A long-range campaign against 'Right-wing and left-wing attempts to discredit newspapers and other news media' has been launched by the California Newspaper Publishers Association."

(Sigma Delta Chi adopted a resolution at its recent Kansas City convention calling upon its members to "resist, expose and condemn all irresponsible attacks on the press." The resolution noted that news media have been subjected to intemperate attacks, boycotts and threats by extremist groups of the right and left and the objective of these attacks is not to preserve full and fair news coverage but to manipulate the news to suit the prejudices of the critics.)

The president of CNPA, Newton Wallace, a Winters, Calif., publisher, said the program was the result of a report from the CNPA's newspaper analysis committee, which cited attacks against news media and attempts to intimidate individual newspapers during the recent election campaign.

The committee found: "Members of the John Birch Society and other extreme right-wing groups have joined the long list of left-wing extremist groups which have, for at least a generation, vigorously and viciously attacked the integrity of the reporting in the press, have attempted to discredit and damage economically newspapers with which they disagree and have sought to bring into being more news media which will be subservient in reflecting their own prejudices."

The committee held that there is abundant evidence that the derogation (of news media) will not end after the election; rather it may be intensified.

The committee added that the same lies are being propagated (by extreme right-wing organizations) and have been for years by Communists, ultraleftists, and some labor organizations.

The committee also found that the very diversity of editorial positions of California newspapers is effectively serving the traditional free press guarantee of broad and comprehensive news coverage and free, unsubsidized, and unfettered analysis of the news and its significance.

The California publishers plan to launch a campaign to include presenting the historical aspects of the free press and its problems, explain the functions played by the press in a democratic society, set forth the necessity for free expression of fact and opinion, stress the differences between news reporting, interpretive columns, and editorials, and in "other positive ways attempt to offset any doubts engendered among the readers by organized criticism and to restrengthen the readers' confidence in their newspapers."

Publishers in other States could do well to emulate those of California. The problem is nationwide.

I have found that the complaints about a "controlled" press often come from those who most want to see it controlled their own way; to print only what they want printed and not to print anything not in accord with their line or version of the truth.

The free and independent newspapers of this Nation will always battle against such a concept.

WEST GERMAN CABINET SUPPORTS EXTENSION OF NAZI WAR CRIMES STATUTE OF LIMITATIONS

Mr. RIBICOFF. Mr. President, I was heartened to learn this morning that the West German Cabinet voted yesterday to support an extension of the statute of limitations on Nazi war crimes beyond its present deadline of May 8, 1965.

I have already voiced my concern about this serious matter. The 20-year statute of limitations must be extended. Only then can we be sure that all Nazi war criminals—those who committed the greatest crime of genocide in the history of the world—will be brought to justice.

The West German Government's appeal for additional evidence of Nazi war crimes has met with a mounting response. According to the New York Times, "much additional material had come in from Eastern bloc states and officials of East Germany had declared that they had 'tons' of documents relating to war crimes that had not yet been sifted 20 years after the war's end." The report given the West German Cabinet yesterday concluded what many of us have been saying all along—that "contrary to the previous assumption, the possibility cannot be excluded that new punishable acts will become known after May 8, 1965, which would occasion further investigation."

On March 10, the Bundestag will consider this matter.

Mr. President, I know I speak for millions of Americans when I express the hope that the West German Parliament will act to extend the statute of limitations. Only then will justice be done.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The Clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

THE ADA VERSUS J. EDGAR HOOVER—A SENSELESS CONFLICT

Mr. DODD. Mr. President, I ask unanimous consent that I may be allowed to proceed for 15 minutes, notwithstanding the rule of germaneness.

The PRESIDING OFFICER. Without objection, the Senator from Connecticut is recognized accordingly.

Mr. DODD. All difficult enterprises of great moment generate a degree of cannibalism and fratricide. This is a bleak phenomenon which has hobbled human progress incalculably.

Wherever it appears it sows the doubt that men engage in worthy struggles as much for the love of contention as for the love of justice; it starves the idealism of the good cause and feeds the sophistries of the bad; it demeans every noble effort, because it reveals that even the highest human endeavor is infected with the narrowness, tarnished by the conceits, and divided by the rivalries of those who espouse it.

So it is with the civil rights movement at a critical hour. Its passions, frustrations, and enthusiasms are causing some who have labored long in this cause to turn upon their brothers in the ranks.

There are many evidences of this—but I speak today of just one, the concerted and continuing attack by a few prominent figures in the civil rights movement upon the Federal Bureau of Investigation and upon its director, J. Edgar Hoover.

At a time when the FBI is involved in hundreds of difficult investigations in the Deep South, and in other places, when the public respect and cooperation it characteristically enjoys is vital to the success of its task, it is caught between a violent crossfire of public abuse—vehement alike from the opponents of the Civil Rights Act and from its avowed champions.

The men of the FBI, who by calling and by training are not and must not be crusaders or partisans, but rather impersonal and impartial investigators, are being condemned by some southerners for doing what they are legally required to do, and ridiculed by some northerners for not doing what they are legally forbidden to do. And in the process, a bright image, painstakingly and honestly built for four decades, is being defaced, and the deserved public confidence which has been a priceless asset to law enforcement, national security, and civil rights is being threatened.

FBI agents investigating alleged violations of the Civil Rights Act have been spat upon, assaulted, threatened, cursed, refused service in restaurants and other establishments, ordered out of buildings, told to get out of cities, counties, and States, and refused information from company records or even permission to interview employees.

These inexcusable outrages, committed by opponents of the act, are a part of my theme only in that they place in better perspective our consideration of attacks made upon the FBI by proponents of the act.

The Americans for Democratic Action has condemned the FBI as "not wholeheartedly determined to enforce the civil rights laws," "not able to do the job"; the ADA urges that the FBI should be deprived of its role in civil rights cases and replaced by another agency.

The noted civil rights advocate, Attorney Joseph L. Rauh, Jr., made a statement of ADA policy before the New York Civil Liberties Union which characterized FBI "failures" in Mississippi as "a national scandal"; charged Director Hoover with being hostile to civil rights, entangled with southern law enforcement officers, a States' Righter, and "the wrong man for the job."

Others identified with the civil rights field have made similar attacks on the Bureau and its Director.

I view this widening fissure between some civil rights leaders and the FBI with great concern and with personal pain for it damages two movements with which I have been closely involved over the years, an involvement which gives me at least some insight into this dispute and some credentials for viewing it objectively and impartially.

If I may be excused for a personal reference, I am a former FBI agent; a former Federal prosecutor who worked closely with the FBI for years; a charter member and Assistant Chief of the first Civil Rights Section in the Justice Department, a pioneer unit which, with the active and effective assistance of J. Edgar Hoover and the FBI, tried civil rights cases all over the South in the late 1930's and early 1940's.

During my period in the Senate this close association with the civil rights movement and the FBI has continued, because of my natural inclination, and because of my position on the Judiciary Committee.

Calling on this lifetime experience, and upon careful study of the attacks and the rebuttals, I have concluded that the charges made against the FBI and Mr. Hoover by a segment of the civil rights movement are unwarranted and cannot be justified on the record.

The long and impressive list of FBI achievements in civil rights, which I shall partially cite later—one of the shining chapters of the entire civil rights story—is by itself a crushing refutation of the charges.

But it is the nature of the charges themselves, their flimsiness, their irresponsibility, their ignorance of the facts, that is perhaps the best proof of their unworthiness. Nonetheless, they should be challenged, because accusations allowed to go unquestioned become cliches, honestly spread by misguided people who do not know the truth.

The basic charge is that the FBI failed until recently to infiltrate the Ku Klux Klan and other racist groups and thus "gave license to these organizations to carry on their depredations."

This statement, so widely circulated, is not true. More than 10 years ago, the Ku Klux Klan was placed on the Attorney General's subversive list at the instigation of the FBI. From that time forward, many years before the latter-day critics became aroused, the Klan has been infiltrated and investigated. The degree of surveillance has obviously depended upon the degree of Klan activity, upon available resources of the Bureau, and upon the steadily increasing civil rights responsibilities placed on the Bureau by new legislation, notably in 1957, 1960, and most importantly, 1964.

For several years, the Klan lay relatively dormant; in recent years it has expanded greatly, in members and in its threat to the law, and as the threat has increased so has FBI infiltration, until at the present moment the Klan is totally infiltrated and virtually immobilized in most places.

This was accomplished, not through powder puff resolutions rushed into newsprint a decade after the infiltration began, but through long years of patience, competence, sacrifice, danger and boundless devotion to duty by the very agents who are now the butt of fashionable ridicule.

This alleged refusal to infiltrate the Klan seems to be the principal cause of dissatisfaction in the ADA, which has demanded the removal of the FBI from the civil rights field.

Mr. Hoover replied to ADA criticism of the Bureau in a spirited and impressive letter dated January 5, 1965, which I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, the Hoover letter was responded to by Mr. Rauh in his February 11 letter, which I also ask unanimous consent to have printed in the RECORD, immediately following the Hoover letter.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DODD. Mr. President, Mr. Hoover categorically denied the rather vague charges that the FBI was not "wholeheartedly determined to enforce civil rights laws," and that it "seemed unable to do the job." He clarified the role of the Bureau as one of investigation, fact gathering and fact reporting, as opposed to the role of accuser, prosecutor, jury, judge, or bodyguard. He cited a record of achievement and asked for specific facts concerning any failure to perform any assigned duty.

But the specific facts have not been forthcoming, not a single one, as any reader of Mr. Rauh's well-publicized response will readily see.

Aside from the repetition of the inaccurate charge that the FBI had refused to infiltrate the Klan until last year, the Rauh version of specific facts consisted of dubious personal interpretations of Mr. Hoover's motives, allegedly revealed in a number of Hoover quotes, taken out of context.

It is a rather curious thing that this sort of attack—the attempted verbal assassination of an esteemed official—based on suspicion of his motives, unsubstantiated by fact and buttressed only by out-of-context quotes, should be made by a well-known civil libertarian in accepting a distinguished award from the American Civil Liberties Union of New York. One is tempted to speculate about the well-justified uproar that would have been loosed by Mr. Rauh and his colleagues had such an attack been made during the old days by Senator McCarthy.

An excerpt from a 19-year-old letter from Mr. Hoover to Attorney General Tom Clark is brought forth by Mr. Rauh as exhibit A:

> I believe that at the present time the Bureau is expending a considerable amount of manpower investigating murders, lynchings, and assaults, particularly in the Southern States, in which there cannot conceivably be any violation of a Federal statute. Generally, as a result of the aggressiveness of pressure groups or as a result of newspaper stories appearing prominently in newspapers, the Bureau is requested to initiate an investigation into a case for the purpose of determining whether there has been a violation of the civil liberties statutes.

I see nothing sinister in this quote, even standing by itself without benefit of the remainder of the letter. It merely expressed Mr. Hoover's well-known concern for staying within his official jurisdiction. Moreover, it demonstrates that way back in 1946 the FBI was giving the benefit of every doubt to those who claimed violations of Federal statutes, whether or not such proved ultimately to be the case. When I was in the Civil Rights Unit in the late 1930's, our task was to try to establish, for the first time, the precedent that some of these lawless acts were violations of constitutional rights. To those who have come upon the civil rights scene in more recent years, I am pleased to report that even in those early days, when the extent of Federal responsibility was highly debatable, Mr. Hoover afforded us every cooperation and assistance; and the progress which we made, of which I am proud, was based upon the investigative work of the FBI.

Exhibit 2 in Mr. Rauh's "guilt through disassociation" brief is that Mr. Hoover, unlike successive Presidents and Attorneys General, has not spoken out in support of the civil rights movement.

Mr. Hoover, unlike Presidents and Attorneys General, is not supposed to be an advocate of movements. He is supposed to be an impartial investigator of alleged crimes, a judicious administrator of law enforcement, not a stump speaker in behalf of social or political causes. Nothing could be more detrimental to the efficiency of law enforcement or the protection of civil liberties than to have the FBI ruled by zealots or by politicians or by ideologists of any cause except the proper and constitutional enforcement of the law.

Within the limits of propriety placed around one who must stay out of the arena of political controversy, Mr. Hoover has spoken out repeatedly and effectively in the cause of civil liberties and the protection of constitutional rights, as those who have read his books and his speeches and his instructions to FBI agents well know. So this charge, like many of the causes of dissatisfaction, rests really on a misunderstanding of Mr. Hoover's true role—and the role of the Bureau—a misunderstanding which has hurt both the civil rights movement and the FBI.

Exhibit 3 is that Mr. Hoover's criticism of civil rights spokesmen who have attacked the FBI, or its agents, "exhibits deep hostility toward the civil rights leadership."

This, I say, is nonsense. And it has an almost totalitarian ring to it.

The exchanges between civil rights leaders and Mr. Hoover have been unfortunate. I particularly regret Mr. Hoover's characterization of Dr. King as "the most notorious liar in the country" just as I regret the intemperate charges of Dr. King against Mr. Hoover and the FBI which goaded Mr. Hoover into this defense of his agents.

This, in fact, is the theme of my remarks. Why are these attempts to divide good men in a good cause continuing? Mr. Hoover and Dr. King appear to have resolved their differences. Why cannot lesser men?

But to say that the Hoover criticism of Dr. King exhibits deep hostility to civil rights leadership is the kind of extremism that would also lead one to conclude that Mr. Rauh's criticism of Hoover exhibits deep hostility to law enforcement leadership.

Both conclusions are obviously ridiculous. No man is immune from mistakes. And no man so personifies an entire movement as to be immune from criticism.

Exhibit four is misleading and reveals the unfairness of taking quotes out of context and putting words into the other fellow's mouth.

Mr. Rauh says, "It is Mr. Hoover who has told the American public that he opposed resolution enforcement of the civil rights laws." It turns out that this is not Mr. Hoover speaking at all. It is Rauh's interpretation of Hoover. What Mr. Hoover is quoted as saying is, "It was due to the rather harsh approach to the Mississippi situation by authorities here in Washington, by the Department of Justice"—and here the quotation ends. Standing by itself in that abbreviated form it means nothing. I have inquired and know that Mr. Hoover was talking about ill-prepared, ineffective attempts at enforcement that were not preceded by thorough, painstaking investigation. He was saying, what he has always said, that law enforcement without thorough investigation is a flop and a farce and that in view of the hostility of some southern police officers, the Federal case must be made ironclad by thorough FBI work before it could get anywhere—and even then justice can be frustrated by local prejudice.

This is the furthest thing I can imagine from an expression of hostility to effective enforcement of the law. It is in fact a plea for effective enforcement, a plea to pay proper attention to the necessary details of enforcement.

Exhibit 5 is that the FBI is involved in a national scandal because of failure to solve the Mississippi church bombings. Unless one is justified in expecting a degree of perfection and omniscience in investigative work that is not remotely expected in any other calling, this charge is a classic in the realm of wrongheadedness and oversimplification.

The facts are that FBI agents in McComb, Miss., in investigating this rash of bombings, met unparalleled hostility both from whites and Negroes there. They not only could get no cooperation initially, but were themselves victims of violence and threats. Nonetheless 11 men were arrested. Nine were brought to trial and entered pleas of guilty and nolo contendere. For their hideous offenses, Mississippi Circuit Court Judge Watkins gave the defendants a 30-minute lecture and set them all free on probation, on the grounds of their youth and good family backgrounds. Strangely, four of the bombers were aged, respectively, 44, 36, 35, and 33.

This is a local scandal, to be sure, but the FBI is no party to it and performed its duty in a commendable manner.

Mr. Rauh's exhibit No. 6 of the "specific facts"—and now we are getting down closer to the bottom of the barrel—is a quotation from the Progressive magazine to the effect that Mr. Hoover's opening of a regional FBI office in Mississippi was belated. This needs no comment except to say that if the previous exhibit was an example of heavyhanded misrepresentation, this one reveals a petty spirit of nit picking which makes some pretext for finding fault even with acts that are clearly laudable.

Exhibit 7 is another Hoover quotation out of context—"I have been a States righter all my life"—followed by Mr. Rauh's orbiter dictum that "protecting civil rights is no job for a States righter."

Mr. Hoover has been publicly saying for 40 years that he is a States righter and everyone familiar with his work and his views knows exactly what he means. He means that local laws should be enforced by local law enforcement, and Federal law by Federal law enforcement. He means that he wants the cop on the corner to be a local police officer, not a Federal trooper.

This has been a cornerstone of his law enforcement philosophy and that of the country. I know of no one who disagrees with it, no one who wants a national police force to take over our sidewalks and precincts.

Every American, every citizen who believes in the federal system, is a States righter in the same sense as is Mr. Hoover. And though I yield to no man in the advocacy of civil rights, I see no contradiction in stating that I am a States righter and will always remain so.

There is no man more identified with the effective enforcement of Federal law than Mr. Hoover, and no man more perceptive to the limits of Federal law and the responsibilities of State and local law. To twist this traditional advocacy of the federal system into a disavowal of Federal responsibility is unworthy and preposterous.

Finally, we come to the ninth and concluding exhibit of Mr. Hoover's alleged incapacity and unwillingness to carry out the Civil Rights Act, his "entanglement with local law officers."

This is a strange indictment when one considers that both local and Federal law enforcement, under our system, depend upon a good working relationship between the two. The close cooperation by the FBI with local law enforcement is one of the most fruitful and salutary developments in the fight against crime and one of the most promising facets of the effort to elevate the effectiveness and ethics of local law enforcement.

The theory that an FBI Director is qualified from effectively enforcing Federal law because of this close working relationship with State and local police is a novel one and a fantastic one.

Mr. Hoover has been the principal enemy of local police brutality and obstruction, as personified in "The Red-Necked Sheriff." But to shut off the avenues of cooperation between the FBI and local police officers, which have done so much to uphold the law, would be a folly that no Director of the FBI would seriously consider.

So much for the charges. I have shown that they are flimsy and baseless and that there is no real justification for the alienation of some civil rights leaders from the FBI.

But the greatest proof of this lies in the achievements of the FBI in civil rights. These include the investigative background work which resulted in the filing of 67 suits by the Attorney General to end racial discrimination in voting in 6 States; preventive work assuring peaceful school desegregation in many districts; the solution of church burnings, bus burnings, assassinations, and assaults in a half-dozen States; the cracking of the Medgar Evers case, of the McComb bombings, and of the deaths of the three civil rights workers slain near Philadelphia, Miss.

Mr. President, I ask unanimous consent to insert immediately following the conclusion of my remarks a detailed compilation of FBI accomplishments in civil rights cases.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. DODD. Mr. President. This is a record which needs no defense and no apology.

It is a record of which I am proud, not just as a former FBI man, nor as a 30-year campaigner for civil rights, but as an American, proud of the dedicated work of thousands of outstanding men and women which offers the best hope that we can have law enforcement without brutality, investigation without deprivation of rights, security without tyranny, and freedom without anarchy.

That this most recent attack upon Mr. Hoover should come from, and be applauded by, persons conspicuous in the effort to strengthen civil liberties, is perhaps the unkindest cut of all.

For his contribution to our national life has been far greater than that of developing the most efficient and effective law enforcement agency in history, important as that achievement has been. He has developed the ethics of law enforcement, along with its science and organization, and this will prove to be his greatest achievement.

He has established a spirit in American law enforcement which is just as interested in establishing innocence as in proving guilt. And he has been, at one and the same time, the foremost exponent of effective measures to enforce the law and the greatest protector of civil liberties in the pursuance of that goal.

For many years, Mr. Hoover's watchword has been this:

> Law enforcement is a protecting arm of civil liberties. Civil liberties cannot exist without law enforcement; law enforcement without civil liberties is a hollow mockery. They are parts of the same whole—one without the other becomes a dead letter.

Advocates of civil liberties well remember that during the 1940's we faced the greatest challenge to our devotion to due process of law. For we were the targets of the two greatest aggressive, subversive movements of all time: the Nazi and the Communist conspiracies.

If there was ever a time when panic and hysteria might have swept the land and turned our cherished concepts into a mockery, it was during this period. But it did not happen. And one of the reasons indeed, the reason why it did not happen was that the FBI under J. Edgar Hoover had anticipated the danger and was prepared to combat it with the methods of freedom. The FBI was capable of doing the job, and the public had confidence in this capability. Therefore, there was no hysteria, no pretext for meddling with precious rights.

On Pearl Harbor Day, the Bureau advised the Attorney General of the basis for authorizing the arrest of 16,000 suspects. But this was no return to the mass, indiscriminate arrests of World War I days.

A prominent lawyer in the civil liberties field, a personal friend of mine, Morris L. Ernst, took some of these suspects as clients. He defended his clients before hearing boards and was able to free some of them. He has written that in every case there were fair hearings, with every consideration being shown to the defense. Mr. Ernst said that even in the case of those suspects who were acquitted, the FBI had a justification for picking them up. There was cause for suspicion, but the rights of the suspects were so rigidly observed that no injustice was done.

And during the cold war period the FBI insisted that the same standards be applied in combating the Communist menace.

This is Mr. Hoover's greatest achievement. His contributions to developing and perfecting the science of law enforcement will live on in the organizations through which we combat lawlessness and subversion; but his elevation of civil liberties and his steadfast defense of them in times of great national upheaval will live as an enduring precedent and will strengthen the very fiber of freedom in America.

Mr. Hoover has earned the friendship and the admiration of the civil liberties groups in this country, and responsible leaders of that great movement should come forward to acknowledge this.

And so I say to my disgruntled friends in the civil rights movement, and to my indignant friends in the FBI: Let us not allow these distractions, which mar every great effort, to come between those who have long fought the good fight and who should now be forming together to finish the course.

Granting that mistakes of judgment can and will be made on all sides, let us be generous in attributing honor and good conscience to all who take part in this effort to extend freedom. For by so doing we encourage every man of good will to do his best, we promote the necessary spirit of conciliation, and we hasten the day when the strongest and most enduring protection of civil rights will reside, not in the civil rights movement, nor in the Justice Department, nor in the FBI, but in the consciences, and then the traditions, and then the folkways of the American people.

EXHIBIT 1

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., January 5, 1965.

MR. EDWARD HOLLANDER,
Chairman, Executive Committee, Americans for Democratic Action, Washington, D.C.

DEAR MR. HOLLANDER: I have read the printed account of the news conference which you held last week and frankly am astounded that you could have charged me with being "not wholeheartedly determined" to enforce civil rights laws. Obviously you are grossly uninformed or misinformed concerning not only the public statements which I have made in support of civil rights, but also the proud record of achievement of the men and women of the FBI in carrying out their responsibilities under the Federal civil rights statutes.

The FBI is a fact-gathering and fact-reporting agency. Our role is strictly that of an investigator—not an accuser, prosecutor, jury or judge. Nor are we empowered to furnish personal protection to civil rights workers or any other individuals. Within this framework, there is abundant evidence of our determination to meet every assigned duty with the thoroughness, promptness and impartiality that have become a trademark of the service. In the civil rights field, this evidence includes:

The FBI investigations under the Civil Rights Acts of 1957 and 1960 in six Southern States which have resulted in the Attorney General's filing 67 suits to end racial discrimination and intimidation in voting in those States;

The FBI's solution of the burning of a bus which was transporting "Freedom Riders" through Alabama in 1961—with the resultant conviction of six persons;

The solution of a church burning in Terrell County, Ga., in September 1962, which resulted in four persons being convicted in State court;

The arrest in June 1963, of Byron De La Beckwith, against whom charges are currently pending in connection with the murder of Medgar Evers, an official of the National Association for the Advancement of Colored People;

Investigations of assaults upon voter registration workers in Mississippi in June and July 1964, which resulted in convictions of three men in local courts at Hattiesburg and Jackson;

The arrests of three men at Greenwood, Miss., against whom Federal charges are pending in the July 1964 beating of Mississippi Negro, Silas McGhee;

Investigations of a series of bombings in the McComb, Miss., area which resulted in the conviction of nine men in State court in October 1964;

The arrests of 21 men early last month in connection with the deaths of the 3 civil rights workers who were slain near Philadelphia, Miss., in June 1964.

Many other examples of the FBI's effectiveness in carrying out its responsibilities in the civil rights field can be cited; and these successes have been achieved through the willingness of FBI employees in both the North and the South to work endless hours of overtime and otherwise give selflessly of themselves to identify the persons responsible for bombings, beatings, killings and other atrocious violations of Federal civil rights laws.

In conducting these investigations, our agents have frequently worked in an atmosphere of contempt and hostility fanned not only by racial hatemongers such as the members of the Ku Klux Klan, but also by some so-called civil rights leaders who have found it convenient and expedient to direct unfounded criticisms and illogical pressures at the FBI. I have not and will not permit such slurs against the dedicated men and women of the FBI to remain unanswered.

It is particularly ironic that your statement to the press was made less than 3 weeks after I delivered an address in New York in which I stated, "We must be ever alert to the activities of the Ku Klux Klan and other racist groups that would trample upon the rights of their fellow man. These cowardly jackals, who attack only the weak and the outnumbered, have earned the contempt of every genuine American. * * * We cannot have full citizenship for some and part citizenship for others. Nor can we apply different standards of justice to our people according to the color of their skin. Concerted effort, understanding, logic, and reason must prevail over hate, bigotry, and intolerance."

I fully respect your right to campaign for the establishment of a separate investigative agency to handle alleged violations of the Federal civil rights statutes. However, in asking others to support your view, you have a responsibility to show greater respect for the facts than was displayed in your reported generalization that "the FBI does not seem able to do the job." If you have specific facts which indicate that we have failed to fulfill any assigned duty, I will appreciate your bringing them to my attention immediately. In the absence of such specific facts, I must insist that you stop attempting to undermine confidence in the FBI by unsubstantiated assertions.

Sincerely yours,

J. Edgar Hoover.

Exhibit 2

Americans for Democratic Action,
Washington, D.C., February 11, 1965.

Mr. J. Edgar Hoover,
Director, Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C.

Dear Mr. Hoover: In a letter some weeks ago you took me to task for giving currency to a suggestion that the public interest in the protection of constitutional rights would be well served if a special investigative agency were created for civil rights. In your letter you asked for additional specification of my statement that "the FBI does not seem able to do the job" of investigating civil rights violations.

I should have thought that this mild statement spoke for itself. It certainly was not intended to impugn the unquestioned loyalty and courage of FBI personnel, nor to underestimate their achievements. It was merely a recognition of the obvious fact that acts of lawlessness recur in the South with shocking frequency and that many have gone unsolved.

However, since you have asked for additional specification, I am enclosing herewith a copy of excerpts from a speech to be delivered by Joseph L. Rauh, Jr., national vice chairman of ADA, on the occasion of his receiving the Florina Lasker Award of the New York Civil Liberties Union this evening.

Sincerely yours,

Edward D. Hollander.

Excerpts From Address of Joseph L. Rauh, Jr., on Receiving the NYCLU Florina Lasker Award, Waldorf-Astoria Hotel, New York City, February 10, 1965

FBI Director J. Edgar Hoover has taken sharp exception to the position of Americans for Democratic Action that a special investigative agency for civil rights should be created because the FBI is "not wholeheartedly determined" to enforce civil rights laws and "the FBI does not seem able to do the job." He has asked for the specific facts underlying our position and these remarks are a response to his request.

I must say at the outset that I am somewhat surprised at Mr. Hoover's position. I would have thought, both from his reluctance to deal with the civil rights problem over the years and the close relationship between the FBI and southern law enforcement officials, that he would have preferred to relinquish the responsibility. Back in 1946 when civil rights was first becoming a major issue in America, it was Mr. Hoover who made perfectly clear in a letter to then Attorney General Tom Clark that he had no heart for the civil rights struggle. In that letter he said:

"I believe that at the present time the Bureau is expending a considerable amount of manpower investigating murders, lynchings, and assaults, particularly in the Southern States in which there cannot conceivably be any violation of a Federal statute. Generally, as a result of the aggressiveness of pressure groups or as a result of newspaper stories appearing prominently in newspapers the Bureau is requested to initiate an investigation into a case for the purpose of determining whether there has been a violation of the civil liberties statutes."

In the almost two decades that have elapsed since Mr. Hoover's letter to Attorney General Clark, he does not appear to have changed his basic views. While President after President and Attorney General after Attorney General have spoken out in support of the civil rights movement, his contribution has been either silence or criticism. His attack on Dr. Martin Luther King as "the most notorious liar in the country," exhibits deep hostility toward the civil rights leadership; his letter to ADA is cut from the same pattern as is his recent statement that the FBI "can't wet-nurse everybody who goes down to try to reform and reeducate the Negro population of the South."

It is Mr. Hoover who has told the American public that he opposed resolute enforcement of civil rights laws. On November 18 of last year he said that "it was due to the rather harsh approach to the Mississippi situation by authorities here in Washington, by the Department of Justice" that there has been difficulty in Mississippi during the last few years. It is hardly consistent with a "wholehearted determination" to enforce the civil rights laws to call Attorney General Kennedy's actions in Mississippi "harsh." Actually, Attorney General Kennedy was quite moderate and cautious in his handling of the Mississippi situation; had he done any less he would not have been fulfilling his oath of office to uphold the Constitution.

In this respect I must point out the failure of the FBI for many years to infiltrate the Citizens Council and the Ku Klux Klan gave license to these organizations to carry on their depredations. Indeed, it was only under ever-increasing pressure from the very civil rights groups Mr. Hoover so openly derides that the FBI was finally forced to do its job of infiltration.

I recall to Mr. Hoover that it was our organization which suggested as early as May 1963, that President Kennedy should sign a treaty with the FBI under which its agents would be assigned to infiltrate the Ku Klux Klan as they have infiltrated the Communist Party. Again, on September 16, 1963, the ADA issued the following statement:

"The failure—or reluctance—of the FBI to infiltrate rightwing subversive elements in the United States becomes more apparent with each additional tragedy in the South. The total infiltration of the Communist Party by the FBI demonstrates the capacity of the Bureau to forestall criminal activity. The failure to infiltrate the Citizens Council, the Ku Klux Klan and other racist organizations is inexcusable in this current crisis. We strongly urge that the Bureau be substantially reorganized to meet this mounting threat, or that combating of the rightwing subversive elements be transferred to the Civil Rights Division of the Department of Justice."

This statement was widely quoted in the press.

About the same time, James Wechsler, an ADA founder and well-known civil rights writer, wrote in the Progressive magazine:

"The FBI's defensive flurry after the Birmingham horror story was an interesting episode. But it has little relevance to the central points. For the real question is not whether the FBI was authorized in any specific situation to undertake a special inquiry. It is why the FBI has so completely and totally failed to engage in any effective form of infiltration of the forces of Southern violence—the Ku Klux Klan, the White Citizens Councils, and all their front organizations."

Now, after years of urging by civil rights groups such as the ADA the FBI has finally infiltrated the Ku Klux Klan and has been able to break some of the current cases of violence against civil rights workers. Mr. Hoover lists a number of cases where FBI inquiry has been successful and I salute him for these belated achievements. I cannot refrain, however, from pointing out that these are a few as compared to the number of cases that have gone wholly unsolved because the FBI refused for so long to infiltrate the underground rightwing network of organized resistance to the law of the land. The failure to solve the scores of church bombings in Mississippi is a national scandal which would never have happened if the infiltration had been carried out earlier. And I cannot help recalling "that the FBI did not even have a regional office in that State (Mississippi) until after the Philadelphia slayings, when Mr. Johnson finally persuaded the FBI chief to remedy that lamentable oversight; such an office was thereupon opened with some fanfare and the FBI director betook himself from Washington to preside over the ceremonies." (See the Progressive, January 1965.)

It is Mr. Hoover, not his critics who has demonstrated his lack of ardor for the central domestic struggle of our time. When he said last November 18 that "I have been one of those States righters all my life," he made this perfectly clear. Protecting civil rights is no job for a "States righter;" the 14th amendment is a Federal proclamation of civil rights and it takes Federal law to enforce that amendment. Mr. Hoover's States rights beliefs—and his entanglement with local law enforcement officers—render him the wrong man for the crucial job at hand. I reiterate my belief in the need for a special investigative agency for civil rights.

EXHIBIT 3

[U.S. Department of Justice, Jan. 21, 1965]

FBI ACCOMPLISHMENTS IN THE CIVIL RIGHTS FIELD

Every civil rights complaint is given thorough, prompt, and impartial attention. Special agents handling these cases are highly trained investigators who have completed advanced training courses which qualify them to conduct civil rights investigations. At Bureau headquarters, a select staff of men with great experience and knowledge of this type of investigation supervises the cases.

The duty of maintaining law and order in civil rights demonstrations, preserving the peace and protecting life and property is the primary responsibility of local and State law enforcement agencies. The FBI is solely an investigative agency as distinguished from a police agency, and as such, is without authority to maintain the peace or furnish protection. It is the duty of the FBI, however, to furnish factual data to the Department of Justice so that a determination can be made as to whether there is any basis for Federal action under the civil rights statutes.

Our work in the field of civil rights is increasing. In fiscal year 1960, the FBI handled 1,398 civil rights cases. In fiscal year 1963, the number of cases jumped to 2,692 and in fiscal year 1964, it increased to 3,340.

Although a substantial number of arrests and convictions have resulted from our investigations in these matters, the effectiveness of our work in this field can never be precisely assayed on the basis of such statistics. Perhaps the greatest value of our work in this field lies in the results of our intelligence and liaison programs which can never be traced to direct prosecutive action. We continuously gather information on a day-to-day basis which indicates that some violent action is either being definitely planned or that a situation will occur which has a high potential for violence. Such information is immediately disseminated to appropriate authorities.

The fact that we vigorously investigate civil rights violations undoubtedly serves as a deterrent to discourage violations on the part of law-enforcement officers and spurs these officers to immediately and vigorously investigate civil rights situations that otherwise might be ignored.

Liaison with Governors and ranking State officials has also been effective. Also, although we may not have jurisdiction in a particular case, the cooperative facilities of the FBI Laboratory and Identification Division are made available.

It is also noted that on July 10, 1964, the Director traveled to Jackson, Miss., to open a new FBI office in that city. With this office, we feel we can more efficiently and effectively meet our growing responsibilities.

There follow thumbnail sketches of some of the FBI's more recent specific accomplishments in the civil rights field.

RACIAL DISCRIMINATION AND INTIMIDATION OF VOTERS

Under the Civil Rights Acts of 1957 and 1960, the Attorney General was empowered to institute civil actions seeking injunctive relief against racial discrimination and intimidation in voting. We have conducted investigations under these acts in 168 counties in 6 Southern States. As a result, 67 suits have been filed in the States of Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina. As a result of suits filed based on our investigations into discrimination and intimidation in voting, thousands of previously disenfranchised Negro citizens have been enabled to register for voting.

ASSAULTS UPON VOTER REGISTRATION WORKERS IN MISSISSIPPI

Rabbi Arthur Joseph Lelyveld and two other white voter registration workers were assaulted by two white men in Hattiesburg, Miss., on June 10, 1964. Local authorities were furnished the results of our investigation which identified two local white men who perpetrated the assault. The subjects were prosecuted on charges of assault and battery, fined $500 each and each was sentenced to 90 days in jail. The jail sentences were suspended pending good behavior.

Two white civil rights workers accompanied by a young Negro were assaulted in Jackson, Miss., on July 22, 1964. FBI investigation identified a local klansman as having struck one of the victims with a club. Results of our investigation were furnished to local authorities. The subject pleaded guilty to local assault charges and was fined $50.

Three voter registration workers were intimidated and one was assaulted at Itta Bena, Miss., on June 25, 1964. FBI agents arrested three local white men on June 26, 1964, for violation of Federal civil rights statutes. A Federal grand jury at Oxford, Miss., considered this case on July 17, 1964, but failed to indict although the intimidation and the identities of the subjects were clearly established.

CIVIL RIGHTS ACT OF 1964

The Civil Rights Act of 1964 added tremendously to the work of the FBI. Approximately 1,800 reports and memorandums concerning alleged violations have been prepared by FBI agents since the act became effective on July 2, 1964.

Based on extensive FBI investigations, a three-judge Federal court in Atlanta, Ga., found the act constitutional and enjoined the Pickrick Restaurant and the Heart of Atlanta Motel from racial discrimination. In another case in Birmingham, Ala., a three-judge Federal panel ruled the act was unconstitutional with relation to a particular restaurant owned by Ollie McClung. The Heart of Atlanta Motel case and the Ollie McClung case were appealed to the Supreme Court of the United States. On December 14, 1964, the Supreme Court upheld the Heart of Atlanta decision and reversed the Ollie McClung decision. The Supreme Court held the public accommodations portion of the act as being constitutional. Based on FBI investigations, suits have been filed against restaurants and motels in Florida and numerous restaurants in Alabama that discriminate. Additional court actions are anticipated in South Carolina, Georgia, and Alabama. A Federal suit now pending seeks to restrain the mayor of Greenwood, Miss., and other public officials from interfering with the right of Negroes to attend a theater and from failing to provide adequate police protection in the operation of a theater.

On July 23, 1964, three white men, Willie Amon Belk, his son, Jimmy Allen Belk, and Sam Allen Shaffer, Jr., were arrested by FBI agents at Greenwood, Miss., on charges of conspiracy to violate the Civil Rights Act of 1964. The arrests followed a thorough, intensive and immediate investigation concerning the July 16, 1964, beating of Silas McGhee, a Mississippi Negro who had attended a Greenwood theater. The three men were indicted by the Federal grand jury at Oxford, Miss., on January 6, 1965. The case is scheduled for trial in February 1965.

ATTACKS ON TWO CIVIL RIGHTS WORKERS

On October 22–23, 1964, as a result of investigation by the FBI and local authorities, the highway patrol arrested five white men at Natchez, Miss., on charges of assault and battery with intent to kill two civil rights workers in the fall of 1963.

The arrests were based on charges that the two civil rights workers—one a white man from Arlington, Va., and the other a Greenwood, Miss., Negro—were accosted and beaten by four of the five men on one occasion and that shortly thereafter three of those arrested fired shots at the car in which two civil rights workers were traveling near Fayette, Miss. Neither worker was injured. A county grand jury on January 5, 1965, returned no indictments in connection with one of the assaults and the charges were dismissed relative to the other assault.

SCHOOL INTEGRATION MATTERS

During August and September 1964, the FBI investigated desegregation of public schools in 18 possible trouble spots in Southern States. In connection with those investigations, we determined plans or activities of Klan and other hate groups which might have interfered with desegregation or resulted in acts of violence, and this information was disseminated to local authorities. As a result, desegregation was accomplished peacefully.

THREE CIVIL RIGHTS WORKERS MURDERED

Michael Schwerner and Andrew Goodman, two white New Yorkers, and James Chaney, a local Mississippi Negro youth, were civil rights workers. They were last seen alive on June 21, 1964, after their release from the Neshoba County Jail at Philadelphia, Miss., where they had been incarcerated for several hours following their arrest by local authorities earlier that day.

Their disappearance triggered an all-out investigation. In addition to bringing a large number of our own investigative staff into the area, we coordinated the efforts of hundreds of Navy personnel and law enforcement officers in a gigantic search effort.

On August 4, 1964, the bodies of the victims were located by special agents of the FBI under an earthen dam about 6 miles southwest of Philadelphia.

On December 4, 1964, 21 individuals were arrested by FBI agents in connection with this matter, 19 being charged with civil rights violations under title 18, section 241, United States Code, and two with misprision of a felony, title 18, section 4. On December 10, 1964, at a preliminary hearing at Meridian, Miss., concerning the 19 persons arrested in the Philadelphia-Meridian area, the U.S. Commissioner, in action described by the Department of Justice as unprecedented, refused to allow an agent to testify concerning the confession of one of the individuals arrested. The Commissioner then released these 19 individuals from bond and the Department stated in view of the ruling, no further evidence would be disclosed until the matter could be presented to the next available Federal grand jury. The complaint as it related to the other two was dismissed on motion of the Department of Justice in favor of grand jury action.

On January 15, 1965, the Federal grand jury at Jackson, Miss., indicted 17 of the men, together with an 18th individual.

The investigation regarding the disappearance of the three murdered civil rights workers established other civil rights violations, and on October 2, 1964, two indictments were returned by a special Federal grand jury under which the FBI arrested five men, all present or former local law enforcement officers in the Philadelphia, Miss., area on civil rights charges of using unreasonable force while acting under color of law. These indictments grew out of charges relating to beatings, and the like, of Negroes arrested by them in 1962 and early 1964, and were not connected with the murder of the three civil rights workers. All are awaiting further prosecutive action.

MURDER OF LT. COL. LEMUEL A. PENN

On July 11, 1964, Lt. Col. Lemuel A. Penn was murdered near Colbert, Ga. FBI investigation resulted in the arrest of four subjects by FBI agents on August 6, 1964. Complete details of FBI investigations were made available to the State for prosecution of the subjects on murder charges. Two of the subjects were acquitted in local court on September 4, 1964; a third subject has not been tried in local court but is still under indictment for murder and the local case against the fourth subject has been dismissed.

On October 16, 1964, an indictment was returned by the Federal grand jury at Athens, Ga., charging six men with conspiracy to injure, oppress, threaten, and intimidate Negro citizens in the free exercise and enjoyment of rights and privileges secured to them by the Constitution. These individuals were Denver Willis Phillips, George Hampton Turner, Herbert Guest, Cecil William Myers, Joseph Howard Sims, and James S. Lackey. Guest, Lackey, Myers, and Sims were the four men arrested by the FBI in connection with the murder of Penn. This indictment was dismissed on December 29, 1964, by the U.S. district court at Athens, Ga. The opinion of the court is being reviewed by Department of Justice attorneys to determine whether the decision will be appealed. A second indictment on October 16, 1964, charges Guest with possession of a shotgun having an overall length of less than 26 inches which had not been registered by Guest with the Secretary of the Treasury or his delegate. Guest is awaiting trial.

BOMBING OF HOME OF IONA GODFREY

FBI investigation established that William Sterling Rosecrans, Jr., a 30-year-old Klansman, had participated in the home bombing of Iona Godfrey, a Negro in Jacksonville, Fla., on February 16, 1964. Godfrey's 6-year-old son was attending a white school under a Federal court order. Rosecrans pleaded guilty to obstructing a court order and was sentenced on April 17, 1964, to 7 years by the U.S. district court. Five other Klansmen, who allegedly were involved in the bombing, were arrested by FBI agents, but one of these subjects was acquitted in U.S. district court and the jury was unable to reach a verdict regarding the other four. Retrial of latter four began November 16, 1964, and resulted in acquittal of all four on November 25, 1964.

BOMBINGS IN M'COMB, MISS.

Intensive FBI investigation was conducted in connection with a series of bombing in the McComb, Miss., area from June to September 1964. Through the diligent efforts of the FBI and the Mississippi Highway Patrol, nine white men were tried by Circuit Court Judge W. H. Watkins at Magnolia, Miss., in connection with charges that they were involved in bombings of homes and churches at McComb. The nine entered pleas of guilty and nolo contendere. After a 30-minute lecture Judge Watkins suspended their sentences and placed all on probation. Judge Watkins, who was appointed by former Mississippi Gov. Ross R. Barnett, cited the defendants' youth and good families in taking this action. He stated also that in committing these crimes they had been "unduly provoked and undoubtedly ill advised." It may be noted that four of the bombers were aged 44, 33, 36, and 35.

MURDER OF TWO NEGROES

Two Mississippi white men were arrested November 6, 1964, in connection with the murder of Henry Hezekiah Dee and Charlie Eddie Moore, two Negroes from the Meadville, Miss., area. The lower portions of the Negroes' bodies were found in a backwater of the Mississippi River on July 12–13, 1964. The white men, James Ford Seale, aged 29, and Charles Marcus Edwards, aged 31, were charged under warrants issued by a Meadville justice of the peace with willfully, unlawfully, feloniously and with malice aforethought killing the two Negroes on or about May 2, 1964. One of the arrested men, Edwards, is a self-admitted Klansman. In anticipation of later presentation of the case to a State grand jury, the warrants were dismissed at the request of the local district attorney on January 11, 1965.

MURDER OF MEDGAR EVERS

In connection with the murder of Medgar Evers, a field secretary of the National Association for the Advancement of Colored People, on June 12, 1963, Byron de la Beckwith is under State indictment. Local prosecution is based upon an investigation which traced a rifle, which local authorities believed could have been the murder weapon, to Beckwith. The FBI traced the rifle's telescopic sight to Beckwith and, further, identified a fingerprint found on the sight as Beckwith's. He was tried twice—February 7, 1964, and April 17, 1964—in State court, but jury could not reach verdict in either case. The local district attorney has no immediate plans as to a third trial.

RUTLEDGE CASE

The combined efforts of FBI agents and local authorities resulted in the arrest of James Charles Rutledge at Meridian, Miss., on October 8, 1964, on State charges of feloniously possessing explosives. Rutledge was in possession of a large quantity of dynamite and literature of the Ku Klux Klan at the time of his arrest. He is awaiting further prosecutive action on local charges.

ARLINGTON, VA., HIGH SCHOOL BOMBING

At Arlington, Va., on September 7, 1964, a powerful explosive was detonated adjacent to the Bishop Denis J. O'Connell High School, breaking windows and damaging fixtures. The cooperative investigation of the FBI and the local authorities led to the identification of three local youths who were former students of the high school as being involved in the bombing. Since the explosive elements of the bomb were determined to have been obtained locally, there was no Federal violation and the youths were prosecuted by the local authorities.

On October 29, 1964, the local court found two of the youths guilty of destruction of property and of trespass, while the third was found guilty of contributing to the delinquency of a minor. Both charges carried possible penalties of 1 year in prison and a $500 fine. On December 9, 1964, the local court continued the cases against all three for a period of 2 years specifying the court is to retain jurisdiction until the age of 21 is reached and released all three from jail without fines or other sentences.

POLICE BRUTALITY

On June 20, 1964, indictments were returned by the Federal grand jury in Nashville, Tenn., against seven officers of the Nashville-Davidson County sheriff's office and the Rutherford County sheriff's office. The indictments charged police brutality in violation of a Federal civil rights statute and the officers are presently awaiting trial in U.S. district court, Nashville, Tenn.

PROPOSED ESTABLISHMENT OF A TEACHER CORPS

Mr. KENNEDY of Massachusetts. Mr. President, since I submitted an amendment to the education bill to establish a Teacher Corps, I have been extremely gratified by the reaction this proposal has received among the American people. I have received many letters supporting the idea from many parts of the country. I am especially pleased by the number of retired teachers who have come forward to offer their services in such a capacity; and by the support from prominent educators from across the country.

I ask unanimous consent to have printed at this point in the RECORD a telegram from the superintendent of schools of the city of Berkeley, Calif.; and also a letter from a member of the Cardozo project in urban teaching, which is attempting this sort of program here in Washington.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

ATLANTIC CITY, N.J.,
February 15, 1965.

Senator EDWARD KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Congratulations on your imaginative proposal for a National Teacher Corps. This creative idea is a meritorious suggestion and deserves the full support of our educators. I can assure all interested that the need for such a movement is essential if we are to head off a life of chaos for hundreds of thousands of youths living today in city ghettos in rural slums. Having had an opportunity to form a staff from the type of person described in your proposal in Prince Edward County, I can testify to the success of such a project. I volunteer my time to work in support of your bill in any way that you care to use me. Once again congratulations on your farsightedness.

NEIL V. SULLIVAN,
Superintendent of Schools,
Berkeley, Calif.

CARDOZO PROJECT IN URBAN TEACHING,
Washington, D.C., February 12, 1965.

Hon. EDWARD KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: Congratulations on the proposed amendment that you and Senator NELSON have introduced to the education bill. The idea is not only a good one from the point of view of the students affected, but it is also an excellent way to most profitably use the abilities of returned Peace Corps volunteers.

All of us here give our heartiest support.

Sincerely,

DIRK ANTHONY BALLENDORF,
Resident, Curriculum Development.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent to have printed in the Record samples of the letters I have received from teachers.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Senator Edward Kennedy, Senator Gaylord Nelson.

Gentlemen: I am interested in the program which plans to use retired teachers in the American Teacher Corps. I am such a retiree.

Miss Susie W. Watts.

West Lynn, Mass.,
February 19, 1965.

Dear Senator Kennedy: I want to commend you for your plan to organize a "Teacher's Corps" here in the United States. It will certainly aid in upgrading the education of our children in certain areas of our country.

Congratulations.

Sincerely yours,

Dorothy E. Hogan.

February 19, 1965.

Dear Senator Kennedy: I am a teacher in the Lynn, Mass., school system. I have read your proposal for the formation of a teacher corps. I endorse this program completely and have felt this was much needed for some time.

I hope you will be successful in seeing this legislation through to its final enactment.

Sincerely,

Margaret J. Callahan.

Bayside, N.Y.,
February 14, 1965.

Senator Edward M. Kennedy,
U.S. Senate,
Washington, D.C.

Dear Sir: I read with interest in today's Times your recommendation for a national corps recruited among retired teachers and others who are willing to take leave from their present posts. I am among these, as a presently employed teacher in the New York City schools, who can, if she so wills, leave to engage in some such project as contemplated by you.

My qualifications for such a post follow:

Licenses: New York City teacher of elementary education, teacher of health education.

Certificates: New York State school psychologist, guidance counselor.

I am presently doing additional graduate work at New York University in the field of guidance.

In common with many dedicated people, I feel much remains to be done to bring education to the disadvantaged. Helping to bring this about would be a source of great personal satisfaction to me.

May I offer you my help?

Very truly yours,

Mrs. Rosella Blohm.

Saugus, Mass.,
February 16, 1965.

The Honorable Edward M. Kennedy,
Senate Office Building, Washington, D.C.

Dear Senator Kennedy: As a former school teacher, I am interested in the proposed American Teacher Corps.

When information is available to applicants for this plan, I should appreciate receiving it.

Yours very truly,

Phyllis G. Smith.

Lewistown, Pa.,
February 12, 1965.

Hon. Ted Kennedy,
Senate Office Building,
Washington, D.C.

Dear Senator: I was very pleased to hear of your bill to utilize the services of retired schoolteachers in depressed and financially stricken areas. This will be a great service to our children and a consolation to the parents.

I left the teaching profession after 20 years, and am now a sales representative of Wilson Sporting Goods Co. However, in my work I have dealt primarily with schools and these dedicated people. And I know how anxious they will be to help.

I would be highly honored to help in any capacity possible here in the State of Pennsylvania.

I am a registered Republican, but feel this is such a worthy endeavor that both parties would put their shoulder to the wheel for success in it.

Wishing you the utmost success in the aforementioned bill, I am,

Cordially yours,

D. Fred Graham.

Allston, Mass.,
February 12, 1965.

Hon. Edward T. Kennedy,
U.S. Senate,
Washington, D.C.

Dear Sir: I have heard on the radio yesterday about your recommendation to amend the education bill, now in the Senate, in terms of creating a Teachers' Corp in an effort to improve the level of education in the so-called underdeveloped areas in the United States.

In my humble opinion you have come up with a tremendous idea to help the less privileged youth of this country to catch up with those youngsters located in highly developed and industrialized cities and towns.

I am not an American citizen, but in tribute to your beloved brother, the late President John F. Kennedy, of whom I was a convinced admirer, I offer you my services if you find it could be of any help.

For many years I taught physical education and other subjects in my native Cuba, and for the last 3 years (1961–64) I taught Spanish in the Dade County public schools (secondary level) in Florida.

Right now I am located in Boston where I am doing part-time work as a painter for Maurice Gordon & Sons. I will be 50 years old next August, but I should like very much to come back to teaching if at all possible.

I graduated from the University of Illinois in 1946 where I obtained my B.S. degree in physical education and Spanish.

Respectfully yours,

Filiberto A. Lopez.

East Falmouth, Mass.,
February 13, 1965.

Senator Edward Kennedy,
Senate Office Building,
Washington, D.C.

My Dear Senator: I read in yesterday's newspapers with great interest your sponsorship of an American Teachers' Corps. I heartily agree that the teacher is the most important ingredient in the education process.

At 54 I am a retired public school teacher of English with 26 years of experience in New York and New Jersey and a much too small pension. I am interested in the Teacher Corps, but not as a volunteer without pay.

Thank you and best wishes.

Yours very truly,

Winsor Nielsen.

Mr. KENNEDY of Massachusetts. Mr. President, one of the prime sources of personnel for the Teacher Corps is returning Peace Corps volunteers. Almost 5,000 are now teaching abroad. The Commissioner of Education, Francis Keppel, a distinguished citizen of my home State of Massachusetts, made a speech on February 13 before the annual meeting of the Education Writers' Association in Atlantic City in which he pointed out that many leading Peace Corps volunteers have not been able to obtain employment as teachers because of outmoded and artificial certification requirements imposed by various States. I think any young American who has taught school under difficult circumstances in underprivileged parts of Asia, Africa, and Latin America should at least be given a chance to teach school in the United States. Moreover, I believe some of them can do a fine job in the Teachers Corps. I ask unanimous consent that this portion of the Commissioner's remarks appear at this point in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

On one hand, we recognize the need for a national commitment to raise the level of educational opportunity in the neglected schools of our city slums and our depressed rural areas. These are the schools which have suffered most because they are especially challenging and because many teachers have declined to meet this challenge. All too often, they have preferred to teach in the newer, better equipped schools of suburbia before classes of the more fortunate and privileged.

At the same time, we are finding a new reservoir of potential teachers who want to teach in precisely those schools and classes which have been most neglected. Among these highly motivated candidates are those who have already taught abroad as Peace Corps volunteers. Now back home, many are looking for opportunities to teach. They don't need to be recruited. They are already willing and eager to teach. But have we actively sought them out?

Let me read to you, in part, a letter I recently received from Sargent Shriver, Director of the Peace Corps and now also Director of the Office of Economic Opportunity—the principal arm in our war against poverty. This is what Mr. Shriver says:

"I am writing to express my concern about the problems encountered by returning volunteers wishing to teach in the United States.

"As you may know, approximately half of all Peace Corps volunteers abroad are serving as teachers. In the next 24 months, more than 4,000 volunteers will return from teaching assignments in Asia, Latin America, and Africa.

"While many Peace Corps returnees are now teaching here at home, others have reported to me that they were unable to meet certification requirements set by the various States. As you know, this is not a new problem, but one which is having a marked effect upon the abilities of the Peace Corps volunteer to contribute to elementary and secondary education in the United States."

As an example, consider the experience of one former Peace Corps teacher who is currently working at the Office of Education. He returned last fall to the United States after completing 2 years of teaching in Nigeria. He served overseas with distinction as teacher and principal in a school of several hundred Nigerian children. Although he had little previous teaching experience at home, or any definite plans to enter teaching as a career, through his experiences in Africa he developed a taste for teaching—particularly teaching in a difficult and challenging situation.

On his return, he presented as qualifications the fact that he had a college degree and 2 years of satisfactory teaching abroad. He sought to get a job in several school districts, asking for an assignment to teach the economically deprived. He was advised that he lacked the proper qualifications—courses in teacher education and supervised practice teaching. His overseas experience would not apply. On this basis, our schools lost him and his talent.

In recent years, the United States has become increasingly aware that it has not made the best use of our human resources. This waste of talent is a principal reason for our present concern with disadvantaged children and their education. But if education is to resolve this problem, clearly we must make maximum use of the talents which are now in short supply and which we urgently need.

Therefore it is no longer defensible to turn away potential teachers at home who are not only highly motivated to teach the deprived but have successfully taught them in Africa, Asia, and Latin America—from Ghana to India, from Peru to the Philippines. If we are too rigid to make room for them, to accommodate them instead of confronting them with rigid regulations, we have only ourselves to blame.

Mr. KENNEDY of Massachusetts. Mr. President, I also ask unanimous consent to have printed in the Record editorials from the Boston Herald, Washington Post, and the New Republic, concerning the Teacher Corps.

This idea has been well received, we are working on its details and implementation. I am confident there is a need and there is a widespread support for the concept across the country.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Boston (Mass.) Herald, Feb. 15, 1965]

A Teacher Corps?

Senators Edward M. Kennedy of Massachusetts, and Gaylord Nelson, of Wisconsin, urged formation of a "Teacher Corps" the other day. Both had slightly different ideas about how to go about it but in principle their suggestions are the same.

Senator Kennedy suggested a corps of 2,500 teachers recruited from the ranks of the retired or from those willing to take a leave of absence from their regular jobs. It would cost about $30 million, he said.

Senator Nelson suggested a corps of 6,000 teachers composed of 1,000 experienced teachers and 5,000 "bright young people." It would cost $40 million a year, he said.

A Teacher Corps could be useful. We can imagine New England teachers going to teach somewhere in the South where a teacher shortage exists. We can imagine teachers from some other parts of the country (including the South) coming to Boston to help out at some of our short-handed or overcrowded schools.

For the children it would be a stimulating experience to have teachers from another part of the country and the difference in many cases between a bad education and a good one. For the teachers it would be an exciting challenge.

There does seem to be a multiplicity of corps in the country now, however. We wonder if a Teachers Corps (the two Senators want to add their plans to the President's education bill), might not be duplicated somewhere, or, if not, whether it might not be better to put the project into the antipoverty program?

[From the Washington (D.C.) Post, Feb. 16, 1965]

Teacher Corps

An imaginative adaptation of the Peace Corps plan has been proposed, simultaneously but apparently independently, by Senator Gaylord Nelson and Senator Edward M. Kennedy. They aim to recruit and train young men and women who want to become teachers in poverty-impacted schools. Thus their proposals would fit logically into the President's Federal aid to education bill now under consideration.

In rough outline, the plans would provide for sending teacher trainees to universities cooperating in the program to learn teaching techniques and do other graduate work. They would be assigned, as soon as they had sufficient preparation, to a poverty-impacted school to teach there as part of a team under the supervision of an experienced teacher. They would receive a beginning teacher's salary, have their tuition at the university paid by the United States and, at the end of 2 years, be awarded a master of arts degree in teaching.

We have no doubt that a great many young people graduating from colleges all over the country would jump at a chance to participate in this program. And we have no doubt, either, that their idealism, enthusiasm, and training could make an invaluable contribution to the joint attack on poverty and ignorance. There are problems in this approach, however—fitting the recruits into existing school staffs and reconciling the methods they have learned with those practiced in the school being most conspicuous among them. But no doubt these problems can be overcome by the kind of tact and deference to local authority demonstrated by the Peace Corps. The idea deserves the most sympathetic consideration.

[From the New Republic, Feb. 27, 1965]

Recruiting Teachers

One puzzling omission in the President's commendable education program is the absence of any proposal to recruit more talented teachers. Senators Gaylord Nelson and Edward Kennedy have now introduced legislation which won't fill this gap overnight but could in time lure a substantial number of able young people into teaching those poor pupils who need talented teachers most. They would create a National Teachers Corps that would hire able teachers and make them available free to low-income schools which are having difficulty recruiting good instructors.

Senator Kennedy is asking the Federal Government to spend $30 million a year and employ 2,500 experienced teachers—either retired or those willing to resign present posts. Senator Nelson would spend $40 million a year to recruit not only 1,000 experienced teachers but 5,000 recent college graduates, who would be trained by the Corps.

Both schemes would make manpower available to poor schools at no cost, and manpower not now available to these schools at any price. Senator Nelson's bill is the more ambitious. Like the Peace Corps (with which it would be somewhat competitive), his National Teacher Service would appeal to idealistic young college graduates who are not sure what they want to do in the long run, but would be willing to devote 2 years to deprived-area schools if they are not required to spend a year taking education courses and if there is a terminal date to their service. Undoubtedly some schools would feel that such raw volunteers were insufficiently professional. They need not have them.

Even among experienced teachers, too, many would be interested in giving a couple of years to underprivileged youngsters, knowing they could get out and do something else after their term was over. Moreover, the prospect of being on the Federal rather than the local payroll should be reassuring to the more venturesome, as it would protect them in some measure from conventional local pressures. And if the Teacher Service chooses its recruits wisely, plenty of employers would be eager to hire its alumni, just as they are now eager for Peace Corps alumni.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

The Senate resumed the consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

Mr. MANSFIELD. Mr. President, is an amendment pending?

The PRESIDING OFFICER. Amendment No. 39 is pending.

Mr. MORSE. Mr. President——

Mr. MANSFIELD. Mr. President, if the Senator from Oregon will yield without losing his right to the floor, I should like to suggest the absence of a quorum.

Mr. MORSE. I yield for that purpose.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I shall proceed with the discussion of amendment No. 39, which is at the desk. The amendment reads:

> On page 2, strike out the quotation marks at the end of line 10.
>
> On page 2, after line 10, add the following: "(c) The voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country if the government of such country or any government agency or subdivision within such country, on or after January 1, 1962, has taken any action referred to in paragraph (A), (B), or (C) of subsection (e)(1) of section 620 of the Foreign Assistance Act of 1961, and has failed within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."

Mr. President, not much needs to be said; the amendment speaks for itself. The amendment seeks only to write into the bill the Hickenlooper amendment to the Foreign Assistance Act, an amendment which protects the American taxpayer against the seizure, without adequate compensation, of property belonging to American nationals and American investors abroad.

We have debated the so-called expropriation policies of some of our Latin-American neighbors, as well as of other nations. The bill is limited to Latin America. However, we have discussed the problem of expropriation many times.

For whatever it may be considered to be worth, as chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations I was a strong supporter of the Hickenlooper amendment. All the predictions that were made in regard to its advantages, if it were adopted, have already proved correct.

The Hickenlooper amendment has had a salutary effect throughout Latin America. Some of our neighbors in South America fought long and hard before deciding to run counter to the Hickenlooper amendment. Since its adoption, in every instance there have been prolonged negotiations flowing from attempts to expropriate and seize American property abroad. We still have somewhat of a problem in Peru and Argentina, but negotiations in those countries are underway. We have a little problem in Chile, but negotiations there also are underway. In my judgment, they would not be underway if it were not for the Hickenlooper amendment.

But the Hickenlooper amendment does not apply to this bill. It ought to apply. My amendment merely provides that the U.S. voting members of the Bank—and we have a veto, with 42 percent of the voting power—must make perfectly clear that our funds may not be spent in any country, under the bill, if these conditions prevail—and I shall read them again:

> (c) The voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country if the government of such country or any government agency or subdivision within such country, on or after January 1, 1962, has taken any action referred to in paragraph (A), (B), or (C) of subsection (e)(1) of section 620 of the Foreign Assistance Act of 1961, and has failed within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection.

The great advantage of my amendment is that it is bound, in almost every instance, to cause the Latin American officials concerned to sit down with us and try to negotiate fair compensation for a telephone company, electric power company, or any other American-owned installation in their country.

I think it ought to be included. I know of no reasonable objection to it. I submit the amendment and rest my case.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, this amendment would apply to the Fund for Special Operations the provision of the Hickenlooper amendment to the Foreign Assistance Act prohibiting assistance to any country which has expropriated American property without compensation.

It is an attempt unilaterally to impose the policies of the United States on an international organization.

The value of the Hickenlooper amendment in the Foreign Assistance Act has been as a deterrent to expropriation and as an incentive to fair and equitable compensation in the few cases when expropriation has occurred. It seems clear that the Hickenlooper amendment has led to the settlement of some cases of expropriation, or threatened expropriation, which would not have been settled if the Hickenlooper amendment had not been a part of the law. The sanctions of the amendment—that is, the cutting off of U.S. aid—have not had to be invoked in Latin America. If they ever do have to be invoked, it will mean that the amendment has failed of its original purpose.

But, whereas the amendment has had a good effect as a part of the U.S. domestic law and as a part of the foreign policy of the United States, it is likely to have the opposite effect if we attempt to impose it on others. Such an attempt would be a needless irritant in our relations with other members of the Inter-American Bank. It would provide the basis for anti-American propaganda in many parts of the hemisphere, and will needlessly embarrass our friends in a good many governments which run the domestic political risk of being pro-American.

Furthermore, Secretary Dillon testified—page 73, hearings—that the U.S. Executive Director of the Bank would be in a position to insure that the Bank's policy would be parallel to that of the United States if the Hickenlooper amendment ever had to be invoked. The Fund for Special Operations, he said, could not be used as a vehicle to get around the intent of the Hickenlooper amendment.

Mr. President, this morning, in addition to the statement already contained in the transcript of the hearings, I received the following letter from the Secretary of the Treasury under date of February 25, 1965:

> THE SECRETARY OF THE TREASURY,
> *Washington, February 25, 1965.*
>
> DEAR SENATOR FULBRIGHT: In connection with the current debate on S. 805, a bill to expand the resources of the Fund for Special Operations of the Inter-American Development Bank, I understand that several Members of the Senate desire assurances that the actions of U.S. representatives in the Bank would be consistent with actions taken by the President under section 620(e) of the Foreign Assistance Act (the so-called Hickenlooper amendment).
>
> As you are aware, a two-thirds majority is required in voting in the Fund for Special Operations on loans and all other matters. The United States, having 42 percent of the vote, has an absolute veto over any use of the Fund. I have previously indicated in testimony before committees of the Congress that, if it ever became necessary for the President to invoke the Hickenlooper amendment with respect to our bilateral assistance to a member country of the Bank, it would be not only possible but entirely proper for a parallel posture to be taken by the United States with respect to the Fund for Special Operations.
>
> I can on this occasion give you and other Members of the Senate the firm reassurance that the U.S. representative in the Bank would vote against any new loan proposal in the Fund for Special Operations for a country during such period as U.S. bilateral assistance to such country is suspended under action taken by the President pursuant to section 620(e) of the Foreign Assistance Act.
>
> With best wishes.
>
> Sincerely yours,
>
> DOUGLAS DILLON.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. LONG of Louisiana. Mr. President, I discussed this problem with the representative of the Treasury.

The Senator may recall that the junior Senator from Louisiana was the author of the amendment when it was first agreed to deny any discretion to the President in the handling of foreign aid with regard to terminating assistance to a country that confiscated American investments, or that nationalized them, until adequate compensation had been made.

Subsequently, the Senator from Iowa [Mr. HICKENLOOPER], improved upon the language by a series of amendments designed to apply to the refinements of this problem.

It has become known as the Hickenlooper amendment, and I salute the Senator from Iowa for his contribution in this field. But, in this particular case, our problem is that we are called upon to seek to make 19 other countries agree to our position.

As the Senator well pointed out, the Secretary of the Treasury proposes that we use our power to veto any loan to a country in the event that country is in violation of the Hickenlooper amendment.

I sought to reach what I thought was a fair compromise of the two positions. I have this language, which I shall read. I hope that Senators who favor the amendment will accept this language as a fair compromise. The language reads:

> *Provided,* That it is the sense of Congress, that during any period when pursuant to action by the President foreign assistance to any member country of the Bank is suspended under the authority of section 620(e)

of the Foreign Assistance Act, as amended, the U.S. Executive Director of the Bank shall exercise the voting power of the United States to deny any loans by the Fund for Special Operations to such country.

It seems to me that would achieve what the Senator from Iowa had in mind and would respect completely the sovereignty of those countries without imposing our will and forcing citizens of other countries to agree to something that they might not be willing to accept.

I hope this language may be agreed to, so we could solve the problem in a way satisfactory to all concerned, and at the same time put the Senate on record as opposed to making loans to countries that nationalize our investments.

Mr. FULBRIGHT. Provided this is a direction to our representative, I think the language is acceptable. To use this provision as a part of an international agreement with 19 other countries would be an insult to their national sovereignty and dignity.

Mr. LONG of Louisiana. We do not need to do that. All we have to do is to have our representative do it.

Mr. FULBRIGHT. If that is the way it is interpreted, I see no objection to it. It is entirely consistent with what the Secretary has said will be the policy with respect to our representative. What I would have to object to—and I am not sure it is objectionable on that account—is saying, "this is a part of our contribution, and you must concur and you are bound by it." What we say to our own people is a different matter.

Mr. LONG of Louisiana. This proposal seeks to bind only our representative in directing him—he has enough votes to veto any loan—when he finds that any country has nationalized our investments, forcing the United States to invoke section 620(e) of the Foreign Assistance Act. It would not infringe on the sovereignty of the other countries.

While the administration is not enthusiastic about this proposal, it is willing to accept it.

Mr. FULBRIGHT. If the administration can live with it, I can. I do not like the insinuation by the Congress that we have no confidence in the executive branch of the Government. I did not like it when a Republican was in the White House, nor do I like it now. What we are saying is that we have no confidence in the Secretary of the Treasury.

The Hickenlooper amendment has been in effect for 2 years. I do not know of a case in which it has not been abided by. Expropriations have been threatened in some countries. The Hickenlooper amendment does not provide that no country may expropriate property. We have that right in this country when the national interest demands it. The key point is that the country doing it must make reasonable payment. The issue has not come to a head. There is a case pending, I understand. We invoked the provision in the case of Ceylon. But there is no evidence to warrant mistrust of our executive branch in the application of a provision like the Hickenlooper amendment.

I do not like anything which says we cannot trust the Secretary of the Treasury or the executive branch, but if the administration says it will accept it, it is all right with me.

Mr. LONG of Louisiana. This provision would achieve the result sought by the Senator from Iowa in the event some one in the Department should fail to carry out the conviction of the Congress. It provides that our representative will veto loans to a country in the event American investments are confiscated by that country. It would be in accordance with the Secretary's commitment, plus the sense of Congress. We, of course, retain the authority to compel and instruct our representative to act in such a way as Congress wants him to act in the event that he fails to keep the commitment and fails to respect the sense of the Congress.

Mr. FULBRIGHT. I think it is too bad that we have to direct these officials in the exercise of their duties. If it is all right with the administration, I am willing to take the amendment. If it were not all right with the administration, I would feel compelled to oppose it and bring it to a vote.

Mr. LONG of Louisiana. It is offered as an amendment to the amendment.

Mr. MORSE. Mr. President, I object to its being a part of my amendment.

Mr. LONG of Louisiana. I will offer it as an amendment.

Mr. FULBRIGHT. I had understood the Senator from Oregon was willing to take it.

The PRESIDING OFFICER. Does the Senator from Louisiana offer the amendment?

Mr. LONG of Louisiana. I offer it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Louisiana [Mr. LONG] proposes an amendment in the nature of a substitute, as follows:

Provided, That it is the sense of Congress, that during any period when pursuant to action by the President foreign assistance to any member country of the Bank is suspended under the authority of section 620(e) of the Foreign Assistance Act, as amended, the U.S. Executive Director of the Bank shall exercise the voting power of the United States to deny any loans by the Fund for Special Operations to such country.

Mr. MORSE. Mr. President, I rise to oppose the amendment and also to answer the chairman of the Foreign Relations Committee, the Senator in charge of the bill.

It is a fatuous argument that we have heard from the Senator from Arkansas. I say, good naturedly, that he has met himself coming back in the opposite direction from his argument, for these reasons:

Today, he argued first that the United States should not impose unilateral policies on a multilateral agency. A few minutes later he read a letter from Secretary Dillon saying the administration would impose those policies so there was no need for Congress to do it.

Yesterday the Senator from Arkansas defended the multilateral approach to the handling of foreign aid and did not seem to appreciate the position that the Senator from Oregon has taken during the past several years in opposition to our abdicating one congressional check after another.

Today we hear the Senator from Arkansas tell us that we should not exercise this check because we would offend 19 other nations that are parties to the International Bank.

Yesterday he said we have 42 percent of the control, which means a veto. I said, because of the human relations that develop in an institution such as this, that is not going to be a very effective check unless direction is given to our members on the Board of Directors.

This morning the Senator from Arkansas does not want that direction exercised. He does not want the Senate to give that direction. He says it is too bad we cannot trust the Secretary of the Treasury, that we cannot trust the people downtown who serve on these directorates.

Mr. President, it is not a question of trust. It is a question of writing in the law, procedures that will protect the American taxpayers against abuse, although, let me say to my friend from Arkansas, we cannot talk about our being a government by law without at the same time remembering that it is administered by human beings, with all their frailties; and I want checks against human frailties. In a very large sense, that is what this system of checks really means.

This checking procedure was written into our system of government to protect the American people from the human frailties of mere men who occupy governmental posts at the various levels for the administration of government.

Secretary of the Treasury Dillon is not going to be here permanently. There are rumors that he may be here quite temporarily; but, the fact is, he is not a permanent fixture. No one in the administration of American interests in connection with the Inter-American Development Bank has any permanency; but whoever is given the responsibility for administering American interests on that Bank should be bound by legal procedures. That is the only guarantee that a check will be exercised.

There is nothing in the Long amendment that guarantees such a check, either. It is wide open for the exercise of discretion on the part of American administrators.

Yesterday, the Senator from Arkansas [Mr. FULBRIGHT] spoke about the fact that we have a 42-percent voting power on the Board which gives us the power of veto, because it requires a two-thirds vote to approve a loan.

That assumes that the veto will be exercised upon the judgment of someone. In my opinion, certain of those judgments should be exercised by Congress. I wish the voting representatives of the United States on that Board to know that they must vote against the expenditure of American taxpayers' funds under the jurisdiction of the Bank in any country in which there has been expropriation of American investments prohibited under the procedures of the Hickenlooper amendment. What is wrong with that?

The only comment I heard from the Senator from Arkansas was that it might offend someone in Latin America because we are giving directions to American representatives on the Bank board.

They are our representatives. We not only have the right, but in this instance we have a clear duty to say to them, "You are voting representatives on the Bank. If American property has been expropriated you shall not vote a loan of 80 percent of the American taxpayers' money." This is the minimum amount, according to the Senator from Arkansas, even yesterday.

The figure used most in debate yesterday was that Latin American countries will contribute only 16 percent of the funds used in connection with loans. Let me engage in understatement by saying that that is 80 percent of American money, or 84 percent—take it either way.

At this hour, the Senate has a clear duty to protect the interests of American taxpayers by preventing the transfer of so much congressional authority to an international body when it comes to determining how American taxpayers' money will be spent.

We have a duty to apply to this form of foreign assistance the same check that we have now on the general foreign aid bill; namely, the Hickenlooper amendment.

A few moments ago, I stated that the Senator from Arkansas was not on the floor when I argued in support of my amendment. It was perfectly all right for me to be absent from the Chamber although he was disturbed yesterday when I was off the floor; but when he was off the floor today, I pointed out that the Hickenlooper amendment has already paid huge dividends in its effectiveness. The Hickenlooper amendment has already had salutary effects in Latin America. The Latin American countries know that we mean business. They know that we are not going to sit by and let them steal American property, American investments, and American taxpayers' interests. They know that if they steal—which is an accurate description of the kind of expropriation in which they are inclined to engage—and we have this kind of check, we can cut them off so far as access to our pocketbooks is concerned.

I am interested in the argument put forward by the Senator from Arkansas, the chairman of the Committee on Foreign Relations and others, that if we do it, Latin America will not like it.

Of course they will not like it. They will not like it on the Board of Directors of the Inter-American Development Bank if we bind—as we have the legal right and authority and duty to do—our American representatives on that Board of Directors.

The next argument of the Senator from Arkansas is that Secretary Dillon would not like it and that our own representatives would not like it. They should resign their jobs, if they do not wish to carry out the orders of Congress. If they find it so offensive, they can submit their resignations from the Board. It will be no loss. But, it will be a great loss, and a loss of precious value to the American people, if in the Senate, at this hour, we say to the Board of Directors of the Inter-American Development Bank: "Of course, you can use your own judgment as to whether we go through with a loan in a country that has just got through stealing a powerplant, a telephone utility, a factory, or other property belonging to American investors. Keep right on making them loans, hoping that maybe if we make them the loans, they will be inclined to be more favorable toward us in working out some kind of negotiated settlement."

However, our experience has been all on the other side. So long as they believe that we are a bunch of easy people to get money away from and will play the part of "suckers," we are going to be "taken." But, in my judgment, we can greatly strengthen our friends in Latin America. The Hickenlooper amendment is not a negative amendment so far as improving conditions in Latin America is concerned.

The Hickenlooper amendment strengthens our friends in Latin America. We have many friends in Latin America who abhor as much as we do the policy of expropriation and confiscation that certain political leaders and political machines are able to accomplish from time to time when they get into power.

Mr. President, there is not a word in the argument of the Senator from Arkansas that, in my judgment, justifies transferring this precious checking power of Congress over the expenditure of American taxpayers' dollars to a Board of Directors a majority of whom are representatives from Latin American countries; but to the American representatives, on paper, is reserved the 42 percent voting right, which means a veto over loans if they wish to exercise it.

Let me close by commenting on the human factors involved.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. FANNIN in the chair). Does the Senator from Oregon yield to the Senator from Ohio?

Mr. MORSE. I yield.

Mr. LAUSCHE. Who has this veto power?

Mr. MORSE. The United States.

Mr. LAUSCHE. How does it have a veto power?

Mr. MORSE. It has it by reason of the requirement for a two-thirds vote. Under the rules of the Inter-American Bank there must be a two-thirds vote to approve a loan from the Fund for Special Operations. We have 42 percent of the vote reserved, in return for the 80- to 84-percent contribution of funds, so that, in effect, gives us, on paper, a power of veto. But, it is only on paper.

Regarding the human factors which develop in international bodies, an interesting camaraderie develops—an intimate, personal relationship. There is a tendency to develop the attitude of a club, a fraternity, or an association. If we believe that the American representatives are going to sit there, hardboiled, protecting the interests of the United States, unless we give them a congressional mandate and directive, we could not be more wrong.

What we have today is a chance to adopt a checking procedure, a guarantee to the American taxpayers that as a matter of right they are protected, in that the members of the American directorate cannot vote for a loan to a country in which there has been expropriation until there has been a settlement of the expropriation problem.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. My last answer to my friend from Arkansas is this: It is a fatuous argument to say that we should not do it because we might offend the other members of the Bank. My quick answer is: Whose money is it? It is our money. As legislators, we have the duty to protect the owners of that money. The owners of that money are the taxpayers of this country.

Therefore, I completely reject the argument of the Senator from Arkansas. The amendment offered by the Senator from Louisiana [Mr. LONG], the Democratic whip, gives the American people none of the guaranteed protection that I am insisting upon in my amendment they be given. They are entitled to no less. Therefore I hope the Senate will turn down the amendment of the Senator from Louisiana, which has been offered as a substitute for my amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. I have the amendment which has been offered as a substitute. It reads:

> *Provided*, That it is the sense of Congress that our delegate shall vote for discontinuance of aid to any country that has expropriated property of a United States citizen without within a reasonable time compensating him for such expropriation.

It is the understanding of the Senator from Oregon that this is no direction or mandatory authority, but merely expresses a consensus of Congress, with the pious hope that our delegate will carry into effect this humble request?

Mr. MORSE. It is a runaround. It is meaningless. We shall be faced with an accomplished fact. If they go ahead and vote the loan, what can Congress do? That is one of the things that has plagued us in Congress. Time and time again the executive branch of government confronts us with accomplished facts. After something has been accomplished, we are supposed to do something about it. Of course we know that a majority of Congress will do nothing about it. Congress ought to do something about it after the fact, but it does not do anything about it. That is a very sad situation.

Mr. LAUSCHE. Is it the purpose of the Senator from Oregon that the Director, who is representing the U.S. Government on this consortium, if I may call it such, of 20 States is the agent of the U.S. Congress and the Government, and that as an agent we can prescribe his power and direct him what to do?

Mr. MORSE. Of course. This is very distasteful to the bureaucrats downtown. They do not like to be agents of Congress. They want to get out from under being agents whenever they can, and gain finality of power. They do not want to be responsible to anyone or to be given directions by anyone. That is what we have been giving people in the State Department and in the Pentagon and in the AID administration for far too long. We have been giving them too much finality of power. My proposal places a mandatory check on them and keeps them the agents of Congress.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. LAUSCHE. Mr. President, will the Senator yield so I may ask a question of the Senator from Louisiana?

Mr. MORSE. I yield the floor.

Mr. LAUSCHE. I merely wish to ask the Senator from Louisiana whether the interpretation made by the Senator from Oregon, with which I agree, is correct. This deals with the Senator's substitute amendment.

Mr. LONG of Louisiana. I say to the Senator that if the Morse amendment is adopted, we shall be in violation of the Bretton Woods agrement, because the American representative is supposed to listen to and consult with the American Advisory Council before he exercises his powers in any way.

When the so-called Hickenlooper amendment was agreed to, it provided that there should be no flexibility, no discretion for this Government in cutting off aid in the event a country took over an American investment and did not make appropriate compensation within 6 months.

When the proposal was first agreed to, it was the Long amendment. I appreciate all of the kind things the Senator from Oregon has said about my amendment. That same amendment is in the Sugar Act. It provides that we cannot buy sugar at a premium price from a country if it confiscates our investment in that country. It was responsible for its adoption. I insisted that the direction be mandatory, with no discretion. In this particular case, we all wish to achieve the same objective, but we should seek to do it in such a way that the Department can live with it. If we start by saying that our Director must vote in a certain way, Mexico, for example, will feel encouraged to say how their Director shall vote. The same thing would apply to other countries. They, too, instruct their delegate by legislation how he should vote.

We must remember that it is no longer our money when we put it in the Bank. It is no longer American money when it is in the Bank. It belongs to the Bank.

In my proposal I seek to achieve what the Senator from Oregon is trying to achieve. It is the same thing that the Senator from Iowa [Mr. HICKENLOOPER] has tried to achieve. We are trying to do it in such a way that our people can live with it.

We would say how our man should do business. Then the Secretary of the Treasury would write a letter and say, "That is the way our man will vote."

If we adopted the Morse amendment, first, we shall be in technical violation of the Bretton Woods Agreement; second, having done it, we shall set a precedent for the other 19 countries to say how their Directors must vote.

If we do it in a flexible manner, we express the sense of Congress, in pursuance of the letter of the Secretary of the Treasury he will fire his man if his Director acts otherwise.

To do otherwise would raise difficulties and set up a procedure that the administrators say they cannot live with.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SALTONSTALL. Does not the Senator's amendment carry out the purpose or principle of the Hickenlooper amendment to the Foreign Aid Act of 2 years ago?

Mr. LONG of Louisiana. Yes. I worked it out yesterday, and I tried to find the Senator from Iowa to say to him, "I think we can achieve what you want to do if we do it this way. We will get a letter from the Secretary of the Treasury saying that it will be done this way."

Mr. SALTONSTALL. Any Senator who voted for the Hickenlooper amendment should vote for the pending amendment or the Morse amendment. Is that correct?

Mr. LONG of Louisiana. The substitute I am offering is one with which the Department can live. They are anxious to cooperate with us. If we do it the way the Senator from Oregon wishes to do it, we shall be in violation of the Bretton Woods amendment, and we shall be offering an opportunity to other countries to tell their Directors how they must vote; and the first thing we know the Bank will not be able to operate as a bank.

Mr. SALTONSTALL. I thank the Senator.

Mr. LAUSCHE. Mr. President, I construe what the Senator from Louisiana has said, in answer to my question, to mean that he agrees with the interpretation the Senator from Oregon and the Senator from Ohio have made of his substitute amendment; that is, that it is not a directive or a mandatory amendment, but merely is expressive of the judgment of Congress as to what our delegate ought to do with respect to the Hickenlooper amendment.

Mr. LONG of Louisiana. We do more than that.

Mr. LAUSCHE. Am I correct?

Mr. LONG of Louisiana. Yes; but there is more than that in the amendment. We would also have a letter from the Secretary of the Treasury saying, "This is how we are going to handle it. We propose to do it this way."

The Department says it cannot live with it the way it is written in the Morse amendment. I did what I could to press the executive branch of the Government to come forth with something that it could live with, to meet this problem. In my judgment this amendment will accomplish the desired result. After all, it is not so much what we do, as the way we do it that will bring the best results. The Department thinks it can live with my amendment and it will achieve the effect that everyone intends.

Originally the proposal to cut off aid to countries that confiscate American investments was not a mandatory requirement and it failed to work. It became my amendment later, and it also went into the Sugar Act. We have not had to invoke its provisions once since it has been in the law. We do not believe we shall have to invoke it. However, if we must invoke the amendment we propose to use our voting power in this way.

If we write into the law how our Director shall vote, then all the other countries can be expected to write into their laws how their Directors shall vote. They would resent our doing it. They would feel that we were insulting them, that we were pushing them around. The result would be that we could not operate effectively, as the Bank should operate.

Mr. LAUSCHE. Mr. President, I wish to speak for a moment on the argument that was made yesterday and today, that we have no right to tell our Director with certainty and definiteness what he shall do, because we might offend the 19 nations which are to be the beneficiaries of $750 million worth of our money.

They are asking us to subscribe $750 million in hard, cold dollars to a new special fund of $900 million. The other 19 nations are to put up $150 million, not in dollars, but in pesos and cruzeiros and other South American soft currency. I cannot understand what moral offense we would commit, what transgression of decency we would perpetrate, should we say to those people, "We shall allow you to have $750 million, but we want it understood that any nation which confiscates the property of an American citizen without compensating him in due time for the reasonable value of that property shall forfeit his rights to any further participation in the funds."

What is wrong with that type of declaration? What right have the beneficiary nations to complain? We would put up $750 million at a time when there is practically a crisis in our Nation's balance-of-payments situation. We are the ones who are bleeding our already weakened monetary structure. It is our elixir that is going out.

Yet we hear daily repeated the argument, "Take no course, even though it is right, that might give other nations the opportunity to say 'You are doing us wrong.'"

What wrong? It is our money. They are asking for it. We are in trouble with our gold. While we are in trouble, we are saying, "Yes; we will give you the $750 million. We will match it with your $150 million in cruzeiros, pesos, or other types of soft currency."

I cannot see it. I am basically of the opinion that one of the grave errors in our foreign policy has been the ignominious submission to threats made by foreign recipients of our bounty when they say to us, "Unless you give the money to us on our conditions, we will go to Red Russia."

The Senator from Oregon and other members of the Foreign Relations Committee will well recall the visits of delegations from African countries, especially, who were provided lunch by the Foreign Relations Committee. Some member of the committee would say, "Now, if we provide you with this aid, what will you do in return for us?"

The uniform answer was, "You have no right to ask what we will do for you if you give us or lend us American dollars."

I say it is a travesty. It is a bold and easily distinguishable example of what we might call taking advantage of the beneficence of a country that desires to help, and asks only that it not be exploited by those whom it helps.

Mr. MORSE. Mr. President, the subject of the Bretton Woods agreement has been brought into the debate by the Senator from Louisiana. He is completely, totally, and 100 percent wrong in his contention that if the Senate should adopt my amendment, we would violate the Bretton Woods Treaty.

Mr. President, this is an independent bill of the Congress of the United States. We have the complete authority, irrespective of Bretton Woods or any other treaty, to decide congressional policy as to how American taxpayers' money shall be spent. When we say that if we donate to the Inter-American Bank 80 to 84 percent of the money, and retain a veto power on the Board of Directors in regard to the expenditure of that money, we have the congressional authority and right, and, in my opinion, the clear duty to say to our governor on that Board of Directors, "You shall not vote to spend the taxpayers' money on a loan going into any Latin American country that stands in violation of the Hickenlooper amendment."

That happens to be a legislative sovereign right of the Congress of the United States still, I hope—and thank God it is so.

But, Mr. President, when the Senator from Louisiana seeks to drag on the floor of the Senate as a red herring the Bretton Woods Treaty and tries to make people think that we cannot protect our American taxpayers against the expropriation of American property in a Latin American country without violating the Bretton Woods Treaty, he could not be more wrong than he is in that contention.

I hope the Senate will turn down the substitute, which in my opinion is meaningless. It would have no binding effect whatever. It would not protect us against the arbitrary discretion of whoever represents the United States on that Board of Directors. We have come to the point, I think—and it ought to be obvious to Senators—where we must check our executive branch officers who are representing us in various international bodies. I urge the Senate to reject the amendment.

Mr. LONG of Louisiana. Mr. President, it was the Senator from Louisiana who first started offering amendments to deny to Government the right to make any loan to a country that was confiscating American investments.

It was the Senator from Iowa [Mr. HICKENLOOPER] who found ways of improving upon that proposal, in order to make it a more effective amendment than the amendment that the Senator from Louisiana had initially offered.

I have great pride in the fact that I had something to do with helping the Senator from Iowa to draft effective language. Every one of the 19 countries involved here benefits from our aid program. Since we adopted that amendment, we have inserted in the Sugar Act a similar provision. The Senator from Louisiana was responsible for that. Since we adopted that amendment, we have not had to invoke it a single time.

For example, the International Telephone & Telegraph Co., which was facing nationalization of its property in Brazil, received such a good settlement that it was almost embarrassed and had not asked for more money. The provision has been effective and has worked. I seek to achieve exactly the same purpose. Representatives of the State Department and the Treasury Department have said that if they must invoke that provision of section 620 of the AID Act, they will also instruct the American Director not to vote for a loan to the country involved. If we insert in the bill a sense-of-Congress statement to support that provision, that is the kind of provision with which they can live.

The Senator from Oregon has said that his proposal would not violate the Bretton Woods Agreement. We know how it is with lawyers. Every time a litigant goes to court he observes one lawyer on one side and another lawyer on the other side of an issue. The distinguished majority leader once said he is convinced that all lawyers must be wrong half the time, because every time a case is tried in court there is one lawyer on one side and another lawyer on the other side. The court cannot decide for both lawyers; so the majority leader is convinced that lawyers must be wrong 50 percent of the time. Lawyers in the State Department have told me that the Morse proposal would violate the Bretton Woods Agreement. Two-thirds of the membership of this body are lawyers. I submit that we have an agreement that before our representative will take a policy position, he will discuss the matter with the American Advisory Council. Theoretically, that Council should be free to advise, and our representatives should consider whatever advice they receive. If we write a directive into the law, the Council will no longer have the privilege of advising what the representatives ought to do, because we will have said that it cannot do so.

We have the power to take such action. I concede that. But we would be breaking our word to some extent at least. We have the power to write into law something that is in direct conflict with our agreement. If we adopt the amendment of the Senator from Oregon, it will be the law; I understand that; but it will violate our agreement. The State Department has said it will violate our agreements with these 19 countries.

The same effect can be achieved by adopting my amendment, which is in keeping with what the Department feels it can live with.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG] in the nature of a substitute for the amendment of the Senator from Oregon [Mr. MORSE]. The yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the senior Senator from Maryland [Mr. BREWSTER]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I also announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that the Senator from New Jersey [Mr. WILLIAMS], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Pennsylvania [Mr. CLARK] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS] is absent on official business.

The Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. HICKENLOOPER] are absent on official business to attend meetings of the British-American Interparliamentary Group.

The Senator from Kentucky [Mr. COOPER] and the Senator from Kansas [Mr. PEARSON] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is absent because of illness.

The Senator from Vermont [Mr. Prouty] is absent by leave of the Senate because of illness in his family.

If present and voting, the Senator from Delaware [Mr. Boggs] and the Senator from Vermont [Mr. Prouty] would each vote "nay."

The result was announced—yeas 34, nays 48, as follows:

[No. 27 Leg.]

YEAS—34

Bartlett
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Douglas
Eastland
Gore
Harris
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Long, Mo.
Long, La.
Magnuson
Miller
Monroney
Moss
Muskie
Neuberger
Pell
Randolph
Ribicoff
Saltonstall
Sparkman
Stennis
Symington
Tydings

NAYS—48

Aiken
Allott
Anderson
Bass
Bennett
Bible
Cotton
Curtis
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Hart
Hruska
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
McClellan
McGee
McGovern
McIntyre
McNamara
Mondale
Montoya
Morse
Morton
Mundt
Murphy
Pastore
Proxmire
Robertson
Scott
Simpson
Smith
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—18

Bayh
Boggs
Brewster
Carlson
Clark
Cooper
Dirksen
Hickenlooper
Johnston
Mansfield
McCarthy
Metcalf
Nelson
Pearson
Prouty
Russell
Smathers
Williams, N.J.

So the amendment of Mr. Long of Louisiana, in the nature of a substitute for Mr. Morse's amendment, was rejected.

The **PRESIDING OFFICER.** The question now recurs on the amendment of the Senator from Oregon [Mr. Morse].

Mr. **MORSE.** Mr. President, I shall not take more than 2 minutes to outline my pending amendment.

The amendment seeks to apply the Hickenlooper procedure to the bill. It would simply provide that the U.S. representative on the Board of Directors for this Fund, in which institution we have 42 percent of the voting control and contribute 80 to 84 percent of all the funds, shall vote against any loan to any country in violation of the Hickenlooper amendment.

In other words, if a country has expropriated American property and is not proceeding with negotiations for an equitable settlement, we shall vote against the loan until there is a settlement of such expropriation.

Yesterday I argued my main thesis, that we have a duty to exercise this kind of congressional check on the expenditure of American taxpayers' money. I do not accept at all the argument of the chairman of the Committee on Foreign Relations that that procedure might offend some of the members of the Board of Directors of the Bank.

I want to tell what it would do. As chairman of the Subcommittee on Latin American Affairs, it is my honest belief that it would comply with the desire of our friends in the very countries where the expropriations take place from time to time. There is great opposition to the expropriations in those countries.

If we really want to help build up responsible governments in those countries, we shall give our friends the assistance of applying the Hickenlooper amendment to the program.

Mr. **FULBRIGHT.** Mr. President, it is very clear that the senior Senator from Oregon is opposed to operations in this field.

We created the International Bank, and the effect of this proposal is not very great substantively. There have not been many cases for the application of the Hickenlooper amendment.

The Secretary of the Treasury sent me a letter to the effect that the Department would follow the application of the Hickenlooper amendment when and if it should be applied to any country. In its effect, this is not of very great substance, but it is another instance of our demonstrating to the small countries that "We have 42 percent. We can veto it. You had better be careful what you say and do in regard to us." Its primary fault is that it is bad manners and will not help in our relations with Latin America. It would not save us a dime.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Oregon [Mr. Morse]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **KENNEDY** of Massachusetts (when his name was called). On this vote I have a pair with the senior Senator from Maryland [Mr. Brewster]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Minnesota [Mr. McCarthy], the Senator from Montana [Mr. Metclaf], the Senator from Wisconsin [Mr. Nelson], and the Senator from Florida [Mr. Smathers] are absent on official business.

I also announce that the Senator from Georgia [Mr. Russell] is absent because of illness.

I further announce that the Senator from New Jersey [Mr. Williams], the Senator from South Carolina [Mr. Johnston], and the Senator from Pennsylvania [Mr. Clark], are necessarily absent.

Mr. **KUCHEL.** I announce that the Senator from Delaware [Mr. Boggs] is absent on official business.

The Senator from Kansas [Mr. Carlson] and the Senator from Iowa [Mr. Hickenlooper] are absent on official business to attend meetings of the British-American Interparliamentary Group.

The Senator from Kentucky [Mr. Cooper] and the Senator from Kansas [Mr. Pearson] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is absent because of illness.

The Senator from Vermont [Mr. Prouty] is absent by leave of the Senate because of illness in his family.

If present and voting, the Senator from Delaware [Mr. Boggs] and the Senator from Vermont [Mr. Prouty] would each vote "yea."

The result was announced—yeas 60, nays 22, as follows:

[No. 28 Leg.]

YEAS—60

Allott
Anderson
Bennett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cotton
Curtis
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Gruening
Harris
Hartke
Hill
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
McClellan
McGovern
McIntyre
Miller
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Pastore
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Simpson
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—22

Aiken
Bartlett
Bass
Case
Fulbright
Gore
Hart
Hayden
Holland
Inouye
Javits
Kennedy, N.Y.
Mansfield
McGee
McNamara
Mondale
Neuberger
Pell
Proxmire
Smith
Sparkman
Yarborough

NOT VOTING—18

Bayh
Boggs
Brewster
Carlson
Clark
Cooper
Dirksen
Hickenlooper
Johnston
Kennedy, Mass.
McCarthy
Metcalf
Nelson
Pearson
Prouty
Russell
Smathers
Williams, N.J.

So Mr. Morse's amendment was agreed to.

Mr. **MORSE.** Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. **LAUSCHE.** Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEAD, COPPER, AND ZINC

Mr. **SYMINGTON.** Mr. President, there are three urgent measures regarding disposals from the national stockpile now pending before the Senate Armed Services Committee.

Two of these bills were passed by the House of Representatives on February 23. The first of these would authorize the sale, without regard to the 6-month waiting period prescribed, of 200,000 short tons of zinc to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act. The other measure would provide for the release of 200,000 short tons of lead.

In the case of each bill, 150,000 tons would be available for sale to industry, such sales limited to domestic consumption only. Fifty thousand tons of each metal will be allocated for direct use by agencies of the U.S. Government.

As passed by the House, the bills were amended to make the disposals applicable to the supplemental stockpile as well as the national stockpile in order to permit the materials in the various storage locations to be included in the disposal plans.

In the case of zinc, the consumption of slab zinc in the United States for a number of months has been at a rate substantially higher than production plus imports. Mr. President, you will remember that the Congress last year authorized the release of 75,000 tons from the stockpile. This material has already been absorbed by industry. I am told that stocks in producers' hands are at a minimum and that stocks in the hands of consumers are extremely low.

The same situation applies to lead. The Congress authorized the release of 50,000 tons of lead last year but this release fell short of satisfying industry deficiencies. The demand for lead, domestically and internationally, continues to be great, and it is apparent that a further release of stockpile lead is urgently required at this time.

Many Members of the Senate, myself included, have introduced and discussed legislation to authorize disposal of 100,000 short tons of copper. The high demand for copper within and outside the United States has caused the copper supply situation in this country to become increasingly more critical. I am told that current stocks in the hands of U.S. producers are only 58,410 tons, compared to 139,272 tons at the end of 1960. Current fabricator stocks are at a rock bottom level. Many consumers are unable to obtain needed copper with resultant disruption in production schedules, layoffs, and limitation of industrial activity.

Because of the critical situation in the supply of these metals, the Subcommittee on National Stockpile and Naval Petroleum Reserves, of which I am chairman, will consider these measures next week.

Mr. MANSFIELD. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Montana [Mr. MANSFIELD], the majority leader.

Mr. MANSFIELD. This is good news, not only for the lead and zinc industry, but also for the copper industry.

When I speak of copper, I refer to the primary producers as well as the fabricators in this country.

I am delighted with the specific assurance given by the distinguished chairman of the committee, charged with the problem of stockpile disposition, that he will hold hearings next week. I shall be prepared, along with other Senators, to testify before the committee at that time as to the state in which the nonferrous mine industry finds itself because of the differences between supply and demand at the present time.

I express my deep and personal appreciation to the distinguished senior Senator from Missouri [Mr. SYMINGTON], the chairman of the committee which will hold the hearings.

Mr. SYMINGTON. I express my appreciation to the majority leader, and thank him for his assistance in bringing this matter to its present state.

Mr. RIBICOFF. Mr. President, the distinguished senior Senator from Missouri has announced that he would hold hearings on S. 296, a bill to release 100,000 tons of copper.

I commend the senior Senator from Missouri for making the announcement and for holding the hearings. In the meantime, it is my hope that everything possible will be done administratively to release additional tonnage of copper to relieve the shortage of copper.

INCREASE OF FUND FOR SPECIAL OPERATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK

The Senate resumed the consideration of the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

AMENDMENT NO. 144

Mr. LAUSCHE. Mr. President, I call up my amendment No. 44 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 1, beginning with line 6, strike out through line 10 on page 2 and insert in lieu thereof the following:

> SEC. 14. (a) The United States Governor of the Bank is hereby authorized to propose and vote in favor of a resolution to increase the resources of the Fund for Special Operations by $480,000,000. Upon the adoption of such resolution, the United States Governor is authorized to agree, on behalf of the United States, to pay to the Fund for Special Operations of the Bank, as the United States share of such increase, the sum of $200,000,000 for each of the fiscal years 1965 and 1966.
>
> (b) There is hereby authorized to be appropriated for each of the fiscal years 1965 and 1966 for the United States share in the increase in the resources of the Fund for Special Operations of the Bank, the sum of $200,000,000.

Mr. LAUSCHE. Mr. President, this amendment, if approved, would reduce the proposed increased capitalization of the special fund from a level of $900 million to $480 million. Our contribution, instead of continuing for 3 years, would continue for 2 years. Under the terms of the bill the Senate is considering, our contribution would be $250 million for 3 years.

Under my amendment, our assignment would be $200 million for 2 years, requiring the Bank to come before Congress at the end of the second year to ask for additional funds, if it should so desire.

Mr. LONG of Louisiana. Mr. President——

Mr. LAUSCHE. I have promised to yield to the Senator from Alaska [Mr. GRUENING] at this time.

FOREIGN AID REQUESTS ARE NOT "BAREBONES" BUT TWICE ADMINISTRATION'S AID PROPOSAL

Mr. GRUENING. Mr. President, H.R. 45—a bill to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank—continues a trend, all too evident, to diminish the rightful authority and responsibilities of the Congress in the field of fiscal affairs relating to U.S. foreign activities.

When on January 15, 1965, President Johnson sent to the Congress his message on foreign aid he characterized his request for funds as "the smallest in the history of the foreign aid program." His request was for $3,380 million which was, he said, "$136 million less than requested last year, and will impose the smallest assistance burden on the American people since the beginning of the Marshall plan in 1948."

This budget request was loudly hailed in the press as a bareboned budget, and the press editorialized on the basis that this was the lowest request for foreign aid funds in years.

Overlooked by the press or ignored by it, however, was the fact that the foreign aid program has many facets. It has many spigots through which U.S. dollars flow abroad for varied types of assistance to foreign nations. And it is desirable that as we in the Congress are requested to vote these huge sums, the truth be made known.

Yesterday, the able and distinguished Senator from Ohio [Mr. LAUSCHE] pointed out that the President's foreign aid requests for fiscal year 1966, far from being the "bareboned" $3.3 billion, as one would be led to believe from the President's foreign aid message, the recommended new obligational authority for foreign aid for that fiscal year would, in fact, total $6.2 billion. He also pointed out that the recommended obligational authority for fiscal year 1966 would exceed estimated expenditures for foreign aid in the 1965 fiscal year by over $280 million.

In his foreign aid message, the President stated that he was requesting "no additional authorizations for the Alliance for Progress." Yet the request before the Senate today is for an additional $750 million—$250 million per year for 3 years—for the Alliance for Progress.

In his foreign aid message, the President noted with pride that his request was $136 million less than requested last year. The request for this additional $250 million per year for the Inter-American Development Bank is almost double the amount by which the President claimed he had reduced his last year's foreign aid request. But it all comes out of the same source—from the American taxpayers.

But this shift from one pocket to another has far more significance than a mere exercise in semantics.

It represents a deliberate attempt to shortcut the legislative progress in the foreign aid field and to place in the hands of international bodies the administration of the foreign aid program.

What is being attempted through this device is to set up a source of funds for foreign aid outside the control of Congress, not subject to its control and direction. If those proposing this method of operation succeed, they would have circumvented the authorization and appropriating powers of the Congress. This cannot and should not be permitted.

The Constitution clearly states in Article I:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Through devices such as the Inter-American Development Bank those proposing them seek to have the Congress appropriate lump sums to such banks in blank check fashion to be used as determined by a board of directors.

If the sums loaned are repaid, they would be subject to relending without any further action or scrutiny by the appropriate committees of the Congress or by the Congress itself.

If not repaid, we will be asked to appropriate further lump sums, again with blank checks.

There is and should be but one Treasury of the United States. And, in the words of the Constitution, "no money shall be drawn from the Treasury, but in consequence of appropriations made by law." Such a provision would have been unnecessary if it had been the wish of the framers of the Constitution that the Congress could abdicate its function of passing appropriation bills by giving the executive a blank check.

This is tantamount to having the President send to the Congress a budget message asking for the appropriation of $97.7 billion to be spent as the President saw fit in administering the affairs of the Government of the United States.

This the President has not sought to do and if he did I am certain that the Congress would not, and constitutionally could not, accede to that request.

Instead he has sent to the Congress a budget request set out in detail in 1,263 large printed pages.

But in this request for $750 million to replenish the coffers of the Inter-American Development Bank, no such detailed budget has been sent to the Congress. We are being asked to authorize an appropriation in blank.

We are being told that the multilateral loaning device represented by the Inter-American Development Bank is psychologically beneficial to the morale of our Latin American friends—that it gives them a sense of participation—of sharing—of self-help. It relieves the Latin American countries of coming to a U.S. bank to secure a loan. Rather, it is claimed, their pride is salved by coming to a bank in which they are participating members.

Of the 19 participating members in the Inter-American Development Bank, only Argentina, Brazil, Haiti, Mexico, Uruguay, and Venezuela have not borrowed back more than they have paid into the Bank. How does this state of affairs give the other 13 countries a sense of participating—of sharing—of self-help?

This being the state of affairs, it ill behooves those who are now resisting any attempt by the Congress to control and to give direction to the program to say that any such attempt would be deeply resented since this is an international organization and its direction and control lie in the hands of its Board of Directors.

I have been and still am a firm supporter of the Alliance for Progress. But I am a supporter of a program of aid to Latin America which will remain under the control of the Congress of the United States. I see nothing in the objectives of the Alliance for Progress that should make us ashamed of our aid to Latin America. Why are we so bent on trying to hide the fact from the people of Latin America that it is U.S. taxpayers' dollars that are being sent there to help them help themselves. If we try to do it, we deceive only ourselves. We should be proud of the fact—and our Latin American friends should be proud of the fact—that the American taxpayer is willing to share what he has to improve the economic and social status of his friends in Latin America.

I have resisted and I shall continue to resist each and every effort to diminish or cut off the control of the Congress over foreign aid expenditures or to keep from the American people the true extent of our foreign aid program. They should be allowed to know that the so-called barebones foreign aid program is being expanded to approximately twice the size that official pronouncements made it appear to be. Fairness to the American people, to the American taxpayers, requires that such deception shall not remain unrevealed for what it actually is. The Congress may wish to vote a foreign aid program approaching $7 billion for the ensuing fiscal year, but it should clearly understand that it is higher than last year, and virtually double in amount to what was apparently claimed by the executive branch of our Government. I, for one, think it is much too high, considering our balance-of-payments crisis and from my own observations of how our foreign aid funds have been and are being expended.

Therefore, the Lausche amendment is a distinct step in improving the proposed legislation.

Mr. LAUSCHE. Mr. President, I am very grateful to the Senator from Alaska for his contribution. The figures to which he referred as having been placed in the RECORD by me, showing the aggregate expenditures of our country in the form of aid, were prepared by the staff of the Foreign Relations Committee. They are not my concoction. I asked the staff of the committee to obtain the figures for me. They were submitted to me, and I have placed them in the RECORD, as has been described by the Senator from Alaska. They appear at page 3512 of the RECORD of February 24.

Mr. President, probably I shall repeat what I said a moment ago, but I believe it is necessary that I cover the subject again.

Under existing law we have subscribed to the trust fund $150 million a year, with an authorization for a 2-year period.

The proposal contained in the pending bill, H.R. 45, contemplates increasing that amount from $150 million a year for 2 years to the sum of $750 million for a period of 3 years.

My amendment would strike a balance between $150 million and $250 million, making the contribution $200 million a year for a period of 2 years. In that 2-year period we would provide $100 million more than we have in the past. I feel that the 2-year period ought to apply. If more money is to be requested, the operators of this fund ought to come back to the Congress at the end of 2 years. We do not know what our situation will be in 2 years. Even if we did, I believe it would be healthy for them to return and give an accounting to justify the amounts which they might request.

Mr. President, these are all the remarks I wish to make at this time. I request the yeas and nays.

Mr. LONG of Louisiana. Mr. President, I shall seek to help the Senator from Ohio obtain the yeas and nays on his amendment when the Senate has concluded debate on the issue, if the Senator is agreeable to that procedure.

Mr. LAUSCHE. I am agreeable.

Mr. LONG of Louisiana. I should like to respond first to the able argument of the Senator from Ohio. The proposed reduction, both in amount and in term, constitutes a renunciation of a commitment to the inter-American community which was the product of deliberate discussions at the Board of Governors meeting in Panama in April of 1964, at which the U.S. Governor introduced the proposal.

In other words, the proposed legislation is what our Nation proposed.

This proposal had been preceded by months of discussions within the U.S. Government and between the U.S. Government and the Inter-American Development Bank. Similarly, the Panama resolution was followed by serious deliberations within the U.S. Government and the Bank leading to the introduction of the proposed authorization in the summer of 1964 and again at the beginning of the current session of the Congress. Both the full amount of $250 million and the term of 3 years constitute an essential element of the support of the U.S. Government for the Alliance for Progress, and the original amount and term constitute the minimum required for efficient and effective planning by the Inter-American Development Bank. The initial proposal is an integral part also of the projected support from external financial agencies contemplated by the Inter-American Committee for the Alliance for Progress in its evaluation of the resources available for implementing the development plans of the Latin American countries during the coming 3 years.

Mr. President, if a sufficient number of Senators are present in the Chamber, I should like to ask for the yeas and nays.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I should like briefly to state that our Nation has an international agreement with 19 other countries that provides that we shall put up $750 million to increase the assets of the Inter-American Development Bank for the development of Latin America, and that those 19 countries will put up a total of $150 million. Somewhat disparaging remarks have been made about those countries putting up only $150 million while we would put up $750 million. To those countries which are relatively poor compared to us, $150 million is a great deal of money. That is $150 million more than those countries have put up for this type of program in the past. I think we should encourage such action on their part.

Furthermore, it is a much better idea to make loans to countries. We ought to try to make hard loans if we can and if they will do the job; if hard loans will not do the job, we should make the best type of loan that we can. It might have to be a loan in the local currency of the country involved, but the money would be returned and could be loaned out once again. Even that type of loan is far superior to our making grants.

Eighteen of the countries have now ratified the agreement and put up their share of the money. What kind of welcher would Uncle Sam look like after he promotes an agreement that he has proposed, and has urged the other countries to do their part, and then after those countries have ratified the agreement and put up their money, Uncle Sam puts up only half of what he has agreed to be put up?

It would not look well for this country. Furthermore, we have commitments that all the money that we would put up would be spent in the United States in dollars. The proposal would not cause additional gold problems.

Mr. President, adoption of the amendment would result in a violation of our agreement. The United States would be placed in the worst possible light in the eyes of the 19 friendly countries south of our borders who are also parties to the agreement. I hope very much that the amendment will be rejected.

Mr. MORSE. Mr. President, I wish briefly to answer the Senator from Louisiana. We have entered into no binding agreement with any Latin American country or groups of Latin American countries. To the contrary, every Latin American country knows that when American negotiators sit down with them, those negotiators cannot bind our country. Unfortunately, many of our negotiators have forgotten it. That is one of the things wrong down in the executive branch of the Government. They like always to present us with an accomplished fact, a deal entered into, and, too frequently, they do not make sufficiently clear as negotiators for our Republic that their offers are on a tentative basis, and that they must bring back the suggestions to the Congress of the United States for approval. Their suggestion is here today.

Mr. President, here is representative government coming to work on this proposal of the Inter-American Development Bank, with American representatives from the State Department and the White House.

I commend the Senator from Ohio on his proposal to cut back on the amount, as proposed in his amendment, because, as he has brought out, the President himself in his foreign aid proposal is increasing the Alliance for Progress program by $70 million.

Mr. President, $480 million is enough to start this program. Let us see how it works. Let us see how far they will go in working out good projects for loans that will really increase their earning capacity in their country, increase their wealth, increase the income of their people as a result of the wealth, and increase the productive projects that will flow from such loans. Four hundred and eighty million dollars is a great deal of money to be our share in this year, when we have all the problems related to balance of payments about which the Senator from Ohio has spoken.

Mr. President, I support the amendment.

Mr. LAUSCHE. Mr. President, lest there be some misunderstanding, I wish to point out that my amendment would provide an increase of $50 million a year over what the Bank is getting now, but instead of running for 3 years, the program would run for only 2 years. At the end of 2 years, representatives of the Inter-American Development Bank could return and make their case, and the subject will again be treated.

Mr. LONG of Louisiana. Mr. President, I point out that if the amendment should be agreed to, we would have to renegotiate the whole agreement. The United States has gone to the other countries involved and has proposed an increase in the capitalization of the Bank to help finance development in those countries under the Alliance for Progress program. After we have proposed the plan and 18 of the other nations have ratified it, for us to go back and say, "We cannot do what we proposed to do" would mean that we would have to renegotiate and start all over again. That kind of action would make our Nation look small and ridiculous in the eyes of the world.

I hope that Senators will uphold the President when he undertakes to speak for the country. We should uphold his hand where we can. That is very much the principle involved. Our Nation has made commitments. The President was speaking for the Nation. He had a right to speak for the Nation, for he was speaking in relation to our foreign policy. He stated what the United States proposed to do. In his foreign aid message sent to the Congress he told us what he proposed. He now asks us to uphold his hand. It seems to me that this is the least we can do. The United States was expected to ratify the agreement by December of last year. Yet we are still discussing the subject and trying to act in good faith to support our commitment.

I hope very much that the amendment will not be agreed to. If it were adopted, we would be compelled to go back and ask all the other nations involved to renegotiate after most of them had ratified the agreement and had done all they had agreed to do. The time has now come for us to act, and I hope we shall support the Alliance for Progress and support the purpose of the proposed legislation, rather than to place the administration of our Government in the very humiliating position of going back and asking for renegotiation of an agreement that we proposed in the first instance.

Mr. MORSE. Mr. President, I shall take only a minute. The Senator from Louisiana has presented my case. What he has said to the Senate, in effect, is that when we send out negotiators—State Department, White House, Pentagon, or any other negotiators—we give them the power of finality. We should not. As a Congress, we have no right to give them the power of finality. They do not have it. They will tell us so. If we call them before us and ask them, "Did you tell the representatives of those nations, when you were negotiating, that you could not bind your Government? Did you tell them that Congress might change the agreements? Did you explain to them that under the system of checks and balances and limitations of our Government, they have no authority to go beyond what Congress directs?" They will say that they did.

I will tell the Senate what the trend is. It is that, more and more, Congress is permitting the representatives of the executive branch of the Government, in connection with international negotiations, to act with finality. As we do that, we are abdicating our checking power. We are abdicating our duty to pass judgment upon the merits of proposed agreements. I emphasize the word "proposed." We have a duty to pass upon proposed agreements.

This proposal ought to be modified. It ought to be modified by the amendment of the Senator from Ohio [Mr. LAUSCHE]. It is important, also, for other nations to understand the way our system of representative government works. We do not have a government of Presidential supremacy, of State Department supremacy, or of Pentagon supremacy. Ours is a government of three coordinate, coequal branches. We have a duty today to answer the question: Should this agreement be modified on its merits? In my judgment, it clearly is in need of modification. I urge the adoption of the amendment of the Senator from Ohio.

Mr. LONG of Louisiana. Mr. President, as I understand, the sponsor of the amendment and the Senator from Oregon, are against the whole bill. So even if we agree to the amendment, they will still seek to defeat the bill.

Mr. LAUSCHE. The Senator from Ohio is for the bill with this modification.

Mr. LONG of Louisiana. I am delighted to know that, because I had the impression that the Senator from Ohio planned to oppose the whole bill in any event.

Mr. MORSE. If we really made it a good bill, I would vote for it; but the Senator from Louisiana is doing everything he can to keep it a "lousy" bill.

Mr. LONG of Louisiana. As I understand, the Senator from Oregon is against the bill. He has been seeking to defeat the whole bill. My impression is that even if the amendment were agreed to, even though the Senator from Ohio [Mr. LAUSCHE] said he would vote for the bill, the Senator from Oregon [Mr. Morse] would not.

Mr. President, this amendment would defeat the bill. If the amendment were adopted, the Government would be required to renegotiate agreements with 19 countries. Only 1 of the 19 has failed to ratify the agreement. That leaves the United States and one other country to ratify. If we do not do what we have agreed to do, we shall have to return to the 19 countries. They will then ask, "Why should we agree if the great United States is going to back down on its commitment?" We might as well forget about the bill, because it would no longer be a bill in support of an international agreement; it would be a bill in support of something that did not exist.

Mr. MORSE. Does the Senator from Louisiana really believe that those countries would refuse $480 million?

Mr. LONG of Louisiana. It would be necessary to negotiate new agreements.

Mr. MORSE. It would take them only about 30 minutes to agree.

Mr. LONG of Louisiana. I am convinced that that is the Senator's opinion. He is entitled to have it. I respect him for it. I do not share it. There is no doubt that if this amendment is agreed to, it will kill the bill.

Mr. LAUSCHE. While I reduce our amount of subscription, I also reduce the amount of subscription on the part of the 19 Latin American nations. We would put up $400 million for 2 years instead of 5 years. They would put up $80 million.

Mr. LONG of Louisiana. Have they agreed to do that?

Mr. LAUSCHE. Yes; but the Senator has asked: Why should the other nations put up what they agreed to, when the United States has not put up what it promised? We are reducing proportionately their subscription in the same amount that we are reducing our subscription. Instead of requiring them to put up the amount for 3 years, we are saying, in effect, that since we are only posting for 2 years, all they have to do is post for 2 years.

Mr. LONG of Louisiana. Is the Senator from Ohio under the impression that Congress has the power to pass an act that is binding on 19 foreign countries?

Mr. LAUSCHE. The Senator from Oregon answered that question. No binding agreement was made. That is self-evident. No binding agreement was made. If a binding agreement had been made, we would not be here discussing the matter.

Mr. LONG of Louisiana. An agreement was made.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. Lausche]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Virginia [Mr. Byrd], the Senator from Arizona [Mr. Hayden], the Senator from Minnesota [Mr. McCarthy], the Senator from Utah [Mr. Moss], the Senator from Wisconsin [Mr. Nelson], the Senator from Florida [Mr. Smathers], and the Senator from Maryland [Mr. Brewster] are absent on official business.

I also announce that the Senator from Georgia [Mr. Russell] is absent because of illness.

I further announce that the Senator from Pennsylvania [Mr. Clark], the Senator from South Carolina [Mr. Johnston], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] and the Senator from Maryland [Mr. Brewster] would each vote "nay".

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs] is absent on official business.

The Senator from Kansas [Mr. Carlson] and the Senator from Iowa [Mr. Hickenlooper] are absent on official business to attend meetings of the British-American Interparliamentary Group.

The Senator from Kentucky [Mr. Cooper] and the Senator from Kansas [Mr. Pearson] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is absent because of illness.

The Senator from Vermont [Mr. Prouty] is absent by leave of the Senate because of illness in his family.

The result was announced—yeas 37, nays 44, as follows:

[No. 29 Leg.]

YEAS—37

Allott
Anderson
Bartlett
Bennett
Bible
Burdick
Cotton
Curtis
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Gruening
Hartke
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
Magnuson
McClellan
Miller
Morse
Mundt
Murphy
Ribicoff
Robertson
Saltonstall
Simpson
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—44

Aiken
Bass
Byrd, W. Va.
Cannon
Case
Church
Dodd
Douglas
Ellender
Fulbright
Harris
Hart
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Mansfield
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morton
Muskie
Neuberger
Pastore
Pell
Proxmire
Randolph
Scott
Smith
Sparkman
Tydings
Yarborough
Young, Ohio

NOT VOTING—19

Bayh
Boggs
Brewster
Byrd, Va.
Carlson
Clark
Cooper
Dirksen
Hayden
Hickenlooper
Johnston
McCarthy
Moss
Nelson
Pearson
Prouty
Russell
Smathers
Williams, N.J.

So Mr. Lausche's amendment was rejected.

Mr. GRUENING. Mr. President, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Alaska will be stated.

The Chief Clerk read the amendment, as follows:

> At the end of the bill strike out the quotation marks and add the following new paragraph:
>
> "(c) The contribution of the United States under this section shall be made upon condition that at least 33⅓ per centum of the aggregate amount of loans made from such contribution shall be repayable in United States dollars."

Mr. GRUENING. Mr. President, I shall be brief. I shall take only 2 minutes to explain the amendment.

First, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. GRUENING. Mr. President, yesterday an amendment offered by the distinguished senior Senator from Oregon [Mr. Morse], which provided that at least 50 percent of the aggregate amount of loans be repaid in American dollars, was defeated by a single vote, by a vote of 43 to 42.

I now offer a much more moderate amendment, which provides that only one-third of the dollars we lend under this program shall be returned in dollars.

If this amendment is not adopted, it means that we shall get back for the dollars we have loaned cruzeiros, pesos, soles, and other depreciated or unstable currencies.

In view of our tragic balance-of-payments situation, and since this money, once it gets down there, is transferred into soft currencies and cannot be used for many purposes for which it may be intended, I urge adoption of the amendment.

It is an amendment in the interest of the American taxpayers. It is a reasonable amendment. It is a very moderate amendment. I hope it will be agreed to.

Mr. MORSE and Mr. MONRONEY addressed the Chair.

The PRESIDING OFFICER (Mr. Montoya in the chair). Does the Senator wish to retain the floor?

Mr. GRUENING. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, I heartily endorse the amendment offered by the Senator from Alaska. Every argument I made yesterday in support of my amendment, calling for a 50-percent repayment in hard dollars, applies equally to this amendment. I urge adoption of the amendment.

Mr. MONRONEY. Mr. President, I am very much disturbed with regard to the wording of this amendment, as I was with regard to the amendment offered by the Senator from Oregon. The way this amendment is worded, it would be impossible to grant loans that could not be repaid in U.S. dollars.

Mr. GRUENING. No; not at all.

Mr. MONRONEY. I have a copy of the amendment before me. It reads:

> (c) The contribution of the United States under this section shall be made upon condition that at least 33⅓ per centum of the aggregate amount of loans made from such contributions shall be repayable in United States dollars.

Mr. GRUENING. That is correct—one-third.

Mr. MONRONEY. Does the Senator mean to tell me that he would not want these loans be paid back in Swiss francs, or German deutsche marks, or British pounds sterling, or French francs? Will this not create a run on American dollars? Are we going to have securities sold for U.S. dollars? Anybody knows that certain other currencies are on a coequal value with the dollar. It seems to me it would be an impossible situation because of a contingency in which there might be a shortage of dollars, and a run on the international dollar market. Under this language, countries will have to get dollars in order to carry out the purposes of the provision.

Mr. GRUENING. There are dollars available to take care of that.

Mr. MONRONEY. I understand, but there is no logical reason why the loans could not be repaid in francs, or pounds, or other hard currency.

Mr. MORSE. Mr. President, there are outstanding in the world $27 billion in American dollars, and anyone can obtain conversion from the Manhattan National Bank or any other national bank anytime he wants it.

What we are doing—and this is obviously what the Senator does not like—is placing a congressional check on the executive branch of the Government and directing them to get one-third repayment for loans in U.S. dollars. That is a protection for the American taxpayers. I hope the amendment is agreed to.

Mr. FULBRIGHT. Mr. President, we voted on this same principle yesterday. The only difference is that that amendment provided for 50 percent repayment instead of 33⅓.

This very aspect of the operation is designed to provide loans for long periods at low interest rates, repayable either in dollars or other funds that may be available. In many cases the countries borrow local currencies and repay them. Some of them are not repaid in dollars. There are three different categories of loans.

In effect, the proposal cuts down the availability of the amount for the FSO, in contrast with the Bank's regular operations, all of which are repayable in dollars. All of the Alliance funds are repayable in dollars. The Fund for Special Operations is designed to make for flexibility in repayment.

The same purpose was sought in the amendment of the Senator from Oregon [Mr. Morse], except that the present amendment provides for 33⅓ percent instead of 50 percent repayment in U.S. dollars.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Virginia [Mr. Byrd], the Senator from Maryland [Mr. Brewster], the Senator from Michigan [Mr. Hart], the Senator from Arizona [Mr. Hayden], the Senator from Alabama [Mr. Hill], the Senator from Minnesota [Mr. McCarthy], the Senator from Wisconsin [Mr. Nelson], and the Senator from Florida [Mr. Smathers] are absent on official business.

I also announce that the Senator from Georgia [Mr. Russell] is absent because of illness.

I further announce that the Senator from New Jersey [Mr. Williams] and the Senator from South Carolina [Mr. Johnston] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs] is absent on official business.

The Senator from Kansas [Mr. Carlson] and the Senator from Iowa [Mr. Hickenlooper] are absent on official business to attend meetings of the British-American Interparliamentary Group.

The Senator from Kentucky [Mr. Cooper] and the Senator from Kansas [Mr. Pearson] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is absent because of illness.

The Senator from Vermont [Mr. Prouty] is absent by leave of the Senate because of illness in his family.

If present and voting, the Senator from Delaware [Mr. Boggs] would vote "nay."

The result was announced—yeas 49, nays 32, as follows:

[No. 30 Leg.]

YEAS—49

Allott
Anderson
Bartlett
Bennett
Bible
Burdick
Byrd, W. Va.
Cannon
Cotton
Curtis
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Gruening
Hartke
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Lausche
Magnuson
McClellan
McGovern
McIntyre
Metcalf
Miller
Morse
Mundt
Murphy
Pell
Randolph
Ribicoff
Robertson
Scott
Simpson
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—32

Aiken
Bass
Case
Church
Clark
Dodd
Fulbright
Harris
Holland
Inouye
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Mansfield
McGee
McNamara
Mondale
Monroney
Montoya
Morton
Moss
Muskie
Neuberger
Pastore
Proxmire
Saltonstall
Smith
Sparkman
Yarborough

NOT VOTING—19

Bayh
Boggs
Brewster
Byrd, Va.
Carlson
Cooper
Dirksen
Hart
Hayden
Hickenlooper
Hill
Johnston
McCarthy
Nelson
Pearson
Prouty
Russell
Smathers
Williams, N.J.

So Mr. Gruening's amendment was agreed to.

Mr. GRUENING. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I am opposed to the pending bill, H.R. 45, even though it has been improved by the adoption of certain amendments. Only last week the Congress concluded action on the administration's proposal to remove the gold reserve requirements on Federal Reserve bank deposits. I reluctantly went along with this proposal because of the fact that our continuing balance-of-payments deficit had necessitated the freeing of additional gold in order to meet our international obligations. Every Senator is cognizant of the fact that this was but a stop-gap measure and was not calculated to bring about any long-term solution to our balance-of-payments problem.

The pending measure, if enacted, will only add to our balance-of-payments deficit. This bill will authorize the U.S. Governor of the Inter-American Development Bank to vote in favor of a $900 million increase in the Bank's Fund for Special Operations. Of this $900 million total proposed increase, the United States would pay $750 million. To date, there has been a total of $218,921,000 subscribed to the Fund for Special Operations. The U.S. subscription accounts for $150 million of this sum, leaving only $68,921,000 which has been paid by the 19 other members of the Bank. Mr. President, I believe that the U.S. contribution to this organization is completely out of proportion.

It is evident that this is a method of providing U.S. foreign aid money to Latin America. This way, the money does not have the foreign aid label. The American people are led to believe that our foreign aid expenditures are decreasing, because money is taken out of the normal foreign aid bill and placed in the hands of a so-called international organization, such as the Inter-American Development Bank. Since it is evident that the United States is going to continue foreign aid to Latin America, I submit that we should be honest about it, label it as such, and get the credit for it.

I believe that the Senate should defeat this proposal and consider it in conjunction with the foreign aid bill, so that we will know the exact amount of our foreign aid expenditures. In that way, all foreign aid funds can be considered together as to their adverse impact on our balance-of-payments deficit.

H.R. 45 AND OUR CONTINUING UNFAVORABLE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, H.R. 45 would empower the U.S. Governor of the Inter-American Development Bank to vote in favor of an increase of $900 million in the resources of the Fund for Special Operations—FSO—the "soft loan" window of the Inter-American Development Bank.

This increase will provide $300 million a year for the next 3 years for this portion of the Bank's activities.

The U.S. contribution is to be $750 million or $250 million per year for fiscal 1965, 1966, and 1967.

The amount represents 83.3 percent of the total contributions.

The Latin-American contribution is to be $150 million, or $50 million per year. That represents 17.7 percent of the total contributions.

The U.S. balance-of-payments deficit became critically large again in the fourth quarter of 1964; therefore the administration is now giving serious consideration to new, more vigorous actions, to reduce our persistent deficit.

Irrespective of the desirability of various considered measures, it would seem inappropriate to consider restricting foreign borrowing in U.S. capital markets, and applying capital controls to long-term bank loans; but, at the same time, requesting $750 million for the Inter-American Development Bank, with its automatic adverse impact on the U.S. balance of payments.

According to Secretary Dillon's testimony, the adverse balance-of-payments effect of this measure will be at least $150 million. The Secretary stated before the House Committee on Banking and Currency on February 3, 1965, that the Department of Treasury intends to reach an agreement with the IDB to the effect that approximately 80 percent of the appropriated funds will be used for procurement in the United States. This he believes can be done despite article V, section 1(b)(i) which prohibits members of the IDB from imposing restrictions of any kind upon use by the Bank of more than 50 percent of its contributions to its quota in the FSO.

Secretary Dillon has stated that an 80-percent tying agreement has been discussed with the Bank. Would it not be appropriate for the United States to exercise its right under article V, section (1)(b)(i) to tie to U.S. procurement 50 percent of any future contributions to the Bank's paid-in capital.

There is good reason to believe that the negative impact of this proposal upon our balance-of-payments position will be greater than 20 percent of the U.S. contribution of $750 million; that is, the untied portion. As was pointed out by Congressman BROCK in the hearings on February 3, 1965, many IDB projects such as local housing and local sewerage projects and the like must of necessity result in local procurement.

This problem is allegedly solved by using the letter of credit technique whereby the recipient government sells import licenses to its citizens drawn on the IDB issued dollar denominated letter of credit and uses the local currency generated thereby for the local IDB financed project. But the problem lies in the fact that there is no way of controlling where that local importer spends those dollars. Hence there occurs what Secretary Dillon refers to as leakage. There is no way of telling how great this leakage or substitution is. In view of the U.S. deteriorating trade position vis-a-vis Latin America as a whole, however, it is more than likely to be substantial.

The U.S. share of total Latin American imports has slipped steadily downward, from 51.5 percent in 1957 to 38.6 percent in 1963. The figures for the intervening years show a steady downward trend: 1958, 47.3 percent; 1959, 45.9 percent; 1960, 45.1 percent; 1961, 44.1 percent; 1962, 40 percent; and finally in 1963, 38.6 percent. Therefore the adverse impact on the U.S. balance of payments may be on the order of 40 or 50 percent of the U.S. contribution—that is, $300 to $375 million—instead of the 20 percent—that is, $150 million—which Secretary Dillon suggests.

Since 1961, when the Bank started in operation, the United States has paid to the Bank the following amounts: First, $150 million during 1960, 1961, and 1962 as paid-in-capital; second, $394 million in the Social Progress Trust Fund—SPTF—in 1961; third, $100 million to the Fund for Special Operations in 1961; fourth, $50 million to the FSO in 1964; and fifth, $131 million to the SPTF in 1964. This adds up to $825 million.

Added to this enumerated outflow of dollars is $225 million worth of IDB bonds, floated in the United States during 1962–64.

During that same period, only $47.6 million of IDB bonds were floated in the Western European countries of Italy, April 5, 1962, $24 million in lira; Germany, July 7, 1964, $15 million in marks; and England, September 2, 1964, $8.4 million in pounds.

This means that the IDB has received over a billion dollars from the United States of its total resources amounting to approximately $1,398 million.

Secretary Dillon testified on December 4, 1963, that approximately 47 percent of all procurement, both identified and unidentified, stimulated by IDB loans, has gone to the United States. This would mean that $1,165.5 million in total IDB loans approved as of December 31, 1964, or approximately $547.8 million, was procured in the United States.

We have noted, however, that the IDB has obtained $1,050 million from the United States to use in its lending operations. This leaves approximately $503 million U.S. dollars unaccounted for.

As of December 31, 1964, there was on hand approximately $110 million of currencies available for commitment by the IDB to conduct its three lending operations—ordinary capital, FSO, and SPTF. Of that amount, approximately $87 million was in dollars, or hard currency convertible into dollars, and approximately $23 million worth was in local currency.

Assuming that 47 percent of those remaining funds are used for U.S. procurement, that will mean an additional $52 million will flow to the United States.

Subtracting this latter figure from the $503 million unaccounted for dollars contributed by the United States, we see that the approximate adverse impact upon the U.S. balance-of-payments position of the total operations of the IDB, over a brief 3-year period, has been some $451 million.

At a time when the U.S. balance-of-payments position is now obviously critical, and the administration is considering all these measures to correct this persistent disequilibrium in our balance of payments, this request for $750 million more for the soft-loan window of the Inter-American Development Bank is difficult to reconcile with any serious effort to correct our continuous unfavorable balance-of-payments problem.

In 1964 the IDB floated $150 million in bonds in the U.S. capital market, in two separate floatations. Could we not persuade the Western European countries with large dollar holdings to purchase IDB dollar denominated 20-year bonds which pay 4½ percent? That is more than they presently receive in short-term U.S. securities.

The policy of the U.S. Government, as embodied in the existing foreign assistance legislation, is to discourage expropriation. Specifically, section 620(e) of the AID legislation—the Hickenlooper amendment—provides that the President shall suspend assistance to any nation which expropriates, or takes measures equivalent to expropriating, the property of U.S. citizens without taking appropriate steps to discharge its obligations under international law, including speedy compensation for such property in convertible foreign exchange, equivalent to the full value of the expropriated property or properties.

But the charter and bylaws of the IDB do not contain comparable safeguards against such expropriations.

Although it is true that the United States at present has 42 percent of the vote, and can veto any loan since all loans require a two-thirds approving vote, should not U.S. representatives to the IDB veto any loans to countries against which the Hickenlooper amendment has been invoked?

In conclusion, if we continue to incur such additional current liabilities, additional obligations against our balance-of-payments position, this through these "international" activities, I predict today that efforts to correct these unfavorable balances will be as unsuccessful in the future as they have been in the past.

The PRESIDING OFFICER. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SYMINGTON (after having voted in the negative). On this vote I have a pair with the senior Senator from Maryland [Mr. BREWSTER]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I also announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that the Senator from New Jersey [Mr. WILLIAMS] and the Senator from South Carolina [Mr. JOHNSTON] are necessarily absent.

On this vote, the Senator from Florida [Mr. SMATHERS] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Florida would vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS] is absent on official business.

The Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. HICKENLOOPER] are absent on official business to attend meetings of the British-American Interparliamentary Group.

The Senator from Kentucky [Mr. COOPER] and the Senator from Kansas [Mr. PEARSON] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The Senator from Vermont [Mr. PROUTY] is absent by leave of the Senate because of illness in his family.

If present and voting, the Senator from Delaware [Mr. BOGGS] and the Senator from Kentucky [Mr. COOPER] would each vote "yea."

The result was announced—yeas 67, nays 14, as follows:

[No. 31 Leg.]

YEAS—67

Aiken
Allott
Anderson
Bartlett
Bass
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Cotton
Curtis
Dodd
Dominick
Douglas
Ellender
Fannin
Fong
Fulbright
Gruening
Harris
Hart
Hartke
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smith
Sparkman
Stennis
Tower
Tydings
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—14

Bennett
Bible
Eastland
Ervin
Gore
Hruska
Lausche
McClellan
Morse
Robertson
Simpson
Talmadge
Thurmond
Williams, Del.

NOT VOTING—19

Bayh
Boggs
Brewster
Byrd, Va.
Carlson
Cooper
Dirksen
Hayden
Hickenlooper
Johnston
McCarthy
Metcalf
Nelson
Pearson
Prouty
Russell
Smathers
Symington
Williams, N.J.

So the bill (H.R. 45) was passed.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that Senate bill 805 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the bill be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. HICKENLOOPER, and Mr. AIKEN conferees on the part of the Senate.

PLIGHT OF THE EGG PRODUCERS

Mr. MILLER. Mr. President, egg producers are presently going through the throes of an economic disaster in which the bottom has dropped out of their market.

Egg prices are now at the lowest point in more than 5 years. They are down to 26 and 27 cents per dozen on the Chicago and New York markets.

Farmers in Iowa are receiving prices as low as 18 cents a dozen.

The largest egg producer in Iowa has closed down, with one of the reasons cited for the closure being the current depression in egg prices.

The seriousness of this situation is reflected in this going-out-of-business development. And there will be more.

Two officials in the U.S. Department of Agriculture frankly admitted that the bottom has fallen out of this market. They admit that—and I quote from one of them:

> Yes, we know the situation is serious and that egg prices are down to the lowest levels in some years.

Both, in effect, conceded that the much-publicized Department promotional program to push more egg buying and consumption has failed. This program, incidentally, was to take the place of the dried egg purchasing program which the Department discontinued last November.

What is the Department doing to improve and stabilize the market, to insure that more will not go broke? They say they are considering various programs, including renewal of the dried egg purchasing program.

But let me add a footnote to these considerations. One of these officials then stated:

> Frankly, there is not too much more that can be done.

This statement was made in face of the admission that there is a depression in the egg market and that it has been much more prolonged.

It appears that the Department does not think much of the dried egg purchasing program.

To refresh the Department's memory, I would like to cite some statements taken from USDA publications.

In the November 1964 issue of Poultry and Egg Situation, put out by the Department's Economic Research Service, this comment was made:

> Egg prices received by U.S. farmers averaged 33.4 cents per dozen in January–October 1964, compared with 34.1 cents a year earlier. This decline was rather small relative to the 2½-percent rise in egg production from a year ago. The price strength appears to be related in part to the increase in liquid production which stemmed from a greater demand for processed eggs this year by commercial users and a larger Government purchase program * * *. USDA purchases of dried whole egg solids for distribution to needy families have been a factor in the demand for eggs in 1964.

Note that the Department emphasized the importance of the dried egg purchasing programs as related to price strengths.

In the January 1965 issue of the same publication, there is contained this statement:

> Of the 314 eggs per capita consumed in 1964, about 31 were in the form of processed products compared with only 27 in 1963. This increase resulted from greater USDA donations of dried eggs and from greater use of egg products from commercial sources.

Note again the emphasis placed on the Government dried egg purchasing program.

In its present downgrading of the dried egg purchasing program, USDA should be reminded of certain other figures, compiled from its own publications:

In 1960, when egg prices received by farmers averaged 36 cents a dozen, the Department purchased 1,901,000 cases of dried eggs. In 1961, when average prices received were 35.5 cents a dozen, the Department purchased 2,084,000 cases of dried eggs.

In 1962, average prices were 33.6 cents and purchases totaled 1,205,000 cases; in 1963, average prices were 34.4 cents and 778,000 cases were purchased by the Department.

In 1964, when prices averaged 33.4 cents a dozen, a new low in recent years, the Department purchased only 1,459,000 cases of dried eggs. Contrast this with 1960 and 1961 when prices were much higher.

Yet, despite the knowledge that the market was sinking lower and lower, the Department discontinued the program in November. Nothing was purchased in December, January or this month.

A backward glance at Department publications reveals that such programs had been in effect in December, January, and February of other years.

Mr. President, to what point must the market drop—how many egg producers must go broke—before the Department takes action?

This situation is deplorable.

If the Department is out to prove what administration spokesmen have recently been saying—that there are too many farmers—continued lack of action in this critical area will do so.

Any day now we can expect that the Department will come out with a statement that the egg producers are to blame for their plight, that egg production is getting out of hand. This would not be a fair statement. Production in 1964 increased only 3 million cases.

Mr. President, I seem to recall a similar statement made on beef imports last year. But when Congress became alarmed enough to voice its concern, the tune changed.

And while I am in this discussion, I would like to remind the Secretary of Agriculture of a statement he made on February 19, 1964, when he announced plans to make available dried eggs to families receiving foods under the direct food distribution program:

> Removal of surplus egg supplies—

He declared—

> will help also stabilize prices to producers during the coming season of production.

I also would like to call attention to a statement in a letter to me from Assistant Secretary of Agriculture George L. Mehren last May 1. He said:

> Besides providing dried whole egg solids to needy families the purchase program is also to help stabilize prices to producers.

Need I say more? I, for one, refuse to accept any more statements downgrading the benefits to the egg market of a USDA dried-egg purchasing program. It should be resumed—at least in some degree at once.

Mr. President, I ask unanimous consent that the following tables and article be placed in the RECORD:

First. "Factors in monthly supply of shell eggs, 50 States, 1961 to date."

Second. "Selected poultry and egg statistics; average midmonth egg prices per dozen for shell eggs and per pound for frozen eggs, selected series."

Third. "USDA purchases of dried eggs, by years, 1958–63, by weeks, 1964 to date."

Fourth. "Frozen egg, by types: Stocks and New York wholesale prices per pound in carlots, 1957 to date."

Fifth. "Eggs—dozen—Average prices received by farmers."

Sixth. "Government purchases of dried eggs—1,000 cases."

Seventh. "Average prices received; dried egg purchases."

Eighth. "Biggest Iowa Producer of Eggs Closes," from the Des Moines Sunday Register of February 21, 1965.

There being no objection, the tables and articles were ordered to be printed in the RECORD, as follows:

Factors in monthly supply of shell eggs, 50 States, 1961 to date

[In thousands of cases]

Year and item	January	February	March	April	May	June	July	August	September	October	November	December	Total
1961													
Eggs produced on farms	14,431	13,650	15,869	15,431	15,506	14,325	14,069	13,636	13,136	13,839	13,864	14,689	172,445
Shell eggs to storage	4	−31	2	27	160	127	−51	−34	−55	−80	−62	−44	−37
Eggs broken commercially [1]	792	797	1,100	1,726	2,088	1,977	1,302	1,059	772	801	790	786	13,990
Eggs used for hatching	861	1,156	1,260	1,170	910	823	732	636	622	628	678	788	10,264
Balance	12,774	11,728	13,507	12,508	12,348	11,398	12,086	11,975	11,797	12,490	12,458	13,159	148,228
Government purchases:													
Dried [2]	--------	345	642	186	421	382	108	--------	--------	--------	--------	--------	2,084
1962													
Eggs produced on farms	14,747	13,769	16,000	15,692	15,911	14,694	14,436	13,958	13,475	14,147	13,975	14,594	175,398
Shell eggs to storage	−10	9	18	−4	267	78	−54	−93	−23	9	−74	−45	78
Eggs broken commercially [1]	812	938	1,457	1,562	2,277	2,230	1,713	1,238	815	704	584	534	14,864
Eggs used for hatching	802	1,103	1,200	1,154	907	827	748	700	742	738	737	793	10,451
Balance	13,143	11,719	13,325	12,980	12,460	11,559	12,029	12,113	11,941	12,696	12,728	13,312	150,005
Government purchases:													
Dried [2]	--------	--------	112	340	278	338	138	--------	--------	--------	--------	--------	1,205
1963													
Eggs produced on farms	14,411	13,375	15,775	15,692	15,903	14,756	14,606	14,231	13,644	14,278	14,178	14,736	175,585
Shell eggs to storage	−53	−35	22	5	144	74	−41	−30	−52	−17	−26	−44	−50
Eggs broken commercially [1]	650	737	1,333	1,860	2,170	1,850	1,481	1,175	778	725	629	694	14,082
Eggs used for hatching	806	1,037	1,179	1,167	949	850	774	701	739	753	794	806	10,555
Balance	13,008	11,636	13,241	12,660	12,640	11,982	12,392	12,385	12,179	12,817	12,781	13,280	150,998
Government purchases:													
Dried [2]	--------	--------	--------	155	298	280	45	--------	--------	--------	--------	--------	778
1964													
Eggs produced on farms	14,847	14,447	16,028	15,700	16,014	15,001	14,861	14,469	14,022	14,633	14,353	--------	179,000
Shell eggs to storage	70	−59	−42	45	93	27	−17	−65	35	5	−58	--------	--------
Eggs broken commercially [1]	708	1,154	1,535	1,797	2,170	2,036	1,534	924	839	822	813	--------	--------
Eggs used for hatching	857	1,086	1,155	1,136	972	882	812	743	783	764	800	--------	--------
Balance	13,212	12,266	13,380	12,722	12,779	12,056	12,532	12,867	12,365	13,042	12,798	--------	--------
Government purchases:													
Dried [2]	--------	--------	28	357	291	338	171	115	52	84	23	--------	1,459

[1] Excluding equivalent of Government purchases of dried or frozen egg.

[2] Shell equivalent.

Source: November 1964, January 1965, Poultry and Egg Situation, Economic Research Service, U.S. Department of Agriculture.

Average midmonth egg prices, cents per dozen for shell eggs and cents per pound for frozen egg, selected series

Item	1963–64				1964–65				
	October	November	December	January	October	November	December	January	February
United States, received by farmers	35.8	36.3	35.6	37.8	34.6	34.0	32.9	30.9	--------
BLS retail, grade A, large	59.4	56.9	57.1	60.2	56.9	55.9	53.8	--------	--------
Iowa, received by farmers:									
Grade A, large	29 -30	33 -35	27 -28	31 -32	28 -29	28 -30	24 -25	20- 21	22 -23
Grade A, medium	22 -23	20 -22	20 -22	25 -27	20 -23	18 -20	18 -19	15- 16	16 -17
Georgia, to producers, white:									
Grade A, large	34.5-35.5	39 -41	35	39.5-40.5	34 -36	33.5-34	30.5	25.5	28.5-29
Grade A, medium	28 -29	26 -28.5	28.5-29.5	37.5-38.5	27 -29.5	26 -27	29	23	24.5-26
San Francisco, to retailers, cartoned:									
Grade AA, large	43 -50	44 -51	45 -42	49 -55	41 -47	39 -45	41 -47	39 -45	35 -41
Grade AA, medium	38 -45	40 -47	43 -51	47 -53	35 -41	33 -39	37 -43	37 -42	29 -35
New York, wholesale:									
Extras, mixed colors or brown:									
Large, 67 to 70 percent A	38 -39.5	43.5-44.5	37.5-38.5	42.5-44	41.5-42.5	38 -39.5	33.5-35	29.5-31	32 -33.5
Medium, 55 to 60 percent A	31 -32	30.5-31.5	31.5-32.5	--------	--------	--------	--------	--------	--------
Small (pullets), minimum, 70 percent A	25 -26	26 -27	28 -29	36 -37	24.5-25.5	27.5 -28.5	28.5-29.5	24 -25	27.5-28
Minimum 10 percent AA, white:									
Large	39 -42	45 -47.5	29 -42	45 -48	39 -40.5	40 -42	35.5-37.5	29 -31	32 -34
Medium	32 -34	33 -34.5	34.5-36.5	41.5-43.5	30.5-31.5	30.5 -31.5	32 -33	25 -26.5	29 -31
Frozen egg:									
Mixed whole egg, dark colored	29 -31	28 -31	28 -31	30 -31	27.5-29	28 -29.5	27.5-28.5	25 -27	25 -26.5
Yolks	58 -61	58 -61	58 -61	58 -61	54 -55	54 -55.5	54 -55	53 -54	53 -54
Whites	17.25-18.25	16.5-17.5	16.5-17.5	17 -18	16 -16.5	15 -16	12.5-14	11 -12	11 -12.5
Chicago, wholesale price, f.o.b. 60 to 79 percent A:									
Weighted average, mixed colors, extras:									
Large	36.67	41.35	36.31	40.82	35.76	34.14	30.80	25.70	29.30
Medium	30.07	30.03	28.66	37.11	28.35	25.28	26.67	23.25	26.20
September shell egg futures (closing price)	33.10	33.05	33.55	32.95	35.50	32.30	31.70	31.35	31.60

Source: January 1965, "Poultry and Egg Situation," Economic Research Service, USDA; Poultry and Egg Division, USDA.

U.S. Department of Agriculture purchases of dried egg, by years, 1958–63

Period	Period in which contracts were let	Purchases[1]		Range of paying prices per pound [2]	Commodity cost of purchases [3]	Recipients of distribution
		By weight	Case equivalent			
		Thousand pounds	*Thousand cases*		*Thousands*	
1958	Oct. 16 to Dec. 26	4,162	385	$1.18–$1.23	$5,087	National school lunch program.
1959 [4]	Jan. 2 to Sept. 4	23,513	1,901	.97– 1.24	22,884	Needy persons and other eligible outlets.
1960	Jan. 14 to Nov. 10	19,048	1,764	.98– 1.14	20,702	Do.
1961	Feb. 1 to July 12	22,508	2,084	1.12– 1.37	27,120	Needy persons.
1962	Mar. 22 to July 13	13,014	1,205	.96– 1.11	13,297	School lunches and institutional outlets.
1963	Apr. 26 to July 3	8,397	778	1.00– 1.06	8,782	School lunches, institutions, and nonprofit summer camps for children.

[1] Purchases have been made with sec. 32 funds provided by Public Law 320 directly or from such funds which have been transferred to sec. 6 of the National School Lunch Act.

[2] Rounded to the nearest cent.

[3] Commodity cost except that in 1959 cost includes conversion of 4,000,000 pounds of frozen egg purchased for later drying.

[4] Includes 4,000,000 pounds of frozen egg purchased for later drying.

Source: November 1964, Poultry and Egg Situation, Economic Research Service, U.S. Department of Agriculture.

Purchases of dried whole egg for distribution to needy families, by weeks, Mar. 26 to Oct. 28, 1964

	Purchases [1]				Top paying price per pound [2]	Commodity cost of purchases	
	By weight		Case equivalent				
	For the period	Cumulative	For the period	Cumulative		For the period	Cumulative
	Thousand pounds	*Thousand pounds*	*Thousand cases*	*Thousand cases*		*Thousands*	*Thousands*
1964	304	304	28	28	$1.08	$327	$327
Mar. 26	532	837	49	77	1.06	563	890
Apr. 1	1,217	2,053	113	190	1.06	1,280	2,169
8	406	2,459	38	228	1.05	426	2,596
15	963	3,422	89	317	1.05	1,012	3,608
23	735	4,157	68	385	1.05	772	4,380
29	659	4,817	61	446	1.05	693	5,073
May 6	887	5,704	82	528	1.05	932	6,006
13	583	6,287	54	582	1.05	612	6,618
20	1,014	7,301	94	676	1.05	1,064	7,682
27	963	8,264	89	765	1.05	1,011	8,693
June 3	963	9,227	89	854	1.05	1,011	9,704
10	1,065	10,292	99	953	1.05	1,118	10,822
17	659	10,951	61	1,014	1.05	692	11,514
24	330	11,281	31	1,045	1.05	346	11,860
July 1	532	11,813	49	1,094	1.05	559	12,419
9							
1964							
July 15	406	12,219	38	1,132	$1.05	$426	$12,845
22	330	12,548	31	1,162	1.05	346	13,191
30	254	12,802	23	1,185	1.05	266	13,457
Aug. 6	431	13,233	40	1,225	1.05	452	13,909
13	355	13,588	33	1,258	1.05	373	14,282
20	304	13,892	28	1,286	1.05	319	14,602
27	152	14,044	14	1,300	1.05	160	14,761
Sept. 3	177	14,221	16	1,317	1.05	186	14,948
10	51	14,272	5	1,321	1.05	53	15,001
17	101	14,373	9	1,331	1.05	106	15,107
23	101	14,474	9	1,340	1.05	106	15,214
30	127	14,601	12	1,352	1.05	133	15,347
Oct. 7	203	14,804	19	1,371	1.05	213	15,560
14	177	14,982	16	1,387	1.05	186	15,746
22	228	15,210	21	1,408	1.05	240	15,986
28	304	15,514	28	1,437	1.05	319	16,305

[1] Purchases have been made with sec. 32 funds provided by Public Law 320 directly or from such funds which have been transferred to sec. 6 of the National School Lunch Act.

[2] Rounded to the nearest cent.

Source: November 1964, Poultry and Egg Situation, Economic Research Service, USDA.

Frozen egg, by types: Stocks and New York wholesale prices per pound in carlots, 1957 to date

Item	Year	Unit	January	February	March	April	May	June	July	August	September	October	November	December
Albumen:														
Stocks on 1st of month	1957	Million pounds	28	26	24	26	33	43	53	56	52	46	39	32
	1958	do	26	24	23	21	25	35	45	47	45	40	32	27
	1959	do	22	19	18	20	27	33	40	39	36	33	29	24
	1960	do	21	23	23	25	27	38	48	51	48	43	35	28
	1961	do	22	19	17	17	20	26	29	29	27	23	20	16
	1962	do	14	12	9	11	14	22	28	30	30	26	21	17
	1963	do	13	10	8	7	11	17	22	23	22	19	16	13
	1964	do	12	9	8	10	13	19	24	24	22	19	16	13
	1965	do	11											
Average price, 1st full week of month	1957	Cent	16¼	15¼	14¾	14	14	12½	12½	12	14	14	15	17
	1958	do	16¼	13¾	13	13½	14½	13	13	11½	11	11¾	12¼	12
	1959	do	11¼	11	10¾	9	10¼	10½	11	10½	10¼	9¾	9¾	9½
	1960	do	9	8¼	8	8¼	10¾	9	8¼	7¼	7	9	9¾	10½
	1961	do	9¾	9	9	8½	9	9	9¾	9¾	10	10¼	11½	12½
	1962	do	12	13¾	13	11½	11	11	11	11	11½	13¾	13	13
	1963	do	13¾	15½	16¼	14	12¾	12¾	14¼	15½	17	17¾	17	17
	1964	do	17½	17½	16	13¾	13¾	14	15	15¼	16¼	16¼	16	13½
	1965	do	11¾											
Yolk:														
Stocks on 1st of month	1957	Million pounds	20	17	15	17	23	29	35	39	36	31	26	21
	1958	do	15	12	11	10	15	26	38	37	35	30	26	20
	1959	do	16	12	11	15	25	33	43	42	39	34	30	25
	1960	do	20	18	19	21	21	28	38	39	37	32	27	20
	1961	do	15	13	12	14	17	25	30	30	29	27	24	21
	1962	do	19	15	12	15	18	24	28	30	31	31	27	22
	1963	do	19	15	12	12	17	24	29	29	30	26	22	19
	1964	do	16	14	12	14	18	24	28	30	26	23	19	16
	1965	do	13											
Average price, 1st full week of month.[1]	1957	Cent	53	52½	51½	49½	52	51½	52½	(3)	52½	53½	54½	(3)
	1958	do	(3)	53½	58½	62	61½	62	62	61	61	61½	61½	64
	1959	do	61½	61¼	60½	53½	51¾	50	53	54½	54½	52½	52½	50½
	1960	do	52	50½	56½	59	63	64	64½	64½	64	64	66½	(3)
	1961	do	(3)	69	68½	60½	60½	64½	64½	64½	64½	65	64	63
	1962	do	62	62¾	62	59	58½	58	58	58	59	60	60½	60½
	1963	do	60½	62½	63	57½	56¼	56	57	58½	58¾	59½	59½	59½
	1964	do	59½	59½	54	51¾	56	54¾	55	55½	54	54	54¾	54½
	1965	do	54½											

See footnotes at end of table.

Frozen egg, by types: Stocks and New York wholesale prices per pound in carlots, 1957 to date—Continued

Item	Year	Unit	January	February	March	April	May	June	July	August	September	October	November	December
Mixed whole:														
Stocks on 1st of month	1957	Million pounds	34	28	23	30	46	63	72	73	68	62	51	40
	1958	do	29	23	21	17	23	35	46	50	48	44	33	24
	1959	do	17	14	14	17	31	49	61	64	67	60	55	41
	1960	do	33	30	33	33	37	50	65	71	68	61	49	36
	1961	do	24	20	18	20	26	37	47	46	46	43	39	31
	1962	do	26	21	18	20	27	37	52	58	56	53	47	36
	1963	do	28	21	17	18	29	40	50	54	52	47	40	34
	1964	do	26	20	20	21	30	41	52	59	58	54	48	38
	1965	do	31											
Average price, 1st full week of month [3]	1957	Cent	25¼	26½	26	26	26	25¾	24¾	26	28	29	30	32
	1958	do	29¾	29	30½	31	31¾	30¾	31¾	29¾	30	29¼	30¾	31¼
	1959	do	31	31¾	28¼	24¾	24¾	24¼	25½	25	24¼	23¾	24¼	23½
	1960	do	24¾	23	25¼	27¾	30½	29½	27¼	25½	27½	30½	32½	34½
	1961	do	31¼	32½	32	30½	31½	32½	32½	32	32½	32½	31½	31
	1962	do	28	31	30	28	27½	27	26¾	26¾	28	29	29	27¾
	1963	do	29	31¼	32	29¼	28	28	27¾	29	29¼	30	29½	29½
	1964	do	30¼	30¾	29¾	27	27¾	27½	28	28	28½	28¼	28½	28
	1965	do	27¼											

[1] Highest color quoted.

[2] Insufficient wholesale sales to report prices.

[3] "Spring pack" whenever quoted separately prior to April 1961; thereafter, reported as whole dark colored. "Unclassified" frozen egg is not included in this table.

Source: January 1965, Poultry and Egg Situation, Economic Research Service, U.S. Department of Agriculture.

Eggs—Average prices received by farmers

[In cents per dozen]

	1962	1963	1964	1965
January	35.4	36.5	37.8	30.9
February	36.2	37.3	37.9	--------
March	33.0	36.4	34.1	--------
April	31.5	32.4	31.6	--------
May	28.9	29.5	29.9	--------
June	28.2	29.5	30.5	--------
July	29.5	31.0	31.7	--------
August	32.5	32.8	34.5	--------
September	36.2	36.0	34.8	--------
October	36.3	35.5	34.6	--------
November	36.6	36.0	34.0	--------
December	36.4	35.1	32.9	--------

Source: Statistical Summary, Statistical Reporting Service, USDA.

Government purchases of dried eggs

[In thousands of cases]

	1961	1962	1963	1964
January	--------	--------	--------	--------
February	345	--------	--------	--------
March	642	112	--------	28
April	186	340	155	357
May	421	278	298	291
June	382	338	280	338
July	108	138	45	171
August	--------	--------	--------	115
September	--------	--------	--------	52
October	--------	--------	--------	84
November	--------	--------	--------	23
December	--------	--------	--------	--------
Total	2,084	1,205	778	1,459

Source: USDA publications.

	Egg prices received	Dried egg purchases (thousand cases)
1960	36.0	1,901
1961	35.5	2,084
1962	33.6	1,205
1963	34.4	778
1964	33.4	1,459

Source: USDA publications.

[From the Des Moines (Iowa) Sunday Register, Feb. 21, 1965]

BIGGEST IOWA PRODUCER OF EGGS CLOSES

(By Don Muhm)

MADRID, IOWA.—Eggarama, Inc., the largest egg-producing facility in Iowa, has collapsed financially after less than a year of operation.

Most of the hens in the company's laying houses are being sold, through efforts initiated by Central Soya Co., which was associated with the Eggarama, Inc., and from which all feeds were purchased. Central Soya has attached all egg receipts.

Eggarama, Inc., had holding in hens, pullets, and properties approaching $750,000.

RAISED IN MADRID

Money was raised largely in Madrid. Main Street businessmen and professional men were major stockholders.

Glenn E. Allen, Madrid attorney, who was secretary of the firm and a director, said he believes the stockholders will lose their investments.

Allen said the Eggarama, Inc., operation collapsed because of these factors:

The current depression in egg prices, with farmers receiving the lowest prices in several years.

Lack of enough financial reserves to carry the company through a period of low prices.

Lack of a steady market outlet for eggs where prices would be guaranteed.

Allen said Eggarama, Inc., sold eggs for as little as 22 cents a dozen, and as much as 29 cents a dozen. The cost of producing a dozen eggs was figured at 25 to 26 cents, according to Allen.

"All of us associated with Eggarama, Inc., had to be paid out of the sale of these eggs," Allen added. "This included the stockholders, the feed company, the chicken company, and the equipment company. The end came when the feed company people felt insecure about Eggarama's future."

Allen said that officials felt, and still feel, that eggs can be produced as cheaply in Iowa as anyplace in the Nation.

"The idea is still sound," Allen stated.

Eggs are not under a Government support program, while some of the commodities used in poultry and livestock feeds are subject to such Federal props.

LOWEST IN 5 YEARS

Egg prices in January this year in Iowa were at the lowest levels in 5 years. The price for Iowa grade A large eggs was 21.7 cents a dozen. The price Saturday was 23.8 cents per dozen for grade A large bought from farmers.

Efforts are being made now to set up another corporation to use the laying houses.

Only about half of the hens that once occupied the seven large laying houses remain in those buildings now. The buildings are large, some measuring up to 33 feet by 440 feet. Such buildings cost about $50,000 each.

Eggarama, Inc., was an "integrated" operation, from the egg to the egg, according to Allen.

The firm had its own parent flock which produced hatching eggs, its own hatchery, its own growing houses in which pullets were reared, and its own laying houses in which hens produced eggs for market.

FIRM'S OFFICERS

Wendell Lehman, 32, of Madrid, is president of Eggarama, Inc. He owns the Madrid Hatchery. His father, Glenn Lehman, is vice president. Other officers and directors include R. J. Sundberg, Madrid bank employee; and I. E. Jensen, hardware store owner.

An advisory committee was set up when Eggarama, Inc., was started.

This committee consisted of representatives of Central Soya Co., which manufactures livestock and poultry feeds; Jamesway Manufacturing Co., which makes farm equipment and facilities; and DeKalb Agricultural Association, which markets hybrid chicks and farm seeds.

Operational manager of the firm is Charles H. Jensen, a poultry management graduate of Iowa State University and former executive secretary of the Iowa Poultry Association.

WATER RESOURCES PLANNING ACT

Mr. **MANSFIELD**. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 65, S. 21, and that it be made the pending business.

The **PRESIDING OFFICER** (Mr. HARRIS in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, though the establishment of a water resources council and river basin commissions.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 14, after the word "supersede", to strike out "or"; in the same line, after the word "limit", to insert "or modify"; on page 3, line 2, after the word "Canada", to insert "the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961,"; at the beginning of line 21, to strike out "biennial" and insert "biennial, or at such less frequent intervals as the Council may determine,"; on page 4, line 22, after the numerals "204", to strike out "(a)"; on page 7, line 25, after the word "are", to strike out "located" and insert "located:"; in the same line, after the amendment just above stated, to insert "*Provided*, That for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river basin."; on page 9, after line 2, to insert:

> (c) The provisions of this Title II shall not apply in the Columbia River Basin.

On page 14, line 3, after the word "the", to strike out "report" and insert "reports"; on page 16, line 19, after the word "basin", to strike out "commission shall," and insert "commission, with the approval of the vice chairman,"; in line 23, after the word "thereof", to insert "shall"; on page 19, in the headline in line 10, after the word "Grant", to strike out "Authorization" and insert "Authorizations"; on page 21, line 6, after the word "water", to strike out "resources or both" and insert "resources, or both,"; and on page 24, at the beginning of line 23, to strike out "sums" and insert "sums, not to exceed $10,000,000 annually,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Short title

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

Statement of policy

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, States, local governments, and others concerned.

Effect on existing laws

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a biennial, or at such less frequent intervals as the Council may determine, assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed $100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE II—RIVER BASIN COMMISSIONS

Creation of commissions

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located: *Provided,* That, for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river basin. Such concurrences shall be in writing.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, and local development of water and related resources: *Provided,* That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

(c) The provisions of this title II shall not apply in the Columbia River Basin.

Membership of commissions

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

Organization of commissions

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon agreement of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resource planning to any of the participants shall be kept freely available to all such participants.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

Duties of the commissions

SEC. 204. Each river basin commission shall—

(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

Powers and administrative provisions of the commissions

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed $100 per diem;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employees benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission, with the approval of the vice chairman, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, shall be responsible for (1) the appointment and supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds available to such commission.

Compensation of commission members

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than $100 per day and shall not exceed $12,000 in any year.

Sec. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

Sec. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, $5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

Allotments

Sec. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

State programs

Sec. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program. The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

Review

Sec. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

Payments

Sec. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

Definition

Sec. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

Sec. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

Authorization of appropriations

Sec. 401. There are authorized to be appropriated such sums, not to exceed $10,000,000 annually, as may be necessary to carry out the provisions of titles I and II and the administration of title III.

Rules and regulations

Sec. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

Delegation of functions

Sec. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

Utilization of personnel

Sec. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that an explanation of the bill and of the amendments be inserted in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

PURPOSE OF BILL

The purpose of S. 21, which has the bipartisan cosponsorship of Senators Anderson, Bartlett, Bible, Eastland, Hart, Hartke, Jordan of Idaho, Metcalf, McGovern, Moss, Tower, and Yarborough, is to encourage the wise management, orderly development, and highest possible uses of our water and related land resources through coordinated and cooperative efforts by Federal agencies and the State and local governments. It would attain these objectives by—

(1) establishing a Water Resources Council composed of the Secretaries of Interior, Agriculture, Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission (such a group has been functioning, in fact, on an ad hoc basis);

(2) authorizing the creation by the President of river basin commissions for coordinated studies and planning within a State, basin, or group of basins; and

(3) providing Federal grants to the States to assist them in developing comprehensive water and related land resources plans.

Thus, S. 21 is another forward step in Federal-State cooperative planning and execution of basic programs essential to both the States and the Nation. The bill carefully spells out that none of its provisions shall "expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development or control; * * *" (sec. 3(a)).

By its terms, S. 21 would not repeal, amend, nor modify existing law, nor impinge upon the jurisdiction or authority of presently constituted agencies and specified international commissions.

PREVIOUS LEGISLATIVE ACTION

The present bill is substantially identical to S. 1111, 88th Congress, as that measure was amended and reported favorably by the House Committee on Interior and Insular Affairs after it had passed the Senate on December 4, 1963. It failed to obtain a rule prior to adjournment of the 88th Congress. S. 1111 was the subject of comprehensive hearings in September of 1963 and received widespread support from State and local government agencies and private groups. These hearings are incorporated by reference into the public hearings the Subcommittee on Irrigation and Reclamation held February 5, 1965, on S. 21 at which Mr. Elmer B. Staats, Deputy Director, Bureau of the Budget, expressed the strong support of the administrative agencies for the measure.

BACKGROUND

S. 21 and its predecessor bills are a direct outgrowth of findings and recommendations of the Senate Select Committee on National Water Resources, of which the late Senator Robert S. Kerr, of Oklahoma, was chairman. In its notable report, published January 30, 1961, the committee found that six types of water problems confront various areas of the Nation: Supply, distribution, natural quality, pollution, variability, and floods.

It found that five major regions in the Nation will have inadequate water supply in 1980 to meet anticipated increases in population and economic activity even with full development:

1. South Pacific.
2. Colorado River Basin.
3. Great Basin (Utah-Nevada-California).
4. Upper Rio Grande-Pecos.
5. Upper Missouri River Basin.

By the year 2000, the select committee foresaw supply shortages also in the Upper Arkansas-Red River Basins, the western Great Lakes States, and the Louisiana-Texas western gulf area.

Other major areas of the Nation, the committee found, would have adequate usable water only if they invest billions in pollution control, recycling, storage reservoirs to level out variable seasonal flows, and establish more efficient management practices.

The whole great industrial area of the United States from Boston south to Norfolk, Va., and then sweeping west in a great band to Kansas City and Sioux Falls, S. Dak., was found to be in the latter category.

The Senate select committee made five major recommendations. Shortened, they were:

1. The Federal Government, in cooperation with the States, should prepare and keep up-to-date plans for comprehensive water development and management for all major river basins in the United States.

2. The Federal Government should stimulate more active participation by States in planning and undertaking water development and management activities by setting up a 10-year program of grants to the States for water resources planning. A minimum of $5 million should be made available annually for matching by States.

3. The Federal Government should undertake a coordinated scientific research program on water.

4. The Federal Government should prepare biennially an assessment of the water supply-demand outlook for each of the water resource regions of the United States.

5. The Federal Government in cooperation with the States should take * * * steps to encourage efficiency in water development and use.

The third recommendation has been enacted into law with the passage of S. 2, 88th Congress, which became Public Law 88–379, the Water Resources Research Act.

S. 21 is intended to implement the remaining recommendations.

President John F. Kennedy, on July 13, 1961, transmitted to Congress the original river basin planning bill, which became S. 2246 of the 87th Congress. Its objectives, to provide for development of comprehensive river basin plans, biennial assessments of regional water needs and supplies, aid to the States, and encouragement of more efficient water development, management, and use, were the same as the objectives in the pending bill, as was much of the language.

Title I of President Kennedy's bill provided for a Federal Water Resources Council, giving it responsibility for the biennial water surveys, stimulation of river basin planning, and administration of aid to the States.

Title II of President Kennedy's bill provided for the establishment of river basin planning commissions, including representatives of the States, whose members would all, however, be appointed by the President. The title was nearly identical to a river basin planning commission act submitted to Congress, January 16, 1961, by the preceding national administration.

Title III of President Kennedy's bill provided for $5 million aid to States each year for 10 years for water resources planning, as proposed in bills then pending in Congress by Senator Robert Kerr, chairman of the select committee, and Senator Clinton B. Anderson, a committee member.

Hearings on S. 2246 were held jointly in 1961 by the Senate Interior and Insular Affairs Committee and the Senate Committee on Public Works.

Representatives of the Interstate Conference on Water Problems and many others opposed portions of the bill, urging that it include a recognition of "primary" interest on the part of the States in water resources, and that the States appoint and compensate their own representatives on any basin commissions which might be created, giving the States full and direct representation and participation as autonomous units of government.

A second hearing was conducted by the Committee on Interior and Insular Affairs in 1962 to receive the detailed views of States presented by the Interstate Conference on Water Problems and other witnesses.

Throughout the fall and winter of 1962–63, representatives of the Interior Committee, the interstate conference, and other interested organizations conferred repeatedly on satisfactory draft of legislation.

The Nation had for 55 years unsuccessfully sought a formula for comprehensive river basin planning. In February 3, 1908, President Theodore Roosevelt's Inland Waterways Commission recommended "prompt and vigorous action" by the States and the Federal Government to develop comprehensive plans for all the Nation's river basins.

In the intervening years many approaches have been attempted. No general planning mechanism has been adopted. A few basin plans have been developed by independently authorized commissions or administrative agencies. A few are reasonably comprehensive. Others are not at all comprehensive, and are for limited purposes only.

In a few river basins, planning agencies have been established which have Federal and State support and cooperation, including the Tennessee Valley Authority, the Columbia Basin Interagency Committee, and the Delaware River Basin Compact Commission. The Interior Department, in its report of September 11, 1963, on S. 1111, 88th Congress, correctly assumed that the bill did not intend to supplant or supersede such established planning bodies, and the committee affirms this legislative intent with respect to S. 21.

Through the years since 1908, however, the State and Federal Governments' differences have prevented widespread, comprehensive, multiple-purpose planning of water and related land resources in most river basins. Prior to the general agreement on S. 1111 of the last Congress, a general pattern for planning has been impossible to achieve.

FEDERAL-STATES RIGHTS NOT INVOLVED

In approaching the problem of developing a pattern for planning which might prove widely acceptable to State and Federal interests and expedite planning, conferees on President Kennedy's proposal first agreed that the final measure should avoid any attempt to adjudicate or affect State and Federal authorities over water and related land resources, or to displace any established agencies or in any way alter existing interstate and State-Federal arrangements or compacts, such as the Colorado River compact with its Upper and Lower Colorado Basin divisions. Section 3 of S. 21 is a statement and proposed enactment of these basic purposes, as follows:

"Sec. 3. Nothing in this Act shall be construed—

"(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects; nor to limit the use of other mechanisms, if preferred by the participating governmental units, in the water resources field;

"(b) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board, and the United States Operating Entity or Entities established purusant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or of the International Boundary and Water Commission, United States and Mexico."

The committee believes that when water problems are approached from a planning basis, by planners for optimum development, State and Federal rights issues will seldom, if ever, create deadlocks. Benefits which may result from various engineering plans are calculable and measurable, and provide a tangible, factual basis for agreement on project plans.

The resolution of the States rights issue in the field of water resource development, if it is in fact an issue, should be the subject of separate legislation.

The committee is convinced that the planning and water rights issues have been successfully separated and that S. 21 will not directly nor indirectly affect the rights and jurisdiction of either the States or Federal Government over development of water resources.

THE COMMITTEE AMENDMENTS

In addition to certain technical corrections in language and style, the committee adopted the following substantive amendments:

(1) Page 2, line 12, the word "modify" was added to give further certainty to the disclaimer of any intent that the bill will in any way affect existing Federal-State relationships with respect to responsibility, jurisdiction, and rights over water and water resource development.

(2) Page 3, line 1, after the word "Canada" add: "the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Treaty." Clearly, the functions of these agencies, along with those of the Joint Commission and the Mexican Boundary and Water Commission, all of which were established by treaty for international waters, should not be within the purview of unilateral planning by a domestic organization within the United States.

(3) Page 3, line 16, after the word "biennial" add "or at such less frequent intervals as the Council may determine." This amendment was recommended by the Bureau of the Budget which urged that there be some flexibility in the frequency of such assessments. The Council itself would be in the best position to judge individual cases.

(4) Page 7, line 21, change the period after the word "located" to a colon and add: "*Provided,* That for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river basin." This amendment recognizes that the Upper and Lower Colorado River Basins are in law and in fact two separate basins with separate problems and separate planning needs.

(5) Page 8, after line 20, add a new subsection, subsection (c), as follows:

"(c) The provisions of this title II shall not apply to the Columbia River Basin."

The reason for exempting the Columbia Basin from the river basin commission provisions of S. 21 is that in the Columbia, cooperative State and Federal arrangements for basinwide planning of resource development have been established for many years. A Columbia Basin Interagency Committee is in existence. It already is carrying out the functions that a commission established pursuant to title II would perform, and the committee deemed it wise to avoid needless duplication. The States of the Columbia Basin would, of course, participate in the States assistance program provided by title III.

(6) Page 16, line 10, after the word "commission" add the words "with the approval of the vice chairman." This amendment was adopted to make certain that the States would have a voice in selection of staff and expert consultants, assignment of duties, and in the use and expenditure of funds available to a commission.

(7) Page 24, line 16, after the word "sums" add "not to exceed $10 million annually." This is simply a limitation on the amounts that may be appropriated yearly for the activities of the Water Resources Council established by title I, the creation and functioning of the river basin commissions authorized by title II, and the expenses of administering the planning assistance to the States envisioned by title III. Appropriation authorization for grants to the States is provided for separately in title III.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The amendments were ordered to be engrossed, and the bill read a third time.

Mr. ANDERSON. Mr. President, this bill, S. 21, is similar to S. 1111 of the 88th Congress which passed the Senate unanimously in December of 1963 and was sent to the House. It was reported favorably by the House Committee on Interior and Insular Affairs but could not be reported by the House Committee on Rules in time for passage at the last session.

S. 21, the bill before the Senate today, was again reported unanimously by the Committee on Interior and Insular Affairs, after public hearings, and it is the committee's hope that it may be passed unanimously this year.

Mr. AIKEN. Mr. President, in reading the report on the bill, I find on page 5 the following:

> The resolution of the States rights issue in the field of water resource development, if it is in fact an issue, should be the subject of separate legislation.

Will the Senator from New Mexico tell us the purpose of this sentence or what "States rights" might become involved to necessitate further legislation?

Mr. ANDERSON. In the past, there has been a great deal of discussion as to whether this bill for cooperative planning, by the States and the Federal Government would in any way affect the rights of any State that might participate. For example, there was a time when power companies in the New England States were very actively interested in river basins as a source of hydroelectric power.

Mr. AIKEN. They still are.

Mr. ANDERSON. Neither private groups, nor the Federal Government, nor the States have any new or additional rights or privileges conferred upon them by this bill. Responsibilities and rights over water remain as they now are.

Mr. AIKEN. Some of those people have more influence in some States than they do in Vermont.

I notice that a commission can be created if a single State in a group of States requests that that be done and if half the States in the group support the request. That means that if there were five States and three of them supported the request of a single State to establish a commission, that could be done whether the other two agreed. The other two would automatically come into the agreement.

Mr. ANDERSON. They would come in, but there would be plenty of opportunity for objection on the part of any State that felt its own interests were being jeopardized. The authority of one State to object is clear. This is an effort to cooperate with the States. The Federal Government could not say, in effect, "This is the way you will develop your water." This measure would preserve the right of the Senator's State—of Vermont—of my State of New Mexico, of California, or any other State, to decide what it wanted to do. S. 21 would not take away States rights.

Mr. AIKEN. I shall vote for the bill, as I voted for it at the last Congress. At that time I said that with a majority of Federal representatives on the Council, I felt much safer than I would have under the proposal of certain interests in New England, which I believe had designs on property that I did not think belonged to them, and who would have obtained jurisdiction that I did not think belonged to them.

Mr. ANDERSON. I assure the Senator from Vermont that his State will be safe.

Mr. AIKEN. I know that the Senator from New Mexico speaks with complete sincerity and that what he is saying will be given full weight in any future interpretations.

Mr. ANDERSON. I hope that will be understood as the legislative intent and will meet with complete approval.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 21) was passed.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I have the honor to make a motion that that motion be laid on the table.

The motion to lay on the table was agreed to.

SUPPLEMENTAL AGRICULTURAL LABOR

Mr. KUCHEL. Mr. President, I rise to give a warning to the national administration.

The American farmer in many areas of the country does not know whether he will be able to obtain sufficient farm labor to assist him at harvesttime. The contribution of the American farmer to the economy of this country is very great.

My colleague the junior Senator from California [Mr. MURPHY] and I come from a State which last year produced almost $3.5 billion in cash farm receipts from farm marketings. California is the first in the Nation in the value of its farm commodities. Indeed, 15 of the 20 leading agricultural counties in the Nation are located in California. American agricultural output now exceeds $36 billion annually in value. Thus, sufficient and qualified farmworkers are of urgent necessity in many parts of our land.

I believe, as an American, that the American farmer should first employ his fellow American citizens to the maximum extent possible. But suppose that he does not find sufficient qualified help among his fellow citizens in this Nation to assist him at planting time, harvesttime, or on any other occasion when he needs additional farm labor. That is not an unreasonable assumption. For many years, on a temporary basis, American farmers have received assistance from foreign nationals, from the Republic of Mexico, from Japan, from the Philippines, from the British West Indies, and elsewhere.

In my judgment, one of the best ways that mutual security programs and mutual respect may be attained is in connection with the temporary use of nationals from friendly foreign countries. I am proud of the fact that thousands of Mexican nationals have come into my State each year and helped the people of my State to harvest their crops on a temporary basis. Then they have returned to Mexico with their savings, the better to accommodate themselves in their Mexican society.

I am proud also that Japanese people have come to this country each year in numbers exceeding hundreds—indeed, in numbers in excess of a thousand—to do that same kind of temporary work for the American farmer.

A year ago here in the Capitol, I had an opportunity to speak to several hundred Japanese nationals. I spoke in English. It was translated to them in Japanese. They had finished a number of months of service in this country and they were to go home. I am convinced that they will be better farmers in their own great nation and better friends for us.

The American farmer faces a critical situation. Speaking generally, in my own State of California, it begins to appear that the situation this year will be the same as it has been in past years. During the peak harvest season which begins in July and continues through the summer and the fall, our farmers probably will not have sufficient qualified domestic farm labor to be able to harvest their crops. So far, the national administration has not seen fit to prepare the machinery under which, were the contingency to arise, as I am sure it will arise, immediate relief could be afforded to that important segment of our economy.

I observed the other day that the California Director of Agriculture has estimated that if there is insufficient supplemental labor in our State this harvest season, there will be a $30 million production loss in fruit, and a $120 million production loss in vegetables. This $150 million loss would result in a total loss once the distribution and transportation sectors of our economy are taken into account, of between $500 and $700 million.

Last week I was in California. I sat down one evening with a number of people who represented agriculture, business, and lending institutions. The belief by spokesmen at that meeting was that unless we can anticipate the opportunity of bringing nationals from abroad into this country on a temporary basis, there will be a loss in our State of tens of millions of dollars, and many of our farmers will refuse to plant. Our lending institutions will refuse to loan money because of the uncertainty with respect to the present situation. This has already happened. Many milions of dollars worth of melons have not been planted in the San Joaquin Valley and the land has been turned over to grain crops which can be harvested mechanically. Some banks have only loaned money to farmers through the early seeding stage. Further investment by them, and decisions to plant by the farmers themselves, will depend on the degree of assurance they believe they have from the national administration that should a labor shortage arise, supplemental foreign farm labor will be readily made available.

Several weeks ago my colleague the junior Senator from California [Mr. Murphy], and I participated in hearings called by the chairman of the Committee on Agriculture, urged in great part by the senior Senator from Florida [Mr. Holland], the senior Senator from Oregon [Mr. Morse], and others. Those hearings clearly demonstrated that, thus far, such an adequate assurance has not been provided by the national administration and particularly by the Department of Labor. The necessary administrative machinery has not been established so that should a labor shortage arise there will be no lag with the result that crops spoil in the fields. I do not want to have this point proved by rotting farm crops in California and elsewhere. Then, it is all too late.

To that extent I rise on this floor today and give to the national administration this warning: American agriculture will suffer unless the national administration now indicates that it is prepared, immediately when the need for supplemental farm labor arises, to fulfill that need. To do that, I respectfully suggest the agreements now need to be entered into in advance.

In that connection, I ask unanimous consent that questions I asked and the answers I received, on pages 69, 70, and 71 of the hearings before the Committee on Agriculture and Forestry held on January 15 and 16, be printed at this point in the Record.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

Senator Kuchel. Mr. Secretary, under Public Law 78, a Mexican would not be admitted into the United States for temporary employment unless it had been found that within the State involved there was insufficient domestic labor. Is that not true?

Secretary Wirtz. The language is a little different but surely the answer in general terms is "Yes."

Senator Kuchel. Because I raise the question, I share your desire to have the maximum number of our fellow citizens again fully employed who are now unemployed, but I do not see the difference between that condition which was a condition precedent under Public Law 78, and Public Law 414 and the sections to which you refer. In other words, what would the difference be between your conceded duty under the law to make those decisions under Public Law 78 last year and under the Immigration Act this year?

Secretary Wirtz. I think it goes very close to the heart of the most difficult problem here. And the answer to it would necessarily include these factors. It would include the factor of the intention of the Congress in terminating Public Law 78, which with its legislative history I think can only be interpreted as requesting or as indicating a proposed different treatment of this situation with the legislative record being quite clear, of clear indications, that the Congress wanted this importation, if not stopped completely, certainly cut way down, and this would be a large part of my answer to your question. A fuller part of it would necessarily include recognition of the fact that we are taking a much closer look at this situation today than we did perhaps in the accumulated experience under Public Law 78, and I make the point not from sentiment but from straight economics that our largest concern, so far as the Department of Labor is concerned, is that we may in this country let unemployment become a reality because we first let it become a habit, and there has been now almost 7 years of unemployment over 5 percent. I think that it is time we look again to see what we can do to lick that problem.

And we look at this situation and see a potential of from 50,000 to 75,000 jobs, and we do face the fact that we have been unemployed too much, too long. I am saying in my answer to this question that due to the congressional action we are taking a harder look at this situation than we did before. I think that probably there is another development in the increased effectiveness of the Employment Service to mobilize labor on an interstate basis where that is necessary at least on an inter-regional basis. We have in California now, as between some of the State employment offices, instant teletype service which we didn't have before so that we can fill these orders more rapidly. There has been an increase in the mobility of labor which has made it easier to fill these seasonal situations. We have developed in the Department of Labor an annual work program under which we are moving now from one part of the country to another in at least a loose sort of way up to 200,000 people. I think we are better able to mobilize whatever unemployment we have, and so the third part of my answer to you would be that we feel as a practical matter that it is easier to bring the full resources of the manpower force of the country to bear on any immediate situation.

Senator Kuchel. I meant to make no comments on how to draw legislative intent by the refusal of Congress to continue a law year by year, but you and I heard the chairman of this committee say that this hearing is not designed for the purpose of adding any legislation on the books. There is, however, one additional factor, I think, and that is that even if you were so minded to find that there is an insufficient labor force among our fellow citizens today, you would be unable to help the American farmer, is that not true, unless the Mexican Government and the American Government had come into an agreement under which they would permit their citizens to come into an agreement under which they would permit their citizens to come into this country?

Secretary Wirtz. My only trouble in answering that question, Senator Kuchel, is that an affirmative answer would inevitably suggest what might seem to some the desirability of proceeding at this point with some agreements of that kind, and that would be unfair to everybody involved here. It is a matter of record that there were extensive—matter of informal record, newspapers, and so forth—that there were extensive conversations between representatives of the California growers and some of the representatives of the Mexican Government in Mexico City before January 1, and so we are in dangerous territory, because it would be most unfortunate if anything I said here were construed as in any way an indication of what might warrant that kind of agreement. Now with that preface, I would answer your question and would say that before anybody was brought in from Mexico, it would be necessary to work out those arrangements. In the issuance of the regulations in December, I made it clear and included a statement that there would, of course, be nobody admitted without there being full consultation with the Mexican Government, and so if I made my record sufficiently clear so nobody will misunderstand the affirmative answer, the affirmative answer is that such arrangements would necessarily precede any importation.

Senator Kuchel. Of course, they should, and in the absence of that agreement, your hands would be tied to utilize the responsibility you have under the present statute if Mexicans were available, but if at the same time aliens from other countries would find more difficulty in coming in I think my question is this. Would it not be in the public interest for the two Governments, Mexico and the United States, to enter into this agreement, making it perfectly clear that it would be subject to your own responsibility under the Immigration Act today?

Secretary Wirtz. Quite candidly I would think such considerations at this point would be quite premature and not in the public interest and only subject to misunderstanding on both sides.

Senator Kuchel. Why would they be premature? Suppose you found in 30 days that you had a responsibility to discharge, and that responsibility would be to authorize a certain number of aliens to come into this country, but Mexico would be foreclosed to you? Why would it be premature?

Secretary Wirtz. Because I expect the availability of crutches would make it that much more likely that we would use them.

Senator Kuchel. I did not hear you.

Secretary Wirtz. Because I suspect the availability of crutches would make it that much more likely that we would use them, and this would fall into that category. I should like to answer in further practice—say in further practice and to the question that the general advice, not formal at all, again relying largely on the newspaper clippings of which there have been quite a pile about this, would suggest that it would be a relatively short matter, I mean almost hours, or at the most days, to take care of that problem if we ever get to that stage. I don't think there would be any great difficulty about it. And, therefore, on the balance of what is involved, it would seem to me that to undertake the housekeeping proceeding before we have decided to take the house would be misunderstood.

Senator Kuchel. It has been my information that it would be a matter of some little time before such an agreement could go fulfilled. You have said, and I think to your complete credit because I think you know of my respect for you, how you indicated that the basis of the international agreements would be the basis of any decision which you would make under the present law, but even so, there is a condition precedent that will not have been met until the two governments enter into an agreement. And I simply do not see why, to have that agreement made, would be any pressure on you at all. As a matter of fact, you are not going to subject yourself to pressure. You are going to make your own decision. Why not eliminate that roadblock or that hurdle from your path in the event you feel called upon to exercise your authority?

Secretary Wirtz. I suppose the answer to that, Senator Kuchel, and Mr. Chairman, perhaps lies in the next point I am coming to which is the point of what the present State of economic need is.

If I thought we were right up against the gun, Senator Kuchel, I would not—I would neither spar here—and I do not mean this to be sparring—nor would I postpone action on that. I just do not think we are even close to that point at this stage. If I did, I should accept the counsel in anticipation, but I do not think we are close to it.

Senator Kuchel. When Mr. Miller was testifying and indicating that in some specific instances in the State which Senator Murphy and I have the honor to represent it was impossible for the needs to be met, would you disagree with what Mr. Miller said?

Secretary Wirtz. Yes, sir; except that—I did not mean to interrupt any further. His statement was that there is no crop shortage as of now, but I think it is unfair to Mr. Miller to take that out of the narrow context. I will be glad to supply an answer more broadly to this question of the present situation as far as job orders are concerned.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MURPHY. I rise to concur with my colleague from California [Mr. Kuchel], my distinguished colleague from Florida, and the other Senators who joined in this debate.

As I predicted, I now have definite evidence that one cooperative, a processing plant, in the area of Modesto, Calif., has not only closed down, but shipped its machinery out, because this year the planting of the tomato crop has not gone forward. It will not and cannot go forward until farmers and growers have assurance that they will be able to harvest the crop.

I state for the Record that $400,000 of payroll which historically went to 200 workers is now lost.

I ask unanimous consent to have printed in the Record an article from the Business World of the San Francisco Chronicle of February 20, 1965, which indicates that because of lack of workers for tomato harvests the Tri-Valley growers are making plans to move to Mexico.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tri-Valley Hints Shift to Mexico

Tri-Valley Growers of Stockton, one of the State's leading canning organizations, said yesterday it plans to close down part of its tomato canning operations because of "the chaotic harvest labor situation" that has resulted from abandonment of the bracero program.

Executive Vice President Philip N. Mark said the $50 million a year cooperative is also studying the possibility of transferring some of its operations to Mexico.

"We have a picture of complete chaos regarding canning tomatoes, which normally are planted in the early spring and normally provide nearly three out of every four tons of fruit and vegetables processed by California's billion-dollar canning industry," Mark said.

RELUCTANCE

Because of the apparent hostile attitude of Government officials toward farmers and their harvest problems, tomato growers, he said, are reluctant to begin plantings that require an investment of at least $250 per acre before harvest begins. And few bankers are interested in financing those growers willing to gamble that there will be adequate harvest labor, he added.

As a result, Tri-Valley plans to discontinue tomato processing at its McHenry plant north of Modesto. Though other products will continue to be processed at the plant, Mark estimated the lost tomato output will cut worker payrolls by $400,000 and reduce local purchases of services and cannery supplies by $1 million.

Farm value of the McHenry tomato tonnage last year, he noted, was more than $650,000.

MEXICO

As for the possibility of a substitute Mexican facility, Mark pointed out that winter production of tomatoes for the fresh market has already migrated from California to Mexico and a number of major American processing firms are now developing Mexican facilities as a hedge against the unfavorable domestic situation.

Tri-Valley annually processes 300,000 tons of 14 different farm products grown on more than 1,000 farms in 17 California counties, and markets its canned products throughout the United States, Canada, and overseas. It has two canneries in the Modesto area, two in the Stockton area, and one in San Jose. Tomatoes represented about one-fourth of the farm value of all products handled by the cooperative last year.

Thomas L. Pitts, secretary-treasurer of the State labor federation, called the canners' announcement "pure poppycock—propaganda of the most deceitful variety."

"The truth," he asserted, "is that the plant in question is and has been principally engaged in canning peaches and pears. It has handled tomatoes only as a very minor sideline."

ATTACK

In Sacramento four assemblymen who represent farming areas blasted Gov. Edmund G. Brown for a lack of leadership in meeting what they described as a critical situation in the farm labor problem.

They were Assemblymen John G. Veneman, representative, of Modesto; Victor V. Veasy, representative, of Brawley; Robert Monagan, representative, of Tracy; and Ray E. Johnson, representative, of Chico.

"This is the first concrete evidence in the upper San Joaquin Valley of the effect of Secretary of Labor Wirtz' feet dragging and the attitude of the Governor," Veneman declared.

Mr. MURPHY. As of last week, when we discussed the matter, the Governor of the State of California and the Secretary of Labor were in agreement. I am pleased to announce that since that time the Governor has declared—and I quote from a statement dated February 19, 1965:

> In spite of our concerted efforts to recruit American farmworkers, all of the evidence indicates that in the very near future it will be necessary for our Department of Employment to certify to the need for a substantial number of foreign workers to work in our California crops.

I am pleased to know the Governor finally has the facts and a true picture of the situation and is taking an objective view of the matter. The matter hinges on the judgment of the Secretary of Labor. I repeat, as I requested before, that I hope this matter can be brought to the attention of the President, particularly at the present time, when we have great discussions about the balance-of-payments problem of the Nation. California alone exports $500 million worth of crops from the United States annually. To cut it down would certainly imperil our balance-of-payments situation, and would not be in keeping with the stated wishes of the administration.

I have said before, the crisis has hit the State of Florida in its citrus crops. The real crisis has not hit California to date. It will reach its peak beginning in May, increasing until September. But I say that a change is necessary to permit a supply of supplemental labor. Steps should be and must be taken immediately. I beg the Secretary of Labor to relax his position and face the realities of the situation. I ask him to recognize the impact on the economy of our State and 25 other States which will be directly affected. I hope he will recheck his position and become more realistic in his approach.

Mr. HOLLAND. Mr. President, first I wish to express my great appreciation to my two colleagues from the great Golden State of California for the forthright position which they have taken in this matter. I do not think it is a selfish view. I think it is a practical one, made in defense of their own State. California, probably more than any other State of the Union, would be adversely affected by the present order of the Secretary of Labor.

There is another reason why they and those who come from States having highly perishable crops like fruits, vegetables, and others that are highly perishable, should sound the warning.

I appreciate that they have sounded the warning, not only here, but by their appearance and participation in the hearings of the Agriculture and Forestry Committee, ably handled by the Senator from Louisiana.

I am glad that the Governor of California has joined forces with these two friends and colleagues, although they happen to be of a different political party, just as I happen to be of a different political party from my two colleagues from California.

After all, this is not a partisan or regional question, and is not a question that ought to address itself to anybody less than the well-intended Members of this body.

The potential of this Nation to feed itself in the finest way any nation feeds its citizens is an extremely good asset. The fact that we have a large potential is an "ace in the hole" in any of our international dealings. This is an important part of our agricultural program.

May I say, without a smile, that our country would be poor indeed without the two States of California and Florida, not merely in production of fruits, vegetables, and other crops, but in many other respects, because those two States add much color and inspiration to the Nation as a whole.

Lest it be thought in the beginning that this question deals only with the necessity to bring in labor to support the agricultural economy of California, Arizona, Texas, Colorado, Michigan, or Florida—and I mention only a few of the many States which have to rely on supplemental labor to some degree from foreign sources—I call attention to the exhibit I placed in the CONGRESSIONAL RECORD on February 18, which contains a statement from the Florida Industrial Commission, showing the number of agricultural workers used in our State and the question of how many are of domestic sources and how many come from our friendly neighbors in the Bahamas and the British West Indies. That compilation shows that last year, in December 1964—these statistics are kept month by month in our State—209,096 laborers in the agricultural industry of our State were of domestic origin, in large part Floridians, but a great number coming from many areas of our country, principally from the Southeastern part of the country; whereas in that same month, only 13,258 came from the British West Indies and the Bahamas.

(At this point Mr. HARRIS took the chair as Presiding Officer.)

Mr. HOLLAND. Mr. President, let me say for the RECORD that there has never been a time when more than one-tenth—I do not believe it has ever reached that figure—of our agricultural workmen have come from this supplemental labor force; but their importance to agricultural production is vastly more than their numbers would indicate, because they fill many required places in the scale of agricultural work which we have not been able to fill from domestic sources.

One of those places is in the realm of citrus picking. A great many citrus pickers are citizens of Florida. I was proud to state for the RECORD the other day that Florida has the world champion citrus picker. He has been champion year after year. He is a Florida citizen.

We have vastly more Florida citizens than the number we import to supplement the local citrus picking force.

Mr. President, approximately 3,500 workers—sometimes 4,000—who are required to supplement the local force make the difference between successfully picking the crop and leaving much of it to go to waste.

Let me say for the RECORD, as I did the other day, that not a large percentage of the male workers whom we recruit in other parts of the Nation and bring into our State, and not a large percentage of the agricultural workers in our own State can serve as citrus pickers, because it is a very difficult job, involving the handling of long ladders. It is very exacting and careful work, and only a few, able-bodied strong men, mostly young men—with a few women to pick the low fruit, who make up only a tiny fraction of the total number of pickers—make up the citrus picking force, without which we could not operate the citrus industry.

Let me proceed to discuss a new development since I spoke the other day, that of the Florida Citrus Mutual, the largest organization of its kind in the country—or in the world, for that matter—consisting of 13,000 citrus growers, who have gone to bat on this problem, for itself and the State of Florida, in an effort to show to the Department of Labor—which I am sure means to do the right thing but, so far, has done such a wrong thing—exactly what is the meaning of the deprivation of our offshore supplemental working force to the Florida citrus industry.

Mr. President, last Thursday, February 18, a thorough discussion was held on the Senate floor concerning the pressing problem of the need for the continued importation of foreign agricultural workers to supplement the domestic labor force in the harvesting of highly perishable crops in various States of the Nation. This discussion, which was initiated by the distinguished chairman of the Senate Committee on Agriculture and Forestry [Mr. ELLENDER], consumed approximately 3 hours time of the Senate's business that day. Others participating in that debate besides myself and supporting the need for foreign agricultural workers were my junior colleague [Mr. SMATHERS]; the junior Senator from California [Mr. MURPHY]; both Senators from Texas [Mr. YARBOROUGH and Mr. TOWER]; both Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK]; the senior Senator from Ohio [Mr. LAUSCHE]; the junior Senator from Arizona [Mr. FANNIN]; the junior Senator from Michigan [Mr. HART]; and from Wyoming, the senior Senator [Mr. MCGEE]. Although this number of Senators totals 13, there are at least 26 States in the Union that use supplemental farm labor to assist in the harvesting of their crops.

In every case, the force is only a supplemental force, always a minority of the total, and generally a small minority of the total, even in California, where the largest number of supplemental workers has been used—I believe approximately 70,000, sometimes—but still only a small part of its total labor force.

I do not have the statistics as to what the total labor force is in California, but considering that in Florida we have a domestic labor force of 209,000-plus, and that we produce approximately one-third as much in value as does our great sister State of California, it becomes quickly apparent that they must have something like 600,000 to 700,000—and perhaps more—agricultural workers at peak, of whom, at most, 70,000 have been the kind of supplemental workers who have come in from Mexico to help them.

It was hoped that by this time Secretary of Labor Wirtz would have relaxed his adamant position and would have issued the necessary orders to allow supplemental foreign workers to remain in this country after the April deadline which he has set, and allow others to be brought into the country in order that the great loss which threatens various agricultural industries of the United States could be avoided. Unfortunately, he has not yet seen fit to take remedial action and still remains in his adamant position.

Somehow, he seems to feel that since there are between 3 and 4 million unemployed in this country, scattered from one end of the Nation to the other, there must be a sufficient number of citrus pickers among them, a sufficient number of canecutters, a sufficient number of persons who know how to do these vital tasks so that we can turn to them and put up the expense of bringing them in, from the great distances which may be required, with the hope and on the chance of their staying to render work. He seems to feel that merely because there are that many unemployed, that there lies the answer to our domestic problem.

Mr. President, there is no such answer. I am sorry that Mr. Wirtz still maintains his unfortunate and illogical position. I am afraid that he is an idealist—fine man that he is—who goes around with his head up in the air, up in the clouds, who is not in touch with the realities and practicalities of the situation because not every man can be a citrus picker. There are very few workers in this Nation that we have ever been able to find who can cut cane. Cane cutting is a more exacting job than citrus picking. It happens to be the case that every Secretary of Labor who has preceded Mr. Wirtz in the years since the program has been underway—and it has been underway since 1917, off and on; it has been underway since 1933 under the present situation where the Secretary of Labor is given the responsibility of certifying as to the need for supplemental workers before they can be brought into this country by the Immigration and Naturalization Service—four preceding Secretaries of Labor, after exploring the situation, have come to the conclusion, which I believe to be a necessary conclusion, that there are not available in this country any supplemental workers willing to cut cane as cane is required to be cut in Florida.

In Florida, sugarcane grows helter-skelter, stalks overlying each other, or lying down as one great mass. It cannot be cut with machinery, as it can be cut in the State of Louisiana, where each cane stalk stands up by itself.

In Florida, it requires burning off the tops, and going in there by men on their hands and knees, with machetes, to cut each individual stalk of cane. In all the years that Florida has had a sugar industry, the only place it has been able to turn for a substantial number of cane cutters to do that kind of work has been areas in the Caribbean which have a similar kind of soil to that of Florida. Through the years cane cutters have come to Florida to do that kind of work for us. They have been willing to do it, and they can do it very efficiently.

Jamaica, the Barbados, and Trinidad are the only places where we have been able to find such workers. We cannot go to the Bahamas, which are sandy islands on coral bottoms, and find anyone who is any more able or willing to do that kind of work than our own people. We have to go to the sources I have named.

It happens to be the fact, Mr. President—and I believe the record will so show—that such a great friend of labor as the late Secretary of Labor, Mr. Mitchell, admitted he could not help us find labor, and promptly certified the number of workers that the Florida employment agency had found to be necessary.

Likewise, when Mr. Goldberg, who certainly was a true friend of labor—I believe he spent most of his life prior to the time that he became Secretary as a specialist in the practice of law for labor organizations—had brought to his attention this situation, came up with the same answer, and gave us the same sort of considerate and prompt treatment, certifying to us the number that our own agency had found to be necessary, without whom we could not harvest our cane crop.

It is too bad that the good man now serving as Secretary of Labor is not willing to face this problem practically, and still hopes to find somewhere in this great country of ours people who are willing to cut cane, in spite of the fact that nobody will.

On February 18, when I was speaking on this subject in the Senate, I put in the RECORD a statement by Mr. George Wedgeworth of the largest cane growing cooperative in the glades country, consisting of 55 separate growers. He related to us what is already well known to the Secretary of Labor, because he himself inspired the action which I am going to relate now, and that was to bring in canecutters from Louisiana and Alabama—he thought, since cane was grown over there, they must have canecutters who could cut Florida cane—to come to Florida to serve this particular cooperative, which is badly undermanned, and which is losing money every day because of the situation existing there in the cane fields.

The statement showed that of the 74 men only 33 went into the fields after looking over the situation. At the time of the statement, after 5 days' work, only four of the men remained at work. Two of the men had cut themselves with the machetes and were hospitalized at Belle Glade, Fla.

Since I have been on the floor, I have received a message stating what happened to the four who were working after 5 days of work. I find that all four of them have quit and have gone back to where they had come from. At any rate, they are not working now for the cane growers. This means that the entire operation was washed up, except for the two men who had cut themselves with their machetes and had been hospitalized at the expense of the cane growers' organization, and were still hospitalized at Belle Glade, Fla.

How far do we have to go, and how far does the Secretary of Labor have to go to satisfy himself that there is not available a domestic source of canecutters to cut the Florida cane crop?

Yet he maintains his position, except for this one thing; he says:

> I admit I cannot find them. What I will do is transfer to this particular organization 300 men from the citrus pickers up in central Florida, who came from Trinidad and Jamaica, to cut the cane.

The trouble is that the citrus growers are themselves crying for an additional number of men. The Secretary knows that full well, because he has their applications in his files, certified by the Florida employment agency.

It is a wholly impractical and, I think, wholly unfair situation for him to expect the citrus producers, who need the pickers that they have there and need very badly, to be faced with this action. A large part of their crop will go back to the earth, and a large part of the tangerine crop will also, because it is hardest to pick. Also to go back to the earth will be a considerable portion of the orange crop; and the growers have already sustained a loss of $6 million. They have let go unpicked large parts of their grapefruit crop, because the grapefruit is sticking on the trees, and they hope to get to it later if they are permitted to hold on to some of the pickers.

His present feeling is, "We admit we cannot find cutters elsewhere to cut the cane. We will look through our files and pick out 300 of the men in central Florida, who were brought here to pick fruit, and who came from areas where cane grows under the same conditions prevailing in Florida, and send them down to this little cooperative, in the hope that they will be able to do the job."

I do not know how much more impracticable people can be than that. I am sorry to have to relate this lamentable situation for the record, but it happens to be exactly what is happening to some of the best people on earth, the people who are raising, from the soil of Florida, sugar and fruit.

There is also the situation with respect to the vegetable and berry growers, but I shall not go into great detail with respect to them at this time, because the freeze in January destroyed enough of the vegetable and berry crop and has slowed down the rest of it to the point where we are somewhat in the same situation in which my distinguished friends from California find themselves, particularly with respect to the belt in California that produces vegetables, tomatoes, and strawberries by the thousands of tons. They hope that somehow a ray of light will break through the present cloud. We are in somewhat the same position with reference to some of our vegetable and berry crops, because the crop that was left as of the early part of this year is not nearly so large as it would have been without the cold spell, and workers have jumped in to gather it.

Very shortly there will be a great need for additional supplemental workers there. I am confining myself, for the purpose of these brief remarks today, to the citrus industry and to the sugarcane industry, because it is there that the great difficulties exist now.

With respect to the sugarcane, the same cold spell killed the bud of much of the cane, and when the warm weather came—we had a great deal of warm weather during the last 2 or 3 weeks—it soured back toward the stalk, and day after day the recovery of sugar from the cane that was cut has become less and less. That will continue to be the case so long as the inadequacy of cutters continues to exist and the mills are not able to operate on a full-time capacity basis.

In order to further point up the urgency of the situation, I should like today to add irrefutable documentary evidence as to the seriousness of the situation in Florida in a further effort to try to convince the Secretary of the wisdom and practicality of a reversal of his earlier decision.

As I have said, I have in my hand a 55-page document, prepared and printed by the Florida Citrus Mutual, the largest organization of citrus growers in the world. It is a highly reputable organization. It comes here under the auspices of that great organization, and particularly its executive vice president, Mr. Robert W. Rutledge.

Out of that 55-page document—there are many exhibits there—I wish to present only a few documents for the record today, because I believe the Senate should have access to them, and the general public should know about them.

On December 16, 1964, the Secretary of Labor, Mr. Wirtz, issued certain criteria and regulations to be applied to the further importation of foreign labor. On that same date a new recruitment program was begun to add to the longstanding recruitment program conducted for years by the Florida producers to secure domestic labor to harvest the Florida citrus crop during the height of the harvest season which would occur in January and February.

Late in January it became apparent that this new recruitment program was doomed to failure. Accordingly, because of my complaint and the complaints of others, the Secretary initiated a so-called crash recruitment program which was intended to solve the labor shortage in the Florida citrus belt by importing domestic labor from the eight Southern States nearest Florida. This recruitment program has also turned out to be a dismal failure.

As my first exhibit from this document, prepared by the Florida Citrus Mutual, I ask unanimous consent to have printed in the Record at this point in my remarks a letter from the executive vice president of the Florida Citrus Mutual, Mr. Robert W. Rutledge, to the board of directors of the Florida Citrus Mutual, dated February 22, 1965.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Florida Citrus Mutual,
Lakeland, Fla., February 22, 1965.

To: Members of the Board of Directors, Florida Citrus Mutual.

Gentlemen: We have completed an extensive survey of fruit losses which occurred in January and February in our citrus industry in order to fully, and factually, document this situation.

We have contacted hundreds of growers and handlers. As well, we have been in contact with our commissioner of agriculture, Doyle Conner, and many others who have been on the scene and who can speak authoritatively.

With the information we have obtained, we can document beyond the slightest possible doubt that the Florida citrus grower has suffered considerable loss in January and February due to the lack of labor.

In my opinion, this loss is between $4 and $6 million.

Even today, we are harvesting fruit which should have been picked 30 to 40 days ago and which has now passed its peak of maturity with the result that its value has diminished.

We shall continue to document the growers' losses. By so doing, we hope that the facts will be recognized by officials in Washington. And with the facts recognized, we are hopeful that we may get the labor we need and thereby avoid anticipated future losses.

Sincerely,
Robert W. Rutledge,
Executive Vice President.

Mr. HOLLAND. Mr. President, I should like to quote briefly from this letter one paragraph which states:

> With the information we have obtained, we can document beyond the slightest possible doubt that the Florida citrus grower has suffered considerable loss in January and February due to the lack of labor.

The closing paragraph of this letter also states:

> We shall continue to document the growers' losses. By so doing, we hope that the facts will be recognized by officials in Washington. And with the facts recognized, we are hopeful that we may get the labor we need and thereby avoid anticipated future losses.

The documents show in various places that the losses already sustained by the citrus growers—this does not have anything to do at all with the workers who process or those who transport the fruit or those who handle and sell the fruit; but by the producers alone—is between $4 and $6 million at various places.

I now ask unanimous consent to have printed in full at this point in my remarks a table which shows the statistics as to one large citrus employer in Polk County, Fla., my home county, for the past three seasons, showing the heavy attrition rate of interstate recruited workers. Examination of this table reveals that of a total of 758 domestic laborers brought to Florida over a 3-year period only 19 or 2½ percent remained in Florida and worked an entire citrus season. This is not an extreme example, but is typical of the experiences of other citrus employers and can be fully documented by my files and those of the Florida Citrus Mutual.

There being no objection, the table was ordered to be printed in the Record, as follows:

The Results of One Large Citrus Employer in Polk County for the Past Three Seasons Showing the Heavy Attrition Rate of Interstate Recruited Workers

During the three citrus seasons—1961–62, 1962–63, and 1963–64—this citrus employer recruited a total of 758 men. Following is the story of what happened:

	Number	Percent
Total men recruited and brought to Florida (3 seasons)	758	100
Men that remained after 1 week	561	74
Men that remained after 3 weeks	405	53
Men that remained after 5 weeks	320	42
Men that remained after 8 weeks	206	27
Men that worked the whole citrus season	19	2½

Mr. HOLLAND. Mr. President, I now ask unanimous consent that a statement showing the steps proposed to be taken by Secretary Wirtz to alleviate the Florida labor shortage be printed in full at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

What the Secretary Proposed: "500 Domestic Workers in 5 Days"

On January 25, after repeated pleas for additional offshore labor from the Florida citrus industry, Secretary of Labor Wirtz, failing to understand the urgency of the requests, issued a refusal and informed U.S. Senator Spessard Holland that the Labor Department's Bureau of Employment Security was taking steps to recruit additional domestic farmworkers, and would bring 100 a day into Florida for the next 5 days.

The Florida citrus industry, cognizant of the harvesting emergency, protested the Secretary's decision "would not be enough."

However, on January 27, in a Labor Department press release, Secretary Wirtz acknowledged possible citrus industry losses by putting in an "emergency program."

Under the Secretary's emergency program, the promise for domestic labor was upped by 1,175 workers.

This emergency force was to be obtained through a crash recruitment effort.

Where did the "emergency force" come from?

As is shown in the preceding chapter, Florida has its own domestic labor recruiting program—a program which covers eight Southern States. It was from these same eight States that the Labor Department proposed to get 1,175 extra domestic workers—an area which had been combed for harvesting labor by Florida interests the preceding summer and fall.

What were the results?

How many were promised—1,175.

How many came—788.

How many stayed—419.

How many received free bus rides to Florida—369. (Disappeared in 2 weeks or less.)

How many remain now?

How much fruit did they pick?

A loss of 369 workers. Almost half of the recruited forces.

Mr. HOLLAND. To point up the fact that the Secretary's recruitment program was predestined for failure, I merely point out that the State of Florida has its own domestic labor recruitment program which covers these same eight Southern States and sometimes other States.

In fact, we have gone as far north as Pennsylvania this year for truckloads of workers, most of whom have not worked out at all, and we have gone as far west as Missouri.

It was from these same 8 States that the Labor Department proposed to get 1,175 extra domestic workers, an area which had already been combed for harvesting labor by Florida interests the preceding summer and fall.

Mr. President, we have not taken this difficulty lying down. We sent out our workers; we sent out our buses; we sent out our crew chiefs; we sent out those who were to instruct the recruiting agencies and employing agencies in our sister States and give them all the facts that we could. We have furnished pictures and all sorts of practical information. We have done that ahead of time and all during the season.

The Labor Department promised 1,175 domestic workers. That was promised in various interviews by Mr. Wirtz himself.

Only 788 of those actually came to Florida. Only 419 remained after the first week. Three hundred and sixty-nine had received free bus rides to Florida. Then they disappeared in 2 weeks or less. That amounts to almost half of the workers that had been recruited.

Mr. President, I repeat those figures: 1,175 was the number that the Secretary said were required to meet our needs, and he was going to see that they were recruited and furnished to us. There were 788 that finally were furnished. I am sure he worked hard at it, but he was combing the same territory which we had worked over repeatedly. We thought we knew we had gotten the best people who were available in that whole area. Only 788 came to Florida. After a few days only 419 remained. Three hundred and sixty-nine had received free bus rides to Florida and then disappeared in 2 weeks or less. This amounts to almost half of the men that had been recruited.

At this point I should like to point out a typical example of why the crash recruitment program failed. I ask that a photostatic copy of two documents concerning an individual case, that of one Samuel W. Epperson, be printed in full at this point in my remarks.

There being no objection, the copies were ordered to be printed in the RECORD, as follows:

TYPICAL EXAMPLE OF WHY THE CRASH RECRUITMENT PROGRAM FAILED—ONE CASE EXAMPLE

AGRICULTURAL WORKERS HOUSING, INC.,
Clermont, Fla., January 30, 1965.

MR. GLYN FAIRCLOTH,
Florida State Employment Office,
Leesburg, Fla.

DEAR MR. FAIRCLOTH: The following is a statement from the above-mentioned migrant who came into my office this date and requested some means of transportation back to his home in North Carolina:

"My name is Samuel W. Epperson. I am 57 years old and retired from R. J. Reynolds Co., after working with them 36 years and 5 months. I retired at the age of 56. I weigh 125 pounds.

"I went to the employment office and asked about this job. I was interviewed by Mr. Ivey W. Singletary of the North Carolina State Employment Office in Winston-Salem. Mr. Singletary asked me my age at which time I told him that I was 57 years old. Mr. Singletary told me that I could pass as 45. I showed Mr. Singletary my card from R. J. Reynolds Co. stating that I was retired and my age was 57. He in turn marked on my screening sheet 45 years old, also he marked that I had done farmwork in the last 2 years, when he knew this was not so. I arrived in Florida January 26, 1965, at about midnight and was interviewed by Mr. Oscar Hummel with Libby, McNeill & Libby on January 27, 1965. At that time I changed my mind about picking fruit but after riding all the way down to Florida I decided that I would make a try at it. I went to work on January 28, 1965 and picked 10 boxes for the whole day. My biggest trouble was moving the ladder. One of the other men in the crew helped me three or four times but he had to quit and pick for himself. I missed the truck the next day and decided during the day that I would not be able to pick fruit. I have been treated fairly while here in Florida and would like to stay but I just cannot handle the ladder.

"I made this statement to Mr. S. C. Merritt, Jr. who is the manager of the camp, where I stay, when I told him that I could not manage the job and asked about a way to go home.

"SAMUEL W. EPPERSON."

This statement was taken in hopes that the information contained herein may help eliminate this type of recruitment.

Very truly yours,
S. C. MERRITT, Jr.,
Manager.

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA

North Carolina State Employment Service Division 239-05-6718

SCREENING LIST FOR CITRUS WORKERS

Each applicant is to be screened individually on the basis of the interview and the following questions, which are to be read to him. Answers are to be checked at the right. Any answer in the "No" column renders the applicant NOT REFERABLE. Attach one copy of each sheet to manifest list for O/H Office.

1. Enter full name of applicant: Samuel W. Epperson Age: 45 Weight: 130.
2. Enter complete mailing address: 2325 Dunbar St., Winston-Salem, N.C.

READ EACH QUESTION TO INDIVIDUAL APPLICANT: MAKE CERTAIN HE UNDERSTANDS: CHECK ANSWERS — Yes No

3. Are you over 21, under 46 years old and in good health at this time? ☒ ☐
4. Have you done actual farm work for at least six months in the last two years? ☒ ☐
5. Are you able to climb a ladder and work on a ladder up to 40 feet tall? ☒ ☐
6. Do you understand that you will pick citrus fruit (oranges, grapefruit, tangerines) from a ladder, wearing a picking bag with shoulder harness, and that the bag full of fruit will weigh as much as seventy (70) pounds, supported from your shoulders? ☒ ☐
7. Do you understand that this work is very tiring on the shoulders, back, feet and legs? ☒ ☐
8. Do you understand tht your earnings will be low until you have learned the job and developed the knack of picking fruit quickly, and that it will take two or three weeks to learn sufficiently for you to reach your top production? ☒ ☐
9. Do you understand that you will be taken to Florida by bus and that the cost for this transportation will be $14, and that this will be deducted from your pay over a period of three or four weeks? ☒ ☐
10. Do you understand that $11.54 per week on housing, and also the cost of your food, will be deducted from your pay each week? ☒ ☐
11. Do you understand that you will have to use a picking bag, gloves, and clippers, and that the employer will issue these to you and deduct their cost from your pay? ☒ ☐
12. Do you understand that you will not get rich in Florida, but that you will earn good money as soon as you have learned your job and if you work hard? ☒ ☐
13. Do you understand that you will work 9 to 10 hours a day, six days a week, and that you may sometimes be asked to work on Sundays, giving a chance for more earnings? ☒ ☐
14. In accepting this work, do you expect to work for this employer until end of season? ☒ ☐ (Enter job ending date)
15. Do you think that you are fully able in every way to do this type of work? ☒ ☐
16. WORKER'S STATEMENT: I understand all of the questions above, and I have answered them truthfully; I want to be sent to this job and plan to stay on this job until the end of the season. ☒ ☐
17. WORKER'S SIGNATURE OR WITNESSED MARK: Samuel W. Epperson
18. LOCAL OFFICE: Winston-Salem. INTERVIEWER: Ivey W. Singletary. DATE: 1/22/65.

Mr. HOLLAND. I should like to point out in this case a man 57 years old—a much undersized man—seeking work, reported to work at a North Carolina recruitment office. He was entitled to credit for trying to get work. I have full honor and respect for him. There he was interviewed. The interviewer asked his age. He responded that he was 57. The interviewer remarked that he could pass for 45.

Then when the interviewer filled out the recruitment form he, the interviewer, in his own handwriting, put down the applicant's age as 45, a deliberate falsification. In addition, the interviewer marked on the form that the applicant had done farmwork during the previous 2 years when he knew this was not so. This applicant was recruited and went to Florida where, because of his age and small physical size, he was unable to carry out the duties of a citrus picker in an orange grove.

That is what he stated in his own statement, which appears in the exhibit which I have filed.

Many other similar situations have been documented and are available for inspection in the files of the Florida Citrus Mutual.

Unfortunately, that experience has prevailed in California. I shall not dwell upon that, because my distinguished friends know more about it. A sizable number of employees of the Employment Service of California have been fired because of their improper certification of people as having certain qualifications for work when they did not have them.

There are many more case histories of poor screening and they have been documented and are available for inspection in the files of the Florida Citrus Mutual.

At this point I ask unanimous consent to have printed in full two photostatic copies of two contrasting letters with regard to the citrus labor situation.

There being no objection, the copies were ordered to be printed in the RECORD, as follows:

W. H. CLARK FRUIT CO.,
Jacksonville, Fla., February 17, 1965.

MR. ROBERT W. RUTLEDGE,
Executive Vice President,
Florida Citrus Mutual,
Lakeland, Fla.

DEAR SIR: In your efforts to secure relief from the harvesting labor shortage for Florida growers, you will be interested to know some of the facts of our operations in and around Lutz.

We serve more than 100 growers in the area north of Tampa and into Pasco County. As of now, we have abandoned approximately 30,000 boxes of tangerines, which, had we been able to pick them, would have brought good money to the grove owners but which are now deteriorated beyond value. We are now picking early and midseason oranges that are wasting badly and drying out. We have approximately 45,000 boxes yet to pick. We are neglecting Duncan grapefruit which are wasting badly, in an effort to get oranges picked.

There is a desperate need for more experienced pickers to prevent further drastic loss to these grove owners who were hit hard by the cold weather 2 years ago and who are trying to make a comeback.

Yours truly,
R. W. CLARK,
Production Manager.

LAKELAND, FLA.,
February 17, 1965.

DEAR MR. RUTLEDGE (IN CARE OF CITRUS MUTUAL): I am writing in hope that you can do something to help get this citrus crop harvested.

I am a widow, retired, live on my grove and depend on it for my living.

This season I have lost 500 to 800 boxes of oranges at $2.35 per box because could not get labor to harvest them. They fell to the ground and rotted.

Now as you know that is quite a loss to a small grower.

My Valencias, late oranges, are still on the trees and I fear the same thing may happen there if help doesn't come soon. Will appreciate anything you can do or any suggestions you may make.

Yours truly,
MRS. S. L. COLLINS.

Mr. HOLLAND. One is from one of the large growing and shipping fruit companies in Florida, W. H. Clark Fruit Co., and the other is from one of the small growers in Florida, Mrs. S. L. Collins, pointing up the fact that the labor shortage vitally affects all segments of the agricultural economy from the large through the small.

I quote only briefly from the last paragraph from the large fruit company. It says:

> There is a desperate need for more experienced pickers to prevent further drastic loss to these grove owners who were hit hard by the cold weather 2 years ago and who are trying to make a comeback.

With regard to the letter from the small grower, I have personal knowledge of its validity because the author of this letter is well known to me. In her letter Mrs. Collins, of Lakeland, Fla.—which is in my own home county—states:

> I am a widow, retired, live on my grove and depend on it for my living.
>
> This season I have lost 500 to 800 boxes of oranges at $2.35 per box because I could not get labor to harvest them. They fell to the ground and rotted.

One of the factors that seems to be overlooked in all of this tragic situation about the need for supplementary farm labor is the fact that there is a $100 million Valencia orange crop still to be harvested in Florida during the months of April and May. Where is this labor coming from?

Valencia oranges are the choicest and highest priced ones, and they are a late variety. They do not begin to ripen until March. The height of their season is in April and May, as I have already stated.

Mr. President, I ask unanimous consent to have printed in full at this point in the RECORD a statement of the Florida Citrus Mutual in its brochure, showing what has happened and will happen to the 36-million-box Valencia orange crop if sufficient labor is not available to harvest it.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE FLORIDA VALENCIA ORANGE CROP IS WORTH $100 MILLION, AND, MOST OF IT IS HARVESTED IN APRIL AND MAY

Valencia orange production is normally almost one-half of the total Florida orange crop:

Seasons	Total orange production (millions of boxes)	Valencia production (millions of boxes)	Percent Valencias	On-tree Valencia value (millions)
1961–62	113.4	56.5	50	$102
1962–63 (freeze season)	74.5	29.0	39	101
1963–64 (last season)	58.3	30.5	52	135
1964–65, estimated	80.6	36.0	45	[1] 100

[1] Minimum.

At April 15, 1965, it is estimated that Florida will have 24 million boxes of Valencias, which is 66 percent of the Valencia crop, still remaining to be harvested. In addition, an estimated 5 million boxes of grapefruit will remain to be harvested at that time.

Question. Why must the industry wait so late to harvest the Valencia-type orange?

Answer. Because this late-maturing variety is highly desirable for making frozen orange concentrate.

Normally, about 70 percent of the total Valencia orange crop is utilized by the concentrate processing plants. In order to make the best quality product, these processors must wait until Valencia oranges have a minimum ratio of sugar solids to acids of about 13 to 1 before they can pack in volume. This year it is expected that volume concentrating operations on the Valencia crop will not begin until early April and that peak use will be in late April and early May.

The industry must have sufficient labor during April and May to harvest this valuable crop.

Mr. HOLLAND. Mr. President, this problem is with us today. It will be even more critically with us in the future. I ask unanimous consent to have printed in full at this point in my remarks the statement by the Florida Citrus Mutual which points out the immediate and long-range harvesting needs for Florida citrus.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE IMMEDIATE AND LONG-RANGE HARVESTING NEEDS OF FLORIDA CITRUS

The immediate problem:

1. Almost 30 million boxes of Florida citrus fruit will remain for harvest at April 15.

2. Due to advanced maturity as a carryover effect of adverse weather conditions, this fruit must be harvested within a period of a very few weeks from April 15—not months as is normally the case.

3. The harvesting labor force of 10,000 domestic workers, anticipated as a maximum for the period from April 15, is totally inadequate to harvest this essential food crop, while it remains in merchantable condition.

4. In order to cope with this immediate problem, the Florida citrus industry needs and must have from some source—domestic or offshore—a supplemental labor force of qualified workers of at least 3,500 to 4,000 persons. Why? Simply in order to avoid economic losses which would aggregate many millions of dollars. The situation is serious.

The long-range harvesting needs:

A report issued recently by "Institute of Food and Agricultural Sciences" of the University of Florida, contained these statements:

"Labor for harvesting is increasingly more difficult to obtain. The work is strenuous, the jobs are primarily temporary in duration, and direct pay scales are not high. This does not mean that the overall cost of labor is low to the grower. Growers must recruit the labor at the proper time in sufficient numbers, provide housing and other fringe benefits, and additionally meet the steadily rising direct labor cost. Some of the harvest labor has been from offshore sources and Government regulation of this source of labor is increasing the overall difficulties of the grower. There is no reason to believe that these difficulties will diminish in the future."

"The Citrus Industrial Council estimates that an additional 7,500 citrus pickers will be needed by 1968–69, and that a total of 50,000 citrus pickers will be needed in 1975—this compared to 12,000 available in 1964."

Mr. HOLLAND. Mr. President, in this statement prepared by Mr. R. W. Rutledge, executive vice president of the Florida Citrus Mutual, is an estimate made by another Florida citrus organization, the Citrus Industrial Council, speaking through its executive secretary, Mr. Clark Ghiselin, that an additional 7,500 citrus pickers will be needed by 1968–69 and that a total of 50,000 citrus pickers will be needed by the year 1975 as compared with the 12,000 that were available in this past year, 1964.

Mr. President, the citrus growers of Florida and all Florida agriculture itself need the sympathetic understanding and effective assistance of the Federal Government, especially the Secretary of Labor, in resolving these challenging problems.

In conclusion, I ask unanimous consent to have printed in full, at this point in my remarks, a 16-point summary of agricultural labor problems as they affect the Florida citrus industry not only for the months of December and January, but for the present and the future.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

1. The Florida agricultural industry has made intensive effort to find domestic labor for harvesting work.

2. In spite of this positive recruitment program, and constantly improving wages, working conditions, and housing conditions, there is an insufficient supply of domestic farm labor.

3. The Florida citrus industry, and all of Florida agriculture, must have supplemental offshore labor to harvest crops and prevent heavy losses to growers and farmers and the economy of the State.

4. The citrus industry asked for 500 additional offshore workers during the critical January harvesting situation.

5. This request was refused by the U.S. Department of Labor, and they instituted a crash recruitment program of domestic interstate workers.

6. The crash program failed because Florida had already intensively recruited in the same Southeastern States where the U.S. Department of Labor said they would find workers.

7. Workers recruited under the crash program were unqualified for the work, untrained, misinformed, and many left upon arriving in Florida or after just a few days.

8. The crash recruitment program was a costly one for Florida citrus employers of harvesting labor, since they advanced the busfares and other costs for prospective workers that left soon after arriving.

9. The crash program was a costly one for Florida citrus growers, a loss in unharvested, overripe and spoiled fruit of from $4 to $6 million, all directly attributable to insufficient pickers.

10. Florida concentrate plants could have utilized far more oranges than they did during this critical period.

11. Even heavier fruit losses will occur this season if 3,500 offshore workers are sent home.

12. Nearly 30 million boxes of Florida citrus fruit will remain to be harvested at April 15, when the offshore program may end.

13. This is 7 million more boxes remaining to be harvested at April 15 than last season.

14. There will only be about 10,000 domestic laborers available to harvest the remaining fruit at April 15, which is far less than needed to prevent heavy fruit losses to Valencia orange and grapefruit growers.

15. The Florida citrus industry must have supplemental offshore labor in sufficient quantities in April and May to prevent heavy fruit losses.

16. The immediate and long-range needs of Florida agriculture are for increased numbers of harvesting workers—where will they come from?

Mr. HOLLAND. Mr. President, in closing, I wish to direct a question to

Secretary of Labor W. Willard Wirtz: "The immediate and long-range needs of Florida agriculture are for increased numbers of these workers. Where are they to come from? Will you help us to obtain them in the historic, traditional way? We have obtained them to supplement our own force from both the domestic Florida force, and from adjoining and nearby States." Where are we to get the supplemental workers unless the Secretary of Labor relents and permits us to bring them in, desirous as they are for work?

I should like to point out that under previous administrations the Florida agricultural industry did not have this same trouble. I have already stated that under the late Secretary of Labor James P. Mitchell and under former Secretary of Labor Arthur Goldberg, we received the fullest measure of cooperation. Does Secretary Wirtz believe he better understands the situation of the domestic laborers' needs than did Mr. Mitchell and Mr. Goldberg? Does he believe he is a better friend of the few labor organizations that are opposing us in this matter than were those tried and true friends of the labor movement? I fail to understand how there could be such a radical change in the attitude of the highest administration spokesman on such labor problems when previous Secretaries of Labor were able to cope with the identical situation.

So much for our losses and our great need for workers as citrus pickers. Some facts are particularly applicable as to the availability of domestic workers as cane cutters. I believe I have already covered that subject with sufficient detail. It so happens that the Secretary's own experiments in this field, by the bringing in of the 74 workers from the sugarcane fields of Louisiana and Alabama, demonstrate that they knew nothing about the cutting of sugarcane under the conditions in which sugarcane is grown in the soft muck, with each cane pointing a different way necessitating cutting by hand with a machete. That involves the hardest kind of hard labor, as contrasted with the cutting of cane behind a cutting machine in Louisiana, picking up the cane stalks, and piling them and loading them onto the vehicles that will carry them elsewhere. I shall not labor that question at this time.

The Secretary, now having admitted that he cannot obtain labor for us in this country, is turning to the opportunity of dividing our people one against the other by the present transferring of needed laborers from the citrus industry to the cane industry, or else by offering a solution which, on its very face, is not adequate and does not result in the bringing in of an additional supplemental labor force.

In closing, I wish to make note of two things that I found in connection with the Department of Labor. There were some in the Department who did not know how widespread this problem was. I found some who were amazed when the distinguished Senator from Michigan [Mr. Hart] the other day made it quite clear that in his State the important pickle industry was not able to function with domestic workers because they would not get down on their hands and knees and go into the cucumber vines and pick the tiny cucumbers at the stage of development when they are made into pickles. The producers tried to use all kinds of unemployed industrial workers, but they would not stay. Apparently that fact was not known in the Department of Labor. No one there dreamed that the Senator from Michigan would take the position that he so vigorously took on the floor of the Senate.

Another thing the Department representatives did not seem to have understood, when I called them and asked them to supply me with information as to the number of timberworkers brought in from Canada, was that at that very moment such workers were employed in Maine, New Hampshire, Vermont, and upper New York. They are brought in in the winter, when they can get into the copses—the second growth timber—and cut it. At first, the Department did not believe there were any such people; but finally they learned that they themselves had certified to enter this country some 2,500 workers at the very moment of writing. The Secretary wrote me a frank letter, stating this fact, and I placed it in the Record the other day. He said that there were some 2,400 of such workers—axmen—from Canada, who were working up there in the snow, cutting small timber for the pulpmills. It is traditional for such workers to go a mile or two across the border—there is only an imaginary line between Canada and Maine, New Hampshire, Vermont, and upper New York—and recruit from among the Canadian labor force those who are not busy and bring them into the nearby labor areas where they can cut timber day after day.

Mr. President, this is a vexing problem. Ultimately, it will affect almost every section of the country in one way or another.

The Secretary was frank enough to tell me that he found another type of labor which he did not know existed. They were Canadian laborers who were certified to work on heavy construction projects. They were available because no domestic labor was available in the relatively sparsely settled areas in our country around Maine, New Hampshire, and Vermont, where the projects were being constructed. This is a big problem. It affects, first and last, almost every State in the Union in one way or another.

I was surprised to find the great effect upon apple picking just a few miles away, in Virginia. It is affecting greatly the crops produced so efficiently by the distinguished senior Senator from Virginia [Mr. Byrd] and also the crops of apples produced in the adjoining State of West Virginia. In both States, producers have availed themselves of the same type of laborers who are brought in from the British West Indies.

The distinguished Senator from Ohio [Mr. Lausche] has made it plain that in his State the producers of tomatoes for processing have availed themselves of workers from the same source. When we bring them into Florida, we are, of course, glad that growers in other States find them available, and they have for years used the workers who have moved up the seaboard. Those workers have been fine people. We have had to put up our own bonds and pay their traveling expenses ourselves. There was no such sumptuary organization as there was in the case of the braceros in the West, where the Government had its camps and the Government supplied this, that, and the other. The Government itself did much of the recruiting.

In our region, our people dealt with the colonial or the dominion governments in the Bahamas and the British West Indies.

Similarly, employers in Maine and other New England States have dealt with the Canadian sources of workers. There is in the Record a telegram—I placed it there the other day—from a State senator representing Aroostook County, Maine—a great potato-producing county which is almost surrounded by Canada—stating that customarily the producers avail themselves of from 4,000 to 5,000 Canadian workers when the crop is at its peak in that fine county and State.

This is a big problem. It affects many people and many industries. I hope the Secretary of Labor, whom I believe to be not only a decent and fine gentleman, but also a conscientious gentleman, will not continue to be so misled as to let his idealism make him believe that because there is a large body of unemployed people in the vast expanse of this Nation, it must be possible for the producers of the highly perishable crops, in particular, to find workers. That is not so. We go a long way to get them.

We spend our own good money to bring them in our own buses and trucks. We go a long way to furnish them the things that they need.

We pay them well. They would not come if they were not paid well. One of the troubles concerning these domestic workers is that many of them do not make anything like what the offshore workers make who really work. They are glad to have the opportunity to come here and make the best money that they have ever made—$12, $15, and some of them $20 a day. It is on record that some of the citrus pickers have made as high as $25 to $30 a day. That is in the record, documented by Florida Citrus Mutual. But that is the situation in our State. And it will be the situation in other States.

It just happened that when this problem broke on us on January 1, and the Secretary of Labor announced his new intention, Florida was the only State that had producing crops that were highly perishable, and needed this supplemental labor to come in and stay with them while the crops were being harvested.

There are two areas in the West, one in California, and one in Arizona, which needed supplemental laborers. But they are right on the line with Mexico. They could avail themselves of what is called the green card workers to come in under the same law, Public Law 414—still on the books—under which we bring in workers from the offshore areas. In the case of these two Western States, the workers come in, work all day, go back a mile or two, and sleep in their own homes in Mexico at night.

As the problem grows, it will be very greatly enlarged in other States over what we have presented to the Senate.

In closing, I again express my very great appreciation to my two distinguished friends from California. They are operating as they should, in defense of their own vital industries and in their own protection, by their presence here, and by quoting their Governor—who, by the way, has changed his mind. They are showing that the problem is vital, not merely to Florida for a few weeks, but vital to California and other States during the course of the year.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. KUCHEL. Once again I look to my colleague from Florida for bipartisan leadership in a matter of such great urgency. It is a problem that seriously affects Florida, California, and other States.

I salute the senior Senator from Florida for the leadership that he has taken in this field. I say to the Senator that he may speak for agriculture in my State in this matter, as I know he intends to pursue this problem toward what I hope may be a satisfactory conclusion for American agriculture.

Mr. HOLLAND. I thank my distinguished friend. I shall certainly follow that course.

I would be very derelict to my own people and to my trust to other people in the United States if I were not to do so. After all, I am on the Committee on Agriculture and Forestry. I am a senior member of it. I am chairman of the Subcommittee on Appropriations which handles all agricultural appropriations. I would be extremely derelict to the good people whom I represent, not only in my State, but in every other State in the Union, if I did not call attention to this problem over and over again until we get some relief and some solution to the problem which happens to have borne down in the beginning more heavily on us; but in its ultimate effect, it will bear down more heavily on the great golden State during the course of the year.

I thank my friend for his courtesy.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. Mr. President, not only today, but also last week, when the senior Senator from Florida monitored the floor, as it were, and the colloquy that occurred on this subject, I listened and read with a great deal of interest and tremendous respect for the depth and the width to which the senior Senator from Florida has gone in exploring this problem and showing its terrific impact and very disastrous implications.

Nebraska, is not a large user of the bracero type labor. I believe there are some 85,000 acres of sugarbeets in our State. We produced aproximately 10 or 11 percent of the sugarbeet production in the United States.

There will be a decided drop in acreage in this very profitable and fine crop. A number of factors contribute to that reduction. But the largest single factor is the uncertainty of being able to depend on the labor that is necessary for the relatively small period of the growing, cultivation, and harvesting of sugarbeets. Considered from that standpoint, it is serious in our State. I can see how the problem would be multiplied in seriousness and severity to a tremendous degree in the great agricultural States of California and Florida.

It might interest the Senator from California, to know that a week or so ago I visited one of the largest tomato-growing counties in the world. That is Yolo County. There, in Woodland, I was approached by one of the growers of that area. He and his brother have cultivated, up until now, up to 2,000 acres of tomatoes.

That grower told me that as of that time, he and his brother did not intend to plant tomatoes because of the great risk that would be taken, because there would be no assurance that there would be an ample supply of labor to put those tomatoes where they belonged after they had been ripened to the state of readiness that would make them eligible for the canning factory.

He said that not only did their economic welfare and the problem of taking that risk prevent it, but also that their bankers would not let them take that risk. It requires about $350 an acre to produce tomatoes from the time the seed is placed in the ground until the tomatoes reach the canning factory. When the cost of $350 per acre is applied against that many acres, it means a tremendous investment. It means that these large growers will not plant the crop. It means that many other growers will not plant it.

I said, "What is the answer?" He said, "The answer is being spelled out gradually by those who are in charge of the food processing places. They are moving south of the border." It is also said—I do not know whether this is an accomplished fact—that there are those who plan to go into northern Africa.

Imagine exporting not only the income and taxes that are derived from the income of the growers, but also the investment capital, the tremendous payroll in the food processing plants, the trucking industry, the banks, and all of the related industries. Our balance-of-payments situation being what it is, with the administration professing such great concern over this problem, we are pursuing a course of action which will accelerate the flight of capital for the purpose of getting into business either in north Africa or south of the Mexican border.

Again I compliment both the senior Senator from Florida [Mr. HOLLAND], the senior Senator from California [Mr. KUCHEL], and the junior Senator from California [Mr. MURPHY], and others who have taken up the cudgels on this thing and done so well by it.

They have rendered the farmer and the economy of the Nation a great service by their contributions.

Mr. HOLLAND. Mr. President, I thank my distinguished friend. He has been most gracious and helpful in what he said.

The Senator mentioned the administration and its attitude with reference to the drain on our gold and balance of payments. I think it would be appropriate for me to call to mind for the record that our administration is asking us to very drastically amend the immigration laws so as to bring in people who are skilled. Yet the Secretary of Labor, by his position, is preventing producing groups, who contribute greatly to the wealth of this country and to our production of local wealth, from obtaining skilled laborers whom we need and who traditionally have served us and have been made available in numbers very much less than the numbers of our own people, but in such number as to greatly affect our prosperity and our ability to handle the entire crop. The administration has several points that it should look at in connection with this problem.

I am glad that my distinguished friend mentioned the one that he did.

WETLANDS CONSERVATION IN CANADA

Mr. HRUSKA. Mr. President, there is presently pending before the Senate Committee on Commerce a bill, S. 922, introduced by this Senator and cosponsored by a number of other Senators. It would make possible the carrying out in Canada of a greatly expanded wetlands conservation program for the purpose of maintaining and increasing the duck population, along the same lines as the wetlands conservation program we are now carrying out in this country. A rapid expansion of wetlands conservation activity in Canada is very necessary, since most of the breeding ground for ducks is located across our northern border, and we are therefore dependent upon our neighbor to produce many, if not most, of the ducks that American areas receive.

It is heartening to note that our proposal has recently drawn the attention and the editorial support of the magazine, Sports Illustrated. Consent is requested to insert in the RECORD, at this point, an editorial comment from the February 22 issue of that magazine.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DUCK BILL

As most duck shooters know, the future of North America's waterfowl populations depends largely on preserving the natural wetlands where ducks nest and raise their broods. Ducks and wetlands have suffered mightily over the years from drought and from agricultural drainage. Waterfowl conservationists can do little about drought, but they can save ducks by saving their breeding grounds. With this in mind, Congress 4 years ago authorized a 7-year loan of $105 million to the Bureau of Sports Fisheries and Wildlife to acquire prime breeding grounds in the United States—mostly in the Dakotas and in Minnesota—as well as refuges along the four U.S. flyways. But because of loopholes in the act, only $25 million has so far been appropriated and anly 12½ percent of the proposed 2.5 million duckland acres has been acquired.

Neither under the Migratory Bird Treaty Act of 1918 nor any act since has Congress authorized the spending of Federal funds for waterfowl conservation outside the Nation's borders, though up to 80 percent of the continent's waterfowl population breeds in Canada.

The obvious solution, says Senator ROMAN L. HRUSKA, of Nebraska, is to spend some of the Government's emergency wetlands acquisition funds in Canada, "where they will do the most good," and where they would supplement funds that Canada itself and Ducks Unlimited are spending to acquire and improve wetlands. It is not a new idea, but the important thing is that Senator HRUSKA has gone so far as to introduce the proposal in bill form in the U.S. Senate. The return on such an investment would be, ultimately, more ducks for American shooters, which is exactly what the Government has been trying to get, with little success, for a long time.

LEGISLATIVE ACCOMPLISHMENTS

Mr. MANSFIELD. Mr. President, the Senate has acted on 2 more administration bills this week, making a total of 11 so far this session. A great amount of credit is due the distinguished chairman of the Senate Foreign Relations Committee, Senator FULBRIGHT, for his handling of the bill providing for a $750 million increase in the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank—over a 3-year period at the rate of $250 million a year. Senator JAVITS also deserves much credit for his participation in the debate. Others deserving recognition for their contributions in the lively debate are the able Senator from Louisiana [Mr. LONG] the assistant majority leader, Senators MORSE, SYMINGTON, LAUSCHE, GRUENING, ELLENDER, and WILLIAMS of Delaware.

The second one on which action has just been completed is Senator ANDERSON's bill known as the river basin planning bill, reported by the distinguished chairman of the Senate Interior Committee, Senator JACKSON, which authorizes Federal grants of $5 million a year in matching funds to States for State project planning over a 10-year period; sets up a Cabinet level Water Resources Council to coordinate river basin planning; and authorizes creation of river basin commissions for regional planning.

Committee activity is progressing quite well with the Senate Appropriations Committee already holding hearings on Interior, Defense, and Agriculture. Labor-HEW hearings will start on March 3, and Treasury-Post Office on March 16.

Senate Armed Services started military procurement hearings on February 24, and these will probably run for another 3 to 4 weeks.

Senate Banking hearings on balance of payments which were scheduled to start on March 2 have now been scheduled to start March 8.

Senate Commerce will hold hearings on rail transportation service in the northeastern seaboard area from March 2 through the 4th. On March 8 to 10 the committee will consider whether subsidies are needed for helicopter service. On March 17 and 18 hearings will be held on a bill relating to foreign markets for U.S. products. From the 22d of March through the 30th the committee will look into cigarette labeling and advertising.

The Senate District Committee is still planning to hold hearings March 8 on the President's home rule bill.

The Senate Foreign Relations Committee is working on amendments to the Foreign Agents Registration Act and hope to have this bill ready for reporting before too long. On March 2 the committee will consider numerous ambassadorial nominations. On March 3 the committee hopes to report an amendment to the Arms Control and Disarmament Act authorizing increased appropriations over the next 4-year period.

Senate Interior Committee hopes to have ready for reporting to the Senate on March 3 Senate bills 426 through 428 and S. 645 relating to the Outer Continental Shelf. At this same meeting they also hope to have ready S. 435 relating to the Kaniksu National Forest in Idaho. On March 2 and 3 hearings will be held on S. 22, a bill improving the Water Research Act enacted during the 88th Congress. This bill will be ready for reporting probably within a week after the hearings are completed.

Joint Atomic Energy Committee is moving ahead on its annual authorization bill.

The Antimonopoly Subcommittee of the Senate Judiciary just completed hearings on S. 950, a bill clarifying the status of professional team sports under the antitrust laws, and it is expected that early action will be taken by the subcommittee and the full committee. The Immigration Subcommittee is continuing its hearings on the President's request to revise the immigration laws. On March 3 hearings will be held on the President's request to increase patent fees.

Senate Labor's Subcommittee on Veterans' Affairs is continuing its hearings on the cold war GI bill. Manpower hearings on the President's proposal for a liberalization of the present program have been concluded and the subcommittee plans an executive markup session on March 2. On February 25 the Health Subcommittee approved two of the President's health bills, S. 510 and S. 512 The full committee hopes to act next week, with possible reporting to the floor the following week. Subcommittee hearings are continuing through next week on the President's recommendation on arts and humanities.

Senate Public Works will complete hearings February 26 on water pollution control at Federal installations.

The Senate Rules Committee will complete hearings March 1 on Senate Concurrent Resolution 2 establishing a Joint Committee on the Organization of Congress. The committee plans to report Senate Resolution 6 and Senate Resolution 8, relating to rule XXII, by March 9, but it will not be taken up in the Senate at that time.

The committees are all busy and the calendar is now clear.

ADJOURNMENT TO MONDAY AT 11 A.M.

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 11 o'clock a.m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 34 minutes p.m.) the Senate adjourned until Monday, March 1, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 25, 1965:

ARMY OF THE UNITED STATES

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonels

Adams, Carroll E., Jr., O27145.
Adams, Claude M., O50251.
Adkins, Walter R., Jr., O27675.
Adkisson, George O., Jr., O27229.
Adler, Charles S., O27139.
Ahrenholz, Albert F., O80534.
Akers, Walter W., O80535.
Albanese, Archie J., O80536.
Allen, Fred E., O80031.
Allen, Norman F. J., O38309.
Allen, Walter G., O27600.
Almond, Hugh H., O81943.
Amos, Harry O., Jr., O27494.
Anderson, Ellis F., O76847.
Anderson, Leonard O., O93349.
Applegate, William G., O80542.
Archer, Robert E., O38344.
Argo, Reamer W., Jr., O27447.
Armstrong, David U., O27685.
Armstrong, Richard B., O27879.
Arnold, Archibald V., Jr., O27184.
Ashline, Carl, O84340.
Astor, Raymond J., O50111.
Baber, Roy L., Jr., O27046.
Baer, Malcolm R., O80546.
Bahr, Herman J., O80548.
Bahrich, Garry A., O50188.
Baine, Robert H., O84541.
Baker, Claude W., O80550.
Bakewell, Arthur L., O50241.
Barber, Roscoe A., Jr., O27093.
Barco, Barney M., O38299.
Barda, James J., O80038.
Barker, John P., O41273.
Barnard, John M., O56483.
Barnes, William L., O27105.
Barrett, James E., O84341.
Barrett, Raymond D., O50048.
Bartow, Pierrepont F., O50052.
Baugh, Jack R., O80042.
Bauknight, George W., O80559.
Beam, Wilmer McD., O50221.
Beaman, Milburn F., O80561.
Beganie, Henry R., O88566.
Bell, Earl W., O27743.
Belmont, Alexander J., O27509.
Beneke, Arthur R., O84542.
Benge, Charles J., O80568.
Bennet, John B., Jr., O27458.
Bennett, David N., O38475.
Bennett, James G., O84543.
Bennett, John C., O27263.
Benson, George C., O27853.
Berg, Joseph P., Jr., O27211.
Berger, Roy H., O80573.
Berkshire, Harry G., O80574.
Berlin, Walter I., O80575.
Berry, Frank E., O84342.
Bertoglio, Raymond A., O82418.
Beuke, Henry A., O90486.
Bezich, Vincent W., O38457.
Bishop, Clarence E., O80583.
Black, Herbert D., Jr., O50223.
Boberg, Richard W. P., O27198.

Boettcher, Louis H., O27558.
Boiler, William F., Jr., O27571.
Bond, James E., O84343.
Bond, James J., O80592.
Bonette, Samuel J., O84544.
Botchin, Philip, O80594.
Bowers, Verne L., O81962.
Bowman, Joseph C., O80597.
Boyd, Harvey S., O27504.
Brady, Walter, O80602.
Branham, Milton G., O80603.
Brann, Durward H., O80048.
Brant, William A., O80604.
Braucher, Ernest P., O27070.
Braun, William F., O80605.
Brice, Emmett T., O88589.
Brickell, Grant R., O80606.
Brigham, Erwin R., O38438.
Briscoe, John J., O27503.
Bromley, William J., O84545.
Broome, Earl B., O50300.
Broughton, Levin B., O27310.
Brown, Jacob, O84344.
Brown, John F., O27540.
Brown, John G. C., O80613.
Brown, Joseph E., O85491.
Brown, Lloyd A., O84345.
Brown, Lloyd W., O80615.
Browne, Harvey M., O80051.
Brownell, James R., Jr., O27107.
Bruno, Nicholas J., O84346.
Buchanan, James, Jr., O80052.
Buck, Oliver F., O84546.
Bundy, James A., O80053.
Bunton, Raymond B., O80622.
Burgess, Robert C., O27551.
Burke, John H., O50272.
Burke, John T., O27530.
Burke, Thomas D., Jr., O50238.
Burley, Roy W., O56351.
Burnell, Bates C., O27241.
Bush, George M., O27072.
Buto, Junichi, O80287.
Byrd, Herbert C., O84348.
Byrd, Leon C., O27746.
Caffey, Lochlin W., O27061.
Callahan, Patrick O., O27168.
Campbell, C. D., O84451.
Campbell, Edwin R., O38306.
Campbell, Hubert S., Jr., O50154.
Campbell, James W., O80635.
Cannon, Clinton C., Jr., O80636.
Capper, Thomas A., O84349.
Cardinell, Robert H., O56158.
Carley, John T., Jr., O27852.
Carnes, Richard C., O27321.
Carrington, George B., O27670.
Carter, Charles F., O27114.
Carter, Colin McR., Jr., O27082.
Carter, Douglas H., O50371.
Casey, George W., O27609.
Cash, Carl V., O76857.
Cassidy, John A., O84351.
Caudell, Louis, O80646.
Cavanna, Augustus R., Jr., O27576.
Cellucci, Loreto, O80648.
Cheek, Leon B., Jr., O80650.
Cherry, Hugh G., O80057.
Chidlaw, Richard A., O27096.
Childress, Albert W., Jr., O27749.
Christiansen, James G., Jr., O27161.
Church, Charlie R., O80654.
Churchill, George A., O27362.
Clark, Charles R., O39443.
Clark, John L., Jr., O80058.
Clark, Raymond L., O27300.
Clymer, David C., O27125.
Coats, Charles E., O80661.
Coberly, James E., O41275.
Coburn, Dick, O80662.
Coe, Joseph P., Jr., O50217.
Cole, Philip J., O80059.
Condit, Ross R., Jr., O80061.
Connell, George W., Jr., O41326.
Coogan, Vincent F., O50104.
Coombs, Richard B., O80672.
Coons, Norman M., O56078.
Cooper, Walter H., O84354.
Corcoran, Edward W., O80675.
Costa, Leonard LeR., O80678.
Cowan, Ralph H., O80392.
Craig, Harry W., O80063.
Crain, Charles L., O80680.
Crane, Richard C., O27245.
Cranford, Jack, O80682.
Creel, Buckner M., 3d., O39447.
Crosby, George D., O56157.
Cross, Richard E., O39433.
Crouch, Edward O., O79785.
Crouch, Floyd W., Jr., O56355.
Crowley, Robert W., O50171.
Culbertson, Robert G., O50108.
Cullen, John J., O84357.
Cumback, Robert T., O84548.
Cumming, James L., O87497.
Curington, Russell R., O56170.
Curry, Harold E., O27830.
Curtis, Charles H., O27564.
Curtis, Lawrence B., O80683.
Cuzick, Robert A., O36311.
Dailey, Bernard C., O27822.
Dale, John H., Sr., O76863.
Dallinga, Hyrum, O80685.
Dallman, James H., O27846.
Dalton, Elvin, O80687.
Dalton, Joseph R., O80066.
Dansby, Cecil G., O39452.
Daoust, George A., Jr., O27416.
Darden, Harry L., O80067.
Daub, David L., O80068.
Davis, Frank B., O80691.
Davis, Gerald W., O99814.
Davis, Manley E., Jr., O58802.
Davis, Raymond P., O56400.
Dawson, Dallas O., O49338.
Day, Stephen A., O27810.
Dayton, Kenneth G., O80692.
DeKay, Richard F., O27469.
Dean, William L., O84358.
Deery, Hugh A., O80698.
Del Vecchio, Marcello J., O27774.
Dement, Jere H., O50347.
Denz, Ernest J., O27172.
Devine, James E., O39442.
Dexter, George E., O27162.
Dickson, Herbert F., 2d, O39446.
Dietsche, Raymond O., O27292.
Dillon, Lester R., Jr., O50228.
Dingeman, Robert E., O27380.
Dinkins, Holly W., O80072.
Dodson, Arthur W., O80710.
Dolan, Philip J., O27092.
Dolson, Richard H., Sr., O50258.
Dominique, Charles J., O84361.
Douglas, Wayne M., O80714.
Dowd, Thomas E., Jr., O27160.
Downie, John W., O80717.
Downing, John P., Jr., O27290.
Drake, Thomas D., 2d, O27728.
Driscoll, Clarence R., O27324.
Drumright, William T., O84549.
Dubois, Keith F., O50403.
Dubsky, Charles F., O27480.
Dufault, Robert C., O80074.
Duggan, Walter, O50053.
Dul, Peter A., O80720.
Dunn, John F., O88052.
Dunn, Richard J., Jr., O80726.
Dunson, Noble H., O84841.
Durham, James T., O80728.
Dye, Harold A., O76871.
Dye, Laverne E., O80730.
Dye, Thomas A., Jr., O80731.
Ecklon, Leland C., O80732.
Eggleston, Edmond O., O80733.
Elkey, James H., O27370.
Elliot, Pat K., O38363.
Elliott, John W., O80737.
Ellis, Edward H., O50129.
Eneboe, Edward S., O27488.
Enteles, Theodore L., O88669.
Epp, Orlando C., O84362.
Erickson, Alfe L. F., O26915.
Erlenkotter, David, O27350.
Evans, James A., Jr., O80747.
Evans, Luther, Jr., O80748.
Evans, Vaughn G., O38460.
Everett, Frank G., Jr., O56290.
Evers, Raymond R., O80749.
Ewing, James W., O80079.
Eyster, George S., Jr., O27645.
Fair, Leland B., O56387.
Fair, Robert L., O38357.
Farley, Roy W., O27543.
Fay, John E., O81995.
Fehrs, John W., O27086.
Felder, Louis F., O38343.
Ferguson, Ernest S., O27594.
Ferguson, John M., Jr., O27436.
Ferrell, Odel P., O80080.
Fierke, Alfred H., O80081.
Fink, David, O27589.
Fischer, Carl H., Jr., O27873.
Fischer, Kenneth P., O39471.
Fischer, Leonard J., O80757.
Fisher, Paul M., O80759.
Fitzpatrick, Thomas E., Jr., O27453.
Fleck, Harold J., O80760.
Fleming, William, Jr., O80761.
Fletcher, Earl W., O50297.
Fletcher, John W., Jr., O27813.
Flint, Glenwood W., O27390.
Fluckiger, Fred, Jr., O88680.
Flynn, John R., O26881.
Foley, Richard F., O80765.
Forbes, John M., O27739.
Ford, Clifford H., O80766.
Forker, William L., O50125.
Forssell, George T., Jr., O27376.
Forsyth, George E., O80768.
Fowler, Delbert M., O27117.
Fowler, Donald E., O27237.
Fowlkes, William B., O39456.
Fraser, Ronald F., O84363.
Freda, James J., O84550.
Freeman, Herman O., O80775.
French, John T., O84364.
Friar, Clyde L., O50410.
Fridl, Arthur W., O27522.
Froelich, James H., O84365.
Furman, Hezekiah W. C., O39464.
Fye, Robert W., O27248.
Gagne, James V., Jr., O39450.
Gandy, William F., O80781.
Ganschow, Alfred K., O50352.
Garrett, O G, O80783.
Gatsis, Andrew J., O27883.
Gaunt, John M., O84366.
Geer, John, C., O27722.
Gelini, Walter C., O27132.
Giaccio, Albert P., O80787.
Giamario, Theodore, O80090.
Gibson, Harold B., Jr., O38340.
Gilland, James W., O27484.
Gilligan, John M., Jr., O27724.
Gist, William W., 3d, O38275.
Glaser, Robert D., O80792.
Gleason, James K., O80794.
Gleason, Thomas R., O27432.
Goeth, Frederick C., O27640.
Goldes, Joseph A., O38389.
Golston, Lawrence L., O50367.
Goodlow, Edmund R., O82013.
Gorder, Charles R., O27267.
Gorwitz, Bertram K., O80092.
Goss, Donald F., O80801.
Gould, Harold A., O80802.
Grabowski, William S., O80093.
Graft, Charles V., Jr., O37961.
Greer, Charles F., O27373.
Gresick, Bernard A., O80808.
Griffith, Rabun W., O27326.
Grimes, George E., O55568.
Grimland, Neal G., O76880.
Grisard, Gus H., O80095.
Gritz, Sidney, O80812.
Gross, Donald E., O27805.
Groves, Richard H., O27141.
Gudgel, Edward F., Jr., O27464.
Guild, Donald E., O80816.
Gustafson, Melvin E., O27693.
Guthrie, William R., O27406.
Gwynn, John E., O80818.
Hacker, Frederick, O80821.
Hackett, Paul T., O38296.
Hadzima, Joseph G., O27264.
Haen, Clifford L., O80822.
Haines, Aubrey McE., O87525.
Halbrook, Luther L., O50261.
Hall, Robert M., O27260.

Hallanan, George H., Jr., O80828.
Ham, William W., Jr., O56183.
Hamilton, Claud S., O27511.
Hamilton, Robert B., O80831.
Hamilton, William H., O41322.
Hand, Clifton E., O80832.
Hanket, Arthur P., O27194.
Hankins, William B., Jr., O27656.
Hansotte, Raymond, O80098.
Hardenbergh, Henry H., O76882.
Hardin, Ernest L., Jr., O27154.
Harding, Claude D., O88720.
Hardy, Earl C., O27582.
Harmeling, John T., O27579.
Harrington, James B., Jr., O27455.
Harrington, Robert H., O56543.
Harris, Earl D., O80839.
Harris, Leon M., O80840.
Harris, Peter J., O80842.
Harris, William T., O87778.
Hartley, C W, Jr., O87530.
Hartline, John D., O80845.
Hartline, Richard S., O27180.
Hartman, Durell B., O39466.
Haverkoch, Henry W., O84368.
Hawke, Willard W., O80849.
Hayden, James L., O27475.
Hayes, Robert E., O27347.
Hearing, Vincent J., O50126.
Heckman, Bill A., O80102.
Heilbronner, Edmund G., O27378.
Heimerl, Laurence L., O27454.
Henderson, Donald H., O27293.
Henderson, Oran K., O84369.
Henry, John F., O80861.
Henshaw, James L., O27357.
Herbert, James A., O27419.
Hermann, Richard M., O87533.
Herrington, Rupert C., O80862.
Hesse, Richard J., O27226.
Hesser, William F., O80105.
Heyman, James J., O27090.
Hicks, Orman E., O50224.
Higgins, George W., Jr., O85767.
Higgins, Robert F., O80865.
Hillman, Rolfe L., Jr., O27661.
Hintz, Kenneth R., O39469.
Hoffman, Jack N., O27459.
Hoffman, Robert L. R., O80873.
Hoge, George F., O27375.
Holcomb, James F., O27219.
Holcombe, William H., Jr., O27581.
Holimon, Thomas M., O91606.
Holland, Paul R., Jr., O27741.
Hollister, Robert L., Jr., O56296.
Home, William M., O41259.
Hooks, Walter A., O80877.
Hopkinson, Harry L., O80879.
Hopper, Harold W., O80880.
Horne, Peter L., Jr., O41120.
Hornelj, Edwin H., O80108.
Hospelhorn, Cecil W., O50222.
Hostetter, Charles A., O80882.
Howard, Charles R., O80109.
Huber, Robert E., O50219.
Huebner, Otto W., O50346.
Hughes, Henry J., Jr., O27831.
Hughes, Joseph D., O38386.
Hughes, Richard W. F., O80889.
Humphreys, Leonard A., O27467.
Hunsaker, James D., O84551.
Hunt, Ira A., Jr., O27074.
Hurow, Arthur, O84372.
Hutcheson, Henry E., O27725.
Hutchison, Warren S., O84373.
Hutson, Lowell R., O38419.
Illston, William G., O80895.
Imobersteg, Neil, O27389.
Ingham, Frederick L., O37681.
Ingham. James D., Jr., O27628.
Irving, Clark O., O56286.
Israelson, Nathaniel H., O80113.
Ives, Robert N., O27797.
Jackson, George D., O27821.
Jackson, Leonard L., O84552.
Jackson, Robert J., O76840.
Jacobs, Bruce M., O80903.
James, William H., O84374.
Jenkins, Paul W., O80114.
Jensen, Alvin C., O38400.
Jett, Richard O., O27856.
Johnson, Ernest W., O80116.
Johnson, Ivan H., O87804.
Johnson, John LeR., O80120.
Johnson, Kenneth R., O84375.
Johnson, Richard H., O27179.
Johnson, Richard S., O80911.
Johnson, Robert O., O80121.
Johnson, Vernon G., O88112.
Johnson, William F., O38325.
Johnsrud, Bernard E., O27423.
Jones, Ernest E., O80122.
Jones, Fred E., O27232.
Jones, George S., 3d, O27569.
Jones, Harvey C., O27169.
Jones, Lawrence McC., Jr., O27412.
Jones, Robert D., 80918.
Jones, William C., O50396.
Juraschek, Daniel P., O50234.
Kane, Francis B., Jr., O27602.
Kantz, Robert J., O80921.
Karhohs, Fred E., O56540.
Kearns, Thomas C., O88765.
Keezell, David B., O56136.
Kelley, Charles L., O50168.
Kellogg, James P., O84048.
Kelly, Henry E., Jr., O27291.
Kenna, George W., O84376.
Kennedy, John L., Jr., O27466.
Ketcham, Donald T., O84377.
Kettelhut, Marvin C., O84378.
Kiernan, James A., O80938.
Kimmins, Warden R., O56304.
Kirshrot, Isidor J., O84379.
Kissinger, Harold A., O39445.
Klar, Lawrence R., O84553.
Klaver, Clarence A., O80943.
Klepper, Irving C., Jr., O89528.
Knight, Albion W., Jr., O27216.
Kochel, Kenneth G., O27445.
Kohler, Donald J., O27203.
Konvicka, Henry H., O88772.
Kotzebue, Albert L., O56184.
Kovar, Paul J., O58240.
Kovar, Wilbert J., O27094.
Kratz, William G., O27083.
Krebs, Robert G., O27668.
Kreil, William P., O84554.
Kristoferson, Ralph S., O27102.
Kroesen, Frederick J., Jr., O50095.
Kunkel, Laurence J., O50183.
Kurkjian, George A., O84380.
Kusewitt, John B., Jr., O27495.
LaBoon, Frank A., O27183.
LaCroix, James P., Jr., O41330.
Ladson, Robert N., O80953.
Landis, Lincoln, O27588.
Lane, Ernest E., Jr., O27146.
Lansford, Jack P., O80956.
Lansing, Philip L., O27298.
Latimer, Harry D., O38320.
Lavite, Anthony, Jr., O38474.
Lawless, Roger E. J., O80960.
LeMere, Francis P., O84381.
LeMonier, Donald J., O80130.
Ledbetter, William R., O80962.
Leon, Robert M., O80131.
Lester, Loren R., O38411.
Levy, Charles W., O60108.
Lewis, Burl C., O84555.
Lewis, Burton O., Jr., O27745.
Lewis, Robert W., O50400.
Liewer, Karl R., O27474.
Lillard, Ross N., Jr., O84382.
Lilly, Roger J., O56302.
Limpus, Charles E., Jr., O27876.
Lindahl, William C., O38379.
Linden, John H., O27119.
Lindstrand, Nelson L., Jr., O80135.
Linn, Herschel E., O84556.
Livingston, Curtis F., O84384.
Livingston, Douglas M., O80137.
Lockhart, Albert E., O50374.
Lockhart, Wilson L., O80980.
Lofland, William O., Jr., O80981.
Lohn, Houghton, O27181.
Londner, Bernard, O80983.
Long, Louis E., O90375.
Longino, Thomas D., 2d, O27798.
Lopez, Leonard F., O56311.
Losco, Fiorenzo D., O56579.
Love, Everett E., O27148.
Love, William J., O27224.
Lovejoy, Charles D., O79900.
Lownds, John G., O38211.
Lozano, Arthur H., O27438.
Luckey, James P., O80138.
Lutz, Gaylord E., O84385.
Lutz, Robert C., O27359.
Lyman, Richard M., O56519.
MacDonald, Alan, O80140.
MacDonald, Melville J., Jr., O56444.
MacFarland, James C., O80996.
MacFarlane, Jack, O38463.
MacKechnie, Theodore R., O38287.
MacKenzie, Douglas A., O80998.
Macidull, Joseph C., O85109.
Macintire, Horace A., O27238.
Mackinnon, Robert N., O27889.
Maeder, Richard H., O38409.
Maertens, Thomas, B., O27847.
Maier, Harold E., O50287.
Main, Leonard B., O84557.
Maltese, Edward V., O84387.
Manitsas, Nikitas C., O27254.
Mann, Robert J., O27361.
Marcelle, David A., O81005.
Maris, Albert J., O27711.
Marks, Joseph W., O81007.
Marriott, Thomas E., O27348.
Marschhausen, John C., O84843.
Marsett, Robert C., O38352.
Marshall, George W., O81010.
Marshall, Robert B., O81011.
Martin, Doyne K., O81014.
Martin, Orville W., Jr., O50102.
Martin, Stephen G., O41261.
Matte, Robert G., O56106.
Mattison, William R., O81018.
Mattos, Anthony R., O91325.
May, Billy J., O84558.
Mayhall, John O., O55744.
McAlister, Robert C., O27159.
McAtee, John T., O56390.
McAvoy, Donald W., O81021.
McBride, Robert W., O27076.
McCaffrey, John E., O79916.
McCaffrey, William J., O84388.
McCarren, Edwin J., O50214.
McCarthy, Joseph E., O27570.
McChrystal, Herbert J., Jr., O27327.
McClain, John W., O88816.
McClary, William T., O80145.
McConnell, Donald H., O81027.
McConnell, Richard E., O27108.
McCulloch, John J., O27177.
McCunniff, Thomas G., O27732.
McDaniel, Robert L., O27771.
McDonald, William H., O84390.
McDonough, Joseph C., O27864.
McFadden, Charles R., O50045.
McFadden, Raymond I., O27171.
McFarland, B J, O85110.
McGinnis, Eugene J., O84393.
McGovern, Russell D., O27738.
McGuinness, William V., Jr., O27296.
McGuire, James M., O84394.
McKenna, James O., O38369.
McKinney, John B., O76895.
McKinnis, Charles C., O80148.
McKiveen, Richard B., O80149.
McLaughlin, George R., O81037.
McLellan, William A., O84559.
McMurdo, Strathmore K., O27498.
McMurray, William H., O27118.
McNamee, Roland W., Jr., O27544.
McQuarrie, Claude M., Jr., O27434.
Medaugh, Robert D., O84397.
Mehner, Frank E., O27122.
Melanson, Joseph E., Jr., O27624.
Mellen, Thomas W., O80150.
Melloh, James L., O84398.
Mendenhall, Francis E., O38303.
Merrell, J. Sterling, O81045.
Mertel, Kenneth D., O38477.
Mewha, John, O90507.
Middleton, Troy H., Jr., O39454.
Mikhalevsky, Alexander S., O38452.
Millar, Donald B., O81049.
Miller, Donald E., O81050.
Miller, Eric O. A., Jr., O50342.
Miller, Frederick J., O84561.
Miller, Hubert G., O80272.

Miller, Raymond O., O27489.
Mills, Edgar F., O81056.
Monaghan, John T., O38455.
Monroe, Putnam W., O27282.
Moore, Harold G., Jr., O27678.
Moore, Robert K., O81069.
Moranda, George E., O81070.
Morey, Galen C., O84562.
Morris, James W., O27583.
Morris, James M., Jr., O27833.
Morris, Robert C., O81075.
Mort, Thomas A., O50330.
Muehlke, Albert F., O27234.
Mueller, James M., O27121.
Mumford, Elmer S., O88450.
Munroe, Donald A., O84050.
Munson, James A., O27230.
Munt, Francis R., O81081.
Murphy, John De S., O27789.
Murray, John E., O84401.
Musgrave, Thomas C., O27176.
Muttoni, Donald S., O81083.
Myers, Chester L., O81084.
Myron, John F., O27585.
Nacy, John D., O27308.
Napier, Herman S., O27636.
Naughton, Francis E., O81086.
Neal, William D., Jr., O84402.
Neff, John H., O27790.
Nelson, Donald T., Jr., O27303.
Nemky, Milton, M., O50288.
Nerdahl, Carl B., O27664.
Nettles, William R., Jr., O50044.
Newell, John H., O38420.
Newman, Vernon H. H., O27336.
Newton, Cleon H., O80154.
Nichols, Thomas J., O27138.
Nichols, William M., O27101.
Nicholson, James E., O80155.
Nicholson, Tom M., O81090.
Nicol, David J., O38480.
Nicol, Robert L., O56367.
Niemann, Mark W., O84563.
Noahson, Coleman, O50232.
Norman, William S., O50071.
Norwood, Roger M., O84404.
Nusbaum, Keith C., O27251.
O'Brien, James H., Jr., O27369.
Ochs, William Van D., Jr., O27857.
O'Connor, Charles D., O38471.
O'Donnell, Neil J., O27697.
O'Donohue, Thomas J., O81102.
O'Hare, Joseph J. Jr., O56560.
Olenchuk, Peter G., O50411.
Olin, Warren S., O84406.
Oliver, George S., O81105.
Olsen, Vincent I., O91661.
Olszewski, Walter J., O81109.
O'Meara, William F., O92108.
Oppenheimer, Hugh C., O27568.
Orchel, Stanley, O81110.
Orlando, John A., O81111.
Ormond, Merle F., O38479.
Orr, Lawrence E., Jr., O81112.
Oswell, Gorman S., O81115.
Owens, James G., O50353.
Owings, James B., O41254.
Parker, Fred C., 3d, O27493.
Parker, Woodrow W., O81122.
Parks, Marion W., Jr., O81123.
Parmley, Gee W., O80161.
Parr, Robert J., O27461.
Partridge, Selden H., O85111.
Patchell, James K., O27735.
Patrick, John W., Jr., O38443.
Patterson, James H., O76905.
Pavia, Frank N., O27791.
Pelland, James G., O38286.
Pencak, William, O87582.
Pennington, William Y., O81130.
Peralta, Roberto, O56305.
Perna, Leonard P., O84409.
Perry, William O., Jr., O27729.
Persky, Harold D., O80167.
Peterson, Palmer A., O81133.
Peyton, Tom L., Jr., O50117.
Phillips, Warren B., O81137.
Pickell, George W., O81138.
Pierce, John R., Jr., O38381.
Pierce, John T., 3d, O38319.
Pierre, Joseph L., O84566.
Pinkey, Vernon W., O27174.
Pinkstone, Hueston L. J., O81142.
Pittenger, Edwin C., Jr., O38378.
Pitzer, Homer S., Jr., O27652.
Posich, Lewis V., O50397.
Post, Everett O., O27619.
Post, Harold N., O81144.
Potter, Elmer W., Jr., O84411.
Potter, Jack C., O81147.
Powers, John F., Jr., O38350.
Powers, John J., Jr., O27478.
Powers, Joseph W., O50190.
Powers, Patrick W., O27346.
Pratt, Randall U., O27421.
Prescott, Daniel C., O27837.
Presley, Lemuel I., O50254.
Preston, Edmund R., Jr., O27525.
Price, Alfred J., O27397.
Price, Herbert H., Jr., O27825.
Price, James F., O94781.
Price, Marvin L., O27157.
Proctor, William D., O38482.
Puleo, Albert, O88887.
Putman, Oliver L., O80172.
Pye, William S., O81155.
Quisenberry, Joe F., O81157.
Rakas, Albert S., O97856.
Raleigh, Edward C., O81159.
Ramos, Francisco J., O50174.
Ramsay, Joseph P., O58117.
Ramsburg, Charles E., O81160.
Ramsburg, John H., O89131.
Rasmussen, James A., O27612.
Rateau, Munro A., O81162.
Rattan, Donald V., O27695.
Read, Arthur J., O84567.
Reese, Robert M., O27875.
Reidenbaugh, Charles H., O81170.
Reidy, William J., O27679.
Revolinsky, Philip A., O50139.
Reynolds, Wylie S., Jr., O41094.
Rhett, John T., Jr., O27178.
Richards, George B., O84413.
Richey, Ralph D., Jr., O81177.
Richmond, Allen P., 3d, O50068.
Richstein, Abraham R., O58799.
Richter, Arley C., O84568.
Rickman, Charles A., O84414.
Riddler, Garth A., Jr., O81178.
Rideout, Merle C., Jr., O60155.
Rieger, Gordon J., O56428.
Riek, Justus R., O81179.
Rimlinger, James L., O81180.
Rinearson, Abram V., 3d, O27242.
Ringler, Arthur H., O27820.
Rippey, George E., O81181.
Roach, John E., Sr., O55600.
Robbins, George B., Jr., O50176.
Roberts, David, O84416.
Robertson, David H., O80176.
Robertson, James C., O81185.
Robles, Francis P., O50105.
Rochefort, Joseph J., Jr., O27085.
Rodgers, Otis H., O50049.
Roemmer, Joseph, Jr., O87901.
Rogers, Joseph J., O81188.
Rogers, Wilfred L., O27603.
Roller, Thomas A., O56153.
Rollison, Howard E., O81189.
Rood, Gordon D., O81190.
Root, James T., O27734.
Root, Walter H., Jr., O27486.
Rosell, Thomas G., O41294.
Rosoff, Martin, O81191.
Ross, William E., O50151.
Rossini, Martin A., O80179.
Roth, Almon R., O27355.
Rowley, Hobart L., O81192.
Rudulph, Louis F., Jr., O81194.
Rumpf, Darrell R., O50368.
Russo, Joseph, O27356.
Rutherford, Benjamin, O80180.
Sadler, John F., Jr., O88910.
Sadove, Aaron S., O81197.
Sager, Perry A., O81198.
Salsbury, Harry J., Jr., O57963.
Salter, Sylvan E., O27364.
Samborski, Henry J., O87906.
Sanders, Frederick, J., O81200.
Sandsmark, Albert I., O81202.
Santangelo, Francis A., OF100346.
Sargent, Chester C., O27653.
Saunders, David I., O84418.
Sawyer, Bickford E., Jr., O27689.
Sawyer, Norman R., O84419.
Saxby, Edward S., O27404.
Sayes, Thomas H., O84569.
Scales, Robert H., O80181.
Scanlon, William E., O81203.
Schalbrack, Andrew LeR., Jr., O84570.
Schelter, Louis J., Jr., O27806.
Scherberger, Richard J., O81204.
Schmidt, Walter A., O38346.
Schmiedel, Robert A., O81205.
Schneckloth, Barney D., O27756.
Scott, George A., Jr., O38310.
Senechal, Jack F., O56382.
Shackelton, Phillip L., O92009.
Shadle, Charles McC., O41182.
Shafer, Wade H., O27703.
Shanklin, John D., O84571.
Shaw, Harry J., O27131.
Shearer, Robert F., O84572.
Shemwell, Elwood H., O56066.
Shepard, George, O87462.
Sheppard, Albert D., Jr., O27259.
Sheppard, Orval H., O81215.
Sheriff, Herman W., O81216.
Sherman, Gerald, O81218.
Sibert, William C., O27733.
Siska, John R., O38289.
Skeiber, Stanley C., O80185.
Skiffington, Edward H., O81232.
Slazak, Walter J., O27151.
Smith, Albert C., Jr., O50121.
Smith, Elbridge A., O80188.
Smith, Ellsworth F., O39449.
Smith, Erskine, O27747.
Smith, Frank B., O84424.
Smith, George F., Jr., O27247.
Smith, Gerald A., O80189.
Smith, Harry A., O80002.
Smith, James C., O38314.
Smith, James R., O88941.
Smith, Kenneth J., O81236.
Smith, Merle J., O80190.
Smith, Rayburn L., Jr., O27607.
Smith, Richard A., O27490.
Snyder, Hollice H., O49998.
Sobel, Harold A., O81245.
Sollosi, John S., O81246.
Spalding, William F., O26488.
Spann, Charles W., O27135.
Sperry, John B., O56300.
Spires, George H., Jr., O81250.
Spragins, Charles E., O27712.
St. Onge, Robert J., O27844.
Stahelski, Anthony F., O81254.
Standish, Myles E., O80193.
Stanfiel, Charles A., O84426.
Stanley, Spencer G., Jr., O38301.
Starke, William S., Jr., O81257.
Starr, John B., O81258.
Startt, James W., O56521.
Staver, Donald F., O50422.
Stephens, James W., O56149.
Stephens, Norman M., O38390.
Stevens, Frank D., O56568.
Stewart, Harry T., O27331.
Stewart, Keith MacA., O27700.
Stewart, William G., O27084.
Still, Edgar E., O81260.
Stites, William H., O27399.
Stone, Guy E., Jr., O86819.
Stouffer, Lewis S., O84575.
Strock, Robert D., O50098.
Stuart, James A., Jr., O27777.
Sullivan, Sardis M., O88320.
Sweeney, Francis S. P., O81271.
Sweet, Frederick, O38332.
Swope, Herman E., O80194.
Syme, James O., Jr., O84844.
Syverson, Douglas W., O81272.
Tabor, Harry E., O81273.
Tanner, James B., O27401.
Tarnell, Benedict A., O81275.
Taylor, Royal R., O80195.
Tharp, Charles D., O90371.
Thayer, Robert D., O84430.
Them, Eugene F., O84431.
Thomas, David H., O27610.
Thomas, Edward G., O84432.
Thomas, Gordon F., O81284.

Thompson, John R., Jr., O81289.
Thornley, James F., O85273.
Thouvenelle, Gerald G., O50060.
Tierno, Ralph T., Jr., O27601.
Tolar, Robert A., O27468.
Tooles, John H., O50392.
Tootle, Vernon M., O41287.
Toppin, Joseph D., O81297.
Townsend, James O., O84433.
Towson, William J., O81299.
Trefz, William C., O27079.
Truby, John O., O27426.
Trumps, Shirly R., O87956.
Truscott, Lucian K., 3d, O27519.
Tucker, Roy A., O84434.
Turk, Stanley J., O80198.
Tyler, John P., 3d., O27128.
Tyndall, James B., O84577.
Vallaster, John J., Jr., O27473.
Van Atten, William T., O38274.
Van Cleve, Joseph C., Jr., O27431.
Van Dyke, John M., O38451.
Van Hout, Harold A., O27623.
Vance, Daniel, Jr., O38441.
Vassett, Francis J., O84435.
Velie, Earl R., O27410.
Venables, Joseph E., O84437.
Vinson, Wilbur H., Jr., O27405.
Waddington, Robert B., O27527.
Wahl, John, O27613.
Walker, Marvin A., O81311.
Walker, William A., Jr., O27415.
Wallace, George M. 2d, O27556.
Wallace, William E., O50100.
Waller, James C., Jr., O50167.
Walsh, Owen J., O50345.
Walter, Virgil D., O84438.
Walts, Charles C., Jr., O82118.
Waltz, Floyd R., Jr., O81315.
Wamsted, Leland D., O50179.
Washbourne, Kenneth W., O81319.
Weaver, Lamar, Jr., O27523.
Weaver, Maurice S., O50094.
Weaver, Robert K., O56993.
Webb, Jesse W., O84439.
Webel, James B., O39463.
Webster, Donald C., O81323.
Weinberger, Howard W., O38234.
West, Richard L., O27091.
Weston, John M., Jr., O81328.
Weyant, Wallace W., O39461.
Whalen, Donald E., O81329.
Wheaton, Paul R., O27800.
Whitaker, Howard K., O81332.
White, Clifford M., Jr., O27363.
Whitley, Jesse W., O50070.
Whitlock, Charles T., O81334.
Wichlep, Bernard J., 027349.
Wier, William B., Jr., O27200.
Williams, Richard C., O27462.
Wilson, Albert F., Jr., O81342.
Wilson, Raymond J., Jr., O81345.
Wilson, Roy L., O81346.
Wilson, Samuel V., O36566.
Wiltse, Woodrow W., O81348.
Winkeller, Herbert B., O50198.
Winthrop, Edward L., O27560.
Winton, Marshal C., O84443.
Withey, George L., Jr., O27714.
Wittwer, Wallace K., O27294.
Wolaver, Harold D., O27803.
Wolaver, James F., O80203.
Wolfe, William R., Jr., O27514.
Wondolowski, Peter S., O79642.
Wood, William C., Jr., O27861.
Woodard, Andrew J., O84445.
Woodard, Charles E., O84446.
Woolley, Joseph L., O27400.
Worley, Marvin L., Jr., O86959.
Worthing, Leigh W., O81355.
Worthington, Fayette L., O27318.
Wright, Amos L., O27095.
Yanker, Frederick W., O38351.
Yerks, Austin J., Jr., O27787.
Yocum, Robert D., O80205.
Young, Willard W., O58739.
Yowell, Robert C., O41335.
Zidar, James J., O85112.
Zook, William E., O27708.

To be lieutenant colonels, chaplains

Allan, James B., O85717.
Benner, Herman N., O76789.
Durand, Henry L., O67566.
Foley, John I., O84722.
Gefell, Joseph G., O76790.
Hope, Holland, O58795.
Hyatt, Gerhardt W., O58796.
Knier, Aloysius M., O68368.
Lawson, Harold B., O60750.
Lindsey, Chester R., O79686.
McLeod, Walter G., O60748.
Messing, Joseph B., O67848.
Sterling, Edward A., 3d, O93513.

To be lieutenant colonels, Women's Army Corps

Bailey, Mildred C., L281.
King, Ruth A., L534.
Moss, Jimmie D., L179.
Redenius, Josephine L., L189.
Seawell, Sarah C., L128.
Yoniack, Frances M., L157.

To be lieutenant colonels, Medical Corps

Allerton, William S., O59713.
Anderson, Clarence LeR., O61069.
Arrington, Clifton W., O58032.
Austin, James A., O65571.
Badgley, Theodore McB., O62975.
Beck, Marcus R., O60043.
Beisel, William R., O59560.
Bellas, Joseph J., O65675.
Berrey, Bedford H., O65949.
Biehusen, Frederick C., O58038.
Bitner, Leland M., O59570.
Blemly, Nelson R., O62969.
Bottiglieri, Nicholas G., O67791.
Boysen, Alexander M., O59612.
Brackebusch, Carl O., O59561.
Briggs, Gordon W., O62940.
Brittis, Anthony L., O60042.
Brune, Warren H., O66613.
Buchanan, David P., O59563.
Buescher, Edward L., O60050.
Canfield, Irving H., O63713.
Canham, John E., O62925.
Carlton, Donald C., O67903.
Cenac, Mark T., O63220.
Champlin, Gerald A., O60046.
Chandler, Bruce F., O59613.
Chandler, Eugene F., O63672.
Child, Proctor L., O67905.
Cole, Norman J., O58028.
Daniels, Roswell G., O60058.
Draheim, John H., O60034.
Edelman, Louis B., O74985.
Fischer, Carl A., O63213.
Fisher, George W., O67569.
Forrester, Ralph H., O63165.
Froemming, William E., O64930.
Gamble, Robert D., O59694.
Gardner, Henry S., O77849.
Gibbs, James J., O62934.
Gibson, John R., O63454.
Glew, Donald H., Jr., O59550.
Glock, Robert F., O62936.
Gordon, John N., O59695.
Graybill, Leon D., O59567.
Greene, Calvin E., O97911.
Griffin, Herschel E., O65676.
Hackett, Louis J., Jr., O66622.
Hall, Robert J., O59628.
Hall, Robert McC., O64929.
Hall, William H., O60133.
Hamilton, George B., O60143.
Hannon, Joseph L., O59553.
Hansen, Herman R., O67926.
Hansen, James E., O62926.
Harman, Louis E., Jr., O62916.
Hausman, William, O58273.
Hawe, Donald W., O70194.
Hedberg, Charles L., O59566.
Howie, Donald L., O60756.
Hurd, Harry F., O59587.
Irvin, Robert W., Jr., O59555.
Jackson, Lawrence M., Jr., O59443.
Jahnke, Edward J., Jr., O59591.
Jesseman, Winston C., O60060.
Johnson, Arnold W., Jr., O62920.
Johnson, David E., O63164.
Jones, Robert C., O62941.
Keim, Robert R., Jr., O62937.
Kelly, Thomas D., O65420.
Kempe, Ludwig G., O67586.
Kielman, Edmund R., O85428.
Lauderdale, James M., O59552.
Leslie, William T., O69524.
Lindig, Edwin, Jr., O58776.
Lineback, Carl M., O66037.
Livingstone, Bruce L., O62944.
MacQuigg, David E., O61174.
Mason, Roscoe E., O59618.
McCurdy, Harry W., O60016.
McGonagle, Laurence C., O62938.
Mendenhall, Max K., O76385.
Meriwether, William A., O65572.
Moncrief, John A., O91648.
Moore, Charles A., O59584.
Moore, Walter H., Jr., O67597.
Moser, Robert H., O59597.
Munger, Richard S., O67599.
Murphree, Harold C., O68389.
Nelson, Thomas G., O64933.
Newman, Stanley, O62965.
Nicholas, Theodore H., O58771.
O'Dell, Edward T., O57960.
Painter, John H., O59551.
Palmer, Paul W., O60097.
Parmenter, Robert E., O62960.
Passmore, Jack W., O60144.
Peisel, Francis J., O59621.
Phelps, Harvey W., O64935.
Phippen, William G., O59581.
Pitts, Forrest W., O59747.
Pixley, Charles C., O57841.
Porter, Warren E., O58046.
Quinn, Robert H., O67605.
Reisner, John E., O62952.
Richert, Joel H., O60145.
Rink, Richard A., O64927.
Roth, Joel L., O60139.
Schmidt, Robert B., O62966.
Serfas, Lee S., O61184.
Sharp, John H., O59619.
Sholk, Alvin, O59630.
Singer, Ralph C., O66638.
Skeehan, Raymond A., Jr., O67959.
Slade, Robert E., O99997.
Sundre, Robert L., O62950.
Terrill, Arthur A., O59594.
Teschan, Paul E., O59604.
Throne, Elias M., O62956.
Tiffany, William J., O65417.
Tomsovic, Edward J., O58217.
Tormey, David M., O59609.
Turan, Ekrem S., O95402.
Vander Ploeg, Darl E., O62963.
Wells, Charles H., O70126.
White, David C., O60763.
Williams, Fred C., O57906.
Winn, Dean F., Jr., O57959.
Woodard, George S., Jr., O62924.
Woodward, Kent T., O58230.
Wright, William H., O59580.

To be lieutenant colonels, Dental Corps

Alling, Charles C., O56253.
Amaral, William J., O63474.
Baranowski, Leo F., O56210.
Bates, Robert E., O56939.
Benson, Walter E., O61950.
Bethart, Hector, O56266.
Bolbat, Walter J., O60735.
Bowers, Dale C., O57751.
Brown, Walter Z., O57752.
Burns, Doyle E., O63668.
Campagna, Sebastian J., O57845.
Chandler, John R., Jr., O56983.
Clark, Raymond C., O61072.
DeYoung, Millard E., O57418.
Di Matteo, Albert J., O60099.
Donahue, James L., O58116.
Dougherty, William O., O61172.
Ellis, David J., O63154.
Flinchbaugh, Ralph W., O61071.
Foster, James K., Jr., O63161.
Geer, John F., O63719.

Gladue, Wilfred H., O56951.
Goodman, Thomas K., O57984.
Gowan, Paul M., O57914.
Heilg, Frederick A., O58115.
Hill, James J., O63778.
Horne, David E., O78587.
House, Ernest E., O63720.
Hughes, Kenneth W., O57846.
Jackson, Wendell T., O57897.
Kendall, Charles G., O62904.
Klevan, Dean C., O63450.
Konze, Charlie F., O59448.
Korchin, Leo, O61173.
Lancaster, Carolus N., O62902.
Lancaster, James E., O57037.
Lewis, Carter H., Jr., O57915.
Lewis, Sherman, O57844.
Lister, Lloyd, O57718.
Lister, Roderick L., O57753.
Maloney, Richard J., O57574.
Margetis, Peter M., O57047.
McCall, Howard W., O57541.
Merchant, Hubert W., O63669.
Moody, Ashton A., O57826.
Pleasants, John E., O58701.
Pollock, Jack P., O62909.
Rowan, Robert J., O61063.
Rowland, Robert B., O63781.
Sawyer, Hosea F., O56262.
Schreiber, Leonard K., O60734.
Schroeder, Charles R., O63783.
Stalker, Francis O., O63151.
Stiesmeyer, Edward H., O60741.
Strong, William C., O57394.
Styer, Donald J., O63716.
Suriano, Raffaele, O63212.
Taylor, Thomas W., O57717.
Thomasson, Kenneth W., O62911.
Thompson, Henry C., 3d., O56973.
Thompson, James T., O49976.
Wakeham, Richard D., O78625.
Watkins, John A., Jr., O56259.
Wian, George I., Jr., O56267.
Williams, Lloyd E., O63472.
Zack, Justin S., O57048.
Zak, Henry L., O63831.

To be lieutenant colonels, Veterinary Corps

Beuschel, Lorenz L., O60776.
Brooks, William G., O41135.
Castleberry, Merida W., O61954.
Elia, Charles V. L., O60771.
Greiner, Robert B., O60770.
Grogan, Earl W., O56275.
Guy, Donald E., O60774.
Henderson, Joshua E., O56264.
Hightower, Dan, O63222.
Hogge, Arthur L., Jr., O37634.
Hubbard, Daniel W., O60775.
Kirk, Samuel K., O58783.
McChesney, Thomas C., O56242.
Miller, Henry M., O41150.
Nims, Robert M., O37638.
Oster, Martin S., O60777.
Pede, Elmer R., O56206.
Prather, Elwin R., O60766.
Quigley, Joseph S., O60765.
Ritter, George E., O63221.
Schneider, Warren J., O56209.
Thompson, Samuel W., 3d, O56268.
Wilson, John O., O60773.

To be lieutenant colonels, Medical Service Corps

Akers, Stephen E., O38569.
Anderson, Robert I., O56990.
Boyd, Lester R., O38559.
Brady, Joseph V., O38563.
Clark, Robert L., O50575.
Couch, James H., O78645.
Covington, Robert L., O38576.
Craig, Howard H., O80291.
Crandall, Francis N., O84822.
Crotty, Melvin W., O26985.
Ellis, Paul H., O79652.
Ferm, Robert C., O84308.
Filtsch, Frank E., O84823.
Franklin, Charles L., O38562.
Frase, Robert C., O38561.
Gilliam, Robert N., O38572.
Haggerty, John E., O80298.
Hammond, Henry L., O26976.
Hood, David H., O26978.
Howard, Walter A., O56278.
Kaddatz, Reinhardt H., O84309.
Kanaya, Jimmie, O38558.
Lavault, Paul A., O79668.
Lee, John A., O84310.
Martin, Ersel E., O79670.
Mattie, Edward C., O79671.
McKenzie, Vernon, O84312.
McNamara, Jack W., O26990.
Miller, Quentin H., O50573.
Neal, Forest L., O38577.
Northing, John W., Jr., O38557.
Overmyer, Chester E., O79672.
Shively, Charles J., O79674.
Simpson, Thomas M., O84725.
Van Der Aa, Robert E., O38575.
Verfuerth, Vincent P., O79661.
Weighton, Gordon F., O56772.
Wigger, James R., O38571.
Williams, John O., O56276.

To be captain

Austin, Ralph A., Jr., O87998.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3304:

To be lieutenant colonels, Army Nurse Corps

Bauer, Anne N., N872.
Bender, Alice J., N2481.
Berg, Mary J., N2429.
Bitter, Louise F., N1358.
Burleson, Gertie A., N2304.
Bustraan, Ruth, N936.
Callentine, Helen L., N2187.
Clarke, Lacadia M., N1132.
Coover, Dora M., N1344.
Donahue, Mary S., N2090.
Edenfield, Sammye, N740.
Freese, Thelma U., N2838.
Geis, Rita M., N2087.
Grenon, Jeannette D., N1002.
Inglis, Ethel M., N1516.
Lessard, Marcia M., N1079.
Linke, Jean M., N1992.
Mahn, Gertrude I., N752.
Marwine, Beulah L., N2097.
Murphy, Patricia T., N2107.
Ognibene, Josephine M., N2289.
Osterman, Lydia D., N901.
Ryan, Phyllis, N869.
York, Jeraldine, N1929.

To be lieutenant colonels, Army Medical Specialist Corps

Anderson, Mildred J., M10026.
Brice, Virginia N., R10049.
Nachod, Elizabeth M., J50.

The following-named persons for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel, Medical Service Corps

Carpenter, Stanley J., O41712.

To be colonel

May, Metticus W., O29394.

The following-named persons for appointment in the Regular Army by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3292:

To be captains, Judge Advocate General's Corps

Fontanella, David A. (Armor), O76128.
Hinrichs, Robert M. (Ordnance Corps), O72098.
Morrow, Cecil R., Jr. (Infantry), O87571.
Willey, John L. (Infantry), O85462.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be majors

Bluhm, James L., O2033733.
Gibson, Dale E., O1686241.
Gorman, John W., O565466.
Harold, George J., O563232.
Hines, George G., O1327003.
White, Rudolph D., O978881.

To be captains

Adams, Paul L., O4069603.
Barker, Bob L., O5201769.
Budny, Julian J., O4068482.
Chin, Moy O., O4019746.
Davis, Jethro J., O4009550.
Enger, Kenton O., O4009690.
Fleming, Harold A., O1885931.
Hackworth, David H., O2263090.
Hammaker, Charles A., Jr., O1928746.
Ivey, George N., O5301692.
Jakes, Frank R., O2097641.
Kemp, Carroll P., Jr., O4009762.
McCollum, James M., O1887112.
McEvily, Robert E., O4021108.
Mitchell, Charles H., O4070466.
Moore, Bobby L., O5411156.
Moore, Donald W., O4028322.
Pastrana-Silva, Luis R., O5826069.
Patterson, Kenneth M., O4075364.
Ragsdale, Billy B., O4006963.
Romig, Danny L., O4074852.
Roth, William R., O4056878.
Rountree, Herbert A., O4025024.
Shiery, Howard C., II, O5200036.
Smith, Eldon L., Jr., O4071231.
Spinks, Raymond F., O1935511.
Watts, James H., Jr., O4042917.
Welch, Gene B., O4026452.
Zotcavage, John A., O4026526.

To be first lieutenants

Admire, Larry R., O5508466.
Bergeron, Andrew L., O5008099.
Boone, George F., O4062249.
Bowers, Billy J., O5513145.
Carter, James R., O5312018.
Case, David W., O5706333.
Clark, Niles C., Jr., O4058659.
Coffman, Joe P., O2309644.
Federline, Audley M., Jr., O5308429.
Galliers, Richard J., O5211993.
George, Graham W., Jr., O5313932.
Goodin, Marion J., Jr., O5409580.
Grant, David E., O4066887.
Griffin, Thomas J., III, O5314439.
Hervey, Albert E., Jr., O5412989.
Holloway, Rex L., O5311694.
Horsman, George L., II, O5410703.
Jones, Leslie H., O5515807.
Kenyon, Richard H., O5007084.
Klingensmith, David B., O5208729.
Little, Allan G., O5405484.
Matthews, Ronald M., O2292435.
Neily, Reagh E., Jr., O5011444.
Oura, Donald M., O5800202.
Peiper, Richard W., O5504028.
Petty, James D., Jr., O5412691.
Randall, Michael A., O5312191.
Rebber, Dennis L., O5313698.
Rupp, Melvin C., O2307066.
Saunders, Francis V., O5705811.
Sawyer, Neal W., O5512919.
Shirley, William A., O5309205.
Smith, James C., II, O5214738.
Tomblinson, William G., O5515768.
Vargas, Rafael U., O5002883.
Whitaker, Bobby V., O5309122.
Williams, Robert B., O5705401.

To be second lieutenants

Anderson, Calvin M., O5517851.
Bulger, John P., O5008296.
Chapman, Michael G., O5317391.
Covault, Marvin L., O5516969.
Cowan, Charles E., Jr., O5013543.
DiEduardo, Joseph A., O5218620.
Dortch, John D., O5708078.
Duncan, James L., O5316449.

Fujimoto, Maurice M., O5800292.
Gillham, John N., Jr., O3059166.
Haslemann, Walter, O5707969.
Jorgensen, Robert R., O2308184.
Kalinowski, Donald D., O5311281.
Kelley, Lawrence O., O5316585.
Kirby, Wilford R., O5318211.
Lankford, Carson W., O5212957.
Leach, Frank J., O5315233.
Leyda, Craig H., O5510150.
Mitrione, Michael F., O5017068.
Myers, Jesse W., Jr., O5319020.
Norman, Neal E., O5519245.
Smelcer, Charles, O2297280.
Tames, Robert G., O5220240.
Tracz, William J., O5016628.
Williamson, John G., O5515409.
Womble, Columbus M., O5317687.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, and 3294:

To be major, Medical Corps

Schofield, Elliott C., O2003385.

To be captain, Chaplain

Gans, Arthur E., O5701580.

To be captains, Dental Corps

Appleton, Isaac E., O5408339.
Cerveny, Philip F., Jr., O5200200.
Hawley, Charles E., O5210349.
Lorio, Gary P., O5408724.

To be captains, Medical Corps

Aeling, John L., O2305105.
Christensen, Edward W., O5014738.
Hanby, Daniel E., O2309163.
Kahler, Victor L., O5408610.
Levine, Monroe I., O5200402.
Morales-Cabranes, Manuel C., O5826092.
Po, Benjamin T., O5315911.
Shaw, Richard C., O5502462.
Stanley, George R., O2298135.

To be captain, Medical Service Corps

Montalvo, Frank F., O2271016.

To be captains, Veterinary Corps

Boucher, John H., O2298257.
Lindquist, Edwin W., Jr., O2298108.

To be first lieutenant, Army Nurse Corps

Anderson, Parma M., N2316292.

To be first lieutenant, Dental Corps

Spano, Donald M., O5216788.

To be first lieutenants, Judge Advocate General's Corps

Anderson, Vincent P., O5214856.
Fulton, Larry J., O5412228.
Kienlen, Ronald A., O5513834.

To be first lieutenants, Medical Corps

Bigelow, Charles R., O5403468.
Coats, David A., O5312821.
Cobb, Tyson C., O5224200.
Fossum, Dale R., O2313230.
Hall, Ronald R., O5408252.
Hecht, Manfred H., O5875001.
Hinckley, Marshall E., O2313224.
Hooper, Robert L., O2316906.
Irby, Benjamin F., Jr., O2313103.
James, Charles F., O2313104.
MacDonald, Robert J.
Morrisseau, Paul M., O5012829.
Rodriquez-Garces, Francisco R., O2313018.
Thomason, William B., O5303733.
Williams, Reginald D., O5519305.

To be first lieutenants, Veterinary Corps

Cooper, James C., O2312203.
Hickman, Robert L., O3038342.
Matney, Harvey R., O2317355.

To be second lieutenants, Medical Service Corps

Evans, Byron L., O2311349.
Hartman, Thomas E., II., O5317478.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Aoki, Wayne C.
Bertrand, Gerard A., Jr.
Coughlin, George H., II
Davidowitz, Harvey B.
Field, Sidney E.
Fischer, Arthur K., II
Jones, Thomas C.
Madkins, Lawrence H., Jr.
Matt, John E.
Pinder, Thomas, Jr.
Reneau, Jeffrey K.
Robertson, James W., Jr.
Schnell, Robert C.
Story, Paul G.
Vasil, James P.
Wallace, Samuel T.
White, J. Cincinnatus, III
Yox, John E.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

Aaron, Samuel A.
Abodeely, Joseph E.
Ackerman, Francis J.
Adams, Bertram E., Jr.
Adams, Lionel J., II
Aiken, Hugh H., Jr.
Albers, Peter H.
Albert, Thomas A.
Alford, William L., Jr.
Aman, Ronnie J.
Anderson, Gary L.
Anderson, Kenneth R., Jr.
Anderson, Ralph T.
Anderson, William I.
Andrews, James L.
Arend, Lewis W.
Atchison, Jere L., Jr.
Avey, Gary M.
Baird, Raymond P.
Baker, James L. K.
Baratte, James J.
Barattieri, Guy R.
Bardot, Kenneth H.
Barnaby, Richard J.
Barr, James R.
Bartholomew, Edward K., II
Basham, Owen D.
Bass, Henry E.
Beebe, Stephen G.
Behuniak, Thomas E.
Belt, David L.
Benedict, Joseph J.
Benson, Mark B.
Bierden, John A.
Bigelow, John G.
Birchfield, Walter D.
Bishop, Ronald E.
Bisno, Chester J.
Blakely, Jimmie L.
Blevins, Thomas A. K.
Bohannon, Melvin L.
Borisch, Ronald R.
Boscia, Joseph F.
Bottelsen, Edwin F.
Bounds, Gary L.
Bowman, Kenneth M.
Boysen, David C.
Branch, Peter E.
Brannon, Thomas E., Jr.
Brantley, William O., Jr.
Brennan, Timothy E.
Brickman, James F.
Brock, Randolph D., III
Brown, Charles W.
Brown, Larry M.
Browne, John T., Jr.
Bryan, William H.
Bryson, Gene K.
Burke, James R.
Burnside, Jay D.
Burns, Richard
Buzzell, Max H.
Cahill, Bernard J.
Calloway, Charles T.
Calvert, Russell W.
Camp, Jack T., Jr.
Campbell, David H.
Cantrell, James R.
Caples, Vernard L., Jr.
Carey, Wilford K.
Carlsen, Dale A.
Carlson, Roy S., Jr.
Carpenter, George R.
Carter, Douglas R.
Cartwright, Robert G
Chaboudy, Carl H.
Chaffin, Tommy L.
Chappelle, John C.
Chesarek, William D.
Christiansen, David E.
Clark, Robert D.
Clark, William B.
Clarke, George W.
Clegg, Peter W.
Clements, Theodore S.
Clyde, David P.
Cobb, Alvin B.
Coffman, Irving M.
Cohen, Gary
Cohen, Richard C.
Coleman, Byers W.
Coleman, Patrick F.
Colgan, Eugene D.
Conklin, Gary P.
Coonfield, Hugh A., Jr.
Coray, Chris S.
Corbett, Charles H.
Corprew, Robert A.
Cotting, Peter L.
Crane, Matthew J.
Cremin, Daniel J.
Crissman, John C.
Crofts, Christopher A.
Cross, William R.
Crutsinger, Larry L.
Cubbage, Clarence E.
Cudd, Dennis E.
Cummings, Joseph M.
Curley, Jay J.
Dahlin, Stanley C.
Dalbey, Engene B.
Dalehite, William M., Jr.
D'Ambrosia, James R.
D'Ambrosio, James J., Jr.
Davis, Harry L.
Deering, Raymond M.
Dehncke, Rae W., Jr.
Delaney, William E., Jr.
DeMas, Michael R.
Denny, Jerry D.
Deschenes, Joseph L.
DiCarlo, Leonard C.
Doughtie, James T., Jr.
Dowd, Douglas L.
Dowden, Russell H., Jr.
Drummond, Kent G.
Duggan, John M.
Dunlap, Leroy C.
Easterwood, Richard L.
Eastwood, Michael F.
Eaton, Robert C.
Edwards, John R.
Eidam, Walter F.
Eilers, Donald E.
Elbert, Bruce R.
Ely, Donald D.
Eppenberger, Frederick H.
Epps, Thomas W.
Erkman, Edward R.
Ervin, Charles P., Jr.
Esser, Francis J.
Essick, Jerry H.
Etowski, Thomas J.
Evans, Peter H.
Farmer, Marvin R.
Featherston, Michael S.
Feder, Robert S.
Felt, James G.
Ferone, Edward J.
Finch, Gordon A.
Finley, Frederick F.
Fite, Richard E.
Flax, Edward J.
Fleisher, Charles H.
Formby, Ronnie R.
Forster, Paul H.
Fowler, James R.
Fox, James B.
Foy, June M.
Fricke, Dennis L.
Frye, John M.
Fuqua, John E.
Gabell, Boyden R., Jr.
Gagne, John P.
Gaines, Weaver H., Jr.
Galloway, Joseph W.
Garber, Martin D., Jr.
Garvin, Arthur H., III
Gelsthorpe, Joseph D.
Gentemann, Philip M.
Gerth, Fred L., Jr.
Geschke, Gary W.
Gex, Robert B., IV
Gindele, Carl W., Jr.
Glotzbecker, David E.
Goldberg, Norman L.
Gore, Willie L.
Gorla, Neal A.
Gray, Allan C.
Gregory, Jimmy D.
Gresham, Jerry D.
Griffin, George L.
Grigg, Donald E.
Grimball, John B., II
Haines, David M.
Hall, William S.
Hamilton, James F.
Hammett, Owen M., Jr.
Handley, John M.
Hanket, Mark J.
Hargarten, James P.
Harkins, Gerald R.
Harris, Richard J., Jr.
Haskell, Robert F.
Hawkins, Gordon A.
Hawley, David B.
Hazelton, David C.
Hearn, Charles R.
Held, Gilbert
Helmick, Robert F.
Hendricks, David P.
Heuple, Jerry H.
Hibbard, Ronald D.
Hicks, Norman A.
Hickson, Richard L.
Hill, Gordon L.
Hill, Ronald G.
Hintermaier, Robert W.
Hoffman, Peter D.
Holcomb, Larry D.
Holman, Victor G.
Holper, Richard D.
Horler, Thomas H.
Hoshino, Danny K.
Hosmer, John W., Jr.
Hotop, Arthur R.
Huff, William S., II
Hunt, Eddie K.
Hutchinson, John R.
Inman, Stephen E.
Isel, Richard T.
Iwai, Paul S.
Jackson, Andrew B.
Jackson, Larry L.
Jagger, William S.
James, Dennis W.
James, Donald R.
Jarrard, Robert T.
Jenkins, David B.
Johnakin, Evander L., Jr.
Johnson, Theodore R.
Johnston, William E.
Jones, Arthur H., Jr.
Jones, Charles D.
Jones, Henry T., III
Jones, Rufus F., III
Jordan, Achille E.
Kail, William E.
Kaunitz, Peter D.
Keen, John B.
Keller, Juan D.
Keltner, Neil L.
Kerr, Robert D.
Kielsmeier, James C.
Kincaid, Kenneth T.
Kinney, David R.
Kirkland, Leland R., Jr.
Klaus, Edward J., Jr.
Kline, Stanley B.
Klinger, Terry G.
Knapp, Richard J., Jr.
Kobayashi, Roger S.
Kownacki, Ralph J.
Kreek, Andrew E., Jr.
Krizan, Adolph C.
Lahey, Dennis P.
Lam, Gordon R.
Lamison, Kenneth R., Jr.
Lawson, James E., Jr.
Leach, Robert E.
Lee, Robert E.
Leonard, William B., III
Lewis, Alan H.
Liberty, Gale G.
Lipscomb, Lewis M., Jr.
Littlefield, Neil P.
Litynski, Daniel M.
Lockett, Carl L.
MacDonald, Glenn W.
Maier, Michael E.
Marrone, Gerald C.
Martinelli, David F.
Mathewson, Nathan S., II
Maxey, John W.
McCampbell, David H.
McCormick, Michael T.
McCoy, Ray E.
McDaniel, Darrel W.
McDonell, Michael G.
McDonough, William A.
McGaughey, Robert H., III
McGee, Gordon H., Jr.
McKelvy, Michael L.
McKnight, David D.
McLaughlin, Joseph P., Jr.
McLaughlin, Timothy C.
McLean, John F.

McLoughlin, Kevin J.
Mead, Ronald A.
Melson, Robert G.
Melvin, John T.
Merritt, Lyle W.
Mesaros, Anthony C., Jr.
Michitsch, John F.
Miller, Allan W.
Miller, Thomas L.
Miller, Walter B.
Millett, John A.
Mills, Victor P.
Moore, David W.
Moore, Richard C.
Morrison, David G.
Moss, Ira A.
Mullins, Lynwood S.
Murphy, Frank M.
Murphy, Jerome A.
Murray, Donald W.
Nash, Richard M.
Newcomer, Ronald A.
Newman, Carlton R.
Nightingale, Keith M.
Nuzbach, Edward M.
Oberst, Walter M., III
O'Brien, Terence D.
Orlando, Louis E.
Orvis, Jonathan P.
Overbay, William B.
Panaia, Larry R.
Pater, Gerald L.
Patterson, Calvin G.
Pelt, James E.
Pernell, Frederick W.
Peterson, Roy E.
Phalen, Clinton A., Jr.
Phelps, Glenn S.
Piersall, James U.
Portis, Rudolph C., Jr.
Posluszny, Alexander L.
Powell, Robert L.
Pryor, Kenneth W.
Putnam, Thomas W.
Quinlan, Thomas J., Jr.
Raiford, John A., III
Randolph, LeRoy, Jr.
Ratcliffe, Philander K., Jr.
Rawlings, James S.
Rawlings, Richard L.
Ray, Thomas D.
Rayl, Charles R.
Readmond, Ronald W.
Redwine, Leslie C.
Reeder, Charles W.
Regan, Howard M.
Reis, John J.
Reiss, William A.
Reynolds, James B.
Rhett, Douglas W.
Rhodes, John J., III
Rice, Glenn M.
Richey, Rodny M.
Richmond, John L., Jr.
Ricketson, Bertram L.
Rieth, Mark G.
Rigby, Barry D.
Rinecker, Johann G. E. J.
Roberts, William H.
Robertson, Ralston H., Jr.
Robinson, James F.
Robison, Sabron J.
Rocchio, Joseph J.
Rodbart, Richard
Rolle, Edward N.
Romans, Rodger D.
Ross, Jerry A.
Rotan, Wesley G.
Royston, Perry E.
Rozga, Anthony A.
Runey, Lawrence F., Jr.
Sack, Lawrence A.
Safford, Herbert D.
Saley, Richard W.
Saling, William L., Jr.
Sands, Thomas L.
Sandstrom, Kenneth R.
Santos, Jose A.
Saucer, Bobby J.
Schmidt, Peter J.
Schneider, David P.
Schrock, Dan A.
Scott, Michael F.
Seabolt, Jerry J.
Seibel, Erwin
Severance, R. Scott
Sheer, Tracy B.
Sheridan, Philip H.
Simon, Gary J.
Skinner, Willie R.
Slicker, Frederick K.
Smith, Douglas N.
Smith, John E., III
Smith, Larry J.
Smith, Robert E., Jr.
Snavely, Michael R.
Snoddy, James E.
Sodnicar, Frank M.
Sommerville, Arthur M.
South, John H.
Souvenir, Stanley J.
Spencer, Peter
Sprague, John F.
Stanford, Larry R.
Stapleton, Jerry L.
Starnes, William F.
Stephens, Charles E.
Sterling, Duane A.
Stewart, Robert B.
Stiegeler, Augustus F., Jr.
Stoewe, Russell J.
Strack, Michel M.
Strich, Richard A.
Strom, Larry J.
Sweeney, Leonard E.
Sweeney, Thomas W.
Taksar, Ronald J.
Tall, Roth W., Jr.
Talley, James R.
Tanijo, Wilfred M.
Tate, Roy W.
Taylor, Robert E.
Temmel, Stephen E.
Tepe, William R., Jr.
Thimblin, Michael D.
Thomas, Edmund G.
Thompson, Robert W., Jr.
Toccafondi, Rolando D.
Town, James A.
Trainor, Timothy J.
Treadwell, David O.
Tumas, John E.
Tuttle, Seale W.
Van Buskirk, Peter L.
van Loben Sels, Carel D.
Viering, Victor V., II
Virgin, Stephen A.
Vlasics, Robert F.
Voelkel, Robert L.
Volheim, Martin D.
Wadsworth, Geoffrey H.
Wagener, Bert B., Jr.
Wagner, Timothy W.
Walden, Robert J.
Walker, James L.
Walker, John R., III
Wallach, Marshall F.
Walter, Roger L.
Ward, Patrick M.
Watkins, Danny J.
Watkins, Frank G.
Weatherspoon, Samuel R.
Weglian, John J.
Weinstock, Martin N.
Welborn, Larry D.
Whittle, William A., III
Wight, Wayne A.
Williams, Edwin A., III
Williamson, Donald R.
Wilson, Joe E.
Wise, Franklin F.
Wisneski, Larry E.
Woods, Frederick D., Jr.
Woodward, William B., Jr.
Wright, Gerald W.
Wyner, James D.
Yeager, Brian
Zawistoski, John J.
Zeigler, George H., Jr.

In the Marine Corps

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Abbott, Thomas C.
Abele, John F.
Ablowich, Ronald E.
Acree, William R.
Adams, Carl I.
Adams, David H.
Adams, Richard G.
Alvord, William W.
Anderson, Andrew G., II
Anderson, David L.
Angil, John F.
Arick, John C.
Arnold, Mordecai R.
Arnold, Thomas W., Jr.
Arthur, David A.
Ashley, Kermit C.
Atkinson, Al R.
Austin, Lowell E., Jr.
Austin, Stephen W.
Ayala, Isaac
Bacon, Maurice S.
Bagley, Thomas B., Jr.
Baker, Doyle D.
Banning, Maurice R.
Barner, Wayne A.
Barnum, Harvey C., Jr.
Barratt, Henry D.
Barth, David R.
Bartlett, Gilbert A.
Bassett, Delbert M.
Baxa, Ernest G., Jr.
Beauchamp, Sara R.
Beckley, James F.
Bednar, William C., Jr.
Beebe, Duard L.
Beitel, Richard T.
Bell, Donald R., Jr.
Bell, John R.
Bell, William F.
Benton, Roderick E.
Bergman, Craig A.
Berryman, Gordon C., III
Beyer, Malcolm K., Jr.
Beyma, Dennis C.
Bierman, James W.
Binch, William B.
Blot, Harold W.
Bolster, Robert W., Jr.
Bour, Joseph A.
Bourgeois, Kenneth L.
Brabham, James A., Jr.
Bremer, Darwin E.
Brennan, Patrick J.
Brentlinger, Richard A.
Bridges, Charles R.
Brown, James E.
Buch, Alan D.
Buchanan, William L.
Burkhardt, Joseph T.
Byrd, Robert W.
Calkin, James F.
Camp, Richard, D., Jr.
Campbell, Bruce J.
Campbell, Jack R., Jr.
Capitanio, David A.
Carpenter, Charles L., Jr.
Carpenter, Peter D.
Carpenter, Thomas M.
Carroll, John J.
Carson, Jimmy M.
Carter, Marshall N.
Carter, Richard H.
Carter, Thomas L.
Celmer, Lawrence J.
Chamberlin, Henry B., III
Chambers, John A.
Chambers, Russell A.
Chance, James M.
Chang, Melvyn H.
Chapin, Sidney P.
Chapman, Arthur C.
Chesson, John W.
Chilcote, David L.
Chipman, Sydney E.
Chittenden, Thomas J.
Choate, Thomas W.
Christy, Donald E.
Clanton, Charlie J.
Clark, Gary D.
Clark, Robert F.
Claus, Roger J.
Clemmons, Robert F.
Cody, Richard L.
Collins, Eldridge R., Jr.
Collins, Randy J.
Conley, William J.
Conway, Charles E., Jr.
Conway, John J.
Cook, Frederic W.
Cooper, Thomas M.
Cossaboon, Everett E.
Cox, Edward V.
Crain, Richard W.
Criche, Richard H.
Crosby, Albert B.
Cullen, William E., Jr.
Dailey, Paul B., Jr.
Dangler, Joseph C.
Davis, James F.
Davis, Robert P.
Davis, Sheridan
Dawson, Patrick E.
Dawson, Robert G.
De Groft, Herbert W.
De Groot, Robert H.
De Hart, Earl R., Jr.
Dennis, Chadwick H.
Dettrey, Francis T.
Dickins, John E.
Dickson, Ted O.
Diedrich, William M.
Dillon, Thomas J., Jr.
Dodge, Wilson R.
Doty, Leonidas, III
Douglas, David J.
Dowd, William J.
Downing, Jack G.
Draude, Thomas V.
Drez, Ronald J.
Drummond, John F.
Duerden, Dennis W.
Duffy, Peter A.
Dumont, Thomas J., Jr.
Dunphy, William W.
Dwyer, Joseph M.
Dzielski, Joseph J.
Eastman, James E.
Egan, Francis X.
Eiff, Ralph T.
Ellingson, John H.
Ellis, Daniel J.
Emanuel, Roy N.
Engstrom, James K.
Enockson, John O.
Erwin, Harold A.
Everroad, John D.
Fairfield, Rupert E., Jr.
Falkenbach, Robert W.
Falkenberg, Ken
Farrell, William F., III
Ferrante, Frank
Fetzer, James H.
Filo, William R.
Fiorillo, Michael, Jr.
Fleming, Walter J.
Focht, George A.
Foley, James J., Jr.
Foltz, Gary E.
Ford, Michael E.
Forlano, Anthony J.
Fort, George E.
Foster, Elbert A.
Fraim, Jackie W.
Frazier, Marvin F.
Frese, Frederick J., III
Furleigh, James R.
Fye, Carl R.
Gadwill, Robert J.
Gage, William R.
Gallagher, Thomas D.
Gallagher, William T.
Gallaway, James W.
Garner, Robert E.
Garrett, James D.
Garwick, Gerald G.
Gattis, Bobbie L.
Gay, George R.
Geddes, Roland T.
Gedris, Joseph R.
Gentry, John R.
Getlin, Michael P.
Gibson, Robert F.
Gibson, William H.
Gill, George K.
Gill, Gerald L.
Glass, Eugene M.
Goehring, John A.
Goodwin, Paul B.
Goodwyn, Ben R.
Gorman, James
Gray, William B.
Green, Geoffrey E.
Green, Robert W.
Greenfield, Howard E., Jr.
Greer, Jan P.
Gregory, Tommy D.
Grice, Marshall M., Jr.
Griffin, William R.
Grinstead, David P.
Grisier, D'Arcy E.
Groebner, Steven J.
Groot, Roger D.
Grummon, Paul G.
Guidry, Norman R.
Guimond, Leon A.
Hadden, Lon D.
Hadley, John A.
Hafner, Arnold N.
Hahn, Joseph J., Jr.
Hall, Hurston
Hamilton, George C.
Hamilton, William P.
Hammond, Benjamin G.
Hammond, Joan
Harbaugh, Thomas E., Jr.
Hardaway, James D.
Harrell, Roger P.
Harrington, Robert F.
Hassinger, Edward J.
Hastings, Garner R.
Hayden, James B.
Hehnen, Mark T.
Heigel, Mary L.
Heinz, Hans R.
Helm, Hugh H.
Hemphill, Frederick H., Jr.
Henderson, Frederick P., Jr.
Henderson, Porter K.
Hennessy, John M.
Henry, Billy C.
Hesser, William A.
Hewitt, Thomas E.
Hickok, James B.
Hicks, Billie E.
Higgins, Howard W.
Hillis, Claude D.
Hinkle, Thomas F.
Hinman, Marlin N.
Hinson, Amos B., III
Hoermann, Anna L.
Holbrook, James H., Jr.
Holleran, Martin P., Jr.
Holman, John A.
Holmes, Curtis E.
Honeywell, James A.
Hopkins, Thomas E.
Howard, Thomas M.
Howatt, Franklyn J.
Huebner, Ray E.
Huebsch, Norbert A., Jr.
Hurdle, Patrick M.
Hurlbut, Floyd W.
Inderrieden, Richard L.
Jackman, Richard B.
Jacobson, Kenneth R.
Jacoby, Jimmy K.
Jacoway, Bronson C., Jr.
James, Fred L.
James, Jack C.
Jarboe, Robert L.
Jardine, Theodore J.
Jenkins, John L.
Jensen, Harold B., Jr.
Johnson, Herbert C.
Johnson, Jimmy L.
Johnson, Ken H.
Johnson, Weston L.
Jolley, John N., Jr.
Jones, Douglas A.
Jones, Patrick J.
Jones, Philip T.
Jones, Robert L., Jr.
Jordan, David M.
Joselane, Howard L.
Junkins, Kenneth E.
Jurney, William F.
Kangas, John K.
Keeley, Elton J.
Keller, Gerald J.
Kenniger, James A.
Kerr, Wendell H., Jr.
Kline, Alfred S.
Knuth, Lawrence D.
Kolb, James G.
Koletty, Dietrich F.
Kos, Frank H., Jr.
Kosciw, Thomas L.
Kott, Stephen J..
Kratcoski, Eugene L.
Kraus, Ronald C.
Krulak, William M.
Kszystyniak, John E., Jr.
Kuchinskas, Richard J.
Kunkel, Donald J.
Kuzela, Edward V.
La Duca, Nicholas J., Jr.
Lajiness, Yvonne C.
Lamb, Charles T.
Lambert, Gary K.
Lau, James
La Voo, John A.
Lawty, Glenn C.
Leaird, Charles H.
Leatham, Robert O.
Lehr, Antone D.

Le Roy, Edward O.
Levasseur, James H.
Levine, Michael D.
Lindberg, Perry C.
Lindstrom, William A.
Lingenfelter, Theodore P.
Lingenfelter, Wayne M.
Link, Louis A.
List, Raymond A.
Lloyd, Calvin A., II
Lorch, Robert E.
Lott, L. J.
Lowe, James M., II
Lucci, Michael J.
Luebke, William R.
Lund, Judith K.
Luster, Dale A.
Luzadder, Haymond R.
Madalo, Michael
Maddox, Kenneth R.
Maddox, Robert W.
Madonna, Raymond C.
Mahoney, Hugh D.
Mangham, James M.
Martin, Arville D.
Martin, Eugene J.
Martinsen, Richard C.
Mathews, Brian M.
Mathews, Lyle D.
Matlack, John G.
Mauri, Enrique A.
McAllister, Thomas C., Jr.
McCarron, Edward D., Jr.
McCarter, James W., Jr.
McCollom, Robert M.
McDermott, Patrick L.
McGowan, Michael J.
McKay, Gerald L.
McKee, Kay E.
McKee, Roger G.
McKenna, Nona D.
McLaughlin, Paul D.
McMillan, Paul U., Jr.
McNeal, Robert J.
McNutt, Paul V.
McPherson, Richard G
Meanza, Robert A.
Mecham, Steven G.
Mecom, Jimmie H.
Menzer, Edward H.
Merrell, Thomas H., Jr.
Miller, Donald G.
Miller, Richard P.
Mills, Wallace L.
Milsap, Ray F.
Mirtz, Phillip J.
Miske, George J.
Mixon, Aaron M., III
Moeller, Paul A., Jr.
Moore, Ned A.
Moorhead, William W. Jr.
Morey, Richard L.
Morin, James J.
Morris, Carroll W.
Morris, Donald
Morrissey, Richard T.
Morrow, Russell E.
Mortensen, Ivan R.
Mulford, Charles G.
Mulligan, Dennis K.
Muncie, Donald R.
Murray, James P.
Murray, John A.
Myers, Darwin W.
Myers, Karl L.
Neill, John E., III
Nelson, Thomas D.
Nissenson, Leonard
Noland, Kenneth E.
Nordquist, Myron H.
North, Bruce A.
Novak, Paul D.
Obert, Carroll K.
O'Dell, Donald O.
Odle, William J.
Orfanedes, George C.
Otlowski, Raymond J.
Overstreet, Richard C.
Owens, Sammy L.
Palka, Fred
Palmer, Richard K.
Pappas, Robert L.
Paquette, Joseph R.
Parker, David R.
Parker, Richard F., Jr.
Pastino, Carmen N.
Patraitis, Chester J.
Pearson, James O., Jr.
Pelner, Joseph J., Jr.
Pereira, Joaquin D.
Perz, Vernon J.
Peters, Eric G.
Peterson, James C.
Pettengill, Harold D.
Pfalzgraf, John R.
Pierce, John W.
Pilcher, Roger P.
Pleva, James F.
Pollack, Carol L.
Posey, Franklin H.
Posey, Herbert F.
Pound, David G.
Preston, Thomas R.
Preuss, Charles F.
Pyle, Charles J.
Rachford, Jon N.
Rahm, Bruce M.
Raschke, Jay A.
Ray, John P.
Reardon, John E.
Reasoner, Frank S.
Redding, H. L.
Reed, Lawrence E.
Reed, Thomas J.
Reuschling, Richard R.
Richardson, David G.
Rick, Clifton H.
Rideout, Albert R., III
Riley, Edward F.
Ripley, John W.
Roberts, Joseph T., III
Robertson, Munro V.
Robinson, Donald J., II
Robinson, Jerry C.
Roederer, John S.
Roll, William R.
Romine, Richard A.
Ross, Harvey W.
Roth, Charles F., Jr.
Rothgaber, Dennis E.
Rouleau, Eugene J.
Roulier, Mike H.
Rummans, Larry M.
Rupertus, Patrick H.
Ruth, George W.
Rutledge, Earl R.
Sage, Henry J.
Sams, Dennis M.
Sanchez, Herbert M.
Sarsfield, Patrick J.
Scaran, Anthony J.
Schara, Earl M., Jr.
Scheib, Thomas A.
Schipper, George R.
Schlitz, Gordon M.
Schmidt, Arthur J., Jr.
Schmidt, William E.
Schreck, Edwin E.
Schroeder, Frederick W.
Schulz, Richard W.
Schwartz, John R.
Schwendler, Carl G.
Selwitschka, William J., Jr.
Setser, Robert E.
Severin, Bernard K.
Shadburne, Brooke M.
Shafer, Francis L., Jr.
Shallene, Frank M.
Shane, Harry J.
Shanklin, Edward E., Jr.
Sharp, Delmas D., Jr.
Shaw, Charles T.
Sheehan, John J.
Shelton, Kenneth E.
Sherman, John B.
Shoemaker, Harry S.
Short, John C., Jr.
Sikes, David C.
Simons, Gary F.
Simpson, Billy E.
Sims, James M.
Slater, Albert C., Jr.
Smith, Gordon F.
Smith, Loring E.
Smith, Phillip R.
Smith, William R.
Smith, Willie A.
Snyder, Alan T.
Soechtig, Steven A.
Sommers, Alfred E., Jr.
Sorensen, Charles R.
Sortino, Don F.
Sortino, Ronald D. R.
Sowa, Gerald R.
Sparks, James D.
Sramek, John S., Jr.
Stalcup, Charles H.
Staley, Roger F.
Stanat, Christopher W. J.
Staples, Robert D.
Starke, Robert B., Jr.
Stevenson, Robert R.
Stimson, Harry E.
Stiven, James F.
Stowell, David W.
Stricker, Jerry L.
Strong, Frank D.
Stumpf, William W.
Sullivan, John P. T.
Suttle, Walter G.
Tarnopilsky, Walter
Tatum, William T., Jr.
Taylor, James L.
Telfer, Gary L.
Thompson, David E.
Thompson, Gary D.
Tisdale, William E.
Toohey, James A.
Topken, Peter W.
Torrey, Philip H., III
Turbak, Charles D.
Turner, Samuel D., Jr.
Updegrove, Kenneth R.
Usher, David P.
Valentine, Igor R.
Van Zanten, William G., Jr.
Vardell, William W.
Varn, Forest N.
Ver Eecke, Richard W.
Vick, Dellie A., Jr.
Vidos, Michael H.
Walsh, Edward P.
Walsh, Philip J.
Ward, John W.
Watt, Lewis C.
Wauchope, Douglas
Weatherly, Davis C., Jr.
Weber, Dwight D.
Weides, John D.
Weinbrenner, George J.
Wells, James E.
Werner, David B.
Whisler, Theodore L.
Widman, Billy J.
Wilkenloh, William C.
Wilkinson, Morgan L.
Williams, Guy N.
Williams, Henry G., Jr.
Williams, John K.
Williams, Leslie A.
Williams, Robert D.
Williams, Russell D., Jr.
Wilson, Mathus G., Jr.
Wilson, William L.
Windham, Dale D. M.
Windisch, John W.
Winecoff, David F.
Winterle, David D.
Wood, Walter E.
Woolley, Dennis R.
Wroblewski, Edwin A.
Wydo, Michael W.
Wyly, Michael D.
Wyrick, Peter B.
Wysler-Pratte, Guy P.
Yale, Carl R.
Yost, James L.
Yraguen, Francisco J.
Yung, Carl H.
Zadravec, Anthony A.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Ackerman, Roger L.
Andrews, Richard W.
Angel, Donald K.
Angell, Harris R., Jr.
Archer, John T.
Ayers, Allan F., III
Ayre, Albert G.
Bache, Thomas C., Jr.
Banks, Barry V.
Banks, Ronald E.
Barba, Richard D.
Baroch, Jerome P., Jr.
Bartels, William E., Jr.
Beck, Barry N.
Beckner, Dan P.
Beeler, Robert A.
Beers, Robert R.
Benigo, Ronald
Benson, Stanley L.
Biggers, Roy R.
Bishop, Edward A.
Blaha, William C.
Bluhm, Bradley W.
Bockewitz, Carl E.
Bonham, Edward L.
Brandon, Dennis F.
Brewin, Anthony D.
Brown, Edward C.
Brutke, Robert L.
Buckelew, John D.
Buglewicz, Eugene G.
Burke, Charles O.
Buse, Henry W., III
Bush, Edward J., Jr.
Caldwell, Paul R.
Carrano, Anthony V., Jr.
Caskey, John B.
Catalogne, Paul R.
Cavagnol, Richard M.
Cazier, Russell E.
Chandler, Kurt J.
Chapman, Leonard F., III
Chumer, Michael J.
Clark, Edward T., III
Claxton, Sammy R.
Clickener, John R.
Collier, Michael H.
Costello, Martin E.
Cotellesse, David P.
Creel, John B., Jr.
Croft, James B., Jr.
Cunningham, Gary W.
Dalhouse, John D.
Daniewicz, John L.
De Matteo, Douglas A.
Detki, William A.
De Woolfson, Bruce H., Jr.
Dillon, John H., Jr.
Dolwick, Paul D.
Dougal, Robert J.
Drewett, Clyde P.
Dupler, Harley H., Jr.
Duroe, William G.
Dyke, Walter
Ebbecke, Vincent R.
Ellingwood, Kendall, Jr.
Emerson, George R.
England, David E.
England, Jerrold I.
Eskridge, Douglas B.
Eubanks, George K.
Evans, Richard J.
Fagan, Fred T., Jr.
Farro, Jerry J.
Fernandez, Joseph A.
Fiorentin, John V.
Forney, William A.
Foster, William C.
Fox, Edward M.
Frankovich, Paul M.
Fritz, David E.
Garcia, Anthony J.
Garner, David P.
Gerhard, Edward C.
Gerhardt, Mario G.
Getsey, Michael R.
Giles, Jerry M.
Gleeson, William J.
Goldberg, Robert A.
Gorman, Earl J., Jr.
Gosney, Robert K.
Gould, David W.
Graff, Arthur D.
Grassi, Frank T.
Grattan, John P.
Graves, Paul B.
Griffin, Richard H.
Griffing, Darryl R.
Griffis, William A.
Hamilton, Edward M.
Hammock, Roy D.
Hansen, Alvin W., Jr.
Harper, James R.
Harrison, Henry S.
Hartman, John H., IV
Harvey, Robert W., Jr.
Hatton, Frederick L.
Havens, Paul D.
Hayslip, John V.
Henderson, Wayne F.
Henderson, William T.
Henricksen, Robert F.
Herder, William R.
Herrmann, Douglas J.
Hewitt, Jerry T.
Hill, John T.
Hire, Homer E., Jr.
Hitchens, Alan W.
Hogan, Jeffrey C.
Holden, Thomas J.
Hollands, Patrick E.
Holman, Russell L., Jr.
Howe, Mark W.
Huber, Robert S.
Huddleston, Gene K.
Hurst, John C.
Hutcheson, Larry G.
Jaroch, Roger M.
Jeffries, Jeffrey D. E.
Jeruc, Donald J.
Johnson, Anthony A.
Johnson, Donald P.
Johnson, Gilbert D.
Johnson, Robert J., Jr.
Johnson, Thomas L.
Joiner, William C.
Jones, Frederick K.
Jones, William C.
Juul, John F.
Kane, Richard R.
Kay, William M.
Kelly, John A.
Kempf, Rodney P.
Kerchner, John P.
King, William G.
Kingrey, Robert N.
Kiser, Hague M.
Klingerman, James L., Jr.
Kossiver, Calvin
Krulak, Charles C.
Lankford, Shelton F.
Lapham, David L.
Larson, Lewis C.
Laughlin, David R., Jr.
Lazos, Antone J.
Leidy, John P.
Leigh, William C., III
Levendis, George P.
Lippincott, Marvin H.
Listerman, John C.
Lloyd, Edward J.
Lorenzo, David W.
Lowry, Peter H.
Lowther, William T.
Lundy, Michael E.
Lux, Dale J.
Lyles, Herbert G.
Mac Dermant, Thomas E.
Mac Evitt, James M., III.
Mahoney, John T., Jr.
Malone, Patrick M.
Manning, Gary L.
Marshall, Douglas L.
Mason, Charles G.
Massie, Malcolm R., Jr.
McConnaughey, Edward C., Jr.
McDonald, James E., Jr.
McKinley, William H.
McMahan, Thomas E.
McVey, William A.
Miglarese, Edward F., Jr.
Miller, Edward A., Jr.
Miller, Ernest M., Jr.
Miller, Gerald L.
Molloy, Peter M.
Moran, Gerald F.
Moreland, William D.
Nielsen, David K.
Noll, Ernest G., Jr.
Nordin, John A.
O'Block, Dennis F.
O'Bryan, James R.
O'Connell, John J., III
Olson, Philip K., Jr.
O'Neill, Vincent E.
O'Reilly, James R.
Pagan, John P.
Pankey, Paul A.
Partin, Richard A.
Patak, Lowell W.
Paul, Charles H.
Pearson, James W.
Pentz, Everett W.
Perkins, Dennis N. T.
Perso, James C.
Peters, William J.
Pickersgill, Douglas W.
Pinney, Charles A., III
Pistelli, Ido E.
Polyascko, Gerald J.
Price, Lawrence A.
Prout, Patrick M.
Puskar, Robert J.
Ramsdell, Jeffrey K.
Rankin, William
Ranta, Berton M.
Rapuano, John J., Jr.
Rauwald, Thomas C.
Raymond, Herbert D., III
Reed, Don T.
Regan, Richard J.
Rehrauer, Mark A.
Reynolds, Clarence O., Jr.
Rick, Kevin G.
Rick, Ronald A.
Robinson, Larry L.
Roe, Frederick S.
Roser, Herbert G.
Rowe, John H.
Russell, David R.

Russell, Glenn W., Jr.
Saarela, David E.
Saracino, Lynn E.
Saum, Robert W.
Schensnol, John L.
Schiller, Paul J.
Schmit, Harvey T.
Schmitt, James H.
Schwartz, Donald M.
Schwartz, Timothy P.
Shabosky, Ronald J.
Shambaugh, Dale K.
Shoff, James R.
Singer, John D., III
Snell, Charles S.
Snyder, Ray G.
Springer, Robert C.
Squires, Robert J.
Steele, Thomas W.
Stern, George E., Jr.
Stevens, John L., III
Stevens, John M.
Stewart, Joseph D.
Stewart, Raymond A., Jr.
Stiemke, Dean A.
Stolz, Frank C.
Stoughton, David H.
Strong, David E.
Tatlock, Alan R.
Teall, Robert R.
Thompson, Jack C.
Thompson, James R.
Timberg, Robert R.
Tinsley, William A., III
Tschan, Robert E.
Tucker, Phillip E.
Van Houten, Robert A., Jr.
Vankat, William J.
Van Riper, James K.
Van Riper, Paul K.
Varrell, Thomas A.
Vernon, Laurens M.
Vetter, Lawrence C., Jr.
Vogel, Lyman W., Jr.
Vollendorf, James A.
Walke, Alfred J.
Walker, James R.
Walker, Larry D.
Wallick, Dwight A.
Ward, Joel D.
Weber, John D.
Weeks, Larry L.
Wegge, James A.
Welch, Bruce E.
Welch, Jerome A.
Westling, William K.
White, Richard T.
Whitehouse, John J.
Wilkins, James R.
Williams, Charles G., Jr.
Williams, Clarence D.
Willson, Gordon R.
Wilshin, David B.
Wirsching, Robin F.
Wood, Laurice E., Jr.
Wood, Mansel M.
Wood, William M.
Woods, Erik C.
Wooldridge, Larry A.
Wright, Joseph D.
Wright, William E., Jr.
Yoshida, Hubert M.
Zavacki, Francis
Zey, Richard B.
Zimmermann, Jack B.

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HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 25, 1965

The House met at 12 o'clock noon.

Rev. Father John F. Lincoln, St. Vincent de Paul Parish, South Boston, Mass., offered the following prayer:

In the name of the Father and of the Son and the Holy Spirit. Amen.

We beseech Thee, Almighty God, to look favorably upon our beloved Speaker of the House, Hon. JOHN W. MCCORMACK, and all the Members of this great legislative body, and direct, we beseech Thee, Almighty God, all their actions by Thy holy inspiration.

We beg of You to pour forth upon Your humble servants—the Representatives of the United States of America—the light of Your own divine wisdom—to know thoroughly, understand completely, and perform faithfully the duties and responsibilities entrusted by divine providence.

May Thy divine love, manifested by our very presence, inspire each and every lawmaker to seek only that which is good and just and unselfish.

May their every prayer, every law and action, by Thy gracious help and assistance, always begin with Thee and through Thee be happily ended, you who live and reign forever and ever. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Vice President, pursuant to section 5, Public Law 87-758, had appointed Mr. PROUTY as a member of the National Fisheries Center and Aquarium Advisory Board.

The message also announced that the Vice President, pursuant to Public Law 207, 81st Congress, had appointed Mr. DODD as a member of the Board of Visitors to the U.S. Coast Guard Academy.

The message also announced that the Vice President, pursuant to Public Law 1028, 84th Congress, had appointed Mr. ROBERTSON, Mr. MCGEE, and Mr. PEARSON as members of the Board of Visitors to the U.S. Naval Academy.

The message also announced that the Vice President, pursuant to section 1, Public Law 372, 84th Congress, had appointed Mr. MCCARTHY as a member of the Franklin Delano Roosevelt Memorial Commission.

The message also announced that the Vice President, pursuant to section 1, Public Law 87-759, had appointed Mr. BASS as a member of the Battle of New Orleans Sesquicentennial Celebration Commission.

The message also announced that the Vice President, pursuant to Public Law 1028, 84th Congress, had appointed Mr. BARTLETT, Mr. PASTORE, and Mr. BOGGS as members of the Board of Visitors to the U.S. Military Academy.

REPORT OF THE JOINT ECONOMIC COMMITTEE

Mr. PATMAN. Mr. Speaker, section 5(b)(3) of the Employment Act of 1946, as amended, requires that the Joint Economic Committee file its report on the President's Economic Report by March 1. This year the Congress passed Senate Joint Resolution 3, extending the date of transmission of the President's 1965 Economic Report from January 20 to January 28. Because of this late filing of the Economic Report our committee was not able to hold hearings and prepare its own report in time to meet the deadline of March 1.

I ask unanimous consent that the Joint Economic Committee be permitted to file its report on March 17, instead of March 1.

This has been approved by the minority members of the Joint Economic Committee.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, would the gentleman from Texas say again what he said concerning the attitude of Mr. CURTIS?

Mr. PATMAN. Yes. It was taken up before the whole committee this morning and Senator JAVITS approved it and Mr. CURTIS approved it as well as all of the members of the committee approving it. It is absolutely necessary and unavoidable. We cannot help it. We just cannot file it by Monday, because our hearings were not finished until Saturday.

Mr. GERALD R. FORD. The net effect of what the gentleman is requesting is what, then?

Mr. PATMAN. It is to extend the time of filing the report under the law from March 1 to March 17.

Mr. GERALD R. FORD. And that date, March 17, has been agreed to by the minority members of the committee?

Mr. PATMAN. Yes. By the minority as well as the majority members of the committee.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

IMMIGRATION HEARINGS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, hearings on immigration legislation by the Subcommittee on Immigration and Nationality will commence on Wednesday, March 3, at 10 a.m. These hearings were originally scheduled to open on February 16, but were delayed because of hearings on Presidential inability before the full Judiciary Committee.

Attorney General Nicholas Katzenbach has been invited to appear as the first witness. He will be followed by other witnesses representing the interested and concerned departments and agencies of the Government.

PERSONAL EXPLANATION

Mr. KASTENMEIER. Mr. Speaker, on Tuesday, Wednesday, and Thursday of last week I was absent from the House of Representatives attending business in my district relative to the closing of Truax Air Force Base. As a result of this absence, I was not recorded on three House votes taken during Wednesday and Thursday, February 17 and 18. Mr. Speaker, had I been here I would have voted in the affirmative on rollcall No. 16 to extend the Arms Control and Disarmament Agency; in the negative on rollcall No. 19 on the motion to recommit the bill (H.R. 45) relating to the Inter-American Development Bank, and in the affirmative on the subsequent rollcall No. 20 on final passage of the same measure.

TESTIMONY OF SECRETARY OF DEFENSE ON SOUTHEAST ASIA

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, as a followup of the discussion yesterday on South Vietnam I think it would be very appropriate to insert in the RECORD an unclassified version of the testimony of Secretary McNamara which was made available to the committee, and which was made before the Committee on Armed Services on May 25, 1964.

Mr. Speaker, this concise and very explicit statement does a magnificent job of summing up the importance to the free world of the United States carrying out its announced objectives in South Vietnam, as well as why the President and the Department of Defense must have the complete support of the people of the United States in their efforts to stop Communist aggression in southeast Asia.

I commend this statement to the attention of the Members.

UNCLASSIFIED VERSION OF TESTIMONY OF SECRETARY MCNAMARA BEFORE THE HOUSE ARMED SERVICES COMMITTEE ON MAY 25, 1964, ON SOUTHEAST ASIA

The independence of southeast Asia is not only important in itself but has great significance for maintenance of favorable U.S. relationships throughout the Far East and even beyond. If Vietnam, Laos, and Cambodia lost their independence, direct Communist pressure could be brought to bear on Thailand. It and other nations in southeast Asia would have great difficulty in maintaining their independence unaided. Eventually, Korea and the offshore nations—Indonesia, the Philippines, Japan—would feel the pressure to accommodate themselves in various ways to closer Communist pressure. Other countries, such as Australia, New Zealand, India, Pakistan, and even Iran would be more exposed to the Communist threat. And the results of such expansion could someday affect the attitudes of our Western European Allies. In short, the relationships we now have with all these countries would be modified fundamentally and distinctly to the disadvantage of the security of the United States if southeast Asia fell to the Communists.

TAX CREDIT FOR COSTS OF HIGHER EDUCATION

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing today a bill to provide a tax credit to individuals for the costs of higher education. And I want to call attention to this general kind of approach to Government assistance. Instead of making our Government into a kind of funnel through which the taxpayer's money is collected, sent to Washington, and then dispensed back to individuals in the form of aid accompanied by controls, this approach emphasizes the need to let individuals keep more of their own money. This way they can better meet their own needs and do it according to their own judgment and conscience.

This bill is distinct from those proposing deductions from an individual's taxable income. My bill provides that when an individual computes his income tax and arrives at the amount due he subtracts from that amount with certain limitations, funds he has spent for higher education for himself or another person. He pays that much less as his income tax.

The amount of the credit would be limited to 75 percent of the first $200, 25 percent of the next $300, and 10 percent of the next $1,000, spent for tuition, fees, books, and supplies for a student at an institution of higher education. The maximum credit is $325.

This seems to me a thoroughly healthy way to provide educational assistance to a taxpayer and his dependents. First, it is an efficient way, because each dollar is utilized directly.

Second, this is aid without regard to the controversy surrounding public versus private education. The individual uses the benefit as he himself sees fit, apart from any involvement with the Government.

Third, it would relieve the pressure on scholarship funds. As individuals become more able to provide for their own educational expenses, the limited funds available for scholarships could then be directed to those most deserving and most in need of outside financial assistance for education.

Fourth, our educational system, operating independent of Government, is a national asset which surely ought to be encouraged. This approach provides that encouragement.

I join with others of both political parties who support this approach to higher education assistance in asking that it receive early committee consideration so that we can move ahead toward enactment of this needed and thoroughly justified legislation.

CALL OF THE HOUSE

Mr. BROOMFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 22]

Belcher
Boggs
Bow
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Celler
Dawson
Diggs
Duncan, Oreg.
Everett
Farnsley
Fulton, Tenn.
Goodell
Green, Oreg.
Gurney
Hagen, Calif.
Hall
Halleck
Hanna
Hays
Holifield
Holland
Irwin
Jones, Mo.
Karsten
Kelly
Keogh
King, Calif.
Macdonald
Machen
Mailliard
Martin, Mass.
Miller
Morse
Multer
Murray
Nix
O'Brien
Powell
Reid, N.Y.
Schneebeli
Smith, N.Y.
Sullivan
Taylor
Thompson, Tex.
Toll
White, Idaho
Widnall
Wilson, Charles H.

The SPEAKER. On this rollcall 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TO PROVIDE FOR EXPENSES OF INVESTIGATION AND STUDY AUTHORIZED BY HOUSE RESOLUTION 68, BY THE COMMITTEE ON VETERANS' AFFAIRS

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 69) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 69

Resolved, That effective January 3, 1965, the expenses of the investigation and study authorized by H. Res. 68 of the Eighty-ninth Congress incurred by the Committee on Veterans' Affairs, acting as a whole or by subcommittee, not to exceed $150,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistance, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all meetings held in the District of Columbia unless otherwise officially engaged.

SEC. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Veterans' Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendments:

On lines 1 and 2, strike out "January 4, 1964" and insert "January 3, 1965".

On line 5, strike out "$150,000" and insert "$75,000".

The amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

STUDIES AND INVESTIGATIONS AUTHORIZED BY HOUSE RESOLUTION 84

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 149) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 149

Resolved, That, effective January 3, 1965, the expenses of conducting the studies and investigations, authorized by H. Res. 84, Eighty-ninth Congress, incurred by the Committee on Foreign Affairs, acting as a whole or by subcommittee, not to exceed $118,250, including expenditures for the employment of experts, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Foreign Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPENSES OF COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 188) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 188

Resolved, That, effective January 3, 1965, expenses of conducting the investigations authorized by section 18 of rule XI of the Rules of the House of Representatives, incurred by the Committee on Un-American Activities, acting as a whole or by subcommittee, not to exceed $380,000, including expenditures for employment of experts, special counsel, investigators, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. That the official stenographers to committees may be used at all hearings, if not otherwise officially engaged.

SEC. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Un-American Activities shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendment:

On page 1, line 5, strike out "$380,000" and insert "$370,000".

The SPEAKER. The gentleman from Texas [Mr. BURLESON] is recognized for 1 hour.

Mr. BURLESON. Mr. Speaker, I understand that this resolution will probably not receive unanimous support. For that reason may I simply mention that the funds request of the Committee on Un-American Activities was reduced by $10,000. They will have approximately the same amount that was appropriated last year. Actually, when we consider the fact that there was an automatic pay increase for employees, amounting to something over $20,000, it means that the amount is a little less than it was in the 1st session of the 88th Congress.

Mr. Speaker, I understand there are several Members who want to make some remarks on this subject. I am going to yield at this time 10 minutes to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I would like to take a moment to explain to my colleagues what we expect the procedure will be today.

There will be a debate lasting not more than 1 hour. At the termination of the debate there will be a motion to recommit this bill to the House Administration Committee, with instructions to hold public hearings on the subject of the budget for the House Committee on Un-American Activities.

Public hearings were suggested by the distinguished gentleman and legal scholar from Missouri [Mr. CURTIS]. I would like to make it clear that Mr. CURTIS does not oppose the House Un-American Activities Committee. In the CONGRESSIONAL RECORD, February 8, 1965, Mr. CURTIS addressed the House as follows:

> I think it would be helpful if the House Administration Committee would hold public hearings at the time the budget of the House Un-American Activities Committee is under consideration and invite the critics of the House Un-American Activities Committee to be heard in full. If the critics have a case that can be made, let us have it presented under circumstances which permit cross-examination of the witnesses who level the charges and testimony in rebuttal to be presented by those who disagree with them. The Congress of the United States is the proper forum in which to present the pros and cons of controversial positions of a political nature. The Congress constantly fulfills this function through public hearings by its standing committees. Utilizing the Congress in this fashion is the best way to resolve matters where grave differences of opinion exist on subjects of a political nature, such as this one.

I commend the gentleman from Missouri and support his recommendations for examining this vexing situation in a proper manner. To that end and in the course of this debate today, I will offer this motion to recommit with instructions to the House Administration Committee to hold open hearings.

A vote in favor of the motion to recommit, let me emphasize, is a vote enabling this House to get proper information on which to base a decision. I urge my colleagues to vote for the motion to recommit and, in the event it fails, to vote against the appropriation.

Mr. Speaker, I think it appropriate for me to try to analyze why we are faced with this problem today, why there are some of us Members who feel that we have no choice but to oppose this resolution of appropriation for the House Committee on Un-American Activities, and why we are supported by great numbers of patriotic Americans, by distinguished lawyers, professors, scholars, by world-respected newspapers and eminent religious leaders.

Our objections are fundamental. They are constitutional. They are not assuaged in the least by recent announcements that the committee now contemplates inquiry into the activities of the Ku Klux Klan, the Minutemen, the Black Muslims, or any other group that may be described as a part of the radical right. The same constitutional disabilities exist regardless of the political philosophy of the committee's targets.

The rub is that the House Committee on Un-American Activities never should have been created by this body as a standing committee. Let me review with you for a moment what happened here in this very Chamber.

When the 79th Congress convened on January 3, 1945, the mandate of the Dies committee, predecessor to the House Committee on Un-American Activities, had expired. It had been established as a temporary investigative committee and would have needed new authorization and appropriation in the Congress just convened. Congressman Sabbath offered the usual resolution to the effect that the rules of the 79th Congress be the same as those of the 78th Congress but at that moment Congressman John Rankin, of Mississippi, offered an amendment to make the House Committee on Un-American Activities a permanent standing committee. A spirited debate followed and the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], now our distinguished Speaker, protested the Rankin amendment as follows:

> I do not know when in the history of our country the National House of Representatives has ever provided by rule for a permanent investigative committee. Mark what we are doing. This is not a question of establishing an investigating committee to investigate conditions that arise from time to time; it is a question of amending the rules of the House to provide for a permanent standing committee that does not consider legislation, but has one subject, one field, the field of investigating and making a report. There is a big difference between establishing a standing committee to investigate and establishing a special investigating committee for a particular Congress. If this amendment is adopted, as far as I know, it will be the first time in the history of this body that a committee of this kind was ever established as a permanent or standing committee.

After further debate the previous question was ordered and a division demanded. The resolution lost by a vote of 134 to 146, Congressman Rankin asked for the yeas and nays. The Rankin amendment prevailed by a vote of 208 to 186 thus establishing the House Committee on Un-American Activities as a standing committee. It is significant to note, however, that those voting in the negative included the majority leader, Mr. MCCORMACK, Mr. Francis Walter, of Pennsylvania, later to become the committee's chairman, and the following other distinguished Members of the House: Messrs. CANNON, HOLIFIELD, Kefauver, KEOGH, KING, KIRWAN, MADDEN, MANSFIELD, MILLER of California, MONRONEY, PATMAN, POAGE, PRICE of Illinois, Sheppard, SPARKMAN, THOMAS of Texas, and Vinson.

So Mr. Speaker, the mistake was made by this House against the advice of the majority leader, against the advice of Representatives Francis Walter and Clyde Doyle, both of whom voted against the Rankin amendment. Except for the vote on the committee's appropriation in May 1946, where 81 Members voted against the committee, the Committee on House Un-American Activities has had no great difficulty in remaining a standing committee. That is the way of life in this great legislative body. A standing committee once established is immensely difficult to get rid of, even though its mandate is probably unconstitutional and its behavior embarrassing and belittling to the Congress.

I have no doubt that the U.S. Supreme Court will ultimately find the resolution establishing the House Committee on Un-American Activities in violation of the Constitution. In the *Watkins* case—354 U.S. 178, 1957—the Court by a 6-to-1 decision defined the limits of the congressional power to conduct investigations:

> The power is broad. It encompasses inquires concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic, or political system for the purposes of enabling the Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency, or waste. But broad as is this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress.

The Supreme Court held in the Watkins case that committees of Congress lack the authority under the Constitution to investigate and hold hearings for the purpose of exposure and punishment. There must always be a legislative purpose.

The committee's public statements made before the Watkins case were quite candid in stating that its function was to "expose to the merciless glare of publicity" individuals it thought were or had been Communists or Communist sympathizers or dupes. I can furnish the House with many statements made by committee members and staff to the effect that the committee's function is to "expose for the sake of exposure."

Since the Watkins case the committee has avoided such statements. However, in spite of that, there has been no change in the committee procedure of exposure and punishment, the pattern of calling unfriendly witnesses and asking them questions about activities sometimes going as far back as 30 or even 40 years ago, with no discernible legislative purpose.

It is clear that the committee is ignoring the ruling in the Watkins case except to mouth at the beginning of each hearing a statement certifying to the "legislative purpose" of the proceedings.

And one might also ask, where is the legislation that in due course results from these investigations and hearings which can only be constitutional if they have a legislative purpose? In its more than 20 years of existence as a standing committee the House Committee on Un-American Activities has reported only three bills which have become law.

Since the Watkins decision in 1957 requiring that all committee investigations have a legislative purpose, the House Committee on Un-American Activities has spent $2,627,000, an average of more than $327,000 per year, and has produced two bills that became law, and one of those was to make a minor correction in an earlier law and was unopposed.

It seems very clear that under the Watkins decision alone the committee is operating in violation of the U.S. Constitution.

The second area where I charge the committee to be contrary to the Constitution is that it conducts legislative trials contrary to section 9, article I of the Constitution that proscribes the passage of bills of attainder.

Now, Mr. Speaker, we know that Congress would not and could not pass the classic type of bill of attainder forbidden in section 9, article I. Our Founding Fathers were very sensitive to the perils of bills of attainder. The English Parliament had not too many years earlier by passage of a bill banished and disgraced one John Lilburne, and the men who wrote our Constitution were determined, as Justice Black pointed out in the Barenblatt dissent, that the punishment of American citizens was "too serious a matter to be entrusted to any group other than an independent judiciary and a jury of 12 men acting on previously passed, unambiguous laws, with all the procedural safeguards which included the right to counsel, compulsory process for witnesses, specific indictments, confrontation of accusers, as well as protection against self-incriminations, double jeopardy, and cruel and unusual punishment—in short, due process of law."

Punishment of an American citizen by bringing him before a congressional committee for the purpose of exposure is a legislative trial and is unconstitutional as a bill of attainder. It makes no difference that these individuals might be unattractive to others, hold political opinions considered dangerous and subversive by others, or whether they be members of the Ku Klux Klan, the Black Muslims, the Minutemen, or the Communist Party.

It is expected that my committee, the Judiciary Committee, will be considering amendments to the Civil Rights Act of 1964. Should we also contemplate an extension of the Federal criminal law to punish individuals who violate the civil rights of others, then it might be appropriate to subpena witnesses who are members of the Ku Klux Klan, or a bill to proscribe private armies might require hearings at which Minutemen are called to testify.

But there is no congressional power under the Constitution that would license the Judiciary Committee or any other committee to subpena Ku Klux Klan members for purposes of exposing them to the country as members of this primitive sect and to bring upon them the disgrace and calumny associated with membership.

Our Constitution is explicit. Only the courts can punish and only then pursuant to due process. The legislative branch has no power to punish. Only in totalitarian countries can this awesome power be found in the legislature.

This House of Representatives, through its authorized committee, the House Committee on Un-American Activities, punishes citizen after citizen for prior actions, opinions, and associations which are not crimes, but which the committee considers so distasteful that the citizen must be punished regardless, and by the committee, not the courts.

A few years ago after the committee was created the House put a rider on an appropriation bill barring three Federal employees from collecting their salaries. This action was at the urging of the House Committee on Un-American Activities who said that the views and writings of these workers were subversive and therefore the three were unfit for employment.

In *U.S.* v. *Lovett*, 1946, 328 U.S. 303, the Supreme Court held this action to be void as a bill of attainder, that its "effect was to inflict punishment without the safeguards of a judicial trial" and that this cannot be done either by a State or by the United States.

This clear example of an unlawful bill of attainder is duplicated over and over again by the House Committee on Un-American Activities, the only difference being that the actual bill itself is not brought to the floor and passed. Witnesses are called and subjected to publicity and exposure, in effect convicted by a legislative committee for association or ideas which are not crimes but which the committee feels are punishable regardless. Loss of reputation and job quickly follow as news of the legislative trial is fed to the press.

Mr. Speaker, as I said earlier in my remarks, I am confident that the Supreme Court will ultimately find the resolution establishing the House Committee on Un-American Activities unconstitutional. The Barenblatt case in 1959—360 U.S. 109—upheld the committee's mandate by a 5-to-4 vote. I believe that if a similar case were to be decided today by the Supreme Court, that Barenblatt would be overruled.

Court direction is not the dignified way to reform this great legislative body. We should be embarrassed that the Supreme Court was forced in the Watkins case to restrict the House Committee on Un-American Activities by declaring as unconstitutional its avowed raison d'être to expose for the sake of exposure.

The committee's actions are those of the entire House of Representatives, for it is a part of us and gains its power and authority from us. Its existence is patently unconstitutional in at least two respects—its practice of investigating with no legislative purpose but exclusively for purposes of exposure, and secondly its practice of holding legislative trials in violation of section 9, title I of the Constitution proscribing bills of attainder.

We should not await orders from the Court. We can and must put our own house in order.

In the event any of my colleagues have any reservations about voting against this committee because of a possibly adverse political reaction, let me relate to you what happened in this Chamber on May 17, 1946, when Congressman John Rankin, of Mississippi, chairman of the House Un-American Activities Committee, asked the House for an additional appropriation of $75,000.

The RECORD reflects that Congressman Rankin's attitude could be described as threatening. At one point in the debate he warned the House:

> I can tell you now this committee is going after those un-American elements, in the House or elsewhere.

The yeas and nays were called for, and 81 Members voted against the appropriation. Who were some of these forthright Members, and where do they rank today in American political life?

Mr. CELLER is chairman of the House Judiciary Committee.

Mr. DAWSON is chairman of the House Committee on Government Operations.

Mr. FEIGHAN is chairman of the Immigration and Naturalization Subcommittee of the House Judiciary Committee.

Mr. HOLIFIELD is chairman of the Joint Committee on Atomic Energy.

Mr. MANSFIELD is the majority leader of the U.S. Senate.

Mr. MILLER is chairman of the House Committee on Science and Astronautics.

Mr. KEOGH is the chairman of the House Democratic caucus.

Mr. KING is the dean of the California delegation.

Messrs. DELANEY, FLOOD, FOGARTY, MADDEN, PRICE, and THOMAS are distinguished senior Members of this House.

Congressman JOHNSON, who also voted against the House Un-American Activities Committee appropriation, is President of the United States.

Mr. BURLESON. Mr. Speaker, I yield to the gentleman from California [Mr. LIPSCOMB].

Mr. LIPSCOMB. Mr. Speaker, could the gentleman from Texas give us some indication as to how the time for this debate will be divided?

Mr. BURLESON. I shall be glad to reserve a portion of the time for Members on the gentleman's side of the aisle. Would 10 minutes be satisfactory?

Mr. LIPSCOMB. That will be fine.

The SPEAKER. The Chair understands the yielding of time has to be made by the gentleman from Texas.

Mr. BURLESON. I understand that.

Mr. GROSS. Mr. Speaker, will the gentleman yield to me?

Mr. BURLESON. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman tell me why the House Un-American Activities Committee has been singled out for this treatment to the exclusion of all committees of the House?

Mr. BURLESON. I cannot answer that question.

Mr. GROSS. I am sure the gentleman from Texas [Mr. BURLESON] does not support this proposed action and I hope someone who does will make this clear before the debate goes much further.

Mr. BURLESON. I am sure there will be quite a few willing to comment.

I now yield 3 minutes to the gentleman from California [Mr. BURTON].

Mr. BURTON of California. Mr. Speaker, I want to commend and associate myself with the remarks of the distinguished gentleman from California, Congressman EDWARDS. His was a most able presentation of the constitutional basis of our view of the House Committee on Un-American Activities. He also made a telling point of the political impact on those who—in times past—were of the same general view that some of us hold today.

The opening days of the Congress were not propitious for us to debate an additional change in the House rules with reference to the position of the House Committee on Un-American Activities as one of the standing committees of the House. That opportunity is ours today. Others will touch upon the history of this committee and of its disservice to the principles which it purports to protect.

I should like to address myself to a report that I received from the Library of Congress, a report which was prepared pursuant to my request, regarding the staffing of the committee of which I am proud to be a member, the Committee on Interior and Insular Affairs, and of the committee whose budget is currently being considered by the House.

It was interesting to me to learn that there are 9 members on the Committee on Un-American Activities but they have 57 staff members on the average doing their work. I was interested also, that the Interior Committee with 34 members, almost four times the number of members as the Un-American Activities Committee, has 10 staff members to assist it.

Twenty-nine measures were referred during the 88th Congress to the House Committee on Un-American Activities, one of which passed. The committee of which I am a member was assigned some 859 measures, 143 of which were passed.

Last year, this Congress appropriated over $851,000 to the Committee on Un-American Activities to pass one piece of legislation, while the committee on Interior and Insular Affairs, of which I am a member, received some $271,000. Relating legislation dealt with, processed, and passed to their respective budgets, we see a ratio of something like 400 to 1.

The House Committee on Un-American Activities spent over two times more per member of their committee than any other committee of this House. I am enclosing for your information at the end of this statement, the summary of the Library of Congress report—which I found extremely enlightening. I would think a full hearing by the Committee on House Administration would give all of us an opportunity to put this committee in its proper focus and to discuss its proper relationship to the other committees of the House of Representatives.

COMPARISON, 88TH CONGRESS

House Un-American Activities Committee: 57 staff members for a 9-member committee—more than 6 staff members per member of the committee. A total of $851,427.78 expended in staff salaries or approximately $94,603.09 in salaries for staff services per member of the committee.

Twenty-nine measures were referred to this committee during the 88th Congress; one measure was passed—Public Law 88-290 which added a new title to the Internal Security Act of 1950—$851,427.78 to pass one piece of legislation.

Interior and Insular Affairs: 10 staff members for a 34-man committee—less than 1 staff member for each 3 members of the committee. A total of $271,156.24 expended in staff salaries or approximately $7,975.18 in salaries for staff services per member of the committee.

A total of 859 measures were referred to this committee during the 88th Congress—776 from the House; 83 from the Senate—and 143 measures became law—$271,156.24 to pass 143 pieces of legislation or approximately $1,896.20 in staff salary per law passed.

Committees ranked in descending order of staff cost per committee member, 88th Cong.

Rank	Committee	Average staff	Salaries	Number of members	Amount per member of committee
1	Un-American Activities	57	$851, 427. 22	9	$94, 603. 09
2	Government Operations	60	1, 310, 043. 23	31	42, 259. 46
3	Public Works	59	1, 254, 744. 92	32	39, 210. 78
4	Select Committee on Small Business	24	463, 270. 57	13	35, 636. 20
5	Judiciary	52	995, 116. 22	35	28, 431. 89
6	Education and Labor	52	763, 718. 83	31	24, 636. 09
7	Appropriations	54	1, 215, 391. 75	50	24, 307. 84
8	Interstate and Foreign Commerce	39	801, 488. 69	33	24, 287. 54
9	Banking and Currency	52	795, 390. 65	33	24, 102. 75
10	Ways and Means	24	462, 702. 61	24	19, 279. 28
11	Foreign Affairs	17	507, 018. 65	33	15, 364. 20
12	Veterans' Affairs	18	342, 409. 24	24	14, 267. 05
13	Science and Astronautics	20	428, 720. 68	31	13, 829. 70
14	Armed Services	18	430, 575. 26	38	11, 330. 93
15	Post Office and Civil Service	10	278, 936. 41	25	11, 157. 46
16	District of Columbia	11	228, 890. 14	25	9, 155. 61
17	Agriculture	15	319, 534. 53	36	8, 875. 96
18	Interior and Insular Affairs	10	271, 156. 24	34	7, 975. 18
19	Merchant Marine and Fisheries	9	241, 263. 60	31	7, 782. 70
20	Rules	4	76, 425. 27	15	5, 095. 02
21	House Administration	4	107, 150. 62	24	4, 464. 61

Prepared from research by Library of Congress, Legislative Reference Service, Feb. 24, 1965.

Committees ranked in descending order of total salaries, 88th Cong.

Rank	Committee	Average staff	Salaries	Number of members	Amount per member of committee
1	Government Operations	60	$1, 310, 043. 23	31	$42, 259. 46
2	Public Works	59	1, 254, 744. 92	32	39, 210. 78
3	Appropriations	54	1, 215, 391. 75	50	24, 307. 84
4	Judiciary	52	995, 116. 22	35	28, 431. 89
5	Un-American Activities	57	851, 427. 78	9	94, 603. 09
6	Interstate and Foreign Commerce	39	801, 488. 69	33	24, 287. 54
7	Banking and Currency	52	795, 390. 65	33	24, 102. 75
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19	District of Columbia	11	228. 890. 14	25	9, 155. 61
20	House Administration	4	107, 150. 62	24	4, 464. 61
21	Rules	4	76, 425. 27	15	5. 095. 02

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Speaker, because my name and some of the statements I have made have become a part of this debate, I want to be sure that my colleagues fully understand the position I take.

I happen to favor the House Un-American Activities Committee and I also favor this particular budget. I put some remarks in the Record of February 23, on page 3406, which clarify this position. I do think it would be wise to clarify these issues involving the House Un-American Activities Committee and have a hearing before the Committee on House Administration, because I am tired of these unsubstantiated charges against the House Un-American Activities Committee that are widely disseminated around the country, while those disseminating those charges do not come forward to back them up. Let us have hearings where witnesses can be heard and we can have cross-examination.

But I must say to those gentlemen, our colleagues who are asking for a motion to recommit, to hold up this committee's budget so that they can have this hearing that they have been sleeping on their rights. Where have they been? They have not asked for a hearing. A few years ago our colleague from California [Mr. Roosevelt] did come before the House Committee on Administration to try to make a case. I think he made a very poor case and I think the House did too. But at least he availed himself of the opportunity.

I want to call attention, incidentally, to page 3406 of the Record to a letter that I put in the Record from one Thomas Emerson who is in the Department of Law at Yale University. He says in this letter to me that he is the author of the petition to abolish the House Un-American Activities Committee and that he received my letter of January 5 in which I had given him statements by the House Un-American Activities Committee in response to these unsubstantiated charges. He says:

> Unfortunately, I have been so busy with other commitments I have not had the opportunity to prepare comments upon Mr. McNamara's statement. I shall do so as soon as possible.

Mr. NcNamara being the staff director of the House Un-American Activities Committee. This letter is dated February 19. So here is the man responsible for the dissemination of these—they amount to almost slanderous charges, certainly bringing the House of Representatives into disrepute as well as the committee, and yet he is not willing or able to come in to document them. And I might say apparently the 17 members who want this hearing should be willing to come in to ask for it. I want the fair name of the House of Representatives kept fair as well as the name of its committee. If anyone has any charges, come on in and let us hear them under cross-examination and let us hear witnesses on both sides of the question, but let this be done in a timely manner.

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Speaker, I take this occasion to express my disappointment over the failure of the House Committee on Un-American Activities to investigate the lawlessness of the extreme right wing, and express my hope that if this committee is extended that it will do its duty and investigate the terroristic un-American activities of the haters in America.

Now, I am not asking them to investigate ideas. Everybody is entitled to his ideas and the free expression of his ideas, but no American is entitled to engage in lawlessness, disorder, and incitement to riot. I am thinking, for instance, of the Klu Klux Klan—not their ideas—but the fact that I believe they work through lawlessness and terror in advocacy of defiance of the law of the land. I am thinking of the Minutemen and the American Nazi Party who are not even on the Attorney's General's subversive list although 300 other organizations are.

I would like to quote to you from the official publication of the Minutemen, On Target, for November 1964:

> The course for all conservatives now is to join the Minutemen's secret underground army for training as America's last line of defense against communism. The hopes of millions of Americans that the Communist tide could be stopped by ballots rather than bullets have been turned into dust. Among the weak-kneed conservatives, many will be shaking their heads sadly and saying, "We simply must win in 1968." I hope the readers of this newspaper are not so naive. We are not going to have a free election in 1968. The Communists are winning by infiltration, subversion, and psychological warfare. We must turn our enemies' own tactics against them.

Now here is an open appeal to subversion which I think cries out for investigation.

Let me turn now to the American Nazi Party whose members in Washington, D.C., have 17 separate arrests for incitements to riot or disorderly conduct and whose leader refers to these lawless efforts as "missions."

The Nazi publication, the Rockwell Report of November 1962, has this to say:

> To hell with conservatism. To hell with easy ways. To hell with talk, post office boxes, and private meetings. The Jews and Reds and racemixers are on the march. They are out in the streets. If the white race is to survive, the monster must not be talked or written about—it must be killed. To kill it we must attack.

My colleagues, the House Un-American Activities Committee has done its share of investigating folk singers with guitars. It should at long last start looking at haters with rifles and at bigots with bombs.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. Lindsay].

Mr. LINDSAY. Mr. Speaker, for a number of years I have recommended and suggested and proposed—and introduced resolutions to the effect—that we ought to follow the procedure of the Senate and shift jurisdiction over the small percentage of the U.S. Criminal Code now under the House Un-American Activities Committee to the Committee on the Judiciary of the House. I do not see any logic in the present arrangement and never have.

The House Committee on the Judiciary has jurisdiction over 95 percent of the Criminal Code. The House Committee on Un-American Activities has jurisdiction over 5 percent of the Criminal Code.

It seems to me we would perform a service and clear up a lot of misunderstanding if we were to undertake this modest reorganization and put jurisdiction over the Smith Act and the Subversive Activities Control Act, and others—which is the reason the Un-American Activities Committee exists—under the committee that has jurisdiction over the vast majority of the criminal law.

The Judiciary Committee exercises jurisdiction over some very sensitive criminal laws. The committee holds hearings all the time. We have never had any difficulty. There has been no charge of the absence of due process. All the members are lawyers. All the staff are lawyers. All the work is done by subcommittees, and there is a careful review by the full committee.

This, to me, makes sense. In 1963, when my resolution of transfer was before the Rules Committee of the House, the Rules Committee called a hearing. I testified before the Rules Committee, and asked the committee to report a rule. My bill was not reported, by a vote of 12 to 1, as I recall.

As late as 1960, the late chairman of the Committee on Un-American Activities, Mr. Francis Walter, supported the idea of transferring the jurisdiction of the Un-American Activities Committee to the Judiciary Committee. Later he took a different viewpoint and opposed this, but at least this must indicate there are two sides to the question and to the proposal I have been stressing.

By the same token, I have always argued against an attack on the appropriations, and I have always voted for the appropriations, because, removing the appropriation can solve nothing. It does not change the jurisdiction of the Un-American Activities Committee in the slightest.

The committee would continue to have jurisdiction over the Smith Act and the Subversive Activities Control Act. If the move were successful, all one would do would be to cut out the typewriters and the stenographers; but I know nothing in the rules of the House to prevent a committee from going to the outside to pay for typists and typewriters and stationery. So that would not solve a single thing. We ought to be talking about jurisdiction.

I should like to commend my colleague from Missouri [Mr. Curtis] for the suggestion he made and also for the remarks he made only a moment ago. I am for a hearing as he is. If there is a point of contention in the public and in the public arena involving the Congress, let us have it out. I do not believe we solve anything by putting a lid on it and not allowing a full and complete hearing.

The only point of disagreement I would have with my friend from Missouri [Mr. Curtis] is that I do not see how a hearing could have been arranged or forced until this point. I agree that this is late. But we have had no choice.

I do not know how the question could have been pressed until this moment.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. Of course I yield to the distinguished chairman.

Mr. BURLESON. Does the gentleman see any difference in having a public hearing on this particular request and on all of the other standing committees of the House?

Mr. LINDSAY. Yes, I do.

Mr. BURLESON. I do not. If we want to create a forum for the expression of an emotional proposition on whether there should or should not be a House Un-American Activities Committee, then the proper place to do it is before the Committee on Rules on a resolution to abolish the committee. I say this because it is the business of the Committee on House Administration not to determine whether there should or should not be a committee in existence but, rather, based on a budget estimate and a description of activities, to authorize a realistic appropriation to finance the work the committee has been authorized to perform. It is not a logical requirement of the Committee on House Administration to hold a public hearing on a housekeeping proposition such as this.

If the Committee on House Administration should hold open hearings on all funds resolutions we would be 6 months, or longer, in making funds available to those committees authorized at the beginning of a Congress to conduct studies and investigations. If this resolution now before the House had been opened for public hearings we would not be here today trying to complete action so that employees may be paid and committee business proceed.

Mr. LINDSAY. As I said a moment ago, the Rules Committee did have a hearing on my bill.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BURLESON. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. LINDSAY. I thank the distinguished chairman for yielding me the additional time.

We did have a discussion before the Committee on Rules. What I wanted was to have it reported to the floor of the House so we could have a discussion about it, but we failed. That is why I think, because of the interest in the country and because of the sharp disagreement over procedural questions, if nothing else, in the Un-American Activities Committee, that we should have this airing. Let it be discussed. That is why, if a motion to recommit is offered with instructions to have a public hearing, I think I shall probably support it in the interest of having an airing of the subject. Should it fail, I will do as I have done in the past—vote for the appropriation, and continue to press for a transfer of jurisdiction.

Mr. BURLESON. Mr. Speaker, I yield to the gentleman from California [Mr. Roosevelt].

Mr. ROOSEVELT. Mr. Speaker, I want to agree completely with the gentleman who has just spoken. As most of the Members of this House know, this is a subject in which I have been interested for a number of years. My position has not changed. I am sorry the gentleman from Missouri does not think we have made a good case in the past, but I think we can now, and I hope that a recommittal motion will pass.

Mr. Speaker, we all know that the only legitimate purpose of a congressional investigation is the gathering of facts for possible legislative use. Chief Justice Warren, in Watkins against United States, warned us:

> The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. But, broad as is this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress, nor is the Congress a law enforcement or trial agency. These are the functions of the executive and judiciary departments of Government. No inquiry is an end in itself; it must be related to, and in furtherance of, a legitimate task of the Congress. Investigations conducted solely for the personal aggrandizement of the investigators or to punish those investigated are indefensible. (*Watkins* v. *United States*, 354 U.S. 178, 187 (1957.)

Despite the considerable budget of the Committee on Un-American Activities and the large number of investigations undertaken by it in the last Congress, the record shows absolutely no pertinent legislation resulted from these labors. Rather, the committee—its members and its staff—have demonstrated quite clearly that its primary purpose is exposure, and in this respect it is notorious for its contempt for the legal rights of witnesses. Thanks to the committee, there is unfortunate and dangerous public contempt for the fifth amendment's vital protection of the accused against self-incrimination. The real meaning of that protection has been thoroughly destroyed, and "witness" is synonymous with "victim" when an individual is called before the committee. The committee's success in obtaining a contempt-of-Congress conviction against an occasional witness-victim is the very weakest of arguments for its excessively high expenditures.

I contend, Mr. Speaker, that the independent status of this committee has served to allow it to roam at will through areas assigned to other regularly established committees of the House, overlapping their functions and serving only to confuse legislative business. The resulting waste of funds is inexcusable.

Therefore, Mr. Speaker, I support the motion to recommit to the Committee on House Administration the appropriation for the House Un-American Activities Committee with instructions to hold public hearings into the necessity and propriety of continuing the independent status and appropriations for the House Un-American Activities Committee. What I and other supporters of the motion seek is a free public debate. There are those of us who strongly urge the powers and authority of House Un-American Activities Committee be transferred to Judiciary. But our motion today does not reach that point.

What this motion seeks, and what I strongly urge, is that the forum for an open, public debate be set—that a dialog be allowed to develop so that this body and the American people can better judge whether the independent status of the House Un-American Activities Committee best serves the legislative purpose of this body, and thereby the public interest.

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Speaker, in 1948 I ran for Congress. Mine was a strong Republican district. One of the issues was the Committee on Un-American Activities. This arose from the fact that members of that committee at that time had come into the district and they said that every person at the University of Chicago was a Communist, including the atomic scientists, who had given to the cause of the free world the atomic bomb, and all without one break in the secrecy required.

I have never known a feeling of resentment to run stronger than it ran in my district. Women as well as men worked through the day and through the night to accomplish my election as a rebuke to a congressional committee that had become wild, reckless, and irresponsible. That was almost 17 years ago.

As everyone knows, I have always voted against the Committee on Un-American Activities and also, as everyone knows, there is no one in the Congress who is more determined and dedicated in the fight against communism.

I will say also that the members of the Un-American Activities Committee in recent years in the main have been my personal friends, whose sincerity was above question, but the plain blunt truth is that if the committee today were pure as the driven snow, it could not live down its past.

If the legitimate work of the committee and covering every phase of subversive activities were turned over to a subcommittee of the Committee on the Judiciary, even with practically no change in the personnel of the committee, at least the taint of the past would be erased and a fresh start made. Let us end the very name, "Committee on Un-American Activities," but let us continue unrelentingly the search for such improvement in and strengthening of the Federal laws against any and all subversive practices and preachments that seek to undermine the character of our people and imperil the security of our country.

I am not unmindful that I am listed with 19 other Members of this House by an organization that advocates violence to silence those with whom it disagrees, but threats have never determined the pattern of my actions nor turned me from the path of duty as I saw it.

I do hope that on the rollcall today there will be a large vote. At one time there were only six, the last time I think the number went up to 20. Perhaps today it will reach 40 or even 50 or more.

My colleagues, have courage, and remember that after all the most precious thing we have in America is the right to agree or to disagree with impunity.

Mr. BURLESON. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Speaker, to many the discussion about the House Committee on Un-American Activities may by now seem tedious and repetitious. For years, the committee has been subject to criticism, much of it well founded, most of it well argued. We are, or we should be, all too well acquainted with the committee's excesses. However familiar this issue may seem to many of us, we ought to realize that there is nothing so strong as an idea whose time has come. Well, the time has come for taking up, in depth and with responsibility, the Committee on Un-American Activities and its future in the House of Representatives.

Many of the distortions on which the committee used to thrive have largely disappeared. National red scares and witch hunts seem very much a part of the past. No such events followed the assassination of John F. Kennedy. And the greater part of the electorate has made it clear that extremism is alien to our tradition and irrelevant to our future. The activities of extremist groups are now generally accepted as the concern of properly constituted legal agencies and grand juries, rather than spontaneous vigilante committees. The age of paranoid politics in America could well be over.

Yet the Committee on Un-American Activities still exists. It still requests appropriations to engage in activities that go far beyond Congress proper function. It still requests appropriations for "investigations" without any justification in legal procedure or ethics. Many of its activities continue to demean this House, mocking the country's traditions and corrupting the democratic procedures we are anxious to see prevail throughout the world.

At the very least, the House must be prepared to discuss at length the many objections to the committee that have been put forth over the past several years. We must deal with the argument that the existence of the committee is incompatible with the spirit of the Bill of Rights. We must take into account the fact that the House Committee on Un-American Activities, originally intended as a legislative committee of the Congress, has been responsible for only three laws since 1938. We should be prepared to discuss the position that the committee misuses the power of the subpena, and in so doing can restrict the civil liberties of individual citizens. There is no reason why these matters should not be taken up by the House. Those who are as yet unconvinced that the committee should be abolished will have an opportunity to hear those who are convinced that it must be.

Since I have been a Member of Congress, I have argued that the committee seriously misused powers that should never have been commissioned to it in the first place. I have been convinced that ample authority to deal with subversive activity already exists in the Justice Department, and that the House Judiciary Committee is fully equipped to handle any legislation that would appear necessary in this field. The House has a responsibility to itself and to the public to conduct public hearings on the committee's appropriations. Fullest consideration of the House Committee on Un-American Activities is long overdue.

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Speaker, I join my distinguished colleagues today to add my voice to their long and courageous fight to gain support in this body for a revision of the organization and jurisdiction of the House Un-American Activities Committee.

I do not doubt that when this committee was initially organized in 1938 that it was with proper concern and legitimate scope. I do not doubt now that investigative powers relating to subversive activities is a proper jurisdiction of a subcommittee duly organized and operating under the full Judiciary Committee.

Over the years the House Un-American Activities Committee has thrived upon the fear of its very existence and every challenge was suspect. It has swept its operations across the length and breadth of our country without concern for the innocent lives and careers it has destroyed. To any loyal American the worst crime to be publicly accused of is being un-American, for no defense of words can ever remove the innuendo thereafter; and yet these are the aftermath of hearings before this committee.

As a college student in the heyday of the McCarthy era, I confess a great fear I had in expressing my thoughts and ideas as I searched for a purpose in life, as do all young people, for I watched intimidated by the investigation that seared the integrity of many of our most esteemed college campuses.

Just what is propaganda; just what is un-American propaganda is highly relative to a particular time and is based upon acceptance or popularity of an idea or thought. To attempt to classify thoughts and ideas as American or un-American, I find contrary to the most basic and fundamental rights of freedom. Such a program evolves from fear and insecurity and, being based upon fear, so it generates fear, and freedom of speech and expression are shackled by this fear of reprisal.

I believe in the strength and wisdom of the American public to be able to judge for themselves those within their own communities whose ideas should be rejected. I do not believe that America needs congressional censure regulating and determining for our citizens what ideas are American or un-American. Let us return to our people the confidence and integrity they deserve as loyal Americans.

This is a most serious question, and I ask that all interested persons throughout America at least be given an opportunity to be heard before the House Un-American Activities Committee and, therefore, urge that you support this motion to recommit.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. ICHORD].

Mr. ICHORD. Mr. Speaker, I rise in support of the appropriation for the House Committee on Un-American Activities of which I happen to be a member. It is difficult for me to see why the appropriation for the House Committee on Un-American Activities should receive any treatment different from the treatment given the other committees of the House. I disagree with my colleague the gentleman from Missouri [Mr. CURTIS] when he says that we should have a public hearing on the appropriation.

I do agree with the gentleman from Missouri [Mr. CURTIS] as to the necessity of developing a national dialog on this issue. But, Mr. Speaker, this is not the proper place to develop that dialog. The place to develop the dialog is in the Committee on Rules. The gentleman from California [Mr. EDWARDS] has filed a resolution to abolish the House Committee on Un-American Activities and transfer at least a part of its jurisdiction to the Committee on the Judiciary and there that dialog can be developed. Although I speak for myself and not for the committee, I feel that the chairman of the Committee on Rules and the Committee on Rules should have hearings on the resolution which has been offered by the gentleman from California [Mr. EDWARDS] and thereby the House will be able to debate the issues involved in continuance of the House Committee on Un-American Activities.

Mr. Speaker, I, like the gentleman from Missouri [Mr. CURTIS], am sick and tired of having the Un-American Activities Committee attacked with hit and run tactics, whether they come from the Communists and anarchists, whether they come from misguided and uninformed libertarians, or whether they come from Members of Congress like the gentleman from California [Mr. EDWARDS], whose integrity, whose sincerity and whose motives I do not question.

But, Mr. Speaker, these gentlemen are riding dead horses. They even have complained about dead men—the late John Rankin and the late Senator McCarthy.

Mr. Speaker, I am not going to be put in the position of defending Rankinism or McCarthyism. McCarthyism is definitely a thing of the past.

Mr. Speaker, let me remind the Members of the House that we have as chairman of the House Committee on Un-American Activities one of the most distinguished lawyers in this body, the gentleman from Louisiana the Honorable Ed WILLIS. He is very zealous in protecting the constitutional rights of every witness who comes before that committee. As a committee of the American Bar Association has said about the House Committee on Un-American Activities:

> Your committee is impressed with the fairness with which hearings have been conducted. We are satisfied that the witnesses

> called to testify before the committee are being treated fairly and properly in all respects.

Mr. Speaker, personally, I have had my fill of these attacks, as has the gentleman from Missouri [Mr. CURTIS]. I am sick and tired of having these charges made, unsubstantiated, whether they come from Communists, anarchists, or whether they come from misinformed and uninformed Americans, or whether they come from Americans whom I submit have a philosophy that is inconsistent with the internal and external security of this country.

Mr. Speaker, I hate to see things done in halves. If it is right, it should be done boldly and forthrightly. If it is wrong it should be left undone. The reasoning, I submit, behind this attack—and, again, I do not question the motives of the gentleman from California—and the resolution now pending before the Committee on Rules is wrong. It should be aired. It should be debated. It should be defeated and the matter settled once and for all with the object of these efforts left undone.

Mr. Speaker, I yield back the balance of my time.

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I rise in opposition to House Resolution 188 which with the committee amendment appropriates $370,000 for the Committee on Un-American Activities for 1965. With this appropriation, the committee will be able to continue for another year the kind of activities that constitute a continuing assault on our constitutional liberties.

In the 88th Congress only four committees received higher appropriations than the House Un-American Activities Committee. The committee's $660,000 appropriations was higher than Interstate and Foreign Commerce—$597,450; Education and Labor—$475,700; Foreign Affairs—$222,500; and Armed Services—$150,000.

This year the appropriation is the fourth highest, with $370,000. The appropriation for the House Un-American Activities Committee is greater than such important committees as the Judiciary Committee—$340,000; Interstate and Foreign Commerce Committee—$262,000; Banking and Currency Committee—$225,000; and Armed Services—$100,000.

During the 6 months from July 1 to December 31, 1964, the Un-American Activities Committee employed a total of 58 people—the fourth largest staff in the House. It had a larger staff than such committees as Judiciary—56; Education and Labor—55; and Banking and Currency—54.

As I have done every year since I have been in Congress, I again protest giving any money at all to a committee which, as shown by its record, has no legislative usefulness. Whatever legislation this committee considers, whatever hearings it holds, whatever material it prints, belongs within the jurisdiction of another standing committee of the House. These other committees are perfectly competent to hold their own hearings on any legislation within their jurisdiction. They hardly need the Un-American Activities Committee to conduct investigations for them.

In past years I have reviewed the legislative work of this committee, pointing out that it serves no useful legislative function. In the 88th Congress only 32 of the 12,829 bills introduced were referred to the House Un-American Activities Committee, and each one properly belonged to another committee. Incidentally, there were actually only 14 legislative proposals as the 18 others were identical or similar bills. Twenty-three of the 32 were amendments to the Internal Security Act, which should be the concern of the Judiciary Committee. The other nine were proposals to establish a Freedom Commission "to develop the global struggle with communism as an operational science," according to the language of the bill. Such a bill should be the proper concern of the Committee on Foreign Affairs or the Committee on Education and Labor.

Mr. Speaker, the fact is that this committee specializes in hearings. The result of these hearings is not to produce legislation. The result of the hearings is to discourage certain ideas of which the committee does not approve—it alone defines what is American and un-American—and to impair freedom of expression. The committee's investigations and hearings concerning the political beliefs of American citizens is antithetical to our constitutional guarantees of free speech and free assembly. Any American, whatever his beliefs, who is called before this committee, is subjected to the scorn of his community. That was the effect of the committee's hearings in Minneapolis and Buffalo last year. No legislation resulted, but individuals were subjected to the predictable consequences of being called before the committee.

Consider the example of the committee's hearings last year in which 42 persons, mostly students, who had traveled to Cuba, were called. The committee claimed that there was a legislative purpose to the hearings. But when the chairman introduced a bill at the conclusion of the hearing, it was referred to the Judiciary Committee because it dealt with passport legislation. What better acknowledgment that the proper jurisdiction for such hearings was the Judiciary Committee.

Then there were 10 executive hearings conducted during 1964 relative to the Immigration and Nationality Act. These hearings came to public attention when three witnesses refused to testify in what they regarded as a "star chamber" proceedings.

It is perfectly clear that any legislative recommendation that could conceivably have resulted from these hearings would have to be referred to the Judiciary Committee's Immigration and Nationality Subcommittee, which has exclusive jurisdiction over the Immigration and Nationality Act.

There were other hearings even further removed from any legislative purpose. The committee refers to them as "consultations." One of the past "consultations" was with Fred Schwartz, who heads what he calls the Christian Anti-Communist Crusade. The committee printed up this "consultation" and distributed it in great quantities. Altogether over 175,000 pieces of rightwing-type propaganda were printed or reprinted by the Un-American Activities Committee during the 88th Congress.

Mr. Speaker, the time has come for the House to end its support of a committee that does not serve a legislative purpose of its own, but rather roams at will through the jurisdictions of other standing committees. By appropriating for this committee one-third of a million dollars per year, the House permits it to make a travesty of the committee system, threatening Americans who exercise their right to petition, freedom of expression and belief, and other freedoms which are granted all of us in the Constitution of the United States.

The New York Times on January 4, 1965, commented editorially:

> The Un-American Activities Committee is unneeded, untrustworthy, and basically unconstitutional. The new House could not make a better start than by getting rid of it.

Mr. Speaker, I again urge that the House cease to underwrite the undermining of the Bill of Rights.

Mr. BURLESON. Mr. Speaker, I yield to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I have been very moved by the speeches made on the floor today about this very important subject of the appropriation for the Un-American Activities Committee.

We have heard from the oldest Member of the House, the gentleman from Illinois [Mr. O'HARA] who so dramatically recalled for us some history that this committee can never live down nor undo. Also our colleague the gentlewoman from Hawaii [Mrs. MINK], one of the new Members of the House, made a brilliant presentation today here on the floor of the House which I fully support.

Mr. Speaker, during the 2 months that I have been a Member of this great body, I have been able to gain very valuable insights into many issues by studying the debates when these same issues arose in previous Congresses. Accordingly, I have reviewed all of the House debates on the Un-American Activities Committee since 1945 when the committee was first established as a permanent standing committee of the House of Representatives.

In reading these past debates I was particularly struck by the fact that so many of my senior colleagues for whom I have come to hold the very highest regard during my short time in the House were among those who voted against the Un-American Activities Committee during the very first years of the committee's existence.

In 1945 the resolution establishing the Un-American Activities Committee as a permanent standing committee of the House was passed by the narrow record of 208 to 186 after having first been defeated on a division vote. Voting against the resolution were such Members as our distinguished Speaker, the Honorable JOHN W. MCCORMACK, and the chairman of the House Judiciary Committee, the Honorable Emanuel Celler. Also voting against the resolution were such former Members of the House as the Honorable Mike Mansfield, of Montana, and the Honorable Everett Dirksen, of Illinois, now the majority and minority leaders of the U.S. Senate. Among those who voted against the 1946 appropriation for the investigations of the committee was the man who is today the President of the United States, the Honorable Lyndon B. Johnson, then a Representative from Texas.

There were so many distinguished Members who voted against the committee during those first years that I would like to have inserted into the Record at this point a partial list of those who voted against the original authorization and also some of those who voted against the appropriations for investigations during the first few years of the committee's existence:

Partial List of Those Members Who Voted Against the Amendment to the House Rules Which Established the Un-American Activities Committee as a Standing Committee of the House of Representatives, January 3, 1945

(Congressional Record for 79th Cong., 1st sess., vol. 91, p. 15)

STILL MEMBERS OF THE HOUSE OF REPRESENTATIVES

Emanuel Celler, of New York; Harold Cooley, of North Carolina; William Dawson, of Illinois; James J. Delaney, of New York; Michael Feighan, of Ohio; Oren Harris, of Arkansas; Chet Holifield, of California; Eugene Keogh, of New York; Cecil King, of California; Michael Kirwan, of Ohio; John W. McCormack, of Massachusetts; Ray Madden, of Indiana; Wright Patman, of Texas; W. R. Poage, of Texas; Adam Clayton Powell, of New York; Melvin Price, of Illinois; John Rooney, of New York; Albert Thomas, of Texas.

FORMER MEMBERS OF THE HOUSE WHO ARE NOW MEMBERS OF THE SENATE

Clinton Anderson, of New Mexico; Clifford Case, of New Jersey; Everett Dirksen, of Illinois; Mike Mansfield, of Montana; A. S. Mike Monroney, of Oklahoma; Margaret Chase Smith, of Maine; John Sparkman, of Alabama.

OTHER FORMER MEMBERS OF THE HOUSE

Francis Walter, of Pennsylvania; Clarence Cannon, of Missouri; Christian Herter, of Massachusetts; Estes Kefauver, of Tennessee; Albert Rains, of Alabama; Carl Vinson, of Georgia.

Mr. Speaker, other Members of the House of Representatives during the late forties, some of whom are Members of this 89th Congress, who voted against some of the appropriations for the Un-American Activities Committee's investigations during the years 1945 to 1949 are John Blatnik, of Minnesota; John Fogarty, of Rhode Island; Henry Jackson, of Washington; Jacob Javits, of New York; and Lyndon B. Johnson, of Texas.

Mr. Speaker, 1945 was the last time that the substantive issue of the existence of the committee was on the floor of the House. Since 1945 only when the committee has presented its annual request for additional funds for its investigations has there been an opportunity for the House to discuss the committee's existence and activities. No forum has ever been available to consider the matter directly.

Since 1945 various resolutions have been introduced to either change the jurisdiction of the committee or to abolish it altogether. Hearings have never been held on any of those resolutions. In this 89th Congress more than 15 such resolutions have been introduced but we have yet had no indication that public hearings will be scheduled.

Consistently throughout the last 20 years many Members have complained of the lack of adequate consideration by the House of the activities of this committee. Appropriations of investigatory funds for committees are privileged motions so the rules of debate have always been particularly restrictive. Never has there been more than 1 hour of debate on these appropriations. Also the managers of the resolutions have usually refused to yield so that amendments could be offered.

Further there has been a pattern of sudden great haste and very little prior announcement when these appropriations resolutions were brought up on the floor of the House. In February 1945 the appropriation was considered in the Accounts Committee, a predecessor of the Administration Committee, on one day and brought up on the floor on the very next day. To take a more recent example, the 1964 appropriation was considered by the Administration Committee in the morning and then a few hours later was brought up in the House. There does not seem to have been any previous announcement that the question was to be considered that day by both the committee and by the entire House.

Given this long history of inadequate consideration of such an important matter, I hope that my colleagues will vote to recommit this motion to the House Administration Committee with instructions to hold public hearings so that both the House and the entire country will finally have an opportunity, the first in 20 years, to have public and adequate discussion of the activities of this committee.

The material I have read in the last few days well documents the long history of abuses by the committee. But my objection to the committee is much more fundamental than just criticism of its behavior. I feel there is no justification for the very existence of the committee. The first amendment to the Constitution is an absolute guarantee of the freedom of ideas:

> Congress shall make no law abridging the freedom of speech.

Congress has no proper legislative role in investigating ideas regardless if they are castigated by the use of that perjurative word, "propaganda."

Certainly Congress has a very proper legislative concern in such areas as subversion, espionage, and overt acts affecting national security. But the Committee on the Judiciary already has this jurisdiction. In fact, all the major laws affecting issues of national security passed during the last 20 years, when there has been a standing legislative Committee on Un-American Activities, have been considered by the Committee on the Judiciary.

It is for this reason that I have introduced, along with many other Members, a resolution which would abolish the Un-American Activities Committee and reiterate the fact that the very proper congressional concern in such areas as sabotage and other overt acts affecting national security is in the jurisdiction of the Committee on the Judiciary. Since there seems to be a shortage of copies of all of these various identical resolutions, I ask that House Resolution 223 be inserted into the Record immediately following my remarks.

Mr. Speaker, I do not feel that I should complete my remarks without mentioning the courageous leadership in this area during the last few years of the gentleman from California, Congressman James Roosevelt, the gentleman from California, Don Edwards, and the gentleman from New York, William F. Ryan. Also, Mr. Speaker, I do not feel that it would be right for the Record not to mention the wonderful courage of former Congressman Roy Wier, of Minnesota, who consistently voted against the appropriations for the House Un-American Activities Committee throughout the early and midfifties when he was often a minority of one.

Mr. Speaker, here are some excerpts from the debates on the authorization and appropriations for the House Un-American Activities Committee.

The Honorable John W. McCormack, of Massachusetts, then majority leader, during debate on the original authorization of the Un-American Activities Committee on January 3, 1945, said:

> I do not know when in the history of our country the National House of Representatives has provided by rule for a permanent investigation committee. Mark what we are doing. This is not a question of establishing an investigating committee to investigate conditions that arise from time to time; it is a question of amending the rules of the House to provide for a permanent standing committee that does not consider legislation, but has one subject, one field, the field of investigating and making a report.

Later on during that debate, Congressman McCormack further pointed out:

> This resolution establishing a standing committee, assuming it can recommend legislation, does not set forth the type of legislation. (Congressional Record, 79th Cong., 1st sess., vol. 91, p. 13.)

The Honorable Emanuel Celler during debate on the 1946 appropriation for the committee:

> This committee has resulted in dangerously splitting and splintering our people into hostile groups. In addition to the fact that no one bill has been passed, the activities of this committee have created festering sores of prejudice and intolerance in many parts of this country, and for that reason I hope the resolution will be voted down. (Congressional Record, 79th Cong., 2d sess., vol. 92, p. 5213.)

The Honorable John Blatnik, of Minnesota, during debate on the 1948 appropriation for the committee:

> Mr. Speaker, I rise to urge that this further appropriation of $200,000 for the House Committee on Un-American Activities be denied. I shall vote against this appropria-

tion, and I hope that I may be given the opportunity some day to vote for the termination of this committee, whose practices have been condemned from all sides as being contrary to the provisions of the Constitution of the United States. (CONGRESSIONAL RECORD, 80th Cong., 2d sess., vol. 94, p. 2412.)

The resolution I referred to earlier is as follows:

H. RES. 223

Resolved, That clause 1 of rule X of the Rules of the House of Representatives is amended by striking out paragraph (r) and by redesignating paragraphs (s) and (t) as paragraphs (r) and (s), respectively.

SEC. 2. Rule XI of the Rules of the House of Representatives is amended—

(1) by striking out "and counterfeiting" in paragraph (c) of clause 12 and inserting in lieu thereof "counterfeiting, and sabotage and other overt acts affecting internal security";

(2) by striking out clause 18 and by redesignating clauses 19 through 30 as clauses 18 through 29, respectively;

(3) by striking out "paragraph 26" in paragraph (j) of clause 25, as so redesignated by paragraph (2) of this section, and inserting in lieu thereof "clause 25"; and

(4) by striking out ", Rules and Un-American Activities" in clause 29, as so redesignated by paragraph (2) of this section, and inserting in lieu thereof "and Rules".

SEC. 3. Clause 2 of rule XIII of the Rules of the House of Representatives is amended by striking out "clause 21" and inserting in lieu thereof "clause 20".

SEC. 4. All property and records of the former Committee on Un-American Activities are hereby transferred to the Archives, not to be opened for official or public inspection.

Mr. Speaker, I received the following from the Library of Congress Legislative Reference Service:

DEBATES ON ESTABLISHMENT, AUTHORIZATION, AND APPROPRIATIONS FOR THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES, 1945–65

The following citations refer to volumes and pages of the CONGRESSIONAL RECORD:

The 79th Congress, 1st session, v. 91:10–15, 1856–7.

The 79th Congress, 2d session, v. 92:5209–5224.

The 80th Congress, 1st session, v. 93:699–700, 3074.

The 80th Congress, 2d session, v. 94:2405–14.

The 81st Congress, 1st session, v. 95:288–9, 1044–5.

The 81st Congress, 2d session, v. 96:3941–4.

The 82d Congress, 1st session, v. 97:1155–60, 12288.

The 82d Congress, 2d session, v. 98:2646.

The 83d Congress, 1st session, v. 99:1358–62.

The 83d Congress, 2d session, v. 100:2282–94.

The 84th Congress, 1st session, v. 101:1074.

The 84th Congress, 2d session, v. 102:1585, 1718–19.

The 85th Congress, 1st session, v. 103:1013–14.

The 85th Congress, 2d session, v. 104:1363–6, 12255.

The 86th Congress, 1st session, v. 105:567–8, 1222–7, 1407–8.

The 86th Congress, 2d session, v. 106:924, 8647–55.

The 87th Congress, 1st session, v. 107:2904–14, 2938–9, 2965–89, 3010–11.

The 87th Congress, 2d session, v. 108:832–5.

The 88th Congress, 1st session, v. 109:3043, 3063–78.

The 88th Congress, 2d session, v. 110:4279–4280, 4305–4306.

The 89th Congress, 1st session: 31–32 (Jan. 4, 1965), 414 (Jan. 7, 1965), 674 (Jan. 14, 1965).

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Speaker, I stand today as I did at the opening of the 88th Congress to oppose any further appropriation for the House Committee on Un-American Activities.

On February 8 of this year, the gentleman from Missouri [Mr. CURTIS] opened the colloquy on the subject of this controversial committee. Members of the House should welcome a responsible interchange of views on the Un-American Activities Committee which has come before us asking for $380,000, the largest budget request in its history.

Almost without fail, this committee's public hearings are characterized by the subpenaing of witnesses whom the committee knows full well will not answer questions. With the legislative workload facing this House, we must ask ourselves if this practice is really necessary. One crucial question is invariably put to unfriendly witnesses an affirmative answer to which would place the witness in jeopardy of prosecution under the McCarran Act, the one major piece of legislation to come out of this committee in its 26-year history.

The practice can only be one of predestined futility unless it is for the nonlegislative purpose of exposure.

Yet the committee itself denies, in the statement by its director, Francis J. McNamara, placed in the RECORD February 8, that its purpose is exposure.

The Committee on Un-American Activities has a good record for stirring up one hornet's nest after another. On March 18, three Americans who refused to testify before a subcommittee of this group last December, Mrs. Donna Allen, Russel Nixon, and Mrs. Dagmar Wilson, go on trial here in Washington for contempt of Congress upon the recommendation of this committee. The U.S. Court of Appeals has now before it, appeals from contempt convictions of three other Americans who have for 9 years now sought vindication against this committee and the Internal Security Subcommittee in the Senate.

In every case for more than 4 years now, where there has been a final adjudication in the courts, contempt actions initiated by these two committees have been overturned. Yet the parade continues. What happens to the prestige of this House as the courts reverse these contempt actions one after another?

In his call for a dialog regarding the Committee on Un-American Activities, the gentleman from Missouri has placed in the RECORD the responses from the director of the Committee on Un-American Activities to a series of allegations made by a group of eminent lawyers. Each of his points deserves an answer. I speak today on only one of these, but it is the point which is to me the most central issue: Can the term "un-American" ever be adequately defined to meet the juridically required standards of pertinency for the protection of witnesses?

Mr. McNamara, director of the Un-American Activities Committee, speaking for the committee, says "Yes."

I say this term, on which the whole structure of the committee is built, is deliberately vague in order to permit the widest ranging inquiry into areas otherwise prohibited from congressional incursion by the first amendment to the Constitution. Mr. McNamara says that the courts have so "defined and refined" the term by their various decisions as to provide a "legally precise definition" for the term "un-American."

But it was Chief Justice Warren who asked in the Supreme Court's 1957 Watkins decision:

> It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of "un-American"? What is that single, solitary "principle of the form of government as guaranteed by our Constitution"?

I asked last year at the time of this committee's appropriations request, and I ask again now, Is segregation American because it is deeply ingrained in the traditions and legislation of a large section of this country? And is integration therefore un-American? Persons fighting for integration of schools and for equal voting rights frequently run head on into collision with entrenched power, law, and tradition. Is their effort therefore un-American?

In passing the Civil Rights Act, the large majority of this House has spoken on this issue. Yet I sometimes think the Un-American Activities Committee takes an opposite view. Certainly its files and techniques have been used against the civil rights movement.

In closing I want to again repeat what I stated before the Rules Committee when I testified urging the transfer of the Un-American Activities Committee powers to the Judiciary Committee: "When the mere subpenaing of a witness before the committee brands him as suspect and an aura of guilt immediately surrounds him whether or not he is innocent, then it is time to make some changes."

I have previously introduced a resolution to transfer the activities of the House Un-American Activities Committee to the Judiciary Committee. For the reasons previously stated I again urge that its activities be transferred to the Judiciary Committee. Lack of success in transfer causes me to vote as I do against the appropriation, also requesting a public hearing.

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, we do not live and work today in a vacuum but in a certain historic context. It is my conviction and that of many other Americans that we live at a time when our whole system of government and our whole way of liberty is being challenged by a world movement which now controls over 1 billion people and more than 25 percent of the earth's surface.

It seems reasonable to me that the decisions of this body should be made in the light of that historic context in which we live. Twenty years ago Hitler's Nazi movement was a threat to the security and the liberty of all Americans, and at that time this committee served a useful function in dealing with that particular threat involving only a small minority of citizens but which minority threatened the liberties of all Americans. Even so at this time when world communism constitutes a threat to all Americans and to the liberty of all, a minority of American citizens are actively engaged in the activities of the Communist Party, its fronts and its underground.

We need to be reminded that eternal vigilance is still the price of liberty, and we must be forever watchful of the activities of those who would threaten us and rob us of such liberty.

This committee as other committees of Congress should continue to protect the rights of those citizens who testify before it. Its investigative function, like that of other committees, however, has long been recognized. Its existence has been repeatedly endorsed by this House and is widely recognized as valid and needful by the overwhelming majority of Americans.

To compromise the ability to function of the one organ in the House of Representatives charged with the responsibility to guard against diffusion of propaganda alien to our way of life and in direct conflict with the protection guaranteed all our citizens by the Constitution of the United States is unthinkable. There may be those of my colleagues who are dollar conscious, as I certainly am, who are sincerely concerned about the $370,000 budget requested to cover necessary annual expenses for this committee.

However, I would like to point out that based upon our present population, the per-family cost of granting the committee's appropriation request, if equally prorated, would cost each American family less than the cost of a 5-cent postage stamp.

I believe this budget is justified and urge that the resolution be adopted.

Mr. VIVIAN. Mr. Speaker, today I vote against immediate concurrence by the House to the formal request for the year's appropriation for the House Un-American Activities Committee. I do so partly because I believe the amount requested by the committee to be excessive, but more because I am convinced that the time has come to curb the ill-used power of this committee.

The security of the United States is a valid and vital concern of the Congress; the Congress does have the obligation to protect the United States from its few disloyal citizens who would conspire to overcome our Government by force or falsehood. But the House Un-American Activities Committee has been notoriously active this past decade in branding many persons as purveyors of falsehood, when in fact many of us considered otherwise. The committee should have been zealous in protecting the rights of citizens subpenaed under its jurisdiction to speak freely and to offer criticisms and to dissent, for this right is the only true protection against falsehood. But such has not been the case.

For this reason, I vote against this appropriation and will support measures to transfer the functions of the Un-American Activities Committee to the House Judiciary Committee. The Judiciary Committee by virtue of its membership, staff, purview over administrative agencies and mandate from this body, does have the resources to serve the House and the Nation as our watchdog against false subversive propaganda; more important, for many years it has demonstrated its devotion to upholding for every person our constitutional Bill of Rights.

If the responsibilities of the Un-American Activities Committee can be transferred to the Judiciary Committee during the 89th Congress, I will support a supplemental appropriation for the Judiciary Committee, if needed, to assure that any essential internal security surveillance may be carried on.

Mr. TODD. Mr. Speaker, I am certain that my colleagues will be interested in the following resolution of the Democratic Party of Michigan, adopted at its State convention on February 13, 1965. I hope this resolution will be duly considered in our discussion of the committee. The resolution follows:

> *Resolved*, That the House Un-American Activities Committee, having fulfilled no useful legislative function, and having tarnished the reputations of many innocent people by having been called before the committee without due cause or the right to confront their accusers, and having extravagantly squandered the taxpayers' money on irrelevant and immaterial junkets, should be denied any further funds for its fruitless investigations.
>
> Further, since the Federal Government has duly authorized agencies and courts which fulfill the necessary functions of investigating persons accused of unlawful acts, the House Committee on Un-American Activities should be abolished.

Mr. HAWKINS. Mr. Speaker, this morning's Washington Post described testimony given yesterday before a Senate committee by an official of the Post Office Department indicating that on March 15 the Post Office would destroy its lists of persons who have indicated that they wished to have mail delivered to them that originated in Communist countries.

This will mean, according to the article, that these lists will no longer be available to be turned over to the Committee on Un-American Activities, as has been done in the past.

This is the first indication the public has had that these lists were being made available to the Committee on Un-American Activities. In the law that allows the Post Office Department to ask for this expression of desire to receive this mail from individuals I know of no provision that calls for dissemination of such lists in any way.

Has it now become a suspicious act to want to receive and read information from Communist nations? I assume that the fact that an individual advised the Post Office of his desire to have this mail delivered to him has been added to the files of the Committee on Un-American Activities.

Thousands of inquiries are received by the committee each year from Members of Congress for "dossiers" on individuals. No requirement is made as to just whom this information is being obtained for or how it is to be used.

In many cases, it is turned over to individuals who have neither the conviction nor the desire to assess the information properly. An individual will be publicly castigated because there are X number of references to his name in the hearings and reports of the Committee on Un-American Activities. It makes no difference whether these references were made by unreliable witnesses, were favorable comments on behalf of the person named, or just that his name had appeared on a particular "list."

My reference to the list from the Post Office Department is merely an example of the dangers that are inherent in the operations of this committee.

Although claims are made that "exposure for exposure's sake" is no longer practiced by the committee, activities such as I have described continue by unscrupulous persons who gain access to these voluminous files.

Is such an activity within the powers of the legislative branch? There is no clear definition as to the circumstances under which exposure ceases to be a legislative function.

Honest disagreements as to these circumstances, dictating noncooperation to an individual's conscience, have brought about injurious publicity and have stamped many as "subversive" almost automatically.

The pertinence of the examination or investigation being conducted by the committee is looked upon as beyond question or practical limitation because of the exalted position of power—more than any other body in the United States in this area of investigation—held by the committee.

In pursuit of its avowed objectives to deal with "un-American activities," the committee wanders into many fields of human endeavor. Its conduct enters a moral sanctuary for many people who are clearly not Communists or un-American in any way but who are investigated just as much.

There is no limitation on the time of a person's life that the committee may go into and there are great dangers in the inability of many to relate actions during one period to present day feelings if no attempt is made to bring all of the pieces into their proper places.

Let me give you an example of a quotation from Gen. Douglas MacArthur, a patriot without question, which illustrates this point. In February 1942 the General honored the 24th anniversary of the Red army by stating that "the hopes of civilization rest on the worthy banners of the courageous Russian Army"—"Roosevelt and Hopkins," Sherwood, page 497.

I shall certainly support the motion to provide full hearings by the Committee on House Administration, so that both sides of this matter can be heard, and will not support the continued large and growing appropriations requested for the committee's use until such hearings have been held.

Mr. DEL CLAWSON. Mr. Speaker, the gentleman from New York has criticized the committee, because its printing costs are what he terms "high."

The word "high" here is a relative term. If the committee spent huge sums printing useless documents which really served no purpose, I would agree with him completely. But this is not the case. I believe the committee's printing costs are actually a tribute to it.

What do these costs actually mean? They mean that the committee's publications are much in demand. They mean that the American people and Members of Congress want them, and in quantity. Schools want them. Civic and patriotic groups want them. Government agencies want them. It means that they contain accurate information on a subject which large numbers of citizens and institutions realize is of great importance to our Nation.

The result of all this is a big demand for committee publications. The normal first printing of a hearing, report, or consultation issued by the committee is often quickly exhausted. Demand for the document continues. The committee introduces a resolution requesting an additional printing. It is approved by the Committee on Printing and by the House.

It appears to me that this criticism of the committee is basically a criticism of the American people for wanting the committee's documents and of this House for satisfying that want. Certainly there has been no secret about the reprints the committee has asked for over the years. All such requests have been public. All are items which the House has approved.

Would the gentleman from New York prefer that copies of the committee's documents not be made available to the American public, or to Members of the House and the Senate, too, so that they can pass them on to church groups, schools, libraries, civic and patriotic organizations? I am sure he does not object to our citizens receiving knowledge about matters concerning our national interests and security.

The House, by assisting in the dissemination of the publications of the committee, is actually carrying out its important informing function, giving the American people, which it represents, the kind of information they want and should have about a subject which today is so important not only to our country, but to freemen everywhere.

The cost may or may not be high, depending on your point of view.

Mr. POOL. Mr. Speaker, the gentleman from California criticizes the House Committee on Un-American Activities for roaming "at will through areas assigned to other regularly established committees of the House, overlapping their functions and serving only to confuse legislative business."

He must not be fully aware of the mandate creating this committee. From 1938 to 1945, this committee was a special committee created in each session of Congress by resolution. In January 1945, by resolution of the House, it was made a standing committee. By the Legislative Reorganization Act of 1946, which sought to improve the functions and procedures of both Houses of the Congress, and where possible to eliminate overlapping jurisdictions of its committees, the House Committee on Un-American Activities was made a permanent standing committee of the House. It was the only House committee which was given by this Reorganization Act the power to investigate and to subpena witnesses and evidence before it. By House rule XI, paragraph 18(b), this committee was authorized to make investigations of subversive and un-American propaganda activities and "all other questions in relation thereto that would aid Congress in any necessary remedial legislation." To implement this grant of authority, this committee was given the right "to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books, papers, and documents, and to take such testimony, as it deems necessary." No other committee of the House was given such broad jurisdiction or authority, and not one of the other 18 standing committees created by the Legislative Reorganization Act of 1946 was even given subpena power in aid of its particular legislative function. In 1947, the rules of the House were amended by resolution to give subpena power to the Committee on Government Operations, and in 1953, the rules were amended to give subpena power to the Committee on Appropriations. As of this time, the Committee on Un-American Activities and these two other committees are the only ones to which the rules of the House have given subpena power. No House committee, not even Government Operations or Appropriations, has been expressly given by the rules authority to make investigations relating to their jurisdiction which would aid the Congress.

The Committee on Un-American Activities does have authority to conduct investigations relating to subversive activities in areas assigned to other standing committees. But this is by the authority of the Reorganiaztion Act and by express recognition and approval of this authority by each Congress since 1946, including the present one which has already adopted for this session the rules of the last session.

That there be some, even considerable, overlapping of the jurisdictions of certain other important committees is not the doing of the Committee on Un-American Activities. It is the will of the House now for an even 20 years. It is a reality that subversive activities are to be found in many, perhaps most, fields. The Committee on Un-American Activities has conducted investigations, with the evident approval of the House, in the fields of labor, education, passports, national defense, and mails—among others—thus entering the areas of jurisdiction described in the rules for other committees. "Overlap" is not a valid criticism of the committee's authority or its work. Truly objectionable would be the overlap or duplication necessary in the staffing and appropriations if these other committees each were granted the power to investigate, the power to subpena, and the necessary appropriations to train and maintain their staffs to do the work that has been given by the House to the Committee on Un-American Activities.

Finally, I should point out to the Members that no court has ever denied to the Committee on Un-American Activities the right to inform itself and Congress because of any improper assumption of jurisdiction.

In the case of *Barenblatt* v. *United States*, 360 U.S. 109, in which the Supreme Court upheld the power of the committee to investigate subversive activities in the field of education, the Court said:

> The rule [creating the committee] comes to us with a "persuasive gloss of legislative history," which shows beyond doubt that in pursuance of its legislative concerns in the domain of "national security" the House has clothed the Un-American Activities Committee with pervasive authority to investigate Communist activities in this country.
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> That Congress has wide power to legislate in the field of Communist activity in this country, and to conduct appropriate investigations in aid thereof, is hardly debatable. The existence of such power has never been questioned by this Court, and it is sufficient to say, without particularization, that Congress has enacted or considered in this field a wide range of legislative measures, not a few of which have stemmed from recommendations of the very committee whose actions have been drawn in question here. In the last analysis this power rests on the right of self-preservation, "the ultimate value of any society." Justification for its existence in turn rests on the long and widely accepted view that the tenets of the Communist Party include the ultimate overthrow of the Government of the United States by force and violence, a view which has been given formal expression by the Congress.

This last reference by the Supreme Court is to the Internal Security Act of 1950 which was reported out by the Committee on Un-American Activities and has been under continuous study by that committee.

Mr. SENNER. Mr. Speaker, some of my colleagues have objected to the fact that representatives of executive agencies visit the offices of the Committee on Un-American Activities regularly, and have done so for years, to check the committee's files on security matters they have under consideration.

As the committee indicated in its letter to the House Administration Committee this year in asking for its appropriation, representatives of more than two dozen executive agencies made approximately 2,300 visits to the committee to check its files during the year 1964. The committee's recent annual reports reveal that in each of the last few years, approximately the same number of visits have been made by representatives of roughly the same number of executive agencies.

President Truman, in Executive Order No. 9835 of March 21, 1947, his so-called "loyalty order," directed that the name of every applicant for Government employment be checked against the files of the Committee on Un-American Activities.

They are objecting that this is still being done, in spite of the fact that President Truman's loyalty order has been superseded by President Eisenhower's Executive Order No. 10450 of April 27, 1953, which does not specifically direct that this procedure be followed.

The fact of the matter is that here in America, we do not require an Executive order of the President, a law by the Congress, or a decision by a court to justify cooperation among the branches of our Government. Cooperation should be, and normally is, voluntary with each branch and every unit of each branch assisting other branches or their subdivisions whenever they can.

Although President Eisenhower's security order does not direct that the practice referred to be continued, the fact of the matter is that it is common knowledge that it has been continued—and I know of no responsible objections to the practice which is obviously in the national interest. The Committee on Un-American Activities has regularly reported these visits to the House and to the public in general in its annual reports. Obviously, the heads of the various executive branch agencies, all during the years, must have approved the practice and desired that it be continued or else they would have stopped it. Is it possible that Presidents Eisenhower, Kennedy, and Johnson have not known of this practice?

So I wonder what these colleagues are objecting to.

Are they saying that the committee should not cooperate with the Civil Service Commission, the Federal Bureau of Investigation, the Defense Intelligence Agency, the State Department, the Peace Corps, the Agency for International Development, and the numerous other executive agencies with which it has cooperated for years?

Are they saying that the committee should not make available to the security officers of all these agencies the extensive public information on communism which it has collected over a period of 26 years?

Frankly, I am confused and puzzled by their remarks—amazed by them—I really do not know just what they have in mind.

Are they calling on the President to issue an Executive order saying that this should be done?

Are they calling on this House to pass a resolution saying it shall not be done any more?

Are they calling on the courts to issue a ruling on the constitutionality of this practice?

Just what do they have in mind? Why do they object to the separate, but equal and complementary branches of our Government cooperating with one another in the national interest?

Mr. VAN DEERLIN. Mr. Speaker, I am voting today in support of the requested appropriation for the Committee on Un-American Activities. However, I should like the record to show that I entertain some reservations in connection with regard to the resolution.

First, I think there is a serious question whether any investigative committee of Congress ought to enjoy permanent status.

Second, the committee in question has shown little zeal for the current effort to economize in Federal Government. When compared with standing legislative committees of the House, its staff size and the amount of its other expenses seem excessive.

Finally, let me state the hope that with the use of funds approved by the membership today, the Committee on Un-American Activities will find it possible to accept suggestions by our colleague, the gentleman from Georgia [Mr. WELTNER], and others—and to launch a full inquiry into activities of such organizations as the American Nazi Party, Minutemen, and the Ku Klux Klan.

Mr. ASHBROOK. Mr. Speaker, as the ranking minority member of the House Committee on Un-American Activities and speaking for the gentleman from California [Mr. DEL CLAWSON] and the gentleman from Alabama [Mr. BUCHANAN], I want to express my strong support for the resolution calling for an annual appropriation of $370,000.

Few people have the opportunity to intimately know the painstaking work of this vital committee. Some questions have been raised by the gentleman from California [Mr. BURTON] and the gentleman from New York [Mr. RESNICK], purtaining to the relative size of our appropriation in contrast to the 17 other standing committees of this body. What they overlook is the fact that the House Committee on Un-American Activities must diligently search out facts before we hold any hearings. It is not an oversimplification to note that it is almost necessary to know what we are going to find before we hold the committee sessions to find it. I was literally amazed at the amount of preparatory work which is done in advance of any public or executive testimony which our committee takes. This, of course, is necessary to prevent the type of abuse which the opponents of our committee mention but cannot substantiate. On the Interior Committee, for example, and I believe this is the committee referred to by the gentleman from California, it is not necessary to elicit a great deal of information on what testimony will be given in advance of the hearings and it is usually sufficient to know generally what the witness will testify about.

I served on that committee and I can attest to the basic difference. On our committee, it must be carefully considered what information is going to come out at the hearing which might incriminate some person so that this can be checked out in advance to protect that person. I addition, the Interior Committee does not have hostile witnesses come before it who attack the committee and take the fifth amendment. They may object to the wilderness bill or a public power project and even offer suggested changes but they are usually cooperative. Most of our hostile witnesses are of the other type and our staff usually has to gather information for the record which is as basic as name, place of birth, and educational institutions attended. Many witnesses even refuse to give these preliminary answers.

In my years in service on the House Committee on Un-American Activities, I have been impressed by the fairness and the diligence of our staff. The extensive files they lay before us make it easier to follow our legal mandate, that of overseeing the administration of our internal security laws and providing remedial legislation or suggestion for executive action where warranted.

The attack on the expenditures of this committee goes wide of the target. Anyone who will take the time to see how we must operate because of the sensitive area we deal with would be very glad that our committee does have sufficient personnel to do the job adequately. It is precisely because of this large staff that we are able to conduct the affairs of our committee in such a way that negates the premises of our adversaries. Without sufficient staff we well might have a fishing expedition here and there and stray into paths which lead to irresponsibility. Nothing assures our continued proper functioning any more than a dedicated committee staff which can reduce the most touchy matter to the point of a needle in constitutional procedure and proper practice.

Never forget that our committee does not merely announce it will hold hearings like the Interior or Education and Labor Committee and then question proponents and adversaries on the relative merits of the legislative matters before it. We must do extensive, unheralded work in advance of hearings so that our every move will, on the one hand, protect all of those concerned while on the other conform to very definite constitutional requisites. Once you serve on the House Committee on Un-American Activities you realize that no other committee has such precise and uncompromising obligations.

From time to time, I have noted many of the arguments used against our committee. Without going into extensive detail I would like to here answer briefly one of the specious charges that has been made.

Mr. Speaker, the New York Times carried a story on February 17, 1964. It was entitled "Alabama Compiling Files on Civil Rights Advocates," and was cited by some Members of this body in opposition to the House Committee on Un-American Activities appropriation before the House Administration Committee.

It stated among other things that the annual report of the Alabama Department of Public Safety contained the following statement about the files kept by the department's investigative and identification division:

> One hundred and one files on reports from the House Committee on Un-American Activities were added to the file and indexed.

Frankly, I do not know exactly what that quotation means. The words "files on reports" are vague.

Obviously, however, from what the gentlemen said last week in their testimony, and from some other comments I have heard, the impression has been created that the Committee on Un-American Activities has turned over to the Alabama Department of Public Safety extensive information on civil rights workers.

Now, what is the truth about the matter?

Before answering the question let me first state the longstanding policy of the committee in dealing with all agencies of government on all levels—Federal, State, and local:

It has been and is the policy of the committee to cooperate with all governmental agencies, giving them in response to requests received, whatever information on Communist activities we can properly and legitimately turn over to them.

We do not discriminate against any official agency, no matter what field of activity it is engaged in, whether it represents the Federal Government, a State or local government, or whether it is an agency of a northern State, a southern State, an eastern State, or a western State. We believe it is proper to treat them all equally, to cooperate with all to the best of our ability. We make no apologies for this policy. We intend to continue it.

Now, what are the facts about the Alabama case?

After this item appeared in the New York Times, a complete check of the committee's correspondence files was made for the period March 1964 back to early 1961, a period that went far beyond that covered by the annual report of the Alabama Department of Public Safety.

What did we find?

We found that during those 3 years the committee had received three letters requesting information from the attorney general of the State of Alabama, one letter from the director of public safety, and one letter from a State investigator, writing with the approval of his superior.

What did the committee do in response to these requests?

It sent to the attorney general one report on an organization which had been officially cited as a Communist front. It also sent him reports on three individuals who had records of Communist activity. In addition, it sent to the attorney general and to the other two letterwriters, letters stating that organizations about which they had inquired had not been cited as Communist and that individuals about whom they had inquired had no record, as far as committee files indicated, of affiliation with cited organizations.

So, that is the truth—and the complete truth—about the matter mentioned in the New York Times article.

I see no reason for the committee to apologize for this and add that if it had received 50 requests from officials of the State of Alabama—or 100 requests from them—it would have answered each one of these requests as best it could, just as it would answer such requests if they came from officials of the State of New York, California, Illinois, or any other State in the Union.

Mr. MOORHEAD. Mr. Speaker, on the opening day of this session of the Congress I expressed my support for a resolution to transfer the jurisdiction of the Un-American Activities Committee to the Judiciary Committee of the House. I have long felt that this would be the proper jurisdiction and that the proper procedure for obtaining this result would be through such a resolution. I was prepared at that time to support such a resolution. However, the parliamentary situation was such that there was no opportunity for such a vote.

I am voting today for the motion to recommit the appropriation resolution to the Committee on Administration with instructions that open hearings be held for Members of Congress and the public to present all of the facts in an atmosphere conducive to sober evaluation and judgment and without the emotional overtones that have surrounded much of the discussion in and out of Congress on the subject of the Un-American Activities Committee in recent years.

However, if the recommittal motion is defeated, it does not follow automatically that the appropriation resolution should be opposed on final passage. It is my conviction that there is a place in the congressional committee structure for a body with jurisdiction to investigate possible subversive influences in our Nation. Until such time as this function is transferred to the Judiciary Committee of the House I would not vote to abolish the function altogether.

I should like to include as part of my remarks an excellent recent editorial from the Pittsburgh Post-Gazette entitled "Secret Harassment," which explains in part why I think further hearings on the activities of this committee are warranted:

Secret Harassment

A subcommittee of the often wayward House Committee on Un-American Activities has just provided another example of its abuse of citizens in the name of official Americanism. As a result of a subcommittee citation, three persons have been indicted for contempt of Congress for refusing to testify on December 7 at a closed session of the congressional group.

The three protesting witnesses were Mrs. Dagmar Wilson and Mrs. Donna Allen of Washington, leaders of Women Strike for Peace, and Russell Nixon, general manager of the National Guardian, a publication describing itself as a "progressive weekly." All three witnesses said they would have been willing to testify at an open session of the subcommittee to which the press and public were admitted, but said they would not answer questions in secret. All three emphasized that they were not seeking to invoke the fifth amendment's protection against self-incrimination.

At issue in this case (apart from the point that the Congressmen were seeking information from the wrong source) is the Un-American Activities Committee's frequent practice of holding secret hearings and then leaking selected bits of testimony damning to the participants. There is no reason why the subcommittee should have insisted on secrecy in a hearing purportedly aimed at discovering what part the three summoned witnesses had played in helping a Japanese peace leader, Prof. Kadru Yasui, dean of the Hosei University law faculty, obtain a visa to come to the United States on a lecture tour. The witnesses had quite openly gone to the State Department and asked it to grant the entry permit.

If the subcommittee's legislative purpose was to determine whether a revision should be made in the temporary admission provisions of the Immigration and Nationality Act, why shouldn't it have questioned officials at the State Department on the granting of the visa to Dr. Yasui? Better still, why shouldn't such an inquiry be left to the Immigration Subcommittee of the House Judiciary Committee, the group which framed the legislation involved?

When the new Congress considers the budget or the continued existence of the Un-American Activities Committee, it should bear in mind the objectionable harassing tactics of this body and the question of whether it is really needed.

Mr. WOLFF. Mr. Speaker, our country, big and powerful as it is, must not and should not slumber when those forces outside and within probe for weakness. This country has the right and the duty to protect itself from those ideologies, external and internal, which would attack our system. We must be ever vigilant for the spurious indoctrinations of both extreme left and right as they seek to subvert our society. The House of Representatives is faced with a complex issue surrounding the House Un-American Activities Committee. The problem has been impeded by excessive emotionalism.

There is one major issue and several major reforms which present the difficulties which necessitate this discussion.

The crux of the issue is whether the House Un-American Activities Committee, standing as an adjunct of the U.S. Congress, performs a legislative function. Does it bear its burden of aiding the Congress to implement legislation? If this is not the case, then this committee should be abolished or its functions assumed by the Judiciary Committee.

If the House Un-American Activities Committee does, in fact, serve a legislative purpose, then some of its egregious infringements of the guaranteed rights of Americans must be restricted.

I would also strongly recommend that the term "un-American" be capable of broader interpretation. The House Un-American Activities Committee should investigate, if its mandate is not disturbed, all subversive organizations. These are organizations which persist in policies through force, violence, or other pressures to deprive others of rights guaranteed them by the Constitution. In this group, I would include the Ku Klux Klan, White Citizens Councils, Black Muslims, and the American Nazi Party.

Extremist groups on the right and the left threaten the existence of certain postulates of our society which, in turn, pose dire threats against our society itself. Surely the House Un-American Activities Committee should investigate groups such as the Minutemen and the John Birch Society which all seek to block this country's progress toward maturity by tearing at its very foundation through secret un-American practices.

Let me not sway from my basic premise. This country must maintain an arsenal of weapons to protect itself. We must maintain groups to advise the Congress on laws to best protect our country, but this committee must bear the burden that not only the letter of due process, but the spirit of the law shall be conformed.

It is also my belief that a meticulous study of the past records of this committee, as to the extent of appropriations received and requested for the future by the House Un-American Activities Committee, should be undertaken. With this in mind, I am voting to assure that public inquiry and hearings are convened to this end. I ask that the American people be afforded an opportunity to express their views concerning appropriations for this committee.

Mr. BROWN of California. Mr. Speaker, I would like to repeat my feelings as expressed 2 years ago in voting against the authorization of a somewhat lower budget for the Committee on Un-American Activities.

At that time I stated that I fully supported the committee insofar as it investigates and recommends legislation for control of subversive activities. I do, however, feel that even this legislative activity would be more properly placed in the hands of the Committee on the Judiciary and have joined in introducing a House resolution to that effect.

Today, we plan to ask for recommittal of the resolution at hand to the Committee on House Administration with instructions to conduct open hearings so that all sides of the issue can be presented. If we are unable to obtain such hearings, I plan to oppose authorization of this increased budget again.

I am unable to understand why supporters of the committee would not welcome the opportunity for open hearings of this type as an opportunity to bring full light on the record of the committee and its operations.

As I stated 2 years ago, I do not believe that public exposure before the Committee on Un-American Activities—with the inescapable consequent implications that certain individuals and organizations are un-American—should be used as a punishment for ideas.

Supporters of the committee should welcome the opportunity to explain why they feel this is a proper area of legislative interest for a congressional committee. They will have a chance to explain to me how the suppression of ideas by force or coercion—including the ideas of communism—can strengthen America. I believe that only the power of better ideas, as expressed in our form of democracy with the protections of freedom of speech which are included in our Constitution, can overcome an ideology such as communism.

Overt acts of subversion directed at forcibly overthrowing our form of government must certainly be combated. Legitimate investigation and legislative study directed toward improving our laws that protect the internal security of the United States can be supported by all of us. Declaiming a philosophy or a program as un-American, I repeat, is not the way to successfully combat subversion. We can only do this by demonstrating an American philosophy or program which is far better.

My vote against the appropriation is intended to express my disagreement with this basic approach, as well as my belief that a congressional committee should be established for the purpose of investigating and developing legislation—not to expose individuals to persecution simply because they have ideas that are un-American in the eyes of the Committee on Un-American Activities.

Mr. BINGHAM. Mr. Speaker, we have before us a resolution, recommended by the House Administration Committee, to provide $370,000 for the operations of the House Un-American Activities Committee this year.

As a member of the House Administration Committee, I voted against this resolution and I will vote against it again today. If a motion is offered to recommit the resolution, with instructions to hold public hearings on the question of funds requested this year, I will vote for that motion.

First of all, let me say that I would have preferred to have a debate in this House and a vote on the direct question of the desirability of continuing the House Un-American Activities Committee as a standing committee of this House. Along with a number of other Congressmen, I have introduced a resolution which would eliminate the House Un-American Activities Committee and would give to the Judiciary Committee express jurisdiction over "sabotage and other overt acts affecting internal security." Such a change would be logical, since it would give to the Judiciary Committee the power to make investigations and recommend legislation dealing with all crimes, instead of having a limited number of crimes handled in a different fashion. It would also remove the temptation to investigate thought and discussion, which is now embodied in the broad and highly questionable jurisdiction of the House Un-American Activities Committee. The resolutions calling for such a change are presently in the Rules Committee and it appears that this House will not have the opportunity to debate or vote upon them.

As for the resolution before us, it appears to me that the amount recommended for the House Un-American Activities Committee is far larger than would be necessary for it to carry on appropriate functions having a clear legislative purpose. It is noteworthy that only three committees of the House have larger budgets, although the legislative production of all other committees is far larger than that of the House Un-American Activities Committee.

It has been proposed that the committee should extend its investigations to organizations such as the Ku Klux Klan, but the committee has given no commitment that it will do so. If the committee is to continue its work, it appears to me that it should certainly investigate organizations which preach and practice violence, whether they are of the radical right or of the radical left. But I am opposed to any activities of a congressional committee which amount to the effort to control thought and discussion and to hold individuals up to public opprobrium, whether they deal with the right or the left of the political spectrum.

It would certainly be a healthy development if the House Administration Committee were to hold public hearings on the merits of the House Un-American Activities Committee's request for funds for this year. This would enable the Congress, as well as the American people, to know what the justification for the fund request is and how the funds the Congress may authorize will be expended.

Mr. GURNEY. Mr. Speaker, I urge adoption of this resolution. The House Committee on Un-American Activities has served the best interests of this Nation.

Its alertness to Communist and affiliated front organizations has provided a great service to Americans in the vigil against slavery and dictatorships.

Mr. ASHLEY. Mr. Speaker, I very much hope that the motion to recommit the resolution before us will be adopted. If it is, it will allow a thorough review of the activities and expenditures of the House Committee on Un-American Activities—a review which I believe is long overdue.

If the motion to recommit fails, I will be constrained to vote against the resolution before us which, if enacted, will greatly increase the funds of this committee. I will do so for several reasons. In the first place, Mr. Speaker, I am drawn to the conclusion that the mandate of this committee is vague and uncertain. Essentially it authorizes the investigation of un-American propaganda but it fails to define what it means by "un-American" and by "propaganda." Because the mandate is vague and uncertain, the committee has engaged in activities and investigations which I feel have far exceeded its proper scope of authority, thereby trespassing upon fundamental rights of individual citizens.

As I have said on previous occasions, Mr. Speaker, the individual freedoms guaranteed in the Bill of Rights can be lost or diluted through our own action or inaction, and if this is allowed to happen by our own hand, the loss of liberty is no less than if imposed by an alien adversary. We must be as ready to defend our individual freedoms in this House as we are on the battlefield and we should not be stayed from doing so by fear of taking a position which may be misunderstood.

Mr. Speaker, I have no argument with those who feel that it is the responsibility of the Congress to investigate areas of danger to the United States. I have long supported the suggestion that the committee in question be reconstituted as a subcommittee of the Committee on the Judiciary—the committee in both the House and the Senate which has jurisdiction over the criminal code. Resolutions have been introduced to achieve this end but they have never been reported by the Committee on Rules for consideration by the full House of Representatives. Until this is done, I must continue to register my opposition as I have done in the past.

Mr. TENZER. Mr. Speaker, today the Congress is debating House Resolution 188 relating to an appropriation of $370,000 for the House Committee on Un-American Activities. On the motion to recommit the resolution to the House Administration Committee with instructions to hold public hearings, I will vote "aye" because I favor a full disclosure by the House Committee on Un-American Activities of the purposes for which it seeks the appropriation. The amount requested was exceeded only by the following 3, out of a total of 18 standing committees of the House: Government Operations, $650,000; Public Works, $450,000; and Education and Labor, $430,000. It should be noted that should the motion to recommit be successful, there undoubtedly will be a further motion to appropriate the funds on a month-to-month basis to continue the operations of the committee pending conclusion of the House Administration Committee's hearings.

It is incredible that some should infer that those who favor a public hearing to air the program and the purposes for which funds are sought by the Committee on Un-American Activities or for that matter that those who favor abolition of the committee, voice the sentiments of the Communist Party or Communist-front organizations. I abhor communism with every muscle, tissue, and fiber of my being, but I also oppose the Ku Klux Klan, the American Nazi Party, the John Birch Society, and the Minutemen. I oppose them because I feel that they are like termites seeking to undermine the very foundations of our democracy.

Similarly I am opposed to witch hunting. Justice Hugo Black in Barenblatt against United States said:

> The first amendment says in no equivocal language that Congress shall pass no law abridging freedom of speech, press, assembly, or petition. The activities of this committee * * * do precisely that, through exposure, obloquy, and public scorn.

I am also opposed to "blacklisting" which stems from the cumulative index to publications of the Un-American Activities Committee, published by the U.S. Government Printing Office containing 13,000 individuals who were mentioned in testimony before the Un-American Activities Committee. Many of those listed were deprived of the opportunity to earn a livelihood in their chosen field of endeavor.

Supreme Court Justice William O. Douglas, in his dissent in the case of Barsky against Regents said:

> It does many men little good to stay alive and free and propertied, if they cannot work.

I have received many letters and resolutions calling for the abolition of the House Un-American Activities Committee from constituents and from organizations in and outside my district. In my replies to these communications I have restated my position as being opposed to the abolition of this committee unless its lawful functions are transferred to the House Judiciary Committee. I favor a continuation of investigation of "un-American acts" without violation of the civil rights or civil liberties of witnesses or any infringement on their constitutional right of free speech.

That is why I will vote in favor of House Resolution 188 if the motion to recommit is defeated. I would not want to cut off the appropriation to continue the affairs of a standing committee of the House and thus cut the jugular vein which connected it with the legislative purpose for creating the committee. At the proper time, in the proper forum, I will voice my sentiments in favor of a change in the rules of the House to abolish the Un-American Activities Committee and to transfer its lawful functions to the Judiciary Committee.

I have every confidence that the distinguished chairman of the House Un-American Activities Committee and my colleague on the Judiciary Committee, the gentleman from Louisiana, the Honorable Edwin E. Willis, will conduct the affairs of his committee with distinction and with due respect for the constitutional rights of witnesses who appear before the committee and that he will not permit the committee to depart from its legislative purpose of investigating un-American activities only and not ideas or expressions of dissent which are basic to the exercise of freedom of speech.

Mr. DUNCAN of Oregon. Mr. Speaker, a number of Members have asked me how I intend to vote today and how I voted when this issue arose 2 years ago. I have told them and I tell you that I intend to vote in favor of the motion to recommit and, should that motion fail, against the appropriation. It goes without saying that I do this not on a personal basis because of any antipathy to the members of this committee nor because of any disagreement with the members of that committee over our ultimate objective of doing what is best for the country. I do so because of a deep conviction that this committee has no legitimate roll to play in a free democratic society.

We are told that McCarthy is dead. He is. I would like to think that all that for which his name became a symbol is dead also, but I know it is not. We were told here today that the proponents of the motion to recommit were riding a "dead horse." The gentleman was right that a dead horse is being ridden but he has not correctly identified the jockey.

Others tell us that this motion to recommit is not the proper way to change the rules of the House that have established this committee. These gentlemen are right. It is not the proper way, but it is the best way because it is the only way that Members who share my view can express it, and we do so with full knowledge that this effort will not succeed and that it will be misunderstood by many people. But the 7 of the 87th Congress produced 20 in the 88th Congress who will spawn even more today and tomorrow until one day not far off the needed change will be made.

New Members have asked me today, "How will you justify your vote?"

I am sympathetic with these new Members because I went through the same agony 2 years ago. It was an agony of fear and was in itself a measure of the pervasive atmosphere which has surrounded this committee for many years.

How do I defend my vote? Because one votes—as some people say—"against the Un-American Activities Committee" one's vote is said to be a vote for "un-Americanism." Only yesterday I set out on these pages my views on the problem in South Vietnam. I defy anyone to find therein the slightest tinge of sympathy for the Communist cause but the very reasons that prompted me to make that statement yesterday prompt me to make this one today. I do not want to see the freedoms of my country and the free world fall to the Communists. Neither do I want those freedoms to be destroyed by ourselves in an excess of zeal to prevent others from doing what we ourselves are doing to ourselves.

The single, most distinguishing feature that differentiates our society from that of the Communists, is the respect which we have for the rights of the individual against the power of the state. Under the Communist philosophy the state is supreme and the individual nothing. In our society we, many years ago, cloaked the individual in the protection of the Bill of Rights. These rights did not come easily. They were wrested one by one from the power of the throne at the cost of much suffering, bloodshed, and death. I do not propose to surrender them easily.

Perhaps I spent too long at the bar of justice, perhaps my belief that an American citizen is presumed innocent until he is proven guilty beyond a reasonable doubt is outmoded. Perhaps my belief that anyone accused is entitled to be confronted by his accuser, to know the charges placed against him, to enjoy the right of cross-examination of his accusers and finally to have his guilt or innocence determined by a jury of his peers is no longer the view held by this body. But I know that is not so.

Every Member of this House would support every principle I have enunciated in every other area involving our public safety except this one. It is a part of our great Anglo-Saxon heritage of jurisprudence. I even doubt that many would disagree when I say that under our division of powers the legislative function is to set policy by passing laws and that we have no proper function and are peculiarly unsuited to either investigate or try criminal offenses. Indeed, we have, and should have, no judicial functions.

I was told yesterday that the committee "dredged up a lot of stuff" and that they were instrumental in convicting Alger Hiss. But we have no business under our Constitution convicting Alger Hiss or anyone else. Convictions can be obtained by the use of rubber hoses and the third degree but no one in this House would justify the use of such measures. We have police and the Federal Bureau of Investigation to investigate and we have courts in which to try offenses. We need not fear that if the Congress does not usurp powers not properly within its authority that there remains no protection to the people. I know that in the eyes of many people a charge is equivalent to a conviction. I know that in the eyes of many people a subpena to testify before this committee is equivalent to a charge. I know that the bell cannot be unrung. In spite of the errors which are the inevitable concomitant of any human institution, including our courts, at least the accused gets a trial and a verdict of guilt or innocence. The individual subpenaed before this committee gets no final determination of guilt or innocence. He has no right to demand a trial in a court where, though he need not do so, he may establish his innocence.

It has been suggested that this committee should turn its attention to and investigate a number of those groups on the right which have come into prominence over the last few years. To do so does not obviate the objections to the committee but only compounds them. There is always a latent tendency to want to investigate and suppress the thought with which we disagree. Our country was founded on freedom of thought. I, for one, do not want this foundation eroded.

I believe that the Congress has the right and indeed the duty and obligation to protect the country and its institutions, including the Congress, and to conduct special investigations and hearings as may be necessary to form the foundation for laws under the Constitution and directed toward that end. I want the scope of that investigatory authority carefully defined, however, and I want procedural rules to protect the individual. I am confident that the day will come when we will have a chance to vote in favor of transferring the legitimate functions of this committee to the Judiciary Committee under a redefined statement of authority.

I played a part in the Oregon Legislature in killing proposals to establish similar committees with general and undefined investigatory power. This is the prime evil we are debating today and the admittedly improved procedural techniques adopted by the committee, inadequate as I deem them still to be, cannot and do not change this keystone of the committee's authority.

My vote is thus not a vote in favor of un-Americanism but rather a vote in favor of orderly American constitutional procedure in this very critical and controversial area.

Mr. SCHEUER. Mr. Speaker, the gentleman from California, Congressman Edwards, has described with eloquence the convictions of those Members of the House who feel that the House Un-American Activities Committee has over the past several decades abused its powers and failed to justify its continued existence as a permanent congressional investigating committee by the usefulness of its researches and investigations in assisting the Congress to legislate wisely.

The gentleman from Louisiana, Congressman Willis, has stated with sincerity the views of those who feel that the committee has fulfilled an essential role in our society.

There is one fact, however, on which all parties agree; namely, that across our land there exists the deepest suspicion and most profound reservations on the part of many of our thoughtful citizens as to the fashion in which the House Un-American Activities Committee had comported itself in the past, and whether, indeed, it has any useful role to play in the future.

As a freshman Congressman, I have been deeply impressed with the love and veneration which all Members of this body share in its noble history, traditions, and institutions. Basic to the effective functioning of the House of Representatives itself is the sense of fair play, orderly procedures, and respect for the individual status and dignity of each and every Member, which are built into the established web of rules by which this body functions.

Of all of the standing committees of Congress, the House Un-American Activities Committee is unique in having generated such widespread dissatisfaction with its procedures of operation, its standards of treatment of individuals, and the goals which it has appeared to serve. Since this feeling of dissatisfaction with its past operations and reservations about its proper future role are profoundly and deeply held by many Members of this body, as well as by thoughtful citizens across our land, it would seem appropriate that these reservations and misgivings be dispelled once and for all through the ventilation which would result from a fair and open hearing by the House Administration Committee.

Members of the House Committee on Un-American Activities must be convinced that the institution of the House committee investigation and hearing is a productive one. Indeed, this is the very role which they seek on a permanent basis. Surely, a thoughtful, fairminded and orderly open hearing by the House Administration Committee is the obvious and appropriate vehicle to resolve the profound misgivings and reservations which have been expressed on the floor of the House by my colleagues today and which have echoed and reechoed across our land and played on America's conscience for the past two decades.

GENERAL LEAVE TO EXTEND

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the Record on this resolution and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I yield the balance of the time to the gentleman from Louisiana [Mr. Willis].

Mr. WILLIS. Mr. Speaker, at the beginning of each new Congress we witness renewed agitation for the abolition of the House Committee on Un-American Activities and the drive to pare down or kill the appropriations of the committee.

I must start by saying that communism is one. There are no separate internal and external threats. Both are parts of the same whole. For this reason I had planned to explain what our whole Government—the Congress, the courts and the executive branch, the representatives of all of the 190 million American citizens—has done in the past to combat communism and the Communist conspiracy and to sustain the actions and activities of the Committee on Un-American Activities. I had planned to demonstrate that the real target of the enemies of the committee is the whole Government, not just the committee. I had planned to outline how the attacks against the committee constitute attacks and a slap against the whole Government and its three branches. I must now say, however, that I will have to leave all that to another occasion because today a new tactic is being employed against the committee.

Now, Mr. Speaker, I certainly do not want my remarks to be misunderstood. In connection with everything I will have to say on the floor today I do not intend to and do not question in the least the motives and sincerity of any Member of this body.

I would be less than frank if I did not say there are some good Americans who would like to see the committee eliminated. I have read and listened to their arguments and the charges they make against the committee. I have tried to see the logic of their position but I have been unable to do so.

Though the courts have ruled over and over again, for example, that the committee and its activities are clearly constitutional, they take the opposite position. And so it goes with their other arguments against the committee. The findings of Congress, the actions of the executive branch, and the decisions of the courts repudiate the arguments. The facts repudiate them. Logic repudiates them. Yet they persist in their position. Frankly, while I do not question their sincerity, I just do not understand these people.

But I do understand the real enemies of the committee—the Communist Party, its members and its fronts.

The Communist Party has fought for the abolition of the committee since it was originally established as a special committee. It has continued that fight all during the time it has been a permanent, standing committee. It has passed resolution after resolution along this line at its conventions. It has published numerous pamphlets attacking the committee. The Worker and other Communist newspapers and magazines regularly feature anticommittee diatribes. It has launched one nationwide campaign after another designed to end the life of the committee.

To bring the party campaign right up to date and to indicate precisely what I have in mind when I say that the Communist Party is the core of the opposition to the committee, I cite the following facts:

The December 1964 issue of "Political Affairs," monthly directive organ of the Communist Party, published a draft resolution which it says, "expresses the viewpoint of the leadership of the Communist Party" on vital national issues, based on the party leaders' analysis of the 1964 elections. In this resolution, the party leaders spell out five key struggles for the party in the period immediately ahead. Included in one of them is that now familiar Communist theme, "the abolition of the House Un-American Activities Committee."

Of course, the overwhelming majority of the American people will not listen to the Communist Party or have anything to do with it. The party realizes this. For this reason it sets up fronts to carry out its anticommittee campaign. Here are some of the Communist-created organizations which, in recent years and during the past few months, have been doing everything they can to destroy the committee and/or kill appropriations for it.

The National Committee To Abolish the House Un-American Activities Committee: This is a cited front, founded in 1960 for the sole purpose, as its name indicates, of destroying the committee. Seven of its thirteen founding members were Communists. The chief operative in this organization is Frank Wilkinson, a twice-identified Communist Party member.

The Emergency Civil Liberties Committee, which has been named as a Communist organization by J. Edgar Hoover, by the Senate Internal Security Subcommittee and by the Committee on Un-American Activities. This organization is the Communist Party's legal defense arm. Its chairman is an identified Communist, Corliss Lamont.

Within the last few weeks, by the way, every Member of the House has received letters and petitions attacking the committee from these groups.

There are other groups in the fight, all with noble, high-sounding titles, but all as Red as the proverbial rose—the Citizens Committee To Preserve American Freedoms, the Citizens Committee for Constitutional Liberties, the Chicago Committee To Defend the Bill of Rights. Even some of the oldtime fronts which supposedly have no interest in domestic affairs—such as the National Council of American-Soviet Friendship—have been brought into the campaign by the party. Every front that can possibly be used to attack the committee is put into the fight by its Communist directors.

I should also mention the fact that Frank Wilkinson, a twice-identified member of the Communist Party, and four other officials of the National Committee To Abolish the House Un-American Activities Committee, recently used headquarters almost within the shadow of the Capitol for anticommittee agitational activities. Anne Braden, another identified party member, was working with them. A number of these persons have been seen roaming the halls of our buildings for the purpose, no doubt, of trying to influence Members of the House in connection with their activities.

Now, what is the truth about the committee as opposed to the falsehoods and distortions spread by its enemies and critics?

They say that the committee and the type investigations it makes are unconstitutional.

But the courts of this country, including the Supreme Court, have held over and over again that there is no question about the constitutionality of the committee and its right to investigate Communist activities.

They say the committee disregards or violates the rights of witnesses.

But a special committee of the American Bar Association, after making a study of committee hearings, not only found this charge false but stated affirmatively that each witness called before the committee "is accorded full protection so far as his constitutional or other legal rights are involved."

They say the committee has produced no legislation, or just one or two laws in its 26-year history.

But a study by the Legislative Reference Service of the Library of Congress, published in 1960, and the facts of legislative history since that time, reveal that the Congress has enacted over 40 laws embodying the committee's recommendations. Just last year President Johnson signed into law a bill drafted and reported by the committee—and based on its investigations—to provide for a sound security setup in one of our most sensitive agencies, the supersecret National Security Agency.

They say that the committee is shallow, producing little or no worthwhile information on communism.

But dozens of scholars in this country have quoted from, synopsized, and referred to the committee's hearings and reports in their works. Committee publications, including consultation with Protestant, Catholic, and Jewish experts, are used as texts in schools and colleges. Committee publications are also used by governmental security agencies and even by foreign governments. The more than 500 separate volumes published by the committee comprise one of the largest, most reliable, and most comprehensive reference series on communism available anywhere.

They claim that the committee is a publicity and headline seeker.

But the committee has looked into some of the most important matters to come before it completely in executive session—and without prematurely leaking any of the vital information developed until the hearings were completed and a report issued. The NSA hearings previously referred to are a case in point.

They say the committee investigates the opinions, beliefs, and thoughts of people and has thus created a climate of fear and suppressed free "political" expression.

But over and over again, the committee has told witnesses that it is not interested in their beliefs or opinions but in their actions, and has asked them for simple answers to questions of whether or not they performed this or that Communist-directed act.

The complete freedom with which Communist witnesses openly defy and express their contempt for the committee, in addition to proclaiming their beliefs, thoughts, and opinions, by the way, refutes the charge that the committee has instituted anything resembling a climate of fear, thought control, or suppression of ideas.

They say the committee exposes for the sake of exposure.

But the committee has always been careful to have—and to state clearly—a legislative purpose in its hearings. The critics refer to some rather loose and inappropriate expressions by some judges on this score, but the fact is that not a single court has ever held that the committee has held a hearing merely for the sake of exposure.

They say the committee engages in "blacklisting."

But if a Federal, State, or municipal employee is revealed as a Communist in a committee hearing and is dismissed because the law bars Communists from the position he holds, then that is not the action of the committee but of local, State, or Federal authorities, enforcing laws enacted by the people through their representatives.

They say the committee interferes with academic freedom. But this charge, like all the others along the same line, is completely false.

What the committee has done and will continue to do—because it is its duty—is to follow the individual Communist activist wherever he goes: into a college, into a trade union, a research laboratory, and, yes, even a church. It is when the activities of such individuals are revealed by reliable evidence under oath that they make charges of the kind I have been discussing. For example, in these circumstances, a professor will scream that the committee "interferes with academic freedom."

Why does he do this? He does it to divert attention from himself and his activities and in order to gain the sympathy of his fellow professors and the students in the university, although neither they nor the university are even remotely involved. I am not impressed with this wornout tune and I cannot understand why some unwitting people continue to listen to it.

The fact, of course, is that a Communist is not entitled to immunity from the constitutional powers of Congress merely because he dons the garb of a professor, a scientist, a trade unionist, or even a clergyman.

I could go on enumerating additional inspired charges and allegations that have been made against the committee over the years. But there is no point in doing so. They are all of the same type. They are supported neither in fact nor in law. They are smear devices concocted by those unable to fight the committee with the truth.

Here is the new tactic being employed against the committee on the floor today. We are asked to support a motion to recommit the money resolution of the committee to the House Administration Committee for so-called public hearings. Although I do not question the motives or sincerity of the proponents of the motion to recommit, I would like to say this:

All the members of my committee, Democratic and Republican, voted unanimously for our money request. As I recall, all of them, except one, appeared before the House Administration Committee in support of our money resolution, House Resolution 188. All of the proponents of the motion to recommit had an opportunity to appear before the House Administration Committee. Only two of them showed up and testified, although a third filed a written statement. Those heard from asked for a public hearing and for a reduction of our appropriation. However, the Administration Subcommittee and the full committee ruled against a public hearing and reported out the resolution before the House today. In other words, the opposition had their day in court but lost their case. Now they would like to rehash the whole thing all over again.

There are 20 committees of the House. All of the committee money resolutions are heard in executive session. Why distinguish between the Committee on Un-American Activities and all the others? Why pick on this particular committee? Since I cannot read the minds of the proponents of the motion to recommit I do not know what has inspired this move and I cannot say any more about it.

But I do know what the result would be if by some miracle the motion to recommit should be adopted. It certainly would be a long drawn out affair. In the meantime the staff members of the committee would be deprived of their salary. The work of the committee would be impeded. In fact, the committee would be put out of business for quite some time.

Now some of the proponents of the motion to recommit introduced resolutions to put the committee out of business for all time. These resolutions are pending before the Rules Committee which in this instance is acting as a legislative committee. If what the proponents of the motion to recommit want is a public hearing, they can ask for such a hearing before the Rules Committee to accomplish what they really are after. If they do so they will have their say in public hearings and I will have mine. I await their pleasure.

I suppose the proponents of the motion to recommit feel that they might be able to get more votes on this motion than on a vote to abolish the committee or to kill its appropriations. I do hope, however, that the Members of this House will not fall for this. Why do I say so? A vote for the motion to recommit would play right into the hands of our real enemies to whom I have already referred. Let me be specific.

People in this country are being bombarded with Communist-inspired propaganda material dealing with this very motion to recommit. I hold in my hand a document dated February 18, 1965, on the letterhead of—guess who—the National Committee To Abolish the House Un-American Activities Committee. It is headed as follows:

> BULLETIN 2
>
> To all concerned.
> From Frank Wilkinson.

The first paragraph reads as follows:

> Congressman to move on February 24 to recommit House Un-American Activities Committee's record $380,000 budget request to House Administration Committee for Public Hearings.

The following appears at the bottom of the page:

> ACTION
>
> Wire your Congressman immediately:
>
> 1. To support a rollcall vote on February 24 on a motion to recommit the House Un-American Activities Committee's 1965 $380,000 appropriation to the House Administration Committee, with instructions to hold public hearings.
>
> 2. To make a speech in opposition to the House Un-American Activities Committee on February 24. Note: Debate on the House Un-American Activities Committee issue will be limited to 1 hour: 30 minutes for each side. Therefore it is most important to ask your Congressman to prepare a speech as an insert in the CONGRESSIONAL RECORD. Such insertions are not affected by the limitations on debate.
>
> 3. To call for a rollcall and, if possible, to vote against the House Un-American Activities Committee's 1965 appropriation, if the motion to recommit the measure for public hearings fails.
>
> Western Union "public opinion" wires cost only 85 cents plus tax for 15 words.

Maybe some of you did receive telegrams from constituents in whom you have confidence. I hope many of you will agree with me, however, that although you have seen the hand of Esau, you have really heard the voice of Jacob.

Each Member has received a letter, on the letterhead of the National Committee To Abolish the House Un-American Activities Committee, dated February 19, 1965, urging support for the motion to recommit. The letter was signed by Harvey O'Connor, another leader of that organization who has been identified as a member of the Communist Party.

This leads me to say a few words about the other side of the coin, the supporters of the committee, who have also communicated with you. This comes from the grassroots of America—people from every section of the country, from all walks of life. It comes in unsolicited letters, petitions, and resolutions to the committee. It comes from our major veterans' organizations—the American Legion, Veterans of Foreign Wars, Military Order of World Wars, and others. It comes from the American Bar Association, from business organizations and trade unions, and numerous other groups truly representative of the American people. These are the voices I know you will listen to in casting your vote against the motion to recommit.

Mr. BURLESON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

Without objection, the Clerk will again report the committee amendment.

There was no objection.

The Clerk read as follows:

> On page 1, line 5, strike out "$380,000" and insert "$370,000".

The committee amendment was agreed to.

The SPEAKER. The question is on the resolution as amended.

MOTION TO RECOMMIT

Mr. EDWARDS of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. EDWARDS of California. I am in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. EDWARDS of California moves to recommit House Resolution 188 to the Committee on House Administration with instructions that open hearings be held on the justification for funds for the House Committee on Un-American Activities as provided in House Resolution 188.

Mr. BURLESON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. EDWARDS of California) there were—ayes 48, noes 198.

Mr. WILLIS. Mr. Speaker, I demand the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

The question was taken; and there were—yeas 58, nays 333, not voting 42, as follows:

[Roll No. 23]

YEAS—58

Adams
Ashley
Barrett
Bingham
Blatnik
Brown, Calif.
Burton, Calif.
Cameron
Clevenger
Conyers
Craley
Culver
Diggs
Dingell
Dow
Duncan, Oreg.
Dyal
Edwards, Calif.
Farbstein
Ford, William D.
Fraser
Gilbert
Gonzalez
Green, Pa.
Hawkins
Hechler
Helstoski
Hicks
Kastenmeier
King, Utah
Leggett
Lindsay
Mackie
Matsunaga
Meeds
Mink
Moorhead
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Resnick
Reuss
Roncalio
Roosevelt
Rosenthal
Roybal
Ryan
Scheuer
Schmidhauser
Sickles
Tenzer
Thompson, N.J.
Todd
Tunney
Vivian
Walker, N. Mex.
Wolff

NAYS—333

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Bates
Battin
Beckworth
Bell
Bennett
Berry
Betts
Boland
Bolling
Bolton
Bonner
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Farnum
Fascell
Feighan
Findley

Fino
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Gallagher
Gathings
Gettys
Giaimo
Gibbons
Gilligan
Goodell
Grabowski
Gray
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gubser
Hagan, Ga.
Haley
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hébert
Henderson
Herlong
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karth
Kee
Keith
King, N.Y.
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
MacGregor
Machen
Mackay
Madden
Mahon
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matthews
May
Michel
Mills
Minish
Minshall
Mize
Moeller
Monagan
Moore
Morgan
Morris
Morrison
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nelsen
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roudebush
Roush
Rumsfeld
Satterfield
St Germain
St. Onge
Saylor
Schisler
Schweiker
Scott
Secrest
Selden
Senner
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thomson, Wis.
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Walker, Miss.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NOT VOTING—42

Belcher
Boggs
Bow
Burton, Utah
Byrne, Pa.
Celler
Dawson
Everett
Farnsley
Fulton, Tenn.
Garmatz
Green, Oreg.
Gurney
Hagen, Calif.
Hall
Halleck
Hanna
Hays
Holifield
Holland
Jones, Mo.
Karsten
Kelly
Keogh
King, Calif.
Macdonald
Mailliard
Martin, Mass.
Miller
Morse
Multer
Nix
O'Brien
Powell
Reid, N.Y.
Schneebeli
Smith, N.Y.
Sullivan
Thompson, Tex.
Toll
Widnall
Wilson, Charles H.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Multer for, with Mr. Garmatz against.

Mrs. Green of Oregon for, with Mr. Keogh against.

Mr. Toll for, with Mr. King of California against.

Mr. Byrne of Pennsylvania for, with Mr. Holifield against.

Mr. Holland for, with Mr. Macdonald against.

Mr. Nix for, with Mr. Fulton of Tennessee against.

Until further notice:

Mr. Hagen of California with Mr. Mailliard.

Mr. Charles H. Wilson with Mr. Morse.

Mr. Hanna with Mr. Schneebeli.

Mr. Miller with Mr. Widnall.

Mrs. Kelly with Mr. Smith of New York.

Mr. Celler with Mr. Bow.

Mr. Boggs with Mr. Halleck.

Mr. Karsten with Mr. Gurney.

Mrs. Sullivan with Mr. Hall.

Mr. Powell with Mr. Martin of Massachusetts.

Mr. O'Brien with Mr. Burton of Utah.

Mr. Thompson of Texas with Mr. Belcher.

Mr. Hays with Mr. Everett.

Mr. Jones of Missouri with Mr. Farnsley.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the resolution.

Mr. WILLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 360, nays 29, not voting 44, as follows:

[Roll No. 24]

YEAS—360

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Bell
Bennett
Berry
Betts
Blatnik
Boland
Bolling
Bolton
Bonner
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Cameron
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Colmer
Conable
Conte
Cooley
Corbett
Corman
Cramer
Culver
Cunningham
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Hagan, Ga.
Haley
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hébert
Hechler
Henderson
Herlong
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karth
Kee
Keith
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lindsay
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
MacGregor
Machen
Mackay
Madden
Mahon
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nelsen
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roudebush
Roush
Rumsfeld
Satterfield
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Schweiker
Scott
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—29

Ashley
Bingham
Brown, Calif.
Burton, Calif.
Conyers
Craley
Diggs
Dingell
Dow
Duncan, Oreg.
Edwards, Calif.
Farbstein
Fraser
Gilbert
Hawkins
Helstoski
Kastenmeier
Leggett
Mackie
Nedzi
O'Hara, Ill.
Ottinger
Resnick
Roosevelt
Rosenthal
Roybal
Ryan
Scheuer
Vivian

NOT VOTING—44

Belcher
Boggs
Bow
Burton, Utah
Byrne, Pa.
Celler
Curtin
Dawson
Everett
Farnsley
Fulton, Tenn.
Green, Oreg.
Gubser
Gurney
Hagen, Calif.
Hall
Halleck
Hanna
Hays
Holifield
Holland
Jones, Mo.
Karsten
Kelly
Keogh
King, Calif.
Macdonald
Mailliard
Martin, Mass.
Miller
Morse
Multer
Nix
O'Brien
Powell
Redlin
Reid, N.Y.
Schneebeli
Smith, N.Y.
Sullivan
Thompson, Tex.
Toll
Widnall
Wilson, Charles H.

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mrs. Green of Oregon against.

Mr. King of California for, with Mr. Multer against.

Mr. Boggs for, with Mr. Holland against.

Until further notice:

Mr. Byrne of Pennsylvania with Mr. Belcher.

Mr. Macdonald with Mr. Halleck.

Mr. Hagen of California with Mr. Gubser.

Mr. O'Brien with Mr. Widnall.

Mrs. Kelly with Mr. Bow.

Mr. Charles H. Wilson with Mr. Burton of Utah.

Mr. Nix with Mr. Morse.

Mr. Toll with Mr. Schneebeli.

Mr. Miller with Mr. Martin of Massachusetts.

Mrs. Sullivan with Mr. Hall.

Mr. Hays with Mr. Curtin.

Mr. Hanna with Mr. Mailliard.

Mr. Holifield with Mr. Gurney.

Mr. Fulton of Tennessee with Mr. Smith of New York.

Mr. Karsten with Mr. Celler.

Mr. Powell with Mr. Dawson.

Mr. Jones of Missouri with Mr. Farnsley.

Mr. Everett with Mr. Thompson of Texas.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE LATE HONORABLE JAMES P. KEM

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and that any other Members who desire to do so be permitted to extend their remarks at this point in the RECORD with regard to the late Senator Kem.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, it is my sad duty to inform the House that the former Senator from Missouri, James P. Kem, has passed away. James Kem was a very distinguished citizen of Missouri, and many of us here knew him well. He was born in Macon, Mo., on April 2, 1890. He was graduated from the University of Missouri, and the Harvard Law School. He was a distinguished lawyer from Kansas City, and was president of the Lawyers Association of Kansas City.

Jim Kem was an avid student of the writings of our third President, Thomas Jefferson. He saw no contradiction in quoting Jefferson's teaching of "State's rights, economy, and simplicity in the operation of the Federal Government," which he did frequently to the proponents of the New Deal, Fair Deal theories of the Roosevelt and Truman administrations. Jim Kem entered politics with a gusto when he became Jackson County, Mo., Republican in 1946 by fighting the Pendergast machine in Missouri and the theories of the New Deal. He served one term in the Senate, was unsuccessful for reelection in 1952, and then resumed the practice of law in Washington, D.C.

I wish to extend my deep sympathy to his family in behalf of myself and the Missouri delegation, and, I know, his many good friends. He was a distinguished American and a great Missourian.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the House Resolution 229 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 229

Resolved, That, effective January 3, 1965, in carrying out its duties during the Eighty-ninth Congress, the Committee on House Administration is authorized to incur such expenses (not in excess of $5,000) as it deems advisable. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized and approved by such committee, and signed by the chairman thereof.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR WEEK OF MARCH 1

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time to ask the majority leader if he can give the House any information concerning the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the inquiry of the gentleman from Michigan, Monday is Consent Calendar day. There are no suspensions. Also on Monday we will begin consideration of S. 3, the Appalachian Regional Development Act of 1965.

Tuesday is Private Calendar day, and following that on Tuesday and for the balance of the week we will continue the consideration of S. 3.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time, and that any further program will be announced later.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight Saturday to file reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday next may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT UNTIL MONDAY, MARCH 1

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

U THANT, SECRETARY OF THE UNITED NATIONS

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revies and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, yesterday U Thant, Secretary General of the U.N., in offering unsolicited advice on what U.S. policy should be in Vietnam, said in part:

> I am sure that the great American people, if they only knew the true facts about Vietnam, would agree with me that no further bloodshed is necessary.

Thus, the U.N. Secretary General reaches a new low in his anti-United States record by charging the United States with untruthful conduct in Vietnam.

If U Thant has a consistent, legitimate interest in the truth, he should see that the true facts of Nasser's slaughter of civilians in Yemen be made known to the world at large. He should see that the true facts of Red Chinese genocide against the people of Tibet be made known to the world. He should see that the Soviet Union and its colonial control of the Baltic nations be truthfully reported to the world. He should see to it that the participation of Nasser, Ben Bella, and the government leaders of the Sudan in the terrorist campaign in the Congo be truthfully reported.

Where was U Thant and his remarkable interest in the truth when Dr. Carlson and hundreds of other missionaries were slain in the Congo by Communist-inspired barbarians?

Mr. Speaker, the truth of the matter is that the Secretary General of the U.N. is a Marxist. His philosophic addiction to communism shows itself repeatedly. His philosophic antagonism against the

United States, its government structure, and its principles shows itself repeatedly. Mr. Speaker, we do not need the Secretary General of the U.N. to help us save face in Vietnam. What he should do in order to help bring about a world of peace and freedom is to have the U.N. take up the issues I have mentioned—Soviet colonialism in Eastern Europe, atrocities in the Congo, Nasser's slaughter of the Yemeni people, Red Chinese slaughter of Tibetans, as well as illicit Communist domination of Cuba, North Korea, and other lands.

Mr. Speaker, I attach as part of my remarks a copy of a telegram sent to U Thant by the representative of the legitimate National Government of Yemen, to which I hope the Secretary General will give his attention in his pursuit of the truth:

> U Thant,
> *United Nations, N.Y.:*
>
> Your intervention in American political affairs on Vietnam is in dramatic contrast to your silence to the Egyptians on their government's war on Yemen. You were responsible for a 14-month mission in Yemen under which Nasser promised you and the U.N. to withdraw from that country. For 14 months Nasser bombed and killed Yemenis before the eyes of your observers. Time and again he increased his army in Yemen and told the whole world that he would not cease his murder of the Yemeni people despite his pledge to you and to the U.N. You, Secretary-General of the United Nations, were and are silent on Nasser in Yemen. We suggest you get Nasser out of Yemen and tell the great Egyptian people the true facts and background of the situation in Yemen. The Yemeni people still await you to speak in answer to the high motives you profess.
>
> Bushrod Howard, Jr.,
> *For the National Government of Yemen.*

JULIUS NYERERE IN AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, among my friends for whom I have admiration and affection is Tanzania's President Julius Nyerere. Ours has been a friendship extending for a considerable number of years and on the happy day his country achieved its independence we celebrated the day and our friendship with a warm embrace. Our last meeting was not many months ago when on a brief visit to Washington he honored me by dropping in for a chat.

Tanzania is close to the Congo and the employment of white mercenaries by the Congo Government supported by the United States has had repercussions. A string of events disruptive of the plans and programs of the new nation added to Julius Nyerere's problems.

President Nyerere's visit to Red China naturally was the subject of some concern among the friends and well-wishers in this country of Tanzania and her President. I am certain the account of President Nyerere's conduct and statements in Red China as given by staff correspondent John Hughes in the reliable Christian Science Monitor of February 19, 1965, will be found reassuring. I quote:

> The Chinese have given Tanzania substantial aid. They seem to be making it one of their main targets in Africa.
>
> Now they are sparing no effort to convince President Nyerere of their friendship.
>
> Although he arrived in a snowfall, thousands were in the streets to greet him. Amid the snow there was the clash of welcoming cymbals and thunder of drums.
>
> * * * * *
>
> Peiping newspapers have splashed the Nyerere visit story. The official Peoples Daily said China "attached much importance to the visit."
>
> At a state banquet Chairman Liu Shao-chi again had sharp words for the United States.
>
> The Tanzanian Government had exposed the subversive activities of U.S. imperialism, he said, and had the firm support of China.
>
> To date, in his replies President Nyerere has not reached the same fervor as his hosts.
>
> He has thanked the Chinese for their aid and said Tanzanians and Chinese have much to learn from each other.
>
> But he has remarked significantly, "Our whole people is united in the decision that the cooperation we get from abroad must be without strings."

Mr. Speaker, apparently President Nyerere has not been taken in by the flattery of the Red Chinese. To them as to us and all others he said:

> Our whole people is united that the cooperation we get from abroad must be without strings.

PERSONAL ANNOUNCEMENT

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, unfortunately I was engaged in a telephone call during the rollcall that was just completed. I would like to state that had I been on the floor of the House, I would have voted "yea."

RELIEF AND AID TO THE UNDERPRIVILEGED OF AMERICA

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Watkins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WATKINS. Mr. Speaker, I rise to address this Chamber on the needs of the underprivileged of the United States. During the past year daily comment on these needs have been pressed by the present administration through the mass media of the land. However, I feel the administration should be made aware of certain facts and figures before this war on poverty proceeds any further.

Today, I have introduced a measure that I feel will directly aid and prove a greater benefit to our society than the plan the administration is now pushing before this Congress. My bill is to amend the Internal Revenue Code in order to give citizens earning $3,000 or less a year more income, as they would not be required to pay income tax.

During preparation of this measure, several interesting facts were presented me by several of our most reliable agencies. First, the total tax revenue loss with enactment of this measure would be $1.5 billion as estimated by the Internal Revenue Service. Also, the Internal Revenue Service stated that 11 million taxpayers would be directly affected with passage as they would be tax exempt.

The current budget proposed for the war on poverty for the forthcoming year is $1.5 billion, which is identical with the figure mentioned by the Internal Revenue Service in connection with enactment of my bill.

In addition, the Armed Forces have over 1 million personnel that earn less than $3,000 taxable dollars a year. Many of these same personnel qualify, and in fact, actually receive State and local aid and charity. I say to this Chamber, that this stigma must be removed from those who serve this country so faithfully and well.

Many of these men are with their own families and wish to make a career with the Armed Forces, yet after an exposure to what I just mention many leave the service of their country in order to provide their families a decent self-sustaining life without local and State aid. Yet, daily the Department of Defense bemoans the fact of the decreasing number of personnel that make a career out of the Armed Forces.

Also, in today's society, over half of the Nation's young scholars earn a taxable income in order to pay for their higher education. This bill would affect most of these students as they would be exempt from payment of income tax revenue, since most fall into the less than $3,000 yearly earnings category. This bill would aid their efforts for a better life as their earnings would be placed entirely into their educational pursuits.

The present administration has set $3,000 total yearly earnings as the standard figure for an individual to qualify to receive aid from the war on poverty. This is the same total yearly earning figure affixed in my bill. I state that a greater number of citizens will benefit from my bill, than will be affected by the war on poverty.

Eleven million citizens will directly be aided as they will have greater funds for their livelihood, with passage of this legislation. This same taxpayer will in the end provide greater tax revenue as he will have greater spending power, demand more goods and services, thus creating new sources of tax moneys.

Yes, the underprivileged must be served today, but I say not with a panacea called a war on poverty or the Great Society, but with direct effective action such as passage of this legislation would give the citizens of this Nation.

BILLION-DOLLAR GENEROSITY TO NASSER

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, in 10 years the Government of the United Arab Republic—Egypt—headed by Mr. Nasser, has received approximately $1 billion worth of food at the expense of U.S. taxpayers.

Most of the shipments were under title I of Public Law 480. The transactions sometimes erroneously referred to as sales are not sales in the usual commercial sense because the currency the United States acquires can be spent only in Egypt and there for only very limited purposes. For all practical purposes these sales are gifts to Nasser, compliments of the U.S. taxpayer.

Market value of commodities sent to Egypt under title I authority from December 1955 through February 6, 1965, is estimated at $827.3 million. Acquisition cost to the U.S. taxpayers for these same commodities was $1.1 billion.

Under title II—emergency relief—an additional $24.3 million was donated to the Nasser regime, and $130 million additional was donated under title III for distribution by charitable agencies.

This billion-dollar generosity by U.S. taxpayers is worth keeping in mind as we ponder the insults and inimical actions originating from Mr. Nasser of recent date.

Here are the details as supplied to me by the U.S. Department of Agriculture:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., February 10, 1965.

HON. PAUL FINDLEY,
House of Representatives.

DEAR PAUL: This is in reply to your letter of January 30, 1965, requesting information on Public Law 480 transactions with the United Arab Republic.

The largest movement of agricultural commodities to the United Arab Republic under Public Law 480 has taken place under title I programs. Enclosed are three tables relating to title I programs with the United Arab Republic. Table I summarizes the commodity composition and currency uses of all title I, Public Law 480 agreements with the United Arab Republic and amendments relating thereto. Table III shows the status of programing under the current title I agreement.

There has been one title II, Public Law 480 transaction with the United Arab Republic. This involved the shipment of about $24.3 million worth, including freight costs, of coarse grains (corn) during 1961 for drought relief.

From July 1954 through June 30, 1964, about $130 million worth of U.S. agricultural commodities have been made available under title III to approved nonprofit voluntary agencies for distribution to needy persons in the United Arab Republic.

The following commodities and quantities (in thousands of pounds) are programed for shipment to nonprofit voluntary agencies for distribution to needy people in the United Arab Republic under title III donation programs during fiscal year 1965: dry milk (25,048); bulgur (19,106); cornmeal (6,189); fats and oils (8,876); wheat flour (132,835); and rolled wheat (11,265).

Voluntary agencies participating in this program include: Assemblies of God, CARE, Catholic Relief Services, Church World Services, and UNRWA.

From 1954 through December 31, 1965, about $11.2 million worth of agricultural commodities moved to the United Arab Republic under barter contracts. All of these exports represented commercial purchases by United Arab Republic stemming from open-end or multilateral barter contracts.

To date, no agricultural commodities have moved to the United Arab Republic under title IV, Public Law 480 or Commodity Credit Corporation (CCC) credit programs.

Sincerely yours,

KENNETH M. BIRKHEAD,
Assistant to the Secretary.

TABLE I

TITLE I, PUBLIC LAW 480

The United Arab Republic (Egypt) has entered into numerous Public Law 480 title I agreements, as well as amendments and supplements to these agreements, since the first agreement was signed on December 14, 1955. A summary of the commodity composition of these agreements is set forth below:

December 1955 through Feb. 6, 1965

[Millions]

Commodity:	*Market value*
Wheat and flour	$532.5
Feed grains	53.1
Rice	5.3
Tobacco	47.7
Dairy products	2.7
Fats and oils	75.2
Other	13.0
Ocean transportation [1]	97.8
Total	[2] 827.3
Currency uses:	*Amount*
U.S. uses	$128.9
Grant for economic development	24.9
Loans to private enterprise	77.7
Loans for economic development	582.3
Total	[3] 813.8

[1] Includes only ocean transportation to be financed by CCC.

[2] Estimated CCC cost $1,141.4 million.

[3] Difference in totals reflects amounts deposited on completed agreements.

TABLE II

The current multiyear title I, Public Law 480 agreement with the United Arab Republic was signed on October 8, 1962. The agreement, as originally consummated, provided for the shipment of $390 million worth of agricultural commodities over a 3-year period, covering fiscal years 1963, 1964, and 1965. There have been five amendments to the agreement to provide additional commodities raising the total export market value of the agreement to $431.8 million.

The original agreement is as follows:

[Dollars in millions]

Commodity	Approximate quantity			Export market value	Estimated CCC cost
	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965		
	1,000 metric tons	*1,000 metric tons*	*1,000 metric tons*		
Wheat and/or flour in grain equivalent	1,100.0	1,600.0	1,750.0	$275.8	$425.4
Corn	100.0	200.0	200.0	24.0	24.0
Vegetable oil	30.0	32.5	35.0	22.9	22.9
Tallow	30.0	37.5	45.0	12.7	12.7
NFD milk	.6	.6	.6	.3	.6
Frozen poultry	.6	.7	.8	1.5	1.5
Ocean transportation (estimated)				52.8	52.8
Subtotal				390.0	539.9
1st amendment:	*Metric tons*				
Tobacco	1,000			1.6	1.6
Dry edible beans	1,000			.2	.2
Ocean transportation (estimated)				.1	.1
Subtotal				1.9	1.9
2d amendment:					
Tobacco	11,000			17.7	17.7
Ocean transportation (estimated)				0.6	0.6
Subtotal				18.3	18.3
3d amendment:					
Corn	100,000			5.5	5.5
Butter, butter oil, and ghee	2,000			1.5	3.3
Cheese	1,000			.8	1.1
Ocean transportation (estimated)				1.2	1.2
Subtotal				9.0	11.1
4th amendment:					
Frozen poultry	1,200			.8	.8
Ocean transportation (estimated)				.1	.1
Subtotal				.9	.9
5th amendment:					
Beef	12,000			9.5	9.5
Ocean transportation (estimated)				2.2	2.2
Subtotal				11.7	11.7
Total				431.8	583.8

NOTE.—Wheat and wheat flour is by far the largest commodity component, accounting for over 60 percent of the total export market value of the agreement.

The currency proceeds accruing under this agreement are for use as follows: U.S. uses, 10 percent; 104(e) loans, 5 percent; and 104(g) loans, 85 percent.

TABLE III.—*Status of title I, Public Law 480 programing with the United Arab Republic under the multiyear agreement signed on Oct. 8, 1962, covering fiscal years 1963, 1964, and 1965* [1]

[In millions]

Commodity	Purchase authorizations issued	Remaining available funds
Wheat and wheat flour	$253.368	$22.4
Corn	32.487	
Vegetable oils	14.323	5.6
Tallow	12.700	
NFD milk	.158	.1
Poultry	2.300	
Tobacco	10.450	8.9
Dry beans	.200	
Butter, butter oil, and ghee	1.491	
Cheese	.809	
Beef	9.500	
Total	337.786	37.0

[1] In addition to the dollar values for commodities, the agreement provides an estimated amount of approximately $57,000,000 for U.S. financing of ocean transportation required for shipment of commodities in U.S.-flag vessels in accordance with the provisions of the Cargo Preference Act.

HEALTH INSURANCE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am introducing a bill to provide a more adequate deduction for premiums paid by the taxpayer for health and accident insurance. Under existing law, the medical expense deduction is limited to the amount in excess of 3 percent of the taxpayer's adjusted gross income. This penalizes the taxpayer who insures himself and his family through accident and health insurance. The 3-percent limitation effectively excludes the cost of health insurance. The bill would remove this 3-percent limitation, so that health insurance premiums would be deductible in full.

The inequity of existing law is shown by the following examples: First, let us assume taxpayer A, whose income consists of wages of $10,000 per year, purchases a medical insurance plan at a cost of $300 per year. Since $300 is not in excess of 3 percent of $10,000, he would not be allowed a medical deduction in any year for the cost of his medical plan. Taxpayer A continues the plan for 5 years at a total cost of $1,500. In none of the years was he able to deduct this as a medical expense. In the fifth year, he incurs $1,500 of medical expenses. This $1,500 of medical expenses is covered by his insurance. He gets no deduction because his medical expense was covered by insurance, although he has paid out a total of $1,500 over the 5 years for the coverage.

On the other hand, taxpayer B, who has the same $10,000 income as our first taxpayer, has no medical insurance. Taxpayer B deposits $300 a year in a savings account. In the fifth year, taxpayer B also incurs $1,500 of medical expenses. He uses $1,500 which he has saved to pay his medical bill. The first $300—3 percent of his income—is not includible as a medical deduction. Taxpayer B subtracts this $300 from his $1,500 medical bill, and takes a medical deduction for the balance—$1,200.

Thus, while both taxpayer A and taxpayer B had identical annual incomes and medical costs, B gets a tax deduction of $1,200. From this simple illustration it is apparent that the present medical deduction favors the uninsured taxpayer, to the detriment of the insured taxpayer.

While I have taken taxpayers with an income of $10,000 for purpose of comparison, the effect is the same irrespective of the taxpayer's income. The taxpayers who carry medical insurance are penalized under the Federal tax laws because those taxpayers will not obtain any benefit from the medical deduction, while the taxpayers who do not carry medical insurance will have the benefit of a tax deduction if their medical expense in any year exceeds 3 percent of their income. Taxpayer A is, in effect, penalized for protecting the Government's revenues against the risk of a medical deduction.

We have made tremendous gains in public acceptance of health and accident insurance over the past decade. The problem is that medical expenses are so treated under existing tax law that the taxpayer, instead of being given an incentive to enroll himself or his family in a medical plan, is penalized for doing so.

Whereas today, as a practical matter, a person having adequate health insurance does not get a tax deduction for either insurance costs or medical costs. Under my bill, insurance costs will be fully deductible. This will encourage the purchase of health insurance. The Federal revenues would correspondingly benefit on account of lower medical deductions.

I have previously introduced a bill to provide a program of comprehensive medical insurance for those over age 65. But illness is not confined to the aged. A major illness can strike with equally devastating effect on those under 65. The head of a growing family may be just as hard pressed to meet the expense of an illness of some member of that family, as would the retired person who himself became ill. The two bills I have introduced—this bill and H.R. 4351—afford a sound basis for alleviating the medical burdens of both the active and retired, by encouraging adequate health insurance.

THE WORDS UNSAID

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, anyone casually picking up a copy of the CONGRESSIONAL RECORD, not knowing the rules and practices of our National Legislature would be amazed at the amount of debate which is crammed into the meetings of the House of Representatives, even those 12- and 15-minute gatherings which are characteristic of our early session meetings. For example, the House meeting of January 5, 1965, took but 11 minutes, yet it covers some 22 pages in the CONGRESSIONAL RECORD. Truly, this is a prodigious feat of speaking when even skimming that number of CONGRESSIONAL RECORD pages in that time requires some effort.

The record of words produced in what appears to be open debate on the floor of the House is made possible by the device of Members' revising and extending their remarks. Thus a speech, which for all the unindoctrinated world looks like a part of the debate of the House, can be made without the speaker ever appearing on the floor. This speech, for example, was not spoken on the floor of the House. It is being introduced into the CONGRESSIONAL RECORD in that part of the RECORD reserved for matters said on the House floor and, but for my precautionary statements, it would likely be considered a part of floor debate.

I have today introduced a House resolution which is designed to prevent this subterfuge. Good reason exists for opening the pages of the CONGRESSIONAL RECORD to matters which individual Members consider of importance to their colleagues and to the country in the discussion of public issues. I would in no way wish to discourage this. However, under the present practice, insertions of speeches into the body of the CONGRESSIONAL RECORD give these speeches the appearance of having been made before the House.

What I suggest is simply this: Let us make some distinction between words actually spoken on the floor of the House, subject to contradiction and the tempering of debate, and those inserted without ever having been open to rebuttal. In this way, we would be able to preserve the CONGRESSIONAL RECORD's dual functions—that of a journal of actual proceedings in the House and that of a means of sharing ideas among the Members of Congress. This distinction could be made quite easily, by a difference in type face between the two kinds of statements, for example. The value would be great, for as we are better able to promote honest debate of the issues, we are better able to serve the function for which the Congress was founded.

WHO SAYS THE DOLLAR IS STABLE?

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, inflation remains a constant and ever-increasing threat to the American way of life. The table below, compiled by the gentleman from Virginia [Mr. POFF], graphically shows the constant downward trend in the value of the dollar:

Fiscal year	Gross public debt and guaranteed obligations	Interest on public debt	Budget deficit or surplus	Value of dollar, 1939=100
	Millions	*Millions*	*Millions*	*Cents*
1930	$16,185	$659	+$738	83.2
1931	16,801	612	−462	91.4
1932	19,487	599	−2,735	101.7
1933	22,539	689	−2,602	107.4
1934	27,734	757	−3,630	103.8
1935	32,824	821	−2,791	101.2
1936	38,497	749	−4,425	100.2
1937	41,089	866	−2,777	96.7
1938	42,018	926	−1,177	98.5
1939	45,890	941	−3,862	100.0
1940	48,497	1,041	−3,918	99.2
1941	55,332	1,111	−6,159	94.4
1942	76,991	1,260	−21,490	85.3
1943	140,796	1,808	−57,420	80.3
1944	202,626	2,609	−51,423	79.0
1945	259,115	3,617	−53,941	77.2
1946	269,898	4,722	−20,676	71.2
1947	258,376	4,958	+754	62.2
1948	252,366	5,211	+8,419	57.8
1949	252,798	5,339	−1,811	58.3
1950	257,377	5,750	−3,122	57.8
1951	255,251	5,613	+3,510	53.5
1952	259,151	5,859	−4,017	52.3
1953	266,123	6,504	−9,449	51.9
1954	271,341	6,382	−3,117	51.7
1955	274,418	6,370	−4,180	51.9
1956	272,825	6,787	+1,626	51.1
1957	270,634	7,244	+1,596	49.4
1958	276,444	7,607	−2,819	48.1
1959	284,317	7,593	−12,427	47.7
1960	286,471	9,180	+1,224	46.9
1961	289,211	8,957	−3,856	46.4
1962	298,645	9,120	−6,378	45.9
1963	306,466	9,895	−6,266	45.4
1964	312,526	10,666	−8,226	44.8
Total 1930–64		153,822	−287,291	

THE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. DUNCAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DUNCAN of Tennessee. Mr. Speaker, communism is not a simple thing. It is attempting to undermine the United States on many fronts—military, economic, diplomatic, propaganda, cultural, and scientific, as well as political. Recently Communist Party leader Gus Hall boasted that while the party had only 10,000 technical or formal members, there are at least 100,000 "state-of-mind" Communists in the United States.

At a time when we call upon American fighting men; ask them to fight the Communists on the battlefield, we cannot tell them now, "You fight the enemy on the battlefield, but here at home we will let them continue their conspiracy without interference."

In recent months we have read where 150 young Americans—or at least so-called "Americans" proclaimed in newspaper ads that, if drafted, they would refuse to serve in Vietnam. These same young people have organized a committee to encourage other young men to take the same position, and I understand that they are meeting with some success. At a recent convention, the Communist youth movement gave its wholehearted support to this project.

Still another group or committee, made up primarily of college students, has been organized to collect funds to ship medical supplies to the Vietcong; that is, the Communist forces in Vietnam, which to date have killed almost 300 Americans.

The Committee on Un-American Activities is doing what it can to help educate people on the damaging effects of communism. In its years of existence the committee has taken testimony from over 3,500 witnesses, and has been the initiator of over 40 security laws and amendments enacted by the Congress.

The abolition of the committee is an important project of the Communists—this is reason enough for supporting the committee and its projects.

Some of the work of the committee has been dramatic, such as the Alger Hiss case and the exposure of Harry Dexter White, Nathan Silverman, and Gerhard Eisler. The files of the committee contain the names of thousands of Communists, former Communists, and fellow travelers. These files are used by many governmental agencies, including the FBI in checking security risks.

There are those that cry aloud that the committee has abused the rights of some of the witnesses that have appeared before the committee. In my opinion those that are crying the loudest are the same people who are trying to hide behind the very documents they seek to destroy.

I urge this House to strongly support this great committee.

GEOGRAPHICAL DISTRIBUTION OF FEDERAL FUNDS FOR RESEARCH AND DEVELOPMENT

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, this is the first of the series of speeches I intend to give on the subject of geographical distribution of Federal funds for research and development.

The fact that Congress is being asked to approve more than $15 billion for this purpose, slightly more than 15 percent of the national budget, emphasizes the need for constant attention to not only how these funds are spent but where they are spent. It is quite obvious the expenditure of such a sum will have great impact upon the economy.

Although it will be apparent that I am much concerned about my own State I intend to emphasize the fact that the national interest is very much involved. The facts concerning Indiana will serve as an example of what is taking place in a research contract-starved area.

These facts will show that such areas have become the rule rather than the exception. These facts will point up the potential for economic and educational ill health as a result of present distribution policies.

Among other things I intend to discuss the effect of the distribution of research and development contracts on the national interest, the distribution as compared to taxes contributed by the various States, the distribution per scientist in the various States, the distribution to educational institutions per scientist employed, per student enrolled, per advanced degrees conferred.

The Subcommittee of Science and Research of the House Committee on Science and Astronautics, of which I am a member, made a thorough and comprehensive study of this question. That study will be the basis for much of what I intend to say.

It is also my intention to make certain recommendations upon the conclusion of these talks.

It is my sincere hope the comments contained in this series of presentations will be of some value to the Congress and to my colleagues.

SOCIAL SECURITY FOR DISABLED WORKERS

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, today I am introducing a bill that will amend the Social Security Act and make it possible for a textile worker or an employee of any industry throughout the country after 30 years on the job, when disabled on that job, to draw social security regardless of age.

Mr. Speaker, there are textile workers in my district today who have worked 45 years in a textile mill and still cannot draw social security, although disabled to continue on their job. Some of these workers, men and women, started working in the mills when they were 12 and 15 years of age and have worked continuously until disabled.

It is unfair and even inhuman to deny these workers who are disabled the benefits of social security, just because they have not reached the eligible age for social security, despite the fact that they served 30 years on the job, or more, prior to their disability. It is unjust to tell them that they are able to perform some other means of employment and therefore cannot draw social security. To tell these people that they must go out after 40 years on the job, or, Mr. Speaker, even 30 years on the same job, and knock on doors and pound the pavement and beg for employment is a tragedy.

Mr. Speaker, social security was designed and enacted to take care of the people who pay into it when they become disabled or when they become elderly. When a person pays into social security for 30 years and becomes disabled on the same job, that person has earned his or her benefits.

THE LINDSAY BILL FOR HOSPITALIZATION AND NURSING CARE FOR THE AGED

The SPEAKER pro tempore (Mr. ICHORD). Under previous order of the

House, the gentleman from New York [Mr. LINDSAY] is recognized for 60 minutes.

Mr. LINDSAY. Mr. Speaker, for 30 years, this country has been at odds over how it should help its elderly citizens protect themselves against the high cost of illness.

As early as 1935, responsible groups were asking the President and Congress to develop a national health insurance plan which would be workable and fair.

Mounting costs of hospital and nursing care, coupled with a steady increase in our elderly population, have made health protection for the aged a major national problem.

The need is plain as the figures and the cases increasingly demonstrate. More and more, we hear of an entire family's savings wiped away by the high cost of hospital or nursing home care. Science and the medical profesison have made wonderful advances in making it possible for people to live longer. But who can deny that this has raised additional problems?

For several years there have been bills before the Congress attempting, in various ways, to meet this need. Thus far, the proposals have met a legislative impasse.

Today, I am reoffering a bill which is not only a constructive alternative to these other views, but which, I believe, can be a means of enacting a hospitalization and nursing care plan in this Congress. I am delighted that the gentleman from Maine, Congressman STANLEY TUPPER, is joining me in introducing this bill.

At the outset I want to make it absolutely clear that this legislation I am introducing has nothing to do with the practice of medicine or doctors or doctors' fees or the selection of doctors. Nor does it have anything to do with Government involvement in the selection of hospitals. It will not involve the Federal Government in the medical profession.

This legislation is confined to, and only deals with, the question of the mechanical, physical costs of hospitalization, or nursing home care, or nursing care at home. I will explain its provisions, and why I believe it is the alternative that can start this important plan moving, later in these remarks.

This country's population over age 65 is increasing at the rate of 1,000 a day. This year, it passes the 18 million mark. By 1980, the census tells us, our aged will number 24,458,000—an increase of more than a third in the next 15 years.

Almost one-half of the over-65 population in the United States must live on incomes of less than $2,500 a year. Worse, nearly half of the aged who live alone have incomes of less than $1,000 a year. One-half have liquid assets of less than $1,000. About 40 percent have less than $5,000 total assets, including homes.

Added to the problem of scarce funds is the fact that one-half of our over-65 citizens have no health insurance. Many more have grossly inadequate coverage.

Yet four out of five have a chronic ailment. With this high tendency to illness, our over-65 citizens need three times as much hospital care as younger people. And the aged are the primary users of nursing homes and chronic disease hospitals. In New York City alone, there are nearly 11,000 nursing homes.

And the cost of hospitalization is rising rapidly. Even in 1961, the latest complete figures we have, the average cost of each day in the hospital was $35.

The total cost of health care for persons over 65 is estimated at more than $5 billion a year. Nearly half of this goes into hospital and nursing home care, including custodial and mental hospital care.

The facts are before us: the growing number of elderly citizens, the financial problems many of them face, the high cost of and therefore the lack of insurance, the tendency of the aged to chronic ailments, and the increased cost of hospital care.

The basic question we face as a nation is how best to help our aged meet this problem. I suggest that a broad-scale health insurance program for all of our aged, financed through a payroll tax, is the best kind of help we can give.

The payroll tax—the same financial source that the social security program uses—can be applied to most of the working force of our Nation; has a wide base; is easily collected, and does not fluctuate as much as the income tax.

Further, we could not load a broad program of hospital care for the aged onto the progressive income tax or the corporate income tax. Higher rates in those areas would, in my opinion, have a serious impact on our incentive to increase profits and income through growth. They would be inconsistent with the tax cut we enacted in the 88th Congress. Meanwhile, in the absence of a properly financed system, there is increasing pressure for a broadening of the Kerr-Mills Federal grant-in-aid plan, financed out of general revenues. Any broadening is very expensive. But it will have to come. Somehow, it is argued that Kerr-Mills and its cost are voluntary. I know of nothing voluntary about the income taxes that must be paid to finance this program. And if the means test is raised and the benefits are expanded, as are the pressures, you will have to raise income taxes to finance it.

Under my hospitalization insurance plan, as in the administration bill, the payroll, or social security, tax rate would go up one-quarter of 1 percent.

Thus, an individual making $4,800 a year would pay $1 a month toward his old-age hospitalization insurance. This legislation would also increase the taxable wage base—this will provide higher benefits.

I will say here that I believe $1 a month is not a high price for a working individual to pay for adequate insurance against hospitalization and nursing costs in old age.

I also believe the payroll tax is fair—it is shared 50-50 by employers and employees, and is paid by the self-employed during their working years. Thus, an employee paying $1 a month would have $1 more added by his employer.

Though the payroll tax aspects of my legislation are the same as the administration bill, my bill differs in other respects from the administration proposal in two very important ways:

First. Under the Lindsay bill, individuals could choose either a Government or a private hospitalization insurance plan. The administration measure is compulsory Government health insurance with benefits offered only under a Government plan.

Second. States would administer the insurance plan under my legislation. In the administration proposal, the Secretary of Health, Education, and Welfare in Washington would handle the insurance program.

Like my earlier bill, this new version combines the payroll tax base with freedom of choice between a private and a Government insurance plan. I want to stress that this feature distinguishes my measure most sharply from the administration bill.

This "freedom of choice" provision, or option, I believe will encourage the further growth and development of private health insurance and voluntary prepayment plans, particularly in the fields of catastrophic illness.

The Lindsay bill provides this free option to covered persons under which they can have the benefits that would normally accrue to them over age 65, measured actuarially, paid over in cash either directly or by assignment. They will use these cash payments to continue or to begin a private insurance program of their own choosing.

There are safeguards in the Lindsay bill against what we call "adverse risk," that is, the use of policies which do not measure up to standards and coverage in relation to premium.

Concerning the second major difference from the administration bill, my new bill shifts administrative responsibility for the hospitalization and nursing care program from the Secretary of Health, Education, and Welfare to the States. My legislation makes it mandatory that there be an "administering State agency."

Under this plan, the role of the Federal Government would be confined to, first, establishing the structure of the program and preserving uniformity through Federal regulations; and second, collecting and disbursing to the administering State agencies the sums necessary to pay the benefits to our elderly citizens. It is my opinion that this plan would virtually eliminate the often-voiced fears of Federal involvement in health care.

It may be argued that providing for State administration will raise the costs of carrying out the insurance plan. But I think it will be even less costly, particularly if voluntary organizations are used by the States. The opportunity is here—at present there are some 240 voluntary health-insuring organizations, including Blue Cross and Blue Shield.

Another reason why State administration is important is the close interrelationship this insurance plan would have with the Kerr-Mills program, which is also administered by the States.

In the first place, State agencies dealing with hospitals and nursing homes under the Kerr-Mills program already have experience and expertise.

Secondly, many OASDI beneficiaries receiving hospital benefits from my proposed legislation might to some extent be getting doctors' bills paid for by the already enacted Kerr-Mills program. It would be grossly wasteful to set up duplicate files on such patients and deal with their records from both the Federal and State levels—this problem would occur under King-Anderson.

Kerr-Mills is here to stay. An estimate in New York suggests that as little as 10 percent of the Kerr-Mills program would be absorbed by a hospitalization and nursing care insurance plan. For the sake of efficiency, any new program for the aged should be administered in the same channels to the extent feasible—my State administration proposal would accomplish this.

A third major point of difference between my legislation and the King-Anderson bill is the method of providing benefits for those aged citizens not covered under social security.

My proposal simply adds an additional category in social security for the noncovered group. At the present, in addition to old-age assistance, there is aid to the blind, and aid to recipients with dependent children. The Lindsay bill would add hospitalization. It would be financed the same way as the other categories—in other words, matching provisions, Federal and State, with full choice in the States to match or not, as they wish.

Once a State has joined and made the contribution, as in the case of Kerr-Mills today, the administration and coverage are the same as that provided for those persons under social security.

I was interested to note, 2 years ago, that after Senator JAVITS in the Senate and I in the House, pressed for some means of covering persons not under social security, the administration amended King-Anderson to make such a provision.

I have not agreed with the method the administration has proposed, however—it simply takes in those aged not under social security and defines them as being covered for purposes of hospitalization. There is no matching provision. The Federal Government would simply pay 100 percent. Under my legislation, the States would pay 15 to 45 percent for benefits to those not under social security, and the Federal Government would pay the balance—similar, as I have pointed out before, to Kerr-Mills.

There should be no dispute about the need to provide hospitalization and nursing care insurance for those aged not under social security. It is estimated that at present some 3.5 million citizens over 65 are not eligible for old-age and survivors' insurance—social security—and thus, would not be covered under the payroll tax plan.

We must formulate this insurance plan—which has been a broad concept from its beginning—with all our aged citizens in mind.

I have noted with satisfaction that the administration has included in its proposals of the 88th and 89th Congresses a provision contained in the Lindsay-Tupper 87th, 88th, and 89th Congress bills—namely, a separate health—or hospital—insurance trust fund.

Under my proposal insurance benefits from the plan would include inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services. This covers a wide area—from bed and board in a hospital to speech therapy—designed to give very adequate protection for our aged against the heavy costs their illnesses can put on them and on their families.

This legislation is the result of 2 years research, study and thought on my part on the problems of our elderly citizens.

Mr. Speaker, I believe the Lindsay bill is the answer to this major public question of how to help our aged insure themselves against devastating hospital and nursing costs.

This measure is not a dole—it is insurance, paid for in small installments by the individual as he works over the years. It is not insurance for everyone, but for those over 65.

It is not government interference with the medical profession—it has nothing to do with this area. It is not medicare—it is hospitalization and nursing care.

It is not "more Federal control"—my measure shifts administration of the plan to the States.

It is not a "Federal takeover" of private insurance—this bill offers the individual an option between Government and private plans and encourages the private sector to offer plans for catastrophic illness.

Mr. Speaker, I am submitting for the RECORD today, at the conclusion of these remarks, a summary of the bill that I have reintroduced in this Congress today, and I ask unanimous consent that it appear immediately at the conclusion of these remarks that I make.

The SPEAKER pro tempore [Mr. WHITE of Idaho]. Is there objection to the request of the gentleman from New York?

There was no objection.

The summary is as follows:

DETAILED SUMMARY

PART I

The Lindsay bill would add a new title XVII to the Social Security Act (which now has 16 titles). The following would be sections of the new title.

Section 1701: This section sets up protection against any Federal interference in the practice of medicine, or in the selection of hospitals or nursing homes.

Section 1702: This section guarantees freedom of choice by the beneficiary as to providers of services.

Section 1703: This section establishes eligibility for health insurance benefits for all social security beneficiaries. It also establishes the fundamental option for all beneficiaries; namely—

1. To be covered by the Government plan created by part 2; or

2. To receive a monthly cash payment if covered by a private health benefits plan, as permitted by part 3.

PART II

This part of the bill establishes the Government plan which consists of the same benefits provided under the King-Anderson bill. All the definitions and terms of King-Anderson are incorporated without change.

This part also provides for the important new feature of this bill—administration of the Government plan by State agencies. Under this method, the plan will be administered by an agency in each State designated by that State's legislature. General regulations for the agencies will be set down by the Secretary of Health, Education, and Welfare.

Benefits under the Government plan include inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services. This covers a wide area—from bed and board in a hospital to speech therapy.

The plan provides coverage for up to 180 days in the hospital, 180 days of nursing home care or 240 nursing visits at home. The benefits become available at age 65 or over.

PART III

This part establishes and defines the private health benefits plan option, the feature which offers the alternative of private insurance to the Government plan.

Section 1720: This section defines the key terms. A "private health benefits plan" may be any kind of private health insurance policy or membership plan. "Health benefits" include protection not only for the hospital and nursing home and related services offered by the Government plan, but also for substantially the full range of health services needed by an individual.

Section 1721: This establishes the requirements for a qualified private health benefits plan. For example, the plan must be guaranteed renewable for life, as defined in subsection (b).

The most important requirement is that the plan have an actuarial value at least equal to that of the Government plan. Furthermore, the plan must provide health benefits of the same type as the Government plan (hospital and skilled nursing home care and certain home care services) for an actuarial value not less than 60 percent of that of the Government plan.

Thus, a private plan may qualify even though it has a range of benefits different from the Government plan so long as (1) its benefits in the categories covered by the Government plan have a value of at least 60 percent of the Government plan, and (2) benefits in all categories combined have an actuarial value at least equal to that of the Government plan.

The qualified plan may, in fact, be a combination of plans—for example, a package of Blue Cross, Blue Shield, and a major medical policy.

The Secretary of Health, Education, and Welfare is required to issue regulations (with the advice of the Advisory Council and after consultation with the National Association of Insurance Commissioners) prescribing standards for determining actuarial equivalence. The regulations might include detailed tables giving assigned values for different types and duration of benefits.

The private carrier would make application to the State insurance commissioner (of the State wherein the policy is to be issued) for a determination that a plan is qualified. The carrier would present data showing the actuarial value of the plan as compared with the Government plan (subsection (g)).

The State insurance commissioner would review the plan and make a determination as to whether it meets the requirements of a qualified plan. His determination would be conclusive (subsection (e)).

The determinations by the State insurance commissioners would be made pursuant to agreements with the Secretary of Health, Education, and Welfare. The State insurance commissioners, in making their determinations, may enlist the aid of a special committee of the National Association of Insurance Commissioners if one is established. (There is precedent for such a professionally staffed committee of the National Association of Insurance Commissioners today, in connection with the rating of securities for investment purposes.) If requested by the National Association of Insurance Commissioners, the expenses of such a committee would be reimbursed by the Federal Government (subsections (h) and (i)).

Section 1722: This section provides for payment of the monthly cash payment to a social security beneficiary who exercises the private health benefits option. The beneficiary must submit evidence that he is covered by a qualified private health benefits plan.

The amount of the monthly cash payment would be the same as the actuarial monthly value (in dollars and cents) of the benefits provided by the Government plan plus 5 percent of such value, adjusted to the next higher amount in whole dollars. At the outset the monthly cash payment would be $8 per month.

Section 1723: This section permits a beneficiary to assign his monthly cash payment to a carrier. It also creates certain rights in an employer or trustee of a welfare fund where the employer pays over half the cost of the qualified plan which is the basis of the monthly cash payments.

Section 1724: This section contains technical provisions as to the commencement and termination of monthly cash payments.

The Secretary would establish by regulation a month or months during the years when an individual could exercise the option or revoke such an exercise.

A beneficiary could not exercise the option a second time if he has exercised it once but subsequently accepted coverage under the Government plan.

Section 1725: This section provides for agreements between the Secretary and State insurance commissioners for making the determinations required by section 1721. If there is no such agreement with a particular State, the Secretary would make the determination. Provision is made for reimbursement of the expenses of the State insurance commissioner in making the determinations.

PART IV. MISCELLANEOUS

Section 1730: This section provides for the same Hospital Insurance Benefits Advisory Council as the King-Anderson bill, except that at least four members must be "persons who are outstanding in the fields of private health benefit plans."

Section 1731: This section provides for judicial review of the Secretary's determination.

Section 1732 (technical provisions).

Section 1733: This section provides for development of optional or supplemental private health insurance protection, under part 2 or part 3.

Section 102: This section provides for a separate Federal hospital insurance trust fund, in lieu of lumping it with other funds.

Section 103: This section increases the wage base to $5,200, as under the King-Anderson bill—for purposes of the payroll tax which finances the plan under the Social Security Act.

Section 104: (Technical amendments.)

TITLE II

This title provides for tax rate increase as under the King-Anderson bill.

TITLE III

This title provides a system of hospital benefits for aged individuals not eligible under the old-age, survivors, and disability insurance system (title II of the Social Security Act). It accomplishes this by providing similar benefits to those under the public assistance provisions in the Social Security Act (old-age assistance, etc.), and providing for State participation and administration.

This portion of the bill makes the necessary changes in title I of the Social Security Act so that this grant program, hospitalization, may be added.

The hospitalization provision would be financed in the same way as the other public assistance programs under the Social Security Act—in other words, matching provisions, Federal and State.

Any eligibility tests, based on income or otherwise, would be established by the States. The State plan requirements are similar to those in the Kerr-Mills program.

State matching participation would vary from 15 to 45 percent.

Under the King-Anderson bill, funds to carry out this portion of the insurance plan would be 100 percent Federal.

Section 304 of this title provides for payments from the Federal hospital insurance trust fund for services furnished to individuals eligible under the program of a State which is participating in this part of the Federal program.

TITLE IV

This title amends the Railroad Retirement Act (as does the King-Anderson bill) to provide the same hospital insurance benefits program for railroad retirement beneficiaries as for social security beneficiaries.

Mr. LINDSAY. And, Mr. Speaker, I urge every Member of the House, and most especially members of the Committee on Ways and Means, to read this summary of the bill and to consider carefully whether or not this bill is not the best offering to date to meet the needs of our older persons on a basis which is fiscally sound and yet not compulsory in its benefit system.

This is a program which can provide the breakthrough in the impasse which still exists on hospital insurance for the aged that we have been witnessing over the past several years. I believe that the Congress can rally to the support of this measure and in so doing carry out the wish of the American people.

Mr. TUPPER. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to my distinguished colleague, the gentleman from Maine [Mr. TUPPER].

Mr. TUPPER. Mr. Speaker, I would like to commend the distinguished gentleman from New York for his presentation today, and more importantly, for his understanding work in behalf of the free-choice hospital care legislation since 1961.

Mr. Speaker, I have been pleased and proud to be associated with the gentleman in the past in sponsoring this legislation over the last 4 years.

I, too, feel that this is the most responsible way to care for this pressing social problem.

Mr. LINDSAY. I thank the gentleman for his generous comment, and I would like to exchange the compliment by thanking him for his work that he has put in on this subject and the careful and constructive way in which he has assisted me in working out this legislation. Most especially I wish to thank the gentleman for his unstinting public service in discussing this matter before his own constituents in the State of Maine and in other parts of the country, and in bringing to their attention the dimensions of the problem and his proposals for its solution.

I hope that the gentleman from Maine and I will be successful in persuading our colleagues on the House Ways and Means Committee, and the distinguished Members on the majority side of the aisle particularly, who by a 2-to-1 majority have the power to decide the future course of action in this area, persuading them to examine this compromise and this offering we make here today and to consider carefully whether it is not the most sensible and practical suggestion in this important field that has been offered to date.

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TUPPER. Mr. Speaker, the need for a nationwide hospital insurance program has been well advertised, pleaded, and discussed. Charts, graphs, and other visual media have been shown to acquaint us with this pressing problem. However, pain and poverty do not reveal their true impact upon a family when drawn upon a graph.

While aging and pain are common to all men, the ability to pay the high cost of medical care is not common to all men.

Choice is inherent in our system of Government. The Lindsay Free Choice Hospital Insurance Act of 1965 allows a choice, a choice of a private medical plan or a Government plan. This bill will not put the Federal Government in the medical profession nor will this bill force private medical insurance programs out of existence; indeed, it will promote their growth. This option will remove one of the major causes of contention embodied in other proposals.

A most important feature of the Lindsay bill is the inclusion of persons who are not covered by social security. It thus offers a wide based, equitable program with freedom of choice.

Another salient feature of this bill is the provision for the establishment of State administrations to aid in funding the program and to provide closer attention to individual problems.

The needs of the individual can best be met individually. This bill will pursue that end.

We are charged to meet the needs of the public and to promote their welfare; the need of our senior citizens is fact and the time is now.

EMBASSY VIOLATIONS OF TRAFFIC CODE

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, I and many people are becoming increasingly disturbed about the violations of our traffic laws and the abuse of hospitality in this country by representatives of foreign embassies.

Mr. Speaker, I am introducing a bill today to put an end to some of this foolishness.

OUR IMBALANCE-OF-PAYMENTS SITUATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. BURLESON] is recognized for 45 minutes.

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that all Members speaking on this subject may have permission to revise and extend their remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I also ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the subject I am about to discuss.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, it seems about everyone agrees that one of the most serious problems facing our Nation is that of the imbalance of payments and our gold position. It has been a subject of discussion in the last several days by the President of the United States. It was at the core of the debate on the measure passed last week for the 25-percent gold reserve on commercial bank deposits. Evidently this matter is under constant consideration at this moment by every governmental agency having anything at all to do with remedial action on this very important matter. Generally speaking, and I think most everyone agrees, our internal economy is strong. Militarily we are strong. But in our international economic position we are threatened with a serious problem. Immediate steps are needed in order to bring about a balance in our external payments.

It is encouraging that the President is giving this matter careful consideration, as revealed in his message to Congress on February 10. There is one aspect of the imbalance of payments, however, which I wish to bring to your attention, and to urge that the administration and the Congress take necessary remedial action in this area as a contribution to the solution of the overall balance of payments.

My purpose today is to point out two very substantial areas where, if proper action were taken, would go far toward a solution. One is oil imports and two is military purchases of oil from foreign sources.

On a value basis petroleum has become the No. 1 U.S. import. Oil displaced coffee several years ago and since that time has remained in the No. 1 position. Oil imports now exceed $1,700 million annually. This does not include tanker transportation costs paid to foreign tanker owners, nor does it include over $300 million spent by the military for purchases overseas. It can be seen, therefore, that the present volume of oil imports is the cause for a very substantial portion of our total imbalance of payments. It is imperative, therefore, Mr. Speaker, that we scrutinize carefully the part that oil contributes to this problem to determine what corrective action might be taken in this area.

The United States exports petroleum, but even after deducting these exports, the adverse balance of trade in petroleum has exceeded $1 billion annually since 1958 and has constituted 27 to 40 percent of the total imbalance over this period.

Mr. Speaker, in order to bring this matter into focus the statistics are rather amazing. For instance, in the U.S. petroleum trade balance and the balance of international payments, in 1958, at a time shortly before we were a net exporter of oil, we became a net importer of the value of $1,068 million. This has increased through 1963, which are the latest accurate figures, to $1,314 million. Now, relate this to the net balance of payments. The net balance of payments over this same period of time, that is all regular transactions, amounts to, in 1958, to $3,477 million. In 1963 it was $3,286 million. Now this includes all payments, the deficit in the imbalance of our foreign transactions, but of this amount, $1,068 million in 1958 is related to the total in that same year of $3,477 million, and skipping the years in between which is a graduation up to the period of the year ending 1963, the total imbalance of payments was $3,286 million for that year, and net oil imports amounted to $1,314 million. Percentagewise, in 1958 oil accounted for 30.7 percent of this deficit. And increasing on up to and through the year 1963, it amounts to 40 percent. The source of this information is from the U.S. Department of Commerce:

U.S. petroleum trade balance and the balance of international payments

	Petroleum trade balance	U.S. net balance of payments	Petroleum in balance of payments
1958	−1,068	−3,477	30.7
1959	−1,049	−3,897	26.9
1960	−1,064	−3,918	27.2
1961	−1,171	−3,071	38.1
1962	−1,325	−3,605	36.8
1963	−1,314	−3,286	40.0

Source: U.S. Department of Commerce.

This $1 billion plus adverse oil balance does not include shipping costs paid to foreign tanker owners, or the more than $300 billion spent annually by the Department of Defense for foreign-source oil. With these items included, the trade deficit attributable to oil has been about $1½ billion for each of the past 7 years.

This evidence makes it clear that something must be done about the increasing outflow of dollars due to oil imports, if we are to successfully attack the imbalance-of-payments problem. A meaningful reduction in present excessive levels of oil imports could do much in solving the payments problem. It is imperative, therefore, Mr. Speaker, that we give our attention to this very perplexing and serious problem. At the same time it would strengthen our national security position in oil and also stimulate the domestic economy. The oil-producing industry throughout the United States for the past several years has suffered serious decline in health and vigor. Of course, this is more applicable to the independent oil operator who is disappearing from the economic scene in this country by reason of the position in which he has found himself in the last several years.

We, therefore, have a dual purpose in examining the oil-import situation. A reduction in oil imports is needed to revitalize an essential defense industry and to stimulate the economies of the oil-producing areas. It is also needed to reduce the deficit in our international payments, a very serious problem facing us at this very moment.

Now, Mr. Speaker, may I turn to the subject of military purchases of foreign oil. The Defense Department for the past several years has spent more than $300 million annually for the purchase of oil from foreign sources. This is an excessive amount and should be reduced. The policy to make such large purchases of oil from foreign sources is a major contribution to the imbalance of payments. It could and should be corrected. There is need and justification for the Department of Defense to purchase a portion of its requirements from foreign sources. No one denies this. These supplies are more readily available than domestic oil for some of our foreign military establishments and activities. But the rule of reason should apply. In addition, the Department of Defense should be the first agency of Government to be sensitive to the national security aspects involved. In becoming so heavily dependent upon foreign and uncertain sources for an essential munition, we are running an incalculable risk.

During recent years the Department of Defense has purchased an increasing portion of its requirements from foreign sources. For example, the purchase of light petroleum products, jet fuel, and aviation gasoline, which is readily available in the United States, is shown in the following table which, with your permission, I shall insert but refer to in passing:

U.S. military purchases of foreign petroleum excluding residual (heavy) fuel oil

Fiscal year	Barrels daily	Percent of foreign purchases to total requirements
1954	46,000	13.0
1955	89,000	22.5
1956	109,000	25.2
1957	127,000	25.9
1958	145,000	31.9
1959	169,000	29.9
1960	164,000	30.5
1961	184,000	32.8
1962	203,000	33.4
1963	210,000	34.4
1964	210,000	34.8

Source: Department of Defense.

In fiscal year 1954, foreign purchases of oil amounted to 46,000 barrels. In 1964, this had increased to 210,000 barrels of oil purchased every day. Now, the percent of foreign purchases to the total requirements of the military has increased from 13 percent in 1954, to 34.8 percent in 1964. In other words, Mr. Speaker, in this 10-year period, the military has increased its purchases overseas by this tremendous amount, and this does not include residual fuel oil—only aviation gasoline and other light petroleum products. Now this just simply is not right and it does not make sense. These statistics are from the Department of Defense.

It will be noted that these statistics, not including heavy residual fuel oil used in the bunkering of ships, and not referring to the value, but in all of these transactions, actually it is costing a premium. Now I know that the Department of Defense will contend that the 35,000 barrels of oil which it is itself importing into this country today is purchased at a considerably lower price than if purchased in the United States. On the surface that presents a fair picture, but that is not all the picture, Mr. Speaker. The picture is that no taxes are paid, people are not working to produce this oil in this country, and we have a surplus of it, and it is imposing hardship upon this vital industry, to our national defense and to the general economy of our country.

There just is no justification for the Department of Defense to purchase an increasing portion of its requirements for light petroleum products from foreign sources. On its face it is unreasonable for the Department of Defense to purchase 35 percent of its requirements for these products overseas. In recent years repeated appeals have been made to the Department of Defense by domestic oil producers, particularly the independents, to reduce the quantity of foreign purchases and to divert its purchases to domestic sources. Not only have these pleas been ignored, but rather, Defense Department officials have seen fit to continue to purchase in increasing portions of its requirements from oversea sources.

The present policy of the Department of Defense not only serves to aggravate the imbalance of payments, but in addition, this policy runs directly contrary to the purpose and objectives of the oil import program. That program was designed to maintain a healthy industry in the United States, capable of meeting our defense requirements in any eventuality. It would seem that the Department of Defense would have a primary interest in doing everything possible to implement the oil import program and also to alleviate the imbalance of payments.

The conduct of the Department of Defense suggests that it is callous to the economic plight of the domestic industry, to the Government's objectives in the oil imports program and to the imbalance-of-payments problem.

There is no need for the Department of Defense to purchase an increasing portion of its requirements for jet fuel and aviation gasoline from these foreign sources. These oil products are readily available in the United States. Not only do we have a large shut-in crude oil producing capacity in this country, which is shut in because it has no market, but in addition, our domestic refineries have been operating at only from 80 to 85 percent of capacity for the last several years.

The Defense Department not only purchases more than 200,000 barrels daily of these light products abroad, but in addition, they actually, as I have said, import 35,000 barrels daily into the United States. There is absolutely no need for the military to import oil into the United States. Such practice is in direct conflict with the objectives of the mandatory oil import program and further contributes to the imbalance of payments. This is an abuse that should not be permitted to continue. It cannot be justified.

Mr. Speaker, the administration and also the Congress should give close attention to the policy of the Department of Defense in purchasing oil requirements from sources abroad. It seems to me that it would be in order for the Armed Services Committee and the Appropriations Committee to look into this matter. Since the Department of Defense has not been disposed to take corrective action in this regard, I would like to urge that the Appropriations Committee under the able chairmanship of my close friend and colleague, the gentleman from Texas [Mr. MAHON], give consideration to the inclusion in the Department of Defense Appropriation Act a restriction that would limit the purchase of petroleum light products from foreign sources to a more normal level of about 15 percent of total requirements for these products. It seems to me that the policy that has been followed for several years by the Defense Department requires that Congress take action in order to bring the oil purchasing policy of the Department into a more logical balance. The total foreign purchases today are not essential to efficiency, are not essential to good military operations, nor are they essential to economy. In fact, taking into consideration the losses which are occurring now because of this policy, the taxpayers of this country are paying for something they are not getting. It is not proper, it is not right, it just is not good business. We have a surplus of oil here on the eastern seaboard running out of our ears, and yet we are buying these vast quantities of oil overseas. The taxpayers are out money regardless of what the theory of the Defense Department may be. It just does not make sense, and something should be done about it. We are in the precarious situation on the imbalance of payments. Of course, I repeat that there must be some purchases overseas for efficiency, but, Mr. Speaker, excessive foreign purchase is not essential, nor is it good business, nor is it right.

Mr. Speaker, on January 11 I introduced a bill, H.R. 2177, which would reduce the level of oil imports and also restrict the Defense Department in the amount of purchases of oil it could make from foreign sources. My proposal would, therefore, serve two purposes. First, it would make the present mandatory import oil program more effective in serving its national security objective of a healthy domestic oil industry. Second, it would aid substantially in reducing our deficits in international payments, and that is a serious problem facing us at this very moment.

Under H.R. 2177, oil imports would be reduced by about 375,000 barrels daily from the current excessive level of 2,200,000 every day. This would reduce the outflow of dollars by some $375 million annually.

H.R. 2177 would also limit the Department of Defense in the purchase of light petroleum products from foreign sources to a more reasonable and normal level of 15 percent of total requirements for these products. This would reduce the outflow of dollars by another $125 million annually.

The total effect of H.R. 2177 would, therefore, reduce the deficit in international payments by some $500 million annually. This would be a meaningful and a substantial contribution to the payments problem.

Mr. Speaker, I wish to urge those officials in the administration and also those Members of Congress who will have the responsibility of determining actions that will correct the balance of payments, to give consideration to the proposals I have suggested in H.R. 2177.

Mr. SHRIVER. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I am glad to yield to my friend, the gentleman from Kansas.

Mr. SHRIVER. Mr. Speaker, I want to join in commending my colleague from Texas [Mr. BURLESON], for again bringing to the attention of the House a problem that just will not go away by repeated studies and a failure to act. The time has come for the administration to make meaningful cuts in foreign imports of oil; or the Congress must take legislative action.

President Johnson in his special message to Congress on February 10, 1965, on the balance-of-payments problem expressed a "firm determination to bring an end to our balance-of-payments deficit" and instructed the Secretary of Defense and other officials "immediately to step up their efforts to cut oversea dollar costs to the bone."

The deficit in U.S. petroleum trade is a significant item in our balance-of-payments problem. Oil now is the Nation's No. 1 import, dollarwise.

Last summer I communicated with the Secretary of Defense urging diversion to the United States of at least 100,000 barrels daily of light petroleum products which now are being procured in foreign areas.

The Assistant Secretary of Defense for Supply and Services, Mr. Riley, in a letter to me acknowledged the relationship between offshore procurement and the gold flow problem. He stated in part:

> The recommended diversion to the United States of such offshore procurement has long been and continues to be a matter of careful study in connection with our gold flow problems.

His letter also acknowledged the benefit which would accrue from such action:

> Undoubtedly, any return of petroleum offshore procurement will inure to the benefit

of the domestic industry in both the production and refining areas and at the same time, might in some degree improve our balance of payments.

Mr. Speaker, we are faced with a two-pronged problem. The domestic petroleum industry is a depressed industry and we continue to face a growing balance-of payments deficit. In my State of Kansas, independent oil producers continue to suffer. They constitute a sick industry. We cannot afford to turn our back on this vital industry.

There is a time for study and a time for action. Now is the time for meaningful action. The reduction of oil imports and the diversion of a portion of military purchases from foreign to domestic sources are two practical means of making a substantial contribution toward correcting the balance-of-payments problem. Equally important such actions would serve the interest of national security by restoring the health of the domestic petroleum industry so that adequate availability of oil and gas would be assured.

Mr. BURLESON. Mr. Speaker, I thank the gentleman very much for his contribution. I know that the oil industry represents a vital and important part of the economy of the gentleman's great State of Kansas.

Mr. SHIPLEY. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I am glad to yield to my friend from Illinois.

Mr. SHIPLEY. I should like to associate myself with the remarks of the gentleman from Texas. I wish to add that I am very much interested in the problem which has been discussed here today, for many reasons which the gentleman has stated.

The situation existing in a vital American industry is endangering our national security and welfare.

It has been brought about by the ever-increasing imports of petroleum.

Into a market which is not expanding we are now pouring vast amounts of oil, a product of which there is a worldwide surpluses, into this country. It can be taken from the ground by low-paid labor and be delivered to the United States on vessels owned overseas; using more low-cost labor at prices which undercut production costs of the American oil industry.

Although there is nominal control under the mandatory oil import control program the actual facts of the matter are that those very imports are continually increasing.

The result has been that crude oil prices have declined steadily for 6 or 7 years while at the same time costs in terms of wages and equipment have risen.

The industry has lost much of its market to imports and no longer has the funds—from profits—with which to explore and drill for new sources of oil.

There has been a decline of 34 percent since 1956 in number of wells drilled.

The price squeeze is forcing curtailment in all development activities. Without development of new reserves the future of the industry is bleak. This could become calamitous. A nation in the world today needs an adequate, fundamentally strong, expandable source of energy. This is impossible under present conditions.

Ever increasing reliance is being placed today on foreign sources of oil. Much of it comes from undeveloped countries, with unstable governments. These supplies are subject to the vagaries of local politicos and to international rivalries or conflicts. In the event of an American emergency these sources of supply could be completely closed off.

Dependence then would be thrown upon an American industry which is now being forced by the influx of imported oil to curtail production, to lose forever some production from stripper and marginal wells, unable to explore and drill for new reserves and in a weakening financial condition.

It is vital to the safety of the Nation that this situation be corrected. Control of imports of oil must be tightened so as to enable the domestic industry to regain its former strength and be ready, willing, and able to provide the vast amounts of energy which will be needed if America is to progress in the years to come.

Recently proposals have been made that oil import quotas should be reduced from 12.2 percent to 10 percent of domestic demand into districts I to IV, to require military purchase of petroleum products be made from domestic sources or be included in import quotas, and that use of domestic oil be stimulated in district V, which is a large importer of oil at present. These and a general tightening of the mandatory control program merit the most serious consideration to correct a situation dangerous to the national safety and welfare.

Particularly, I wish to point out what this means to the tristate area of Illinois, Indiana, and Kentucky.

In the tristate area of Illinois, Indiana, and Kentucky, the oil-producing industry has been an economic downhill trend since 1956. Production during this period in this area has declined from 305,000 barrels daily to 274,000 barrels while foreign oil imports have risen by more than 50 percent. The price we have received for the oil sold has eroded from $3.12 per barrel in 1957 to $2.97 per barrel in 1964. This coupled with an increase of 10 percent in the cost of drilling and equipping an oil well together with a labor cost increase over this same period has played havoc with incentives to drill for oil in the tristate area. That is why wells drilled in this area have gone down by more than 40 percent since 1956. That is why rotary rigs active in the area have gone down from 94 to 34 percent, a drop of 64 percent since 1956.

During this period of serious declines in the tristate area, oil production in other parts of the world since 1956 have increased as follows: Canada, up 64 percent; Venezuela, up 40 percent; Middle East, up more than 100 percent.

A total of 2.2 million barrels of that foreign production is coming into the United States each day taking the market away from the domestic oil-producing industry. These excessive imports not only harm the domestic oil industry, but they drain off hundreds of millions of U.S. dollars each year which aggravates this Nation's already serious balance-of-payments deficit. A substantial reduction in oil imports would go a long way toward helping to solve these problems.

I wish to add that the Burleson bill, H.R. 2177, would go a long way toward making a fair reduction, and not only would help to solve the problems involved for the oil industry but also would most certainly stimulate the economy of the Tristate area of Illinois, Indiana, and Kentucky.

I join with the gentleman today, and I offer any assistance I can provide for passage of legislation of this type.

Mr. BURLESON. I appreciate very much the gentleman's able help. In addition to the disappearance of many of those who might be termed the small businessmen of the oil industry—the men the gentleman is talking about—from the economic scene in this country today because of the inability to operate, our domestic refineries are operating at only from 80 to 85 percent of capacity.

Mr. SHIPLEY. This does make it quite difficult in areas such as ours, because we operate a great deal on the so-called stripper wells or marginal wells. We certainly cannot compete, considering the cost of labor, with the cost of imported oil.

There are some 11 counties in my congressional district which have been declared labor surplus areas because we cannot compete with foreign labor in the finding and discovering of oil.

Mr. BURLESON. I appreciate very much what the gentleman has had to say.

Mr. MORRIS. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I am glad to yield to my good friend from New Mexico.

Mr. MORRIS. I wish to commend my distinguished friend from Texas [Mr. BURLESON], for bringing this matter to the attention of the country. I am very proud to join with him in this effort.

I believe the legislation which the gentleman has introduced in this field represents a long step toward a permanent solution of this problem. Pending the passage of the bill, I believe some of the matters which will be brought to the attention of this Nation today could be put into effect and would help alleviate the situation temporarily.

I do believe, however, that the only real solution is the legislation which you have introduced. I am happy to join with you in that effort and happy to have been here with you and to support this measure during this discussion today.

Like most Members of this body, I am acutely aware of our balance-of-payments difficulties. Our President has expressed great concern over the problem. In his gold message he outlined 10 different ways, which if followed, would lessen our outflow of gold, alleviate the deficit and preserve our dollar, not only as the foremost reserve currency of the world, but also prevent further erosion of confidence in it as the currency of international transactions.

We all recognize how important it is for our Nation to be solvent and not diminish its dollar and gold availabilities on which its international financial stability is founded. The simple fact is that we have been operating in the red, in our accounts with other nations, ever since 1958. And the average deficit is over $3.3 billion each year. We have now added over $5 billion to our gold stock to be ready in case more dollars are redeemed for gold. The President has asked for the voluntary cooperation of our bankers and corporate investors in cutting back on bank lending and direct foreign investments. We all sincerely hope that our businessmen will have enough confidence in our own future and comply with his request to stem the balooning outflow of capital funds. If moral suasion will not work, then surely he will be entitled to use the direct controls of credit policy and maybe force the return of capital funds by the threat of heavier taxes.

I am concerned because the best economic brains in this country state that even if all of the President's proposals to stop the drain of gold and to reduce our annual deficit were to be followed, we would still have a very sizable deficit. By initiating plans to reduce the deficit, the President is giving us an example to step forward and not merely acquiesce in his proposals but to propound some of our own. Here are some other ways by which the deficit can be reduced.

I am particularly concerned over our ever-increasing importation of crude oil, distillates, and fuel oils both for domestic and military needs. I am convinced that if we increase our own domestic crude oil production allowable, cut military purchases of oils and lubricants overseas, and substitute coal for residual oil in our larger utilities, we could save possibly around $250 million a year. In 1962 our domestic oil imports alone cost us $1,325 million. This figure increased in both 1963 and 1964. By cutting this outflow of dollars we could substantially reduce our deficit.

NEW MEXICO

In 1956 more than 1,900 wells were drilled for oil or gas in New Mexico. Last year this number had fallen to 1,500 wells. Of these totals, 278 wildcat wells were drilled in 1956, but last year this number had fallen to 249.

The drill bit is still the only way to discover oil. Before you drill a well, considerable effort is put forth by geophysical crews.

In 1960 a total of 319 crew-months were worked in New Mexico. By 1963 this number had fallen to 302.

In New Mexico we had 132 drilling rigs active in 1956; today there are only 79, a drop of 40 percent.

The price received for oil has fallen from an average of $2.99 per barrel in 1957 to $2.88 in 1963. This drop in the amount received for a barrel of crude came about in spite of the fact that the cost of drilling and equipping a well has gone up almost 10 percent during this period. Likewise, the hourly wage paid to the industry's workers has risen 15 percent since 1956. The resulting cost-price squeeze has forced many operators in New Mexico out of business and others to pull in their horns. The result, a sour economic climate in New Mexico for the oil producing industry.

The adverse trends must be stopped. One way to help reverse these trends is a substantial reduction in oil imports. This action would help bolster the domestic oil producing industry and it would also help ease the outflow of dollars which has been causing our balance-of-payments deficit.

Mr. BURLESON. Mr. Speaker, I am most grateful for the gentleman's remarks.

Mr. WALKER of New Mexico. Mr. Speaker will the gentleman yield?

Mr. BURLESON. I will be glad to yield to my other colleague from New Mexico [Mr. WALKER].

Mr. WALKER of New Mexico. Mr. Speaker, I want to commend my good friend and neighbor from the great State of Texas for introducing this important piece of legislation. I feel that this legislation is important to the welfare of our Nation, and with the gentleman's kind permission I would like to associate myself with him in his efforts.

I know from personal experience that the economy of the State of New Mexico and the economy of the schools of New Mexico have suffered greatly from the import situation beginning in the mid-1950's up to the present time.

Because of the import situation, the economy of the oil industry has been seriously affected; but this alone is not my reason for supporting this legislation. There is much more involved than the economy of a single industry. It is the economy of every oil producing State in the Nation that has been adversely affected by the present import situation.

Much has been said about the Great Society and the balance-of-payments problem. It appears to me that this is one of the very places that we will be able to do something positive about the balance of payments. Any time that we are helping the economy of this great Nation, we are helping the Nation toward its goals of the Great Society.

Mr. BURLESON. Mr. Speaker, I am most grateful for the gentleman's contribution. It will certainly be helpful.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I am glad to yield to my good friend from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Speaker, I take this time to interrupt a very fine presentation to associate myself and my views with those of the gentleman from Texas [Mr. BURLESON]. I, too, agree with the gentlemen from New Mexico and with my colleagues from Kansas [Mr. SKUBITZ and Mr. SHRIVER], that the Burleson bill, H.R. 2177, would provide a meaningful reduction in oil imports and would stop some of the abuses in the purchases by the Defense Department.

Mr. BURLESON. Mr. Speaker, I very much appreciate the gentleman's words, contribution, and efforts.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I would be glad to yield to my friend from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman for yielding and also for bringing to the floor of the House a discussion of a problem which has been of increasing concern to those of us in Oklahoma who have oil production in our districts. The plain fact of the matter is that we have been witnessing a steady erosion of the price picture insofar as the domestic oil producer is concerned. Since 1957 crude oil prices have gone down by more than 5 percent. In Oklahoma and in our adjoining State of Kansas, from which the gentleman comes who just preceded me [Mr. DOLE], the average income per well dropped by more than 20 percent since 1957. The incentives that must be there in order to lead to the location of new reserves and the development of those reserves are simply not there. All you have to do is look at the drop in the geophysical crude months and in the active rotary rigs and in the wildcat wells being drilled to see just how serious the picture is.

In 1956, for example, we had 2,618 rotary rigs active. By 1964 that figure had dropped to 1,502. That is a drop of 43 percent.

We had 13,034 wildcat wells drilled in 1956. That figure dropped to 9,258 only 8 years later, in 1964, or a 29-percent drop.

In development wells drilled the figure went to 45,126 in 1956 and dropped to 35,978 in 1964. That is a drop of 20 percent.

Now, everybody has applauded the efforts of the President of the United States to do something about the balance-of-payments situation, to try to improve the picture from the standpoint of this country with its unfavorable balance of payments. However, it is a strange thing to note that in this field of oil and oil products and the use of oil products by the Government itself and by the Department of Defense in particular we have seen no move made in this direction. As a matter of fact, we have seen a strange development in which we are becoming increasingly dependent in our Defense Establishment upon foreign oil and oil products. The U.S. military purchases of light petroleum products, excluding residual or bunker oil, exceeds 200,000 barrels per day. The annual expenditures for these foreign supplies aggregate $250 million. The purchase of light petroleum products from foreign sources has grown from less than 15 percent to 35 percent of the total Department of Defense light product purchases during the last 10 years.

If someone were to come forward and say that it was a good, sound thing for us to let a lot of our troops go home and hire mercenaries from foreign countries, owing their allegiance to foreign flags, to fill the places on our carriers and our atomic submarines and in our aircraft and to man our first line of defense of the U.S. Armed Forces we would regard that as ridiculous. But the Department of Defense has apparently not regarded it as ridiculous to increase steadily its reliance upon foreign oil sources for the oil that is a vital part of the sinews of our military machine and our military preparedness effort.

I say to you that if we could have the Burleson bill, or legislation along that line, we would not only help significantly the domestic oil producers but we would also help significantly our balance-of-payments picture because, if we reduce the outflow of our dollars to these foreign oil producers for these oil products we would improve the balance-of-payments situation automatically. The money would not be flowing into foreign pockets but would be going into the pockets of our own domestic oil producers and petroleum products manufacturers here in the United States.

This, I think, is one of the strongest arguments for the adoption of the Burleson bill, or legislation along that line. I hope that the President in his determination to bring an end to our balance-of-payments deficit will give his personal attention to this situation in which our Department of Defense is investing an increasing amount of its budget for foreign oil and foreign oil products and will not only strike a blow for our domestic oil producers, but also help our balance-of-payments situation by supporting and giving the administration's blessing to legislation along this line.

Mr. Speaker, I thank the gentleman for yielding.

Mr. BURLESON. Mr. Speaker, I thank the gentleman for his very fine contribution. He has been a leader in the Congress in this matter of excessive oil imports for a great many years and has had a great influence in the passage of the mandatory imports law we now have but which is in need of being strengthened.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I yield to my colleague from Wyoming.

Mr. RONCALIO. Mr. Speaker, I thank the very distinguished and able gentleman from Texas [Mr. BURLESON] for the opportunity to join my colleagues in presenting a position that makes it necessary for congressional action, in my humble opinion, rather than for administrative correction of this very serious problem.

Last fall some of us who were concerned about the effect on the economy of these oil importations began a plan, and we went to Washington in the hope of securing administrative correction in the matter of the reduction of import quotas; but instead of that we received an increase in the import quotas. It would be my feeling at this time, Mr. Speaker, that the need now is for congressional activity, and, therefore, I strongly urge the passage of H.R. 2177 and join my colleagues in urging its adoption by the Congress.

Mr. Speaker, I ask unanimous consent to include at this time a communication to the President from Mr. H. A. True, Jr., president of the Independent Petroleum Association of America, which points out how this could bring about the correction of a serious balance-of-payments problem and the improvement of the economy of many, many States of our great Union.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The matter referred to follows:

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Washington, D.C., February 16, 1965.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We have read with interest your special message to the Congress on the balance-of-payments problem, and commend your determination to bring an end to our balance-of-payments deficit. Your instructions to the Secretary of Defense and other officials to immediately step up their efforts to cut oversea dollar costs to the bone are most encouraging.

Reductions in the outflow of funds for the purchase of foreign oil offer a practical and promising means of alleviating the imbalance in our international accounts. Specifically, a meaningful correction could be made by (1) a reduction in the volume of petroleum imports into the United States, and (2) a diversion of U.S. military purchases of petroleum from foreign to domestic sources.

The deficit in U.S. petroleum trade is a very significant item in our balance-of-payments problem. Oil is now the Nation's No. 1 import, dollarwise.

For the last 7 consecutive years the total adverse balance in our international accounts has ranged between $3 and $4 billion. During this same interval, the oil trade deficit has exceeded $1 billion each year and this does not include the tanker transportation costs paid to foreigners, nor does it include U.S. military purchases of oil abroad. If these payments are added, the average annual trade deficit due to oil alone becomes $1.5 billion for the last 7 years or over 40 percent of the Nation's total imbalance.

U.S. military purchases of light petroleum products exceed 200,000 barrels per day and annual expenditures for these foreign supplies aggregate $250 million. These purchases have grown from less than 15 to 35 percent of total Department of Defense light product purchases during the last 10 years. About 35,000 barrels daily of these foreign purchases—mainly jet fuel—are imported into the United States for consumption at airbases within this country despite the fact that such refined products are readily available from domestic refineries which have operated at only 80 to 85 percent of capacity for several years and there is a large shut-in producing capacity of crude oil in the United States.

After repeated urging by this association, the Department of Defense advised us on May 1, 1963, that future oversea petroleum procurement would be limited to the dollars spent for such procurement during the fiscal year 1962. Such action was a freeze at the peak level of such purchases. We sincerely feel that this action is inadequate.

Reduction of oil imports and diversion of a portion of military purchases from foreign to domestic sources are two practical means of making a substantial contribution toward correcting the balance-of-payments problem. Equally important such actions would serve the interest of national security by restoring the health of the domestic petroleum industry so that adequate availability of oil and gas would be assured, in conformance with the objectives of the mandatory oil import program.

We respectfully urge your consideration of these proposals.

Sincerely yours,
H. A. TRUE, Jr.,
President.

Mr. BURLESON. I thank my colleague from Wyoming very much for his very fine contribution and his support in these efforts.

Mr. Speaker, it is rather amazing in connection with what the gentleman from Oklahoma [Mr. EDMONDSON] just reminded us that today we are importing into this country 2.2 million barrels of oil every day.

Now, Mr. Speaker, many Members were kind enough to mention the legislation which I have proposed. This measure at its fullest, including the requirement that the military only purchase up to 15 percent of their total requirements, would bring about a reduction of 375,000 barrels of oil a day. Taken over the period of 12 months, approximately, we would have a $500 million closing in our balance-of-payments deficit gap. That, as we oftentimes say, is not exactly hay. It will go a long way toward meeting this problem head-on.

Mr. Speaker, unless these big things are looked after, the little things are not likely to take care of themselves. This is a serious situation in which we find ourselves, as I mentioned earlier. We have got to do something about it. I believe everybody is trying to do something, but I wonder if it is not like Mark Twain's weather, we all talk about it and do nothing.

Mr. Speaker, here is an opportunity to really get a significant portion of our problem wrapped up.

Mr. WILLIAMS. Mr. Speaker, I wish to fully associate myself with the remarks of the gentleman from Texas. He is discussing a highly important matter and one which deserves the support of all of us. I appreciate very much the efforts of the gentleman in bringing this subject before the House. His statement is most informative and impressive.

So I hope, Mr. Speaker, that attention will be given to this legislation both by the Congress and the administration at the earliest possible date. We have observed that with reference to some of the President's recommendations it would be necessary to have legislation, while other recommendations may be made and carried out through certain administrative moves.

Mr. Speaker, it is going to take both to meet this most pressing problem at this very moment, and it is most important the we kill these two birds with one stone; that we do the right thing in our national defense; that we protect a vital segment of our economy and that we protect our gold reserve by closing as rapidly as possible the deficit in our balance of payments.

Mr. FISHER. Mr. Speaker, we are indebted to our distinguished colleague, the gentleman from Texas [Mr. BURLESON], for the very able discussion he has given today concerning oil imports and the effect of this on our balance of payments.

In an address to the Texas Independent Petroleum and Royalty Owners Association in Houston some 3 years ago, I made this statement:

> Payments deficit could be cut in half by an oil import policy which prevented foreign

oil from engaging in disproportionate share of the U.S. market.

Since that time our balance-of-payments deficit has become so serious that today the attention of the entire Nation is focused upon it.

The seriousness of this problem cannot be overemphasized. It will be recalled that not long ago Maurice Stans, a highly respected economist and former Director of the Budget, was quoted as saying:

> The greatest threat to our Nation today is not Berlin. Nor is it Vietnam, or the Congo or Laos. It is the precarious erosion of world confidence in the dollar.

Mr. Speaker, as I pointed out in the above quotation, excessive oil imports account for a substantial portion of the cause of our present dilemma. Yet, we hear talk of treating this threat with cap pistols and slingshots. The only way to do something that will change the trend and prevent further depletion of our gold supply, is to deal with the major causes. One of those major causes—and the most important one—comes about because of our excessive outlay for the purchase of petroleum and petroleum products which represent a disproportionate share of the U.S. market. The time is long overdue for us to face up to this problem in an effective and meaningful manner.

The recommendations that petroleum imports be substantially reduced should be approved and implemented. The Defense Department, as suggested by the gentleman from Texas [Mr. BURLESON], should take steps to divert a good portion of its petroleum purchases to the United States, particularly the 35,000 barrels per day that the military buy overseas for use in this country.

Adoption of these suggestions would undoubtedly go a long way toward easing our balance-of-payments deficit, and at the same time would help restore some needed strength to our domestic petroleum industries.

Mr. GRAY. Mr. Speaker, I want to congratulate our distinguished friend and colleague, the gentleman from Texas [Mr. BURLESON], for taking this time to call to the attention of the Congress and the country, the serious threat to our domestic economy from foreign oil imports. Mr. Speaker, there is not only a threat to our domestic economy, but I can assure you a real threat exists to our national security. The domestic petroleum industry in general and the independent producer in particular, have been in a depressed and unhealthy condition since the middle 1950's. As a result, exploration and development activities in the United States have declined as follows:

	1956	1964	Percent change
Geophysical crew (months)	7,846	4,174	[1] −47
Rotary rigs, active	2,618	1,502	[1] −43
Wildcat wells drilled	13,034	9,258	[1] −29
Development wells drilled	45,126	35,978	[1] −20

[1] Decline.

Crude oil prices have eroded by more than 5 percent since 1957 in the face of rising costs. In Oklahoma and Kansas, for example, the average income per well has dropped by more than 20 percent. The necessary incentives to find and develop new reserves do not exist.

President Johnson in his message to Congress February 10, 1965, on the balance-of-payments problem expressed a "firm determination to bring an end to our balance-of-payments deficit." He instructed the Secretary of Defense and other officials to immediately step up their efforts to cut oversea dollar costs to the bone. The deficit in U.S. petroleum trade is a significant item in our balance-of-payments problem. Oil is the Nation's No. 1 import dollarwise.

Mr. Speaker, the best way to bring the balance-of-payments problem back to a satisfactory level is to cut down on excessive oil imports brought into this country. Our friend and colleague, the gentleman from Texas [Mr. BURLESON], has introduced H.R. 2177. If this bill is passed the imbalance of payments would be reduced by about $375 million annually. I strongly urge support for this legislation and have introduced a similar bill.

Mr. Speaker, coming from a coal-mining and oil-producing region, I have lived with the problem of displaced American coal miners because of cheaply produced oil from foreign countries taking our coal markets. I have seen our oil explorations dwindle because of the same unfair competition. The time has come to stop—or at least slow down the injuring of American industry because of foreign competition. With the President's strong statements and our balance-of-payments problem, this would appear to be the proper time to act. I urge all of my colleagues to join the gentleman from Texas [Mr. BURLESON] and others in this effort.

Thank you.

Mr. DENT. Mr. Speaker, I am happy to concur in the statements which have been made today to the effect that an end must be put to continued increases in imports of residual fuel oil. Because of these imports, the coal miners of this country, and their families, have suffered. The economy of the vast areas of the Nation which produce coal has been adversely affected and the national security has been weakened.

Imported residual oil—which, as its name implies, is the residue remaining after more valuable products have been removed in refining operations—competes directly with coal in the large and important east coast fuels market. Prior to 1959, imports increased at such a rapid rate that the decision was made at Cabinet level to impose mandatory controls on such imports because they had, by then, reached a point where they threatened to impair national security. Unfortunately, the imposition of mandatory controls, effective April 1, 1959, has not had any seeming effect upon the amount of foreign oil which has been imported. In 1958, the last full year before controls were imposed, imports into the east coast totaled 135 million barrels; in 1964 imports were 226 million barrels, an increase which has averaged 9 percent annually.

This imported foreign waste oil is the equivalent of more than 55 million tons of coal annually. Perhaps it cannot be stated that had imports been eliminated, or if they had been held to the 1959 level, coal would have gotten all of the markets which have been taken over by this foreign fuel, but it goes without saying that had more stringent restrictions been imposed upon this foreign oil there would be more coal miners and railroad men at work today throughout all the Appalachian States which supply all of the coal for the east coast market.

It does not make sense for the Government to plan a vast and expensive program to assist Appalachia when at the same time the Government is permitting more and more imported oil to come into the country and take over markets now supplied by coal, thereby wiping out more jobs and creating even more unemployment in the Appalachian area. Hundreds of thousands of families of Appalachia who depend upon coal for a livelihood have a big stake in curtailment of residual oil imports. What the Government does or does not do will determine, to a great extent, whether the heads of these families will continue to work at good wages in the mines or on the railroads. In the final analysis, it does not make a great deal of difference what the coal industry itself does to lower the delivered cost of coal to retain markets if this competing foreign fuel is allowed to come into the country in increasing amounts and be sold at prices deliberately set to undercut coal.

Approximately 75 million tons of annual coal sales are at stake in the fierce competitive fight for markets on the east coast between imported residual fuel oil and coal during the next several years.

In evaluating the effect of increased residual oil imports upon coal, it is necessary to look at that part of district I—the east coast—where competition between the two fuels actually exists. This is largely in a geographic area consisting of New York, New Jersey, and the New England States. In this competitive area, we find an entirely different picture from that in district I as a whole. For example, in district I, coal consumption increased by 19 million tons in the 1958–63 period. In the smaller area, where the competition is concentrated, coal consumption actually declined by 13 million tons.

In this same competition area, and during the same period, residual fuel oil consumption increased by 20.8 percent, or the equivalent of 8.7 million tons of coal.

Obviously, imported residual fuel oil has made serious inroads into coal markets in this area. There still remains in this competitive area a market for some 39 million tons of coal annually, but should controls be removed, or even if quotas under the present program should be increased in line with the annual increase granted during the past 6 years, this 39-million-ton market would not remain long.

In addition, electric utilities in this competitive area have indicated that their fuel requirements will increase by the equivalent of some 36 million tons of coal annually during the next decade.

If controls are removed, and the price of imported residual oil declines to the extent that oil economists generally agree, the vast bulk, if not all, of this utility growth market can be expected to go to residual oil.

Thus, the coal market which would be affected by removal of import controls, or continued increases in the import quota, is 75 million tons annually. The loss of an annual market of 75 million tons of coal to residual fuel oil would have a disastrous effect upon employment and wages in Appalachia. At the present time, about 400 coal miners are employed for each million tons of coal produced. Thus, the loss of this 75-million-ton market would mean the loss of jobs for 30,000 miners who are earning $171 million annually.

Inasmuch as the railroads transport to market 75 percent of all coal mined, the loss of the 75-million-ton-market would mean a loss of 56,250,000 tons of coal traffic for the railroads. Translated into terms of jobs and wages, this would mean a loss of 11,260 railroad jobs and $72 million in wages.

Mr. Speaker, the production and transportation and consumption of coal is important to the economy of the United States. Some people in Government appear to have written off coal as an essential industry or as a force in the economy. In Appalachia today almost 200,000 men are employed in the production and transportation of coal. It is the coal produced and transported by these American workers which is most seriously threatened by imported residual oil.

It is unthinkable that the Government would act to remove controls on these oil imports. What the Government should do, and what I urge most strongly upon the President and the Secretary of the Interior, is to not only retain controls, but to strengthen them so that they will become effective and meaningful. An annual increase of 9 percent in imports which are displacing domestic coal and destroying the jobs of American workers, is unthinkable. It cannot be defended.

Certain areas of the country are demanding elimination of import controls on residual oil because, it is asserted, import restrictions have forced up the price of oil and the cost of fuel. This is a ridiculous assertion. The record clearly shows that under the mandatory import control program the price of residual oil has decreased consistently because of the abundant supply and today it is at the lowest point in history. The east coast is enjoying the lowest fuel price they have ever known for the generation of electric power, for industrial use and other purposes, and yet they insist that controls be eliminated so that they can get fuel even cheaper. I find it ironic that the same area which is demanding completely free trade in residual oil is, at the same time, demanding restrictions of all kinds on imports of commodities which they produce.

I say, Mr. Speaker, that what is good for New England or any other area of this country, insofar as imports are concerned, is good for the coal producing area of Appalachia.

I strongly urge the President to continue the residual oil import control program in a manner to more firmly check the growth of excessive imports and give domestic industry and domestic workers an opportunity to compete.

Mr. BATTIN. Mr. Speaker, I wish to compliment my colleague from Texas for taking this time for discussion of a problem vital not only to our economic health, but also to our national defense.

The volume of oil imports has assumed serious proportions and rather than any stabilization or reduction, the flood continues to rise. If something is not done, the independent oil operator in this country faces even more serious trouble. And he is in trouble enough now as exploration and development of oil and gas declines.

In my own State of Montana, exploration and drilling is on the decline as imports take over more and more of the markets. As the search for oil goes deeper, costs and risks rise to the point where the thousands of independents are hard pressed to continue the development of the reserves we must have for national security.

With Cuba as a potential Soviet submarine base and a Russian submarine fleet larger than any in the world, our foreign supplies could be cut off in time of war or even a limited war.

And as my colleague has pointed out, what better way do we have to accomplish the program the President has formulated in reducing the deficit in our international balance of payments than through a realistic, but not necessarily drastic, cut in oil imports.

By bringing the oil purchasing policy of the Department of Defense into a logical balance by reducing foreign oil purchases, our deficit in imbalance of payments would be further reduced.

I know that the State of Texas, as the largest oil producing State, has drastically cut back production in recent years to accommodate these imports and new production in other States.

Oil development in Montana, a State now suffering from other imports, principally beef, lamb, mutton, wool, and sugar, would take on new vigor as a result. Many drilling rigs are now stacked in the Rocky Mountain area that should be operating, furnishing employment, and adding to the reserves we most surely would have to depend on in time of crisis. And as our situation in Vietnam and other areas of the world worsens, that crisis may be nearer than we think.

I again commend my colleague for the excellent analysis he has made.

Mr. DOLE. Mr. Speaker, I wish to commend and to thank our colleague, the gentleman from Texas [Mr. BURLESON], for so forcefully bringing this matter into focus for all to see. Representing the heartland of the independent crude oil producers, which is the State of Kansas, I share his great concern that we are ignoring a floodgate through which cheap foreign oil flows to the ever-increasing detriment of our national interest.

The domestic oil producing industry, Mr. Speaker, is the forgotten child whose interest becomes lost and shuttled aside in all phases of our international policy. Where policy matters can be turned to favor the domestic independent producers or the international oil companies, it seems our own domestic industry consistently winds up the loser.

We pay frequent lipservice to the need for a strong domestic petroleum industry. We have an official policy, promulgated by the Congress and imbedded in the mandatory oil import program, that we must have adequate domestic oil supplies and that we must pursue policies that will permit and encourage development of these supplies. We turn to the domestic industry in time of crisis. It supplied 85 percent of the oil used by the Allied Powers in World War II. Even in the peacetime Suez crisis a scant 7 years ago, we relied on our industry to fill the oil gap caused by that incident and supply the requirements of our Allies in Europe.

Our domestic industry measured up to that crisis so well that after official investigations, it was praised and commended by committees of both the House and the Senate.

But between crises, our domestic producers of crude oil revert to stepchild status. It is past time that we devote at least as much care and feeding to our domestic industry, as to the international oil producers, if we are going to continue to have confidence of adequate domestic oil supplies in time of crisis.

While there is no munition of greater importance than adequate petroleum fuels, I am equally concerned over the economic plight of the domestic industry. When oil producers are denied markets, as they have been; when they are victims of a vicious cost-price squeeze, as they have been; when in increasing numbers they are forced to sell their properties or declare bankruptcy, as they have been—then, Mr. Speaker, my State of Kansas is in trouble.

When Kansas' production of crude oil suffers severe price erosion as it has for several years, Kansas is in trouble. When incomes from crude oil because of this price erosion, and loss of markets to foreign oil, declines—this means, Mr. Speaker, that Kansas adds to its unemployment roles. It means that the State of Kansas is denied funds, because of reduced ad valorem and other taxes, and suffers in its programs of essential public services—in its school and highway and other programs.

The independent oil and gas producer has been a mainstay of our Kansas economy since the turn of the century. To borrow one of our Washington cliches, Mr. Speaker, when the independent oil producer catches cold our whole State sneezes. And the independent producer has been out in the cold for 7 years now. He is producing less, and selling his product below cost. He is exploring less, drilling less, and employing fewer and fewer geologists, engineers, drillers, and production men.

Former employees of the domestic oil and gas-producing industry represent a substantial portion, Mr. Speaker, of that big unemployment number that we publish in Washington each month, and over which we express such chagrin. Since 1957, employment nationally in the domestic petroleum-producing industry has declined by 50,000. Unhappily, my State of Kansas has its share of these displaced persons.

How much longer, in the pursuit of loose Federal oil policies that favor international oil, must we turn the other cheek to the plight of our own industry which we say is so vital to our security—and which I know to be so vital to the economy of Kansas and her 30-odd sister oil- and gas-producing States?

I join my colleague, the gentleman from Texas [Mr. BURLESON], in declaring that the time is past due to reduce the flood of imports now exceeding 2,300,000 barrels a day. It is time to curtail to more reasonable levels the purchase of foreign oil supplies by our own Defense Department. And if we are serious about our balance-of-payments problem, there is no quicker, easier, or more logical place to start than with the actions suggested by my colleague.

I wish to speak, just briefly, on the apparently irretractable purchasing policies of the Defense Department. This Department, which should through its experience be primarily concerned with maintaining adequate oil supplies within our own control, now buys more than a third of its aviation gasoline and jet fuel abroad. These purchases total more than 200,000 barrels daily. It actually imports into this country 35,000 barrels a day of these products.

Mr. Speaker, the balance-of-payments problem has been with us for years. It was a problem under Mr. Eisenhower. It was a problem under Mr. Kennedy. It is a problem under Mr. Johnson. All three of these Presidents have, in their time and in their efforts to deal with this problem, directed the Department of Defense to reduce its foreign spending to alleviate our payments deficit and reduce our dollar outflow.

In spite of these pleadings, Mr. Speaker, military purchases of foreign petroleum have increased consistently and to a level beyond all logic. The Department has turned a deaf ear to pleadings by many Members of the Congress, and by the domestic oil industry, to reduce these foreign oil purchases. What is its reasons? For one thing, it says it can obtain the foreign oil a little cheaper.

I must say that serious questions are raised in my mind about our savings on foreign oil products when these purchases add $300 million a year to our overall payments deficit.

There are serious questions in my mind as to these savings when I look at the shrinkage in the domestic industry, the reduced incomes, reduced employment, and reduced tax payments to our local, State, and Federal Governments.

The Department of Defense might theoretically exact a savings, Mr. Speaker, by buying its tanks in Germany, its airplanes in England, its ships in Japan, its beef and wheat in Argentina, its uniforms and other essentials in other far corners of the earth. But I ask, under such a concept of "savings," who is to be left to pay the world's highest wage level, and generate the gross national product, and pay the taxes that support our defense program in this country?

And more important, Mr. Speaker, we surely could become militarily dependent on foreign oil, foreign planes, foreign tanks—it might even be cheaper to build our bomb and munitions plants somewhere in Europe—but how, I ask, does this contribute to the security of the United States of America?

It is time for the Congress and the administration to take a serious look at these conflicting policies. In the pursuit of questionable economies, which always seem to benefit the international oil companies at the expense of our thousands of domestic producers, we are undermining our monetary position, killing off a basic industry in my State of Kansas, and undermining programs designed to assure our security through adequate oil supplies.

This is folly, Mr. Speaker. As a beginning toward its correction, I subscribe to the proposals offered to this body by my colleague, the gentleman from Texas [Mr. BURLESON].

Mr. JARMAN. Mr. Speaker, the gentleman from Texas is making an excellent statement on the need for a substantial reduction in oil imports. Let me refer to that need in my own State.

The production of crude oil in Oklahoma in 1964 was 36,000 barrels daily less than it was 8 years earlier in 1956. During this same period, total imports increased by more than 800,000 barrels daily or 57 percent.

Wildcat wells drilled in 1956 totaled 867 in Oklahoma. Last year, this figure fell to 484, a drop of 44 percent.

Total wells drilled including wildcats, development wells, and so forth, amounted to 8,056 in 1956. Last year, this total dropped to 4,516, a decline of 44 percent.

The number of employees working in the Oklahoma oil-producing industry in 1956 were 48,692. In 1964, this total had dropped to 40,858, a reduction of 16 percent.

The number of rotary drilling rigs operating in Oklahoma in 1956 was 285. Last year active rigs drilling in Oklahoma amounted to 158, a decline of 45 percent.

The average price received for a barrel of Oklahoma crude in 1963 was $2.91. This was a 4-percent decline from the average price received for the same crude back in 1957. Further reductions have taken place in 1964.

Meanwhile, since 1957, the cost of drilling and equipping wells has increased almost 10 percent.

The hourly wages paid by the oil-producing industry in this same period has gone up 15 percent, all of which has brought about a serious cost-price squeeze which accounts in large part for the declining trends in the oil industry in Oklahoma.

While everything is going down in Oklahoma, except the cost of labor and equipment, oil production in the rest of the world shows the following increases since 1956: Canada, oil production up 64 percent; Venezuela, oil production up 40 percent; Middle East, oil production up more than 100 percent.

Something must be done to reverse these adverse trends in the oil producing industry in my State of Oklahoma. A substantial reduction in oil imports would help greatly. A cut in imports would also aid our Nation's balance-of-payments problem.

Mr. SKUBITZ. Mr. Speaker, I wish to compliment my colleague, the gentleman from Texas, for bringing this very serious problem before the House; and I desire to associate myself with his remarks. This matter of payments deficit should be of great concern to the Members of this body.

I hope that steps will be taken promptly to implement the recommendations laid before you today by the able gentleman from Texas [Mr. BURLESON].

What he has pointed out to you concerning the ill effects of excessive military petroleum purchases abroad and of excessive imports of foreign oil in general has taken its toll in my State of Kansas. If you will bear with me for a moment, I wish to paint for you a picture of what is happening to the petroleum in my State of Kansas.

Crude oil production in the State of Kansas has been in a steady downward trend since 1956. Production in 1964 averaged almost 50,000 barrels daily or 14 percent less than in 1956.

While production of Kansas oil has been declining since 1956, oil imports into the United States have risen by more than 800,000 barrels per day or an increase of 57 percent.

The advance work that must be done before exploratory wells are drilled is performed by geophysical crews. In the short period between 1960 and 1963 this important activity was curtailed by more than 50 percent.

The number of these crews working is a good barometer as to just where the industry is going.

This does not bode well for the future of the oil producing industry in Kansas.

Not only are these crews down but total wells drilled are down from 4,941 in 1956 to 4,597 last year. The most serious decline is in exploratory or wildcat wells down from 1,073 in 1956 to 835 in 1964, a drop of 22 percent.

Kansas also has seen a drop of almost 50 percent in the number of rotary rigs active from 169 in 1956 to 87 in 1964. The only way to find oil is by drilling. When rigs are not working, new reserves cannot be found. This hurts the economy of Kansas and deprives our Nation of the needed reserves for the future.

For example, proved reserves of crude oil in Kansas have declined every year since 1956 and at the end of 1963 were down about 15 percent or 150 million barrels since 1956.

Mr. Speaker, in Kansas we have seen a drop in oil producing industry employment from 16,900 in 1956 to 12,700 in 1964, a decline of 4,200 or 25 percent. This drop is felt throughout the economy in Kansas.

The price we receive for our oil has declined from an average of $3.01 per barrel in 1957 to $2.91 in 1963 and there have been further reductions since 1963. These price cuts combined with declining production has meant an annual loss in the value of crude oil produced in Kansas of more than $50 million. The price reduction came while the cost of drilling and equipping oil wells rose almost 10 percent.

Labor costs rose 15 percent during this period. All of these facts add up to a serious economic plight for the oil producer in the State of Kansas.

Remember what I said in the beginning, while this is happening to us, total petroleum imports in the United States continued to climb, up more than 50 percent since 1956.

A substantial cut in petroleum imports would help relieve this situation by restoring to the domestic industry some of the market it has lost to foreign oil. This action would also help keep dollars here at home and thereby help eliminate our serious balance-of-payments deficit.

Mr. Speaker, we must not delay any longer. Action is needed now. There is no excuse for the Military Establishment bringing 35,000 barrels of foreign oil into the United States each day where we have it coming out our ears. There is no reason to permit the domestic industry to be drowned in a sea of foreign oil. Effective action is necessary now lest our remedies for the balance-of-payments deficit and for a strong and healthy petroleum industry become too little too late.

Mr. BECKWORTH. Mr. Speaker, I desire to indicate my interest in the legislation which has been introduced by my colleague, the gentleman from Texas, Representative BURLESON, as well as other legislation which has for its purpose the strengthening of our oil and gas industries and those identified with these industries.

The oil and gas industries are very vital to the district I represent. Many identified with these industries are facing difficulties of considerable magnitude. It is very appropriate that all of this legislation designed to help these industries so vital to defense and so vital to our economy as a whole be given attention at this time.

Mr. WHITE of Texas. Mr. Speaker, I concur that the present quota on oil imports is punitive against our domestic oil industry, and is in dire need of reevaluation. This unrealistic quota also hampers the readiness of our domestic oil industry in the event of some national emergency.

I also wish to point out that the present quota does not take into consideration the volume of fuel oil imported into our country in direct competition with our domestic oil industry.

Mr. PURCELL. Mr. Speaker, I want to join my good friend and colleague, the gentleman from Texas [Mr. BURLESON], in urging prompt House action on his bill, H.R. 2177. For many reasons, some of which I will detail today, and others which I will call to the attention of the House at a later date, this legislation is necessary; in fact, it is vital.

The oil industry is, in every sense of the word, big business—both as a user of American production and of imported oil. In fact, oil is the biggest single commodity, in dollar value, of all the products we import. I believe it is fair to say that oil imports, along with shipping costs paid to foreign tankers and the $300 million spent annually by the Department of Defense for oil from foreign sources, result in an outflow of about $1½ billion per year. This has been true for the past 7 years.

Let me hasten to add, Mr. Speaker, that this figure does not give the complete picture of the total impact of the foreign oil operations on the most important subject of our international balance of payments. I am sure that the oil companies with foreign operations will quickly try to rebut our statements here by quoting the amount of income to the United States resulting from the profits of their oversea operations and the export of equipment, supplies, and services required by their foreign operations. They will attempt to show, I am sure, that the result is a net income to the United States from foreign oil operations.

Well, if we are going to look at the total picture, let us look at it from all angles.

The companies operating overseas would have us believe that any changes in our oil import policy would damage their financial condition, thereby reducing the income to the United States resulting from the profits of their operations. Mr. Speaker, the large share of the production of foreign operation of U.S. companies goes to supply the needs of other foreign markets, notably Western Europe. These markets are growing at a remarkable pace.

A very rough estimate, which I hope to be able to refine at a later date, is that these oversea operations of U.S. companies produce in the neighborhood of 9 million barrels of oil per day. H.R. 2177 would have the effect of reducing imports by about 375,000 barrels per day. This would amount to less than 5 percent of estimated foreign production of U.S. companies. With the rapid growth of other oversea markets for these operations, it is my considered opinion that the adoption of H.R. 2177 would not have any significant detrimental effect on the economic health of American companies operating abroad, or on the important income which the United States received from these oversea operations. Also, I think it should be pointed out that any profit loss accruing to the U.S. companies from a reduction of imports would be largely offset by the fact that the same energy requirements of this Nation would require purchases of a like amount of domestic oil which would come primarily from these same companies.

Mr. Speaker, I want to say emphatically that I am in agreement with the statements made by my colleague, the gentleman from Texas [Mr. BURLESON], concerning the purchasing policies of the Department of Defense relating to petroleum and petroleum products. I believe this matter is of increasing importance, and I plan to deal with it in detail in a statement to the House within a few days. I agree with Mr. BURLESON's statement that the "rule of reason" should apply to Department of Defense policy in this area. I do not believe the present policy is reasonable at all.

Now, Mr. Speaker, let us look at the effects the passage of H.R. 2177 would have on the domestic oil industry, specifically on the independent oil producer, the "forgotten man" of the oil industry.

Mr. Speaker, the Department of the Interior recently released a very comprehensive report on the U.S. petroleum industry entitled, "An Appraisal of the Petroleum Industry of the United States." The report states that the independent oil operator "does most of the wildcatting and, according to industry estimates, finds most of the oil—perhaps 80 to 85 percent."

However, as with most Government studies of the petroleum industry, it gives the problems of the independent operators only a very superficial treatment. The executive vice president of the Independent Petroleum Association of America described the Interior Department study very correctly in an article in the February 1965 issue of Independent Petroleum Monthly. He said the study "contains much that is interesting and informative; but, unfortunately, the report is seriously deficient and in some respects contradictory in its analysis of the domestic oil and gas producing industry in general, and the independent producer in particular."

I believe his statement is descriptive enough of the problems of the independent producer that it should be included in full at this point. The full statement, "Study Fails To Face 'Facts of Life,'" follows:

STUDY FAILS TO FACE FACTS OF LIFE: IPAA EXECUTIVE VICE PRESIDENT CALLS INTERIOR REPORT INTERESTING, INFORMATIVE, YET "SERIOUSLY DEFICIENT AND CONTRADICTORY," PARTICULARLY IN ITS ANALYSIS OF THE INDEPENDENT PRODUCER

The "Appraisal of the Petroleum Industry of the United States" by the Interior Department contains much that is interesting and informative; but, unfortunately, the report is seriously deficient and in some respects contradictory in its analysis of the domestic oil and gas producing industry in general, and the independent producer in particular.

The report recognizes that exploration and drilling in the United States have declined substantially since the mid-1950's. It confirms that the number of producers is shrinking and that the independents are not sharing in the growth in domestic production.

It points to the lack of expenditures of funds that otherwise would be directed back into exploration and development. It cites the fact that the growth of proved reserves of crude oil has been slowed almost to a halt.

It is of highest significance that the study concludes: "what has been done since 1956 to find new supplies of oil, whether through new discoveries or through increasing recovery rates of old deposits, has not been enough to provide a sound basis for future growth." The "major problem area" defined by the report is that of assuring reserves adequate to meet the greatly expanded requirements of future years.

In the face of these unhealthy trends and serious problems, the study concludes that the industry is healthy and vigorous and capable of meeting the requirements that will be placed upon it in the foreseeable future. This conclusion is based on data covering the operations of 32 larger companies, as reported by the Chase Manhattan Bank.

The record for these companies is claimed to be fairly typical of the industry and furnishes an excellent guide as to how well or how poorly the oil business is doing as measured by various yardsticks of performance. It is difficult, to say the least, to understand this claim in the light of contradictory evidence in the report itself showing that independents are in an unfavorable position relative to the larger companies.

The fundamental deficiency of the report is an inadequate analysis of the economics of the business of exploration, development, and production of oil and gas. No attempt is made to deal with the many problems growing out of declining prices, increasing replacement costs, and reduced incentives to reinvest funds in the search for new reserves.

The faulty economic reasoning in this respect would lead to the conclusion that the most "healthy and vigorous" oil company is one that produces its properties, makes no expenditures for exploration and drilling, and thereby shows a large profit by liquidating its business.

As the report points out, there is no assurance that the petroleum reserve position of the Nation will not become critical. It is not enough to say, as the report does, that the petroleum industry has the necessary financial and technological capabilities. It is more important to provide, as the report does not, understanding and guidance as to the policies and conditions under which there will be adequate incentives for the development of U.S. petroleum resources.

The factual evidence presented in the report is useful and comprehensive. Unfortunately, however, the report fails to face up to many of the critical facts of life in the domestic producing industry.

Mr. Speaker, the economic plight of this vital segment of the oil industry would be greatly reduced by a more reasonable and realistic oil imports policy. A more detailed study of these problems will be presented in a subsequent statement to the House.

My purpose today has been to highlight the basic facets I feel should be considered by the House in a study of our oil imports policy. All of these will be expanded in the very near future.

I sincerely urge the passage of H.R. 2177. I would urge my colleagues to become acquainted with the problems involved. When they do, I am convinced they will support this needed legislation.

Thank you, Mr. Speaker.

TEENAGE DRINKING IN NEW YORK

The **SPEAKER** pro tempore (Mr. Ichord). Under previous order of the House the gentlewoman from New Jersey [Mrs. Dwyer] is recognized for 60 minutes.

Mrs. DWYER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

GENERAL LEAVE TO EXTEND

Mrs. DWYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this subject following my remarks today.

The **SPEAKER.** Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. DWYER. Mr. Speaker, I have today introduced a concurrent resolution expressing the sense of the Senate and House of Representatives that the State of New York should raise its minimum legal drinking age from 18 to 21 in conformity with the laws of the five States and Canada which border on New York.

This resolution—which I invite our colleagues, especially those from New Jersey, Pennsylvania, Connecticut, Massachusetts, and Vermont, the States most directly and adversely affected, to cosponsor—recites the principal elements of the case against New York's teenage drinking law. I ask that the text of the concurrent resolution be printed at this point in my remarks.

The text of the resolution is as follows:

Whereas the State of New York is the only one of the 50 States which permits by law the sale of liquor to boys and girls of 18 years of age; and

Whereas the five States which border on New York—New Jersey, Pennsylvania, Connecticut, Massachusetts, and Vermont—together with the Government of Canada all restrict the sale of alcoholic beverages to persons 21 years of age or older; and

Whereas over the years, a thriving trade has developed at many points along the border of New York adjacent to its five neighboring States and Canada in which bars and taverns cater to teenagers from outside New York who are prohibited from purchasing and consuming alcoholic beverages by the laws of their own jurisdictions; and

Whereas many boys and girls as young as 14 and 15 years of age, and therefore manifestly immature, are able to misrepresent their age as 18 and purchase and consume such alcoholic beverages in New York; and

Whereas the unsupervised and unrestricted drinking of alcoholic beverages by teenagers, in public and private, has been demonstrated to result in a variety of harmful, antisocial and immoral activities and behavior including, but not limited to, reckless and drunken driving, assaults upon persons and property, and other forms of delinquency; and

Whereas teenage drinking in New York and the behavior associated with it have directly resulted in a growing number of deaths, injuries and destruction of property in the States adjoining New York; and

Whereas the burdens on law enforcement officials in the jurisdictions adjacent to New York have increased proportionately and have necessitated such extraordinary procedures as the erection of roadblocks to apprehend teenagers returning from drinking in New York; and

Whereas the Governors of the several States, individually and in association with each other through such groups as the New England Governors Conference, together with other State officials outside New York have frequently and formally protested to the Governor and the Legislature of New York that the disparity in minimum legal drinking ages has created serious health and safety problems for their respective States and have petitioned New York to raise its drinking age to 21; and

Whereas despite many official and unofficial studies of the issue and massive evidence of the need to increase the drinking age in New York from 18 to 21, the government of New York has failed to take appropriate action; and

Whereas the issue of teenage drinking in New York has for many years ceased to be an intrastate matter, of interest and concern solely to the people and the government of New York, and has had increasingly critical interstate effects and implications; and

Whereas the failure of New York to take remedial action and its persistence in providing havens wherein young people from outside the State can obtain alcoholic beverages denied them in their own States has caused a severe strain in the official relations between New York and its neighboring States; and

Whereas the only practicable means of resolving the dispute is for the State of New York to raise its legal minimum drinking age to 21; and

Whereas members of the House of Representatives and the Senate of the United States, as elected officials representing the people of their respective States and districts, have an interest in the teenage drinking problem arising from their obligation to protect the health, safety and welfare of the people they represent; and

Whereas serious constitutional questions might be raised with respect to any attempt by the Congress to legislate directly with regard to the transportation and sale of alcoholic beverages within the several States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Senate and House of Representatives of the United States of America hereby express their—

(1) concern at the evidence of the harmful effects on young people, the growing threat to highway safety, and the deteriorating questions between the several States directly resulting from New York State's minimum legal drinking age of 18; and

(2) support of the efforts of responsible officials of the several States adjoining New York to persuade the State of New York to raise its drinking age from 18 to 21.

Sec. 2. It is the sense of the Senate and House of Representatives that the Governor and the Legislature of the State of New York, in the interests of harmony and cooperation between the States, of the promotion of highway safety, and of the health, safety and welfare of the people of the States bordering on New York, should take appropriate action at the earliest practicable time to raise the State's minimum legal drinking age from 18 to 21.

It is a pleasure, Mr. Speaker, to announce that I am joined today in introducing this concurrent resolution by the following distinguished Members of Congress: Mr. Widnall, Mr. Rodino, Mr. Daniels, Mr. Minish, Mr. Krebs, Mr. Vigorito, Mr. Clark, Mr. Rooney of Pennsylvania, Mr. Giaimo, Mr. Howard, Mr. Stafford, and Mr. Cahill. Others have also indicated they will cosponsor the resolution—Mr. Grabowski, Mr. Daddario, and Mr. McGrath.

While the text of the resolution itself sets forth the basis of our opposition to New York's legal drinking age of 18 and justifies requesting the Congress to take a stand on this issue, it is important, also, to state clearly what we are not doing.

This is not in any sense an effort to reinstate prohibition, in whole or in part. We make no judgment about the wisdom or efficacy of drinking alcoholic beverages.

There is nothing in this resolution or in the setting of the legal minimum drinking age at 21 which would in any way interfere with the right of parents to establish rules or customs governing the consumption of alcoholic beverages within their own homes.

We make no claim that States which enforce a minimum drinking age of 21 have solved all the problems attendant upon drinking by teenagers.

Nor do we contend that New York State, by raising its own drinking age from 18 to 21, would thereby eliminate the problem of teenage drinking for itself or for its neighbors.

Our point is simply this: That New York, as the only State in the United States which permits the consumption of all alcoholic beverages by 18-year-olds, has created and maintained an "attractive nuisance" which seriously impairs the law enforcement activities of its neighboring States; that it has directly caused the deaths of dozens of teenage residents of these bordering States as well as injuries to thousands of others; and that it is creating an increasingly serious threat to highway safety and to the health and welfare of young people outside its legal jurisdiction.

This matter, Mr. Speaker, has long since ceased to be one of concern only to the people and the government of New York. It has become an interstate problem of critical significance to the five States and Canada which border on New York and which have an obligation to protect the lives and legitimate interests of their residents. Because New York State has refused to heed the countless entreaties of the governing bodies and public officials of its neighboring jurisdictions or to be persuaded by the compelling evidence of the great harm it is causing, the Congress of the United States, in the interests of harmony and cooperation between the States, has an equal responsibility to place the weight of its influence behind those who seek a change in New York's law.

It is not New Jersey, Mr. Speaker, or Connecticut, Pennsylvania, Massachusetts, Vermont, or Canada, or the Congress of the United States, which is intervening in the internal affairs of New York. It is New York which is subverting the laws and damaging the lives of its neighbors by encouraging young people to do in New York what the laws of their own States prohibit.

I find nothing in the record of this lengthy controversy which suggests that New York is right and its 49 sister States are wrong.

As the distinguished New York newspaper, the New York Times, has expressed it editorially on several occasions:

> There has never been any adequate official explanation of why New York alone is right on its age-18 law, and why everybody else is wrong. We suggest that on this law so gravely affecting New York teenagers and so damaging to good relations with neighbor States, the legislature ought at least to have a chance to vote.

Just how serious is the teenage drinking situation, Mr. Speaker? In New Jersey alone, according to official department of motor vehicle figures, during the 7-year period, 1955 through 1961, there were 27 accidents, 33 fatalities, and 55 injuries resulting directly from the drinking of alcoholic beverages in New York by New Jersey drivers under 21 years of age.

Since then, the rate has nearly doubled. In the 3 years, 1962 through 1964, there were 19 accidents, 24 deaths, and 33 injuries from the same cause.

These figures do not include deaths and injuries to New Jersey residents inside New York or to residents of New York or its other neighboring States in or out of New York. There is every reason to believe the rate is equally high for these States, in which case the total number of deaths and injuries caused by teenagers drinking in New York assumes alarming proportions.

To understand how extensive the problem is, consider these statistics. During March and April of 1962, 36 roadblocks were established in 14 separate communities in 6 New Jersey counties adjoining New York. A total of 3,204 teenagers who were returning from New York in automobiles were questioned. Of these, 1,743—or 54 percent—admitted to having driven across the border into New York to drink alcoholic beverages. And this, of course, was only a small sampling of the total traffic between New York and New Jersey. The evidence also indicates the same pattern of teenage traffic to and from New York for the purpose of drinking exists in the case of the other four States and of the Provinces of Ontario and Quebec in Canada.

Under the sanction of State law, New York tavern owners do their very best to accommodate this lucrative underage traffic. According to a study made by the New York State Council of Churches and issued this past December, the proportion of liquor licenses in New York's border counties generally exceeds the statewide average, and the proportion is even higher in the towns of those counties which border on other States or Provinces.

For example, in Westchester County as a whole, there is one liquor license for every 321 residents. But in each of the six Westchester towns bordering on Connecticut there is a license for every 76 inhabitants.

And it's getting worse. The State of New York recently issued 21 additional liquor licenses in Rockland County alone—a county which is adjacent to Bergen County in New Jersey and which has been a particularly notorious haven for out-of-State teenagers looking for a place to drink.

Recent events in Rockland County, incidentally, throw a revealing light on the whole teenage drinking problem and the attitude of New York liquor dealers toward juvenile drinkers. On January 15 of this year, the Rockland Liquor Dealers Association put into effect a requirement that persons between 18 and 21 obtain an identification card before being allowed to drink—hardly a very onerous requirement. Yet, in the face of widespread complaints from tavernowners catering to the teenage trade that business was falling off, the association all but scrapped this minimum regulation 1 week later.

Let me emphasize, Mr. Speaker, that the ID-card requirement was not instituted to stop 18-year-olds from drinking in New York, but to prevent those even younger from being exposed to the dangers of unsupervised drinking.

This is a major part of our concern. Admittedly, States with a minimum drinking age of 21 frequently have trouble preventing the sale of liquor to young people of 19 and 20 who, one way or another, are sometimes able to hide their true age. But it is much more difficult for a 17- or 18-year-old to convince anyone he or she is 21. In New York on the other hand, children of 15, 16, and 17 are often able to pass themselves off as 18—and thus are given a key, in effect, to privileges and temptations with which they are not equipped, emotionally or physically, to cope without the most careful supervision of experienced and responsible adults.

And I would ask, Mr. Speaker, whether we really believe that such supervision exists for the juvenile who drives across the State line into New York and heads for the nearest tavern or liquor store.

To expect anything but big trouble from teenagers who mix driving and drinking is to fly in the face of overwhelming medical knowledge and practical experience. Drivers in the 18 to 20 group cause twice as many highway deaths and injuries as drivers in any older age group. And drinking accounts for over one-half of all deaths on our highways. What, then, should any reasonable person expect from the combination of young drivers and young drinking?

In 1962, John M. Braisted, Jr., district attorney of Richmond County, which is Staten Island, put the issue bluntly to the joint legislative committee for the study of the alcoholic beverage control law. He testified as follows:

> In 1961, approximately 40 percent of all crimes committed on Staten Island were committed by persons under the age of 21 years. These crimes consisted of felonies. They consisted mainly of grand larceny, the theft of motor vehicles and burglaries. And 80 percent * * * of them were committed by teenagers in the category of 16, 17, and 18. The drinking of alcoholic beverages by these youths played an important part in their criminal activity.
>
> In most cases alcohol was the trigger which started them on their criminal way. And if—again this is a big if—they had no access to it, the chances are that no crime would have been committed. And incidentally, some of these young men are still serving their terms in Elmira Reception Center.

Despite all these compelling facts, Mr. Speaker, New York has refused to act; the State has refused to be a good neighbor. For 10 years, the legislature has been beseiged by the Governors and other public officials of the surrounding States who have presented persuasive cases establishing that New York's teenage drinking law has caused serious harm to their own States. The only result has been a series of perfunctory studies on which the legislature has relied to justify its inaction.

My own involvement in this matter, Mr. Speaker, goes back to 1955 when, as a member of the New Jersey State Assembly, I saw the sharply rising number of traffic accidents in my county which were caused by teenagers who had been drinking in Staten Island. I introduced a resolution in the assembly calling on New York to raise its drinking age to 21. The legislature approved the resolution, and I testified personally in Albany before the appropriate New York legislative committee.

In 1962, here in the Congress, I invited our colleagues from New York and its five neighboring States to consider what we might do to help. This conference agreed on a strong statement of principle which again called on New York to conform its drinking age to that of all the other States. The statement was signed by 26 Senators and Representatives from the six States, and I include the statement and the list of signers at this point in my remarks.

STATEMENT ON TEENAGE DRINKING, 1962

We the undersigned Members of the Senate and the House of Representatives of the United States, share the concern of the people of the States we represent at the continued threat to the safety and welfare of young people posed by the availability to teenagers in New York of alcoholic beverages denied to them by the laws of our own States.

We have been deeply disturbed by the increasing number of fatal and near-fatal traffic accidents, the widespread evidence of moral and psychological harm and juvenile delinquency, and the intolerable burden upon our States' law enforcement agencies which are the direct results of the sale of alcoholic beverages in New York to teenagers from outside the State. The persistence of bars in New York, especially those located strategically along the busy border areas of New York, in selling and serving liquor to boys and girls as young as 15 and 16 has caused a severe strain in the relations between New York and its several neighboring States which we strongly deplore. The fact that these bars operate under the sanction of a New York State law permitting the sale of liquor to 18-year-olds only increases our concern.

We welcome the decision of the New York State Legislature in creating a special committee to study the effects of the State's teenage drinking law. But we urge the Governor and other responsible public officials to assure that the present study will be more than the routine affairs of the past, to consider sympathetically the justified grievances of their neighbor States, and to act expeditiously to resolve the issues involved in the best interests of all concerned. We believe that the problem can only be resolved satisfactorily by raising the minimum drinking age in New York from 18 to 21 in conformity with the laws of all the States bordering on New York.

As Members of Congress, we have no intention of interfering in the exclusively domestic affairs of the State of New York. We believe, however, that the teenage drinking problem has become interstate in character. Our concern, therefore, is motivated solely by a desire to protect the people of our several States and to eliminate a source of friction which has handicapped the full and fruitful functioning of our Federal system and has erected a barrier to cooperation between the States.

We call upon our fellow citizens, both in and out of New York, to join us in petitioning the State of New York to act as quickly and decisively as possible to establish a uniform minimum drinking age and thereby to strengthen the interstate harmony we all desire.

State-by-State the signers of the statement include:

New Jersey: Senator CLIFFORD P. CASE, Republican; Senator HARRISON A. WILLIAMS, JR., Democrat; Representative WILLIAM T. CAHILL, Republican; Representative PETER FRELINGHUYSEN, Republican; Representative FLORENCE P. DWYER, Republican; Representative WILLIAM B. WIDNALL, Republican; Representative CHARLES S. JOELSON, Democrat; Representative Frank C. Osmers, Republican; Representative Hugh J. Addonizio, Democrat; Representative George M. Wallhauser, Republican; Representative DOMINICK V. DANIELS, Democrat.

New York: Representative ABRAHAM J. MULTER, Democrat; Representative Edwin B. Dooley, Republican.

Connecticut: Senator THOMAS J. DODD,[1] Democrat; Representative EMILIO Q. DADDARIO, Democrat; Representative ROBERT N. GIAIMO, Democrat; Representative Abner W. Sibal, Republican; Representative JOHN S. MONAGAN, Democrat.

Vermont: Senator WINSTON L. PROUTY, Republican; Representative ROBERT T. STAFFORD, Republican.

Massachusetts: Representative SILVIO O. CONTE, Republican; Representative Thomas J. Lane, Democrat.

Pennsylvania: Representative George A. Goodling, Republican; Representative JOHN H. DENT, Democrat; Representative WILLIAM S. MOORHEAD, Democrat; Representative ROBERT J. CORBETT, Republican.

Among the Governors, Governor Hughes, of New Jersey, and Governor Dempsey, of Connecticut, have been particularly active in seeking a change in New York's law, but the Governors of all five States and others not so closely involved have expressed their outrage at New York's irresponsibility and urged that State to do the right thing.

Just this week, for instance, Governor Hughes reiterated his appeal to New York expressing the hope that:

> The shocking fact of death and injuries on the highways will awaken the conscience of those who can bring about the New York legislation necessary to prevent such tragedies.

Governor Dempsey wrote me on February 19, reporting that in Connecticut in 1964, 24 of the fatal accidents investigated by the Connecticut State police involved operators under 21 years of age. Eleven of these operators had been drinking, and their accidents left a total of 16 persons dead. At least 4 of the 11 are known definitely to have obtained their liquor in New York. These figures, the Governor wrote, do not include accidents investigated by municipal police.

Governor Dempsey concludes:

> Several reasons could be cited why the State of New York should bring its liquor laws into conformity with the laws of its neighbors, but I refer only to the most compelling of these reasons—dead bodies lying beside a highway.

The six Governors of the six New England States at their meeting in Boston on January 25 of this year unanimously adopted a resolution calling on the New York Legislature to raise the drinking age to 21. Referring to the "serious health and safety problem for New England" which the disparity in drinking ages has created, the resolution stated that:

> Deaths and serious injuries in increasing number have been and are resulting from the operation of motor vehicles on our highways by young persons under the influence of intoxicants consumed in New York, with an ever-widening impact of personal tragedy.

When, Mr. Speaker, will New York respond? When will New York face the truth about the irreparable damage it is causing in the lives of thousands of people and in its relations with sovereign States?

There is evidence, I am glad to report, that the atmosphere in Albany is changing. Political polls indicate that from 55 to 80 percent of New York residents favor the raising of the drinking age to 21. A substantial number of legislators have publicly supported such a step, and the leadership of the two houses have stated that legislation to accomplish this will be brought up for action.

But we have listened to promises before, Mr. Speaker. The purpose of the concurrent resolution we have introduced is to add the moral weight of Congress to the growing demand, inside New York and out, that New York take the necessary action. We must help to bring that hope and that promise to reality.

I have tried to be brief this afternoon, Mr. Speaker. The case against New York's teenage drinking law is simple and straightforward. But the documentation is extensive. Under leave to extend my remarks, I have included several statements and other material which add depth and persuasiveness to my own remarks. I hope our colleagues will take the time to read them. It is difficult not to be convinced.

STATEMENT BY GOV. RICHARD J. HUGHES, CONCERNING THE DISPARITY IN THE NEW YORK DRINKING AGE, FEBRUARY 23, 1965

New Jersey and other States bordering New York have been involved in a continuing effort to persuade the State of New York to conform to national standards by raising its drinking age from 18 to 21. Our sole motivation for this effort has been a deep concern over the tragedy which too often befalls young people who drive across our borders to legally purchase alcoholic beverages in New York and meet injury or death on the return trip. Much to my regret, we have not been successful in our many appeals to our sister State. We persist, however, in the hope that the shocking fact of death and injuries on the highways will awaken the conscience of those who can bring about the New York legislation necessary to prevent such tragedies. The latest survey taken by the State of New Jersey has revealed that this problem is still with us and, indeed, has increased over the past 2 years. It is for this reason that we feel bound in conscience to continue in our effort with regard to the New York drinking law.

Through Mr. Ned J. Parsekian, my special consultant on this teenage drinking question, I have already been in contact with Gov. William W. Scranton, of Pennsylvania, who has directed that a survey be made to determine the effects of the New York law on the young people in his own State. In addition, Mr. Parsekian has met with New York Assembly Speaker Anthony J. Travia to present our case.

The New England Governors' conference, which is also greatly concerned about this problem, recently passed a resolution restating its advocacy of a change in the New York law.

Throughout the years we have heard several arguments, a number of them inspired purely by dollar-and-cents considerations, that there is no causal connection between teenage drinking in New York and teenage death on the highways of its neighboring States. New Jersey rejects these arguments and we submit, in answer, the detailed reports we have compiled concerning those young people whose deaths are directly attributable to the use of alcoholic beverages purchased in New York State under the cloak of New York law.

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[1] Senator DODD submitted a personal letter, instead of a statement, declaring he is "very much in favor of your effort to raise New York's minimum drinking age from 18 to 21."

And so we continue in this effort in the hope that this year we shall succeed and in the knowledge that we cannot and will not abandon our struggle if we are to save these young lives.

I deeply appreciate the support of Congresswoman **FLORENCE P. DWYER** in this campaign for the safety of our citizens, and I am hopeful that her recommendations will be given the fullest support.

STATE OF CONNECTICUT,
Hartford, February 19, 1965.

U.S. Representative FLORENCE P. DWYER,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE DWYER: On May 31 of last year, a Connecticut teenager and a friend were driving home after drinking in the town of Putnam Lake, N.Y.

I have been reviewing a coroner's report of what happened after their car collided with another in the town of New Fairfield, Conn. When the wreckage was cleared, the teenage driver was dead; his friend was seriously hurt; the three occupants of the other car, a father, mother, and daughter, were dead.

The sole cause of the accident, said the Fairfield County coroner, was the teenager's consumption of alcohol in Putnam Lake.

Would this tragedy, and too many others like it in Connecticut, New Jersey, and other States bordering New York, have occurred anyway, even if New York did not have a unique teenage liquor law? No one can say for certain, of course.

But the fact remains that to purchase liquor legally in any State touching New York you must be at least 21 years of age; in New York you need be only 18.

The teenager who killed himself and three others in New Fairfield happened to be 17. When you are 17, it is pretty difficult to convince a bartender that you are 21; but it is comparatively easy to make him think you are 18, and that's all you need to do in New York.

In 1964 in Connecticut, 24 of the fatal accidents investigated by the Connecticut State police involved operators under 21 years of age.

Eleven of these operators had been drinking, and their accidents left a total of 16 persons dead.

Four of the eleven, including the boy cited above, are known definitely to have obtained their liquor in New York. These four were responsible for seven deaths.

I stress that these figures are from accidents investigated by the State police alone. They do not take into account accidents investigated by municipal police, for which information on liquor and its sources is not presently available.

Several reasons could be cited why the State of New York should bring its liquor laws into conformity with the laws of its neighbors, but I refer only to the most compelling of these reasons—dead bodies lying beside a highway.

I hope very much that your memorializing resolution will pass.

Sincerely,

JOHN DEMPSEY,
Governor.

THE NEW ENGLAND GOVERNORS' CONFERENCE,
BOSTON, MASS., JANUARY 25, 1965

RESOLUTION RE NEW YORK STATE LIQUOR LAW

Whereas the laws of the States represented in the New England Governors' Conference are uniform in forbidding the sale of alcoholic liquors to persons under 21 years of age; and

Whereas the laws of the State of New York permit the sale of such liquors to persons 18 years of age and older; and

Whereas this disparity in minimum legal drinking ages has created a serious health and safety problem for New England, and in particular for the States of Connecticut, Massachusetts, and Vermont; and

Whereas deaths and serious injuries in increasing number have been and are resulting from the operation of motor vehicles on our highways by young persons under the influence of intoxicants consumed in New York, with an ever-widening impact of personal tragedy: Now, therefore, be it

Resolved, That the New England Governors' Conference does hereby call upon the legislators of the State of New York to take all appropriate measures to raise the legal minimum drinking age in that State to 21 years; and be it further

Resolved, That the chairman of the New England Governors' Conference is requested to communicate this resolution to the leaders of both Houses of the New York Legislature and send a copy to the Governor of the State of New York.

[From the Bergen (N.J.) Record, Feb. 23, 1965]

LEGISLATURE PLANS DRINK-AGE HEARING: SENATE, ASSEMBLY TO DISCUSS CURBS ON PUBLIC LIQUOR FOR MINORS

(By Donald E. Veraska)

ALBANY.—A bill to raise New York State's legal drinking age from 18 to 21 will be debated and voted upon on the floor of the legislature for the first time this year, Assembly Speaker Anthony J. Travia predicted yesterday.

There will, however, be no further comprehensive study by the legislature on the controversial question, he and Senate Majority Leader Joseph Zaretzki told the Record yesterday.

Both said that previous studies by the Joint Legislative Committee on the Alcoholic Beverage Control Law and other State agencies would form the basis for any action by the senate and assembly excise committees, which will consider the bill.

They said that the excise committees will conduct a joint public hearing on the proposal in Albany, probably early next month.

Travia would not speculate on the outcome of the legislature's action. But he said that he expects both committees to report the bill to their respective houses this year.

Although there has been increasing support in recent years for a 21-year-old drinking age, such a bill has never been reported out of committee. The assembly excise committee last year voted 6 to 5 against sending the measure to the full assembly.

A 21-year-old drinking age in the State was a Democratic platform proposal in 1962, but the issue has been largely a bipartisan one. The bulk of the legislative support for the higher age limit has been from border and up-State counties.

Travia said yesterday that during this week he will ask State Motor Vehicle Commissioner William Hults to prepare a study of the correlation between drinking and driving. This will probably be the only new material presented to the excise committees, he said.

"We've got plenty of good information and statistics on the question already," Travia said. "The committees, however, might want more."

ZARETZKI AMAZED

Zaretzki concurred. "There's no big new study required. Let's see what Governor Hughes (Richard J. of New Jersey) has to say on it at the hearing."

Both Zaretzki and Travia repeated their earlier contention that they have no personal opinion on the drinking issue.

Zaretzki professed amazement at the recent push for a 21-year-old drinking age.

"What's behind all this?" he asked. "I don't know. Is it politics?"

Reminded that Hughes is a Democrat, as is he, Zaretzki replied, "Well, that can be political too."

The senate majority leader noted that in Connecticut, liquor is sold in supermarkets, which he said makes it relatively easy for under-21 drinkers to purchase.

"It's much easier for a kid to get liquor out-of-State than to drink here," Zaretzki said. "I don't think they come to New York for drinking. They come here for companionship."

[From the Bergen (N.J.) Record, Feb. 22, 1965]

TAVERNS EASE ID CARD RULE: DEALERS' ASSOCIATION QUIETLY CHANGES POLICY AFTER TRADE DECLINES

(By Donald E. Veraska)

Faced with a dwindling clientele of teenage tipplers and the resulting grumbling of tavern owners, the Rockland Liquor Dealers' Association has eased the mandatory identification card system it initiated last month.

Under the new policy, only 18 year olds will be required to show the card before drinking at any of the association's 122 member establishments.

Originally, a card was to be required of anyone under 21 drinking in Rockland—whether he lived in the county, Bergen County, N.J., or other neighboring areas.

WIDESPREAD DEFECTION

The ID card system went into effect January 15 and was amended a week later. There was, however, no public announcement of the change.

Since the ID card system went into effect, there had been widespread defections of local and New Jersey teenagers from Rockland bars.

A number of tavern owners who base a large percentage of their business on the teenage trade began to feel the pinch in their pocketbooks, and complained to the liquor dealers association.

"The Jersey kids found it was easier to get served down there than to take the trouble to get a card," a Pearl River bartender told the Record.

"After the first week, we decided the 3-year span was too great," explained Herbert Maviglia, president of the liquor dealer's association. "There was some loss in business."

Letters were sent late last month to association members explaining the change, Maviglia said. "We definitely are not getting rid of the ID system," he said. "We're enforcing it. It's doing a lot of good by cutting out underage drinking."

The new policy for 19-year-olds is apparently working well, Maviglia said. "Presumably they (the affected taverns) have got their business back now. At least we haven't heard any complaints since the change," he said.

Maviglia stressed that he did not believe the change signified the failure of the ID card system.

However, he added, the original ID policy added fuel to the arguments of opponents of New York State's 18-year-old minimum drinking age by making it appear that Rockland tavern owners preferred the 21-year limit of neighboring States.

"We still strongly believe in an 18-year-old minimum age," Maviglia said.

By requiring cards of all drinkers under 19, in another 2 years all persons under 21 who drink in the county should have the cards, he said.

Member establishments had been hurt by the ID card system from the beginning, they told the Record.

Of the 187 Rockland establishments selling liquor by the drink, 122 are members of the Liquor Dealers Association. At least 10 others had adopted the ID card system, the association said.

However, some had enforced the system laxly, and others had allowed several weeks of grace after the January 15 deadline.

A number of bartenders questioned last night said they had not heard of any change in the system, and were continuing to require the cards from under-21 patrons.

Several others said they knew of the change in policy, but liked the old system.

The bartender at one popular Nanuet teenage hangout said no one under 19 is allowed in. Those under 21 are asked to apply for the ID cards, he said.

Are they given a time limit before they will not be allowed to drink?

"No," the barkeep replied. "But one of these days the boss is going to get tough."

[From the New York Times, Feb. 13, 1965]

Teenage Drinking

Foggy thinking is evident in some of the comments published in a Times news story this week on the practicality of raising the legal age for purchase of liquor in New York State from 18 to 21. Governor Rockefeller, for instance, said he had seen no evidence that raising the State's legal age to 21 would solve the problems of teenage drinking although it might "ameliorate" the conflict between New York and neighboring States, all of which have a minimum age of 21.

No law, of course, solves all the problems in the target field. If those who proclaim the futility of raising the legal purchase age to 21 doubt the usefulness of law, should they not logically advocate repeal of the present age-18 limit? Should we not, with equal logic, urge repeal of the driver-licensing that fixes an age at which youngsters may drive an automobile, simply because some drive earlier, with or without parental sanction?

If age 18 can be enforced as the minimum for buying liquor, so can age 21, where the will to enforce exists. Drinking under supervision in the home is one thing; drinking in bars and roadhouses, or buying at will in package stores, is another. There is nothing vague or inconclusive about the relationship between drinking and auto accidents, which is one, but only one, problem in the liquor-age controversy.

In New York City's traffic accidents in 1964, of all victims over 16 years of age who died within 24 hours of accidents, 30 percent of the pedestrians and 51 percent of the drivers were intoxicated at time of death. There is a relationship also between drinking and youthful crime.

Raising the legal age to 21 will not cure all ills. But it will help some. Is that not worth while?

Report of Highway Accidents Resulting From Drinking of Alcoholic Beverages in New York State by New Jersey Drivers Under 21 Years of Age

Years 1962 through 1964

Number of accidents	19
Number of fatalities	24
Number of injuries	33

Attached are detailed case histories.

These statistics show that the rate of death and injury resulting from the drinking of alcoholic beverages in the State of New York by people under 21 years of age has increased since the last report made by New Jersey covering the period:

Years 1955 through 1961

Number of accidents	27
Number of fatalities	33
Number of injuries	55

At the present rate, there would have been 56 fatalities over the period 1955 through 1961.

New Jersey Fatal Traffic Accidents Involving Drivers Under 21 Years Following the Obtaining of Alcoholic Beverages in New York, 1962 Through 1964

Time: 9:30 p.m.

Date: November 13, 1964.

Place: Wantage Township, Sussex County.

Deaths: Two deaths. ——— ———, 49, driver, Unionville, N.Y.; ——— ———, 18, passenger, Branchville, N.J.

Injured: ——— ———, 18, driver, Sussex, N.J.; ——— ———, 18, passenger, Lafayette, N.J.; ——— ———, 17, passenger, Lafayette, N.J.; ——— ———, 15, passenger, Franklin, N.J.

Circumstances: 18-year-old driver crossed over into opposite direction traffic and struck and killed 49-year-old driver of another vehicle in a head-on crash.

Alcohol factor: Investigation revealed the five teenagers had just left a bar and had beer in the vehicle.

Source: Unionville, N.Y.

Time: 8:20 p.m.

Date: November 8, 1964.

Place: Hohokus, Bergen County.

Deaths: One death. ——— ———, 18, driver, New York City, N.Y.

Injured: ——— ———, 17, passenger, New York City, N.Y.; ——— ———, 13, passenger, New York City, N.Y.; ——— ———, 17, passenger, New York City, N.Y.

Circumstances: Single vehicle lost control of vehicle and struck curbing around circle, mounting same, then struck another smaller island.

Alcohol factor: Investigation revealed driver had been drinking since 1 p.m. of the day of the accident.

Source: New York State.

Time: 11 p.m.

Date: October 30, 1964.

Place: Northvale, Bergen County.

Deaths: Two deaths. ——— ———, 18, driver, Bogota, N.J.; ——— ———, 18, passenger, Bogota, N.J.

Injured: None.

Circumstances: Single vehicle being pursued by Orangetown, N.Y., police failed to negotiate a curve, ran off road, and struck a mound of fill dirt. Driver had lights off to avoid arrest. This accident occurred approximately 400 feet south of the New York State line.

Alcohol factor: The driver had a blood alcohol reading of 0.09 percent, while the passenger also had a reading of 0.077 percent.

Source: New York State.

Time: 5:30 p.m.

Date: October 25, 1964.

Place: Jefferson Township, Morris County.

Deaths: One death. ——— ———, 20, passenger, Milton, N.J.

Injured: ——— ———, 19, driver, Lodi, N.J.

Circumstances: Single vehicle failed to negotiate a curve, lost control, and overturned in roadway.

Alcohol factor: Investigation revealed driver had been drinking prior to accident. Driver admitted drinking.

Source: New York State.

Time: 10:50 p.m.

Date: September 14, 1964.

Place: Englewood, Bergen County.

Deaths: One death. ——— ———, 16, passenger, New York City, N.Y.

Injured: ——— ———, 18, driver, New York City, N.Y.

Circumstances: Single vehicle lost control, ran off road, and struck a tree. Victim and driver had walked over the George Washington Bridge and stolen a vehicle.

Alcohol factor: Driver admitted to have been drinking the same amount as his passenger and passenger had a blood alcohol reading of 0.1270 percent.

Source: New York City, N.Y.

Time: 10:05 p.m.

Date: August 2, 1964.

Place: West Milford Township, Passaic County.

Deaths: One death. ——— ———, 17, passenger, West Milford, N.J.

Injured: ——— ———, 17, driver, Brooklyn, N.Y.

Circumstances: Single vehicle lost control on curve, ran off road and struck a cyclone fence and a tree.

Alcohol factor: Driver admitted to having "three beers."

Source: New York State side of Greenwood Lake.

Time: 9:20 p.m.

Date: May 22, 1964.

Place: Bayonne, Hudson County.

Death: One death. ——— ———, 43, driver, Lakewood, N.J.

Injured: ——— ———, 17, driver, Bayonne, N.J., ——— ———, 46, passenger, Staten Island, N.Y.

Circumstances: 17-year-old driver exceeding speed limit struck and killed 43-year-old driver entering roadway from driveway.

Alcohol factor: Investigation revealed 17-year-old driver had been drinking. Purchased beer and vodka prior to accident.

Source: Staten Island, N.Y.

Time: 1:30 a.m.

Date: April 11, 1964.

Place: Rockaway Township, Morris County.

Deaths: One death. ——— ———, 20, driver, Mount Tabor, N.J.

Injured: ——— ———, 17, passenger, Rockaway, N.J.

Circumstances: Single vehicle lost control, ran off road on a curve and struck stone stairway.

Alcohol factor: Deceased driver had blood alcohol reading of 0.07 percent.

Source: New York State.

Time: 1:30 a.m.

Date: December 23, 1963.

Place: Englewood, Bergen County.

Deaths: One driver. ——— ———, 19, passenger, Bergenfield, N.J.

Injured: ——— ———, 19, driver, Bergenfield, N.J.; ——— ———, 20, passenger, Bergenfield, N.J.

Circumstances: Single vehicle traveling at high rate of speed failed to negotiate a curve, ran off road and hit a tree. All occupants thrown from vehicle.

Alcohol factor: Investigation revealed driver and his companions had been drinking prior to the accident.

Source: New York State.

Time: 11:05 p.m.

Date: November 18, 1963.

Place: Ringwood Borough, Passaic County.

Deaths: Two deaths. ——— ———, 19, driver, Midland Park, N.J.; ——— ———, 17, passenger, Wykoff, N.J.

Injured: None.

Circumstances: Motorcycle traveling at high rate of speed failed to negotiate a curve, ran off the road, and struck a cyclone fence and concrete post.

Alcohol factor: Deceased driver had a blood alcohol reading of 0.026 percent and passenger had a blood alcohol reading of 0.031 percent.

Source: Greenwood Lake, N.Y.

Time: 4:08 a.m.

Date: August 9, 1963.

Place: Hoboken, Hudson County.

Deaths: One death. ——— ———, 22, passenger, Rutherford, N.J.

Injured: ——— ———, driver, 19, Rutherford, N.J.

Circumstances: Driver stole vehicle, showing off to a friend, rammed vehicle into cyclone fence.

Alcohol factor: Driver admitted drinking several cans of beer.

Source: New York State.

Time: 1:55 a.m.

Date: June 25, 1963.

Place: Little Ferry, Bergen County.

Deaths: One death. ——— ———, 18, passenger, Little Ferry, N.J.

Injured: ——— ———, 19, driver, Little Ferry, N.J.

Circumstances: Single vehicle being pursued by police, lost control and struck two parked vehicles.

Alcohol factor: Driver admitted to have consumed "two beers."

Source: New York State.

Time: 9:43 p.m.

Date: May 30, 1963.

Place: Wayne Township, Passaic County.

Deaths: One death. ——— ———, 19, passenger, West Orange, N.J.

Injured: ——— ———, 17, driver, Wayne, N.J., ——— ———, 20, passenger, Wayne, N.J. ——— ———, 19, passenger, Essex Fells, N.J.

Circumstances: Single vehicle, driver reached for passenger who had accidentally opened door, lost control, ran off road and hit a pole.

Alcohol factor: Driver admitted to drinking beer. Deceased passenger had a blood alcohol reading of 0.0585 percent.

Source: Greenwood Lake, N.Y.

Time: 1:28 a.m.

Date: August 19, 1962.

Place: Woodcliff Lake, Bergen County.

Deaths: One death. ——— ———, 19, passenger, Washington Township, N.J.

Injured: ——— ———, 20, driver, Washington Township, N.J. ——— ———, 17, passenger, Emerson, N.J. ——— ———, 19, passenger, Washington Township, N.J. ——— ———, 18, passenger, Washington Township, N.J. ——— ———, 18, passenger, Emerson, N.J. ——— ———, 17, passenger, Emerson, N.J.

Circumstances: Single vehicle lost control, overturned and struck a utility pole.

Alcohol factor: Investigation revealed driver and all surviving passengers had been drinking. Deceased passenger had a blood alcohol reading of 0.1233 percent.

Source: Orangeburg, N.Y., and Nanuet, N.Y.

Time: 1:30 a.m.

Date: July 29, 1962.

Place: Wanaque Borough, Passaic County.

Deaths: One death. ——— ———, 19, driver, Passaic, N.J.

Injured: ——— ———, 19, passenger, Passaic, N.J., ——— ———, 19, passenger, Passaic, N.J.

Circumstances: Single vehicle, failed to negotiate a curve, ran off road and struck a utility pole and a rock ledge, then overturned.

Alcohol factor: Deceased driver had a blood alcohol reading of 0.1703 percent.

Source: Sloatsburg, N.Y.

Time: 2:20 a.m.

Date: July 1, 1962.

Place: West Milford, Passaic County.

Deaths: One death. ——— ———, 20, passenger, Butler, N.J.

Injured, ——— ———, 20, driver, Butler, N.J.

Circumstances: Single vehicle failed to negotiate curve, ran off road, returned to roadway and overturned, throwing occupants from vehicle.

Alcohol factor: Driver stated both he and passenger had been drinking at several taverns.

Source: Greenwood Lake, N.Y.

Time: 11 p.m.

Date: March 9, 1962.

Place: West Milford, Passaic County.

Deaths: One death. ——— ———, 19, passenger, Kinnelon, N.J.

Injured: ——— ———, 18, driver, Butler, N.J.

Circumstances: Single vehicle, lost control, ran off the road and struck a utility pole throwing both occupants from vehicle.

Alcohol factor: Driver admitted to drinking several "mixed drinks."

Source: Greenwood Lake, N.Y.

Time: 11:40 p.m.

Date: March 5, 1962.

Place: Elizabeth, Union County.

Deaths: Two deaths, ——— ———, 44, driver, Richmond, N.Y., ——— ———, 24, passenger, Rahway, N.J.

Injured: ——— ———, 19, driver, Rahway, N.J.

Circumstances: 19-year-old driver pulled out to pass and struck and killed 44-year-old driver of other vehicle and his own passenger in a head-on collision.

Alcohol factor: 19-year-old driver admitted drinking "six or seven beers" and "one shot of whisky" prior to accident.

Source: Staten Island, N.Y.

Time: 2:35 a.m.

Date: February 6, 1962.

Place: Jersey City, Hudson County.

Deaths: Two deaths, ——— ———, 19, driver, Jersey City, N.J., ——— ———, 20, passenger, Bayonne, N.J.

Injured: ——— ———, 16, passenger, Bayonne, N.J., ——— ———, 20, passenger, Bayonne, N.J.

Circumstances: Single vehicle traveling at high rate of speed, lost control, ran off road and struck a utility pole.

Alcohol factor: Deceased driver had a blood alcohol reading of 0.1215 percent and deceased passenger had a blood alcohol reading of 0.0985 percent. Other passengers had been drinking.

Source: Staten Island, N.Y.

[From the New York Times, Jan. 5, 1965]

YOUTH LIQUOR CURB GETS MIXED VIEW: MANY ARE SKEPTICAL OF PLAN TO BAR SALES TO MINORS FROM OUT OF THE STATE

A mixed, but predominantly skeptical, reaction came yesterday from New York border communities to a proposal for barring the sale of liquor in New York to out-of-State minors.

Legislation to this effect was filed last week in Albany by State Senator Samuel L. Greenberg, Democrat, of Brooklyn.

His bill would make it illegal for New York bartenders to serve minors who cannot legally drink in their home States. The fact that the minimum drinking age in New York is 18, while in neighboring States it is 21, has led to an invasion of some border communities by out-of-State teenage drinkers.

Edwin G. Michaelian, Westchester County executive, in commenting on the measure, said: "This bill is unrealistic. I favor a 21-year minimum drinking age throughout New York."

In Port Chester, a much favored spot for Connecticut teenage drinkers, Supervisor Anthony J. Posillipo said he thought the Greenberg bill "would be a half-way measure." He also favored a 21-year minimum for New York State or "some permissive legislation that would give Port Chester this option."

VIEW IN NORTH CASTLE

John A. Lombardi, supervisor of North Castle, which embraces Armonk on the Connecticut border, said: "We must, after all, think of the businessman, and I don't feel this is the solution. I would favor strict enforcement of existing laws governing motor vehicle operation and the operation of taverns."

Sheriff Lawrence M. Quinlan of Dutchess County said the Greenberg proposal might "provide a partial solution," but he, too, favored raising the New York age.

One of the few who supported Senator Greenberg's proposal was Morton B. Silberman, Rockland County district attorney. He said he had advocated such legislation 2 years ago when testifying before a State legislative committee looking into the problem.

On the other hand, Joseph Shelley of Spring Valley, who retired January 1 as president of the Rockland County Liquor Dealers Association, said he thought "our present law functions well." He contended that "officials in neighboring States want New York to change a very good law for their benefit."

Along the southern tier of New York, adjacent to Pennsylvania, objection came from Leonard Ferrante, president of the Broome County Hotel and Restaurant Liquor Dealers Association.

A check of liquor dealers in upstate New York communities bordering Vermont and Massachusetts indicated that most felt the Greenberg proposal would help but not solve the problem. The prevailing opinion appeared to be that New York should raise its drinking age to 21.

[From the Elizabeth (N.J.) Journal]

DRINKING ALONG NEW YORK BORDERS

Conscience-stricken New Yorkers reveal a higher than average concentration of bars and liquor stores in the border communities of 17 of its 25 counties which touch New Jersey and other States and Canada. This supports the complaint that New York's 18-year drinking law entices youths from across the borders, where the minimum age consistently is 21 years.

The compilation omits reference to New York City, but the abundance of drinking facilities in any of the five boroughs is evident.

The New York State Council of Churches, which compiled the data and drafted a map, has alined itself in effect with New Jersey and other neighbors which insist Albany should make the law on the minimum age conform to theirs.

In addition to New Jersey the protesting States include Pennsylvania, Connecticut, Massachusetts, and Vermont, as well as the Provinces of Quebec and Ontario north of the border.

The church council found that the average for all New York State is 1 liquor license for every 275 residents. In 17 border counties that ratio varies downward to 1 for 50 in Putnam border towns.

Two of the three counties abutting New Jersey show a marked hospitality, the condition which has provoked wave after wave of protest to the New York Legislature from New Jersey residents.

Sullivan County, a resort area, has a countrywide ratio of 1 license for 123 residents but along the border it is 1 for only 65 residents.

Orange County's general ratio of 1 for 218 falls to 1 for 209 along the New Jersey line.

Rockland County, by contrast, goes from a countywide percentage of 1 license for 338 residents to 1 for 386 for its border towns. This was not explained by the council.

Omission of data on Staten Island, whose bars draw teenagers from Union and Middlesex Counties, is regrettable. It would not, however, have been more encouraging.

The council, component groups, and others intend to renew their protestations in Albany next month. They are looking for support through a Democratic campaign pledge to attempt an upward revision of this controversial law.

New York imposes a blight on the whole Northeast by its continued enticement of youths too young to indulge in alcohol. Some New Yorkers now admit it, which is encouraging.

[From the Ridgewood (N.J.) Herald-News and Sunday News, Nov. 22, 1964, to Dec. 27, 1964]

New York Is Called "Villain" in Teenage Drinking Drama

(First in a series on teenage drinking in the northwest Bergen area)

(By Peg Peterson)

A traffic accident, injuring three girls at the Midland Park-Ridgewood line following a drinking party 10 days ago, shook the area's teenagers.

It shouldn't have.

It should have reminded them how abundantly blessed they have been for a long time—by Providence, by luck, or by the effectiveness of their own practical code. ("We take turns chauffering, and the driver goes light on the booze.")

Because 1 accident in which liquor or beer is involved, or 2 accidents or 10 accidents, does not begin to tell the story of teenage drinking in northwest Bergen County.

It's a story that tumbled from the lips of teenagers of a few area towns—sometimes with swagger, sometimes ruefully, sometimes in understatement—when they were offered a cloak of anonymity:

The story of the Friday night or the Saturday night open house. Of the trips over the New York State line when there is no party, or the party goes dead. Of the ways and means of stocking up beer, and sometimes liquor, for parties. Of disrespect for the law, except when that precious passport to revelry, the driver's license, is seriously threatened.

It's the story that is being written these days by one out of four—or is it one out of three—area public school juniors and seniors, straight A students and those who are flunking, student leaders and student laggers, the witty and beautiful, the dull and the plain.

The estimates of extent of participation are the students' own, and they came from two schools representing four towns. But when, Bergen County law-enforcement officials were confronted with the teenagers' conjectures, they nodded, "Yes, that's about it. Yes, it's a pretty general thing."

There is a corollary, of course, and to lose sight of it in any discussion of teenage drinking is to commit an offense more serious than apathy toward the problem itself:

MAJORITY DO NOT DRINK

Two-thirds or three-fourths of the juniors and seniors do not drink, beyond the occasional winesipping or bottle of beer some of them are permitted with their parents at home. For them, attendance at open houses, or at any party when the host's or hostess' parents are absent, is either taboo, or holds no interest.

The ranks of the nondrinkers, too, include the beauties and the brains and the personality kids, and all the other strata.

The drinking problem is compounded of many things.

WITHIN EASY REACH

The factor that wears the villain's curling black mustache and long black cape most appropriately is proximity to New York State, the State line confrontation of New York's 18-year-old legal drinking age and New Jersey's 21-year minimum age. The forbidden fruit is tantalizingly within reach, and, in fact, isn't even forbidden for those who are 18 if they drink up while they are in New York State, bring no beer or liquor back with them, and drive back in a state of sobriety or are chauffeured.

The fruit becomes illegal when the reverse is true; when under 18-years-olds go to New York State to drink; when under 21-year-olds bring beer or liquor back into New Jersey with them, or when they drive back under the influence of intoxicants. And therein lies the awesome enforcement responsibility the border problem imposes on New Jersey officers.

Most adults who commented on the problem, including a number of legal and enforcement officials, felt that it would shrink considerably if New York State should raise its legal drinking age to 21. County Prosecutor Guy W. Calissi said new discussions in New York State of the possibility currently offer a ray of hope.

Several teenagers, particularly those who drink, said they felt, on the other hand, that the problem would be reduced if New Jersey lowered its legal drinking age to 18. They shrugged off the next logical point, however; even if the age were lowered to 18, most of them still would be illegal drinkers. It's not until the latter half of the school year that even the senior classes have a majority of 18-year-olds.

NATIONAL INCREASE

Overlaying the border situation is the national increase in teenage drinking, seen logically enough as a reflection of the national increase in adult drinking.

The proliferation of the automobile is a key contributor to the general increase in teenage drinking and the over-the-State-line tippling. The auto, the teenager's own or the family car, is a particularly useful tool of the trade in the latter situation.

Cars not only take teenagers to New York State to drink and haul back their liquid party provisions; they also serve as portable bars while the kids are at parties.

DRINK IN CARS

A good deal of the drinking at open houses is done outside, in the cars. That's almost always the case if the host's or hostess' parents are at home. Guests arrive at the party, talk, dance, eat a bit in the house, then disappear to their cars to quaff a can of beer or two. Then it's back to the house again for talking and dancing and eating.

Even with the interruption for socializing, according to two boys familiar with the open house institution, an average boy might consume a six-pack of beer at an average open house. Said one: "I think boys usually figure on a six-pack for themselves, and another two or three cans for their dates."

Inevitably, of course, the shadow of the parent and parental attitudes falls over the entire teenage drinking picture.

And where does the parent fit into the picture of teenagers' drinking in northwest Bergen?

Comments by scores of teenagers and adults point to a general conclusion that parental blame—and few people seriously question that there is parental blame—lies in sins of omisson rather than commission.

More on that, later. For now, here are two quotes, by two teenagers, on two parental attitudes:

"They hate the drinking and they hate the open houses, but they don't know what to do about it."

And, "if I ever went to one of those open houses, I wouldn't be allowed out for the rest of the year."

Our Teenage Lawbreakers

(Second in a series)

(By Peg Peterson)

There is no more dreary, futile pastime than the idle cluck-clucking over the mores of a younger generation. Surely, if there were 1 word, or 1 million sermons, that would convince young people of the personal danger of drinking too much, too soon it would have been said and they would have been preached long ago. Where then, can you turn for an increased measure of control over the tippling teenagers of the area?

The public conscience, the law, appears to be the only tangible answer to what has become a public problem. Turning a deaf ear to the teenagers' insistence that "you can't legislate morals," it becomes necessary to view the teenage drinking problem against the backdrop of existing law and the possible avenues for future legislation.

Existing laws are being broken with a frequency which makes teenage disrespect for the law almost as serious a problem as the drinking itself.

Count the ways: Under 18-year-olds, using false or borrowed credentials, do some of their imbibing in bars in New York State, where the legal drinking age is 18.

Under 21-year-olds buy beer and—less frequently—liquor in New York State (legally if they are over 18) and bring it into New Jersey where it is illegal for anyone under 21 to possess alcoholic beverages.

New Jersey 17-year-olds, licensed to drive anytime in their home State, drive at night in New York State where there is a nighttime curfew on under-18-year-olds.

Inevitably, there are some cases of drunk driving.

And some parents, aware of what is going on, do not stop it.

Bergen County Juvenile and Domestic Relations Court Judge Martin J. Kole believes that New Jersey law provides the tools for foiling much of the illicit activity.

Particularly where the parent is concerned, Judge Kole is unequivocable in his belief that a parent who permits drinking at a teenage party at the parent's home is criminally liable for contributing to the delinquency of a minor. Further, he finds in New Jersey courts a precedent for civil damages against an adult adjudged responsible for drinking by a minor.

Judge Kole and five other legal authorities—County Prosecutor Guy W. Calissi, a local prosecutor, a local magistrate, a borough police chief, and a private-practice attorney—all agreed with the judge who called for the prosecution of adults in Darien, Conn., who served minors. All felt that New Jersey statutes on contributing to the delinquency of a minor were adequate to cope with any similar situation here and none felt that there was a need for invasion of privacy to enforce the law.

They said about the same thing: If an underage boy or girl get into trouble because of drinking, and if the source of his alcohol is traced to an adult's hospitality, then there is a case against that adult. The privacy of the home should not be violated, all agreed, and, in fact, would not be violated by such an approach.

But, judging from comments of teenagers, the parent who serves drinks at a teenage party is a rarity. In the majority of cases, drinks are furnished by the teenagers themselves (often by an 18-year-old who serves as the purchaser in New York State), and are consumed: (a) in the house when the host's parents are out for the evening, or (b) in parked cars when the host's parents are at home.

PARENTS RESPONSIBLE

Judge Kole said he felt the parent who was at home during an open house should be aware of what was going on and was legally vulnerable if he failed to stop it. The other five legal authorities were divided in their opinions on possibilities of prosecuting the absentee or the bystander parent. None of the six could recall any New Jersey case in which a parent was charged for serving alcohol at a teenage party, or for permitting a teenage drinking party in his home.

The extent of drinking in cars outside an open house raises the question of police powers to search vehicles for evidence of possession of alcoholic beverages by minors.

A U.S. Supreme Court ruling applicable to over-18-year-olds, in the case of *Matt* v. *Ohio*, barred search of autos without search warrants. Judge Kole said there has been no comparable ruling covering juveniles, but even assuming they should eventually be covered by the same decree, police still have legal weapons at their disposal to combat the alcoholic open house.

"If police have reason to suspect there is a teenage drinking party, there is no reason why they can't flash a light into the parked cars and look for evidence," the judge said. "Or, they can go to a magistrate and get search warrants. That's a simple process and it doesn't take very long." Looking into a car does not constitute searching it.

In addition, as one officer pointed out, police can always request that a car trunk or glove compartment be opened for inspection.

If area law enforcement officials were given magic wands one of the first things they would do would be to raise New York State's drinking age to 21. Lacking magic powers, the States bordering New York tried persuasion a year or so ago and failed. Recently, however, there have been indications New York State legislators will consider raising the limit.

POLICE PROBLEM

No one believes that conformity of New York with the 21-year age limit would wipe out teenage drinking in northwest Bergen overnight or even over a period of years. Other States, far removed from the alcoholic oasis that New York offers neighboring teenagers, are faced with an increase in teenage drinking.

But law-enforcement officials feel that the cutoff in the major supply line would discourage the casual drinker who just goes along with the crowd. It also would break up a travel pattern which poses a major threat on the highways of New York State and its neighbors.

As it is now, the police problem in New York centers on the under-18-year-old drinker. Their concern appears to be reflected by bartenders anxious to protect themselves against charges of serving juveniles.

Starting January 15 many members of the Rockland County Restaurant & Hotel Liquor Dealers Association will demand display of a national identification document before selling beer or liquor to a person whose age appears to be in doubt.

The document, product of a private business enterprise, is issued to those making notarized application. The identification card includes both the photo and signature of the owner. Persons under 21 can obtain a card if a parent is present at the time of notarization and signs the application.

IDENTIFICATIONS CHECKED

Spokesmen of two bars frequented by Jersey young people—one in Suffern and one in Spring Valley—explained that they now normally require a set of three identifications from boys—draft card, driver's license and social security card—on the theory that the loan of all three simultaneously is hard to come by. Girls, lacking draft cards, sometimes produce birth certificates along with driver's licenses or social security cards. Social security cards do not specify age. They merely help in supporting identity.

For the most part, the two bartenders said, they simply turn away the young person whose credentials they doubt, but it is possible to prosecute the teenager for falsifying his identification.

Spring Valley has an extra weapon against the under-18 drinker: An ordinance establishing a 9:30 p.m. curfew for anyone under 18. There are reports that the curfew is strictly enforced.

Teenage drinkers don't appear to be overly troubled by the threats posed by the law. Their comments will be covered next Sunday.

STUDENTS' VIEWS: "A FEW GET DRUNK"

(Third in a series)

(By Peg Peterson)

"Oh, parents never serve anything alcoholic at a teenage party."

Never?

"No, they never do." And to prove her point that they never do, the pretty blonde upperclassman at Ramsey High School used the sort of consistency teenagers have been noted for since way back when.

"I can think of only two parties when parents served anything, and both times it was beer. And one of the parties was an open house after graduation."

Did anyone get drunk? The girl's blue eyes were reflective for a moment before she answered: "A few."

And did any of the drunks drive home? A longer hesitation, then, "Yes," spoken very softly.

DISCUSSION ON DRINKING

The girl was one of some 15 or 20 representative Ramsey High School juniors and seniors assembled specifically to discuss teenage drinking—anonymously, even to the extent of relating their experiences in the third person if they preferred. Subsequently, two other Ramsey boys, seniors, cooperated by giving a detailed first-person account of the teenage institution known as the open house.

Ramsey High was singled out for the burden of the teenage interviewing simply because of the complete cooperation extended to the Sunday News by Principal John W. Mitchell and other faculty members. Mitchell said he feels very much concerned about the drinking, even though it's largely out of his hands. He is particularly disturbed that parents are either unaware of it or overly tolerant.

There was nothing in the comments from Ramsey or other towns in northwest Bergen to indicate that Ramsey teenagers' drinking was any more extensive than the tippling of teenagers in the rest of the area. On the contrary, there were indications that the Ramsey story might be an understatement of the overall area problem.

The representative junior-senior group was unanimous in its estimate that more than 100 of the school's some 870 students go over the New York State line either to drink in bars or to bring back alcoholic supplies for open houses. Some, those over 18, mostly seniors, would be legal drinkers in New York State, but none would be 21 and old enough to have beer or liquor legally in New Jersey. One student's report that about three-fourths of the Empire State visitors were boys brought a challenge from another: "There are a lot more than 25 girls going up."

BORROWED PROOF

The estimate of "more than 100" crossing the State line coincided with that of Ramsey Police Chief Norman Stegen. The two senior boys, in the separate discussion, said that with the current popularity of the open house not more than 10 couples favored New York bars with their business except for the takeout orders. It would appear, however, in view of the comments of the others, that they erred on the low side. (The estimate of "more than 100" in a general way bears out the calculations of some students that approximately 1 out of 4 juniors and seniors drink. The 100-plus figure would include juniors and seniors almost entirely. The school's enrollment in the two upper classes totals 422.)

How do the under 18-year-olds get away with drinking in New York State bars? The teenages weren't too explicit in providing the answer, but it appeared that borrowed proofs—draft cards and driver's licenses, and the birth certificates used primarily by the girls—were the most common passports. Some attempts at doctoring licenses and at Verifaxing birth certificates also were indicated. Then, too, "Some bars don't check frequently. Particularly the rundown places don't check."

One girl saw little threat to her drinking habits in a new identification plan which the Rockland County (N.Y.) Hotel and Restaurant Liquor Dealers Association has adopted, effective January 15. Most of the members will ask their young customers to show a national identification document.

"It will probably have a picture on the card and a signature (it will). I'll borrow my sister's card," she said. "I look like my sister and I can write like her. And I'll say, just like I do now when I use her proof, 'Here's my proof, and if you don't believe it, you can call my parents.' I know they won't call. How is a bartender going to call up 80 parents?"

Getting beer to take out—from a bar or a supermarket or a delicatessen—presents less of a proof problem. There's usually some obliging 18-year-old available to make the purchase for the juveniles.

AWARE OF DANGER

In all of the interviews, in Ramsey and elsewhere, the teenagers showed awareness of the danger of driving while drinking—even if it were only the danger of losing a driver's license. Several explained that the driving responsibility is rotated, and the driver makes a point of limiting his drinking.

"Most kids have sense enough not to drive after drinking. Most of the drivers are sober when they come back from New York State."

Most, but not all of them?

"Not all of them. The ones who aren't usually use the back roads. There are some drunk (teenaged) drivers on the back roads on Saturday nights."

The discussion group couldn't seem to agree on parental procedures during an open house. One girl said the host's parents were almost always at home, but stayed upstairs. Another insisted, "No, they're out during most of the parties."

Home drinking habits of the teenagers vary widely. One student said—to the affirmative nods of several—that his parents usually offer him wine before dinner on festive occasions, but if there is a teenaged guest, then "neither of us is offered anything to drink." Another said the offer of one drink, wine usually, is extended to a boyfriend or girlfriend who might be having dinner with the family. A boy said he is offered wine whenever his parents are having a before-dinner drink. A girl said "I usually ask for a cocktail" whenever there's an offer of a drink at home.

One boy who had remained silent through that phase of the discussion pointed out that drinking at home with parental approval is not necessarily the overall prevailing pattern.

Several of those who spoke of sipping wine at home were included among those who discussed New York State trips familiarly. But because of the generalities in which the students spoke, any link between the two practices was inconclusive.

Ramsey High has had its legendary drinkers, and one legendary abstainer—at least, he abstained while he was on the job.

There was the freshman who, because of unique control of his throat muscles, could chug-a-lug a can of beer in three seconds, according to legend. Then there was the escapade of the truant who phoned a liquor store, pretending to be his father, ordered some liquor and said his son would pick it up for him. A school attendance officer found the boy and three buddies drinking toasts to their holiday from school.

The abstainer was an enterprising youth who earned as much as $20 a night providing transportation—at a dollar a trip—to New York State for the nondrivers. He never touched a drop while he was operating his taxi service. His mother at first refused to believe her son was involved in the project, but later defended his initiative in earning money for college. Another boy, so the story goes, used his father's Verifax equipment to turn out "proofs" for sale.

But those are the legends. Every school in every era has them. School officials can take them in stride. It's the rank-and-file drinker, and the fact that his number is many, who is the serious problem.

Recipe for Open House: Noise, Music, Alcohol

(Fourth in a series)

(By Peg Peterson)

Noise, music and alcohol—in roughly equal proportions—are the basic ingredients of the successful teenage open house. Some members of the open house crowd feel the third item could be left out and never missed at all, providing the music was loud enough and the noise raucous enough. But others say that tampering with the recipe would spoil the product and the party would go dead.

The successful open house, as far as the average host or guest is concerned, is one that runs its course until about midnight, with no premature breakups caused by (a) the departure of bored guests, or (b) the arrival of police. The raided party is successful only in restrospect Monday morning, as a conversation piece among tipplers and abstainers alike. The earlier the party attracted police, the more awe in the tones used to discuss it.

"Open house" and "drinking party" are synonomous terms. Oh, sure, there are many nonalcoholic parties among teenagers, but they are not open houses. They are parties to which specific guests are invited.

The dimensions of the open house are impressive.

In Ramsey, for instance, more students are active participants in the open house than in any single extracurricular program. Two boys who freely admit they would find a nonalcholic party a bit on the boring side estimate that 150 teenagere are open to invitations to drinking parties. "That doesn't mean all 150 show up every time there's an open house—just that that many overall go to such parties."

In Ridgewood, a girl estimated that the various open house crowds include about one out of four juniors and seniors.

Ramsey High's enrollment also includes students from Saddle River; Ridgewood's includes Hohokus.

There apparently is a great deal of intertown socializing. A Ramsey mother said the open house followers will go all the way to Oakland to find a party. Ramsey teenagers referred familiarly to parties in Mahwah, and to visitors from Mahwah, Glen Rock, and other towns. Said the two Ramsey boys: "On a Friday or Saturday when there is no party in Ramsey, then we may go to one in another town. It's not really crashing the party, because it's an open house to start with."

The Ridgewood girl disputed the interschool relationships, at least as far as her school was concerned. "Our parties are strictly for our own kids."

TYPICAL OPEN HOUSE

Her description of the open house coincided for the most part with reports from other areas:

"The guests start arriving between 8 and 8:30. They come in groups, not usually with dates. The parents, if they are home, meet the kids and then we go to the living room or the recreation room and we dance and talk and eat.

"After a little while, the parents disappear, except to look in on us once in a while and see if we need more food.

"Then the drinking starts—outside. Parents don't allow it inside. Kids have drinks outside or in their cars and then come back in to eat and dance some more. A lot of the girls don't drink if the parents stay at home.

"When the parents aren't home, then most of the kids drink freely in the house. They bring their supplies in with them. No, it's not just beer. Beer and liquor both, often."

(The Ramsey report was different on that score. The two Ramsey boys said open house drinking was "almost always" limited to beer.)

The Ridgewood girl continued: "Sometimes boys get into fights, glasses get broken, beer is spilled on the rugs. Sometimes there will be a group off in the corner talking, watching television, not drinking at all."

SOMETIMES POLICE ARRIVE

When the party gets loud enough, particularly the outdoor festivities, police are called, generally by neighbors. "The police come and we all get lost." She said the "really wild" parties, with brawls and damages to the home, occur at the rate of "one every 3 months or so." She cited the ill-fated pajama party of a month ago—crashed by mobs of boys and climaxed by a one-car accident in which three girls were injured—as an unusual situation. The open house is far more common.

When there is no open house, and occasionally as an interlude during an open house, there are trips "upstate."

"I know boys who go upstate (over the New York State line) every Friday and Saturday night." A hand-me-down expired driver's license lends itself to alterations nicely, and is handy as a "proof," she said. She indicated, without being too specific, that there are some New Jersey spots where teenagers can buy beer and liquor with little difficulty.

Does necking, or whatever it's called today, enter into the open house picture? The girl was definite: "No, not at all—that's for drive-in movies."

Is there drinking at drive-in movies? "There is if the girl doesn't object. Mostly the girl can set her rules about drinking at a drive-in."

PARENTS HATE DRINKING

The girl, who included herself among the nondrinkers of her drinking crowd, said parents hate the drinking, and she seemed to share their sentiments.

"Three-fourths of the kids in our crowd don't even care about drinking. They do it just because it seems to be the thing to do. The parties give us a chance to get together, turn the music up loud, dance and let off steam. That's the part we like about them."

She feels that a teenage night club, importing good bands and setting no limit on noise, "would be the greatest." But, she added, it should be limited to 16 to 20 year olds: "Keep the little kids out—they ruin it. That's what has happened to the parties at the Y; the little kids are there."

The two Ramsey boys gave a generally similar picture of the open house. But they didn't share the Ridgewood girl's qualms. They took the position that, as seniors, they should be considered old enough to drink. They considered it unlikely that there would be any more intemperance later on among those starting to drink at, say, 17 than among those whose introduction to alcohol comes at the New Jersey drinking age, 21.

"Look at the kids in Europe—they have wine with their meals from the time they are children," boys said. The phrase, "look at the kids in Europe," became a familiar refrain during the round of teenage interviews of drinking. It sounded convincing—until, a few weeks ago, newspapers came out with a story that France has the highest percentage of alcoholics of any nation.

DANCING AND NOISE

The Ramsey boys agreed with the Ridgewood girl that dancing and noise are the big attractions at the open houses, but they didn't agree with her that the alcohol could be omitted without subduing the fun. They said the average boy usually provides a six-pack of beer for himself, and a couple of cans for his date.

The boys indicated one reason much of the drinking takes place outdoors or in cars is out of consideration for the host's parents—to relieve the parents of responsibility for it. "It sounds bad, when you hear the police are called. But that is often just because of all the noise outdoors."

Among teenagers, Mahwah seems to have an areawide reputation for free-flowing open houses in connection with high school student government election campaigns in the spring. Dr. Kenneth P. Bishop, Mahwah principal, believes there was more fiction than fact in a lot of the reports on the campaign parties. Nevertheless, the school—which previously had no rules either permitting or banning off-school campaigning—now has ruled specifically that all campaigning must be carried on on the campus, and that there can be no open house politicking.

For that matter, Dr. Bishop believes, the open house is a vanishing institution in Mahwah. "Four or five years ago, there were many more open houses, but the students, by their behavior, ruined all that. Now I don't think there is a parent in Mahwah or Upper Saddle River who will permit an open house. The only times the parties are held now are when the parents aren't home."

In that vein, Mahwah Police Capt. Edmund C. Wickham gave a terse report in which he said a number of unsupervised open houses have been held by children of teachers. Captain Wickham, who said the problem of parties comes up periodically, placed the blame on parents for parties held without adult supervision.

LIQUOR CLOSETS RAIDED

Absence of parents—particularly when they are out of town on trips—sometimes simplifies the problem of supply for the teenager. In Ridgewood, Police Chief John Orr readily recalls two serious incidents resulting on a raid of the absentee parents' liquor closets.

In one case, a teenaged boy left alone by his parents a few days, drank himself into a stupor. He retired for the night with a burning cigarette in his hand. He awoke when the mattress caught fire, went through the motions of putting out the blaze and then resumed his sleep in another bedroom. The fire blazed up again, but luck and the quick arrival of firemen saved the boy and the house.

Another youth, 18, recently was found lying unconscious in a field near the New Jersey Motor Vehicle Inspection Station on Chestnut Street one morning. Police, who thought at first he was ill but soon changed their minds, learned that the boy and some friends had used the boy's parents' liquor while they were away on a weekend trip. The youth had wandered out of the house and collapsed in the field.

For the most part, however, Ridgewood teenagers get their supplies from New York State, according to Chief Orr.

Two Parental Views of Teenage Drinking

(Fifth in a series)

(By Peg Peterson)

Raising a child is a very personal, private business.

Aside from the flagrant child-neglect or child-abuse cases, there are only two legitimate excuses the general public can have for sticking its nose in. One is when the child's conduct poses a public threat. The other is when one parent's childraising procedures spill over to affect other children.

Both exceptions cover phases of the teenage drinking problem, and seemed to provide a license for asking several parents how they handle the question of drinking in their homes.

Two patterns emerged from their answers.

Some say: Strip alcohol of its aura of forbidden fruit. Allow the kids to have moderate amounts at home. Warn them of its dangers. Set an example of temperance.

Others say: Keep alcohol out of young people's reach until they are mature enough to realize fully its dangers—in the same way matches are kept out of the grasp of toddlers.

Most of the parents questioned felt their children steered clear of the teenage drinking parties. How did they know? By the conduct of the guests when their own children had parties.

One woman, however, said her son does attend open houses. "He comes home and says he has been at an open house. He doesn't venture a report on whether alcohol has been served. If I asked outright, I am sure he would tell me. But in his case, I feel that we have more to gain by trusting his judgment than by probing. No—I'm not suggesting that as a rule for dealing with all teenagers. Every one is different; each must be dealt with as an individual."

The woman said there is a definite understanding with the boy that there will be no drinking while driving, and she felt certain that rule is being followed. Asked if her son had ever had an open house at his home, she answered: "Oh, no, never. But they do have them, I know—and the kids will go all the way to Oakland to attend one." She said she felt that most of the time, parents were away during an open house. There are "dry" parties, she said, but "apparently too few of them to keep the kids occupied."

A father of two teenagers, on the other hand, felt that his children get plenty of socializing attending and holding invitational parties at which no alcoholic beverages are served or furnished by guests.

NO FOOLING AROUND

"On the subject of these open houses, we'll have no fooling around, and our kids know that. For the most part, they know in advance what kind of a party is being held and they simply may not plan to attend. However, if they arrive at a party and find there is no adult chaperone present or that there is drinking, they are to leave immediately and come home."

The Ramsey man said his son has appeared home from parties very early on a few occasions. "We don't want to put him in the role of a stool pigeon, so we don't press the questioning. We assume he has left because of drinking."

He added: "The kids seem to have a good time at our house when our children invite in 8 or 12 or 16 of them for dancing and soft drinks and food. They don't seem to feel underprivileged." There has been no trouble from party crashers, and, the man said, he and his wife let it be known that "we are blindly intolerant of party crashing."

"We make no bones about it. We run a benevolent dictatorship in our house. No pretense at democracy. And so far, we've been very lucky. Our kids will argue about a lot of things, but they've never made any protest about our rule on attending drinking parties."

On the question of serving drinks to his own children at home, he said: "In our house, we operate like our parents did—we have wine on the table at dinner, and the children are always allowed a drink of wine with their meals. In addition, we've allowed our children to have a little beer or to taste our cocktails. It seems to satisfy their curiosity. We feel it prevents any big buildup in interest and anticipation to handle it this way."

But, said the self-styled benevolent dictator, the procedure changes when there are teenage dinner guests. Nothing but the dinner wine is available to host or guest teenagers, and then only when the guest says he is permitted to have it at home.

"And they're pretty good about telling us. We've had kids say they do not have wine at home, and then that's the end of the subject."

PARENTAL ATTITUDES

For many parents, it appears, the policy on whether to serve or not to serve drinks to their own teenagers in their own homes stems from parental attitudes when they were children.

One woman commented: "When I was growing up, it was always there, at home, available if we wanted a drink, and there was no special issue made about it one way or another. I was never specifically interested, and I'm still not much of a drinker." She observed that, when she got to college, "it seemed that the kids who hadn't had it at home were the ones who really went wild with their new freedom."

Similarly, some of the adults who grew up with the 18-year-old legal drinking age in New York State believe that New York's limit is more realistic than New Jersey's, although they agree that the borderline problem is deplorable. It appeared, however, that a majority felt 21 was young enough to start drinking outside the home.

There were a number of spokesmen for parents who don't serve their teenagers.

In some cases, the omission seemed quite casual. Said one mother: "We drink occasionally at parties, but seldom at home. The question of serving our teenagers is something that just never came up." She said a son, who was graduated from high school last year, "went to lots of parties, and I never heard of any drinking going on. When his parties were at our house, we were there. There definitely was no drinking, and very few in his crowd smoked." Maybe, she suggested, the fact that her son's girl didn't approve of drinking had something to do with his attitude.

ONLY FOR ADULTS

In other cases the omission was determined. "We make it clear," said a mother of three, "that the only place for drinking is in the adult world. I don't ask my daughter to get down on her knees and scrub the floors, or to clean out the toilet. Those things are part of the adult world. They're my job. Their time will come."

Apparently the lesson took, as far as her daughter, now a freshman in an out-of-State college is concerned. The girl wrote home in a worried tone about a coming party at which alcohol was to be served, certain that she would attract attention by her refusal to drink. The mother dashed off a letter, saying, in effect: Baloney. This is as good a time as any to show you have the character to say no, to go against the crowd.

Subsequently, in a report on the party, the girl said there were enough other abstainers that she didn't feel out of place at all.

Parents' reports seemed to indicate that an all-absorbing interest in some extracurricular program—particularly the music department—built up a certain immunity against drinking. More than one mother said she felt fortunate that her child was so wrapped up in music and all the various musical organizations in and out of school that he didn't have interest in, or time for, the open houses.

RIGHT RELATIONSHIP

Perhaps the comment of a Ramsey High senior boy is more pertinent to the question of parental attitudes on teenage drinking than any of the replies by parents.

"It isn't the exact policies the parents set that matter so much as the parent's attitude," he said. "If a parent has the right relationship with his child, then he doesn't need to worry."

Except, perhaps, about the highway hazards posed by the kids whose parents don't have the right relationship? "Yeah."

BLAME FOR TEEN DRINKING: PARENT ATTITUDE, NEW YORK LAW

(By Peg Peterson)

(Last in a series)

There's no doubt about it. Blame for the teenage drinking problem in northwest Bergen County, like the blame for just about every other manmade problem since Cain and Abel, rests with parents.

Practically all adults questioned on teenage tippling—the big share of them parents—were quick to point the finger at their own generation, and to observe that teen habits reflect parent habits. Sometimes the reflection is an enlargement; sometimes it's in miniature.

County Prosecutor Guy W. Calissi said the boy of 14, 15, or 16 "sees his father down a couple of martinis before dinner every night and this becomes a symbol of adulthood and masculinity for him."

County Juvenile and Domestic Relations Court Judge Martin J. Kole said "our attitude toward alcohol has become one of entirely too much tolerance. We say young people are going to drink eventually—why not now, so we start them off on this habit-forming thing at 16 or 17."

A Midland Park clergyman, the Reverend Jacob Hasper, said respect for parents, a dominant attitude in European countries, has been lost here because parents are failing to exercise their responsibilities.

Two key words cropped up repeatedly as adults discussed parent-youth relationships: concern and control. A parent who is genuinely concerned over the welfare of his children, and who has the wisdom and stamina to exercise the right degree of control, can write teenage drinking off his worry list.

It sounds simple enough, and very probably it's the formula that governs the upbringing of the three out of four, or, according to some estimates, two out of three, area high school juniors and seniors who don't frequent New York State bars and who don't turn out for the open houses, otherwise known as teenage drinking parties.

But it's really a big order. The boundaries between concern and the distrust that breeds hostility, between control and oppression, often present a slim tightrope for the parent to walk. And the parent, buffeted by frequently conflicting advice every time he opens his eyes or his ears to the words of a child-raising expert, needs all the constructive, concrete help he can get.

Which leads right back to the disparity between New York State's 18-year-old legal drinking age and the 21-year limit of all its neighbors. Most adults questioned felt—regardless of their attitudes on whether or not teenagers should be permitted to drink in their own homes—that 21 was young enough for drinking in bars. Some pointed out that the 18-year limit encourages the under-18-year-olds to try to pass as legal drinkers. Teenagers themselves testify to the success of the efforts. Said one girl: "I don't know anyone in our crowd who is 18, and yet I know a lot of boys who go upstate every Friday and Saturday night."

BARTENDER AGREES

A bartender in Suffern said he had come to agree that New York's legal drinking age should be raised. "I came from a State where the minimum was 21, and I thought then it should be lowered. But now that I'm here, I've changed my mind. I think it would be better if the limit was 21." He pointed out that many New York State bars, wanting to eliminate the legal risk of serving an underage drinker or simply preferring to cater to an older crowd, have adopted house rules setting their minimums at anywhere from 19 to 25.

There have been reports that the New York Legislature may consider a change in the drinking age, and Prosecutor Calissi sees "a ray of hope" that this time the consideration might lead further than such discussions in the past.

Increasing emphasis by law enforcement officials on prosecution of adults for contributing to the delinquency of a minor might be another assist to parents in exercising control. That, apparently, is a possible course, if the drinking teenager gets into an accident or other trouble, and the source of his alcohol is traced back to a home party. Some law enforcement officials felt the parent—present or absent—could be held responsible.

TEEN CLUBS ADVOCATED

Teenagers themselves suggest that, to them, the most attractive remedy would be establishment of teenage nightclubs. They wouldn't be a cure-all; there still would be some drinking. But such nonalcoholic hangouts would give the average teenager something to do besides go along with the drinking crowd, one girl suggested.

"We don't want a youth center, organized and hovered over by adults. We want a place where we can go and make a lot of noise and dance, and, above all hear good bands," she said. She believes such under-21 clubs could be operated very successfully on a commercial basis.

Several teenagers and parents made another suggestion in the what's-there-to-do department: Couldn't movie theater management vary the offerings more from theater to theater? They pointed out that theaters for miles around almost invariably are showing the same feature at the same time, and the movie fan is out of luck if that one attraction doesn't attract him.

With those possible remedial measures, ranging from the monumental down to the minor, the Sunday News is concluding its series on teenage drinking. It's just coincidence that the sixth and last installment comes while teenagers are planning their New Year's Eve celebrations. And while the nagging question almost asks itself.

Will there be a tragic seventh chapter next Sunday?

SOMETHING MUST BE DONE

It has taken a long time but at last there are faint indications that the New York Legislature is beginning to realize that the New Jersey Legislature is talking sense when it asks that the New York "drinking age" be raised from 18 to 21.

Here in northwest Bergen we are so close to the New York line that 18-year-olds who can't buy liquor at home can all too easily cross over, drink in bars in our neighbor State or buy beer or liquor and bring it home. They not only can but they do, a fact that has been very evident in recent weeks.

A couple of weeks ago a New York boy who had been drinking over the line was killed at the Ho-Ho-Kus circle on Route 17. Last week boys well provisioned with liquor and beer crashed a teenage party in Midland Park. Result, three girls injured, two of them seriously, in an auto accident a short while later. Similar incidents have occurred over the years with relentless frequency. And they'll keep on occurring as long as young people who apparently haven't the sense to know better can buy alcohol by driving just a few miles. There, ready made, you have that deadly brew, gasoline and alcohol.

Few people who have anything to do with youth would dispute the contention that 18 is too young to turn someone loose in a bar. To raise the New York drinking age to 21 may not be the full answer to the teenage drinking problem. Parents have a responsibility too, as witness the "Darien incident." But raising of the age would certainly help and it becomes increasingly evident that something simply must be done.

The statistics grow more shocking each day. Until New York stops meekly kowtowing to the self-seeking of the "liquor interests" and shoulders its responsibilities as New Jersey has done, the slaughter will continue, the ugly headlines will be repeated, and more and more foolish, misguided youngsters will land in hospitals or the morgue.

NEW YORK IS THE VILLAIN

There have been recently, we are told, indications that New York may abolish its teenage alcoholic oasis and decide to go along with every other State on its border by raising its drinking age to 21. But the word "may" is not good enough. For one thing it is too vague. For another, it suggests action well in the future and what is needed is action now.

Connecticut officials have called for an immediate conference with their counterparts from New York to tackle the problem. Pennsylvania officials are taking similar steps. We suggest that it is high time New Jersey called for prompt conferences.

If all the States which border New York, and they all have the 21-year-old drinking law, got together the pressure of public opinion might well force New York to change its law and conform to the majority.

No man is an island, we are told. By the same token, no State is an island. State boundaries are purely arbitrary lines. It is far too easy to cross them.

It seems incredible that when every State in the area has agreed that 18 years old is too young to permit drinking, New York should persist in its everybody's-out-of-step-but-Johnny policy.

No one, of course, is naive enough to believe that raising the New York drinking age to conform with the age of other States would be the full answer to teenage drinking. But it would certainly help, especially in areas like our own where a trip across the line is far too easy.

New Jersey, Pennsylvania, Connecticut, Vermont all have a stake in the problem. All have the 21-year rule. A new year with new legislatures is coming up in less than a month. How about bringing some joint action to bear on New York? In view of the long and tragic list of accidents, deaths, arrests, and brawls involving young people who have crossed the line to purchase beer and liquor in our neighbor State, it hardly seems possible that New York lawmakers can fail to realize the terrific responsibility that is theirs and act to improve the situation.

PLEASE LISTEN, NEW YORK

With the final chapter in the teenage drinking series, "New York: On Limits," appearing in the Sunday News today, one salient factor seems to emerge from the study: For the New Jersey towns near the New York State border there is a critical and as yet unresolved problem because of the contrast in the "drinking age"—18 in New York, 21 in New Jersey.

The same problem applies, of course, to the other States which touch New York—Pennsylvania, Massachusetts, Connecticut, and Vermont. But our special concern, for obvious reasons, is in New Jersey.

Arguments have been advanced by some for the lower drinking age. And yet the burden of proof seems to point in the other direction. These States, along with most other States in the Union, have set 21 as the permissible age. Can all these States be wrong and only New York right?

There is another critical aspect of the situation, the one that involves cars. Eighteen-year-olders may go to New York to drink legally or to buy liquor and beer.

To do this, however, involves driving and any comment on the danger of driving after drinking is superfluous. It is also illegal for the kids to bring liquor across the line but it is utterly unrealistic to suppose they will not do so. The question then becomes—when will New York State be ready to cooperate with its neighbor States by raising the drinking age to the level that the majority have agreed to? When will that State's "alcoholic oasis" be wiped out?

Other problems have also been emphasized in the series, parental responsibility among them and preeminent in this aspect the custom of the open house. For any parents to permit a teenage party of any sort to be held with no adults present is so foolhardy, so utterly irresponsible that one wonders how it could possibly occur.

And yet in the long run and taking into consideration every problem, we still come back to that New York borderline situation as the crux. New Jersey safety officials, New Jersey police officers, and the legislature are begging for a change. Can they all be wrong?

[From Time magazine, Oct. 2, 1964]

YOUTH: THE DRINKING PROBLEM

There was nothing particularly unusual about it, unfortunately: a couple of nice kids, driving home from a couple of good parties, went off the road. She was killed, he was not. Everybody felt terrible. Then last week—3 months after the accident—something happened that made the sad, unnecessary death of Nancy Hitching, 17, of Half Mile Road, Darien, Conn., a matter of national controversy. Circuit Court Judge Rodney S. Eielson, presiding over the trial of 18-year-old Michael Smith for reckless driving and negligent homicide, ordered the arrest of 14 adults for serving alcohol at the two parties that Michael and Nancy had attended.

Section 30-86 of the Connecticut Liquor Control Act was clear: Any person, except the parent, or guardian of a minor, who delivers or gives any such liquor to any such minor, except on the order of a practicing physician, shall be subject to the penalties—up to a year in jail and/or up to $1,000 fine. Booked under this statute were a vice president of the Johns-Manville Corp., a psychiatrist, an Olin Mathieson Chemical Corp. executive, a consulting engineer, their wives and a public-school science teacher who was moonlighting as a bartender at one of the parties, as well as another bartender, two caterers and part-time waiters. Judge Eielson's regret seemed to be that he could not fill Fairfield County jails with parents. "The guilt of needless loss of life is in every living room in this community," he said. "I wish I had the power to get at every parent who is guilty."

All of Darien was stunned to realize that adults could be charged with a crime for serving liquor in their own homes. "A man's home is his castle, isn't it?" was the frequent plaint. Other parents in other areas might be equally surprised to learn that they were lawbreakers too. In many States, the law can be interpreted to forbid any person to serve liquor to an adolescent, whether in public or private. In other States, adults can be held culpable for such an amiable drawing-room practice on the grounds that they have contributed "to the delinquency of a minor."

PARTY CODES

But in practice, these laws are almost never enforced. "How can I go into somebody's home and find evidence to prove that somebody was serving drinks to a minor?" demanded a Los Angeles sheriff last week. But in supermarkets and commuter trains—and cocktail parties—most of the talk circled a more basic dilemma of a drinking society: Can people be kept away from alcohol until they are 21—and should they be, anyway?

The party is a major problem. In many communities, parents circulate "party codes" to try to keep children's entertaining on the Coke standard. But this works only if all the parents hold the line. And in the affluent suburbs of the Northeast, Middle West and west coast (the South seems relatively exempt), most parents glumly concede that "the boys won't come if it's going to be dry." Or, worse yet, they'll bring their own liquors. For those who elect to bow to this pressure, the most widely used solution is to supply beer or wine-laced punch, have plenty of food, and close the bar at intervals. Things get more complicated with older brothers, or those dashing college seniors that every debutante hopes will condescend to come to her coming-out party. And the debutante's proud parents may also invite some of their grownup friends, who will feel entitled to somewhat stiffer refreshment. How does the hired man behind the bar decide exactly who gets what?

Parents who would like to meet the situation by serving no alcohol to minors—their own or others—under any circumstances, are faced with the increasingly obvious fact that all over the United States, teenagers are getting it anyway. The forging of drivers' licenses and ID cards is a booming business; but a doctored license may be an unnecessary luxury when there are so many grocery clerks to whom all customers look 21, so many adults ready to buy a bottle or so for a young friend, and so many bootleggers operating out of the trunk compartment of a cruising car.

UCLA's Dean Byron H. Atkinson feels that the present law is unenforceable among college students—and therefore bad. "Alcohol has a special appeal to young people," he says. "It makes them feel more mature and confident at a period in their lives when the most important thing is to feel more mature and more confident. And age is certainly one of the most inconclusive, inconsequential measures of maturity."

LEARNING TO COPE

Is a 21-year-old whose lips have never touched liquor going to be better able to handle it than an 18-year-old who has been broken in to its use more or less gradually at a time in his life when parental influence is stronger? In Darien and points west, many argue that it is the parents' responsibility to prepare their children for the world as it is, that alcohol is part of that world, and that learning to cope with it is a part of one's education better performed in the home than in the roadhouse.

To this end, many parents begin with their 16-year-olds on mild drinks such as beer and Dubonnet, with a glass of wine for festive occasions. Even this may be breaking a strict interpretation of an unenforceable law in many States; to give a watered-down highball to your daughter's 20-year-old beau may land you in the cooler if he runs over someone on his way home.

With this chilling fact in mind, a group in Darien began to talk last week about fighting the case of the arrested adults all the way to the Supreme Court, if necessary, to try to get section 30-86 off the books. But law or no law, invasion of privacy or not, the problem remains: How old is an adult and what is a drink?

[From Time magazine, Oct. 16, 1964]

Youth: The Night of the Teenager

It was a nice looking group. The men wore quiet ties and dark, well-fitting suits; the women, mostly hatless and coifed for the occasion, were in simple knits or tweeds, just the thing for the suburbs—even an appearance in court. These were the parents whose arrest for violation of a Connecticut statute against serving liquor to minors has sent a shock wave of there-but-for-the-grace-of-God-go-I across the country (Time, Oct. 2).

The evening of last June 22 in Darien, Conn,. had seemed like many another summer night. A vice president of the Johns-Manville Corp., Francis E. Dutcher, and his wife gave a dinner party for their debutante daughter, Nancy. Then there was a dance for about 250 youngsters under a tent on the spacious grounds of Psychiatrist George S. Hughes and his wife, who were giving it with their friends, the William F. Otterstroms (he is general auditor of the Olin Mathieson Chemical Corp.) and the Dudley Felts (he is a consulting engineer), in honor of the families' three debutante daughters. The trouble was that after the parties, 17-year-old Nancy Hitchings was killed in an automobile accident, and an indignant circuit court judge, Rodney S. Eielson, haled the parents into court.

The parents did not look as if they thought they were going to jail. They chatted quietly among themselves in the front of the courtroom, a comely group that under other circumstances might have been waiting for an admissions committee meeting at the country club to get underway.

Behind them sat the other defendants: Science Teacher Carlton Josselyn, who had been earning extra money as a bartender, two part-time waiters, and the caterers, Mrs. Helen Bussey, 56, and Mrs. Emily Agnes Peterson, 51. For these two ladies there was a shocking surprise: the prosecuting attorney charged them with an additional count of conspiracy on the ground that they had provided the bartenders. The case against the parents and caterers was postponed for a week.

UNRECOGNIZED

But the next day, Judge Eielson resumed the trial of Michael Valentine Smith, just turned 19, charged with reckless driving and negligent homicide.

Michael's defense, conducted by natty Lawyer Arthur "Dart" O'Keefe, Jr., who drives a Rolls-Royce and affects bowler hats and pin-stripe suits, is that he was just too drunk to have been driving Mrs. Hitchings' 1964 Ford station wagon at the time of the accident, and that Nancy herself must have been in the driver's seat. He claims to remember nothing of what happened that night.

"Michael was so drunk he didn't recognize me when I talked to him," testified William Alpert, 20, Michael's friend and fellow student at a 3-year-old local junior college called Norwalk Community College. Alpert also testified that Nancy Hitchings, too, was "intoxicated to the degree that she kept asking me to dance. She would not have done that normally because she was a lady and would not have been so aggressive."

A witness testified that Michael had not been driving when they left the Hughes party at 2:30 a.m.; Nancy's date, Jim Olsen, had been at the wheel, but they had dropped Olsen off at his house and then gone on—where, Michael does not remember. An hour later, and about 20 minutes before the accident, a police officer and a teenager both testified they saw Michael driving the Hitchings car in the center of town.

BLOOD AND HOLES

Most of Michael's trial turned out to be a battle of accident experts. Nancy's father, George Hitchings, paid $300 a day for the testimony of Alfred Moseley, a nationally recognized authority, who claims to have investigated more than 15,000 automobile accidents. Moseley contended that Michael must have been driving because (1) Nancy's blood was found on the right side of the car roof; (2) there was a hole in the rubber floormat on the passenger's side, which he claimed was made by one of her high heels on impact. The car, he said, had skidded, gone through 72 feet of hedge, hit a tree and turned over once, catapulting Michael across the front seat and through the open right door. Defense Lawyer O'Keefe, on the other hand, called an accident expert of his own to testify that the car had not turned over at all, and that Michael must have been on the passenger's side to have gone out the right door. The court went outside to study the crushed and battered car, in which Nancy's body had been found.

George Hitchings, who is a vice president of American Airlines, took the stand to admit that his daughter Nancy had recently complained of a couple of blackouts lasting a minute or more, but that after visiting two doctors, including Psychiatrist Hughes, nothing had been found to be wrong. Michael, slender and sullenly handsome, puffed a cigarillo during a recess and expressed the hope to reporters that "now at least parents will realize they have to do something about this problem of teenage drinking." His widowed mother, a secretary for CBS in Stamford, sat behind him throughout the trial, neat and archetypically surburban in a gray wool suit.

VODKA ON THE SCHOOL BUS

On the stand, Michael testified that he remembered arriving at the Dutchers for dinner (where he was Nancy Dutcher's date and acted as cohost), drinking and chatting for about 45 minutes before dinner, arriving at the Hughes' coming-out party about 9:45 p.m., going through the receiving line, and heading for the tent, where there was dancing and two bars—one for hard liquor and one for soft drinks. About the only thing Michael remembered of the party was kissing a girl named Cindy Whelan on the dance floor and getting pushed around for it by her date. He did not recall being with Nancy Hitchings at any time that night, attributing his loss of memory chiefly to the concussion he had suffered in the accident which left him unconscious for 2½ days.

All through the trial, over a hundred dinner tables, Darien parents kept protesting that Darien was no different from any other high-tax suburb on the flanks of a hundred other U.S. cities. But even to some of the inhabitants, Darien seemed wilder than most. In the weekly Darien Review, Episcopal Rector William C. Bartlett described the town as a place "where ninth-graders drink vodka on the school bus." Early this year an entrepreneur opened a teenage nightclub that had dancing but only soft drinks. It failed. "The kids around here just won't go to a place where they can't drink," complained the owner. Where do they go? Either to private parties or across the line to New York, where the drinking age is only 18.

At week's end, the verdict on the trial was still not in; nor was the verdict on Darien. But Judge Eielson had his own views: "I don't think things are the way they should be in a community," he said, "where the majority of 250 youngsters are drunk by the end of the evening—think what a percentage of the families in Darien that figure represents—where teenagers can force parents to reopen the bar at 12:30 in the morning, and where it seems that almost all of those kids left the party with a different date than they started with."

[From the New York Times, Sept. 23, 1964]

Teenage Drinking: Darien Parents Argue Pros and Cons of Serving Youths Liquor at Home

(By Fred M. Hechinger)

The Darien controversy over the right of parents to serve liquor to their children's teenage friends may be more interesting as a social document than as a case of law.

The main plot of the modern Connecticut morality play features two stock characters of the contemporary drama of teenage mores: the understanding or permissive psychiatrist who permitted teenagers to drink in a supervised home versus the stern judge who thinks parents should prohibit undesirable and possibly illegal teenage behavior rather than just supervise it.

Dr. George S. Hughes, the psychiatrist, was one of two Darien adults in whose homes liquor was served to teenagers before an automobile accident in which a 17-year-old girl was killed. The judge, Rodney S. Eielson, is trying to establish that adults who serve liquor to teenagers other than their own, even within the confines of private homes, can be punished under an existing State law.

Whatever the outcome of the case, it illustrates clearly a moral and educational conflict that worries and confuses parents of adolescents across the country.

The permissive view is that since young people will drink (or smoke, or indulge in sexual experimentation) anyway, the sensible thing is to try to prevent excesses by supervision. It is an argument that is also used to advocate smoking lounges for students in high schools. This approach is based on the belief that morals and mores are fluid and that adult society must adjust to changing values rather than try to enforce rigid, existing ones.

GUILT PLACED ON ADULTS

A Darien businessman, supporting this view, said "at least in the homes they can be watched."

Against this permissive opinion stands the judge's statement that "the guilt of needless loss of life is in every living room in this community."

Behind this view is the belief that standards, if progressively relaxed, disappear entirely. Partisans on this side point to the fact that greater permissiveness has not led to a more sensible teenage attitude toward drinking. On the contrary, medical authorities say that teenage alcoholism has become a problem only in recent years and is on the increase.

One argument against the "drinking under supervision" view may be found in the medical report on the youth charged with negligent homicide as a result of the automobile accident. The report says he was believed to have consumed 12 Scotch drinks at the parties.

Another argument also prominently quoted in Darien is that liquor at home "keeps them out of bars." However, this argument must contend with the fact that free liquor often invites excessive drinking.

Those who fear that permissiveness leads to a continuing retreat from moral standards may ask whether it may some day be argued that teenage drug or narcotics experimentation might be more safely undertaken under home supervision. The question may sound less facetious to those who realize that the homespun teenage cocktail party is a very recent sound innovation.

Educators and others who oppose the permissiveness approach especially stress the fact that adult-sanctioned drinking, smoking, and other undesirable adolescent habits quickly become compelling status symbols of the teenage crowd. What is condoned easily becomes almost compulsory.

ROLE OF TEACHER QUESTIONED

One of the dangers, aggravated by the American desire for absolute solutions, is that permissiveness tends to be replaced by inflexible codes. This might lead to attempts to equate the consumption of a glass of wine or beer by a 19-year-old at the family table with free-flowing liquor at bartended teenage parties.

Another social commentary is offered by a supporting player in the Darien cast. One of the hired bartenders was a Fairfield public school science teacher. His role opens up the question of the teacher's place in contemporary society.

Recently a public school superintendent in a well-to-do Long Island community caused some local eyebrows to be raised because he bought a home in an expensive neighborhood. The question was not whether he could afford it, but whether it was right or wise for an educator to live in such style.

In an expensive suburban community in the San Francisco Bay area, not long ago, a new teacher was advised by some residents not to accept social invitations from local parents. The reason given was not that this might lead to a conflict of interests but rather that he could not pay back the invitations in the proper style.

The woman who related this incident, the wife of a college president, described it as the proof of the often assumed role of "the teacher as servant." Teenagers who order their drinks from teachers serving as bartenders are not likely to correct that servant image of the educator.

[From the Newark (N.J.) Sunday Star-Ledger, Sept. 27, 1964]

TEEN DRINKING—DEATH—AND THE BLAME?

DARIEN, CONN.—The shame and the legal entanglement following the recent death of a teenage girl in a drunken-driving accident in Connecticut have split the ultrafashionable suburbs of New York into two camps: One defending the practice of serving liquor at teenage parties, the other condemning such freehanded serving of intoxicating beverages.

Concepts of enlightened child guidance (as personified by a psychiatrist and a popular high school science teacher, both defendants) and sophisticated modern living (as personified by three top business executives, also defendants) are having their comeuppance from a judge.

Circuit Court Judge Rodney S. Eielson, the spokesman for right versus wrong in this tragic teenaged drama, told me:

"I am not a crusader, I am a judge, but the law is the law and while it is on the books I will have to enforce it to the letter."

He feels he "cannot comprehend or condone the irresponsibility of parents who aid in such delinquency of children."

RAGING DISPUTE

On the other side of the raging dispute is a firebrand attorney who bristles at the accusation that parents who permit alcohol to be served to young people are irresponsible.

Attorney Louis Stein, who represents three of the defendants, told me heatedly:

"If you don't serve liquor in the home the youngsters will go over the State line to New York. The only way to prevent youngsters from drinking is to bring back the prohibition law."

It seems to me as a psychologist that there is nothing inherently right or wrong in serving a drink to a 17- or 18-year-old boy in a home. The shame or blame in the current case of death of the teen girl is that the party-throwing parents were present but not performing the supervising functions which should be expected of them and which could have avoided the tragedy.

I am not recommending teenage drinking. However, nobody can really decide that a drink in a supervised home by a 17-year-old is wrong and a drink in an unsupervised bar at 18 is right.

Emotionally and sentimentally, I—and almost all parents—hope that our children will never drink. Realistically, however, we must reconcile ourselves to the fact that the temptations and the pressures are enormous, in movies, books, television.

There are a number of factors which influence teenagers to drink. Alcohol gives one a feeling of exhilaration, a sense of power and superiority, and young people enjoy this as much as their elders.

Here are some other reasons:

To conquer shyness in social groups.

Teenagers are afraid they will be unpopular unless they drink.

To quell feelings of inadequacy.

They are rebelling against the stuffy world of parents and other adults.

They are struggling constantly to achieve grownup status.

And, to the teenager, drinking is a symbol of the last step from adolescence to adulthood.

Studies show that the more parents indulge, the greater the chances of their teenage children following in their footsteps. To find an opposite relationship to this: Abstaining families have the greatest numbers of abstaining children.

NOT A SIN

It's difficult, if not impossible, to say "do as I say and not as I do," and make it stick. And in high-living suburban social circles, drinking among adults is casual, frequent, and regarded as far from a sin.

A 1961 study by Prof. Joseph R. Gusfield, a University of Illinois sociologist, indicated that at fashionable eastern colleges the more "in" a student was socially, the more regular was his liquor consumption.

At one top school studied intensively, 60 percent of the fraternity men were "high users," meaning that they drank beer at least twice a week. Only 32 percent of the less elite "independents" did this amount of drinking.

With all of these pressures in mind, and if teenagers must drink, then it would seem wise to keep the dangers of drinking at a minimum by supervising its consumption by young people who might otherwise find their way to whisky under unsavory conditions.

Teen drinking and driving is a frightening social problem. But does the solution lie in clamping down on all teen drinking?

Or does it perhaps lie in more permissive measures? The principal that "forbidden fruit tastes sweetest" is well known and as old as Eve. To counteract this temptation, many sincere parents have arrived at a modus vivendi of allowing their teens to do some moderate social drinking in their own living rooms.

I think that ultimate control must lie in the hearts and hands of the parents. And I have several suggestions to make in this direction.

All young people have been told that they should not drive while they are drunk, but relatively few are aware that even one drink that you don't even feel makes the drinking risk enormous. No matter how experienced a person may be—both as a driver and as a drinker—his judgment at the wheel is markedly impaired for an hour or longer after the consumption of a single drink.

This was dramatically established in a recent study in where a group of highly skilled bus drivers were instructed to drive their lorries through an obstacle course, first, stone sober, and then after consuming small amounts of alcohol.

PARENT DUTY

Even those drivers who showed no other symptoms of inebriation, who appeared to be holding their liquor with total equanimity, displayed a sharp decrease in driving skills.

This means that a parent who chooses to serve liquor has an obligation to see that there is someone to ferry the guests home. This level of strict standard might seem embarrassing right now, but if we all pressed to make it the acceptable social norm it would save lives. It cuts down on the post-party necking, of course, but from the point of view of a teen girl's parents, this is a big plus.

On one hand, with the unnatural American emphasis on youth, parents unconsciously feel it makes them seem older to have their teens become adults, so they baby them and didn't give them enough responsibility and emotional freedom to make their own choices in certain key areas like the colleges they should attend and the friends they should choose. ("you must belong to the right social set").

Then, partly to compensate for this and partly out of desire to "keep up with the Joneses," they push teenagers too far ahead in certain superficial ways, such as beauty parlors, car ownership, coed parties and dances.

Let's keep our teens childlike by not pushing psuedo sophistication on them. But at the same time give them increasing amounts of real adult responsibility and freedom of choice.

[From the Christian Century, July 15, 1964]

New York State: Emphasis 21

(By T. L. Conklin)

Representatives of various statewide agencies met in Albany in June to continue plans to obtain legislative action that would raise the minimum drinking age in New York State from 18 to 21. Among them were the federation of home bureaus, the Grange, the WCTU, the temperance civic league, the council of churches, the PTA congress, the teachers association, and the associations of secondary school principals, of elementary principals and of school boards. All have been on record for years in support of legislation such as is now proposed.

Under the title "Emphasis 21" a program has been underway to obtain support from electors and legislators for a proposal to bring New York into line with the other States in respect to the sale of alcoholic beverages to persons under 21. Though several States permit the sale of beer, and light wines to young people aged 18 to 21, only in New York is there complete permissiveness in regard to the sale of distilled spirits to persons as young as 18.

PAST HISTORY

For 10 successive years bills have been introduced in one or both houses of the legislature calling for reform of the liquor laws such as the groups seek. The effort has been bipartisan and interfaith: among the legislators sponsoring the measures have been Lucio F. Russo, Richmond County Republican and a Roman Catholic; Joseph Kottler of Brooklyn, Democrat and a Jew; and Dutton S. Peterson, Republican, a retired Methodist clergyman who once was president of the State church council.

So far all efforts have been in vain. In 1962, after a widespread mail campaign, the joint legislative committee on recodification of the alcohol beverage control law held a series of public hearings on the single question of a change in the lower age limit. Over 200 witnesses testified in 7 days of hearings in five border localities. Much was made of the "attractive nuisance" New York presents to 18-year-olds in neighboring States, all of which have a 21-year age limit. Protesting the State's laxity, besides New York education and religious leaders, were law enforcement officials, social workers and church leaders from Pennsylvania, New Jersey, Connecticut and Vermont. Nevertheless, no action was recommended to the legislature and an effort to bring the bill out of the excise committee was rejected by the political leadership.

OVERSHADOWED

This year the efforts of the agencies listed above to get action on the 10th anniversary of the introduction of an age-limit bill were overshadowed by the State liquor authority scandle and consideration of the recommendations of a special (Moreland Act) commission appointed by Gov. Nelson Rockefeller. That commission in a voluminous report proposed general relaxation of price controls, distance requirements for package liquor stores, and requirement that food orders accompany purchase of liquor for onpremise consumption. Defeated in the regular session of the legislature, the basic proposals were reintroduced in a special session and adopted in modified form at the Governor's insistence. In such an atmosphere there was little hope for the "emphasis 21" proposal.

The groups which met in Albany laid detailed plans to resume their pressure for action in 1965. A map is being prepared to show the density of taverns along the State's borders, and studies will be made of the incidence of acute alcholism among high school students and of the relation of alcoholism to mental illness as indicated in admissions to State hospitals. Commitments to sponsor legislation will be sought.

Meanwhile, the State council of churches has asked Governor Rockefeller to appoint a widely based commission to study the underlying factors in the whole range of problems related to consumption of beverage alcohol: the prevalence of acute alcoholism (now claiming about 700,000 victims in the State), rehabilitation of alcoholics, the propriety of unlimited advertising of a dangerous yet privileged product (advertising of other narcotics is illegal), the threat to highway safety and the need for effective instruction in the schools on the effects of alcohol consumption.

[From the New York Times, Sept. 5, 1963]

Affluent Delinquency: Outburst After Debut on Long Island Follows Pattern of Rowdyism in the Suburbs

(By Fred M. Hechinger)

A riotous Long Island coming-out party last weekend, at which a chandelier, furniture, and more than a thousand window panes were broken, underlines a trend of growing delinquency among upper-class and middle-class youth. The outbreak after the debut of Miss Fernanda Wanamaker Wetherill in Southampton, in which 125 teenage and post-teen socialite youths ripped up the house set aside for them by their hosts, following a pattern of destructiveness among affluent youth.

With damages now estimated at between $3,000 and $10,000, this instance differs from less prominent suburban affairs only in the size of the bill.

The incident occurred only a day after a rash of teenage rioting in vacation spots, such as Hampton Beach, N.H.; Ocean City, Md.; Lake George, N.Y., and a racetrack near Indianapolis.

The headlined outbreaks, however, are only the visible peak of an iceberg. In recent weeks, the police of a well-to-do Connecticut community have had to intensify patrols of the local country club, after a rash of attempted burglaries of the golf shop by teenagers.

Even more routine, the habit of party-crashing has increasingly terrified suburban parents to the point of making requests for police protection almost standard procedure in some areas.

CONSTRUCTIVE ACTIVITIES

This increase in affluent delinquency stands in contrast to constructive activities of many other adolescents who spend their free time serving the community, representing their country in the Peace Corps abroad, or contributing their talents to the tutoring of underprivileged children.

The contrast becomes devastating in view of the disciplined actions of teenagers and even younger children in the civil rights movement. The rise in this type of delinquency threatens to turn into hostility the resentment of underprivileged youths in slums who face arrest and reform school for transgressions far less destructive to property.

With the debutante season almost at its end—it will run roughly through Monday—there is little significance to the Southampton story on that particular level. In fact, observers of the society scene predict that the remaining affairs will probably be especially sedate, in reaction to the Southampton fiasco.

But the impact of society vandalism on adolescent mores is far reaching. Teenagers and even preteenagers, from 11 to 17, shape their behavior largely in the image of models or idols. For serious-minded youngsters, the image to live up to may be the adult scientist or artist or astronaut; but in the adolescent mass-culture it is more likely to be the rock 'n' roll singer, with his immature dating and mating habits or the glamour of the social set.

The activities of society—ranging from the established elite to the pseudosocial jet set—unofficially substitute an outside view of high life in America for that provided by nobility and royalty in older societies.

This is reflected in the current teenage obsession with large parties, preferably the "open house" which is a thinly disguised invitation for party crashing. An invitation of huge society parties and adult conventions, the teenage "blast" is a status symbol, with popularity measured by the turnout.

What are the causes of the destructiveness such as in Southampton's free-for-all?

Drinking is a factor. Last month, Dr. Frederick Hudson, director of a clinic at the Presbyterian Medical Center in San Francisco, confirmed what observers of the teenage scene had increasingly found: that alcohol had become a trap for the very young, beginning at the age of 11.

RESPONSIBILITY ABDICATED

More basic is the abdication of adult responsibility. Suburban parties often are—as was after-the-ball blast in Southampton—conducted in the absence of adults. As a result of earlier permissiveness, leading to a lack of discipline, young adults continue the pattern of adolescent immaturity.

A common complaint of the participants in an outbreak is that "there is nothing for us to do." This excuse might be more convincing in a slum than in an affluent suburb.

Psychologists assign part of the reason for the vandalism to the fact that in modern society teenagers are given fewer useful outlets than their predecessors in rural society. Probably at least as important a factor is parents' tendency to give too much to children and adolescents too soon. Many parents tend to buy their way out of giving their children more of their time and adult guidance.

Children who have had professional entertainment at parties when they were 5 years old are likely to be bored with ordinary social functions as teenagers. They turn to the thrill of destruction.

Southampton offers another clue. The youths involved shrugged off the damage, saying they would pay for it. Generally, parents are ready to pay for teenagers' destruction. Teenagers know that, in an air of easy affluence, money will take care of all consequences.

[From the New York Times, Mar. 5, 1963]

Forty-nine States Out of Step

By direction of the New Jersey Legislature, Governor Hughes paid a visit to Albany to make one more appeal to Governor Rockefeller to raise New York's minimum legal age for buying liquor to 21. New York alone, among all the States, permits sale of liquor to youngsters 18 years old. Mr. Hughes reported afterward that he got a brushoff. He was told, in effect, that New York contemplated no change. In response to the legitimate complaint made by all neighboring States that our law invites a nightly immigration of teenagers and resultant deaths on the highway, he was advised to go home and revise New Jersey's minimum age downward.

Logic, facts and ethics argue for making New York's law conform. Governor Hughes cited statistics showing that when some 3,200

New Jersey teenagers who had visited New York by car were questioned, 1,743 admitted that their purpose in driving over the State line was to drink. The young driver is a hazard when cold sober. When he has been drinking, and whether he is an out-of-stater or a New Yorker, he is still a worse hazard. Don't tell us teenage drinking in taverns bears no relationship to accidents on the highways. We don't believe it.

[From the New York Times, Mar. 16, 1963]

NOT EVEN A FLOOR VOTE?

The question whether to raise to 21 the minimum age at which youngsters can buy liquor is one of the liveliest issues facing the New York Legislature. This State is unique among all 50 in allowing liquor purchase at the age of 18. Several neighboring States, whose teenagers drive into New York and then drive back home after an evening in the taverns, have petitioned for a change in law.

But there will be no change in law. There won't even be a floor vote on it in the legislature. The assembly's Excise Committee has decided 9 to 5 to kill the bill and, as the Associated Press reports from Albany, "by custom, the assembly does not overrule decisions of its committees."

By coincidence Governor Rockefeller, on the very day the committee was taking this action, was busy proclaiming Alcoholism Education Week, saying that the "combined efforts of the State, local communities and dedicated private individuals are required" to meet the alcoholism challenge. We suppose these two actions, by the assembly committee and by the Governor, are meant to neutralize each other.

There has never been any adequate official explanation of why New York alone is right on its age-18 law, and why everybody else is wrong. We suggest that on this law so gravely affecting New York teenagers and so damaging to good relations with neighbor States, the legislature ought at least to have a chance to vote. There is reason to believe that a great many New Yorkers would like to see this law changed to conform with the practice elsewhere. Furthermore this would be a good issue on which to break precedent and let the assembly overrule its quaint custom that its committees are never overruled.

ORGANIZATIONS SUPPORTING AGE 21 LAW IN NEW YORK

To illustrate the widespread support for raising New York's drinking age from 18 to 21, here is a very partial list of some of the organizations and individuals who have publicly expressed their views—and I emphasize this is only the most random selection from my own incomplete files:

New York State Council of Churches.

The Governors and other officials of New Jersey, Connecticut, Pennsylvania, Vermont, and Massachusetts.

New England Governors' conference.

The New York Times.

Christian Science Monitor .

The Gannett newspapers.

Newark Evening News.

Newark Star-Ledger.

The Daily Journal of Elizabeth, N.J.

The official newspapers of the Roman Catholic Archdiocese of Newark and Diocese of Trenton.

The Episcopal Diocese of New York.

The State Legislature of New Jersey.

Radio station WJRZ, Newark.

Director of the National Council on Alcoholism.

Rockland County (N.Y.) Board of Supervisors.

Radio station WCBS, New York City.

New Jersey State First Aid Council.

New York State Grange.

New York State Farm Bureau Federation.

New York State Parent-Teachers' Association.

New York State Association of Secondary School Principals.

Burlington, Vt. Daily News.

Ottawa Citizens, Ontario, Canada.

New England Association of Chiefs of Police.

New Jersey Recreation and Parks Society.

WCBS RADIO EDITORIAL NO. 229, BROADCAST DATE: MARCH 23, 1963

How many teenagers patronizing New York State bars this summer will later die in road accidents on the way home to Connecticut and New Jersey? We've no way of telling.

All we know is that there will be accidents—many of them fatal.

How much of this might have been prevented? We'll never know that either for legislation that would have raised New York's legal drinking age from 18 to 21 was defeated last week in the New York State Assembly's Excise Committee. The vote reportedly was close—but how close—well, that's another thing we'll never find out—it's not the kind of information a committee willingly releases.

But the salient fact remains that the bill, just as it has for the past 10 years, failed to reach the floor of the legislature for open debate. We've often wondered why an issue as important as this one is consistently held back from the one place it would have received an expression of the will of the people.

In disposing of the measure, New York again has failed to be a good neighbor. For it was not the morality of drinking that was under consideration, but road safety. Besides New Jersey and Connecticut, three States and Canada share a common border with New York. All of them set their legal drinking age at 21. The attraction of New York's 18-year-old-drinking age is evident, and all of them, through education and strict traffic law enforcement, have tried to stem the flow of teenagers across our border, where they can drink legally and conveniently.

The New York lawmakers are aware of the situation but unwilling to meet it head on. They resort instead to halfway measures; an example is the bill the State senate just passed and sent along to the assembly for ratification. It would raise New York's drinking age to 21 only for out-of-State residents, keeping it at 18 for New Yorkers.

The measure in our view is a waste of time, and passage by the assembly is doubtful. Even should it be made law, how can the legislature reasonably expect a bartender to separate New York 18-year-olds, who can buy liquor, from the out-of-State 18-year-olds, who under the proposal can't?

Governors Hughes of New Jersey and Dempsey of Connecticut have campaigned vigorously for a boost in the New York drinking age. They've obviously failed to impress Governor Rockefeller or the New York lawmakers with their arguments. Both have vowed to continue the fight in the interest of road safety. WCBS commends them for their tenacity, and wishes them success.

It seems a pity, however, that this success could not have come this year, in time to save young lives that will be senselessly thrown away.

THE NEED FOR A UNIFORM 21-YEAR DRINKING AGE

(A brief submitted by Ned J. Parsekian, former director of Motor Vehicles, State of New Jersey, to a New York State Joint Legislative Committee in 1962)

Moved by the continued and alarming number of traffic deaths and injuries among New Jersey young people who are attracted by New York's lower drinking age, the State of New Jersey has made a study of highway accidents involving New Jersey teenagers and the effects of the New York law which permits minors to obtain and consume alcoholic beverages at taverns and licensed liquor outlets.

We conclude from our study that there is a causal relationship between the drinking age differential and these deaths and injuries; that young lives can be saved if New York will raise its drinking age to 21.

New York is the only State among the 50 which permits the sale of all alcoholic beverages to 18 year olds. Hawaii permits such sale to 20 year olds. All other States and the District of Columbia uniformly decline to serve hard liquors to persons under 21. A few States permit the sale of light wine or beer, and no State except New York in the region north of the District of Columbia and east of Ohio permits the sale of even beer or light wine to persons under 21. (See exhibit A.)

Drivers from age 17 to 20 experience a higher fatality and injury rate in automobile accidents than any other age group. Alcohol is recognized as the single deadliest factor in traffic accidents, and the combination of young, less experienced, and less mature drivers with alcohol has resulted too often in death and serious injury. The loss is made more tragic by the fact that such death and injury is preventable.

I. THE TEENAGE ACCIDENT RATE

Drivers under the age of 21 years experience the highest fatality and injury accident rate as against any other age group. During the year 1960 in New Jersey, for example, there were a total of 10,830 fatal and injury accidents, involving 10,964 drivers under 21. Although this group represented only 7.4 percent of the licensed drivers of our State, they experienced 15.1 percent of the fatal accidents and 13.4 percent of all injury accidents. They experienced over 4,500 more casualty accidents than the average expectancy of this age group.

Drivers of the age of 17 had 2.6 times the number of accidents as against all other ages. Drivers of the age 18 through 20 had 1.6 times the number of accidents as against all other age groups. It should be noted, in addition, that in making these comparisons, no correction was made for the fact that drivers from 17 to 20 do not have nearly the exposure rate of other ages. The young drivers are met with this high rate of fatalities and injuries, in spite of traveling many less miles on the highways. Young drivers do not have access to motor cars as often as older drivers. They do not nearly as often drive daily for a living or commute many miles to a place of business. The true picture, therefore, is more serious than the statistical analysis would indicate. Standing alone, without the lure of alcohol in a State which has a lower drinking age, teenagers are particularly vulnerable to fatalities and injuries on our highways. (See exhibit B.)

II. THE EFFECT OF THE ALCOHOL FACTOR ON HIGHWAY FATALITIES AND INJURIES

The impact of alcohol on highway fatalities and injuries has been shown in a multitude of studies made not only in New Jersey but in many other States, including the State of New York. Drinking and driving is beyond doubt the major cause of death and injury due to traffic accidents.

During the year 1961, as a means of accurately evaluating the incidence of the alcohol factor in fatal traffic accidents, New Jersey performed post mortem examinations of all persons killed on our highways except those under 16 years of age or those in which death occurred more than 6 hours after the accident. (Three percent were not tested for reasons of contamination of body fluids and related factors.) A total of 483 autopsies was performed and 54 percent of the deceased were found to have a positive alcohol factor. Of this total, 137 were drivers and 58 percent of the drivers tested had been drinking. Teenage drivers represent only 7.4 percent of the driving population, yet of the drinking drivers who were killed, 18, or 13 percent, were under the age of 21. It is, therefore, of concern to us to give special attention to this age group, the teenage driver.

A study by William Haddon, Jr., and V. A. Bradess, reported in the journal of the American Medical Association in 1959, indicated that in Westchester County, N.Y., from 1950 to 1957, drinking drivers were involved in 73 percent of the accidents studied and in 83 percent of the accidents involving driver fatalities. Attached as exhibit C is a table from the report by Wolfgang Schmidt prepared for the U.S. Public Health Service National Conference on Alcohol and Traffic Safety, held at Pittsburgh in May 1961. Noted are 10 studies made from the years 1938 to 1960, indicating that alcohol is the major factor in fatal and injury accidents.

It is generally accepted that driving is dangerous at blood alcohol levels far below 0.15 percent by volume, the level most States accept as giving rise to the presumption that a driver is under the influence of intoxicating beverages. New York has taken the lead in recognizing this fact in adopting additional legislation under which a motorist may lose his license if he has a blood alcohol level of 0.10 percent.

In the New Jersey study of persons killed on New Jersey highways in 1961 and who were found to have been drinking, 52 percent had blood alcohol levels below 0.15 percent and 48 percent had blood alcohol levels above 0.15 percent. A study reported in the Yale University Quarterly Journal of Studies on Alcohol in 1958, by T. A. Loomis and T. C. West, reported that blood alcohol levels well below 0.15 percent induce measurable impairment of driving ability, and the Licensed Beverage Industries, Inc., of New York, in their brochure entitled "A New Approach to Drinking and Driving," issued in March 1961, recognized this fact when, at page 9, it recommends that a person who has had only three drinks should wait 4 hours before driving, and a person who has had four drinks should wait 6 hours before driving. A blood alcohol level of far below 0.15 percent would be experienced by a person with three to four drinks. This was also recognized by the American Medical Association when in 1961 it recommended that the level at which a person should be presumed to be under the influence of alcoholic beverages should be lowered to 0.10 percent.

As a consequence, the Governor of New Jersey has asked the director of the division of motor vehicles to draft legislation similar to that already adopted in New York establishing a suspension procedure for drivers found to have a 0.10 percent blood alcohol level.

III. THE COMBINATION OF TEENAGE DRIVERS AND ALCOHOL

We have shown that teenage drivers have an exceptionally high fatality and casualty rate, and that the alcohol factor causes a high number of deaths on our highways. What of the combination? As can be expected, the results are deadly.

In order to assist, with specifics, this committee in its evaluation of the extent of this problem, a detailed study was made by the State of New Jersey of teenage accidents occurring in the six counties of New Jersey which border on New York: Bergen, Hudson, Middlesex, Passaic, Sussex, and Union. Every highway fatality involved in these counties from the years 1955 through 1961 has been reexamined this year. A total of 281 fatalities were found to have involved drivers under the age of 21. Enforcement officers were detailed to restudy all accident reports, interview officials who investigated the accidents when they occurred, and to interrogate witnesses where they could be found. We are able to document that 77 of the persons killed, all under the age of 21, had a positive alcohol factor and 31 of these young people who were killed on our highways in the six bordering counties had gone over the border to New York to obtain alcoholic beverages, and on returning, were killed through involvement in highway accidents. These 31 deaths were specifically traced to the drinking age differential. It is to be remembered that these fatalities date back over a period of 7 years and we could not at this time trace the alcohol factor in all cases. It is statistically probable that other deaths to teenage drivers stemmed from the same source.

Documented and attached as exhibit D are the details of these accidents indicating the time, the place, the number of deaths, the circumstances, and the alcohol factor, as well as the source of obtaining alcohol; namely, the State of New York.

It is difficult to read through this document which brings the problem home to us all without its arousing an instinctive demand that the source of the evil be removed. The circumstances indicated that time after time, the driver lost control of the vehicle due to effects of alcoholic beverages which impaired his judgment and affected to a dangerous degree his relatively inexperienced driving ability.

The list of deaths must, unfortunately, be lengthened by deaths that have already occurred in 1962. The details of these accidents accurately reflect the problem with which we are concerned:

On February 6, 1962, in Jersey City, Hudson County, at 2:35 a.m., a 19-year-old driver with a blood alcohol level of 0.12 percent was killed. A second 20-year-old passenger with a 0.10 percent blood alcohol level was killed. And two young passengers, ages 16 and 20, were severely injured when the driver, traveling at a high rate of speed, lost control of his vehicle and struck a utility pole. The youths had been drinking in a Staten Island bar.

On March 5, 1962, in the city of Elizabeth, Union County, at 11:40 p.m., a 20-year-old driver was severely injured and his passenger, age 24, was killed when the driver lost control of his vehicle, crossed the double white line at a high rate of speed and struck another vehicle head on. The driver of the second vehicle was killed. The youths were returning from Staten Island, N.Y., where they had been drinking at neighborhood taverns.

On March 18, 1962, at 10 p.m., in Monsey, N.Y., an 18-year-old driver was killed, a 19-year-old passenger was killed, and three 17-year-old passengers were severely injured. Their vehicle, returning to New Jersey from a drinking party in taverns of Rockland County, traveling at a high rate of speed, ran off the road and struck a tree.

On April 22, 1962, in Staten Island, a 19-year-old driver from Menlo Park, N.J., was killed and a 21-year-old Staten Island youth was injured while returning to New Jersey after obtaining intoxicating liquors in Staten Island.

We have referred to only 3 cases of deaths of New Jersey youths in accidents occurring within New York State when they were traveling from tavern to tavern or while returning to their homes in New Jersey. Only the State of New York can document the full story of these highway tragedies which occur not only to New Jersey youths within the borders of the State of New York but to New York's own teenagers who are killed or injured while returning to their homes after drinking in taverns which are permitted to serve alcoholic beverages to minors.

In response to the request of New York authorities for specific information on the extent of the problem of New Jersey youths traveling to New York to obtain alcoholic beverages, New Jersey State Police, local enforcement authorities, and county prosecutors conducted thorough and painstaking roadblock checks to obtain accurate, on-the-spot information.

During March and April of 1962, 36 roadblocks were established in 14 separate communities in the counties of Bergen, Hudson, Middlesex, Passaic, Sussex, and Union. The results were even more striking than had been anticipated. A total of 3,204 teenagers who were returning from New York in motor cars were questioned. Of these, 1,743 or 54 percent admitted to having driven across the border into New York to drink alcoholic beverages.

Thus, these roadblocks (which reached only a small sampling of the large number of New Jersey teenagers who drive to New York to drink alcoholic beverages) recorded 1,743 instances when the lives of our youth were placed in jeopardy by the deadly mixture of alcohol and gasoline.

Seventeen teenagers were arrested for illegal possession of alcoholic beverages in a motor vehicle, indicating that there is a parallel problem involving teenage groups who will travel to New York in order to obtain alcoholic beverages and transport them within the borders of New Jersey for the purpose of drinking.

A few examples would suffice to indicate the severity of the problem. On March 23, 24, and 25, 1962, a roadblock near Mahwah, N.J., revealed that in 314 vehicles containing persons under 21 years of age, a total of 202 teenagers in 91 vehicles admitted to drinking intoxicating beverages across the New York State line.

On March 23 and 24, 1962, near Montvale, a total of 256 vehicles which had 101 occupants under 21 years of age admitted to drinking in taverns in Rockland County.

On April 7, 1962, at the Bayonne Bridge which leads from Staten Island, of 105 teenage occupants checked, 73 admitted to drinking in Staten Island and their average age was 19.

On April 8, 1962, of 130 occupants checked, 85 admitted to drinking in Staten Island and their average age was 19.

The picture was much the same in Middlesex County at the roadblock established near Perth Amboy at the Outerbridge Crossing.

On April 6, 1962, of 410 teenage occupants of motor vehicles checked, 230 admitted to drinking in Staten Island. Again, at the same location on April 13, 1962, 236 teenagers were checked of whom 149 admitted to drinking in Staten Island.

In Passaic County at a roadblock located near Greenwood Lake, 117 teenagers were questioned and of these, 95 admitted to having consumed alcoholic beverages in various taverns in the Greenwood Lake area in the State of New York. The ages of these teenagers ranged from 17 to 19.

Nor did these road checks indicate a recent phenomenon. Roadblocks have been established in New Jersey since 1956. For example, during the months of July and September 1956, and February 1957, roadblocks were conducted by the Bergen County prosecutor's office in the Borough of Saddle River at a road that has earned the nickname of "Beer Can Alley" as the result of the heavy teenage traffic to and from New York bars and taverns. On various occasions, from 40 to 75 percent of the minors questioned admitted to drinking intoxicating liquors in New York State. Likewise, on February 23, 1957, a road check conducted at Outerbridge Crossing in Middlesex County from 1:30 a.m. till 5:30 a.m., showed that 70 percent of the minors questioned had been drinking in Staten Island, N.Y.

It is indicative of the fact that as the result of the New York law which has since 1932 lured New Jersey youth to drinking in the State of New York, an unfortunate custom or tradition has been officially sanctioned by New York; that is, the custom of leaving the high school prom or house party in New Jersey to drink intoxicating beverages in taverns in the State of New York.

The problem is not the same today as it was in 1932 when New York adopted an 18-year drinking age. Through the decade of the 1930's, a depression era, young people did not have the funds for motorcars or for the purchase of intoxicating beverages and the effect of the lower New York drinking age was, therefore, less. During the 1940's, many of our young men were in the Armed Forces; again the full impact of the differential in the legal drinking ages was not felt. During the decade of the fifties, we have seen the effects of thousands of our young people traveling to New York to drink. Dozens of our youth have been killed and many more have suffered disabling injuries which have left them scarred for life.

We recall the horror of the chief of police of a municipality in Bergen County as he reported the maiming and disfigurement of a young man in 1957—a young man who had just received an appointment to Annapolis to train as a naval officer but before his departure was involved in an accident on returning from drinking in New York State. This young man survived as hundreds of others survived, but now carry the scars of highway accidents which were the direct result of the lower New York drinking age.

It has been said that the problem is not merely a problem of law but a problem of sociology and psychology. With this we emphatically agree. It is not a problem which can be evaluated purely through scientific laboratory analysis. If biologically and physiologically, for example, one were to accept that the effect of alcohol is the same on a teenager as on an older person, other important factors of sociology and psychology must be considered.

There is considerable evidence that as persons gain experience in drinking, they obtain a tolerance to alcohol. An older person normally has experienced the effects of drinking alcoholic beverages for many years and learns to overcome its effects to some extent. It is this tolerance of its effects that is absent in the younger person of 17 to 20 years. This distinction was indicated by Dr. Johan Lofthus in a report submitted to the Norwegian Royal Commission on Alcohol Problems in 1947. The report was reprinted in the Quarterly Journal of Studies on Alcohol at Yale University in June 1957. Lofthus said: "and it is obvious that the younger age group has on the whole a lower blood alcohol level. * * * This seems to mean that the young people tend to get into trouble more easily, while older drivers have acquired a higher alcohol tolerance and so are less likely to be apprehended by the police."

Driving skill is a learning process and it is scientifically accepted that alcohol wipes out learning. Alcohol also eliminates recent learning before it eliminates old learning. Thus, the effect of alcohol on the relatively less skilled younger driver is more pronounced than on the older, more experienced driver.

Maturity enters into our overall evaluation, also. The younger person has less sophisticated judgment and is not as emotionally mature as the older person. As the younger person has a lower level of judgment and emotional maturity, he can less afford to lose a portion of that judgment and maturity through the effects of alcohol consumption than the older person. More specifically, drinking, as we have noted, more seriously impairs the younger drivers' judgment than the older driver's judgment. Additionally, because the younger person's judgment is thus affected, he often does not know when to stop drinking.

It is also considered by psychologists and psychiatrists that acquired motor skills deteriorate through the influence of alcohol. Newly acquired skills deteriorate first. Therefore, even small amounts of alcohol will affect the teenager's newly acquired skills essential to manipulate safely a motor vehicle.

Thus, even though the biologist and physiologist may be right in the laboratory concerning the effects of alcohol on young drivers as against older drivers, they are not right on the highways. The more rounded evaluations are proved by the highway death and casualty statistics which have been presented.

We refer to opinions of Dr. Harold Rashkis, who received his doctorate in psychology at Columbia University and his doctorate in medicine at the University of Pennsylvania. He is consultant to the President's Committee on Traffic Safety and is senior scientist in clinical research at the Eastern Pennsylvania Psychiatric Institute.

We refer, also, to Dr. Harold L. Henderson, who is the director of research and development of drivers safety service of New York, consultants in driver safety to the U.S. Navy, insurance companies, commercial truckers, industrial concerns, and the New Jersey division of motor vehicles. Dr. Henderson received his doctorate in psychology at Columbia University. He was an assistant professor of psychology at Hofstra College from 1953 through 1958, and a lecturer and instructor in psychology at Columbia College, Columbia University.

We refer, also, to the studies made by Dr. Malfetti, who directs the safety research and education project at Columbia University Teachers' College. Dr. Malfetti reports that although a younger person may have superior physical acuity, it is organizational skill that is the prime factor in safe driving or the ability to translate what is perceived into safe driving habits through exercise of mature judgment. Thus, the young person, less seasoned in the exercise of organizational skill, is more seriously impaired.

IV. ENFORCEMENT

A realistic and uniform legal age at which alcoholic beverages can be served will not in and of itself solve the problem of teenage drinkers who drive. However, together with strong enforcement, our youth will be deterred from drinking and driving and we can expect to reduce the number of highway deaths and injuries which result from the present differential in the drinking age.

The State of New Jersey has taken and is taking every possible step in enforcement at every level of government to prevent the frightening loss of life and tragic injury of our young drivers. Not only are our administrative penalties among the most stringent in the Nation, but our highest court has held that those who sell alcoholic beverages to minors are liable for injuries which may result from such sales.

Executive: The Division of Alcoholic Beverage Control, in particular, orients its enforcement policies to insure that persons under 21 years of age are not served intoxicating beverages by licensed dealers of New Jersey. The division maintains a staff of 44 undercover men whose prime duty it is to keep under surveillance the 12,400 package stores, taverns, and night clubs of New Jersey. On-the-spot checks are made at least once a year at every establishment (more frequently in general) to insure that our drinking age law is respected. In addition, 36 identified officers are devoted to this task. Five area offices are maintained at strategic points throughout the State to insure close liaison and observation of liquor outlets in New Jersey.

In addition to investigations initiated by the Division of Alcoholic Beverage Control, each year the division receives from a keenly interested public some 1,500 complaints concerning possible violations of the 21-year drinking age limit. In every instance, the complaint is thoroughly investigated. The establishment is visited by an agent of undisclosed identity several times and for periods which vary up to 2 hours. Our investigations are thus buttressed by this feedback system of information which is thoroughly checked.

Every liquor licensee in New Jersey is aware of the 10-day minimum suspension given an establishment which serves a minor intoxicants. The penalty is increased if the person served is of younger age. For example, a licensee who serves a minor 20 years of age receives a 10-day minimum suspension, while a licensee who serves a minor 16 years of age receives a 30-day suspension. If the same licensee is involved in a second offense within 5 years, the penalty is doubled, and if that establishment is found to serve minors a third time, the penalty is even more severe.

In 1961, 226 cases were prosecuted by the Division of Alcoholic Beverage Control against licensees in New Jersey who served a minor. In 1958, suspensions were imposed on 261 licensees; in 1959, there were 259 suspensions, and in 1960, there were 210 suspensions.

We do have a problem which requires constant vigilance in New Jersey, in distinguishing between youths age 21 who may be served alcoholic beverages under our law, and youths of age 20. New York has a similar problem, but it starts at age 18 and involves attempts by children of 17, 16, or even 15 to obtain alcoholic beverages. It is of concern to New Jersey that many of these youngsters may be our own.

Our experience indicates that a 21-year drinking age not only should be, but can be enforced if the enforcement policy of New York were designed, as we are sure it would be, to effect compliance with the law.

Judicial: The Supreme Court of New Jersey, in an opinion in the case of *Rappaport* v. *Nichols*, issued November 23, 1959, adopted a drastic extension of common law liability in determining that a tavern owner who dispenses alcoholic beverages to a minor is civilly liable to the consequences of automobile driving by the minor. This extension of causal responsibility indicates that the courts of New Jersey are alert to the dangers implicit in serving intoxicants to minors. The court said:

"The legislature has in explicit terms prohibited sales to minors as a class because it recognizes their very special susceptibilities and the intensification of the otherwise inherent dangers when persons lacking in maturity and responsibility partake of alcoholic beverages.

"When alcoholic beverages are sold by a tavern keeper to a minor or to an intoxicated person, the unreasonable risk of harm not only to the minor or the intoxicated person but also to members of the traveling public may readily be recognized and foreseen; this is particularly evident in current times when traveling by car to and from the tavern is so commonplace and accidents resulting from drinking are so frequent (pp. 201–203).

"We are fully mindful that policy considerations and the balancing of the conflicting interests are the truly vital factors in the molding and application of the common law principles of negligence and proximate causation. But we are convinced that recognition of the plaintiff's claim will afford a fairer measure of justice to innocent third parties whose injuries are brought about by the unlawful and negligent sale of alcoholic beverages to minors and intoxicated persons, will strengthen and give greater force to the enlightened statutory and regulatory precautions against such sales and their frightening consequences" (p. 205).

Legislative: The New Jersey Legislature has memorialized the State of New York for some years to adopt a minimum drinking age that conforms to that of its neighboring States, thus expressing the will of the great majority of the citizens of this State.

In view of the continuing tragic highway deaths experienced by New Jersey teenage youth who were returning from New York after drinking intoxicating liquors, and in response to several multiple tragedies which have brought death and serious injury to many of our youths in recent months under the same circumstances, the New Jersey Legislature has taken two important steps.

On January 29, 1962, Assembly Concurrent Resolution 19 was passed by the Senate and the Assembly of New Jersey and became effective on April 11, 1962, giving the director of the division of motor vehicles the authority to revoke the license of any driver under 21 years of age convicted of a motor vehicle violation after consuming alcoholic beverages.

The legislature also passed senate No. 199 which was approved by the Governor and became effective April 25, 1962, empowering a magistrate to suspend the driving privilege of any driver under the age of 21 years who possesses or consumes alcoholic beverages in a motor vehicle.

By any fair appraisal, it is demonstrable that New Jersey has taken every possible step to safeguard the lives of its youth through alert and rigid enforcement of the 21-year drinking age. Without uniformity of drinking age with our neighboring State, we foresee additional traffic deaths and injuries to our youth. Nor would it answer the problem for the State of New Jersey to reduce its drinking age to 18 years. This would merely compound a problem on our other border as between the State of New Jersey and its neighbors in Pennsylvania and Delaware. A similar change in Connecticut would cause difficulties in the States of Massachusetts and Rhode Island. The problem would become nationwide and would grow in concentric circles.

V. PUBLIC OPINION

Public opinion not only in New Jersey and other States in and near the State of New York, but in New York itself, demands that the minimum drinking age of New York be raised to 21.

We have received hundreds of letters from residents of New Jersey and elsewhere supporting our efforts to induce New York to raise its drinking age to 21. Attached as exhibit H are some of the indications of the strength of that public opinion.

For example, the letter of January 4, 1962, from Gov. Wesley Powell, chairman of the New England Governors' Conference, addressed to Gov. Nelson A. Rockefeller urging New York to raise its minimum drinking age to 21 in conformity with the States of New England. Gov. David L. Lawrence of Pennsylvania, has previously joined the State of New Jersey in a petition to Governor Rockefeller on March 22, 1962.

Attached also is a news item indicating that 26 Congressmen from New York and 5 of its neighboring States, disturbed by the increasing number of fatal and near fatal accidents occurring to teenagers who drive to New York to obtain alcoholic beverages, join in a plea that New York raise its minimum drinking age to 21.

Traffic Commissioner Henry A. Barnes of the city of New York on June 10, 1962, declared in favor of the change.

The Episcopal Diocese of New York and the Episcopal Diocese of New Jersey expressed hopes that the drinking age will be changed.

The New Jersey State Association of Chiefs of Police in its detailed and considered resolution adopted June 21, 1962, appeals to the State of New York to take immediate steps to enact legislation to raise its drinking age to 21.

The New Jersey Patrolmen's Benevolent Association, representing over 13,000 local police officers, strongly urged the same action in its resolution of June 13, 1962.

Senator John J. Marchi, the chairman of the committee conducting these hearings, as reported in the attached news item, stated that public opinion polls in New York State in response to questionnaires sent by the New York legislators to selected groups, have voiced strong endorsement for a change in the New York drinking law. From 55 percent to 80 percent of those polled favored a 21-year minimum drinking age for the State of New York.

VI. CONCLUSION

The New York drinking law which permits service of all alcoholic beverages to minors constitutes an attractive nuisance to teenage drivers from States bordering on New York. There is a demonstrable causal relationship between the New York law and traffic deaths and injuries suffered by teenage drivers from New Jersey who are lured to New York taverns to drink alcoholic beverages and whose lives and limbs are wasted in needless slaughter.

All other States of this region have a 21-year drinking age for all alcoholic beverages. This, we submit, proves that such an age limit is both reasonable and enforceable.

In the interest of uniformity of laws and their enforcement and in the interest of saving the treasured lives of the youth of all of our States, we urge that this committee perform a public service by recommending to the New York Governor and the New York Legislature that it raise its drinking age to 21.

Submitted by the State of New Jersey.

JUNE 27, 1962.

EXHIBIT A

States whose laws permit sale of hard liquors and all alcoholic beverages to persons age 18: New York.

States whose laws permit sale of hard liquors and all alcoholic beverages to persons age 20: Hawaii.

States whose laws do not permit sale of any alcoholic beverages to persons under 21 years of age: Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wyoming.

States whose laws do not permit sale of hard liquors to persons under 21, permitting only sale of 3.2 beer: Colorado, Kansas, Ohio, Oklahoma, South Carolina, Virginia.

States whose laws do not permit sale of hard liquors to persons under 21, permitting only sale of beer: Louisiana, South Carolina, Wisconsin, Idaho (at age 20 or over).

States whose laws do not permit sale of hard liquors to persons under 21, permitting only sale of light wine or beer: North Carolina, District of Columbia.

EXHIBIT B

AGES OF DRIVERS IN TRAFFIC CASUALTY ACCIDENTS IN 1960

Drivers under the age of 21 years have the highest traffic casualty accident incidence in New Jersey. This is a reflection of the national experience.

During the typical year 1960, there were 10,964 drivers under 21 years of age involved in accidents resulting in death or injury. This was 13.6 percent of all drivers involved, or over 4,500 more than average expectancy since this age group represents only about 7.4 percent of all drivers licensed in the State.

The following tabulations show driver involvement from age 17 through 65 and over:

I. 17 to 20 years of age

Age	Number in fatal accidents	Percent in fatals	Total in fatal and injured accidents	Percent involvement	Percent of licensed	Involvement rate
17	33	3.7	3,182	3.9	1.5	2.6
18	45	5.0	2,911	3.6	1.9	1.9
19	24	2.7	2,495	3.1	2.2	1.4
20	33	2.7	2,242	2.8	1.8	1.6
Total	135	15.1	10,830	13.4	7.4	1.8

II. 21 to 24 years of age

Age	Number in fatal accidents	Percent in fatals	Total in fatal and injured accidents	Percent involvement	Percent of licensed	Involvement rate
Total	116	13.1	8,419	10.4	7.4	1.4

III. 25 years of age and over

Age	Number in fatal accidents	Percent in fatals	Total in fatal and injured accidents	Percent involvement	Percent of licensed	Involvement rate
25 to 29	116	13.1	9,737	12.1	9.4	1.3
30 to 39	184	20.7	19,822	24.6	24.2	1.0
40 to 49	146	16.4	16,096	20.0	23.4	.9
50 to 64	140	15.8	12,650	15.7	21.0	.7
65 and over	46	5.2	2,895	3.6	7.2	.5
Total	632	71.2	61,200	76.0	85.2	.9

IV. Type of accident

Age	Total	Pedestrian	Single vehicles	Other vehicles
		Percent	*Percent*	*Percent*
Under 17	134	2.2	33.6	64.2
17	3,182	7.0	15.5	77.5
18	2,911	7.4	14.0	78.6
19	2,495	5.6	13.6	80.8
20	2,242	6.5	12.9	80.6
Total or average	10,964	6.6	14.4	79.0

NOTE.—These averages compare with all drivers as follows: Other vehicle accidents, 83 percent; single vehicle, 10 percent; and pedestrian, 7 percent.

V. Hours of occurrence

[In percent]

Age	8 to 12 a.m.	12 to 4 p.m.	4 to 8 p.m.	8 to 12 p.m.	12 to 4 a.m.	4 to 8 a.m.
Under 17	6.0	19.5	25.6	36.1	10.5	2.3
17	12.1	23.6	30.6	24.9	6.3	2.5
18	13.7	20.7	26.9	25.2	8.8	4.7
19	12.8	20.9	28.1	21.5	11.2	5.5
20	13.8	18.0	29.2	20.0	13.0	6.0
Average	13.0	21.0	28.7	23.3	9.5	4.5

NOTE.—Hours of occurrence are the same as all drivers except 8 to 12 midnight is 16 percent for all; 4 to 8 a.m. is 7 percent for all; and 8 a.m. to 12 noon is 16 percent for all.

VI. Day of week

[In percent]

Age	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Under 17	8.2	9.0	11.9	12.7	16.4	18.7	23.1
17	12.7	10.3	11.5	11.6	16.6	20.1	17.2
18	13.8	11.4	11.1	12.3	16.4	18.8	16.2
19	13.8	10.2	10.9	12.3	15.9	19.4	17.5
20	11.9	10.4	11.3	12.4	16.0	19.9	18.1
Average	13.1	10.6	11.2	12.1	16.3	19.5	17.2

NOTE.—Days of week on which accidents occurred are practically the same for all ages.

NOTES

Age 17: Drivers have the highest casualty accident incidence of any age group. Their rate is 2.6 times average.

Age 18 to 20: Drivers have an involvement rate of 1.6. At age 18, the involvement rate is down to 1.9, but fatal accident involvement is highest. Age 19 compares favorably with the 21–24 age group.

Age 30 to 39: Drivers attain the average expectancy norm from which point the involvement rate is less than average for all age groups.

The violation involvement is in marked correlation with accident involvement of all age groups.

Although three out of five drivers in the under-21 age group are male, they are involved in four out of five accidents.

While the "exposure" factor would be an important consideration in determining the safe driving record of the various ages, it is impracticable to do so, and consequently, the arbitrary "average expectancy" reference is used.

If it were possible to take the exposure consideration into account, it can be assumed that the 30- to 39-year age group would have a better record than shown because of the large number of "professional" drivers of all kinds which it comprises. By the same token, the record of young drivers could be expected to be worse than it is since their exposure factor would undoubtedly be lower.

EXHIBIT C

Percentage of drinking-driver and drinking-pedestrian motor vehicle accidents in a selection of studies [1]

Study No.	Date	Author	Type of accident	Number	Test of drinking	Criterion	Percent meeting criterion
1	1941	Gonzales and Gettler	Fatality (death within 24 hours)	3,471	Brain alcohol	"Under influence"	56.5
2	1960	Freimuth et al	Fatality—drivers, passengers, pedestrians (death within 12 hours).	500	Brain, spinal fluid, and blood alcohol.	0.05 percent or more	48.2
3	1958	H. S. Shaw, J. P. Ferguson, Delaware State Police.	Single-vehicle drivers (death prior to arrival at hospital)	15	Blood alcohol	0.10 percent or more	80.0
4	1959	Haddon and Bradess	Single-vehicle drivers (death within 4 hours)	83	do	0.05 percent or more	60.9
5	1960	Haddon et al	Pedestrian (death within 6 hours)	19	do	0.01 percent or more	73.7
6	1938	Holcomb	Personal injury	270	Urinalysis	Any alcohol	46.7
7	1954	Lucas et al	Reported evening accidents	423	Drunkometer	0.05 percent or more	22.5
8	1959	Barmack and Payne	Personal injury (airmen)	138	Interview	Admitted 2 or more drinks within 4 hours of accident.	64.5
9	1951	Smith and Popham	Personal injury	919	Intoximeter	0.01 percent or more	23.0
10	1955	Bjerver et al	do	71	Blood alcohol	do	32.4

[1] Wolfgang Schmidt, report to U.S. Public Health Service, National Conference on Alcohol and Traffic Safety, Pittsburgh, May 1961.

Mr. GALLAGHER. Mr. Speaker, I share the concern of my distinguished colleague from New Jersey, Congresswoman FLORENCE DWYER, who has done such an outstanding job in this important work of problems that stem from teenage drinking of alcoholic beverages. Her concern for our teenagers is to be applauded.

I have never understood the reluctance of the officials of New York State to change the law of that State to raise the minimum age for legal sale of alcoholic beverages to 21, which is, as my distinguished colleague pointed out, the minimum age for legal sale in all adjoining States.

The district I represent is merely a bridge-crossing away from New York and I know of the worry of a great many parents in New Jersey over the availability of liquor to their children who are only 18 years of age. A real problem, of course, is the ease with which an even younger person can obtain forged credentials and pass as 21 years old.

Several years ago I made an extensive study of this problem because it has such far-reaching implications. I had been and continue to be very much concerned over the many auto deaths of teenagers resulting directly from drinking in New York public establishments that cater to teenage trade.

We all realize that control in this matter rests finally and wholly with the State. I feel the New York State Legislature has not only the legal responsibility but a high moral responsibility to raise the legal age for sale of alcoholic beverages and thus avoid the useless auto deaths and the delinquencies that are direct results of teenage drinking.

I would hope that passage of this joint resolution which complements actions by such distinguished groups as the New England Conference of Governors will serve to further impress the New York State Legislature with the seriousness of the problem and prompt that body to appropriate and speedy action.

Mr. MINISH. Mr. Speaker, I should like to commend our distinguish colleague from New Jersey for her excellent exposition of the extremely grave problem caused by the fact that in the State of New York the legal drinking age is only 18. I am joining the gentlewoman from New Jersey [Mrs. DWYER] in sponsoring the joint resolution to which she has referred, and I urge our colleagues not only from the States most directly affected by this problem but from all the States to lend their full support to this legislation. I am certain that the vast majority of the American people, including the residents of New York State, agree that young people should not be exposed to the dangers inherent in the present New York drinking law. The national sentiment is reflected by the fact that the minimum drinking age, so far as liquor is concerned, is 21 in every State except New York.

The Governor of New Jersey, the Honorable Richard J. Hughes, has waged a vigorous campaign to persuade the State of New York to conform to national standards by raising the drinking age to 21. In this third annual message to the legislature, January 12, 1965, Governor Hughes stated:

> We persist in our efforts to persuade the State of New York to conform to a national standard by raising its minimum drinking age to 21. Rebuffed time and again, we have recently renewed our appeal to the Governor and the legislature of our sister State in the name of those young people who we know must die on the highways because of the tragically unique law of New York.
>
> I have heard many arguments, some of them inspired by dollars and cents considerations, that there is no causal connection between teenage drinking in New York and

> the carnage on our highways. In answer to these, I offer the unhappy statistics of death and serious injury among our youth who find easy access to alcoholic beverages across our borders.
>
> As you know, I have named Ned J. Parsekian, former director of motor vehicles, as my special consultant on the teenage drinking problem. It was Mr. Parsekian who prepared the excellent report which we presented to the New York State Joint Legislative Committee to study the alcoholic beverage control law. As my consultant, he will continue to put to use his unquestioned expertise and will serve as an effective representative in our dealings with the State of New York.
>
> Let me make it clear that we shall never abandon what we believe is a just cause. In the coming months we shall enlist the support of civic, governmental and religious leaders in New Jersey as well as New York in our endeavor to bring to bear every moral force in a struggle we must continue if we are to save the lives—even one life—of our young people.

Mr. Parsekian, the Governor's able consultant, has acquired an intimate knowledge of the problem as director of motor vehicles of the State and in his present capacity. He has made detailed studies of highway accidents resulting from drinking of alcoholic beverages in New York State by New Jersey drivers under 21 years of age. These grim statistics, representing personal disasters to so many individuals and families, prove there is nothing vague about the relationship between drinking and automobile accidents. Moreover, the rate is increasing. The number of fatalities for the 7-year period from 1955 through 1961 was 33, whereas there were 24 fatalities for the 3-year period 1962 through 1964. To cite only one of the tragedies attributable to drinking in New York and driving in New Jersey by youths under 21, a 17-year-old driver struck and killed the 43-year-old driver of another vehicle entering a roadway from a driveway. The youth, who was exceeding the speed limit, had been drinking in New York prior to the accident in New Jersey. These tragic, senseless deaths and injuries in New Jersey are repeated in the other States bordering New York. At hearings by the New York State Joint Legislative Committee To Study the Alcoholic Beverage Control Law in 1962, the States of New Jersey, Pennsylvania, Connecticut, Massachusetts, New Hampshire, and Vermont documented 85 deaths of youths under 21 directly traced to drinking in New York. Statistically, there are 70 injuries for every death on the highways. As Governor Hughes observed in a letter of January 26, 1965, to the Governor of Pensylvania:

> At least as it results from the lure of the New York drinking age, this tragic toll is preventable.

Of course, reckless and drunken driving is not the only dangerous consequence of teenage drinking in New York. It has resulted in a variety of harmful and immoral activities and behavior, including assaults upon persons and property and other forms of delinquency.

The Nation is engaged in a splendid effort to raise the physical and mental standards of our young people, realizing they are a national resource which we cannot afford to waste. It is ironic that when we are so rightfully intent on enriching the quality of life for our youth this menace to their health, safety and morals is permitted to exist by New York State.

I hope that the government of New York will recognize its obligation to its own citizens and to the citizens of other States to help eradicate teenage drinking and its attendant evils by raising the legal age to 21.

Mr. HELSTOSKI. Mr. Speaker, I have today introduced a House concurrent resolution expressing the sense of Congress that the State of New York should raise its legal minimum drinking age from 18 to 21.

In the years between 1955 and 1964 we have found that the rate of death and injury resulting from the drinking of alcoholic beverages in the State of New York by people under 21 years of age has been tremendous.

Only yesterday, I have had a long conference with Mr. Ned J. Parsekian, former director of the Motor Vehicle Division of the State of New Jersey and presently on the President's Commission on Traffic Safety and a special consultant to the Governor of New Jersey on the teenage drinking problem.

Mr. Parsekian has furnished me with figures that indicate a rapidly rising death rate among young New Jerseyites who do their drinking in our sister State of New York and then start their "hot-rodding" antics along the highways of the cities of New Jersey.

I would like to point out that between 1955 through 1961, there were 27 accidents, the main cause of which was alcoholic consumption in New York. These accidents produced 33 fatalities and 55 injuries.

Similarly, between 1962 and 1964 the number of accidents rose to 27 with a corresponding rise in fatalities and injuries. These 27 accidents claimed the lives of 33 teenagers and injured 55. These figures show an increase in the death rate of nearly double the yearly average of 1955–61.

Because of this age difference between our two States, the problem of drinking by teenagers is definitely acute. These teenagers are definitely a hazard to themselves, other motorists and pedestrians. If the State of New York would raise its minimum legal age to conform to the States bordering it, we could cut down on the tragic number of accidents involving minors who have obtained their beverages in New York.

Assurances have been given by members of the legislative bodies of New York that this situation would be looked into during the present session of the New York Legislature. I hope that something positive will be forthcoming from their deliberations upon this subject.

There is no good reason why this situation should continue and the sooner the action is taken, the sooner the effects of such action can be obtained.

I have in my files the detailed case histories of the accidents, fatalities and injuries covering the period of 1962 through 1964 and I shall be more than happy to discuss them with any Member of this honorable body who may wish to have additional information on this deplorable situation.

Under leave to revise and extend my remarks, I would like to include the statement of the Honorable Richard J. Hughes, Governor of the State of New Jersey, on the disparity in the New York drinking law, which was issued only 2 days ago.

The statement follows:

STATEMENT BY GOV. RICHARD J. HUGHES CONCERNING THE DISPARITY IN THE NEW YORK DRINKING AGE, FEBRUARY 23, 1965

New Jersey and other States bordering New York have been involved in a continuing effort to persuade the State of New York to conform to national standards by raising its drinking age from 18 to 21. Our sole motivation for this effort has been a deep concern over the tragedy which too often befalls young people who drive across our borders to legally purchase alcoholic beverages in New York and meet injury or death on the return trip. Much to my regret, we have not been successful in our many appeals to our sister State. We persist, however, in the hope that the shocking fact of death and injuries on the highways will awaken the conscience of those who can bring about the New York legislation necessary to prevent such tragedies. The latest survey taken by the State of New Jersey has revealed that this problem is still with us and, indeed, has increased over the past 2 years. It is for this reason that we feel bound in conscience to continue in our effort with regard to the New York drinking law.

Through Mr. Ned J. Parsekian, my special consultant on this teenage drinking question, I have already been in contact with Gov. William W. Scranton of Pennsylvania, who has directed that a survey be made to determine the effects of the New York law on the young people in his own State. In addition, Mr. Parsekian has met with New York Assembly Speaker Anthony J. Travia to present our case.

The New England Governors' Conference, which is also greatly concerned about this problem, recently passed a resolution restating its advocacy of a change in the New York law.

Throughout the years we have heard several arguments, a number of them inspired purely by dollars and cents considerations, that there is no causal connection between teenage drinking in New York and teenage death on the highways of its neighboring States. New Jersey rejects these arguments and we submit, in answer, the detailed reports we have compiled concerning those young people whose deaths are directly attributable to the use of alcoholic beverages purchased in New York State under the cloak of New York law.

And so we continue in this effort in the hope that this year we shall succeed and in the knowledge that we cannot and will not abandon our struggle if we are to save these young lives.

I deeply appreciate the support of Congresswoman FLORENCE P. DWYER in this campaign for the safety of our citizens, and I am hopeful that her recommendations will be given the fullest support.

VA OFFICE SHUTDOWN FLIES IN FACE OF KNOWN INADEQUACIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, along with many of our colleagues, I was shocked by the abrupt decision of the

Veterans' Administration to close 31 of its nationwide facilities.

If this ruling takes effect, it will amount to a backward step in our continuing effort to provide the Nation's war veterans with certain important and deserving services enacted into law.

We have been hearing expert testimony before the appropriate subcommittees in both the Senate and the House. The bulk of it supports my own contention that this VA reorganization is unnecessary and unjustified.

There has come to my attention a very thorough and interesting article which appears in the March Newsletter of the American Legion. For the benefit of all Members I ask that it be read into the body of the Record at this point:

VA Office Shutdown Flies in Face of Known Inadequacy—Imperils Avenue to Legal Claims of More Than 9 Million Potential Beneficiaries

The enormity of the announcement of the Veterans' Administration on January 13 that it would close 16 of its regional offices (along with other installations) can hardly be comprehended by the average citizen. The VA regional offices, already spread too thin, are virtually the only direct, local contact that nearly 82 million veterans, vets' wives, widows, children, orphans, and dependent parents have with the Veterans' Administration for advice, information, counsel, claim-filing and claim processing. The shutdown will interpose from hundreds to more than 1,000 miles between potential beneficiaries and the nearest VA regional office, and will shut down regional offices presently serving areas in which reside more than 9 million people listed by VA as having potential business with it. VA says that it is now doing 90 percent of its business by mail and sees no problem in maintaining needed services by mail. The truth, known to everyone concerned, is quite the opposite. Lack of field offices is known beyond doubt to deprive veterans of legal entitlements by denying them access to knowledge of their entitlements.

Let us cite how well this is understood by all concerned.

On August 2, 1962, VA Chief Benefits Director Philip Brownstein testified in Congress on a VA study of why 2,065 pensioned veterans and widows waited for from a year to 16 months to elect to receive a higher pension under an option granted them by law in 1960, and thus lost out on $309,665 of legal benefits. Every one of them had been advised by mail from the VA of the technicalities of the law. Why the costly delay? Mr. Brownstein said that 63 percent of them "just did not understand the law" and "13.6 percent were misinformed by others."

At the same time the House Veterans' Affairs Committee staff made a study of 4,691 veterans and widows in sample areas of Texas, Arkansas, and Florida who had not at any time elected the new pension. Staff Director Oliver Meadows testified that 2,790 of them could have received better benefits by choosing the new option, and these constituted 59.4 percent of the group studied. The average income of the 2,970 who would gain by the election was only $329 a year, yet none of them elected the better pension though it would bring them, on the average, $141.72 more a year. Their total loss through ignorance—$410,908.40 each year.

The whole burden of Mr. Meadows' testimony was that while all of the veterans and widows studied had received from the VA mail describing the complexities of the law, they felt additional need for personal advice and were getting it not from the VA but from people less qualified, close at hand, who were misinforming them.

Why did they have to rely on misinformants instead of VA counsel, when they had no problem drawing the social security to which they were entitled?

The answer is that the same Government that has been putting more and more field offices around the country to advise people on social security has been steadily withdrawing the same services from veterans and their families. Social security involves at most about two times as many people as the VA (VA estimates that 44 percent of the population, or 81.9 million people, may have legitimate business with it). When the present VA cutback is in effect, social security will have more than 60 times as many offices for counseling potential beneficiaries face to face in the 50 States than the VA. With the new VA cutback, VA will have 50 regional offices and 12 contact offices stretching from Hawaii to Rome, from Anchorage, Alaska, to the Panama Canal Zone. By comparison, social security maintains a growing field setup of nine national regions with 613 district offices and 3,519 contact offices. At the same time its laws and regulations are far simpler to grasp and apply than those administered by the VA.

In Texas, Florida, and Arkansas, where the House committee made its shocking sample study, the VA will have just seven permanent offices (four regional, three contact) to counsel potential beneficiaries when the present cutback is in effect. In the same three States, social security has 534 field offices (54 district and 480 contact).

What did the VA do, following the studies cited above which so starkly showed needy veterans and widows missing out on millions in benefits through lack of proper face-to-face counsel and the inadequacy of counsel by mail? Between January 1960 and November 1961 (the terminal period of its study), it closed 19 contact offices. In November 1961, it closed 161 more in one fell swoop. Less than 6 months after it testified it closed 26 of the remaining 35 contact offices, leaving 9 in the 50 States where there had been 1,049 at the end of World War II. In 1955 it had closed the regional offices in San Diego, Miami, and Oklahoma City. After it testified it closed the Dallas regional office and replaced it with a smaller contact office.

While all this was going on, both the Veterans' Administration and House Veterans' Affairs Committee Chairman Olin E. Teague repeatedly went to the press and the broadcasters with the message that for lack of proper information, disabled and impoverished veterans and widows throughout the country were missing out on $46 million a year of legal entitlement in the single matter of the wrong choice of a pension. In 4½ years, the loss to VA pensioners through ignorance, bad counsel, and the inadequacy of contact by mail has come to a staggering $207 million. Compare that to the $23.5 million which it is claimed the new shutdown of facilities will save in administrative costs. A knowledgeable observer has difficulty restraining the sinister suspicion that the $23.5 million saving is not the object of the shutdown at all, but what is envisioned by the Budget Bureau is further vast sums saved in unclaimed benefits by deliberate withdrawal of services.

Is the pension situation a special case of the inadequacy of the VA field service? Not at all.

Twice Congress has had to pass special laws to ease the penalties suffered by veterans who were not properly advised of the need to convert their GI term insurance before its cost became prohibitive.

VA repeatedly asks news media to warn veterans to keep their GI insurance beneficiaries up to date, lest on their death the benefits go to beneficiaries they had in mind 20 years ago but not today. It frequently cites cases in which it is certain that the money went to the wrong people. By mailings to insured veterans in selected areas, VA has persuaded many veterans to change their beneficiaries. But it has never felt that it could afford such a mailing in all the areas where it has withdrawn its services. Last October, to help plug this gap in VA's shortage of counseling, this magazine published a change-of-beneficiary form with the cooperation of the VA, at a cost to The American Legion of approximately $11,000.

The VA repeatedly states that only a small fraction of the children of the war-dead have applied for the college-aid to which they are entitled under the junior GI bill. It admits that it is unable to get the word to them and beseeches private media, such as veterans' organizations, schools, newspapers, and broadcasters do the job.

Only when it is putting more miles between its offices and its potential beneficiaries, does the VA pretend that it can render its services by mail. At other times it admits that it can't and calls for help. Even in the processing of claims—a major work of VA regional offices—70 percent of the claims processed are worked up partially by sources outside the VA (service officers of veterans' organizations, or the States, by claimants' lawyers). The burden on these professional and volunteer helpers is greatly magnified by cutbacks in VA offices. The North Dakota State American Legion service officer, stationed in Fargo, has had just a trot across town to the Fargo VA regional office to represent any of the 299,700 members of veterans' families served by that office. He will now find himself 241 miles removed from the nearest claim-processing office—in St. Paul. Meanwhile, the VA is anticipating that its caseload is due to increase over the years ahead.

Perhaps this gives a small view of the enormity of the VA now ordering the shutdown of more than 24 percent of its already inadequate regional establishments, in areas where there now reside more than 9 million of the potential beneficiaries.

Below are the regional offices to be closed, and opposite them the potential beneficiary population presently served by each office to be closed. Figures are based on VA's 1963 yearend annual report:

Regional office closed:	*Vet family population*
Juneau, Alaska	88, 000
Wilmington, Del	210, 900
Shreveport, La	333, 000
Kansas City, Mo	928, 600
Reno, Nev	118, 400
Manchester, N.H	307, 100
Albany, N.Y	743, 700
Syracuse, N.Y	832, 500
Fargo, N. Dak	299, 700
Cincinnati, Ohio	2, 049, 800
Wilkes-Barre, Pa	1, 221, 000
Sioux Falls, S. Dak	277, 500
Lubbock, Tex	658, 600
San Antonio, Tex	710, 400
White River Junction, Vt	148, 000
Cheyenne, Wyo	170, 200
Total	9, 198, 200

REPRESENTATIVE COLLIER SPEAKS ON TODAY'S CHALLENGE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. Derwinski] is recognized for 10 minutes.

Mr. DERWINSKI. Mr. Speaker, I submit for the Record the text of a speech made by my colleague, the gentleman from Illinois, the Honorable Harold R. Collier, at a recent anniversary banquet of Post No. 24 of the AMVETS in his district.

Because I believe it clearly spells out the challenge of today both as individuals and as a nation, I recommend its reading to other Members of the House of Representatives. Mr. COLLIER's speech follows:

REMARKS OF REPRESENTATIVE COLLIER

Probably in every age, men have said, "We live in perilous times." Indeed, the Great Emancipator, whose birthday we observed just yesterday, must have had this feeling when the very structure of this Nation was imperiled—torn in a war which was fought for the survival of a united nation. Three times since the turn of the century, the freedom and human dignity of man was threatened by tyranny and even after these current conflicts, we live in a world today in which the symbol of the hammer and sickle is spread across nearly two-thirds of the globe. We live in a world that is torn with strife and seething unrest, and we are engaged in a titanic struggle for the minds of men. Is there, therefore, any wonder that I, as a representative in the greatest legislative body in the world, and you, who have fought to preserve this way of life, should be deeply concerned with the events of our time and the critical situation which we face in southeast Asia at this very moment?

To suggest that there is any easy answer to our international problems would be foolhardy. But to suggest that we should assume a no-good-to-worry attitude, is equally foolhardy, for certainly this is no time to relax our efforts to thwart the Communists in their drive toward their one and only goal—that of world domination.

There are those who have expressed deep criticism of our recent retaliatory strike against the North Vietnam aggressors. Many of these seem to feel that we should have accepted the attacks by the Vietcong without raising a military finger. They suggest that we sit down and negotiate—some say we should completely withdraw the U.S. forces from that war-torn area and others oversimplify the problem by saying it should be dropped into the lap of the United Nations.

Certainly any of these three suggestions would be commendable if (and "if" must be in capital letters) first, the North Vietnamese had shown in the past any inclination whatsoever to negotiate a peaceful settlement. But everyone knows there is no such thing as a unilateral agreement. Obviously it takes both parties to enter into an agreement—and when one will not do so, how in the world can a dispute be negotiated? To merely pass off the situation with hollow words under these circumstances just doesn't make sense.

Without negotiating an agreement which would honor the right of South Vietnam to remain independent, free from attack from without by an aggressor, how can we possibly withdraw American troops? One must precede the other. For the United States to merely withdraw and permit an aggressor to continue its overt military action would amount to abandoning a moral and legal commitment. Furthermore, if we did this we would have to suffer the consequences * * * and those consequences would undoubtedly be increased aggression by the Red Chinese against Thailand, Malaysia, and other areas of southeast Asia. If the United States is prepared to see Communist aggression devour all of this area of the world, then, of course, we could pack up and walk away.

As for the proposal to dump the matter in the lap of the United Nations, it must be remembered that the U.N. has already sent teams into Vietnam during the prolonged conflict and they have come up with nothing concrete in the way of an honorable solution or settlement. To merely dismiss the existing problem in this way doesn't recognize the facts of life. For while the U.N. might continue to grope for a solution or settlement, what would happen to South Vietnam in the interim? Would not the fate of this nation be the same as others where millions are now helpless under the heel of totalitarian communistic rule, as is the case in Hungary, Czechoslovakia, and many of the Balkan States? If we are willing to see the same price paid by the people of southeast Asia who are trying to withstand Communist aggression, where else do we intend to permit this to happen in either hemisphere?

The strength of this Nation has been established upon the will and the willingness of each generation to meet the challenge of its day, prepared to pay any price necessary to preserve the fundamental principles of individual freedom. We cannot afford to trade these individual freedoms for temporary security. Nor can we as a nation which is the last bastion of freedom in the free world pursue a course of appeasement or continue a course which has not in any manner improved our status among the family of nations.

There are those who feel that the strong feeling of nationalism or patriotism tends to hamper the cause of world peace. But I submit that any family which takes pride in its family unit can live more peacefully with its neighbors if it pursues the course of moral justice in all of its associations. We are not and have never been an imperialistic nation though we have frequently dedicated ourselves to causes in which we believe and which we hold to be part of human dignity. God forbid that we ever compromise this belief. Recent history has clearly proved that when we have dealt from a position of strength and when that position has been based upon a sound moral position, we have been successful. Where we have compromised a moral position and dealt from a position of weakness, appeasement, and vacillation, we have suffered setbacks. This year ahead will indeed be one of difficult decisions. Almost everywhere we look around the globe we see troubles. Vietnam is the prime example today, as was Cuba 3 years ago, and the overt action of Red China in the Chinese straits a few months before that. In Africa we are tied to the multiple problems growing from emerging nations who have not yet developed a sense of values for democracy which is so essential to their being a peaceful part of the world community. While the prime responsibility for major decisions to provide the maximum of internal security as well as our international strength and security is ladened upon the shoulders of the people in your Government, the fact remains that individually we all have a task to perform. We must not shirk from this responsibility as citizens of the greatest free nation in the world.

APPALACHIA BILL—JOB PIRACY AND INDUSTRIAL PIRACY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, next Monday the House will begin consideration of the Appalachia bill. I urge my colleagues to read carefully House Report No. 51 on the Appalachian Regional Development Act of 1965. I particularly commend to my colleagues the minority views commencing on page 33 of the report. I also urge my colleagues to read the additional views commencing on page 59 of the report. I concur with the minority views and additional views. They are well written and point out in detail the essential unfairness of this legislation to the rest of the Nation.

It is also my hope that my colleagues will read my additional views at the end of the report. The point I attempt to make in my additional views is that the Appalachia proposal is essentially an act of piracy—job piracy and industrial piracy. Among the victims of the crime are not only many communities in my district, but many communities in the districts of my colleagues. My additional views are as follows:

ADDITIONAL VIEWS OF MR. CLEVELAND

As indicated in this report, I concur with the minority views on S. 3 and their additional views.

Concepts of fairness, however, impel me to these additional views. As a member of the special subcommittee which considered S. 3, the essential unfairness of this legislation has been etched sharply on my conscience. Many parts of my congressional district need better roads, hospital facilities, sewage plants, and vocational training centers. Timber development and water resources development play vital roles in much of my district in western and northern New Hampshire.

Administration witnesses again and again stated to the subcommittee that the real purpose of this legislation is to provide those basic facilities, to create centers of prosperity in the Appalachian region. The purpose is to make these communities so attractive that new industries will be drawn to them by the magnetic attraction of community facilities and good roads furnished by the Federal taxpayers of the entire Nation.

AN ACT OF PIRACY

Thus, this act is essentially an act of piracy—job piracy and industrial piracy. Among the victims of this crime are many communities in New Hampshire's Second Congressional District.

For many years, I have devoted countless hours and unremitting effort with many other good citizens of New Hampshire to improve our economy by attracting new industries and resources to our State. I cannot sit silently by and witness the appalling unfairness of this legislation.

THE MAGNET OF FEDERAL AID

New industries that will be drawn to Appalachia must come from some place. These will be new industries that cannot be brought to New Hampshire because with the Federal Government directly financing our competitors with our own tax dollars, in spite of our many advantages, the struggle becomes hopelessly unfair.

As administration witnesses described the rural decline and the outmigration that characterizes parts of the Appalachian region, I was reminded, of course, of many communities in my own district. In fact, most of my district is in the Appalachian Mountains. Indeed, the crowning glory of the Appalachian Mountains can be found in the White Mountains of New Hampshire, the proud Presidential Range and Mount Washington.

VIOLATES NATIONAL HIGHWAY SYSTEM

That better roads will lead to improved economic development, there is little doubt. This legislation, however, for the first time, devotes Federal highway funds to a Federal highway system on a narrow, partisan, discriminatory, and regional basis. The shocking unfairness of this is glossed over by talk about the needs of an area. When asked why this area was chosen, I was told by one witness that it was a big area. This is an ominous and foreboding statement to one who represents in the U.S. Congress a small area but one of which I am justifiably and fiercely proud.

JAMES C. CLEVELAND.

REPUBLICAN ALTERNATIVE—A CONSTRUCTIVE PROPOSAL TO BENEFIT THE ENTIRE NATION

Mr. Speaker, Republicans are often accused of simply opposing and not countering with constructive alternatives. This criticism is unfair. The Republican minority has not confined itself to simply criticizing the Appalachia proposal of the administration. We have proposed a Resources Development Act of 1965 that incorporates the better features of the Appalachia bill but does so on a national scale and in a manner to benefit the entire Nation. The Republican proposal is described in detail in our minority report which I have referred to above. My esteemed colleague and the ranking Republican on the Public Works Committee, the gentleman from Florida [Mr. CRAMER], has set forth in a letter addressed to his colleagues, a brief description of the Resources Development Act of 1965, which I call to my colleagues' attention to assist them in their consideration of the debate on the Appalachia bill which will start Monday. The letter follows:

CONGRESS OF THE UNITED STATES,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C. February 24, 1965.

MY DEAR COLLEAGUE: On February 8, 1965, I introduced H.R. 4466, the Resources Development Act of 1965, and identical bills were introduced by Mr. JAMES CLEVELAND, Mr. DON CLAUSEN, and Mr. ROBERT MCEWEN, as a more palatable substitute for S. 3, the administration's proposed Appalachian Regional Development Act of 1965.

Briefly stated, the Resources Development Act of 1965 (a copy of which is enclosed) would do the following:

First. Extend Federal financial assistance to all areas throughout the United States which qualify as "eligible areas" under the Public Works Acceleration Act—which include "redevelopment areas" designated under subsections (a) and (b) of section 5 of the Area Redevelopment Act and areas of substantial unemployment—and not just to a single region or to prosperous, economically advanced areas.

Second. Authorize programs and projects to be initiated by the States and local officials and administered by existing Federal agencies, rather than creating a new dictatorial regional Federal bureaucracy that has the power of life and death over programs and projects.

Third. Authorize the appropriation of funds, with varying State matching requirements, in amounts and for purposes as follows, for the period ending June 30, 1967:

	Millions
Economic development highways	$800
Demonstration health facilities	82
Timber development organizations	10
Mining area restoration	43
Water resource study	5
Vocational education facilities	32
Sewage treatment works	12
Grants for administrative expenses of local development districts and for research and demonstration projects	11
Total	995

The proposed Resources Development Act of 1965 avoids the following major objectionable features of the Appalachian Regional Development Act of 1965:

1. The Appalachian Regional Development Act is grossly discriminatory in that it offers special Federal assistance to one region of the Nation despite the known existence of severely economically depressed areas in other regions.

2. It provides financial assistance to prosperous as well as depressed counties within the region—at the expense of taxpayers in all economic strata throughout the Nation.

3. It would create a new regional supergovernment with absolute veto authority over State and local decisions and thus establish dictatorial power in the person of a single Federal representative on the Appalachian Regional Commission.

Your attention is respectfully drawn to my remarks and a section-by-section analysis of H.R. 4466, which appear in the CONGRESSIONAL RECORD of February 8, 1965, beginning on page 2151.

I believe this proposed nationwide measure, which treats all depressed and labor surplus areas alike has much merit, and should attract bipartisan support as an alternative to the discriminatory Appalachian Regional Development Act. It is to request your serious consideration and support of H.R. 4466, that I write this letter.

With kindest regards, I am,
Sincerely,

WILLIAM C. CRAMER,
Member of Congress.

FURTHER COMMENT BY MR. CRAMER ON APPALACHIA

Mr. Speaker, my colleague, the gentleman from Florida [Mr. CRAMER], also sent copies of House Report No. 51 on the Appalachian Regional Development Act of 1965 to his colleagues. Accompanying this report, he wrote a brief and succinct letter setting forth in brief and concise language the reasons for minority opposition to the bill. He also described briefly the substitute proposal, the Resources Development Act of 1965, which, under the rule granted today by the Rules Committee, can be and will be considered. I urge my colleagues to read this well-written letter carefully in preparation for next Monday's general debate:

CONGRESS OF THE UNITED STATES,
Washington, D.C., February 24, 1965.

MY DEAR COLLEAGUES: As stated in the conference with regard to the Appalachian Regional Development Act, Appalachia is expected to be on the floor of the House next week, possibly starting Monday.

For your information, I am enclosing a copy of the committee report, and invite your particular attention to the opposing minority views beginning on page 33, and the additional views providing for a possible alternative program applying this long-range approach on a sound basis to the entire country, applicable to areas where poverty exists.

As you know, the minority has opposed the bill, briefly for the following reasons:

1. It discriminates against the rest of the Nation.

2. It provides relief to counties that are not poverty stricken.

3. The rationale set out is based on 1960 antiquated statistics.

4. It provides socialized medical care under the Demonstration Health Facilities proposal.

5. It provides for a Federal czar having complete veto power over all the programs.

6. It contains a wholly unworkable agriculture subsidy.

7. It provides for hydroelectric power generation planning.

8. It reactivates the wholly objectionable accelerated public works program, applicable solely to Appalachia.

The substitute measure which, if the rules permit, will be offered by myself is contained in H.R. 4466, a discussion of which starts on page 59 of the report. Needed amendments have been added to make the phases of public works development, that will have a long-range effect on employment, workable and meaningful. This substitute makes available an effective program to all depressed areas and areas surrounding those depressed counties that would have an impact on the unemployment problem. It eliminates the boondoggle APW, the raising of land-farm subsidies, and other objectionable features. The substitute also provides for administration of the entire program through presently existing agencies rather than being directed through a commission on a regional basis which is dictated to by a Federal czar.

I invite your serious consideration of this matter.

Sincerely,

WILLIAM C. CRAMER,
Member of Congress.

THE 47TH ANNIVERSARY OF ESTONIAN INDEPENDENCE

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mrs. KELLY. Mr. Speaker, on February 24 we commemorated the 47th anniversary of Estonian independence. Ever determined to regain their freedom in spite of centuries under foreign control, the Estonians eagerly seized the opportunity provided by the chaos in Russia following the 1917 Bolshevik revolution to declare Estonia's independence from Russia on February 24, 1918. The struggle was not finished. The Estonians were forced to fight a 14-month war of independence against both the Germans and the Red Army, but ultimately their determination to regain national freedom was rewarded. On February 2, 1920, the Soviet Union and Estonia signed a peace treaty in which the Soviet Union renounced "voluntarily and forever" its sovereignty over Estonia.

Unfortunately, as in so many other instances, when the Second World War broke out the Soviet Union soon made it evident that it considered the Estonian peace treaty only one more "scrap of paper." After forcing a mutual assistance pact on the Estonians in 1939, in 1940 the Red army overran Estonia. The familiar pattern of Communist terrorism—forced exile, political repression, nationalization, creation of a totalitarian society—initiated a nightmare from which Estonia has not yet emerged. The glorious decades between the wars when the Estonian economy thrived, civil liberties and democratic rule flourished, and national cultural aspirations were allowed full expression are today but a memory.

They are, however, a memory planted deep in the hearts of the Estonian people. The Estonians have never forgotten those years of freedom and have never ceased to hope that one day a new era of national independence will open before them. We commend their steadfast dedication to their ideals and express our sincere hopes that one day their dream of freedom will once again become a reality.

INGERSOLL-RAND CO. AND THE EASTON-PHILLIPSBURG AREA: A LESSON IN MUTUAL COOPERATION BETWEEN GREAT INDUSTRY AND A GROWING COMMUNITY

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, it was my pleasure last week to welcome to my office Mr. Robert H. Johnson, chairman of the board of the Ingersoll-Rand Co. which is among the largest employers in my congressional district.

Mr. Johnson had come to Washington to confer with President Johnson and other leaders of industry and business on the balance-of-payments problems which confront our country. I know that he contributed intelligently to the exchange of ideas which occurred during that meeting at the White House.

The people of Easton, Pa., and Phillipsburg, N.J., which lies just across the Delaware River from Easton, are extremely proud of the advances Ingersoll-Rand has made nationally and internationally these past few years. Since 1960, the company has increased its overall employment from 12,000 workers to 21,000 this past year—nearly double the number of workers in a span of just 4 years.

Ingersoll-Rand now occupies a position of 175th among the Nation's largest industrial corporations.

A great deal of this progress can be traced to the astute leadership of Robert Johnson and the team of administrators he has gathered around him at the head of this remarkable firm.

Mr. Johnson has been chairman of Ingersoll-Rand's board of directors since May 6, 1959. Prior to that time he served as president of the organization, with which he has been employed since 1924.

On February 10 of this year, Mr. Johnson served as the main speaker at the annual dinner meeting of the Easton Area Chamber of Commerce at Hotel Easton at the invitation of its distinguished president, Mr. Robert S. Gerstell, chairman of the board of Alpha Portland Cement Co., and Mr. Kenneth Kressler, vice president and program chairman for the chamber.

Mr. Johnson's remarks at that meeting have been praised highly by all those who attended and by the communications media in our area.

I consider his speech an excellent exposition of the responsible manner in which good relations between a community and its industries can be established and encouraged. The text of Mr. Johnson's remarks follows:

ADDRESS BY ROBERT H. JOHNSON

Mr. Gerstell, Mr. Kressler, members of the Easton Area Chamber of Commerce, honored guests, ladies and gentlemen, I want to thank Mr. Gerstell for his most complimentary introduction. His favorable comments on our company, I would like to accept on behalf of all my associates here and abroad who now number over 21,000 men and women. As for his comments about me personally, they are far too generous but they suggest that I should assure you that it is still the company's policy to give every employee unlimited opportunity.

As for Mr. Gerstell himself, the community is most fortunate to have a man of his stature and leadership dedicated to the improvement of the Easton area.

Mr. Gerstell did fail to mention my hometown—Oakland City, Ind. In the unlikely event there is anyone here who doesn't know exactly where it is, it is on the Patoka River—right next to Petersburg.

I have been asked to talk about Ingersoll-Rand Co. and its work here. Now this is a very big subject that could take a lot of time. The size of the subject puts me in a situation illustrated by a story about Sir Winston Churchill. A woman's club had engaged him to speak and the president of the club introduced him by saying that he was world renowned as soldier, statesman, and author, in fact the No. 1 citizen of the world. "But," she said, "there is one thing the ladies of our club do deplore and that is the amount of brandy you are reported to drink every day. Now, I've done some arithmetic and I've figured out that you've drunk enough brandy to fill this room up to here," holding her hand out in front of her. With that she presented Sir Winston. He walked to the rostrum, held out his hand just as she had, looked at it, then looked up at the ceiling and said, "So much to do and so little time."

I would like to ask you to join me for a moment in a flight of fancy—that you imagine the Easton and Phillipsburg operations of Ingersoll-Rand Co. do not exist. Then, I would like you to imagine that all of us are executives of Ingersoll-Rand and that we have met here to specify what we would need and want as a company if we didn't have our Easton and Phillipsburg operations.

Let me list the specifications.

First, we would need 450 acres of land within easy traveling distance of New York. We would want the land to be in a community of around 50,000 people. We would want attractive homes, first-rate elementary and high schools, libraries and other cultural organizations. We would want a distinguished institution of higher learning within a few miles of the plant site. We would specify that the community have outstanding financial institutions, fine hospitals and medical talent, and over 100 churches. We would specify nearness to recreation opportunity—both seashore and mountains. We would want other important plants to be situated in the community so that we would not be the sole large-scale employer. We would specify that there be available some 4,000 people with the executive, engineering and manufacturing capabilities to design and turn out annually some 3½ million pieces of machinery, of 115,000 different varieties, each piece requiring an average of 13 separate operations. We would want a progressive chamber of commerce. Finally, we would specify that the community be characterized by good government and have alert, courageous news media.

I suspect that in such an imaginary meeting—having set such specifications—most of us would say, if we didn't know some of the things we do know, "There just isn't any such place." And then if Chris Clausen or Ed Parish or Les Hopton or any of you said, "Oh, yes there is—it is the Easton-Phillipsburg community," I believe we would all be proud of this admirable solution to our problem.

Now, I would like to take you on a second flight of fancy. Again, I would like you to imagine that the Easton and Phillipsburg operations of Ingersoll-Rand Co. do not exist. I would like you to imagine now that none of us are with Ingersoll-Rand Co. but are, rather, all members of a committee of the Easton Area Chamber of Commerce, met to draft a set of specifications for an industry we would like to bring here to fill this imaginary gap.

We would want a relatively large international company that would have the capability of bringing business and dollars from all over the world. We would want this company to have a broad diversification of products and markets to help stabilize its business and hence its employment. We would want the company to have shown evidence of its intention to grow and expand through sound engineering and scientific programs. We would want the company to have shown evidence of encouragement of worthwhile community endeavors.

We would want a company prepared to maintain a highly desirable group of engineering and manufacturing people and one that would bring in about $27 million per year of outside money for local payrolls and local purchases. And suppose that, to cap off these specifications, we added that we wanted a company whose president had lived here for many years and whose chairman had started his business career in this community, so that both these officers would have a sentimental attachment to it. I suggest that at this point in our imaginary meeting most of us would say, if we didn't know some of the things we do know, "This is a fantastic set of specifications and there isn't any company that could meet them." And, if Mr. Gerstell and Mr. Kressler said, "Oh yes there is, it's Ingersoll-Rand and we can sign them up." I would hope we would all be proud of the solution.

Fortunately, we who are here tonight do not have to go through all the searching I have asked you to imagine. As Mr. Gerstell indicated, the start of what we have today was made long ago. The community and the company have been together for nearly three-quarters of a century—since the early 1890's.

We have talked very little about the company in the past. We have not only talked very little, but have been very cautious in what we did say. Some have said we have been as cautious as the old Vermonter who was asked by a traveler, "Have you lived in Vermont all your life?" and he answered, "Not yet." Having been conservative, we now want to avoid being like the head of a company who was being questioned by a prospective investor. The head of the company painted a rosy picture and wound up by saying, "Our products are head and shoulders above those of our competitors; our sales organization is the best in the world; our factories are all new; we have executives standing four deep for each job. Next year we are going to sell twice as much and make four times as much money." The investor said, "Well, that sounds very good. But nothing is perfect—don't you have at least one problem?" The head of the company thought for a moment and said, "Yes, I do have one little problem—I have a tendency to exaggerate."

What does Ingersoll-Rand do? We make tools—and by tools I mean to include all the machines, equipment, and services used in performing work. If saying, "We make tools" seems too simple, let us recall the famous quotation from Thomas Carlyle, writer and philosopher. "Man is a tool-using animal—weak in himself, and of small stature, he stands on a basis, at most—of some half-square foot, insecurely enough; has to straddle out his legs, lest the very wind supplant him. Feeblest of bipeds. Nevertheless he can use tools, can devise tools—without tools he is nothing, with tools he is all."

At Ingersoll-Rand our whole life is the manufacture of tools. Tools to dig, to dismantle, to build. Tools to help provide heat, light, and power. Tools to extract the earth's natural resources. Tools to help produce food, textiles, and transporation—even tools to think for other tools. The tools, or machines, themselves do an enormous variety of work. They range in size and use from such items as key ring screwdrivers, which might be used to adjust the sun visor on your car to steam jet ejector units that stand nine stories high and which might be used to test a man-carrying space capsule for going to the moon, or to a 26,000-horsepower machine for blowing a blast furnace that can produce enough iron in 1 day to make the steel for over 2,000 automobiles, or a 30,000-horsepower boiler feed pump to serve a powerplant big enough for the entire city of Rochester, N.Y. Industry applies our type machines for supplying and using compressed air to do the almost infinite number of jobs where air power is best. Our machines are involved, indirectly, even in the jewelry business. Recently there have been discovered gem stone deposits off the coast of Africa, and a new chapter in the romantic history of diamond mining is being added by the use of Ingersoll-Rand compressors and other equipment for prospecting in these acres of diamonds under the sea.

To help supply the growing need for more tools for industry, a vigorous program to enlarge and strengthen the company, both in this country and abroad, was started some 5 years ago, and a number of acquisitions have been made.

Since 1961 we have acquired seven U.S. companies manufacturing products other than those in the well-known Ingersoll-Rand line. The sales of these seven subsidiaries, each taken for the year prior to its acquisition, totaled approximately $90 million. For the year 1964 they were much greater.

These companies have put us into new fields that promise better than average growth and yet are within the general scope of our engineering, manufacturing, and sales knowledge. They have brought outstanding people who will help maintain the continuity and health of the whole enterprise over the years to come.

Along with the acquisition program, we have maintained a steady flow of new products from within the company. During 1964, we spent approximately $14 million on research and development and engineering. An important part of this work was done right here in this community.

At the start of 1961 we had about 12,000 employees and we now have, as I mentioned at the start, well over 21,000. We have increased the number of our manufacturing establishments from 10 to 38. In 1961, the company as it existed at that time had sales of approximately $205 million. In 1964, our sales, including the acquisitions made since 1961, amounted to approximately $359 million, an increase of 75 percent and the profits, while not maintaining our previous ratio to sales, due to rising costs, rose from $23,456,000 to $33,600,000, or about 42 percent.

In a leading business magazine's last issued directory of the 500 largest industrial corporations in the United States, we just barely nosed out Avon Products, the cosmetics people, for 226th place in the ranking. If we had made our recent acquisitions a few months earlier we would have just barely nosed out Seagrams, the distillers, for 175th place. There must be something of significance in this change in our runner-up from a cosmetics maker to a distiller but I haven't figured out what it is.

Partly as a direct result of the growth and diversification of the company as a whole, it has become desirable to centralize some of our activities here in the Easton-Phillipsburg area. We have moved four of our division managers—Dave Barta, Ted Dukes, Gunnard Feldt, and Tom Holmes—and certain of their organizations from New York to offices in the Phillipsburg and West Easton plants. Their responsibilities have been extended to cover the engineering, manufacturing, and selling of their products, thus they have responsibility for overall results here and abroad. All functions will be more closely coordinated and I think everyone in these divisions will have a clearer understanding of his place in the total operation.

Other large companies have built many small factories in small communities dispersed over a wide geographic area hoping for better understanding of their problems and purposes and for better human relations. We believe we have these advantages right here and hope these new arrangements may even improve them. The expansion of the work coming under these four new division managers is our objective and we are confident that they and Chris Clausen, our general manager here, will achieve this goal. Under our present plans some 60 new families will move into this area. Over half of the employees involved have already taken their posts at the plants. We believe these people will make a valuable addition to the life of the community.

With the full cooperation of our engineering, sales, and shop people we hope to attain an increasing volume of customers' orders from our domestic market against domestic competitors and now against even foreign competitors whose relatively lower costs in recent years have enabled them to take some business away from us right in our own back yard. Similarly, we hope this full cooperation of our people will enable us to attain, for manufacture here, an increasing volume of foreign business in spite of tariffs, import restrictions, and foreign competition. There will still be certain markets of the world where economic conditions will force us to manufacture abroad, but this will help us sell products made here. For example: In Johannesburg, South Africa, our small manufacturing operation permits us to ship the basic air compressor units from our domestic plants, and the final fabricated portable compressors they turn out enable us to compete with the local foreign manufacturers. The product-line acceptance we have developed in South Africa, with this type of operation, recently enabled us to outsell our competitors on six large 55-ton quarrymasters made here in Phillipsburg.

In conclusion, we have been in business for over 90 years. Many companies have come and gone even in the 70 odd years we have been here. It is the high quality of our products and services that has enabled our company to continue to grow and it is the skills, the enthusiasm, the courage, and the integrity of our people—some of them fourth-generation employees—that have made this high quality possible.

We hope our operations here may continue to provide the ever changing tools for industry and these yet to be designed and built tools will validate Carlyle's description of man. "Without tools he is nothing—with tools he is all."

And now I would like to close by suggesting a new dedication on the part of all of us to our mutual interests in this community. Not so much for what we have been in the past, although we believe we have been a good industrial citizen; not so much for what we are now, although we are proud of what we are today, but we ask your support rather for what we can—with your help—become in the future.

BALANCE-OF-PAYMENTS MESSAGE

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. HANNA. Mr. Speaker, it is with no delight but with considerable concern that I introduce here today a note of disagreement with the administration on one of the very important problems of our time. I speak of the balance of payments.

As this House recalls, a few days ago the President sent to us his message on this subject, and I hope that I am not alone or unique in reporting a disturbed reaction to that message. To the degree that the President's program is based on Government action, it seems unfortunate that such suggested action should be of such a negative quality. It has been my observation that one of the most frequent failures one observes in Government programs is that short-term problems are too easily met with solutions that do violence to our long-term interests and long-term policy. The long-term interest and policy of the United States lies in maintaining a free flow of capital, people, and trade. Any short-term programs which interfere with that policy and interest should be very carefully designed and limited and should be applied only when more positive approaches have been thoroughly tried and found wanting.

Mr. Speaker, it has been my pleasure this past year to serve on a subcommittee on tourism and its affects on the balance of payments. As a result of those hearings, the subcommittee published a report entitled "International Travel in Relation to the Balance-of-Payments Deficit." In that report there is clearly indicated a terrific existing market for travel to the United States which awaits only the intelligent application of Government regulation relative to air and shipboard travel and an energetic partnership between the travel organizations of the United States and the U.S. Travel Service.

What disappoints me in the balance-of-payments message is the absence of suggestion in the foreign travel section of specific, positive efforts to capitalize on the potential of foreign travel to America. President Kennedy in his message to Congress on February 6, 1961, recognized the up-to-now undeveloped inflow of tourists when he stated "foreign travel to the United States constitutes a large potential market heretofore untapped." On the basis of this recommendation the U.S. Travel Service was initiated and, after some problems in its formation and shakedown period, it now stands as a very effective tool to exploit this potential; but instead of a larger support and a more vigorous program for the U.S. Travel Service, we find that the budget for this effort has been very inadequate.

It would have been helpful had the President urged Congress to look more favorably upon supporting this agency and its programs. The President's office should encourage and closely supervise the efforts in the State Department to facilitate the visa granting procedures in all foreign lands; the Immigration Department should be encouraged to continue their excellent work in welcoming the incoming tourists. We should encourage local State agencies and private companies to provide multilingual personnel at all points of entry; the CAB should be encouraged and supported to relax the rules for affinity for charter group travel and should welcome new and more realistic package tour arrangements to be sold in the countries of Europe and in Japan. These are the areas where the greatest potential for travel to the United States now exists.

The United States should provide translation services and printing in foreign languages for State brochures to be sent to foreign lands to be distributed through the U.S. Travel Service. Such service could be made available at cost, and I am sure would be warmly received by the various States. In short, Mr. Speaker, encouragement for those programs which would tailor tourism to the tastes, to the customs, and in some degree to the financial capability of the European and Japanese, would be in the true tradition of promotional practices and would do much to bring the travel balance toward an equilibrium.

In another area we are equally disappointed that positive emphasis on financing exports did not appear in the Presidential message. This country has the greatest export trade of any country in the world but it is still a very poorly exploited and unrespected field of opportunity for the American economy and for the more favorable position in our balance of payments. We had hoped that the President would encourage in his message a more liberal attitude on the Export-Import Bank toward the financing of American goods and services.

As it is true of the American family it is also true of the foreign consumer that he shops for financing as shrewdly as he shops for merchandise. America can ill afford a posture in the international trade scene wherein her financing capabilities fall far below the terms and conditions offered with the sale of the goods and services of her international competitors from Germany, Italy, Great Britain, and Japan.

Unless we get going in this regard, Mr. Speaker, we will not only fail to realize the growth potential in this area but we could well find ourselves slipping from our present substantial export position. In addition to financing, the United States should be vigorously encouraging many companies not yet tapping the potentials for their products in markets outside the United States to more aggressively launch sales and marketing efforts in the international field. We should be developing and encouraging in our various border States trade centers, cultural exchange institutions calculated to help build the trade between our country and the other nations of the free world.

In conclusion, Mr. Speaker, what has been missing is the accent upon the positive which serves our long-term interest and policy so that we can diminish and eradicate the negative which threatens that same long-term position.

FRANK R. KENT MEMORIAL LECTURE, BY JAMES B. RESTON

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. SICKLES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. SICKLES. Mr. Speaker, the noted columnist, James B. Reston, recently delivered a well-reasoned commentary on the problems which confront us.

As the Frank R. Kent Memorial lecturer at Johns Hopkins University in Baltimore, Mr. Reston spoke of the need for all our citizens to reflect upon our problems of education, poverty, unemployment and to find ways and means of discussing these within our own communities and institutions.

Mr. Reston expresses the firm belief that citizens can contribute to the decisions which are affecting their lives, if they will investigate these issues with an open and tolerant mind.

I should like to insert a copy of Mr. Reston's stimulating speech at this point in the RECORD:

FRANK R. KENT MEMORIAL LECTURE

(By James B. Reston)

Dr. Eisenhower, Mr. Watson, ladies and gentlemen, one of the very few advantages of Sunday afternoon lectures is that they give me the opportunity to start with my favorite Biblical passage. It is from the first three verses of the 19th chapter of St. Luke: "And Jesus entered and passed through Jericho. And behold there was a man named Zacchaeus, and he sought to see Jesus—and could not for the press."

I wonder if you realize over here how influential Baltimore has been on the American press of today. There must be something in the air around this city that makes men write better than they do elsewhere. Mencken, Gerald Johnson, and Frank Kent were not only independent and well informed, but they were impudently amusing. "Man," said Hazlitt, "is the only animal that laughs and weeps; for he is the only animal that is struck by the difference between what things are and what they ought to be." I venture to say that seldom in history has the world been governed by as solemn and humorless a collection of men as it is today. We are going to need laughter to live through the era of Lyndon Johnson in Washington and De Gaulle in Paris, Harold Wilson in London, and Brezhnev and Kosygin in Moscow. Alas, we have no Mencken and no Kent, and "The Great Game of Politics" is really not very funny any longer, but something of the old Sun tradition goes on in Price Day, Mark Watson, Tom O'Neill, Phil Potter, Russell Baker, and many others. (I hope you will not regard this as a commercial. I could not honestly proceed without paying my respects.)

I want to talk about our country, and if we begin with a few historical facts, it may be easier to see where we've been, and where we are now. This is the 20th year since the end of the Second World War. There are now almost 100 million people in this country under 30 who do not even remember that war and many more under 40 who have little personal recollection of the depression.

We are, I think, entitled to take some pride in the record of our country in this period. None of the disasters we feared at the end of that war has occurred. None of the boastful predictions of the Communists has come to pass. They were sure they would extend their system to the liberated fragments of the old empires; it didn't happen. They thought they would increase their political influence in the industrial countries of Western Europe; instead their influence there has declined. They were sure that Communist ideology would bind together all the Communist nations into a unified bloc; now they are more divided on ideological questions than our own Republicans.

I have not come here to give you a dose of flattery. "We should behave toward our country," J. B. Priestly once wrote, "as women behave toward the men they love. A loving wife will do anything for her husband except to stop criticizing and trying to improve him. That is also the right attitude for a citizen."

I try to follow that rule in my own profession, and I can assure you my wife also follows it at home. But we are a self-critical and even a perfectionist nation. We have transferred the journalistic habits of the police court and the county courthouse into the capitals of the world. And by incessant drumming on violence and troubles, we have depressed and confused our people and deprived them of a sense of pride and satisfaction in their achievements.

This is unfortunate. We have our problems in Cuba, Vietnam, the Congo, and at home. We have not managed in 20 years to reach a dependable peace settlement. We have merely arranged a series of truces in the divided countries of Korea, China, and Germany and the fighting goes on in southeast Asia. But trouble is a comparative thing. The Western nations are less divided ideologically than the Communist, and it is only fair to remember that 20 years after the First World War—that is to say in 1939—the world was again riven by the most savage war in the history of the human race.

At least it cannot be said of these first two decades of America's rise to world leadership that we lost control of our affairs and let the great antagonists drift into a major war. Never in the long history of quarreling nations have such powerful armies, representing such contradictory philosophies of life, faced each other across such a wide expanse of the earth. Never have there been so many excuses to go to war or so many provocations to war as in the last generation, but the big war hasn't taken place. One significant fact about this should probably be noted: whenever one of the great atomic powers overcommited its power and made itself vulnerable to the destruction of its armed force—as I believe we did in North Korea and again in Vietnam, and as the Soviet Union did in Hungary and Cuba—the other atomic power held back and avoided the ultimate clash. This should be acknowledged, I think, to the advantage of Moscow as well as of Washington.

I do not see this as a period of sorrow or dereliction. It is very difficult to see one's own time in historical perspective, but we have reason to hope. The president of the Carnegie Institution of Washington, Dr.

Caryl Haskins, believes that we are living in one of the golden ages of history. He notes that the days of Periclean Athens, of Rome in the early days of the republic, of the low countries in the Renaissance, and of England under the first Elizabeth were all periods, like our own, of creativity, stress and change, with the threat of violence and social disintegration never far removed.

Maybe the analogy is too romantic; certainly it is too early to say, and yet there are certain similarities. Of stress and change and a certain quality of innovation and individual creativity today there can be little doubt. We have, under pressure, transformed our lives—from an isolated country we have taken on more international responsibilities than England or France at the pinnacle of their imperial power. We have accepted conscription of our wealth and our sons with scarcely a murmur. "How long," Churchill asked at Yalta, "will America maintain an army in Europe?" Roosevelt replied: "A maximum of 2 years." But over a quarter of a million Americans are still standing between the Elbe River and the North Sea 20 years after the landings at Normandy. And I have no doubt Europe would be communized to the Pyrenees today if this had not been true.

The cost of all this change and effort in personal serenity has, of course, been immense. Walter Lippmann has defined it much better than I can. "We are unsettled," he has written, "to the very roots of our being. There isn't a human relation, whether of parent and child, husband and wife, worker and employer, that doesn't move in a strange situation. We are not used to a complicated civilization; we don't know how to behave when personal contact and eternal authority have disappeared. There are no precedents to guide us, no wisdom that wasn't made for a simpler age. We have changed our environment more quickly than we know how to change ourselves."

Even without the collapse of the old empires and the old faiths, and even without the rise of half a hundred new nations and the challenge of new philosophies, our problems at home would be enough to disrupt the lives of any generation.

In these recent sad but glorious days, when the recorded echoes of Winston Churchill's voice were ringing through the world, I heard him address President Roosevelt as the leader "of that great Nation of 137 million souls." Think of what that means. We are over 193 million now. This is an increase of 56 million people since the war—more than the total population of Britain or France.

Change, of course, is the only unchangeable thing in the American story. Frank Kent was born in 1878. That was the year when the first bicycle, the first successful Sunday newspaper, and the first regular telephone exchange started in the United States, which makes me wonder about his timing. Yet he lived joyously through the automobile age into the age of the jet airplane and the rocket and the atomic bomb.

What then of the future? I believe we have come through the first generation since the war in good order. I believe we are a resourceful and an adaptable people. But there are great problems and questions ahead.

When Thomas Huxley came to this country just before Frank Kent was born, he asked a question that is still relevant this afternoon:

"To an Englishman landing upon your shores for the first time," he said, "seeing your enormous wealth, there is something sublime in the vista of the future. Do not suppose I am pandering to what is commonly understood by national pride. I cannot say that I am in the slightest degree impressed by your bigness, or your material resources, as such. Size is not grandeur, and territory does not make a nation.

"The great question, about which hangs a true sublimity, and the terror of overhanging fate, is: What are you going to do with all these things? What is to be the end of which these are to be the means?"

I am glad that President Johnson is now asking the same question. For 20 years we have been dealing primarily with the problems of foreign affairs. Now an odd thing has happened. A man who is widely regarded as a master politician has taken over the highest office in the land and is now talking about the Great Society and a war on poverty.

I hope we are going to take this seriously and not regard it cynically as another political maneuver. Our dilemma in the past has been that the people who talked about great societies in this country—the Emersons, the Jameses, and the Santayanas—had little power, while the people who had power were usually interested in other things.

Now we have the possibility of putting power and philosophy together, and I hope the intellectual community of the Nation is not going to let the opportunity pass. We have heard very little from the universities so far about the Great Society. I expected, perhaps naively, that the idea of the Great Society would have been picked up and refined and expanded by thoughtful men and women, so that the President's proposals would become part of a much wider national debate. It is, of course, early but it hasn't happened. In fact, it occurs to me in my more pessimistic moments that some of the intellectuals would rather lose with Kennedy's style than win with Johnson's.

We need, I think, to reflect about this more than we are now doing, and to find ways and means of discussing our national problems in our own communities and our own local institutions. It is difficult for ordinary people to know what to do about our balance of payments, Vietnam, and De Gaulle. In fact, it is difficult for anybody to know what to do about De Gaulle. But the problems of education, poverty, unemployment, and the health and dignity of our old people are subjects that can be discussed with profit in every school, university, church, Rotary Club, and women's association in the country.

Fortunately, the Federal Government is reaching out to the local communities for help in these matters. On both the new poverty and education programs, it is asking that local committees be established to devise programs that meet their local needs, and what is more important, to administer those programs themselves. This gives us something tangible to work with.

There is, however, a missing element. We have more local clubs and associations in this Nation of joiners than in any other country in the world. But they need summaries of the facts of each major problem to guide their discussions. The newspapers do not supply these in useful form, I'm sorry to say. The radio and television do not do so either. So we must turn elsewhere.

The universities used the proper form after the war. They devised the case-study method, which defined the problem; gave the main facts; suggested possible courses of action to meet the problem, with arguments for and against each course of action. Then the students were invited to study the problem as if they had to decide themselves what the national policy should be.

I am sure that if such study outlines were made available in this form, study groups would multiply all over the Nation and we would begin to get a much more realistic debate. After all, this is merely what the women on the American frontier did with their book clubs a hundred years ago. We need, I believer, to involve the Nation in these questions, or politics will increasingly become little more than a spectator sport.

One objection raised to this line of thought is that it encourages a return to isolation. There is something in this argument, but as Mr. Mencken used to say, not much. Nothing will shake the world more than the failure of America to solve her internal problems, or, as Dr. Eisenhower has been telling us for years, to fail to do a better job of giving direction to the stupendous revolution going on among our neighbors in the rest of the Western Hemisphere.

The population of the world is increasing by 65 million a year. It is rising faster between the Rio Grande and tropical South America than in India or any other section of the globe. The problem in the next 20 years will be to get control of our affairs. The main thing is not what Johnson, De Gaulle, Wilson, Brezhnev, and Kosygin, and all the other political leaders of the world are doing. They are all in the same boat. They are merely threshing about trying to deal with the fantastic changes produced by the scientists and by human fertility.

The facts are startling and inescapable. The gap in the standard of life is not decreasing but increasing between the rich and the poor nations. There is, indeed, a new class war developing on the horizon between the underdeveloped nations of the southern hemisphere and the wealthy industrial nations of the northern hemisphere with vicious racial undertones. The United States cannot avoid serious trouble in the rest of this century if it ignores the resentment building up by poor peoples who know that poverty is no longer necessary or inevitable. And the process of correction must start at home.

It must start, I believe, in our own minds: by asking simple questions. Are our popular assumptions about our power and influence really up-to-date? Is it reasonable to suppose, for example, that we should become involved in every national or even racial conflict involving radical movements on every continent on earth? It is fine to do God's work, but should we try to replace Him? What comes first: the conquest of the moon (at $5 billion a year) or the education and housing of the poor?

Or consider our agricultural policy. Are food surpluses really such a terrible thing in a world where three-quarters of the human race go to bed hungry every night? In such a world, does it really improve the American character to drive people off the land and into the cities because we don't need their food surpluses at home. If it does, Mr. Jefferson was certainly wrong both about the American farm and the American character.

The catalog of questions could be extended beyond your endurance (maybe it already has), but in a world of change, it seems to me that the leaders of all institutions in a democratic country have to keep asking whether what they are doing is really relevant to present day realities. The history of the world is strewn with habits and creeds that were essential in one age and disastrous in another.

It is interesting, incidentally, that perhaps the most traditional institution in the world, the Roman Catholic Church, is going through precisely this process of self-questioning. It is asking whether its former ways are relevant to the modern world, and this is a good question for universities, political parties, and if I may say so, for newspapers, as well.

It will not be easy to go through this process. People do not like change, especially the people who come to the top of institutions under the old system. But the truth that makes men free is often the truth they least like to hear.

For example, it is clear that a modern war with nuclear weapons could easily put civilization back one thousand years. Yet, we are told almost daily that it would be better to risk such a war with China in Vietnam, 7,000 miles from home on a battlefield favorable to the enemy, rather than put up with that particular bit of Communist barbarism going on there.

Americans don't like to be told that. They prefer the TV morality play of good versus evil in which the guns of the good always prevail. But hydrogen bombs are not guns. It is noble to say that justice must prevail everywhere, even if the world must perish, but the idea is worth thinking about before it is put into practice.

To summarize: I believe this growing American family has done exceedingly well in the 20 years since the war when the issues were largely physical and we had to face Russia, the arsenal of rebellion, or be overwhelmed. We still have to face her, but we have now come into a more difficult and complicated phase, where we must do hard things with our minds, and adjust ourselves to the Biblical idea that "the first heaven and the first earth were passed away."

I have no doubt that this great Nation can do it. But it has to think about it and discuss it honesly, and patiently.

"If I am right," said Mr. Justice Holmes, "it will be a slow business for our people to reach rational views, assuming that we are allowed to work peaceably to that end. But as I grow older, I grow calm.

"If I feel what are perhaps an old man's apprehensions, that competition from new races will cut deeper than workingmen's disputes and will test whether we can hang together—yet I do not lose my hopes.

"I think it not improbable that man, like the grub that prepares a chamber for the winged thing it has never seen but is to be—that man may have cosmic destinies that he does not understand.

"And so, beyond the vision of battling races and an impoverished earth, I catch a dreaming glimpse of peace."

PROTEST AGAINST HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I voted today to recommit the appropriation for the Committee on Un-American Activities with instructions that a full hearing be held on the committee's procedures and abuses of its powers. As a further protest, I also voted on final passage against the appropriation.

I feel strongly that we must not do away with the investigation of subversive activities within the United States. The Committee on the Judiciary, which handles all other criminal and judicial matters is adequately equipped to handle this function under fair rules which will protect witnesses against guilt by accusation.

We can and must avoid the practices which have become the trademark of the Committee on Un-American Activities—the persecution of witnesses, accusations without substantiated evidence, inquisition into ideas, and so on. A full hearing on these abuses is long overdue.

The avowed functions of the Committee on Un-American Activities are to inform the public of the danger of internal subversion; provide a check on the executive branch's enforcement of security laws; and to recommend legislation bearing on our national security and defense. These are legitimate tasks, but all can be adequately handled by existing committees. The Committee on Un-American Activities has failed to pursue these goals within the framework of our traditional freedoms. Its methods violate the elements of due process which make up the very foundation of American democracy. Its apparent philosophy that the end justifies the means is practiced by the very forces the committee seeks to check. The committee's powers constitute an awesome exercise of governmental force. The abuse of such powers cannot be justified and must be exposed.

The day of the witch hunt should have disappeared from the free world with the atrocities of Salem, Mass., two centuries ago. McCarthyism should forever be a dead letter in this country. Hundreds of innocent people have lost their jobs through unsubstantiated accusations by the Committee on Un-American Activities. Indeed, the committee has become a vehicle by which any citizen could pillory his neighbor merely by suggesting that the committee investigate him.

Furthermore, the committee's legislative record is practically nil. It has been directly responsible for the passage of only two laws. It considers only a handful of bills each year, all of which rightfully come under the jurisdiction of some other committee.

I want to make it clear that my opposition to the Committee on Un-American Activities does not mean I would have us abandon legislative machinery for the investigation of matters pertaining to national security. Traditionally, the Judiciary Committees of both the House and Senate have dealt with these matters.

My colleague, the gentleman from California [Mr. ROOSEVELT] and my colleague, the gentleman from New York [Mr. LINDSAY] have introduced resolutions which would abolish the Committee on Un-American Activities and transfer its functions to a subcommittee of the Committee on the Judiciary. I support these measures because they would retain a mechanism for safeguarding our internal security under sound, proper, and democratic procedures. I hope that hearings on these proposals will be held soon.

THE MOST IMPORTANT DOMESTIC ISSUE—LEGISLATIVE REAPPORTIONMENT

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. BARING. Mr. Speaker, I have signed the discharge petition which was placed at the Speaker's table yesterday having to do with apportionment and reapportionment of State legislatures.

I feel that the decisions reached by the U.S. Supreme Court pertaining to State legislative reapportionment is one of the greatest constitutional issues confronting the American people in this century. In my opinion Congress has a clear duty to assure the people an opportunity to determine what changes are to be made in our fundamental principles of our representative government.

This is not necessarily a partisan issue, but it involves basic constitutional separation of powers, which could well threaten our Federal system and our democratic way of life, and it should be brought up for discussion as soon as possible.

THE PASSING OF JUSTICE FRANKFURTER

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the death of Mr. Justice Frankfurter stilled a profound influence on the law and life of America. From the day he was appointed in 1939—by my father—until the day he retired following a heart attack in 1962, his was a dominating figure on the Supreme Court.

His great intellect and wit served this country well before he came to the Court. Only a few months after he graduated from Harvard Law School in 1906, as an honor student and Law Review editor, he was appointed assistant to Henry L. Stimson, then U.S. attorney in New York. In 1911 Stimson became Secretary of War and took young Frankfurter to Washington with him. In 1914 he returned to his beloved Havard, this time as a faculty member. In 1917 he returned to Washington as assistant to Secretary of War Newton D. Baker, and later assistant to the Secretary of Labor, and finally, Chairman of the War Labor Policies Board. In 1919 he went to the Versailles Peace Conference. That same year he returned to Harvard where he taught for the following 20 years, but all during this time he carried on his outside activities. It was during this period that his Atlantic Monthly article analyzing the Sacco-Vanzetti trial brought that case to national and world attention.

It was also during this time that he and my father first met, and that their mutual respect and friendship grew. Some who were suspicious of him exaggerated his unofficial influence upon father and the New Deal. His wise and articulate counsel was often sought, not only regarding the drafting of legislation, but also for recommendations of bright and able young lawyers to join government service.

Father asked Mr. Frankfurter to be Solicitor General, and he declined. But father knew the greatness of this man and our country's need for his service, and on the eve of January 4, 1939, called to tell him:

> Unless you give me one insurmountable objection, I'm going to send your name in for the Court tomorrow at 12 o'clock.

His career on the Court is for others to recount. But surely he must be placed among the several most important jurists to serve this country.

As lawyer, teacher, judge, and goad to society, Felix Frankfurter was a significant influence in American life for more than half a century, and his death leaves a void in our great society that will not soon be filled.

THE HAWAIIAN SOLUTION TO THE AGRICULTURAL LABOR PROBLEM: HIGH WAGES

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, work in the canefields and in the sugarmills of Hawaii is arduous and exacting. Some of this labor might even be referred to as "stoop labor." However, Hawaii's agricultural industry is not suffering the difficulty being encountered by certain sugar-raising States in finding willing farmworkers.

Perhaps a clue to the plentiful supply of labor enjoyed by the Hawaiian sugar industry can be found in an article which appeared in H.S.P.A. Sugar Briefs of February 11, 1965, entitled "Wages Hit New High." The report points out that Hawaii, with average daily earnings for sugarworkers of $24.10 in 1964, pays the highest agricultural wages in the world. This compares to average daily wages in the sugarbeet industry of $11.28 during the same year. The average U.S. farm wage is $7.10 a day, and the average of U.S. manufacturing industries is $19.68 a day.

One sure solution to the agricultural labor shortage in California and other States may be a living wage for a man and his family. Hawaii, in the middle of the Pacific Ocean, where the cost of seasonal importation of laborers would be prohibitive, applied this solution very happily to solve its problem.

Americans will perform hazardous work, tedious work, and even "stoop labor," if paid adequately.

REENACTMENT OF SECOND INAUGURATION OF ABRAHAM LINCOLN

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Price] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. PRICE. Mr. Speaker, I take this time to advise the House that arrangements are being completed to observe the 100th anniversary of the Second Inauguration of Abraham Lincoln.

President Lincoln's Second Inaugural will be reenacted on the East Front of the Capitol Building at noon on Thursday, March 4, 1965. Ceremonies will be exactly as they were 100 years ago, when President Lincoln took the oath of office for the second time and delivered his immortal Inaugural Address which carried his famous plea, "With malice toward none—with charity for all."

The commemoration is to be marked especially by as authentic as possible a reproduction of exactly what occurred on the same spot on March 4, 1865. To this end your committee appointed by the Speaker to handle arrangements has secured the services, gratis, of Dore Schary, famous motion-picture and Broadway producer, as director of the reenactment.

I wish to advise the House that invitations may be obtained by Members at the Office of the Doorkeeper of the House for distribution among his constituents. It would be my suggestion that Members obtain these invitations now.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Karsten (at the request of Mr. Albert), February 24 through March 1, 1965, on account of official business—British-American Parliamentary meeting.

Mr. Byrne of Pennsylvania (at the request of Mr. Rhodes of Pennsylvania), February 25, 1965, on account of illness.

Mr. Widnall (at the request of Mr. Gerald R. Ford), February 25, 1965, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Michel, for 15 minutes, on Monday, March 1.

Mr. Halpern (at the request of Mr. Hutchinson), for 15 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. Derwinski (at the request of Mr. Hutchinson), for 10 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. Laird (at the request of Mr. Hutchinson), for 60 minutes, on March 1.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Dorn and to include extraneous matter.

Mr. Albert to extend his remarks and to include an address by the gentleman from Tennessee [Mr. Grider] and an editorial from the Commercial Appeal.

Mr. O'Konski.

Mr. Conyers.

(The following Members (at the request of Mr. Hutchinson) and to include extraneous matter:)

Mr. Fino.

Mr. Stanton in two instances.

Mr. Lindsay

(The following Members (at the request of Mr. Roncalio) and to include extraneous matter:)

Mr. Blatnik.

Mr. Friedel.

ADJOURNMENT

Mr. RONCALIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Monday, March 1, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

631. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 5, 1964, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Honolulu Harbor and Barbers Point Harbor, Oahu, Hawaii, requested by resolutions of the Committee on Public Works, House of Representatives, adopted July 19, 1956, July 16, 1958, and August 14, 1959. It is also in partial response to the River and Harbor Act approved May 17, 1950 (H. Doc. No. 93); to the Committee on Public Works and ordered to be printed with two illustrations.

632. A letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting a report of the proceedings of the 65th national convention of the organization held in Cleveland, Ohio, August 23–28, 1964, pursuant to Public Law 88–224 (H. Doc. No. 94); to the Committee on Armed Services and ordered to be printed with illustrations.

633. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to amend title 37, United States Code, to authorize payment of incentive pay for submarine duty to personnel qualified in submarines attached to staffs of submarine operational commanders"; to the Committee on Armed Services.

634. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled, "A bill relating to the rental of quarters by the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

635. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled "A bill to provide for the subsistence supplies for severely handicapped children in schools or classes established for their benefit in the public schools of the District of Columbia"; to the Committee on the District of Columbia.

636. A letter from the Special Assistant on the Arts. The National Council on the Arts, transmitting a draft of proposed legislation entitled, "A bill to amend the National Arts and Cultural Development Act of 1964, to provide for an annual appropriation for expenses of the National Council on the Arts"; to the Committee on Education and Labor.

637. A letter from the Secretary of Labor, transmitting a copy of the Secretary's reply

to the Comptroller General concerning a report relative to the mission of the Public Employment Service; to the Committee on Government Operations.

638. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs incurred in the procurement of reusable metal containers for the Bullpup missile, Department of the Navy; to the Committee on Government Operations.

639. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled "A bill to amend section 12 of the Natural Gas Act with respect to the issuance of securities for the construction, acquisition or operation of pipeline facilities; to the Committee on Interstate and Foreign Commerce.

640. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies"; to the Committee on Interstate and Foreign Commerce.

641. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled "A bill to amend section 14 of the Natural Gas Act"; to the Committee on Interstate and Foreign Commerce.

642. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas"; to the Committee on Interstate and Foreign Commerce.

643. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Natural Gas Act to require a certificate of public convenience and necessity for the acquisition of a controlling interest, through the ownership of securities or in any other manner, of any person engaged in the transportation of natural gas, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

644. A letter from the Chairman, Federal Trade Commission, transmitting the 50th annual report of the activities of the Commission for fiscal year ended June 30, 1964; to the Committee on Interstate and Foreign Commerce.

645. A letter from the Chairman, National Mediation Board, transmitting the 30th annual report of the National Mediation Board, including the report of the National Railroad Adjustment Board for fiscal year ended June 30, 1964; to the Committee on Interstate and Foreign Commerce.

646. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting information warranting the withdrawal of the case of Juan Pivovaroff (also known as John Pivovaroff) A-11356994, submitted August 1, 1964, relative to suspension of deportation under section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended by Public Law 87–885, and pursuant thereto; to the Committee on the Judiciary.

647. A letter from the Director Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation entitled, "A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine dischargeability or nondischargeability of provable debts"; to the Committee on the Judiciary.

648. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation entitled, "A bill to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source"; to the Committee on the Judiciary.

649. A letter from the executive vice president, National Fund for Medical Education, transmitting a report of an audit of the fund for year ended December 31, 1964, pursuant to section 14(b) of Public Law 86–685; to the Committee on the Judiciary.

650. A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation entitled "A bill to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER: Committee on Science and Astronautics. A report on geographic distribution of Federal research and development funds (Rept. No. 106). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on House Administration. House Resolution 69. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 68; with amendment (Rept. No. 107). Ordered to be printed.

Mr. BURLESON: Committee on House Administration. House Resolution 149. Resolution providing for expenses of conducting studies and investigations authorized by House Resolution 84; without amendment (Rept. No. 108). Ordered to be printed.

Mr. BURLESON: Committee on House Administration. House Resolution 188. Resolution authorizing the expenditure of certain funds for the expenses of the Committee on Un-American Activities; with amendment (Rept. No. 109). Ordered to be printed.

Mr. ROGERS of Colorado: Committee on the Judiciary. S. 301. An act to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics; with amendment (Rept. No. 110). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on House Administration. House Resolution 229. Resolution providing funds for the Committee on House Administration; without amendment (Rept. No. 111). Ordered to be printed.

Mr. MADDEN: Committee on Rules. House Resolution 249. Resolution for the consideration of S. 3, an act to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region; without amendment (Rept. No. 112). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BARRETT:

H.R. 5473. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 5474. A bill to amend the Internal Revenue Code of 1954 to increase the amount of club dues or membership fees exempt from the tax, on such dues and fees, from $10 per year to $60 per year; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 5475. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 5476. A bill to amend sections 3731 and 1404 of title 18, United States Code, with respect to appeals by the United States from decisions sustaining motions to suppress evidence; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 5477. A bill to authorize a study of methods of helping to provide financial assistance to victims of future natural disasters; to the Committee on Banking and Currency.

H.R. 5478. A bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters; to the Committee on Public Works.

By Mr. CLEVENGER:

H.R. 5479. A bill to repeal the manufacturers' excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 5480. A bill to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation; to the Commission on Public Works.

By Mr. EDWARDS of Alabama:

H.R. 5481. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain expenses of higher education; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee:

H.R. 5482. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

By Mr. WILLIAM D. FORD:

H.R. 5483. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

H.R. 5484. A bill to repeal the manufacturers' excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. HAGAN of Georgia:

H.R. 5485. A bill to allow an additional time for payment of 1964 income tax to the extent of underwithholding on wages paid to individuals; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 5486. A bill to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation; to the Committee on Public Works.

By Mr. HELSTOSKI:

H.R. 5487. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 5488. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. KING of Utah:

H.R. 5489. A bill to establish a National Economic Conversion and Diversification Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY:

H.R. 5490. A bill to establish a National Arts Foundation; to the Committee on Education and Labor.

H.R. 5491. A bill to provide through the social security system a means of financing hospital and related services to aged beneficiaries, but offering freedom of individual choice to each beneficiary to select voluntary health plan coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 5492. A bill to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation; to the Committee on Public Works.

By Mr. MORSE:

H.R. 5493. A bill to provide that the flag of the United States of America may be flown for 24 hours of each day in Lexington, Mass.; to the Committee on the Judiciary.

By Mr. MORTON:

H.R. 5494. A bill to provide for continuity and support of study, research, and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to, gathering, evaluating, correlating, and dispersing of information and knowledge obtained from exploration, research, and other mediums relating to weather, communications, travel, and other areas of information; also to coordinate Antarctic activities among those agencies of the U.S. Government and private institutions interested in or concerned directly with the promotion, advancement, increase, and diffusion of knowledge of the Antarctic; and to direct and administer U.S. Antarctic programs in the national interest; to the Committee on Interior and Insular Affairs.

H.R. 5495. A bill to authorize the Secretary of the Army to conduct a complete investigation and study of utilization and control of the Chesapeake Bay Basin; to the Committee on Public Works.

By Mr. PEPPER:

H.R. 5496. A bill to authorize an additional method for Federal savings and loan associations to raise capital, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROGERS of Colorado:

H.R. 5497. A bill to amend paragraphs b and c of section 14 of the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 5498. A bill to provide for the redesigning of the 5-cent George Washington regular postage stamp so as to incorporate George Washington's immortal words "To Bigotry No Sanction"; to the Committee on Post Office and Civil Service.

By Mr. TRIMBLE:

H.R. 5499. A bill to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation; to the Committee on Public Works.

By Mr. WIDNALL:

H.R. 5500. A bill to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYDLER:

H.R. 5501. A bill to provide for the establishment of the National Humanities Foundation to promote progress and scholarship in the humanities and the arts, and for other purposes; to the Committee on Education and Labor.

By Mr. ANDERSON of Tennessee:

H.R. 5502. A bill to provide a hospital insurance program for the aged under social security, to amend the Federal old-age, survivors, and disability insurance system to increase benefits, improve the actuarial status of the disability insurance trust fund, and extend coverage, to amend the Social Security Act to provide additional Federal financial participation in the Federal-State public assistance programs, and for other purposes; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 5503. A bill to increase the amounts authorized for Indian adult vocational education; to the Committee on Interior and Insular Affairs.

By Mr. BYRNES of Wisconsin:

H.R. 5504. A bill to permit amounts paid for accident or health insurance to be deducted for income tax purposes as a medical expense without regard to the 3 percent limitation; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 5505. A bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 5506. A bill to amend section 376 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 5507. A bill to amend the Small Business Act to authorize additional funds to be available exclusively for disaster loans; to the Committee on Banking and Currency.

By Mr. COOLEY:

H.R. 5508. A bill to facilitate the work of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. DORN (by request):

H.R. 5509. A bill to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs shall make payments to an individual of pension authorized under chapter 15 in addition to disability compensation payable under section 314(k) both of this title; to the Committee on Veterans' Affairs.

H.R. 5510. A bill to amend Public Law 86-211 to authorize a person to elect or reelect to receive pension under that provision of chapter 15 of title 36, United States Code, which provides the greater benefit; to the Committee on Veterans' Affairs.

H.R. 5511. A bill to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of loss or loss of use of one kidney; to the Committee on Veterans' Affairs.

By Mr. DORN:

H.R. 5512. A bill to amend title II of the Social Security Act to provide for individuals who have spent substantially all of their working lives in one trade or industry, a more realistic definition of "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. JARMAN (by request):

H.R. 5513. A bill authorizing payment of indemnities to the descendants of Cheyenne and Arapaho Indians who lost relatives or property in the Sand Creek Massacre and were entitled to indemnities under the treaty of October 14, 1865; to the Committee on Interior and Insular Affairs.

By Mr. LINDSAY:

H.R. 5514. A bill to provide injunctive relief from activities which dilute the distinctive quality of a trademark or trade name or which otherwise constitute unfair commercial activities; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 5515. A bill to amend the Tariff Act of 1930 to provide that certain imported footwear uppers shall be marked with country of origin; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 5516. A bill to amend section 2 of title IV of the District of Columbia Revenue Act of 1937 to require the Board of Commissioners of the District of Columbia to imprint on automobile license plates issued to foreign diplomats the name of the country which the diplomat represents; to the Committee on the District of Columbia.

By Mr. PEPPER:

H.R. 5517. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 5518. A bill to increase the amounts authorized for Indian adult vocational education; to the Committee on Interior and Insular Affairs.

By Mr. RIVERS of South Carolina:

H.R. 5519. A bill to amend title 10, United States Code, to authorize language training to be given to a dependent of a member of the Army, Navy, Air Force, or Marine Corps under certain circumstances; to the Committee on Armed Services.

By Mr. SCHEUER:

H.R. 5520. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. THOMSON of Wisconsin:

H.R. 5521. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

By Mr. WATKINS:

H.R. 5522. A bill to amend the Internal Revenue Code of 1954 to provide that taxpayers having gross income of $3,000 or less shall not have to pay the Federal individual income tax; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.J. Res. 348. Joint resolution to authorize the President to proclaim the last Friday of April of each year as National Arbor Day; to the Committee on the Judiciary.

H.J. Res. 349. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.J. Res. 350. Joint resolution to authorize the President to proclaim National Volunteer Fireman's Week; to the Committee on the Judiciary.

By Mr. FINO:

H.J. Res. 351. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. MORTON:

H.J. Res. 352. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mrs. DWYER:

H. Con. Res. 319. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. GIAIMO:

H. Con. Res. 320. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. CLARK:

H. Con. Res. 321. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. VIGORITO:

H. Con. Res. 322. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. KREBS:

H. Con. Res. 323. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. MINISH:

H. Con. Res. 324. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. DANIELS:

H. Con. Res. 325. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. RODINO:

H. Con. Res. 326. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. WIDNALL:

H. Con. Res. 327. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. CAHILL:

H. Con. Res. 328. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. DADDARIO:

H. Con. Res. 329. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H. Con. Res. 330. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. HOWARD:

H. Con. Res. 331. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H. Con. Res. 332. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. STAFFORD:

H. Con. Res. 333. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. GRABOWSKI:

H. Con. Res. 334. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. McGRATH:

H. Con. Res. 335. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. GRABOWSKI:

H. Con. Res. 336. Concurrent resolution requesting the President to instruct the U.S. Mission to the United Nations to bring the Baltic States question before the United Nations with a view to the liberation of Lithuania, Latvia, and Estonia from Soviet occupation; to the Committee on Foreign Affairs.

By Mr. WYDLER:

H. Con. Res. 337. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. CURTIS:

H. Res. 244. Resolution to amend the Rules of the House of Representatives with respect to the printing of remarks of Members of the House in the CONGRESSIONAL RECORD; to the Committee on Rules.

By Mr. MORRISON:

H. Res. 245. Resolution to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 246. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 245; to the Committee on House Administration.

By Mr. PATMAN:

H. Res. 247. Resolution to provide funds for the expenses of the studies, investigations, and inquiries with respect to housing and related matters authorized by House Resolution 133; to the Committee on House Administration.

By Mr. RIVERS of South Carolina:

H. Res. 248. Resolution authorizing the Committee on Armed Services to employ three additional employees; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

57. By the SPEAKER: Memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

58. Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

59. Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States requesting the Congress to propose an amendment to the Constitution of the United States relative to legislative apportionment; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5523. A bill for the relief of Georgios V. Banakos; to the Committee on the Judiciary.

H.R. 5524. A bill for the relief of Nikolaos Platipodis; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 5525. A bill for the relief of Asher Dzialoschynsky, Mrs. Lillie Ida Dzialoschynsky, and Jeschuna Dan Dzialoschynsky; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 5526. A bill for the relief of George P. Panagiotopoulos; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5527. A bill for the relief of Basilia Tola Arganda; to the Committee on the Judiciary.

H.R. 5528. A bill for the relief of Bernice Ferguson; to the Committee on the Judiciary.

By Mr. FINO:

H.R.5529. A bill for the relief of Nava Barak; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 5530. A bill for the relief of the estate of Robert A. Ethridge; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 5531. A bill for the relief of Mrs. Delores A. Lake and her minor grandson, Oliver Lake; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 5532. A bill for the relief of Annie Loretta Brown; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 5533. A bill for the relief of Kuniki Nagano Zwiefelhofer; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 5534. A bill for the relief of Kjell Kosberg; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 5535. A bill for the relief of Valentina G. Samson; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 5536. A bill relating to the status under the Internal Revenue Code of 1954 of the Local 738, I.B.T-National Tea Co. Employees' Retirement Fund; to the Committee on Ways and Means.

By Mr. MAILLIARD:

H.R. 5537. A bill for the relief of Mrs. Juanita Mira; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 5538. A bill for the relief of Emmanuel Damalas; to the Committee on the Judiciary.

H.R. 5539. A bill for the relief of Constantine Tsiakopoulosi; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 5540. A bill for the relief of Mavis Cato Addison; to the Committee on the Judiciary.

H.R. 5541. A bill for the relief of Paul R. Levesque; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 5542. A bill for the relief of Enrico Solari and his wife, Maria Solari, and their children, Enrica, Grazia and Mirella Solari; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5543. A bill for the relief of Domenico Fodera; to the Committee on the Judiciary.

H.R. 5544. A bill for the relief of Gaspare Terranova; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5545. A bill for the relief of Mrs. Jung Soon Lee; to the Committee on the Judiciary.

H.R. 5546. A bill for the relief of Mrs. Maria Elena Prego Roldan; to the Committee on the Judiciary.

H.R. 5547. A bill for the relief of Zev Solel; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 5548. A bill for the relief of Alfred Cabral da Rocha; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.R. 5549. A bill for the relief of Jose Dayao Villarica; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.R. 5550. A bill for the relief of William J. Meskil; to the Committee on the Judiciary.

Mr. TALCOTT:

H.R. 5551. A bill for the relief of George Car; to the Committee on the Judiciary.

By Mr. TUPPER:

H.R. 5552. A bill for the relief of David B. Glidden; to the Committee on the Judiciary.

By Mr. TUTEN:

H.R. 5553. A bill for the relief of Mrs. Josette Augustine Ingram; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 5554. A bill for the relief of Mary Francis Crabbs (Koh, Mi Sook); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

108. By the SPEAKER: Petition of the chairman, Federation of Lithuanian-American Roman Catholic Societies, petitioning consideration of their resolution with reference to requesting Congress to demand with-

drawal of all Soviet troops and personnel from Lithuania and other captive nations, and arrange for free elections to be held under supervision of the United Nations; to the Committee on Foreign Affairs.

109. Also, petition of the president, Farmington Chamber of Commerce Farmington, N. Mex., petitioning consideration of their resolution with reference to requesting Congress to support all measures to secure the immediate authorization and construction of the Animas-La Plata project; to the Committee on Interior and Insular Affairs.

110. Also, petition of the mayor, Woodside, Calif., petitioning consideration of his resolution with reference to requesting a convention for the purpose of amending the Constitution to allow any State which has a bicameral legislature to apportion the membership of one house on factors other than population; to the Committee on the Judiciary.

111. Also, petition of Henry Stoner, Avon Park, Fla., petitioning consideration of his resolution with reference to suggesting an amendment to Senate Joint Resolution 1 relative to the Congress acting in joint session to confirm nomination of Vice President by the President in case of disability, etc.; to the Committee on the Judiciary.

112. Also, petition of Henry Stoner, Avon Park, Fla., petitioning consideration of his resolution with reference to requiring the Post Office Department to provide wider and larger deposit slots for mail in the post offices; to the Committee on Post Office and Civil Service.

113. Also, petition of Henry Stoner, Avon Park, Fla., petitioning consideration of his resolution with reference to requiring the Committee on Government Operations to publish a report on all Federal centers such as the National Meteorological Center and listing information about same; to the Committee on Rules.

EXTENSIONS OF REMARKS

The "E" Award

EXTENSION OF REMARKS
OF
HON. JOHN V. LINDSAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 25, 1965

Mr. LINDSAY. Mr. Speaker, I am pleased to announce that the President's "E" Award for excellence in exporting is being presented this afternoon to Clupak, Inc., a worldwide licensing and research organization with headquarters in New York City.

As you know, the President's "E" Award for outstanding contributions to the increase of world trade was established by Executive order in December 1961. Clupak, Inc., is the first licensing organization to receive this great honor.

Clupak, which licenses its patents and trademarks for the production of Clupak extensible paper to mills and paper machinery manufacturers throughout the world, conducts its worldwide activities with no great outlay of American dollars in foreign countries.

The citation accompanying the "E" pennant given to Clupak, Inc., states:

> Clupak, Inc., has successfully penetrated world markets with Clupak extensible paper. In concluding licensing arrangements for foreign production, the company surmounted skepticism and legal obstacles, demonstrated perseverance, product superiority, and the value of cooperative research.
>
> These determined efforts to effectively promote Clupak extensible paper to the paper industry of the world reflect credit on management, employees, and the American free enterprise system.

Mr. Speaker, it should be noted, too, that Clupak licenses, in all cases, call for royalty payments in U.S. funds—thus furthering the objectives of America's export expansion program.

As a case in point, it is estimated that, if the Clupak extensible paper now made every year in foreign countries were made in papermills built with American capital—instead of under license from Clupak, Inc., it would require an expenditure of $50 to $75 million for plant facilities alone.

This procedure is in line with the recent call by President Johnson for American businessmen "to limit their direct investments abroad, their deposits in foreign banks, and their holdings of financial assets."

Clupak, Inc., currently has 44 licensees producing Clupak extensible paper in the United States and 15 foreign countries in Europe, Africa, South America, and Asia.

Licensees of Clupak, Inc., serve worldwide markets from Argentina, Canada, Chile, China (Taiwan), Colombia, England, Finland, France, Germany, Japan, Norway, Peru, South Africa, Sweden, and Yugoslavia.

Clupak extensible paper, an uncreped kraft with built-in stretch and extraordinary toughness, is widely used throughout the world for multiwall bags and for industrial wrapping paper.

Clupak, Inc., is owned jointly by Cluett, Peabody & Co., Inc., and West Virginia Pulp & Paper.

I am happy to announce the presentation of an "E" Award to this outstanding company.

Prayer in Public Schools

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 25, 1965

Mr. FINO. Mr. Speaker, today I reintroduced my bill to amend the Constitution of the United States so as to permit prayers in public schools and other public places in the Nation.

Through this amendment, I am aiming to reserve an inexcusable abridgment of the freedom of religion. Somehow, the courts have conceived of the first amendment as requiring the stripping of all vestiges of religion from the schools. This to me is absurd. The Constitution does not mean to say that the church and state should be isolated from each other; merely that they should each exercise no control over the other. In short, the Constitution was out to achieve religious freedom.

Somehow the courts have decided that the doctrine of separation of church and state means that religion must be drummed out of public life, presumably so that the religion of irreligious people will not be offended. I believe that the practice of religion is an essential ingredient of meaningful religious freedom. If religion, or the practice thereof, is to retreat before the advance of government, because government and religion cannot mix, then the idea of religious freedom may become less and less real. I strongly urge the Congress to take this opportunity to reiterate the real meaning of our religious heritage.

Presentation of Plaque in Honor of Dr. George Washington Carver

EXTENSION OF REMARKS
OF
HON. SAMUEL N. FRIEDEL
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 25, 1965

Mr. FRIEDEL. Mr. Speaker, on February 18, 1965, a plaque was presented to the Department of Agriculture by the Carver Commemoration Committee in honor of Dr. George Washington Carver.

It is altogether fitting and proper that the building which houses the Department of Agriculture will display this plaque in a position of prominence so that those who gaze upon it may draw renewed inspiration.

Dr. George Washington Carver, as we all know, was not only a remarkable scientists, who contributed so very much to botany, but he was also a truly great American.

In accepting this plaque, Secretary of Agriculture Orville L. Freeman recounted some of the accomplishments and great ideals of Dr. Carver. In order that the Secretary's remarks be made available to those who read the CONGRESSIONAL RECORD, I ask unanimous consent that it be inserted among its pages.

Secretary Freeman's acceptance speech is as follows:

> Dr. Gragg, Congressman TENZER, other distinguished guests, you do the U.S. Department of Agriculture and me personally a great honor in presenting to us this plaque commemorating the name and accomplishments of George Washington Carver, a great American who served his country and his State selflessly and with honor.
>
> On behalf of the Department I am proud indeed to say a few words of tribute to this remarkable scientist, this teacher of rare ability. He was a truly admirable man. He remains so in our own memory and use of his achievements.

In his quiet, humble way, George Washington Carver did far more than most of us realize to shape the development of our USDA. He was born 2 years after the Department was established, and when he died the Department had 81 years of growth and accomplishment behind it. His life spanned many of the major changes in American agriculture—and the truth is that many of these changes he himself helped bring about.

He showed how agricultural products could be used industrially, and he led the way in bridging the gap between lab research and the practical application of that research on the farm. In so doing he foreshadowed the work of our modern utilization research and our extension programs.

Dr. Carver was a close personal friend of at least three Secretaries of Agriculture—"Tama Jim" Wilson, Henry C. Wallace, and Henry A Wallace. Two of them taught him; one of them he taught—taught in the best way of all, informally, in quiet conversations while hunting plants in the woods and the fields.

Henry A. Wallace was only 6 years old at the time, but, looking back much later, he wrote: "Because of his friendship with my father and perhaps his interest in children, George Carver often took me on botany expeditions, and it was he who first introduced me to the mysteries of plant fertilization."

If he were living today, I dare to hope that George Carver would be my close personal friend. too. I think he would be especially interested in what we are doing through rural areas development and research.

Dr. Carver was a scientist with the common touch. Perhaps it was this which inspired him to study what was commonplace. We know that he made paints from Alabama clay. We know that he grew bumper crops on the dump heap at Tuskegee. We know that he pushed far ahead our knowledge of the sweetpotato and its cultivation. We know that he found dozens of uses for the peanut.

His studies of the commonplace helped start the South on the long trek toward agricultural diversification and conservation.

He was a teacher who could not bear to see knowledge lie sterile in the laboratory, like the Biblical talent buried in the ground. And so week after week, when his work in the laboratory and the classroom was finished, he hitched up a mule, carefully packed some exhibits from his projects in a wagon, and drove into the countryside to teach the benefits of crop rotation and conservation.

George Carver was also a truly humble and selfless man. When he was a student at Iowa State, he made the hard choice that determined his career. He had great talent as an artist, and he had an opportunity to go to Europe to study painting. But he gave it up to dedicate himself to science—because as he later said: "It has always been the one great ideal of my life to be of the greatest good to the greatest number of people," and because he saw in agricultural research, "the key to unlock the golden door of freedom to our people."

"Speak to the earth, and it shall teach thee," we read in the Book of Job. George Carver spoke to the earth and it taught him—and he taught others—and the saving knowledge has spread in an ever-widening circle even to our own day.

I accept with gratitude and humility this plaque honoring one of America's greatest agricultural scientists and teachers. We shall place it in a position of prominence. From it, we shall draw renewed inspiration. Seeing it, we shall remember that the Great Society we seek he began to build before many of us were even born.

Secretary of Agriculture Acknowledges George Washington Carver Plaque

EXTENSION OF REMARKS

OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1965

Mr. CONYERS. Mr. Speaker, on February 23, 1965, I brought to the attention of the House a speech delivered last Thursday by our colleague, the gentleman from New York, the Honorable HERBERT TENZER, on the occasion of a plaque being presented to the U.S. Department of Agriculture as a memorial to the late George Washington Carver. Dr. Rosa L. Gragg, chairman of the George Washington Carver Commemoration Committee, is one of my constituents.

Today, I bring to the attention of the House the remarks made by the Honorable Orville L. Freeman, Secretary of Agriculture, upon accepting the plaque on behalf of the Department.

The speech follows:

SPEECH OF HON. ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE

Dr. Gragg, Congressman TENZER, other distinguished guests, you do the U.S. Department of Agriculture, and me personally, a great honor in presenting to us this plaque commemorating the name and accomplishments of George Washington Carver, a great American who served his country and his State selflessly and with honor.

On behalf of the Department I am proud indeed to say a few words of tribute to this remarkable scientist; this teacher of rare ability. He was a truly admirable man. He remains so in our own memory and use of his achievements.

In his quiet, humble way, George Washington Carver did far more than most of us realize to shape the development of our USDA. He was born 2 years after the Department was established, and when he died the Department had 81 years of growth and accomplishment behind it. His life spanned many of the major changes in American agriculture; and the truth is that many of these changes he himself helped bring about.

He showed how agricultural products could be used industrially, and he led the way in bridging the gap between lab research and the practical application of that research on the farm. In so doing he foreshadowed the work of our modern utilization research and our extension programs.

Dr. Carver was a close personal friend of at least three Secretaries of Agriculture: "Tama Jim" Wilson, Henry C. Wallace, and Henry A. Wallace. Two of them taught him; one of them he taught—taught in the best way of all, informally, in quiet conversations while hunting plants in the woods and the fields.

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"Speak to the earth, and it shall teach thee," we read in the Book of Job. George Carver spoke to the earth and it taught him—and he taught others—and the saving knowledge has spread in an ever-widening circle even to our own day.

I accept with gratitude and humility this plaque honoring one of America's greatest agricultural scientists and teachers. We shall place it in a position of prominence. From it, we shall draw renewed inspiration. Seeing it, we shall remember that the Great Society we seek he began to build before many of us were even born.

Congratulations to Monsignor Hladky

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1965

Mr. STANTON. Mr. Speaker, I would like to bring to the attention of my colleagues that yesterday afternoon, the Very Reverend Monsignor Silvester Hladky was elevated to the office of papal chamberlain of his Holiness Pope Paul VI.

This recognition of his church to Monsignor Hladky was an occasion of great joy to his parishioners and his many hundreds of friends. Monsignor Hladky has served for many years as the pastor of Sts. Peter and Paul Church in Warren, Ohio. Not only has the monsignor served his people well, but he has also contributed generously of his time and effort to the betterment of the entire city of Warren.

His personal example of leadership in the social progress of this great city has done much to contribute to the moral and spiritual growth of this community.

I wish to share in this occasion of congratulations with his many friends and extend to Monsignor Hladky my every best wish of many more years of continued service to his church, his city, and his country.

The Great Society Is Here

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1965

Mr. STANTON. Mr. Speaker, while visiting in my district a week ago, I made a discovery that so impressed me that I feel I must bring it to the attention of my colleagues here in the Congress and the President of the United States. I discovered the Great Society is already here.

The occasion for this discovery was the dedication of a community center of the West End Branch of the YMCA in the city of Willoughby, Ohio. Its purpose is to serve families of Willoughby, Willowick, Wickliffe, Eastlake, Willoughby Hills, Kirtland, Waite Hill, Timberlake, and Lakeline.

I realize the names of these communities are not important to this Congress, Mr. Speaker, but I hope that how the people of these communities built this beautiful $450,000 facility will make all of us stop and think for just a moment.

The dedication of this building culminated 11 years of planning and financing by the officials of the West End Branch of the YMCA. It will serve more than 2,360 persons a year and will eventually be part of a $750,000 facility to serve the families of the area.

Industry and special gifts accounted for 52 percent of the total funds; 20 percent came from general gifts by residents of the area; 17 percent from business and 11 percent from a $50,000 bank mortgage. Not a single penny came from the Federal Government.

When it was decided to paint certain areas not in the original contract, the local Kiwanis Club worked with the Lads Without Dads Club to do the painting. A local paint company donated the material.

A group of youngsters in the Leader's Club of the YMCA raised $500 for the center by selling hotdogs, magazine subscriptions, and so forth, for over 2 years.

The group could not afford both a swimming pool and gymnasium so the YMCA built the pool and then made an arrangement with a local school to let the school use the pool and the school will let the YMCA children use their gym.

The people who built this community center—the union men, the leaders of industry, the housewives, and last but not least the children themselves—are truly the Great Society.

This Great Society, Mr. President, asked me a lot of questions when I was at the dedication which I found hard to answer. They are people whose Christian conscience makes the problems of our country their problems. They want to face their responsibility to the less fortunate among themselves as well as the rest of the country, and yet their confidence in your programs has been shaken.

For example, they wanted to help the people who really need a fresh start in the area called Appalachia, but when they heard that some 76 counties out of the 350 in the bill are as well off as they are, their confidence in your program was shaken.

They want to help educate the children of the poor school districts of the county despite the fact that their own real estate taxes are almost overwhelming them in support of their own schools. But when they heard that the 10 richest counties in the country would receive as much money as the 10 poorest counties under the new education bill, their confidence in your education program was shaken.

They want to help the elderly among them who need hospital care and who cannot afford it, but when they learned that your program really does not take care of their No. 1 concern—a prolonged illness that could destroy their life's savings—their confidence in your medical program was shaken.

I did not mention to this Great Society, Mr. President, about your proposed plan in the 1965 housing bill to allocate their money to families of middle income in the form of rent supplements because when they do hear more about the 1965 housing bill their confidence in your program will really be shaken.

Mr. President, these people sympathize with you and share with you our problems in Vietnam, Selma, Ala., and around the world. But they are losing confidence in your programs because you have not been honest with them. On the excuse of using the emotional appeal of doing something for the poor and needy you have presented, and insist on having passed, legislation that helps the rich as well as the poor. Think about it, Mr. President, because if their confidence continues to be shaken the people of this Great Society composed of the party of Abraham Lincoln and the party of John F. Kennedy just might find another leader.

Let Us Know Who They Are

EXTENSION OF REMARKS

OF

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1965

Mr. O'KONSKI. Mr. Speaker, I have today introduced a bill to require the District of Columbia government to affix to the automobile license plates issued to foreign diplomats and their staffs the name of the country which they represent.

Mr. Speaker, I want to make it very clear at the outset that this bill in no way compromises the privilege of diplomatic immunity; but I do insist that those thoughtless and arrogant foreign representatives and their employees who, under the cloak of diplomatic immunity, have continually outraged our citizenry by the flagrant abuse of this, their host country's rules and ordinances—and yet are able to hide behind the anonymity of a simply labeled "DPL" license plate which in no way identifies the country of the offender.

Here in the Nation's Capital, where these diplomats should certainly be on their best behavior, we have countless and repeated abuses of our traffic laws: speeding with impunity, double and triple parking, tieing up traffic by parking in no-parking zones, parking in front of fire hydrants, and on and on—the worst infractions imaginable. And yet, these diplomatic delinquents go their merry way fully aware of their immunity from prosecution.

But the offenders should not be immune from public scorn and they should feel the full weight of public scrutiny when they engage in these highhanded tactics.

I am certainly not attempting to tar all the foreign representatives and their employees with the same brush but I want those that constantly and cynically abuse our hospitality to be recognized; and at the same time, I want those who recognize and observe our rules to receive public recognition and praise. In other words, let the personal reputation and esteem of a country's mission here in our Nation's Capital rise or fall on the way they observe or abuse our hospitality.

President Johnson's Position

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1965

Mr. DORN. Mr. Speaker, President Johnson is being constantly lambasted by the propaganda agencies of the international Communist gangsters in Moscow, Hanoi, and Peiping. President Johnson is for standing firm in South Vietnam in the interest of the United States and freedom throughout the rest of the world.

It is unbelievable to see prominent Americans join Kosygin, Chou En-lai, Mao Tse-tung, and Ho Chi Minh in demanding that the United States withdraw from South Vietnam.

Mr. Speaker, the following is from the Washington report of the American Security Council on February 3:

PRESIDENT JOHNSON'S POSITION

In his state of the Union message, President Johnson answered this question. Said the President: "We are there, first, because a friendly nation has asked us to help against Communist aggression. Ten years ago our President pledged our help. Three Presidents have supported that pledge. We will not break it. Second, our own security is tied to the peace of Asia. Twice in one generation we have had to fight against aggression in the Far East. To ignore aggression now would only increase the danger of a larger war."

Both Radio Moscow and the Communist North Vietnam Radio Hanoi have commented somewhat impudently on the President's speech. Said Radio Moscow on January 7: "Once again he repeated the worn-out lines that American Armed Forces are in South Vietnam to give 'help' and safeguard U.S. security in South Vietnam." And Radio Hanoi on January 9 said: "In his state of the Union address to the U.S. Congress on January 4, Johnson once again disclosed U.S. stubbornness in continuing its aggressive plot in South Vietnam. Johnson brazenly stated that the United States would stay in South Vietnam."

But President Johnson's words are not worn out. His words reflect the verdict of history on the policy of appeasement. A firm policy in Vietnam today is the best guarantee of avoiding a general war tomorrow. How much might not have England, and the world, been spared had the appeasers of the 1930's listened to the advice of Sir Winston Churchill. Militarily, Communist China is still a paper tiger—less powerful than Hitler's Nazis in the early 1930's. Today Communist China's challenge in the Pacific can be met without excessive risk. But the peril to freedom in the Pacific will continue to rise with each year if we refuse to face up to this challenge.

Engineering for Human Needs

EXTENSION OF REMARKS

OF

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1965

Mr. ALBERT. Mr. Speaker, under leave to extend my remarks, I am happy to include a very important address delivered by my distinguished and able colleague, the gentleman from Tennessee [Mr. Grider]. The address was delivered before the Engineers Club of Memphis on February 22, 1965.

The address was on the subject of "Engineering for Human Needs," and was very appropriately made on the anniversary of the Father of Our Country. I am pleased also to include with the address a fine editorial from the Memphis Commercial Appeal. The editorial pays a high and fitting tribute to the words of our colleague.

The editorial and address follow:

[From the Memphis (Tenn.) Commercial Appeal, Feb. 23, 1965]

Challenge to Engineering

Engineering, as a profession, is generally conceded to be the practical application of man's knowledge about nature in ways that benefit humanity.

In his primitive state, the man who picked up a stone and discovered that by striking with it he could kill was the inventor. The engineer was the man who honed the stone to a sharp edge and put a handle on it. The purpose was to make the stone work better—to protect and to provide.

This is the crux of what Representative George Grider said to the Engineers Club of Memphis yesterday. As a compliment befitting Engineers Week, Mr. Grider addressed the group as "the elite guard of our society and civilization."

But he issued to them a challenge which should have a much wider audience and application. For Mr. Grider posed a question which has haunted men through thousands of years in which cultures have flourished only to wither and die. What the Shelby County Representative asked of engineers—the elite guard—is whether "our remarkable technological development will also end in stagnation and decline as those great civilizations have before us?"

"We, as individuals, must save the individual from being overwhelmed by his own numbers, exterminated by his own weapons or submerged by his own machinery," Representative Grider said.

In a sense, we think, he was speaking to all of us. Doctors, in reducing the death rate, have to think too, of the problem of overpopulation. Automakers have to consider the effect of their machine on our environment. The bridgebuilder has to have at least an idea of what he seeks access to on the other side of a river or an abyss. Civilizations that have been stifled by their own inventiveness are all too familiar, as Mr. Grider pointed out to the Engineers Club.

Practicality is inherent in engineering, and this is a practical age. But a voice cries out for the dignity of man and such a voice is sometimes too easily muffled by the whine of the machinery of progress.

Engineering for Human Needs

(By George W. Grider, Member of Congress)

From Stonehenge to Oak Ridge, from the Roman roads to the Tennessee Valley Authority, and from the pyramids to the moon, the engineers have been, and promise to be, long with us. It is a privilege, a presumption, and a great challenge to attempt to find something worth saying to representatives of so ancient, so august, and so modern a profession. Engineering is older than science, almost as old as religion, and always coexistent with the arts. Your invitation to help launch Engineers' Week is accepted with sincere appreciation.

This year, a special significance, dignity, and long-overdue recognition have been added to your profession. I refer, of course, to the new National Academy of Engineering which officially came into being last December 10.

Created within the existing framework of an 1863 charter, the National Academy of Engineering and the National Academy of Sciences have achieved an organizational "wedding." This recognition of the bond between technology and science should have come a century ago.

Whatever the causes and effects of this delay, I am confident that the new arrangements between the engineering and the natural sciences will be highly productive to both, and to society as well.

Without intending either to disparage the place of the political, military, or philosophical men of history, or to rehash things overly familiar to you, I should like to point up the role that engineering has played in the development of Western man.

The engineer was born when man first began to seek mastery over his environment; when, through the practical arts, he first attempted to shape Nature's gifts and forces to meet his needs and wants. Therefore, it can be said that engineering is as old as civilization. Five thousand years ago, the Egyptian kings not only planned and erected pyramids and temples, but aided in developing an economy which made it possible to withdraw from productive labor thousands of workers needed to build such imposing, but, by our standards, useless structures as the great pyramid. The Egyptian engineer was a trusted noble of the court and an adviser to the king.

This remarkable era appears to have ended because the ingrown nobility and priesthood constituted too narrow a base for a truly great society. There was no public demand for continued progress and higher standards of living, because there was no public. The rulers avoided innovation—they were concerned only with maintaining status. We must conclude that the ancient Egyptian was quite satisfied to know how, but did not care about the why. Scientific apathy led to political decay.

Greece, the next in line of the great ancient nations, never failed to ask the question; in fact, never stopped asking "why." Because of the topography of their land, the Greeks became the first great harbor builders. An urbanized nation, they concerned themselves with city planning and public water supply. They pioneered in the excavation of tunnels.

There is in the Greek tradition an architect-engineer—skillful in design, and economical in his use of labor and materials. The Greek was an arch-technician and handed on technical methods and procedures which were to endure for centuries. But the Greek rulers and their political philosophers made a fetish of idleness and abstraction, disdaining material things and menial pursuits. Plato himself thought of the practical uses to which geometry was put in land surveying as a vulgarization of the lofty science. This Greek attitude afflicted the engineering profession for a long period in history. They did not know that engineering's practitioners must necessarily associate themselves closely with the practical arts.

The great link between science and engineering which is the key to 20th-century achievements was missed by the Greeks. Brilliant in philosophic and scientific speculation, Greek life did not provide the atmosphere in which their unusual abilities in mathematics and mechanics could be applied, tested, and improved. It took the human race close to 2,000 years to right this error.

Roman engineering was in large part imported from Greece. Under the Roman Empire, roads, bridges, and water supply facilities were built all over the ancient world from Asia Minor to Great Britain. However, as far as any continuing addition to basic technical knowledge was concerned, the Roman was disappointing. He lacked the intellectual curiosity of the Greek, and was a doer rather than a thinker. The Romans recognized engineering as a vital and potent instrument in the building of a civilized life, yet the Roman mind lacked the inventive qualities essential to a continued technological advance—a condition which undoubtedly contributed to the decline and fall of the Roman Empire.

A new civilization arose from the remains of past accomplishments, however, and the notable masterpieces of stone construction in the Middle Ages remain wonderful even in this century of skyscrapers and high-rise apartments. These castles and cathedrals were in the ancient tradition of construction engineering, but the invention of gunpowder in the 14th century broke up the ranks of the old master builders of ancient times and moved engineering slowly toward modernism.

The Renaissance brought visions of a new mechanical era. Very few of the wonderful mechanical dreams were actually realized until centuries later, but the minds of men were suddenly freed of past fears and inhibitions, and—as we can see so clearly from the notebooks of that great genius of the Renaissance, Leonardo da Vinci—men dared to invent in their imaginations what might be.

Besides his imaginative concepts, the Renaissance man gave to engineering the use of segmental and elliptical arches, river canalization, the canal lock, and the printing press. Galileo and others freed natural science from the shackles of religion to prepare the way for scientific experiment.

Society owes an immeasurable debt also to the French engineers of the 17th and 18th centuries. The first corps of army engineers, a national highway department, the first engineering school, development of the cofferdam and the open caisson processes of foundation work, the first great work on hydraulic engineering, the basic equation for flow in open channels—all are noted here.

The French engineers of this period were indeed the pioneers of modern engineering science, but they were overtaken in their prime by a bloody political revolution.

The British, because they had settled their political problems during the 17th century, became the first beneficiaries of the industrial revolution. To detail the individual inventions and enterprises of the industrial revolution in England would be to elaborate the obvious. However, there were trends of change operating beneath the elaborate activity of the factories which had a very important influence on the future of engineering and science.

Most important was the new alliance between engineering and private enterprise. No longer was the engineer's work almost exclusively in the area of public works. This alliance between engineering and private industry revolutionized the production of consumer goods and became the forerunner of the spectacular 20th century union of science and engineering and industry.

Remembering your American history, you know that Britain did not encourage her 13 colonies on the Atlantic seaboard to develop industrially. However, after our political revolution had been won, we set about our own tasks of importance—and transportation was the number one engineering problem of our frontier phase. Railroads became the American obsession and overshadowed all other forms of engineering for most of the 19th century. But two major technical industrial developments during this period were of great importance when the 20th century dawned—the discovery of a new process for making steel, and the birth of electrical engineering via the telegraph, electric light, and electric motor.

All of these events of history for 50 centuries appear to have been a preparation for the science and engineering of today. We are now concluding the final half of our second American century and are already planning the start of the projects which will sustain us in our third century and, we trust, beyond.

On January 4, President Johnson described the state of our Union in a message which explored the far perimeters of the American dream. Did you realize that almost every project that he named for action in the next 4 years involved engineering enterprise?

There are to be more large and small parks, seashores, open spaces; places of relaxation and recreation at the end of our highways; in our crowded cities, streets and open areas of beauty; regional development where there is now distress and depression; an end to the pollution of our rivers; a termination to the pollution of the air we breathe; desalting of the oceans; and a filling in of the gaps in knowledge to cope with exploding populations and with the growing scarcity of the raw materials of human contentment.

Engineers will be required to fulfill this bright dream, as they have been called upon throughout the history of human civilization to help man control and improve his environment.

President Johnson has given us a bold look forward into the oldest dream the human race has memory of—"the dream of freemen living happily together on a bounteous planet of a benevolent star." Today I have referred to other dreams which were dissipated because the visions were not implemented by sound thought and sound design.

Engineering has helped man to survive, first through empiricism and more recently, in historical terms, bolstered by scientific theory and controlled experiment. Though engineering began as a practical art and depended on the experimental method of try it and see for increased knowledge, the practical art grew, and with it there developed a practical science to embellish it.

It has been said that the nuclear explosives of World War II alone might have been considered to be sufficient to break engineering's link with its empirical past. They were accompanied, however, by long-range submarines and bombers, proximity fuses, homing torpedoes, floating airfields, radar eyes that saw in the dark, guns that tracked and felled their prey automatically, and most astonishing of all, the computer, capable of humanly impossible rapid mathematical calculation and logical decisionmaking.

Our lives are spent among countless engineering wonders. Who notices a jet or a telephone or thinks of the cable lying on the ocean's bottom, or is lost in wonder that we view the Churchill funeral via a communications satellite? The fruits of engineering are marvelous, and they are everywhere.

No one can deny the great era of engineering achievement—and promise—in which we live. We are the heirs of the accumulated experience of 50 centuries, and our country leads the world today because of its resources.

And yet, as we stand on the threshold of the Great Society—and indeed the greatest society—I must ask you, as the elite guard of our society and civilization, whether our remarkable technological development will also end in stagnation and decline as those great civilizations before us.

The Egyptian engineer responded only to a narrow and ingrown nobility, and his civilization was stifled.

The Greek missed the vital link between concept and execution.

The Roman was too preoccupied with building and gave no time to reflection.

France joined all the forces but was overwhelmed on the threshold because she neglected her people.

And now America leads the whole world as it again struggles toward the heights. And it is the engineer who will be the architect of that millennium toward which we strive. His will be the task of finding solutions to the problems that he has helped to create.

Will mankind be submerged and the individual lost in the massive, impersonal complexities of automation?

Will immunity from diseases and dangers cause us to so overpopulate this globe that the very mass of humanity will make a cipher out of the citizen?

Will the world's weapons leave us with no choices between dictatorships born of fear of the weapons or extermination from their use?

The engineer will build the society of tomorrow, if it is built; and the building will demand even greater use of his skills as a scientist-technician, a thinker and a doer.

But this society will never be built unless the builders of today are more than technicians. Today you have to ask a new question. Unlike the Greek who asked, "Why does it work?" you must ask, "Why should it work?"

The scientist who designs a weapon without having a voice in the decision to design it is not fulfilling his 20th-century duty to his discipline or to his society. The architect who designs public buildings without a voice in why or how they should be built is not fulfilling his citizenship.

The roadbuilder whose only interest in politics is to gain advantage on public contract letting may speed the flow of traffic, but he strangles democracy.

In short, it is not enough today to be merely a technician, a builder, or an engineer.

Unless all of us, working together, can find a way for each of us, each human individual, to live in dignity and in independence, the marvelous technical world we're building will be a useless and hideous shell.

We, as individuals, must save the individual from being overwhelmed by his own numbers, exterminated by his own weapons, or submerged by his own machinery.

Yours is an elite society that faces an exquisite challenge. Can you meet this test? I think you can. I think you welcome it. The 20th century has blended in the engineer a unique mix of the practical doer and the analytical thinker. Your influence pervades all branches of society and all levels of government.

And so, what better time is there than the present, during this Engineers' Week, for you to dedicate yourselves again to the task of not only building for the society of tomorrow, but also of shaping the character of that society.

In this endeavor I proudly and humbly join, with confidence that the engineer can add this new chapter to his already proud and illustrious history.

Congressional Reorganization Study Needed

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1965

Mr. BLATNIK. Mr. Speaker, one of the most scholarly and informative statements of the need for a study of congressional organization and procedures was presented to the House Rules Committee last week by our colleague, Hon. CHET HOLIFIELD, of California.

Congressman HOLIFIELD is one of the most intensive students of the House—its traditions, rules, precedents, and procedures. During the past several years, he has spent many months in helping to coordinate bipartisan study sessions of the needs and problems of House organization in an effort to build a solid base of support for meaningful reorganization efforts to streamline the business of the House and to make the legislative branch more efficient and effective.

Mr. Speaker, I commend the following statement by Congressman HOLIFIELD to our colleagues:

STUDY OF CONGRESSIONAL REORGANIZATION

(Statement of Hon. CHET HOLIFIELD, Democrat, of California, before House Rules Committee in support of H. Con. Res. 20, February 2, 1965.)

I am delighted to appear before you today to testify in favor of House Concurrent Resolution 4, the Madden resolution to establish a Joint Committee on the Organization of Congress. I have introduced House Concurrent Resolution 20, an identical resolution.

Briefly, these resolutions would authorize a joint committee to study the organization and operation of Congress and to make recommendations in the interest of strengthening the Congress, simplifying its operations, improving its relationships with other branches of Government, and enabling it to better meet its constitutional responsibilities.

The joint committee would examine, among other things, the procedures and practices of hiring congressional officers, employees, and staff, and the structure and functions of committees. The resolution would authorize $150,000 for the first year.

A LOOK BACK

House Concurrent Resolutions 4 and 20 are identical with Senate Concurrent Resolution 2 introduced by Senator MONRONEY, of Oklahoma. As you all know, he was the cosponsor of the La Follette-Monroney Act of 1946, which achieved the first comprehensive reorganization of the Congress in this century. Among the beneficial results of that action were these—

The complicated committee structure of the Congress was overhauled.

Members' salaries were raised—the first time in 20 years.

The concept of nonpartisan professional staff for committees was introduced.

The Legislative Reference Service was created, and research and information gathering for Members was expanded.

Some burdensome minor functions extraneous to the legislative process were shifted to other parts of the Government (as in the handling of tort claims and authorization for bridge building).

A degree of regulation over lobbying was asserted.

In these and several other ways the Congress was modernized and made more effective, demonstrating our capacity for critical self-examination and for adjustment to changes in the postwar world.

The La Follette-Monroney Act was by no means perfect. Inevitably, there were compromises and there were omissions. Some of the statutory provisions remained in a deadletter (as in the provisions for a legislative budget ceiling on expenditures and for annual adjournment of Congress by July 31). Other provisions or purposes of the act were circumvented—perhaps for good reason (as in the proliferation of subcommittees following consolidation of committees).

REVIEW IS TIMELY

Almost 20 years have passed since the adoption of the La Follette-Monroney Act. Wondrous changes have been wrought on the world scene. New technologies are transforming contemporary life and creating new opportunities—and new dangers. We struggle to keep freedom alive and flourishing in the world, to solve our vexing problems at home.

The Congress is a vital part of the democratic process. It is the great branch of Government which is closest to the people. It must pass on yearly budgets approaching $100 billion. It must continuously review the operations of Government and enact the laws to deal with complex and ever-changing requirements for our national security and welfare.

Therefore, the Congress must keep pace with the dynamic nature of events. It must have the staff and the resources to discharge its legislative duties effectively. It must keep the channels of legislative action unclogged, the machinery flexible, to respond to the exacting requirements of these crises years.

If the Congress remains static and inflexible; if it shows no capacity to keep pace with the times and to respond to great crises and compelling demands, then inevitably the initiative and influence of the legislative branch will be lost. The executive and the judiciary will fill the vacuum, the constitutional balance in Government will be gone.

This is not a doomsday prophecy. In many ways the Congress has shown its ability to enact needed legislation, and I am confident that it will again make a constructive record in considering the President's legislative and budgetary requests. We have also shown—in this body at least—that procedural rules can be changed in the interest of orderly legislative progress and providing reasonable opportunities for the House to work its will upon legislative matters of importance.

AN ANSWER TO CRITICS

Nevertheless, I believe that a review of congressional organization and operations is timely. Certainly the Congress should critically examine its own house at least once in every generation. And even if we came up with no far-reaching recommendations for reform; even if our achievements were measured in small dimensions, I would still say the reexamination is important and necessary. This is so because critical self-examination is an exercise in democracy, an effective demonstration to our critics at home and abroad that we are willing to listen and learn—and change.

It must be recognized that the Congress has been for many years the object of severe criticism in many quarters. Scholars have taken us to task. We are raked over by the newspapers, and we have suffered loss of esteem by the general public. Some of our Members, junior and senior, have raised their voices.

These strictures may have merit or not. Criticisms of the Congress frequently are but disguised disagreements over policy matters. Nevertheless, we cannot ignore our critics. We must have concern for the prestige of Congress because the Congress is democratic government in action. When the prestige of Congress suffers, democracy is damaged.

A joint committee of the Congress, such as proposed in the Madden resolution, can serve as a forum for responsible criticism. It can air the problems and difficulties and frustrations of the legislative process. It should help to clear the air, sort out the useful recommendations, and bring the criticism down to earth.

In the course of hearings and testimony on the workings of Congress, we can make a serious effort to explain, and help others understand, the real nature of our bicameral representative Legislature. We ourselves can be reminded of our history and the practices and procedures which have evolved over the years to enable the Congress to do its work. These matters can be made clear to the other branches of the Government, to the President and to the public.

We can help to educate a whole new generation of Americans in the democratic process. We should keep the education of the young particularly in mind, because youth is a large segment of our population, and they will be asking us why things are as they are in future years. They will seek and welcome explicit statements of the way in which Congress operates and why it does so.

CUE FROM THE EXECUTIVE

In considering a study of congressional reorganization, we can take a cue from the Executive. President Johnson, in the interest of economy and efficiency, has been studying the reorganization of the executive branch. Shortly he will submit to the Congress various plans for reorganization which will be duly reviewed. These plans will be submitted under the authority of enabling legislation for the exercise of Presidential initiative in executive reorganization. The President has said that he will ask Congress to grant this authority on a permanent basis.

The Committee on Government Operations, on which I have served since 1946, is charged with reorganization matters. It receives Presidential reorganization plans and reports on them to the Congress. It considered the basic enabling legislation, which has been extended from time to time, and which the President asks us to make permanent. It reported out the enabling legislation for the two Hoover Commissions and has studied the great body of material and recommendations for governmental reorganization produced by those Commissions. I had the privilege to serve with the gentleman from Ohio [Mr. BROWN] on the second Hoover Commission.

We should try to match on the congressional side the Executive interest and attention to reorganization. The Executive constantly is confronted with difficult problems of interagency coordination. There are important technical programs which involve a number of Government agencies, and some coordinating mechanisms have been created to develop more coherent programs, to minimize duplication, and to more clearly define national policies.

For example, the programs for oceanography or weather data collection and research may each involve a dozen or more agencies of the Federal Government. In the Congress the committees consider these programs piecemeal in the different committees, and often it may happen that the results of coordinated policy development on the executive side are dissipated on the legislative side. I do not know any easy answers to such problems, but I merely mention them to suggest that the Congress as well as the executive branch is faced with the need to establish mechanisms which insure that the defense and health and welfare of the country are advanced in rational ways.

SUGGESTED STUDY AREAS

Many subjects worthy of attention by the proposed joint committee already have been suggested in the speeches of Senator MONRONEY and others. These include such matters as congressional review of the budget process, more expeditious handling of the appropriations and legislative workloads, congressional staffing, and committee structure and functions.

I might suggest a few other areas of inquiry. One which is certainly worthy of attention is the means of bringing parliamentary precedents up to date. I do not know about the situation in the other body, but in the House the precedents were codified by Asher Hinds in 1907 and updated by the late esteemed Clarence Cannon in 1937. More than 25 years have passed since Cannon's precedents were published, a whole generation; and the pace of legislative work is swifter than ever.

It seems only right and fair that the Members in a modern legislature would have ready recourse to the revelant precedents. Our Parliamentarian, Lewis Deschler, gives us excellent and expert service on a nonpartisan basis, but broader participation in parliamentary debates and better preparation for floor action would result from access to published precedents. With all due respect to our esteemed Speaker, I might recall that his ruling on consideration of the Tuck bill last year referred to precedents which had occurred after those cited by Cannon. I respectfully suggest that it would be fitting if Mr. Deschler were to lend his name and talents to an updating of the House precedents, so that his great wealth of knowledge and experience is passed on to this and succeeding generations of Congressmen.

We have several support agencies for research and information gathering, including the Legislative Reference Service of the Library of Congress, the General Accounting Office, the Office of Legislative Counsel, and (in the House) Coordinator of Information. Are these resources being properly utilized? Are they sufficiently staffed? Do their mandates need revision? Can they be made more responsive to the needs and interest of Members and committees? In an age of technological revolution and increasing complexity of programs, staffing by support agencies and in the Congress itself are matters of the utmost importance. This is not necessarily a plea for more staff but for better staff and better utilization of existing staffs.

Of recurring concern is the matter of conflicts of interest affecting both elected representatives and employees of the Congress. Are there new rules to be written? Is there new machinery to be devised for advising Members and employees helping them to avoid conflict-of-interest situations? We must take note that in the other body a Committee on Ethical Conduct with equal representation by both parties has been authorized.

What about the regulations for lobbyists? Everyone knows they haven't had much effect. The Congress is lobbied by agents of interests all over the world. The right of petition for redress of grievances is a hallowed constitutional right, but the Congress and the public must have better means of identifying and regulating the powerful influences that play upon it year in and year out.

INQUIRY SHOULD BE BROAD

Many of the matters of possible inquiry would have to consider changes in laws and parliamentary procedures. House Concurrent Resolutions 4 and 20 contain a proviso that the joint committee would not be authorized "to make any recommendations with respect to the rules, parliamentary procedures, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House." While this language is identical with that in the Monroney bill, Senate Concurrent Resolution 2, I personally do not believe that the study efforts which will be made should be in any manner circumscribed.

The reason for this restraining language, as we all know, is the sensitivity of each House to the constitutional provision that "each House may determine the rules of its proceedings." Of course, any changes in the formal proceedings would be a matter for action separately in each House. I see no bar in constitutional or public policy against recommendations by a joint committee.

Indeed, the very purpose of a joint study effort is to lay the foundation in facts and analyses for each House to be able to judge whether changes in formal proceedings should be made. Therefore, the mandate of the committee should not be limited; and if it is authorized to study, certainly it should be authorized to make recommendations. I would gladly support an amendment to this effect in the resolution.

While I am on the subject of amendments, I note that the resolution does not have any specific time limit for its tenure. Whether or not this implies that the committee would lapse with the end of the Congress authorizing it, it might be useful to specify that the committee tenure would continue through the 89th Congress, with whatever stipulations are appropriate for the presentation of final reports.

Finally, I note that House Concurrent Resolutions 4 and 20 provide for equal representation of both parties on the joint committee. This follows the precedent of the La Follette-Monroney special committee, which had equal numbers of Republicans and Democrats of both Houses.

Ordinarily, committees reflect the party composition of each House, and some Members may prefer that these ratios be reflected on the proposed joint committee. I recall that when I sponsored a resolution back in 1951 along with Senator Humphrey in the Senate, provision was made for more Democrats than Republicans, in accord with party composition of the Houses. However, there are matters in which party differences should have a lesser role. I note that the Senate Committee on Ethical Conduct has equal party representation. This follows the practice of the committee which was established to rule on the conduct of the late Senator Joseph McCarthy.

Certainly party differences need not be a factor in our study of congressional reorganization. I believe that a majority of the Members in both parties favor such an effort, and I am perfectly willing to see that both parties are equally represented on the joint committee. This would be a special joint committee and would expire when its work is done.

Equal bipartisan representation is justified in the same sense that a special committee is justified. Ordinarily, the Committee on Government Operations in each House has jurisdiction over organization matters, including legislative reorganization. While it is proper for the Government Operations Committees to have and exercise such jurisdiction from year to year, we are proposing here a comprehensive one-time review, encompassing both Houses of Congress and all its operation. A special joint committee detached from day to day responsibility and limited in tenure seems more appropriate for this task, which we similarly commissioned a committee to do 20 years ago.

Mr. Chairman, I thank you for the opportunity to appear here and support the resolution for a Joint Committee on the Organization of Congress.

SENATE

Monday, March 1, 1965

The Senate met at 11 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of all mankind, to whom all souls are dear: For this moment of the far look, we lift our eyes from the swiftly moving scenes about us to the changeless verities by which we live.

We turn to Thee, not seeking an escape exit from the imperative duties that daily besiege us; but, rather, we beseech Thee to give us strength for our burdens, wisdom for our problems, and insight for our troubled times.

To be thus strengthened with might for the tasks we face, we would enter this forum of the people's hope always through the gateway of prayer, with the deep desire that all our deliberations on this high hill of the Nation's life should day by day be begun, continued, and ended in Thee. Thus only can we be delivered from the despair of a defeating cynicism which denies that there is any road to the fair city of our dreams.

As partners in a crusade for decency and honor and freedom—a cause in which our boys are giving their lives under alien skies these very days—bring us to the common victory for the inalienable rights of all men everywhere in all the earth.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 25, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SESSION OF THE SENATE

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on the Standing Rules of the Senate of the Committee on Rules and Administration was authorized to meet during the session of the Senate today.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

REENACTMENT OF SECOND INAUGURAL OF ABRAHAM LINCOLN

Mr. MANSFIELD. Mr. President, at noon on Thursday of this week, March 4, there will be held on the east steps of the Capitol a reenactment of the second inaugural of Abraham Lincoln in observance of the 100th anniversary of the event on March 4, 1865. Such a reenactment has been authorized by a joint resolution of the Congress, and has been prepared by a joint committee whose Senate members are the two Senators from Illinois [Mr. Douglas and Mr. Dirksen], the senior Senator from Kentucky [Mr. Cooper], and the senior Senator from Indiana [Mr. Hartke].

This will be a most important historical commemoration. The reenactment will be filmed in color in a production for which the well-known producer, Dore Schary, is giving his services without cost. Narrator for the production will be Ambassador Adlai Stevenson, who has written his own script for the reenactment. The role of Abraham Lincoln will be played by the well-known actor Robert Ryan, who will have an authentically costumed supporting cast. In addition to the reenactment, a modern portion of the program will include an address by the eminent Civil War historian, Bruce Catton. At the close of the ceremony President Lincoln will leave the scene with other members of the company in two period carriages, one of them used in the inauguration of Ulysses S. Grant. The undertaking has involved authentic reproduction by the Park Service of the Lincoln inaugural stand, and every detail will be as accurately reproduced as the vast lore of Lincoln scholarship can make it.

A special section has been reserved for Members of the Congress, for the Supreme Court, and for other honored guests. Because of the official character of these ceremonies, and because of their great intrinsic value to all of us, it is anticipated that the Senate will recess from about 12 noon until 1 p.m. if it is in session on Thursday.

It is expected that a great many members of the public, including schoolchildren and teachers from the surrounding area, and many Lincoln enthusiasts from the Nation will be present for the occasion.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

Amendment of Peace Corps Act, as Amended

A communication from the President of the United States, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

Sale of Uniform Clothing to the Naval Sea Cadet Corps

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Cadet Corps (with an accompanying paper); to the Committee on Armed Services.

Report on Military Construction Contracts Awarded on Other Than a Competitive Bid Basis

A letter from the Assistant Secretary of the Navy (installations and logistics) transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the 6-month period ended December 31, 1964 (with an accompanying report); to the Committee on Armed Services.

Continuation of Authority for Regulation of Exports

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for continuation of authority for regulation of exports, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

Report on Financial Condition and Results of the Operations of the Highway Trust Fund

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the financial condition and results of the operations of the Highway Trust Fund, dated June 30, 1964 (with an accompanying report); to the Committee on Finance.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on inadequacies in procedure and practices relating to selection of and review of performance of recipients of social security payments on behalf of minor and incompetent adult beneficiaries, Social Security Administration, Department of Health, Education, and Welfare, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs to the Government by leasing rather than purchasing electric power facilities, Goddard Space Flight Center, National Aeronautics and Space Administration, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

Audit Report of the Foundation of the Federal Bar Association

A letter from the Secretary, the Foundation of the Federal Bar Association, Washington, D.C., transmitting, pursuant to law, an audit report of that association, for the fiscal year ended September 30, 1964 (with an accompanying report); to the Committee on the Judiciary.

Amendment of 28 U.S.C. 2241, Relating to Jurisdiction and Venue of Applications for Writs of Habeas Corpus

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to amend 28 U.S.C. section 2241 with respect to the jurisdiction and venue of applications for writs of habeas corpus by persons in custody under judgments and sentences of State courts (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolution Memorializing Congress To Request the President of the United States To Bring the Question of the Liberation of the Baltic States Before the United Nations

"Whereas the Communist regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic processes; and

"Whereas the Soviet Union took over Lithuania, Latvia, and Estonia by force of arms; and

"Whereas the Government of the United States maintains diplomatic relations with the Governments of the free Baltic Republics of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced incorporation into the Soviet Union; and

"Whereas the select committee of the House of Representatives, created by House Resolution 346 of the 83d Congress to investigate the incorporation of the Baltic States into the Soviet Union, found that the incorporation of Lithuania, Latvia, and Estonia was contrary to established principles of international law; and

"Wheras the opinion of the free nations and the free people of the world is to eliminate any kind of colonialism and imperialism; "Therefore be it

"*Resolved*, That the Massachusetts House of Representatives urges the Senate and House of Representatives of the United States to request the President of the United States to bring the question of the liberation of the Baltic Sates before the United Nations and ask that body to request that the Soviet Union do the following:

"1. Withdraw all Soviet troops, secret police, agents, colonists, and all controls from Lithuania, Latvia, and Estonia;

"2. Return to their homes all Baltic exiles and deportees from Siberia, prisons, and slave-labor camps in the Soviet Union; and be it further

"*Resolved*, That the United Nations be further requested to conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish all Russian Communists who are guilty of crimes against the peoples of the Baltic States; and be it further

"*Resolved*, That a copy of these resolutions be sent by the secretary of the commonwealth to the U.S. Senators and U.S. Congressmen representing the people of Worcester in the U.S. Congress for appropriate action.

"House of representatives, adopted, February 10, 1965. "William C. Maiers,
"*Clerk.*

"Attest: "Kevin H. White,
"*Secretary of the Commonwealth.*"

A joint resolution of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"Senate Joint Resolution 3

"Resolution applying to the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"*Resolved by the senate (the house of representatives concurring)*, That the Legislature of Alabama respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"*Be it further resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"McDowell Lee,
"*Secretary of Senate.*"

A resolution adopted by Green County Barracks No. 2315, Veterans of World War I of the U.S.A., of Monroe, Wis., protesting against the proposed changes in the Reserve and National Guard units; to the Committee on Armed Services.

By Mr. MUNDT:

A joint resolution of the Legislature of the State of South Dakota; to the Committee on the Judiciary:

"Joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, relative to the apportionment of State legislatures and governing bodies of subordinate units of government

"*Be it resolved by the Senate of the State of South Dakota (the House of Representa-*

tives concurring), That the Legislature of the State of South Dakota respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"Be it further resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"Resolved, That a duly attested copy of this resolution be immediately transmitted by the secretary of state of the State of South Dakota to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State."

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on the Judiciary.

By Mrs. SMITH (for herself and Mr. MUSKIE):

A joint resolution of the Legislature of the State of Maine; to the Committee on Labor and Public Welfare:

"JOINT RESOLUTION PROTESTING THE ORDERED CLOSING OF VA HOSPITALS, DOMICILIARIES, AND REGIONAL OFFICES

"Whereas the Administrator of Veterans' Affairs, Veterans' Administration has summarily and publicly announced the intention of closing permanently 31 Veterans' Administration facilities throughout the Nation, including 11 hospitals and 4 soldiers' homes; and

"Whereas the Veterans' Administration plans to transfer those veterans who are patients to other facilities, presumably including the Togus, Maine Veterans' Administration hospital which is already filled to capacity, thereby creating hardships on Maine veterans; and

"Whereas the ordered closings of the Veterans' Administration regional offices in New Hampshire and Vermont and the merging of their functions with the Boston Veterans' Administration office raises grave doubts as to the future of the Togus regional office; and

"Whereas it was clearly the intent of the Congress of the United States, the veterans organizations and a grateful Nation that our disabled veterans be cared for and that they and their dependents be rendered every possible assistance in applying for the other benefits to which they are rightly entitled; and

"Whereas the ordered closings of the Veterans' Administration facilities will render undue hardship to our Maine veterans and their families, as well as those in New England and the entire Nation, in seeking care and benefits: Now, therefore, be it

"Resolved, That the 102d Legislature of the State of Maine does hereby protest the said closings, and requests the Veterans' Administration to cease and desist in its efforts to close the said facilities; be it further

"Resolved, That the Members of the U.S. Congress from the State of Maine are hereby urgently requested to use every possible means to cause the decision to close said facilities to be reversed; and be it further

"Resolved, That a copy of this resolution, duly authenticated by the secretary of state, be transmitted by the secretary of state to the Honorable Lyndon B. Johnson, President of the United States; to the Honorable RALPH W. YARBOROUGH, chairman of the Senate Committee on Veterans' Affairs; to the Honorable OLIN E. TEAGUE, chairman of the Veterans' Affairs Committee of the House of Representatives; to the Honorable William J. Driver, Administrator of Veterans' Affairs, Veterans' Administration; and to the Members of the U.S. Congress from the State of Maine.

"In senate chamber, read and adopted, sent down for concurrence February 12, 1965.

"EDWIN H. PERT,
"Secretary.

"House of representatives, read and adopted, in concurrence February 16, 1965.

"JEROME G. PLANTE,
"Clerk."

A joint resolution of the Legislature of the State of Maine; ordered to lie on the table:

"Whereas the town of Lisbon was dealt a severe economic blow, through the closure of its two mills;

"Whereas a loss of over 900 employment opportunities ensued;

"Whereas the town of Lisbon was not in a position of self-aid due to lack of resources and technical knowledge;

"Whereas a Presidential Task Force was assigned to the town of Lisbon in which Col. Iverson Mitchell, in a spirit of true dedication, united a local force and worked unwaveringly until the objective was clear: Be it hereby

"Resolved, That this 102d Maine Legislature go on record to declare its recognition to Federal, State, and local agencies which contributed, and were instrumental in restoring a favorable economic climate to the town of Lisbon as recognized and defined below:

"President Lyndon B. Johnson; the Presidential Task Force, under the direction of Col. Iverson Mitchell, and assisted by Mr. Jerome Barnett; the Small Business Administration, headed by Mr. Thomas Noonan; the U.S. Department of Agriculture; the members of Maine congressional delegation; John H. Reed, Governor of the State of Maine; the Department of Economic Development, headed by Commissioner Standish K. Bachman and assisted by Mr. Robert Ransone; and the Maine Employment Security Commission; be it further

"Resolved, That copies of this joint resolution be transmitted by the clerk of the house to the Secretary of Commerce, and heads of other assisting agencies, with the request that they accept this commendation with the sincere gratitude of the town of Lisbon and the 102d Maine Legislature.

"Presented by : Mr. Hunter of Durham.

"House of representatives read and adopted sent up for concurrence February 10, 1965.

"JEROME G. PLANTE,
"Clerk.

"In senate chamber read and adopted, in concurrence February 11, 1965.

"EDWIN H. PERT,
"Secretary."

RESOLUTION OF NEBRASKA LEGISLATURE

Mr. CURTIS. Mr. President, I present legislative Resolution 18 of the Legislature of Nebraska for appropriate reference. It has to do with the production of castor beans, a new industry, an agricultural activity that will contribute to lessening of surpluses. I am in accord with its provisions.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution was referred to the Committee on Agriculture and Forestry, as follows:

LEGISLATIVE RESOLUTION 18

Whereas this country is faced with a continuing surplus of feed grains; and

Whereas castor beans are not in surplus but rather there is a growing demand for the oil products derived therefrom; and

Whereas the diversion of land from the production of feed grains to the production of castor beans should be encouraged because of the resulting reduction in the surplus of feed grains and because of the savings to the taxpayers arising from the reduction in payment below that which would be made for such diversion if castor beans were not planted on such land; and

Whereas the Secretary of Agriculture of the United States has announced that the payment when castor beans are planted on such diverted land is to be reduced from 50 to 30 percent of the basic payment for diversion: Now, therefore, be it

Resolved by the members of the Nebraska Legislature in 75th session assembled:

1. That the Secretary of Agriculture of the United States be urged to restore the payment for the production of castor beans on diverted land to 50 percent of the basic payment for diversion.
2. That copies of this resolution be forwarded to the Secretary of Agriculture of the United States and to each U.S. Senator and Congressman from Nebraska.

PHILIP C. SORENSEN,
President of the Legislature.

Attest:

HUGO F. SRB,
Clerk of the Legislature.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures I submit a report on Federal stockpile inventories as of December 1964. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL STOCKPILE INVENTORIES, DECEMBER 1964

INTRODUCTION

This is the 61st in a series of monthly reports on Federal stockpile inventories. It is for the month of December 1964.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, Health, Education, and Welfare, and Interior, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of December 1, 1964, totaled $13,555,771,885 and as of December 31, 1964, they totaled $13,396,502,200, a net decrease of $159,269,685 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month
Strategic and critical materials:			
National stockpile [1]	$5,577,026,200	$5,558,321,400	−$18,704,800
Defense Production Act	1,431,479,600	1,426,418,900	−5,060,700
Supplemental—barter	1,392,829,269	1,395,282,549	+2,453,280
Total, strategic and critical materials [1]	8,401,335,069	8,380,022,849	−21,312,220
Agricultural commodities:			
Price support inventory	4,740,981,789	4,599,788,344	−141,193,445
Inventory transferred from national stockpile [1]	57,735,859	57,301,993	−433,866
Total, agricultural commodities [1]	4,798,717,648	4,657,090,337	−141,627,311
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	11,878,612	11,878,731	+119
Civil defense medical stockpile, Department of Health, Education, and Welfare	201,085,079	200,824,479	−260,600
Total, civil defense supplies and equipment	212,963,691	212,703,210	−260,481
Machine tools:			
Defense Production Act	45,300	45,300	
National Industrial Reserve Act	88,499,800	88,643,000	+143,200
Total, machine tools	88,545,100	88,688,300	+143,200
Helium	54,210,377	57,997,504	+3,787,127
Total, all inventories	13,555,771,885	13,396,502,200	−159,269,685

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

Appendix A to this report, beginning on page 19, includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories, covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), December 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the months).

Table 2: Agricultural commodities inventories, December 1964 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, December 1964 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, December 1964 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, December 1964 (showing by item net changes during the month in terms of cost value and quantity).

NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new stockpile objectives for strategic and critical materials.

Table 1 of this report reflects the new objectives established between May 1963 and April 1964, based on essential needs in the event of a "conventional war emergency."

Appendix B, beginning on page 22, contains excerpts from Office of Emergency Planning statements setting forth the new policy and current studies with respect to objectives for strategic and critical materials required for "conventional war emergency" and "nuclear war emergency."

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Aluminum, metal:									
National stockpile	$487,680,600	$487,680,600		Short ton	1,128,988	1,128,988			
Defense Production Act	404,015,000	401,780,800	−$2,234,200	do	801,314	796,892	−4,422		
Total	891,695,600	889,461,400	−2,234,200	do	1,930,302	1,925,880	−4,422	450,000	1,475,880
Aluminum oxide, abrasive grain:									
Supplemental—barter	15,717,600	15,717,600		Short dry ton	50,905	50,905		(2)	50,905
Aluminum oxide, fused, crude:									
National stockpile	21,735,100	21,735,100		Short ton	200,093	200,093			
Supplemental—barter	22,747,400	22,747,400		do	178,266	178,266			
Total	44,482,500	44,482,500		do	378,359	378,359		160,000	218,359
Antimony:									
National stockpile	20,487,900	20,356,300	−131,600	do	30,275	30,092	−183		
Supplemental—barter	13,550,900	13,550,500	−400	do	22,704	22,704			
Total	34,038,800	33,906,800	−132,000	do	52,979	52,796	−183	25,500	27,296
Asbestos, amosite:									
National stockpile	2,637,600	2,637,600		do	11,705	11,705			
Supplemental—barter	9,867,562	10,004,912	+137,350	do	39,420	39,918	+498		
Total	12,505,162	12,642,512	+137,350	do	51,125	51,623	+498	40,000	11,623
Asbestos, chrysotile:									
National stockpile	3,356,200	3,356,200		do	6,224	6,224			
Defense Production Act	2,102,600	2,102,600		do	2,348	2,348			
Supplemental—barter	4,983,954	5,001,054	+17,100	do	7,576	7,576			
Total	10,442,754	10,459,854	+17,100	do	16,148	16,148		13,700	2,448
Asbestos, crocidolite:									
National stockpile	702,100	702,100		do	1,567	1,567			
Supplemental—barter	10,456,575	10,515,475	+58,900	do	40,342	40,342			
Total	11,158,675	11,217,575	+58,900	do	41,909	41,909		(2)	41,909

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Bauxite, metal grade, Jamaica type:									
National stockpile	$13,925,000	$13,925,000		Long dry ton	879,740	879,740			
Defense Production Act	18,168,000	18,168,000		do	1,370,077	1,370,077			
Supplemental—barter	93,857,968	94,689,502	+$831,534	do	6,107,954	6,147,490	+39,536		
Total	125,950,968	126,782,502	+831,534	do	8,357,771	8,397,307	+39,536	5,000.000	3,397,307
Bauxite, metal grade, Surinam type:									
National stockpile	78,552,500	78,552,500		do	4,962,706	4,962,706			
Supplemental—barter	45,280,400	45,197,400	−83,000	do	2,927,260	2,927,260			
Total	123,832,900	123,749,900	−83,000	do	7,889,966	7,889,966		5,300,000	2,589,966
Bauxite, refractory grade:									
National stockpile	11,347,800	11,347,800		Long calcined ton.	299,279	299,279		173,000	126,279
Beryl:									
National stockpile	9,768,400	9,768,400		Short ton	23,230	23,230			
Defense Production Act	1,425,600	1,425,600		do	2,542	2,542			
Supplemental—barter	23,049,952	23,049,952		do	12,277	12,277			
Total	34,243,952	34,243,952		do	38,049	38,049		28,000	10,049
Beryllium metal:									
Supplemental—barter	18,703,500	18,703,500		do	153	153		(2)	153
Bismuth:									
National stockpile	2,674,300	2,674,300		Pound	1,342,402	1,342,402			
Defense Production Act	52.400	52,400		do	22,901	22,901			
Supplemental—barter	5,536,700	5,536,700		do	2,506,493	2,506,493			
Total	8,263,400	8,263,400		do	3,871,796	3,871,796		3,600.000	271,796
Cadmium:									
National stockpile	15,155,000	15,148,700	−6,300	do	7,702,957	7,699,716	−3,241		
Supplemental—barter	12,326,600	12,326,600		do	7,448,389	7,448,389			
Total	27,481,600	27,475,300	−6,300	do	15,151,346	15,148,105	−3,241	5,100,000	10,048,105
Caster oil:									
National stockpile	45,511,600	45,164,600	−347,000	do	178,996,404	177,609,264	−1,387,140	22,000,000	155,609,264
Celestite:									
National stockpile	1,412,300	1,412,300		Short ton	28,816	28,816			
Supplemental—barter	812,693	827,486	+14,793	do	19,201	19,225	+24		
Total	2,224,993	2,239,786	+14,793	do	48,017	48,041	+24	10,300	37,741
Chromite, chemical grade:									
National stockpile	12,288,000	12,288,000		Short dry ton	559,452	559,452			
Supplemental—barter	21,930,200	21,993,100	+62,900	do	699,644	699,644			
Total	34,218,200	34,281,100	+62,900	do	1,259,096	1,259,096		600,000	659,096
Chromite, metallurgical grade:									
National stockpile	264,565,500	264,565,500		do	3,795,292	3,795,291	−1		
Defense Production Act	35,879,900	35,879,900		do	985,646	985,646			
Supplemental—barter	227,024,400	227,010,900	−13,500	do	1,558,054	1,558,054			
Total	527,469,800	527,456,300	−13,500	do	6,338,992	6,338,991	−1	2,970,000	3,368,991
Chromite, refractory grade:									
National stockpile	25,149,300	25,149,300		do	1,047,159	1,047,159			
Supplemental—barter	5,039,000	5,039,000		do	179,775	179,775			
Total	30,188,300	30,188,300		do	1,226,934	1,226,934		1,425,000	(3)
Cobalt:									
National stockpile	169,225,700	169,225,700		Pound	76,067,015	76,067,015			
Defense Production Act	52,075,300	52,075,300		do	25,066,651	25,066,651			
Supplemental—barter	2,169,000	2,169,000		do	1,065,398	1,065,398			
Total	223,470,000	223,470,000		do	102,199,064	102,199,064		42,000,000	60,199,064
Coconut oil:									
National stockpile	1,484,000	1,014,000	−470,000	do	9,790,029	6,694,027	−3,096,002	(2)	6,694,027
Colemanite:									
Supplemental—barter	2,636,400	2,636,400		Long dry ton	67,636	67,636		(2)	67,636
Columbium:									
National stockpile	24,777,200	24,818,900	+41,700	Pound	7,360,707	7,364,642	+3,935		
Defense Production Act	50,238,900	50,238,900		do	7,966,341	7,966,341			
Supplemental—barter	799,100	799,100		do	371,426	371,426			
Total	75,815,200	75.856,900	+41,700	do	15,698,474	15,702,409	+3,935	1,176,000	14,526,409
Copper:									
National stockpile	524,204,600	524,384,400	+179.800	Short ton	1,008,042	1,008,471	+429		
Defense Production Act	43,447,500	41,964.100	−1,483,400	do	77,472	74,630	−2,842		
Supplemental—barter	8,252,100	8,252,100		do	12,382	12,382			
Total	575,904,200	574,600,600	−1,303.600	do	1,097,896	1,095,483	−2,413	775,000	320,483
Cordage fibers, abaca:									
National stockpile	37,034,400	37,034,300	−100	Pound	146,934,136	146,933,858	−278	100,000,000	46,933,858

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Cordage fibers, sisal:									
National stockpile	$41,867,900	$41,866,600	−$1,300	Pound	309,567,177	309,558,837	−8,340	300,000,000	9,558,837
Corundum:									
National stockpile	393,100	393,100		Short ton	2,008	2,008		2,500	(3)
Cryolite:									
Defense Production Act	5,564,000	5,482,900	−81,100	do	20,149	19,855	−294	(2)	19,855
Diamond dies:									
National stockpile	584,100	592,100	+8,000	Piece	18,836	19,052	+216	25,000	(3)
Diamond, industrial, crushing bort:									
National stockpile	61,601,800	61,601,800		Carat	31,109,411	31,109,411			
Supplemental—barter	15,800,500	15,800,500		do	5,550,579	5,550,579			
Total	77,402,300	77,402,300		do	36,659,990	36,659,990		24,700,000	11,959,990
Diamond, industrial stones:									
National stockpile	100,509,400	100,509,400		do	9,319,183	9,319,183			
Supplemental—barter	186,341,500	186,341,500		do	15,425,827	15,425,827			
Total	286,850,900	286,850,900		do	24,745,010	24,745,010		16,500,000	8,245,010
Diamond tools:									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(2)	64,178
Feathers and down:									
National stockpile	32,316,500	31,454,300	−862,200	Pound	7,799,784	7,591,685	−208,099	3,000,000	4,591,685
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do	19,700	19,700			
Supplemental—barter	33,531,100	33,531,100		do	673,232	673,232			
Total	61,093,000	61,093,000		do	1,155,981	1,155,981		540,000	615,981
Fluorspar, metallurgical grade:									
National stockpile	17,332,400	17,332,400		do	369,443	369,443			
Supplemental—barter	1,508,100	1,508,100		do	42,800	42,800			
Total	18,840,500	18,840,500		do	412,243	412,243		850,000	(3)
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	937,900	937,900		do	4,455	4,455			
Supplemental—barter	341,200	341,200		do	1,428	1,428			
Total	1,279,100	1,279,100		do	5,883	5,883		5,500	383
Graphite, natural, Malagasy, crystalline:									
National stockpile	6,744,800	7,732,400	−12,400	do	32,736	32,677	−59		
Supplemental—barter	232,500	232,500		do	1,908	1,908			
Total	6,977,300	6,964,900	−12,400	do	34,644	34,585	−59	18,000	16,585
Graphite, natural, other, crystalline:									
National stockpile	1,894,400	1,894,400		do	5,481	5,481		2,800	2,681
Hyoscine:									
National stockpile	30,600	30,600		Ounce	2,100	2,100		(2)	2,100
Iodine:									
National stockpile	4,082,000	4,082,000		Pound	2,956,713	2,956,713			
Supplemental—barter	1,406,700	1,412,300	+5,600	do	1,333,563	1,333,563			
Total	5,488,700	5,494,300	+5,600	do	4,290,276	4,290,276		8,000,000	(3)
Iridium:									
National stockpile	2,525,800	2,525,800		Troy ounce	13,937	13,937		17,000	(3)
Jewel bearings:									
National stockpile	4,564,600	4,564,600		Piece	52,435,065	52,435,065		57,500,000	(3)
Kyanite-mullite:									
National stockpile	734,300	725,700	−8,600	Short dry ton	8,493	8,393	−100	4,800	3,593
Lead:									
National stockpile	307,487,000	307,062,400	−424,600	Short ton	1,011,528	1,010,132	−1,396		
Supplemental—barter	78,398,500	78,398,500		do	327,998	327,998			
Total	385,885,500	385,460,900	−424,600	do	1,339,526	1,338,130	−1,396	0	1,338,130
Magnesium:									
National stockpile	125,016,200	124,437,300	−578,900	do	172,182	171,383	−799	145,000	26,383
Manganese, battery grade, natural ore:									
National stockpile	21,025,500	21,025,500		Short dry ton	144,485	144,485			
Supplemental—barter	14,064,600	14,076,600	+12,000	do	142,245	142,245			
Total	35,090,100	35,102,100	+12,000	do	286,730	286,730		80,000	206,730
Manganese, battery grade, synthetic dioxide:									
National stockpile	3,095,500	3,095,500		do	21,272	21,272			
Defense Production Act	2,524,700	2,524,700		do	3,779	3,779			
Total	5,620,200	5,620,200		do	25,051	25,051		6,700	18,351

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Manganese, chemical grade, type A:									
National stockpile	$2,133,300	$2,133,300		Short dry ton	29,307	29,307			
Supplemental—barter	7,922,100	7,922,100		do	117,607	117,607			
Total	10,055,400	10,055,400		do	146,914	146,914		68,500	78,414
Manganese, chemical grade, type B:									
National stockpile	132,600	132,600		do	1,822	1,822			
Supplemental—barter	6,669,800	6,669,800		do	99,016	99,016			
Total	6,802,400	6,802,400		do	100,838	100,838		64,000	36,838
Manganese, metallurgical grade:									
National stockpile	248,240,900	248,240,900		do	5,852,192	5,852,191	−1		
Defense Production Act	172,681,800	172,122,100	−$559,700	do	2,990,084	2,980,257	−9,827		
Supplemental—barter	261,804,075	263,061,197	+1,257,122	do	3,932,316	3,945,112	+12,796		
Total	682,726,775	683,424,197	+697,422	do	12,774,592	12,777,560	+2,968	7,900,000	4,877,560
Mercury:									
National stockpile	33,075,900	33,077,100	+1,200	Flask	184,456	184,456			
Supplemental—barter	3,446,200	3,446,200		do	16,000	16,000			
Total	36,522,100	36,523,300	+1,200	do	200,456	200,456		200,000	456
Mica, muscovite block:									
National stockpile	27,627,600	27,627,600		Pound	11,622,775	11,622,775			
Defense Production Act	40,689,700	40,689,700		do	6,432,569	6,432,569			
Supplemental—barter	6,493,896	6,668,411	+174,515	do	1,923,982	1,950,682	+26,700		
Total	74,811,196	74,985,711	+174,515	do	19,979,326	20,006,026	+26,700	6,000,000	14,006,026
Mica, muscovite film:									
National stockpile	9,058,100	9,058,100		do	1,719,308	1,719,308			
Defense Production Act	633,300	633,300		do	102,681	102,681			
Supplemental—barter	1,142,300	1,060,200	−82,100	do	116,558	116,556	−2		
Total	10,833,700	10,751,600	−82,100	do	1,938,547	1,938,545	−2	2,000,000	(3)
Mica, muscovite splittings:									
National stockpile	40,598,300	40,598,300		do	40,040,169	40,040,169			
Supplemental—barter	6,225,800	6,225,800		do	4,826,257	4,826,257			
Total	46,824,100	46,824,100		do	44,866,426	44,866,426		22,200,000	22,666,426
Mica, phlogopite block:									
National stockpile	303,600	303,600		do	223,239	223,239		17,000	206,239
Mica, phlogopite splittings:									
National stockpile	2,580,500	2,580,500		do	3,079,062	3,079,062			
Supplemental—barter	2,501,800	2,501,800		do	1,986,902	1,986,902			
Total	5,082,300	5,082,300		do	5,065,964	5,065,964		1,300,000	3,765,964
Molybdenum:									
National stockpile	77,102,600	74,926,600	−2,176,000	do	74,087,632	72,077,936	−2,009,696	68,000,000	4,077,936
Nickel:									
National stockpile	181,737,000	181,737,000		Short ton	166,761	166,761			
Defense Production Act	95,227,100	95,045,500	−181,600	do	50,341	50,241	−100		
Total	276,964,100	276,782,500	−181,600	do	217,102	217,002	−100	50,000	167,002
Opium:									
National stockpile	13,661,700	13,661,700		Pound	196,364	196,364		141,280	55,084
Palladium:									
National stockpile	2,079,000	2,079,000		Troy ounce	89,811	89,811			
Supplemental—barter	12,170,200	12,170,200		do	648,124	648,124			
Total	14,249,200	14,249,200		do	737,935	737,935		1,300,000	(3)
Palm oil:									
National stockpile	1,852,100	1,852,100		Pound	10,290,233	10,290,233		(4)	10,290,233
Platinum:									
National stockpile	56,879,900	56,879,900		Troy ounce	716,343	716,343			
Supplemental—barter	4,024,500	4,024,500		do	49,999	49,999			
Total	60,904,400	60,904,400		do	766,342	766,342		450,000	316,342
Pyrethrum:									
National stockpile	415,100	415,100		Pound	67,065	67,065		25,000	42,065
Quartz crystals:									
National stockpile	67,473,900	67,473,900		do	5,470,013	5,470,013			
Supplemental—barter	3,519,200	3,519,200		do	232,352	232,352			
Total	70,993,100	70,993,100		do	5,702,365	5,702,365		650,000	5,052,365
Quinidine:									
National stockpile	1,846,000	1,846,000		Ounce	1,600,428	1,600,428		2,000,000	(3)
Quinine:									
National stockpile	2,617,000	2,617,000		do	4,137,733	4,137,733		4,130,000	7,733
Rare earths:									
National stockpile	7,134,900	7,134,900		Short dry ton	9,969	9,969			
Supplemental—barter	5,830,900	5,830,900		do	5,810	5,810			
Total	12,965,800	12,965,800		do	15,779	15,779		3,000	12,779

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Rare earths residue:									
Defense Production Act	$657,200	$657,200		Pound	6,079,983	6,079,983		(2)	6,079,983
Rhodium:									
National stockpile	78,200	78,200		Troy ounce	618	618		(2)	618
Rubber:									
National stockpile	672,049,800	665,404,900	−$6,644,900	Long ton	869,141	860,551	−8,590	130,000	730,551
Ruthenium:									
Supplemental—barter	559,500	559,500		Troy ounce	15,001	15,001		(2)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100		Short dry ton	18,599	18,599			
Defense Production Act	2,725,100	2,725,100		do	17,385	17,385			
Supplemental—barter	1,061,300	1,061,300		do	11,632	11,632			
Total	5,856,500	5,856,500		do	47,616	47,616		51,000	(3)
Sapphire and ruby:									
National stockpile	190,000	190,000		Carat	16,187,500	16,187,500		18,000,000	(3)
Selenium:									
National stockpile	757,100	757,100		Pound	97,100	97,100			
Supplemental—barter	1,533,094	1,593,560	+60,466	do	273,876	289,299	+15,423		
Total	2,290,194	2,350,660	+60,466	do	370,976	386,399	+15,423	475,000	(3)
Shellac:									
National stockpile	8,274,500	8,221,300	−53,200	do	16,504,799	16,398,690	−106,109	8,300,000	8,098,690
Silicon carbide, crude:									
National stockpile	11,394,500	11,394,500		Short ton	64,697	64,697			
Supplemental—barter	26,803,600	26,803,600		do	131,805	131,805			
Total	38,198,100	38,198,100		do	196,502	196,502		30,000	166,502
Silk noils and waste:									
National stockpile	1,232,100	1,232,100		Pound	979,924	979,924		(2)	979,924
Silk, raw:									
National stockpile	486,600	486,600		do	113,515	113,515		(2)	113,515
Sperm oil:									
National stockpile	4,775,400	4,775,400		do	23,442,158	23,442,158		23,400,000	42,158
Talc, steatite block and lump:									
National stockpile	494,800	494,800		Short ton	1,269	1,269		200	1,069
Talc, steatite ground:									
National stockpile	231,200	231,200		do	3,901	3,901		(2)	3,901
Tantalum:									
National stockpile	11,964,700	12,104,200	+139,500	Pound	3,142,473	3,148,556	+6,083		
Defense Production Act	9,734,400	9,734,400		do	1,536,023	1,536,023			
Supplemental—barter	21,100	21,100		do	8,036	8,036			
Total	21,720,200	21,859,700	+139,500	do	4,686,532	4,692,615	+6,083	3,400,000	1,262,615
Thorium:									
Supplemental—barter	17,991,700	17,991,700		do	3,965,428	3,965,461	+33	500,000	3,465,461
Thorium residue:									
Defense Production Act	42,000	42,000		do	848,354	848,354		(2)	848,354
Tin:									
National stockpile	739,245,500	732,503,900	−6,741,600	Long ton	304,008	301,236	−2,772		
Supplemental—barter	16,404,000	16,404,000		do	7,505	7,505			
Total	755,649,500	748,907,900	−6,741,600	do	311,513	308,741	−2.772	200,000	108,741
Titanium sponge:									
Defense Production Act	175,879,000	175,871,900	−7,100	Short ton	22,340	22,339	−1		
Supplemental—barter	32,097,700	32,097,700		do	9,021	9,021			
Total	207,976,700	207,969,600	−7,100	do	31,361	31,360	−1	20,500	10.860
Tungsten:									
National stockpile	369,128,100	369,128,100		Pound	120,014,168	120,014,398	+230		
Defense Production Act	316,321,700	315,808,100	−513,600	do	77,559,581	77,434,549	−125,032		
Supplemental—barter	18,651,400	18,651,400		do	5,774,827	5,774,827			
Total	704,101,200	703,587,600	−513,600	do	203,348,576	203,223,774	−124,802	44,000,000	159,223,774
Vanadium:									
National stockpile	31,567,900	31,567,900		Short ton	7,865	7,865		1,400	6,465
Vegetable tannin extract, chestnut:									
National stockpile	10,209,400	10,078,600	−130,000	Long ton	36,591	36,123	−468	15,000	21,123
Vegetable tannin extract, quebracho:									
National stockpile	48,858,500	48,858,500		do	197,472	197,472		86,000	111,472
Vegetable tannin extract, wattle:									
National stockpile	9,826,900	9,826,900		do	38,962	38,962		15,000	23,962

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 30, 1964	Net change during month	Stockpile objective	Excess over stockpile objective
Zinc:									
National stockpile	$343, 215, 200	$342, 729, 700	−$485, 500	Short ton	1, 183, 365	1, 181, 338	−2, 027		
Supplemental—barter	79, 588, 400	79, 588, 400		do	323, 896	323, 896			
Total	422, 803, 700	422, 318, 100	−485, 500	do	1, 507, 261	1, 505, 234	−2, 027	0	1, 505, 234
Zirconium ore, baddeleyite:									
National stockpile	710, 600	710, 600		Short dry ton	16, 533	16, 533		(²)	16, 533
Zirconium ore, zircon:									
National stockpile	113, 300	113, 300		do	1, 920	1, 920		(²)	1, 920
Total:									
National stockpile	5, 577, 026, 200	5, 558, 321, 400	−18, 704, 800						
Defense Production Act	1, 431, 479, 600	1, 426, 418, 900	−5, 060, 700						
Supplemental-barter	1, 392, 829, 269	1, 395, 282, 549	+2, 453, 280						
Total, strategic and critical materials	8, 401, 335, 069	8, 380, 022, 849	−21, 312, 220						

[1] Stockpile objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). The Office of Emergency Planning is currently in the process of revising stockpile objectives. (See app. B, p. 3731.)

No present objective.

[3] Not in excess of stockpile objective.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—*Agricultural commodities inventories, December 1964 (showing by commodity net changes during the month in terms of cost value and quantity)*

Commodity	Cost value			Quantity			
	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month
Price-support inventory:							
Basic commodities:							
Corn	$1, 023, 459, 014	$1, 018, 873, 562	−$4, 585, 452	Bushel	839, 566, 038	835, 426, 048	−4, 139, 990
Corn products	34, 181		−34, 181	Pound	997, 100		−997, 100
Cotton, extra-long staple	34, 807, 878	33, 300, 077	−1, 507, 801	Bale	131, 837	126, 319	−5, 518
Cotton, upland	1, 309, 733, 817	1, 267, 429, 095	−42, 304, 722	do	7, 925, 111	7, 666, 277	−258, 834
Peanuts, farmers' stock		9, 301	+9, 301	Pound		78, 291	+78, 291
Peanuts, shelled	4, 585, 753	4, 685, 629	+99, 876	do	26, 094, 715	26, 797, 547	+702, 832
Rice, milled	90	176, 221	+176, 131	Hundredweight	8	17, 626	+17, 618
Rice, rough	5, 972, 556	5, 411, 857	−560, 699	do	1, 140, 504	1, 042, 687	−97, 817
Wheat	1, 498, 330, 257	1, 457, 765, 451	−40, 564, 806	Bushel	732, 645, 481	711, 529, 727	−21, 115, 754
Wheat, rolled	2, 324		−2, 324	Pound	52, 910		−52, 910
Wheat flour	380, 868	428, 497	+47, 629	do	6, 818, 300	7, 711, 000	+892, 700
Bulgur	10, 287		−10, 287	do	250, 073		−250, 073
Total, basic commodities	3, 877, 317, 025	3, 788, 079, 690	−89, 237, 335				
Designated nonbasic commodities:							
Barley	21, 846, 389	19, 492, 784	−2, 353, 604	Bushel	25, 129, 923	22, 624, 057	−2, 505, 866
Grain sorghum	670, 343, 497	661, 266, 306	−9, 077, 191	do	596, 936, 964	587, 274, 248	−9, 662, 716
Milk and butterfat:							
Butter	58, 637, 460	29, 110, 540	−29, 526, 920	Pound	100, 697, 086	50, 065, 848	−50, 631, 238
Butter oil	8, 415, 460	8, 283, 408	−132, 052	do	10, 889, 582	10, 719, 252	−170, 330
Cheese	14, 121, 520	12, 519, 189	−1, 602, 331	do	36, 976, 328	32, 645, 432	−4, 330, 896
Milk, dried	25, 659, 254	22, 930, 031	−2, 729, 223	do	168, 118, 166	150, 830, 074	−17, 288, 092
Oats	19, 982, 822	19, 636, 510	−346, 312	Bushel	33, 142, 026	32, 514, 253	−627, 773
Rye	699, 024	517, 029	−181, 995	do	642, 690	465, 298	−177, 392
Tung oil	3, 556, 314	3, 556, 314		Pound	14, 818, 194	14, 818, 194	
Total, designated nonbasic commodities	823, 261, 740	777, 312, 112	−45, 949, 628				
Other nonbasic commodities:							
Beans, dry, edible	6, 052, 408	4, 691, 482	−1, 360, 926	Hundredweight	858, 689	671, 828	−186, 861
Cottonseed oil, refined, other	9, 683, 663	9, 138, 869	−544, 794	Pound	86, 238, 245	81, 387, 761	−4, 850, 484
Cottonseed, oil, refined, salad oil [1]	1, 583, 189	1, 880, 176	+296, 987	do	8, 489, 215	9, 942, 990	+1, 453, 775
Flaxseed	9, 890, 137	8, 533, 733	−1, 356, 404	Bushel	3, 332, 035	2, 878, 285	−453, 750
Linseed oil	8, 693, 240	8, 995, 663	+302, 423	Pound	73, 435, 680	75, 889, 780	+2, 454, 100
Soybeans	4, 500, 387	1, 156, 619	−3, 343, 768	Bushel	1, 923, 824	497, 109	−1, 426, 715
Total, other nonbasic commodities	40, 403, 024	34, 396, 542	−6, 006, 482				
Total, price support inventory	4, 740, 981, 789	4, 599, 788, 344	−141, 193, 445				
Inventory transferred from national stockpile: [2]							
Cotton, Egyptian	35, 007, 651	34, 729, 705	−277, 946	Bale	41, 438	41, 109	−329
Cotton, American-Egyptian	22, 728, 208	22, 572, 288	−155, 920	do	45, 188	44, 878	−310
Total, inventory transferred from national stockpile	57, 735, 859	57, 301, 993	−433, 866	do	86, 626	85, 987	−639
Total, agricultural commodities	4, 798, 717, 648	4, 657, 090, 337	−141, 627, 311				

[1] Reported as "Cottonseed oil, refined," prior to February 1964.

[2] Transferred from General Services Administration pursuant to Public Law 85-96 and Public Law 87-548. (See app. A, p. 3730.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, December 1964 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings)	$10,080,668	$10,080,635	−$33	10 mile units	45	45	
Chemical and biological equipment	1,797,944	1,798,096	+152	(1)			
Total	11,878,612	11,878,731	+119				
Civil defense medical stockpile, Department of Health, Education, and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses	136,001,799	117,719,157	−18,282,642	(1)			
Medical bulk stock at manufacturer locations	5,536,639	5,090,353	−446,286	(1)			
Civil defense emergency hospitals	53,610,830	71,323,061	+17,712,231	Each	2,016	2,186	+170
Supply additions (for packaged disaster hospitals)	5,935,811	6,691,908	+756,097	(1)			
Total	201,085,079	200,824,479	−260,600				
Total, civil defense supplies and equipment	212,963,691	212,703,210	−260,481				

[1] Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, December 1964 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month
Defense Production Act:							
On loan	$45,300	$45,300		Tool	7	7	
National Industrial Reserve Act:							
In storage	75,843,700	75,867,500	+$23,800	do	6,584	6,590	+6
On lease	27,500	27,500		do	1	1	
On loan to other agencies	14,900	14,900		do	3	3	
On loan to school programs	12,613,700	12,733,100	+119,400	do	3,002	3,030	+28
Total	88,499,800	88,643,000	+143,200	do	9,590	9,624	+34
Total, machine tools	88,545,100	88,688,300	+143,200	do	9,597	9,631	+34

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—*Helium inventories, December 1964 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1964	End of month, Dec. 31, 1964	Net change during month
Helium:							
Stored above ground	$270,926	$236,463	−$33,563	Cubic foot	24,100,000	21,400,000	−2,700,000
Stored underground	53,940,351	57,761,041	+3,820,690	do	5,090,900,000	5,433,500,000	+342,600,000
Total, helium	54,210,377	57,997,504	+3,787,127	do	5,115,000,000	5,454,900,000	+339,900,000

Source: Compiled from reports submitted by the Department of the Interior.

APPENDIX A—PROGRAM DESCRIPTIONS AND STATUTORY CITATIONS

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–

2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgaged collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85-96 and Public Law 87-548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201 (h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, of 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection, survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451-462).

HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86-777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities.

This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

APPENDIX B—NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives established between May 1963 and April 1964 for 79 materials (including 3 removed from stockpile list), based on essential needs in the event of a "conventional war emergency." The new objective for each material has been noted in the reports, beginning with June 1963, for the months in which the respective objectives were established.

The following excerpts from OEP statements dated July 11 and 19, 1963, February 28, 1964, March 6, 13, 20, and 27, 1964, and April 3 and 10, 1964, set forth the new policy with respect to objectives for strategic and critical materials:

"The Office of Emergency Planning is now conducting supply-requirements studies for all stockpile materials which will reflect current military, industrial, and other essential needs in the event of a conventional war emergency. On the basis of recently completed supply-requirements studies for the foregoing materials, the new stockpile objectives were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by the Office of Emergency Planning and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy to establish a single objective for each stockpile material. They have been determined on the basis of criteria heretofore used in establishing maximum objectives, and reflect the approximate calculated emergency deficits for the materials for conventional war and do not have any arbitrary adjustments for possible increased requirements for other types of emergency.

"Heretofore, there was a 'basic objective' and a 'maximum objective' for each material. The basic objectives assumed some continued reliance on foreign sources of supply in an emergency. The former maximum objectives completely discounted foreign sources of supply beyond North America and comparable accessible areas.

"Previously, maximum objectives could not be less than 6 months' normal usage of the material by industry in the United States in periods of active demand. The 6-month rule has been eliminated in establishing the new calculated conventional war objectives.

"The Office of Emergency Planning also announced that the present Defense Mobilization Order V-7, dealing with general policies for strategic and critical materials stockpiling, was now being revised to reflect these new policies. When finally prepared and approved, the new order will be published in the Federal Register.

"New conventional war objectives for the remaining stockpile materials are being developed as rapidly as new supply-requirements data become available. They will be released as they are approved.

"The Office of Emergency Planning is also making studies to determine stockpile needs to meet the requirements of general nuclear war and reconstruction. Stockpile objectives for nuclear war have not previously been developed. Some commodity objectives may be higher and others may be lower than the objectives established for conventional war.

"After the nuclear war supply-requirements studies are completed, stockpile objectives will be based upon calculated deficits for either conventional war or nuclear war, whichever need is larger.

"The Office of Emergency Planning stressed that any long-range disposal programs undertaken prior to the development of objectives based on nuclear war assumptions would provide against disposing of quantities which might be needed to meet essential requirements in the event of nuclear attack. While the disposal of surplus materials can produce many problems which have not heretofore arisen, every effort will be made to see that the interest of producers, processors, and consumers, and the international interests of the United States are carefully considered, both in the development and carrying out of disposal programs. Before decisions are made regarding the adoption of a long-range disposal program for a particular item in the stockpile, there will be appropriate consultations with industry in order to obtain the advice of interested parties."

The OEP statement of April 17, 1964, contained the following excerpts:

"Today's action completes supply-requirements studies for all stockpile materials based on current military, industrial, and other essential needs in the event of a conventional war emergency. Objectives for 79 materials in the stockpile were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by OEP and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy which accords with the recommendation of the Executive Stockpile Committee to establish a single objective for each material in the national stockpile. These new objectives will be reviewed and revised as necessary each year. Because military requirements and estimated emergency supplies of stockpile materials are constantly shifting, the supply-requirements balance for any material that is now or may become important to defense must be kept under continuing surveillance. Supply-requirements studies of the conventional war needs of approximately 20 other strategic and critical materials, which do not have stockpile objectives, are underway and are expected to be completed in the next few weeks. At the same time, studies on supply-requirements for nuclear war are going forward. No definite date for completion of these studies has been established as yet.

"OEP stressed that long-range programs for disposal of identified surpluses would take into account the interests of producers, processors, and consumers, as well as the international interests of the United States. Appropriate consultation with industry will precede all decisions for the adoption of every disposal program and the advice of interested parties will be sought."

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of Federal stockpile inventories as of December 31, 1964, totaled $13,396,502,200. This was a net decrease of $159,269,685, as compared with the December 1 total of $13,555,771,885. Net changes during the month are summarized by major category as follows:

Major category	Cost value, December 1964	
	Net change during month	Total, end of month
Strategic and critical materials	−$21,312,220	$8,380,022,849
Agricultural commodities	−141,627,311	4,657,090,337
Civil defense supplies and equipment	−260,481	212,703,210
Machine tools	+143,200	88,688,300
Helium	+3,787,127	57,997,504
Total	−159,269,685	13,396,502,200

These figures are from the December 1964 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory, and (3) the supplemental-barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Stockpile objectives—in terms of volume—are presently fixed for 76 of these 94 materials. Of the 76 materials having stockpile objectives, 63 were stockpiled in excess of their objectives as of December 31, 1964.

Increases in cost value were reported in 15 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 26 materials, and 53 materials remained unchanged during December.

National stockpile

The cost value of materials in the national stockpile as of December 31, 1964, totaled $5,558,321,400. This was a net decrease of $18,704,800 during the month. The largest decreases were $6,741,600 in tin, $6,644,900 in rubber, and $2,176,000 in molybdenum.

Defense Production Act inventory

The cost value of materials in the Defense Production Act inventory as of December 31, 1964, totaled $1,426,418,900. This was a net decrease of $5,060,700. The largest decreases were in aluminum and copper.

Supplemental-barter

The cost value of materials in the supplemental-barter stockpile as of December 31, 1964, totaled $1,395,282,549. This was a net increase of $2,453,280. The largest increases were in manganese and bauxite.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report the largest is $4.7 billion in agricultural commodities. Major decreases in agricultural commodities during December were reported for cotton, wheat, and milk and butterfat.

Inventories of civil defense supplies and equipment showed a net decrease; the machine tools inventories showed a net increase; and the helium inventories showed a net increase during December.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Luther L. Terry, of Alabama, to be Surgeon General of the Public Health Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL:

S. 1300. A bill for the relief of Amalia Seresly; to the Committee on the Judiciary.

S. 1301. A bill to amend the Tariff Schedules of the United States with respect to the duties on ornamented fabrics and fabrics with tucks; to the Committee on Finance.

(See the remarks of Mr. Saltonstall when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1302. A bill to authorize the Secretary of Commerce to utilize funds received from State and local governments for special meteorological services; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS:

S. 1303. A bill to grant credit in the filling of certain positions in the postal field service to persons who have served in such positions under temporary appointments; to the Committee on Post Office and Civil Service.

By Mr. TOWER:

S. 1304. A bill for the relief of Mario Bozicevich; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Mr. Cooper, Mr. Brewster, and Mr. Hartke):

S. 1305. A bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 1306. A bill for the relief of Parvin Rahimian Gaulke; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 1307. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to a handicapped individual for expenses of transportation to and from work; to allow an additional exemption for a taxpayer, a spouse, or dependent who is physically or mentally incapacitated and unable to work; and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON (by request):

S. 1308. A bill to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes; and

S. 1309. A bill to authorize checks to be drawn in favor of banking organizations for the credit of a person's account, under certain conditions; to the Committee on Banking and Currency.

(See the remarks of Mr. Robertson when he introduced the above bills, which appear under separate headings.)

By Mr. FULBRIGHT (for himself, Mr. Anderson, and Mr. Saltonstall):

S. 1310. A bill relating to the National Museum of the Smithsonian Institution; to the Committee on Rules and Administration.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 1311. A bill to provide that the Commissioners may accept or permit the acceptance of the performance by volunteers of services for and on behalf of the municipal government of the District of Columbia;

S. 1312. A bill to amend the District of Columbia Public School Food Services Act;

S. 1313. A bill to authorize the Commissioners of the District of Columbia to acquire, construct, operate, and regulate a public off-street parking facility;

S. 1314. A bill to amend the Street Readjustment Act of the District of Columbia so as to authorize the Commissioners of the District of Columbia to close all or part of a street, road, highway, or alley in accordance with the requirements of an approved redevelopment or urban renewal plan, without regard to the notice provisions of such act, and for other purposes;

S. 1315. A bill to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended;

S. 1316. A bill to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for other political divisions and subdivisions in the National Capital region;

S. 1317. A bill to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks or money orders;

S. 1318. A bill to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children;

S. 1319. A bill to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes;

S. 1320. A bill to amend certain criminal laws applicable to the District of Columbia, and for other purposes; and

S. 1321. A bill to amend section 501(e) of title 16 of the District of Columbia Code relating to bond requirements in connection with attachment before judgment; to the Committee on the District of Columbia.

By Mr. BREWSTER:

S. 1322. A bill to establish the Chesapeake & Ohio Canal National Historical Park in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BREWSTER when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 1323. A bill to amend section 2634 of title 10, United States Code, so as to authorize the military departments, in certain cases, to ship automobiles to and from the State of Alaska by commercial motor carrier via the Alaska ferry system and other surface transportation; to the Committee on Armed Services.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1324. A bill for the relief of Ante Dunatov; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 1325. A bill for the relief of Dr. Oton Socarraz; to the Committee on the Judiciary.

By Mr. FONG:

S. 1326. A bill for the relief of Baltazar Ganade; to the Committee on the Judiciary.

By Mr. BAYH:

S. 1327. A bill for the relief of George Sgouritsas;

S. 1328. A bill for the relief of Fotios G. Milonas;

S. 1329. A bill for the relief of Ioannis Metanias;

S. 1330. A bill for the relief of Konstantinos Roumeliotis and Panagiota Roumeliotis; and

S. 1331. A bill for the relief of Dr. Adriano A. Agana and Consuelo R. Agana; to the Committee on the Judiciary.

By Mr. ROBERTSON (by request):

S. 1332. A bill to provide for continuation of authority for regulation of exports, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1333. A bill to amend the adjustment assistance provisions of the Trade Expansion Act of 1962 with respect to determinations by the Tariff Commission of injury or threatened injury to firms or groups of workers; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear ununder a separate heading.)

By Mr. YARBOROUGH:

S. 1334. A bill for the relief of Patsy J. Darby; and

S. 1335. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Colvern D. Henry; to the Committee on the Judiciary.

RESOLUTION

TO CREATE A SELECT COMMITTEE TO STUDY GOLD PRODUCTION IN THE UNITED STATES

Mr. BARTLETT submitted a resolution (S. Res. 83) to create a Select Committee To Study Gold Production in the United States, which was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when submitted by Mr. BARTLETT, which appears under a separate heading.)

DUTY ON ORNAMENTED FABRICS AND FABRICS WITH TUCKS

Mr. SALTONSTALL. Mr. President, I am today introducing a bill designed to correct a loophole in the tariff schedules of the United States relating to the duty on ornamented fabrics and fabrics with tucks.

In the last Congress I sponsored legislation to amend the Tariff Act of 1930 to close the loophole under which certain ornamented or tucked fabrics were allowed to enter the United States at a duty rate about one-half of that ordinarily applicable to such fabrics.

Action on that bill was delayed, partly because it was hoped that the new tariff schedules for the United States, which went into effect in the summer of 1963, would take care of the situation. Unfortunately, the new schedules did not close the loophole, and attempts to avoid the higher duty rate have continued.

Congress last year considered general legislation to correct certain errors in the new TSUS. This bill, which included a provision similar to the legislation which I had filed, relating to ornamented and tucked fabrics, was approved by both the House and Senate. However, because of problems which arose over certain other sections of the bill, it died in conference, and final action was not taken.

The bill I am introducing today will amend items 353.50 and 357.60 of the tariff schedules of the United States to provide that the duty on "ornamented" or "tucked" fabrics will be no less than that applicable to fabrics without ornamentation or tucks.

I am hopeful that the Congress will take action on this bill. It would be of immeasurable assistance to our beleaguered domestic textile industry, which is already suffering adverse competition from imported textile products. By passing this bill, we could help to lessen the injurious effect of imports.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1301) to amend the tariff schedules of the United States with respect to the duties on ornamented fabrics and fabrics with tucks, introduced by Mr. SALTONSTALL, was received, read twice by its title, and referred to the Committee on Finance.

UTILIZATION OF FUNDS RECEIVED FROM STATE AND LOCAL GOVERNMENTS FOR SPECIAL METEOROLOGICAL SERVICES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the Secretary of Commerce to utilize funds received from State and local governments for special meteorological services. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of Commerce, requesting the proposed legislation, together with an enclosed statement of purpose.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement of purpose will be printed in the RECORD.

The bill (S. 1302) to authorize the Secretary of Commerce to utilize funds received from State and local governments for special meteorological services introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement of purpose, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., February 10, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed four copies of a draft bill "To authorize the Secretary of Commerce to utilize funds received from State and local governments for special meteorological services" and four copies of a statement of purpose and need in support thereof.

We are advised by the Bureau of the Budget that, from the standpoint of the administration's program, there would be no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED FOR LEGISLATION TO AUTHORIZE THE SECRETARY OF COMMERCE TO UTILIZE FUNDS RECEIVED FROM STATE AND LOCAL GOVERNMENTS FOR SPECIAL METEOROLOGICAL SERVICES

The Weather Bureau has often been requested by various State and local governments to provide or undertake special meteorological investigations, tests, and services which the personnel and facilities of the Weather Bureau are specially capable of carrying out. It has become increasingly difficult for the Weather Bureau to perform such functions, which ordinarily cannot be effectively undertaken by any other organizations, because of the lack of adequate statutory authorization to utilize funds for these purposes which the requesting public agency would be willing to provide. The purpose of this proposed legislation is to enable the Weather Bureau to accept and use funds provided by State and local governments for special services required by them which cannot be financed from available Weather Bureau resources. The proposed legislation provides that if work or services requested have no value to the public at large, the Secretary of Commerce must require reimbursement for the total direct and indirect costs before undertaking such work or services. Moreover, the Secretary of Commerce could not undertake work or services having no public value unless they cannot be obtained from private firms or individuals with special competence.

Some instances in which the authorization herein proposed could be utilized for the benefit of local needs are as follows:

1. The State of California is embarking on a large-scale water resources program (headed by its department of water resources) for which it requires a large increase in precipitation stations, in reporting, in maintenance, and inspection of stations, and in processing of data. The Weather Bureau's responsibility is national, with its available funds actually insufficient to cover the local needs of California. The State is willing to pay for the increase required to meet its needs. The necessary funds cannot be accepted and utilized by the Bureau unless the proposed legislation is enacted.

2. In 1955 the Kansas Water Resources Factfinding and Research Committee recommended to the Governor and legislature a "cooperative program with the U.S. Agricultural Research Service, U.S. Geological Survey, U.S. Weather Bureau, and U.S. Soil Conservation Service for comprehensive research in hydrology of small watersheds, requiring detailed data on all aspects of the water cycle and effects of man's operation. Estimated State funds, $150,000 per year for 20 years, to be matched by Federal funds." But of the four Federal agencies mentioned, only the Weather Bureau cannot now accept and utilize the State funds.

3. Many thousands of communities on lesser tributaries and in headwater areas suffer devastating flash floods. With the support of the Weather Bureau's national main stem and tributary flood forecasting system and its developing radar network, these communities could be warned effectively in many cases after establishment of special local observational and reporting networks and communications, development of localized forecast and warning procedures, and educational liaison in planning actions based on warnings. The costs may average only a few thousand dollars per community per year. There are thousands of such communities, and the Bureau is able to serve only a token few with its available funds. The job could be done wherever the community felt it was sufficiently needed to pay for it if the Bureau could accept and use funds made available by the community.

4. Fire-Weather Service of the Weather Bureau is another service which operates on a cost-sharing basis in many instances, and which is handicapped in its operation by lack of adequate legislative authority. The Service provides day-to-day forecasts and advice during the fire season and issues detailed localized operational forecasts for going fires. The Bureau is subject to a heavy demand from forest protection agencies for an expansion of this service to new areas. In most cases it is unable to provide the needed assistance. Enactment of the proposed legislation would greatly facilitate arrangements to provide additional badly needed services of this nature where Federal funds are not available but State or local governments are willing to help.

5. Agricultural weather services, particularly those requiring highly localized and detailed forecasts and special instrumentation, would be greatly benefited by enactment of the proposed legislation. This type of service cannot be adequately handled through the general forecast service and as a rule it is of direct benefit to a relatively small segment of the population. Accordingly, such services are often arranged on a cost-sharing basis where the recipients of the service assume a share of the costs involved. The Horticultural Protection Service which operates in Florida, California, Washington, Oregon, and a few other States is a good example of a specialized weather service that often uses cost-sharing procedures. Under present law the cooperating agency is limited to furnishing such items as communication expenses and office quarters while the full salary of the employee limits the number of points where such service can be provided since the major expense must continue to be handled by the Federal Government. The Bureau has had many requests from all parts of the country for more agricultural weather service of the above-mentioned type. Although cost-sharing is one good way of furnishing more service of this kind, the Bureau is seriously handicapped by the present inability to utilize funds which the localities would be willing to furnish.

6. The Weather Bureau has, in the past few years, received several requests for special observations and assistance in the field of air pollution. Two specific examples of recent origin are the request from the Los Angeles County Air Pollution Control District for the reinstitution of intermediate upper air sounding at Santa Monica, Calif., and the request from the San Diego County Air Pollution District for additional wind installations and additional upper air soundings in the vicinity of San Diego. There have been other similar requests in the past. The Bureau has generally met such requests either by declining on the basis of inadequate funds or, where consultation work and a minimum of observations would suffice, arranging for support through other agencies such as the Public Health Service or the Atomic Energy Commission. In light of the increased interest in air pollution, it can be expected that the number of these requests will increase, particularly for specialized observational data such as low-level radiosondes and additional wind measurements. The Bureau will be unable to accommodate most of these requests unless it can accept reimbursement.

On December 22, 1955, the Presidential Advisory Committee on Water Resources Policy recommended:

"Continued cooperation with States and municipalities should be encouraged. Such cooperation serves to supplement the basic data programs of the Federal Government in fields in which there is substantial joint interest. State and local participation contribute to the fundamental programs for interpretation, analysis, and research which are primarily national in character and extend beyond the interests of any single geographical area. Federal matching of State financial support for data programs on a 50–50 basis has been mutually satisfactory and should continue to be a sound basis for such cooperation. Authorization for cooperative participation should be provided if necessary authorization is lacking."

The Bureau cannot provide the cooperation proposed unless legislation is enacted authorizing it to utilize State funds.

Harvey O. Banks, director of water resources, State of California, in supporting legislation such as here proposed, said:

"In many areas, there is need to supplement the basic information now gathered in order that more detailed evaluation may be made of the nature and occurrence of water supplies. California is most vitally interested in the most efficient and complete control and utilization of its water resources to meet the need of all beneficial uses. Therefore, it is the recommendations of the State of California that legislation be enacted by the Congress which would permit agreements permitting cooperative financing between the Weather Bureau and non-Federal agencies under which the trained personnel of the Weather Bureau might be assigned to these cooperative endeavors to obtain and develop information and to make analyses thereof, in addition to that gathered under the Bureau's present basic responsibilities. If this legislation is enacted, we expect to take advantage of it, by entering into such a cooperative agreement at an early date."

NEEDED REVIEW OF U.S. ANTITRUST LAWS

Mr. JAVITS. Mr. President, I send to the desk a bill introduced on behalf of myself, and Senators Cooper, Brewster, and Hartke, to establish a Federal commission to carry out a much needed review of the antitrust laws of the United States. This bill will be introduced today in the House of Representatives by Representatives Lindsay and Reid of New York.

Our antitrust laws were written in the 1880's and they have not been reviewed in 20 years. It is my belief that in certain of their applications, they are having an adverse effect upon U.S. domestic productivity, on our long-range economic growth, on trade and foreign investment, and foreign economic policy generally.

So much emphasis has been placed on tax reduction during the past year that there is an impression that it was the sole needed remedy for the Nation's economic ills. But other important actions must be taken at the same time—and one of them is to bring our antitrust laws into line with the needs of our Nation. We cannot afford to continue to stumble along with an antitrust policy created for an almost entirely different economic world than the one we face today; a great deal of it is still valid but much needs to be revised, too.

The bill calls for the creation of a 24-member bipartisan commission composed of 8 Members of Congress, 4 members of the executive branch, and 12 experts from the private sector. The Commission would examine the antitrust laws and their impact on U.S. productivity and policy and would make recommendations for revising them, both in substance and procedure.

The antitrust laws of the United States as they operate abroad today materially prejudice the ability of U.S. concerns to deal across national boundaries. It is well recognized that in order to meet our balance-of-payments problems we must keep our exports at the highest possible level. To do this our exporters must have a fair competitive status in relation to their competitors abroad. In my judgment and that of many experts in the field, our antitrust laws put our companies at a serious competitive disadvantage abroad. At home many of our businesses seek an expression of the Nation's antitrust philosophy and goals. Some legal experts have stated that the existing laws have contributed to rigid domestic price structures and prevented innovation of marketing techniques.

No less pressing is the need to encourage the investment of private capital of the United States and other developed countries in the underdeveloped countries. Again it is widely felt that our antitrust laws are an inhibiting factor, particularly to the establishment of consortia of United States and other private companies from industrialized countries grouping to invest in less-developed countries. In both instances, there is a deep conflict between our antitrust philosophy and other major national policies when there should be coordination and thoughtful accommodation between them.

Many experts who have called for reexamination of antitrust policy in the foreign field in recent years have included an impressive array, including the Committee on International Trade Regulation of the Section of International and Comparative Law of the American Bar Association, 1953; the National Foreign Trade Council and the United States Council of the International Chamber of Commerce, 1955; the report of the Subcommittee on Subsidiaries in Foreign Trade of the Committee on Antitrust Problems in International Trade, Antitrust Section of the American Bar Association, 1955; the Special Committee on Antitrust Laws and Foreign Trade of the Association of the Bar of the City of New York, 1957; the President's Committee on World Economic Practices, 1959; former Gov. Thomas E. Dewey, 1961; former Attorney General Herbert Brownell, 1962; the White House Conference on Foreign Trade, 1963; and the Committee on International Trade Regulation of the section of International and Comparative Law of the American Bar Association, 1963.

All these experts have concluded that uncertainty about enforcement of U.S. antitrust laws extraterritorially is the greatest single inhibitor to increased foreign trade and investment. The report of the ABA Committee on Trade Regulation in 1963, for example, highlighted the following principal specific areas of uncertainty in this field:

1. Uncertainty as to the terms under which a U.S. business may enter into a joint venture with a competitor, either American or foreign, to engage in business abroad;

2. Uncertainty as to the extent to which U.S. business may cooperate in association with foreign competitors, even when the association is required or permitted by the laws of the foreign country where the activity takes place;

3. Uncertainty as to the extent to which a U.S. business may include territorial and other limitations in patents, trademarks, and know-how licenses;

4. Uncertainty due to conflicts between antitrust laws of the United States and the laws of foreign countries and most unfortunately, economic communities, such as the European Common Market; and

5. Protests by foreign Governments due to extraterritorial application of U.S. antitrust laws to their nationals.

Other areas for study include first, the extraterritorial application of the antitrust laws where potential United States and European private enterprise cooperate for development of underdeveloped nations; second, the development of business organizations along the lines of the Communications Satellite Corp. including the possibility of wide-scale joint cooperative efforts by government and industry in partially public, partially private, corporations to undertake vast ventures in the realm of space and atomic technology. The size and complexity of the subject matter and the public interest involved in such undertakings may make wholly private ownership unfeasible and the productive capacity of private ownership and technological risks involved make wholly public ownership unsatisfactory. Numerous other potential applications of this novel and very hopeful technique make a thorough study of antitrust implications highly important, particularly in view of the strong attack on the Communications Satellite Corporation measure made by a minority of Senators on antitrust grounds.

The list of critical cases which the proposed Commission would be charged with studying could be elaborated at much greater length. But these are some of the major areas of concern.

It is my deep conviction that revision of the antitrust laws in accordance with the recommendations of such a broad-based Commission should be a high priority one in the President's program to lift the Nation out of its present inadequate economic growth situation, along with a new approach to serious national-interest strikes, and labor-management relations in general. America must stay competitive in the world even as it struggles to achieve a fully stable, viable, economy at home. We are remiss, I believe, if we do not examine very carefully those forces throughout the economy that inhibit competitiveness and growth.

In the last analysis the enormous job of studying, recommending, and enacting the antitrust laws is with the Congress. The tendency has been in recent years for a major part of antitrust policy to be articulated by the enforcement agencies and the courts. The Commission, I propose, would reassert a firm congressional voice in basic antitrust policy. I believe an antitrust revision ranks as one of the important incentives to our Nation's urgently needed increase in economic growth.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1305) for the establishment of a Commission on Revision of the Antitrust Laws of the United States, introduced by Mr. JAVITS (for himself and other Senators) was received, read twice by its title, and referred to the Committee on the Judiciary.

LEGISLATION TO AID HANDICAPPED

Mr. SCOTT. Mr. President, our handicapped citizens face special problems, problems which should be a matter of very special concern to this Congress.

In recent years, considerable progress has been made in rehabilitating the handicapped.

For instance, in fiscal year 1964 nearly 120,000 physically or mentally handicapped men and women were rehabilitated under the State-Federal program administered by the Vocational Rehabilitation Administration. This was a record total and an increase of 9 percent over the previous year when the figure stood at 110,136.

My Commonwealth of Pennsylvania led the Nation in number of disabled persons rehabilitated with 11,581. This was an increase of 704 persons over our total for 1963.

This overall increase represents a long stride toward the Vocational Rehabilitation Administration's goal of 200,000 rehabilitated handicapped persons per year.

But the difficulties and challenges which face our handicapped citizens do not stop with successful rehabilitation programs, or the finding of the right job. A whole new set of problems all too frequently arises.

Many persons who have lost their eyesight, or the use of one or both legs or both arms, for example, can use normal means of public transportation only with undue hardship and danger. Special means of transportation must be arranged at costs frequently far out of proportion to the individual's earning capacity.

That is why I am introducing a bill today to amend the Internal Revenue Code of 1954 to allow a deduction to handicapped individuals for transportation expenses to and from work, and to give an additional tax exemption to a taxpayer who is handicapped, or who has a handicapped spouse or dependent.

Most of our handicapped citizens have faced their problems with courage that should be a source of pride and inspiration for us all. We should do all that we can to help them in this struggle.

My bill would help handicapped Americans to help themselves as they cope with the extra difficulties which they must overcome to hold productive positions in our society.

I urge its early consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1307) to amend the Internal Revenue Code of 1954 to allow a deduction to a handicapped individual for expenses of transportation to and from work; to allow an additional exemption for a taxpayer, spouse, or dependent who is physically or mentally incapacitated and unable to work; and for other purposes, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

REVISED PROCEDURES FOR DESTRUCTION OF UNFIT FEDERAL RESERVE NOTES

Mr. ROBERTSON. Mr. President, I introduce, by request, a bill to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes.

I ask unanimous consent that the letter from the Secretary of the Treasury recommending this bill, and a copy of the bill, together with a comparative print showing the changes in the law be put in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred;

and, without objection, the bill and comparative print will be printed in the RECORD.

The bill (S. 1308) to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes, introduced by Mr. ROBERTSON, by request, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1308

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of section 16 of the Federal Reserve Act, as amended (12 U.S.C. 413), is hereby further amended by revising the last sentence thereof to read as follows: "Notwithstanding any other provision of law, Federal Reserve notes unfit for circulation shall be canceled, destroyed, and accounted for under procedures prescribed and at locations designated by the Secretary of the Treasury. Upon destruction of such notes, credit with respect thereto shall be apportioned among the twelve Federal Reserve banks as determined by the Board of Governors of the Federal Reserve System."

The letter and comparative print presented by Mr. ROBERTSON are as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 15, 1965.

The Honorable HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes.

The proposed legislation is needed in order to conserve an annual savings of about $500,000 now being realized in the cost of destroying $1 bills that are unfit for further circulation, and to avoid incurring an expense of more than $300,000 annually in sorting $1 bills. These savings would otherwise be lost and the increased cost added now that, under the provisions of the act of June 4, 1963, Public Law 88–36, $1 silver certificates are being replaced by $1 Federal Reserve notes.

There are two reasons for this. Unfit Treasury currency (silver certificates and U.S. notes) is now verified and destroyed at the various Federal Reserve banks and branches. This saves about $500,000 annually in handling expenses, and in the cost of shipping currency to the Treasury in Washington for verification and destruction. Federal Reserve notes, however, are now required by law to be returned to the Comptroller of the Currency for cancellation and destruction. The proposed legislation would eliminate this requirement.

The other reason is that it has been considered necessary to sort unfit Federal Reserve notes by bank of issue before their destruction. This sorting of unfit $1 Federal Reserve notes would add more than $300,000 annually to the cost of retiring the notes. Since the issuance of Federal Reserve notes began, which was about 50 years ago, several billion have been issued and retired, and enough is now known about the relation of issues of each bank to retirements of each that it is no longer considered necessary to make a physical sort of unfit notes as they are retired. Collateral requirements and accountability for outstanding notes can be provided for on a formula basis fixed by the Board of Governors of the Federal Reserve System.

The proposed legislation would provide that Federal Reserve notes unfit for circulation shall be canceled, destroyed, and accounted for under procedures prescribed and at locations designated by the Secretary of the Treasury, and credit for the notes so retired allocated among the Federal Reserve banks as prescribed by the Board of Governors of the Federal Reserve System.

The destruction of unfit Treasury currency at the Federal Reserve banks and branches has been performed under regulations and procedures prescribed by the Secretary of the Treasury and the destruction operations are inspected by his representatives. This procedure has been satisfactory in all respects. The proposed legislation contemplates that the same type of procedure and control would be provided for by the Treasury with respect to regional destruction of Federal Reserve notes.

It will be appreciated if you will lay the attached proposed bill before the Senate. A similar communication has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

DOUGLAS DILLON.

A bill to authorize revised procedures for the destruction of unfit Federal Reserve notes, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of section 16 of the Federal Reserve Act, as amended (12 U.S.C. 413), is hereby further amended by revising the last sentence thereof to read as follows: "Notwithstanding any other provision of law, Federal Reserve notes unfit for circulation shall be canceled, destroyed, and accounted for under procedures prescribed and at locations designated by the Secretary of the Treasury. Upon destruction of such notes, credit with respect thereto shall be apportioned among the twelve Federal Reserve banks as determined by the Board of Governors of the Federal Reserve System."

COMPARATIVE TYPE SHOWING CHANGES IN EXISTING LAW MADE BY BILL

Changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in brackets: new matter italicized):

The last sentence of the third paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 413):

Notwithstanding any other provision of law, Federal Reserve notes unfit for circulation shall be [returned by the Federal Reserve agents to the Comptroller of the Currency for cancellation and destruction.] *canceled, destroyed, and accounted for under procedures prescribed and at locations designated by the Secretary of the Treasury. Upon destruction of such notes, credit with respect thereto shall be apportioned among the twelve Federal Reserve banks as determined by the Board of Governors of the Federal Reserve System.*

AUTHORIZATION FOR CHECKS TO BE DRAWN IN FAVOR OF BANKING ORGANIZATIONS FOR THE CREDIT OF A PERSON'S ACCOUNT UNDER CERTAIN CONDITIONS

Mr. ROBERTSON. Mr. President, I introduce, by request, a bill to authorize checks to be drawn in favor of certain organizations for the credit of a person's account, under certain conditions.

I ask unanimous consent that the letter from the Secretary of the Air Force recommending this bill, together with a copy of the bill, be inserted in the RECORD at this point.

This is the same as S. 2937 of the 88th Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1309) to authorize checks to be drawn in favor of banking organizations for the credit of a person's account, under certain conditions, introduced by Mr. ROBERTSON, by request, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1309

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), is amended—

(1) by inserting the designation "(a)" before the word "Except" at the beginning thereof; and

(2) by adding the following new subscriptions at the end thereof:

"(b) Notwithstanding subsection (a) or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency may, upon the written request of a person to whom a payment is to be made, authorize a disbursing officer to make the payment—

"(1) by sending to the bank, savings institution, or Federal or State chartered credit union designated by that person a check that is drawn in favor of that organization and for credit to the account of that person; or

"(2) if more than one person to whom a payment is to be made designates the same banking organization, by sending to the organization a check that is drawn in favor of the organization for the total amount due those persons and by specifying the amount to be credited to the account of each of those persons.

In this subsection, 'agency' means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative, or judicial branch, of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia.

"(c) Payment by the United States of a check, drawn in accordance with subsection (b) and properly indorsed, shall constitute a full acquittance for the amount due to the person requesting payment."

The letter presented by Mr. ROBERTSON is as follows:

DEPARTMENT OF THE AIR FORCE,
Washington, January 28, 1965.

Hon. HUBERT HUMPHREY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "To authorize checks to be drawn in favor of banking organizations for the credit of a person's account, under certain conditions."

This proposal is a part of the Department of Defense Legislative Program for the 89th Congress. In accordance with the recommendation of the Treasury Department, the proposal was made applicable to all Government agencies. The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

Generally, the purpose of the proposed legislation, which is Government-wide in scope, is to authorize Government agencies, under regulations to be prescribed by the Secretary of the Treasury, to draw checks in favor of banking organizations for the credit of a person's account, under certain conditions. Specifically, it would permit the heads of departments, agencies, independent establishments, boards, commissions, and offices in the executive, legislative, and judicial branches of the Government, wholly owned or controlled Government corporations, and the municipal government of the District of Columbia to authorize the drawing of a check by a disbursing officer in favor of a bank, savings institution, or Federal or State chartered credit union which represents payments to one or more persons who use that organization as a depository. In other words, if more than one person designates the same banking organization as a depository, a single check may be drawn in favor of the banking organization for the total amount due to such persons and transmitted to the banking organization, identifying each person, and the individual amount to be deposited to his account. The method of payment authorized by this proposal would cover payments of a repetitive type (payroll, retirement, pension, etc.) and apply to persons who are (1) civilian officers or employees in or under the executive, legislative, or judicial branch of the Government; (2) Members of Congress; (3) civilian officers or employees of the municipal government of the District of Columbia; and (4) members or former members of the uniformed services. It would also apply to persons who are retired.

This procedure has been used by the Department of the Army since 1913 in administering officers' pay and since 1956 in administering the pay of other personnel. It has been used by the Air Force since 1955. Although this procedure has not been specifically authorized by the Department of the Navy, it has been used by the Marine Corps since 1958 and by a few Navy activities in the payment of military personnel.

As background, using one service, the Department of the Air Force only, as an example to eliminate duplication of remarks, the following information is submitted:

(a) Paragraph 70401.1, AFM 173-50 (now paragraph 30316, AFM 177-108), Finance Systems and Procedures permitted the drawing of checks payable to banking organizations for the credit of the account of a civilian employee on his request. It also provided that when more than one person designated the same banking organization, a single check could be drawn in the total amount, if each employee and the amount to be deposited to his account was identified with the check.

(b) The Comptroller General of the United States, in Decision No. B-141025, November 12, 1959, took specific exception to the procedure contained in paragraph 70401.1, AFM 173-50. He held that drawing checks covering salary payments of civilian employees, in favor of banks, for deposit to the employees' account, is in contravention of law. Sections 3477 and 3620 of the Revised Statutes (31 U.S.C. 203 and 492, respectively) were cited.

(c) After intensive study, the Assistant Secretary of the Air Force (financial management) dispatched a letter to the Comptroller General of the United States on May 13, 1960, citing the benefits of the single check procedure and inclosing a savings study and an opinion of the Air Force general counsel. Reply to this letter was dated August 3, 1960, and held that there was no legal basis for modification or revision of his original decision.

(d) Again on September 29, 1960, the Assistant Secretary of the Air Force (financial management) requested reconsideration of the opinion and placed questions for clarification in the event the decision was confirmed. The decisions of November 12, 1959, and August 3, 1960, were sustained by the Comptroller General on December 20, 1960. In this letter it became apparent that the applicability of the original decision would have to be extended to the procedure for the payment of military members. Paragraph 30406b, AFM 173-10 (now paragraph 30316, AFM 177-108), organization, functions and responsibilities of finance offices, permitted the same procedure as contained in paragraph 70401.1, AFM 173-50 for drawing checks payable to the banking organizations for the credit of the military member.

(e) Finally, the Comptroller General has agreed with representatives of the Department of Defense that present procedures in the military departments may remain unchanged pending actions on the proposed legislation. The procedure will not be expanded until legislation is obtained.

The proposed legislation permitting the drawing of checks payable to banking organizations has been drafted to permit use of a single check when more than one person has designated that banking organization. The practice of consolidating payment of multiple vouchers into one check to one payee is presently encouraged in settling commercial invoices throughout the Government in paragraph 5010.40, title 7, General Accounting Official Manual.

The mailing of payroll checks to an address designated by the employee or military member has become increasingly prevalent within the Department of Defense. The advantages to the Government are manifold.

(a) Payroll action is complete at the time the check has been drawn, enveloped, and dispatched. The civilian personnel office staff is not involved in the distribution.

(b) Circumstantially, banking facility hours are normally within the working day. Although no valid computation of working time lost by individuals in banking or cashing of payroll checks during duty hours can be made, this cannot be ignored. By mailing checks to a home address or to a bank, this problem of lost time is materially reduced. When mailed to the bank, no occasion for a visit to the banking facility arises to dispose of the check. When the check is mailed to the home address, cashing or depositing is usually conducted during other than duty hours.

(c) Persons normally designated to distribute checks need not leave their place of duty either to pick up, distribute, or return undelivered checks. Factually, at Warner Robins Air Force Base, Ga., with a civilian payroll of 15,000 civilians (all of whom are now paid by checks), 350 man-hours were used each week in the distribution process, under the individual check system. In addition to the monetary saving, which is obvious, under the single check system, these individuals are now available for their primary duty during the time which was formerly used for the distribution of checks.

(d) At Warner Robins Air Force Base, with 15,000 civilian employees on the payroll, more than 6,000 had designated banks as mailing addresses. This designation was completely voluntary and can be considered as a reasonable percentage of a typical civilian employee group. If the mailing service is made available, it can be assumed that there is a potential of 120,000 persons within the approximately 300,000 Air Force civilian employees who would designate a bank as a mailing address. Among military members in the Washington area paid through the Bolling and Andrews Air Force Base offices, approximately 2,500 of 6,000 Air Force officers have designated a bank as a mailing address. Although the use of banks as a mailing address by enlisted Air Force personnel is not as prevalent as among civilians and officers, approximately 8 percent in the Washington area have designated banks as mailing addresses.

(e) The factual data obtained at Warner Robins Air Force Base reveals that 3,000 employees are being paid each week by the use of 11 checks payable to banks. Approximately 155,000 fewer Treasury checks are drawn each year at that base by use of the single check procedure.

(f) Assuming that the experience data furnished by Warner Robins Air Force Base is typical of civilian payrolls then:

1. Elimination of 155,000 checks per year in the payment of 15,000 civilian employees would indicate that if the single check program is extended to cover all 300,000 Air Force employees then a substantial savings in the drawing of 3,100,000 Treasury checks per year will result.

2. The following is a computation of the cost of mailing a Treasury check to a banking organization and ultimate cancellation by Treasury:

Cost of printed check	$0.00250
Cost of window envelope	.00300
Postage	.05000
Treasury processing[1]	.004
Machine preparation[2]	.01330
Cost of Treasury check	.07280

[1] Provided by Treasury Department.

[2] Cost data from Air Force Accounting and Finance Center.

3. Use of the single check for only civilian payrolls within the Air Force can produce a substantial savings each year in the basic cost of processing and mailing of Treasury checks. Conversion to a computer system for military pay has recently required changes in our procedures. We expect to program for the use of the blanket check procedure where economies can be achieved. However, at this point in time we cannot predict the extent of its utilization. Most Air Force enlisted members are now paid on a semimonthly basis. Use of the program for even a small percentage of enlisted personnel is expected to generate measurable savings.

COST AND BUDGET DATA

The cost of drawing and processing a Treasury check by mechanical or electronic means has been greatly reduced during the past several years in Government offices and commercial institutions. However, the basic cost of a printed check and envelope, postage and processing must be considered when the quantity is significant. The use of the single check procedure will produce sizable savings to the U.S. Government. Enactment of the proposed legislation will be extremely advantageous to civilian employees and military members and will generate sizable savings to the U.S. Government through the use of the single check when banking organizations are designated as a mailing address. No compromise of payroll computation procedures or change to these procedures is necessary.

Sincerely,

EUGENE M. ZUCKERT.

NATIONAL MUSEUM OF THE SMITHSONIAN INSTITUTION

Mr. FULBRIGHT. Mr. President, on behalf of myself, the Senator from New Mexico [Mr. ANDERSON], and the Senator from Massachusetts [Mr. SALTONSTALL], I introduce, for appropriate reference, a bill to provide for more effective cooperation between the Smithsonian Institution and the Nation's museums. This bill has been recommended by the Board of Regents of the Smithsonian, of which I and the other two cosponsors are members. I ask unanimous consent that the summary of the proposed bill and its text be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the Record.

The bill (S. 1310) relating to the National Museum of the Smithsonian Institution, introduced by Mr. Fulbright (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the Record, as follows:

S. 1310

Whereas the museums of the Nation constitute a cultural and educational asset of great importance to the Nation's progress; and

Whereas national recognition is necessary to insure that museum resources for preserving and interpreting the Nation's heritage may be more fully utilized in the enrichment of public life in the individual community: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Museum Act of 1965".

Sec. 2. The Director of the National Museum shall (1) report annually to the Congress on progress in museums and their collections and other activities, such report to be be included in the Smithsonian Institution's annual report of its other operations; (2) advise and cooperate with departments and agencies of the Government of the United States operating, assisting, or otherwise concerned with museums; (3) cooperate with museums and their professional organizations in a continuing study of museum problems and opportunities; (4) assist museums and their professional organizations in training career employees in museum practices; (5) prepare and distribute significant museum publications; and (6) perform research on, and otherwise contribute to, the development of museum techniques.

Sec. 3. The first paragraph under the heading "National Museum" contained in the Act of July 7, 1884 (23 Stat. 214; 20 U.S.C. 65), is amended by deleting the following sentence: "And the Director of the National Museum is hereby directed to report annually to the Congress the progress of the museum during the year and its present condition.".

The summary presented by Mr. Fulbright is as follows:

Summary of Proposed Legislation

III. NATIONAL MUSEUM ACT OF 1965

The recent growth in the number of museums, their collections and activities, has far outstripped the ability of the museum profession to provide trained personnel for the study, planning, coordination, and staffing of the Nation's museums. The achievements of a few outstanding museums in investigating new techniques for display, cataloging, and conservation, new relationships between historic, scientific, and artistic objects, and new concepts of communication, reveal how much remains to be done to make effective the universal opportunities for education and cultural progress which these institutions could offer to the public.

The primary responsibility for the support of the individual museum should remain with the community which it serves. However, needs for a national and international program of cooperative research and training to assist museums large and small to make their maximum contribution require national recognition and leadership.

Much is already being done. The U.S. Office of Education has taken a constructive interest in the educational activities of museums, particularly with regard to the functions of the museum as a support facility for university and public school education. The National Science Foundation is considering the role of museums in furthering scientific research and raising the level of public scientific awareness. The Department of State has made a number of leader grants to foreign museum professionals to stimulate the international exchange of ideas and experience in the museum field. The Smithsonian Institution, in one of its primary roles as the National Museum, has long recognized its responsibilities to the national museum profession. It has recently undertaken to introduce a limited number of museology interns in its museums and has engaged in a joint program with the American Association of Museums in the complementary areas of museum training, education, publications, and a continuing survey of museum problems and resources.

It is proposed that the present activities of the Smithsonian Institution in museum research, training, and technology be recognized and strengthened by the passage of a National Museum Act which would establish within the National Museum a coordinated program of national and international research, training, and publication in the museum field. The program would be supervised by the Director of the National Museum under the direction of the Board of Regents and Secretary of the Smithsonian Institution.

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

Mr. BREWSTER. Mr. President, during the past several weeks, President Johnson has sent many important messages to the Congress. His message on natural beauty of our country included an eloquent plea for the careful development of the Potomac River Basin. He recommended that the Potomac "serve as a model of scenic and recreation values for the entire country."

In this same message the President recommended that a program be undertaken to "clean up the river and keep it clean," protect its natural beauty, provide for adequate recreational facilities, and complete the presently authorized George Washington Memorial Parkway on both sides of the river.

In his more recent message regarding the Nation's Capital, the President correctly emphasized the regional nature of many of Washington's problems.

As a representative of a State bordering on the District of Columbia, I am constantly reminded of the interrelationship between Maryland, Virginia, and the Nation's Capital. As the President pointed out in that message, the problems of transportation, water and air pollution, sewage and waste disposal, fire and police protection, recreation, employment, and economic development do not recognize jurisdictional lines.

Constructive efforts toward coping with regional problems have already been made in the National Capital region. The Washington Metropolitan Council of Governments—of which I am a member—and the National Capital Area Planning Council have both brought about a measure of regional cooperation. The Interstate Commission on the Potomac River Basin comprised of the States of Maryland and West Virginia, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia—has encouraged river basin cooperation in the abatement of water pollution.

Since 1960, the White House has demonstrated a strong interest in Metropolitan Washington problems. I know that this demonstrated interest has been welcomed by the citizens of Maryland.

Since being elected to the Senate 2 years ago, I have been carefully studying the problems confronting the Potomac River Basin and the National Capital region. I am extremely pleased that President Johnson is focusing his attention on these regional problems.

During the Senate's recent consideration of the Appalachian Development Act, I pointed out that many small communities cannot afford badly needed sewer and water systems. This is especially true in the Potomac River Basin, where at least 10 communities continue to dump raw sewage into the same river that supplies drinking water to the Nation's Capital. To add to these, many communities which have totally inadequate sewage treatment facilities.

I am sure that you recognize the problem facing these small communities. It is one compounded by low income and low tax base, coupled with extremely expensive engineering and construction costs due to the steep and frequently rocky terrain. Most of these communities will have to receive substantial assistance from State and Federal sources if sewage dumping is to be eliminated.

Other pollution problems will have to be resolved before the President's dream of boating, swimming, and fishing in clean Potomac waters will become a reality.

Again, the Appalachia bill which the Senate recently approved contains programs which will assist in this endeavor.

The problem of pollution from mine acid in the North Branch must be greatly reduced, if not totally eliminated.

The major pollution problem of the Potomac River is the increasing quantity of sediment it carries and deposits. A recent study by the Geological Survey shows that about 2½ million tons of sediment are discharged annually. The study further showed that 50 percent of this sediment load comes from the drainage basin upstream from Point of Rocks, Md.

To decrease this erosion rate in rural areas, the current activities of the Soil Conservation Service must be intensified. The construction of 409 headwater projects proposed by the U.S. Army Corps of Engineers should be commenced as soon as possible. The extreme need for these small dams is well recognized and their construction should not be delayed pending the outcome of the remainder of the Engineers' proposed plan. Many people, including myself, are totally opposed to the corps' proposed high dam at Seneca.

Turning now to the urban areas of the Potomac River Basin, it is abundantly clear that conservation activities must be stepped up in order to reduce annual sediment discharge rates that go as high as 2,300 tons per square mile. The existing excellent programs of stream valley acquisition must be intensified so as to keep ahead of the metropolitan area's rapid expansion.

Stricter regulations are needed to reduce erosion connected with construction projects. The Federal, State, and local governments should cooperate in this field by promulgating antierosion regulations for Government financed and assisted projects. The lengthy construction period for the Dulles interceptor sewer and the George Washington Memorial Parkway on the Maryland side of the Potomac above Washington are prime examples of encouraging soil erosion. Speedier construction could greatly reduce sediment discharge rates in urban areas.

Earlier in my speech, I mentioned the seriousness of the sediment problem in the Potomac. Current estimates show that the removal of sediment from the National Capital region's water supply costs $1½ million annually. This cost is increasing. Silting and consequent dredging in the estuary of the Potomac account for the loss of many fine oyster beds. Oyster production has decreased to a mere one-fourth of what it was in 1892. Proper conservation of the Potomac River could greatly contribute to the development of a multimillion dollar oyster and clam industry in an area which is now economically depressed. It is difficult to estimate the economic losses resulting from fish kills and the general reduction in marine life in the Potomac. It is clear that efforts to reduce damage from waste disposal must continue. Steps must soon be taken to make sewage waste 90 percent clean as opposed to the current rate of 80 percent. A mere 10 percent increase in treatment will become extremely important by the year 2000 when it is expected that the average flow through the District's pollution control plan will reach 360 million gallons daily.

I am sure that all of these problems are being given careful consideration by the Secretary of the Interior who is now studying the problems of the Potomac River Basin at the request of President Johnson. I hope that the Secretary will carefully consider the possibility of creating a new multipurpose compact to plan and coordinate Federal, State, and local activities relating to the conservation, utilization, development, and control of the water and related resources of the Potomac River Basin. Such a compact would serve to better recognize and deal with the multijurisdictional problems of the Potomac River. It would provide a realistic planning unit for the interstate region.

Mr. President, today I am introducing legislation to create the Chesapeake and Ohio Canal National Historical Park. The creation of this park will represent a major step forward in the overall protection and conservation of the Potomac River Valley. Not only does this area have an enormous potential for recreational activities, but its historical value is unique. The C. & O. Canal was a major passage to the developing western frontier. One cannot help but be impressed by the feat of engineering that was required to complete the canal. Today, it is one of the few canals remaining from that great American era of inland waterway transportation.

The C. & O. Canal offers one of the best possible sites for a national park. The existing 4,800-acre C. & O. National Monument provides an excellent nucleus for a park. The historic and scenic caliber of the canal and the many opportunities that exist there for hiking, camping, fishing, boating, bicycling, and other forms of outdoor recreation make it a nationally significant recreation area. Over 18 million people live within 150 miles of the proposed park area. This population is rapidly doubling.

The bill I have introduced provides for a national historical park not to exceed 15,000 acres. Roughly one-third of this land is already under the jurisdiction of the Park Service. The additional land would be acquired to allow for the development of adequate service facilities to accommodate visitors, access roads, river frontage, camp and picnic grounds, parking areas, and necessary administrative facilities. The park is to extend along the line of the C. & O. Canal from a point above the Great Falls of the Potomac to a point in the vicinity of Cumberland, Md., a distance of approximately 165 miles.

In view of rising land values and the need for additional land to permit the development of essential recreational and service facilities, it is important that this park receive early consideration. Only the purchase of additional land and the gaining of scenic easement rights on adjoining properties can prevent the dense urban development which is now threatening along portions of the Potomac River.

The C. & O. Canal National Historical Park will not only serve the millions of people living near it, but it will provide needed camping facilities for millions of Americans who come to visit their Nation's Capital. They will have an unexcelled opportunity to view the beauty of the Potomac Valley as it was in the days of Thomas Jefferson when he looked down into the valley from a nearby hill and said, "The view from this rock is worth a voyage across the Atlantic."

Mr. President, I send to the desk a bill to establish the Chesapeake and Ohio Canal National Historical Park.

I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks, and that the bill lay on the table until the close of business next Monday in order that my colleagues will have an opportunity to join in sponsoring this worthwhile legislation which will help to make the Potomac the model river that President Johnson and the Nation envisage.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Maryland.

The bill (S. 1322) to establish the Chesapeake & Ohio Canal National Historical Park in the State of Maryland, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established the Chesapeake and Ohio Canal National Historical Park, for the purpose of preserving and interpreting certain property in the State of Maryland for the benefit and inspiration of the people. The park, as initially established, shall comprise that particular property in Federal ownership containing not to exceed four thousand, eight hundred acres, including the Chesapeake and Ohio Canal National Monument, which property is situated along the line of the Chesapeake and Ohio Canal between the terminus of the George Washington Memorial Parkway, above the Great Falls of the Potomac River and a point within or in the vicinity of the city of Cumberland, Maryland, as may be determined by the Secretary of the Interior. The park may comprise such additional lands as may be acquired pursuant to subsection (b) hereof: *Provided*, That the total area of such park, including land already in Federal ownership, shall not exceed fifteen thousand acres.

(b) The Secretary of the Interior is hereby authorized to acquire in such manner as he may consider to be in the public interest such lands and interests in lands in the State of Maryland in the vicinity of the canal and existing Government canal property as he deems desirable for the purposes of the said park.

(c) Subject to the purposes and general requirements of this Act, the Secretary of the Interior is authorized to cooperate with the State of Maryland, with its political subdivisions and with other Federal agencies, in promoting such land use or development programs, through cooperative agreements or leases for terms not to exceed fifty years, as will further the objectives for the park and of the State of Maryland concerning wildlife propagation, wilderness conservation, public recreation, and related purposes.

(d) The authority granted in the Act of September 22, 1950 (64 Stat. 905), to effect land exchanges for the purposes of the proposed Chesapeake and Ohio Canal Parkway and in the Act of August 1, 1953 (67 Stat. 359), to grant easements for rights-of-way through, over, or under lands along the line of the Chesapeake and Ohio Canal is hereby continued and may hereafter be exercised by the Secretary of the Interior with respect to lands included in the Chesapeake and Ohio Canal National Historical Park. The Secretary is authorized also to convey such Chesapeake and Ohio Canal lands within and in the vicinity of Cumberland, Maryland, which are not included in the Chesapeake and Ohio Canal National Historial Park in exchange for other land or interests therein of approximately equal value that are authorized by this Act to be acquired for the park.

Notwithstanding section 1(a) of the Act of May 29, 1930 (46 Stat. 482, 483), that portion of the Chesapeake and Ohio Canal between the terminus of the George Washington Memorial Parkway above Great Falls and Point of Rocks, in the State of Maryland, shall hereafter be part of the Chesapeake and Ohio Canal National Historical Park.

(e) Any funds that may be available for purposes of administration of the Chesapeake and Ohio Canal property above the Great Falls terminus of the George Washington Memorial Parkway may hereafter be used by the Secretary for the purposes of the

Chesapeake and Ohio Canal National Historical Park.

SEC. 2. (a) Within five years after the approval of this Act, the Secretary of the Interior shall file with the National Archives a map showing the lands within the maximum authorized acreage prescribed in section 1(a) of this Act which are to comprise the Chesapeake and Ohio Canal National Historical Park: *Provided*, That the filing of such map shall not affect the authority of the Secretary subsequently to acquire, in accordance with section 1(b), non-Federal lands within the boundaries of the park as depicted on said map. Such historical park shall be administered under the general laws and requirements governing areas of the national park system in such manner as to preserve the historic, scenic, and recreational values and features thereof.

(b) The enactment of this Act shall not affect adversely any valid rights heretofore existing within the areas hereby established as the Chesapeake and Ohio Canal National Historical Park.

SEC. 3. Any portion of the lands and interests in lands comprising the Chesapeake and Ohio Canal National Historical Park shall be made available upon Federal statutory authorization for public nonpark uses when such uses shall have been found, in consideration of the public interest, to have a greater public necessity than the uses authorized by this Act.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

THE USE OF THE ALASKA MARINE HIGHWAY FOR THE TRANSPORTATION OF AUTOMOBILES

Mr. GRUENING. Mr. President, I introduce for appropriate reference on behalf of my colleague from Alaska [Mr. BARTLETT] and myself, a bill to amend section 2634 of title 10, United States Code, designed to correct an omission in existing law governing transportation of privately owned vehicles of military personnel assigned to duty in the State of Alaska. The existing legislation specifying forms of transportation authorized for use by the Department of Defense in transporting these vehicles has been interpreted by the Department to prohibit the Department from the use of forms of transportation which would be less costly to the Government than those now authorized.

In particular, the language to be amended by this bill now precludes use of the ferry system wholly financed and operated by the State of Alaska which could be useful in transporting vehicles of personnel traveling to Alaska. The State ferry system, which operates from Prince Rupert, British Columbia, to ports in southeastern Alaska and between Anchorage and Kodiak, has proved to be a very popular and highly beneficial addition to the transportation pattern in the State of Alaska. This unique ferry operation, completely owned and run by our State government, is the only one of its kind in the United States. As the system began operating after enactment of the Defense Department legislation to be amended by this bill there was no provision in the law or regulations for use of this very valuable service.

That the use of the Alaska ferry system will save money has been emphasized by the Department of Defense and by private motor carriers in Alaska. One carrier has advised that if the Defense Department could use the ferry system, allowing transfer to motor trailer of privately owned vehicles for transportation to ultimate point of destination, there could be a saving of approximately $100 per vehicle. It has been estimated this could amount to an annual saving of $100,000.

When this bill was introduced during the last session of Congress as H.R. 8676—by Representative RALPH RIVERS of Alaska—and S. 2197—by my colleague, Senator BARTLETT, and me—it received a favorable report by the Defense Department and was passed by the House of Representatives.

It is my hope this very useful legislation will be acted upon favorably and rapidly.

I ask unanimous consent that the text of the report of the Department of Defense on S. 2197, 88th Congress, be included in the RECORD at the close of these remarks, together with the text of the bill I introduce on behalf of my colleague and myself and ask that the bill be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and report will be printed in the RECORD.

The bill (S. 1323) to amend section 2634 of title 10, United States Code, so as to authorize the military departments, in certain cases, to ship automobiles to and from the State of Alaska by commercial motor carrier via the Alaska ferry system and other surface transportation introduced by Mr. GRUENING (for Mr. BARTLETT and himself), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2634 of title 10, United States Code, is amended by—

(1) striking out the word "or" at the end of clause (1);

(2) striking out the period at the end of clause (2) and inserting in lieu thereof a semicolon and the word "or"; and

(3) adding at the end thereof a new clause as follows:

"(3) in the case of movements to and from Alaska, by commercial motor carrier via highways and the Alaska ferry system or other surface transportation between customary ports of embarkation and debarkation, if such means of transport is more economical for the United States than other authorized means."

The report presented by Mr. GRUENING is as follows:

April 3, 1964.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate,

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense on S. 2197, 88th Congress, a bill "To amend section 2634 of title 10, United States Code, so as to authorize the military departments, in certain cases, to ship automobiles to and from the State of Alaska by commercial motor carrier via highways and the Alaska ferry system." The Secretary of Defense has delegated to the Department of the Army responsibility for expressing the views of the Department of Defense thereon.

The transportation of a privately owned motor vehicle of a member of the Armed Forces to his new duty station is specifically limited by 10 U.S.C. 2634 to shipment by a vessel owned by the United States, or by privately owned American shipping services. Enactment of S. 2197 would amend this statute to permit, in the case of movements to and from Alaska, the use of commercial motor carriers by highways and the Alaska ferry system, provided such method is more economical to the Government.

As a matter of general policy, the military departments are required to evaluate all modes of transportation and to select the most economical mode available. Water transportation is usually the most economical means for the movement of motor vehicles. However, Alaska as an oversea station is unique in that it is accessible by land. Due to the highly developed highways, and the Alaska ferry system operating between Prince Rupert and points within Alaska, motor carriers have become competitive with water carriers and conceivably could be more economical. While the permissive authority contained in S. 2197 is considered desirable in order that the military departments may consider all possible modes and benefit by the economies which may be available through the utilization of motor carriers, it is believed that the bill should be expanded to include railroads and train-ship service. Such broader authority would give the Department of Defense greater flexibility in its logistical planning and possibly result in a further reduction of costs because of the additional competition. It is therefore recommended that S. 2197 be amended to also provide authority for the use of railroads and train-ship service in the transportation of privately owned vehicles to and from Alaska. Subject thereto, the Department of the Army, on behalf of the Department of Defense, favors enactment of S. 2197.

The precise fiscal effects of this bill cannot be estimated since the carrier interest in these movements, as well as the rates which may be available, are unknown. However, since the bill provides that this additional authority will be used only if it is more economical, no adverse fiscal effects will result.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

STEPHEN AILES,
Secretary of the Army.

EXTENSION OF EXPORT CONTROL ACT

Mr. ROBERTSON. Mr. President, I introduce by request, a bill to extend and amend the Export Control Act of 1949. I ask unanimous consent that the letter of transmittal from the Secretary of Commerce, together with a copy of the bill and an explanatory statement be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter, bill, and explanatory statement will be printed in the RECORD.

The bill (S. 1332) to provide for continuation of authority for regulation of exports, and for other purposes, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter, bill, and explanatory statement presented by Mr. Robertson are as follows:

The Secretary of Commerce,
Washington, D.C., February 25, 1965.
Hon. John W. McCormack,
Speaker of the House of Representatives, Washington, D.C.
and
Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate, Washington, D.C.

Dear Mr. Speaker, Dear Mr. President: There are enclosed four copies of a draft bill to provide for continuation of authority for regulation of exports, and for other purposes, and four copies of a statement of purpose and need in support thereof.

We are advised by the Bureau of the Budget that enactment of this legislation would be in accord with the program of the President.

Sincerely yours,
John T. Connor,
Secretary of Commerce.

A bill to provide for continuation of authority for regulation of exports, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Export Control Act of 1949, as amended, is repealed.

Sec. 2. Section 5 of the Export Control Act of 1949, as amended, is amended by adding at the end thereof the following subsections (c), (d), and (e) as follows:

"(c) The head of any department or agency exercising any functions under this Act (and officers or employees of such department or agency specifically designated by the head thereof) may impose a civil penalty not to exceed $1,000 for each violation of this Act or any regulation, order, or license issued hereunder, either in addition to, or in lieu of, any other liability or penalty which may be imposed.

"(d) The head of any department or agency exercising any functions under this Act (and officers or employees of such department or agency specifically designated by the head thereof) may compromise and settle any administrative proceeding commenced with respect to any violation of this Act or any regulation, order, or license issued hereunder, upon payment of a sum not to exceed $1,000 for each such violation.

"(e) The amount of any penalty imposed or sum to be paid in compromise and settlement pursuant to subsections (c) and (d) of this section shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States. Nothing contained in those subsections shall be construed to limit in any way (i) the availability of other administrative remedies with respect to violations of this Act or any regulation, order, or license issued hereunder, (ii) the authority to compromise and settle administrative proceedings brought with respect to violations of this Act or any regulation, order, or license issued hereunder on terms which do not require the payment of money, or (iii) the authority to compromise, remit, or mitigate seizures and forfeitures pursuant to the Act of August 13, 1953 (67 Stat. 577)."

Statement of Purpose and Need for Legislation To Provide for Continuation of Authority for Regulation of Exports, and for Other Purposes

This proposed legislation would extend indefinitely the Export Control Act of 1949, as amended (50 U.S.C. App. secs. 2021–2032), which is now scheduled to expire by its terms on June 30, 1965. The proposal would also amend section 5 of the act to amplify existing noncriminal remedies for violations of the Export Control Act.

The Export Control Act authorizes the President to regulate exports from the United States to the extent necessary to safeguard our national security and domestic economy and to further our foreign policy. The Department of Commerce administers the act by delegation of authority from the President. Under current administrative policies and procedures, specific export licenses, issued on the basis of applications submitted by exporters, are required for exports of certain strategic commodities and technical data to destinations other than Canada, in order to prevent the Sino-Soviet bloc from obtaining them by direct or indirect means from U.S. sources. Practically all exports are prohibited to Cuba, Communist China, North Korea, and North Vietnam in accordance with our security and foreign policy interests.

Exports to friendly nations are encouraged and are kept free of restrictive export controls except to the extent necessary to prevent diversion to unauthorized destinations or an excessive drain of materials in domestic scarce supply or other significant frustrations of U.S. export control objectives.

While today there appear to be some hopeful signs of a possible future easing of world political tensions, it would be very harmful to our security and foreign policy interests to allow the authority to restrict strategic exports to lapse, as it will if the Export Control Act is permitted to expire next June 30. Realistically, a need for control over exports of strategic commodities will probably continue for some time in the future. The United States should not be left without authority to exercise such control. The act provides the flexibility necessary to permit changes to be made in the scope and direction of export controls, as and when conditions change. Since the act has been in force in one form or another for nearly 25 years, and there appears little likelihood that it will soon become unnecessary, we recommend an indefinite extension.

The proposed legislation would accomplish this result by repealing section 12 of the act. That section now provides that the authority granted under the act will terminate on June 30, 1965, or upon any prior date which the Congress by concurrent resolution or the President may designate.

The proposed amendments to section 5 of the act would expand existing administrative techniques for enforcement of the act by authorizing imposition of a civil penalty up to $1,000, either in addition to, or in lieu of, any other sanction already authorized under the act and would also authorize compromise and settlement of administrative proceedings under the act on monetary terms (up to $1.000 for each violation) as well as nonmonetary terms. Accompanying language would insure that the new fining and compromise authority are not intended to limit existing noncriminal procedures and remedies for export control violations.

The Export Control Act now provides criminal penalties for violations of the act or of any regulation, order, or license issued thereunder. Additionally, by regulation, the Department of Commerce may curtail or deny the violator's privilege of participating in future exports of U.S. commodities or technical data, as a result of administrative compliance proceedings involving a complaint and hearing procedure within the Department of Commerce. The authority to impose monetary penalties would provide a needed flexibility in the sanctions available, by permitting appropriate deterrent action to be taken in cases of export control violations which involve no serious security or foreign policy consequences. Typical of such cases are negligent violations of export clearance requirements by freight forwarders, and false declaration of exports of nonstrategic goods to friendly foreign countries in order to evade the latter's import duties and controls. Violations of this sort take substantial investigative time and effort away from the more important work of enforcing truly strategic export controls. Yet, to take no action with respect to these lesser violations, especially when they occur repeatedly, tends to encourage similar violations by others and to invite evasion of our strategic controls as well. The only present alternative to criminal punishment or denial of export privileges in most of these relatively minor cases is to send letters warning the violator that repetitions will be punished. On the one hand these "warning letters" have little deterrent effect on persons other than the violators, and on the other hand the threatened criminal and administrative sanctions now available often seem too extreme. This is true even in the case of repeated minor violations, where the firm is one doing a large volume of business.

The Customs Bureau's power to seize and forfeit illegal exports under another law (see 22 U.S.C. 401) is of practical deterrent value only where the goods have not already left the country and only if the actual violator, rather than an innocent party who happens to own the goods at the time of seizure, will bear the monetary loss resulting from forfeiture. This combination of circumstances occurs in only a small minority of cases, because of the mechanics and legal terms of international trade.

Under the proposed amendment, fines of up to $1,000 for each proven violation—and there are often several violations involved in a single export—could be imposed, or alternatively, such sums could be accepted in compromise of, and as a substitute for, an administrative order denying the violator future export privileges. These monetary penalties would serve as an effective deterrent to violations involving corner-cutting, petty illegality, and repeated inexcusable negligence, as opposed to more serious schemes to evade our strategic controls. However, the imposition of such a penalty would not foreclose criminal or other noncriminal sanctions as well. The proposed compromise power would authorize the Department of Commerce to settle administrative compliance proceedings on payment by the respondent of a sum up to $1,000 in lieu of other administrative remedies such as an order denying future export privileges to the respondent. The amendments would expressly leave unaffected the Customs Bureau's present power to compromise, remit and mitigate forfeitures under 22 U.S.C. 401, as well as existing administrative "denial order" procedures of the Department of Commerce. The language of the proposed amendments has been adapted from acts of Congress which grant similar powers to departments and agencies administering other Federal regulatory laws.

We urge consideration of the enclosed draft bill by the Congress as early in this session as possible, in view of the act's scheduled expiration on June 30, 1965. Prompt passage of the legislation is needed for budgetary, planning, and personnel reasons, and to prevent any doubt in the United States or abroad concerning the continuance of this important facet of our economic defense program.

AMENDMENT OF TRADE EXPANSION ACT OF 1962

Mr. HARTKE. Mr. President, under the Trade Expansion Act, in order for a firm or a group of workers to become eligible for adjustment assistance, two distinct tests, or hurdles, must be overcome. First, the firm or the group of workers must establish to the satisfaction of the Tariff Commission that articles competitive with those they produce are being imported in such quantities as to cause, or threaten to cause, serious injury or unemployment or underemployment. Moreover, they must show that the increased imports are a result in major part of concessions granted under trade agreements.

If they are successful in overcoming this first obstacle, and in 18 straight instances firms, workers, and industries have failed to overcome this obstacle, then the firm or workers must face another and possibly more severe test. This second test comes from the provision which states that increased imports shall be considered to cause, or threaten to cause, serious injury to a firm, or unemployment or underemployment when the Tariff Commission finds that such increased imports have been the major factor in causing the injury of unemployment.

I do not say the Tariff Commission has been wrong in 18 straight cases. However, it has become clear to many of us that firms or workers injured by imports are not going to have the relief under the existing criteria that Congress intended when it approved the Trade Expansion Act.

Therefore, in order to make trade adjustment assistance available under more appropriate terms to injured firms and unemployed workers, I propose to amend section 301(c) of the Trade Expansion Act.

Under my amendment there will continue to be two tests which must be met for firms or groups of workers to become eligible for adjustment assistance. The standards of these tests are modified, however, to give them new meaning and broader application. First, under the amendment, it must be established to the satisfaction of the Tariff Commission that the increased imports are attributable in whole or in part to concessions under trade agreements. Second, it must also be established that the increased imports have been the predominant factor in causing, or threatening to cause, serious injury to a firm, or unemployment or underemployment of a group of workers.

Increased imports would be the predominant factor in those cases where the Tariff Commission finds that they are a more important factor than any other single cause. It will not be necessary that they be more important than all the other factors combined.

Mr. President, the relief provided by this amendment is not available where industry petitions are involved. A determination of injury on an industry petition would trigger adjustment assistance for firms and workers throughout the industry, when, in fact, many of them may not be injured because of imports. For this reason, I believe it is preferable at this time to make these more generous tests for adjustment assistance available only on a case-by-case basis. That is what my amendment provides.

It has been urged that to make adjustment assistance available to injured firms and unemployed workers we should abandon the present procedure under which the Tariff Commission makes the determination of injury or unemployment. It has been urged that we should substitute statutory standards under which adjustment assistance would automatically become available when certain conditions occur.

My bill does not do this. I do not believe it would be wise to provide any statutory formula. To do so would make adjustment assistance available where the alleged injury was more apparent than real.

We all know that in our complex society the rises and falls in the fortunes of business often have many contributing causes. Strikes may be one. Automation another. A new product to compete against may be a third. Secret business agreements to fix prices, divide markets, or similarly avoid open competition may be a fourth. Rising imports may be still another. The list could go on and on.

I do not believe statutory rules could ever properly analyze the cause of particular injury or unemployment and confine adjustment assistance to cases it is intended to help; that is, injury created by imports under trade concessions. To the contrary, I believe injury determinations in all these cases should continue to be handled in the traditional manner—by having the Tariff Commission apply the subjective standards that Congress provides for them.

For this reason, the only changes in the adjustment assistance provisions which my amendment makes relate to the standards to be applied by the Tariff Commission in measuring injury to firms and unemployment of workers.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1333) to amend the adjustment assistance provisions of the Trade Expansion Act of 1962 with respect to determinations by the Tariff Commission of injury or threatened injury to firms or groups of workers, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

A SELECT COMMITTEE TO SAVE THE DOMESTIC GOLD MINING INDUSTRY

Mr. BARTLETT. Mr. President, I could not cast my vote in favor of the administration's proposal to remove the 25-percent gold cover from Federal Reserve member bank deposits.

My action was not based upon an inability to erase from my mind the old miner's belief that paper money, without backing in specie, is worth no more than the paper it is printed on—though for years I was a gold miner.

Rather, I could not do so because I do not believe it is either proper public policy or sound economics to continue meeting gold drain with emergency, stopgap measures while, at the same time, allowing our domestic gold mining industry to die an agonizing death, unattended.

THE BANKS OF EUROPE

For too long, Mr. President, we have danced to tunes played by the international bankers of Europe. Our gross national product this year will run in the neighborhood of $660 billion. Our exports are but 5 percent of our gross national product. Exports mean less to our Nation and its economy than they do to any other nation. We are less dependent upon international trade for our welfare than any other nation—including France, Mr. President, including France. Our annual overall balance-of-trade deficit runs between $2 to $3 billion a year; this is but 0.02 percent of our total product. The resultant gold outflow in 1965 has been estimated at somewhere between $500 million and $1 billion. In other words, the total gold outflow this year will be the equivalent of between 0.0008 and 0.0016 of our gross national product. As the Joint Economic Committee told us last year, this is a very small tail, indeed to wag such a very large dog.

It is my conviction, Mr. President, that this tail should not be wagging this dog at all. So far as our economy is concerned, so far as our $660 billion a year economy is concerned, the drain of $500 million of gold a year is reason for concern but no more than that. It should be of far greater concern to the Europeans who must rely on international trade and transactions for their existence. If, through lack of confidence, greediness or xenophobia, the Europeans destroy the dollar as an international means of exchange, they have far more than we to lose and only themselves to blame. No, Mr. President, it is my conviction that national economic, monetary and mining policy should be determined with reference to national objectives and national interest—not the pleasures of the old men in the big banks of Europe.

"FREE" GOLD AND TRADE SURPLUSES

As the Senate knows, the Federal Reserve Act has required that each of the member banks of the Federal Reserve System maintain no less than 25 percent of its deposits in gold certificates. The act also has required that a 25 percent reserve be maintained against Federal Reserve notes in actual circulation.

With the tremendous expansion of the Nation's economy after the war and with the resultant increase of notes in circulation and in bank deposits, this reserve requirement has severely limited the extent of our gold holdings available for use in international transactions.

At the end of 1963, the United States held $15.6 billion in gold, 35 percent of the world's reserves. But, of this amount, only $2.6 billion was "free" and thus available for the defense of the dollar abroad. Without the removal of the reserve requirements it is probable, well nigh inevitable, that the United States will run out of its "free" gold within the next several years. The removal of this reserve requirement by freeing more of our gold stocks for use in international transactions will give us a breathing space of a few years more. It does not, however, cure anything at all.

If the reserve requirement is to be removed, it is better to do it now by act of

Congress, before a crisis, in a calm and measured manner, rather than to do it administratively—as the Federal Reserve is authorized to do in time of need. Hasty administrative action in an aura of crisis would not contribute to faith in the dollar in the minds of those of the international financial community.

Removing the reserve requirement is tantamount to taking aspirin for a cold. The aspirin relieves the symptoms but it does not cure the illness. Our Nation's illness is a continuing and serious deficit in our balance of payments and it will not be cured by fiddling with reserve requirements. It will be cured only by an adjustment of our basic imbalance.

This year, as in all recent years, our exports are running substantially ahead of our imports—in 1963 almost $5 billion a year ahead. Our annual private oversea investment is less than the annual return on our capital already invested overseas. As a nation we have $88 billion in public and private claims against foreigners while foreigners have only $37 billion in claims against us.

As these things are traditionally calculated, we are a surplus rather than a deficit nation in our trade balance and we are surplus by a good and healthy margin. Our present deficit in our overall balance is not a normal deficit, it is abnormal. It is a deficit caused by our Government's vast oversea commitments—in foreign aid and development assistance, in the maintenance of our military strength across the world, and in our ever-burgeoning oversea tourist trade. This deficit will not be reduced until we reduce our commitments overseas or increase our exports to a major degree. With the realities of the cold war world and with the zooming pressures of international competition, it is difficult to see how we can achieve either objective at least in the short run. In the long run it is difficult to believe that the restrictive monetary policies and the potentially dangerous military retrenchment which would be necessary for a basic adjustment of our deficits could be in our national interests.

The recent drop in our gold reserves appears to be even more dramatic than it really is because of the abnormally high levels of gold which were held in this country during and after the last World War. We then held virtually all of the free world's gold.

The figures tell the story. In 1932 we held $3,919 million of gold. This climbed until 1949 when we held $24,466 million of gold. From 1949 to 1964 our gold stocks have dropped by $9 billion to $15,461 million, a level which is still almost four times greater than that of 1932.

Although the growth in our gold reserve from 1932 has been substantial, it pales to insignificance when it is viewed in the perspective of the growth of our national economy. In 1932 our gross national product was $58.5 billion per year; 15 times greater than our gold reserves. In 1949, after the war and before the Korean conflict, our national product had risen to $258.1 billion. Last year, in 1964, our product topped $622 billion, a $40 billion growth from 1963, a $132 billion growth since President Kennedy came to office, a tenfold increase since 1932 and approximately 40 times greater than our current gold stocks. Our economy is now growing at the rate of 5 percent per year. Our gold stocks are declining.

The destruction of the European economy by the Second World War left the United States the only great and growing economy left in the world. And as a result, dollars which for years had been an international currency became the international currency. The world considered dollars to be as good as gold not only because they were backed by gold but because they were backed by the only strong nation left in the world. It was far safer for oversea nations to hold their reserves—such as they might be—in dollars and to leave gold safe on American shores. So unbalanced a situation was this that during the war at one point our reserve ratio reached 90 percent against the notes in circulation and member bank deposits.

Aside from the abnormal conditions attendant with the war and its aftermath, the strength of the dollar has not necessarily been dependent upon the size of our gold reserves. In relation to our national product, in recent history our gold stocks have been highest at the time when our economy was at its lowest—in 1932 our reserves stood at 57.6 percent of deposits and currency. In 1949 they were at the 54.6-percent level. In 1964 they stood at 29.7 percent. Over the 32 years from 1932 to 1964, as our gross national product increased tenfold, the number of Federal Reserve notes in circulation increased over tenfold while our gold stocks increased by only fourfold. And yet the dollar today is far, far stronger, even if it has less gold backing, than it was in the grim days of the depression.

A FIXED PRICE AND A DISAPPEARING INDUSTRY

Our economy grows, Mr. President. The demands of world trade become ever greater as a result and yet the system for handling international transactions remains inadequate and rigid. This system based on the free convertability of gold and dollars is straining the world's gold resources almost to the breaking point. For too long the domestic gold mining industry has suffered from its rigid, and, in appearance, irrevocable tie with the dollar. A tie no better for the dollar than for gold.

In 1934, when the world's currencies were being devalued, President Roosevelt set the price of gold at $35 an ounce and announced that in transactions with foreign governments or central banks, the United States would sell to all buyers at that price and would buy from all sellers at that price. For 30 years our Nation has held to this commitment. Over this period prices have gone up, wages have gone up, taxes have gone up but the price of gold has not. The result has been a disaster for the American domestic gold mining industry. In 1934 the industry produced $108 million of newly mined gold. In 1940 it produced $210 million; in 1949, $67 million; in 1964, $51.1 million.

Alaska, my State, historically the third largest producer of gold in the United States, has seen the virtual death of this important industry: In 1955 Alaska mines produced 249,300 ounces valued at $8.7 million. Last year Alaska mines produced only 62,500 ounces valued at $2.2 million.

While American mining declined, South Africa mining did not. In 1963 the South Africans produced 28.9 million ounces of gold compared with the 11.9 million ounces mined in 1953, 10 years before. South Africa with its lower labor costs has been able to keep producing although recent reports indicate that even the South Africans are finding it more and more difficult to operate at a profit.

Curious anomalies have grown up as, for over 30 years, we have clung irrationally to a totally inflexible gold policy. The United States has substantial unmined gold deposits. The mining States of the West and the State of Alaska, having lost one of their major industries, now have large areas of substantial and persistent unemployment. Alaska, a prime example, is classified across the entire State as an area of high unemployment.

The demand for gold in international transactions continues to grow and grow but the price for the product does not. There is far less incentive for the miner to dig his gold today than there was in 1934. High costs, high wages have, in fact, reduced the incentive to produce. This wretched impasse is perhaps best illustrated by the fact that in the last 10 years world exports have increased by 70 percent, while world gold production has risen only 29 percent. At a time when the demand for gold is greater than ever before, its low price has discouraged its production.

Let me put it as clearly as I am able:

Gold is depressed. It does not pay to mine it.

Gold is in short supply. Gold's value in exchange is artificially pegged to the dollar and is freely exchangeable with it at a guaranteed ratio. Gold's price is frozen. This makes production uneconomical, discourages adequate exploitation of the resource and exacerbates an exacerbated problem.

A PROPOSAL TO WHICH THE TREASURY CANNOT OBJECT

An inordinate fear of the international bankers has for too long kept us from giving our domestic mining industry the help which it so desperately needs. For too long the Congress has accepted without question the position of the Treasury that nothing can be done to assist domestic mining without causing the dollar irrevocable harm. This is patent nonsense.

The time has come for Congress to look at the problems of the gold mining industry in terms of mining, not solely in terms of finance. Over the years various proposals have been advanced to help the industry: A subsidy for the cost of production, various forms of tax depreciation and writeoffs, an increase in the nonmonetary price of gold. Precisely how to assist the industry is a complicated question for Congress and experts in the fields of mining, economics, and finance to discuss, to weigh, and to decide.

Because I believe that it is time for these discussions, time for these decisions, I introduce today a resolution to establish a Senate Select Committee on Domestic Gold Production.

The committee would consist of three members from each of the three Senate committees which have, over the years, concerned themselves with gold, its relationship to international finance, its production, and its effects upon the domestic economy: The Senate Interior and Insular Affairs Committee, the Senate Banking and Currency Committee, and the Senate Commerce Committee. The committee would be charged with the responsibility for conducting a comprehensive study of all aspects of domestic gold production.

A professional staff would be provided with sufficient money to retain the services of trained specialists. These people would assist members of the committee in studying the history of domestic gold production, existing deposits to the extent that they can reasonably be determined, the economics and present state of the industry and the present sources of, and markets for, gold.

In addition, the committee would study possible techniques for making existing production more efficient, including electronic and chemical means for detecting the location of new deposits. In earlier hearings by the Interior and Insular Affairs Committee some of these techniques were described.

The committee would concern itself with questions of international finance or monetary policy only to the extent that these subjects bear upon the state and future prospects of the domestic gold production industry.

The committee would prepare its study and any legislative recommendations it might have by the end of the 2d session of the 89th Congress.

Mr. President, I have for years—first as a delegate to Congress from the Territory of Alaska and more recently as a Senator from the 49th State—prepared many different gold bills. Sometimes I have urged these proposals on my own. Sometimes I have supported those of my western colleagues. Each of these proposals has been for some sort of specific legislation. And each time the Treasury Department has taken the position that the legislation is ill advised.

While professing that they have the most profound concern for the adverse effects that Treasury policies have had upon the domestic gold mining industry, representatives of the Treasury have repeatedly stated that they have no solution to offer. For example, in July 1963, a Treasury spokesman testified before the Senate Interior and Insular Affairs Committee on a bill to pay a subsidy for the domestic mining of gold. A portion of his testimony at that time capsulizes Treasury's curious attitude toward the domestic gold mining industry:

> The Treasury is not unmindful of the human and economic problems caused by the closing of gold mines. We realize that it may seem unconstructive for this Department to recommend against legislative attempts to assist the gold industry when other businesses of various kinds are subsidized in our country and gold mining is subsidized in a number of countries abroad. In our view, however, this is the inevitable result of the unique link between gold and the dollar.

I ask the Senate, Mr. President, whether that is "the inevitable result" it desires. The reply surely must be a ringing "No."

Rather, is it not possible that a more dispassionate view, taken by a select committee of the Senate, might produce some more acceptable recommendations for curing the present sickness affecting the domestic gold mining industry? The Senate cannot sit idly by and watch the disappearance of a once great—and still potentially prosperous—industry without more justification than that given by the Department of the Treasury.

It is because the disappearance of the domestic gold mining industry must not be the "inevitable result of the unique link between gold and the dollar" that I submit at this time my proposed resolution for the establishment of the Senate Select Committee on Domestic Gold Production and ask unanimous consent that it be printed at this point in the RECORD. Because I believe that others of my colleagues may want to join with me in this proposal, I also ask unanimous consent that it remain on the table for a period of 10 days.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD and held at the desk, as requested by the Senator from Alaska.

The resolution (S. Res. 83) was referred to the Committee on Interior and Insular Affairs, as follows:

Resolved, That there is hereby established a select committee of the Senate to be known as the Select Committee on Domestic Gold Production (referred to hereinafter as the "Select Committee") which shall study the extent to which gold production in the United States is related to the national interest, the extent and character of gold production activity both actual and potential and the relationship of domestic gold production to the balance of international payments of the United States and the international money market, to the end that such studies and recommendations based thereon may be available to the Senate in considering domestic gold production policies for the future.

SEC. 2. (a) The Select Committee shall be composed of nine Members of the Senate designated by the President of the Senate of whom three shall be selected from members of the Committee on Interior and Insular Affairs, three shall be selected from members of the Committee on Banking and Currency, and three shall be selected from members of the Committee on Commerce. Of the three members of the Select Committee chosen from members of each such standing committee, two shall be members of the majority party and one shall be a member of the minority party. The President of the Senate shall designate one Senator to serve as chairman of the Select Committee from those Senators appointed from the majority party.

(b) Any vacancy in the membership of the Select Committee shall not affect its powers, and any vacancy in the membership of the committee shall be filled in the same manner as provided for determining the original membership.

(c) Five members of the Select Committee shall constitute a quorum thereof for the transaction of business, except that the Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) The Select Committee shall cease to exist at the close of business on December 31, 1966.

SEC. 3. The Select Committee shall, without limiting the scope of the study hereby authorized, direct its attention to the following matters:

(a) The current state of domestic gold production, the extent of gold deposits, the state of gold production technology and the nature of existing markets for gold.

(b) The nature of the industries utilizing gold and the nature of international gold transactions.

(c) The character of legislation that may revive and encourage domestic gold production and the alternatives available to Congress in this respect.

SEC. 4. The Select Committee shall transmit to the Senate not later than December 31, 1966, the results of the study herein authorized together with such recommendations as may at that time be found desirable.

SEC. 5. In the conduct of this study full use shall be made of the experience, knowledge, and advice of private organizations, schools, institutions, and individuals. The Select Committee may divide the work among such groups and institutions as it may deem appropriate and may enter into contracts for this purpose. Full use shall be made of studies and plans prepared by any department or agency of the executive branch of the Government, and any such department or agency is requested to give the Select Committee or any of its authorized study groups or consultants such assistance as may be required.

SEC. 6. (a) For the purpose of this resolution, the Select Committee is authorized to employ on a temporary basis through December 31, 1966, such technical, clerical, or other assistants, experts and consultants as it deems desirable. The expenses of the Select Committee under this resolution, which shall not exceed $———, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee. The chairman may designate one or more members who may act for him for the purpose of this resolution.

(b) For the purposes of this resolution, the Select Committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems desirable.

DEVELOPMENT OF A MODERN PASSENGER RAIL TRANSPORTATION SERVICE IN THE NORTHEASTERN SEABOARD AREA—AMENDMENT (AMENDMENT NO. 46)

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (S. 1234) to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of New York and Connecticut to negotiate and enter into a compact to create their own New York-Connecticut Rail Authority, and by guaranteeing certain bonds of, and furnishing certain assistance to, such authority, which was referred to the Committee on Commerce and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 10, 1965:

S. 1109. A bill to preserve and protect the constitutional rights of the mentally ill: Mr. Fong.

Authority of February 17, 1965:

S. 1130. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees: Mr. Allott, Mr. Fannin, Mr. Long of Missouri, Mr. Scott, and Mr. Tower.

Authority of February 18, 1965:

S. 1200. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions: Mr. Allott, Mr. Bible, Mr. Brewster, Mr. Byrd of West Virginia, Mr. Cooper, Mr. Douglas, Mr. Gruening, Mr. Hartke, Mr. Inouye, Mr. Long of Missouri, Mr. Magnuson, Mr. McIntyre, Mr. Mondale, Mr. Morse, Mr. Mundt, and Mr. Yarborough.

Authority of February 23, 1965:

S. 1256. A bill to amend Public Law 874, 81st Congress, providing assistance to schools in federally impacted areas, in order to provide for a more gradual reduction of payments pursuant thereto as a result of termination of activities of the Department of Defense: Mr. Carlson.

S. 1257. A bill to extend for 5 years Public Laws 815 and 874, 81st Congress, relating to Federal assistance to education in federally impacted areas: Mr. Allott and Mr. Long of Missouri.

BALANCE-OF-PAYMENTS HEARINGS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record a statement by the junior Senator from Maine [Mr. Muskie] about the balance-of-payments hearings he will be holding next week.

In his statement, Senator Muskie expressed his thanks for the help and cooperation given by the chairman of the Banking and Currency Committee [Mr. Robertson] in connection with these hearings, which are the outgrowth of the gold reserve requirements bill which Senator Robertson recently handled.

I want to join the Senator from Maine in these comments. Senator Robertson has helped the administration and the leadership greatly by his able handling of the bill, and he is to be congratulated on the way in which he and Senator Muskie are cooperating in the balance-of-payments study.

There being no objection, the statement of Mr. Muskie was ordered to be printed in the Record, as follows:

Balance-of-Payments Hearings

Mr. Muskie. Mr. President, I should like to announce the list of witnesses who are scheduled to appear before the International Finance Subcommittee of the Banking and Currency Committee on March 9, 10, and 11. I believe we have an outstanding group of witnesses who will be able to present the problem in all of its aspects clearly and completely. They will be able to explain the trends and developments of our exports and imports of commodities and services, the movements of long- and short-term capital, governmental expenditures abroad, military and civilian, and the changes in official gold and foreign-exchange reserves. Through their testimony we will get a picture of how and why the problem has arisen and what the prospects for the future are as they see them. They will also be able to explain clearly for us the way the President's program fits into the balance-of-payments background and show what each of the agencies will do under the President's program.

Following these witnesses, we expect, as I announced yesterday, to hear from representatives of major industry groups, from individual businesses, and from economists and others with a special knowledge or interest in the field.

The chairman of the Banking and Currency Committee [Mr. Robertson] and I have agreed that we should make a thorough and complete study of the matter, taking advantage of all previous hearings and studies which have been made in the field. The chairman and I have also agreed that it is incumbent upon us to come up with some definite affirmative recommendations for prompt and effective action to eliminate our balance-of-payments deficits.

I should like to express my appreciation for the help and cooperation which the chairman has given in scheduling and arranging for these hearings.

The list of witnesses to which I referred is as follows:

BALANCE-OF-PAYMENTS HEARINGS

Senate Committee on Banking and Currency, Subcommittee on International Finance:

Tuesday, March 9, 1965: 10 a.m., Hon. C. Douglas Dillon, Secretary of the Treasury; 2:30 p.m., Hon. David E. Bell, Administrator, AID.

Wednesday, March 10, 1965: 10 a.m., Hon. William McC. Martin, Jr., Chairman, Federal Reserve Board; 2:30 p.m., Hon. Charles J. Hitch, Assistant Secretary of Defense (Comptroller).

Thursday, March 11, 1965: 10 a.m., Hon. John T. Connor, Secretary of Commerce; 2:30 p.m., Hon. Harold F. Linder, Chairman, Export-Import Bank.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary: Richard L. McVeigh, of Alaska, to be U.S. attorney, district of Alaska, for a term of 4 years; Vice Warren C. Colver, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Monday, March 8, 1965, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Patman, Mr. Multer, Mr. Barrett, Mrs. Sullivan, Mr. Reuss, Mr. Ashley, Mr. Widnall, Mr. Fino, and Mr. Halpern were appointed managers on the part of the House at the conference.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. BYRD of West Virginia:

A statement in support of the fundraising appeal by the National Council of Christ in the U.S.A. the National Catholic Welfare Conference, and the United Jewish Appeal.

TRIBUTE TO JUSTICE FRANKFURTER

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "The Little Justice," written by Joseph Alsop and published in the Washington Post of February 26. As one who was in law school under Professor Frankfurter and who enjoyed the friendship of Mr. Justice Frankfurter during the years I have been here in Washington, I believe that Mr. Alsop's article well expresses the feelings of so many of us toward Felix Frankfurter.

There being no objection, the article was ordered to be printed in the Record, as follows:

Matter of Fact: The Little Justice

(By Joseph Alsop)

Too often, tears for friends now lost are chiefly shed for youth long gone. Too often, regrets for past times were chiefly voiced from an unspoken sense of the bitterness of the advancing years.

But what has been, and hereafter will be, said and written about Felix Frankfurter is bound to be largely free of these mixed motives. For he was a human creature so unique, so vigorously idiosyncratic, so intensely singular that the sheer absorbing interest of the man himself is bound to dominate any discussion of him.

"The Little Justice," his countless younger friends called him, half in affectionate mockery, half in bewildered wonder that so much zest and energy and love of life, so much gaiety and intellectual curiosity and largeness of heart and mind, could be miraculously compressed into that small, brisk human frame.

Yet little he never was, except in inches. By every other test, he was one of the small company of truly big men of his era. For his impact on the law, one must accept the lawyers' judgment. But his impact on men and on events was greater still. Herein lies the mystery of Felix Frankfurter.

In brief, he wielded very great power from his green youth to his extreme old age, yet he never at any time held any position in which this kind of power naturally inhered. How then was this power achieved?

Asking this question, mind you, is quite different from asking how his outward success was achieved. His outward success was achieved by a wonderful combination of courage and intellect, application and "chutzpah"—to use a word of his people that he sometimes liked to use himself.

These were the qualities that made his career the kind of poor immigrant child's success story that is one of the justifications of this Republic before the judgment seat of history. And there perhaps, almost by indirection, one has also stumbled on the secret of his power.

For he was not uninfluenced by the fact that America gave him his chance, the fact that he could start so low and rise so high, the fact that he walked and sat among the great with neither wealth, nor high connections, nor any other thing to aid him. For what America gave him, he gave in return. And his answering gift was an incomparably noble idea of America.

It was this vision of Felix Frankfurter's, of what America had been, and was, and ought to become, that set the standards by which he judged all public questions and, one must add, all public men. If the man seemed unworthy, if the answer to the question did not seem to measure up, both were ruthlessly condemned.

But the fact that Felix Frankfurter's standards were singularly stern, especially for one with such unbounded warmth of heart, was not what really mattered. What mattered, rather, was that he not only cherished an idea of America that was very special and very noble, he also possessed an astonishing ability to infect others with the same idea.

From the time of Theodore Roosevelt to the time of John F. Kennedy, those who deserved well of this Republic for the service they rendered, or the burdens they bore, or the new departures that they sponsored, were also those who held Felix Frankfurter in special honor and respect.

They turned to him, moreover. He did not seek them out. And they turned to him, one may guess, precisely because that idea of America which shone through all his acts and all his talk was to them an inspiration and a refreshment. They cared what he thought of them because they were stirred by the standard that he set for this country of ours, and therefore for their service to our country.

Read the roll. The first Roosevelt and the second—Henry L. Stimson and George C. Marshall (those granite statues of antique virtue)—the great Holmes and the mighty Brandeis—all the brilliant figures of the years when the young New Dealers were called "Frankfurter's boys"—Jean Monnet, Dean G. Acheson and the other leaders in the heroic time when, as the President put it, "Mr. New Deal became Mr. Win the War"—these were the Frankfurter circle.

They loved him, and they looked to him. Now he is gone. But their names alone, with his among them, are enough to make us proud and grateful.

POLITICAL SLURS

Mr. SALTONSTALL. Mr. President, in this morning's issue of the Washington Post there appeared an article by William S. White entitled "Political Slurs: Kuchel's Stand Praised." Those of us who are in public life must receive not only the congratulations, but also the criticisms that go with our responsibility. We know that. But we also know that when those criticisms are unfair, unjust, and slanderous, we have an extremely difficult decision to make as to what to do about them.

I ask unanimous consent to have the article printed in the Record because it expresses so well the difficult decision that the Senator from California [Mr. Kuchel] had to make and his courage in making the decision in the way that he did to press indictments against those who slandered him so very unfairly and unwisely. Mr. White's article expresses my feelings on the subject very clearly.

There being no objection, the article was ordered to be printed in the Record, as follows:

Political Slurs: Kuchel's Stand Praised

(By William S. White)

Politicians everywhere are watching with the most painful intentness the rare course taken by one of their number in going straight to the criminal courts against smears going beyond even the very relaxed limits to which the profession is accustomed.

Like his fellow politicians generally, Senator Thomas Kuchel, of California, the assistant Republican leader of the Senate, is accustomed to being called some pretty ugly things and simply shaking his head and proceeding about his business.

There is a tradition in the trade that it is both bad form and bad luck to try to run down every slander; that the public expects the politician to suffer in silence. His skin is presumed to be far thicker than that of other men; and because it is so presumed by so many it must in actual fact be far thicker, if the poor fellow is to live at all.

Still, even the normally mild and amiable Kuchel—the most powerful Republican in California and quite possibly a man destined one day for national office—has had enough. Last fall, there appeared in California and on various far rightwing mailing lists across the country a document concerning him which was so nasty as to offend the very sewers into which all decent people receiving it should straightaway have dropped it.

It falsely accused Kuchel, on the basis of an alleged police arrest that never even happened, of drunkenness and immorality of a peculiarly revolting kind. He faced, then, the keenest of problems. Should he help spread this evil rubbish by going to the authorities and demanding an official investigation? Would it not be the safer and more discreet course simply to try to ignore it all, on the uphappily sound theory that he who touches pitch, even if involuntarily, is to some extent himself defiled?

To his great credit, Kuchel came to the conclusion that he owed it to his profession and to his country—and of course also to himself—to take up the challenge. For if character destruction of this kind were allowed to run free, an immensely vicious precedent could be set: It would be like saying to the well poisoners of our time that the sky was the limit; that anything whatever could go in politics.

So he went to the district attorney and grand jury in Los Angeles and asked an independent investigation. The grand jury has found, in the words of District Attorney Evelle Younger, that the accusations against Kuchel were "false, reckless, malicious and vicious." Certain persons have been indicted for conspiracy to libel. Their guilt or innocence is not any part of the business of this column, but only of the courts.

Kuchel himself believes it was all an exceptionally bitter rightwing plot, since he is what is commonly called a liberal Republican and has long been in the bad books of ultraconservatives in and outside California. Perhaps so; perhaps not. Again it is the job of the court to sort out guilt or innocence and motivation and all that.

Moreover, it is not the aim of this columnist to criticize honorable attacks, however tough, upon any politician or officeholder, nor to suggest that only rightwing people can ambush the character of others. Some of the lefties can be very mean, too.

It is, however, definitely the aim to salute Kuchel for standing up like a man against the filth flung at him and for taking a long-needed pilot-model step in public hygiene against a sick form of political attack that is becoming all too common in our national life.

CIVIL RIGHTS

Mr. KUCHEL. Mr. President, I ask unanimous consent that the text of a statement issued several days ago by Members of the Senate, the House of Representatives, and a number of Governors of States in connection with the grave and important problem of civil rights and the urgent need for new voter registration laws be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The attached statement was issued last night by the following Republicans: Govs. John Chaffee, of Rhode Island; George Romney, of Michigan; William Scranton, of Pennsylvania; Robert E. Smylie, of Idaho; John Volpe, of Massachusetts; Senators Gordon Allott, of Colorado; Jacob K. Javits, of New York; Thomas H. Kuchel, of California; Hugh Scott, of Pennsylvania; Representatives William S. Broomfield, of Michigan; Silvio O. Conte, of Massachusetts; Florence P. Dwyer, of New Jersey; Robert F. Ellsworth, of Kansas; Peter H. B. Frelinghuysen, of New Jersey; James G. Fulton, of Pennsylvania; Seymour Halpern, of New York; James Harvey, of Michigan; Frank J. Horton, of New York; John V. Lindsay, of New York; Joseph M. McDade, of Pennsylvania; William S. Mailliard, of California; Clark MacGregor, of Minnesota; Charles McC. Mathias, Jr., of Maryland; F. Bradford Morse, of Massachusetts; Ogden R. Reid, of New York; Donald Rumsfeld, of Illinois; Richard S. Schweiker, of Pennsylvania; John W. Wydler, of New York; Alphonzo Bell, of California; Albert H. Quie, of Minnesota; and William Stanton, of Ohio.

STATEMENT

Of principal concern today is securing for all Americans the fundamental right to vote. It has always been our chief security against tyranny. In man's history, we doubt that there has ever been a more perfect mating of a cherished right with an accepted responsibility than in the American experience.

What is the Johnson administration doing to meet the following problems?

1. The need for new voter registration laws, as pointed up so dramatically by the Reverend Martin Luther King's crusade in Selma, Ala.

2. Carrying out the intention of the Civil Rights Act of 1964 by appointing Commissioners to the Equal Employment Opportunity Commission. It is the objective of this Commission to supervise the orderly transition of social change throughout the Nation, and to insure economic equality. But to

date, not a single Commissioner has been appointed.

3. Filling the vacancy in the Fifth Circuit Court of Appeals.

The fifth circuit vacancy was created last April, nearly a year ago, when one of the members of the fifth circuit died. The circuit has a huge workload. In the last report on Federal judicial business, the Administrative Office of the U.S. courts said the fifth circuit was "literally overwhelmed." The absence of one judge slows down the pace of the court because with only eight judges, the circuit can work in only two panels rather than three.

The fifth circuit includes Alabama, Mississippi, Louisiana, Georgia, Florida, and Texas, areas where racial problems and denial of rights are particularly acute.

We call on President Johnson to fill this vacancy promptly so that consideration of the cases pending in the Fifth Circuit can be accelerated. But above all, the President should recommend an individual whose record clearly shows that he will uphold the constitutional rights of citizens.

The Supreme Court's historic one-man, one-vote principle has created a great national upheaval. To comply with the rulings of the courts, virtually every State with a bicameral legislature is in the throes of adjusting to that principle by wholesale reapportionment. In some States, the courts have held that one of every two persons is unfairly represented in the State legislature.

But in Dallas County, Ala., only 1 Negro in 35 has even the right to vote, let alone have that vote count fairly in the election of his representatives.

If the statistic of 1 out of 2 requires, in the court's view, the most drastic reapportionment action, what can be said of a situation where only 1 of 35 Negroes has any representation at all?

In Dallas County, Ala., just a few months ago, there were 29,515 persons of voting age. Of these 14,400 were white and 15,115 Negro. Of the 14,400 white persons, 9,542 were registered to vote. Of the 15,115 Negroes, only 335 were registered to vote. Thus, in Dallas County, 70 percent of the whites were registered and 2 percent of the Negroes.

How long will Congress and the American people be asked to wait while this administration studies and restudies Dr. King's request for new Federal legislation? The need is apparent. The time is now.

Republicans have introduced legislation for a system of Federal voting registrars, either presidentially appointed or court appointed.

Despite abuse, threats and beatings, Dr. King and his people walk the streets of Selma in protest.

Republicans march with them. Their cause is just. The administration must move and move promptly to remove the cause of their protests.

For our history has shown time and time again, the exercise of the ballot and freedom go hand in hand; that the ability of Americans to live in harmony coincides with the right freely to choose among policies and systems by which we would be governed.

THE CHOICE IS YOURS—ADDRESS BY SENATOR KUCHEL

Mr. KUCHEL. Mr. President, a week ago, I had the honor to spend 2 delightfully stimulating days on the campus of Yale University. On the evening of Tuesday, February 23, I was invited to speak before the Yale Political Union. I ask unanimous consent that the text of my comments on that occasion be set forth in full in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

THE CHOICE IS YOURS

(Partial text of the remarks by U.S. Senator THOMAS H. KUCHEL before the Yale Political Union, Yale University, New Haven, Conn., Tuesday, February 23, 1965)

Nineteen hundred and sixty-four might well go down in the history of the Republican Party not merely as its year of suicidal tragedy, but also as its year of newly recognized challenge. For the Republican Party, like our Nation, stands at another threshold. It is the threshold of a new era—an era of youth and urbanism, of greater educational and skilled job opportunities, and of cultural and racial enlightenment. It is an era of unresolved problems both at home and abroad. Across the seas, new and smaller nations struggle for identity and progress. And in every hemisphere, totalitarian communism continues its struggle to engulf mankind.

In 1964, Republicans lost because they did not keep faith with their basic principles or with the programs which the overwhelming majority of elected Republicans and rank-and-file Republicans supported. Thus, overwhelming Senate Republican support for the mutual security program, for the United Nations loan, for a limited nuclear test ban treaty, for civil rights legislation, for measures to support educational opportunity and manpower retraining, to name but a few, were quickly forgotten. And the Nation, and the party, watched in immobilized fascination as a small, zealous and willful handful slowly captured the mechanism of a great political party.

The results of November 3 were not so much support for the present administration as the repudiation of a party which temporarily seemed to have forgotten its heritage.

With the exceptions that take place when men do political combat with each other over time, by and large the Republican Party since its founding in the explosive decade before the Civil War has stood consistently for certain broad principles and themes of public policy. With Abraham Lincoln, early Republicans fought for a preservation of the Union—for a nation rather than for separate States—for internal improvements to bind together a growing America, and for freemen.

It was Lincoln, in a speech in Springfield, 6 years prior to his election in 1860, who provided Republicans with a criterion as applicable today as it was then as we seek to determine what programs are appropriate and inappropriate for government to undertake. Said the first Republican President:

"The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or so well do for themselves, in their separate and individual capacities. In all that the people can individually do as well for themselves, government ought not to interfere."

It was for succeeding generations to determine the community to be served and the level of government most appropriate to meet those needs. It was for succeeding generations to determine whether particular needs of society might most appropriately be met by the public or the private sectors of our economy or by a combination of the two. Thus have ensued the struggle and the challenge of federalism and of a free economy regulated in the public interest. It has been the Republican Party, whether led by Theodore Roosevelt, Robert A. Taft, or Dwight D. Eisenhower, which has attempted to strike the correct balance between the demands of a few and the welfare of the many. Antitrust regulation, conservation of our natural resources, equitable labor-management relations, and incentive for the States and the private economy to solve specific problems have all been Republican initiatives.

Serious problems confront our Nation in the jungles of South Vietnam, in the weakened NATO alliance, in the financing of the United Nations, and in the growing probability of proliferating nuclear nations. Millions of fellow human beings suffer from ill health and malnutrition. Is it too much to expect to put some of the finest minds in the country, who are Republicans, to work on these problems. Perhaps, as in science, a breakthrough is in order by leapfrogging ahead of the inertia of ideas and practice which often builds up in the governmental mechanism.

In international affairs, the Republican Party has never been like the proverbial ostrich with its head in the sand despite the outcries one hears from a few "againers" in our party, who would abandon the United Nations, repeal the income tax, repudiate mutual security and junk the theory of collective security alliances such as NATO. This small handful, a throwback to isolation, sees no good abroad and very little good at home. They label, automatically, as Communist-inspired almost any proposal for progress.

It was Republican James G. Blaine, who as Secretary of State conceived of the Pan-American Union. It was Republican William McKinley, who stated clearly that America had a responsibility to educate backward peoples and to help bring them into the 20th century. It was Republican Theodore Roosevelt who used the office of the Presidency to promote peace between warring nations such as Russia and Japan. It was Republicans, such as Wendell Willkie, Henry L. Stimson, and Herbert Hoover, who clearly stated America's responsibilities in combating foreign dictatorships whether of the left or of the right. It was Republican Christian Herter, as chairman of a special committee in the Republican controlled 80th Congress, who recommended, along with another Republican, the late Senator Arthur Vandenberg, that stricken Western Europe, the victors and the vanquished, be resuscitated, and that we agree with the Atlantic nations to stand together in defense of the freedom of each of us.

Republicans in the U.S. Senate during the Kennedy and Johnson administrations have worked to strengthen the President's hand in Cuba, in Berlin, in mutual security, and in South Vietnam. We gave leadership to Senate ratification of the nuclear treaty.

As an American, I hope that the foreign policy of the Johnson administration may be successful. All free men must work to advance the cause of peace and freedom. As a Republican, I am concerned that abstract piety not be a substitute for calm and courage. Republicans, under Eisenhower, squarely faced the tensions and the threats and demonstrated, I think, a unity and determination in such crises as Guatemala, Berlin, Suez, Lebanon, and the Formosa Straits. Americans, under a Democratic administration, deserve no less. The times demand candor in stating for the American people why we must continue to sacrifice in far-away and inconvenient places if we are to prevent the inevitable encroachment upon free peoples which seems to be the appetite of totalitarian states.

When the Republican Party has welcomed to its ranks men and women of good will from all walks of life, from all faiths, and from all races it has been successful in National, State and local elections. When it has not, a national political tragedy such as 1964 was inevitable.

I believe that freedom has been best preserved and human well-being best advanced in the American society by two vigorous, competitive political parties, each creatively seeking to devise methods by which decently to gain the confidence of a majority of people and go on to win. Yet, only once since 1932, has a Republican captured the Presidency, the highest prize of American politics. Only twice since 1932, have Republicans controlled Congress. Public opinion polls show that nationally but a quarter of the American people identify themselves with the Republican Party, while the remainder consider themselves as Democrats or independents.

A persistent imbalance in political power in favor of a single political party poses considerable of a peril to our system, even though the laws provide a paper opportunity at regular intervals for potential change. A persistent partisan imbalance in any level of our government is conducive to political autocracy, and a little wheeling and dealing, or worse. There is one less check or balance. And to the habitual losers, there is frustration, despair, and occasional irresponsibility.

Such an imbalance may well continue in a society of apparent plenty. Over time, a lack of change and a lack of dynamic political exertions may indicate some superficial comfort. Comfort breeds habit. Yet, with habit comes inertia, and inertia produces a sterility of the mind.

Such a society lives too near to danger. All the procedures of a well-established written constitution and all the armaments that a scientific elite can devise cannot avert danger for such a society. Sterility of the mind means that men all too easily accept appearance for reality, imagery for content, public relations for public programs. Such sterility of the mind can mean a paper settlement at Geneva instead of actual political stability in southeast Asia. It can mean a continued nibbling at the edges of poverty and unemployment rather than facing the hard decisions required, the moral awakening involved, and the sacrifice needed to expand educational, health, and job opportunities for young and old alike.

Nowhere is such mental sterility more apparent than in our cities, which continue to be clogged with slums, with traffic, and with crime. Racial tensions remain. All the urban renewal and public housing in the world will not mean a better America unless we work to aid people in becoming better. Houses alone do not cure the problem. Money alone, no matter how bountifully expended, does not make for morality. Legislation alone cannot guarantee solutions.

The need is for dedication, for thought, for a decent consecration by our people to the public interest and to public affairs. Who can provide this leadership? Who can fill the vacuum which now exists in this land and in the Republican Party? You can, and so must the rest of young America if we are to protect what we have, and to go about improving our lot and discharging our duty to mankind.

The birth rate of the Second World War has provided the Republican Party with a new opportunity which, regrettably, it was not able to provide for itself. Next year 1 million more young Americans will reach age 18 than have this year. The average yearly increase in America's teenage labor force in the 1960's will be almost six times the average yearly increase in the 1950's. By the next presidential election, the age of the average American will have dropped from 33 years of age in 1960 to 25 or less.

You and your companions enter American life with a clean slate. For you, the political battles of the 1930's have faded and receded into history. You are entering a society where our philosophy must be one of ever-expanding horizons for all, rather than merely dividing up what exists between the haves and the have-nots. You are entering a society where all the slogans and imagery of the past, "New Frontier," "Fair Deal," or "New Deal" will not solve the problems of an urbanized America and a deeply troubled world.

Without the rigor of thought and the enthusiasm for ideas which an education such as yours should provide; without the self-discipline to face a variety of challenges; without the will to deal with reality rather than appearances, this Republic could decay. Yours is a historic opportunity to strengthen the Nation by bringing your own energy and your zeal to the service of the Republic through the Republican Party.

Our system of two strong political parties was not ordained in the Scriptures or the Constitution, yet it must survive, it must remain, if our unique American free society is to continue. Make no mistake about it. If the grand old Republican Party were to become a shriveled, shrunken, impotent political haven for an anachronistic few, then vast changes, and not for the good, either, would enter our way of life. This country urgently needs a viable, forward-looking, national Republican Party, to participate in affairs of Government and to win elections. And the Republican Party urgently needs you. Thus the choice is yours to make.

APPOINTMENT OF KENNETH E. BELIEU AS UNDER SECRETARY OF THE NAVY WELL EARNED

Mr. KUCHEL. Mr. President, all Senators are delighted that the President has appointed Hon. Kenneth E. BeLieu Under Secretary of the Navy. We in this Chamber are well acquainted with the high sense of honor, integrity, and devotion to the public trust which it has been Secretary BeLieu's splendid duty to discharge to his country, both in uniform and now as a peacetime civilian servant of the U.S. Navy. The San Diego Union, the other day, commented on the appointment of Mr. BeLieu to be Under Secretary of the Navy. I ask unanimous consent that the text of the editorial in that California newspaper appearing February 11, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROMOTION EARNED

The appointment of Kenneth E. BeLieu as Under Secretary of the Navy is a well-earned promotion for him and good news for the national security.

Mr. BeLieu brings stature and a wealth of military experience to his new position. He has been decorated for service in two armed conflicts and held top-level executive positions, including Assistant Secretary of the Navy for installations and logistics.

As an administrator, Mr. BeLieu showed a broad understanding of problems and established rapport with career officers and men in all branches of the Armed Forces. Much of the understanding came from personal visits to installations, including San Diego.

In our opinion the choice of Mr. BeLieu for the second ranking civilian in the Navy Department shows an awareness of the President of the importance of strengthening the sinews of seapower.

SENATOR KUCHEL'S COMMENTS ON THE SITUATION IN INDOCHINA

Mr. KUCHEL. Mr. President, on Friday, February 19, in the city of San Francisco, I had the honor to speak to the 19th Annual Convention of the Western States Meatpackers Association. A portion of my comments were devoted to the tragedy and travail which the free world now faces in far off Indochina. I ask unanimous consent that the partial text of my remarks on that occasion, entitled "Challenge to Freedom," be printed in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

CHALLENGE TO FREEDOM

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL before the Western States Meatpackers Association, Inc., 19th Annual Convention, Sheraton-Palace Hotel, San Francisco, Calif., Friday, February 19, 1965)

These are fateful and dangerous days for our country and for the West. The freedom we know is not ours simply for the asking. It is ours to protect and to defend, as well as to cherish and enjoy. Freedom is challenged today all around the world and in every hemisphere. That is nothing new. Such a challenge has faced mankind throughout its existence. There have always been bullies and tyrants intent upon overrunning their neighbors.

In our lifetime, yours and mine, the Western democracies have stood together in two world wars to vanquish aggression. Then came the Korean conflict. With Soviet and Red Chinese assistance, North Korea crossed the 38th parallel in June 1950 to attack free South Korea. The United Nations Security Council forthrightly condemned the Communists as aggressors, and the United Nations came to the aid of the free Koreans. Our own country bore the burden of that defense far more than any other nation. We suffered 157,000 casualties and spent $18 billions in that frightful struggle.

In time of adversity, when the gravest kind of peril has come near, the West has united. But as adversity began to recede, Western unity relaxed, and our allies, or, at any rate, some of them, began to go their separate ways.

Who are our adversaries? Tyranny and slavery are our foes, and always will be, no matter whether they appear under the tawdry banner of international communism or dictatorship in any form. We believe in freedom. We believe in justice. We believe in peace. That is our creed. But safety does not come from putting one's head in the sand. You do not avoid trouble by turning away or running away from it.

A war rages in Indochina today, and the events of the last few weeks heighten its danger. Like it or not, the United States is there and participating in it. It is too late to debate the question whether the United States should have responded in 1954 to a cry for help from a new country and a small country seeking to preserve its newly found independence. The fact remains that we joined in an agreement to defend southeast Asia against aggression, and South Vietnam, by protocol, was a state to be protected.

On October 1, 1954, General Eisenhower announced our policy as one of assisting Vietnam "in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means."

Five years later General Eisenhower said: "Unassisted, Vietnam cannot at this time produce and support the military formations essential to it or, equally important, the morale—the hope, the confidence, the pride—necessary to meet the dual threat of aggression from without and subversion within its borders.

"Strategically, South Vietnam's capture by the Communists would bring their power several hundred miles into a hitherto free region. The remaining countries in southeast Asia would be menaced by a great flanking movement. * * * The loss of South Vietnam would set in motion a crumbling process that could, as it progressed, have grave consequences for us and for freedom."

Through the administration of the late President Kennedy and now in the administration of President Johnson, Red communism has continued, indeed, has intensified its campaign of infiltration, subversion, and aggression against South Vietnam. Last year, to make crystal clear before the world the unity of the American people with respect to our policy in Indochina, a congressional resolution was adopted on August 7 which said in part:

"The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

Our goals are immutable. They will not and must not change. America continues to seek peace. We believe in peace. We abhor aggression. We have no territorial aims nor desire to establish a colony in southeast Asia or any place else. It is entirely the other way around. It is communism which desires to impose its will upon free peoples, and, one by one, to further its goals toward complete subjugation of the globe. We seek an end to Communist attacks on South Vietnam. Peace can be attained simply by a cessation of all the Red raids and sneak attacks on the South Vietnamese. The Geneva Conference Agreements of 1954, to cease hostilities in Vietnam can, even now, be respected. There is yet time for the Communists to fulfill their promise, but the hour is growing late.

We search for ways to help the South Vietnamese people achieve stability in their government and in their economy. We earnestly wish to help them to preserve their own independence. If North Vietnam would let their non-Communist neighbors live in peace, and if the barbaric Marxist regime in Red China would stop pushing and prodding the Vietcong, trouble would immediately abate.

Must not all Americans demonstrate a solidarity of purpose behind our President? I believe we must and I believe we do. Communism must not misunderstand us.

And peace loving nations in Asia and elsewhere must see, clearly, that when America pledges aid to those in danger, her pledge has no hollow ring. When communism attacks her neighbor, and cruelly massacres South Vietnamese and our fellow citizens, our joint retaliation must be swift and sure—and sufficient.

Let South Vietnam fall, let Laos crumble completely away, and you undermine Cambodia and leave Thailand a quarry, ready for the taking. Burma and India could easily be swept into the vortex. Malaysia's danger from Indonesia would mount. Freedom in southeast Asia, and beyond, would face a beckoning doom.

The cause of man's freedom everywhere is very deeply concerned with the potential loss of freedom anywhere, in this vastly shrunken planet. Let our country stand, firm and resolute, for the decent right of man to live his own life, or, in Kipling's words, "Leave to live by no man's leave underneath the law."

CONSTRUCTION OF BRIDGE CANYON DAM ON THE LOWER COLORADO RIVER BASIN

Mr. KUCHEL. Mr. President, earlier, I requested the Department of the Interior to comment on questions raised by sundry constituents of mine with respect to the proposed construction of Bridge Canyon Dam as a part of the Lower Colorado River Basin development project. I have received an answer from Assistant Secretary of the Interior, Kenneth Holum, who discusses in detail the position of the Department of the Interior on the matter. I ask unanimous consent that that letter be set forth in full in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 17, 1965.

Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: This letter is in response to your January 13 referral of the letter dated January 7 from Mr. Peter Carey of Piedmont, Calif. In response to your request, we have listed below information in regard to the proposed Bridge Canyon Dam for your use in reply to the 12 points raised in the letter.

1. There is no evidence to support a claim that construction of Bridge Canyon Dam would have any material effect on salinity of the Colorado River. The geologic or physical formations in Bridge Canyon are not expected to contribute to water quality deterioration. As has been observed at Lake Mead, we would expect some saline materials to precipitate and thus offset the slight adverse effect of evaporation.

2. The increased evaporation at Bridge Canyon Reservoir, estimated to be about 85,000 acre-feet annually, would decrease the flow of the Colorado River. This could not significantly affect the plant and animal life on the banks of Lake Mead, which is located immediately below the Bridge Canyon site, or that on the banks of the Colorado River below Lake Mead.

3. As stated above, the increased evaporation due to Bridge Canyon is estimated to be 85,000 acre-feet annually, which is about 1 percent of the regulated average riverflow at this point. This is a significant amount of water in an area as dry as the Pacific Southwest. However, it is nowise near the 200 million acre-feet claimed in the letter which is more than 20 times greater than the entire regulated flow of the river at this point.

4 and 5. It is, of course, a fact that the Colorado River carries a relatively large sediment load. The magnitude of this load has been measured at various locations by our Geological Survey, beginning in 1925. We now know that early estimates of the rate at which Lake Mead will entrap sediment were extremely liberal and, from analysis of sedimentation data obtained over the years, the expected life of this man-made reservoir has been increased manifold. In 1948–49, surveys made jointly by the Bureau of Reclamation, the Geological Survey, the Coast and Geodetic Survey, and the Department of the Navy revealed that Lake Mead would have a useful life of 400 to 500 years without upstream silt control. Completion of Glen Canyon Dam is expected to prolong the life of Lake Mead indefinitely. Coconino Dam and Reservoir on the Little Colorado River in Arizona, which is planned as a part of the Bridge Canyon project, would reduce the sediment load of the Colorado still further. Additional surveys of Lake Mead were begun in the spring of last year by the Coast and Geodetic Survey to reappraise the effect of siltation since the original study was made and to establish a base condition following the construction of Glen Canyon Dam. It is not true that Bridge Canyon Reservoir, which would be located immediately above Lake Mead, would have a useful life of less than 50 years.

6. Creation of a barren ring of sludge and muck, about 20 feet wide, around the lake's perimeter appears highly unlikely, particularly in view of the fact that much of the perimeter is composed of nearly vertical walls and also in view of the fact that the fluctuation of the reservoir would be largely restricted to the upper 4 feet of the reservoir.

7. Bridge Canyon Reservoir would inundate 93 miles of a stretch of the Colorado River that has been extremely difficult to reach. Although the inundated area would be impaired as far as zoological and botanical research is concerned, areas hitherto unvisited will be readily accessible for these purposes, as in the case of Lake Powell.

8 and 9. The Bridge Canyon Reservoir was never intended as a water preserve. Its principal function will be to provide needed peaking power and the revenues that are essential to achieve required levels of operation of the Pacific Southwest water plan. Atomic and fossil fuels are best adapted to produce what is called baseload energy and are most efficient only when their units are producing energy at a nearly uniform rate. The so-called peaking-type energy can be most economically produced by hydroelectric generation such as the powerplant proposed at Bridge Canyon Dam. The integration of these two resources is necessary to produce the total electrical product to meet the pattern of demand.

10 and 11. We are not aware of any promise, particularly as far as the Department of the Interior is concerned, that no other dams would be built in the canyon of the Colorado River for many years. The act of February 26, 1919 (40 Stat. 1175), creating Grand Canyon National Park, contains a reservation contemplating possible need in the future for a narrow infringement, such as would be herein involved, to accommodate reclamation developments. In view of this reservation, the Bridge Canyon proposal is consistent with existing law. The need, long contemplated as possible, is now here.

12. Secretary Udall has recommended the construction of Bridge Canyon Dam, even though he recognizes that in terms of well-established national park principles the creation of a manmade lake on a 13-mile stretch of the national park would "impair the scenic beauty" of the Grand Canyon National Park. He has noted, however, that such a reservoir invasion would be a peripheral one which would occur in the most remote and inaccessible area of the park. He has stated that if there were any other site for a major dam which did not carry with it even the slight impairment of the park values resulting from a high dam at Bridge Canyon, he would not recommend that high dam. However, it is his view that the urgency of the need for water in the Pacific Southwest and the requirement for the revenues from the high dam under presently applicable feasibility standards far outweigh the slight impairment of the park values which Congress anticipated might result from the water development proposed in the Pacific Southwest water plan.

We appreciate your interest in the Pacific Southwest water plan. Mr. Carey's letter is enclosed as you requested.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

RECHANNELING A 16-MILE STRETCH OF THE LOWER COLORADO RIVER

Mr. KUCHEL. Mr. President, the Department of the Interior is engaged in a program which is expected to extend over a 4 or 5 year period in rechanneling a 16-mile stretch of the meandering channels of the lower Colorado River.

Many of the fine citizens of the State of California have expressed concern and alarm that the channelization program may be detrimental to the use of the river for fish and wildlife and recreation.

I have expressed this concern to the Department of the Interior and have received in reply a letter from Commissioner Floyd E. Dominy of the Bureau of Reclamation which concludes that the work being done will actually tend to improve the recreational advantages of the area.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the letter received from Commissioner Dominy, together with a copy of the press release of the Department of the Interior, dated February 6, 1965, and an article entitled "Dredging the Braided Colorado," by Paul A. Oliver, regional river control engineer, Boulder City, Nev., appearing in the February 1965 edition of the Reclamation Era, and an article entitled "Reclamation in the Rio Grande Area Aided by Watershed Work," by Herbert I. Jones.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., January 27, 1965.
Hon. THOMAS H. KUCHEL,
U.S. Senate, Washington, D.C.

DEAR SENATOR KUCHEL: This is in response to your letter of January 13, 1965, concerning the Bureau of Reclamation's channelization program on the lower Colorado River.

The channelization program on the lower Colorado River is a carefully planned development designed to reduce the suspended sediment load in the river and to salvage badly needed water now being used nonbeneficially by phreatophytes. In many reaches the river will be converted from wide-braided channels to a single, controlled channel. Those areas in which the channel is overwide, in poor alinement, or has a combination of these defects will be consolidated into an improved channel by constructing jetties and other training structures. Banks which are subject to cutting will be stabilized by shaping and applying a blanket of riprap.

Although the primary purposes of our channelization program are water salvage and reduction of sediment, the interests of wildlife and recreational groups have been thoroughly considered in the overall planning. The lower Colorado River land use plan recently initiated by the Department will improve the recreational advantages of the entire lower Colorado River. In addition the Cibola National Wildlife Refuge, recently established in Cibola Valley by the Secretary of the Interior, will provide substantial benefits to the wildlife program in that particular area. In recent weeks representatives of our regional office in Boulder City, Nev., have had numerous meetings with local groups all along the lower Colorado River to discuss the coordination of recreation and fish and wildlife interests with our channelization program.

A gradual decline in the water level in the Topock Swamp has been taking place for a number of years as a result of the degradation of the Colorado River channel in the downstream Topock Gorge. As a result of this gradual lowering of the water level together with channel aggradation near the entrance to the swamp waterways, access to the swamp from the river by boat has been somewhat limited, particularly during low water periods. This condition would be further aggravated upon completion of the Bureau's planned channelization work in the gorge. Since the Topock Swamp is a part of the Lake Havasu National Wildlife Refuge, we plan to dredge out an entrance to the swamp and to the boating access channels. This work plus other minor improvements will make available an improved access to the waterways of the swamp and thus should tend to improve the recreational advantages of the area.

We trust that the above information will be of value to you in replying to inquiries from your constituents regarding this program. However, should you need further information, please do not hesitate to call on us.

Sincerely yours,
FLOYD E. DOMINY,
Commissioner.

INTERIOR AGENCIES REACH AGREEMENT ON STABILIZING TOPOCK MARSH AREA ON LOWER COLORADO RIVER

Secretary Stewart L. Udall said today that Department of the Interior officials have reached agreement on measures for stabilizing water levels in the Topock Marsh on the lower Colorado River near Needles, Calif., to maintain recreation and fish and wildlife values in connection with the channel rectification program now in progress.

The agreement was reached at a conference in Washington, D.C., attended by members of Secretary Udall's administrative and legal staffs, and officials of the Bureau of Reclamation and the Fish and Wildlife Service.

Secretary Udall said the Bureau of Reclamation will construct a dike at the lower end of the Topock Marsh and an inlet channel from the Colorado River into the upper end of the marsh, in order to raise and stabilize water levels within a large portion of the marsh which is highly valued by fishermen and as a feeding and nesting area for waterfowl. The size and exact location of the dike, spoil areas for dumping dredged material from the river channel, and other details will be worked out by Reclamation and Fish and Wildlife Service field staffs, Secretary Udall added. State and local officials will also be consulted on the measures to be taken.

"These measures will raise the water level in a large area of the Topock Marsh by 2 or 3 feet," Secretary Udall said, "and remove any possible threat to fish and wildlife values that would be caused by the natural channel degradation now taking place."

Secretary Udall added that a series of similar meetings will be held in the field to coordinate recreation, fish and wildlife, and water conservation activities on other reaches of the lower Colorado River. Discussions will include Reclamation's planned channelization and water salvage work on the lower river which are estimated to be capable of conserving an average of 256,000 acre-feet of water every year for beneficial uses.

[From the Reclamation Era, February 1965]

DREDGING THE BRAIDED COLORADO

(By Paul A. Oliver, regional river control engineer)

In a work program expected to extend over 4 to 5 years, a 16-mile stretch of the interlacing and meandering channels of the lower Colorado River in Cibola Valley will be rechanneled into a canal-like section which promises to repay work costs in salvaged water.

The *Colorado*, a 20-inch, hydraulic, cutterhead dredge, is named after the river. It sits on the waters of the braided Colorado River and tirelessly churns and pumps—dredging up silt and sand to salvage water. This patient creature, and two smaller ones of almost the same design, can be found at work on the California-Arizona border part of the river for the next several years. The work they do will salvage a lot of water which can be put to practical use in water-short areas.

Credit goes to the *Colorado* for rechanneling 30 miles of the Colorado River, completed 4 years ago near Needles, Calif. By that correction work, water tables were lowered and drainage improved, resulting in 60,000 acre-feet of water salvaged per year.

Work started this year in the Cibola Valley south of Blythe will save approximately 36,000 acre-feet a year. In fact, the total river improvement program, conservatively estimated, is expected to recover annually some 190,000 acre-feet of water now being lost to evaporation and transpiration from the 240 miles of river between Davis Dam and the border of Mexico. It will also reduce erosion and sediment which have been detrimental to downstream irrigation facilities.

The probability of summer floods up to the maximum level is always considered in the designing of water developments.

Although construction of upstream dams on the lower Colorado has reduced floods to some extent, a floodflow of 80,000 cubic feet per second could be expected from the drainage basin below Parker Dam and above the Cibola Valley project area. Seven major tributary washes having a total drainage area of 5,200 square miles terminate in this river reach.

As a result of the construction of levees along each side, the channel will contain the floodflows which probably will occur seasonally.

In order to protect the fish and wildlife habitat of Cibola Valley from possible damaging effects of the project, several improvements and modifications in the designs recommended by the Bureau of Sport Fisheries and Wildlife were included in the planning report. Additions to the program will include facilities for regulation of impounded water level in bypassed reaches of the river, building boat ramps, construction of inlet works for freshening flows to bypassed areas and relinement of levees. State fish and game agencies will be on hand to assure maximum enhancement of wildlife habitat in the channelization program.

NEW CHANNEL BANKS

While the program will involve dredging in excess of 10 million cubic yards of material, other work will assure permanence of the channel. It is estimated that a total of 250,000 cubic yards of riprap stone will be placed along the new channel banks to resist river erosion. Over 50 miles of road will be constructed or regraded for access from quarries and gravel pits. Two timber bridges will be constructed over the river to provide access for operations and to relieve severance problems resulting from a major shift in the channel.

Because of the scope of the improvement work along the 240 miles of river, two additional dredges in the 12-inch size have been acquired, and a fourth dredge—which is expected to be a 16-inch machine—is programed for acquisition. The size of a hydraulic dredge is determined by the diameter of its discharge pipeline. The Bureau operates the two 12-inch machines at widely separate points on the river in operations which intercept the sediment load carried by the Colorado River.

One of the 12-inch dredges, *Little Colorado*, is stationed on the new channel near Needles. Until fiscal year 1966, it has a job to do there in a settling basin. This basin is an overwide section of dredged channel that collects the finer material which the river is sorting out from bottom material upstream. As the Topock Swamp area adjacent to the settling basin provides ample disposal area, it is possible for the dredge to intercept the transported material and deposit it in the swamp before it reaches the headwaters of Lake Havasu. To allow continued deposition in the upper lake area, would not only cause aggradation in the lower reach of the dredged channel, but also would aggravate the already severe disposal problem facing the Bureau in its planned dredging in Topock Gorge.

SIXTY THOUSAND MORE

The Topock Gorge dredging operation using *Little Colorado* will help drain a large part of Topock Swamp and recover annually thereby approximately 60,000 acre-feet of water—almost two-thirds of the amount now being lost through evaporation and transpiration.

The other 12-inch machine, the *Gila*, is presently excavating in a swamp area downstream, between Imperial Dam and Laguna Dam. Though the dredging of settling basin and channels here is done to solve the same problem prevailing upstream, the existing and planned upriver improvements are tackling the problem at its source by the reduction of bank erosion and sediment transport.

Not all channel control work on the southern part of the Colorado River is accomplished through dredging. There are stretches where the natural channel is well entrenched and in reasonably good alinement, the bed material being of a size to provide a natural armor. In some reaches, control effort is directed toward consolidation of split channels into a single channel, correction of misalinements, and reduction of bank erosion. These objectives are accomplished by construction of jetties, training dikes of gravel faced with riprap, or by placing gravel and riprap stabilizing material along the natural banks.

For the past 3 years a river bank-line stabilization program has been in progress in the 28-mile southerly reach below Palo Verde Dam. Farther north, a similar program is proposed for the 16-mile reach of river below Parker, Ariz.

Fish and wildlife agency review of the proposed study program for the river reach between Parker and Palo Verde Dam have been completed. In order to obtain maximum benefits in the total development effort, results of the studies will be incorporated with the Bureau's channel improvement plans directed toward salvaging several additional thousands of acre-feet of Colorado River water.

RECLAMATION IN THE RIO GRANDE AREA AIDED BY WATERSHED WORK

(By Herbert I. Jones, Soil Conservation Service, Denver, Colo.)

(EDITOR'S NOTE.—This article by Mr. Jones describes the Soil Conservation Service effort and controlling hand on nature's wrestling with water and soil—so meaningful to the security of the farmers and urban residents in three of New Mexico's southern counties. The Bureau of Reclamation's Rio Grande project area totals 196,538 acres, of which 102,100 are in these valley lands in New Mexico. Water users in the area benefit substantially by the contributions of SCS control of sediment, erosion, and flooding of project lands. SCS developments are on tributary arroyos and creeks adjacent to Bureau project lands. In utilizing flows of the river, these Reclamation project facilities produce electricity power for the area and irrigate lands which in 1963 produced crops valued at $25,464,000.)

Along the 100-mile stretch of the Rio Grande in southern New Mexico work is well underway in the protection of valuable reclamation work, farmland, and property from the destructive floods that have cost the rich valley millions of dollars in damages over the years.

The constant threat of floods kept land values down and taxes up, curbed community expansion, and made farming an extremely risky business in the vicinity of arroyos.

All this is changing. And though the start of the change began in the late 1940's as neighbors began pooling efforts to push the work, the big step forward can be traced to 1954 when Congress passed the Watershed Protection and Flood Protection Act (Public Law 566). Through this act Congress authorized the Department of Agriculture to work with local sponsors in the preparation of plans to design and construct flood prevention work on watersheds under 250,000 acres in size. The Soil Conservation Service was charged with administering Federal funds for planning and construction. Sponsors were to take care of easements, maintenance, land treatment, and varying shares of the cost of water management improvements.

The bill was hardly enacted when a flood hit Garfield, N. Mex., a village located along the Rio Grande in northwest Dona Ana County. The banks of the Garfield lateral were washed out delaying water delivery to scores of farms and drowning crops on others. More than 18 inches of water and mud swilled across U.S. Highway 85, into homes and business places.

Directors of the Caballo Soil Conservation District, Garfield folks, and their neighbors farming at the mercy of Velarde, Salem, Reed, Ralph, and Rodey Arroyos applied for Public Law 566 help for what is known as the Hatch Valley Arroyos project. Work on six floodwater dams, one on the Garfield Arroyo, began within a year. The local groups agreed to underwrite nearly one-third of the estimated $185,000 installation cost and to operate and maintain the project for at least 50 years.

The contract for building the $35,000 North Salem floodwater dam became the first in the Nation to be signed, sealed, and delivered under the new program. In all, the Hatch Arroyo structures have more than 1,100 acre-feet of capacity to take the brunt of flash runoff while the controlled release of floodwaters is made through the established drains and wasteways of the Elephant Butte system.

At the same time directors of the Elephant Butte Irrigation District found they could employ law 566 and sponsor projects to safeguard immensely valuable irrigation improvements built over a span of nearly 50 years by the U.S. Bureau of Reclamation. The board immediately moved to sponsor the Dona Ana Arroyos watershed project located 25 miles downriver from the Hatch project and north of Las Cruces, N. Mex.

This 7,000-acre project was designed to protect 24 farms and improvements. It includes two flood prevention dams close by the Dona Ana lateral and the key Leasburg Canal, with a controlled-water floodway to the Rio Grande. Annual benefits accruing are estimated at over $20,000—not a surprising figure considering crop values in the potential damage area average over $185,000 a year.

Much of the upswing in watershed activity along the Rio Grande is attributed to the progressive directors of the Elephant Butte Irrigation District, headed by president, W. H. Gary, and assisted by district manager, John L. Gregg. Under the guidance of these men a cluster of small watershed projects and individual jobs virtually ring the 100-mile-long valley.

Six authorized projects covering 18 arroyos are either completed or in construction with Public Law 566 funding. At least 24 more projects are in some stage of planning. And the list of applications is perhaps double that figure.

CHANNELS BECAME BLOCKED

Most of the side arroyos causing trouble along the Rio Grande probably once had natural channels emptying directly into the river. Deposits then were conveniently swept away during river floods. But gradual aggradation of the river blocked the channels so that virtually all tributary runoff now floods cultivated land.

The six arroyos making up the Hatch project are probably prime examples. At least once every 4 years severe damages occurred in their vicinity following late summer and fall thunderstorms. About 750 acres were hurt as water ponded up to 3 feet in depth. Almost always the Garfield lateral or Hatch drainage ditch banks eventually broke to release part of the water. But some damages could occur on as many as 2,000 acres. Railroads, highways, fences, buildings and equipment, and stored crops were subject to damage. Livestock invariably suffered.

A second category of arroyos being treated are those that interfere with irrigation and create expenses by their direct access to the river in contrast to those with no outlet to the river.

The Rio Grande channel through the Hatch-Mesilla Valley is maintained by the U.S. International Boundary and Water Commission as part of our treaty responsibilities with Mexico. Canalization work begun in the thirties prevents the river's wandering to and fro, losing water at every turn to phreatophytes and sand strata as it once did. But the straightening has intensified the need for side arroyo control in some special places. Debris deposits from these tributaries can do severe damage directing the riverflow against a levee, by checking the channel and by forcing sediments into the Elephant Butte irrigation system.

Removal of the nuisance material is getting more and more expensive. And there are fewer places for spoil banks as land use in the valley becomes more intense. Recently it was necessary to rent considerable acreage for waste material from one reach of the river. Costs of trucking to off-river dumps is prohibitive, but it must be done where material can no longer be profitably used.

How well arroyo watershed projects have done their job of keeping debris from choking the canalized river is evidenced by the IBWC's willingness to fund planning. The agency has agreed to help with 11 arroyo plans and will contribute about $10,000 toward each. Commission officials are convinced that their work is sufficiently protected to allow the Commission also to help with maintenance.

If John Gregg, secretary-manager of the Elephant Butte Irrigation District, has a favorite among the two dozen projects he is helping to develop, it is probably the Tortugas watershed.

This problem watershed originates on the mesa slopes east of the New Mexico State University campus, runs hard by the college airstrip and in its old ways took a wandering course to spread floodwater this way and that, seemingly never making any real attempt to reach the river.

As late as 1962, the "distributary" covered several hundred acres—a tangle of mesquite and salt bush hummocks. The area would have been bigger if the banks of the Las Cruces lateral canal would have held. But these washed out regularly to drain silt-burdened water through the irrigation system that serves some of the most productive land in the Mesilla Valley. At least once every 2 years and occasionally twice a year, 1,000 feet or more of the lateral would be filled with sediment and debris.

With the lateral out and 16 farms flooded, 1,700 acres down the ditch were without water until emergency repairs could be made.

Mr. Gregg pointed out recently an innocent enough looking ditch south of Las Cruces. He explained this was the channel for the controlled release water of the earthfill Tortugas Dam. The dam was barely visible 2 miles to the east where it blended in with the semidesert shrubland that makes up the 15,584-acre watershed.

TRAPS FLASH FLOODS

The 41-foot-high structure traps around 1,300 acre-feet of flash runoff, and through its always-open concrete spillway, meters out floodwater slowly enough to allow safe delivery through the constructed channel. Over 405,000 cubic yards of earthfill went into the construction of the dam.

One interesting facet of watershed construction on the Tortugas arroyo is the way the project has freed New Mexico State University from the encroaching urban development of Las Cruces by providing access to an area east of the campus. Increased values of land now available to the university for use and development is estimated to be double the more than one-third-million-dollar cost of the project.

So long as the Tortugas was apt to run uncontrolled it was not practical to expand university developments to the south.

John Gregg says, "Tortugas paid for itself the day it was finished by enhancing the land values between the detention dam, the university campus, Interstate Highway 10, and the valley cropland." According to Gregg, upward of 600 acres of cresote bush range jumped from a $50-an-acre value to not less than $500 an acre.

One important role of the watershed dams is in timing released floodwater to the river. Prolonging runoff and peak riverflows results in water credits for the Elephant Butte project. The slowed, anticipated water is useful to the Texas irrigators. But uncontrolled flood runoff with extreme and shortlived peaks is not counted as water delivery below the dam and on the Texas side of the State line.

The structures are also contributing some other interesting side benefits. One is the safety provided the Santa Fe Railroad at low arroyo bridges. Over the years clearance at these was reduced by accumulated rock from the desert pavement so that water-activated signal lights were needed along the tracks at danger points to warn traincrews of flood dangers.

Santa Fe officials were among the first to see the potentials of Public Law 566 arroyo control. To start things off, the railroad contributed $3,000 toward the Hatch project.

Planners working on Interstate Highway 25 visited SCS and EBID officials numerous times to locate routes that would avoid completed watershed structures and construction sites.

The projects, though they help the irrigation district, the university, railroads, highways, business, industry, municipal development, and whole communities, come in for highest praise from individuals they aid.

Watershed project work has given some landowners an opportunity to build better farms and perhaps stay in business in the face of stiff competition.

Some of these men who have found themselves with less than efficient units considering the ability of modern equipment and methods have actually enlarged their farms and their abilities by soil swapping. Under this scheme they have taken old sand-choked channels, not needed after watershed construction or river canalization, and added heavy soil from other parts of the farm—backhauling sand to the too heavy land.

The crops one farmer grew the first year after he "swapped" brought in a thousand dollars more than the job cost. More important in the longrun conservation effort, was the economic water distribution which reshaping is permitting.

High grade leveling, benching, ditch lining, pipelines, and other improvements are now practical on many farms. The result is a saving and better use of irrigation water, supplies, and labor where once the danger of flooding precluded these improvements.

The same enthusiasm for arroyo protection carries downriver beyond the city of El Paso, Tex., to the Diablo Canyon and Camp Rice projects that were among the earliest small watersheds treated in Texas with Public Law 566 help. One special benefit of these projects beyond the protection of agriculture and water resources is that afforded to highways and the Southern Pacific Railroad. So critical was the railroad's need that officials readily agreed to move 5 miles of mainline trackage to permit the building of one dam.

Recently an engineer representing the Texas State Highway Department reported cost of Interstate Highway 10 bridges across the Alamo and Diablo Arroyos was half what it would have been without the floodwater detention structures.

Cities are not immune, either. A leading attorney in El Paso drowned in an arroyo near his home when his car was stalled and then swept away by a sudden flood of runoff across a residential street.

El Paso, taking a tip from some of the smaller communities, began long-range watershed protection and flood control in 1960, with $2,149,000 of construction work. Commissioner Joseph Friedkin of the IBW commission was chairman of the mayor's advisory public works committee.

Floods in the city are spectacular, affect many people simultaneously, and are costly to correct. The cost of flooding in areas like the Hatch-Mesilla Valley can run into millions of dollars each year and affect thousands of people. There is still time for landowners in the farming areas to do something to help correct their flood problems. In the Rio Grande Valley, citizens aided by Public Law 566 are sharing the costs and shouldering the burdens of doing just that.

PEACE CORPS ANNIVERSARY

Mr. MANSFIELD. Mr. President, 4 years ago today, President Kennedy signed the Executive order which established the Peace Corps as a pilot project, pending the enactment legislation. On that March 1, in 1961, a new American idea, an American invention, became part of a tangible effort to strengthen our relationship with the free nations around the world.

There have been many great inventions in this country. These patentable ideas, these inventions, which have changed our mode of living and improved our lives in so many ways, have helped to place us in a position of strength and leadership among nations.

As a new social invention, the Peace Corps has done much to improve lives abroad and at home, and it has enhanced our position in the world community. As well, through the volunteers we have acquired a new insight and understanding of the ways of life and the hopes of peoples of other lands. These 4 years have shown that the Peace Corps can work for the common good, that it can make a real contribution.

It is amazing to me how the Peace Corps idea has caught on. I see that there are now nearly 10,000 American volunteers at work abroad, in over 3,000 locations. The volunteers are in programs on 4 continents, in 46 countries. The requests for more volunteers and more programs continue to come from these countries. We are receiving requests from the governments of additional nations for volunteers and the Peace Corps programs. The types of programs in effect now vary from basic teaching, to forest management, to public health, to city planning. There are over 300 different types of skills being utilized now in the Peace Corps. Few Members of the Congress anticipated such a response, or hoped for such success, when the Peace Corps was born 4 years ago.

The idea is catching on in other ways, too. Many of the nations in which we provided our first Peace Corps teams now have or are about to have programs of volunteers at work in their own country at work helping their fellow countrymen. El Salvador, Peru, and India are good examples of this. Other nations—Denmark, Norway, and West Germany, to point to a few—have caught the spirit and worth of the Peace Corps and now have volunteers in oversea programs of many types, with their own innovations.

There is every indication that the worth of the Peace Corps idea will be realized by needy people here at home, in the United States. Many of you noticed that last Friday in Florida the first group of VISTA volunteers completed their training in what is the initial stage of a far-reaching helping program for the underprivileged citizens of our country. The results of this new effort will be as successful as our oversea efforts, I am sure.

The Peace Corps' success, in part, can be attributed to one of the most valued resources we have in the United States: the sincere desire of our citizens, of all ages and all walks of life, to use their acquired and natural abilities to help others help themselves. These earnest citizens leave the comforts of their homes in this prosperous country to offer their many talents and skills to those who request it. It is a sacrifice to most, but they seem to thrive on it.

The volunteers' lists of accomplishments include many tangible contributions for the communities in which they have worked. But this is not the sole product of their efforts. They have also taken with them the ability to communicate to their neighbors the desires of the American people to foster peace and good will. In many areas, the first Americans to be seen are the volunteers. They are living and working with the citizens of lands who have heard of the American way, but until the volunteers came, these people have not had a chance to see it at work. This is a fundamental worth of the Peace Corps idea.

I note also that last Friday President Johnson transmitted legislation to the Congress which will increase the capability of the Peace Corps. The President advises us that at the end of August of this year there will be 15,000 volunteers in training at home and in service abroad. He is asking for the necessary appropriation to expand this number to 17,000 by the end of August 1966. The legislation sought deserves our sincerest consideration, and our prompt action upon it.

In this, the anniversary week of the Peace Corps, a conference is to be held here in Washington at which some of the 3,500 returned volunteers can exchange ideas with leaders of business, education, labor, and local, State, and Federal Government. This conference represents the completion of the first full cycle of the Peace Corps in its 4 years of existence. The conference has been called by the Vice President to make certain that the fullest possible use is being made of these returned volunteers who represent such a valuable talent source after their unique experience. I look forward to reading the record and recommendations that are to come from this conference.

AMERICAN MEDICAL ASSOCIATION TRYING TO DEFEAT KING-ANDERSON BILL

Mr. MORSE. Mr. President, the American Medical Association is now engaged in a frantic desperate effort to defeat the King-Anderson bill.

The medicrats are trying to obscure the obviously necessary King-Anderson proposal with a hastily raised smokescreen they call eldercare.

Curiously enough, the political medicinemen waited until after the elections of last November before suddenly realizing that a new program was needed. Those elections had, of course, revealed overwhelming popular support for a social security-financed hospital insurance plan. Apparently, the American Medical Association's great fear is that the American people might get what the American people want.

Mr. President, the AMA's well-huckstered plan is nothing more than a patently phony paper proposal. The medicrats are spending millions of dollars in an effort to convince Americans that their eldercare plan is a medical millennium. In fact, what the autocrats of the examining table are offering is a slicked-up Kerr-Mills. It is the public assistance, welfare, relief approach all over again.

The Congress will not be deceived by the lies, distortions, and half-truths of the paranoid power structure of organized medicine.

The February 22 issue of the Democrat, official publication of the Democratic National Committee, contains an article which in succinct and direct fashion demolishes and exposes the AMA's proposal. I ask unanimous consent that the article entitled "AMA's Eldercare Plan Costly and Impractical" be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMA'S ELDERCARE PLAN COSTLY AND IMPRACTICAL

The American Medical Association, in an 11th hour attempt to sidetrack the Johnson administration's medicare plan, has proposed its own eldercare program.

What are the differences between the AMA's hastily prepared program and the medicare proposal, long studied and with strong national support?

Here are the facts and promises:

AMA eldercare empty promise: Less cost to the taxpayer.

Eldercare fact: The eldercare bill would provide Federal grants to the States to be matched by State funds. Most States have not been able to provide sufficient matching funds to finance adequately the medical assistance for the aged programs that already exist. They can hardly be expected to appropriate the even greater sums required to finance the expanded program contemplated by the eldercare bill. Furthermore, since commercial insurance carriers could be utilized under this program, there would be no protection against heavy acquisition costs, and exorbitant profits on the part of the insurers.

If all promised benefits were actually provided, the cost to the taxpayer would be many times the cost of the King-Anderson bill.

King-Anderson: People would contribute an average of less than 50 cents a week while they are working toward paid-up insurance when their retire. Employers would pay a matching amount. Benefits for persons not eligible under social security would be paid out of general revenues.

AMA eldercare empty promise: Eldercare would provide a wide range of hospital and medical services for the elderly—much more than medicare.

Eldercare fact: Eldercare authorizes a wide range of benefits. Actual benefits would be determined by the States, and limited by the availability of State funds. The requirement of the bill that both institutional and noninstitutional care be covered could be met by the provision of one hospital day and one physician visit per year.

King-Anderson: King-Anderson provides protection against the greatest burden of health expenditures in old age—those related to hospitalized illness. Every eligible person regardless of which of the 50 States he lives in would be entitled to: 60 days of hospital benefits; 60 days of posthospital extended care; 240 home health visits; outpatient diagnostic services.

AMA eldercare empty promise: Eldercare lets people over 65 qualify for benefits before illness strikes—without a welfare type investigation.

Eldercare fact: Benefits under eldercare would be available only to those persons over 65 who (1) live in a State which is willing and able to participate in the program, and (2) can prove their incomes are below an amount specified by the State in which they reside, or can pay the required monthly premium after they have retired.

King-Anderson: Eligibility at age 65 would be automatic.

FEDERAL ROLE IN THE COMMUTER RAILROAD CRISIS

Mr. JAVITS. Mr. President, finally, I call attention to the continuing crisis affecting the area around New York, where 200,000 passengers a day go into the city on six major railroads, also affecting other cities.

The critical problem of commuter transportation in the Northeast has up until now received a minimum of Federal attention. Most unfortunately, several of the six commuter railroads in the New York area which carry a total of about 200,000 commuters a day from their homes in the 17 counties of the region outside the city limits to their jobs in New York and elsewhere in the New York metropolitan area are in serious financial condition. The biggest rail commuter operation to New York, the Long Island Rail Road, has ended the past year with a deficit of $2,146,350. At the same time the operating cash funds of the New York, New Haven & Hartford Railroad Co. were reduced from $8.5 million at the end of 1963 to $6.2 million at the end of 1964, a loss of $2.3 million for the year. An additional $1.7 million is owed by the railroad for a retroactive wage increase. The trustees of the New Haven estimate that the operating cash fund will have dwindled to $4.4 million—less than 1 month's payroll—by July 1. An unexpected snowstorm or disruption of passenger and freight services of the type which cost the railroad $3.9 million in February of 1961, would substantially reduce this estimate.

We are now witnessing the opening of a new era which has highlighted the need for Federal assistance in continuing commuter transportation. The Federal Government has spent millions of dollars in aiding other competing forms of transportation including ship and highway construction programs, airlines, helicopter services. The Civil Aeronautics Board, the Federal Maritime Commission, and the Bureau of Public Roads have requested billions of dollars and Congress has appropriated huge sums of money to assist essential national transportation systems. It would certainly be false economy if the Federal Government were to overlook the needs of the commuter rail services and were forced to spend many times this amount in highway construction programs to meet the demands of commuter travel.

The extent of additional Federal help in highway construction which would be needed if the New Haven terminates its commuter services was indicated in one survey by the American Transit Association which stated that the loss of the four tracks of the New York, New Haven & Hartford Railroad would require the construction of 80 added highway lanes at a prohibitive cost.

On a Federal level, the Interstate Commerce Commission has guaranteed $8 million of trust certificates sold by the New Haven trustees to provide operating cash and now stands behind an additional $4.5 million of unissued certificates. The ICC is also presently considering the inclusion of the New Haven Railroad in the pending Pennsylvania-New York Central merger. I have favored such a merger in the public interest to include the New Haven. This merger may well provide a long-term solution to some of the New Haven's problems. I have, together with Congressman OGDEN REID, of New York, introduced legislation to create a New York-Connecticut Rail Authority which could be quickly organized to operate commuter services in the two-State area. The authority could be expanded to include other Northeastern States. The measure also provides for a Federal-State matching grant program to provide funds to meet the operating deficits of commuter railroads.

Last Saturday, Governor Rockefeller, of New York, and Governor Dempsey, of Connecticut, agreed to explore the possibility of a commuter service contract between the States to operate the New Haven Railroad. The States would act through a proposed New York State Metropolitan Commuter Transportation Authority and the existing Connecticut Transportation Authority. This action is a significant breakthrough and a fine example of joint cooperative efforts in coming to terms with the urgent commuter problem.

It is now clear that the Federal Government should and must join the States to maintain commuter transportation to large cities in order to solve present and future problems in this field. I hope very much that the Commerce Committee's hearings on this subject starting tomorrow may determine upon the proper role of the Federal Government in helping to keep commuter rail services in operation.

I ask unanimous consent to have printed in the RECORD an article on the city's commuting crisis, printed in Newsday for Thursday, February 25, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CITY'S COMMUTING CRISIS

(By Si Radiloff)

The years upon years of mounting troubles for the railroads that carry New York commuters have added up to a crisis stage now that appears to be worse than ever in spite of a wide assortment of piecemeal aid and planning, private, and public.

Only in the past few years has the idea taken hold that the problems of the six commuter railroads are tied together as a part of the bigger problems of the entire 8,000-square-mile New York region, including parts of New York, New Jersey, and Connecticut. On that basis—the regional concept—the Federal Government has now stepped into the troubled transit picture and shows signs of injecting big doses of appropriations.

The big help theme was stated by President Johnson in his state of the Union message last month when he acknowledged the choked-up state of urban areas, saying, "The first step is to break old patterns—to begin to think, work, and plan for the development of entire metropolitan areas. We will take this step with new programs of help for basic community facilities * * *." In the message he also said that he will press for express rail service between cities, singling out the Boston-New York-Washington "megalopolis" area for a starter.

Whether or not Federal funds on top of continuing fare hikes and interstate, State, city, county, and village aid, planning and experimenting will put the lines back on their feet nobody can say with any certainty today. Nobody in a position of any pertinent authority doubts that they require Government help or that a viable mass-transit system is in the public interest. Whether or not they will get the right help in time to save them is the question now.

All six lines say they are losing money. The New Haven Railroad is fighting desperately in court to abandon all its commuter service. New Jersey's Erie-Lackawanna has threatened to ask permission to abandon its commuter service. The Long Island Rail-road faces the loss of its special protected status under the special State redevelopment act which expires in 1966. The New Jersey Central, Pennsylvania, and New York Central commuter services are shaky deficit operations but their managements are battling to get them into the black.

Those six lines carry a total of about 200,000 commuters a day from homes in the 17 counties of the region outside the city limits to jobs in New York 5 days a week. Those 200,000 faithful riders during the morning and evening rush hours constitute about 70 to 80 percent of all the passengers carried on the commuter lines. The passenger load is at or close to its lowest point since the end of World War II when the decline started.

The tristate region, with a tenth of the Nation's population, over 17 million, experienced its entire population increase in the past 10 years in its outlying areas. The New York City population, except Queens, actually declined. Why commuter railroads that serve those burgeoning outlying counties have continued to lose passengers and millions of dollars annually is a big part of the enigma that keeps a horde of experts busy.

A basic picture of the pattern of travel into New York's central business district, Manhattan below Central Park, was presented in a Port of New York Authority study of persons entering that district, from areas including Manhattan itself, on a typical business day in 1960. It showed a total by all modes of travel of 3,349,000 persons broken down into rapid transit (subways), 1,913,000; commuter railroad, 203,000; bus, 243,000; nonrailroad ferry passengers, 36,000; auto and taxi, 866,000; driving or riding in trucks, 88,000. Though no comparable figures for earlier years are readily available, statisticians consider it obvious that while the railroads' share has been declining the travel by bus and auto has grown phenomenally year by year.

Here are some basic problems of the region's rail lines:

1. Peaking: With about 75 percent of passengers riding during 20 peak hours a week, the morning and evening rush hours, the lines are burdened with idle workers and equipment the rest of the time to maintain the peak-time facilities. Incidentally, the LIRR's daily passenger load of 85,000 commuters jumps to as many as 200,000 during snowstorms that make highways unusable. Fogged-in highways also crowd the New Jersey trains. Commuters traditionally get the cheapest fare rates in commutation tickets, too, while the offpeak hour riders that all the lines are trying to attract are charged relatively high single-trip fares, making rail travel less attractive, and encouraging travelers to use their own cars in periods when the highways, too, are not as crowded.

2. Equipment: It is expensive and it ages. The older it gets the less it attracts riders and the more expensive it is to maintain. The lines haven't been able to finance the huge capital outlays needed to replace trains and tracks during the long decline of income. About 80 percent of the cars in the region's commuter service now are more than 30 years old.

3. Location. Terminals, stations, and tracks are where they were installed 100 years ago. Drift and dispersion of business and residences have largely left the rails behind. The railroad corporations don't build spur lines in their profitless condition. The terminals leave no choice for the commuter—some lines have only East Side Manhattan stations, others just West Side ones. If the commuter works on the other side of town, he's in for a traffic problem.

4. Single ends. Related to peaking and location is the general problem of the city-bound bulk of the passenger load, requiring pulling empty cars along until they are needed. There has been some increase in "wrong direction" passengers during the rush hours, workers going to plants that have moved to the suburbs, but not enough to be a major factor in the lines' economic picture.

NOTHING MATCHES RAIL CAPACITY

But from the public service point of view, nothing in mass transit yet matches the passenger-carrying capability of railroads, according to the Port of New York Authority which gives these figures on theoretical capability in number of people each hour: city street, 1,300; six-lane expressway, 10,000; buses on a fully reserved expressway lane with other special requirements—10,000; one pair of railway tracks (everybody seated)—43,200; railway with standees—60,000.

A small but growing army of people is at work on commuter rail problems, including railroad and business executives, village, county, State and Federal agencies by the dozen, universities, private agencies like the Regional Plan Association and semipublic agencies, including the port authority. Probably the focal agency, toward which most of the experts at all levels look for transit problem solutions for the New York region, is the Tri-State Transportation Committee, formed by the Governors of New York, Connecticut, and New Jersey in 1961 and now spending about $3,500,000 a year on all its projects. As of now it is scheduled to make its final reports in 1968.

Tri-State's chairman is William J. Ronan, Governor Rockefeller's chief aid. Significantly, he also heads the committee appointed by Rockefeller to come up with a permanent plan for the Long Island Rail Road. It was due today. There is speculation that the LIRR plan may include giving some kind of permanent authority to Tri-State. There are several moves afoot to establish Tri-State in overall charge of the region's transit.

Tri-State is analyzing financial records of the six commuter lines, has inventoried all their equipment, is studying and experimenting with passenger transfers, including a feeder bus service from Rockland County, across the Tappan Zee Bridge, to the Tarrytown station of the New York Central. It is trying out automated ticked and fare collecting at the LIRR's Forest Hills and Kew Gardens stations, has increased railroad-station parking facilities for cars to see if that helps rail travel in Westchester and has installed a model "park and ride" service on the Pennsy main line, with a new station it built about a mile and a half from the old New Brunswick, N.J., station in that city's business center. The concept differs from that of the average station parking lot which frequently is added as an afterthought. In this case, the convenience of driving commuters was a prime consideration in deciding where to build the station.

The welter of State-and-local financial aid the commuter lines have been getting has been in three areas: (1) outright subsidies, (2) tax relief, and (3) maintenance. From 1960 to 1963 New Jersey gave its railroads $6 million a year outright, divided according to the number of passengers they carried, in return for a contract to continue to operate without substantial lowering of their services. Last year the amount went up to $7,400,000. New York State gives tax relief amounting to $26 million annually to railroads throughout the State ($1 million a year for the LIRR), reimbursing local governments for their loss of the taxes on the lines' capital or property value. Connecticut tax and other relief to the brink-of-extinction New Haven amount to about $1,700,000 a year. Communities and county governments in New York and Connecticut pay for station maintenance.

But all that aid is only temporary and helps the lines only with current operating costs. New Jersey Gov. Richard J. Hughes just last month proposed that State's first big capital-aid program, an offer to buy new commuter cars for the Pennsy, only if the line would give up its subsidy. New York has a State car-replacement program whereby the Port Authority leases new cars to commuter lines with State financial backing.

Federal aid, which dates back to the original land grants that built the Nation's rail network, has been slight since World War II. While multibillion-dollar sums were going in recent years to highway projects and airplane and airport development, relatively small amounts of aid were made available to railroads, mostly for studies, like those of Tri-State. By comparison, the Mass Transit Act passed last year by Congress looked big. It provides $375 million to be spent throughout the Nation over 3 years in direct grants of cash, direct loans and loan guarantees on urban transit systems, including city subway and bus systems, as well as commuter railroads.

The Mass Transit Act promises solutions, however, because it requires matching expenditures by State and local governments and makes practical regional planning a prerequisite for the money. With Johnson's concentration on the urban areas' needs, it probably also presages bigger money bills.

A broad principle being widely applied to new aid to the railroads, sometimes called "equalization" instead of subsidy, assumes that the plan is to give the commuter lines a more equal footing with truckers and buses using public roads and with airlines using public airports so that they can compete for rides on their privately owned rights-of-way. Opponents of the Mass Transit Act in Congress argued that it would eventually require $10 billion nationwide to carry out the equalization. Some proponents said that the Federal highway construction plan cost more than $5 billion in the New York region alone over the past several years.

Big studies and big spending, however, all depend in the end on the commuters and their habits. Tri-State's automated ticket project at the Forest Hills and Kew Gardens stations of the LIRR resulted in a strange finding. The experimenters discovered that the number of riders from those stations declined when the station machines went in. They dug out this reason: many commuters had been riding free in rush hours because the conductors couldn't check all tickets before the trains get to Penn Station.

The troubles on the commuter lines come in all sizes.

HERE'S WHERE THE TROUBLED LINES STAND

Here's a rundown of the current status of the New York regions' six commuter railroads:

New Haven Railroad: In a decision handed down recently, U.S. Circuit Court Judge Robert P. Anderson granted the railroad permission to seek the approval of Government agencies to curtail and eventually abandon passenger service. The New Haven said it would file plans with the Interstate Commerce Commission very soon to end commuter service between New York and Mount Vernon, Pelham and New Rochelle. The decision also cleared the way for the railroad's eventual discontinuation of all its passenger service in New York, Connecticut, Rhode Island, and Massachusetts. The line carries 25,000 daily rush-hour commuters on its 122 route miles of track. The trustees say its freight service could be brought up to a paying status—and the New York Central has offered to take that operation over—but the commuter service is responsible for $5,500,000 of the line's current $12 million operating deficit.

New York Central: The 32,000 commuters it carries daily on 87.8 route miles of region track are just a fraction of this huge line's passenger and freight business. Though the commuter operation is "not entirely self-supporting," the line says it may become profitable if Government aid keeps coming and it keeps on making changes. It put 100 new cars on commuter service by its own financing in 1951 and this month gets the first of 87 more to be delivered within 3 years under the Port of New York Authority replacement program. The line has sold some of its passenger stations, put in a zone-fare system (with a fare raise) a year ago and this month starts collecting tickets at stations instead of on trains—all aimed at cost cutting. It has abandoned the Weehawken Ferry and passenger service on its west-shore Hudson line as well as another unprofitable branch to Putnam, N.Y. Tri-State is working on a bus project for the west shore line, which still carries freight, in addition to its Tappan Zee Bridge bus-connection project to serve former west shore customers. The port authority operation involving the Hudson and Manhattan tubes has absorbed most former ferry riders.

Erie-Lackawanna: A threat to abandon its 240 miles of deficit commuter service, which carries 28,400 rush-hour riders, was made by the line in December but New Jersey officials consider it only one of many maneuvers to get increased State aid. With about 240 route miles, almost entirely in the northernmost counties of New Jersey, it is currently trying to get a fare raise approved by the State, to add to a 1959 increase.

New Jersey Central: The east-west New Jersey line with 66 miles of commuter track carries 12,200 rush-hour commuters. It will be the beneficiary of a current $5 million State-financed construction project, known as the Aldene Plan, to connect its lines to those of the noncommuter Lehigh Valley Railroad and allow its commuters to ride through to the Newark station of the Pennsylvania Railroad. There they will be able to make connection with Hudson tube trains and the Jersey Central will discontinue its expensive Bayonne ferry service.

Pennsylvania Railroad: The vast Pennsy carries about 11,500 rush-hour commuters approximately 106 commuter route miles daily on a New Jersey shore line and main and branch lines in a southwesterly part of the New Jersey area of the region, about 106 commuter route miles. That's just a drop in the bucket of 200,000 passengers a day that use its Pennsylvania Station in New York. Pennsy reports its commuter operation runs at a heavy deficit but has shown no sign of trying to drop it.

Long Island Rail Road: The biggest rail commuter operation to New York, with 85,000 rush-hour commuters, is, characteristically, in the worst financial shape. Under a special State law it has been a ward of the Long Island Rail Road Redevelopment Corp. since 1954. Under the aegis of the act it has received enough fare increases and other aid to about break even on operating costs, without paying anything on the Pennsy's long-standing $180 million interest on its 212.4 route miles. A report was to be released today from a committee appointed by Governor Rockefeller to recommend what's to become of the line when the redevelopment act runs out next year. The LIRR disclosed recently that it had ended 1964 with a $2,146,350 deficit, the worst in a decade. However, the railroad said that it was more than covered by $3,315,000 in additional revenue raised through a 4.9-percent fare hike in November.

BANKERS ANNOUNCE FORMATION OF COUNCIL FOR LATIN AMERICA

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed at this point in the Record a news release issued by the Council for Latin America and an article from the February 6 issue of the New York Times concerning an announcement by Mr. David Rockefeller, president of the Chase Manhattan Bank, and George S. Moore, president of the First National City Bank, of the merger of three U.S. business organizations concerned with Latin America into the new Council for Latin America. Till now the three organizations have carried on separate activities. The purpose of the new Council will be to coordinate and strengthen economic, community, and cultural relations within the Western Hemisphere.

The merger of these organizations into a single unit is laudable and should help in the further strengthening of U.S. business activity in the broader fields of economic, social, and community development which are so essential in creating a favorable atmosphere for the growth of a viable private sector in Latin America.

There being no objection, the release and the article from the New York Times was ordered to be printed in the Record, as follows:

U.S. Business Organizations for Latin America Announce Merger Aimed at Improving Hemisphere Relations

(Release from the Council for Latin America)

The Nation's three major business groups concerned with Latin American affairs today announced a merger aimed at strengthening economic, community, and cultural relations within the hemisphere.

The new organization will be known as the Council for Latin America and will include in its membership some 175 U.S. corporations. Its chairman will be David Rockefeller, president of the Chase Manhattan Bank.

The merged unit will be headquartered in New York and will embrace the varied activities of these three groups:

1. The Business Group for Latin America (BGLA), an organization of U.S. business executives which was formed last year under the chairmanship of Mr. Rockefeller. It has served in an informal advisory capacity to Government officials and others concerned with Latin America, and has maintained close relations with Latin American business leaders.

2. The United States Inter-American Council (USIAC), a 22-year-old organization of U.S. corporations with interests in Latin America. USIAC is the North American section of the Inter-American Council of Commerce and Production, known in Latin America by the initials of its Spanish name, CICYP. It is a hemisphere-wide confederation of business firms and business organizations with headquarters in Montevideo, Uruguay. George S. Moore, president of the First National City Bank of New York, is president of CICYP.

3. The Latin American Information Committee (LAIC), which engages in educational and community activities in the Latin American countries.

The merger has been under discussion by the three groups for several months. The first formal step was taken at the annual membership meeting of USIAC in December when the merger was voted and Mr. Rockefeller was elected chairman of USIAC, succeeding John D. J. Moore, vice president of W. R. Grace & Co. The merger was ratified by the Business Group for Latin America and the Latin American Information Committee at special meetings held in New York yesterday.

In announcing the establishment of the new organization, Mr. Rockefeller said:

"The Council for Latin America is the culmination of a long period of planning and work by a number of outstanding persons. It is a clear indication of the U.S. business community's steadfast belief and stanch interest in the future of Latin America. Over the past few years, much has been accomplished through the private sector in dealing with Latin America, but now the results can be immeasurably enhanced.

"By welding together the principal private organizations concerned solely with Latin

America, we have achieved for the first time one center of management and program direction, one center of fundraising and budget allocation, and one center of consultation with government and international organizations.

"Not only does this consolidation have an important meaning for us in American business but it carries equal significance for our colleagues in Latin America and for those in the U.S. administration who have long sought a unified private group with which to work. In the areas where the three organizations have been effective separately, we can now speak with one voice and act with even greater strength in support of the economic and social objectives of the Alliance for Progress."

John F. Gallagher, vice president of Sears, Roebuck & Co., has been chosen as senior vice chairman of the new Council for Latin America. The following vice chairmen were elected: H. W. Balgooyen, executive vice president, American & Foreign Power Co., Inc.; William Barlow, president, Vision, Inc.; Fred C. Foy, chairman, Koppers Co., Inc.; George S. Moore, president, First National City Bank of New York; John D. J. Moore, vice president, W. R. Grace & Co.; John R. White, director, Standard Oil Co. (N.J.); and William S. Youngman, Jr., chairman, American International Underwriters Corp.

The executive vice presidents are John T. Smithies and Enno Hobbing. Mr. Smithies will be in charge of administration and its public relations activities. Mr. Hobbing will direct the council's educational and community relations programs. Richard T. Turner is executive director.

[From the New York Times, Feb. 6, 1965]

BANKERS ANNOUNCE THE MERGER OF THREE LATIN AMERICAN AID UNITS

Two leading New York bankers announced here yesterday the formation of a group of 175 top U.S. corporations to coordinate and strengthen economics, community and cultural relations within the hemisphere.

David Rockefeller, president of Chase Manhattan Bank, and George S. Moore, president of the First National City Bank, told a press conference that the growing interest in the problems and opportunities in Latin America had prompted the move.

The new unit will be known as the Council for Latin America, and will have Mr. Rockefeller as its chairman and Mr. Moore as a vice chairman. In effect, Mr. Moore and Mr. Rockefeller said, the new organization, which presently maintains offices at 201 Park Avenue South, will be born of the merger of three existing groups.

These are the Business Group for Latin America, an executive group formed last year; the United States Inter-American Council, a 22-year-old business group, and the Latin American Information Committee.

"I'm convinced that the business community in Latin America is waking up to the fact that it has social and economic responsibilities beyond its own businesses," Mr. Rockefeller said.

Sitting beside him at Chase Manhattan's headquarters, Mr. Moore observed: "There has been real growth in most Latin American lands last year * * * even Brazil, with a rate of inflation of nearly 100 percent, had a net growth of 1 percent."

Mr. Rockefeller, who recently returned from a visit to Peru, Colombia, and Chile, said: "It was my first visit to these countries in 7 years. Not only did I find progress, but also nothing but friendliness toward North Americans."

CHILEAN GAINS NOTED

He was encouraged by the trends in Chile. "After meeting with President Eduardo Frei Montalva, I am confident that his copper program will succeed once the congressional elections are out of the way in March," he said. "Mr. Frei also expects to cut the rate of inflation in Chile over a 5-year period."

Mr. Moore noted that inflation there was at the rate of 30 percent last year.

Besides Mr. Rockefeller as chairman and Forrest D. Murden, as his special assistant, John F. Gallagher, vice president of Sears, Roebuck & Co., was chosen as senior vice chairman of the new council.

OTHER OFFICERS

Other vice chairmen elected were H. W. Balgooyen, executive vice president of the American & Foreign Power Co., Inc.; William Barlow, president of Vision, Inc.; Fred C. Foy, chairman of the Koppers Co., Inc.; John D. J. Moore, vice president of W. R. Grace & Co.; John B. White, director, the Standard Oil Co. (New Jersey); and William S. Youngman, Jr., chairman of American International Underwriters Corp.

Mr. Rockefeller went on to say he had the impression that Chile may eventually sell its proposed stake in the copper industry to the private sector over a period of time.

During the hour-long informal session, Chase Manhattan's president said inflation was an important problem in most Latin countries. Next to this he cited the need to diversify industry and to build exports.

Touching on Brazil, Mr. Rockefeller said that after the revolt there last year he invited seven leading Brazilian business leaders to meet with important executives here. "We organized an all-day meeting. They told us that the revolt was not merely a military exercise. The plans they had for their country then are now being carried out."

Mr. Moore said an important meeting to "energize the Latin American Free Trade Association beyond just speechmaking" will be held in Buenos Aires early next month. The president of the First National City Bank commented that "politicians can blueprint plans, but only businessmen can implement them."

He added: "We are optimistic that this year will see progress—not solutions, mind you—but real continued progress in Latin America."

JEWISH CASE FOR EXTENDING NAZI PROSECUTIONS

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the New York Herald Tribune of Sunday, February 28, 1965, by Morris Abram, president of the American Jewish Committee, making the case for extending the statute of limitations on prosecution of Nazi criminals in the German Federal Republic. The West German Cabinet has recently indicated its willingness to support extension of the period of limitations. This is a world problem of justice, and not just a German problem, and I am very confident that the Bundestag will vote for extension when the issue comes before it next week.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JEWISH CASE FOR EXTENDING NAZI PROSECUTIONS

(West Germany's statute of limitations, as now interpreted, will make it impossible to start new prosecutions of Nazi war criminals after May 8. Last November, the West German Cabinet took the position that it would be legally impossible to extend the deadline. Reaction across the world stunned the West Germans. Last week, the West German Cabinet voted unanimously to support legislation to extend the deadline. The Bundestag is to debate such a measure on March 10. Morris B. Abram, president of the American Jewish Committee, met with the German Minister of Justice and gave him a memorandum on how he believes prosecutions can continue without doing violence to the law. This is his memorandum.)

I have had the benefit of reading a translation of your article on the subject in the official Bulletin of the Federal Press Service on January 8, 1965.

I respect your views: We have regained freedom to live in accordance with law and order and we are no longer exposed to arbitrariness, including changing laws retroactively as the Nazi legislation liked to do.

As you, I believe deeply in the rule of law as the precondition of justice and civic peace. Therefore, I do not ask you to adopt special German legislation of an ex post facto nature to deal with the problem.

You yourself have seemed to recognize the widely accepted view that German basic law against ex post facto legislation, article 103, paragraph 2, applies only to substantive law.

You grant that some others feel that the statute of limitations is only a procedural rule and that an extension of its term would on that account not violate your article 103, paragraph 2, as ex post facto legislation. However, I am willing to accept your view that the statute of limitations contains both substantive and procedural elements and that an enlargement of the period would be constitutionally prohibited.

Finally, I have not overlooked, as you point out others have constantly, particularly those abroad, the fact that prosecutions in any case will after May 8, 1965, proceed in individual cases wherein some judicial action has been taken before that date.

On the other hand, I have noted with interest and concern your own recent statement in Tunis recognizing that a very small number may escape.

(Moreover, your further statement in Tunis that it is in the spirit of a statute of limitations that some criminals escape justice could cause considerable anxiety if misinterpreted.)

Again, despite the revulsion I share with the civilized world on the contemplation of Nazi crimes, I both respect and accept your adherence to the principle of the rule of law and I have predicated this memorandum on this premise.

You are prosecuting Nazi criminals under a German criminal law dating from 1871. Admittedly, this law covers these crimes, but these crimes are so gross as to extend far beyond the contemplation of the legislators of 1871.

Other states operating under a rule of law, such as France and Belgium, have recognized the inappropriateness of ordinary criminal statutes for Nazi crimes, and have treated them distinctly with different statutes of limitation.

Also, the Legal Committee of the Legislative Assembly of the Council of Europe has recommended consideration of what basically has been the French and Belgian approach to this problem. Your nation is affiliated with the Council and no doubt you are aware of the statement attributed to the chairman of the Legal Committee, Mr. Hermond Lanning, of Denmark, on December 18, 1964:

"He specified that this recommendation was particularly aimed at the Bonn government but by politeness it would be aimed at all European governments."

It could be argued that the rule of law, developed by an international consensus, therefore not only permit but requires that Nazi crimes against humanity be treated other than as a simple domestic law violation. The view of the French National Assembly expressed on December 17, 1964, that applying the doctrine of the Nuremberg Tribunals, such crimes are not of an exclusively national character and therefore without a statute of limitations, is entitled to serious respect.

Certainly, if the Nazi "crimes against humanity" as defined by the United Nations resolution of February 13, 1946, and by the International Tribunal at Nuremberg, are so accepted as crimes under international law, they may be considered outside your 1871 code. Your constitution, article 25, appears to give ample support to the supremacy of such laws, providing that such take "precedence over the (domestic) laws and directly create rights and duties for the inhabitants of the Federal territory."

From the above it would seem that prosecutions of Nazi crimes could proceed under law other than the code of 1871, without the impediment of the Statute of Limitations provided in that code. Nothing exceptional would be required with respect to the 1871 code, merely a recognition that it is not the exclusive source for trial and punishment of Nazi crimes against humanity.

I somehow feel that the legislators in the relatively humane days of 1871 would not be surprised by such a determination.

But now I turn to a point which requires no speculation, no legal imagination or inventiveness, but only a rigorous and accurate application of the German Code of 1871.

If you should continue to hold the view that Nazi crimes against humanity must be prosecuted exclusively under the code of 1871, then I respectfully beseech you to reexamine the date you have chosen for the commencement of the 20-year period of the statute of limitations.

The 1871 code directs that the time limitations runs from the day of the commission of the deed, unless prosecution was impossible.

Admittedly, you have been commencing prosecution for several years of persons charged with Nazi crimes committed more than 20 years previously. Your basis for such actions is that until May 8, 1945, such prosecutions were impossible.

Thus you have extended the 20-year period of the statute by a discretionary determination of the date on which prosecution became possible.

You might within reason and on the basis of fact have chosen a variety of such dates, but May 8, 1945 (V-E Day) is not a defensible selection.

In short, you have recognized the principle that the statute did not commence running until the date prosecution became possible, but you have chosen the wrong date.

On V-E Day there was no German Government to enforce its 1871 code. On V-E Day the German state had collapsed. It was weeks, and months, before the Allied Powers were themselves able to restore a minimum of the ordinary processes of government beyond mere police power and subsistence rations.

To contend that any sovereignty and competence existed on V-E Day to ferret out all Nazi criminals is simply absurd. In point of fact, the Allies, preoccupied with the gathering of evidence for the prosecution of Goering, et al., at Nuremberg, had great difficulty in the months that followed in obtaining the evidence in those limited cases.

Nor did the Allies ever pretend to do the complete task of bringing to justice all those Nazis whose acts were clearly subject to the 1871 code as well as other laws.

From my own limited experience on the staff of the International Military Tribunal, I know where attention was rightly focused and realizes the limits of the resources of the occupying powers to bring all criminals to justice.

I recognize that up to now you have chosen to interpret the 1871 statute to mean that the 20-year period runs from the date any sovereignty, including the occupying powers, had the competence to prosecute. However, I submit that this is not the intention of the statute.

If you chose to employ a German domestic statute as the exclusive source of prosecution, consistency requires you read that statute as referring to the German Government's possibility of commencing prosecution. Surely in 1871 the German legislature did not have in mind the circumstance of prosecution of Germans by English or Americans, and (1 year after the Franco-Prussian War) certainly not by the French. Thus the possibility of prosecution contemplated by the statute means possibility of prosecution by German authority.

On May 8, 1945, German authority did not exist. Nor did German authority and competence to commence prosecutions come into being for years.

There was no Ministry of Justice until 1949. There was no limited sovereignty until 1951. Not until that year did you have a Foreign Minister communicating with other powers in whose hands rested many records and witnesses necessary for prosecution. Final German sovereignty was not regained until the Bonn Conventions came into effect on May 5, 1955.

During this entire period, the records which a normal state accumulates and collates were understandably in a state of disarray. These records are the requisite of effective prosecutions. Even now many of these essential records are in the hands of other nations, a principal one of which (the U.S.S.R.) has been most uncooperative with your efforts to bring these criminals to justice.

It was not until 1958 that the Ministers of Justice of the various laender agreed to create a central office for the coordination of information and investigation of Nazi crimes at Ludwigsburg. As late as December 1964 it was announced that the Ludwigsburg staff would have to be increased to aid this work. Thus it is clear that until fairly recent times, prosecution has not been completely possible.

In this connection we must remember that the 1871 statute means not that prosecutions in general became possible, but that a prosecution of an individual is possible. I happen to believe that if this had been so in any particular case, you would have prosecuted. It follows, therefore, that the failure to prosecute a Nazi criminal means that due to the disorganization of the state for a long period it was impossible to have commenced such.

I therefore conclude that applying your own domestic law, the statute of limitations should run for 20 years from the date prosecution became in fact possible.

The facts that I have asserted here have been recognized by no less an authority than the German Ambassador to the United States. In "News From the German Embassy," vol. IX, No. 1, dated January 5, 1965, Ambassador Heinrich Knappstein stated:

"As I know from my own activity in the denazifiication process, German courts during the early postwar years were not able—or only to a very limited degree—to try Nazi criminals, because the Allies reserved these cases almost entirely for themselves. Only with the establishment of the Federal Republic and the conclusion of the Bonn Conventions of 1954 was German judicature able to take on fully the prosecution of Nazi criminals. This was particularly difficult in the beginning as the most important documents were still in Allied hands, and because it was especially difficult, during those first tubulent years, to reach surviving witnesses who were essential for such trials."

In the same publication, vol. VIII, No. 8, dated May 23, 1964, the Embassy published an interview with a senior prosecuting attorney, stating the following:

"Question. How is it that the Auschwitz and similar legal proceedings were started so late?

"Answer. There are many reasons for this. It has only been since 1956 that the Federal Republic of Germany has enjoyed full sovereignty in this as well as other areas. Beyond this the Allies conducted the Nuremberg trials from 1945 to 1948, and in concluding them in 1948 did not call the attention of German judicial authorities to the documents that remained and that despite Allied efforts all perpetrators of crimes had not been brought to justice. The documents necessary to prosecute such criminal actions were scattered throughout archives around the world. It took time to find out where they were and to get possession of these documents. There is a substantial body of documents in the East bloc states which remain inaccessible to use even today."

You have been candid enough to agree with me that some date after May 8, 1945, could reasonably be selected as a beginning point without violating your constitution or the rule of law as you see it. I very much hope you will now search for, select, adopt, and announce a date consistent with the facts and fair to society, both German and international, which suffered so much from the Nazi horrors.

I believe the date 1955—the date when complete German sovereignty was regained—would be an appropriate date. This would extend prosecutions until 1975.

I recognize that your Ministry has been requested "to report to the Bundestag not later than March 1, 1965, whether in all pertinent murder cases investigations have been conducted and whether action has been taken to insure interruption of the statute of limitations."

I gathered from my conversations in Bonn that should your reply to the above question be in the negative, there would be a strong disposition in many German quarters, and perhaps in your Government to extend by direct legislation the statute of limitations if (to use the words of the Bundestag resolution of December 9, 1964) "the criminal prosecution of such murders cannot be insured in any other way."

While many have argued that "ultimate justice" demands that such crimes should be punished even if special and exceptional domestic legislation is required, you have personally been understood to reject this view on the ground that the desired end does not justify such means.

However, may I submit, that the decision to ask for such legislation cannot on your stated principles, rest on any estimate as to the number of criminals who will escape trial and justice if the time for prosecution expires on May 8, 1965. Therefore, I believe it is preferable not to wait until such a survey and estimate is made before announcing clearly and firmly that the time does not expire on May 8, 1965. An announcement to that effect predicated on the terms of the code of 1871, with a realistic finding of the date on which prosecution became possible, would do justice to society and honor to the rule of law.

HIGH-PROTEIN FLOUR

Mr. PEARSON. Mr. President, I would like to invite the Members of the U.S. Senate, their staffs, and the Kansas congressional delegation to be my guests on Tuesday, March 2, from 8 a.m. to 10 a.m., in the visitors' cafeteria, New Senate Office Building, to taste the world's finest protein flour pancakes that will be served with a variety of sauces. All members of the press are also invited to attend the breakfast in honor of the 15th annual International Pancake Day Race.

The breakfast will be sponsored by the Liberal Junior Chamber of Commerce, Liberal, Kans.

This day is set aside in Kansas as Liberal's International Pancake Day, the day before the beginning of Lent, Shrove Tuesday. On this day the ladies of Liberal, Kans., run an annual footrace with the ladies of Olney, England, each runner holding a skillet in which she must flip a pancake three times while covering the course. The wives of Olney have been pancake racing since the year 1445. Liberal challenged the women of Olney in 1950 and the vicar of Olney, Rev. R. C. Collins, accepted.

On Shrove Tuesday, in England, it was customary for the housewives to stop their work and run to the church to be "shriven" of their sins when the church bells tolled. In 1445, a housewife heard the bells ring, but was caught in the middle of baking pancakes. She raced to the church carrying her griddle and pancakes with her. This was the beginning of the annual sporting event.

Be sure to join me for the world's finest pancakes.

ADDRESS BY MRS. LYNDON B. JOHNSON AT VISTA GRADUATION CEREMONY

Mr. HARRIS. Mr. President, Mrs. Lyndon B. Johnson our gracious First Lady, who has always taken such a deep and abiding interest in the problems of our country, and particularly in the needs of our less fortunate citizens, made an excellent address on Friday, February 26, 1965, on the occasion of the VISTA graduation ceremonies in St. Petersburg, Fla.

I ask unanimous consent that the remarks by Mrs. Johnson on this forward-looking and progressive program, which gives and will continue to give many of our concerned citizens opportunities for the discipline of service to others, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY MRS. LYNDON B. JOHNSON, VISTA GRADUATION, ST. PETERSBURG, FLA.

I am delighted to be in St. Petersburg today to join in a program which is surely an exciting landmark in the history of our Nation.

One of the most interesting things about the program to me is the name itself—Volunteers in Service to America—VISTA which says in one word what the program is.

You know, at our particular point of history, as we look back, this is a natural follow-up to successive periods when our country confronted great human problems. In the early and middle 19th century we proved that, whatever diversities existed among us, we could function as one Nation. In the later 19th century, we forged ahead an economic system strong and flexible enough to support an ever-rising standard of living. In the 20th century we recognized that we are, ineluctably, part of a complex and churning world, and swung our energies toward making that role a force for freedom.

Now we are boldly taking hold of an aspiration which men have known as long as there have been human beings—the eradication of the bleak winter of poverty from the climate of a whole society.

Of all the economic opportunity programs being launched, none better expresses the spirit of the entire war against poverty than the VISTA operation.

I am pleased to meet you VISTA graduates in person and to see you at work—as I will later in the day. You have already made your mark here in St. Petersburg. The petition of the people of Ridgecrest and Old Baskin's Crossing asking for you to stay is evidence of your success.

That—in this brief time—must be a special source of satisfaction. You men and women of all ages, from all parts of the country, from a variety of occupations, have chosen to interrupt your careers and sacrifice economic gain or give up the well-earned leisure of later years in order to help others.

American is many things. But above all—more than any nation in the history of man—ever since the first frontiersman picked up his musket to help protect a neighbor—we have been a nation of volunteers. We have been a land in which the individual says—"My neighbor needs me. I will do something."

You are graduating today into a stirring tradition. You are making glow again the word of that most American of poets, Walt Whitman, who wrote for us: "Behold, I do not give lectures or a little charity when I give myself."

And I cannot think of a more appropriate place for this first VISTA graduation than here in the prosperous city of St. Petersburg.

The poor are not an island. Their needs toll out to the whole community.

The very fact that a man is poor means that he needs the help of others—that he probably lacks the education and often the hopefulness to lift himself unaided. Changing his lot is a decidedly practical matter for everyone. Millions of the impoverished place a heavy drag on the whole society, cutting down the ability to purchase what we produce, diminishing tax revenues—easy prey to delinquency and crime.

The intense interest of thriving St. Petersburg in the VISTA program is a heartening symbol of what is happening across the Nation, where all of us are realizing that all the poor are the responsibility of all America.

I am struck, too, by the way the VISTA program has been working out in this community. Too often well-meaning people have approached a social problem with the assumption—let Washington draw up the perfect blueprint, complete down to the last comma.

But if the American experience has taught us any one fundamental lesson, it is this: There is no such thing as instant utopia—especially when the better world is conceived miles away from where it must take practical form.

Here in the St. Petersburg area, for some 7 years—long before we in Washington talked about a war on poverty—you have been at work to broaden economic opportunity.

Your many progressive educational institutions have been deeply involved. At Ridgecrest you have created a laboratory for healthy social change. You have proceeded on the only sensible assumption—that the national war against poverty must be fought in a thousand local battles—in the slums of individual cities, on wornout farms, in the hollows of Appalachia, in isolated Indian reservations—wherever human beings stand with their noses pressed against the windows of our general affluence.

The result of your local progress is that VISTA has been able to function here as it should function everywhere in America. It has learned as much as it has taught. Its role has been not to bring full-blown answers but to join with others, tentatively, questingly, on the road to a workable solution.

So we begin here, begin superbly, I believe, with this VISTA graduating class. I am proud to have been asked to give out your diplomas. I am privileged to share the rush of feelings that must be going through you.

Much has been said about the difficulties you will encounter. But you and I know that you also have before you the richest experience of your lives. To be at the forefront of a great national effort is an opportunity which comes to few in a generation, and the personal satisfaction it brings is deep and lasting.

For many of you this experience will be transforming. You will be confirming, in the most personal way, the wondrous truth which too often is a mere phrase. You will know, as nothing else could make you know, that we are all of us brothers, every one of us to every one of us.

You and the thousands who will follow you will have another privilege. In some countries, and in our own too, voices have been raised to say that a land as rich as ours can only produce a mink-lined civilization, marked by a moral deadening and the frenetic pursuit of push-button luxuries, a split-level, and a sports car. By what you are doing, you make those voices just so many hollow noises.

You are reliving the fundamentals on which the Nation was founded and by which it has grown great: That success is an imperative to service, not an invitation to apathy; that democracy means a human spirit which sweeps beyond mere laws; that the United States is blessed not so much by its roaring furnaces, not so much by its abundant fields of grain, not even by space ships aloft, but by the national vision which calls upon us to use our resources so that every American can walk with head high in the tonic air of self-respect.

To all of you VISTA graduates, pioneers in a long and proud line to come, may I express my congratulations, my warmest best wishes, and—let me add—more than a bit of envy.

BISHOP GEORGE THEODORE BOILEAU

Mr. GRUENING. Mr. President, sad news from Alaska reached me over the weekend when I learned that one of the great citizens of my State, the Most Reverend George Theodore Boileau, coadjutor bishop of Alaska, died suddenly of a heart attack.

Bishop Boileau—and I have always, since his consecration last July, had difficulty in not referring to him as Father Boileau, because of his long service in the Jesuit order as parish priest at Fairbanks, Alaska—was not only one of the best known, but also one of the best loved, members of the Catholic clergy in Alaska.

I had known this wonderful man since he first came to Alaska, in 1950, to serve as assistant pastor at the Immaculate Conception Church in Fairbanks. After his outstanding service as pastor, he was appointed superintendent of all Catholic schools in the diocese of Alaska, in 1958.

Mr. President, Bishop Boileau combined admirably activities as a man of God and those of a man deeply immersed in civic responsibilities with his fellow men. He served as chairman of the Employment Security Commission of the Territory of Alaska, before statehood. He was active as a Boy Scout official throughout his career in Alaska.

Last September, Bishop Boileau traveled to Rome, to participate in the Ecumenical Council of the Roman Catholic Church. In assuming the office of coadjutor bishop, in ceremonies presided over by Francis Cardinal Spellman at the Copper Valley School, near Glennallen, Alaska, last July, Bishop Boileau announced humbly that he planned to travel to the Jesuit schools, churches, and missions in the far-flung Alaska diocese in the same way he did as a priest "by dog team, plane, and sno-go."

I know I speak for all of Alaska in saluting the service of this dedicated man to the people of my State. His untimely death at the age of 52 is a sad blow to us all. May his great soul rest in peace.

U THANT'S VIEW ON VIETNAM

Mr. LAUSCHE. Mr. President, in the February 26th issue of the Washington Post appeared an article, written by William S. White, under the title: "Negotiation?—U Thant's View on Vietnam."

In the article Mr. White points out very clearly and pointedly the error of Mr. U Thant's judgment in condemning the United States for its action in South Vietnam, while remaining completely silent on the series of wrongs committed by the North Vietnamese Communists against the South Vietnamese people and Government.

Mr. U Thant obviously has forgotten the existence of the Geneva pact; if he remembers it and fails to give recognition to its provisions, he clearly reflects an unwarranted and unpardonable disregard for the sanctity of compacts entered into by different nations of the world.

The North Vietnamese Communists are in violation not only of the Geneva accord, but also of the 1962 pact creating a coalition government in Laos. The borders of both these nations have been methodically and systematically violated by the Communists. Yet, Mr. U Thant sees fit to disregard these hostile belligerent violations of nations' rights, and goes out of his way to condemn the United States, whose objective in South Vietnam has been, and is, to protect the people of that nation against the wrongs that have been perpetrated upon them by their neighbor—the Communists of North Vietnam.

I ask unanimous consent that the article by Mr. White be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEGOTIATION?: U THANT'S VIEW ON VIETNAM

(By William S. White)

With a rarely matched twisting of the truth, but at least with a certain insolent candor, Secretary General U Thant of the United Nations has now openly become an apologist and propagandist for Communist aggression in southeast Asia.

U Thant has now trumpeted as revealed truth, and without hesitation or qualification, the whole basic Communist line that the war in South Vietnam was only a little homegrown contest involving two sets of local boys until dreadful old Uncle Sam intervened to assist the anti-Communist government of that country. He has called upon us to negotiate and to withdraw ourselves as soon as possible.

In the process, he has rewritten 10 years of history, annulling 10 years in which the Communist government of North Vietnam has undeniably and consistently directed and supplied and commanded a tireless and savage invasion of South Vietnam in endless violation of agreements made in 1954 at just such negotiations as are now being so pressed upon us.

Thus, with U Thant's now unhidden recruitment to them, those forces seeking to blackmail or persuade the United States into abandoning its commitments in South Vietnam and to cut and run are at last complete. And what a pretty company they make for any American to travel with.

Thant, the Soviet Union, and Charles de Gaulle of France—this is the splendid trinity that, whatever the intention in individual cases, is taking actions to remove the American presence in Asia, to sully an American effort against pillage and murder of signal honor and decency, and to open all southeast Asia to the faceless hordes of Communist China.

And it would all be done under definitions that only Thant and the Communists can understand: If Communist forces invade or infiltrate a country, the resulting fighting is only "local" and nobody is intruding anywhere. If anti-Communist forces respond to an independent country's appeal for help against marauders, then this is not only intervention but also quite unacceptable intervention.

Even the precious little band of Democratic Senators that has been crying for weeks for "negotiation"—even though it is perfectly plain that negotiation at this stage would be outright surrender to aggression—may find itself a bit unhappy with the international associates it now has.

When the Soviet Union pushes us toward negotiation—again, at this stage, before we could possibly negotiate from strength in South Vietnam—is it really likely that this would be in the interests of the United States? When Charles de Gaulle of France pushes us toward negotiation, is it really likely that this would be in the interests of the United States, considering that Charles de Gaulle for years has been attempting to break down American influence all over the world?

Is it not odd that U Thant should feel free to interfere in this matter anyhow, since neither North Vietnam, the aggressor state here, nor Communist China, its master, is even a member of the organization for which he speaks?

And does the Democratic splinter in the Senate know that, according to word to me from a distinguished Allied Ambassador, it has already succeeded in convincing the diplomatic community here that the majority party of this country is not behind the President in Vietnam? The fact that this estimate is absurdly wrong and that a vast majority of both parties backs the President does not cure the measureless harm that has been done to American interests by the Democratic splinter.

For the President is going to take whatever measures are necessary to defend our troops and our position in Vietnam. If the solemn determination of this Government continues to be belittled on our own side of the world by men who have chosen to follow the irresponsible leadership of such a person as Senator WAYNE MORSE, of Oregon, the Chinese may fatally underestimate our resolve and bring on major war.

PROBLEMS OF COLLEGE EDUCATION—MORE CONTACTS WITH PROFESSORS NEEDED

Mr. LAUSCHE. Mr. President, in a recent issue of the Washington Evening Star there appeared an article entitled "It's Time to Return to 'Old Main'." The article was written by Jenkin Lloyd Jones, who very effectively demonstrates weaknesses that have developed in our institutions of higher learning because of the chasm that separates the members of the student body from true contact with the professors.

I wish to quote a few of the pertinent statements that Mr. Jones made in his discussion of this important subject:

> A college is not a factory or a supermarket, and college bigness doesn't bring down the cost per student. The Federal Government and the great foundation should quit enticing professors away from teaching by the lavish and idiotic business of offering research grants to almost any applicant. In most of the great universities the actual teaching is being done by graduate students who are only slightly more acquainted with the subjects than their pupils.

Mr. President, I ask unanimous consent that the entire article by Mr. Jones be printed in the RECORD. I also ask unanimous consent to have printed in the RECORD, in connecion with the article by Mr. Jones, an article entitled "Jet-Age Professors," written by Leonard Gross.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

IT'S TIME TO RETURN TO "OLD MAIN"

(By Jenkin Lloyd Jones)

On most university campuses of any antiquity in the United States there remains the original building from which the school, amebalike, has divided and grown. Usually they call it old main.

Old main is almost invariably ugly, a belfried Victorian pile of narrow windows, creaky floors, uncertain heat and roller shades. And in spite of its central location it is getting harder to find.

Dominating and dwarfing old main now are the modern classroom buildings, the super new laboratories, the conference center, the student union—and farther out, the fieldhouse, the stadium and the high rise dormitories.

Yet old main is loved. Its picture appears most often on the cover of the alumni magazine. It represents the vanished day when students knew their professors and professors their students. It is a wistful reminder of the age when the institution had what the cheerleaders used to call spirit, a collective personality with which both faculty and students could identify themselves with pride.

It doesn't do to grow too sentimental about old main. It didn't represent any golden age of knowledge. It dates back to frock-coated professors and a rigid diet of Greek, Latin, rhetoric, logic, and a shotgun course in philosophy that included such sciences as there were. But when the entire graduating class could assemble in their wide cravats and stiff collars on the steps of old main for their final photograph there was no doubt that alma mater was a mother to them all.

Following the recent student riots at the University of California at Berkeley, which are, perhaps, to be expected under any administration that seems to be uncertain about who's running the school, there has been considerable inquiry into the origins of the unrest. And one theory advanced is that students at Berkeley are sick of being nonentities in a giant learning machine.

With 25,000 students that university has ceased to be a personality. As its capacity to inspire loyalty among its charges has diminished, so has its ability to maintain discipline. Alma mater has died and her place has been taken by a bewildering and amorphous city of classrooms in which the immature and recently arrived citizens can neither identify themselves with any traditions nor feel any kinship with the powers in city hall.

The time is overdue when we must consider how to rehumanize our colleges and universities.

Our first job is to handle the problem of bigness. Ten years ago there were 2.25 million college students in America. Now there are 4.5 million. University presidents have been deep in the business of empire building, aided by heavy Federal grants. In the meantime, many privately endowed colleges, with good academic standards, have been starved as the income tax has dried up sources of gifts. Everywhere there are lean little junior colleges and miserable teachers colleges that haven't had the favor of State legislatures.

What we ought to do is stop the physical expansion of the great State universities. This can be done easily by cutting the undergraduate enrollments by stiff entrance requirements so that these schools may concentrate on graduate work.

Then we must reequip and upgrade the smaller schools and build a lot more of them. This would not be more expensive. A college is not a factory or a supermarket and college bigness doesn't bring down the cost per student. The ideal should be a top enrollment of 5,000. The football teams might not be so hot, but students would begin to belong to something again.

Then the Federal Government and the great foundations should quit enticing professors away from teaching by the lavish and idiotic business of offering research grants to almost any applicant.

In a recent article in the New York Times, Peter Schrag, secretary of Amherst College, quotes one college administrator as follows:

"It's so easy to get grants that a fellow's dedication to teaching declines. Why labor in the vineyards when you can get a Fulbright or some other grant that enables you to study or work at what you want? The old publish-or-perish becomes travel-and-triumph while enjoying life more fully instead of plugging away at the old routine."

The "old routine," of course, is the business of teaching young people, which is what professoring used to be about. But no more. In most of the great universities the actual teaching is being done by graduate students who are only slightly more acquainted with the subjects than their pupils. It is ridiculous to let brilliant lecturers amuse themselves in private research, writing complicated treatises of interest only to other advanced scholars. Let's get them back to the rostrum and the blackboard.

The United States should not be appalled by the flood of young people now hammering at the college gates. We should be delighted. But at no greater cost than academic megalopolises we can have undergraduate schools small enough to have personality and esprit, where students can once again have contact with professors.

Old main must rise again.

JET-AGE PROFESSORS

After a century of ridicule and neglect, the American university professor has come upon sweet times. Everyone wants the benefit of his brain—government, industry, foundations and, of course, universities. Their blandishments are glittery: expensive tools, extensive time, intensive travel, and excellent pay. Yesterday's tower-bound professor often moonlighted to make ends meet. The jet-age professor, if he's good, can write his own ticket. One who is and does is pictured here.

George Maslach, dean of Berkeley's College of Engineering, is a professor of aeronautical engineering. A colleague calls him "the outstanding experimentalist in the world" in his field, rarefied-gas dynamics. Twice recently, Maslach has turned down "$50,000 kind of things" from industry because life as he now lives it is too exciting. It's 3 minutes from his campus office, where he supervises the education of an inordinate number of the Nation's better engineering students, to his contemporary home in the hills above, where, from his balcony, the entire bay area spreads before him. During the school year, he averages at least one trip a month East as a consultant, and turns another down. During summers and sabbaticals, he jets with his wife and three children to Europe, where he serves on a NATO advisory board. Whatever can be gained from life among the academic elite, George Maslach is getting.

But are students getting what they should from professors like George Maslach? The question dominates academic debate today. Critical educators charge that many professors find research grants and consulting fees so seductive they have all but abandoned teaching. If it's not the professor, it's his university, which, mindful of its reputation, demands that he "publish or perish." Either way, the argument holds, the student loses out. Teaching is frequently shunted to assistants and graduate students. Many undergraduates have only passing contact with the best faculty minds. Students are all but forgotten, says a recent Carnegie Foundation report, in the "headlong search for more and better grants, fatter fees, higher salaries, higher rank." And because Cal's faculty is rated among the top four nationally, the Berkeley campus is invariably cited as the villainous prototype of a "university on the make."

Such abuses dismay Maslach and George Pimentel, the restless, committed chemistry professor. At Berkeley, it is a matter of policy that even the most venerated faculty stars teach undergraduate courses in addition to graduate seminars. It is a matter of honor that professors not let outside work interfere with their teaching, and not accept work that doesn't enhance it. Neither honor nor policy is violated nearly so often as charged, Maslach and Pimentel agree, but each would like to see such violators as do exist sent packing.

Both men make conscious efforts to work with undergraduates. Says Maslach: "If any student thinks enough of me to ask me to advise him, I, by God, am going to respond, even if it takes hours." Pimentel never locks his office door. His students revere him. Says one: "With him, you're a colleague rather than an underling." The author of a popular high school chemistry textbook, Pimentel learned a few years ago that high school teachers were counseling their better students to avoid Berkeley, lest they be lost in the bigness. Pimentel organized a freshman science honors program designed to stimulate talented minds through close faculty-student contact.

In one vital respect, however, both professors find the current criticism specious. To them, there is no choice between research and teaching. The only choice is between mediocrity and excellence. There are few good teachers who don't do research, they contend; most research translates into good teaching. Maslach: "Research and teaching are synonymous words. If you don't do research, you're going to be a trade school." Pimentel: "Research and teaching are like sin and confession. If you don't do any of the former, you don't have anything to talk about in the latter."

Beneath the heat are questions that American universities, already splitting at the seams, must confront at once: What is a university for? Who should study there? The vision of men like Maslach and Pimentel is as new as the future, as old as medieval Oxford. A university is, above all, for scholarship, and for students with the potential to be scholars. Says Pimentel: "The primary obligation of the university is to make sure there is a place for the very best student. If we don't do it, nobody else will."

The average student? This year, Maslach predicts, Berkeley will suggest to its 20,000 applicants that many of them might learn more and be happier at one of California's many good 4-year colleges. Given the demands of the jet age, such a solution may be unavoidable. "We want a growing percentage of our population to be going to the university," says George Pimentel, "but we don't want the caliber of their education to decline."

ESTONIAN INDEPENDENCE DAY

Mr. PROXMIRE. Mr. President, one of the most tragic events of this or any other century was the subjection of most of Eastern Europe to Russian domination. The ruthless regimes that now claim to be the representatives of the people are, in reality, directed from Moscow. They have systematically thwarted, by force when other methods failed, the legitimate aspirations of the peoples of Eastern Europe for national independence.

The United States has consistently refused to admit that the governments now dedicated to the Communist ideology are the legitimate representatives of the people of these countries. On the contrary, we are sure that a truly free election would once and for all eliminate Communist influence from this area of the world. Our strategy is a simple one. By recognizing the dreams of these people, we are supporting their ideals, and are holding out to them a hope for the future. The captive nations of Europe will not be captive for long, for such subjugation is contrary to the basic desires of the people.

One of the smallest of these nations is Estonia. Last Thursday, February 24, she celebrated her independence from Russia which was proclaimed on February 24, 1918. Russia invaded the land of this brave people in the early part of World War II, and again in 1944, subjecting them once more to Russian imperialism and control.

Yet no people has held more tenaciously to the idea that their subjection is only temporary. Estonian history teaches that the dedication to liberty and independence in that country is strong and enduring. In America, the Estonian National Committee has been doing superior work to alert all Americans to the necessity of supporting our friends in Eastern Europe.

America is dedicated to the idea that all men ought to be able to choose their own government. In commemoration of this special day, we rededicate ourselves to this ideal, and extend to the Estonian people our hopes for a better world in the near future. They have not been forgotten, nor will they be. Even though the Estonians themselves cannot celebrate Estonian Independence Day, we in this country can. By doing so, we show to the entire world that we deeply believe that communistic imperialism is doomed to destruction. Tyranny of one group of rulers over another people has never been successful, and never can be permanent.

Mr. President, I take this opportunity to express my respect for the Americans of Estonian descent who continue to work for the day when Estonia will once again be free.

GEORGE WASHINGTON, THE FATHER OF OUR COUNTRY

Mr. ELLENDER. Mr. President, each year on February 22, radio station KDBS, in Alexandria, La., broadcasts a commentary on the life of George Washington and the great importance his influence held for the birth of our Nation. Station KDBS is owned and operated by Mr. Irving Ward-Steinman, of Alexandria, a longtime friend of mine. Mr. Ward-Steinman has always interested himself in civic service to his city, State, and Nation, and he has had this eloquent commentary on George Washington printed for distribution to all interested persons. I believe it is worthy of inclusion in the RECORD; and, as a matter of fact, I am forwarding a copy of it home, for the benefit of my 13 grandchildren. It is not very long, and I ask that it be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FEBRUARY 22, 1732

His father was rich. He had inherited much. By the time his son was born, the father owned a thousand-acre estate. This was in 1732. Quite a few years ago. The father was by inheritance and diligence a large landowner. He was also a tobacco grower and an iron miner. Even then, his home was a Tudor brick plantation home.

Into this home was born the man we are thinking about—today, some 230 years later.

Born into wealth, into luxury, into comfort. Born without the necessity of proving his right to anything. It was ready made. All he had to do was to sit in the lap of destiny and enjoy the fruits of his father's diligence and inheritance.

Like his father who had inherited a tremendous land estate, he was in line for this preprepared estate. No work—no worry—no want. All this young man had to do was to pass his days pleasantly; enjoy his nights, and arise for the following day's round of enjoyment and good fellowship.

If this was all—we would not know about our young man. If the story ended where it began, with wealth and ease and plenty, this would not be a memorial.

We can go further. We can make a stark statement. If this young man had not been born, would there be a United States of America.

What is there in the spark known as destiny, that glow which creates history, which selects one person and to that person points an eternal finger and whispers: "Your country needs you."

Ever since that memorable day, on February 22, 1732, the nobility inherent in man has outraced the pitiful apathy of unthinking man.

The wealth this young man inherited came from another source. The real wealth he contained came, not from his earthly father, but from his heavenly father—God.

He had a belief in God. He felt his responsibility to man and mankind. Not confined by the realisms of having to make a living, he devoted his resources, both temporal, and spiritual, to building a nation under God. He represented a steadfast leadership. There was hostility. His country—his native land, now ours, was under a foreign power.

There were injustices. Instinctively, he rejected foreign domination. God had given man an instrument to think with, a heart to act under, and a forum to place into operation the combined results.

To this person, an opportunity to serve is a mandate from on high. Nothing is by accident. He counted his blessings and acquired skills. Throughout all these learning processes, he retained a humility. Why had his forebears come to this wild and undisciplined land.

There was work to do. Every child of God, of every age, has a task to perform; a work to execute; a job to complete.

And this man of destiny went to work.

The land had to be surveyed, farms laid out, crops planted, trees grown, communities organized, leaders selected, scools established, roads laid out, policy created, government achieved.

One obstacle remained. Absentee ownership, foreign rule, external control—these were alien to the ideals of justice and self-government. No foreign entanglements and what had been had to be severed. The umbilical attaching the child to the mother had to be cut. The child was growing—with all its pains.

Disagreement was inevitable. Disagreement between one who claimed ownership by a false theory—the false thinking of the past centuries, the scourge of self-realization; the thinking that by inheritance, or luck, or politics, there was such a valid thing as the divine right of kings. The divine right to own and to rule and to legislate and to control—a body of people, thousands of miles away; a carryover from the darker ages of man's history which gave to the world for centuries the dangerous doctrine that "might is right."

The era of reckoning had to come and it did. War. The simple protest of a simple people against an absent landlord. Some call this revolution; others call it anarchy. But these people called it independence. Books refer to the protest as "The War for Independence."

There were hardships. The melting pot known as new citizens from foreign lands represented many types of culture—including the absence of same. These people had few if any guns or firearms. There was no such thing as uniform arms or ammunition. Each group made its own bullets. They were unorganized as a military unit.

But they had "something" which took the place of the lack of these military armaments. That "something" was a burning idealism. God from on high had given them intelligence. He had given them a vision. They would not perish. They had a task to perform. A mission to execute.

And now there was work to do. Communities were organized, resources were pooled, town forums and citizen's meetings were held. Every man, woman, and child attended. The future of their independence was in danger. Was this land of theirs to be a new land—a new land of hope, or just a finger of a foreign power.

And into this confusion of many stratas of customs and habits brought from foreign shores, was the steady hand of leadership. Made steady by the forearm of God. This was to be a nation under God; a people belonging to God. A free people making a home for others seeking a land free from the tyrannies of absent landlords and kings and empires and governments.

A new land. Liberty comes high—very high. The countless graves, the numberless mounds, are mute testimony that with every worthy cause the worthy people are inspired. How they died and for what purpose, is what makes any nation great. And it is what has made this Nation of ours a great one.

These were the times in which liberty and freedom were worth every price. The price of losing wealth and property and lands—and even life. It was not a case of being safe. The folks we are thinking about could have moved into the interior. The known area of land had just been barely pricked by the ploy. Relative safety was in the interior. But these folks were not running from anything. To them, their liberty and independence were worth staying, fighting, working—and dying, to accomplish.

Without intending such, these were the times which gave birth to our heritage of nobility. From these trying efforts stem and branch forth the tree of our country. All that we have been, and are, comes from this era.

Americanism was being born. The standards and guides and examples of government were being firmed into the pattern of our national birth. There was no compromise with truth or justice. "Might was no longer right." The power of the people, under the idea of "justice to all" was being born. Errors and mistakes were to creep in. And they did. But just as they happened in, they were escorted out.

This was the scene into which was born, and the background of what ensued, of our subject who made his debut February 22, 1732.

Disregarding his wealth, and using the same for his country, he was legislator, leader, military strategist, farmer-planner, and finally, yielding to the urgent demands of the times, he accepted public office.

Bringing all of the wealth of his prayerful life into the Government he headed, he guided our Nation. This was to be a nation under God; a people living and dying for life, liberty, and the pursuit of happiness. A country which all people were created to equally enjoy the blessings as nature endowed them with the capacity to receive, understand, and appreciate. The lessons learned were set forth as guides for the future.

The birthpains having passed, the growing into graceful maturity, was envisioned. There were to be no foreign entanglements. The material blessings were valuable only to the extent they were spiritually used. Decisions must be wisely made—for the benefit of all peoples—and not for just the few. With the opportunity to govern was given the privilege to vote. The conditions under which freedom can exist were proved. A firm foundation had been laid. There was to be no tampering with the foundation.

Nothing was guaranteed—neither life nor security nor happiness; only the right to pursue the same, to look for it—and the duty to die, if necessary, for it. But the opportunity idea was new. This was something never before vouchsafed to man. Life and security and happiness, until now, were for a select few—by inheritance. Now—everyone was entitled to join in the process. The banners of new hope and new freedom were flying. Here were nurtured and developed the ideals of our country—vision, humility, heroism, convictions, faith, tolerance. The American way of life was in the making. Being tried, tested, and trued. Only the future could show the results.

This time there was a difference. The difference was God. This was a nation under God. In God we trust. And just as God works in wonderful ways his magnificence to portray, in His plans was February 22, 1732. For on that day was born George Washington. Into the whirlpool of activity, much of it without purpose, we make this necessary and needful pause. To recognize a great man; a fine soul; a humble person—and to draw from his life and living the inspiration and drive to remember and to emulate and to keep the faith—just as he did. So to the first President of these United States, we say, publicly and reverently: Thanks, for being the Father of our country.

SOIL AND WATER CONSERVATION

Mr. ELLENDER. Mr. President, on February 8 of this year, Marion S. Monk, Jr., president of the National Association of Soil and Water Conservation Districts, addressed the association's national convention, at Portland, Oreg. Mr. Monk is a native of Batchelor, La., and he and I have been associated for a number of years in soil and water conservation work. His speech at the annual convention provides a short history of the growth of soil and water conservation districts in America and of the Government's role in soil and water conservation, in general.

From the text of his address, I note that Mr. Monk quoted a statement by President Johnson, as follows:

> It is our task to hold the rich heritage of our land in trust for future generations. What we do with it now will determine its productivity for generations to come.

This reflects my own attitude toward soil and water conservation, for our stewardship of the land is more important to the generations yet unborn than it is to our own.

Mr. Monk also stated the position of the National Association of Soil and Water Conservation Districts on the recommendation that a revolving fund be established to finance, in part, the cost of technical services provided to soil conservation districts and cooperating landowners. For the benefit of other interested Senators, I ask that the text of his address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

VISIONS

Mr. Chairman, fellow conservationists, honored guests, I know I speak for each of you when I say it is a real pleasure to be here in the great Northwest. We are proud to be in Portland, the City of Roses, for this the 19th annual convention of the National Association of Soil and Water Conservation Districts.

Much has been said these past few weeks about scenic beauty, beautiful America, and beautiful countryside. The great Northwest certainly has its share of the beauties of nature. There have been times this year when the elements have conspired to hamper preparations for this convention. We have all sympathized with the personal trials and tribulations of you people in this area. From our hearts we thank you for making this wonderful meeting possible. We know the road wasn't easy.

Three decades ago, the magnitude and urgency of the conservation job began to impress itself on our Nation. The primary concern at that time was with erosion on agricultural lands. With so much at stake the temptation was to use the power of the State and Federal Governments to compel the control of erosion and to put a halt to excessive waste and misuse of soil and water. But in all parts of the country there were farmers, ranchers, and landowners who said that they were both willing and able to take on the job of resource conservation. Thus was born the Federal, State, and local partnership; conservation efforts channeled through local self-government groups known as districts.

This is a vision which has come true through the efforts of a free people with talent, energy, and a sense of social responsibility; a people willing to give freely of their time and personal resources to counsel and lead others in conservation work.

The urgency of the soil conservation district concept was made more apparent by the mounting pyramid of erosion, floods, and land damage, topped by the monstrous dust storms of the thirties.

Another vision born of necessity has been Public Law 566, Watershed and Flood Prevention Act. Still another vision that has become in reality an active and vigorous program channeled through Districts is the Great Plains program. More recently we have had visions of reality in community action programs. Thus, not only is America growing, but our society is changing. New demands are being made daily on our resources. Growing demands are being made on our food, water, recreational areas, and our forests. These project for us, you and I, in conservation work new quantitative and qualitative demands on our resources.

Faced with a new America, an America that poses new challenges, an America that is changing before our eyes, an America whose patterns of economic growth are rapidly transforming our institutions, styles of life, and even our concepts of thought—what will be our vision for the future?

You, district officials, have accomplished much in the past quarter century. Your record has been impressive. The capability for service of districts has far outstripped the greatest expectations and vision of those who originated this venture in community action.

Today in every region of our Nation demands for district services exceed the capacity to fulfill them. The benefits of district services are many; economic gain to the community and the landowner; economic savings to the community, thus, preservation and protection of resources and works of improvement; improved water supplies and water quality; establishing new recreational facilities; and greater freedom from flood damage. There are still greater values not so readily measured, intangible values, the national beauty of the countryside, green belts around urban areas, fish, game, and wildlife. Orderly growth of communities as opposed to haphazard and wasteful sprawl, a well managed landscape symbolizing harmony between man and his environment; all of these have value above dollars and cents. These may be called the esthetic and amenity values of conservation.

This past year has once again been a year of great progress in conservation and resource development. Last year in Kansas City we started this year of work with great zest and ambitions for the future. I commend you on having played an important part in the development and furtherance of resource conservation. President Johnson, on the occasion of our Kansas City convention, sent his greetings. May I quote from his letter?

"In the last 30 years, we have—through our conservation programs—fought an important and winning struggle to save our Nation's most basic resources: our soil and water. I remember, as do many of you, how desperate was the problem and how long seemed the odds against us when we began. The success we have achieved today is proof of how well we can work together—from the Federal level to the local level—to do the things our Nation needs done for the present and the future.

"I congratulate you all on the work you are leading responsibly at the local level throughout our land. As my heart has been in this vital effort for so many years, so my good wishes continue with you in the work which must be done now."

With these remarks ringing in our ears we were encouraged to set an even faster pace in resource conservation than at any time in history.

The 88th Congress, this past year, received the reputation of a conservation Congress. This, too, encouraged all of us.

Working as a Federal-State-local team, we have developed the finest system known to man for resource conservation. The achievements of this team effort has helped to bring about more benefits for the people, better living conditions and billions of dollars in economic values. As a result of this teamwork and its achievements many nations are copying our design.

In furthering our efforts toward greater results your NACD has operated on many fronts. Ours is a team effort on your behalf. Each of your directors, officers, and especially your staff, is to be commended.

Just a few days after the Kansas City convention, W. A. Williams, Jr., chairman of our public lands committee, appeared before House and Senate subcommittees on appropriations for the Department of Interior and related agencies. Chairman Williams stated:

"Conservation work on large areas of western public land has fallen so far behind, and the needs are so urgent, that a major recovery effort should be scheduled over the next decade."

In the last week of February Secretary Freeman announced a new program of "rural renewal." This program is designed as a pilot operation and indicates the growing concern about the lack of prosperity at the rural crossroads.

This same week Secretary Udall announced the details of the nationwide outdoor recreation plan. Thus, on two fronts, new programs were announced involving resource development.

About this same time planning work began in 10 projects designed to bring about communitywide economic gains on a base of resource development. These projects are called resource conservation and development projects, and average about 1,700,000 acres each in size.

In March the atmosphere began to get smoky. We learned of a prospective cutback in technical assistance to districts beginning on July 1. Don Williams is to be commended on the manner in which he handled this cutback. By shifting assignments of his top hands and readjusting technical centers, districts did not feel this cut. Reflecting over these events, I can't help but wonder if we should have considered this action as a projection of things to come.

The memory of an old friend, a great leader of this organization, was honored during the month of March by his soil conservation district. The Brazoria-Galveston soil conservation district changed its name to Waters Davis Soil Conservation District.

Milton Fricke, the energetic chairman of your watersheds and water resources committee, told a Senate subcommittee that greater clarity was needed in the rules governing Federal water rights to protect local projects from the overriding assertion of U.S. authority. Milt's appearance preceded our spring directors meeting in Washington. Once again may I say to you, Your officers and directors are a hard-working group. This spring meeting was no exception.

Early in April, Richard Longmire, chairman of your legislation committee, and Milton Fricke, chairman of your watersheds and water resources committee, appeared before the House Subcommittee on Agricultural Appropriations. In view of the Budget Bureau's proposed cutback in Government support of existing district programs, as well as elimination of SCS technical assistance in new districts, these two NACD spokesmen asked whether there had been a change in the Government's position on districts.

"We believe there is now a serious question," they said, "about whether the Government is to be a reluctant partner or a forthright one."

In the light of current events, many of us today are asking this same question.

The last of April, many of us were in attendance at the 11th National Watershed Congress held in Little Rock, Ark. We were proud of one of the past presidents of this organization who was named watershed man of the year, Nolen Fuqua. Nolen, one of the early advocates of Public Law 566, is a tireless champion of watershed programs throughout the Nation.

Following the watershed congress, a small group representing the Soil Conservation

Society and your NACD spent the better part of 1 day discussing better alinement of our joint efforts on behalf of resource conservation. I know you join with me in the feeling that the conservation job is so big that these two organizations will be taxed in time and ability.

The first week in May was Soil Stewardship Week. Once again, we are all proud of our sponsorship of this program. May I commend Oscar Laper and Ray Shaffer for their leadership in this committee. You might be interested in hearing an excerpt from a statement of President Johnson's commending the observance of Soil Stewardship Week. I quote:

"It is fitting that we set aside a Soil Stewardship Week each year to recognize our stewardship of the land.

"During the last 50 years, the American farmer has increasingly proved himself a good steward of his land. In many places he has taken wornout and eroded land and literally turned it into a bountiful land. For the first time, we are able to produce at low cost an abundance of the food and fiber we need and still provide for many less fortunate.

"It is our task to hold the rich heritage of our land in trust for future generations. What we do with it now will determine its productivity for generations to come. We must make it an instrument for progress and prosperity. If we care for and nurture the land, there is plenty. If we neglect the land, there is poverty. This is the essence of stewardship."

During the middle of May we received good news—the budget cuts to technical assistance and cost-sharing were to be restored by the Congress. A conservation Congress. I wonder if 1965 will see the same balloon "good news" in the Tuesday letter.

This same week we were proud to announce that the SCS and the Bureau of Land Management had issued a memorandum directing field employees to give joint assistance to districts in areas where public lands were intermingled with and used in conjunction with private lands. The memo emphasized the need for uniformity of management and treatment of both classes of land.

Midway of the year, 1964, we were happy to announce the employment of an assistant executive secretary, David Unger. Dave, a replacement for Lee Conahan who resigned, brings to us a wealth of experience in the resource conservation field. I am sure all of you will enjoy knowing Dave.

Ray Shaffer and Dave Unger represented us at the Sixth National Boy Scout Jamboree. More than 52,000 Scouts were in attendance.

The needed acceleration of water resources research was made possible through legislation signed into law on July 17. This program is sorely needed because of our increasing population and rapid economic growth. Water use will double in the next 20 years.

Another interesting water development is the massive water development plan under study for the western half of the North American Continent. This is a proposal to divert excess water from Alaska, Canada's northwestern territories, and the Rocky Mountains, to water-scarce areas of the central plains of Canada, the Western United States, and northern Mexico. A tremendous plan illustrating the importance of water.

June, July, August, and September were months of almost around the clock activity in furthering soil and water conservation. During these months six of the seven area meetings were held. These meetings focused attention on the changing and expanding concept of conservation. Increasingly, the traditional land and water conservation concepts are being enlarged and modified to encompass new public concerns. Many district leaders, professional conservationists, and a growing number of citizens are convinced that the big push of economic expansion in America is destroying the beauty and usefulness of large areas of our countryside. This is a new kind of erosion, that of natural beauty. District leaders, therefore, are taking a hard look at coming problems and the probable new look of districts in the future. We, as district officials, indicated at these area meetings a willingness to tackle the challenges which our changing society is imposing on resource development. We must be ever alert to the Federal trend toward programs and projects which bypass districts. At the same time, our local districts must not be tardy in pushing for wider and more effective operations. Especially we must broaden our enabling acts. In many States the present restrictive nature of these authorities under which districts operate are acting as hobbles. Districts, for example, should be the vehicle with the broad outlook and powers to meet conservation needs in intermingled rural and metropolitan areas. We must have the vision. These are some of the topics you discussed at these area meetings.

During these same months your capable vice president, Sam Studebaker, represented you at the Rivers and Harbors Congress before the Department of Agriculture's budget committee and the Bureau of the Budget. Dave Unger met with the American Country Life Association. Director Lorin Trubschenk represented you at the National Reclamation Association.

The middle of September the conservation field days and plowing matches were held in North Dakota. Over 75,000 people turned out on a rainy day to view conservation and to hear Senators Goldwater and HUMPHREY deliver agricultural speeches. Your fine western program adviser, Bob McClelland, Director Wally Petersen, and your conservation field days chairman, Osborne Galde, were your representatives.

These summer months witnessed summer meetings of two of your most active committees, Great Plains and public lands. The sessions have become most constructive. The members of these committees and their chairmen, Oscar Hippe and Bill Williams, are to be congratulated.

During the first days of October, while many of us were battling a hurricane, Sam Studebaker was a guest speaker before the Farm Equipment Institute. We owe a great deal to this fine organization for their continued support. It is always a pleasure to work with people who understand our problems.

Your officers and directors met in Asheville, N.C., the latter part of October to consider resource issues of major importance. During this meeting Chairman Charles Ladd, of your recreation and wildlife committee, presented for approval the inventory forms for districts' use in collecting and assessing data on local recreational assets. Congratulations, Charlie, on a job well done.

Other topics discussed were a new timber resources review by the U.S. Forest Service, the final reports to be named Timber Trends. Proposals by NACD's education committee headed by David Kistner, of Georgia, reviewed district cooperation in community planning and many other subjects, such as, changing land use patterns, and sites of future conventions.

Early in November your foundation, the Soil and Water Conservation Districts Foundation under the capable leadership of Nolen Fuqua, its executive director, announced publication of the "District Guide Book for 1965." This book is designed to help district officials do their work easier, better, and more efficiently; thus, making district management more effective.

The last area meeting of the year, area VII, examined resource development needs. All areas were in agreement that with the population explosion, rapidly changing technological needs, and social demands, that resources would be taxed to the limit in the future. Our problem is to meet these needs and in time.

These are just a few of the meetings and activities in which we have participated on your behalf during this past year. The year 1964 was a good year in resource conservation and all factors point to greater progress in 1965. In the months ahead the demands on resources will be even greater than in the past. We will need to step up and expand our upstream watershed programs. We will need to coordinate this program with major river basin planning and development activities. Greater efforts are needed to insure that adequate facilities are included in river basin plans to meet the oncoming needs of rural areas and upstream communities.

We must have better liaison and cooperation between districts and local, regional, and State planning agencies. We must have more emphasis on such work as use of soil surveys by planning commissions. We must have more use and emphasis on soil and resource potentials of the community by planning commissions.

We must have more adequate funds at every level of the district movement in order to properly advance conservation programs. Dollars invested by local, State, and Federal Governments in conservation programs are repaid many times in reduction of damages, improved economic activity, more jobs, higher levels of business activity, and greater purchases of equipment, services, and supplies. Conservation pays.

We must continue to accelerate the basic work of planning and applying conservation measures to individual properties. This is a fundamental program of proven merit. More than 70 percent of the lands of this country are privately owned. We were pleased this past year that the Congress appropriated additional funds for technical assistance to districts. But the backlog of requests for assistance is steadily growing. The most recent evaluation of staffing needs completed 60 days ago shows the need of 1,518 more man-years of technical help than is presently available just to keep even with requests for assistance from landowners. This does not cover any applications for assistance not now on file. How many landowners, knowing their requests cannot be filled, have failed to ask for help? How many are discouraged by this lack of help? How many acres will not be treated in 1965 for lack of help? All of these questions should not have to be asked.

We must have adequate financing. Conservation programs cannot be turned on and off each year. Future demands for resources are too great. The work must be continuous; the momentum must be sustained. The partnership of local districts, State, and Federal Government has awakened a national sense of consciousness of conservation imperative on the part of people. They have organized a host of services, facilities, and people into an effective instrument for conservation accomplishment.

Our vision for the future must be how to meet the fantastic demands on natural resources in an efficient, practical, and democratic manner. In order to do this we must:

1. Equip ourselves to meet the demands for orderly resource development in an age of steeply increased requirements for land, water, and space.

2. We must confront the fact that resource programs of the future need to be developed in terms that all of our people, rural and urban alike, can understand and support.

3. We must invent new operating machinery that will not only meet the basic requirements of farmers and landowners, but also satisfy community development needs and provide a framework for greater public participation in resource matters.

4. In the face of progressively mounting requests for assistance from landowners and communities, we must secure and provide the needed technical, financial, and other services necessary to move ahead with the job.

This last cannot be accomplished through revolving funds. Thirty years ago the Congress of the United States began a policy of providing SCS technical assistance without charge to private landowners of this country who were willing to adopt farmwide conservation programs on their properties.

In his budget message to Congress on the 25th of January President Johnson said:

"I will continue to press for other user charges in Government programs where benefits are provided to specific, identifiable individuals and business. Fairness to all taxpayers demands that those who enjoy special benefits should bear a greater share of the costs."

Is this, then, the revolving fund idea; a user fee for using technical services? In their zeal to carry out the President's wishes, did the Bureau of the Budget and its director, Kermit Gordon, forget the true meaning of conservation? Did they forget that the conservation program, in this country, of using a team of local, State, and Federal people, has been the envy of the world? Did they fail to realize what Congress has stated many times—that conservation of soil and water is in the total public interest and is one of the most urgent national needs?

In fact, did the budget boys fail to read or listen to the President's state of the Union message? May I quote?

"Ahead now is a summit where freedom from the wants of the body can help fulfill the needs of the spirit.

"We do not intend to live—in the midst of abundance—isolated from neighbors and nature, confined by blighted cities and bleak suburbs * * *.

"For over three centuries the beauty of America has sustained our spirit and has enlarged our vision. We must act now to preserve this heritage.

"In a fruitful new partnership with the States and cities the next decade should be a conservation milestone. We must make a massive effort to save the countryside and to establish * * * more large and small parks, more seashores and open spaces than have been created during any other period in our national history.

"A new and substantial effort must be made to landscape highways and provide places of relaxation and recreation wherever our roads run.

"We will seek legal power to prevent pollution of our air and water before it happens."

Conservationists saw in the statements of the President an enlarged opportunity to build a better outdoor America. They also saw a challenge to all citizens, through these visions of a better America, to work even more diligently at local and State levels as well as nationally to achieve even greater resource development.

Then came the budget proposal which said a reduction of $20 million is anticipated for 1966 under legislation being proposed to authorize the establishment of a public enterprise revolving fund to finance in part the cost of technical services provided to soil conservation districts and cooperating farmers, ranchers, and other landowners in the design, layout, and installation of planned soil and water conservation practices. The proposed legislation would require that cooperating soil conservation districts or landowners and operators pay to the Soil Conservation Service up to 50 percent of the cost of technical assistance furnished to help install planned practices on their lands.

We have been advised by a reliable source on budget matters that this legislation, if passed, says as follows—to the extent non-Federal contributions fail to reach the planned total of $20 million it will be necessary for the Soil Conservation Service to reduce proportionately its technical staff. This $20 million currently pays the salaries and expenses of over 3,000 man-years of full-time technical employees and temporary local aids.

Faced today with a shortage of 1,518 man-years of technical assistance just to keep the resource conservation job going on 73 percent of the lands of the Nation, are we to be faced tomorrow with a shortage of 4,518 man-years of help?

How will the Great Society live up to the high ideals and visions of the President without this help?

Soil erosion increases flood damages, chokes streams, lakes, and harbors with sediment, and reduces the capability of our land to meet the wide range of demands being placed upon it by our rapidly growing population. This damage is to the resources of America and should be paid for by all the people. The correction of resource damage, the conservation and preservation of our resources, is of benefit to all people. It is not of special benefit to specific, identifiable individuals, but to all people.

The 89th Congress and this administration will not, must not, be the Congress and the administration which turned its back on a grassroots conservation program so constructively undertaken in 1935 by Franklin D. Roosevelt and the leaders of the 1930's. There is nothing that has happened suddenly in 1965 to change this vision.

The years ahead offer us the greatest opportunity we have had in modern times to strengthen the ideal of self-government, and at the same time help achieve vital goals in the care and development of America's natural resources. These resources are our inheritance and they belong equally to all people. I know this convention and its governing body, the council, will act to accept this challenge.

SENATOR DOUGLAS REVIEWS SENATOR KEFAUVER'S BOOK "IN A FEW HANDS"

Mr. GRUENING. Mr. President, some of the work of our late esteemed and beloved colleague, Estes Kefauver, is recorded in an excellent book which has just appeared. It is entitled "In a Few Hands: Monopoly Power in America," and has been published with the effective collaboration of his associate, Dr. Irene Till. This book deserves wide reading.

The book is admirably reviewed by another of our colleagues, the Senator from Illinois [Mr. DOUGLAS], a former professor of economics at the University of Chicago, who undoubtedly is the foremost economist in our body. The review furnishes an admirable summary of the contents of Estes Kefauver's book.

I recommend its reading, and I ask unanimous consent that the book review entitled "When Business Gets Too Big," from the current issue of the Saturday Review, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

WHEN BIG BUSINESS GETS TOO BIG

(By PAUL H. DOUGLAS)

Estes Kefauver was at once one of the most useful and least appreciated of modern Senators. He did invaluable work in revealing the many facets of the national crime syndicate, in urging an Atlantic commonwealth, and in exposing the pervasiveness of monopoly and imperfect competition. He had great political virtues but the intellectuals refused to accept him. His coonskin cap, his soft voice, deadpan manners, and undistinguished speech caused most of the political pundits to reject him. Yet, beneath his rural appearance, there lurked one of the best brains in the Senate, unsurpassed persistence, and the proverbial courage of a lion. No one in the country knew more about the evil of monopoly then he, and no one worked harder to reduce them.

Kefauver died with his boots on in the summer of 1963 while trying to prevent a private corporation from taking over the telecommunications industry and operating as a monopoly above and beyond government. For a day the public mourned its champion and then largely forgot the lanky and undemonstrative Tennessean.

It is therefore appropriate that this work, edited and completed by his close associate, Dr. Irene Till, should embody the results of his investigations and those of his staff into the drug, steel, automobile, and baking industries.

In a succinct opening chapter, which discusses the economics of the commercial drug industry, the authors tell how the big companies, by saturation advertising of their brand names, are largely able to lift their products out of competition and, as a result, reap extremely high profits. From 1957 to 1963 these averaged approximately 20 percent after taxes. This was twice the norm for manufacturing as a whole and over a third higher than the rate for such favored industries as the automobile, office machinery, electrical equipment, glass, and industrial chemicals.

Kefauver tried to remove one of the many reasons for these abnormally high rates by requiring that drugs be labeled by their generic, as well as brand names. Since many drugs with dissimilar trade names are fundamentally the same, this reduction to a common terminology would deflate much of the puffy advertising and lead, as in Europe and in the purchases by hospitals and public agencies, to much lower prices for the individual consumer. The Kefauver proposal also called for a licensing, after a brief period, of patents. This aroused the most bitter opposition not only from the drug trade but also from the allied professions of advertising and communications. It was only the thalidomide tragedy, as revealed by two courageous women, Drs. Helen Taussig and Frances Kelsey, that enabled the Senator from Tennessee to save even a portion of his bill. Although final compromise dropped the compulsory licensing feature, it nevertheless required the supplementary use of generic terms, which must be displayed at least half as prominently as the trade names. This has been of real use. The Tennessean won an additional victory in the bill's provision that drugs be effective as well as safe, further that side effects be taken into consideration and, if injurious, stated.

Great powers are therefore given to the Food and Drug Administration. It is important that this Agency, in turn, be closely supervised to see that its authority not be used to protect the big drug firms while discriminating against the small.

While the hearings on drugs were the most sensational in the long inquiry, those on steel, automobiles, and other great industries revealed many facets of monopoly and imperfect competition. Kefauver and his associates proved that there was little or no price competition in steel, that United States Steel and possibly one or two others set the prices, which were so high that most firms would break even when operating at only a third of capacity. The power of the big bread chains to drive small competitors to the wall by regional price cutting, which was supposed to have been outlawed by the Trade

Commission Act of 1914, was demonstrated to be again at work.

Automobiles have witnessed the sharpest movement toward concentration. In 1921 there were 88 firms in the industry; today 4 companies account for 99 percent of the total output. The competition among these four is not in the field of prices but rather in planned obsolescence and style changes, which add billions to auto prices but have little or no function.

Everywhere, indeed, concentration has been proceeding apace. By 1962 the top 20 manufacturing companies had about 25 percent of all manufacturing assets and amassed 38 percent of the net profits after taxes, while the 50 largest held 36 percent of the assets and received 48 percent of the profits. Carrying this analysis still further, the 100 biggest concerns owned 46 percent of the assets and reaped 57 percent of the profits. Finally, the 1,000 largest manufacturing companies owned nearly 75 percent of the assets and obtained 86 percent of all the profits. It is a startling fact that the remaining 419,000 manufacturing companies had only about a quarter of the assets and received a bare 14 percent of the profits, or about two-fifths as much as the 20 giants. Since 1962 this concentration has been increasing still further by the continued wave of mergers. The same process is taking place in other industries such as mining and retailing. Only in the service trades is small business holding on.

This means, of course, that the control of economic activity is becoming concentrated "in a few hands." As the English economist, Joan Robinson, demonstrated 30 years ago in "Economics of Imperfect Competition," this means a scale of prices appreciably higher than that which would prevail under competition, and this in turn means not only a greater concentration of income and wealth but also smaller total production and fewer persons employed.

Monopoly and imperfect competition are, to my mind, the chief causes for the persistence in this country of excessively high levels of unemployment. For, since the sum total of price tags on goods that could be produced under full employment exceeds the sum total of monetary purchasing power in the pockets of consumers, and since the dominant forces in the marketplace refuse to lower prices, the result is unemployment and idle plants. The recent tax cut had as its basic premise the addition of further units of monetary purchasing power to pump consumer demand up to the level of the relatively fixed prices.

This is better than nothing, but the urgent need is for a much greater degree of competition, which would lower prices and bring more goods within the reach of consumers. Indeed, it could be the best antipoverty measure. Kefauver saw this clearly and properly stressed its importance. But it must be confessed that, like others, he was not too helpful in suggesting how it might be effected. The Senator properly pointed out the comparative ineffectiveness of governmental regulation and instead placed his faith in publicity and more accurate information.

As Prof. H. M. Gray of the University of Illinois has graphically shown, probably the very least that Government can do is not to encourage monopoly. Should it not, for example, revise its patent laws and its requirement barring entrance into many fields of economic activity save on proof of "convenience and necessity"? Perhaps some consideration should be given to the suggestion made by Fred Raymond in "The Limitist," namely, that the size of concerns producing more or less identical products be held down to X number of employees. This would retain the benefits of large-scale production inside the factory as well as the advantages flowing from vertical integration. It would place some limitation, however, on horizontal combinations of substantially similar plants. There is a great deal of evidence to indicate that this would actually increase economic efficiency.

Senator Kefauver may not have given us the full prescription, but he was supremely right in his diagnosis, and he worked himself to death in his efforts to reduce the evil. We need others who will assume the heavy burden that he was prematurely compelled to lay down.

THE NEED FOR PUBLIC WORKS NOW

Mr. GRUENING. Mr. President in his stirring state of the Union message, to the people of this country, the President discussed our growing economy. He said:

> We seek full employment opportunity for every American.

Sixteen days later, in his inaugural address, the President discussed the Great Society. He said:

> I do not believe that the Great Society is the ordered, changeless, and sterile battalion of the ants.
>
> It is the excitement of becoming—always becoming, trying, probing, falling, resting, and trying again—but always trying and always gaining.

And try we must if we are to have the Great Society. The very essence of such a society includes full employment, educational opportunities, decent housing, and making certain that every citizen has access to these basic necessities.

Full employment is our No. 1 national goal.

Hungry children, jobless fathers, hopeless mothers contribute very little to the Great Society.

We must, therefore, alleviate the immediate need, even as we fight, on a more permanent and lasting scale, the war against poverty.

What is needed is an immediate revival of the accelerated public works program which has exhausted all of its funds.

Nearly $1 billion worth of sound public works projects could be started in depressed areas across the Nation if funds were available.

The immediate value of sound public works projects is recognized by the AFL–CIO executive council. Meeting the past weekend in Miami Beach, Fla., council members called for a $2 billion program of Federal grants to cities, for expansion of public works projects that would create jobs and would build such facilities as water and sewer systems, cultural centers, and civic and public buildings.

I welcome the support of the AFL–CIO for the renewal of the accelerated public works program proposed in my bill, S. 110, which I introduced on January 6, on behalf of the senior Senator from West Virginia [Mr. Randolph], the senior Senator from Texas [Mr. Yarborough], and myself. The bill increases by $1.5 billion the amount authorized under the accelerated public works program.

Unemployed in this Nation comprise 4.8 percent of the labor force. This worries all of us. It takes but a little nudge to push that percentage beyond 5 percent or further, and then begins the endless spiraling of unemployment and lack of consumer purchasing power which creates recession—or worse.

In March 1963, in the 88th Congress I introduced a bill to provide an equivalent, for accelerated public works, of what would be appropriated and authorized for the foreign aid program. That would have amounted to $3.5 billion. Again today I stress that it is only commonsense to do for our own unemployed what we have done for the unemployed and needy in foreign lands.

The spokesmen for our great labor unions support the accelerated public works program. The AFL–CIO council meeting on March 27, in Florida, noted that this year 3.7 million persons will reach the age of 18 years. The number exceeds that of 1964 by 1 million. We may expect these young men and women to seek jobs. Obviously, production must increase if we are not to increase unemployment.

The council has also called for a comprehensive Federal aid program to redevelop our chronically depressed regions, and for a Federal minimum wage of $2, combined with a 35-hour week, with double time for overtime.

These recommendations are part of a Great Society. They tie in with proposed legislation before Congress which would create a National Humanities Foundation and an accelerated, performing visionary arts program to enable all men to develop these skills, if they wish.

Part of a Great Society is the right to agree or disagree. Thus, as one part seeks the tools with which to provide new jobs, another part may fight against such acquisition. And so did the dialog develop over the weekend when the Chamber of Commerce of the United States urged Congress to cut the President's budget, by eliminating a request of $400 million to fund area redevelopment, by killing his $675 million request for urban renewal, by reducing by nearly three-quarters of a million dollars the amount requested for the Office of Economic Opportunity, and by cutting the military funding request on housing, research and development, and test and evaluation programs.

Such conflicting points of view will, I hope, make our Great Society stronger. I do not concur in these recommendations of the chamber of commerce; but I welcome the interest, and I hope the chamber of commerce soon will discover why accelerated public works, for example, are sound building stones for a Great Society.

I ask unanimous consent that there be printed in the Record three articles appearing in the New York Times of February 28 and the Washington Post of February 28, 1965.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 28, 1965]

Labor Chiefs Warn of Lag in Economy Later in Year—AFL–CIO Council Calls Higher Pay Vital—Urges Federal Assistance for Public Works and Depressed Areas

(By Damon Stetson)

Bal Harbour, Fla., February 27.—Organized labor's top leaders warned today of a possible slowdown in the Nation's economy later this year. They called for steps in both the private and government sectors to counter such a trend.

A formal statement on the economy was issued by the executive council of the American Federation of Labor and Congress of Industrial Organizations. It emphasized that increased wages and fringe benefits were vital if the economy was to expand at the pace required by the spread of automation and the growing labor force.

At the same time, the council urged a $2 billion program of Federal grants to cities for public works to create jobs, a comprehensive Federal program of assistance for redeveloping chronically depressed regions and an increase in the Federal minimum wage from $1.25 to $2 an hour.

The council issued its statement at the Americana Hotel here, where it is holding its annual winter meeting.

Its emphasis on the need for higher wages to expand consumer buying power came as major negotiations were about to be resumed in the steel industry. Bargaining in the can industry was continuing this weekend in New York City in an effort to reach a settlement before tomorrow night, when the current contracts between the can companies and the United Steelworkers of America expire.

Other important negotiations are scheduled in the rubber industry in April and in the aerospace industry in the late spring and through the summer.

The council said that economic expansion was continuing under the impetus of the 1964 tax cut, a high volume of automobile sales and a building of steel inventories.

IMPACT FOUND WANING

However, the statement said, "the beneficial impact of the tax cut on consumers is wearing off; the accumulation of steel inventories will probably end by midyear; homebuilding is leveling off; and there is danger that tight money and higher interest rates may be imposed in a mistaken venture to counter the balance-of-payments deficit."

The rise in sales and production is expected to slow later this year, the council said. With business profits soaring, it said, widespread installation of the newest and most modern plants and machines will substantially increase industry's capacity to produce more goods with fewer workers.

In 1965, the council said, about 3.7 million persons will reach the age of 18 years, a million more than last year, and many of them will seek work.

"In the face of these conditions," it said, "a considerably slower rise of production will generate increasing unemployment."

RISE IN UNEMPLOYMENT FEARED

The council suggested that early congressional approval of President Johnson's program would probably be enough to offset most of the anticipated weakening of economic activities in the second half of the year. But even if all the administration's programs are enacted, it went on, the improvement of the unemployment situation will probably be halted and joblessness may creep up again in the second half of 1965. At present, 4.8 percent of the labor force is unemployed.

A lasting improvement in economic conditions, the council said, requires a much better balance between the economy's rapidly growing capacity to produce and the lagging ability of consumers to buy.

"The lack of balance in the economy," the council continued, "is all too clearly apparent. Between 1961 and 1964, corporate profits after taxes soared 44 percent and dividends rose 30 percent, while total wage and salary payments increased only 19 percent. Since 1953, the cash flow [after-tax profits plus depreciation allowances] to corporations has risen 103 percent—in contrast to an increase in after-tax personal income of only 71 percent."

EMPHASIS ON CONSUMER

Investment income has been rising much faster than income for consumption, and consumer markets have been bolstered by unsustainable sharp increases in installment and mortgage debt, the council said.

"Renewed national emphasis on consumer buying power is overdue," it declared.

In another statement, the council expressed concern about the Nation's deficit in its balance of payments and urged Congress to investigate the outflow of private capital. The balance of payments is the measure of payments into and out of the country.

The council also supported efforts of seagoing, shipyard, and longshore unions to develop programs, through President Johnson's Maritime Advisory Committee, to implement and strengthen American maritime policy.

[From the Washington Post, Feb. 28, 1965]

LABOR URGES PRESIDENT TO PUSH JOB PROGRAMS

MIAMI BEACH, February 27.—AFL–CIO leaders gently chided President Johnson today on the ground of not doing enough to reduce unemployment. They warned that jobless totals may creep up later this year even if all of his "Great Society" program gets through Congress.

The mild criticism of the administration's economic policies, the first since Mr. Johnson was elected to a 4-year term with all-out labor support, was leveled by the AFL–CIO executive council.

It was coupled with a renewed demand for "substantial increases" in the wages and fringe benefits to keep the 4-year-old economic expansion rolling throughout 1965.

A council statement said the unemployment rate of 4.8 percent is lower than it has been in years but still higher than the 1953 jobless rate.

When workers who no longer seek jobs and others on part-time work are included, the council said, the true unemployment figure is about 7 percent.

"The present slow pace of progress on putting America back to work is just not good enough," the AFL–CIO leaders said.

"Early adoption by the Congress of President Johnson's programs—presented in his budget and economic messages—will probably be enough to offset most of the anticipated weakening of economic activities in the latter half of the year," the statement said.

"But even if all of the administration's programs are enacted, substantially as presented, the improvement of the unemployment situation will probably be halted and joblessness may creep up again in the second half of 1965."

The union spokesmen said additional measures were needed to keep cutting the unemployment totals in the months ahead when more younger workers would flood into the labor force and automation will continue its advance.

The council called for these specific steps:

A $2 billion program of Federal grants to cities for expansion of public works projects that would create jobs and build such facilities as water and sewer systems, cultural centers, and civic and public buildings.

A comprehensive Federal aid program to redevelop chronically depressed regions such as the Upper Great Lakes and the Ozarks by building of roads and improvement of manpower skills.

A rise in the Federal minimum wage to $2 an hour and a cutback to a 35-hour week with double time for overtime.

The council said that workers have not been sharing fully in the prosperity that has continued since early 1961. Corporate profits and dividends rose nearly twice as much as wage and salary payments, it said.

[From the Washington Post, Feb. 28, 1965]

CHAMBER FIGHTS NEW SPENDING

(By John A. Goldsmith)

President Johnson's proposed new budget came under attack yesterday as the Chamber of Commerce of the United States urged Congress to cut $5.7 billion from the administration's request for new spending authority.

The chamber said in a statement that plans for defense, school aid, the war on poverty, urban renewal and depressed areas could be trimmed "without impairing essential services."

The chamber's board of directors, after a study of the proposed Federal budget for the 12 months starting July 1, aimed its attack at Mr. Johnson's request for $112.3 billion in new spending authority.

It stressed it had no quarrel with his $99.7 billion spending plans for the new budget year, but with his requests for new appropriations, which will affect spending beyond fiscal 1966.

The chamber said Congress should:

Eliminate the entire $1.2 billion requested for elementary and secondary school aid. The President's program is loosely written, unfair to poorer States, and possibly unconstitutional, it said.

Reduce the $1.4 billion war on poverty request by $705 million. It said $760 million was authorized for the program last year and it is too early now to know whether more is needed.

Kill the entire $675 million sought for urban renewal. It said the program was a failure and ought to be ended.

Eliminate all $400 million requested to carry on the area redevelopment, or depressed areas, program. This program also had failed and should be allowed to die, it said.

Cut $500 million from the $47.4 billion military request by continuing Defense Secretary Robert S. McNamara's cost-cutting program and by holding the line on housing, research and development and test and evaluating programs.

TAX RELIEF FOR HIGHER EDUCATION

Mr. LONG of Missouri. Mr. President, earlier in this session, I was privileged to join with my friend, the junior Senator from Connecticut [Mr. RIBICOFF] in cosponsoring a bill to allow a tax credit from income tax to reflect expenses incurred by individuals in providing or securing a higher education. In past Congresses, I have introduced measures of my own to provide an income tax deduction for the costs of higher education. I have supported these measures because I recognize that it is certainly in the national interest that our youth have opened to them the fullest opportunity to obtain the best possible education within a framework of individual or family choice. Such measures to provide income tax relief, I believe, should play a vital role in our total overall approach to providing a college education to all qualified individuals without prejudice to other programs of Government assistance. Since the introduction of this measure, I have received a large number of letters from constituents supporting this approach. Many of these letters describe family economic conditions which point out the desirability of this legislation. One recent letter struck me as pointing out particularly well the need for such tax relief. Mr. President, I ask that the letter from Mrs. J. H. Evans, Jr. of St. Charles, Mo., be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. EDWARD V. LONG,
U.S. Senator,
Washington, D.C.

DEAR SENATOR LONG: We were very happy to note in your January report that you have a bill before the Senate that proposes tax relief for higher education.

This has seemed to me to be the one big way for help to those of us whose children do not qualify for financial aid to their education in form of scholarships or Federal loans.

Ours is a family very much like millions of other Americans, I believe. We have four children very close in age. The oldest is a senior in high school and is registered at one of the good but "not so expensive" ($1,850 room, board, and tuition) private schools for the fall of 1965. Our oldest son will graduate the following spring and is interested in architecture, which means a minimum of 5 years' college in an out-of-State college, since Missouri has no school of architecture. Washington University in St. Louis would cost $1,800 with the student living at home and cummuting. The second boy will graduate in 1969 and hopefully will continue his interest in a professional school which will probably mean a number of years beyond the usual four. His younger sister will be ready for college in 1970.

My husband is a doctor of veterinary medicine having finished his work in 1950, after 5 years of military service in World War II and was not able to start earning a living until age 32. His income has afforded us a very comfortable living and ranks us in higher middle income bracket. We are fortunate to have made good strides in paying for our modest home and his business property and to continually improve this property. It has not allowed for luxuries in the form of vacations, educational trips, and so forth that we would have liked to have had for our family. Being a professional man we must, as I am sure you know, provide our own fringe benefits that many in similar income brackets may expect from industry.

This is not intended to sound as though we feel underprivileged or depressed or that anyone "owes us anything" but merely, I hope to describe the situation of many others as well as our own.

On a confidential statement that would be required if a student applied for aid to education there would be no consideration after we listed Dr. Evans' and my (registered nurse) combined income.

You can readily see why we would be most grateful for aid in the form of tax relief when we get into the swing of educating four.

Thank you for all your efforts on this bill and for your continued effort.

Very truly yours,

MRS. J. H. EVANS, JR.

THE 1965 EASTER SEAL CHILD

Mr. BAYH. Mr. President, the people of the State of Indiana are extremely proud of 10-year-old Barbara Staten of Indianapolis who has been selected as the Easter Seal Child of 1965 by the National Society for Crippled Children and Adults.

Barbara's personal tragedy involved circumstances that would have been difficult for any of us to bear. Yet this remarkable child, demonstrating inspiring courage, and determination and inner strength, was able to overcome terrible adversity.

Mr. President, Mrs. Bayh and I are privileged to be cochairman of the 1965 Indiana Easter seal campaign. We have had the opportunity to meet a number of children who have been assisted by the facilities and research provided by contributions to Easter seals. We are always warmed by these encounters and thrilled by the spirit of these children who so desperately want to become contributing members of society.

I ask unanimous consent, Mr. President, to have printed in the RECORD an editorial from the Indianapolis Star which poignantly describes the obstacles that Barbara Staten overcame and the reasons she so well deserves the honor of being the 1965 National Easter Seal Child.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INSPIRATION FROM A 10-YEAR-OLD

Ten-year-old Barbara Staten has seen more tragedy in the past few months than most of us are called upon to absorb in a lifetime. And she has endured pain such as few persons will ever know.

This courageous lass lost her parents, brother, and her grandmother in the holocaust at the Fairgrounds Coliseum and she herself suffered burns over 70 percent of her body.

Twenty-four days on the critical list in a hospital ended with the fear that the uncomplaining girl would undoubtedly be a cripple for life. Indeed, at the time she started therapy at the Crossroads Rehabilitation Center, this young lady could not even sit up.

She is a fifth grader today, back in school and studying, among other things, ballet. She walks with a barely perceptible limp. She has undergone surgery several times and more is in the offing.

Last week, for many understandable reasons, this girl was named Easter seal child of the National Society for Crippled Children and Adults.

She will visit President Lyndon B. Johnson in the White House during the spring as part of her official duties with the society.

Indianapolis will never forget that tragic Halloween night at the coliseum when so many useful lives were snuffed out with an instant of blast and flame.

Barbara Staten will be one of our many reminders of that dreadful night. But she must know that the people of Indianapolis and the State as well are rightly proud of her for her magnificent courage and undaunted determination to get well so that she may live a useful life.

It is more rewarding yet that, in Barbara's words, she wants "to help people in pain and trouble." She has known enough of both to have a unique understanding.

A LAWYER REBUKES THE COURT

Mr. BYRD of Virginia. Mr. President, Lewis F. Powell, Jr., of Richmond, Va., is one of the finest lawyers I know. He is highly regarded throughout the legal profession. He is now president of the American Bar Association.

He recently addressed the New York Bar Association; and the Richmond, Va., Times Dispatch, in its edition of February 10, 1965, editorialized on that address. The editorial was entitled "A Lawyer Rebukes the Court."

I think it would be profitable for the greatest possible number of people in the United States to read that editorial. For this reason, I ask that the editorial be made a part of these remarks in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A LAWYER REBUKES THE COURT

Lewis F. Powell, Jr., of Richmond, president of the American Bar Association, issued a warning recently that some Supreme Court decisions in criminal cases have tipped the scales of justice too far in favor of the criminal—at the expense of public safety.

His criticism came in the course of a speech addressed to the annual meeting of the New York State Bar Association.

"In a country which is said to stand on the threshold of the Great Society (he said), it is incongruous that in some urban areas law-abiding citizens are unsafe in their homes, and denied the privilege of using the public streets and parks for fear of their personal safety.

"Crimes of violence continue to increase. The single most shocking statistic, documented in FBI reports, is that since 1958 crime has been increasing five times faster than the population growth."

The primary responsibility of government, he went on, is its duty to protect citizens in their persons and property from criminal conduct.

Mr. Powell cautioned that it would be "unproductive and destructive" to criticize the Court itself for seeking to protect the constitutional rights of accused persons against allegedly unlawful acts of law enforcement officers, but, he added:

"The right of society in general, and of each individual in particular, to be protected from crime must never be subordinated to other rights."

The pendulum, he said, may have swung too far in affording rights—which are abused and misused by criminals.

Mr. Powell is to be commended for articulating what the American people as a whole have surmised during the postwar years. Some have attributed the alarming increase in crime to the "moral let-down" which usually occurs in the wake of wars; some put the blame on the influence of violence shown predominating on television programs watched by children and adolescents; but whatever the other contributing causes, excessive leniency percolating downward from the very peak of the judiciary pyramid is certain to be a major cause.

"There are valid reasons," Mr. Powell told his professional audience, "for criminals to think that crime does pay, and that slow and fumbling justice can be evaded."

We agree. The High Court might do well to ponder the late Robert Frost's words of wisdom.

"The opposite of mercy," he said "is justice."

Mercy should temper judicial decisions whenever there is evidence of mitigating circumstances. But in their absence, leniency becomes injustice to society as a whole, which looks to the law enforcement agencies and the courts for protection against criminal aggression.

WORLD DAY OF PRAYER BEING OBSERVED IN CAPITOL ON MARCH 5

Mr. YARBOROUGH. Mr. President, I call to the attention of the Senate a special meditation service that will be held in the Capitol on Friday, March 5, as part of the observance of the World Day of Prayer.

The service will be held in room S-120 of the Capitol, from 11 a.m. to 2 p.m. Although there will be no organized worship at this interdenominational service, Members of Congress and their staffs are invited to come by, any time, for as long as they wish, for prayer and meditation.

This service is sponsored by the United Church Women of the Capitol area, and will be one of a number of such prayer services held in the Washington area and around the world. The Chaplains of both the Senate and the House are cooperating in this service, and both will give brief meditations on Friday. Dr. Harris will speak at 12:15; and Dr. Braskamp, the Chaplain of the House, will speak at 1:15. The chairman of the planning for the Hill service is Mrs. George R. Davis, the wife of the pastor of the National City Christian Church.

GUADALUPE MOUNTAINS NATIONAL PARK ENDORSED BY CHAMBER OF COMMERCE

Mr. YARBOROUGH. Mr. President, the beautiful Guadalupe Mountains of Texas are needed as an addition to the national park system. These beautiful wooded mountains, rising from the hot West Texas plains, are a unique biological and geological area worthy of national park status.

My bill, S. 295, to create the Guadalupe Mountains National Park follows the recommendations of the National Park Advisory Board and the Interior Department, and is widely supported by Texans. Conservation groups and chambers of commerce are joined in unanimous support for the Guadalupe Mountains National Park. As an illustration of the enthusiasm of Texans for this proposal, I ask unanimous consent to have printed at this point in the Record a resolution adopted on January 29 of this year by the West Texas Chamber of Commerce.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the West Texas Chamber of Commerce

Whereas the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, following its deliberations at its 49th meeting, recommended to the Secretary of the Interior that national park status would provide the most effective means of preserving and interpreting the unique values of the area, known as the Guadalupe Mountains, as a national park; and

Whereas Gov. John B. Connally, of the State of Texas, has assured the Department of Interior that Texas concurs in plans for a national rather than a State park at Guadalupe, explaining that Texas is not in a position to undertake the development of a park at Guadalupe but said he felt that the interests of the people of Texas as well as the rest of the Nation would be served by prompt action on the measure to create Guadalupe Mountains National Park: Now, therefore, be it

Resolved, That the board of directors of the West Texas Chamber of Commerce, in quarterly meeting on January 29, 1965, endorse and support S. 295 and H.R. 698.

Attest:

Jack G. Springer,
Executive Vice President.
Beeman Fisher,
President.

ARMY TIMES REPORTS NEW CONSIDERATION BEING GIVEN GI BILL

Mr. YARBOROUGH. Mr. President, last year the cold war GI bill languished on the Senate Calendar for almost a year and one-half, after being favorably reported from the full Committee on Labor and Public Welfare. In 1959, when this bill was considered by the Senate, it passed by a vote of 57 to 31, only to die in the House, without being considered.

It seems apparent that this bill has the necessary support to be enacted, and has always had, if consideration is only given to its merits.

In a recent article in the March 3, 1965, Army Times, it is stated that new consideration is being given to this bill by the administration. The previous objection of cost is shortsighted, inasmuch as the bill pays for itself. The objection of luring men out of service is unproven by the Department of Defense. In short, it is hoped that renewed consideration of this bill will be given by its opposition, so that they will discover its merits.

I ask unanimous consent that the article from the Army Times be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

White House Gives GI Bill New Study

Washington.—White House staffers are making another review of peacetime GI bill legislation as a result of current hostilities in southeast Asia, House Veterans' Affairs Committee officials disclosed last week.

The administration had considered the peacetime GI bill one of its recommendations for the Great Society but so far—apparently because of cost—has not committed itself in terms of proposed legislation. The administration has turned down every congressional attempt in the past to pass peacetime GI bill legislation.

House Veterans' Committee officials say they have no idea whether the White House review will be completed in time to affect the current round of legislation hearings before the Senate Veterans' Affairs Subcommittee.

Both the Department of Defense and the Veterans' Administration are on tap for appearances before the Senate subcommittee, probably February 26. The legislation under study would extend readjustment benefits (education, home, and farm loans assistance) to all veterans who have entered the military service since January 31, 1955—cutoff date for Korea GI bill entitlement.

The administration review is possibly covering all alternatives, including a proposal to limit readjustment benefits to those who serve in areas of the world in which armed conflict or other conditions exist.

In opening hearings, early in February, subcommittee chairman Senator Ralph Yarborough, Democrat, of Texas, noted that this was the sixth straight year in which cold war GI bill legislation has been before his subcommittee. He pledged "new vigors" in striving to enactment of the legislation.

Opening hearings drew favorable comment from 5 of the 41 Senate cosponsors of the GI bill measure. Hearings were scheduled to resume this week with testimony from the Fleet Reserve Association, National Farmers Union, the AFL-CIO, major veterans groups, and educational associations.

The subcommittee plans to wind up hearings shortly after the administration testimony. DOD, in past testimony, had opposed peacetime GI bill legislation on the grounds that it encourages young men to leave military service in order to take advantage of benefits.

Regardless of the administration's position, the veterans subcommittee hopes to send a measure to the Senate floor by April. Speedy House action is likely in the event the legislation is approved by the full Senate.

Representative Olin Teague, Democrat, of Texas, chairman of the House Veterans' Affairs Committee, stated recently that the GI bill issue was one of the three most important veterans measures before Congress. He said the other two proposals were an increase in veterans disability compensation rates and the establishment of a Federal court of review for veterans benefit claims.

HARRIS SURVEY SHOWS MEDICAL CARE FOR THE AGED TO BE MOST SERIOUS PROBLEM FACING THE AMERICAN PEOPLE

Mr. YARBOROUGH. Mr. President, the Harris survey appearing in today's Washington Post presents impressive evidence in support of a prepaid program of hospital insurance for the elderly. The poll reported the following findings:

Thirty-two percent of all families have an older member in need of special medical attention.

Fifty-two percent of these families with older members report that the lack of money is a real problem in getting the medical care for the older person.

In 45 percent of these families the older person puts off going to the doctor when he should, and in 65 percent of these cases the reason is that the older person cannot afford to go.

More Americans mentioned medical care for the aged than any other single topic, when asked what they believe are the most serious problems facing them; it is the Nation's No. 1 domestic issue.

I ask unanimous consent that the Harris survey appearing in the Washington Post of March 1, 1965, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Mar. 1, 1965]

Financing of Care for the Aged Affects 32 Percent of U.S. Families

(By Louis Harris)

It is not mere chance that the American public rates the problem of medical care for the aged as the Nation's No. 1 domestic issue. Although only 1 person in 10 is 65 years of age or older, 32 percent of all families have an older member in need of special medical attention.

And more than half—52 percent—of these families with older members report that the lack of money is a real problem in obtaining proper treatment and medicines.

This problem of medical care for the aged affects all sections of the country, all income groups, and small towns and big cities alike.

The following table breaks down the number of families in the population who said there is some older person in their family requiring special medical attention:

Older person in family requiring medical attention

	Total percent
Total U.S. families	32
By region:	
East	32
Midwest	30
South	37
West	27
By size of place:	
Cities	33
Suburbs	33
Towns	31
Rural	31
By family income:	
Under $5,000	34
$5,000 to $9,000	38
$10,000 and over	34

The results of a special survey of a cross-section of families with older members shows that no more than half of these older people are still living with their husbands or wives. The other half either live alone or with their children.

This condition has led to a feeling of loneliness that is reported as a major problem in society today (17 percent of all Americans say loneliness is a problem for someone "close to me"). Further, living with children has unquestionably heightened the financial problems for both older people and their children.

Perhaps the most poignant result of the entire survey is that 45 percent of the families with older members report that these senior citizens often put off going to a doctor. A 54-year-old woman on Chicago's South Side lives with her father. She told us "he just sits there over in the corner suffering all the time. He don't have the money to pay the doctor. He never had a chance to save any money for that."

A 38-year-old executive in Atchison, Kans., said of his mother and father, "They seem afraid to go lots of the time. My father's afraid they will make an invalid out of him and he's too prideful for that. My mother has always watched their money, and hates to ask us for help." A 68-year-old retired filling station operator in Baltimore admitted he didn't see a doctor when he should because "I'm scared to go. I want to be active and he may make me cut down on what I do. He may put me in a home or something like that."

A 74-year-old grandmother of 23 in Keyport, N.J., said, "I'm hard of hearing and nod off some, too. If I go to the doctor too much, I'll be too big a burden of expense on my children. They might say my mind is gone and put me in an institution. So I do without the medicine."

When all of the reasons for older people putting off visits to a doctor are added up, however, one dominates all others—lack of money:

Reasons older people put off seeing a doctor

	Put off visits (percent)
Can't afford (especially on social security)	65
Afraid of what doctor will say	11
Stubborn, thinks self-care better	7
Won't go for ordinary illness	4
Hospital service poor	3
Just neglect	2
Hates charity	1
Not sure	7

Group by group through the population, the number who put off seeing a doctor parallel the number who report that lack of money is a major deterrent to obtaining proper medical care for the aged members of the family.

The cross section of families with an immediate member in need of special medical care was asked:

"Do you feel that lack of money is a real problem or not in getting the medical care for the older person(s) in your family?" and "Do you feel that an older member(s) of your family goes to the doctor when he should or are there often times when he puts off going?"

Financial problems and medical care

[In percent]

	Lack of money	Puts off visits to doctor
Total families with ill older person	52	45
By family income:		
Under $5,000	64	51
$5,000 to $9,999	48	44
$10,000 and over	39	38

The relationship between lack of money and failure to see a physician when needed is abundantly clear. Obviously, families with lower incomes feel the pinch of medical costs more acutely. But it is significant that even families with incomes of $10,000 and over report that nearly 4 in every 10 sick older people put off going ot the doctor, and an equal number say that lack of money affects the kind of medical care received.

The raging controversy over medical care for older persons, however, is not so much whether or not the need exists, but rather how the money needed should best be obtained. The survey inquired as to how medical care is paid for now:

"Is the medical care paid for mostly by the individual or by other members of the family, or by insurance?"

Who pays for medical care for aged?

[In percent]

	Older person pays	Family pays	Insurance pays
Total ill older people	62	17	21
Live alone	63	22	15
Live with spouse	68	7	25
Live with son or daughter	49	33	18

Clearly the bulk of medical costs today falls on the private means of older people and their families. Since over 60 percent of older people are on their own, and most of them admit that a lack of money keeps them from obtaining proper medical care, the drive for some form of national health insurance program is understandable.

This drive is illustrated by the fact that more Americans mentioned medical care for the aged than any other single topic when asked what they believe are the most serious problems facing them. More than one in four Americans volunteered this topic, slightly more than mentioned governmental taxes and spending.

What the public thinks the Government should be doing about medical care is the subject of next week's Harris survey.

APPALACHIAN VOLUNTEERS

Mr. COOPER. Mr. President, in recent months, the Nation has seen many public and private organizations respond to different community needs which exist today in different sections of our country. One of the hardest working of these groups, and one which has worked in Kentucky without seeking to publicize its own efforts, is known as the Appalachian Volunteers. The volunteers—largely made up of young men and young women attending college—exemplify the growing number of American students who want to help others to help themselves by contributing something on their own toward the improvement of living, working, and study conditions in areas near their schools and homes. This program, which is at work in Kentucky, has received recognition within my State and beyond, and I ask unanimous consent that an article entitled, "Kentuckians to the Rescue," which appeared in the Christian Science Monitor of January 27, 1965, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Jan. 27, 1965]

KENTUCKIANS TO THE RESCUE: APPALACHIAN VOLUNTEERS, MAINLY COLLEGIANS, GIVE AN IMPORTANT LIFT TO EASTERN KENTUCKY BY AIDING STUDENTS AND REBUILDING SMALL SCHOOLS

(By John Ed Pearce)

LOUISVILLE, KY.—Of the fledgling battalions that wage President Johnson's war on poverty, probably none has accomplished more or cost less than an unsung organization known as the Appalachian Volunteers. This is a loosely organized outfit with headquarters in Berea, Ky., and composed mainly of collegians who spend weekends in the mountain counties of eastern Kentucky, rebuilding the area's rundown, one-room schools and offering help to the students who attend.

While the idea for the volunteers apparently originated with Richard Boone of the White House special projects staff, it has grown to its present proportions on the basis of trial, error, and youthful energy.

During the first week of November 1963, Mr. Boone asked Milton Ogle, of the Council of the Southern Mountains in Berea if it would be possible to get Kentucky college students to spend their Saturdays as a sort of domestic Peace Corps in the impoverished coal counties of eastern Kentucky. If a few dozen collegians could be recruited, Mr. Boone suggested, their experience might offer valuable guidelines for the war-on-poverty program when and if it was enacted into law.

UNEXPECTED RESPONSE

The response to Mr. Ogle's request was totally unexpected. Hundreds of students from 13 different colleges volunteered during the first month. By Christmastime they were swarming through the hills on weekends, limited in their efforts only by lack of money, materials, and coordination.

The White House arranged for a $50,000 grant from the Area Redevelopment Administration to pay for full-time directors. Private industry donated quantities of wallboard, lumber, paint, and nails. Communities in which the needy schools were located agreed to furnish transportation, tools, and professional help such as carpenters or plumbers. The Applachian Volunteers project was underway.

The schools toward which their efforts were directed are not a source of Kentucky pride. After half a century of school consolidation, Kentucky still has more than 950 one- and two-room schools situated at the heads of creeks and hollows in counties too poor to afford either modern consolidated schools or the all-weather roads that would make them available to the children in remote areas.

These schools are bleakly primitive. Flimsy frame structures, some almost a century old, they lack running water or toilets, are usually heated by a single potbellied stove and are nearly always inadequately lighted.

SEVEN GRADES COMBINED

A single teacher, besides supervising the 25 to 40 students at study and play and preparing and feeding them lunch, attempts to teach all of the seven grades housed in the single room.

There is little time for nonsense, or even for personal attention. As the members of one grade recite, they sit up front while those in the rear study and await their turn. The older students are expected to help. The older boys keep the fire going in the stove and clean the blackboard and erasers. The older girls help the teacher prepare and serve the noonday lunch, much of which consists of Government-supplied surplus foods. They are given to the schools with the stipulation that they offer free lunches to those students who cannot pay the price, usually from 15 to 25 cents. The students use crude outdoor "privies." Only 10 percent of the schools boast a playground with real playground equipment.

Against such a backlog of need, the volunteers were not expected to make more than token inroads. Yet in their first winter of operation they winterized 44 school buildings, installing interior walls and ceilings of wallboarding, and new floors and blackboards when materials were available. They installed equipment on 40 playgrounds and painted the winterized schools plus 10 more on which only minor repairs were made.

In addition, the students, many of whom are training to be teachers, have offered "enrichment programs" to students of more than 50 of the remote schools.

Sometimes these programs consist of nothing more than group singing. The programs may also include films, slides showing foreign lands, a storytelling session, an afternoon of learning games or instruction in handicrafts or language, an exhibit of paintings, or map studies. Many of these schools lack maps, charts, paintings, and even the semblance of a library, as well as the more modern teaching aids.

INCENTIVE PROVIDED

Recently the volunteers have been bringing students from these head-of-the-hollow schools down to Berea College to show them what college life is like, hoping to give them an incentive to continue studying. Other groups have been taken to the State capitol at Frankfort, where they enjoyed guided tours and were entertained by Gov. Edward Breathitt.

Volunteer students labored against more than bad roads, freezing weather, and lack of money. At first they were viewed with suspicion by the mountain residents. After several months, suspicion disappeared. Parents in increasing numbers brought their children to the voluntary Saturday enrichment sessions. Mothers of children in the schools that were being winterized invited a score of volunteers for lunch.

PARENTS SEEK KNOWLEDGE

Often the students brought their guitars. Lunch periods became spontaneous hootenannies which nearby residents joined or watched appreciatively. Two girls who spent time teaching culturally disadvantaged children in Clay County reported that illiterate parents begged to be taught to read and write so that they could help their children.

During last summer the volunteers were put on a somewhat more orderly basis, with a full-time president and an organized chapter on each college campus in the mountain region. In addition to the winterizing, playground, and enrichment programs, they undertook to build shelves and install minimum libraries in as many schools as possible.

But this time they could not turn to the now penniless Area Redevelopment Administration for money. Private business firms were reluctant to provide building materials free of charge a second time. While member colleges offered to build the library shelves, no funds were forthcoming to fill them with books. Nevertheless, with the start of the college year, the volunteers again went into action, and in greater numbers than ever.

This virtue, true to romantic tradition, was rewarded. A national educational organization sent an initial 33,000 books, with a promise of more to come. The Office of Economic Opportunity, finally getting its war on poverty underway, announced that one of the first grants of money would go to the Appalachian volunteers. Said Jack Rivel, the volunteers' president, "I don't know whether we'll know how to act with enough money to work with."

Mr. COOPER. Mr. President, in connection with the work being done by private organizations such as the Appalachian Volunteers, I think it is also useful to call attention to the drive to collect 1 million books for Appalachian schools, announced last week, and being coordinated by the Office of Economic Opportunity. This book drive will benefit school children in the rural areas in Kentucky and other Appalachian States, and parent-teacher associations all over the country have volunteered their efforts to gather books for distribution by the volunteers. This project is being made possible by the cooperation and work of the nationwide offices of the Railway Express Agency and of the Louisville & Nashville Railroad, which will collect the books in Louisville for shipment to communities in the mountain regions. I think this kind of activity follows an old and well-established American tradition of voluntary cooperation, and I ask unanimous consent that an article which appeared in the February 25, 1965, edition of the Louisville Courier-Journal and an article from the New York Times of the same date be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Louisville (Ky.) Courier-Journal, Feb. 25, 1965]

PTA LAUNCHES CAMPAIGN: MILLION BOOKS SOUGHT FOR APPALACHIAN YOUTH

(By Ivan Swift)

WASHINGTON.—The war on poverty attacked a new front yesterday with a drive to collect a million books to set up school libraries in rural eastern Kentucky and other Appalachian areas.

Sargent Shriver, director of the Office of Economic Opportunity, said the first libraries would go to Kentucky schools and the program would be expanded to other Appalachian areas after it gets geared up.

The project is a combined Federal-private effort.

It is set up this way:

Parent-teacher associations all over the country will collect books and build special cases to hold them.

Railway Express agencies will ship them to Louisville at a special low rate.

The Louisville & Nashville Railroad will collect them in Louisville and ship them to Barbourville.

From Barbourville, the Appalachian Volunteers, a college student organization, will distribute them to hundreds of rural schools, starting in Eastern Kentucky counties.

Shriver explained the system at a press conference here. With him was Mrs. Jeannelle Moorhead, national president of PTA; William B. Johnson, president of Railway Express Agency, Inc.; and Milton Ogle, director of the Appalachian Volunteers, headquartered in Berea.

Shriver gave Mrs. Moorhead credit for initiating the program, saying she wrote him a letter asking how PTA's could help. Shriver recalled a similar book effort used by the Peace Corps to stock libraries in foreign countries, and it progressed from there.

Mrs. Moorhead said each of the 47,000 PTA's in the organization has been sent a brochure with two lists of books selected by librarians who are experienced in working with culturally deprived children.

The first lists the 100 most wanted books. The second list has 300 books that would also serve well, and the PTA's will also try to collect reference materials such as encyclopedias and atlases.

The 100 most wanted books list included picture books, histories and biographies, fiction such as "Little Women," "The Adventures of Tom Sawyer," Bible stories, science books, and fairy tales.

The supplementary list includes many other children's classics and such volumes as "Profiles in Courage," by John F. Kennedy, "First Book of the United Nations," by Edna Epstein and "The American Revolution," by Bruce Bliven.

Mrs. Moorhead said PTA's would accept money for purchasing books but preferred actual donations of books rather than cash.

She said many individuals want to help alleviate poverty in Appalachia but have not had a direct way to go about it.

Donating books lets the "private citizen exercise his good impulses," she said.

After the PTA's collect the books, special wooden crates about 2 feet long, a foot high, and 10 inches wide will be obtained from school shop classes, the PTA expects. The crates might serve as bookcases.

From March 15 through June 15, the boxes full of books will be shipped from anywhere in the country to Louisville for $1.95 a box. (Normal commercial rate would be about $5.50 a box.) The L. & N. will haul them free in carload lots to Barbourville.

Shriver set April 1 as the date for the first case of books to be delivered.

Ogle said among the first counties to get the books will be Knox, Leslie, Jackson, Floyd, Wolfe and Rockcastle. They will go into a total of 44 Kentucky counties, and then the program will be expanded to other Appalachian areas.

[From the New York Times, Feb. 25, 1965]

A MILLION BOOKS ASKED FOR NEEDY—PTA'S WILL GATHER THEM FOR APPALACHIA CHILDREN

(By Marjorie Hunter)

WASHINGTON, February 24.—Sargent Shriver appealed to Americans today to donate a million books for use of schoolchildren in rural areas of Appalachia.

The book collection will be part of the Nation's antipoverty campaign being carried out by the Office of Economic Opportunity, which Mr. Shriver directs.

The books will be collected and boxed by parent-teacher associations throughout the Nation and shipped to Kentucky at a cut rate by the REA Express (formerly Railway Express.) They will then be distributed to schools by the Appalachian Volunteers, a group of about 1,200 students from 20 Kentucky colleges and the University of Kentucky.

At first the program will focus on about 800 isolated schools in eastern Kentucky. Later, it is expected to be expanded throughout other areas of the 11-State Appalachia region.

The books will be shipped in boxes, constructed to special specifications so they can serve as bookcases when they reach the schools.

TITLES ARE LISTED

Librarians in the Appalachia region have compiled a list of the "most wanted books." Donations may also be made from a supplemental list containing about 300 titles.

The "100 most wanted books" are:

"Bible Stories," Jones: "Communication: From Cave Writing to Television," Batchelor; "Police," Colby; "America Travels," Dalgliesh; "All About Us," Evans; "The First Book of Negroes," Hughes.

"Manners To Grow on," Lee; "Riding the Rails," Olds; "Adventures of a Letter," Schloat; "First Book of Conservation," Smith; "Holiday Round Up," Cavanah and Pannell; "Holiday Storybook," edited by Child Study Association of America; "The Thanksgiving Story," Dalgliesh; "Customs and Holidays Around the World," Dobler.

"Christmas Everywhere," Sechrist; "Fairy Tales," Andersen; "Stories of Gods and Heroes," Benson; "Blue Fairy Book," Lang; "King Arthur," MacLeod; "Some Merry Adventures of Robin Hood," Pyle; "All About Dinosaurs," Andrews; "Rocks and Their Stories," Fenton; "The Story of Atomic Energy," Fermi.

"Fun With Science," Freeman; "Parade of the Animal Kingdom," Hegner; "Everyday Weather and How It Works," Schneider; "Trees: A Guide to Familiar American Trees," Zim and Martin; "Stars," Zim and Baker; "Flowers: A Guide to Familiar American Wildflowers," Zim and Martin; "Pets: A Complete Handbook," Chrystie.

"All About Radio and Television," Gould: "The True Book of Airports and Airplanes," Lewellen; "Everyday Machines and How They Work," Schneider; "America Sings: Stories and Songs of Our Country's Growing," Carmer; "Famous Painting: An Introduction to Art for Young People," Chase.

"The First Book of Music," Norman; "Ring-a-Round," Harrington; "When We Were Very Young," Milne; "A Child's Garden of Verses," Stevenson; "Picture Book of Kentucky," Bailey; "The Apache Indians," Bleeker; "First Book of Eskimos," Brewster; "America Is My Country," Brown and Bailey.

"The Big Book of Cowboys," Fletcher; "Medieval Days and Ways," Hartman; "Golden Book of Indian Crafts and Lore," Hunt; "Buffalo Bill," Aulaire; "Famous Explorers for Young People," Coffman and Goodman; "That Lively Man, Ben Franklin," Eaton; "Abraham Lincoln," Foster; "George Washington," Judson.

"On Indian Trails With Daniel Boone," Meadowcroft; "All About Famous Inventors and Their Inventions," Pratt; "They Showed the Day: 40 American Negro Leaders," Rollings; "Kit Carson: Boy Trapper," Stevenson; "Little Women," Alcott; "Mr. Popper's Penguins," Atwater; "The Hundred Dresses," Estes.

"The Moffats," Estes; "Who in the Willows," Grahame; "Little Eddie," Haywood; "King of the Wind," Henry; "Tree in the Trail," Holling; "Just So Stories," Kipling; "Rabbit Hill," Lawson; "Homer Price," McCloskey; "Miss Pickerell Goes to Mars," MacGregor; "Winnie-the-Pooh," Milne; "Bambi: A Life in the Woods," Salten.

"Good Master," Seredy; "Call It Courage," Sperry; "The Beatinest Boy," Stuart; "All-of-a-Kind Family," Taylor; "Mary Poppins," Travers; "The Adventures of Tom Sawyer," Twain; "Charlotte's Webb," White; "Little House in the Big Woods," Wilder; "Blaze Finds the Trail," Anderson; "Ola," Aulaire.

"Two Is a Team," Beim; "Madeline," Bemelmans; "Pelle's New Suit," Beskow; "Five Chinese Brothers," Bishop; "Johnny Crow's Garden," Brooke; "Stone Soup," Brown; "Andy and the Lion," Daughter; "The Story About Ping," Flacky; "The Country Bunny and the Little Gold Shoes," Flack and Hayward.

"Millions of Cats," Gag: "Little Toot," Gramatky; "Make Way for Ducklings," McCloskey; "A Tale of Peter Rabbit," Potter; "Tall Book of Mother Goose," illustrated by Rojankovsky; "500 Hats of Bartholomew Cubbins," Seuss; "The Biggest Bear," Ward.

"Children and Books," Arbuthnot; "The Arbuthnot Anthology of Children's Literature," Arbuthnot; "Reading With Children," Easton; "Favorite Stories Old and New," Gruenberg; and "My American Heritage," Henry and Panel.

TRIBUTE TO SENATOR RANDOLPH

Mr. MANSFIELD. Mr. President, all of us who have worked with the distinguished Senator from West Virginia, Mr. Jennings Randolph, know him as an exceptionally well informed and understanding and helpful colleague. With his unassuming and modest manner he has served the people of West Virginia and the Nation in an outstanding fashion, ever since he first came to Washington in 1932 as a Congressman.

Throughout these years he has been in the vanguard of the effort to deal with a wide range of regional and national needs. And out of his warm heart has come a special concern for the afflicted and the neglected in American life. His pioneer work on the employment of the blind is an outstanding example of this concern. His leadership in connection with the Appalachian bill and the Economic Opportunities Act was an indispensable factor in moving these measures through the Senate. A glance at the list of his committee assignments which include Public Works, Labor and Public Welfare, Post Office and Civil Service, Small Business and Aging—clearly underlines how his great concern for people has manifested itself in a practical way.

Recognition of his outstanding service in the Senate has always had a bipartisan flavor. Republicans and Democrats alike have paid tribute to Jennings Randolph as an effective legislator. He is in the front rank of those who defend the rights of all Americans and seek to achieve for all an equitable opportunity.

An article which appeared in the Wheeling, W. Va., newspaper, the Intelligencer, of February 23, 1965, sets forth with great accuracy and understanding the contributions which Jennings Randolph has made and will continue to make to the welfare of people of his State and the Nation. I ask unanimous consent that this article be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wheeling (W. Va.) Intelligencer, Feb. 23, 1965]

Senator Randolph Epitomizes Spirit of West Virginia: Tempers High Idealism With Hard Practicality

(By Carl W. McCardle)

Washington.—An excerpt from a quotation that is framed on one of the walls of the office suite of U.S. Senator Jennings Randolph, Democrat, of West Virginia, proclaims that "the only view that a hillman knows is to climb way up and look down."

That pretty well sums up the congressional career of this happy, hearty, and tireless booster for West Virginia since he was first elected to the House of Representatives in 1932 when he was 30 years old.

Senator Randolph has long been identified with projects to assist the less privileged and the handicapped.

But he tempers this high idealism in the welfare field with a hard practicality.

"West Virginia is in the process of an unprecedented building and rebuilding program," he tells you.

"I'm not impressed by the word 'image' when we speak of our State.

"West Virginians are a hardy people.

"They are not interested in handouts.

"They want to participate in a partnership with the Federal Government which helps them to help themselves."

As an example, he cites the new city hall and community building at Philippi where he recently delivered the dedication address.

The cost of this enterprise was about $375,000, the Senator says.

And to raise the money in cooperation with the Federal Government, he explains the citizens of Philippi bonded themselves for approximately $177,000.

Currently Senator Randolph is being hailed on a nonpartisan basis for his leadership in the Senate of the $1 billion plus Appalachia legislation, which will bring substantial benefits to West Virginia on a matching basis.

Republican John Sherman Cooper, of Kentucky, who championed the Appalachia measure in the Senate for his party, had already said of him: "Senator Jennings Randolph is an able and effective Senator for West Virginia and for our country." Senator Cooper extolled Senator Randolph's "qualities of heart and mind, his integrity and character."

After the big Appalachia bill passed the Senate, Vice President Hubert Humphrey scribbled out a note of high praise and sent it down by a page boy to Senator Randolph, at his desk on the Senate floor.

The handwritten memorandum from the Vice President read as follows:

"U.S. Senate,
"February 1965.

"MEMORANDUM

"Jennings: My congratulations. You have done a masterful job. Proud of you. Appalachia owes you a debt of gratitude.

"Hubert H."

Senator Randolph is a good conversationalist, recounting anecdotes with a sure eye for human interest.

There is the story about the four-poster canopied bed that a Charleston man who owns it can now brag about accurately that it was where the President of the United States once slept.

That this is so was due to Senator Randolph.

The Charleston man had been working in Washington back in the thirties. He was transferred, so he and his wife asked their friend, Randolph, then a Congressman, if he could find someone who wanted to rent their furnished apartment.

Randolph told him that he had a fine prospect, a splendid couple from Texas, the husband being a new Member of Congress.

His name, of course was Lyndon B. Johnson.

Not long ago it was all written up in a newspaper, together with a picture of the now celebrated L.B.J.-once-slept-here four poster.

Senator Randolph thought Mrs. Johnson might like to read it and saw to it that she got it at the White House.

Mrs. Johnson wrote to him:

"Dear Senator: What a delight. The clipping you left for me last night stirred many nostalgic memories of our very first days in Washington—and will have a special spot in my scrapbook.

"Thanks so much."

It was signed "Lady Bird Johnson."

Some weeks ago Paul B. Martin, editor of the Martinsburg (W. Va.) Journal, raised all sorts of havoc for a few hours by relaying a rumor that Franklin D. Roosevelt, Jr., might run for the U.S. Senate from West Virginia.

Young Roosevelt is a citizen of New York who now lives in Washington where he is Under Secretary of Commerce.

Editor Martin speculated upon the idea that Senator RANDOLPH might not be a candidate for reelection to the Senate this year, because of an eye operation that the Senator had undergone some months ago.

The rumor was quickly knocked down, with RANDOLPH stoutly declaring that he would indeed be a candidate for reelection and F.D.R., Jr., declaring that he certainly would not oppose his friend, Senator RANDOLPH, with whom he has worked on the Appalachia program.

So Senator RANDOLPH, with a smile that comes easily to him tells you that he is accompanying young Roosevelt to Martinsburg next month.

There Roosevelt will speak at a banquet meeting and RANDOLPH will introduce him.

The Senator didn't say so, but it can be assumed that he would be pleased to have Editor Martin "cover" the event.

In April, the Senator is coming to Wheeling to make a speech to Ohio County schoolteachers, and he has other plans for visits in this city.

Senator RANDOLPH emphasized that his health is fine and his energetic manner and appearance seem to bear that out.

He is now occupied with the administration education bill, and is taking a lively interest in the antipoverty actions of the administration, particularly those helping West Virginians.

But he probably takes more pleasure out of legislation he sponsored in Congress almost 30 years ago which has provided jobs and a livelihood for 2,425 blind people.

Once hopelessly handicapped, these sightless persons, as a result of the RANDOLPH legislation, have been trained to operate news, candy and tobacco vending stands. It is a business that grosses, he estimates, $50 million annually.

He has many trophies in his office, testifying to his work in the House and Senate, but the trophy he is proudest of is one from an association for help to the blind.

Senator RANDOLPH, whose hometown is Elkins, W. Va., is a friendly, polite man.

So it is natural that he is one of a comparatively small number of U.S. Senators who list their telephone numbers in the Washington telephone books.

The majority have unlisted numbers.

The Senator could point out that even the White House number is listed in the telephone book.

He is married to the former Mary Katherine Babb. They have two grown sons.

AUTOMOBILES FOR PARAPLEGICS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD at this point a newspaper article which appeared in the Washington, D.C., Evening Star on February 14. The report deals with the loss of a leg by an American soldier as a result of the recent sneak night attack on the U.S. enlisted man's hotel at Qui Nhon, Vietnam. I also request permission to insert a letter which I received on November 12, 1964, from Capt. Donald S. Cunningham, AUS, retired, of Vienna, W. Va., regarding the need for specially equipped automobiles for paraplegic veterans of military service during the cold war.

Believing that cases such as these are fully deserving of the special assistance necessary through grants toward the purchase of an automobile, I introduced S. 1199 on February 18 to liberalize the provisions of title 38, United States Code, to permit action by the Administrator of Veterans' Affairs to make the necessary grants to service-connected paraplegic veterans of the cold war. The grants, not to exceed $1,600, are to be handled on the same basis that such grants were made available to seriously disabled veterans of World War II and the Korean conflict.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Feb. 14, 1965]

LEG AMPUTATED TO RESCUE GI BURIED IN WRECKAGE OF HOTEL

QUI NHON, VIETNAM.—Sweating and crying, American rescue workers pulled two American soldiers alive today from the rubble of a U.S. enlisted man's hotel destroyed by Vietcong terrorists.

One of the young American survivors was dragged out of a tunnel dug through the debris after a Korean doctor amputated his leg to free him.

The doctor, a member of a Korean medical team stationed at Qui Nhon, crawled into the tunnel smashed into the rocks by U.S. Army Engineers and rescue workers.

Faint cries from the trapped man were heard at 2:30 a.m., about 6 hours after Vietcong bombs crumpled the 4-story concrete building. The soldier was in the rubble for 18 hours before he was pulled out.

By late Thursday, the toll from the blast was:

One American killed in the hotel when a bomb went off in the hotel bar. Another died later in the hospital. Sixteen Americans were wounded but survived and got out. Four escaped injury, and got out. Twenty-two others, including two believed to be still alive, were buried under the mountain of debris.

The blast also buried 12 Vietnamese house servants working in the hotel. The mangled leg of one could be seen protruding from the rubble.

FAMILY OF SEVEN KILLED

A family of seven Vietnamese living in a nearby house also died.

All the Americans in the hotel were Army enlisted men with the 140th Maintenance Detachment, except for the American killed in the bar. He was a Special Forces man.

Soon after the first cries for help, the cries of three other men in the rubble were heard. One of them was pulled out, leaving two others trapped late Thursday.

One of the heroes of the bloody night killed two of the Vietcong attackers and survived himself.

Sp5c. Robert K. Marshall was on the second floor of the building when the attack began. Vietcong squads poured machinegun fire into the building.

FIRES BACK WITH RIFLE

Marshall rushed onto the balcony of the building with his carbine and emptied his magazine at two terrorists firing from a street across the way. After killing both, he rushed back into his room for more ammunition, but the explosion went off at that moment. Marshall was evacuated to Saigon.

Marshall saved himself by diving under his bed when the building collapsed.

The Vietcong bomb squad hit the building from three sides. A 40-pound explosive charge in a suitcase was found later in a store across the street.

Capt. Charles A. Brassart, 32, of Pittsburgh, Pa., saw the hotel go down.

"I was standing in front of the district railway office talking to an officer about 20 yards from the hotel," he said. "From where I was standing I could see only the third and fourth floors of the hotel. I heard shooting and saw men firing from both directions from the balcony of the hotel.

"At the same time, the lights started to go out. Fifteen seconds later I heard an explosion which was followed soon afterwards by another explosion.

"The top two floors of the hotel disappeared. * * * They collapsed completely out of my vision. I said to myself, oh God, many must be hurt in there."

NOT FIGHTING MEN

"This was a billet for maintenance men, not for combat soldiers," said Lt. Col. Theodore Metaxis of Seattle, Wash., senior adviser to the Vietnamese Army's 2d Corps.

"There are advisers here, not fighting men. We are not in the war. This is like a pack of criminals hitting a bank in any city in the United States. They can plan it carefully and launch it and get away with it, and is what the murderous Vietcong have done."

Rescue workers at the scene were working to the point of exhaustion. One who played a key role in freeing the first trapped American was Sp. John Huske, a tall, stocky man from Ronan, Mont. He was one of the first at the scene and was still there late Thursday afternoon.

Huske built the tunnel to the trapped man, then stayed, and comforted him. The tunnel was 2 feet wide and 10 feet long.

HAD TO BREAK LEG

In the final moments of the rescue, Huske had to break the remaining part of the leg which the Korean surgeon could not saw off. Huske was in tears as he emerged, grimy and dusty, from the hole.

The Korean doctor administered morphine and another powerful drug to the trapped man, but the soldier, who had put a tourniquet around his leg before help came, was still conscious.

The leg was smashed and pierced by a heavy metal beam.

Qui Nhon, a fairly large city, was almost deserted on Vietnamese Thursday, and a firefight with the Vietcong was still on. About 100 Vietcong who assaulted the city in junks Thursday night were still fighting from a spit of land across the harbor from the city.

U.S. helicopters were hitting the position hard.

VIENNA, W. VA.,
November 12, 1964.

Hon. ROBERT C. BYRD,
Senator from West Virginia,
Washington, D.C.

DEAR SIR: I don't know if you remember me. I was the Army captain who fired the small arms demonstration for you at Veterans' Day ceremonies at Welch, W. Va., 1962.

In early 1963, the Army was asking for volunteers for combat duty in Vietnam. Being a career infantry captain, I felt if my country needed volunteers for combat duty, it was my responsibility. I responded to this call. After 8 months of extensive schooling, I reported for duty with Military Assistance Advisory Group, Saigon, Vietnam, on December 6, 1963.

With my schooling and combat experience from the Korean war, I was immediately assigned to a line infantry battalion as battalion adviser. After 3½ months as battalion adviser, I was moved up to regimental adviser. On the morning of April 4, 1964, my regiment was ordered to retake a town 2 kilometers from the Cambodian border that the Vietcong had taken the night before. At 1030 hours that morning we made first contact with a Communist outpost. We reduced the Communist resistance and continued to advance. By 1430 hours that afternoon, after three times failing to heed my warnings to secure his flanks, the Vietnamese regimental commander lead his regiment into a horseshoe-type ambush. We were under heavy small arms and mortar fire from three sides. He immediately began to lose control of his regiment. I tried to get him to have his men hold position and fight back to no avail. I then called for air strikes which I received. After 2½ hours of moving under heavy fire my radio operator and I, directing air strikes, stopped the Communists from completely encircling the regiment. About 1700 hours my luck ran out. I caught a machinegune bullet in the neck, breaking my neck and paralyzing me from the chest down.

On August 13, 1964, I was medically retired from the U.S. Army with 100 percent total disability. Upon submitting my claim to the Veterans' Administration for my VA compensation (the part granting $1,600 toward purchasing a specially equipped automobile), I was informed that the law (38 USC 1901) limits this benefit to veterans whose disabilities resulted from service during World War II or the Korean conflict, such coverage ending January 31, 1955.

To my knowledge at the time of my retirement, there had only been one other man totally disabled from the war in Vietnam. This man was a helicopter pilot from California, shot down on a combat mission in Vietnam.

Sir, I feel that there should be an amendment to this law to cover battle casualties from Vietnam or any other place in the world where our troops are required to pull combat duty.

In my 4 months of combat duty in Vietnam, I was awarded the Second Award to Combat Infantryman's Badge, First Oak Leaf Cluster to the Purple Heart, and Silver Star for gallantry in action. In my opinion, it makes no difference whether I lost the use of my legs in Korea or Vietnam. Either place, I was fighting a common enemy of the United States with the ultimate goal of keeping this country and other countries free from Communist domination.

Any consideration or assistance that you can render in getting this law amended will be greatly appreciated by me and other members of the Armed Forces who have lost the use of their legs while fighting in Vietnam.

I have the honor to remain,

Yours very truly,

DONALD S. CUNNINGHAM,
Captain, AUS, Retired.

WEST VIRGINIA—THE NATION'S TOP COAL PRODUCING STATE

Mr. BYRD of West Virginia. Mr. President, the Nation's top coal producing State is about to reach another milestone. Sometime this month the mines of West Virginia will produce the 7 billionth ton in the history of our coal industry. The occasion is important not only in tribute to the comfort of our people and the industrial progress of our Nation, it also provides an opportunity to emphasize that there is a vast volume of solid fuel remaining within the confines of our State which will be available to provide heat and power for generations to come. Coal was first found in our part of the Appalachian basin more than two centuries ago. As early as 1800, commercial mines were operating in Brooke and Monongalia Counties. When West Virginia became an independent State in 1863, annual production amounted to about a quarter of a million tons—most of which came from Kanawha, Preston, Mineral, Mason, and Marshall Counties. As soon as the War Between the States was terminated, production increased quickly, passing the million-ton mark in 1869.

By that time coal's advantages as a heating fuel were becoming generally recognized; railroads branched out to mine communities and began to take over a growing share of the transportation that previously had been confined to water movement. With the development of the bessemer process for steelmaking, coal became established as one of the world's most important commodities.

West Virginia's coal output first exceeded 100 million tons after World War I, settled slightly in the middle twenties, and then averaged out at more than 100 million tons through even the depression years.

Production skyrocketed at the outbreak of World War II and reached 146 million tons at the height of our war effort in 1944. Thereafter, there was another slight drop, but, to assist in the return to a peace economy in this country and in reconstructing wartorn Europe, the mines of our State sent 176 million tons to market in 1947.

Because residual oil imports have crowded domestic fuel on a progressively greater scale for almost two decades, West Virginia's coal business has been badly hurt. Yet, we have remained unchallenged as the Nation's No. 1 producer. After slipping to 129½ million tons in 1963 we are slowly moving forward again and last year had a production record of approximately 137 million tons, thus bringing cumulative output into the vicinity of that 7-billionth-ton figure which we expect to reach this month.

Where does this leave West Virginia's energy cupboard? According to the U.S. Geological Survey's most recent analysis, there are still more than 51 billion tons of recoverable reserves remaining. This vast storehouse of energy amounts to more than 7 times the State's total production throughout its mining history. In further explanation of the volume of these reserves, I point out that the total amount of bituminous coal produced in the entire United States from the earliest record to this date is less than 31 billion tons.

I feel that these statistics are important to my colleagues. They should be of extreme interest to manufacturing and processing industries looking for sites to establish new plants. Certainly utility companies recognize the advantage of setting up shop in an area blessed with abundant fuel reserves and adequate water supply. In both northern and southern West Virginia, powerplants are being constructed and designed that will transmit electricity from mine mouth to labor-consuming centers of the east coast. Aluminum plants, once tied exclusively to hydroelectric power, are also moving into this region of inexpensive electricity and ample water.

Under the leadership of Gov. Hulett C. Smith and our energetic State and local development groups, West Virginia is ready and waiting for the new business that will find our region an ideal location from the standpoint of natural resources, conducive business climate, and skilled labor supply.

AMERICAN LEGION HONORS DAVID SARNOFF

Mr. MUNDT. Mr. President, this noon at a large luncheon in the Sheraton Park, Secretary of the Senate Felton Johnson and I were privileged to represent the U.S. Senate at the head table at a meeting presided over by Cartha "Deke" DeLoach of the FBI and arranged for the purpose of conferring upon David Sarnoff the National Commander's American Legion Award.

National Commander Donald E. Johnson paid a magnificent and well-earned tribute to Brig. Gen. David Sarnoff, chairman of the board of the Radio Corp. of America, on behalf of the American Legion and the responding remarks by General Sarnoff were pregnant with praise of our American system and confidence in its ability to continue to lead the world.

I ask unanimous consent that the presentation remarks by Commander Johnson, the response by General Sarnoff, and the most significant closing prayer by Father Power, of Georgetown University, using as his words the favorite prayer of the Father of our Country, George Washington, be printed in the body of the RECORD as a part of my remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY DONALD E. JOHNSON, NATIONAL COMMANDER, THE AMERICAN LEGION, ON PRESENTATION TO BRIG. GEN. DAVID SARNOFF, AT WASHINGTON, D.C., MARCH 1, 1965

Thank you very much, Deke. We have so many distinguished guests with us this afternoon that I shall make no attempt to recognize individuals. I know that your presence here is a well deserved tribute to the man we have gathered to honor, and our thanks to all of you for being with us.

While this has the makings of perhaps the busiest Washington conference the American Legion ever has conducted, I think I shall derive no greater personal pleasure from any single event of this week than this occasion where we recognize the genius of a man who, perhaps as much as any living individual, has helped to convince the world that radio and television are here to stay.

As early as 1916 he envisioned the "radio music box," an idea which developed into the worldwide radio communications system which we take almost for granted today. In 1923, before the miracle of radio was well established, he was giving serious thought to the possibilities of adding sight to sound, and television has long since been an accomplished fact.

This man's personal achievements and the honors and recognition which have been accorded to him would take more time to recount than is available to us today. He has been awarded 23 honorary degrees. He has received 15 Government decorations, including 6 from foreign governments, and he has received more than 50 other awards. His fabulous career in the electronic communications industry spans the era from the *Titanic* disaster to the miracle of Telstar, and I'm sure he proposes to go beyond the latter achievement.

A longtime member of the American Legion Advertising Men's Post No. 209 in New York City, I am pleased to note that this is not the first occasion on which the American Legion has recognized the great and diversified talents of General Sarnoff.

In 1953 he was selected by the American Legion Department of the District of Columbia as the recipient of their citation of merit for outstanding service in the cause of Americanism, and he has received similar citations from the American Legion of Pennsylvania and from School Men's Post No. 543 of New York City.

I now deem it an honor and a privilege to present to Brig. Gen. David Sarnoff, the American Legion National Commander's Award for 1965.

This award is inscribed as follows:

"The American Legion National Commander's Award presented to Brig. Gen. David Sarnoff, chairman of the board, Radio Corp. of America, in recognition of nearly 60 years of creative service to the electronic communications industry which has served America's military and civilian needs so well in time of war and peace.

"His vast contributions to the sciences of radio and television have enhanced man's knowledge and understanding of the world about him, and provided entertainment and educational opportunity for all mankind.

"With this citation the American Legion proudly recognizes the achievement of one of its most illustrious members.

"Presented at the Fifth Annual American Legion Washington Conference, March 1, 1965."

ADDRESS BY DAVID SARNOFF, CHAIRMAN OF THE BOARD, RADIO CORP. OF AMERICA, TO THE FIFTH ANNUAL WASHINGTON CONFERENCE OF THE AMERICAN LEGION, WASHINGTON, D.C., MARCH 1, 1965

Commander Johnson, Mr. DeLoach, fellow Legionnaires, distinguished guests, thank you very much for this magnificent plaque and for the generous words inscribed upon it. I am profoundly grateful, Commander Johnson, for the honor which you have bestowed upon me here today. My gratitude goes to you and your fellow officers, and to the members of the American Legion everywhere.

It has always seemed to me a happy coincidence that two organizations with which I am associated—the American Legion and the Radio Corp. of America—were born within a few weeks of each other. The Legion, as you know, was formed in Paris, in March, 1919, and chartered by the Congress in September. One month later, at the request of the U.S. Government, RCA came into corporate existence for the purpose of giving this country its own strong and independent voice in international communications.

We have both grown up in a turbulent era of world history and we have both sought, in our own ways, to serve the Nation's needs and to strengthen its security.

Sixty-five years have gone by since I first came to these shores as a boy of 9—knowing nothing of America, its people, its language, or its customs. The trail that led me here today, as guest of this patriotic organization, has been long and challenging. My gratitude above all goes to our beloved country which has given me the opportunity to pursue my life's work in an atmosphere of freedom.

But far from being unique, my experience is typical of many others in this and earlier generations. From the first it has been the special genius of America to encourage its sons, whether by birth or adoption, to develop the best that is in them.

In the outpouring of tributes to the titan of our century, Sir Winston Churchill, his memorable phrases have been repeatedly quoted. What impressed me most about them was the man's magnificent patriotism. Repeatedly, without apologies or inhibitions, Churchill conveyed an all-encompassing love of his country, faith in its people, and devotion to its traditions.

In this, as in so many other aspects of his remarkable life, he set an example we would do well to follow. Let us not take our Nation and the glories of its history for granted. Let us demonstrate an unabashed pride in its achievements and a renewed faith in its destiny.

It is with these thoughts of our country in my mind that I would like to address myself particularly to one aspect of American life where experience has been my teacher.

For nearly 60 years I have been associated with electronic communications. The principal lesson these years have taught me is that the power to communicate is the power to lead. The nation which achieves the greatest mastery of this power is equipped for leadership in many other areas of national and international endeavor.

Today we are poised on the threshold of a new era, in which the power and scope of electronic communications will be vastly multiplied. The destiny of this Nation will in large measure be shaped by our response to the challenges of a changing environment.

The new era is coming with bewildering speed, for speed is the hallmark of this art and science. It was only at the turn of this century that Guglielmo Marconi spanned the Atlantic with three faint sparks—the letter "S" in Morse code—enabling man for the first time to communicate over long distances through the air. It is less than half a century since the American inventors De-Forest, Fessenden, Hammond, Armstrong, and Zworykin—to mention only a few—supplied many of the essential keys to modern electronic communications.

Out of the work of these great pioneers of science have come political, social, economic, and military consequences of enduring and universal significance.

The power of radio communication as a political and social instrument was first demonstrated near the close of World War I. The wireless station at New Brunswick, N.J., had become the focal point for communications between this country and its allies and expeditionary forces overseas. In 1918, President Woodrow Wilson decided to use its voice in a dramatic appeal to the world for peace and justice. From that station he transmitted his famous 14 points. Ten months later, by the same means, he delivered his terms for an armistice and peace directly to the German people, calling for repudiation of their rulers.

One man communicated by radio to all mankind, to a world weary of devastation, and the impact of his words was electrifying. New, unprecedented power was thus added to man's capacity for persuading his fellow men. He now had the ability to influence simultaneously the thoughts, actions, and lives of millions of men and women far removed from one another.

Many Legionnaires have experienced at firsthand the military value of communications. Electronics became the eyes, ears, and voice of battle during Britain's finest hour. Radar intercepted the Luftwaffe crossing the English Channel and guided the RAF into combat. Sonar plumbed the ocean depths to seek, find and destroy the enemy's submarines. On D-day, when the Allies invaded Normandy, radarscopes aboard our bombers pierced the overcast and made it possible to lay down a devastating barrage in advance of the landings.

The universal aspect of communications—its ability to reduce the infinite to the immediate—is a result of the electron's agility. A radio signal travels at the speed of light and can circle the earth in less than one-seventh of a second. This is less time than it takes the sound of my voice to reach the back row of this ballroom. The electron's speed is more than a million times faster than the speed of sound.

From this tiny particle, the electron, has come a new American industry that has already attained a $17 billion annual volume and continues to grow rapidly. Today, electronics embraces broadcasting networks, black-and-white and color television, computers, industrial controls, military and space system. Its range of information handling extends from the swift solution of complex problems to the detection and measurement of the most remote objects in the known universe.

Our technology has established new communications networks linking men with men, men with machines, and machines with machines. Through intricate electronic systems of immense capacity, we assemble, store, compute, and analyze within seconds millions of bits of information for intelligible presentation and human decision.

We prepare coded programs that permit these systems to analyze our business trends, keep our accounts, run our assembly lines, and predict our elections. We link them with radar eyes that sweep the horizons to warn us of any hostile missile attack, and with communications and controls that could trigger and guide our retaliatory force.

Electronic communications extend our senses beyond the earth to the moon and the neighboring planets. They control vehicles that navigate across millions of miles of space and transmit their findings back to us.

A dramatic measure of the distance we have traveled—in miles, in speed, in power, and in diversity of communications—is seen in two developments 42 years apart.

In 1920, 14 transmitter towers, each 400 feet high, were required for the first radiotelegraph service across the Atlantic. They supported an antenna 2 miles in length which was fed with 200,000 watts of power. All this array of equipment and all this power were needed to reach across 3,400 miles, and then for only 20 to 30 words a minute.

Two years ago, by contrast, the Mariner II satellite journeyed beyond Venus and its radio transmitted 65 million bits of information back to Earth from distances of up to 54 million miles. It did so with an antenna only 4 feet in diameter and with only three and a half watts of power—less power than it takes to operate an electric toothbrush.

Experiments such as these have provided the springboard to project us into a revolutionary era in which we shall communicate, guide, command, control, and operate on earth, beyond earth to the planets, and out to interstellar space.

Within the next 10 years or so we will see several operational satellite systems in space—performing distinct functions of communications, sensing, and surveillance. Equipped with their own spacial computers and message switchboards, and linked to computers and communications on the ground, they will bring into instant reach any information that is available on earth or the space beyond—by sight, sound, or facsimile.

It has become almost a commonplace for audiences numbering in the hundreds of millions on both sides of the oceans to receive television transmitted by satellite—the moving pageantry of Britain's farewell to Winston Churchill, the panoply and inspiration of a presidential inauguration in the United States, the Olympic games in Japan.

Within a decade, the global audience may run to a billion. Through satellite television different societies will be brought into direct and daily contact. This may be expected to mark the beginning of a fast process of reeducation for all of us on earth, a redefining of old relationships and a searching for new ones. Out of this interplay a global culture may begin to emerge, and perhaps, in time, a global language.

The time will also come when an individual carrying a vest pocket transmitter-receiver will connect by radio to a nearby switchboard linked to communications satellites and be able to see and speak with any similarly equipped individual anywhere in the world. Each instrument will have a decoding unit, responsive to only one of a billion or more arrangements of pulses, similar to today's personal telephone number. In the higher frequencies of the radio spectrum, and in controlled light beams, the channels available for such personal communications will run into billions.

Through satellites and unmanned instruments on land, sea, in the air and space, we will receive a total picture of the natural forces sweeping across the surface of the earth. The related sciences of meteorology and oceanography will be revolutionized. It will be possible to make provision well in advance for storms, excessive snow, rain or drought, extremes of heat or cold. Ultimately, with global knowledge of the weather will come techniques of weather control.

Our new technology can enable us to cope with and eventually to solve some of humanity's most pressing material problems. Today, the population explosion weighs increasingly upon world resources. Only 35 years from now, by the end of the century, the number of humans on this planet—approximately 3 billion at this moment—will double. The means must be found to sustain this enormous increase if the world is to avoid misery and conflict.

Vast areas of the globe—its land masses, its oceans, even its air—contain great quantities of untapped resources. To tap them on the scale needed will require an explosion in science and technology equal to the population explosion itself. One of the techniques employed will be exploration by satellites of the entire surface of the earth.

By satellite surveillance it will also be possible to detect and report activities of a significant military nature anywhere on earth or in space. From a height of several hundred miles above earth it is technically feasible to televise and recognize objects such as cars and trucks—or even a man.

In the fall of 1962 it took several hours before President Kennedy was shown photographs definitely indicating missile sites in Cuba. In years ahead, satellite television, instantly taped and transmitted, will reduce to minutes the time between detection and display. Simply by pressing a button, the President and his military and diplomatic advisers will instantly receive up-to-the minute pictures and data from distant places for command decision.

Satellite military communications will reach any plane in the air, ship at sea, missile site and ground unit down to the individual foot soldier—instantly readying them for action. With these new capabilities, we will increase enormously our means to cope with any external threat to ourselves or to the free world, no matter where it originates.

Earth itself will become the hub of a communications network extending to the moon, to manned space stations, and to other planets. We shall learn whether life in any form exists on Mars, and we will intensify the systematic search of the heavens to determine whether communicating intelligence exists on other planets of our galaxy.

Already, we have built instruments to map the universe which are capable of detecting radio waves from billions and billions of miles out in space. Emissions at certain frequencies in the radio spectrum come to us across the interstellar reaches. We are directing our attention to several emissions in these frequencies that appear to be coming from certain pinpoints in the Milky Way.

If and when intelligible signals ever should be received, it will be the most profound moment in human history, for man on earth will then know he is not alone. We will have discovered a communicating bridge to the cosmos.

In his recent report to the Congress on our space achievements last year, President Johnson said that the goal of the United States is to become the world's leading spacefaring nation. His words gave emphasis to the cardinal fact that space is not the exclusive domain of scientists and astronauts any more than the seas or air are the sole concern of those who sail them. Space has become a new ocean of national destiny.

Leadership in space, and in the communications art which is a key to mastery in space, translates itself today into political, military, economic, and social leadership among the nations of the world. Indeed, technological leadership resembles a magnet which attracts other forces. If it is weakened, these forces are drawn to other poles.

When the Soviets launched their first sputnik and followed it with further demonstrations of their tremendous rocket thrust, they advertised their accomplishments as evidence of their national and idealogical superiority. They attempted to establish the image of a technological giant capable of surpassing the best that Americans could achieve.

But we know the Russian advantage to be both limited and transitory. We have continued to hold a clear and decisive superiority in all vital areas of electronic communications for space. We have sent into space more devices, more sophisticated in their instrumentation, more versatile and varied in their functions than Soviet spacecraft. Even the superiority which they have claimed in rocket thrust will soon be overcome by our Saturn vehicles.

We must continue an unrelenting pursuit of knowledge and experience in the fields of space. If this country, through complacency or lack of foresight, permitted any other nation to seize ascendancy in space, we would be relegated to a secondary role not only in the military area but also in the other principal affairs of men.

Since the time of its founding 46 years ago, the American Legion has devoted itself to advancing the Nation's interests and its destiny. Today, our destiny is manifest in the space above us. The same sense of mission that ignited our strong Nation's westward expansion a century ago should now be brought to bear in support of the President's space objectives.

An imaginative and venturesome spirit has always been our country's distinguishing characteristic in its thrust to the summit of world leadership. I am confident that it will continue to inspire our people as we surmount the cosmic challenge that lies ahead.

CLOSING BENEDICTION BY FATHER DANIEL E. POWER, JR., OF GEORGETOWN UNIVERSITY, WASHINGTON, D.C.

WASHINGTON'S PRAYER

I now make it my earnest prayer, that God would have you, and the State over which you reside, in his holy protection, that he would incline the hearts of the Citizens to cultivate a spirit of subordination and obedience to Government, to entertain a brotherly affection and love for one another, for their fellow Citizens of the United States at large, and particularly for their brethren who have served in the Field, and finally, that he would most graciously be pleased to dispose us all, to do Justice, to love mercy, and to demean ourselves with that Charity, humility and pacific temper of mind, which the Characteristicks of the Divine Author of our blessed Religion, and without an humble imitation of whose example in these things, we can never hope to be a happy Nation.

Mr. MUNDT. All in all, Mr. President, today's awards luncheon of the national department of the American Legion was a most impressive and significant occasion. Surely, David Sarnoff's informative address provides us all with both a challenge and a cause for confidence.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

Mr. JAVITS. I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator from New York withhold his request? We are running short of time, and the Senator from Wisconsin has a lengthy speech to make.

Mr. JAVITS. I withhold my request.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is there further morning business? If not, morning business is concluded.

Mr. PROXMIRE obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. Mr. President, I am happy to yield to the majority leader, with the understanding that I will not lose my right to the floor.

WHITE PAPER ON VIETNAM

Mr. MANSFIELD. Mr. President, the State Department's white paper on Vietnam underscores what able American journalists have been reporting for some time: that there has been a new and higher level of North Vietnamese military involvement in the conflict in the South. This is the second time that the Department has seen fit to issue what amounts to an official confirmation of this kind. It will be recalled that in December 1961, a white paper was issued on the same subject. At that time, the issuance coincided with a marked increase in our indirect military and economic aid to South Vietnam. The present white paper coincides with still another major—a geometric increase in American aid.

In my judgment, the white paper does not set forth a new policy. It confirms the necessity of what has been undertaken to date by this Government. It is a new explanation, not a new prescription.

The paper helps to make clear why this Nation has been compelled to take steps which it has taken in recent weeks, if South Vietnam is not to be abandoned, if the United States is to honor its commitment to help the Vietnamese of the south to retain a degree of choice in their future. In that respect, it should satisfy those who have been insisting that the President should address an explanation to the American people as to what is involved in Vietnam. The President, so far as I can see, is trying to keep a lid on a dangerous volcano in southeast Asia. He is not seeking to blow it off. Insofar as information is concerned, we have had the white paper and statements from Secretary McNamara and Secretary Rusk, Ambassador Stevenson, and many other distinguished members of the administration as to what we are doing, and why. American press coverage of the situation has been exceptionally extensive and well informed. Insofar as our policies are concerned, the President is receiving a wealth of advice from his administration and from Senators who have participated in the highly useful debate on Vietnam—and all of them may I say are to be commended for participating.

The truth of the matter is that the President has a policy in Vietnam, and it is not expressed in any single action or nonaction. He is trying to prevent a great war in Asia, and he is trying at the same time to meet a commitment to the people of South Vietnam of many years standing in a situation which changes constantly. He seeks to aid the South Vietnamese people to find a solution to their difficulties, as did his two predecessors in office. And he seeks a peace in which freedom in that part of the world will not become a dead letter. That is all, even though it is a great deal.

The paper also emphasizes, indirectly, the need for an end to the jealous rivalries, military and others, who have led to coup on coup in Saigon since the unfortunate and most deplorable assassination of President Ngo Dinh Diem. If we are to aid the people of South Vietnam in a situation such as is detailed in the white paper, there must be a dedicated and responsible leadership in South Vietnam, through which they can be aided, through which their choice, whatever it may be, can be expressed, and their right to a choice defended.

Neither this Nation nor any other nation can supply an alien leadership where only an indigenous leadership can suffice in this day and age in Asia. Despite the serious intensification of the military conflict, the problem in all Vietnam is still primarily a Vietnamese problem.

I thank the Senator from Wisconsin for yielding.

Mr. PROXMIRE. Mr. President, I am happy to have yielded to the majority leader on this subject. My speech is on the same subject. The majority leader has discussed the white paper, which I also intended to discuss.

President Johnson's Vietnam policy is to restore peace and to help the South Vietnamese defend their country from subversion and attack by the Communists.

Mr. JAVITS. Mr. President, will the Senator yield at this point? I wish to say something about what the majority leader has said.

Mr. PROXMIRE. I yield.

Mr. JAVITS. I hope to be in the Chamber for all practical purposes throughout the Senator's speech. I consider him one of the most thoughtful Members of the Senate. I want very much to hear how he feels about this subject.

I should like to say about the majority leader's statement, just read, that it raises a serious question, which is: Do the Vietnamese people really want to fight for freedom, and do they want us there? We cannot hold plebiscites in Vietnam; nonetheless, it is essential that this question be before us, because I believe it is basic to every other question as to whether we stay in South Vietnam or not. I therefore express the hope that the President and his spokesmen in Congress, such as the majority leader, will keep us apprised, so far as information on this situation is available to us which ought to be made public. It is a subject that is under constant review and is of constant concern to the American people.

I have read the speech of the Senator from Wisconsin; and, of course, we know the position of the majority leader. I, too, have supported the President. I do not go along with those who seek negotiation as a way to get out. We must fight this problem through until there is some result consonant with our objectives. I know there are tragic losses, and that we all must bear them. As the Senator feels, and as I know I do, we only wish we could go there and do the job ourselves. It would be so much easier than standing here and saying that the struggle must go on. However, I feel that essentially there is a majority in South Vietnam who are interested in fighting for freedom, and that they want us there.

I again address an appeal to the President. I do not do so to imply that he is not taking action or will not do so. However, what the Senator from Montana has said bears so heavily on the subject that I hope we shall be kept, as far as possible, closely in touch with that aspect of the matter.

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. Mr. President, I have been considering what the distinguished senior Senator from New York said on Thursday, February 18, at which time he raised similar questions which I think are entitled to an answer.

One of those questions was, of course, whether the President should take to the airwaves to inform the American people on the situation in Vietnam and our policy with respect thereto. I have stated since, and I reiterate, that in all honesty I cannot see the need or desirability for such a course of action and statement at this time. But getting down to specifics, if the Senator from Wisconsin will allow me, I would recall that on Thursday, 10 days ago, the distinguished Senator from New York [Mr. JAVITS] joined in a debate on the Vietnamese situation.

As the Senator from New York knows, I hold him in the highest esteem and I have great respect and admiration for his knowledge and judgment in questions of foreign relations. We have from time to time engaged in colloquies on certain subjects in this particular field, and I have invariably emerged from them with an enrichment of my own understanding. So what I say is not in criticism of the recent remarks of the Senator. It is for purposes of clarification.

The Senator will recall other colloquies which we had a year or so ago. Unfortunately, I do not have the RECORDS here covering these colloquies, but they are in my office. When I sought to examine certain premises and policies with respect to Vietnam or southeast Asia, the Senator's great concern was not so much with what I was suggesting, but rather with the possibility that it might be misconstrued.

The Senator noted, as I recall, that my remarks might erroneously be interpreted as an advocacy of a pullout or the abandonment of solemn commitments. With all due respect, I would suggest that a similar misconstruction could be placed on the remarks of the Senator in his talk on February 18, although I personally did not so interpret them. But, lest there be any doubt that the Senator from New York stands foursquare behind the President, I would point out that he did vote for the Vietnamese resolution on August 7, 1964, as he has stated many times. Part of the resolution reads:

> The Congress approves and supports the determination of the President as Commander in Chief to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

As I said, the Senator from New York voted for that resolution. So there ought to be no doubt that he supports fully and completely the military actions which the President has felt compelled to take in Vietnam.

With that as background, I should like to commend the Senator for raising certain questions on February 18 with respect to the present situation in Vietnam.

First, the Senator from New York asked the President whether the majority of the people in South Vietnam are determined to fight for their freedom. This is very pertinent indeed, for, as President Johnson has said, our objective in South Vietnam is to help the people of that country defend their freedom. May I say in all frankness that the inability of their leaders to form a stable government, as evidenced by at least 13 coups, or attempted coups, in less than 16 months, the last being about 2 weeks ago, is not a source of encouragement.

I would say to the distinguished Senator from New York the hour now is late for his question. I would ask him: How do you find out now, while the American forces are becoming the prime targets of the Vietcong, whether the Vietnamese people are determined to fight for their freedom, especially when their leaders compound the difficulty by their feuds and struggles for prestige and power? Do you take a Gallup poll? Do you have a congressional investigation? This is a very serious question. But how in the present circumstances do you set out to answer it? And if the answer could be obtained and if it were found that the Vietnamese people are not determined to fight for their freedom, what would the Senator suggest that the President do? Would he have the President negotiate out, or simply pull out, or move in further?

The Senator could make a great contribution, I think, not only by raising the questions, but also by exploring the implications of the answers.

Second, the distinguished Senator from New York asked whether the people of South Vietnam actually want the United States in their country. This, too, is a vital question. But I would most respectfully suggest that it is difficult to consider this question now, while the guns are being fired at Americans, and Americans are losing their lives in increasing numbers. The time to have examined this question with the dispassion that it warrants was months ago.

But the Senator, as far as I can recall, generally expressed the view in his colloquies with me a year ago that the examination of any such vital questions would invariably introduce worldwide doubts as to our steadfastness. How much more would that be the case in the present circumstances?

So I would say to the Senator with all due respect that his question is likely to remain rhetorical unless he can also focus attention on it and suggest to the President ways in which it can be intelligently answered while the fighting is in progress.

Third, the Senator from New York asked whether the United States has done everything possible to get our Asian allies—Japan, Australia, New Zealand, Pakistan, Thailand, and so forth, to help in the fighting. Here the answer is plain. Everything possible has been tried as it was in 1954, when President Eisenhower and Mr. Dulles were confronted by a similar problem, as it was in 1961, by the late President Kennedy, with respect to a crisis in Laos at that time. The response has been very meager in so far as military assistance to Vietnam is concerned.

So I would say to the Senator that if he feels we must have significant international or Asian support as a condition for remaining in Vietnam in a limited conflict, there is little sign that it is going to materialize. In present circumstances, sacrifices of life and resources insofar as they are borne by other than Vietnamese are going to be continued to be borne almost wholly by the United States, as they have been for a long time.

Finally, the distinguished Senator from New York asked that if the United States is willing to negotiate, will it negotiate with dignity, and not at the expense of the South Vietnamese people. The phrasing of the question reveals an uncertainty in the mind of the Senator, which I must confess I do not understand, and which I find somewhat disturbing.

I cannot imagine President Johnson, or any President, entering into negotiations other than with dignity and honor. Did not President Truman negotiate with dignity and honor in Korea? Did not President Eisenhower, when he continued these same negotiations which led to a cease-fire, insist upon dignified and honorable negotiations? Does the Senator from New York really doubt that President Johnson, if he felt negotiations desirable, would negotiate with any less dignity and honor, or with less awareness of the realities in the Vietnamese situation?

I do not believe that the Senator from New York thinks that the President would repudiate our obligations to the Vietnamese people. Who has suggested that we should?

Certainly, the senior Senator from Idaho [Mr. CHURCH] made clear in his recent speech, for example, his support of the President's military actions, as did the Senator from New York. In his argumentation in this Chamber a few days ago, Senator CHURCH stated explicitly that, "Having made a solemn commitment to Saigon, we intend to keep it."

To suggest that negotiations be considered, is not to break a commitment, as the Senator from New York well knows; in some situations, negotiations may well be the best way to keep a commitment. And despite the possibility of misconstruction, I would say to the Senator from New York that any suggestions which he may have as to how negotiations, both dignified and honorable, may be applied in this situation to bring the bloodshed to an end would be welcomed.

I, for one, would urge him to make such suggestions.

In summary, Mr. President, I would like to commend the senior Senator from New York for the questions which he raised 10 days ago because I have for him the highest admiration and affection. The Senator has made an effective contribution to the debate on Vietnam.

I express the hope that he will elaborate his thoughts, as I am sure he will, and that he will shed further light on how we may best go about finding the answers, not only to the questions which he raises, but also to the larger questions of a durable peace in Vietnam and southeast Asia, as a whole.

Mr. JAVITS. Mr. President, will the Senator yield so that I may respond?

Mr. PROXMIRE. Mr. President. I shall yield, but I shall yield very briefly.

Mr. JAVITS. Mr. President, I have asked witnesses many questions in my day. On occasion, I have been asked questions, and sometimes as a lawyer I have said, "I am glad you asked me that question."

I am very much reminded of that, as the Senator has made a very well prepared statement in response to a question which I asked him.

Mr. MANSFIELD. Mr. President, if the Senator will yield briefly, these remarks were prepared a week ago Friday, in response to questions raised the preceding day by the Senator from New York on this floor.

Mr. JAVITS. I thank my colleague, but I am prepared to deal with this question. I should like to do so very briefly.

I believe there are ways of finding out about and reporting to the American people the will to resist by the South Vietnamese. We hear of more or less sporadic attempts to resist in one area or another in South Vietnam, but they are quite diffused. We do not see an accurate map of areas of resistance. I think the President, or his spokesmen, could do something about locating these areas, so it could be pointed out to the American people just how much of this country is really controlled by the Vietcong and what other areas are in control of the South Vietnamese. Just how much is there left of the strategic hamlet program, for example, which we have supported with a considerable amount of money? This is a very important question?

In addition, there is a large complex of activity to get us out which certain Buddhists have engaged in that affects the results as far as the Americans are concerned and as far as the South Vietnamese are concerned.

I believe a finding on the will to resist in South Vietnam would be very convincing to me, and I think to the American people. I would credit the President with the greatest good faith in respect to such a finding so far as policy is concerned. The question of whether the South Vietnamese want the United States in could very well be answered in much the same way by the degree to which the country still remains in control of the South Vietnam people, as important proof of their will to resist. Some proof of their will to resist is what remains to them in control. It determines the question of what degree of cooperation the United States gives, whatever may be the regime in power at the moment. Considering the emanations of opinions, the great number of correspondents who are there, and the many visitors who come here and go there, I think a window can be kept open on the country. The central point of my remarks is that I affirm a need for a finding of fact by the President, based on his information.

The Senator from Montana has asked what I would suggest we do if the South Vietnamese people are behind the resistance movement. If it is found that a majority of the people are for resistance, and that finding is made by the President, we would be behind that finding. If a majority of the people have lost the will to resist, there is a serious question as to how long the United States can continue the struggle at this large cost in money and cost in lives.

With respect to Asian allies giving help, I did not mean that the President is not trying. The President may be trying, but is the U.S. diplomatic machinery trying enough, giving enough emphasis and priority to this aspect? As long as the President tries ardently that would be fine. Essentially, my point was raised not with respect to whether the President has tried, but with respect to the actual efforts of our Asia and southeast Asia allies. We are entitled to receive from them more help than we are getting.

Finally, on the question of negotiation, the Senator from Montana had before him reference to my recent remarks. Memory is always poorer than the words themselves, but my desire and intention was not to say if the Nation is willing to negotiate, let it negotiate with dignity, but rather, that we are ready to negotiate at any time. If I did not say it, I apologize to the Senator for that. I think I used somewhere former President Eisenhower's analogy that we should walk the extra mile—provided our negotiations are not in a frame of reference which would sell out the South Vietnamese people. I would like to see an announcement made, since there is such confusion about our willingness to negotiate. I have endeavored to indicate that if the United States will negotiate, it will be only on the understanding that it was absolutely sure there are no sellouts of the hopes of the South Vietnamese people.

That, it seems to me, represents a summation of my thinking in reply to the Senator's questions.

I will accept his suggestion that I state in greater detail my views on this matter, but I thought I should reply to the Senator's questions at this time.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I yield 2 minutes to the Senator from Oregon, without losing my right to the floor.

Mr. MORSE. Mr. President, I am deeply sorry that I shall not be able to remain in the Chamber to hear the speech of the Senator from Wisconsin. I find myself in deep disagreement with him. I shall have remarks to make on the subject later in the week. I am on my way downtown to make a speech on the "white paper," which can be described as Swiss cheese with holes in it made by the lips of the administration people to the Foreign Relations Committee who said time and again that was a civil war fought by South Vitenamese rebels largely with equipment captured from the government. Now we are excited because in recent weeks the North Vietnamese are going in on a big scale. Why should they not go in?

Mr. President, I ask unanimous consent that an editorial in the New York Times of yesterday and Mr. Reston's column in the New York Times be inserted at this point in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

STORM SIGNALS OVER ASIA

The Johnson administration seems to be conditioning the American people for a drastic expansion of our involvement in Vietnam. The State Department's white paper accuses North Vietnam of intensified aggression and stresses that military efforts aimed solely at the Vietcong guerrillas in the south no longer suffice.

The logic of all this is that the United States, which only last week moved from the role of "adviser" to active and undisguised combatant in South Vietnam, now feels free to strike at will—whether by air, sea, or land—at any targets it chooses in North Vietnam. In the 3 tense weeks since the Vietcong attack on Pleiku, American policy has plunged dangerously beyond the one enunciated then by the President and Secretary McNamara of limiting ourselves to retaliatory action and shunning a wider war.

And what has happened to alter our policy? The assertion that North Vietnam is a principal supplier of men and munitions to the Vietcong is certainly not new, nor is the charge that the extent of its support is increasing. Such activity by Hanoi constitutes the sole reason for our being in South Vietnam, and has since the United States moved into the vacuum left by the French withdrawal in 1954.

Apparently, the major new evidence of a need for escalating the war, with all the hazard that this entails, was provided by the sinking in a South Vietnamese cove earlier this month of a 100-ton cargo ship loaded with Communist-made small arms and ammunition. A ship of that size is not much above the oriental junk class. The standard Liberty or Victory ship of World War II had a capacity of 7,150 to 7,650 tons.

Page after page of similarly minuscule detail about Communist infiltration from the north merely raises anew the question of whether massive air strikes would accomplish anything except large-scale civilian casualties in industrial centers and ports. The question is made sharper by the absence of any stable government in Saigon to fight or even to speak in the name of the South Vietnamese people.

Communist China, the nation whose imperialist ambitions the world has most to worry about, will be a clear gainer from the ill timing and judgment of our warning to North Vietnam. It comes just as the Soviet Union is about to begin an international meeting of Communist parties in Moscow—a meeting originally called to pronounce Peiping a renegade from Marxist-Leninism. Washington is now doing precisely what that most sophiscated of Kremlinologists, George F. Kennan, former U.S. Ambassador to Moscow, cautioned against in his Senate testimony Friday: Forcing the Soviet Union to come down on the side of Communist China.

Washington and Peiping are in bizarre tandem as the only major capitals in the free or Communist worlds openly resistant to seeking a negotiated settlement of the Vietnamese conflict now. It is not too late for the President to make it plain that the United States is ready to talk as well as fight, and thus leave China isolated as the obstructor of any attempt to achieve a sound and enforcible peace.

WASHINGTON: PRESIDENT JOHNSON UNDER PRESSURE

(By James Reston)

WASHINGTON, February 27.—President Johnson is making no excuses for anything he has done in Vietnam, and is visibly irritated with the critics of his policy.

He knows he is now up against the most difficult policy decision of his life, and that all the options open to him in Vietnam are risky, but this is all the more reason, in his view, for the country to back the President and stop the critical chatter.

This is not a new attitude on the part of Lyndon Johnson. When he was majority leader in the Senate, he often criticized President Eisenhower's domestic policies but invariably backed him without a murmur on major foreign policy questions.

THE CONSOLING POLLS

Accordingly, his attitude toward Democratic Senators who have differed with him publicly on Vietnam has not been to assume that they are expressing what they believe to be a better course of action, but to charge them with letting him down—sometimes merely to get themselves in the headlines.

He is particularly sensitive to charges that he is not talking enough to the American people about the complexities and risks of the Vietnamese war. He carries around in his pocket a series of private polls that purport to show that the vast majority of the people not only know what he is doing but approve what he is doing.

NO EAR FOR CRITICS

The mail coming into the congressional and newspaper offices here does not support his polls, but when anybody ventures to mention this criticism, he insists that the polls are right, the people understand his problems better than the newspapers, and besides, the Congress authorized the action he has taken, with only two opposing votes.

Lyndon Johnson has gone through other hard times in his career but nothing like this. He sat in on the two Cuban crises with President Kennedy, but he did not have primary responsibility for the decisions.

The decision to bomb the bases of the Communist torpedo boats after their attack on the American Navy was difficult for him in only one respect. One of the bases was very close to the Chinese Communist coast, and in the end he gave the order to hit it. But he was elaborately calm all through that night of decision and, anyway, he felt he had no honorable option but to retaliate.

His present situation is different. All his opinions now seem unsatisfactory and even dangerous. If he doesn't keep up the military pressure on North Vietnam, his advisers fear that his first attacks on North Vietnam will seem a bluff. But if he does, every day that passes raises the prospect that new Communist antiaircraft weapons and defensive fighters will be added to the battle.

Usually he is at home with middle-of-the-road policies, but the middle of this road is full of dangers. He does not want to talk out on negotiations because this might impair the morale of the South Vietnamese, and also because he feels it is difficult to speak about negotiations without setting conditions that might make negotiations all the more difficult.

Johnson is a poker player and he knows that the man who raises is always in a more difficult position than the man who calls. In Vietnam, it is Johnson who is raising, and the stakes get higher in this game with every succeeding play.

In recent days, he has spent a great deal of his time defending his policies to groups of Congressmen and newspapermen. He has, indeed, been running a series of seminars, with Secretary of Defense McNamara defending the military policy, Secretary of State Rusk defending the diplomatic process, and Vice President HUMPHREY and himself appealing for understanding and unity.

His faith in polls is astonishing, maybe because the polls were so accurate in predicting the size of his own electoral victory last November.

CHURCHILL'S ADVICE

"Nothing is more dangerous," Churchill once said, "than to live in the temperamental atmosphere of a Gallup poll, always taking one's pulse and taking one's temperature. There is only one duty, only one safe course, and that is to try to be right and not to fear to do or say what you believe to be right."

President Johnson is undoubtedly doing that, but it is an agonizing problem for a man who is not accustomed to losing and not yet at ease with the devilish complexities of foreign affairs.

Every American President since the war, however, seems to have faced a frightful foreign policy decision early in his administration. For President Truman it was whether to drop the atomic bomb on Japan. For President Eisenhower it was whether to expand the war or negotiate a truce in Korea. For Kennedy it was the Bay of Pigs adventure in Cuba. And for Johnson it is Vietnam.

Mr. PROXMIRE. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, I wholeheartedly support the President's policy. I admire the restraint and perseverance he has shown in carrying it out.

The present policy offers the best chance for us to achieve an enduring peace in this enormously complex situation.

Mr. President, this policy has been under serious attack lately.

In his statement as modified last week, the Secretary General of the United Nations, U Thant, charged that although the American people are the best informed in the world, he doubts that even in the United States is it possible to receive fully balanced information on Vietnam. The Secretary General said that Americans are not sufficiently aware, and these are his exact words, "of the serious risks and dangers implicit in a war course without political efforts to bring the war to an end."

Other Senators have seriously questioned our Vietnam policies. My visits in recent weeks with hundreds of Wisconsin people convince me that this protest is widely shared by the American people.

WHY ARE WE IN SOUTH VIETNAM?

Mr. President, why are we in South Vietnam? Why are we pouring so much of our taxpayer dollars into this remote, far-off land? Why have we ordered thousands of American soldiers to risk their lives and, indeed, hundreds have laid down their lives in this distant corner of Asia? Why?

Do we want South Vietnam or any part of it?

The question is so ridiculous that even the Chinese Communists have not accused us of it.

It is transparently clear that we have no desire for any territorial aggrandizement in any part of the world, certainly not in remote southeast Asia.

Why, then, are we in South Vietnam at such painful cost?

Do we seek any economic advantage there?

Has anyone, even the North Vietnamese or the Vietcong, accused us of economic exploitation? Are we pursuing dollar diplomacy?

The answer again is a resounding "No."

From an economic standpoint, America would be far better off if there were no Vietnam. We have poured literally billions of dollars as well as the priceless lives of some of our finest young men into South Vietnam.

We will get nothing in return, not a penny.

Mr. President, if any nation's hands can be said to be clean, ours are clean in South Vietnam.

We seek no power, no territory. We want no money, no oil, no food, no resource of any kind in this distant nation.

Why, then, are we there? Why? Why?

We are there for one very simple reason, Mr. President. We were invited by the Government of South Vietnam to come. We were asked to help. So we did. The Geneva accords formally recognized South Vietnam as a nation. Its sovereignty is established by solemn agreement, ratified by the principal powers of the world.

That sovereignty has been challenged by an invasion from outside its boundaries. The fact of aggression has been proved beyond any doubt, repeatedly—and of course, most recently, by the white paper released over the weekend by the State Department which documented the facts in great detail and over a period of time.

It has been proved over and over and over again virtually every day for more than 10 years now.

SINGLE AMERICAN MOTIVE: PEACE

But why should we, the U.S. Government, become so involved? What is our motive, if our hands are so clean, if we desire no territory, no power, no economic advantage? What do we want?

Mr. President, we want peace. Peace.

Our record proves that we want peace. Every action we have taken has been taken to prevent aggression and restore peace. Every pound of food—and we have sent millions of tons—every manhour of education in peaceful pursuits—and we have poured in thousands of manyears in such education—every dollar spent to provide health facilities, build schools, construct roads and improve agriculture—and we have spent hundreds of millions of dollars for these purposes—has been directed toward our peaceful goal of building a solid and stable South Vietnam.

For years our Vietnam policy has been carefully, and sometimes painfully, designed to avoid overt military action by American soldiers. This has been done in spite of the most serious and continuous provocation.

Even following the Tonkin Gulf and Pleiku incidents the President had confined our retaliation in size. He has limited it to military targets and he has limited its duration and made it appropriate to the provocation.

These are not the reactions of a President or an administration interested in extending the war, or of developing a big war. It is the obvious reaction of an administration deeply interested in securing peace. Above all, he has announced that the retaliation was for the sole purpose of preventing further aggression.

LONG RECORD OF NORTH VIETNAM AGGRESSION

To understand what is happening in Vietnam—and what is at stake in the whole of southeast Asia—it is necessary to go back to the fundamentals of the situation: to the history of Communist efforts to capture South Vietnam and our commitment to prevent this from happening.

The root of the problem is well known. From the time of the Geneva Conference in 1954, the Communist authorities in North Vietnam planned and expected to take over the area south of the 17th parallel. At first, they probably believed South Vietnam would fall to them like an overripe fruit, theirs for the plucking, as a result of failure to achieve internal stability and unity in the South. But their fond hopes were thwarted by the progress achieved by South Vietnam in the areas of political stability—this was at the beginning—and economic development.

In these fields, the South soon outstripped the North. From the first, it was clear that whatever internal problems South Vietnam had, they were united in their opposition to falling under the Communist domination of Hanoi. By 1956, South Vietnam had become a self-governing republic and had assumed its place in the family of nations.

Thwarted in their initial hopes of easy conquest, the Communists undertook a campaign of terror and subversion aimed at undermining the South Vietnamese Government and social structure. By 1959, a war of covert aggression was well underway. Without openly declaring war, the Hanoi government began to infiltrate guerrilla fighters and military equipment from the north, supplementing a base of loyal Communists who had stayed behind and gone underground after the 1954 accords. Any thought that this was a small effort which would soon end was quickly shown to be false.

In this confusing situation, we cannot argue—and I do not believe that any person devoted to the administration has argued—that all the invasion is from outside. There are fifth columnists living in South Vietnam. They, too, include a substantial and significant part of the Vietnamese population.

In 1960 and 1961, the situation in South Vietnam grew more critical. As one measure of its seriousness—and of the character of the attack—over 3,000 civilians, in and out of government, were killed, and another 2,500 kidnaped in those 2 years.

Mr. SYMINGTON. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. As usual, the Senate is listening to a thoughtful and constructive address by the distinguished Senator from Wisconsin [Mr. PROXMIRE] on one of the major problems facing this country today.

I am glad to note at the end of the Senator's remarks—which I had the privilege of reading earlier—that he mentions a speech made by the Assistant Secretary of State for Far Eastern Affairs, William Bundy. That talk was made in a country town in my State. Although it was given considerable publicity in the metropolitan newspapers, it is also important that the problem be disseminated throughout the country so that the American people will understand the problem better than they do today.

I am impressed with some of facts and figures the Senator is giving today which, to be frank, I did not know.

I would ask the Senator inasmuch as he emphasizes the fact that the reason why we are in South Vietnam is that we were asked to come in to help preserve their freedom—what does the Senator believe would be our course of action if one of the many South Vietnamese governments—and I believe there have been 13 or 14 since the death of Diem—suggested that it could handle the situation better if we left?

Mr. PROXMIRE. I may say to the distinguished Senator from Missouri that one of the implications of his question, which should be noted, is the fact that not one of the 13 or 14 governments, some of which have had Buddhist representation, and various kinds of representation, has requested us to leave South Vietnam.

It is clear, of course, that there may be circumstances beyond our control which would make it necessary for us to leave. It is not inevitable, and it is not written in destiny, that we are sure to win. Of course, if the South Vietnamese Government were to ask us to leave our position would be seriously weakened.

It would be tragic. However, what would happen under those circumstances would be a decision that the President would have to make, considering all the factors and considering what would be the attitude of the people of South Vietnam and the attitude of the Armed Forces.

However, I believe it is significant that the Senator's question implied that not one of these governments has asked us to leave; in fact, they have all been anxious to have us stay there.

Mr. SYMINGTON. I thank my friend from Wisconsin for the speech he is making. It is further clarifying some of the problems we face in Vietnam, and I also thank him for his kindness in yielding to me.

Mr. PROXMIRE. I thank the distinguished Senator from Missouri, whom I very greatly admire, not only as one of the outstanding experts in this country on our military position, but also as a true statesman, who is an expert on our foreign policy and on our foreign policy position.

The Senator from Missouri is one of the few Senators who have been Cabinet officials. He is also a member of both the Armed Services and Foreign Relations Committees, and has taken an informed and constructive position constantly in our foreign policy.

Mr. SYMINGTON. I am grateful for the remarks of the Senator from Wisconsin.

COMMUNIST TERROR CAMPAIGN AGAINST SKILLED, EDUCATED

Mr. PROXMIRE. The Communists concentrated their attacks on the skilled and educated: teachers, doctors, engineers, government officials. By this method, they spread terror and severely damaged the nation's social fabric by eliminating individuals crucial to the functioning of civilized society. Infiltration from the north increased.

We must remember that this is a new kind of war. This is an entirely different kind of situation than we have ever experienced in the past. It is not the kind of clear-cut situation with which we are accustomed to dealing in our military conflicts. It is very hard to find any historical precedents for the situation which confronts us here.

People in many areas came under Communist control and had to provide food and supplies for the guerrillas.

It was obvious that the peacekeeping machinery created by the Geneva Conference had failed. The United States had been assisting South Vietnam from the start, and at its urgent request in 1961, our military and economic assistance was increased.

But it is important to bear in mind that the basis of our presence was entirely different from that of the French. The French were in Vietnam seeking to reestablish a colonial empire.

Many critics of our Vietnamese position have asked, If the French could not stay there with several hundred thousand troops, how can we expect to stay there?

Mr. President, we are in South Vietnam on an entirely different basis. The Vietnamese know that we do not intend to exploit them, that we do not intend to use them to enrich our own country in any way. We are there to assist them and to support them. We are just as far from being a colonial power as any country could be.

On the other hand, the infiltrators, the invaders from the north, are certainly in the old tradition of the empire builders.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I do not have the exact figures at my fingertips, but I believe the RECORD shows that there are about 600,000 Vietnamese troops fighting for South Vietnam at this moment, compared with 26,000 Americans over there. Furthermore, for every casualty we have suffered, the South Vietnamese themselves have suffered at least 10 casualties. Also, it should be remembered, that for every South Vietnamese soldier who has been wounded or killed in combat, the South Vietnamese soldiers have killed or wounded two Vietcongs.

When some people say that the Vietnamese are not fighting for their country, it seems to me that statement is disproved by the ratio of their killing or wounding two Vietcongs for every casualty that they suffer. To me that indicates that the South Vietnamese are doing a pretty good job of fighting for their country.

Mr. PROXMIRE. The Senator is absolutely correct. I might point out, also, that not only have the South Vietnamese engaged in this very difficult war for many years, but they have also suffered the infiltration and intimidation and terror that is so remote from any experience that we have ever had, in which the mayors or the leaders of their little hamlets are tortured and murdered, and even the South Vietnamese children of local officials are tortured and murdered to break the continued will to resist.

We must not lose sight of this kind of terror, torture, and murder.

As, the distinguished Senator from Louisiana has said, the South Vietnamese soldiers are fighting and are fighting well and inflicting more casualties on the infiltrators and invaders than they are themselves suffering. That is not the conduct of people who are not willing to support their friends and defend their nation. This, I believe, is the real answer to the question raised by the Senator from New York [Mr. JAVITS].

Mr. LONG of Louisiana. If our country should pull out, we would be running out on hundreds of thousands of courageous fighting men who are fighting on our side, with the result that those people would have no hope of being able to continue their fight against the Communist aggression.

Red China knows that it would confront the United States if it got into the war. Does the Senator have any doubt that Red China would be using every method of subversion and infiltration available to that country if they felt the United States would stay completely out?

Mr. PROXMIRE. The Senator from Louisiana raises an excellent point that I had not thought of. If it were not for our presence in South Vietnam, there is no question that the rich ricefields of South Vietnam and its potentially very rich economy would induce the hungry Chinese to move down, in view of their philosophy that war should be an instrument of foreign policy.

The Red Chinese have a very militant kind of government, which would not hesitate to do exactly what the Senator has suggested, if it were not confronted with the kind of language it understands, and that is the language of real military power.

Mr. LONG of Louisiana. Mr. President, I have had an opportunity to read through the first part of the Senator's speech, and I regret that I have not had an opportunity to read all of it. I agree with the portion of the speech that I have been able to read, and I am sure that I would also agree with the Senator's entire presentation.

I should like to ask the Senator this question. If we were to pull out and start running, can the Senator tell me where we are supposed to fight, in view of the fact that we have been trusted by people who have 600,000 men fighting in this war, in behalf of a cause that is very dear to our heart?

Mr. PROXMIRE. The Senator raises a good point. It would be far better, in my opinion, if the war were to end in a stalemate in South Vietnam, or if it were necessary for us to stay there 5 or 10 or 15 years, than to retreat and fight elsewhere. If the Communists can win this kind of war of intimidation and violence and infiltration, they will not stop. Why should they stop, when they will have been rewarded? They will continue. Our present policy of standing up to the Communists is by far the best way to achieve peace.

Mr. LONG of Louisiana. If we proceed to limit ourselves to fighting the war on the enemy's terms, after we have suffered 200 or 300 American casualties, and then proceed to say the price is too high and desert this friendly government and put it in the position of being forced to surrender the 600,000 well-armed troops into the hands of the enemy, can the Senator from Wisconsin tell me what the attitude of the Communists would be the next time they started to infiltrate a friendly nation? Would they not say, "If we inflict a few casualties on the Americans"—and they have been relatively light casualties, if we relate them to the kind of casualties that we have been accustomed to suffering when we have decided to fight—"they will lose their nerve and courage"?

Is it not true that the Communist doctrine is to take over the whole world, including this country, and that that doctrine, particulary on the part of the Chinese Communists, which is voiced by Hanoi, is that there must be no coexistence, that they must stop at nothing until they have taken over the whole world, and that the sooner they do it the better?

Mr. PROXMIRE. I could not agree more with the distinguished Senator from Louisiana. These are dangerous policies on our part, but any policies that we could follow would be dangerous. We are making a sacrifice. It is a terrible thing when American men lose their lives. The expense is very great. But after all, considering the strength and wealth of this country the burden on us in Vietnam is relatively light, not heavy. If we must give in, if we cannot win under those circumstances, light as this burden is, if we have to complain of a burden when we have tax cuts at home, when our personal income has never been higher, when the foreign aid bill is being cut, and the defense budget is being cut—if we cannot bear this kind of burden, the Communists will not be stopped. Of course, they will continue.

Mr. SIMPSON. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am delighted to yield to the Senator from Wyoming.

Mr. SIMPSON. I have had the advantage of reading the script of the speech of the Senator from Wisconsin. In the main, I agree with him wholeheartedly. He has done his usually good job. He is very articulate and persuasive.

One portion of his speech disturbs me, and I should like to have the Senator address himself to that portion. The Senator stated:

> Even following the Tonkin Gulf and Pleiku incidents the President has confined our retaliation in size, limited it to military targets, limited its duration and made it appropriate to the provocation.
>
> And above all, he has announced that the retaliation was for the sole purpose of preventing further aggression.

Does the Senator believe that we can only fight up to the strength of opposition and then lie by waiting for the enemy to gain new strength? Let us take the example of a prizefighter in the ring. He does not merely retaliate in kind. He pours on the heat and tries to win the bout by his own force. In the instance about which we are speaking, it would be the full force of arms.

It seems to me that this cat-and-mouse business is bad for America. If we are in a war, why do we not conclude it? We have the strength and power to do so. Why do we not conclude it and restore peace to South Vietnam, even at the risk of a great loss to the North Vietcong?

Mr. PROXMIRE. The question of the Senator from Wyoming is very helpful. It is helpful because it defines what I believe is the position taken by the administration under the circumstances and the position taken by other people who feel that we should undertake an all-out effort and do whatever is necessary in order to win, even if winning should mean an invasion of North Vietnam—and, in my judgment, it might very well under those circumstances mean drawing China in and being involved in a major war on the continent. There are many well-informed and able people like the Senator from Wyoming who take that position. I do not take that position. It seems to me that is clearly not the position at the present time of the administration. The position of the administration at the present time appears to be that we are not trying to win unconditional surrender of North Vietnam, let alone China or Russia. Many people feel we should never have settled for the qualified termination of hostilities that we did in Korea, and that we should have insisted on unconditional surrender in Korea.

Others—and I think more wisely—have felt that that was the only way we could settle the problem without involving ourselves in a catastrophic war on the continent of Asia that would have been endless or would have required our use of nuclear weapons.

I am inclined to feel that the position which the administration is taking in South Vietnam is a halfway position. It is not a position that would go all out and use all of our weapons, including our nuclear weapons, and whatever else is necessary, in order to win. The administration is taking a position that we should not do that, and I agree with that attitude.

Mr. SIMPSON. I thank the Senator from Wisconsin for his learned discussion. In the main I agree with his entire speech, but I am in disagreement with him on this particular point.

Mr. PROXMIRE. I thank the distinguished Senator from Wyoming very much.

We are there in response to the request of a native, indigenous government seeking to preserve itself against aggression. We are not involved in Vietnam in pursuit of national military aims. Secretary of State Dean Rusk recently pointed out that in 1959 "no foreign nation had bases or fighting forces in South Vietnam. South Vietnam was not a member of any alliance. If it was a threat to North Vietnam it was because its economy far outshone the vaunted Communist paradise to the north."

Much of this progress represents the fruits of economic aid furnished by the United States. While there has been much discussion of military aid we have sent to South Vietnam, it is important to recognize that our military aid has been defensive in nature. Our forces there have been advisory. Until the provocations of recent months, American servicemen were engaged almost exclusively in training and advisory positions.

When American forces participated in any combat action, with the exception of the limited air strikes, their efforts were defensive. The air strikes themselves were defensive in that they were designed to deter further aggression, not to expand the war.

Last night at the Leipzig Trade Fair Soviet Premier Kosygin said:

> I haven't read the American white book. It cannot be a white book, but rather a black book. The dirty acts of the Americans in Vietnam cannot be put down in a white book.

Mr. President, disregarding the dirty acts of the Soviet Union, with which history is replete ever since the Soviet has been in power in Russia, what is the real American story in Vietnam? Our record in South Vietnam is a great record. Of course, it has not been talked about by Premier Kosygin, the Red Chinese, or the Red North Vietnamese. But the tragedy is that it has not been talked about much by U.S. Senators either. It is a peaceful record, an amazingly peaceful record, for which the only precedent is the American people's peaceful attempts at international assistance and our answer to appeals from other nations in the world since World War II.

SOLID U.S. RECORD OF PEACEFUL AID

A study of our record in South Vietnam shows clearly our peaceful intentions—and more than intentions—a remarkable working for peace.

Much of our effort there has been economic and technical, to build the country's agricultural and industrial economies.

Our support in South Vietnam has stressed education, health, and community development. Since 1962 alone we have spent more than $228 million in food-for-peace shipments to South Vietnam—and Kosygin talks about a dirty record and about a black book of American performance in South Vietnam.

During the same period, counting estimated expenditures for this year, our economic aid will total $599,800,000. And since 1955, again counting estimated expenditures for 1965, we have committed $2.8 billion in nonmilitary economic aid.

Compare that with the record of the Soviet Union anywhere in the world. This is a record of generosity, a record of help and peaceful constructive assistance.

What programs are these funds supporting? Do they represent a threat to the security of North Vietnam?

DETAILS OF U.S. AID

Illustrative of the social and economic activities being implemented with United States help are—

Introduction of improved varieties of pigs and construction of improved pigpens. This is the kind of thing that helps the peaceful agriculture economy in South Vietnam.

Teaching the primitive Montagnard tribal people how to use water buffalo as beasts of burden rather than as sacrificial animals. The Montagnards are people somewhat different from the rest of the South Vietnamese. They are more primitive people, and from all records they have a deep affection, admiration and gratitude to the American people. They are also fine fighters.

Developing and helping build a variety of simple, economical, and practical devices which will improve the life of rural people, such as water wheels for irrigation purposes.

Introduction of wooden windmills.

Introduction of cheap, locally made hydrojet well drilling rigs.

Helping the Vietnamese to build simple and inexpensive hamlet school buildings.

Assisting hamlet leaders in planning, selection and mobilization of support for self-help projects.

Training teachers in agricultural methods.

When I said thousands of man-years, I meant that. Thousands of man-years have been spent to help the economy of South Vietnam. These teachers will then form demonstration teams to teach improved agricultural practices to peasants.

Introduction of fertilizer, which has often doubled yields.

Introduction of improved varieties of crops which are suited to the climate and soil, such as onions, sweetpotatoes, and corn. That is the American record of South Vietnam.

In addition to stimulating rural progress, the economic aid has laid the groundwork for substantial economic, educational and social progress in urban areas.

U.S. EDUCATIONAL CONTRIBUTIONS

Some of these achievements include—

Vocational education: This American Nation of ours has built and equipped a central polytechnic institution and three secondary-level polytechnic schools in South Vietnam. The United States has reequipped six other vocational schools. We have provided technical assistance for nine rural 2-year trade schools. In 1955, there were only 1,700 students. Now there are 7,000 students enrolled in vocational schools receiving American assistance in South Vietnam.

General education: America has helped build four teacher-training schools—one at Saigon, two in the provinces and one designed for Montagnard teachers. Americans are right now engaged in helping train more than 2,000 prospective teachers in these schools.

We have helped build some 900 hamlet classrooms since mid-1962. We helped build 3,500 elementary classrooms and 282 secondary classrooms earlier. Over 1,000 teachers have attended a 90-day training course with American help. We have helped train over 4,000 teachers at vocational workshops. Enrollment in elementary schools has increased from 300,000 in 1955 to 1,400,000 in 1963. More than 3 million textbooks have been published.

That is the kind of record that Kosygin calls a dirty record, best reflected in a "black book."

U.S. HEALTH AID

Health: This American Nation of ours in pursuit of a strong, peaceful South Vietnam has helped establish and stock 12,500 villages and hamlets. Each station has been staffed with a local person trained with American help in first aid and health courses. A malaria eradication program, financed by the United States, has resulted in a drop in the malaria incidence rate from 7.22 percent in 1958 to .77 percent in 1962.

That was in only 5 years. In other words, a 7 percent malaria incidence was reduced to less than 1 percent, thanks to an American-financed health program.

Public administration: With American help the National Institute of Administration, which will graduate some 350 qualified civil servants annually, has been built and staffed. We have assisted in establishing training centers for village officials in 21 provincial centers.

U.S. INDUSTRIAL ASSISTANCE

Transportation: With American help substantial progress has been made in all areas of transportation. We have helped build 272 miles of roads in South Vietnam. A $7.7 million United States' loan financed the purchase of equipment for the Vietnam National Railway system. American funds provided eight dredges to keep water arteries open. We financed a 10,000-foot jet runway at Saigon airport.

Water supply: Americans helped to drill more than 1,400 wells that will provide clean, fresh, sanitary water for 750,000 rural inhabitants. Thanks to America, fresh water will be supplied to some 500,000 urban dwellers through the installation of water systems in 35 cities.

Electric power: In pursuit of an independent, peaceful South Vietnam, we have helped provide the chief province and district towns with the electric power of 162 diesel generating units. We will step up this program.

This is the kind of peaceful, strong economy we are building in South Vietnam. The reason why the Communists are invading is that they cannot afford to have another show window for the West, a window to show how people can prosper when they have the kind of peaceful, prosperous, growing economy free of Communist domination.

A $12.7 million AID—American—loan is being used to construct a 33,000 kilowatt powerplant in the Saigon metropolitan area. When the plant is completed shortly it will be a boon to industrial users who are now often dependent on costly individual diesel generators.

Industry: About 13,000 workers are employed in 50 new factories, built with American aid. South Vietnam is now largely self-sufficient in the spinning and weaving of cotton textiles as a result of this U.S. program.

Communications: We have helped build a national network of seven major radio stations. With American help 6,000 community listening centers were established. A modern microwave telecommunications system is nearing completion, which will give Saigon telephone connection with the principal towns of the Delta provinces.

What a brilliant and proud record of constructive contributions to peace this story of American services in South Vietnam represents. We have devoted ourselves unstintingly to education and health, to the patient, peaceful development essential to independence for this country.

This is the story that has not been told in the headlines of violence, murder, coups, and retaliation in South Vietnam. But this is the big American story.

U.S. PEACEFUL AID VS. COMMUNIST TERROR

I detailed these programs to point out that not one of them—not a single one—can be in any way interpreted as providing a threat to the North Vietamese Government or people. There should be no doubt of this.

Let there be no doubt on another score. The Communists in North Vietnam are responsible for the aggression against South Vietnam. They direct and supply it; if they desire they can bring it to an end. Recent evidence makes it clear that a majority, possibly as much as three-fourths, of hard-core Vietcong strength in South Vietnam comes from the north.

North Vietnam provides nearly all the more sophisticated weaponry used by the Vietcong, such as high-caliber guns, mortars, and antiaircraft weapons. The evidence is that the flow of men and equipment from North Vietnam increased in 1954, and continues to increase.

Those who have been criticizing our policy in South Vietnam are quick to argue that, after all, the Americans have installed more weaponry in South Vietnam than North Vietnam has sent in, more than the Vietcong has supplied. Of course we have. But what a difference: We are sending in our weaponry to defend South Vietnam because its duly constituted governments have asked us to do so. The other side is supplying theirs to subvert, dominate, overwhelm, and control that country.

Along with the men and equipment comes command and strategy, and the basic training and guidance in the sordid arts of guerrilla warfare. Hanoi's supplies, direction, support and inspiration are crucial to the continuation of the Vietcong campaign against the south.

Faced with this kind of attack it is hardly surprising that the fledgling country of South Vietnam has had its share of problems. It is hard enough for a new nation to govern successfully under the best of conditions. Fighting a counterinsurgency war imposes enormous additional burdens.

POLITICAL INSTABILITY

The weakest part of the situation in South Vietnam is its political instability. This is a really vulnerable position. The distinguished Senator from New York is correct in asking the question. It is a question that is extremely difficult to answer. How can we determine whether the people of South Vietnam really support our position? But, of course, this is what the Communists are working toward.

One consequence of the difficulties has been the chronic political instability of the central government in Saigon. A succession of coups has installed one government after another, creating an impression that is both bewildering and disturbing to those of us who are used to having our governments assume office as a result of elections, not coups—and every 4 years, not eight times in 16 months.

This political instability is a serious matter, both because it interferes with successful prosecution of the war against the Vietcong and because it makes it harder to build a better life for the people of South Vietnam. We are doing what we can to aid the cause of political unity and stability in South Vietnam—but this is an area in which we can play only a limited role.

Mr. McGEE. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am glad to yield.

Mr. McGEE. I commend the Senator from Wisconsin for the focus of his comments on Vietnam. So much information is on the loose today that it seems to me that an attempt is being made to reduce the question to very simple terms—to jump to the conclusion, for example, that the people in South Vietnam do not approve of the government in Saigon. Like the Senator from Wisconsin, I share the view, first, that we cannot know for certain. There is no way we can measure in South Vietnam. It is difficult enough to measure here, sometimes; but as Winston Churchill once reminded us, we are not conducting a foreign policy with a thermometer in one hand and a George Gallup poll in the other. We have to take policy positions because they are fundamental in the national interest.

I doubt very much whether the position of the Montagnards, vis-a-vis the United States, is not to operate their own government.

The instability of the Vietnamese Government is a headache. Its uncertainties create frustrations for us. But it seems to me that that is not the major criterion. The black marketeers and the monarchy were headaches to us in Greece. But that did not deter us from holding off the Communists so that the Greek people themselves could improve their lot and improve their position.

I say that we ought to get our ducks in the right kind of order, to borrow an old cliche; that is, to put first things first. The first thing is to keep the forces from the north from forcibly intruding their influence and the impact of their force on the land to the south.

I suspect that the mistake we made, in part, was in trying to equate Saigon with Washington, in a political sense; trying to imagine that because we have democracy, the Vietnamese can have democracy. They have only recently emerged from generations of colonial domination by one great power after another. On the other hand, democracy is one of the most difficult, sophisticated, and complicated arts of government.

We have been working at it for nearly 200 years ourselves. We still have a little way to go. We tried to spoon-feed democracy to the Germans, who were a very sophisticated political people following World War I. The Weimar regime went down the drain. Democracy is something that one must learn. One must grow up with it.

I submit that the ingredients for democracy will not be present in Vietnam for a long time to come. Probably we shall see in the Senator's lifetime, and mine, little but a succession of one kind of dictatorship after another, in that part of the world.

While we do not like that, in comparison with our own experience, I thing it is a fair substitute to achieve that kind of success, to win them over to preserving their national independence.

I think the Senator has done well to place stress on the importance of keeping first things first.

I have been to Vietnam only twice. Both times I was in the jungles, and in the areas where the fighting was going on. I was struck by the warm reception and almost the worship that many of these Montagnards have for the Americans who are living with them, and helping them meet their day-to-day problems. This is the kind of story that we are not relating frequently enough. I have talked to American boys who have just come back from some of the Vietnamese villages. They want to go back again.

These are matters that are often omitted for the sake of tradition and having a contrast between "good guys" and "bad guys," truth and falsehood, and peace and war. Most of the story is important in that area.

I hope the Senator will pursue, on other fronts, the approach he has taken in the Senate to stress what happens to have gone right in Vietnam, what happens to have been on the constructive and historical side of the picture in terms of making improvement in Vietnam.

These people were not expected to last beyond 1954, when they became independent. They were given 12 months' time, and then they were expected to fold up. But here we are, nearly 11 years later. They are still going forward, and I suspect from the kind of determination that is theirs, and the kind of determination that President Johnson has manifested with regard to his own policy position, that they will be there for all time to come.

Mr. PROXMIRE. Mr. President, I thank the Senator from Wyoming. He has been an outstanding leader in support of the administration's position. He has an unusual understanding of the situation in Vietnam and has taken a remarkably deep interest in our foreign affairs for many years.

The points made by the Senator from Wyoming are correct. I am delighted that he supports my position in this matter.

I stress the main point that I seek to make here. It is a partial answer to the senior Senator from New York; the fact that we have engaged in vast, far-reaching, and successful efforts to help education, health, transportation, and so forth in South Vietnam. This assistance is not the kind of thing that enrages or infuriates people. When they know that they have worked with Americans who helped them train thousands of teachers, develop a pure water system, stop malaria, and so forth, it seems to me that this is an ingredient for support of their position.

The important thing—and here we are in agreement with the Vietnamese—is not to let the problems in Saigon sap our efforts in the deeper struggle against the Communists. The two problems are, of course, related. Victory over the Communists is hard to achieve even with a strong central government. But let us not fall into the Communist propaganda-fed trap of thinking that a coup in Saigon means the South Vietnamese people would rather be governed by the Communists in Hanoi.

This is a mistake which we make because there is a coup resulting from a sharp difference of opinion among military leaders, all of whom agree on vigorously opposing the North Vietnamese and Vietcong. Certainly it seems to me it is not a basis for assuming that our position in South Vietnam is not supported by the South Vietnamese.

It would be the peak of irony if our own will were to weaken as a result of South Vietnam's internal political problems, for this would deliver to the enemy precisely what they desire. The Communists' methods of conquest are political as well as military. Whatever the means, the result is the same, as far as they are concerned: the takeover of South Vietnam, a goal they have sought—and we have opposed—for over 10 years.

If the Communists can take over in South Vietnam by an infiltration, by the Buddhists seizing the Government, they will do it that way. And they are trying to do it that way. If they can take over South Vietnam through a succession of coups, and this discourages us and makes us feel that South Vietnam is not interested enough, that is a Communist victory.

Mr. JAVITS. Mr. President, I compliment the Senator from Wisconsin on what I consider to be one of the finest contributions to an understanding of this problem ever made in this Chamber.

Mr. HARRIS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I would like to associate myself with the remarks of the distinguished Senator from Wisconsin, who has obviously given much knowledgeable thought to the problem in Vietnam, and whose remarks on it will be most helpful in leading the people of this country toward a consensus in support of the actions now being taken there by the President.

Further, it seems obvious to me that those who would make history must first study it. The United States is now making history in its actions in South Vietnam. We are faced there with a new type of Communist offensive of infiltration, subversion, and guerrilla activities supported externally. The long view of the study of history indicates that appeasement or withdrawal in the face of aggression has never been conducive to the establishment of a lasting peace.

As the Senator from Wisconsin has so ably pointed out, in our dealings in Vietnam, we must again apply the principle that unless we are willing, now, to take the risks involved—and we are all cognizant of the risks involved—in drawing the line in South Vietnam, we shall have to draw it somewhere. I, for one, would like to see it drawn in South Vietnam, rather than in Thailand, in Malaysia, in the Philippines, in Hawaii, or in San Francisco and Seattle.

For those who have questioned the policy of this country, I believe that it would be well for all Senators, as well as for the people of this country, to recall that Congress in Public Law 88-408, last session, set forth, in speaking of the attacks in South Vietnam:

> Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of our freedom;

In the "Resolved" part of the resolution it is further stated:

> The United States is, therefore, prepared as the President determines to take all necessary steps including the use of armed force to assist any member or protocol state of the Southeast Asia Defense Treaty requesting assistance in defense of its freedom.

That is what we are doing. As to the question that has been asked as to what we will do in the future, the resolution further states, in section 3:

> This resolution shall expire when the President shall determine that the peace and

security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

The peace in that troubled sector is not secure. The President of the United States is doing what must be done there. The President has clearly pointed out that our policy is one in which we seek no wider war. Over and over again, the President has stated that he will go anywhere, any time, to talk with anyone when there is reasonable hope of success in any kind of peace negotiations or discussion. It is clear to us, or it should be, that negotiations can be fruitful only where, first, we have someone willing to negotiate. In my judgment, we do not have such a situation now. Nor has there been any evidence that there is any intent on the part of our adversaries to arrive at any kind of honorable and dignified solution as a result of negotiations.

Furthermore, there is no sense in negotiation unless there is some reasonable assurance that the people with whom we negotiate toward an agreement will carry out the agreement.

It is obvious from the study of the history of that problem that all that is necessary for peace to come to that troubled area of the world is for the Communists in Hanoi and elsewhere to fulfill the agreements they entered into 1954 and again 1962.

Therefore, I for one, wish to uphold the hand of the President of the United States, who is the leader of the free world. He has a full understanding of the facts, which perhaps many of us do not have, because he has the means by which he can learn them. Furthermore, I am confident that he understands the grave and serious meaning of what is going on in southeast Asia as it relates to the protection of this country's interests and to the protection of the peace and security of the world.

Therefore, I am happy to have the opportunity to associate myself with the remarks of the distinguished Senator from Wisconsin, and to commend him for the very lucid explanation of the problem in that area and its history and what needs to be done about it.

Mr. PROXMIRE. I thank the Senator from Oklahoma [Mr. HARRIS] for a remarkable statement, impromptu and off the cuff, very thoughtful and well organized, and certainly most appropriate. I deeply appreciate his support in this matter.

AMERICAN GOALS

What then are our goals? As I see it, Mr. President, they are three in number:

First. Peace—an end to the fighting and terror in South Vietnam.

Does anyone question that goal? Why are we there? The only other reason why countries engage in this kind of war is that they want to annex territory, or to gain some kind of economic advantage. We do not want anything of that kind. Does anyone believe that President Eisenhower, President Kennedy, or President Johnson had any other objective at all except to achieve peace and freedom, recognizing that if we do not fight there we shall have to fight elsewhere?

Second. Preservation of the freedom of the South Vietnamese people to develop according to their own wishes, free from outside interference.

No one can say we are dominating the Government of South Vietnam. If we had dominated it, perhaps there would not have been all the coups that have taken place.

We have not attempted to dictate to the Government. No one can charge us with trying to interfere.

Third. An end to the spread of communism by force in southeast Asia—a program fostered and supported by Red China and one which poses a serious threat to our American security.

And this, our own American security, is the final reason, a very practical and the main reason, why we are expending this enormous amount of $2.5 billion over a period of years and losing hundreds of American lives and endangering thousands of American lives in the future.

NO PEACE IN WITHDRAWAL

Mr. President, there are some who suggest that peace can be restored only if we withdraw from South Vietnam. I ask them—peace for whom? For the South Vietnamese? For the millions of others in southeast Asia who have thus far resisted Communist subversion? For the United States, which is committed by treaty to come to the aid of some of the very countries in that part of the world which will undoubtedly be the next target for this type of warfare?

How then can peace be achieved? It can come swiftly just as soon as the other side decides it is in their interest to make it happen. There should be no doubt on this point. Whether or not the authorities in Hanoi actually order each tactical operation—and it is my understanding that to a large extent they do—the key element is that they have the authority to bring the attack to an end.

They direct, supply, organize, and inspire the insurgency; they have the power to halt it. Peace will come when they learn to leave their neighbors alone, in South Vietnam, in Laos, and elsewhere.

Our goal is peace; theirs is conquest. After the years of struggle brought about by these conflicting aims, we have resorted finally to a means that has long been at our disposal, but which we have long refrained from using.

STRICTLY LIMITED U.S. MILITARY ACTION

It was hoped that the threat of airstrikes against North Vietnam would be sufficient to encourage sober thoughts in Hanoi.

Mr. President, the distinguished Senator from Alaska has said, the mere presence of our 7th Fleet there indicates our power and gives us a strong position from which to negotiate. But the presence of any military power can give us no negotiating power unless the other side knows that we have the will to use that power. That is a grim fact, but it is a fact of life.

There had been hints, many of them obviously authoritative, that airstrikes north of the 17th parallel were under consideration. The Communists who rule North Vietnam knew that we had the airpower to inflict grave damage on them. But apparently the lesson had not sunk in.

The scale and frequency of Communist attacks in recent months continued to increase. The rate of infiltration of cadres from the North mounted ever higher. The new boldness took the form of attacks at American facilities. Our ships in the Gulf of Tonkin, the airfield at Bien Hoa, and, most recently, the attack at Pleiku and the destruction of the barracks at Qui Nhon, where 23 Americans lost their lives.

Faced with this escalation by the other side, the President ordered the measured response of U.S. airstrikes at Communist military facilities in North Vietnam. This was not a case of all-out saturation bombing. It was aimed at specific staging areas and depots used by the Communists to reinforce and supply the Vietcong. And the message it carried to Hanoi was clear: "Watch out, you're playing a dangerous game, and there are serious risks for you as well."

On Wednesday, February 24, it was announced that since Thursday, February 18, U.S. jet bombers have attacked the Vietcong. The crews were indeed solely American. Once again the objective was military, strictly and exclusively military. Jet attacks are limited in duration and in size. They are confined to Vietcong, identifiable enemy concentrations, hostile foreign concentrations within South Vietnam territory.

Indeed, we are more directly involved. But once again the involvement is measured, restricted, military in its nature; and, in my judgment, it is consonant with our basic purpose of taking whatever action we have to take—painful as it may be—to achieve the peace.

Mr. President, it was helpful on the part of the distinguished Senator from Wyoming [Mr. SIMPSON] to ask, "Why should we not move in all the way with our military force? Why should we not end the war by using the full force of our Navy, Air Force, and Army, to end it?"

This gives us a chance to emphasize that this is not the policy of the President of the United States, that this Johnson administration policy is a limited effort to do all we can to achieve peace, which will have to be a negotiated and compromised peace, because we will not take over North Vietnam.

RESPONSIBILITY FOR WAR EXPANSION: NORTH VIETNAM

I find it odd that the President should stand accused of "expanding" the war. This war was long since expanded—from the north to the south. These airstrikes were undertaken, in the words of the White House statement, "in response to direct provocation by the Hanoi regime."

Responsibility for the provocations lies north of the 17th parallel. Up to now, our efforts have been concentrated in South Vietnam. Our actions of past weeks have served to make those responsible for the war aware of the consequences it could have for them if it continues unabated.

On August 7, 1964, at the time of the incidents in the Gulf of Tonkin, the

Senate by a vote of 88 to 2 adopted a joint resolution with the stated purpose: "To promote the maintenance of international peace and security in southeast Asia."

The resolution saw the attacks in the Tonkin Gulf as "part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors" and stated, "That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

What else has the President done? This was a resolution passed with as much unanimity as it is possible to expect on a controversial situation. The vote was 88 to 2. The President is doing precisely what the resolution seeks to do. Virtually every Senator subscribed to that position.

CONGRESSIONAL RESOLUTION SUPPORTED PRESIDENT

How can we in the Senate now ask why we are in South Vietnam? The Senate resolution states it clearly. This is our determination—Republican and Democratic, Liberal and Conservative. A vote of 88 to 2 on any matter is pretty overwhelming and in the case of Vietnam, it surely represented a resounding endorsement of President Johnson's policies.

While we pursue these goals, we must continue to make clear, as President Johnson has repeatedly stated, that our fundamental purpose is peace. We seek no wider war.

What we seek in South Vietnam is no more than a peaceful settlement spelled out in the 1954 Geneva accords which guaranteed the independence and territorial integrity of South Vietnam. But this time we would like to see the accords supported by more effective enforcement machinery, to see that peace will stick. These are the basic ingredients for an end to the fighting.

It does not take a lot of diplomatic sophistication to understand our position. It is logical; it is simple. Above all, it is peaceful. Of course it means an end to the pattern of external aggression carried on by the Hanoi regime from the time it came to power.

CONDITIONS FOR NEGOTIATIONS

There may be a time to talk; all wars end in talk. But for talk to be fruitful the other side must acknowledge the heavy responsibility that is theirs. They must show by their actions that they want peace and will end the aggressive conduct that prevents it.

It would be a grim mistake to move to the conference table before such indications are present. Perhaps the worst outcome of all would be a conference that ended in failure. The war would resume without even the glimmer of hope that the possibility of peace talks always offer.

This is a fact that has not been recognized by those who are pressing for negotiations.

We must be ready always to talk—but we must insist that the conditions for talk are present. We cannot take part in a conference that merely ratifies the fruits of aggression.

Mr. President, we must be prepared to look forward, not merely to many more months, but to many more years, of hard service in South Vietnam, with years of sacrifice and work and dangers and loss of life, years in which we work to assist the people of South Vietnam to build a strong and independent country.

This effort in South Vietnam, if we continue it—and I hope and pray that we do—will not be more popular in the future with the American people. It will become less and less popular. It will take more and more patience. It will take more leadership and courage on the part of Senators and other leaders to speak out to the American people.

The real division is not between those who say get out of South Vietnam now with negotiation, and those who say end the war now by blasting Hanoi and all of North Vietnam off the face of the earth. The realists are on neither side of this argument. The realists oppose both solutions. The realistic policy is to prepare to stay in South Vietnam for years and years and years—no matter how long it takes, to outlast the Communists, to outeducate them, to outwork them, to outserve them in the cause of peace.

The difference is between those who think we have done too much in South Vietnam and the time has come to get out or to mount a full-scale invasion of the North and those who think we have not done enough, and that we have to broaden and deepen our commitments—especially our economic and social commitments in Vietnam.

Mr. President, if we are going to stop Communists in South Vietnam or in Cambodia or Burma or Malaysia or South Korea or the Philippines, it is not going to be easy. Throughout our lifetime and very likely throughout the lifetime of our children there will be no end of struggle and sacrifice, of danger and heavy cost. Not because America wants war, now or ever, in South Vietnam or anywhere else, but because the Communists and especially the Red Chinese have made it clear that they will use war to achieve their ends whenever it suits their purpose and because we will oppose this gradual Communist conquest in defense of freedom.

This world contest against communism is a struggle we are not sure to win. We could lose. But certainly if we help this independent country of South Vietnam to maintain its independence, we enhance the prospect of freedom and of peace surviving.

Which is better, Mr. President, to stay and slug it out in stalemate in South Vietnam or to give in, give up, retreat, fall back, and have to slug it out elsewhere in Asia against an encouraged and victorious Communist enemy?

Does any Senator honestly think that the Communists will stop with South Vietnam, if we give it to them? Does any Senator really think that such a course will discourage the Communists from continuing this successful course until they have all of Asia and push on from there?

And where, Mr. President, is the basis for our negotiation now. What do the Communists offer? Indeed, what will they offer, when they are convinced they are winning?

The plain and perhaps brutal truth, particularly to those who have urged the President to negotiate a settlement, is that the Communist camp has given us nothing to negotiate short of U.S. withdrawal from South Vietnam which would open the door to a takeover by the Hanoi regime.

This is an ultimatum, not a feeler to begin negotiations. The stage for negotiations will be set when the reign of terror—brought about by infiltration, subversion, bombings, and murders—is brought to an end by the North Vietnamese. A truce or cease-fire—call it what you will—brought about by the North will set the stage for talks that can be fruitful.

It seems clear that these conditions do not now exist. So we must carry on with firmness and resolution. We must meet force with force. We must show with patience and determination that we mean to stay in Vietnam—not for a week, or month, but for 1 year or 2 years or 10 years, whatever is required to achieve our goal and carry out our commitment.

And above all, we must be willing to take the military measures necessary to drive home this determination to the North Vietnamese and their Chinese Communist overlords. This can only be done by making their aggressive ventures into South Vietnam so painful and so unprofitable as to be discouraging. If broader airstrikes are required, they must be made. If more determined ground action to cut off infiltration appears necessary, we must be willing to make the sacrifice. If greater use of our superior seapower will meet our needs, then so be it.

It is my view and I believe the view of the administration, that cries for negotiation now have a very, very bad effect on our South Vietnam allies and a highly encouraging effect on the Vietcong.

Let us never forget that our goal is peace. Peace is the clear aim of this administration.

President Johnson's course is not the course of massive full-scale war against North Vietnam. And it is not the course of negotiating now—a negotiation that could only ratify a Communist victory.

It is a harder and wiser course than either. It offers us the best prospect of peace and the best prospect of freedom.

Mr. President, I ask unanimous consent that several recent White House statements, Ambassador Stevenson's February 8 letter to the President of the Security Council, and a most cogent speech by Assistant Secretary of State for the Far East William Bundy, be printed in the CONGRESSIONAL RECORD together with the Department of State's white paper—the statement on aggression from the north—the record of North Vietnam's campaign to conquer South Vietnam, omitting the appendix, and the excellent letter from

Adlai Stevenson delivering this white paper to the U.N. They state these points—our commitment to peace, our willingness to use whatever means are necessary to achieve it—with more eloquence than I have mustered in this statement.

The PRESIDING OFFICER (Mr. BASS in the chair). Is there objection?

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Office of the White House Press Secretary, Feb. 7, 1965]

STATEMENT BY THE PRESIDENT

Following meetings with the National Security Council, I have directed the orderly withdrawal of American dependents from South Vietnam.

It has become clear that Hanoi has undertaken a more aggressive course of action against both South Vietnamese and American installations, and against Americans who are in South Vietnam assisting the people of that country to defend their freedom. We have no choice now but to clear the decks and make absolutely clear our continued determination to back South Vietnam in its fight to maintain its independence.

In addition to this action, I have ordered the deployment to South Vietnam of a Hawk air defense battalion. Other reinforcements, in units and individuals may follow.

[From the Office of the White House Press Secretary, Feb. 11, 1965]

THE WHITE HOUSE.—On February 11, U.S. air elements joined with the South Vietnamese Air Force in attacks against military facilities in North Vietnam used by Hanoi for the training and infiltration of Vietcong personnel into South Vietnam.

These actions by the South Vietnamese and United States Governments were in response to further direct provocations by the Hanoi regime.

Since February 8, a large number of South Vietnamese and United States personnel have been killed in an increased number of Vietcong ambushes and attacks. A district town in Phuoc Long Province has been overrun, resulting in further Vietnamese and United States casualties. In Qui Nhon, Vietcong terrorists in attack on an American military billet murdered Americans and Vietnamese. In addition, there have been a number of mining and other attacks on the railway in South Vietnam as well as assassinations and ambushes involving South Vietnamese civil and military officials.

The U.S. Government has been in consultation with the Government of South Vietnam on this continuation of aggressions and outrages. While maintaining their desire to avoid spreading the conflict, the two Governments felt compelled to take the action described above.

[From the Office of the White House Press Secretary, Feb. 17, 1965]

REMARKS OF THE PRESIDENT TO THE NATIONAL INDUSTRIAL CONFERENCE BOARD AT THE SHERATON-PARK HOTEL, WASHINGTON, D.C.

I should like to end this visit with you with a word on the very serious situation in Vietnam, which I know must be on the mind of each of you.

As I have said so many, many times, and other Presidents ahead of me have said, our purpose, our objective there is clear. That purpose and that objective is to join in the defense and protection of freedom of a brave people who are under attack that is controlled and that is directed from outside their country.

We have no ambition there for ourselves. We seek no dominion. We seek no conquest. We seek no wider war. But we must all understand that we will persist in the defense of freedom, and our continuing actions will be those which are justified and those that are made necessary by the continuing aggression of others.

These actions will be measured and fitting and adequate. Our stamina and the stamina of the American people is equal to the task.

Thank you.

LETTER DATED FEBRUARY 7, 1965, FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honor to inform you of the following acts which have further disturbed the peace in Vietnam.

In the early morning of February 7, Vietnamese time, Vietcong forces carried out coordinated attacks on South Vietnamese air bases in Pleiku and Tuy Hoa, on two barracks installations in the Pleiku area, and on a number of villages in the area of Tuy Hoa and Nha Trang. Numerous casualties were inflicted, and at least one village was burned.

These attacks by the Vietcong, which operates under the military orders of North Vietnamese authorities in Hanoi, were a concerted and politically timed effort to sharpen and intensify the aggression at a moment designed for broader effect in the field of international politics, and to test the will of the Republic of Vietnam and the United States to resist that aggression.

The Government of the Republic of Vietnam and the Government of the United States immediately consulted and agreed that it was necessary to take prompt defensive action. Accordingly, on the afternoon of February 7, Vietnamese time, United States and South Vietnamese air elements were directed to take joint action against certain military facilities in the southern area of North Vietnam. An attack was carried through against Dong Hoi, which is a military installation and one of the major staging areas for the infiltration of armed cadres of North Vietnamese troops into South Vietnam in violation of international law and of the Geneva accords of 1954.

The Vietcong attacks of February 7 related directly to the central problem in Vietnam. That central problem is not one of a struggle by one element of the population in South Vietnam against the Government. There is, rather, a pattern of military operations directed, staffed, and supplied in crucial respects from outside the country. Up to 34,000 armed and trained soldiers have infiltrated into South Vietnam from the north since 1959. In addition, key items of equipment, such as mortars of the type employed in the attacks of February 7, have come from North Vietnam. During 1964, the infiltration of men and equipment has increased sharply, and virtually all of those now coming in are natives of North Vietnam.

Infiltration in such numbers can hardly be labeled "indirect aggression"—though that form of aggression is illegal, too. What we are witnessing in Vietnam today is a sustained attack for more than 6 years across a frontier set by international agreement.

Members of the Security Council will recall that we discussed in the Council, in August 1964, aggression by the Hanoi regime against naval units of the United States in the Gulf of Tonkin. At that time we described these attacks as part of a pattern which includes the infiltration of armed personnel to make war against the legitimate Government of South Vietnam, the arming of terrorist gangs in South Vietnam, the assassination of local officials as an instrument of policy, the continued fighting in Laos in violation of the Geneva agreements—a pattern, in short, of deliberate systematic and flagrant violations of international agreements by the regime in Hanoi which signed them and which by all tenets of decency, law, and civilized practice, is bound by their provisions.

The Republic of Vietnam, and at its request the Government of the United States and other governments, are resisting this systematic and continuing aggression. Since reinforcement of the Vietcong by infiltrators from North Vietnam is essential to this continuing aggression, countermeasures to arrest such reinforcement from the outside are a justified measure of self-defense.

Mr. President, my Government is reporting the measures which we have taken in accordance with our public commitment to assist the Republic of Vietnam against aggression from the north.

We deeply regret that the Hanoi regime, in its statement of August 8, 1964, which was circulated in Security Council document S/5888, explicity denied the right of the Security Council to examine this problem. The disrespect of the Hanoi regime for the United Nations adds to the concern which any United Nations member state must feel about Hanoi's violation of the purposes and principles of the United Nations Charter.

Nevertheless, I would remind you, and through you other members of the Security Council and of the United Nations, that our mission in southeast Asia is peace and that our purpose is to insure respect for the peace settlement to which all concerned are committed.

We, therefore, reserve the right to bring this matter to the Security Council if the situation warrants it.

In a statement issued this morning on behalf of President Johnson, the U.S. Government once again emphasized that "we seek no wider war. Whether or not this course can be maintained lies with the North Vietnamese aggressors. The key to the situation remains the cessation of infiltration from North Vietnam and the clear indication by the Hanoi regime that it is prepared to cease aggression against its neighbors."

Our objective is a peaceful settlement. This would require both the self-restraint of the regime to the north and the presence of effective international peacekeeping machinery to make sure that promises are kept.

This is our purpose. But we will not permit the situation to be changed by terror and violence and this is the meaning of our action this weekend.

Accept, etc.

ADLAI E. STEVENSON.

AMERICAN POLICY IN SOUTH VIETNAM AND SOUTHEAST ASIA

(Address by the Honorable William P. Bundy, Assistant Secretary of State for Far Eastern Affairs, before the Washington Chamber of Commerce, Washington, Mo., Saturday, January 23, 1965)

INTRODUCTION

When my old friend, Senator SYMINGTON, relayed your invitation to come here, I was delighted to accept. I shall make only one partisan statement tonight, and that is to say how fortunate you in Missouri are in your distinguished senior Senator. For the rest, I would like to speak on the topic you have chosen—American Policy in South Vietnam and southeast Asia—totally without regard to partisanship. That topic and the issues it raises concern all of us, as Americans.

I shall talk, if I may, to three related sets of questions:

I. How did we come to be in South Vietnam? How does what we are doing there relate to our wider purposes in the world, to our specific purposes in Asia, and, in a word, to our national interests?

II. What has been the course of events in Vietnam that has brought us to the present situation?

III. What are the key problems, and what can we do to help in solving them and in achieving our objectives?

I

The first question requires a look at history.

Even when the Far East was much more distant than it is today, we Americans had deep concern for developments there. Americans pioneered in trade and missionary effort with China and in opening up Japan to Western influence. In 1898 we became in a sense a colonial power in the Philippines, but began almost at once to prepare the way for independence and self-government there—an independence promised by act of Congress in 1936 and achieved on schedule in 1946. By the 1930's, we had wide interests of many types in the Far East, though only few direct contacts in southeast Asia apart from the individual Americans who had served over decades as political advisers to the independent Kingdom of Thailand.

Events then took a more ominous turn. We became aware that the ambitions of Japanese military leaders to dominate all of Asia were a threat not only to the specific interests of ourselves and other Western nations, but to the peace of the whole area and indeed of the world. China, in which we had taken a lead in dismantling the 19th century system of foreign special privileges, was progressively threatened and large parts overrun. We ourselves were finally attacked at Pearl Harbor and in the Philippines. We responded to aggression by conducting with our allies a major Pacific war that cost the United States alone 272,700 casualties and over $100 billion.

In the end Japanese militarism was defeated, and the way apparently cleared for an Asia of free and independent national states that would be progressively freed of colonialism, that need threaten neither each other nor neighboring states, and that could tackle in their own way the eternal problems of building political and economic structures that would satisfy the aspiration of their peoples.

That kind of Far East was a pretty good definition of our national interests then. It is equally valid today. We cared about the Far East, and we care today, because we know that what happens there—among peoples numbering 33 percent of the world's population, with great talent, past historic greatness, and capacity—is bound to make a crucial difference whether there will be the kind of world in which the common ideals of freedom can spread, nations live and work together without strife, and—most basic of all—we ourselves, in the long run, survive as the kind of nation we are determined to be. Our basic stake in the Far East is our stake in a peaceful and secure world as distinct from a violent and chaotic one. But there were three great flaws in the 1945 picture after the defeat of Japan.

1. In China, a civil war had been raging since the 1920's between the Government, led by Chiang Kai-shek, and the Chinese Communist movement. After a brief and edgy truce during the war against Japan, that civil war was resumed in circumstances where the Government had been gravely weakened. We assisted that Government in every way possible. Mistakes may have been made, but in the last analysis mainland China could not have been saved from communism without the commitment of major U.S. ground and air forces to a second war on the Asian mainland. Faced with a concurrent threat from Soviet Russia against Europe and the Near East, we did not make—and perhaps could not then have made—that commitment. And there came to power on the mainland, in the fall of 1949, a Communist regime filled with hatred of the West, with the vision of a potential dominant role for China, but imbued above all with a primitive Communist ideology in its most virulent expansionist form.

2. In Korea, a divided country stood uneasily, half free and half Communist. With our military might sharply reduced after the war, as part of what may have been an inevitable slackening of effort, we withdrew our forces and reduced our economic aid before there was in existence a strong South Korean defense capacity. With Soviet backing North Korea attacked across the 38th parallel in June 1950. With the Soviets then absent from the U.N. Security Council, the U.N. was able to condemn the aggression and to mount a U.N. effort to assist South Korea. The United States played by far the greatest outside role in a conflict that brought 157,530 U.S. casualties, cost us at least $18 billion in direct expenses, and in the end—after Communist China had also intervened—restored an independent South Korea, although it left a unified and free Korea to be worked out in the future.

In retrospect, our action in Korea reflected three elements:

A recognition that aggression of any sort must be met early and head on, or it will have to be met later and in tougher circumstances. We had relearned the lessons of the 1930's—Manchuria, Ethiopia, the Rhineland, Czechoslovakia.

A recognition that a defense line in Asia, stated in terms of an island perimeter, did not adequately define our vital interests—that those vital interests could be affected by action on the mainland of Asia.

An understanding that, for the future, a power vacuum was an invitation to aggression, that there must be local political, economic, and military strength in being to make aggression unprofitable, but also that there must be a demonstrated willingness of major external power both to assist and to intervene if required.

3. In southeast Asia, finally, there was a third major flaw—the difficulty of liquidating colonial regimes and replacing them by new and stable independent governments. The Philippines became independent and with our help overcame the ravages of war and the Communist Huk rebellion. The British, who had likewise prepared India and Burma and made them independent, were in the process of doing the same in Malaya even as they joined with the Malayans in beating back a 12-year Communist subversive effort. Indonesia was less well prepared; it gained its independence too, with our support, but with scars that have continued to affect the otherwise natural and healthy development of Indonesian nationalism.

French Indochina was the toughest case. The French had thought in terms of a slow evolution to an eventual status within some French union of states—a concept too leisurely to fit the postwar mood of Asia. And militant Vietnamese nationalism had fallen to the leadership of dedicated Communists.

We all know the result. Even with substantial help from us, France was unable to defeat the Communist-led nationalist movement. Despite last-minute promises of independence, the struggle inevitably appeared as an attempt to preserve a colonial position. By 1954, it could only have been won, again, by a major U.S. military commitment, and perhaps not even then. The result was the settlement at Geneva. The accords reached there were almost certainly the best achievable, but they left a situation with many seeds of future trouble. Briefly:

1. North Vietnam was militantly Communist, and had developed during the war against the French an army well equipped and highly skilled in both conventional and subversive warfare. From the start, North Vietnam planned and expected to take over the south and in due course Laos and Cambodia, thinking that this would probably happen by sheer decay under pressure, but prepared to resort to other means if needed.

2. South Vietnam had no effective or popular leadership to start with, was demoralized and unprepared for self-government, and had only the remnants of the Vietnamese military forces who had fought with the French. Under the accords, external military help was limited to a few hundred advisers. Apart from its natural self-sufficiency in food, South Vietnam had few assets that appeared to match those of the north in the struggle that was sure to come.

3. Cambodia was more hopeful in some respects, more remote from North Vietnam, with a leader in Prince Sihanouk, a strong historical tradition, and the freedom to accept external assistance as she saw fit. From the start Sihanouk insisted, with our full and continuing support, on a status of neutrality.

4. Laos, however, was less unified and was left under the accords with a built-in and legalized Communist presence, a disrupted and weak economy, and no military forces of significance.

Such was the situation President Eisenhower and Secretary Dulles faced in 1954. Two things were clear—that in the absence of external help communism was virtually certain to take over the successor states of Indochina and to move to the borders of Thailand and perhaps beyond, and that with France no longer ready to act, at least in South Vietnam, no power other than the United States could move in to help fill the vacuum.

Their decision, expressed in a series of actions starting in late 1954, was to move in to help these countries. Besides South Vietnam and more modest efforts in Laos and Cambodia, substantial assistance was begun to Thailand.

The appropriations for these actions were voted by successive Congresses, and in 1954 the Senate likewise ratified the southeast Asia treaty, to which Thailand and the Philippines adhered, along with the United States, Britain, France, Australia, New Zealand, and Pakistan. Although not signers of the treaty, South Vietnam, Laos, and Cambodia could call on the SEATO members for help against aggression.

So a commitment was made, with the support of both political parties, that has guided our policy in southeast Asia for a decade now. It was not a commitment that envisaged a U.S. position of power in southeast Asia or U.S. military bases there. We threatened no one. Nor was it a commitment that substituted U.S. responsibility for the basic responsibility of the nations themselves for their own defense, political stability, and economic progress. It was a commitment to do what we could to help these nations attain and maintain the independence and security to which they were entitled, both for their own sake and because we recognized that, like South Korea, southeast Asia was a key area of the mainland of Asia. If it fell to Communist control, this would enormously add to the momentum and power of the expansionist Communist regimes in Communist China and North Vietnam, and thus to the threat to the whole free world position in the Pacific.

I have come at a statement of our policy in the Far East by the route of history, for policy is the fruit of history and experience, seldom of some abstract design from a drawing board. In essence, our policy derives from (1) the fact of the Communist nations of Asia and their policies; (2) the lessons of the thirties and of Korea; (3) the logical extension of that fact and these lessons to what has happened in southeast Asia.

It is possible to define our total policy in Asia, as it has existed at least since 1954, in quite simple terms.

1. Our objectives are those of the free nations of the area—that they should develop as they see fit, in peace and without outside

interference. We would hope that this development will be in the direction of increasingly democratic institutions, and that there will be continued and expanded ties of partnership and contact with ourselves and with the other nations of the free world. Yet we know that Asia will develop as the leaders and peoples of Asia wish it to develop, and we would not have it otherwise.

2. Asia confronts two central problems: The threat of Communist nations whose objective is domination and enslavement, and enormous economic and political problems that would exist in any case. If these two problems cannot be solved over time, the Asia of the future will be the breeding ground of ever more direct threats to our national interest and could be the source of a third world war.

3. To deal with these central problems, the free nations of the area need the help of the United States and of our major allies. Outnumbered in population and in military forces by the Communist nations as they are—by nearly 2 to 1 if you leave out India—the free nations of Asia cannot do the job alone. We cannot do it for them, but we have the resources and the military power to play a crucial role.

4. The peace and security of east and southeast Asia are indivisible. If the Communist powers success in aggression, they will be encouraged, free nations discouraged, and the inevitable process of evolution toward moderation within the Communist countries themselves postponed or perhaps prevented altogether. We have seen the dynamics of Hitlerite Germany and militarist Japan checked and defeated, and the West Germany and Japan of today emerge as respected major nations of the world. Thanks to NATO, our handling of the Cuban crisis, and other actions, something like the same process may be underway with Soviet Russia today. Such a process of moderation will come eventually for the Communist nations of Asia if they are checked. It cannot come if they are not—and any loss of free nations makes the future task that much, and perhaps immensely, more difficult.

So much, then, for how we came to become involved in South Vietnam and how that involvement relates to our wider policies and purposes. In simple terms, a victory for the Communists in South Vietnam would inevitably make the neighboring states more susceptible to Communist pressure and more vulnerable to intensified subversion supported by military pressures. Aggression by wars of national liberation would gain enhanced prestige and power of intimidation throughout the world, and many threatened nations might well become less hopeful, less resilient, and their will to resist undermined. These are big stakes indeed.

II

Let us now wind the reel back to South Vietnam in 1954 and trace the course of events to the present.

From 1954 to 1959, great progress was made. In Ngo Dinh Diem, a stanchly nationalist and anti-Communist leader was found. Against all odds, including the opposition in 1954–55 of old-line military leaders and religious groups, he took hold. Under his rule the nationalist feeling of the newly formed country—which does differ to a significant degree from the north—was aroused, and it soon became and has remained clear that, whatever the extent of their attachment to particular governments in their own country, the great mass of the people of South Vietnam do not wish to be ruled by communism or from Hanoi.

On the economic and social front, education was vastly expanded, major land reforms carried out, and the economy grew at a rapid rate, far outstripping what was happening under the Communist yoke in the north. Instead of decaying and dropping by default into Communism, South Vietnam was in a fair way toward becoming really able to stand on its own feet.

In all this, the United States played a major helping role. On the military side we helped to create a fairly decent army almost from scratch, with a normal military assistance advisory group of a few hundred men. That army was never big enough to threaten the north, nor was it meant to be; it may well have been too much oriented to conventional warfare and not to the handling of a sophisticated guerrilla aggression.

Then, beginning roughly in 1959, two trends got underway that are still today at the heart of the problem.

First, the Diem government, instead of steadily broadening its base and training key groups for responsibility, began to narrow it. More and more the regime became personal in character. Opposition parties, which had previously been active in relatively free elections, were driven underground, and there began a process of repression which, while never drastic by the standards we should apply to governments in new nations, much less by those of Communist countries, nevertheless alienated increasing numbers of the all too small pool of trained men capable of helping to govern effectively.

Second, Hanoi went on the march. Seeing itself thwarted in both South Vietnam and Laos, Hanoi began to send trained guerrillas into the south and increasing cadres to assist the Communist Pathet Lao forces in Laos. In South Vietnam there had been from the start thousands of agents and many pockets of Communist influence left behind in the division of Vietnam, and as early as 1957 a campaign of assassination of local officials had begun that tallies on the map almost exactly with the areas under strongest Communist control today. In 1959, such activity was stepped up, guerrilla units formed, and the real campaign got underway.

That campaign is sometimes referred to as a civil war. But let us not delude ourselves. Discontent there may have been, and local recruiting by the Vietcong, largely through intimidation. But the whole campaign would never have been possible without the direction, personnel, key materiel, and total support coming from Hanoi, and without too the strong moral support, and key materiel when needed, provided by Peiping and, up to 1962 at least, by the Soviet Union. Thousands of highly trained men coming from the north, along with the crucial items of equipment and munitions—these have been from the start the mainspring of the Vietcong insurgency. This has been all along a Communist subversive aggression, in total violation of the Geneva accords as well as general principles of international behavior.

Indeed the true nature of the struggle has been publicly stated many times by Hanoi itself, beginning with a 1960 Communist Party Conference in North Vietnam which declared the policy of, as they put it, "liberating the south."

By early 1961, South Vietnam was clearly in difficulty. President Johnson, then Vice President, visited the country in the spring, and we stepped up our military supplies and tried to turn our training emphasis increasingly to the guerrilla front. Then, in the fall of 1961, a series of key assassinations and raids on Government centers brought South Vietnamese morale to a critical point. Something more was needed. President Kennedy considered and rejected the sending of U.S. combat units to fight the Vietcong.

Instead he responded to the request of the South Vietnamese Government for American military advisers with Vietnamese units, and for Americans to furnish helicopter and air transport lift, combat air training, communications, and in short every possible form of assistance short of combat units.

But the military effort was and is only one aspect of the struggle. The economic front was equally important, and a smaller but extraordinarily dedicated group of civilian Americans went into the dangerous countryside, unarmed and often unescorted, to help in the creation of the fortified hamlets that soon became, and remain, a key feature of strategy, and to bring to the villages the schools, fertilizer, wells, pigs, and other improvements that meant so much and would serve to show the Government's concern for its people.

The basic strategy adopted in early 1962 was sound, and was indeed in key respects the same as the strategy that prevailed against communism in Malaya, Greece, and the Philippines. It is a strategy that takes patience and local leadership, and that takes learning and experience as well. The Vietnamese and we are still learning and changing today, and will go on doing so.

Under the advisory concept, the American strength in South Vietnam rose to 12,000 by mid-1962 (eventually to the present 23,000), and with our help the South Vietnamese began to reverse the slow tide of growing Communist gains. By the spring of 1963, things seemed to be on the upswing, not only in the judgment of senior Americans but in that of experienced observers from third countries.

Yet the unhappy tendencies of the Diem government had persisted, despite all the quiet advice we could give in favor of reforms. The stubbornness and inflexibility which had been his great assets in the early days after 1954 had now become serious drawbacks. The Buddhist uprisings of the spring of 1963 brought the political situation to the forefront again. Now Buddhism as a religion is not nearly as dominant in South Vietnam as it is elsewhere in southeast Asia—Thailand, Laos, and Cambodia. The adherents of Buddhism may not be even a majority of South Vietnamese, and there are significant Catholic and other groups as well as large numbers of adherents to older religious beliefs. Nonetheless, Buddhists are the most numerous faith, they are entitled to fair treatment, and they had some case against the Diem government for personal discrimination, though little, according to the findings of a United Nations commission, for true religious persecution. But these grievances might have been met without serious trouble if they had not been fanned by a small group of leaders who were and are, in fact, politically motivated.

Unfortunately, the Diem government refused to compromise or to redress the areas of legitimate grievance, and in August sent the Army into the pagodas of Saigon and other cities, following up with a drastic compaign of suppression against students and a wide circle of political opponents. As a result, by late September—when I personally accompanied Secretary McNamara to Saigon—it was clear that Diem and his brother, Nhu, had aroused wide popular opposition and, perhaps most crucial, had alienated almost to the breaking point the key trained elements within the government structure itself, both civilian and military.

Although Ambassador Lodge continued to urge reforms that might still have saved the government, Diem did not respond, and on November 1, 1963, he was overthrown, he and Nhu—most unfortunately—killed, and a new military government installed by force.

No one could then tell whether the new government would be better. Clearly, it had to be military in the first instance, and the first military group, under General Minh, had considerable popular backing. Yet it was ineffective and tended to throw out the baby with the bath, replacing so many military and provincial officials that the way was opened for major Vietcong gains. Then in January General Khanh took control in a bloodless coup. He showed ability on the military and economic front, but he, in turn, decided to turn over the government to civilian leaders to be selected by consultation among representatives of the key groups—the Buddhists, the Catholics, the military, labor, the religious sects, the various areas including the considerable body of refugees from the north, past political groupings, and so on.

The result was the present government under Prime Minister Huong, a man of determination and character, dedicated to fairness to all groups. He is wrestling today essentially with the same kind of problems that Diem faced and overcame in 1954, but in the far more difficult internal security crisis brought on by the Vietcong aggression, which has been slowly extending the areas of Communist control in the countryside, and the pace of guerrilla and terrorist activity, even to Saigon itself.

So the political situation today is critical, and its resolution is central to turning the war around and restoring an independent and secure South Vietnam. That task must essentially be done by the Vietnamese people, under Vietnamese civilian and military leaders, all under a Government that unites the divergent political interest groups and that gives orders that can be carried out.

I have dwelt at such length on the political history, because it is this aspect that is today in the headlines, as it is the greatest concern of our representatives in Saigon and of the Vietnamese leaders themselves who must find the answer. (And may I pause here, apropos of the headlines, to say that I think the American people are getting the facts. We in government follow closely what is said in the newspapers and magazines, and on TV; part of our job is to see that these media are properly informed and given access to everything except for those few details that are necessarily matters of security in what is, after all, a war situation. I think we are doing our job, and that the media are doing theirs. The picture that you as thoughtful citizens get is in fact the picture that we have, on all essential points. If that picture is complex or not entirely clear, believe me our picture is the same, for that is the nature of the situation.)

The real point of the political history in South Vietnam is that it should cause us no amazement and no despair. Was it not 7 years between the end of the American Revolution and the making of a lasting constitution, even for a new nation which had united to fight a war and had centuries of British evolution toward democratic self-government behind it? And how many new nations in the world today have found lasting stability in a decade, especially where there had been little preparation under colonialism, where the national historic tradition was remote, and above all where a violent aggressor was striking constantly at the very fabric of government? Take if you will one fact alone—that in the first 8 months of 1964 the Vietcong assassinated more than 400 local officials and kidnaped another 700—and try in your mind to project what an equivalent amount of gangsterism would do to government performance in this country, and then to project that effect in turn, onto the situation in a country such as South Vietnam.

So this is a tough war, and the Vietnamese are a tough people to have stood up under it and to be holding their heads above water after 20 years of violence and uncertainty.

III

How should we now, then, approach this situation, as Americans?

Above all, we must stand firm and be patient. We never thought in 1961, or in 1954, that the task would be easy. North Vietnam had certain advantages:

Experience and sophistication in every aspect of subversion and political warfare;

Dedicated and fanatic agents who for the most part came from the south to fight the French and then returned to areas they knew well;

An open corridor through Laos to keep up the supply of guerrillas and supplies. In the past year, such infiltration has markedly increased, and has included for the first time significant numbers of indigenous North Vietnamese trained in North Vietnam in regular military units;

A numerical ratio of guerrilla forces to Government forces that is well below the ratios of 10 to 1, that have been found necessary for success in past guerrilla wars. There are today in South Vietnam perhaps 35,000 hard-core Vietcong fighters and another 60,000 to 80,000 local Vietcong forces, against roughly 400,000 military and paramilitary forces for the Government, or a ratio of about 4 to 1;

The internal political divisions and above all the inexperience in government of the south itself.

Yet the balance sheet is by no means all one sided.

Our advisory effort, on all fronts, has done great things and, in the wide personal relationships involved, must stand almost unique in the history of relations between an Asian nation under fire and an outside Western nation.

Although there are from time to time signs of anti-American feeling, working relationships at all levels remain close and friendly.

With our help, the Government has been able to maintain economic stability and to move to help areas secured from the Vietcong.

Our military effort and our equipment, supplied to the Vietnamese, have largely offset the unfavorable numerical ratio favoring the Vietcong.

The Vietnamese military forces continue to fight well. Our own military men consider most of them as tough and brave as any in the world. Though there have been military reverses, there have also been significant victories—which sometimes do not make headlines. On the military front, the Vietcong is not capable of anything like a Dienbienphu.

Above all, the Vietnamese people are not voting with their feet or their hearts for communism.

As to our basic policy, the alternatives to our present courses might be, on the one hand, to withdraw or to negotiate on some basis such as what is called neutralization, or, on the other hand, for the Vietnamese and ourselves to enlarge the war, bringing pressure to persuade Hanoi, by force, that the game they are playing is not worth it.

It is also suggested that the United Nations might be of help. There may emerge possibilities for a U.N. role, but it is not clear that the U.N., which has been unable to carry through commitments such the Congo, would be able to act effectively to deal with this far more difficult situation in its present form. And this has been the public judgment of the U.N. Secretary General, Mr. U Thant.

As to the basic alternative, so long as South Vietnam is ready to carry on the fight, withdrawal is unthinkable. A negotiation that produced a return to the essentials of the 1954 accords and thus an independent and secure South Vietnam would of course be an answer, indeed the answer. But negotiation would hardly be promising that admitted communism to South Vietnam, that did not get Hanoi out, or that exposed South Vietnam and perhaps other countries of the area to renewed Communist aggression at will, with only nebulous or remote guarantees.

As for enlarging our own actions, we can not speak surely about the future—for the aggressors themselves share the responsibility for such eventualities. We have shown in the Gulf of Tonkin that we can act, and North Vietnam knows it, and knows its own weaknesses. But we seek no wider war, and we must not suppose that there are quick or easy answers in this direction.

The root of the problem, to repeat, is in South Vietnam. We must persist in our efforts there, with patience rather than petulance, coolness rather than recklessness, and with a continuing ability to separate the real from the merely wished for.

As a great power, we are now and will continue to find ourselves in situations where we simply do not have easy choices, where there simply are not immediate or ideal solutions available. We cannot then allow ourselves to yield to frustration, but must stick to the job, doing all we can and doing it better.

The national interests that have brought us into the Vietnam struggle are valid, and they do not become less so just because the going gets rough and the end is not yet in sight. President Johnson said in his state of the Union message: "Our goal is peace in southeast Asia. That will come only when aggressors leave their neighbors in peace. What is at stake is the cause of freedom. In that cause, we shall never be found wanting."

AGGRESSION FROM THE NORTH—THE RECORD OF NORTH VIETNAM'S CAMPAIGN TO CONQUER SOUTH VIETNAM

"Our purpose in Vietnam is to join in the defense and protection of freedom of a brave people who are under attack that is controlled and that is directed from outside their country." (President Lyndon B. Johnson, February 17, 1965.)

INTRODUCTION

South Vietnam is fighting for its life against a brutal campaign of terror and armed attack inspired, directed, supplied, and controlled by the Communist regime in Hanoi. This flagrant aggression has been going on for years, but recently the pace has quickened and the threat has now become acute.

The war in Vietnam is a new kind of war, a fact as yet poorly understood in most parts of the world. Much of the confusion that prevails in the thinking of many people, and even many governments, stems from this basic misunderstanding. For in Vietnam a totally new brand of aggression has been loosed against an independent people who want to make their own way in peace and freedom.

Vietnam is not another Greece, where indigenous guerrilla forces used friendly neighboring territory as a sanctuary.

Vietnam is not another Malaya, where Communist guerrillas were, for the most part, physically distinguishable from the peaceful majority they sought to control.

Vietnam is not another Philippines, where Communist guerrillas were physically separated from the source of their moral and physical support.

Above all, the war in Vietnam is not a spontaneous and local rebellion against the established government.

There are elements in the Communist program of conquest directed against South Vietnam common to each of the previous areas of aggression and subversion. But there is one fundamental difference. In Vietnam a Communist government has set out deliberately to conquer a sovereign people in a neighboring state. And to achieve its end, it has used every resource of its own government to carry out its carefully planned program of concealed aggression. North Vietnam's commitment to seize control of the South is no less total than was the commitment of the regime in North Korea in 1950. But knowing the consequences of the latter's undisguised attack, the planners in Hanoi have tried desperately to conceal their hand. They have failed and their aggression is as real as that of an invading army.

This report is a summary of the massive evidence of North Vietnamese aggression obtained by the Government of South Vietnam. This evidence has been jointly analyzed by South Vietnamese and American experts.

The evidence shows that the hard core of the Communist forces attacking South Vietnam were trained in the north and ordered into the south by Hanoi. It shows that the key leadership of the Vietcong (VC), the officers and much of the cadre, many of the technicians, political, organizers, and propagandists have come from the north and operate under Hanoi's direction. It shows that the training of essential military personnel and their infiltration into the south is directed by the military high command in Hanoi. (See sec. I.)

The evidence shows that many of the weapons and much of the ammunition and other supplies used by the Vietcong have been sent into South Vietnam from Hanoi. In recent months new types of weapons have been introduced in the VC army, for which all ammunition must come from outside sources. Communist China and other Communist States have been the prime suppliers of these weapons and ammunition, and they have been channeled primarily through North Vietnam. (See sec. II.)

The directing force behind the effort to conquer South Vietnam is the Communist Party in the north, the Lao Dong (Workers) Party. As in every Communist State, the party is an integral part of the regime itself. North Vietnamese officials have expressed their firm determination to absorb South Vietnam into the Communist world. (See sec. III.)

Through its central committee, which controls the government of the north, the Lao Dong Party directs the total political and military effort of the Vietcong. The military high command in the north trains the military men and sends them into South Vietnam. The Central Research Agency, North Vietnam's central intelligence organization, directs the elaborate espionage and subversion effort. The extensive political-military organization in the north which directs the Vietcong war effort is described in section IV.

Under Hanoi's overall direction the Communists have established an extensive machine for carrying on the war within South Vietnam. The focal point is the Central Office for South Vietnam with its political and military subsections and other specialized agencies. A subordinate part of this Central Office is the Liberation Front for South Vietnam. The front was formed at Hanoi's order in 1960. Its principal function is to influence opinion abroad and to create the false impression that the aggression in South Vietnam is an indigenous rebellion against the established government. (See sec. IV.)

For more than 10 years the people and the Government of South Vietnam, exercising the inherent right of self-defense, have fought back against these efforts to extend Communist power south across the 17th parallel. The United States has responded to the appeals of the Government of the Republic of Vietnam for help in this defense of the freedom and independence of its land and its people.

In 1961 the Department of State issued a report called "A Threat to the Peace." It described North Vietnam's program to seize South Vietnam. The evidence in that report had been presented by the Government of the Republic of Vietnam to the International Control Commission (ICC). A special report by the ICC in June 1962 upheld the validity of that evidence. The Commission held that there was "sufficient evidence to show beyond reasonable doubt" that North Vietnam had sent arms and men into South Vietnam to carry out subversion with the aim of overthrowing the legal government there. The ICC found the authorities in Hanoi in specific violation of four provisions of the Geneva accords of 1954.[1]

Since then, new and even more impressive evidence of Hanoi's aggression has accumulated. The Government of the United States believes that evidence should be presented to its own citizens and to the world. It is important for freemen to know what has been happening in Vietnam, and how, and why. That is the purpose of this report.

I. HANOI SUPPLIES THE KEY PERSONNEL FOR THE ARMED AGGRESSION AGAINST SOUTH VIETNAM

The hard core of the Communist forces attacking South Vietnam are men trained in North Vietnam. They are ordered into the south and remain under the military discipline of the military high command in Hanoi. Special training camps operated by the North Vietnamese Army gave political and military training to the infiltrators. Increasingly the forces sent into the south are native North Vietnamese who have never seen South Vietnam. A special infiltration unit, the 70th Transportation Group, is responsible for moving men from North Vietnam into the south via infiltration trails through Laos. Another special unit, the maritime infiltration group, sends weapons and supplies and agents by sea into the south.

The infiltration rate has been increasing. From 1959 to 1960, when Hanoi was establishing its infiltration pipeline, at least 1,800 men, and possibly 2,700 more, moved into South Vietnam from the north. The flow increased to a minimum of 3,700 in 1961 and at least 5,400 in 1962. There was a modest decrease in 1963 to 4,200 confirmed infiltrators, though later evidence is likely to raise this figure.

For 1964 the evidence is still incomplete. However, it already shows that a minimum of 4,400 infiltrators entered the south, and it is estimated more than 3,000 others were sent in.

There is usually a time lag between the entry of infiltrating troops and the discovery of clear evidence they have entered. This fact, plus collateral evidence of increased use of the infiltration routes, suggests strongly that 1964 was probably the year of greatest infiltration so far.

Thus, since 1959, nearly 20,000 VC officers, soldiers, and technicians are known to have entered South Vietnam under orders from Hanoi. Additional information indicates that an estimated 17,000 more infiltrators were dispatched to the south by the regime in Hanoi during the past 6 years. It can reasonably be assumed that still other infiltration groups have entered the south for which there is no evidence yet available.

To some the level of infiltration from the north may seem modest in comparison with the total size of the Armed Forces of the Republic of Vietnam. But one-for-one calculations are totally misleading in the kind of warfare going on in Vietnam. First, a high proportion of infiltrators from the north are well-trained officers, cadres, and specialists. Second, it has long been realized that in guerrilla combat the burdens of defense are vastly heavier than those of attack. In Malaya, the Philippines, and elsewhere a ratio of at least 10 to 1 in favor of the forces of order was required to meet successfully the threat of the guerrillas hit-and-run tactics.

In the calculus of guerrilla warfare the scale of North Vietnamese infiltration into the south takes on a very different meaning. For the infiltration of 5,000 guerrilla fighters in a given year is the equivalent of marching perhaps 50,000 regular troops across the border, in terms of the burden placed on the defenders.

Above all, the number of proved and probable infiltrators from the north should be seen in relation to the size of the VC forces. It is now estimated that the Vietcong number approximately 35,000 so-called hard-core forces, and another 60,000 to 80,000 local forces. It is thus apparent that infiltrators from the north—allowing for casualties—make up the majority of the so-called hard-core Vietcong. Personnel from the north, in short, are now and have always been the backbone of the entire VC operation.

It is true that many of the lower level elements of the VC forces are recruited within South Vietnam. However, the thousands of reported cases of VC kidnapings and terrorism make it abundantly clear that threats and other pressures by the Vietcong play a major part in such recruitment.

A. The infiltration process

The infiltration routes supply hard-core units with most of their officers and noncommissioned personnel. This source helps fill the gaps left by battle casualties, illness, and defection and insures continued control by Hanoi. Also, as the nature of the conflict has changed, North Vietnam has supplied the Vietcong with technical specialists via the infiltration routes. These have included men trained in armor and ordnance, antiaircraft, and communications as well as medical corpsmen and transport experts.

There is no single infiltration route from the north to South Vietnam. But by far the biggest percentage of infiltrators follow the same general course. The principal training center for North Vietnamese Army men assigned to join the Vietcong has been at Xuan Mai near Hanoi. Recently captured Vietcong have also reported an infiltration training camp at Thanh Hoa. After completion of their training course—which involves political and propaganda work as well as military subjects—infiltrating units are moved to Vinh on the east coast. Many have made stopovers at a staging area in Dong Hoi where additional training is conducted. From there they go by truck to the Laos border.

Then, usually after several days' rest, infiltrators move southward through Laos. Generally they move along the Laos-South Vietnam border. Responsibility for infiltration from North Vietnam through Laos belongs to the 70th Transportation Group of the North Vietnamese Army. After a time the infiltration groups turn eastward, entering South Vietnam in Quang Nam, Quang Tri, Thua Thien, Kontum, or another of the border provinces.

The Communists have established regular lanes for infiltration with way stations established about 1 day's march apart. The way stations are equipped to quarter and feed the Vietcong passing through. Infiltrators who suffer from malaria or other illnesses stay at the stations until they recover sufficiently to join another passing group moving south.

The map on page 4 [not shown in RECORD] shows the infiltration route from North Vietnam to the south followed by VC Sgt. Huynh Van Tay and a group of North Vietnamese Army officers and men in September 1963. Tay was captured during an engagement in Chuong Thien Province in April 1964.

Local guides lead the infiltration groups along the secret trails. Generally they direct the infiltrators from halfway between two stations, through their own base station, and on halfway to the next supply base. Thus the guides are kept in ignorance of all but their own way stations. Only group leaders are permitted to talk with the guides in order to preserve maximum security. The men are discouraged from asking where they are or where they are going.[2]

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[1] For the text of pertinent sections of the ICC report, see app. A.

[2] For additional maps of the routes taken by VC infiltrators into South Vietnam, see app. B.

The same system of trails and guides used along the Lao infiltration routes is used within South Vietnam itself. Vietcong infiltrators may report directly to a reassignment center in the highlands as soon as they enter South Vietnam. But in the past year or more some groups have moved down trails in South Vietnam to provinces along the Cambodian border and near Saigon before receiving their unit assignment. Within South Vietnam infiltration and supplies are handled by VC units such as the Nam Son Transportation Group.

At the Laos border crossing point infiltrators are reequipped. Their North Vietnamese Army uniforms must be turned in. They must give up all personal papers, letters, notebooks, and photographs that might be incriminating. Document control over the infiltrators has been tightened considerably over the past 2 years. A number of Vietnamese infiltrators have told of being fitted out with Lao neutralist uniforms for their passage through Laos.

Infiltration groups are usually issued a set of black civilian pajama-like clothes, two unmarked uniforms, rubber sandals, a sweater, a hammock, mosquito netting, and waterproof sheeting. They carry a 3- to 5-day supply of food. A packet of medicines and bandages is usually provided.

The size of infiltration groups varies widely. Prisoners have mentioned units as small as 5 men and as large as 500. Generally the groups number 40 to 50. When they arrive in South Vietnam these groups are usually split up and assigned to various VC units as replacements, although some have remained intact.

B. Military personnel

The following are individual case histories of North Vietnamese soldiers sent by the Hanoi regime into South Vietnam. They are only an illustrative group. They show that the leadership and specialized personnel for the guerrilla war in South Vietnam consists in large part of members of the North Vietnam armed forces, trained in the North and subject to the command and discipline of Hanoi.

1. Tran Quoc Dan

Dan was a VC major, commander of the 60th Battalion (sometimes known as the 34th Group of the Thon-Kim Battalion). Disillusioned with fighting his own countrymen and with communism and the lies of the Hanoi regime, he surrendered to the authorities in South Vietnam on February 11, 1963.

At the age of 15 he joined the revolutionary army (Viet Minh) and fought against the French forces until 1954 when the Geneva accords ended the Indochina war. As a regular in the Viet Minh forces, he was moved to North Vietnam. He became an officer in the so-called people's army.

In March 1962 Major Dan received orders to prepare to move to South Vietnam. He had been exposed to massive propaganda in the north which told of the destitution of the peasants in the south and said that the Americans had taken over the French role of colonialists. He said later that an important reason for his decision to surrender was that he discovered these propaganda themes were lies. He found the peasants more prosperous than the people in the north. And he recognized quickly that he was not fighting the Americans but his own people.

With the 600 men of his unit, Major Dan left Hanoi on March 23, 1962. They traveled through the Laos corridor. His group joined up with the Vietcong 1st Regiment in central Vietnam.

The 35-year-old major took part in 45 actions and was wounded once in an unsuccessful VC attack on an outpost. As time passed he became increasingly discouraged by his experience as a VC troop commander. Most of all, he said, he was tired of killing other Vietnamese. After several months of soul-searching he decided to surrender to the authorities of the Republic of Vietnam. He has volunteered to do "anything to serve the national cause" of South Vietnam.

2. Vo Thoi

Sgt. Vo Thoi (Communist Party alias Vo Bien) was an assistant squad leader in the VC Tay Son 22d Battalion. On the night of October 7, 1963, his unit attacked An Tuong village in Binh Dinh Province. After overrunning the village, Vo's company was assigned to set up an ambush against Republic of Vietnam troops rushing to defend the village. In the ensuing fight Vo was seriously wounded. He was picked up by local farmers and turned over to the authorities.

Vo's life and experiences were similar to those of thousands of Vietcong. Born in Quang Ngai Province in 1932, he went through 5 years of school and then worked on his parents' small farm. During the war against the French he joined the Viet Minh forces. When the fighting ended, he was transferred to North Vietnam with his unit, the 210th Regiment. He remained in the North Vietnamese Army until 1960 when he was sent to work on a state farm in Nghe An Province. Vo said 3,000 men and women worked on the farm, of whom 400 were soldiers. In September 1962 Vo was told he must join the newly activated 22d Battalion. All the members of the battalion came from provinces in South Vietnam, from Quang Tri to Phu Yen. But it was not an ordinary battalion; two-thirds of its members were cadre with ranks up to senior capitain.

The group was put through an advanced training course that lasted 6 months. The training program included combat tactics for units from squad to company and the techniques of guerrilla and counterguerrilla fighting. There were heavy doses of political indoctrination.

On March 5, 1963, the 22d Battalion received orders to move south. They were transported in trucks from Nghe An Province to Dong Hoi in Quang Binh, just north of the 17th parallel. From there the unit was moved westward to the Lao border. Then the more than 300 men began walking to the south following mountain trails in Laos and the Vietnam border area. They marched by day, rested at night. Every fifth day they stopped at a way station for a full day's rest. One company dropped off at Thua Thiem Province. Vo and the remainder of the group marched on to Pleiku Province. Two fully armed companies from a neighboring province were assigned to the battalion. The assignment given to the battalion was to harass strategic hamlets in the Hoai An district of Binh Dinh, to round up cattle and rice, to kill or kidnap cadre of the Government forces, and to recruit local youth for service with the Vietcong.

3. Nguyen Thao

Nguyen Thao was a VC weapons technician. A native of Khanh Hao Province in South Vietnam, he joined the Viet Minh in 1950. He worked at a secret arsenal manufacturing weapons for use by the guerrilla forces. He went to North Vietnam after the Geneva accords were signed in 1954. In North Vietnam he attended a technical school specializing in arms and manufacture. He received special training in foreign small arms and artillery.

At the end of 1962 he was ordered to Ha Dong to attend a special course of political training in preparation for infiltrating into South Vietnam. On completion of the training course he was assigned to a group of 14 men who would move to the south together. Nguyen Thao said the group was composed of four armament specialists, two chemical engineers, and eight middle-level technical cadre.

They left Ha Dong in March 1963, crossed into Laos, and reached their destination in the northern part of South Vietnam in May. Nguyen Thao went to work at a secret VC arsenal near the Quang Ngai border. Fifty men, some local workers, manned the arsenal weapons section. The group manufactured mines and grenades for the VC units in the area and repaired weapons.

Nguyen Thao said he soon realized from talking with the local workers at the arsenal that most of what he had heard in the North about conditions in South Vietnam was wrong. He said the Communists had deceived him. Two months after his arrival at the arsenal he decided to defect. He asked permission to rejoin his family and to work in a national defense factory and continue his studies.

4. Nguyen Viet Le

This VC soldier was born in Quang Nam Province in South Vietnam. He served with the 305th Division of the Viet Minh and moved to North Vietnam in 1954. In April 1961, Nguyen Viet Le and his unit, the 50th Battalion, moved into Laos. He said the unit remained in Laos for 2 months, during which it fought in four battles alongside the Pathet Lao. During these engagements one of the battalion's four companies was badly mauled and had to be returned to North Vietnam.

The other three companies were assigned to South Vietnam. They arrived in Quang Ngai Province in the summer of 1961. For a month they rested and waited for orders. They took part in a major action against an outpost of the Government of South Vietnam in September. Nguyen Viet Le was captured during a battle in Quang Ngai Province in April 1962.

5. Nguyen Truc

Corp. Nguyen Truc was born in 1933, the son of a farmer in Phu Yen Province in South Vietnam. From 1949 to 1954 he served as a courier and then as a guerrilla fighter with the Viet Minh. In early 1955 he boarded a Soviet ship and moved with his unit, the 40th Battalion, to North Vietnam. He remained in the army, but in 1959, bothered by illness, he went to work on a state farm.

In August 1962 Nguyen Truc was notified that he was back in the army and that he was being sent to South Vietnam. He reported to the Xuan Mai training center and underwent 6 months of military and political reeducation. His unit was the newly activated 22d Battalion. The training course was completed in February 1963, but departure for South Vietnam was delayed until April.

For infiltration purposes the battalion was divided into two groups. On April 27, Nguyen Truc and his group boarded trucks at Xuan Mai. They went first to Vinh, then on to Dong Hoi, and finally to the Laos-North Vietnam border. There they doffed their North Vietnamese army uniforms and put on black peasants' clothing. The march to the south began, sometimes in Lao territory, sometimes in Vietnam. They passed through Thua Thien Province, then Quang Nam, Quang Tin, and Quang Ngai, and finally to their destination, Pleiku. Each day they had a new guide, generally one of the mountain people of the area.

Nguyen said that he and most of the troops who were sent north after the Indochina war wanted to return to their homes and rejoin their families. In August 1963 Nguyen Truc was sent out on a foraging expedition to find food for his unit. He took the opportunity to defect to Government forces at An Tuc in Binh Dinh Province.

6. Nguyen Cam

Cam is the son of a farmer in Quang Tin Province. Born in 1929, he joined the Vietminh youth group in his home village in 1946. In 1 year he became a guerrilla fighter. In 1954, as the Indochina war was drawing to a close, he was serving with the Vietminh 20th Battalion. In May 1955 he went to North Vietnam with his unit.

Ill health caused his transfer to an agricultural camp in 1958. By 1960 he was back in uniform, serving in the 210th Regiment. In May of that year he was assigned to a small group that was to set up a metallurgical workshop. Early in 1961 he was sent to a metallurgical class in Nghe An Province. They were taught a simple form of cast iron production, simple blast furnace construction, and similar skills. Their instructor was an engineer from the Hanoi industrial department.

Their special course completed, Cam and his group of 35 men prepared to go to South Vietnam. They went by truck from their training center at Nghe An to the Lao border. After 19 days marching through Laos, they arrived in the vicinity of Tchepone. There they waited for 3 days until food supplies could be airdropped by a North Vietnamese plane. Nineteen days of walking took them to the Laos-South Vietnam border.

Delayed en route by illness, Cam finally reached his destination in November 1961. It was a secret VC iron foundry in Kontum Province. Several iron ore deposits were nearby, and the hill people had long used the iron to make knives and simple tools. Cam's job was building kilns to smelt the ore. The Vietcong hoped to use the iron for mines and grenades.

On August 4, 1963, Sergeant Cam went to a nearby village to buy salt for his group. On his return he found his comrades had gone to one of their cultivated fields to gather corn, and he joined them. The group was interrupted at their work by a Vietnamese ranger company. After a brief fight Cam was taken prisoner.

7. Nguyen Hong Thai

Thai, 32 years old, was born and grew up in Quang Nkai Province in South Vietnam. After service with the Vietminh we was moved to North Vietnam in 1954. After 3 years of military service he was assigned to a military farm. In December 1961 he was recalled to his former unit, the 305th Division, and went to the special training camp at Xuan Mai in preparation for fighting with the Vietcong in South Vietnam.

Training began in January 1962 and lasted for 4 months. The training group, designated the 32d Battalion, was composed of 650 men who came from various branches of the North Vietnamese Army—engineers, artillery, airborne, transport, marines, and some factory workers and students. Three-fourths of the training was military (guerrilla tactics, ambushes, sabotage, etc.) and one-fourth was political. In the latter, heavy emphasis was laid on the necessity for armed seizure of power in the south.

Group 32 was divided into sections and began infiltrating to the south on July 14, 1962. It moved in three groups. Thai said it took his group more than 55 days to travel from North Vietnam through Laos to Quang Ngai Province in the south. He reported that all the communications and liaison stations on the route to South Vietnam are now operated by the Army of North Vietnam. Soon after his arrival in South Vietnam, Thai was promoted to the rank of lieutenant. He was made a platoon leader in the 20th Vietcong Highland Battalion. In February 1963 the unit moved from Quang Nam to Kontum Province.

Combat conditions and the rigors of guerrilla life began to depress Thai. He said he wanted only to rejoin his family and live in peace. In September he asked and received permission to visit his family in Quang Ngai. When he got home, he surrendered to a South Vietnamese Army post.

8. Dao Kien Lap

Lap is a civilian radio technician. He has been a member of the Communist Party in North Vietnam since 1955. In February 1963 he was selected for assignment to South Vietnam where he was to work with the Liberation Front. He infiltrated into South Vietnam with a group of about 70 civilian specialists. They included doctors, pharmacists, union organizers, radio specialists, propagandists, and youth organizers. One of the infiltrators in Dao's group was a man named Binh, publisher of the newspaper Labor of the Lao Dong Party. Another was a member of the city soviet of Hanoi.

The specialists in Dao's group received 3 months of basic military training at Son Tay, and then departed for the south in mid-June. Their orders were to report to the central office of the Vietcong in South Vietnam where they would be assigned according to their individual specialties. Dao and Binh were to help run a radio station of the Liberation Front.

They traveled through Laos and along the Vietnam border. They had to stop for several weeks in Quang Nam Province to recuperate from their travels. On October 1 they were directed by guides to a VC station in Ban Me Thuot.

Dao said he had by then decided to defect to the government authorities in the south. He set off with one companion, but they were separated as they crossed a swiftly flowing river. Dao gave himself up at a government post in Ban Me Thuot on October 13, 1963.

9. Tran Ngoc Linh

Linh was a Vietcong senior sergeant, leader of a reconnaissance platoon. He is the son of a middle-class farm family in Tay Ninh Province. He served with the Viet Minh against the French and moved to North Vietnam in 1954. He spent the next 7 years in the North Vietnamese Army. In September 1962 Linh was assigned to the Xuan Mai training center at Ha Dong to prepare for duty in South Vietnam. His group was given a 4-month refresher course in infantry tactics with emphasis on guerrilla fighting. Then he received 6 months of special training in the use of machineguns against aircraft. Antiaircraft training has become an increasingly important part of the preparation of North Vietnamese troops assigned to the Vietcong.

Linh and about 120 others made up the 406th Infiltration Group commanded by Senior Capt. Nguyen Van Do. They were divided into four platoons. During the final 2 weeks of preparation each member of the group was issued new equipment—black pajamalike uniforms, a khaki uniform, a hammock, mosquito netting, rubber sandals, and other supplies, including two packets of medicine.

In the early morning hours of July 4, 1963, his group started its journey from the Xuan Mai training center outside Hanoi. The convoy of six Molotov trucks moved south along Highway 21 to Nghe An Province and then on to Quang Binh. On July 7 they arrived at the final processing station near the Laos-North Vietnam border. There they turned in their North Vietnamese Army uniforms as well as all personal papers and anything else that might identify them as coming from the north. But their departure for the south was delayed for several weeks. In August they set off through Laos.

Twice along the way Linh had to stop at liaison stations because of illness. When the infiltrators recovered from their illnesses, they were formed into special groups to continue their penetration into South Vietnam. Linh reported being delayed once for 8 days, and the second time for 10 days.

Finally, in the first week of November 1963, Linh was sufficiently recovered to begin the final leg of his journey to a VC center where he was to be assigned to a combat unit. He and three others who had been similarly delayed by attacks of malaria and other sickness made up a group. They moved through the jungles of Quang Duc Province near the Cambodian border. On the morning of November 9 they crossed the Srepok River. There they ran into a unit of the South Vietnamese Army. One of the infiltrators was killed, Linh was taken prisoner, and the other two Vietcong escaped.

These are typical Vietcong. There are many other officers like Tran Quoc Dan, technicians like Nguyen Thao, and simple soldiers like Nguyen Truc. They were born in South Vietnam, fought against the French, and then went north and served in the army of North Vietnam. They were ordered by the Communist rulers in Hanoi to reenter South Vietnam. Violating the Geneva accords of 1954 and 1962, they used the territory of neighboring Laos to infiltrate into the South. They are the means by which Communist North Vietnam is carrying out its program of conquest in South Vietnam.[3]

C. Infiltration of native North Vietnamese

The Communist authorities in Hanoi are now assigning native North Vietnamese in increasing numbers to join the VC forces in South Vietnam. Heretofore, those in charge of the infiltration effort have sought to fill their quotas with soldiers and others born in the south. The 90,000 troops that moved from South Vietnam to the north when the Geneva accords ended the Indochina War have provided an invaluable reservoir for this purpose. Now, apparently, that source is running dry. The casualty rate has been high, and obviously many of those who were in fighting trim 10 years ago are no longer up to the rigors of guerrilla war.

In any case, reports of infiltration by native North Vietnamese in significant numbers have been received in Saigon for several months. It is estimated that as many as 75 percent of the more than 4,400 Vietcong who are known to have entered the south in the first 8 months of 1964 were natives of North Vietnam.

Vo Thanh Vinh was born in Nghe An Province in North Vietnam in 1936. He was captured by South Vietnamese forces on May 5, 1964. He described himself as a military security officer. He infiltrated into South Vietnam in April 1964 with a group of 34 police and security officers from the north.

Another native North Vietnamese captured in the south was VC Pfc. Vo Quyen. His home was in Nam Dinh Province. He was a member of the 2d Battalion of the North Vietnamese Army's 9th Regiment. He said the entire battalion had infiltrated into South Vietnam between February and May last year. He was captured in an action in Quang Tri Province on July 4. He told interrogators that the bulk of his unit was composed of young draftees from North Vietnam.

Le Pham Hung, also a private, first class, was captured on July 7 in Thua Thien Province. He is a native of Nam Dinh in North Vietnam. Drafted for military service in May 1963, he was in the 324th Division. His group, consisting solely of 90 North Vietnamese draftees, infiltrated into South Vietnam in May 1964. He reported that another company of the North Vietnamese entered the south at the same time as his unit.

A former member of the 90th VC Battalion reported that his unit had been reinforced by native North Vietnamese troops earlier this year. Le Thua Phuong, an information cadre and a native of Quang Ngai Province in the south, surrendered to Government forces on April 23, 1964. He said that the 90th Battalion had received 80 North Vietnamese replacements in February.

A medical technician named Hoang Thung was captured in Thua Thien Province on July 4, 1964. He said he had infiltrated into the south in late 1963 with a group of 200

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[3] See app. C for additional details on military infiltrators.

Vietcong, the majority of whom were ethnic northerners, 120 of them draftees.

These reports destroy one more fiction which the authorities in Hanoi have sought so long to promote—that the fighting in the south was a matter for the South Vietnamese. They underline Hanoi's determination to press its campaign of conquest with every available resource.

D. Infiltration of Vietcong agents

No effort to subvert another nation as elaborate as that being conducted by the Ho Chi Minh regime against South Vietnam can succeed without an intelligence-gathering organization. Recognizing this, the authorities in Hanoi have developed an extensive espionage effort. An essential part of that effort is the regular assignment of secret agents from the north to South Vietnam.

The heart of the VC intelligence organization is the Central Research Agency in Hanoi. (See sec. IV, C.) Communist agents are regularly dispatched from North Vietnam, sometimes for brief assignments but often for long periods. Many of these agents move into South Vietnam along the infiltration trails through Laos; others are carried by boats along the coasts and landed at prearranged sites. A special maritime infiltration group has been developed in North Vietnam, with its operations centered in Ha Tinh and Quang Binh Provinces just north of the 17th parallel.

1. Maritime Infiltration

The following case illustrates the methods of maritime infiltration of secret agents used by the Communist regime of North Vietnam.

In July 1962 a North Vietnamese intelligence agent named Nguyen Viet Duong began training to infiltrate South Vietnam. A native southerner, he had fought against the French and had gone to North Vietnam after the war ended. Selected for intelligence work, he was assigned to the Central Research Agency in 1959.

After a period of intensive instruction in radio transmission, coding and decoding, and other skills of the intelligence trade, he was given false identity papers and other supplies and was transported to the south. His principal task was to set up a cell of agents to collect military information. He flew from Hanoi to Dong Hoi, and from there the Maritime infiltration group took him by boat to South Vietnam. That was in August 1962.

In January 1963 Duong reported to Hanoi that he had run into difficulties. His money and papers had been lost, and he had been forced to take refuge with VC contacts in another province. Another agent was selected to go to South Vietnam. One of his assignments was to contact Duong, find out details of what happened to him, and help Duong reestablish himself as a VC agent. The man selected for the task was Senior Captain Tran Van Tan of the Central Research Agency.

Tan had already been picked to go to the South to establish a clandestine VC communications center. Making contact with Duong was one of his secondary assignments. After intensive preparations Tan was ready to move to South Vietnam in March. He was transferred to an embarkation base of the maritime infiltration group just north of the 17th parallel.

He was joined by three other VC agents and the captain and three crewmen of the boat that would take them south. All were given false identity papers to conform to their false names. They also were provided with fishermen's permits, South Vietnamese voting cards, and draft cards or military discharge papers. The boat captain received a boat registration book, crew lists, and several South Vietnamese permits to conduct business.

The agents and boatmen were given cover stories to tell if captured. Each man had to memorize not only the details of his own story but the names and some details about each of the others. The agents had to become familiar with simple boat procedures so they could pass as legitimate fishermen.

The expedition left the embarkation port on April 4. In addition to the four agents the boat carried six carefully sealed boxes containing a generator, several radios, some weapons, and a large supply of South Vietnamese currency. They also carried some chemicals and materials for making false identification papers. Their destination was a landing site on the coast of Phuoc Tuy Province.

Soon after leaving North Vietnam the VC boat encountered high winds and rough seas. On April 7 the storm became violent. The boat tossed and threatened to capsize. Strong northeasterly winds forced it ever closer to shore. Finally the boat captain, Nguyen Xit, ordered that the six boxes be thrown overboard. This was done, and the boat then was beached. The eight men decided to split up into pairs and try to make contact with VC forces. They buried their false papers and set out. Six of the eight were captured almost immediately by authorities in Thua Thien Province, and the other two were taken several days later.

2. Student Propaganda Agents

The student population of South Vietnam is an important target group for VC propagandists. These agents seek to win adherents for the Communist cause among young workers, students in high schools and universities, and the younger officers and enlisted men in the armed forces of the Republic of Vietnam.

Typical of the agents sent into South Vietnam for this purpose is Nguyen Van Vy, a 19-year-old VC propagandist. He is a native of the Vinh Linh District in North Vietnam, just north of the demilitarized zone. He was a member of a Communist Party youth group in his native village. He was recruited for propaganda work in the south in the fall of 1962. He was one of 40 young persons enrolled in a special political training course given by the Communist Party in his district.

The first phase of the training consisted of political indoctrination covering such subjects as the advance of communism, the North Vietnamese plan for winning control of the country, the responsibility of youth in furthering this plan, the war in the south, and the need for propaganda supporting the Liberation Front.

Those who successfully completed the first phase were selected for the second level of training, the so-called technical training phase. In this the trainees were given their mission in the south. Vy was told he should infiltrate into South Vietnam and there surrender to the authorities, describing himself as a defector who was "tired of the miserable life in the north." He was to say he wanted to complete his schooling, which was impossible in the north. He was told to ask to live with relatives in the south so he could go to school. Once his story was accepted and he was enrolled in a school, he was to begin his work of propagandizing other students. He was to wait for 3 or 4 months, however, until he was no longer the subject of local suspicion. He was assigned to work under an older agent to whom he had to report regularly.

A third member of the team was a younger man who was to assist Vy. The three were to infiltrate into South Vietnam separately and to meet there at a rendezvous point.

At first Vy was to do no more than to observe his fellow students carefully, collecting biographical data on them and studying their personalities, capabilities, and aspirations. He was then to select those he thought might be most influenced by Communist propaganda and try to make friends with them.

Once he had selected targets, he was to begin to influence them favorably toward the north and to implant Communist propaganda. He was responsible then for bringing into his organization those he had influenced effectively. These individuals were to be given their own propaganda assignments to work on other students.

Students who wanted to evade military service in the Government forces were considered prime targets. Where possible, Vy was to help them get to North Vietnam. He was also told to make contact with any students who had been picked up by the authorities for suspected Communist activities. These, too, were to be helped to escape to North Vietnam. Any useful information concerning developments in the south or military activities were to be reported through his superior, Nguyen Van Phong.

In case he became suspect, he was either to make his own way back to North Vietnam or to go into the jungle and try to contact a VC unit.

Vy entered South Vietnam on January 2, 1963, by swimming across the Ben Hai River. He encountered an elderly farmer who led him to the local authorities in Hai Gu. There he told his story but it was not believed. He then admitted his true mission.

3. Other Agents

The Communist authorities in North Vietnam send their agents into South Vietnam by a wide variety of means. A few like Nguyen Van Vy cross the demilitarized zone, more infiltrate by sea, and still more along the infiltration routes through Laos. But there are other methods for entering South Vietnam. VC espionage agent Tran Van Bui attempted one such method.

Bui was a graduate of the espionage training school in Haiphong, North Vietnam. He completed a special 6-month course in July 1962. The training included political indoctrination, but most of the time was spent on such things as use of weapons, preparing booby traps, and methods of sabotage. He was also given instruction in methods for enlisting help from hoodlums, draft dodgers, and VC sympathizers. Once in South Vietnam, he was to organize a small unit for sabotage and the collection of information. On specific assignment by his superiors he was to be ready to sabotage ships in Saigon harbor and to blow up gasoline and oil storage points and Vietnamese Army installations. He was told to be prepared to assassinate Vietnamese officials and American personnel.

In September 1962 Bui was given his mission assignment. He was to hide aboard a foreign ship. When discovered, he was to claim to be a refugee who wanted to escape to South Vietnam. He was given an automatic pistol with silencer, some explosive devices, and a small knife that could inject poison into the body of a victim.

Bui stole aboard a foreign ship in Haiphong harbor. After 3 days at sea—when he was sure the ship would not turn around—Bui surrendered to the ship's captain. When the ship arrived in Bangkok, Bui was turned over to the Thai authorities. They in turn released him to the South Vietnamese as he had requested. But in Saigon his true mission was disclosed and he made a full confession.

II. HANOI SUPPLIES WEAPONS, AMMUNITION, AND OTHER WAR MATERIEL TO ITS FORCES IN THE SOUTH

When Hanoi launched the VC campaign of terror, violence, and subversion in earnest in 1959, the Communist forces relied mainly on stocks of weapons and ammunition left over from the war against the French. Supplies sent in from North Vietnam came largely from the same source. As the military campaign progressed, the Vietcong depended heavily on weapons captured from the Armed Forces in South Vietnam. This remains an important source of weapons and ammunitions for the Vietcong. But as the pace of the war has quickened, requirements for up-to-date arms and special types of weapons have risen to a point where the Vietcong cannot rely on captured stocks. Hanoi has undertaken a program to reequip its forces in the south with Communist-produced weapons.

Large and increasing quantities of military supplies are entering South Vietnam from outside the country. The principal supply point is North Vietnam, which provides a convenient channel for materiel that originates in Communist China and other Communist countries.

An increasing number of weapons from external Communist sources have been seized in the south. These include such weapons as 57-millimeter and 75-millimeter recoilless rifles, dual-purpose machineguns, rocket launchers, large mortars, and antitank mines.

A new group of Chinese Communist-manufactured weapons has recently appeared in VC hands. These include the 7.62 semiautomatic carbine, 7.62 light machinegun, and the 7.62 assault rifle. These weapons and ammunition for them, manufactured in Communist China in 1962, were first captured in December 1964 in Chuong Thien Province. Similar weapons have since been seized in each of the four corps areas of South Vietnam. Also captured have been Chinese Communist antitank grenade launchers and ammunition made in China in 1963.

One captured Vietcong told his captors that his entire company had been supplied recently with modern Chinese weapons. The reequipping of VC units with a type of weapons that require ammunition and parts from outside South Vietnam indicates the growing confidence of the authorities in Hanoi in the effectiveness of their supply lines into the south.

Incontrovertible evidence of Hanoi's elaborate program to supply its forces in the south with weapons, ammunition, and other supplies has accumulated over the years. Dramatic new proof was exposed just as this report was being completed.

On February 16, 1965, an American helicopter pilot flying along the South Vietnamese coast sighted a suspicious vessel. It was a cargo ship of an estimated 100-ton capacity, carefully camouflaged and moored just offshore along the coast of Phu Yen Province. Fighter planes that approached the vessel met machinegun fire from guns on the deck of the ship and from the shore as well. A Vietnamese Air Force strike was launched against the vessel, and Vietnamese Government troops moved into the area. They seized the ship after a bitter fight with the Vietcong.

The ship, which had been sunk in shallow water, had discharged a huge cargo of arms, ammunition, and other supplies. Documents found on the ship and on the bodies of several Vietcong aboard identified the vessel as having come from North Vietnam. A newspaper in the cabin was from Haiphong and was dated January 23, 1965. The supplies delivered by the ship—thousands of weapons and more than a million rounds of ammunition—were almost all of Communist origin, largely from Communist China and Czechoslovakia, as well as North Vietnam. At least 100 tons of military supplies were discovered near the ship.

A preliminary survey of the cache near the sunken vessel from Hanoi listed the following supplies and weapons:

Approximately 1 million rounds of small-arms ammunition; more than 1,000 stick grenades; 500 pounds of TNT in prepared charges; 2,000 rounds of 82-millimeter mortar ammunition; 500 antitank grenades; 500 rounds of 57-millimeter recoilless rifle ammunition; more than 1,000 rounds of 75-millimeter recoilless rifle ammunition; one 57-millimeter recoilless rifle; 2 heavy machineguns; 2,000 7.95 Mauser rifles; more than 100, 7.62 carbines; 1,000 submachineguns; 15 light machineguns; 500 rifles; 500 pounds of medical supplies (with labels from North Vietnam, Communist China, Czechoslovakia, East Germany, Soviet Union, and other sources).

The ship was fairly new and had been made in Communist China. Documents aboard the ship included three North Vietnamese nautical charts (one of the Haiphong area and one of Hong Gay, both in North Vietnam, and one of the Tra Vinh area of South Vietnam). The military health records of North Vietnamese soldiers were found. One man had a political history sheet showing he was a member of the 338th Division of the North Vietnamese Army. (See app. E.)

Also abroad the North Vietnamese ship were: an instruction book for a Chinese Communist navigational device; postcards and letters to addresses in North Vietnam; snapshots, including one of a group of men in North Vietnamese Army uniforms under a flag of the Hanoi government.

Members of the ICC and representatives of the free press visited the sunken North Vietnamese ship and viewed its cargo. The incident itself underlined in the most dramatic form that Hanoi is behind the continuing campaign of aggression aimed at conquering South Vietnam. It made unmistakably clear that what is happening in South Vietnam is not an internal affair but part of a large-scale carefully directed and supported program of armed attack on a sovereign state and a free people.

There have been previous seizures of large stocks of ammunition and weapons and other military supplies that could only have come from Communist sources outside South Vietnam. In December 1963, a Republic of Vietnam force attacked a VC stronghold in Dinh Tuong Province southwest of Saigon. A large cache of VC equipment was seized. Included in the captured stocks were the following weapons and ammunition, all of Chinese Communist manufacture:

One 90-millimeter rocket launcher; 2 carbines (type 53); 120 rounds of 75-millimeter recoilless rifle ammunition; 120 detonating fuses for recoilless rifle ammunition; 14,000 rounds of 7.62 (type P) ammunition; 160,000 rounds of 7.62 carbine ammunition; 150 fuses for mortar shells; 100,000 rounds of 7.92 Mauser-type ammunition; 110 pounds (approximate) of TNT; two 60-millimeter mortars.

These weapons and ammunition are the same as those used in the North Vietnamese Army. Some of the 7.62-millimeter ammunition was manufactured as recently as 1962.[4]

Materiel is sent into South Vietnam from the North by a variety of methods—overland, by river and canal, and by sea. In one instance Vietnamese troops discovered a cache in which the 75-millimeter ammunition alone weighed approximately 1½ tons. It has been estimated that it would require more than 150 porters to carry this quantity of ammunition over rough terrain. However, a few sampans, each manned by a few men, could transport it with little difficulty. It is worth noting, in this connection, that the delta where the cache of materiel was seized has 460 miles of seacoast as well as 2,500 miles of canals navigable by large watercraft and another 2,200 miles of canals over which sampans can move easily. Much of the transport of large stocks of ammunition is undoubtedly waterborne for at least much of its travel into South Vietnam.[5]

Large quantities of chemical components for explosives have been sent into South Vietnam for the Vietcong. During 1963 there were at least 15 incidents in which boats, junks, or sampans were seized with explosives aboard. More than 20 tons of potassium chlorate or nitrate were captured. All these cases were in the delta area, and the majority were on or near the Mekong River. Red phosphorus made in Communist China has been among the chemicals captured from the Vietcong.

The Communists have shown extreme sensitivity to exposure of the fact that war material is going to the Vietcong from North Vietnam, Communist China, and other Communist countries. A secret document captured from a VC agent last year reflected this sensitivity. The document was sent from VC military headquarters in Bien Hoa Province to subordinate units. It ordered them to "pay special attention to the removal of all the markings and letters on weapons of all types currently employed by units and agencies and manufactured by friendly East European democratic countries or by China." It said incriminating marking should be chiseled off "so that the enemy cannot use it as a propaganda theme every time he captures these weapons."

III. NORTH VIETNAM: BASE FOR CONQUEST OF THE SOUTH

The Third Lao Dong Party Congress in Hanoi in September 1960 set forth two tasks for its members: "to carry out the socialist revolution in North Vietnam" and "to liberate South Vietnam."

The resolutions of the congress described the effort to destroy the legal Government in South Vietnam as follows: "The revolution in the South is a protracted, hard, and complex process of struggle, combining many forms of struggle of great activity and flexibility, ranging from lower to higher, and taking as its basis the building, consolidation, and development of the revolutionary power of the masses."

At the September meeting the Communist leaders in the north called for formation of "a broad national united front." Three months later Hanoi announced creation of the "Front for Liberation of the South." This is the organization that Communist propaganda now credits with guiding the forces of subversion in the south; it is pictured as an organization established and run by the people in the south themselves. At the 1960 Lao Dong Party Congress the tone was different. Then, even before the front existed, the Communist leaders were issuing orders for the group that was being organized behind the scenes in Hanoi. "This front must rally"; "The aims of its struggle are"; "The front must carry out"—this is the way Hanoi and the Communist Party addressed the Liberation Front even before its founding.

The Liberation Front is Hanoi's creation; it is neither independent nor southern, and what it seeks is not liberation but subjugation of the south.

In his address to the Third Lao Dong Party Congress, party and government leader Ho Chi Minh spoke of the necessity "to step up the Socialist revolution in the north and, at the same time, to step up the national democratic people's revolution in the south."

The year before, writing for Red Flag, the Communist Party newspaper of Belgium, Ho had said much the same thing: "We are building socialism in Vietnam, but we are building it in only one part of the country, while in the other part we still have to direct and bring to a close the middle-class democratic and anti-imperialist revolution."

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[4] On Jan. 29, 1964, the Government of the Republic of Vietnam supplied the International Control Commission with a list of weapons, ammunition, and other equipment of Communist origin captured in South Vietnam since June 1962. The list is summarized in app. D.

[5] Photographs of additional Vietcong weapons and ammunition of Communist origin are contained in app. E.

In the same vein, the commander in chief of the North Vietnamese armed forces, Vo Nguyen Giap, spoke at the 1960 party congress of the need to "step up the national democratic people's revolution in the south." Earlier in the year, writing for the Communist Party journal Hoc Tap in Hanoi, General Giap described the north as "the revolutionary base for the whole country."

Le Duan, a member of the Politburo and first secretary of the Lao Dong Party, was even more explicit when he talked at the party congress about the struggle in the south and the party's role. After noting the difficulties involved in overthrowing the existing order in South Vietnam, Le Duan said: "Hence the southern people's revolutionary struggle will be long, drawn out, and arduous. It is not a simple process but a complicated one, combining many varied forms of struggle—from elementary to advanced, legal and illegal—and based on the building, consolidation, and development of the revolutionary force of the masses. In this process, we must constantly intensify our solidarity and the organization and education of the people of the south."

Another high official of the Hanoi regime, Truong Chinh, writing in the party organ Hoc Tap in April 1961, expressed confidence in the success of the struggle to remove the legal government in South Vietnam because: "North Vietnam is being rapidly consolidated and strengthened, is providing good support to the South Vietnamese revolution, and is serving as a strong base for the struggle for national reunification."

He outlined the steps by which the Communists expect to achieve control over all Vietnam as follows: The Liberation Front would destroy the present Government in the south; a coalition government would be established; this government would agree with the North Vietnamese government in Hanoi regarding national reunification under one form or another. It takes little imagination to understand the form that is intended.

"Thus," wrote Truong Chinh, "though South Vietnam will be liberated by nonpeaceful means, the party policy of achieving peaceful national reunification is still correct."

The official government radio in Hanoi is used both overtly and covertly to support the Vietcong effort in South Vietnam. Captured agents have testified that the broadcasts are used sometimes to send instructions in veiled code to Vietcong representatives in the south.

Hoc Tap stated frankly in March 1963: "They [the authorities in South Vietnam] are well aware that North Vietnam is the firm base for the southern revolution and the point on which it leans, and that our party is the steady and experienced vanguard unit of the working class and people and is the brain and factor that decides all victories of the revolution."

In April 1964 the Central Committee of the Lao Dong Party issued a directive to all party echelons. It stated: "When the forces of the enemy and the plots of the enemy are considered, it is realized that the cadres, party members, and people in North Vietnam must * * * increase their sense of responsibility in regard to the South Vietnam revolution by giving positive and practical support to South Vietnam in every field."

Nguyen Chi Thanh, writing in a Hanoi newspaper in May 1963, underlined the importance of the role of the North Vietnamese Army in Hanoi's plans to unify Vietnam under Communist rule: "Our party set forth two strategic tasks to be carried out at the same time: to transform and build socialism in the north and to struggle to unify the country. Our army is an instrument of the class struggle in carrying out these two strategic tasks."

IV. ORGANIZATION, DIRECTION, COMMAND, AND CONTROL OF THE ATTACK ON SOUTH VIETNAM ARE CENTERED IN HANOI

The VC military and political apparatus in South Vietnam is an extension of an elaborate military and political structure in North Vietnam which directs and supplies it with the tools for conquest. The Ho Chi Minh regime has shown that it is ready to allocate every resource that can be spared—whether it be personnel, funds, or equipment—to the cause of overthrowing the legitimate Government in South Vietnam and of bringing all Vietnam under Communist rule.

A. Political organization

Political direction and control of the Vietcong is supplied by the Lao Dong Party, i.e. the Communist Party, led by Ho Chi Minh. Party agents are responsible for indoctrination, recruitment, political training, propaganda, anti-Government demonstrations, and other activities of a political nature. The considerable intelligence-gathering facilities of the party are also at the disposal of the Vietcong.

Overall direction of the VC movement is the responsibility of the Central Committee of the Lao Dong Party. Within the central committee a special reunification department has been established. This has replaced the committee for supervision of the south mentioned in intelligence reports 2 years ago. It lays down broad strategy for the movement to conquer South Vietnam.

Until March 1962 there were two principal administrative divisions in the VC structure in the south. One was the interzone of South-Central Vietnam (sometimes called interzone 5); the other was the Nambo region. In a 1962 reorganization these were merged into one, called the central office for South Vietnam. The central committee, through its reunification department, issues directives to the central office, which translates them into specific orders for the appropriate subordinate command.

Under the central office are six regional units (V through IX) plus the special zone of Saigon/Cholon/Gia Dinh. A regional committee responsible to the central office directs VC activities in each region. Each regional committee has specialized units responsible for liaison, propaganda, training, personnel, subversive activities, espionage, military bases, and the like.

Below each regional committee are similarly structured units at the province and district levels. At the base of the Communist pyramid are the individual party cells, which may be organized on a geographic base or within social or occupational groups. The elaborateness of the party unit and the extent to which it operates openly or underground is determined mainly by the extent of VC control over the area concerned.

1. The Liberation Front: The National Front for the Liberation of South Vietnam is the screen behind which the Communists carry out their program of conquest. It is the creature of the Communist Government in Hanoi. As noted above, the Communist Party in the North demanded establishment of such a front 3 months before its formation was actually announced in December 1960. It was designed to create the illusion that the Vietcong campaign of subversion was truly indigenous to South Vietnam rather than an externally directed Communist plan.

The front has won support primarily from the Communist world. Its radio faithfully repeats the propaganda themes of Hanoi and Peiping. When its representatives travel abroad, they do so with North Vietnamese passports and sponsorship.[6] The front's program copies that of the Lao Dong Party in North Vietnam.

In late 1961, in still another effort to conceal the extent of Communist domination of the front, the Communists announced formation of a new Marxist political unit, the People's Revolutionary Party (PRP). This mechanism provided a way to explain the Communist presence in the front while at the same time making it appear that the Communist voice was only one of several affiliated organizations in the front. The PRP itself claimed direct descent from the original Indochinese Communist Party and from the North Vietnamese Communist Party in Hanoi.[7]

B. Military organization

Military affairs of the Vietcong are the responsibility of high command of the People's Army of North Vietnam and the Ministry of Defense, under close supervision from the Lao Dong Party. These responsibilities include operational plans, assignments of individuals and regular units, training programs, infiltration of military personnel and supplies, military communications, tactical intelligence, supplies, and the like. The six military regions are the same as those of the VC political organization.

The military structure of the Vietcong is an integral part of the political machinery that controls every facet of VC activity in South Vietnam under Hanoi's overall direction. Each political headquarters from the central office down to the village has a military component which controls day-to-day military operations. Similarly, each military headquarters has a political element, an individual or a small staff. This meshing of political and military activity is designed to insure the closest cooperation in support of the total Communist mission. It also gives assurance of political control over the military.

Associated with the central office, believed to be located in Tay Ninh Province, is a military headquarters. Through this headquarters, as well as through other channels, Hanoi maintains direct contact with its principal military units in the south.

In addition to its supervision of the general military effort of the VC, the military section of the central office is believed to have direct command of two regimental headquarters and a number of security companies.

The hard core of the VC military organization is the full-time regular unit usually based on a province or region. These are well-trained and highly disciplined guerrilla fighters. They follow a rigid training schedule that is roughly two-thirds military and one-third political in content. This compares with the 50–50 proportion for district units and the 70 percent political and 30 percent military content of the village guerrilla's training.

The size of the Vietcong regular forces has grown steadily in recent years. For example, the Vietcong have five regimental headquarters compared with two in 1961. And the main VC force is composed of 50 battalions, 50 percent more than before. There are an estimated 139 VC companies. Hardcore VC strength now is estimated at about 35,000, whereas it was less than 20,000 in 1961.

The main force battalions are well armed with a variety of effective weapons including 75-millimeter recoilless rifles and 81–82-millimeter mortars. The companies and smaller units are equally well equipped and have 57-millimeter recoilless rifles and 60-millimeter mortars in their inventory. It is estimated that the Vietcong have at least

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[6] Pictures of North Vietnamese passports and travel documents used by front officials are in app. F. [Not printed in RECORD.]

[7] For evidence that the People's Revolutionary Party in the south and the Communist Lao Dong Party in the north are one party, see app. G.

130 81-millimeter mortars and 300 60-millimeter mortars. There is no precise estimate for the number of recoilless rifles in their hands, but it is believed that most main force units are equipped with them. In at least one recent action the Vietcong employed a 75-millimeter pack howitzer. This mobile weapon, which has a range of 8,500 yards, will increase the Vietcong capabilities to launch long-range attacks against many stationary targets in the country.

Supporting the main force units of the Vietcong are an estimated 60,000–80,000 part-time guerrillas. They are generally organized at the district level where there are likely to be several companies of 50 or more men each. These troops receive only half pay, which means they must work at least part of the time to eke out a living.

Below the irregular guerrilla forces of the district are the part-time, village-based guerrillas.

They are available for assignment by higher headquarters and are used for harassment and sabotage. They are expected to warn nearby VC units of the approach of any force of the legal government. They provide a pool for recruitment into the VC district forces.

The record shows that many of the village guerrillas are dragooned into service with the Vietcong. Some are kidnapped; others are threatened; still others join to prevent their families from being harmed. Once in the Vietcong net, many are reluctant to leave for fear of punishment by the authorities or reprisal by the Communists.

Lam Van Chuoi is a typical example. He was a member of the village civil defense force in his home village in Kien Giang province. In March 1960, he was kidnapped by the Vietcong and kept a prisoner in the highlands for 1 month. There he was subjected to intense propaganda and indoctrination. He was returned to his village but kept under close observation and steady pressure. Finally, he was convinced he must join the VC. Later, he was transferred to a Communist military unit in another province. After learning of the Government's open arms program, he decided to defect from the VC. In May 1964, he walked into a Government outpost and asked for protection.

Money to pay the regular VC units comes from a variety of sources. Funds are sent from Hanoi. "Taxes" are extorted from the local population. Landowners and plantation operators often must pay a tribute to the VC as the price for not having their lands devastated. Similarly, transportation companies have been forced to pay the VC or face the threat of having their buses or boats sabotaged. Officials and wealthy people have been kidnaped for ransom. The VC have often stopped buses and taken the money and valuables of all on board.

For the most part, the VC have concentrated their attention on individuals, isolated or poorly defended outposts, and small centers of population. They have mercilessly killed or kidnaped thousand of village chiefs and other local officials. But over the past year the VC have moved into larger unit operations. Their ability to operate on a battalion level or larger has substantially increased.

C. Intelligence organization

A key element in the Vietcong effort is an elaborate organization in Hanoi called the Central Research Agency (CRA) (Cuc Nghien-Cuu Trung-Uong). Though it handles Hanoi's intellience effort on a worldwide scale, the main focus of its operation is on South Vietnam. This agency is able to draw on the intelligence capabilities of both the Lao Dong Party and the North Vietnamese armed forces for information, personnel, and facilities.

The CRA reportedly operates under the close personal scrutiny of Ho Chi Minh himself. Some of the top officials in the Hanoi government reportedly sit on its directing committee, including Premier Pham Van Dong, Deputy Premier Truong Chinh, and Defense Minster Vo Nguyen Giap.

Considerable information on the organization of the CRA has become available from captured Vietcong agents and from the work of intelligence agents of the Republic of Vietnam. Much of this information cannot be made public for security reasons, but it is possible to describe the CRA organization and its operations in broad outline.

The headquarters of the CRA in Hanoi is divided into six main sections, not including a special code unit. The six sections are responsible for administration, cadres, communications, espionage, research, and training. Each section has units to handle the specialized activities of its particular area of responsibility. The research section, for example, has subsections that handle political, economic, and military affairs respectively.

CRA headquarters directs a number of special centers for oversea operations. One such center maintains intelligence channels to oversea areas. It operates through special units at Haiphong and at Hongay.

A second special center is responsible for VC intelligence operations in Cambodia and Laos. A third center handles activities along the "demarcation line," the border with South Vietnam. This unit, based in Vinh Linh in southeast North Vietnam, is responsible for sending agents and supplies to the south by sea. It also cooperates with the North Vietnamese army in planning and carrying out infiltration. The CRA maintains intelligence bases in Laos and other countries.

Inside South Vietnam the Vietcong have a large intelligence network. Some of its units are responsible for receiving and sending on agents arriving from the North. They feed and give instructions to groups infiltrating into South Vietnam. They take delivery of equipment and supplies received from the North and relay them to Vietcong units in the south.

Many Vietcong agents have been captured in Saigon. They have exposed the extensive effort by the CRA to penetrate all Republic of Vietnam Government agencies, foreign embassies, and other specialized organizations. Party and military intelligence units and agents work closely with the CRA.

Each of the main centers operating under CRA headquarters has its own sections and units designed to carry out its main functions. The center at Vinh Linh, responsible for the main infiltration effort of the Vietcong, has separate sections for radio communications, coding, documentation and training, and liaison. It also has specialized units for infiltration through the mountains, infiltration by sea, and "illegal action" in the mountain area.

The CRA maintains a large and expanding radio communications network. Agents also are used to carry messages, usually in secret writing or memorized.

Taken as a whole, the North Vietnamese intelligence operation in support of the Vietcong is one of the most extensive of its kind in the world.[8]

V. A BRIEF HISTORY OF HANOI'S CAMPAIGN OF AGGRESSION AGAINST SOUTH VIETNAM

While negotiating an end to the Indochina war at Geneva in 1954, the Communists were making plans to take over all former French territory in southeast Asia. When Vietnam was partitioned, thousands of carefully selected party members were ordered to remain in place in the south and keep their secret apparatus intact to help promote Hanoi's cause. Arms and ammunition were stored away for future use. Guerrilla fighters rejoined their families to await the party's call. Others withdrew to remote jungle and mountain hideouts. The majority, an estimated 90,000, were moved to North Vietnam.

Hanoi's original calculation was that all of Vietnam would fall under its control without resort to force. For this purpose, Communist cadres were ordered to penetrate official and nonofficial agencies, to propagandize and sow confusion, and generally to use all means short of open violence to aggravate war-torn conditions and to weaken South Vietnam's government and social fabric.

South Vietnam's refusal to fall in with Hanoi's scheme for peaceful takeover came as a heavy blow to the Communists. Meantime, the Government had stepped up efforts to blunt Vietcong subversion and to expose Communist agents. Morale in the Communist organization in the south dropped sharply. Defections were numerous.

Among South Vietnamese, hope rose that their nation could have a peaceful and independent future, free of Communist domination. The country went to work. The years after 1955 were a period of steady progress and growing prosperity.

Food production levels of the prewar years were reached and surpassed. While per capita food output was dropping 10 percent in the north from 1956 to 1960, it rose 20 percent in the south. By 1963 it had risen 30 percent, despite the disruption in the countryside caused by intensified Vietcong military attacks and terrorism. The authorities in the north admitted openly to continuing annual failures to achieve food production goals.

Production of textiles increased in the south more that 20 percent in 1 year (1958). In the same year, South Vietnam's sugar crop increased more than 100 percent. Despite North Vietnam's vastly larger industrial complex, South Vietnam's per capita gross national product in 1960 was estimated at $110 a person while it was only $70 in the North.

More than 900,000 refugees who had fled from Communist rule in the North were successfully settled in South Vietnam. An agrarian reform program was instituted. The elementary school population nearly quadrupled between 1956 and 1960. And so it went—a record of steady improvement in the lives of the people. It was intolerable for the rulers in Hanoi; under peaceful conditions, the south was outstripping the north. They were losing the battle of peaceful competition and decided to use violence and terror to gain their ends.

After 1956 Hanoi rebuilt, reorganized, and expanded its covert political and military machinery in the South. Defectors were replaced by trained personnel from party ranks in the north. Military units and political cells were enlarged and were given new leaders, equipment, and intensified training. Recruitment was pushed. In short, Hanoi and its forces in the South prepared to take by force and violence what they had failed to achieve by other means.

By 1958 the use of terror by the Vietcong increased appreciably. It was used both to win prestige and to back up demands for support from the people, support that political and propaganda appeals had failed to produce. It was also designed to embarrass the Government in Saigon and raise doubts about its ability to maintain internal order and to assure the personal security of its people. From 1959 through 1961, the pace of Vietcong terrorism and armed attacks accelerated substantially.

The situation at the end of 1961 was so grave that the Government of the Republic of Vietnam asked the United States for increased military assistance. That request was met. Meantime, the program of strategic hamlets, designed to improve the peasant's livelihood and give him some protection against Vietcong harassment and pressure, was pushed energetically.

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[8] Charts of the VC organizational structure are in app. H.

But the Vietcong did not stand still. To meet the changing situation, they tightened their organization and adopted new tactics, with increasing emphasis on terrorism, sabotage, and armed attacks by small groups. They also introduced from the North technicians in fields such as armor and antiaircraft. Heavier weapons were sent in to the regular guerrilla forces.

The military and insurgency situation was complicated by a quite separate internal political struggle in South Vietnam, which led in November 1963 to the removal of the Diem government and its replacement with a new one. Effective power was placed in the hands of a Military Revolutionary Council. There have been a number of changes in the leadership and composition of the Government in Saigon in the ensuing period.

These internal developments and distractions gave the Vietcong an invaluable opportunity, and they took advantage of it. Vietcong agents did what they could to encourage disaffection and to exploit demonstrations in Saigon and elsewhere. In the countryside the Communists consolidated their hold over some areas and enlarged their military and political apparatus by increased infiltration. Increasingly they struck at remote outposts and the most vulnerable of the new strategic hamlets and expanded their campaign of aggressive attacks, sabotage, and terror.

Any official, worker, or establishment that represents a service to the people by the Government in Saigon is fair game for the Vietcong. Schools have been among their favorite targets. Through harassment, the murder of teachers, and sabotage of buildings, the Vietcong succeeded in closing hundreds of schools and interrupting the education of tens of thousands of youngsters.

Hospitals and medical clinics have often been attacked as part of the anti-Government campaign and also because such attacks provide the Vietcong with needed medical supplies. The Communists have encouraged people in rural areas to oppose the Government's antimalaria teams, and some of the workers have been killed. Village and town offices, police stations, and agricultural research stations are high on the list of preferred targets for the Vietcong.

In 1964, 436 South Vietnamese hamlet chiefs and other Government officials were killed outright by the Vietcong and 1,131 were kidnaped. More than 1,350 civilians were killed in bombings and other acts of sabotage. And at least 8,400 civilians were kidnaped by the Vietcong.[9]

Today the war in Vietnam has reached new levels of intensity. The elaborate effort by the Communist regime in North Vietnam to conquer the South has grown, not diminished. Military men, technicians, political organizers, propagandists, and secret agents have been infiltrating into the Republic of Vietnam from the north in growing numbers. The flow of Communist-supplied weapons, particularly those of large caliber, has increased. Communications links with Hanoi are extensive. Despite the heavy casualties of 3 years of fighting, the hard-core VC force is considerably larger now than it was at the end of 1961.

The Government in Saigon has undertaken vigorous action to meet the new threat. The United States and other free countries have increased their assistance to the Vietnamese Government and people. Secretary of State Dean Rusk visited Vietnam in 1964, and he promised the Vietnamese: "We shall remain at your side until the aggression from the north has been defeated, until it has been completely rooted out and this land enjoys the peace which it deserves."

President Johnson has repeatedly stressed that the U.S. goal is to see peace secured in southeast Asia. But he has noted that "that will come only when aggressors leave their neighbors in peace."

Though it has been apparent for years that the regime in Hanoi was conducting a campaign of conquest against South Vietnam, the Government in Saigon and the Government of the United States both hoped that the danger could be met within South Vietnam itself. The hope that any widening of the conflict might be avoided was stated frequently.

The leaders in Hanoi chose to respond with greater violence. They apparently interpreted restraint as indicating lack of will. Their efforts were pressed with greater vigor and armed attacks and incidents of terror multiplied.

Clearly the restraint of the past was not providing adequately for the defense of South Vietnam against Hanoi's open aggression. It was mutually agreed between the Governments of the Republic of Vietnam and the United States that further means for providing for South Vietnam's defense were required. Therefore, air strikes have been made against some of the military assembly points and supply bases from which North Vietnam is conducting its aggression against the South. These strikes constitute a limited response fitted to the aggression that produced them.

Until the regime in Hanoi decides to halt its intervention in the South, or until effective steps are taken to maintain peace and security in the area, the Governments of South Vietnam and the United States will continue necessary measures of defense against the Communist armed aggression coming from North Vietnam.

VI. CONCLUSION

The evidence presented in this report could be multiplied many times with similar examples of the drive of the Hanoi regime to extend its rule over South Vietnam.

The record is conclusive. It establishes beyond question that North Vietnam is carrying out a carefully conceived plan of aggression against the South. It shows that North Vietnam has intensified its efforts in the years since it was condemned by the International Control Commission. It proves that Hanoi continues to press its systematic program of armed aggression into South Vietnam. This aggression violates the United Nations Charter. It is directly contrary to the Geneva Accords of 1954 and of 1962 to which North Vietnam is a party. It shatters the peace of southeast Asia. It is a fundamental threat to the freedom and security of South Vietnam.

The people of South Vietnam have chosen to resist this threat. At their request, the United States has taken its place beside them in their defensive struggle.

The United States seeks no territory, no military bases, no favored position. But we have learned the meaning of aggression elsewhere in the postwar world, and we have met it.

If peace can be restored in South Vietnam, the United States will be ready at once to reduce its military involvement. But it will not abandon friends who want to remain free. It will do what must be done to help them. The choice now between peace and continued and increasingly destructive conflict is one for the authorities in Hanoi to make.

APPENDIX A

FINDINGS OF THE INTERNATIONAL CONTROL COMMISSION

On June 2, 1962, the International Commission for Supervision and Control in Vietnam (ICC) sent a special report to the Governments of the United Kingdom and of the Soviet Union in their role as cochairmen of the Geneva Conference on Indochina. The ICC is composed of delegates from India (chairman), Canada, and Poland.

In its report the ICC noted the following finding of the Commission's Legal Committee:

"Having examined the complaints and the supporting material sent by the South Vietnamese mission, the committee has come to the conclusion that in specific instances there is evidence to show that armed and unarmed personnel, arms, munitions, and other supplies have been sent from the zone in the north to the zone in the south with the object of supporting, organizing, and carrying out hostile activities, including armed attacks, directed against the armed forces and administration of the zone in the south. These acts are in violation of articles 10, 19, 24, and 27 of the agreement on the cessation of hostilities in Vietnam.

"In examining the complaints and the supporting material in particular documentary material sent by the South Vietnamese mission, the Committee has come to the further conclusion that there is evidence to show that the PAVN (people's army of Vietnam) has allowed the zone in the north to be used for inciting, encouraging and supporting the hostile activities in the zone in the south, aimed at the overthrow of the administration in the south. The use of the zone in the north for such activities is in violation of articles 19, 24, and 27 of the agreement on the cessation of hostilities in Vietnam.

The ICC report then stated:

"The Commission accepts the conclusions reached by the Legal Committee that there is sufficient evidence to show beyond reasonable doubt that the PAVN has violated articles 10, 19, 24, and 27 in specific instances. The Polish delegation dissents from these conclusions. On the basis of the fuller report, that is being prepared by the Legal Committee covering all the allegations and incidents, the Commission will take action as appropriate in each individual case."

The full text of the ICC reports is contained in a publication, "Special Reports to the Cochairmen of the Geneva Conference on Indochina" issued by the Bureau of Far Eastern Affairs of the Department of State on July 2, 1962.

APPENDIX B

INFILTRATION OF MILITARY PERSONNEL FROM NORTH VIETNAM INTO SOUTH VIETNAM

(See sec. I, B.)

(Maps showing infiltration routes not printed in the RECORD.)

APPENDIX C

DETAIL ON MILITARY INFILTRATION WITH CASE STUDIES

(See sec. I, B, and C.)

The following table shows the scale of infiltration of military personnel from North Vietnam into the South since 1959. The confirmed list is based on information on infiltration groups from at least two independent sources.

Year	Confirmed	Estimated additional	Total
1959-60	1,800	2,700	4,500
1961	3,750	1,650	5,400
1962	5,400	7,000	12,400
1963	4,200	3,200	7,400
1964	4,400	3,000	7,400
Total	19,550	17,550	37,100

Brief case histories of typical Vietcong who were sent into South Vietnam by the authorities in Hanoi follow:

Name: Le Van Thanh.

Alias: Huu Tam.

Date and place of birth: July 12, 1936, Hoa Hao hamlet, Cat Tai village, Phu Cat district (Binh Dinh).

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[9] For additional details of VC terrorism, see app. I.

Rank and position in North Vietnam: Lieutenant, formerly platoon leader of signal platoon of 3d Battalion, 90th Regiment, 324th Division.

VC position in South Vietnam: Platoon leader of signal platoon of 95th Battalion, 2d Regiment, 5th Inter-Region.

Date entered South Vietnam: Departed November 27, 1961, arrived Do Xa station early February 1962.

Date, place, and circumstance of defection: Rallied to government at Nhon Loc post, Nghia Hanh district (Quang Ngai), May 24, 1962.

Name: La Thanh.

Alias: Nguyen Ba Tong—La Giau.

Date and place of birth: 1928, Can Tho city (Phong Dinh).

Rank and position in North Vietnam: Senior sergeant, formerly squad leader in charge of construction of barracks for 338th Division.

VC position in South Vietnam: Squad leader, 8th Squad, 3d Platoon, 3d Company, 218B Battalion (War Zone D).

Date entered South Vietnam: Accompanied Infiltration Group 15; departed April 4, 1962, arrived War Zone D early August 1962.

Date, place, and circumstance of defection: Rallied at Cau Song Be (bridge) post September 8, 1962, with 1 MAS 36.

Name: Le Van Quyen.

Alias: Ho Hai, Hong Thanh.

Date and place of birth: 1929, Tan Binh Than village, Cho Gao district (My Tho).

Rank and position in North Vietnam: Lieutenant, formerly assigned to 388th Brigade as instructor on heavy weapons such as 57 mm. recoilless rifle and machinegun.

VC position in South Vietnam: Platoon leader, 2d Platoon, 2d Company, Infiltration Group 15.

Date entered South Vietnam: Accompanied Infiltration Group 15; departed April 3, 1962, arrived Suoi Da (War Zone D) September 10, 1962.

Date, place, and circumstance of defection: Rallied at Hieu Liem district (Phuoc Thanh) October 7, 1962.

Name: Nguyen Van Do.

Party name: Thanh Minh.

Infiltration alias: Nguyen Thuan.

Date and place of birth: 1923, Thuan Giao village, Lai Thieu district (Binh Duong).

Rank and position in North Vietnam: Senior captain (battalion commander) 1st Battalion, 338th Brigade.

VC position in South Vietnam: Subject was to be appointed commander of Phuoc Tuy Province Main Force Battalion.

Date entered South Vietnam: Commander of Infiltration Group H. 26; departed Xuan Mai, Ha Dong (North Vietnam) July 4, 1963; arrived Ban Me Thuot October 23, 1963.

Date, place, and circumstance of defection: Rallied at Ban Don post, Ban Me Thout, October 23, 1963, while guiding Group H. 26 to Hai Yen Zone.

Name: Nguyen Thanh Phi.

Party name: Hung Phuong.

Infiltration alias: Nguyen Tu.

Date and place of birth: November 16, 1926, Thanh Van village, Thanh Chuong district (Nghe An).

Rank and position in North Vietnam: Doctor, chief of internal disease section, Tiep Viet Hospital.

VC position in South Vietnam: Doctor, health team leader, 5th Region base construction group (Do Xa).

Date entered South Vietnam: March 1962.

Date, place, and circumstance of capture: Captured by South Vietnamese armed forces May 4, 1963, with one 12-millimeter Colt pistol and five rounds.

Name: Le Van Net.

Party name: Le Hung Tien.

Infiltration alias: Le Na.

Date and place of birth: 1924, Tan Hiep village, Go Cong, Dinh Tuong.

Rank and position in North Vietnam: Discharged lieutenant, served in Co Dinh chromite mine (Thanh Hoa) with grade of senior sergeant.

VC position in South Vietnam: Senior sergeant, 6th Squad, 2d Platoon, Infiltration Group H. 26.

Date entered South Vietnam: Late June 1963 with Infiltration Group H. 26.

Date, place, and circumstance of capture: Captured November 16, 1963, by inhabitants in strategic hamlet in Ban Me Thout (Darlac) with one Communist Chinese rifle and 70 rounds.

Name: Van Cong Khanh.

Narty name: Pham Tien.

Date and place of birth: 1924, An Hoi village, Chau Thanh district (Kien Hoa).

Rank and position in North Vietnam: Discharged and reassigned to Co Dinh chromite mine (Thanh Hoa) as senior sergeant.

VC position in South Vietnam: Aspirant, leader of 7th Squad, 3d Platoon, 608th Engineer Company subordinate to Headquarters Region 7.

Date entered South Vietnam: Accompanied Group 49, infiltrated into South Vietnam, March 18, 1962.

Date, place, and circumstance of capture: captured November 23, 1962, in Bung Dia hamlet.

Name: Nguyen Thanh Hoa.

Party name: Quoc.

Infiltration alias: Nguyen Quoc Trung.

Date and place of birth: 1917, Phong Coc village, Ha Nam canton (Quang Yen).

Rank and position in North Vietnam: Captain, discharged and reassigned to Chi Ne agricultural camp May 1957.

VC position in South Vietnam: Commander, 4th Main Force Battalion.

Date entered South Vietnam: Accompanied Infiltration Group 52; departed Xuan Mai, April 13, 1961, arrived about August 1961.

Date, place, and circumstance of capture: Captured by South Vietnamese Armed Forces with 1 PA 38 (pistol) in Quon Long (Dinh Tuong) August 1962.

Name: Tran van Khoa.

Alias: Tran Hong Hai.

Date and place of birth: 1935, Giong Gach hamlet, An Hiep village, Ba Tri district, Ben Tre Province (Kien Hoa).

Rank and position in North Vietnam: Sergeant, formerly driver of Transportation Group 3 of (Hanoi) Logistical Bureau.

VC position in South Vietnam: Member of 46th Infiltration Company; cover designation V. 2 (infiltrated unit).

Date entered South Vietnam: Accompanied the 46th Infiltration Company; departed for South Vietnam, April 17, 1962.

Date, place, and circumstance of capture: Captured by South Vietnamese Rangers in ambush (after being wounded) along with one MAS 36, July 7, 1962, in Phuoc Long Province.

APPENDIX D

LIST OF COMMUNIST WEAPONS CAPTURED IN SOUTH VIETNAM

(See sec. II.)

On January 29, 1964, the Government of Vietnam submitted to the International Control Commission a list of weapons and other military equipment which had been captured from the Vietcong. The weapons and equipment came from Communist sources outside South Vietnam and obviously had been introduced clandestinely into the country in support of the Vietcong campaign of conquest directed by Hanoi.

I. Chinese Communist origin

Type	Quantity	Date of capture	Place
75-millimeter recoilless rifle	1	Sept. 10, 1963	An Xuyen Province.
Do	1	Dec. 2-6, 1963	Do.
Do	1	Dec. 22, 1963	Dinh Tuong.
Total	3		
57-millimeter recoilless gun	1	Nov. 25, 1962	Phuoc Chau in Quang Tin (1 gun and 7 gun carriages).
Do		Dec. 5, 1962	Phu Bon (1 gun carriage).
Do	2	Aug. 31, 1963	Province of Quang Ngai.
Total	[1] 3		
Shells for 75-millimeter gun (shells bear markings in Chinese characters. On some shells, markings were scratched out and replaced by "American" markings.)	8	Nov. 24, 1963	Province of An Xuyen.
Do	120	Dec. 22, 1963	Operation Duc Thang at Dinh Tuong.
Total	128		
Shells for 57-millimeter gun	49	Nov. 25, 1962	Phuoc Chau, Province of Quang Tin.
Do	8	Feb. 20, 1963	Vietcong attack on the post of Ben Heo (Tay Ninh).
Do	33	May 24, 1963	On a Vietcong vessel on the Bassac River.
Do	6	Aug. 31, 1963	Quang Ngai.
Do	1	Oct. 8, 1963	Province of Bihn Dinh.
Do	58	Dec. 22, 1963	Dinh Tuong.
Total	155		
80-millimeter mortar	1	Mar. 25, 1963	Province of Tay Ninh.
60-millimeter mortar	1	Jan. 7, 1963	Phuoc Thanh.
Do	2	Dec. 22, 1963	Dinh Tuong.
Total	3		

I. *Chinese Communist origin—Continued*

Type	Quantity	Date of capture	Place
Shells for 60-millimeter mortar	18	Sept. 10, 1963	Province of An Xuyen.
Do	165	Dec. 22, 1963	Dinh Tuong.
Total	183		
90-millimeter bazooka	1	Dec. 22, 1963	Do.
Caliber 27-millimeter rocket launcher	2	June 10, 1962	Provinces of Quang Ngai and Quang Duc.
Total	3		
Caliber 7.92-millimeter model 08 Maxim machinegun	2	Sept. 10, 1963	Province of An Xuyen.
Do	4	Dec. 21, 1963	Chuong Thien.
Total	6		
MP-82 rocket	142	Apr. 24, 1963	Quang Ngai.
TNT explosives (charges)	365	June 13, 1962	Quang Duc.
Do	43	Nov. 25, 1962	Phuoc Chau (Quang Tin).
Do	29	May 7, 1963	Can Tho.
Do	140	Dec. 22, 1963	Dinh Tuong.
Total	577		
Red phosphorous (kilograms)	5	Apr. 19, 1963	Province of Kien Phong.
Potassium chlorate (tons)	17	September 1962	On a Vietcong vessel at Phu Quoc.
Do	2	Apr. 19, 1963	Province of Kien Phong.
Potassium chlorate (kilograms)	150	July 10-15, 1963	Phu Quoc.
Total:			
Tons	19		
Kilograms	155		
Cartridges for 7.92-millimeter machinegun	100,000	Dec. 22, 1963	Dinh Tuong.
Detonating fuses for 60-millimeter mortar shell	150	do	Do.

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[1] Guns plus 8 gun carriages.

II. *Soviet origin*

Type	Quantity	Date of capture	Place
MP-82 rifle		May 10, 1962	Binh Dinh.
Launching cartridges		do	Do.
Mossin Nagant carbine (with automatic bayonet)	1	June 13, 1963	Kien Phong.
Do	2	July 13, 1963	Long An.
Do	5	July 20, 1963	Dinh Tuong.
Do	7	Sept. 8, 1963	Do.
Total	15		
Rifles	6	Oct. 6, 1963	Long An.
Do	1	Oct. 19, 1963	Dinh Tuong.
Do	11	Nov. 6, 1963	Vinh Binh.
Do	1	Nov. 17, 1963	Dinh Tuong.
Do	1	Nov. 25, 1963	Hau Nghia.
Do	1	Dec. 6, 1963	Dinh Tuong.
Do	8	Dec. 7, 1963	Phong Dinh.
Do	1	Dec. 12, 1963	Kien Tuong.
Do	1	Dec. 13, 1963	An Xuyen.
Do	1	Dec. 16, 1963	Kien Giang.
Do	1	do	Ba Xuyen.
Do	3	do	An Xuyen.
Do	1	Dec. 17, 1963	Phong Dinh.
Do	1	Dec. 20, 1963	Kien Hoa.
Do	6	Dec. 21,1963	Chuong Thien.
Do	2	Dec. 22, 1963	Dinh Tuong.
Total	46		
Automatic pistol	1	Oct. 19, 1963	Phan Thiet.
Grenades	5		Long An.
Rifle cartridges	160,000	Dec. 22 1963	Dinh Tuong.
Submachinegun (machine pistol)	2	Sept. 23, 1963	Long Xuyen.

III. *Czech origin*

Type	Quantity	Date of capture	Place
7.65-millimeter automatic pistol	1	Jan. 2, 1963	On person of Vietcong leader arrested at Phu Yen.
K-50 submachinegun	2	Nov. 25, 1962	Quang Tin.
Do	1	Nov. 29, 1962	Phuoc Long.
Do	7	Apr. 24, 1963	Quang Ngai.
Do	5	May 9, 1963	Quang Tin.
Do	2	July 11, 1963	Operation Hau Giang.
Do	3	Aug. 31, 1963	Quang Ngai.
Do	1	Sept. 8, 1963	Dinh Tuong.
Do	1	Sept. 16, 1963	Long An.
Do	1	Oct. 17, 1963	Quang Nam.
Do	2	Nov. 13, 1963	Phu Yen.
Do	1	do	At Hué.
Do	9	Oct. 8, 1963	Binh Dinh.
Do	1		Operation Phuoc Binh Thang.
Do	1	Dec. 30, 1963	Kien Hoa.
Do	1	Dec. 26 1963	Chuong Thien.
Do	1	Dec. 17, 1963	Long Xuyen.
Total	40		

III. Czech origin—Continued

Type	Quantity	Date of capture	Place
Rifles	9	Sept. 10, 1963	An Xuyen.
Do	1	Oct. 19, 1963	Chuong Thien.
Do	1	Nov. 6, 1963	Ba Xuyen.
Do	2	Nov. 9, 1963	Chuong Thien.
Do	3	Nov. 13, 1963	Kien Giang.
Do	1	Nov. 17, 1963	Ba Xuyen.
Do	2	Nov. 26, 1963	Hau Nghia.
Do	1	Dec. 2, 1963	Phong Dinh.
Do	6	Dec. 21, 1963	Chuong Thien.
Total	26		
Machinegun cartridges	14,000	Dec. 22, 1963	Dinh Tuong.
Grenade launcher	1	July 14, 1963	Long An.
3.5 antitank bazooka	1	Dec. 22, 1963	Din Tuong.

IV. (a) Weapons and ammunition modified by the Regular Army of North Vietnam

Type	Quantity	Date of capture	Place
Modified MAT–49	16	Nov. 25, 1962	Quang Tin.
Do	2	Dec. 5, 1963	Phu Bon.
Do	6	Nov. 13, 1963	
Total	24		
12.7-millimeter machinegun	2	Nov. 24, 1963	Operation at Duc Hoa.

IV. (b) Material and equipment of North Vietnamese manufacture

Type	Quantity	Date of capture	Place
Uniform		Dec. 21, 1962	Phuoc Thanh.
Helmets	16	Oct. 8–10, 1963	Kien Hoa.
Socks	(1)	Dec. 21, 1962	Phuoc Thanh.
Sweaters (made in Ha Dong)	(1)		Do.
Belts (made in Hanoi)	(1)		Do.
Mess Kits (made in Haiphong)	(1)		Do.

[1] No number given.

APPENDIX E

PHOTOS OF CAPTURED VIETCONG WEAPONS AND AMMUNITION FROM EXTERNAL COMMUNIST SOURCES

(See sec. II.)

The following are photographs of some of the many weapons and the large stocks of ammunition supplied to the Vietcong in South Vietnam from external Communist sources (not printed in the RECORD).

APPENDIX F

NORTH VIETNAMESE PASSPORTS AND TRAVEL DOCUMENTS USED BY LIBERATION FRONT OFFICIALS

(See sec. IV, A, 1.)

Huynh Van Nghia and Nguyen Van Tien are officials of the "National Liberation Front of South Vietnam." Though they profess to be citizens of South Vietnam, their ties are with and their support comes from North Vietnam and the Communist regime in Hanoi. In 1963, when the two men traveled abroad on front business, they traveled as North Vietnamese with passports and other documents issued by the Hanoi regime.

Photographs of these documents follow (not printed in the RECORD).

APPENDIX G

THE PEOPLE'S REVOLUTIONARY PARTY (SOUTH) AND THE LAO DONG PARTY (NORTH) ARE ONE COMMUNIST PARTY

(See sec. IV, A.)

In May 1962 a military force of the Government of Vietnam captured a number of Vietcong documents in Ba Xuyen Province. One of these documents contained instructions from the provincial committee of the Lao Dong Party (Communist Party) in Ba Xuyen to the party's district committees concerning formation of the new People's Revolutionary Party (PRP).

Pertinent sections of the instruction, dated December 7, 1961, follow:

"To D2 and K:

"In regard to the foundation of the People's Revolutionary Party of South Vietnam, the creation of this party is only a matter of strategy; it needs to be explained within the party; and, to deceive the enemy, it is necessary that the new party be given the outward appearance corresponding to a division of the party (Lao Dong) into two and the foundation of a new party, so that the enemy cannot use it in his propaganda.

"Within the party, it is necessary to explain that the founding of the People's Revolutionary Party has the purpose of isolating the Americans and the Ngo Dinh Diem regime, and to counter their accusations of an invasion of the South by the North. It is means of supporting our sabotage of the Geneva agreement, of advancing the plan of invasion of the South, and at the same time permitting the Front for Liberation of the South to recruit new adherents, and to gain the sympathy of nonalined countries in southeast Asia.

"The People's Revolutionary Party has only the appearance of an independent existence; actually, our party is nothing but the Lao Dong Party of Vietnam (Vietminh Communist Party), unified from North to South, under the direction of the central executive committee of the party, the chief of which is President Ho. * * *

"During these explanations, take care to keep this strictly secret, especially in South Vietnam, so that the enemy does not perceive our purpose. * * *

"Do not put these explanations in party bulletins."

Another party circular of the same date said:

"The reasons for the change in the party's name must be kept stricly secret. According to instructions of the Central Committee, one must not tell the people or party sympathizers that the People's Revolutionary Party and the Lao Dong Party of Vietnam are one. One must not say that it is only a tactic, because it would not be good for the enemy to know."

A third party circular, dated December 8, 1961, said:

"Study the instructions so that you will be able to execute them. In passing them to D2V, D2, and K, be very careful that the documents do not fall into enemy hands. After D2N/C has passed to the sections, destroy the written documents immediately."

The originals and translations of the above documents were submitted to the International Control Commission by the Government of Vietnam on May 30, 1962.[1]

In 1964 new rules and regulations were promulgated for the People's Revolutionary Party. A copy of the new rules was captured from the Vietcong in Chuong Thien Province in November 1964. A photograph of the captured document appears on the next page. Key portions of the instructions said that new rules and regulations had been approved for the PRP, "but the real nature of those rules and regulations is that they still are the rules and regulations of the Vietnam Lao Dong Party (in North Vietnam)."

The instructions added: "* * * we should realize that our country is one country, that the Vietnamese People's Revolutionary Party and the Vietnam Lao Dong Party are one party. * * * There is nothing different between the two parties."

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[1] For picture of captured documents and text, see the white paper "Communist Vietminh Aggressive Policy," published by the Government of the Republic of Vietnam, Saigon, July 1962.

APPENDIX H

CHARTS OF THE VIETCONG ORGANIZATION, NORTH AND SOUTH

(See sec. IV.)

Lines of control, political and military, from the Hanoi regime to the Vietcong in South Vietnam (charts not printed in the RECORD).

APPENDIX I

DETAIL ON VIETCONG TERRORISM

(See section V.)

The following table lists the Government officials and other civilians killed, wounded, or missing as a result of Vietcong terrorist activities during 1964. Combat casualties are not included:

Village, district, and other Government officials

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Killed	47	34	49	30	25	31	45	36	46	48	21	24
Wounded	14	16	24	9	8	9	14	15	13	10	22	7
Kidnaped	93	113	91	67	74	132	93	103	144	69	52	100
Total	154	163	164	106	107	172	152	154	203	127	95	131

Other civilians

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Killed	111	110	138	115	105	110	181	103	132	100	66	88
Wounded	146	174	239	218	163	173	194	122	203	90	94	154
Kidnaped	694	590	1,531	647	727	483	964	834	778	477	200	498
Total	951	874	1,908	980	995	766	1,339	1,059	1,113	667	360	740

The following table shows the number of incidents of Vietcong terrorism, sabotage, forced propaganda sessions, and armed attacks during 1964:

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Attacks	223	217	203	220	175	140	184	113	118	83	60	96
Terrorism	1,244	1,389	1,632	1,738	1,418	1,390	2,123	1,775	1,938	1,790	1,391	1,719
Sabotage	129	201	158	169	217	176	286	315	482	480	247	318
Propaganda	174	271	167	157	140	162	224	173	178	197	109	128

Some of the consequences of Vietcong terrorism are shown in the accompanying photographs (not printed in the RECORD).

LETTER TO THE PRESIDENT OF THE U.N. SECURITY COUNCIL

(Signed by A. Stevenson)

(Circular No. 1589, dated February 27.)

For the information of members of the Security Council, I am transmitting a special report entitled "Aggression from the North, the Record of North Vietnam's Campaign To Conquer South Vietnam," which my Government is making public today. It presents evidence from which the following conclusions are inescapable:

First, the subjugation by forces of the Republic of Vietnam by the regime in northern Vietnam is the formal, official policy of that regime; this has been stated and confirmed publicly over the past 5 years.

Second, the war in Vietnam is directed by the Central Committee of the Lao Dong Party (Communist) which controls the government in northern Vietnam.

Third, the so-called Peoples Revolutionary Party in the Republic of Vietnam is an integral part of the Lao Dong Party in North Vietnam.

Fourth, the so-called Liberation Front for South Vietnam is a subordinate unit of the Central Office for South Vietnam, an integral part of the governmental machinery in Hanoi.

Fifth, the key leadership of the Vietcong—officers, specialists, technicians, intelligence agents, political organizers and propagandists—has been trained, equipped and supplied in the north and sent into the Republic of Vietnam under Hanoi's military orders.

Sixth, most of the weapons, including new types recently introduced, and most of the ammunition and other supplies used by the Vietcong, have been sent from North to South Vietnam.

Seventh, the scale of infiltration of men and arms, including regular units of the Armed Forces of North Vietnam, has increased appreciably in recent months.

Eighth, this entire pattern of activity by the regime in Hanoi is in violation of general principles of international law and the Charter of the United Nations, and is in direct violation of the Geneva accord of 1954. Such a pattern of violation of the treaty obligations undertaken at Geneva was confirmed by a special report of the International Control Commission in 1962 and it has been greatly intensified since then.

These facts about the situation in Vietnam make it unmistakably clear that the character of that conflict is an aggressive war of conquest waged against a neighbor—and makes nonsense of the cynical allegation that this is simply an indigenous insurrection.

I request that you circulate copies of the report, together with copies of this letter, to the delegations of all member states as a Security Council document.

In making this information available to the Security Council, my Government wishes to say once more that peace can be restored quickly to Vietnam by a prompt and assured cessation of aggression by Hanoi against the Republic of Vietnam. In that event, my Government—as it has said many times before, would be happy to withdraw its military forces from the Republic of Vietnam and turn promptly to an international effort to assist the economic and social development of southeast Asia.

In the meantime, my Government awaits the first indication of any intent by the Government in Hanoi to return to the ways of peace and peaceful resolution of this international conflict.

Mr. PROXMIRE. Mr. President, I should like to read to the Senate the concluding sentences of Mr. Stevenson. They are very brief; it seems to me they state something which has not been expressed to the world:

> In making this information available to the Security Council, my Government wishes to say once more that peace can be restored quickly to Vietnam by a prompt and assured cessation of aggression by Hanoi against the Republic of Vietnam. In that event, my Government—as it has said many times before, would be happy to withdraw its military forces from the Republic of Vietnam and turn promptly to an international effort to assist the economic and social development of southeast Asia.
>
> In the meantime, my Government awaits the first indication of any intent by the government in Hanoi to return to the ways of peace and peaceful resolution of this international conflict.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Nevada.

Mr. CANNON. I congratulate the Senator from Wisconsin for a very fine and excellent outline of our goals in South Vietnam and what we have been trying to do to assist the people of South Vietnam.

Most important of all, the fact is that all we desire is peace, an end to the fighting and terror in South Vietnam, and the preservation of the freedom of the South Vietnamese people or any other people to make their own determination as to the kind of government under which they wish to live. I agree with the distinguished Senator from Wisconsin that this is no time to talk about negotiation, because even a discussion of the possibility of negotiation leads our allies to believe that we perhaps are getting into a position of thinking about abandoning them and to pull out of southeast Asia. In my opinion, if we were to pull out of South Vietnam and, in effect, turn over all of southeast Asia to communism, it would certainly constitute surrender.

I again congratulate the Senator for a very fine outline and a very fine speech on the subject.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Nevada very much. I deeply appreciate his supporting statment.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Pennsylvania.

Mr. SCOTT. While I did not hear the distinguished Senator from Wisconsin deliver his speech, I have had an opportunity to read a considerable portion of it. I commend the Senator from Wisconsin, not only for his forthright approach, but also the fact that he has clarified the big question which people frequently ask. That is, Why are we in South Vietnam?

The question has been asked of me by any number of people. The Senator's speech helps greatly to answer the question. I have discussed the subject with the President. I have had the benefit of the most candid kind of briefing. For the first time in my experience, the present President of the United States not only gave us a briefing, but invited questions, which he offered to answer himself. I think this is better than the equivalent of the British system, under which there is a question period on the floor of Parliament. We were not only complimented by that procedure, but we were immensely helped, because we posed to the President rather pointed questions and we received answers with which I found myself in agreement.

The President has made it perfectly clear—and I am referring, now, not to briefings but to public statements—that he intends to stay in North Vietnam until our responsibilities and objectives have been achieved.

As the Senator from Wisconsin himself has said in his speech, we seek nothing of material advantage. We are there at great sacrifice. Our future policies there must be not only to preserve our commitment but to seek in every way we can to reduce casualties. In my considered judgment—and I ask the Senator if he agrees with it—the surest way to reduce casualties in South Vietnam is not to negotiate from weakness, which is not to say that we may in the future be in a position to negotiate from strength, should the aggressor at some point sue for it. To negotiate from weakness would merely transfer the war from South Vietnam to Thailand, which the Communists have already indicated is next on their list, a country which has been independent for a thousand years, a country which has never been occupied colonially. If Thailand goes and Burma goes, and if India comes under the guns, the question seems to me to be, When do we stop running?

I do not believe the American people are yet aware that if we withdraw from southeast Asia, the Communists would not give up a single objective, which is to expand their empire—their materialistic, imperialistic empire—to include all of the islands, including the fifth largest country in the world, Indonesia. If that happened, the 7th Fleet would in time retreat. We would be faced with the loss of Okinawa. Under those circumstances, we would have to move our fleet from the area of Formosa and would cease to be a Pacific power. We would then have left the world in a state of the most dangerous imbalance in all history; certainly in all modern history. We would then be forced back upon Guam, as our farthest outpost, and the Hawaiian Islands.

The President has strongly indicated that arguments urging that we withdraw from Vietnam at a time when we are in the worst possible position for negotiation have increased, and the diplomatic corps in Washington tell their nations at home that the President does not have the support of the Senate and the House of Representatives. They are wrong, but I know a number of those ambassadors, and I am aware of what they are saying. Does not the Senator from Wisconsin agree that eventually we shall have to come to a place where we shall have to stop running and stand and face this aggressor?

Mr. PROXMIRE. I agree wholeheartedly with the distinguished Senator from Pennsylvania. Also, I am most grateful to him, as I am sure the President is, for his graceful reference to the President's conferences and to his responding to questions. I have also participated in those conferences. They are most informative and helpful.

The Senator from Pennsylvania is an outstanding leader of the Republican Party, and has been for many years. He speaks in a completely bipartisan sense when he says that we must recognize that if we do not stand in South Vietnam, we shall have to fight under worse conditions, under conditions in which we will have encouraged the Communists and on territory closer to home. We shall have to fight under conditions in which they will have been strengthened. Our danger is increasingly this kind of subversive operation. The Communists have the opportunity to send infiltrators into Vietnam according to the new Communist military strategy which Khrushchev and his successors have said is to be the wave of the future, so far as communism is concerned. They may not rely on nuclear weapons; they will move with subversion, terror, and violence. If they can achieve success in South Vietnam with this, we shall be in terrible danger.

Mr. SCOTT. Does not the Senator agree with me that certain things have happened which may demand the careful attention of the American people generally, in that we are moving now determined, at least, to improve our position in South Vietnam? The most important thing that happened recently was the decision to use our planes in South Vietnam. Certainly this will save lives. It will save the lives of the South Vietnamese by protecting them from the people who have terorrized them. Also, by the use of new jet planes, we shall more successfully make a response to the rather damaging sorties of the enemy than we have heretofore.

Mr. PROXMIRE. I agree. It is one thing to have military power; it is something else to be willing to use it.

Mr. SCOTT. Exactly.

Mr. PROXMIRE. No matter how great our power may be, if the enemy thinks we are afraid to use it, that power counts as nothing. The fact that we have used it, used it in a limited way, used it responsibly, and have not tried to extend it in any broad way, but have confined it to military targets, has, I believe, enhanced our position and greatly strengthened the position of the South Vietnamese.

Mr. SCOTT. I have spoken with members of the Joint Chiefs of Staff as well as with the President. Without any attempt to quote them, except as they have publicly confirmed some of the things they have said, they have answered to my satisfaction the common, rather unthinking statement that the South Vietnamese people are not with us; that they want us out of their country. Their reply has been quite to the contrary.

I have said, for example, that some have argued that the Vietnamese are a good deal like the Laotians. The Laotians, it is argued, are like Ferdinand the Bull. They want to smell the flowers, have picnics, loll around the temples, and do things of that kind. Whether that be true of the Laotians or not—and there is some evidence that some of that trait exists—these informed and qualified experts have said to me, first, that the South Vietnamese have some excellent fighting men, as do the North Vietnamese; that there is a trait or a quality of the Vietnamese which makes them good fighting men.

In South Vietnam, hundreds of thousands have escaped from communism, have become refugees, have taken their lives and their future in their hands to defy communism, and are now living in South Vietnam.

If we were to leave the country, we would turn over to the Communists all of those refugees who have "voted with their feet," as the saying goes; who by their actions have rendered themselves vulnerable to total annihilation by an enemy that knows that they are there. So how can we consider abandoning a nation which has opted for freedom, and whose people, in my opinion, except to the degree to which they have been terrorized in the fields, are just as anti-Communist as we are, perhaps even more so? I think the maxim prevails that the closer one is to communism, the more he dislikes the possibility of having to participate in it. I well recall the large numbers of Chinese and North Korean soldiers who defected from the Panmunjom armistice Communists.

It seems to me that we are reading the whole picture wrong in thinking that the Vietnamese do not want to fight, because if we extrapolate, to use a State Department word—and I also know how to use "vis-a-vis"—the casualties sustained in Vietnam, North and South, relating their population to ours, would compare with about 325,000 people in the United States. That is more than the number of casualties we sustained in the Korean war.

It seems to me that not only would a nation that has been willing to fight on and on in the cause of freedom feel abandoned; but the word would get around through all of Asia and probably pretty well through Europe that the Americans are a "paper tiger"; that we make high-sounding statements; that we sign treaties, as we have with Thailand; that we are strong on promises and talk; but that whenever imperialism—that is, the Communist menace—really presses us, we say we are no longer interested.

Mao Tse-tung has predicted the same thing. He said to a correspondent not long ago that the Americans will tire and give up. That is obviously what they are waiting for.

I commend the Senator again. I regret that I have taken up so much time. I thank the Senator for the opportunity he has given me—as well as for the excellence of his own statement—to show that the loyal opposition is a responsible opposition.

I have not criticized the President in this Congress in any way on any part of his present foreign policy. As a matter of fact, I have not yet criticized him for any part of his domestic policy. But I assume that in time I shall get around to that.

I speak for every Republican Senator. We support the President and uphold him. We recognize that he has proceeded with dignity and discretion. But, so far as guaranteeing peace is concerned, we have not only the freedom of South Vietnam to consider, but also the freedom of this country. I think that freedom, like peace, is indivisible.

I thank the Senator.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Pennsylvania. I say once again that I deeply appreciate his superlative expression of bipartisan support for the President's position.

I know it makes a difference not only to President Johnson, but also to our forces in southeast Asia, that a leader of the Republican Party, who has freely criticized when he decides the policy is incorrect, is supporting the President.

Senator SCOTT has demonstrated a great capacity for constructive and positive criticism in the past. He is very effective, sometimes too effective for our comfort. But in this crisis, the great spokesman and statesman for the Republican Party has expressed an unqualified and all-out support for the President's policy in South Vietnam.

Mr. President, I yield the floor.

Mr. SCOTT. Mr. President, I thank the Senator.

Mr. LONG of Louisiana. Mr. President, I have heard the speech of the Senator from Wisconsin, and I have read all of his prepared text. I congratulate the Senator on a very excellent speech and a very significant speech, particularly in view of the fact that the speech is made by the senior Senator from Wisconsin, whom I know to be completely independent. He has not been satisfied to follow anyone's leadership unless he thought it to be right, and he has at times taken that position at considerable cost to himself. He has not been willing to take that lead if he thought it was in error. His speech supporting the administration and the President on Vietnam is especially significant in view of that fact. I congratulate him.

The Senator from Wisconsin has brought out a number of facts which I, even as a member of the Foreign Relations Committee, was not completely aware of.

I thank the Senator from Wisconsin for his contribution. I believe his speech will prove to be one of the most constructive contributions to the debate over Vietnam.

Mr. PROXMIRE. I appreciate what the distinguished assistant majority leader has said. It is very encouraging to hear him say that.

THE MESS IN VIETNAM—V

Mr. GRUENING. Mr. President, I congratulate the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] for his comprehensive, well organized, well knit, sincere presentation in defense of the course which the administration has been pursuing to date. I do not, as I have sought to make clear for the past year, agree with it and with him.

"What are our goals?" my able colleague asks, and he answers, there are three, and the first is "Peace. An end to the fighting and terror in South Vietnam." Peace.

I recall the words of the prophet who castigated those who cried "Peace, peace, when there is no peace." I refer those who cry "Peace, peace," and support the extension and escalation of the undeclared war and of the fighting not merely in South Vietnam, but beyond, to the fact that we have been in South Vietnam militarily and financially, for 10 years. We continue to cry "Peace, peace, when there is no peace." I have for a year advocated a peaceful approach, a new approach, an effort at least which has never been made to try to enlist the United Nations and to wage peace at least as vigorously as we have waged war.

Now, what has happened in the past 48 hours since the Senate adjourned on Friday?

The State Department has issued a "white paper" over the weekend. It certainly adds no new facts to the already muddied waters of Vietnam.

Of course, North Vietnam is and has been aiding the South Vietnamese Vietcong. That is nothing new. But the fact does remain that we have been aiding the South Vietnamese on a scale far surpassing the aid given by the North Vietnamese. The fact remains that there is a civil war in South Vietnam, with father fighting son and brother fighting brother. The fact remains that the vast majority of the Vietcong—however much training they have received from the North Vietnamese—are from South Vietnam.

The "white paper" goes to elaborate pains to give the impression that we are fighting a Korean-type war in South Vietnam. This is definitely not the case. In Korea we had the majority of the South Koreans fighting alongside American fighting men. The majority of South Vietnamese—however differently they may have felt when first our so-called advisers were sent to South Vietnam—are not on our side fighting earnestly and fiercely for their freedom. And also, in Korea, it was the United Nations forces with the troops of 11 other nations side by side with ours against the North Koreans—it was not, as it is in Vietnam, Americans only and South Vietnamese against the South Vietnamese Vietcong augmented by some North Vietnamese infiltrators.

In the Saturday Review for February 27, 1965, Mr. Norman Cousins, in his leading editorial entitled "Vietnam and the American Conscience," states:

> It is tragic that most of the debate over Vietnam has vibrated between total war and total withdrawal. It is made to appear that the only choice is between absolute victory and absolute defeat. There is an alternative—if our main objective is to promote the stability and security of the area. And that alternative is to involve the United Nations, with all its limitations, to the fullest possible extent.

I have been advocating that course of action since I first spoke on this tragic subject on March 10, 1964—almost a full year ago.

The dangerous course upon which we are now embarked in Vietnam was pointed out in the New York Times on February 28 in an editorial entitled "Storm Signals Over Asia," in which it stated:

> Washington and Peiping are in bizarre tendem as the only major capitals in the free or Communist worlds openly resistant to seeking a negotiated settlement of the Vietnamese conflict now. It is not too late for the President to make it plain that the United States is ready to talk as well as fight, and thus leave China isolated as the obstructor of any attempt to achieve a sound and enforcible peace.

In his article in the Washington Post on February 28, 1965, entitled "Vietnam Fallacies," Mr. Drew Pearson noted, as I have done repeatedly, that the crisis in Vietnam is one which President Johnson inherited and which he should not have assumed.

Mr. Pearson notes three fallacies in popular thinking about the situation in Vietnam:

First. He says:

> We contend that we are in South Vietnam at the request of the popular government, to protect freedom. This is pure bunk. The government has changed so often that no one can keep track of whether Big Minh, Little Minh, or Minnie Mouse is in power.

Second. Mr. Pearson notes:

> We believe that the best way to stop Vietnamese fighting is by retaliatory raids against the North. There are many indications that this also is pure bunk.

Third. Mr. Pearson notes:

> The United States has told our allies privately that we are ready to negotiate a settlement in Indochina but that we want to negotiate from strength. Unfortunately, the longer we remain in South Vietnam the more our strength deteriorates.

There has been speculation in the newspapers about what the polls are showing concerning popular support for an escalation of the war in South Vietnam. Of course, part of the validity of any poll lies in the manner in which the questions on the poll are asked. All I know is that my mail runs over 300 to 1 in favor of the position I have taken, that the Vietnam crisis should be taken to the conference table before it escalates into a major or possibly a thermonuclear war.

As further evidence of the feeling of what I believe to be the vast majority of the American people, two open letters to the President were published in the New York Times for February 28, 1965, and March 1, 1965. These letters are signed by faculty members from numerous universities.

Mr. President, I ask unanimous consent to have the editorial published in the Saturday Review for February 27, 1965, the editorial entitled "Storm Signals Over Asia," from the New York Times for February 28, 1965, the articles by Mr. Drew Pearson, published in the Washington Post for February 26, 27, and 28, and the two open letters to President Johnson published in the New York Times of February 28 and March 1, 1965, printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, in its excellent editorial on February 27, 1965, the New York Times ably points out that if we undertake negotiations on the situation in Vietnam at this point we will not be negotiating from weakness, but from strength. As the New York Times puts it:

> The United States has an immense concentration of naval and air power close to the coast of southeast Asia. It is capable of expanding that power many times over. This fact, with the potential consequences it implies, is well understood in North Vietnam. It is well understood in Moscow. It is well understood, despite all talk of paper tigers, in Peiping.

I ask unanimous consent that the editorial published in the New York Times for February 27, 1965, entitled "Mr. Nixon's Totem Pole" be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the Saturday Review]

VIETNAM AND THE AMERICAN CONSCIENCE

Vietnam is profoundly complex, but it is not so complex as to defeat the American intelligence or disable the American conscience. Some facts and implications are clear, no matter how murky the general situation.

The first fact is that the United States today does not have the backing of the Vietnamese people in whose name it went into Vietnam in the first place and whom it is seeking to save today. The U.S. military forces have had to cope not just with secret agents from North Vietnam but with the growing opposition of the populace as a whole. In briefings of new U.S. military personnel, the point is stressed that most Vietnamese are either sympathizers with or secret members of the Vietcong. The retaliatory bombings by the United States of North Vietnam targets do not meet the problem represented by internal opposition within South Vietnam itself.

The second fact is that most of the military equipment used against American and South Vietnam military forces has come neither from Communist China nor North Vietnam but from the United States. It is ludicrous to talk about bombing supply lines from North Vietnam as a means of shutting off the flow. According to some estimates, up to 80 percent of the military equipment used by the Vietcong originates in the United States. In largest part, it is either captured by the Vietcong or turned over by supposedly loyal South Vietnamese. No one knows how much of the equipment finds its way to Communist China. A Chinese official interviewed in Peiping several months ago said he was almost reluctant to see the Americans leave; they had contributed so heavily to the Chinese arsenal.

The third fact is that the legal justification invoked by the United States for its involvement in Vietnam has long since been nullified. Under the terms of the 1954 Geneva Agreement, all foreign forces and military equipment were to stay out of Indochina. The United States came with military force into Indochina, most notably in Laos, South Vietnam, and Thailand, declaring it had done so at the request of the governments involved, which was not a violation of the treaty. But nothing in the treaty gave the United States the right to finance revolutionary movements or to participate in undercover subversion. (In Laos in 1960 and 1961, the United States financed and equipped the effort of Gen. Phoumi Nosavan to overthrow the only elected government in the history of Laos. At the same time, the United States continued to pay the salaries of loyalist forces and to furnish their supplies. Thus the United States was in the astonishing position of underwriting both sides of a civil war. Eventually, the situation was restored to its prerevolutionary status, but only after many thousands of civilians were killed or became homeless.)

In South Vietnam, the inability of the Diem government to maintain the support of its own people constituted a severe drag on the war effort. Eventually, the Diem government was overthrown and the Premier assassinated. Later, Frederick E. Nolting, Jr., former Ambassador to South Vietnam, said the United States had been directly involved in the anti-Government plot. Whether Premier Diem was or was not authoritarian and backward is beside the point; the American people have never given their Government a warrant to engage in subversion or murder. Since Diem regimes in South Vietnam have come and gone; which of them has enjoyed genuine legitimacy it is difficult to say. In any case, what is the legal basis for our presence now? Our presence was requested by a government no longer in existence, and one that our own ex-Ambassador said we helped to overthrow.

The fourth fact is that our policy in Vietnam in particular and Asia in general has not been of a piece. Basically, an important objective of our foreign policy is to keep the Soviet Union and Communist China from coming together in a unified and massive ideological and military coalition. But our policy in Vietnam is producing exactly the effect we seek to avoid. Nothing that has happened since the original rupture between the two major Communist powers has done more to bring the Soviet Union and Communist China together again than recent American actions in Vietnam. The Communist Chinese have long argued that the Russian idea of coexistence was an anti-Marxist and antihistorical notion that could only be advanced by naive sentimentalists. They claim war is inevitable because of the nature of capitalism. As evidence, they assert that the United States, despite its claim that it sought only to promote the internal stability of Indochina, was actually pursuing a war against Asian peoples as an extension of the very imperialism Asians had fought so hard to expel. The Soviet Union, which is no less concerned than the United States about Chinese expansion throughout Asia, also has to be concerned about its standing in the world Communist community. It cannot allow itself to appear indifferent to military action involving a member of that community. Any expansion of the war by the United States into North Vietnam would force the Soviet Union to identify itself with North Vietnam and thus with China. In any event, in pursuit of one goal the United States appears to be losing a larger one. If the Communist Chinese had deliberately set a trap for the United States, they could not have more effectively achieved the result they sought.

The fifth fact is that American newsmen have had a more difficult time in getting unmanipulated news out of Vietnam than out of almost any crisis center in recent years. James Reston, associate editor of the New York Times, testifying before a congressional investigating committee in 1963, said the news in Vietnam was being managed in a way inconsistent with the traditions of this society. In the past 2 years there has been some improvement in news policy on Vietnam but the American public has yet to be fully informed about the nature of the American involvement, the degree to which U.S. arms have been sustaining the attackers, the extent of the popular opposition, and the inability of the South Vietnam Government to mount an effective response against the guerrillas.

The sixth fact is that President Johnson has genuinely tried to keep the military lid on in Vietnam, recognizing the ease with which the hostilities could mushroom into a general war; but he has been under extravagant pressure, much of it political, to translate American military power into a dramatic solution. The national frustration about Vietnam has far exceeded the national comprehension of the problem, for much of which the Government has only itself to blame. In any event, there has been comparatively little counterpressure in support of a policy of restraint and an eventual nonmilitary settlement—a failing that the American people have it within their means to change whenever they wish to do so.

The United States is concerned, and properly so, that the loss of South Vietnam would lead to grave consequences—territorial, political, psychological—throughout Asia and indeed most of the world. Already, the fact of developing atomic power in China has made a deep impression on many nations whose histories have pitted them against Western outsiders. American policymakers fear that United States withdrawal from Vietnam or even a reluctance to press the war would weaken or destroy the image of the United States as a resolute, dependable, and successful foe of aggressive communism in the world. These are not illogical or nonhistorical fears, but it is equally logical and historical to raise questions about the damaged image of the United States that is emerging from the present actions in Vietnam. There has been an outpouring of anti-American sentiment not just in Asia but throughout the world—and it would be a mistake to charge it all to Communist manipulation or propaganda. Even among our friends in France, Great Britain, and West Germany there has been a sense of shock and outrage. If we thought we were building prestige by taking to the air and dropping bombs in Vietnam, we have built strangely indeed.

It is tragic that most of the debate over Vietnam has vibrated between total war and total withdrawal. It is made to appear that the only choice is between absolute victory and absolute defeat. There is an alternative—if our main objective is to promote the stability and security of the area. And that alternative is to involve the United Nations, with all its limitations, to the fullest possible extent. Any general war growing out of the combustibles in Vietnam would bring catastrophe to most of the world's peoples. On the principle of no extermination without representation, they have a right to ask that they be consulted now, while there may yet be time.

The situation in Vietnam is far more complicated than it was in Korea, but no one can say that no good can come out of a U.N. effort similar to one existing in Korea. Korea has had numerous truce violations and difficulties, but because of the U.N., Korea at least is not aflame today. Secretary General U Thant has provided an opening for such an effort by calling not just for restraint but for "shifting the quest for a solution away from the field of battle to the conference table." To the extent that the United Nations could be brought into this quest, the chances for a constructive outcome will be increased.

There are no easy answers to Vietnam. But some answers may be less volatile and more morally imaginative than others.

Moreover, at some time soon the United States will have to recognize that a military policy without a full ideological and social program will not only fall short of its goal but may actually boomerang. In any case, the prospect for finding a workable answer to Vietnam will increase, not decrease, in direct proportion to the unblocking of an American conscience and the activation of an informed debate.—N.C.

[From the New York Times, Feb. 28, 1965]

STORM SIGNALS OVER ASIA

The Johnson administration seems to be conditioning the American people for a drastic expansion of our involvement in Vietnam. The State Department's white paper accuses North Vitnam of intensified aggression and stresses that military efforts aimed solely at the Vietcong guerrillas in the south no longer suffice.

The logic of all this is that the United States, which only last week moved from the role of "adviser" to active and undisguised combatant in South Vietnam, now feels free to strike at will—whether by air, sea or land—at any targets it chooses in North Vietnam. In the 3 tense weeks since the Vietcong attack on Pleiku, American policy has plunged dangerously beyond the one enunciated then by the President and Secretary McNamara of limiting ourselves to retaliatory action and shunning a wider war.

And what has happened to alter our policy? The assertion that North Vietnam is a principal supplier of men and munitions to the Vietcong is certainly not new, nor is the charge that the extent of its support is increasing. Such activity by Hanoi constitutes the sole reason for our being in South Vietnam, and has since the United States moved in the vacuum left by the French withdrawal in 1954.

Apparently, the major new evidence of a need for escalating the war, with all the hazard that this entails, was provided by the sinking in a South Vietnamese cove earlier this month of a 100-ton cargo ship loaded with Communist-made small arms and ammunition. A ship of that size is not much above the oriental junk class. The standard Liberty or Victory ship of World War II had a capacity of 7,150 to 7,650 tons.

Page after page of similarly minuscule detail about Communist infiltration from the north merely raise anew the question of whether massive air strikes would accomplish anything except large-scale civilian casualties in industrial centers and ports. The question is made sharper by the absence of any stable government in Saigon to fight or even to speak in the name of the South Vietnamese people.

Communist China, the nation whose imperialist ambitions the world has most to worry about, will be a clear gainer from the ill timing and judgment of our warning to North Vietnam. It comes just as the Soviet Union is about to begin an international meeting of Communist parties in Moscow—a meeting originally called to pronounce Peiping a renegade from Marxist-Leninism. Washington is now doing precisely what that most sophisticated of Kremlinologists, George F. Kennan, former U.S. Ambassador to Moscow, cautioned against in his Senate testimony Friday: Forcing the Soviet Union to come down on the side of Communist China.

Washington and Peiping are in bizarre tandem as the only major capitals in the free or Communist worlds openly resistant to seeking a negotiated settlement of the Vietnamese conflict now. It is not too late for the President to make it plain that the United States is ready to talk as well as fight, and thus leave China isolated as the obstructor of any attempt to achieve a sound and enforcible peace.

[From the Washington (D.C.) Post, Feb. 26, 1965]

PLEIKU ATTACK NOT A HANOI PLOT

(By Drew Pearson)

Shortly after the Vietcong raid on Pleiku that caused the United States to retaliate with its first definite large-scale bombing raids on North Vietnam, this column reported that the United States had been mousetrapped and that the Pleiku attack was the result of a Chinese or North Vietnamese plot deliberately staged while Premier Kosygin was visiting Hanoi.

More complete information, now available from the battlefront, shows this column was in error. The Vietcong attack was staged by a bedraggled handful of 100 men, or half a company, which was able to achieve success only because of sheer stupidity and lack of alertness by the Americans and the South Vietnamese. The attackers had no idea that they would be able to penetrate to the very center of the American installation as they did.

That it was no Hanoi-conceived plot is obvious from the fact that Hanoi could not have planned to have all South Vietnamese personnel and all Americans asleep.

A little band of Vietcong passed through two villages before reaching Pleiku. The South Vietnamese in the villages are supposedly friendly to the United States but they sounded no alarm. The attackers cut the barbed wire around Pleiku completely undisturbed, and walked right into the center of the installation to place bombs alongside the barracks where Americans were sleeping and alongside planes which were completely unguarded. They retreated without an American or a South Vietnamese wounding a single one.

SUCCESS UNEXPECTED

There were some Vietcong casualties, but only from their own mortar fire. Their commander had never expected them to penetrate so far inside, therefore aimed mortars into the center of the American installation—another indication that there was no Hanoi plot.

Secretary McNamara, one of the most levelheaded executives ever to boss the Pentagon, was mousetrapped when he got out of his sickbed to hold an emergency press conference and defended the American forces as victims of a "sneak attack." Obviously he knew that some of the great military victories of American history have resulted from sneak attacks, as when George Washington sneaked across the Delaware to surprise carousing Hessians in Trenton. McNamara also knew that his own men were being trained in the art of the sneak attack at the very time he held the news conference.

Only on a few occasions have American troops telegraphed their attacks in advance, as when General Pickett sent a Confederate flag at the head of his troops in the famous charge at Gettysburg—a charge, incidentally, in which his defeat turned the tide of the Civil War.

Those who were really mousetrapped as a result of the Pleiku incident were not only McNamara but President Johnson and, momentarily, the State Department. Since then, Acting Secretary of State George Ball has tried to restore some reason and sanity to our mousetrapped thinking, which could have precipitated nuclear world war.

What happened was that Ambassador Taylor, an able but severely harassed man who has seen his hitherto great prestige gradually eroded in Vietnam, seized this opportunity to recommend retaliatory raids. He sincerely believed this was a Hanoi plot. Ordinarily his recommendation might have been discounted in Washington, but it happened that McGeorge Bundy, White House adviser on security matters, was in Saigon at precisely that time.

WHITE HOUSE PRESSURED

Bundy's brother William is Assistant Secretary of State for the Far East and has long advocated a stronger hand in Vietnam, including bombing the North. When McGeorge Bundy, therefore, joined Taylor in rushing back a premature, exaggerated account of the Pleiku raid, the White House finally yielded to advice which the Bundy brothers had been giving for some time and which has now caused serious loss of American prestige, demonstrations against American embassies around the world, even in pro-West counties and eroded the better understanding Mr. Johnson had personally built up with the new leaders in the Kremlin.

What the American public has a right to expect is a congressional investigation or the court-martial of American officers asleep at Pleiku. The Pentagon alibi is that they are highly trained men who are not supposed to stand guard, which is correct. But the fact remains that no one, not even South Vietnamese, was on guard and, as a result, approximately 100 wounded, and several million dollars worth of planes destroyed.

[From the Washington (D.C.) Post, Feb. 27, 1965]

UNITED STATES SHOULD GET OUT OF VIETNAM

(By Drew Pearson)

When Senator DICK RUSSELL of Georgia visited the LBJ ranch to confer on Vietnam, right after the November elections, he remarked:

"We made a mistake in going in there, but I can't figure any way to get out without scaring the rest of the world."

There are a lot of reasons to support Senator RUSSELL as to why we should get out, one being that the longer we stay in the stronger the Chinese become. For centuries the Chinese were hated and feared in this part of the world. Now it's the United States.

To understand why, consult Father Hoa, the strongly anti-Communist Catholic priest, a Vietnamese, who says:

"How can we explain to a mother when her child is burned by napalm? And how can we claim to be for the people when we burn their homes simply because their houses happen to be in Vietcong-controlled territory?

Another reason we should get out of Vietnam is because it has caused us to lose the propaganda war abroad.

Another reason supporting Senator RUSSELL is the drain on the American dollar, as pointed out by R. V. Roosa, the man in charge of watching the dollar balance until he recently retired as Under Secretary of the Treasury.

Finally, there is the statement of Gen. Maxwell Taylor, the sincere, harassed American Ambassador to South Vietnam: "Military action outside the country, just as pure military action inside the country, will not win."

With all these factors supporting Senator RUSSELL, the question is how we get out.

While I agree with the Senator from Georgia that the answer is not easy, there are certain factors putting President Johnson in a stronger position than his predecessors.

As Vice President, for instance, he was urging social reforms rather than military support for President Diem at the very time President Kennedy was beating the tomtoms for all-out intervention.

Finally, the President knows as perhaps no other man that the United States has the power to destroy the world but not the power to make it obey us. For the moment, though not for long, he leads from a certain amount of strength. His retaliation against the north has put him in a stronger bargaining position.

SOLUTION FOR VIETNAM

He has, therefore, the following alternatives for getting out of the Indochinese peninsula:

1. He can do what President de Gaulle did in Algeria and pull American forces out without any face-saving formulas, but simply by admitting we made a mistake. When De Gaulle did this he faced rebellion in the French army and was almost assassinated. But France has been stronger, more prosperous, more respected ever since De Gaulle stopped the Algerian drain on French money and manpower.

2. The President can call for the fulfillment of the pledge signed at Geneva in 1954 for an election on the unification of North and South Vietnam. This election, was supposed to be held in 18 months. It has not been held because it was known that the North Vietnamese would win, just as we know that in any German election on unification the West Germans would win.

However, we can't demand an election in Germany yet deny one in Indochina. And even if the North Vietnamese do win, it doesn't necessarily mean the area will line up with the Chinese Communists. There's a lot of Titoism in southeast Asia.

3. The President can throw the Vietnamese problem into the arms of the United Nations and thereby help to resuscitate that gasping organization. A request that the Assembly settle Vietnam while simultaneously demanding that only those nations which have paid their dues can vote would put the Russian and French nonpayers in an extremely awkward position.

Once before when Russia absented itself from the U.N. the Korean crisis came before the Assembly. Russia doesn't want to make that mistake again. Certainly, if so vital a problem as Indochina came before the U.N., which we have always kept away from the U.N. in the past, the Communist bloc nations could not afford to be sitting on the sidelines.

Senator Russell has raised the question of scaring the other nations of the Pacific which fear the encroachment of Red China. He is right. However, President Johnson has already promised the protection of the American nuclear umbrella to these countries, and he could make this formal by a treaty similar to the NATO pledge of support in Europe. The nations most worried about Chinese encroachment—Thailand the Philippines, India—already have and can get more American aid and support.

[From the Washington (D.C.) Post, Feb. 28, 1965]

Vietnam Fallacies—Johnson Inherited Situation in Which United States Instead of France Is in Trouble

(By Drew Pearson)

There are three important fallacies to be considered regarding the Vietnam crisis which President Johnson inherited.

1. We contend that we are in South Vietnam at the request of the popular government, to protect freedom. This is pure bunk. The government has changed so often that no one can keep track of whether Big Minh, Little Minh, or Minnie Mouse is in power. There have been 14 changes of government since January 30, 1964, which is an average of one government per month. The government is of the military, by the military, and for the military, and Vietnamese civilians have no illusions about it.

2. We believe that the best way to stop Vietnamese fighting is by retaliatory raids against the north. There are many indications that this also is pure bunk. First, the North Vietnamese are led by Ho Chi Minh, a tough guerrilla fighter who battled against the French for 8 years and defeated the cream of the French Army, totaling 380,000 men, backed by $4 billion of American money. Ho now has an army of 270,000 men and if he wants to move south our bombing raids would never be able to halt him. History shows airplanes cannot find troops on foot in the jungle.

However, it is highly doubtful that Ho could call off the Vietcong war against us in South Vietnam even if he wanted to. You have to remember that the Vietcong were part of the force that also fought for 8 years, with implacable will, to get the French out of Indochina, and we have merely substituted ourselves for the French. The Vietcong are equally determined today to get all white men out.

After the French evacuated Indochina under the terms of the 1954 Geneva agreement, there were approximately 90,000 Viet Minh pro-Communists guerrilla fighters left. They became the Vietcong. Already tough revolutionaries, they are now doubly effective because they have seized new, modern American arms.

American intelligence shows that very few of the Vietcong infiltrated down from the North until last year. It is estimated that in 1964 between 4,000 and 5,000 men moved in. Therefore, Ho Chi Minh would have little control over them, even if he wanted to yell "uncle" as a result of the U.S. retaliatory raids.

Our intelligence also shows that the Vietcong is composed of about 35,000 hard-core fighters, plus 65,000 militiamen—a total of about 100,000. This is enough, given support from the countryside, to engage in hit-and-run operations indefinitely.

3. The United States has told our allies privately that we are ready to negotiate a settlement in Indochina but that we want to negotiate from strength. Unfortunately, the longer we remain in South Vietnam the more our strength deteriorates.

When we had 1,000 American advisers in Vietnam, as in the early days of the Eisenhower administration, we were probably stronger than today. President Kennedy boosted the number of Americans to 20,000 and President Johnson has raised the total to 23,500, but we are in a weaker position to negotiate because today the Vietcong occupy about two-thirds of the country.

The real problem of strength is the local South Vietnamese Government, and the more the generals concentrate on their own personal ambition rather than the welfare of the country, the weaker becomes our strength to negotiate.

WHAT NEXT?

The above three points are the heart and soul of the Vietnamese problem. What, therefore, are the alternatives facing the United States?

They are: To place the matter before the United Nations Security Council, which has never been given the Indochina problem in the past; or to continue bombing farther and farther north.

In the latter event, the Communist world is in an extremely strong position to retaliate in four widely separated areas:

1. Ho Chi Minh can move his well-trained army from the north.

2. The Red Chinese could move in on the islands of Quemoy and Matsu, which lie only 3 and 12 miles respectively from their coast, and take them fairly easily, since most of the U.S. 7th Fleet is tied up in the Gulf of Tonkin.

3. The Chinese could accelerate hostilities in Korea where South Korea is still protected only by a truce.

4. If the Russians wanted to enter the picture they could exert a squeeze on Berlin with another blockade, thus requiring the United States to divide its attention between Asia and Europe.

These are some of the problems the State Department is beginning to pose for the White House now that Secretary Rusk has recovered from his illness.

The alternative of putting the crisis before the United Nations would put the Russians in an extremely awkward position as to whether they ought to use the veto. The United Nations would probably call for a cease-fire and appoint a commission to study the situation.

The best long-range hope for the United States in Indochina is Titoism. Ho Cho Minh could be another Tito if we don't drive him into the hands of the Chinese as we have been doing. It is important to remember that the Thais, Vietnamese, and Burmese have hated and feared the Chinese for centuries. If given a chance for independence they don't want to come under the domination of the Chinese dragon.

These are not happy alternatives, but this is the situation which the Johnson administration has inherited from 18 years of erosion.

[From the New York Times, Mar. 1, 1965]

An Open Letter to President Johnson on Vietnam

Each day we hear fresh news from Vietnam, news both strange and grim. We strike by air in reprisal against North Vietnam because our soldiers, sent as armed technicians and advisers to an army which cannot yet guard them well, have been attacked in their barracks in the very heart of South Vietnam. We have widened the war—how wide will it become?

Fear of escalation of this undeclared war against North Vietnam mounts with each sudden report of renewed violence. Unless the situation is very different from what it appears to be, we have lost the political initiative in Vietnam and are attempting to substitute military actions for political ones. We face grave risks in Vietnam. Americans have faced even graver risks for good and high cause, Mr. President, but we must first understand why we must take such risks. What are our goals in Vietnam? Are they just? Can they be accomplished? Are they truly worth what they are bound to cost in dollars and human lives?

With whom are we allied in Vietnam? Are our soldiers fighting side by side with troops of a representative and legitimate national government, or are we embroiled in defense of an unpopular minority in a fierce and costly civil war? Our representatives assure us that we and the Saigon government have the overwhelming support of the Vietnamese people. How can this be so? On the same day that Mr. McNamara said sneak attacks upon our soldiers cannot be prevented, an American officer on the scene in Vietnam declared that "any of the people in the hamlet over there could have warned us that the Vietcong were around, but they did not warn us." The weapons used against us are most often American weapons, captured from or surrendered by the South Vietnamese Army. Mr. President, we submit that weak field intelligence in South Vietnam and a steady loss of workable weapons to the enemy, are deep symptoms of an unpopular cause.

Why are we fighting in Vietnam? Mr. President, we think we understand why we went into Vietnam after the French withdrew. It was because this Nation hoped to encourage the development of a popular, stable, and democratic government which would help to lead all southeast Asia toward lasting peace. Historical, political, social, religious, and sectional factors have prevented this development. The original assumptions are no longer valid. We have become increasingly unwelcome everywhere in southeast Asia. Our presence seems to deepen, rather than to relieve, the bitterness and hostility of the people. It was only 10 years ago that the Vietnamese defeated a French Army of nearly half a million men. Will the same battles occur again?

Can we win in Vietnam? Mr. President, we know that our Nation has sufficient fire power to destroy the entire world. We also know that you do not wish to call upon this awesome power. How can we possibly win and yet prevent a widening of this conflict? How can we win in Vietnam with less than 30,000 advisers when the French could not win with an army of nearly half a million fighting both north and south of the present dividing frontier?

Is it worth the cost? The French defeat in Indochina cost them 172,000 casualties. Yet, before their final bloody defeat at Dienbienphu, the French generals and diplomats spoke with the same toughness and optimism, the same assurances we now hear from our leaders.

The French had overwhelming numbers and firepower but they lost in Vietnam because they lacked the support of the population. Do we face the same prospect, or are there facts which the public does not know which show our situation to be clearly different?

Mr. President, we are aware that you have secret information which cannot be shared with us. But could such information completely refute the picture of events and the political insights provided to us by serious newspapermen who have been in the area for years?

All we can see is a seemingly endless series of demonstrations and riots in Saigon and Hue, of military coups, of threats and challeges to the dignity of our Ambassador and our other representatives by the very men we seek to sustain in power.

We have lost the initiative in Vietnam. A few guerrillas can trigger American reactions that widen the war. The events of the past weeks are leading step by step along the path to war with China.

Would it not be both prudent and just to take the initiative toward peace in Vietnam? If we are not to widen the war beyond all conscience, as reasonable men we must initiate negotiations while there is still time.

Andover-Newton Theological School: Herbert Gezork, ethics (plus four signers, Feb. 16).

Boston University: Irwin E. Chase, psychiatry; William A. Hire, psychology; Francis Johnson, chemistry; Philip E. Kubzansky, psychology; Louis Lowy, social work; S. Joseph Nemetz, medical school; Irwin I. Portner, medical school; Henry N. Rosenberg, medical school (plus 24 signers Feb. 16).

Brandeis University: Stanley Deser, physics;; Harry Rand, psychiatry (plus 55 signers, Feb. 16).

Bryn Mawr College: Warner Berthoff, English; Paul R. Brass, political science; T. R. S. Broughton, Latin; Fredericka de Laguna, anthropology; R. B. De Boff, economics; Mary Dunn, history; Alice F. Emerson, political science; Rosalie Hoyt, physics; Mabel Lang, Greek; Richard Lattimore, Greek; Gertrude Leighton, political science; A. K. Michels, Latin; Eleanor Pauker, Spanish; Robert Patten, English; Kyle Phillips, archeology; Eugene Schneider, sociology; Laurence Stapleton, English.

Drexel Institute of Technology: Joel Balsham, English; William Hollis, English; David Holtz, English; Sol M. Kipnes, chemistry; Samuel S. McNeary, mathematics; James A. Richards, Jr., physics; Eugene J. Rosenbaum, chemistry; Cecil O. Smith, Jr., history; J. W. Smith, sociology; John A. Taylor, physics; Stanley A. Wasson, history.

Haverford College: Edwin Bronner, history; Dean Burnham, political science; John Cary, German; Aldo Caselli, Italian; Thomas D'Andrea, psychology; William Davidon, physics; Paul Desjardins, philosophy; Alfred Diamant, political science; Irving Finger, biology; Lewis Green, astronomy; Elizabeth Green, biology; Theodore Hetzel, engineering; Dietrich Kessler, biology; Lewis Kosman, philosophy; Wallace MacCaffrey, history; Sidney Perloe, psychology; Melvin Santer, biology; Ralph Sargent, English; Alfred Satterthwaite, English.

Harvard University: Sidney Alexander, medical school; Daniel S. Bernstein, medical school; Martin A. Berezin, medical school; Donnell W. Boardman, medical school; Louis S. Chase, medical school; Sidney Coleman, physics; Lincoln H. Day, public health; Daniel Deykin, medical school; Frank R. Ervin, medical school; Sanford Gifford, medical school; Lester Grinspoon, medical school; George Grosser, medical school; Calvin Leeman, medical school; Sidney Levin, medical school; John E. Mack, medical school; Jack H. Mendelson, medical school; David L. Rabin, public health; Peter Reich, medical school; Samuel Silverman, medical school; Harold J. Stein, medical school; Myron Stocking, medical school; Anna K. Wolff, medical school; Stephan Thernstrom, history; Norman E. Zinberg, medical school (plus 42 signers, February 16).

Institute for Advanced Study: Felix Gilbert, history; Harold Cherniss, classics.

Massachusetts Institute of Technology: Nesmyth C. Ankeny, mathematics (plus 66 signers February 16).

Princeton University: Oakes Ames, physics; Carlos Baker, English; Elmer Beller, history; G. E. Bentley, English; David Berlinsky, philosophy; David Bien, history; Arthur L. Bigelow, engineering graphics; Jerome Blum, history; R. Bon de Sousa Pernes, philosophy; E. B. O. Borgerhoff, romance languages; Boruch Brody, philosophy; G. E. Brown, physics; Joseph Brown, school of architecture; Nicholas R. Clifford, history; W. R. Conner, classics; John I. Dalland, psychology; Willard Dalrymple, M.D., university health services; M. L. Diamond, religion; William S. Dix, librarian; Martin Duberman, history; R. A. Faulkner, politics; Joel Feinberg, philosophy; George B. Field, astrophysical sciences; John V. A. Fine, classics; Charles K. Fish, English; Robert Freeman, music; Sam Glucksberg, psychology; F. R. B. Godolphin, classics; Ernest Gordon, dean, university chapel; M. B. Gottlieb, astrophysical sciences; Claudio Guillen, romance languages; Stirling Haig, romance languages; Richard F. Hamilton, sociology; W. F. Hanrieder, politics; John A. Hanson, classics; Frederick Harbison, economics; Gilbert H. Harman, philosophy; C. G. Hempel, philosophy; Laurence B. Holland, English; John B. Hughes, romance languages; Edmund Keeley, English; Earl Kim, music; Edmund L. King, romance languages; Arthur C. Kirsch, English; Axel Kornfuehrer, history; Thomas Kuhn, history; Victor Lange, German; Donald R. Larson, romance languages; Sue Larson, philosophy; Rensselaer W. Lee, art and archaeology; Michael Lipsky, politics; A. Walton Litz, English; Duane Lockard, politics; L. H. Lockwood, music; John Rupert Martin, art and archaeology; Arno J. Mayer, history; Arthur Mendel, music; Dimitri Mihalas, astrophysical sciences; George Paul Mras, art and archaeology; R. Nozick, philosophy; A. B. Pardee, biology; George Pepe, classics; George Pitcher, philosophy; James K. Randall, music; L. I. Rebhun, biology; Thomas P. Roche, Jr., English; Remington E. Rose II, English; Robert Rosenblum, art and archaeology; Israel Rosenfield, politics; G. S. Rousseau, English; Charles A. Ryskamp, English; Joseph Schraibman, romance languages; John Schrecker, history; Roger Sessions, music; J. E. Seigel, history; Steve M. Slaby, engineering graphics; Philip Solomon, astrophysical sciences; Kimberly Sparks, German; Stanley Stein, history; Stephen P. Stich, philosophy; John H. Strange, politics; Edward D. Sullivan, romance languages; George F. Thomas, religion; Lawrence R. Thompson, English; A. Richard Turner, art and archaeology; Jack A. Vernon, psychology; A. N. Wahl, politics; Peter S. Walch, art and archaeology; Michael Walzer, politics; Sam Willis, romance languages; Franklin W. Young, religion; P. R. Zilsel, physics.

Princeton Theological Seminary: George S. Hendry, theology; Cullen I. K. Story, Biblical studies; Charles C. West, Christian ethics.

Rider College: C. C. Pratt, psychology; Stephen Vuglen, economics.

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(Institutional affiliation for purposes of identification only.)

If you approve of this statement, write or wire President Lyndon B. Johnson, White House, Washington, D.C.

This open letter was published and signed as an advertisement in the New York Times of February 16, 1965, by some 400 faculty members of universities and colleges of the Greater Boston area. Because of the interest and support it aroused, it was circulated again, chiefly in the Philadelphia-Princeton-New Brunswick area and is being republished as an advertisement paid by the signers. Comments and contributions toward cost should be sent to Ad Hoc Committee for Open Letter on Vietnam, 552 Ewing Street, Princeton, N.J., Prof. Arno J. Mayer, chairman; Prof. Paul Tillett, treasurer.

[From the New York Times, Feb. 28, 1965]

Open Letter to President Johnson on Vietnam

We, as members of the academic community, feel impelled to raise publicly with you, Mr. President, the question of our Government's present policy toward South Vietnam. We ask you to reconsider our present course of action in view of the following facts:

We are intervening unilaterally in support of a succession of undemocratic regimes that are opposed by a majority of the South Vietnamese people.

We are waging an immoral and inhumane war that has brought untold suffering to the people of South Vietnam.

Our recent air attacks on North Vietnam intensify the danger that a local conflict will develop into a major war.

It is maintained that the United States is protecting a popularly supported government against foreign subversion. We maintain, Mr. President, that the evidence available to the Congress and to the public does not support this interpretation of the Vietnamese conflict.

The fact is that the United States is maintaining regimes which are not supported by the bulk of the rural population. How else explain a situation in which 35,000 Vietcong regulars have been able to make increasing gains against a Government army of over 200,000 men together with 23,000 American "advisers"? The close-range attacks on Bienhoa and Pleiku indicate the lack of support by neighboring villagers for the Saigon government.

What has our policy meant for the people of South Vietnam? Only a small minority of the people profits from the $600 million in foreign aid we send annually to South Vietnam. The peasantry of Vietnam has been terrorized. The country, once one of the most prosperous areas of southeast Asia, is being devastated by the napalm bombing of peasant villages, by the unbridled strafing of the countryside by American-supplied aircraft, by the detention and mass transfers of the South Vietnamese people. Prisoners are being tortured in South Vietnam. It does not seem likely that this could be done without the knowledge of American officials.

What effect has our policy had on U.S. prestige abroad? By supporting dictatorial military regimes in South Vietnam we have undermined confidence in our professed belief that nations should be allowed to develop their own destinies free from outside interference. Although we pledged to respect the Geneva accords of 1954, we have violated those agreements by supplying troops and weapons to South Vietnam. We have belied our adherence to international law by refusing to submit the dispute to an international conference, such as the parties to the Geneva accords or one of the bodies of the United Nations.

Our justification for intervention in South Vietnam has been that we are preventing the spread of communism in southeast Asia. The effect of our policy, however, has been to alienate both the neighboring countries and our allies.

As recent events have shown, the longer the war in South Vietnam continues, the greater are the chances of escalation. Our air and sea attacks upon North Vietnam have not appreciably altered the situation in the south, but they have succeeded in increasing the danger of a major conflagration on the continent of Asia and of nuclear war.

When 81 percent of the American people, according to a recent Gallup poll, indicated they were in favor of a conference with the leaders of southeast Asia and China in an effort to reach a peace agreement, must we continue any longer along this dangerous path?

Mr. President, we urge you to consider another course of action:

We ask that you bring an end to the investment of American men and money in the war in South Vietnam.

We ask you to seek a negotiated settlement by every possible means in order to create an independent, neutralized government and to bring about the withdrawal of U.S. troops.

We ask you to lay the problem immediately before an international body and to put an end to our unilateral and illegal actions.

We urge you, Mr. President, to take immediate action to end the war in South Vietnam. The longer we persist in our present policy, the fewer will be the alternatives open to us.

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This letter is being published as an advertisement paid by the signers. Comments and contributions toward cost will be welcomed and should be sent to: University Committee To Protest the War in Vietnam, Post Office Box 115, Woodside, New York, 11377.

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If you approve of this statement, we urge you to reprint it, in whole or in part, in other newspapers, and write or wire: President Lyndon B. Johnson, White House, Washington, D.C.

Mr. Ronald Glassman, chairman; Dr. Myriam Miedzianogora, secretary; Dr. Stanley Deutsch, cotreasurer; Miss Del Greenblatt, cotreasurer.

Exhibit 2

[From the New York Times, Feb. 2, 1965]

Mr. Nixon's Totem Pole

Looking at the present situation in South Vietnam, former Vice President Nixon insists that the United States must "avoid being forced into negotiation when at the bottom of the totem pole." Mr. Nixon's prescription is to forget about negotiation and fight harder, throwing into the battle everything "short of atomic weapons." Mr. Nixon does not say so; but this policy, if followed single-mindedly, would turn a comparatively small war into a much bigger one—one that would involve an enormously expanded investment in American blood and resources.

Apparently Mr. Nixon thinks we are at the bottom of the totem pole in South Vietnam because things have not been going too well recently: because the people of South Vietnam seem to be increasingly war weary; because the changes of government in Saigon are abrupt and kaleidoscopic; because the

Vietcong guerrillas seem to be able to penetrate easily into our lines; because our Vietnam allies do not seem to wish to fight as hard as we would like them to.

These are discouraging factors. But to assume that they put the United States at the bottom of the totem pole is to look at that symbol from a mistaken angle. The United States has an immense concentration of naval and air power close to the coast of southeast Asia. It is capable of expanding that power many times over. This fact, with the potential consequences it implies, is well understood in North Vietnam. It is well understood in Moscow. It is well understood, despite all talk of paper tigers, in Peiping. And once we recognize how well it is understood, in all these and other places, we can take a more realistic view of who is where on the totem pole.

The United States has amply proved, and is continuing to prove, its ability and its determination to stay in South Vietnam as long as present circumstances require it to do so. This is not the question which Secretary General Thant and President de Gaulle and other advocates of negotiation now wish to explore; they know the answer to this question. What they wish to explore is whether matters have not reached a point at which it will be possible to set up a system of adequate international guarantees to protect South Vietnam against outside aggression.

There is every commonsense reason why this possibility should be promptly and thoroughly investigated. An agreement to do so would surrender nothing; it would open up the possibility for determining whether the goal of effective neutralization of South Vietnam, now being sought by arms, could be achieved by diplomacy.

Mr. PROXMIRE. Mr. President, let me reply briefly to the Senator from Alaska by saying that he is correct in stating that the Korean situation is not the same as that in South Vietnam. We were deeply involved in Korea. We were involved to the extent of sustaining well over 100,000 casualties in Korea, as I recall.

The South Koreans are wonderful and brave people, and fought very hard; but the fact is that the South Vietnamese have borne a much heavier proportion of the burden of the fighting and the dying in South Vietnam than the South Koreans did in Korea.

The record in South Vietnam shows than the South Vietnamese people, on the basis of their military performance, do support us.

The Senator from Alaska also mentioned the United Nations, and asked why we do not invite them in. I have wondered about that for a long time. I questioned the State Department for several years, as to why the United Nations was not invited in. There is an excellent answer: There is no basis for the United Nations to settle this controversy unless the U.N. is willing to recognize the invasion of South Vietnam by North Vietnam Communists. Aggression has come from outside the country, from North Vietnam to South Vietnam. Our Ambassador to the U.N. Adlai Stevenson told the U.N. when he submitted our documented case proving this aggression that we will get all of our armament out of South Vietnam when this aggression from the north stops.

Second, during the past week, the Secretary General of the United Nations, U Thant, has somewhat prejudiced the position of the United Nations so far as the Secretary General himself coming into the action to arbitrate is concerned.

Third, the United Nations Assembly, as everyone knows, is now paralyzed because of its financial situation. It is unable to meet. At its only meeting this year it took one vote on a procedural question and then adjourned until fall. There is serious question as to whether it will be able to act for the remainder of this year.

The Security Council is paralyzed by a Soviet veto.

Finally, any dispassionate, objective person would have to agree that the United States is not in a position of strength in South Vietnam at the present time. This is not the time to negotiate. This is not the time to bargain. Our position in South Vietnam is weak. We should be realistic enough to realize that fact, and act upon that basis.

Mr. MILLER. Mr. President, I join my colleagues in praising the fine statement by the Senator from Wisconsin. As he shall see from my statement, we are in practical agreement on this subject.

SOUTH VIETNAM—U THANT SHOULD GO

Mr. President, on February 17, President Johnson stated very clearly and succinctly our purpose and objective in South Vietnam. He said:

> That purpose and that objective is to join the defense and protection of the freedom of a brave people who are under attack that is controlled and that is directed from outside their country.
>
> We have no ambition there for ourselves. We seek no wider war. But we must all understand that we will persist in the defense of freedom and our continuing actions will be those which are justified and those that are made necessary by the continuing aggression of others.
>
> These actions will be measured, and fitting, and adequate. Our stamina, and the stamina of the American people, is equal to the task.

On February 25, Secretary of State Dean Rusk issued a prepared statement amplifying the policy statement of the President. The key points of this statement are as follows:

> 1. The nations of southeast Asia have a right to live in peace, free from aggression directed against them from outside their borders. This is a point of vital importance to the safety and the very existence of a hundred smaller nations all over the world.
>
> 2. North Vietnam, in callous disregard of the Geneva agreements of 1954 and 1962, has directed and supplied the essential military personnel and arms for this aggression, aimed at the imposition of a Communist regime by force.
>
> 3. The position of the United States toward threats to the peace in southeast Asia has been made clear many times, going back to 1954, when President Eisenhower wrote to the President of South Vietnam that our offer of assistance was to enable South Vietnam to maintain "a strong, viable state, capable of resisting attempted subversion of aggression through military means."
>
> 4. The key to peace in southeast Asia has been repeated over and over again. It is the readiness of all in that area to live at peace and to leave their neighbors alone. Those who are not leaving their neighbors alone know exactly what it means—the illegal infiltration of military personnel and arms cannot be described as "leaving your neighbor alone."
>
> 5. Compliance with the Geneva agreements of 1954 and 1962 can establish peace.
>
> 6. What is still missing is any indication that Hanoi is prepared to stop doing what it is doing against its neighbors. The absence of this crucial element affects the current discussion of negotiation. A negotiation aimed at the acceptance or the confirmation of aggression is not possible.

I repeat here today what I have said ever since our retaliatory air strikes against North Vietnam. I fully support President Johnson in his actions of firmness, and I fully support his policy statement of February 17 and the policy statement of Secretary Rusk to which I have just referred.

Indeed, I would go a step further than the Secretary and say that not only must Hanoi indicate that it is prepared to stop what it is doing to its neighbors in South Vietnam, but it must also bring back the many thousands of guerrillas and infiltrators to North Vietnam, where they belong, before negotiations begin. This would not preclude a period of a truce during which these people, along with their war materiel, are pulled back to North Vietnam. Perhaps this is implied when the Secretary says that "negotiation aimed at the acceptance or the confirmation of aggression is not possible," but I think it should be clearly stated. Also, it should be made clear that any period of a truce or cease-fire cannot be used as a ruse for the North Vietnamese to consolidate their positions in South Vietnam—let alone improve them.

On February 27, the State Department issued a white paper on Vietnam setting forth a full and up-to-date summary of the massive evidence establishing North Vietnam's responsibility for the aggression against South Vietnam—evidence which has been presented to the International Control Commission.

The "white paper" points out that the war in Vietnam—and note that it uses the word "war"—is a new kind of war; a totally new brand of aggression against an independent people who want to make their own way in peace and freedom; that a Communist government has set out deliberately to conquer a sovereign people in a neighboring state; that South Vietnam is fighting for its life against a brutal campaign of terror and armed attack inspired, directed, supplied, and controlled by the Communist regime in Hanoi—an aggression which has been going on for years.

The evidence shows that the hard core of the Communist forces attacking South Vietnam was trained in North Vietnam and ordered into South Vietnam by Hanoi; that the key leadership of the Vietcong, the officers and much of the cadre, many of the technicians, political organizers, and propagandists have come from North Vietnam and operate under Hanoi's direction; that the training of essential military personnel and their infiltration into South Vietnam is directed by the military high command in Hanoi; that many of the weapons and much of the ammunition and other supplies used by the Vietcong have been sent into South Vietnam from Hanoi; and that war materiel from Communist China and other Communist states has been channeled through North Vietnam for the Vietcong army.

The evidence shows that these attacking forces remain under the military discipline of Hanoi after they enter South Vietnam, and that increasingly the forces sent into South Vietnam are native North Vietnamese.

The infiltration rate has been as follows, and these are minimum figures:

Year:	*Minimum*
1959–60	1,800
1961	3,700
1962	5,400
1963	4,200
1964	4,400

Thus, since 1959, nearly 20,000 Vietcong officers, soldiers, and technicians are known to have entered South Vietnam under orders from Hanoi, and probably 17,000 more infiltraters were sent in. It is now estimated that the Vietcong number 35,000, comprising the "hard core" of all Communist forces in South Vietnam.

Of particular interest is the statement in the "white paper" that "Clearly the restraint of the past was not provided adequately for the defense of South Vietnam against Hanoi's open aggression," that further means for defense were agreed upon between the United States and South Vietnam, and that the air strikes against North Vietnam were made as a "limited response fitted to the aggression that produced them."

I have been saying, ever since our Government permitted Premier Khrushchev to renege on his agreement for onsite inspection in Cuba, that a policy of "restraint" might sound good, but if it really is not reasonably firm, it would be misinterpreted by the Communists as a sign of weakness. That is what has happened in Vietnam, and I am encouraged that the State Department has faced up to this fact. Whether or not the air strikes on North Vietnam are indeed fitted to the aggression by the Vietcong, only time will tell. I hope that they are. I am concerned that Hanoi may interpret this new policy of firmness as merely an interlude in what has been a policy of accommodation rather than a change in the policy of accommodation. If Hanoi misreads the policy intentions of our President and the Secretary of State, things will get worse before they get better. More lives will be lost—American as well as Vietnamese. More devastation will come to North Vietnam, and probably to Hanoi itself. Concern is being expressed over the possibility that Red China will send troops to North Vietnam and Laos for eventual use against South Vietnam. I suggest that this possibility will be in direct proportion to our failure to continue a policy of firmness, as distinguished from a policy of accommodation. That is why it is so important that not one sign of a return to the unfortunate accommodation policy be shown; and it will not be shown as long as the present policy of the President and the State Department are steadfastly adhered to. They will continue to have my full support as long as they follow this policy.

And while I am on this point, we may trust that Peiping will understand that the privileged sanctuary policy which prevailed during the Korean war went down with the bombs on North Vietnam.

I have not been particularly concerned over the reaction in some capitals to our change from a policy of accommodation to one of firmness. After all, there has been general satisfaction to let the United States and South Vietnam bear almost all of the cost of repelling the aggression by North Vietnam. Too many of these capitals have long been following a policy of accommodation, exchanging ambassadors with Red China, failing to pay their obligations to the United Nations, accepting our foreign aid, and influencing our foreign policy. Words like "peace," "negotiations," "settlement," and "restraint" are expedients which seem to blind them to the evidence of aggression and to their moral responsibility in the family of nations to help put a stop to it. We may hope that our clear and steadfast adherence to a policy of firmness will persuade them to our cause.

What does concern me, however, is the attitude and statements of Mr. U Thant, Secretary General of the United Nations.

On February 24, the day before Secretary Rusk's policy statement, Mr. U Thant told a news conference that he had proposed a secret peace plan to end the war in South Vietnam. It was reported that he was unusually critical of American policy in southeast Asia and suggested that there would have been no Communist intervention had the United States stayed out of South Vietnam, supporting his contention by using his own country, Burma, as an example. He said that the Burmese Communist underground had never received any outside help because the Burmese Government had not itself asked for any outside help in fighting the Communists. "Not one precious American life has been lost in Burma," he was quoted as saying. "Not one precious American dollar has been spent in Burma in the form of military assistance in the last 17 years."

Is it not strange that Mr. U Thant had no words of condemnation against North Vietnam for its acts of aggression? Why did he not condemn the violations by North Vietnam of the Geneva pacts of 1954 and 1962? Just because his own government in Burma did not seek military assistance from the United States, does he deny the right under the SEATO treaty, of South Vietnam to ask the United States for help against Communist subversion? Does he deny that the Communists in Burma, in South Vietnam, in Cuba, are controlled by Peiping or the Kremlin? Do his statements sound like those of a representative of the United Nations, whose charter says:

> We the peoples of the United Nations [are] determined to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained.
>
> And for these ends to practice tolerance and live together in peace with one another as good neighbors.

Does Mr. U Thant believe that North Vietnam has been acting like a "good neighbor"?

I invite attention that the Geneva agreement of 1954 provided among other things as follows:

> Article 5. To avoid any incidents which might result in the resumption of hostilities, all military forces, supplies, and equipment shall be withdrawn from the demilitarized zone within 25 days of the present agreement's entry into force.
>
> Article 6. No person, military or civilian, shall be permitted to cross the provisional military demarcation line unless specifically authorized to do so by the Joint Commission.
>
> Article 17. (a) With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any reinforcements in the form of all types of arms, munitions, and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines and jet weapons and armored vehicles, is prohibited.

I invite attention that the Geneva agreement of 1962 provided among other things as follows:

The parties undertake that:

> (a) they will not commit or participate in any way in any act which might directly or indirectly impair the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos; (b) they will not resort to the use or threat of force or any other measure which might impair the peace of the Kingdom of Laos; (c) they will refrain from all direct or indirect interference in the internal affairs of the Kingdom of Laos; * * * (i) they will not use the territory of the Kingdom of Laos for interference in the internal affairs of other countries.

I note from the World News Digest that last July 8, Mr. U Thant proposed reconvening the 1954 Geneva Conference to negotiate an end to the war in Vietnam. What good does he think this world do when North Vietnam has violated the Geneva accords of 1954 and 1962?

On last August 6, following a conference with President Johnson, Mr. U Thant told reporters that he believed the UN Security Council was currently in no position to be "usefully employed in a settlement" of the problem, being hampered by the nature of the dispute and by the fact that Hanoi is not a member of the UN.

With respect to Mr. U Thant's statement, "Not one precious American dollar has been spent in Burma in the form of military assistance in the last 17 years," I note from the February 24 issue of the Davenport, Iowa, Times-Democrat that the Allen and Scott Report refers to a secret $9 million arms program furnished by the United States to Burma; and, I might add, for fiscal year 1964 we furnished $1.5 million in foreign aid of a nonmilitary nature.

I find Mr. U Thant's behavior one-sided, prejudiced, ungrateful, superficial, and unrealistic. How can he command the trust and respect so necessary for the performance of his duties? He should resign.

Let me remind Senators that last August 7, by a vote of 88 to 2, the Senate passed the southeast Asia resolution, following the retaliatory raids on North

Vietnamese PT boat bases ordered by President Johnson as a result of attacks on our destroyers in the Bay of Tonkin. This resolution was approved without a single negative vote in the House of Representatives.

It states:

> That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.
>
> The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

I do not criticize the sincerity of my two colleagues who voted against this resolution; and their continued criticism is completely consistent with their vote at that time. But what I am wondering about are the statements of some of those Senators who voted for this resolution which, in light of the evidence, hardly represent support for the President in his action to put a stop to Communist aggression in South Vietnam. It is these statements which might collectively be interpreted by Hanoi as a "sign" that the United States is not going to be as steadfast in pursuing the President's policy as we must be. We simply cannot be inconsistent about this matter.

It will not do to contend that we are following the wrong course of action just because there are frequent changes in the Government of South Vietnam. Our previous policy of accommodation has contributed to this. When we were asked for help to stop Communist aggression, it would be only natural that the South Vietnamese expected that help to be effective. It was not effective, and one cannot blame the people for becoming disillusioned. Ambassador Taylor's indication that the morale of the people improved following our attacks on North Vietnam bears out this point. These people wish to be left alone, but if they are not left alone by North Vietnam, and if it appears that the United States is not going to take sufficient action to put a stop to it that the Vietcong will win, it is understandable why a good many of these troubled people would wish to be on the side of the winner. Costly airstrikes against the privileged sanctuary of North Vietnam have been designed to persuade Hanoi that we mean business, and if aggression continues, more of the same can be expected. Hanoi must be persuaded that any gain from continued aggression will be more than offset by its losses. No one in the Pentagon whom I know is saying that airstrikes against guerrillas will stop them. But there are other targets besides guerrillas. They may have to be destroyed before the cost of continued aggression is brought home to the Communist regime in Hanoi.

In the final analysis, the war in Vietnam is a test of the wills of the people of the United States and those of the Communist world, particularly in Hanoi and Peiping, as of the moment. The moral fiber, the character, the patience of our people to break the Communist will to win in this area are involved. Ours is a truly moral cause—completely in consonance with the Charter of the United Nations and the principles which have caused millions of freedom-loving people to turn to the United States for leadership in the cause of peace with justice and respect for the dignity of man. We must not fail to provide this leadership. Let me say, in behalf of our President, that great leadership does not always mean the most popular leadership. What is important is the righteousness of the cause and the perseverance of a leader to see it through. Neville Chamberlain was, undoubtedly, popular for the moment following the Munich agreement. Winston Churchill was not always popular, but he will go down in history as the finest leader the world has known in our time.

Mr. President, I ask unanimous consent that the following be placed in the Record:

Statement by Secretary of State Dean Rusk on U.S. position in southeast Asia, from the Washington Post of February 26, 1965.

Partial text of the U.S. white paper on Vietnam, from the Washington Evening Star for February 27.

"How Our Far Eastern Policy Led to Vietnam," a recent speech by William P. Bundy, published in the Washington Sunday Star for February 28.

An excerpt from the article written by the distinguished columnist, William S. White, entitled "Negotiation—U Thant's View on Vietnam," from the Washington Post of February 26.

An excerpt from the article written by the distinguished columnist, Roscoe Drummond, entitled "Red Aggressor—Evidenced Against Hanoi," from the Washington Post of February 26.

An article written by Louis B. Fleming of the Los Angeles Times and published in the February 25 issue of the Washington Post, entitled: "Thant Proposes Secret Peace Plan To End Vietnam War."

An article written by Columnists Allen and Scott and published in the Davenport Times-Democrat for February 24, entitled "Arms Aid for Burma Is Questioned by Congress."

Remarks of NBC Correspondent David Wills on "Three-Star Extra" program of February 25.

Comments of "Three-Star Extra" editor in chief, Ray Henle, on the same program of February 25.

Excerpt of Agreement on the Cessation of Hostilities in Vietnam, July 20, 1954.

Excerpt from the Declaration on the Neutrality of Laos, July 23, 1962.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Feb. 25, 1965]

THANT PROPOSES SECRET PEACE PLAN TO END VIETNAM WAR

(By Louis B. Fleming)

United Nations, N.Y.—Secretary General U Thant has proposed a secret peace plan to end the war in South Vietnam, he told a news conference today.

He hinted that the proposal has gone to the Governments of Communist China and North Vietnam, which are not members of the United Nations, and confirmed that it had been sent to President Johnson.

"Up to this moment, the results of these consultations and discussions have not been conclusive," he observed.

Thant was unusually critical of American policy in southeast Asia during the news conference. He suggested that there would have been no Communist intervention had the United States stayed out of South Vietnam.

STABILITY CALLED NEED

He asserted that the American public does not know the facts, adding: "In times of war and of hostilities the first casualty is truth."

But he emphasized for the first time that he was not advocating an immediate withdrawal of American troops from South Vietnam. The troops could not be withdrawn until stability had been established, he said, tacitly rejecting Communist demands that the troops be withdrawn as a precondition for negotiations.

He warned that the chances for a settlement grow dimmer with each passing day, adding that no one can be sure that negotiations or a conference would succeed, "but it is worth trying."

The Secretary General said he had sent "concrete ideas and proposals" to the interested parties, but that "it would not be helpful at this stage to reveal even parts or some features of the negotiations I have conducted."

He left the impression that he still favors:

An informal, secret dialogue between the principal parties as a preliminary to any formal meeting. He first put this idea forward in a press statement February 12.

A reconvening of the 1954 Geneva Conference on Indochina, which would work out the terms of a political settlement, presumably pointing to a nonalined status for South Vietnam. He first specifically appealed for such a conference last July.

Thant refused to say whether he had received any response to his February 12 public appeal for preliminary consultations. The question had asked specifically whether he had heard from Peiping and Hanoi.

U.N. ROLE LIMITED

He said it is not likely that the United Nations Security Council can play a useful role in the dispute. The principal obstacle is that "more than two parties directly concerned in the question are not members of this organization." He referred to Communist China and the two Vietnams.

The Secretary General used the example of his own country, Burma, to support his contention that Communist intervention in South Vietnam came only as a response to American intervention.

He said the Burmese Communist underground had never received so much as a single rifle from outside forces because the Burmese Government had not itself asked for help in fighting the Communists.

"Not one precious American life has been lost in Burma," Thant said. "Not one precious American dollar has been spent in Burma in the form of military assistance in the last 17 years."

In the official text of the news conference, the word "precious" was eliminated from both sentences.

Thant also asserted that no arms had gone from North Vietnam to South Vietnam before the American intervention after the Geneva Conference.

[From Three-Star Extra]

PRESIDENT AUTHORIZES NO NEGOTIATIONS

The President has no sympathy for the views of U.N. Secretary General Thant on Vietnam. The White House says the President has not authorized, and is not contemplating, any negotiations, nor are there any proposals for negotiations before the President.

Yesterday Secretary Thant said he had sent concrete ideas and proposals to the interested parties. The White House says nothing has been received. Mr. Thant is in effect offering himself as a go-between. But yesterday Mr. Thant indicated his belief that American intervention is the whole cause of the trouble.

As an example to others, he held up the conduct of his own country, Burma, which lives cautiously in the shadow of its aggressive neighbor, Red China. Mr. Thant observed that no precious American lives had been lost in Burma and no precious American dollars had been spent in Burma—a sneering comment that in itself makes him most unsuitable as a go-between.

Mr. Thant revealed his awareness that he had blundered by having the word "precious" deleted from the official U.N. transcript of his news conference. Mr. Thant implied in this conference that the U.S. administration is not telling the truth about Vietnam to the American people; but to issue a deliberately inaccurate transcript of his own conference hardly qualifies Mr. Thant to make any such criticism of others.

The situation as of today is that U.N. Secretary General Thant thinks the heart of the Vietnam problem is to find a face-saving way for the United States to withdraw, while the President says the real task is to get the Communists to stop their aggression. Between these two positions, there is no common ground. As Secretary of State Rusk said this afternoon, a negotiation aimed at the acceptance or the confirmation of aggression is not possible.

It would appear that U.N. Secretary General Thant has delivered a very serious blow to the prestige and the effectiveness of the world organization. His comments on the situation in Vietnam, on which you have heard Mr. Wills' report, not only ignored the facts but put Mr. Thant in a position of bias against the United States and the fundamental principles of the organization which he heads.

The United Nations already has been robbed of much of its powers for keeping the peace of the world by the recent actions of Russia and her satellites. By creating an impasse in the U.N. through her refusal to pay up on her past dues, the Soviets have immobilized all of the organization's peacekeeping machinery. They have created a situation in which the U.N. can move only when they [the Soviets] agree to the action.

That has left the U.N. with nothing but its prestige as an instrument for maintaining order around the world. And now that last weapon has been blunted by Mr. Thant himself.

Over the years the United Nations has been operating under very difficult circumstances in a world under increasing threats from Communist aggression. In this situation it could have made some limited contribution to world peace through the maintenance of a posture of neutrality and fairness. By his own words, Mr. Thant now appears to have disqualified himself as a spokesman for those principles. From now on he speaks as the neutralist with heavy leanings toward the Communist world.

[From the Times-Democrat, Feb. 24, 1965]

ARMS AID FOR BURMA IS QUESTIONED IN CONGRESS

WASHINGTON.—Congressional probers are adding Burma to their growing list of foreign aid programs they want President Johnson to review carefully.

With the government of General Ne Win moving closer to Communist China, members of the House Foreign Affairs Committee are questioning the wisdom of continuing a secret $9 million arms program to that socialist regime.

The legislators, headed by Representative H.R. GROSS, Republican of Iowa, are demanding that the weapons be halted until the United States obtains a written guarantee from Burma that they won't be used against the United States or to help Communist subversion in Thailand.

Although the State Department has refused to publish details of the Burma arms aid program, its confidential documents show it is very similar to the aid given neighboring Cambodia, which is now using the U.S. arms to help the Communist Vietcong in South Vietnam.

Since Burma borders Thailand, now being threatened by Peiping, Representative GROSS and the other lawmakers want to make sure the mistake made in Cambodia won't be repeated in Burma.

According to the committee's findings, the United States has furnished General Ne Win's government more than $5 million in arms and equipment to improve and strengthen its 46,000 paramilitary force.

Since the initiation of the secret arms deal in 1960, more than 1,000 motor vehicles and motorcycles, 1,700 bicycles and 50 small patrol craft have been turned over to the Burmese troops.

As in the Cambodia aid program, a countrywide communications systems was set up with U.S. equipment, linking all of Burma's military forces with a central headquarters in Rangoon.

Another $4 million worth of supplies are either en route or being programed for shipment to Burma this year. Its paramilitary troops are being trained in the latest counterinsurgency methods both in the United States and at U.S. installations in the Pacific.

In addition to this military assistance, the United States is helping finance General Ne Win's road to socialism with a number of major economic programs.

One of the largest is the construction of a 132-mile, two-lane highway from Rangoon to Mandalay. When finished, this road will connect with one leading all the way to the border of Communist China. The United States is providing $10 million for this controversial project.

Another $4 million is going to improve Burma's inland waterways fleet. The United States already has turned over 47 barges and 12 other vessels to the Burmese, with more coming.

An additional $4.8 million is for the expansion of the government's lumber industry. With this aid, the Burmese have purchased five sawmills and reequipped seven others.

To help launch a controversial land reform program, the United States is giving Burma more than $3 million to develop its land and water resources.

[From the Washington (D.C.) Post, Feb. 26, 1965]

STATEMENT BY RUSK ON U.S. POSITION IN SOUTHEAST ASIA

(Secretary of State Dean Rusk issued the following prepared statement yesterday at his news conference.)

1. The nations of southeast Asia have a right to live in peace, free from aggression directed against them from outside their borders. This is not an empty theory, it is a point of vital importance to the safety and, indeed, the very existence of more than a hundred smaller nations all over the world.

2. North Vietnam, in callous disregard of the Agreements of 1954 and 1962, has directed and supplied the essential military personnel and arms for a systematic campaign of terror and guerrilla action aimed at the overthrow of the Government of South Vietnam and at the imposition by force of a Communist regime. The evidence of North Vietnam's direct responsibility for this aggression has been repeatedly presented by the Government of Vietnam, the U.S. Government, and the International Control Commission. A full and up-to-date summary of the evidence establishing this responsibility will be available within a very few days.

3. The attitude of the United States toward threats to the peace in southeast Asia has been made clear many times and in the most serious and formal ways:

(a) by the ratification of the Manila Pact in February 1955, which includes South Vietnam as a protocol state. (This treaty was approved by the Senate by a vote of 62 to 1.)

(b) by a decision of President Eisenhower in 1954, set forth in a letter to the President of South Vietnam: "The implications of the agreement concerning Vietnam have caused grave concern regarding the future of a country temporarily divided by an artificial military grouping, weakened by a long and exhausting war and faced with enemies without and by their subversive collaborators within.

"The purpose of this offer to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means."

(c) by the joint resolution of the Congress of the United States, passed in August 1964 by a combined vote of 502 to 2, which stated, among other things:

"That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

"The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia.

"The United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

(d) by the statement of President Johnson on the occasion of signing that joint resolution:

"To any armed attack upon our forces, we shall reply.

"To any in southeast Asia who ask our help in defending their freedom, we shall give it.

"In that region, there is nothing we covet, nothing we seek—no territory, no military position, no political ambition. Our one desire—our one determination—is that the people of southeast Asia be left in peace to work out their destinies in their own way."

4. It has been stated over and over again that the key to peace in southeast Asia is the

readiness of all those in that area to live at peace and to leave their neighbors alone. There is no mystery about that formulation; those who are not leaving their neighbors alone know exactly what it means. It is an obligation under the 1954 agreements, under the 1962 accords on Laos, and under general international law. The illegal infiltration of military personnel and arms cannot be described as "leaving your neighbor alone."

5. There have been negotiated settlements in southeast Asia, the most recent one as late as 1962. Those several agreements were intended to establish peace in that area; compliance with them by all concerned can achieve that result.

6. Since the Geneva Conference of 1962, the United States has been in active and continuous consultation with other governments about the danger created by aggression in southeast Asia. It has been discussed in the United Nations, in the SEATO and NATO Councils, and on innumerable occasions directly with other governments through diplomatic channels. We have had direct discussions with almost every signatory of the agreements of 1954 and 1962. What is still missing is any indication that Hanoi is prepared to stop doing what it is doing against its neighbors. The absence of this crucial element affects the current discussion of "negotiation." Political channels have been and are open and a considerable number of governments are actively interested in keeping them open to explore the possibilities of a peaceful solution. But a negotiation aimed at the acceptance or the confirmation of aggression is not possible. A negotiation which simply ends in bitterness and hostility merely adds to the danger.

7. Let me remind you that on February 17 the President said:

"As I have said so many, many times, and other Presidents ahead of me have said, our purpose, our objective there is clear. That purpose and that objective is to join in the defense and protection of freedom of a brave people who are under attack that is controlled and that is directed from outside their country.

"We have no ambition there for ourselves. We seek no dominion. We seek no conquest. We seek no wider war. But we must all understand that we will persist in the defense of freedom, and our continuing actions will be those which are justified and those that are made necessary by the continuing aggression of others.

"These actions will be measured and fitting and adequate. Our stamina and the stamina of the American people is equal to the task."

Let me conclude by reaffirming, still once more, that the central object of American policy and action is peace in southeast Asia and the safety of the independent states in that region. Many of the peoples of that area have been subjected to 25 years of turmoil and violence; they are entitled to peace. We should much prefer to use our resources as a part of an international effort to assist the economic and social development of the peoples of that area than to have them diverted into the harsh necessities of resisting aggression.

[From the Washington (D.C.) Post, Feb. 26, 1965]

NEGOTIATION?—U THANT'S VIEW ON VIETNAM

(By William S. White)

With a rarely matched twisting of the truth, but at least with a certain insolent candor, Secretary General U Thant of the United Nations has now openly become an apologist and propagandist for Communist aggression in southeast Asia.

U Thant has now trumpeted as revealed truth, and without hesitation or qualification, the whole basic Communist line that the war in South Vietnam was only a little homegrown contest involving two sets of local boys until dreadful old Uncle Sam intervened to assist the anti-Communist government of that country. He has called upon us to negotiate and to withdraw ourselves as soon as possible.

In the process, he has rewritten 10 years of history, annulling 10 years in which the Communist government of North Vietnam has undeniably and consistently directed and supplied and commanded a tireless and savage invasion of South Vietnam in endless violation of agreements made in 1954 at just such negotiations as are now being so pressed upon us.

Thus, with U Thant's now unhidden recruitment to them, those forces seeking to blackmail or persuade the United States into abandoning its commitments in South Vietnam and to cut and run are at last complete. And what a pretty company they make for any American to travel with.

Thant, the Soviet Union, and Charles de Gaulle of France—this is the splendid trinity that, whatever the intention in individual cases, is taking actions to remove the American presence in Asia, to sully an American effort against pillage and murder of signal honor and decency, and to open all southeast Asia to the faceless hordes of Communist China.

And it would all be done under definitions that only Thant and the Communists can understand: If Communist forces invade or infiltrate a country, the resulting fighting is only local and nobody is intruding anywhere. If anti-Communist forces respond to an independent country's appeal for help against marauders, then this is not only intervention but also quite unacceptable intervention.

Even the precious little band of Democratic Senators that has been crying for weeks for negotiation—even though it is perfectly plain that negotiation at this stage would be outright surrender to aggression—may find itself a bit unhappy with the international associates it now has.

When the Soviet Union pushes us toward negotiation—again, at this stage, before we could possibly negotiate from strength in South Vietnam—is it really likely that this would be in the interests of the United States? When Charles de Gaulle of France pushes us toward negotiation, is it really likely that this would be in the interests of the United States, considering that Charles de Gaulle for years has been attempting to break down American influence all over the world?

Is it not odd that U Thant should feel free to interfere in this matter anyhow, since neither North Vietnam, the aggressor state here, nor Communist China, its master, is even a member of the organization for which he speaks?

And does the Democratic splinter in the Senate know that, according to word to me from a distinguished allied Ambassador, it has already succeeded in convincing the diplomatic community here that the majority party of this country is not behind the President in Vietnam? The fact that this estimate is absurdly wrong and that a vast majority of both parties backs the President does not cure the measureless harm that has been done to American interests by the Democratic splinter.

[From the Washington (D.C.) Post, Feb. 26, 1965]

RED AGGRESSOR: EVIDENCE AGAINST HANOI

(By Roscoe Drummond)

The United States is ready to submit to the United Nations Security Council or any other proper body, massive, and mounting proof that the war in South Vietnam is armed and directed from Hanoi.

The evidence is now fully prepared for use by the Government at the right moment.

It rests on captured arms, captured documents, testimony of Communist defectors and interrogation of North Vietnamese prisoners of war.

It proves that the aggression against South Vietnam is inspired, commanded, controlled, and supplied by the Communist regime in Hanoi.

This evidence shows a systematic violation of the frontier that Hanoi agreed to respect in the Geneva agreements of 1954 and in the Laotian agreement of 1962.

This evidence makes North Vietnam the procuring force in the attempt to overthrow the Government of South Vietnam and, in the words of Under Secretary of State George W. Ball, "the mainspring of the whole Vietcong effort."

Here is a good cross section of the information that documents the role Hanoi has played from the beginning:

Infiltration: From 1959 to 1964, Hanoi sent 19,000 military personnel across the border to wage war against South Vietnam. This figure comes from cross-checked reports from prisoners, defectors, and secret documents. There is substantial information that 15,000 additional infiltrators entered South Vietnam during this period. In guerrilla warfare, 20,000 guerrillas can be equal to a regular army of 200,000 to 300,000.

Vietcong leadership: Most officers, the key cadres and the technicians for hard-core Vietcong units operating in South Vietnam are from North Vietnam.

Arms supplies: Large and increasing quantities of weapons are entering from outside. One captured Vietcong said that his entire company had recently been supplied with modern Chinese weapons. A Vietcong arms cache contained recoilless rifles and ammunition, carbines, detonating fuses, 110 pounds of TNT, fuses for mortar shells, and other arms. Their identifiable sources were: North Vietnam, Red China, East Germany, and Hungary.

Another massive cache was seized last week. Included in the capture were 1,000 Russian-made carbines, 900 Red Chinese rifles, several hundred Soviet submachineguns, antiaircraft guns, recoilless rifles, and grenades.

Supposedly the source of manufacture of these weapons is to be obliterated. Captured documents reveal instructions from Hanoi directing the infiltrators to remove all markings from their munitions. The infiltrators themselves start out from near Hanoi in North Vietnamese uniforms and change into South Vietnamese uniforms at the frontier.

The admission: Hanoi has officially declared that its army is the instrument of the class struggle to liberate South Vietnam. It has said that it is the brain and the factor that decides.

The thanks: The Vietcong have several times thanked Hanoi for its armed support.

No deviation: The Vietcong Communists have never once deviated from the Hanoi party line.

This is the evidence that caused the three-nation International Control Commission (India, Canada, with Communist Poland dissenting) to report that "beyond any reasonable doubt North Vietnam has sent arms and men into South Vietnam with the aim of overthrowing the legal government."

This is the evidence that has caused the United States to conclude that the Hanoi regime is in full strategic control of every action by the Vietcong and is providing the major share of its equipment and supplies.

[From the Washington, D.C. Evening Star, Feb. 27, 1965]

PARTIAL TEXT OF THE U.S. WHITE PAPER ON VIETNAM

(Following is a partial text of the State Department's white paper on Vietnam.)

South Vietnam is fighting for its life against a brutal campaign of terror and armed attack inspired, directed, supplied and controlled by the Communist regime in Hanoi. This flagrant aggression has been going on for years, but recently the pace has quickened and the threat has now become acute.

The war in Vietnam is a new kind of war, a fact as yet poorly understood in most parts of the world. Much of the confusion that prevails in the thinking of many people, and even many governments, stems from this basic misunderstanding. For in Vietnam, a totally new brand of aggression has been loosed against an independent people who want to make their own way in peace and freedom.

In Vietnam, a Communist government has set out deliberately to conquer a sovereign people in a neighboring state. And to achieve its end, it has used every resource of its own government to carry out its carefully planned program of concealed aggression. North Vietnam's commitment to seize control of the south is no less total than was the commitment of the regime in North Korea in 1950. But knowing the consequences of the latter's undisguised attack, the planners in Hanoi have tried desperately to conceal their hand. They have failed, and their aggression is as real as that of an invading army.

This report is a summary of the massive evidence of North Vietnamese aggression obtained by the Government of South Vietnam. This evidence has been jointly analyzed by South Vietnamese and American experts.

THE EVIDENCE

The evidence shows that the hard core of the Communist forces attacking South Vietnam were trained in the North and ordered into the South by Hanoi. It shows that the key leadership of the Vietcong, the officers and much of the cadre, many of the technicians, political organizers and propagandists have come from the North and operate under Hanoi's direction. It shows that the training of essential military personnel and their infiltration into the South is directed by the military high command in Hanoi.

The evidence shows that many of the weapons and much of the ammunition and other supplies used by the Vietcong have been sent into South Vietnam from Hanoi. In recent months, new types of weapons have been introduced in the Vietcong Army for which all ammunition must come from outside sources. Communist China and other Communist states' ammunition have been primarily channeled through North Vietnam.

The hard core of the Communist forces attacking South Vietnam are men trained in North Vietnam. They are ordered into the South and remain under the military discipline of the military command in Hanoi. Special training camps operated by the North Vietnamese Army give political and military training to the infiltrators. Increasingly the forces sent into the South are native North Vietnamese who have never seen South Vietnam.

White paper text

The infiltration rate has been increasing. From 1959 to 1960, when Hanoi was establishing its infiltration pipeline, at least 1,800 men and probably 2,700 more moved into South Vietnam from the North. The flow increased to a minimum of 3,700 in 1961 and at least 5,400 in 1962. There was a modest decrease in 1963 to 4,200 confirmed infiltrators, though later evidence is likely to raise this figure.

MORE THAN 7,400 IN 1964

For 1964, the evidence is still incomplete. However, it already shows that a minimum of 4,400 infiltrators entered the South and more than 3,000 others probably were sent in.

There is usually a time lag between the entry of infiltrating troops and the discovery of clear evidence they have entered. This fact plus collateral evidence of increased use of the infiltration routes suggest strongly that 1964 was probably the year of greatest infiltration so far.

Thus, since 1959, nearly 20,000 Vietcong officers, soldiers, and technicians are known to have entered South Vietnam under orders from Hanoi. Additional information indicates that probably 17,000 more infiltrators were dispatched to the South by the regime in Hanoi during the past 6 years. It can reasonably be assumed that still other infiltration groups have entered the South for which there is no evidence yet available.

It is now estimated that the Vietcong number approximately 35,000 so-called hard-core forces, and another 60,000 to 80,000 local forces. It is thus apparent that infiltrators from the North—allowing for casualties—make up the majority, and probably the overwhelming proportion, of the so-called hard-core Vietcong. Personnel from the North, in short, are now and have always been the backbone of the entire Vietcong operation.

CASE HISTORIES

Following are individual case histories of North Vietnamese soldiers sent by the Hanoi regime into South Vietnam. They are only an illustrative group. They show that the leadership and specialized personnel for the guerrilla war in South Vietnam consists in large part of members of the North Vietnam armed forces trained in the North and subject to the command and discipline of Hanoi.

Dan was a Vietcong major, commander of the 60th Battalion. Disillusioned with fighting his countrymen and with communism and the lies of the Hanoi regime, he surrendered to the authorities in South Vietnam on February 11, 1963.

At the age of 15 he joined the revolutionary army (Vietminh) and fought against the French forces until 1954 when the Geneva accords ended the Indochina war. As a regular in the Vietminh forces, he was moved to North Vietnam. He became an officer in the so-called People's Army.

In March 1962, Major Dan received orders to prepare to move to South Vietnam. He had been exposed to massive propaganda in the North which told of the destitution of the peasants in the South and said that the Americans had taken over the French role of colonialists. He said later that an important reason for his decision to surrender was that he discovered these propaganda themes were lies. He found the peasants more prosperous than the people in the North. And he recognized quickly that he was not fighting the Americans but his own people.

With the women of his unit, Major Dan left Hanoi on March 23, 1962. They traveled through the Laos corridor. His group joined up with the Vietcong first regiment in Central Vietnam.

The 35-year-old major took part in 45 actions, and was wounded once in an unsuccessful Vietcong attack on an outpost. As time passed, he became increasingly discouraged by his experience as a troop commander of the Vietcong. Most of all, he said, he was tired of killing other Vietnamese. After several months of soul searching, he decided to surrender to the authorities of the Republic of Vietnam. He has volunteered to do anything to serve the national cause of South Vietnam.

VO THOI

Sgt. Vo Thoi (Communist party alias Vo Bien) was an assistant squad leader in the Vietcong Tay Son 22d Battalion. On the night of October 7, 1963, his unit attacked An Tuong village in Binh Dinh Province. After overrunning the village, Vo's company was assigned to set up an ambush against Republic of Vietnam troops rushing to defend the village. In the ensuing fight, Vo was seriously wounded. He was picked up by local farmers and turned over to the authorities.

Vo's life and experiences were similar to those of thousands of Vietcong. Born in Quang Ngai Province in 1932, he went through 5 years of school and then worked on his parents' small farm. During the war against the French, he joined the Viet Minh forces. When the fighting ended, he was transferred to North Vietnam with his unit, the 210th Regiment. He remained in the North Vietnamese Army until 1960 when he was sent to work on a state farm in Nghe An Province. In September 1962, Vo was told he must join the newly activated 22d Battalion. All the members of the battalion came from provinces in South Vietnam, from Quang Tri to Phu Yen. But it was not an ordinary battalion; two-thirds of its members were cadre with ranks up to senior captains.

The group was put through an advanced training course that lasted 6 months. It included combat tactics for units from squad to company and the techniques of guerrilla and counterguerrilla fighting. There were heavy doses of political indoctrination.

On March 5, 1963, the 22d Battalion was ordered to move south. They were transported in trucks from Nghe An Province to Dong Hoi in Quang Binh, just north of the 17th parallel. From there the unit was moved westward to the Laotian border. Then the more than 300 men began walking to the south following mountain trails in Laos and the Vietnam border area. They marched by day, rested at night. Every fifth day, they stopped at a way station for a full day's rest. One company dropped off at Thua Thien Province. Vo and the remainder of the group marched on to Pleiku Province. Two fully armed companies from a neighboring province were assigned to the battalion. The assignment given to the Tay Son Battalion was to harass strategic hamlets in the Hoaian district of Binh Dinh, to round up cattle and rice, to kill or kidnap cadre of the Government forces, and to recruit local youth for service with the Vietcong.

NATIVES, TOO

Native North Vietnamese military personnel

The Communist authorities in Hanoi are now assigning native North Vietnamese in increasing numbers to join the Vietcong forces in South Vietnam.

Vo Thanh Vinh was born in Nghe An Province in North Vietnam in 1936. He was captured by South Vietnamese forces on May 5, 1964. He described himself as a military security officer. He infiltrated into South Vietnam in April 1964 with a group of 34 police and security officers from North Vietnam.

Another native North Vietnamese captured in the south was Vietcong Private First Class Vo Quyen. His home was in Nam Dihn Province. He was a member of the 2d Battalion of the North Vietnamese Army's 9th Regiment. He said the entire battalion had infiltrated into South Vietnam between February and May last year. He was captured in an action in Quang Tri Province on July 4. He told interrogators that the bulk of his unit was composed of young draftees from North Vietnam.

Le Pham Hung, also a private first class, was captured on July 7 in Thua Thien Province. He is a native of Nam Dinh in North Vietnam. He had been drafted for military service in May 1963. His unit was the 324th Division. His group, consisting solely of 90 North Vietnamese draftees, infiltrated into South Vietnam in May 1964. He reported that another company of North Vietnamese entered the south at the same time as his unit.

A former member of the 90th Vietcong Battalion reported that his unit had been reinforced by native North Vietnamese troops earlier this year. Le Thua Phuong, an information cadre, surrendered to government forces on April 23, 1964. He said that the 90th Battalion had received 80 North Vietnamese replacements in February.

A medical technician named Hoang Thung was captured in Thua Thien Province on July 4, 1964. He said he had infiltrated into the south in late 1963 with a group of 200 Vietcong, the majority of whom were ethnic northerners, 120 of them draftees.

These reports destroy one more fiction which the authorities in Hanoi have sought so long to promote—that the fighting in the south was a matter for the South Vietnamese. They underline Hanoi's determination to press its campaign of conquest with every available resource.

INTELLIGENCE

The heart of the Vietcong intelligence organization is the central research bureau in Hanoi. Communist agents are regularly dispatched from North Vietnam, sometimes for brief assignments but often for long periods. Many of these agents move into South Vietnam along the infiltration trails through Laos. But others are carried by boats along the coasts and landed at prearranged sites. A special maritime infiltration group has been developed in North Vietnam and its operations are centered in Ha Tinh and Quang Binh provinces just north of the 17th parallel.

In July 1962 a North Vietnamese intelligence agent named Nguyen Viet Duong began training to infiltrate South Vietnam. A native southerner, he had fought against the French and had gone to North Vietnam after the war ended. Selected for intelligence work, he was assigned to the central bureau in 1959.

After a period of intensive instruction in radio transmission, coding and decoding, and other skills of the intelligence trade, he was given false identity papers and other supplies and was transported to the south. His principal task was to set up a cell of agents to collect military information. He flew from Hanoi to Dong Hoi. From the latter port, the maritime infiltration group took him by boat to South Vietnam. That was in August 1962.

In January 1963, Luong reported to Hanoi that he had run into difficulties. His money and papers had been lost and he had been forced to take refuge with Vietcong contacts in another province. Another agent was selected to go to South Vietnam. One of his assignments was to contact Duong, find out details of what had happened to him, and help Duong reestablish himself as a Vietcong agent. The man selected for the task was Senior Capt. Tran Van Tan of the central intelligence organization.

Tan had already been picked to go to the South to establish a clandestine Vietcong communications center to maintain contact with Hanoi. Helping Duong was one of his secondary assignments. After intensive preparations, Tan was ready to move to South Vietnam in March. He was transferred to an embarkation base of the maritime infiltration group just north of the 17th parallel.

FISHERMEN

He was joined by three other Vietcong agents and the captain and three crewmen of the boat that would take them south. Each was given false identity papers to conform to their false names. They also were provided with fishermen's permits, South Vietnamese voting cards, and draft cards or military discharge papers. The boat captain received a boat registration book, crew lists, and several South Vietnamese permits to conduct business. The agents had to become familiar with simple boat procedures so they could pass as fishermen.

The expedition left the embarkation port on April 4. In addition to the four agents, the boat carried six carefully sealed boxes. These contained a generator, several radios, some weapons, and a large supply of South Vietnamese currency. They also carried some chemicals and materials for making false identification papers. Their destination was a landing site on the coast of Phuoc Tuy Province.

Soon after leaving North Vietnam, the Vietcong boat encountered high winds and rough seas. On April 7, the storm became violent. The boat threatened to capsize. Strong northeasterly winds forced it ever closer to shore. Finally, the boat captain, Nguyen Xit, ordered that the six boxes be thrown overboard. This was done and the boat then was beached. The eight men decided to split up into pairs and try to make contact with Vietcong forces. They buried their false papers and set out. Six of the eight were captured almost immediately by authorities in Thua Thien Province. The other two were taken several days later.

Student propaganda agents

The student population of South Vietnam is an important target group for Vietcong propagandists. These agents seek to win adherents for the Communist cause among young workers, students in high schools and universities, and the younger officers and enlisted men in the armed forces of the Republic of Vietnam.

Typical of the agents sent into South Vietnam for this purpose is Nguyen Van Vy, a 19-year-old native of the Vinh Linh district in North Vietnam, just north of the demilitarized zone. He was a member of a Communist Party youth group in his native village. He was recruited for propaganda work in the south in the fall of 1962. He was one of 40 young persons enrolled in a special political training course given by the Communist Party in his district.

PHASE 1

The first phase of the training consisted of political indoctrination.

Those who successfully completed the first phase were selected for the second level of training, the so-called technical training phase. In this, the trainees were given their mission in the south.

Vy was told he should infiltrate into South Vietnam and there surrender to the authorities, describing himself as a defector who was "tired of the miserable life in the north." He was to say he wanted to complete his schooling which was impossible in the north. He was told to ask to live with relatives in the south so he could go to school. Once his story was accepted and he was enrolled in a school, he was to begin his work of propagandizing other students.

He was assigned to work under an older agent to whom he had to report regularly. A third member of the team was a younger man who was to assist Vy. The three were to infiltrate into South Vietnam separately and to meet here at a rendezvous point.

At first, Vy was to do no more than observe his fellow students carefully, collecting biographical data on them and studying their personalities and capabilities. He was then to select those he thought might be most influenced by Communist propaganda and try to make friends with them.

THE TARGETS

Once he had selected targets, he was to begin to influence them favorably toward the north and to implant Communist propaganda. He was responsible then for bringing into his organization those he had influenced effectively. These individuals were to be given their own propaganda assignments to work on other students.

Students who wanted to evade military service in the Government forces were considered prime targets. Where possible, Vy was to help them get to North Vietnam. He was also told to make contact with any students who were suspected of Communist activities. These, too, were to be helped to escape to North Vietnam. Any useful information concerning developments in the south or military activities were to be reported through his superior, Nguyen Van Phong.

In case he became suspect, he was either to make his own way back to North Vietnam or to go into the jungle and try to contact a Vietcong unit.

Vy entered South Vietnam on January 2, 1963, by swimming across the Ben Hai River. He encountered an elderly farmer who led him to the local authorities in Hai Gu. There he told his story but it was not believed. He then admitted his true mission.

THE SOURCE

When Hanoi launched the Vietcong campaign of terror, violence and subversion in earnest in 1959, the Communist forces relied mainly on stocks of weapons and ammunition left over from the war against the French. Supplies sent in from North Vietnam came largely from the same source. As the military campaign progressed, the Vietcong depended heavily on weapons captured from the armed forces in South Vietnam. This remains an important source of weapons and ammunition for the Vietcong. But as the pace of the war has quickened, requirements for up-to-date arms and special types of weapons have risen to a point where the Vietcong cannot rely on captured stocks. Hanoi has undertaken a program to reequip its forces in the South with Communist-produced weapons.

Large and increasing quantities of military supplies are entering South Vietnam from outside the country. The principal supply point is North Vietnam which provides a convenient channel for materiel that originates in Communist China and other Communist countries.

An increasing number of weapons from external Communist sources have been seized in the south. These include such weapons as 57 mm. and 75 mm. recoilless rifles, dual-purpose machineguns, rocket launchers, large mortars, and antitank mines.

A new family of Chinese Communist-manufactured weapons has recently appeared in Vietcong hands. These include the 7.62 semiautomatic carbine, 7.62 light machinegun, and the 7.62 assault rifle. These weapons and ammunition for them manufactured in Communist China in 1962 were first captured in December 1964, in Chuong Thien Province. Similar weapons have since been seized in each of the four corps areas of South Vietnam. Also captured have been Chinese Communist antitank grenade launchers and ammunition made in China in 1963.

CASE IN POINT

On February 16, 1965, an American helicopter pilot flying along the South Vietnamese coast sighted a suspicious vessel. It was a cargo ship of an estimated 100-ton capacity, carefully camouflaged and moored just offshore along the coast of Phu Yen Province. Fighter planes that approached the vessel met machinegun fire from guns on the deck of the ship and from the shore as well. A Vietnamese air force strike was launched against the vessel and Vietnamese Government troops moved into the area. They seized the ship after a bitter fight with the Vietcong.

The ship, which had been sunk in shallow water, had discharged a huge cargo of arms, ammunition, and other supplies. Documents found on the ship and on the bodies of several Vietcong aboard identified the vessel as having come from North Vietnam. A newspaper in the cabin was from Haiphong and was dated January 23, 1965. The supplies delivered by the ship—thousands of weapons and more than a million rounds of ammunition—were almost all of Communist origin, largely from Communist China and Czechoslovakia as well as North Vietnam. At least 100 tons of military supplies were discovered near the ship.

A preliminary survey of the cache near the sunken vessel from Hanoi listed the following supplies and weapons:

Approximately 1 million rounds of small arms ammunition.

More than 1,000 stick grenades.

Five hundred pounds of TNT in prepared charges.

Five hundred antitank grenades.

Two thousand rounds of 82-millimeter mortar ammunition.

Five hundred rounds of 57-millimeter recoilless rifle ammunition.

More than 1,000 rounds of 75-millimeter recoilless rifle ammunition.

One 57-millimeter recoilless rifle.

Two heavy machineguns.

Two thousand 7.95 Mauser rifles.

More than 100 7.62 carbines.

One thousand submachineguns.

Fifteen light machineguns.

Five hundred rifles.

Five hundred pounds of medical supplies (with labels from North Vietnam, Communist China, Czechoslovakia, East Germany, Soviet Union, and other sources).

The ship was fairly new and had been made in Communist China. Documents aboard the ship included three North Vietnamese nautical charts (one of the Haiphong area and one of Hong Gay, both in North Vietnam, and one of the Tra Vinh area of South Vietnam). The military health records of North Vietnamese soldiers were found. The man had a political history sheet showing he was a member of the 338th Division of the North Vietnamese Army.

POWER LINES

Military affairs of the Vietcong are the responsibility of high command of the People's Army of North Vietnam and the Ministry of Defense, under close supervision from the Lao Dong Party (North Vietnamese Communist Party). These responsibilities include operational plans, assignments of individuals and regular units, training programs, infiltration of military personnel and supplies, military communications, tactical intelligence, supplies, and the like. The six military regions are the same as those of the Vietcong political organization * * *

The hard core of the Vietcong military organization is the full-time regular unit usually based on a province or region. These are well-trained and highly disciplined guerrilla fighters.

The size of the Vietcong regular forces has grown steadily in recent years. For example, the Vietcong have five regimental headquarters compared with two in 1961. And the main Vietcong force is composed of 50 battalions, 50 percent more than before. There are an estimated 139 Vietcong companies. Hard-core Vietcong strength now is estimated at more than 32,000 whereas it was less than 20,000 in 1961.

Supporting the main force units of the Vietcong are an estimated 60,000 to 80,000 part-time guerrillas. They are generally organized at the district level where there are likely to be several companies of 50 or more men each. These troops receive only half pay which means they must work at least part of the time to eke out a living.

THE CRA

Below the irregular guerrilla forces of the district are the part-time, village-based guerrillas. They are available for assignment by higher headquarters and are used for harassment and sabotage. They are expected to warn nearby Vietcong units of the approach of any force of the legal government. They provide a pool for recruitment into the Vietcong district forces. * * *

A key element in the Vietcong effort is an elaborate organization in Hanoi called the Central Research Agency (CRA—Cuc Nghien-Cuu Trung-Uong). Though it handles Hanoi's intelligence effort on a worldwide scale, the main focus of its operation is on South Vietnam. The research agency is able to draw on the intelligence capabilities of both the Lao Dong Party and the North Vietnamese armed forces for information, personnel, and facilities.

The CRA reportedly operates under the close personal scrutiny of Ho Chi Minh himself. Some of the top officials in the Hanoi government reportedly sit on its directing committee, including Premier Pham Van Dong, Deputy Premier Truong Chinh, and Defense Minister Vo Nguyen Giap. * * *

The headquarters of the CRA in Hanoi is divided into six main sections, not including a special code unit. The six sections are responsible for administration, cadres, communications, espionage, research and training. * * *

CRA headquarters directs a number of special centers for oversea operations. One such center maintains intelligence channels to oversea areas. It operates through special units at Haiphong and at Hongey.

A second special center is responsible for Vietcong intelligence operations in Cambodia and Laos. A third center handles activities along the "demarcation line," the border with South Vietnam. The unit is based in Vinh-Linh in southeast North Vietnam. This center is responsible for sending agents and supplies to the south by sea. * * *

Inside South Vietnam, the Vietcong have a large intelligence network. Some of its units are responsible for receiving and sending on agents arriving from the north. They feed and give instructions to groups infiltrating into South Vietnam. They take delivery of equipment and supplies received from the north and relay them to Vietcong units in the south.

Many Vietcong agents have been captured in the city of Saigon. They have exposed the extensive effort by the CRA to penetrate all Republic of Vietnam government agencies, foreign embassies, and other specialized organizations. * * *

Taken as a whole, the North Vietnamese intelligence operation in support of the Vietcong is one of the most extensive of its kind in the world.

AND NOW

Today the war in Vietnam has reached new levels of intensity. The elaborate effort by the Communist regime in North Vietnam to conquer the south has grown, not diminished. Military men, technicians, political organizers, propagandists and secret agents have been infiltrating into the Republic of Vietnam from the north in growing numbers. The flow of Communist-supplied weapons, particularly those of large caliber, has increased. Communications links with Hanoi are extensive. Despite the heavy casualties of 3 years of fighting, the hard-core Vietcong force is considerably larger now than it was at the end of 1961.

The government in Saigon has undertaken vigorous action to meet the new threat. The United States and other free countries have increased their assistance to the Vietnamese Government and people. Secretary of State Dean Rusk visited Vietnam in 1964, and he promised the Vietnamese: "We shall remain at your side until the aggression from the north has been defeated, until it has been completely rooted out and this land enjoys the peace which it deserves."

President Johnson has repeatedly stressed that the U.S. goal is to see peace secured in southeast Asia. But he has noted that "that will come only when aggressors leave their neighbors in peace."

Though it has been apparent for years that the regime in Hanoi was conducting a campaign of conquest against South Vietnam, the government in Saigon and the Government of the United States both hoped that the danger could be met within South Vietnam itself. The hope that any widening of the conflict might be avoided was stated frequently.

The leaders in Hanoi chose to respond with greater violence. They apparently interpreted restraint as indicating lack of will. Their efforts were pressed with greater vigor and armed attacks and incidents of terror multiplied.

Clearly the restraint of the past was not providing adequately for the defense of South Vietnam against Hanoi's open aggression. It was mutually agreed between the Governments of the Republic of Vietnam and the United States that further means for providing for South Vietnam's defense were required. Therefore, air strikes have been made against some of the military assembly points and supply bases from which North Vietnam was conducting its aggression against the South. These strikes constitute a limited response fitted to the aggression that produced them.

Until the regime in Hanoi decides to halt its intervention in the South, or until effective steps are taken to maintain peace and security in the area the Governments of South Vietnam and the United States will continue necessary measures of defense against the Communist armed aggression coming from North Vietnam.

[From the Washington (D.C.) Sunday Star, Feb. 28, 1965]

HOW OUR FAR EASTERN POLICY LED TO VIETNAM

(This explanation of American policy in Vietnam was made by William P. Bundy, Assistant Secretary of State for Far Eastern Affairs, in a recent speech in Washington, Mo.)

The first question requires a look at history.

Even when the Far East was much more distant than it is today, we Americans had deep concern for developments there. Americans pioneered in trade and missionary effort with China and in opening up Japan to Western influence. In 1898 we became in a sense a colonial power in the Philippines, but began almost at once to prepare the way for independence and self-government there—an independence promised by act of Congress in 1936 and achieved on schedule in 1946. By the 1930's, we had wide interests of many types in the Far East, though only few direct contacts in southeast Asia apart from the individual Americans who had served over decades as political advisers to the independent kingdom of Thailand.

Events then took a more ominous turn. We became aware that the ambitions of Japanese military leaders to dominate all of Asia were a threat not only to the specific interests of ourselves and other Western nations, but to the peace of the whole area and indeed of the world. China, in which we had taken a lead in dismantling the 19th-century system of foreign special privileges was progressively threatened and large parts overrun. We ourselves were finally attacked at Pearl Harbor and in the Philippines. We responded to aggression by conducting with our Allies a major Pacific war that cost the United States alone 272,700 casualties and over a hundred billion dollars.

OUR BASIC STAKE

In the end Japanese militarism was defeated, and the way apparently cleared for an Asia of free and independent national states that would be progressively freed of colonialism, that need threaten neither each other nor neighboring states, and that could tackle in their own way the eternal problems of building political and economic structures that would satisfy the aspiration of their peoples.

That kind of Far East was a pretty good definition of our national interests then. It is equally valid today. We cared about the Far East, and we care today, because we know that what happens there—among peoples numbering 33 percent of the world's population, with great talent, past historic greatness and capacity—is bound to make a crucial difference whether there will be the kind of world in which the common ideals of freedom can spread, nations live and work together without strife, and—most basic of all—we ourselves, in the long run, survive as the kind of nation we are determined to be. Our basic stake in the Far East is our stake in a peaceful and secure world as distinct from a violent and chaotic one. But there were three great flaws in the 1945 picture after the defeat of Japan.

1. In China, a civil war had been raging since the 1920's between the Government, led by Chiang Kai-shek, and the Chinese Communist movement. After a brief and edgy truce during the war against Japan, that civil war was resumed in circumstances where the Government had been gravely weakened. We assisted that Government in every way possible. Mistakes may have been made, but in the last analysis mainland China could not have been saved from communism without the commitment of major U.S. ground and air forces to a second war on the Asian mainland. Faced with a concurrent threat from Soviet Russia against Europe and the Near East, we did not make—and perhaps could not then have made—that commitment. And there came to power on the mainland, in the fall of 1949, a Communist regime filled with hatred of the West, with the vision of a potential dominant role for China, but imbued above all with a primitive Communist ideology in its most virulent and expansionist form.

KOREA ACTION ANALYZED

2. In Korea, a divided country stood uneasily, half free and half Communist. With our military might sharply reduced after the war, as part of what may have been an inevitable slackening of effort, we withdrew our forces and reduced our economic aid before there was in existence a strong South Korean defensive capacity. With Soviet backing, North Korea attacked across the 38th parallel in June 1950. With the Soviets then absent from the U.N. Security Council, the U.N. was able to condemn the aggression and to mount a U.N. effort to assist South Korea. The United States played by far the greatest outside role in a conflict that brought 157,530 U.S. casualties, cost us at least $18 billion in direct expenses, and in the end—after Communist China had also intervened—restored an independent South Korea, although it left a unified and free Korea to be worked out in the future.

In retrospect, our action in Korea reflected three elements:

A recognition that aggression of any sort must be met early and head on, or it will have to be met later and in tougher circumstances. We had relearned the lessons of the 1930's—Manchuria, Ethiopia, the Rhineland, Czechoslovakia.

A recognition that a defense line in Asia, stated in terms of an island perimeter, did not adequately define our vital interest—that those vital interests could be affected by action on the mainland of Asia.

An understanding that, for the future, a power vacuum was an invitation to aggression, that there must be local political, economic, and military strength in being to make aggression unprofitable, but also that there must be a demonstrated willingness of major external power both to assist and to intervene if required.

3. In southeast Asia, finally, there was a third major flaw—the difficulty of liquidating colonial regimes and replacing them by new and stable independent governments. The Philippines became independent and with our help overcame the ravages of war and the Communist Huk rebellion. The British, who had likewise prepared India and Burma and made them independent, were in the process of doing the same in Malaya even as they joined with the Malayans in beating back a 12-year Communist subversive effort. Indonesia was less well prepared; it gained its independence, too, with our support, but with scars that have continued to affect the otherwise natural and healthy development of Indonesian nationalism.

LEADERSHIP FALLS TO COMMUNISTS

French Indochina was the toughest case. The French had thought in terms of a slow evolution to an eventual status within some French union of states—a concept too leisurely to fit the post war mood of Asia. And militant Vietnamese nationalism had fallen to the leadership of dedicated Communists.

We all know the results. Even France was unable to defeat the Communist-led nationalist movement. Despite last-minute promises of independence, the struggle inevitably appeared as an attempt to preserve a colonial position. By 1954, it could only have been won, again, by a major U.S. military commitment, and perhaps not even then. The result was the settlement at Geneva. The accords reached there were almost certainly the best achievable, but they left a situation with many seeds of future trouble. Briefly:

1. North Vietnam was militantly Communist, and had developed during the war against the French an army well equipped and highly skilled in both conventional and subversive warfare. From the start, North Vietnam planned and expected to take over the south and in due course Laos and Cambodia, thinking that this would probably happen by sheer decay under pressure, but prepared to resort to other means if needed.

2. South Vietnam had no effective or popular leadership to start with, was demoralized and unprepared for self-government, and had only the remnants of the Vietnamese military forces who had fought with the French. Under the accords, external military help was limited to a few hundred advisers. Apart from its natural self-sufficiency in food, South Vietnam had few assets that appeared to match those of the north in the struggle that was sure to come.

3. Cambodia was more hopeful in some respects, more remote from North Vietnam, with a leader in Prince Sihanouk, a strong historical tradition, and the freedom to accept external assistance as she saw fit. From the start Sihanouk insisted, with our full and continuing support, on a status of neutrality.

4. Laos, however, was less unified and was left under the accords with a built-in and legalized Communist presence, a disrupted and weak economy, and no military forces of significance.

ACTION STARTED IN 1954

Such was the situation President Eisenhower and Secretary Dulles faced in 1954. Two things were clear; that in the absence of external help communism was virtually certain to take over the successor states of Indochina and to move to the borders of Thailand and perhaps beyond, and that with France no longer ready to act, at least in South Vietnam, no power other than the United States could move in to help fill the vacuum.

Their decision, expressed in a series of actions starting in late 1954, was to move in to help these countries. Besides South Vietnam, and more modest efforts in Laos and Cambodia, substantial assistance was begun in Thailand.

The appropriations for these actions were voted by successive Congresses, and in 1954 the Senate likewise ratified the Southeast Asia Treaty, to which Thailand and the Philippines adhered along with the United States, Britain, France, Australia, New Zealand, and Pakistan. Although not signers of the treaty, South Vietnam, Laos, and Cambodia could call on the SEATO members for help against aggression.

COMMITMENT WAS MADE

So a commitment was made with the support of both political parties, that has guided our policy in southeast Asia for a decade now. It was not a commitment that envisaged a U.S. position of power in southeast Asia or U.S. military bases there. We threatened no one. Nor was it a commitment that substituted U.S. responsibility for the basic responsibility of the nations themselves for their own defense, political stability, and economic progress. It was a commitment to do what we could to help these nations attain and maintain the independence and security to which they were entitled—both for their own sake and because we recognized that, like South Korea, southeast Asia was a key area of the mainland of Asia. If it fell to Communist control, this would enormously add to the momentum and power of the expansionist Communist regimes in Communist China and North Vietnam, and thus to the threat to the whole free world position in the Pacific.

Let us look at Vietnam from the beautiful city of Saigon. I visited Saigon in December of 1963 with five of my colleagues, and spoke at length with Gen. Paul D. Harkins, commander of our Military Assistance Advisory Group, Ambassador Henry Cabot Lodge, and many of our American military and businessmen in the area. The most striking thing about Vietnam is the fact that it is the richest agricultural area in the world. The experts have said that sufficient food can be produced in this area to feed almost all of Asia. This territory in the southern portion of Vietnam also permits guerrilla forces to live off the land without a constant resupply to sustain their activities in the field. The area is abundant in geese, ducks, and of course the staple commodity—rice.

During the early phase of the Vietnamese operation against the Vietcong, our military adviser initiated a policy wherein all of the villages of the country were organized and defended in a unique manner. Instead of letting the farmers fall prey to small marauding bands of Vietcong, each town was fortified. The valuables were placed in a warehouse or hut in the center of town, and at the first sign of an attack, the villagers would retreat to this redoubt, and a radio call for help was sent to the nearest army force whose immediate response was guaranteed through the use of helicopters and other high-speed aircraft, in conjunction with paratroop operations. When the war was virtually won in the north the Vietcong were starved out, but in the south they could rely upon the overabundance in the Mekong Delta to support their operation, hence their success in the Saigon area.

HAD TO STOP WAR

The war has been further complicated by the very complex situation within the country. You can imagine the problems our advisers had with the turnover of governments. The American advisers had to get military advice to the proper authorities, and to determine who was in power very often caused a cessation of combat operations with the enemy. In effect, the war would stop while the heads of government and the key leaders in the army were changed, and this meant a complete retraining program by the American mission of all military unit heads as well as political subdivision chiefs.

Probably one of the hallmarks of our mission in Vietnam has been the extreme patience of our American advisers, from our Ambassador and military commanders, down to the valiant Americans who spill their blood along with their Vietnamese comrades. The situation to say the least is vexatious but we must always keep our eyes on our strategic role—that of thwarting these Communist advances.

We will be successful. The Vietnamese will win their struggle. However, the road to victory never has been easy. The future may call for more intensive strikes at the base and source of Communist power and aggression in North Vietnam. The borders of South Vietnam may have to be sealed to prevent the flow of reinforcements and war material to the subversive Communist army. The 1,800 miles of coastline must be patrolled and the potential for resupply of North Vietnamese operations on the sea be destroyed.

The American people stand firm behind their President and behind the principles of freedom everywhere.

AGREEMENT ON THE CESSATION OF HOSTILITIES IN VIETNAM, JULY 20, 1954

(The Geneva agreements theoretically ended the war between French Union forces and the Vietminh in Laos, Cambodia, and Vietnam. These states were to become fully independent countries, with the last named partitioned near the 17th parallel into two states pending reunification through free elections to be held by July 20, 1956. The United States and Vietnam are not signatories to these agreements.)

CHAPTER I—PROVISIONAL MILITARY DEMARCATION LINE AND DEMILITARIZED ZONE

Article 1

A provisional military demarcation line shall be fixed, on either side of which the forces of the two parties shall be regrouped after their withdrawal, the forces of the People's Army of Vietnam to the north of the line and the forces of the French Union to the south.

The provisional military demarcation line is fixed as shown on the map attached (omitted).

It is also agreed that a demilitarized zone shall be established on either side of the demarcation line, to a width of not more than 5 kilometers from it, to act as a buffer zone and avoid any incidents which might result in the resumption of hostilities.

Article 2

The period within which the movement of all the forces of either party into its regrouping zone on either side of the provisional military demarcation line shall be completed shall not exceed 300 days from the date of the present agreement's entry into force.

Article 3

When the provisional military demarcation line coincides with a waterway, the waters of such waterway shall be open to civil navigation by both parties wherever one bank is controlled by one party and the other bank by the other party. The Joint Commission shall establish rules of navigation for the stretch of waterway in question. The merchant shipping and other civilian craft of each party shall have unrestricted access to the land under its military control.

Article 4

The provisional military demarcation line between the two final regrouping zones is extended into the territorial waters by a line perpendicular to the general line of the coast.

All coastal islands north of this boundary shall be evacuated by the armed forces of the French Union, and all islands south of it shall be evacuated by the forces of the People's Army of Vietnam.

Article 5

To avoid any incidents which might result in the resumption of hostilities, all military forces, supplies, and equipment shall be withdrawn from the demilitarized zone within 25 days of the present agreement's entry into force.

Article 6

No person, military or civilian, shall be permitted to cross the provisional military demarcation line unless specifically authorized to do so by the Joint Commission.

Article 7

No person, military or civilian, shall be permitted to enter the demilitarized zone except persons concerned with the conduct of civil administration and relief and persons specifically authorized to enter by the Joint Commission.

Article 8

Civil administration and relief in the demilitarized zone on either side of the provisional military demarcation line shall be the responsibility of the commanders in chief of the two parties in their respective zones. The number of persons, military or civilian, from each side who are permitted to enter the demilitarized zone for the conduct of civil administration and relief shall be determined by the respective commanders, but in no case shall the total number authorized by either side exceed at any one time a figure to be determined by the Trung Gia Military Commission or by the Joint Commission. The number of civil police and the arms to be carried by them shall be determined by the Joint Commission. No one else shall carry arms unless specifically authorized to do so by the Joint Commission.

Article 9

Nothing contained in this chapter shall be construed as limiting the complete freedom of movement, into, out of or within the demilitarized zone, of the Joint Commission, its joint groups, the International Commission to be set up as indicated below, its inspection teams and any other persons, supplies or equipment specifically authorized to enter the demilitarized zone by the Joint Commission. Freedom of movement shall be permitted across the territory under the military control of either side over any road or waterway which has to be taken between points within the demilitarized zone when such points are not connected by roads or waterways lying completely within the demilitarized zone.

CHAPTER II—PRINCIPLES AND PROCEDURE GOVERNING IMPLEMENTATION OF THE PRESENT AGREEMENT

Article 10

The commanders of the forces on each side, on the one side the commander in chief of the French Union forces in Indochina and on the other side the commander in chief of the People's Army of Vietnam, shall order and enforce the complete cessation of all hostilities in Vietnam by all armed forces under their control, including all units and personnel of the ground, naval and air forces.

Article 11

In accordance with the principle of a simultaneous cease-fire throughout Indochina, the cessation of hostilities shall be simultaneous throughout all parts of Vietnam, in all areas of hostilities and for all the forces of the two parties.

Taking into account the time effectively required to transmit the cease-fire order down to the lowest echelons of the combatant forces on both sides, the two parties are agreed that the cease-fire shall take effect completely and simultaneously for the different sectors of the country as follows:

Northern Vietnam at 8 a.m. (local time) on July 27, 1954.

Central Vietnam at 8 a.m. (local time) on August 1, 1954.

Southern Vietnam at 8 a.m. (local time) on August 11, 1954.

It is agreed that Peiping mean time shall be taken as local time.

From such time as the cease-fire becomes effective in northern Vietnam, both parties undertake not to engage in any large-scale offensive action in any part of the Indochinese theater of operations and not to commit the air forces based on northern Vietnam outside that sector. The two parties also undertake to inform each other of their plans for movement from one regrouping zone to another within 25 days of the present agreement's entry into force.

Article 12

All the operations and movements entailed in the cessation of hostilities and regrouping must proceed in a safe and orderly fashion:

(a) Within a certain number of days after the cease-fire agreement shall have become effective, the number to be determined on the spot by the Trung Gia Military Commission, each party shall be responsible for removing and neutralizing mines (including river- and sea-mines), booby traps, explosives and any other dangerous substances placed by it. In the event of its being impossible to complete the work of removal and neutralization in time, the party concerned shall mark the spot by placing visible signs there. All demolitions, minefields, wire entanglements and other hazards to the free movement of the personnel of the Joint Commission and its joint groups, known to be present after the withdrawal of the military forces, shall be reported to the Joint Commission by the commanders of the opposing forces;

(b) From the time of the cease-fire until regrouping is completed on either side of the demarcation line:

(1) The forces of either party shall be provisionally withdrawn from the provisional assembly areas assigned to the other party.

(2) When one party's forces withdraw by a route (road, rail, waterway, sea route) which passes through the territory of the other party (see article 24), the latter party's forces must provisionally withdraw three kilometers on each side of such route, but in such a manner as to avoid interfering with the movements of the civil population.

Article 13

From the time of the cease-fire until the completion of the movements from one regrouping zone into the other, civil and military transport aircraft shall follow air-corridors between the provisional assembly areas assigned to the French Union forces north of the demarcation line on the one hand and the Laotian frontier and the regrouping zone assigned to the French Union forces on the other hand.

The position of the air-corridors, their width, the safety route for single-engined military aircraft transferred to the south and the search and rescue procedure for aircraft in distress shall be determined on the spot by the Trung Gia Military Commission.

Article 14

Political and administrative measures in the two regrouping zones, on either side of the provisional military demarcation line:

(a) Pending the general elections which will bring about the unification of Vietnam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present agreement;

(b) Any territory controlled by one party which is transferred to the other party by the regrouping plan shall continue to be administered by the former party until such date as all the troops who are to be transferred have completely left that territory so as to free the zone assigned to the party in question. From then on, such territory shall be regarded as transferred to the other party, who shall assume responsibility for it.

Steps shall be taken to insure that there is no break in the transfer of responsibilities. For this purpose, adequate notices shall be given by the withdrawing party to the other party, which shall make the necessary arrangements, in particular by sending administrative and police detachments to prepare for the assumption of administrative responsibility. The length of such notice shall be determined by the Trung Gia Military Commission. The transfer shall be effected in successive stages for the various territorial sectors.

The transfer of the civil administration of Hanoi and Haiphong to the authorities of the Democratic Republic of Vietnam shall be completed within the respective time limits laid down in article 15 for military movements.

(c) Each party undertakes to refrain from any reprisals or discrimination against persons or organizations on account of their activities during the hostilities and to guarantee their democratic liberties.

(d) From the date of entry into force of the present agreement until the movement of troops is completed, any civilians residing in a district controlled by one party who wish to go and live in the zone assigned to the other party shall be permitted and helped to do so by the authorities in that district.

Article 15

The disengagement of the combatants, and the withdrawals and transfers of military forces, equipment and supplies shall take place in accordance with the following principles:

(a) The withdrawals and transfers of the military forces, equipment and supplies of the two parties shall be completed within 300 days, as laid down in article 2 of the present agreement;

(b) Within either territory successive withdrawals shall be made by sectors, portions of sectors or provinces. Transfers from one regrouping zone to another shall be made in successive monthly installments proportionate to the number of troops to be transferred;

(c) The two parties shall undertake to carry out all troop withdrawals and transfers in accordance with the aims of the present agreement, shall permit no hostile act and shall take no step whatsoever which might hamper such withdrawals and transfers. They shall assist one another as far as this is possible;

(d) The two parties shall permit no destruction or sabotage of any public property and no injury to the life and property of the civil population. They shall permit no interference in local civil administration;

(e) The Joint Commission and the International Commission shall insure that steps are taken to safeguard the forces in the course of withdrawal and transfer:

(f) The Trung Gia Military Commission, and later the Joint Commission, shall determine by common agreement the exact procedure for the disengagement of the combatants and for troop withdrawals and transfers, on the basis of the principles mentioned above and within the framework laid down below:

1. The disengagement of the combatants, including the concentration of the armed forces of all kinds and also each party's movements into the provisional assembly areas assigned to it and the other party's provisional withdrawal from it, shall be completed within a period not exceeding 15 days after the date when the cease-fire becomes effective.

The general delineation of the provisional assembly areas is set out in the maps[1] annexed to the present agreement.

In order to avoid any incidents, no troops shall be stationed less than 1,500 meters from the lines delimiting the provisional assembly areas.

During the period until the transfers are concluded, all the coastal islands west of the following lines shall be included in the Haiphong perimeter:

Meridian of the southern point of Kebao Island

Northern coast of the Ile Rousse (excluding the islands), extended as far as the meridian of Campha-Mines

Meridian of Champha-Mines.

2. The withdrawals and transfers shall be effected in the following order and within the following periods (from the date of the entry into force of the present agreement):

Forces of the French Union	*Days*
Hanoi perimeter	80
Haiduong perimeter	100
Haiphong perimeter	300
Forces of the People's Army of Vietnam	
Ham Tan and Xuyenmec provisional assembly area	80
Central Vietnam provisional assembly area—first installment	80
Plaine des Joncs provisional assembly area	100
Point Camau provisional assembly area	200
Central Vietnam provisional assembly area—last installment	300

CHAPTER III—BAN ON INTRODUCTION OF FRESH TROOPS, MILITARY PERSONNEL, ARMS AND MUNITIONS, MILITARY BASES

Article 16

With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any troop reinforcements and additional military personnel is prohibited.

It is understood, however, that the rotation of units and groups of personnel, the arrival in Vietnam of individual personnel on a temporary duty basis and the return of Vietnam of individual personnel after short periods of leave or temporary duty outside Vietnam shall be permitted under the conditions laid down below:

(a) Rotation of units (defined in paragraph (c) of this article) and groups of personnel shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in article 1 of the present agreement, during the withdrawal period provided for in article 2.

However, under the heading of individual personnel not more than 50 men, including officers, shall during any 1 month be permitted to enter that part of the country north of the provisional military demarcation line on a temporary duty basis or to return there after short periods of leave or temporary duty outside Vietnam.

(b) "Rotation" is defined as the replacement of units or groups of personnel by other units of the same echelon or by personnel who are arriving in Vietnam territory to do their oversea service there;

(c) The units rotated shall never be larger than a battalion—or the corresponding echelon for air and naval forces;

(d) Rotation shall be conducted on a man-for-man basis, provided, however, that in any one quarter neither party shall introduce more than 15,500 members of its armed forces into Vietnam under the rotation policy.

(e) Rotation units (defined in paragraph (c) of this article) and groups of personnel, and the individual personnel mentioned in this article, shall enter and leave Vietnam only through the entry points enumerated in article 20 below:

(f) Each party shall notify the joint commission and the international commission at least 2 days in advance of any arrivals or departures of units, groups of personnel and individual personnel in or from Vietnam. Reports on the arrivals or departures of units, groups of personnel and individual personnel in or from Vietnam shall be submitted daily to the Joint Commission and the International Commission.

All the above-mentioned notifications and reports shall indicate the places and dates of arrival or departure and the number of persons arriving or departing.

(g) The International Commission through its inspection teams, shall supervise and inspect the rotation of units and groups of personal and the arrival and departure of individual personnel as authorized above, at the points of entry enumerated in article 20 below.

Article 17

(a) With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any reinforcements in the form of all types of arms, munitions and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines and jet weapons and armored vehicles, is prohibited.

(b) It is understood, however, that war material, arms, and munitions which have been destroyed, damaged, worn out, or used up after the cessation of hostilities may be replaced on the basis of piece-for-piece of the same type and with similar characteristics. Such replacement of war material, arms, and munitions shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in article 1 of the present agreement, during the withdrawal period provided for in article 2.

Naval craft may perform transport operations between the regrouping zones.

(c) The war material, arms, and munitions for replacement purposes provided for in paragraph (b) of this article, shall be introduced into Vietnam only through the points of entry enumerated in article 20 below. War material, arms, and munitions to be replaced shall be shipped from Vietnam only through the points of entry enumerated in article 20 below;

(d) Apart from the replacements permitted within the limits laid down in paragraph (b) of this article, the introduction of war material, arms, and munitions of all types in the form of unassembled parts for subsequent assembly is prohibited;

(e) Each party shall notify the Joint Commission and the International Commission at least 2 days in advance of any arrivals or departures which may take place of war material, arms, and munitions of all types.

In order to justify the requests for the introduction into Vietnam of arms, munitions, and other war material (as defined in paragraph (a) of this article) for replacement purposes, a report concerning each incoming shipment shall be submitted to the Joint Commission and the International Commission. Such reports shall indicate the use made of the items so replaced.

(f) The International Commission, through its inspection teams, shall supervise and inspect the replacements permitted in the circumstances laid down in this article, at the points of entry enumerated in article 20 below.

Article 18

With effect from the date of entry into force of the present agreement, the establishment of new military bases is prohibited throughout Vietnam territory.

Article 19

With effect from the date of entry into force of the present agreement, no military base under the control of a foreign state may be established in the regrouping zone of either party; the two parties shall insure that the zones assigned to them do not adhere to any military alliance and are not used for the resumption of hostilities or to further an aggressive policy.

Article 20

The points of entry into Vietnam for rotation personnel and replacements of material are fixed as follows:

Zones to the north of the provisional military demarcation line: Laokay, Langson,

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[1] Not reprinted here.

Tien-Yen, Haiphong, Vinh, Dong-Hoi, Muong-Sen;

Zone to the south of the provisional military demarcation line: Tourane, Quinhon, Nhatrang, Bangoi, Saigon, Cap St. Jacques, Tanchau.

CHAPTER IV—PRISONERS OF WAR AND CIVILIAN INTERNEES

Article 21

The liberation and repatriation of all prisoners of war and civilian internes detained by each of the two parties at the coming into force of the present agreement shall be carried out under the following conditions:

(a) All prisoners of war and civilian internees of Vietnam, French and other nationalities captured since the beginning of hostilities in Vietnam during military operations or in any other circumstances of war and in any part of the territory of Vietnam shall be liberated within a period of 30 days after the date when the cease-fire becomes effective in each theater.

(b) The term "civilian internees" is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason and have been kept in detention by either party during the period of hostilities.

(c) All prisoners of war and civilian internees held by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all possible assistance in proceeding to their country of origin, place of habitual residence or the zone of their choice.

CHAPTER V—MISCELLANEOUS

Article 22

The commanders of the forces of the two parties shall insure that persons under their respective commands who violate any of the provisions of the present agreement are suitably punished.

Article 23

In cases in which the place of burial is known and the existence of graves has been established, the commander of the forces of either party shall, within a specific period after the entry into force of the armistice agreement, permit the graves service personnel of the other party to enter the part of Vietnam territory under their military control for the purpose of finding and removing the bodies of deceased military personnel of that party, including the bodies of deceased prisoners of war. The Joint Commission shall determine the procedures and the time limit for the performance of this task. The commanders of the forces of the two parties shall communicate to each other all information in their possession as to the place of burial of military personnel of the other party.

Article 24

The present agreement shall apply to all the armed forces of either party. The armed forces of each party shall respect the demilitarized zone and the territory under the military control of the other party, and shall commit no act and undertake no operation against the other party and shall not engage in blockade of any kind in Vietnam.

For the purposes of the present article, the word "territory" includes territorial waters and airspace.

Article 25

The commanders of the forces of the two parties shall afford full protection and all possible assistance and cooperation to the Joint Commission and its joint groups and to the International Commission and its inspection teams in the performance of the functions and tasks assigned to them by the present agreement.

Article 26

The costs involved in the operations of the Joint Commission and joint groups and of the International Commission and its inspection teams shall be shared equally between the two parties.

Article 27

The signatories of the present agreement and their successors in their functions shall be responsible for insuring and observance and enforcement of the terms and provisions there of. The commanders of the forces of the two parties shall, within their respective commands, take all steps and make all arrangements necessary to insure full compliance with all the provisions of the present agreement by all elements and military personnel under their command.

The procedures laid down in the present agreement shall, whenever necessary, be studied by the commanders of the two parties and, if necessary, defined more specifically by the Joint Commission.

CHAPTER VI—JOINT COMMISSION AND INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN VIETNAM

28. Responsibility for the execution of the agreement on the cessation of hostilities shall rest with the parties.

29. An International Commission shall insure the control and supervision of this execution.

30. In order to facilitate, under the conditions shown below, the execution of provisions concerning joint actions by the two parties, a Joint Commission shall be set up in Vietnam.

31. The Joint Commission shall be composed of an equal number of representatives of the commanders of the two parties.

32. The presidents of the delegations to the Joint Commission shall hold the rank of general.

The Joint Commission shall set up joint groups the number of which shall be determined by mutual agreement between the parties. The joint groups shall be composed of an equal number of officers from both parties. Their location on the demarcation line between the regrouping zones shall be determined by the parties whilst taking into account the powers of the Joint Commission.

33. The Joint Commission shall insure the execution of the following provisions of the agreement on the cessation of hostilities:

(a) A simultaneous and general cease-fire in Vietnam for all regular and irregular armed forces of the two parties.

(b) A regroupment of the armed forces of the two parties.

(c) Observance of the demarcation lines between the regrouping zones and of the demilitarized sectors.

Within the limits of its competence it shall help the parties to execute the said provisions, shall insure liaison between them for the purpose of preparing and carrying out plans for the application of these provisions, and shall endeavor to solve such disputed questions as may arise between the parties in the course of executing these provisions.

34. An international commission shall be set up for the control and supervision over the application of the provisions of the agreement on the cessation of hostilities in Vietnam. It shall be composed of representatives of the following States: Canada, India and Poland.

It shall be presided over by the representative of India.

35. The international commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned States. The fixed teams shall be located at the following points: Laokay, Langson, Tien-Yen, Haiphong, Vinh, Dong-Hoi, Muong-Sen, Tourane, Quinhon, Nhatrang, Bangoi, Saigon, Cap St. Jacques, Tranchau. These points of location may, at a later date, be altered at the request of the Joint Commission, or of one of the parties, or of the International Commission itself, by agreement between the International Commission and the command of the party concerned. The zones of action of the mobile teams shall be the regions bordering the land and sea frontiers of Vietnam, the demarcation lines between the regrouping zones and the demilitarized zones. Within the limits of these zones they shall have the right to move freely and shall receive from the local civil and military authorities all facilities they may require for the fulfillment of their tasks (provision of personnel, placing at their disposal documents needed for supervision, summoning witnesses necessary for holding enquiries, ensuring the security and freedom of movement of the inspection teams, etc.). They shall have at their disposal such modern means of transport, observation, and communication as they may require. Beyond the zones of action as defined above, the mobile teams may, by agreement with the command of the party concerned, carry out other movements within the limits of the tasks given them by the present agreement.

36. The International Commission shall be responsible for supervising the proper execution by the parties of the provisions of the agreement. For this purpose it shall fulfill the tasks of control, observation, inspection, and investigation connected with the application of the provisions of the agreement on the cessation of hostilities, and it shall in particular:

(a) Control the movement of the armed forces of the two parties, effected within the framework of the regroupment plan.

(b) Supervise the demarcation lines between the regrouping areas, and also the demilitarized zones.

(c) Control the operations of releasing prisoners of war and civilian internees.

(d) Supervise at ports and airfields as well as along all frontiers of Vietnam the execution of the provisions of the agreement on the cessation of hostilities, regulating the introduction into the country of armed forces, military personnel, and of all kinds of arms, munitions, and war material.

37. The International Commission shall, through the medium of the inspection teams mentioned above, and as soon as possible either on its own initiative, or at the request of the Joint Commission, or of one of the parties, undertake the necessary investigations both documentary and on the ground.

38. The inspection teams shall submit to the International Commission the results of their supervision, their investigation, and their observations, furthermore, they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the conclusions of each member shall be submitted to the Commission.

39. If any one inspection team is unable to settle an incident or considers that there is a violation or a threat of a serious violation the International Commission shall be informed; the latter shall study the reports and the conclusions of the inspection teams and shall inform the parties of the measures which should be taken for the settlement of the incident, ending of the violation, or removal of the threat of violation.

40. When the Joint Commission is unable to reach an agreement on the interpretation to be given to some provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

41. The recommendations of the International Commission shall be adopted by majority vote, subject to the provisions contained in article 42. If the votes are divided the Chairman's vote shall be decisive.

The International Commission may formulate recommendations concerning amendments and additions which should be made to the provisions of the agreement on the cessation of hostilities in Vietnam, in order to insure a more effective execution of that agreement. These recommendations shall be adopted unanimously.

42. When dealing with questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, namely:

(a) Refusal by the armed forces of one party to effect the movements provided for in the regroupment plan;

(b) Violation by the armed forces of one of the parties of the regrouping zones, territorial waters, or air space of the other party;

The decisions of the International Commission must be unanimous.

43. If one of the parties refuses to put into effect a recommendation of the International Commission, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in article 42, it shall submit a majority report and one or more minority reports to the members of the Conference.

The International Commission shall inform the members of the Conference in all cases where its activity is being hindered.

44. The International Commission shall be set up at the time of the cessation of hostilities in Indochina in order that it should be able to fulfill the tasks provided for in article 36.

45. The International Commission for Supervision and Control in Vietnam shall act in close cooperation with the International Commissions for Supervision and Control in Cambodia and Laos.

The Secretaries-General of these three Commissions shall be responsible for coordinating their work and for relations between them.

46. The International Commission for Supervision and Control in Vietnam may, after consultation with the International Commissions for Supervision and Control in Cambodia and Laos, and having regard to the development of the situation in Cambodia and Laos, progressively reduce its activities. Such a decision must be adopted unanimously.

47. All the provisions of the present agreement, save the second subparagraph of article 11, shall enter into force at 2400 hours (Geneva time) on July 22, 1954.

Done in Geneva at 2400 hours on the 20th of July 1954 in French and in Vietnamese, both texts being equally authentic.

For the commander in chief of the People's Army of Vietnam.

Ta-Quang Buu,
Vice Minister of National Defense of the Democratic Republic of Vietnam.

For the commander in chief of the French Union Forces in Indochina.

Brigadier General Delteii.

Declaration of the Neutrality of Laos, July 23, 1862

(The 1954 Geneva accords provided for the withdrawal of Vietnamese Communist forces from Laos and for the reintegration of the Pathet Lao into the national community. However, it was not until 3 years later that the Pathet Lao, having achieved important concessions from the Royal Lao Government agreed to the reunification and ostensibly to the dissolution of Pathet Lao forces. In 1959, the Pathet Lao reverted to the use of force and by spring of 1961 won a series of military victories and were in a position to take over the country. In 1961 a de facto cease fire was achieved under the government of Prince Boun Oum and the Geneva Conference to settle the Lao question convened, which finally resulted in agreement in 1962, by which a coalition government would be established, all foreign troops and military personnel withdrawn, and the use of Lao territory for "interference in the internal affairs of other countries" was prohibited.)

The Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the People's Republic of China, the Democratic Republic of Vietnam, the Republic of France, the Republic of India, the Polish People's Republic, the Republic of Vietnam, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, whose representatives took part in the International Conference on the Settlement of the Laotian Question, 1961–62;

Welcoming the presentation of the statement of neutrality by the Royal Government of Laos of July 9, 1962, and taking note of this statement, which is, with the concurrence of the Royal Government of Laos, incorporated in the present declaration as an integral part thereof, and the text of which is as follows:

"The Royal Government of Laos,

"Being resolved to follow the path of peace and neutrality in conformity with the interests and aspirations of the Laotian people, as well as the principles of the Joint Communiqué of Zurich dated June 22, 1961, and of the Geneva Agreements of 1954 in order to build a peaceful, neutral, independent, democratic, unified, and prosperous Laos,"

"Solemnly declares that:

"(1) It will resolutely apply the five principles of peaceful co-existence in foreign relations, and will develop friendly relations and establish diplomatic relations with all countries, the neighboring countries first and foremost, on the basis of equality and of respect for the independence and sovereignty of Laos;

"(2) It is the will of the Laotian people to protect and insure respect for the sovereignty, independence, neutrality, unity, and territorial integrity of Laos;

"(3) It will not resort to the use or threat of force in any way which might impair the peace of other countries, and will not interfere in the internal affairs of other countries;

"(4) It will not enter into any military alliance or into any agreement, whether military or otherwise, which is inconsistent with the neutrality of the Kingdom of Laos; it will not allow the establishment of any foreign military base on Laotian territory, nor allow any country to use Laotian territory for military purposes or for the purposes of interference in the internal affairs of other countries, nor recognize the protection of any alliance or military coalition, including SEATO.

"(5) It will not allow any foreign interference in the internal affairs of the Kingdom of Laos in any form whatsoever;

"(6) Subject to the provisions of article 5 of the protocol, it will require the withdrawal from Laos of all foreign troops and military personnel, and will not allow any foreign troops or military personnel to be introduced into Laos;

"(7) It will accept direct and unconditional aid from all countries that wish to help the Kingdom of Laos build up an independent and autonomous national economy on the basis of respect for the sovereignty of Laos;

"(8) It will respect the treaties and agreements signed in conformity with the interests of the Laotian people and of the policy of peace and neutrality of the Kingdom, in particular the Geneva agreements of 1962, and will abrogate all treaties and agreements which are contrary to those principles.

"This statement of neutrality by the Royal Government of Laos shall be promulgated constitutionally and shall have the force of law.

"The Kingdom of Laos appeals to all the states participating in the International Conference on the Settlement of the Laotian Question, and to all other states, to recognize the sovereignty, independence, neutrality, unity, and territorial integrity of Laos, to conform to these principles in all respects, and to refrain from any action inconsistent therewith.

Confirming the principles of respect for the sovereignty, independence, unity and territorial integrity of the Kingdom of Laos and noninterference in its internal affairs which are embodied in the Geneva agreements of 1954;

Emphasizing the principle of respect for the neutrality of the Kingdom of Laos;

Agreeing that the above-mentioned principles constitute a basis for the peaceful settlement of the Laotian question;

Profoundly convinced that the independence and neutrality of the Kingdom of Laos will assist the peaceful democratic development of the Kingdom of Laos and the achievement of national accord and unity in that country, as well as the strengthening of peace and security in southeast Asia;

1. Solemnly declare, in accordance with the will of the Government and people of the Kingdom of Laos, as expressed in the statement of neutrality by the royal government of Laos of July 9, 1962, that they recognize and will respect and observe in every way the sovereignty, independence, neutrality, unity and territorial integrity of the Kingdom of Laos.

2. Undertake, in particular, that

(a) they will not commit or participate in any way in any act which might directly or indirectly impair the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos;

(b) they will not resort to the use or threat of force or any other measure which might impair the peace of the Kingdom of Laos;

(d) they will not attach conditions of a direct interference in the internal affairs of the Kingdom of Laos;

(d) they will not attach conditions of a political nature to any assistance which they may offer or which the Kingdom of Laos may seek;

(e) they will not bring the Kingdom of Laos in any way into any military alliance or any other agreement, whether military or otherwise, which is inconsistent with her neutrality, nor invite or encourage her to enter into any such alliance or to conclude any such agreement;

(f) they will respect the wish of the Kingdom of Laos not to recognize the protection of any alliance or military coalition, including SEATO;

(g) they will not introduce into the Kingdom of Laos foreign troops or military personnel in any form whatsoever, nor will they in any way facilitate or connive at the introduction of any foreign troops or military personnel;

(h) they will not establish nor will they in any way facilitate or connive at the establishment in the Kingdom of Laos of any foreign military base, foreign strong point or other foreign military installation of any kind;

(i) they will not use the territory of the Kingdom of Laos for interference in the internal affairs of other countries;

(j) they will not use the territory of any country, including their own for interference in the internal affairs of the Kingdom of Laos.

3. Appeal to all other states to recognize, respect, and observe in every way the sovereignty, independence, and neutrality, and also the unity and territorial integrity, of the Kingdom of Laos and to refrain from any action inconsistent with these principles or with other provisions of the present declaration.

4. Undertake, in the event of a violation or threat of violation of the sovereignty, independence, neutrality, unity, or territorial integrity of the Kingdom of Laos, to consult

> jointly with the Royal Government of Laos and among themselves in order to consider measures which might prove to be necessary to insure the observance of these principles and the other provisions of the present declaration.
>
> 5. The present declaration shall enter into force on signature and together with the statement of neutrality by the Royal Government of Laos of July 9, 1962, shall be regarded as constituting an international agreement. The present declaration shall be deposited in the archives of the Governments of the United Kingdom and the Union of Soviet Socialist Republics, which shall furnish certified copies thereof to the other signatory states and to all the other states of the world.
>
> In witness whereof, the undersigned Plenipotentiaries have signed the present declaration.
>
> Done in two copies in Geneva this 23d day of July 1962 in the English, Chinese, French, Laotian, and Russian languages, each text being equally authoritative.

EXECUTIVE SESSION

Mr. HILL. Mr. President, as in executive session, I ask unanimous consent that the Senate proceed to the consideration of the nomination of Luther L. Terry, of Alabama, to be Surgeon General of the Public Health Service for a term of 4 years, which was reported by me earlier today from the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will state the nomination.

The legislative clerk read the nomination of Luther L. Terry, of Alabama, to be Surgeon General of the Public Health Service for a term of 4 years.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Luther L. Terry to be Surgeon General of the Public Health Service for a term of 4 years?

The nomination was confirmed.

Mr. HILL. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request by Mr. HILL, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE SITUATION IN VIETNAM

Mr. McGEE. Mr. President, the Members of this body have been making significant contributions, it seems to me, in their willingness to discuss the many ramifications concerning Vietnam which bother not only this country but also the world at large.

It was on the 17th of February, I believe, that the marked increase in the tempo of the discussions on this issue began. On that occasion, the distinguished senior Senator from Idaho [Mr. CHURCH] and the distinguished junior Senator from South Dakota [Mr. McGOVERN] made known their thoughts.

We have had a very protracted colloquy on the implications of their suggestion, that we negotiate now. A consequence of that long colloquy has been the further development and, may I say, sophistication of the discussion of this question. Over this weekend one notes that a number of things have come to a head.

In making my own remarks I advocated that in the United States we make certain that no one on the other side misunderstands our intentions, that we get much tougher, that we seal off the border of South Vietnam, and call the hand there.

Over the weekend there has been much discussion of the statement by Soviet Premier Kosygin. We cannot know its full meaning, but we can see the range of what is implied and make our selections.

I would suspect that his remarks are met best by the explanation that he is seeking to get the initiative back from Peiping, to which it had been lost in recent weeks, and that they are aimed more at Peiping than they are Washington. To the extent that they may have been addressed to Washington we see the same kind of language being employed that was employed by Stalin at the time of the Berlin crisis, and that was employed when Khrushchev threatened us in Cuba.

We gave our answer then, and it is imperative that we likewise be prepared to give the same answers today; namely, that we will stand and see it through.

A part of that answer has already been given by Secretary of State Rusk, in restating our basic position in southeast Asia, in which he left no doubt as to where we stand; namely, that as long as the Reds continue to violate the border between South and North Vietnam, we will not go to the bargaining table with them. We have said again that intransigence, belligerence, aggression, and terror are not suitable credentials for entrance to honorable negotiations between nations. Just this weekend the State Department presented overwhelming evidence to show the nature of the new brand of aggression.

I do not agree that all the guerrillas could be called back by Hanoi, even if Hanoi wanted to pull them all back, because many thousands of them could not be found.

As I have suggested several times in recent days, I believe we should announce that the cessation of the act of infiltration across the Vietnam border by the forces—regular or irregular—of North Vietnam, and that the cessation of active, logistical support for the Communist forces in South Vietnam, is a prerequisite for any negotiation on our part. I repeat my contention that our determination to stick to this standard should be reinforced, if necessary, by systematic air attacks upon selected targets in North Vietnam, beginning with smaller tactical targets and working up, again if necessary, to the larger industrial targets which make up Hanoi's potential to wage war.

The situation in Vietnam has many of the qualities of the situation that existed in Czechoslovakia some 25 years ago.

It was present in Berlin on another occasion. This is the common denominator that makes our position in South Vietnam synonymous with the position that the West was confronted with in Munich and in many other areas and that led to the rise of Mr. Hitler and Mr. Mussolini in the 1930's.

During the debate, much has been said about warhawks and pacifists. To those who have used these expressions, let me say that the quickest way to war or the inevitable way to war is to continue to equivocate in this situation or to seek the least unfortunate terms that will allow us to ease out of our commitment in this area, because the going is tough and dirty, and all alternatives are unpleasant.

If there is such a bird as a "warhawk"—someone who deliberately wants a war now—he should realize that the quickest way to get one is to permit the present situation along the borders to continue, with the Communists always keeping the initiative, and to let the dictators of North Vietnam and the dictators in Peiping think that by continuing their actions they can force us to go home. Our President has determined to stay. We are determined to stand and to see things through. The Communists think we are going to get out. They have convinced themselves that time is on their side and that if they continue to strike, continue to press, we will fold up our tents and go home.

So long as they have serious doubts about our sticking it out, they will persist in prodding and pushing, to hasten the day of the American pullout.

I know of no situation that could be more irresponsible than to permit that kind of policy to continue.

Our President has seen fit to draw the line and to draw it firmly and to make it clear that we do not intend to pull out and that we do not intend to forfeit this area to the forces from the north.

Mr. President, there is a second road to war. It is a longer path by far, but it is just as certain in its horrendous consequences, should it ever be traveled. That is the road that would lead to the surrender of this area to the Chinese. This in my judgment would completely unbalance the political forces in that part of the world. It is the unbalancing of these forces, the world's balance of power, that throughout the history of mankind has led to big wars, both in our time and in the days of old.

Therefore, if we were to withdraw, if we were to negotiate our way out of this area that holds the balance of Asia in its grip, we would find the tides reversed and turning against us. There is no question that the tides have been running our way in the 20 years of the cold war. To put these rich resources at the disposal of a land with too many people and too few resources, would clearly contribute to an imbalance in that quarter and would invite the next step, over a longer period of time, which is a war to redress that imbalance.

Southeast Asia's resources are rich enough as to have been the reason for Japan's starting World War II. There is no reason to think that their potential to buttress power is altered even in the nuclear age. If southeast Asia is to be forfeited to mainland China, this is sufficient to alter the balance of power in Asia and the world against our national interest. And from the view of history, a world that finds its spheres of influence between its great powers unbalanced soon finds itself at war—a big war.

Therefore, if we are to keep peace in the world, American policy must direct itself toward both of these sobering threats. The first is met by taking the initiative in clarifying our intentions and taking the initiative from Hanoi. To make sure that we not stumble into war, it is important that we clear the air—thus, the basis for my request to our Government for a carefully calculated announcement spelling out American prerequisites to useful negotiations.

To thwart a second possibility of war, it requires that we draw a firm line across southeast Asia to match the line that has already been drawn all the way from Eastern Europe to Central Asia—a line which we would hold firmly against the aggressors to the north. These joint objectives of our policy give us the best chance to avoid war and even a chance to win peace in eastern Asia. While it is fraught with risks and great costs, the alternatives are even worse.

Again, let me state that I am well aware of the risks that we must take—they haunt me and should haunt every American. But they are as nothing compared to the risk inherent in inaction. For history shows only too clearly that an aggressor's appetite is not satisfied by peace offerings of small chunks of the territory he is seeking; it is only whetted and encouraged. Certainly there are big risks involved in the course I suggest, but they are only the risks that will someday have to be faced. To postpone them is only to increase their potential for world destruction.

Nor should we be dissuaded by the local conditions of the civil war, which has provided the soft spot now under Communist probe. It is deeply regrettable that the Government of South Vietnam is unstable and undemocratic, but we are not committed to preserve the political stakes of whichever general happens to be in power at the moment. But what we are committed to preserve is that same illusive condition for which free men have struggled, worked, fought, and died for many centuries—human freedom, or the chance to obtain that freedom. We will not give the Vietnamese freedom. We cannot give them freedom. But we will give them a chance to be free. We will not preserve freedom in the Philippines or in Malaysia, but we will provide these nations with the opportunity to maintain their freedom and their national identity. We cannot choose the spot on which we will defend freedom or the conditions by which the conflict will be waged. Wherever freedom, or the chance for freedom, is threatened, there is where we must go, and there is where we must stand.

Too often in periods of crisis we spend our energies in the academic exercise of trying to decide which conflicts affect Western civilization and which do not. There is a simple answer to this question in this era of aggressive Communist exploitation of weakness and instability. All conflicts, all wars, anywhere on this earth, pose a real and direct threat to Western civilization. These conflicts should be eliminated by negotiation, if that is possible, or by force, if all else fails.

And we must also accept the realities of existence in our world which are hard and unpleasant realities, but realities nonetheless. And they are that we cannot expect a perfect solution to these conflicts, and that a workable solution may leave a nation divided for the immediate future. These divisions now exist in Berlin, in Korea, and will probably exist in Vietnam. In historical perspective they are not permanent; but, for the moment, they are a compromise that we can live with in the hope that the future will provide a more rational means of settling these differences. And negotiations, once begun, may do very well to settle for a divided Vietnam.

We will negotiate—indeed, at some time we must negotiate—but that time is not now. At the present moment our task must be to set the record straight, to make clear to those whose ambitions lead them to threaten the peace and the security of freemen, that we accept the challenge, that we stand firm, that we will take the risk involved. Let us accept this risk now in the hope and expectation that it will enable us to accept then the equally great risk of establishing peace in this troubled area through the rule of reason and understanding rather than through terror and the force of arms.

Mr. President, I ask unanimous consent that there be printed in the Record at this point an article published in the New York Times of Sunday, and also an article published in today's Washington Daily News, which report that the United States is landing a force of Marines in Vietnam for the purpose of sealing off the 17th parallel.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 28, 1965]

BRITISH WARY ON CALL FOR VIETNAM NEGOTIATIONS

London, February 26.—Officials here are not persuaded that the publicized peace moves by President de Gaulle will be helpful in working toward a settlement in Vietnam.

They fear that the talk about negotiations may obscure what they regard as the central problem: How to assure that any political settlement reached can be enforced on the scene.

The point is made that there once was a political settlement—the Geneva agreement of 1954—but that its terms have been violated by Communist infiltration from North to South Vietnam. The need, therefore, is to find a realistic way of seeing that agreements are observed.

For these reasons British officials see the necessity for continuing American air attacks in North Vietnam. They think a real settlement can come only if North Vietnam is persuaded that the price of trying to take over the south is too high.

The important thing, as one official put it, is for the West to leave any conference table convinced that South Vietnam will be left alone.

The support for continuing air strikes is conditioned on one factor—that the strikes be aimed specifically at northern support of the Vietcong guerrillas in the south. General bombing of North Vietnam would be another matter.

SOVIET INFLUENCE CRUCIAL

It is agreed that the Soviet Union has a crucial part to play in the shaping of any settlement. Only if Moscow believes that the risk is getting too high in the Vietnam fighting will the time be ripe for negotiations, officials say.

One element that gives concern about General de Gaulle's activity is the possibility that it may be premature. Government officials do not think publicized peace moves are particularly helpful now.

The attitude in the British Government seems to be close to the American position, as far as that is known. It is a hard-boiled attitude, based on the belief that negotiations in Vietnam cannot be a cover for a handover of the south to the Communists without endangering the Western position in Asia generally.

It continues to surprise many observers that a labor government is taking so firm a line. The Government is doing so despite restiveness in the Labor Party's leftwing.

The leader of the conservative opposition, Sir Alec Douglas-Home, said today that he thought a political solution in Vietnam would be desirable. Then he added:

"But I must say America is taking the right position on the question of negotiations now. There is no basis for a conference unless we have the certainty that there would be a way to police what the conference decides."

[From the Washington (D.C.) Daily News, Mar. 1, 1965]

FIRM ACTION URGED IN VIETNAM: DEMOS BACK L.B.J. IN CONGRESS

Democratic Congressmen, armed with a State Department "white paper" documenting the Communist war against South Vietnam, gave strong backing today to President Johnson's Vietnam policy.

Senator William E. Proxmire, Democrat, of Wisconsin, said in a speech prepared for Senate delivery that Mr. Johnson's Vietnam policies offer "the best chance for us to achieve an enduring peace in this enormously complex situation."

He said it would be "a grim mistake" to attempt to negotiate a settlement if the Communists have not shown "by their actions that they want peace and will end the aggressive conduct that prevents it."

In opposing premature negotiations, Senator Proxmire said, "Perhaps the worst outcome of all would be a conference that ended in failure. The war would resume without even the glimmer of hope that the possibility of peace talks always offers."

LONG SPEAKS OUT

Senate Democratic Whip Russell B. Long, of Louisiana, said the United States should "do whatever is necessary to win * * * and if Communist China comes in, we will take them on, and if Russia wants to deal herself a hand, we will go ahead, but there will be no sanctuary."

Senator Gale McGee, Democrat, of Wyoming, called on the United States to take the initiative with more aggressive policies.

Representative Clement J. Zablocki, Democrat, of Wisconsin, chairman of the House Far East Subcommittee, said the United States has issued North Vietnam an ultimatum, in effect, to withdraw from South Vietnam or face destructive military consequences.

He said North Vietnam must be forced to realize that none of its territory is immune from attack as a privileged sanctuary.

Senator McGee said, "I believe we should now go a step further" by increasing bombing of North Vietnam if that is needed.

Senator Long said bombing North Vietnam would serve notice that the United States intends to win "and that we don't propose to stop by letting them call the rules and make us fight on their terms, that we propose to do some of this fighting on our own terms."

MINORITY REPORT

A top House Republican today labeled President Johnson's Great Society plan a blueprint for an all-powerful, one-party Government.

Representative Melvin R. Laird, Republican, of Wisconsin, chairman of the House Republican conference and principal author of the 1964 GOP national platform, also assailed Mr. Johnson's conduct of foreign affairs. He predicted the administration would seek a negotiated end to the war in Vietnam and that this would lead to a Communist takeover.

He said Republicans know that communism respects strength and seeks accommodation only for its own purposes. But he said the administration apparently will seek eventually to negotiate itself out of South Vietnam.

In a speech prepared for House delivery, Representative Laird said the painfully small Republican minority in Congress would continue to speak its piece, and with the voice of a moral majority.

"Though we do not win rollcall votes, we can win for America the all-important second look that may save us from blindly accepting a Great Society that might be just another great mistake, just another great scheme, just another great debt, accepted without due consideration," he said.

Representative Laird's major address was seen by Republicans as a sort of minority state of the Union message as well as a call to arms to the Republican ranks.

He said Republicans will oppose some of Mr. Johnson's proposals, and offer alternatives to others.

EULOGIES OF THE LATE SENATOR ENGLE OF CALIFORNIA

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the legislative business of the Senate will be suspended, pursuant to Senate Resolution 81, adopted February 23.

The clerk will read the resolution.

The resolution (S. Res. 81) was read, as follows:

Resolved, That on Monday, March 1, at 2 o'clock postmeridian, the legislative business of the Senate be suspended to permit the delivery of memorial addresses on the life, character, and public service of Honorable Clair Engle, late a Senate from the State of California.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLAIR ENGLE: A EULOGY

Mr. KUCHEL. Mr. President, last July 30, 1964, it was my sad duty to announce to the Senate the death of a distinguished American statesman, our beloved friend and late colleague from California, U.S. Senator Clair Engle.

Clair Engle was a man of high courage and unique ability. Forceful, colorful, articulate, and persuasive, he faithfully served the people of California and the Nation during all of his adult lifetime.

The Senate had a sweet fondness and a real respect for him, which reflected the continuing esteem in which he was held by all who knew him.

Clair Engle was a Californian in every sense of the word. He was born in Bakersfield on September 21, 1911. His grandfather Engle, who was of German-English decent, had fought in the Mexican War under Gen. Zachary Taylor, emigrated to California in search of gold in 1849, and ended up as a cattle rancher. Clair's father, Fred J. Engle, worked variously as a cattle rancher, schoolteacher, lawyer, and railroad man. His mother, whose maiden name was Keeran, was of Irish heritage and also descended from California pioneers.

In a State where most of the people are newcomers, Engle's third-generation status—on both sides of the family—made him a Californian indeed.

At the age of 6 months, Clair moved with his family to northern California. They settled in the small town of Red Bluff, which even today numbers only 7,000 in population. Red Bluff is within sight of Mount Lassen, the only active volcano in the United States. Years later, the Saturday Evening Post was to note that it was no coincidence that Engle grew up near the only active volcano in the country, because in adulthood he became the only active volcano in the U.S. Congress. I like that. I think, perhaps, Clair did too.

Clair Engle experienced the typical childhood of boys living close to the western frontier. He learned to saddle and ride a horse and rope a calf almost as soon as he learned to read and write and add. At Red Bluff High School, he played basketball, won election as a class officer, and was a ferocious fighter, even though he was younger and smaller than nearly all of his classmates. That capacity to stand up and fight for the right stood the people of my State in good stead years later, when he fought their battles in the Congress.

Engle's penchant for fighting led him to take up boxing in high school and college. Noticing that most amateurs were "right hand crazy," Engle made a practice of opening doors and lifting heavy objects from the ground with his left hand. His efforts to make himself a southpaw puncher paid off. He could jab, hook, and uppercut lefthanded with devastating skill.

Engle's willingness and eagerness to fight, even against overwhelming odds, remained with him to his last days and through the affliction which finally triumphed, though he fought it with a vengeance to the end.

Many of Clair's friends wanted him to take up prizefighting as a career, but he had larger ambitions. As a boy he had wanted to go to West Point, but by the time he received an appointment to the U.S. Military Academy, he had decided that the chances of a rewarding career in the peacetime Army were somewhat remote. He never lost his childhood interest in military affairs, however, and as a Congressman, worked assiduously to keep this country militarily strong, that it might remain free.

At the age of 16, Engle entered Chico State College and 2 years later went on to the Hastings School of Law at the University of California. Graduating with a law degree at 21, he returned home to Red Bluff with the idea of becoming Tehama County district attorney, an office he felt would build his reputation and insure future success as a lawyer.

The sole survivor of a rough three man race, Clair was elected district attorney when he was just turning 23 years old. He immediately became known as the "baby-faced D.A." but appearances were deceiving. Engle earned a strong record of convictions in Tehama County, a record that led Earl Warren, then attorney general of California and now Chief Justice of the United States, to applaud the vigor of his law enforcement.

Clair was elected to a second 4 year term as Tehama County district attorney in 1938. In 1942 he stepped up to the State senate at Sacramento, but had served only 8 months in that office when a special election was called to fill a vacancy in the House of Representatives left by the death of Republican Harry Englebright. The local Democrats chose Engle as their candidate, and once again the tough fighter from Red Bluff emerged as the winner in a difficult three-way race.

Clair Engle was easily elected to a full 2-year term in the House in 1944; and, in 1946, his constituents paid him the supreme compliment of nominating him in both the Republican and Democratic primaries under California's now defunct system of cross-filing. From 1946 to 1956 the voters of northern California consistently gave Clair Engle both party nominations, a decade long tribute that has been received by few candidates for public office in my State.

Engle's district, which soon became known as "Engle's empire," was one of the most unusual in the country. It covered a staggering 53,400 square miles—more than one-third of the geographical area of California—and was larger than 23 States. Superimposed on a map of the eastern seaboard, Engle's constituency would have extended all the way from Maine to North Carolina. It began at the Oregon border, took in most of northern California, and then zigzagged down the backbone of California along the Nevada border almost to the Mojave Desert—a distance of 600 air miles. Made up of 19 so-called "cow counties," Engle's empire did not contain a single large city, but was made up almost entirely of small towns.

Clair Engle's district boasted the birthplace of the gold rush, famous natural masterpieces such as Lake Tahoe and Yosemite National Park, and all or part of 13 national forests. The very vastness of his district led Engle to claim that he was "closer to both heaven and hell than any other Congressman," since his district included Mount Whitney, the highest point in the United States, and Death Valley, the lowest point.

Faced with such a giant constituency, Clair decided early in his career that the only way to service it adequately was by airplane. Flying from smalltown airport to smalltown airport, Claire would often fly 10,000 miles just "making the rounds."

Years later, in 1957, Engle's interest in flying enabled him to be the first U.S. Congressman to fly at the speed of sound riding as a passenger in an Air Force jet. "Since the beginning of the Republic," he remarked on landing, "there have been more than 10,000 Congressmen elected and all of them have battered at the sound barrier. I figured it was time one busted it."

Clair was frequently joined in his barnstorming tours around his congressional district by his dear wife, the former Lucretia Caldwell, of San Jose, Calif. The two of them would often dress like twins in sharp-pointed leather boots, frontier pants, and checked shirts and 5-gallon hats. Thus attired, they would cover all the rodeos in the district during the late summer and early fall. Mrs. Engle was constantly at her husband's side throughout his last 15 years in office, a devoted helpmate to her beloved husband.

In the House of Representatives, Engle became known as "Congressman Fireball." The name stuck for two good reasons. One was that he was usually trailed by a billowing cloud of cigar smoke as he hurried through Capitol corridors. The second reason was that he was a figurative ball of fire when pushing legislation in committee sessions or in cloakrooms.

More than anything else, Clair Engle was a legislator. His primary interest as a Member of the House of Representatives and of the Senate was getting bills enacted into law. A member of the House Committee on Interior and Insular Affairs, Clair Engle galvanized that committee during the 83d Congress into originating more than 1 out of every 5 of the 781 bills signed into public law by President Eisenhower.

In the 8 years from 1946 to 1954 the late Senator Engle piloted 39 of his public bills through the House and got 23 of them enacted into law—an enviable record for any Member of Congress, let alone a relative newcomer. From 1955 to 1959, when Clair served as chairman of the Committee on Interior and Insular Affairs, that committee reported and succeeded in having enacted a staggering total of 365 public laws. There is no question that Clair Engle exceeded—and excelled greatly—at the exceedingly delicate and mystical art of maneuvering bills through the legislative branch of the American Government. It only enhances his legislative stature for me to say that many of those bills were regional in nature and thus incited opposition sometimes vigorous, simply on sectional grounds.

Engle's legislative craftsmanship was strengthened by his curt and colorful western vocabulary. When pleased—and I recall this myself—he had a habit of saying "I'm as happy as a fox with two tails." One time, when stomping out of a committee hearing in order to get more information, he shouted as he went out the door: "When I come back in 10 minutes, I'm sure going to throw a skunk into your henhouse."

Along with his western oriented "Engleisms," Clair like to quote Shakespeare. He found the saying of the great bard particularly apt for a multitude of political situations, and never traveled without taking a collection of Shakespearean plays with him. "The great value I find in Shakespeare," he confided, "is how it helps you in phrasing."

In his 23 years in the House and the Senate, Clair Engle became an outstanding congressional authority on water rights, electric power, and public lands, the three major concerns of the Committee on Interior and Insular Affairs.

I think his greatest legislative accomplishment was greatly to expand the far-reaching irrigation-flood control system in California's two great Central Valleys. The first bill Engle succeeded in having enacted along this line was the $300 million American River development bill in 1949, under which Folsom Dam was constructed east of Sacramento City. This dam saved Sacramento, California's capital city, just a few weeks ago, from the ravages of flood damage unleashed against much of northern California. Less than 1 year later, in 1950, Engle pulled a near miracle by securing an additional $100 million for the program which was used to build the Sacramento Valley canals and bring water to 200,000 acres of land in the Sacramento River Valley.

In 1952 Engle went to work on the third step in his Central Valley development plans—an increase in the water level in the Sacramento River by diverting some of the ocean runoff from the Trinity River to the northwest. In January 1953, during the last few days of the Truman administration, Engle slipped into the White House and the Interior Department and talked the outgoing Democratic officials into giving Congress the necessary green light, or as you and I know it, Mr. President, the "finding of feasibility," for the Trinity project.

A few days after the triumphal inauguration of Republican President Dwight D. Eisenhower, Clair Engle gloated to a GOP colleague, with a characteristically exultant laugh:

> While you Republicans were out in the living room at the White House leading cheers over Eisenhower's inauguration, I was luggin' the bacon out the kitchen door.

When the Trinity River project was completed several years later, Clair Engle could point with pride to the fact that of his indefatigable leadership in bringing three major additions to the Central Valley project, which cost the Federal Government a combined total of two-thirds of a billion dollars, all of it to be repaid in future years through the sale of electric power and of water to irrigation users. Quipped Engle: "I guess you could call me the gold miner who went to Washington."

Clair's efforts on behalf of the Central Valley have helped to enable California's farmers to reap more cash income than farmers in any other State. Clair himself pointed to the great dams that control the rivers of the Central Valley as his most significant achievement:

> They're better than something you read in the CONGRESSIONAL RECORD. They're cement and steel—something you can get out and stomp around on.

In 1957, Engle put together the complete background and legislative history of the Central Valley project into a two-volume study. I am glad to say, Mr. President, that I treasure this two-volume study that I have at home in my library. Entitled "Central Valley Project Documents," this work stands today as the most definitive guide available to the planning, construction, operation, and management of vast public works undertakings.

But Clair Engle's interest in conservation stretched way beyond the boundaries of California's Central Valley. He was one of the major sponsors of large-scale Federal research into the conversion of sea water into fresh water. "If we can develop low-cost means of bringing water to the thirsty lands and peoples of the world," Engle said, "we will bring a boon to mankind that is more meaningful than the conquest of outer space."

What we do today with respect to the development of conversion processes by which the waters of the sea may be made potable and useful for humankind and for God's green earth springs in great part from the leadership given to that wholesome undertaking by which the late Clair Engle first introduced legislation on the subject.

Clair was also a strong supporter of land reclamation projects. He authored the bill establishing the small reclamation projects program. This legislation authorized interest-free loans for irrigation districts to rehabilitate and extend their works or build new projects. Another successful Engle bill established the distribution systems program, which authorized interest-free loans to irrigation districts receiving water from Federal reclamation projects to construct their own water-distribution systems. Both of these programs have been a tremendous success throughout the Western United States.

Because his congressional district contained within its borders most of the mineral wealth of the State of California, Clair Engle became a champion of the American mining industry. He was a strong advocate of stockpiling strategic and critically needed minerals and metals for possible American defense purposes. He long sought to obtain a national minerals policy and program which would recognize that the development and maintenance of existing domestic mining and mineral industries is essential to the future security and economy of the United States.

When he became a Congressman, Engle did not let his childhood desire to go to West Point and be a professional soldier go to waste. A former member of the National Guard, Engle earned the rank of colonel in the Air Force Reserve. When Congress would adjourn, Engle's idea of a vacation was to go on active duty.

Engle in 1952 received an active duty assignment from the Air Force to go to Korea and investigate the results of the new military justice code recently put into effect there. This permitted Clair to tour the combat zone for 5 weeks without the protective chaperoning customarily thrown around visiting Congressmen. He flew north of the 38th parallel on jet reconnaissance missions, studied the frontlines from a rescue helicopter, fired a .50-caliber machinegun at the Chinese trenches from a tank, and talked at great length with battle-hardened American dive bomber pilots.

Later on, as chairman of the House of Representatives Interior and Insular Affairs Committee, Clair Engle launched and directed a searching investigation into military land excesses and abuses of conservation laws in military areas. The result of his hard work was corrective legislation known as the Engle Military Withdrawal Act.

In 1958, Congressman Engle gave up his seat in the House of Representatives and filed for the U.S. Senate seat being vacated by Senate Minority Leader William F. Knowland. Clair was elected to a full 6-year term in the U.S. Senate by a large majority.

In the Senate, Clair Engle made the improvement of U.S. foreign trade his principal project. Named to the Committee on Commerce, he immediately went on a factfinding tour of the Far East in order to discover why U.S. exports to that part of the world had declined so radically. In 1961, the Senate passed an Engle-authored bill designed to get American exports on the move by correcting defects in our export policies and procedures. Although this particular bill died in the House of Representatives, it succeeded in jogging the Government agencies who administer foreign trade relations into adopting most of the major recommendations of the bill that bore Clair's name.

Engle was also a strong supporter of the Trade Expansion Act of 1962. He labored throughout 1961, 1962, and 1963 as chairman of the Commerce Committee hearings on foreign trade and Pacific trade opportunities.

As a Senator, however, Clair did not let his interest in foreign trade stop him from continuing his activities in the field of domestic land reclamation and development. In 1960, he led in the enactment of legislation establishing the San Luis project in California. In 1963, he successfully fought for urgently needed funds for the Los Angeles County flood control project. A series of bills bearing his name culminated in the creation of Point Reyes National Seashore in Marin County, a significant step in the national effort to save vanishing shorelines and increase recreational facilities for the American people.

The western intertie agreement which makes possible the transfer of surplus electric power over a network serving 11 Western States met his standards and had his approval. Senator Engle first proposed such a project more than 15 years ago. It was signed into law by President Johnson only a few hours before Engle's tragic death.

Still pending before Congress is one bill which bears the familiar Engle brand. It would authorize the Auburn Dam-Folsom South Canal—a project needed to furnish electric power for local irrigation pumping and to provide better flood protection for Sacramento and the lowlands in the Sacramento Delta area. When it passes, as it surely shall, it will be in great part a congressional tribute to an able friend now departed.

In many ways, Clair Engle's greatest moments as a legislator occurred during the last 11 months of his 30 years in public service. His concern for humanity and his dedication to public duty were never greater than in his last year on this earth. Under extremely desperate circumstances, with very great and very obvious physical pain, he made his final appearance on the Senate floor in order to help do what he believed must be done.

On June 10, 1964, Senator Engle had himself brought to the Senate floor in a wheelchair to cast his vote on the cloture motion to shut off the extended debate against the civil rights bill. Throughout the entire 3-month debate on that bill, the bipartisan leadership in the Senate knew it could depend on Clair Engle, despite his grave illness, to be there and voting when the crucial moment came. The cloture vote was a close vote; Clair's vote was badly needed, and he was there and voting when the American people needed him.

Clair confided to close friends that he believed his vote on debate-limiting cloture would be his final act as a public servant.

But it was not to be his last Senate vote. On June 19, he again made, successfully, the herculean effort to come to the Senate floor and vote for the final passage of the civil rights bill.

I recall that moment poignantly, as I know all his colleagues will. He was unable to say "yea," but, by significant gestures made his vote known, and thus once again this courageous Californian recorded his position as another admirable milestone in the journey of this Republic was reached.

Clair Engle's insistence on casting these last two Senate votes, despite severe paralysis and agonizing pain, dramatized to all Americans how deeply this man was committed to both public service and public leadership.

It is beyond my ability to stand here on the floor and build an appropriate monument to my late colleague, Clair Engle, based on words which would attempt to spell out his deeds. No words are adequate truly to memorialize this man of fire and zeal who did so much to build his State and his country.

Clair Engle's monument is the whole complex of mighty dams that control California's raging rivers. His monument lives in the irrigation canals which carry life-giving water to land once arid and barren. His monument is the gentle blue of giant manmade lakes, the lush green of once-brown desert valleys, and the warm yellow glow of electric energy provided cheaply and quickly to American families.

As Clair Engle himself said, his monument is not in "something you read in the CONGRESSIONAL RECORD," but in projects of cement and steel that "you can get out and stomp around on."

Yet, the true monument to Clair Engle is more than all these things. It lies in the happy smile of a child swimming in a manmade lake. It lies in the enjoyment campers get from the scenery of a great national park. It can be found in the relief in a man's soul when he knows the river near his property will no longer overflow its banks and destroy so much of what he has worked to own.

Clair Engle's monument, like that of any great public servant, is in the well-being of the people he served.

On behalf of myself, my colleagues, and our families, we extend to his beloved widow and all his family our deepest condolences for the loss of a man who lived a constructive life for the benefit of the people which the late U.S. Senator, Clair Engle, of California, represented so actively and well.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. Mr. President, it is always a sad occasion when we lose one of our colleagues, especially when death strikes down a man who is still in the prime of his life, when his creative abilities and legislative skills are at their peak and his personal zest for life and service is vigorous. Clair Engle possessed all of these qualities in full measure. Indeed, he was looking forward with confidence and eagerness to another term of Senate service to his beloved State of California when his tragic illness occurred.

Clair Engle had a vigorous and forceful life and left a rich heritage of legislative accomplishments. In the House of Representatives alone, he guided 39 measures to passage—23 of which became the law of the land. His influence in the Senate was likewise great.

Clair Engle and I came to the House of Representatives together in the 78th Congress. Let me say, Mr. President, that no man fought harder—or with greater effectiveness—to preserve our great natural heritage. First as a Congressman, then as chairman of the House Committee on Interior and Insular Affairs, and finally as a U.S. Senator, Clair Engle made his mark in behalf of water resources, reclamation, electrical power, and conservation. He acted not only for California in these areas but, in a larger sense, for the West and the Nation. He authored every major expansion of the huge California Central Valley reclamation project since its beginning in 1937.

Senator Engle was also a stanch supporter of excellence in the Nation's schools. He fought for legislation to protect the livelihood and health of the American miner. And as a licensed pilot, he was intimately acquainted with the problems of the aviation industry.

The issue for which history will no doubt remember Clair Engle best is none of these, however. For who will ever forget the raw courage and devotion to principle which he displayed in connection with the Civil Rights bill of 1964? Under exceptionally difficult physical and emotional circumstances, he came on this floor and cast his votes to end the longest Senate debate ever held, and to assure passage of an act of profound importance to the Nation. In this instance, as throughout his struggle with the illness with which he was stricken, his wife stood with him. She gave that full measure of devotion which helped him to live with meaning and with contentment up to the very hour of his death.

Mr. President, Mrs. Mansfield and I reiterate, today, our deep respect for the memory of a great Senator, Clair Engle, of California.

Mr. INOUYE. Mr. President, it is indeed an honor to join my many colleague's to pay tribute to the memory of one of the greatest Senators ever to represent the sovereign State of California, and one of the most effective spokesmen for the interests of these United States.

Senator Clair Engle's untimely passing, in the summer of 1964, left a deep and serious gap within the ranks of those in the Senate usually identified with the progressive West. It will be a most difficult position for anyone to fill.

Much has been said and written about the personal legislative record of this man. And well it should for it is an outstanding record of accomplishment. As I stand in this Chamber today, I cannot help recalling the most important contribution Senator Clair Engle made in the cause of Hawaiian statehood while he served as chairman of the House Committee on Interior and Insular Affairs in the 84th and 85th Congresses. His keen understanding of our problems and his dogged determination made it possible for Hawaii to be admitted as our Nation's 50th State. On this day, I join the people of Hawaii in thanking Senator Engle for this most important contribution. As a Member of the Senate, I was most privileged to serve with our late friend as a member of the Armed Services Committee. His counsel was constantly sought, and his voice for a secure and strong America was always heard.

Notable as are his many accomplishments, I shall always remember Senator Clair Engle for his courageous contributions in the 1964 Senate battle on civil rights. Although unable to participate directly in the many skirmishes and confrontations, both in committee and on the Senate floor preceding the crucial vote on cloture due to his illness, I will always remember vividly his valiant figure being wheeled in on June 10 to vote an almost inaudible "aye" to halt debate and bring the civil rights bill to a vote. This was undoubtedly a moment for which he rallied all his mental and physical strengths, this was unquestionably the opportunity for which he conserved all his waning powers. And on June 19, Clair Engle cast his last vote—a vote for civil rights.

This was a most appropriate culmination to an outstanding career. It reflected the deep sense of commitment and responsibility so characteristic of the man throughout his life.

During Clair Engle's last days, we were privileged to witness the unselfish love of his dedicated and devoted wife. Clair's last hours were chapters of courage, and these tragic hours were shining hours for Clair's beloved wife—Lu. Today I join my colleagues in saluting Clair and Lu Engle.

Mr. YOUNG of Ohio. Mr. President, Senator Clair Engle was one of the bravest and finest men I ever met. It so happens that I am standing at the desk he occupied. Every time I sit down at this desk, I think of him.

For Mrs. Young and me, his death meant the loss of a great and dear friend.

However, his tragic death was more than merely a loss to those privileged to have known him. It was more than a loss to the Congress of a skilled legislator and dedicated public servant. It was a great loss to all Americans and to the very spirit of our country. Above all, Clair Engle was a fighter—for his country, for his State, and always for his principles.

It can truly be said of our beloved colleague that he lived with an abiding faith in the democratic processes which he zealously guarded, and, by doing so, provided a ringing affirmation of our way of life in these times of trial and torment.

A sense of dedication to his office and the people he represented illumined his 21 years of fruitful service in Congress.

Senator Clair Engle was a generous, warm, and understanding human being. Above all, he was a fighter for the causes in which he believed. He was never quarrelsome, never belligerent in manner, but from his boyhood throughout his manhood he was an athlete, self-trained and experienced—a tough fighter, indeed, well able to smash any aggressive bully into submission—were Clair Engle assailed.

Senator Engle exemplified a spirit which is more and more absent in American life in an age when much of the country jumps to the erratic and seductive tunes of Madison Avenue—a spirit of individual courage and conviction which brooked no compromise with conscience.

Clair Engle was truly a man of determination and tremendous, real, unselfish courage, such as was exemplified by his actions and votes over the years. His adherence to high principles of conduct during his life and in his work in the House of Representatives and the Senate are elements too often lacking in American public life.

It was a tragedy that this great statesman, while still in the prime of life, was struck down at the height of his powers by a terrible illness. Clair Engle had that unique combination of integrity, compassion, and ability so admirable in a man and so prized in a public servant. His loyalty, his vibrant personality, his courage, and his integrity will remain with us forever. The spirit of this man will linger long in the Halls of Congress.

I first knew him in 1949, when we served together in the House of Representatives. I admired him then as an industrious and most able representative of the interests of his State of California and of the Nation. We formed a friendship at that time which lasted until his death late last summer.

Clair Engle made friends as easily as some of us make enemies. Of what we call the class of 1958, the 15 Democratic U.S. Senators elected in 1958, he was one of the most outstanding and best beloved of all our Members. His death, at the early age of 52, was one of the greatest tragedies confronting Members of Congress at any time during the year 1964. Had he lived, I am personally convinced that he would have been called on by leaders of his party in California and in the Nation to become our candidate for Vice President or President of the United States sometime within the coming 12 or 16 years. Such were his high mental qualities, ability, and personality as a man and such was his record as a truly dedicated public servant.

As I grew to know him well, I found that his chief concern was for the betterment of the lives of the average persons and the underprivileged of this Nation. His deep feelings about problems arising from poverty and poor housing, his endeavors to help small business enterprises, his concern for the welfare of our elderly men and women, his vigorous leadership in behalf of the poor, the disinherited, the hungry, and the hopeless—all of these testified that his compassion for humanity knew no boundaries. He was not only endowed with great energy, he was a student. In addition he was respected for his achievements for his State of California in conservation matters and in connection with projects to bring more water into areas greatly needing it. His eloquence carried conviction from the time when he was termed "the boy district attorney" right up to the enthusiastic responses he received in 1958 when campaigning for election to the Senate. In the Senate of the United States his words were always listened to with respect and his arguments were always convincing. All of us recall that toward the end of his life, following brain surgery and hospitalization while partially paralyzed and in great pain, he came to the Senate Chamber on June 10, last year, and cast his vote to close debate on the civil rights bill and to cast his vote 9 days later for the Civil Rights Act of 1964. He manifested by responding by gesture and voice his belief in complete and equal civil rights and civil liberties for all Americans. These important votes were the last votes he cast as a Senator of the United States. We who were in the Senate Chamber on those 2 days last June will never forget the gallantry, bravery, and dedication of this great statesman.

Clair Engle was a man's man—a great athlete, a man of the utmost vigor—an active dynamic young man who at the age of 52 was cruelly struck down in the prime of his life. I recall him telling me of how he loved to walk and to hunt in the redwood forests of his native northern California. I find myself now and then in conversations using some of the picturesque language that I first heard from Clair Engle. These phrases were original with him. They spiced his conversation and helped endear him to all who met him.

Mr. President, I desire also to pay tribute to Mrs. Lucretia Engle, an outstanding woman. She is known to thousands of Californians and to us in Washington as "Lu." For months prior to his death, Senator Clair Engle lay ill in a hospital and for months thereafter he was returned to his home and confined to a wheelchair and near the end of his life he was barely able to speak. During all those weeks and months he was sustained by his beloved wife Lucretia, a great and gracious lady. He was confident throughout many months following the first operation to which he was subjected in August 1963 that he would fully recover. He planned his campaign for reelection and we who were elected to the Senate in 1958 along with him and were his friends and companions also felt he would recover. We believed that of all of us Senators elected for the first time to the Senate in 1958, he was the most likely to be reelected by the largest majority. His wife Lu along with us, his colleagues, kept alive in him the flame of hope for his recovery and a continued career. "Lu" Engle was at his side day and night and fought with great courage and devotion to encourage her husband in his fight against the dread malady with which he was afflicted. She is a great lady—a very great lady—and their years of married life together were radiant with successes, happiness, and love.

Mr. President, our Nation lost one of its great men in his most unfortunate death. Ninety-nine U.S. Senators lost a fine friend. All one can say this day is our Nation is stronger and a better country for having had him in the Congress of the United States. I too feel that I gained much and am a better man for having known him.

Mr. MOSS. Mr. President, Clair Engle was one man who in my opinion found his proper niche in life—that of a legislator. He was a lawyer, an aviator, and always a gentleman and a humanitarian, but primarily he achieved success in life in the art of legislation—by which I mean, getting bills considered and passed by the Congress.

Out in the West today when someone refers to the Engle act, you have to ask "Which Engle act?" Do you mean Public Law 448 of the 82d Congress, the original Saline Water Act which created the Office of Saline Water in the Department of the Interior, and is known in that Office as the Engle act?

Do you mean Public Law 130 of the 84th Congress, the Irrigation Distribution Systems Loan Act, or possibly Public Law 984 of the 84th Congress, the widely acclaimed Small Reclamation Projects Act?

Or do you mean Public Law 337 of the 85th Congress, which is the act to limit public land withdrawals by the military agencies.

All of these are known today in various circles as the Engle act. In his one term in the Senate, cut short by tragic illness, Senator Engle was the author or cosponsor of 104 bills which became law.

Senator Engle was interested in many things. He was author of the bill creating the new Point Reyes National Seashore north of San Francisco, a forerunner of our national seashore parks. His specialty was resource development, particularly water and power. His great love was the Central Valley project in California. Clair Engle was the author or coauthor of every act of legislation authorizing an addition to the Central Valley project since the basic project was approved in the late thirties. These additions include Folsom Dam on the American River, now operating for flood control, irrigation, conservation, and electric power generation; the Sacramento Valley canals in the northern part of the valley, authorized more than a decade ago, and now finally well into construction; the tremendous San Luis unit now nearing completion in the San Joaquin Valley; the new Trinity River division in the north; and finally, in the 88th Congress, the Stanislaus division, which is authorized but not yet under construction.

Senator Engle did little for show or publicity. He was not prone to long speeches on the floor of the Senate or to inserting many statements in the Appendix of the RECORD. His method was to work by direct contact and by personal persuasion in the interest of legislation he considered important. His record is that of a constructive and effective legislator.

Much more could be said of the life and accomplishments of my friend and colleague Clair Engle, but he appreciated brevity. So with these few and inadequate words I pay tribute to his memory.

Phyllis joins me in this expression of our gratitude for the life and work of Clair Engle and we express our admiration to Lu, his wife, for her steadfast devotion and support of her great husband. She has today our love and condolences. We remember Clair and we remember Lu. They set a great example for us all.

Mr. BIBLE. Mr. President, it is an honor to have served with the late Senator Clair Engle, and it is a privilege to join my colleagues in paying respect and tribute to him this day.

Clair Engle was a rugged individualist. He was nurtured in rugged country—the Sierra Nevada Mountains—where the country is big, and men think big.

Clair Engle was one of those rare persons, who never compromised a principle. Though serving a neighboring State, he was considered a Congressman and Senator who would always lend a sympathetic ear to my State's problems. We had many common causes.

As chairman of the House Interior Committee, it was Clair Engle who took the lead in stopping land grabs by departments of the Federal Government. He fought successfully for the 5,000-acre limit on lands to the military, which had been a troublesome problem in California and Nevada as well as many other Western States. He was always ready to take the lead on problems peculiar to the mining industry. His own congressional district is steeped in mining history, having furnished this Nation in its early history much gold from some of the largest placer mining operations in the world.

He was a tireless worker in the fields of reclamation, water, and conservation. His work in these areas will stand as a beacon to those of us who are privileged to carry on the battle.

We were, to a man, shocked to lose this valuable colleague—one who had a zest for life and who fought until the very end.

As a freshman Senator, tackling a big problem, the Washoe project, which extended into common ground, the upper reaches of the Sierras, I knew the support of Clair Engle would be necessary. His congressional district comprised seven or eight counties bordering my own State.

I acknowledge with gratitude that without the help of Clair Engle, who was then chairman of the powerful House Interior Committee, this legislation would not have been successfully enacted into law. His counsel will be cherished the remainder of my life and his effort in lending assistance to me and to my State on this one major problem is one from which all Nevadans will benefit.

When he entered the Senate as a junior Senator from the largest State in the Union, Clair Engle lost no ground. He was immediately recognized as a leader and one who would continue to fight for principles and causes of the highest nature. It is a tragedy that this man was taken from us in the prime of his life. Yet his doggedness, his perseverance, and his friendly smile will always be a cherished memory to those of us who knew and respected him so well.

I join all who have expressed heartfelt words with respect and affection for the late Senator. His record of service to his State and to his Nation is one which all can project as a lifetime goal. Yet this big man accomplished so much in a little over half of a life's span. We have truly lost a friend, a western, neighborly man, whose accomplishments knew no boundary line.

Any tribute to Senator Engle would be incomplete without special mention of his wife "Lu." Those of us who saw his game fight for life know something of the love and affection which she gave him in those difficult and trying days last year. Her faith and her devotion should not go unnoticed.

Mr. MONRONEY. Mr. President, the practice of honoring our deceased colleagues and coworkers in the vineyards of representative democracy is an old and honored tradition of the Senate. Even if we had no such tradition, I know that every Member of this body would feel impelled to rise today to honor the memory and to reflect on the achievements of that great human being and great Senator from California, the late Clair Engle.

For he was truly a man of giant proportion—a man unusually suited in qualifications and dimension to represent the largest and fastest growing State in our Union. In a sense California has become the melting pot of America, absorbing into its sinews the diverse elements and peoples of our great country, just as the United States was the melting pot of the world not too many years ago.

The finest and highest quality steel is forged and tempered by melding the best elements from many raw materials. And so the high quality, character, courage, and strength of Clair Engle was developed from the teaming mixture of the diverse peoples and ideals of California.

It was not an easy task to represent the State of California with its striking contrasts in population, in geography, in political philosophy, and in monumental problems. It is a measure of the man that he did it so well, with such ease and grace, and without ever losing the overwhelming confidence of his people which swept him into public service at an early stage in his life.

Not only was he unusually suited to represent his own State, but he was uniquely qualified to represent the United States as a Member of the Senate. The caricaturists often picture Senators in an unflattering manner. Should a stream of compassion ever infect them with a desire to paint an accurate picture of those qualities of a great Senator, they could find no better model than Clair Engle.

He looked the part and played the part with sensitivity and with a flourish beyond the capacity of many of us. He understood the Senate and was wise in the ways of politics in the highest sense of the word.

He had the respect of his colleagues—respect for his great intellect, his skill, his devotion, and his willingness to work without complaint and with vigor no matter how great or small the task. He had the friendship of his colleagues also, for he was a warm man and a compassionate man.

It was my privilege to serve with him for many years on the Commerce Committee. Able, competent, enthusiastic, he was a champion of all transportation. But he especially took into the most careful consideration problems related to the aviation industry, for he achieved skill as a pilot. I shall never forget his sparkling wit, his courtesy, and his enthusiasm. Whenever hearings became dull and monotonous or tempers were pushed to the boiling point, his warm smile and twinkling eyes always enlivened our spirits or dissolved our tensions.

And, Mr. President, my heart still rises in my throat when I recall the magnificent courage of Clair Engle during his last days when, despite all pain and despite all handicaps, he came here and stood on the floor of the Senate to cast his vote on the civil rights bill and the test ban treaty. His last courageous efforts will place him in the forefront of all great Americans of the past whose devotion and loyalty to their country surpassed all things, even death.

With Mrs. Lucrecia Engle, his partner and helper in all things before and after his tragic illness, we share the grief of the loss of a leader, a helper, a true and faithful friend.

Mr. BARTLETT. Mr. President, what does one say of Clair Engle? How does one find the right words to use on this day set aside in the Senate of the United States in memory of such a man as Clair Engle? Surely, I do not have the mood or desire to deliver a eulogy. Nor do I want to say much. It is not that his life left little to be said. It was a rich life and a full one. Its biographical details and the successes and failures and sadnesses and happinesses of Clair Engle have been recounted before, doubtless will be recounted today, and the record will not then close because the wholesome shadows this man cast before him will linger and men's recollections concerning him will be stirred at times far distant from now. And the people in his own, his native California, now and for generations to come, will have reasons to be thankful that Clair Engle decided to enter public life. For his achievements in the Congress of the United States for California meant better lives and happier and more prosperous lives for the people there.

All of this is known. It is stated in laws, it is stated in committee hearings, in newspaper accounts, in magazine articles, by word of mouth; and principally it is stated by way of concrete achievement in irrigation projects and dams, and ever so many other ways.

Mr. President, a mention or two and I am done.

Strive against it as we will, we are bound to make our evaluations based upon personal relationships when they exist. So I do now.

Clair Engle came to Washington one Congress in advance of me. He arrived in the 78th. In a legislative way, our lot was cast pretty much together. In those distant days he was a lowly Congressman, one step out of the freshman class, and I was a voteless delegate. We served together on the House Interior and Insular Affairs Committee until other circumstances, other times, brought us to the Senate together in 1959. It is true that Clair Engle rose to become chairman of the House Interior and Insular Affairs Committee because of his seniority. It is likewise true that seniority aside, merit and ability would have as surely carried him to the top.

During this period—almost 20 years—our association became personal as well as professional. It was Clair Engle who was chairman of the House committee when Congress passed the Alaska statehood bill. And on the Senate side of the Capitol, by reason of coincidence and desire and assignment, we found ourselves once more closely associated and in most cases closely allied. We were both on the Committee on Armed Services and the Committee on Commerce.

What made Clair Engle stand out? What made him different from the ordinary run of men? As with all exceptional men, the reasons are many, some obvious, some perhaps hidden. The keystone, of course, was his inborn ability. He had a first-class mind and used it in a first-class manner. He was a vibrant man filled with energy and enthusiasm and determination. His drive and ability to accomplish matched his vision. Of all, he had a superabundant supply. The gift of phrase that was Clair Engle's was unique and to those who were hearing it for the first time, startling. A name came to be applied to that phrasemaking. The products became known as "Engleisms." They came from a westerner, and were born of the West. They were a product of a frontier land before it had been overrun by civilization. They were made up on the spur of a moment, they were always penetrating and analytical and had their points to make, and made superlatively well. They popped out faster than ever when things were going well for Clair Engle and for him most of the time things were going well.

He is gone now. When we are summoned to the floor of the Senate for a vote we shall no longer, except in memory, see before us the hustling, jaunty figure of the man from California, cigar in right hand. I do not care to refer except in passing to that tragic last illness. I cherish and shall preserve the other memory, the memory of a man as thoroughly alive as any human being I have ever known.

I counted Clair Engle as a friend, as did my wife, Vide, and we embraced in that circle, the circumference of which can never and should never be too great, his wonderful wife, Lu. In braveness of spirit and in ever so many other ways she matched her husband, the man from California.

I cherish his memory.

Mr. McNAMARA. Mr. President, I rise to pay tribute to the late Senator Clair Engle, of California, whose brilliant career was tragically cut short last year by death.

It was my privilege to know and work with Senator Engle from the time he first entered the Senate in 1959. We served together for 3 years on the Special Committee on Aging, where he distinguished himself by his dedication to the problems of our senior citizens.

Senator Engle began his public career in 1934 as district attorney of Tehama County, Calif. He later served briefly in the California State Senate before entering the U.S. House of Representatives in a special election in 1943.

During the next 15 years, he served with distinction in the House, justly earning the reputation for being one of the most able and hard-working Members of that body.

In 1958, the people of California demonstrated excellent judgment in electing him to represent them in the U.S. Senate. The reputation he brought with him from the House and the energy and effort he expended, quickly won him both acceptance and admiration in the Senate.

Clair Engle was a man who had a deep and abiding interest in people; particularly the unfortunate, the afflicted, and the forgotten. He was a man of great personal charm, with a keen wit and a delightful sense of humor. He was a "Senator's Senator."

His death cut short a career of public service already marked by solid success and destined for even greater achievements. It was a loss that California—and the Nation—could ill afford.

To his charming and devoted widow "Lu" and the Engle family, my wife joins me in expressing to them our deepest sympathy at their great loss.

Mr. GRUENING. Mr. President, of the tragic losses which occur when death takes one of our colleagues, few, if any, have been more untimely than that which deprived his lovely wife, Lucretia, the Senate, the State of California, and the Nation, of Clair Engle.

For he was in his prime—zestful, joyous, vigorous, vibrant, dynamic. He seemed destined for an even greater career than he had already achieved when fate decreed otherwise. For his career up to that time had indeed been meteoric. He had never lost an election. In these contests for the approval of his fellow citizens, he was the winner not fewer than 14 times. A lawyer, he became assistant district attorney of Tehama County, Calif., in 1933; was elected district attorney in 1934; and reelected in 1938. He was elected a State senator in 1942. Due to a vacancy occurring in the Second California Congressional District in 1943 through the death of its incumbent Congressman, Clair Engle ran in a special election that year and won, taking his seat in the 78th Congress.

He was reelected to Congress six times, serving thus from the 78th to the 85th Congresses.

Although he held in the last two of these Congresses the enviable and highly important chairmanship of the House Committee on Interior and Insular Affairs, by far the most important committee from the standpoint of the West, he decided to run for the U.S. Senate and was elected in 1958. It was his 14th electoral victory. And, had he lived, it is as certain as anything can be in politics that he would have been in the Senate for life, unless, indeed, he had been drafted for a higher office. For he was only 53 years of age at his untimely death and could normally have looked forward to an additional quarter of a century or more of active senatorial service. Entering the Congress at the youthful age of 32, he might well have exceeded CARL HAYDEN's alltime record for length of service, since CARL was first elected to Congress at the age of 35. Never did unkind fate halt a great career more cruelly; for few of our colleagues could match Clair Engle, before his fatal illness struck, for verve, zest, alertness, pep, energy, and resoluteness.

He was a man of action, a human dynamo, mentally and physically, but he was never too active for kindly and courtly consideration of many personal demands made upon him.

His successor in the House as chairman of the Interior and Insular Affairs Committee—the Honorable WAYNE ASPINALL, of Colorado—has testified that during Clair Engle's chairmanship in the 84th and 85th Congresses, 365 new public laws came out of that committee. In his House service, moreover, he sponsored 65 bills benefiting his home State which became laws. He was a champion of resource development. The great river projects which mean so much to the West were, in California, largely guided to fulfillment by him. More than any other person he contributed to the Great Central Valley project, successfully guiding the American River, Trinity River, and Sacramento Canals division of that great undertaking. It was he who likewise successfully guided the Santa Barbara, Santa Maria, and Ventura reclamation projects.

He sponsored the Small Reclamation Projects Act and the Distribution Systems Act. He was the author of the original Saline Water Research Act.

A great conservationist, he felt that too much land that should be used for recreation and multiple purpose was immured in military reservations. An act to require all military withdrawals in excess of 5,000 acres to receive the approval of Congress, did much to rectify this condition. This valuable legislation bears his name. It is known as the Engle Act. But it is only one of half a dozen important acts which bear his name.

The wide diversity of interests in his great State was matched by a correspondingly wide response from him. He sponsored legislation beneficial to mining, fisheries, agriculture, and transportation. An aviator—a pilot—he was active in the Senate Armed Services Committee in behalf of our national defense. His ideas always carried the impact of his dynamic personality.

He was a pro in the very best sense of that word. By that I mean that he kept his close contact with the people of his State—who loved him—and was ever aware of and attended to their needs. He was salty, colorful, a typification of the great West as it is in both romance and reality.

He was a cosponsor of civil rights legislation, and in his last appearance in the Senate, when he was so desperately crippled by his tragic illness, though speechless, he cast his vote for the passage of the act.

Alaskans and Hawaiians will ever be grateful for his support and leadership in their statehood fights which began while he was a member of the House Interior Committee and culminated under his chairmanship. He was a militant champion of democracy and carried his faith in the basic principles of representatative government into all his legislative activities. In this legislative field he was a master craftsman.

He spoke frequently and effectively in favor of both Alaskan and Hawaiian statehood. One passage delivered in the House at the time of the final enactment of the statehood bill in 1958 reveals the loftiness of his thinking and the eloquence of his utterance. Speaking on the Alaska bill, he said in part:

> Our fellow citizens who went west to become Alaskans went of their own free will. They went, in part, in quest of greater opportunity and greater freedom. They went, inspired, in part, by the love of adventure which lies deep in every American heart. They went westward into the unknown, open and emptier spaces of our land as generations of Americans had before them. And they went beyond their predecessors. Settling America's farthest west and farthest north they wrote the final chapter in the greatest epic of all history—the American epic. Yet, it was final only in the sense that they had reached land's end and could go no further.
>
> But if theirs was a concluding chapter in the westward course, it was but the beginning of a great new episode—a still greater adventure—and one of national import. For those pioneers who braved every hardship, who conquered the wilderness, have set themselves in those nothernmost latitudes and westernmost meridians of our continent to establish a great and worthy outpost of American life. Overcoming great natural obstacles and still greater distantly manmade handicaps, they have laid the foundation of a robust society whose destiny it is to be not merely a bulwark of defense for the Western Hemisphere but a citadel of democracy and freedom.
>
> How timely their purpose in this hour of world crisis.
>
> And how appropriate their role in what was once Russian-America and lies within sight of Siberia—Siberia, which to the free world has always signified exile, imprisonment, and death, and never more so than under the tyranny of the Soviet police state.
>
> The Alaskans were and are well qualified to carry out their purpose. They brought with them their traditions of self-government. Imbued with the pioneer spirit, self-reliant, energized by the frontier, hardy in body and independent in spirit, they are the rugged individuals of the type who from earliest days have helped mold America.

And Clair Engle saw statehood for our two Pacific Territories, to which he had so greatly contributed, achieved.

So, in his 30 years of public service, a long period for any public servant regardless of the length of his life, Clair Engle served superlatively and left a shining record and living monuments to his dedication, devotion, and ability and fragrant memories of his helpfulness, his generosity, and his kindliness. We have greatly missed him, and shall continue to miss him, from our midst. And our love and sympathy—my wife, Dorothy's, and mine—go to his brave, gallant wife, Lucretia, who fought so valiantly for him in the days of his triumphs and in the hours of his last, disastrous illness, cherishing and nourishing her hope in his ultimate recovery.

I think in this connection of the verse of Edna St. Vincent Millay, as I recall it:

> Down, down, into the darkness of the grave
> They go. The intelligent, the gallant, the kind,
> Silently they go. The generous, the witty, the brave,
> I know. But I do not approve. And I am not resigned.

Mr. ERVIN. Mr. President, all of us who were privileged to enjoy the rare privilege of serving in the Senate with Clair Engle sorrow with his gracious wife and his other relatives and friends in the irreparable loss which the tragic illness and death brought to them, to the Senate of the United States, to the State of California, to America, and to the world.

This is so because all of us admired Clair Engle for the qualities of his head and loved him for the qualities of his heart.

Clair Engle's tragic passing illustrates a poignant truth which was expressed so beautifully by the Persian poet many centuries ago:

> For some we loved, the loveliest and the best
> That from his vintage rolling time hath prest,
> Have drunk their cup a round or two before,
> And one by one crept silently to rest.

As the able and distinguished junior Senator from Alaska [Mr. GRUENING] has just stated, we shall continue to miss him as long as our memories last.

Mr. PROXMIRE. Mr. President, back in August of 1957, on the first night I arrived in Washington to be sworn in in the Senate after the special election in Wisconsin, the then Congressman Clair Engle introduced himself to my wife Ellen and me in the Senate dining room.

He was considering running for the Senate in California, and I recall vividly how deeply impressed both Ellen and I were by this vigorous, humorous, charming, earthy man. How he loved every aspect of political life—even the long, hard, often tedious work of campaigning.

When we think of the contribution that Clair Engle would have made in the years ahead, if his life had been spared, the tragedy of his untimely death is greatly intensified.

For Clair Engle's efforts to protect the country's natural resources against the intrusions of special interests—for these efforts alone—Clair Engle earned a high place among the Nation's statesmen.

Long before he came to the Senate, Clair was recognized by his colleagues in the House as a legislator of great virtuosity. The State of California is eternally indebted to him for the magnitude of his contribution in the development, conservation, and control of its water resources.

The statute books of this country carry a law known as the Military Land Withdrawal Act. It is designed to correct the intemperate use of our public lands by the Military Establishment. This law is the creation of Clair Engle. It was the outcome of months of dogged and courageous investigation by him when he was chairman of the House Interior and Insular Affairs Committee. In critically questioning the military, Clair Engle stepped into sacrosanct territory that men of less courage would be reluctant to tread.

But this was the kind of man Clair Engle was—fearless, determined, spirited.

As a legislator Clair Engle left an impressive legacy.

As a human being, he left an indelible mark.

Six weeks before he died he cast two votes that proved beyond doubt the kind of man he was. Against the wishes of his doctors, he insisted on being placed in an ambulance and wheeled into the Senate Chamber for two crucial votes. One helped stop the filibuster on civil rights. The other helped pass the important 1964 civil rights law.

Clair Engle was fatally ill. But he never lost his feeling for his fellow man. His qualities as a legislator made better legislators of all of us who served with him. His qualities as a human being made better men of us.

And of course there is Mrs. Clair Engle, Lu. My wife, Ellen, has known Lu long and well. No Senator's wife was ever more absolutely dedicated to her husband's career. She made it the supreme goal of her life.

And what a great contribution she made as Clair's constant worker as well as charming hostess. Who in the Senate will ever forget the fierce, almost heartbreaking loyalty of this devoted wife to her stricken husband in those long, agonizing months before he died? No one ever had a mightier champion than Clair had in this petite, charming lady.

Mr. McGEE. Mr. President, I was privileged to know Clair Engle a shorter period of time than did many of my colleagues here today. Yet even in that interval my admiration for him mounted. We were colleagues and members of the class of 1958. That was a very large class. He is the only member of that class now missing. While he was probably the shortest member of that class in physical height, he stood tallest in all the class in his public and personal stature. So I speak a little selfishly as a member of that special group of Senators of one whom we claim as a bit of our own, a fraternity that was a special fraternity, that brought us so closely and intimately into the activities of Senator Clair Engle that intertwined both our hopes and our political ideals with those which he spelled out so articulately.

It was my privilege to see Clair Engle in action on quite another level, one that does not show its head so prominently.

My State of Wyoming happens to have some jealously guarded water rights. Often we have been in contest with Clair Engle's State of California over those rights. But in his own personal crusade, in the interest of the total of our country's western resources, and in the preservation and conservation of those God-given rights, never once did I know of Clair Engle's putting his own personal or State's interest above an interest that he thought was right, and thus superseded it.

On more than one occasion he addressed himself to an understanding of and action in behalf of my own State, even in instances in which surely it must have hurt him politically. That is the mark of the kind of man he was. He might readily have acted differently in those instances, and his difference of action would have been understood by all of us. But he chose to stand tall because it was right.

This attribute of Clair Engle will live forever with me, not because of what he did for Wyoming or for me personally, but because it illustrates a deep quality of a great colleague. It serves as a point of inspiration, one that the rest of us would like to emulate as time could make it possible for us to do so.

His contributions in the few years I saw him in this body are memorable ones. I submit the shadows that they cast ahead shall live forever, that his contributions were not limited to years of simple acts, but by example and with their farseeing qualities will serve as guidelines for us to carry on in his tradition.,

As my colleagues have shared before, Loraine and I share with his widow, Lu, those very deep and personal thoughts. But I would like to think even more of those thoughts of Clair Engle that I think will leave a continuing memory and thus act as an inspiration that will move us, for this is the true man.

Much as we miss him, much as his contribution is needed, that which he gave so freely lives on, and we live better because Clair Engle passed this way.

Mr. COOPER. Mr. President, it is difficult for one to place in words the energy, the vitality, and ability with which Clair Engle addressed himself to his work in the Senate. We remember him as a loyal and faithful representative of California, but he was more. He brought to the Senate a broad interest in major national and international issues. He did not hesitate to inquire, to debate, or to speak his mind upon issues which were of great concern to our Nation. It was the combination of his great qualities which drew to him the respect and affection of his colleagues and the people of his State. That respect and affection will be the best and most lasting tribute which can be paid to him.

We shall always remember him for his brave and fighting spirit which led him time and again to come into this Chamber, although ill, to participate in important decisions pending before this body. We shall remember his qualities of mind and spirit. We shall remember also, and pay tribute to, his great wife for the care and devotion which she gave him in difficult days.

Mr. President, while Clair Engle has gone, he will still inform and inspire us as we remember the qualities which made him a great Senator and, I believe, even more, a great human being.

The PRESIDING OFFICER (Mr. Young of Ohio in the Chair). The Senator from Idaho [Mr. Jordan] is recognized.

Mr. JORDAN of Idaho. Mr. President, all of us from the West appreciate the accomplishments of another westerner who reached great eminence in the Halls of Congress. Such a man was our late departed colleague, Senator Clair Engle.

I first met Clair Engle when he served as chairman of the Committee on Interior and Insular Affairs of the House of Representatives. I had occasion to appear before his committee, and I came to admire and respect him for his fairness, his thorough knowledge of the subject matter under discussion, and his ability to work very hard.

My own experience in land and water resources has made me increasingly aware of the outstanding contributions made by Senator Engle in this field during his 21 years of service in Congress.

Many of the great reservoirs and land resource development projects in this country stand as a tribute to his persistence and dedication to the sound principles of resource development.

Clair Engle was always ready to cooperate with others who had a sincere desire to further reclamation projects. He was always willing to lend his able hand to many projects which bear the names of others equally interested in reclamation.

We in Idaho will be forever grateful to Clair Engle for his work in Congress on many of our projects to provide water resource development. We shall miss his advice and counsel, but we have his memory and record to guide us as we continue our efforts.

I admire Clair Engle as a man of courage and conviction, a man who was always willing to go the extra mile for a friend.

Mrs. Jordan joins me in expressing our deep sympathy and our condolences to Mrs. Engle and to the entire Engle family.

Mr. CASE. Mr. President, other Senators are better warranted than I to speak of Clair Engle's representation in the great western area of our country. Other Senators are better warranted than I to speak of his attributes in specialized areas, for the long service that he rendered to his country and his State, and earlier to his district as a Member of the House of Representatives.

I have no special warrant to speak at all, except as a human being and a friend of Clair Engle. Who could wish for a better warrant?

Clair Engle was a man of dignity, yet utterly lacking in pomposity. He had a hatred for hypocrisy and sham. He was a fierce partisan, yet he was no demagog. He was never unfair. It was always possible to understand him. He was never bitter. He kept his eyes open and one knew very well that anything of cant or humbug would be dismissed contemptuously by this most decent human being.

He added greatly to the House of Representatives, and in later years to the Senate, as a place in which to serve as a company of kindred spirits.

So long as any of us who knew him are still around, we shall miss him. We join in simple, deep mourning for him, because in a very real sense we have seen in him what many of us would wish ourselves to be. There are not many of his kind. We can ill afford to spare them.

Our hearts go out to Lu Engle. In a very personal sense my wife and I pay her most affectionate best wishes and sympathy.

Mr. YARBOROUGH. Mr. President, the loss of Clair Engle at the relatively youthful Senate age of 53 brings all of us in this body up short with the realization that our time on earth is controlled more by the "Great Scorer" than by the electorate back home.

When Clair Engle came to the Senate in January of 1959, he brought with him 15 years' experience in the House of Representatives, many years in the State Senate of California, and 8 years prior to that as district attorney and special deputy attorney general for the State of California.

He brought to the Senate more than a quarter of a century of public service, and was one of the most experienced legislators in the Senate. He had been chairman of the Committee on Interior and Insular Affairs in the House of Representatives, an important committee, and he gave up that chairmanship to come to the Senate. Not many persons would be willing to do that.

When Clair Engle came to the Senate, he joined us on the Commerce Committee under the leadership of the able and distinguished senior Senator from Washington [Mr. MAGNUSON]. He was a licensed, able pilot, and flew his own plane. He understood every facet of the difficult and complicated transportation problem. He had studied commerce. He had studied maritime commerce in particular; and, coming from a seafaring State, he knew the importance of maritime commerce in our national life and our international relations. He soon became one of the most valued members on the Commerce Committee, where he supported all measures for the furtherance of undersea studies for the advancement of the science of oceanography in the development of our foreign trade. He was one of the most vigorous protagonists of foreign trade fairs in order to exhibit American products, and for the increase of foreign tourism in the United States. With his vigorous mind and capable advocacy, he supported the establishment of tourist bureaus overseas to help increase tourism in the United States.

Clair Engle was broadminded. He did not believe that the way to remedy the imbalance of gold payments—the outflow of gold—was to cut off Americans from going abroad.

He sought a broader gaged plan of bringing tourists from Europe into the United States in order to stimulate the flow of more American goods overseas. He was broad gaged in his governmental relations. He was broad gaged in his personal relationships.

It was my good fortune to be a deskmate of Clair Engle. It was my good fortune to be his deskmate on the Commerce Committee. I talked with him many times privately, and always found him to be a man of good humor. I never heard him say a mean word about another Member of the Senate, either in private conversation or in public debate. What he said was in good humor, as has already been stated in this Chamber many times. He would often add a humorous statement to relieve a tense situation.

Let me relate one incident only. During the course of a hearing before the Commerce Committee, we were having a discussion on a golden eagles bill to protect the golden eagle in an effort to prevent its extinction.

There was some expression of opposition to that in certain southwestern parts of the United States, including a portion of the Senator's State of California. His opponents thought that the only way to kill the eagles was from planes. The situation was becoming pretty tense in committee, and there were some opposing witnesses. It was then that Senator Engle spoke up and said:

> When it comes to hunting eagles from planes, we have had some experience in my State with eliminating coyotes by hunting them from planes. When they ducked into the canyons and we ducked in and out of the canyons, pretty soon they were getting more of us than we were getting of them.

That was his light touch that he had then.

It is an illustration of how he would always rise to an occasion to help smooth the path of legislation in this body.

To see him and his charming wife together in his Senate years was to see a loving and devoted couple. Her fierce devotion to him in his fatal illness and her efforts to shield and protect him as his last great battle drew near won for him a host of new friends and strengthened the feeling of those who had known him for a long time. I miss him in the Senate as his deskmate, and in the Commerce Committee as a deskmate. He was not here for many years, but he certainly made his mark in the Senate.

Mr. LONG of Louisiana. Mr. President, my life has been made richer for having known Clair Engle. Even before he came to this body, he was known as one of the most valued and effective Members of Congress. For a number of years, he served as chairman of the House Committee on Interior and Insular Affairs. In his capacity as chairman of the committee, he set an example of what a committee chairman should be. He was considerate to junior members. He helped all members make an effective contribution. He considered the position of the Senate when bills originating in the House were amended in the Senate. Contrary to the attitude of some chairmen, Senator Engle would go out of his way to see to it that the Senate's position was considered in conference between House and Senate Members. He seemed to feel no resentment that the Senate should see fit to amend, and sometimes drastically amend, measures which had originated in his committee in the House.

As a Member of the Senate, he was known to us as a genial, friendly, personable, and effective legislator.

There were many things that Senators liked about him. He was forthright. He would tell Senators where he stood. He would not leave anyone in any doubt. He was truthful. He was a cohesive power in the Senate. There was nothing pontifical or self-righteous about him. He understood the needs of the Nation. He understood the needs of his State. He also understood politics.

He understood that there were times when Senators from other States could be expected to vote contrary to the position that he thought was correct.

Much of the public works legislation for better conservation and effective use of water bears his name.

California today is the most populous State, having become so during the period that Clair Engle served his Nation in Congress. Legislation that he sponsored as a Member of this body had much to do with California becoming the No. 1 State from a population standpoint.

He set a good example of what a Senator ought to be. His wife set a good example of what everyone would like to see a Senator's wife to be. She set a noble example of what we like a woman to be and of the kind of woman we like to think of as our mothers.

To his wife and to his millions of friends I wish to say: "Mrs. Long and I and all of Louisiana share your loss."

Mr. MAGNUSON. Mr. President, there has been so much said here today about Clair Engle, that I feel I can add very little to the tribute. Not enough could be said about Clair Engle, because all of us felt so keenly about him in our association with him. So many anecdotes could be recounted about what occurred over the years that I have been with him, that the memory of him would fill books. It is pretty hard for me, as it is for the occupant of the chair [Mr. YOUNG of Ohio] and some other Senators to be objective about him. I know that history finally chooses a man in an objective way by what he does and what his accomplishments may be. However, for many of us who knew him it is pretty hard to be objective. He was not only a valued colleague of mine in the House and in the Senate, but he was also a true friend.

What has been said about him in his work in the development of the West, in connection with many pieces of legislation pertaining to the many things that now make the western part of our country a great place for people in which to live, because of men like Clair Engle, is correct.

However, all those things do not just happen, unless one has some vision and unless one has some feeling for the people. Clair Engle had both. He saw the West as it was and what it could be.

I suspect that the people of California were more fortunate at the period of time when he served in Congress, in having him in here than any other person I know, with due respect to all the representatives from California. This was a period of change. This was a period when we needed someone with courage and vision to take a look around and say, "We have to do something about our heritage, to strengthen the United States." Without him, I am sure my friend from California will agree, although many of these things would have been done ultimately, they would not have been done on time. Clair Engle saw to it that they were done on time.

This was a part of him. When he took hold of something, he was like a bulldog. I know that he would not mind my saying that sometimes I thought he was stubborn. However, even this made him a great legislator. This is what constituted his monument so far as the country and California and the West are concerned, and what makes that monument stand so high. He combined in him, as has been said by many Senators today, he had a great sense of humor. The Senator from Texas mentioned how Clair Engle relieved tensions in committee with a bit of whimsy now and then. He was often very valuable in that respect, particularly toward a chairman, when there are two sides to a controversy. I could remember many of the things that the Senator from Texas has referred to.

I wish I could remember many of the things he said. The Senator from Texas has related some of them. I suppose that if someone had written them down and put them into a book, the statements of Clair Engle would surely rival those of another great American, Will Rogers. Clair Engle always had an illustration that was homely and to the point, and one which contained enough humor to prove a point while at the same time relieving tension.

With all Senators, I mourn his passing. I do not suppose that he would wish us to mourn him, but we do, because he was the warm, friendly person whom we loved so well. We must mourn him not only for himself, but for the work that he did for our country.

I do not know whether in his last days Clair knew that the great bill providing for an intertie arrangement was signed by the President of the United States. He probably did. That was one of Clair Engle's great achievements.

He was one of the architects of what will be the biggest boon to the West in future generations and for all time.

Once he said to me, "You know, we politicians of today will be judged in the future by how we take care of the great heritage that God has given us, particularly in the West." He believed that.

Mr. President, not enough could be said about the service of Clair Engle to his country and to his fellow men.

There are many other aspects of his life of which I could speak. I speak briefly of the field of mining. I have attended mining congresses which Clair also attended. There are a great number of extremists in the mining field. Clair and I used to be called extremists on the gold question. There are extremists; everyone has an idea which he champions. At those congresses Clair had the faculty of being able to talk to miners. They were his own people; he knew them; he grew up with that type of person. He could bring the discussion to a level so that an objective could be reached in as commonsense a way as possible.

He had many other faculties that resulted from a life of public service. Clair spent his entire life in public service, and it covered many years.

I have never heard anyone, even his political enemies—and the Senator from California [Mr. KUCHEL] will bear me out—utter one breath of scandal involving Senator Engle in all the years he served the people of California in various capacities.

Yes, he was controversial because he stood for things and he believed in them. But all who opposed him respected Clair as an individual and his ability to judge and to think things through. Surely he always thought of the people whom he represented.

I mourn him. I need not tell Lu how Mrs. Magnuson and I feel about her bereavement. I need not put that on paper or even in the CONGRESSIONAL RECORD. I am sure she knows how we all feel.

Mr. JACKSON. Mr. President, like several other Senators, I had the privilege of serving in the House and in the Senate during the long and distinguished career of the late Senator Clair Engle. While a Member of the House of Representatives, Clair represented a district in California that ran all the way from the Oregon line on the eastern side of California to the Mexican border. In that district were to be found most of the problems that one finds in the West. While he was a Member of the House of Representatives, Clair was probably one of the ablest advocates of the solution of western problems than anyone else who has ever served in that body. As a member of the House Committee on Appropriations, assigned to the subcommittee of the Interior Committee, I had the opportunity of working with him on the many projects in which he was interested and which concerned that section of the West that he represented so well.

In his later years of service in the House of Representatives he served as chairman of the Committee on the Interior. In that capacity he was the author of many bills that have meant so much to his area and to the entire West.

In all that he undertook in the House of Representatives and later in the Senate, there was evident a distinct and outstanding trait of courage. He was never afraid of anyone. He would fight his problem through to victory. If he did not win, those who participated in it knew that they had been in a fight.

After Clair Engle came to the Senate, it was then my privilege to serve with him on the Senate Committee on the Armed Services. There he plunged into all of the problems that we face in national defense. He did so with a wonderful understanding of the issues bearing on the security of our country. He made many, many contributions to the work of the committee during the period that he served.

Again he was courageous in everything that he undertook to do. As we all know, this trait of courage carried through to the last days of his life. There is not a man in this body who could not help but be affected by the way in which Clair Engle endeavored to carry on until his last day on earth.

So the Senate and the House of Representatives have lost one of their ablest servants. My wife and I extend to Clair Engle's wonderful wife Lu and his family our deepest sympathy.

Mr. PASTORE. Mr. President, no one who had the privilege of serving in this Senate of the United States with Clair Engle will ever forget our dynamic colleague.

There was a challenge to his very, every day, charge to his chair in this Chamber. No State ever cherished a more able and eloquent advocate of its interests—and our country and the world knew no man more knowledgeable of their problems and perils.

He was tireless at every task and he never lost a fight until "finis" was written to the life of this lovable man.

How proud he was of his public service which began at the age of 23 as district attorney of his California county. How proud he was of service under the California Attorney General Earl Warren. And how proud his Golden State was of him.

His Washington days were crowded with California's concerns—and he never spared himself until nature called a halt.

Clair Engle never gave in. We cheered him when his indomitable spirit brought him back here—broken in health—but brave beyond belief. We prayed that he might be spared and restored to health and to our circle. But more than a lifetime's work had already been done by this patriot who lived and labored in the most critical half century of our country's history.

Clair Engle is an immortal part of that history. We are the better for having turned those pages with him—and America is the better for the soul and service of a great American—dead all too soon.

To his loved ones goes our sincere sympathy. On this March day of 1965 our tribute may seem tardy—but it is indeed a timeless tribute in this Chamber where the memory of Clair Engle will be ever fresh—and always present.

Mr. MUNDT. Mr. President, I desire to be associated with those paying tribute to the late Senator Clair Engle, of California, with whom I served both in the House and in the Senate for many years. Clair Engle was a warm personal friend of mine, a most effective Member of the House, and a Senator steadily gaining in influence and prestige. His premature death came as a shock to us all and was a great loss to our Nation.

Clair Engle was a dedicated public servant with a zest for life and an abundance of energy and native ability. It is tragic indeed that one with such a brilliant future who loved life so much and served the public so well should be smitten at the heights of his career.

Mrs. Mundt joins me in extending to Mrs. Engle our sincerest sympathies and in paying tribute to a personal friend and a public servant who will be greatly missed by all of us.

Mr. ROBERTSON. Mr. President, the late Senator Clair Engle was a hardworking and valuable Member of Congress for more than 20 years, and if illness had not taken him from us in the prime of life he undoubtedly would have enjoyed the continued support of the people of California for many years to come.

I first knew him when we were both Members of the House. He began his career in that body in the fall of 1943, and I had a chance to observe his ability for about 3 years before I moved over to the Senate.

It was a source of satisfaction to me when the voters of California elected him to the Senate in 1958. He was still a comparatively young man, and continued to devote himself diligently to the problems that are paramount in the Far West.

Senator Engle also served with distinction on the Armed Services and Commerce Committees.

We all admired the courage he displayed in returning to his desk in this Chamber when important issues were up for decision, even though his physical condition made it difficult for him to do so.

I want to join today with my colleagues on both sides of the aisle in letting Senator Engle's family know how much we here in the Senate thought of him.

Mr. TOWER. Mr. President, today we recall the sadness that afflicted us all when our good friend and colleague Clair Engle passed from the scene. I cannot forget the kindness and cordiality he extended me as a freshman Senator, even though I was of the opposite party and political disposition. I cannot forget his willingness to work with and cooperate with fellow westerners and southwesterners on matters that affected our section of the country. I cannot forget his warmth, his energy, his ability to contribute to a cheerful and friendly atmosphere which made more conducive the resolution of differences. His tenacity, his courage, his determination through months of pain and suffering should stand as an inspiration to us all.

How we miss Clair Engle.

Mr. WILLIAMS of New Jersey. Mr. President, as this august body rises today in tribute to its trusted Member, wise statesman, and respected friend, Clair Engle, I am reminded once again of Robert Frost's cherished words:

> The woods are lovely, dark, and deep
> And I have miles to go before I sleep.

Mr. President, these words seem particularly appropriate on this occasion. Clair Engle was obviously a purposeful man and a dedicated public servant. He knew where he wanted to go and what he wanted to accomplish. Through law school, as district attorney of Tehama County, Calif., and later as a U.S. Senator, the goals Clair Engle pursued so untiringly were always those which were in the best interests of his State and the Nation.

His political philosophy was essentially one of optimism—he met opposition, from whatever source, with courage, and determination; he enjoyed victory with humility; and he accepted defeat with dignity. And when he became ill, we saw him, despite formidable handicaps, fight on with the same tenacity which had given his life meaning.

Mr. President, Clair Engle's friends and colleagues will remember him for having given this Nation his best and for having covered his last, longest mile with his eyes fixed firmly on the hopes and aspirations of the future. We can look forward to those who would follow in his footsteps.

Mr. ALLOTT. Mr. President, a day of eulogy in the U.S. Senate is always a sad day for me. It is not a sadness in the sense of being depressed, but a sadness born out of memories of longtime associations cut short by the finality of death.

Today is such a day as we pause to pay tribute to a colleague with whom I had the privilege of serving on many committees and for whom I had the greatest personal admiration and respect. That respect and admiration for Clair Engle came from the recognition that he was a man of rare courage, sincerity, and dedication to principle. It came from a recognition that a devotion to his State and to its people was reflected in his every action, his every deed. It came from an awareness that Clair Engle was not a man who demanded respect, but that his dedication and sincerity commanded it.

Never was Clair's courage more apparent—and I am sure that each of us remember the occasion with great emotion—than on that day in 1964 when he was helped to the floor of the Senate to cast his vote on an issue of great human impact. That day will certainly be among those I remember most during my years in the Senate.

From the dramatic hush that fell over this Chamber when Clair's name was called for the vote, there came a faltering voice—but there was not a tear-filled heart on the floor of the Senate or in the galleries that doubted the voice came from a gallant and unfaltering spirit. It was this day, this occasion, my colleagues, that we should all remember as we reflect back on our association with Clair Engle. Such an example of courage and dedication could well become legend. And, of such legends other great deeds are born.

Mr. RIBICOFF. Mr. President, I want to join with my colleagues in the Senate in honoring and paying tribute to a great American—the late Senator from the State of California, the Honorable Clair Engle.

I had the privilege of serving with Clair Engle both here in the Senate and in the House of Representatives. He walked in the midst of his people—the champion of their cause, defender of their rights, servant to their needs. His greatest monument is the good works he performed during a lifetime of public service.

The courage of the man needed no testing but when struck by serious illness his every step and act from that time until his death was an act of courage. I shall never forget one incident. The Senate was in late session. We were nearing the end of the debate on the 1964 tax-cut bill. My amendment to encourage industry to install clean air and clean water facilities in their plants was scheduled for consideration that evening. As late as it was the Senator from California was in his chair waiting to help and lend his support to a cause he so long championed. The Senate adopted the amendment. I will never forget that one example of a man's devotion to that in which he believed and stood for. Clair Engle will be missed but the Nation and the world are better because of him.

Mr. McCLELLAN. Mr. President, the late Senator from California, Clair Engle, was a man of great strength of character and courage. Refusing to yield to the disabling effects of his tragic illness, he demonstrated to all of us in this Chamber the tremendous willpower which had served him so well throughout his entire political career. He began that career of service to the people of California modestly when he was chosen as a county district attorney in 1934, and culminated it with his election to the Senate of the United States in 1958.

During his 30 years, as a public servant, Clair Engle showed unwavering devotion both to his party and his country. But, his finest hours came in his darkest hours. Struck down by a disabling ailment in the prime of life, he carried on his work in the Senate with the able assistance of those who knew and loved him, until divine providence finally relieved him of his almost unbearable burden. Mr. President, Mrs. McClellan joins me in extending our sympathies to his devoted wife and their daughter, Yvonne.

Mr. SCOTT. Mr. President, I served in the House of Representatives for over 12 years with our late colleague from California, Clair Engle, and we came to the Senate together in 1959. In recent years we served together on the Senate Commerce Committee and the Select

Committee on Small Business. We also served as delegates to the Commonwealth Interparliamentary Conference at Canberra, Australia, in 1960, where I came to know him even better as a very warm, friendly, and human person. He carved a place in the history of his State and his country, and in the hearts of those of us who were privileged to know and work with him.

Mr. STENNIS. Mr. President, the untimely passing of Senator Clair Engle was for me the loss of an esteemed colleague and a dear friend. It was for California the loss of a capable and dedicated public servant. The Nation lost a great patriot.

My association with him was a rich and valuable experience. As I served with him on the Senate Armed Services Committee, I came to recognize his great drive and his interest in building the military strength of America. He was devoted to the philosophy and the causes he believed in, and he gave unsparingly of himself to attain his goals.

He was a man of great courage, a tireless worker, and a genial friend, who made many friends for his State, as well as for himself. He possessed the strong qualities of devotion to duty and constant awareness of the problems of the day. Many of the programs of the Department of the Interior are the result of his interest and influence.

A faithful public servant who fought valiantly for his causes and convictions, he devoted his energies and his ambitions to representing his State and his country in a superior manner. The spirit of this dedicated man will live in our hearts always, and our lives will be enriched because knew him.

Mr. FONG. Mr. President, I join with my colleagues in paying heartfelt tribute to the late, great Senator from California, Clair Engle. Those of us who served with him before his untimely passing last year, knew him for his many outstanding qualities—his remarkable energy, his legislative skills, his warm personality, his dedication to public service.

We were deeply saddened when he was struck down by his lengthy illness and by his enforced absence from the Senate. Yet, he rose above physical disability—literally from his sickbed—when vital issues were being decided in this Chamber. We who witnessed his courageous appearances on this floor to cast his votes under the most difficult and hazardous conditions will long remember and respect Clair Engle's indomitable spirit.

Although he devoted his energies and talents to legislative tasks in many areas, notably in the development of the vast natural resources of his great State of California and the western region of this Nation, I wish to pay tribute especially to his efforts in behalf of statehood for Hawaii. For a number of years, as a member of the House committee dealing with territorial matters and as its chairman for 4 years, prior to coming to the Senate, he was deeply involved in the question of statehood.

In the final push to pass the statehood bill in 1959, Senator Engle gave this vigorous statement in testimony before the Senate Subcommittee on Territories and Insular Affairs:

> I am convinced without question that the Territory of Hawaii has long been ready for statehood and that we will be guilty of grave dereliction if we delay any longer to bring it about.

In the passing of Clair Engle, the Nation lost a most valuable member. Although only 52 at the time of his death, he had already amassed a vast amount of experience and background in his 30 years of public life—assets which would have continued to enrich this Senate if he had lived longer. The Senate is truly poorer for his passing.

Mr. TALMADGE. Mr. President, we pause today to honor the memory of the late Senator from California, whose untimely passing saddened his loved ones, many friends, and colleagues. The death of Senator Clair Engle was a great loss to this body, and especially was it felt by the citizens of the State of California whom he represented so long and so well in both the House of Representatives and here in this Chamber.

Those who knew and worked with him respected him for his wisdom, dedication to duty, and ability. The Nation and the State which Clair Engle served have lost a sincere, devoted, and valuable public servant, and his presence and the outstanding service which he rendered will be sorely missed.

Mr. RANDOLPH. Mr. President, with the untimely death of Senator Clair Engle, the citizens of California and the Nation have lost a responsible and effective public servant. Members of the Senate have lost a cherished and trusted friend.

The energy and courage of this man were an inspiration to all who worked with him in this body as he actively participated in the building of a better America. Clair Engle and I served together in the House of Representatives, and in the Senate we shared assignment as members of the Select Committee on Small Business and the Special Committee on Aging. I count it a privilege to have labored at his side during years of challenge and progress.

As a Senater from our most populous and one of our more prosperous States, Clair Engle was a participant in a process of growth and expansion which has materially affected the national economy, and hence, the lives of each of us. Through times of decision he was the forceful representative of, and eloquent spokesman for the interests of his friends and neighbors of the Pacific coast. He was knowledgeable in matters relating to the armed services of the United States, and was an experienced and informed counselor in aviation affairs.

Above all, Clair Engle was a dedicated and patriotic American—one whose talent and integrity were employed to enhance the lives of his fellow men and to insure that our way of life will endure for future generations. We meet today to express our sense of grief and loss at his passing, and to share heartfelt sympathies with his family and loved ones. Clair Engle will be remembered for his good works and his good life.

Mr. CURTIS. Mr. President, I wish to join with the others in paying tribute to the late Senator Clair Engle, of the State of California.

We will always remember Clair Engle for the valiant and determined fight that he put up in the face of serious illness. His courage and his drive will forever be an encouragement to all who are faced with problems of health. Senator Engle appeared on this floor when no doubt it would have been wiser for him not to make the attempt. He was, however, striving to overcome a serious illness. He was making every effort to represent his State and to carry his part of the workload in this body. This was typical of Clair Engle. He was a well-prepared, thorough, and hard-working public servant. To serve was his determined course of action to the very end.

We will also remember Clair Engle for his contribution to the cause of conservation. During his service in the House of Representatives, as well as in the Senate, he held many important committee assignments. Included in his committee assignments was his service with great distinction as the chairman of the Committee on Interior and Insular Affairs of the House of Representatives. Senator Engle was an authority on water conservation. He knew his facts. He knew his law. His efforts were put forth for the lasting good of our country. Those of us who have been interested in the development of our water resources will forever be grateful to Clair Engle for his accomplishments in this field.

Clair Engle was a kindly and friendly man. He was a gentleman and a scholar. There are few people who are greater students of Shakespeare than was Clair Engle. This was one of his many accomplishments.

In paying my respects to the memory of Senator Clair Engle I want to embrace all the fine things that my colleagues have said about him today. I wish to extend to his dear ones my most sincere sympathy.

Mr. SYMINGTON. Mr. President, as we in the Senate pause this day in memory of a cherished colleague, one recalls the qualities of the man that endeared him to friend and foe. A competitor in the best American tradition, Senator Clair Engle lived with zest and gusto.

For 21 years he brought to the Nation's legislative chambers the indomitable spirit of the West and the forthright, colorful language that penetrated to the heart of the issues. I feel a deep sense of gratitude for having known Clair Engle.

An independent thinker, a fearless fighter, Clair Engle died as he lived, with gallantry and devotion to the cause of humankind. His summoning of strength and determination to come to these chambers by ambulance and wheelchair to lift his hand in favor of the civil rights bill last June was the mark of a man in whose character this Nation will long rejoice.

Some of the highlights in the life of Senator Clair Engle appeared in a moving article in the New York Herald Tribune at the time of his death. I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, July 31, 1964]

SENATOR CLAIR ENGLE OF CALIFORNIA DEAD OF BRAIN INJURY AT 52

(By John G. Rogers)

On April 13, only 3 months ago, Senator Clair Engle rose unsteadily from his seat in the U.S. Senate, helped to his feet by an aid. Leaning heavily against his desk, right arm in a black sling, the California Democrat struggled to summon up the few words needed to introduce a bill.

A painful silence prevailed as his colleagues watched Senator Engle—onetime cowboy, amateur boxer, and an active buzz saw of a man—fight against the partial paralysis that had gripped him since a brain operation 8 months earlier. After an agonizing moment, he could bring forth only one audible sound, but not a complete word.

A fellow Democrat, Senator PAT MCNAMARA, of Michigan, then introduced for him the bill to delay construction of a powerplant in a California earthquake zone. Senator Engle was virtually carried from the Chamber by two staff members.

Yesterday, at the age of 52, at his home in Washington, Senator Engle died in his sleep. He had been bedridden most of the time since a second brain operation 11 days after his brave attempt to introduce the bill in the Senate.

Despite this, he had answered the rollcall in June via ambulance and wheelchair to vote in favor of the civil rights bill.

A man of great determination and energy, a political campaigner who piloted his own plane to cover California's vast distances, Senator Engle insisted after his first brain operation that he would be a candidate for reelection this year.

Not until 5 days after his second operation did he make the final concession that his health simply was not up to it. He announced in a statement that he would not seek reelection, and added:

"I am now deep in another kind of battle."

Clair Engle was born in Bakersfield, Calif., on September 21, 1911, and grew up in Red Bluff in the northern part of the State where he learned to ride and rope a calf as a boy. In high school he was a basketball star and so rough a boxer that friends urged him to turn pro.

He received an appointment to West Point, but rejected it, turned to law and had his degree from the University of California at the age of 21. Returning to Red Bluff, he was elected Tehama County district attorney at 23, the youngest ever to hold such a post in California.

He became known as a tough prosecutor and a man pungent with words. "I'm sure goin' to throw a skunk into your henhouse," he'd snap at an opponent. Earl Warren, then California attorney general and now Chief Justice of the United States, asked Mr. Engle to handle a difficult case in an adjoining county. He accepted, got the conviction and a $2,000 bonus from the State legislature.

Mr. Engle used the money to finance a campaign for the State senate. After one term, he ran in 1943 for an expired term in the House of Representatives and was elected. He was reelected every 2 years from then on, usually winning both the Democratic and Republican primaries, until 1958, when he won his Senate seat.

A tobacco chewer since the days he campaigned among miners, Senator Engle had great zest for fighting politics. "Whenever I see three people together," he once said, "I adjust my tie and clear my throat."

He told an opponent, "You wouldn't know an irrigation ditch if you fell into it." In rodeo terms, he told an aid: "Son, come out of that chute with your spurs tied down, goin' for top money or dirt."

Senator Engle was a colonel in the Air Force Reserve.

Surviving are his wife, the former Lucretia Caldwell, of San Jose, Calif., and Yvonne Lorraine Engle Childs, a daughter by a previous marriage.

Mr. MUSKIE. Mr. President, it is a privilege to join with my colleagues in tribute to our late colleague and friend, Clair Engle, whose memory is still fresh and alive for us all.

He was a man of practical wisdom, and courage, and dedication to his fellow man, and all of us who knew him carry his spirit with us and draw strength from it.

His untimely death is mourned today, as it should be, but the character of his life and the stature of his accomplishments remain a source of courage and inspiration for us.

His passing has deprived a family of a husband and a father, and it has deprived California and our Nation of an able leader. But the memory of Clair Engle enriches the lives of us all who were fortunate enough to have known him and worked with him.

On this day, we mourn because of the unfulfilled destiny of a brilliant career, but we take heart at the quality of his achievements and public service.

I consider it an honor to have served in the U.S. Senate with Clair Engle, and to have been his friend.

Mr. LONG of Missouri. Mr. President, I shared the universal feeling of sadness in the Senate when in the closing weeks of the last session of Congress, we received the news that the life of Senator Clair Engle had ebbed away. It is with an understanding of the great sense of loss on the part of the Members of this body that I join my colleagues in paying tribute to him. His qualities of determination and devotion to duty and to his home State of California were evident to me during the short time I was privileged to serve with him in this Chamber. But they were never so apparent nor impressive as when in his last days he insisted on leaving a sickbed and risking his life at every moment to come into this Chamber to cast his vote on issues of great importance to this Nation, and therefore, to him. His life's record shows him to have been a man of brilliance and many capabilities, demonstrated by a lifetime of public service. His energy and perseverance in the face of physical adversity could serve as a model to us all. I am sure that his State, and our Nation, and each of us are better for having known him. His family and his friends have my deep sympathy.

Mr. FULBRIGHT. Mr. President, I join my colleagues in paying tribute to the memory of the late Senator Clair Engle.

It was my privilege to know Clair Engle during his long and distinguished service in the House, where he established himself as an outstanding legislator. As chairman of the Interior and Insular Affairs Committee, he left his mark on reclamation and conservation projects in all sections of our country, and particularly in his own State of California, where the Central Valley project and other reclamation and irrigation works will stand as lasting monuments to him. After his election to the Senate in 1958, he quickly established himself as an able representative of California and an effective member of the Armed Services Committees and the Commerce Committee.

The vigor and diligence of Clair Engle were an inspiration to all of us who served with him, both in the House and in the Senate. No Member of Congress ever worked harder or longer for his State and his country. He was an energetic crusader for the little men—workers and small businessmen. He was a strong supporter of an expanded Federal role in the field of education.

It is a tragic irony that one with such zeal and boundless energy should have been cruelly stricken with an illness which took its toll little by little, day by day. Yet, even in the tragic days which preceded his death, Clair Engle continued to fight for his convictions—as well as for his life. No man who served in the Senate during the 88th Congress will ever forget his courage in coming to the floor to cast his vote for cloture on the civil rights bill. This sacrifice made a lasting impression on proponents and opponents of that bill, alike. It was an act of physical courage which will live in American history.

Mr. President, it was an honor for me to serve in the Senate with Senator Clair Engle. We miss him.

Mr. BAYH. Mr. President, courage, good will and genuine ability are qualities rarely combined in the person of one man. To have known such a man is a rare privilege; to have worked as a colleague of such a man is an honor, indeed. Those of us who were so honored by Clair Engle feel a sense of loss which can never fully be assuaged.

Clair Engle was an outspoken man. He was a man of clear conviction who never feared to give voice to his conscience. He was a man of almost boundless energy who tirelessly channeled that energy to the service of his State and Nation.

Clair began his public career at the young age of 22. From that time forward he was never out of the service of the people. First as district attorney, then as California State senator, next as a U.S. Congressman for eight consecutive terms, and finally as a U.S. Senator he applied the same ideals of fairness and justness to all his endeavors.

None of us who served with him will forget the courageous way in which he fought his final battle. Although I came to know him only late in his career, my respect for him was great. So dedicated was he to his beliefs that he fought to see them prevail until the very end was near. We miss him. Mr. President, the country misses him.

Mr. THURMOND. Mr. President, I join in paying tribute to the memory of our late friend and colleague, Clair Engle. Even though many miles separated the States we served in the Senate, and although we did not vote alike on many issues, I counted Clair Engle as a valued friend and an admired colleague. I had the pleasure of serving with the distinguished Senator from California on the Armed Services Committee and on the Commerce Committee. In working with him on these important committees, and on the Senate floor, I found Clair Engle to be an honorable and conscientious public servant, who faced the tasks confronting him with ability, vigor, and dedication. He had the respect and confidence of the people who honored him with a seat in the U.S. House of Representatives for so many years, and then in the U.S. Senate, until his untimely and tragic passing.

I know that the membership of this body will never forget the courage demonstrated by Clair Engle in fighting the ailment which finally took his life. They will not forget the strong sense of duty which prompted him to get out of his sickbed to be present and cast his vote in the Senate on an issue which was crucial to his convictions.

In the House of Representatives he was particularly noted for his distinguished service as chairman of the Committee on Interior and Insular Affairs. He gained wide respect and admiration in the House, just as he had attained in the Senate.

Clair Engle was held in high esteem by his colleagues in the House and Senate, not only because of the abilities he displayed, but also because he was such a warm and personable individual. He was never at a loss for a kind word or a lighthearted remark to suit the occasion. He was a person who tried to be helpful to everyone, both in his personal and business affairs.

Clair Engle will be greatly missed by his fellow colleagues in the Senate and by the people of the great State of California. I feel a deep personal loss in his passing, and extend my warm and sincere sympathy to his beloved wife, who was such an inspiration to him, and to the other members of his family.

Mr. BOGGS. Mr. President, the late Senator Clair Engle of California was an able, energetic individual whose passing was a great loss to this body and to his State and Nation as well.

He was kind. He was thoughtful. He was courageous. It was a privilege to know him and work with him. We miss his counsel. His memory will always remain with us.

Mrs. Boggs and I join in paying homage to the memory of this great Senator and extend our profound sympathies to his family.

Mr. BYRD of Virginia. Mr. President, I wish to be among those in the Senate of the United States who today pay tribute to our late colleague, Clair Engle, of California.

It was my privilege to serve with him most closely on the Armed Services Committee. In that association I had the opportunity to learn at first hand of Senator Engle's fine patriotism and deep fidelity.

No one who saw his efforts here on the floor of the Senate could doubt his courage, and all of us who know him profited by his gentility and keen intellect.

Senator Engle spent most of his adult lifetime in the public service of his community, his State and his Nation. He was a man of outstanding capabilities.

His loss is felt deeply by the Senate, as I am sure it is by the State he represented, and as I know it is by all of us who knew and worked with him.

Mr. JORDAN of North Carolina. Mr. President, it is not easy for any of us to talk about the loss of our colleague and friend, Clair Engle, even though he passed on some time ago. It is not easy, because we still cannot think about him without feeling that he should be here among us.

Clair Engle is the kind of man his friends will never forget. He was able, he was forceful, he was fair, and above all, he was gentle, friendly, and kind. I do not know of any person who had the privilege of knowing him who did not consider him a friend. He was the kind of man that people are compelled to like and admire regardless of political beliefs.

During the years we served together, I never had the privilege of serving on any committees with Senator Engle, but I came to know him through his work here in the Chamber and as a personal friend. In all the time I knew him, he was always friendly and cordial, and he always had a kind word and a smile for everyone, even in his final days. He had a way of making everybody around him feel good.

The history books will carry the story of the unselfish and constructive public service he gave to his country, but for those of us who knew him, this is just a part of the story of the man, and the qualities he possessed we will all remember all of our days.

Mr. BASS. Mr. President, I never had the privilege of serving with the late distinguished Senator from California in this body. However, I was honored to be one of his colleagues in the House of Representatives before he was elected to the Senate. I was also honored to be one of his contemporaries socially. I was the recipient of his friendship. Our wives are still friends.

The Congress and the Nation lost one of its great leaders with the passing of Clair Engle. His work in the field of reclamation and conservation while chairman of the Interior Committee of the House of Representatives as well as during his service in the Senate will serve forever as monuments to his memory. He will be missed by his generation but future generations will forever profit from his contributions to the progress of this Nation.

Mrs. Bass and I extend our sincere condolences to his lovely wife Lu and other members of his family.

Mr. HARTKE. Mr. President, in January, 1959, I came to the Senate along with an extraordinarily large group of new Members. Among them was the Honorable Clair Engle, of California.

Senator Engle and I subsequently served together at many committee meetings. We became social friends. We shared the daily experiences of both service and pleasantry.

Clair Engle was dedicated to his State and to his Nation. He was a man of talent and promise. He was a man of warm personality who worked hard, but who worked easily with others. He was, above all, a man.

This promise was cut off early in his career by untimely death. California, the Senate, and the United States of America are the poorer for having lost Clair Engle.

I am poorer for having lost a colleague who was a true friend.

Mr. JAVITS. Mr. President, Clair Engle, one of our dear friends and colleagues, has left us all a heritage of dedication, love for his home community, great patriotism, and a high order of ability. At a reverent memorial service like this one, we must speak in terms of personal experience. I was well acquainted with Clair's tremendous knowledge of military affairs and of public works development in the broad areas of his native State.

But personally, the happy memories of him that remain in my mind are his unique, original, and indeed joyous description of his 600-mile-long congressional district, and literally the adventures of campaigning it. Indeed, for him every single trip, even the one right after election, was a campaign trip because he could not hope to get to that town or hamlet again. As rich in stories as his love for cigars, Clair was a happy exponent of the Golden West. A second memory is of Clair rushing into the well of the Senate, chewing on his cigar, which constantly seemed to be slipping out of his mouth, and voting yea or nay with that crispness and decisiveness so typical of his character. He made one smile, for he saw himself, too, in the role of being overwhelmed with work and yet relishing every minute and standing off a bit to enjoy it and himself. Clair will always be in my memory as a happy part of the House and Senate, and this is probably the best heritage which any man can have of a friend and colleague.

Mrs. Javits and I extend most sincere condolences and sympathy to Mrs. Engle and the family.

Mr. MURPHY. Mr. President, I consider it an honor to join my colleagues in paying tribute to the man whose seat I am privileged to occupy in the U.S. Senate. This was a man who not only devotedly represented the people of our State of California with energy and capacity but who also did so with a grace and affability which earned for him a rare measure of affection as well as respect from those for whom he worked in this Chamber. It was this sincerity and personability which caused his loss to be so deeply and sorrowfully felt by the people of California. And it was because of this also that Clair Engle will always be remembered as a great spokesman for his State and for his Nation.

SENATOR ENGLE—MAGNIFICENT COURAGE

Mr. MILLER. Mr. President, I am among the many who held Senator Clair Engle as a friend and a very knowledgeable and able legislator.

I remember with gratitude the friendly and helpful consideration he extended to me when I was a new Member of the Senate, in 1961.

His friendship meant a great deal to me, as I am sure it did to all of us.

His magnificent courage in the last months of his tragic disability was in the finest tradition of the people of his great State and of the U.S. Senate.

Mr. MANSFIELD. Mr. President, a number of our colleagues in the Senate who would like to have the opportunity to deliver addresses on the life, character, and public service of the late distinguished Senator Clair Engle are absent from the Senate today in performance of their duties. Every Senator should have the opportunity to express his thoughts and make memorial statements concerning the late Senator from the State of California. Accordingly, I ask unanimous consent that absent Senators be permitted to make memorial addresses and insert statements in the RECORD eulogizing the late Senator Clair Engle until March 15. Not enough can be said about the contributions the late Senator from California made to our country.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

AUTHORITY FOR RECEIVING MESSAGES, FILING REPORTS, AND SIGNING ENROLLED BILLS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session until Thursday, March 4, 1965, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives; that committees be authorized to file reports; and that the Vice President or President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, it is my intention to move to adjourn the Senate until 11:30 a.m. Thursday next. The reason I desire the Senate to adjourn until 11:30 a.m. rather than the ordinary hour of 12 noon is to permit the recess of the Senate on that day from 12 noon until 1 o'clock to observe the exercises commemorating President Lincoln's second inauguration.

ADJOURNMENT TO THURSDAY AT 11:30 A.M.

Mr. MANSFIELD. Mr. President, as a further mark of respect to the memory of the late Clair Engle, I move that the Senate stand in adjournment until 11:30 a.m. on Thursday morning next.

The motion was unanimously agreed to; and (at 4 o'clock and 8 minutes p.m.) the Senate adjourned until Thursday, March 4, 1965, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 1, 1965:

CIVIL SERVICE COMMISSIONER

John Williams Macy, Jr., of Connecticut, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1971. (Reappointment.)

DIPLOMATIC AND FOREIGN SERVICE

Armin H. Meyer, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iran.

Dwight J. Porter, of Nebraska, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lebanon.

THE JUDICIARY

Harold Leventhal, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit, vice Wilbur K. Miller, retired.

Howard F. Corcoran, of Maryland, to be U.S. district judge for the District of Columbia, vice Charles F. McLaughlin, retired.

Edward Allen Tamm, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit, vice Walter M. Bastian, retiring.

COMMISSION ON HUMAN RIGHTS

William L. Taylor, of New York, to be staff director for the Commission on Civil Rights.

HOME LOAN BANK BOARD

Michael Greenebaum, of Illinois, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1965, vice Joseph P. McMurray.

Michael Greenebaum, of Illinois, to be a member of the Federal Home Loan Bank Board for the term of 4 years expiring June 30, 1969.

CONFIRMATION

Executive nomination confirmed by the Senate March 1, 1965:

PUBLIC HEALTH SERVICE

Luther L. Terry, of Alabama, to be Surgeon General of the Public Health Service for a term of 4 years.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 1, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., quoted these words of the psalmist: *Wait on the Lord; be of good courage, and He shall strengthen thy heart.*

Almighty God, as we wait on Thee in prayer, we feel that Thou art holding before us many high hopes and longings which must be enshrined and enthroned in the life of humanity.

Fortify us by Thy spirit against the moods of doubt and discouragement and may we be more dedicated and diligent in behalf of the kind of a life that is just and merciful and that seeks the welfare of the needy.

Inspire us with a new spirit of generosity and love that unites us in one great struggle to emancipate all mankind and help it to find and enjoy a free and fuller life.

Grant that the quality of the Master's life may be more clearly revealed in us and use us in leading the members of the human family to find the way to the more blessed and abundant life.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 25, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 45. An act to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. HICKENLOOPER, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 21. An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

CONSTITUTIONAL AMENDMENT PROPOSED FOR LEGISLATIVE REAPPORTIONMENT

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, I am today introducing in the House a joint resolution proposing an amendment to the Constitution of the United States to preserve to the people of each State the power to determine the composition of its legislature and the apportionment of the members of our State legislatures in accordance with law and with the provisions of the Constitution of the United States.

Similar resolutions have been introduced in both the House and the Senate during this session.

A discharge petition has also been placed on the Speaker's desk on this issue, evidencing the much interest of the

Members of Congress, State legislatures, and others in this matter.

Many of our State legislatures are now in session working on reapportionment legislation.

Some 38 Members of the Senate have joined in cosponsoring similar legislation in the other body. Numerous State legislatures, including the General Assembly of Tennessee, have adopted resolutions memorializing Congress to act in this regard.

It is my feeling that a constitutional amendment which would invest in the people themselves the right to determine the makeup of their own State legislatures is needed and necessary in order that government by the consent of the people shall prevail.

I think this legislation is needed and that the House should promptly consider a proper amendment to the Constitution to be submitted to the States on reapportionment—and bicameral legislatures preserved on the basis and the pattern of the Federal Establishment.

REENACTMENT OF THE SECOND INAUGURATION OF PRESIDENT LINCOLN ON EAST FRONT STEPS OF THE CAPITOL AT NOON ON THURSDAY

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, pursuant to a resolution adopted in the 88th Congress, I take this opportunity to advise the Members of the House that the joint committee established under that resolution has completed arrangements to commemorate the second inauguration of Abraham Lincoln. There will be an authentic reenactment of the second inauguration of President Lincoln on the east front steps of the Capitol at noon on Thursday.

Mr. Speaker, the committee has secured the services gratis of the famous Broadway and movie producer, Dore Schary, to stage the reenactment. Arrangements have been made for the distinguished U.S. Ambassador to the United Nations and former Governor of Illinois, Adlai Stevenson, to narrate the reenactment. The famous actor, Robert Ryan, will play the role of Abraham Lincoln.

There will be a program including the Vice President, the Speaker of the House of Representatives [Mr. McCormack], and the famous historian, Bruce Catton.

Members may secure additional invitations by calling the office of the Doorkeeper. They may also secure tickets for the event. However, the reenactment ceremony is open to the public and no tickets will be required.

I hope that Members will participate in this important commemoration of the second inauguration of Abraham Lincoln, the theme of which was his famous and immortal words: "With malice toward none, and with charity toward all."

I do not know of a more fitting time in the history of our country than now to be reflecting back to those immortal words. I urge the Members to give their full participation and support to this program.

SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks and Recreation of the House Committee on Interior and Insular Affairs be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

MISSISSIPPI AND EQUAL RIGHTS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, last Thursday in Mississippi, U.S. District Judge Cox dismissed felony indictments against 17 defendants, who were accused in connection with the brutal slaying last summer of the 3 courageous young civil rights workers, including Sheriff Rainey and Deputy Sheriff Price of Neshoba County. In dismissing the indictment Judge Cox said:

> The indictment surely states a heinous crime against the State of Mississippi, but not a crime against the United States.

I urge the Department of Justice to appeal this case immediately, but more than that I urge the Department of Justice to review the adequacy of present laws to deal with police brutality.

I have introduced a bill called the Improvement of State and Local Justice Act—H.R. 5427—which would provide criminal and civil remedies for unlawful official violence. When I first proposed this bill on May 2, 1963, I said:

> Probably no civil rights issue is of more immediate concern to racial and ethnic minorities than the inequitable administration of justice. Police brutality is an old story to minority groups, but familiarity with the experience has made it no easier to bear. No reader of newspaper accounts of recent events in Mississippi will regard the problem as a thing of the past. Also, police power has been abused by refusal to protect members of minority groups from unlawful violence at the hands of private persons.

Two years later—and untold acts of violence under color of law later—that statement is still tragically true.

The acts for which the 17 defendants were indicted would violate at least four sections of H.R. 5427 which make it a Federal crime for anyone, acting under color of law to:

First. Subject any person to physical injury for an unlawful purpose.

Second. Subject any person to unnecessary force during the course of an arrest or while the person is being held in custody.

Third. Refuse to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place.

Fourth. Aid or assist private persons in any way to carry out acts of unlawful violence.

In addition, the Improvement of State and Local Justice Act authorizes the Attorney General to institute proceedings for preventive relief against any individual who, under color of law, excludes any person or groups of persons from grand or petit jury service on account of their race, color, or national origin.

If justice is to prevail in the courtrooms of Mississippi, and similar jurisdictions, then discrimination in the selection of grand and petit jurors must cease.

All too often the abuse of police power with the concurrence of local juries has caused the legal system to be regarded with fear and cynicism.

Mr. Speaker, this kind of legislation is essential if the right of every individual to the equal protection of the law at every level—local, State, and Federal—is to be guaranteed.

THE 100TH ANNIVERSARY OF ABRAHAM LINCOLN'S 2D INAUGURAL ADDRESS

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I join my colleague, the gentleman from Illinois [Mr. Price], in calling attention of the House to the ceremonies which will occur on Thursday noon on Capitol Plaza on the 100th anniversary of Lincoln's 2d inaugural.

The resolution to establish a joint House-Senate committee to commemorate this significant event was established at the initiative of a former Member of the House, the Honorable Fred Schwengel, of Iowa. Although the events of last November 3 retired him from this body, it did not mean any lessening of his interest in this particular project. He has continued to devote his full energies to making this ceremony the fitting event it should be.

I am sure that all Members have Lincoln clubs and Civil War groups in their district and they will want to know that the souvenir programs and souvenir tickets will become Lincoln items to be treasured in the years to come.

I therefore suggest the Members avail themselves of these items, which may be obtained at the Doorkeeper's office.

THE 100TH ANNIVERSARY OF ABRAHAM LINCOLN'S 2D INAUGURAL

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, on Thursday we will celebrate the 100th anniversary of Abraham Lincoln's 2d inaugural.

This was a very historical occasion of course, but it was given lasting fame by his great address. That remarkable address, known for its famous phrase beginning, "With malice toward none, but with charity for all," summed up the civil war in concise, but above all in compassionate, terms.

As you know, Mr. Speaker, by act of this Congress Lincoln's second inaugural will be reenacted on Thursday. As a member of the joint committee planning this event, I want to reiterate to each Member of this body our cordial invitation to attend the ceremonies and participate in this historical event.

The famous film star, Robert Ryan, will play the role of Lincoln. Our Ambassador to the United Nations, Adlai Stevenson, will narrate the reenactment. Dore Schary, the noted producer, writer, and director, will direct the scene, and also will produce a color film of the event for use throughout our Nation's schools.

We hope in this way not merely to call attention to the greatness of Lincoln, whose place in history certainly is secure; instead we hope to rekindle the magnificent vision which his words reveal and redirect our national purpose in line with his great goal.

I trust that a great number of the Members of this body as well as the members of their staffs will be present on this memorable occasion.

PEACE CORPS SCHOOL-TO-SCHOOL PROGRAM

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I want to add a word of commendation regarding the Peace Corps, and particularly to call attention to the Peace Corps school-to-school program.

Last week the director of this Peace Corps activity, Mr. Gene Bradley, received a special Freedom Leadership Award from the Freedom Foundation at Valley Forge, one of the highest awards granted this year.

Gene Bradley, as president of the Rosendale School PTA in Schenectady, N.Y., initiated the plan for the Rosendale PTA to provide funds for a schoolhouse in Casa Blanca, Colombia. With the cooperation of the Peace Corps and the support of its director, Sargent Shriver—but without any Federal financial support—the plan has gone forward.

The new schoolhouse in Colombia cost about $1,000 with most of the funds going for building materials. Local volunteer labor in Colombia was contributed for the actual construction of the school.

Following the initiation of the Rosendale PTA project, Mr. Bradley took a leave of absence from his post as editor of the General Electric Forum to head the school-to-school program within the Peace Corps.

It is the hope of the Peace Corps that under this program 3,000 schools may be built around the world within the next 3 years.

In addition to the promotion of greater international understanding, the program permits an active interest and benefit to our American citizens—particularly the young people—who share in the sponsorship of such school buildings.

In making its Leadership Award, the Freedom Foundation cited Mr. Bradley, in part, "for self-effacing effort that children everywhere might understand the principles of the free way of life, and find hope and personal dignity through education."

It is fitting on this fourth anniversary of the establishment of the Peace Corps to note the success and the promise of the school-to-school program, and to extend congratulations to the Peace Corps Director, Sargent Shriver, and to the director of the school-to-school program, Gene Bradley.

SARGENT SHRIVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to join other Members of the House in paying tribute to the Peace Corps. This project which began as an experiment in cooperation with other nations, on a people-to-people basis, has served as living evidence of America's desire to share the technological knowledge and modern-day skills which lead to economic and social progress. The Peace Corps has also served as an eminently successful ambassador of good will to the peoples of other lands. It has succeeded on a practical scale beyond our most hopeful expectations. Mr. Sargent Shriver, the Director of the Peace Corps, who was responsible for navigating the strange waters of this new undertaking, certainly is due much credit for its effectiveness. His administration has been exemplary not only in the history of foreign aid programs but in the history of Government administration itself.

President Johnson is to be commended upon having named Mr. Shriver to lead another new venture as Administrator of the Economic Opportunity Act designed to help Americans who up to now have been hemmed in by the barriers of poor and opportunity-shy environments and predict that Mr. Shriver will administer this new program with the same dynamism and proud results which have typified the Peace Corps during the past 4 years.

AMENDING INTER-AMERICAN DEVELOPMENT BANK ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. PATMAN, MULTER, BARRETT, SULLIVAN, REUSS, ASHLEY, WIDNALL, FINO, and HALPERN.

SPECIAL DAY IN HONOR OF DR. ROBERT HUTCHINGS GODDARD

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 301) to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics, and ask for its immediate consideration.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 301

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that rapid advances and developments in the fields of astronautics and related sciences are having an increasing impact on the daily lives of the people, the national security, and long-range human progress. It is therefore desirable and appropriate that steps be taken to promote greater public knowledge of the progress and achievement being brought about in these fields, and for that purpose to provide for special recognition and honor to Doctor Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics, and to designate and set aside a special day to honor his memory and his accomplishments.

SEC. 2. (a) The Administrator of the National Aeronautics and Space Administration shall promote public knowledge of progress and achievement in the fields of astronautics and related sciences by providing for appropriate ceremonies, meetings, and other activities on March 16 of each year, a day to be known and celebrated as Goddard Day in honor of the epochal achievements in these fields by the late Doctor Robert Hutchings Goddard.

(b) The President is authorized and requested to issue annually a proclamation calling upon officials of the Government and the public to participate in the ceremonies, meetings, and other activities held in observance of Goddard Day.

Mr. ROGERS of Colorado. Mr. Speaker, I offer several committee amendments, and ask unanimous consent that they be considered en bloc.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Committee amendments offered by Mr. ROGERS of Colorado:

On page 2, lines 6 through 8 strike the following: "promote public knowledge of progress and achievement in the fields of astronautics and related sciences by providing", and insert in lieu thereof the word "provide".

On page 2, line 10, strike the following: "of each year, a", and insert in lieu thereof ", 1965, said".

On page 2, line 14, strike the word "annually".

The amendments were agreed to.

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Speaker, I most earnestly urge this House to unanimously and immediately approve S. 301, as amended, because I very deeply believe it is one of the most meritorious legislative proposals ever presented to this House.

The summary purpose of this bill is to provide for the designation of March 16, 1965, as Goddard Day and to be known and celebrated as such in honor of the late Dr. Robert Hutchings Goddard, the father of modern rocketry.

At the early age of 17, Dr. Goddard had visions of an airship, rocket propelled, flying through space. With persevering faith and diligence, despite continued disappointments and even public ridicule, Dr. Goddard, in the town of Auburn, Mass., on March 16, 1926, successfully launched the first liquid-fuel rocket in world history. This first successful experiment formed the basis of the great U.S. developments in solid propellant rockets in the Second World War and it was the forerunner of continued and persistent research by Dr. Goddard leading to the advanced space age accomplishments we boast of today.

Dr. Goddard was the first modern man of science who recognized the potentiality of rockets and space flight and concentrated his energy upon the almost overwhelming task of nourishing them to practical fulfillment. Everyone in the world today acknowledges his work and his efforts in space flight experiment as among the most important technical accomplishments of our times marking as they do a turning point in the history of man.

Dr. Robert H. Goddard was born in my home city of Worcester, Mass., and was graduated from Worcester Polytechnic Institute there. This year, in the 100th anniversary of its existence, Worcester Polytechnic Institute is devoting a special program, on March 16, next, to commemorate the memory of Dr. Goddard.

Beyond other pertinent factors, it is most fitting that this House expedite approval of this bill today so that it may be finally enacted into law in time to be included as part of the special commemorative program being conducted on March 16, 1965, by Worcester Polytechnic Institute, the great educational institution that inspired and encouraged the scientific talents of a gifted young man whose achievements were destined to generate a whole new era and age of space exploration for a changed and hopefully better world to come.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE OF OBJECTORS, CONSENT CALENDAR

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a statement on the rules of operations of the Consent Calendar members.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, one of the most important procedures that the House follows in considering legislation is known as the Consent Calendar operation. It is under this procedure that most of the acts of Congress which become public laws are considered by the House of Representatives.

It has been the practice heretofore of the members of the Consent Calendar committees—the majority members and the minority members—to agree upon rules of procedure at the beginning of a session. I would suggest, to the new Members especially, that they read the statement, which has the approval of and bears the initials of all the members of the Consent Calendar committees, three members of the majority and three members of the minority.

The statement is as follows:

STATEMENT ON RULES OF OPERATION OF THE CONSENT CALENDAR MEMBERS

On February 3 and February 8, respectively, the majority and minority floor leaders appointed their respective personnel of the objectors committees, the gentleman from Oklahoma, Mr. ALBERT, appointed three members of his party and the gentleman from Michigan, Mr. GERALD R. FORD, appointed three members of his party. The objectors committees are unofficial committees of the House of Representatives, existing at the request and at the pleasure of the respective floor leaders of the two parties who, in order to facilitate the proper screening of legislation which may be placed on the Consent Calendar, designate Members of each side of the aisle charged with the specific responsibility of seeing to it that legislation passing by such procedure is in the interest of good government. The rule which is applicable to Consent Calendar procedure is clause 4 of rule XIII, found in section 746 of the rules of the House of Representatives. The operation of such procedure is described in Cannon's Procedures in the House of Representatives.

For several sessions now objectors on both sides of the aisle have followed certain rules for consideration of Consent Calendar bills which they have made known to the Members at the beginning of a session. These rules are not publicized at this time to establish hard-and-fast procedures but rather to advise the Members of the House as to the manner in which the committee plans to operate throughout the 89th Congress.

The members of the committees feel that generally no legislation should pass by unanimous consent which involves an aggregate expenditure of more than $1 million; second, that no bill which changes national policy or international policy should be permitted to pass on the Consent Calendar but rather should be afforded the opportunity of open and extended debate; third, that any bill which appears on the Consent Calendar, even though it does not change national or international policy, or does not call for an expenditure of more than $1 million, should not be approved without the membership being fully informed of its contents, providing it is a measure that would apply to the districts of a majority of the Members of the House of Representatives, in which case the minimum amount of consideration that should be given such a bill would be clearance by the leadership of both parties being brought before the House on the Consent Calendar.

It has been the policy of the objectors on the Consent Calendar heretofore to put such a bill over without prejudice one or more times to give an opportunity to the Members to become fully informed as to the contents of such a bill, and the Consent Calendar objectors for the 89th Congress wish to follow like procedure; fourth, that if a bill has been placed on the Consent Calendar and the members of the committee having jurisdiction over the legislation show that it has not been cleared by the Bureau of the Budget, by the respective Departments affected by such legislation, or that such reports from the committee or from the Department show that the legislation is not in accord with the President's program, it should not pass on the Consent Calendar but that the chairman of the House committee having jurisdiction over the legislation should either call it up under suspension of the rules with the permission of the Speaker or should go to the Rules Committee for a rule for such legislation. While the members of the objectors' committees feel that a report from the Bureau of the Budget is necessary before a bill should be placed upon the Consent Calendar, they do not wish to take the position that the report from the Bureau of the Budget must necessarily show the approval of such legislation by the Bureau. However, if such approval is not shown, then in the consideration of the legislation, even if considered on the Consent Calendar, the chairman reporting the bill, or the sponsor of the bill, should be willing to accept the responsibility of stating to the Members the action of the Bureau of the Budget and the reasons for such action.

The members of the Consent Calendar objectors' committee also feel it fair to state to the membership that it is not their purpose to obstruct legislation or to object to bills or pass them over without prejudice because of any personal objection to said bill or bills by any one member or all of the members of the Consent Calendar objectors' committee, but rather that their real purpose, in addition to expediting legislation, is to protect the membership against having bills passed by unanimous consent which, in the opinion of the objectors, any Member of the House might have objection to.

The members of the Consent Calendar objectors committee earnestly request that the chairman of the standing committees of the House having the responsibility for bringing legislation before the House take into consideration the contents of this statement before placing bills on the Consent Calendar. While it is not absolutely necessary that the sponsors of bills appearing on the Consent Calendar contact the various members of the Consent Calendar objectors committee, nevertheless, in the interest of saving time and avoiding the possibility of having bills laid over unnecessarily, it is good practice to do so; and the objectors welcome the continuance of the procedure of getting in touch with them at least 24 hours before the legislation is called up under the regular Consent Calendar procedure. In many instances such thoughtfulness on the part of the sponsors will clear away questions which the objectors have and consequently will make for the expeditious handling of legislation.

WAYNE N. ASPINALL,
JOHN J. MCFALL,
EDWARD P. BOLAND,
Majority Objectors.
THOMAS M. PELLY,
DURWARD G. HALL,
ALBERT W. JOHNSON,
Minority Objectors.

THE CONSENT CALENDAR

The **SPEAKER**. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the calendar.

MODIFYING THE FLOOD CONTROL PROJECT ON THE SCIOTO RIVER, OHIO

The Clerk called the bill (H.R. 2208) to modify the flood control project on the Scioto River, Ohio.

There being no objection, the Clerk read the bill, as follows:

H.R. 2208

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the flood control project for the Scioto River, Ohio, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the construction of the local protection works at Chillicothe, Ohio, at such time as the reservoirs on Alum, Mill, Big Darby, and Deer Creeks are under construction: *Provided,* That in the event the Mill Creek and Alum Creek Reservoirs are constructed by an agency other than the Federal Government, said agency shall furnish assurances satisfactory to the Secretary of the Army that it will provide flood control storage in those reservoirs equivalent to that proposed for the Federal reservoir projects, as authorized by the Flood Control Act of 1962, in accordance with the plan set forth in House Document No. 587, Eighty-seventh Congress: *And provided further,* That the Mill Creek and Alum Creek Reservoirs shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MODIFYING THE FOUR RIVER BASINS PROJECT, FLORIDA

The Clerk called the bill (H.R. 4606) to modify the flood control project for Four River Basins, Florida.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **PELLY**. Mr. Speaker, reserving the right to object, I note that department reports are not printed in the committee report on this legislation. It has been stressed in previous Congresses, by both Democratic and Republican objectors, that the committee should have the department reports included in the committee report.

In this case, Mr. Speaker, the committee has stated that with similar legislation in the 88th Congress, the Department of the Army and the Bureau of the Budget had no objection to the legislation, so I am not going to ask that the bill be passed over, but I would like to point up the necessity for committee chairmen, when reporting bills, to include the department reports in the report on the bills.

Mr. Speaker, I withdraw my reservation of objection.

Mr. **GROSS**. Mr. Speaker, further reserving the right to object, I join with the gentleman from Washington in pointing out that there are no detailed reports from the departments with respect to this legislation.

I would further point out that last year, when this bill was before the House, the gentleman from Michigan [Mr. GERALD R. FORD] and the gentleman from Iowa presently addressing the House made the point that there were no departmental reports.

Mr. Speaker, I simply cannot agree that bills on the Consent Calendar—or any other bills—should be considered in this session of the Congress without proper and detailed departmental reports.

Mr. **EDMONDSON**. Mr. Speaker, will the gentleman yield?

Mr. **GROSS**. I yield to the gentleman from Oklahoma.

Mr. **EDMONDSON**. I believe the gentleman will note from the report of the committee that the Department of the Army recommended enactment of a similar bill in the last session, with certain amendments, and those amendments have been incorporated in the bill now before the House.

Mr. **GROSS**. Mr. Speaker, I am well aware of that. I have read the report and I am well aware of what the report says, and it does not conform to the accepted practice of having detailed reports from the departments.

Mr. Speaker, I do not know that I am opposed to this bill. It went through under unanimous consent last year. But I cannot stand by without protest to see this procedure started in this session of Congress.

Mr. **ASPINALL**. Mr. Speaker, will my friend from Iowa yield to me?

Mr. **GROSS**. I yield to the gentleman from Colorado.

Mr. **ASPINALL**. As I understand it, this is an identical bill to the one which passed in the House during the 88th Congress, and there has been no change in the position of the Department of the Army Engineers on this legislation.

I believe the history which has been made—that there has been no change—should satisfy my friend from Iowa.

I am in complete agreement with the position my friend takes, with the exception that this bill is similar to the one which passed in the 88th Congress, and there has been no objection from the department having jurisdiction.

Mr. **GROSS**. Will the gentleman agree with me that the issue was made last year, that the absence of departmental reports was noted last year, and that there has been ample time, and more than ample time, for those interested in this legislation to produce departmental reports?

Mr. **ASPINALL**. I would agree with my colleague from Iowa, but I believe under the circumstances, with this admonition we are giving, there will not be any trespass upon this procedure in the future.

Mr. **GROSS**. And will the gentleman on the majority side and others on the panel on the Consent Calendar on the majority side join with me in this?

Mr. **ASPINALL**. The gentleman from Colorado now speaking is one of the originators of this idea that we should have departmental reports and in any other case, with this notice being given to our colleagues, I will certainly join with my friend.

Mr. **GROSS**. The gentleman from Colorado is very persuasive, and with that assurance, Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 4606

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the flood control project for Four River Basins, Florida, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the Secretary of the Army to credit local interests against their required contribution to the remaining features of such project for any work done by such interests on the Lake Tarpon Basin feature of the project after July 1, 1963, if he approves such work as being in accordance with such project as authorized: *Provided,* That such credit shall not exceed the Federal share of this feature of the project, presently estimated at $1,255,300.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The **SPEAKER**. This concludes the call of the eligible bills on the Consent Calendar.

CALL OF THE HOUSE

Mr. **ASPINALL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 25]

Andrews, Glenn
Bolling
Bonner
Celler
Cohelan
Conyers
Derwinski
Dickinson
Diggs
Dulski
Findley
Fino
Fraser
Frelinghuysen
Gonzalez
Grabowski
Griffin
Gurney
Hagen, Calif.
Halleck
Halpern
Hanna
Hardy

Hays
Helstoski
Holland
Karsten
Kastenmeier
Kelly
King, N.Y.
Kluczynski
Kornegay
Long, Md.
Mailliard
Monagan
Morton
O'Brien
Olsen, Mont.
Patman
Pickle
Powell
Rivers, Alaska
Roosevelt
Roudebush
Selden
Stalbaum
Sullivan
Sweeney
Teague, Tex.
Tuck
Tupper
Widnall
Willis
Wilson,
Charles H.

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 249 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 249

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region. After general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider, without the intervention of any point of order, the text of the bill (H.R. 4466) as an amendment to the bill. At the conclusion of the consideration of S. 3, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and pending that I yield myself such time as I may require.

Mr. Speaker, this rule calls for the consideration of the so-called Appalachian legislation. It provides for open rule and 4 hours debate.

I wish to commend the Committee on Public Works for the outstanding service they have rendered in presenting to the Congress this comprehensive legislation to further the development of the most economically stricken area in our Nation. The Appalachia area, if given the opportunity to develop its economy, has more natural resources and advantages through its potential industrial complex—minerals, forest, mines, agriculture, waterpower—than any similar area in our Nation. When this legislation is enacted into law, it will directly benefit the economic welfare of 15½ million people.

This legislation will combine the efforts of the Federal Government and the Governors and appointed commissions of their States to collectively aid and restore prosperity to millions of families in an area 10 times the size of Switzerland.

This bill has been brought about by reason of the joint effort of the Kennedy-Johnson administrations during the past several years. Many meetings have been held by representatives of the Federal Government and the various Appalachian States, before the completed study of the Appalachian Committee was submitted to the Congress for action.

The prime goal of the Appalachian program is that all public investments made in the region under this act shall be concentrated in areas where there is a significant potential for future growth, and where the expected return on public dollars invested will be greatest.

This legislation was enacted by the other body a few weeks ago by a majority of 2½ to 1. It covers parts of 10 States and the entire State of West Virginia.

ROADS AND HIGHWAYS

The major development of this legislation will be creating a system of main roads and highways, and also access lines of transportation for local residents as well as main highway transportation through the complete area. The heavy concentration on road construction in this bill is to accomplish not just the opening up of Appalachia to the rest of the Nation, but also to assure commuting to and from work for the local citizens. Some $840 million will be allotted for 2,300 miles of main highways and 1,000 miles of local access roads. States will contribute $360 million of this highway development.

EDUCATION

An extended program to expand vocational education will be placed in certain areas and locations because of high unemployment. Millions in this area have not had the opportunity to secure a basic educational training and also an opportunity to learn trade and craft skills, without which the unemployed are greatly handicapped to secure a job. There is heavy demand all over the country by industrialists, builders, businessmen, and contractors for trained workers. The vast percentage of unemployed today are citizens who never had an opportunity to learn a craft that demands skill and training. Since the end of World War II, technological advances in mining, heavy industry, and agriculture have contributed most to the unemployment problems which plague Appalachia today.

STATE CONTROL

One of the outstanding features of this legislation is that all projects under this bill will be in control of the Governors of the respective States or the various departments within the State government.

HEALTH

The hospital and medical services in our Nation have been a major factor in the progress we have enjoyed. Without said services, no community or subregion can hope to attract modern industry. In many sections of Appalachia, this problem of health is acute. The low income of these sections makes unavailable access to private medicine and the tax base to provide for public health facilities is nonexistent. From the health angle, this legislation will be a godsend to the people of these areas.

FORESTS AND COAL MINING

The hardwood forests of Appalachia were at one time counted among the Nation's most precious assets. House construction for generations had its primary lumber sources supplied from this area. It is estimated that 70 percent of the region's forest acres are held by individuals who possess 50 acres or less. Such small individual holdings make it almost impossible to improve the timber quality of the forests. The bill provides agreements to establish nonprofit timber development organizations, chartered under State law, which will permit a cooperative effort at better management. Five million dollars will be set aside for loans to timber development organizations to improve cutting and marketing of timber.

Special attention must be directed toward the unlimited bituminous coal deposits in this area. Coal is their largest single resource. Owing to a shrinking market and automation, mining operations have been curtailed and thousands have lost their jobs. The Federal and State Governments combined can greatly encourage the market for fuel and the expanded production of coal. Some $36 million will be authorized area restoration but the Federal Government cooperation will be limited to 75 percent of project costs.

LAND CONSERVATION

The bill authorizes $17 million in grants for soil conservation, erosion control, and land improvement purposes. Federal contribution limited to 80 percent and also a 50-acre limitation.

WATER RESOURCES AND SEWAGE TREATMENT

With proper control and management, Appalachia's water resources can become the region's most precious national asset, providing almost unlimited opportunities for recreational activities and incentives for industrial development.

Industrial waste treatment, through the lack of sewage treatment facilities, is a serious Appalachian problem and threatens the health of its people and discourages economic development. This bill provides that funds will be expended without regard to the national authorization ceiling or the allotment ceiling for each State contained in the Water Pollution Control Act.

URBAN PLANNING

This legislation will provide an urban planning program in order to assist State and local governments in solving their municipal problems resulting from the increasing concentration of population in metropolitan and other urban areas. This will include coordinating transportation systems and other related problems concerning urban growth. The bill provides for a termination of this legislation on July 1, 1971.

DISCRIMINATION AGAINST OTHER AREAS

Opposition to this legislation was heard before the Rules Committee hearings that this legislation would discriminate against other areas of the Nation. We all remember during the first two terms of President Franklin Roosevelt the criticism that expenditures, to aid areas in expanding their economy and provide employment, would ruin our

Government's financial stability. Any program that expands industry and production and provides jobs also furnishes money and buying power for millions to keep the factories and mills working and to buy the farmer's products. The last 30 years have demonstrated that this expansion has contributed to our present prosperity. During the days of the depression in the early thirties, our gross national product was around $50 billion. Today, our national product or economy is around $620 billion and Secretary Dillon states that before the end of 1965 it will be $660 billion. After World War II, our national production was approximately only $211 billion. These facts alone should discount and refute all the arguments that have been heard on the floor of this House during the last 25 years in opposition to this type of legislation.

With restoring a prosperous economy to the 15-odd-million people in Appalachia it will help all industry and production located in all parts of our Nation.

It will expand the automobile industry. The increased purchase of cars in a prosperous Appalachia would expand the steel production in the Indiana Calumet region, Pittsburgh, Birmingham, Chicago, California, and other areas. Rubber and oil industry would feel the best expansion from a prosperous Appalachia. Refrigerators, farm machinery, tractors, wagons, clothing, building materials, food, and other of life's necessities would be in far greater demand and every town over the Nation would directly or indirectly enjoy the buying power of 15 million people in the Appalachian area.

I think it is time for all the members of this House to realize how important it is to expand the buying power of more millions of our citizens because that makes for more prosperity and it also calls for added millions of taxes into the Federal treasury.

This is an economic income producing and employment bill that will further contribute to the expansion of our economy and national production. This bill is a small blueprint of the legislation initiated in the middle thirties which eventually expanded our gross national product up to $625 billion in 25 years. Economy experts all agree that if this prosperity continues we will have a gross national product in 1977 of about $900 billion annually.

Our Nation learned an unforgettable lesson during the depression of 30 years ago. Our economy was ruined because millions of families were without buying power by reason of low wages and unemployment. This Appalachian legislation will eventually create production, employment, and buying power. It will bring added millions in taxes into the Federal treasury when Appalachia is restored. It will be a major program to make a reality of the economist's prediction of a gross national production of $900 billion in the next dozen years.

Members should remain on the floor and vote against any crippling amendments to this necessary economical legislation.

Mr. SMITH of California. Mr. Speaker, I yield myself 12 minutes.

Mr. Speaker, House Resolution 249 provides for an open rule, with 4 hours of debate for the consideration of S. 3 which is entitled "Appalachian Regional Development Act of 1965." The rule also makes in order as a substitute H.R. 4466, a bill entitled "The Resources Development Act of 1965" which was introduced by the gentleman from Florida [Mr. CRAMER]. Incidentally, the word can be pronounced Appa-lay-chian, or Appalatch-ian according to the dictionary.

S. 3 is an extensive, quite complicated, and controversial measure. I call your attention to the minority views starting on page 33 of the report which are signed by 9 members; to the additional views commencing on page 59 signed by 5 members; and to the additional views of the gentleman from New Hampshire [Mr. CLEVELAND] on page 76.

S. 3 would establish a special massive Federal assistance program for the so-called Appalachian region which consists of 360 counties in 11 States. The 11 States are Alabama, Georgia, Kentucky, Maryland, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, and New York. The bill establishes an Appalachian Regional Commission, consisting of one representative from each of the 11 States, who will be the Governor or someone appointed by him, and a Federal representative who will be Cochairman. This Commission is authorized to develop plans and programs, and establish priorities for projects under the bill, and no Federal grant-in-aid or assistance program or project provided for in S. 3 can be implemented until plans therefor have been recommended by the Commission. Any decision made by the Commission requires the affirmative vote of a majority of the State members.

The major portion of the bill, which accounts for 77 percent of the funds authorized, is for the establishment of a new Appalachian development highway system, to consist of 2,350 miles, and the construction of an additional 1,000 miles of local access roads, for which $840 million is authorized to be appropriated to pay up to 70 percent of the cost of construction. An additional $252,400,000 would be authorized to be appropriated to defray the Federal costs for the first 2 years of other programs contained in the bill, which include the construction and operation of health facilities; a program for land stabilization, conservation and erosion control; technical assistance and loans for timber development organizations; the restoration and rehabilitation of mining areas and for a nationwide study relative to rehabilitation of strip and surface mining throughout the United States; a comprehensive water resources survey of the Appalachian region to be made by the Secretary of the Army; construction of vocational education facilities and sewage treatment works, a reenacted accelerated public works program for the Appalachian region alone, which would increase to 80 percent the Federal share of the cost of construction or equipment of facilities under all Federal-aid programs authorized by this bill, and such other programs provided for in existing law, except for the construction of highways, for which funds are available under the act authorized by such program; and, for certain administrative expenses and research and demonstration projects.

The total Federal funds authorized by the bill is $1,092,200,000; however, this amount will finance the program provided for in the legislation, other than highways, for only the first 2 years, and additional funds will have to be authorized in the future for the remaining 4 years of this 6-year program. The administration has been unable to estimate what the total cost of this program will be over the 6-year period; however, some have suggested that it may be as much as $4 billion.

Last year the other body passed a bill quite similar to the one under consideration here today. The House did not act. You may recall that during the campaign statements were made that this program would be one of the first orders of business this session. So, at least to some extent, we are being called upon to consider this measure because of administration campaign promises.

Every one of us sincerely hopes that no citizen will live in poverty, that every State will prosper, and that no areas will suffer if we can avoid it. But to select certain areas and attempt to lift them up whereby they will be on a par with other areas, simply by taxing and spending money from the other areas, seems to me to be an impossible thing to do.

In my opinion, this is a bad bill for the following reasons:

First. It would provide preferential treatment for one region of the United States, and thereby discriminate against all other areas of the Nation, some of which have equal or greater poverty, unemployment, and lack of economic development.

Second. There are no standards, based upon need, for determination of the eligibility of areas within Appalachia for which Federal assistance may be provided, and the bill provides assistance for prosperous as well as depressed counties. Seventy-six of the 360 counties do not qualify as eligible areas under the Area Redevelopment Act or the Public Works Acceleration Act.

Third. The Appalachian Regional Commission could be federally dominated by the Federal Cochairmen, whose vote on the Commission is equal to that of the 11 States, thereby giving him complete veto power over all programs and projects to be authorized by this bill. This places State and local officials in a subservient position to this Federal czar if they wish to get programs and projects approved.

Fourth. The highway program is particularly discriminatory against other parts of the country, for it authorizes an additional highway program for the Appalachian region alone, which is almost as large as the annual program for construction of Federal-aid primary and secondary highways and their urban extensions in all of the 50 States, in which regular program Appalachia already participates.

Fifth. It provides 80 percent Federal grants for land improvement, which would increase cropland and pastureland production, and promote uneconomic farm units, at a time when there is an overproduction of beef and crops in the country, and when the Government is paying farmers to take other and more productive land out of production.

Sixth. It reenacts the objectionable and ineffective Public Works Acceleration Act program, as applied to the Appalachian region, by increasing to 80 percent the Federal share of the cost of projects for which Federal grants-in-aid are provided for the construction or equipment of facilities under this bill and other existing Federal grants-in-aid programs, except for the construction of highways, which is even an increase over the 50- to 75-percent Federal share made available under the Public Works Acceleration Act.

Mr. Speaker, as I mentioned earlier, the rule will make it in order to substitute the language of H.R. 4466, the Resources Development Act of 1965, which is printed in the report of the Committee on Public Works on S. 3, commencing on page 60.

This substitute attempts to avoid the objectionable features of the Appalachian bill. It would extend Federal financial assistance to all areas throughout the United States which qualify as eligible areas under the Public Works Acceleration Act or the Area Redevelopment Act, and not just to a single project or to a prosperous advanced area.

It would authorize programs and projects to be initiated by State and local officials and to be administered by existing Federal officials, rather than creating a new Federal regional level of government that would have the ultimate control over programs and projects.

The substitute bill would authorize the appropriation of funds, with varying State matching requirements, for the period ending June 1967, for the following purposes and amounts of money:

	Millions
Economic development highways	$800
Demonstration health facilities	82
Timber development organizations	10
Mining area restoration	43
Water resource study	5
Vocational education facilities	32
Sewage treatment works	12
Grants for administrative expenses of local development districts and for research and development projects	11
Total	995

Mr. Speaker, if we embark on this new program for Appalachia, I wonder how long it will be before there will be similar programs requested for other so-called depressed areas, such as the Ozarks, or parts of the Northwest United States and other regions. We could eventually have several regional commissions operating in various parts of the United States, all in conflict and in duplication with existing Federal programs. How long will it then be until supply and demand, competition, and our free enterprise system will become things of the past? Certainly the nondepressed areas are having their tax problems today on a local, county, and State level. Are we going to eventually destroy them and have the entire United States turned into a depressed area?

I do not know the answer Mr. Speaker, but I am concerned over a program such as this. I think it is wrong. But if the majority so desires, it seems that the substitute, which is a proposed nationwide measure, treating labor and depressed areas alike, is preferable to the Appalachian bill.

I understand that some 18 amendments were offered in the committee, that none were accepted, and that S. 3 was practically "steamrolled" through. I assume many of these amendments will be offered here.

I know of no objection to the rule, Mr. Speaker, and reserve the balance of my time.

Mr. MARTIN of Nebraska. Mr. Speaker, we have before us today on the floor of the House for consideration one of the most ill-conceived bills that has ever come before this body. The measure that is before us today was adopted in the Senate, sent over to the House, and after only 3 days of hearings in the Public Works Committee was reported out of that committee without the acceptance of a single amendment.

As a consequence, passage of this bill by this body will immediately send the legislation to the White House. It will not go to conference, and you will not have another opportunity to vote on this measure.

I want to confine my remarks today to two sections of the bill, section 202 in regard to health facilities, and section 203 in regard to land stabilization, conservation, and erosion control.

Section 202 in regard to health facilities, Mr. Speaker, sets up a 100-percent socialized medical program in the United States, notwithstanding the fact that the Committee on Ways and Means, the committee which is properly charged with jurisdiction in this field, has had extensive hearings on this subject and is currently in the process of marking up a bill.

Under the provisions of section 202, $41 million would be authorized to be appropriated for the construction of hospitals and health facilities, and $21 million would be authorized to be appropriated to take care of the operating expenses—bear that in mind, the cost of the operation of these hospitals.

What does this mean? I asked the chairman of the subcommittee in our hearings before the Rules Committee last week what "operation" meant. I said, "If some people came into one of these hospitals and they did not have sufficient funds to take care of their expenses, are they going to get free hospitalization, free doctor's care, free operations, free drugs, free medicine?"

Do you know what the reply was? "Yes, that is exactly what this bill would do."

Mr. Speaker, we are going all the way in this legislation. We are not going the limited way that the King-Anderson bill proposes, we are going all the way down the road to 100-percent socialized medicine in section 202 of this bill. This section should be deleted before final passage.

Let me talk to you about section 203. This is the part of the bill that has been changed somewhat, but only in a minor way, from the legislation that was before us last year passed by the Senate but on which no action was taken by this body. This was H.R. 11946 which was considered in the 88th Congress.

Let me read to you one or two lines from section 203 in the bill that we considered last year:

> Conveyance to any landowner under this section shall not exceed 80 per centum of the cost of improving or developing twenty-five acres of pasture land owned by said landowner.

Let me read to you the bill under consideration, S. 3. This is on page 18, line 20:

> *Provided*, That grants hereunder shall not exceed 80 per centum of the cost of carrying out such land uses and conservation treatment on fifty acres of land occupied by such owner, operator, or occupier.

What have they done? They have doubled the amount of land which can be assisted under this program up to 80 percent of the cost. In the bill last year, the benefits were to accrue only to the owner, but this year that has been enlarged also. In addition to the owner, the operator or the occupier of the land may qualify for this 80 percent grant.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Nebraska. I am sorry, I do not have much time left.

Mr. COOLEY. I just want to ask, What is an "occupier"?

Mr. MARTIN of Nebraska. I do not know. We would call him a renter out in our country in Nebraska; but that is the language of the bill, "owner, operator, or occupier." So you can see the terms of this section of the bill have been greatly broadened.

There was a great deal of talk last year that this particular section of the bill, and it is so stated in the report, was going to lead to the introduction of a cattle industry in the Appalachian region; in fact, it was hoped and predicted that eventually a million head of cattle would be brought into this area. Now we have had a change in the wording of the bill this year. We have had some changes in the wording of the report accompanying the bill. We have been assured by some of the members of the Public Works Committee that we need have no fear in this regard. Let me read from this report. This is on page 14:

> If the land of the Appalachian region is to play a role in the improvement of the economic level of the area, the acreage which currently is submarginal must be provided with a productive vegetative cover and other treatment measures in order to check its deterioration.

On page 15 of the report, it is stated:

> The problem in Appalachia is fundamentally one of erosion of the hillsides. Such practices as terracing, upstream tanks, flood-control ponds, and the planting of leguminous crops can be of great long-range benefit.

I checked the definition "leguminous crops" and this it what it says in the dictionary:

> Any plant of the family leguminiosae especially one used for feed, food, or soil improving crops.

Feed is used by livestock, by animals. Page 15 specifically says they are going to cover this area that has been denuded with protective cover. This is alfafa, clover, and other grasses in that same category. It is only used for one purpose, to graze livestock, cattle. We have had a doubling of the number of acres in this bill over the bill we had last year, from 25 to 50 acres. The report on the bill last year stated that they are hoping to bring in a million head of cattle into the Appalachian region and to build up a cattle industry. They have doubled the acreage. Perhaps they hope to bring in 2 million cattle in the coming years under this program.

We have a very serious situation in the livestock industry today. We not only have overproduction, but we have tremendous imports of meat and beef from foreign countries that have drastically depressed the price of beef and cattle in our American market, and our cattlemen are faced with disastrous losses. Yet here we are to the tune of a $17 million subsidy going to set up a livestock industry in the Appalachian region under the terms of section 203 in competition with our ranchers and our feeders in private enterprise who are operating on their own funds under the American free enterprise system.

This is wrong, Mr. Speaker. I hope this section is taken out of the bill, and if that is not possible, I hope an amendment is adopted to prohibit specifically the use of any of this grassland that is planted under this program from being grazed by livestock, so that we need have absolutely no fear of any competition from the Appalachia region.

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Speaker, I would like to state at the outset of my remarks that the rule which has been granted for the consideration of the Appalachia bill is quite fair. I would also like to say that the majority of the public works ad hoc special committee that considered this legislation was also extremely fair in treating the minority and differing opinions on this legislation.

But, Mr. Speaker, I am sorry that I cannot say that this legislative proposal itself is fair. I wish to speak on several points by which I will underscore the essential unfairness of this act.

THE NAME OF THE GAME IS PREFERENTIAL

First of all, Mr. Speaker, it is not necessary to state the fact that this is unfair legislation from my lips. I would like to quote you from the record of our hearings on page 42, Mr. Sweeney, Chairman of the Federal Development Planning Committee for Appalachia:

> The name of the Appalachian game is preferential treatment.

In black and white the administration's witness has etched the hallmark of this legislation.

What this legislation does is to favor large areas over the small, the big over the small. This has been a regrettable trend in government today which I view with great alarm.

I wonder how many people in this House realize that one-half of the TVA service area is in Appalachia and that one-third of the Appalachia area is in TVA area. I wonder how many people really realize that this bill which is being offered to help the poor and the needy, includes the city of Pittsburgh, Pa., the favored town of Huntsville, Ala., the richest area of Alabama, and the Spartanburg area of South Carolina. Indeed, the wealthiest county of that fair State is located in Appalachia.

LEGISLATION IS UNFAIR

Mr. Speaker, this legislation is unfair. For the first time this House is authorizing the building of national highways on a sectional and discriminatory basis.

Many of you in this House have received letters from people in rural areas protesting the administration's cutting of soil conservation funds. The soil conservation program is designed to help small farmers in small areas. At the same time the administration is cutting soil conservation funds nationally, it is pouring an almost equal amount of money into Appalachia, to beef up soil conservation programs there.

This bill on its face is meant to help small rural communities. But read the transcript of the testimony. The administration openly admits there is no help for the small "ribbon" towns, as they call them in the valleys of Appalachia. The whole theory of the bill is to build up only those wealthy areas where in the terms of the bill there is a significant potential for future growth. In other words, this bill deliberately is encouraging the prosperous areas of Appalachia to become more prosperous.

JOB PIRACY AND INDUSTRIAL PIRACY

This is the essential unfairness of this legislation—by building up these centers of prosperity in Appalachia they help to lure into the Appalachian area more jobs and more industries, and this is why, in my additional views I call this an act of piracy. This is an act of job piracy. It is an act of industrial piracy, because the industries that are lured into the Appalachia area will have to come from someplace, and they are going to come from Indiana, and New Jersey, and New York, and they are going to come from New England; they have to come from somewhere.

The whole purpose of the Appalachia bill is to build the roads, to build the hospitals, to build the sewerage plants, to build the airports, to build the vocational schools, to build the libraries, to develop timber resources, to develop watershed resources, and to develop soil conservation, all with up to 80 percent of Federal money. Thus the area will be so attractive that no industry can refuse a bid to come there. This is why it is an act of job piracy, an act of industrial piracy. This is why the bill is essentially unfair to those States and communities who also need new industry, but whose own tax dollars are thus financing their competition.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 3, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama [Mr. JONES] will be recognized for 2 hours, and the gentleman from Florida [Mr. CRAMER] will be recognized for 2 hours.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. FALLON], the chairman of the committee.

Mr. FALLON. Mr. Chairman, I recommend immediate passage of the Appalachian Regional Development Act of 1965. I do so without reservation and with deep conviction—conviction that we all have a great stake in the provisions and purposes of this piece of legislation. For while geographically the Appalachian region may be far removed from many of our districts, economically its problems and, more important, its possibilities, are very close to us all.

For example, the great State of Hawaii is some 5,000 miles from Appalachia. Yet both of that State's Senators, representing different political parties, supported and voted for this bill in the Public Works Committee and on the floor of the Senate. What they saw was that the development of this strategically located region is of great economic importance to the whole country.

Basically, the problem in Appalachia is income level. The per capita income there is some 39 percent below the national average. If Appalachians had the same buying power as the average American, there are few industries in few districts that would not benefit. The 16 million Appalachians could buy more new cars from Detroit, more produce from our farm States, more clothes from the textile industry, and, of course, more products from every State.

But it is not only as a market that Appalachia has potential. For the people and the land there are capable of much industry: the kind of industry best suited to the growth potential of all the parts of the region. As a producer of jobs, products and income, Appalachia has several natural advantages. One of the most important of these is its central location. Appalachia lies between the Boston-Norfolk on the East and the lower Great Lakes population centers on the West. By 1980 these two areas will have a combined population of some 67 million—67 million who will want to tour through the scenic beauty of Appalachia, who will buy Appalachian products, and who will supply Appalachian needs.

But before all this will be possible, much has to be done. The legislation before you now will enable Appalachia to do it. I emphasize the fact that Appalachia will do the job, for this program is not one of support, but one of development. Certainly the resources of the Federal Government are being made available, but in close conjunction with State and local resources. For I believe that the most impressive thing about this program is not the money that will be spent, but the effort that will be organized—on all levels of government.

We have had evidence of this in the two-session history of this legislation. We have heard testimony from more than a dozen departments and agencies of the Federal Government and from the Governors of the 11 Appalachian States. The fact that the program was first requested by the States themselves, and is tailored to their needs, rights, and responsibilities augers well for its success.

Now I am fully aware that sometime during the course of the debate on this bill, someone will say "the Appalachian program discriminates against other regions." If discrimination is defined as helping one region so that all regions will benefit, then this program discriminates. My own district is not in Appalachia, but I know that the port and and city of Baltimore will benefit in many ways from an economically active Appalachia.

If conditions in Appalachia are holding down the level of our overall prosperity—and they are—employment, income, and retail sales there are all substantially below the national average—then I do not believe it is discriminatory to take measures that will eliminate such conditions. It is apparent that one way to develop our economy so that it will realize its greatest potential is to develop the lagging economy of Appalachia. In that pursuit Baltimore or New York, Los Angeles, Kansas City, Miami, Detroit, or Seattle all have a significant interest.

I know I speak for many when I say that this program is governmentally proper and progressive and economically sound and essential. There have been some questions asked and objections raised to the provisions of this bill. In its 2-year trip in Congress, all of these have been answered, met and, in many cases, incorporated into the legislation before you now.

It is the consensus of those who proposed, those who drafted, and those who will carry out this program, that it is the best possible answer for the problems and prospects of the Appalachian region.

I specifically invite your attention to those provisions of the bill which fully preserve and utilize the roles, rights, and responsibilities of the States. No project may be initiated in a State without its specific approval. Only the State's representative on the proposed Commission may recommend a project for that State. There is no giving up of State's prerogative to the Federal bureaucracy—indeed, the Appalachian Regional Commission itself is composed of State representatives who will have an equal voice with the Federal Cochairman.

As for the Federal Government, this program requires no new agency or vast bureaucracy to administer it—only a small staff to coordinate the efforts of existing programs and agencies.

And the dollars to be spent? I would characterize them as not massive but modest—and repayable many times over by way of the benefits that will flow from an economically healthy Appalachia.

I believe most of you are familiar with the essential elements of the program embodied in this legislation. I would only stress that in the field of human resources, there is no overlap with the efforts of the Office of Economic Opportunity. The money originally scheduled for this section has been deleted from the bill before you now and has since been made part of the President's war on poverty.

In conclusion, I would like to commend the Governors of the Appalachian States for their initiative and great contributions to this program. I would also commend the President's Appalachian Regional Commission and Franklin D. Roosevelt, Jr., for the tireless effort they have put into the research on, analysis of, and answers to, the problems of Appalachia.

I think it was Benjamin Franklin who once said that "there is nothing so uncommon as commonsense." That is a charge too often made against the Government, but I would emphatically say that this program for Appalachia is the commonsense of economic development. It is the intelligent use of the best that Government can offer to answer the needs of the people it serves. In Appalachia it will mean that a proud and determined people can be a contribution to prosperity and no longer an example of poverty. For I believe that the program in the bill before you now gives Appalachia what it needs most—a future and not just more of the present.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when the House approves S. 3, a 5-year effort will be completed. This bill had its beginning in 1960 when the first meeting of the conference of Appalachian Governors was called together by Governor Tawes, of Maryland.

The conference of Appalachian Governors studied the problems of the Appalachian region for a period of 3 years—they then requested the help of the Federal Government to complete the work.

In April of 1963, President Kennedy created the President's Appalachian Regional Commission and directed it to report back to him with a program of action to meet the needs of the people of Appalachia.

One year later the Commission presented its report to President Lyndon B. Johnson. President Johnson's response was immediate. He submitted to the Congress the bill which is now before us, with minor changes worked by the Senate.

This bill is one of the most carefully drawn and well thought out pieces of legislation that I have seen.

It is not a pie-in-the-sky measure.

It is not the product of dreamers, but the product of men and women who have looked carefully at the difficulties this region has faced for more than a century. It contains hard practical solutions to these difficulties.

The Appalachian region stretches from the New York border down through and past the great steel city of Birmingham in my own State of Alabama.

The most striking feature—and the root cause of its more severe problems—is one of the oldest mountain ranges in the world—the Appalachian chain. Beneath those mountains lies some of the richest coal deposits of the world. These deposits have provided this country with more than half of its coal needs.

On the surface of those mountains once stood one of the world's greatest prime hardwood forests. That forest was stripped away to provide the housing and the railroad ties and the mine timbers which have contributed so much to the growth of this Nation.

And on these once heavily forested slopes, one of the highest average rainfalls in the country is deposited.

Scattered among the hollows and the valleys of this mountain range there are more than 16 million people.

Some of them live in the great cities of the region. But most of them live in what the President's Appalachian Regional Commission described as "ribbon towns."

The majority of the Appalachian are classified as rural, yet they do not farm. They are strung out in clusters of population trying the very best way they know how to support themselves and their families.

Because of these 16 million people, an independent people, Appalachia must be looked on as a land of promise—just as this great Nation of ours has always been regarded.

All that is needed to realize the kind of assistance that will enable the Appalachian themselves to solve their own problems.

That is what this bill is intended to provide—a minimum base of assistance upon which the Appalachians can build their own economy and standards of living.

Here are the highlights of this bill. The great mountain chain has been a barrier to commerce and prosperity since the Nation was founded. The settlers who moved west skirted the chain at the top and bottom or slipped through the mountain gaps to the more fertile land of the West. The first major item in the Appalachian bill is the program of highway construction to overcome the isolation which the mountains have created.

We are asking for an authorization to construct 2,340 miles of major arterial roads to open up regions that now have no access. We also are asking for the construction of 1,000 miles of access roads to link up specific locations with the major highways.

One of the most serious problems which faces the region is its lack of adequate health facilities.

These facilities are needed to attract industry and tourist investment and they are just as important as the highways.

This bill provides a series of construction grants for regional health centers, each of which will serve a cluster of counties. We have also provided funds to meet the deficit in operating costs in the first years of operation of these centers.

The steep slopes of the Appalachian mountains put useful land at a premium. This bill contains three major programs to insure that every square foot of useful land is developed to its fullest potential.

First, we have provided a series of grants to control erosion and promote soil conservation. A landowner may obtain up to 80 percent of the cost of the conservation practices that are essential to restore up to 50 acres of his land, so that it can be used properly.

Second, a series of grants and loans are provided for small landowners to improve their timber stands.

Third, we have drafted a comprehensive program that will assist in restoring land that has been damaged by past mine practices.

Under this program, the voids left by underground mining can be filled in. Underground fires can be extinguished. The refuse piles from past mining can be removed. There are also funds to begin a program of restoring publicly owned lands that have been damaged by past strip mining.

To develop the best possible program for exploiting the heavy annual rainfall in the region, this program authorizes a comprehensive study to be coordinated by the Secretary of the Army with the assistance of all Federal, State, and local agencies.

In the past, most Appalachians have earned their income from three major activities—coal mining, lumbering, and farming. Each of these occupations has declined over the past quarter of a century. Each has declined nationally, but the effects in Appalachia have been particularly severe. That means that new skills must be provided and for that reason we have included in this bill a program that will accelerate the construction of vocational education facilities in Appalachia.

The great rivers and streams of this region offer a great attraction to industry and tourism. In order to provide for a better quality of water in these streams and rivers, we have provided funds to accelerate and expand the construction of waste treatment plants in Appalachia.

One of the most severe problems in the region is the low tax base in the majority of Appalachian States and communities. This low tax base creates several problems.

First, it prevents the Appalachians from providing for themselves an adequate level of public facilities and public services.

Second, it lessens their ability to take advantage of existing Federal grant-in-aid programs designed to provide those public facilities and services.

The Hill-Burton program of hospital construction is not utilized fully in the region because local matching funds are not available.

Airport construction has been retarded because the States or communities cannot match the program of the Federal Aviation Agency. The same is true in federally assisted programs for colleges and junior college construction, small watershed protection, sewage treatment facilities construction, vocational education school construction, educational television station construction, and other similar Federal grant-in-aid programs.

This bill establishes a fund which can be used to raise the total Federal contribution, within any of these construction and equipment programs, to 80 percent of the cost of the project.

The Appalachian people have taken many steps to raise their own standard of living. But because they do not have the financial means—they cannot obtain for themselves the skilled advice and counsel so necessary in modern America.

This bill provides a series of grants which will enable local communities to hire development specialists to guide them in their own bootstrap efforts. Grants are also provided to undertake economic development research to obtain better answers to the problems facing each section of Appalachia.

Finally, this bill creates an Appalachian Regional Commission. The Commission is charged with the planning and coordination of this new investment program. It will be composed of representatives of the 11 Appalachian States and one Federal member who will speak for the entire Federal Government.

In order to take action the votes of a majority of the State members and the vote of the Federal member are required. Thus the States cannot be imposed upon by the Federal Government. The Federal Government cannot be imposed upon by the States. A mutual purpose—a mutually satisfactory program—is essential.

All projects and proposals for the expenditure of funds under this program must originate with the States. No project and no program can be implemented in a State unless that State approves. In short, Mr. Chairman, this new Commission represents one of the strongest programs I have ever seen in the field of State-Federal relations.

It is a States rights program—it is even more a States responsibilities program. It represents a wise attempt to restore the vitality of our Federal system of Government. I believe it creates the kind of partnership between the States and the Federal Government which we have always sought but have never quite established.

In explaining the highlights of a bill as comprehensive as this, it is easy to lose sight of the major objective. I have always believed that politics and government can only have one objective. I believe that objective can be simply stated. We hold public office to insure that people have the means, the tools, the instruments, which will enable them to develop their full potential and to live a life of dignity.

I believe that this bill does that and only that. It is not a handout. It is rather a hand held out. It offers encouragement and promise. It is a hand which I believe will be grasped by the people of this region and in so grasping they will be able to pull themselves up a life of dignity and self-respect.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I want to associate myself with the remarks of the distinguished gentleman and congratulate him on his very lucid statement on this bill. I also commend him on the fine job he has done in bringing this bill to the floor of the House today. The gentleman, of course, for many years has been a constructive and outstanding member of the great Committee on Public Works. This bill which he is managing today is evidence of the character and quality of his service.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. Mr. Chairman, I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I am very pleased that the majority leader has made the remarks he has made about the outstanding legislative job that has been done in connection with this program by the gentleman from Alabama who is in the well of the House today. The hearings which were conducted on this particular program were hearings that lasted late into the day. The sessions that were conducted to mark up this bill were long and the discussions were often complicated. The feelings of the committee members in connection with this bill were very strong on a number of points in connection with it. The gentleman from Alabama did an outstanding job as the chairman of the subcommittee which handled this legislation. He demonstrated great tact, great understanding, and great firmness throughout the hearings and during the markup of the bill. Every citizen of the Appalachian region owes a great debt of gratitude to the gentleman from Alabama [Mr. JONES] for the statesmanlike job he has done in connection with this legislation.

Mr. JONES of Alabama. The gentleman is very kind. I would like to say that all the members of the committee were attentive and they worked as carefully as they could, both on the Democratic and the Republican side of the committee. It was a refreshing experience to me to serve as chairman of a subcommittee which has such devoted, understanding, and dedicated people in the consideration of this major piece of legislation.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. McCLORY. I am not familiar with the gentleman's chairmanship of the subcommittee which held hearings on this particular piece of legislation, but I do know intimately of the gentleman's chairmanship of the Subcommittee on Natural Resources and Power, a subcommittee of the House Committee on Government Operations. I know of the gentleman's thorough investigation of the subject of water pollution and the subject of our water resources not only in the area of Appalachia but throughout the Nation.

I am particularly interested in the presentation that was made on the subject of the abandoned mines in this area. I do know the gentleman's concern about the problem of pollution as a result of acid mine drainage. I was wondering whether a program for combating or reducing acid mine drainage in this area is provided in this legislation. It is my understanding that most of the acid mine drainage pollution, at least the most serious conditions are in the area now covered by this legislation. I would like to know whether or not this legislation provides a program dealing with this problem.

Mr. JONES of Alabama. As the gentleman from Illinois well knows, we had information from the Department of the Interior last year to the effect that they had under study at that time the problem of acid mine drainage, particularly in West Virginia and Pennsylvania. That study will be extended under the terms of this bill. The conclusions of the Department of the Interior have not been formulated as of this moment. That is our information at least.

Mr. McCLORY. I thank the gentleman.

The CHAIRMAN. The gentleman from Alabama has consumed 21 minutes.

Mr. CRAMER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, this bill was before the House Committee on Public Works last year. It went from the Committee on Public Works to the House Committee on Rules last year and after rather exhaustive hearings before the Committee on Rules last year, it was not acted upon by the Committee on Rules. This year, of course, it is again before the House.

In my opinion, the bill which has come before the House is a basically discriminatory bill.

I would like to use this map to show why. This map shows in the dark green areas, the areas that qualify under the Area Revelopment Act, section 5(a) for special financial relief under the area redevelopment bill. Those are the dark areas. You will see many of them in northern Michigan and northern Wisconsin and up in northern Idaho and northern Washington and in the lumber regions of California and other areas.

This map also shows, in the lighter green, the areas which qualify under the Area Redevelopment Act for special financial assistance for agricultural areas when their average income is not as high as it otherwise should be.

Members will see these lighter green areas in a large part of the State of Mississippi, a considerable part of the State of Texas, a large part of the State of Oklahoma and other States, as well as a great part of New Mexico and Arizona and many other areas, such as the northern part of Michigan. Those qualify under this particular section.

The third area on the map is shown in yellow, or perhaps orange would be a more appropriate description. These are the areas which qualify under the Accelerated Public Works Act for special financial assistance.

I might say that the Accelerated Public Works Act by its formula includes in its coverage all those areas which fall under the ARA bill plus additional areas which have what is termed excess or surplus unemployment. So the areas in gold or in yellow are those beyond the scope of the ARA bill that were also covered by the public works acceleration bill. Therefore, we find a considerable number in New England and a considerable number scattered through California. I might say there are none in my district, but some in other parts of California. There are a number in Oregon, Wyoming, and elsewhere, and a number all through the Southern States.

In my opinion, the discrimination in this particular bill is that this bill, the Appalachia bill, states that the only area under the bill which is entitled to the relief described in the bill is the specifically defined area defined as "Appalachia," with all the counties that fall within that defined area, no matter what may be their own individual qualities from the standpoint of surplus unemployment.

As it happens, therefore, an area which has just as high a degree of unemployment in northern Michigan or in northern Wisconsin or in the State of Washington or in the lumber region of the State of California, or perhaps even a higher degree of unemployment, cannot qualify for the various special benefit programs which the areas within the defined area of Appalachia can qualify for.

But there is an even worse problem of discrimination involved in this bill. It is not only true that areas with equal unemployment outside of Appalachia cannot qualify for the same benefits the areas in Appalachia can qualify for, if they have similar unemployment, but also there are today more than 70 counties in Appalachia which do not qualify under any of those programs—the ARA programs, either section 5a or section 5b, or the accelerated public works program.

If Members have copies of the committee report which we put out on the Appalachia bill, they will find on page 57 a list of the counties which do not qualify under any of these programs as counties that would qualify under ARA or APW; and they, in the last tabulation, February 10, 1965, total 76 in number out of 360 counties within the defined definition of Appalachia.

Let me tell Members what those 76 counties nevertheless can do. Those 76 counties are in themselves not depressed. In themselves they do not meet the test of ARA. In themselves they do not meet the test of accelerated APW. Those 76 counties in themselves are not depressed and, I might say, included in those 76 counties is the county in South Carolina which has the highest per capita income in the State, the county in Alabama which has the highest per capita income in the State, counties in Tennessee which the Governor of Tennessee before our committee last year acknowledged were not depressed, counties in Virginia which the official representative of the State of Virginia before our committee last year testified were not depressed—in fact, he said that some of them had practically the lowest rate of unemployment in the United States. Those 76 counties which do not have surplus unemployment and are not depressed nevertheless under the terms of the bill can qualify for all these special benefit programs, extra funds, and other items.

Let me say that all of these counties can qualify anyway under the antipoverty bill and all of these counties can qualify under the vocational education bill and all of these counties can qualify anyway under the manpower retraining bill. But these 76 counties which are in themselves not depressed, besides qualifying under all of those programs, can come in and get a second layer of benefits. They can get additional library aid, additional airport aid, and additional aid for construction of sewers that your counties cannot get if you happen to come from States outside of Appalachia, even though your counties may be depressed and therefore appear as a green-colored or gold-colored county on this map.

This is rank discrimination to me to say that a county which has a deep green category, with excess unemployment, or a deep gold category, with excess unemployment, located in upper Michigan or upper Minnesota or in Wyoming or in Oregon or Washington or the lumber region of California, has to pay special additional taxes in order to make it possible for 76 counties within the defined definition of Appalachia to get this special aid even though these 76 counties themselves are not depressed and do not meet the test of a depressed area. It is discrimination to give them a second separate layer of assistance which they are not rightfully entitled and should not receive. In my opinion, this is rank discrimination, and I do not think it should occur.

Mr. Chairman, I offered an amendment in the committee to restrict the application of this bill only to those counties in Appalachia which met the test under the APW bill of depressed counties, because if this bill is designed to meet the need of depressed counties, it seems to me it should be a rifle approach and be concentrated on counties that actually have some depression in them and have some excess unemployment in them. I offered an amendment in the subcommittee and in the full committee to limit the application of this bill to those counties which met that test. That amendment was defeated both in the subcommittee and in the full committee, although by a narrow vote. However, in my opinion, this is the only proper amendment which will make this bill even barely palatable to those who feel there is some justification for a regional approach. I might say there is a serious doubt in my mind as to whether such a regional approach should be used. I think it is much fairer to use the approach that will be offered by the gentleman from Florida [Mr. CRAMER] in the form of a substitute which will make all counties in the United States which qualify under the ARA or the APW equally eligible for equivalent aid for the needs they must meet.

I might say that I cannot conceive of this House in good conscience allowing this bill to go through this House and forcing counties in other parts of the United States, which themselves are extremely depressed and have surplus unemployment, to pay additional taxes in order to pay for excess benefits for counties in another area although some of these counties have the highest per capita income in some of the States of our Nation.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JONES of Alabama. Mr. Chairman, I yield 10 minutes to the gentleman from Texas. [Mr. WRIGHT].

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman.

Mr. CLARK. Mr. Chairman, I would like to point out to the Committee this afternoon that the gentleman from California [Mr. BALDWIN] who just spoke is suggesting that APW and ARA should be put into this bill. I am wondering if this is what he really meant and whether or not if an APW bill came before the Congress or another ARA bill came before the Congress he would support it.

Mr. BALDWIN. Mr. Chairman, in answer to the gentleman's question if my amendment is adopted which limits aid to the Appalachian region and only to those counties that meet the test of APW, I shall vote for the bill.

Mr. CLARK. Will the gentleman vote for an APW bill as such?

Mr. BALDWIN. I have just answered the gentleman's question.

Mr. CLARK. I thank the gentleman.

Mr. WRIGHT. Mr. Chairman, your Committee on Public Works last year and this year devoted a total of 32 separate sessions to the consideration, drafting, and perfecting of this bill that we have before us today. It has not been hastily devised nor quickly considered. It is, of course, one of the important legislative recommendations of our President. In the bill as it appears before us today are contained a number of amendments and suggestions which arose from the minority side during our consideration of this bill in the Public Works Committee last year. Contained also in the bill is a considerable amount of language suggested by the Governor of Pennsylvania, Mr. Scranton. It is in that sense a bipartisan product of the efforts of the President, the Governors of the Appalachian region, the Members of the other body, and of the Public Works Committee of this House.

I think a reference to the map which was cited in the speech just concluded by the gentleman from California [Mr. BALDWIN] will furnish any Member of this House quick and visible proof that this mountainous region known as Appalachia, stretching diagonally across the better part of 11 States, is unquestionably the largest and the longest lived depressed area anywhere in the United States. Family income within the Appalachian region lags fully 35 percent behind family income in the rest of the country. Unemployment in the Appalachian region is some 3 percentage points higher than it is for the rest of the country, and in certain sectors of the rural interior of Appalachia unemployment is reaching toward 10 percent.

Due to the rapid deterioration and decline of coal, timber, and marginal farm operations, the three pillars upon which the economy of this region was historically based, the people living in the Appalachian area have not shared in the prosperity and the progress which have been the lot of the rest of us in the 1960's.

Due to the rugged terrain and the inaccessibility of the vast rural interior of this region, industry has been discouraged from providing the wellsprings of development from which a new prosperity could flow.

Surely this generous and humanitarian nation of ours, which has given so unstintingly of our resources and of our substance to aid the underdeveloped areas overseas and throughout the world, will not now turn its back upon this vast underdeveloped area within our own borders. Charity, we are told, begins at home, though it need not necessarily end there. Yet certainly our primary responsibility is to those pockets of general need in our own country.

Much has been said today by the opponents of this measure to the effect that the bill provides a discriminatory favoritism for one region of the country. The implication is thus left that the bill is somehow unfair to the rest of the country. It must be admitted that it is a regional concept.

Now, Mr. Chairman, there is nothing new about that. From the very beginning of our Republic, it has been the policy of our Government to approach the problems of those less-favored, less-privileged regions of the Nation with strictly regional solutions. As early as 1785, just a very few years after the inception of the Republic, in the passage of the Northwest Land Ordinance, the citizens who lived along the relatively more prosperous and more developed eastern seaboard were asked to share of their bounty with those who lived north and west of the Ohio River.

Mr. Chairman, today there is not a single State in this Union which has not been to one extent or another the beneficiary of some essentially regional program of the Federal Government.

I would remind those of our colleagues who live in the 17 Western States that the reclamation program on which we have spent nearly $5 billion is essentially a regional program. It applies only to those Western States, and they are the primary beneficiaries of its works.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield at that point?

Mr. WRIGHT. I would be happy to yield to my distinguished colleague from California.

Mr. BALDWIN. As the gentleman knows, under the reclamation program the users of the water have to pay back the amount of the investment over a 50-year period. If you offer such an amendment to this bill that the users of the area pay back the cost of the proposed program, it would be comparable to the reclamation program.

Mr. WRIGHT. I do not want to get into a long colloquy concerning comparabilities with the reclamation program, except this: It is a regional program available to only a limited area of the country and financed by taxes from the entire Nation. Water users are privileged to repay Government loans over a 50-year amortization period with no interest charges. Surely this is a subsidy and a substantial benefit. That does not necessarily mean that it is bad.

Mr. Chairman, I support the reclamation program. I think it is a good program. I believe it has paid for itself. I believe all of these regional programs have paid for themselves. There are many, many regional programs which I could cite, and I say that these highways and roads in Appalachia are going to pay for themselves.

Mr. Chairman, about 84 percent of the moneys provided in this bill are devoted to highways. The way to assist an area which has a natural problem of mountainous terrain preventing the accessibility of commerce and industry to its interior is through highways, just as the way to assist an arid section which needs water resource development is in the development of its water resources. The West was retarded in its economic development through lack of usable water; Appalachia is retarded through lack of roads and communications. And so in this sense we seek to do through this bill much the same as reclamation has done for the West—to open it up for industry and commerce.

Our history is replete with regional programs.

The St. Lawrence Seaway was a regional program. The Cross-Florida Barge Canal was a regional program. The Gulf Intracoastal Waterway was a regional program. The money spent on the Mississippi River represented a regional program, as all water resource development programs have been regional or local programs in their initial application.

Mr. Chairman, when he was a young Congressman from Illinois in 1848, Abraham Lincoln pointed out on the floor of the House that because these so-called regional programs do contribute to the economic development of the various regions of our country, ultimately they can be demonstrably proven to serve the economic development of the Nation as a whole. Mr. Lincoln pointed out that because of a canal in Illinois, the sugar merchant in New Orleans was able "to sell his sugar a little dearer" and the housewife in New York "to sugar her coffee a little cheaper."

I believe it is just as true today as it was then. Many programs are essentially regional programs; yet each of them has strengthened the Nation. The Tennessee Valley Authority is strictly a regional program. The Great Plains Conservation Act is purely regional in scope.

Members of Congress from Appalachia have voted for the crop support programs, notwithstanding the fact that 91 percent of the money provided in the tobacco subsidy goes to only six States, notwithstanding the fact that 70 percent of the money provided in the wheat subsidy program, for which this Congress in a recent 4-year period appropriated more than $7 billion, has gone to nine States.

Mr. Chairman, were those Members of Congress from Appalachia to have taken a closeminded, narrow parochial attitude and said they were not going to vote for anything that does not directly benefit their own area, they would have voted against those programs.

I would remind my distinguished colleague from California [Mr. BALDWIN] who just preceded me that his State and mine, between them, consume something like almost one-half of the total Federal defense procurement dollars. In total dollar volume, of course, this means a great deal more than any of these other matters of which we have spoken. Yet, Members of Congress from the Appalachian region have voted for the Federal defense procurement program, notwithstanding that fact. And so, if we look at it from a long-range historical perspective, we come inescapably to the conclusion that this bill is not favoritism to this region.

Mr. Chairman, here is a region which contains 8½ percent of the population of the country, and it has received only 4.9 percent of the Federal tax expenditures.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Alabama. I yield the gentleman 5 additional minutes.

Mr. WRIGHT. Mr. Chairman, I was pointing out that Appalachia contains 8½ percent of the population of the country. Yet is has received only 4.9 percent of the Federal tax revenues of the country.

So, when we look at it from that standpoint we cannot view this program as favoritism in the sense of some privilege they are entitled to, but rather as a redress of an historic imbalance or historic injustice.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I gladly yield to the gentleman from Oklahoma who has contributed so significantly to the committee consideration of this bill.

Mr. EDMONDSON. I thank the gentleman for yielding because I wanted to compliment him not only upon the wonderful speech he is making which I think has caught the spirit of this program, but also upon the contribution he made in the committee to the passage of this legislation, because I think the record will show that in most of the committee sessions which were held, and whenever the gentleman from Alabama was temporarily involved in legislative activity which prevented him from presiding, the gentleman from Texas took over the gavel and did a fine job of chairing the meetings of the committee, and advancing the bill to final consideration. With his discussion of the various regional bills and the action which the Government has taken in the past on the basic problems of a region, he has highlighted the essential equity of this program as well as it would be possible for anyone I know of to outline.

The gentleman from California, in raising the point that in reclamation programs the users of water paid back the full sum that the Government invested in the program, skips over the whole thrust of the reclamation program. The gentleman from California knows, as well as all Members who have served during the period we have had the reclamation law on the statute books, that the users of the water will pay back only the percentage which is allocated to the provision of irrigation water, and that the portion which has gone into the construction of these reservoirs for flood control purposes or for the purpose of hydroelectric power is not paid back by your irrigation users at all. As a matter of fact, these big dams which have made possible our reclamation program in the West and which most of the gentlemen enthusiastically supported have been in very large measure the largess of the rest of the country to make possible the development of very important water resources of the West. While your irrigator has undoubtedly helped to make possible the overall program, there is a very large part to which the taxpayers back in the Appalachian region have been contributing through the years.

Mr. WRIGHT. I thank the gentleman, both for his very considerate remarks and for his further clarification of the reclamation benefits.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I would suggest to the gentleman from California that if he wants to get into a further discussion of reclamation he may wish to do it in his own time, since I have only a short while remaining.

I have one other illustration which goes to the whole concept of whether this is favoritism or not:

Last year this Congress passed a bill for the express purpose of assisting our fellow citizens in the State of Alaska to rehabilitate themselves from the ravages of a sudden natural disaster. Here we are asking that we assist the citizens of the Appalachian region to rehabilitate themselves from the ravages of a chronic, historic disaster. The conditions are in many ways the same. This is not a handout, this is not leaf-raking or makework or anything of that sort. It does not aim at providing a job on the Federal payroll for the people of Appalachia. On the contrary, it is long range in its outlook and in its benefits. It attempts to provide only the basic infrastructure necessary to create a climate and an atmosphere conducive to economic growth. It relies upon the private sector with only sufficient stimulation to generate economic growth which alone can provide the dynamics that will bring this region into the full-fledged technologies of the 20th century.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SECREST. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Ohio.

Mr. SECREST. I might point out that in the area I represent several hundred million dollars of coal has been mined. The owners of these mines lived in Cleveland and other cities. The profits all went out. Our wealth has been used to enrich the rest of the United States. We are only asking that you help us to build back the area that has now been depleted of its natural resources, a thing upon which we had to depend entirely.

Mr. WRIGHT. I thank the gentleman for his timely contribution. I will now be glad to yield to my colleague from California.

Mr. BALDWIN. I appreciate the gentleman's yielding to me.

The gentleman from Oklahoma made a point about the reclamation projects, in which he stated that part of the money must be repaid. Then he said that any additional benefits, for instance, the whole question of flood control, was not repaid. Of course this is true. But may I say while it is true on a countrywide basis, and all of the dams of the Tennessee Valley Authority have taken advantage of the flood control provision of our laws so that they may be built to preserve flood control protection and to prevent flooding below. The reclamation dams have taken advantage of that provision, just as all other areas of the country have done.

Mr. WRIGHT. I quite agree with the gentleman from California, just as I also agree with the gentleman from Oklahoma. I think the entire Nation benefits when any area is strengthened. But the point I was attempting to make is that the reclamation program is confined to 17 Western States and therefore is a regional program. I was not assailing the program. I think it has had great benefits for the Nation, just as other projects have had. The development of forest roads and trails, similarly, have benefited the entire country. Yet each of these programs is essentially a regional program, and there is no getting around it. Even crop support programs are regional, because they apply and limit their application to those areas which have an established history of growing certain crops, but they benefit the entire Nation, just as this will benefit the entire Nation.

We are not attempting to give Appalachia a handout but rather to give them a hand up. We are not attempting to assault just the symptoms of the disease but rather to go to the roots of the disease itself and let them rehabilitate their own economy. The people of Appalachia are ready to pull themselves up by their own bootstraps, but they just do not have the bootstraps. The purpose of this bill is to provide for them the bootstraps—the roads and hospitals and vocational schools—which have been so helpful to the rest of the Nation in enjoying the prosperity of the 20th century.

Mr. CRAMER. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Chairman, I should like to compliment my esteemed colleague, the gentleman from Texas. He became very persuasive in his remarks trying to convince this committee that this legislation is not unduly and unfairly helping a certain region. I became even more convinced of the fact that it must be as I heard him invoke the history of our country and the broad sweep of his knowledge of the history of our country. Indeed his remarks were persuasive. But nobody can deny that this legislation is highly discriminatory, highly unfair. Hear again the testimony of the person who it is understood will operate this act as the single Federal Commissioner:

On page 42 of the hearings Mr. SWEENEY stated:

> I think we ought to speak frankly. The name of the Appalachian game is preferential treatment.

The programs that the gentleman from Texas thought up to implore the House to think big are not in point. He spoke of the tobacco program, but every place that grows tobacco participates in the benefits of that program.

Consider the wheat program. Every place that grows wheat gets the benefits of the wheat program.

But not so the Appalachia program. You have rural poverty and disadvantaged pockets that have not shared in the national progress of the last 50 years, but they are not confined to Appalachia as defined in this bill.

As I pointed out in my own additional views in the report on this bill, when I heard witnesses speak about the plight of some of these sections of Appalachia, I could have been right back in parts of New Hampshire. The Appalachian Mountains are in New Hampshire—the valleys are just as deep and the hills, in fact, are a lot more beautiful and a lot higher. We have problems with timber development; problems with access roads and the cost of constructing them; problems in financing local sewage-treatment works; problems in financing health facilities; and problems involving proper use of water resources. We have unemployment problems which require vocational educational institutions for solution.

We have problems of out-migration, and we have the problems of distances from commercial industrial markets.

That part of Appalachia was left out unfairly is a matter of record. In the Senate the unfairness became so aggravated that the Senator from New York [Mr. KENNEDY], succeeded in adding 13 counties to Appalachia. He succeeded. But we now find that the 13 counties that he added were relatively prosperous counties. As a result, there will be an amendment before this committee to add counties in New York that are really part of Appalachia and are really in need of this treatment.

These are but surface indicia that show how completely unfair and narrow and discriminatory this legislation is.

The gentleman from Texas has missed this point or rather the point has hit home and he is desperately trying to avoid it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman.

Mr. GROSS. The gentleman from Texas [Mr. WRIGHT] kept speaking of the mountainous region as a requisite for this program. Am I seeing things on that map? Am I seeing the application of this program to the Rio Grande down in Texas—that low land down there?

Mr. CLEVELAND. No, I think this map that was offered in evidence by the gentleman from California [Mr. BALDWIN] shows the depressed areas as defined by the ARA and the Accelerated Public Works Act throughout the entire country.

Mr. GROSS. It has nothing whatever to do with Texas; is that right?

Mr. CLEVELAND. No, this map shows all the areas that are considered areas of high unemployment and as being depressed areas under the definition by the ARA and the APWP.

Mr. GROSS. This proposed program does not pertain to any part of Texas?

Mr. CLEVELAND. It pertains only to the Appalachian area which I am indicating with my hand—parts of Alabama, Georgia, South Carolina, North Carolina, Tennessee, Kentucky, Virginia, Maryland, Pennsylvania, Ohio, and all of West Virginia. The gentleman would be interested to know that one of the parts of Alabama is the Huntsville area where they had more than a billion dollars of Government contracts a year ago. It also includes the Spartanburg area of South Carolina and the wealthiest county of South Carolina. I am sure the gentleman from Iowa will also be interested to know that it includes the impoverished little town of Pittsburgh and its Golden Triangle that the industrial revolution has apparently passed by. And we could go on and on. Indeed, there are 76 counties in the Appalachia region, the gentleman from Iowa I am sure would be interested to know, that are wealthy counties and do not even qualify under the ARA or the accelerated public works program.

Mr. GROSS. If the gentleman will yield further, I would not want to hear that Texas is involved in this because the gentleman from Texas [Mr. WRIGHT] just said that California and Texas are splitting up 50 percent of the defense procurement contracts. I would not think that Texas would have the nerve to come in on any part of the Appalachia program or any other poverty program.

Mr. CLEVELAND. I thank the gentleman. I hope the gentleman recalls that Texas also benefits from the beef import quotas which raise prices of meat in New England to consumers, from the residual oil quotas which raise the price of fuel in New England, and from the depletion allowance which permit large oil companies to pay practically no income taxes, not even to help Appalachia. But, as I have said, this is a day when you have to be big and think big to do business with big government.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Florida.

Mr. CRAMER. I hate to disabuse the mind of my distinguished colleague from Iowa. Largely, the eastern tier of counties in Texas, which are the ARA and APW counties, will soon, I am sure, be joining the counties in Louisiana, Mississippi, Arkansas, Oklahoma, and a few other States, in what has already been described and apparently been committed as the next region to come before this body for money and programs, the Ozark region.

As a matter of fact, it was interesting to note the article in the Sunday Star for February 28, 1965. They have "cranked up" so far that the AFL-CIO is already talking about it. This is going to be the new demand.

This is what the article says:

> The AFL-CIO executive council warned yesterday that the Nation's booming economy threatens to lose its steam this year unless Congress acts swiftly.

As an aside, we have already provided for spending about $11 billion acting swiftly in the past 6 years.

> The council also recommended a series of special programs to develop depressed areas such as—

I might add, not exclusive of—

> the Appalachia States, the Upper Great Lakes areas and Ozarks. Only the Appalachian program is currently underway.

It has been estimated, in the testimony before the committee, by a witness—Mr. Charles A. Robinson, Jr., who is staff engineer and staff counsel for the National Rural Electric Cooperative Association, which testimony appears on page 217 of the hearings—that there would be between $5 and $10 billion cost for these regional programs. The cost of Appalachia alone has been estimated by witnesses to be about $4 billion.

I believe it should be understood that this is only the beginning of a series. The gentleman from Iowa should fully recognize that. This is the beginning of a series of regional approaches, segmenting the United States, dividing America into regions, setting up supergovernments, giving the Federal representative veto power over any and all programs and projects. The final cost of these programs, it is estimated in the testimony, could be as high as $10 billion. Is that not correct?

Mr. CLEVELAND. There is testimony in the record to support the gentleman's statement.

Mr. CRAMER. I should like to ask the gentleman a further question, with respect to the discrimination. I believe this might be a good place to set the argument at rest at this time.

The argument is made, with respect to discrimination, that other communities will indirectly benefit. The direct benefit will be to Appalachia, and there will be indirect benefits elsewhere, it is said.

Why not give a direct benefit to the rest of the Nation, where the communities, as are evidenced on the map in green and gold, have an equal need?

Mr. CLEVELAND. The answer to the question is, That if we are to have a truly fair national program all areas which suffer similar economic blight and disadvantage, such as suffered in parts of the Appalachian area, should share equally and fairly our national wealth to remedy the situation.

This is my understanding of what the gentleman's bill and the bill introduced by myself and other Members on our side, the Resources Development Act of 1965, will do. This is one reason why I support it, and for other reasons set forth in the record in our report on that legislation.

Mr. CRAMER. A second point has been made in answer to the charge of discrimination, which is obvious and cannot be refuted. The map speaks for itself.

The argument is made, "Well, there are other programs actually carried out in certain areas." They talk about the cross-Florida barge canal, the intercoastal waterway, the Mississippi River, and what have you. The fallacy of that reasoning is that those types of programs are available to any place in America where the economic justification can be established, and every State in America has the right to qualify if those standards are met.

Is that not correct?

Mr. CLEVELAND. That is true, and this type of legislation is handled by our Public Works Committee. This is why I feel that the gentleman from Texas was grievously wrong in using those as examples of regional preference. They are not examples of regional preference. They are examples of the application of national legislation in particular places and to particular situations in the country, but which are equally available to every area of the country that can meet the standards established by the programs.

Mr. CRAMER. I ask the gentleman from New Hampshire further, is not one of the clearest examples, of the fact that our committee has not in the past dealt on a discriminatory regional basis with programs of this sort, the highway program, which comprises about 77 percent of this bill? We have at no time passed legislation involving a highway system which related solely to one region of America as against all of the rest of the country, when the rest of the Nation helps to pay the bill. Is that correct?

Mr. CLEVELAND. That is correct, and it probably is one of the most important things in highlighting the unfairness and discrimination involved in this bill. This violates the entire concept of our national highway program. I am sure when the full impact of it dawns on our country and the people of the country, the repercussions will be extremely serious.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CRAMER. Mr. Chairman, I yield the gentleman 4 additional minutes.

I would like to ask the gentleman an additional question. I ask the gentleman, is not the fact that it frankly discriminates against the rest of the Nation one of the principal reasons why in our opinion no witnesses outside of the Appalachian region were called in so as to determine what their attitude would be as it relates to this type of legislation, particularly with reference to highways.

Mr. CLEVELAND. We heard no witnesses from outside Appalachia other than certain people from downtown, as you could expect, who testified in favor of this bill.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. Just for a question.

Mr. DENT. I noted in your remarks you made reference to the city of Pittsburgh. It appeared to me—and correct me if I am wrong—that it was your opinion the city of Pittsburgh was not in need of the benefits which might accrue from the passage of this legislation.

Mr. CLEVELAND. My statement was that I have read about the city of Pittsburgh, although I have not had the pleasure of visiting the city of Pittsburgh recently; I know about the Golden Triangle and the Mellon Institute and your other fine institutes of higher learning. When I heard the gentleman from Texas [Mr. WRIGHT], speak practically with tears in his eyes about how this bill will help areas that have been bypassed for the last 100 years by our industrial progress, I could not believe that Pittsburgh was among them. I do not think many people have thought that a place like Pittsburgh would be in this bill. That was my comment.

Mr. DENT. Might I say, coming from near that city, I have never been blinded by the glitter from the Golden Triangle, because it quit glittering years ago due to the pernicious unemployment existing in this area. Pittsburgh, Pa., at one time, up until very recently, had an unemployment ratio of 14.7 percent. We have the Mellon Institute, yes. We have the Golden Triangle of fable but not actuality. I guarantee you that it is nothing more than the mortar, mud, and bricks that make up the communities and the streets of every other community. We, in that area, believe it is time some of the assistance we have given so willingly over the years to regions all over the United States who needed it be returned to us.

Mr. CLEVELAND. Mr. Chairman, in my additional views I make a couple of points which I would like to repeat for the benefit of the committee. My essential complaint about this bill is the fact that it is unfair not only to many communities in my district but certainly to many communities and districts outside the Appalachian area. I wish to address this part of my remarks to what I call the industrial and job piracy inherent in this bill. All of us will agree, I think, that new industry and the development of new roads into an area is an important key to the economic improvement and development of an area. It is also true that many communities throughout the country are in direct competition for expanding industry and new industries that they hope to bring into their communities. What the Appalachia bill does, in the words of Government witnesses, is make these centers of prosperity not small towns in Appalachia, but centers of prosperity where there is a significant chance or potential for growth, as they term it, in the words of the bill—and the bill is confined to places that have such a significant potential. Its purpose is to strengthen these centers and make them almost unbearably attractive to new industry by building hospitals, schools, vocational training centers, libraries, sewage plants, and access roads and private roads running indeed right up to the door of a new industry or into a timber preserve or recreational area. It builds all of these facilities with up to 80 percent in Federal dollars. It hopes to make them so attractive that any new industry or any old industry that had expansion in mind would have to go to Appalachia. This is where the essential unfairness becomes clear, because there are many other areas, if we look at Mr. BALDWIN's map—and all of you must know of some of these in your own districts—which have the same acute need for help in bringing new industries and to help with the taxload that you have in those areas and to improve the economic climate. When the Federal Government gets into the act and makes it so attractive for the new industry to go into one small part of the country, then you have the Federal Government acting in direct competition with almost every industrial planning agency and almost every economic planning agency and every chamber of commerce and every city and town and community in America. This is what highlights the unfairness of this bill. This is industrial and job piracy.

Mr. CRAMER. Mr. Chairman, I yield 10 minutes to the distinguished lady from Illinois [Mrs. REID].

Mrs. REID of Illinois. Mr. Chairman, the legislation we are considering today is extremely complex. It would perhaps appear on the surface that the main issue to be decided is the desirability of improving the economic status of the people of the 11 States of the Appalachia area, and certainly the economic welfare of all our citizens should be of utmost concern to us in the Congress. But there are other compelling issues in this bill which we, as Representatives of our respective congressional districts, must also ponder; and the welfare objectives of S. 3 should not cause us to lose sight of the dominant questions involving basic changes in the direction of our public policy.

Few among us will argue the merits of improving the economic status of those who reside in areas which unfortunately have not been able to share in the normal prosperity of the times. An adequate and comfortable standard of living for all Americans should be the ultimate goal of our domestic economic policy, and we all hope for the day when this can become a reality. But the attainment of this goal also involves the question as to the proper method of approach. Here today we are considering the establishment of a rather far-reaching precedent in our public policy, one which will authorize preferential treatment for one geographical region of America to the disadvantage of similar regions which are equally depressed in economic progress. Here, also, we are considering the proper limitations which should be placed on Federal grants-in-aid. Here, too, we are considering matters of economic justification, the feasibility of preferential highway development over and above our existing national Federal-aid highway programs, the inconsistency of the proposed land improvement program with our national agricultural policies, and the wisdom of authorizing 100 percent federally financed medical facilities.

Since S. 3 does involve basic issues of public policy, we should, therefore, give thoughtful consideration not only to the question of further extending the concept of Federal grants-in-aid, but also to the principle of providing special Federal assistance to a specific geographical area through such a new, broad, and costly program. It is difficult to see how we can in good conscience justify such a program, financed by all taxpayers of the Nation, for the benefit of the people of one particular region. It is also difficult to see why it is necessary to launch a new program of this magnitude which will overlap and duplicate existing authority which the Congress has previously provided for the same types of aid envisioned by the Appalachia bill. For example, we already have the Economic Opportunity Act, the Area Redevelopment Act, the Federal-Aid Highway Act, the Hill-Burton Act, the Vocational Education Act, and others which were originally designed to accomplish the same objectives sought by S. 3 and, at the same time, extend equal benefits to the entire Nation. This new program, if adopted, will without doubt bring forth similar requests from other regions of the United States where economic development is also substandard, and one can foresee serious future problems of Federal fiscal policy. This bill will, in my judgment, establish a disturbing precedent for increasing Federal grants-in-aid on a nationwide basis to the 70 and 80 percent formula which would be approved for Appalachia.

Another inequity in this legislation is the omission of proper standards for the determination of eligible areas for Federal grants, other than for highway construction. Clearly there is no justification for assistance to all of the 360 counties of Appalachia, for at least 76 counties included in this bill are now ineligible as depressed areas for financial assistance under current Government standards. Furthermore, the Appalachia program is to be a 6-year project, and no provision has been made for the exemption of eligible counties when their economic progress attains a certain level or, conversely, to later include currently eligible areas which may become substandard in the future. Also, it is interesting to note that according to 1960 census figures, which although outdated have been used in connection with the justification of this program, 229 of the 360 counties in Appalachia showed a median family income in excess of $3,000—above the administration's poverty definition. Standards of need, therefore, rather than geographical location, should be the determining factor in this type of legislation.

With reference to the highway provisions of the bill, it is obvious that the 70-percent highway grants represent special treatment for a particular area and are thus discriminatory nationwide. In some of the States in question, this program could result in minimization of highway construction under the regular 50–50 matching funds program in favor of the 70-percent aid program for Appalachia. All States in the area would also have the benefits of three highway programs—the Interstate System, the regular highway aid programs, and the Appalachia program. To my knowledge, no study has been made as to the ratio of capital cost of these highways to the long-range economic benefits to be derived from them, again leaving us in doubt as to the economic justification.

Another conflict in Federal policy appears in the land improvement provisions of this bill. The 80-percent grants which would be made available for soil and water conservation practices could in effect result in increased cropland and pastureland production, thereby promoting uneconomic farm units at a time when there is already overproduction and the Department of Agriculture is paying farmers to take land out of production.

Still another new precedent which would be established by this legislation is 100-percent Federal financing of operating costs of hospitals and other local health facilities. This is a principle which the Congress has consistently rejected in the past and, if considered by the appropriate committee and presented separately, would most likely reject again. The question which comes to my mind is—does such a policy not constitute another giant stride toward socialized medicine? In addition, does the fact that the Federal Government would provide 100-percent financing not mean that the States will abdicate their rights of control over these facilities? After all, our past experience in Federal-aid programs has clearly shown that such assistance also brings Federal control.

Section 214 of this bill also involves questionable legislative procedure since it is a tacit "back door" approach to the continuation and expansion of the Public Works Acceleration Act and the Area Redevelopment Act.

As a member of the Committee on Public Works, I have listened carefully to the testimony on this legislation and have also devoted a great deal of study to the supporting data made available to us. Although the initial cost of the Appalachia program is $1.1 billion, it is logical to assume that the total cost over the 6-year period will perhaps approximate $4 billion. The administration of a program of such magnitude is bound to result in further intrusion of Federal regulation and control in the affairs of the participating States, and the precedents embodied in this bill represent a drastic departure from our traditional view of the Federal-State relationship as far as assistance and grants-in-aid are concerned.

I feel, therefore, that this omnibus-type bill under consideration does represent unjustified preferential treatment for one region to the disadvantage of other areas perhaps equally as deserving and, furthermore, that it offers no assurance that the desired economic objectives can or will be achieved. As legislators, we must also consider the many ramifications of the precedents which would be established in this particular approach and the new Federal-aid policies to which we would be committed. For these many reasons, I do not expect to give this bill my support.

Mr. CRAMER. Mr. Chairman, will the gentlewoman yield?

Mrs. REID of Illinois. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I want to congratulate the distinguished gentlewoman from Illinois for her very learned discussion of this legislation. She has certainly been a loyal and hardworking member of our committee. I want to congratulate her on her very constructive and helpful remarks.

The CHAIRMAN. The time of the gentlewoman from Illinois has expired.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, under the provisions of this $1 billion Appalachian development bill which is under consideration of the House today, assistance would be limited to areas in 11 States, or possibly in 1 more, if New York State is included. In these 11 preferentially treated States, there would be some 360 counties, as I understand, which would be qualified for assistance, and of these 360 counties, 76 are not even economically depressed, in accordance with the definition established for distressed areas under the Area Redevelopment Act. I do not think this is right.

Meanwhile, as an example, in the State of Washington, there are 15 out of our 39 counties that have areas which are depressed to the extent that they do qualify under the Area Redevelopment Act.

The question is, Can I, in all good conscience, representing the State of Washington, vote for a measure which would tax citizens in these 15 depressed areas in my State to assist the people that reside in 76 counties in 11 other States which do not have similar depressed conditions?

However, even more disturbing to me is a statement made during debate on this bill in the other body by the majority leader. It lends substance to the frequently heard charge made in connection with passage in the Senate of the Appalachian bill, that it was motivated as an unprecedented opportunity for political logrolling. I have heard it said that the bill passed as a result of promises for similar legislation to aid other areas of the country, outside of the 11 States covered by this bill. The majority leader of the other body, in fact, openly stated that the administration was working on similar other regional programs.

In this regard, a letter from the Budget Bureau was read into the RECORD during the Senate debate, stating that the administration proposes, very shortly, through an extension of the area redevelopment program, to initiate measures to assist additional regional planning. So it seems clear, Mr. Chairman, that someone is looking toward the next election—just as has been the case with this present bill. This legislation appears to me to be a Pandora's box.

Mr. Chairman, I am not opposed to the Federal Government assisting in the economic upbuilding of depressed areas where there is a reasonable chance of accomplishing the objective, and providing, further, that there is no discrimination to one region in favor of another, and providing that prosperous areas will not be receiving assistance at the expense of people of less prosperous areas. But this bill obviously does not conform to that criteria.

Likewise, Mr. Chairman, I have other objections and these are to the way S. 3 would operate in respect to State and local authorities so that in carrying out this law, they would be subject to dictation. As the additional views of the minority point out in the report on S. 3, this bill would create a new regional government with absolute veto authority and thereby establish dictatorial powers in the person of a single Federal representative on the Appalachian Regional Commission.

In short, I oppose S. 3, and instead, intend to vote for a substitute proposal which I understand will be offered. This alternate proposal would extend Federal financial assistance to all areas throughout the United States which qualify as areas of substantial unemployment, under the definition of existing law. The plan under this alternative proposal would utilize existing Government agencies and authorize State and local officials to initiate projects, and would require States to provide matching funds.

Under this latter arrangement, there would be no discrimination as between regions of the United States, and the local authorities would have a say as to their programs. In any event, I hope S. 3 is rejected. It is poor legislation and should be defeated.

Mr. JONES of Alabama. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman, I rise today to speak in support of the administration's Appalachia program, bill S. 3. Most particularly, I wish to speak in support of section 211 thereof, that section which deals with aid for vocational education in Appalachia.

A quick glance at the statistics shows immediately that the Appalachian area has fallen far behind the rest of the country in education and training. Apparently the work being done in the academic area is not truly serving the needs of the young people of Appalachia. We find that 12 percent of these youngsters have not finished the fifth grade and that an astounding 68 percent—over two-thirds—have not finished high school. This should make it apparent indeed that if these young people are to grow up to be productive citizens, we need an increase in vocational training.

At the present time the Appalachia region receives Federal aid in the amount of $24 million a year. It has been estimated that $105 million is needed to enable this region to catch up with the rest of the country. The additional appropriation in bill S. 3 calls for an additional $8 million a year for 2 years. Certainly an annual appropriation totaling $32 million cannot be called extravagant if we are to make even a gesture toward the improvement of this serious problem. We must assure the young people of Appalachia that they will have a chance to become productive, self-sustaining citizens. We have the obligation to give them the tools, the skills, to enter into and compete in the labor market of future years.

Mr. Chairman, the children in Appalachia must look to us here in the Congress for their hopes for the future. They have no power to publicly persuade in behalf of any legislation. They cannot attend hearings; they cannot give testimony; they have no lobby. As our late President said, all of us as American citizens have a responsibility to future generations. We have the responsibility to hand over to those who follow us a nation that is prosperous. This we have often done but sometimes we have not. We have a responsibility to hand over to them a nation at peace. This we have often done but there have been times that we have not. We have a responsibility most of all to see that they enter adulthood in this Nation prepared to meet the contemporary demands that they will face intellectually, socially, and with proper training.

Mr. Chairman, in relation to this bill we have heard terms such as fraud and hoax. Without a doubt the greatest fraud, the most cruel hoax on these young people would be to thrust them into a world that is beyond their capabilities. History will judge us in future years as to how we meet this responsibility and these young people will judge us also. Let us not fail either.

Mr. CRAMER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. McEWEN].

Mr. McEWEN. Mr. Chairman, I share the concern that has been expressed by some of my colleagues here today over the fact that this bill, alleged to treat with poverty as it is, treats with it on a regional basis rather than national.

I hope the Members will permit my remarks to be, if you will, of a parochial or provincial nature, as I feel obliged to speak in relation to my own congressional district, which could be said to embrace northern Appalachia.

The gentleman from New Hampshire [Mr. CLEVELAND], said that Appalachia reaches into the White Mountain region of New Hampshire. In my own congressional district, the 31st District of New York, we have counties that embrace the northern Adirondack Mountains. I should like to refer to this area in particular.

But a reference was just made by the gentleman from New Jersey to the educational disadvantage of the Appalachian region. The figures that I have on that, Mr. Chairman, from the Legislative Reference Service, indicate that the Appalachian region, as originally defined by the President's Appalachian Region Commission, had 32.3 percent of its people who have completed a high school education. I am advised that with the inclusion of more prosperous and progressive areas within Appalachia, that figure of 32.3 percent would now be somewhat higher.

In my own congressional district, 36.7 percent of our population have completed high school. In one county in particular, 32.5 percent, or merely two-tenths of a percent greater than that of Appalachia.

We have heard about unemployment in the Appalachian region, as if it were unique to this area alone. The Appalachian area as originally defined had an unemployment rate of 7.1 percent. In one county in the 31st Congressional District of New York, in the northern part of Appalachia, in the Adirondack Mountains, in the same period of time that Appalachia as a whole had 7.1 percent unemployment this county had 14.6 percent of unemployment.

For this, and other reasons, I find it impossible on the floor of this House to vote, as I found it impossible in committee as a result of the rejection of numerous amendments, to support this bill in its present form.

Here we are asking that people, such as in this one county that I cited, in my district, having twice the rate of unemployment that Appalachia has, support a program for a region that now embraces some of the most prosperous communities in America.

Reference has been made to Huntsville, Ala.; Pittsburgh, Pa.; and Spartanburg, S.C. I fail to appreciate why this regional approach should be taken.

I was interested in noting the remarks of the gentleman from Texas [Mr. WRIGHT], in his very persuasive argument for this regional concept, citing other regional legislation that this Congress has enacted in prior years. Among others, the gentleman from Texas [Mr. WRIGHT] mentioned the St. Lawrence Seaway with which I have a degree of familiarity since it lies within my congressional district. But here as has been pointed out, there was a demonstrated need for the seaway and it was shown how this waterway, this great public works undertaking, was going to serve the national interest. There was a demonstration of its economic justification. So I am sure was the case with the Intracoastal Waterway and with other regional plans and undertakings.

But in this instance, Mr. Chairman, I fail to appreciate why America should be taxed as a whole to take an approach at one limited segment of the problem of lack of economic growth and job opportunities.

I note that there was offered and accepted in the other body an amendment to this bill to permit, "on an appropriate basis," inclusion of some 13 New York counties in the Appalachian region. I would point out, Mr. Chairman, that of these 13 counties along or near the Pennsylvania border, only 1 of them is indicated as being eligible either under the ARA or APWP standards. The other 12 counties are not.

The amendment I offered in committee to the Senate bill would have changed this New York inclusion from these relatively prosperous southern tier counties to include Catskill and Adirondack counties—9 of the 11 being ARA or APWP eligible. It would have embraced 9 of the 13 such counties in the State of New York.

Mr. Chairman, I submit that the bill in its present form is one that I cannot support and I fail to appreciate how anyone having a congressional district similar to mine, with substantial unemployment and a need for job opportunities, could support this limited regional approach to what has proved to be a national problem.

Also I have concern, Mr. Chairman, as to a number of other aspects of this bill, particularly that relating to access highways.

Mr. CRAMER. Mr. Chairman, before the gentleman gets to that subject, will he yield for a question relating to the Kennedy of New York amendment?

Mr. McEWEN. I am pleased to yield to the gentleman from Florida.

Mr. CRAMER. On page 44, line 19, it is indicated that the Commission is authorized and directed to invite the State of New York to participate in the Commission—and I quote "on an appropriate basis."

Now in our discussion on this amendment and in the hearings on it, as I recall, the Governor of the State of West Virginia indicated very clearly that he was not going to slice this pie up with New York and he was not going to vote to provide highway moneys as a member of the Commission, to put highway moneys into New York or other grant programs into New York. He said, to paraphrase what he said, because I do not recall exactly, that he would be willing to vote that certain studies take place in New York.

The gentleman, of course, heard that testimony and is familiar with that testimony.

Mr. McEWEN. Yes; I am.

Mr. CRAMER. Does this not end up making out of these 13 counties stepchildren as compared to the rest of the region?

Mr. McEWEN. I believe that "stepchildren," in answer to the gentleman, is a very apt description. They are certainly not to come in on the same basis as counties in the other 11 States, whatever the phrase "on an appropriate basis" might mean.

Since the gentleman referred to what the distinguished Governor said before the ad hoc committee, I believe the gentleman might anticipate that "an appropriate basis" would be something less than provided for the other States.

Mr. CRAMER. I also recall that the gentleman from New York took part in the discussions with respect to the meaning of the language. The gentleman from New York was asked by the gentleman from Florida the meaning of the language on page 44, lines 10, 11, and 12.

> What counties are to be included? It is true, is it not, that the counties are not set out by name as they are in the rest of the bill?

As it relates to New York.

Mr. McEWEN. That is true. My identification of the 13 counties comes from reading the proceedings of the other body.

Mr. CRAMER. The only record of the counties intended to be included by the author of the amendment, the distinguished Senator from New York [Mr. KENNEDY], was the reference to the counties he stated in the RECORD, the 13 listed, which are defined as follows:

> The inclusion of such counties of the State of New York as are contiguous to the Appalachian region as defined in this section and counties contiguous thereto.

I have heard it suggested by some that this means one could go right on up with "contiguous to," "contiguous to," "contiguous to," and there is no limitation to any 13 counties in the wording of the amendment.

Does the gentleman understand that there is no limitation of 13 counties in the amendment?

Mr. McEWEN. To answer the gentleman's question, I believe that is true. There is no limitation.

Mr. CRAMER. This is the only section in which the counties are not listed. There is not even a number specified as to how many in that State are to be included. It is quite clear that whatever counties are included will probably be brought in under a decision to be made by the Commission members, and not by the Congress, as to exactly the basis on which they want to bring the counties in; is that not correct?

Mr. McEWEN. That is correct. As a matter of fact, pages 41 through 44 of the bill in detail set forth the counties in all the other States, except for the State of West Virginia which is included in its entirety. There is a detailed recitation of exactly which counties in the other States are to be included.

Mr. CRAMER. As I understand it, the gentleman's amendment offered in the committee would have brought into the Appalachian region the counties which are really depressed counties in his State, or a large percentage of them, which are those in the mountainous region; is that correct?

Mr. McEWEN. That is correct. It would have brought in 9 of the 13 counties in the State of New York which have been ARA eligible. It would have included 9 of the 13 in the State, and 9 of the 11 counties in this inclusion would be ARA eligible.

Mr. CRAMER. It is almost inconceivable to me that our committee would take an attitude, "you can't cross a 't' or dot an 'i' in this bill."

I believe this is perhaps one of the clearest examples of that, in that the gentleman offered a perfectly logical amendment. The gentleman is a member of the committee and his amendment was voted down summarily.

I likewise point out that a gentleman now on the floor, the gentleman from Alabama [Mr. MARTIN] properly made a request that one county which is surrounded by other counties which are depressed be included. Those other counties are in the legislation. The county which the gentleman from Alabama wished to add was Lamar County, which is surrounded by other depressed counties but was left out of the bill.

The committee did not even see fit to make that amendment, which was so obviously meritorious. The only conclusion to which I can come—and I ask the gentleman if he agrees with me—is that the orders had come down that they were not to cross a "t" or dot an "i" and this bill had to be ramrodded through the committee in exactly the form it came from the Senate, even though in the form it came from the Senate there were many shortcomings, as illustrated by the one New York amendment alone. Does the gentleman agree with that?

Mr. McEWEN. I would have to agree with the gentleman from Florida on that.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. McEWEN. Mr. Chairman, I will be happy to yield to the gentleman from New York [Mr. McCARTHY].

Mr. McCARTHY. My distinguished colleague from New York alluded to the committee amendment. If he will look at the record and read it closely, I think the name of that amendment, as he will see, should be the Kennedy-Javits amendment, because, as you will see, the distinguished senior Senator from New York concurred in the amendment offered by the junior Senator from New York, and modified it and proposed some changes which were accepted by the junior Senator. Then, of course, it was passed by the other body. This is just a point of clarification to show that it was really a bipartisan amendment.

Mr. McEWEN. I believe the gentleman is correct in that the senior Senator did have something to do with naming some counties in this area. He was trying to assist the junior Senator from New York in identifying this particular area, I think.

Mr. CRAMER. Mr. Chairman, I did not mean to get the gentleman from New York off his subject of access roads in asking my questions. I will be glad to yield the gentleman additional time, if need be, to discuss that subject.

Mr. McEWEN. Thank you, Mr. CRAMER.

Mr. Chairman, on access roads, it does seem to me this is one of a number of features of this bill which appears to be rather unique. There is nothing in here specifying standards for these roads. There is no assurance from this bill that these roads will serve primarily, if at all, a public use. It has been brought out in discussions in committee—and I assume it will be brought out here on the floor, also—that the admitted purpose of these access roads is to help in the attraction and the location of industries and resorts. It does seem peculiar to me that we should be asked to enact for this one region the construction of highways to serve for private purposes and private profit for the use of those using a particular industry or resort rather than highways which will serve the general traveling public and the economy and the commerce of the Nation.

I thank the gentleman for yielding me this additional time.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. TAYLOR].

Mr. Chairman, will the gentleman yield?

Mr. TAYLOR. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I would just like to point out to the committee that the gentleman from North Carolina who will address the committee has done considerable work on this proposal. He has been before the committee this year and last year rendering valuable assistance and has been most helpful in the considerations and deliberations of the committee. It is always good to have you working with the committee, Mr. TAYLOR.

Mr. TAYLOR. Thank you very much.

Mr. Chairman, I rise in support of this bill because it offers hope and economic uplift to a large section of our Nation. This is, in my opinion, the most important single piece of legislation for the people whom I represent that has been considered since I became a Member of Congress.

This is a program to rebuild and revitalize the economy of the entire Appalachian area. The highway building proposals in the Appalachian bill, coupled with its other features, promises relief to an area which has suffered economically because of an inadequate highway system.

The Appalachian area was settled in the early days by pioneers, who were adventurous and not content to sit still but wanted to advance and explore and seek new opportunities. They moved to a rugged mountain area which offered a challenge and a promise; and for a while, that promise was realized.

But as the years moved on, in many cases, timber and mineral resources were depleted. During recent years, the people in this area have been caught in the backlash of an industrial revolution. The revolution in American agriculture which took the mules from the farm and replaced them with expensive machinery destroyed small mountain farms or made them uneconomical. The 14 western North Carolina counties which I am privileged to represent in Congress lost 14,000 farm jobs between 1947 and 1957. In counties where additional jobs in industry have not been created, there has been much unemployment, underemployment, and outmigration.

In most sections of the Appalachian mountains, as in my area, the people have been active in trying to solve their own problems. Since 1948, Western North Carolina Associated Communities has been an active organization promoting regional development. This organization founded the Western North Carolina Regional Planning Commission which, with the aid of a professional planning agency, made an economic analysis of the area and outlined a development program. The development report stated that the key to the development of western North Carolina is roads and highways, and I know that the same applies to other sections of Appalachia.

The Appalachian bill is a historic landmark in Federal-State relationships. It embodies a unique State-Federal partnership approach. It places a tremendous responsibility on each State in developing the type of program that will work in that State and in helping provide the necessary matching funds. It preserves the rights of States by providing that a State must give its consent before any program is carried out within its boundaries. It represents a practical effort to put natural resources to work by means of roads, hospitals, soil conservation, and education. It helps the people in an area to help themselves.

This is primarily a roadbuilding bill with nearly 80 cents of each dollar going for highways.

Civilization moves with transportation and transportation has been an important factor in the development of each section of our great country. The Appalachian region lies close to great concentrations of people and wealth. But isolation caused by inadequate highways and transportation facilities has prevented the extension of such growth and economic prosperity into the Appalachian mountains. The establishment in this region of an adequate system of highways is the key to its development. Highways are needed to ease traffic congestion in some places and are needed as an instrument of economic development throughout the Appalachian area.

By opening the door to transportation, we lay the foundation for private enterprise to come in to build and develop wealth and jobs. The area is rich in climate, in water, and timber resources, and in human resources. Make the area accessible with modern highways and these resources will bring about its development along industrial and recreational lines and will convert it into a land of promise.

The various sections of our great country have individual needs and problems. In some cases, the economic need is harbor development; in other cases, dredging of rivers for commerce or other construction is needed. Out West, the need is development of water resources, and as a member of the House Interior Committee I have supported programs to meet these great public needs.

My colleague and friend, the gentleman from California, said that this bill is favoritism to the Appalachian area. In response I would say that if and after we pass this bill during the next 5 years, while it is in effect, more Federal money will still be spent in California than in the entire Appalachian area. I am proud of this prosperity that we have in California. I say we, because the prosperity of California benefits the entire country. Likewise the poverty of the Appalachian area hurts the entire country and hurts California, and Florida, and New York, and the other States. In geometry we learned the whole equals to the sum of its parts. As we strengthen any part of this country, we strengthen the entire country. This is a regional program which over a period of years will pay for itself.

Mr. CLEVELAND. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. MARTIN].

Mr. MARTIN of Alabama. Mr. Chairman, I come to the members of the Committee today as a Member of Congress from the Appalachian region. I know that region well, specifically in my own area of the country.

Mr. Chairman, there does exist some poverty. There does exist some need.

Very frankly, Mr. Chairman, I explored, in my own conscience, the possibility of casting a vote in the affirmative on this bill. But I cannot do so in good conscience because there are other demands upon my conscience that call to a greater and higher purpose.

Mr. Chairman, as I sat in my seat this afternoon I looked at the young people today going in and out of the galleries. I am trying to let my mind project to a greater problem in our Nation, that of bringing into economic balance our income as compared to our outgo.

We have watched in the past several decades the devaluation of our dollar. We are concerned now today, paramount among all issues, outside of the peace of our country, with our economic stability.

Mr. Chairman, I cannot vote for a piece of legislation that weakens the economic stability of our country. I cannot vote for a piece of legislation today which has for its purpose the building of roads today and then send the bill to our children and our grandchildren.

Mr. Chairman, I realize that the major portion of this bill, if enacted, would be devoted to road construction. I say to the gentlemen from the Appalachian area and of my own great State of Alabama that we have done a good job in building roads. We have probed into many of these areas with good roads. We have taken upon ourselves the necessity to tax in the various States such items as gasoline that have brought into our States enough money to do a good job with a roadbuilding program. I say to the States that if this is not adequate, then look into your own State building program. The building of roads in these areas is not primarily that of a Federal function.

Mr. Chairman, already we have working a good combination of Federal and State cooperation in roadbuilding programs. Let us keep these programs working. But let us not add more and more and more. Where do we stop? Where does the all-powerful Central Government stop? Where do we stop abrogating our rights as States and communities and turn all of our problems over to the Federal Government?

Mr. Chairman, I will admit as a Member of the Congress who comes from a rather poor section of the country, Alabama, that I have to look back with pride upon how we solved some of our economic problems. We did so with hard work. We did so by pulling ourselves up by our bootstraps, because we do have bootstraps. We did it without any foreign aid from anyone, but with our own good minds and willing hands.

Mr. Chairman, I say that these people are wonderful people who live in the Appalachian area, people who will solve their problems. As I ride through the country I know that there are areas of unemployment. But I am not one of those who thinks that just because you put a slab of asphalt through a mountain road that is not now in too good condition that you are going to put an industry there.

Mr. Chairman, I served as president of the Associated Industries of my State. I have talked to a lot of men of industry about this great problem. One asphalt road will not bring an industry into any mountain area.

Mr. Chairman, I also know that we have a great problem of training people throughout the country. Surely they need training. My State, Alabama, is now in the process of undertaking a great program of building trade schools in which to train its people. We have been able to do that in spite of the fact that we have a lot if depressed areas on the map in the State of Alabama. We may be depressed in comparison to other areas of the country that are more wealthy. However, we are a proud people. We are working hard. We are producing enough taxes to become progressively one of the wealthier States of this Union.

Mr. Chairman, I watched as the map unfolded some of the counties which are located in the congressional district of my State which it is my privilege to represent. We have in the Appalachian region one section that we call Sand Mountain, a flat plateau of mountain area. It is one of the most productive farming areas in the United States. It is populated with mountain people who possess a lot of pride.

Mr. Chairman, I would hate for them to think that they wanted me to stand on the floor of this Congress and call them a people dependent upon the Federal Government and people who live there as depressed. They are not depressed. They have toiled with their hands and built a great land.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Alabama. I yield to the gentleman from Illinois.

Mr. GRAY. The gentleman is making a very impressive statement, but I wonder if he knows that over $500 million a year is going to relief and related programs in this region the gentleman represents for the cost of these people now?

Mr. MARTIN of Alabama. I do not think this is going to solve that question. Can the gentleman prove it will take one man off the payroll?

Mr. GRAY. They have been depressed a long time. We would like to try something. I am not in the Appalachian region myself, but as a member of the Committee on Public Works I feel it is worth an effort to try to transfer relief checks into paychecks.

Mr. MARTIN of Alabama. I agree with the gentleman we should try to get relief checks into paychecks. But I am a believer in the free enterprise system as the answer to this problem. I do not think you will solve the problem by this bill.

Mr. GRAY. I would like to point out again to the gentleman that it is costing $500 million a year now. That is a lot of money.

Mr. MARTIN of Alabama. It is a lot of money, yes, but I think we are solving these problems in the framework of the free enterprise system of our country. You are not going to solve unemployment by passing an Appalachia bill.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Alabama. I yield to the gentleman from Florida.

Mr. CRAMER. I think the remarks of the gentleman from Illinios illustrate the fallacy, the proven fallacy, of the approach of the majority relating to depressed areas and unemployment in this country. We have heard assertions for the last 6 years now that the answer to unemployment is to spend Federal money. I recall the assertion that $900 million spent in a period of about 18 months for an accelerated public works program in all these areas evidenced on the map, some 1,407 areas, was the answer to the problem. It was stated this would put people to work. It was proven it did not put them to work in any substantial quantity, and when it did put them to work it cost the taxpayer an average of more than $10,000 per man-year.

I call the gentleman's attention to the fact that there are new assertions in the programs proposed here as well as the ones already in existence. For instance, there is a request this year for fiscal 1966 for programs that have a relationship to combating poverty. I will ask unanimous consent to include a list of these in the RECORD at this point.

The material referred to follows:

TABLE 1.—*Federal programs currently operating to combat poverty (as provided for in the budget for fiscal year 1966)*

(NOTE.—These are Federal programs having the purpose or effect of helping to eliminate the causes of poverty or to ameliorate the conditions of poverty; many of these programs are aimed specifically at the poor, others are of a more general application.)

[In millions]

	Amount budgeted
Office of the President: Office of Economic Opportunity [1]	$1,465.5
Department of Agriculture:	
Agricultural research (Hatch Act) [2]	45.9
Cooperative extension (Smith-Lever Act)	70.8
Farmer Cooperative Service	1.2
Economic Research Service [3]	9.5
Special milk program [4]	100.0
School lunch program [5]	411.7
Food stamp program	100.0
Donation of commodities to needy persons (other than school lunch program) [6]	197.1
Farmers Home Administration (rural housing grants and loans):	
Development loans	1.4
Grants	10.4
Loans to elderly	19.0
Building loans	11.0
Total	41.8
Rural renewal loans	3.0
Direct loan accounts [7]	349.0
Real estate	49.0
Operating	300.0
Rural Community Development Service	0.1
Rental housing for elderly	5.0
Subtotal	1,335.1
Department of Commerce: Area Redevelopment Administration:	
Operations and technical assistance	4.1
Grants for public facilities (requires new legislation)	10.5
Area Redevelopment Loan Fund	0
Subtotal	14.6
Department of Health, Education, and Welfare:	
Office of Education:	
Vocational education acts [8]	257.5
Student loan program (National Defense Education Act) [9]	179.3
Science, mathematics, foreign language instructional equipment and audiovisual equipment for elementary and high schools (National Defense Education Act)	79.2
Improved counseling, testing, and guidance in schools (National Defense Education Act) [10]	31.7
Cooperative research and demonstrations	25.0
Education of handicapped children [11]	21.5
Vocational rehabilitation Administration:	
Vocational rehabilitation grants to States [12]	124.0
Vocational rehabilitation research and training	45.8

See footnotes at end of table.

TABLE 1.—*Federal programs currently operating to combat poverty (as provided for in the budget for fiscal year 1966)*—Continued

[In millions]

	Amount budgeted
Department of Health, Education, and Welfare—Continued	
Public Health Service:	
Chronic diseases and health of the aged [13]	$61.2
Communicable diseases	39.3
Community health practice	63.4
Hospital construction (amount here is that proposed for 5-year extension of Hill-Burton Act) [14]	303.0
Environmental engineering and sanitation [15]	15.9
Indian health activities [16]	66.0
Social Security Administration:	
Federal old-age and survivors insurance trust fund payments	17,800.0
Unemployment compensation and employment services	492.1
Welfare Administration:	
Public assistance grants to States [17]	2,966.4
Public Assistance Administration, services and training (grants to States) [18]	295.7
Bureau of Family Services [19]	6.2
Maternal and child welfare [20]	162.0
Office of Aging	7
Cooperative research for social security	2.0
Subtotal [21]	22,937,9
Department of the Interior: [22]	
Indian education and welfare	106.8
Indian resources management	0.1
(Indians) construction of facilities and irrigation systems	70.0
Subtotal	176.9
Department of Labor:	
Manpower training and development	16.8
Unemployment Insurance Service and U.S. Employment Service	13.4
Subtotal	30.2
Housing and Home Finance Agency:	
Low-income housing demonstration programs	.1
Public facility loans (1965 capital outlay)	100.0
Urban renewal grants	1,623.0
Low rent public housing grants	248.2
Low rent public housing development loans	646.8
Subtotal	2,618,1
Small Business Administration:	
Business loans	240.1
Investment and development company assistance; debenture purchase and loans	79.0
Subtotal	319.1
Total	28,897.4

[1] Includes the Job Corps, community action programs, migrant agricultural employees program, rural areas program, work experience program, adult literacy program, volunteer program, and general direction and administration

[2] Includes project for improving rural life.

[3] Farm economics and marketing economics.

[4] Whole milk for children in schools, day camps, etc.

[5] Includes both commodities and cash payments.

[6] The 1964 figure (1966 estimate not available) for donation of food for needy persons through public and private welfare and charitable agencies.

[7] 90 percent of loans go to farmers with income of $3,000 or less. Purpose identical to poverty act grants and loans to farmers.

[8] Includes funds to Commissioner for direct help for culturally deprived youth (residential schools, workstudy, and special projects), also, State plans include heavy emphasis on out-of-school youth.

[9] Specifically intended for needy but able college students fund is now meeting colleges' requests. States give priority to schools most in need of assistance to buy expensive equipment.

[10] Key part of efforts to prevent school dropouts.

[11] Program designed to prevent future dependency.

[12] These two programs heavily emphasize and assist in expanding, improving, and coordinating State and local services and facilities.

[13] These programs (9, 10, 11) make a major contribution to State and local efforts to improve general health and to prevent, control, and treat disease.

[14] Includes nursing homes, diagnostic and treatment centers, rehabilitation centers, and project grants for comprehensive area plans for medical facilities.

[15] Grant assistance to States, cities, industries, and researchers to eliminate health hazards from food and water.

[16] Full range of health, medical, and hospital services for Indians and Alaskan natives; health education.

[17] Payments to individual recipients, medical care for the aged.

[18] A major purpose of these grants is to finance State and local programs to prevent dependency and causes of dependency.

[19] Administers public assistance grants, coordinates Federal and State efforts, provides technical and other assistance for programs to prevent dependency.

[20] Grants to States, including research and demonstration for improved maternal and child health services (particularly in rural areas), child welfare services and crippled children's services.

[21] Includes $17.8 billion Federal old-age and survivors insurance trust fund payments (social security).

[22] These three programs, plus Public Health Service health services, relate to nearly every phase of Indian life.

TABLE 2.—*Existing Federal programs which overlap programs proposed in S. 3, the Appalachian Regional Development Act of 1965—Amount budgeted for fiscal year 1966*

[In millions]

Sec. 201—Appalachian Development Highway System: Federal-aid highway program:	
Interstate System	$2,660.0
Primary system	440.0
Secondary system	296.0
Urban highways	246.0
Total	3,642.0
Sec. 202—Demonstration Health Facilities:	
Title IV of the Public Health Service Act	260.0
Mental Retardation Facilities Construction Act and the Community Mental Health Center Construction Act	22.0
Total	282.0
Sec. 203—Land stabilization, conservation, and erosion control:	
Agricultural conservation program	250.0
Cropland conservation program	10.0
Conservation reserve program	$150.0
Soil conservation service	218.0
Total	628.0
Sec. 204—Timber Development Organizations:	
Forest Service programs	340.0
Farmers Home Administration credit programs	248.0
Total	588.0
Sec. 205—Mining Area Restoration:	
The act of Aug. 31, 1954; the act of July 15, 1955; and the act of Oct. 15, 1962	1.2
Sec. 206—Water resource survey:	
Civil works program of the U.S. Army Corps of Engineers for surveys, research, and development of water resources	24.0
Department of the Interior, Bureau of Reclamation, general investigations, surveys, and studies on water resources	11.6
Total	35.6
Sec. 211—Vocational education facilities:	
The act of Mar. 1, 1931; the act of Mar. 18, 1950; the act of Aug. 1, 1956; the act of Sept. 25, 1962; the Vocational Education Act of 1946; and the Vocational Act of 1963	257.5
Sec. 212—Sewage treatment works:	
Sections 301, 311, and 361 of the Public Health Service Act and the Federal Water Pollution Control Act for water supply and water pollution control	40.6
Federal Water Pollution Control Act construction grants	100.0
Subtotal	140.6
Sec. 214—Supplements to Federal grant-in-aid programs (those programs in addition to secs. 201–212):	
Watershed Protection and Flood Prevention Act	5.7
Library Services Act	55.0
Federal Airport Act	75.0
Higher Education Facilities Act of 1963	641.8
Land and Water Conservation Fund Act of 1965	125.0
National Defense Education Act of 1958	412.6
	1,315.1
Total	6,890.0

Mr. CRAMER. Including social security, it amounts to $28.897 billion. Taking social security out, it is $11 billion. Included in this aid to depressed areas and aid to unemployment this year, and in the bill we passed last year for the Office of Economic Opportunity, $1,465,500,000 is requested for the assistance of unemployed people in the area of the Job Corps, the community action program, the agricultural program, the rural area program, work programs, the adult literacy program, and others, and in the area of vocational education, a duplication of what is in this bill. In addition to that, $100 million for the food stamp plan. You have the Manpower and Development Training Act program. There is also a figure in excess of $300 million for the next 5 years for hospital construction under the Hill-Burton Act.

So I think the fallacy is obvious in the position of spending a few billion dollars for this, and this is a $1.92 billion program for Appalachia alone, for the right-to-work program, pumping Federal money into everything might employ a few more people, even though the cost is far disproportionate to the people employed.

Would not the gentleman agree to that?

Mr. MARTIN of Alabama. Yes.

Mr. CRAMER. Does not the gentleman agree further that one of the clearest examples where, in my opinion, we are going to have a bigger abuse, you will have more political shenanigans, you will get less benefit as a result, is the access road program in the highway section, that permits them to build highways without any standard of construction, without any responsibility to maintain those highways for the first time in the history of Federal aid legislation. Without any requirement of maintenance they can build these access roads, a thousand miles of them, to any motel or hotel or business, golf course, or almost any other private facility, providing all that without limitation.

Does not the gentleman agree with that?

Mr. MARTIN of Alabama. Yes; I do.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CRAMER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Alabama. I yield to the gentleman from Illinois.

Mr. McCLORY. I think the gentleman's remarks are really pertinent insofar as they discuss the fact that industry may or may not come into the area if they are provided with these benefits that the Appalachia bill would provide. I do not think there is any assurance that can be given in this kind of legislation that with all of the attractiveness, with the new highway construction and the other benefits that would be provided here, industry would go there.

I am reminded of the situation in Brazil, where the Brazilian Government undertook to construct a whole community called Brasilia out in the hinterlands with the idea that it was going to be a center of activities and was going to attract a lot of people there and provide a lot of benefits for the whole nation. It virtually destroyed the country, because of this great economic investment in that area and the fact that it was not attractive for industry or business or people to go there. The problems of the country have been monumental. The distress that has resulted from this effort on the part of the Brazilian Government has been far-reaching, practically to the point of destroying the nation itself as a nation.

I think this is the riskiest sort of governmental planning. It gives no real assurance that any benefits could come even to the area that is intended to be benefited.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Alabama. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. The gentleman from Illinois may not have attended the committee when the gentleman from South Carolina [Mr. DORN] said something to the effect that the Duke Power Co., of South and North Carolina, has an application before the Federal Power Commission which, if granted, would call for the spending of almost as much money in the Appalachian area as this entire bill. It seems strange to me that we have the Federal Government here with one hand holding up the development of Appalachia, if the information given us by the gentleman from South Carolina is correct, and on the other hand pouring this largess in.

Is it true that 11 of the gentleman's 12 counties are in this area?

Mr. MARTIN of Alabama. Yes.

Mr. CLEVELAND. I should like to nominate the gentleman for the "Profiles of Courage" award. I admire the gentleman's courage, if 11 of his 12 counties are in this area and he has decided to vote against this bill. I hope that there are enough people in the gentleman's district that will recognize this courageous action the gentleman has taken. I hope this will be recognized far beyond the area of the gentleman's district. It is most refreshing to me to know there are still people here in the Congress who have the courage to vote their convictions instead of just voting their districts. I congratulate the gentleman.

Mr. MARTIN of Alabama. I thank the gentleman.

In conclusion, I would remind the Members of this body that when we vote for this bill we should in good conscience, if we do vote for it, vote for bills for other areas. Since I am not of the view that we want to embark on another spending program for the entire United States, I cannot vote for my region and turn around and cast a vote for another region. Let us stop this trend of more spending. Let us stop this trend of doing now and putting our children in debt. When we have the money in the bank I am willing to do it, but not now.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Alabama. I yield to the gentleman from New York.

Mr. McCARTHY. Does the gentleman recall an amendment in committee when he tried to insert another county into the program?

Mr. MARTIN of Alabama. I recall it because I wanted to bring out the unfairness to the gentleman and the other gentleman, that you had included counties of great wealth in my district but excluded one of extreme poverty. If I was not, under the circumstances the gentleman mentions, able to explain it sufficiently to you, how could I explain it to the people back home? I think if you are going to use it for poverty, you ought to put it where poverty is.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. McCARTHY].

Mr. McCARTHY. Mr. Chairman, the southern tier of New York State stretches for 350 miles from Delaware County on the east to Chautauqua County on the west. It is predominantly rural; covered with hills, some rolling and some jagged.

During the early months of the planning for this Appalachian program, New York participated. But after about a year, New York withdrew. In the early stages the 13 counties of New York, the southern tier, were included because geographically and economically they shared the characteristics of Appalachia. But when the Governor of New York withdrew, they were not included.

This omission I feel, Mr. Chairman, is contrary to the purposes of this bill which is to provide through regional planning and development. These counties certainly are part of the region of Appalachia. Now this omission was noted, as our distinguished colleague from New York pointed out earlier, by the junior Senator from New York. He introduced an amendment which was concurred in by the senior Senator from New York who proposed certain changes. The junior Senator accepted those modifications and the amendment was passed by the other body.

The amendment directs the Appalachian Region Commission to consider including the 13 southern tier New York counties. If, after consultation with New York, the Commission concludes that these counties share the social and economic characteristics of Appalachia and that their inclusion would further coordinate economic development of the entire region, it would then invite New York to participate. If the Governor of New York accepts, these counties would be included. Now there is no doubt in my mind, Mr. Chairman, that these counties do in fact share the social and economic characteristics of Appalachia and lag behind the rest of the Nation. They are poor. Two hundred thousand families in this area, 12 percent of the total, have incomes under $2,000 a year. In Delaware, Allegany, and Oswego Counties, 15 percent of all families have incomes in this bracket. This is more like West Virginia than the neighboring counties in Pennsylvania. In West Virginia 17 to 18 percent have incomes under $2,000 and in the neighboring counties of Pennsylvania there are only 11 percent. Now these facts have sad consequences. Young people more and more are fleeing from this region. In the Nation as a whole, 15 percent of our population are in the age bracket of 15 to 24. But in the southern tier of New York, only 12 percent of the population is in this bracket. The future of the southern tier of New York, like that of the Nation as a whole, lies in its youth. If the youth continue to flee from this region, the region will have no future.

This amendment definitely does not include the 13 counties because it is a voluntary program and the Governor of our State despite the poverty that exists there has for some strange reason not seen fit to ask for their inclusion. But I believe that the door should be left open.

Mr. Chairman, opponents of this amendment have cited certain prosperity in this area; in Elmira, Binghamton, Jamestown, and Corning. It is true that there is prosperity, but I think that this is good for the overall bill. The fact that there are small pockets of prosperity tucked into this huge fabric of poverty does not change the case.

It strengthens the case, because these pockets of prosperity can be the affluent nuclei around which prosperous regional economies can be built. But modern arteries of concrete must be stretched out from the these pockets of prosperity. The penetration of the southern tier of New York by an adequate transportation network is the first requisite of its full participation in industrial America. An adequate highway system is an absolute essential to economic progress in these rolling hills.

I urge retention of this amendment.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. KEE], a member of the committee.

Mr. KEE. I thank the gentleman for yielding.

Mr. Chairman, the 11 States of the Appalachian region had very serious economic problems of long-term duration. Because of these difficulties, the Governors met at Annapolis, Md., in 1960 for the purpose of finding out what could be done. These Governors requested the President of the United States to establish the President's Appalachian Regional Commission. This Commission was established on April 9, 1963.

This Commission included representatives of the Governors and a representative of the heads of major Federal departments and agencies, and it worked diligently to prepare a comprehensive program for the economic development of the region. The work of this Commission resulted in the legislative proposals we are considering on the floor of the House today.

In fact—this is one point which is absolutely clear and no man can deny it—these proposals came primarily from the Governors of the 11 States involved and not from the Federal Government.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LANGEN. Mr. Chairman, I should certainly agree with the minority report on this bill that it would provide preferential treatment for one region, thereby discriminating against other areas with equal or greater need. In fact, my own Seventh District of Minnesota is a good example of areas that would certainly qualify for Appalachian funds according to the criteria put forth for such need. For instance, we are told that in the Appalachian area 30.7 percent of the families earn less than $3,000 a year, the statistical figure so often thrown about these days as the point of no return for the poverty stricken. In the Seventh Congressional District of Minnesota, 37 percent of the families earn less than $3,000 a year, but I have not heard anyone calling the area poverty stricken. The Seventh District needs realistic help in its efforts to improve its income level, but Appalachia is not going to do the job. In fact, the Appalachian Act will hurt such areas as the Seventh District of Minnesota.

This points out the wisdom of the minority who recognize the dangers and inherent unfairness of confining such sweeping aid to only one region of the Nation. This same minority also has proposed an alternative plan, a program for all of the Nation instead of just Appalachia. The Appalachian region, of course, would also benefit, but so would other areas of need. This Republican alternative recognizes the fact that if such large sums of money are to be spent, they should be available on an equal basis to all areas of need in this Nation.

One of the aspects of the bill before us today that has been noted in particular by the writers of the minority view concerns the section on highway construction. It is noted that 85 percent of the program is for highways, even though our National Highway System has been developed so that all of the States in the Union, on a time-tested formula, have shared in a fair manner in the Federal funds available for highway construction. But now, for the first time, 11 States are being singled out to receive $840 million of special funds for development of highways and access roads. Some of those States are among the largest and wealthiest in the Nation.

I always thought that when you built a better mousetrap, the public would beat a path to your door. Under this Appalachian bill, we are going to beat the path to the door first.

A disturbing aspect of assistance for Appalachia in such a massive form is contained in statistics that are finally coming to the attention of the Congress. We are led to believe that Appalachia will never recover or approach the national income average without this bill.

Unfortunately, most of the statistics thrown around were taken from the 1960 census and do not reflect progress made in the last 4 years by the communities themselves, through private capital moving into the area due to the availability of manpower and natural resources. Recent reports show that the gap between Appalachian income and the U.S. average is narrowing. In West Virginia, for instance, unemployment dropped from 105,000 in 1961 to under 60,000 in 1964. Such progress is commendable, and reflects the basic spirit of America that has always believed that Washington's job is to do only what the private and local sectors cannot do. But I can imagine how much initiative there will remain for such improvement after Uncle Sam takes over the job, at the expense of the rest of the taxpayers in the Nation. We must not lose sight of the fact that lasting prosperity is only created by policies encouraging expansion of job-creating, taxpaying enterprises.

Another section of the bill before us that concerns me is the section on land improvement, although the terminology has been changed to say "land stabilization, erosion, and sediment control, and reclamation through changes in land use, and conservation treatment." We should remember that this section was entitled, "Pasture Improvement and Development" in the Appalachian bill of the last Congress, and would have authorized the Secretary of Agriculture to make grants to landowners in amounts up to 80 percent of the costs of improving and developing 25 acres of pastureland owned by such landowner in the region.

The only difference between that bill and the one before us today is that the acreage per farm has been increased from 25 acres to 50 acres and that cropland is included with the pastureland as eligible for improvements. What this section does is to transfer the pockets of poverty from marginal farms in Appalachia out onto the plains of America where beef and other crops are already being overproduced. Our Government recently spent $25 million to keep excess beef off the market, and we are already paying to keep 53 million acres of farmland out of production.

The relationship of the crop and pastureland improvement section of this bill on the rest of rural America is apparent. The Budget Director tells the rest of the Nation that 2½ million farmers must leave their lands because they are not "efficient" enough. But here in this bill we see this same administration attempting to set up another round of marginal farms to compete with the rest of the country, raising crops and commodities that already are in surplus. It is obvious that this scheme, like so many others we have noted in recent years, follow the very same pattern of transferring misery from one section of the Nation to another. You would think they would learn from past experience.

There is another aspect of this bill that does not make sense. Section 214 is, in effect, a reenactment of the discredited and ineffectual Public Works Acceleration Act for the Appalachian region. In fact, it is even worse than the forerunners, since this section provides for an increase to 80 percent for the Federal share of projects instead of the original 50 percent in the Public Works Acceleration Act.

Accelerated public works—APW—and the Area Redevelopment Administration—ARA—have long lists of dismal failures, unable to show any substantial reduction in unemployment actually attributable to the programs. Even the present administration appears to have deserted the continuation of these programs, which makes the inclusion in this bill even more strange.

ARA and APW are no strangers to Appalachia. ARA admitted last year that about 30 percent of its funds were spent in the Appalachian States, or that approximately 23 percent of the APW funds were spent in Appalachian counties—without any apparent improvement in the employment picture attributable directly to such programs.

Add to this the fact that 76 of the Appalachian counties are not now eligible for grants under the Public Works Acceleration Act because they do not need it. But, under the Appalachian bill before us today, they would indeed become eligible.

Mr. Chairman, I respectfully suggest that the bill before us has too many deficiencies, that more thought is needed before this Congress or this Government can effectively combat poverty in this Nation. While I certainly am in favor of governmental efforts to assist our unfortunate citizens, I believe we need better programs than those offered in this bill that pours millions into a sweeping program for an isolated area. Let us reconsider.

Mr. JONES of Alabama. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region, had come to no resolution thereon.

AMENDMENT TO THE INTERNAL REVENUE CODE OF 1954

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I have today introduced a bill (H.R. 5577) to clarify the status of the Marshfield Clinic, Marshfield, Wis., for Federal tax purposes.

The Marshfield Clinic was incorporated in 1916 under the general business corporation law of Wisconsin. It has become a major economic factor in the community and a major medical institution in the State of Wisconsin.

During the almost 50 years of its existence, the clinic has operated as a corporation. During this period it has been taxed as a corporate employer. The doctors on its staff are salaried and have been treated as employees for withholding taxes, social security taxes, and unemployment compensation taxes, both State and Federal.

Coincidentally, the history of the Marshfield Clinic covers the same span of years as the Federal income tax. For some 49 years, no one has questioned its corporate existence for Federal tax purposes. At this late date, the Commissioner of Internal Revenue has promulgated regulations with respect to socalled professional corporations which would take away from the Marshfield Clinic its corporate status.

Although the regulations in question were directed at a different type of professional corporation, organized under special laws enacted in recent years, no effort was made to limit the impact of the regulations to that type of corporation. Instead, the regulations would refuse to recognize any professional corporation, regardless when or how organized. In adopting this position, the Commissioner would reverse the longstanding rulings of his predecessors in office that the Marshfield Clinic is a corporation and that its doctors are employees of that corporation.

The Marshfield Clinic was granted a corporate charter by the State of Wisconsin in 1916. That status has stood unchallenged for almost 50 years. No claim is made that there has been any change in the manner of its operations over those years which would justify a change in position on the part of the Commissioner of Internal Revenue. No claim is made that the Marshfield Clinic has abused its corporate status, or that it was organized for purposes of tax avoidance, or that it is not conducting the business—the practice of medicine—for which it was organized. I have reviewed the matter with competent legal authority. Under these circumstances, all agree that the regulations are invalid as applied to the Marshfield Clinic. The clinic would unquestionably win its case in court. However, I do not feel that the clinic should be compelled to resort to the courts in order to enjoy a right which it has had unchallenged for almost 50 years.

My bill provides that the Marshfield Clinic shall continue to be treated as a corporation. It is limited in scope to organizations of long standing, such as the clinic. As a practical matter, the Treasury Department advises that there are no other known organizations which would meet the tests laid down in the bill. Accordingly, the bill will not affect the regulations, whether valid or not, insofar as the newly organized professional corporations are involved.

CLOSING OF VA FACILITIES

Mr. MORRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MORRIS. Mr. Speaker, I just read an interesting article in the Washington Post by Mr. Leslie Carpenter and I ask unanimous consent that the article be made a part of the RECORD after my speech.

In his article, Mr. Carpenter states in essence that the present announced closures of the Veterans' Administration facilities, including Fort Bayard in New Mexico, are only the beginning. Mr. Carpenter says that there is more misery coming and it will be spread around to a greater extent. Mr. Carpenter indicates that there is now a report by the Veterans' Administration before the Bureau of the Budget which would reduce the Veterans' Administration regional offices to 15. Mr. Carpenter also asserts that there are about a dozen more Veterans' Administration hospitals which will probably be shut down in the not too distant future.

I hope the chairman of the Veterans' Affairs Committee will ask questions of the Veterans' Administration to ascertain the names of the institutions to be closed in the next closings and the locations of the regional offices. Perhaps it would be enlightening to some of our colleagues because they, too, may soon be faced with the task of explaining why we are curtailing medical services to our veterans and, at the same time, are being asked to extend medical care to all citizens.

The column referred to follows:

NIXON CLEARS HIS DESK

There already are plenty of indications that Richard M. Nixon has started early to maneuver the 1968 GOP presidential nomination for himself but here is another: Nixon has arranged with his New York law partners to spend only Mondays at his legal desk, leaving the rest of the week for political activity.

In about 2 months, all the necessary papers will have been filed in the effort of the Mississippi Freedom Democratic Party to unseat Mississippi's four Democratic Congressmen. The FDP charges the Congressmen were illegally elected because Negroes were excluded from voting. Moderate Republican House Members, seeking to reverse the anti-Negro image Barry Goldwater gave the GOP, may team up with Northern liberal Democrats to give FDP a victory.

The behind-the-scenes reason Senator JOHN L. McCLELLAN, Democrat of Arkansas, did not appoint Senator ROBERT F. KENNEDY, Democrat of New York, to the famous McClellan Investigating Subcommittee is reportedly a conflict of interest in the TFX probe the subcommittee has not yet finished. McCLELLAN is known to have strong feelings about the way the contract for the airplane was awarded and is said to believe KENNEDY, as his late brother's foremost adviser, may have had a hand in the decision. KENNEDY had been expected to go on the subcommittee, which he served for a number of years as general counsel.

Convinced that a tax cut during prosperity makes good times better, President Johnson has his advisers looking for what to slash next, once the excise tax reduction goes through Congress. Best bet: a new tax deduction for parents with kids in college, permitting them to write off tuition and book costs. When students are self-supporting, they would get the tax break.

About a dozen more VA hospitals and 35 more VA regional offices will probably be shut down in the not too distant future. That promises more lighting and thunder in the White House-Capitol relationship and threatens President Johnson's goal to go down in history as the President who achieved record-breaking legislative victories.

Yet, Mr. Johnson is a determined man when it comes to saving Federal funds where possible. While Members of Congress applaud the objective in general terms, they draw the line when it hits their own voters back home.

The VA has obviously long squandered money and gotten away with it because the huge veterans organizations are among the most powerful lobbies in Washington, feared by Congressmen, Senators, and Presidents alike.

Despite this political fact of life, the President showed no mercy for congressional rank in the first order to shutter 11 VA hospitals, 4 veterans homes, and 17 regional offices. One hospital is in Miles City, Mont., home territory of Senate Majority Leader MIKE MANSFIELD. Another is in Dwight, Ill., the State of Senate Minority Leader EVERETT DIRKSEN. One of the regional offices is in Lubbock, Tex., hometown of House Appropriations Committee Chairman GEORGE MAHON.

The most miffed of all has been MANSFIELD, who notes that VA only recently described the Miles City hosptial as one of the most efficient VA had.

Key Members of Congress say flatly that, because of the political heat and ill feeling, Mr. Johnson will give a little in the original order and agree to permit a few of the hospitals, perhaps two or three, to remain open for the time being. The Miles City facility would seem the most likely to be salvaged.

More orders will be coming, however. VA feels many of its hospitals are located in the wrong places and wants to get rid of them. It wants to build new ones, locating each in important medical centers where there is access to top specialists.

VA's opinion also is that the need for veterans hospitals is diminishing with the likelihood of medicare and with more and more veterans covered by private hospital insurance by their employers in industry and business. New, too, is VA's nursing home programs. Such care, which is all many veterans require, is cheaper than hospitalization.

VA had 67 regional offices before the Johnson order cut them to 50. Before the Budget Bureau now is a VA report that it can get along satisfactorily with merely 15.

THE CHALLENGE OF CITIZENSHIP

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in RECORD and include an article by Miss Linda Willis.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, it was with a great deal of pleasure and satisfaction that I learned that a young lady from a small community, but a wonderful section of Colorado was chosen to represent our State in the annual Veterans of Foreign Wars nationwide Voice of Democracy Contest. The achievement of this girl, Miss Linda Willis of Mancos, Colo., may not receive the wide attention that some act of violence might command, but, to me, it is worth every bit of publicity that the media care to give it. It represents, Mr. Speaker, a reminder to all of us that the young people of this Nation are, indeed, worthy of our hopes for the future. I ask that my colleagues share my pride by discovering the excellence of Miss Willis' winning speech.

The speech follows:

THE CHALLENGE OF CITIZENSHIP

(By Miss Linda Willis)

As citizens of the United States, we enjoy many privileges. We are able to speak freely, worship God in our own way, stand up for what we think is right, oppose what we believe is wrong, and choose those who govern us. All of these are examples of the rights and privileges provided for us as citizens of this Nation, and as citizens of our churches, schools, communities, and homes.

However, citizenship means duties and responsibilities as well as privileges. So if we do nothing, we are not effective citizens. The challenge comes in assuming our duties and responsibilities. What are these obligations?

John and Paul are typical Americans. They enjoy the same benefits of citizenship. But how do they approach its challenges?

One challenge of citizenship is to be concerned actively about the conduct of public affairs and to accept willingly responsibilities.

John works hard at his job as a factory foreman. More than that he is always alert for ways to improve operations. John always votes in elections and he knows why and for whom he is voting. He often attends meetings of his own political party. If he is asked to do something by his party chairman he accepts and completes the assignment promptly and to the best of his ability.

Paul works as a clerk in the offices of a large company. He follows his supervisors instructions and obeys rules. But he cares little about his work. To Paul his job means only a pay check collected once a week. When elections are held, sometimes he votes and sometimes he does not. Usually if he does vote he does not know for whom or for what he is voting. When the chairman of his party asks him to do something he says that he simply does not have time.

Another challenge is to respect the human dignity and rights of others, and to learn to tolerate ideas that differ from our own. We should voice our opinion on the feelings we have, even though they may not agree with popular opinion. However, we should allow everyone else the same privilege of self-expression.

Let's see how John and Paul meet this challenge.

John does or says something constructive, rather than just complaining, when things go wrong or when someone disagrees with him. He treats other people as he would like them to treat him. He compromises when possible with others and respects their rights and opinions.

Paul clams up or shouts in defiance if someone disagrees with him. Paul is always right and everybody else is always wrong. He treats people as though they were inferior to him. He does not listen to others because he thinks he is the only one with something worth saying. He never compromises because he feels that that is admitting defeat and he does not believe that he can be defeated.

The third challenge of citizenship is to search for facts, interpret them, and use them constructively.

John learns about his country. He searches for facts such as the true heritage of the democracy in which he lives. He studies the facts that he has searched out and then with a clear and open mind, uses them to strengthen his citizenship.

Paul on the other hand, is too lazy to search for anything. He thinks he knows it all so he feels he shouldn't waste his time relearning something. He often doesn't interpret what he does know intelligently. He uses only the facts that will help him get ahead.

John and Paul, as citizens in their country, show what kind of citizens they are in their communities, homes, or churches and what kind of citizens they were in their schools. Why? Because they either meet the challenge of carrying out their duties and responsibilities or they do not.

Shall we be like John and raise our citizenship to new heights of excellence, or be like Paul and ignore the challenge?

I am a citizen and I can see,
That I must work to keep myself free.
What is my challenge then?
To stand for what I know,
Will help to make my country grow.
To search for truth, which makes us free,
And to tolerate the ones that disagree.
To have respect for someone else's ability,
To accept and complete all assignments willingly.
To try and accomplish all that I start,
In every way and everything, learn, to do my part.

COMPTROLLER GENERAL MAKES NUMEROUS AUDITS AND REPORTS ON WASTE AND EXTRAVAGANCE IN WIDE AREAS OF FOREIGN AID PROGRAM

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, I have had a continuing interest and concern in correcting and improving our foreign aid program, and have recently been provided with a report of the Comptroller General listing numerous instances in which irregularities have been shown to exist even in recent months in the foreign aid program.

The report from the Comptroller General comprises a listing of some 25 specific reports completed and a summary of 42 projects now in progress, as well as comments on other investigations being conducted by the Comptroller General of the United States.

The services of the Comptroller General are to be commended and I believe that this listing of investigations will be of much interest and concern to all Members. Under permission granted, I include the letter from the Comptroller General and the accompanying report in the CONGRESSIONAL RECORD:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., February 23, 1965.

Hon. JOE L. EVINS,
House of Representatives.

DEAR MR. EVINS: In view of the concern for our work relating to the foreign aid programs which you expressed during our appropriation hearings on February 18, 1965, we believe it may be of interest to you to have a more complete summation of the reports on these matters which we have submitted to the Congress during the past year and the principal areas in which we are currently working or contemplate in our work plans.

Attached for your use are (1) a listing of the 25 reports which we have issued to the Congress relating to the general subject of foreign aid since January 1, 1964, (2) a summary of 42 work projects which we now have in progress, and (3) comments concerning our further plans and some particular areas in which we intend to expand our efforts.

Sincerely yours,
JOSEPH CAMPBELL,
Comptroller General of the United States.

GENERAL ACCOUNTING OFFICE REPORTS ISSUED TO THE CONGRESS SINCE JANUARY 1, 1964, RELATING TO THE FOREIGN AID PROGRAMS

(Report title, reference number, and date issued)

EUROPE, NEAR EAST, AND AFRICA

Examination of certain economic development projects for assistance to Central

Treaty Organization (fiscal years 1957–62), B–146849, March 5, 1964.

Followup review of Department of Defense action to obtain reimbursement from foreign countries for administrative expenses under the MAP (letter report), B–146749, March 18, 1964.

Inefficient utilization of personnel to administer the military assistance program functions in advanced Western European countries (including a classified supplement), B–133280, April 2, 1964.

Furnishing of military assistance to Ethiopia in excess of the country's ability to effectively use the equipment (classified), B–146887, May, 6, 1964.

Ineffective administration of U.S. assistance to Children's Hospital in Poland by the Agency for International Development and the Department of State, B–146787, June 17, 1964.

Examination of economic and technical assistance program for Turkey (fiscal years 1958–62), B–133026, June 30, 1964.

Followup review of Department of Defense action to cancel excessive procurement and redistribute aircraft spare parts programed for, or delivered to, Portugal under the military assistance program (letter report), B–146785, August 14, 1964.

Deficiencies in the military assistance program for the Spanish Army (classified), B–125086, August 25, 1964.

Inadequate consideration given to utilizing reserve fleet ships in lieu of providing new ships to Iran under the military assistance program (classified), B–133134, February 3, 1965.

FAR EAST AND SOUTH ASIA

Review of the military assistance program for Indonesia (classified), B–146839, May 6, 1964.

Certain problems relating to administration of the economic and technical assistance program for Vietnam for 1958–62, B–133001, July 24, 1964.

Review of the administration of assistance for financing commercial imports and other financial elements under the economic and technical assistance program for Vietnam, B–133001, July 24, 1964.

Unofficial use and overstated needs of commercial-type vehicles by the military assistance advisory group and the headquarters support activity, Taipei, Republic of China, B–146907, July 31, 1964.

Review of the military assistance program for a Far East country (classified), B–146941, September 29, 1964.

Loss of interest on U.S.-owned foreign currencies in the Republic of China (Taiwan), B–146749, November 24, 1964.

Ineffective and overly costly aspects of military and economic assistance provided to Thailand (classified), B–132913 and B–138258, February 17, 1965.

LATIN AMERICA

Deficiencies in the administration of the earthquake reconstruction and rehabilitation program for Chile (including a classified supplement), B–146754, June 29, 1964.

Additional interest costs to United States because of premature releases of funds to the Social Progress Trust Fund administered by the Inter-American Development Bank, B–146937, September 8, 1964.

Improper payment of Colombian port charges for surplus agricultural commodities sold under title I, Agricultural Trade Development and Assistance Act of 1954, B–146820, November 17, 1964.

WORLDWIDE OR GENERAL MATTERS

Audit for fiscal year 1963, Export-Import Bank, B–114823, February 20, 1964.

Unnecessary or premature procurement and delivery of Sidewinder missile training systems to foreign countries under the MAP (including a classified supplement), B–146762, March 12, 1964.

Undercollections of interest and principal in foreign currencies on certain loans to foreign governments, B–146928, July 17, 1964.

Improper retention of dollar collections on loans made by corporate development loan fund, B–133220, September 3, 1964.

Summary of deficiencies related to the inadequate administration of military budget support funds provided to certain countries under the foreign assistance program, B–146943, September 28, 1964.

Excessive ocean transportation costs incurred under title I, Agricultural Trade Development and Assistance Act of 1954, B–146820, October 30, 1964.

General Accounting Office Work in Progress, February 18, 1965, Relating to the Foreign Aid Programs

EUROPE, NEAR EAST, AND AFRICA

Expenditure of military assistance program funds for construction of the Shahabad Depot in Iran.

Transfer of dollars to Iran under the foreign assistance program.

Follow-up examination of certain aspects of U.S. assistance to the Central Treaty Organization for a rail link between Turkey and Iran.

Programing, delivery, and utilization of aircraft and related equipment furnished to the Pakistan Air Force under the military assistance program.

NATO cost sharing of military construction projects in Europe.

Administration of selected economic assistance projects and agreements in Iran.

Selected aspects of assistance to Ethiopia for airport facilities.

Grant of corn costing over $23,700,000 to the United Arab Republic.

Disposition of military assistance program materiel in France.

Use of sales proceeds from excess military assistance program materiel in the United Kingdom.

Sales of tallow under Public Law 480, title I, to the United Arab Republic.

Potential commercial markets for wheat in the United Arab Republic.

Expenditure of U.S. dollars for bags provided to the United Arab Republic for use in distributing corn granted under title II of Public Law 480.

FAR EAST AND SOUTH ASIA

Administration of a fixed communications system for the Government of Indonesia under the military assistance program.

Administration of military and economic assistance, Philippines.

Costs resulting from policy donating flour instead of wheat to voluntary relief agencies for distribution abroad under Public Law 480 (Taiwan).

Maintenance costs required to correct deficiencies in vehicles procured in Japan under the military assistance program.

Administration of agricultural market development activities in Japan.

Payments of living quarters allowances to certain military personnel on Taiwan.

Manpower utilized to administer military assistance in Japan.

Management of Nike Hercules missile systems furnished to the Republic of China (Taiwan) under the military assistance program.

Technical data received from Japanese vehicle manufacturers under the military assistance program.

Administration of U.S. assistance for selected development projects in Pakistan.

Management and utilization of commodities provided under the economic assistance program to the Republic of China (Taiwan).

Management of commodities provided to support the food-for-work program in Taiwan.

Management of local currencies owned or available to the United States in the Republic of Korea.

LATIN AMERICA

Dollar costs incurred in financing purchases of commodities produced in Brazil.

Costs incurred due to the use of an unfavorable exchange rate in converting dollars into Ecuadoran currency.

Administration of loans made to the Government of Costa Rica for budgetary support.

Justification of budgetary support loans made to the Government of Ecuador.

Administration of accommodation exchange service in Brazil.

Administration of the Public Law 480 program in Chile.

Payment of Colombian port charges for commodities donated under title III, Public Law 480.

WORLDWIDE OR GENERAL MATTERS

Administration of the training of foreign personnel under the military assistance program (Greece, Iran, Japan, Taiwan).

Audit of Export-Import Bank of Washington, fiscal year 1964.

Utilization of excess personal property in foreign assistance program (Japan, Korea, Thailand, Taiwan, Germany, Turkey).

Practice of transporting overseas U.S. Government personnel to and from work (Korea, Philippines, Thailand, Afghanistan, Pakistan, Bolivia, Paraguay).

Ocean transportation costs for surplus agricultural commodities donated under titles II and III, Public Law 480.

Use of excess U.S.-owned foreign currencies to pay international air travel ticket costs being paid in dollars.

Use of excess U.S.-owned foreign currencies to pay costs of transporting personal effects of U.S. officials traveling overseas.

Administration of claims from foreign governments for recovery of ocean transportation costs financed under Public Law 480.

Audit of consolidated financial statements for AID lending activities.

RECAPITULATION

Europe, Near East, and Africa	13
Far East and south Asia	13
Latin America	7
Worldwide or general matters	9
Total	42

General Accounting Office Work Plans Relating to the Foreign Aid Programs

We plan to give increasing attention to activities or programs for which several agencies or departments have responsibilities, such as the activities relating to the food-for-peace program (Public Law 480), the utilization and management of U.S.-owned foreign currencies, and the use and disposition of excess property in relation to foreign aid programs. We expect to search for opportunities to reduce costs without adverse effect on the objectives of these programs and wherever possible to develop specific recommendations for improved management controls over them. We expect to focus attention to the fullest extent practicable on the management aspects.

In recognition of the increasing proportion of foreign aid to Latin America in relation to other parts of the world we plan to increase our application of effort in Latin America as a geographic area. This will be accomplished by staffs traveling from the United States without decreasing our efforts in the Far East or Europe.

Our continuing plans and test reviews must of necessity be flexible and selective in order to recognize and be responsive to areas of congressional interest, changing conditions, and relative significance of the many aspects of the foreign aid activities. Primary emphasis will be toward completing and reporting to the Congress on the assignments we have already in progress. Further work proposed for 1965 and 1966 includes selective projects for reviews within the areas of the following:

1. Public Law 480 activities: Algeria, Brazil, India, Korea, Mexico, specific elements affecting the program as a whole, such as transportation costs, foreign agents' commissions, budgetary controls, etc.

2. Administration of economic and military assistance: Brazil, India, Korea, Peru, specific elements of program management affecting more than one country, such as loan administration.

3. General:

Utilization and management of foreign currencies including top coordination among the several departments and agencies concerned, with test reviews in countries or of specific facets to be selected.

Excess property to be included as an element for consideration in reviews of economic and military assistance activities, and of AID management of excess property uses.

Followup of matters previously reported.

THE CHALLENGE OF CITIZENSHIP

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, each year the Veterans of Foreign Wars of the United States conducts a Voice of Democracy contest. I am pleased to notice that Miss Bonnie Ann Utter of Wheatland, Wyo., is the winner of this contest for my State and I am pleased to insert at this point in my remarks her excellent paper entitled "The Challenge of Citizenship."

Her rallying cry is to "stand tall" to live up to the responsibilities of being an American in today's world and it is indeed a challenge which should win the support of all.

The paper referred to follows:

THE CHALLENGE OF CITIZENSHIP

(By Bonnie Utter)

Standing tall in the crowds, looking high in the sky, we are citizens and our challenge is greater than all others.

Fifty years ago our Nation was in the midst of a great and terrible conflict. In World War I almost 9 million lives were lost. Twenty-five years later we were caught in another battle—the second of the world wars. Thirty-six million lives were lost.

In 50 years, vast changes have come about. Our positions as citizens differ, for better and for worse, from the position of our fathers and grandfathers 25 and 50 years ago. But the challenge has not changed from that of our fathers and grandfathers. In 1914 the world was dominated by fears and by the ambitions of a few great powers. In the 1930's the world was confronted with the horrors of dictatorship and by the prejudices of one people against another. Today, in the sixties, we face all these crises and we must overcome them. Our capacity to face realities must be developed to allow us to settle disputes that would have led to a major war in the strained conditions of 1914. Our challenge is to meet today's dangers and deal with them in a common effort to quiet the fears, to turn ambitions into peaceful strength, to develop dictatorships into stronger governments and to kill the cancer of racialism.

Citizenship extends beyond our own doors to the doorsteps of people of other lands. It is no longer morally or politically acceptable for advanced nations to ignore the backward helplessness of a less advanced nation. Ours is the obligation to avoid disaster and misery for ourselves and others. To prevent war is to not only save our country from untold sorrow but other countries also. Our challenge is to strive for peace for the good of all.

With peace as our goal, other great challenges are met too. Individual dignity as well as united strength develops with patriotism. We are able to stand in a crowd and be free and united in one person. We have the satisfaction of knowing that our brother standing next to us, be he white or black, has the same freedom of feeling that we have. With dedicated citizens comes a pride in national economic and political standards.

Our challenge is to evaluate the past, deal with the present and prepare for the future. If we answer our challenge we can stand tall and look up to a peaceful and prideful reward.

FOURTH ANNIVERSARY OF THE PEACE CORPS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, today marks the fourth anniversary in the life of the Peace Corps. When President John Kennedy signed the Executive order for this agency on March 1, 1962, few of us anticipated the successes which the Peace Corps would achieve for the United States.

The successes are, indeed, many, and are meaningful. How many of us realized 4 years ago that we would have on this date requests from over 70 countries for Peace Corps volunteers? Even more, how many of us realized that almost 9,000 volunteers would be abroad in 46 countries, and that by the end of the summer we would have in training and at work almost 15,000 volunteers? It is a remarkable achievement for this Nation.

The concept and creation of the Peace Corps stands as a tribute to President Kennedy. It will be to President Johnson's lasting credit that he has so strongly supported an expansion of the capability of the Peace Corps by requesting legislation which will allow 17,000 volunteers to be put into training or actual service by the end of August 1966.

The complexities of balancing the interests of this country's citizens with those of other nations is a delicate one. As citizens and as Members of Congress, we face problems which require the fullest utilization of our energies and the strongest assertion of our leadership. We are continually looking for a better way to help freedom-loving nations around the globe. Some of the proposed solutions have not been as effective as we would like them to be—others have.

We realize that we may not find total answers, and that problems will continue to persist throughout our generation and beyond. In the Peace Corps programs, we have found, after 4 years, a partial answer to some of the complex problems with which we are confronted. With the Peace Corps volunteers as our envoys, this country can demonstrate its sincere and worthwhile desire to exist with all nations without conflict. We can show that our citizens, from every corner of the United States, have a sincere desire to exchange ideas and to work for the betterment of our friends, to teach them, to help them improve their abilities to help themselves. The idea of the Peace Corps is relatively new in the histories of nations. In the long mark of time, the Peace Corps has not accomplished absolutes. The volunteers have not provided a total change or total development for the citizens of any country.

What it has done is begin, just begin, to show men and women in all parts of the world that we do want to help, in whatever way we are able. The Peace Corps has brought for some the first gleam of promise. It has shown the way for some people who have enjoyed no succcess, and who have little or no understanding of how to succeed. These Peace Corps volunteers who are living with the people of 46 nations bring with them some measure of ability to provide new ideas, new hope, and a new spirit. The 4 years of the Peace Corps have been just the start on a long pull. But these 4 years have provided a solid base for the further development of nations and the strengthening of friendships between nations.

I take great pride in having seen the Peace Corps come into being and become an integral part of our way of life here in the United States. I am glad to wish the best to the Peace Corps on its anniversary, and to extend my congratulations for its 4 successful years.

FOURTH ANNIVERSARY OF THE PEACE CORPS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I am proud to join my esteemed chairman, the gentleman from Pennsylvania [Mr. MORGAN], in calling to the attention of our colleagues the fact that today is the fourth anniversary of the Peace Corps.

It was 4 years ago that the late President John F. Kennedy signed into law the legislation establishing the Peace Corps organization. Many of us here today witnessed that historic event.

How short a time ago that seems. Yet in months since, the Peace Corps sent thousands of American men and women of all ages into foreign lands around the globe. Of those, many already have returned to enrich the fabric of American life with their experiences. Thousands more have taken their places and now labor abroad.

In 4 short years the Peace Corps has gone from an idea embodied in an act of Congress to an organization which enjoys the respect of all Americans and a worldwide reputation for accomplishment.

For this new agency, the 4 years have been busy ones and full of some difficult times. The achievements have been significant, however, and the praises deserving.

The concept of the Peace Corps is a unique one. Perhaps the concept can be illustrated through an old world proverb which has been repeated many times in this country. It goes something like this: If I give you a dollar, and you give me a dollar, we do not realize any gain; but if I give you an idea, and you give me an idea in return, then each of us has two ideas and we have truly made a profit.

This old saying illustrates what the Peace Corps has been doing in its 4 years. The agency is not intended to administer the exchange of material goods. The Peace Corps is designed to serve as a catalyst of ideas and ideals. With the volunteers' enthusiasm and desire as the magic ingredient, we are able to take small parts of this country's way of life and offer it to the people who want our help.

The volunteers are, in many ways, the reflection of what this country has best to offer its friends: an intense desire, an honest one, to take the extra step toward peace; to walk the extra mile to help our neighbors where we can; to journey down any road to do what we hope is our share of accepting the responsibilities of a successful nation.

I am advised there will be nearly 15,000 volunteers overseas by the end of this year. Their stock-in-trade is the good will of the American people. In their kit bags are the simple American tools of hard work, patience, some know-how, but more than anything else—a desire to help.

The Peace Corps is people to people. The volunteers get out into the villages and rural areas. They live in the crowded neighborhoods of the large cities. They shop in the marketplace, and work shoulder to shoulder with men and women in all levels of the communities.

The Peace Corps has a vitality which seems to be contagious. The number of applications for volunteer openings continues to grow, providing the source for a continued expansion. Rather than showing signs of middle age, I would say the Peace Corps is taking on the look of increased determination to do its job, confident with the knowledge that it has done a good job, and that it can do more.

In commemorating this notable occasion, I want to extend my sincere congratulations to Peace Corps Director Sargent Shriver. He, more than any other individual, can be credited with organizing the Peace Corps, formulating its programs and guiding it through 4 years of successful operation.

Commendations must also go to the fine professional staff which Director Shriver has assembled. Both in the field and in the Corps' Washington headquarters, they have served with an enthusiasm and a dedication which is an example to all who serve in the Government of the United States.

Further, our Nation owes a debt of sincere gratitude to all those who are serving, or who have served, in the Peace Corps. These volunteers have left the comforts of their homes and the security of the familiar to work for the betterment of their fellowmen in far-off places of the world which are neither comfortable nor secure.

In doing so they have written a glorious, indelible page in American history. Long after the alarms and excursions of our own day are long forgotten, men will still be inspired and motivated by the sacrifices of these thousands of Americans.

Therefore, I am proud today to take note of the Peace Corps' fourth anniversary, to wish it happy birthday. I hope for its continued success, and wish its staff and volunteers Godspeed.

CLOSING DOWN OF VA HOSPITALS AND REGIONAL OFFICES—IT'S TIME FOR SOME ANSWERS

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, for several weeks now a rumor has been circulating among Members of this House that VA closings announced January 14 were only the first in a series of wholesale closings of VA facilities. It would now appear that the cat is so far out of the bag that a syndicated columnist thinks he has good reason to state it in print.

I refer to the disturbing statements of the columnist, Leslie Carpenter, in his column "Washington Beat," appearing in the Washington Post of Saturday, February 27. That column not only reports that about a dozen more VA hospitals and many more regional offices will be shut down in the near future, but it also alludes to a Veterans' Administration report now pending before the Bureau of the Budget that the VA "can get along satisfactorily with 15 regional offices," a substantial reduction from the current 67 offices.

But that is not all. In this same story Mr. Carpenter points out that VA officials believe "the need for Veterans' Administration hospitals is diminishing with the likelihood of medicare."

Does this mean passage of a hospital insurance program will force all veterans to accept the limited and inadequate coverage provided therein? If so, we are about to witness a complete departure from the time honored concept of the role of the Veterans' Administration in providing full medical services to our aging and chronically ill veteran population.

Mr. Speaker, if there is a plan to reduce further the number of VA hospitals in this country by at least a dozen and reduce VA regional offices to only 15, and if there is some scheme in the planning stage to transfer some functions of the Veterans' Administration to Health, Education, and Welfare or some other welfare agency after enactment of the proposed hospital insurance program, then Mr. Driver has a responsibility and a duty to spell out his plans right now before the Congress works its will on the proposed medicare bill—not several months or a year from now. If the reports of the Administrator's plans are correct, Congress should have an opportunity to provide adequate alternatives and safeguards for our aging veteran population under the initial provisions of any medical care bill that might be enacted.

If the VA Administrator is not inclined to come forward of his own accord with a clear statement of his long-range plans, then the members of the House Committee on Veterans' Affairs should interrogate him thoroughly, so that all Members of the Congress and the people of this country can know what measure of care our veterans can expect to receive in the future.

It is time for straight talk without any evasive answers. Let us find out now whether the Veterans' Administration is about to change its policy of providing full and adequate care for America's aging and disabled veterans.

FEDERAL TAX EXEMPTION FOR STATE AND LOCAL FINANCING OF INDUSTRIAL AND COMMERCIAL FACILITIES MUST BE ENDED

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, I submit a joint statement by the gentleman from Wisconsin [Mr. Zablocki] and by myself, issued today in connection with the introduction of H.R. 5586, H.R. 5598, H.R. 5587, and H.R. 5599:

Statement Concerning Federal Tax Exemption for State and Local Financing of Industrial and Commercial Facilities

(By Congressman Clement J. Zablocki and Congressman Henry S. Reuss)

The Federal Government has long accorded to State and local governments the privilege of issuing tax-exempt securities to finance public facilities and services—like schools, hospitals, roads, and sewers. On such tax-exempt securities, the Federal Government foregoes tax revenues which are, in effect, subsidies to local governments. So long as these subsidies are for basic public purposes, the burden on the Federal taxpayer can be justified.

But when States, their subdivisions, or their dummy corporations issue tax-exempt securities to finance the construction of industrial or commercial facilities for sale or lease to private, profitmaking corporations, they are invading the private domain. Under the cloak of public purpose, they are merely funneling the benefits of cheaper, tax-exempt financing to private entities which have no right whatsoever to tax exemption. This raid on the Federal Treasury, through abuse of a tax privilege intended for other purposes, cannot be justified.

The cash benefits which a large corporation can receive from tax-exempt financing of industrial facilities are substantial. In the first place, tax exemption reduces the cost of borrowing to build plants from 1 to 2 percentage points for even the most creditworthy industrial corporation. Secondly, by electing to lease rather than to purchase publicly financed facilities, the tenant can frequently charge off rental cost on a basis more advantageous than it can by taking depreciation on self-financed facilities. Also, as a lessor rather than an owner of industrial property, a corporation can avoid paying property taxes. Thirdly, by itself purchasing the tax-exempt securities, a corporation can earn tax-exempt income while it enjoys a lower rental cost due to tax-exempt borrowing.

THE RACE TO MISUSE LOCAL TAX-EXEMPTION PRIVILEGES

Until the mid-1950's, few States had provided themselves or their subdivisions with the authority to issue tax-exempt bonds for industrial purposes. But from about 1957 on, the race has been on. States, cities, towns, villages, development agencies, and even artificially created "municipal" districts have scurried to avail themselves of this key to the Federal Treasury.

As late as 1960 only nine States had legislation permitting local governments or their creatures to engage in tax-exempt industrial financing. Today, 27 States have passed such legislation. The local communities of less than 10 States are using the authority today in a substantial way. But soon, local governments of every States in the Union may feel they must do likewise in self-defense.

The volume of tax-exempt industrial financing undertaken by States and local governments has climbed alarmingly in the past few years. A recent University of Wisconsin study puts the total to date at around $1 billion. This total is likely to continue to grow at an accelerating rate. Not only will more localities get into the act. The size of individual issues can be expected to increase. The reason is that the device of the tax-exempt industrial revenue bond enables even tiny communities to market huge issues—issues based on the credit ratings of beneficiary corporations rather than the credit ratings of the issuing public entity.

Here are some recent examples of large-scale diversions of tax-exemption benefits to major corporations:

1. Cutler-Hammer Corp. of Milwaukee: On March 12, 1964, this Milwaukee company announced that it would move a part of its manufacturing operations to Bowling Green, Ky., sometime in 1965. Some 750 skilled workers will lose their Milwaukee jobs as a result. While the company stated that lower wages and taxes in the new location were responsible for its decision, an important reason was the offer by the city of Bowling Green to build a new factory for the company. The city council on March 13, 1964, voted to authorize the issuance of $6,500,000 in tax-free revenue bonds for use to build a plant for Cutler-Hammer Corp.

2. Harvey Aluminum Co.: In October 1963, Lewisport, Ky., announced a $50 million revenue bond issue to build a new aluminum rolling mill for Harvey Aluminum Co. This is like a gnat trying to carry an elephant. Harvey Aluminum enjoys $75 million per year annual sales. It is the fifth largest aluminum producer in the United States. Lewisport, Ky., is a community of 780 persons on the Ohio River. How was Lewisport able to find buyers for its huge bond issue? Though Lewisport can confer its tax exemption privilege on the bonds, Harvey Aluminum's soundness as a business was the indispensable ingredient for making the bonds attractive to investors. One of the company's bankers, the Bank of America, headed a syndicate to take up an $8 million share.

3. R. H. Macy & Co.: Macy's, the well-known New York department store, suggested to the city of Topeka that Macy's buy land in downtown Topeka, build a store and a 300-car parking garage, and then sell the whole thing to the city, on a lease-back arrangement. To pay for this purchase, the city offered to issue a tax-exempt $3,700,000 revenue bond, and to rent the facilities to Macy's for 40 years. Since the city will own the building, Macy's will not be subject to real estate taxes for 10 years. In lieu of these taxes, it is reported that Macy's will pay Topeka about $50,000 annually for 40 years on a prime downtown location.

ECONOMIC DANGERS OF LOCAL TAX-EXEMPT INDUSTRIAL FINANCING

The economic effects of local tax-exempt industrial financing are no less objectionable than its effect on the Federal tax structure. The do-it-yourself system of diverting Federal funds to private enterprises avoids the inconvenience of having to obtain the consent of the Federal Government. But it is a costly and self-defeating way to stimulate industrial development for the local communities concerned as well as for the Nation as a whole.

1. It undermines Federal economic programs for local development.

The Federal Government is concerned not only to keep the economy as a whole expanding through general economic policies like the tax cut. It is also very much concerned with the special problems of States and localities with high and persistent unemployment. To this end, the area redevelopment, small business, and accelerated public works programs were devised, and there is now pending a new general program for the multi-State Appalachian region.

In each of these programs it is an objective to help particular areas in ways which will not create distress in others. For example, both the area redevelopment and public works programs expressly prohibit the use of Federal funds for plant pirating and the export of unemployment to presently healthy areas. It is the aim of all these programs to establish and to encourage industrial development which is appropriate for the resource base of a given locality and economically beneficial for the country as a whole.

But efforts to administer Federal programs in a responsible manner will be undermined if an increasing number of local governments help themselves to Federal funds. Few States require their local units to observe standards approaching those of Federal programs, and local governments themselves show no disposition to go in for self-denying guidelines.

2. It encourages plant pirating. With the lure of tax-exempt financing, major companies can be enticed away from their present locations. When this happens, unemployment, reduced purchasing power, higher welfare costs, and a reduced tax base are the lot of communities losing plants.

The Milwaukee Association of Commerce estimated that the loss of 750 manufacturing jobs due to the shift of Cutler-Hammer operations from Milwaukee to Kentucky would result in losses of $5,325,000 in personal incomes; $2,482,500 in retail sales; $1,717,500 in bank deposits; and nearly 500 additional jobs in trade, services, and other nonmanufacturing occupations which depend on the good incomes earned by Milwaukee's manufacturing workers. This is a high price to pay for the development of industry in Kentucky.

3. It encourages uneconomic plant location. Even when the pirating of existing facilities does not take place, local governments acting independently can bring about uneconomic location of new industrial capacity. When the powerful cost incentives of tax-exempt financing are thrown into the balance, businesses can be tempted to pass up locations better suited to their future expansion. This is tantamount to plant piracy postponed to the future. It ill serves the Nation faced with the problem of providing for productive employment of millions coming into the labor force in the years immediately ahead. This will be possible only if the economic base is strong and healthy and able to grow under all competitor conditions, without the prop of public subsidy.

4. It encourages costly, self-defeating bidding for plants.

Interstate competition for industry through the subsidy route is costly and self-defeating. If established industrial areas lose existing plants or fail to get their share of new plants, they also will be driven to pay out subsidies. This in turn will push communities gaining plants to raise the ante on subsidies to hold their gains.

The Federal Reserve Bank of Boston, which has been concerned with this "war between the States," predicted in a December 1963, report that the step following tax-exempt financing might be interest-free loans to corporations. And, then, it said, outright capital gifts might be necessary.

This beggar-thy-neighbor competition can only result in beggaring all the participants.

5. It erodes the tax base of local government.

The direct cost of payments to private businesses will be only part of the cost of this type of competition for industry. As more and more industrial property moves into State ownership, the tax base of States and local communities is diminished. Meanwhile, the demand for public services will continue to go up sharply. This means higher local taxes on individuals and businesses not enjoying subsidy privileges.

More pressure will be placed on Federal taxpayers to increase their direct aid to State and local governments to meet the needs for more schools, more hospitals, more utilities, and other public services.

6. It aids low-wage, nonunionized areas.

The whole country loses when job security rights and good wages obtained through collective bargaining are canceled by departures of large corporations to small, nonunionized, low-wage areas. If this happens in the normal course of competition, it is regrettable but not the responsibility of the Federal Government. But if it happens with the aid of Federal subsidy, the Government must recognize that its economic power is being used in an undesirable way.

7. It weakens the private enterprise system.

When local governments use tax-exempt funds to construct plants for corporations and retain ownership of the plants over the lifetime of 20- to 40-year leases, they distort and weaken basic features of the free enterprise system.

State ownership of plants run for profit is itself a big step torward socialism and alien to the private enterprise system. More subtle damage occurs to established businesses when a few of them get large tax subsidies that are denied the rest. This is especially true when local governments hand over the windfall gains of tax-exempt financing to the biggest, best heeled corporations which already have financial and economic advantages over their competitors. Furthermore, the withdrawal of such corporations from the normal private capital market weakens the corporate bond market. At the same time, the municipal bond market dealing in ordinary public issues of States and their subdivisions is thrown into chaos by the hybird corporate bonds purporting to be municipals.

RESPONSIBLE OPINION AGAINST TAX-EXEMPTION FOR INDUSTRIAL FINANCING

Responsible opinion is lining up against the abuse by local governments of the Federal tax-exemption privilege to subsidize private businesses.

The Advisory Commission on Intergovernmental Relations, established by Congress in 1959 and composed of a blue-ribbon group of State Governors, mayors, Congressmen, and other public officials made a major study of the problem in 1963.

Opposition to the tax-exemption abuse or warnings against the practice have been expressed by the Investment Bankers Association, the National Association of Counties, the American Bar Association, the Municipal Finance Officers Association, and the Securities and Exchange Commission. Barron's and the Bond Buyer have condemned the practice in strong editorials.

The Area Redevelopment Administration, charged with the duty of increasing industrial employment in depressed local communities, is opposed to the practice of offering tax-exempt financing to lure industries to those areas. Mr. Victor Roterus, Economic Adviser to the ARA Administrator, said in his April 20, 1964, speech to the State Fiscal Officers' convention in Atlanta:

"ARA is definitely against the use of the device. Growing usage of this device—particularly its adoption by relatively prosperous urban areas—can result only in nonproductive raiding of industries at the outset, and ultimately in a more or less equalized competitive situation among the areas. In such a situation, no one benefits and, indeed, everyone suffers because public tax revenues have been sacrificed and normal taxing and tax burden patterns have become disorganized.

"Factory raiding by one area at the expense of another by and large merely creates a new economic problem in the attempt to solve an old one. The practice, from the national viewpoint, is largely nonproductive and disrupting, and tends to provoke rancor among the various sections of the country.

"The effect of the bond device on the relations between various areas is no less disquieting. The use of tax-exempt bonds to build factories puts an unwarranted strain on Federal practices to equalize educational opportunities and other public services, and tends to distort these patterns to the point where compensating adjustments in policy may be occasioned."

In an appearance before the House Banking and Currency Committee on February 9, 1965, Treasury Secretary Dillon said that in his opinion, the use of tax-exempt bonds for industrial purposes was "a dangerous practice, and it would be wise for Congress to put an end to it." The Secretary said that the area redevelopment and the proposed Appalachia programs are the proper ways to bring new industry into depressed areas and not "indiscriminate use of the tax system." He agreed that unless the issuance of tax-exempt bonds for industrial development were curtailed by congressional action, "sooner or later, it is perfectly inevitable that practically every State will adopt this procedure." He went on to say that this competition among States would result in a "substantial erosion of Federal revenues."

Chairman Gardiner Ackley, of the President's Council of Economic Advisers, stated to the Joint Economic Committee on February 19, 1965:

"I think it does appear to be a problem and I would—if it is feasible, it sounds to me as though Secretary Dillon is on the right track in suggesting that this is a problem which may require legislation."

Budget Director Kermit Gordon, in response to a question during Joint Economic Committee hearings on February 23, 1965, replied:

"I must say that it strikes me as an individual that this may well be a quite questionable use of the tax exemption authority and there is a question in my mind as to whether the whole purpose of tax exemption was meant to extend to this kind of borrowing."

The West Allis Chamber of Commerce of the city of Milwaukee unanimously adopted a resolution condemning tax-exempt financing of industry and requesting remedial legislation by the Congress. The text of the resolution follows:

"Whereas the use of tax exempt State and local government securities continues to become more widespread; and

"Whereas this practice compels other communities to adopt the same procedures to be able to remain competitive in the field of attracting new industry and the expansion of existing plants; and

"Whereas industry raiding by one area at the expense of another, creates a new economic problem, is nonproductive, disrupting, tends to provoke rancor among States and municipalities and in addition, public tax revenues are sacrificed; and

"Whereas the continued intervention of government in business decisions, weakens the free enterprise economy: Therefore be it

"*Resolved,* That the West Allis Chamber of Commerce again reiterate, its support of the free enterprise system particularly when government intervenes to affect entirely industry decisions; and be it further

"*Resolved,* That the preferable course of action is to apply solutions that are built upon the firm foundation of a private enterprise economic system, which would result in a strengthening of individual initiative and incentive, free competitive markets and limited government; and be it further

"*Resolved,* That the West Allis Chamber of Commerce urge the Wisconsin congressional delegation to seek immediate remedial legislation in the 89th Congress, which would halt this undesirable, disruptive trend on the part of government; and be it finally

"*Resolved,* That the West Allis Chamber of Commerce seek widespread support of other organizations in implementing the purposes of this resolution."

PROPOSED ACTION

There are two ways in which tax-exempt industrial financing can be stopped while the traditional tax immunity of State and local financing for public purposes is safeguarded.

One way, which seeks to impose indirect curbs, is set forth in H.R. 5586 and in H.R. 5598, which we have submitted today. These bills provide that whenever proceeds from a tax-exempt bond issue are used to construct facilities for sale or lease to private, profitmaking firms, firms occupying such facilities may not deduct rent or other payments related to the use of the facilities in computing their Federal income tax liability.

The second way is incorporated in H.R. 5587 and in H.R. 5599, also submitted today. These bills take the direct approach and provide that tax exemption shall be removed on State and local obligations to the extent that proceeds of any issue are used to construct industrial or commercial facilities for sale or lease to private profitmaking enterprises. Purchasers of such securities can be assured of the extent to which tax exemption applies through a certification procedure stipulated in the bills. Further, it is stipulated that the removal of the tax exemption applies only to funds used to build and equip factory buildings and not to the purchase of land. This distinction is made to protect local governments in activities such as the urban renewal or land bank programs where purchase of land is required for public purposes. There is also added a provision to make clear that the removal of tax exemption under the circumstances detailed in the bill in no way encroaches upon the privilege of States and their subdivisions to enjoy continued tax immunity on securities issued for traditional public purposes.

We express no strong preference for either approach. Each has strengths that the alternative does not. We believe that during committee hearings, the proponents of each approach should be heard. The important thing is that the Congress should act promptly to end the growing abuse of the tax-exemption privilege.

H.R. 5586

A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 276. CERTAIN PAYMENTS TO ISSUER OF TAX-EXEMPT OBLIGATIONS.

"(a) GENERAL RULE.—No deductions shall be allowed for any amount paid or accrued (including interest on a mortgage and taxes) to a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, relating to the use or occupancy of an industrial or commercial facility acquired, constructed, or improved (in whole or in part) out of the proceeds of industrial development obligations.

"(b) DEFINITIONS.—For purposes of this section—

"(1) INDUSTRIAL OR COMMERCIAL FACILITY.—The term 'industrial or commercial facility' means any building or equipment—

"(A) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling, fabricating, storing, processing, or sale), and

"(B) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land).

"(2) INDUSTRIAL DEVELOPMENT OBLIGATION.—The term 'industrial development obligation' means any obligation which is issued (whether before or after the acquisition, construction, or improvement of the industrial or commercial facility involved) by a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, to finance directly or indirectly the acquisition, construction, or improvement of an industrial or commercial facility, and the interest on which is wholly exempt from the taxes imposed by this subtitle. For purposes of the preceding sentence, where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing."

(b) The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 276. Certain payments to issuer of tax-exempt obligations."

SEC. 2. The amendments made by the first section of this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act, and only in the case of amounts paid or accrued with respect to the use or occupancy of an industrial plant acquired, constructed, or improved with the proceeds of industrial development obligations issued after the date of the enactment of this Act.

H.R. 5598

A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"Sec. 276. Certain Payments to Issuer of Tax-Exempt Obligations.

"(a) General Rule.—No deduction shall be allowed for any amount paid or accrued (including interest on a mortgage and taxes) to a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, relating to the use of occupancy of an industrial or commercial facility acquired, constructed, or improved (in whole or in part) out of the proceeds of industrial development obligations.

"(b) Definitions.—For purposes of this section—

"(1) Industrial or commercial facility.—The term 'industrial or commercial facility' means any building or equipment—

"(A) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling, fabricating, storing, processing, or sale), and

"(B) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land).

"(2) Industrial development obligation.—The term 'industrial development obligation' means any obligation which is issued (whether before or after the acquisition, construction, or improvement of the industrial or commercial facility involved) by a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, to finance directly or indirectly the acquisition, construction, or improvement of an industrial or commercial facility, and the interest on which is wholly exempt from the taxes imposed by this subtitle. For purposes of the preceding sentence, where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing."

(b) The table of sections of part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 276. Certain payments to issuer of tax-exempt obligations."

Sec. 2. The amendments made by the first section of this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act, and only in the case of amounts paid or accrued with respect to the use or occupancy of an industrial plant acquired, constructed, or improved with the proceeds of industrial development obligations issued after the date of the enactment of this Act.

H.R. 5587

A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of Congress and the purpose of this legislation—

(1) to encroach in no way whatsoever upon the rights of the States and local governments to issue for any purpose which may be a public purpose obligations the interest on which is wholly exempt from Federal income taxation, but

(2) to provide that a similar exemption will not continue to be available for subsidizing the financing of industrial and commercial facilities to be sold or leased to private profitmaking enterprises.

Sec. 2. Section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) Obligations To Finance Industrial or Commercial Facilities.—

"(1) Inclusion in income.—Notwithstanding subsection (a) (1), where part or all of the amount which the issuing authority receives from the issuance of an obligation described in subsection (a) (1) is to be used for industrial development purposes, a like percentage of each interest installment on such obligation shall be included in gross income. For purposes of the preceding sentence, where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing.

"(2) Certification by issuing authority to be final.—For purposes of this subsection, a certification by the issuing authority—

"(A) that no part of the amount received from the issuance of an obligation is to be used for industrial development purposes, or

"(B) specifying the percentage of the amount received from the issuance of an obligation which is to be used for industrial development purposes,

shall be final and conclusive.

"(3) Use for industrial development purposes.—

"(A) For purposes of this subsection, an amount is to be used for industrial development purposes to the extent it is to be used to finance directly or indirectly the acquisition, construction, or improvement (whether occurring before or after the issuance of the obligation) of one or more industrial or commercial facilities.

"(B) For purposes of subparagraph (A), the term 'industrial or commercial facility' means any building or equipment—

"(i) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling, fabricating, storing, processing, or sale), and

"(ii) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land)."

Sec. 3. The amendment made by section 2 of this Act shall apply only to obligations issued after the date of the enactment of this Act.

H.R. 5599

A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of Congress and the purpose of this legislation—

(1) to encroach in no way whatsoever upon the rights of the States and local governments to issue for any purpose which may be a public purpose obligations the interest on which is wholly exempt from Federal income taxation, but

(2) to provide that a similar exemption will not continue to be available for subsidizing the financing of industrial and commercial facilities to be sold or leased to private profitmaking enterprises.

Sec. 2. Section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) Obligation To Financial Industrial or Commercial Facilities.—

"(1) Inclusion in income.—Notwithstanding subsection (a) (1), where part or all of the amount which the issuing authority receives from the issuance of an obligation described in subsection (a) (1) is to be used for industrial development purposes, a like percentage of each interest installment on such obligation shall be included in gross income. For purposes of the preceding sentence where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing.

"(2) Certification by issuing authority to be final.—For purposes of this subsection, a certification by the issuing authority—

"(A) that no part of the amount received from the issuance of an obligation is to be used for industrial development purposes, or

"(B) specifying the percentage of the amount received from the issuance of an obligation which is to be used for industrial development purposes, shall be final and conclusive.

"(3) Use for industrial development purposes.—

"(A) For purposes of this subsection, an amount is to be used for industrial development purposes to the extent it is to be used to finance directly or indirectly the acquisition, construction, or improvement (whether occurring before or after the issuance of the obligation) of one or more industrial or commercial facilities.

"(B) For purposes of subparagraph (A), the term 'industrial or commercial facility' means any building or equipment—

"(i) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling fabricating, storing, processing, or sale), and

"(ii) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land)."

Sec. 3. The amendment made by section 2 of this Act shall apply only to obligations issued after the date of the enactment of this Act.

COMMENDATION TO EDITORS OF THE DAILY NORTHWESTERN

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, there is poetic justice in the fact that complaints of college students have caused Federal, county, and city authorities in Seattle, Wash., to launch an investigation of an automatic device which appears to be tailored to encourage classroom cheating by U.S. college students.

I commend the editors of the Daily Northwestern, student newspaper of Northwestern University, Evanston, Ill., for their series of articles exposing the sale by mail of this device. Their action shows that the quality of honesty is not strained among all the students of our universities.

While these particular students attend Northwestern University, I am certain they could just as well have been enrolled at any one of our universities. This incident demonstrates that American college students are quick to see a challenge to their integrity and character.

I am especially pleased to commend Al From, editor of the Daily Northwestern and a native of South Bend, Ind., in my congressional district, for his fine efforts in this public disclosure, and I want also to salute Andrew H. Malcolm for his outstanding contribution to college journalism.

The editors of the Daily Northwestern first learned of the "PockeTutor" when a Northwestern freshman told them of receiving a pamphlet in the mail advertisting a battery-powered, pocket-viewing study-aid device that propels a self-transcribed tape past a viewing window.

The pamphlet stated:

> You may study at a moment's notice since you carry it with you in your pocket or handbag. By simply glancing at the viewing window, you study material, formulas, equations; text items can be easily visible to you, even without others knowing * * * PockeTutor can put you at the top of your class.

The producer listed a Seattle address.

The pamphlet pictured the device as barely larger than a package of cigarettes—comfortable, use in shirt or packet pocket.

In addition to the "PockeTutor," listed for sale at $19.95, the pamphlet advertised a wristwatch control accessory which affords an ultimate of convenience and ease of operation—requires only a tilt of the wrist to start or stop the viewing tape.

Mr. Malcolm's articles, which led to the investigation of the "PockeTutor" follow:

[From the Daily Northwestern, Feb. 19, 1965]

West Coast Firm Builds Machines To Stop Awful Cheating Scandals

(By Andrew H. Malcolm, assistant managing editor)

American capitalism has done it again. It has developed a product to eliminate the type of cheating exposed recently at the Air Force Academy.

Not by eliminating the cheating. But by eliminating the catching.

A west coast firm has built and is selling a tiny, battery-powered machine "barely larger than a package of cigarettes" which fits in a shirt pocket and is controlled by a switch under the student's wristwatch (honest).

THE POCKETCHEATER

To avoid libel problems (this is for real), we'll change the product's name to "the Pocketcheater."

The firm calls the mechanism "truly a dramatic breakthrough in easier learning through repeated exposure of facts, drawings, figures under direct, immediate viewing."

The company's slogan goes: "Better Grades Through Study Aids."

Before an exam all a student must do is write answers, equations, verb forms, or anything on a small tape. When he flicks his wrist, the tape winds slowly and silently past a viewing window on the top of the packet.

Thus all you need to do is casually bend your wrist and look down. Then when the answer passes by the window, you unbend your wrist. And you've got an A.

The firm has evidently sent out flyers to several Northwestern University students. These colorful pamphlets proclaim Pocketcheater "can put you at the top of your class."

FILLS "UNUSUAL NEED"

According to its builders, Pocketcheater (which sells for $19.95) "can fill an unusual need of memory requirement in many fields and assist in quick results a great variety of ways."

And for an extra $9.95 the company will include a fake wristwatch which controls the mechanism. It even has different speeds, probably one for mid-terms and one for longer finals.

"Now you can study or memorize on impulse," the pamphlet says. And it adds: "By simply glancing at the viewing window, your study material, formulas, equations, text items can be easily visible to you, even without others knowing.

"You will study during moments you might otherwise find wasted."

And as for coeducation schools: "Women students slip it into your purse or handbag for handy use anywhere."

With the Vietnam situation the way it is, the only patriotic thing to do is mail in your check and get your Pocketcheater so you won't flunk out and get drafted.

[From the Daily Northwestern, Feb. 23, 1965]

At Daily Northwestern Prompting: Seattle Better Business Bureau Will Probe "Tutor"

(By Andrew H. Malcolm, assistant managing editor)

The Seattle, Wash., Better Business Bureau, prompted by a Daily Northwestern inquiry, promised to open a full-scale investigation today of a mail-order firm's selling pocket-size "visual prompters" to college students.

Frank J. Zeorlin, the bureau's director, told the Daily Monday he would begin the investigation this morning.

The visual prompter, called PockeTutor, sells for $19.95. Its makers, Study Aid Products, list a Seattle address. Several Northwestern students received hand-addressed brochures by mail last week.

Described as "barely larger than a package of cigarettes," the battery-powered machine fits in a shirt pocket and can be controlled by a switch under a fake wristwatch.

TRANSPARENT WINDOW

When a student bends his wrist, a roll of paper (with equations, formulas, or anything on it) unwinds past a transparent window on the top of the package. The machine has obvious possibilities for cheating on exams, though no such mention is made in the advertisement.

Zeorlin, reached by telephone at his Seattle home, said the first step in the investigation would be to check the bureau's downtown files. Offices were closed Monday for George Washington's Birthday.

HADN'T HEARD

"I haven't heard of this company," Zeorlin said.

He said that his staff would consult with Seattle police.

"I don't like the looks of this," Zeorlin said after hearing a description of the product and the brochure sent to Northwestern University students.

"This isn't good for students, business, or Seattle. And we, along with the bunko squad, will take a close look at the operation in the next couple days."

The Daily first learned of the project when a Northwestern University freshman told of receiving the pamphlet in the mail. All Northwestern University students who have received such brochures should notify the Daily, campus 3200 or 475–6455.

Some North Shore State legislators also expressed interest in investigating the product.

PROMISES INVESTIGATION

Representative John A. Kennedy, Democrat, of Winnetka, said he would investigate the possibility of a State law against such products or similar advertising. "Personally, I think this is the kind of thing that should be brought before the State senate and house," he said.

"If we can't stop its sale, at least we can warn people and control its advertising."

In its advertisements the company claims "PockeTutor Can Put You at the Top of Your Class." And adds, "text items can be easily visible to you, even without others knowing."

PERFECT MEMORY

"Available to you now * * * a perfect memory in your pocket," the brochure says.

The machine also has various speeds and direction of the tape may be reversed.

The fake wristwatch control costs an added $9.95. "Women students slip it into purse or handbag for handy use anywhere," the brochure says.

And the advertisement adds, "Because of the enthusiastic acceptance of PockeTutor by college students, teachers, coaches, professional and executive leaders across the country, demand occasionally exceeds our immediate supply * * * so order now and avoid any unnecessary delay."

Order blanks were enclosed with the brochures sent to the Northwestern students.

[From the Daily Northwestern, Feb. 24, 1965]

Open "Tutor" Probe: Daily Northwestern Spurs Action

(By Andrew H. Malcolm, assistant managing editor)

Federal, county, and city authorities in Seattle, Wash., began an intensive probe Tuesday into "PockeTutors."

The investigation followed a copyrighted story in the Daily Northwestern Tuesday.

The Federal authority, Virgil Worthington, assistant postal inspector in Seattle, said he would call the product's originator in for a conference today.

He is Darrell N. Markey, 27, who told the Daily Tuesday he "dreamed up the PockeTutor idea" a year ago.

The postal inspector said, "We want to take a close look at the operation. We'll have him up here with his entire sales program, brochures, the whole works Wednesday morning."

After hearing a description of the product and its accompanying brochure, Worthington said he wanted to investigate the possibility of mail fraud and false advertising.

BROCHURE STATEMENT

The brochure says, "Because of the enthusiastic acceptance of PockeTutor by college students, teachers, coaches, professional and executive leaders across the country, demand occasionally exceeds our immediate supply."

Markey admitted the product has not been manufactured "though we do have a prototype."

He said a Seattle company has agreed to build the pocket-sized visual prompters "if demand is great enough.

"It's too risky to go ahead and build some of these without having an idea of the potential response," he said.

"It also costs a good deal to send out these brochures. It runs about $100 per thousand."

PockeTutor, which sells for $19.95, is a small packet run by twin penlight batteries, which fits in a shirt pocket. A roll of paper inside (with equations, formulas, or anything on it) rolls past a transparent window on the top of the gadget.

It comes with a short wire pushbutton control or for another $9.95 with a fake wristwatch which, when tilted, turns on the machine.

Although PockeTutor's advertising says nothing about cheating on examinations, the possibilities are obvious.

William A. Forant, chief investigator for the King County prosecutor's office, said he would be working closely with both U.S. Post Office investigators and the bunco squad of the Seattle City Police.

"I have talked with Worthington and the police on this," Forant said. "We're all investigating and should come up with something soon.

"I'll inform the county prosecutor, Charles O. Carroll, and he may plan some further action."

In the city Frank J. Zeorlin, general manager of the Seattle Better Business Bureau, said he had turned the entire case over to the police.

Zeorlin said the Better Business Bureau had checked its files Tuesday morning and found nothing on Markey or on Study Aid Products, the firm listed as the PockeTutor manufacturer.

"It's out of our hands now," he said, "but we'll be following it closely with the police."

Detective George O'Brien, chief of the city's bunco squad, opened a preliminary investigation within an hour after hearing of the Daily's story.

"This is right down our line here," he said.

Two hours later O'Brien and his squad had gathered a considerable amount of background information on the product's maker and his wife.

When told Markey admitted to the Daily that he was selling the machines, O'Brien said he would have his men contact Markey immediately.

"I imagine the postal boys will move in on this case, too," he said.

OTHER NEWSPAPERS JOIN IN

The Daily's investigation prompted four others. In Chicago the Tribune and Sun-Times both showed interest in similar stories.

In Seattle, both newspapers, the Times and Post-Intelligencer, were reported conducting their own probes of the case.

At Northwestern, 17 students have informed the Daily they received the PockeTutor brochures in the mail last week.

All the letters were postmarked Seattle and hand addressed. Order forms were included.

Markey said Tuesday he had mailed out 2,000 such brochures early last week—250 of them to Northwestern—as a "test mailing to sample student response."

Markey also said he sent brochures and order blanks to students at Tulane University, in New Orleans; the University of Kentucky, in Lexington; and Oregon State University, in Corvallis, Oreg.

MAKER SAYS "TUTOR" NOT FOR CHEATING

"It doesn't take a genius to realize PockeTutor could be used for cheating, but that wasn't the idea," Darrell N. Markey, the gadget's self-proclaimed inventor, said Tuesday.

Markey, 27, an insurance adjustor who lives at the Seattle address he gives for Study Aid Products, said, "We certainly don't want to advocate cheating. We didn't have that in mind at all.

"I got the idea about a year ago that it would be handy to have such a thing, for instance, to study during coffee breaks at work if you're a student and work part time.

"Or you could study on the bus to school," he said. "We haven't even explored all the possibilities."

Markey, who said he graduated from the University of Washington in 1961, also said he has a partner in the company—Robert Nemyre, 50, a Seattle advertising man.

He said he has received no orders for PockeTutor yet, through some order blanks have been returned.

"We asked for comments from students," Markey said. "Most of the comments have been derogatory, intimating we had designed the machine solely for cheating on exams.

"I should think that would depend on the person's motivation," Markey said. "Cars are used for bank robberies too, but they aren't necessarily built for it."

Asked if the brochure's phrase "text items can be easily visible to you, even without others knowing" didn't intimate cheating, he said, "I suppose it could be taken both ways.

"Actually any student who uses PockeTutor for exam cheating is foolish. It's impractical because all the faculty members will know about it.

"If we do get enough orders, it would take about 3 weeks to get them out," he said. "To break even just on our advertising we have to sell 10 PockeTutors for every 1,000 brochures we mail out.

"If we don't get enough orders, we'll return the money."

He said the fake wristwatch control, which costs an extra $9.95, is "just an accessory, a little extra moneymaker.

"We found," he said, "we could get a good price on a large batch of these watches, so we tacked them on.

"You know we didn't mean to alarm anyone."

[From the Daily Northwestern, Feb. 25, 1965]

POCKETUTOR PROBE INTENSIFIED—TWO PROMOTERS CITED AS POSSIBLE STATUTE VIOLATORS

(By Andrew H. Malcolm, assistant managing editor)

Washington State officials are investigating today whether the Seattle PockeTutor firm is registered to do business in that State.

And a postal inspector in Seattle said he will take his information to the U.S. attorney there for possible Federal action.

Mail solicitation of orders for PockeTutors from Northwestern students was revealed Tuesday in a copyrighted story in the Daily Northwestern.

William A. Forant, chief investigator for the King County prosecutor's office, said Darrell N. Markey, the originator of PockeTutor, and his partner, Robert Nemyre, may be violating two State statutes: (1) Failure to register their business; (2) false advertising.

"I have verbal confirmation from the State tax commissioner that Markey has not registered his business," Forant said. "We're waiting for the commissioner's written statement to get here from the capital."

A 1935 Washington State statute requires all businesses in the State to register their firms and purchase a $1.25 license.

,GROSS MISDEMEANOR

Failure to do so is a gross misdemeanor and is punishable upon conviction by 1 year in prison or a $1,000 fine or both.

Forant also said King County may prosecute the pair for false advertising on their brochure.

At two separate places on the pamphlet the firm, Study Aid Products, intimates an "enthusiastic acceptance of PockeTutor * * * across the country," and that an order upon receipt of $19.95 the device "will be forwarded prepaid at once."

Markey told the Daily, Tuesday, that once he received "enough orders" it would take at least 3 weeks to produce any. "All we have is a prototype," he said.

CONTRACT WITH FIRM

At the conference Markey said they had contracted with a Seattle plastics firm to build PockeTutors. Detective George O'Brien of the city's bunco squad told the Daily, Wednesday, he hoped to meet late Wednesday night or early this morning with the company's owner.

"We want to see if a contract was really made," he said.

O'Brien also said Markey told him they had mailed 4,000 brochures to students at Southern Methodist University, North Texas State, and Stanford University.

Markey told the Daily, Tuesday, he mailed 2,000 brochures to students at Northwestern University, Tulane, the University of Kentucky, and Oregon State University.

Virgil Worthington, assistant postal inspector in Seattle, said Wednesday he was going to present evidence gathered by both Seattle police and his own investigation to William Goodwin, the U.S. attorney in Seattle.

"If we prosecute, it would be for using the mails for false advertising," Worthington said. "And that's a Federal law."

Worthington also suggested possible prosecution if the firm failed to produce PockeTutor for those who purchased them and the postal inspector received any formal complaints.

[From the Daily Northwestern, Feb. 26, 1965]

THE PROBE

Tuesday this newspaper exposed the attempt of a Seattle firm that calls itself Study Aid Products to peddle its PockeTutor to Northwestern students through the mails.

Throughout the week the Daily Northwestern has followed up on the progress of a Federal, State, and local investigation of the product.

Why has this newspaper which concentrates on campus news devoted so much space this week to a story occurring 2,000 miles from the shores of Lake Michigan?

The answer is simple. The investigation of the PockeTutors is relevant to the Northwestern campus. It's relevant because Northwestern was one of a few selected campuses on which Darrell N. Markey has tried to sell his gadget.

But most importantly, the PockeTutor story is relevant to a campus community because the device appeals so blatantly to academic dishonesty. And academic dishonesty is an important question on this or any other campus. The fact that a story on that problem gains national prominence does not alter its relevance to a campus community.

Had Markey been permitted to penetrate this and other campuses with his study-aid device, undoubtedly the PockeTutors would have popped up during examinations. Then the story would have been different.

TO PRODUCE POCKETUTOR: BUILDER REVEALS HE NEEDS 3 WEEKS

(By Andrew H. Malcolm, assistant managing editor)

The Seattle manufacturer of PockeTutor has revealed to police that it would take 23 to 30 days to put the device into production, the Daily Northwestern learned Thursday.

Detective George O'Brien, of the Seattle Bunco Squad, said the manufacturer, James W. Hawley, president of the Hawley Training Devices Inc., admitted that in a written statement to police.

Darrell N. Markey, originator of PockeTutor, has advertised immediate delivery on the brochures he sent to college students across the country.

"Because of the enthusiastic acceptance of PockeTutor * * * demand occasionally exceeds our immediate supply" the pamphlet says.

And, it adds, when an order is received, "Your PockeTutor will be forwarded prepaid at once."

The Daily Northwestern revealed the mail socilitation of college students in a copyrighted story Tuesday.

O'Brien said Thursday he had turned his entire investigation file over to William A. Forant, chief inspector for the King County prosecutor.

Forant said actual production of PockeTutors "is definitely not a crime." But he added the State was investigating whether the PockeTutor brochure might fall under the State's false advertising statute.

"We have not yet received written confirmation that Markey has not registered his business with the tax commissioner," Forant said. He said he had already received oral confirmation.

Hawley, the manufacturer, said Thursday, running a PockeTutor could be heard "in quiet surroundings."

"To anticipate your question," he said, the noise of PockeTutor would be evident in quiet surroundings like those in an examination. It would sound like a small fan or one of those quieter electric shavers on the market now."

He said Markey and his partner, Robert Nemyre, debated over putting a handle on the mechanism to prop it up for a speaker.

"We just decided against the handle because it was just another part, would cost more, and a person could just as easily prop it up on anything handy," Hawley said.

Hawley, who said his firm does some subcontract work for Boeing Aircraft, also revealed PockeTutor does not operate at different speeds, as intimated in the advertising.

The pamphlet says, "Material * * * can be viewed by skipping back and forth as frequently as you choose and at any desired speed."

He said Markey would have to invest about another $700 for molds and materials before production could actually start. "He already has a considerable amount (police said $650) invested in this thing. We worked 7 months developing the prototype," Hawley said.

"I know this cheating never occurred to Markey," he added.

THE ELDERCARE BILL

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, as we in the Congress approach the time of decision on so-called medicaretype legislation, I think we must recognize that, by the time such legislation becomes effective, we will be dealing with the needs of almost 20 million citizens over age 65.

In recent days, some labor leaders, including Walter Reuther, have charged that the eldercare bill, which I and others are sponsoring, is too costly.

The time has come to set the record straight. Proponents of H.R. 1 and S. 1 admit that the administration-backed bill will cost $3.788 billion annually. This does not take into consideration the well-known "abuse factor," characteristically greater in Federal programs. I submit that the eldercare bill will not and, in fact, could not cost more than $847 million annually, and a portion of this amount would be paid for by the States. Let me illustrate the validity of this comparison.

As you know, under the eldercare bill, there are three categories of people set up as determined by their own statements of income. Federal-State funds would be used to pay all insurance premiums for those in the lowest category, and approximately half the cost of the premium for those in the second category.

Testimony before the House Ways and Means Committee reveals that approximately 20 percent of the aged would require full Federal-State payment of their health insurance premium.

Twenty percent of 20 million people is 4 million, multiplied by $250 annual insurance premium equals $1 billion annually. The $250 figure was used by the Ways and Means Committee chairman to describe the cost of good and adequate insurance protection for the aged equal to the benefits available to Government employees under their present program.

Then, to this we must add possibly another 30 percent of the aging, or 6 million persons who would qualify for approximately one-half—$125—of their premium being paid by Federal-State funds; 6 million times $125 equals $750 million annually. Thus, the total cost of this bill would be $1,750,000 annually, from which must be subtracted the $803 million spent on Kerr-Mills—OAA and MAA—the last fiscal year, giving us a net cost of $847 million annually.

This, then, is the figure to compare with the $3.788 billion figure of the administration, with its much lesser Kerr-Mills deductions which would have to be maintained to supply the other 75 percent of the unmet needs of this group.

And, let us not forget that, under eldercare, we would have good and adequate protection equal to that currently afforded Federal employees, as opposed to the very minimal benefits—25 percent—offered under the administration bill.

An honest portrayal of this comparison will show that "eldercare makes medicare look sick."

As a basis for further comparison, the administration proposes to spend $3.26 billion this fiscal year on foreign aid. Is one-fourth of this amount too much to allocate for a sound medical program for the aged?

REAPPORTIONMENT DECISION

The **SPEAKER.** Under previous order of the House, the gentleman from Missouri [Mr. ICHORD] is recognized for 60 minutes.

Mr. ICHORD. Mr. Speaker, and my colleagues of the House, my purpose in arranging this special order is to cast some light on the intentions of those who have introduced constitutional amendments on the subject of State legislative reapportionment and to clarify the issues presented by the efforts of those of us who are working to bring this matter before the House for final disposition under the rules of the House.

Let me say at the outset that there is no question as to whether this Congress will make a final decision on the issue. It is merely a question of when and by what means. The House will reach a final vote on the matter either by discharge petition, which has been filed by Congressman PATMAN, by a rule from the Committee on Rules, or by a measure reported out of the Committee on the Judiciary. This will happen because a majority of the House are in favor of some form of constitutional amendment being presented to the legislatures of the 50 States for ratification. We do have a majority. Whether we have a two-thirds majority required for the passage of a constitutional amendment is another question. Because time is of the essence, Mr. Speaker, as several States are already under court order to reapportion, including my own State of Missouri, I have signed the discharge petition filed by the gentleman from Texas [Mr. PATMAN]. To date 67 Members have signed the petition, which is an unusual number, taking into consideration the very short time that the petition has been on file.

May I say that the issue that will be presented ultimately by the discharge petition and the amendment which the gentleman from Texas [Mr. PATMAN] has agreed to accept, will not be a question of whether or not the Supreme Court has improperly invaded an area reserved to the States under the Constitution or whether or not the Court reached the right decision. The issue will not concern the case of Baker against Carr, the Tennessee reapportionment case, or Reynolds against Simms, or the New York or Virginia cases. The issue presented will deal with the Colorado case alone. The issue will be solely, one, as to whether or not American citizens are to be given the right to decide through the ballot box that one house of their State legislature may be constituted on the basis of factors other than population if a majority of the citizens of those States so desire.

Now, let us examine the so-called reapportionment cases and the reasons why I think it is so important that the House decide this issue at an early date.

Mr. Speaker, the Supreme Court, on June 15 of 1964, I submit, finished its work of completely devastating one of the most basic and one of the most revered concepts of American constitutional government. The framers of the Constitution took care to define the duties of each of our three branches of Government with the purpose of guaranteeing that each should have final authority in its particular field and have no authority to interfere with the affairs of any other branch. Thus, every American schoolchild has been proudly told that the legislative makes the laws, the judiciary interprets them, and the executive enforces them. Because of this separation of powers concept, each branch of our Federal Government has historically taken great care to refrain from crossing the constitutional boundaries of its own authority. Adhering to this important distinction between jurisdictional boundaries, the Supreme Court early determined that it could not hear cases which were essentially political in nature. Such questions were, in the Court's opinion, matters for the consideration of the legislature and not cognizable by the Court or, as the Court said, they were not justiciable.

From the beginning of this Nation until March of 1962 it was generally conceded in case after case that each State was responsible for setting up and maintaining its own plan for the election of State representatives and State senators. However, in Baker against Carr, decided March 26, 1962, the Supreme Court ruled that the citizens of Tennessee were entitled to have their complaint against the State legislative apportionment plan adjudicated. Thus, the Court entered into the political arena and has, without doubt, assumed a legislative role.

I am not here, Mr. Speaker, to defend the rampant abuse of legislative apportionment which exists throughout the breadth of this great land. I am here, however, to argue that the Supreme Court is no place for reform as argued by Justice Harlan in his dissenting opinion in the Alabama case. I am here to argue that the end does not justify the means. I am here to say that the Supreme Court has not properly interpreted the Constitution but rather has amended it by judicial decree. I am here to point out the dangers of those decisions.

I am not here to castigate the Supreme Court although the Court, by intruding into the political field, into the legislative field, has opened itself to valid political criticism. As President Truman said, "If you can't stand the heat get out of the kitchen." The Supreme Court has entered into the political kitchen. The Supreme Court is now legislating irrespective of whether that legislation is good or bad. In doing so it has converted a political philosophy into a constitutional rule and has applied the so-called "one-man, one-vote" principle so arbitrarily that it does great damage to the genius of the Federal system.

Mr. Speaker, the late Justice Frankfurter, one of the greatest judicial liberals of this century, sounded the alarm in Baker against Carr when he pointed out the following in his dissenting opinion:

> The Court today reverses a uniform course of decisions established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only 5 years ago. The impressive body of rulings thus cast aside reflected the equally uniform course of our political history regarding the relationship between population. Such a massive repudiation of the experience of our past in asserting destructively novel judicial power demands a detailed analysis of the role of this Court in our constitutional scheme. Disregard of inherent limits in the effective exercise of the Court's "judicial power" not only presages the futility of judicial intervention in the essentially political conflict of forces by which the relation between population and representation has time out of mind been and is now determined. It may well impair the Court's position as the ultimate organ of the supreme law of the land.

The last thought of Justice Frankfurter in the foregoing quote is the one that concerns me.

There is great danger in these cases which could spell disaster ahead in our judicial system.

Mr. Speaker, Justice Harlan said in his dissenting opinion in June 1964 that:

> The majority has cut deeply into the fabric of our Federal system and that these decisions have the effect of placing the basic aspects of State political systems under the persuasive overlordship of the Federal judiciary.

Mr. Speaker, Justice Stewart in his dissenting opinion in the Colorado case said this:

> The Court's Draconian pronouncement makes unconstitutional the legislatures of most of the 50 States and finds no support in the words of the Constitution in any prior decisions of this Court or in the 176-year political history of the Federal Union.

Mr. Speaker, I have some of the same fears voiced by Justices Frankfurter, Stewart, and Harlan. Justice Stewart, in effect, observed that to ascertain the meaning of the Constitution you no longer look to the Constitution itself but into the changing channels of the complex minds of the members of the Supreme Court.

Mr. Speaker, this is a real issue, and in this respect I have been deeply concerned about the tendency of Americans, including many prominent political figures, to put this issue on the basis of rural interests versus urban interests. If they are associated with rural America they are opposed to legislative reapportionment. If they are from urban America, they stand to gain in legislative seats and, so, are in favor of the Supreme Court's decisions.

Mr. Speaker, let us take for example this excerpt from a speech made by a very prominent former Governor of the State of California:

> Many California counties are far more important in the life of the State than their population bears to the entire population of the State. It is for this reason that I have never been in favor of restricting their representation to the State senate to a strictly population basis. It is for the same reason that the Founding Fathers of our country gave balanced representation to the States of the Union, equal representation in one House and proportionate representation in the other. Moves have been made to upset the balanced representation in our State even though it has served us well and is strictly in accord with the American tradition and the pattern of our National Government. Our State has made almost unbelievable progress under our present system of legislative representation. I believe we should keep it.

Mr. Speaker, the Governor that was speaking of California in that speech in 1948 was none other than the now Chief Justice of the U.S. Supreme Court. This, ladies and gentlemen of the House, points out an attribute of the decisions which to me is absolutely terrifying. Shall we have a government of men or shall we have a government of law? Who will we have on the Supreme Court tomorrow, or next year, or the next decade? Will we have a Mr. Earl Warren as Governor of the State of California or will we have a Mr. Earl Warren, the Chief Justice of the United States, the writer of the opinion in the case of Reynolds against Simms.

Mr. Speaker, this portrays to me the danger of the Supreme Court amending the Constitution by judicial decree. This emphasizes the need for law and precedent if we are to maintain a stable republic. The minds of men change. The Constitution should not be changed until it has been changed by the American people from whom all governmental power is derived.

Mr. Speaker, I have read innumerable papers supporting the position of the Supreme Court, but I have yet to find anyone citing any precedent that the equal protection clause of the 14th amendment means that both houses of a State legislature must be apportioned on the basis of population.

Is there anyone in this body who will seriously maintain that when the Congress of the United States debated the 14th amendment it intended it to apply to State legislative apportionment? Was the matter even referred to when the 14th amendment was debated? Was the matter even remotely discussed in any of the State legislatures when they ratified the 14th amendment?

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Illinois.

Mr. McCLORY. First of all I want to compliment the gentleman from Missouri on the most eloquent and learned statement that he made here today in the House of Representatives, also because of the timeliness of the statement. I am not confident of the figures, but I do know that most of the State legislatures of the Nation are meeting in session this year, and that the opportunity for having such a proposed constitutional amendment ratified exists now provided the House of Representatives acts now.

In my own case, I have signed the discharge petition, at the Speaker's desk. This is the first discharge petition I have ever signed, and is a departure from a rule I made for myself with regard to the signing of discharge petitions. However, I cannot help but be impressed by the importance and by the immediacy of the situation. I know in my experience as a former member of the State Legislature of Illinois I had the experience of recommending an amendment to the Illinois constitution to provide exactly what the constitutional amendment proposed here would authorize, namely, the establishment in Illinois of one House of the Illinois General Assembly based upon population alone, that is, the House of Representatives of the Illinois General Assembly, and that the State Senate of Illinois take into consideration subjects other than population.

The proposition in Illinois was submitted to the voters at the 1954 general election and overwhelmingly approved by the voters of the urban and rural areas alike as a fair and reasonable solution to the problem of legislative representation in the State of Illinois.

This is the type of constitutional provision which would be permitted in the 50 States of the Nation if the constitutional amendment which we are proposing and recommending, and which is referred to in the discharge petition, is adopted.

Mr. ICHORD. I thank the gentleman for his contribution. I might say that the discharge petition has been filed on the constitutional amendment which has been introduced by the gentleman from Texas [Mr. PATMAN]. His constitutional amendment merely provides that nothing in the Constitution shall prohibit a State from having a bicameral legislature, from having one house based on factors other than population. However, we propose to introduce an amendment and vote for an amendment which will require that the legislative scheme of apportionment be approved by a majority of the people in the State.

Mr. McCLORY. In addition to ratification by the State legislative body or the State convention, whichever is employed?

Mr. ICHORD. That is right.

Mr. McCLORY. I certainly want to congratulate the gentleman on the very fine and important statement he is making here in the House of Representatives today, and to pledge my support.

Mr. ICHORD. I thank the gentleman for his contribution.

Mr. Speaker, I should like to move away from the law and precedents and consider the decisions solely on a moral basis. Assume that there is no Constitution, and that the supreme law flows only from the political philosophy of the members of the Supreme Court. Let us get away from the Federal analogy and the obvious intent of the founders of the Constitution to permit area representation as well as population representation, and consider only the situation existing in the various States.

I personally cannot defend the malapportionment on a moral basis which existed in Alabama, and I might say several other States. First we must take cognizance of the fact that America has changed. We are no longer a rural Nation, we are now an urban Nation, and becoming increasingly urban with the passing of each day. Rural legislators in many cases have unjustly failed to give urban areas proper representation, not only by making it difficult for a majority of the people to reapportion, but also by simply ignoring their State constitution and declining to reapportion legislative districts so as to follow population shifts.

Considering the widespread existence of malapportionment, we must conclude that reform was needed, and this is the reason why the Supreme Court has been able to amend the Constitution by judicial decree, and with the support of so many people. It is regrettable that reform had to come about in this manner. History has shown the danger of reform taken in such manner.

During the French Revolution, for example, the revolutionaries were impatient with the revolutionary processes and acted through bodies that were less and less representative. You will remember that the French revolutionaries moved from the National Assembly to the Legislative Assembly, then to the Paris Commune, then to the Committee of Public Safety, then to the Directorate, and then to Napoleon.

Mr. Speaker, I can only quarrel with the means in the New York, Virginia, Maryland, and Alabama cases. I cannot quarrel with the end. But in the Colorado case the Supreme Court refuted its own one-man, one-vote principle. In that case the people of Colorado had spoken. All of the people of Colorado had spoken, applying the one-man, one-vote principle. They had chosen overwhelmingly to have a bicameral legislature with one house based upon population and the other house based on geography and other factors. This is the aspect of the decision that has appalled me.

My home State of Missouri has a bicameral legislature with the upper house based on population and the lower house based on a combination of geography and population.

The people of Missouri have approved this system time and time again. I cannot accept the preposterous principle that when the legislatures of three-fourths of the States of this Nation adopted the equal protection clause of the 14th amendment that they surrendered their right to have such a bicameral legislature.

Again I ask that anyone come forth with evidence that it was intended by the Congress and by the legislatures that ratified the 14th amendment that this result was intended. If not, have we changed our rules of constitutional construction? This, however, is what the Colorado case held. It said to the people of Missouri and to the people of Colorado and to the people of all of the 50 States that it makes no difference what kind of State legislature you might want to have, even if you want the system that you have had since the birth of the Republic, even if you vote statewide using the one-man, one-vote principle and decide 3 to 1 to keep your system, you are still prohibited from having it. The equal protection clause of the 14th amendment forbids you to experiment.

The Chief Justice of the United States supported by a majority of the Justices has changed his mind—you have been wrong for 177 years.

Thus our proposal, I submit, is moderate indeed. We merely want to give the majority of the people of every State voting statewide the right to decide whether or not they shall have the same system that prevails in the Federal legislature.

Mr. FUQUA. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman.

Mr. FUQUA. Mr. Speaker, I want to commend the distinguished gentleman from Missouri for bringing this to the attention of the House, and also to acquaint the Members of the House with this gentleman's vast knowledge in this great area that we are discussing today. He is a former speaker of the Missouri Legislature and most certainly is very capable, learned, and qualified to present this important subject to the House of Representatives.

I want also to commend the gentleman for making it very clear that this is not a rural versus urban matter or an urban versus rural matter. This is a fight for those people who believe in the principle of a bicameral system of the legislature. The fact of the matter is that you have three branches instead of two. You have the house of representatives and a senate, one of the houses based on the factor of population and the other body on other factors. Then you have a Governor of a State who is also elected by a majority of the people who does participate in the legislative process whether it be by the veto power of legislation or by the threat of a veto. So we do have in effect three houses of our legislature and the principle of the bicameral legislature is to take into consideration other factors than just the population factor. We do have economic factors and other matters of affinity which affect the contiguousness of areas—germaneness and other things that they have in common that can be and very vividly should be considered in matters of legislative apportionment.

Again, Mr. Speaker, I want to thank the gentleman for bringing this matter to the attention of the House. I do not think any of us condone malapportioned legislatures. Even though we cannot say that it has always been true that we have had ideally apportioned legislatures. If they have an opportunity to work as they work on every other problem, they can resolve these very critical problems. I am certainly not a part of the effort to try to say we have rural domination or urban domination. I think there is a balance that leads to good government.

Mr. Speaker, I again thank the gentleman for bringing this to the attention of the House.

Mr. ICHORD. I thank the distinguished gentleman from Florida for his very penetrating observations and thank him also for his kind remarks.

Mrs. REID of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentlewoman from Illinois.

Mrs. REID of Illinois. I should like to join my colleague from Missouri in his remarks this afternoon.

Mr. Speaker, one of the most important items of unfinished business left by the previous 88th Congress was that involving the reapportionment of State legislatures. This legislation was extensively debated last year, and the fact that it was not approved before adjournment in no way lessens the urgency of the problem.

On the opening day of the 89th Congress, January 4, 1965, I reintroduced my bill on this subject, House Joint Resolution 18, which would provide for an amendment to the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population. A number of my colleagues in the House of Representatives and the Senate have introduced similar resolutions. In view of the widespread feeling throughout the Nation that an immediate solution to this controversy is essential, it is my opinion that the Congress is duty bound to forthrightly face this issue and promptly consider this legislation.

This is the time of year when State legislatures are convening throughout the country, and they are naturally anxious to know what action the Congress will take. In my own State of Illinois, our State legislature is now in session and meets only every 2 years; and the convening of a special session involves considerable expense. Yet, the Committee on the Judiciary has to date not scheduled hearings on reapportionment bills.

Many people in my congressional district have either visited with me or written to me about their concern regarding reapportionment. They are rightfully disturbed over last year's decision by the Supreme Court which, in interpreting the 14th amendment, requires the States to reapportion their legislatures so that every member of each house represents substantially the same number of people in his constituency. The public confusion following this decision is readily understandable, for a majority of the States have patterned their legislatures after the principle embodied in our Federal Constitution with regard to the Congress—that one body was to represent each geographic unit and the other the population distribution of the Nation. This is the basis for our traditional American concept of a fair and reasonable plan of bicameralism in a representative government, and the analogy of this Federal system to the present problem involving the States cannot be ignored.

Despite the fact that the Supreme Court has now struck down this system promulgated by the Constitution itself, I believe that the same reasoning which prompted our Founding Fathers to avoid apportioning both Houses of Congress on the basis of population is still applicable to legislative apportionment in the States today. In my opinion, the Supreme Court has exceeded its constitutional authority in this ruling. The power to amend the Constitution rests with the people, and I believe the Congress should give them the opportunity to decide this issue. Therefore, the Congress should consider this legislation without delay.

Mr. ICHORD. I might say to the gentlewoman from Illinois that I know there have been at least 80 constitutional amendments introduced thus far in the House of Representatives.

I thank the gentlewoman from Illinois for her observations and I believe she has made a very important point concerning the Court amending the Constitution. That is my position. I do not believe there is any doubt about that fact. Really, there has never been much of an argument about it. The Supreme Court has amended the Constitution by judicial decree. Amendments should be accomplished through the procedures established in the Constitution itself.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from North Carolina.

Mr. KORNEGAY. I thank the gentleman. I rise to commend the gentleman from Missouri for bringing this matter to the attention of the House today. I also wish to show my appreciation for his remarks and the remarks of others, who have pointed out the fact that this is not an urban versus rural controversy. It involves a basic, constitutional precept.

Mr. Speaker, I happen to come from and represent the most urbanized district in the State of North Carolina. It is about 70 percent urban and 30 percent rural. I view as one of the most important matters pending before this Congress the need to take some action to correct the most unfortunate decision which was handed down by the Supreme Court on June 15 of last year.

Again I commend the gentleman for bringing this matter to the attention of the House. I believe his presentation has been most timely, most appropriate, and most urgent.

Mr. ICHORD. I thank the gentleman from North Carolina for his contribution, particularly since he represents an urban district. He is one Member of the House who is not deciding this issue based upon his urban residence but is looking at the constitutional questions involved.

Mr. KORNEGAY. That is exactly correct. I appreciate very much the gentleman's making that statement.

I might add to the fact that I come from an urban district that my State of North Carolina is not "in the soup" so to speak at the moment. In my opinion, its legislative makeup is patently unconstitutional under the one-man, one-vote rule.

While my State, as many others, probably has not abided by the constitutional provision for periodic reapportionment as it should, this still is no way to get at that problem. The medicine is worse than the disease. From my observation, nothing but trouble and chaos have been created throughout much of this country subsequent to and as a result of the unfortunate decision which I just referred to.

I thank the gentleman.

Mr. MATTHEWS. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Speaker, I, too, want to join with the distinguished gentleman from Missouri [Mr. ICHORD] and my other colleagues this afternoon who have expressed their interest in this terrific problem of legislative reapportionment and their earnest desire to try to solve this matter by means of constitutional procedures. As my colleagues have pointed out, this is not a matter of country versus city. I believe the gentleman from Missouri will agree with me when I would add that it is not a matter of a liberal philosophy versus a conservative philosophy.

Mr. ICHORD. I would point out to the distinguished gentleman from Florida that the gentleman who wrote the dissenting opinion in Baker against Carr, the late Justice Frankfurter, was known as one of the greatest liberals of this century in the judiciary.

Mr. MATTHEWS. I thank the gentleman from Missouri for that comment, and I certainly agree with him.

So the matter resolves itself down to this proposition; namely, whether or not we are going to try to solve through constitutional procedures this grave problem which to me is actually the biggest domestic problem confronting America today.

Mr. Speaker, what is wrong with permitting the people of a State, if they so decide by a vote, to say that they want one house of their legislature apportioned on a basis other than population? That is the issue and the question. It is a clear-cut question. I join with many of my colleagues in presenting a resolution calling for a constitutional amendment to give our people of the 50 States that opportunity.

Mr. Speaker, I want to thank the distinguished gentleman from Missouri once again and pledge to him my cooperation and pledge to my colleagues who have introduced several bills my efforts with them to correct this terrible problem in the very immediate future.

Mr. ICHORD. I thank the learned gentleman from Florida for his valuable comments, and I now yield to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Speaker, I wish to compliment the gentleman for his remarks this afternoon and to associate myself with those remarks. I think the gentleman has made a powerful argument in favor of congressional action enacting these resolutions, one of which I happen to have introduced myself. I was interested in the gentleman's reading of the speech made by the present Chief Justice when he was Governor of California.

Mr. ICHORD. This was a speech made by the Chief Justice of the Supreme Court when he was Governor of the State of California.

Mr. BETTS. I am aware of that speech. Therein I think lies one of the biggest arguments in favor of congressional action in that the Supreme Court, while it followed the principle of one-man, one-vote, actually abandoned another historical constitutional concept, namely, the concept of checks and balances, which has provided for and established the National Congress and which we thought was constitutionally established in all of the States and their legislatures. To me this is one of the big arguments in favor of this congressional action, that is, restoring this historic concept of checks and balances.

Again, Mr. Speaker, I want to compliment the gentleman from Missouri and associate myself with his remarks.

Mr. ICHORD. I thank the gentleman for his kind remarks. He made some very interesting and enlightening points.

I now yield to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, I just want to thank the gentleman for yielding and observe that I signed the discharge petition, and I feel very strongly, just as the gentleman expressed himself here today. It seems to me this would raise the question, if we do not overturn this Supreme Court decision by legislative act and by constitutional amendment I wonder if the gentleman would agree with me that we might just as well have all of our State legislatures unicameral in nature rather than bicameral.

Mr. ICHORD. I am inclined to agree with the gentleman from Illinois. You can even go further and say that you might as well be consistent and well reapportion the Senate of the United States and have their membership based upon population rather than geography. It may very well be that the Supreme Court will make a logical extension of its reasoning and say that since the equal protection clause is in the 14th amendment, which came after article I establishing the Senate of the United States, that article I has now been overruled by the equal protection clause, and that body should be reapportioned.

Mr. MICHEL. I think the gentleman makes a very good point.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, in addition to the other descriptions I have given of the gentleman's remarks today I want to add that it is a most studious presentation which he has made and one that should be helpful as a bit of reference material for the House of Representatives as we approach this problem of State legislative reapportionment.

Mr. Speaker, I should like to add that I concur wholeheartedly, too, in the point that the States which have already established by constitutional amendment legislative reapportionment, as has been done in Missouri and in Illinois, have observed the one-man, one-vote principle. I think it is an important point which the gentleman has made and I want to add that that principle was observed in Illinois in the adoption of the constitutional amendment in 1954.

Mr. Speaker, may I add this further point, that as far as admonishing the House of Representatives and the Congress of the United States to act promptly on this matter, we constantly hear the argument that the legislative branch of the Federal Government is having its powers diminished and that the executive and judicial branches are growing in strength and power at the expense of the legislative branch. Here is a good opportunity, it seems to me, for the Congress of the United States to reassert its constitutional authority and at least to present to the people of the Nation the opportunity to vote on this important proposition.

Mr. ICHORD. Mr. Speaker, I think the gentleman has made a very important point. We are one of the vehicles through which the Constitution of the United States may be amended.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield further?

Mr. ICHORD. I yield again to the gentleman from North Carolina.

Mr. KORNEGAY. Mr. Speaker, I thank the gentleman for yielding. I have noted that the gentleman made reference to the fact that the next step could well be reapportionment of the U.S. Senate. I would like to ask the gentleman his views on this particular proposition. Would it not likewise be a part of this one-man one-vote principle that it should apply to local boards, such as boards of county commissioners, school boards, and other local boards that political subdivisions may have according to the various political setups in the States?

Mr. ICHORD. It is my information that a court in Wisconsin—I do not know whether it was a State court or a Federal district court—has held that the principle is applicable to school districts and other minor governmental subdivisions.

Mr. KORNEGAY. Does the gentleman have any feeling or any opinion about the kind of situation that would create locally? Many of the boards of county commissioners or school boards or other local boards may wake up one morning and find that they were unconstitutional.

Mr. ICHORD. Mr. Speaker, let me say to the gentleman that if they were unconstitutional perhaps the bonds which they had submitted to the people of the various subdivisions would also be illegal and void and great repercussions could flow from such a holding.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I thank the gentleman from Missouri for yielding. The gentleman referred to the Wisconsin Supreme Court decision. We have already awakened one morning and found that our county commissioners and boards and school districts were as the gentleman has indicated.

Mr. ICHORD. That was a Wisconsin Supreme Court decision?

Mr. LAIRD. The Wisconsin Supreme Court, which is the highest court in Wisconsin, and it has already ruled on that particular question.

Mr. ICHORD. I thank the gentleman for his contribution.

Mr. KORNEGAY. Mr. Speaker, if the gentleman will yield further, I would like to make one additional statement: Then not only are we tampering with the political setup—and I use that expression in broad context—of our Federal Government, but also it could result in difficulty arising in the financial obligations that had heretofore been made by the local boards and local governing bodies.

Mr. ICHORD. I believe the gentleman is absolutely correct.

Mr. KORNEGAY. The point of the matter is and the point which I am trying to bring out, Mr. Speaker, is that there is just no end to this chain reaction and that it breeds chaos upon chaos. In other words, the farther down the line you go the worse it gets.

I thank again the gentleman for yielding to me and I compliment him most highly for his fine presentation.

Mr. ICHORD. I thank the gentleman for his very learned contribution.

LEGISLATION DESIGNED TO EXPAND FISH AND WILDLIFE RESTORATION PROJECTS

The SPEAKER pro tempore (Mr. WRIGHT). Under previous order of the House the gentleman from Illinois [Mr. MICHEL] is recognized for 15 minutes.

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, today is a very appropriate day for me to speak on behalf of the bill I have introduced to expand fish and wildlife restoration projects by providing for a study of a comprehensive, long-range program to reclaim and rehabilitate surface mining areas in the United States.

Strip mining of coal has been going on in my home State of Illinois for many years. As a matter of fact, it began in 1866 in the Danville, Ill., area, a fine part of central Illinois. In Illinois we have had some experience with restoration efforts in the strip mining areas.

In 1963, the most recent year for which adequate statistics are available, Illinois was the leading State in the United States in the production of coal by strip mining.

Of 458,928,000 tons of coal mined in the United States from all types of mines in that year, about one-third or 144,141,000 tons were from strip mines. Of a total 51,736,000 tons mined in Illinois, strip mines accounted for 27,287,000 tons or nearly 53 percent of the total.

Strip-mining operations in Illinois are generally very modern, large-scale operations. Average production in 1963 per man per day was 33.7 tons. There were 64 such operations in the State as compared with 116 in Kentucky, 266 in Ohio, 521 in Pennsylvania, 130 in West Virginia, and 38 in Indiana. All of those States, as I reported earlier, produced less coal by strip mining than did Illinois; Indiana produced only 10,939,000 tons.

Such operations unavoidably disturbed the surface and overburden on large acreages. As one writer has put it, a completed strip mine operation leaves the earth as if furrowed by a large plow which has turned the earth upside down to a depth of 10 to 70 feet; and so it does. I have five such operations in my Peoria County. The landscape is indeed modified as the great behemoths plow their way across our Corn Belt fields.

It is estimated that more than 750,000 acres have been disturbed in the United States since the first coal strip mine was instituted in 1866. This is increasing at the rate of perhaps 25,000 acres per year.

As you might expect people did experiment to see what use could be made with such wasteland. The first recorded project of reclamation of surface-mined land occurred in Indiana in 1918. This experiment was followed closely by a venture in Illinois in 1920, when 6 acres of mined land was planted with 9,000 pine and hardwood trees.

Not unnaturally, legislation was sought at an early date to regulate strip-mining operations and to provide for assurance of performance which would, to a degree, restore or rehabilitate the usefulness of the disturbed surface.

Of major strip-mining States, West Virginia, in 1939, was the first to enact legislation regulating such operations. Indiana followed in 1941, Illinois in 1943. However, the original Illinois statute was declared unconstitutional by the Illinois Supreme Court on the basis that it did not appear to have a reasonable relation to public health, inasmuch as backfilling was not required for the final cut, and discriminated against coal stripmine operators. The 1961 act is broader and includes all stripping operations, whatever the mineral, if the overburden exceeds a depth of 10 feet.

I am not today holding the Illinois statute up as a model—it has in fact been criticized with respect to several aspects of its reclamation features, the possibility of substituting other land previously mined but not reclaimed, and for the reason that a penalty can be imposed only for failure to secure a permit before engaging in operations.

But in enacting legislation which I favor, which among other things will provide for a study of a comprehensive, long-range program for the purpose of reclaiming and rehabilitating strip and surface mining areas of the United States, we ought to take account of the fact that a good amount of information is known to be available in Washington and in some of the important strip-mining States.

For example, Arnold E. Lamm reported to the Conference of Surface Mining, at Roanoke, Va., in April 1964:

> In Indiana the total area affected by strip mining in the State since mining began until June 30, 1963, amounted to 80,066 acres. Of this, 67,193 acres have been reclaimed. A total of 44,809,700 trees have been planted, 5,434 acres of land have been seeded ungraded, and 1,343 acres have been graded and seeded. In addition to the above, 9,220 acres have been converted into lakes and 4,139 acres have been provided to the State for forest preserves. An additional 7,853 acres have been converted into other recreation areas, including sportsmens clubs, State parks, hunting and fishing areas and private clubs. In addition to this impressive development, 2,880 acres have been converted into private homesites and only 3,653 acres remain unreclaimed.
>
> Illinois coal operators, with the exception of a few companies, began major land-use ventures in 1938 (some work was started 40 years ago), even before the industry in Illinois was of importance. Since that time, approximately 60 percent of the strip-mined area has been put into active uses—almost all on a voluntary basis, since the so-called strip mine law did not take effect until January 1, 1962. Significantly, the operators own only about 62 percent of the acreage mined, with the remainder in private (28 percent) and public (10 percent) holdings. Most of that in private ownership was mined on a royalty basis whereby the landowner sold coal only and retained the surface after mining. The strip-mining industry has done an excellent job in revegetating mined lands. Illinois operators can, without hesitation, point to their record of achievement on 115,000 acres as a model for others.
>
> Unfortunately, too few persons are acquainted with what has been done in Illinois by the strip mine operators. How many realize that:
>
> 1. Some 17,000 acres of mined areas have been reforested with over 17 million trees.
>
> 2. Approximately 23,000 acres are being used for pasture to graze some 10,000 head of cattle, hogs, and sheep.
>
> 3. Almost 9,000 acres have been developed as recreational areas—including a State park, many private clubs, sportsmen's clubs, and the Southern Illinois University research area.
>
> 4. Lakes and ponds in excess of 2 acres each have been formed by mining operations on some 6,500 acres. These are generally heavily fished with many companies allowing use through a permit system.
>
> 5. Row crops (hay, corn, and so forth) are grown on approximately 3,000 acres.
>
> 6. Commercial orchards have been planted on some 135 acres of mined lands.
>
> 7. Over 8,000 acres are presently in some stage of development for one or more of the uses listed above.

It does appear to me that a lot of the necessary information is already available, and only requires collation. The Secretary of the Interior did testify on much the same study proposed in 1964 by S. 1013 that a difficult but important aspect of the study would be the determination of size, location, ownership, and effect of past operations at abandoned strip mines. Perhaps so. However, insofar as surveys are necessary, we should recognize that most, if not all, of these areas have been photographed from the air. These shots probably are available in county offices, if not in Washington. And most of the county offices now employ people who have had experience in checking acreages involved in agricultural program compliance by instrumental measurements made on such photos.

In view of these several facts and circumstances, there would seem to me no good reason why the final report, with recommendations, should not and could not be delivered to the Congress in 1 year—by July 1, 1966.

If private lands are to remain outside the official rehabilitation program pending the completion of the study, that is all the more reason for pursuing it diligently to conclusions and recommendations in 1 year.

I am not unaware that other acreage, amounting in total to perhaps 625,000 acres, has been surface mined for materials other than coal, notably gold, iron ore, and phosphate rock. This makes the problem somewhat larger, but not too large for completion in a year in my opinion.

REPUBLICAN OPPORTUNITY AND RESPONSIBILITY IN 89TH CONGRESS

The SPEAKER pro tempore (Mr. WRIGHT). Under previous order of the House the gentleman from Wisconsin [Mr. LAIRD] is recognized for 60 minutes.

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, the Congress of the United States exists to serve the citizens of the United States—not the executive branch of the U.S. Government. This body is a full partner in the process of government, not a poor relation.

And I speak today in solemn pledge that my party, minority though it may be, has not forgotten these things and will not permit the Nation to forget them.

Some who speak for the Executive may call this obstructionism, obstinancy, or negativism. I call it a positive and constructive contribution to a republic whose chief design is the liberty of its people and not the exaltation of its leaders.

I do not say that Congress should, or Republicans should automatically oppose every request of the Executive. I do say that Congress should, and I pledge you that every Republican will, carefully weigh every such request.

We have heard the Chief Executive speak to the Congress and tell us of his plans and programs for the Nation. We know that many of his party in the Congress will support all of these as a matter of course. We know that the sheer mathematics of political reality means that most will pass.

We also know, however, that there is danger that it will be only mathematics, and not political morality, that will guide many of these passages.

It is because of that danger and its high probability that the role of the minority party in the 89th Congress cannot be overstated.

THE ROLE OF THE MINORITY

We are not chained to the proposals of the executive. And, because we are free, we represent also the freedom of any Member of this body—on either side of the aisle—to speak out for his convictions, and the good of his constituents against the awesome power of the executive machine.

We are a minority, painfully so. But we are also one of the two major parties of this Nation and, numbers aside, those who forget this or minimize this do our entire political tradition and our future in freedom a grave disservice.

Mr. Speaker, I trust that there is no Member of this House who would rise to defend a one-party system in this Nation. And I trust that there is no Member who will listen to me and fail to see the implications, for our two-party system, of the minority party's role today.

That role has never been more important.

Nor has it ever been more important for the majority party to understand clearly that when the minority speaks—as I promise you, Mr. Speaker, it will speak—it does so to jog the conscience, not just the partisan calculations, of the majority.

The Republican Party and the men by whom it is represented in this House remains a party committed to principles which set it apart from the administration now in power in this country. I refer to our difference with the administration most deliberately, for I am as aware as any man that these very same principles are shared in full measure by some Members of the majority party in this House.

The Republican Party is not speaking just for Republicans who want to hear alternatives to this administration's proposals. It is speaking for all who reject the Federal extremism of the administration, for all who seek greater roles for the individual, his town, his State, and his region. And it welcomes to the fight against Federal extremism every man of good will who shares with us the view of man as master of and never servant of government.

The Republican Party does not intend to spend this Congress or any other Congress doing nothing but copycatting administration programs but at bargain prices. We do not say that we must do the same things as the administration but do them better. We say there are better ways for Americans to do things.

We believe our party to be the enduring home of principles which mean real things to real people in this real world.

Republicans are not ashamed of being Republicans. They do not have to argue about what Republican means. They have spelled it out in the Republican platform of 1964. We stand on that platform and we know what it means.

It means that we have goals. It means that we have programs and promises for the America we want to build and the Americans who must do that building. It means that there is a great alternative to the great planned society.

It means that the numerical minority in this Congress still can speak with the voice of a moral majority.

It means that though we do not win rollcall votes, we can win for America the all-important second look that may save us from blindly accepting a Great Society that might be just another great mistake, just another great scheme, just another great debt—accepted without due consideration.

I will stop speaking of the Republican Party in summing up this point. I will speak of the Congress in its entirety. It is our role, our role from every seat in this House that is not sold lock, stock, and barrel to the executive, it is our role, fellow Members of Congress, our role—every one of us—to tell the men and women to whom we owe our election and our service just one urgent thing: what lies at the end of the road of the Great Society.

It is up to Republicans and to those Members of the other party who share our views to speak of what roads other than the Great Society are available to the American people if they turn an articulate minority into an effective majority in the 90th Congress.

Mr. Speaker, Republicans cannot succeed in enacting a program in this Congress—obviously. We do not have the votes. But we can succeed in developing new techniques of communication to inform the people of what we are doing and will do in the 89th Congress, and more importantly, of what we propose to do in the 90th Congress.

For it is in the 90th Congress that the present minority will have the votes. We will have the votes to enact into law the sound Republican alternatives we will continue to develop for those areas where there is a national need and a need for a national solution.

REVITALIZATION OF THE MINORITY

The task we face in this Congress is staggering. But the record we will write will be an impressive one for we shall set an example of unity and dedication for the entire party.

Where there is need for constructive alternatives, they will be devised. A legislative program to implement the Republican platform of 1964 is being developed right now. Some alternatives have already been introduced into the Congress. For example:

A more comprehensive and more equitable health care plan for the elderly was proposed by the gentleman from Wisconsin [Mr. Byrnes].

A more realistic approach than the discriminatory Appalachia program which sets up the machinery for widespread Federal favoritism has been offered by the gentleman from Florida [Mr. Cramer].

A Republican task force on the implementation of the 1964 platform has been operating for weeks. Another task force on economic opportunity and one on agriculture has been established. There will be more in the days and weeks ahead.

A Republican coordinating committee with representatives from all elements of the party structure has been established and is operating.

In short, Mr. Speaker, our party is organizing its resources on a scale never before attempted. This stems from a determination to discharge a great responsibility: to the 43 percent of the American electorate who voted for Republican congressional candidates; to the growing number of millions who, in the weeks and months ahead, surely will wish they could recast their vote for the national ticket; and to the great numbers of other Americans who were so skillfully misled about the principles and policies of the Republican Party.

Republican opportunity to identify and then discharge these responsibilities is almost unbounded in this Congress and in its successor.

The issues we as a party defined and articulated in our 1962 statement of principle and our 1964 platform have not disappeared. If anything, they have taken on a new significance.

The shortcomings and misdeeds of the Johnson administration have not been corrected. They need a more imaginative exposure.

THE 1964 PLATFORM

Mr. Speaker, I have listened to the comments and read the analyses of the 1964 Republican platform. As one who, in an apparent minority, has read the document and as one who was intimately involved in its evolution, I would be forced to conclude that the references were to some other document in some other period of history.

The fact is that this was one of the most widely misrepresented and least read documents in political party history.

The charge, for example, that its civil rights plank was weak and equivocal cannot stand the test of an objective reading of that plank. Even less can it stand the test of a line-by-line, word-by-word, or content-versus-content comparison with its Democratic counterpart.

It is clear to this observer that the Republican platform contained a comprehensive, well-thought-out, and realistic program for America that reflects the feelings of a majority of Americans. I cannot and will not concede that our platform was repudiated by the American people. I say, Mr. Speaker, that it simply was not fairly presented to them.

That it was not is attributable to two principal factors: that too few Republican candidates waged their campaigns primarily on the platform; and that the opposition deliberately misrepresented what the platform did contain.

This has been discussed so far as civil rights is concerned. It was equally true for social security and agriculture, to mention just two other areas.

The fiction was created that Republicans would abolish or make voluntary the social security system. The platform was quite clear in its call, not for abolition, but for strengthening the social security system. It called for increased benefits, liberalization of the earnings limitations imposed by the system on our elderly people, and other fiscally and compassionately sound proposals.

The fiction was also created that the platform called for the removal of farm price supports overnight. One simple quote from the document should dispel this false interpretation. The platform was clear in its call for "development of truly voluntary commodity programs for commercial agriculture, including price supports free of political manipulation in order to stimulate and attain fair market prices."

Mr. Speaker, I repeat, the minority party in the 89th Congress faces a staggering task. Not only must it dispel the false and mischievous misrepresentations of its policies but it must break through the overwhelming barriers any minority, by its very nature, must face.

ONE-PARTY GOVERNMENT

We should have no illusions about our ability to prevent an overwhelmingly Democratic Congress from enacting into law every piece of legislation the ADA tells the White House the Congress should enact, from medicare to repeal of section 14(b) of Taft-Hartley.

Under present circumstances, it cannot be lost on the American people that we have come to the dangerous brink of one-party government.

Talk of efficiency if you will; talk of parliamentary skill and persuasion if you will; talk of noble goals—the truth remains that the great consensus of the Great Society really boils down to a great conformity.

We cannot let it be lost on the American people that President Johnson has precisely this in mind when he calls for "national unity" and a "broad American consensus."

For behind these terms, we can already see emerging the clear outlines of an all-powerful central executive with one dominant voice, requesting not unity but demanding and dictating conformity.

The Congress has already experienced consensus government with the closing of veterans facilities and the overturned House vote on sales for local currency under Public Law 480 to Nasser's aggressive and collectivist Egypt.

We will continue to experience it as medicare, Appalachia, education, and a host of other Great Society proposals are rubber stamped through a no longer deliberative Congress.

This is not to say, Mr. Speaker, that all Great Society proposals are ill conceived. But in past Congresses, it was the practice to hold meaningful hearings, discuss the merits and shortcomings of a particular bill, and allow at least a token amount of time to offer and enact improving and perfecting amendments.

Under the Great Society, the 89th Congress promises to become a lost weekend in this respect.

Mr. Speaker, if one-party government is indeed the present administration's goal, and if it comes to pass, the checks and balances written into our Constitution will become all but meaningless.

The brake system of the American Republic which prevents concentrated power from running rampant over our liberties is the separation of the executive, legislative, and judicial branches of our Central Government.

But the system cannot work without the brake fluid of a strong two-party system. This is especially true when one party controls both the White House and the Congress with overwhelming majorities and cares little for the effective operation of our traditional principles and machinery.

THE RETREAT OF FREEDOM

In this country, Mr. Speaker, the beacon of liberty for some two centuries, individual liberty continues to beat a retreat under the mounting assault of an expanding centralized power.

We in the minority claim no monopoly of love of freedom.

But we cannot forget that the President of the United States, in the Detroit Labor Day speech which launched his campaign for the Presidency, outlined the essential ingredients of his Great Society, and that these ingredients were peace, prosperity, and justice—all eminently worthy goals, but all equally attainable in a Federal penitentiary.

In that speech, Mr. Speaker, the President neglected the fourth and by far, the most important element of any good or great society. That element is freedom.

Nor, apparently, was this oversight, an isolated lapse. A reading of the many messages sent to the Congress in the last 2 months indicates that this administration still has a blind spot so far as freedom is concerned—whether that freedom involves the freedom of the individual, or the freedom of the Congress, or the freedom of the States and localities, or the freedom of the marketplace.

And so, Mr. Speaker, we in the minority challenge as unwise the course charted by the Johnson administration; we challenge as dangerous the steps it plans along the way; and we deplore as self-defeating and harmful many of the moves already taken.

It is not my intention here to enumerate the hundreds of transgressions committed against liberty by this administration in its first term of office. Those transgressions are spelled out in section II of the 1964 Republican platform which was written under the direction of the gentleman from New York [Mr. GOODELL]. Nothing has yet happened to cause the minority to withdraw or modify any of the charges contained therein. On the contrary, much has happened to strengthen that conviction.

It is my intention to speak of what we in the minority will attempt to do in the 89th Congress on the domestic front and what we shall seek to influence in the area of foreign and defense policy.

THE GREAT SOCIETY

Up until now, Mr. Speaker, we have been relatively silent. This silence did not arise from a fear to speak or from fearful concern for our image or from concern that the American people have little interest in opinions contrary to those expressed by the planners of the Great Society.

Our silence has been dictated by a need of the American people. They needed time—uncomplicated by conflicting comment—to absorb the full initial impact of the Great Society proposals.

They have listened to a state of the Union message, an economic message, an inaugural address. They have seen the messages on health of the Nation, on education, on immigration—they have now had time to see most of the first year program of the Great Society.

It is difficult for most Americans fully to understand what it all means. Most of the programs will be enacted in the 89th Congress; but it will take at least 4 years for the administration itself fully to realize what has finally been enacted to launch the Great Society.

Mr. Speaker, this is not meant to be overly critical. But the programmatic details of the Great Society do raise certain fundamental questions. Permit me to illustrate with just one area—urban affairs.

Under the Great Society, Congress is urged to create a new Department of Housing and Urban Development to assist in the problems of the cities and their suburbs.

The President said:

> We must increasingly help our cities to develop unified metropolitan transportation systems; supply adequate water and sewage service; provide community facilities and neighborhood centers; build adequate housing for low- and middle-income families; promote more efficient land use; set aside open spaces and develop new suburbs; replace or rehabilitate slum areas; and improve housing codes and code enforcement.

Under another section of his program, crime prevention, the President proposes that local police be trained by the Federal Government.

The question which immediately comes to mind is: Where do the States and localities come into this picture? What is left as a responsibility for the States to discharge? Is the era of the Great Society also the era when our States and localities will finally become mere administrative arms of the Central Government?

It is at this point, Mr. Speaker, where we come to one of the greatest areas of Republican responsibility.

It is possible—it may even be probable—that this is indeed what the American people really want. It may be that we have passed through certain stages in the development of our country and that we are entering a new phase—a phase in which most governmental, political, economic, and social questions for the entire country are faced, diagnosed, and resolved in one manner or another at one level of government—the Federal level.

As I say, this may be what the American people want. But, I submit, if it is, it is by default Republican responsibility to apprise them of the fundamental changes that are taking place and that are being proposed in their form of government. I would hope that we all could agree that this is necessary so that the people may make an informed and intelligent decision as to whether this is the road they now wish to travel.

REPUBLICAN RESPONSIBILITY

Mr. Speaker, the minority remains true to its philosophy of government. This philosophy calls for a separation of powers, for a distribution of responsibility between the Central Government on the one hand and the States and localities on the other—and, perhaps, above all, for the continued existence of a strong, viable two-party system.

The so-called consensus government which is being proposed and vigorously promoted flies in the face of this traditional system. It looks rather to an overriding Central Government which concerns itself with all areas of our national life, which dislikes dissent and diversity, and which would, in a very narrow sense of the word, make us one people, based not on a unity of purpose but on a conformity with the purposes set for us by the Government in Washington.

I repeat, it is Republican responsibility to inform the American people of what is in store under the Great Society.

I also repeat, this may be what they want.

But I, for one, do not believe it for a minute.

Not believing it, I see as a second and equally important responsibility, that Republicans articulate and continue to espouse Republican principles and Republican policies so that the people may know what alternatives are available.

In some cases, under Republican principles, there are no alternatives, constructive or otherwise, to administration proposals.

Republicans view the Constitution as a living instrument. They see limitations imposed by that Constitution on areas in which the Central Government has neither the right nor the duty to tread.

The Appalachia regional development bill provides a good illustration. There are several regions of the country which include areas just as hard pressed as certain areas in Appalachia. As a matter of fact, Menominee County in my own congressional district is one of the most hard-pressed areas in the country. It will not qualify under Appalachia.

There are also pockets of prosperity in the Appalachian region which do not need the special aid that the Appalachia bill is designed to provide. But it will be available to these pockets of prosperity in Appalachia while it remains unavailable to the pockets of impoverishment in other areas of the country.

Thus, under Republican philosophy, there is no constructive alternative to the Appalachia bill so long as we continue to talk only of Appalachia. Nor would a Republican in the White House view the Appalachia approach as the best means to solve these problems. But numerical realities make it clear that some form of Appalachia will be enacted into law. Recognizing this, Republicans seek to improve the program that in all probability will be rubberstamped through Congress, anyway.

Thus, a Republican alternative, an infinitely more equitable one, which has already been offered as a Republican substitute for the Appalachia bill, will make these programs and funds available to any area in the United States that can qualify legitimately as an area in need.

Mr. Speaker, this is the Republican way. We do not cast around for a problem that needs solving so that we can offer a Federal program for that problem. We believe there are certain principles that have characterized the American Republic since its inception and we attempt to adhere to those principles.

REPUBLICAN PRINCIPLES

The broad principles which guide the programs and policies of the Republican Party are basically five in number. They were stated in our 1962 statement of principle. They were restated in our 1964 platform. They are:

First. That every person has the right to govern himself, to fix his own goals, and to make his own way with a minimum of governmental interference.

Second. That it is for Government to foster and maintain an environment of freedom, encouraging every individual to develop to the fullest his God-given powers of mind, heart, and body; and, beyond this, Government should undertake only needful things, rightly of public concern, which the citizen cannot himself accomplish.

Third. That within our Republic the Federal Government should act only in areas where it has constitutional authority to act, and then only in respect to proven needs where individuals and local or State governments will not or cannot adequately perform. Great power, whether governmental or private, political or economic, must be so checked, balanced, and restrained and, where necessary, so dispersed as to prevent it from becoming a threat to freedom any place in the land.

Fourth. That it is a high mission of Government to help assure equal opportunity for all, affording every citizen an equal chance at the starting line but never determining who is to win or lose. But Government must also reflect the Nation's compassionate concern for those who are unable, through no fault of their own, to provide adequately for themselves.

Fifth. That Government must be restrained in its demands upon and its use of the resources of the people, remembering that it is not the creator but the steward of the wealth it uses; that its goals must ever discipline its means; and that service to all the people, never to selfish or partisan ends, must be the abiding purpose of men entrusted with public power.

REPUBLICAN PROPOSALS AND ALTERNATIVES

Based on these principles, the Republican Party has developed a comprehensive, compassionate, and compelling program for America and its people. It is contained in the 1964 Republican platform.

Specifically, through the platform implementation committee of the Republican conference and the good offices of the entire Republican membership on the House side, legislation is being introduced now and will be in the days and weeks ahead to implement Republican commitments.

FOR THE INDIVIDUAL

This program will include legislation that recognizes that there is a need to assist individuals but which recognizes as well that government must first have faith in the individual's own capacity to determine for himself his economic, political, and social goals.

Such a program includes legislation designed to—

Enlarge employment opportunities for urban and rural citizens, with emphasis on training programs to equip them with needed skills, recognizing that for every job seeker in America today, there actually is a job available and that the overriding problem is to develop skills in the unemployed to match these available jobs.

Provide full coverage of all medical and hospital costs for needy elderly people, financed by general revenues rather than the compulsory Democratic scheme covering only a small percentage of such costs for everyone regardless of need.

Revision of the social security laws to allow higher earnings, without loss of benefits, by our elderly people.

Furnish tax credits for those burdened by the expenses of college education.

Stimulate employers to hire teenagers through such measures as a broadening of temporary exemptions under the minimum wage law.

Improve our vocational rehabilitation programs, through cooperation between government—Federal and State—and industry, for the mentally and physically handicapped, the chronically unemployed, and the poverty stricken.

Continue the advancement of education on all levels through such programs as selective aid to higher education, strengthened State and local tax resources, including tax credits for college education. In keeping with this, legislation has already been introduced, as in past years, to return a portion of federally collected taxes to the States to be earmarked for educational uses only.

Provide our farmers, who have contributed so much to the strength of our Nation, with the maximum opportunity to exercise their own management decisions on their own farms, while resisting all efforts to impose upon them further Federal controls.

Enact legislation, despite Democratic opposition, to curb the flow through the mail of obscene materials, which has flourished into a multimillion-dollar obscenity racket.

Espouse such additional administrative and legislative actions as may be required to end the denial, for whatever unlawful reason, of the right to vote.

In these and other legislative matters dealing with the individual, it is and will continue to be the Republican way to assure the individual of maximum freedom as government meets its proper responsibilities, while resisting the Democratic obsession to impose from above, uniform and rigid schemes for meeting varied and complex human problems.

FOR OUR COMPETITIVE SYSTEM

The Republican program sets legislative goals that are in keeping with traditional Republican understanding of and faith in the competitive system.

In keeping with this understanding, legislation has been or will be introduced which is designed to—

Remove those wartime Federal excise taxes which, until this Congress, were favored by the administration, on such items as pens, pencils, furs, jewelry, cosmetics, luggage, handbags, wallets, and toiletries.

Improve the antitrust statutes, coupled with a demand for long-overdue clarification of Federal policies and interpretations relating thereto in order to strengthen competition and protect the consumer and small business.

Provide meaningful safeguards against irreparable injuries to any domestic industries by disruptive surges of imports, such as in the case of beef and other meat imports.

Require that labels of imported items clearly disclose their foreign origin, even though such legislation was vetoed by the Democratic administration in the 88th Congress.

In these and other matters dealing with our competitive system, it is and will continue to be the Republican way vigorously to protect the dynamo of economic growth—free, competitive enterprise—that has made America the envy of the world.

FOR LIMITED GOVERNMENT

And finally, the Republican program in the 89th Congress will foster legislation designed to guarantee the Government effective but limited powers, designed to encourage frugal and efficient operations, and so framed as to insure that it fully meet its constitutional responsibilities to all the American people, and not just to a politically expedient few.

In keeping with this philosophy, legislation has been or will be introduced designed to—

Develop truly voluntary commodity programs for commercial agriculture, including payments in kind out of Government-owned surpluses, diversion of unneeded land to conservation uses, price supports free of political manipulation in order to stimulate and attain fair market prices, together with adequate credit facilities and continued support of farmer-owned and operated cooperatives including rural electric and telephone facilities, while resisting all efforts to make the farmer dependent, for his economic survival, upon either compensatory payments by the Federal Government or upon the whim of the Secretary of Agriculture.

Provide credit against Federal taxes for specified State and local taxes paid, and a transfer to the States of excise and other Federal tax sources, to reinforce the fiscal strength of State and local governments so that they may better meet rising school costs and other pressing urban and suburban problems such as transportation, housing, water systems, and juvenile delinquency.

Amend the Constitution so as to enable States having bicameral legislatures to apportion one house on bases of their choosing, including factors other than population.

Completely reform the tax structure, to include simplification as well as lower rates to strengthen individual and business incentives.

Effect wide-ranging reforms in congressional procedures, including the provision of adequate professional staff assistance for the minority membership on congressional committees, to insure that the power and prestige of Congress remain adequate to the needs of our times.

In these and other matters dealing with our faith in limited government, it is and will continue to be the Republican way to foster genuine, not feigned savings, to allow a reduction of the public debt and additional tax reductions while meeting the proper responsibilities of government.

In all that we do or attempt to do on the domestic level, Republicans will be guided by our principles, our consciences, and our constituents' best interests.

FOREIGN POLICY

Mr. Speaker, Republicans do not view the domestic scene as their only, or even their primary responsibility. In this crisis-torn era of history, the conduct of our Nation's foreign policy takes on an importance hard to describe.

As we turn our attention outward, beyond our own shores, we see in the world both danger and opportunity.

The manifest nature of the American people shows an overwhelming desire for peace based upon the dignity of man.

Being an idealistic people, we frequently find our ideals beclouding reality. We are beguiled by words which, on the surface, reflect our desires, without scrupulously investigating motives and subsequent results.

Our goals too often seem to be to gain popularity rather than respect, to be based upon expediency rather than principle. In all fairness, I must hastily add, these do not seem to be the goals of the people but of some of their leaders.

NATO

In any event, an example of the consequences of this orientation can be seen in NATO.

This necessary alliance is collapsing. This is primarily due to a lack of respect for our word. Our official statements are certainly high sounding enough and appear to reflect reasoned judgment, but we are not believed, and our motives are constantly questioned.

We say we will defend Europe from nuclear attack. Yet we refuse to share control of the very weapons required to deter an attack.

At the same time, our actions indicate that we are seeking an accommodation with the Soviets, whom most of our allies recognize as the potential enemy.

The results?

France is building her own nuclear force; Turkey, one of our stanchest allies, has been negotiating agreements with Moscow for the first time in over 25 years; Greece, in an unprecedented move, has recently concluded agreements with Bulgaria; Cyprus continues to accept Soviet military aid.

THE SATELLITES

Mr. Speaker, the administration talks of building bridges to Eastern Europe to knock down the barriers of distrust. The bridges, however, have toll gates at both ends. Here in Washington, the gate is controlled by the Executive. At the other end, it is controlled by the Communist dictatorship. In either case, the people do not have an opportunity to judge results or to conduct free exchanges with one another. These exchanges are, in actuality, only government to government.

SOUTHEAST ASIA

In southeast Asia, we continue a policy that has caused thousands of South Vietnamese and American casualties, with no effective plan in sight to end this conflict. We continue the fiction that it is a South Vietnamese war, that we are only there as advisers, and that the recent retaliatory strikes are a direct result of attacks on American soldiers and possessions.

Mr. Speaker, we are presently in an impossible situation in Vietnam for one very simple reason: Laos. The fate of South Vietnam was all but sealed on the day our Government joined in the declaration and protocol on the neutrality of Laos in 1962. On that day, the United States, for the first time, accepted the troika principle in which a Communist government was given an absolute veto over taking any action on violations of that agreement.

As a result, there have been well over 2,700 separate and distinct violations and not a single citation to that effect by the International Control Commission, thanks to the veto possessed by Poland.

The situation in South Vietnam cannot be resolved effectively or satisfactorily for free world interests until the United States frankly asserts that it is no longer bound by the declaration and protocol on the neutrality of Laos because of the repeated violations on the part of the Communists.

In the, meantime, Mr. Speaker, it is becoming more and more likely that some sort of negotiated settlement eventually may be sought by the present administration to extricate itself from that area of the world.

It is becoming clear that the Communists this time will not settle merely for a settlement affecting only Vietnam—they will demand, and believe they have some prospect of getting, a regional settlement in which it is more than conceivable that Formosa, the offshore islands of Quemoy and Matsu, and Korea will figure prominently.

Nor is it unreasonable to expect that the present stepped-up activities of the Vietcong augur flareups in other parts of the world. Let us not forget that when missiles were introduced in Cuba, India was attacked. Or, when the seemingly inexplicable Gulf of Tonkin incident took place, it occurred on the very day that Stanleyville in the Congo, a very strategic location, was taken over by Communist-backed rebels.

The present Vietcong activity could be prelude to a similar flareup in some strategic part of the world. And it would not be surprising if that flareup occurred in a heretofore long-dormant area such as South Korea.

There is, in my mind, little doubt that the conflict in Vietnam will end in the not-too-distant future in some form of compromised settlement that cannot help but lead to an eventual Communist takeover.

It has been shown repeatedly that the fall of South Vietnam will lead to the fall of all southeast Asia, thus putting our Western line of defense closer to Hawaii and the western coast of the United States.

WESTERN HEMISPHERE

Closer to home, Mr. Speaker, we appear to be living up to an understanding with the Soviets not to invade or allow a reinvasion of Cuba. More importantly, we have been ineffective in preventing communism from being exported to other countries in South America. We allow and even promote socialistic forms of government throughout Latin and South America, totally ignoring the fact that socialism is a vehicle for eventual Communist takeover.

AFRICA

Our policies in Africa, especially in the Congo, are reminiscent of our condemnation of Chiang in China prior to the Communist takeover there. In all of our actions concerning so-called colonialism, we have been very quick on the trigger of condemnation of what we feel are Western weaknesses but we have been unforgiveably slow to defend our strengths.

THE UNITED NATIONS

We loudly proclaim the necessity of the U.N., yet we inhibit its potential by abandoning courses that are objectively correct in order to take those which will be popularly received. What greater example of this can there be than our Ambassador's retreat 2 weeks ago from the rule of law as set forth by the World Court on the question of the Soviet Union's credentials to vote without paying past dues?

In short, Mr. Speaker, we have sought the love of the world and we have lost its respect.

We agree that the greatest threat to world peace is the advancement of communism, and its main deterrent is the United States. Yet this administration has not pursued research and development policies that will assure our country's strength for the next decade. We must be capable of continuing to act as the shield and the sword of free people everywhere.

Mr. Speaker, this administration has created a weapon of wind to promote its foreign policy. Since World War II, millions of hours of talk with the Soviet and Chinese Communists have resulted in our losing land, people, and trade—all in staggering amounts—to the Communist bloc.

Our leaders interpret these losses as victories because they say each setback prevented a nuclear attack. The fact that we have weakened ourselves and other free nations throughout the world, thereby heightening the danger of nuclear attack, seems not to have entered their thinking. They subscribe with a blind faith to the very debatable proposition that communism someday will lose its aggressiveness and, thus, make all the concessions worthwhile.

THE ALTERNATIVES

The immediate and superficial interpretation which will be placed on the foregoing remarks is that they are of the hard line school of thought, and politically partisan. They would fall into the category of old myths, that are no longer conversant with the new realities.

Well, they are old, as old as America's courage. And they do not square with the new realities of accommodation and retreat at the expense of respect and long-held principles.

What do they mean? They mean lasting peace—peace with honor, freedom, and justice—they mean that moral principles are applicable to nations as well as men, and that the freedom of all men is threatened when there are enslaved peoples anywhere.

Communist and Fascist dictators alike recognize that the greatest threat to their continued existence is their peoples' hope for freedom and their knowledge that freedom does exist somewhere in the world.

Our policies, therefore, must preserve freedom where it does exist and promote conditions that would serve to extend it.

It cannot be denied that such policies would not be looked upon with favor by the Communists and would incur certain risks.

But policies which seek accommodations with dictators, that strengthen rather than weaken their positions, are a greater threat.

Weakness, real or apparent, has always led to war.

The first objective of our policies must be to maintain the strength of the United States, morally, politically, economically, and militarily. We must regain the respect we once had from all nations of the world. We must do this by showing in word and deed that freedom, honor, and principle are still the touchstones of the American dream, and that others may share in it by following our example.

All of this must begin with a proper understanding of the world as it is and of the true nature of the conflict we face.

Our leaders must base their decisions on integrity and courage, recognizing that the times in which we live are neither safe nor simple and probably will not be in our lifetime.

There is an easier road to follow—but that road leads to defeat and slavery if the past is indeed prologue.

It has been intimated that the American people lack the courage of their forefathers but I cannot believe this for a minute.

Given a clear understanding of events both at home and abroad, there would be on the part of the American people an overwhelming determination to sacrifice whatever is necessary and to face whatever problems may arise with courage and dignity.

Such a posture, on the part of the American people, would be sufficient to deter war and insure a peace that would last for generations.

Given the posture of such a foundation, fostered by our leaders, and fully backed by our people, we could expect the following types of decisions and actions by our Government. They represent excerpts of what was contained in the 1964 Republican platform, drafted and adopted some 7 months ago.

REPUBLICAN PROPOSALS

America must advance freedom throughout the world as a vital condition of orderly human progress, universal justice, and the security of the American people.

The supreme challenge to this policy is an atheistic imperialism-communism.

In our foreign policy, the overriding national goal must be victory over communism through the establishment of a world in which men can live in freedom, security, and national independence. There can be no real peace short of it.

So long as Communist leaders remain ideologically fixed upon ruling the world, there can be no lesser goal.

Therefore, our first duty is to regain a trust both in ourselves and our allies. Secrecy in foreign policy must be at a minimum, public understanding at a maximum. Consultation with our allies should take precedence over direct negotiations with Communist powers.

In the United Nations, our Government should press for a change in the method of voting in the General Assembly and in the specialized agencies that will reflect population disparities among the member States and recognize differing abilities and willingness to meet the obligations of the charter.

An amending convention, which is provided for in the charter itself and which is not subject to a single veto by one nation on the Security Council, should be sought immediately by our delegation at the U.N.

We should insist upon General Assembly acceptance of the International Court of Justice Advisory opinion, upholding denial of the votes of member nations which refuse to meet properly levied assessments, so that the United Nations will more accurately reflect the power realities of the world. This is the first and perhaps most important step in recognizing in this world the rule of law.

We should never surrender to any international group, however, the responsibility of the United States for its sovereignty, its own security, and the leadership of the free world.

Regarding NATO, our Government should move immediately to establish an international commission, comprised of individuals of high competence in NATO affairs, whether in or out of government to explore and recommend effective new ways to strengthen alliance participation and fulfillment.

To our Nation's associates in SEATO and CENTO, our Government should pledge reciprocal dedication of purpose and revitalized interest.

THE GEOGRAPHY OF FREEDOM

In diverse regions of the world, our Government should make clear to any hostile nation that the United States will increase the costs and risks of aggression to make them outweigh hopes for gain.

Our German friends should be reassured that the United States will not accept any plan for the future of Germany which lacks firm assurance of a free election on reunification.

Our Government should vigorously press our OAS partners to join the United States in restoring a free and independent government in Cuba, stopping the spread of Sino-Soviet subversion, forcing the withdrawal of the foreign military presence now in Latin America, and preventing future intrusions.

It should be made clear to all Communists now supporting or planning to support guerrilla and subversive activities, that henceforth there will be no privileged sanctuaries to protect those who disrupt the peace of the world.

Our foreign aid programs should be recast in such a way that all will serve the cause of freedom, permitting none to bolster and sustain anti-American regimes and that the use of private capital is increased on a partnership basis with foreign nationals as a means of fostering independence and mutual respect.

In short, our Government should adhere to the principle that freedom's wealth should never support freedom's decline, always its growth. Aid and assistance should always be conditional upon self-help and progress toward the development of free institutions. Our Government should favor and foster the establishment in underdeveloped nations of an economic and political climate that will encourage the investment of local capital and attract the investment of foreign capital.

FREEDOM'S SHIELD AND SWORD

Finally, the condition of the world today and in the foreseeable future requires that our Nation be strong militarily.

This is necessary to maintain peace in our time.

Strength, however, is not merely the quantitative and qualitative superiority of weapons. It is equally and more importantly the will and determination of the people and their leaders.

By themselves, nuclear bombs cannot start wars.

By themselves, nuclear bombs cannot deter wars.

With the awesome power of today's weapons, it is not enough to be militarily equipped to win a war. There must be a superiority in a balance of weapons to prevent an aggressor from exploiting a weakness, as well as a credible posture which convinces any would-be aggressor that the power will be used should the occasion demand.

This has not been evident in our past policies.

Under present American leadership, an inflexible and unconvincing posture has been created. At one end of the spectrum, they have relied almost solely upon missiles to act as deterrents to or as the actual weapons of a nuclear war.

At the other end, they have built up guerrilla forces but have made it clear to our potential enemy that we will not use them without the express consent of the country involved, that in some cases we may not even participate directly and that we will not pursue the enemy guerrilla activity to its source of power and support.

The recent strikes authorized by the administration on North Vietnamese territory are encouraging signs. It is to be hoped—although candor dictates that it is a weak hope—that in the future the administration will deny the Communists the immunity of a privileged sanctuary by applying the same ground rules to the South Vietnamese that the North Vietnamese guerrillas have been enjoying with impunity.

In short, knowing the nature of guerrilla warfare, unless the source of supply is cut off or destroyed, time is on the side of the aggressor, providing him with the probable margin of victory.

This administration has taken the position that the quantity and quality of arms starts or invites war. They are taking steps to cut back in this decade both quantitatively and qualitatively our defense program. The fact that the Communist bloc, an admitted aggressor, has made no concrete provable steps in the same direction seems to be of minor secondary importance to our idealistic decisionmakers.

This administration has stated, and we agree, that today we have a distinct superiority. They have not made similar statements about what our position will be in the late sixties and; more importantly, in the decade of the seventies, without a number of qualifying conditions.

The weapons we have today, and in most cases their programed quantity, were inherited from the Eisenhower administration either as actual hardware or in the form of well-developed plans.

Today, we do not have either the new generation of weapons prudence requires, or the specific plans to develop them in time.

It has been assumed that such criticisms imply the need for significant increases in the defense budget. Actually, the opposite is more probably true. The reorientation being proposed here would use funds properly, both in recognition of the needs of the political-military requirements and in their timely application.

Republicans have proposed in the past, and still propose today, a positive program designed to keep our Nation's sword sharp, ready, and dependable.

Specific Republican proposals to accomplish this end were contained in the 1964 Republican platform.

At the conclusion of my remarks, I ask unanimous consent that the section of the Republican platform of 1964, entitled "Freedom's Shield and Sword," be inserted in the Record. This section was drafted under the leadership of the gentleman from California [Mr. Lipscomb].

Mr. Speaker, in the field both of defense and foreign affairs, events of recent months have clearly indicated the correctness of the positions proposed in the Republican platform of 1964.

Conditions on the world scene, such as developments in NATO and southeast Asia prove the ineptness of our present policies, and the inconsistencies of those being proposed.

In defense, the various program cancellations and indications of what the new budget will contain show that the basic thinking of this administration is leading us dangerously close to unilateral disarmament and placing serious risks upon the country and the free world as a whole.

It is to be devoutly hoped that the Johnson administration will undertake a serious and penetrating reevaluation of our basic policies in the interest of freedom and security for this Nation and the whole free world.

Mr. Speaker, whether the Executive will, or will not, we Republicans stand ready to work with all of our colleagues in the Congress to assure that the voice of the American people still may be heard at both ends of Pennsylvania Avenue.

And we warn all of our colleagues that, unless the legislative branch stands for something more than a rubber stamp, it is not Republicans who will be a minority—it will be the entire Congress, dwarfed and dragooned by a great and overbearing executive branch.

The section of the Republican platform referred to above follows:

Freedom's Shield—And Sword

Finally, Republicans pledge to keep the Nation's sword sharp, ready, and dependable.

We will maintain a superior, not merely equal, military capability as long as the Communist drive for world domination continues. It will be a capability of balanced force, superior in all its arms, maintaining flexibility for effective performance in the rapidly changing science of war.

Republicans will never unilaterally disarm America.

We will demand that any arms reduction plan worthy of consideration guarantee reliable inspection. We will demand that any such plan assure this Nation of sufficient strength, step by step, to forestall and defend against possible violations.

We will take every step necessary to carry forward the vital military research and development programs. We will pursue these programs as absolutely necessary to assure our Nation of superior strength in the 1970's.

We will revitalize research and development programs needed to enable the Nation to develop advanced new weapons systems, strategic as well as tactical.

We will include the fields of antisubmarine warfare, astronautics and aeronautics, special guerrilla forces, and such other defense systems required to keep America ready for any threat.

We will fully implement such safeguards as our security requires under the limited nuclear test ban treaty. We will conduct advanced tests in permissible areas, maintain facilities to test elsewhere in case of violations and develop to the fullest our ability to detect Communist transgressions. Additionally, we will regularly review the status of nuclear weaponry under the limited nuclear test ban to assure this Nation's protection. We shall also provide sensible, continuing reviews of the treaty itself.

We will end second-best weapons policies. We will end the false economies which place price ahead of the performance upon which American lives may depend. Republicans will bring an end once again to the "peak and valley" defense planning, so costly in morale and strength as well as in dollars. We will prepare a practical civil defense program.

We will restore the morale of our Armed Forces by upgrading military professionalism, and we will allow professional dissent while insuring that strong and sound civilian authority controls objective decisionmaking.

We will return the Joint Chiefs of Staff to their lawful status as the President's principal military advisers. We will insure that an effective planning and operations staff is restored to the National Security Council.

We will reconsecrate this Nation to human liberty, assuring the freedom of our people, and rallying mankind to a new crusade for freedom all around the world.

We Republicans, with the help of Almighty God, will keep those who would bury America aware that this Nation has the strength and also the will to defend its every interest. Those interests, we shall make clear, include the preservation and expansion of freedom—and ultimately its victory—every place on earth.

We do not offer the easy way. We offer dedication and perseverance, leading to victory. This is our platform. This is the Republican way.

MIDDLE EAST ARMS RACE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Ryan], is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, it was most disturbing to read in Sunday's New York Times:

> The administration is being drawn deeper into the accelerating arms race in the Middle East by requests for arms from Jordan and Saudi Arabia. (New York Times, Feb. 28, 1965.)

According to the Times, Saudi Arabia is interested in buying modern jet fighters and bombers. The United States has supplied Saudi Arabia with F-86 jet fighters, jet trainers, and B-26 bombers as well as transports.

Jordan is interested in receiving modern tanks and other modern military equipment. Since 1957, the United States has been supplying Jordan with approximately $4 million of military assistance every year with the exception of 1959 when there were no arms shipments.

It is clear from these recent requests and from the military buildup over the last several years that there is an arms race in the Middle East. This arms race presents a grave threat not only to the democracy of Israel but also to world peace. It is inconceivable that a major war in this sensitive area would not involve the great powers. The possibility that the arms race in the Middle East will inevitably result in the introduction of nuclear weapons in that area makes the situation critical. This is no idle concern. Nasser has already employed German scientists to work on a missile program.

In view of the situation in the Middle East, it would be supreme folly for the United States to sanction further military aid to Jordan and Saudi Arabia. The power, prestige, and influence of the United States should be used to bring about peace in the area, not to accelerate the arms race. On February 19, 1965, the Secretary of Defense, Robert S. McNamara stated in regard to the Middle East:

> A principal U.S. objective has long been to keep the feud from escalating into overt hostilities.

I can think of no act more calculated to escalate the feud than for the United States to increase military aid to Arab States.

Mr. Speaker, because of the grave situation in the Middle East, I have written to the Secretary of State urging that the proposed sale of military equipment to Jordan and Saudi Arabia be disapproved. Tomorrow I will introduce again the concurrent resolution concerning the situation in the Middle East, which I sponsored in the 88th Congress. This resolution would make clear that the policy of the United States is to discourage an arms race in the Near East. The resolution also reaffirms the tripartite declaration of May 1950, in which the United States, Britain, and France are committed to take action both within and outside the United Nations if any state in the area should use force or threaten to use force in violation of the Arab-Israel armistice agreement. The resolution also urges that the United States use its good offices to negotiate with the Middle Eastern States an agreement banning nuclear weapons in that area under an international policing system.

The United States must do everything it can to insure peace in the Middle East. Increased armaments for the Arab world are not conducive to stability in that troubled area.

Mr. Speaker, I include at this point in the Record the text of my resolution:

H. Con. Res. —

Whereas tensions in the Near East are steadily mounting; and

Whereas the stability and peace of the Near East are vital to the well-being of the peoples of the Near East and to the world at large; and

Whereas the continuing arms race in the Near East threatens to enter a new stage of development of nuclear weapons and offensive missiles; and

Whereas the policy of the United States is to discourage an arms race in the Near East; and

Whereas the United States has contributed generously and impartially to promote the economic development of the states of the Near East and to raise the standard of living of their peoples; and

Whereas several of the states are wasting precious resources in order to acquire ever greater quantities and even more sophisticated types of weapons, thus partially offsetting the effects and aims of United States foreign economic and technical assistance programs; and

Whereas the acquisition of such arms serves further to heighten the tensions in the Near East and to enhance the risk of hostilities; and

Whereas the interests of the states and peoples of the area, of the United States, and of the world in general would be served by a reduction of tensions, by an end to belligerency, and by a termination of the arms race: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President of the United States use his good offices with the states of the area to negotiate with them either through the United Nations, or directly, an agreement that nuclear weapons will neither be produced in the area nor be introduced into the area; that missiles of a mass-destruction nature will neither be produced nor be introduced into the area; that an international policing system will be adopted to enforce such agreement; and that the United States continue, in accordance with the tripartite declaration of May 1950, to take all necessary and appropriate actions both within and outside the United Nations to prevent any violation of existing frontiers or armistice lines in the Near East; and that the United States, either through the United Nations, or directly with other nations in the area, devise means to bring to an end the recriminations and incitements to violence which are contributing to tension and instability in the Near East.

ILLICIT SALE AND USE OF STIMULANT AND DEPRESSANT DRUGS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDowell] is recognized for 10 minutes.

Mr. McDOWELL. Mr. Speaker, Congress and the U.S. Public Health Service, among others, have been aware of the mounting evidence of illegal traffic in the sale of barbiturates and amphetamines and the foolish and dangerous unprescribed misuse of these stimulant and depressant drugs by various elements of our population for other than medical purposes.

These stimulant-depressant drugs find their way into the illicit pathways by various names; barbiturates are called "goof balls" and the amphetamines are variously known as pep pills and bennies.

A new contemporary fad uncovered by law enforcement officers is making considerable inroads among adolescents who seek new thrills by getting "high," or "sinking low," in a fuzzy haze from experimenting with these complex drugs. The barbiturates and amphetamines resemble the characteristics of narcotics; many are addictive; all distort the senses when used wantonly; all, when abused, harm body and mind. Many produce hallucinations and some have resulted in the death of the indiscriminate users.

The problem is further compounded when users try bizarre offshoots to "kick up" the effects of the drug. Mixing them with alcoholic beverages is one practice. Another, discovered by health officers, is that whereby the experimenter takes an amphetamine to shoot sky high and then takes a barbiturate to roller coaster into the depths.

The illicit sales of these drugs and their use in seeking euphoria on the part of juveniles and adults are causing considerable concern, and problems, among the medical profession, drug manufacturers, law enforcement officials, and public health officers throughout the United States. This concern is further reflected by the introduction of H.R. 2 on January 4, 1965, by the gentleman from Arkansas, Congressman Oren Harris, a measure which relates to the production and distribution of stimulant and depressant drugs. Smith, Kline, & French, along with several other major drug manufacturers, is also worried about the problem. The firm knows that publicity about abuse deters some sick people, who need such drugs, from taking them, even under a doctor's guidance. They know, too, that abuse tends to give the entire drug field a bad name and they are anxious to seek remedies to the problem.

Moreover, users who become addicted to these drugs resort to stealing and other crimes for money to purchase drugs from shady sources.

It is paradoxical that, on the one hand, the Government and hundreds of philanthropic organizations and health clinics are spending millions of dollars in research and treatment to control disabling diseases and to upgrade our national health, some of which are treated by the use of these drugs, while on the other hand, illicit drug peddlers are menacing the public health and public safety by bootlegging dangerous drugs for the indiscriminate use of thrill seekers and the emotionally disturbed adolescent or adult.

While I commend the action taken by the Commissioner of the Food and Drug Administration to restrict inhalers containing methamphetamine or its salts, as well as amphetamine inhalers, to prescription sale only, I am hopeful that Congressman Harris' bill will be seriously and promptly considered by the Congress, now that it has been favorably reported by the House Committee on Interstate and Foreign Commerce.

As a Roman philosopher once said: "We should pray for a sane mind in a sound body." It is inconceivable that the benefits of our highly developed society, which do sustain good health and prolong life, are used capriciously and indiscriminately for ill gain and for seeking an unrealistic euphoria.

TIME MAGAZINE TAKES NOTES OF COTTON MESS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, at long last a national periodical has taken note of the cotton program mess. Last year the Congress, at President Johnson's behest, piled a multimillion mill subsidy on top of a jerry-built contraption of other subsidies.

The new subsidy was supposed to result in lower program costs, and lower consumer prices. Neither has resulted, of course. In fact, about everything has gone up—program costs, consumer prices, and mill profits.

U.S. Department of Agriculture statistics show that mills simply transferred the subsidies to their profit column, and let product prices continue their upward trend.

The current issue of Time magazine contains a brief review of the sorry situation, and I hope other periodicals will dig even deeper.

Text of the Time article follows:

King Cotton

When it comes to subsidies, cotton is king. The Federal Government has long subsidized cottongrowers. Then, when exporters complained that the farmers' subsidy priced American cotton out of oversea markets, the United States started subsidizing exporters. And last year, after textile mill owners protested that the exporters' subsidy permitted foreign mills to buy U.S. cotton cheaper than American mills could, the Johnson administration pushed through Congress a subsidy for the mills.

The argument was that with the Government shelling out 6½ cents of the 30 cents per pound paid by the mills, textile prices would fall and the consumer would benefit. This entirely ignored the fact that the consumer is also a taxpayer—and anyway, it hasn't worked out. So far, the textile industry has received a mouth-watering $329 million in subsidies; payments have even gone to prisons whose convicts work at weaving. Textile industry profits have soared to their highest level since Korea. But there has been no dramatic drop in wholesale or retail textile prices. For example, the Agriculture Department recently reported that the price of a heavy cotton union suit has risen from $3.07 a year earlier to $3.14, a long-sleeved sport shirt from $3.38 to $3.41.

The overall cotton program was advertised as costing $448 million during its first year. Instead, it is now expected to amount to nearly $800 million. Reason: despite all the subsidies, exports have kept falling and production has kept rising, meaning that the Government has had to buy up still more cotton for its already bulging inventories. By last week the Commodity Credit Corporation owned a record 7,372,000 bales at a cost of $1.2 billion, on which storage charges alone run another annual $30 million.

In his 1965 farm message, President Johnson promised to reduce the cost of this program and the level of [cotton] stocks. But nobody expects the administration to propose more than minor alterations in the current program—and cotton is likely to remain the only U.S. crop that is subsidized from stem to steam whistle.

REAPPORTIONMENT

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YOUNGER. Mr. Speaker, one of the first polls on the question of reapportionment which has been taken is by the Farm Journal and the results are most interesting. In the East, 4 percent voted to let the Supreme Court's decision stand and 96 percent voted for a constitutional amendment permitting the States to decide their own apportionment; in the Southeast 3 percent voted for the Court's decision and 97 percent voted to let the States decide. The Central States voted 5 percent for the Court's decision and 95 percent voted in favor of the constitutional amendment. The West voted 3 percent for the Court's decision and 97 percent for the constitutional amendment; and in the Southwest, 2 percent voted to let the Court's decision stand and 98 percent voted for the constitutional amendment permitting the States to decide.

I sincerely hope that the discharge petition will be promptly signed by a majority of the Members of the House so that we can get the constitutional amendment to the floor for a vote.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 25, 1965.

DEAR COLLEAGUE: On Monday, March 1, I have obtained a special order for the purpose of discussing the Supreme Court decisions on State legislative apportionment and the aims and objectives of the Members who have introduced constitutional amendments similar to the one that I have introduced.

I personally feel that we may be a little short of the two-thirds vote required although we do have a comfortable majority; and in order to clear such a measure in the House, we must make clear the very reasonable and mild nature of the proposals we are sponsoring. Today, Thursday, only 66 Members have signed the discharge petition filed by Congressman WRIGHT PATMAN so we need to focus attention on our efforts.

I thought you would want to participate in the discussion and would suggest that you obtain special orders on succeeding days in order that we can keep attention directed on our efforts.

Sincerely yours,
RICHARD H. ICHORD,
Member of Congress.

REALISM OR COMMUNISM

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YOUNGER. Mr. Speaker, recently I received a report from Mr. Robert Stanton, chairman of the board of Aris Gloves, Inc., relative to his trip around the world. This report was written from France.

In view of Mr. Stanton's long experience in worldwide trade and commerce, his views are very much worthwhile. His report from Paris follows:

Realism or Communism

No one can appreciate the problems of a troubled world without experiencing those troubles firsthand. It is a study in foreign relations and our inexperience. I shall try to give my impressions, not to criticize but perhaps to help one analyze what we are up against. The route by ship covered Yokohama, Hong Kong, Manila, Saigon, Singapore, Colombo, Bombay, Karachi, Djibouti, Suez, Port Said, Marseille. For a long time now it has been obvious that the removal of British, Dutch, Belgian, and French tutelage from African and Asian territories has not brought greater freedom to the individual but a loss of order and stability.

What made England the greatest colonial power of all times and how did they lose that power? Was it America's fault? Was the Suez crisis the beginning of the end? Did England rule solely by force? Even where the English have relinquished their authority in the places we visited, they still have the respect of the people. They recognize their authority, and, in fact, still maintain a control over external issues like trade. Malaysia and Ceylon remain British protectorates.

We must recognize man's ambitions which are stimulated by American achievements but we must also recognize the inability of the backward races to appreciate a holier-than-thou attitude. This we have learned from Suez and the possible loss of the entire Middle East. Power and patience were great British attributes and with America's ascendancy as the great world power, it behooves us to learn from our British brothers how they functioned.

A great deal of misinformation is today broadcast by the Communists about our aims and our economic system. Nationalists in these former colonial regions have exploited these communistic claims. The United Nations has given them status. The colonies are entitled to their own aspirations but they should not deprive their people of the assistance and help of a friendly power or powers. They must know communism and nationalism cannot exist together.

Even France, who should understand our motives takes the position that she need not support our foreign policies because she knows that we are so irrevocably committed to peace that she can safely pursue an independent—indeed an isolationist French policy regardless of what we think of it. De Gaulle fails to recognize that a divided free world is no match for future Communist aggressions. Let him beware.

If we did not have the United Nations we would have to invent one. I do not expect that we will always be in agreement on the best means for resolving various issues even between our free nations or best friends; that is the privilege of free nations. However, I sincerely believe that on matters of vital importance to the freedom, well-being and dignity of man, we must find common ground on which we must agree.

Most of these newly developed nations are not capable of sound judgments through lack of education, and inexperienced leaders. It is the tendency of the backward nations to be moderate in their criticism of those whom they fear, and direct their blasts against those whom they can trust. Being too sensitive of world opinion, however, weakens our position, and being ultra-sensitive only impairs our prestige. Maybe the United States, in its foreign policy is too much influenced because decisions are made with an eye to the United Nations. It relies too much on the United Nations instead of implementing programs by building a cohesive community of free nations, specifically the North Atlantic nations that make up the North Atlantic Treaty Organization, and not use it solely as an organization for defense, as the United States must rely on its own military strength.

Whatever it is called, its motto should be moral suasion and the rule of law. Such an alliance might one day help bring peace to this earth.

Britain's importance in the world was not just a product of gunboats and regiments, and the Royal Navy maintaining the freedom of the seas. It was a response at home and abroad to the bearing of the Britons, their dispassionate intelligence, their moral rectitude, their sense of justice and selflessness which British officials everywhere left in the mind of those over whom they ruled.

The word which best describes the strength of British power over its former colonies is the simple word "integrity." It is much more effective than our image of liberality as far as the populace is concerned. Most of our liberality goes to the governments and the people know little about it. Our State Department needs an agency to promote our forces of courage, conviction, dignity, and decision.

England saved herself by her exertions and will and the confident conviction of the power of freemen. This feeling of freemen posted across the world should be our force to fight communism, instead of favors and fortunes.

And finally, perhaps the passing of Winston Churchill will bring back the symbol of unity by which our English-speaking world saved the cause of freemen through his voice, his ideas, and his philosophy. Maybe it will awaken us to the values of the past and strike a forgotten chord in the English-speaking world by keeping something from the older world which is essential to our future. We need an effort in the United States which is human and alive—not just doles. It is that force of character which makes a nation enduring. It is that power of freemen and confident conviction of our place in the world that will win the prestige to which we are entitled.

With the end of an era and the end of our steamer voyage, I feel very strongly that President Johnson should include our foreign relations in his Great Society, if possible through a united peoples as a forum for freemen. In addition, let us show our might when we have a right to fight.

Robert Stanton,
Chairman of the Board,
Aris Gloves, Inc.

San Francisco, Calif.

FRANCES P. BOLTON: SILVER ANNIVERSARY OF SERVICE TO THE CONGRESS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Minshall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MINSHALL. Mr. Speaker, my neighbor in the 22d District of Ohio, my good friend and wonderful counselor, Frances Paine Bolton, is observing her silver anniversary as a U.S. Representative. We are the richer for her 25 years of unselfish public service.

To the pride of her devoted constituents, this great lady has achieved the stature of a stateswoman during her quarter century in the House. Without sacrifice of dignity or feminine charm, she has successfully sailed the sometimes rocky seas of political life. She commands the respect of the Nation for her clear-sighted leadership as ranking minority member of the House Committee on Foreign Affairs. Her private endeavors in behalf of nursing have won nationwide recognition and applause.

For myself, I shall always regard her with the deepest affection for the guidance she gave me as a young Member from the 23d District when I came to the House 10 years ago and for the constancy of her friendship ever since.

As legislator, leader, friend, Mrs. Frances P. Bolton is a remarkable lady. To a magnificent heritage of public service she brings the crown of laurels.

Mr. BROWN of Ohio. Mr. Speaker, our distinguished and delightful colleague from the 22d District of Ohio, the Honorable Frances P. Bolton, marked the 25th anniversary of her service in the Congress on the 27th of February. This attainment is unique for a woman in the annals of Ohio politics, and remarkable by any measure. However, Mrs. Frances P. Bolton is a remarkable person, and we salute her with cordial congratulations on this happy occasion. All Ohio is very proud of her.

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, I wish to join my colleague, the gentleman from Ohio [Mr. Minshall] in his fine tribute to my longtime friend, the gentlewoman from Ohio [Mrs. Frances P. Bolton]. Her friendship has been one of the rewarding compensations of my service in Congress. An eloquent and talented lady, she has dignified the House of Representatives by her membership in this body for 25 years. During that time she has achieved national recognition for her untiring efforts in the complicated and critical area of our country's foreign affairs. This anniversary of her 25 years of dedicated service in Congress is an event which brings pride and happiness to those of us who have been privileged to work with her.

I desire to extend my personal congratulations to her for this magnificent record of accomplishment. And I hope the Nation may have the benefit of many more years of her unselfish and devoted service.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, this day is a very meaningful one to me. I can well remember the special election which was held on February 27, 1940. There were two special elections in the State of Ohio to fill two vacancies. One seat was that of my father, William A. Ashbrook, and the other was that of the late husband of our distinguished Representative of the 22d Ohio District, Chester Castle Bolton. Hon. J. Harry McGregor was elected to fill the vacancy in the 17th District and served until he died in October 1958, while serving his constitutents. The charming lady we honor today, Hon. Frances P. Bolton, was elected to succeed her husband.

No one has served more honorably during the two troubled decades of the forties and the fifties than our esteemed colleague from Ohio [Mrs. Frances P. Bolton]. She is one of the most learned Members of this body, she has traveled throughout the world and she combines a gracious manner with a dedicated interest in every problem from the smallest matter to matters of state. I delight in joining with my colleagues in paying respect to the Honorable Frances P. Bolton, a great American and, thankfully, an Ohioan with whom I have had the rare opportunity of associating during these few years in Congress. We salute you, Frances, and wish you another 25 years of dedicated public service.

Mrs. REID of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, it gives me great pleasure to join with my colleagues in paying a special tribute to Frances P. Bolton. Today marks her silver anniversary in the House of Representatives, culminating 25 years of dedicated and unselfish service to her country. This gracious and lovely lady from Ohio not only gives her time to serving her own constituents and her country, but makes a great contribution to the Republican Party as well.

It is indeed a privilege to work with the gentlewoman from Ohio [Mrs. Frances P. Bolton] in the Congress and a great honor to know her as my friend. I hope we may have the benefit of her service for many more years to come.

SUPPORT PASSAGE TO APPALACHIAN REGIONAL DEVELOPMENT ACT

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Schweiker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I strongly support passage of the Appalachian Regional Development Act. This legislation is vital to the people of Pennsylvania. As it helps them so it will also help the Nation. Because of my intense interest in helping to solve the burdensome problems of our citizens in Appalachia, I have sponsored legislation similar to that now being considered by this House.

The Schweiker bill contains better strip mining benefits than the bill which has passed the Senate and is now before us. I urge that this House improve the proposed legislation by adopting the provisions of the Schweiker Appalachia bill which would enlarge and strengthen the strip mining section and would permit meaningful action in this area in the immediate future rather than delaying this program for 2 more years.

PASSAGE OF THE IMMIGRATION REFORM BILL

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, this great deliberative body, the U.S. Congress, can be keyed to change the course of history in a matter of hours or, on the other hand, it may take such a course that will seem to be a never-ending diet of inaction.

This is as it should be. The Members of this House of Representatives and our friends on the other side of the Capitol must respond to the dictates of the people that we represent. The Congress must reflect what the people want and need, always alert to the best interests of the United States.

The committees of this Congress are busy, today, conducting hearings and actively considering priority or must legislation. When these priority measures are reported by the respective committees they are scheduled for floor action.

However, Mr. Speaker, one very important proposal in President Johnson's program—legislation to reform our immigration policy—appears to be lagging behind all other priority legislation. I urge my colleagues on the House Judiciary Committee to speed up the time schedule so that this very important legislation—a proposal for immigration reform conceived by the late President Kennedy, and submitted to this Congress by President Johnson and designated by him as one of the most important programs before the Congress this session—may be enacted into law.

Let us whet the legislative process to a finely honed instrument and cut through the delay in the enactment of that important program.

For a period of over 3 months, Subcommittee No. 1 of the House Judiciary Committee heard witnesses from all interested governmental agencies, private organizations, and private citizens express their views on our immigration policies. The record has been made and the foundation firmly established for action and for action now.

Repeal of an immigration law based on an undemocratic national origins quota system was a major goal of President Kennedy who understood the problems and appreciated the contributions of those millions who came from foreign lands to make their home in our United States.

Our late President took a special interest in immigration matters throughout his public life. He stated many times that the basic problem for our immigration policy is to choose fairly among the applicants for admission to this country. Only a few weeks ago President Kennedy's last book, "A Nation of Immigrants" pointed with pride to the great contributions made by the foreign born to our great country—undoubted contributions of people from all over the world who have given this Nation its great strength. This Nation was formed by immigrants of courage and ability. This Nation has benefited from their genius and a rich and enduring culture has been our reward.

President Johnson in his January 13, 1965, immigration message to the Congress noted that four Presidents have called attention to the serious defects in our immigration legislation. With conviction he said:

> I urge the Congress to return the United States to an immigration policy which both serves the national interest and continues our traditional ideals. No move could more effectively reaffirm our immigration policy which both serves the national interest and continues our fundamental belief that a man is to be judged—and judged exclusively—on his worth as a human being.

The discrimination which has existed in our immigration policy for several decades can no longer go unchallenged and unheeded. The legislation to remedy our outdated and immature attitude toward immigrants is pending before this body. I repeat, we must speed up the schedule for passage of the immigration reform bill.

The House Judiciary Committee in this Congress is in a position to initiate the building of a great monument to a great President. It would be a fitting tribute, indeed, if Congress would consider the present immigration bill so that it could be passed in time for President Johnson to sign it into law on May 29—the birth date of the late President John F. Kennedy.

COPYRIGHT LAW REVISION HEARINGS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WILLIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WILLIS. Mr. Speaker, the Copyright Subcommittee of which I am chairman has scheduled hearings on the copyright law revision bill, H.R. 4347, introduced by the gentleman from New York, Judiciary Committee Chairman CELLER. The hearings will begin on Wednesday, April 28, at 10 a.m.

There has been no general revision of the copyright law since 1909. Meanwhile entirely new industries involving entirely new methods of reproducing and disseminating literary and artistic works have come into existence. At the time of the enactment of the present law, the motion pictures were in their infancy, radio virtually unknown, and commercial television still far in the future. The 1909 act is no longer adequate.

For the past 10 years, the Copyright Office has been engaged in a program for the general revision of the copyright law. In 1955, pursuant to authority from Congress, it sponsored 35 studies analyzing the major problem areas under the present statute. In 1961, on the basis of these studies and comments based on them, the Register of Copyrights issued his report on the general revision of the copyright law. This report was discussed intensely at a series of meeting with a panel of consultants on general revision of the copyright law conducted by the Register in 1961 and 1962.

In July 1964, Chairman CELLER, acting at the request of the Register of Copyrights, and for the purpose of enabling study, introduced H.R. 11947, a bill for the complete revision of the copyright law. Thereafter, the Register again met with the panel of consultants and also received a large number of statements of positions on questions of substance and suggestions for improvements in language.

The present bill, H.R. 4347, reflects the Register's revision in light of further comments received and further study.

The subcommittee wishes to afford all interested persons the opportunity of submitting their views on this vital legislation. For this purpose it has set aside Wednesday, Thursday, and Friday, April 28, 29, and 30, and Wednesday, Thursday, and Friday, May 5, 6, and 7, 1965. The Register of Copyrights will be heard on April 28.

Persons wishing to testify or to submit written statements relating to this measure should address Mr. Herbert Fuchs, subcommittee counsel, in room 345, Cannon House Office Building, Washington, D.C.

OPERATION MUST

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, San Antonio, Tex., which I have the honor to represent in this hallowed Chamber of democracy, is one of the fastest growing centers for scientific research in America. Long renowned as one of the truly unique cities of the Nation, containing a picturesque blend of the Anglo and Latin American cultures, it has emerged in recent years as a city of science. Among the major scientific facilities in the Alamo City are Wilford Hall U.S. Air Force Hospital, the largest Air Force hospital and the largest single structure unit in the Department of Defense; Brooke Army Medical Center, world famous for its clinical treatment in the management of severe burns; Lackland Air Force Base Military Training Center; the school of aerospace medicine at Brooks Air Force Base; the Southwest Research Center; the Southwest Research Institute; and the Southwest Foundation for Research and Education.

San Antonio, the home of Kelly Air Force Base, has been called the mother of the Air Force. But also located in this great city is the Brooke Army Medical Center, and it was therefore particularly fitting for the Department of Defense and the U.S. Army to have demonstrated its newest answer to the problem of rapidly setting up military field hospitals for the care of battlefield casualties. This occurred last Wednesday, February 24, 1965, when the Army unveiled its medical unit self-contained transportable, called MUST, before members of the House Armed Services Committee and numerous other distinguished visitors to San Antonio representing the Government, industry, and medicine.

This remarkable demonstration proved beyond any doubt that we have made a spectacular breakthrough in this area of military medicine.

Among the many news services covering this important event were Time magazine, the San Antonio Express, and the San Antonio Light. With unanimous consent I am inserting in the Record articles from each of these publications giving eyewitness accounts of what took place.

The tremendous success of this demonstration is a real tribute to every man and woman who participated in it, and I think special recognition ought to be given to the Secretary of the Army, Stephen Ailes, to the Surgeon General of the Army, Lt. Gen. L. D. Heaton, and to the commander of Brooke Army Medical Center, Maj. Gen. James Snyder, for their foresight, imagination, and hard work.

[From Time magazine, Mar. 5, 1965]

BATTLEFIELD READINESS

The wounds of the battlefield casualty often cry out for the most advanced skills of modern medicine. But the battlefield surgeon has always worked against forbidding odds. Aseptic surgery is practically impossible in a tent operating room of the sort that has gone almost unchanged for 100 years. The canvas is far from airtight, and temperature control is so bad that an infusion bottle might freeze and shatter in mid-operation. The lab work that is essential in today's medicine and surgery is usually out of the question.

Now all such problems can be relegated to the past. Last week at the Army's Camp Bullis, near San Antonio, medics demonstrated a portable, air-conditioned hospital—aseptic operating room and all. Under a miniature mushroom cloud that signified a theoretical A-bomb attack, while scores of "casualties" splashed with blood-red paint waited for treatment, the 20-bed unit was made ready within half an hour.

ZIPPERED JOINTS

The hospital arrived on trucks and trailers—a load of bulky packages, some as big as 7 feet by 8 feet by 12 feet, weighing up to 3 tons. From one, corpsmen took four bundles that looked like oversized parachutes and laid them out neatly, edge to edge, on clear ground, then hooked them to an airhose. Solemnly, the big bags shook out their wrinkles as they were inflated and rose into the familiar, half-round shape of a quonset hut. The four sections were joined together and the joints zippered airtight. Out of the other packages came 20 beds and all the gear needed for as many patients. Only eight men were needed for the job.

In an equally impressive performance, another crew set up the operating room, which had come in a slightly smaller package. In the center was a versatile operating table adjustable to all nine standard surgical positions. Overhead, from ceiling mounts, hung three groups of lights, of 1,500 foot-candles each, which can be aimed at different parts of the body if a man has scattered wounds and needs surgery on his head, trunk and legs at the same time. The table weighs only 200 pounds as shipped, but need not wobble because there is a base tank that holds 100 pounds of water.

ADDED PRESSURE

The Army calls its new hospital MUST, from medical unit self-contained transportable. Impressed observers could suggest only one potential drawback. What would happen under a strafing attack? Would a few bullet holes cause leaks in the walls and let the whole pneumatic construction collapse? The Army had not overlooked the obvious: added air pressure can compensate for most holes.

[From the San Antonio (Tex.) Light, Feb. 24, 1965]

ARMY TO DEMONSTRATE NEW HOSPITAL IN SOUTH AMERICA

(By John Barbour)

A mushroom cloud erupted over Herr Hill, and the casualty count was devastating. It was only a mock attack, but it set the scene for the U.S. Army's new hospital in a box.

The hospital, flown to San Antonio by helicopter or toted by truck, can be set up and ready for surgery in less than half an hour. In the primitive, hurt world that must follow atomic attack, it is an impressive bit of civilization.

The units would replace the old canvas field tents in which Army doctors say some men died in war because the stresses of cold and heat added to the shock of their wounds.

"In some of those tents, you'd be operating on a man over here, and in the corner plasma bottles would be freezing and cracking open," one doctor remembered.

SOLONS COMING

Today the Army plays host to the House Armed Services Committee and representatives of industry and medicine to show off this new hospital concept that the Army wants for its strike units and thinks is a prime development for civil defense.

"It's the first integrated advance in field hospitals since the Civil War," said Col. John Trenholm, of the Army Surgeon General's Office.

The hospital comes in three boxed units—a gas turbine that supplies heat, air conditioning, electricity, hot and cold water; an inflatable ward that looks like a rubber quonset hut; and a box that unfolds into a fully equipped surgical room.

Any number and any variety of the units can be joined together into a single building with the use of fabric air locks that provide hallways where needed.

VIETNAM TEST

The Army would like to have at least 15 or 20 400-bed hospitals of this type, and probably more. It may test one of the prototypes within the next 6 months in South Vietnam.

The cost, fully equipped with modern medical devices from new operating tables to anesthesia units, might run up to $2 million for a 400-bed hospital.

Army doctors say the cost, while twice that of current field hospitals, would be worth its weight in human lives.

The inflatable ward—though it seems vulnerable to a pinprick—is sturdy even under fire from an automatic weapons. Army doctors say the structures provide excellent insulation.

The hospital units are manufactured by Garrett Corp. of Los Angeles, a firm which produces gas turbines and pressurized aircraft cabins.

The Army's demonstration takes place on the hills of Camp Bullis outside San Antonio. GI's are made up to demonstrate the wounds that can occur when enemy aircraft deliver a small nuclear device on a target behind the lines.

Representative Gonzalez Wednesday described the mobile field hospital being demonstrated at Camp Bullis as a "remarkable and magnificent achievement."

The Congressman said the military facility will result in the savings of "untold numbers of lives" if it is ever needed in a combat area.

"I am going to push for this type of hospital," the lawmaker pledged. "I wish to commend the Surgeon General and the staff of Brooke Army Medical Center for their work and the ingenuity they have shown in the development of it," Gonzalez continued.

Gonzalez said the new type transportable hospital is a "major breakthrough" in the field of technology and hospitals.

"I have of course been aware of the great prestige of the installation known as Brooke Army Medical Center and I have seen technicians trained there work throughout the world," he continued.

Gonzalez was one of a dozen Congressmen who attended the demonstration of the mobile field hospital at Camp Bullis. Included in the congressional delegation were 10 members of the House Armed Services Committee.

There were 600 civilian and military dignitaries in attendance at the demonstration.

[From the San Antonio (Tex.) Express, Feb. 25, 1965]

"MUST" HOSPITAL SHOWN

Ranking Army officers, Congressmen, and other VIP's shrouded in heavy blankets and coats, braved icy weather Wednesday to view the first official demonstration of Operation MUST at Camp Bullis.

The unique concept in field hospitalization has been in development only 19 months and incurred favorable comments from the Army Surgeon General, Lt. Gen. Leonard T. Heaton.

"MUST is a high level of hospital care never before attained," General Heaton said.

MUST (for medical unit self-contained transportable) is a three-part field hospital unit, the most revolutionary part being an inflatable patient ward. The 20-patient unit looks like a rubberized quonset hut.

The other two units consist of an expandable operating room made of wood and a power unit to supply air conditioning and air pressure as well as hot and cold water.

General Heaton said it would be 18 months before MUST will be integrated into the Army medical services program if the idea is accepted.

"First we have to sell it to Congress and the Defense Department," the general explained.

The day-long tour of the unit included a simulated nuclear explosion with realistic wounded soldiers adding to the drama.

The demonstration then included treatment in the MUST facility.

Army officials estimated cost of a fully equipped 400-bed MUST hospital unit at $2 million. Even though twice the cost of present-day tent hospitals, General Heaton justified the added expense.

"Any medium that works better is well worth the millions. The surgery advantages alone are worth the effort and expense," he said. "I can see its use in Vietnam certainly."

The MUST concept can be applied equally as well to civilian disaster relief agencies. The highly mobile unit can be airlifted to the most remote area and be erected, ready for delicate surgery, on a moment's notice.

MUST was developed by the Garrett Corp. of Los Angeles and the American Hospital Supply Co.

General Heaton would not comment on how many MUST units might be ordered for Army use should the facility be approved. An Army spokesman said, however, that normally there are three field hospital units per division and there are now 15 divisions.

"We would hope to supply all of them with the required number of field units first," said Col. John Trenholm of the Army Surgeon General's Office.

Viewing the demonstration Wednesday were nine members of the House Armed Services Committee. They were Representatives Frank E. Evans, Democrat, of Tennessee; Charles S. Gubser, Republican, of California; Durward G. Hall, Republican, of Missouri;

Porter Hardy, Jr., Democrat, of Virginia; Rodney M. Love, Democrat, of Ohio; Lucien N. Nedzi, Democrat, of Michigan; Otis G. Pike, Democrat, of New York; William Randall, Democrat, of Missouri; and Robert Wilson, Democrat, of California.

Also on hand were representatives of industry and medicine, San Antonio's U.S. Representative Henry B. Gonzalez, and Mayor W. W. McAllister.

PEACE CORPS DESERVES SUPPORT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Hamilton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HAMILTON. Mr. Speaker, this country has demonstrated for many, many years that it is searching for ways to contribute to mankind, and the means to seek a peaceful relationship with governments on all continents. Under the administration of the beloved John F. Kennedy, the concept of the Peace Corps was born and put into a tangible program which has brought a new light to scores of people in almost 50 countries. The Peace Corps is a living tribute to that great President.

President Lydon B. Johnson has shown that he plans to expand this worthy program and that he desires to provide through the Peace Corps volunteers the unique technical assistance and the vibrant enthusiasm which can be made available through the Peace Corps. Such actions are deserving of our praise and of our help at this time.

The Peace Corps represents a partial answer to the complex and nagging problems of our time. Problems which will not disappear in this or the next generation. The Peace Corps is a part of the assertion of leadership that America must exercise in a troubled world. It is a demonstration of the worthwhile and single desire we have for an existence with all nations without conflict, for a prosperous world.

A great President has shown us the way; a second one has demonstrated the wisdom to continue the Peace Corps in even larger proportion. Ours is the obligation to follow their lead and give support to this program which is at work for the cause of peace throughout the world.

BILL TO AUTHORIZE THE STUDY OF THE FEASIBILITY OF DEVELOPING A DEICING SYSTEM FOR THE GREAT LAKES AND THE ST. LAWRENCE SEAWAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ASHLEY. Mr. Speaker, today I am reintroducing my bill to authorize the study of the feasibility of developing a deicing system for the Great Lakes and the St. Lawrence Seaway so they will be available for navigation during the entire year.

The possibility of providing ice-free navigation channels through the Great Lakes and the St. Lawrence Seaway 12 months a year instead of only 8 has, I am happy to say, aroused considerable interest. In September 1963, the Subcommittee on Rivers and Harbors of the Public Works Committee held hearings on this legislation and at that time Mr. Franklin Snyder, Civil Works Division, Office of the Chief of Engineers, testified as to the techniques and methods which have been developed for the practical utilization of such a proposal.

The most common deicing procedure is called air-bubbling in which air tubes in the water are used to raise the warmer water from the bottom to the surface to melt ice. New machinery and equipment has been developed and is in use. There is some work in this area which has been done in the Arctic by the military and at Port Radium in Canada, Northwest Territory on the Great Bear Lake, they keep ice which is normally 5 feet thick there open during the winter months by air-bubbling in order to permit a dredge to operate year around in recovering ore tailings which they are now processing.

While it is true, of course, that most of this work has been done in small areas, narrow channels and short distances, according to the Corps of Engineers there is plenty of warm water at the bottom of the Great Lakes which could provide energy to keep a channel open. I would hope, therefore, that this legislation which only asks $50,000 for a feasibility study to investigate the possibilities of such a venture would receive prompt and favorable consideration. Considering the vital role which navigation on the Great Lakes plays on the total economy of our Nation, any new information which ultimately leads to a further understanding of the control of our water resources would be of national benefit and the matter should be fully explored because of its economic and national defense aspects.

At this point, Mr. Speaker, I include a recent newspaper account of the International Association of Great Lakes Ports meeting at which a Canadian port official urged the executives and directors of more than 20 United States and Canadian ports to get behind this proposal and I urge the same of my colleagues:

Lakes Ports Hope To Melt Barriers to Longer Season—Method of Clearing Ice Outlined by Toronto Engineer at Chicago Session

Chicago, February 4.—"You have to melt men's minds before you can melt the ice," the Canadian said.

The ice is the reason why the St. Lawrence Seaway has been closed 4 months a year since the seaway opened in 1959.

The mental barrier reflects the opposition—political and traditional—to finding ways to open the seaway in the winter, a feat that would greatly increase traffic.

The speaker was a Canadian port official in Chicago for the winter meeting of the International Association of Great Lakes Ports, a group made up of the directors and other executives of more than 20 United States and Canadian ports.

The political opposition stems largely from eastern ports, leading foes of the seaway because they attract tonnage that normally would flow to inland ports. This is especially true of some eastern Canadian ports that do practically all of their business in the winter, he noted.

The port directors have two goals. They want the seaway closing date extended from November 30 to a firm December 15 to coincide with the closing of the Welland Canal that links Lake Ontario and Lake Erie west of the seaway.

They also want, in the long run, to keep the seaway open all year. Not only would this boost tonnage for their ports but it would increase seaway revenues.

The early closing date, even if extended several days when weather allowed in the past, costs seaway ports valuable tonnage. The officials point to the four ships that failed to enter the seaway last December 5, the closing date set by the Canadian authority. The eastbound ships were trapped at Great Lakes ports for the winter, costing the owners an estimated $1 million or more.

Shippers have flirted with the closing date in the past and, until last year, never got caught; many believe the four ships could have cleared the Canadian stretch of seaway, even it it meant calling in icebreakers.

The effect, it is feared, is that some foreign shipping lines will play it safe and schedule one less sailing at the end of the 1965 season.

A port official taking a positive view is Jack Jones, chief engineer of the port of Toronto, who heads an IAGLP committee studying the problem.

"The season could be extended 2 weeks and possibly longer," Mr. Jones said, "by using icebreakers and some comparatively inexpensive techniques, such as wire to hold ice back from shipping lanes and bubbling devices to keep ice from forming."

For bottlenecks, such as the two narrow locks near Montreal, the eastern end of the seaway, Mr. Jones proposes increasing water flow and cutting slots in the dike that protects the shipping lanes from the St. Lawrence River.

RESOLUTION BY GENERAL ASSEMBLY OF RHODE ISLAND TO THE PRESIDENT TO OBTAIN INTERNATIONAL AGREEMENT LIMITING IMPORTS OF WOOLEN-WORSTEDS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I include in the Record a resolution passed by the General Assembly of the State of Rhode Island entitled "Resolution of the general assembly memorializing the President of the United States in view of economic conditions in communities dependent upon the woolen-worsted industry, to obtain at the earliest possible moment an international agreement limiting imports of woolen-worsteds":

Resolution of the General Assembly Memorializing the President of the United States, in View of Economic Conditions in Communities Dependent Upon the Woolen-Worsted Industry, To Obtain at the Earliest Possible Moment an International Agreement Limiting Imports of Woolen-Worsteds

Whereas the woolen-worsted industry in the city of Woonsocket and the State of Rhode Island has suffered severe losses in woolen-worsted plants and employment due to the large woolen-worsted imports; and

Whereas increasing imports of woolen-worsteds produced by low wage foreign nations prohibit a reasonable competition with said imports, resulting in the total liquidation of 24 woolen-worsted or related plants in the Woonsocket area with an aggregate peak employment in excess of 5,000 workers, from 1950 through 1965; and

Whereas the loss of the above woolen-worsted plants has reduced sources of tax revenue to the city of Woonsocket and has prevented the overall community payroll from enjoying a steady growth consistent with the national economy and the rising cost of living; and

Whereas the threat of continuing imports has discouraged existing woolen-worsted plants from further investments in plants and equipment; and

Whereas unemployed woolen-worsted workers find it practically impossible to find other employment; and

Whereas the continuing depletion of small woolen-worsted plants has reduced the overall number of competitors in that industry, permitting a handful of larger plants to grow and thus reduce the intensity of competition so essential to our economy: Now, therefore, be it

Resolved, That the general assembly hereby memorializes the Honorable Lyndon Baines Johnson, President of the United States, to consider the above factors for all communities strongly dependent on the woolen-worsted industry, and that he increase his efforts to obtain at the earliest possible time a comprehensive international agreement, limiting the imports of woolen-worsteds in order to restore to the domestic woolen-worsted industry an equitable competitive position; and be it further

Resolved, That the general assembly directs the secretary of state to transmit duly certified copies of this resolution to the Honorable Lyndon Baines Johnson, President of the United States, to the Honorable John O. Pastore and the Honorable Claiborne Pell, Senators from Rhode Island, and to the Honorable John E. Fogarty and the Honorable Fernand J. St Germain, Congressmen from Rhode Island.

Attest:

August V. LaFrance,
Secretary of State.

BILL TO ALLEVIATE FINANCIAL HARDSHIP TO FEDERAL EMPLOYEES WITH THE CLOSING OF VARIOUS FEDERAL BASES AND OTHER INSTALLATIONS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have today introduced a bill designed to alleviate the financial hardship which will be experienced by Federal employees and their families with the closing of various Federal bases and other installations.

As a result of the termination of these facilities, the jobs of many of these workers will be abolished. Others will be able to retain positions if they are able to relocate to another area. The bill I offer allows these career civil service employees to retire if they have acquired 20 years of service, without incurring the penalties now in effect.

Under the existing Civil Service Retirement Act workers who lose their jobs not for cause may retire if they have completed 20 years of service and are 50 years of age or if they have civil service credit of 25 years, regardless of age. In each instance, the individual incurs a sharp reduction in the pension which would be available if he retired under the normal conditions—30 years' service at 60 years of age. The annuity is reduced by 1 percent per year if he retires between 59 and 55 years of age. Below age 55 the pension declines an additional 2 percent each year. Thus, an individual separated under these circumstances may receive a pension totally inadequate to supply even the necessities for himself and his family, much less any of the amenities normally available to citizens generally.

The bill I have proposed will remove the 50-year minimum age requirement and will eliminate the reduction in pension now applicable. This does not mean that the employee retiring under the measure will receive the same pension as if he had remained in Federal service for 30 years and until attaining age 60. It will permit computation of his annuity based upon his years of service, without reduction for age.

My colleagues are fully aware of the effects of closing military bases, veterans facilities, public health service hospitals and other Government activities on individuals who have devoted a career to public service. The legislation I suggest would ease the impact of this action on thousands of employees, who will be compelled to either move from long-established homes, accept reduced pay in other jobs or leave the Federal service. Understandably, many employees are reluctant to uproot their families from homes they have purchased in neighborhoods where they have established ties, to move into other localities with no guarantee of a permanent job. Similarly, they do not relish the prospect of accepting positions at greatly reduced pay below their capacities. Faced with the alternative of job loss, the measure I offer would permit them to turn to retirement as an alternative.

Many of the workers affected have reached an age where it will be extremely difficult to secure comparable jobs. They should not be required to lose their Federal positions and a large part of their civil service retirement benefits as well.

The Federal Government as a responsible, humane employer has an obligation to assist employees facing these conditions so that their lives will not be seriously disrupted or that they will have to rely on completely substandard retirement benefits.

I commend this proposal to the serious consideration of my colleagues.

WORLD DAY OF PRAYER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PURCELL. Mr. Speaker, I would like very much for my colleagues to be aware of the fact that Capitol Hill will observe the World Day of Prayer, March 5, with a quiet meditation service in room S-120 in the Capitol from 11 a.m. to 2 p.m.

There will be no organized worship but Members of Congress and Hill staff members are invited to drop by the interdenominational service at any time for a few moments of prayer and meditation.

The service is sponsored by the United Church Women of the Capital area, and Mrs. George R. Davis, chairman of planning for the Hill service, said this will be one of a number of prayer services in the Washington area and around the world.

The chaplains of both the Senate and the House of Representatives, the Reverend Frederick Brown Harris and the Reverend Bernard Braskamp, respectively, are cooperating with the UCW on the service.

Mrs. Davis is the wife of the Reverend Dr. George R. Davis, pastor of the National City Christian Church. She is assisted in planning the Hill service by Mrs. William B. Hynds, who worked on the Hill as secretary to Senator Alben Barkley, Democrat, of Kentucky.

The theme of the service observance will be "What Doth the Lord Require of Thee?" and Dr. Harris and Dr. Braskamp will give brief meditations on this at 12:15 and 1:15 p.m., respectively.

VETERANS OF FOREIGN WARS VOICE OF DEMOCRACY CONTEST

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Huot] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HUOT. Mr. Speaker, each year the Veterans of Foreign Wars of the United States conducts a Voice of Democracy contest. This year over 250,000 high school students participated in the contest competing for the four scholarships which are awarded as the top prizes.

The winning contestant from each State is brought to Washington for the final judging as guest of the Veterans of Foreign Wars.

The following is the winning speech of Mr. Durwood Littlefield of Manchester, N.H., who will be in Washington the evening of March 9, 1965, at the Veterans of Foreign Wars annual congressional dinner at the Sheraton Park Hotel.

Needless to say, Mr. Speaker, the people of the State of New Hampshire are justly proud of Mr. Littlefield. His address "The Challenge of Citizenship," exemplifies the patriotic and moral fortitude of the youth of today who are preparing themselves to be leaders of tomorrow.

THE CHALLENGE OF CITIZENSHIP

(By Durwood Littlefield, Manchester, N.H.)

It seems that in this era we have undertaken a radically new approach to our philosophy of citizenship. The feeling that each individual citizen should assert himself in the affairs of his State and Nation has rapidly declined. Instead, people are assuming a complacent attitude.

What then is the challenge of citizenship in this present day and age? Perhaps the most pressing challenge is the attempt by each citizen to stem the tide of this declination and to stir the people from their state of lethargy. To do so is no mean task. In a society where the word "chauvinism" has become an object of sneers and jests it requires a citizen of strong character indeed to assert openly his beliefs.

The framers of the Constitution desired that each of us take an active interest in all areas of society and government, and that we wholeheartedly strive to preserve the now inherent freedoms that they fought so diligently to obtain. The Founding Fathers believed that only when each citizen assumed his share of the responsibility could the Nation they founded reach the lofty goals which had been set. Therefore, taking an active part in the affairs of the community and Nation is not just a privilege afforded us, but rather a duty, and a moral obligation.

It is apparent that too many of us are satisfied to live within ourselves or within an equally self-centered group of individuals, leaving the rest of mankind to fend for itself. These people merely take for granted the social community of which they are a part, and are content in allowing others to manage their civic affairs, and accept apathetically any legislation imposed upon them. This is done not realizing that they are fulfilling neither their personal requirements nor their capacity for helping others. They continually fail to recognize the tremendous satisfaction that can be obtained by being a true asset to the community. They do so without realizing that such a status is not difficult to attain, but simply requires a determined perseverance, a true understanding of ethical values, and a genuine desire to help mankind. Of course, everyone cannot be a leader in all endeavors, but being a willing worker in the areas with which one is connected, is the essence of a good citizen.

There are no limits to the challenges in the different realms of society of which a true citizen is a part, and each of these regions is vital to the continuance of the ideals of our Nation. Men of integrity, with an appreciation for the feelings and desires of others, accept these challenges by taking an active part in such activities as the Community Chest, Red Cross, and educational organizations. They take part in all forms of government, keeping well informed on both national and local affairs, and never fail to exercise their privilege of voting on all issues.

A citizen must never be afraid to voice his opinion on issues he deems vital to the good of society. Without the voice of approval or discontent from well-informed citizens, the leaders of the community cannot make the proper decisions which are necessary for its betterment.

Only by the help of the citizen who has accepted his great challenge and has the moral courage to assert his beliefs and voice his opinions, can our Government operate at its greatest capabilities. Those people, having taken up their challenge, daily receive the bountiful rewards from the realization that people have been helped and their community strengthened through their efforts in accepting a challenge put before them.

These are the ingredients needed by a man who desires to accept the challenge of citizenship. Our Constitution is emphatic in the points that we all have the God-given rights of life, liberty, and the pursuit of happiness. Therefore, it follows that we have the right to enjoy the fruits of our labor. No man who has these ingredients could enjoy the fruits of his labor if he did not know within his heart that he had contributed his share of spiritual and material help to his community, his country, and his fellow man.

The challenge is there. One has only to meet it head on and accept its responsibilities and the unbounded rewards of being a true citizen will be bestowed upon him.

FOURTH BIRTHDAY OF THE PEACE CORPS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAREY. Mr. Speaker, the Peace Corps which was looked upon by some at the time of its origin as a fragile venture of questionable merit, is now established as one of the greatest humanitarian and effective programs in our history.

No small measure of the success of the Corps is due to the devotion, skill, and management of its Director, R. Sargent Shriver. Although he would never concede, unselfish as he is, that the Peace Corps would not have succeeded without him, let me be one to say that it could never have done as well, since the quality of its program is a direct result of his vision and enterprise.

One of the most valuable dividends from the Peace Corps will be the experience gained by its voluntary workers—experience which they will bring back to the communities of America as part of the two-way interaction of world understanding. I am delighted to know that later this month hundreds of Peace Corps graduates will be coming to Washington to discuss their experiences and lend further support to the future activity and growth of the Corps.

One of the most noteworthy marks of the Corps' effectiveness is that where its success has been greatest it has been the target for the fullness of the diatribe of the enemies of America and the enemies of freedom. On the other hand, among those who need help most in lands where hope for survival was least, among people where hunger and disease were the best prospects, the Peace Corps is truly known and appreciated.

If the children of South and Latin America, the Philippines, and southeast Asia, the aged and infirm to whom all the world was a dark continent could be brought here on this fourth birthday, they would hardly understand our curious custom of extinguishing candles on the Peace Corps birthday cake. Rather, they would cry out, and hopefully, be heard by us, that we must support the work of the Peace Corps and continue to light candles bringing warmth, illuminating corners of the earth, saving lives and giving new breadth and hope to freedom and justice and love among mankind, so that "Pacem in Terris" will have more meaning for more men.

A TRIBUTE TO THE PEACE CORPS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I rise to join the others in paying tribute to Mr. Sargent Shriver and the Peace Corps.

Without a doubt, the Peace Corps has proven itself to be the most effective instrument for bringing about understanding between the United States and other nations of the world. It has been the wisest investment in our search for peace. Through its intelligent, dedicated, and hard-working Corpsmen it has helped to create a new image of our country abroad—a change from one of acquisitive, materialistic society of fortune-seeking individualists, to a nation of men of good will seeking to help those in need. This has been the impression expressed to me by countless numbers of Asians I have met, including the Crown Prince of Japan.

Coming as I do from a State which has played a major role in the training of Peace Corpsmen sent to the Asian nations, I take especial pride in saluting the Peace Corps on this anniversary date. The Peace Corps Training Center on the island of Hawaii, under the competent direction of Dr. John Stalker of the University of Hawaii, has won high praises from all who have visited it and inspected its operations. In addition, many of Hawaii have volunteered to join this great service organization and are serving in many sensitive areas around the world. For example, there is Richard Clancy, a physical education instructor in Ecuador; Michael Wilson, a history teacher in Malawi; Clarence Nagao, a communications development worker in Thailand with Timothy Wong, a language teacher, and Joyce Nakahara, an English teacher: Then there are Gerald Taniguchi and Benjamin Chang in Sabah, Malaysia; Erwin and Taeko Wong who served in British Honduras with great distinction; Mataichi D. Osora in Guatemala; Gertrude Okinaga and Albert Peterson in the Philippines; and James Veech in Tanganyika.

Hawaii, of course, can do much more to contribute to the Peace Corps, and we ask its responsible authorities to use our complex of natural tropical and semitropical settings and multiracial community to full advantage. We believe we can add to the continuing effectiveness of the Peace Corps in its mission of bringing better understanding between the United States and the developing nations of the world.

REPRESENTATIVE MOELLER FIGHTING TO PREVENT CLOSING OF SOME VA HOSPITALS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Moeller] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MOELLER. Mr. Speaker, I rise to a point of personal privilege. It has just come to my attention that the usually reliable United Press International news service was guilty of a serious error of fact and interpretation in its coverage of consideration of House Joint Resolution 234 by the House of Representatives.

United Press International used the following grossly misleading language in its lead paragraph of that story:

> Ohio's delegation Thursday voted 12 to 10 in favor of a Republican motion to trim foreign aid bill by enough to keep all Veterans' Administration hospitals in this country open.

The article went on to report, inaccurately, that I voted against keeping the Veterans' Administration hospitals open.

The fact is, of course, that the motion in question would not have, by any stretch of the imagination, prevented the closure of a single VA hospital or facility. This motion was a hoax; it represented no more and no less than a desperate, frantic attempt to embarrass the President of the United States and tie his hands in the conduct of foreign policy. Fortunately, the true nature of the motion was easily recognized by the majority of the Members of this House. It was defeated and done with.

As you know, Mr. Speaker, I and the overwhelming majority of the Democratic Members of the House of Representatives voted on February 10, 1965, for an amendment preventing the closure of any VA installation before May 1, 1965. The amendment was adopted, and the President accepted it. This gave us 75 days to persuade the Administration of the urgent necessity of maintaining the great network of VA hospitals which serve the men and women who defended their country in time of danger and peril.

At this point, I insert that portion of my January 25 news report to the people of the 10th Congressional District of Ohio, which puts me firmly on record as opposing any effort to close any VA hospitals so long as they are required for the treatment and care of our veterans:

VA Hospitals Should Not Be Closed

I was shocked by the decision to shut down certain hospitals and other facilities operated by the Veterans' Administration. Such a step will, in my judgment, create unnecessary hardships and inconveniences for our veterans and their families. The loss of jobs that will result from these proposed closures is also a matter of grave concern to me. While I support reasonable efforts to reduce Federal spending, I think this move comes under the heading of false economy. I am glad to report that Congress appears to be overwhelmingly opposed to the so-called reorganization plan. A congressional investigation already is underway in the U.S. Senate, and the House Committee on Veterans Affairs will open hearings as soon as possible. You may be assured that I am doing everything I can to prevent the abandonment of VA hospitals and facilities.

I am not prepared to play budget roulette with the great and essential network of VA hospitals authorized by Congress for the care and treatment of those Americans who served their country in time of peril. The reorganization order should be canceled without further ado.

Mr. Speaker, in fairness, I hope that United Press International will correct the misleading and inaccurate information it has published about this matter.

ROA MINUTEMAN AWARD—ADDRESS OF HON. L. MENDEL RIVERS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Stephens] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. STEPHENS. Mr. Speaker, on last Saturday night, a most coveted award was conferred by the National Reserve Officers Association on the gentleman from South Carolina, the Honorable L. Mendel Rivers, chairman of the House Armed Services Committee. This recognition, the Minuteman Award, has been conferred upon a number of distinguished Americans, none of whom are more deserving of this recognition than the recipient of the award for 1965. Chairman Rivers, in response to the citation, made an outstanding address on the paramount role of Congress in forming the policies for the defense of America.

This address, in my opinion, is one of the outstanding reports on this subject and on the general relationship of one branch of Government to another which I have ever heard. For those who did not hear the delivery of this speech, I insert the text in the Congressional Record:

Address of the Honorable L. Mendel Rivers, Chairman, Committee on Armed Services, House of Representatives, Before the Reserve Officers Association, Annual National Council Banquet, February 26, 1965

Admiral Reeder, distinguished colleagues of the Congress, distinguished guests, ladies, and gentlemen, I am quite aware of the names of those outstanding Americans to whom you have given this, the Minuteman Award: and I am humbled as my name joins this most distinguished group.

No human being, regardless of his assigned station in life, could fail to be deeply moved by such a tribute as this—coming from an organization such as yours.

This is an organization which accurately represents, with distinction, those of your fellow dedicated Americans who not only helped to win the greatest victory in the life of this Republic, but who also ask for the privilege to serve again, if necessary, and to die if need be.

I consider this award tonight not primarily for me, but to one whom you hope reflects the independence of the Congress—a Congress which will carry out the mandate of the Constitution to provide this Nation with the best security in the world; and a Congress which will assure a contented, motivated, and dedicated military, both Regular and Reserve alike; and also a Congress to whom you can turn for recourse in time of honest disagreement with those representing the executive branch of government.

Knowing so many of those you have chosen before, not the least of whom was my beloved teacher and friend, the immortal Carl Vinson, I accept with deep humility this invitation to join these select few.

Now, you realize, I know, that it would not be appropriate, or proper, for me to discuss here this evening the burning issue that so vitally affects the Reserve Officers Association and so many other veterans.

As you know, a subcommittee of the House Committee on Armed Services, under the very distinguished chairmanship of the Honorable F. Edward Hébert, will conduct hearings on the proposed merger of the Army Reserve with the National Guard; therefore, it would be improper for me to comment on that proposal tonight.

Many distinguished Members of Congress have raised interesting questions concerning the manner in which the merger proposal will be implemented.

Other Members have expressed their disappointment with respect to the procedures followed in announcing this merger—its timing as well as its genesis.

Some Members have queried me as to how the decision was reached, who recommended it, and whether it is militarily sound.

My reply has been that those answers must await the hearings. And hearings there will be.

You and others will have your day in court.

The imponderables raised by the decision of the Secretary of Defense to change the status of a segment of our Reserves are manifold. We will explore these and the long-range effect on our security.

But questions of this nature impel me to discuss a somewhat delicate subject with you tonight, although I do not mean to imply any correlation between the subject matter of my remarks and the dispute which raised the questions.

It is not my intention, or my desire, to offend any individual who is present here tonight. I strive to make this plain—I neither impugn nor deprecate the intentions of those who have made the decision.

Instead, I would like to ask you to join me as I take a short walk down the path of history.

One hundred and seventy-six years ago, almost to the day, on March 4, 1789, the first Congress of the United States, under the new Constitution, met in Federal Hall in New York City. The new Congress consisted of 20 Senators and 59 Representatives, since not all the States had ratified the Constitution.

The Constitution under which they met vested all legislative powers in the Congress of the United States, executive power in the President, and judicial power in a Supreme Court and in such inferior courts as the Congress mignt establish.

The Constitution was clear with respect to the powers vested in each of the separate branches of Government.

At that time, Members of the Senate were appointed by State legislatures, but Members of the House were elected, every 2 years, by the people.

Thus, every 2 years, the entire membership of the House of Representatives had to stand for reelection.

That has never changed insofar as the House is concerned and, today, of course, Members of the Senate are also elected by the people.

Since that date in history, each branch of the Government has been the subject of criticism by political scientists, cartoonists, editors, sensation seekers, ordinary citizens, Members of Congress, members of the judicial branch, and even Chief Executives. This is as it should be. This is one of the great freedoms we all enjoy.

But one fact of life remains unchanged—the Congress of the United States is elected by the people directly, and the House of Representatives must be reelected every 2 years.

I conclude, therefore, that the House of Representatives more nearly reflects the people's views than the other House or any other branch of Government.

Certainly, the judicial branch of Government, which is appointed for life, not only does not, by design, represent the views of the people, but, in a strict constitutional sense, should not, since its function is to interpret the laws, not make them.

The fact that our Federal judiciary has been making laws with increasing frequency represents one of the most violent assaults your Constitution has sustained since this Republic was born. This Supreme Court is even arrogating unto itself the authority to reorganize State governments and apportion State legislatures.

The Chief Executive of the Nation has become a more vital office with each passing decade.

As the complexities of Government grow, as the population increases, the responsibilities imposed upon the President of the United States grow accordingly.

The Constitution of the United States, perhaps prophetically, recognized that this office would become more important as the years went by and vested in the President rather broad, and in some cases, undefined powers.

One of the undefined powers is that of the President's position as Commander in Chief of the Army and Navy and, of course, the Air Force, and of the militia of the States when called into the actual service of the Federal Government.

Certainly the President, under our political system, represents the views of the people who have elected him to office. But again, I say, I do not believe that any branch of Government can be closer to the people than the Congress of the United States and, especially, Members of the House.

The three great branches of Government are the hearthstone and the fountainhead of our form of government. If any single branch becomes topheavy through the assumption of powers not granted under the Constitution, then a crack appears in these vital and indispensable foundations of our Government and our freedoms are threatened.

And yet, for the past few years, there has been an increasing tendency on the part of some people to ridicule the Congress of the United States; to describe the Congress as outmoded and inefficient; to look upon it as an organization that is not responsive to the needs of a modern society; and, more important, to deny or disregard the constitutional duties and powers that are imposed upon the Congress.

Those who ridicule the Congress, those who join this iconoclastic throng, are sowing the seeds of destruction of our form of democracy.

The Congress of the United States is an institution. It is part of our way of life. And just as our society has its folkways, mores, and customs, so does the Congress have its customs and precedents.

Every sound institution grows and changes with its growth. Congress is no exception. Thus, Congress can, and should, be amenable to constructive criticism and acceptable modifications.

But change is one thing—ridicule is something else.

I wonder if it has occurred to those who belittle the Congress for being too cumbersome, too slow, too oldfashioned, that the checks and balances built into our form of government were not the result of accident, but the deliberate intent of our Founding Fathers.

The Congress has proved time and time again that when speed is essential it can act quickly: but the Congress also frequently makes haste slowly, and while this may be irritating to those who seek immediate change, it is a safeguard for the interests of others who may be vitally affected.

We are a nation of many and varied interests. We hear much about minority groups, but sometimes we forget that minorities in this Nation also consist of physicians, farmers, social workers, housewives, railroad employees, lawyers, teachers, bricklayers, soldiers, pilots, and lion tamers. We are a nation of a multitude of minorities—and it is only when a substantial group of minorities share a common interest that they become a majority.

Your great organization, the Reserve Officers Association, for example, is a minority group, because less than half the population of this country are members. But it will have its day in court with respect to the proposed merger of the Army Reserve and the National Guard. This I guarantee.

Those who recommend this change in our reserve structure do not necessarily represent the views or opinions of a majority of the American people. And, certainly, they cannot exercise a power given only to the Congress of the United States.

Who, then, has the right—or even beyond that—the responsibility to question this decision? The answer, obviously, is the people's representatives, the Congress. Without this haven of refuge, those affected, or their organizations, would have no place to go.

How else can the American people make their voices heard if not through the Congress of the United States?

Last month, I stood on the floor of the House while our great and beloved Speaker administered the oath of office. Here is what the Speaker asked each of us:

"Do you solemnly swear that you will support the Constitution of the United States against all enemies foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God."

With my hand raised, I answered, "I do"—and to myself I said, "Believe me, I do."

And do you know what that oath means to me? It means that I will support that Constitution—that I will bear true faith to it—and that I will discharge the duties of my office. So help me, God.

And one of the provisions of the document I swore I would support says that the Congress has the power to provide for the common defense; that the Congress has the power to raise and support armies; that the Congress has the power to provide and maintain a Navy. And since no other branch of Government has that power, then obviously only the Congress has the responsibility in this area.

And the Congress, in turn, has passed on this responsibility—in the formative stages of the legislative process—to the Committees on Armed Services, the gavel of which fate has placed in my hands.

This is not a light responsibility. And it is one I can assure you the Committee on Armed Services of the House, as far as I am concerned, will meet in every respect.

For example, there is a group who would like to see our Chiefs of Staff system changed. Having won World War II with a Joint Chiefs of Staff system, there are those who would abolish it and substitute in its place a single Chief of Staff—a system that brought defeat to two major powers who have tried it.

I can assure you—the Congress will be the final arbiter of this question.

There are also those who think that the Congress should merely appropriate funds and let the Executive spend them in accordance with his wishes.

This is not my understanding of my responsibility under the Constitution. Certainly, changes can be made in our legislative process, but back of our whole form of government stands the bulwark of the Congress of the United States, represented as it is by every major religion in this country, by every major nationality, by every major profession, and representing a cross section of the entire gamut of the American people.

This is the strength of our Government.

The Congress of the United States is you—the people.

But, today, when a Member of Congress visits a military installation in a foreign land, there are those who refer to such a visit as "a junket." If a civilian Defense Department official visits the same installation, it is a highly important visit to discuss defense matters.

If a Member of Congress, trying to represent his people to the best of his ability, votes against a proposal submitted by the executive branch of Government, he is called an obstructionist. But if he votes for it, he may be called a rubber stamp. A Member of Congress is a bird on whom all seasons are open.

I would suggest to the carping critics of the Congress that they take stock of their own well-being and of the success this Nation has enjoyed in the past, and is now enjoying.

Certainly, some of this success must be attributed to what the Congress has approved or disapproved.

Our way of life, our steadfastness, our well being, our economic progress, and our security may not necessarily be a monument to the Congress, but no one can deny that the Congress has been a living, growing institution while all of this has taken place.

I would be the first to agree that the Congress, as a body, and that Members of Congress, as individuals, have made mistakes. But I suppose that this is inevitable since we share one characteristic in common with all others who are engaged in the activities of government. Be they chief executive, kings, sultans, admirals, generals, filing clerks, or messengers—we are human beings.

And just as there is a variety of personalities in every organization, so is there a variety in the Congress.

But regardless of his capacity or his ability, each Member has been elected by the people of his district or State to serve in the Congress of the United States. The people are the judges of his qualifications. He must account to them.

Notwithstanding the fact that we may have shortcomings and admitting that improvements can be made, not only in the legislative process but also in the executive and judicial fields, our form of government is still acknowledged, in the free world, as the finest that has ever existed in the history of civilization.

Be critical of the Congress if you will, but those who are contemptuous of the Congress and its responsibilities are undermining a way of life that has brought greater freedom, greater security, and greater economic benefits to a nation of people than has ever been enjoyed by any collective group in the history of the world.

Be assured that there is an ever-increasing number of Congressmen who are aware of their responsibilities—and more important—intend to meet those responsibilities.

National security is a team effort—but all members of the team have to know the signals.

As far as I am concerned—the Armed Services Committee of the House will know the signals, and on occasions, may even call the plays. We demand at least an occasional opportunity to carry the ball. It's just possible that our team has some stars of its own. How can we ever find out if our team never carries the ball?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Kastenmeier (at the request of Mr. Zablocki), indefinitely, on account of illness.

Mr. Hanna (at the request of Mr. Albert), for the balance of the week, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ryan for 5 minutes, today; and to revise and extend his remarks.

Mr. McDowell (at the request of Mr. Albert), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Patten), for 10 minutes, on Tuesday, March 2; and to revise and extend his remarks and to include extraneous matter.

Mr. Powell (at the request of Mr. Patten), for 60 minutes, on Wednesday, March 3; and to revise and extend his remarks and to include extraneous matter.

Mr. Fuqua (at the request of Mr. Patten), for 60 minutes, on Monday, March 8; and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Ayres.

Mr. Tenzer.

Mr. Stanton.

Mr. Zablocki.

Mr. Cramer to insert tables in remarks made in the Committee of the Whole today in a colloquy with the gentleman from Alabama [Mr. Martin].

The following Members (at the request of Mr. McClory) and to include extraneous matter:)

Mr. Younger.

Mr. Rumsfeld.

Mrs. May.

(The following Members (at the request of Mr. Patten) and to include extraneous matter:)

Mr. William D. Ford.

Mr. Moss.

Mr. Staggers.

Mr. Whitener.

Mr. Wolff in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 21. An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning; to the Committee on Interior and Insular Affairs.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 2, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

651. A letter from the Comptroller General of the United States, transmitting a report of unnecessary dollar grants to a foreign country under the foreign assistance program, Agency for International Development, Department of State; to the Committee on Government Operations.

652. A communication from the President of the United States, transmitting a draft of proposed legislation entitled, "A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes" (H. Doc. No. 96); to the Committee on Foreign Affairs and ordered to be printed.

653. A letter from the Secretary of the Treasury, transmitting the ninth annual report on the financial condition and results of the operations of the highway trust fund for fiscal year 1964, pursuant to section 209 (e)(1) of the Highway Revenue Act of 1956 (H. Doc. No. 97); to the Committee on Ways and Means and ordered to be printed.

654. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled, "A bill to amend the provisions of the Agricultural Act of 1949, as amended, establishing the minimum price support level for peanuts"; to the Committee on Agriculture.

655. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ended December 31, 1964, pursuant to subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

656. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation entitled, "A bill to authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Corps"; to the Committee on Armed Services.

657. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a semiannual report on military construction contracts for period July 1, 1964, to December 31, 1964, pursuant to section 605, Public Law 88-390; to the Committee on Armed Services.

658. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a report relative to the proposal to transfer *Massachusetts* (BB 59), now condemned as not suitable for naval use, to the U.S.S. Massachusetts Memorial Committee, Inc., Boston, Mass., pursuant to title 10, United States Code, section 7308(c); to the Committee on Armed Services.

659. A letter from the Attorney General, transmitting a report on the continuing review of voluntary agreements and programs, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

660. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled, "A bill to provide for continuation of authority for regulation of exports, and for other purposes"; to the Committee on Banking and Currency.

661. A letter from the Comptroller General of the United States, transmitting a report of the unused mail-flo system equipment at the Chicago post office, Post Office Department; to the Committee on Government Operations.

662. A letter from the Comptroller General of the United States, transmitting a report of the deficiencies in contract administration resulting in additional costs for exterior concrete construction at the Brecksville, Ohio, hospital, Veterans' Administration; to the Committee on Government Operations.

663. A letter from the Comptroller General of the United States, transmitting a report on inadequate administration of centralized payroll activities, Department of Labor; to the Committee on Government Operations.

664. A letter from the Comptroller General of the United States, transmitting a report on inadequacies in procedures and practices relating to selection of and review of performance of recipients of social security payments on behalf of minor and incompetent adult beneficiaries; Social Security Administration, Department of Health, Education, and Welfare; to the Committee on Government Operations.

665. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs to the Government by leasing rather than purchasing electric power facilities; Goddard Space Flight Center, National Aeronautics and Space Administration; to the Committee on Government Operations.

666. A letter from the Governor, Panama Canal Zone, and President, Panama Canal Company, transmitting a report of disposal of foreign excess property by the Panama Canal Company and Canal Zone Government for year ended December 31, 1964, pursuant to section 404(d) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 398); to the Committee on Government Operations.

667. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation, entitled "A bill to amend title 28 United States Code section 2241 with respect to the jurisdiction and venue of applications for writs of habeas corpus by persons in custody under judgments and sentences of State courts"; to the Committee on the Judiciary.

668. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a report of a study of selected programs of the U.S. Department of Agriculture, pursuant to Public Law 85-315, as amended; to the Committee on the Judiciary.

669. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report indicating proposed actions by the Administration to conduct certain research and development programs at levels in excess of those authorized by the NASA Authorization Act for fiscal

year 1965, pursuant to section 4 of 78 Stat. 310, 312; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIS: Committee on the Judiciary. H.R. 4185. A bill to fix the fees payable to the Patent Office, and for other purposes; without amendment (Rept. No. 113). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 4152. A bill to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes; without amendment (Rept. No. 114). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 5075. A bill to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such act; with amendment (Rept. No. 115). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 5555. A bill to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

By Mr. BATTIN:

H.R. 5556. A bill to amend the Agricultural Act of 1949, as amended, to include the variety known as "Compana" as a malting barley eligible for increased acreage under the 1965 feed grain program; to the Committee on Agriculture.

H.R. 5557. A bill to make permanent the operation of the National Wool Act of 1954 and to increase the amount of payments available under such act to an amount equal to the gross receipts from duties; to the Committee on Agriculture.

By Mr. BINGHAM:

H.R. 5558. A bill to provide support for public elementary and secondary education in the United States; to the Committee on Education and Labor.

H.R. 5559. A bill to provide for the establishment of the National Humanities Foundation to promote progress and scholarship in the humanities and the arts, and for other purposes; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.R. 5560. A bill to provide research, technical, and financial assistance with respect to the disposal of solid wastes to the several States and political subdivisions thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 5561. A bill to amend title II of the Social Security Act to increase widow's benefits thereunder; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 5562. A bill to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act with respect to the U.S. Botanic Garden, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5563. A bill to amend the Antidumping Act, 1921, in order to provide that the foreign market value of imported firearms and ammunition which have been disposed of as surplus by a foreign government shall, for the purposes of such act, be not less than the constructed value of the merchandise; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 5564. A bill to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 5565. A bill to prevent the importation of flat glass which is the product of any country or area dominated or controlled by communism; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 5566. A bill to amend the Trade Expansion Act of 1962 to provide that the authority to enter into trade agreements under such act will expire at the close of 1965; to the Committee on Ways and Means.

H.R. 5567. A bill to provide for the transfer of income taxes to the States for use for educational and other purposes without Federal direction, control, or interference; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5568. A bill to provide research, technical, and financial assistance with respect to the disposal of solid wastes to the several States and political subdivisions thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON (by request):

H.R. 5569. A bill amending section 107 of the River and Harbor Act of 1948, relating to the support and maintenance of the Permanent International Commission of the Congresses of Navigation; to the Committee on Public Works.

By Mr. FINO:

H.R. 5570. A bill to amend the Internal Revenue Code of 1954 to exempt State-conducted lotteries from the taxes on wagering; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 5571. A bill to amend title 37, United States Code, to authorize payment of incentive pay for submarine duty to personnel qualified in submarines attached to staffs of submarine operational commanders; to the Committee on Armed Services.

By Mr. FOGARTY:

H.R. 5572. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.R. 5573. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. JOHNSON of Oklahoma:

H.R. 5574. A bill to authorize a 3-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5575. A bill to amend title 38 of the United States Code to establish the number of hospital beds and domiciliary beds to be operated in facilities of the Veterans' Administration, and limiting the authority of the Veterans' Administration with respect to closing of facilities; to the Committee on Veterans' Affairs.

By Mr. KREBS:

H.R. 5576. A bill to amend section 104 of the Revised Statutes of the United States relating to proceedings against certain witnesses; to the Committee on the Judiciary.

By Mr. LAIRD:

H.R. 5577. A bill to provide that certain corporations shall continue to be treated as corporations for purposes of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. McDOWELL:

H.R. 5578. A bill to amend title 18 of the United States Code to make it a crime to steal certain trade secrets or to transport stolen trade secrets in interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 5579. A bill to further economic development by rehabilitating areas presently damaged by deleterious mining practices; to the Committee on Interior and Insular Affairs.

By Mr. MIZE:

H.R. 5580. A bill to authorize the Secretary of the Army to pay certain expenses of moving property; to the Committee on Public Works.

By Mr. MORRIS:

H.R. 5581. A bill to promote the general welfare, foreign policy, and security of the United States; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 5582. A bill to establish a program of voluntary comprehensive health insurance for all persons aged 65 or over; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 5583. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. REID of New York:

H.R. 5584. A bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 5585. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 5586. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

H.R. 5587. A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 5588. A bill to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 5589. A bill to amend title 38 of the United States Code to provide that certain veterans who were prisoners of war shall be deemed to have a service-connected disability of 50 percent; to the Committee on Veterans' Affairs.

H.R. 5590. A bill to prescribe the size of flags furnished by the Administrator of Veterans' Affairs to drape the caskets of deceased veterans; to the Committee on Veterans' Affairs.

By Mr. SCHWEIKER:

H.R. 5591. A bill to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region; to the Committee on Public Works.

By Mr. SPRINGER:

H.R. 5592. A bill to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAFFORD:

H.R. 5593. A bill to provide for the implementation of voting rights, the appointment of Federal registrars, and for other purposes; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 5594. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

H.R. 5595. A bill designating the fourth Friday in September of each year as National Indian Day; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 5596. A bill to provide a system of health and safety rules and regulations and proper enforcement thereof; health and safety inspection and investigation; health and safety training and education for metallic and nonmetallic mines and quarries (excluding coal and lignite mines); and for other purposes; to the Committee on Education and Labor.

By Mr. WILLIAMS:

H.R. 5597. A bill to relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ZABLOCKI:

H.R. 5598. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

H.R. 5599. A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises; to the Committee on Ways and Means.

By Mr. BERRY (by request):

H.R. 5600. A bill to provide that certain lands shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 5601. A bill to provide that certain lands shall be held in trust for the Rosebud Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 5602. A bill to provide that certain lands shall be held in trust for the Crow Creek Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 5603. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. JOHNSON of Oklahoma:

H.R. 5604. A bill to provide for the establishment of the National Humanities Foundation to promote progress and scholarship in the humanities and the arts, and for other purposes; to the Committee on Education and Labor.

By Mr. LONG of Louisiana:

H.R. 5605. A bill defining the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto, in certain instances; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 5606. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education, and training, and loan guarantee benefits to persons who served in the Armed Forces on or after January 1, 1962, in combat zones, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. O'NEILL of Massachusetts:

H.R. 5607. A bill to provide Federal cooperation in a program to preserve certain historic properties in the city of Boston, Mass., and vicinity, associated with the colonial and Revolutionary periods of American history; to authorize the establishment of the Boston National Historic Sites; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. POFF:

H.R. 5608. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for charitable contribution will not be allowable with respect to contributions to certain charitable organizations which fail to make full disclosure to the public; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 5609. A bill for the establishment of a Commission on Science and Technology; to the Committee on Science and Astronautics.

By Mr. JOELSON:

H.R. 5610. A bill to prohibit disturbances in the Chambers of Congress; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.J. Res. 353. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. BARING:

H.J. Res. 354. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. EVINS of Tennessee:

H.J. Res. 355. Joint resolution proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States; to the Committee on the Judiciary.

By Mr. TENZER:

H. Con. Res. 338. Concurrent resolution authorizing the publication as a House document of the Department of State white paper relating to North Vietnam's campaign to conquer South Vietnam (Department of State Publication 7839); to the Committee on House Administration.

By Mr. BLATNIK:

H. Res. 250. Resolution to prohibit the Civil Aeronautics Board from discontinuing service by local service airlines until after a thorough review by the House Interstate and Foreign Commerce Committee; to the Committee on Rules.

By Mr. TUNNEY:

H. Res. 251. Resolution to express the sense of the House against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

60. By Mr. CUNNINGHAM: Memorial of the Legislature of the State of Nebraska, petitioning that the Secretary of Agriculture of the United States be urged to restore the payment for the production of castor beans on diverted land to 50 percent of the basic payment for diversion; to the Committee on Agriculture.

61. By the SPEAKER: Memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States requesting the enactment of legislation increasing the basic sugarbeet quota to a minimum of the 1965 restricted acreage production; to the Committee on Agriculture.

62. Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to bring the question of the liberation of the Baltic States before the United Nations; to the Committee on Foreign Affairs.

63. Also, memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States relative to calling a convention for the purpose of proposing an amendment to the Constitution of the United States concerning apportionment of one house of State legislatures on factors other than population; to the Committee on the Judiciary.

64. Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States requesting all Federal and other non-California agencies which were damaged by recent storms to utilize to the fullest extent personnel and equipment available in the vicinity of the damage for the repair or reconstruction of damaged facilities; to the Committee on the Judiciary.

65. Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to urging the House of Representatives to permit the continued activity of the House Committee on Un-American Activities; to the Committee on Rules.

66. Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States relative to requesting the reversal of the Veterans' Administration decision to close the Cheyenne, Wyo., offices of the Administration; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS (by request):

H.R. 5611. A bill for the relief of Satoshi Nakayama; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 5612. A bill for the relief of Andrea Castellano; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 5613. A bill for the relief of William Radkovich Co., Inc.; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 5614. A bill for the relief of Miss Mamako Yoneyama; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 5615. A bill for the relief of J. L. Bryan; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 5616. A bill for the relief of Vincenzo Mario Mure; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 5617. A bill for the relief of Antonio Gigante, his wife Marietta Gigante, and their minor children Mario Guiseppe Gioacchino Gigante, Valentino Gigante, Graziella Gigante; to the Committee on the Judiciary.

H.R. 5618. A bill for the relief of Gioacchino Parete and family; to the Committee on the Judiciary.

H.R. 5619. A bill for the relief of Miss Rosalia Elvira Sparacino; to the Committee on the Judiciary.

H.R. 5620. A bill for the relief of Christos Tassigiannis; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 5621. A bill for the relief of Chun Yin So; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 5622. A bill for the relief of Dr. Jorge Ignacio Miquel Franca; to the Committee on the Judiciary.

H.R. 5623. A bill for the relief of Barney E. McElyea; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 5624. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 5625. A bill for the relief of Milena Fedel; to the Committee on the Judiciary.

H.R. 5626. A bill for the relief of Hadbo Nahas; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 5627. A bill for the relief of Dr. and Mrs. Mariano B. Pimentel; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 5628. A bill for the relief of Mario Cianciulli and his wife Candida Cianciulli; to the Committee on the Judiciary.

H.R. 5629. A bill for the relief of Trenton Mack; to the Committee on the Judiciary.

H.R. 5630. A bill for the relief of George Demetrious Maniatis; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 5631. A bill for the relief of Phebe Viola Bravo; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5632. A bill for the relief of Mrs. Sang Kyung Lee (nee Choi); to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 5633. A bill for the relief of B. Matusow & Son; to the Committee on the Judiciary.

By Mr. WELTNER:

H.R. 5634. A bill for the relief of Thomas A. Pruett; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 5635. A bill for the relief of Charles B. Franklin; to the Committee on the Judiciary.

By Mr. WOLFF (by request):

H.R. 5636. A bill for the relief of Saadet Erolgac; to the Committee on the Judiciary.

H.R. 5637. A bill for the relief of Oliva Furlan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

114. The SPEAKER presented a petition of the city clerk, Millbrae, Calif., petitioning consideration of his resolution with reference to the need for a constitutional amendment on reapportionment, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Gold Reserve

EXTENSION OF REMARKS

OF

HON. J. ARTHUR YOUNGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. YOUNGER. Mr. Speaker, the administration's attitude toward our gold reserve is confusing to the nth degree. First, we have a bill presented by the administration and passed by the House increasing the capital of the Inter-American Development Bank by $750 million which is to be loaned to Central and South American countries. While the House was passing this bill, the President was addressing 370 business executives called to the White House, admonishing them to cut their expenditures to the bone where they involved sending our dollars abroad.

Then I read in the Independent Editorial Services, Ltd., issue of February 23 a statement that our colleague HALE BOGGS, of the Ways and Means Committee, is expected to offer an administration-backed bill providing for generous tax credits for private U.S. investments in underdeveloped countries and they refer to the President's mention of such plans in his foreign aid message. The tax credits would be applicable to insured investments—against expropriation, nationalization, discriminatory tax treatment, and so forth. On February 23 the Secretary of Commerce issued a news release of his talk before the Travel Advisory Council asking them to stimulate the travel of foreigners into this country but to curtail the travel of our people into foreign countries.

Because of the heavy drain on our gold reserve, it would seem that the time is right for the administration and the various departments of the administration to get together and at least play the same tune even though they might be using different instruments. It is apparent that dollars sent abroad, regardless of how they are sent, may return in the form of a demand for gold.

The Death of Justice Felix Frankfurter

EXTENSION OF REMARKS

OF

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. WILLIAM D. FORD. Mr. Speaker, we in the United States have been saddened by the passing of Mr. Felix Frankfurter, retired Justice of the U.S. Supreme Court, and a man who has left an eternal mark on the legal and judicial history of this Nation.

Mr. Frankfurter enjoyed a career of nearly 20 years on the Supreme Court bench, beginning with his appointment in 1939 by President Franklin Delano Roosevelt. He brought to the Court his experience as a Harvard University law professor for 25 years, as well as a background as an attorney, scholar, presidential adviser, and Government administrator.

He has been recognized as one of the greatest scholars and teachers of law in Harvard University's long and distinguished history. Numbered among his former students are judges, former Cabinet members, and assistant prosecuting attorneys.

Mr. Frankfurter, as a friend and adviser to President Franklin Delano Roosevelt, was considered one of the architects of the New Deal, which helped steer the United States out of the disastrous depression of the early 1930's.

As a Supreme Court Justice, Mr. Frankfurter embodied a philosophy which has become known as judicial restraint. He firmly believed that a judge should look only at the validity of a law, and not its merits. He urged extreme caution in making decisions on the actions of the legislative and executive branches of the Government. He felt that the courts should move exceedingly slowly and deliberately in overturning actions of men and bodies elected by the people.

Mr. Speaker, I believe that Mr. Frankfurter will stand in history as one of the truly great Justices of our Federal Supreme Court, ranking with such giants as John Marshall and Oliver Wendell Holmes. Let me close by citing the tribute paid him by his fellow Justices upon his retirement in 1963: "He has already made a contribution to our jurisprudence rarely equaled in the life of our Court."

Peace Corps

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. MOSS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

In the proposed Peace Corps legislation that this body has received from our President, there is the opportunity for us to continue a part of our foreign relations program which has shown great return on the dollars we have authorized for it. The significance of this legislation is that it will authorize funds which represent only a small fraction of our overall budget for the next fiscal year, and only a small part of our total oversea programs.

The dollars spent in the Peace Corps program have gone a long way to prove to nations around the world that we seek to help others better themselves, and that we are a country seeking peace. Peace Corps volunteers, now numbering almost 10,000, have shown and are continuing to show that Americans will take the extra step to lend a hand to those who ask for it.

I am told that the authorization requested will provide the capability to put 17,000 volunteers in training and at work by the end of August 1966. It is unfortunate that we are required to spend billions for means of defense, when it can be shown that through much more modest expenditures we can contribute so much for the good of nations which are requesting our help. We should continue our efforts to be strong with our defense, but also provide the funds necessary to continue the work of the Peace Corps. I shall join those who work to enact this legislation for the next fiscal year.

For Meritorious Service to the Community

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. WOLFF. Mr. Speaker, I wish to commend one of the outstanding weekly newspapers in America. The Locust Valley Leader, published in the Third District of New York, recently received well-deserved honors from the New York Press Association for the meritorious service it has rendered our local community.

This weekly publication, created in 1947 by Edith Hay Wyckoff, who is still owner and publisher, has consistently won honors and awards since its inception. In fact, Edith Hay Wyckoff received her 15th photographic award since she has been competing in the statewide contest in this year's ceremonies in Syracuse.

The awards received in the 1964 contest include first prize in spot news photography, third prize in general excellence, honorable mention for best news story, and honorable mention in use of locally originated feature material.

Across the Nation our "weeklies" are rendering us a service that is a part of Americana. These publications mirror our lives, interests, and community occurrences. We depend on them for exposure of what is happening in our local government, where we may join our neighbors in local meetings and general information about the communities in which we live. It is such weekly publications as the Locust Valley Leader that keeps our communities throughout America informed of the local news and makes us aware of what is occurring in our immediate area.

The Locust Valley Leader has always been an enlightening source of information for the citizens of our community. It has upheld the highest merits of journalism in reporting the news. The awards it has most recently received exemplifies its quality and caliber.

Our community has grown to depend on the Locust Valley Leader. We look forward to each publication of this informative paper. We are proud of the Locust Valley Leader and its superior quality.

To the Locust Valley Leader, its owner and publisher, Edith Hay, her able assistant Edwina Bradic, their excellent staff and workers, I extend my praise and congratulations. I know that they will continue to perform in the superior way in which they have performed in the past.

Hon. Frances P. Bolton

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. AYRES. Mr. Speaker, we are justifiably proud of the many distinguished sons that the State of Ohio has furnished to these legislative halls. We are equally proud of that eminent daughter of our great State whose 25th anniversary of service, I would call to your attention.

The Honorable FRANCES P. BOLTON was elected at a special election to fill the unexpired term of her late husband, Chester C. Bolton, and took her oath of office on February 27, 1940. That most able Member of this body served five terms with great distinction.

I need not detail the entire legislative career of the most competent gentlewoman from Ohio. Her capability as a Member of this House is fully recognized by us all.

As senior ranking Republican member of the Committee of the House on Foreign Affairs, she has demonstrated that she is indeed possessed with outstanding diplomatic ability. Her capability in this field has received recognition, not only here in our country but throughout the world. I am of the firm conviction that the gentlewoman from Ohio [Mrs. BOLTON] would be a most able Secretary of State.

I know of no one who has a greater knowledge of the complex problems of the newly founded nations of the continent of Africa. She has studied these with great diligence and has traveled in that continent to improve her knowledge.

I need not speak of her personal attributes. Here indeed is a most gracious lady. I wish to here acknowledge the aid and good advice that she gave me when I first came to the House of Representatives. Now 15 years later, I still rely on her good judgment.

I would not have you think that she has confined all of her activities to the field of foreign affairs. Her great interest has brought fine advances in the fields of education and health. Her great modesty prevents us from learning of the many philanthropic things that she has originated and continues to support.

I have often heard it said that the gentlewoman from Ohio [Mrs. BOLTON] is a great inspiration to all of the women of the world. Certainly she has shown that women can be most successful in public service. I do say that the Honorable FRANCES P. BOLTON is an inspiration to all Americans, men and women alike.

Here is a truly great American.

The 1965 Fundraising Appeal by the National Council of Christ in the U.S.A., the National Catholic Welfare Conference, and the United Jewish Appeal

EXTENSION OF REMARKS

OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, March 1, 1965

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the statement which I recently prepared, upon request of the sponsoring organizations, in support of the spring fundraising program to be undertaken by America's three great religious faiths—Protestant, Catholic, and Jewish—through which funds are hoped to be raised to continue programs of assistance to the needy of other lands. These programs are emphasizing Sunday, March 28, as a date on which millions of Americans can make special contributions in response to the appeals which these organizations are making for support of religious voluntary assistance programs for the world's homeless, hungry, and destitute people.

The three appeals are: Catholic—"The Bishops' Relief Fund" appeal, March 21–28 in Catholic churches; Protestant—"One Great Hour of Sharing," with special offerings March 21–28 in the churches of participating denominations; Jewish—"United Jewish Appeal," a continuing effort with special emphasis at this season.

I am pleased to have had the opportunity to add my good wishes for success in the fundraising efforts and for continued effectiveness in the operations of these oversea relief programs, and I wish to insert, at this point, my statement of support of this fund drive.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE HONORABLE ROBERT C. BYRD, U.S. SENATOR FROM WEST VIRGINIA IN SUPPORT OF 1965 FUNDRAISING APPEAL BY THE NATIONAL COUNCIL OF CHRIST IN THE U.S.A., THE NATIONAL CATHOLIC WELFARE CONFERENCE, AND THE UNITED JEWISH APPEAL

To all Americans, the opportunity to wish "Godspeed" to the joint appeal issued by the National Council of Christ in the U.S.A., the National Catholic Welfare Conference, and the United Jewish Appeal is a welcome one for me.

This combining of their efforts for funds by America's great religious faiths—to carry on their programs of assistance to the needy of many lands—is within itself an inspiring action. To so attack a common enemy—the misery of a major portion of the world's population, stemming from war, disaster, destitution—is to offer testimony to the will to do service for others, a basic tenet of all three faiths.

We in the United States know that the lion's share of all oversea relief efforts stems from our voluntary organizations. But the compassionate and selfless programs which have been instituted by these organizations must be sustained by practical means. To fill the deep needs of the world's "have-not's"—for medical care, for food, for adequate shelter and clothing, and to obviate the terrible twisting of human minds from hostile and debilitating living conditions, all a daily part of millions of lives in Africa, Asia, and Latin America—costs many hundreds of thousands of dollars. It requires hundreds of millions of tons of food, medicine, clothing, and the varied implements of practical care.

Eradication of the world's ills does not seem likely in the early future, but one of the instruments at hand—the oversea relief programs sponsored by America's three major religious faiths—needs to be kept strong.

To share what we can abundantly afford, in answer to this appeal, is to invest in the betterment of our world, to make a contribution toward the advancement of mankind, and to take another step toward lasting peace.

The 145th Anniversary of the Birth of Susan B. Anthony

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mrs. MAY. Mr. Speaker, on February 15 the National Woman's Party sponsored a special celebration of the 145th anniversary of the birth of Susan B. Anthony. The ceremony was held in the Capitol against the background of the statue of Miss Anthony and two other pioneers in the suffragette movement, Elizabeth Stanton and Lucretia Mott. Floral tributes were laid at the base of this statue by representatives of a number of women's organizations and a number of tributes were paid by distinguished individuals, including representatives of foreign countries.

In my own remarks in this ceremony I recalled the work of former Members of Congress such as Katharine St. George and Jessica McCullough Weis, of New York, in supporting an equal rights for women amendment and I again reaffirm my support for this amendment to the Constitution for equality of rights for women in all fields not covered by the suffrage amendment. Following that ceremony I have again reintroduced a constitutional amendment resolution calling for this action.

I also quoted what I consider an outstanding tribute to Susan B. Anthony which was written by Ida Husted Harper. In her book on Miss Anthony she said:

> Every girl who now enjoys a college education, every woman who has a chance of earning an honest living in whatever sphere she chooses, every wife who is protected by any law in the possession of her person and property, every mother who is blessed with the custody and control of her own children, owes these sacred privileges to Susan B. Anthony. We do not underestimate the splendid services of other pioneers or their successors, but it is Susan B. Anthony's name that stands, and always will stand, as the everlasting symbol of women's emancipation.

Mr. Speaker, the ceremonies were keynoted by the famous and beloved chairman of the National Woman's Party, Emma Guffey Miller, and in her words of welcome she said:

> I am very happy and proud to welcome you to the 145th birthday anniversary of the indomitable and unquenchable Susan B. Anthony.

Had it not been for her and a few other determined women, we here today would not be enjoying half the benefits we now enjoy.

Why there is not more honor and acclaim paid to this remarkable woman seems incredible, for comparatively few young or middle-aged citizens realize what they owe to her—or even know of her. Something is surely lacking in our schools and histories.

But to Susan B. Anthony suffrage alone was not sufficient for she wrote in 1900, a few years before her death:

> Perfect equality of rights for women—civil and political, is today and has been for a half a century the one demand of, yours truly, Susan B. Anthony.

We gained political equality in 1920 but we do not yet have that perfect equality of rights for women and will not have it until we make the equal rights amendment a part of our Constitution.

As Congress returns today from its Lincoln Birthday celebrations all over the country, and as we enter upon a countrywide celebration of the birthday of another great American emancipator, Susan B. Anthony, we remind Congress and the country of the famous words of Abraham Lincoln:

> I go for all sharing the privileges of Government who assist in bearing its burdens—not excluding women.

Tribute to Congresswoman Bolton

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. ZABLOCKI. Mr. Speaker, on February 27 our esteemed colleague, the gentlelady from Ohio, FRANCES P. BOLTON, observed her 25th anniversary as a Member of this body. For over 15 of those years, I have been privileged to serve with the gentlelady on the Committee on Foreign Affairs. Her dedicated and untiring efforts on the committee during some of the most critical periods in our Nation's history have helped shape the successful policies that have carried us through those troubled times.

Mr. Speaker, I have found FRANCES BOLTON a constant source of inspiration and assistance during these many years of our close association. I wish to extend my personal congratulations to the gracious lady for her long service and many great achievements.

Imports of Residual Fuel Oil

EXTENSION OF REMARKS

OF

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to insert my remarks in the CONGRESSIONAL RECORD, and include therein a very intriguing and educational discourse between the president of the United Mine Workers of America, Mr. W. A. "Tony" Boyle, and Congressman JAMES KEE, my colleague, on a recent television "roundup."

I believe this is very worth while and deserving of the consideration of each Member of the House of Representatives and Senate:

AN INTRIGUING AND EDUCATIONAL DISCOURSE BETWEEN CONGRESSMAN JAMES KEE AND MR. W. A. BOYLE, PRESIDENT, UNITED MINE WORKERS OF AMERICA

This is JIM KEE, bringing you the "Kee Report."

I have with me today the president of the United Mine Workers of America, Mr. W. A. "Tony" Boyle.

As you know, the UMWA has been in the forefront of the struggle to restrict the importation of residual fuel oil—the waste product which threatens the coal market along the east coast. This is a problem of utmost economic importance to the coal-producing areas of the United States—especially southern West Virginia.

I have asked Mr. Boyle to tell you in more detail why the UMWA has so long—and so adamantly—opposed the unrestricted importation of residual fuel oil. Mr. Boyle.

President BOYLE. The underlying philosophy behind our policy on residual fuel oil imports is very simple. We do not believe that the fuel market of our east coast should be handed over to the products of a foreign nation. Nor, do we feel that the political or economic needs of the international oil cartel are sufficient grounds for allowing the dumping of a foreign waste product upon our shores to the detriment of our own industry and its workers. There is really a fundamental question of national policy at stake here. Our Government must decide whether or not the jobs and income of American workers are important enough to warrant protection from the ravages of unfair international competition. For this is what the importation of residual fuel is, and in the final analysis, it must always be treated as such.

We all know that residual fuel oil is a waste product, a product that can move only if the price is right, and if there is a market which has the equipment to use it. The only place where that market exists is on the east coast of the United States, in industries and commercial institutions especially equipped to burn it. Usually this places imported residual in direct competition with coal. Thus, residual oil stands poised above the coal industry and constantly threatens to crush it beneath a virtual deluge of a waste product.

A great deal has been said by the opponents of the current program to restrict the importation of residual fuel oil. To our minds however, they have skirted the major issue. They have failed to consider, or perhaps refused to consider what the importation of residual fuel oil means in terms of jobs. To our minds, this is crucial. To us a loss of markets is not a transfer of numbers from one sector of the economy to another.

Nor is it an exercise in economic manipulations. Rather for every lost market, for each conversion to another fuel, we must face the stark problem of unemployment, and want and despair. We thus witness the tragedy of American coal miners out of work, and American families plunged into the dark abyss of poverty.

This is the real question here. It lies at the very heart of the residual oil problem, and indeed in many of the other difficulties arising from the dumping of foreign products on our soil. And it places the task of protecting American jobs squarely upon the shoulders of the administration, an administration publicly pledged to bring all of our people to a level of prosperity consistent with their human dignity.

Congressman Kee. Therefore, Mr. Boyle, you point out that the importation of residual oil is intertwined with the whole position of our trade policy.

President Boyle. I most certainly do. It is interesting to note that the very people, both in the Congress, and without, who are asking for greater importation of residual oil, are at the same time demanding protection for their own industries which are not able to endure the rigors of unfair foreign competition. But, despite this inconsistency, the United Mine Workers of America, will continue to oppose the unrestricted importation of residual fuel oil and the exporting of American coal miners' jobs to foreign countries to boost their economies. We will continue to demand that the Government of the United States protect our jobs and give us an opportunity to serve the needs of our Nation's industry and commerce.

Congressman Kee. Thank you for your most informative presentation. You are to be highly commended for your dedication to duty, and to me, it is a real privilege to have this opportunity to continue to cooperate with you in any manner possible.

Hon. Frances P. Bolton

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. STANTON. Mr. Speaker, it is with great pleasure that I rise at this time to extend my own personal congratulations and those of the 11th Congressional District of Ohio to the Honorable Frances P. Bolton on the occasion of the anniversary of her 25th year as a Member of the Congress of the United States.

It is most appropriate that the people from the 11th Congressional District pay tribute to Mrs. Bolton on this grand occasion because most of the 11th Congressional District as it is now constituted was represented in Congress 25 years ago by this most gracious and most capable Congresswoman.

I believe that it would be of interest to my fellow Members of Congress that, with the exception of 6 years, members of the Bolton family have represented the county of Lake in Congress since March 4, 1929.

My first recollection of the Honorable Chester C. Bolton was on the occasion of a Flag Day speech in the city of Painesville some 33 years ago when I remember my father telling me that we were going down to the city park so that I might have an occasion to hear one of the great leaders of our times, the Honorable Chester C. Bolton, give the annual Flag Day address.

It is with great pleasure that I extend my warmest congratulations to Mrs. Bolton with the hope that the Good Lord, who has been so kind to her in the past, will allow her to stay with us for many years in the future.

Address by Hon. Walter H. Moeller, Democrat, of Ohio

EXTENSION OF REMARKS

OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. WHITENER. Mr. Speaker, on February 27, 1965, our distinguished colleague from Ohio, Hon. Walter H. Moeller, made an outstanding address at the Jefferson-Jackson Day dinner meeting at Hickory, N.C.

I am privileged to represent Hickory in the Congress, and I had the pleasure of introducing my distinguished friend to my constituents. I feel that my colleagues will be greatly interested in reading his inspiring speech, and I insert it in the Congressional Record:

Address of U.S. Representative Walter H. Moeller, Democrat, of Ohio, February 27, 1965 at the Jefferson-Jackson Day Meeting, Hickory, N.C.

I am delighted to be with you this evening as we honor the memory of two great Americans, two great Presidents, two great Democrats—and two great southerners: Thomas Jefferson and Andrew Jackson.

Let me say at the outset that I am a Democrat—a Democrat without prefix, without suffix, without hyphenation, and without reservation. So I feel perfectly at home in the South. For it was here that our party was born and here it was kept alive during the long droughts of yesteryear when the Republican Party somehow managed to retain control of the White House and Congress for the worst part of 70 years.

But, of course, the Democratic Party did rise again and with it rose the South to its present position of eminence in our party.

A southerner, Lyndon B. Johnson, sits in the White House.

A southerner, Russell Long, holds the second most important position of leadership in the U.S. Senate.

A southerner, Hale Boggs, is our party's whip in the House of Representatives.

Southerners serve as chairmen of 25 of the 36 standing committees of Congress. North Carolina itself is represented in these august ranks by no fewer than three members of your excellent delegation.

The Secretary of State is a native Georgian, and until just recently, the Commerce Department was directed by North Carolina's gifted and able Luther Hodges.

Small wonder that it is said that our Government speaks with a southern accent. I think I ought to make it clear right now that I am from southern Ohio.

I want to take this opportunity to commend your Congressman and my good friend, Basil Whitener. He is one of the hardest working and most respected Members of Congress. I have watched with something approaching awe Basil's determined campaign, against long odds, to bring order out of the chaos that threatens the textile industry.

As you well know, the textile industry is being jeopardized by the almost unrestricted importation of goods from cheap-labor countries across the sea. Congressman Whitener has been striving mightily to tighten up laws that permit this condition to exist—a condition that has contributed, at least, to the loss of more than a half million jobs in the domestic textile industry since World War II.

I am glad to say that Basil is making progress to guarantee some needed protection to the American textile industry and to the remaining tens of thousands of men and women who learn their livelihood from it.

Basil Whitener was instrumental last year in the passage of legislation that makes American cotton available to American mills at the same price Americans were selling it to textile manufacturers overseas.

Prior to enactment of this long overdue legislation, our own mills were compelled to pay 8 cents a pound more for cotton grown in North Carolina, for example, than it was being sold to foreign producers. In short, the United States actually was subsidizing mills overseas at the expense of our own textile manufacturers and employees. Happily, Congressman Whitener was able to help correct this gross inequity.

I know that you in North Carolina are well aware of Basil Whitener's continuing fight to preserve the domestic textile industry—which means so very much to the economy of the South. I just wanted you to know that we in other regions also recognize that he is a can-do Congressman.

Now, we Democrats meet here tonight in the warm afterglow of one of the most decisive, one-sided election victories ever scored by a political party in the United States. The immensity of our victory has led some experts to write off the Republican Party as a dead or dying force. I beg to differ.

The Republican Party was battered and bruised; its choice of candidates was rebuffed and rejected; its image was further tarnished. But the Republican Party is not dead; it is not dying. And, in my judgment, the Democratic Party could make no graver mistake than to regard the opposition party with complacency and indifference.

The Republican Party still has tremendous financial resources; it still has dedicated supporters, at least 27 million of them; the Republicans still control the governorship in such important "swing" States as New York, Massachusetts, Pennsylvania, Ohio, Oklahoma, Oregon, and Washington. The press remains largely pro-Republican.

So we Democrats must begin now to prepare for the 1966 State, county, and congressional elections. You may be certain that our Republican friends will wage the campaign of their lives next year.

Indeed the battle for the House of Representatives already has been joined. And, frankly, there is no assurance that we will be able to retain all or any of the 40 House seats we picked up on November 3.

The overwhelming sweep we scored in November has tended to direct attention away from the fact that results were so close in more than 100 congressional districts that the switch of a relative few votes would have drastically changed the outcome.

I read in the newspapers just yesterday that our old friend, Tricky Dickie Nixon, is staking his efforts to regain control of the GOP on the 1966 congressional elections. He is not to be taken lightly.

And I predict that the real battleground will be right here in North Carolina and in the South. There is no doubt that the high command of the Republican Party is scheming night and day to purge your Congressmen and other Democratic officeholders.

The Republicans are a bit heady if not downright cocky about "operation takeover" in the South.

This operation was launched with a vengeance in 1964, and enabled the GOP to pick up five congressional seats in Alabama, one each in Georgia and Mississippi, and to retain House seats it held in Florida, Virginia, and North Carolina. So I say again that "operation takeover" has got to be regarded seriously. It must be combated at every turn.

Voters, North and South, have always responded to our cause, to the Democratic cause when we have taken the time to lay the Republican record before them.

We are going to have to do the talking about the GOP record—it is so sorry, so negative that the Republicans themselves would never dare to bring it up in public.

For the simple truth is that the Republican answer to the needs and aspirations of the American people is a constant, dogmatic "No."

Republicans in Congress said "No" to the social security program when it was conceived by Franklin D. Roosevelt in 1935. Only one Republican in the Senate voted that year against a motion to kill the Social Security Act. Last year, 89 percent of the Republicans in Congress said "No" to needed improvements in this essential program. The Democratic Party said "Yes."

Republicans in Congress said "No" to creating the Rural Electrification Administration, which brought the wonders of electricity to millions of farm families and other rural Americans. The Democratic Party said "Yes."

Republicans in Congress said "no" in 1938 to guaranteeing a minimum wage of 40 cents an hour to the working man and woman of America. And the GOP has been saying no, no a hundred times no ever since. The Democratic Party said yes—it says the laborer is worthy of his hire.

Republicans in Congress say "no" to the needs of the farmer; they say no to the need for programs to help develop our natural resources, timberlands, and rivers and streams; the Republicans say "no" to extending a helping hand to the elderly. They say "no" to housing the poor. In fact, the Republican Party would be left speechless if the word "no" was stricken from the language.

Look at the record.

It seems that the "no party" would rather have a balanced budget than a balanced diet for the poverty stricken; the "no party" would rather reduce Federal spending with a meat ax than to increase job opportunities for our people; the "no party" would rather make a token payment on the national debt than to make an investment in the youth of this country by building classrooms and college facilities. No, my friends, the Republican Party won't dare speak about its record. Instead, it tries to confound and confuse the American people by sermonizing about "fiscal responsibility" and about how the big, bad Democrats are leading our Nation down the road to insolvency and bankruptcy.

So it is rather ironic that the most devastating depression in American history came when the Republican Party held the White House and controlled the Nation's fiscal policies.

It is rather ironic that the last three recessions in the United States came when the Republican Party held the White House and controlled the Nation's fiscal policies.

It is rather ironic that the Republican Presidential administration in the 1950's failed to balance its own Federal budget not once, not twice, not three times, not four times, but five times in the 8 years it was in office. It is rather ironic that the national debt increased by some $23 billion during the last Republican administration.

It would seem that once in office, the Republican Party says "no" to its very own campaign promises.

Now, what about the Republican-branded fiscal insanity of the Democratic Party, of the Kennedy and Johnson administrations?

Here, briefly are some of the facts about that:

Under the leadership of first President Kennedy and now Lyndon Johnson, the United States is experiencing the greatest and most extended wave of prosperity that any nation has ever known.

Our national economy has been booming now for 47 consecutive months. That's an alltime record.

The gross national product—the business of the Nation—has increased during the Kennedy and Johnson years from $495 billion to almost $700 billion. That's an alltime record.

Personal savings, the money that you and I have put away for a rainy day, now exceed $100 billion. That's an alltime record.

During the 4 years of the Kennedy and Johnson administrations net farm income has increased by an average of $900 million a year. That is not an alltime record—the record was set during the Truman administration. The reason farm income is not at a record level now is that it nosedived by $20 billion during the eight disastrous confused years of the Benson-Eisenhower regime. But under the Democrats, our farmers are again making real progress.

The plain truth is that the American people have never had it better than they do today. Republicans can go on shedding crocodile tears about the fiscal insanity of the Democratic Party—and our people will go right on laughing all the way to the bank.

This is the factual story that we have got to carry to the people. We just cannot assume that the voters will be continually aware of the record of the party of Harding and Hoover, of Landon and Nixon, and, yes, of Goldwater and Miller. We have to carry the message to the people every day of the year—and not just during the campaign itself.

The attraction of our party is to the people who really want a choice and not an echo—an echo of the shrill, frightened voices which have always feared and rejected new ideas, which have always seemed to prefer stagnation to progress and retrenchment to growth.

The Democratic Party is the only party for those Americans who are willing to face up to the hard realities of the present and who look to the future not with suspicion and despair, but with confidence and boundless faith in the American way.

So let us go forth from this place and carry the message of the Democratic Party to every crossroad and branchhead in this great land of ours. It is a message that all of us can be proud of. It is a message that can be used to keep the Republican Party in its accustomed place—second place.

I have spent some little time tonight roasting our Republican friends. I should make it clear, however, that despite our differences, I regard them as good, loyal, patriotic Americans who are interested in sound government and doing what, in their judgment, is best for our country. It is just that they weigh the role of government in an entirely different scale than we Democrats use. As Franklin Roosevelt so eloquently said: "Governments can err, Presidents do make mistakes, but the immortal Dante tells us that Divine Justice weighs the sins of the coldblooded and the sins of the warmhearted in a different scale. Better the occasional faults of government living in the spirit of charity," F.D.R. went on to say, "Than the omissions of a government frozen in the ice of its own indifference."

Nobody has ever heard of a coldblooded donkey—or a warmblooded dinosaur, which seems to be the symbol of the Grand Old Party.

Now, if I may, a personal word of explanation about my pursuing a political career. I am an ordained Lutheran minister. Many people have asked why a man of the cloth would involve himself in the sweat and toil and pragmatism of politics.

The answer to that question, perhaps, may best be found in the parable of the Samaritan (St. Luke 10: 29-37).

You will recall that a man fell in with the thieves and they stripped him and left him half dead by the side of the road. Coming upon the unfortunate man, the priest and the Levite passed him by. They had no time to administer to the needs of their fellow man. But the Samaritan came along and did extend a helping hand to him. And Jesus said, "Go, and do thou likewise."

It seems to me that the profession of politics and government affords us the greatest opportunity to "Go, and do thou likewise," to lend a hand to the poor and the forlorn, to the sick and the halt. In short, to join in the exciting and challenging task of helping to build a better America.

That is my objective.

That is the objective of our Democratic Party.

What greater goal could man set for himself than to live by the teachings of the Master?

In closing, I want to cite a poem that to me points up the virtue of perseverance and the evils of complacency. I hope that we heed it always:

"Great nations rise and fall,
The people go from bondage to spiritual
faith,
From spiritual faith to great courage,
From courage to liberty,
From liberty to abundance,
From abundance to selfishness,
From selfishness to complacency,
From complacency to apathy,
And from apathy back again into bondage."

Vietnam—White Paper

EXTENSION OF REMARKS
OF

HON. HERBERT TENZER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, March 1, 1965

Mr. TENZER. Mr. Speaker, I have introduced today a concurrent resolution authorizing the publication as a House Document, of the Department of State white paper relating to North Vietnam's campaign to conquer South Vietnam—Department of State Publication No. 7839.

The document sets forth in clear and concise form the case against North Vietnam and the Communist aggression to take control of South Vietnam, and should be made available to those who want to know the facts.

This weekend's mail brought many requests from my constituents asking for an explanation of our involvements in southeast Asia. The Department of State white paper sets forth the reasons for our commitment to defend South Vietnam—a commitment made in 1954.

If our foreign policy is to succeed it must have not only bipartisan support, but the support of our elected representatives and the American people. To insure such bipartisan support we must make certain that the American people are aware of the underlying reasons and the facts which justify this country's commitments abroad.

The solution to the Vietnam conflict is not offered by the Department of State in this white paper. It does not call for unprovoked escalation of the war in Vietnam or for withdrawal of U.S. servicemen. The white paper provides the facts and the proof of Communist aggression so that our citizenry may be able to judge the advisability of our role in southeast Asia and the future course of our defense of freedom in that area of the globe.

I urge my colleagues to support the concurrent resolution so that this document may be made available and distributed upon request.

The Republican Challenge

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. RUMSFELD. Mr. Speaker, our colleague, Representative JOHN V. LINDSAY, of New York, recently addressed the Executive Club of Chicago. His speech entitled "The Republican Challenge" was presented on January 22, 1965, and has received such widespread praise and favorable comment that I wish to call it to the attention of the Members of Congress.

His speech follows:

THE REPUBLICAN CHALLENGE

(By Representative JOHN V. LINDSAY, Republican, of New York, before the Executives' Club of Chicago, January 22, 1965)

Republicans have a job to do in whatever capacity we may find ourselves, in rebuilding the Republican Party. It is a problem and a challenge, not only for the Republican Party, but for the country as well. What strengthens the Republican Party, strengthens the two-party system, what strengthens the two-party system, strengthens the country.

I am optimistic that there will be a resurgence of Republican possibilities in the United States and that we will see Republicans on the march, regaining seats in State legislatures, in the Congress, and in shorter time than most now think. I am optimistic because I have faith in the commonsense of the American people and faith in the commonsense of the enrolled members of the Republican Party throughout the country. It is they who will have to make the choice as to the direction and the commitment of the GOP.

As I see it there are three points that are relevant to this discussion. The first is that the Republicans must recapture the center. The strength of the Republican Party in the 100 years of its life has been its representation of the great center core of America. It is for this reason chiefly that the American people have put Republican Presidents in the White House more often than Democratic Presidents.

The second point is the importance of understanding the function of political opposition. This point is particularly pertinent to the party and to the country because the Republican Party is more of a minority at this moment than at any time in its history, with one brief exception.

Point 3 is the importance of understanding that party direction and growth will only come through Republican candidates who stand for election in primary and in general elections across the country.

The political center is where the Republicans have been and should return. It is the Republican Party over the decades that has best been able to keep the center balance between public and private uses, that has kept Government and free enterprise in tune with each other rather than at war with each other and has best understood that because the free enterprise system is the great dynamo of America and the strength of the Western community, it carries with it a social obligation which has to be discharged. A Republican philosophy of the center sees the use of Government to provide enough order in society that every human being may live in dignity, respect law and receive justice, and exploit to the heavens the best in himself.

Americans have prospered, helped build and led the free system around the globe. They have had a sense of fairness about it, because we Americans are pragmatists and commonsense people more, I think, than any other people in the world. Business and labor, employer and employee, most all who work in and share the benefits of the free enterprise system, have for the most part a sense of public obligation about domestic and international affairs.

Holding the center also means that the Republican Party must be open to all. There must be a welcome mat out to all; and it may not be merely a passive welcome; but it has to be an active one. Republicans must search out those who have left and millions more in addition. We must see to it that our Negro citizens come back to the Republican Party and that scholars, writers, teachers, and intellectuals in every occupation, find a political home here. Neither businessman nor laborer, professional man nor farmer, should ever feel a sense of discomfort in turning to Republican candidates. It must be an open society this Republican Party, in tune with the last third of the 20th century and ready for the 21st.

In a country as large as ours, as diverse, with as many different interests as ours, and with a unique system of federated States, there must be room in both of the two great parties for different shades of political opinion. If there isn't, we will no longer have a two-party system. Without sufficient intraparty flexibility, a big countrywide party will break. There must be sufficient bend in the arc that embraces the party in order to allow for and respect differences. Otherwise there will be a splintering into many parties which means the possibility of government by coalition, which our system is not geared for and the probability of government by minority, instead of majority, and, lastly, the certainty of sectionalism, East against West, South against North. I prefer to see the political debate take place within each community rather than between communities. I prefer also the countrywide communication that is caused by countrywide parties.

This wide umbrella of accommodation and respect, of course, means at the same time responsibility and the Republican Party in history, if anything, has been a party of responsibility, of reform, of good government, of sound administration. Responsibility means also the rejection of extremes of the right or left for the simple reason that extremes of the right or left refuse to be responsible or to assume responsibility. Neither do they respect the differences of others.

The center means individualism. It means keeping the balance between individual rights and group rights. It means protecting the individual and giving dignity to his uniqueness. Each person is important, for if one is degraded all are lessened. The integrity of each person should not be permitted to be breached by concentration of power beyond his control, whether it be the special concentrations of big business, or big labor, or big city political machines or local majorities, or the concentration of power that lies in government itself. Republicans should be sensitive to the balance point between individual rights and the natural expansionist tendencies of organized power groups. Republicans should be acutely conscious of check and balance, and the use of government itself to secure individual rights—their protection against invasion of other organized power groups.

This is the meaning of civil rights. Alexis de Tocqueville in his examination of the American system 20 years before the Civil War, astutely observed that the one thing he feared in America was the possible tyranny of the majority. It was the Republican Party that first saw the special duty of the National Government to lend its powers toward the protection of individual rights from their denial by local majorities.

The power of the National Government, in turn, must be checked, and individual rights secured from Federal invasion, by constant shoring up of the chief bulwark of individual freedom—the Bill of Rights laid down in our Constitution.

The Republican Party cannot be in the center if it ignores the cities, where 70 percent of our population now lives and therefore where 70 percent of the vote is found. How can Republicans as the best pragmatists of all ignore this area?

It is not as impossible to gain in the cities as some Republicans believe. If Republicans will demonstrate a care and concern for people who live in cities, they will be received with open arms. It isn't even necessary, I go so far as to say, to have final solutions to all of the agonizing problems that affect our urban centers. It is required that the people understand that Republicans understand the problems and pressures of the city people, care deeply, and work toward solutions.

Cities too long have been in the grip of a combination of special interests that have ignored the health, education, and welfare of individuals, that have in fact subverted individual betterment in the interest only of perpetuating machine powers. The political bosses and their special allies in business and labor get fat while the people suffer.

I believe that a whole campaign across the country can be waged around the neglect of the consumer, the harassed cliff of box dweller in the city, in the suburb, or in the countryside. When has he personally felt the benefit of alleged Democratic beneficence? He is beginning to catch on that the city hall politician takes to the soapbox just before elections and then retires to the clubhouse. If the harassed consumer discovers that there is just one person who really cares about him and who is independent of these tired political bureaucracies, he will turn to this person. This person can be, and should be, a Republican. All he has to do is show that he has a heart.

Policy is essentially a response to demands and demonstrated needs. Republicans, especially, being practical people, should understand the importance of responding to changed conditions. Frederick Louis Allen once noted that the Republican Party had labored long on a basic principle of "unrevolutionary and unsystematic and experimental change." A wise statement. Unrevolutionary change is better than revolutionary change. At the same time changes that are too systematic, or change merely for the sake of change can result in an overplanned society. Experimental change, designed to fit the needs of the occasion, is sound because if it doesn't work, it can be adjusted or dropped because it is experimental.

Superplanning, no; adjustment, yes; otherwise the free enterprise system either will not be allowed to work, or it will not work sufficiently in the public interest. Here again is the balance between public and private uses. "Wise progressivism and wise conservatism go hand in hand, and the wise conservative must be a progressive, because otherwise he works only for reaction which inevitably produces an explosion." These were the words of Theodore Roosevelt, a very practical Republican. Better there be carefree adjustments to the legal and social structure in any free country than there be bloodshed in the streets. And has it not occurred to all of us that this country has become the most powerful country in the world and the fastest moving of any newly emerging country, which we have been, in the shorter space of time, with only one bloody revolution? No other newly emerging free power has been able to do this in its history.

The second point that is relevant to this discussion is the function of the opposition. Its job as the minority is to try to become the majority. The opposition must really want to govern. If it has the attitude that its role is merely to oppose for the sake of opposition, it must mean that it has no real desire to govern. A political minority will not become the majority unless it demonstrates to the people what it would do if it had the power of government in its hands. This means programs, as programs are always required to meet different conditions. Here again I return to the theme that Republicans must demonstrate that they care.

Republicans should break new ground. I understand the importance of Republicans putting themselves on the side of the consumer. There is another neglected area where Republicans can and should define the role of the individual in an age of bigness and organized conformity.

President Eisenhower on leaving the Presidency warned the country to beware of the central power of the industrial military complex. Here is the biggest area of Central Government power of all. This is, in fact, the major part of the Federal Government, measured by the tax dollar and the budget. The Republican Party, consistent with its historical concern about big government can make a national issue out of the whole question of reconversion. What happens when that happy day comes and the industrial military complex has to be unwound? What happens when garrison state attitudes, in which every special interest in our system has a stake, overwhelm our initiative or sap our freedoms, or make us so dependent on "hardware" that we lose sight of individual excellence and ignore the humanities and other spiritual, cultural, and social values. There is no planning at all for this complicated eventuality. There is no new thought about it, or program—no idea. This is an issue by itself in any community which feels short changed in the allocation of taxpayers' money for the production of hardware. It ought to be a matter of deep concern to all Americans.

In foreign policy it is especially important for Republicans to understand the function of opposition. We have an obligation as the minority to insist that the Government state its policy. This administration is demonstrably weak in this area. Its tendency will be to avoid debate rather than conduct intelligent discussions.

Presently there is no clear policy with respect to the Far East, Vietnam, China. There has been little if any understanding of the new currents that have swept Europe or of the surges of nationalism that have been gripping the countries of Europe and the Continent itself. Clear policy, we, as members of the opposition, have a right to expect and an obligation to demand.

The third and last point that is pertinent to this discussion, is understanding the significance of running candidates. Policy has little meaning in the abstraction. It needs flesh and blood. It is right and proper that the political systems of each community develop and organize themselves around local candidates. This is meaningful. Abstract policy will not sell in the absence of the personality of candidates to put it around. The shape of the party will be controlled by the extent to which local candidates for office are developed, educated, supported, and tested. The extent to which the community is willing to involve itself in this production, is the measure of the health and vigor of the political system.

Dr. Johnson once said, "Our minds are only clarified by the sight of the gallows." One only discovers the meaning of the loss of power when a candidate is lost in a local or other election. Power lost is power gained by others, and here the control of parties and the formulation of issues and policies takes place.

Those who wish to shape the Government will do so by their involvement in local campaigns and with the daily headache that people in office or standing for office have. And it is almost trite to say that government is only as good as you wish it to be and candidates are only as qualified as you want them to be, but it can stand repetition because it is true. Involvement is the answer and involvement is the obligation.

My conclusion, then, can be simply stated. First, the Republican Party must recapture the middle ground which it abandoned and which the Johnson administration skillfully occupied as the result. Second, it must understand the function of the opposition in the parliamentary and governmental process. The Republican Party must demonstrate that it wants and deserves to govern. Third, the party's preoccupation must be the caliber of candidates for elective office.

I am optimistic about the future of the Republican Party because I believe in the commonsense of the people in their commitment to the two-party system and in the commonsense of the Republican electorate who ultimately will judge and declare what they want. It is not an easy business to run a party because the free democratic system and its processes are full of imperfections. But take comfort from the words of an honorary citizen of the United States, who, with love and sadness we remember today, Sir Winston Churchill, "Remember," said Sir Winston, "that democracy is the worst form of government ever devised by the mind of man, except for every other form of government."

A Great Loss

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. WOLFF. Mr. Speaker, on February 18, 1965, a young constituent of mine, Pfc. James Rory Cook, U.S. Marine Corps, died tragically at the young age of 19 as result of an automobile accident near North Tarrytown, N.Y., and is now buried in Arlington National Cemetery.

On January 6, 1965, he had graduated from the U.S. Marine Corps boot camp at Parris Island, S.C., where he was a member of an honor platoon and had qualified as an expert marksman, and also had been promoted to the rank of private first class.

His parents, Mr. and Mrs. James Cook, and his sister, Rua Cook, all of 31 Bayside Avenue, Port Washington, N.Y., were justifiably proud of this young marine, who had determined to dedicate his entire career to the service of his country with the Marine Corps. On the day of graduation from boot camp he said to his parents:

> I have learned something of great importance in the Marine Corps * * * unless you are willing to try 100 percent, you might as well not try at all.

Rory tried 100 percent. He gave of himself completely as his short-lived record as a marine indicates only too well.

Rory resided in the Third Congressional District of New York for 12 years. He graduated with the class of 1963 of the Paul D. Schreiber High School in Port Washington, where he was a member of the varsity lacrosse team.

Mr. Speaker, I should like to take this opportunity to extend my deepest heartfelt sympathy to Mr. and Mrs. Cook and family on this great loss they and the Marine Corps have suffered.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 2, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with these words from Romans 15: 13: *Now the God of hope fill you with all joy and peace in believing.*

Let us pray.

Eternal God, as we come unto Thee with our many needs, may we dare to trust and be obedient to Thy counsel and commands, following Thee faithfully and without fear.

We acknowledge that when man looks into his own heart, clearly and honestly, he will find there the cause and cure for the troubles of the world and see there those discords and disharmonies which are written large in the strife and struggle of humanity.

Grant that men and nations everywhere may yield themselves to Thy divine sovereignty whose authority we cannot doubt and whose appeals of love and grace we cannot silence.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on February 11, 1965, the President approved and signed a joint resolution of the House of the following title:

H.J. Res. 234. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1965, for certain activities of the Department of Agriculture, and for other purposes.

THE 129TH ANNIVERSARY OF TEXAS DECLARATION OF INDEPENDENCE

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, on this, the 129th anniversary of the Texas declaration of independence, I should like to remind my colleagues of the sacrifices which our Texas forefathers made for the sake of personal liberty. We tend to forget in this modern age that in 1836 the guarantees of liberty which we so take for granted were not at all assured to the inhabitants of Texas. They were constantly exposed to raids by the Indians and the erratic despotism of their tyrannical dominators.

The early patriots of Texas had little choice but to engage in physical combat to protect their families and their rights as individuals. Many lost their lives in the belief that death was preferable to defeat and consequent surrender of basic personal liberty. Among these were William Barrett Travis, James Bowie, David Crockett, and James B. Bonham. The sacrifice of these pioneer heroes holds an honored place in the history of Texas. We must never forget the treasure of the inheritance they left behind—that of courage, faith, wisdom, and the initiative necessary to mold a government according to the concepts of freedom and liberty for all.

THE 100TH ANNIVERSARY OF COMMITTEE ON APPROPRIATIONS

Mr. MAHON. Mr. Speaker, today is the 100th anniversary of the Committee on Appropriations of the House of Representatives. I ask unanimous consent that after the conclusion of all other legislative business today and after the conclusion of any other special orders heretofore entered, I may address the House for 30 minutes and I may have permission to revise and extend my remarks on this centennial occasion. Mr. Speaker, I further ask that the gentleman from Ohio [Mr. Bow], the ranking minority member, may be permitted to proceed for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

HEARINGS ON REAPPORTIONMENT AMENDMENT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, as chairman of Subcommittee No. 5 of the House Committee on the Judiciary, I announce that hearings will be resumed on the constitutional amendments concerning apportionment of the districts for members of the State legislatures, wherein is contained the provision that one house of the State legislature may be redistricted on a basis other than population. The Committee on the Judiciary held hearings on these constitutional amendments in the last session of the Congress, from July 22 to August 13, which involved 8 days—8 days of intensive inquiry. These hearings will be resumed on April 7. It is hoped that the resolution will in some way be acted upon shortly thereafter.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 26]

Berry
Brock
Dingell
Fisher
Green, Oreg.
Griffin
Hanna
Holland
Ichord
Kastenmeier
McEwen
Martin, Mass.
Mathias
Morton
O'Brien
Pickle
Powell
Roosevelt
Teague, Tex.
Toll
Van Deerlin
Widnall
Wilson, Charles H.

The SPEAKER. On this rollcall 408 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TRIBUTES TO MRS. FRANCES P. BOLTON

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, it is with a great deal of pleasure that I have learned our colleague from Ohio, the Honorable Mrs. Frances Bolton, has just attained her 25th year of service as a Member of the House of Representatives. I wish to extend to her my good wishes and I am sure all Members would like to express to her a tribute for her many years of service to our country.

Mrs. Bolton has attained her 25th year representing the 22d District of Ohio, and I say to her that, as long as she is willing to be a Representative of Ohio, I hope her constituency will see that she is returned to Congress. She represents them well. I am not only proud to serve with her on this great legislative branch of our Government but proud to serve with her on the Committee on Foreign Affairs of the House of Representatives. May you, Frances, accept my good wishes today and for the years to be.

Mr. GERALD R. FORD. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I should like to join the distinguished Member from the State of New York, speaking as she has on behalf of our colleague, Frances Bolton, of Ohio.

Frances Bolton has had an enviable record not only in her committee work but also in the House as a whole. All of us, whether Democrats or Republicans, are richer because we know her and each of us is fortunate for his opportunity to associate with her. We all wish her well in the days and months and years ahead. Her service in the future will be an additional reward for her district, her State, and our Nation.

Mr. ALBERT. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I am happy to associate myself with the tribute which the gentlewoman from New York is paying to the gentlewoman from Ohio, and to say that the 25 years which Mrs. Bolton has spent in the House have been characterized not only by the quantity of her service but also by the quality of service which she has rendered to the House and to the country.

Mr. HALLECK. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Indiana, my good friend and our good friend [Mr. Halleck].

Mr. HALLECK. I thank my friend from New York for yielding.

Frances, I knew your Chet Bolton when I first came here. He was chairman of the Republican congressional committee and he helped me to get here the first time. He was my friend as Frances has been my friend, now.

Frances has been here 25 years. She has earned her spurs in this body, which as I have always said, is one of the fastest tracks that anyone can get on. She has been dedicated, selfless, hard-working, always putting the welfare of her country above every other interest. For that, Frances, I commend you for your magnificent service here in this body to your State, your Nation, and, may I add, the world.

It has been my privilege, on occasion, to meet with the friends and supporters of our distinguished colleague out in Ohio.

I have always been impressed, at such times, with the love and esteem the people she has represented so faithfully through the years have shown for her.

Let me say that their confidence in her ability and perseverence has been completely justified by the manner in which she has discharged her responsibilities as a Member of this body.

One of the richer rewards of my service in the Congress has been knowing, and working with, Frances Bolton. She has been one of my dear and good friends as I trust I have been hers.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, I am happy to join my colleagues and friends in congratulating Mrs. Frances P. Bolton, a good, great, gracious lady, on her 25th anniversary of service in the U.S. House of Representatives as a Member from Ohio.

Mrs. Bolton followed to Congress an able and effective husband, Chester C. Bolton, who died much too soon.

Mrs. Bolton comes from a long line of industrial, civic, and political leaders, and she, in her great work, does full justice to them all. Mrs. Bolton is the mother of former Congressman Oliver P. Bolton, with whom she served in this House as the only mother-son combination in Congress in our country's history.

Mrs. Bolton, senior minority member of the House Committee on Foreign Affairs, has done much to make and implement the foreign policy of our country. May she have just as many more anniversaries as a Member of the House of Representatives as she desires.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I so well recall the statement I made a number of years ago concerning the rewards that come to an individual who is privileged to serve in the House of Representatives. Such a great reward has come to me because of the privilege that I have had in serving these past 25 years with the distinguished gentlewoman from Ohio, Mrs. Bolton. In number of years it may sound a long period, yet in truth, it has been but a seemingly short time. This privilege, I repeat, comes to but few of us when we are permitted to serve together in this great legislative body. I am happy, Mrs. Bolton, that we have had this close association over the years. I have watched you work diligently, objectively, and conscientiously; you have displayed courage and determination in doing what you believed to be right. The people of your district, I am certain, are proud of your dedicated service. I might add that although I have been whip for these many years past, I have never had to whip you. I have never even wanted to. You have always been on the job and have always clearly defined your position. It has been wonderful to serve with you. I congratulate you on this your 25th anniversary of service in this House.

Mr. MORGAN. Mr. Speaker, last Saturday, February 27, marked the 25th year of service in the House of Representatives by our esteemed and distinguished colleague from Ohio, Frances Payne Bolton. Through a special election on that day 25 years ago, the people of Ohio sent Mrs. Bolton to Washington to succeed her husband, who had passed away several months earlier, after a brilliant career in the Congress.

Frances Bolton came to us with a splendid heritage of dedicated public service. In her unselfish devotion to the public interest she has immeasurably added to the laurels of her predecessors. Frances has earned the admiration and friendship of all who have been privileged to serve with her in the House. Nowhere is this more true than with her colleagues on the Foreign Affairs Committee.

Frances Bolton is now the ranking minority member on the committee. She serves with me on all subcommittees and in the past has given brilliant direction as chairman of a major area subcommittee. Frances has legislative expertise to a remarkable degree and is outstanding for the constructive approach she uses on all foreign policy legislation that comes before the committee. She is a great source of strength when she supports, and when she finds it necessary to be critical, she does it in a way designed to help promote the national interest.

I shall not attempt to cite all of Frances Bolton's accomplishments. The Congressional Record would not be big enough. In addition, most of us are familiar with them because we have witnessed her statesmanlike endeavors and have worked with her in securing the passage of essential legislation through the years.

I do just want to take this opportunity to say how glad I am to have Frances Bolton working with me on the Foreign Affairs Committee and to add that I know I speak for all her colleagues in wishing that we may continue to have the benefit of her wise counsel and legislative skill for many, many more years to come.

Mr. PIRNIE. Mr. Speaker, we note with pride and congratulations the quarter-century of service our distinguished colleague from Ohio, Frances P. Bolton, completes this day. Her courage, dedication, and graciousness have made this service noteworthy in every way. On the Foreign Affairs Committee, where she serves as the ranking minority member, she has battled for policies and programs which would make our world leadership strong and objective. Particularly sensitive to the needs and aspirations of less developed nations, she had made countless friends in these areas, projecting an appealing image of American sympathy and understanding. We salute our colleague as an able Member of our body whose devoted efforts are of great significance to this Nation and, indeed, the world. May she long continue her distinguished service.

Mr. BENNETT. Mr. Speaker, I am often asked whether I approve public careers for members of the fairer sex. Immediately, I always first think of the gentlewoman from Ohio as a prime example of the highest in statesmanship, from whatever source. She is, indeed, an able national leader, even international, and an efficient advocate for her district and State as well. She is the friend of every Member of Congress; and I am glad that includes me particularly. I am delighted to congratulate her on her 25 years here in the House and wish for her many years of able service in the future.

Mr. McCLORY. Mr. Speaker, the opportunity to serve in the U.S. House of Representatives with Frances P. Bolton, of Ohio, has been and is a rich and valued experience.

In recognizing her 25 years of distinguished service, the Members of the House are taking appropriate note of a public leader who has made her mark in the history of our Nation.

Mrs. Bolton is well known for her public service in Illinois and throughout the other 49 States. As a colleague and as Representative of Illinois' 12th District, I am proud to join in honoring and congratulating Representative Frances P. Bolton on the 25th anniversary of her service in the Congress.

Mr. HARSHA. Mr. Speaker, it gives me great pleasure to join with my colleagues in paying tribute to a truly great woman and public servant, Mrs. Frances Payne Bolton, from the 22d District of Ohio, as she celebrates a dedicated and distinguished 25 years of service here in the House of Representatives.

The State of Ohio is indeed proud to place this wonderful lady in the annals of fame as she has so unselfishly contributed much time and effort here in this body on behalf of her constituency as well as the entire Nation by her outstanding position as ranking minority member on the Foreign Affairs Committee.

Mrs. Bolton is not only a lady of dignity, but one of dedication, intellect, and talent. Her wise counsel is frequently solicited and genuinely heeded and it gives me great pleasure for this opportunity to congratulate her on a magnificent record of accomplishment. With warm pride and happiness, I extend my heartfelt thanks for her guidance and wisdom. I hope the Nation will have the benefit of her service for many years to come.

GENERAL LEAVE TO EXTEND

Mr. McCULLOCH. Mr. Speaker, I now ask unanimous consent that all Members may extend their remarks at this point in the Record on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I asked to be recognized for a Democratic minute once before, and Sam Rayburn gave me 4 minutes all told. The conversation was all about diapers, and I promised him that I would make you all laugh, and you all did. However, this time the conversation will not be about diapers. This time I am speaking very deeply from my heart and saying that I appreciate all the courtesies that you have shown me. Particularly I appreciate the fact that you have ceased to think of me only as a Congresswoman, which I was never elected to be. I believe you will not find such a word in the dictionary. I am just one of the boys. I appreciate that more than I can possibly say because we have it back and forth sometimes, and that is what makes for good statesmanship and makes for good sense and makes for the camaraderie we have in this marvelous organization which is the House of Representatives of the United States. I cannot begin to tell you how deeply overcome I am by this expression. I had not expected it at all and I had said nothing about it, but I do want to say to you that I am wearing a pin that was given to me the other night, a pin of gold with diamonds in it and the number "25" underneath. I had that given to me the other night in Cleveland at a Lincoln-Douglas debate anniversary, at which time Ed Brooke, the attorney general of Massachusetts, came down from Boston to speak, and the audience numbered about 2,000. They were mostly nonwhite. They gave me this pin, which I value as much as anything that I have ever possessed. The 22d District has in it the 18th ward, and they go Republican all the time.

So again I give my thanks to all and particularly to you, Mr. Speaker, for this great courtesy.

JOHN F. KENNEDY—YEARS OF LIGHTNING, DAY OF DRUMS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I asked for this time to remind our colleagues that this afternoon at 1:30 p.m., 3:50 p.m., and 5 p.m. in the caucus room there will be a showing of the USIA film "John F. Kennedy—Years of Lightning, Day of Drums."

Members were notified by letter signed by 17 Members of Congress and are invited, as are their staff.

SUPPORT THE PRESIDENT ON SOUTH VIETNAM

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, the affirmative, positive action which we have been taking the past few weeks in South Vietnam is a clear indication of the attitude of the President and meets with the approval, I am sure, of a vast majority of the American people and a vast majority of the Members of this House.

For years, many members of the House Armed Services Committtee, and I among them, have stated over and over again that the Communists understand only one kind of language—the language of force and strength.

We are taking the war to the Communists, and they are beginning to feel the effects of our bombings.

I wanted to take this opportunity to express my wholehearted approval of the actions taken by the President of the United States which I am confident will have a salutary effect, not only upon the Soviet Union and the Vietcong, but also Red China.

There may come a time when negotiation will be in order. That time will arrive when we negotiate from a position of strength. I am sure I can speak for every member of the House Armed Services Committee when I say we will do everything within our power to give the President and the Department of Defense, members of our armed services, and the American people, the men and the materiel necessary to place us in a position in South Vietnam where if negotiations are initiated, we will negotiate not as a supplicant seeking help, but as a victor dispensing justice.

Mr. Speaker, I commend the President. He needs our support. He is doing the job we want him to do and we must stand behind him.

HON. FRANCES P. BOLTON

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I am happy to join my colleagues in paying tribute to the remarkable and distinguished gentlewoman from Ohio [Mrs. BOLTON]. I am not only familiar with her unusual record of service in the House but I claim a distinction probably not shared by any other of the Members, to wit, that I am a cousin of the distinguished gentlewoman. She is a member of what she herself describes as the Bingham clan. May I say that she, as one who was born a Bingham, has made her many cousins throughout the country proud of their name.

SUPPORT THE PRESIDENT ON SOUTH VIETNAM

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I want to express my appreciation to the distinguished gentleman from South Carolina [Mr. RIVERS] for having brought again to the attention of the House the position of the United States with regard to Vietnam. I want to assure the gentleman from South Carolina and the other Members of this House and anyone else who is interested that the words he has just spoken do speak for me as one Member of this House. I add my hope again as I have before that they speak for every Member of this House in support of the President in this matter. He deserves our support and he needs it. There is as has been said nothing to be negotiated now. I ask the question, if we don't stand here then where do we stand? I believe most Americans mean it when they say they are tired of continually yielding to the Communists. I assure you I am.

BIRTHDAY GREETINGS TO HON. ROBERT H. MICHEL

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, today is a special day for one of our colleagues. He is known as a singer of some ability, a softball player of congressional renown, an ardent basketball fan of the teams from his alma mater, but, more important, known as an able legislator and a distinguished representative of the people of his district.

Our colleague is a member of Cosmopolitan International, sponsors of six consecutive student science fairs in his home city. He has been the recipient of a Distinguished Alumnus Award from Bradley University.

And so, his fellow members of the Cosmopolitan Club of Peoria, Ill., join with me in extending best wishes for a happy birthday to our colleague, BOB MICHEL.

TELEPHONE SERVICE NO LONGER A LUXURY

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, I want to urge President Johnson and Congress to give serious consideration to permitting the Federal excise tax on telephone service to expire on June 30, 1965.

Other utilities such as electricity, gas, and water enjoy exemption from this tax; yet, excise tax on telephone service remains as a part of our revenue system, imposing an unjust burden on the telephone companies and their consumers. It is a discriminatory public utilities tax which was never intended to be permanent.

No longer can telephone service be considered a luxury. It is an essential household item needed by the people in the conduct of their everyday affairs. In this day and age, telephone service is a necessity. Many people rely on this service to do their shopping, to be informed as to their work, as a means of communication between their children and emergency agencies. For many, it is the only means of contact with law-enforcement officials, with the fire department, doctors, and hospitals.

Originally enacted by Congress as a wartime emergency measure, this tax was intended to be one of short duration. It has long outlived that period and should be allowed to expire without any further extension proposed.

Many have urged that Congress eliminate excise taxes now, but may I remind my colleagues that we are now in the fourth quarter of fiscal 1965 and this anticipated revenue has already been committed for expenditure and in many cases already expended. To eliminate this revenue now would be to add to an already large deficit for fiscal 1965. The more responsible action would be to let the present tax expire as it will on June 30. Then the budget for fiscal 1966 can be adjusted accordingly and expenditures can be reduced accordingly before they are committed or even expended, and thus not add to the predicted deficit for 1966.

CRIMINAL LEGISLATION

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the difficulty with criminal legislation is that it applies to everyone. A general law acts with impartial force upon the law-abiding as well as upon the lawless. A limitation upon the liberties of the criminal must necessarily restrict the liberties of the innocent.

A law that is intended to discourage crime and to restrain criminals may also have the effect of condemning and restricting the innocent and the honest. Since the great and overwhelming majority of Americans are decent, honest, and lawful, such criminal legislation is totally unacceptable.

In my judgment the so-called omnibus crime bill recently approved by the Whitener subcommittee falls within this category and I shall oppose it in committee and in the House.

I applaud the President's goal of "establishment in the District of a model system which will best achieve fair and effective law enforcement." I support the President's intention to appoint a commission to concern itself specifically with crime and law enforcement in the District. But this situation does not stand still. The crime rate is increasing and the job is getting bigger. The President will have to act promptly and effectively to attain this goal he has announced. If the President delays in taking the leadership in this matter he will surely witness the commission of bad crimes and the enactment of bad laws.

If the President will act with energy and speed, I am confident that many Members of Congress will join with me in pledging ourselves to work with the commission, with the District authorities and the Metropolitan Police, with the bench and bar, and with the civic minded citizens of the District of Columbia to give the District a model code.

HOUR OF MEETING ON THURSDAY

Mr. ALBERT. Mr. Speaker, in connection with the arrangements for the ceremonies commemorating the 100th anniversary of the second inaugural address of Abraham Lincoln, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet at 11:15 on Thursday morning.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MESSAGE ON CITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

Throughout man's history, the city[1] has been at the center of civilization. It is at the center of our own society.

Over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth.

Numbers alone do not make this an urban nation. Finance and culture, commerce, and government make their home in the city and draw their vitality from it. Within the borders of our urban centers can be found the most impressive achievements of man's skill and the highest expressions of man's spirit, as well as the worst examples of degradation and cruelty and misery to be found in modern America.

The city is not an assembly of shops and buildings. It is not a collection of goods and services. It is a community for the enrichment of the life of man. It is a place for the satisfaction of man's most urgent needs and his highest aspirations. It is an instrument for the advance of civilization. Our task is to put the highest concerns of our people at the center of urban growth and activity. It is to create and preserve the sense of community with others which gives us significance and security, a sense of belonging and of sharing in the common life.

Aristotle said: "Men come together in cities in order to live. They remain together in order to live the good life."

The modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans. For this is truly the time of decision for the American city.

In our time, two giant and dangerous forces are converging on our cities: the forces of growth and of decay.

Between today and the year 2000, more than 80 percent of our population increase will occur in urban areas. During the next 15 years, 30 million people will be added to our cities—equivalent to the combined population of New York, Chicago, Los Angeles, Philadelphia, Detroit, and Baltimore. Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each.

Already old cities are tending to combine into huge clusters. The strip of land from southern New Hampshire to northern Virginia contains 21 percent of America's population in 1.8 percent of its areas. Along the west coast, the Great Lakes, and the Gulf of Mexico, other urban giants are merging and growing.

Our new city dwellers will need homes and schools and public services. By 1975 we will need over 2 million new homes a year. We will need schools for 10 million additional children, welfare and health facilities for 5 million more people over the age of 60, transportation facilities for the daily movement of 200 million people and more than 80 million automobiles.

In the remainder of this century—in less than 40 years—urban population will double, city land will double, and we will have to build in our cities as much as all that we have built since the first colonist arrived on these shores. It is as if we had 40 years to rebuild the entire urban United States.

Yet these new overwhelming pressures are being visited upon cities already in distress. We have over 9 million homes, most of them in cities, which are run down or deteriorating; over 4 million do not have running water or even plumbing. Many of our central cities are in need of major surgery to overcome decay. New suburban sprawl reaches out into the countryside, as the process of urbanization consumes a million acres a year. The old, the poor, the discriminated against are increasingly concentrated in central city ghettos; while others move to the suburbs leaving the central city to battle against immense odds.

Physical decay, from obsolescent schools to polluted water and air, helps breed social decay. It casts a pall of ugliness and despair on the spirits of the people. And this is reflected in rising crime rates, school dropouts, delinquency and social disorganization.

Our cities are making a valiant effort to combat the mounting dangers to the good life. Between 1954 and 1963 per capita municipal tax revenues increased by 43 percent, and local government indebtedness increased by 119 percent. City officials with inadequate resources, limited authority, too few trained people, and often with too little public support, have, in many cases, waged a heroic battle to improve the life of the people they serve.

But we must do far more as a nation if we are to deal effectively with one of the most critical domestic problems of the United States.

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[1] In this message the word "city" is used to mean the entire urban area—the central city and its suburbs.

Let us be clear about the core of this problem. The problem is people and the quality of the lives they lead. We want to build not just housing units, but neighborhoods; not just to construct schools, but to educate children; not just to raise income, but to create beauty and end the poisoning of our environment. We must extend the range of choices available to all our people so that all, and not just the fortunate, can have access to decent homes and schools, to recreation and to culture. We must work to overcome the forces which divide our people and erode the vitality which comes from the partnership of those with diverse incomes and interests and backgrounds.

The problems of the city are problems of housing and education. They involve increasing employment and ending poverty. They call for beauty and nature, recreation, and an end to racial discrimination. They are, in large measure, the problems of American society itself. They call for a generosity of vision, a breadth of approach, a magnitude of effort which we have not yet brought to bear on the American city.

Whatever the scale of its programs, the Federal Government will only be able to do a small part of what is required. The vast bulk of resources and energy, of talent and toil, will have to come from State and local governments, private interests, and individual citizens. But the Federal Government does have a responsibility. It must help to meet the most urgent national needs; in housing, in education, in health, and many other areas. It must also be sure that its efforts serve as a catalyst and as a lever to help and guide State and local governments toward meeting their problems.

We must also recognize that this message, and the program it proposes, does not fully meet the problems of the city. In part, this is because many other programs, such as those for education and health, are dealt with separately. But it is also because we do not have all the answers. In the last few years there has been an enormous growth of interest and knowledge and intellectual ferment. We need more thought and wisdom and knowledge as we painfully struggle to identify the ills, the dangers, and the cures for the American city. We need to reshape, at every level of government, our approach to problems which are often different than we thought and larger than we had imagined.

I want to begin that process today.

We begin with the awareness that the city, possessed of its own inexorable vitality, has ignored the classic jurisdictions of municipalities and counties and States. That organic unit we call the city spreads across the countryside, enveloping towns, building vast new suburbs, destroying trees and streams. Access to suburbs has changed the character of the central city. The jobs and income of suburbanites may depend upon the opportunities for work and learning offered by the central city. Polluted air and water do not respect the jurisdictions of mayors and city councils or even of Governors. Wealthy suburbs often form an enclave whereby the well-to-do and the talented can escape from the problems of their neighbors, thus impoverishing the ability of the city to deal with its problems.

The interests and needs of many of the communities which make up the modern city often seem to be in conflict. But they all have an overriding interest in improving the quality of life of their people. And they have an overriding interest in enriching the quality of American civilization. These interests will only be served by looking at the metropolitan area as a whole, and planning and working for its development.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

To give greater force and effectiveness to our effort in the cities I ask the Congress to establish a Department of Housing and Urban Development.

Our urban problems are of a scope and magnitude that demand representation at the highest level of Government. The Housing and Home Finance Agency was created two decades ago. It has taken on many new programs. Others are proposed in this message. Much of our hopes for American progress will depend on the effectiveness with which these programs are carried forward. These problems are already in the front rank of national concern and interest. They deserve to be in the front rank of Government as well.

The new Department will consist of all the present programs of HHFA. In addition it will be primarily responsible for Federal participation in metropolitan area thinking and planning. This new Department will provide a focal point for thought and innovation and imagination about the problems of our cities. It will cooperate with other Federal agencies, including those responsible for programs providing essential education, health, employment, and social services. And it will work to strengthen the constructive relationships between Nation, State, and city—the creative federalism—which is essential to progress. This partnership will demand the leadership of mayors, Governors, and State legislatures.

INCENTIVES TO METROPOLITAN AREA COOPERATION

The Federal Government cannot, and should not, require the communities which make up a metropolitan area to cooperate against their will in the solution of their problems. But we can offer incentives to metropolitan area planning and cooperation. We can help those who want to make the effort but lack the trained personnel and other necessary resources. And the new Department should have regional representatives in our metropolitan areas to assist, where assistance is requested, in the development of metropolitan area plans.

We already have Federal programs in which assistance depends upon the completion of soundly conceived metropolitan area plans, such as the mass transportation program passed by the 88th Congress. This program strikes at the heart of one of our most critical and urgent needs—a transportation system which can relieve congestion and make it possible for people to travel with comparative ease to places of work, learning, and pleasure.

I am proposing other programs which will also require sound, long-range development programs as a condition of Federal assistance. Wherever it can be done without leaving vital needs unmet, existing programs will also be keyed to planning requirements.

Among the most vital needs of our metropolitan areas is the requirement for basic community facilities—for water and sewerage. Many existing systems are obsolete or need major rehabilitation. And population growth will require a vastly increased effort in years ahead.

These basic facilities, by their very nature, require cooperation among adjacent communities. I propose a program of matching grants to local governments for building new basic community facilities with an appropriation of $100 million for fiscal 1966. These grants will be contingent upon comprehensive, areawide planning for future growth; and will be made only for projects consistent with such planning.

One of the greatest handicaps to sound programs for future needs is the difficulty of obtaining desirable land for public buildings and other facilities. As growth is foreseen it should be possible to acquire land in advance of its actual use. Thus, when the need arises, the land will be there. I recommend a Federal program for financial assistance to help in this advance acquisition of land. Federal grants would be made available to cover the interest charges for 5 years on loans obtained by public bodies. Thus we will cover the costs during the period before the facilities are constructed.

Last year alone 1 million acres were urbanized. As our cities spread, far too often we create the ugliness and waste which we call urban sprawl. At times we find we have built new slum areas in our suburbs. Some of our programs are designed to stem this tide by helping city governments to plan their growth. But we must continue to depend upon the private developer and lender for most of our construction. And they sometimes lack the economic resources to insure high standards of development. I therefore recommend a program of federally insured private loans, backed by Federal mortgage purchases where necessary, to finance the acquisition and development of land for entire new communities and planned subdivisions.

This program should enable us to help build better suburbs. And it will also make it easier to finance the construction of brandnew communities on the rim of the city. Often such communities can help break the pattern of central city ghettos by providing low- and moderate-income housing in suburban areas.

This program will be complemented with a program of Federal financial assistance to State land development agencies. Under this program public bodies would acquire land, install basic facilities, and then resell the improved land to private builders for the construction of suburbs or new communities.

All of these programs would be dependent upon the existence of areawide planning for growth to which the aided developments must conform. They are designed to stimulate the farsighted planning for future growth which is necessary if we are to prevent sprawl and new slums, and to create standards which will guarantee a decent environment for our future city dwellers whatever their race or income. In addition, these programs should enable us to build better suburbs, since it will be possible to acquire land and improve it before the imminent approach of the city has sent costs skyrocketing upward.

RESOURCES FOR PLANNING

To plan for the growth and development of an entire metropolitan area takes a wide range of skills and a large number of trained people. These vital human resources are in short supply. They are beyond the command of many of our cities. To help meet this need I propose to establish an Institute of Urban Development as part of the new Department.

This Institute will help support training of local officials in a wide range of administrative and program skills. It will administer grants to States and cities for studies and the other basic work which are the foundation of long-term programs. And it will support research aimed especially at reducing the costs of building and home construction through the development of new technology.

TEMPORARY NATIONAL COMMISSION

Good planning for our metropolitan areas will take not only determination, the spirit of cooperation, and added resources, it will also take knowledge, more knowledge than we have now. We need to study the structure of building codes across the country: their impact on housing costs, how building codes can be simplified and made more uniform, and how housing codes might be more effectively enforced to help eliminate slums.

Zoning regulations also affect both the cost and pattern of development. We must better learn how zoning can be made consistent with sound urban development.

Few factors have greater impact on cost, on land speculation, and on the ability of private enterprise to respond to the public interest than local and Federal tax policies. These, too, must be examined to determine how they can best serve the public interest.

Finally, we must begin to develop better and more realistic standards for suburban development. Even where local authorities wish to prevent sprawl and blight, to preserve natural beauty and insure decent, durable housing they find it difficult to know what standards should be expected of private builders. We must examine what kinds of standards are both economically feasible and will provide livable suburbs.

To examine all these problems I recommend the establishment of a Temporary National Commission on Codes, Zoning, Taxation, and Development Standards. I predict that the body masked by such an unwieldy name may emerge with ideas and instruments for a revolutionary improvement in the quality of the American city.

This entire range of programs is designed to help us begin to think and act across historic boundaries to enrich the life of the people of our metropolitan areas. We do not believe such planning is a cure-all or a panacea. It can sometimes be a slender reed. It must be flexible and open to change. And we cannot wait for completed plans before trying to meet urgent needs in many areas. But it will teach us to think on a scale as large as the problem itself, and act to prepare for the future as well as to repair the past.

I hope that, as time goes by, more and more of our Federal programs can be brought into harmony with metropolitan area programs. For in this approach lies one of our brightest hopes for the effective use of local as well as Federal resources in improving the American city.

THE PHYSICAL ENVIRONMENT

We owe the quality of American housing to the initiative and vitality of our private housing industry. It has provided the homes which have made most of our citizens the best housed people in the world. Our Federal housing programs are designed to work in support of private effort, and to meet the critical needs which can only be met through Government action.

After World War II we worked to revitalize the housing market and provide homes for a growing number of our people. This effort has been successful far beyond our initial hopes. However, the problem now has a different shape. It is not enough simply to build more and more units of housing. We must build neighborhoods and communities. This means combining construction with social services and community facilities. It means to build so that people can live in attractive surroundings sharing a strong sense of community.

To meet new objectives we must work to redirect, modernize, and streamline our housing programs. I will ask the Congress to begin the process this year, while continuing those programs which are providing necessary assistance.

We hope to achieve a large increase of homes for low and moderate income families—those in greatest need of assistance—through an array of old and new instruments designed to work together toward a single goal: To insist on stricter enforcement of housing codes by communities receiving Federal aid, thus mounting an intensified attack on slums.

But such insistence is not realistic, and often not desirable, unless we can provide realistic alternatives to slum housing. We will do this by—

Providing rent supplements for families across a wide range of lower and moderate income brackets so they can afford decent housing;

Providing rent supplement assistance to those forced out of their homes by code enforcement and all forms of federally assisted Government action, from highways to urban renewal;

Using both urban renewal funds and public housing funds to rehabilitate existing housing and make it available to low and moderate income families. There is no reason to tear down and rebuild if existing housing can be improved and made desirable;

Emphasizing residential construction and rehabilitation on a neighborhood-wide scale in the urban renewal program.

These instruments, combined with existing public housing and direct loan programs, will greatly strengthen our existing effort. They should offer direct assistance to the housing of 1 million families over the next 4 years. Moreover they will immensely add to our flexibility in the process of building neighborhoods.

RENT SUPPLEMENTS

The most crucial new instrument in our effort to improve the American city is the rent supplement.

Up to now Government programs for low and moderate income families have concentrated on either direct financing of construction; or on making below-the-market-rate loans to private builders. We now propose to add to these programs through direct payment of a portion of the rent of needy individuals and families.

The homes themselves will be built by private builders, with Federal Housing Administration insurance, and, where necessary, mortgage purchases by the Federal National Mortgage Association. The major Federal assistance will be the rent supplement payment for each eligible family.

This approach has immense potential advantages over low-interest loan programs:

First, its flexibility will allow us to help people across a much broader range of income than has hitherto been possible. And it will therefore make it possible significantly to increase the supply of housing available to those of moderate income.

Second, the payment can be keyed to the income of the family. Those with lower incomes will receive a greater supplement. Under present direct-loan programs the amount of the subsidy is the same for all who live in a federally assisted development regardless of individual need.

Third, the amount of assistance can be reduced as family income rises. It can be ended completely when income reaches an adequate level. Thus we will not end up, as is sometimes the case, helping those who no longer need help.

Fourth, it will be unnecessary to evict from their homes those whose income has risen above the point of need. This will eliminate what is often a great personal hardship.

Fifth, since the supplement is flexible it will permit us to encourage housing in which families of different incomes, and in different age groups, can live together. It will make it unnecessary for the Government to assist and even require the segregation by income level which detracts from the variety and quality of urban life.

In the long run this may prove the most effective instrument of our new housing policy. In order to give it a fair chance we are limiting it to carefully designed categories of need—

In a program of rental and cooperative housing for those low- and moderate-income families displaced by Government action or now living in substandard housing. The subsidy will help them pay rent or meet payments on a federally insured mortgage.

In a program of homeownership for those displaced or living in substandard housing who display a capacity for increasing income and eventually owning their own home.

In a program to provide a broader range of housing for the elderly with inadequate incomes. The existing direct loan program for the elderly will continue at its existing level with the funds already provided by the Congress. I intend to insure a steadily increasing supply of federally assisted housing for older Americans.

On this basis our rent supplement program should finance more than 500,000 homes over the next 4 years, while improving our ability to make these homes serve the social needs of those who live in them. If it works as well as we expect, it should be possible to phase out most of our existing programs of low-interest loans.

REHABILITATION

We have concentrated almost all our past effort on building new units, when it is often possible to improve, rebuild, and rehabilitate existing homes with less cost and less human dislocation. Even some areas now classed as slums can be made decent places to live with intensive rehabilitation. In this way it may often be possible to meet our housing objectives without tearing people away from their familiar neighborhoods and friends. Sometimes the same objective can be achieved by helping local authorities to lease standard homes for low-rent families.

I recommend a change in the public housing formula so that we can more readily use public housing funds to acquire and rehabilitate existing dwellings—and to permit local authorities to lease standard housing for low-rent families. This will assist particularly in providing housing for large families.

I recommend the use of urban renewal funds to permit low-income homeowners to repair their homes and nonprofit sponsors to rehabilitate and operate homes for low-income families at rents they can afford.

I have recommended the appropriation of funds for low-interest rehabilitation loans under urban renewal, designed to help rescue our existing housing from blight and decay.

EXISTING PROGRAMS

I ask Congress to continue, on a modified basis, the existing housing programs which have proven their ability to meet important needs. But I also wish to state my intention to reduce or eliminate these programs whenever new and more flexible instruments have shown they can do a better job.

The public housing program should be continued with an authorization ample enough to permit an increase in the number of new units as well as to conduct a program of rehabilitation.

I ask the continuation, at the rate of 40,000 additional units for fiscal 1966, of the program of below-market-interest-rate mortgage purchases for housing for moderate-income families. At the same time we must recognize that the benefits of this program are decreasing as the rising costs of Federal borrowing narrows the difference between the interest we ask and that demanded in the private market.

I urge continued support for our college housing program which is struggling to keep up with the needs of a rising volume of students.

I ask that our urban renewal program be increased to a level of $750 million a year by 1968. This program has done much to help our cities. But we have also learned, through hard experience, that there is more to eliminating slums and building neighborhoods than knocking down old buildings and putting up new ones.

Through using funds for rebuilding existing housing and by providing more and better assistance to families forced out by urban renewal, we can make this program better serve the people it is meant to help. We will continue to use urban renewal to help revitalize the business and industrial districts which are the economic base of the central city. But this program should be more and more concentrated on the development of residential areas so that all our tools—from the poverty program to education and construction—can be used together to create meaningful and livable communities within the city.

To accomplish this purpose cities must develop long-range programs which take into account human as well as construction needs. Therefore I recommend that every city of 50,000 or larger develop a community renewal program as a condition of Federal help for urban renewal. These programs will provide an orderly schedule and pattern for development of areas of blight and decay—combining social and educational services with the planning of physical construction.

NEIGHBORHOOD FACILITIES

A community must offer added dimensions to the possibilities of daily life. It must meet the individual's most pressing needs and provide places for recreation and for meeting with neighbors. I therefore recommend a new program of matching grants to help local governments build multipurpose neighborhood centers for health and recreation and community activity. Related to our housing programs, these centers can help urban renewal and public housing meet the goal of creating a meaningful community.

At the same time these centers must not be isolated expressions of interest. They should be a part of an overall program for improving the life of people in disadvantaged areas. Therefore, I am recommending that in cities participating in the war against poverty these grants be made only when they are consistent with an approved community action program.

BEAUTIFYING THE CITY

In my message on natural beauty I pointed out that much of the effort of the new conservation would be directed toward the city. I recommend changes in the open space program, broadening its authority to help local governments acquire and clear areas to create small parks and squares, malls and playgrounds. In addition, I recommend special grants to cities for landscaping, the planting of trees, the improvement of city parks and other measures to bring beauty and nature to the city dweller.

But beauty is not simply a matter of trees and parks. The attractiveness of our cities depends upon the design and architecture of buildings and blocks and entire urban neighborhoods. I intend to take further steps to insure that Federal construction does not contribute to drab and ugly architecture. But in this field, as in so many others, most of our hopes rest on the concern and work of local governments and private citizens.

CONCLUSION

This message can only deal with a fragment of the effort increasingly directed toward improving the quality of life in the American city. The creation of jobs, the war against poverty, support for education and health, programs for natural beauty and antipollution are all part of an effort to build the great cities which are at the foundation of our hopes for a Great Society.

Nor can we forget that most of our programs are designed to help all the people, in every part of the country. We do not intend to forget or neglect those who live on the farms, in villages, and in small towns. Coordinated with the Department of Agriculture, the programs I have outlined above can do much to meet rural America's need for housing and the development of better communities.

Many of these programs are intended to help the poor and those stripped of opportunity. But our goal is more ambitious than that. It is nothing less than to improve the quality of life for every American. In this quest the future of the American city will play the most vital role. There are a few whose affluence enables them to move through the city guarded and masked from the realities of the life around them. But they are few indeed. For the rest of us the quality and condition of our lives is inexorably fixed by the nature of the community in which we live. Slums and ugliness, crime and congestion, growth and decay inevitably touch the life of all. Those who would like to enjoy the lovely parks of some of our great cities soon realize that neither wealth nor position fully protects them against the failures of society. Even among strangers, we are neighbors.

We are still only groping toward solution. The next decade should be a time of experimentation. Our cities will not settle into a drab uniformity directed from a single center. Each will choose its own course of development—whether it is to unite communities or build entirely new metropolitan areas. We will seek new ways to structure our suburbs and our transportation; new techniques for introducing beauty and improving homes. This is an effort which must command the most talented and trained of our people, and call upon administrators and officials to act with generosity of vision and spaciousness of imagination.

I believe today's proposals are an important start along that road. They should help us to look upon the city as it really is: a vast and myriad complex of homes and communities, people and their needs, hopes and frustrations. It can liberate the expectations of men, or it can crush them in body and spirit.

For underneath all the rest, at the very bottom of all we do, is the effort to protect, under the conditions of the modern world, values as old as this Nation and the civilization from which it comes. We work in our cities to satisfy our needs for shelter and work and the ability to command a satisfying way of life. We wish to create a city where men and women can feed the hunger of the spirit for beauty and have access to the best of man's work; where education and the richness of diversity expands our horizons and extends our expectations. But we also look for something more.

The American city should be a collection of communities where every member has a right to belong. It should be a place where every man feels safe on his streets and in the house of his friends. It should be a place where each individual's dignity and self-respect is strengthened by the respect and affection of his neighbors. It should be a place where each of us can find the satisfaction and warmth which comes only from being a member of the community of man. This is what man sought at the dawn of civilization. It is what we seek today.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 2, 1965.*

PRESIDENT'S MESSAGE ON THE CITIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I rise to support the housing and urban development legislation recommended in the President's message on the cities.

Although we are launched on the greatest period of growth in our history, we are still without tools adequate to direct the growth in channels most beneficial for our society. Certainly, if we are to achieve the Great Society which President Johnson envisions, we must plan and execute our plans with greater efficiency and force.

The pressures of modern change, the great growth of our population are threatening to blight and even destroy the charm of our cities.

The expansion of our urban areas is too frequently unplanned; housing is sprawled along the highways; community facilities—including schools and health facilities—are inadequate and sometimes totally lacking; space, a precious asset, is consumed in disorderly fashion and at a frightening rate when one considers the future needs of a growing population.

This housing and urban development legislation provides a tool for orderly planning and better execution of the plans for community growth.

In the planned towns and subdivisions which can now be seen going up in parts of the country we have evidence of what can be accomplished by effective planning arrangements. This type of orderly development should be encouraged and facilitated. This legislation does so, and its passage will be a boon to the communities facing problems of expansion which they cannot solve without Federal help.

Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD on the subject of the President's message on the cities, and that they may also have 5 legislative days in which to extend their remarks on this subject, if they so desire.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOGGS. Mr. Speaker, I am delighted to hear the President's expression of continued concern for the welfare of the elderly in this country. Sometimes, when I see the administration's profound and continuing interest in the problems of poor people, I wonder whether the old people are not being lost in the process. The elderly generally labor under the double handicap of infirmity and lower income. As a result, their problems are heavier under the double burden.

But here, today, I see a clear indication that this administration is unequivocally behind efforts to lift these burdens from the backs of America's old people. The housing problem is one key expression of their need, since it makes visible their inadequate incomes, and their inadequate community support.

Now the administration has gone on record to offer a dramatic solution to these problems that amplifies the existing housing programs for the elderly.

I am particularly cheered to know that there is no intent to scrap any of the current elderly housing programs, but rather to enlarge upon them. Too many groups have expressed an interest in helping to develop elderly housing for us to abandon this fine approach to better living for our seniors.

I want to commend the administration in this endeavor, and pledge my support as it tries to work out the actual legislative and administrative details of its program.

Mr. PATMAN. Mr. Speaker, I speak in support of the proposed housing and urban development legislation as suggested in the President's message today. I urge its passage particularly because its provisions fit into the national effort that is being made to reduce the effects of poverty.

It is not necessary for me, Mr. Speaker, to labor the point to be made—that poverty and inadequate housing are found together. In fact, one of the most conspicuous ways in which poverty shows itself is in the inadequate housing in which the poor are forced to live. The impoverished live in dwellings lacking in basic amenities, in bad physical condition, and which are a serious threat to their health.

In 1960, housing census figures showed clearly the relationship between low income and bad housing. Of nearly 8.5 million housing units counted substandard in that census, almost 4 million, or 47 percent, were occupied by families with incomes of less than $2,000; and another 1.3 million, or 16 percent, were occupied by families having incomes between $2,000 and $3,000.

We cannot say that poverty is synonymous with poor housing, but these figures certainly show that there is a high incidence of low income and bad housing among families with incomes at the poverty levels.

Better housing will not end poverty, but better housing is a mighty step in the right direction.

The message today, calling for aids to expand the supply of housing for the low-income groups, is a necessary weapon in the war on poverty.

Mrs. GRIFFITHS. Mr. Speaker, the paradox of massive growth being accompanied by decay in urban America has finally taught us that these problems are complex and that our former remedies and approaches need to be coordinated more realistically and focused more intensely. The Federal Government first recognized this in 1947 with the establishment of the Housing and Home Finance Agency. In that postwar year, the problem was to stimulate production of housing. HHFA was made responsible for the general coordination of two distinct and functionally separate housing finance programs—the mortgage insurance program of the Federal Housing Administration and the program of Federal aid to local communities to provide public housing for low-income families.

Now 18 years later, we find HHFA still coordinating these programs—although they are greatly expanded—and administering a wide range of other programs including urban renewal and redevelopment, urban and metropolitan planning, open-space land, mass transit, and community facilities. This Agency's housing responsibilities have grown to embrace support for the mortgage market, housing for the elderly through private and public financing, and many types of special housing needs such as low- and moderate-income, college, and disaster housing.

The Federal participation in urban development and housing has been built up bit by bit—even piecemeal—until it is now a large and diverse involvement. It is my considered judgment that reapportionment is going to make State legislatures more sensitive to urban problems and that they will join cities in asking further Federal assistance. I predict that these legislatures will create many new special districts, authorities, and regional associations to deal with problems that do not respect city limits or county or even State lines.

The Congress needs to combine in a more orderly fashion the many Federal activities in housing and urban development to face these challenges. New programs should not be piecemeal, but should evolve in terms of overall community and regional development. Although planning and development are done locally, they can be encouraged and accelerated by a coordinated and refined Federal participation. To attain this I join President Johnson in urging my colleagues to create without delay a Department of Housing and Urban Development.

Mr. WRIGHT. Mr. Speaker, the dynamics unleashed by the accelerating growth and changes in the towns and cities of this Nation are awesome to think about when one realizes that an estimated additional 45 million individuals have crowded into these urbanized areas in the past 25 years.

President Johnson's message on the cities calls for a continuation and expansion of Federal planning assistance to help communities to prevent growth from becoming chaos.

It is difficult to grasp what an impact such numbers have on water, sewer, and transportation systems, on recreational facilities, educational institutions, utilities, and on and on it goes. Just imagine, for one thing, how much more trash and garbage 45 million people will put out the back door each week.

These demands appear never to stand still, but instead continue to rise at ever-accelerating rates, and these dynamics recognize no boundaries of political subdivisions—not city limit lines, not county lines, and not even State lines.

The Congress has recognized for some time the need for planning in transportation, land use, in recreation, and public facilities. Federal assistance for this has been available for some time now. But this planning in many cases is attacking the problems piecemeal on a one-at-a-time or one-after-another basis. The massiveness and rapidity of change in our urban areas do not permit us the luxury of such a leisurely pace in planning. Indeed, circumstances demand planning on a scale matching the magnitude and the urgency of these changes.

I join President Johnson in recommending that this Congress not only continue the Federal planning assistance being provided but also encourage, and indeed require, where related to other Federal aids, comprehensive, wide area planning. This will help correct unwholesome, uncomfortable, and unsightly conditions in and around our towns and cities and insure that new construction will contribute to the orderly growth and development of our urban areas.

Mr. JOELSON. Mr. Speaker, I want to begin my remarks in support of the President's message on the cities by quoting in part from the President's vision of the Great Society as "the time when every slum is gone from every city in America, and America is beautiful."

I urge careful consideration and speedy enactment of the legislation that will be proposed because it will offer a springboard for achieving an America without slums, with decent housing for all, with open space for our spiritual and physical refreshment, with community facilities adequate for the needs of a growing population, and with aids to planning and execution of plans that will indeed make for a beautiful America.

To appreciate the urgency for this legislation we need only to examine the catalog of our urban problems and to remind ourselves that, as President Johnson has pointed out, the cities are places in which "it is harder and harder to live the good life."

Our cities are now the homes of more than two-thirds of the American people, and the trend toward urbanization is continuing. We must act to reverse the cities' image as bad places to live. That is the intent of this message which seeks to help the cities build adequate housing, set aside open space and develop new suburbs, replace or rehabilitate slum areas, provide community facilities and neighborhood centers. In short, it seeks to help our urban communities to improve urban life, to make of the cities communities which promote, not hinder, the good life.

The concept of Federal aid is now well established in these programs, and I think it is the right one.

While the Federal Government can do much to stimulate and aid development of local programs, their effectiveness requires local initiative and the effort of local government at every level, as well as of individual citizens, business, and other groups. Only, thus, with cooperation at all levels, can we hope to meet successfully the challenge of remaking our cities "with," as Jefferson so eloquently phrased it, "an eye to the effect made upon the human spirit by being continually surrounded with a maximum of beauty."

Mr. OTTINGER. Mr. Speaker, I want to talk briefly about the President's proposals for the new housing and urban development legislation for 1965 because they offer us an opportunity to right many wrongs that we Americans have committed over many years.

Look at our country today—its countryside a monument to ugliness, many forests all but denuded, its roadsides junkyards and lined with lurid signs, its cities decayed and deteriorated.

Is there no hope for "America the Beautiful"?

Yes there is. We have been shown the way through such programs as urban renewal and open space land acquisition. In urban renewal some 800 cities are now undertaking 1,800 projects. From the slums of yesteryear are now arising residential and nonresidential buildings and even whole new neighborhoods, cleaner, more efficient, and more livable than ever before.

Also, in the program to help cities acquire open space, 300 applications have been approved, for a total of 125,773 acres that have been purchased. These will be saved for recreation, scenic, historic, and conservation purposes for generations to come.

This is a good record—but it is not good enough. That is why I am urging passage of the kind of bill proposed in the President's message on the cities. It would authorize many measures for continuation and expansion of urban renewal, open space, mass transportation, community facilities, and urban planning for future growth.

It is the opportunity of a lifetime for us to retrieve, rebuild, and safeguard the America we want—America the beautiful.

Mr. ROSTENKOWSKI. Mr. Speaker, today we are within striking distance of the objective of the Housing Act of 1949—"a decent home and a suitable living environment for every American family."

Through the urban renewal and other housing programs we have eliminated thousands of acres of loathsome slums, rehoused more than 100,000 families into decent, safe, and sanitary housing, and rebuilt former blighted areas with new homes, offices, factories, hospitals, schools, universities, cultural facilities, and recreation areas.

The housing and urban development program for 1965 proposed by President Johnson will continue the momentum of the urban renewal program. But more than that, it will add a new dimension to urban renewal—a direct tiein with the objectives of the antipoverty program.

As the urban renewal program has evolved, we have seen that, more and more, it has involved the needs of people of lower and middle incomes. They are the most difficult to relocate, and at the same time they are the ones who can benefit most by urban renewal and the new educational and employment programs stimulated by this administration.

The new bill calls for a much greater consideration of the human involvement in urban renewal. It includes increased aid to low-income families and elderly persons; housing for all income groups, particularly those least able to afford decent housing; rehabilitation of existing structures; and for other measures in transportation, urban planning, and public housing.

Mr. MOELLER. Mr. Speaker, there are, at present, 576,000 families, composed of more than 2,100,000 persons, living in federally subsidized dwellings in 2,200 communities in this country.

It is estimated that more than 5 million families with incomes of less than $3,000 still occupy substandard homes in the United States. They include unskilled workers, the handicapped, the minorities, children, and others who live at the bottom of the economic barrel. For most of these people to secure standard housing, they would have to either pay rent grossly disproportionate to their small incomes, which would be prohibitive, or live overcrowded, which is undesirable.

It is my belief that the Government has a duty to assist people below a certain economic level to find decent homes in which to live, and the best solution so far advanced toward meeting this need is public housing.

Public housing projects have not only improved the condition of the people who live in them but they have raised the standard of the entire neighborhood, resulting in healthier communities and a greater America. Its extension and strengthening, called for in President Johnson's message, are basic to solving our problem of urban poverty.

Mr. McGRATH. Mr. Speaker, President Johnson's message on the cities offers to every urban and suburban dweller in the United States the hope that solutions to the many and constantly increasing problems which beset our cities may soon be brought under control.

Under a department of housing and urban development such as his message urges creation of, the blight which is befalling our cities could be halted; imaginative planning techniques could avoid future urban blight; urbanized Americans could be assured of adequate, beautiful communities with sufficient services to accommodate them all, and the trends toward increase in crime and school dropouts could be reversed.

President Johnson's vision of urbanized America can be fulfilled under such a bold, sweeping program as he has proposed, and I hope the 89th Congress will make possible its attainment by enacting the legislation he has requested.

Mr. LOVE. Mr. Speaker, the first of the postwar baby boom is now arriving at the altar. This means a sudden surge in the rate of new family formation—from half of a million to about a million new families a year. Nearly all of these will find their future in urban areas.

This fact stresses the urgency of President Johnson's housing and urban message to the Congress. It particularly underscores the crucial need for meeting one segment of our housing need with new and effective means.

I refer to the lower middle income families, already a major part of the problem area of housing in our cities. They include the newcomers, the young people, along with people displaced by urban change, the elderly, the minority groups, and the less skilled wage earners whose opportunities we must improve.

The President recommends that for this left-out group we institute a program of rent subsidies, or supplements, that will enable this group to find decent housing on the private market. Today we provide good housing within the means of average and upper income people, and public housing for the lowest income group. Between these, however, are millions who are forced to remain in substandard and blighted housing.

We need the President's program to serve these people. We need it to solve the pressing needs of displaced and lower wage people in our cities. We need it to expand the market for private housing production consistent with our growth.

We no longer can temporize with or ignore this need. I join with President Johnson in advocating this new program of rent subsidies to bring these people into the market for good housing and into the mainstream of healthy community life.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar today may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD on the subject of the Private Calendar.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOLAND. Mr. Speaker, since the Private Calendar is being called today, the first time during the 89th Congress, I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of, this calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House calendars, the Private Calendar is the one to which all private bills are referred. Private bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills, which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were private laws. But, their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress—1885-87—the first Congress for which complete workload and output data is available—passed 1,031 private laws, as compared with 434 public laws. At the turn of the century, the 56th Congress—1899-1901—passed 1,498 private laws and 443 public laws—a better than 3-to-1 ratio.

Private bills were referred to the Committee of the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62d Congress—1911-13—changed this procedure by its rule XXIV, clause 6, which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932 and then adopted in its present form on March 27, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that act banned the introduction or the consideration of four types of private bills: first, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream; or, fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood of private immigration bills. The 82d Congress—1951-53—passed 1,023 private laws, as compared with 594 public laws. The 88th Congress—1963-65—passed 360 private laws and 666 public laws.

Under rule XXIV, clause 6, the Private Calendar is called the first and third Tuesdays of each month. The consideration of Private Calendar bills on the first Tuesday is mandatory unless dispensed with by two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the committee reporting it. No reservation of objection is entertained. Bills unobjected to are considered in the House as in Committee of the Whole.

On the third Tuesday of each month the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection. Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matter so stricken out shall not again be included in an omnibus bill during the session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved into their component bills, which are engrossed separately and disposed of as if passed severally.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members the official objectors system the House has established to deal with our great volume of private bills.

The majority leader and minority leader each appoint three Members to serve as Private Calendar objectors during a Congress. The objectors have the responsibility of carefully studying all bills which are placed on the Private Calendar. When the Private Calendar is called, the objectors are on the floor ready to object to any private bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or question about a particular private bill, he can get assistance from the objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. Those rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. The agreement is as follows:

> Reaffirming the policy initially adopted on June 3, 1958, the members of the majority and minority Private Calendar objectors committees have today agreed that during the 89th Congress they will consider only those bills which have been on the Private Calendar for a period of 7 calendar days, excluding the day the bills are reported and the day the Private Calendar is called.
>
> It is agreed that the majority and minority legislative clerks will not submit to the objectors any bills which do not meet this requirement.
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> This policy will be strictly observed except during the closing days of each session when House rules are suspended.

The agreement was entered into by the majority objectors—the gentleman from Massachusetts [Mr. BOLAND], the gentleman from Oregon [Mr. DUNCAN], the gentleman from Georgia [Mr. DAVIS]—and the minority objectors—the gentleman from Massachusetts [Mr. CONTE], the gentleman from New York [Mr. McEWEN], and the gentleman from California [Mr. TALCOTT].

I feel confident I speak for my colleague objectors when I request all Members to enable us to give the necessary advance consideration to the private bills, by not asking us to depart from the above agreement unless absolutely necessary.

APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 3, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Alabama [Mr. JONES] had 53 minutes remaining. The gentleman from Florida [Mr. CRAMER] had 51 minutes remaining.

The Chair recognizes the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I yield 8 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, the record shows, without my repeating it, that I support S. 3, the Appalachian Regional Development Act. My only regret is that we are unable at this time to go further toward relieving the economic hardships and privations suffered by the people of this region. S. 3 is all right, as far as it goes, but it is only a start toward putting the Appalachian highlands region back on its feet, so that it can share in the progress of 20th-century America.

A century ago, this was one of the richest and loveliest regions of America, inhabited by a race of tough, aggressive Americans, who were able to subjugate the wilderness and make homes for themselves and their families through the development of the abundant natural resources of the region. Coal, timber, and other minerals were present in large quantities, ready for development. Under the methods then in practice, they formed the basis for a strong local economy, although it was somewhat isolated from the surrounding regions by the mountain barriers to transportation. Toward the end of the last century, rights to much of the natural riches of coal and timber were acquired by big corporations and wealthy speculators from outside the region.

During the first half of the present century, development proceeded rapidly, without much consideration of the long-term human needs of the people. With the changing technology of the mid-20th-century coal industry, the economy of the region has been thrown into turmoil, leaving unemployment and human misery that is sapping the strength of the people. Declining employment, lack of financial resources to pay for construction of roads, bridges, and other public facilities, and out-migration of many of our best people, have created conditions that are so severe as to warrant the use of the term crisis. This crisis can be met only by a substantial program to bring new money into the region to undertake the types of community improvement and development projects and programs which are an essential basis for a stable economy. In other words, we need to bring new money into the region to replace the natural resources, exploitation of which over past decades has contributed so much to the enrichment of the American Nation.

The funds provided by S. 3 are not handouts to a poor region that is in desperate need. Rather, the enactment of this legislation will permit a profitable investment to be made in an 11-State region of the United States, thus restoring vitality to the economy of the Appalachian highlands, and enabling the people again to stand on their own feet, control their own destiny, and make a contribution to the economic growth of the Nation.

It has been my privilege to work toward the passage of Appalachian development legislation for a long time. My people of the seventh district in Kentucky have long suffered the results of the exploitation of the coal and timber resources by absentee owners. Lacking capital of our own, we permitted the cream of our resources to be skimmed off for the benefit of other regions. Many of our people were forced to depend on a bare subsistence agriculture which depleted our soil resources and led to increased problems in the management of water resources. Improper soil disposal from mining operations permitted mountainsides to be laid bare by erosion, and stream valleys to be choked with debris. Acid mine wastes have polluted our water supplies. Our valleys are subjected to severe flood hazards every winter and spring, while the dry periods during summer and fall finds inadequate water supplies in our streams to meet needs of our cities and industries. Twice in the last decade record-breaking floods have struck eastern Kentucky, making it necessary for portions of the area to be declared a disaster area.

It has long been my view that the place to start toward the economic salvation of my district was the development of its water resources.

Thus, on February 12, 1962, during the 87th Congress, I introduced the first bill, H.R. 10346, to provide for a conservation program for the Appalachian highlands area. This was aimed at providing a solution to the pressing problem of watershed development, since the Public Law 566 program was proving to be inadequate to cope with the problems of my district. In the 88th Congress, I expanded my bill to call for the development of all the land and water resources of the Appalachian highlands, the acceleration of all Federal public works programs in the area, and other programs for providing technical and financial assistance to land development, including an amendment to the Watershed Protection and Flood Prevention Act to permit expanded Federal operations under terms that would encourage participation by the depressed areas of Appalachia. This was encompassed in H.R. 5525 of the 88th Congress, which I introduced on April 8, 1963.

Following the evolution of the broader program developed by the President's Appalachian Regional Commission subsequent to my initial introduction of an Appalachian Highlands conservation bill, the administration submitted a draft bill to carry out the program. This bill passed the Senate in September 1964. This year I introduced H.R. 132, patterned after last year's Senate bill and including the whole broad range of programs being considered to provide some relief for the economic problems of Appalachia. I am pleased that S. 3, as passed by the Senate, and reported by the House Public Works Committee, incorporates most of the provisions of my bill. While I am sure that the bill does not go far enough in all respects, it will permit a start to be made toward rejuvenating the economic development of the Appalachian highlands. As work progresses, there will be opportunity to amend the law, if necessary, to more clearly adapt the program to the needs of the area. At such time consideration should be given to authorization of an expansion of the program authorized by the Public Works Acceleration Act—Public Law 87-658—in the Appalachian region, as well as increases in the levels of other programs to the extent contemplated in my bill, H.R. 132.

The bill strikes at the heart of one of the chief causes of the poverty in Appalachia—its isolation from the mainstream of American economic and social progress because of the lack of major highways and the extremely poor and often impassable byways. The construction of roads and highways, both developmental and access, to assure every family ready access from its home to a job, to a market, to school, and to those other centers of activity that have meaning in our modern society, must command the highest priority. My only reservation concerning the highway and road construction provisions of this legislation is that the bill does not authorize a large enough investment in the construction of these roads. I emphasize the word "investment" because of the construction of roads and highways throughout eastern Kentucky and all of Appalachia will erase its isolation and will permit natural economic forces to allow Appalachian families to enjoy the general prosperity of the Nation. In many communities in my district there are many families living on roads which are completely impassable to automobiles in many months of the year.

The Grayson Reservoir, now under construction, requires the relocation of several miles of KY 7 and this would be an ideal time to build a modern highway connecting the Mountain Parkway from a point between Campton and Salyersville through West Liberty and Sandy Hook to I-64, between Grayson and Carter Caves with an eventual extension onto U.S. 23 along the Ohio River. In addition U.S. 119 in Kentucky and West Virginia, U.S. 23 and U.S. 460 in Kentucky, KY 80, and other feeder roads should be brought up to modern standards.

I have received the following wire from Henry Ward, Commissioner of Highways, Commonwealth of Kentucky, today which reads as follows:

> In connection with the debate in the House of Representatives on the proposed Appalachian area legislation, the Commonwealth of Kentucky has had some experience in the building of a developmental highway penetrating the Appalachian area which has demonstrated conclusively the validity of the Appalachian developmental highway system.
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> Through the issuance of revenue bonds, Kentucky built a toll road from Interstate 64 near Winchester in central Kentucky to Campton, a distance of 40 miles, and an extension of the toll road from Campton to Salyersville, a distance of 38 miles. Freeway extensions to this major highway would be constructed under the Appalachian program. In the first year of operation of the toll road from Interstate 64 to Campton, revenue totaled $634,056. The traffic engineers' estimate for collection in that same period was $558,996. The original estimate was based upon completion of the freeway extensions. The significance of the fact that this 40-mile toll road produced, in 1964, $85,000 more than the traffic engineers estimated is underscored by the fact that the original engineers' estimate was based upon completion of the freeway sections.
>
> This major highway undertaking constitutes the first developmental highway from central Kentucky into the heart of the Appalachian area. In addition to the actual revenue that exceeded expectations, this highway project has stimulated real hope and prospects for economic development of the Appalachian area. Other developmental routes which would be provided by the Appalachian bill would make the greatest contribution possible toward the economic salvation of this important area of our Nation.

In thousands of places families must ford creeks on foot or use footbridges to reach their homes. The lack of ready access to public facilities such as schools, hospitals, physicians, public libraries, courthouses, markets, and similar outlets for the everyday needs of American families today is one of the major reasons for the low level of economic activity. There is little wonder that school dropout rates are high when school buses cannot negotiate the creeks and rutted roads over which they must pass in order to reach many communities. This difficulty of communication extends not only from the family home to the marketplace, to the school, and to the county seat, but also to the larger metropolitan areas of greater commercial and industrial activity.

Appalachia, released from its isolation by the construction of modern roads and highways and other community facilities, will be able to make a great contribution to the prosperity and wealth of the entire Nation because it is a region containing great natural wealth. Eastern Kentucky, that portion of Appalachia which it is my privilege to represent in Congress, in addition to its coal resources and commercially significant deposits of other minerals, abounds in water resources. Four major rivers, three of which are almost totally unharnessed and untamed, present a constant flood threat, yet could be a source of economic vitality. With the constant threat of flood, many of the available land areas suitable for commercial enterprise do not invite capital investment. The siltation and pollution of streams created by a combination of inordinate and uncontrolled rainfall combined with waste as a result of mining operations, has increased the need for a positive, constructive, and effective system of reservoirs and stream and land correction measures. In this respect, the program conducted by the U.S. Army Corps of Engineers is of vital importance to the region and should be expanded and accelerated within the limits of engineering know-how and feasibility. Those reservoirs which have been already authorized by the Congress should be built at the earliest possible date and at the same time, additional reservoirs should be quickly authorized in order to provide maximum flood protection and additional controlled water supply as well as to strengthen the already widely recognized recreational potential of the area.

The Dewey Reservoir, on Johns Creek, a tributary of the Levisa Fork of the Big Sandy River, completed in 1949, has been found by the Corps of Engineers to serve many more visitors than is normal for Corps of Engineers projects. Total attendance was 764,700 in 1963, with a peak daily attendance of 18,650. At the same time the reservoir prevented flood damages estimated at $1,519,000 during 1963. As the total cost of the reservoir, was only about $6½ million, it seems obvious that the cost of the reservoir will be returned many times over, during its life, by the flood damages prevented, while at the same time yielding very substantial recreational benefits.

I mention this existing reservoir only as an example of the type of development I envision as stemming from the water resources survey to be authorized by the Appalachia bill. We have every reason to believe that similar results will be achieved through the development of other reservoirs in the Appalachian region. Surveys of some basins are progressing under previous authorizations, and need not await action under section 206 before being considered by Congress. In particular I am looking for early action on the report on the Big Sandy River and tributaries which is now under consideration in the Board of Engineers for Rivers and Harbors of the Corps of Engineers. The report contains recommendations for authorization of three new reservoirs, Yatesville and Paintsville in Kentucky, and Panther Creek in West Virginia. Each of these will have substantial flood control, low flow augmentation for water quality control, and recreational benefits. Additional reservoirs are needed, but have been excluded from the report by the restrictive criteria followed by the Corps of Engineers.

The criteria for program development spelled out in the Appalachian legislation should permit the lower Knox Creek Reservoir to be added to those recommended as a part of the Big Sandy development, and I am urging that the Board of Engineers for Rivers and Harbors take steps to include this project when the report is sent out to the States for review.

I am also hopeful that the bill will spur a vast construction program of other types of public works and community facilities, water systems, sewage facilities, and public parks. It would be most helpful in this respect if it had been possible to incorporate the provisions of section 215 of my Appalachian development bill, H.R. 132. This would provide an authorization for an additional $500 million for basic community facilities in Appalachia under the Public Works Acceleration Act.

The acceleration of the construction of vocational education buildings to implement the construction authorized by the Vocational Education Act of 1963 is of tremendous importance and would assure as soon as possible that every young person in the Appalachian area will be provided with an educational opportunity comparable to that afforded in areas of the Nation which have not been similarly depressed by the action of the forces of technological revolution.

Of great importance in the bill are provisions to permit the extremely small family farm to develop pastureland. This will not help very much in the more mountainous areas of Appalachia, but in the rolling or hill areas of Appalachia, there are many families that are barely subsisting on small acreages. Financial assistance to develop pasturage for livestock will aid them greatly, without adding to farm surpluses, by providing dairy products and meat, enabling many families to have a more balanced diet. At present many of these families are not consumers of such farm products. Hopefully, these provisions will prove a means whereby land that has been ravished by either the harvesting of timber or the extraction of minerals could be quickly converted from being a source of siltation and flood runoff, to an area which would assist in the retardation of rapid runoff, thus helping to reduce floor stages.

Some of the provisions of S. 3 may not have the desired effect if limitations added to the bill in the Senate are allowed to stand. I have particular reference to the provisions of section 205 which allows $36,500,000 for mining area restoration and for a 2-year study of strip mining in the entire United States, but which prevents any of the funds being used on nonpublic lands until authorized by law after completion of the study. This will probably have the effect of delaying any action, at least in eastern Kentucky, if not in many of the other problem areas of Appalachia, for at least 2 years.

The need for a 2-year study of strip mining problems is not apparent to me. A great deal of research has been done already, including several projects at Berea College, Kentucky, for which funds were obtained during the past few years. I have been told that far greater amounts of research on the restoration of strip mining areas has been done in other States. Thus, we know what the problems are, what causes them, and what needs to be done to ameliorate them. It certainly appears unnecessary to hold up taking action until the completion of a 2-year-long study, which is what is likely to happen if the Lausche amendment is allowed to stand.

In connection with the water resources survey that would be authorized by section 206 of S. 3, which is an important part of my original program for Appalachia, it would be shortsighted indeed if we were to permit restrictive criteria on cost sharing, cost allocation, reimbursement of costs, and computation of benefit-cost ratios, that are being developed by the Bureau of the Budget as a means of holding down Federal expenditures in the field of water resource development, to hold back the very projects that are needed to stimulate economic growth in Appalachia. The bill appears to recognize this issue, by including a program development criteria in section 224(a)(3), calling for consideration to be given to the relative financial resources available to the States or local interests seeking to undertake the project. This should permit deviations from restrictive policies where needed to foster development. Once we get this region back on its feet, economically, it will be time to institute requirements for non-Federal cost sharing, reimbursements, and the intricate details of benefit-cost analysis upon which so many projects in Appalachia have foundered in the past.

I see no need for descriptive reiteration of all the many provisions of the bill which have been covered in the committee reports and in the statements on the floor of the bill. I support the bill wholeheartedly, but I think it would be desirable if its scope could have been larger; I have particular reference to the need for additional funds under the Public Works Acceleration Act of 1962. The bill as reported will provide an adequate start toward a program aimed at making the Appalachian region self-sufficient. This must be our goal, any other would lead to perpetuation of conditions that I think, we all must agree, should not be permitted to exist amid the prosperity of America today.

For all intents and purposes the Lausche amendment will delay for at least 2 years while this study is being carried on any reclamation work in my area and I believe by and large throughout the Appalachian area. But my good friends on the Committee on Public Works tell me that we can come back and they are going to review this legislation. It is for this reason I am wholeheartedly supporting S. 3.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. JONES of Alabama. Of course, the committee thought there was a great need to hurry along the studies that are being made by the Department of the Interior regarding the restoration of the strip mining areas of Kentucky, West Virginia, and Pennsylvania. However, the studies have not reached the point where they have been concluded to the extent of making recommendations to the committee at this time.

As I explained it yesteday, in talking about that section of the bill, we do hope that the work done on public lands will be of such value that we can take the information we obtain from those studies and apply it to private lands at some subsequent date.

Mr. PERKINS. I certainly thank the gentleman for his statement.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have before us a bill which I believe to be one of the most poorly drafted bills ever presented. Despite the comment of the gentleman from Alabama earlier in the debate, I believe it to be one of the most poorly drafted bills, covering a program which will be subject to a greater amount of political favoritism or public works "pork barreling," than any bill which has been before the Congress in recent years. And I do not exclude the two programs which were so highly discredited—the accelerated public works program, involving expenditures of almost $900 million, as well as the area redevelopment program, not even proposed for additional appropriations. Even the accelerated public works was not proposed for additional authorization.

I wish to cite what I believe to be the most flagrant example—the one that sticks out like a sore thumb—with respect to what I am talking about, the political "pork barreling." I refer to the access road provision in the bill before us.

I should like to take just a minute on this, and I should like for Members to look at the bill itself as well as the report. Let us see what the bill says.

Often, in debate, Members get on the floor of the House and say, "This is what we believe the bill does." When I debate a bill, I like to point to the words, to the language of the bill itself, which speaks for itself, and which should leave no question and no doubt as to what it does.

Of course, there are many things which the proponents would like to see this bill do, but the bill will not do them. There are certain ways the proponents would like to see this program carried out, but the bill does not provide for it.

I saw an interesting quote only a few minutes ago, which came in on the ticker tape, by UPI, from Appalachia.

This is from Appalachia, from Louisville, Ky. This is from one of its outstanding residents, one of the leading authorities on Appalachia. He said that the region is facing the same problems which it faced 50 years ago and that the President's billion-dollar aid bill is not going to change matters. This is Mr. Harry Caudill of Whitesburg, Ky., the author of "Night Comes to the Cumberlands." He says that the real problem there is not being met, which is the problem of getting education for these people. He says that the $840 million aid to Appalachia is ticketed for roads, which he feels is a mistake, although he says that it will be of some help. Now, here is an authority on the question of Appalachia and its problems. He says that this bill will not do the job, and it will not. This is just another layer, just as the accelerated public works was. They were in here a few years ago and they said, "You give us that $900 million authorization for accelerated public works, and we are going to solve unemployment in America." They said after that, "You give us training under the Manpower Development and Training Act and give us a certain number of millions of dollars for that and we will train these people. Give us $30 to $40 million a year for job retraining and we will do the job and find jobs for them either in their home communities or elsewhere." Last year they said, "Give us $1.4 billion next year." As I recall it, it was some $360 million to be spent this year. They said, "What we will do is put into effect the nationwide antipoverty bill and we will solve the problem of poverty in America." What we have done here is stick layer upon layer and we have more coming. We have more coming. You are going to have area redevelopment on the floor of this House, I believe within a month, but they cleverly planned it to be on the floor of the House after and not before Appalachia. So that will be another layer in Appalachia as well. You are going to have additional regions brought up, similar to the Appalachian "pork barrel" approach, on the floor of the House. You are going to have this approach for the Ozarks. You are going to have it for the upper Great Lakes. You are going to have it for the northeastern United States. This is documented by the statements of distinguished Members of the other body saying that while they were supporting this bill, even though they do not represent the region it is to aid, they were supporting it because they were expecting a region to be set up in their area.

Now, this bill will cost, according to the record, an estimated $4 billion before it is all over with in Appalachia alone. It is estimated that it will cost between $10 and $12 billion to do the same job in the other regions, and the best authorities admit and indicate that it is not going to solve the unemployment problem. It will cost close to $10 billion, and in support of that figure I cite the testimony of Mr. Charles A. Robinson, Jr., staff engineer and staff counsel, National RECA, on page 217 of the testimony.

This is what you are getting into. This is what is forthcoming. This is the first in a series of bills that are going to set up regions and set up supergovernments and are going to give the Federal Commissioner a cochairmanship in those supergovernments. This bill is going to give that cochairman, the Federal representative, an absolute veto power over every program and over every project provided for in this legislation. That is what is coming in the series of bills to follow.

Now let us examine what is in the bill specifically. I started out to mention access highways as an example of the pork barrel, boondoggling effect that is going to result from this legislation. This is admitted in the record. They would not admit that with respect to the accelerated public works or the area redevelopment. They kept denying it, although that is the application that it had. They admitted in the record of these hearings that these access roads can be and are expected to be built to private enterprise facilities, including swimming pools, golf courses, ski slides and including beach areas and privately owned motels and anything, in fact, that in the imagination of the Commission or the Federal Commissioner will result in the development of the area.

The other body did a good job on this so far as the proponents are concerned.

The other body made a very clever amendment to the legislation so that in its present wording—and this is admitted in the record, too—these access highways do not even have to be built to minimum standards; they may build the lowest class highways if they want to. These highways would not have to be maintained; this 1,000 miles of access highways would not have to have any State or local maintenance. This is the first time in the history of highway legislation that you have Federal-aid funds involved and do not even have to build the roads to standards and do not have to maintain them. And then they may be built to private enterprise facilities, including swimming pools, ski slides, golf courses, and so forth. It says so in the bill.

If you will look at page 13 of S. 3, lines 15 to 19, it says:

> There are authorized to be constructed not in excess of 1,000 miles of local access roads, that will serve specific recreational, residential, commercial, industrial, or other like facilities or will facilitate a school consolidation program.

It is wide open—unquestioned; that is the intent, that is the purpose. And I say to you that if this provision is written into this bill—and we intend to try to strike it out, it is not in the substitute bill—if this provision alone is written into this legislation it is going to make the pork-barreling, favoritism aspects of APW and ARA look like peanuts, because it is a wide-open invitation.

A lot has been said with regard to preferential treatment. It is our position, and rightly so, and no one can deny it—it has even been admitted by the man who probably will wind up as the Federal commissioner, Mr. Sweeney, as shown at page 42, that this is intended to be and is in fact a discriminatory approach, a favoritism approach. Mr. Jones asked the question, and Mr. Sweeney said:

> Yes, sir. I think we ought to speak frankly. The name of the Appalachian game is preferential treatment.

Let me repeat that; this is the Federal witness, the proponent speaking in behalf of this legislation.

> The name of the Appalachian game is preferential treatment.

That is precisely what we are saying, that there is no justification for discriminating against the rest of the Nation, for setting up one region to the exclusion of the other parts of the Nation that are equally poverty stricken. This map was exhibited yesterday, and it shows that there are other poverty stricken areas, some of which are even more poverty stricken than those in Appalachia. Every green and every gold area on the map is a so-called depressed area under either Area Redevelopment or under Accelerated Public Works Acts. And yet this bill deals solely on a single regional basis, sets up a supergovernment structure solely in that portion of the 11-State area known as Appalachia. What happens to the rest of the Nation? What happens to eastern Texas, for instance, which has considerable unemployment? What happens to the great State of Oklahoma, I would like to ask the majority leader, if he were here? What happens to the great State of Oklahoma that has numerous depressed areas? What happens to the State of Mississippi? What happens to the rest of the State of Alabama? Or the State of Louisiana, I would like to ask the majority whip, if he were here? What happens to those States that are excluded?

Our substitute recognizes that this is a totally discriminatory approach.

Our substitute makes available sound programs, properly conceived, properly drafted, solely for the purpose of seeking the development of the area, and eliminates the pork barrel aspects of the Appalachian bill, some of which I have described.

Mr. Chairman, what is more fair? What is the best approach? Are we going to set section against section and region against region in America? Are we going to tax all of America and make the benefits available to this one region, solely to this one region of the country, exclusive ,of the other areas of the country?

Mr. Chairman, when this Nation was founded it was founded under the credo of one nation indivisible with liberty and justice for all. Are we going to now change that credo to one nation indivisible but with liberty and justice and the antipoverty program for only this section of the country?

Mr. Chairman, the distinguished gentleman from Texas, for whom I have the highest regard, made the statement that this effort is to stretch out the hand of help. This is the hand that is stretched out to Appalachia and this is the hand that is stretched out, palm up, to the rest of America.

Mr. Chairman, if we pass this bill we are going to give a helping hand but everybody is going to have to pay the bill, even though one comes from an area that is more depressed than this one. You are going to say that we are going to take from you with this hand, palm up, to help a few. That is the approach.

The gentleman from Texas also said that we will lift this area up by its bootstraps. What are they going to do to the rest of America? They are going to kick the rest of America with the toe end of the boot. That is what they are going to do. It is wrong.

Mr. Chairman, the argument has been made with respect to discrimination, in opposition to that point of view which I hold, that this is similar to TVA. This is the gimmick that has come into it. However, I have long viewed this as an effort to actually set up another TVA area.

Mr. Chairman, they say we have other regional projects of reclamation and other programs. But the answer to that is so obvious that I am amazed it is being offered as a good argument. The answer to it is that these programs, be they rivers, harbors or reclamation and what have you, are available to the whole Nation, not just areas in one portion of the Nation, and the State or local community must meet certain criteria and certain cost-benefit ratio repayment.

Mr. Chairman, as a matter of fact there is presently a reclamation project in the State of Florida, the central and southern flood control projects, and projects at other places located throughout the Nation which can equally qualify if in fact they meet the basic standards.

Mr. Chairman, one cannot argue against the fact that this intentionally sets up a super-Government approach on a broad basis. It cuts across hospitals, it cuts across agriculture, and other things, and I cannot understand why some of the members of the committees whose jurisdiction over these matters are involved have not been heard with respect to this. Many programs of this type have been turned down time and time again by these committees. I would mention in this connection the committee that turned down the proposal contained in the mental retardation program with reference to 100 percent Federal participation in the operation of those hospital facilities. The committee having jurisdiction over that subject matter said no, we will not do this.

Mr. Chairman, the committee having jurisdiction over it said, "No, we will not do this because this would be closely approximating socialized medicine; this brings the Federal Government into 100 percent participation in the payment of doctors' bills, nursing fees and what have you in the operation of these facilities." Yet, lo and behold, the Public Works Committee of the House, having no expertise whatsoever on the subject matter, having no real knowledge as to the background of these programs, is asking the Congress to provide for 100 percent of the cost of the operation of these facilities over the first 2-year period, and 50 percent of the cost of the operation thereafter, with absolutely no strings of any kind attached, except Federal control.

Mr. Chairman, if one looks on page 16 one will see exactly what I am talking about with reference to demonstration health facilities.

Here we are—hospitals, regional health diagnostic treatment centers, and other facilities necessary to health.

Section (c) provides $28 million for operation of these facilities. I just hope the House knows what a bucket of worms we are getting here, and what kind of program we are getting into, setting a precedent for future legislation. I will read:

> Grants under this section for operation (including equipment other than initial equipment) of a project may be made up to 100 per centum of the costs thereof for the two-year period beginning on the first day such project is in operation as a health facility. For the next three years of operations such grants shall not exceed 50 per centum of such costs.

It does not require that the area receiving aid needs that kind of money. Why, these demonstration health facilities can be built in Huntsville, Ala., where, out of the billion-dollar outer space contracts awarded in the year 1963, some $200 million was awarded in Huntsville, one of the most prosperous areas in the United States. Huntsville could have one of these demonstration facilities, with the Federal Government picking up 100 percent of the cost of operation over a 2-year period and 50 percent after 2 years, this in spite of the fact that a legislative committee having jurisdiction of this matter has at no time approved such legislation, and has, in fact, turned it down summarily. That is another example of what is wrong with the bill we have before us today.

Incidentally, our substitute eliminates the aspect relating to operational costs of health facilities.

How has this Appalachian region been set up? Why is it since the bill was before us last year, when we were told at that time "this is a perfect bill, this will do the job, we are not going to have any changes," the reins are tightened up this year, even though there were four major amendments in the Senate and numerous amendments in the Senate committee, why is it we were not allowed to cross a "t" or dot an "i" in our committee? We were not able to make a single change. We were not able to provide that these roads be built to certain standards or be maintained by the local communities. No changes whatsoever. The Senate added a number of counties to the bill after the Appalachian Commission reported. Was not the Appalachian Commission report the basis for drawing the lines for an area? Oh, no. Additional counties were added by the other body, but not a single county was permitted to be added in the House deliberations.

This Appalachian region was set up on the basis of a $3,000 a year criteria as representing poverty. You know, it is interesting to me after they have spent in the last 5 years about $12 billion—and I put some of the programs in the Record yesterday, you can see them there listed—some $12 billion have been put into unemployment projects and other things of that kind. Of course, when the candidates were running for office those candidates said they knew all the answers to the problem, they were going to spend $12 billion of Federal money. They come before you and say we have now in America some 20 percent of American citizens earning less than $3,000, and are in poverty. We have now 37 million in poverty when we were told 5 years ago by President Kennedy that we had 17 million people who went to bed hungry at night, then after having spent $12 billion here we are with $1.1 billion being asked for one section under a program which will cost eventually $4 billion, and if other regions are added we will have $10 billion spent. This is not the answer to the problem.

Referring to the $3,000 income standard, let us examine that for a minute. There are 76 counties in this proposed Appalachian area that have no poverty. They are not depressed areas, they are not under ARA, they were not under APW. If you will examine the minority views you will see examples in State after State where the poverty is not so great in Appalachia as it is in some of the other States throughout this Nation of ours. You will find the Governors of some of these Appalachian States testifying to the effect their State does not have a real serious poverty problem.

Take, for instance, the Governor of the State of Virginia. On page 38 of the minority views, his testimony before the committee is quoted:

> There is little that this bill envisions that is not already being undertaken by existing agencies of the Commonwealth of Virginia.

He said that of the 21 counties included, he does not know why they were included in Appalachia, except that somewhere 2 or 3 years ago some individual simply drew a line on the map at the foot of the mountains. This, from the Governor of the great State of Virginia. The Governor of Tennessee emphasized in his testimony last year that not only were not all of the places in Appalachia in a depressed condition, but on the contrary some of the State's most prosperous industrialized complexes were included, such as the Kingsport-Johnson City-Bristol area, the Morristown-Greenville area, and the Knoxville-Alcoa-Oak Ridge areas, to mention several. This is the Governor of Tennessee testifying on this situation.

Interestingly enough, no Governor, no representative of the States outside of Appalachia were even invited to testify, and no highway department outside of Appalachia, and this despite the fact that for the first time in the history of highway legislation where a major system is involved we are legislating on a regional basis to the exclusion of the rest of America. You are being called on to build highways in this region but in no other. I say this is a dangerous precedent.

What about the $3,000 as being the test for poverty in Appalachia? In the summation of benefits under social security I ask this question, that if $3,000 is the test for poverty, then is not the U.S. Government itself guilty of impoverishing millions of Americans in this country today, those who receive social security, for instance? What is their average income? Their average income, according to the official documentation, of a worker, aged wife, with one or more children, was $1,891, so every one of them would be termed impoverished. A worker with a young wife and one or more children should be considered impoverished since he gets $1,785 a year.

What does a lieutenant in the armed services get? A lieutenant in the armed services gets less than $3,000 a year, yet that is the test we use. A second lieutenant's pay is $241.20 a month, or $105.60 below the $3,000 poverty level described in this legislation. That shows the total incredibility of the tests used to try to document that this is such a heavily impoverished area.

Further, with regard to the question of the highway program, which is three-quarters of this bill, 76 percent of this bill is building highways, and I want you to listen to this, this is what they are doing by their own admission, from the testimony before our committee. This is their program to help unemployment in Appalachia. Eighty percent of the highways to be built are not new highways in new locations, they are improvements on existing highways, highways built already, not, as it states in the bill, to open up areas for development. Eighty percent are going to be improvements on existing highways. So where you have a two-way highway you are going to make a four-way highway out of it. Does that sound like the best investment of the taxpayers' money to help poverty in this area? I say no.

Let me give you a summary of the statement of the Bureau of Public Roads on this question.

They said:

> It is assumed the construction of the mileage under the development system on access roads will be along existing routes of travel and will be an addition to the current ABC Federal-aid program so far as money is concerned.

You will note it says "existing routes of travel." Let us see what that means relating to a specific State.

The other evening I took the State of Pennsylvania. We do not have any maps before our committees as to where they are going to build these highways so I took the State of Pennsylvania as an example, and I put on that map the present interstate system that is being proposed and under construction. Incidentally, do you know how much the Appalachian States got under the interstate allocation for 1966? The Appalachian States got $802,700,000 for 1 year alone to build interstate highways in the 11 States containing the Appalachia area. Does anyone believe that this $840 million more offered by S. 3 is going to do the job for unemployment? Of course not. The $800 million and all the money that they have gotten and are going to get under the Federal-aid highway program by 1972 is not going to do the job, particularly the way they are going to do it. So our substitute changes that.

Here is what they are doing, as shown on the map of Pennsylvania. This is the Interstate System—the straight lines. The jagged lines on this map which I am holding up for you to see indicate the developmental highways that they are going to build. Look at how Pennsylvania is already crisscrossed with the Interstate System. Over $800 million a year is being spent in Appalachian States for that alone. The jagged lines indicate where they are going to build development highways.

If you will notice, in every instance you have existing primary highways on these same locations. Now I ask you: How much of this industrial development is this going to accomplish for the great State of Pennsylvania? Our substitute requires these highways to be built on locations that will improve industrial development and not duplicate present existing highways. This is what is wrong with this legislation. As a matter of fact, it appears to me that what they did was that Appalachia said they wanted whatever program each Federal Department can dream up that might make a contribution to the Appalachia problem. That is exactly what they did. And, oh boy, you talk about a dilly. You ought to look at that agricultural program. I wish, and I would hope, that some of those who are authorities on agriculture will take a look at that one. It really is a dilly. Here again we are dealing with a subject that our committee knows little or nothing about. Last year as a matter of fact, they admitted that the section was so bad that the result of it would be that you would increase the acreage available for grazing purposes very substantially and, therefore, they agreed to strike the section out. Lo and behold, it comes in this year and it is going to have about the same effect and they insist upon keeping it in. They are going to give Federal funds to anyone who has a farm, to subsidize him to improve 50 acres of that farm. One of the improving practices that they can use is the planting of grass and other crops which can be used for grazing purposes, and we are right back where we started before. That money can be made available not just to those people who earn less than $3,000. It can be made available to millionaires—to suitcase farmers who go out into an area and have an investment in a farm. They do not live on it—it is an investment. It is an investment where they hide their tax money that they do not pay to Uncle Sam. They put it on a farm and anybody can get $2,500 out of this program just as any farmer who actually works and lives on the farm.

I wish the time permitted me to examine in similar depth many other sections in this bill. At a later time I will have an opportunity to discuss in greater detail the substitute and how we have made corrections relating to criticism which I have leveled at the proposal relating to the bill, S. 3.

But I would hope that you would take a look at the minority views. They are synopsized on page 33. They are documented there, after a full discussion, and the substitute starts on page 59 and it overcomes most of the shortcomings which I have just discussed.

Before too long we shall have an opportunity to discuss the substitute itself.

I trust that this legislation will be defeated. As I say, it is about the worst piece of legislation I can remember coming before this House in some time.

Anyone who knows the area and its problems, including the gentleman from Louisville, Ky., Mr. Caudill, knows full well this is not the answer to the problems of unemployment, even in Appalachia.

Mr. JONES of Alabama. Mr. Chairman, I yield 7 minutes to the chairman of our committee, the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman and members of the committee, I have been asked by a number of Members who represent the States in the great Northwest which have been hit by the enormous floods during the Christmas week, "does the fact that we are going into a new program to help raise the economic benefits of a region mean we are going to forget about these people who suffered so severely in the flood damage of Christmas week?"

Mr. Chairman, I am today announcing that hearings are to be held next week starting on Tuesday, March 9, 1965, by the Subcommittee on Flood Control of the Committee on Public Works under the chairmanship of the Honorable ROBERT E. JONES, of Alabama, on the severe floods which occurred in the Northwestern United States during Christmas week of 1964. As many of the Members know, I appointed a special subcommittee headed by Congressman JONES to inspect this area during the week of January 10, 1965. This action was in accordance with the desires of the President and the Speaker as well as my own wishes as chairman of the Committee on Public Works.

These floods were some of the most disastrous that have ever occurred in the United States, particularly with respect to the magnitude and destructive nature of the flood flows. The subcommittee found that millions of dollars of damage had been caused and entire communities disrupted for long periods of time. In fact, there is one area in the basin of the Eel River in northern California which will have an unemployment problem for as many as 4,000 people for periods of up to 6 months.

In the State of California preliminary estimates of damages which are believed incomplete approximate $300 million. An additional $256 million damages are estimated to have occurred in Oregon, and another $87 million in the States of Washington and Idaho. Damages to farm and forest areas, included in these totals, approximate $100 million, and highway damages in Oregon and California alone exceeded $135 million. In the Eel River Basin damages were especially catastrophic. Herds of valuable dairy stock were lost, towns, roads, and bridges were destroyed, and an estimated 100 miles of Northwestern Pacific Railroad tracks were washed out or severely damaged. In the Sacramento River, San Joaquin and Lahontan Basins approximately 425,000 acres of land were flooded and total damages are estimated in these areas to be about $31 million. Completed works, and projects under construction, of the Corps of Engineers, and the Bureau of Reclamation and the State, in the Sacramento Basin are estimated to have prevented about $246 million of damages that would have otherwise occurred.

In Oregon, floods exceeded the intensity of those which had not been exceeded previously since 1861. Estimated actual damages are believed to have approximated $184 million in the basins of the Willamette, Columbia, Rogue, Umpqua, Coquille, and other smaller basins. Existing projects, including approximately two-thirds of the projects authorized for the Williamette basin which had been completed, are estimated to have prevented about $570 million of damages on the Willamette, and $50 million worth of damages on the Columbia. Authorized projects not yet completed or undertaken could have prevented an additional $34 million worth of damages.

It is interesting to note that damages prevented in the Willamette basin in this one flood greatly exceed the total investment to date in flood control and multiple purpose projects in that basin. Most of the damage occurred where there is only partial or no flood protection. Studies now underway by the Corps of Engineers and the Bureau of Reclamation are considering a number of multiple-purpose projects which will have further effect on flood control in the damaged areas.

However, we cannot wait until these studies are complete. Immediate consideration is necessary. This disaster has been so overwhelming and the immediate need for assistance so great that I feel it is essential to give this matter the highest priority and for that reason the hearings are being scheduled at this time.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, a massive broadside attack on poverty and distress in Appalachia is long overdue.

In transmitting his bill on Appalachia to the Congress on April 28, 1964, President Johnson called for "an active beginning to end an old problem in Appalachia."

About 3 months later, on July 20, 1964, a "clean" bill, H.R. 11946, to be known as the Appalachian Development Act of 1964, was introduced into the House of Representatives by Congressman Davis of Tennessee, to provide an effective, far-reaching approach toward overcoming the economic stagnation in Appalachia. Congress adjourned, however, without taking action on the bill.

As a Representative in the Congress of the United States from a distressed district included in the Appalachian region, I would like to speak briefly in strong support of this legislation.

Appalachia is a region apart, an area which, in the words of President Johnson, "The general economic progress of the Nation has passed by." This mountainous region includes all of West Virginia, and parts of Alabama, Georgia, Kentucky, Maryland, North Carolina, Ohio, my own State of Pennsylvania, Tennessee, and Virginia.

During this post-World War II era of general prosperity in the United States as a whole, Appalachia, with its 15.3 million people, has suffered economic want and deprivation.

In this troubled area, Federal expenditures for welfare aggregate almost $500 million a year.

The major problems confronting Appalachia, according to the President's Appalachian Regional Commission, are "low income, high unemployment, lack of urbanization, low educational achievement, and a comparatively low standard of living."

First of all, throughout Appalachia about 1 in 3 families has an annual income of $3,000 or less. For the rest of the country the figure is 1 in 5. A family income of $3,000 is used as the dividing line between poverty and some degree of comfort by the President's Council of Economic Advisers, with full recognition of the limitations involved.

In Appalachia, only 8.7 percent of all families have incomes of $10,000 a year or more, compared with 15.6 elsewhere in the Nation. The median family income in metropolitan areas in Appalachia during 1960, the latest year for which such data have been computed, was $5,287, or 16.4 percent below the median of $6,324 for comparable areas in the rest of the United States.

Likewise, the median rural farm income in Appalachia was $2,624 in 1960, or $450 under the like figure for the balance of our country.

Second, unemployment plagues this region. In 1962, the latest year for which such regional figures are available, about 500,000 workers were without jobs. This army of unemployed represented about 8.8 percent of Appalachia's work force. But during the same year, the national average rate of unemployment was 5.6 percent.

Furthermore, the Appalachian portion of Georgia, Kentucky, Ohio, Virginia, West Virginia, and my State of Pennsylvania had unemployment rates in 1962 which exceeded the national rate by more than 50 percent.

However, unemployment in those parts of this 10-State region which are not within Appalachia—all of West Virginia lies within Appalachia—averaged only 4.7 percent in 1962.

Low income and the desperate lack of jobs have caused a steady outmigration of workers, in hope of finding employment elsewhere. During the decade 1950–60, the Appalachian region experienced an outmigration of an estimated 2 million persons.

Furthermore, the most productive age group—18 to 64 years—in the rest of the United States expanded by 8.6 percent during the 10 years, 1950–60, but in Appalachia this age group actually declined by 5.1 percent.

Chronic unemployment besets the Appalachian region because of declining industries on the one hand and automation on the other.

Appalachia is our Nation's leading coal-producing region. All our anthracite coal and two-thirds of our bituminous coal are supplied by this area. However, competition from other fuels has eaten into the market for coal. Furthermore, coal mining is extensively automated. Therefore, employment in the Appalachian coal mines dropped from more than 462,000 in 1950 to 191,000 in 1960. This was a decline of almost 60 percent.

Most of the hard-core unemployment in my own congressional district of Pennsylvania, which comprises Washington, Greene, and Fayette Counties, is due to automation of coal mining, and to the closing down of worked-out mines, as well.

Employment on the railroads has similarly been reduced by mechanization and competition from other means of transportation.

And with greater use of machinery on farms, agricultural employment has also declined sharply.

Third, the predominance of rural, nonfarm areas in Appalachia is a major factor in the economic stagnation of this extensive area.

> Rural in Appalachia does not mean a checkerboard of rich farms; instead, dense but narrow ribbons of bleak habitation wind along the valley roads and up the tributary hollows, threatening among the wooded hills.

This is the true description of these rural localities used in the report of the President's Appalachian Regional Commission.

This type of land is too barren to support prosperous farming. Currently, about half the farms in Appalachia gross less than $2,000 a year.

Most of the inhabitants work in coal mines, or on railroads; or have no work at all.

Fourth, educational deficits have impeded progress in Appalachia. For example, "for every 100 persons over 25 years of age elsewhere in the United States, 8 have failed to finish 5 years of school. In Appalachia, that figure rises to more than 11. Although the level of educational attainment in the Appalachian portion of three States is above the national average, in the remainder of these States the percentage of persons failing to finish 5 years of school ranges from 11 percent to 22 percent. It is estimated that 1½ million of Appalachia's inhabitants are functionally illiterate.

Thirty-two out of every 100 Appalachians over 25 have finished high school, contrasted to almost 42 persons of similar age elsewhere. No section of Appalachia reaches the national norm for the rest of the United States and one State dips to 58 percent below that norm.

"Appalachia also suffers from a shortage of college graduates. In the rest of the United States, eight of every 100 persons over 25 years of age have completed at least 4 years of college. In Appalachia that figure drops to five," so reports the President's Appalachian Commission.

And finally, standards of living in Appalachia are woefully inadequate as a result of low incomes and joblessness. The condition of housing in Appalachia is generally wretched. In 1960, according to the census of housing, 26.6 percent of the homes in Appalachia needed major repairs and 7.5 percent were in such dilapidated condition that they endangered the health and safety of their inhabitants. The comparable percentages for the rest of the United States were 18.1 and 4.7 percent, respectively. The situation was more aggravated in rural areas. Here almost one out of four homes had basic deficiencies that required correction to provide adequate housing; 1 out of 10 was dilapidated. More than half of the farm homes lacked adequate plumbing.

Standards of health and nutrition are also low. Severe personal health problems in Appalachia include nutritional deficiencies, dental diseases, chronic diseases, infant deaths, and communicable diseases.

To give a final indication of deficiencies in standards of living, in Appalachia, 5.9 percent of the population receive some form of Federal assistance, against 4.1 percent for the rest of the Nation.

These conditions of misery throughout Appalachia demonstrate the crying need for comprehensive regional action to cope with such widespread economic blight.

S. 3, the Appalachian Regional Development Act of 1965, would "provide public works and economic development programs—needed to assist in the development of the Appalachian region."

Briefly, this proposed measure would establish a joint Federal-State commission to plan and coordinate the "various undertakings involved in improvement of the region." Suggested new programs include, first, the Appalachian Development Highway System which provides for the development of 2,850 miles of highway, and, second, the construction of demonstration health facilities.

Third, the act would provide for pasture improvement and development in order to promote the conservation and fuller utilization of the region's important land and water resources.

Fourth, the establishment of timber development organizations would also be encouraged for the purpose of improving timber productivity and quality and to increase the return to landowners.

Fifth, the act would provide for mining area restoration in Appalachia to seal and fill voids in abandoned coal mines, plan and execute projects for extinguishing underground and outcrop mine fires; and also to expand and accelerate fish and wildlife restoration projects.

And, sixth, the Secretary of the Army would be authorized to prepare a comprehensive plan for the development and efficient utilization of the water and related resources of the Appalachian region.

In addition, certain supplements and modifications of existing programs are provided for by the bill. For example, grants to the States in the Appalachian region for vocational education facilities under the Vocational Education Act of 1963 would be liberalized.

Likewise, grants for sewage treatment works to Appalachian States under the Federal Water Pollution Control Act would be liberalized.

And the Housing Act of 1954 would be amended to make the Appalachian Regional Commission eligible to receive comprehensive planning grants under this act.

Mr. Chairman, as a representative in the Congress of the United States from the 26th Congressional District of Pennsylvania, a depressed area, I have observed the ravages of economic distress at first hand. It is my firm conviction that this suggested legislation, providing as it does for long-term economic growth, would be of great assistance not only to my own congressional district, but also to the entire Appalachian region and ultimately to the whole United States.

I, therefore, urge the Congress to take immediate affirmative action on this carefully thought out proposal for directing this 10-State region up the road of economic rehabilitation and long-term growth, as contained Senate bill 3.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may require to the gentleman from West Virginia [Mr. Slack].

Mr. SLACK. Mr. Chairman, the business before the House, the Appalachian Regional Development Act of 1965, is the product of more than 10 years of consideration and research by a great many persons and organizations. It has been scrutinized in great detail during extensive hearings both this year and last year, in both bodies of Congress.

Almost everything that can be said about the proposal, pro and con, has been said, and nothing would be gained by repetition of established argumental theses. At this point in the deliberations, however, we must not lose sight of one central fact: notwithstanding our record of strong, continuous national economic growth since the end of World War II, the States of the Appalachian region have not properly shared in that growth.

During those years we have had recessions, and we have bounced back, but the Appalachian States have felt each recession more severely than their neighbors, and have bounced back more slowly. In consequence these States, by and large, have not been positioned to bear their full share of responsibility for the fulfillment of our national objectives.

Congress has recognized the reality and scope of the problem. We have authorized previous programs to deal with portions of it. We have appropriated funds, and to some degree we have secured a betterment of conditions.

The Accelerated Public Works Act was a tool designed to reshape the communities in Appalachia and elsewhere by encouraging community betterment programs and by stimulating job opportunity through immediate application of construction funds.

The economic opportunity or antipoverty program is a long-range effort to upgrade the capacity of individuals, principally those who have never broken out of the poverty cycle from generation to generation. It is an educational effort of a specialized kind. We expect to secure a return on our investment in this program through the better developed capacities of these people to fill their roles as citizens.

The Appalachian proposal is not a duplicate of either effort. It is a proposal with a 6-year lifespan, requiring State and local participation, and aimed at improvement of certain fundamental conditions which chronically inhibit economic growth and recovery in this region, as we have learned from the historical record.

Without proper access to materials and markets there can be no development, and consequently some 80 percent of the money is to be spent on roads. Most of the balance will go to correct negative conditions which have come as a byproduct of uncontrolled land and minerals exploitation. It is an investment in fundamental needs, justified by the conviction that planned improvement will do away with the need for antipoverty programs in the next generation.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Dyal].

Mr. DYAL. Mr. Chairman, I am grateful for the factual remarks of the distinguished chairman of the Public Works Committee, the member from Maryland [Mr. Fallon], concerning our flood damage problems in the great State of California. It is especially pleasing to me as I intend to address my remarks to section 206 of the bill now before us for consideration.

The protection and preservation of the Nation's water resources is of concern to all Americans—we who live in a semiarid area may be envious of the annual rainfall records of Appalachia but we also know that without long range planning abundant water can come to an end as use increases. Water is so valuable we cannot afford to mismanage or waste this great resource.

Appalachia is going to grow and prosper under this bill, S. 3. As it does, the preservation of its water becomes mandatory. Under section 206 there has been established a comprehensive water resource survey for the entire region. The Secretary of the Army under this bill will coordinate the studies and will be assisted by all interested agencies and will coordinate all previous legislation under the program.

Appalachia has a priceless asset in its annual rainfall. With top-level management and control, water will provide the essential base for recreational, industrial, residential, and commercial development. The section has certain obvious priorities, for the rest of this regional development program would be hindered without planning against flooding, pollution, and sewage problems.

This great annual rainfall is not kept in channels and behind dams in much of its area. Appalachia's geography demands that man create impounded areas to preserve its water. Impounded water is controlled water, an economic blessing in all areas whether for industrial, commercial or recreational use.

In California we understand the disaster that comes with shortages of water when burgeoning population and industries come faster than new sources of water. Appalachia will grow and develop; water organizations and development must keep pace.

We in California have understood the problems of water for many generations. My own ancestors were among those early pioneers who brought irrigation to the Southwest over 100 years ago. Moveent of water to areas of need is vital. Witness the transportation of water in the Holy Land from Lake Huleh to the Negev which I have visited. The great Feather River project of my State and now, under this bill we need to know the future of the Delaware, the Ohio, Susquehanna, and Potomac basins. This section will accomplish planning needs for the coming generations.

We had those without vision in our State who were afraid of the regional concept. But those with wisdom knew the benefits and the State of California approved the California water plan to the benefit of all. There were those who wished to stop the program—18 million Californians are grateful today we did not stop.

Had we started eliminations by amending areas the great benefits now accruing would have been denied.

When I was about 7 years of age my father took me to the Imperial Desert—a desolate area which became green and fruitful with the aid of Federal funds. There is now shipped from this area a billion dollars of produce in the markets of the world each year.

Mr. Chairman, please note there is no contemplation of either a new Federal agency or Government corporation in carrying out the provisions of section 206. It provides for planning—for coordinated programs for construction and utilization to use past Federal and local programs in an overall concept to bring benefits, not only to Appalachia but to all of the United States. The prosperity of this area will benefit mine.

As the plans are developed, the Congress and the President will review the findings. Each specific recommendation will require its specific authorization. There is no blanket authorization under this section. It is a good bill; a bill with vision—I urge the passage of the bill.

Mr. CRAMER. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. Robison].

Mr. ROBISON. Mr. Chairman, I should like to preface my remarks by noting that it was my privilege, during my past 7 years in Congress, to have served on the Committee on Public Works, and to have worked closely with the gentleman from Maryland [Mr. Fallon], who is now the chairman thereof. I should like to pay my respects to my good friend, George Fallon, to wish him well in his new duties, and to say that I know he will carry out those duties in an admirable fashion.

At the same time, I cannot resist saying that I regret that this proposal (S. 3) is the first major bill reported out of committee by the gentleman from Maryland [Mr. FALLON] in this session, because I think it is both unwise and unsound—in its present form—and I find myself unable to support it.

I shall leave the broader specifics of the criticism I have for this bill in the capable hands of those now serving on my old committee who share my views and who have so well carried the burden of presenting them to you.

I do this, in order to concentrate my remarks on the amendment that was added to the so-called Appalachian Regional Development Act of 1965 in the other body, which amendment would have the effect of including certain New York State counties in the program "on an appropriate basis"—whatever that may mean—if certain findings are made by the proposed regional commission and not vetoed by the Federal representative.

Those New York counties were not specifically named execept, for purposes of "legislative history," during the brief debate on the amendment in the other body. On that basis, however, we find that they are 13 in number and that, by coincidence, the 4 New York counties that I have the honor to represent—Broome, Tioga, Chemung and Tompkins—are all included.

Naturally enough, I know these counties well—and I know the people who live therein because I am one of them, born and raised.

I am sure that to most of those people—as to me—it came as something of a shock to discover, almost overnight in this fashion, that we were a "depressed" area, for these counties—this region of New York—must be considered as being as prosperous as the average of their sister counties across the Nation.

This does not mean, Mr. Chairman, that we do not have unemployment. We do, indeed. Nor, does it mean that we are without poverty. We have impoverished families—and, as elsewhere, even one would be too many.

Nor does it mean, Mr. Chairman, that we do not have villages and cities and rural areas that "progress" has passed by for the time being—we have those, too.

Nor does it mean, Mr. Chairman, that we do not have needs—and real needs—for better highways, and schools and hospitals, or need for help in revitalizing our cities, in developing our water resources and in building badly needed sewage treatment works and the like.

We do have all these needs, Mr. Chairman, and many more—but, until this measure was so amended in the other body, I doubt if there were any of my constituents who viewed those needs as being so urgent, comparatively speaking, that we felt we should be moved, in this fashion, to the head of the line of those of our sister communities waiting for help to meet such needs under the various, existing and ongoing Federal-aid programs designed to promote their solution in an orderly and equitable manner.

In any event, since the adoption of this amendment in the other body, I have awaited with interest the reaction of my constituents. The people of these four counties—of this region—are a proud and self-reliant people. They have never quite gotten over the old-fashioned idea of helping themselves and helping each other—nor have they ever quite accepted the notion that all progress comes from Washington. It has come to me as no surprise, therefore, that I have had, to date, only one constituent who has written to me suggesting I vote for this measure because we might get some help from it. On the other hand, I have had a goodly number of letters from other constituents who have written complaining about the action taken in the other body, and who have stated they that feel most strongly that our area should not be considered for assistance under this program.

And, Mr. Chairman, just the other day, the Board of Supervisors of Tomkins County—one of the counties included in that 13—passed a resolution asking that their county be removed from this bill; and this again did not surprise me.

I have considered this request, Mr. Chairman, but have decided not to attempt to take action along these lines. Why?

Well, chiefly because it seems to me that the very fact of the tentative inclusion of these 13 counties under this program—inclusion for study purposes only, mind you, since there is surely no money in this bill for them at the present time—points up the major defect in attempting to approach the economic problems of a particular region of the country on this basis.

Of these 13 counties of New York, only 3 have ever been eligible for assistance under the formula of "need" set forth under either the area redevelopment program or the accelerated public works program—and it is my understanding that only one of those counties, Chautauqua, is presently so eligible.

This means that, once again, we are preparing to make the same mistake we did in drafting the area redevelopment program—which has never yet worked as its sponsors promised it would. That mistake is that, for political reasons, we are not taking dead aim at the real areas of distress in what might be called hard-core Appalachia—which is something that I would favor—but that we are again using a "scattergun" approach in an effort to make this bill more palatable until, as you can obviously see, Appalachia is virtually bulging at the seams. And, once this bill is passed—as I am sure it will be—off we will go to bring the same sort of relief to any other number of regions of distress that can be thought of across the whole 50 States.

This is why I cannot vote for this bill in its present form—I think it would be an irresponsible act for me to do otherwise even though there may well be some unforeseen political hazards for me to take such a position.

And this is why I will most certainly support the amendment that I understand is to be offered which will restrict aid under this program, except for highway construction, to those counties that are eligible for assistance under the formula set forth in the accelerated public works program. It is also why I will also support, failing the adoption of that amendment, the Republican substitute which I also understand is to be offered—perhaps as a recommittal motion—and which would apply such broad assistance as is to be provided under this program to all areas of special economic need on a nationwide, rather than a regional, basis, which is the only commonsense approach to such problems.

Before concluding, Mr. Chairman, I might mention the fact that if this Congress—if the Public Works Committee—really wants to help my area of New York; if you really want to help my counties and these other nine New York counties achieve a faster rate of economic growth than we have been, all you need to do is to agree upon some formula under which our State will be reimbursed, either in money or in substitute mileage, for the cost of the New York State Thruway that we built at our own expense but that was subsequently incorporated into the Federal Interstate Highway System. This fact has, for years, shortchanged my State in the rightful and originally intended share of Federal highway moneys we should be receiving, and has delayed the reconstruction of New York State Route 17, a key highway running east and west through most of those 13 counties we have been considering. Our State has been doing the best it could to rebuild this road, using 50–50 Federal-State moneys when we ought to have the benefit of 90 percent Federal aid for its reconstruction. If you would give us, instead of the questionable benefit of being included in Appalachia, the equitable relief we have long demanded, here, we would be most pleased, and I am quite sure that, thereafter, it would not be necessary to ever even consider us again as being in need of special assistance of the sort provided under what I think is an ill-conceived and unwise measure.

Mr. DON H. CLAUSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Chairman, the legislation being considered today is being presented by other members of our Public Works Committee. Therefore, I shall direct my comments to the measure that Mr. CRAMER, Mr. CLEVELAND, and Mr. MCEWEN, and I have introduced as a substitute to the so-called Appalachia bill.

In introducing the constructive alternative, we have tried to give the Members of the House a choice that we honestly believe is more in keeping with the proven administrative procedures of our Federal system of Government—procedures in which we utilize the existing agencies to carry out recommended programs rather than create new Federal regional organizations that conceivably could conflict with the best procedure in established Federal-State relations.

I do want to point out, however, that our alternative will permit the promotion of intergovernmental organizations and agreements to attain economical performance, if the units of Government or States involved so desire.

The major difference between the two bills is of course, the fact that our bill makes available assistance to areas throughout the entire country, but we do restrict this aid to counties that are categorized as depressed areas.

The administration has taken a position that no amendment will be supported unless it affects areas in or immediately contiguous to the Appalachian region.

As many of you know, four counties of my congressional district were hit hard during the recent flood in northern California. I have received many wires asking that an amendment be introduced to add our disaster area to the bill to permit assistance to this hard-hit section. In checking with counsel and the Parliamentarian, I have been advised such an amendment would be ruled out of order as not germane to this regional bill.

Therefore, I have no alternative but to support the substitute measure so that my section of the country would be included and therefore eligible.

In drafting the alternative bill, we have worked hard to take the better sections of the Appalachian bill, improve them and eliminate the portions of the bill that we believe are unnecessary.

Personally, I am most appreciative of the committee's consideration of my district's problems. The chairman of this ad hoc committee, Mr. JONES, and many members of the committee took the time to come to my district immediately following the flood to personally see the damage. For this our people shall remain eternally grateful.

While it is highly improbable, in view of the administration's position, that amendments will be added, I nevertheless strongly urge adoption of our substitute bill. This would permit partial assistance to our flood-damaged counties.

Further, our committee is now gathering data and compiling information on the extent of our problems with a view toward offering assistance. I do want to admonish my colleagues now that additional recommendations will be forthcoming. Our plight is categorized as an act of God and somewhat different in that our recovery requirements are necessary due to the extraordinary rainfall and historic flood conditions that can hit any one of us, without warning. I simply mention this now to establish a legislative record and also to serve as a continuing reminder to a sympathetic Congress.

Mr. JONES of Alabama. Mr. Chairman, I yield 8 minutes to the gentleman from Iowa [Mr. SCHMIDHAUSER].

Mr. SCHMIDHAUSER. Mr. Chairman, there are those throughout our history who have sought to scoff at particular regional developments. Certainly we owe much to the great memory of Daniel Webster whose dedication to the principle of national supremacy and whose heroic devotion to the Constitution shall never be forgotten. Yet, even the great Webster in a classic debate over westward expansion proved to be a poor prophet. He once referred to the territories of the Louisiana Purchase and the great Northwest Territory, out of which the great State of Iowa has developed, in narrow regional terms. Here is what he said:

> What do we want with this vast, worthless area? What do we want with this region of savages, wild beasts, of shifting sands and whirlwinds of dust, of cactus and prairie dogs? To what use could we ever hope to put these great deserts and those endless mountain ranges, impenetrable and covered to their bases with eternal snow? What can we ever hope to do with the western coast, a coast of 3,000 miles, rockbound, cheerless, and uninviting. And not a harbor on it.

To those of little faith and vision who want us to defeat the Appalachia program, I ask—where would our Nation be today if the Congress had listened to Webster's negative appeal?

Geographic regional frontiers and our expansion westward are no longer subjects of debate in our national life. For all his great worth in other areas of public policy we can soberly reflect what kind of a society we would have today if the narrow regionalism Webster stressed above had become our national policy. Today instead, as a great nation, we do not hesitate to boldly explore the heavens themselves. Can we shamefully desert our heritage as a strong Christian nation to say that we lack the boldness to attack a great domestic regional problem of human despair and economic stagnation?

The continued existence of poverty which is a part of a deep regional pattern of economic stagnation is the very definition of discrimination. The Appalachia region has approximately 8½ percent of the Nation's population. But the total Federal funds spent in this region last year represented only 5 percent of all dollars spent nationally. Included within that 5-percent total was an expenditure of more than $400 million for welfare programs.

Shall we continue to discriminate against the people of Appalachia by turning our faces coldly against the massive regional problem of economic stagnation? Shall we also turn our faces coldly against the discrimination against every taxpayer in the United States that is inherent in this situation? This is exactly the choice that we have, because if we fail to recognize the serious nature of this regional problem, we are saying in effect, that every taxpayer in this Nation is bound to continue to contribute to pay into welfare programs which, because of complex regional problems, can only treat the periphery of this basic problem and never truly solve it.

Shall we continue to discriminate against all citizens of our Nation, not just those in Appalachia, by denying to our Nation the economic stimulation and growth that can only come through a massive attack upon this economic disaster area?

When the people of Appalachia can buy more food, the agricultural producers and industrial workers in Iowa, the Dakotas, Nebraska, and Illinois, and other Midwestern Plains States will sell more livestock, more feed grains, more soybeans, and all of the other commodities which we produce in such great abundance. When the people of the Appalachian region can increase their purchasing power and become taxpayers instead of taxeaters they will be able to buy food at the same rate as the average American today. This increase in their purchasing power and in their consumption will increase the demand for American food by over $2 billion—approximately double what this Nation has invested in this program.

Let us address ourselves more specifically to this point and answer the question, How could the various sectors of our Nation's economy benefit from economic stimulation in Appalachia? First of all, the biggest increase would be in the production of livestock and livestock products in Iowa and other areas of the Midwest. Producers in these areas would benefit by the estimated amount of $230 million. This increase means that my constituents who raise livestock in Cedar, Johnson, Muscatine, and all the other great livestock producing counties in the First District of Iowa would receive one nickel more for every dollar they previously received. Can those who acclaim this program as discriminatory justifiably inform the livestock producers of this great Nation that they do not deserve this 5-percent increase in receipts?

But what about the other vital industries that will benefit from this program? The transportation and warehousing industries throughout the Nation would realize an additional $64 million of increased production. Our national wholesale and retail trades would benefit to the extent of an additional $72 million; and the list could go on and on into all sectors of our economy.

Personally I do not feel that we should be ashamed of undertaking the solution to the problem of Appalachia on the simple Christian ground that we have a moral obligation to intelligently solve this problem. But we can also state without hesitation that the very economic growth and development of our entire Nation demands action. As we seek to fulfill our obligation to our brothers in the Appalachia region, this bill will enable them to better fulfill their obligations to the citizens of all regions in the United States.

When our brothers in the Appalachia region can become taxpayers instead of tax eaters, when they can revive private purchasing power and initiative, they will return many times to the rest of the Nation the contributions that were made to them.

Let us follow the Webster of hope who in days of better spirit said:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether also in our day and generation may not perform something worthy to be remembered.

Mr. CRAMER. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, I join in support of those here today and yesterday who are so effectively pointing out the deficiencies of the proposed Appalachia legislation. I submit that this proposal is motivated by political considerations, is planned with a view to very specialized benefits instead of the public interest, is written carelessly, is defended largely on the basis of emotional appeal rather than reason, and is generally unworkable. I want to commend the minority members of the Public Works Committee for their clear and effective statement citing the problems inherent in the proposal.

We all favor economic development. Nobody wants to see poverty persist in any part of the United States. But appeals to emotion should not be a substitute for effective action. This bill would set aside 360 counties in 11 States for special treatment, ignoring entirely the other 39 States. It is dangerous to put the Government in the business of giving aid to just certain areas. The White House says that it will consider other areas for special treatment later, but if this is so, why do we not consider the total national economy situation at once. Obviously, the answer is that if the public is given the whole package at one time, it may wake up to the fact that the program cannot be justified.

The proposed Appalachia bill establishes artificial and illogical standards which are open to political manipulation, as we have already seen in the proposed addition of 13 New York counties to the region.

Many of the 360 counties to be helped are prosperous and have no need for help, according to the Governors of their own States. The most wealthy county in South Carolina is to be included.

Statistics cited in support of the bill are based on 1960 information, much of which is now obsolete.

The bill would establish 100 percent Federal financing of the operation of health facilities and hospitals. This is a step which we must certainly consider very carefully because it introduces full Government control into the area of health and medicine. This is not a move we can adopt solely on the approval of the Public Works Committee without at least the consideration of other House committees.

This proposal would set up a single Federal authority which would have veto power over all parts of the program. Because the Appalachia area pays no need to State lines, the new Commission's function would erode the kind of State authority and responsibility which is vital to the continued success of our system of government.

Federal domination of the States is unsavory enough even when some attention is given to State boundaries. When we adopt a program giving to a Federal czar a centralized program which ignores State boundaries, we take a giant step along the road to eventual abolition of the integrity of our system of State government.

A large part of the spending in this program would be for road construction and would be superimposed on existing State and Federal high construction plans. This would be a needless and foolish duplication which could lead only to confusion and inefficiency.

It would also provide a so-called land improvement program. But past experience has shown that the Federal Government meets with remarkably little success when it attempts to set up farm programs of this kind. The proposed payments by the Government for reclamation and other purposes would be wasteful and ineffective.

The bill would establish a new program similar to TVA. But more than 25 percent of the Appalachia area is already in the Tennessee Valley Authority area. Its language calling for the generation of hydroelectric power is entirely lacking in specifics and deserves further explanation.

The Appalachia legislation would set up a public works program which not only would overlap activity of the Area Redevelopment Authority, but which is similar to the public works acceleration program which has proven to be a failure except as a political device for the party in control of the bureaucracy. This section of the bill also is ambiguous, incomplete, and would lead to manipulation which cannot be in the public interest.

The minority members of the Public Works Committee, in their statement, have rightly emphasized that a dramatic proposal, based largely on emotional appeal, cannot be a substitute for well-conceived legislation.

I am opposed to discriminatory, vague, and ambiguous programs of this kind. The Appalachia proposal would simply increase the army of Washington bureaucrats dispensing favors according to their own rules and where it is politically expedient to do so.

Mr. CRAMER. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I am glad to yield to the gentleman.

Mr. JONES of Alabama. Does the gentleman have a statement that will take longer than the 2 minutes allotted to him?

Mr. MATHIAS. Perhaps; yes, sir.

Mr. JONES of Alabama. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. MATHIAS. I thank the gentleman for his kindness.

Mr. Chairman, I have become a cosponsor of this bill because I feel that many of the programs which are included within it are very badly needed for the good of the entire country, and I want to congratulate my colleague in the Maryland delegation, the dean of our delegation and chairman of the Committee on Public Works, for the deliberate speed with which he has been able to bring this bill to the House this year. I say I feel these programs are very badly needed on the basis of personal experience and personal observation.

I represent a district which includes counties that are within the definition of "Appalachia." In 1961 we were undergoing some very difficult economic experiences. Some parts of my district had unemployment as high as 20 percent. This was not a new experience for us. This was an experience that we have had over a period of time. If one looked at a graph of our economic health it would be seen that there were recurring economic fluctuations in our part of Appalachia. Sometimes particular industries would be prosperous and at other times the whole community would be badly depressed.

At a conference that I assembled in the spring of 1961 we came to the conclusion that there were several pressing needs. That conference, I might say for the benefit of the Members here who may wish to evaluate the recommendations of the conference, was composed of businessmen, representatives of chambers of commerce, representatives of management, representatives of agriculture, representatives of labor, representatives of local government and of the Federal Government and State government.

We had just about all the people sitting down together who had had experience and who had constructive ideas on the kind of things that needed to be done to even out the economy of Appalachia and to eliminate the economic dips so that the people living in Appalachia would have a reasonable opportunity to establish a decent standard of living. It was determined at the time we had this conference that local initiative was, of course, a prime requisite to lift up the economy of the area. Local initiative has been exercised through the years and particularly through the last 4 or 5 years. But the physical needs, the material needs are beyond the scope of local initiative.

One of the great needs in the area is better roads and highways. We need roads in order to convey economically the substantial natural resources of the area to their markets. Highways can and will open the area to tourism—a real and largely untapped potential in this region of great beauty. Geography dictates, however, that these new roads and highways should be an interstate system, and that is beyond the power of a single State to plan or to build.

Another great need is the appropriate development of water resources—water needed by industry and water needed by people for consumption and for recreation purposes and dams and other structures for flood control and for water storage and protection.

The interstate character of the rivers that flow through Appalachia requires a program that transcends the authority of a single riparian State. In my district, for example, we have several industries which are prepared to expand and to hire more people at the present time if they can be assured of more favorable water resources and more dependable water resources. Without these resources and without the assurance that they will have the water upon which their industry depends, they cannot expand and they cannot provide new jobs and new economic opportunities.

Where highways may benefit one area, water development may benefit other areas.

In my opinion, we must consider the economic differences of region and maintain a flexibility which will enable us to assist communities and counties in the manner in which they most need assistance.

I think this bill provides the appropriate means by which we can lend assistance; the appropriate means by which an impact can be made in this area that will be felt; a means by which the area can realize that extra bit of needed effort that will allow it to thrive, to be self-sufficient and to enjoy an economic growth rate commensurate with the rest of the country.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. MOELLER].

Mr. MOELLER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MOELLER. Mr. Chairman, I am proud to rise in support of legislation authorizing the Appalachian Regional Development Act of 1965. I am coauthor of this bill, and can attest to the critical, pressing need for it.

I have lived most of my life in Appalachia. Seven of the eight counties of my present 10th Congressional District lie in Appalachia, as do all three of the new counties—Perry, Morgan, and Washington—that I will acquire through reapportionment. So I know something about the conditions that exist in that region of our great country.

I know that the rate of unemployment in some of my Appalachian counties is holding steady at 8, 9, and even 10 percent. I know that our wage earners, when they are able to find work, often must labor and toil for as little as 70 percent of what their neighbors make in more affluent regions of America. I know that overall health facilities in Appalachia are substandard and inferior. Our highway system is incomplete, inadequate and, in some cases, antiquated. I know that lack of economic development is compelling the Federal Government to spend $500 million a year, year in and year out, on welfare programs in Appalachia. This heavy expenditure does not get at the root of the problem; in a way, it merely subsidizes it.

But we have heard a lot of talk from the other side of the aisle, from the Republican side, that the Appalachia program is not needed, that it is ill conceived, that it is discriminatory and that it should be defeated. I agree that the Appalachian program is discriminatory—it discriminates against hunger and disease, against unemployment and despair; it discriminates against the prime causes that have combined to make Appalachia the last remaining depressed area in this great land of ours.

More than 15 million people live in Appalachia. It is a region characterized, in part at least, by low incomes and high unemployment, by low educational achievement, and below average standards of living. To be specific:

Appalachia accounts for 35 percent of the unemployment in all the Nation's redevelopment areas, from Florida to Alaska, from Maine to Hawaii.

Incomes in Appalachia are up to 80 percent below the national average.

One in every five of Appalachia's 15 million inhabitants is subsisting on commodity doles or food stamp welfare.

This is not the kind of America I want. It is not the kind of America that you want.

The assertion by some that Congress should do no more for Appalachia than it has done for other, more fortunate regions of America does not impress me. It smacks of Anatole France's satirical statement that the law in its majestic equality forbids the rich, as well as the poor, to sleep under bridges, to beg in the streets, to steal bread for the dinner table. The truth is that no man is an island unto himself, nor is any one region of America isolated and cut off from the other. The entire Nation benefits and grows stronger when any section of our common country prospers.

Yet, while the Nation as a whole is experiencing the longest and most dramatic economic boom in history, Appalachia is mired in grinding poverty and chilling despair. It alone of the regions of America is being denied the blessings of our more fruitful and abundant society.

If Appalachia's economy merely equaled the national average—and passage of this bill will start it in that direction—if Appalachia's economy equaled the national average, $12 billion a year could be added to our gross national product through increased retail sales.

If Appalachia's economy equaled the national average—and passage of this measure will start it in that direction—if this happened, $5.2 billion would be added each year to our country's annual rate of personal income.

If Appalachia's economy matched the national average—and passage of this bill will start it in that direction—another billion dollars worth of new housing starts could be made in America each year.

Most assuredly, what is good for Appalachia is good for the United States.

The objective of this bill is to provide a Federal investment program that will assist Appalachia toward fuller participation in our Nation's robust economic growth. This bill authorizes an appropriation of $840 million for the Appalachian development highway system—a system that will open up the most remote areas of Appalachia to modern, industrial America.

Appalachia lies just beyond the reaches of the greatest concentration of wealth and population in this Nation. But its lack of adequate transportation facilities has effectively isolated it economically from the broad sweep of industrial growth which has blessed most of our Nation in the years since World War II. We all know that industry does not and cannot go into areas that lack first-rate distribution routes.

As the President's Commission on Appalachia has said:

> Its [Appalachia's] penetration by an adequate transportation network is the first requisite of its full participation in industrial America.

I want to emphasize that the Appalachian States are not seeking something for nothing. They are ready and willing to provide $360 million from their own scarce funds to help finance the highway building program—a program acknowledged to be the "first requisite" for bringing better times to Appalachia and its people.

This legislation would establish the Appalachia Regional Commission, consisting of the Governors of each Appalachian State and one Federal representative. This Commission, made up of the men who best know the problems of Appalachia, would prepare plans and programs needed to revitalize that region of our country. The Commission would guarantee local and State participation in all phases of the program. It would be a politically bipartisan body of both Democratic and Republican Governors.

Another important provision provides Federal assistance in modernizing the health facilities of Appalachia. The low income of Appalachia is reflected in the lack, if not nonexistence, of the kind of health facilities that most Americans take for granted. The committee report lists this finding:

> Sound health services can play as much a role in the economic development of a region as any other instrument of development. Without such services, no community or subregion can hope to attract modern industry * * *. In many sections of Appalachia, this problem is particularly acute. The low income in these sections impairs a reasonable support of private medicine and the tax base necessary for even rudimentary public health facilities is nonexistent.

The bill I speak for today provides grants for the development, equipment, and operation of multicounty demonstration health facilities, including hospitals, regional health diagnostic and treatment centers, and other facilities necessary for good health.

Mr. Chairman, the people of Appalachia are a proud and independent people. They are willing to work and work hard. I think most of us recognize that the economic problems of these people cannot be met and solved by them alone. Their plight arises not out of any lack of self-reliance, or out of any lack of individualism on their part. It stems, rather, from the complexities of a changing society; it stems from the underdevelopment of the region in which the live, and from the steady march of progress in industrial America which has made obsolete many of the skills and trades of yesteryear.

Industrial progress is sometimes a two-edged sword. It cuts both ways. While benefiting the many, it can sometimes have disastrous effect on certain segments of our population. The coal mining industry serves as a specific example of what I am talking about.

For generations, many of the men in Appalachia worked in the coalfields of southern Ohio, Kentucky, West Virginia, Pennsylvania, and Alabama. It was the No. 1 industry.

But automation, changing heating methods, and increased use of diesel fuels served to blight a good part of the coal region. Of the multiple thousands of miners gainfully employed in Appalachia just a few years ago, a staggering number have been forced out of their jobs, and, in many cases, onto the relief rolls. The same fate even now awaits hundreds and thousands of other miners in Appalachia.

Many of these people had toiled in the coal mines since their earliest working days. They had no trade to fall back on. So they unwillingly joined the ranks of the more or less permanently unemployed.

Let it be stressed and emphasized that these people do not want handouts—they ask only for a helping hand; they do not want relief checks—they want only the opportunity to earn regular pay checks.

Mr. Chairman, we of this Congress have the great opportunity to lend a helping hand in time of dire emergency to the people of Appalachia. They deserve far better than they have been getting. The bill that we debate here today will bring new hope to my people. It will complement the other farsighted and far-reaching economic programs which Congress, in its wisdom, has authorized for the good of the Nation.

Let us pass the Appalachian program; let us get on with the business of making America truly the land of hope and opportunity for all.

Mr. JONES of Alabama. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, I rise today in support of this very important piece of legislation. First, I wish to point out that not one penny will accrue to the State of Illinois should the bill be enacted into law. Further, I point out that it has been my privilege for 11 years to represent a district which has had a lot of unemployment. I know what it means to see people out of work.

This is not a complicated bill at all, my colleagues. This bill is quite simple, and I should like to boil it down to four basic points, if I may, in the few minutes I have.

I am supporting this bill, and I hope you will support this bill, for four basic reasons.

The first reason is that the Appalachian region has economic differences from the remainder of the country, and must be handled in a different manner.

The second reason is that the per capita income in Appalachia is less than $1,400 as compared to $1,900 for the remainder of the Nation, and this certainly indicates a priority need.

Third, whether we like it or not, as I pointed out to the gentleman from Alabama [Mr. MARTIN] on yesterday, the American taxpayer is pouring hundreds of millions of dollars into the Appalachian region every year for relief and related programs. I believe it is time that we stopped this and turned the relief checks into paychecks, and that is what the bill is designed to do.

Lastly, the Appalachian people do not want handouts. They want a hand. I have talked to Governors and other people in this region. They want a hand of friendship and help from a grateful nation, such as we enjoy by living in this country.

I am reminded of the story of a big, husky, 250-pound man who was walking down the street in my hometown one day, with a little 3-year-old boy tagging along. This little boy was hanging on to the forefinger of his father. As the big, husky gentleman strolled down the street, the little boy had to double time and triple time to keep up. Finally, after he had hung on as long as he could, he reached up and pulled on his father's hand and said, "Daddy, I have to slow down." With that the big, husky arm reached down, and instead of having the little boy hang on, a large hand wrapped around the wrist of the little boy and pulled him on down the street without any effort at all.

This is what we need to do in Appalachia. For years upon years the people of Appalachia have been hanging on. They have been hanging on to what little economy they could find with the small amount of natural resources they could promote in this region. It is time that a grateful nation, the most powerful nation on the face of the earth, reached down and grabbed this region by the hand and pulled it on instead of permitting it to stumble and falter down the street of economic progress.

We have heard a great deal of talk in the past few days about what a boondoggle this bill is. I should like to quote some of the things which have been said on this floor.

This bill "is discrimination." This bill "is preference treatment." This bill "has several counties included that are not really in need."

Some go on to say that the approach is wrong. Let me say to you, ladies and gentlemen, that these are all excuses and certainly not reasons, because all these arguments can be met and will be met in the public law itself.

Let me say further, in all sincerity, I have great respect for my dear friend from Florida who is going to offer a substitute. Let us lay it on the line. The substitute which is to be offered today by my friend from Florida [Mr. CRAMER] primarily would increase the road building program for the entire Nation.

This bill calls for 3,350 miles of roads to be built in the 11-State Appalachian region—2,250 miles of arterial highways and 1,000 miles of access roads.

My friend BILL CRAMER's substitute calls for about 10,000 miles of roads for the entire Nation. I would remind my colleagues that we are now building a 41,000-mile road system, the Interstate Highway System, which calls for more than 4 times as many miles of roads as this substitute and I might add much more exclusive roads. But we still have our problems in Appalachia. This is not the answer. We must attack this problem on many fronts and not just on the front of roadbuilding alone. As I pointed out, we are spending in the Federal highway program, which is the largest building program ever undertaken in the history of America, almost $50 billion, and we still have people walking the streets in Appalachia. So this substitute is not the answer to the problem.

Mr. CRAMER. Mr. Chairman, will the gentleman yield to me?

Mr. GRAY. I will be glad to yield briefly to the gentleman from Florida.

Mr. CRAMER. Has the gentleman read the other sections of the substitute which point out that in addition to the highway program it includes a vocational education program, a hospital demonstration facilities program, forest development programs, and sewage disposal programs?

Mr. GRAY. Will the gentleman agree that most of the substitute is roadbuilding?

Mr. CRAMER. Yes. And so is the administration bill composed of 76 percent for highways.

Mr. GRAY. But the gentleman is spreading this money through 50 States in his substitute and we are leaving it in 11 States. I think the gentleman's bill will not do any good for Appalachia. We are here legislating for a priority region called Appalachia and not for the entire Nation at this time. I will support a program, if the gentleman wants to offer it, to accelerate the roadbuilding program. We have a bill sponsored by the gentleman from Minnesota [Mr. BLATNIK] and myself from our Public Works Committee, which would create a public works program for the country, and I hope the gentleman will support that bill when it comes before the committee, but the fact of the matter is that we are here trying to help Appalachia and we should direct our efforts to this region right now.

Mr. CRAMER. Does not the gentleman feel as far as his district is concerned, which is an impoverished district, that the substitute bill I intend to offer will provide a program for his district which S. 3 does not?

Mr. GRAY. The gentleman mentioned my district. My district has been impoverished. In fact, before I came to Congress things were so slow in my district that the Mississippi River was only running 3 days a week through the district. We do need some help. We want to help Appalachia now in this bill. We hope to be bringing a bill out which will call for an expenditure of $2 billion for public works for the entire Nation, and I hope that the gentleman will support this bill at that time.

Mr. CRAMER. Let me say to the gentleman that if he will support the substitute which we are offering, we will get the Mississippi River running through his district every day in the week.

Mr. GRAY. I doubt it, because spreading this money all over the United States would be just like spitting in the Atlantic Ocean and expecting it to overflow. That is just about how far it would go.

Now, gentlemen, this is a serious problem. Those of you who represent districts with people who are hungry and out of work and with children having to drop out of school because they do not have the clothes or the textbooks with which to go, know that this is a serious problem. I would like to recite a poem here if I may. If you will listen to the words of this poem, you will understand why we must pass this bill and go on to help the people of Appalachia. The answer for a yea vote on this bill is found in this poem. The poem is entitled "The Bridge Builder."

I once saw an old man going down a lonely highway, when he came in the evening cold and gray, to a chasm vast and deep and wide, and the old man crossed over to the other side. When safe on the other side, he went back to build a bridge to span the tide. "Old man," said a fellow pilgrim near, "you are wasting your strength with building here. Yes, your journey may end with the passing of this day. You may never again pass this way." "Oh," the builder lifted his old gray head, "Good friend, down the path I have come," he said. "There follows after me today, a youth whose feet must pass this way. This stream which has been nothing to me; to that fair-haired youth might a pitfall be. He, too, must cross in the twilight dim. Good friend, I am building this bridge for him."

The Members who represent districts who are fortunate enough not to have much unemployment and poverty should want to build a bridge from your prosperous areas over to this land of less opportunity. Do you not believe it is incumbent upon us as Americans all to want to share this great wealth and abundance that we have with those less fortunate people in the Appalachian region? Yes, we may be poor in some areas of southern Illinois, but we still want to share what we have with those less fortunate in Kentucky and Pennsylvania and Alabama and any other State of the Union in need.

I believe that to take a less forthright attitude would be a dereliction of duty on my part to those whom I represent. They are Christian-thinking people and I believe they want to extend a hand of fellowship, friendship, and support. Think of this poem, "The Bridge Builder." Let us build a bridge of economic stability in America, not by borders, not by States.

If you will vote "no" on the Cramer substitute and cast a "yea" vote on this bill tomorrow, you will be building a strong economic bridge—one bridge for America and one for all.

Mr. CRAMER. Mr. Chairman, I yield 7 minutes to the gentleman from Kentucky [Mr. CARTER].

Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Florida.

Mr. CRAMER. With regard to the remarks of the gentleman from Illinois [Mr. GRAY], and this bridge that he talks about, I would suggest that he ought to support the substitute under which we will build a highway from that bridge to his district so that his district may become a part of the redevelopment of the whole Nation. I believe he should give consideration to a bill that would support not only highway development, but demonstration health facilities, timber development organizations, mining area restoration, water resource study, vocational education facilities, sewage treatment works, for his district as well. So I wish he would give serious consideration as I think everyone else should, to the depressed areas of the country outside of Appalachia.

Mr. CARTER. Mr. Chairman, I am speaking in the interest of the passage of the Appalachian bill. To give you a concrete example of the way darkness has descended into the Cumberlands, I will give you a brief history of Harlan County.

Harlan County in 1910 had a population of 10,000. Coal was first commercially produced in that county in 1910. The population rose to 70,000 by 1928 and 15 million tons of coal per year were produced. This was the peak of the county's economy and population.

About this time the loss of markets for coal began. Then later, automation threw thousands of miners out of work. The population began to shrink and has shrunk from 70,000 to 45,000. The employment situation is bad. A large percentage of the people are out of work. They live in substandard homes on very poor highways. They are without sanitary facilities and exist largely on Government-supplied food.

The largest coal tipple in the world is in Harlan County and is owned by the U.S. Steel Co. The wealth is sent out in thousands of coal cars each day to the blast furnaces in Ohio, Indiana, and Michigan. Very little is left of this wealth by these companies in Harlan and in the other counties of this area.

The road system is quite poor. We only have three U.S. Highways traversing the whole area of the Fifth District.

To my side of the House, I would state that my district has been strictly Republican since 1867. Other areas have received much more regional aid. Where would our West be if it were not for the high dams and reclamation projects?

We have seen TVA punch "holes in the darkness" of Tennessee, part of Alabama, northern Mississippi, and part of Kentucky. We have seen what the Hoover and Grand Coulee Dams have done for the West. It is our belief that the Appalachian plan would by its system of highways, sewerage disposal plants, health facilities, conservation, stream pollution control, remove the "night which has fallen over the Cumberlands and Appalachia."

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me at that point?

Mr. CARTER. Yes, I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I wish to take this opportunity to compliment my distinguished colleague from southeastern Kentucky on his maiden speech in this Chamber. The gentleman has correctly stated the question in using Harlan County as an illustration. Harlan County is typical of all the coal mining communities throughout eastern Kentucky. My colleague from Kentucky has ably stated the problem and I am sure that the Members in this Chamber will not let the opportunity go by to help an area and to assist a region that has contributed so much to the general welfare of this entire country.

Mr. CARTER. I thank the gentleman.

Mr. JONES of Alabama. Mr. Chairman, I yield the remaining time to the gentleman from Minnesota [Mr. BLATNIK].

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I would be delighted to yield to my friend and colleague the gentleman from Kentucky.

Mr. PERKINS. I would like to ask the gentleman a question with reference to the language which appears on page 18, section 203(b) of the land stabilization, conservation, and erosion control section. In connection with the landowners who wish to take advantage of the grazing aspects or to get some of their farmland improved in Appalachia under this program, and assuming for instance that a small marginal farmer wanted to improve a couple of fields of small acreage, would this particular provision—based upon a reading of section (b), require the farmer to produce a complicated plan or would he just have to submit a simple plan? How would that provision operate?

Mr. BLATNIK. The gentleman from Texas [Mr. WRIGHT] is well versed on this point and I yield to the gentleman from Texas to answer the question.

Mr. WRIGHT. I would say to the gentleman from Kentucky that there is no requirement that the plan encompass a total of 50 acres, and in specific reply to the gentleman's question, if a farmer owned less than 50 acres, for example, and desired to come up with a plan for the long-range soil stabilization and conservation of his particular acreage, whether it be by terracing or by the planting of legumes or something of this nature—whatever would meet the approved practices recognized by the Agricultural Stabilization and Conservation Committee of his county, or be it the Soil Conservation Service, then they would enter into a simple agreement with him. There is nothing in the act that would require that a total of 50 acres be encompassed. But the act states that assistance can be given on no more than 50 acres. That is the limitation which exists in the law.

Mr. PERKINS. If the gentleman from Minnesota will yield further, if I understand the gentleman from Texas correctly, then it would be only a simple plan on that portion of the farm that he may want to improve as pastureland and the ASC and the Soil Conservation Service will be the agencies within the Department of Agriculture who will furnish the assistance in the carrying out of this operation, and the ASC administering this program.

Mr. WRIGHT. Yes; the gentleman is essentially correct.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from California.

Mr. JOHNSON of California. Mr. Chairman, the Appalachian region has many natural resources. One of its most abundant resources—and certainly one of its most valuable—is the annual rainfall.

This region enjoys one of the highest annual rainfalls in the United States. It is only exceeded by some sections of the southern delta and some sections of the Pacific Northwest.

Throughout the northern half of the Eastern United States, great lakes dot the terrain. These lakes were made during the ice age, as the glaciers pushed south. Unfortunately for Appalachia, the glacier movement stopped short of most of its territory.

As a consequence, natural impoundments, which these northern lakes provide for the area, are not found in Appalachia. The impoundments must be man made, just as they were in the Tennessee Valley.

If they are not created, a good bit of the developable land in Appalachia will remain unsuitable for economic development because of periodic floods. And because there is such a shortage of level land in Appalachia, the necessity for its protection becomes even more obvious.

Furthermore, this high average rainfall, which now spills down the slopes of the Appalachian Mountains into raging streams, can be put to far better recreational, industrial, and residential use if it is properly impounded.

The natural beauty of Appalachia will only be fully utilized when its water is controlled. This controlled water, held in big and small reservoirs, will insure the development of a year-round recreation industry in Appalachia.

These same impoundments can provide a constant supply of clean water for industrial and residential use.

The purpose of section 206 is to provide a coordinated plan under which these impoundments can be programed and constructed. This section requires a comprehensive, regionwide survey of all of the Appalachian water resources and a recommendation as to how each resource can be best exploited.

Specifically, this study, which will be coordinated by the Secretary of the Army will have three objectives:

First. To consider the needs for water resources development in terms of total economic development of the region and to assess how such development can stimulate economic growth.

Second. To relate potentials for water resources development to other actions planned to stimulate the economy.

Third. To develop a general plan and action program in keeping with regional planning.

In meeting these objectives, full consideration will be given to the preparation of a general plan that would assist Appalachia to compete with other regions of the Nation, taking into account the impacts of such a developmental program on those regions. The plan and specific projects will be formulated under current administration guidelines and procedures governing river basin and project planning which are printed in Senate Document No. 97.

To complete this study, the Secretary is directed to work closely with all agencies, Federal, State, and local, which have an interest in this subject.

I would like to point out that the particular interest of the Tennessee Valley Authority would be totally protected under this section. It is not intended that the Secretary would overlap or duplicate any of the TVA programs. With the assistance of TVA and the other Federal agencies and the Commission, general planning criteria would be established as the basis for preparation of the plan, consistent with the study objectives and sound planning objectives. This framework would provide the basis for TVA to assess its program in view of the study objectives, and to consider further water resources development in the TVA portion of Appalachia which it would accomplish consistent with the overall comprehensive plan for the region.

It must be clearly understood that this comprehensive plan in no way commits the President or the Congress to its findings. Each of the specific recommendations within the plan will require new authorization. While this comprehensive plan will become part of the overall regional plan to be developed by the Appalachian Regional Commission, it should not be interpreted as a blanket authorization.

Current procedures established by law for seeking congressional authorization and appropriations for water resource projects will be used as the basis for plan implementation and administration. It is not contemplated that either a new Federal agency or Government corporation would be required for this purpose. The scope of the program would be similar to program recommendations contained in river basin studies such as the Delaware River. The plan would embrace the programs of the Federal and State agencies concerned who would be responsible for implementing their programs under their procedures.

Mr. BLATNIK. Mr. Chairman, the contents of the bill and the objectives of the whole regional approach of the Appalachia program all are directed at the most severely distressed area in America.

I shall attempt to limit myself to one major proposal being advanced by the other side to the whole of the bill, and that is the criteria for AWA and area redevelopment applied to these counties.

First. When the accelerated public works bill was brought up—and I happen to be one of the authors, and one of the many sponsors of the program—it worked splendidly. The accelerated public works program, like the area redevelopment program, is a proposal in which there is primary Federal assistance in terms of grants that is literally a rifleshot into a given community for a specific purpose—water facilities, nursing homes, hospitals, streets and lighting, and so forth, for short-term immediate assistance. The ARA is to encourage private industry on a longer term range. But the whole concept of this area redevelopment is a continuity not only of geography but a continuity of history in which depletion of resources characterizes the source of the economic problems which cause them all. The problems are quite similar, whether it be West Virginia, Pennsylvania, eastern Tennessee, eastern Kentucky, or western North Carolina, or north-central Alabama and Mississippi. There is a concept. There is a continuity, and the concept of this regional approach involves areas which are rural and semirural.

Let us say we undertake a project, and let us say it will be a vocational training school. It will most likely serve an area, and within that area will be several counties. We call it multicounty—five, six, or seven. It will happen once in a while that these four, five, or six depressed counties that need help will be adjacent to a county a little better off, primarily a municipality. This merely says when such instances arise the program to be undertaken will serve the best interests of most of the people. Say we have a municipality nearby in proximity or encircled by five distressed counties. It would not take much more money to enlarge the facilities for vocational training and other school facilities with minimum costs which will be utilized in training untrained and unskilled youngsters or dropouts from the rural area. Under this program the people will likewise seek employment now that they have a school in that urban center. The same would be true if you had a health center. Would it not be better to utilize the medical facilities of a community such as that and expanding it somewhat in the service of the surrounding rural area than to build small, inadequate medical centers in each of the counties?

This concept is better than eliminating certain counties and having a patchwork type of operation, the only effect of which would be to erect barriers or to erect impediments and make it more difficult to have an effective program.

The Appalachian Regional Development Act has one purpose—regional economic development. The argument that there are no standards for eligibility of counties to receive assistance misses the whole point of the regional approach to economic development.

The regional effort outlined in this bill calls for a combination of the best efforts of both the rich and the poor areas of Appalachia. The small, sparsely settled counties of the region cannot hope to take, on their own, the steps that are essential to future economic development. They must join with their more prosperous neighbors in a common effort.

This cooperation is essential—it is the major objective of the Governors of the Appalachian States who signed the report of the President's Appalachian Regional Commission and who gave their total support to this bill in their statements to the House Public Works Committee.

This cooperation cannot take place if the funds which are to be spent under this bill can only be spent in the counties eligible for accelerated public works. I would like to use a hypothetical example to illustrate this point.

If we are to create regional health centers under section 202 of this bill, it would be foolish to restrict the location of these centers only to poor counties. Let us assume that a regional health center is to serve a combination of five counties. The road patterns in those five counties might lead to a convergence of the best roads at a single locality. Yet that locality might be located in a county which is ineligible under the Accelerated Public Works Act. If this amendment were to be adopted, those five counties would have to plan the location of the regional health center at a site outside of the ineligible county. Such an arbitrary restriction might destroy the value of such a center.

This same kind of example can extend to all of the sections of this bill. A vocational training center might best be located in a county ineligible by accelerated public works standards. The same thing might be true for an airport which could be assisted under section 214, the supplemental grant section.

Alternatively, suppose a somewhat urbanized county is eligible for accelerated public works but its future is darkened by water pollution originating in an upstream area that is not eligible. Under this amendment, the accelerated public works eligible county could not be helped by a sewage treatment facility upstream.

I cannot believe that Congress would wish to create such an inflexible standard which would, in effect, create impediments, obstruct, and waste the dollars invested. If we pass this bill, we have stated in its preamble and I quote:

> The public investments made in the region under this act shall be concentrated in areas where there is a significant potential for future growth and where the expected return on public dollars invested will be the greatest.

This amendment would make such an investment policy impossible. It would require us to scatter our investments in only those counties that are eligible under accelerated public works standards. Furthermore, there is no apparent rhyme or reason to the accelerated public works standard in terms of measuring need within the Appalachian region.

There are at present 76 Appalachian counties which are ineligible for accelerated public works assistance. This leaves 284 of the counties eligible under that act. In the 284 counties that are eligible for accelerated public works assistance, 30.1 percent of the families have an income of below $3,000 a year. In the 76 counties which are ineligible, 30.6 percent of the families suffer from such a low living standard.

The present per capita income in the 284 eligible counties is $1,411. The per capita income in the 76 which are ineligible is $1,426.

I submit that these differences are so minute as to be nonexistent. Yet this amendment would require us to make a distinction as to where dollars could be spent.

Let me give you an even more revealing set of figures. In one of the counties in the State of Washington which is eligible for accelerated public works, the per capita income is $1,914. Contrast that to the per capita income in Oconee County in South Carolina which is ineligible for accelerated public works. That per capita income is $1,094.

Or let us look at Bay County in Michigan which is eligible for accelerated public works and has a per capita income of $1,719. Then contrast that to Monroe County in eastern Kentucky which is ineligible for accelerated public works and which has a per capita income of $763.

I am convinced that the accelerated public works standards are arbitrary, too rigid, and would not truly measure the need in any given section of the country and the application of those standards will certainly thwart any attempt at a regional development program.

I would point out to you that one of Appalachia's greatest problems is its lack of cities and towns. This is a region in which 50 percent of the people are classified as rural as against only 30 percent nationally. One of the main objectives of the Appalachian program is to promote stronger ties between the rural areas and the urban areas of the region.

Knox County, Tenn., and Buncombe County, N.C., are growing urban centers that are surrounded by small rural counties whose economic development will have to be closely tied to these growing urban centers.

In the past the economic problems of Appalachia have been primarily solved by an outmigration of those people who could not find work within the region. They left for other parts of the country—primarily the large cities of the East and Middle West.

I believe that this bill offers an alternative. I believe that the people of Appalachia can find employment within the region but it can only be found in those places which can attract industry. I believe that this bill will permit the people who live in small rural counties to commute to their jobs. They can continue to live where they obviously want to live in the hills and hollows of Appalachia.

Commuting to work has become one of the dominant patterns of American life. Our metropolitan areas are filled with people who spend from 1 to 3 hours a day making the trip back and forth to their business.

In such metropolitan areas that time spent commuting may only take them a distance of 10 to 18 miles each way. With good roads, with other decent facilities, that time in Appalachia could cover far larger distances.

Gentlemen, this is what regionalism is all about in Appalachia. I urge you not to create an arbitrary obstacle that would thwart the achievement of that regional goal.

I could go on and on and give you many other illustrations in which (a) the aid is not an adequate reflection of the need, and (b) we need to attack these problems on an areawide and multicounty basis which combine to make an overall regional program in which the problem, the people, the end result, and the root causes are all considered.

I am not going to tolerate any more all this talk of these people who have a substitute, who have opposed everything and anything in whatever form we have proposed in the 18 years I have been here. The gentleman from Kentucky [Mr. PERKINS] and I, 15 years ago brought up the Youth Conservation Corps, which finally—and I congratulate him and his associates—got through last year, over undying opposition of these opponents of this bill. The Water Pollution Control Act was finally passed in spite of their opposition.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. Let me complete my litany.

The area redevelopment bill, every line, every chapter, in the whole bill was opposed and they proposed a substitute. The Area Redevelopment Act was called by the gentleman from Florida the worst piece of legislation that has ever been advocated on the floor of the House.

Mr. CRAMER. Mr. Chairman, will the gentleman yield, inasmuch as he has mentioned my name?

Mr. BLATNIK. No.

What is the issue? The issue is, This is the first most important attack on the problem and will help the people who need it most. It will assist 15.3 million people living in depressed parts of 11 States.

I urge that the bill as reported be adopted without change.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in answer to the gentleman from Minnesota, in the first place, it is amazing to me to see the gentleman from Minnesota condemning so vehemently the test that they themselves proposed—and the gentleman was one of the major proponents of the test—of what is a depressed area under area redevelopment and under accelerated public works. Now we are adopting that test on the basis of where there are needs because of unemployment throughout America.

Then we are trying to make a good program out of what is a bad program relating to Appalachia—a good highway program out of what is a bad one in Appalachia.

We are trying to put within proper focus these programs that have long-range effect on unemployment and may do something about it. We opposed accelerated public works for the obvious reason that it failed and it will continue to fail. The record of it proves that it failed. There is no question about it—when it costs an average of more than $10,000 per man-year to provide one additional job on a temporary basis on a make-work public works project program. That is an utter failure. It was such a bad failure that the Congress did not even see fit to authorize any additional authorization for it last year. Area Redevelopment Act was such a failure in its application that they did not even see fit to appropriate any more money for it. These facts speak for themselves. The test of what is a depressed area is the only thing adopted in the substitute and the program in the substitute is one that has a long-range effect.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Chairman, I rise in support of the Appalachia bill. I represent 14 counties comprising the First

Congressional District of the State of Tennessee.

We are ready to go with the passage of this bill. The highway provision alone, contained therein, will open up a new vista of industrial and tourist development, which will give us an opportunity to help ourselves. Give us the tools and we will do the job.

I urge the passage of this measure.

Mr. RYAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Chairman, the proposed Appalachian Regional Development Act of 1965 presents a comprehensive, long-range plan for Appalachia. The enactment of this bill should provide this mountain region with a basis for economic rehabilitation and growth. At last millions of people in Appalachia will have some reason to hope that they and their children will not live out their lives in poverty and despair. And when I am talking of Appalachia, I am thinking also of those counties of New York State—the counties along its southern border which share many of the problems of the rest of Appalachia.

This bill is needed because Appalachia is a hard core of underdevelopment in this country. It is needed because State and local government efforts in the region have not sufficed.

Despite local bootstrap efforts to overcome unemployment and poverty, unemployment and poverty persist. A low level of educational achievement and a high incidence of public assistance cases persist. An inadequate tax base and a lack of regional coordination have frustrated attempts to solve problems which expand with each year of neglect.

No one State or locality can, by itself, solve the problems of polluted and wasted water resources in Appalachia. No one State or locality can salvage the wasted land, and all the wasted human resources. A coordinated approach is needed.

This approach is provided in this bill. The creation of the Appalachian Regional Commission will furnish a focal point for Appalachian programs and projects. It will be a forum where the States, citizens, and the Federal Government can come together to consider the problems of the region. This is in keeping with our democratic traditions.

Democracy and the national interest will certainly be served by this coordinated regional approach. As the report of the President's Appalachian Regional Commission said:

> In the future, Appalachia's potential of timberland, fossil energy, and recreational water and wilderness will be required for the satisfaction of our national goals. But further resource activity in the region—if uncoordinated in its timing or its relationship to human and social capital—could repeat the past pattern and make little more than a piecemeal improvement of the Appalachian social and economic substructure.

This statement by the Commission is not to be taken lightly, as the long-continuing problems of Appalachia aptly illustrate. A major, comprehensive effort must be made, and I hope that the legislation we are considering will generate that effort.

In the application of the provisions of this bill, true resource improvement can be visualized. The construction of roads, for example, will open up areas to tourism and allow residents to commute to employment centers. Additional roads will allow schools to be consolidated and thus provide better teaching facilities.

Medical centers will be constructed in areas where they are most needed to build up the health of residents. The construction of additional sewers will help clean up streams and provide a more healthful environment.

Basic improvements are also to be looked for in the survey of water resources and the study of strip and surface mining provided for in this bill. These surveys are necessary first steps in comprehensive rehabilitation of land and water.

Another of the constructive provisions of this bill provides supplementary grants-in-aid to allow communities to participate in existing Federal programs. Too often Appalachian communities have not been able to participate fully in Federal grant-in-aid programs for the construction of hospitals, airports, and other public facilities. They are too poor to provide the required percentage of matching funds necessary to obtain these public facilities, and become poorer because they do not have the facilities. They cannot attract industry and commerce or keep their young people. The downward economic spiral is accelerated.

The provision of supplementary grants-in-aid will help local communities participate in those Federal programs which stimulate the economy.

The carefully studied sections in the bill are intended to help bring the lagging Appalachian region up toward a decent economic level.

I am concerned that, while certain counties of New York State have problems similar to Appalachia, New York State is not participating in the Appalachian program. In the very beginning, the State of New York was invited to participate in the planning of the Appalachian program but declined to do so. Several other Appalachian States did not participate at first but came in later. New York never did.

I think it is unfortunate that the Appalachian section of New York was not included in the original study and bill. However, Senator ROBERT F. KENNEDY's timely amendment to S. 3 as it was approved by the Senate has opened the door for the inclusion of that part of New York State which is really a part of Appalachia. The southern tier counties of New York that lie adjacent to the northernmost counties of Pennsylvania, which are already included in S. 3, are part of the Appalachian Mountain chain and share many of the characteristics of their neighbors across the State line. Many communities are relatively isolated. Young people are leaving the region.

A high percentage of the families have disturbingly low incomes. As Senator KENNEDY pointedly remarked in introducing his amendment:

> Of the 199,000 families in the 13 counties of the southern tier, more than 23,000—nearly 12 percent—have incomes of under $2,000 a year, according to the 1960 census. In fact, these New York counties are less free from poverty than many counties now included in S. 3.

Their educational attainments are comparable to those in the rest of Appalachia and far below the average for the United States. Thus, in the 13 New York counties referred to by Senator KENNEDY's amendment, of the men and women 25 years of age and over, only 14.5 percent have completed 4 years of high school, compared with 45 percent for the United States as a whole.

Let me refer to a few of the statements by leaders and other representative citizens of these southern tier counties to illustrate my point and to show how the development programs under this bill might bring about a revival of well-being and progress in this area.

In Salamanca, in Cattaraugus County, just north of Allegany State Park, Mayor Keith L. Reed has reported that about 300 of the town's population of 8,400 now draw unemployment checks. Many more have exhausted their benefits or were not eligible for them in the first place. For the past 10 years the town has been going downhill. The repair yards of the Erie-Lackawanna Railroad, once the economic backbone of the area, have gradually been closed down, and only two furniture factories and some small industries remain. Mayor Reed states flatly:

> We need help now. We've got a sewer system to build. Taxes are going up and the number of jobs is going down. I hope the Appalachia program can give us something.

The Appalachia program could provide assistance to build such a sewer.

Two counties to the east, in Steuben County, Mayor Harold A. Hogue of Hornel tells a similar story. Here too, the Erie-Lackawanna shop was shut down, its work shifted to Pennsylvania, leaving a wide gap in employment. Mayor Hogue declared:

> We're miles and miles from the main highways. We need help. We need an expressway, sewers, and a water conservation project.

About 80 percent of the funds under the Appalachia Regional Development Act are designated for highway construction, to provide better access to communities just like Mayor Hogue's.

Still further east, in Binghamton in Broome County, Mayor John J. Burns explains that welfare costs in his city have risen to the point of being the costliest item in Binghamton's annual budget of $15 million. He continues:

> What we need is Federal help in retraining those made jobless by automation and the less educated. We also need development of our water resources.

Between the Economic Opportunity Act and the Appalachian program, these needs can be met.

Route 17 runs through this southern tier of counties. If it could be made into an expressway—and, in my judgment the Appalachian Regional Development Act could be expected to provide the impetus necessary for such an expressway—more industry would be attracted to these counties, as transport to markets becomes easier and faster.

Mr. Chairman, I feel strongly that the State of New York should have taken advantage of the opportunity to participate in a great regional program at its inception. I hope that the amendment providing that the inclusion of these southern tier counties in the Appalachian program be studied by the Appalachian Regional Commission will result in extending the program for the benefit of New York State.

All parts of Appalachia, including its New York counties, should participate in this program. We must raise the economic level of the entire Appalachian region. We can start by passing this bill and demonstrating our belief, as we did when we passed the Economic Opportunity Act of 1964, that this country must do everything possible to wipe out poverty and misery wherever it occurs.

Mr. McDADE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McDADE. Mr. Chairman, the needs of the Appalachian region of America are great.

For over 10 years the Members of this Congress and the various administrations which have succeeded each other have looked to this region and have deplored the vast spectacle of an area that is clearly rich in fine workers and great natural resources, falling into poverty, or remaining mired in the poverty into which it had previously fallen.

We have had attempts in the past to provide assistance to the Appalachian area. The Area Redevelopment Act, which I have supported in the past, brought some help. Other acts passed by the Congress brought partial help. But there was never a concentrated effort to bring about the rehabilitation of that area. The Appalachian Regional Development Act of 1965 proposes to make such an effort, and so I shall support it.

This is a bill that brings a broad range of help to the Appalachian region. I shall not attempt to detail the various programs which are proposed, but some comment is certainly in order on their general nature.

We are all well aware that transportation is the lifeblood of any nation. Under provisions of this bill, the construction of highways, both primary and secondary, will move forward at a greatly accelerated pace. The construction of such roads will undoubtedly contribute significantly to the attraction of tourists to this area, which is one of the scenic wonderlands of the world. The mountain barriers of the Appalachian Mountains will no longer be barriers to trade and transportation. Highway routes through these mountains will become not only avenues through which visitors may come to view the natural beauties of the area, but will also be the avenues along which new commerce may flow, and beside which new industries may grow.

There are also provisions for the health services in the Appalachian region. Too long have too many people of this region suffered the deprivations brought about by ill health. Too long have they lacked the consultant value of excellent clinics in the field of maternal care, child care, mental health, and communicable diseases. Through this bill it is proposed to open new dimensions in health facilities in the Appalachian region, particularly in the field of outpatient treatment. This may be a most significant part of this act.

There are provisions also for land stabilization, conservation, and erosion control. We have, in the past Congress, made bold new steps in the field of conservation. We are proposing new steps in this Congress, and I believe them to be good ones. In the Appalachian region, with its vast range of mountains and hills, we are plagued with the ever-present problem of hillside erosion. It is a problem that has reduced farming productivity and one that has also scarred the beauty of the region. Through a program of land utilization, the control of runoff, and other allied programs, it is now proposed to meet this problem—to reclaim land and to conserve both its use and its beauty for the future. Closely allied to this is the program of timber management, through which it is hoped that the beautiful forests of this region may not only be preserved for future generations, but may be made even more productive than they were in the past when timber was a major industry of the region.

Of enormous significance is that program which proposes to reclaim the coal lands of this region. If you have traveled through this region, as I have so often traveled through my own district, you may see the scarred landscape that strip mining has left in its wake. If you will linger with us in the coal region, you may learn of the mine fires, the mine subsidence, the stream pollution that we live with daily. That an expanded program of reclamation of these coal lands is included in this bill would be sufficient reason for my support. I am pleased to see it coupled with so many other good provisions. Closely tied to this is the water resources program, which will not only control floods, but which will also contribute to the fight against stream pollution.

There are new provisions in the field of vocational education, sewage treatment, as well as important provisions to provide assistance to local communities who cannot raise sufficient local money to take advantage of such programs as the Hill-Burton Act.

For all of these reasons, and for the other sections of this bill I have not mentioned, I am supporting this bill enthusiastically.

I am well aware that this is not a perfect bill. There are amendments which I would like to see included in this bill which would strengthen certain sections which deal with strip mining, and I would like also to see an amendment to provide for needed assistance to people whose homes have suffered mine subsidence. But to attempt to amend this bill here on the floor would mean the problem of the resolution of these amendments in a House-Senate conference, and this is clearly undesirable at this particular time. Delay in the passage of this bill would only add days, or weeks, or possibly months to the time it would go into effect. There is no reason to delay, so I will support the bill with no amendments in the interest of seeing it passed and made effective now.

It has been said that this is a regional bill. It is indeed. It is not the first, and it will benefit a region that sorely needs benefits. But I hope that all my colleagues will realize that the rebuilding, the reclamation of the Appalachian area will benefit not only Appalachia. Whatever prosperity this brings to our region will redound to the prosperity of all America. It may not be the perfect bill we would like to see written. But it is a good bill, a needed bill, and a bill that is needed today. I will support it vigorously.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVINS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EVINS of Tennessee. Mr. Chairman, I thank my friend for yielding—and may I commend and congratulate the distinguished gentleman from Alabama and his committee for reporting this measure to the House. This is an important bill.

I rise in unqualified and unequivocal support of S. 3, the Appalachian Regional Development Act of 1965, as recommended by the Committee on Public Works.

I know the urgency of this legislation, Mr. Chairman. I know its necessity. I know its need.

I know something of what it means to be caught in the grinding gears of poverty for generation after generation. I know what it means to be deprived of livelihood, to be deprived of opportunity, to be deprived of education, to be deprived of the basic ideal of equal opportunity inherent in a democratic society. I have seen them in the faces of people.

I know the effect of these denials, the effect of this human erosion, because it exists in many of the counties of my district which stretches across Tennessee from the Alabama to the Kentucky borders.

I have seen the face of poverty and it is not pretty.

I have seen men grown old beyond their years because of the economic trap that has condemned them to lives of futility and disillusionment.

I have seen women bent by despair and hopelessness in the desperate struggle to feed their families.

I have seen children denied an education because they had no shoes.

This legislation, Mr. Chairman, is couched in terms of economic development, of highway development, of development of natural resources. It embraces an 11-State area that includes 165,000 square miles and more than 15 million people. It involves 8.5 percent of our total population.

It includes a 5-year road construction program to cost $1.2 billion—$840 million from the Federal Government and $340 million from the States.

It includes a program of health center construction.

It includes preparation of a program of water resource development.

It includes an accelerated program of vocational education.

It includes reclamation of areas eroded by strip mining and revival of timber development.

It includes an effort to revitalize the bituminous coal industry.

It includes urban development planning grants and grants to local development units.

This is a program keyed to the community level, a program in which the States will have the primary responsibility for planning through the Appalachian Regional Commission.

It is a program keyed to resource development—a program aimed at creating the climate in which the private sector of the economy can move in and operate in accordance with our free enterprise system to create jobs and opportunities.

It is all these things.

But essentially, it is an investment in human capital—the most economically—the most morally enlightened investment this Nation can make.

Between 1950 and 1960 the Appalachian area lost 640,000 jobs in agriculture and mining operations. Its decline in agriculture was almost twice as rapid as that of the remainder of the country. The decline in mining was 58 times as fast.

The annual per capita income is $500 lower than the national average. Unemployment averages 50 percent higher than the national rate.

It is an area torn between the old and the new.

It is underdeveloped because of its terrain and the tremendous scope of work involved in development.

It is caught in the backwash of automation because of the displacement of men with machinery in mining and agriculture. Its economy is not diversified to the extent that it can absorb the impact of unemployment.

If the citizens of Appalachia had their per capita income raised to the national average, $5.2 billion would be added to the country's annual rate of personal income.

Development of this region will mean that the welfare rolls will be reduced and that private payrolls will be increased. Public welfare assistance now totals $375 million a year in Appalachia. But the toll in the social injustice cannot be measured in dollars and cents—its toll is in the waste of human lives—the waste of human resources.

It is crystal clear that in this bill we have an opportunity to accomplish works which will contribute enormously to the well-being and the advancement—not only of Appalachia but of our entire country.

The residents of Appalachia itself will be the direct beneficiaries. But their neighbors and their fellow citizens everywhere in this land cannot fail to recognize that they too will share abundantly in the great benefits deriving from a revitalized, prosperous, and progressive Appalachia.

Mr. Chairman, I repeat, the whole life of our Nation—economic, social, educational, cultural, and moral—will be enriched and strengthened by the new energy and purpose that will be released through this development program in a region which has had much more than its share of difficulty.

Under the provisions of this proposed act, we will be helping people to help themselves in the truest sense of that phrase.

All of the assistance that would be provided is of the kind that stimulates private initiative and encourages individuals to develop and make fuller use of their God-given capacities.

This program is a complete departure from the welfare approach. Its success, I repeat, will make possible important decreases in welfare program costs.

Federal welfare payments in Appalachia now amount to more than $375 million annually. Appalachia contains 8.5 percent of the Nation's population but receives almost 12 percent of the Federal public assistance funds. The regional development plan we are considering offers a practical and economical way to turn despondent welfare clients into creative and happy wage earners—and taxpayers.

This program commends itself to all our States because all the Nation will benefit by its implementation.

When one section of the country prospers—all America prospers.

We cannot and must not be provincial in our outlook when America and American people are concerned.

This program merits the enthusiastic support of true advocates of American progress, for it is based squarely on the resource development principle.

The soundness of this approach has been proved over and over again in many actions by Congress.

Mr. Chairman, if I emphasize my support of this program with some feeling, it is because of the awareness I have of the situation through long and close association with courageous people who live daily with the problems of Appalachia.

In the Cumberlands of Tennessee, there is now a vigorous stirring of new hope that remoteness and isolation will be banished by the construction of a north-south highway under the Appalachian regional development program.

The developmental highway program has been planned to open up isolated areas and to provide better access for other communities whose growth has long been retarded by the inadequacy of transportation facilities. This is an essential first step in the bringing in of new industry and the encouragement of new settlement, growth, and progress.

The economic resurgence stimulated by the new developmental highways will help to reverse the outmigration trend which has severely penalized many of our Appalachian communities. And this will contribute importantly to the achievement of better balanced national growth and development.

By creating conditions which will enable our smaller communities better to hold their populations—particularly their young people—we open the doors to a happier and healthier life for more American citizens.

By promoting development which will make less developed or underdeveloped communities more accessible and more economically attractive, we attack both the problem of the overgrown cities and the problem of the undergrown small towns and rural areas.

This regional development program is right for the orderly, rational, and healthy growth of America.

In our section of Appalachia, we have great resources in the soil—in the forests on the land—in the minerals under the land—in our streams and lakes—and above all in the hardy people who have occupied this noble land since it was first settled by the pioneers.

There will be other areas of America needing and requiring attention—other Appalachias. The results of this measure may well serve as an inspiration for other similar actions by the Congress. So let us begin by passing this bill now.

Appalachia has a golden future—if we provide the region with the keys to opportunity. This bill contains those keys, Mr. Chairman, and I urge its passage.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Appalachian Regional Development Act of 1965".

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: Strike out all after the enacting clause and insert in lieu thereof the text of the bill, H.R. 4466, as follows: "That this Act may be cited as the 'Resources Development Act of 1965.'

"FINDINGS AND STATEMENT OF PURPOSE

"SEC. 2. The Congress hereby finds and declares that some areas of the United States, which may be abundant in natural resources and rich in potential, lag behind the rest of the Nation in economic growth and that the people of such areas have not shared properly in the Nation's prosperity. It is, therefore, the purpose of this Act to assist these areas in meeting their special problems, to promote their economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to their growth and attacking their common problems and meeting their common needs on a coordinated and concerted basis. The public investments made under this Act shall be concentrated in areas where there is the greatest potential for future growth, and where the expected return on public dollars invested will be the greatest. As these areas obtain the needed physical and transportation facilities and develop their human resources, the Congress expects that such areas will generate diversified industries, and that these areas will then be able to support themselves, through the workings of a strengthened free enterprise economy.

"ECONOMIC DEVELOPMENT HIGHWAYS

"SEC. 3. (a) The Secretary of Commerce (hereinafter in this section referred to as the 'Secretary') is authorized to assist in the construction of economic development highways. Such highways, in conjunction with Federal-aid highways and other public highways and roads shall be designed to open up areas with an economic developmental potential where commerce and communication are inhibited by lack of adequate highway access. The provisions of title 23, United States Code, that are applicable to the Federal-aid primary systems and which are not inconsistent with this Act, shall apply to the economic development highways provided for in this section, except that the provisions of title 23, United States Code, that are applicable to the Federal-aid secondary system and which are not inconsistent with this Act shall apply to any economic development highways added to such system. Each development highway not already on the Federal-aid primary system shall be added to such system, except that not to exceed three thousand miles of development highways may be added to the Federal-aid secondary system.

"(b) As soon as feasible after enactment of this Act the State highway department of each State shall submit to the Secretary its recommendations with respect to (1) the general corridor location and termini of economic development highways, within the State, not exceeding a mileage equal to 5 per centum of the total mileage of highways then designated on the Federal-aid primary system within the State, and (2) priorities for construction of the major segments of such highways. Such recommendations shall be accompanied by a certificate of the Governor of the State that the recommendations have been developed after consultation with the State agencies concerned with conservation and development of natural resources, and public health and welfare.

"(c) All economic development highways designated as such pursuant to this section shall serve eligible areas (1) which have an economic developmental potential that can be promoted by adequate highway access, and (2) where commerce, communication, and realization of economic development potential have been inhibited by lack of adequate highway access.

"(d) The Secretary shall have authority to approve in whole or in part the recommendations of the State highway department or to require modifications or revisions thereof. As soon as feasible after enactment of this Act, but in any event not later than January 30, 1966, the Secretary shall designate economic development highway routes in each State having an eligible area meeting the criteria set forth in subsection (c) of this section, and not exceeding ten thousand miles in total length. Funds available for economic development highways shall be used to pay the Federal share of the cost of construction and improvement of such highways. The Federal share payable on account of any such highway project shall not exceed 50 per centum of the cost of construction, unless the Secretary determines that the State does not have the economic and financial capacity to supply its percentage of such costs and that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall the Federal share payable on account of any project exceed 70 per centum of the cost of construction.

"(e) Sums authorized to be appropriated for expenditure on the economic development highways shall be apportioned among the several States by the Secretary on or before January 1 next preceding the commencement of each fiscal year, in the following manner:

"(1) For the fiscal years ending June 30, 1966, June 30, 1967, and June 30, 1968, in the manner provided in section 104(b)(1) of title 23, United States Code, for the apportionment of funds for the Federal-aid primary system.

"(2) For the fiscal year ending June 30, 1969, and succeeding fiscal years, in the ratio which the estimated cost of completing the economic development highways in each State, as determined and approved in the manner provided in this paragraph bears to the sum of the estimated cost of completing such highways in all of the States. As soon as the highway routes have been designated pursuant to subsection (d) of this section, the Secretary, in the cooperation with the State highway departments, shall make a detailed estimate of the cost of completing the economic development highways as then designated, after taking into account all previous apportionments made under this section, in accordance with rules and regulations adopted by him and applied uniformly to all of the States. The Secretary shall transmit such estimates to the Senate and the House of Representatives within ten days subsequent to January 2, 1967. Upon approval of such estimate by the Congress, the Secretary shall use such approved estimate in making apportionments for the fiscal year ending June 30, 1969, and succeeding fiscal years, unless and until the Congress shall direct a different manner of apportionment.

"(f) To carry out this section there is hereby authorized to be appropriated the sum of $400,000,000 for the fiscal year ending June 30, 1966, and the sum of $400,000,000 for the fiscal year ending June 30, 1967.

"DEMONSTRATION HEALTH FACILITIES

"SEC. 4. (a) In order to demonstrate the value of adequate health and medical facilities to the economic development of any eligible area, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction and equipment of multicounty demonstration health facilities, including hospitals, regional health diagnostic and treatment centers, and other facilities necessary to health of persons in any eligible area. Grants for such construction (including initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291–291z) and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), without regard to any provisions therein relating to appropriation authorization ceiling or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant under this section for construction (including initial equipment) shall exceed 80 per centum of the cost of the project. Not to exceed $82,000,000 of the funds authorized in section 18 shall be available for construction grants under this section.

"TIMBER DEVELOPMENT ORGANIZATIONS

"SEC. 5. (a) In order that any eligible area shall more fully benefit from the timber stands that are one of its prime assets, the Secretary of Agriculture is authorized to—

"(1) provide technical assistance in the organization and operation, under State law, of private timber development organizations having as their objective the carrying out of timber development programs to improve timber productivity, and quality, and increase returns to landowners through establishment of private nonprofit corporations, which on a self-supporting basis, may provide (A) continuity of management, good cutting practices, and marketing services, (B) physical consolidation of small holdings or administrative consolidation for efficient management under long-term agreement, (C) management of forest lands, donated to the timber development organizations for demonstrating good forest management, on a profitable and taxpaying basis, and (D) establishment of a permanent fund for perpetuation of the work of the corporations to be composed of donations, real or personal, for educational purposes.

"(2) provide not more than one-half of the initial capital requirements of such timber development organizations through loans under the applicable provisions of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1926 et seq.). Such loans shall not be used for the construction or acquisition of facilities for manufacturing, processing or marketing forest products.

"(b) Not to exceed $10,000,000 of the funds authorized in section 18 of this Act shall be available to carry out this section.

"MINING AREA RESTORATION

"SEC. 6. (a) In order to further the economic development of any eligible area presently damaged by deleterious mining practices, the Secretary of the Interior is authorized to—

"(1) make financial contributions to the State in which such eligible area is located to seal and fill voids in abandoned coal mines in accordance with the provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.), without regard to section 2(b) thereof (30 U.S.C. 572(b)) or to any provisons therein limiting assistance to anthracite coal formations, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act.

"(2) plan and execute projects for extinguishing underground and outcrop mine fires in any eligible area in accordance with the provisions of the Act of August 31, 1954 (30 U.S.C. 551 et seq.), without regard to any provisions therein relating to annual appropriation authorization ceilings. Grants under this paragraph shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act.

"(3) expand and accelerate fish and wildlife restoration projects in any eligible area in accordance with the provisions of the Act of September 2, 1937 (16 U.S.C. 669 et seq.), and the Act of August 9, 1950 (16 U.S.C. 777 et seq.), without regard to any provisions therein relating to apportionments among the States and to limitations on the availability of funds. The expenses of projects under this paragraph shall be paid solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the apportionments among the States pursuant to any other provisions of law.

"(b) For the fiscal years 1966 and 1967, notwithstanding any other provision of law, the Federal share of mining area restoration projects carried out under subsection (a) of this section and conducted on lands other than federally owned lands shall not exceed 75 per centum of the total cost thereof.

"(c) The Congress hereby declares its intent to provide for a study of a comprehensive, long-range program for the purpose of reclaiming and rehabilitating strip and surface coal and other mining areas in the United States. To this general end, the Secretary of the Interior shall, in full cooperation with the Secretary of Agriculture, the Tennessee Valley Authority, and other appropriate Federal, State, and local departments and agencies, make a survey and study of strip and surface mining operations and their effects in the United States. The Secretary of the Interior shall submit to the President his recommendations for a long-range comprehensive program for reclamation and rehabilitation of strip and surface mining areas in the United States and for the policies under which the program should be conducted, and the President shall submit these to the Congress, together with his recommendations, not later than July 1, 1967. Such study and recommendations shall include, but not be limited to, a consideration of the following matters—

"(1) the nature and extent of strip and surface mining operations in the United States and the conditions resulting therefrom;

"(2) the ownership of the real property involved in strip and surface mining operations;

"(3) the effectiveness of past action by States or local units of government to remedy the adverse effects of strip and surface mining operations by financial or regulatory measures, and requirements for appropriate State legislation, including adequate enforcement thereof, to provide for proper reclamation and rehabilitation of areas which may be strip and surface mined in the future:

"(4) the public interest in and public benefits from which may result from reclamation, rehabilitation, and appropriate development and use of areas subjected to strip and surface mining operations, including (A) economic development growth, (B) public recreation, (C) public health and safety, (D) water pollution, stream sedimentation, erosion control, and flood control, (E) highway programs, (F) fish and wildlife protection and restoration, (G) scenic values, and (H) forestry and agriculture;

"(5) the appropriate roles of Federal, State, and private interests in the reclamation and rehabilitation of strip and surface mining areas and the relative costs to be borne by each, including specific consideration of (A) the extent, if any, to which strip and surface mine operators are unable to bear the cost of remedial action within the limits imposed by the economics of such mining activity, and (B) the extent to which the prospective value of lands and other natural resources, after remedial work has been completed, would be inadequate to justify the landowners doing the remedial work at their expense; and

"(6) the objectives and the total overall costs of a program for accomplishing the reclamation and rehabilitation of existing strip and surface mining areas in the United States, giving adequate consideration to (A) the economic benefits in relation to costs, (B) the prevention of future devastation of reclaimed and rehabilitated areas, (C) the avoidance of unwarranted financial gain to private owners of improved property, and (D) the types of aid required to accomplish such reclamation and rehabilitation.

"(d) No moneys authorized by this Act shall be expended for the purposes of reclaiming, improving, grading, seeding, or reforestation of strip-mined areas except on lands owned by Federal, State, or local bodies of government, until authorized by law after completion of the study and report to the President as provided in subsection (c) of this section.

"(e) Not to exceed $43,000,000 of the funds authorized in section 18 of this Act shall be available to carry out this section.

"WATER RESOURCE STUDY

"Sec. 7. (a) The Secretary of the Army is hereby authorized and directed to make a study of all authorized projects, and all surveys authorized for projects, for flood control, navigation, and beach erosion control, the construction of which projects will be economically beneficial to any eligible area in the development and efficient utilization of water and related resources, particularly in regard to the need for an increase in the production of economic goods and services within the eligible area, as a means of expanding economic opportunities and thus enhancing the welfare of its people, and for the purpose of determining priorities of construction of such projects and the need for authorization of new surveys, new projects, or additional work, which will provide such benefits for eligible areas.

"(b) The Secretary shall submit a report of the study to the Congress not later than June 30, 1967, together with his recommendations for priorities of the making of surveys and the construction of projects that will be economically beneficial to eligible areas.

"(c) Not to exceed $5,000,000 of the funds authorized in section 18 of this Act shall be available to carry out this section.

"AMENDMENTS TO HOUSING ACT OF 1954

"Sec. 8. (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)) is amended by striking the word 'and' at the end of paragraph (7), by substituting for the period at the end of paragraph (8) the phrase '; and', and by adding a new paragraph (9) to read as follows:

"'(9) States, local development districts, and other State governmental agencies and instrumentalities authorized to administer or carry out programs or projects under the Resources Development Act of 1965.'

"(b) Section 701(b) of the Housing Act of 1954 (40 U.S.C. 461(b)) is amended by adding before the period at the end of the first sentence the following: ', or to States, local development districts, and other State governmental agencies and instrumentalities in connection with planning for the economic development of eligible areas under the Resources Development Act of 1965'.

"VOCATIONAL EDUCATION FACILITIES

"Sec. 9. (a) In order to provide basic facilities to give the people of any eligible area the training and education they need to obtain employment, the Secretary of Health, Education, and Welfare is authorized to make grants for construction of the school facilities needed to provide vocational education for persons of any eligible area for whom such education is not now adequately available. Such grants shall be made in accordance with the provisions of the Vocational Education Act of 1963 (77 Stat. 403), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) Not to exceed $32,000,000 of the funds authorized in section 18 of this Act shall be available to carry out this section.

"SEWAGE TREATMENT WORKS

"Sec. 10. (a) In order to provide facilities to assist in the prevention of pollution of the waters in any eligible area and to protect the health and welfare of its citizens, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction of sewage treatment works in accordance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. 466 et seq.), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States pursuant to any other provision of law.

"(b) Not to exceed $12,000,000 of the funds authorized in section 18 of this Act shall be available to carry out this section.

"MAINTENANCE OF EFFORT

"Sec. 11. No State and no political subdivision of such State shall be eligible to receive benefits under this Act unless the aggregate expenditures of State funds, exclusive of Federal funds, for the benefit of all eligible areas within the State are maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this Act. In computing the aggregate expenditures of State funds and the average level of expenditure for its last two fiscal years, a State's expenditures for participation in the National System of Interstate and Defense Highways shall not be included.

"CONSENT OF STATES

"Sec. 12. Nothing contained in this Act shall be interpreted as requiring any State to engage in or accept any program under this Act without its consent.

"PROGRAM IMPLEMENTATION AND PROJECT APPROVAL

"Sec. 13. (a) A program authorized under any section of this Act shall not be implemented until the Secretary administering such program has consulted with the appropriate official or officials concerned with such program as may be designated by the Governor or Governors of the State or States involved and has obtained the recommendations and approval of such official or officials with respect to such program. No project shall be approved for Federal assistance under this Act unless it is approved by such appropriate State official.

"(b) No Federal assistance shall be given under this Act for any project for an area which is not an eligible area on the date such project is finally approved for assistance by the Secretary administering such assistance, except that if such area shall thereafter cease to be an eligible area, this subsection shall not prevent (1) the furnishing of Federal assistance for the completion of such project, or (2) the granting of additional Federal assistance to such area under this Act to complete the construction or equipment of any highway, hospital, health, educational, sewage treatment, or other facility, with respect to which such project has been approved.

"PROGRAM DEVELOPMENT CRITERIA

"Sec. 14. (a) In developing recommendations on the programs and projects to be given assistance under this Act, and in establishing within those recommendations a priority ranking of the requests for Federal assistance, the States shall follow procedures that will insure consideration of the following factors:

"(1) the relationship of the project or class of projects to overall regional development including its location in an area determined by the State to have the greatest potential for growth;

"(2) the population and area to be served by the project or class of projects including the relative per capita income and the unemployment rates in the area;

"(3) the relative financial resources available to the State or political subdivisions or instrumentalities thereof which seek to undertake the project;

"(4) the importance of the project or class of projects in relation to other projects or classes of projects which may be in competition for the same funds;

"(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic and social development of the area served by the project.

"(b) Nothing in this Act shall authorize any assistance under this Act to be used (1) in relocating establishments from one area to another; (2) to finance the cost of industrial plants, commercial facilities, machinery, or working capital; (3) to finance the cost of facilities for the generation, transmission, or distribution of electric energy; or (4) to finance the cost of facilities for the production, transmission, or distribution of gas (natural, manufactured, or mixed).

"LOCAL DEVELOPMENT DISTRICTS—CERTIFICATION

"SEC. 15. For the purposes of this Act, a 'local development district' shall be an entity certified to the Secretary of Commerce either by the Governor of the State or States in which such entity is located, or by the State officer designated by the appropriate State law to make such certification, as having a charter or authority that includes the economic development of any eligible area, or areas, or parts thereof. Such charter or authority may also include the economic development of areas outside of an eligible area. No entity shall be certified as a local development district for the purposes of this Act unless it is one of the following:

"(1) a nonprofit incorporated body organized or chartered under the law of the State in which it is located;

"(2) a nonprofit agency or instrumentality of a State or local government;

"(3) a nonprofit agency or instrumentality created through an interstate compact; or

"(4) a nonprofit association or combination of such bodies, agencies, and instrumentalities.

"GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION PROJECTS

"SEC. 16. (a) The Secretary of Commerce is authorized—

"(1) to make grants for administrative expenses to local development districts. The amount of any such grant shall not exceed 75 per centum of such expenses attributable to the economic development of eligible areas in any one fiscal year. No grants for administrative expenses shall be made to a local development district for a period in excess of three years beginning on the date the initial grant is made to such development district. The local contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

"(2) either directly or through arrangements with appropriate public or private organizations, to provide funds for investigation, research, studies, and demonstration projects, but not for construction purposes, which will further the purposes of this Act.

"(b) Not to exceed $11,000,000 of the funds authorized in section 16 of this Act shall be available to carry out this section.

"ANNUAL REPORT

"SEC. 17. Not later than six months after the close of each fiscal year, each Secretary of an executive department administering any program under this Act shall prepare and submit to the Governor of each State and to the President, for transmittal to the Congress, a report on the activities carried out under this Act during such year.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 18. In addition to the appropriations authorized in section 3 for the economic development highways, there is hereby authorized to be appropriated for the period ending June 30, 1967, to be available until expended, not to exceed $195,000,000 to carry out this Act.

"APPLICABLE LABOR STANDARDS

"SEC. 19. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair, including painting and decorating, of projects, buildings, and works which are financially assisted through the Federal funds authorized under this Act, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133—133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

"DEFINITION OF ELIGIBLE AREA

"SEC. 20. As used in this Act, the term 'eligible area' shall have the same meaning as is given it in section 3(a) of the Public Works Acceleration Act (76 Stat. 541).

"SEVERABILITY

"SEC. 21. If any provision of this Act, or the applicability thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"TERMINATION

"SEC. 22. This Act shall cease to be in effect on July 1, 1971."

Mr. JONES of Alabama (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with, that the amendment be considered as read, and printed, and be open for amendment at any point.

The CHAIRMAN pro tempore (Mr. Moss). Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. CRAMER] is recognized.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Chairman, we are now getting at the heart of the problem, and a square issue is now facing this body. The issue is simply this: Does this body want to enact a long-range, sound program of public works that will have the effect of providing assistance to all depressed areas throughout this Nation—assistance on a sound basis, assistance in those programs which are properly guarded and protected from being pork barrel political-type approaches, programs which, having a long-range effect on employment, might do some good in the effort to combat unemployment where it probably exists throughout America; or, in the alternative—and this is the alternative—is this body going to rubberstamp what the other body did? Is it going to rubberstamp what a commission appointed by the President to deal solely with the problems of one area—portions of 11 States—proposed by way of a program which is not properly drafted, which can be subject to political pork barrel abuse, the like of which we have not seen before even under ARA and APW?

I previously referred to and repeat again, specifically as an example, under the access highway program there can be built 1,000 miles of highways to any privately owned swimming pool, golf course, ski slide, bathing beach, or what have you, without any standards whatsoever and without any requirement that anyone maintain the highways after they are once built.

Are we going to provide needed, sound assistance to all the areas throughout America, to the 1,400 of such areas in economically depressed areas, or are we going to have assistance on a pork barrel basis, and provide it solely for the Appalachian region?

Are we, as is proposed by the majority and proposed by S. 3, going to provide for socialized medicine by providing for operational costs up to 100 percent for the first 2 years and 50 percent for the next 3 years in the demonstration health facility program, an approach which the committee having jurisdiction over that subject matter refused and turned down only last year?

Those are the basic issues facing this body, as they relate to the Appalachian approach or to the substitute which I am proposing at this time.

Let us discuss the subject and show how the substitute will correct some of the very important shortcomings of the majority proposal. Let us talk about highways for a minute.

Let us talk about the general bill, at the outset. What would the bill do, compared to the substitute? What would S. 3 do, compared to H.R. 4466, the substitute?

First, the substitute would take out the provisions of S. 3 relating to access highways. It would take out the boondoggle approach and put the program under the prescribed primary or secondary standards, which are known and existing standards. It would provide 10,000 miles of highway, nationwide, not duplicating present highways and not improving present highways, but providing highways to open up new areas where needed and not duplicating the presently existing system of highways.

It also would require the local community or the State to maintain those highways. That has been the procedure of highway legislation throughout the history of this country.

Second, it would delete the operation of demonstration health facilities, an amount of $28 million which I mentioned a moment ago.

It also would provide that the aid be provided for really depressed areas. Some comments were made with respect to the test for determining what are those areas. I will discuss that in just a moment. Those areas would be included all over America, and not just in Appalachia.

It would strike out the boondoggle program relating to agriculture, which is in the majority report, which will do nothing but put into production additional acreage of grazing lands, at 50 acres per farm. That is the approach of S. 3. The substitute would strike it out.

It also would strike out the commission supergovernment concept. That is not needed. The supergovernment commission concept with the Federal veto power is not needed to accomplish the objectives of this legislation.

If you will look at the substitute measure, I will prove to you that that is the case. If you will look on pages 19, 20, and 21, you will find there that there is a provision for local development districts. In many areas of Appalachia there are in existence development districts. The States in those areas can proclaim the entire Appalachian region in that State as a development district. The Federal Government will provide 75 percent of the first 1 year's operational cost within that region. Those States, as they are proposed, those 11 States, can get together with their districts and have a program planning group act without imposing a layer of super government over the existing agencies in the existing States having a Federal veto. That is the way it should be done. Your existing Government agencies having jurisdiction over every one of these programs would continue to administer it and the States would be the boss of these programs and not the Federal Government with a Federal veto power. So, this substitute does the job as it relates to the Appalachia program and as it relates to applying the good phases of it throughout America.

Now, how about the test mentioned by my distinguished colleague, the gentleman from Minnesota [Mr. BLATNIK], as provided in the APW and ARA bills presently in existence, the same tests that will be applied to depressed areas under the substitute. Certainly the majority here and the gentleman who sponsored the APW could hardly criticize the minority for suggesting that the tests of the depressed areas proposed and actually effectuated in both of those bills and both of those existing acts is not a proper test for this approach. What are these tests? Well, here they are. Under APW those areas—and I am reading from section 3(a)(1)—which the Secretary of Labor designates each month as having been areas of substantial unemployment for at least 9 months in the preceding 12 months. Those areas designated by the said Secretary under the APW as depressed areas.

The area redevelopment formula is well known and established. The counties are known and the number of counties is kept up to date on a quarterly basis. You get the list in your office on a quarterly basis as to what areas are in and what areas are out. Let us take an example of how the minority improved the proposals made by the majority and how it really makes them long-range programs and not just pork barrel favoritism with short-range objectives.

I cite section 3 of the bill dealing with economic development highways. The highways constitute 76 percent of the bill proposed by the majority and they constitute approximately that much in this bill except that this bill applies nationwide. We are not trying to set up a duplicating system of highways, but we are saying that you should build where they are needed, connecting up with existing systems. You do not have to build a whole new system as they are proposing in Appalachia duplicating existing highways.

Second, we say that they must be built to primary and secondary road standards.

Third, we say there should be an allocation limitation to a given State. During the first 2-year period there should be some formula by which these highways are allocated. Under the majority proposal here they say that this is a 5-year program, but nothing in the bill says so. There is nothing to keep 50 percent or 70 percent of the money from going into one State. There is nothing in the bill to prevent it. Our bill says that the mileage shall constitute not to exceed 5 percent of the total mileage of highways existing on the Federal aid primary system as a test for additional mileage. In addition to that, we provide for a test in our highway section providing that they cannot duplicate existing highways. In section 3 of the bill we provide 3,000 of the 10,000 miles nationwide may be built to secondary standards. In addition, what we do is we take the present concept of highway construction, which has proven itself, and we make those same concepts applicable to this development highway program in areas where they are needed and not on a boondoggle approach without standards and without maintenance requirements and trying to build a whole new system duplicating existing systems.

I had a map here earlier showing that in the State of Pennsylvania every single mile of the development highways proposed under the majority proposal, S. 3, is going to be built along duplicating, existing primary highways. This is not going to open up new areas for the development of the economy as is suggested by the majority.

In addition to that we provide for demonstration health facilities, in twice the amount of appropriation, $82 million. We provide timber development organizations; mining area restoration. We put in water resource study. What is going to happen in Appalachia under the water resource study proposal of the majority? They are going to have to go back and restudy all of these surveys presently underway, programs presently authorized. You are not going to speed up the water resource development at all; you are going to slow it down. But under the proposal of the minority you will speed it up with a proper study relating to existing, authorized programs and the advice of Congress, and whatever else is needed.

We provide amendments to the Housing Act. We provide planning funds to these local development districts. That is included in the minority bill.

We provide vocational education facilities in twice the amount—$32 million. We provide sewage treatment works in twice the amount—$12 million.

The consent of the States is required. Grants for demonstration expenses of local development districts are provided.

So what we have done is to take those programs that have been properly drafted and which will have a beneficial effect on a long-range basis in all of the depressed, unemployment areas of America and we have said that this should not be one nation divided; that we should not set up one region against another, when we know full well that there are going to be depressed areas left out and not included, areas which have an equal if not worse serious unemployment problem. We should not have our Nation divided against itself, region against region against region.

We say support the minority substitute and we will have one nation indivisible with liberty and with equal treatment and antipoverty assistance where needed for all, and not just for Appalachia.

And I say to you that our bill is going to cost substantially less money because the estimates which are in the RECORD, show that Appalachia alone will cost $4 billion before you are through with it.

Second, new regions that are being talked about and apparently committed in the other body, according to the record, will cost an additional $6 billion. So let no one say that our proposal would cost more money. On the face of it it will cost nearly $100 million less. Our program calls for a 2-year period an amount of $995 million as compared with $1,092 million in the majority bill. And this is for one region. This is for only 2 years in the majority proposal. And the new regions coming up are going to increase that cost to a $10 billion figure.

So, Mr. Chairman, let us not kid ourselves. This is the first of such programs. And you are going to have on the floor of this House, probably sometime next month, another layer of assistance to these areas. Let us do the job now. Let us do the job right. Let us apply it to all depressed areas in America. Let us not stack one program on top of another program, and on top of another program, and at the same time not do the job. So I say that the substitute, H.R. 4466, is the answer, and I think it should be adopted.

Mr. McCLORY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Chairman, I congratulate the gentleman from Florida for the careful thought he has given to this subject, and to the distinct contributions made during the debate on this measure, S. 3.

The substitute bill offered as an amendment is a constructive proposal which is both fair and equitable as far as the entire Nation is concerned. It is a clear response to the argument that opposition to the Appalachia bill is obstructionist and negative.

Mr. Chairman, the gentleman from Florida has added to the knowledge and understanding of this broad subject, and this House and the Nation have benefited from the presentation he has made on the debate on this legislation.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. EDMONDSON. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. WRIGHT] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WRIGHT. Mr. Chairman, this bill which comes before us, the Appalachian regional development bill, is the product of 5 long years of careful, meticulous, methodic study on the part of the States, the Governors of the States and their appointed representatives on the Appalachian Commission.

Following those 5 long years of study in which more than 400 people participated in the preparation of the reports, the Public Works Committees of this Congress devoted the better part of last year and the early part of this year to a careful item-by-item consideration of this matter, drafting and perfecting a bill designed specifically to cure the particular evils that have dragged this great highland region of our Nation behind the national average.

Now, at this late date, after all these volumes of testimony, after all the years and months of toil and thoughtful contribution on the part of the bipartisan group of Governors of these States, after the labors of this committee last year and the labors of the committee this year have been completed and the bill has been heard in the other body and passed by a margin of almost 3 to 1, at this late date the minority comes up with a scattergun approach. The minority substitute would have us take these basic programs that were designed specifically to cure the evils which have caused a drag upon Appalachia, and just divide them up and scatter them throughout the country in a willy-nilly or a sort of scattergun approach.

Mr. Chairman, this reminds me of a situation in which a man in a community might be desperately ill. He might have consulted a physician and the physician after carefully examining him and based upon his long years of practice would have prescribed certain treatments, certain drugs, certain medication designed for the particular cure of the specific malady of the ill man. Yet someone in the community might come and say, "Well, look here, we have got 10 or 15 or 20 fairly sick people throughout this community—some of them have high blood pressure, some of them have low blood pressure, some of them have lumbago and some of them have the flu and some have chickenpox—so let us take this medication that is designed for this man, as prescribed for his ills, and let us just divide this medicine up and give some of it to all of these other sick people in the community."

Mr. Chairman, that would be just about as scientific as the approach proposed by the gentleman from Florida [Mr. CRAMER] that would divide up the programs which were designed to cure the particular maladies and evils of this coal mining, timber producing area and send them willy-nilly throughout the whole country under the premise that it is going to do everybody a little bit of good.

Mr. Chairman, let us consider how this approach would be accepted if applied to other bills. The first bill to be heard yesterday on the Consent Calendar was one modifying the Lake Tarpon project in Florida. The original authorizing legislation for that project allowed some $1.2 million, if I am not mistaken, of Federal funds for that worthy project. If someone of this House had come up and offered to amend that project so as to divide up the $1.2 million among all the watersheds of the country that did not have total development, on the ground that we might get one spoonful of dirt moved in each of these watersheds and thus, presumably, do everybody a little bit of good, I wonder what the gentleman from Florida [Mr. CRAMER] would have thought if that approach had been taken on that bill?

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. No, not at this point.

Mr. CRAMER. The gentleman is being a little facetious and has mentioned my name.

Mr. WRIGHT. The gentleman from Florida has had the floor on at least two lengthy occasions today and I did not ask the gentleman to yield to me during his 30-minute speech or during his 15-minute speech. I realize that the comparison is somewhat facetious, but I ask the gentleman just to consider how he might feel if some Member should attempt to amend one of his own projects in the same way he is attempting to amend the Appalachian project.

I wonder what our colleagues from Florida would think if the Four Rivers Basin project of Florida, for which, if I remember correctly, we authorized money to the tune of some $60 million, had been subject to that approach by somebody in this House who might have said "Let us take that $60 million and amend the bill, strike out where it says Four Rivers Basin in Florida, and divide that $60 million up all over the country and give a little bit to each group that needs water development and improvement." With that much money we perhaps could have moved a whole shovelful of dirt in each watershed, and by the same reasoning, could have done everybody a little bit of good.

I wonder what would be the reaction of the gentleman from Florida when the Cross-Florida Barge Canal was authorized to the tune of some $200 million, if someone on the floor of the House had moved to amend that bill said "Let us use this for canals all over the country; we can build 2 miles of canal in each State of the Union, and in that way we will be giving everybody a little bit of good."

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Massachusetts, our distinguished Speaker.

Mr. McCORMACK. I am sure if any Member of the House rose and said any of those projects were pork barrel the gentleman from Florida [Mr. CRAMER], would rise in indignation to refute such a charge.

Mr. WRIGHT. I share the certainty of the Speaker's assertion.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The gentleman from Texas in his very appropriate remarks has not mentioned the granddaddy of them all, the one referred to by the gentleman from Florida several times as a reclamation program. It is described in the authorizing legislation as the central and southern Florida flood control and drainage project, with an estimated cost of $263 million.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. YOUNGER. I have listened with a great deal of interest to the gentleman from Texas, but I cannot correlate his present remarks with his bill to reduce the national debt 1 percent a year. Where does that come in?

Mr. WRIGHT. The bill to reduce the national debt by 1 percent a year was introduced by me some 6 or 7 years ago, and I am still waiting for a hearing on that bill before the appropriate committee. I would say, however, in specific connection with reduction in debt that this particular bill, the Appalachian regional development bill, is designed to make taxpayers out of people who heretofore have been tax liabilities. To that extent, it might have some bearing on the Federal debt. It is designed with the specific motive of helping this particular region which in history and justice is entitled to our consideration, a region which has helped to pay for the Cross-Florida Barge Canal, which has helped to pay for the reclamation program in 17 Western States, which has helped to pay the $7 billion which we paid in wheat subsidies in the last 4 years, and which has not shared in those programs. I say it is time we address ourselves to this crucial problem in this crucial region in which 8.5 percent of the population has received only 4.9 percent of the Federal tax appropriations.

The Members from the Appalachian region did not come before us when we had programs exclusively affecting the other regions of America and say "We want to divide up that money and share it with all the country." They did not do that when those programs affected California or when those programs would enure to the benefit of Florida or any of the rest of our areas. Did the Members from Appalachia come before us during consideration of any of those programs and want to add an amendment to divide it up all willy-nilly on a scattergun basis, on the theory that maybe it will do everybody a little bit of good? They did not do that. They deserve better treatment than that at this time in the House.

Mr. Chairman, this is not a giveaway program; this is not boondoggling, in spite of the glib insinuations cast around and the occasional use of the term "pork barrel," which I believe must be defined by some as applying to everything which does not benefit one's own district. In spite of those terms so loosely tossed around, this bill is built upon the premise of helping to provide only the basic structure of roads, communications, and vocational schools necessary to permit that region to pull itself up by its own bootstraps.

The purpose of this bill is not to give a job to everybody, although some 50,000 man-years of work will be provided in the road program to bring prosperity to this remote region. The purpose is not to provide public jobs. The purpose is to provide stimulation for the private sector to take over. It is not the same basic approach as that of the Accelerated Public Works or the Area Redevelopment Act, or that of the poverty program which sought to alleviate personal need. It is an Appalachia-made program designed for the needs of this particular area. It has come to the Congress for that purpose. It is difficult for me to believe that the minority would support that substitute if it were the only bill before us.

Mr. CLEVELAND. Mr. Chairman, I rise in support of the amendment. I recognize the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I am sure my distinguished colleague from Texas, having been on the committee a long time, for we came to the Congress together and served on this committee during the entire period, must have felt rather facetious relating to the local public work projects, for most of the projects are available throughout America to any community that can meet the requirements. I am sure he was not directing his remarks to the billion-dollar Trinity River program in his home community. What we say in our approach is that when you are building highways to help unemployment they should be available to all areas to meet the standards of employment, and they should be highways built to certain standards and they should be maintained, and they should not be built to swimming pools or ski slides, but rather the public should have a long-range employment effect. That is what we are saying. I am sure the gentleman was talking with his tongue in his cheek.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I will not yield, as the gentleman did not yield earlier.

Yesterday the gentleman from Texas [Mr. WRIGHT] invoked history and histrionics, as he was trying to make the point that this bill is not discriminatory and preferential. Today he invokes humor and sarcasm. No matter how he slices it, this bill is preferential.

To those who were not on the floor yesterday, I quote to you from the record of our hearings available at either door, for you to read at page 42 and make a mental note of this, for you will have to answer for this in the future.

When the administration witness, the man who probably is going to be charged with the administration of this important legislation, was asked about this he said:

> Yes, sir. I think we ought to speak frankly. The name of the Appalachian game is preferential treatment.

That is why you have histrionics, that is why you have history invoked. That is why you have an attempt to dismiss the preferential charge with humor and sarcasm.

The reason this legislation is preferential is that it is taking Federal tax dollars and building roads, building vocational schools, building libraries, building hospitals and operating hospitals, and building sewage plants and other community facilities in these communities, not just in poor communities in Appalachia but prosperous industrial communities, the Pittsburghs, the Knoxvilles, the Spartanburgs, and the Huntsvilles.

You are taking Federal tax dollars and building up those communities to lure new industry to those areas. The new industry that comes to those areas has to come from other places in direct and unfair competition with communities all over this country, communities in my district and in your district, where the chambers of commerce and local and State organizations are breaking their backs to get more industry and to create a more favorable economic climate.

That is why we say this is unfair. That is why the official in charge of operating this thing admits that the name of the game, and this is a great game, is preferential treatment. That is why I have referred to this legislation in my additional views as essentially an act of piracy—job piracy and industrial piracy.

This is why I support the Republican substitute under the provisions of which all disadvantaged areas in the Nation would be equally assisted.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I believe very little needs to be added to what has been said by the gentleman from Texas in response to the arguments for the substitute being proposed here today. It seems noteworthy that of the membership of the committee on the other side of the aisle that only five of the members of the committee chose to associate themselves in the sponsorship of this substitute. I think the others of the opposition recognized the basic inconsistencies that are inherent in the position which is taken by the supporters of this substitute.

Here are a group of Members of this body who have been very critical of the program of accelerated public works from the very start, who have been very critical of the idea of having an ARA or of designating depressed areas in the first place. Yet, they want us to substitute for this carefully prepared piece of legislation a hodgepodge that is based in its entirety upon the concept of depressed areas within counties all over the country, and on the accelerated public works designation of eligible areas for accelerated public works. They want to go back to the very program that they have derided so continuously and opposed on the floor of this House.

I personally supported the accelerated public works program as did most of us in this Chamber. I supported area redevelopment. I thought the program had great promise for the future and I think it did a great deal more good than the gentlemen on the other side are prepared to admit. Also I think the majorities that were registered last November may be some measure of what the people of the United States think about these programs and their successful operation.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the gentleman from Louisiana.

Mr. WILLIS. Do I properly understand from what the gentleman said a while ago that the committee did study this problem and had an opportunity to choose between the majority version and the substitute proposal, and that that was acted upon in committee?

Mr. EDMONDSON. The substitute was offered in the committee. The substitute did not even get unanimous support on the other side. As a matter of fact, if you will look at the report on page 75, you will find only five members of the committee from the other side endorsed this substitute. Yet, they are asking us to replace this major piece of legislation with that substitute here today.

Now what we have in the Appalachia bill is an attempt on the part of the Congress and on the part of this administration to use a rifle and to use it with effectiveness in a portion of this country that has lagged in certain basic requirements for growth for many, many years. And above all other deficiencies, the highway network is the major deficiency. That is recognized in this legislation and we put the major emphasis in our bill upon correction of that shortcoming in the Appalachia region.

Now instead of using a rifle and zeroing in on the basic shortcomings of the Appalachian region, the gentlemen on the other side would like for us to take a pop gun and take the ammunition and fire all over the country and ignore the basic structural weaknesses that are present in the Appalachian region which have prevented it from competing successfully with other parts of the country in terms of industrial growth.

We say to you that President Kennedy in supporting this legislation at the outset, our late and great beloved President, President Kennedy, in giving it his blessing from the start, and the great man who today leads this Nation as President, President Johnson, have both come to the very heart of the matter in telling us that we must get at the cause for the lag in growth in this area; that we must strike directly at that cause by correcting these basic deficiencies in the highway system that exist down there, and by improving the public facilities that must be upgraded if we are going to have a land of opportunity in Appalachia.

That is what we are trying to do in this bill. That is what a majority of the committee and several members on the other side of the committee agreed with us should be done. That is what we hope you will do by voting down the substitute offered by the gentleman from Florida.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Oklahoma.

Mr. BELCHER. I would say to my good colleague from Oklahoma that I do not care to get into an argument, but we had a good friend in Oklahoma by the name of Senator Kerr, and I heard him say at one time that he was against any conspiracy in the world that he was not in on.

Mr. EDMONDSON. I believe he used the word "combine."

Mr. BELCHER. My understanding is that all the Republicans who were not in on this bill voted against it and all the Republicans who were in on it voted for it. Is that a correct understanding?

Mr. EDMONDSON. I would say that the difference between the Republicans and the Democrats may be highlighted by that, then, because the Democrats supported this bill unanimously in the committee.

Mr. BELCHER. As I understand it, the gentleman from Oklahoma supports it, although none of his 17 counties that are on relief are in on it; is that correct?

Mr. EDMONDSON. The gentleman is correct in that, but I would like to say to the gentleman, with all respect, if he wishes to ascribe that motive to his party's members, as to their reason for supporting this bill, he is at liberty to do it. I would not do it. We thought to a man on the Democratic side of the committee that this was good legislation, and we are very proud to support it unanimously.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the outset I want to say that I approached this legislation with an open mind. I had no prejudice. I read the Senate committee report. I read the debate on the other side of the Capitol.

I noted, with some considerable interest, how my Republican colleagues on the other side of the Capitol voted. There was some Republican support. There were some ranking members of the Republican Party on the other side of the Capitol who did support this legislation.

However, when I had an opportunity to examine S. 3 and see what transpired in the committee—the lack of adequate hearings, the complete rejection of any perfecting amendments offered by the minority, and, as a matter of fact, the complete rejection of any amendment to the bill approved by the other body—I began to have some questions about the merit of the bill before us.

I believe it is a legitimate question to ask whether we here should purely rubber stamp without change, without deviation, a piece of legislation approved on the other side of the Capitol. It seems to me we have enough ability and sufficient talent to improve a piece of legislation which comes to us from the other side of the Capitol.

After reading the minority views, which begin on page 33, and the additional views, which appear subsequent, I have become absolutely convinced that this legislation is basically unsound and that the substitute is a far preferable piece of legislation.

My good friend the gentleman from Texas, in very clever ridicule, pointed his finger and said that this bill, S. 3, was drafted for the purpose of hitting at a specific problem in a certain geographic area, that it was a specific medical remedy and had applicability only to this particular area of the country. As he said that—and it sounded rather persuasive—I wondered when these additional counties in Alabama, New York, and Ohio became so ill that they had to get this particular, this specific medicine, this political prescription.

These few counties in these States have been added rather recently, and it might have something to do with politics and only politics. Yes, this bill is not tailored to any particular area. It is legislation that is a one-shot proposition for one area with the promise that we are to have one, two, three, or perhaps four more additional similar proposals which will cover other geographical regions.

I rather doubt that the basic provisions in those subsequent bills affecting other geographic areas will be any different. I doubt whether those other proposals which will add more and more and more in dollar expenditures will do anything different to those areas than this bill will do to this one.

S. 3 is full of paradoxes. We have counties included here that under no recognized criteria are eligible for any aid on the basis of being distressed economically or otherwise.

Another paradox of this legislation is that we complicate further, not resolve, the problems of agriculture. I have read and reread the President's speech on agriculture. He deplores what is happening to us. Costs to the taxpayers are going up and our farmers are not getting adequate benefits. American agriculture is being strangled by bureaucratic redtape. Still there are provisions in this legislation which just add to and compound the problem that we are trying to solve in a rather inadequate way in the field of agriculture.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. GERALD R. FORD (at the request of Mr. CRAMER) was given permission to proceed for an additional 5 minutes.)

Mr. GERALD R. FORD. What also bothers me about this legislation is that we are asked to approve of certain provisions in this bill that on their own, coming from the committee which has basic jurisdiction, would not get approval in this body and certainly could not get approval from the Congress as a whole.

As I look at the flexibility that is included in this legislation, flexibility as to geography, flexibility as to the formula for the granting of aid or the qualification of those areas, I have a sneaking suspicion that there may be something other than merit involved in the legislation. It may be a product of politics, as has been so ably set forth in the minority views.

I wish to compliment, by the way, the members of the minority on this committee, those that wrote the minority views and those that wrote the additional views. I think this is an excellent job that they have done, and any unbiased and unprejudiced person who took the time and made the effort to examine the majority and the minority views could only come to the conclusion that this bill is unsound and is unworthy of our consideration.

One of the points that have been well brought out and one which I think is fundamental is that this bill is discriminatory. In addition, this bill, even on its own, within the confines of its own pages, will cost more than the substitute. In addition to that, if you add this bill for this region to another bill for another region and another bill for a following region and another bill for a still further region, the cost of the majority viewpoint will skyrocket.

So I say that on the basis of economy the substitute is the bill which we on our side ought to vote for and the bill on our side that we should support. Yes, the substitute cleans up the legislation recommended by the majority. Our bill is a one-shot proposition. I think it will cost less and it will retain those constructive programs that have been recommended by the majority.

The substitute deletes those programs that cannot be justified on the basis of any hearings, any factual information and fundamentally, perhaps even more important, the substitute proposal uses the existing administrative facilities in the Federal Government; it uses the administrative agencies in the State governments and utilizes, as we advocate, the administrative organizations on the local government level. If we believe in what we say on our side we should support the substitute. The substitute is a partnership between the Federal Government, the State government, and local governments, and I believe very strongly that we ought to support the substitute recommended by the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield.

Mr. CRAMER. Mr. Chairman, the suggestion was made by the gentleman from Texas that this is a program tailored to Appalachia. I wonder what examples could be cited that would indicate that development roads can be tailored to one area and not another area throughout America. I wonder what examples could be cited that sewage treatment works have application solely to the Appalachian region or that water resource studies have application solely to the Appalachia region? Also, the same with respect to timber development, demonstration health facilities and all these programs that presently have nationwide application. How in the world can anybody legitimately argue that because they are limited in application in their bill that they should not have equal application or even better application nationwide as provided in the substitute, when they are mostly existing programs, in being, nationwide in application and are just being increased in this proposal?

Mr. GERALD R. FORD. And if the majority comes up with other proposals for other regions you will have skyrocketing costs.

And so, when we look at the administrative side, the dollar side and the overall approach it seems to me that we ought to vote for the substitute.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 65, noes 152.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read.

Mr. JONES of Alabama (interrupting reading of bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

Mr. CRAMER. Mr. Chairman, reserving the right to object—and I would not object I will say to the gentleman from Alabama—if adequate assurance is given that the corrective amendments that we believe are meritorious on our side will be given an adequate opportunity to be considered; that is, that a motion to cut off debate will not be made. Otherwise, I will have to object to considering the bill as read in order to protect our rights.

Mr. JONES of Alabama. I do not know who is going to be the judge as to how long an adequate time would be. I believe the gentleman knows that I will object to prolonged discussion and unnecessary discussion. But, certainly, as long as the time is reasonable, of course, I am not going to object.

Mr. CRAMER. Mr. Chairman, further reserving the right to object, the minority has some 13 or 14 amendments at the Clerk's desk. My interest in this is to make certain that opportunity is available to offer any of those amendments desired by the minority and that there will be no effort to cut off such amendments. With that assurance, I would not object, but without it I would have to object.

Mr. JONES of Alabama. What does the gentleman mean by "cut off"?

Mr. CRAMER. The gentleman can move to cut off debate at any time.

Mr. JONES of Alabama. The gentleman knows the rules, that any Member can offer an amendment.

Mr. CRAMER. The gentleman can cut off the debate on the amendments and on the entire bill if he wishes to do so by a vote. The only protection we have is through refusing to agree to having the bill considered as read.

Mr. JONES of Alabama. I could not prevent a member of the committee from making such a request. However, certainly, I will do everything I can to see that ample time is permitted for a discussion of the amendments.

Mr. CRAMER. Mr. Chairman, I have been involved in these types of procedures for some time and there have been many instances in which the minority was cut off. Without adequate assurance, I would be constrained to object.

Mr. JONES of Alabama. Those who have dealt with me know that I will assure the gentleman of reasonable time on each amendment.

Mr. GERALD R. FORD. Mr. Chairman, further reserving the right to object, may I make a suggestion to the gentleman from Alabama? Why do we not read just a paragraph or two and have an amendment or two until we might be able to see just what the schedule may be.

Mr. JONES of Alabama. Mr. Chairman, I withdraw my request.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FINDINGS AND STATEMENT OF PURPOSE

SEC. 2. The Congress hereby finds and declares that the Appalachian region of the United States, while abundant in natural resources and rich in potential, lags behind the rest of the Nation in its economic growth and that its people have not shared properly in the Nation's prosperity. The region's uneven past development, with its historical reliance on a few basic industries and a marginal agriculture, has failed to provide the economic base that is a vital prerequisite for vigorous, self-sustaining growth. The State and local governments and the people of the region understand their problems and have been working and will continue to work purposefully toward their solution. The Congress recognizes the comprehensive report of the President's Appalachian Regional Commission documenting these findings and concludes that regionwide development is feasible, desirable, and urgently needed. It is, therefore, the purpose of this Act to assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to its growth and attacking its common problems and meeting its common needs on a coordinated and concerted regional basis. The public investments made in the region under this Act shall be concentrated in areas where there is a significant potential for future growth, and where the expected return on public dollars invested will be the greatest. The States will be responsible for recommending local and State projects, within their borders, which will receive assistance under this Act. As the region obtains the needed physical and transportation facilities and develops its human resources, the Congress expects that the region will generate a diversified industry, and that the region will then be able to support itself, through the workings of a strengthened free enterprise economy.

TITLE I—THE APPALACHIAN REGIONAL COMMISSION

Membership and voting

SEC. 101. (a) There is hereby established an Appalachian Regional Commission (hereinafter referred to as the "Commission") which shall be composed of one Federal member, hereinafter referred to as the "Federal Cochairman", appointed by the President by and with the advice and consent of the Senate, and one member from each participating State in the Appalachian region. The Federal Cochairman shall be one of the two Cochairmen of the Commission. Each State member may be the Governor, or his designee, or such other person as may be provided by the law of the State which he represents. The State members of the Commission shall elect a Cochairman of the Commission from among their number.

(b) Except as provided in section 105, decisions by the Commission shall require the affirmative vote of the Federal Cochairman and of a majority of the State members (exclusive of members representing States delinquent under section 105). In matters coming before the Commission, the Federal Cochairman shall, to the extent practicable, consult with the Federal departments and agencies having an interest in the subject matter.

(c) Each State member shall have an alternate, appointed by the Governor or as otherwise may be provided by the law of the State which he represents. The President, by and with the advice and consent of the Senate, shall appoint an alternate for the Federal Cochairman. An alternate shall vote in the event of the absence, death, disability, removal, or resignation of the State or Federal representative for which he is an alternate.

(d) The Federal Cochairman shall be compensated by the Federal Government at level IV of the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964. His alternate shall be compensated by the Federal Government at not to exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended, and when not actively serving as an alternate for the Federal Cochairman shall perform such functions and duties as are delegated to him by the Federal Cochairman. Each State member and his alternate shall be compensated by the State which they represent at the rate established by the law of such State.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 3, lines 21 and 22, strike out "the Federal Cochairman and of a majority of the State members" and insert in lieu thereof the following: "a majority of the members of the Commission".

Mr. CRAMER. Mr. Chairman, let me say at the outset it is not going to be the intention on our side to delay this legislation inordinately. I would expect we will be able to complete voting on the measure, so far as our side is concerned, by tomorrow.

With reference to the specific amendment at hand, this deals with one of the issues we think is paramount in this legislation, and I address myself to those who pride themselves on believing that the States should be the ones to make the decisions relating to this program, those who believe in State's rights, if you please.

In this instance, as the bill is presently drafted, the Federal representative, as stated in the minority views, has an absolute veto over any program and over any project. This Commission is made up of 11 members from the States and 1 Federal representative. The affirmative vote of the Federal representative is required for any project, let alone any proposed program.

This is unprecedented, as it relates to the operation of interstate commissions. We have gone the full circle now in dealing with interstate commissions.

When I first came to Congress 11 years ago they would not permit a Federal representative to serve on such commissions when these interstate compacts were proposed. The members of the Committee on the Judiciary will remember that. Subsequently, Federal members were permitted to serve on the commission, and participate in making decisions with the State. Then the New

England compact came before the House, which gave the Federal representative a vote in addition to being a member.

Now we have gone the full turn, and we find the proposition that the Federal representative not only has a vote, not only will be a member of the 12-member Commission, but will have absolute, unquestioned veto power, even if 11 State members of the Commission say otherwise, on a given program or a given project.

Admittedly, and this argument is apt to be made, only with individual State consent can programs and projects be approved and go into effect. But suppose 11 States want a highway located between certain terminal points on a given location—11 States vote "Yes." The Federal representative can vote "No." It does not matter how badly the States want it or what the merits are, the Federal representative's decision is final and absolute. This is what the bill says on page 3, line 20:

> Except as provided in section 105—

This deals with delinquency of dues for paying of administrative costs—

> decisions by the Commission shall require the affirmative vote of the Federal Cochairman—

They start out by making him Cochairman, then they give him complete control by giving him a veto power—

> and of a majority of the State members.

What does our amendment do? Our amendment puts this Commission in proper focus. It permits the Federal representative to have the same vote, as a Commission member, as do the State members. Who can oppose that, who believes each State ought to have an equal voice on this program? You are going to be outvoted 11 to 1 otherwise by the Federal representative if he chooses to veto and say "No."

That relates to every program in the bill. That relates to your demonstration hospital facilities, which presently are handled under the Hill-Burton Act. The States decide the priority. They decide when a hospital is deserving and is good enough to get top priority. Under S. 3, the Federal representative may say, "I do not agree with that. I do not think that hospital should be located where you say it should, that it should have the equipment you—the State—say it should have." Veto. It is almost as bad as the Security Council in the U. N., where Russia has the veto.

We, in our substitute bill, are not setting up a Commission where the Federal representative has an absolute veto no matter what the merits, no matter how favorably the entire State membership may act on this legislation. What our amendment does is state that a majority of the members of the Commission should control, that an affirmative vote shall be required giving the Federal representative an equal but not a superior vote.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I oppose this amendment and hope that the Committee of the Whole will do the same thing that the Committee on Public Works did when it was presented in the Committee, and that is, vote it down and vote it down decisively. The pending amendment would reduce the voting power of the Federal Cochairman and actually destroy, I think, almost completely the effectiveness of the Federal Government in serving as an arbitrator and serving as an effective cochairman of the commission, that has to agree on the policies that have to be followed. This commission is not an operating agency, it is basically a policymaking agency. You have to remember when you evaluate the role of the Federal Government in it that we are talking about a program in which the Federal Government is going to put up from 50 to 80 percent of the money. The gentleman from Florida would like to reduce the voting strength of the Federal Government in determining how that 50 to 80 percent of the money is going to be spent from the 50 percent which we have today in the bill as it now reads to about 4.5 percent. That certainly would be inequitable in protecting the Federal Government's interest.

If we adopt the amendment proposed by the gentleman from Florida there would be absolutely nothing to prevent a group of the States, six or seven of the States, from getting together and looking at their own interests rather than the overall interests of the entire Appalachian region, and setting up the policies and setting up the programs to channel practically all of the money into their area.

Now the Federal cochairman sitting there with the veto which he has in this bill prevents that from taking place and assures equity between the States. I am quite sure that the gentleman from Florida is not always against the principle of having the Federal Government having a veto either because just a few minutes ago he asked us to adopt a substitute. The substitute is the bill, H.R. 4466, which says on page 4, describing the new development highways which he proposes that we set up and spend $800 million on—he says the Secretary, and he is talking about the Secretary of Commerce, shall have authority to approve in whole or in part the recommendations of the State highway department or to require modifications or revisions thereof.

Now if that is not a veto that goes just as far as anything that is in this bill, I would like to see something that is. The gentleman from Florida is in favor of a veto when he proposes a program like his development highway program. He recognizes that it would not work practically and protect the interest of the States unless the Federal Government putting up most of the money had the right to say no when a proposal was advanced that did not coincide with the national interest.

That is what the bill, as it is presently written, provides for. You have a veto insofar as the State is concerned. You have a double veto in the fact that any Governor can veto a program operating within his own State.

Then you have the Federal Government sitting there with its Federal Cochairman with the right to veto a program or a policy determination if he feels it is not in the national interest.

That assures a working partnership that recognizes both National and State interests. With this working double partnership, we submit it is possible to correct the basic deficiencies in the Appalachia region and to supply the basis for solid growth in the future.

Do not destroy that effective working relationship that is created by this bill by adopting the amendment that has been offered by the gentleman from Florida.

Mr. CEDERBERG. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if there is one part of this bill that disturbs me, and there are many parts, it is this Federal czar operation that we are talking about. Unless this amendment is adopted, I foresee, looking down the road 1 year, 2 years or 10 years—five, six, seven and possibly eight regions of this type around the country with a Federal czar over each region and the States that are participating in each region will be under the sole jurisdiction of this czar. In a program as broad in scope as this, covering medical care, schools, roads and so forth in which there are duplicating programs already in existence in this area and on which admittedly there must be some coordination between these programs, you are going to have a Federal czar who has a veto power over the States that are a part of this area organization and then I think we will have gone a long way down the road to Federal control and doing away with States rights and the rights of local communities. I would think this would be the last thing the Members of Congress would want to do. Certainly, I could never support any legislation regardless of its merits, when that legislation contains as dangerous a provision as this. I think we certainly ought to look at this one real hard—forget the merits, forget your opinion as to the contents of the bill—but without this amendment I believe this provision will come back to haunt us in future years and we will regret the day that we set up these Federal czars around the country.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Florida.

Mr. CRAMER. Reference was made to the position of the minority on H.R. 4466. I am sure the gentleman from Oklahoma [Mr. EDMONDSON] fully knows that the wording with regard to highways in the section is precisely the same as is in existence under present law. I am sure the gentleman further knows that if there is a program in America under which the State-Federal partnership—and I stress "partnership"—has worked and worked admirably, it has been the highway program.

The language used in the substitute is precisely that of the existing law.

The substitute also struck out the veto power of the Federal czar.

I believe the gentleman is absolutely right in pinpointing, as we have attempted to do, that this is one of the major weaknesses, permitting the Federal Government to have an absolute veto power over all programs of all kinds, relating to priorities, relating to where a given hospital or a given sewage disposal plant is to be constructed. There is to be an absolute veto power in the hands of one man.

This is a duplication. This is a second layer. Naturally, there must be approval of the various agencies under which these programs are administered, but they also want a veto power in the Commission by a Federal czar with an absolute right in the Federal Government, and that will go a long way toward destroying States rights.

Mr. CEDERBERG. Another thing that disturbed me was the implication in the remarks of the gentleman from Oklahoma [Mr. EDMONDSON] that States may not be able to get together under this program. He said that six or seven States might decide they want to go one way and could vote as a majority to do so. I am not ready to believe that the States involved in an organization of this type, interested in the development of an area—as is said, the Appalachian area—would do anything like that. We have seen the Governors of the various States get together many times.

Are you going to tell us that some States will go their own way, will work politically to try to get a majority to go one way, and that a minority will have to take what the majority decides; and, to prevent such from occurring, you want to have a Federal czar? He is going to say, "I am sorry, but we have a difference of opinion here. Majority vote no longer prevails." We will have one man. He will tell us whether it is any good. If he thinks it is, that is all right, but if he does not, the view of the Federal czar will prevail. I believe that is wrong.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

If the gentleman is practical, I believe he will realize that this possibility would be present if we do not preserve the right of the Federal Cochairman, just as we have preserved the right of the Federal Government in our highway program to prevent a State from putting a Federal highway where the Federal Government does not want it. The gentleman from Florida recognized that in his development highway program.

Mr. CEDERBERG. There is a lot of difference between the highway program, which has interconnections with various States and is interstate in operation. That has nothing to do with a sewage disposal plant or a vocational school. Those are local in nature.

It is far more dangerous to have a Federal czar who can say, "You cannot do this, or must do it my way," rather than to have the States among themselves decide how it must be done.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 66, noes 118.

So the amendment was rejected.

The Clerk read as follows:

Functions of the Commission

SEC. 102. In carrying out the purposes of this Act, the Commission shall—

(1) develop, on a continuing basis, comprehensive and coordinated plans and programs and establish priorities thereunder, giving due consideration to other Federal, State, and local planning in the region;

(2) conduct and sponsor investigations, research, and studies, including an inventory and analysis of the resources of the region, and, in cooperation with Federal, State, and local agencies, sponsor demonstration projects designed to foster regional productivity and growth;

(3) review and study, in cooperation with the agency involved, Federal, State, and local public and private programs and, where appropriate, recommend modifications or additions which will increase their effectiveness in the region;

(4) formulate and recommend, where appropriate, interstate compacts and other forms of interstate cooperation, and work with State and local agencies in developing appropriate model legislation;

(5) encourage the formation of local development districts;

(6) encourage private investment in industrial, commercial, and recreational projects;

(7) serve as a focal point and coordinating unit for Appalachian programs;

(8) provide a forum for consideration of problems of the region and proposed solutions and establish and utilize, as appropriate, citizens and special advisory councils and public conferences; and

(9) advise the Secretary of Commerce on applications for grants for administrative expenses to local development districts.

Recommendations

SEC. 103. The Commission may, from time to time, make recommendations to the President and to the State Governors and appropriate local officials with respect to—

(1) the expenditure of funds by Federal, State, and local departments and agencies in the region in the fields of natural resources, agriculture, education, training, health and welfare, and other fields related to the purposes of this Act; and

(2) such additional Federal, State, and local legislation or administrative actions as the Commission deems necessary to further the purposes of this Act.

Liaison between Federal Government and the Commission

SEC. 104. The President shall provide effective and continuing liaison between the Federal Government and the Commission and a coordinated review within the Federal Government of the plans and recommendations submitted by the Commission pursuant to sections 102 and 103.

Administrative expenses of the Commission

SEC. 105. (a) For the period ending on June 30 of the second full Federal fiscal year following the date of enactment of this Act, the administrative expenses of the Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid equally by the Federal Government and the States in the region. The share to be paid by each State shall be determined by the Commission. The Federal Cochairman shall not participate or vote in such determination. No assistance authorized by this Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

(b) Not to exceed $2,200,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Administrative powers of Commission

SEC. 106. To carry out its duties under this Act, the Commission is authorized to—

(1) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of its business and the performance of its functions;

(2) appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the Commission to carry out its functions, except that such compensation shall not exceed the salary of the alternate to the Federal Cochairman on the Commission as provided in section 101. No member, alternate, officer, or employee of the Commission, other than the Federal Cochairman on the Commission, his staff, and his alternate and Federal employees detailed to the Commission under paragraph (3) shall be deemed a Federal employee for any purpose;

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duty with the Commission such personnel within his administrative jurisdiction as the Commission may need for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status;

(4) arrange for the services of personnel from any State or local government or any subdivision or agency thereof, or any intergovernmental agency;

(5) make arrangements, including contracts, with any participating State government for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for, or continue in, another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel. The Civil Service Commission of the United States is authorized to contract with the Commission for continued coverage of Commission employees, who at date of Commission employment are Federal employees, in the retirement program and other employee benefit programs of the Federal Government.

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible or intangible.

(7) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation.

(8) maintain a temporary office in the District of Columbia and establish a permanent office at such a central and appropriate location as it may select and field offices at such other places as it may deem appropriate.

(9) take such other actions and incur such other expenses as may be necessary or appropriate.

Information

SEC. 107. In order to obtain information needed to carry out its duties, the Commission shall—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable, a Cochairman of the Commission, or any member of the Commission designated by the Commission for the purpose, being hereby authorized to administer oaths when it is determined by the Commission that testimony shall be taken or evidence received under oath;

(2) arrange for the head of any Federal, State, or local department or agency (who is hereby so authorized to the extent not otherwise prohibited by law) to furnish to the Commission such information as may be

available to or procurable by such department or agency; and

(3) keep accurate and complete records of its doings and transactions which shall be made available for public inspection, and for the purpose of audit and examination by the Comptroller General or his duly authorized representatives.

Personal financial interests

SEC. 108. (a) Except as permitted by subsection (b) hereof, no State member or alternate and no officer or employee of the Commission shall participate personally and substantially as member, alternate, officer, or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization (other than a State or political subdivision thereof) in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest. Any person who shall violate the provisions of this subsection shall be fined not more than $10,000, or imprisoned not more than two years, or both.

(b) Subsection (a) hereof shall not apply if the State member, alternate, officer, or employee first advises the Commission of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by the Commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commission may expect from such State member, alternate, officer, or employee.

(c) No State member or alternate shall receive any salary, or any contribution to or supplementation of salary for his services on the Commission from any source other than his State. No person detailed to serve the Commission under authority of paragraph (4) of section 106 shall receive any salary or any contribution to or supplementation of salary for his services on the Commission from any source other than the State, local, or intergovernmental department or agency from which he was detailed or from the Commission. Any person who shall violate the provisions of this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both.

(d) Notwithstanding any other subsection of this section, the Federal Cochairman and his alternate on the Commission and any Federal officers or employees detailed to duty with it pursuant to paragraph (3) of section 106 shall not be subject to any such subsection but shall remain subject to sections 202 through 209 of title 18, United States Code.

(e) The Commission may, in its discretion, declare void and rescind any contract, loan, or grant of or by the Commission in relation to which it finds that there has been a violation of subsection (a) or (c) of this section, or any of the provisions of sections 202 through 209, title 18, United States Code.

Mr. JONES of Alabama (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. CRAMER. Mr. Chairman, reserving the right to object, has the gentleman had a discussion with the minority leader with regard to any ground rules relating to debate on amendments that would justify making the motion?

Mr. JONES of Alabama. I suppose that I can make that request in every section of the bill. There is no disposition on this side to cut off debate.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. It is my general impression that we are doing real well timewise. There is no disposition on our part to filibuster or create any time problems. If we could just continue and get some of these amendments out of the way, I think we will make some good progress.

Mr. JONES of Alabama. Mr. Chairman, I withdraw my unanimous-consent request.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent that title I be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Are there any amendments to title I? If not, the Clerk will read title II.

The Clerk read as follows:

TITLE II—SPECIAL APPALACHIAN PROGRAMS

Part A—New programs

Appalachian Development Highway System

SEC. 201. (a) The Secretary of Commerce (hereafter in this section referred to as the "Secretary") is authorized to assist in the construction of an Appalachian development highway system serving the Appalachian region (the length of which shall not exceed two thousand three hundred and fifty miles. In addition thereto, there are authorized to be constructed not in excess of one thousand miles of local access roads, that will serve specific recreational, residential, commercial, industrial, or other like facilities or will facilitate a school consolidation program). The system, in conjunction with the Interstate System and other Federal-aid highways in the region will provide a highway system which will open up an area or areas with a developmental potential where commerce and communication have been inhibited by lack of adequate access. The provisions of title 23, United States Code, that are applicable to Federal-aid primary highways, and which the Secretary determines are not inconsistent with this Act, shall apply to the Appalachian development highway system, and the local access roads.

(b) As soon as feasible, the Commission shall submit to the Secretary its recommendations with respect to (1) the general corridor location and termini of the development highways, (2) the designation of local access roads to be constructed, (3) priorities for construction of the local access roads and of the major segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such recommendations, he shall have obtained the recommendations of the State highway department of the State which he represents.

(c) The Secretary shall have authority to approve in whole or in part such recommendations or to require modifications or revisions thereof. In no event shall the Secretary approve any recommendations for any construction which would require for its completion the expenditure of Federal funds (other than funds available under title 23, United States Code) in excess of the appropriation authorizations in subsection (g). On its completion each development highway not already on the Federal-aid primary system shall be added to such system and shall be required to be maintained by the State.

(d) In the construction of highways and roads authorized under this section, the States may give special preference to the use of mineral resource materials indigenous to the Appalachian region.

(e) For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary is authorized to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act.

(f) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Secretary determines, pursuant to the recommendation of the Commission, that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

(g) To carry out this section, there is hereby authorized to be appropriated $840,000,000.

Mr. JONES of Alabama (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that title II be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. CRAMER. Mr. Chairman, reserving the right to object, does the gentleman wish to amend his motion to make it relate to section 201? I have no objection to that request but not to the request with respect to the title.

Mr. JONES of Alabama. I amend my request to apply to section 201.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. BALDWIN

Mr. BALDWIN. Mr. Chairman, I offer an amendment to title II, section 201, which applies to several different paragraphs in the title, and I ask unanimous consent that it be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN:

On page 13, line 13, strike out the parenthesis.

On page 13, strike out the sentence beginning on line 15.

On page 14, lines 3 and 4, strike out ", and the local access roads".

On page 14, line 8, strike out "(2)" and all that follows down through and including "(4)" in line 11 and insert in lieu thereof the following: "(2) priorities for construction of the major segments of the development highways, and (3)".

On page 15, line 21, strike out "$840,000,000" and insert in lieu thereof "$805,000,000".

Mr. BALDWIN. Mr. Chairman, the sense of this amendment is simply to strike out the access roads paragraph of section 201. Section 201 does two things. The major portion of it is to authorize a system of development roads which will cost $805 million. My amendment does not affect those. It leaves them in the bill intact. But in addition to that section 201 authorizes an additional 1,000 miles of local access roads, the Federal contribution to which will be $35 million. My amendment would eliminate those local access roads. I would like to read the description of local access roads on page 13, line 15, where it says:

> In addition thereto, there are authorized to be constructed not in excess of one thousand miles of local access roads, that will serve specific recreational, residential, commercial, industrial, or other like facilities or will facilitate a school consolidation program.

That means that local access roads can be constructed to serve a specific subdivision built by a contractor for his personal profit. One road can be constructed to serve a specific resort built by a resort owner for his personal profit. These local access roads can be constructed to serve a particular recreational area built by a speculator for his personal profit. In the history of the roadbuilding program of the United States of America the basis upon which we have provided Federal assistance is that roads will serve a group of people or an area and therefore the Federal-Interstate Highway System serves a large number of people and the Federal-State primary and secondary aid system serves areas and groups of people; the Federal urban road system serves areas and groups of people. But this is the first time that I know of where we have stated that we will authorize Federal funds to build a specific local access road to serve a particular industry built for profit by the owner of that industry or a particular subdivision built for profit by the owner of that subdivision or a particular resort built for profit by the owner of that resort.

This particular provision of $35 million—and all my amendment strikes is $35 million; it leaves the whole development road system of $805 million—would be an open invitation to people who for profit would try to get sufficient political control at the State level and maneuver the allocation of Federal road funds for the construction of a specific road to serve their specific profitmaking enterprise. I do not believe Federal funds should be used for such a purpose.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

This is another of the amendments which the gentlemen of the minority offered in the committee. Like the others, this one was decisively rejected.

Mr. Chairman, this amendment would abolish the system of access roads, one of the most important features of this bill. If we are to provide any real help for this Appalachian region, then we will have to preserve intact this 1,000 miles of access roads.

Local access roads are as essential to the primary highway system as the veins are to the arteries of the body. We might just as well sever the veins from the arteries as to require that no access roads can be constructed in connection with the arterial highways.

Absent a system of access roads leading into these highways, the lifeblood of commerce and industry which we hope to stimulate for this region could not flow over those highways and, therefore, they would be virtually useless.

Access roads are to the main highways what the branches are to the trunk of a tree. The trunk of a tree alone cannot bear fruit. It merely provides the sap and sustenance for the branches. If you sever the branches from the tree, the trunk of the tree cannot bear fruit. If we sever from the main arterial highway system we are creating the branches which constitute these access roads to reach into the hitherto remote, isolated areas and open them up for profitable commercial development, then the fruits of growth and development which we would provide for in this bill can never be realized.

Now, Mr. Chairman, certain unwarranted references have been made throughout the course of this discussion. Some references have been made to the effect that these access roads are going to enhance and enrich local promoters and allow people to gain private profit. Perhaps they may. Every highway that has ever been built has enhanced land values. Every highway that we could ever construct would serve some commercial purpose or would serve some industrial purpose and, perhaps, it will make it possible for someone to open up a profitable industry in an area where this now cannot be done. What is wrong with that? That is the purpose of the bill. The entire purpose of the bill is to open up these areas which have heretofore remained so isolated, so remote, so inaccessible, that industry was discouraged from coming in and providing these well springs of development from which prosperity could flow.

We want people to come in and provide private development. We want private funds to be invested in this region because that and that alone will provide the dynamics to create the jobs in order to allow Appalachia to take its rightful place in the prosperity of the mid-20th century.

However, Mr. Chairman, if we were to sever this entire program of local access roads simply on the apprehension that some private individual may gain a profit, then we would have to rewrite the entire road program of the Nation. We would have to cut out the farm-to-market roads, we would have to cut out the timber development roads in the Western States, the Federal timber regions, and we would have to change the entire structure of the highway system.

Of course, it is going to open up areas for profitable private investment, and that is exactly what we are trying to do. We want private investment to come into this area and thereby create jobs.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is it not also true that with reference to these access roads just as in the case of other roads you have to have matching funds from the State and the local government, and the veto by the State is there just the same as we have the Federal veto in order to prevent any type of abuse in this program?

Mr. WRIGHT. Precisely. Certainly, I trust the Governors of these States not to abuse this program or to permit it to be abused in any such fashion as the gentleman from California [Mr. BALDWIN] has suggested.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Illinois.

Mr. COLLIER. If this is as important as the gentleman portrays it, if it is as vital as the veins are to the arteries, how come this is only 5 percent of the total amount involved here?

Mr. WRIGHT. Because the main arterial highways are so much more costly than the access roads. These would be comparable to our secondary roads in the rural areas. When we develop the main highway system, the arterial roads become comparable to our primary road systems.

Mr. COLLIER. There are systems in those areas currently existing, are there not?

Mr. WRIGHT. Yes, there are roads which are really comparable roads. That is why 84 percent of the funds contained in this bill will be devoted to the building of roads.

We feel that is what is necessary to open up the territory so that private capital can go in and develop the area.

The CHAIRMAN. The time of the gentleman from Texas has expired.

By unanimous consent (at the request of Mr. BALDWIN), Mr. WRIGHT was permitted to proceed for 1 additional minute.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. BALDWIN. The gentleman from Texas mentioned that he trusts the Governors of the States will exercise proper care in allocating these funds. Is it not a fact that the gentleman from Texas [Mr. WRIGHT] is author of an article that appeared in a nationwide magazine pointing out the wide discrepancy and the many misuses of Federal funds that were contracted by States in the highway program?

Mr. WRIGHT. That is correct, but I do not think we can cut out the road building program because it has been occasionally abused. I think we should have more guarantee against abuses. I do not believe it is going to be the purpose of any of the Governors to abuse this section.

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Pennsylvania.

Mr. CLARK. It is true there have been many cases brought out, not only in the Congress, but before the whole public, with reference to the misuse of funds, but the Public Works Investigating Subcommittee is taking care of that matter.

Mr. WRIGHT. I think that investigating subcommittee, under the able chairmanship of our colleague, the gentleman from Minnesota [Mr. BLATNIK], has done a remarkable job.

Mr. CRAMER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, this is the section to which I referred when I indicated I thought certain sections of this bill were open to grave abuse by local favoritism, the building of public facilities programs that were not up to any standard. They do not require any maintenance, totally without precedent relating to our highway program. That is why the motion is offered to strike it out.

And here is the second reason, and here is what they said when they came to our committee last year: "We will build 500 miles of access highways for $50 million." That is how well they had outlined the access program. They came before our committee this year and said: "We can build a thousand miles of access roads for the same amount of money, $50 million." The fact of the matter is they do not know how much it is going to cost, they do not know where they are going to build these highways, obviously. This is future development and planning. The States have not submitted estimates with regard to where these are going to be built, and how many miles within a given State, or exactly what type of development they have in mind that these access highways will serve.

This is the section where you are going to provide 70 percent, $35 million, Federal matching money, to build driveways, if you please, not highways, to your privately owned motels, hotels, public beaches, bathing beaches, ski installations, golf courses, or anything else within this definition of the bill where they will serve specific residential, commercial, industrial, or recreational facilities.

In the record of our testmony this is precisely what they intend to do.

If you want to try to get some of the critical area out of this bill, if you want to guarantee against some abuses, at least strike this section so they will have to meet some standards, and they have to be maintained. This is an opportunity to act responsibly in this area.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BALDWIN].

The amendment was rejected.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CRAMER: On page 14, strike out line 24, and on page 15 strike out lines 1 and 2 and insert in lieu thereof the following: "ment highway and each local access road not already on either the Federal-aid primary system or the Federal-aid secondary system shall be added to either of such systems and shall be required to be maintained by the State."

Mr. CRAMER. Mr. Chairman, this is an amendment that very simply requires the States or the local governing agencies, which is the requirement under all present law relating to highways under title III, first, to build these highways to reasonable standards, and second, having built them to reasonable standards, to maintain them. That is all this amendment does.

How in the world can anybody oppose that amendment who wants to spend Federal money, 70 percent of the cost of construction, if you are determined to build these highways to these motels, ski slides, and swimming pools? If you are determined to build them, at least require them to be maintained.

Secondly, it requires that they be built to some established and reasonable standard. That is all this amendment does. I think this is a challenge to this body relating to acting responsibly on this legislation.

Every Member of this body that wants to do something beneficial for Appalachia and help develop Appalachia should wholeheartedly support this amendment because this will guarantee that when these highways are built they will be maintained. This will mean they are not going to pot in 6 months, with potholes, with no one having the responsibility to maintain them or build them to decent standards in the first place. That is all this does. It does it by adding the phrase, "each development highway and each local access road not already on either the Federal-aid primary system or the Federal-aid secondary system shall be added to either of such systems and shall be required to be maintained by the State."

That is the present law relating to present Federal-aid highways. We have never acted so irresponsibly in this body as to provide 70 percent Federal money for highway development without, first, requiring that they be built to reasonable standards; and, second, requiring that they be maintained.

This is where we are going to find out whether the same approach is going to be made on the floor of the House that was made in the committee, whether the orders that came down relating to action on the floor of the House are the same as happened in the committee, "Let's not cross a 't' or dot an 'i.' No matter how right our opponents may be, let us vote the Senate bill up, vote it out, right or wrong, good or bad, whether it does the job or does not do the job, whether it is reasonable or unreasonable. Let us do that so that we do not even have to go to conference."

This is the place to make the decision. Are we going to rubberstamp what was done in the other body? Are we going to answer to the orders of others outside of this body, or consider this amendment on its merits?

This gives more flexibility, which is a word used considerably in this debate, more flexibility to even the development highways, because this permits those development highways to be built either to primary or secondary standards, either one, which is not the case in S. 3, that is before us.

I say the merits of this amendment should be unquestioned, and I say this should be adopted on its merits. This is the time to find out.

Mr. CLARK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I oppose this amendment.

Amendment of S. 3 to provide for maintenance of local access roads which are not on a Federal-aid highway system would be superfluous.

The Secretary of Commerce clearly is authorized, under the present language of S. 3 to require the State highway departments to maintain Appalachian local access roads even though they are not located on a Federal-aid highway system. Accordingly, no purpose would be served by the proposed amendment.

Section 201(a) of S. 3 provides in part:

> The provisions of title 23, United States Code, that are applicable to Federal-aid primary highways, and which the Secretary determines are not inconsistent with this Act, shall apply to the Appalachian development highway system and the local access roads.

Section 116(a) of title 23, United States Code, provides:

> It shall be the duty of the State highway department to maintain, or cause to be maintained, any project constructed under the provisions of this chapter or constructed under the provisions of prior acts. The State's obligation to the United States to maintain any such project shall cease when it no longer constitutes a part of a Federal-aid system.

Since section 116(a) of title 23 requires the States to maintain Federal-aid primary highways, the Secretary may determine under section 201(a) of S. 3 that the maintenance requirement shall also be applied to local access roads authorized by S. 3.

The second sentence of section 116(a) quoted above relates to the conditions under which a State's obligation to maintain a Federal-aid highway terminates. It does not control the question whether, under S. 3, the Secretary of Commerce is authorized to require maintenance of Appalachian local access roads.

Section 201(b) of S. 3 directs the Appalachian Regional Commission to submit to the Secretary of Commerce its recommendations with respect to several specified matters and with respect to other criteria for the Appalachian highway program. Under section 201 (c) the Secretary of Commerce is authorized to approve these recommendations in whole or in part or to require modifications or revisions.

Such criteria clearly may include a requirement for maintenance of local access roads.

The hearings and report of the Committee on Public Works also evidence a clear intent to require the maintenance of these roads. For example, the Deputy Under Secretary of Commerce for Transportation testified that maintenance would be required, and the report states the committee's understanding that the Bureau of Public Roads will obtain maintenance agreements from each of the States concerned.

Mr. BALDWIN. Mr. Chairman, I move to strike out the last word and yield to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I am sure my distinguished colleague from Pennsylvania has not intentionally desired to mislead this body. Again I say it is rather surprising, when the language of the bill is so explicit and beyond question, that he takes the position to the effect that maintenance in the first instance and standards to be applied in the building of access roads in the second instance are provided in this legislation.

The legislation contains no such provisions or requirements.

In addition to that, if the Secretary says he intends despite that, that maintenance requirements be put into effect, why in the world would they object to that if we are saying what the Secretary says that he intends to do anyway. The point is the requirement is specifically what the other body eliminated by its amendment relating to access roads. The other body took it out and that is the point I have been trying to make. The other body took the requirement of maintenance out. And we have it by their amendment which appears on page 13. They took out of the authorized Federal-aid highway systems 1,000 miles relating to access roads. By taking it out of any Federal system, there was no requirement for maintenance under the basic law. Here is what the law says that is presently in existence.

Title 23, section 116 (a):

> The State's obligation to the United States to maintain any such project shall cease when it no longer constitutes a part of a Federal-aid system.

The act itself says that access highways shall not be a part of any Federal-aid system. How could it be any more clear?

The present law provides no maintenance unless the roads are a part of the Federal-aid system. This is not a part of the system. The bill provides it shall not be a part of the system. How could anyone possibly argue to the contrary?

All we are seeking to do is to make sure that what the majority says they believe is being done, will be done, by putting specific language in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CRAMER and Mr. JONES of Alabama.

The Committee divided, and the tellers reported that there were—ayes 47, noes 128.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SAYLOR: On page 15, line 19, strike out "70" and insert in lieu thereof "90".

Mr. SAYLOR. Mr. Chairman and Members of the Committee, first I would like to commend the committee for having brought forward this piece of legislation. I am going to support it because I think it is the first time since the Appalachia problem has been discussed that Congress has taken positive action toward meeting the needs of this area. I commend the members for all of the items included in this bill. One of the things I think they have failed to take into consideration is the economic condition of the area itself.

Now, in 1934 when a survey was made by a commission appointed by the then President of the United States to determine the needs of the area of Appalachia, that commission came back with a report and said that the first thing this area needed was roads. This is 31 years later, and the committee has determined that is still the primary requisite in this area to make it a real part of the United States. I have not asked for one penny more here. I have just said that if the committee believes what it has said in its report, that is, that this is the real pocket of unemployment, that this is the real poor area of the United States, then I ask that they give to this area the opportunity to build its highways under the same terms and conditions that we give to California, that we give to Texas, that we give to Florida, and ask them on this interstate system which is going to be built for the Federal Government to contribute 90 percent of the cost of the highways.

Now, we are going to try and we are trying in this area to build our highways, but every State that is involved in Appalachia is strapped at the present time. I notice here one of my colleagues from this area, from the State of West Virginia. His State at the present time and for the past number of years has been and is doing its best to try to improve its highway system. We are not asking for a penny more than is in this bill. We are just saying that if the Federal Government will only help us, let them help us the same way that they have done with the real rich States in the United States.

It is just this simple. Everybody that has supported this piece of legislation says that the purpose is to help these areas. These States are destitute. If they were not, you would not be here with this piece of legislation. I commend the other body for coming up with a provision giving us 70 percent; but if 70 percent is good enough for us poor folks why not do what you do for the rich States in the Union? The Public Works Committee came forward with their bill for the Interstate System and provided 90 percent of the money. That is what my amendment does. It allows the Federal Government to contribute 90 percent for the construction of these highways. If you do that, if you adopt my amendment and allow them to put 90 percent of the money into the highways, you will do more than any other one thing in the bill to help this area become a real part of the United States.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as has been repeatedly stated on the floor this bill comes to us at the direction and behest of the members of the Commission representing the several States. Eighty-four percent of the money provided in this bill is for development roads and trails and access roads. If the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR] were adopted, it would increase the cost approximately $160 million. It would seem that a disproportionate amount would be in the highway section of the bill and I think it would visit harm on the entire bill if the amendment were adopted. I hope the amendment will be rejected.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is it not a fact that the States in the Appalachian region are now getting 90 percent participation on the Interstate System and will continue to get 90 percent money on the Interstate System under the existing law and existing programs? This is merely an additional portion of road construction being allocated to those States on very generous terms.

Mr. JONES of Alabama. The gentleman from Oklahoma is correct. The 90-percent formula would still be employed on the Interstate System and 50 percent on the primary system.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was rejected.

Mr. JONES of Alabama. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region, had come to no resolution thereon.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on H.R. 2.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

HORTON BILLS FOR CIVIL SERVICE RETIREES

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have the pleasure to announce before my colleagues in Congress that I have introduced today two bills providing needed improvements in the civil service retirement system. In a very real sense, the beneficiaries of these legislative proposals are not only the retired members of this Nation's civil service, their dependents and survivors but also America at large because strengthening the retirement system protects and preserves a fundamental formula of our democracy, namely, a capable and competent career civil service.

ANNUITY INCREASE

The first bill I am sponsoring affords an increased annuity. The increase would amount to 10 percent in each annuity up to $3,000 a year and 5 percent for the portion of an annuity above that amount.

I believe this proposal should have a priority status in all of our considerations for the needs of retired civil workers and their families. We have allowed the situation to drift to a depressing degree.

Since 1955, the official Consumer Price Index has reflected a 15-percent climb in the cost of living. However, the only general annuity amendment in that period was the 5-percent increase in 1962. Thus, retiree and survivor annuitants have been left behind by 10 percent.

It is incumbent on Congress to restore this lost purchasing power, especially for those who need it most. These are the people below the $3,000 line, which Congress already accepts as qualifying for poverty programs. For this reason, my measure makes the 10-percent increase applicable to annuities up to $3,000.

Further, all annuitants are entitled to additional assistance in the face of this statistically shown living-cost increase. Therefore, the bill I am offering also contains the 5-percent increase provision for annuity amounts above $3,000.

SURVIVOR BENEFITS

Mr. Speaker, the second bill I have the honor to offer also is of special importance to the retirement system for civil employees of the U.S. Government.

This measure is intended to end discrimination in survivor benefits. It is in two parts:

First. It requires the recomputation of annuities for all persons who retired before October 11, 1962, and who elected to provide survivor annuities, so as to give them the benefit of the improved formula which has been authorized since.

Second. It provides the recomputation of all survivor annuities for the spouses of employees who retired before October 11, 1962, in order to increase them to 55 percent of the annuities paid these retired employees at the time of death.

The need for this legislative enactment is made manifest by comparing the contrasting situations of persons who have retired from Federal service. Many who retired prior to 1956 still suffer annuity reductions as high as 25 percent in order to provide survivor benefits for their spouses. Yet, those retiring more recently can provide similar benefits for a deduction of only 2½ percent.

Further, the survivor of an employee who retired before October 11, 1962, cannot receive more than half of the annuity paid to his or her spouse, but for those whose spouse retired after that date the survivor annuity is 10 percent higher.

CONCLUSION

Mr. Speaker, those who have devoted their lives to the defense of democracy are not found just in the military. There is a proud history of selfless service among this Nation's civil employees.

I believe it is reasonable and just, therefore, that we in Congress take the legislative steps to insure that retirement from a career of civil service be in keeping with the contributions these employees made during their working years.

THE NATIONAL INTEREST AND GEOGRAPHIC DISTRIBUTION OF RESEARCH AND DEVELOPMENT FUNDS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, when one starts speaking of geographic distribution of Government contracts, raising questions on the equitableness of present policies, he runs the risk of being criticized as parochial in his views.

However, when the simple facts point out one State receives 38 percent of the prime contracts and grants awarded for research and development, when three States combine to receive over 50 percent of these contracts, the Nation is running a risk, the national interest is being adversely affected.

If this is the fact then I feel compelled to speak out as forcibly as I can. Why and how is the national interest being affected? Approximately $15 billion will be spent next year on research and development by the Federal Government. This is more than 15 percent of the national budget. When such sums are spent then it naturally follows there will be many effects aside from the new knowledge gained.

The economy of the areas of the selected parts of the Nation are bound to be affected. It should be pointed out this effect will be a long lasting one for the reason that production follows research and development. This could well mean certain sections will prosper while others experience pangs of economic starvation.

Equally important in the national interest is the effect this geographic distribution is having on our educational system. Dr. Elvis Stahr, president of Indiana University, states it bluntly:

> The result of current Federal policy has been almost inevitably a brain drain on most areas.

He is speaking of the immediate effect but there is a long range effect which we must begin considering now. An authoritative report by an analyst of the National Science Foundation warns of an approaching faculty gap in our colleges and universities in the areas of science, mathematics, and engineering. The vast majority of research associates in science and engineering are now supported by the Federal Government through research grants and fellowships.

If the Federal effort is concentrated in only a few areas of the country we shall overlook the great potential—the great talent—the natural and human resources of other areas of the country.

PRISON SENTENCES FOR ILLEGAL GUN USE

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, I ask this Congress to stop the harassment of the legitimate gun owner—and instead to open war on the illegal use of firearms by the criminal preying on society.

I introduced legislation today to set a 25-year mandatory Federal sentence for anyone guilty of using or carrying a firearm during the commission of a robbery, assault, murder, rape, burglary, or kidnaping. We in Congress can swiftly enact a model program of crime control for our own crime-ridden home base of the District of Columbia, and one bill pertains solely to it. The second invokes the authority of the interstate commerce clause and pertains to the Nation as a whole.

The criminal, Mr. Speaker, is the cause of the problem facing our Nation today—not the sportsman, the gun collector, the decent law-abiding citizen who happens to own one or more guns. And it is this problem that we should attack.

There are pending before Congress proposals calling for registration of all guns, and I tell my colleagues now that this is a completely ineffectual way to strike at the problem of illegal gun use. I see little need to further harass the legitimate gun owner when the problem is caused by the criminal, most of whom are repeat offenders often using stolen weapons to commit a crime.

Mr. Speaker, no man in his right mind can expect a criminal planning a robbery with a stolen gun to register the weapon with Federal authorities, or to be alarmed because he has not done so.

We, in Congress, are being asked to legislate in the field of gun registration with little information to justify the need for such a sweeping proposal. We should know, before we pile unworkable and unnecessary restrictions on the decent citizen, the nature of the criminal causing the problem.

Neither our fine Federal Bureau of Investigation, nor our own District of Columbia Police Department, can tell me how many persons arrested or convicted for armed robbery were using stolen weapons. Neither can they tell me how many of these criminals are repeat offenders. The District police has no funds to undertake such a study, and the FBI, only last year, began studying and reporting the profile of known repeaters by the type of crime.

I realize fully the reluctance of Congress to invade the field generally left to the States to prosecute and punish for crimes of violence.

But the problem of outlaw gun use is nationwide, and the States have failed to deal with it effectively. The Federal Government sets mandatory sentences for trafficking in narcotics, and the illegal use of guns by criminals touches far more of our citizens than dope.

Here in the District of Columbia, as over the Nation, the serious problem of illegal gun use has been severely aggravated by extreme laxity on that part of the courts in meting out punishment to violators. The time has come to meet this problem head on, and to take from the courts the power to turn loose on society the second and third offenders to continue preying on our citizens. My bills leave the courts no discretion in sentencing the guilty, and I think this legislation will go a long way in solving a growing problem.

How many times have we read of the ex-convict with a long string of arrests and convictions for armed robbery finally killing an innocent businessman in the course of another crime? How many times have we read of a criminal free on bond while awaiting trial being caught in the act of committing a similar offense?

How many times, Mr. Speaker, have we sat idly by and watched the courts repeatedly turn loose these vultures to continue preying on society, while the hue and cry mounts against those of us who happen to like to hunt, and who happen to like to own guns, and who abide by all of the laws of our society?

Passage of this legislation will stop the hysterical cries to unduly penalize the law-abiding citizens through imposition of rigid and unworkable restrictions on sale, registration, or taxation of firearms, when the heart of the problem is to find a way to protect these same good citizens from the criminal in our midst.

I have no quarrel, Mr. Speaker, with those who wish to place needed and workable restrictions on the easy availability of firearms to the mentally incompetent, the criminal, or the unsupervised teenager. I have no quarrel with those who wish to prohibit our Nation becoming the world's dumping ground for surplus arms that are generally worthless and more often than not, extremely dangerous for the purchaser to use.

But I shall vigorously oppose any effort to impose sweeping restrictions upon the law-abiding citizen, while this Congress and the respective States blandly ignore the cause of our Nation's most serious problem. I urge my colleagues to join with me in this effort, and call their attention to the following information.

The District of Columbia Police Department furnished the statistics on the type of weapons used in major crime here, and the limited information on the nature of the criminal is from the most recent issue of the FBI's uniform crime report:

Weapons used in homicides and aggravated assaults and robbery

MURDER

Fiscal year	Total	Revolvers or pistols		Rifles		Shotguns		Knives	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
1952	59	19	32.2	2	3.4	----------	----------	9	15.2
1953	68	15	22.0	----------	----------	2	2.9	20	29.4
1954	73	17	23.3	----------	----------	2	2.7	24	32.9
1955	44	11	25.0	----------	----------	----------	----------	12	27.3
1956	55	18	32.7	----------	----------	3	5.5	15	27.3
1957	63	18	28.6	1	1.6	4	6.3	15	23.8
1958	77	20	26.0	3	3.9	1	1.3	27	35.1
1959	69	20	29.0	1	1.4	2	2.9	21	30.4
1960	72	18	25.0	2	2.8	5	6.9	21	29.2
1961	82	28	34.1	1	1.2	2	2.4	19	23.2
1962	85	24	28.2	2	2.4	4	4.7	16	18.8
1963	83	21	25.3	2	2.4	4	4.7	21	25.3
1964	104	37	35.6	3	2.9	1	1.0	29	27.9

AGGRAVATED ASSAULT

Fiscal year	Total	Revolvers or pistols Number	Revolvers or pistols Percent	Rifles Number	Rifles Percent	Shotguns Number	Shotguns Percent	Knives Number	Knives Percent
1952	4,547	265	5.8	3	0.7	14	0.3	1,552	34.1
1953	4,598	281	6.1	6	.1	17	.4	1,542	33.5
1954	4,431	215	4.9	16	.4	35	.8	1,485	33.5
1955	4,550	228	5.0	16	.4	30	.7	1,420	31.2
1956	2,824	239	8.5	9	.3	31	1.1	1,435	50.8
1957	2,545	223	8.8	21	.8	27	1.1	1,312	51.5
1958	2,791	259	9.3	23	.8	23	.8	1,204	43.1
1959	2,505	277	11.1	17	.7	27	1.1	1,086	43.4
1960	3,067	295	9.6	26	.8	41	1.3	1,213	39.5
1961	2,900	302	10.4	21	.7	34	1.2	1,278	44.0
1962	2,956	393	13.3	23	.8	39	1.3	1,218	41.2
1963	2,998	415	13.8	21	.7	31	1.0	1,161	38.7
1964	2,754	467	17.0	20	.7	27	1.0	1,082	39.3

NOTE.—During fiscal year 1964 pistols were used in 482, or 18.3 percent, of the 2,631 robberies; shotguns, 17; and rifles, 8.

In 1963 the FBI initiated a statistical program utilizing these criminal identification records for the purpose of providing an analysis of criminal and prosecutive history of known offenders. Law enforcement agencies—local, State and Federal—submit to the Identification Division of the FBI criminal fingerprint cards on persons arrested. Submissions are not made uniformly by all law enforcement agencies on all charges. Generally, the practice is to submit a criminal fingerprint card on all serious offenses, felonies and certain misdemeanors. On the Federal level, nearly all arrested persons are fingerprinted by the Federal investigative agencies, U.S. marshals and the Bureau of Prisons.

Through this positive means of identification the criminal history of an offender becomes known. It is limited to the degree, of course, that the offender is detected, arrested and fingerprint cards submitted. At the present time the criminal history and other characteristics of offenders who are being handled in the Federal criminal administration of justice are being stored in automatic data processing equipment. Each of the fingerprint files of these known offenders in the Identification Division is being "flashed," which establishes a method of following up on these offenders as to future criminal involvement which can be added over time.

During the year 1963, some 56,126 individual records were processed in the above manner. They are for the most part persons arrested on a Federal charge in 1963, parolees, probationers or persons who violated the latter leniency, commitments to Federal institutions, some District of Columbia offenders, and a number of serious State and local violators being sought by the FBI under the Fugitive Felon Act. Excluded from this process were military criminal fingerprint submissions and chronic arrests for immigration violations.

Some preliminary analyses of this new information of these offenders are set forth herein. Of the 56,126 individual offenders who were actively handled in 1963, 75 percent had two or more arrests and 25 percent a single charge. Only 7 percent were female. By race, 73 percent were white, 25 percent Negro and 2 percent other races. A distribution by age in 1963 and age at first known arrest for these 56,126 offenders is shown below:

Percent distribution by age

Age	1963	At 1st arrest
Under 20	7.7	38.4
20 to 24	20.9	27.7
25 to 29	17.8	13.3
30 to 39	27.5	12.9
40 to 49	16.3	5.2
50 to 59	7.2	1.9
60 and over	2.6	.6

In reviewing the above, keep in mind that both policy and practice not to fingerprint juvenile offenders influences the above distribution. Of the more than 266,000 arrests accumulated by these offenders during the course of their criminal careers, 74 percent were local or State violations and 26 percent Federal violations.

The vast majority of these offenders, 75 percent with two or more charges, had an average criminal career—span of years from first to latest arrest—of 10 years. During this period these offenders were arrested an average of 4.5 times. According to these criminal histories, 52 percent had received leniency in the form of probation, suspended sentence, parole or conditional release. This, of course, is the criminal experience of the repeater who failed the confidence entrusted in the form of certain treatment. For the purposes of this study, probation, suspended sentence, parole and conditional release are referred to as "leniency." It goes without saying that probation and parole are special forms of treatment of criminals, but since they represent a lesser punitive action than incarceration, the term "leniency" is used here to point up this characteristic. Of those granted leniency, 68 percent received it once, 20 percent twice, and 12 percent three or more times. As a group these offenders who received leniency averaged three new arrests after the first leniency action. Their career criminal record averaged 12 years and 6 arrests. From the standpoint of mobility, 54 percent of these offenders confined their activity to one State, 25 percent were arrested in two States, 10 percent in three States, and 11 percent in four or more States. The mobility problem from jurisdiction to jurisdiction within a State, and particularly within a metropolitan area, is undoubtedly far greater.

The tabulation captioned "Profile of Known Repeaters by Type of Crime" is an initial attempt to reveal some profile characteristics of criminal types. The sole test for selection and inclusion in one of the criminal groups was an arrest for such a crime during the course of a person's criminal career. It was not limited to arrests for specific crimes in 1963. Thus, there is some duplication of offenders in certain categories in that the same person may have been arrested for burglary and robbery and so would appear in both categories. Generally, criminals do not confine their activity to a single type of criminal act. Average age at first charge and age at arrest for the first indicated charge has a tendency to be higher than in reality due to the lack of fingerprint cards on juvenile arrests. Nonetheless, the table demonstrates the average experience for this group of offenders known to the Federal process through criminal fingerprint records during the year 1963. It also sheds some light on the chronic offender, local and Federal. The fact that three-fourths of the arrests of these offenders were for local charges and that most of the Federal charges are likewise local violations supports this contention.

The average age for these offenders (table A) in 1963 ranged from 43 years for the gambler to almost 29 years for those persons who during the course of their criminal career have been arrested for auto theft. Average age for first arrest for auto theft was 23 years, robbery 25 years, and gambling 36 years. All of these offenders show a much lower average age for first arrests for any offense, beginning with 19 in auto theft to 29 years for gambling and Federal liquor law violators.

Average criminal careers for these offenders, i.e., span of years from first to latest arrest, was highest for gambling, 14 years, followed by robbery and the assaultive crimes of murder and felonious assault, 13 years. Auto thieves, who are generally younger, had the shortest average span of 9 years but during that time accumulated, on the average, six arrests. The robber was high with nine arrests in 13 years, the burglar eight in 12 years, narcotics offenders eight arrests in 11 years, and the Federal liquor law violator four arrests in 11 years. When these charges are examined in relationship to the offenses which make up the Crime Index the robber contributed four such offenses out of the total of nine charges, the burglar four of eight, the auto thief three, and assaultive-type offender three. Only one of the four arrests charged to the Federal liquor law violator fell in the Crime Index or serious crime category. These, of course, are only those crimes known to have been committed by these offenders through detection, arrest, and submission of fingerprint data.

Repeating the same type of crime had its highest level among narcotics violators, 48 percent having two or more narcotic arrests. The liquor law violator repeated in 39 percent of the individual records, bogus check offenders 38 percent, gamblers 37 percent, burglars 37 percent, auto thieves 33 percent, and the robber 25 percent.

The term "leniency" as explained above, in table A refers to known instances where an offender received probation or suspended sentence, parole, or conditional release. The frequency of leniency action is counted for any charge during the course of the criminal career of the offenders. Two-thirds of those offenders who had been arrested for robbery, buglary, auto theft, or bogus checks received leniency during their criminal career. The gambler had the lowest percentage of leniency, followed by the assaultive-type offender. Leniency action for the indicated charges of serious assault and murder, and sex offenses had the lowest percentage. Leniency was received on gambling charges only in 15 percent of the total; however, the lightness of the sentence usually connected with this offense would account for this. On the other hand leniency for auto theft charges was 46 percent and for narcotic offenses 36 percent.

TABLE A.—*Profile of known repeaters by type of crime*

	Murder and serious assault	Robbery	Burglary	Auto theft	Narcotics	Gambling	Bogus checks	Sex offenses	Federal liquor violators
Average age 1963	36	34	32	29	34	43	35	35	40
Average age first arrest for charge indicated	27	25	23	23	28	36	29	26	34
Average age at first arrest	22	20	20	19	22	29	23	21	29
Average criminal career (years)	13	13	12	9	11	14	11	12	11
Average arrests during criminal career	8	9	8	6	8	6	7	8	4
Crime Index arrests	3	4	4	3	2	1	2	3	1
Frequency of arrest on indicated charge (percent):									
1	81	75	63	67	52	63	62	86	61
2	14	18	21	21	21	18	20	11	20
3 or more	5	7	16	12	27	19	18	3	19
Frequency of leniency action on any charge (percent):									
1	32	34	35	39	35	30	36	33	41
2	15	18	18	17	15	9	17	16	12
3 or more	9	14	13	11	10	6	13	12	6
Total	56	66	66	67	60	45	66	61	59
Leniency on indicated charge (percent)	14	22	24	46	36	15	38	15	51
Average arrests after first leniency	5	6	5	4	5	4	5	6	2
Mobility:									
Arrests in 1 State (percent)	39	33	31	28	53	60	32	37	69
2 States	31	28	30	31	27	24	25	28	22
3 States	14	16	17	17	10	8	16	14	6
4 States or more	16	23	22	24	10	8	27	21	3

After the first leniency action, these known offenders were arrested on new charges during the course of their criminal career ranging from a high of six for the robber and sex offender to two new charges for the Federal liquor law violator. The mobility of these criminal types is apparent from the number of States in which arrests were recorded during their criminal history. The robber, auto thief, burglar, and bogus check offender show high mobility. The gambler and the Federal liquor law violator on the other hand are mostly local types; that is, restrict their activity to one State.

This new statistical program on the careers in crime is in the development stage and it is anticipated that more definitive information will be made available in future issues of this publication, as well as other periodicals.

PRAISE FOR PRESIDENT JOHNSON

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, anyone can shoot from the hip. Especially a politician. Most of us are prone to react quickly, and sometimes violently, in defense of what we believe is a good cause. It is a lot easier to shoot now and ask questions later, just so we can be recorded on the right side.

The man who will take his time and make a decision based on all the facts available, without shooting from the hip, is the man to be praised and congratulated.

Such a man is our President, Lyndon Baines Johnson, who has not reacted to the extremists over the situation in South Vietnam. His steadied and studied judgment is what we have had, and what we needed. Thank goodness for President Johnson, for he is standing the test in Vietnam.

An excellent editorial in the February 27, 1965, issue of the Jacksonville Journal points up the test of President Johnson's skill in this critical time, and I insert it below in the CONGRESSIONAL RECORD:

THE BIG TEST

Rejection of feelers for negotiated settlement of the Vietnam fighting by President Johnson comes as no easy task, but as a decision of great importance to the entire Western World as well as the United States.

The administration will be criticized by many who feel that we are engaged in a fruitless, bloody endeavor that can only lead to an all-out war with the Communists or, at the very best, a costly stalemate.

The end, of course, is too far in the future and the events which will lead to that end are too involved now for anyone to foresee what it will be. Nevertheless, it appears that President Johnson is determined to continue our efforts to aid the South Vietnamese regardless of their seeming indifference, ineptitude, and general confusion.

The real test has descended upon Lyndon B. Johnson after 14 months as President—the bitter that he has to take along with the sweet of public acclaim and congressional obedience. Up to now he has had going for him comparative quiet in foreign affairs and only the domestic issues drew top priority.

These domestic issues called for skillful manipulation with Congress and a thorough understanding of pure political application to the problems before him. This was right down Mr. Johnson's alley. His long years in Washington, his acute sensitivity to the types of politicians he had to deal with and his knowledge of the machinery of Government gave him the upper hand in solving these problems.

Lyndon Johnson got a big break in his moratorium, his period of foreign inactivity, and he used it to command an overwhelming election victory for a presidential term of his own.

He must have known it couldn't last and it didn't.

The Vietnam problem has become compounded and so complex that no one can rightfully say which step is the bona fide step to make. If the United States pulls out of Vietnam she is not only subject to the ultimate communistic takeover of Asia, but she loses tremendous face doing it. If she stays, there is the big chance of World War III or many, many more casualties.

President Johnson is no longer sparring around with congressional friends and political foes. He is at last in the ring with the No. 1 challenger. In his first foreign affairs dilemma, he has drawn a stem-winder.

The way he handles the situation will not only affect the Vietnam crisis, it will affect his leadership both here and abroad.

Mr. Johnson is prudently, we believe, walking carefully. This country and the free world cannot afford a misstep.

VIETNAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the National Broadcasting Co. program "Meet the Press" on January 31, 1965, had a discussion which I believe is most useful in analyzing the complex situation in Vietnam. The guest on that Sunday was Prof. Bernard Fall. The panel consisted of Robert Goralski, NBC News; Marguerite Higgins, Newsday; Peter Lisagor, Chicago Daily News; and Lawrence E. Spivak, permanent panel member and producer. The moderator was Ned Brooks.

Dr. Fall is a well-known expert on southeast Asian affairs and has written two very well received books on the subject: "Street Without Joy," and "Two Vietnams." Dr. Fall, a professor of international relations at Howard University, brings insight and knowledge to the problem of Vietnam. I call the attention of my colleagues to the following transcript of "Meet the Press":

[From "Meet the Press," Jan. 31, 1965]

MEET THE PRESS

Mr. BROOKS. This is Ned Brooks, inviting you to "Meet the Press." Our guest today on "Meet the Press" is recognized as an outstanding authority on Vietnam and southeast Asia. Dr. Bernard Fall. He has traveled widely in North and South Vietnam, and he has interviewed many Communist officials including North Vietnamese President Ho Chi Minh. Dr. Fall served in the French underground and the French Army. He is the author of several books on Vietnam. Also he is professor of international relations at Howard University in Washington, D.C. We will have the first question now from Lawrence E. Spivak, permanent member of the "Meet the Press" panel.

Mr. SPIVAK. Dr. Fall, in the past you have spoken and written of American illusions about Vietnam. What do you consider our major illusions are?

Dr. FALL. I will say that the major illusion in the past was that an insurgency is mainly a military operation, or let us say counterinsurgency is merely a military counteroperation. As it turns out, insurgency is mainly an operation designed to take over a country's control, not simply defeat its military forces.

The second illusion has been that the defeats in Vietnam, as they have occurred over the past 5 years, can be ascribed to any particular group, whether it is the Buddhists or the students or let's say incapable Vietnamese military leaders. That too is an illusion. The faults, the mistakes go far deeper than that.

Mr. SPIVAK. You have also said that policymakers during the past 8 to 10 years have made "monstrous errors in judgment in Vietnam." What were some of the monstrous errors—were they just illusions or were they specific errors?

Dr. FALL. Some were simply and purely the failure to recognize what the problem really and truly was. For example, you can go back to the French period. I recall reading official statements that the French were winning the war at a particular point, and the French were far from winning it. In 1954 there was the illusion that the French Navarre plan would succeed. By the time Navarre became commander in chief, the French Army was on the ropes. Later on, one of the greater illusions, I recall, was to depict Diem as a Churchill in southeast Asia, as a man deeply interested in democracy. Diem was a dictator, and Diem failed to recognize precisely that one of his problems was lack of contact and progressive loss of contact with his own people. And lastly we came down to the military illusions, again, of the 1961–62 period. You will recall, for example, the statement of October 2, 1963, that the American troops could be withdrawn by 1965 and that in fact 1,000 troops could be sent home. Well, far from sending home 1,000 troops, in the meantime the Military Establishment, the American commitment in Vietnam had to be increased practically by 50 percent. And far from the situation improving—and it hadn't improved even then when the statement was made; in fact it was far worse than it had ever been before—the situation of course has greatly deteriorated.

Mr. SPIVAK. Former Vice President Nixon the other day said if our strategy in South Vietnam is not changed, we will be thrown out in a matter of months, certainly within the year. Is that an illusion, or is that an error of judgment?

Dr. FALL. There is a very interesting parallel between Mr. Nixon's statement last week and Mr. Nixon's statement in February 1954, when he also made a statement saying that the only way to win Vietnam is to commit the United States fully in the war, at that time on the side of the French. I don't think that the United States has to be thrown out within 3 or 4 months or for that matter within a year. I would say the United States has the wherewithal to stay in Vietnam if she so desires. The whole point is, of course, what is the price tag?

Mr. SPIVAK. He also said "Our security requires the United States to end the war in Vietnam by winning it." Do you agreed with that?

Dr. FALL. I don't know from what basis of information Mr. Nixon speaks. He is now a private person just as I am a private person. Obviously no country likes to lose a war. Whether the American security is involved in Vietnam is a matter of discussion. Quite a few people inside Government disagree on whether Vietnam is essential to the United States directly in the same sense, let's say, as Hawaii is essential, I understand. As you know, there are some people who speak of "back to Waikiki" if Vietnam is lost, and others say Vietnam is more or less expendable.

Mr. SPIVAK. What is your judgment? Do you think our interests are involved in this?

Dr. FALL. I would say American interests are involved. Whether vital or not, I don't think so.

Mr. SPIVAK. You don't evidently hold to the domino theory, that is if we lose South Vietnam we may finally have to fight in the Philippines or possibly Hawaii?

Dr. FALL. As I said before, I don't think we have to lose South Vietnam any more than we have to lose Europe because we lost Czechoslovakia. Whether the domino—the domino theory could have been invoked for that matter when we lost China. I would say that the United States has the wherewithal in southeast Asia to contain communism on a basis that's acceptable to the West and without the loss of effective strength.

Mr. LISAGOR. Dr. Fall, you have said just now that you think the United States has the wherewithal to stay in Vietnam. You have said in other places that you think the credibility of the American counterinsurgency is involved in Vietnam. If we have the wherewithal and if the credibility of our counterinsurgency is involved, why should we not stay in Vietnam?

Dr. FALL. Because a counterinsurgency operation can become terribly expensive. This has happened before, for example. The British had the wherewithal to stay in Cyprus, and they fought for 5 years with 40,000 troops against 300 Greeks, then decided to call it quits.

The French were staying in Algeria and fought on for 8 years and were not losing militarily but decided that politically it was better to pull out.

Mr. LISAGOR. But the British stayed on the northwest frontier in India for scores of years and didn't withdraw. Isn't our interest involved so deeply in South Vietnam today insofar as it contains Chinese Communist expansion, that we might well consider staying there, and also isn't it true that the war isn't terribly expensive, relatively speaking?

Dr. FALL. Exactly, relatively speaking. Surely. Everybody points to the 300 casualties dead or 1,500 wounded, and they say "This is very easy. This is less than what we lose in car accidents in American military camps in the States."

The hard fact is, it commits right now about one-fourth of the total cadre, officer cadre, lieutenants, majors, for example, of the U.S. ground forces, in Vietnam. This is from a speech by Lt. Gen. Creighton Abrams, Chief of Staff of the U.S. Army. It is expensive. It commits an American amount of aid expenditure which is almost one-third of the total aid budget, more or less. So it is an expensive war.

This kind of small war tends to grow on you literally, and this is one of them. So the judgment has to be made by the U.S. Government, and I am sure it will be made by the President, whether holding on, as we say is not in fact more expensive than arriving at the diplomatic solution—at a solution which will not mean "selling out" the Western interests in Vietnam.

Miss HIGGINS. Dr. Fall, you mentioned Algeria and France and her decision to get out before she was militarily beaten. Are you saying that America in Vietnam is a colonial power as France was in Algeria?

Dr. FALL. Absolutely not.

Miss HIGGINS. There is a difference that can be made then to the Vietcong, and our position is not as politically assailable as that of France?

Dr. FALL. The trouble is, whether you and I know that the United States—and we do know it—that the United States is no colonial power in southeast Asia or for that matter anywhere else, is totally irrelevant to the Communist propaganda cadre, the "canbo" on the ground, who points at the American officer, at the American noncom, who is there and says, "You see, your troops are again, your government troops are again commanded by those Americans, just like they were when the French officers were there."

This is, of course, one of the troubles, and this is recognized.

Miss HIGGINS. What would the Vietcong and the Communist propaganda say if America broke its pledged word in Vietnam, and do you think that any other ally to whom we pledged defense and help would trust us if we broke our pledges in Vietnam?

Dr. FALL. The question is not breaking an American pledge. The question is arriving at the situation which will save Vietnam. For example, if the United States were to arrive at such a saving of Vietnam by using as a diplomatic argument the American Forces, such as the 7th Fleet, the Pacific Air Force, et cetera, this is not breaking a pledge to Vietnam. The President has said that the United States is in Vietnam at the request of the Vietnamese people. As you well know, one of the problems may well arise where a proper neutralist government comes to power in Vietnam, like Kong-Le in Laos, who from one day as pro-American turned into proneutralist, and asks the United States to get out. Then what?

Miss HIGGINS. Then you are saying that you don't believe we can break our word, and if we find a solution, it has to be within a framework of having kept our pledges, correct?

Dr. FALL. I think the United States is keeping its pledge right now.

Miss HIGGINS. The Russians have announced a very important official visit to

Hanoi. Is that news that should cheer us or depress us?

Dr. Fall. I wish there were a simple answer to that. Personally I would say that the very importance of the Russian mission—is not that Kosygin, the Prime Minister goes, but some of the specialists in certain fields, such as rocket forces for example, such as air transport, such as Russian foreign aid. It seems to me that the Russians have reentered southeast Asia. As you know after the Laos crisis there was a certain feeling in the West that the Russians had decided to call it quits, at least on the southeast Asia mainland and perhaps would concentrate on India and Indonesia, just like the United States might decide to concentrate for her aid on some key countries. Apparently as of yesterday, we are facing a reentry of the Russians into the field. Two versions are likely. Either the Russians have decided that the Chinese might be close to winning and can't afford to let China go away with that victory—or vice versa, the Russians have decided that the commitment may become far bigger and rather than be dragged into a war on China's side, step in to facilitate perhaps a meeting between the Communist side and the U.S. side.

Miss Higgins. You are one of the few Westerners who have visited North Vietnam. As you know, many of the Vietcong deserters who come over to our side say they come over because even the peasantry in turmoil-ridden South Vietnam is better off than the peasantry in North Vietnam. What is your observation, what is the state of the economy? Is it as bad as they paint it?

Dr. Fall. As you know, I have been to North Vietnam even before the Communists took over, so I have a basis for comparison in the case. The country obviously is dreary. To give you an example there are probably 50 automobiles in a city of 600,000 people, like Hanoi. But one thing, the North Vietnamese sell one thing that we can't beat, and that is peace. Obviously, yes, they are behind the rebellion in South Vietnam. On the other hand in North Vietnam a peasant doesn't get napalm. He works hard but he stays alive.

Point 2, the North Vietnamese have built up a respectable industrial establishment. Like most Communist countries they try hard, and at least they have the wherewithal to do it well.

Point 3, the Communists have a large army. They have a large army and above all, right now, they think they are winning.

Miss Higgins. But what about whether a peasant in Vietnam, as the deserters to our side say, is often hungry, is that possibly true?

Dr. Fall. That is—they are likely to have short rations, but the fact the man is a deserter shows he is not one of the hard core.

Mr. Goralski. Dr. Fall, you said earlier that we can win in Vietnam. How do we do it? If you were in a position of responsibility in this country, if you were determining foreign policy, what would you do in Vietnam to win that war?

Dr. Fall. This is obviously—we always arrive at the professor who thinks he has all the solutions. In all seriousness, I think that the United States has in southeast Asia the combination of American—the mix of American forces available makes an American posture, defense posture in there credible. The United States is doing badly—let's not kid ourselves—on the ground inside South Vietnam. All the mythology is by now just about gone. We know it. But the Communists in North Vietnam still risk two things, (a) an American massive bombardment which would knock out those industries—and this is the only thing that they really did do in the last 10 years—and (b) the immediate Chinese Communist counterinvasion of North Vietnam which would occur in all likelihood. In other words, North Vietnam would be reduced to the state of North Korea. North Vietnam is not—I repeat, definitely not—and probably the Kosygin visit shows this—a totally helpless Chinese satellite. The North Vietnamese did not fight the French for 30 years and the Americans now for 10 just for the joy of selling out to Peiping.

Mr. Goralski. You don't believe that escalating the war would be helpful at all at this stage?

Dr. Fall. This already has been proved. The U.S. massive bombardment operation in North Korea called Operation Strangle was an utter failure against Communist communication lines. The French Operation Vulture in 1954, which was designed to knock out Communist communications against Dienbienphu was a failure. There is no such thing as bombing supply lines in the jungle.

Mr. Spivak. Dr. Fall, I am not quite clear as to what you are getting at in the advice you are giving here. You say that the United States can wipe out industry in North Vietnam, I believe you said, in 24 hours. You say that the North Vietnamese are scared to death of having the Chinese Communists come in. What objection then is there for us to use the force we have to hit them as hard as we can, which is what Nixon and others want to do?

Dr. Fall. Because it is militarily meaningless. This is exactly it. All we would do is knock out factories which the Communists did not have in 1954 when they defeated the French, and all we would get in return is probably 14 Communist divisions down our necks in South Vietnam.

In other words, the fear of the bombardment, the fear of Chinese pressure, and, of course, vice versa, of American pressure, is useful in diplomatic confrontation to even out the stakes.

Militarily it is nonsense. Just look at the bridge of Ban-Ban—incidentally, at which I was shot at in 1953—which the Communists rebuilt or bypassed inside 3 days. This is a typical example of what you can do with massive airpower in a counterinsurgency operation.

Mr. Spivak. Do you say that neither side can win, or that we can go on and spend a lot of money there and that we can't win; the best we can do is to hold our own there?

Dr. Fall. That is exactly it. Neither side can win. This is going to be one of those guerrilla standoffs, of which we have several on record. I come back once more to Algeria—again, I repeat, it is not the colonial comparison; it is a tactical comparison. The Algerians knew—and I was, in 1963, in Algeria—that they couldn't lick the French militarily. There wasn't going to be a Dienbienphu. And vice versa, the French also knew they weren't going to be able to wipe out the Algerians. It was out of that standoff that a negotiation came.

Mr. Spivak. But Dr. Fall, we know in this country, for example, we can't wipe out crime, and yet we have to have police departments to fight it, and we have to go right on fighting it all the time. This is about the situation that we are in there. We feel we have to continue fighting whether or not we can win, even if it is just to keep things stable. Don't you go along with that theory?

Dr. Fall. I go along with the theory on crime, not on counterinsurgency, for the good reason that, yes, the United States fights crime, but not at the price of martial law in the cities. Martial law is rather considered an extreme in anticrime fighting. In other words, yes, if South Vietnam were, by sheer miracle—and this would take a long time—if South Vietnam tomorrow morning were at a sort of guerrilla standoff with the Communists, then after peace, after some sort of settlement had been arrived at, counterinsurgency in the sound sense of civic action of local improvements will come in its own.

Mr. Spivak. Dr. Fall, as a Frenchman aren't you thinking a little too much of French defeats and not of American power?

Dr. Fall. You may recall that I used the British standoff in Cyprus. I could add the British standoff also in Palestine. Counterinsurgency operations have been lost—the Germans in Russia lost a counterinsurgency operation. There were 49 separate insurgency wars since 1900, and the winning side has, in many cases, been the guerrilla, for various reasons.

Mr. Lisagor. Dr. Fall, to clarify what you have said, are you now saying that there can be no winner and there can be no loser in Vietnam, that the most we can do is to have a standoff there or outlast the Communists? Is that what you are saying?

Dr. Fall. That is substantially correct, yes.

Mr. Lisagor. Well, one of the penalties of an expert, it seems to me, is that he is always having his views quoted back at him. You have said that you wouldn't bet that the United States can win in South Vietnam or save it from a Communist takeover. You have said that the cutting off of weapons supply from the north will do very little good, and you also say that if we strike north, the Communists are likely—the Chinese Communists are likely to enter the fray. Under these conditions what kind of a deal do you see in the making, except the deal of total surrender, or giving up, under conditions that the Communists may impose?

Dr. Fall. Well, the whole point is—I will come back to what I just said before, and what you quoted is right there in line with this—that the American ability of striking at North Vietnam, in case of a resumption of any kind of insurgency after a settlement has been attained—just like in Korea, the American capability of retaliation is not the two American divisions on the 38th parallel, it is the overall American defensive posture in the Pacific. That is the same thing in Vietnam.

Mr. Lisagor. But I think you said to Mr. Spivak that you thought a bombardment of North Vietnam would be militarily meaningless.

Dr. Fall. That is correct. In other words, as soon as the United States—let me make this quite clear—as soon as the United States bombs North Vietnam, there goes the baby with the bath. The North Vietnamese lose whatever was worth gaining in that fight. In other words, to win South Vietnam for the North Vietnamese unless they are totally irrational—and so far they have not been in 30 years—would simply mean losing the last chance of making this a net gain. To get South Vietnam at the price of every North Vietnamese city being totally flattened, even though this is militarily meaningless, makes it, of course, politically hopeless.

Mr. Lisagor. What you are saying is that the threat should be posed but not the action, is that it? In other words, we should try to blackmail North Vietnam without following through if that becomes necessary?

Dr. Fall. We, (a) yes, we should blackmail North Vietnam, (b) I would feel, obviously, that if the threat has to be carried out, we must realize that its carrying out will not change substantially the military problem. Any more than in Korea—than it did in Korea. In other words, we must realize, as—I think it was the President, or was it the Secretary of State, who said it might then become a 10-year operation, still with the same result, perhaps.

Miss Higgins. But is there any such thing in Asia as a short guerrilla war?

Dr. Fall. Some of the guerrilla wars like in Malaya, for example, lasted 13 years at the ratio of 350,000 troops, on the British side, 85,000 of whom were British, against 8,000 guerrillas. In other words, the British were fighting at 35 to 1, and it took them 13 years. In Vietnam right now, the Western forces, the United States advisers, plus Vietnamese, fight at four and a half to five to one. It is generally accepted that to break even—not to win, to break even—in a revolutionary warfare operation, it takes a 10 to 15 to 1 superiority. In other words, right now, brutally spoken, we don't have the wherewithal on the ground to break even. So the holding operation under those circumstances is going to be a long, bleeding operation.

Miss HIGGINS. Do the Vietcong, to make it perfectly clear, have the capacity to force the military decision in Vietnam?

Dr. FALL. Not of the Dienbienphu type, no. The Vietcong as we just said before, the Vietcong, like the Algerian FLN, for that matter, or Mr. Grivas, Colonel Grivas on Cyprus, could hold on for 10 or 15 years.

Miss HIGGINS. Then the only way that they could "win" would be for us to willingly give up for political reasons?

Dr. FALL. No, there is a second alternative which I mentioned before, and I think you mentioned it in your interesting column today, the fact is that some of the South Vietnamese leaders may pull a Kong-Le on us. They may literally, just from one government to the next, finally come up and say, "Well, thank you very much, United States, this is where the kissing stops," and the United States is then caught. So these two alternatives exist: Defeat, or—in other words, longrange bleeding—or the inside overthrow.

Mr. BROOKS. We have about 2 minutes.

Mr. GORALSKI. Dr. Fall, there are a lot of people who believe that South Vietnam is not a military problem, it is a political problem, stability within South Vietnam. Do you think that political stability is possible, given the situation today?

Dr. FALL. No.

Mr. GORALSKI. How is it going to be achieved? Who is going to come out on top?

Dr. FALL. There we come back to the old story of instant democracy. There is no such thing in the area. On the other hand there is such a thing as basic democracy. We keep forgetting that it was Mr. Diem who after 30 years—40 years of elected village chiefs, abolished elected village chiefs in June 1956. This is a perfect example of what I mean. In other words, in Vietnam we have to come back, finally, and acknowledge the fact that we have to start from scratch, if we want to stay in at all. You are right, it is a civilian operation.

Mr. GORALSKI. Some people say, good or bad, Ngo Dinh Diem, whether he was an autocratic dictator or a George Washington of Asia, that we probably would be in a better position today had he not been overthrown in November 1963, and the whole family was back in power. What do you say to that?

Dr. FALL. By the time Mr. Diem was murdered we had lost about the control of two-thirds of the population of Vietnam. The only thing that Mr. Diem did for us—he plastered over. The facade was kept up, that is right. In Saigon we didn't have any uprisings. The fact is we had lost over 8,000 village chiefs in Vietnam by that time. The fact is that of the 8,000 strategic hamlets only 1,500 were viable by the time he died. This, neither the Buddhists in Saigon nor the CIA did it. It is what Diem did to himself.

Mr. SPIVAK. Dr. Fall, from your knowledge of the present situation in South Vietnam, do you think it is possible to get a stable government there now?

Dr. FALL. No sir.

Mr. SPIVAK. Not at all, not even a military dictatorship?

Dr. FALL. Military dictatorship is usually a very poor substitute for stability. It just establishes, perhaps, for one time, the facade of stability. Remember there are neutralist military dictatorships.

Mr. SPIVAK. Dr. Fall, I hate to quote you to yourself, but in a recent current history article you wrote, "It should be obvious by now that, in the present state of affairs in South Vietnam, everything is Communist infiltrated." Does that apply to the government, too?

Dr. FALL. Correct.

Mr. BROOKS. I am afraid we are going to have to call that the question and the answer because we have run out of time. Thank you very much for being with us, Dr. Fall.

MEDICARE AND ELDERCARE, CONFUSED DOMESTIC ISSUE

Mr. MACKAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MACKAY. Mr. Speaker, the most confused domestic issue in national politics today is the subject of medicare and eldercare. Neither of these labels disclose the actual contents of the packages being proposed by the administration and by the American Medical Association.

It is easy to hear opinions for or against each proposal but it is difficult to find a concise, factual analysis and comparison of the bill popularly known as medicare—H.R. 1—and the plan more recently introduced known as eldercare—H.R. 3727 and H.R. 3728.

At my request, and for the benefit of myself and my constituents, the Legislative Reference Service of the Library of Congress has prepared an objective analysis and comparison of these two plans.

I realize that what may emerge from the Ways and Means Committee of the House may be somewhat different from either of these bills. I am convinced, however, that this analysis and comparison widely disseminated can eliminate such confusion in the minds of many people.

Furthermore, I believe consideration of this information will assist those in and out of Congress in evaluating the specific legislation to be recommended by the Ways and Means Committee:

COMPARISON OF MAJOR PROVISIONS OF THE MEDICAL ASSISTANCE FOR THE AGED LAW WITH THE AMENDMENTS TO IT PROPOSED BY THE ELDERCARE ACT OF 1965

EXISTING LAW	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS
A. Brief summary	
Permits States to include in their plans under title I a program of medical assistance for the aged (MAA); that is, to provide medical vendor payments (payments directly to the suppliers of medical services) for aged persons who are not old-age assistance recipients, but whose income and resources are insufficient to meet the costs of necessary medical services. The State plan for medical assistance for the aged may specify medical services of broad scope and duration provided that both institutional (hospitals, etc.) and noninstitutional (outpatient clinics, etc.) services are included. There is no dollar ceiling, the overall amount of Federal participation is governed by the extent of the State programs. The Federal share varies from 50 percent (for States with per capita income equal to or above the national average) up to 80 percent for lower per capita income States.	Adds a new section to title I which would authorize a State, at its option, to provide MAA in the form of premium payments for guaranteed renewable private health insurance. Such coverage would have to be made available to all aged residents in the State. As to MAA recipients, there would be State and Federal participation in the full cost of the payment. As to individuals above the MAA maximum income limit, there would be part payment by the individual, in such proportions (based on his income) as the State agency may determine, up to such higher level as the State agency may consider appropriate. Above this level all the premiums would be paid by the individual. Certification of income under oath shall be accepted as conclusive for eligibility purposes. Increases Federal participation in State MAA expenditures by 5 percent as to that portion in the form of health insurance coverage under the new section. Modifies MAA income and resources test to one of income alone. Excepts from prohibition against enrollment fees and premium charges the assistance provided under the health insurance coverage above. Provides that a statement of income under oath shall be accepted by State agency as conclusive for eligibility purposes.
B. Eligibility for assistance	
To be eligible an individual—	
(1) must have attained age 65;	(1) same as existing law;
(2) must not be a recipient of old-age assistance;	(2) same as existing law;
(3) must have income and resources, as determined by the State, insufficient to meet all of the cost of the medical services outlined below. The State plan must provide reasonable standards, consistent with the objectives of the program, for determining eligibility and the extent of assistance.	(3) modified so that assistance would be provided in behalf of individuals whose income (rather than income and resources) is insufficient to meet the cost of necessary medical services.
C. Scope of benefits	
The State plan for medical assistance for the aged may specify medical services of any scope and duration, provided that both institutional and noninstitutional services are included. Federal participation is restricted to vendor medical payments: i.e., payments made by the States directly to the doctor, hospital, etc., providing medical services on behalf of the recipient.	Same as existing law.
The Federal Government shares in the expense of providing the following kinds of medical services:	
1. Inpatient hospital services;	

COMPARISON OF MAJOR PROVISIONS OF THE MEDICAL ASSISTANCE FOR THE AGED LAW WITH THE AMENDMENTS TO IT PROPOSED BY THE ELDERCARE ACT OF 1965—Continued

C. Scope of benefits—Continued

EXISTING LAW	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS
2. Skilled nursing home services; 3. Physicians' services; 4. Outpatient hospital (or clinic services); 5. Home health care services; 6. Private duty nursing services; 7. Physical therapy and related services; 8. Dental services; 9. Laboratory and X-ray services; 10. Prescribed drugs, eyeglasses, dentures, and prosthetic devices; 11. Diagnostic, screening, and preventive services; and 12. Any other medical care or remedial care recognized under State law.	
The Federal Government does not share in the expense of providing medical services to inmates of public institutions (other than medical institutions), to patients in mental or tuberculosis institutions or to patients in medical institutions as a result of a diagnosis of tuberculosis or psychosis after 42 days of care.	Removes exclusion from Federal matching as to aged individuals who are patients in institutions for tuberculosis or mental diseases, or who have been diagnosed as having tuberculosis or psychosis and, as a result, are patients in a medical institution.

D. Matching formula

EXISTING LAW	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS
Federal share: Federal payments reimburse the States for a portion of their expenditures under approved plans for medical assistance for the aged according to an equalization formula which ranges from 50 to 80 percent depending upon the per capita income of the States as related to the national per capita income. States at or above national average get a 50-percent Federal share.	Same as existing law except that as to amounts expended on MAA in the form of private health insurance coverage under the new section the Federal medical matching percentage will be increased by 5 percent. For such health insurance expenditures Federal matching will run from 52½ percent to 84 percent as noted below:

Federal medical percentages applicable for July 1, 1963, through June 30, 1965

	EXISTING LAW Percentage	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS Percentage
Alabama	78.29	82.20
Alaska	50.00	52.50
Arizona	58.75	61.69
Arkansas	80.00	84.00
California	50.00	52.50
Colorado	50.00	52.50
Connecticut	50.00	52.50
Delaware	50.00	52.50
District of Columbia	50.00	52.50
Florida	60.69	63.72
Georgia	73.69	77.37
Guam	50.00	52.50
Hawaii	50.00	52.50
Idaho	67.43	70.80
Illinois	50.00	52.50
Indiana	52.06	54.66
Iowa	57.63	60.51
Kansas	56.63	59.46
Kentucky	75.27	79.03
Louisiana	73.46	77.13
Maine	65.65	68.93
Maryland	50.00	52.50
Massachusetts	50.00	52.50
Michigan	50.00	52.50
Minnesota	56.42	59.24
Mississippi	80.00	84.00
Missouri	50.45	52.97
Montana	59.69	62.67

COMPARISON OF MAJOR PROVISIONS OF THE MEDICAL ASSISTANCE FOR THE AGED LAW WITH THE AMENDMENTS TO IT PROPOSED BY THE ELDERCARE ACT OF 1965—Continued

Federal medical percentages applicable for July 1, 1963, through June 30, 1965—Continued

	EXISTING LAW Percentage	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS Percentage
Nebraska	55.10	57.85
Nevada	50.00	52.50
New Hampshire	56.38	59.19
New Jersey	50.00	52.50
New Mexico	66.55	69.88
New York	50.00	52.50
North Carolina	74.99	78.74
North Dakota	73.03	76.68
Ohio	50.00	52.50
Oklahoma	65.65	68.93
Oregon	50.00	52.50
Pennsylvania	50.00	52.50
Puerto Rico	50.00	52.50
Rhode Island	50.90	52.50
South Carolina	80.00	84.00
South Dakota	67.87	72.31
Tennessee	75.53	79.31
Texas	61.45	64.52
Utah	62.28	65.39
Vermont	64.75	67.99
Virgin Islands	50.00	52.50
Virginia	65.05	68.30
Washington	50.00	52.50
West Virgina	71.76	75.35
Wisconsin	52.50	55.13
Wyoming	50.00	52.50

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EXISTING LAW	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS
Seventy-five percent Federal matching is authorized for certain rehabilitation services for aged recipients and for the training of welfare personnel.	Same as existing law.
The Federal Government pays 50 percent of administrative costs.	
Pass along provision: No provision in existing law to insure that public assistance recipients receive higher payments because of legislation liberalizing the Federal matching formula.	Same as existing law.

E. State plan requirements

EXISTING LAW	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS
In order to be eligible for Federal participation, the State must provide medical assistance for the aged according to a plan submitted to the Secretary of Health, Education, and Welfare, and approved by him, which meets the requirements set out in the law. The State plan provisions are generally the same as those required for the other public assistance programs with the following exceptions:	The following changes are made in MAA State plan requirements:
A State plan—	
1. Must not require a premium enrollment fee, or similar charge, as a condition of eligibility.	1. Provides an exception with respect to assistance furnished in the form of health insurance coverage under the new section.
2. Must not impose property liens during the lifetime of the individual receiving benefits (except pursuant to court judgment on account of benefits incorrectly paid) and any recovery provisions under the plan must be limited to the estate of the individual after his death and the death of his surviving spouse.	2. Same as existing law.

COMPARISON OF MAJOR PROVISIONS OF THE MEDICAL ASSISTANCE FOR THE AGED LAW WITH THE AMENDMENTS TO IT PROPOSED BY THE ELDERCARE ACT OF 1965—Continued

EXISTING LAW	H.R. 3727 (CONGRESSMAN HERLONG); H.R. 3728 (CONGRESSMAN CURTIS) AND OTHERS
E. State plan requirements—Continued	
3. Must not impose a citizenship requirement which would exclude a citizen of the United States or a requirement which excludes a resident of the State.	3. Same as existing law.
4. Must also provide, to the extent required by the Secretary of Health, Education, and Welfare, for inclusion of residents of the State who are absent therefrom.	4. Same as existing law.
5. Include reasonable standards consistent with the objectives of this title for determining eligibility for, and the extent of, assistance; and	5. Modified provision so that State plan must include reasonable income standards and that a statement of income under oath shall be accepted by the State agency (subject to penalties for fraud) as conclusive.
6. If a State has both a program for old-age assistance and medical assistance for the aged it must be administered by a single State agency.	6. Provides that the State could designate one State agency to administer the portion of the State plan that relates to old-age assistance, and a separate State agency to administer the portion relating to medical assistance for the aged.
F. Use of private health insurance	
Includes in the amounts subject to Federal matching the expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof.	Amend the provisions which describe the purposes of appropriations to include encouragement for "each State to provide medical assistance for all aged individuals through the utilization of insurance provided by private insurance carriers." Adds a new section under which a State with an MAA program would be authorized, in its discretion, to provide the MAA in the form of premium payments for health insurance coverage under voluntary private health insurance plans in addition to providing the assistance in the manner authorized under existing law. A State wishing to participate in the program would be required to enter into contracts or other arrangements with private insurance carriers as it deems appropriate. The contracts would have to: (1) be guaranteed renewable; (2) provide benefits which, together with MAA benefits authorized in existing law, include both institutional and noninstitutional care; (3) establish enrollment periods not less often than once a year; and (4) contain such other provisions as the State agency determines are necessary to carry out the purposes of the program. If a State provides an MAA program in the form of health insurance coverage, the same coverage would have to be available to all individuals who reside in the State and who are 65 or over. Provides that premiums for coverage of any individual under an insurance plan would be paid by the State agency with the following two exceptions. The State agency could establish a maximum income level at least equal to the highest level at which an individual may qualify under the MAA program in the State. If the individual's income is above this level, the premiums would be paid in part by the individual and in part by the State agency in proportions based on the individual's income as the State agency may determine up to a higher income level as the State agency determines to be appropriate. If the individual's income is above the higher level, he would be required to pay the premium in full. For the purposes of the section "income" would include gross income as defined under the Internal Revenue and in addition any interest, rents, annuities, and other retirement payments from any source which are not includible in gross income as so defined. Each individual covered under an insurance plan under the program would be required to certify his income to the State agency in a manner and at such times (but at least once a year) as the State agency may require. The State agency would be required to accept the certification as conclusive. The certification would be subject to the penalties for fraud under the Social Security Act.

HEALTH INSURANCE PROVISIONS OF H.R. 1 AND S. 1, 89TH CONGRESS (KING-ANDERSON BILL)

I. GENERAL DESCRIPTION

Under social security (old-age and survivors insurance) and railroad retirement administrative mechanisms, provides (1) hospital, posthospital extended care (skilled nursing home), home health, and outpatient diagnostic services to persons 65 or over eligible to receive (or receiving) social security or railroad retirement benefits, financed by an increase in taxes for workers and employers under these systems; (2) similar benefits out of Federal general revenue for certain uninsured individuals 65 or over.

In addition includes a complementary private health coverage provision which authorizes the establishment of associations of insurance carriers (two or more carriers) whose purpose is to make available to individuals 65 and over, on a nonprofit basis and at a reasonable cost, a health benefits plan which will protect them against the cost of health services which are not covered under the social security hospital insurance program.

II. HOSPITAL INSURANCE BENEFITS FOR SOCIAL SECURITY AND RAILROAD RETIREMENT ELIGIBLES AND THE UNINSURED

A. Scope of benefits: Benefits would consist of payments to health facilities and organizations for services rendered to eligible individuals. Such payments may be made for the following kinds of services:

1. Inpatient hospital care for 60 days per benefit period[1] subject to deductible of an amount equal to the national average per diem rate for such services for 1 day.

2. Posthospital extended care (skilled nursing facility services) up to 60 days in a benefit period after transfer from a hospital in an institution which has a transfer agreement with a hospital that provides for timely transfer of patients together with appropriate medical and other information.

3. Home health services up to 240 visits a year (120 visits in 1966).

4. Outpatient diagnostic services—no durational limit but subject to a deductible each 30-day period equal to one-half that for inpatient hospital care.

Effective dates: Hospital, home health, and outpatient diagnostic services would be first available on July 1, 1966, while posthospital extended care benefits would not be available until the following January.

B. Eligibility for benefits:

1. All persons who—

(a) are age 65 or over; and

(b) are eligible to receive (or receiving) social security or railroad retirement benefits.

2. All persons not insured under social security or railroad retirement who either—

(a) have reached age 65 before 1968; or

(b) have reached age 65 after 1967 if they have three quarters of coverage for each year elapsing after 1965 and before the year they reach age 65.

The operation of this provision is illustrated by the following table.

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[1] A period of consecutive days beginning with the first day an individual is furnished with hospital or nursing home services and ending after he has been out of the hospital or nursing home for 90 days. The 90 days need not be consecutive but must occur within a period of not more than 180 consecutive days.

Quarters of coverage required for old-age and survivors insurance cash benefits as compared to hospital insurance

Year attains age 65	Men		Women	
	OASI	Hospital insurance	OASI	Hospital insurance
1967	16	0	13	0
1968	17	6	14	6
1969	18	9	15	9
1970	19	12	16	12
1971	20	15	17	15
1972	21	18	18	(1)
1973	22	21	--------	----------
1974	23	(1)	--------	----------

[1] Same as OASI.

Excluded from (2) would be nonresidents or resident aliens with less than 10 years in the United States, members of certain subversive organizations, persons convicted of certain subversive crimes, and persons eligible for benefits (whether or not they had actually elected benefits) under the Federal employee or retired Federal employee health plans.

III. FINANCING

1. In order to finance health benefits for social security eligibles (and for the 7-percent benefit increase in cash benefits which the bill also provides) there would be an increase in the tax rate on employers and employees, the self-employed and in the maximum taxable earnings base. The wage base, now $4,800, would be increased to $5,600, effective January 1, 1966.

The contribution schedule of existing law is noted in parentheses in the following table showing the increases provided:

Federal Insurance Contributions Tax Act

[In percent]

Year	Employer	Employee	Self-employed
1966–67	4.25 (4.125)	4.25 (4.125)	6.4 (6.2)
1968–70	5.0 (4.625)	5.0 (4.625)	7.5 (6.9)
1971 and after	5.2 (4.625)	5.2 (4.625)	7.8 (6.9)

From tax revenues an allocation of 0.60 percent of employer-employee taxable wages the first year (1966); 0.76 percent of taxable wages in 1967 and 1968; and 0.90 percent of taxable wages in 1969 and subsequent years would be made to a separate Federal Hospital Insurance Trust Fund from which all health benefits and administrative expenses therefor would be paid. Similar allocations of self-employment tax revenue would be made of 0.45, 0.57, and 0.675 percent, respectively.

Under the Railroad Retirement Tax Act an increase in social security tax results in a comparable increase in the railroad retirement tax.

(2) For ineligibles under social security and railroad retirement there would be an authorization of appropriation out of general revenues.

IV. COMPLEMENTARY PRIVATE HEALTH INSURANCE FOR THE AGED

The bill provides complementary private health coverage by authorizing the establishment of associations of insurance carriers (two or more carriers) whose purpose is to make available to individuals 65 and over, on a nonprofit basis and at a reasonable cost, health benefit plans which will protect them against the cost of health services which are not covered under the social security hospital insurance program.

The Secretary of Health, Education, and Welfare shall approve any such plan if (1) it furnishes reasonable assurance that it will provide for physician's services which amount, on the average, to not less than 75 percent of the cost of physician's services for aged persons 65 years or older; (2) the terms and conditions of the plan are uniform except (subject to limitations by the Secretary) that there may be variations in different areas of any State or the United States (a) in the premiums and benefits to reflect differences in health care costs, and (b) in the timing of annual enrollment periods to minimize adverse selection; (3) the operation of the association is nonprofit and, on dissolution, any assets remaining, after payment of all obligations, will be paid over to the United States; (4) the association will adhere to such limitations on the amount claimed for administrative and other expenses in connection with the plan as the Secretary may prescribe in order to hold such expenses within reasonable limits; and (5) any additional health benefits for sale in connection with an approved plan will be offered in a manner which enables prospective subscribers clearly to distinguish between the two plans.

The plan must be approved, without change, by the State insurance agencies in a majority of the States or in States with a majority of the population of the United States. If it is offered for sale in States other than those who have approved it without change, this must be done only with such modifications as may be necessary to meet the special requirements of such State insurance agency as are deemed reasonable by the Secretary.

The Sherman (Anti-Trust) Act (other than so much thereof as relates to any agreements to boycott, coerce, or intimidate or any act of boycott, coercion, or intimidation), the Clayton Act, the Federal Trade Commission Act, and the antitrust laws of any State shall not apply to the operations of such associations who are concerned exclusively with offering for sale, selling, or administering any approved plan.

If, after notice and opportunity for a hearing, the Secretary finds an association has not complied substantially with the above requirements, the antitrust law exemptions will not be operative. Any carrier which falsely represents that it is selling an approved plan shall be fined not more than $10,000. Any denial of approval of a plan (or subsequent withdrawal of approval) by the Secretary shall be subject to judicial review.

ORDER CLOSING VETERANS' ADMINISTRATION FACILITIES SHOULD BE RESCINDED

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the Republican members of the Pennsylvania congressional delegation are urging President Johnson to rescind his order closing 11 Veterans' Administration hospitals, 4 domiciliaries, and 17 regional offices.

As a member of the House Veterans' Affairs Committee and on behalf of my colleagues, and Senator Scott, I wish to submit a resolution that has been adopted today:

Resolution Regarding Veterans' Administration Hospital Closing

Whereas the present administration has issued orders to close 11 Veterans' Administration hospitals, 4 domiciliaries and 17 regional offices prior to June 30, 1965; and

Whereas more than 6,000 hospital and domiciliary beds will be eliminated and more than 6,000 Federal employees will be affected by the closings; and

Whereas the Veterans' Administration has admitted that the $23,500,000 estimated savings will not in fact be saved but will in part pay for nursing care beds authorized by Congress; and

Whereas it was the intent of Congress as expressed in Public Law 88–450 that the 4,000 authorized nursing care beds were to be in addition to the hospital and domiciliary beds already being operated; and

Whereas the administration is reducing beds presently devoted to the active medical care of veterans to accommodate the nursing care beds which Congress intended to be supplemental to the beds currently being operated; and

Whereas the Veterans' Administration has been unable to adequately justify its reasons for closing these facilities; and

Whereas the President of the United States informed the Congress that the stated goal of the Great Society is "to improve the quality of life for all" and he also stated "we must strengthen our Nation's health facilities and services"; and

Whereas the Veterans' Administration itself has termed its domiciliary as an institution which provides a home—bed, board, and incidental medical care—for men who are so disabled that they cannot support themselves; and

Whereas the elimination of 3,000 domiciliary beds devoted to the care and treatment of indigent war veterans, a majority of whom are chronically ill and unemployable, is inconsistent with the stated goals of the Great Society; and

Whereas despite the President's alleged concern for the plight of the poverty-stricken residents of Appalachia, his closing order will eliminate 139 sorely needed Federal jobs from the city of Wilkes-Barre, Pa., located in the heart of Appalachia: Now, therefore, be it

Resolved, That we, the Republican members of the Pennsylvania congressional delegation, do deplore and condemn this callous and wanton disregard of the needs of the Nation's sick, needy, and aging veteran as reflected in the administration's order closing 17 regional offices, 11 hospitals, and 4 domiciliaries; and be it further

Resolved, That the President of the United States be urged to reconsider this ill-advised action and rescind the order closing these facilities so that the Nation's veterans may continue to receive the high quality of medical care and services that their sacrifices on behalf of our national security have earned.

Hugh Scott, U.S. Senate; James G. Fulton, 27th District; John P. Saylor, 22d District; Willard S. Curtin, 5th District; Herman T. Schneebeli, 17th District; Joseph M. McDade, 10th District; G. Robert Watkins, 7th District; Robert J. Corbett, 18th District; Paul B. Dague, 9th District; John C. Kunkel, 16th District; J. Irving Whalley, 12th District; Richard S. Schweiker, 13th District; Albert W. Johnson, 23d District.

LEGISLATION TO ELIMINATE TAX ON INCOME FROM E-BONDS

Mr. CONABLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONABLE. Mr. Speaker, I have today introduced a bill of benefit to the little man whose heart is in the right place, who wants to help his country and provide a degree of security for his old age, and who chooses investment in Government E-bonds as a means of accomplishing these ends. My bill would exempt from income tax the interest from E bonds, provided they are held at least until their maturity and further provided that the income tax has not been paid on them annually.

Unwittingly perhaps, we have abused this ordinary citizen who has responded to the appeals to his patriotism and bought these familiar Government obligations. Large investors do not go into E-bonds; as a matter of fact we limit the amount that can be bought in any year. The Treasury Department tells me that 60 percent of these bonds are sold through payroll savings plans.

Since 1940 the dollar has lost 55 cents through erosion of its purchasing power, and 43 cents since 1945. In the past 10 years the loss has been 14 cents. But that is not bad enough, paying back depreciated dollars for whole ones invested. When the inevitable emergency arises and the long-held bonds are cashed, the accumulated income dissipates under the impact of the accumulated income tax. Had he been more sophisticated, the little bondholder could have bought municipal bonds and avoided the tax bite. But with E bonds, we pay him back in deteriorated currency, and normally tax all his income at once.

It is in the Government's interest to sell as many of these E-bonds as it can. It is in the Government's interest to have the purchasers hold them until maturity. It is also in the Government's interest to treat the little purchaser fairly so that he will value the Government's word and honor its obligations. My bill should help on all these counts. Its cost in lost revenue is estimated at $100 million, which is small compared to the excise tax cuts which are being considered to reduce the burden on purchasers of many items, including luxuries. I realize that there no longer seems to be a public policy of encouraging thrift, but even those officials whose careers are built on public borrowing should see the desirability of encouraging the purchasers of Government bonds.

LEGISLATION TO ASSIST TAXPAYERS BECAUSE SUFFICIENT FUNDS WERE NOT WITHHELD FROM THEIR PAYCHECKS

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIRNIE. Mr. Speaker, today I have introduced legislation to assist the thousands of taxpayers who, through no fault of their own, now find themselves in a most difficult position because sufficient funds were not withheld from their paychecks during the past year to meet their Federal income tax obligations.

As the April 15 deadline for filing Federal tax returns nears, I fully expect that every Member of this great body will be receiving a considerable amount of protest mail from unsuspecting constituents who have discovered that they owe much more in Federal income taxes than anticipated.

The bulk of the letters would not be from what I refer to as the hard-core tax complainers who want all the many services provided by the Federal Government, but do not want to pay their share for them. They will be from solid, upstanding citizens—your neighbors and mine—who recognize their obligations and are conscientious about meeting them.

The much-publicized recent tax cut was passed because many of us felt that it would prove to be the stimulant needed to "beef up" the economy. Since the President gave Congress his assurance that he would make every effort to reduce Federal spending, an assurance that we demanded before we would give our approval to the measure, I voted for the bill because I could envision the good that would undoubtedly come from it.

However, at that time, many of us warned that there should not be an immediate drastic cut in the withholding rate. We said, and rightly so, that the cuts should be gradual and that the American public should be fully informed as to the procedure being followed and the probable result. Unfortunately, perhaps because of the then-pending presidential election, this advice was not heeded. Now, it is the innocent taxpayer who is suffering the consequences.

As we all know, the full reduction in the withholding tax rate was put into effect immediately whereas the tax cut itself was not handled in the same manner, but rather in two stages. What has resulted is that Mr. Average Taxpayer, accustomed either to getting a small refund or of paying a few dollars to meet his total tax obligation, now finds that he will have to pay several hundred dollars to the Internal Revenue Service because of the underwithholding.

It is not just a few people who will find themselves in this hole. The situation is so widespread that many finance companies are placing large advertisements in the newspapers in an effort to attract to their place of business the many individuals who will be borrowing funds to meet their tax obligation.

Clearly, if something can be done to assist these people, we should do it. The measure that I have introduced will give these taxpayers temporary relief by permitting them to defer payment of one-half of their remaining 1964 tax obligation until April 15, 1966. Because of the ever-increasing Federal expenditures, the occasion seldom arises in which we can give American taxpayers a break. Here is our opportunity. They deserve this break, and I believe that we should give it to them.

CLEVELAND IMMIGRATION HEARINGS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, on Saturday, February 20, 1965, I provided an opportunity for interested organizations and individuals in Greater Cleveland to express their views on the major issues related to pending immigration legislation. A public hearing was held in the Cleveland Federal Building to which I invited public officials, the leaders of the major religious faiths, the officers of interested organizations, and the public at large. To assist in crystalizing the major issues involved, I prepared a 10-point questionnaire which was mailed in advance to all individuals requesting an opportunity to appear at the hearing.

In addition, copies of the questionnaire were mailed in advance to the following elements of community leadership requesting cooperation in the survey:

First. The press, including foreign language and weekly community newspaper editors.

Second. Immigration committees of two bar associations.

Third. Leaders of organized labor.

Fourth. Selected leaders of the business community.

Fifth. Leaders of nationality organizations.

Sixth. Women's organizations.

Seventh. Selected individuals based upon their publicly expressed interest in immigration.

Mr. Speaker, I point out that none of this activity was at Government expense. The public hearing in Cleveland was intended to provide me with the views of my constituents and those of recognized leaders in the greater Cleveland community on this vital public issue. All costs involved, including mailing, printing, and the expenses of my staff members who accompanied me to Cleveland were borne by me personally.

The results of that hearing and the enthusiastic response to the questionnaire are both revealing and encouraging. Returns of the questionnaire have now exceeded 90 percent and the results are confirmatory of the testimony taken in the public hearing of February 20, 1965.

In my judgment, greater Cleveland is reflective of the majority of the metropolitan centers of our country. It represents a cross section of the people who have built our country and whose hopes, ideals, and aspirations sustain us in these troubled times.

The results of the questionnaire survey pointed at the major issues are as follows:

The first question was whether there should be a limit to the number of immigrants we admit each year. This is pertinent because under the present law and the pending proposal of the administration, there is no limit set on the number of immigrants to be admitted—89 percent held there should be a limit set while 11 percent held no limit should be set.

The second question was whether the present rate of 300,000 immigrant admissions a year was about right, too high, or too low. This is pertinent because there is disagreement on how many immigrants we should admit each year and many people hesitate to estimate how many we can assimilate at this advanced stage of our national development—55 percent held that the present rate is about right, 13 percent felt it was too high and 32 percent held it was too low.

The third question was whether Congress should set the limit by law on the number of immigrants we admit. This is pertinent because as I have said previously neither the present law nor the pending administration proposals sets a limit. Further, Congress is responsible for regulating immigration into the United States and thereby has responsibility for quantitative as well as qualitative controls—79 percent held that Congress should set a limit by law on immigration admission while 21 percent felt Congress should not set a limit by law.

The fourth question was whether the President should be delegated authority to decide the limit and how visas should be distributed between countries and classes of aliens. This is pertinent because the pending administration proposal calls for a delegation of this authority from the Congress to the President—64 percent held that Congress should not delegate that authority while 36 percent felt Congress should so delegate. Among the 36-percent group there were a number who qualified their answer with such statements as, "to meet emergencies only," or, "to cut down when unemployment is high," and similar qualifiers.

The fifth question was a multiple choice type, between preferences which should regulate issuance of visas. Five choices were offered with the request they be marked 1 to 5 based on priority to be given. This is pertinent because there is disagreement as to what criteria should be used to determine how visas should be allocated among the various classes of aliens applying for admission. Here 67 percent held that relatives of U.S. citizens should have first preference while only 10 percent felt Communist oppressed should have first preference while only 10 percent felt skilled workers should have first preference. The other choices, relatives of aliens living in the United States, and semiskilled workers were not rated as a first preference by any of the respondents. Further details on the breakdown of this multiple-choice question are appended to my remarks.

The sixth question was whether the individual receiving the questionnaire was aware that nonquota immigrant visas had doubled quota immigrant visas during the past 10 years. This is pertinent because of the public confusion on quota immigration and the popular but false belief that the quota system regulated immigration into the United States—63 percent stated they were not aware of the fact that nonquota immigration has doubled quota immigration while 37 percent said they were aware of this fact.

The seventh question was whether the national origins quota system should be repealed or retained in law. This is pertinent because President Johnson has called for repeal as the basic and overriding purpose of his message to Congress for immigration reform—88 percent held for repeal and 12 percent for retention of the national origins quota system.

The eighth question was whether we should continue open and unrestricted immigration by natives of countries of the Western Hemisphere or whether they should be treated like all other alien applicants for admission. This is pertinent for several reasons. First there is the basic question of discrimination. When the quota system was adopted 40 years ago, natives of countries of the Western Hemisphere were made nonquota; that is, except from the quota system based upon national origin. This exemption was based strictly on the accident of place of birth just as the limit set for quota countries is today criticized because of the controlling factor of accident of place of birth. President Johnson has called upon Congress to remove from the law those factors which prejudge an applicant for admission based upon the place where he was born or how he spells his name. Further, nonquota immigration from the Western Hemisphere has been averaging 110,000 admissions a year for the past 10 years, with the prospect that this figure will continue to rise in the years ahead—91 percent held that natives of countries of the Western Hemisphere who seek admission should be treated like all other alien applicants, while 9 percent favored a continuation of the present nonquota privileges. However, almost half of the 9 percent favoring a continuation of nonquota status qualified their reply by stating some special arrangement should be made for Canada.

The ninth question was whether there should be a limit to the number of refugees we admit each year. This is pertinent because the administration proposal calls for broad authority from Congress to admit refugees under a questionable "parole" status, with no indication as to how many will be admitted and who specifically would qualify as a refugee. Further, there appears to be some reasonable concern that bona fide refugees might get lost in the maze of administrative determinations forecast by calm observers should Congress grant to the Attorney General this broad authority on refugee admissions—84 percent held that there should be a limit set on the number of refugees we admit while 16 percent favored no limit.

The 10th question was whether Congress should provide safeguards in law to prevent immigrants from competing for jobs which American workers can fill. This is pertinent because of present unemployment, our job retraining programs to help native Americans meet the demands of automation and the expressed concerns of rank-and-file workers, many among the unemployed, that newly arrived immigrants will compete with them for employment opportunities. Further, there are the concerns of native Americans who are now preparing themselves for skilled occupations and who will have their first real chance to compete on an equal basis for the better paying jobs—57 percent felt Congress should provide safeguards to prevent job competition from newly arrived immigrants, while 43 percent held that Congress should not provide such safeguards.

Mr. Speaker, it is no secret that immigration reform is an emotionally charged public issue. The advocates of far-reaching reforms, though well intended, are frequently blind to the realities which Congress must face up to in meeting its obligation to regulate immigration into the United States. Moreover, I have found that very few of the reformers have a full grasp of the implications of the reforms they advocate. Similarly, opponents of any reform in the present program, though well intended, are frequently blind to the need to correct abuses and inequities which have "termited" their way into the program over a period of years. Moreover, I have found that very few, if any, of the advocates of status quo have any clear conception of the manner in which their opposition to change is being used to prevent Congress from establishing an immigration policy based upon the governing directives of clear-cut law.

To illustrate my point, I offer these rather elementary examples:

Those who oppose the national origins quota system have been molded into advocates of open and largely unrestricted immigration. I do not charge they are aware of their predicament, I only state the reality of their position.

Those who advocate maintaining the national origins quota system have been molded into opponents of reasonable efforts to establish a selective immigration policy with both quantitative and qualitative controls, under directives of law which recognize the practical demands of life in the United States in the 1960's. The irony is that those who fight for a status quo in the immigration field are in fact fighting for an extension of nonquota immigration which means a policy of open and unrestricted immigration. I do not charge that all advocates of the status quo are aware of their predicament, I only state the reality of their position.

Mr. Speaker, because of the interest expressed by many Members of Congress in the questionnaire I utilized to canvass opinion on the major issues related to pending immigration legislation, I include a copy of the form used together with a tabulation of the replies thereto:

Questionnaire for Cleveland Hearings

1. Should there be a limit to the number of immigrants we admit each year? Yes, 89 percent. No, 11 percent.

2. We are now admitting approximately 300,000 immigrants each year. Do you think this number is: About right, 55 percent; too high, 13 percent; too low, 32 percent.

3. Should Congress set the limit by law on the number of immigrants we admit? Yes, 79 percent. No, 21 percent.

4. Should the President be delegated authority to decide the limit and how visas are to be distributed between countries and classes of aliens? Yes, 36 percent. No, 64 percent.

5. Approximately 1 million alien applicants for admission are now pending. Among these, whom do you feel should have preference (list in order of priority, 1 to 5):

[In percent]

Choice	1st preference	2d preference	3d preference	4th preference	5th preference
Relatives of U.S. citizens	67	29	6	0	0
Skilled workers	10	30	30	33	0
Relatives of aliens living in United States	0	18	34	31	19
Semiskilled workers	0	4	7	22	70
Victims of Communist persecution	23	19	23	14	11
Total	100	100	100	100	100

6. Were you aware that during the last 10 years nonquota immigrant visas (1,774,367) have doubled quota immigrant visas (948,-344)? Yes, 37 percent. No, 63 percent.

7. Do you favor repeal, 88 percent, or retention, 12 percent, of the national origins quota system?

8. Should natives of countries of the Western Hemisphere who wish to immigrate to the United States:

(a) Have open, unrestricted admission? 9 percent.

(b) Be treated like all other alien applicants for admission? 91 percent.

9. Should there be a limit to the number of refugees we admit each year? Yes, 84 percent. No, 16 percent.

10. Should Congress provide safeguards in law to prevent immigrants from competing for jobs which American workers can fill? Yes, 57 percent. No, 43 percent.

Name____

Address_______________________________________

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I am very happy to yield to the gentleman.

Mr. McCLORY. I want to compliment the gentleman on the very full and illuminating statement with regard to the subject of immigration. I recognize that the gentleman as chairman of the important Subcommittee on Immigration has an extremely important task before him in this session of the Congress. I would like to ask the gentleman with respect to the subject of hearings on legislation because I know that I and other Members are getting a great deal of mail on the subject. What is the schedule with regard to the hearings on the administration bill or other legislation on the subject of immigration?

Mr. FEIGHAN. In the latter part of January or early February, I took the floor and made an announcement that hearings would commence on February 16. But I was unable to have the hearings because the chairman of the full committee, the gentleman from New York [Mr. CELLER], scheduled hearings for the full committee on the subject of the presidential inability, and I had to wait until there was an opportunity to hold hearings which would not interfere with the full committee. So that the first hearing is scheduled for tomorrow morning at 10 o'clock in the committee room of the Committee on Post Office and Civil Service. The first witness will be the Attorney General, Mr. Katzenbach. We hope to proceed as expeditiously as possible with witnesses from the executive departments, from the operating level and then to organizations, voluntary agencies, and the public. Of course, we will have to have these hearings completed and we will probably have to set up a schedule which will require people to present their statements but to analyze them briefly so that we will be able to interrogate them and so eventually get these hearings concluded.

Mr. McCLORY. If the gentleman will yield further, I would like to inquire why the gentleman has to incur personal expenses in connection with this questionnaire and travel? I did not understand exactly what it was, but I understood the gentleman to say that he had to incur personal expenses which, it seems to me, is unfortunate if that is the case.

Mr. FEIGHAN. I was interested in securing the views of my constituents and those of leadership elements of Greater Cleveland on the 10 major issues involved in pending immigration legislation. Accordingly I felt I should cover the costs involved from my personal funds.

Mr. McCLORY. I thank the gentleman.

The SPEAKER pro tempore (Mr. MATSUNAGA). The time of the gentleman has expired.

THE 100TH ANNIVERSARY OF COMMITTEE ON APPROPRIATIONS OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Texas [Mr. MAHON] is recognized for 30 minutes.

Mr. MAHON. Mr. Speaker, today, March 2, 1965, is the 100th anniversary of 2 of the 20 standing committees of the House of Representatives—the Committee on Appropriations and the Committee on Banking and Currency. On March 2, 1865, just before the close of the Civil War, the House separated the appropriating and banking and currency duties from its oldest committee—the Committee on Ways and Means—and assigned them to the two new committees. While the occasion would not of itself engage the general attention of the House or the country, and while whatever is said here will quickly pass beyond recall, a 100th birthday is nonetheless something of a milestone. I therefore thought the occasion sufficient to permit a brief intrusion to make some fragmentary public notes about it, with perhaps some quick glimpses of background and highlights from the past.

The Committee on Appropriations is a comparative youngster to its progenitor, the Committee on Ways and Means, which dates from the beginning in 1789 as a select committee and from 1802 as a standing committee. And it is considerably younger than most of the other standing committees of the House.

THE EARLY PRACTICE

In the very earliest days of the House there was recognition of the need for compartmentalization of the labors. Select committees were the usual organ through which investigations were made and legislation drawn and brought to the House, but with the inevitable increase in business the tendency was to a system of standing committees. The early reluctance to standing committees was evidently rooted in a general distrust of an entrenching influence; a select committee expired upon discharge of the particular assignment.

Until the Committee on Appropriations was created in 1865, all "general" appropriation bills were controlled in the House by the Committee on Ways and Means—also in charge of revenue measures and some other classes of substantive legislation. The rivers and harbors bill, first enacted as a separate bill in 1826, was outside the main appropriation pattern; it was not regarded as a "general" bill during this period and was then handled by the Committee on Commerce. It was made a general bill in 1879, and while it continued to be prepared in the legislative committee the rule required the bill to be submitted to the Committee on Appropriations for recommendation.

MULTIPLICITY OF BILLS

In the first years, a single general appropriation bill met the needs. The first bill, in 1789, appropriated $639,000 and covered 13 lines of the printed statutes. Five years later, in 1794, the Army was supplied in a separate bill, then the Navy in 1799, and so on until in 1865 there were 10 bills passed over to the new Committee on Appropriations, not counting the deficiency bill or bills—again, in addition to the rivers and harbors bill. Today, there are 12 general bills in addition to supplemental and deficiencies as required.

THE MONEY POWER

By all accounts, and understandably, the Committee on Ways and Means was the most powerful committee in Congress. It had initial jurisdiction of the two cardinal powers of taxation and appropriation. Public money is the motive power of government, the substance without which not even the smallest or most elementary function of government can find expression. The power of the purse is the one certain, undeniable, and continuous weapon at the disposal of the Congress for effective control of the branches of government. As one noted man wrote in the last century:

> If our Republic were blotted from the earth and from the memory of mankind, and if no record of its history survived, except a copy of our revenue laws and our appropriation bills for a single year, the political philosopher would be able from these materials alone to reconstruct a large part of our history, and sketch with considerable accuracy the character and spirit of our institutions.

CREATION OF COMMITTEE ON APPROPRIATIONS

But if in 1860 the Committee on Ways and Means was invested with great power and influence it was, by all accounts, also heavily laden with work. Reports relate the resistance of the committee to suggestions that its work be divided. The advent of civil war brought unprecedented additional work. It was said the committee labored days and nights, weekdays, and Sundays. Near the war's end, the need for a separate committee on appropriations could apparently no longer be denied.

Accordingly, on March 2, 1865, in the closing days of the 2d session of the 38th Congress, the House adopted a resolution creating the Committee on Appropriations. The new committee—six Republicans and three Democrats—was appointed on December 11, 1865, in the 1st session of the 39th Congress, and first reported the general appropriation bills for the fiscal year 1867. By 1920, the number had grown to 21. It was changed that year to 35 and gradually increased to 50 by 1951 where it has since remained—30 majority, 20 minority, the largest in Congress; currently, the division is 34 majority, 16 minority.

One almost immediately notes several striking things about the debate that day here on the floor. Here was fundamental relocation of the custody of perhaps the mightiest of all legislative powers. Yet an air of quiet resignation seemed to prevail.

Most of the leading lights of the House who spoke on the measure expressed doubts about the wisdom of separating the expenditure function from the revenue function. Thaddeus Stevens, then chairman of the Committee on Ways and Means and Republican leader in the House—and destined to become the first chairman of Appropriations—thought the proposition of doubtful propriety; that the twin subjects of income and outgo seemed to be very properly connected. But he also seemed indifferent to the change and said as much.

Garfield, later to become Appropriations chairman and President of the United States, favored the change. His expressed interest was one of economy; that the change would afford opportunity to more thoroughly examine the details and the necessity for the requests for appropriations. Another Member wanted the proposition modified to require the Appropriations Committee to submit its recommendations to the Committee on Ways and Means; otherwise, he said, "there might be a year when the appropriations would exceed very largely the amount provided to carry on the Government."

But the plea of an overburdening load of work prevailed—as indeed seemed foreordained. It was as though to say, "It is not logical but it must be done." Remarkably, the change was adopted without even a record vote.

In presenting the resolution on the proposition, Mr. Cox of Ohio had this to say:

> The proposed Committee on Appropriations have, under this amendment, the examination of the estimates of the departments, and exclusively the consideration of all appropriations. I need not dilate upon the importance of having hereafter one committee to investigate with nicest heed all matters connected with economy. The tendency of the time is to extravagance in private and in public. We require of this new committee their whole labor in the restraint of extravagant and illegal appropriations.

THE GROWTH OF EXPENDITURES

Some partial measure of the enormous multiplication of burdens arising from the Civil War can be gleaned from the trend of expenditures. For several years prior to the onset, expenditures had ranged in the 60 millions of dollars; in fiscal 1860, the total was $63,130,598. They reached the high point of $1,297,555,224 in fiscal 1865 and receded sharply to $520,809,417 in fiscal 1866.

In the first year for which the new Committee on Appropriations reported the general bills, fiscal 1867, total expenditures of the Government were $357,542,675. In the ensuing 100 years the lowest expenditure level was $236,964,327—in fiscal 1878. Subsequently, the general trend of appropriations has been ever upward. The Spanish-American War period marked the high point for the remainder of the century; in fiscal 1899, expenditures reached $605,072,179, but by 1902 had dropped back to $485,234,249. From there on, as the country grew and the Government embraced more functions and endeavors, expenditures gradually rose. With the onset of World War I, expenditures again crossed the billion-dollar line in fiscal 1917, reached a war peak of $18,514,879,955 in fiscal 1919, and receded by fiscal 1927 to the lowest subsequent level; namely, $2,974,029,674.

In the pending budget for fiscal 1966, administrative budget expenditures are tentatively projected at the record level of $99,687,000,000; including so-called trust funds, such as social security, the tentative consolidated cash budget expenditure estimate for 1966 is $127,400,000,000.

COMMITTEE CHAIRMEN

Just a few words about the men who have guided the committee. Twenty-four men including the present incumbent, served as chairman; five of them served terms of broken continuity. The late Honorable Clarence Cannon, of Missouri, served as chairman nearly 19 years, almost twice as long as did "Uncle Joe" Cannon, of Illinois, who ranks second in that respect with 10 years. The Honorable John Taber, of New York, holds the distinction of longest service on the committee—40 years, consecutive, beginning with his entry upon service in the House.

Like all mortals, these men were possessed of both virtues and shortcomings. It may fairly be said that some were more illustrious than others. Several went on to higher or other important offices. One became President. Three achieved the speakership of the House. Three went to the other body. One became Governor of his State. The list of distinctions is long. Interesting biographical sketches of 21 of the men are in House Document No. 299 of the 77th Congress.

THE FIRST STORMY 20 YEARS

Ironically, the new Committee on Appropriations, created to relieve the overload of burdens upon the Committee on Ways and Means, itself soon began to experience a mountainous load—in a sense probably some was self-imposed. And it required little time to become thoroughly unpopular.

Woodrow Wilson described the Congress in the decades following the Civil War as "the central and predominant power of the system." The new Committee on Appropriations in this period was led by strong men, especially such as Stevens, Garfield, Randall, and Cannon of Illinois.

The new committee was diligent in its business. The record suggests that it took seriously the mandate to devote its efforts to restraint of extravagant and illegal appropriations. In fiscal 1867, the national debt was $2,650,168,000—$71 per capita. There followed 26 years of an almost unbroken record of reduction in the debt. There was a surplus every year and by fiscal 1893, the debt was down to $961,431,000—about $14 per person.

But the genesis of the committee's unpopularity was not bottomed solely on bare economy in appropriations. The disposition to graft legislation on appropriation bills long preceded the creation of the Committee on Appropriations; there was much complaint that this practice impinged on the work of the legislative committees for many years before 1865. But it may be that the practice was intensified after that date.

It was charged that the Committee on Appropriations had legislated in the very first appropriation bill it reported.

To complaints that the committee had changed laws in the appropriation bills in 1876, Chairman Randall compiled a "Statement showing in brief synopsis instances of independent legislation upon appropriation laws during the years 1865–75." It was an extensive list involving virtually every bill.

Then, in 1876, substantially the present form of the "Holman rule"—so-called from the name of its author, Chairman Holman—was adopted and employed from 1876 to 1885. All authorities seem to agree that the committee's construction of, and practices under, this rule, admitting germane legislation on the appropriation bills if it retrenched expenditures, fanned the flames of jealousy, sowed the seeds of resentment, and helped lay the groundwork for the soon-to-come contest for division of the Committee on Appropriations.

Writing only 14 years after the committee was formed, Garfield elucidated the problem. He said the practice, "involving a great mass of general legislation", had so overloaded the committee as to prevent sufficient attention to the appropriations proper. And he prophetically remarked that continuance of the rule would likely result in a dispersal of the bills to several committees, thereby precluding consideration and disposition of the appropriations business in accord with any general and comprehensive plan. The handwriting was already on the wall.

In House Document No. 246 of the 87th Congress, "History of the House of Representatives," page 158 et cetera, Galloway recites a number of restrictive fiscal developments of the period which, doubtless, also fostered resentment and opposition in the executive departments.

Executive discretion was severely circumscribed by more detailed itemization of appropriations in the annual bills. Power to transfer funds between objects and purposes—a matter of executive-legislative contention from the earliest days—was repealed. Unexpended balances—often obscured or held incognito for later use—were returned to the Treasury. Contract obligations by the agencies in excess of appropriations were forbidden. The departments often chafed and not infrequently resorted to the ancient practice of deficiency spending to force the hand of the House.

The great contest to divide the Committee on Appropriations began only 12 years after it was formed. When the rivers and harbors appropriation bill was prepared by the Committee on Commerce in 1877, instead of referring it to the Committee on Appropriations as the rule required, a motion to suspend the rules and pass the bill without reference to Appropriations prevailed. This was the beginning of the break-up.

In 1880, appropriations for agriculture and forestry, previously a part of the legislative appropriation bill, were separated from Appropriations and assigned to the legislative Committee on Agriculture which first reported them in a general appropriation bill for fiscal 1881.

The final dismemberment came with the adoption, on December 18, 1885, in the 1st session of the 49th Congress, of rules changes transferring six more general appropriation bills to the applicable legislative committees.

The realinement left only 6 of the 14 general bills with the Committee on Appropriations, namely, fortifications; legislative, executive, and judicial; pensions; sundry civil; District of Columbia; and deficiency. The other 8 bills were in custody of seven legislative committees, namely:

Agriculture bill, Committee on Agriculture.

Army and military academy bills, Committee on Military Affairs.

Naval bill, Committee on Naval Affairs.

Indian bill, Committee on Indian Affairs.

Post Office bill, Committee on the Post Office and Post Roads.

River and harbor bill, Committee on Rivers and Harbors.

Diplomatic and consular, Committee on Foreign Affairs.

The full account of events leading to these far-reaching changes is a fascinating and instructive chapter in American political history. There is an abundance of evidence that the underlying motivations were at least twofold. Growing discontent in the legislative committees with committee operations under the Holman Rule, added to jealousy of the inherent power that goes with the money function, lay at the base. No less an authority than "Uncle Joe" Cannon said the final cataclysm was triggered by political revenge against Chairman Randall for his key role in helping defeat his own party on a major tariff bill in the preceding Congress. There was, he said, sentiment to obliterate the committee altogether but they settled on stripping the committee of much of its jurisdiction.

THE NEXT 35 YEARS, 1885–1920

Organization for the conduct of business not only influences the mode of operation but importantly affects results. The predicted results of extravagance and confusion came soon after the appropriations were scattered in 1885. Most of the major departments received their funds partly from a legislative committee and partly from the Appropriations Committee. There were no consistent patterns in approach to the aggregate requests. True to its practice, the Committee on Appropriations tended to economical grants. The seven legislative committees, on the other hand, more or less leaned toward generosity and even actively competed for recognition in this connection. There was little if any coordinated consideration of the overall needs and condition of the finances. No system of choices between competing agencies and interests worthy of the name existed.

Illustrative of the chaotic scatter, the Army bill and the Military Academy bills were annually reported by the Committee on Military Affairs. But the Committee on Appropriations reported all funds for clerk hire of the War Department in the District of Columbia, and in the fortification bill provided not only the Army fortifications but also field artillery and the ammunition for it.

Some confusion and mischief sprang from the overwhelming temptation to indulge in deficiency appropriating and spending—in both the legislative and executive branches. The departments were not infrequently disposed to the practice of accelerated spending to force the Congress to later supply the deficiency. The continuous spirit of contest spawned much show of economy, resulting only in shifting the burden of final decision from one place to another when the departments returned early with deficiency requests to piece out the necessities for the year.

Of the inevitable results of such divided authority one prominent observer said in 1920—after the drawbacks of the system had alarmed the whole country:

> One committee is working one way and another committee is working another way. The right hand does not know what the left hand doeth, and we find through all of our appropriation bills duplications in the service; we find waste and extravagance. We see great departments going to one committee for an appropriation, and if the funds are not granted they go to another and they not infrequently succeed.

Only 4 years after full-scale operation under the divided system, another observer wrote:

> Under the system of congressional finance here described America wastes millions annually. But her wealth is so great, her revenue so elastic, that she is not sensible of the loss. She has the glorious privilege of youth, the privilege of committing errors without suffering from their consequences.

THE 1920 REFORM

The reconsolidation of all appropriation jurisdiction in the Committee on Appropriations on June 1, 1920, and the companion enactment of the Budget and Accounting Act of 1921 establishing the national executive budget system and creating the General Accounting Office were, unquestionably, the most fundamental and consequential national fiscal reforms since 1885. The movement began to take form in 1909 with inclusion in the sundry civil appropriation bill of provisions requiring the President to be apprised of the annual departmental requests for appropriations in the event they exceeded the probable revenues. The object was to secure his views as to how best to bring the requests within the revenues or, alternatively, to obtain his suggestions for loans or such new taxes as would make ends meet.

Incredible as it might seem, even after 120 years, the United States alone among the important nations of the world, had not established an overall national budget system. Congressional committees dealt pretty much directly with the applicable departments and agencies. The President had no prescribed statutory budget responsibility. The Secretary of the Treasury made and submitted revenue estimates but merely collected the appropriation requests and sent them along without correlation, revision, or recommendation.

An outgrowth of the 1909 move was the creation, in 1911, of the Taft Commission on Economy and Efficiency which made an exhaustive study and report on the need for a system under which the President would formulate and lay before Congress and the country a comprehensive, unified financial plan for governmental operations. On the other side of the same coin was the contemplation that Congress would reorder its systems in such manner as to secure some coordinated consideration and action on the President's unified budget. So compelling had some such reform become that by 1916 both national political parties put reform planks in their national platforms. The Democratic plank:

> We demand careful economy in all expenditures for the support of the Government and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee chosen from its membership, in order that responsibility may be centered, expenditures standardized and made uniform, and waste and duplication in the public service as much as possible avoided. We favor this as a practicable first step toward a budget system.

Both the budget legislation and the companion rules change were committed to a Select Committee on the Budget, headed by Mr. Good of Iowa, who was also chairman of Appropriations. Understandably, the proposition to reconsolidate appropriation jurisdiction encountered considerable opposition. The resolution, to become effective July 1, 1920, was adopted 200–117. It also increased the membership of the Committee on Appropriations from 21 to 35.

THE YEARS 1920–65

The defined jurisdiction of the Committee on Appropriations has remained unchanged since the reconstitution of 1920. It reads now as it did then—rule XI—"appropriation of the revenue for the support of the Government."

The framers of the 1920 change had in mind—and so stated—that centralization of appropriation jurisdiction would enable Congress to pass upon the budget "in one measure," with a "full and comprehensive discussion of the big problem of Government finance. Members of Congress can see at a glance the entire picture." There is considerable ground for conceding that the precise conceptions envisioned in 1920 have not been fully achieved, but no ground justifying denial that the two reforms, taken together, represented great improvements in handling the Government's financial business. No serious student of Congress, to my knowledge, has ever contended otherwise.

Two major efforts in the direction of "single measure" consideration proved notably short lived. The legislative budget plan in the 1946 Reorganization Act—still on the books, unattended—was launched in 1947, foundered, and finally fell to the side in 1949. This plan to bring together for policy debate and decision by the Congress the general dimensions of budget income and outgo in advance of processing the individual budgets and bills was not a new idea. Mr. Shirley of Kentucky, a former chairman of appropriations and active in the pre-1920 reform debates, had during that time espoused a somewhat similar plan.

Failure of the legislative budget experiment resulted in the trial, for the single year of 1950, of the one-package appropriation bill approach.

Whatever their merits or shortcomings—and they had some of both—here were serious efforts at alternate ways of coming to grips with an old problem. From the Monday morning vantage point of hindsight, we may safely say that, for assorted reasons, they departed too far from the realities.

SYNOPSIS OF COMMITTEE AUTHORITIES

It seems wholly accurate to say as a general proposition of fact that the committee, not unlike other committees and the House itself, is governed not only by formal rules and regulations but also by the stringency of custom, tradition, and precedent. The formal rules are relatively few and spare.

The distinguished Parliamentarian of the House has concisely annotated the pertinent applicable formalities in the House rules and manual. Briefly, some of them are:

(a) The committee is forbidden from reporting legislation—unless, of course, it qualifies as retrenching expenditures under the Holman Rule.

(b) The committee is generally forbidden from reporting proposed reappropriations of unexpended balances of appropriations.

(c) Authority of the committee to conduct studies and examinations of the operations of the executive branch is in standing law and the House rules.

(d) The committee possesses subpena power but traditionally has been sparing in its use.

(e) Hearings and reports on the general bills must be available at least 3 days before consideration of the bills in the House.

(f) The committee is a privileged committee in that it may report the general bills at any time.

(g) The committee may sit during sessions of the House. It is also authorized to hold executive or "closed-door" hearings—and it always does so, for which it is sometimes criticized.

(h) It is authorized to study the so-called permanent appropriations with view to discontinuance of as many as can practicably be, and to study the disposition of proceeds of sale of Government property or services. Both matters have been in abeyance for some time.

(i) The committee is authorized to appoint such staff—clerical, professional, and investigative—as it deems necessary to its purposes.

(j) The committee is authorized and directed to join with others in reporting a so-called legislative budget. But as noted earlier, the matter has gone unattended since 1949.

There are of course other rules and precedents applicable to strictly procedural routines. The rules of the House are the rules of its committees so far as practicable.

THE APPROPRIATION FUNCTION—NEVER TOO POPULAR

We have glanced at some evidence of the committee's unpopularity in the earliest years. The history of the appropriating function—long before 1865, and subsequently—strongly suggests that it has seemed only to enjoy varying degrees of unpopularity. Its reputation for negativism is widespread—but grossly exaggerated. And it has seemed that this has so consistently been the case that one may wonder whether it is inevitable to the system. Affirmative action on the billions more often than not gets overshadowed by unfavorable reaction to the negative action on the millions. And in matters of public spending, saying no and being unpopular sometimes seem almost inseparably bound up together.

We have seen the grief that came from operations under the Holman Rule in the committee's early days, yet, significantly, for the greater part of the last 100 years, the House itself has seen fit to clothe the committee with the abrasive, contentious, negatively oriented retrenchment rule, vigorous application of which would certainly again bring down the displeasure of many Members.

It is probably one of the safest of premises that the interests, wherever they lie or whatever they be, will rarely if ever neglect advocacy of the truly essential needs; that these needs will more or less automatically present themselves, abundantly accompanied by justification. It not unreasonably follows that the appropriation function—however organized—is to look at all demands objectively with the attitude that not everything is essential or indispensable. For with public money hardly ever in sufficient abundance to cover all that is desirable, a first and foremost function is the allocation of resources among competing demands—setting priorities of purpose and amount. Thus has it been a natural consequence for the system to veto or diminish the budget requests as often as reasons deemed sufficient to do so could be found.

Not at all conclusive but of passing pertinency is the report of a political science researcher who interviewed members of the Committee on Appropriations several years ago. Half a dozen "younger liberals," he reported, concurred with one of their number who said he "came here as a flaming liberal but as the years go by I get more conservative. You just hate to spend all this money. You come to the point where you just say, 'this is enough.'"

Thus the general system long ago acquired a negative orientation—and there are considerable grounds for saying such was proposed by the House itself. The not unnatural and often vociferous outcries of disappointment accentuate the image and fasten it firmly upon the system and certainly account for considerable unpopularity.

It is illuminating in this connection to turn to the debate here on the floor in June 1920, when the reconstitution resolution was pending. At a time when the Committee on Appropriations had jurisdiction of only 6 of the 14 general supply bills—over none of the great ones; when it was a much smaller committee of 21; when Government was far more narrowly confined; when the whole prewar budget was less than a billion dollars; when none of the 50 members of today's committee, or of last year's committee, were in the House; even in those vastly different days, the committee had its detractors. I quote from the remarks of the floor manager of the resolution:

> I beg of you today to vote your intelligence, your convictions, and not your prejudice toward the committee or any member of any committee, and I realize that the committee is not popular, and when it becomes popular I for one shall question the quality of its work.

SOME THOUGHTS ABOUT THE SYSTEM

In government by majority, what will satisfy one may dissatisfy another; what one may regard as essential another may regard as only desirable, or perhaps even a waste. Government—that is, the business of politics, and thus the lot of politicians—is somewhat a matter of dealing with problems to which there are often no easy answers. All of us more or less have our philosophies, our interests, our ideas. What may be "about right" today a changing world may make "about wrong" or inadvisable tomorrow; I expect this has always to some extent been the case.

The business of appropriations—deciding how much we ought to spend and for what purposes—therefore heavily involves a mix of philosophy, fact, and faith. One's interest must nearly always be reckoned with. One might strike an analogy to the old saw about the forest and the trees. The modern forester follows the sustained yield procedure of going through periodically, selecting and felling. He cuts out the stunted and the diseased, and to keep the forest healthy he also cuts out some of the sound trees. He has to make some priority choices for the good of the whole forest. And so it is, or ought to be, with Government budgets. We cannot afford the luxury of becoming so preoccupied with the welfare of each and every activity as to forget about the good of the whole.

"Uncle Joe" Cannon told the story of how, when he was first married, he bought a pig to be fattened for his winter meat supply. But he made a mistake. He said he took so much interest in that pig, feeding it, watching it grow, scratching its back to hear it grunt its satisfaction, and talking to it, until by the time it had grown big and fat at hog killing time, he had not the heart to turn it into his winter's meat. What began as an asset became a liability. A constant problem of the appropriations business—and this far transcends the committee province—is to try to find ways to avoid "Uncle Joe's" predicament.

Immediate constituency interests have a way of influencing the perspectives. But I would recall something Abraham Lincoln said while serving here in the House:

> There are few things wholly evil or wholly good. Almost everything, especially of governmental policy, is an inseparable compound of the two, so that our best judgment of the preponderance between them is continually demanded.

As a general proposition of principle I would advance the thought that we as a nation shall be in deep trouble if that day ever comes when all of us are satisfied with a given level of appropriations—no matter what the level. I would judge it best for the general good health of representative government that we find ourselves in some state of perpetual dissatisfaction—but with our perspectives in good focus.

It is undeniable that, as a nation, we have weakened our ties with some primary fiscal principles—strikingly so, I would say, when the record of Federal appropriations and spending after the 1920 reform, but especially in the last 35 years is compared with earlier periods. War and war-related necessities account for the bulk of the aggregate totals but the people demand more and more public services and—perhaps too willingly—charge a portion of the cost to the future. Already our national debt casts a shadow over coming generations. It is, in any event, in the nature of man that money borrowed from posterity, being obtained without great effort or sacrifice, is apt to be more lightly regarded and thus more readily spent. Even allowing for war years, 29 Federal budget deficits in the last 35 years stands in striking contrast to any previous period in the history of the Republic.

How much of this may fairly be laid at the door of the system is debatable—and wholly unprovable. Under the comprehensive, coordinated financial plan annually brought forth in the executive budget, the President, in the last analysis, at least theoretically, constitutes a majority of one in deciding what the budget shall recommend. In contrast, committee decisions on appropriations are by a majority of the 50, and House decisions by a majority of the 435 Members. Manifestly, majority rule of one differs decidedly from majority rule of 50 or 435. There will be less unity and cohesion in the latter than in the former—which should amaze no one. But it by no means follows—as some are prone to erroneously deduce—that inferiority is more often the product of the less unified system.

Systems and procedures are not unlike people—a mix of virtues and shortcomings. The best system, having no inherent magic, sometimes performs unsatisfactorily. Prudence dictates the necessity of caution in admitting innovations upon established ways. Slowness to change is a source of stability. Those who clamor for change sometimes overlook a great truth, which is that the legislative practices are a growth, not a scheme. They derive from many trials and tests over a long period of years. We would do well at all times to keep the lamp of history before us. I have not the slightest doubt that contemporary arrangements for legislative disposition of the vital money function are as objective and unbiased as could be devised. Systems at all times inevitably bend to the wills and dispositions of those who command them. Yet clamor for change is to the good and I would say it is at all times well to listen to the tempered suggestions of experienced men for improvements.

The British statesman, Edmund Burke, once said:

> A disposition to preserve and an ability to improve, taken together, would be my idea of a statesman.

In this connection I would add only that we ought to guard against yielding too readily to clamor born of frustrations about the course and direction of things. Changing for the sake of change is seldom the right answer. Self-restraint and self-denial are often not easy. Fiscal reforms are usually advanced in the name of economy. Economy is usually painful. Seldom is it popular. "Straight is the gate and narrow is the way."

Perhaps we need reform of the will more than we need reform of the way. Public attitudes shape the ultimate course of events. Being but a reflection of the people at large, the House—and essentially the committee—in the long run does just about what a majority of the people want. It is nothing short of amazing to see how quickly the cloak of necessity can be stripped from an expenditure when the people so demand it—or, conversely, a desirable object elevated to the essential and immediate category. Way back in 1879, Mr. Garfield touched the general subject broadly in these words:

> And this problem (of raising and appropriating revenues) presents itself, every year, under new conditions. An adjustment which is wise and equitable for one year may be wholly inadequate for the next.

In a representative democracy it is certain there can be no prospect of acting wisely where there are no means of judging rightly. The transcending importance of sound public opinion was eloquently put by Chief Justice Hughes:

> We have in this country but one security. You may think the Constitution is your security—it is nothing but a piece of paper. You may think that the statutes are your security—they are nothing but words in a book. You may think that elaborate mechanism of government is your security—it is nothing at all, unless you have sound public opinion to give life to your Constitution, to give vitality to your statutes, to make efficient your governmental machinery.

Mr. Speaker, obviously the Committee on Appropriations sometimes performs unsatisfactorily. As in the past, we shall on occasion in the future be found to be wanting. Doubtless we shall sometimes be disappointing. We are in favor of improving ourselves. We are not insensitive to the soundness of the practice of periodic checkups even when feeling pretty fit. But being a creature of the House, and part of the House, we are somewhat like the House. We are, with abundant good reasons, if I may so express it, quick to adjust but slow to change. Human nature changeth not. So I predict it will be this way when the bicentennial comes on March 2, 2065.

THE 100TH ANNIVERSARY OF THE COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 15 minutes.

Mr. BOW. Mr. Speaker, I know of no experience that could be more rewarding than my 12 years as a member of the Committee on Appropriations, under the chairmanship of the gentleman from New York, Mr. Taber, the late beloved Clarence Cannon, of Missouri, and the gentleman from Texas [Mr. MAHON] who has spoken so eloquently about the history of this body.

The committee was established while this Nation was struggling with the accumulated debts and the heavy expenses of the Civil War.

During all of my years on the committee we have been faced with similar problems, though on a far larger scale. Instead of financing the reconstruction of battle-torn sections of our own Nation, we have been financing the reconstruction of other nations throughout the world.

During its first year of responsibility, the Appropriations Committee of the House dealt with expenditures of slightly over $1 billion. Today, 100 years later, we are working on a budget of $100 billion.

That year the interest on the public debt was $77 million. Today it is approaching $12 billion.

In many talks around the country during the past several weeks, I have discussed the staggering size of this budget and the heavy responsibility it places upon all of us on the committee. I think it is also appropriate today to reflect on how much greater the budget for 1966 might have been if our committee had not faced up to its responsibilities and held the line against billions of dollars of suggested new expenditures in recent years.

The savings we have achieved each year are the result of long hours and many days of meticulous attention to the details of the Federal budget. I think few people in this country have as thorough an understanding of the complexities of our Government as do the members of the Appropriations Committee who do this work year after year.

I am certain that my colleagues on the committee share with me a deep appreciation for the fact that the House with few exceptions has accepted and approved our recommendations each year. This evidences a respect for the committee which I trust we shall continue to merit in the future.

Mr. MINSHALL. Mr. Speaker, it is impossible to estimate how many billions of dollars the House Committee on Appropriations has saved taxpayers since March 2, 1865. Complete records are not available prior to 1873. Some idea of the incredible amount involved may be found in the fact that in just the 6 years I have been privileged to serve as an appropriations member, the committee has made budget reductions totaling $22 billion.

Our committee's prestige and importance was established at the outset when Thaddeus Stevens, its creator, resigned the chairmanship of the Ways and Means Committee by his own choice in favor of becoming the first appropriations chairman. His successors to this high post have been some of this country's most brilliant men, including Ohio's James A. Garfield, whose writings on budgetary matters still are acknowledged as among the foremost in the field. The present distinguished chairman, the gentleman from Texas [Mr. MAHON], and the ranking minority member, the gentleman from Ohio [Mr. BOW], are gentlemen well equipped to follow in such illustrious footsteps.

The honor of serving the Nation as a member of this great and powerful committee is one I value highly.

Mr. FLYNT. Mr. Speaker, I desire to associate myself with the remarks of the gentleman from Texas [Mr. MAHON], the chairman of the Committee on Appropriations, on the occasion of the 100th anniversary of the establishment of the Committee on Appropriations.

In his remarks he referred to his predecessors as chairmen of the Committee on Appropriations collectively and to several of them individually and by name. It is my pleasure to refer to GEORGE MAHON by name and to add that the luster which was attached to those 23 chairmen who preceded him has been preserved and made brighter by the addition of him to that group.

When he became chairman of the Committee on Appropriations in May 1964, he succeeded to this position with a background of 29 years' experience and service in the House of Representatives, of which are included 26 years of service as a member of this committee.

He presides over this committee with dignity, fairness, and a deep sense of responsibility to the Congress and the United States of America.

Mr. Speaker, I would like to refer to the Georgians who have served on this committee. During the first 100 years, 11 Representatives from Georgia have been elected to membership on the Committee on Appropriations.

The first Georgian to so serve was Representative James H. Blount, of Macon, who represented a part of the area which now comprises the Sixth District of Georgia. Representative Blount became a member of the Committee on Appropriations in 1875 and served until his voluntary retirement in 1881.

In this connection it is interesting to note that 4 of the 11 Georgians whose congressional service has included membership on the Committee on Appropriations represented all or part of the present Sixth District of Georgia. In addition to Representative Blount, these include Representative Charles L. Bartlett, of Macon, Representative William C. Wright, of Newnan, and the Member who now addresses the House.

The list of Georgia Representatives who have so served and the period of the respective service of each is as follows:

James H. Blount, Macon, 1875–81.
Judson C. Clements, Rome, 1887–91.
Leonidas F. Livingston, Kings, 1891–1911.
Charles L. Bartlett, Macon, 1911–15.
William Schley Howard, Kirkwood, 1915–19.
Gordon Lee, Chickamauga, 1921–27.
William C. Wright, Newnan, 1929–33.
Malcolm C. Tarver, Dalton, 1935–47.
Prince H. Preston, Statesboro, 1949–61.
Henderson Lanham, Rome, 1955–57.
JOHN J. FLYNT, Jr., Griffin, 1962–.

Because of the unusually heavy volume of work of this committee, most of its work is performed in executive or closed sessions. This is not because of any desire on the part of the chairman and members of the committee to conduct hearings in secret since the proceedings of these hearings are printed in full and are made readily available to all members of the press and the public, but only because the work could not be concluded if continual public hearings were held.

Exceptions to this rule of executive sessions occur each year when each subcommittee opens its hearings to both the Congress and the public, at which times the representations and comments of the Members and of interested persons are welcomed and made a part of the records of the hearings of the respective subcommittees. In addition the Subcommittee on Appropriations for the District of Columbia also conducts some public hearings.

The Committee on Appropriations sometimes increases certain items contained in the budget. We like to think, when this is done, that it is the result of careful consideration and mature judgment in instances where a slightly larger amount for a given item could be more effectively and economically extended than could a small amount for a particular item.

There are many more occasions when the amount requested by a department or an agency is reduced by committee action. When this is done, it is the purpose of this committee to bring appropriations more closely into line with both requirements and justifications.

We do not use what is often referred to as a meat-ax approach. The Committee on Appropriations does not cut for the sake of cutting; rather it fulfills a responsibility and obligation to see that the people of the United States of America receive a dollar's value for a dollar spent. This is the objective which the Committee on Appropriations strives to achieve.

Mr. Speaker, I was impressed with all of the contents of the remarks made by the chairman of the Committee on Appropriations, but the last paragraph of his remarks is especially fitting to this occasion and bears repeating:

> Mr. Speaker, obviously the Committee on Appropriations sometimes performs unsatisfactorily. As in the past, we shall on occasion in the future be found to be wanting. Doubtless we shall sometimes be disappointing. We are in favor of improving ourselves. We are not insensitive to the soundness of the practice of periodic checkups even when feeling pretty fit. But being a creature of the House, and part of the House, we are somewhat like the House. We are, with abundant good reasons, if I may so express it, quick to adjust but slow to change. Human nature changeth not. So I predict it will be this way when the bicentennial comes on March 2, 2065.

Mr. EVINS of Tennessee. Mr. Speaker, the 100th anniversary of our Committee on Appropriations, which we are observing this year, is an appropriate occasion for some reflection on what has transpired in the past and what is involved in the congressional responsibility for funding Federal programs today and in the future.

A stimulating and enlightening source of reference on this subject is the speech that was given on this floor today by the distinguished chairman of the Committee on Appropriations of the House of Representatives, Hon. GEORGE H. MAHON, the gentleman from Texas.

Chairman MAHON's address not only contains an illuminating review of the history of the committee which he so ably heads but also provides wise counsel with respect to the appropriations function.

The text of this important speech will be found on pages 3959–3963 of the CONGRESSIONAL RECORD. I commend it to the thoughtful reading of all Members of the Congress and others.

The Committee on Appropriations of the House has had 24 chairmen, including our present chairman, since it was established as a standing committee of the House on March 2, 1865. This list of chairmen is a roster of names that stand out in American history.

One of the famous men in this group was James A. Garfield, who went from his seat in the House to the Office of President of the United States in 1881.

Another who served as chairman of the Committee on Appropriations was Joseph Cannon, of Illinois, the powerful Speaker of the House early in this century.

My own State of Tennessee takes enduring pride in the fact that two of her illustrious sons served as chairman of this committee in the House—one in recent times and the other in the last century.

The late Joseph W. Byrns, of Nashville, served as chairman of the Committee on Appropriations of the House in the 72d Congress. He was a Member of the House through 14 terms. He was the majority leader of the House in the 73d Congress, the Speaker of the House in the 74th Congress, and was standing for reelection to the House for the 75th Congress at the time of his death in 1936.

Another Tennessean, John D. C. Atkins, served as chairman of the Committee on Appropriations when the committee was in the second decade of its existence. He served one term in the House before the Civil War and returned in 1873 to serve five more terms.

The late Senator Kenneth D. McKellar, of Tennessee, who was a member of the House before his election to the U.S. Senate in 1916, served for many years as chairman of the Committee on Appropriations of the Senate.

It has been my great privilege and honor to serve as a member of the Committee on Appropriations of the House under the inspiring leadership of two of its ablest and most dedicated chairmen—the late Honorable Clarence Cannon, of Missouri, and Hon. George Mahon, of Texas, our present chairman.

In observing the centenary of this important committee, it is right and proper that we should pay particular tribute to the men who bear and have borne the principal responsibility for the success of the vital Federal funding process.

From my own experience as a member of this committee over the years, I know that the chairman deserves much more recognition and credit than he is ever likely to receive.

The Committee on Appropriations has the reputation of being the hardest working committee of the Congress. It must carefully screen every one of the countless items in our Government's voluminous money bills. This entails exhaustive studies, investigations, hearings, analyses, and reports. It involves work that is always exacting and can often be tedious. But the members of this committee serve with enthusiasm, and with pride and satisfaction in the knowledge that they are helping to strengthen, develop, and build up our country.

In this period, with annual Federal expenditures climbing ever closer to the $100 billion level, the burdens of the chairman of our Committee on Appropriations have been increasingly heavy.

We are in a time of unparalleled change and growth, with our domestic needs and foreign commitments placing unprecedented demands on our Federal Treasury.

Congress has provided the money needed for massive programs to assure our military superiority and our leadership in space and science, as well as the funds required for other essential services and programs for our rapidly expanding country.

This upward trend in Government costs increases the need for vigilance against waste and extravagance in Federal appropriations, and for the practice of true and sound economy.

The Committee on Appropriations, which is invested by the Constitution with the original responsibility for all Federal funding measures, has not neglected this aspect of its primary function. Millions and billions of dollars have been saved for the American taxpayers through budgetary cuts and mammoth economies effected by this committee in recent years.

The steadily mounting workload places greater demands on the chairman's skill and judgment, on his knowledge of men and institutions, on his energy and devotion, and on his patience and persistence.

The chairman of the Committee on Appropriations is the man chiefly responsible for maintaining the committee's traditional hard-working habits and building up its esprit de corps.

His job requires heightened concentration on wise and prudent practices and measures, on teamwork, competence and dedication.

In short, the direction of this committee composed of 50 members and a dozen subcommittees, responsible for reporting the funding of all the vastly complex operations of our Federal Government while also fostering economies in Government, is a monumental task.

Clarence Cannon, of Missouri, managed this challenging job with notable success through nearly 19 years.

Chairman Mahon serves in the very highest traditions of the committee, the House, the Congress, and the Nation.

It is true that our appropriation system has been greatly improved by the changes in budgeting and funding practices that have been made in the 100 years since the Committee on Appropriations of the House was created.

While giving credit to ideas that have improved the appropriations process, let us also acknowledge the enormous contribution to American security and progress which has been made by the patriotic, knowledgeable and dedicated men mainly responsible for making this system work so well—our great chairman and the hard-working men of the Congress—my colleagues on the Committee on Appropriations.

During this century, the House has evolved a system that has worked effectively under severe testing. "Contemporary arrangements for legislative disposition of the vital money function are as objective and unbiased as could be devised," as Chairman Mahon has stated.

Under the able leadership of our present chairman—Hon. George Mahon, the gentleman from Texas—our country can count on the appropriations decisions needed to keep this Nation strong, secure, and moving forward.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the body of the Record on the subject of the 100th anniversary of the Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore (Mr. Matsunaga). Without objection, it is so ordered.

There was no objection.

AIRCRAFT NOISE ABATEMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I have introduced, for appropriate reference, four bills to bring increased and better coordinated Federal attention to one of the resultant problems of modern air transport.

All of these measures amend the Federal Aviation Act of 1958 and grant the Administrator new powers and authority. They are substantially identical to bills introduced in the 88th Congress which I and several colleagues then sponsored. They constitute a full-fledged program against aircraft noise.

One of the measures specifically authorizes the Administrator to conduct research for the purpose of determining more effective criteria for lessening objectionable airplane noise. Furthermore, the Administrator is required to issue certain rules governing air commerce which, in his estimation, can reduce health hazards and noise nuisance; penalties are prescribed for violations of these regulations. The fourth bill will establish in the FAA an Aircraft Noise Abatement Service to coordinate all activity in this field, headed by a Director whose duties shall be: development of a workable and effective measuring system for determination of aircraft noise; conduct of research into the potential construction of quieter aircraft; accumulation of more effective devices and control procedures; consolidation of current research data from all available sources.

The thrust of this legislation is to establish direction and authority with the Federal Aviation Agency, and to require the Agency to spare no effort in bringing relief to the thousands of justly indignant citizens who reside near the din and activity of bustling modern airports.

For years this has been a civic concern of many New Yorkers who live in close proximity to La Guardia and Idlewild Airfields on Long Island, N.Y. There is certainly no indication that air commerce is decreasing. On the contrary, larger and noiser craft are entering the service; in coming years we will be experiencing the introduction of the supersonic craft; the fact of the matter is that we must come to terms with the problem, not by isolated efforts and competing jurisdictions, but through coordinated and well-financed effort on the part of the Federal instrument, the FAA.

It should be our policy, realistically, to preserve as best as we can the comfort and normalcy of homeownership and apartment dwelling within modest distance of our airports. We cannot ban the airplane; nor is it desirable to institute a maze of dreamlike restrictions which would seriously hamper the availability and service of modern air transportation. But I do insist that we do everything possible to ease resultant hardships and not run roughshod over patterns of residential life.

We must recognize a primary Federal obligation. The legislation I have introduced attempts to pull the loose ends together into a cohesive unit. The FAA is indefinite as to its powers in this field and this legislation will endow them with requisite obligations by law.

With these bills I look toward an extensive research activity. The proposed Aircraft Noise Abatement Service is equipped with the responsibility of a continued quest for more meaningful procedures and devices for reducing airplane noise. Consideration should be given to evolving a plan for restricting night flights.

The courts have already pronounced on the issue in general. In 1962, the

Supreme Court ruled that agencies operating airports are liable for compensation to property owners if their property is rendered practically useless. The Washington State Supreme Court, in a 9-to-0 decision, held that an airport must pay damages to homeowners when jet aircraft shake the walls, drown out television and radio reception, and prohibit normal conversation.

The problem is complex. Other countries are experiencing this as well as our own. The OECD Observer, in its August 1964 publication, reported that European governments are intensifying efforts to meet the increasing aircraft noise in an article entitled "A Menace To Be Met."

Early last December I wrote to the FAA asking for comments on the four bills. The Air Traffic Service Director replied that because the executive branch had not formulated a position on the problem, he was unable to comment. I regret this very much, and I still hope that the administration will devote the attention to this problem which it deserves. I include the Director's reply to me, together with a résumé of FAA research operations, in the Record at the conclusion of these remarks.

In my view, the research contracting out of the FAA in this field may well constitute a contribution. But I do urge that it be fully consolidated with other efforts, and that it be substantially increased.

Mr. Speaker, I urge the House to give its early consideration to this legislation to improve and make more effective our program against aircraft noise.

The above-mentioned material follows:

Federal Aviation Agency,
Washington, D.C., December 30, 1965.

Hon. Seymour Halpern,
House of Representatives,
Washington, D.C.

Dear Mr. Halpern: Mr. Halaby has asked that we respond to your letter of December 7, 1964, concerning problems and programs involved with aircraft noise.

Inasmuch as you appear to be extremely interested in our current research program with regard to aircraft noise, we are taking the liberty of enclosing a portion of a quarterly status report of the Aircraft Development Service (see enclosure). We know that the National Aircraft Noise Abatement Council (NANAC) is preparing a recommended research program for appropriate segments of the aviation industry and Government. You may well want to contact NANAC on this subject.

We are gratified to note that you appreciate that the problems associated with aircraft noise are complex. We have approached the problem from three basic viewpoints: (1) Reduction of noise at its source, (2) development of air traffic and aircraft operating procedures to minimize noise, and (3) encouragement of compatible land use planning in the vicinity of our Nation's airports. We believe that all three of these approaches are necesary if progress is to be made.

You asked for our views on your four bills on the subject. As you know, on any given matter, our comments must coincide with whatever overall view is developed within the executive branch. As yet, no overall position has emerged on the various legislative proposals offered in the 88th Congress and we are therefore unable to comment on your bills at this time.

We trust this is responsive to your request and if we can be of further assistance, please advise.

Sincerely yours,
Clifford P. Burton
(For Lee E. Warren, Director of Air Traffic Service).

Acoustics

Program manager, James F. Woodall.

550-001-00, "Noise Reduction and Control at the Source"; 550-001-01H, "Investigation of Compressor Noise"; contract FA-64-WA-4920, dated February 18, 1964, Boeing Co., Seattle, Wash.: This project involves the analytical and experimental study of a model compressor to develop the expressions for prediction of noise generated by individual components; i.e., the rotor, stator, and duct casing. The work is approximately 75 percent complete.

550-001-02H, "Development of a Scale Model Freon Compressor as a Tool for the Investigation of Compressor Acoustics": This project involves the design, construction and testing of a scale model closed loop Freon compressor to determine its feasibility for simulating the aerodynamic and acoustical characteristics of a full-scale air compressor. The intent is to develop an inexpensive means for conducting the future acoustical development testing needed to reduce the noise generated by compressors. The first quarterly report has been received and approved.

550-001-03H, "Development and Application of Extended Plug Nozzle Noise Suppression Theory"; contract FA64WA-5062, dated May 7, 1964, Williams Research Corp., Walled Lake, Mich.: This is an applied research and development program to demonstrate the jet noise suppression characteristics of the extended plug nozzle on a small turbojet engine.

Analytical and cold jet work is underway by Illinois Institute of Technology, Chicago, Ill. (IITRI), who postulated the theory, and Williams Research has set up the laboratory facility required to test several plugs on a small jet engine. IITRI will develop the scaling parameters designed to optimize the plug shapes that Williams Research will test. The objective is to minimize the shock wave as a noise source and is not meant to imply that the shock wave is the only source in the jet stream. Parallel efforts to promote mixing and reduce the exit velocity should be continued. The work is approximately 60 percent complete. Third quarterly report due in mid-November.

(Proposed) 550-001-04H, "Applied Research re Compressor Noise": A study of and subsequent tests of choked inlet guide vanes as a method of compressor noise suppression and acoustical treatment of guide vanes or struts as a method of compressor sound reduction.

550-002-00, "Noise Reduction and Control-Transmission Paths"; 550-002-01H, "Noise Abatement Studies of Jet Transport Aircraft and Helicopters"; contract FA-64-WA-4949, dated February 10, 1964, Bolt Beranek & Newman (BBN), Los Angeles, Calif.: This contract involves three separate tasks:

Task I: Predictions of the noise exposure from new short- and medium-range jet transports.

Task II: The effects of jet transport departure profiles on the noise exposure produced on the ground. This includes the flight test program conducted by the FAA at JFK Airport in New York.

Task III: Helicopter noise and its relation to heliport location design as influenced by urban noise environments.

The data required for these three tasks is being obtained now, and preliminary results should be available by the end of this year.

The field measurement program of actual airline operations at JFK Airport has been completed. The work is approximately 75 percent complete.

(Proposed to amend contract): Add task IV, a study re effect of varying (a) glide slope, (b) power used, and (c) threshold location on approach noise exposure.

550-003-00, "Noise Reduction and Control-Receivers"; 550-003-01H, "Study of Noise Evaluation Criteria"; contract FA-64-WA-4951, dated February 1, 1964, Bolt Beranek & Newman, Los Angeles, Calif.: This is a two-part study. The first involves an investigation of the factors responsible for individual differences in judgments of equal loudness or noise. The second part is a laboratory study of the masking of speech by aircraft noise. Final report should be available by February 1965.

PEOPLE ARE ANGERED BECAUSE OF THE POOR POSTAL SERVICE NOW BEING RENDERED BY THE POST OFFICE DEPARTMENT—WHAT HAS HAPPENED TO THIS ONCE GREAT DEPARTMENT?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. Cunningham], is recognized for 30 minutes.

Mr. CUNNINGHAM. Mr. Speaker, last year the Postal Operations Subcommittee held hearings regarding the poor and deteriorating mail service. Several Members of Congress testified as to their knowledge of the poor service. Also testifying to the poor service were the workers themselves, including officials of the National Association of Letter Carriers and the National Federation of Postal Clerks.

A report on these hearings is available from the Post Office and Civil Service Committee.

Because the subcommittee held hearings only and took no specific legislative action, I have written the chairman of the subcommittee, the gentleman from New York [Mr. Dulski], asking that the hearing be resumed and that some concrete action be taken by the committee. I do so because the service is getting worse and worse in spite of the fancy talk by Post Office Department officials.

The employees of the post office are particularly alarmed over the situation due to the fact that they get the blame for a situation over which they have no control. It is the management innovations that are at the root of the problem in my opinion. You just cannot run the Department and fool the people by slogans, letters of the alphabet, numbers, and so forth.

Recently I had a very distressing experience with the Post Office Department. This concerned a painting by a young lady who had suffered from childhood with cerebral palsy. It took her 3 weeks to paint this picture, which she did by placing a brush between the toes of her left foot. I purchased the picture for $100 to help her along. It was framed and wrapped by a professional molding and framing firm in Omaha. It was wrapped with nine layers of heavy cardboard, some of which was heavy corrugated paper and the rest a stiff heavy-duty pasteboard. It was delivered to me in a smashed condition even though it was plainly marked "glass."

The story of this picture is described in an article written by the Washington correspondent of the Omaha World-Herald, published in my district. The article is as follows:

[From the Omaha (Nebr.) World-Herald, Jan. 31, 1965]

Speedup Blamed for Damaged Mail

Representative Glenn Cunningham of Omaha pointed to the shattered glass in the picture frame. Then he directed attention to parallel marks on the package that he believes could have been caused by nothing other than a vehicle running over it.

"This is all going to the House Post Office and Civil Service Committee, another example of what is happening to our postal service," said Mr. Cunningham.

The Omahan, third-ranking Republican member on the full committee, and the ranking GOP member of the Postal Operations Subcommittee, said he would ask that the subcommittee reopen hearings relative to the increasing complaints on mail handling.

The painting that arrived at his office in such bad shape was one he had purchased from Mary Ann Bay, the 35-year-old Omaha artist afflicted since birth with cerebral palsy, who has taught herself to paint and draw by holding a brush or pencil between her toes.

The painting had been wrapped for mailing by an Omaha picture-framing concern which, he said, "has had years of experience in wrapping and sending packages."

There was masking tape over the glass to protect it. There were, he said, nine layers of stiff cardboard, some of it ribbed, to further protect it. On each side of the cover were large, red and blue stickers, "glass, handle with care."

Mr. Cunningham said that rank-and-file employees of the Post Office Department "are as upset as any one over the deterioration in service."

The Second District Congressman blamed the Department's work measurement system—which he called the "speedup"—for part of the trouble.

"And so-called mechanization has been way overplayed," he said.

"All you have to do," he declared, "is to visit a large post office and see the system of conveyers and chutes. Workers are forced to throw mail into chutes and it goes zooming down to another platform—there is no braking system to stop its speed. And under the speedup there is no time for an employee to see if a parcel says 'glass' or 'breakable.' "

He said complaints have been mounting steadily the past 2 or 3 years, that congressional mail both to the House and Senate is loaded with such complaints from postal users.

"They're working these fellows to the point of exhaustion," he said of postal workers. "The whole thing is the result of top management, in my opinion. They're trying to run the postal system by gimmicks, numbers, and alphabetical gimcrackery."

In announcing he was going to ask that his subcommittee reopen its hearings into poor service, so "we can get to the root of this thing," Mr. Cunningham asserted:

"The American people won't stand for this kind of service with the high rates they pay."

He recalled that at Christmas, it took 15 days for a small package from his brother to arrive in Washington from Omaha. It got here 4 days after Christmas.

Fortunately, the painting by Miss Bay was not itself damaged. But Congressman Cunningham said he would not have the glass restored to the frame until his subcommittee had a chance to look at it, the package and "the marks of that vehicle that ran right over it."

Following the publication of this article I was amazed to receive a heavy volume of mail describing similar poor mail service in just the Omaha area. A followup story in the Omaha World-Herald regarding the receipt of the picture by me says:

[From the Omaha (Nebr.) World-Herald, Feb. 14, 1965]

Cunningham's Mail Report Opens Gate on Complaints

His own experience with a badly damaged painting has brought Representative Glenn Cunningham a rash of complaints from Nebraskans about the rough handling of packages in the mails.

The letters fall into the you-don't-know-the-half-of-it category.

The Omaha Congressman last month received a well-wrapped painting but found that the glass in the frame was shattered. There were parallel marks on the package that he felt could only have been made by a vehicle running over it.

An account of the incident, which had its ironical aspects because Mr. Cunningham is the top Republican on the House Postal Operations Subcommittee, appeared in the World-Herald.

Then came the letters.

An Omaha woman expressed sympathy, but said that "on the other hand I am delighted as now we may get the long overdue investigation into the postal situation or the snafu that it has become."

A Greenwood, Nebr., man wrote that he recently had received a steel toolbox through the mails, then added:

"It was marked received in Greenwood in bad condition; when I opened it, it had two dents in it, both about an inch deep and 3 or 4 inches long.

"The box is of heavy enough gage steel that it would take a very hard blow from a hammer to even dent it. Also one end was caved in."

An Omaha couple complained that "we never seem to receive a package anymore but what it is damaged, broken, smashed and paper torn."

Mr. Cunningham received a copy of a letter that a De Witt, Nebraska woman had sent to Postmaster General John Gronouski.

"We have just recently moved to Nebraska and since moving we have been utterly appalled at the condition of parcel post packages when they reach us," she wrote.

One such package was marked "fragile," she related.

"From its condition," she added, "I can only suppose the postoffice employs an elephant to dance on each package."

An official of an Omaha firm complained about the poor condition of packages mailed by his firm when they reach their destination.

"If things do not improve," he said, "I earnestly believe my business could be seriously hurt by loss of customers."

Another Omahan said he mailed a portrait, after wrapping it to the specifications of the local postoffice, and that it reached the addressee "a total mess."

A Fairbury resident wrote that packages he received looked "like they go through a meat grinder."

One Nebraskan insisted that books he received through the mail were so damaged "that this must have been done deliberately."

Representative Cunningham has thanked his complaining constituents for providing him with more "ammunition."

He said last month that he would ask that the postal operations subcommitee reopen hearings relating to complaints on mail handling.

He blamed the Post Office Department's work measurements, or "speedup" system, for part of the trouble and said mechanization has been "overplayed."

He also accused top department officials of trying to run the postal system "by gimmicks, numbers and alphabetical gimcrackery."

Since the original publication of the story in my hometown newspaper, I have received, as I stated, an amazing reaction from others who know how poor our mail service is. Here are some sample letters which I have received in just a few weeks, and more are coming in to me every day.

January 31, 1965.

Hon. Glenn Cunningham,
House of Representatives
Washington, D.C.

Dear Sir: Supposedly, the Post Office Department saves money by closing its windows across the Nation at 12:30 p.m. on Saturday. Supposedly, the Post Office Department saves money by not selling postal money orders on Saturday. Supposedly, the Post Office Department saves money through the ZIP code, and other systems of that ilk. Supposedly, the Post Office Department saves money. I have never been able to make money by just sitting around and not doing anything, and neither can the Post Office Department.

I have written Senator Curtis asking him the reasons for these supposed economy moves, and he was just as baffled as I am as to why these conditions exist.

Even if I were to receive figures as to how much the Post Office Department supposedly saves, they would no doubt be the type used so readily by President Johnson. Just last year I saved a million dollars by not buying a castle in Spain. I didn't ever have the million dollars in the first place, but, by not spending this nonexistent million dollars I saved it. I think you know what I mean. If there are any figures not of that type on the supposed savings of the Post Office Department, I would appreciate them.

I hope you are able to bring about some reforms in the Post Office Department through your position as a legislator and member of the Postal Operations Subcommittee.

Thank you very much.

Sincerely yours,

————— —————.

February 3, 1965.

Hon. Glenn Cunningham,
Washington, D.C.

Dear Sir: I am glad you are serving on the Post Office Committee. I put in nearly 40 years in the Railway Mail Service and though I am retired I am still interested.

Do you know why the headquarters of the old 14th Division Railway Mail Service was moved to Wichita, Kans.? It does not seem right for the office which is supposed to supervise the Railway Mail Service to be located so far away and especially a city that has so little RPO service.

As for the rough handling accorded your picture as shown in the Omaha World-Herald it was not surprising to me. It seems that our postmaster is so sold on mechanical devices for handling mail in order to reduce the number of employees that one can expect such damage. Also I note they are requesting the large users of the mail to do the work of the post office employees by separating it and tying in bundles. It would be better if the Post Office Department did away with some of the desk clerks who do nothing but figure out impractical ideas and force them on the public, in order to save money.

It seems to me that "service" has been discontinued and that no one cares if the mail is delivered or not. Post Office employees used to take pride in seeing that mail was properly delivered even when part of the address was missing. Now they send it to the dead letter office or return it to the writer as not known or incomplete address.

I had that happen very recently. Just because the star route carrier did not know the party the letter was addressed to, a first-class letter was returned to me with the notation "unknown" on it. As I had plainly written the R.F.D. box number on it I could not see why it was not delivered. I wrote a complaint to the postmaster but his reply indicated that I should have placed in care of the party who has that box number. That is not always possible.

Very respectfully,

——— ———.

FEBRUARY 2, 1965.

Congressman GLENN CUNNINGHAM,
Washington, D.C.

DEAR MR. CUNNINGHAM: I am writing to you in regard to the postal service we are receiving.

I just received a steel tool box through the mail which was well packed, in a box with paper around it. It was marked received in ——— in bad condition. When I opened it, it had two dents in it, both about an inch deep and 3 or 4 inches long. This box is of heavy enough gage steel that it would take a very hard blow from a hammer to even dent it. Also, one end was caved in.

I stopped my carrier the next day and asked him what was going on. He said 90 percent of the packages received in ——— come in damaged condition. He said he thought that most of the damage was coming from nonpostal employees or from contract truckers. If this is the case why can't the Postal Department get a little more strict in who they give their contracts to? I think that we pay enough for postage to at least be able to receive a steel box undamaged.

A voter,

——— ———.

FEBRUARY 3, 1965.

The Honorable GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

SIR: I am writing to commend you in your efforts to have the Post Office Department handle the mail more carefully. Our World-Herald carried the story of you and the picture you received through the mail showing the glass that was broken in handling.

This morning I received a package from the ——— containing copies of ———. I haven't found out as yet how it ever arrived as the outside wrapping was nearly torn off. The deliveryman said that this package was not an exception to the general run of packages.

We appreciate your efforts and hope that you can get some changes made that will remedy the situation.

Very truly yours,

——— ———.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: I am writing to complain about our mail service which has gone from bad to worse. We are living in horse and buggy days as far as our mail is concerned. It was far better when one could buy a postal card for 1 cent and you could mail a letter for 2 cents. And those were the days when we had two deliveries a day.

In spite of the ballyhoo about ZIP code and all it was going to do to speed up mail, we are lucky if we get mail by 3 or 4 p.m. Postage has gone up but service has gone down.

Respectfully,

Mr. and Mrs. ——— ———.

FEBRUARY 5, 1965.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. CUNNINGHAM: I would like to commend you for your blast at the parcel post handling as was reported in the Omaha World-Herald. I have been meaning to write on this matter, and this just helped me along. My small business is almost 100 percent mail order. The utter disregard of our merchandise by the employees at the new Omaha postal facilities, and the poor condition in which our packages are being received by our customers is of great concern to me. Our packages are too small to use trucklines and postal service is our only method of operation. If things do not improve, I earnestly believe my business will be seriously hurt by loss of customers. Thanking you again for your effort, I am,

Sincerely,

——— ———.

JANUARY 31, 1965.

Hon. GLENN CUNNINGHAM,
House Office Building,
Washington, D.C.

DEAR MR. CUNNINGHAM: In a way I was unhappy to read in the World-Herald, of your unfortunate experience concerning the mutilated picture mailed from Omaha. On the other hand, I am delighted, as now we may get the long overdue investigation into the postal situation or the snafu that it has become.

We have relatives and friends in California and we use the mails a great deal and we become more distressed every week with the service we get.

In the past few months we received an aluminum pan that had to be hammered back into shape—a box of chocolates—melted and crushed, and many other near mutilated articles—plus one package that we sent that was never received. A friend across the street brought us a check from Union Pacific that had been "mistakenly" delivered to her.

Let's get on this, GLENN, and straighten out this deplorable situation.

Sincerely,

Mrs. ——— ———.

FEBRUARY 14, 1965.

Mr. GLENN CUNNINGHAM,
Washington, D.C.

DEAR CONGRESSMAN: Your campaign against the rough handling of our mail has prompted this letter. I am surely wondering what is happening to our mail. My daughters in ——— and ——— call by long distance to know why I haven't answered their letters—letters that I have never gotten, and some of mine to them have gone astray. Where does this mail go?

Silverware that I ordered on January 10 from Minneapolis has been sent but never received. General Mills is now investigating. Thursday Mr. ——— received a tube which was supposed to contain a fishing lure. One end of the tube was gone when we took it from our box ——— completely torn off. No lure. He has written the company, but how long can these companies absorb these losses?

Anything you can do will surely be a wonderful service to us. Mail means so much to us all. Mr. ——— and I are retired and it means an extra something to hear from one's family.

Sincerely,

Mrs. ——— ———.

FEBRUARY 9, 1965.

Hon. GLENN C. CUNNINGHAM,
Washington, D.C.

DEAR SIR: We, too, wish to complain about poor mail service. We forgot to insure a package and received a letter from Chicago saying the wrapper came off, although it was wrapped perfectly. The higher the postal rates the poorer the service, it seems.

Yours very truly,

Mr. and Mrs. ——— ———.

FEBRUARY 14, 1965.

Congressman GLENN CUNNINGHAM,
Washington, D.C.

DEAR SIR: I am reporting to you, as have others, that a week ago I received a large package from ——— that was completely demolished. It was a heavy, large suit box. The one corner was completely torn open, the paper wrapping was almost torn off, the cord was loose, and there was one small article in the box and the box was filled with crushed newspaper. I could not tell if it was insured as only the address was visible, the wrapping torn to pieces. It was from relatives of mine who were on their way to Europe, and I cannot contact them as I do not yet have their address.

They are people of means, and it evidently was valuable.

I notified the office here at the time, but could not tell if it was insured. I suppose it was as they always do insure packages.

I thought this, along with what is happening, should also be brought to your attention.

Thanking you,

Mrs. ——— ———.

FEBRUARY 14, 1965.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. CUNNINGHAM: We greatly appreciate your taking an active interest in the matter of damaged mail.

We have had unhappy experiences with damaged parcels not only at Christmas time but also at other times during the year. And this in spite of elaborate packaging which almost makes the cost of mailing prohibitive.

We certainly hope your efforts in this respect are successful.

Sincerely yours,

Mrs. ——— ———.

FEBRUARY 1, 1965.

Representative GLENN CUNNINGHAM,
Washington, D.C.

DEAR MR. CUNNINGHAM: I am greatly interested in an article in yesterday's Omaha World-Herald newspaper, and want you to know I, too, am concerned about the postal service.

Our business is about 75-percent mail orders in the wedding printing line, and I mail out every day. It has gotten to the point that it will take from 5 to 7 days to get a package to ———, a distance of about 30 miles. Our mail, I am told, goes into Omaha and out to ———. Now just what happens to those packages is a good question. Right now I have an order lost between ——— and ———. These I have to make up when they have not arrived in time to be used, as in wedding and anniversary printing time is a factor.

In the past year I estimate I have had to make up about $80 of orders, since they did not arrive in time. I am going to attempt to take this amount off my income tax as it is certainly a loss, and the postal system has caused the loss.

Mr. CUNNINGHAM, I firmly believe the ZIP code is the cause of a great percentage of the lost and missent mail. Our trouble has been much more marked since the postal employees are forcing me to use the code. One postal clerk told me not long ago that it was most difficult to learn all of the figures, that they knew where every town was in Nebraska, and all the major towns in the United States, but it was next to impossible to learn the ZIP numbers. When they are confused as to numbers, naturally those packages and letters are going to be routed wrong.

Anything you can do about this postal service will be greatly appreciated by us. Actually we have had very little loss as to damaged packages; it is the complete loss and the holding up of mail that concerns us.

Yours very truly,

Mrs. ——— ———.

JANUARY 31, 1964.

Representative GLENN CUNNINGHAM,
Washington, D.C.

DEAR MR. CUNNINGHAM: I was most interested in the article in the Omaha World Herald of this date about the mail situation. It is consoling to know you are going to ask your subcommittee to reopen its hearings into the poor service we are receiving.

I have a post office box, and have had for a number of years, and have noticed since the new system went into effect the slowdown in mail delivery to the box.

I was taking some extension course studies from ——— a while back and the delivery was so poor that I paid a high fee to have all of them sent first-class mail so I could receive them without waiting up to 2 weeks after they were mailed to me. Even then, some of them would be a week getting to my box.

I am a secretary in a business office, and we note there also the fact that instead of the mail being speeded up any there is usually a delay in getting most of it.

Keep in there with the investigating—we at home will appreciate it more than you think. So often we just feel there is nothing we can do about it. I have talked with many people whose feeling is the same as mine—that the new system certainly is a dismal failure so far as either speeding delivery, or in the care of the mail in handling. It just does not seem sensible after all the money put into the new system that by this time there is even poorer service than under the old method.

Yours very truly,

——— ———.

FEBRUARY 16, 1965.

The Honorable GLENN CUNNINGHAM,
Congressman, Second District.

DEAR MR. CUNNINGHAM: As a postal clerk I read with interest the article which appeared in the Omaha World Herald. The breakage in the parcel post has increased a great deal since the new facility was built here in Omaha. It would really open the eyes of some of our taxpayers to see the great amount of rough treatment their parcels receive. The crux of the matter is these great labor-saving machines cannot read as our clerks did in the old fashioned way.

Another statement from our Postmaster General struck with great alarm at our ——— here in Omaha. This is the statement that the Postmaster General wants to do away with airmail rates and airlift all mail. This would strike at the very heart of our mobile service on trains.

I find the mobile clerks do have the most pride in the service they perform. In a small group of employees the desire to carry your own job is much more pronounced than in a larger unit. Perhaps Mr. Gronouski thinks he can save money by flying mail but I would be willing to wager it would take more man-hours in a stationary unit to work the mail than it does on an RPO or HPO. At the present time the Department is working to remove mail service from two trains leaving Omaha.

These two trains are train No. 27 and return trip No. 28 from Omaha to North Platte on the Union Pacific. The other train in jeopardy is train No. 17 and return train No. 8 from Omaha to McCook, Nebr. If you think we can be of any assistance please advise.

Thank you in advance.

——— ———.

JANUARY 20, 1965.

Congressman GLENN CUNNINGHAM,
New House Office Building,
Washington, D.C.

DEAR SIR: First of all we want to congratulate you on the election last fall and wish you much success in the coming term. We haven't changed our views one bit on good conservative Government management, so don't relax and let them win you over. One thing that has bothered us for a long time but have neglected airing our views is the postal service and especially the parcel post. We never seem to receive a package any more but what it is damaged, broken, smashed and paper torn. It is disgusting. Sometimes the article inside is damaged. The rates were raised last year and what do we get. The first-class mail was speeded up but now seems to be slower than ever and I can see no good reason for this state of affairs. We are sorry that we cannot say a good word for the whole Department.

Sincerely yours,

Mr. and Mrs. ——— ———.

JANUARY 29, 1965.

DEAR SIR: A situation has been created which I feel you would want to be apprised of. This situation has developed at the total expense of the taxpayer, both in money and loss of service. I herewith emphatically urge a general review of the Post Office policies toward hiring new employees and patron service.

The following are the reasons for my request:

1. During the year 1964, postal employees were reduced or positions reverted (in this particular area) at a percentage exceeding 15 percent. At the same time mail volume had increased 9.9 percent. During Christmas of 1964, our local office was unable to process our own outgoing mail and had to send a larger portion of it to be processed. This was due to lack of personnel and lack of space. Our third-class mail was delayed from 2 to 3 weeks during this same period for the same reasons.

2. Positions in this office have been reverted and thus employment reduced to the point where substitutes have been required to work from 150 to 170 hours every 2-week pay period. This certainly is not in keeping with the administration's policy of war on unemployment or the guidelines laid down to private industry pertaining to overtime, etc. In addition, most substitutes were required to work 7 days a week since as far back as September, although the Postal Manual stipulates that substitute employees are to be used to fill in for absent regular employees and to supplement the regular employee complement (Postal Manual 714.22a). These hours could be reduced and more help employed at a savings, financially, to the taxpayer, and at the same time increase the efficiency of the service.

Instead of progressing in efficiency and conditions through the years, the postal department has reverted to the conditions that existed 10 years ago.

The consensus of opinion is that this is not a local problem but rather that it must be fought through the regional office in ——— or the Post Office Department in Washington, D.C., hence this letter to you asking for help in this area.

I am asking you to help repeal the Whitten amendment, hire more employees, and elimination of sweatshop tactics in our post offices. In this way the American public can best be served both by making available more positions and by a much more efficient postal service.

Sincerely,

——— ———.

JANUARY 31, 1965.

Hon. GLENN CUNNINGHAM,
House Office Building,
Washington, D.C.

DEAR SIR: I have just read the article entitled " 'Speedup' Blamed for Damaged Mail" appearing in the Omaha World-Herald, Sunday, January 31. I wish to commend you for bringing this matter to public attention.

Postal employees throughout the country, who take pride in their work, are very much concerned about the service and conditions mentioned in this article. Although we have to take the brunt of public complaints, criticism, and blame, it is our fault and we have very little power to make corrections.

An investigation of reasons for poor service and inefficiency might very well begin in your home post office in Omaha. Some questions which could bring interesting answers might well be as follows:

During the just-passed Christmas operation how many clerks were needed to rewrap parcels damaged by sorting machines? How many hours did they use at what cost? How does this compare with "money saved" by using machines?

If I or any member of the organization I represent can be of any help to you in your investigation of postal operations, please do not hesitate to call upon us. I, personally, will put myself at your disposal in any way that I can be of help. We will welcome the chance to again take pride in our product, which is good postal service to the American public.

Sincerely yours,

——— ———.

FEBRUARY 4, 1965.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: I should like to write and thank you for the copy of "Washington Report" I received in the mail today and ask that my name be put on the list. As a registered voter ——— I appreciate very much the fine representation you have given our district and, as a postal employee, I especially appreciate the fine work you have done on the Post Office Committee. I was pleased to read in last Sunday's World-Herald the statements you made concerning the damage and delay to mail that is happening since the advent of "automation." I am employed in the ——— of the post office and feel that the concentration of mail in huge sectional center facilities as opposed to the "en route distribution" is in many ways causing the delay and damage that the mail is suffering now. I realize this is the plan of the Department and picture of things to come, but I feel that "automation" won't cure all the ills if the human element is left out.

As I have written you many times asking for support of postal legislation and other favors, I felt I should tell you that I appreciate your fine efforts especially concerning the Post Office Department.

Sincerely,

——— ———.

FEBRUARY 4, 1965.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I would like to register a complaint to you about our postal service. For some reason, the Postal Department has discontinued parcel post deliveries on Tuesdays. I have talked to the local postmaster and he informs me the Department gave him orders not to deliver parcels, and is not even allowed to go through the parcels to find one when someone asks him to. He has dug them out on various occasions but he is going against his orders and we do not wish to get him into trouble. We get pharmaceuticals for prescriptions about every day and it makes it bad to not be able to get them on this particular day. I suppose that you have had the same complaint from scores of other people, so would like to add mine. I can't really think of any good reason why the Post Office Department made this ruling, but in my estimation, I think that it is stupid.

I don't suppose anything can be done about this situation, but just the same I would like to register my complaint.

Yours sincerely,

——— ———.

FEBRUARY 15, 1965.

Representative GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: I am writing you in regards to the poor postal service we are putting up with these days. It seems to have hit an all-time low. As a member of national opinion poll, all our mail is important. Though all mail is properly addressed, stamped, return addressed and ZIP coded, it is either not received or returned. Also when it is received it is damaged in transit regardless of care taken in packaging. This December I personally sent three children sums of money in three envelopes ($6 total) to ———, distance 18 miles. It never was received. This is not a large sum, but as a submarine widow living on a small pension it does count in my livelihood. Not being a Bobbie Baker or residing in a country receiving foreign aid from the American taxpayer, maybe I expect too much, but when I have to pay for mail not delivered or damaged en route then I must say this U.S. Postal Service is the lowest, inefficient service I have witnessed in my 59 years.

Yours truly,

——— ———.

FEBRUARY 8, 1965.

Congressman GLENN CUNNINGHAM,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CUNNINGHAM: Upon review of the article and picture that appeared in the Omaha World-Herald on January 31, 1965, I can sympathize with your problem from firsthand experience. It is my assignment as a postal clerk in the ——— office to answer telephone inquiries of all kinds and to furnish information and advice to postal patrons. It is becoming quite a routine matter to advise these patrons on procedures in securing damages for parcel post packages received in bad order.

Since the Post Office Department has placed heavy curtailment of manpower levies on individual post offices, and administrative workloads have been increasing by leaps and bounds, primarily due to such programs as individual work measurement, cost ascertainment, POMSIP, BOMPOP, ZIP coding, ABCD, NIMS, and others whose values have yet to be established. Postal employees left to actually distribute the mail are under such production quotas that they simply do not have the time to be careful or accurate in the distribution of mail.

Since the effectiveness of individual work-measurement has been watered down to a point where it is almost nothing but a bother to postal clerks and their immediate supervisors alike, its elimination alone could convert over 100 each 4 weeks to mail production operations at ———. Many other similar savings in manpower hours utilized in other above-mentioned programs could be realized if these programs could be eliminated.

A word about the problem of substitute employment in the postal service might be appropriate here. A continued schedule of 12 hours per day, 6 days a week certainly is not inducive to good health, accurate distribution and careful handling of delicate packages. Simple arithmetic shows us that for every two men working 12 hours a day, three could be employed 8 hours a day. Elimination of substitute employment would offer many benefits to the public, the economy of the Government, and to the well-being of those currently employed in this status. Sick leave abuses would be reduced, more accurate distribution and care of the mail could be expected, and more people could be employed—all without cost to the Government.

It is hoped that you will endeavor to see that these reforms are realized during the 89th congressional session.

Yours truly,

——— ———.

Congressman GLENN CUNNINGHAM.

DEAR CONGRESSMAN: It seems it is time someone starts giving us a little consideration on this postal situation. The public have gracefully accepted higher postal rates right along, but it is about time we get value received. The only packages I send or receive are from or to Denver, Colo., which isn't very far and doesn't require too much handling, but what a mess they are. Packages containing clothing or such come boxes broken, paper torn and in bad shape, but of course nothing to break. Last year my gift from Denver broken in a million pieces. This year a breakable gift arrived very well packed, but an arm broken off of a very nice figurine. The party didn't insure so is a complete loss. The gift I sent was well packed in a carton packed by the manufacturer. These packages both were well marked "fragile." Mine arrived broken, but I had it insured so had to take time to file a claim at the post office, the party on the receiving end had to deliver the damaged goods to their postal people, and I have to start all over buying another Christmas gift. There is no compensation for the inconvenience on both ends. Then the postal clerk told me not to get alarmed if I don't hear about it for 3 months, they are so busy and have so many claims.

Really, Mr. Congressman, John Q. Public deserves more than this. Sometimes these broken things cannot be replaced, so it is time we begin to be considered a little. I am sure there is a cure for this reckless handling and we are depending on you to help us.

Thank you for your interest, I remain,

Respectfully,

——— ———.

FEBRUARY 10, 1965.

Mr. GLENN CUNNINGHAM.

DEAR SIR: We read your article about the mail service and we agree.

I have trouble getting my magazines, sometimes they are left someplace else, are torn, and sometimes I don't get them.

We have several different men carrying our route. Don't see why we can't have a regular carrier.

Yours truly,

Mrs. ——— ———.

FEBRUARY 23, 1965.

Congressman CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: I was elated to read in the Omaha World Herald of your interest in the type of postal service that is being given to the citizens. Please keep up your inquiry and your interest in this situation. I, too, have had some very unpleasant experiences with the delivery of parcels. I feel some change in the present method is much needed.

Thank you.

Mrs. ——— ———.

FEBRUARY 5, 1965.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: Please add my name to your mailing list for "Washington Report." I have gotten a few in the past but am not sure that my name is on your list.

The postal service in my area is careless and irregular. Letters and magazines come torn and mangled. Other mail is miscarried and never received. Perhaps you could look into this matter and legislate some improvement.

Sincerely,

——— ———.

FEBRUARY 19, 1965.

Representative GLENN CUNNINGHAM,
Washington, D.C.

DEAR SIR: Also glad something is being done re rough handling of mail. A year ago Christmas I sent a well-wrapped fruitcake to Ohio. After quite some time I received what was left of the wrapping, which happened to have my return on it. Always wondered who ate the cake.

About a month ago we shipped an FM radio to Oregon—very well packed and tied—marked "Glass, fragile." It was received in shambles. Glad it was insured.

Sincerely,

——— ———.

FEBRUARY 22, 1965.

The Honorable GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: First let me thank you for your untiring efforts on behalf of the postal service and the postal clerk. I have followed newspaper articles recently in regard to damaged parcel post with a great deal of interest. During the Christmas rush I worked ——— in the new Omaha Post Office Building and I can only say that it is disgraceful that parcel post should be subjected to the treatment that it is. Several clerks were on duty doing nothing but rewrapping and caring for damaged parcels.

It is in regard to another phase of the postal service that I wish to bring your attention. It is my firm conviction that the postal service is becoming worse and worse each year. One of the reasons for this, as I see it, is the attitude of the Post Office Department toward good service. The Department is so bent on keeping distribution of mail off the trains that it deliberately delays mail in order that it can be distributed in a post office.

The present concept of postal service is to divide a State into a number of areas. Within each of these areas is a post office, which is designated as a sectional center. Mail from all post offices within this prescribed area is trucked to this sectional center to be distributed and then trucked back out again to the numerous post offices for delivery. Trains moving from one end of the State to another carry mail to and from many of these sectional centers. Before a mobile postal clerk may distribute these packages of letters labeled to a sectional center he must have authority from the Department.

One train arrives in Omaha shortly after ———. Packages of letters that are picked up en route labeled to the sectional center facility, Omaha, Nebr., must be dispatched, according to present instructions, to the Omaha Post Office for distribution. Yet within these packages are letters for offices on star routes leaving Omaha too soon after the train's arrival for the Omaha Post Office to make connection. These circumstances have been called to the attention of postal officials, but to no avail. Direct pouches are made by this train for offices on these star routes so that connection from the train can be made upon arrival in Omaha, and yet clerks are not permitted to rework these packages so that the mail contained therein for these star route offices can be included.

I expect that the Post Office Department would deal rather severely with me if they were to learn of this correspondence with you. Therefore, I must ask that you not divulge the source of your information. If I could be sure that my job were not in jeopardy by doing so, I would be happy to be more specific. I am deeply disturbed at the trends in the postal service and would like to be able to do something about it.

Respectfully,

——— ———.

FEBRUARY 8, 1965.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. CUNNINGHAM: Please keep on with your efforts with reference to careless handling of mail—particularly the matter of mail being held until there is a bunch large enough to make a delivery worthwhile for the mailman.

Sincerely yours,

Mrs. ——— ———.

FEBRUARY 19, 1965.

The Honorable GLENN CUNNINGHAM,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CUNNINGHAM: A few weeks ago I read an article in the World-Herald concerning the poor delivery of a package to your office in Washington. I would like to tell you what I experienced recently with the Post Office Department.

Before Christmas I ordered a box of holly from a grower in Portland, Oreg. It was to be sent airmail and special delivery. The package was mailed from Portland on December 19 and arrived in Omaha on December 21. However, it was not delivered to my home until January 12. And, of course, by that time it was in no condition to use, besides being out of season.

Now the big question is—where was the package from December 21 until January 12? It was not a small package which might have been misplaced easily.

I called the post office the day the package came and took it there the next day. After some kind of "investigation" I was told they could only pay for the postage since the package was not insured. I have $5.50 invested and as far as I am concerned it was no one's fault but their own—so why shouldn't they pay for it all? The package was clearly addressed and plainly stamped that it arrived in Omaha on December 21, and also without a question anyone would have known that holly was in the box and it was perishable. Do you have any suggestions?

Sincerely,

——— ———.

FEBRUARY 15, 1965.

Congressman GLENN CUNNINGHAM,
Washington, D.C.

DEAR MR. CUNNINGHAM: I take this cpportunity to encourage you in your effort to secure more conscientious mail service. I cannot understand how this service could have deteriorated so rapidly.

Sincerely,

——— ———.

FEBRUARY 5, 1965.

DEAR CONGRESSMAN CUNNINGHAM: Our Time magazine, that once used to be delivered on Tuesday, is now almost always delayed until Friday's delivery. By this time, the news is stale. I am assured by Time, Inc. that they are not at fault. I have called our local branch post office at least four times about this magazine and also the TV Guide which is sometimes delayed until the week of programing. Each time I am told that the magazines are being sorted "here on the floor." Does it really take 3 days to sort? What do the mailmen do with their afternoons, now that they make only one delivery a day?

Mrs. ——— ———.

FEBRUARY 10, 1965.

Hon. GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR GLENN: I was very interested in the story in the paper about the picture you received which was all smashed. It seems that the mail for ——— gets similar treatment. Almost every time we send a package to New York it gets there via a special station the Post Office Department seems to have established to handle damaged mail. The delay is sometimes 4 to 10 days.

One envelope that New York mailed to me here in Omaha was 10 days late in arriving although it was sent via airmail with plenty of postage affixed.

I have instructed our people to send no packages unless they are wrapped with strong cord, but even this does not stop delays.

Very respectfully yours,

——— ———.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.:

Please do something about this impossible mail situation.

Mrs. ——— ———.

Congressman GLENN CUNNINGHAM,
Washington, D.C.

DEAR CONGRESSMAN CUNNINGHAM: I could go on and on about the post office deal, but it doesn't seem to do any good.

Our mail and packages arrive torn up and probably things lost out. A package laid in the post office for 25 days and we went to check and it was there marked "wasn't home when we tried to deliver it." No word followed. Also, a package was lost and all they said was oh, people lose more valuable things than that.

——— ———.

FEBRUARY 7, 1965.

Hon. GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Mr. ——— sent me a copy of the clipping which appeared in the Omaha World-Herald, "Speedup Blamed for Damaged Mail."

I read with interest the entire article and wish to commend you for the stand that you have taken and for putting the blame where it belongs in regard to the deteriorating postal service. I also appreciate the fact that you have given the career postal employee a pat on the back for doing a fine job.

There are many facets of our operation that we do not condone but of which we have no choice because of management and the Hatch Act. In spite of Executive Order No. 10988 and the signing of the national agreement and local contracts the situation is not getting better. In fact, I do not feel that management is living up to the Executive order, and I do know that management is breaking both the national and local contracts. I know this to be true in the Wichita region and even after you prove local management has violated a contract the most we get out of region is that local management gets a slap on the hand and then given a green light to do it again.

Again I wish to thank you for your interest in the postal service as well as our welfare.

Sincerely yours,

——— ———.

FEBRUARY 1, 1965.

DEAR MR. CUNNINGHAM: After reading the article in the Sunday World-Herald of January 31 I couldn't help writing to you of my experience with our mail service. To me it is getting worse every year. I never get a box of ceramic glazes that one or two bottles aren't broken or a package from Montgomery Ward that it isn't crushed, box and all. Looks like they go through a meat grinder. Machines can do so much but hands are needed for fragile mail. We have a laundry here that put in a machine to iron dress shirts and I never saw such a mess. This mechanical age is disgusting.

I had from my childhood home an old magazine rack. By the time it left Omaha it had damage written all over it and by the time it got to ——— the glass was all broken and something had cut into the frame. And also into scenery. You can't replace a family heirloom. This was probably 65 years old as my folks were married in 1900 and it was a wedding gift. The insurance on it was $20 but they only paid for fixing it up. That didn't help the frame much as things were finished differently years ago—more complicated. I think my sister got a little over $5 for it. I think if they had to pay more something would be done. I collect nearly every time I send a ceramic piece no matter how good I pack it. Since postage is so high it costs more for the packing weight than the actual merchandise.

I've got so I just don't send expensive wares any more.

This is just another disgusted Nebraskan when it comes to using the mails to transport our merchandise.

Sincerely,

——— ———.

FEBRUARY 14, 1965.

Hon. GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. CUNNINGHAM: According to the attached clipping, you can use information about poor mail service. Here is my tale of woe.

Three glass trays—not delicate glass—were wrapped separately in several thicknesses of newspaper, each wrapped tray separated from the other with plenty of excelsior, packed in a heavy carton, taped, the carton wrapped in a heavy kraft paper, taped, and tied with stout cord. The package was stamped "fragile" six or eight times. When it arrived here from ——— each tray was broken into small pieces. I am out $6 for the trays, plus $1.20 postage, as the package wasn't insured. In the future we shall use express instead of the mails.

It is good to know you are attempting to do something about this deplorable situation.

Yours very truly,

——— ———.

Mr. Speaker, the big wheels of the Post Office Department can say all they want to about how great our mail service is and can continually float trial balloons as to new methods of handling our mail. But, Mr. Speaker, the facts speak for themselves. In short, the service given today by our Post Office Department "stinks."

LUBBOCK EXCHANGE CALLS COTTON PROGRAM A FAILURE

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, one of the most devastating indictments of the so-called one-price cotton program was issued by the Lubbock Cotton Exchange of Lubbock, Tex., on February 25.

A letter from the exchange to me repeats what I have been saying for months: The program is not working; it has caused a sharp drop in cotton exports; it has caused heavy increased costs to taxpayers; it has caused a buildup in Government stocks; it has reduced income for cotton farmers; it has destroyed much of the private enterprise merchandising system for cotton, and replaced it with bureaucrats.

The Lubbock Exchange draws conclusions, to which I take exception.

The best way out of the mess is lower price supports, not the direct payments urged by the exchange. However, the direct payments are much to be preferred over the present legislative monstrosity.

In this connection, I doubt the accuracy of the exchange's conclusion that wheat farmers are satisfied with the payment program now in effect.

However, the exchange has rendered a great public service in documenting the colossal failure of the present cotton program.

Here is the full text of the exchange's analysis:

LUBBOCK COTTON EXCHANGE,
Lubbock, Tex., February 25, 1965.

Congressman PAUL FINDLEY,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FINDLEY: This is to be a lengthy letter and I beg of you to please read its entirety as it is the only way we have of conveying to you the seriousness of cotton and the cotton industry. The present cotton program is not working successfully. It has brought about a decrease in cotton exports, an increase in Government cotton stocks and much added costs, and a reduction in the cotton farmers income.

For a period beginning August 1, 1964, to the present, cotton exports are about 40 percent of what they were a year ago during this same period. Exports in the 1963–64 season were 5,700,000 bales. The U.S. Department of Agriculture estimates that exports for the current season will reach approximately 4,500,000 bales. The cotton trade believes the export figure will be somewhere around 3 million bales. Up to February 9, 1965, we have only exported 1,758,000 bales. As of now, the total number of bales that have been taken into the loan this season is 6,946,000. We have redeemed 832,100 bales up through February 5, 1965. The Government has 10 sales programs currently being conducted. Cotton sales of three of these programs are listed below, these figures being the sales through February 8, 1965:

NOC–26	1, 722, 986
NOC–28	478, 154
NOC–29	486, 456
Total	2, 687, 596

The figures on the other seven programs are negligible and would not affect the above figure. As you can see, the Government has accumulated over 3 million more bales added to their already tremendous stock. The Government stock August 1, 1961, was approximately 1,485,000 bales. Today it is pushing the 14 million bale mark and is costing the Government hundreds of millions of dollars to carry on this program.

The cotton marketing co-ops in Texas have been a detriment to the marketing program. Unfortunately, they are encouraged by the Department of Agriculture. Some of these co-ops have cotton storage facilities and offer premiums to producers to surrender control of cotton to them after which a good percentage of this cotton is dead to the market as storage fees are more profitable than what these co-ops can garner for merchandising operations. The Government, of course, is paying the bill.

On the south plains of Texas, we raise approximately 2 million bales and the past two seasons saw 60 to 70 percent going into Government loans through co-ops and form A's. As you know, the Commodity Credit Corporation ran completely out of money and 2 weeks ago was appropriated another $1,600 million to carry on for the balance of the season.

In years past, the Department of Agriculture would confer with the cotton trade relative to what was needed, but this is no longer the case. Last season, the Department secretly conceived and suddenly announced the NOC–25 program whereby charges on form G and form A were canceled with the Government taking the loss on all these carrying charges. No one can estimate the loss to merchants who were then carrying stocks of cotton and bearing all the cost of the carrying charges. This action shook the confidence of the entire legitimate cotton trade which resulted in hand-to-mouth buying and forced more cotton into the loan.

The elimination of micronaire premiums and discounts in the loan was a damaging factor for cotton. Premiums and discounts are now figured by the Government in its sales of acquired cotton while cotton continues to enter the loan with no distinction between low and high micronaire readings. New crop sales are adversely affected as a result of this. We urge restoration of the premiums and discounts in succeeding loans.

In Lubbock, Tex., alone, there have been 22 legitimate cotton offices closed in the past 2 years and these were all tax paying firms.

There is only one simple solution to this serious condition and that is to pay the farmer a direct subsidy. The direct subsidy should be supplemented by support prices at a level that will permit cotton to move at the world price. Give them enough subsidy that they can survive and let them sell their cotton whether it go export or domestic. This will eliminate the tremendous Government cost and the cotton merchants of the United States will find a place somewhere in the world for every bale of American cotton. It will eventually restore our future markets whereby the cotton merchants can again stock cotton and protect themselves by hedges in the future market. The Talmadge-Humphrey bill provided for a direct subsidy when it was introduced into Congress last year. This is the best farm bill that has been presented to the Congress in many years. Our Congressman told us that the farmers did not want a direct subsidy. We have talked to thousands and they certainly do not oppose taking the subsidy. Wheat producers receive a direct subsidy and are very much satisfied with this direct subsidy.

The survival of the cotton industry depends on your decision, and we plead with you to study this carefully and help us in our fight to survive. If you should want any information, we shall be glad to help in any way we can.

Yours very truly,

IDRIS TRAYLOR,
President.

A FURTHER COMMENTARY ON OUR ECONOMIC STATISTICS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, on October 15, 1963, I inserted in the CONGRESSIONAL RECORD, volume 109, part 14, pages 19584–19588, a copy of an article on our economic statistics by Oskar Morgenstern, of Princeton University. The article was critical of the methods of collection of our statistics and particularly urged that more attention be given to determining the margin of error in our economic statistics. Subsequently, I received a great number of comments from economists supporting the general observations in Dr. Morgenstern's article. These were inserted in the CONGRESSIONAL RECORD, volume 109, part 7, pages 22849–22852.

On February 27, 1964, I inserted in the CONGRESSIONAL RECORD, volume 110, part 3, pages 3934–3939, a thorough and scholarly commentary on Dr. Morgenstern's article prepared by Raymond T. Bowman, Assistant Director of the Bureau of the Budget.

I have now received a reply to Dr. Bowman from Dr. Morgenstern. In the letter to me from Dr. Morgenstern of October 6, 1964, he states:

> You will recall the letter by Mr. R. T. Bowman, which you inserted in the CONGRESSIONAL RECORD and which was reprinted in the American Statistician, volume 18, June 1964. I have written a reply to Mr. Bowman's piece, and it will appear either in the October or December issue of that periodical. I am enclosing a copy of my paper, hoping that you may be interested. The whole matter came up at a meeting of the Federal Statistics Users Conference last week in Washington.

In order to move the dialog forward on this important subject, I include a copy of Professor Morgenstern's remarks in the RECORD at this point:

FIDE SED ANTE VIDE—REMARKS TO MR. R. T. BOWMAN'S "COMMENTS"

(By Oskar Morgenstern, professor of political economy, director, econometric research program, Princeton University, September 1964)

Mr. Bowman's detailed "Comments" (in the American Statistician, vol. 18, June 1964, pp. 10–20, reprinted from the CONGRESSIONAL RECORD, volume 110, part 3, pages 3934–3939, as a reply to a request by Congressman THOMAS B. CURTIS) on my paper in Fortune (October 1963) "Qui numerare incipit errare incipit" gives opportunity to state very briefly some of the points where we agree and where we differ. The justification for the following remarks lies first in the basic importance of the issue of error in economic statistics. Second, recognition of error becomes much more important than before because economics has entered a phase where quantitative statements about the economy and the consequences of economic policy are fitted into econometric models. Finally, large-scale computations are becoming more common (and will surely increase in scope over the years). It is, of course, pointless to compute if one is unsure of the figures with which one calculates and if one does not appreciate what the computer may do even to faultless figures if sizable computations are made.

Mr. Bowman expresses a great deal of agreement with my views and this gives me much satisfaction. The agreement is that there are errors in our statistics, that we must try to locate them and to make them as small as possible. The valuable bibliography attached to his paper documents the great efforts made by many Government institutions to do precisely this. There was never any doubt about this type of work, and in my book "On the Accuracy of Economic Observations" (Princeton University Press, Princeton, 1950, second completely revised edition, 1963), I have repeatedly commented on this fact and paid my respects to the many persons and offices engaged in providing the public with information of a statistical kind. Nor is there any doubt about the enormity of the effort required nor about the perpetuity of the task. When one source or type of error is brought under control others appear and sometimes fundamentally novel situations arise such as when previously inaccessible, large-scale computations become possible.

I would add, however, that I am disappointed to see in Mr. Bowman's paper a lack of appreciation of this situation and of awareness of the depth of the error problem in science in general. About this a few more words later. The position taken is basic, however, for the manner in which to deal with the prevalence of error, i.e., the fact that in any empirical field we can never free ourselves from our inability to "know" whatever we wish to observe, to measure, and to know, to any arbitrary level of precision.

Since errors exist, we must try to understand their nature, origin, extent and persistence. We must learn how to live with errors. To take an optimistic view that they will cancel out and somehow disappear or that they always go in the same direction is insufficient. If they do cancel out in some cases, they may fortify each other in other cases. If they are highly and positively correlated, as Mr. Bowman repeatedly emphasizes, and if they were constant additive or multiplicative components, they could be simply removed. However, this is not done; and this does not surprise me because such an assumption does not correspond to the facts. Nor is it clear which errors are allegedly so correlated, certainly not sampling errors unless the same sample were used in each case; but this would produce bias problems. Neither can the sampling error include the observational error. These are two quite distinct types of error and, if the sampling error is to include the other, then we have no useful concepts at all. But Mr. Bowman also recognizes that data whose accuracy is unknown are questionable measurements; yet he does not indicate what to do with such measurements. We can then only say that they are unreliable and unsuited for policy decisions.

Mr. Bowman's main concern, however, is with my discussion of growth rates. In my book they occupy only a relatively small part but even that is not properly considered by him. Instead, he limits himself to the Fortune paper which gave only an extract of what I had to say in my book. To begin with, there is no question but that growth rates taken over very long periods appear to become rather insensitive to errors in the underlying data, as is explained amply in my book. So Bowman's comments to that effect add nothing at all to my exposition which being much more detailed contains both examples and a mathematical derivation of this fact. Yet he is involved in a peculiar though rather obvious self-contradiction: stating at the beginning of his paper that for long periods, say 1909 to date, there have been such profound changes in the composition of GNP that the economies of the two distant points in time are virtually incomparable—as are different countries in widely different stages of development—he nevertheless wishes to use the reliable growth rate. It is only reliable because of this great time span. The further, far more important, fact is, that growth rates are not primarily used for making such long-range comparisons. Rather they serve to justify policy measures for which yearly or even quarterly rate changes are important and are being used. There the picture is entirely different as the following demonstrates.

Though it is my contention that it is physically impossible to measure GNP or national income without any error at all, I shall, in the following table, neglect any possible hypothetical errors and only consider the changes which were made in the official, allegedly, or at least presumably faultless data. These changes are corrections. There is no need for such if one has made a true observation in the first place; but one clearly has not done so and it is doubtful that the last reported figure for GNP or national income (or for any other observation) is free of error merely because it has been corrected, perhaps even several times. Tables 32 and 33 of my book (pp. 295–296) give the U.S. growth rates for successively corrected national income 1948–61. A summary computation based on all changes made extends table 33 there and is as follows:

Statistics of alternative growth rates of national income for the United States, 1948–62

	First	Last	Maximum	Minimum	Mean	Standard deviation
From 1947 to 1948	10.7	12.7	14.7	9.3	12.29	0.05
From 1948 to 1949	−1.2	−2.5	0	−4.4	−2.68	.09
From 1949 to 1950	6.3	11.1	11.8	6.3	10.77	.03
From 1950 to 1951	17.0	15.4	18.5	14.0	15.60	.02
From 1951 to 1952	5.2	4.6	5.9	3.6	4.69	.03
From 1952 to 1953	5.9	4.5	6.2	3.3	4.55	.05
From 1953 to 1954	−2.5	−1.2	0	−3.0	−1.23	.17
From 1954 to 1955	7.4	9.4	10.6	6.7	9.06	.07
From 1955 to 1956	6.2	6.2	8.8	3.6	6.31	.15
From 1956 to 1957	4.5	4.5	7.1	2.0	4.71	.15
From 1957 to 1958	.6	.1	2.7	−1.7	.25	.67
From 1958 to 1959	10.5	9.0	11.0	8.3	9.03	.02
From 1959 to 1960	4.7	3.6	4.7	3.6	4.08	.01
From 1960 to 1961	3.0	2.6	3.6	2.0	2.73	.03
From 1961 to 1962	6.3	6.4	7.3	5.4	6.4	.03

The table shows the growth rates from each year to the next (1) using the first published figures, (2) using the last published figures, (3) the maximum growth rate obtainable from the official figures, (4) the minimum obtainable growth rate, (5) the mean of all the values as calculated for each year of the table, and (6) the standard deviation of these values. The second decimal in the mean and in the standard deviation is obviously a computational consequence.

In none of these figures has any assumed error been introduced as was done in the table of my Fortune paper where plus-or-minus errors of 1, 3, and 5 percent for successive years were assumed and growth rates were shown to be correspondingly affected. (This was again an excerpt from my book where, in chapter XV, the whole matter is investigated in appropriate detail.) Now Mr. Bowman seems to object to the idea that the data contain any errors at all; but he cannot object to the successive official revisions the consequences of which are shown above. What is or was "the" growth rate? "You pays your money and you takes your choice." I shall dispense with any further interpretation but would at least point to the change in sign even for 1957–58. The main interest is for the big differences between the first and the last rate. Policy decisions based on the first would in several instances have been quite different had the last figures been available. The more recent figures will also be revised over the coming years but everyone knows how the Council of Economic Advisers uses the first one available to tell the country in no uncertain terms how things are going and what the right policy is.

And all this abstracts completely from any error which, of course, has to be present and whose workings are evident even from the revisions, though these do not necessarily remove it. An interesting operation is to repeat the above extensive computations by introducing the ± 1-, 3-, 5-percent errors with which one of my original tables was concerned. It is clear that the picture does not and cannot improve. I shall, however, not take up space by exhibiting these calculations.

All this is, of course, subject to the criticism that it is impossible to talk sensibly of the "growth" of a whole economy by determining only one single number arrived at in such primitive manner, errors or no errors in the observation. From a strictly scientific point of view, which I am confident sometime will prevail, this alleged measurement will hardly appear as conforming to the contemporary standards of science prevailing in physics, chemistry, or biology of today. As I have said elsewhere, would anyone describe the development of a human being by one summary figure? How could it show increase in height, weight, intelligence, knowledge all at once?

There are a number of exceptions that have to be taken to other points made by Mr. Bowman. Of these I mention only two:

1. It is asserted that if two or more series "move together," we can conclude that they are valid. This is stated for the two unemployment series and for the original and revised national income series. Such an argument is completely untenable; it reminds one of the well-known pseudocorrelations which have been so severely criticized in the literature ever since they first appeared and which, as a consequence, are now only seldom found. It is regrettable that this faulty argumentation is now used in a slightly different context. In this particular case (referring to the chart which Mr. Bowman uses on p. 15 in order to illustrate that covariation prevails in spite of data revisions) the point is further obscured by the existence of trends. If these were removed it is not even clear that the series would "move together."

2. The comments on rounding of figures and the retention of insignificant figures are entirely unacceptable. The two are not even necessarily related.

The problem of rounding is in some respects a very deep one and is extensively dealt with in chapter VI of my book, but no reference is made in Mr. Bowman's paper to that discussion. I have examined it especially for the case of inversion of large scale matrices as they occur, for example, in input-output studies. Computation is in general complicated especially when the given figures contain errors as all economic data must do. Pounding away of insignificant figures is pointless; worse, it pretends accuracy and falsifies measurements. Insignificant figures and digits must always be gotten rid of no matter where they occur. Being insignificant, they can never do any good. In particular, they can never by a somehow mysterious process give a better picture of changes in economic processes. What is "significant" is, of course, a matter that also requires cognizance of the fact that measurement is always related to its use, in other words to a theory. Mr. Bowman says nothing about this.

So I am brought back to the point mentioned earlier that we are here discussing something much deeper than just some official statistics and their makers. It is not enough to admonish the public, as Mr. Bowman does, to use Government statistics with care and caution and to consider the copious qualifying footnotes too often attached to them. The various Government agencies should set the example. But they apparently do not know themselves how to handle the complicated footnotes and commentaries they are producing to their mutual discomfort. How else can one explain the sad fact that the Government uses statistics carelessly, reports absurd, alleged changes in price levels, employment, the balance of payment, private spending, etc., rates of only one-tenth of 1 percent and considers these to be "significant." The Government knows without a shade of doubt how much the productivity of an industry or of the whole country has increased from one year to another. And so it goes on. Important policy decisions affecting the well-being of the Nation are based on such "measurements."

It is the business of the makers of statistics to prove the degree of accuracy they claim for the data they present. That also implies justification of the concepts used in their collection. Errors must be estimated, no matter how difficult and painful this prove, so that the data can be used properly. The point is that it is far more demanding to use imperfect rather than perfect information in a scientifically and politically acceptable manner. This carries over to all manipulations to which the data have to be subjected.

The frequently heard argument that bad statistics are better than none is worthless and has very dangerous implications. The worst possible thing is to treat them as if they were without blemish. Such an attitude not only puts a brake on efforts to improve the data, but far more important, it is contradictory to the spirit in which science and government must progress.

GUARANTEEING TAX EXEMPTION OF ADVERTISING INCOME FOR PUBLICATIONS OF CERTAIN ORGANIZATIONS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, in the last Congress I introduced two bills, which I am reintroducing at this time, designed primarily to give the Congress an opportunity to review the judgments it made in 1950 in respect to the taxation of income of nontaxable organizations derived from the operation of income producing activities. The crux of the problem lies in establishing the lines of demarcation to determine what activities are sufficiently closely associated with the purposes of the organization which render it nontaxable in the first place to justify holding revenues derived therefrom nontaxable. The other side of the coin is the inequality in competition which is created by exempting from taxation income from activities engaged in by taxable business organizations which in effect are in competition in a same line of endeavor with the nontaxable organizations and yet are taxed.

I introduced these bills in the last Congress primarily to put a stop to the Treasury Department placing its judgment ahead of the Congress to establish new lines of demarcation through the technique of issuing new Treasury regulations, and to permit the Congress after full public hearings of people on all sides of the issues, including the Treasury Department and IRS officials to render any new judgments that seem desirable through law, not executive rulings.

The remarks I made at the time of introducing the bills in the last Congress are still pertinent. They are as follows:

> Mr. Curtis. Mr. Speaker, the effective administration of our tax system makes it necessary for the Internal Revenue Code to be implemented by detailed regulations which serve as a vehicle for carrying out the legislative objectives and intent of the Congress. In general, the record of the Internal Revenue Service in preparing and promulgating regulations within the purview of the revenue laws enacted by Congress is commendable. However, because of the vast complexities of our tax system and its administration and, from time to time an overzealous attitude on the part of certain of its officials, the Internal Revenue Service has sometimes exceeded legislative authority in its attempts to exact revenue.
>
> When an executive branch of Government invades the exclusive power of Congress in an effort to legislate by regulation, redress may be had in the courts through a long, tedious, and expensive procedure which may result in irreparable damage even if the litigant is successful; or Congress of its own initiative may speak through the legislative process to thwart the attempted invasion of its prerogatives.
>
> My remarks today are directed toward statements made by officials of the Internal Revenue Service that a regulation will be proposed which will have the effect of taxing the income of publications of tax-exempt organizations even though such publications may be substantially related to the tax-exempt purposes of such organizations.
>
> The statute under which the Internal Revenue Service intends to propose a regulation is the Revenue Act of 1950. This law was enacted for the purpose of curbing a growing abuse on the part of certain tax-exempt educational institutions that were acquiring regular commercial businesses not substantially related to their tax-exempt purposes aside from the need for income. The focal point of attention at the legislative hearings and in the congressional committee reports preceding passage of the Revenue Act of 1950 was the acquisition by New York University of a macaroni factory.
>
> In his testimony before the Senate Committee on Finance, the then Secretary of the Treasury Snyder said:
>
> "Our tax laws have long recognized the principle that organizations operated for worthy public purposes should be encouraged by tax exemption."
>
> About the provisions of the bill which would subject to tax the income of a substantially unrelated trade or business he said:
>
> "These provisions preserve the tax-free status of the legitimate activities of educational and charitable organizations and, at the same time, correct the abuses which properly have received so much general condemnation. Business operations of charitable and educational institutions clearly unrelated to their exempt functions generally would be subjected to the regular corporation income tax. This would apply to organizations now engaging in such unrelated business activities as the manufacture of food products, leather goods, vegetable oils, and the distribution of petroleum products. The bill would not tax their income from related activities."
>
> It is clear from Secretary Snyder's presentation and from the congressional committee reports that the statute was intended to subject to taxation only the income of a trade or business that is substantially unrelated to the primary purposes of a tax-exempt organization. In applying the statute, the operation of a publication such as a trade or professional journal may be regarded as a "business" but its income is properly subject to tax only if the publication is a business "substantially unrelated" to an organization's tax-exempt purposes.
>
> Nevertheless, despite the legislative history and the clear meaning of the law, the Internal Revenue Service now proposes by regulation to tax the advertising revenue of publications of tax-exempt organizations, irrespective of whether the publication is substantially related or unrelated to its exempt purposes.
>
> Since the intent of this law is unmistakable, it is clear that the Internal Revenue Service would, by the adoption of this proposal, usurp the legislative functions and prerogatives of Congress by going beyond the purpose of the statute.
>
> The first bill which I am introducing today will assure to labor, agricultural, trade, professional, educational, charitable, religious and similar organizations the tax-free status of their legitimate activities which Secretary Snyder promised and Congress intended in the enactment of the Revenue Act of 1950.
>
> The sole purpose of the second bill that I am introducing is to accommodate the situation where a publication is incorporated separate from the parent organization as is the case with the Journal of Nursing—the publication of the American Nursing Association.
>
> The need for this legislation runs the gamut of our worthwhile organizations, such as the Boy Scouts, the Girl Scouts, churches, labor unions, professional and business organizations, and the National Education Association, among other educational groups.

TAX DEDUCTIONS FOR WATER ASSESSMENT OF IRRIGATION DITCH COMPANIES

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have introduced today a bill which would allow farmers to deduct as a business expense, all amounts paid to irrigation ditch companies or similar entities, for water assessments. I have been informed by the able Senator from Colorado [Mr. Allott], who has introduced a companion measure in the Senate, that the Internal Revenue Service has heretofore allowed deductions for such assessments as an ordinary and necessary business expense, but has recently changed its regulations on the subject, and is now disallowing such deductions.

The mutual ditch company, a creation of great use in our Western States, is organized as a means of conveying irrigation water from the point of diversion on a stream to the ultimate user, the farmer. Shareholders in such an association are entitled to water in proportion to their stockholdings, and shares of such stock have often been held to be real property in our Western States. A ditch company may make assessments against a farmer in proportion to the farmer's holding in the company. Unless these assessments are paid a farmer is not permitted to take water from the association ditch. On this ground it appears that the allowance of a tax deduction, as an ordinary and necessary business expense is justified.

In addition to the fact that the bill makes economic sense and good tax sense, I want to insure that substantive changes in the tax laws are made properly and not by regulation or interpretation. By introducing legislation the IRS officials will have the proper forum for presenting their reasons and data under cross-examination as to why they think a law should be changed with the opportunity also provided for those with differing viewpoints to present their side of the case. Furthermore, I always want to accommodate a Member of the other body in getting his ideas for tax law amendments channelled properly and constitutionally. It is indeed unfortunate when Members of the other body feel that there is such a lack of cooperation on the part of Members of the House that they must resort to extra-legal procedures, such as originating revenue bills in the Senate, or attaching them as nongermane amendments to House-originated revenue measures.

POWER INTERESTS CAN AGREE

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. REIFEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REIFEL. Mr. Speaker, proof that agreements can be worked out between REA cooperatives, municipal power users, and investor-owned power companies was realized in South Dakota recently.

Under the leadership of our able and determined Governor, the Honorable Nils Boe, representatives of each of these power users sat down at the bargaining table to reach an understanding over the troublesome territorial integrity dispute.

Disagreements over who shall serve customers in areas annexed to municipalities are not limited to South Dakota. This has been a perplexing question throughout the Nation. And the South Dakota approach can serve as an example to the Nation.

The fact that these interests were able to reach agreement in South Dakota indicates that others may have success with the same course of action. Certainly there would be no harm in trying to sit down at the bargaining table and discuss in good faith the issues that so often find public power interests at odds with private companies, or vice versa.

I congratulate these statesmen of the South Dakota power industry and, in particular, Gov. Nils Boe who brought them together and kept them together through several difficult sessions.

Let us hope that this agreement ushers in a new era where such disputes can be settled at the bargaining table rather than by means of public acrimony.

Details of the South Dakota agreement are contained in a newspaper article from the Aberdeen American-News of February 23 and in an editorial comment in the Huron Daily Plainsman of February 25 and the Sioux Falls Argus-Leader of February 24, which follow:

[From the Aberdeen, (S. Dak.) American News, Feb. 23, 1965]

ELECTRICAL CONFEREES END HASSLE—RED-LETTER DAY, SAYS GOVERNOR AFTER AGREEMENT

PIERRE.—South Dakota's electric utility industries late Monday gave final approval to a statement of principle settling a 6-year dispute over service to customers in areas annexed to a city.

Gov. Nils Boe, disclaiming any credit for the agreement, highly commended the conference negotiators and termed it a "red-letter day" for South Dakota.

Reducing the statement of principle into legislation to submit to the legislature remains the task of lawyers for the three utilities, and the lawyers planned to begin work on it Tuesday.

The deadline for introduction of committee bills is not until Thursday, and Boe said he would ask one of the State affairs committee chairmen to introduce the measure.

Boe noted that the power industry controversey had brought "animosity into the social and political lives of the State.

"This can now come to an end," he said, "and we can turn our talents to other problems facing the State."

OTHER AREAS

The Governor encouraged the conferees to continue their discussions in the hope of finding other areas in which they could work together for the benefit of the consumer and South Dakota as a whole.

Representatives of the rural electric, municipal and private utilities set April 9 for their next meeting to see if there are other areas, such as advertising, in which they might work together.

The power struggle was launched in 1959 with REA introduction of what they termed a "fair play" bill allowing them to continue serving in towns they were in, even if the towns grew beyond 1,500 population.

They also asked the right to continue serving customers they served in areas that might be annexed by a city.

The REA legislation was bitterly fought by the municipal and private power groups, and the legislature became the focal point of the battle.

It wasn't until the 1963 session that the REA's got a part of what they wished—the right to remain in towns that grow beyond the 1,500 population mark.

PURCHASE LAW

However, that legislature also passed a law allowing the primary utility serving a municipality to purchase the facilities within an annexed area of the secondary utility serving that area.

The REA's termed that aspect of the law "foul play."

In order to avoid another legislative hasale this year, Boe last fall asked the utilities to get together to settle their own problems.

The conferences began last December amid decidedly cool and suspicious surroundings, and often appeared to be on the verge of breaking down.

Compromises came hard to each of the groups, but by the time the fifth negotiation session came about, the three utilities seemed fairly close to a final settlement, which was reached in the sixth meeting Monday.

The statement of principal each finally agreed to support had aspects which were, to put it in the words of one of the participants, "distasteful and repulsive."

But Boe continually urged them toward and agreement, even if it wasn't entirely satisfactory to anyone.

ANOTHER SESSION

He said another legislative session would be held in 10 months, and that any needed modifications could be suggested at that time. The important thing, he added, was to get something down to see how it would work.

The statement of principle as finally adopted included the following:

Repeal of the 1963 fair play bill.

Reenactment of that portion of the 1963 law allowing REA's to continue serving in towns that might grow beyond 1,500 population.

Allow the REA's to continue serving customers in areas annexed to a city, but service to all customers of any utility would be frozen at the time of annexation. Any dispute over service to new customers in the annexed area would be submitted to a board of arbitration.

Service to customers of any utility within a 3-mile perimeter around the city limits would be frozen as of a time to be decided.

Any dispute over service to new customers in the 3-mile zone would be submitted to a board of arbitration.

Establishment of a permanent board of arbitration to be composed of two members of each of the utilities.

Limitation of the board of arbitration in disputed cases to the four members of the utilities involved, plus the circuit court judge in the district where the dispute occurred and one local member of each of the utilities involved in the dispute.

Establishment of rates in municipalities by the primary utility serving that city, with appeal allowed as now contained in law.

Payment of all taxes now paid by the REA, with an additional 2-percent tax on gross revenue earned within cities payable to those cities where REA facilities are located in lieu of ad valorem taxes.

Negotiation between REA and the municipal utility in a city for additional taxes to be paid the city in lieu of revenue that city might have received if the municipal utility were to serve the annexed area, with any dispute as to the amount to be submitted to arbitration up to a maximum of 4 percent of gross revenue.

[From the Huron (S. Dak.) Daily Plainsman, Feb. 25, 1965]

UTILITIES CONFERENCE AGREEMENT MAY SIGNAL THE DAWN OF NEW ERA

The prolonged conference which brought to a successful end the territorial service argument between the rural electrics, private utilities, and municipal power systems may signal the dawn of a new era in South Dakota utility relationships.

It took six sessions to hammer out the compromise solution to the question of REA service in areas annexed by cities and the expansion of rural electric and city-serving utilities in the growth areas around the cities.

The lyrics of the song, "Getting To Know You," might apply to these sessions, for the companies now plan further conferences to explore other areas of mutual concern. Their next session will take up advertising and public relations and there is a chance they may "bury the hatchet" and eliminate the animosity which has handicapped past interutility relations.

We hope that the spirit of compromise and willingness to find accord, which marked the settlement of one basic issue, will prevail and that the utility segments can work together as an industry for the good of the entire State.

While some credit for the accord must go to the 18 negotiators who worked out their differences, the role that Gov. Nils A. Boe played in the conference cannot be overlooked. The conference was called by the Governor to find a solution to the problem and to draft legislation which all could support. In a campaign pledge made in Huron, the Governor promised his support of any agreement that was in the best interest of the people of South Dakota.

At times, when it looked as if the sessions were heading into a stalemate, the Governor personally intervened and was able to keep the talks going to their successful conclusion. Through his efforts, a 6-year-old argument has been reconciled.

Individually and collectively, the electric utilities are a vital factor in the lives of everyone and an equally important factor in the growth and development of the State. The settlement of some of the differences without the acrimony attendant upon other efforts in recent years will be beneficial to each of the three utility groups, the State as a whole, and last, but not least, that seldom-mentioned little guy, the consumer.

[From the Sioux Falls (S. Dak.) Argus Leader, Feb. 24, 1965]

A Happy Development on Power

All concerned are entitled to credit for the preliminary agreement reached in conferences at Pierre pertaining to legislation about the electric power industry in South Dakota.

For years and years the legislature has been the scene of a battle among the various interests involved with vigorous action both on and off the floor. Lawmakers grappled as best they could with the complicated issues and perhaps many of them were uncertain in their own minds about the best course to follow.

Governor Boe—a man with long legislative experience—saw another struggle ahead for the current session and wondered if something couldn't be done to clarify the issue. So he called a conference of the representatives of the three groups primarily concerned—the rural cooperatives, the municipalities, and the private companies.

First they meet in December in an atmosphere of considerable uncertainty. They assembled because the Governor asked them to do so but there wasn't too much hope that an agreement could be reached. And at first an agreement seemed an unattainable goal.

But the Governor persisted in his request for an understanding. In consequence one meeting followed another. In the process, it seems, there developed a better comprehension of the viewpoints and policies of each group. And there apparently also was a realization that some degree of compromise was required.

As the deadline for action drew close, pressures mounted and, interestingly enough, a growing spirit of conciliation was displayed. The Governor continued to plead for understanding, pointing out the unhappy aspects of another legislative fight and the dividends that might accrue from a friendly settlement.

The net result was the agreement set forth in the statement of principle outlined Monday. It is possible that argument might develop over details but the progress officially recorded is certainly a notable step forward.

Governor Boe is to be praised for promoting the joint conferences. And the conferees deserve praise for proceeding in the spirit the executive suggested and developing in the American way a program acceptable to the three groups.

STUDENT CONGRESSIONAL INTERNS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Robison] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROBISON. Mr. Speaker, I have today reintroduced my bill to authorize each Member of the House of Representatives to employ annually, on a temporary basis between the period from June 1 to August 31, one additional employee to be known as a "student congressional intern."

Having used summer interns in my office for several years, and being convinced of the great value in promoting knowledge of and interest in our legislative branch among our younger people, I have, in the two previous Congresses, introduced my bill which, in the past, was designed not only to permit an additional employee but which also authorized a small additional salary for that employee.

Now I have rewritten the bill to eliminate the salary authorization. Therefore, my proposal would cost no money in addition to what is now authorized for staff hire in each Member's office. I have done this because my inquiries indicate that the major inhibition in hiring summer interns in many offices is not so much the lack of available staff hire allowance as it is the limitation on the number of employees which each Member is permitted. While not all Members use the maximum number of employees allotted to them, I find that it is generally those Members who do so who are most interested in having a summer intern on their staff and whose wide range of legislative and constituent activity requires them to use the maximum number of employees. My bill would enlarge this number by one during the 3 summer months and thus alleviate this problem.

There are some organized intern programs, usually sponsored by the university involved, which not only help place the interns but which also subsidize their living expenses in Washington during the summer. I commend these programs, but I also feel that for the student from an institution which does not have an organized and subsidized program and whose own financial situation is such that he must receive some remuneration for his work, the interns from the subsidized programs represent rather unfair competition. The student who, on his own initiative seeks out a summer job on Capitol Hill, should be permitted to be considered equally along with his subsidized competitor. My bill would permit the addition of this type of student to one's staff at whatever salary the Member had remaining in his account.

I sincerely hope that the Committee on House Administration will see fit to give favorable action to my measure this year, and I welcome the active interest and cosponsorship of other Members who believe in the value of utilizing summer interns.

IN AFRICA HE REFLECTS HONOR UPON CAPE COD

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEITH. Mr. Speaker, a former resident of Falmouth, Mass., the Reverend Donald K. Abbott, is waging a frustrating, uphill battle with local officialdom in Rhodesia. His objective is nothing more than a simple expression of human compassion from the employers and bureaucratic overseers of a young African carpenter killed in a construction accident.

The repeated instances of callous disregard for the native African, which he has described, is the root of much of the hatred and antiwhite violence the world has witnessed recently in this troubled area of the world.

Those of us who are concerned about recurrent bloodshed and massacre in the Congo and elsewhere in Africa, and the growing influence of anti-Western forces, who thrive upon such turmoil, must support the personal, one-man campaign of this Cape Cod pastor for justice and for the dignity of men—regardless of the color of their skin.

I therefore commend to the attention of my colleagues in Congress the following article and editorial from the Falmouth Enterprise:

Death of a Native Rouses Falmouth Missionary's Anger

The Reverend Donald K. Abbott, a Falmouth man who has been for 15 years a missionary in Rhodesia, has written of the death of a native. It is an angry letter, and Mr. Abbott speaks of his sense of shame at being a white man in that part of Africa today.

Indignation has led him to protest to Rhodesia's prime minister.

The native who died was a young man, killed in an industrial accident on the low veldt many miles from his home. His father is one of Mr. Abbott's charges at Chikore Mission.

The father was never informed directly of his son's death. When the missionary taxed officialdom with callous neglect of human decency, officials appeared to wonder at such fuss over the death of a black African.

"The stupid, arrogant callousness of the whole thing actually astounds me," Mr. Abbott wrote. "In the light of what is going on here, it is a very small thing. But it is representative of the attitude that is going, sooner or later, to send this country into a bloodier mess than has yet erupted in most parts of Africa."

Dumisane Mtetwa was a semiskilled carpenter, employed by the Lewis Construction Co. at Triangle, on the Rhodesian low veldt, removing shuttering from a concrete structure over an irrigation canal. He was standing on makeshift scaffolding supported by a boat in the water.

"Tricky arrangement at best, but good enough for an African," commented Mr. Abbott.

Something gave way. African workmen fell into the water. Dumisane was struck by a falling object. He died before they could get him out of the water.

If this workman had been a white man in a white country, Mr. Abbott suggested, there might have been charges of negligence against the construction company. There undoubtedly would have been a fuss. "Dumisane was just another African."

LEGAL NICETIES

Police were notified. "Legal niceties have to be observed. Makes everything easier. White manager. White policeman. No difficulties. Hot in the low veldt. Can't leave bodies lying around. Bury him. Hire another boy. Notify his family? Telephone calls cost money. Send letter to his district commissioner. Remove him from the tax rolls. Can't expect a dead native to pay taxes."

It was 11 days before Dumisane's father learned of his son's death. He learned accidentally. A friend worked in the district commissioner's office, his job to file death notices. He wondered if the family knew of Dumisane's death, met the father in town and told him. The father and his African pastor then drove 300 miles to ascertain the details.

The Falmouth missionary wrote to the construction company manager: "When they asked your representative at Triangle why no attempt was made to contact Dumisane's family, his reply was to the effect that he was a businessman and could not be bothered with such matters. An unbelievably stupid and callous statement to my way of thinking. It is this type of blatant indifference on the part of the white man toward the feelings of the Africans that causes much of the racial strife in this country today."

To the Prime Minister of Rhodesia, Mr. Abbott wrote: "It is this type of incident which so greatly embitters the African in this country. There is very little question in anyone's mind that things would have been different if the color of the man's skin had been white."

Mr. Abbott recalled an incident when he was a telegraph operator in Falmouth many years ago. "One quiet Sunday afternoon I received a telegram addressed to a college professor. It concerned a death in his family. He had gone away. No one was quite sure where he could be reached. But I did get some leads. During the course of the afternoon I sent messages to many parts of the country in an effort to locate him. In the end, I had accumulated a file of more than a score of messages as a result of these attempts. Somehow I felt it was important that he be informed.

"Of course, he was a white man. Like me. I'm a white man, but sometimes I'm ashamed of it. Like now."

Donald Abbott is the son of Mrs. Vera E. Abbott, who lives at 6 Choate Lane in Falmouth. He was graduated from Lawrence High School and from Drew University and Union Theological Seminary. He served on a destroyer in the Pacific during World War II, and elected the ministry when he resumed college after the war. He and his wife went to the Rhodesian mission in 1950.

IN AFRICA HE REFLECTS HONOR UPON CAPE COD

We knew him as "Jakey" when with his brothers and sister he was growing up in Falmouth. For long now he has been the Reverend Donald K. Abbott. His own children are growing up at Chikore mission in what was until recently southern Rhodesia.

The Reverend Mr. Abbott is no idealistic newcomer, facing disillusionment in strange country, far from Cape Cod. He has been learning African life and African colonialism for 15 years.

The Reverend Mr. Abbott knows exactly what he is up against when he challenges the white administrators of Rhodesia and in burning anger accuses them of callousness and stupidity in the death of an African boy. He knows he will get little sympathy and accomplish nothing. He knows he will be branded, if no worse comes to him, as a troublemaker.

It is all so futile, anyhow. Dumisane Mtetwa from Chikore mission is dead and buried far from home. He died because the scaffold his employer sent him up on collapsed, but there was no inquiry into culpability. He was buried in a hurry because it is hot in the low veldt.

Dumisane's father at Chikore learned of his son's death by accident 11 days later. Dumisane's employer explained he was too much of a businessman to be bothered with such details. To the Prime Minister of Rhodesia, the Cape Cod missionary wrote: "It is this type of incident which greatly embitters the African in this country. There is very little question in anyone's mind that things would have been different if the color of the man's skin had been white."

Not content with writing one letter, Mr. Abbott has written many. He cares about human beings not the color of their skins. He believes in the dignity of man. He wants no Congo blood bath in his Rhodesia where whites seek to hold control though many times outnumbered by natives.

"In the light of what is going on here, this is a very small thing," Mr. Abbott wrote, "but it is representative of the attitude that is going sooner or later, to send this country into a bloodier mess than has yet erupted in Africa."

To his friends of the Enterprise, "Jakey" wrote: "I'm a white man. I'm ashamed of it. Like now."

"Jakey" need not be ashamed when there are white men who can stand up with courage and compassion to protest abuse of men with colored skin.

We are proud, as we have long been fond of this man who was a boy in Falmouth. He makes us more than ever proud of the Cape Cod which breeds such men.

A MILITARY ANALYST LOOKS AT THE MERGER

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEITH. Mr. Speaker, as a Member of Congress who has also been a Reserve officer for 25 years, I have more than the usual amount of interest in Secretary McNamara's proposed realinement of the Army Reserves and National Guard. I have many serious reservations that his proposals, on balance, would contribute to a weakening of our defense posture and would, in the end, significantly jeopardize our national security.

When I hear talk of "military reform" and "increased efficiency," I wonder if, perchance, the Secretary of Defense is not responding to what seems to be a natural phenomena in this country in the wake of great conflicts.

I sensed in the Nation—that is until the situation in Vietnam developed as it has—great interest in the demobilization of our defenses and an impatience with the burdens of financial cost and overwhelming responsibility that are ours as the leader of the free world.

There seemed to be, paralleling this drive for reduction of defense forces, growing support for the establishment of what has been labeled by this administration as the Great Society—focusing as it does its main thrust on domestic problems. I personally question the wisdom of this policy. Specifically, I have grave doubts about some of the proposals the Secretary of Defense has made with respect to the roles and missions of the Regular Army, Navy, and Air Force and the National Guard and Organized Reserve.

Mr. Speaker, each of these essential components of our total Armed Forces has the proven capability of filling a specific national defense requirement. In each case their structure is most appropriate to the desires and abilities of our citizenry to participate, in varying degrees, in our country's defense.

Many of my own thoughts and the feelings of thousands of other Americans who have served in the Organized Reserves were eloquently expressed last week at a meeting of the Reserve Officers Association by Gen. S. L. A. Marshall, the distinguished soldier, writer, historian, and military analyst.

General Marshall is uniquely qualified to comment on this proposal. He has been with Reserve, Guard, and Regular Army divisions in combat. He has served in each as an officer, and he has served this country in three wars as soldier, official observer, and war correspondent.

General Marshall sees great danger in this proposed cannibalization of the Organized Reserve, and I feel that his comments on this most important subject, based on a lifetime of experience and study, should be of interest and concern to every Member of Congress.

Consideration of this question is most appropriate at this time because Congress will soon be confronted with it and because of its bearing upon our ability to respond to the challenges of the Communists in southeast Asia and throughout the world.

I therefore insert in the RECORD at this point the text of General Marshall's address to the ROA:

MILITARY ANALYST LOOKS AT THE MERGER

(Given at the Reserve Officers Association meeting, February 25, by S. L. A. Marshall)

My thanks to the chairman for his kind words of introduction. He believes as do I that it's better to feed a man a little taffy while he's alive than a lot of "epitaffy" after he is dead. At the same time I am reminded of what my old commander, Col. Rutten

Cutter, told me in 1919: "Marshall, you are so thick-headed that you are bound to become outstanding even among your fellow infantry officers."

Rejoicing to be here, I am under no illusion that what I say has intrinsic importance. This capital has a way of putting in lower case any sentiments from the hinterland.

But the founding notion of this Republic that, "in union there is strength" towers above all who would despise it. What we together think and what we do together either may still move mountains of disdain and indifference or the time has come to dispair of the American dream. I am not ready for that. When we feed the question into our family computing machine, it returns no such answer.

In addressing myself to a subject such as today's, I find it the better part of valor to speak from the record, especially in this capital where brave men think and speak out loud, provided they are alone in their bedchambers and are certain they are not bugged. There is always the chance that someone will misquote me and make pablum of what I intended to be controversial. That would be a fate worse than death.

When General Lodoen invited me to come, my first impulse was to decline for I felt that I had said in print most of what I believed needed to be heard. Reflecting compelled me to reverse myself. * * * If what I wrote for the New Republic at the request of Editor Gil Harrison, and what I dashed off for my syndicate, were all that was to be said, I should have kept silent in the first place. For it will not change the opinions of minds which have chosen to stay closed irrespective of the consequences to this Nation.

Come with me to Yorktown. On that old battlefield you will find a great monument to the event erected on its first centennial and paid for by public subscription. And you will also find this story. Critics over the country object to the expenditure, saying: "Why raise another memorial on yet another old battlefield?" Then Edward Everett, the great orator of the day, silenced and shamed them by asking: "Tell me, why do anything in this life?" and the cause went ahead.

If Edward Everett were alive today and could bring to this table an eloquence and exposition such as would make the case for preservation of the Army Reserve clear beyond dispute among reasonable men, though his voice carried to every ear in Washington, it would not alter policy, if those who make it, for reasons of their own, reject reason finally. It is simply one of the unalterable principles of logic that the one thing more difficult to refute than utmost wisdom is utter absurdity. There is never any rebuttal to Poobah who says this or that and views it as done, or to Humpty Dumpty, who used a word to mean exactly what he wants it to mean, and neither more nor less. There is the problem which confronts us. We heard vouchsafed to our people that which we know is patently false. We are asked to agree to what is called a "military reform" on the basis that it will increase efficiency with no loss to security, when commonsense tells us that the motivation is a mere countinghouse tidying up by an establishment that has used its funding more extravagantly than providently. About these things, it would be vain to repine, if we did not believe as soldiers that in this ill-considered course is a great jeopardy to the land we serve. Your fate and mine are of little consequence. But America is the rock of all future world hope. I would not have it imperiled for a few pieces of silver or hazard any part of its prospect so that great reputations might be further inflated.

You know, I know, that the Reserve as it has been maintained since World War II and Korea is not a model of military dynamism, giving an absolute return for every budgeted dollar spent. The standard has never been high enough: the requirements have ever been too loosely applied. Where the blame lies for that, I will not discuss. But if I went to a surgeon with a migraine and he proposed decapitation as the cure I would get someone after him with a butterfly net. Now as for that other pretzelized argument—that merger is necessary so that there will be enough weapons to go around—beyond remarking that if this system were as flexible, thrifty, and ongoing as its press agentry relates, it would adjust to duplicate use of material and facilities, I point out that to preempt a man's estate thereby to justify tossing him into debtor's prison is hardly a sporting attitude. It is akin to shooting Bengal tigers after one has cleverly nailed their hides to a wall.

About my credentials, to what my host has said with such painful servitude to heavenly truth, I add that I am here as an ex-military person, speaking for myself, speaking also as one devoted to the Army because for what I am and what I have I owe it much. I am only nominally a reservist. My work and association have always been apart from the corps. I have never gone on a training session for pay or participated in any such affairs as this: I was never asked. It was my happy lot to keep drawing active duty and to my Regular Army superiors I owe every honor and every promotion I ever received, and much more than my due. Furthermore, I have enjoyed a lifetime fellowship with the National Guard, I admire its fidelity, salute its essential role in the safekeeping of America and remember with pride and affection my association with some of its great soldiers and battle commanders, such as Roy Green and Ray McLain.

I recall, too, that my great friends on the high command—Bruce Clarke, Frank Ross, the late Floyd Parks, the late Walter Bedell Smith—began their military lives as guardsmen. No, I would not have anyone cast me as a foe of the National Guard, when in all times past I have helped fight its battles, and so will do in the future, when the issue is righteous and the trumpet call is clear. This is not one of those occasions. I do not criticize the Guard for wanting to survive at the expense of the Organized Reserve: the ethics of institutional existence glorify cannibalism, it being the nature of man to love place and power. But I differ absolutely with a civilian control which affords it the opportunity to bite off far more than it can chew. When the Secretary of Defense tells this Nation that the Guard as now constituted can be made a dependable and poised, relatively ready backup force, responsive to any conceivable contingency, he rejects history, and either egregiously exaggerates or bares a vast naivete toward the inviolable connection between soundness in high command in battle forces.

There are no good troops or bad troops; there are only good and bad leaders. So goes the old cliche, and it lasts because it is true. I have been with Reserve, National Guard, and Regular Army divisions in battle. I have been an officer of the Guard, the Reserve, and the standing force. I have seen all three tested, either being with them as a file, or measuring them as an observer. No other American at any time has had a broader opportunity to explore our human material, in its total dimension. From that experience I conclude only what you already know to be true. Our fighters are a wonderful breed. The troops are ever the same. How they respond is according to how ably, how boldly, how compassionately, how intelligently, they are commanded. In the ETO, General Eisenhower requested me and my division to rate his infantry forces. It shocked him when we put a National Guard division at the top of the list. Need I add that by that time all of its generals were Regulars and its officer corps numbered more reservists than guardsmen?

The Gray Board was wholly right in its assessment of where lies the fundamental weakness in Guard organization, and things have not changed since. As to preferment for high command responsibility, it is not a system but a multifarious variety. State politics does supervene in determining who shall wear stars, and political friends far too often get the call over men with soldierly competence and command capability. The average Governor, with little interest in, or knowledge of, the military, thinks of the State establishment as his Guard, to be administered and commanded in line with his interests and the State's interests as he sees them with little or no regard for the criteria relative to its fitness to take the field in war. I have dealt with enough Governors on appointments to know this, and I say it with all deference to the minority of States that adhere to a high standard to honor a noble tradition.

When military organization is thus trammeled, it cannot be lifted to a condition of relative readiness to take the field against an active enemy, because a secretary in Washington says that he will have it so. He lacks the power to intervene at the decisive point. High authority may advance suggestions to a Governor through the Guard bureau. But it cannot do more than that. Where varying degrees of paltering and ineptitude have to be tolerated, there cannot be standardization. Where high command is not braced to an ultimate task, training stays slack and by its sloth repels the truly qualified soldier who might help energize it. We have all seen this happen, if we have not gone through it.

And if you want the current and classic example of what I am talking about, come with me to my State, Michigan. There, due to political capriciousness, two generals and one colonel of the National Guard—honorable men who have served their State ably and fairly—are about to have their careers destroyed and their prospects ruined, with no one of importance speaking up for them or for the cause of justice. And a Governor who is not only celebrated but also an honorable man, sits in lone judgment on them. With the best of intentions, he still cannot understand the working of military organization. There is where the problem lies. And it is not 1 problem, but 50 problems, with each refracting its parochial considerations. No, I would not have things this way through the Nation. And I would say that when a new look needs be taken at a Fair Deal on the New Frontier of a Great Society, those who are willing to be armor bearers and yeomen of the line have earned a better shake than this.

But there is another collateral point which I deem more compelling. The Guard is not fluid. It is rigidly structured. Unlike the Reserve, it is pervaded altogether by the unit spirit and the unit idea. The man joins. He expects to remain a State soldier until his time runs out, unless, by outside chance, his organization is federalized in some national emergency. He does not—he cannot—think of himself as being under direct personal contract to the Nation, subject to one-man orders and bound to comply with them, irrespective of what happens to his unit. He is not in his orientation a truly national soldier, personally mobile and individually committed. But the competent reservist has to think of himself that way, and if he is truly good, he will so conduct his private and daily affairs that when the word comes, he can be off.

What are we going to do for able fillers the next time, if there is a next time, and should there be in Washington any thinking that such a grim possibility is excluded, why are we keeping 17 Regular Army divisions? As

I ask that question, I remember the scene at Yongdunpo, Korea, in December 1950—the high crisis of the Korean war. Second Division had been cut to about 2,700 men in 5 days of battle. The two infantry generals had been relieved, not for any fault in them, but because defeat always has to have a goat. The new commander, to put it mildly, was indisposed, and could not take hold. But the division had to be reconstituted and given a conviction of pride and organic unity in 3 weeks.

Gen. Walton Walker asked me to devote all my time to this problem, cooperating with Brigadier Generals Haines and Stewart. In 3 weeks, we enfolded 7,500 enlisted replacements and the proportionate number of junior officers. The gunner replacements had received only infantry basic. Many of the rifle replacements had had none. Yet in 3 weeks that division was en route to the field of Chipyong-ni , where it had to win, or see the Communist enemy rip through the center. Who were these little-sung heroes—the thin green line thrown in to stem the tide? They were all reservists pulled overnight from their homes. And I may add that I heard no crying from them, and witnessed no hangover of shock from the injustice done them. They acquitted themselves like men. I do not wish to see these supreme values of the spirit jettisoned by the United States. There is no substitute for them. Those who so say are not dreamers but sleepwalkers who would have the rest of us drift likewise from somnambulism to catalepsy. Let the pundits with their vast pretensions bewail that the existing organized Reserve is not geared to the contingency war plans of this Nation. I have heard this kind of tommyrot all my life from bureaucrats and journalists more oracular than knowing. Always when the clutch-and-crunch came, we have been saved by men who were willing to go, and possessing a feeling for soldiering, and a love for country, could adjust to whatever needed to be done. So it will be tomorrow. The sorriest of illusions is that we are in a new age requiring superman.

Until the end, that was how it went in Korea. The Reserves plugged the glaring gaps in the line. At the time of Old Baldy and Pork Chop Hill, when the war was wearing to a close, four out of every five rifle companies in line were commanded by Reserve second lieutenants, most of them recently graduated from college ROTC's. The artillery batteries had as many Reserve junior officers but usually the commander had more rank. The National Guard had been called out. Two divisions displaced to Korea after the line became stabilized. But it was the filler material out of the Reserve that saved the Army and the national honor. There is no such plasticity and adaptability by people within the National Guard as established, and civilian control can tap no magic to make it forthcoming.

From all that I have said, it must follow—and I am sure that even Univac would go along with this one—that a standing Army 17 divisions strong, with only a one-half million backup force which is in no sense a fluid reservoir of packet replacements, is not properly balanced toward any emergency within the professional imagination, and I will not argue about what should be the perfect equation, for I would then be playing the numbers game against the copyright owners. It is enough to say that what has been advanced as the approved solution is a hobble-de-hoy, a contrivance shaped by political expediency and not justified by any sober weighing of contingencies related to the national security. When power is thus exercised arbitrarily, meeting such general approval that reason must retire to its corner, we have cause to fear for our processes. We no longer are confronted by policy. It has been blacked out by personalism.

Wars may be lost beneath the dome of the Capitol. They may be lost in the private office of the Secretary. When they are so lost, it is the people who suffer and the soldiers who die, with the knowledge and the conviction that what was called military policy is a crime against life, a crime against poverty and a crime against liberty. These are not my words. They come from Emory Upton.

In the beginning I suggested that all talk on this subject is rather vain except as it affords us, together, light on why we contend for the object, and how we together work toward winning it. If I have contributed anything toward such a resolve, call it a happy accident. One in my role simply endeavors to articulate what thousands of his fellow citizens firmly believe. The question is what to do next. When in doubt about how to conclude in such a matter, I turn to George Washington, his anniversary being at hand, with none in this land yet big enough to obscure his wisdom. These words are to be found in a little-known book by John Marshall. "To attempt to carry on a war with militia against disciplined troops," wrote the great soldier, "is to attempt what the commonsense and common experience of mankind will pronounce to be impracticable. But I should fail in respect to Congress to dwell on observations of this kind in a letter to them." Should we be as deferential as was the Father of Our Country in this regard, we had best stack arms now. For while it is urgent that in this campaign we enlist the widest possible support along the highways and byways, direct and informed organization in behalf of this cause from within the Congress is an absolute imperative. Either it will be sustained there, and the fight will be won there, or the Nation will lose. Thank you for listening and for letting me share this company.

TEXANS OPPOSE PRESIDENT'S APPALACHIAN AID PROGRAM

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, during the past year, President Lyndon Johnson has been employing practically every means conceivable to have the Congress enact the highly discriminatory Appalachian Regional Development Act bill.

Opposition to this proposal has come from every State of the Union, but it was with extreme interest that I read an article in the Dallas Morning News of Wednesday, February 3, 1965, entitled "Report on Appalachian Front," written by the very able Ken Thompson, of the News staff. I read this article with interest not only because it was from the President's home State, but also because the News, which is one of the largest newspapers in that State, has consistently represented a consensus among all Texans.

This article clearly illustrates that there is strong opposition in the President's home State against this proposal to give preferential treatment to Appalachia. Obviously, Texans do not like having their hard-earned tax dollars being channeled to another State and another region anymore than do the taxpayers of New England, the industrial East, the Midwest, West, and every other region of the Nation.

Mr. Speaker, under unanimous consent, I include this article in the RECORD, and I commend it to the attention of every Member of this distinguished body:

POVERTY WAR: REPORT ON APPALACHIAN FRONT

(By Ken Thompson)

Although sponsors of practically every piece of controversial welfare legislation in Congress these days have suddenly found that their pet proposals are absolutely essential weapons in the much-advertised "war on poverty," in point of fact the administration's poverty program encompasses only two basic legislative measures.

One of them, the billion-dollar omnibus bill, was a collection of a lot of old proposals for combating poverty on a national scale via work-training-study camps, a job corps, loans and grants to rural families and businesses. Wrapped up in a new package with brandnew labels, this part of the poverty war was approved by Congress last year.

The second part of the administration's program—a special billion-dollar aid package for the 11-State Appalachia region—ran into difficulty in the waning days of the last session of Congress. Not sure they had the votes to pass the measure, the administration's congressional lieutenants never brought the Appalachia bill to the floor of the House for a test.

On the first day Congress convened this year, the bill was reintroduced.

The President has given top priority for early passage of the bill, hoping that, along with medicare and the proposed excise tax cut, the Appalachia aid project can get underway before Easter, at the latest. With a far more liberal Congress handling the measure this session, it is likely the President will get the kind of action he expects. On February 1, the Senate approved the measure 45 to 13, and sent it on to the House.

While there is no disputing the fact that hard-core poverty and unemployment exist in the 11-State Appalachia region, there are many objections to the approach which this measure would take to solve the problem.

A minority report prepared by members of the House Public Works Committee last year gave a dozen reasons for opposing the bill.

One of them was the traditional reluctance of many Members of Congress to provide "preferential treatment" for any single region of the country. Another was that the special Appalachian Regional Commission the bill would create to administer projects might "be a means for bypassing existing State and local government agencies," providing another layer of government between the State and Federal levels.

Opponents also object to the absence of standards based on need to determine eligibility for aid within the region. Many of the 355 counties included in the Appalachia region are quite prosperous and cannot qualify for assistance under other Federal welfare programs, such as area redevelopment or accelerated public works. And several of the projects included in the Appalachia bill would conflict with other Federal programs.

At the same time the Federal Government is spending millions of dollars to purchase beef to prop sagging prices, it would, under the Appalachia bill, spend more millions to develop pastureland in the region, thus increasing beef production.

Principal objection to the Appalachia bill, however, is that it approaches the problem of poverty with the idea that job creation and economic recovery can best be accomplished by government pump priming.

This approach has failed to prove itself. Take the area redevelopment program, launched 4 years ago with the same idea.

When Congress approved the Area Redevelopment Act, 103 areas were designated as "depressed" and eligible for aid. Today few of those original depressed areas have made much progress toward recovery, and there are now well over 1,000 areas that qualify for the "depressed" label.

There is an even more specific example. Two years ago, a pilot project for the Appalachia poverty program was begun in Williamson, W. Va.

To demonstrate the kind of job that Washington could do to revive the stagnant economy of the region, a model industry was established at Williamson with $1.8 million in financing—mostly loans from the Area Redevelopment Administration and the Small Business Administration. For 2 years this model industry, National Seating & Dimension Co., Inc.—which the New York Times described as the "newest and most modern in the furniture parts industry"—provided some 100 jobs.

But it made no profits, and 2 months ago, with great reluctance, the company had to close its door and discharge its employees in the face of mounting debt.

Today, with the collapse of both the investment and the experiment, $220,000 in local stock ownership, $75,000 in loans from three West Virginia banks, $134,000 from the West Virginia Industrial Development Authority and $1,029,000 in aid from the Federal Government has been wiped out.

State and Federal authorities, still hoping to make the experiment a success in spite of the disaster, have been looking for a buyer in private industry who is interested in a readymade $675,000-a-year writeoff.

Failure of the experiment is blamed on a number of factors, including management mistakes and a smoldering labor situation. The United Mine Workers organized the company's 78 production workers 2 years ago and, while they called no strikes, they have been blamed for several temporary slowdowns, much absenteeism, and refusal to work overtime. The situation wasn't helped, says a company spokesman, by "a few union troublemakers."

But the same spokesman placed the primary blame on the fact that a lot of Appalachia's people simply don't want to work. The company's employees could make almost as much money and live as well "standing on the street corner" collecting unemployment checks, aid-to-dependent-children payments, Federal food stamps, and other welfare benefits as they could earn working full time at the plant.

Collapse of the Williamson experiment—which was supposed to prove how efficiently the Federal Government can solve the poverty problem—should have taught a valuable lesson. Its failure, the New York Times noted, has left a "bitter legacy" for both the rescuers and the rescued.

Out of this legacy or lesson, perhaps somebody will be able to conclude that the Government can't solve all our problems for us and perhaps is already trying to solve too many.

CLEVELAND BILL TO PROVIDE HUMANE TREATMENT FOR LABORATORY ANIMALS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have introduced legislation to provide for humane treatment of laboratory animals and issued the following press release, which I place in the RECORD under unanimous consent to revise and extend my remarks.

CLEVELAND BILL TO PROVIDE HUMANE TREATMENT FOR LABORATORY ANIMALS

Congressman JAMES C. CLEVELAND, Republican, of New Hampshire, introduced legislation March 2 to provide for humane treatment for animals used in scientific experiments conducted by the Federal Government or by recipients of Federal grants.

"Humane protection for laboratory animals is a proper concern for any civilized society," Congressman CLEVELAND said. "I have studied many proposals and am convinced my bill will provide standards of humane treatment without impairing legitimate research. It follows closely the guidelines established in England in 1876. That law is still in force today and has the approval of the overwhelming majority of responsible British scientists.

"My bill would eliminate a great deal of the needless duplication of experiments on animals that exists today. Last year, when I was a member of the Select Committee on Government Research I was deeply troubled by testimony we received concerning the tremendous amount of experimental duplication involving operations on animals where the work had already been done and the results were known."

The Cleveland bill states that "living vertebrate animals used for scientific experiments and tests shall be spared unnecessary pain and fear; that they shall be used only when no other feasible and satisfactory methods can be used to ascertain biological and scientific information for the cure of disease, alleviation of suffering, prolongation of life, the advancement of physiological knowledge, or for military requirements; and that all such animals shall be comfortably housed, well fed, and humanely handled."

The bill creates standards for the handling of animals and bars all Federal grants for research to institutions or persons not having a certificate from the Secretary of Health, Education, and Welfare showing that they meet these standards.

The requirements of the Cleveland bill include:

1. That all premises where animals are kept shall be clean and comfortable with adequate space for normal exercise.

2. That animals shall receive adequate food and water and shall not be caused to suffer through careless handling or neglect.

3. That animals used in any experiment resulting in pain shall be anesthetized during and after the experiment, except where this procedure would frustrate the purpose of the experiment and that animals suffering severe and prolonged pain shall be painlessly killed as soon as the experiment is concluded.

Congressman CLEVELAND said that under his bill, "only persons licensed by the Government would be authorized to conduct experiments except for students working directly under the supervision of a licensed person. This in itself would cut down tremendously on the needless duplication of experiments."

The bill also requires keeping of accurate records on experiments and the animals used.

The British have had such a law for nearly 90 years," Mr. CLEVELAND said, "and their experience has been excellent. Indeed, British medical research ranks with the best in the world. It has not been harmed by the law requiring humane care of animals. Surely, we can do no less and I shall do everything in my power to see that this bill becomes law."

APPALACHIAN REGIONAL DEVELOPMENT ACT

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHRIVER. Mr. Speaker, I am opposed to the Appalachian Regional Development Act of 1965, S. 3, because it represents regional and discriminatory legislation at its worst. Passage of this legislation will create a new and expensive pork barrel which will cost the taxpayers dearly, but do very little to resolve the serious problems of poverty.

There is little doubt that this program for Appalachia will be followed by other programs for special regions of the country.

In recent weeks, I have received letters and telephone calls from Kansas farmers expressing concern over the administration's recommended cuts in the budgets of the Soil Conservation Service and the agriculture conservation program.

However, section 203 of this bill would authorize the Secretary of Agriculture to enter into agreements of not more than 10 years with landowners and farmers of Appalachia for payment by the Federal Government of up to 80 percent of the costs of providing for land stabilization, erosion, and sediment control, and reclamation through changes in land use, and conservation treatment including the establishment of practices and measures for the conservation and development of soil, water, woodland, wildlife, and recreation resources.

Congress is being asked to authorize $17 million as a starter for this program in Appalachia. On the other hand, the administration in the interest of so-called economy is recommending cuts in other long-established conservation programs.

Mr. Speaker, we are not only discriminating against those living outside Appalachia, we are duplicating programs already in existence within the Department of Agriculture.

During the brief hearings held by the Committee on Public Works on this legislation, my colleague from New Hampshire [Mr. CLEVELAND] made the following observation in questioning of Mr. Fred Ritchie, of the Department of Agriculture, regarding duplication in section 203:

> Mr. CLEVELAND. Apparently, then, the big difference between this section of the Appalachian bill and your regular programs in the area is that this gives the farmer a longer period of time to make a definite contract, and if the Secretary of Agriculture says OK, he gets a greater percentage of the cost of the program; is this the essential difference?
>
> Mr. RITCHIE. This is the essential difference. It will permit the Secretary to offer to those farms that needed to apply these practices over a period of years an assurance that they would have help. And if he felt that the farmer could not contribute the customary 40 or 50 percent that would be required for the ongoing program, he could reduce the farmer's contribution.

This is the special treatment that will be afforded the farmer living in Appalachia. This section unduly discriminates against those landowners, operators, and farmers outside the Appalachian area.

Mr. Speaker, this section also has an enormously damaging potential to those engaged in the livestock industry in other regions of the United States. Section 203 of S. 3 actually is a broadened version of the "Pasture Improvement and Development" section of the Appalachian Regional Development Act considered by the last Congress. The administration has considerably broadened the proposal to include lands other than pastureland.

Both cropland and pastureland will be eligible for improvements under this section.

For over 2 years the livestock industry in my State of Kansas has been fighting for survival. Only a few months ago, the Department of Agriculture was spending money to buy surplus beef to bolster depressed prices. Two years ago when I joined with other Congressmen from livestock States to secure a reduction in foreign beef imports, we were told that our farmers should cut back on production to relieve the market of an oversupply of beef.

Now we learn that a cutback in cattle numbers produced in our area could be replaced by an increase in cattle numbers from the Appalachian region, under provisions of section 203 of this bill.

The citizens of my congressional district are disturbed and concerned by this legislation. Under the leave to extend and revise my remarks in the Record, I include the following excerpt from a letter which I received from a constituent in Lindsborg, Kans. She stated:

> My husband is a farmer and has always made a fairly decent living at it. He farms about 600 acres plus some pasture so you can tell that he is no marginal farmer. He has always fed out 100 to 150 head of cattle each year. President Johnson defines someone with less than $2,000 income a year as poor, well I guess that means we are among the poverty stricken people as our income was less than $1,500 last year and not much more the year before. The failing cattle prices and the drought last year to our wheat did not help the situation much.
>
> All we read about in the paper is that President Johnson wants to take some of the farm subsidy money and put it where it will really do some good in Appalachia or in New York. In the meantime just what are we going to use for money to hang on with till people decide to pay decent prices for our beef?
>
> This is a situation that really scares us and it won't be long till we aren't going to know just where to turn. Last year our taxes and farm payment alone came to $3,800. So that with the fact that we have to just plain live from month to month is eating up what small capital we have left.
>
> Maybe there are people that do not realize how desperate the situation is getting to be among the livestock farmers.

Finally, I want to include the following editorial from the McPherson, Kans., Sentinel, which undoubtedly predicts with accuracy what will happen if the Appalachian Regional Development Act becomes the law of the land. The editorial follows:

Appalachia Opens New Federal Giveaway Gates

> Appalachia is a new name given to a far-reaching program to relieve impoverished conditions in parts of 11 States along the Appalachian Mountains from southern New York on south.
>
> This program is intended to help rehabilitate thousands of families impoverished by depressed mining and related industries in the region. Whether it will be wisely managed remains to be seen. Rather than a boon, it could become one of the biggest boondoggles in history.
>
> Before Senate passage could be won, President Johnson had to assure representatives of the other 39 States that their needs would be considered in later bills.
>
> There is where the Federal giveaway gates may be thrown wide open. Appalachia wants a fat billion for only 11 States. Add 39 more States and we are going to see quite a big tax bill. It could become another pork barrel program to satisfy political obligations rather than actual needs of people.
>
> Are there enough Senators and Congressmen with level heads to keep this new Federal giveaway from running completely out of control?

HOUSING AND URBAN RENEWAL

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. DWYER. Mr. Speaker, many of the President's housing and urban renewal recommendations parallel remarkably the proposals Republican members of the Housing Subcommittee have advanced for several years, the program we introduced last year and the program we have announced for this year.

I welcome especially the President's new emphasis on urban renewal for residential purposes, his attention to enforcement of building codes and zoning regulations as a means of preventing slums, his rent supplement plan for low- and moderate-income families, his recognition that rehabilitation and restoration of existing housing is often preferable to bulldozing entire urban renewal areas, his awareness of the needs of families displaced from their housing by Government programs, his departure from exclusive reliance on big public housing projects for low-income families in favor of smaller units including the leasing of existing private housing and the rehabilitation of older housing for this purpose, as well as his intention to continue and improve existing FHA, college housing, and housing for the elderly programs.

In each of these areas, the President's proposals—similar as they are to our Republican program—can go far to correct what is wrong with present housing and urban renewal programs and contribute to the goal of decent housing and suitable living arrangements for all our people.

The President's message was less adequate, however, in dealing with the need for greater cooperation within metropolitan areas and greater coordination of Federal programs affecting such areas. Whatever one may think of the proposed Department of Housing and Urban Development, this Department could not coordinate the multitude of urban area programs administered by other agencies. The need for such coordination is daily more obvious and it could only be achieved through creation of a small staff with the Executive Office of the President, equipped with the authority of the President, and empowered to eliminate duplication and conflict between urban programs and to make these important programs more efficient and effective.

APPALACHIA

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Grover] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GROVER. Mr. Chairman, I have listened with great interest to the debate on this, the Appalachia bill, and I subscribe to the objections raised during this debate and those set forth in the minority views of the report of the Committee on Public Works, of which I am a member.

Last year, I sat through many weeks of public hearings and a thorough and exhaustive reading of the bill in committee.

This year, the Public Works Ad Hoc Committee met over a period of 2 or 3 weeks to review the revised legislation. The full committee held no public hearings, made no exhaustive studies, but in fact permitted not the simplest perfecting amendment offered by the minority.

The new members of the Public Works Committee were given no opportunity to study this legislation in depth, and new leaders of local governments affected were given no opportunity to present their views at public hearings.

I realize these unusual committee proceedings are not substantive objections to the legislation, but they do indicate the undue haste and lack of deliberation which seems to characterize the efforts of this administration to make a record, to create an image of leadership in getting things done.

Mr. Speaker, political steamrollers are undemocratic—but legislative steamrollers are undemocratic and dangerous. A rubberstamp politician soon wears out and his printed image becomes blurred by acquiesence, but a rubberstamp legislature sharpens the image of the executive and enhances his authority and power. I do not think the November elections were a mandate for change and dilution of our representative process.

And so the Appalachia bill, conceived in expediency and born in haste, has rushed through its prelaw life.

I concur with my colleague from Florida, the ranking minority member of the

Public Works Committee, this is regional, discriminatory pork barrel, and I agree with the gentleman from New Hampshire that we will be creating a launching pad for job piracy and industrial piracy.

As a result of defense cutbacks in my district and installation closures nearby, Suffolk County in New York and parts of adjoining Nassau suffer an unemployment rate in excess of the national average, and certainly in excess of many of the counties in the Appalachia region. The implementing of this bill will further the economic imbalance of Long Island and other metropolitan areas—in part, with Long Islanders' tax money.

Long Island will need millions for public transportation, for new highways, for sewage systems, for education, for its millions of suburban residents, which the smaller communities simply cannot afford.

If the Federal Government has this kind of money to distribute and this is often in doubt, it should be spent on an equitable basis of need, on a Federal-State-local matching basis.

The substitute bill offered by the gentleman from Florida will help Appalachia, and it will help other areas which may, to the same degree, or in some cases to a greater degree, need assistance.

NATIONAL OCEANOGRAPHIC ACT OF 1965

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. FASCELL. Mr. Speaker, oceanography, the study of the oceans, is an important, complex science, involving numerous fields of specialization. Federal oceanographic research activities have helped to discover and increase our base of natural wealth, enhance our knowledge of weather and climate, strengthen our national security, and provide other national benefits.

The potential value of these activities is tremendous, but we have only scratched the surface in this research, partly because these programs need better guidance and synchronization.

I am introducing today a bill, which may be cited as the National Oceanographic Act of 1965, establishing a National Oceanographic Council and calling for expanded research in the oceans and the Great Lakes. This bill was sponsored in the other body, by Senator MAGNUSON and others.

Under the provisions of the bill, the Vice President shall be Chairman of the Council and members will include the Secretaries of State, Treasury, Defense, Interior, Commerce, Health, Education, and Welfare, Director of the Office of Science and Technology, Chairman of the Atomic Energy Commission, Director of the National Science Foundation and the Secretary of the Smithsonian Institution.

Our Federal oceanographic activities are scattered through 6 departments, 22 agencies, and 37 committees of Congress. The purpose of my bill is to set forth policy and furnish the guidance, cooperation, and coordination needed to develop ocean research to the fullest extent. It would also help centralize and more readily provide significant and timely information to high officials, including Congress, about these aims and activities.

Federal support of oceanographic research has increased from $24 million in 1958 to $138 million in 1965 and projected figures indicate it may reach $350 million in fiscal year 1972. This investment is estimated to result in annual savings in costs of goods and services amounting to nearly $3 billion a year, plus almost as much in increased annual production.

The oceans cover about 72 percent of the world's surface and they offer unlimited supplies of fresh, usable water through desalination, valuable wealth in minerals, and wastes and sediments washed by rivers into the seas for centuries, and they are vast repositories of greater fish catches and protein food supplies.

Nearly all commerce between nations is carried over international waters. The oceans' currents and their other characteristics greatly affect our weather and climate. Greater knowledge of ocean depths, ocean topography, of vessel detection, ocean movements, fish resources and habits, and other such information is extremely important to our Nation's future. Freedom of the seas and improved vessel detection techniques are indispensable to our national security, particularly in these dangerous days of nuclear submarines and with other foreign vessels roving near our shores.

We have neglected too long the potentials of our oceans. The Russians certainly are not neglecting marine research, and we must not be left behind in this increasingly competitive race—or we may wake up to the shock of an underwater sputnik.

Cooperation between our educational institutions and the Federal Government in the field of oceanography is essential. The great bulk of our professional talent is resident in our educational institutions and the training of the thousands of new scientists for this field will be the responsibility of these institutions and of vital interest to the Government.

In Miami, Fla., we find the University of Miami, a major educational institution, and the Federal Government working side by side to further the advancement of knowledge in the field of oceanography for purposes of our national defense, our Military Establishment, commercial purposes and solely for scientific knowledge.

The university, boasting some of the most outstanding educational talent in the United States, realizes the fabulous future of oceanography; the Institute of Marine Science, under the distinguished leadership of Dr. H. G. Walton Smith, has pioneered in this field.

Recently, the school of engineering and institute of marine science have joined in offering a broad program in oceanographic engineering, adding to its reputation as one of the most important institutions in the United States devoted to education and research in the ocean sciences.

It was appropriate, because of the obvious necessity for close coordination, that the Department of Interior selected Miami as the site of its new $1.5 million Tropical Atlantic Oceanographic Laboratory, staffed by 75 people which will begin operations in 1966. Two Navy ships are now being converted to research vessels—the *Geronimo* and its sister ship the *Undaunted*—and will proceed to Miami upon completion of the laboratory.

The oceans are the last great frontier of our planet and we are still only pioneers in the unexplored depths. But we must begin to concentrate and coordinate our multifaceted efforts and work together toward a common goal—progress and leadership in ocean research.

NEW YORK CITY IN CRISIS—PART XII

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the 12th part of a series on "New York City in Crisis" which has been running in the New York Herald Tribune for several weeks.

This installment is comprised of two articles which appeared in the Tribune of February 3, 1965. The first of these deals with the overall business crisis in the city and the second delves into the reasons why businesses are leaving New York City.

The articles follow:

NEW YORK CITY IN CRISIS: BUSINESSES COME—BUT MOSTLY GO; CITY'S STUDY REPORT, STILL NO ACTION

(NOTE.—This may still be the greatest city in the world, but its increasingly complex problems make it a difficult place in which to live and work. In their continuing investigation into the city in crisis, the Herald Tribune special team tells below the flight of businesses from the city. In addition, there are these reports.)

(By Berry Gottehrer and Marshall Peck)

On June 4, 1963, Francis J. Bloustein, then acting chairman of the city planning commission, sent a 3-page letter and a detailed 10-page memorandum to Mayor Robert F. Wagner.

The subject—New York City's growing business crisis.

In the letter, Mr. Bloustein said there had been a decline of 74,000 production jobs between 1954–58—a decline that has continued—and noted that manufacturing had been seriously curtailed by the demolition of 5.8 million square feet of loft and factory space in the last 3½ years without replacement.

"Industrial development in New York City is at the crossroads," read the memorandum from the planning commission. "Manufacturing jobs have been declining rapidly and steadily. Only in a limited sense can the current increase in white-collar employment be considered a compensating gain, since a large proportion of New York City residents are dependent upon blue-collar jobs.

"TIME PASSES

"It is safe to say that unless valid solutions to these problems are reached, it will be impossible to check the rapid decline of industry in this city. Among other adverse results will be the hardening of business opposition to an urban-renewal program that appears to business to work against business and never for it. The economic consequences will be catastrophic in terms of lost tax revenue and mounting welfare costs."

That letter and that memo, each calling for an immediate study of the problem, were dated June 4, 1963.

Not until 1 year later—in its April 1964 newsletter—did the planning commission announce that Arthur D. Little, Inc., of Boston, had launched a study of the problems and potential of industrial growth in New York.

"A report," said the newsletter, "is scheduled to be completed in the fall of this year [1964]."

By yesterday, the Little study, which cost the planning commission $30,000 and reportedly paints a critical picture of the city's inability to keep manufacturers from leaving, had become something of a political football.

What has happened to it in the 10 months since it was commissioned and the several months since it was due?

"I know the mayor hasn't seen the final report," said Leslie Slote, the mayor's press aid, yesterday. "I believe the mayor was at a briefing about 2 months ago when the preliminary report was discussed. But I don't recall his having looked at the preliminary report. You'd better call the planning commission."

"A report has been prepared and a copy of it has been sent to the mayor and to other key top city officials," said a planning commission spokesman. "I don't know whether the mayor has read it, but I do know that he is familiar with its contents. He and the board of estimate discussed it a few weeks ago and decided to send it over to the special commission studying the city's financial problems for an opinion. Since the report is still subject to change, it would not be right to release it in anything but its final form."

When will it be released?

WILL PUBLIC SEE IT?

"I hope in the very near future," he added. "But it's possible that it may never be released for public consumption. That wouldn't be the first time that's happened. There have been other reports and other studies paid for out of taxpayers' money that were finished but weren't made public for one reason or another. It's up to the mayor now. We're waiting for word from him."

While the planning commission—and 8 million New Yorkers—wait, the mayor continues to boast of the city's glowing economy and financial future—calling New York a town of throbbing vitality and full of bright and cheering aspects.

At a luncheon and again on television last week, the mayor pointed out that city employment, department store sales, deposits in city banks, and tourism were all up for New York in 1964. He also said that the city is still the largest single manufacturing, retail, and garment center in the United States, and that more than 27 percent of the top 500 firms in the country have headquarters in New York.

These are not untruths and these are not distortions. But they are, according to dozens of city businessmen, industrial real-estate brokers and chambers of commerce people, only half of the story.

It is the other half that the Little study reportedly went into. Yet even without the report it is not difficult to document the city's business crisis.

OTHERS' FINDINGS

In reports last December, acting labor commissioner James J. McFadden and bureau of labor statistics official Herbert Bienstock both set the city's economy into a nonpolitical perspective. Among their findings:

The growth rate of nonfarm employment in New York City from 1958 to 1963 was far below that of the Nation, 1.6 percent to 11.1 percent.

A loss of 80,000 manufacturing jobs (30,000 in the garment industry) since 1958. For a city whose unskilled and semiskilled population continues to increase this loss is significantly critical.

Despite the overall gain in employment (nine jobs created for every eight lost), the vast majority of the new jobs came in the fields of Government service and construction, believed by many to have been a temporary boom brought on by world's fair building and a change in the zoning code. Right now, the city's construction industry, according to Mr. McFadden, "is slipping—slipping badly."

Louis Broido, commissioner of the department of commerce and industrial development, created in 1962 to foster, retain, attract and expand business, industry and commerce, does not dispute these statistics. He simply has drawn some different conclusions.

A DIFFERENT OUTLOOK

Unlike most of the city's top officials, Mr. Broido does not ignore the past, evade the present or speak optimistically of the future.

Mr. Broido is different. He admits past failures.

"Blue collar industrial employment faces a further decline because of anticipated further growth of automation and possible further moveout of plants from the city, a process that has been going on for several decades, but which has been slowing down," he says. "In the last 2 years, since the organization of this department, we have inaugurated a number of programs to try to stem the outflow and we hope to bring it to a trickle and eventually reverse the trend.

"We first had to learn the causes of the outflow. Primarily, it was a problem of real estate and space availability. To offset it, we are working with industrial firms to find the proper site locations. There is plenty of land room in New York City. It is a matter of development. We're engaged in putting out fires every day and as far as bringing new business is concerned and new manufacturing business—all kinds of new businesses come in."

But Mr. Broido's optimism about the future is not shared by many people outside of the city administration. One man who disagrees—and has evidence to support his claims—is Philip Gordon, president of Surveys for Business, Inc., which does business and commercial studies in Manhattan.

WHENCE THE OPTIMISM

"I like to know where they get their figures and their optimism," he said. "We find that the momentum of business moving out of the city is picking up. Further, we feel that the full impact of the business moves has not yet been felt in term of employment and, if it continues without abating, it will have even greater repercussions—by closing even more the ring around blue-collar workers. It will also reduce the number of entry jobs and the tax base.

"The whole thing is—nobody—including the city—knows why the companies are leaving. That's the basic problem. If you want to find out and solve the departure of companies, you've got to find out why they move. No one has done that. There must be compelling reasons for companies to pick up and get out, but I challenge anyone in the city to give me an informed study."

It is not that the city hasn't made any studies. There is the Little report and there is a survey, taken by the department of commerce and industry, of 596 New York firms asking them what their reasons for leaving would be—if they should ever decide to leave.

At best, of only limited value because of the status of the firms polled, the survey showed that 70 percent would move because of the need for more space; 12 percent because of taxes; 5 percent because of labor problems, and the rest for other reasons.

The basic difference between Mr. Broido's limited optimism and Mr. Gordon's less limited pessimism is that the latter at least has some specifics to support his thesis.

Over the last 3 years, he has made a detailed study of the loss of manufacturing plants by New York City and has a documented loss of 180 companies.

IT MEANS MONEY

Yet, according to other businessmen, State officials, real estate brokers and industrial-park contractors, even these figures may be too low.

The New York State Department of Commerce reports a loss of 227 manufacturing firms by New York City to other areas of New York State since 1960 (with a high of 62 leaving or planning to leave in 1964). Of the 150 firms that reported their employment figure, the loss to New York City was 11,452 jobs.

And the State Development Commission of Connecticut reports that 86 firms (totaling some 10,756 jobs) have left New York City for Connecticut since 1950.

"We live off the clients we move out of New York City," says James Rice, vice president of a Maywood, N.J., contracting firm. "They gave us $40 million worth of construction work last year alone. We're dealing with Triple A clients, the companies we've moved read like a Who's Who. Right now, we've got about 75 New York firms we've been trying to find a place for."

According to Mr. Rice's estimate, in the last 3 years 119 companies had moved from New York City to Nassau and Suffolk and 200 companies had moved to New Jersey in the last 3 years.

"New York's Commerce and Industry Department can't make a dent in the outward flow," he added. "Construction costs in some boroughs of New York are $1.75 per square foot over New Jersey. Taxes are almost double. Land is more expensive. When you add up all the features, a company can't help but find it more attractive to get out of New York. It can't even be a warehouse city because the transportation pattern is so fouled up. It's almost impossible to move a truck around."

Harry Levien, a real estate broker in Long Island City, tells a similar story. One company—one of seven that he helped move in the last few months—asked him to locate a plant site with 500,000 square feet of space. The company—then in Brooklyn—said it didn't care where it moved and that space was the determining factor. "A few days later the company called back to tell me that they had just read stories that the mayor may increase taxes even more," says Mr Levien. "They still wanted a 500,000-square-foot site but now they wanted it out of New York."

Leonard Yaseen, chairman of Fantus Co., Inc., plant-location consultants, says his company is "booked up for several years with orders from firms looking to move from New York."

IT'S JUST CRAZY

"It's just crazy," he says. "New York is still the leading manufacturing city in the country but it's getting into a situation where we are losing large segments. It's heading toward the time when we will be a light consumers and services industry community. Manufacturers feel that the attitude in this area—while it may profess to be otherwise—is not in his favor. He feels lost in the city, he does not feel befriended. From the standpoint of city taxes, he gets no consideration even if he has a payroll of 800 people. He feels that he is an orphan and that he might do better to go elsewhere, where he would be appreciated, where there's a positive attitude toward what he's contributing to a community."

The most important thing he is contributing—and the one thing that cannot be evaded, ignored, or erased by false optimism—is employment, particularly to the unskilled and semiskilled of the city. "This is becoming a city with white-collar jobs and blue-collar people," said the owner of one dress concern.

Yet this is not a new problem. It has been around at least 5, maybe even 10, years as the white middle-class has increasingly fled to the suburbs to be replaced by a minority class that, unfortunately, has been largely unskilled and semiskilled.

It is these people—the unemployed and the untrained—who suffer most and will continue to suffer until the city does something to keep its manufacturers from looking elsewhere.

Yet the loss of business and industry, ranging from a garment firm making boys' wear and employing 10 persons to a mass production line operation employing 1,000 in producing plastic cups and containers, is not the only black spot on New York's commercial horizon. This does not mean that big businesses do not settle here any more. They do. But businessmen report that construction of office space is already so far ahead of the demand that a serious glut on the market is shaping up.

"New York City real estate dealers have the biggest inventory in history on their hands, right now," said one specialist in the field. "This city is becoming so heavy with office space that there may even be a collapse of the market."

NOT THE ONLY BLACK SPOT

A further complaint is that the city does not encourage builders to deviate from the tried and true formula of cramming the most office space possible into four sidewalk-to-sidewalk walls.

When the 38-story Seagram Building on Park Avenue and 51st Street, was built with a 100-foot-deep plaza and fountain as a bit of open space for all the city to enjoy, New York, in effect, frowned on the waste. The courts backed up the city tax commission's contention that the Seagram's people should be assessed for the building space it had given up to make New York a more beautiful place to live and work.

So far, the decision stands—challenged by many people but ignored by the city administration which brought about the action in the first place.

One of the steps being attempted by the city—and the department of commerce and industry—is the creation of the New York City Industrial Development Corp. It is a private nonprofit local development company that makes it possible for new and expanding industries to obtain up to 30 percent second-mortgage financing through a $50 million revolving fund under arrangement with the New York State Job Development Authority.

Since this fund was announced in October 1963, the department of commerce reports that seven New York City firms have received assistance, which presumably was a factor in keeping them going and in the city. The 7 firms have kept 1,000 jobs here. Three other applications by firms are now being processed, the department says.

Despite frequent statements and periodic press releases by the city department, only six firms have been assisted by this program so far.

So far, the city's other chief attempt to attract and keep businesses has been less successful. The idea—and one brought to fruition by a great many other cities—is to provide three industrial parks—parcels of land put together by the city and developed by private sponsors under city contract.

The first of these efforts was the formal proposal in January 1959, for an industrial park in the Flatlands section of Brooklyn on a tract considered blighted and unsuitable for large-scale residential renewal.

The proposal was greeted with tremendous enthusiasm by the mayor. "Making room for new industry in New York, as well as retaining old industry, is a major responsibility of the city administration," he said. "Programs like this indicate the acceptance by the city of leadership in this direction."

The decision to build two other parks—at College Point in Queens and at Mariner's Island on Staten Island—was called, by the mayor, a decision to create "two of the most exciting and significant ventures in this city's continuing efforts to maintain its industrial and commercial preeminence."

The mayor made this statement in 1962. Today, 3 years later, only one of the parks—the Flatlands—has even reached a detailed planning stage.

What happened?

The city simply hasn't been able to find a sponsor for the parks.

"We've had lots of nice discussions but the economics are such that no one wants to take it on," said one city official. "They would rather go out into the country. We're losing. Everyone knows it even if they won't say it. What we're doing so far is like trying to plug up a dike with a little finger. The question is, How do you stop it?"

NEW YORK CITY IN CRISIS: THE REASON BUSINESSES LEAVE NEW YORK

(By Barry Gottehrer and Marshall Peck)

Not too long ago, somewhere between late Friday night and early Monday morning, a moving firm moved into the offices of a New York garment-district manufacturer, loaded all the company's furniture and equipment aboard several vans and took off for Mississippi.

This was no case of burglary. It was simply one company's efforts to take its business out of New York City.

Most of the companies leaving the city choose less dramatic and more permanent methods. This one company was brought back to New York under court order, lost $300,000 as a result and was forced into bankruptcy.

WHY?

What makes a company run?

A manufacturer of pearl jewelry left because of cramped quarters and the soot and dust of the city attaching itself to its product.

A manufacturer of plastic wrappers for packaging left because of traffic and unloading problems and fire hazards.

A wholesale distributor of paint sundries left because of vandalism, the high cost of fire insurance, and inadequate loading and unloading facilities.

A manufacturer of plastic cups and containers left because of the scarcity of land for expansion and the havoc that crowded highways and bridges played on its shipping schedules. For Lily-Tulip Cup Corp., which employed 1,500 people (mostly unskilled and semiskilled) in its factory in College Point, Queens, and in its warehouse in the Bronx, the move was out of State to Holmdel, N.J., in February 1963. For the city, it meant a loss of more than 1,200 jobs.

A major food company left because it couldn't find sufficient space to consolidate its corporate quarters.

A manufacturer of blouses left because of rising labor costs and the garment center's monstrous traffic problems.

Schieffelin & Co., manufacturer of cosmetics and pharmaceutical supplies, left for a combination of most of these reasons. And, as in most instances, the move originated with a desire to modernize and expand. A close look at this firm's decision will emphasize the problem.

The company's cosmetic and pharmaceutical division had been in the building at 16-28 Cooper Square in lower Manhattan since the 1930's. "It would have been difficult to find a more archaic and inefficient building for manufacturing anywhere," said W. F. Megargel, the company's personnel manager. "It's a classic example of a real old multistory plant. The building was put up before the turn of the century. It just reached a point a few years ago when we finally decided to look around."

Except for the fact that many urban renewal projects have wiped out—and continue to wipe out—the city's diminishing inventory of factories and lofts, which have not been replaced, the city administration cannot be faulted solely because a company decides to expand.

According to manufacturers and businessmen, however, the city must be faulted for failing to provide adequate space in which a company can expand. This shortage of space and the problems of labor costs, traffic, taxes, insurance and vandalism are responsible for driving the small businessman and the manufacturer out of the city in increasing numbers.

Specifically, Schieffelin left because of:

An old, inadequate plant.

Inability to find suitable new quarters in New York.

Inability to find suitable sites to build on.

High cost of building.

High cost of labor.

Traffic and shipping problems.

High taxes.

Indifference from the city government, which didn't even bother to check to see why they had decided to leave.

NOTIFIED UNION

"Economically, New York immediately was eliminated from consideration when we started looking for a new site," says Edmund Mendell, the company's general manager and vice president. "They simply had nothing to offer us."

After extensive surveys, Schieffelin decided to relocate in Apex, N.C., 12 miles from Raleigh and about 500 miles from New York.

Eight months before making the move, company officials notified the union (the company had been organized since 1937 and under Teamster jurisdiction since 1950) about the decision. "We told them, 'Here's why we're moving, we're sorry'," says Mr. Megargel. "We offered employment to anyone who wanted to go to Apex."

Though it is only overnight by truck (an important consideration in the decision), the distance between New York and Apex left 60 Schieffelin employees out of work. Most of them were unskilled or semiskilled, in that they had learned packaging techniques under Schieffelin.

"I think someone should have taken more of an interest in us—the people who were let go," says Mrs. Irene Pagan, a floorlady who had been with the company for 34 years. "Someone should have found out what the trouble was with the company. If the union had talked with us and had asked us, 'Are you willing to take a cut?', I am sure we would have compromised.

"The company kept saying that business was bad. I would have said, 'Don't move away. Don't move to another place. We'll talk it over.' We worked for the company so long. We needed each other."

Schieffelin maintains a neutral position on the subject of unions but one company executive points out that the plant in Apex is nonunion and that there is no expectation that it will ever be otherwise.

"That's right," says Mayor Richard Heldmold, of Apex. "We don't buy unions down here. The people here are a little more independent. They wouldn't stand for it. They wouldn't even honor a picket line. I have a friend who had a shop where a union came in and called a strike. He just put out a sign, 'Help Wanted.' That ended the strike."

Yet it wasn't only lower wages and nonunion shops that attracted Schieffelin to Apex. Though the town and surrounding area has only 1,650 people, Apex—and the State of North Carolina—have succeeded—where New York City has failed—in the business of attracting manufacturing.

SECOND FIRM

And one of the first places they look is to New York.

"We want industry and it knows it," says the mayor of Apex. "We like them and they like us. It's a two-way street. This is the second firm we've taken away from New York. Apex Manufacturing Co. came here 3½ years ago. They make bathing suits and employ about 150."

"We have an advertising program and 12 field men," says Harold Love, manager of general development in the North Carolina Department of Commerce. "We're always in New York City. We want to get a company down here. If they have a tax problem, we'll step in on the side of industry. If they're underfinanced, we'll see to it that they got capital."

After years of dissatisfaction in New York, the Schieffelin people were delighted with the help and reception they've received in Apex. The State department of commerce screened and pretested job applicants and helped out in several other areas.

"We're operating in Apex under a regular tax setup," says Mr. Mendell. "North Carolina did not offer us any preferential treatment, no tax holiday or anything like that. They did help us out in the area of utilities and services. They provided a powerline to our plant, put it up, and put in the sewage and water supply.

REAL EAGER

"They're real eager down here. It seems like the whole State has banded together to help you out. I have found, from my contact with the government in New York, a great deal of bureaucracy and a let-someone-else-do-it attitude that I have not found in North Carolina. There's direction and enthusiasm—here—up and down the line."

Today, Schieffelin, which spent $1 million for its building, $2,000 for landscaping, and $100,000 for moving, has been in Apex since August 17, 1964.

Shipping costs are more expensive but the trucks make the city overnight and, besides, the payroll is smaller. New York's loss has clearly been Schieffelin's gain.

"In two ways, New York naturally has it over any place in the country," says Mr. Mendell. "That's in general prestige and the ability to be physically where many contacts are. But when it comes to manufacturing in New York, the costs become appreciable and the entire operation questionable."

VOLUNTEERS IN SERVICE TO AMERICA

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GIBBONS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I was pleased to be present on the memorable occasion last Friday when our gracious First Lady, Mrs. Lyndon B. Johnson, presented graduation diplomas to a group of VISTA volunteers in St. Petersburg, Fla.

These volunteers, ranging in age from 19 to 71, have completed 6 weeks' training under direction of the Florida Institute for Continuing University Studies and the Community Service Foundation. They will now scatter across the country to live and work among the poor, in local projects where their services have been requested.

Mrs. Johnson's inspirational remarks set a high standard for these first VISTA volunteers and the many who will follow. Under unanimous consent, I insert her speech in the RECORD and commend it to the attention of my colleagues:

REMARKS BY MRS. LYNDON B. JOHNSON, VISTA GRADUATION, ST. PETERSBURG, FLA.

I am delighted to be in St. Petersburg today to join in a program which is surely an exciting landmark in the history of our Nation.

One of the most interesting things about the program to me is the name itself—Volunteers in Service to America—VISTA, which says in one word what the program is.

You know, at our particular point of history, as we look back, this is a natural followup to successive periods when our country confronted great human problems. In the early and middle 19th century we proved that, whatever diversities existed among us, we could function as one Nation. In the later 19th century, we forged ahead an economic system strong and flexible enough to support an ever rising standard of living. In the 20th century we recognized that we are, ineluctably, part of a complex and churning world, and swung our energies toward making that role a force for freedom.

Now we are boldly taking hold of an aspiration which men have known as long as there have been human beings—the eradication of the bleak winter of poverty from the climate of a whole society.

Of all the economic opportunity programs being launched, none better expresses the spirit of the entire war against poverty than the VISTA operation.

I am pleased to meet you VISTA graduates in person and to see you at work—as I will later in the day. You have already made your mark here in St. Petersburg. The petition of the people of Ridgecrest and Old Baskin's Crossing asking for you to stay is evidence of your success.

That—in this brief time—must be a special source of satisfaction. You men and women of all ages, from all parts of the country, from a variety of occupations, have chosen to interrupt your careers and sacrifice economic gain or give up the well-earned leisure of later years in order to help others.

America is many things. But above all—more than any nation in the history of man—ever since the first frontiersman picked up his musket to help protect a neighbor—we have been a nation of volunteers. We have been a land in which the individual says—My neighbor needs me. I will do something.

You are graduating today into a stirring tradition. You are making glow again the words of that most American of poets, Walt Whitman, who wrote for us:

"Behold, I do not give lectures or a little charity when I give myself."

And I cannot think of a more appropriate place for this first VISTA graduation than here in the prosperous city of St. Petersburg.

The poor are not an island. Their needs toll out to the whole community.

The very fact that a man is poor means that he needs the help of others—that he probably lacks the education and often the hopefulness to lift himself unaided. Changing his lot is a decidedly practical matter for everyone. Millions of the impoverished place a heavy drag on the whole society, cutting down the ability to purchase what we produce, diminishing tax revenues—easy prey to delinquency and crime.

The intense interest of thriving St. Petersburg in the VISTA program is a heartening symbol of what is happening across the Nation, where all of us are realizing that all the poor are the responsibility of all America.

I am struck, too, by the way the VISTA program has been working out in this community. Too often well-meaning people have approached a social problem with the assumption—Let Washington draw up the perfect blueprint, complete down to the last comma.

But if the American experience has taught us any one fundamental lesson, it is this: There is no such thing as instant utopia—especially when the better world is conceived miles away from where it must take practical form.

Here in the St. Petersburg area, for some 7 years—long before we in Washington talked about a war on poverty—you have been at work to broaden economic opportunity.

Your many progressive educational institutions have been deeply involved. At Ridgecrest you have created a laboratory for healthy social change. You have proceeded on the only sensible assumption—that the national war against poverty must be fought in a thousand local battles—in the slums of individual cities, on wornout farms, in the hollows of Appalachia, in isolated Indian reservations—wherever human beings stand with their noses pressed against the windows of our general affluence.

The result of your local progress is that VISTA has been able to function here as it should function everywhere in America. It has learned as much as it has taught. Its role has been not to bring fullblown answers but to join with others, tentatively, questingly, on the road to a workable solution.

So we begin here, begin superbly, I believe, with this VISTA graduating class. I am proud to have been asked to give out your diplomas. I am privileged to share the rush of feelings that must be going through you.

Much has been said about the difficulties you will encounter. But you and I know that you also have before you the richest experience of your lives. To be at the forefront of a great national effort is an opportunity which comes to few in a generation, and the personal satisfaction it brings is deep and lasting.

For many of you this experience will be transforming. You will be confirming, in the most personal way, the wondrous truth which too often is a mere phrase. You will know, as nothing else could make you know, that we are all of us brothers, every one of us to every one of us.

You and the thousands who will follow you will have another privilege. In some countries, and in our own too, voices have been raised to say that a land as rich as ours can only produce a mink-lined civilization, marked by a moral deadening and the frenetic pursuit of pushbutton luxuries, a split-level, and a sports car. By what you are doing, you make those voices just so many hollow noises.

You are reliving the fundamentals on which the Nation was founded and by which it has grown great—That success is an imperative to service, not an invitation to apathy; that democracy means a human spirit which sweeps beyond mere laws; that the United States is blessed not so much by its roaring furnaces, not so much by its abundant fields of grain, not even by spaceships aloft, but by the national vision which calls upon us to use our resources so that every American can walk with head high in the tonic air of self-respect.

To all of you VISTA graduates, pioneers in a long and proud line to come, may I express my congratulations, my warmest best wishes, and—let me add—more than a bit of envy.

ESTABLISHMENT OF NATIONAL CEMETERY IN STATE OF RHODE ISLAND

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, today I am introducing a measure which is identical to one I introduced in the 88th Congress and which would direct the Secretary of the Army to establish a national cemetery in the State of Rhode Island.

My State does not have a national cemetery within its borders and innumerable constituents and our State veterans organizations are deeply concerned. Many of our honored veterans cannot receive the final tributes due them and their families, as their family members within the State are hesitant and reluctant to utilize Federal facilities elsewhere. Our Rhode Island families are close knit and most can ill afford even annual visits to cemeteries outside the State.

Additionally, there is land available for the establishment of such a cemetery in my State and it is my earnest hope that the 89th Congress will look with favor on my bill and recognize the great contributions made by our Rhode Island servicemen.

OUR POLICY TOWARD COMMUNIST CHINA

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. FRASER. Mr. Speaker, from the time that the Nationalist Government of China was forced to find refuge on Taiwan in the late 1940's, the United States has sought to isolate Communist China. At the same time we have provided extensive aid to the Nationalist Government.

The latter policy has been highly successful. The economic progress on Formosa is one of the success stories of the U.S. foreign aid program.

Has our policy toward Communist China been equally successful? For many years this question has not been adequately discussed in public forums. Yet our interests are best served when our policies are subjected to discussion, criticism, and review.

Mr. Speaker, I approach the question of U.S. policy toward Communist China with no preconceptions. I do, however, feel deeply about the need to bring this subject onto the public stage for searching inquiry.

Many questions can be propounded about U.S. policy toward Communist China. I list here four questions to illustrate the type of public discussion which I believe is long overdue:

First. In what ways are U.S. national security interests advanced or retarded by current U.S. policies toward Red China? Could U.S. national security interests be advanced by a change in our policies toward Red China?

Second. Is our policy which seeks to restrain aggressive or expansionist aims of Red China made more effective by prohibiting communication with that country? Does a policy of strength and firmness necessarily displace policies to encourage wider communication with that same country?

Third. Is U.S. opposition to diplomatic recognition and to the admission of Red China to the U.N. the heart of U.S. policy toward Red China, or could U.S. policy toward Red China change without necessarily altering U.S. position on these questions?

Fourth. Would a change in U.S. policy toward the admission of Red China into the U.N. be viewed by the non-Communist nations as a weakening of U.S. resolve?

Mr. Speaker, within recent weeks two eminent Americans have publicly discussed our policies toward Red China. On January 26 of this year the Honorable Thomas S. Gates, president of the Morgan Guaranty Trust Co., of New York, and Secretary of Defense under President Eisenhower, told the 63d annual dinner of the United States Steel Corp. in New York that the United States needs "fresh ideas and to devise new and bolder concepts to replace the tired, worked over, warmed over policies we have followed so long." He called for a stiffening of our total posture toward the Communist world, noting that "strength and will to use it is something all men understand and respect." He went on to say:

> From a position of strength, there is no reason we should not talk to Red China. There are many things we both want. It is not wise to wait too long. National positions already frozen can become so forever. China is on its way and will become soon a highly industrialized nation. We must be openminded and think first of the Chinese people.
>
> Red China wants and needs to trade, wants stature as a member of the U.N. We want the status of Taiwan established. Both of us really want the boundaries of Korea, India, and Vietnam settled.
>
> From a position of strength and clear policy, there is no reason not to talk and to compromise in a whole package of problems. A politician would not make such a suggestion. China is currently a bad word. Most believe agreements would not last. However, at the right time and from a new position of strength and a proven well-defined foreign policy, I would take the chance. There is much to be gained and little to lose. Moreover, people will not live behind walls of barbed wire or nuclear boundaries forever. They are sure to explode outward.

On February 20 last, our colleague and former U.S. representative to ECOSOC, Congressman Jonathan Bingham, delivered an exceptional speech to the 30th anniversary banquet of the Yale Political Union at New Haven, Conn. In this speech Congressman Bingham seeks to assess U.S. interests in the question of admission of Red China to the United Nations. Because his speech puts forth a side of the subject which has not been widely discussed or considered, I include Congressman Bingham's speech in the Record following my remarks. While I do not necessarily agree with all the points he advocates, I think it is a good example of the type of dialog that should be taking place now concerning our policy toward Communist China.

The speech follows:

Text of Remarks by Representative Jonathan B. Bingham at 30th Anniversary Banquet of Yale Political Union, New Haven, Conn., February 20, 1965

As one of the founders of the Yale Political Union in 1935, I am honored to be your speaker this evening.

When this organization was launched, President Franklin D. Roosevelt sent warm greetings and expressed keen interest. Among those who were involved in its founding were Prof A. Whitney Griswold, later president of the university, August Heckscher, Walt Rostow, and Potter Stewart. Over the years, the organization has lived up to its initial promise of providing a valuable training ground for Yale students interested in politics and in national issues. I congratulate the present officers and members and hope that the union will have a long and bright future, in the tradition of its already distinguished history.

I have chosen to speak to you this evening on our policy toward Communist China, which I know is one of the topics you have discussed in the course of this year's debates.

With American forces engaged in hostilities in Vietnam, this may seem like a bad time to be questioning the wisdom of our attitude toward Communist China.

But let us keep two points in mind:

1. The very fact that American men are being killed in Vietnam makes it more, not less, essential that we be sure the premises of our Far Eastern policies are sound.

2. Communist China is our real antagonist in the Far East and presents, at least in the long range, a threat to our national security. By comparison, North Vietnam, agonizing as the situation is, is a secondary problem. It presents a threat to our national security only indirectly, in terms of the danger of escalation of the present conflict, or in terms of the possible consequences of our having to leave Vietnam, opening the way for Communist control of all of southeast Asia.

My principal purpose this evening is to suggest that we—and by we I mean the American people—may not be facing the facts about Communist China.

I do not have access to secret information, but I do read the public prints. And I would submit the following as a reasonable accurate summary of the facts:

Communist China has now been in firm control of the mainland of China since 1949. Chinese boys and girls up to 20 years old can remember nothing else. Probably a high proportion of the people who disagreed with Mao Tse-tung have disappeared. Mao's regime has showed itself a master of the totalitarian teachings of thought control. The regime has encountered a series of crises—famines, floods, the cutting of Soviet aid, the collapse of "the great leap forward"—and has survived them all.

Communist China is building up trade with the outside world—including substantial trade with many of our friends. After years of concentrating on its own domestic problems, the regime has felt itself strong enough to engage in a series of adventures abroad. Recently it has emerged as the world's fifth nuclear power.

There seems to be, in short, little evidence any longer that Mao's regime will collapse or be overthrown from within.

On the other side of the Formosa Strait, we have a Nationalist Chinese Government which in recent years has made remarkable progress, both economically and socially. But its dream of return to the mainland persists only as a dream, not as a reality. On the other hand, the Taiwan Government, with our help, can probably resist an attack from the mainland for the foreseeable future.

If these are the facts, or a reasonably accurate facsimile thereof, what is our policy in relation to them?

Our policy seems to be twofold: to try to resist, or "contain" Communist expansion in Asia, and, so far as mainland China itself is concerned, to hope Micawber-like that something will turn up. Our policy contains no element of carrot, and very little stick. It amounts to stalling for time, partly because we are not sure what else to do, and partly because, from the point of view of our own domestic politics, the subject of China has generally been considered "too hot to handle."

Yet, while we wait and hope for the best, Communist China will be building a nuclear weapons potential, to give edge to its awesome manpower potential.

Do we have ready on hand the means to destroy Mao Tse-tung's regime and substitute one more to our liking? With our nuclear arsenal, we undoubtedly do—but we are not likely to use it, unless the provocation becomes unbearable. And even then we would have to consider the risk of massive Soviet retaliation against us.

I for one do not think the Soviets would choose to destroy themselves, along with us, if we were to pulverize China's cities, but who could be sure?

Absent major military action, it is hard to see what effective policy of stick is open for us. Our efforts at economic sanctions to date have been largely ineffectual, mainly because even some of our closest friends in the world, countries such as Britain, Canada, and Japan, are not in sympathy and will not work with us.

If we do not have in usable form the means to destroy the Communist regime in China, then it would seem that we should at least be thinking about the possibilities of inducing that regime to become part of the international community of nations, with the same basic principles of international morality; i.e., the principles of the U.N. Charter.

For the most part, our attitude toward this eventuality up to now has been totally negative. As I know from my experience at the U.N., we have never been willing to discuss the conditions under which we might recognize Communist China or permit its entry into the U.N.

On the other hand, we have since 1960 impliedly recognized in our disarmament proposals that effective international machinery for controlled disarmament will have to include Communist China. Thus, the "second stage" of our latest plan calls for the participation of all "militarily significant states" and the third or final stage for the participation of "all states." And it could hardly be otherwise.

Am I suggesting that tomorrow we should offer to recognize the Peiping regime on Peiping's terms, or abandon our opposition to the replacement of Nationalist China by Communist China at the U.N.? Not at all. To my mind, these steps are unthinkable under present circumstances, and at least so long as Communist China remains bent upon the forcible conquest of Formosa and openly maintains the necessity of aggressive war as an instrument of national policy.

But why should our policy be so totally devoid of the element of carrot, as well as of stick? Why, for example, should we not indicate the conditions under which we would be willing to accept Communist China as a member of the community of nations?

One essential condition would be the at least tacit acceptance of the continued independent existence of the state of Taiwan or Nationalist China. Another would be the acceptance of the principle of "competitive coexistence" as enunciated and accepted by the U.S.S.R. in the post-Stalin period.

One step that we could take immediately would be to announce that, if the People's Republic of China were to apply for admission to the U.N. as a new member state, we would not oppose its admission. This might seem radical to some, but it would actually be a very innocuous step and it would amount to little or no carrot, because for Maoist China to apply for admission to the U.N. as a new member would necessarily mean accepting the existence of two Chinas, an idea which up to now neither China has been willing to accept.

The problem of admitting Peiping to the U.N. as a second China is complicated by the fact that Nationalist China could veto its admission, even if we did not. But the mere announcement by us of such a position would improve our image in the rest of the world, where our ostrichlike posture today makes us look ridiculous. And if in fact there were any indication of Peiping being willing to make such an application for admisssion as a new member, this would signify such a basic change of policy on its part as to warrant a major effort by us to secure the acquiescence of Chiang Kai-shek.

The problem of membership in the Security Council, of course, presents enormous difficulties. There is a good argument to be made that Nationalist China is entitled to hold on to the permanent seat, as the successor to the government which was given that right in the Charter. But it is hard to see how any self-respecting government of mainland China could ever accept such a result. On the other hand, there is no reason to suppose that the Taiwan Government would ever accede to being replaced, and there is no legal mechanism available in the U.N. for accomplishing this against Taiwan's will. (A vote by the General Assembly would not be binding on the Security Council, which exists entirely independently of the General Assembly and is not subordinate to it in any way.) In the long run, however, if a general desire for settlement were manifest, and negotiations over all outstanding issues (including such troublesome problems as the Korean war prisoners and the offshore islands) were underway, a solution to the Security Council question could be found through the route of charter amendment, possibly by reducing the number of permanent seats to four.

In these remarks, I have by no means sought to describe what our overall policy toward Peiping should be. I am not expert enough to do so, and I do not have access to all the facts. But I am suggesting that we should review the wisdom of our Micawber-like attitude. That attitude may have been justified in the past during periods when the survival of the Communist regime in China was in serious doubt, but today there is no longer any apparent reason to hope realistically for the regime's collapse. I am also suggesting that we should reassess the available facts and their implications, and that, on the basis of this reassessment, we should outline a policy which would hold out some inducement to the Communist Chinese to turn from their own implacable hostility. Such rational pronouncements would probably have little effect on Mao Tse-tung and his associates, but who knows whether they might not strengthen the hand of some potential Chinese Khrushchev?

In 1933, after 16 years of hoping the Russian Revolution would go away, the United States decided to face the facts and undertake to deal with them. Now, 16 years after the Communists took over mainland China, it is time we did the same.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MAHON, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BOW (at the request of Mr. MAHON), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. HALPERN (at the request of Mr. MCCLORY), for 15 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. CUNNINGHAM (at the request of Mr. MCCLORY), for 30 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. MATHIAS (at the request of Mr. MCCLORY), for 30 minutes, on Wednesday, March 3.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. MCCLORY) and to include extraneous matter:)

Mr. HARSHA.

Mr. FINO.

(The following Members (at the request of Mr. RONCALIO) and to include extraneous matter:)

Mr. RIVERS of South Carolina.

Mr. DULSKI.

Mr. BOGGS.

Mr. FASCELL.

Mr. HÉBERT.

ADJOURNMENT

Mr. RONCALIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.)

the House adjourned until tomorrow, Wednesday, March 3, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

670. A communication from the President of the United States, transmitting a report indicating the necessity for a supplemental estimate of appropriations for fiscal year 1965 for various agencies and the District of Columbia (H. Doc. No. 98); to the Committee on Appropriations and ordered to be printed.

671. A communication from the President of the United States, transmitting a report on the national oceanographic program for fiscal year 1966; to the Committee on Merchant Marine and Fisheries.

672. A letter from the Comptroller General of the United States; transmitting a report on excess traveltime allowed military personnel using privately owned vehicles on permanent change of station travel, Department of Defense; to the Committee on Government Operations.

673. A letter from the Comptroller General of the United States, transmitting a report on improper application by the Hallicrafters Co., Chicago, Ill., of Government's share of vendor credits for volume discounts under contracts AF 33(600)–40992, AF 33-(600)–40994, and AF 33(600)–42414; Department of the Air Force; to the Committee on Government Operations.

674. A letter from the Comptroller General of the United States, transmitting a report on loss of revenue resulting from the practice of requiring that surplus marine anchors be sold as scrap; Departments of Commerce, Defense, and Navy; to the Committee on Government Operations.

675. A letter from the Clerk, U.S. House of Representatives, transmitting a report for the period July 1, 1964, to December 31, 1964, pursuant to section 105 of Public Law 88–454; to the Committee on House Administration.

676. A letter from the Secretary of the Interior, transmitting the third annual report on the lead and zinc mining stabilization program, for the year ending December 31, 1964, pursuant to section 8 of the act of October 3, 1961; to the Committee on Interior and Insular Affairs.

677. A letter from the Chairman, Interstate Commerce Commission, transmitting drafts of proposed legislation covering several bills; to the Committee on Interstate and Foreign Commerce.

678. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases of aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

679. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

680. A letter from the Governor of the Canal Zone, President, Panama Canal Company, transmitting a draft of proposed legislation entitled, "A bill to grant increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act of July 8, 1937, and to extend cash relief benefits to widows of recipients"; to the Committee on Merchant Marine and Fisheries.

681. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled, "A bill to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes"; to the Committee on the Judiciary.

682. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled, "A bill to amend the tariff schedules of the United States to reduce until January 1, 1968, the exemption from duty enjoyed by returning residents to $50 fair retail value, to limit the exemption to articles accompanying such residents, and for other purposes"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MURRAY: Committee on Post Office and Civil Service. Report on use of contractor personnel in the Department of Defense (Rept. No. 129). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 2. A bill to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs, and for other purposes; with amendment (Rept. No. 130). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASHMORE: Committee on the Judiciary. H.R. 1445. A bill for the relief of Charles Marowitz; without amendment (Rept. No. 116). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 3137. A bill for the relief of McKoy-Helgerson Co.; without amendment (Rept. No. 117). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 4025. A bill for the relief of Terence J. O'Donnell, Thomas P. Wilcox, and Clifford M. Springberg; without amendment (Rept. No. 118). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1867. A bill for the relief of Daniel Walter Miles; without amendment (Rept. No. 119). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2139. A bill for the relief of Mrs. Mauricia Reyes; with amendment (Rept. No. 120). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 2166. A bill for the relief of Staiman Bros.-Simon Wrecking Co.; with amendment (Rept. No. 121). Referred to the Committee of the Whole House.

Mr. HUTCHINSON: Committee on the Judiciary. H.R. 2881. A bill for the relief of George A. Grabert; without amendment (Rept. No. 122). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3074. A bill for the relief of Maxie L. Stevens; with amendments (Rept. No. 123). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 3899. A bill for the relief of C. R. Sheaffer & Sons; with amendment (Rept. No. 124). Referred to the Committee of the Whole House.

Mr. McCLORY: Committee on the Judiciary. H.R. 4024. A bill for the relief of Lewis H. Nelson III; without amendment (Rept. No. 125). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4026. A bill for the relief of Lt. Col. Porter F. Sheldon, U.S. Air Force; without amendment (Rept. No. 126). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4088. A bill for the relief of Irving M. Sobin Chemical Co., Inc.; without amendment (Rept. No. 127). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4443. A bill for the relief of Robert J. Beas; without amendment (Rept. No. 128). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (by request):

H.R. 5638. A bill to authorize the Secretary of the Interior to employ aliens in a scientific or technical capacity; to the Committee on Interior and Insular Affairs.

By Mr. BRAY:

H.R. 5639. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. BROOKS:

H.R. 5640. A bill to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 5641. A bill prohibiting the use in the District of Columbia of firearms in the commission of certain crimes; to the Committee on the District of Columbia.

H.R. 5642. A bill prohibiting use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 5643. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

H.R. 5644. A bill to amend the Bankruptcy Act to permit a husband and wife to file a joint petition in ordinary bankruptcy and chapter XIII (wage earner) proceedings; to the Committee on the Judiciary.

H.R. 5645. A bill to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source; to the Committee on the Judiciary.

By Mr. CELLER (by request):

H.R. 5646. A bill to amend sections 334, 355, 367, and 369 of the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 5647. A bill to provide for the humane treatment of vertebrate animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONABLE:

H.R. 5648. A bill to amend the Internal Revenue Code of 1954 to provide that interest on series E U.S. saving bonds which are held to maturity or beyond shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 5649. A bill to encourage the States to extend coverage under their State unemployment compensation laws to agricultural labor; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 5650. A bill to amend subsection (c) of section 501 of the Internal Revenue Code by making it clear that the tax exemption of a civic league or organization exclusively for the promotion of social welfare shall not be affected because of income, including subscription and advertising income, derived from carrying on any publication, such as a journal, which is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

H.R. 5651. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 by making it clear that the income, including subscription and advertising income, derived by an organization in carrying on any publication, such as a trade or professional journal, shall not be deemed to be unrelated business taxable income if the publication is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

H.R. 5652. A bill to amend the Internal Revenue Code of 1954 to allow a farmer a deduction from gross income for water assessments levied by irrigation ditch companies; to the Committee on Ways and Means.

By Mr. DENTON:

H.R. 5653. A bill to amend title 38 of the United States Code to establish the rates of disability compensation on an equitable basis giving due consideration to the continuing increase in the cost of living; to the Committee on Veterans' Affairs.

By Mr. FASCELL:

H.R. 5654. A bill to provide for expanded research in the oceans and the Great Lakes, to establish a National Oceanographic Council, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FINO:

H.R. 5655. A bill to amend title 38 of the United States Code to increase the amount which may be paid on account of the funeral expenses of certain veterans from $250 to $300; to the Committee on Veterans' Affairs.

By Mr. FRIEDEL:

H.R. 5656. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY:

H.R. 5657. A bill to promote the general welfare, foreign policy, and security of the United States; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 5658. A bill to amend section 302 of the Federal Aviation Act of 1958 to provide for the establishment of an Aircraft Noise Abatement Service within the Federal Aviation Agency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5659. A bill to amend section 601(a) and section 901 of the Federal Aviation Act of 1958 to provide for the issuance of rules and regulations pertaining to the elimination or minimization of aircraft noise nuisance and hazards to persons or property on the ground, and to provide for penalties for the violation thereof; to the Committee on Interstate and Foreign Commerce.

H.R. 5660. A bill to require the Administrator of the Federal Aviation Agency to issue rules and regulations to minimize or eliminate aircraft noise nuisance and hazards to persons or property on the ground; to the Committee on Interstate and Foreign Commerce.

H.R. 5661. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Interstate and Foreign Commerce.

H.R. 5662. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARVEY of Indiana:

H.R. 5663. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 5664. A bill to establish a National Economic Conversion and Diversification Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD (by request):

H.R. 5665. A bill to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes; to the Committee on Government Operations.

By Mr. KING of Utah:

H.R. 5666. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

By Mr. LINDSAY:

H.R. 5667. A bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States; to the Committee on the Judiciary.

H.R. 5668. A bill to amend title 39, United States Code, to encourage the use by volume mailers of ZIP code through postage rate concessions; to the Committee on Post Office and Civil Service.

By Mr. MACDONALD:

H.R. 5669. A bill to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service otherwise entitled thereto even though he has been assigned Government quarters; to the Committee on Armed Services.

By Mr. MATSUNAGA:

H.R. 5670. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. MINK:

H.R. 5671. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PIRNIE:

H.R. 5672. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

By Mr. REDLIN:

H.R. 5673. A bill to provide that certain lands shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.R. 5674. A bill to authorize each Member of the House of Representatives to employ annually, on a temporary basis, a student congressional intern; to the Committee on House Administration.

By Mr. RODINO:

H.R. 5675. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

H.R. 5676. A bill to incorporate the Italian American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 5677. A bill to amend section 503 of title 38 of the United States Code to exclude from consideration as income, for the purpose of determining eligibility for pension, all amounts paid to an individual under public or private retirement, annuity, endowment, or similar type plans or programs; to the Committee on Veterans' Affairs.

By Mr. RYAN:

H.R. 5678. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. ST GERMAIN:

H.R. 5679. A bill to provide for the establishment of a national cemetery in the State of Rhode Island; to the Committee on Interior and Insular Affairs.

By Mr. ST. ONGE:

H.R. 5680. A bill for the general revision of the copyright law, title 17 of the United States Code, and for other purposes; to the Committee on the Judiciary.

H.R. 5681. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water and air pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 5682. A bill to amend section 359 of title 38, United States Code, to provide that such section shall become effective as of the date of its enactment; to the Committee on Veterans' Affairs.

H.R. 5683. A bill to amend section 503 of title 38, United States Code, to provide that payments to an individual under a public or private retirement, annuity, endowment, or similar plans or programs shall not be counted as income for pension until the amount of payments received equals the contributions thereto; to the Committee on Veterans' Affairs.

By Mr. SCHWEIKER:

H.R. 5684. A bill to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 5685. A bill to amend the Civil Service Retirement Act to permit retirement with full annuity upon attainment of the age of 55 years and completion of 30 years of service, to liberalize the formula for computation of reduced annity, and for others purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wisconsin:

H.R. 5686. A bill to amend title 38 of the United States Code so as to extend to veterans of Mexican border hostilities the same benefits enjoyed by veterans of periods of war; to the Committee on Veterans' Affairs.

By Mr. TUPPER:

H.R. 5687. A bill to provide for the issuance of a special postage stamp commemorating the 100th anniversary of the birthday of Dr. Luther Halsey Gulick; to the Committee on Post Office and Civil Service.

By Mr. WHITENER:

H.R. 5688. A bill relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BROOMFIELD:

H.R. 5689. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. BURTON of Utah:

H.R. 5690. A bill to extend the operation of the National Wool Act of 1954, as amended; to the Committee on Agriculture.

By Mr. DOW:

H.R. 5691. A bill to provide for an additional payment of $40,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village; to the Committee on Armed Services.

By Mr. DUNCAN of Oregon:

H.R. 5692. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRELINGHUYSEN:

H.R. 5693. A bill to repeal section 13a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON:

H.R. 5694. A bill to amend the Civil Service Retirement Act to provide for the adjustment of inequities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5695. A bill to amend the Civil Service Retirement Act, as amended, to provide for the recomputation of annuities of certain retired employees who elected reduced annuities at the time of retirement in order to provide survivor annuities for their spouses, and for the recomputation of survivor annuities for the surviving spouses of certain former employees who died in service or after retirement; to the Committee on Post Office and Civil Service.

By Mr. LONG of Maryland:

H.R. 5696. A bill to provide for the control and progressive eradication of certain aquatic plants in the States of Maryland, Virginia, New Jersey, and Tennessee; to the Committee on Public Works.

By Mr. MORSE:

H.R. 5697. A bill to prohibit the Postmaster General from intentionally issuing defective stamps; to the Committee on Post Office and Civil Service.

H.R. 5698. A bill to provide social security coverage as self-employed individuals for State and local public officers, not otherwise covered under Federal-State agreement, who are paid on a fee basis by persons other than the State or local government; to the Committee on Ways and Means.

By Mr. OLSON of Minnesota:

H.R. 5699. A bill to amend the Internal Revenue Code of 1954 to exempt schoolbuses from the manufacturers' excise tax; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI:

H.R. 5700. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 5701. A bill to authorize the Secretary of the Army to pay the market value of certain leasehold interests, buildings, and improvements and to pay severance damages to certain persons having interests in lands acquired for the Marion Dam and Reservoir project in the State of Kansas; to the Committee on Public Works.

By Mr. COOLEY:

H.R. 5702. A bill to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission; to the Committee on Agriculture.

By Mr. SIKES:

H.J. Res. 356. Joint resolution proposing an amendment to the Constitution of the United States to permit the offering of prayer in public schools; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 357. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.J. Res. 358. Joint resolution designating the 8-day period beginning on the 12th day of October of each year as Patriotic Education Week; to the Committee on the Judiciary.

H.J. Res. 359. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LATTA:

H.J. Res. 360. Joint resolution proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CONTE:

H. Con. Res. 339. Concurrent resolution authorizing the printing of additional copies of House Document 394, 87th Congress; to the Committee on House Administration.

By Mr. FARBSTEIN:

H. Con. Res. 340. Concurrent resolution expressing the sense of the Congress with respect to the establishment of a United Nations Conciliation Committee; to the Committee on Foreign Affairs.

By Mr. RYAN:

H. Con. Res. 341. Concurrent resolution favoring an agreement among states of the Near East prohibiting the production of nuclear weapons and offensive missiles; to the Committee on Foreign Affairs.

By Mr. MONAGAN:

H. Con. Res. 342. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. HALPERN:

H. Res. 252. Resolution to amend the Rules of the House of Representatives to transfer the responsibilities of the Committee on Un-American Activities to the Committee on the Judiciary; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

67. Mr. REIFEL presented a memorial of the South Dakota State Legislature memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, relative to the apportionment of State legislatures and governing bodies of subordinate units of government which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 5703. A bill for the relief of Regina Gebriel Chiari (also known as Gina Chiari); to the Committee on the Judiciary.

H.R. 5704. A bill for the relief of Nahida Riad Kattuah and her minor daughter, Lena Kattuah; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 5705. A bill for the relief of Yousif Najaar; to the Committee on the Judiciary.

H.R. 5706. A bill for the relief of Kyriakou Kyriakos; to the Committee on the Judiciary.

By Mr. GROVER:

H.R. 5707. A bill for the relief of Sofia Gargiulo Tinalli, Gennaro Tinalli, and Italo Tinalli; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 5708. A bill for the relief of Alvin A. Canha; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 5709. A bill for the relief of Anna Cardillo; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 5710. A bill for the relief of Angelina Martino; to the Committee on the Judiciary.

By Mr. OLSON of Minnesota:

H.R. 5711. A bill for the relief of Arthur Noel John Pearman; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 5712. A bill authorizing the consideration of the recommendation made for the award of the Legion of Merit to Dr. William A. Reilly for meritorious service during World War II; to the Committee on Armed Services.

By Mr. ST. ONGE:

H.R. 5713. A bill for the relief of Vuong Thi Bick Tuan; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 5714. A bill for the relief of Manuel Lopez Pedroza; to the Committee on the Judiciary.

By Mr. WELTNER:

H.R. 5715. A bill for the relief of Jesse H. Burke; to the Committee on the Judiciary.

By Mr. WHITENER:

H.R. 5716. A bill for the relief of George Nickolas Kerhoulas; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 5717. A bill for the relief of Teresa Szwachla; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 5718. A bill for the relief of Mrs. Enrico L. Pabalate; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

115. By Mr. STRATTON: Petition of the Board of Supervisors of Yates County, N.Y., opposing the closing of the Veterans' Administration centers at Bath, N.Y.; to the Committee on Veterans' Affairs.

116. Also, petition of the Board of Supervisors of Ontario County, N.Y., opposing the closing of the Veterans' Administration cen-

ter at Bath, N.Y.; to the Committee on Veterans' Affairs.

117. By the SPEAKER: Petition of the commander, Italian American War Veterans of the United States, Inc., Department of New York, Herkimer, N.Y., petitioning consideration of their resolution with reference to opposing the closing of veterans hospitals and facilities in the State of New York known as Sunmount, Castle Point, and Bath, and elsewhere in the Nation; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Appointment of the Honorable Kenneth E. BeLieu as Under Secretary of the Navy

EXTENSION OF REMARKS
OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 2, 1965

Mr. RIVERS of South Carolina. Mr. Speaker, under unanimous consent, I insert in the Congressional Record my views regarding the appointment of the Honorable Kenneth E. BeLieu as Under Secretary of the Navy.

The Senate confirmation of a Presidential appointee to even the highest positions in the Department of Defense—or any of the executive departments of Government—is usually a rather routine proceeding, particularly when the individual concerned has been unanimously recommended by the committee which held hearings on his qualifications.

However, there was a confirmation by the Senate on Friday, February 18, that was far from routine. It concerned a person well known and much admired by the members of the Armed Services Committee of this House, and by the House as a whole. I refer to the Honorable Kenneth E. BeLieu.

Mr. Speaker, I share with my colleagues in this House the pleasure of noting the unusual enthusiasm with which Secretary BeLieu's nomination was endorsed by the Senate. Among those endorsing his nomination, and speaking specifically to it, were the majority leader, Senator Mansfield; the minority leader, Senator Dirksen; Senator Stennis; Senator Aiken; Senator Saltonstall; Senator Jackson; and Senator Dodd. These distinguished Members of the Senate, all of whom have been closely associated with Secretary BeLieu during his years on the staffs of the Armed Services Committee, the Space Committee, and Preparedness Investigating Subcommittee, expressed deep satisfaction that one of such high personal and professional qualifications as Secretary BeLieu had been appointed to the position of Under Secretary of the Navy.

In the course of the Senate colloquy endorsing Secretary BeLieu, President Johnson was complimented on making such an outstanding appointment. I would like, for myself, Mr. Speaker, to say that President Johnson's appointment of Secretary BeLieu is another demonstration of the President's well-known ability to recognize, develop, and bring to positions of high responsibility in Government, persons of rare ability.

Several years ago, then-Senator Johnson, recognized Ken BeLieu's ability as a member of the professional staff of the Senate's Armed Services Committee. It was not long before then-Senator Johnson appointed him to be the staff director for both the Preparedness Investigating Subcommittee and the Space Committee of the Senate. Both of these committees were chaired by then-Senator Johnson. We all know of the loyal and able manner in which Ken BeLieu handled these difficult and very important assignments.

Shortly after the Kennedy-Johnson administration took office, Ken BeLieu was appointed Assistant Secretary of the Navy. In his testimony before the House Armed Services Committee, he has impressed the members with his professional knowledge of his job, his understanding of people, his loyalty to his superiors, and his honesty.

At a time when our Nation and our Armed Forces are faced with growing crisis in Asia, President Johnson has, in his promotion of Ken BeLieu, made a timely and widely appreciated contribution to the morale of our fighting men, and the confidence of Congress and the Nation in the Department of the Navy and the Defense Department as a whole.

Throughout the Navy, officers and blue jackets alike know that, in the new Under Secretary of the Navy, they have a person who understands the problems of the man in uniform. They know he learned these things the hard way, in combat in World War II, and in Korea, where he had his leg blown off in action.

Mr. Speaker, I am confident that Members of this House will join with me in extending our congratulations to Ken BeLieu on his appointment and confirmation as Under Secretary of the Navy, and in complimenting President Johnson for making such a wise and timely contribution to the morale and efficiency of our fighting forces.

A Bill To Increase Veterans' Funeral Benefits

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 2, 1965

Mr. FINO. Mr. Speaker, today I have introduced legislation to increase the amount payable on account of the funeral expenses of certain veterans from $250 to $300.

In these days, it is not only the cost of living that is going up, but the cost of dying as well. The present allowance of $250 for burial expenses is obviously inadequate today.

I am therefore proposing that this burial allowance be increased to a more reasonable and more realistic amount. Even $300 is by no means enough, but it is at least a step in the right direction in trying to take care of our veterans who pass on. I hope the Members of this House will give this bill its strong support.

WLW Radio Station Wins Award

EXTENSION OF REMARKS
OF

HON. WILLIAM H. HARSHA

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 2, 1965

Mr. HARSHA. Mr. Speaker, I wish to commend one of Ohio's outstanding radio stations, WLW, Cincinnati, Ohio, for receiving a well-deserved honor and recognition for meritorious service rendered on behalf of its listening audience.

On February 22, 1965, WLW radio station was awarded the George Washington Honor Medal Award by the Freedoms Foundation at Valley Forge, Pa., for its 1964 radio program, "That Certain July in Philadelphia."

This marks the second consecutive year WLW-radio has been so honored. Last year WLW won the highest award presented to a radio station—the encased George Washington Honor Medal—for its "Government Under Law" series.

WLW's winning entry this year was part of a regular feature, "People and Places" carried within "An Evening at Crosley Square" on a daily basis and hosted by WLW's Jack Gwyn. The award-winning show was written and narrated by Mr. Gwyn and produced by the WLW program department. Recognizing the negligible amount of material featured on the airwaves commemorating our national holidays, "Of People and Places" dramatically revisited Philadelphia that certain July to trace the events which inspired Thomas Jefferson to write the draft for the Declaration of Independence.

Each year the Freedoms Foundation honors companies, individuals, organizations, and schools who best exemplify the "Credo of the American Way of Life." The news media industry is indeed fortunate to have such an outstanding service to the public and it is an honor and privilege to commend radio station WLW for its patriotic programs. WLW has contributed much in its broadcasting service to the people and such contributions are generally left unrecognized. For their efforts and valuable service to the listening audience, a commendation is in order.

H.R. 2027: A Bill To Repeal Section 14 (b) of the National Labor Relations Act

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1965

Mr. DULSKI. Mr. Speaker, I have sponsored a bill, H.R. 2027, to repeal section 14(b) of the National Labor Relations Act. This section reads as follows:

> Nothing in this act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State, or territory in which such execution or application is prohibited by State or territorial law.

The strongest advocates of preservation of this section of the law have banded together under the misnomer of "right-to-work" organizations. A more honest title for these groups should be "antiunion security" organizations because that—and that alone—is the sole intent and purpose of the right-to-work advocates.

Actually, there is no such thing as a right to work. Work opportunities are based upon the economic laws of our system and the law of supply and demand.

What the right-to-work advocates overlook or fail to mention in their feverish propaganda to promote their cause is that a union under Federal law, which attains certification as a bargaining agent for a majority of the workers, must represent all of the workers in that unit whether they are members or not.

The philosophy of the right-to-work advocates may be compared to the argument of a childless couple that they should not be required to pay school taxes because they do not directly use the educational facilities of the community.

The prohibition of management and labor unions from freely negotiating and executing union shop provisions in collective bargaining agreements creates a legislative umbrella under which a minority group of free riders may scurry. While sitting in the shade with none of the obligations or responsibilities to the union, they receive and enjoy all of the economic fruits and security provided them by the union.

To put this issue in simple basic terms, it is merely this: Should an individual employee for any reason at all in his own mind have the privilege of not paying dues to support a union which a majority of his fellow employees have chosen by the election process to represent all of them?

The aim and intent of the right-to-work advocates is to weaken the existing strong unions, destroy the weaker ones, and hamper and prevent the formation of new ones.

Congress should no longer provide this haven and shelter for this group. It should close this legislative umbrella which would require this group to move over to the sunny side of the street and exercise its rights in the democratic way under the free elective process and collective bargaining.

The quickest, easiest, and simplest way to close this umbrella is by repeal of section 14(b).

Service Academy Athletes Are Unjustly Maligned

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1965

Mr. HÉBERT. Mr. Speaker, following the cheating scandal disclosed at the Air Force Academy, a few persons seized upon this issue to point the finger of blame at Academy athletics.

Noting that 42 Air Force Academy athletes were among the 105 cadet resignations in the wake of the scandal, the inference was made that varsity athletics was the real culprit.

The apparent assumption is that an athlete is not really a cadet—that athletics is an ersatz function of the service academies.

Mr. Speaker, I say that these assumptions and inferences fly in the face of the actualities, and as a result the service academy athletes have been unjustly maligned.

The fact of the matter is that every cadet or midshipman who participates in intercollegiate athletics must pass the same rigorous entrance requirements as the nonathlete. Furthermore, the athlete must maintain the same high level of proficiency as any other cadet while in the Academy.

As for the cry of "professionalism," one only has to consider that a so-called professional athlete would hardly pick one of the service academies. An academy graduate must serve on active duty a minimum of 5 years after graduation; if an athlete aspired to play pro ball, he would go to a university where he could immediately play in the pro ranks after graduating.

I believe it is a fallacy to attempt to differentiate between the "athletes" and the "nonathletes" at the academies, because all cadets and midshipmen participate in some form of athletics.

This is amply stated in a report prepared for the Superintendent of the U.S. Naval Academy. A portion of this report said:

> The physical education and athletic program is so integral to the activities of the brigade, just as are the academic and military programs, that it is erroneous to assume that athletes are not midshipmen or that midshipmen are not athletes.
>
> In varsity sports alone, approximately 1,000 participate each season—fall, winter, and spring—representing the Naval Academy in intercollegiate athletics in 21 sports. About 2,300 midshipmen each season are members of intramural teams involving a total of 28 sports.
>
> A program of physical education is continued throughout the 4 years so that all midshipmen receive instruction in such activities as swimming, wrestling, boxing, hand-to-hand combat, tennis, golf, handball, squash, personal conditioning and athletic administration.
>
> The midshipmen are in a period of their lives which is important to their physical development and to the establishment of habits of healthful exercise and competitive spirit and teamwork that will serve them throughout their lives.
>
> We believe that it is important for the midshipmen to be in good physical condition, for them to know how to stay in good condition, and for them to have acquired a genuine personal interest in physical recreation and competition.

The report further points out that Naval Academy varsity lettermen in football and basketball had excellent high school academic records before entering the Academy and have maintained high academic standing after entering.

The college board scores of these particular athletes differ very little from the scores for the entire classes of which they were members. The Naval Academy football and basketball varsity lettermen as a group have 38 percent of their number standing in the top half of the class for the classes of 1964 through 1967.

A Naval Academy professor made a statistical study covering a 10-year period—classes 1953–62—concerning midshipmen athletes in comparison with the rest of the brigade. The professor's study noted:

> A fairly comprehensive study of the modern era (classes of 1953 through 1962) shows that the student athlete is hardly distinguishable from his counterpart in the brigade in every facet of his full Navy career. As a group, entering student athletes win their share of prizes and awards, consistently stand higher in first class aptitude, and consistently stand slightly lower in relative standing for the completed course. The group of student athletes has a good retention rate for service careers.

Other studies at the Air Force Academy and the U.S. Military Academy have produced similar statistics with regards to the relative standing of the varsity athletes.

The Military Academy, utilizing the members of the classes of 1964–67 who were on the varsity football and basketball teams as a sample of athletes, found their mean score on the college entrance examination exceed significantly the national mean for high school seniors who enter college.

Additionally, a review of the high school standings of this sample indicates that 70 percent were in the top 20 percent of their class and 90 percent in the top half. Considering that the high school standing is generally accepted as the one best predictor of academic success, this group of athletes demonstrates outstanding potential.

A review of the Military Academy classes of 1955–60 indicates no significant differences between retention rates of athletes and that of their class. In addition the officer performance of athletes is not significantly different from their contemporaries. As an example, the selection rate to captain for those first considered was 97.9 percent for athletes as compared to 97 percent for their contemporaries. It is further interesting to note that a survey made of Military Academy graduates in Korea established that physical ability measures were more related to the criterion of combat officer success than any of the academic course grades or final class standing.

The Air Force Academy made a survey of the high school records of members of its football and basketball squads. This survey, for the classes of 1964–67, showed that 80 percent of the football players were in the top quarter of their high school graduating class. A total of 77.3 percent of the basketball players, in the Air Force Academy classes of 1964–67, were in the top quarter of their high school graduating class.

In a breakdown of the academic grades for the spring semester of 1964, the Air Force Academy found that the average grade of all cadets was 2.81 on a 4.0 system. The average for the football squad was 2.67, and the average for the basketball squad was 2.56.

A similar correlation was found in the percentage study of cadets below the 2.0—or C grade—average. The percentage below 2.0 for all cadets at the Air Force Academy was 6.8. The percentage for the football squad was 7.0, and the basketball squad, 4.5.

These studies show that the high school records and Academy records of varsity athletes are almost identical with the overall cadet averages. The athlete is clearly no drag on the academic excellence of any of the three academies. In fact, a substantially greater proportion of the basketball and football squads than of their classmates were on the Commandant's merit list at the Air Force Academy.

Athletics and intercollegiate competition are healthy and essential to all three academies.

It is all too easy to hunt for a "whipping boy" in the case of the Air Force cheating, but the facts and figures clearly proclaim the folly of trying to make athletics the bete noir of this situation.

Coral Gables, Fla., High School Debaters Take Top Honors

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1965

Mr. FASCELL. Mr. Speaker, Coral Gables High is one of the many fine schools in the Fourth Congressional District of Florida whose students continue to excel academically and in extracurricular activities.

On February 21, 1965, the Coral Gables High debate team was awarded the trophy as it made a clean sweep in winning all three categories in the 10th annual high school Cherry Blossom National Invitational Debate Tournament sponsored by Georgetown University.

Daniel S. Schwartz took top honors, being named the best speaker among the 400 competing debaters. Daniel has won many other debating honors among which was his selection last year as the Florida winner of the Veterans of Foreign Wars Voice of Democracy contest.

Dave Weiss and Wayne Silver were named in the top 20 and top 10 debaters, respectively.

Also, Daniel Schwartz and Wayne Silver took top honors of the 182 teams in the 2-man debating competition.

Meanwhile, the team composed of Joel Perwin, Dave Weiss, Wayne Silver, and Daniel Schwartz won first place in the four-man debating team competition. This team has won nearly every major tournament entered this year.

The Georgetown University tournament, which began on Friday, February 19, and went through Sunday, February 21, was one of the largest high school tournaments ever held with over 100 schools from 30 States participating.

The winners of the two-man competition, Dave Weiss and Dan Schwartz, were presented the Ryder Challenge Cup, named in honor of Father Ryder who established the Georgetown Philodemic Debating Society in 1831. The winners of the trophy went through six preliminary rounds which narrowed the field to 16 teams. These qualifying teams then met in four sudden-death rounds, leaving eight teams, then four, then two, and finally the winning team. The Coral Gables team won a total of 10 straight debates, defeating Fordham College Preparatory School of New York in the final round for top honors.

The topic for the debates was "Resolved, That Nuclear Weapons Should Be Placed Under the Control of an International Organization." The judges awarded the debate to Coral Gables by a score of 6 to 1.

Each year many of us in Congress, if not all, on request, furnish material on the national debate topic to students all over the country. I am sure my colleagues will be pleased to learn that students appreciate and do use the material successfully. Dan Schwartz in a recent letter to me said in part:

> I am writing this to you, sir, because you were very instrumental in helping us achieve the honors we have won this year.

The real credit, of course, goes to these fine young competitors, their outstanding coach Kenneth N. Rosenthal, and to the excellent teachers of their school. I am sure my colleagues join me in extending hearty congratulations to them all.

Cotton and the U.S. Balance-of-Payments Problem

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1965

Mr. BOGGS. Mr. Speaker, on February 10, the President of the United States submitted to the Congress a special message containing proposals for solution of our unfavorable balance-of-payments position. The balance-of-payments problem in the United States has been a persistent one. Although it has improved somewhat in the last 3 years, the deficit in 1964 stood at $3 billion and, because of developments in the last quarter of the year, was substantially above the anticipated level. The fourth quarter deficit alone was over $1.5 billion.

I do not propose in this statement to analyze our balance-of-payments problem or to discuss in detail various measures proposed by the President in his message to resolve it. I want rather to focus attention on one issue: The fact that our present Government programs for cotton have prevented us from increasing our commercial exports of cotton and have, as a result, denied us an important and sizable contribution to the solution of our balance-of-payments problem. If we had a cotton program attuned to economic realities, there is no reason in the world why we should not be exporting—for payment in dollars—$500 million more each year. This alone would make a contribution greater in size than a number of the proposals advanced in the President's message. Moreover, it would do so by expanding trade and would reduce the need to rely on measures that are restrictive.

If U.S. cotton could obtain a reasonable share of the world market—a share that we have traditionally supplied—we could in the case of this single key export commodity strike continuing and telling blows against our payments deficit. Unfortunately, the U.S. Government program for cotton drives it into storage at the taxpayer's expense instead of encouraging it into trade channels, including the all-important export market. This results from the fact that our program involves loans to producers at above-the-market prices. The effect, of course, is to peg our cotton at predictable prices. As long as prices are thus established by the U.S. Department of Agriculture instead of in the market, our cotton competitors abroad know in advance what our prices will be. The result has been that we have become residual suppliers in markets that have been growing and for which we were at one time the chief suppliers.

Foreign cotton production has more than doubled over the past 30 years while output in the United States has continued at about the same level. Production in foreign countries has been increasing year after year to meet rising demand abroad while we have continued actually to lose markets—markets in whose growth we formerly shared.

Our exports of cotton during the post-World War II years have averaged little more than half of what they were for the 20 years before the war.

Mr. M. K. Horne, Jr., chief economist of the National Cotton Council of America, recently summed up our cotton export position in an admirable paper delivered to delegate members of the council at Houston, Tex., on January 25. If we are serious about staying in cotton, says Mr. Horne, there has to be some kind of basic change for the better in the export market.

He points out that if we had shared in the growth of the free foreign world market for cotton since the late fifties, our exports would now be at 7 million bales instead of a prospective 4.2 million for the current marketing year which ends next July 31. By exporting 7 million instead of only 4.2 million bales in the current year, we could reduce our international payments deficit approximately $350 million.

There is only one way of getting our cotton back into competition, and that is by meeting competitive prices—which, as Mr. Horne points out, "only can be done in a free market."

There is the nub of the matter. We no longer have a free market in cotton despite the fact that it is historically our most important agricultural export. We have instead an above-the-market loan program which drives our cotton into Government warehouses. This is asking cotton to bear an unusual burden. We have a price-supporting producer's loan for feed grains, but it is well below the level of the market, and does not interfere with the movement of grains into the channels of trade. We sell many millions of bushels of corn, grain sorghum, barley, and oats around the world. The producer of feed grains is compensated, in addition to the loan, by direct payments to make up a total fair price for his labor and investment. We also have a price-supporting loan for soybeans, but it is well below the level at which our soybeans are being sold in great quantities around the world. Soybeans move freely in world markets and are being traded today on our commodity markets in the liveliest fashion. We have a special wheat program with a price-support loan, but, again, it is a loan which is below the level of the world market. We do not allow the wheat loan to obstruct our exports, as in the case of cotton, and wheat growers realize fair prices through the certificate plan.

It is vitally important that we free the cotton market and get our fiber back into the channels of trade. As Vice President HUBERT H. HUMPHREY, then Senator HUMPHREY, said in the Senate last August 18:

> Export markets are vital to the American farmer. * * * If we are going to maximize our exports—which is a matter of interest to our country—to the Common Market and to the other areas of the world, we must offer, as I have said, the best quality at competitive prices. There is no substitute for price and quality when it comes to competing for commercial markets abroad. Therefore, every policy that we pursue must be to try to strengthen what we call the operation of the market—including the market price.

Then Mr. HUMPHREY went on:

> I want to make my position clear: I do not believe Government programs ought to supersede the operation of our normal markets. Government programs should be designed not to supplant but to supplement; not to take over but to assist; not to move in as a competitive force, but to make competition more just and to make it more effective for the farm producer and for the Nation.

What Mr. HUMPHREY said last August should not be done is precisely what our Government has been doing in the case of cotton for some 30 years—with the loss of exports and the mounting international payments difficulties that have been described. Although it was hard to conceive of the cotton mess becoming worse, that is exactly what has happened since the passage of the new cotton law which took effect last season and will continue in effect throughout the coming season—and perhaps will be extended beyond that, unless we take firm action to prevent it.

What has happened under the new law?

U.S. cotton exports are today running at a rate some 40 percent less than last year. Government stocks continue to accumulate and promise by next August 1 to approach the previous alltime high of some 14½ million bales—the equal of almost 1 year's production. Interest and warehouse charges alone on the Government's inventory and loan stocks of cotton are in excess of $100 million annually, or some $274,000 every day of the year.

When the current cotton program was authorized, Congress was told that its first-year cost would be $481 million. Instead, it now appears likely that the first-year cost will be between $850 million and $1 billion. Yet the total value of the annual American cotton crop, excluding seed products, is about $2.25 billion, so our current cotton legislation is costing more than one-third the value of the entire crop.

Meantime, our cotton exchanges are dying. The New Orleans exchange suspended operations last year. Trading volume on the New York Cotton Exchange last year reached the lowest point in the 94 years of its history: less than a million bales were traded. This year less than a quarter million bales will be traded, based on current estimates.

In his August 18 speech, Mr. HUMPHREY had this to say of the importance of commodity exchanges:

> Futures trading on commodity exchanges developed as a highly effective form of free market trading and competitive pricing because it grew up with, and proved adaptable to, our other free institutions—

He said:

> It became an integral part of agricultural marketing because it focused supply and demand forces into a central price picture for one and all to see, because trading was conducted openly, and because anyone with the wherewithal to trade could participate in the market, and in the pricemaking process.

Finally, Mr. HUMPHREY asked a key question concerning our agricultural programs generally that carries particular force in the case of cotton. After observing that the American people have a multibillion-dollar investment in inventories of a relatively few agricultural commodities, he said:

> Fundamentally, we must ask ourselves whether the present programs boost our opportunities to increase efficient production and at the same time expand profitable markets here and abroad. We should reexamine our entire governmental control mechanism to see whether it is helping us to develop a rational agricultural policy. It is time the Congress asked for a complete examination of the commodity program structure.

I agree most heartily with Mr. HUMPHREY that it is time for Congress to examine the commodity program structure, and I suggest that cotton is the obvious place to begin. Among other reasons we should begin with cotton, it seems to me, is that it is the commodity with which we can move most quickly toward substantially larger markets abroad, and, therefore, toward an improved balance-of-payments position. Cotton is a volatile market that can expand or contract substantially in a short period of time. Cotton is not a product the importation of which is restricted by our major customers—if we do not export cotton, it is our own fault.

How, then, can we bring cotton back onto the world market? The solution is not difficult. The first requisite is to eliminate or reduce price-support loans to producers to levels that will restore cotton to the channels of trade, and allow it to compete freely with foreign fiber. Certainly, however, the producer should not be penalized. Consequently, a step to be taken simultaneously with reduction or elimination of the loan rate is to provide for direct or compensatory payments to producers that will bring them fair returns for their labor and investment. Compensatory payments, of course, do not interfere with the movement of cotton through trade channels and allow the market free play. Moreover, our cotton textile industry will continue to be able to buy cotton at world market prices.

If we enact legislation along these lines, the cotton futures markets will again perform their normal function, cotton will move in the channels of trade instead of into Government storage, and cotton stocks will be inventoried by merchants and mills rather than by the taxpayer. The overall cost of our cotton program will be reduced. Finally, cotton exports will increase and thus bolster our balance-of-payments position. With this program for cotton I think it is not too optimistic to suppose that additional exports of this one commodity could reduce our international payments deficit by some $500 million on an annual basis—and perhaps more than that.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 3, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used the last words of the Epistle of St. Peter, "But grow in grace, and in the knowledge of our Lord and Saviour Jesus Christ," and then offered the following prayer:

Most merciful and gracious God, at this noon hour, we pause for a moment in prayer as we face tasks and responsibilities which demand and challenge the best that is within us of fidelity and devotion, of courage and spiritual capacity.

Grant that during this Lenten season we may find our souls growing and being strengthened, and may the ties of kinship be strong and steadfast, which make us members of that family of which Thou art the wise and loving Father.

May we be inspired to always manifest to humanity the mind and mood, the encouragement and helpfulness, of our blessed Lord who went about doing good and gave himself for the salvation of the world.

Hear us in His name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CONCENTRATION OF RESEARCH AND DEVELOPMENT FUNDS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, a heavy concentration of Federal research funds in a very few areas of the country should be of concern to all of us. A report of the National Science Foundation to the House Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics in 1964 reveals conclusive evidence there is not an equitable distribution of research contracts.

Taking prime contracts and grants awarded by DOD, NASA, AEC, HEW, NSF, Agriculture, Interior, and Commerce in fiscal year 1963 for research and development we find three States—California, New York, and Massachusetts—have more than the other 47 States combined.

The report of the Subcommittee on Science, Research, and Development which was released in the fall of 1964 points out that:

> One-half of the 50 States have 96.78 percent of all the funds listed for the various States. The remaining 3.22 percent is shared by the other 25 States.

It seems strange to me we invoke the term "national interest" in talking about spending hundreds of millions of dollars for the benefit of 12 States in what is called Appalachia. It seems strange because no concern is expressed over the national interest when billions of dollars are spent in a far smaller number of States. It is proposed we spend hundreds of millions of dollars to obtain a beneficial economic effect on 10 States, yet no concern is expressed over the economic impact of the concentrated expenditure of billions of dollars in far fewer States.

It is my opinion that had we had a policy which, among other things, concerned itself with the geographical distribution of Federal funds we would not be confronted with a so-called Appalachia bill today.

TO ESTABLISH A JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Con. Res. 4, Rept. No. 131), which was referred to the House Calendar and ordered to be printed:

H. CON. RES. 4

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the members representing each House, taken separately.

SEC. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationship with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; and the structure of, and the relationships between, the various standing, special, and select committees of the Congress: *Provided*, That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House: *Provided further*, That the language employed herein shall not prohibit the committee from studying and recommending the consolidations and reorganization of committees.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(c) The expenses of the committee, which shall not exceed $150,000 through January 31, 1966, shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

(d) The committee shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than one hundred and twenty days after the effective date of this concurrent resolution. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the committee shall, when received, be referred to the Committee on Rules and Administration of the Senate and the appropriate committees of the House.

HOUSE SELECT SMALL BUSINESS COMMITTEE HEARINGS ON PROBLEMS OF SMALL BUSINESSMEN

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, during the last session of Congress the House Select Small Business Committee held hearings in Baltimore and Los Angeles on the problems of small businessmen caught in the dynamics of change in our urban areas. We found that they faced a complexity of problems that in many instances challenged their very survival.

As a result, the Honorable JOE EVINS, chairman of the committee, has honored me by naming me chairman of a Subcommittee on Small Business Problems in Urban Affairs to conduct hearings in a number of cities during this session. We plan to plumb the depths of this problem and attempt to come up with constructive legislative recommendations.

I think it is timely, in view of President Johnson's eloquent and perceptive message on cities—placed in this RECORD yesterday—that I point out that the presence of a strong, flexible small business sector is essential to the full flowering of life in our metropolitan areas in this country.

A strong small business sector provides stability, community leadership, jobs, and opportunities. It gives a city—and each neighborhood—the distinctive characteristics that create the rich diversity cities must have if they are to form the strong base of human and material development President Johnson contemplates.

I want you to know that our committee is prepared to play our role in strengthening the small business sector in urban areas for the general good of each city and each community—and for the Nation.

Mr. HARVEY of Indiana. Mr. Speaker, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. Mr. Speaker, as the ranking minority member of the subcommittee I wish to join with my colleague in the expression of the hope that we can make this a constructive venture.

Mr. KLUCZYNSKI. I thank the gentleman.

LEWIS DESCHLER, PARLIAMENTARIAN OF THE HOUSE OF REPRESENTATIVES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I am happy to take advantage of this opportunity to wish a happy birthday to one of the outstanding men ever to serve the House of Representatives, the great Parliamentarian of the House, Lewis Deschler.

Lew has served this House literally since the days of his youth. His service has been characterized by unusual wisdom, rare diligence, and great understanding. For the benefit of new Members, I would like to advise that there is no person whose judgment can better be sought on matters pertaining to the rules or decorum of the House than this man, who undoubtedly is the professional of all professional parliamentarians, the greatest parliamentarian in the world, a man whose life and character will be stamped on the record, the rules and the procedure and the history of this House for scores and scores of years to come.

Happy birthday to you, Lewis Deschler.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, speaking for all of us on this side of the aisle I can say that we subscribe wholeheartedly to the words just spoken by the gentleman from Oklahoma. Over the years Lew Deschler has served Speakers, both Democratic and Republicans, with honor, with tremendous ability, with correctness, and with conscientiousness. We feel that in the years to come he will perform the same invaluable service to any Speaker, whether he is from our side of the aisle or from your side of the aisle, and we join with you in wishing him the very best of this, his birthday anniversary, and we wish him many more in the years to come.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, several days ago Lew Deschler told me that in his career here that he had served with eight Speakers. He said that each one of them was a great man, a sentiment to which I totally subscribe. I want to add that in my judgment Lew Deschler has contributed to the greatness of each one of them, including the present great occupant of the chair.

I am very happy to join in wishing him a happy birthday. People say that there is no such person as an indispensable man, but frankly, I do not know how the House of Representatives would operate without Lew Deschler.

Mr. ALBERT. I thank the gentleman. I may say that Mr. Deschler has served many years in this House.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I cannot let this opportunity pass without reminding the House that Lew Deschler is one of the great—and I use the word "great" advisedly—products of the Buckeye State, Ohio. He comes from the first capital of Ohio, Chillicothe, just up the pike, as we call it, from my hometown of Blanchester.

It has been my pleasure and opportunity to know Lew Deschler a long time. I knew his father and his grandfather before him. They come from pioneer stock. If you knew the Deschlers as I have known them throughout the years, and the community from which they come, you can understand why he is the grand man he is and why he has been honored not only by the Congress as you have honored him but by his own alma mater and many foreign governments. You honor yourselves today by paying this tribute to a truly great American, of whom all Ohioans are justly proud. God bless you, Lew.

Mr. ALBERT. I thank the gentleman.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, I cannot sit here silent. Surely, the distaff Members of this House want to express their very warm appreciation of this loyal, consecrated public servant.

May I say of Lew Deschler that he is always firm when he needs to be. He is always fair to all of us, and always full of the information we need to have. I want to join my colleagues who have already spoken in wishing him all sorts of good things on this, his birthday. Stay young, Lew. Do not get really any older; just get wiser and younger.

Mr. MINSHALL. Mr. Speaker, today is our good friend Lewis Deschler's birthday anniversary. It is hard to believe that this young man is celebrating his 60th and that this marks his 40th year with the House of Representatives. Lew Deschler devotes his life to Capitol Hill and, without hesitation, I can say Capitol Hill is devoted to Lew.

His wit, his warmth, his never-ceasing courtesy to one and all have endeared him to everyone. Lew's grasp of parliamentary procedure is probably unparalleled in the history of the House of Representatives. I well recall, and with much gratitude, the unselfish way he gave his time and guidance to me when I was a new Member.

As I have told Lew in the past, not only is he is brilliant Parliamentarian and a wonderful friend, he had the good sense to be born in the great State of Ohio. He is a native of Chillicothe, where the Minshalls founded their Ohio roots nearly a century ago. Accordingly, it is with special pride that I wish Lew Deschler "happy birthday" and may he celebrate many more.

Mr. ARENDS. Mr. Speaker, my heartiest and sincerest congratulations to Lew Deschler on his 60th birthday. He is 60 years young. But in his knowledge of parliamentary law and procedure, in his capacity to evaluate men and situations, in his ability to find solutions to the most difficult problems that inevitably arise in the Congress, he has the wisdom of the ages.

Lew has been our Parliamentarian since 1928. If my memory serves me rightly, he has served under nine Speakers, both Republican and Democrat. There is no center aisle to Lew. Democrat or Republican, senior Member or freshman in this body, Lew makes no distinction. He is ever willing to advise and aid any one of us at any time. His sole interest is in the House of Representatives and in the successful functioning of the Congress. That is the quality of the man.

We congratulate Lew, and as we do so we congratulate ourselves upon being so fortunate to have a man of his talents and character as our Parliamentarian. We wish for him many, many more birthdays. That is our personal wish for him. It is also somewhat of a selfish wish. Without him as our Parliamentarian this House would not be the same.

Mr. HARSHA. Mr. Speaker, I would like to join my colleagues and the many friends of our distinguished Parliamentarian, Lewis Deschler, in extending to him my sincerest wishes for a very happy birthday.

Today, Lew celebrates his 60th birthday, of which 37 of these years have been dedicated to the service of the Members of this body. We are all most fortunate and indeed proud to have such a capable, dedicated, and outstanding Parliamentarian and his many contributions in and out of the Chamber shall long be recognized and held in high esteem by those so fortunate to have worked with him.

It is a pleasure for me to personally extend my best to Lew and to thank him for his untiring efforts, loyalty, and friendship. Lew has rendered an outstanding service to the Congress and the Nation, and for this we are all greatly indebted to him.

I am especially proud of Lew's activities and great contributions to this Congress and the Nation because he is a resident of the Sixth Ohio Congressional District.

I wish him the best and many many more years of good health and happiness.

Mr. KEOGH. Mr. Speaker, I want to join with my colleagues in extending warm congratulations to the Parliamentarian of the House, Lewis Deschler, on his birthday.

Lew Deschler has been a familiar figure in the Chamber of the House for almost 40 years. He had already earned the respect and high regard of all the Members when I first came to the House. Since that time his stature has continued to grow. As Parliamentarian he has exercised great objectivity and judgment in his advice to the Speaker on the numerous intricate problems of procedure that constantly arise in this body. During his tenure as Parliamentarian, Lew Deschler has rendered invaluable assistance to the Speaker, regardless of party affiliation, and to Members on both sides of the aisle.

I wish for Lew Deschler many happy returns of the day.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and I further ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record with regard to Lew Deschler.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BALDWIN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 27]

Ashley
Derwinski
Edwards, Calif.
Evans, Colo.
Griffin
Griffiths
Hamilton
Hanna
Holland
Irwin
Kastenmeier
Keith
King, Calif.
Kunkel
Leggett
McVicker
Morton
Murray
Powell
Resnick
Rogers, Colo.
Roosevelt
Scott
Smith, N.Y.
Teague, Tex.
Toll
Widnall

The SPEAKER. On this rollcall 403 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 3, with Mr. Price in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the clerk had read through section 201 ending on line 21, page 15 of the bill.

Are there further amendments to this section?

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Cramer: Page 15, line 16, after the comma insert the following: "that the State does not have the economic and financial capacity to supply its percentage of such costs and".

Mr. CRAMER. Mr. Chairman, at the outset let me say I think it became rather obvious yesterday that it is the intent and purpose of the substantial majority Members in this body to deny any amendments offered to this bill regardless of merit. I believe, however, that there are a number of matters in this bill that of necessity must be called to the attention of this body, and our amendments for the balance of the day will be limited to those that we believe to be of great significance. There is no intention on our part to unduly delay the matter, but we do feel that consideration should be given to a series of substantial and significant amendments. Our discussion of them will be as brief as possible.

Mr. Chairman, what the pending amendment does is this, and I believe on the basis of equity and rightness it should be adopted without much question. All it does is add an essential criterion for determining whether the Federal share of the cost of the roads and highways will be 50 percent or up to 70 percent. The only basis for determination as to whether the Federal share should be 50 or 70 percent is contained in the present language of the bill, "that assistance in excess of such percentage is required in furtherance of the purposes of this Act." Nowhere in the act does it say that in order to obtain the additional 20 percent, the local community or the State involved should lack the financial capacity to supply the usual percentage in order to justify the additional 20 percent.

It seems to me obvious that an additional 20 percent should not go to areas or States wherein they have financial capacity to put up the money themselves. Some people may argue, well, we are going to look into that, and that will be our test, but it does not so state in the bill. If that is the intention, let us write that in and let us require that the Secretary of Commerce make such a specific determination so that the sentence will read as follows:

> Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Secretary determines that the State does not have the economic and financial capacity to supply its percentage of such costs and—

Meaning 50 or 70 percent, or whatever would result from that increase in Federal participation—

> and that assistance in excess of such percentage is required in furtherance of the purposes of this Act.

The proposed amendment adds a necessary condition.

A precedent is set for this in the majority bill in another section. It is amazing to me that in one section they require such a finding but in another section they do not. Perhaps the key to it is the fact that the Senate report indicates that of the $1.2 billion estimated cost of this program they are willing to put up $840 million Federal funds, which just happens to be 70 percent of the cost of the highway program.

If this amendment is not adopted you are going to have all highways constructed under this, not at 50 percent but, rather, at 70 percent Federal share of the cost. We only want it to go to 70 percent if the communities can show they do not have the financial capacity to supply that additional 20 percent themselves.

Mr. Chairman, I want to cite the precedent for this, which is contained in section 214 of the majority bill which provides for supplementing Federal grants-in-aid. Under that section the Federal share of the cost of grants-in-aid projects, and the test to get that money is, as set forth on page 31, lines 3 and 4, because of their economic situation, they cannot supply the required matching share.

The CHAIRMAN. The time of the gentleman from Florida has expired.

By unanimous consent (at the request of Mr. Cramer) he was permitted to proceed for 2 additional minutes.

Mr. CRAMER. So what we are doing is writing a similar requirement into the section authorizing Federal money relating to highways. There should not be any question about the equity of this approach, the soundness of this approach, and the necessity for such a test. I trust the amendment will be adopted.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I just want the gentleman to make clear when he inserts the language in his amendment if he means the Secretary shall make the determination that the State does not have the financial capacity or the Commission shall make that determination.

Mr. CRAMER. The Secretary determines. The recommendation is from the Commission. They both make the decision, as is the case with regard to the next clause, which says that if assistance in excess of such percentage is a requirement in furtherance of the act, the Secretary and the Commission have to make that decision. The same is true with regard to this.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not think I will take the 5 minutes because I believe the gentleman from Florida has an amendment identical to the one offered in the subcommittee, which was rejected by the subcommittee on the ground that the substance of what he wants to do is accomplished by language in the bill as it is presently written, that the determination that a percentage in excess of 50 percent is required to further the purposes of the act is the same type of determination basically that the gentleman's amendment would have us adopt.

I might say at this point the committee felt there was no particular point in adopting extensive amending language when the meaning of the language appeared to be clear and incisive enough to meet the needs of the legislation. I think the history of the legislation has made it quite clear that this percentage will be available where it is determined that it is necessary to further the purposes of this act. That might apply to the economic or the financial incapacity of the State. It might apply to a depleted tax base. It might apply to the heavy burden of welfare that rests on the State. Any one of these things might enter into the decision by the Commission and the Secretary.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Florida.

Mr. CRAMER. Will the gentleman point out in the language of the bill what would deal with this question of the financial ability of the communities to deal with the 20-percent requirement?

Mr. EDMONDSON. The whole purpose of the act is to provide the public works and economic development program to assist in developing the Appalachian region. The obvious motivation for the entire legislation is the finding that the States that are in the Appalachian region have a shortage of resources with which to meet these basic shortcomings. So the overall purpose of the act itself is spelled out from the very first. I am quite sure that is well known to the gentleman from Florida.

Mr. CRAMER. Will the gentleman tell us why, in regard to this specification in section 214, he would object to writing it in to make it certain that applies to highways?

Mr. EDMONDSON. One basic objection to adopting an amendment when the requirements are already met by language is to avoid delay in the legislation. The gentleman has a number of amendments that he offered in subcommittee that in effect said the same thing that the language in the bill said. We felt that if the language in the bill did the substantial job of legislating that needed to be done there was no need to adopt new language just for the sake of satisfying the legal requirements of the gentleman from Florida.

Mr. CRAMER. If the gentleman will read the Senate report, and I am not suggesting he has not read it, on pages 8 and 9 the Senate report indicated it was their intention to make available 70 percent for all highways. They provided 70 percent of the $1.2 billion to do it. In view of that legislative history, I think it is obviously necessary that we put this provision in this section as it was put in section 214.

Mr. EDMONDSON. Does the gentleman want us to write a legislative history at variance with the legislative history in the other body?

Mr. CRAMER. I certainly do, if the other body means what it says—that all these highways are to be built with 70 percent of Federal money, when that flies in the teeth of what the legislation itself says, that it shall be 50 percent except under special circumstances.

Mr. EDMONDSON. Of course, if the other body wanted to provide for the eventuality which was at all times before them that the commission might find that 70 percent was required to carry out the purposes of the act, they would have to authorize 70 percent of the money; would they not?

Mr. CRAMER. The wording of the existing section which is supposed to set out the criteria is on page 15, line 13: "Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs"—unless these required findings are made, and 50 percent is supposed to be the basic Federal share.

Mr. EDMONDSON. Yes, that is in the bill itself.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] be given 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SAYLOR. Mr. Chairman, will the gentleman from Oklahoma yield to me?

Mr. EDMONDSON. I am glad to yield to my colleague.

Mr. SAYLOR. I just want to say, I believe the arguments given against this amendment are sound. They are the same arguments, however, that you would not concede yesterday when I offered my amendment to this section of the bill, and I only wish you had given those same arguments yesterday because you would have supported my amendment and then we would have 90 percent instead of 70 percent available for highways in this area.

Mr. EDMONDSON. The gentleman's recollection of my arguments with reference to his amendment yesterday is a little different from my recollection of them.

Mr. SAYLOR. I do not say that your argument is different today than what it was yesterday, but I agree with your argument with reference to this amendment today. The argument you have used against this amendment are those I used to support my amendment yesterday.

Mr. EDMONDSON. I am happy you do support my argument with reference to this amendment today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The amendment was rejected.

The Clerk read as follows:

Demonstration Health Facilities

SEC. 202. (a) In order to demonstrate the value of adequate health and medical facilities to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction, equipment, and operation of multicounty demonstration health facilities, including hospitals, regional health diagnostic and treatment centers, and other facilities necessary to health. Grants for such construction (including initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291–291z) and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), without regard to any provisions therein relating to appropriation authorization ceiling or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

(b) No grant under this section for construction (including initial equipment) shall exceed 80 per centum of the cost of the project. Not to exceed $41,000,000 of the funds authorized in section 401 shall be available for construction grants under this section.

(c) Grants under this section for operation (including equipment other than initial equipment) of a project may be made up to 100 per centum of the costs thereof for the two-year period beginning on the first day such project is in operation as a health facility. For the next three years of operations such grants shall not exceed 50 per centum of such costs. No grants for operation of a project shall be made after five years following the commencement of such operations. Not to exceed $28,000,000 of the funds authorized in section 401 of this Act shall be available for operating grants under this section.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 16, line 3, strike out ", equipment, and operation" and insert in lieu thereof "and equipment".

On page 16, strike out line 23 and all that follows down through and including line 8 on page 17.

Mr. CRAMER. Very briefly, Mr. Chairman, this amendment meets the objections raised in debate and in the minority views with regard to going into a new area—a socialized medicine area—providing 100 percent for the first time in the history of legislation by this body, providing for 100-percent operational costs of multicounty health facilities and other hospitals, regional health diagnostic and treatment centers and other facilities necessary to health. That is what this amendment deals with, to strike out the 100 percent Federal participation for the operation of these projects as provided on page 16, paragraph (c).

Paragraph (c) reads as follows:

(c) Grants under this section for operation (including equipment other than initial equipment) of a project may be made up to 100 per centum of the costs thereof for the two-year period beginning on the first day such project is in operation as a health facility.

And for the next 3 years it is 50 percent, and $28 million is authorized to pay for the operation of these facilities.

This section likewise has no relationship whatsoever to whether or not the community in which the facility is located can afford to pay the operating expenses—that community, rather than the Federal Government.

Likewise, there is nothing in the section to limit the amount paid, the 100 percent, to a deficit operation. Of course, it is said that is what they intend, in the report. We asked for an amendment in the committee, to spell out that if this is going to be a 100-percent participation there should be only an amount for the deficit of the operation, and they would not even adopt that amendment, the merits of which should be beyond question.

What this presently proposed amendment would do is to strike out the operational Federal grant of 100 percent for 2 years, 50 percent for 3 years, for these different facilities after they are constructed, and thus would leave in the bill the construction money but not the operation money. This construction money is in the amount of $41 million.

This is the only section in the bill under which there is a 100-percent Federal grant. I ask, Why? It is a 100-percent Federal grant. This is the only section. One would think they would have started out taking it a little easy. Going into a new area of paying operational expenses, one would think they would start out with perhaps 50 percent, as a precedent; but, no, they want to go whole hog and make it 100 percent from the outset. That does not make sense.

This is the area in which we are clearly getting into socialized medicine. It is a 100-percent grant for the cost of operation of these Government facilities. These grants are to cover the costs of operation, including salaries of nurses, doctors, technicians, and other persons providing technical services, and will constitute 100-percent Federal subsidization of medical services performed in a facility constructed with 80-percent Federal funds.

I say that this is a new precedent. It is unquestionably so.

The House Committee on Interstate and Foreign Commerce was requested by the administration, in the Mental Retardation Facilities Construction Act of 1963—and this is the committee which has jurisdiction over this subject matter—to do this, but refused to provide operating expenses, as this bill would provide.

What is happening is that through the Public Works Committee, which has no expertise on this subject whatsoever—and I do not believe claims to have—a precedent is being set to pay 100 percent of the cost of operating hospital and health facilities, in direct opposition to what the committee having jurisdiction over this subject matter did only a year and a half ago.

I say that in good conscience this should be stricken. If we are ever to go into this the committee having jurisdiction should consider it, and not the Committee on Public Works. However, I would oppose it in any event.

Mr. **SWEENEY**. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the sections which our distinguished colleague from Florida has just reviewed, with respect to his amendment, have been reviewed at great length. Witness after witness was heard before the committee.

But it is an original charge which is being made today, as it concerns socialized medicine being a part of the Appalachia concept. Yesterday, we heard about "boondoggle" and "pork barrel" and today we are taunted with the cat across the trail of socialized medicine.

Let us analyze the medical demonstration section of the Appalachia bill and take a real good look at it. These sections bear upon the greatest resource we are attempting to reclaim of the Appalachia district—the human resource. We believe there is a direct relationship between the reclamation of human resources and the development of medical assistance programs and medical facilities in Appalachia, because we believe the very presence of these facilities to be directly tied to and to directly affect the decision of industry to locate in this area.

I delight that the amendment of our distinguished colleague from Florida does not seem to oppose the introduction in the Appalachia districts of these hospital facilities but, rather, proposes that once we create the facilities, we should hold back on the operational expenses. Now let us talk about the operational problem just a little bit. We have known in Appalachia—and there are some 24 counties in my State that are affected by this bill—we have known and heard from witness after witness who came before the committee that all too often the local community finds itself handcuffed and unable to proceed so as to be able to afford its contribution to the costs of creating a facility let alone operating it. We hear all too often from the Governors of various States who have testified in 1964 to this effect and again this year when the committee considered the bill, without exception, as to the disability under which these communities were laboring insofar as getting the high operational costs necessary to operate medical facilities on a decent level of care for America in the Appalachia district. The construction of these facilities has certainly been impeded because once having created the facility they find it difficult in the local community to find the funds necessary to hire the doctors, to staff the medical personnel, to buy the drugs, and to provide the essentials of service necessary to give these people in the Appalachia district a decent standard of medical attention.

In the operational clause of the Appalachia program we talk of taking these embryonic medical centers—the in-patient and out-patient clinics of Appalachia—and letting these embryonic centers get their operation going. The operational subsidy of 100 percent exists but for 2 years, and after 2 years this operational subsidy as provided by this bill is reduced to but 50 percent—50 percent of the operating differential between the income that may be received by hospitals from all sources and their costs. Then at the end of the fifth year the concept of assistance is ended and the local community shoulders as of that time 100 percent of the costs of their medical facility. Now, what could be more in accord with the constant chant we hear from the minority Members, "Let us return control to the local community." What plan could be conceived of that would be more complementary to the thought that the local community would take hold and would operate it and attend directly person to person in the streets of the local community to the local needs. This medical facilities phase of this bill, in my humble judgment, is the meat of the Appalachia concept of bringing Americans forward into a new day so that a woman does not have to go 200 miles down the street in order to deliver her infant.

The **CHAIRMAN**. The time of the gentleman from Ohio has expired.

(By unanimous consent Mr. SWEENEY was given permission to proceed for 1 additional minute.)

Mr. **SWEENEY**. We have problems that are not unique to Ohio alone but apply to the entire 11-State region which this bill addresses itself to. For how long are we going to sit in silence and watch these poor people, with limited community ability to match Federal funds, suffer because of the inadequacy of medical facilities in their own home communities? We were favored in this generation by a man who left our good shores and journeyed to far off Laos. His name was Tom Dooley. He pioneered a personal foreign aid program almost singlehandedly. It was the Tom Dooley concept that we make friends in the world today and thus we enlarge America when we lend a helping hand, as was said here yesterday, "to them who just ain't got it so good."

Mr. Chairman I urge the defeat of the amendment.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from Florida.

The amendment was rejected.

AMENDMENT OFFERED BY MR. CRAMER

Mr. **CRAMER**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CRAMER: On page 16, line 25, after the word "costs" strike "thereof" and insert the following: "of operation of such facilities, after deduction of any contributions or payments from States or local governments, private organizations, or individuals,".

Mr. **CRAMER**. Mr. Chairman, very briefly, all this amendment does is to provide that the 100-percent contribution for 2 years and the 50-percent contribution for 3 years thereafter of Federal funds shall be made solely to make up the deficit in the cost of the operation of the hospital. Obviously the Federal Government should not contribute to anything other than the deficit. But the bill does not so provide. As a matter of fact, we are adopting almost verbatim the language of the report of the majority, which says:

> The committee also understands—

They do not even say they recommend it—

> The committee also understands that under section 202(c), the operating costs with respect to hospitals and diagnostic and treatment centers is defined as the cost of operation of such facilities after deduction of any contributions or fees from States or local governments, private organizations, or individuals.

There is nothing in the bill that says this. There is nothing other than in the report itself even to indicate that that is the case. It is only an understanding. It is not even a recommendation. So if they want to do what they say they want to do, all they have to do is to adopt the amendment, and there will be no question that only deficits would be paid. I think it would be totally irresponsible not to so provide.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment.

Briefly, Mr. Chairman, we should like to point out to our distinguished colleague of the committee that his objection is most adequately answered at page 14 of the report, with which the gentleman from Florida is quite familiar. We believe that there is considerable logic to support the fact again that the 2-year support should address itself to the differential between operating income and actual cost and that the medical provision as contained in the bill is well reasoned out and will come to an end at the conclusion of 5 years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 20, noes 57.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Land Stabilization, Conservation, and Erosion Control

SEC. 203. (a) In order to provide for the control and prevention of erosion and sediment damages in the Appalachian region and to promote the conservation and development of the soil and water resources of the region, the Secretary of Agriculture is authorized to enter into agreements of not more than ten years with landowners, operators, and occupiers, individually or collectively, in the Appalachian region determined by him to have control for the period of the agreement of the lands described therein, providing for land stabilization, erosion and sediment control, and reclamation through changes in land use, and conservation treatment including the establishment of practices and measures for the conservation and development of soil, water, woodland, wildlife, and recreation resources.

(b) The landowner, operator, or occupier shall furnish to the Secretary of Agriculture a conservation and development plan setting forth the appropriate and safe land uses and conservation treatment mutually agreed by the Secretary and the landowner, operator, or occupier to be needed on the lands for which the plan was prepared.

(c) Such plan shall be incorporated in an agreement under which the landowner, operator, or occupier shall agree with the Secretary of Agriculture to carry out the land uses and conservation treatment provided for in such plan on the lands described in the agreement in accordance with the terms and conditions thereof.

(d) In return for such agreement by the landowner, operator, or occupier the Secretary of Agriculture shall be authorized to furnish financial and other assistance to such landowner, operator, or occupier in such amounts and subject to such conditions as the Secretary determines are appropriate and in the public interest for the carrying out of the land uses and conservation treatment set forth in the agreement: *Provided*, That grants hereunder shall not exceed 80 per centum of the cost of carrying out such land uses and conservation treatment on fifty acres of land occupied by such owner, operator, or occupier.

(e) The Secretary of Agriculture may terminate any agreement with a landowner, operator, or occupier by mutual agreement if the Secretary determines that such termination would be in the public interest, and may agree to such modification of agreements previously entered into hereunder as he deems desirable to carry out the purposes of this section or to facilitate the practical administration of the program authorized herein.

(f) Notwithstanding any other provision of law, the Secretary of Agriculture, to the extent he deems it desirable to carry out the purposes of this section, may provide in any agreement hereunder for (1) preservation for a period not to exceed the period covered by the agreement and an equal period thereafter of the cropland, crop acreage, and allotment history applicable to land covered by the agreement for the purpose of any Federal program under which such history is used as a basis for an allotment or other limitation on the production of such crop; or (2) surrender of any such history and allotments.

(g) The Secretary of Agriculture shall be authorized to issue such rules and regulations as he determines are necessary to carry out the provisions of this section.

(h) In carrying out the provisions of this section, the Secretary of Agriculture shall utilize the services of the Soil Conservation Service, and the State and local committees provided for in section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), and is authorized to utilize the facilities, services, and authorities of the Commodity Credit Corporation. The Corporation shall not make any expenditures to carry out the provisions of this subsection unless funds specifically appropriated for such purpose have been transferred to it.

(i) Not to exceed $17,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Mr. JONES of Alabama (interrupting reading of bill). Mr. Chairman, I ask unanimous consent that this section be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. CLEVELAND

Mr. CLEVELAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CLEVELAND: On page 17, strike out line 9 and all that follows down through and including line 8 on page 20.
>
> Renumber sections 204, 205, and 206, as sections 203, 204, and 205, respectively, including any references thereto.

Mr. CLEVELAND. Mr. Chairman, the purpose of my amendment is to take section 203 out of this bill. Section 203 is the "Land Stabilization, Conservation, and Erosion Control" section.

Mr. Chairman, why are we asking to take section 203 out of the Appalachian bill? Broadly speaking, there are two reasons. Just last year, just last year if you please, the majority on the Public Works Committee of the House of Representatives that considered this legislation came to their senses after they had considered this, and they themselves asked to take this section out. It was understood before the Committee on Rules that this section would be taken out, because last year this section had a different name. It is about the same section actually, but last year it had a different name.

LEGISLATION BY LABELS

Mr. Chairman, this is the day and age when we legislate by slogans and labels. Sometimes the mere change of a slogan and a name is held to change a whole section of a bill. But whether we call this section as it is called at this time, "Land Stabilization, Conservation, and Erosion Control" or whether we call it as it was called last year, a pastureland section, the purpose of this section is still the same.

Mr. Chairman, the purpose of this section is designed to improve soils in the Appalachian area so the people who reside there can grow more cover crops on which more animals, and beef in particular, can feed. Oversupply of beef constitutes a growing problem in this country today just as it was last year.

Mr. Chairman, there is not anyone who follows today's events in the agricultural world who does not know—the President said this in his message to Congress—it is a known fact that oversupply is plaguing the agricultural sector of our economy.

Mr. Chairman, it makes little sense in the name of poverty and in the name of developing human resources in this area, to simply develop new farms or to improve farms in existence which will further aggravate the agricultural problem we face.

But, Mr. Chairman, besides the fact that this is really a section that is going to increase farm production and increase our surpluses, there is another reason—another reason why—this section should be taken out of the bill.

PREFERENTIAL TREATMENT

Yesterday, Mr. Chairman, and the day before, I referred to this bill as being unfair and discriminatory with respect to other areas in the United States. I quoted the administration witness who frankly admitted in the record that the name of the game, the Appalachian game, the name of the game was preferential treatment, that is also involved here, highlighted and aggravated perhaps as clearly as anywhere in this bill. Here again, the essential unfairness of this bill becomes manifest.

Mr. Chairman, the administration has proposed a nationwide cut in soil conservation activities. The administration has proposed that throughout this broad land of ours, in northern New England, in the Northwest, in the Great Plains, in Texas, they have proposed that the small farmer must take upon his back the cost of the soil conservation programs.

As a result of this, it is widely felt in soil conservation circles that the soil conservation program may be utterly ruined. The plan to cut the program does not help the small farmer. The small farmer cannot pick up the tab for soil conservation services. Here at the time this administration is cutting soil conservation services throughout the Nation, they are adding $17 million to this service in this favored Appalachian region. Here is the essence of why we call this bill unfair. We are not against soil conservation for Appalachia. Indeed, they already have many programs there, but why in the name of fairness should the administration cut the soil conservation program in New England, in Michigan, in the Northwest, in the West and Southwest, when at precisely the same time in Appalachia, they say these services are so important we are going to pour in $17 million to beef up those services, and improve them.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the pending amendment.

The most economically depressed families in this entire economically depressed region are those families who are struggling on small farms to scrape a living from the slender patrimony of a rugged land where generations of flood waters have rolled rapidly down the steep and rocky hillsides and denuded the earth of its vegetative covering and its top soil.

If we are going to provide any meaningful assistance for the most economically depressed portions of this economically depressed area, obviously we must do something of a meaningful nature to assist the small, marginal, family-sized farm. The amendment would remove the only section in the bill which provides any measure of assistance for the small, family-sized farm.

The first thing I think we must establish is that, contrary to the expressions made by the minority, this section 203 is not a livestock section in this bill this year. It has been entirely and completely rewritten from the bill under committee consideration last year to which they have referred. It is quite true, as the gentleman explained, that last year I personally stated if that bill then presenting a program encouraging livestock production on 25 acres of land were to come to the floor in that form, I would offer a motion to strike out that particular section. I strongly felt that it would not be fair to encourage anybody to think he could have a viable livestock operation on 25 acres of land. Nor was it fair to others throughout the country who have been struggling all along to make a living in the livestock industry, where prices are falling, to put others into competition with them.

But this bill contains no such feature as that.

I invite your attention to section 203 as completely rewritten in the Senate committee, and again on the floor of the Senate, and I ask you if you can find in that entire section one word that relates to livestock or one word which relates to pasture land. This section is an attempt to control the erosion and siltation, the washing away of the remaining acres of top soil which would provide the economic possibility of help for these small farmers who have tried and are trying to live and earn their living there.

A few days ago, I asked the Secretary of Agriculture if there was anything in the section which he could or would use or permit to be used to encourage any widespread expansion of livestock operations. He personally assured me that there was not, and said emphatically that such would not be the intent or purpose of the Department of Agriculture. So, unless you want to believe that the Senate, the committee, and the Secretary of Agriculture are all misleading us, and deliberately so, then this is not a livestock section.

What are the things which this section does encourage? I have here the official national catalog of practices approved by the Department of Agriculture for use in soil and water conservation. I asked representatives of that Department to point out those particular practices that are being used and the ones considered most needed to hold intact the soil in this Appalachian region. Here are some of the typical practices which will be encouraged under this bill:

Conservation cropping system—growing crops in combination with needed cultural and management measures. Cropping systems include the use of rotations of crops that contain legumes.

Contour farming—conducting farming operations on sloping, cultivated land in such a way that plowing, land preparation, planting, and cultivation are done on the contour so as to stop erosion.

Contouring orchard, vineyard, or small fruits—planting orchards, vineyards, or small fruits so that all cultural operations can be performed on the contour. This prevents the further erosion of the land.

Critical area planting—stabilizing silt-producing and severely eroded areas by establishing vegetative cover. This includes woody plants, such as trees, shrubs, or vines, and adapted grasses or legumes established by seeding or sodding to provide long-term ground cover.

Diversion development—construction of channels with a supporting ridge on the lower side constructed across the slope, once again to stop the rapid runoff of this soil and water resource.

These are a few of the practices involved. Others include terracing, reforestation, and similar soil preserving activities.

Most of the farms in Appalachia are small farms. This section will not make the farmers rich. But it may help to hold the land intact as a legacy to future generations. The amendment, therefore, should be defeated.

Mr. CRAMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Texas in his testimony last year on this matter agreed before the Rules Committee that he felt it should be stricken, for the obvious reason that it does nothing but put this land in competition with present farm acreage. As a matter of fact, this year we find it is in greater variance. It is in variance with the President's own announced policy, and I will read it as it appears in the President's budget message for fiscal 1966. This program is going in exactly the opposite direction. In the first place, who can claim that a 50-acre farm is so economical or productive that it will support the farmer thereon? This is what the President said, and this section is completely at variance with it:

> But in view of the market outlook for farm commodities at home and abroad, farming alone cannot be expected to provide a decent living in the future for more than about 1 million farm families, even with continued Government assistance. Many low-income farm families will have to find other ways of earning a living, or other sources of income to supplement their modest farm earnings, if they are to share more fully in our national prosperity.

This means that some 2½ million families, living on marginal farms, will have to yield to the growing mechanization and enlargement of the farm unit and seek other means of subsistence.

This is the President of the United States speaking. This flies, obviously, in the face of that announced policy.

In addition to that, I want to make one additional point, and then I will yield to the gentleman from New Hampshire [Mr. CLEVELAND].

Thus, it is admitted in the testimony before the committee that you can be a suitcase farmer, you can be a millionaire, and you can still get a subsidy for a 50-acre farm as a grant of $2,500. You can get $2,500 as a one-shot proposition.

Mr. WRIGHT. Not $2,500 an acre.

Mr. CRAMER. No, $2,500 for the 50 acres. And it can be made available to millionaires. This does not help the low-income families. It flies directly in the path of the antipoverty bill passed last year, and another layer of subsidies. In that instance under title III, section 302 we provide for a $2,500 maturity for loans for 15 years to help low-income families. So it appears to be obvious that the objective of this is to make the money available to the non-low-income families and the suitcase farmers, as well as low-income families.

Now I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Chairman, there is one other important item that this amendment of mine brings out. There has not been enough comment on it. It is written into this legislation in two places in the following language:

> The public investments made in a region under this Act shall be concentrated in areas where there is a significant potential for future growth.

That is the language—where there is a significant potential for future growth.

Actually the whole purpose of this act is to reinforce those areas where prosperity is already in existence in Appalachia. They do not want to get stuck trying to reinforce the areas where they do not think there is a chance and where the needs are really great.

A NEW GIMMICK

They have a new gimmick in this act and I do not think it has received full consideration. Certainly not by the gentleman from Texas, who has changed his mind so handily from his position last year on this section. This section is really nothing more or less than a pasture section. Actually the small farmer whose plight is invoked so movingly is going to get short shrift under this legislation by the very terms of the legislation. It is confined to those areas of "significant growth potential."

In this connection; we remember the words of Mr. Kermit Gordon who pointed out that 80 percent of our assistance under farm programs now goes to a million farmers whose average income exceeds $9,500 a year and the other 20 percent of the assistance is spread thinly among the remaining 2½ million farmers who really need the assistance. The big farmer gets the big share from big Government.

That point has to be made here too. You can argue all day for the passage of this legislation and you can argue against my amendment, but please do not invoke the so-called "small farmer" who just as under existing farm programs will under this bill be again getting the short end of the stick.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLORY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, not only does this section go against the budget message to which the gentleman from Florida made reference, but also it goes against the agricultural message which this House received recently from the President of the United States. It seems to me that the administration is at long last recognizing that the American Farm Bureau Federation has had some good advice for the Congress for some time in recommending that uneconomical farms should be removed from use for agricultural purposes. This is directly opposite to that message which we received with regard to the future of agriculture. It seems to me what this section is going to do is to perpetuate the small, uneconomical farms and instead of relieving the impoverishment in this area, it is going to perpetuate the impoverishment among those many people who may take advantage of this section.

Now, Mr. Chairman, I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Chairman, just to conclude the point I was making, although the public does not seem to realize it, the small farmer is not getting much benefit from these massive Federal agricultural programs that we are passing. It should be noted, as the gentleman from Illinois [Mr. Findley] pointed out on page 480 of the Record in this very session, that the 1964 statistics of the Department of Agriculture show that 1,300 biggest wheat farmers qualify for annual Government payments for an average sum of $15,000 per farmer and the remaining 1 million wheat farmers with farms averaging from 12 to 15 acres qualify for individual annual average payments of only $58.

Mr. Chairman, the expert witness from the Department of Agriculture testified before our committee specifically in answer to a question from me as to whether or not beef cattle could use this improved land scheduled for Appalachia said, and his answer can be found on page 105 of the record of our hearings, and he said very specifically, "Yes, there is no restriction in this section."

No amount of argument and no amount of semantics in the changing of this from a pastureland section to a soil conservation section can change this fact. This section is substantially the same as the section that was considered undesirable last year.

Now I think that my basic plea on this particular amendment is similar to the pleas for other amendments, Mr. Chairman. What is happening is this. We are being asked here on the floor of the House to help the little guy. But the little guy will find no help in this bill. It is going to be the hobby farmer or the fellow who gets to town to the county courthouse first who is going to be getting the benefit of this legislation. The race will be to the swift. The big guy will get the big handouts from big Government in this big area—Appalachia.

I believe we should realize this. We miss the point if we do not.

The name of the Appalachian game is indeed preferential treatment. Under this section the preference can go to those hobby farmers, to the large farmers who will know about this the minute it passes and get there with their applications. This will not necessarily help the small farmers.

When I asked the administration witness why they chose this area of Appalachia, he gave the answer, "it is a big area." This is the trouble with the bill. It treats a big area and it favors big interests in it. It will not help the small man or small town in Appalachia. It will simply reinforce areas of prosperity which they already have, by the terms of this act and by the testimony.

Mr. McCLORY. I thank the gentleman. I add that we should set about trying to resolve the farm question rather than to complicate it. This section would seem to further complicate it.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, last year—I believe it was in the month of May—when the stage was being set for this legislation, President Johnson, with much fanfare, made a trip from Washington to a farm in North Carolina. Preceding his trip, one of the extension directors—I believe the associate extension director of the State of North Carolina—went to the farm and asked the farmer and his wife to be sure to have the children barefoot and a washing on the line. In other words to present all the appearances that they were living in poverty.

As I understand it, the orders on the part of the stage managers were dutifully carried out.

The President made his visit, and at the conclusion the wife of the farmer said that this was the first time they knew they were living in poverty.

It was not long after the Presidential visit when, smarting under the ridicule of their neighbors for having been a part of this stage-managed, poverty production in North Carolina, this small farmer was compelled to leave the farm. The whole family moved out and moved into a city. This was the penalty they paid for being induced to become a party to this kind of a public farce.

Now, there is a question I should like to ask the gentleman. Since there are some hills in Iowa which erode, are we going to have to move a mountain into Iowa from Texas or somewhere else in order to qualify for all the good things of life under this bill, if there are any good things of life in it? Would we have to move a mountain there? I understand that participation is predicated upon mountainous regions. Could the gentleman suggest where we could get the loan of a good mountain for Iowa?

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Florida.

Mr. CRAMER. I suggest to the gentleman that if he cannot get a mountain he might get a valley or two. This bill seems to be based on mountains and valleys. One must have a mountain range or a valley apparently to qualify. That makes up a region, except that all of it does not make up a region if the proponents so choose. Some of it is in and some of it is not in this bill. The gentleman is understandably as confused as I am about what makes up a proper region.

Mr. Chairman, from what source will came the more than $1 billion to finance the programs set forth in this bill, without the expansions that everyone knows will be demanded when the gravy train starts rolling? Where is it proposed to get the money?

The estimated Federal deficit on June 30 this year is expected to be more than $6 billion. How much deeper is it proposed to dig the grave of Federal deficit and debt in this country?

Moreover, if hundreds of millions of dollars are to be used to provide for industrial and agricultural production in the areas covered by this bill it will only compound the economic injustice now being heaped upon such agricultural states as Iowa.

The farmers of Iowa are already suffering from price injustices created in part from surplus production. And how is it expected Iowa can compete with the Federal Treasury and the power of the Federal Government in obtaining the industries it needs to provide a balance of agriculture and industry? Iowans will pay their share of the costs for this program and be penalized for so doing.

Mr. Chairman, I oppose this monstrosity in any form. I will vote against the proposed motion to recommit and bring forth a measure that is a little less worse. Then I will vote against the bill.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I am surprised to hear that there are not any mountains or mountainous country in Iowa, because I heard that the gentleman won the last election by a landslide.

Mr. GROSS. Of course we do have a few hills one can slide down in Iowa but that is not sufficient for handouts under this bill. If the gentleman is no more worried about that election than I am, he will not be at all concerned about that landslide.

I again renew my invitation to someone to offer us in Iowa a first-class mountain so that we may have the option of getting into this deal, either through the back door or the front door.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. BALDWIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CLEVELAND and Mr. JONES of Alabama.

The Committee divided, and the tellers reported that there were—ayes 56, noes 132.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CRAMER: On page 18, line 23, after the period insert the following new sentence: "No financial or other assistance shall be given under this section to any landowner, operator, or occupier having an average annual income of more than $3,000 for the two-year period immediately preceding the date on which such person enters into an agreement under this section."

Mr. CRAMER. Mr. Chairman, this takes the $3,000-or-under figure used by the administration to identify persons living in poverty, and says that this $2,500 grant to anyone who has 50 acres or more of farmland may be made, that this bonus of $2,500 may be made, but that it shall be denied to the millionaire and the suitcase farmer, the "city slicker," if you please, who puts his tax money, largely as a tax dodge, into this farm acreage, so he may have it as a writeoff for tax purposes. They are not there on the farm as occupants—those who would be denied the $2,500 Federal grant. That is all this amendment does. It is totally consistent with the act passed last year relating to unemployment and economic opportunities. I have it at hand.

If, in fact, it is the intention to duplicate the program passed last year in the Economic Opportunities Act, that act made assistance available under title III, section 302, as follows:

> The Director is authorized to make loans for a maximum maturity of 15 years in amounts not to exceed $2,500 in the aggregate to any local income rural family.

That relief is already available. Now they want to put this additional layer of $2,500 to be made available to the same farmers and also to the millionaires. I say at least make the section applicable solely to people who have the need. That is what the amendment does, and I trust that it will pass.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is a discredited idea, and has been throughout the entirety of the agricultural program. These families in many cases are very large families. Suppose a farmer has nine children. Are you going to deny him any help on a small farm of 50 acres if that family's total income has been $3,000 in the past year? Does that constitute an affluence? I do not believe that by any wild stretch of the imagination we could say that the sum of $3,000 in annual family income constitutes affluence.

Mr. Chairman, the amendment is totally impractical and I believe we ought to vote it down.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. Of course I yield to the gentleman from Florida.

Mr. CRAMER. Is the gentleman suggesting then that the Economic Opportunities Act passed only last year, and which is just barely getting underway, which makes $2,500 loans available to low-income rural families, is also outmoded? This is exactly what it does.

Mr. WRIGHT. This is an entirely different concept. We are attempting to alleviate personal hardships in the poverty program. Here we are attempting to stabilize and conserve the land, the useful acres of land in the Appalachian region. I do not believe we ought to limit that application to any farmer just because his family had $3,000 of income in the past year.

Mr. Chairman, I believe we ought to vote the amendment down.

Mr. CRAMER. Mr. Chairman, if the gentleman will yield further, the only difference is that the Economic Opportunities Act provides for a loan to low-income families and this is a gift. So what we say when we give a gift, you can make it to high-income families, but when we are making a loan, it has to be limited to low-income families.

Mr. WRIGHT. If the gentleman understands—and I am sure he does understand farming practices and agricultural conservation practices—this is not altogether a gift in the sense that it is going to be given to any farmer as a boondoggle. He has to guarantee over a period of up to 10 years that he will do certain things on that land from the standpoint of good conservation practices, and retire certain lands from harmful erosion and overproduction. So he undertakes some obligations on his part which would not immediately be profitable to him.

Mr. Chairman, that has been the accepted practice in the soil conservation movement for the last 30 or 40 years in this country. I believe the amendment ought to be voted down.

Mr. CLEVELAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, addressing myself to the last remarks of the gentleman from Texas when he speaks about this soil conservation section of this bill being accepted practice—conservation practice—for the last 30 years. The hearings will show that there is a great departure in this section, a radical departure in this section, from accepted practices because what they do here is to pay up to 80 percent of the costs.

Mr. Chairman, the Members who sit on the side of the aisle with the gentleman from Texas [Mr. WRIGHT] and who know something about this program, may prick up their ears when they hear about this.

Mr. Chairman, the other thing they do under this section for the first time—and this represents a departure—is let the participant sign a 10-year contract. Nowhere else in the country can a person upon entering on soil conservation practices program sign a 10-year contract. But here they can do it.

Mr. Chairman, there are two new striking things about this bill as relate to conservation practices, and the benefits are only going to this area of Appalachia. This is unfair to the rest of the Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Timber development organizations
>
> SEC. 204. (a) In order that the region shall more fully benefit from the timber stands that are one of its prime assets, the Secretary of Agriculture is authorized to—
>
> (1) provide technical assistance in the organization and operation, under State law, of private timber development organizations having as their objective the carrying out of timber development programs to improve timber productivity and quality, and increase returns to landowners through establishment of private nonprofit corporations, which on a self-supporting basis may provide (A) continuity of management, good cutting practices, and marketing services, (B) physical consolidation of small holdings or administrative consolidation for efficient management under long-term agreement, (C) management of forest lands, donated to the timber development organizations for demonstrating good forest management, on a profitable and taxpaying basis, and (D) establishment of a permanent fund for perpetuation of the work of the corporations to be composed of donations, real or personal, for educational purposes.
>
> (2) provide not more than one-half of the initial capital requirements of such timber development organizations through loans under the applicable provisions of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1926 et seq.). Such loans shall not be used for the construction or acquisition of facilities for manufacturing, processing, or marketing forest products, or for physical consolidation of small timber holdings authorized by (1)(B) above except for the establishment of demonstration units.
>
> (b) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.
>
> Mining area restoration
>
> SEC. 205. (a) In order to further the economic development of the region by rehabilitating areas presently damaged by deleterious mining practices, the Secretary of the Interior is authorized to—
>
> (1) make financial contributions to States in the region to seal and fill voids in abandoned coal mines, and to reclaim and rehabilitate existing strip and surface mine areas, in accordance with provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.), to the extent applicable, without regard to section 2(b) thereof (30 U.S.C. 572(b)) or to any provisions therein limiting assistance to anthracite coal formation, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made wholly out of funds specifically appropriated for the purposes of carrying out this Act.

(2) plan and execute projects for extinguishing underground and outcrop mine fires in the region in accordance with the provisions of the Act of August 31, 1954 (30 U.S.C. 551 et seq.), without regard to any provisions therein relating to annual appropriation authorization ceilings. Grants under this paragraph shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act.

(3) expand and accelerate fish and wildlife restoration projects in the region in accordance with the provisions of the Act of September 2, 1937 (16 U.S.C. 669 et seq.), and the Act of August 9, 1950 (16 U.S.C. 777 et seq.), without regard to any provisions therein relating to apportionments among the States and to limitations on the availability of funds. The expenses of projects under this paragraph shall be paid solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the apportionments among the States pursuant to any other provisions of law.

(b) For the fiscal years 1966 and 1967, notwithstanding any other provision of law, the Federal share of mining area restoration projects carried out under subsection (a) of this section and conducted on lands other than federally owned lands shall not exceed 75 per centum of the total cost thereof.

(c) The Congress hereby declares its intent to provide for a study of a comprehensive, long-range program for the purpose of reclaiming and rehabilitating strip and surface mining areas in the United States. To this general end, the Secretary of the Interior shall, in full cooperation with the Secretary of Agriculture, the Tennessee Valley Authority, and other appropriate Federal, State, and local departments and agencies, and with the Commission, make a survey and study of strip and surface mining operations and their effects in the United States. The Secretary of the Interior shall submit to the President his recommendations for a long-range comprehensive program for reclamation and rehabilitation of strip and surface mining areas in the United States and for the policies under which the program should be conducted, and the President shall submit these to the Congress, together with his recommendations, not later than July 1, 1967. By July 1, 1966, the Secretary shall make an interim report to the Commission summarizing his findings to that date on those aspects of strip and surface mining operations in the region that are most urgently in need of attention. Such study and recommendations shall include, but not be limited to, a consideration of the following matters—

(1) the nature and extent of strip and surface mining operations in the United States and the conditions resulting therefrom;

(2) the ownership of the real property involved in strip and surface mining operations;

(3) the effectiveness of past action by States or local units of government to remedy the adverse effects of strip and surface mining operation by financial or regulatory measures, and requirements for appropriate State legislation, including adequate enforcement thereof, to provide for proper reclamation and rehabilitation of areas which may be strip and surface mined in the future;

(4) the public interest in and public benefits which may result from reclamation, rehabilitation, and appropriate development and use of areas subjected to strip and surface mining operations, including (A) economic development growth, (B) public recreation, (C) public health and safety, (D) water pollution, stream sedimentation, erosion control, and flood control, (E) highway programs, (F) fish and wildlife protection and restoration, (G) scenic values, and (H) forestry and agriculture;

(5) the appropriate roles of Federal, State, and private interests in the reclamation and rehabilitation of strip and surface mining areas and the relative costs to be borne by each, including specific consideration of (A) the extent, if any, to which strip and surface mine operators are unable to bear the cost of remedial action within the limits imposed by the economics of such mining activity, and (B) the extent to which the prospective value of lands and other natural resources, after remedial work has been completed, would be inadequate to justify the landowners doing the remedial work at their expense; and

(6) the objectives and the total overall costs of a program for accomplishing the reclamation and rehabilitation of existing strip and surface mining areas in the United States, giving adequate consideration to (A) the economic benefits in relation to costs, (B) the prevention of future devastation of reclaimed and rehabilitated areas, (C) the avoidance of unwarranted financial gain to private owners of improved property, and (D) the types of aid required to accomplish such reclamation and rehabilitation.

(d) Not to exceed $36,500,000 of the funds authorized in section 401 of this Act shall be available to carry out this section. No moneys authorized by this Act shall be expended for the purposes of reclaiming, improving, grading, seeding, or reforestation of strip-mined areas (except on lands owned by Federal, State, or local bodies of government) until authorized by law after completion of the study and report to the President as provided in subsection (c) of this section.

Water resources survey

SEC. 206. (a) The Secretary of the Army is hereby authorized and directed to prepare a comprehensive plan for the development and efficient utilization of the water and related resources of the Appalachian region, giving special attention to the need for an increase in the production of economic goods and services within the region as a means of expanding economic opportunities and thus enhancing the welfare of its people, which plan shall constitute an integral and harmonious component of the regional economic development program authorized by this Act.

(b) This plan may recommend measures for the control of floods, the regulation of the rivers to enhance their value as sources of water supply for industrial and municipal development, the generation of hydroelectric power, the prevention of water pollution by drainage from mines, the development and enhancement of the recreational potentials of the region, the improvement of the rivers for navigation where this would further industrial development at less cost than would the improvement of other modes of transportation, the conservation and efficient utilization of the land resources, and such other measures as may be found necessary to achieve the objectives of this section.

(c) To insure that the plan prepared by the Secretary of the Army shall constitute a harmonious component of the regional program, he shall consult with the Commission and the following: the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of the Interior, the Tennessee Valley Authority, and the Federal Power Commission.

(d) The plan prepared pursuant to this section shall be submitted to the Commission. The Commission shall submit the plan to the President with a statement of its views, and the President shall submit the plan to the Congress with his recommendations not later than December 31, 1968.

(e) The Federal agencies referred to in subsection (c) of this section are hereby authorized to assist the Secretary of the Army in the preparation of the plan authorized by this section, and the Secretary of the Army is authorized to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary to the preparation of this plan and on such terms as he may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation.

(f) The plan to be prepared by the Secretary of the Army pursuant to this section shall also be coordinated with all comprehensive river basin plans heretofore or hereafter developed by United States study commissions, interagency committees, or similar planning bodies, for those river systems draining the Appalachian region.

(g) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Part B—Supplementations and modifications of existing programs

Vocational education facilities

SEC. 211. (a) In order to provide basic facilities to give the people of the region the training and education they need to obtain employment, the Secretary of Health, Education, and Welfare is authorized to make grants for construction of the school facilities needed for the provision of vocational education in areas of the region in which such education is not now adequately available. Such grants shall be made in accordance with the provisions of the Vocational Education Act of 1963 (77 Stat. 403), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

(b) Not to exceed $16,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Sewage treatment works

SEC. 212. (a) In order to provide facilities to assist in the prevention of pollution of the region's streams and to protect the health and welfare of its citizens, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction of sewage treatment works in accordance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. 466 et seq.), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States pursuant to any other provision of law.

(b) Not to exceed $6,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Amendments to Housing Act of 1954

SEC. 213. (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)) is amended by striking the word "and" at the end of paragraph (7), by substituting for the period at the end of paragraph (8) the phrase "; and", and by adding a new paragraph (9) to read as follows:

"(9) the Appalachian Regional Commission, established by the Appalachian Regional Development Act of 1965, for comprehensive planning for the Appalachian region as defined by section 403 of such Act."

(b) Section 701(b) of the Housing Act of 1954 (40 U.S.C. 461(b)), is amended by adding before the period at the end of the first sentence the following: ", to States participating in planning for Appalachian regional programs, for expenses incurred in the course of such planning, or to the Appalachian Regional Commission".

Supplements to Federal grant-in-aid programs

SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary of Commerce is authorized, pursuant to specific recommendations of the Commission approved by him and after consultation with the appropriate Federal officials, to allocate funds appropriated to carry out this section to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of such Federal grant-in-aid programs. Funds so allocated shall be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such project otherwise authorized by the applicable law. Funds shall be so allocated for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Such allocations shall be available without regard to any appropriation authorization ceilings in such Act.

(b) The Federal portion of such costs shall not be increased in excess of the percentages established by regulations promulgated by the Secretary of Commerce, and such regulations shall in no event authorize the Federal portion of such costs to exceed 80 per centum thereof.

(c) The term "Federal grant-in-aid programs" as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other Federal grant-in-aid programs authorized on or before the effective date of this Act by Acts other than this Act for the acquisition of land and the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; National Defense Education Act of 1958. The term shall not include (A) the program for the construction of the development highway system authorized by section 201 of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

(d) Not to exceed $90,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Part C—General provisions

Maintenance of effort

SEC. 221. No State and no political subdivision of such State shall be eligible to receive benefits under this Act unless the aggregate expenditures of State funds, exclusive of Federal funds, for the benefit of the area within the State located in the region are maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this Act. In computing the average level of expenditure for its last two fiscal years, a State's past expenditure for participation in the National System of Interstate and Defense Highways shall not be included. The Commission shall recommend to the President or such Federal officer or officers as the President may designate, a lesser requirement when it finds that a substantial population decrease in that portion of a State which lies within the region would not justify a State expenditure equal to the average level of the last two years or when it finds that a State's average level of expenditure, within an individual program, has been disproportionate to the present need for that portion of the State which lies within the region.

Consent of States

SEC. 222. Nothing contained in this Act shall be interpreted as requiring any State to engage in or accept any program under this Act without its consent.

Program implementation

SEC. 223. A program and projects authorized under any section of this title shall not be implemented until (1) the Commission has consulted with the appropriate official or officials concerned with such program and projects as may be designated by the Governor or Governors of the State or States involved and has obtained the recommendations of such official or officials with respect to such program and projects and (2) plans with respect to such program and projects have been recommended by the Commission and have been submitted to and approved or modified by the President or such Federal officer or officers as the President may designate.

Program development criteria

SEC. 224. (a) In developing recommendations on the programs and projects to be given assistance under this Act, and in establishing within those recommendations a priority ranking of the requests for assistance presented to the Commission, the Commission shall follow procedures that will insure consideration of the following factors:

(1) the relationship of the project or class of projects to overall regional development including its location in an area determined by the State have a significant potential for growth;

(2) the population and area to be served by the project or class of projects including the relative per capita income and the unemployment rates in the area;

(3) the relative financial resources available to the State or political subdivisions or instrumentalities thereof which seek to undertake the project;

(4) the importance of the project or class of projects in relation to other projects or classes of projects which may be in competition for the same funds;

(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic and social development of the area served by the project.

(b) No financial assistance shall be authorized under this Act to be used (1) in relocating any establishment or establishments from one area to another; (2) to finance the cost of industrial plants, commercial facilities, machinery, working capital, or other industrial facilities or to enable plant subcontractors to undertake work theretofore performed in another area by other subcontractors or contractors; (3) to finance the cost of facilities for the generation, transmission, or distribution of electric energy; or (4) to finance the cost of facilities for the production, transmission, or distribution of gas (natural, manufactured, or mixed).

Mr. CRAMER (interrupting reading of bill). Mr. Chairman, I ask unanimous consent that title II of the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Are there any amendments to this title?

AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 24, line 1, strike out "1967" and all that follows down through and including the period on line 5 and insert in lieu thereof the following: "1966."

Mr. MICHEL. Mr. Chairman, my amendment would keep the study phase of the program of reclaiming and rehabilitating strip and and surface mining areas in the United States from being unnecessarily and unduly prolonged. It is a simple uncomplicated amendment. As now stipulated in the bill, the Secretary of the Interior, with the full cooperation of other interested agencies, would proceed with the survey and study. Based thereon, the Secretary would submit the study and his recommendations to the President for a long-range comprehensive program, together with the policies under which the program should be conducted. And these in turn would be submitted to the Congress, with the President's recommendations. Under my amendment all of this would be wrapped up, concluded, not later than July 1, 1966. Thus, only one report would be required—the present provision of S. 3 for an interim report by July 1, 1966, with a final report not due until July 1, 1967, would be reduced by my amendment to a single, final report due not later than July 1, 1966.

There are several good reasons why July 1, 1966, is a feasible and realistic terminal date on the study phase of such rehabilitation.

First. Though strip mining is not tightly localized, the total area to be studied is nevertheless rather small. The total for the United States which has been strip mined for coal since 1866 does not exceed 1,100 to 1,200 square miles—about the size of one of our Illinois counties. If we add on the land which has been stripped for phosphate rock, gold, and iron ore, we are dealing overall with a total area which approximates the size of only two counties. Even two counties ought not to require 2 years, in my judgment.

Second. A very large amount of the information required for the six points to which the study and recommendations are specifically directed by section 205(c) is surely available in the States and local areas.

Some, perhaps many, counties have been completely photographed from the air. Much of this is very up-to-date, but could presumably be quickly done again, if desirable. Counties have property plat books and informed officials who know who owns what.

Third. States and private companies have, for a good period of time, experimented with rehabilitation of stripped areas. They have had a lot of good experience with comparative methods of reclamation and rehabilitation, the costs involved, the public and private benefits and uses of such areas after restoration. Much or all of this experience is available—the task is one of drawing on it and collation. If Illinois is a guide, and I think it is, the study will reveal that a lot of this land has been reclaimed, excepting the raw, new stripping which has not yet had time to be conditioned by the natural elements.

The other day I spoke in support of a bill I had introduced then, and at that time I pointed out that some 17,000 acres of mined areas have been reforested with over 17 million trees.

Approximately 23,000 acres are being used for pasture to graze some 10,000 head of cattle, hogs, and sheep.

Almost 9,000 acres have been developed as recreational areas—including a State park, many private clubs, sportsmen's clubs, and the Southern Illinois University research area.

Lakes and ponds in excess of 2 acres each have been formed by mining operations on some 6,500 acres. These are generally heavily fished with many companies allowing use through a permit system.

Row crops—hay, corn, and so forth—are grown on approximately 3,000 acres.

Commercial orchards have been planted on some 135 acres of mined lands.

Over 8,000 acres are presently in some stage of development for one or more of the uses listed above.

Fourth. Under the amendment adopted by the other body, reclamation and rehabilitation work prior to the completion of the study would be closely limited to stripped area on public lands.

The amount of money which would be authorized by this bill for mining area restoration is very substantial—$36,500,000. We cannot get on with the real work to be done until the study is done and the President has made his recommendations to Congress. My reaction is that if 1 year is adequate time for the study, there is no earthly reason for tying up the major part of the rehabilitation program for 2 years.

Fifth. If the due date on the study and recommendations is set at July 1, 1966, this Congress, which originated the legislation, will have an opportunity to take such action as seems pertinent thereon. Hence, it is my conclusion that a due date not later than July 1, 1966, is not only feasible but highly desirable from the standpoint of the rehabilitation program itself and for the interests of this Congress.

Mr. CLARK. Mr. Chairman, I rise in opposition to the amendment.

There are five major land problems in the coal-mined areas of Appalachia which contribute to unemployment, economic decline, and poverty.

First. Many areas are plagued by cave-ins and surface subsidence. Cave-ins occur due to past underground mining practices. Cave-ins cause buildings to collapse; streets and sidewalks to crack; water, sewer, and other utilities to be disrupted.

Second. Underground mine fires burn in many old mines. These fires pollute the air with toxic smoke containing a great amount of sulfur. Such fires are a health hazard. They have destroyed property, and discourage industry from locating or expanding in the area.

Third. The ravaged landscape of abandoned strip mines presents another problem. Strip mine scars are ugly. They repel tourists and discourage housing development. Unreclaimed strip mines act as a source of acid drainage, thus contributing to water pollution. These sites also provide sediment for erosion which fills stream channels. Sediment-clogged channels increase flood hazards. It also causes silting of reservoirs, diminishing the value of the dams that have been or may be built. Fish cannot survive in this polluted water.

Fourth. Many refuse dumps and spoil banks left by past mining operations are burning. These fires pollute the air and threaten the health of residents of the area. The nonburning spoil banks are unsightly and discourage industrial development. Many spoil banks and refuse dumps are on relatively flat land—a valuable asset in the mountainous area of Appalachia.

Fifth. The fifth major problem, and by no means the least in importance and effect, is the water pollution from mine drainage. Acid mine polluted waters are unfit for: water supplies for communities, industrial water use, recreation, and fish and wildlife propagation and management. Polluted streams keep the tourists away, and prevent the residents of the area from fully benefiting and enjoying the place in which they live.

There are some present Federal and State programs designed to help alleviate these problems.

The Bureau of Mines has authorization to control and extinguish fires in abandoned underground mines but only in the anthracite region of Pennsylvania.

The Bureau of Mines has authorization to control flooding on underground mines in order to reduce acid pollution of the streams. The Bureau of Mines can also fill voids in underground mines to prevent cave-ins and acid drainage.

Funds are available to the States from the Fish and Wildlife Service for land reclamation for wildlife restoration. A State may spend these funds on strip mine lands.

The present programs are not comprehensive enough in scope. The appropriations and spending limits in these programs are too low to solve these coal mine area problems.

The Appalachian Development Act provides for an expansion of these important and necessary programs. The act increases the available funds to seal and fill voids in abandoned mines. It provides for an increased effort on the part of the States in reclaiming abandoned strip mines, and rehabilitating ravaged land.

The act also increases funds for extinguishing underground mine fires and burning refuse dumps and spoil banks.

This increased mine area restoration activity in the region provided for by the act is necessary and just compensation due the area which provided low-cost fuels to the United States. The coal mined in Appalachia, at what is now the expense of Appalachians, has provided the fuel for electricity and heat for the homes in many areas outside the region—Chicago, Detroit, Cleveland, New York, and so forth.

The Appalachian States are contributing to this effort of land reclamation.

First. They are sharing the cost of this expansion of the mine area restoration programs.

Second. The States have passed legislation to prevent such problems from developing out of present mining activities. These laws are being enforced.

Finally, the act assures that these reclamation funds will be spent on public property only. There will be no windfall profits to a few at the expense of many.

It is the responsibility of the Nation to help restore these lands from which the country benefited. It is the responsibility of the Nation to help correct a situation which prevents an area from developing and enhances poverty.

Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Chairman, today this House will attempt to put into law the President's long desired program for the redevelopment and rehabilitation of distressed areas in this administration's antipoverty drive in that long neglected area of the Eastern United States better known as Appalachia.

Mr. Chairman, words only help to explain where explanation is necessary. In this case explanation is necessary because of the false charges that this legislation is discriminatory to other sections of the Nation.

This is not true and the record proves it. The people from Appalachia have paid taxes of billions of dollars to the South, Southwest, and the West in the form of subsidies on tobacco, peanuts, and cotton and other regional products.

Again, the people of Appalachia have paid more billions for programs, for power complexes, irrigation dams, and reclamation projects all over the Nation on a regional base.

Certainly, no area has a more clear cut claim for understanding and consideration than the worked-out, worked-over areas in Appalachia.

I assure you this proposal will help the Nation as a whole by helping Appalachia to help itself.

The history of this legislation idea is short but the history of the area of Appalachia is one that should be reviewed by all before making a decision based upon a false and misleading premise.

Aware that the economic growth of Appalachia lagged far behind the Nation's as a whole, as evidenced by high unemployment, poor education, lack of housing, and so forth, the Governors of the region formed the Conference of Appalachian Governors in 1960 to study their mutual problem and to determine means for Appalachia to develop its vast potential. After 3 years of study the Governors concluded that assistance from the Federal Government was necessary for the revitalization of their region and at their request the President's Appalachian Regional Commission was established in April 1963 by President Kennedy. After a 1-year study, the Federal-State body reported to President Johnson on the economic difficulties in Appalachia with recommendations for a coordinated Federal-State-local program to assist Appalachia with its most urgent problems.

President Johnson in April 1964 first submitted the administration's Appalachia proposals to Congress.

For the purposes of the Appalachian Regional Development Act of 1965, Appalachia consists of the entire State of West Virginia and portions of 10 other States—Alabama, Georgia, Tennessee, South Carolina, North Carolina, Kentucky, Virginia, Maryland, Ohio, and Pennsylvania. The Kennedy—Democrat of New York—and Javits—Republican of New York—amendment adopted by the Senate provides for the future inclusion of 13 poverty-stricken counties in southern New York if the Commission so recommends after consultation with the New York Governor.

Sixteen million people live in the 165,000-square-mile area of Appalachia, an underdeveloped region characterized by low income, high unemployment, lack of urbanization, low educational achievement and a low standard of living—1 out of every 3 families lives on an annual income of $3,000 or less. Per capita income in the Appalachia region is 35 percent below that for the rest of the United States.

The overriding objective of the Appalachia bill is to accelerate the economic development of the area in order to raise the standards of human existence in Appalachia to a level comparable to the rest of the United States.

MAJOR PROVISIONS OF S. 3 AS REPORTED
(H. REPT. 51)

First. Establishes Appalachian Regional Commission consisting of 11 Governors and 1 Federal representative to prepare plans and programs for the economic development of Appalachia and to coordinate the Federal-State-local efforts. Federal Government to pay administrative expenses of Commission for first 2 years, estimated at $2.2 million. Thereafter expenses to be shared equally by Federal Government and the States.

Second. Highways: Authorizes $840 million over 5 years to construct 2,350 miles of development highways and 1,000 miles of local access roads. Federal aid limited to 70 percent of construction project costs. States will contribute $360 million to development highway system.

Third. Health facilities: (a) Authorizes $41 million in construction grants for multicounty demonstration health facilities, including hospitals and diagnostic and treatment centers. Construction grants limited to 80 percent of project costs. (b) Authorizes $28 million for operations of health facilities. Operation grants may cover 100 percent of costs for first 2 years and up to 50 percent for next 3 years.

Fourth. Land conservation: Authorizes $17 million in grants for soil conservation, erosion control, and land improvement purposes. Grants to any landowner in region limited to 80 percent of improving not more than 50 acres of land.

Fifth. Timber: (a) Secretary of Agriculture to provide technical assistance in the establishment and operation by local interests of private, nonprofit timber development organizations to provide improved timber productivity; (b) authorizes $5 million in loans to timber development organizations to be used for improved management, cutting and marketing of timber.

Sixth. Mining area restoration: Broadens authority of Interior Secretary to: (a) Seal and fill in voids in abandoned coal mines; (b) extinguish underground and outcrop mine fires; (c) expand and accelerate restoration of fish and wildlife habitat destroyed by strip mines and stream pollution from mine drainage; (d) reclaim and rehabilitate strip and surface mine areas; authorizes Interior Secretary to make comprehensive strip mine study by July 1, 1967. Authorizes $36.5 million for mining area restoration with Federal limit of 75 percent of total project costs.

Seventh. Water resources: Authorizes $5 million for Secretary of Army to prepare program for development of water resources in Appalachia.

Eighth. Vocational education: Authorizes additional $16 million for construction of vocational school facilities in Appalachia under Vocational Education Act of 1963.

Ninth. Water pollution: Authorizes additional $6 million for sewage treatment programs in Appalachia under Federal Water Pollution Control Act.

Tenth. Planning grants: Makes Appalachia Regional Commission eligible to receive planning grants under Housing Act of 1954.

Eleventh. Authorizes $90 million to increase Federal contribution to grant-in-aid programs above the fixed maximum portion authorized for Appalachia communities unable to supply matching funds. Federal portion may not be increased above 80 percent of cost and only those grant-in-aid programs providing funds for land acquisition, construction and equipment programs may receive supplemental funds.

Twelfth. Defines local units to which Commission will give assistance through the State government. Local development districts will be nonprofit organizations certified by the State as having responsibility for the economic development of counties or other specified areas.

Thirteenth. Authorizes $5.5 million in grants to public or private organizations for research or demonstration projects to further purposes of act; and to local development districts to cover administrative expenses—limited to 3 years and 75 percent of expenses for any single district.

Fourteenth. Provides for the termination of the act on July 1, 1971.

Why is Congress called to this point of discussion in a nation heralded all over the world as the land of plenty and uncounted wealth and opportunity?

The answer is not a simple one. To understand our dilemma we must recognize that we have the poor amidst prosperity.

Lingering poverty in the shadow of unrivaled affluence is the painful paradox of American life today. In a single generation, the richest country on earth has banished the bleak specter of "The Grapes of Wrath" with the gilded fantasy of "The Beverly Hillbillies." But reality has hardly kept pace with the American dream.

Coming from Pennsylvania, one of the States within the confines of Appalachia, the cold facts always disclose the close association between coal and the problems of Appalachia.

The House Public Works Committee, in its report on H.R. 11946, recognized that coal is the "single largest resource and industry in all of Appalachia" and made this recommendation:

> The Federal and State Governments should, as a part of the general attack on poverty in Appalachia, do everything within their power consistent with a free market for fuel to encourage the production of bituminous coal.

The Senate Public Works Committee report on S. 7828, made this statement:

> Coal remains the single largest resource of the region, and it is of the utmost importance to the development of the area that there be opened new markets for coal. It is the intent of this committee that the (Appalachian Regional) Commission should include within its efforts the study of the development of such new markets.

Many of the problems which beset the coal industry—excessive imports of residual fuel oil, Government subsidy for nuclear power to compete against coal in the electric utility market and sale of natural gas at dump prices during off peak demand periods—cannot be dealt with in this legislation. But we urge you to keep in mind when these matters are before the Congress that whatever might be done in this legislation to assist Appalachia could be more than offset by continued Government policies on residual oil imports, subsidization of civilian nuclear power and dump sales of natural gas.

Not long ago the following statement was made by W. Willard Wirtz, Secretary of Labor:

> We have got to do whatever is necessary to release the private economy to produce more jobs. The Government is not going to solve the unemployment problem. Private industry must do so, although the Government can assist by creating conditions and a climate to encourage private industry.

As the above quotation from Secretary Wirtz makes clear, the private sector of the economy must take the lead in creating these urgently needed new jobs. Expansion of coal production is one way men could be put back to work without multi-million-dollar Government projects.

Coal is the single largest resource and industry in Appalachia. Despite the reduction of employment in recent years due to a combination of shrinking markets and automation of mining operations, the production of coal still provides, as of 1963, 126,000 well paid, stable jobs in the area, and its transportation provides full-time employment for 70,000 workers.

Coal has gone through a difficult transition period. The industry now appears to have turned the corner. Production is increasing slowly and the rapid increase in productivity, which has prevented employment from matching increases in production, is leveling off. Many mines are operating at, or near, capacity.

Any reasonably large increase in coal production would now provide many additional high-paid, stable jobs for the already trained work force of Appalachia, as well as substantial additions to the incomes of those now employed on less than full-time basis.

Other benefits would accrue to Appalachia as the result of 100 million tons of increased coal production.

An additional $40 million annually would be paid into the United Mine Workers Welfare Fund, to finance retirement benefits for retired workers.

An estimated $10 per ton of annual capacity would have to be spent by coal companies to build needed new production facilities.

Railroads would have to spend $1,295,600,000 for new facilities and rolling stock, much of it in Appalachia. For example, one of the largest coal-carrying railroads recently announced plans to build 1,500 95-ton hopper cars in its own Roanoke shop, thus assuring employment for 600 persons for 1 full year, and another is now contemplating an expenditure of $80 million for coal transportation equipment.

Economists say that each mine job creates at least two additional jobs. Thus, increased coal production of 100 million tons would mean 64,000 new jobs in unrelated business fields.

The entire economy of Appalachia would benefit. The $297 million in wages paid to miners and railroad workers would turn over three times as it works its way through the channels of commerce, thus creating jobs and income in all types of businesses.

Expansion of coal production by a significantly greater amount than now seems feasible is not an idle dream. It can be accomplished without massive Government expenditures or without injecting the Government into activities which should remain the province of private enterprise.

The primary need is for the creation of a climate in which the coal industry can have reasonable expectation of growth. At present, several key Government policies inhibit, rather than encourage, the growth of coal markets and coal production.

Such policies create uncertainties about the future. They contribute to unstable conditions which discourage investments in new mines and transportation facilities.

What is needed are policies that will give coal an opportunity to compete for a fair share of the growth market for fuel and will provide an incentive to make long term job-producing investments.

One conclusion is inescapable: Without spending one dime or distorting in any way a free market for fuel, the Government can shift its policies to encourage coal production rather than to discourage it as at present. And, this added coal production will create new jobs and more dollar income, thus stimulating the entire economy of Appalachia.

Mr. Chairman, again I say I am happy to join in support of H.R. 11946, the Appalachian Regional Development Act of 1964.

The program authorized in this bill will serve an urgently needed purpose. It provides the vehicle through which the government at all levels—local, State, and Federal—can work together, along with local and regional organizations, in making a start on the economic rehabilitation of this large and important area.

The programs which this legislation would authorize will not, of course, result in the overnight rehabilitation of the region. This will take time and much hard work on the part of dedicated men and women from throughout Appalachia. The important thing about this legislation is that a start is being made.

My only objection to the legislation is that it does not go as far as I think it should in emphasizing the fact that expanded coal production is one of the keys to the economic revitalization of the area. I am pleased that the House Public Works Committee, in its report, took notice of the importance of coal to the region.

> In any real permanent solution to the problems of Appalachia attention must be directed toward bituminous coal—

The committee report states.

And the report makes this significant statement:

> The Federal and State Governments should, as a part of the general attack on poverty in Appalachia, do everything in their power consistent with a free market for fuel to encourage the production of bituminous coal.

There are sound reasons why the committee report went on record in favor of expanded coal production.

Coal is the largest single resource and industry in all of Appalachia, as the report makes clear, and even today, after the coal industry has gone through a difficult and trying period of automation and readjustments, it still provides 196,000 coal production and transportation jobs, with a payroll of about $1 billion a year.

But more significantly, from the standpoint of what we are trying to accomplish through this legislation, is what expanded coal production can mean in terms of new and added jobs and payrolls for Appalachia.

It is important to bear in mind that the coal industry has reached a peak of productivity per worker which is now beginning to level off. This means that further increases in coal production will have to come, for the most part, from added workers and not from a stepped-up daily output.

The Public Works Committee in its report on this legislation, recognized that increased coal production would mean more jobs and a shot in the arm for the entire economy of Appalachia.

Unfortunately, this legislation cannot deal with the problems which more than anything else are today impeding an expansion of coal production in Appalachia.

First, there is the matter of imported residual fuel oil. This waste product, produced abroad, is sold almost exclusively in east coast markets where Appalachia has historically found its major outlets.

Residual fuel oil imports must be stabilized before the full potential of expanded coal production is realized in Appalachia. Just how large that potential is can be seen from estimates that in the next 10 years east coast utilities will burn an additional amount of fuel equal to 63 million tons of coal.

With stabilized oil imports, which will prevent the foreign fuel from completely taking over the east coast fuel market, coal stands an excellent chance of winning this market.

What would additional coal production of 63 million tons annually mean to Appalachia?

It would mean 30,000 new jobs for miners and railroad workers.

It would mean an added direct payroll of some $200 million a year.

It would mean the creation of thousands of other jobs as this huge payroll and capital expenditures work their way through the channels of commerce of the area.

I might add, Mr. Chairman, that all of this could be achieved without the expenditure of one dollar of Government funds.

All that is needed is the stabilization of residual oil imports at or near current levels, with assurances that this level will be continued. There is legislation introduced or endorsed by 200 Members of both Houses to achieve this purpose and I regret that it cannot be taken up at this session as a supplement to this Appalachian recovery bill. The two pieces of legislation complement and supplement each other. I am fearful that the program we pass today will not be nearly as effective as it would be if we were to pass both of them in one package.

I urge my colleagues to give careful consideration to this residual fuel oil import problem and the role excessive imports play in checking and retarding coal production in Appalachia. This is a problem which must be faced—and soon.

Mr. Chairman, I would also like to call attention to another Government policy which is operating to prevent the coal industry from achieving its full potential for expanded production and, thereby, create new jobs and payrolls where they are most urgently needed. As is the case with residual fuel oil imports, this problem cannot be corrected in this legislation, but it is important enough to call to the attention of the House.

I refer to present policy relating to the development of civilian nuclear power.

What the Government is doing is to finance and subsidize the creation of an industry to compete in coal's principal market—electric utilities.

Nuclear power is today a reality. It can compete with coal-produced electricity in many areas of the Nation.

Many of us in this House believe the time has come for the Government to step out of the picture and turn the job over to private enterprise. I refer to those reactor concepts which have been developed to a point of practical value. Utilities are willing to build them and General Electric and Westinghouse are willing to manufacture them for a set price. So I say—let these private industries do the job. There is no reason for the Government to spend time and money in encouraging the building of large converter reactors which have already been proven.

The Government still has a vital and important role to play, and that is in developing new concepts and new ideas, such as the fast breeder atomic reactor—one that will produce more energy than it consumes. The fast breeder is the key that may some day unlock vast potential sources of energy for the Nation. The Government has a legitimate interest in spending money on such research activities but it cannot justify continued spending on reactor concepts which have already been proven.

What I am really asking is that coal be given competitive equality with nuclear fuel under our free enterprise system. The recent passage of the legislation calling for private ownership of nuclear fuel was a step in this direction. The next step is for the Congress to pass legislation restricting future Government activity to the advanced concepts—such as the fast breeder reactor—and to turn over the remainder of our successful and "going" civilian nuclear power program to private industry.

Policy changes in both of these areas—imported residual oil and nuclear power could have a profound effect upon coal and future job opportunities for Appalachian residents and I hope that during the next session legislation such as I have discussed will be taken up early.

Meanwhile, Mr. Chairman, I urge the passage of this bill before us today as a start toward a better and more meaningful life for the people of Appalachia.

I plead for the support of the House Members today simply because this program will help my State to help itself. We do not ask for a handout or a takeover by the Federal Government of our responsibilities and obligations but rather we ask only for Federal aid in doing a job we are trying to do for ourselves to the limit of our ability.

Our State leaders, including the Members of the House of Representatives, presented to the President the problems peculiar to our State and received the President's pledge of support in the form of a special addition of $10,600,000 for coal producing areas.

If Congress agrees, the money would be used to begin a 10-year program estimated to cost $436.25 million in Pennsylvania alone. During the next fiscal year, it would provide:

First, $1.07 million to help prevent surface cave-ins by flushing fill material into abandoned coal mines now in danger of collapsing. Total cost: $35 million.

Second, $3 million for control of underground mine fires. Total cost: $9 million.

Third, $2.4 million for refilling and reforestation of abandoned strip mines. Total cost: $109 million.

Fourth, $2.15 million to eliminate both burning and nonburning culm piles. Total cost: $30.25 million.

Fifth, $1 million to eliminate water pollution caused by mine drainage. Total cost: $253 million.

For some idea of the critical nature of all five problems, and what Pennsylvania already is doing about it—the following should explain the situation clearly:

Pennsylvania's 210,000 acres of strip mine pits—abandoned before the 1963 legislature required operators to backfill in the interests of good conservation—are ugly.

They repel tourists, keep industry away. In addition, they are a source of acid drainage which pollutes streams, and a waste of what could become valuable land resources, both recreational and industrial.

Today, fortified by the strongest strip mine control legislation in the Nation, Pennsylvania is spending $500,000 annually in rehabilitation of these areas through both backfilling and reforestation.

At an estimated cost of $500 per acre in the anthracite fields—$480 in the bituminous area—this means that nearly 1,000 acres are now being restored each year by the State on its own.

If, however, Federal funds are made available by Congress under the Appalachia program, the job could be done five times as fast. Immediate impact: A boost of from 1,000 to 5,000 acres in the total to be rehabilitated during fiscal 1964–65.

Currently, 27 underground mine fires are burning in Pennsylvania—endangering human life, destroying surface property, and driving industry away from the hard-hit coal regions.

Since 1953, some 45 other fires have been extinguished at a cost of $250,000 annually in State funds, plus an additional $150,000 a year from the Federal Government. Of these 35 were in the bituminous area, 10 in the anthracite.

Today, a major urban renewal project is underway in Carbondale where more than 404 families in a 100-acre area have been affected by a major underground mine fire. Several persons died from carbon monoxide seepage, homes were tipped, streets cracked—and clearance and redevelopment of the entire area is necessary before the fire itself can be extinguished.

At Laurel Run, an underground mine fire that has been burning for 50 years threatens 181 homes, parts of Wilkes-Barre Township and the city of Wilkes-Barre itself. A 24-hour patrol of the area is underway to constantly check against lethal gases, and the urban renewal formula again will be used to evacuate residents, clear the area, put out the fire and rehabilitate the land.

Inclusion of the additional $3 million allocation in the Appalachia program at the request of Governor Scranton means that the problem can be attacked in other areas where the fires are fully as dangerous, if less dramatic than those.

A major factor which has deterred industrial expansion in Pennsylvania's coal regions is the danger of surface subsidence above abandoned coal mines.

Because of this, the surface gives way, buildings collapse, water and sewer lines are destroyed and families forced to flee their homes. Industry, which could take up some of the unemployment slack, shuns such areas.

Since 1953, Pennsylvania already has treated 49 such areas in the bituminous fields by flushing fill material back into mines in danger of collapse. Eight similar areas have been completed in the anthracite fields.

But much still remains to be done—including Federal approval of Governor Scranton's suggestion that areas threatened by mine subsidence be made eligible for urban renewal. Such a concept also would permit payment of precave value in urban renewal purchases from homeowners whose properties are actually damaged by mine caves.

Presidential approval already has been given to a requested $1 million added appropriation to continue preventive measures on a long-range basis—as well as an additional $700,000 to be used in urban renewal projects.

Congressional approval would step up Pennsylvania's own fight on mine subsidence in 7 areas still remaining to be treated in the bituminous fields, plus 35 others in the hard coal regions, including an even dozen in the city of Scranton alone.

Long deplored by Pennsylvania outdoorsmen and conservationists as the major disease that has killed some 2,000 miles of State streams, acid mine drainage can be cured—at a cost of $253 million.

Currently, Pennsylvania is spending $55,000 annually on basic and applied research for the prevention of stream pollution from mine acids, iron and siltation to make the water again fit for both recreational and industrial use.

But action programs to both seal off abandoned mines and build effective plants and processes to eliminate or treat acid mine drainage also are needed.

To this end, the coal industry itself has contributed $50,000—and the legislature currently is considering an appropriation of another $100,000—toward construction of a pilot plant to do the job.

Despite the fact that the Appalachia report already contemplates research activities towards more economical methods of reducing acid mine drainage, President Johnson already has approved Governor Scranton's personal appeal for $1 million to begin practical antipollution measures now.

Congressional approval—as a part of the overall program aimed at restoring prosperity to the entire Appalachia region—means that Pennsylvania can move speedily ahead on an effective program of cure already in progress.

Both Pennsylvania's anthracite and bituminous areas are dotted with hundreds of burning and nonburning culm piles and other spoil banks of the mining industry.

At best, all are unsightly, discourage job-creating industry from locating in the area, use up needed land and, when ignited, form a serious air pollution health menace. Current count: 117 burning the bituminous, 25 in the anthracite areas, plus uncounted hundreds of nonburning refuse banks.

Currently, the legislature has appropriated $325,000 to be used on burning banks, $200,000 of it to remove "hot spots" and the balance—to be matched by Federal funds—to design, construct, and operate a pilot plan for elimination of air pollution.

In addition, the legislature is currently considering a bill appropriating $400,000 to design, construct, and operate a cleaning plant to process nonburning refuse banks to extract both low-grade fuel and high-grade nonburning refuse to be used as underground fill to prevent mine subsidence.

Actual production of the latter material already is going on through use of a new, $100,000 portable crushing and screening plant, and the State already has made plans to buy another. Both will be paid for from Federal-State funds on a 1-to-1 matching basis.

Congressional approval of $2.15 million through the Appalachia program will mean that Pennsylvania not only can begin a detailed survey for planned action but actually spend $2 million of it on removal of both burning and nonburning culm banks in the next fiscal year.

Mr. Chairman, the local area newspapers have covered this great effort.

I believe the following special reports will help to completely dispel every doubt as to the need for this legislation:

[From the Washington Evening Star, Feb. 12, 1965]

Poverty in Appalachia

(By Haynes Johnson)

Uniontown, Pa.—By every standard, this town near the West Virginia border and the Mason-Dixon line is in economic trouble.

It is the old gateway to the West, the place where the western range of the Appalachians breaks and slopes toward the valley and the Monongahela River beyond.

It is also the seat of Pennsylvania's most depressed county, Fayette.

For more than a decade Fayette County has had a higher proportion of people out of work than any other labor market in the State.

Only a handful of areas in West Virginia, Kentucky, and Puerto Rico have such a bleak record.

From 1957 to 1961, one out of every five workers was unemployed. Today, more than 14 percent of the work force is still unemployed. Population has declined and half of the families earn less than $4,200 a year.

These statistics sound familiar to anyone who knows Appalachia. Yet the real significance of what is happening here lies in another direction: Uniontown and Fayette County have refused to give up. They are fighting back, and the atmosphere is one of guarded optimism.

OFFICIAL IS OPTIMISTIC

"Oh, there's no question that we hit the bottom a year ago," said Frank A. Gradler, director of the Fayette County Development Council. "We can't go any lower than that. But I think we've got a pretty good record when you look at the picture.

"You know, we're always held up as an example of a depressed area. Well, we don't use that word. We're not depressed. Sure, we're distressed. Why the Federal Government has made so many studies that it's pitful—and they never have any answers. They're still making them.

"We don't study the studies too much. We know what the problems are and we're doing something about them."

What is being done is heartening for Appalachia. On local initiative and leadership since 1958, 11 companies have located in the county, resulting in capital expenditures of $4.3 million. Financing has been provided by local banks, local development corporations and the State's industrial development authority. None of the financing came from the Federal Government.

This has been accomplished principally because the community leaders, spearheaded by those in Uniontown, decided to approach their problems on a countywide basis. In the past, the 19 townships within the county were jealous of their prerogatives and suspicious of their neighboring communities. That all changed in 1954.

CREATED OWN COUNCIL

In that year, the county leaders agreed to raise $100,000 for a 4-year attack on the joint problems of the area. The result was the creation of the county development council, which continues to function aggressively today.

The history of Uniontown is a recurring theme of Appalachia; everything here centered around coal. Coal was king, and no one could foresee the day when it would not reign. For years the mines employed 22,000 men. "Then along came the war," one man recalled, "and they dug every bit of coal—and dug it fast. As a result it was depleted."

From 1946 on, Fayette County was on the skids, with the coal decline greasing the way. Mine employment plummeted. Today no mines are open in the county and the hills bear the scars of the last attempts to extract coal—the mark of the strip miners. Consequently, the miners make up the bulk of the unemployed.

"We can't point to anything that coal bought for this area," an old teacher said, bitterly. "The coal companies took the money out, and those who made the money gave it to the children and they went to New York a long time ago."

Now the county is trying to reconstruct itself without the economic standard of the past.

STEADY GROWTH SEEN

In its battle against economic extinction, the leaders are practical and realistic.

"I can't see that we're going to have any spectacular growth or boom," said Mr. Gradler. "But I do think we'll have a steady growth. That doesn't mean that we're going to be able to support 190,000 people as we had in 1950.

"You've got to remember this about Fayette County. Look at that map over there. Half of the county is in the mountains. That can only be developed as a recreational area. We've got the history; this is where Washington and Braddock fought. That's part of our future, and we are very desirably located for it. Route 40 from Baltimore goes right through us. Pittsburgh is 45 miles to the north and now we're building a four-lane highway to link up with the Pennsylvania Túrnpike.

"Recreation and industrial development is going to save us. Nobody here's quitting."

Mr. Gradler and the other leaders quickly pointed out that their problems are far from solved, however. For in Fayette County can be found examples of one of America's most tenacious problems—the problems of a permanent class of impoverished people whose very manner of living almost defies description. These are the people who have become so accustomed to living on relief that they are unconcerned about ever getting off. They are passing on their habits to their children—and to their grandchildren.

MAJOR PROBLEM IS CHILDREN

Within the 800 square miles of Fayette County are numerous clusters of houses and shacks, both high in the hills and on the rolling countryside below. Here they are called patches, the remnants of the company towns that provided the wealth for the area.

The greatest problem lies in the children who live in those patches.

"We have children who come from homes where their parents have never been employed in their lifetime," said Harold Riffle, the county superintendent of schools.

"Unemployment has not happened here just lately, you know; it's been with us for a long time. I'm not sure they're different from other children, but they've certainly been deprived more, and, in general, they do have a certain attitude."

A teacher who works with such children, but who preferred to not be identified, said of those students:

"They feel this way: What's the use? They get married as soon as they can, and they drop out as soon as they can. Their attitude is that dad's on relief and has never worked, so why should they? And also, why should they bother with school? And so they don't. I actually know of a case of a boy who got a job as a mechanic and whose father made him quit, because it made the father look bad for being out of work."

Fayette County has neither the money nor the manpower nor the skills to do anything about this problem, and its school system at the moment is having its own trouble competing with wealthier communities for teachers.

In the meantime, the patches continue to create and perpetuate their problems. Brier Hill is such a place and such a problem. It lies 10 miles to the west of Uniontown, off Route 40, a collection of black, two-story shacks lining a muddy back road.

Brier Hill is typical. This reporter did not visit it to single out its inhabitants or to draw a sensational sketch of poverty. But he can say that it eclipses the most squalid slums of the Negro sections of Washington. Brier Hill is white. To visit it is to experience the degradation of the spirit.

The door to the first house was opened by a fat middle-aged woman who answered, "No, I buried him Thursday," when asked if her husband were home.

Inside were a sandy-haired man, age 20, his wife, 23, and their two children, 5, and 14 months. "There just ain't no employment," he said, standing in front of the coal stove, "I've been lookin' but there ain't any." A tattered copy of "Romantic Love" magazine was on the living room floor. The furniture was broken down, the dishes were piled high in the kitchen. The baby was naked and dirty.

On one wall was a color photograph of John F. Kennedy; on another a drawing of Jesus praying. "No, I ain't been in church in I don't know how long," the man said.

Asked when he had last looked for work, he replied: "Well, you can't look in this weather." It was, in fact, a sunny day and in Uniontown some people had said it felt like spring coming on.

NO HOT WATER

The house has no hot water. There is an outhouse. For their 4 rooms, the family pays $30 a month rent. Every 2 weeks they receive $68.60 from the State for relief payments. And every 2 weeks they receive $27 in Government food stamps, enabling them to purchase food from local merchants. They are not starving. They think their debts are somewhere around $1,300.

The father of the man who heads the household was a coal miner who lost his leg and who has been living on a pension and relief ever since. The young man himself completed the eighth grade. Today, he has no livelihood. In all fairness, he does not seem to be concerned. Neither does his wife.

It was the same situation next door. The man there is 30 and is from West Virginia. He has not been employed for 5 years. "I been hunting work," he said waving a copy of "Barge Girl," a paperback book. "But I might just as well stay here."

He has five children ranging in age from 2 to 7. His wife is pregnant and "expecting anytime." She said she thought she was carrying twins, " 'cause you can tell." The husband left school after the fifth grade.

His father, too, was a coal miner. "Father, see, he shot himself 2 years ago last November with a .22. Nobody knows why. His father was a coal miner before him."

The family says it eats "pretty good" through welfare payments and the food stamp program. The man of the house says he thinks the future looks better, too, "from what I hear."

So does Fayette County, despite its Brier Hill patches.

[From the Evening Star, Washington, D.C., Feb. 11, 1964]

POVERTY IN APPALACHIA—JOHNSTOWN, PA.

Almost every schoolboy can tell you what happened here in 1889, when a great flood virtually destroyed this city and took nearly 3,000 lives.

They rebuilt Johnstown and then in 1936, disaster struck again.

Since then, they've spent millions widening and deepening river channels and building canal walls. And today, Johnstown, a city of about 55,000, is free from the ravages of the waters that swept the Conemaugh and Stoney Creek Valleys.

Yet, a cruel joke goes, about the only thing you can do to save Johnstown now is have another flood and start all over again.

Unfair as it may be, it is one of many mordant Appalachian jokes. All of them reflect some of the viewpoints about regions from Pennsylvania to Alabama where millions of Americans are struggling to exist. They help to explain why Appalachia is a key target in President Johnson's campaign against poverty. "It's a pretty picture to draw a line of mountains and say that everything within it is destitute," says C. W. (Bill) Dressler, associate editor of the Tribune-Democrat here. "That's what they are doing with Appalachia. There isn't any such place. It doesn't exist, except as a figure of speech. We people who live here think it's ridiculous."

Mr. Dressler and others understandably dislike seeing their city and section portrayed unfavorably. Nevertheless, the evidence is undisputable that the towns and cities lying along the mountain ranges are afflicted with common problems.

To begin to understand these problems even in a superficial way, one must take the back roads away from the superhighways, turnpikes, chain restaurants and motels.

From Renovo and Bitumin in the forests of north-central Pennsylvania, the road leads for more than 30 miles across the snow-covered mountains and down to the towns below. For mile after mile there is discouraging sameness. Only the names are different: Snow Shoe, Moshannon, Drifting, Grassflat, Hawk Run, Grampian, Nanty Glo.

Through a dozen main streets one sees the same legion halls, Moose lodges, and dismal store fronts. The industry in the town varies: In some it is a refractory business; in others a mill. But all are situated near the rail tracks and always above them, backed up to the hills, sit the same unpainted clapboard houses with the same plastic-covered windows and doors.

When the hills break and the orange smoke drifts up from the valley, the steel mills of Johnstown are in sight. The city itself is dotted with wooden homes, many of them dilapidated survivors of the 1936 flood.

While newspaper editors such as Mr. Dressler, and Howard Hill, of the chamber of commerce, take the position that Johnstown is not a distressed city, others here do not agree with them.

"We have a serious problem in our primary metals," says Joseph Casale, head of the Pennsylvania State Employment Service office. "Steel is now working at about 80 percent of capacity and any industry doing that today is doing pretty well. But 4 years ago we had 20,000 men working in the steel mills. Today it's about 13,000 to 14,000.

"With all the tremendous technological change going on, we still look for this situation to keep declining. So these people who are out have very little chance of being called back. They're more or less out to pasture."

MINE JOBS DOWN

The picture in coal is worse. Eight years ago 20,000 were employed in the mines around Johnstown; today the figure is 6,700.

"We know," Mr. Casale continued, "that for the last 5 years better than 14,000 employable persons have left our labor market area in Cambria and Somerset Counties. So all you find in these towns are the older people. So what's left? Most of the people who can leave have left. The rest are using up their unemployment compensation."

This illustrates a harsh statistic: Johnstown has led the State of Pennsylvania in unemployment compensation payments twice out of the last 5 years. Today nearly 9 percent of the labor force is unemployed and the payments this year probably will run as high as $8 million.

Even more vexing for the future is the prospect of finding jobs for high school graduates. Women graduates generally can find clerical or sales jobs, but the big problem is for men. Some 30 percent go to college, another 15 percent to the service and more than 40 percent leave Johnstown entirely. Few of those who graduate from college return to their hometown, depriving Johnstown of future leadership.

NO OPPORTUNITY

"I have to say," Mr. Casale said, "that we have not been able to keep these people here. There is no opportunity for these boys."

As it has been for more than 100 years, steel is the heart of Johnstown's economy. In this city, Bethlehem Steel is big steel.

Paradoxically, the steel industry is doing better now—but not its workers. They are caught in the same technological vise as the railroad workers in Renovo. To compete more efficiently, the steel companies have modernized their plants and are able to increase their production with better equipment—and less men. The result is layoffs and bitter jokes about steel showing higher profits, "Yeah, they laid us off," a millworker says.

For those who do work, the wages are high. But for the past 4 years there has been a succession of layoffs. Some men have been out of work, off and on, for as long as 2 years.

WORKED IN NEW JERSEY

Take Donald Wilfong's case as an example. He's 38 years old, a World War II veteran who has been in the mills for 17 years. He is married and has four children. For 20 months he was forced to go to New Jersey to find work. He would visit his family here three times a month. Then he was called back by the Johnstown mills. He returned to protect his seniority.

His story since then has been one of layoffs and unemployment compensation checks, totaling $64 a week. Now he is down to $40 a week and has two more checks before his payments run out.

"On $40 a week it's impossible," he says. "You just can't do it."

He is not eligible for the surplus food program because he has a savings account of $1,600 for his son for college. For 8 years he has been building it up; now he will have to start drawing on it. His wife supplements their income by sewing, and makes all the family clothes.

FEELS HE MUST LEAVE

Don Wilfong feels he has to leave town.

"I hate like hell to leave this part of the country," he said. "I spent 17 years building myself up. But when you're out of work what are you going to do?

"The thing is you never know when its going to happen to you. That's the trouble. And I'm lucky because I haven't hit 40 yet. After 40 you're really out.

"I've got a possibility of a laboring job at $1.61 an hour. But that'll just keep the water below my nose. I guess I'm going to drown anyway, but at least, I'm still breathing. It's a vicious thing. It's a dog eat dog, like they say. If you're working it's a recession, if you're laid off it's a depression. In other words, everybody's looking out for himself."

Other workers are even more bitter. They, too, are talking of leaving. "I've got two leads in my pocket right now," one said. "One's in Delaware and the other is in Jersey."

MANY BIDDING FOR INDUSTRIES

Their problem is not an isolated one in Appalachia. Neither is Johnstown's. The city is trying to attract new industry, but as a prominent businessman who asked that his name be withheld, said: "The trouble is that for every industry that is looking to locate there are 150 towns bidding for it."

Then, too, because steel wages are high many industries are reluctant to enter an area where they probably will have to pay more. When they do relocate, they may head south or west.

In another way Johnstown is a mirror of the times of an industrial class and a white-collar class. In Johnstown proper many of the unemployed and unemployables lives in the old houses. The rest live a thousand feet above, out of the smoke of the mills.

On the crest is Woodmont, an area of middle-class homes and executive mansions. "Ye Olde Country Club. Private" is one of the first signs the visitor sees there.

Johnstown also is a city where one meets the union officials in a large office with framed pictures of Franklin Roosevelt and John F. Kennedy. Then he hears the union leader outdo the chamber of commerce in extolling the attractions of the area. The union man, who is on many business and charitable committees, passes out travel and tourist literature.

DON'T WANT HANDOUTS

These social distinctions are not lost on the men. They are, as the people of this region are supposed to be, extremely proud, both of their skills and of their area.

"You know," one man said. "It's funny, this Johnstown. We're proud people. We don't want a handout. So I guess come spring my family and I are heading to Arizona."

There is the quintessence of Appalachia's dilemma: It cannot afford to lose such men, but it is at present unable to provide the opportunity for them to stay.

So while the steel mills continue to fill the valleys with the orange smoke and sulfur fumes, many men who want nothing more than to be in those mills are packing up and moving out.

Mr. BYRNE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, countless counties throughout the Appalachian area today are watching our actions here in the House of Representatives.

I assure you that all of us in Pennsylvania recognize that there are other areas throughout the United States that have similar economic problems as those of Appalachia. Today, by voting for the Appalachian Regional Development Act of 1965, we will be giving this area a new lease on life and will also establish redevelopment procedures that will be a model for future regional plans.

This bill on which we are voting is sound. It has been the subject of great debate during lengthy hearings both here in the House and over in the Senate. This legislation has been tailored to meet specific and unique economic needs.

Although my congressional district does not benefit directly from the Appalachia bill, I cannot join those who would have you believe that this legislation is preferential treatment for a certain area. The only way to solve our overall economic problems is through increased cooperation with State and local government along regional lines. This cooperative partnership is spelled out in the Appalachian Regional Development Act of 1965.

The legislation is not a welfare dole for Appalachia but rather a carefully prepared program aimed at helping resourceful people to help themselves. The Appalachian area for too long has been bypassed by America's growing economic prosperity—the problems of this area are serious.

There is a great potential present in the Appalachian area that, if developed, will make the region a vital part of President Johnson's Great Society. I vision tremendous things happening with the construction of an Appalachian development highway system to serve the region. These roads, as has been pointed out, will not be constructed with the particular objective in mind of easing traffic congestion. Rather they will be built as instruments of economic development, by opening up areas to development which heretofore have not been developed because of their remoteness and isolation. They will provide the means to insure that the industrial, recreational, and tourism potential is realized. Every section of this legislation has been carefully written to achieve one goal—to return the Appalachian area to its position as a leader in industry, commerce, and recreation.

We can no longer afford to ignore this underdeveloped area. Passage of this legislation today will permit us to begin immediately a concerted drive toward our goal of a Great Society, and I urge all of my colleagues to support this important legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MICHEL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CRAMER: On page 30, strike out line 23 and all that follows down through and including line 23 on page 32.

Mr. CRAMER. Mr. Chairman, I offer this amendment in the hope of highlighting exactly what is being done in this bill. This section is simply a back-door reenactment of the APW. This program, APW, is discredited to the extent that additional authorization was not even requested last year, but here we find it in the Appalachia bill and find it to the tune of 80 percent of participation.

The act for APW previously provided for 50 percent Federal participation. I just want the House to know how far this one goes. In my opinion it is setting a precedent for future ARA and APW bills that will probably be presented to the Congress providing for 80 percent Federal participation rather than the 50 percent under the present APW Act, except where, in certain circumstances, the Federal contribution could be 75 percent where the local community could not pay the cost. So we are now going up to 80 percent for this program.

This I think is the section that probably the proponents really want the most in the sense that this is where the grab bag money is for any and all Federal grants-in-aid programs, including those contained in this bill, except for highways—80 percent Federal matching for any and all Federal programs, cutting across the jurisdiction of all committees. There does not even have to be a relationship as to whether or not there is a depressed area involved. These public works can be built in the 76 nondepressed areas. If we are going to consider APW, it should not be on an Appalachian piecemeal region, it should be on a nationwide basis. Doing it on a piecemeal basis is not the way to do it, particularly if you open the door to 80 percent participation.

If you will refer to page 32 of the bill, you will see it applies to practically every kind of project, including water pollution, watershed protection, vocational education, library services, the Federal Airport Act, higher education facilities, and land and water conservation. Any existing program, except highways, is included. I say this section is one that in my opinion is going to be subjected to not only the same but even greater abuse than was the APW, that resulted nationwide in its not even being reauthorized last year. It should be stricken from the bill.

Mr. BLATNIK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would create a great hardship and cause great discrimination against those localities that are most impoverished. They are in need of these facilities authorized by the Federal grant-in-aid programs for which section 214 authorizes additional funds.

I should like to remind the House that in the Accelerated Public Works Act which the body passed some years ago the normal Federal share was around 50 percent but we did graduate it up to 75 percent for the acutely distressed municipalities.

What the amendment offered by the gentleman from Florida would do is this. If a municipality were capable and well off enough financially to finance 50 percent of its own share, then the Federal Government would be able to say, "Yes, we will pay the other 50 percent."

In another case where the need may be equally great or perhaps even greater for a facility, but the financial resources were far less—and we have municipalities that could not even raise 30 percent of their share under the APW bill—if they said, "We can only raise 20 percent"—the Federal Government would say, "That is not enough."

Those who need it the most and who have the least financial resources get nothing. The amendment is discriminatory and unfair. It defeats the purpose of the bill.

Mr. Chairman, I want to call the attention of the Members of the Committee to page 31 of the bill and the language therein, and I quote:

> To take maximum advantage of Federal grant-in-aid programs for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share—

In short, it has to be determined that they cannot match their required local share—

> the Secretary of Commerce is authorized, pursuant to specific recommendations of the Commission approved by him and after consultation with the appropriate Federal officials, to allocate funds appropriated to carry out this section to the heads of the departments, agencies—

And so forth.

This language provides ample scrutiny and review. There are proper safeguards in the section and the program will be properly handled.

Mr. Chairman, I urge the defeat of this discriminatory, unfair, and unjust amendment which will work real hardship on the poorest communities. We must keep section 214 in the bill. It is the heart of the legislation. It will provide the "grease" to move the wheels for this needed program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The amendment was rejected.

Mr. BRAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask the chairman of the subcommittee this question. I hold in my hand an article from the Louisville Courier-Journal of February 11 which says:

> Clay County Reclaiming Hope Dim. House Mulls Strip Mine Proposal.

Apparently, they have suggested the following in the article:

> The landowners would deed their spoil banks to the State. After reclamation, the State would deed the land back, but retain hunting and fishing rights in public ownership.

I would like to know what in the gentleman's opinion the legislative intent is. Would this bill give any such right as that?

Mr. JONES of Alabama. It is the intention of this bill to preclude and prevent such a situation as that from coming about. We are dealing with public lands as they presently exist—and that is the purpose of the bill. It is the purpose and intention of the bill and it is the understanding as far as I know of every member of the committee who has played a part in the consideration of this section of the bill.

Mr. BRAY. That is what I understood. But since this newspaper article was called to my attention, I want to make it absolutely clear that such a situation as that could not be brought about under this legislation.

Mr. JONES of Alabama. The gentleman is correct.

Mr. BRAY. I thank the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III—ADMINISTRATION

Local development districts—Certification

SEC. 301. For the purposes of this Act, a "local development district" shall be an entity certified to the Commission either by the Governor of the State or States in which such entity is located, or by the State officer designated by the appropriate State law to make such certification, as having a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region. No entity shall be certified as a local development district for the purposes of this Act unless it is one of the following:

(1) a nonprofit incorporated body organized or chartered under the law of the State in which it is located;

(2) a nonprofit agency or instrumentality of a State or local government;

(3) a nonprofit agency or instrumentality created through an interstate compact; or

(4) a nonprofit association or combination of such bodies, agencies, and instrumentalities.

Grants for administrative expenses of local development districts and for research and demonstration projects

SEC. 302. (a) The Secretary of Commerce is authorized—

(1) either directly or through arrangements with the Commission, to make grants for administrative expenses to local development districts. The amount of any such grant shall not exceed 75 per centum of such expenses in any one fiscal year. No grants for administrative expenses shall be made to a local development district for a period in excess of three years beginning on the date the initial grant is made to such development district. The local contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

(2) either directly or through arrangements with appropriate public or private organizations (including the Commission), to provide funds for investigation, research, studies, and demonstration projects, but not for construction purposes, which will further the purposes of this Act.

(b) Recipients of Federal assistance under the provisions of this section shall, in accordance with regulations to be promulgated by the Secretary of Commerce, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the Secretary of Commerce. The records of the recipient shall be available for audit with respect to such grants by the Secretary of Commerce and the Comptroller General, or their duly authorized representatives.

(c) Not to exceed $5,500,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

(d) No part of any appropriated funds may be expended pursuant to authorization given by this Act involving any scientific or technological research or development activity unless such expenditure is conditioned upon provisions effective to insure that all information, copyrights, uses, processes, patents, and other developments resulting from that activity will be made freely available to the general public. Nothing contained in this subsection shall deprive the owner of any background patent relating to any such activity, without his consent, of any right which that owner may have under that patent. Whenever any information, copyright, use, process, patent or development resulting from any such research or development activity conducted in whole or in part with appropriated funds expended under authorization of this Act is withheld or disposed of by any person, organization, or agency in contravention of the provisions of this subsection, the Attorney General shall institute, upon his own motion or upon request made by any person having knowledge of pertinent facts, an action for the enforcement of the provisions of this subsection in the district court of the United States for any judicial district in which any defendant resides, is found, or has a place of business. Such court shall have jurisdiction to hear and determine such action, and to enter therein such orders and decrees as it shall determine to be required to carry into effect fully the provisions of this subsection. Process of the district court for any judicial district in any action instituted under this subsection may be served in any other judicial district of the United States by the United States marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

Project approval

SEC. 303. An application for a grant or for any other assistance for a program or project under this Act shall be made only by a State, a political subdivision of a State, or a local development district. Each such application shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate such application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under the Act shall be approved for assistance by the Commission.

Annual report

SEC. 304. Not later than six months after the close of each fiscal year, the Commission shall prepare and submit to the Governor of each State in the region and to the President, for transmittal to the Congress, a report on the activities carried out under this Act during such year.

Mr. CRAMER (interrupting the reading). Mr. Chairman, I ask unanimous consent that title III be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. DADDARIO

Mr. DADDARIO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DADDARIO: Strike out line 12, page 38, through line 19, page 39, and insert in lieu thereof the following: "In carrying out the provisions of this Act, the Commission and each department, agency, and officer of the Federal Government having functions or duties under this act shall adhere to the statement of Government Patent Policy which was promulgated by the President in his memorandum of October 10, 1963 (3 CFR, 1963 Supp., p. 238)."

Mr. DADDARIO. Mr. Chairman, the amendment I offer serves a most useful purpose and is one which Members should support. All it would do is to have this act conform to a Government patent policy which now exists in all executive departments and agencies of Government.

In October of 1963, President Kennedy, after 18 months of careful preparation, issued a memorandum which is presently effective and to which the present language in this legislation is in direct contravention. Now, I do not mean to indicate, of course, that everything that comes out of the White House is always so right and that this body cannot make its own contribution, but when we do oppose the President, it is usually with good reason and sound judgment based on committee investigation and careful consideration of the effect on the Nation. In fact, that is what President Kennedy's memorandum was intended for, to bring order into the area of patents within the Government pending action by the Congress in the general field.

Following that memorandum, a great deal of activity has taken place. President Johnson has issued an interpretative statement spelling out his intentions. A Patent Advisory Committee has been created and is in action. And that Committee, by the way, is composed of members who represent every shade of difference which exists on this complicated and important subject. When its work is done, we will all be better informed and, together with committee activity in both Houses of Congress, we will develop the necessary legislation.

In the meantime, every Government department or agency must follow guidelines which are stringent and sensible both and which, I assure you, have been well thought out.

In contrast to that, the language which is now in this bill is completely in conflict with the procedure which this House follows. There have been no hearings on the subject. It is the work of one man. The debate which took place in the other body was confined mostly to the procedure which brought the amendment to the Senate floor, and it runs against an existing position which is well conceived and properly effective.

I believe it is of importance, too, to call to your attention that this language is also in the Senate version of the water pollution bill and that it will most likely be in every piece of legislation affecting science and technology that comes to us from there. It should be stopped now.

I should like to quote from President Kennedy's memorandum, so that Members may judge for themselves what he was trying to do.

I quote from the memorandum in connection with that policy:

> From the extensive and fruitful national discussions of Government patent practices significant common ground has come into view.

I stress to you the words "extensive and fruitful national discussions."

> First, a single presumption of ownership does not provide a satisfactory basis for

governmentwide policy on the allocation of rights to inventions.

This is exactly what the provision which is in this bill before you would make effective.

It would establish a single-ownership provision. Quoting further:

> Another common ground of understanding is that the Government has a responsibility to foster the fullest exploitation of invention for the public benefit.
>
> This statement of policy seeks to protect the public interest by encouraging the Government to acquire the principal rights to inventions in situations where the nature of the work to be undertaken or the Government's past investment in the field of work favors full public access to the resulting inventions. On the other hand, the policy recognizes that the public interest might also be served by according exclusive commercial rights to the contractors in situations where a contractor has an established nongovernmental commercial position and where there is a greater likelihood that the invention would be worked out and put into civilian use than would be the case if the invention were made more freely available.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. DADDARIO was given permission to proceed for 3 additional minutes.)

Mr. DADDARIO. Quoting further:

> Wherever the contractor retains more than a nonexclusive license the policy would guard against failure to practice the invention by requiring that the contractor take effective steps within 3 years after the patent issues to bring the invention to the point of practical application or to make it available for licensing on reasonable terms. The Government would also have the right to insist on the granting of a license to others to the extent that the invention is required for public use by governmental regulations or to fulfill a health need irrespective of the purpose of the contract.

Then he went on to say that the attached statement of policy will be reviewed after a reasonable period of time in the light of the facts and experiences accumulated. Accordingly, there should be continuing efforts to monitor, record, and evaluate the practices of the agencies pursuant to the policy guidelines.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. Yes. I yield to the gentleman from Texas.

Mr. CASEY. What you are trying to do is to set up in this bill the same practice that has been followed in every other phase of wholly or partially Government-financed research. Is that correct?

Mr. DADDARIO. The gentleman is correct. I would like to add to that it is quite apparent that the position, which the memorandum which the President has issued places us in, is one where there is a review, a constant area of activity involving every agency—where on the basis of this knowledge, it has come to the point where there can be guidelines which thread through from one agency to another so that there can be a sensible approach and where we can meet the country's needs.

Mr. CASEY. Mr. Chairman, will the gentleman yield further?

Mr. DADDARIO. Yes. I do yield to the gentleman.

Mr. CASEY. Heretofore, before this policy was enunciated by the President, we were going in all directions, were we not? We are now beginning to tie it together in a uniform system throughout all the different governmental agencies, and you are trying to keep it from becoming fragmented again. Is that right?

Mr. DADDARIO. There is no question but what you say is true, and we ought to add to it, I think, while hundreds of people are working and making their contribution to this issue and having difficulty in coming up with a policy which would be able to work in every agency of the Government, we in this House today are taking a position where we are following the stand of one man in supporting the idea that the Government should take title in every instance.

Mr. CASEY. I think the gentleman is to be commended in offering his amendment, and I wholeheartedly support it.

Mr. DADDARIO. I thank the gentleman.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. Yes. I yield to the gentleman from Washington.

Mr. PELLY. I know that the gentleman in the well of the House has made a great study of this subject. I wish to state that I support his amendment and I hope that the House will accept it.

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

(By unanimous consent (at the request of Mr. BALDWIN) Mr. DADDARIO was granted an additional 5 minutes.)

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I appreciate the gentleman's yielding to me. This is a matter of serious concern. This amendment offered by the gentleman from Connecticut should be universally agreed to. The action taken in the other body was unwise. The remedy sought by the gentleman from Connecticut is proper and I think we on our side and the Members on the other side should wholeheartedly endorse what the gentleman from Connecticut has recommended.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the gentleman.

Mr. BALDWIN. Is it not true that the amendment adopted by the other body, if it were left in the bill, would mean that we would have the most inconsistent position, that all the other Federal highway programs, such as the Federal-Interstate Highway System, the Federal-State primary and secondary routes, the Federal aid urban routes, would have a different policy in practice in the contracts let by the States from this particular highway program, which would make for a completely inconsistent situation? It is obvious on its face that there should be uniformity in this field and it should not be approved in this hit-or-miss, piecemeal manner.

Mr. DADDARIO. There is no question that a contradiction of large proportions would build up. I should expect that you could even carry it a little further on the basis that if the Senate amendment remains in the bill it would become superior to and overwhelm the position which exist in all other agencies so that it would dominate even though it was not the original intent of Congress as expressed in other legislation that that be the case.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield.

Mr. CRAMER. Mr. Chairman, the gentleman made a very persuasive argument before our committee relating to the water pollution control bill, which has the same provision, asking that it be stricken, and I think probably the committee will strike it; certainly I shall vote that way. If the gentleman's amendment is not adopted, will not the effect of the amendment of the other body, which it is the gentleman's intention to strike by his amendment, be that entering into these research contracts the cost to the Federal Government is going to be substantially higher, because presently they may use their discretion and where the cost is inordinate to the benefit that might be received in making the patent public or the discovery public—in that instance they may use discretion today and say that this shall not be public because the cost would be too high?

Mr. DADDARIO. In many ways what the gentleman says is so. It would be difficult for me to give an analysis of the financial outlay in every instance, but I could explain it in this way. There are cases where companies and universities which could be involved in this piece of legislation have developed some background which they could let the Government have as long as the Government would allow it to have foreground rights as it developed its knowledge within a Government contract and this would save countless dollars. There are many instances where this has proven to be the case as we have looked at Government programs over the years.

Mr. CRAMER. Mr. Chairman, will the gentleman yield further?

Mr. DADDARIO. I yield.

Mr. CRAMER. As it is applied in this act, it clearly is demonstrated that this applies to development district research and demonstration projects. These development districts are involved on a broad basis of programs far greater than the scope of this act. That would mean that if they accepted the 75 percent administrative costs they are going to have to accept this discovery provision related to all of them even though there is no other Federal grant other than for administrative expenses; is not that correct?

Mr. DADDARIO. There is no doubt that the President's memorandum has brought order to a very complicated and delicate field and that the adoption of the amendment from the other body would do great harm to the progress which has already been made.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the chairman of my Committee on Science and Astronautics.

Mr. MILLER. Mr. Chairman, that is a matter in which the Committee on Science and Astronautics has had a great interest and on which it has worked very hard for some time.

The gentleman from Connecticut [Mr. DADDARIO], the gentleman in the well, has done a herculean task in the field and I know no man in this Congress who is better qualified to speak on this subject.

Mr. Chairman, I urge the adoption of the amendment which has been offered by the gentleman from Connecticut [Mr. DADDARIO].

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have the deepest respect and the greatest respect in the world for both the intelligence and the sincerity of the gentleman from Connecticut.

Mr. Chairman, I am certain that the gentleman has spoken not only from knowledge but also from sincerity in offering this amendment. We heard his very persuasive arguments at some length just the other day in connection with the bill that involves a great deal more research grant money by the Federal Government than does this bill. I am talking about the Water Pollution Control Act.

Mr. Chairman, the committee took into consideration very seriously his arguments and the merits of the proposition, which is a very complex proposition. They are being considered at length in the same committee from which this bill comes in connection with the Water Pollution Control Act.

Mr. Chairman, the gentleman from Connecticut did not bring this amendment to the Committee on Public Works in connection with its consideration of the bill which is now pending before us. The amount which is involved is relatively small in terms of research money by the Government, $5.5 million. The local development districts that are involved are not likely to come up with a great deal of new material and new inventions and processes to put this particular question to the test.

Mr. Chairman, I submit to the members of the committee that this is not the time or the place to consider this complex question upon its merits and to set aside the issues of urgency which are before us with respect to the passage of this legislation.

Mr. Chairman, the adoption of this amendment, make no mistake about it, could delay for a considerable period of time the effective date on which the Appalachian legislation would take place.

Mr. Chairman, there is not enough involved in terms of the program and the money which would be authorized for the program under this bill if enacted, at which this particular amendment is directed, to justify putting this particular language and thus this bill into a conference and into a prolonged hassle between the House of Representatives and the Senate of the United States.

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me at that point?

Mr. EDMONDSON. I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. The gentleman from Oklahoma [Mr. EDMONDSON] is making a very fine and pertinent statement. We are facing a practical legislative situation, for one thing. This matter has gone through the other body. It has come out of the committee on which the gentleman from Oklahoma sits. It is now before the House. We have an opportunity here today to send this bill to the White House.

Mr. Chairman, this same matter is being considered by the committee of which the gentleman from Oklahoma [Mr. EDMONDSON] is a member, the Committee on Public Works, in connection with another matter. The matter is also before the Committee on the Judiciary where it properly belongs. The adoption of this amendment would not only delay but would frustrate this legislation at this time, because it would mean reconsideration in the other body. It would mean a conference on this bill and it would mean innumerable problems and delays in connection with the matter.

Mr. EDMONDSON. I thank the distinguished majority leader.

Mr. Chairman, I can assure the membership of the House that within the very near future there will be an opportunity afforded in other legislation—the Water Pollution Control Act—to vote on the merits of this proposal and to have a committee position that has been thrashed out, after careful consideration of the question, before you vote on it.

Mr. Chairman, I hope that the members of the commmittee will follow the advice of the majority leader in this connection.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent (at the request of Mr. BOGGS) Mr. EDMONDSON was granted permission to proceed for 2 additional minutes.)

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I would be glad to yield to the distinguished majority whip.

Mr. BOGGS. Mr. Chairman, I believe it is significant that the Members on the other side, our colleagues in opposition to this bill, have risen to support the amendment of our distinguished colleague the gentleman from Connecticut [Mr. DADDARIO]. I do believe it is significant that our Republican colleagues who oppose the bill, who offered a substitute bill, which would have been an entirely different approach, and who have offered a whole flock of amendments, now rise in support of this amendment.

It leads me to believe it would have the effect the majority leader indicates it would have.

Mr. EDMONDSON. I thank the gentleman. The language that appears in this bill on the subject is not unique. It appears in a number of other pieces of legislation. It appears in the Agricultural Marketing Research Act, as amended in 1961; in the TVA Act; in the Atomic Energy Act of 1954, as amended in 1961; the National Aeronautics and Space Act; the Arms Control and Disarmament Act. All of these important pieces of legislation have identical language or very similar language. The gentleman has raised a pertinent question and it is being looked into by the Committee on Public Works, and, I am told, by another distinguished committee of this House

I hope we can avoid any delay in this legislation by defeating the amendment that has been offered by the gentleman from Connecticut.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in order to keep the record straight, I think I ought to make a statement concerning how this matter rose on the floor today. I am sure my good friends, the distinguished majority leader, and distinguished majority whip, did not mean to imply under any circumstances my endorsement of the Daddario amendment was part of a plot to have any adverse impact on this legislation.

The facts are these: I believe it was yesterday that the gentleman from Connecticut came to me and indicated that he was sponsoring an amendment such as he did here this afternoon. I believe he came to me concerning this matter because in 1958 I served with the distinguished Speaker and a number of others on the Select Committee on Science and Astronautics, at which time the basic legislation was enacted concerning our patent policies in this area.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I certainly did not intend to convey the impression that anyone was part of a plot, but I do insist that this amendment offered by my very good friend from Connecticut would frustrate the passage of this bill, would delay enactment of this bill, and would cause considerable difficulty in having it passed in a reasonable length of time.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Connecticut.

Mr. DADDARIO. I would like to make it clear to the Committee that there is nothing unusual about this amendment I have offered. I offered it last year to the water resources bill. It passed the House, but was knocked out in conference.

In every single piece of legislation where I have had the opportunity to oppose the Long amendment which was put in in the Senate, which I tried to explain today, I have taken steps to oppose it. I believe this is an important and fundamental principle which we all should look carefully into. I think it is important enough so that we should recognize the great harm it can do to a policy that is inherent in the President's memorandums, which ought to be followed, which could do the work in this connection and handle the situation in a way that would be satisfactory to all of us.

Mr. GERALD R. FORD. Is it not true that the intent and the effect of the amendment offered by the gentleman from Connecticut is the same as legislation which the House passed a year or two ago under recommendation of the Committee on Science and Astronautics concerning patent rights?

Mr. DADDARIO. The chairman of the full committee said in support that there had been a great deal of work done in our subcommittee, which is so. The subcommittee voted out a piece of legislation affecting the Space Act of 1958, section 305, which was amended here on a rollcall vote by a wide margin.

Mr. GERALD R. FORD. So the House in effect in the past has passed judgment on the position taken by the gentleman from Connecticut?

Mr. DADDARIO. On that occasion and on other occasions also.

Mr. CRAMER. If the gentleman will yield, to make sure that the position of the majority whip is not that we are climbing on this amendment as if it comes in the first instance on the floor, I talked with the gentleman from Connecticut [Mr. DADDARIO], and announced our intention to get this amendment out of the bill on the floor of the House. I am a member of the Patents and Copyrights Subcommittee of the Committee on the Judiciary. I knew that it had no place in the bill. The substitute I introduced, H.R. 4466, leaves that out.

Mr. BOGGS. Along with the majority leader, I have made no accusation of a plot on the part of anyone. I did say, and I reiterate, that those who are opposed to this bill are supporting this amendment. But I do not believe the gentleman from Florida would support the bill under any circumstances, whether or not the amendment offered by the gentleman from Connecticut is adopted.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with our eminent majority leader that the amendment offered by the distinguished gentleman from Connecticut undoubtedly will involve procrastination and delay in the passage of this bill. There is no question about that.

As far as patents are concerned, the House Committee on the Judiciary has jurisdiction over patents and copyrights. We are now engaged in a very comprehensive survey of patents. I do not think we should disturb the character of this bill one iota because of any patent controversy. Our Judiciary Committee will maturely and comprehensively consider all patent matters.

Back in 1943 President Franklin Delano Roosevelt asked the Department of Justice to undertake an investigation into patent policy and practices of the Government. The final report made in pursuance thereof by the then Attorney General, Tom Clark, now Associate Justice of the Supreme Court, among other things said, back in 1947—and what he said then, as now, is crystal clear, intelligent, cogent, and proper, and it requires restating with every possible emphasis today—was this:

> Where patentable inventions are made in the course of performing a Government-financed contract for research and development, the public interest requires that all rights to such inventions be assigned to the Government and not left to the private ownership of the contractor. Public control will assure free and equal availability of the inventions to American industry and science; will eliminate any competitive advantage to the contractor chosen to perform the research work; will avoid undue concentration of economic power in the hands of a few large corporations; will tend to increase and diversify available research facilities within the United States to the advantage of the Government and of the national economy; and will thus strengthen our American system of free, competitive enterprise.

In 1956 the Republican Attorney General, Herbert Brownell, warned:

> The present patent policy—very much like the policy involved in the amendment of the gentleman from Connecticut—may well be one of the major factors tending to concentrate economic power.

Granting private monopoly rights on the results of Government-financed research inevitably hampers the dissemination of new scientific and technical knowledge, thus retarding economic and technological growth.

There are two very large Department of Defense contractors who failed to disclose their discoveries to the Government for as long as 4 years, and in many cases they did not disclose anything at all to the Government.

This is one of the consequences of granting monopoly rights to private firms on the results of publicly financed research.

The issue, Members, to put it plainly and simply is whether tax money will be spent for the public in general or whether it is going to be spent for private gain of special interest groups.

For that reason, I must although reluctantly oppose the amendment of the gentleman from Connecticut.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. DADDARIO. I would like to make one point clear. When the gentleman from New York refers to the idea that the policy I am promoting is one which would lead to dire consequences he is wrong. I support the policy as outlined by the late President Kennedy and developed by President Johnson. Within that policy the guidelines are spelled out under which agency head could not refuse to take title under the circumstances as set forth by the gentleman from New York for whom, as the gentleman well knows, I have great respect.

Mr. CELLER. I must perforce differ with the gentleman as to the interpretation and repercussion he places on his amendment. I think it will tend exactly towards what these two attorneys general I have mentioned inveighed against.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, we all respect the gentleman from Connecticut [Mr. DADDARIO] and his legalistic ability. We do not all agree, however, with his advocacy of the principle that he advocates here. I am going to cut right through to the guts of the matter.

The basic principle of American patent law is that the inventor of a device or of a patentable formula or the person who pays that inventor and has that inventor under contract is entitled to the fruits of the discovery of the invention.

That is the issue that is being tested here today—where the Government is the employer and where the Government is spending the taxpayers' money derived from all the people, the Government is entitled to the fruits of its investment and to the fruits of the discovery of those that the Government hires. That is in accord with basic American patent law. That is the principle we are debating, and I believe in the basic principle of American patent law.

This bill, as it is written, is in harmony with the policy, a policy that the Congress has advocated time and again.

We have expressed this policy that I am advocating in the TVA Act, to keep the discoveries in fertilizer by the TVA Research Institute on Fertilizer from going into the hands of private contractors and to remain in the hands of the Government that is spending the money to make the discovery so that the American people will get its benefits. So that the Government paid for patents will not be defaulted to a private entity who would have the legal right to withhold such a benefit from the market or have the right to charge additional royalties on that particular formula of fertilizer. This was the protection to the public which we wrote into the TVA Act.

The National Health Institute also has similar language to the language in this bill.

Other agencies have this language.

This is not a uniform policy or principle as the gentleman from Texas [Mr. CASEY] asked a question of the gentleman from Connecticut [Mr. DADDARIO] and he responded in the affirmative, and I respond in the negative—that it is not a uniform policy between all the agencies of Government nor is it a uniform policy under the actions of the Congress heretofore.

I did not mention the Atomic Energy Act. This type of language is in the Atomic Energy Act. Under that act, the Government, by action of the Atomic Energy Commission, has claimed more than 1,100 patents discovered by its contractors. What did it do with those patents? Those patents were made available to all of American industry.

If we adopted the language of the gentleman from Connecticut, what we would do is to provide that a favored contractor who makes a discovery while spending Government funds would be given an unfair advantage over the rest of American industry. That is what we would do.

But if we keep the language of the bill, we will give to the Government the right to claim that patent and to make it available to all of American industry.

Do we wish to make tax money available to a favored contractor, in the expenditure of which he makes a discovery—as a result of the expenditure of tax money—and have that discovery remain his, or do we wish to make that discovery available to all of American industry? That is the principle at stake today.

Regardless of the legalistic arguments of the gentleman from Connecticut [Mr. DADDARIO] the "guts" of the proposition is whether Government money is to be used to discover patentable devices or formulas, which are to be given to a favored contractor or given to all the American people through access of all of American industry.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Connecticut.

Mr. DADDARIO. In the first proposition, when the gentleman said that in the event the Government paid all of the money involved, the Government becomes the employer, which is a definition of relationship with which I could disagree, but which is not important to the issue before us.

Mr. HOLIFIELD. The gentleman could disagree, technically, but if a contractor takes a contract from the Government to do a certain job of research and development and takes pay for it, he is paid for it and he does not need an extra bonus in the form of a patent, which has an intrinsic value and is in effect a bonus.

Mr. DADDARIO. It should be understood that when you refer to the Government paying for the whole program that the President's memorandum would compel the agency head to take title. But that in the Senate amendment it stipulates "In whole or part" and where there is partial involvement the question of degree and objective could be considered as the Government negotiates its position, and as it does so the agency head should have the flexibility to make that determination from taking title to taking something less. He should not be tied to a position from which he cannot move.

Mr. HOLIFIELD. That applies to the point that if the Government decides the inventor or the contractor had prior knowledge which enabled him to make the invention the Government could make an allowance and could pay the contractor. That is applicable under other laws.

Mr. DADDARIO. We are trying to get that kind of flexibility into this, I say to the gentleman. The gentleman brought up the fact that the AEC takes such a stiff position on its patents. The fact is that the AEC holds 3,000 patents. It has, however, granted licenses on more than 1,000—561 have been retained by contractors—330 exclusive licenses have been granted. Actual title to 400 patents has gone to contractors.

The reason for that is that the contractor will be able to put up the development money to develop the product and to protect its investment as it brings that product to the marketplace expeditiously and at low cost.

Mr. HOLIFIELD. The gentleman knows he is treating with a very complicated subject, and the gentleman knows that the development of a patent is an obligation of the person who wants to market the patent. The development of the patent is free to all of American industry when the Government makes it available to them. But if one man has a right to take a patent he has achieved through the expenditure of Government funds, he can withhold that from the market for 17 years if he wishes to. He does not have to grant use under a royalty right to any other developer. But if the Government takes it, then anyone who wants to develop it can come to the Government and ask for a free right to develop or to use as he sees fit for his own purposes.

Under the Atomic Energy Act, this has inured to the good of the Government, because that science has jumped forward faster than any other major science ever developed. It has jumped forward because patent rights were not allowed to contractors who were working for the Government, so that they could hold them or strangle development of the industry.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield further?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. DADDARIO. I think it is important for us to recognize that the President's memorandum makes it necessary to bring a patent to fruition in 3 years, or it will grant the license to others. So it is not a 17-year protection period.

Although there has been considerable mention here of the suggestion that the Government ought to take title to the fruits of the discovery of those that the Government hires, it is not understood that the public interest in a dynamic and efficient economy requires that efforts be made to encourage the expeditious development and civilian use of these inventions. A common ground of understanding is that the Government has a responsibility to foster the fullest exploitation of the inventions for the public benefit. Only if we make it sufficiently flexible to permit new inventions to be brought quickly to the marketplace do we justify the investment by the people in programs of research and development directed to national goals. And only if we follow a reasonable patent policy do all our people benefit.

Mr. HOLIFIELD. But for 3 years anyone who wants to come to the Government has the right to use the discovered device as patented. In the granting of competitive bids it is a very valuable thing that all contractors have the right to use discoveries made with the use of Government funds. This freedom to use Government-paid-for patentable formulas or devices by all contractors has the effect of increasing the number of competitive bidders. It eliminates the advantage which a contractor might have as a result of his obtaining free a Government-paid-for patent or formula.

Mr. GURNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been listening rather carefully to the argument here, and it seems to me it boils down to three points. In the first place, I would like to say that I am not rising in support of this amendment because of a blind opposition on this side and an attempt to gut the bill. I have served on a subcommittee with the gentleman from Connecticut [Mr. DADDARIO] since I have been in Congress. I have great respect for his ability and I know he is very knowledgeable in this field of patents. He spoke to me about his offering the amendment earlier in the day. It made good sense to me then and it makes even better sense to me now. It seems to me that there are several arguments that have been presented so far that we should discuss. This is a matter where we have a great difference of opinion. Many Members agree with the position of the gentleman from Connecticut and many agree with the position explained by the gentleman from California. This is obviously a matter where we are choosing up sides and there should be great reservation in this House as to whether this particular section ought to be in this bill or not. That is one point.

Another point made by the gentleman from Oklahoma in opposition to this amendment was this: He said after all there was only a small amount of money involved as far as this particular proposition is concerned. Therefore, let us ignore it, and therefore, let us get on. I say that by his own argument he is making a good argument for the gentleman from Connecticut's [Mr. DADDARIO] amendment, because if it really does not matter, why are we concerned if we strike it out of the bill?

The third argument—and this is the one that really concerns me and ought to concern every Member of this House—is this: As most of you know, I have been in this House of Representatives for only one term. This is the second term. I have heard this argument again and again and again. When I hear it, as I heard it from the majority leader and the majority whip, it makes me a little ashamed to serve in the House of Representatives. The argument goes like this: That we cannot amend the bill because we have to rush it through in order to get it on the President's desk so he can sign the bill and get it enacted into law. We are involved in the spending of a billion dollars eventually as far as this particular bill is concerned and, of course, we will spend a good deal more, really, as soon as other people get their little axes girnding with continuing programs. So I say this: It makes a good deal of sense to me if we are going to be a deliberative body, as we think we are, that we should take a little pride sometimes in the work we do here. I see no reason why we cannot amend this bill in a small fashion. Obviously it is not going to be held up in conference and we know it is not, because this amendment is really not a very big matter, as the gentleman from Oklahoma said.

If we do have a viable point here that we have a disagreement on, upon which we are even now having hearings in committee, as has been indicated in this debate over and over again, because it is a point which must be resolved, then let us take it out of this bill, where it has no place to be, and let us go to conference on it. It will be signed into law speedily enough, because the President wants it, but, for heaven's sake, let us retain a little self-respect and independence as a legislative body and have the courage to do some things on our own once in a while. Thank you.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. KING of Utah. Mr. Chairman, I object.

Mr. JONES of Alabama. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto end in 5 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama.

The question was taken; and the Chairman being in doubt, the committee divided and there were—ayes 131, noes 80.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. Waggonner].

Mr. WAGGONNER. Mr. Chairman, I am opposed to this bill but there is one principle involved in this amendment which has not been discussed. What is really in the public interest and what rights will the businessmen have if this amendment is adopted that his employees will not have? I think you will find it standard practice in private enterprise that employees of private enterprise—and I take my hat off to no one in this Congress as more of a champion of the private enterprise system than I am—are denied the rights to patents which they develop as employees of some segment of private enterprise. I believe it to be in the public interest that patents developed by contractors employed by the Federal Government, paid for by tax dollars, should be guided by the same principle. The public should get the benefit, not just one contractor.

The wording of this particular amendment in this bill is not good, but this bill as it was amended in the other body simply gives the Government as an employer the same right that a segment of private enterprise has with relation to one of its employees. That is what it amounts to. The word "substantial" should be used in two instances to clarify the fears and they are legitimate fears as to patents developed "in part" with Federal money. A better guideline is needed.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Chairman, it certainly seems to me that regardless of our position on final pasage of this bill we should have the bill in the best possible form. In this connection the gentleman from Florida [Mr. Gurney], made a very constructive statement today. As I understand the amendment offered by the gentleman from Connecticut [Mr. Daddario], this would put the measure in a more acceptable form consistent with a patent policy announced by President Johnson as well as by the late President Kennedy. It seems to me that we should follow that policy in this legislation.

Furthermore, as I understand it, this amendment would save for the American taxpayer many millions of dollars. In considering this legislation it would seem important to take into consideration the taxpayer who is going to pay the big bill here. If we can salvage a few dollars for the taxpayer in this legislation let us do so by all means.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I have the highest regard for the gentleman from Connecticut [Mr. Daddario] and for the effort and study he has devoted to this question. However, I find myself in direct disagreement with him on the basic question of public policy.

Mr. Chairman, the public policy issue was admirably stated this afternoon by the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. Celler] and the distinguished chairman of the Joint Committee on Atomic Energy, the gentleman from California [Mr. Holifield].

Mr. Chairman, the question is what is going to happen to the results, the fruits, of Government-financed research? Are they going to be freely available to the public or not?

I believe that we must, if we believe in having the benefits of Government-financed research available to all the people, vote down this amendment.

Mr. Chairman, section 302(d) in this bill, which the amendment would strike, is extremely simple. It simply provides that, when the taxpayers' money is used in research, resulting discoveries belong to all the people .

It is not normal business practice to allow a contractor to retain title to inventions resulting from his performance of a contract. Ordinarily, a contractor hired to perform research for another firm does not obtain title to inventions he develops in performing the contract. The party that hires him determines which, if any, of these inventions should be patented, and titles to any patents issued are assigned to that party. The idea that a research contractor should acquire for himself the right to exclude others from the use of such inventions is itself a rather interesting invention.

If the research to be financed by this bill is intended to benefit the public to the greatest possible extent, results of the research must be available to those whom the research is intended to benefit in the first place: the people of various States and regions. Section 302(d) merely assures that the intent and purpose of this legislation will be carried out.

It has been argued that an invention or discovery will not be put to productive use if it is available to everyone. No supporting evidence is given. Whatever facts we do have testify to the contrary.

There has been wide use of fertilizer improvements developed by TVA. It is estimated that the processes and methods controlled by TVA patents are used in the production of about two-thirds of the granular fertilizer manufactured in the United States. Also TVA has licensed many corporations to use other processes and equipment.

The Department of Agriculture has licensed the leading drug manufacturers in the United States under its penicillin patents.

Under a patent for a cotton carding apparatus, the Department of Agriculture had issued, by 1960, over 11 licenses to companies in many areas in the United States. This item, which cost about $150,000 to develop, was released publicly on March 31, 1959. A preliminary evaluation indicates a potential saving of over $40 million annually by the entire cotton textile industry.

Industry has made very effective use of inventions and discoveries in the public domain. I have sufficient faith in our free competitive enterprise system to believe that when new knowledge is freely available to all on a basis of equality, it will be used and applied in myriad, ingenious ways.

Mr. Chairman, the position taken by the Committee on Public Works in opposition to this amendment is sound. The language of section 302(d) is not unique. On page 22 of the report which accompanies this bill the committee explains very clearly that this is language which has also been incorporated in previous laws, including the Agricultural Marketing and Research Act. It adopts the patent policy set forth in the TVA Act, the Coal Research and Development Act, the Helium Gas Act, the Saline Water Act, the Water Resources Act, the Arms Control and Disarmament Act.

Mr. Chairman, the public interest requires that the results of publicly financed research be made freely available for the benefit of all the people. The amendment should be defeated.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Utah [Mr. King].

Mr. KING of Utah. Mr. Chairman, let me make clear my intention to support the present bill on final passage. I rise, however, to support the amendment proposed by my colleague, the gentleman from Connecticut [Mr. Daddario].

This amendment in effect deletes from the text of the bill an amendment added to the original Senate bill by the other body during the course of its debate thereon.

The material which was added by the other body, and which we are here seeking to delete, provides in effect that the patents resulting from research effort done under Government contract, will be made available to the general public. Although this provision gives the impression of rough-and-ready justice, its implications in my opinion are pernicious and strike a serious blow at our entire patent system.

It must be remembered that a patent, as such, is worth nothing without the accompanying exclusiveness guaranteed to it by the Constitution. What many people overlook is that it takes a lot of money plus the incurring of serious risks, to develop a basic invention to the point where it can be used commercially. Unless a man is prepared to spend that money, the patent is valueless. And unless that man is guaranteed the right to exclusive use, he will not spend the money.

Perhaps I could use an analogy which would appeal to my colleagues from mining States. When a man perfects a mining claim on the public domain he knows that the claim is worthless unless it can be developed. The development may cost tens or hundreds of thousands of dollars. It consists in blocking out the ore, to make certain that the eventual mining operation will bring in paydirt, instead of just dirt.

In the same way, a patent needs to be developed. It has to be carefully adapted to commercial needs, which adaptation may take months, or years of time. To turn a patent over to the public at large, without giving to any one man the assurance that he can enjoy a proprietary interest therein during the long, tedious development process, is in effect to consign the patent to the gathering of dust on some shelf in the upstairs attic of a Government office. What I am saying, in effect, is that to make a patent available to everybody is to make it effectively available to nobody.

If the Congress of the United States should now establish the policy of denying to a contractor the fruit of his own inventive genius, simply because he happened to be performing a Government contract at the time he perfected the invention, then a shattering blow would be struck at the heart of our patent system. I would implore my colleagues to consider this matter very carefully.

There is yet another argument to consider. When the Government goes to a prospective contractor to procure a contract for research and development, it does so because that contractor is an expert in his field. If he is required by the terms of the Government contract to surrender to the public the fruit of any invention made by him while performing that contract within his field of expertise, he will be extremely reluctant to execute the contract in the first place. The reason is apparent. A patent owned by the Government, or the public, would greatly restrict his own efforts during the years to follow. It would constitute a blockade across the path of his own projected research and development. Patents are cumulative. They build up one on top of the other. The party who controls the foundation or basic patent also controls the subsequent perfecting patents which are built upon that foundation. So if the Government owns the basic patent on an invention which falls within the general area in which the contractor is an expert, that ownership would tend to block off a whole avenue of future research into which the contractor might otherwise proceed. In other words, by our shortsighted policy, we would be depriving the Nation of the golden eggs of future inventiveness by killing the goose of present incentive.

Let me remind my colleagues, Mr. Chairman, that the President's memorandum, which this amendment seeks to establish as controlling, provides ample governmental safeguards. Under all circumstances the Government will retain an exclusive irrevocable license to use the patented process or invention, or to sublicense it to any party and for any purpose. Where the Government feels that the security interest of the Nation requires retention of the patent by the Government, then it shall be retained.

What we are asking for, in other words, is a flexible rule, that will allow the agency head the right to take title or not, according to the circumstances.

I strongly urge this body to support the proposed amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I hope the committee will rest upon the assurances given today to the members of the committee by the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], that there will be full and extensive consideration of this most important problem.

Now, Mr. Chairman, we have been engaged in the discussion and debate of this bill since Monday noon. There has been ample opportunity for every member of the committee to examine every aspect of this bill. It has been given thorough and careful consideration by the Committee on Public Works and through your deliberations here on the floor of the House.

Mr. Chairman, I do hope that we can get about the business of passing this bill within the next few minutes.

Mr. Chairman, I urge the rejection of the amendment which has been offered by the gentleman from Connecticut [Mr. DADDARIO].

The CHAIRMAN. The time of the gentleman from Alabama has expired. All time on the amendment has expired.

The question is on the amendment offered by the gentleman from Connecticut [Mr. DADDARIO].

The question was taken and the Chairman announced that the "noes" appeared to have it.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. JONES of Alabama and Mr. DADDARIO.

The Committee divided; and the tellers reported that there were—ayes 91, noes 151.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. CRAMER: Page 37, line 10, after "expenses" insert the following: "attributable to the economic development of counties, parts of counties, or other political subdivisions within the region."

Mr. CRAMER. Mr. Chairman, going by the desk a few minutes ago, having witnessed this last vote and the votes on all other amendments offered to this bill, a Member said, "It now looks like we have the great stampede rather than the Great Society."

In my opinion, what has happened here in the last 3 days and what undoubtedly will happen with reference to the last of these amendments is a travesty on the legislative process of America. There is no higher honor that a man can have than to serve in the Congress of the United States. There is no more serious responsibility. But the travesty which faces all of us, in the minority as well as in the majority, is when we hear, "regardless of merit, regardless of its being right, your amendment will be defeated here."

It finally came out on this last amendment. The orders are, "Get this bill to the White House and get it there today, regardless of what is in it."

Clap if you will. I repeat, this is a travesty on the legislative process, that this body should rubberstamp a bill of this significance, in which three major amendments were made on the floor in the other body without too much discussion, and numerous other amendments were made in committee by the other body, yet we are forced to accept it, rubberstamp it, regardless.

Let me give you another example of an amendment that I think has merit.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Does the gentleman suppose this is the beginning of a movement to establish a unicameral legislature here in the Capitol, just as the Supreme Court appears to be trying to do with our State legislatures?

Mr. CRAMER. I would suggest to the gentleman that the distinction between and the quality of the power between the executive and legislative and within the legislative between the Senate and the House becomes pretty fuzzy when the Members of the House do not consider these matters based on the merits thereof; instead, rather, they are instructed that the action of the other body be rubberstamped. Perhaps some will take issue with this and I would not be a bit surprised. But I would say in good conscience as to a number of the amendments offered in good faith in order to try to make a better bill out of a bad one that our efforts in good faith are being turned down summarily, as in the last vote, which is probably the best evidence of it.

Let us take this amendment, for instance. There is no question in my opinion as to the validity or soundness of it. This is what this amendment does. Under the bill, as written, for local development districts, as shown on page 37, the Federal Government can pay up to 75 percent of the administrative expenses of such districts. Now these local development districts do not have to be within Appalachia. I can cite you an example. Let us take Pennsylvania for instance. Let us say a district is formed containing some 13 counties outside of Appalachia and 1 county inside Appalachia. Without my amendment, even though there is only 1 county out of 14 in Appalachia—without my amendment 75 percent of the administrative costs for the entire 14-county program could be paid out of this so-called Appalachia bill. Even though 13 of those 14 counties are outside of Appalachia and even though 13 of those counties may not be depressed.

My amendment makes Federal funds available to pay for only those administrative expenses which are attributable to the economic development of areas within Appalachia. I would not think anyone would argue about such an amendment because otherwise in order to get Federal money to finance these districts, even where it is not needed, all they will have to do is to get a little corner of Appalachia or make the whole rest of the State if they want to or all portions of it a development district and the Federal Government digs up 75 percent of the cost. That is not right. You know it is not right. I hope this amendment will be adopted.

Mr. BOGGS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am constrained to take some note of what the gentleman from Florida has just said. The gentleman has used some rather colorful language. He has talked about a travesty of the legislative processes. He has talked about rubberstamping. Yet, I am wondering whether or not the gentleman is not really confessing that he has failed to make a case for himself and for his substitute and for the many amendments that he has offered here during the last 2 days.

What does the gentleman from Florida mean by "rubberstamp"? The gentleman offered a substitute yesterday. That was fully debated. I do not believe the distinguished gentleman from Alabama, who has been in charge of this bill, made any effort whatsoever to cut the gentleman off. He has had all the time he wanted. The vote came and his substitute was defeated rather overwhelmingly.

Then thereafter on yesterday the gentleman offered four or five or six other amendments. Each one was defeated.

Today the gentleman has offered a series of amendments and so far as I know the only amendment upon which time for debate was limited was one offered by one of our Democratic colleagues on this side of the aisle, and that limitation of time only came after there had been substantial and full debate.

I say to the gentleman, if there is any rubberstamp, I do not know where it is.

On Monday last, before we began debate on this bill, the bills on the Consent Calendar were considered by the House, and on that Consent Calendar there was a bill sponsored by the gentleman from Florida which was passed by unanimous consent. I presume that one might call that rubberstamping. The truth of the matter is that the gentleman has offered amendment after amendment for 2 days and he has talked more on this bill than everybody else put together and he has been defeated on every amendment.

You know it reminds me of the days when I was growing up in politics. I grew up in an area where we used to have organized politics. My friends and sometimes my opponents would go out and seek the support of the organizations. If they did not get the support of the organizations, then suddenly they would become very independent and condemn the organizations.

I am happy to say that we on the Democratic side this year have a very united party. We are Democrats and we are proud to be Democrats. We have had very few fights on this side of the aisle. We have been united in our leadership. We have sought to consult with our people on the issues confronting the country. We seek to stand behind our President in the grave international crisis facing the world. We seek to support domestic proposals which we believe good for the advancement of our country. We will continue to do so despite what the gentleman from Florida may think about it.

Mr. ALBERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it seems to me that my good friend, the gentleman from Florida, in proclaiming that he has witnessed a frustration of the legislative process, or words to that effect, is reading into this situation something that simply does no exist.

The fact that we on this side of the aisle have pointed out, and correctly pointed out, that the adoption of the amendment of the gentleman from Connecticut would considerably delay passage of the bill does not mean that such delay would improve the bill. Nor can anyone properly infer that because we are cautioning against such delay we are objecting to amendments which might improve this bill. The gentleman from New York [Mr. CELLER] has correctly advised that this whole matter of patent rights is before his committee and is properly before his committee.

I say to the gentleman from Florida that we are moving this bill not because we have not properly considered any amendment. We are moving this bill because this bill has been properly considered and should be adopted and sent to the President today.

Mr. LAIRD. Mr. Chairman, I move to strike the requisite number of words.

I should like to state, in answer to the gentleman from Oklahoma and the gentleman from Louisiana, that we in the minority, 140 strong, have no illusions about our ability to prevent the overwhelming Democratic Congress from working its will on legislation in this 89th Congress.

But I should like to point out to the members of the majority that we will continue to offer alternatives when we feel alternatives are necessary to the programs of the great planned society.

I believe that this is part of our representative form of government, and that we should continue to offer these alternatives whenever and wherever there is a need for such alternatives.

The gentleman from Florida has very ably set forth a Republican alternative that is necessary to the Appalachia legislation proposed by the administration.

This Republican alternative justifiably and necessarily eliminates the pockets of prosperity in Appalachia and places a priority on the pockets of poverty wherever they exist in the United States.

Mr. Chairman, this is not a regional approach. It is the Republican approach, the minority party's approach to this very important problem.

While we have no illusions about our ability to carry votes in this 89th Congress, we intend to continue to set forth our position on each and every issue when we feel that the minority party should offer an alternative proposal.

I commend the gentleman from Florida for carrying out that responsibility of the minority party on this bill.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have seen the light in the heavens and I have joined the great stampede.

It is a nice and fitting term the minority has coined—the great stampede. We do look forward to a Great Society. It is a vision of a better world. No longer a street with one side lighted and the other darkened. No longer a country, as we envision it, where some little children go to bed every night hungry and nobody cares. Yes, it is a vision we follow to make come true. We have seen the light in the heavens and we have joined the great stampede.

Now, Mr. Chairman, that is not what I came into the well to say. I came here to compliment the gentleman from Florida [Mr. CRAMER] and the gentleman from New Hampshire [Mr. CLEVELAND] and all of the others on the opposing, minority side. You made a damn good fight.

Mr. Chairman, I have never heard a better debate on both sides than has been had on this bill. We have witnessed here the highest expression of debate. But, in closing, let me say to the leaders on the Republican side that you leave the field of battle scarred, it is true, but with the admiration of all of us on this side. Nobody could have fought better. We are mighty glad to have you with us. You make us proud of this House of Representatives. You are such able fighters and you lose so graciously.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Authorization of Appropriations

SEC. 401. In addition to the appropriations authorized in section 201 for the Appalachian development highway system, there is hereby authorized to be appropriated for the period ending June 30, 1967, to be available until expended, not to exceed $252,400,000 to carry out this Act.

Applicable Labor Standards

SEC. 402. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair, including painting and decorating, of projects, buildings, and works which are financially assisted through the Federal funds authorized under this Act, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133—133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

Definition of Appalachian Region

SEC. 403. As used in this Act, the term "Appalachian region" or "the region" means that area of the eastern United States consisting of the following counties (including any political subdivision located within such area):

In Alabama, the counties of Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Elmore, Etowah, Fayette, Franklin, Jackson, Jefferson, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Randolph, Saint Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston;

In Georgia, the counties of Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Dade, Dawson, Douglas, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Heard, Jackson, Lumpkin, Madison, Murray, Paulding, Pickens, Polk, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield;

In Kentucky, the counties of Adair, Bath, Bell, Boyd, Breathitt, Carter, Casey, Clark, Clay, Clinton, Cumberland, Elliott, Estill, Fleming, Floyd, Garrard, Green, Greenup, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Menifee, Monroe, Montgomery, Morgan, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe;

In Maryland, the counties of Allegany, Garrett, and Washington;

In North Carolina, the counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Davie, Forsyth, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey;

In Ohio, the counties of Adams, Athens, Belmont, Brown, Carroll, Clermont, Coshocton, Gallia, Guernsey, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Tuscarawas, Vinton, and Washington;

In Pennsylvania, the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Bradford, Butler, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, McKean, Mercer, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Washington, Wayne, Westmoreland, and Wyoming;

In South Carolina, the counties of Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg;

In Tennessee, the counties of Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Clay, Cocke, Coffee, Cumberland, De Kalb, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Loudon, McMinn, Macon, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Sevier, Smith, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, and White;

In Virginia, the counties of Alleghany, Bath, Bland, Botetourt, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Highland, Lee, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe;

All the counties of West Virginia:

Provided, That the Commission is hereby authorized and directed to study and consider, in consultation with the Governor of the State of New York or an appropriate official or officials designated by him, the inclusion of such counties of the State of New York as are contiguous to the Appalachian region as defined in this section and counties contiguous thereto in the Appalachian region for the purposes of this Act; and if the Commission shall decide after such consultation, that these counties share the social and economic characteristics of the region, and that the inclusion of these counties would further the purposes of this Act as set forth in section 2, then the Commission is authorized and directed to invite the State of New York to participate in the Commission on an appropriate basis: *Provided further*, That the Commission may extend the invitation to the State of New York for inclusion of such of the described counties the inclusion of which would further the purposes of the Act: *And provided further*, That if such invitation is duly accepted by the State of New York, those counties shall be included in "the region" or "the Appalachian region" for the purposes of this Act.

Severability

SEC. 404. If any provision of this Act, or the applicability thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Termination

SEC. 405. This Act shall cease to be in effect on July 1, 1971.

Mr. CRAMER (interrupting the reading of the bill). Mr. Chairman, in keeping with the graciousness of the minority, I ask unanimous consent that title IV be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. BALDWIN

Mr. BALDWIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN: On page 45, after line, 2, insert the following new section:

"Prohibition of Approval of Certain Programs for Areas Which Are Neither Areas of Substantial Unemployment Nor Redevelopment Areas

"SEC. 404. No grant may be made pursuant to any authorization contained in section 202, 203, 204, 205 (a) or (b), 211, 212, 213, 214, or 302 of this Act to carry out a project in any area unless, on the date such project is finally approved for assistance by the Secretary administering such assistance, such area is qualified as an "eligible area" within the meaning of section 3(a) of the Public Works Acceleration Act."

And renumber sections 404 and 405 and any reference thereto as 405 and 406, respectively.

Mr. BALDWIN. Mr. Chairman, this amendment would not in any affect the road program. I recognize that the road program would have to be built in some kind of consecutive order even though it might go through a county that in itself may not be depressed. But this section does provide that all other sections of the bill, the ones that would provide additional aid to airports or additional aid to sewers or additional aid to something else would only apply to those counties in Appalachia that actually meet the definition of a depressed county under the public works acceleration bill.

Mr. Chairman, this map shows all the counties in the United States according to the July 1, 1964, tabulation that met the test of the public works acceleration bill. Under that bill all counties that were included as depressed counties under the Area Redevelopment Act are shown either in dark green or light green and certain additional counties that meet the test of surplus unemployment under the public works acceleration bill are included in gold.

All counties in Appalachia, under my amendment, that meet this test of depressed countries would be included and would receive all these supplementary assistance funds. But there are, according to the latest definition, as of February 10, 1965, of the 360 counties in the regional definition of Appalachia, 76 counties that do not meet any of these tests and are not depressed. They include in the State of South Carolina the county that has the highest per capita income of any county in the State of South Carolina. They include in the State of Alabama the county that has the highest per capita income in the State of Alabama. Personally I do not believe, when we are aiming a rifle at a specific problem, that we should force other parts of the United States that themselves have depressed counties to pay taxes to provide a whole series of special benefits to 76 counties just because they happen to be within a defined region of Appalachia even though they themselves are not depressed.

So all that my amendment does is to state that for these special assistance programs, other than for highways, the counties in Appalachia would still individually have to meet the test of the public works acceleration bill before they could qualify for all these special assistance programs, so that other depressed counties in other parts of the United States would not have to pay additional taxes unnecessarily and without justification. It seems to me that this is only reasonable and proper and I urge favorable consideration of this amendment on its merits.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there is no question about the effect of the amendment offered at this time by the gentleman from California [Mr. BALDWIN]. It is identical to the amendment which the gentleman offered in the full committee at the time of the markup of the bill.

Mr. Chairman, this amendment if adopted would destroy the entire regional concept of this bill. It would destroy the possibility to have an organized and well-coordinated approach to the basic facilities requirements of this Appalachian region.

Mr. Chairman, while it is true that there are some counties in the Appalachian region that do not meet the strict criteria of the accelerated public works program I believe one needs only to look at the statistics of the per capita income of the counties which the gentleman as proposed in his amendment would eliminate, and compare them with the statistics of the per capita income in the counties which his amendment would preserve and see what a hairline difference there is between many of those counties.

Mr. Chairman, the average per capita income of the counties which the gentleman's amendment would keep in the bill is approximately $1,411. The average per capita income of the counties which his amendment, if adopted, would discard and put out of the bill is approximately $1,425. Thus, you have a difference in per capita income in the counties of only about $14 a year.

Mr. Chairman, the gentleman from California would have us destroy the entire regional approach to this bill by knocking out these 60 counties where the average person makes $14 more in a year's time than he does in the counties that the gentleman is willing to have stay in this program.

Mr. Chairman, I say to the Members of the Committee that this amendment, like the other, was carefully considered in the committee. It was rejected by the committee, with some of the members of the gentleman's own party voting to reject it. They have voted against the amendments that have been offered by the opposition throughout today. It is not an accident that this bill is coming through without amendment on the floor of the House, because in my experience here in the House of Representatives this has been the best-prepared piece of legislation that I have seen come through the Committee on Public Works. It is the result not only of years of work by the Regional Commission, participated in by 11 Governors and their staffs, but it is the result also of several years of consideration by congressional committees. We sat down and worked by the hour with representatives of the administration to try to frame language that would stand up under attack.

Mr. Chairman, most of our difference with the gentlemen on the other side with regard to the amendments that were proposed has been directed to the points that we felt were adequately covered by the language as contained in the bill or were covered by the language as contained in the report accompanying the bill. We have felt that most of these amendments that have been proposed were not necessary to this legislation. However, we feel that the amendment offered by the gentleman from California [Mr. BALDWIN] would be destructive of the entire purpose of the bill.

Therefore, Mr. Chairman, I urge its defeat.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BALDWIN].

The question was taken; and on a division (demanded by Mr. BALDWIN) there were—ayes 65, noes 172.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. M'EWEN

Mr. McEWEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. McEWEN: On page 44, line 9, strike out "such counties" and all that follows down through and including "Act" on line 13 and insert in lieu thereof the following: "the following counties of the State of New York in the Appalachian region for the purposes of this Act: Clinton, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, St. Lawrence, Schenectady, and Schoharie".
>
> On page 44, line 19, strike out "*Provided further,*" and all that follows down through and including the colon at the end of line 22.

Mr. McEWEN. Mr. Chairman, I offer this amendment solely in the hope that one freshman Congressman might possibly fare as well as a freshman Senator in the other body. My amendment is directed to the amendment offered on the floor of the other body by the junior Senator from New York.

The amendment adopted by the other body, as set forth on pages 44 and 45 of this bill, calls for the inclusion of certain unnamed counties in the State of New York in the Appalachian region. These counties are neither Appalachian nor are they depressed. They were subsequently identified in the proceedings in the other body as being 13 counties. An examination of the map previously referred to by the gentleman from California [Mr. BALDWIN] will indicate that only 1 of the 13 counties in this amendment approved by the other body is Accelerated Public Works or Area Redevelopment Act eligible.

As contained in this bill, it calls for the inclusion of an indefinite area contiguous to Appalachia but identified in the proceedings as 13 counties. One of these counties, as pointed out by the gentleman from New York [Mr. ROBISON] yesterday, has asked specifically to be excluded from the amendment.

My amendment, Mr. Chairman, will remove any question as to what counties in the State of New York are to be included in the Appalachia region by including 12 specific counties, 9 of which counties lie in the Catskill and Adirondack region and are geographically a part of Appalachia.

Nine counties are up to Accelerated Public Works and Area Redevelopment Act standards as depressed counties.

Of the other two counties included in here, one is in the southwest corner of the State, in the area adjacent to Pennsylvania, and Area Redevelopment Act eligible. The other is in the Appalachia region adjacent to Pennsylvania, and the third is such a small county I am advised there are no figures available on unemployment in this county of some 3,000 people.

The second part of the amendment is to clarify the matter of New York's being able to come into this program by striking out the section providing that the Commission may extend an invitation to the State of New York to participate. The adoption of this amendment would clarify the meaning of that part of New York to be included, spelling out the counties that are most needy.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. McEWEN. I yield to the gentleman from Florida.

Mr. CRAMER. If the gentleman's amendment is not adopted, is it not true that the actual names of the counties involved will not be included in the bill and the Congress will have nothing to say as to what the actual counties involved shall be?

Mr. McEWEN. That is correct.

Mr. CRAMER. In connection with the amendment offered by Senator KENNEDY in the other body, of the 13 counties proposed to be included but not named, of those 13 counties one of them is a depressed area and 12 of them are not.

Mr. McEWEN. That is correct.

Mr. CRAMER. Does the gentleman know of any reason or justification why in the world those counties rather than the ones the gentleman suggests were included in the amendment?

Mr. McEWEN. I know of no standard or criteria being used in determining their eligibility for this program.

Mr. CRAMER. It is amazing to me that our committee or the other body, but particularly our committee, should include counties in New York which do not have depressed area problems and purposely and intentionally exclude counties such as contained in the gentleman's amendment, that do have them.

Mr. STRATTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

Mr. Chairman, on its surface there is something to be said for the change proposed by the gentleman from New York [Mr. McEWEN]. The counties which he lists are indeed suffering from unemployment and they do need help. One of them is included in my own district, Montgomery County, and it is unfortunately not included in the 13 counties now covered by the bill as a result of the amendment adopted in the Senate sponsored by the two distinguished Senators from New York [Mr. KENNEDY and Mr. JAVITS].

It is also true that some of the 13 New York counties now covered by the Kennedy-Javits amendment are not suffering from unemployment and are not eligible for assistance under the area redevelopment program or the accelerated public works legislation. Of the 13 counties covered by the Kennedy-Javits amendment 3 are in my congressional district, Chenango, Cortland, and Otsego. Of these only Otsego is currently listed as an unemployment area, eligible for help under the APW bill. In fact neither Cortland nor Chenango has ever been listed as suffering from unemployment.

Nevertheless, Mr. Chairman, I oppose this amendment because I am realistic enough to recognize that any change in the New York State areas proposed for inclusion in this bill might well jeopardize the whole matter of including our State at all.

If the debate on this legislation during these past 3 days has made anything clear it is that this bill is a regional bill. The criterion for inclusion within the Appalachian region is not primarily economic, but geographic.

Counties that are not suffering from unemployment have been included to round out the region as a whole, and so that development in relatively prosperous areas can help to boost the economy of less prosperous parts of the overall area. And other counties that are suffering from unemployment have been left out simply because they are not geographically a part of the Appalachian region.

I do not believe the point has been made sufficiently clear here this afternoon, Mr. Chairman, that parts of New York State have always been regarded geographically as part of the Appalachian region. In fact when the first legislative proposals were made back in 1961, those southern areas of New York which have always been considered part of the Appalachian Mountain chain were included in preliminary discussions and planning on the legislation. These were, in fact, Mr. Chairman, the very same 13 counties which were mentioned in the Senate debate the other day and for which the door has now been opened by the Kennedy-Javits amendment. But in 1962 Governor Rockefeller made it clear that he did not wish New York to be included in the program, and so New York's counties were dropped from further legislative planning. And when you look at a map of the area covered by this bill today you will note that along the northern boundary of the region there is a straight arbitrary line at the Pennsylvania State border, rather than the kind of irregular natural geographic boundary that marks all other sections of the Appalachia area.

So the truth is, Mr. Chairman, that these 13 New York counties do properly belong in the area. They were removed from the area by unusual circumstances back in 1962. And the action of the Senate has now welcomed them back again where they belong, and where they originally were. That is the story of where these 13 counties came from. There is no mystery at all about it after all.

Mr. Chairman, I would be less than honest if I did not admit that I would personally prefer that all of the eight counties I have the honor to represent in this body were included in this bill, not only the county of Montgomery which appears in the pending amendment, but the other four as well. They need the help, all of them, and they could certainly use it. But to try to add them would be a futile gesture. Their addition could not be justified under the geographic standards on which this bill is based, and to try to upset those geographic standards would merely jeopardize the inclusion of any New York counties in the bill at all.

Let me just say, Mr. Chairman, to the people of Montgomery County that I shall continue to do everything in my power to win approval of an extension of the ARA and the APW bills which have already proved to be so helpful to this great area and which could continue to provide much more needed help to them.

Mr. Chairman, some mention has already been made during this debate of the fact that the Kennedy-Javits amendment does not mandate the inclusion of the 13 New York counties but only makes it permissible, contingent upon the approval of the Commission itself and the Governor of New York. Since Governor Rockefeller, as I have already indicated, originally disapproved the inclusion of any New York counties in the program, the question has been raised whether he would not once again exercise his veto and keep the 13 counties out of the program. On that point, let me just advise the Members of the Committee that I asked Governor Rockefeller this very question last week here in Washington when the Governor met with all 41 members of the New York congressional delegation. The Governor assured us all that he would not veto the inclusion of these 13 counties but would instead support it. He assured us that he would not stand in the way of any New York county getting any help that it might be able to get. And he recognized that the roadbuilding funds, the sewer and water construction, and flood control help which this bill would make available to these 13 New York counties, are certainly very much needed and could be most successfully put to use in these areas of southern and central New York State.

And so, Mr. Chairman, this bill can indeed help an important section of New York State, part of which I have the honor to represent. Adoption of the McEwen amendment would not add any new counties to the area, but it could well complicate, delay, and perhaps even prevent the inclusion of those 13 counties which are properly eligible for inclusion within the act. For that reason, therefore, I am opposed to the amendment, and urge its defeat.

Mr. McCARTHY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in 1960, when the Governors of the Appalachian region first met, the mountainous southern tier of New York State was included because sociologically, economically, historically, and geographically that is a part of New York directly contiguous to Pennsylvania which is a part of Appalachia. For some reason the Governor withdrew a year later and New York was not included. The junior Senator from New York introduced an amendment in the other body to include the southern tier of New York.

The opposition would substitute a patchwork which would destroy the basic concept of a regional development program, and despite what the gentleman from Florida said, these are poor counties. Of the 200 families in this area, 12 percent have incomes of less than $2,000 a year. They alluded to the prosperous nature of some parts of it. It is true there are a few pockets of prosperity tucked into this overall fabric of poverty, but that does not destroy the idea of poverty, it strengthens it because these can be the prosperous nuclei around which prosperous communities can be built.

I urge the defeat of the amendment.

PROGRAM FOR BALANCE OF WEEK

Mr. ARENDS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this in order to ask the majority leader if he can inform us, while many Members are in attendance, just what will be taken up tomorrow legislativewise.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. ALBERT. The only legislative matter pending at this time, as far as I know for the balance of the week, is the conference report, unanimously agreed to, on H.R. 45, relating to increasing U.S. participation in the Inter-American Development Bank. We are meeting at 11:15 o'clock tomorrow. If this matter can be disposed of at that time, we can adjourn before the Lincoln ceremonies. Otherwise, it will be taken up after the termination of the Lincoln ceremonies.

Aside from this there is no legislative business for the balance of the week that I am able to advise about at this time. However, we will meet on Friday. There may be a message from the White House.

Also, may I advise Members that we are meeting on Friday because we need another legislative day this week in order to make the education bill eligible for a hearing before the Committee on Rules by Tuesday of next week.

Mr. McCLORY. Mr. Chairman, I have listened to the entire debate here, seated at the minority desk, and I certainly want to commend both the gentleman on the majority side who has managed the bill, the gentleman from Alabama [Mr. JONES], as well as the gentleman on the minority side for the very constructive manner in which this debate has been presented. I have been able to follow the logic although I do not agree with the logic of the majority side as set forth in the course of this debate. I must say, however, with regard to this final section of the bill that there seems to be a complete departure from the logic that appears in other parts of the bill. For the first time we seem to be delegating legislative authority to a commission—a commission that is not yet created, with regard to an area that is not defined. And instead of defining the "Appalachia area" we find ourselves delegating this authority and letting someone else decide what the area is going to consist of. I cannot help but call attention to this defect insofar as constructive argument and constructive presentation so far as this section is concerned.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. McEWEN].

The amendment was rejected.

AMENDMENT OFFERED BY MR. M'EWEN

Mr. McEWEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McEWEN: On page 44, line 19, strike out "on an appropriate basis" and insert the following: "on the same basis as every other State having counties within the Appalachian region".

Mr. McEWEN. Mr. Chairman, this amendment would simply strike out four words in this bill, the words being "on an appropriate basis."

It seems unique, as the preceding gentleman speaking just mentioned, that in this bill all of the other counties of Appalachia have been specifically spelled out and identified. The rights of all those counties in those 11 States to participate in this proposed legislation are spelled out on an equal basis. But the amendment offered and adopted on the floor of the other body in behalf of the State of New York simply provides that the State may share in this program—in the language of the bill—"on an appropriate basis."

My amendment, Mr. Chairman, would strike those words and add "on the same basis as every other State having counties within the Appalachian region."

As the gentleman from Florida mentioned, prior to today in discussing this bill, the language of the Senate amendment would clearly indicate that the State of New York is some sort of a "stepchild" in this program and is not to come in on an equal basis and with equal rights along with its sister States that are included in this bill.

Mr. Chairman, I urge the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. McEWEN].

The amendment was rejected.

Mr. CRAMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, with some trepidation after the remarks that were previously made, I will take a few minutes principally to mention the motion to recommit.

The motion to recommit will be that fair and equitable, nondiscriminatory, well thought out, and properly drafted non-public-works-boondoggle substitute known as H.R. 4466. It has been discussed previously pretty much in detail. However, since a number of Members were not here at the time, very briefly let me say that what it would do is to make available to all areas which, under the ARA and APW formulas, are depressed areas or labor surplus throughout America, those portions of the Appalachia program, after proper amendments, which we believe would have the long-range effect of improving the economic situation in those respective areas.

This includes highway construction, but not a duplication of present highways. There would not be a paralleling of present highways, but an emphasis on new highways in new areas to truly open the new areas to development.

Second, there will be proper safeguards. The substitute requires standards. It requires that highways be built to standards and that those highways then be maintained. All of this is lacking in the majority proposal.

As to demonstration health facilities, this substitute measure would eliminate the operational expense, or socialized medicine, and leave in the construction costs.

The provision for land improvement, agriculture, and cattleraising would be stricken out, for obvious reasons, as explained in the debate.

Timber development organizations would be in, with twice the appropriation, $10 million.

Mining area restoration would be in, with an increase to $43 million.

The water resource study would be changed, but the appropriation would be the same. We do not wish to slow up the present surveys. We want a study and report to Congress as to what new surveys are needed.

Vocational education facilities would be doubled to $32 million.

Sewage treatment works would be increased to $12 million.

The PWA provision would be eliminated.

The administrative expenses of the Appalachian Commission would be eliminated because the States would do this under the development district concept which would remain in the bill.

I say to you in all sincerity that, in my opinion, this substitute will do a more constructive job on a long-range basis throughout America.

This substitute would provide, for those who believe in paraphrasing: One nation, indivisible, with equal treatment and antipoverty assistance, where needed, for all, rather than favored treatment for a few in a poorly drafted and poorly conceived manner, as contained in S. 3.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from Florida yield?

Mr. CRAMER. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I want to compliment the gentleman from Florida for his efforts in helping to draft the substitute. I want to commend the minority members on the Committee on Public Works for the excellent minority views and additional views.

I say to the gentleman from Florida that I will support his substitute on the motion to recommit, and I will join him and others in opposing S. 3.

Mr. CRAMER. I thank the gentleman.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Jersey.

Mr. CAHILL. As the gentleman knows, I represent one of the districts in the State of New Jersey close by Pennsylvania. We have some six or seven counties in the State of New Jersey which qualify under ARA and APW. As I understand it, they are not covered in the bill which is before the House. I ask the gentleman: If your substitute is adopted, would those counties in New Jersey qualify for this aid?

Mr. CRAMER. Yes. This very clearly exemplifies the complete unfairness and the discrimination of the approach in S. 3, proposed by the majority, and I believe the fairness of the approach of H.R. 4466, proposed by the minority.

Mr. CAHILL. I thank the gentleman.

Mr. CRAMER. Personally, I do not see how anyone who has such depressed areas outside of Appalachia could vote against the substitute.

Mr. WRIGHT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time solely for the purpose of paying a much-deserved tribute to a Member of this House who for the past 3 weeks has devoted almost all of his waking hours to the consideration, the drafting, the perfection, and the management of this major piece of legislation, the first major part of the President's legislative program to come before the Congress this year. Of course, I refer to the gentleman who so ably has guided the consideration of this bill in the ad hoc subcommittee of the Committee on Public Works as well as in the full committee and in this Committee of the Whole House. He conducted our hearings with great skill, infinite patience, and complete fairness. In spite of his own intimate knowledge of the terms of the bill, he has not usurped the time available or even taken to himself the prerogative of speaking on the bill during most of our considerations here but has encouraged all other members of the committee, and particularly the newer members, to take a prominent part in the consideration and the advancing of this legislation. I know they have appreciated this, and I think it has been a splendid gesture on his part. I refer, Mr. Chairman, to our very able and very distinguished colleague from Alabama, Mr. ROBERT E. JONES.

Mr. DOW. Mr. Chairman, allow me to support the agreement for inclusion of the counties of the southern tier of New York in the bill now before this House relating to Appalachia.

One of these counties is within my district. The average individual income in 1963 was $1,771, nearly $400 below the individual income of other counties in the 27th District of New York which I represent.

Unemployment in Delaware County, according to very recent figures from the New York State Department of Labor, averaged 5.9 percent in 1963, which was greater than for any other county in the 27th District.

Mr. Chairman, I do not believe that we expect great sums for aid in the southern tier. Many of our people may be poor, but they are proud and self-reliant Americans. What we look for only, is that in any case where debasing poverty exists, where there are extreme pockets of this curse—and there are some in Delaware County—that consideration be given us. The State of New York as a whole is said to be, on balance, providing more Federal money than it receives. We do not seek here to quarrel with this, but only to ask that where we do have low points of economic distress, the executive branch will look on these with the same consideration that it would look on similar distress in other States.

Mr. SICKLES. Mr. Chairman, today, when this country is enjoying the longest sustained period of economic improvement since the depression, many Americans are leading a good life and dreaming and planning for a better life to come. Their level of past and current prosperity encourages them to believe that, with a little more work, a little more planning, they can build an even more secure and prosperous life.

These dreams, these plans, are not shared by a great number of their countrymen—the forgotten and neglected men and women of the Appalachian region. For these Americans isolated in an underdeveloped area, life has provided no basis for dreams, no foundation upon which to build a better future. For these people, life has taught only the human instinct for day-to-day survival—the lesson of not a better future, but only a similar tomorrow.

How can the people of Appalachia share the type of lives enjoyed by other Americans—

When, statistics show that one in three Appalachian families live on an annual income of less than $3,000 a year, compared to one in five for the rest of the country;

When, the per capita income for the region in 1960 was only $1,400 per year as compared to $1,900 for the rest of the United States; and

When employment in the rest of the country went up 15 percent from 1959 to 1960, while in Appalachia it went down 1.5 percent?

Who has a good life today when there are 1,100,000 unemployed in the Appalachian region? Who can dream and plan a brighter future when only 32 out of every 100 youngsters finish high school and only 5 out of every 100 complete college?

The Appalachian region has fallen behind the rest of the country in economic development. In every category of human welfare the people of this region are well below national standards. In health, housing, education, community services, transportation, farm technology, and even in sanitation, this region lags far behind the rest of the United States.

Long ago, I, as well as many Maryland officials, advocated a regional approach to the economic development problems of Appalachia and concentrated aid to cure the region's economic ills. Twice I sponsored bills which contained many of the programs now put forth by this well-conceived Appalachia bill.

The Appalachia bill would provide the basis for economic growth and personal renewal in the region. Through balanced and coordinated public and private programs there would be sent more than $4 billion for such long-range and comprehensive help as construction of highways to provide access in, out, and within this isolated region; construction of public works to control and exploit the region's rainfall; management of Appalachia's valuable resources of coal, timber, and land; incentives for industries to locate in this underdeveloped area; and stepped-up aid for education, housing, health, vocational rehabilitation, and nutrition.

I am confident that once these programs are developed in Appalachia, so that there is an economic and social basis upon which to build, the people of this region will be able to provide themselves with an improved future.

Mr. GOODELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Chairman, all of the counties in my congressional district are among the 13 New York State counties which would be studied for possible inclusion in the Appalachia bill.

If we adopt a regional approach to economic development certainly most of my district should be a part of this program. They share many of the same characteristics of the northern counties of the present confines of Appalachia. A majority of the local county governments have put themselves on record as favoring inclusion in the program. But the fact that the New York counties are merely to be studied for inclusion points up the basic defect in this bill. The Federal Government has been remiss in not providing the State of New York with "substituted mileage" under the Federal Highway Act so that the State of New York could speed up its construction of the southern tier expressway through these counties. Under present conditions, the Appalachia program, without further appropriations, would provide very little practical help to New York if these counties were added. However, it could open the door for New York to obtain needed funds for highway construction along the existing Route 17.

I have very serious doubts about the regional approach to economic development. The problems in Appalachia are not unique to Appalachia. They are pocketed across the entire Nation. The Republican substitute is designed to solve these problems on a national basis. The Appalachia program can, therefore, be criticized for its shortsightedness.

I favor the inclusion of counties in the program with very real needs. I question the wisdom of meeting those needs through a sharply limited program.

Mr. MONAGAN. Mr. Chairman, the Appalachia bill raises many more questions than it answers. Although it purports to assist an area which is depressed, it includes some of the most prosperous sections of the United States. It contains no means test for qualification. It also would create a paradoxical situation in providing funds to develop agricultural land while the Government is paying farmers in other parts of the country to restrict their use of existing farmland. It would sponsor uneconomical livestock production.

For us in New England there are very serious issues posed by this legislation, since it would, through 80 percent Federal financing, construct highways and sponsor industrial development in Appalachia which would mean that one more area would be created to compete in pirating New England industry and this time with the support of the National Government.

Most significantly, however, the regional approach opens up a whole vista of other similar regional approaches in the future. During the debate on this bill in the other body, there was an amendment covering an Ozark regional organization. Members of that body from Minnesota, Massachusetts, and New York gave notice that they were waiting in the wings to make comparable claims for their sections.

If we are to consider aid to depressed areas, it should not be on a piecemeal and discriminatory basis. We have areas in Connecticut and New England which should be considered.

For all these reasons I believe that S. 3 is unsound and should not pass.

Mr. FLOOD. Mr. Chairman, on Public Works I applaud the action taken by the Committee. Last year and again this year I was afforded the opportunity of appearing and testifying before the ad hoc subcommittee of the House Committee on Public Works on the Appalachian bill, which is before us today for final action.

In my testimony before the committee, I spoke at some length on this measure as it would affect my area of Pennsylvania, the county of Luzerne, and the anthracite coal mining region.

The passage of this bill will prove to be of enormous benefit to my region because of the multiple problems of a serious nature that can be met by its enactment and implementation. These problems are primarily associated with coal mining and its aftereffects such as mine subsidence, burning culm banks, underground mine fires, strip mining, mine drainage problems and underground water control, surface water control, mine acid water, and stream and river pollution.

However, Mr. Chairman, as vital and important as these problems are I would like to make it understood that I am equally interested in the many other provisions of this legislation which will aid the 11-State Appalachian region, including my own State of Pennsylvania.

I know I speak for may constituency when I say we are vitally interested in an Appalachian development highway system that will open up areas that are now practically inaccessible; for the construction, equipment, and operation of multicounty health facilities, including hospitals, regional health diagnostic and treatment centers, and other facilities necessary to health; for providing of grants to landowners to assist in the improvement and development of land for pasture and erosion control in order to promote the conservation and fuller utilization of the region's land and water resources.

This bill, Mr. Chairman, is vital because it provides for technical assistance in the organization and operation, under State law, for timber development organizations having as their objective the carrying out of timber development programs to improve productivity and quality and to increase the returns of landowners through establishment of private nonprofit corporations on a self-supporting basis. The timber and lumber industries were at one time much bigger in many parts of Pennsylvania than they now are.

I also believe most important are the provisions in this legislation which will establish water resource surveys; more and better vocational education facilities; sewage treatment works in the interest of public health and clean streams, and the restoration of mining areas and the reclamation of land that has been stripmined.

With regard to reclamation of lands that have undergone stripmining, I understand a special Commission has been appointed to study this problem in depth and to report back to the Congress by July 1, 1967. One determination that must be made is the question of reclamation of private lands and the reclamation of public lands that have been strip mined. In addition to the Federal Government, the State of Pennsylvania has also turned its attention to this matter of private versus public lands in the reclamation programs. Legislation has already been introduced in the Pennsylvania Legislature to make a legislative and legal determination of this phase of land reclamation.

The enactment and implementation of this bill and program to aid the region of Appalachia is indeed most necessary because in many, many ways this region has suffered from long neglect. This is our opportunity to improve and assist the economies of these areas and to raise the standards of living of our citizens residing therein. I am most happy to be one of the cosponsors of this badly needed legislation.

Mr. MOORE. Mr. Chairman, I rise in support of S. 3, the Appalachian Regional Development Act. I believe my position with respect to my support of this legislation is entirely consistent with my service since coming to the House of Representatives. I believe that there is a misunderstanding with respect to this legislation and the position of the Federal Government's moving into the area of regional development. The reason I make this observation is very simple. A great majority of us agree that the primary responsibility for the economic, educational and social development of a State is that of the States under our system of government. This I firmly believe.

However, I feel that under our Federal system wherein the State refuses to accept its primary responsibility in the field of providing an adequate economic, educational and social climate, it then becomes the secondary responsibility of the Federal Government to do so.

It should be obvious to all of the Members of the House that there has been an utter failure in this regard by the States in the area covered by this legislation. Therefore, I feel it is proper at this time for the Federal Government to accept its secondary responsibility and move in—in cooperation with the States—to bring about the economic, the educational, and the social development in these States.

In other respects, I feel that my position in support of this legislation is entirely consistent for the reason that I opposed the Area Redevelopment Administration's request for additional funds and additional authority. The reason I gave which was later borne out and the statement that I made with respect to that vote was that the ARA did not meet the economic problems that existed in the problem area of the country, but spread itself across 50 States. As a result, some of the most economically depressed areas in our country were placed in competition with some of the most economically prosperous areas of the country with the aid of Federal funds, seeking to entice new industries to come into those areas.

It is perfectly obvious to me and proven to be so that an industry desiring to locate with the aid of Federal funds would naturally seek to locate in a prosperous State rather than an economically depressed State. For that reason, I believed that ARA presented a "fatal delusion" as an answer to the problems of economically depressed areas.

I said then and I believe now that there is an area of responsibility by the Federal Government, but that Federal aid would have to pinpoint itself in these economically depressed areas and certainly the Appalachian Regional Development Act does that. It pinpoints the use of Federal tax dollars in the area of greatest need.

A great deal has been said about this legislation being discriminatory in that it places a preference on Appalachia and that the benefits of the bill are not shared with all the 50 States. To me, that is the beauty of the bill. To me, that escapes the "fatal delusion" of ARA and other programs geared to solve the problems existing in our economically depressed areas.

As a West Virginian, I could cry discrimination today on a great number of bills that come through this House of Representatives, providing for the spending of great sums of money by the Federal Government on programs and projects which are peculiar to a certain part of the geography of this country. I could say in response to the $2 billion military construction bill that will soon come before this House of Representatives that my State is discriminated against because it is one of four States that receive no funds under this particular bill.

In addition thereto, I could say to you that, as a West Virginian, I feel discriminated against in the spending of our defense dollar because very little, if any, funds of that massive spending program ever finds their way into my State. It is best that it be said here that I also could emphasize my assertion that my State is discriminated against in the military construction bill when I say that over the past 16 years that neither the Army, the Navy, nor the Air Force have sought to spend one dime for military construction in the State of West Virginia save for a few National Guard armories.

As I said, I could point to many Federal programs that I feel discriminate against my State, and point to numerous instances in Federal programs in which my State has been discriminated against—but I shall not—and I do not vote in that respect in the House of Representatives.

I am well aware of the responsibility my State accepts in this bill and I feel that it is necessary that we begin to tell our people that we must come up with our share of the funds to enjoy the provisions of this measure. That is, of course, the challenge to West Virginians, and I am hopeful that our public officials will treat the general citizenry as adults and make them aware of the fact that to fully participate in the benefits of this legislation, West Virginia will have to raise in matching funds approximately $200 million.

I feel the cry of discrimination against this legislation is a hollow cry, and I believe that this Congress should enact S. 3, the Appalachian Regional Development Act into law.

Mr. LINDSAY. Mr. Chairman, I have listened with great care to the debate on this bill, known as the Appalachian bill, and I have read with care and interest the majority report, the minority report, and the additional views.

I am finally persuaded that the substitute bill to be offered by some of the Members of the minority is a better approach, fairer to all, more sensible, and of proven good.

The substitute bill to extend Federal financial assistance to all areas throughout the United States which qualify as "eligible areas" under the Accelerated Public Works Act and the Area Redevelopment Act does not confine Federal interest to a single region. It will authorize appropriation of funds, with varying State matching requirements, in amounts and for purposes as follows, for the period ending June 30, 1967:

[In millions]

Economic development highways	$800
Demonstration health facilities	82
Timber development organizations	10
Mining area restoration	43
Water resource study	5
Vocational education facilities	32
Sewage treatment works	12
Grants for administrative expenses of local development districts and for research and demonstration projects	11
Total	995

The advantage of the substitute, which procedurally will be offered by way of a motion to recommit, is the tying-in of Federal efforts to high-priority areas of want and disadvantage without the artificial confines of a region. New York State, and more particularly some of our more depressed city areas, such as Harlem and Bedford Stuyvesant, could qualify under the substitute. This is impossible under the majority bill advanced by the administration.

Should the motion to recommit fail, I will vote for the majority bill on final passage for the simple reason that there is demonstrated need in the Appalachian region for a beefing up of the economy in its most depressed parts. The bill appears to me to be insufficiently tight and allows Federal expenditures in activities too local. But it is, nevertheless, reasonably tied to the effecting of improvement and redevelopment of coal waste lands, timber, transportation, land stabilization and erosion, reclamation, water resources, and health measures. One cannot deny the need and neglect that has occurred over the years. There are any number of reports which have analyzed the specific difficulties facing this particular region, and a number of solutions have been suggested. The bill, therefore, attempts to meet in this single region basic causes of unemployment and low income which characterizes so much of the area.

It would be easy to vote against this bill on final passage on the ground that my State is not included and that, even should the 13 upstate counties be included, the areas of greatest disadvantage in the central city of New York are not. But we, as U.S. Congressmen, must consider the interest of the whole country and the needs of its parts, as well as the needs of our particular congressional districts.

I only hope that the program will provide sufficient momentum to the region so that it may carry on its own economic development without further special Federal assistance in the future.

Mr. FISHER. Mr. Chairman, I entertain grave doubts as to the need and justification for the pending legislation. Since the bill would grant special Federal assistance to only 11 States, it is highly discriminatory on its face. This is a depression-type remedy that is applied to an area which is enjoying general prosperity at a time when there is a relatively small amount of unemployment.

Moreover, it is proposed to expend $1.1 billion the first year at a time when the President has estimated that we will take in nearly $5 billion less than will be expended by the Federal Government.

Under this proposed plan, Federal funds would be expended for more road construction, hospitals, land improvement, rehabilitation of old coal mines, and a score of other questionable projects. It must be kept in mind that all of this vast outlay of Federal funds would be in addition to scores of other programs under which vast sums of money are already being pumped into this area from Washington. That includes the so-called antipoverty program and more than 30 other welfare programs.

We are told that the Appalachia project will set the pattern for many other regional programs in other areas of the country during future years. It has been suggested that when all of these welfare programs are activated the total Federal cost for financing them may very well approximate $10 billion. Such estimates are usually too conservative.

There are many projects that are proposed which are obviously unsound. For example, it is proposed that in these 11 favored States the Federal Government will pay up to 80 percent of the cost of building a hospital, then equip it and pay the cost, or a substantial part of the cost, of its operation. Here we see overtones of socialized medicine at its worst.

Mr. Chairman, there is little reason to believe that the pumping of all this money into this one area will provide any permanent solution for economic problems that may exist there. In the final analysis, economic stability under our free enterprise system comes from the creation of jobs within the framework of competitive free enterprise. While it may very well be that by pouring all of this money into the favored area, a few industries may be tempted to move in and siphon off some of the Federal money being expended there, it may very well be that an industry that does move in will help create a depressed condition elsewhere, with resulting unemployment. We know that has been the experience of the discredited depressed areas program that has been experimented with in recent years.

For these and many other reasons I feel impelled to vote against the pending bill. We know that many of the States that are included in the program are today enjoying as much or more prosperity than States that are not included. This legislation will set a bad precedent and simply will not solve basic problems over the long pull.

Mr. JENNINGS. Mr. Chairman, I wish to commend my colleagues on the House Committee on Public Works for their diligence in considering this proposal and bringing it to the floor early in this session. Especially, I commend the chairman of the Subcommittee on Appalachia, the gentleman from Alabama, the Honorable ROBERT E. JONES, JR. He has performed a most admirable service.

I fully support the Appalachian bill we have before us today. I introduced a similar measure in the House and presented testimony to the Subcommittee on Appalachia, as I did last year. I hope the final vote is completely favorable to the bill as it now stands. We need none of the amendments I have heard offered, most of which would have a crippling effect on the programs proposed.

All of the area I am privileged to represent in the Congress is included in the Appalachian region as defined in this bill. I believe you would be interested in knowing that the town of Appalachia is located in Wise County, Va., in my district. The citizens of this community, as are many others similarly located, favor this legislation and expect the programs envisioned to be of great help in their economic development plans. One of the proposed highways in the developmental system would pass through the town of Appalachia. This route, which would generally follow the present U.S. Highway 23, would go through Virginia from Tennessee to Kentucky. I expect it to be among the first roads constructed under the proposed program.

There is another route of major interest to my area, and which I have proposed as a part of the developmental system—U.S. Highway 460. I hope that it can be included when the system is fully designated.

Mr. Chairman, my remarks are brief because I support the bill, believe that it should be speedily approved, and feel that the time for discussion passed long ago. I urge my colleagues from all States—whether from the Appalachian region or not—to vote for this legislation.

Mr. FOUNTAIN. Mr. Chairman, the House Public Works Committee in reporting S. 3 says the primary purpose of the Appalachian program is to combat poverty—defined as family money income below $3,000, according to the 1960 census. It described the bill as "the opening step in a campaign to bring the Appalachian region and the people of Appalachia up to the same economic level as the rest of the citizens of the United States." This, of course, is a laudable objective, but it overlooks the significant fact that in many of the States included in the proposed program, the Appalachian counties are already considerably better off than other sections of these same States.

If legislation of this kind is necessary and advisable at this time, surely consideration ought to be given to bringing these poorer sections up to the average economic level of their respective States—and indeed to the level of the Appalachian counties—before or at least simultaneous with efforts to bring the Appalachian counties up to the national average. I am not advocating any new approaches. I think we have already passed enough such programs for the present. In view of our national debt, our defense burdens, and the other burdens we are already bearing, I feel that it is time to stop, look, listen, and think before we embark upon any more costly programs of this kind. Nonetheless, that many of the poorest counties in the 11 States affected by S. 3 are frequently outside Appalachia is demonstrated by the following tables. The poor counties are identified here in precisely the same manner as in S. 3, by the level of median family money income as reported in the 1960 census:

TABLE I.—*Number of Appalachia counties among 10 lowest income counties*[1] *in State*

Alabama	None
Georgia	None
Kentucky	10
Maryland[2]	None
North Carolina	2
Ohio[3]	1
Pennsylvania[2]	None
South Carolina	None
Tennessee	7
Virginia	3
West Virginia	10

[1] Includes only counties with median family income under $3,000, according to 1960 Census.

[2] No county in State had median family income under $3,000.

[3] Only 1 county in State had median family income under $3,000.

It can be seen from table I that in 3 of the 11 Appalachian States—Alabama, Georgia, and South Carolina—the 10 poorest counties in each of these States are located outside the Appalachian region. In addition, in Maryland and Pennsylvania there are no counties in which the median family income is below $3,000. Ohio has only one such lower income county, which is situated within Appalachia.

In my own State of North Carolina only 2 of the 10 lowest income counties are in Appalachia. The remaining eight counties are located in the eastern part of the State, in the First, Second, and Third Congressional Districts. The median family money income for these eight counties ranged from $1,451 to $2,255, as compared with the State average of $3,956. Among the 29 Appalachian counties of North Carolina, on the other hand, 8 exceeded the State average with the median family income of one county, Forsyth, approximating the national average of $5,660. Two-fifths of the listed Appalachian counties of North Carolina had a median family income under $3,000 in 1960, as can be seen in table II. In most of the other States this proportion was even lower.

TABLE II.—*Number and percent of Appalachia counties classified as low income* [1]

State	Number counties		Percent low income counties
	Low income included in Appalachia	Total in Appalachia	
Alabama	13	32	40.6
Georgia	7	35	20.0
Kentucky	41	49	83.7
Maryland	0	3	0
North Carolina	12	29	41.4
Ohio	1	24	4.2
Pennsylvania	0	52	0
South Carolina	0	6	0
Tennessee	29	49	59.2
Virginia	4	21	19.0
West Virginia	13	55	23.6
Total	120	355	33.8

[1] Low-income counties are the poorest 20 percent of all counties in the United States, ranked according to same 1960 census data used by the Appalachia program. To be classified in this group, a county's median family money income must be under $2,920.

Table II shows the number of low-income counties in each State in relation to the State's total number of counties included in the Appalachia program. For the program as a whole, only one-third, or to be exact—33.8 percent or 120 of all the participating counties can be classified as "poor" in accordance with the $3,000 criterion. The percent of low-income counties varies among the States from zero in 3 States—Maryland, Pennsylvania, and South Carolina—to nearly 84 percent of all Appalachian counties in Kentucky.

There is indeed a large concentration of families having a relatively low money income in several of the States, in which the Appalachian region is situated, but these lower income families are most often in the portion of these States outside Appalachia.

This proposed legislation is intended to promote the economic development of the Appalachian region. Accordingly, an activity such as highway construction, if found to be a sound investment for this purpose, must necessarily be constructed on a regional basis irrespective of the economic capacity and need of the States and their political subdivisions encompassed by the plan. The same justification, however, does not apply to other parts of the proposed program.

There is little justification, if any, in giving preference to a whole region for such activities as the construction and operation of medical facilities, and medical care, the construction of sewage treatment facilities, and the construction of vocational education facilities, without regard to the need and fiscal capacity of those who would benefit in comparison with other units of Government which are at least as deserving.

I have already indicated in this connection that many of the participating States have sections outside the Appalachian region that are actually less well off. Similarly, it can be demonstrated that other regions of the United States are, in whole or in part, less well off than some of the States included in the Appalachia program.

Now no reasonable person would argue that better medical facilities, an improved water supply, and broader vocational education opportunities would not contribute to economic development. That, however, is not the essential point. Most regions of the country and sections of a State might be benefited by improvements in these services. Federal assistance for such programs, however, if found to be wise and necessary, should be made available on a more rational basis than an accident of geography. Fair treatment of all our citizens and the efficient use of Federal funds require that Federal grants for these purposes be made available on a national basis in accordance with uniform eligibility requirements related to service needs and local fiscal ability. If the Congress believes existing programs—of which there are many—for similar purposes should be expanded, they should be enlarged in this manner.

In addition there are no standards, based upon need, for determining eligibility of areas within Appalachia for the Federal grants-in-aid proposed by S. 3. Justification has not been shown for even a majority of the named counties to receive grants under all of the programs.

In fact, I sincerely differ with the basic premise of the President's antipoverty proposals; that family income of less than $3,000 annually constitutes poverty. Such a conclusion completely ignores many factors other than cash income, including price indexes, homeownership, home allowance on farms, home food production, and so forth.

However, to use such a formula as the basis for this legislation and then to include many well-off and wealthy counties, with median family incomes well above the $3,000 average, seems to me unjustified, certainly in connection with programs not of a regional nature, or at the most, only remotely regional.

Little has been said about the fact that we are being asked to enact this legislation on the basis of outdated 1960 statistics and data purporting to show "poverty conditions" in the face of more up-to-date information which ought to be available in each State and on the national level, that vast improvements have been made in Appalachia since 1960—certainly in many parts of this great area.

I have grave doubts about the propriety of several of the proposed programs under any new legislation, especially in view of existing programs. For example, the proposed medical care program financed entirely by Federal funds and including Federal staffing of the facilities, and the proposed Federal grants to private citizens—outright gifts—with minimum conditions, of course, go beyond anything I had expected the Federal Government to provide in legislation designed to help a given region.

I have touched upon only a few points which disturb me and compel me to vote against this bill, in spite of my human desire to do otherwise.

I sincerely hope my fears are not well founded, because my own State will benefit substantially through this legislation if the funds are wisely spent and the new highways and programs are properly placed. Several of my own North Carolina colleagues are extremely interested in this legislation and they hope it will mean much to their respective areas. So do I. These interests alone make me want to vote for this bill.

I sincerely hope they will understand that this is a matter of conviction with me. I have deep respect for them and the wonderful people in the great areas they so ably represent. But I just have a conviction that this particular legislation has not been adequately thought out. More important, I have fears that it may represent a far-reaching and dangerous precedent, which will open unnecessarily the floodgates for numbered and unnumbered sections, regions, or segments of the United States to come in one after another, or many at the same time for similar Federal help. At least six have already been suggested.

A Member who votes for one may well find himself a victim of all the rest of the justified, the partially justified, and the unjustified proposals to follow. Competition is good but future regional fights for Federal funds, for industry, and so forth, may not turn out to be good for the regions involved or for the country.

I do not oppose the regional concept for attacking problems. I approve it where it is shown to be the best approach. There have been many, but not like this one. As others have pointed out, there is just no effective "needs" test and I am far from satisfied that the areas and States listed within Appalachia have, individually or collectively done all they could have done to solve their problems before this legislation was proposed.

Mr. BROOMFIELD. Mr. Chairman, in my judgment there are three general steps in the preparation of any plan for the future.

The first is to know what you have.

The second is to know where you are going.

The third is to know how to get there.

In our consideration of S. 3 today, I have more than a sneaking suspicion that we have ignored this sequence of events and instead are being asked to leap to some hastily arrived at conclusions based upon rosy dreams rather than reality.

If these rosy dreams could be backed up with fact and they could lead to a better, richer life and a brighter future for those people who are included in the Appalachia region we are considering today, then there would be nothing wrong with this dream.

But we have no such indication. In fact, past experience both here at home and abroad seem to point in the other direction. They should at least warn us that we are being asked to take a giant step in the wrong direction and in a manner which might be impossible to correct in the future.

I believe the reason that this mistake is being offered to us today is that the Federal Government is being urged not to practice what it preaches to others.

For years, various agencies of the Federal Government have been telling, urging, bribing—even attempting to coerce—our States and local units of government to base their plans for the future upon provable fact and predictable reality.

Certainly, the Bureau of Public Roads has been one of the leaders in helping develop the methods of data accumulation and analysis which have been of such great value to our States and cities in planning their highway networks.

But it seems to me that we are preparing to ignore all these facts and methods and getting ready to put the cart before the horse.

This bill would authorize a total of $1,092 million in Federal funds for this 11-State region. Of this total, $840 million or roughly 80 cents out of every dollar authorized to be appropriated would be used for something called economic development highways.

On the other hand, less than 2 cents of every dollar authorized would go for vocational education facilities.

This is rather an interesting breakdown of these proposed funds, and I wonder just how it was reached?

As I understand the planning process, our first task should be accumulation of all available basic facts on the area in question.

We should take a look at the land and all improvements to it, its quality, its topography, its mineral content, the schools, the transportation system.

We should look at the region's economic base, its industry, its business, the movement of goods and the methods used, its agriculture and its recreation areas and their quality.

We should gather all possible information about the area's people, where and how they live, their education, their skills, their movements.

We should study local units of government and the steps they have taken to meet problems, to encourage new industry and business, the tax base, the cost and kinds of public services provided, bonded indebtedness, zoning, and plans for future physical development.

Then—and only then—should the second step be taken, and that is the determination of the direction of the kinds of growth to be sought and the kind of tomorrow that will be provided.

Once these first two steps have been completed, once we know where business and industrial growth should occur and what will be necessary to bring about this growth, are we ready for detailed planning of such elements of our growth pattern as a highway network, how many miles are involved and how much it will cost.

Then and only then are we in a position to determine what sorts of public service facilities, such as water treatment plants, sewage treatment facilities, schools, zoning for residential, business, industrial or recreation use and the cost of these facilities and the amount and kinds of growth they will support and promote.

Yet, we are asked today to authorize $840 million—an amount just shy of a billion dollars—for a program to build roads to we do not know where for needs we have not yet discovered.

Although I have had some few years experience on the House Public Works Committee in previous years, I cannot pretend to have the knowledge or the insight into some of these problems many of the members of this committee have on road construction and cost.

But I would like to have considered by my colleagues something that we in the House Foreign Affairs Committee have noted and which could well have some importance in attempting to evaluate whether these roads will bring about the desired economic growth in Appalachia.

As you know, there have been programs of so-called farm-to-market roads in many countries of the world, financed largely by funds from our Federal Government and from the World Bank and other international lending organizations.

But in the country after country where these farm-to-market roads have been built on the theory that they will open up new areas and create more jobs in these depressed regions, something else has happened.

Rather than business going up the road to new opportunities, the people have gone down the road to the cities and they have refused to go back to their former homes.

I do not know whether this would happen if this network of roads were built in Appalachia, but I think somebody ought to find out. If such is the case, it would be a great deal less expensive for us to train these people in a trade and pay their moving bills to move to the city rather than building a network of highways and roads going nowhere.

Because we do not have the basic knowledge of what is in Appalachia, much less what is needed, I must therefore oppose S. 3 as a makeshift, slipshod proposal built upon an inadequate foundation of fact.

The $1 billion involved is a huge sum. But even more important is the gamble we would be taking with the future of these families and their children.

If we are to build for tomorrow, let us build in a firm and solid foundation.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region, pursuant to House Resolution 249, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

MOTION TO RECOMMIT

Mr. CRAMER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CRAMER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CRAMER moves to recommit the bill S. 3 to the Committee on Public Works with instructions to report the same to the House forthwith with the following amendment:

"Strike out all after the enacting clause and insert in lieu thereof the text of the bill H.R. 4466."

Mr. JONES of Alabama. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. CRAMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 100, nays 323, not voting 10, as follows:

[Roll No. 28]

YEAS—100

Abernethy
Adair
Anderson, Ill.
Andrews, N. Dak.
Arends
Ayres
Baldwin
Baring
Bates
Battin
Belcher
Bell
Betts
Bolton
Bow
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Cahill
Cederberg
Chamberlain
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Cramer
Cunningham
Curtis
Derwinski
Dickinson
Dowdy
Dwyer
Edwards, Ala.
Erlenborn
Findley
Ford, Gerald R.
Frelinghuysen
Goodell
Grover
Gubser
Gurney
Halleck
Hansen, Idaho
Harvey, Ind.
Harvey, Mich.
Horton
Hosmer
Hutchinson
Keith
King, N.Y.
Laird
Langen
Latta
Lindsay
Lipscomb
McClory
McCulloch
McEwen
MacGregor
Mailliard
Martin, Ala.
Martin, Mass.
May
Michel
Minshall
Mize
Morse
Morton
Nelsen
O'Konski
Passman
Pelly
Pirnie
Poff
Pool
Quie
Reid, Ill.
Reid, NY.
Reinecke
Rhodes, Ariz.
Robison
Rumsfeld
Smith, N.Y.
Stafford
Stanton
Talcott
Teague, Calif
Tupper
Walker, N. Mex.
Whitten
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—323

Abbitt
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Annunzio
Ashbrook
Ashley
Ashmore
Aspinall
Bandstra
Barrett
Beckworth
Bennett
Berry
Bingham
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Callaway
Cameron
Carey
Carter
Casey
Celler
Chelf
Clancy
Clark
Clevenger
Cohelan
Colmer
Cooley
Corbett
Corman
Craley
Culver
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Devine
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dulski

Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Fisher
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gross
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halpern
Hanley
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson Calif.
Johnson,Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Landrum
Leggett
Lennon
Long, La.
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McMillan
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Powell
Price
Pucinski
Purcell
Quillen
Race
Randall
Redlin
Reifel
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith Calif.
Smith, Iowa
Smith, Va.
Springer
Staggers
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—10

Conyers
Ellsworth
Griffin
Hamilton
Hanna
Kunkel
McVicker
Roosevelt
Toll
Widnall

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Ellsworth for, with Mr. Kunkel against.

Mr. Widnall for, with Mr. Roosevelt against.

Until further notice:

Mr. Toll with Mr. Griffin.
Mr. Conyers with Mr. Hamilton.
Mr. Hanna with Mr. McVicker.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. CRAMER. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 257, nays 165, not voting 11, as follows:

[Roll No. 29]

YEAS—257

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashbrook
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bingham
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Cameron
Carey
Carter
Celler
Chelf
Clancy
Clark
Clevenger
Cohelan
Conyers
Corbett
Corman
Craley
Culver
Curtin
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dow
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gettys
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Gray
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hanley
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Hicks
Holifield
Holland
Howard
Hungate
Huot
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McMillan
Machen
Mackay
Mackie
Madden
Mathias
Matsunaga
Meeds
Miller
Mills
Minish
Mink
Moeller
Moore
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Powell
Price
Pucinski
Purcell
Quillen
Race
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Senner
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—165

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Baldwin
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bolton
Bow
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cahill
Callaway
Casey
Cederberg
Chamberlain
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cooley
Cramer
Cunningham
Curtis
Daddario
Dague
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dole
Dowdy
Downing
Dwyer
Edwards, Ala.
Erlenborn
Findley
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Giaimo
Grabowski
Green, Oreg.
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Herlong
Horton
Hosmer
Hull
Hutchinson
Ichord
Irwin
Jarman
Jonas
Jones, Mo.
King, N.Y.
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
Macdonald
MacGregor
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matthews
May
Michel
Minshall
Mize
Monagan
Morse
Morton
Mosher
Nelsen
O'Neal, Ga.
Passman
Pelly
Pike
Pirnie
Poage
Poff
Pool
Quie
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Satterfield
Selden
Shriver
Skubitz
Smith, Calif.
Smith, Va.
Springer
Stafford
Stanton
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Walker, N. Mex.
Whitten
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NOT VOTING—11

Ellsworth
Griffin
Hamilton
Hanna
Keith
Kunkel
McVicker
Roosevelt
Smith, N.Y.
Toll
Widnall

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Toll for, with Mr. Ellsworth against.
Mr. Kunkel for, with Mr. Hamilton against.
Mr. Hanna for, with Mr. Griffin against.
Mr. Roosevelt for, with Mr. Keith against.
Mr. McVicker for, with Mr. Widnall against.

Mr. HAGAN of Georgia changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

H. RES. 253

Resolved, That HOWARD H. CALLAWAY, of Georgia, be, and he is hereby, elected to the standing Committee of the House of Representatives on Interstate and Foreign Commerce.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE INTER-AMERICAN DEVELOPMENT CORPORATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the conferees on H.R. 45, the inter-American development bill, may have until midnight tonight to file a report, which is unanimous.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill S. 3, just passed.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the House Committee on Foreign Affairs may have until midnight tonight to file a report on House Concurrent Resolution 285.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

UPPER PRIEST LAKE, IDAHO

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, last month we heard the President's admirable plans for the beautification of America. Most of the work to be accomplished under the program for a beautiful America requires restoration and development of areas blighted by commercial and urban expansion. In our drive to return these places to as near their natural beauty as possible, I believe we should also implement the plans for preservation of spots which so far have not been marred by bulldozer tracks, and which have not yet been subject to speculative investment. Today I am introducing a bill to achieve this objective on Upper Priest Lake, which lies close to the Canadian border in the First Congressional District of Idaho.

It is difficult to speak objectively about beauty, particularly the beauty of one's home country. I recognize the esthetic principle, "De gustibus non disputandum," but I believe there would be no dispute about the unmatched scenic beauty of Upper Priest Lake. The lake is surrounded on three sides by mountains and is accessible on the fourth by an easy water route. Joined to the larger lower lake by a clear, meandering stream called the thoroughfare, Upper Priest Lake is 4 miles long and three-fourths of a mile wide. The crystallike water is filled with game trout and salmon. Luxuriant forests bounding the tranquil lake support deer, bears, moose, and mountain goats, and other abundant forms of wildlife.

All property surrounding Upper Priest Lake is Government owned except the tracts described in my bill. The purpose of the bill is to permit the acquisition of the remaining private ownerships, so that all the land surrounding the peaceful and beautiful upper lake can be held in its primitive state for future generations. The acreage is small, 417 acres, but their importance is great, because commercial development threatens to change the natural setting of Upper Priest.

A bill similar to the one I am introducing is progressing through the Senate, under the able sponsorship of Senator FRANK CHURCH. Hearings were held at Priest Lake last fall and here in Washington this spring. Such unanimity of support for the legislation was evident at the hearings that the Senate Subcommittee on Public Lands favorably reported it immediately. The full committee reported it this morning.

During the hearings on S. 3067 of the 88th Congress and S. 435 of this Congress, it was suggested that the acquisition of the 417 acres be effected through the Land and Water Conservation Fund Act. For this reason I have provided in the bill I offer to the House that section 6 of that act be implemented for the addition of the lands to the Kaniksu National Forest. Through utilization of these funds, I believe the budgeting consideration will be minimal.

Another slight difference in the bill I sponsor and S. 435 is an explicit direction that the lands be acquired as amicably as possible. Several witnesses at the field hearings indicated their opposition to the employment of the power of eminent domain in adding the 417 acres to Federal ownership. I sympathize with their reservations about extending the governmental power of condemnation for the purpose of obtaining scenery. For this reason, my proposal suggests that the lands desired be exchanged for other Federal lands. In this way the county will not lose tax revenues and the acquisition could proceed with the speed necessary for preserving the beauty of Upper Priest Lake. If exchange, after every honest effort is made, proves impossible I have allowed for purchase of the lands by a negotiated contract. If this alternative is necessary the bill contains guidelines for the negotiation; such as the opportunity for the seller to accompany the purchaser during the appraisal of the property and the establishment of a fair value for the property prior to negotiation.

In view of the safeguards provided in the House bill, I heartily urge the Members of this body to lend their support to the preservation of the rare American beauty of Upper Priest Lake.

A TRIBUTE TO FLORIDA ON THE OCCASION OF THE 120TH ANNIVERSARY OF HER ADMISSION TO THE UNION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the State of Florida, on this day, observes the 120th anniversary of her admission to the Union—and everyone familiar with the State, her history, her people, and her grand traditions, glories in a feeling of accomplishment. For in this period, this brief span of time, from 1845 until now, the name of Florida has come to stand for many things great, varied, and fascinating in the hearts and minds of many millions of Americans.

When Florida became a territory of the United States, her development was confined very largely to the coastal cities of northeast and northwest Florida. In the territorial period from 1822 to 1845, Florida grew from a backwoods swampland, rife with the dangers of Indian attack, to a rapidly developing, up-and-coming civilized section, in which much of the area from St. Augustine to Pensacola was transformed into plantations and small farms.

The Seminole War brought an end to Indian problems, after which thousands of American settlers began pouring in. In short time it was clear that the Government's main problems were to open up new lands and to develop transportation systems. Even from the start, heavy immigration from the North made Florida exceptional in this regard, among the several States of the extreme Southeast.

In 1850, shortly after her admittance to the Union, Florida ranked 31 out of 31 States in population with a total figure of 87,445. Compare this with her ranking of today, ninth of 50 States, with a population of 5,705,000.

As time has passed the sovereign State of Florida has continued to flourish and attract the multitude. Its friendly people, thriving commerce, gentle climate, and beauteous surroundings amount to something in the nature of a magnetic force—or so it would seem.

Florida's farm acreage has increased a neat 10 times over the figures from the 1850 census, and the value of livestock is hundreds of times greater. In the area of manufacturing, Florida had less than 1,000 people employed in manufacturing in 1850. Today close to a quarter million people are now classified in this field. When Florida was admitted to the Union, she had 1 representative of the 234 in the House of Representatives. Now, with 12, Florida ranks as ninth in representation. I also point with a great deal of pride to the role that Florida has and is continuing to play in the field of development, maintenance, and operation of our military defenses and in the space effort. It is in my State where so very much work, which is vitally important to our national security, is being conducted.

The modern development of Florida is characterized by a blending of the people from all the corners of the Union: the native southerner, and his new neighbors, the former residents of the North, the East, and West. Out of this blending process has come a healthy union of minds, the extension of transportation facilities, industrial development, and rapid transition from agrarian to urban status.

Yes, much has taken place in Florida over the past 120 years, but—the way things seem to be going—the progress of the past is very likely to be dwarfed in significance by that of the future.

So, I point with pride, Mr. Speaker, to Florida's 120th anniversary as a State. Her fabled sun-climate is unequaled anywhere. Florida is the vacation spot which is sought out by all the Nation. Florida's people are as colorful and varied as her terrain. The names of Ponce de Leon, De Soto, and, yes, even Gaspar and Lafitte lend credence to her emergence as a lusty and energetic entity. The name of Florida has come to be synonymous with exciting, progressive, happy living.

HOW FREE IS FREE?

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, recently there has come to my attention a most challenging speech given by J. Irwin Miller, of Columbus, Ind. Mr. Miller's subject is entitled "How Free Is Free?" This speech was given at a recent award dinner in Indianapolis.

J. Irwin Miller is a former president of the National Council of Churches, a trustee of the Committee for Economic Development, the Ford Foundation, and Yale University, chairman of the board of Cummins Engine Co., in addition to other positions of great responsibility in the business world. I believe that in very clear terms Mr. Miller gives meaning and substance to the word "freedom" which is so heavily under attack these days by political primitives.

I recommend this to my colleagues:

How Free Is Free?

(By J. Irwin Miller)

In our recent national discussions on civil rights, on the proper role of government, and on the fate of the individual, we too often make the mistake of not beginning at the beginning. We plunge directly into arguments about our present circumstances and what we do not like about them as if somehow, were everything changed to suit us, the world would be set right.

Now it is quite true that we live in an age where the forces of bigness, especially of big government, are making themselves felt upon the individual. It is further true that these forces may even, one by one, be taking the individual's liberties away from him.

The trend started when government first started. With the coming of primitive governments, our distant ancestors lost the freedom to murder their neighbors. With the establishment of our own new and revolutionary government, our young individuals lost the freedom not to go to school. They were deprived of the right to choose to be illiterate.

My great-grandfather kept a cow in his front yard in downtown Columbus. That freedom is now denied me. I even have to chain or fence my dog. We have lost the freedom to manufacture impure foods, to sell narcotics, to run open gambling houses, and to keep slaves. What are things coming to?

Now this isn't wholly funny. We once had each of these freedoms. Were those times better times? Would we choose to return to them? I think we would not like to return to them, and I think there is some profit in asking ourselves why we choose not to return to a wholly unregulated society.

Let us begin by asking which society is truly the freer society? When one man murders another man, there are two freedoms involved, not one freedom. There is the freedom to murder at will, and there is the freedom not to be murdered at will. Since you cannot grant one of these freedoms without denying the other freedom, you come up against a fact that seems to be all but overlooked in today's debate: Freedoms compete with each other.

When you have to deal with competing freedoms, it follows that you may have to choose one freedom as being more desirable than its competing freedom, and you are therefore forced, as a society, to deny one freedom in order to grant the other. In recognition of this inevitable state of affairs, our ancestors generations ago decided that the freedom not to be murdered was a more desirable freedom than the freedom to murder.

One man's freedom to own slaves denies to another man the freedom not to be enslaved. One man's freedom to keep pigs inside the city limits denies to another man the freedom to drink pure water. And so on into areas a great deal less dramatic, where the competing freedom is more easily obscured and the choice a great deal more difficult to make.

MY PROPERTY RIGHTS

The house in which I live is my house. Surely I should be allowed to rent or sell to persons of my own choice. If private property does not mean that, what does it mean? I have built a business which now employs many people. I will survive competition only if I choose my employees very carefully. If I cannot choose my own workers for my own business, what does private enterprise mean? Or if I cannot choose whom I will serve or whom I will not serve in my restaurant, my store, my lunch counter, if I am not free to do that, what is left for me of this free society we all talk so much about?

The key word here, I think, is the word "me," "my," "mine." What do I mean when I say my house, my business, my restaurant? Does anything happen to the worth of my house if the firemen have no concern for fires in the neighborhood, or the policemen about robberies in the neighborhood, or the neighbors about trash and weeds in their front yards, or about thoughtless ill-trained children in their families?

ACCORDING TO FOUNDING FATHERS

Back in 1783, one of our Founding Fathers had some thoughts on the subject. In that year Benjamin Franklin wrote to another Founding Father, Robert Morris, and this is what he said:

"All property, except the savage's temporary cabin, his bow, his matchcoat and other little acquisitions absolutely necessary for his subsistence, seems to me the creature of public convention. Hence the public has the right of regulating descents and all other conveyances of property, and even of limiting the quantity and the uses of it.

"All the property that is necessary to a man for the conservation of the individual and the propagation of the species is his natural right, which none may justly deprive him of, but all property superfluous to such purposes is the property of the public who, by their laws, have created it and who may therefore, by other laws, dispose of it whenever the welfare of the public shall demand such disposition. He that does not like society on these terms, let him retire and live among savages. He can have no right to the benefits of society who will not pay his club toward the support of it."

What does that last word "club" mean? I had to hunt to find out, but I learned from the dictionary that in the 17th and 18th centuries one meaning was "A combination of contributions to make up a total sum." So what is Ben Franklin saying? Is it not something like this: Everything which I call mine and to which I attach most worth is a combination of continuous contributions voluntarily given by others. If they withhold their contributions, which many are free to do; my neighbors—their manners and thoughtfulness; my workers—their willingness to work honestly for me; my customers—their willingness to buy from me; if they withhold all these contributions, then my property, my house, my business each has a very great deal less worth to me, if indeed any worth at all.

Franklin is saying further: You or I have no right to this combination of voluntary contributions which I call my private property unless I too make my club—offer my voluntary contributions to the property and rights of others—in amounts and quantity sufficient to confer on their private property the worth which I wish to attach to my property. To Ben Franklin, suppliers, shareholders, workers, managers, customers, even the communities in which they are located, are all, in effect, owners of a business, which must be run and managed in the interest of each, not neglecting the others.

FROM JUDEO-CHRISTIAN TEACHINGS

Our Judeo-Christian tradition has even more frightening advice for us. We are told in Christian Gospel that he that would save his life (what more valuable piece of private property?) must lose it; that a man must order his life, operate and employ his property for others or their value to him will vanish.

We have a long-established newspaper in my State which carries every day at the top of its front page a memorable piece of scripture, scripture that is concerned with freedom and liberty: "Where the spirit of the Lord is, there is liberty." And what is this spirit of the Lord? The first public words uttered by Jesus spoke of it: "He opened the book and found the place where it was written 'The spirit of the Lord is upon me, because He has anointed me to preach good news to the poor. He has sent me to proclaim release to the captives and recovering of sight to the blind, to set at liberty those who are oppressed to proclaim the year of the Lord's favor.'"

Liberty for each of us is found not at all, unless it be found in a dominant sacrificial concern for the liberty of the other fellow, and especially the deprived and disadvantaged. Property has no value for any of us unless each of us has a primary care for the property rights of the other fellow, and especially of the other fellow least able to look out for himself.

HOW FREEDOMS ARE LOST

Ben Franklin, through his hard experience in building a society in the New World, and Jesus and the prophets in their wisdom, all saw here a law as immutable, as inexorable as the law of gravity—a law which, if violated, brought penalties as severe as those which attend the violation of any of the laws of the physical universe. So the surest way to lose freedom to own a home of one's choosing is to attempt to deny that freedom to another. The surest way to lose the free access to learning and education is to deny that freedom to someone less powerful than oneself. The surest way to lose the freedom to run my business is to run it on contempt of the general interest.

Government may fall into this error, too, and enact arrogant or unwise laws. But government cannot, therefore, be barred from this field any more than we should be barred from owning a house simply because some are bad householders. Government must be concerned with the preservation of our true freedom, or we shall all destroy ourselves in a fearful jungle of our own creating. Government in attempting to steer us truly into conformity with the laws of nature and of our own being is working to save us from ourselves, to preserve our freedom against the most deadly of freedom's poisons. There is no danger that besets us today which is more grave than this: that we shall fail to understand the nature and demands of freedom and, in so failing, extinguish freedom's life in our midst.

The man or woman who today fails to place his own interest and rights second to the interest and rights of the most deprived members of our society is working for the destruction of this good society as surely as is any enemy overseas.

Government cannot guarantee to preserve us from ourselves, but government can restrain us from outright suicide. Our present course could become a suicide course unless we choose better. Government, school, and church can help us to will to choose a better way.

RESOLUTION ADOPTED BY DEMOCRATIC STEERING COMMITTEE PERTAINING TO THE COMMUNIST EFFORT OF AGGRESSION IN VIETNAM

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, on yesterday the House Democratic steering committee held its monthly meeting and passed the following resolution pertaining particularly to the Communist effort of aggression in Vietnam.

Mr. Speaker, the resolution reads, as follows:

"Whereas the the Congress on August 10, 1964, adopted a joint resolution to promote the maintenance of international peace and security in southeast Asia;

"Whereas the Communist regime in North Vietnam has continued and intensified since that date its attacks against the people and the Government of Vietnam;

"Whereas evidence presented in the publication of the Department of State entitled 'Aggression From the North' establishes beyond question that North Vietnam is carrying out a carefully conceived plan of aggression against South Vietnam;

"Whereas the United States has joined with the people and the Government of the Republic of Vietnam in a collective defense against this aggression;

"Whereas the only purpose of the United States in southeast Asia is to enable the countries of that area to enjoy their freedom in peace: Now, therefore, be it

"*Resolved*, That the Democratic steering committee stands behind the President in the measures he is taking to assist the Government and the people of the Republic of Vietnam to defend themselves against the aggression being directed against them from North Vietnam."

It is hoped that in this vital issue facing the Nation you will join the House leadership in supporting the President.

Now, Mr. Speaker, I might add in addition thereto that the Democratic steering committee yesterday passed a resolution endorsing the Appalachian legislation, without amendments.

GOV. PAT BROWN AND THE FOREIGN LABOR PROGRAM

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, on behalf of the Republican delegation in the House of Representatives from the State of California I would like to extend our thanks to Gov. Pat Brown, of California.

Mr. Speaker, this expression of gratitude comes a little late because the reason for it was far too long delayed.

Mr. Speaker, our California Republican delegation, over a month ago, adopted a resolution by unanimous vote requesting the Governor to assist California in its very, very difficult farm labor problem by attempting to persuade the Secretary of Labor to come to the conclusion that we do have a tragic and urgent situation in California and that we must have some temporary supplemental foreign labor if our crops are to be harvested and tens of thousands of domestic jobs in packing, transportation and related industries are to be saved. At that time the Governor refused to do so. However, he has now recognized the realities of the situation and is cooperating to some extent at least. We are truly grateful that he has now seen the light—or at least partially so.

Mr. Speaker, this same delegation has adopted a new resolution which follows hereafter.

The matter referred to follows:

Believing that the 88th Congress terminated Public Law 78 in a sincere belief that more jobs would be developed for domestic workers, but now

Being convinced that tens of thousands of net domestic jobs will be lost unless adequate temporary supplemental farm labor is immediately assured; and

Being informed that numerous tomato canneries (as well as other canners and processors) have been unable to contract for fruit and vegetables because of an anticipated labor shortage and knowing therefore that many domestic cannery workers and those engaged in allied industries will be unable to find work this season; and

Being reliably advised that many California food processing companies have acquired plants in Mexico and intend to transfer major portions of their business from California to Mexico because they cannot be assured of adequate labor in the United States; and

Having ample evidence that many California ranchers and farmers are seriously considering moving their operations to Mexico; and

Being ever mindful that when tomatoes are not planted, when citrus products are not packed, and when vegetables spoil in the fields, the whole economy of California will suffer and thousands of workers dependent upon, or allied with, agriculture—packinghouse workers, package manufacturers, truckers, salesmen, bankers, as well as farmers—will be detrimentally affected; and

Realizing the adverse effects upon our already unfavorable balance of international payments condition that will certainly occur when large U.S. growers, processors, and shippers move their operations to Mexico and sell fresh and frozen food products to the United States for U.S. dollars; and

Recognizing the probability that the multimillion-dollar export volume of California fruit and vegetables will no longer be possible; and

Being completely satisfied that California growers and public officials have exhausted every practicable proposal to recruit competent domestic farm labor; and being assured that all domestic efforts cannot produce an adequate supply of farm labor during this season; and

Earnestly submitting that time is of the essence,

We, the Republican Members of the California delegation of the Congress of the United States, representing the most populous State of the Union and the No. 1 agricultural State, whose principal industry is supplying the rest of the States with fresh, canned, and frozen fruits, and vegetables, acting individually, and jointly, unanimously

Resolve, and respectfully urge the President of the United States and the Secretary of Labor to recognize the present worsening conditions of California agriculture creating a serious emergency, to utilize Public Law 414 and to immediately certify the admission of sufficient temporary, supplemental farm workers to assure California growers that their crops can be harvested without spoilage; and

We urgently implore the Secretary of Labor to amend his regulations to equalize wage rates for agricultural workers among all of the States and to terminate the current discrimination against California.

Executed at Washington, D.C., March 1, 1965.

DIPLOMATIC IMMUNITY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the recent transfer of a New York policeman to an undesirable beat because of a remark to a traffic offender, blessed with diplomatic immunity, reopens a subject on which Congress must assert itself unless the State Department produces some assurance that it is able and willing to resolve the issue.

While it is obvious that a very great majority of foreign diplomats headquartered in Washington scrupulously adhere to the laws of the land and of the District, and make no attempt to take advantage of their immunity status, there is nevertheless too much flagrant abuse of this sanctity on the part of the embassies to overlook the situation. Since most of the disrespect of local rules and regulations centers on traffic violations, there is a tendency to avoid severe scrutiny into the matter. In consequence, too many drivers with DPL tags look with scorn upon police officers who by experience have learned—as in the case of the New York policeman—that it is highly unprofitable to tangle with a diplomat, regardless of how belligerent he may become.

In Washington, according to the State Department, efforts at reducing parking violations on the part of the diplomatic corps have been encouraging in recent months, though the average American motorist who has occasion to drive around this city may fail to notice the improvement. It is no rarity to find that the traffic block ahead on a busy morning has been caused by a double-parked embassy car whose driver is nowhere in sight. While it may be too much to expect the visitor from Johnstown, Indiana, or Kittanning to have the same privileges accorded embassy drivers whose countries of origin have enjoyed the beneficence of this country's foreign aid program paid for by those hapless citizens from back home, it is nevertheless time that methods of obtaining a little more equity be explored. Soon the throngs of visitors from the several States will be coming to Washington to visit the Capitol, the White House, and other historic shrines. They do not expect to enjoy the tax-free advantages available to employees of foreign governments, but they would seem to be justified in protesting the disdainful attitude of some DPL drivers toward owners of cars bearing nothing more than the tags issued by one of the 50 States or the District of Columbia.

Last summer a Pennsylvania visitor rode downtown one morning with three other ordinary Americans, off to earn the wages that are left after deductions for foreign aid and other normal government expenses. At an intersection on California Street NW., the driver of a car bearing DPL 544 deliberately swerved in front of two others in order to get a preferred position at a stop light. When one driver, who had barely missed crashing into a parked vehicle in order to avoid 544, protested, the so-called diplomat sneered and waved his hand in derision. Then, as if to show his regard for American law, he thrust his car forward before the light changed to green, disappearing into traffic and free to aggrevate and laugh at other law-abiding natives.

Through official channels, it was learned that DPL 544 had been issued to one Abdelhadi Al Hamandi, whose car was registered at the United Arab Republic Embassy, 2435 California Street NW. Now, Mr. Speaker, it might be assumed that an embassy involved in such an incident would be eager to apologize for the conduct of the responsible employee, but a number of calls to the United Arab Republic office failed to bring a satisfactory reply. An embassy spokesman denied that Abdelhadi Al Hamandi was connected with the embassy, then promised to investigate further. No explanation was ever forthcoming.

The naive Pennsylvanian's first reaction to the driving infraction was to report it to the police, but, as any old timer around Washington knows, the area could have been surrounded by squad cars and still the police would have been helpless to take effective action.

District of Columbia police do not have to look to New York City to find out what happens to officers who expect foreign diplomats to obey American laws. Their firm precedent was established on March 17, 1956, when a patrolman in Washington made the mistake of ticketing a double-parked DPL car. When the driver, a second secretary on an embassy staff, protested, a scuffle ensued and the officer was found guilty of "wrongfully and without authority arresting" a member of the diplomatic corps. He was fined $75 for his conscientious effort to enforce the law.

Any further doubt of the helplessness of American officers of the law when dealing with foreign diplomats evaporated in a series of incidents that began with the arrest of an Ambassador's son on May 26, 1957, after he became involved in a scuffle with a policeman who remonstrated against the boy's drinking beer in public and in direct violation of District law. The offender claimed diplomatic immunity and was released.

A year later, on April 30, the same young man drank beer as he walked along Wisconsin Avenue at 1 a.m., then threw the mug to the sidewalk and used abusive language when an officer appeared. He was again released because of diplomatic immunity.

March 1, 1959: Trouble in a tavern, with the Ambassador's son finally swinging at a policeman. Again released on the same excuse.

October 10, 1959: When an officer responded to trouble in a restaurant, the same offender became loud and boisterous, touching off a melee that resulted in the officer's being kicked and knocked down by the foreigner and his gang. Released as usual.

Mr. Speaker, how many countries would permit this sort of disregard for their law on the part of an American citizen regardless of his official position? And how far must an American police officer tolerate and concede in the face of hostile challenges by immunized aliens?

The final episode of this particular case took place 1 month after the man's last brawl with the police. He drove a car that struck and killed a woman who was knocked 41 feet by the impact. A coroner's inquest into the accident was canceled on the advice of the U.S. attorney because it had no jurisdiction over the driver. At long last the offender—now 21 years of age—was sent home to his native land by the ambassador, his father.

Fortunately, incidents of such serious consequences are highly infrequent, although there appear to be no means or methods available to prevent or to deal with them. Several years ago a diplomat attacked a New York subway inspector and threatened him with a gun, then won quick release at a police station after pleading diplomatic immunity.

Whatever the answer to the perennial problems created by diplomatic immunity, the first premise would seem to be the need for teaching foreigners—regardless of their diplomatic status—to respect the American police officer. Next, greater effort must be directed at dissuading DPL drivers from flaunting traffic regulations.

A key to the difficulty may lie in the statute which protects diplomats from arrest. It was enacted in 1790, a century before the advent of the automobile, and may very well be in need of renovating or updating. Since it came into being, a progressively greater number of diplomats and their entourages have descended upon Washington. In 1962 a local newspaper estimated the number of diplomats in Washington immune from arrest at more than 6,000, and there is no reason to believe that there are fewer here today.

Surely it is not necessary to grant diplomatic immunity to so many ambassadors, their staffs, employees, and servants. I would hope that the State Department could work out an arrangement whereby only top echelon personnel are granted the immunity privilege.

Meanwhile, Mr. Speaker, I propose that the name of the country of ownership be printed in large letters on every DPL license plate issued in the District of Columbia. I believe that as a consequence all ambassadors and their principal staff members, recognizing the good will that can be gained or lost when the identity of a vehicle's ownership is exposed to citizens of this country, would be much more explicit in their instructions to employees. At least the new license plates would give Americans an opportunity to find out just what countries are and which are not respectful of our laws.

I am today introducing a bill which directs District of Columbia officials to have the name of the country imprinted on each diplomatic license plate.

PRESIDENT JOHNSON'S BRAVE DECISION TO BOMB NORTH VIETNAM SUPPORTED BY STATE DEPARTMENT WHITE PAPER ON COMMUNIST AGGRESSION

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, last weekend the State Department issued its brilliantly documented "white paper" describing in exhaustive detail North Vietnam's campaign to conquer South Vietnam.

In the preamble to this historic document, the following excerpt delivered by

President Lyndon B. Johnson on February 17, 1965, is quoted:

> Our purpose in Vietnam is to join in the defense and protection of freedom of a brave people who are under attack that is controlled and that is directed from outside their country.

This excerpt from President Johnson's remarks clearly indicates America's determination to halt the agonizing chain of Communist aggression since World War II.

Americans, and indeed those dedicated to the principles of human dignity throughout the world, can all find comfort and strength in the knowledge that President Johnson has given American foreign policy a new and decisive direction.

There are those who today would criticize President Johnson, but fortunately they constitute only a miniscule segment of the American population.

It becomes crystal clear, as new developments occur in Vietnam, that neither the New York Times nor the columnists are setting foreign policy for the United States. Indeed, foreign policy is now being determined, as our Constitution provides, by the President of the United States, and Mr. Johnson alone has shown the courage to deal with the Communists from a position of strength, yet preserving, for the entire world to see, our genuine desire not to extend hostilities in Vietnam any more than is absolutely necessary. Mr. Johnson has now put the burden on the Communists to decide if they want escalation. For the first time since World War II, it is the Communists who are forced to respond to our initiative; our determination; our policy.

By his bold and heroic action, President Johnson has already written a new and glorious page in American history. I am confident that the President's determination to deal forcefully with Communist aggression in South Vietnam by striking at the very heart of North Vietnam's staging areas for their infamous subversion, will prove to be the bold decision which will avoid world war III.

President Johnson has repeatedly assured the entire world, including the Communists, that our Nation wants peace and the security of freedom for our allies.

President Johnson has stated repeatedly that our Nation wants to avoid escalation in Vietnam.

There are those who have asked why the raids on North Vietnam at this particular time when Communist leaders are holding their summit meeting. There are others who seriously challenge President Johnson's determination to bomb the Communist's staging areas and say that such attacks will solidify the Communist world.

Yet others, Mr. Speaker, bluntly state that Mr. Johnson's timing is wrong and that American attacks on Communist staging areas in North Vietnam should have been held up, at least until after the Communists' summit meeting.

Certainly, I would not be one to deny others their views, but I suggest, Mr. Speaker, that President Johnson's critics are unable to see the forest for the trees.

History will prove President Johnson an unparalleled tactician. It is my judgment that President Johnson's decision to wage the attacks at this particular time is most timely, and has as its principal purpose a strong desire to avoid any miscalculations by the world Communist high command of our Nation's unwavering determination to support the cause of freedom in South Vietnam.

It is my humble judgment that to avoid air retaliations at this time would have been an open invitation for massive Communist aggression in South Vietnam and perhaps other troubled spots throughout the world.

Admittedly, President Johnson is taking a bold calculation. But it is a brave calculation and the American people owe their President eternal gratitude that he has not been dissuaded by such highly influential opinion movers as the New York Times in his final judgment.

Mr. Johnson has clearly told the Communists they must be prepared to suffer the full consequences of their continued aggression. He has spoken in a language unmistakably clear. The next move is up to Hanoi and its Communist allies.

The weight of President Johnson's responsibility is awesome, and he deserves the prayers of all Americans for continued strength to chart a victorious course through these very troubled times.

But above all, Mr. Speaker, it would be my hope that those who have been so quick to criticize the President would pause during this great crisis and reflect for a moment on how difficult is the task of an American President.

It is easy enough for the columnists and the editorial writers to second-guess the President. If they are wrong, few people ever remember.

Only the President of the United States cannot afford to be wrong, because, indeed, the survival of civilization rests on his judgment.

It is for this reason that all Americans can take pride in the bold decision made by President Johnson to launch the air strikes against the Communists in North Vietnam.

One has a right to ask: "How many other Americans would have had the courage to make the final decisions which Mr. Johnson has had to make during the past few weeks?"

I am confident that time will prove President Johnson right. Certainly, Mr. Speaker, reading the white paper on aggression by the Communists from North Vietnam, clearly and unmistakably shows how justified President Johnson is in setting the bold, albeit precarious, course that he has set for our actions in Vietnam.

It is for this reason, Mr. Speaker, that I should like to include with my remarks today the State Department's "white paper" in its entirety.

This is one of the most significant documents ever prepared by the American State Department. Secretary of State Dean Rusk and his entire staff deserve the highest commendation for putting this entire matter into its proper perspective.

Any fair-minded person, regardless of his political beliefs, cannot help but realize that for President Johnson to have ordered any other course in the face of the overwhelming evidence contained in this white paper, would have been to write perhaps the final chapter in freedom's retreat to Communist infamy.

It is my hope that every American will pause in his busy schedule long enough to read the State Department's white paper. I am confident, Mr. Speaker, that only then could this Nation fully understand the tremendous service President Johnson is rendering the American people and the cause of freedom throughout the world.

Mr. Speaker, the State Department white paper follows. I only regret that under the rules of the House, I am unable to reprint at this time the tremendously persuasive pictorial exhibits which were published as part of the State Department's indictment against the Communists of North Vietnam.

AGGRESSION FROM THE NORTH—THE RECORD OF NORTH VIETNAM'S CAMPAIGN TO CONQUER SOUTH VIETNAM

"Our purpose in Vietnam is to join in the defense and protection of freedom of a brave people who are under attack that is controlled and that is directed from outside their country." (President Lyndon B. Johnson, February 17, 1965.)

INTRODUCTION

South Vietnam is fighting for its life against a brutal campaign of terror and armed attack inspired, directed, supplied, and controlled by the Communist regime in Hanoi. This flagrant aggression has been going on for years, but recently the pace has quickened and the threat has now become acute.

The war in Vietnam is a new kind of war, a fact as yet poorly understood in most parts of the world. Much of the confusion that prevails in the thinking of many people, and even many governments, stems from this basic misunderstanding. For in Vietnam a totally new brand of aggression has been loosed against an independent people who want to make their own way in peace and freedom.

Vietnam is not another Greece, where indigenous guerrilla forces used friendly neighboring territory as a sanctuary.

Vietnam is not another Malaya, where Communist guerrillas were, for the most part, physically distinguishable from the peaceful majority they sought to control.

Vietnam is not another Philippines, where Communist guerrillas were physically separated from the source of their moral and physical support.

Above all, the war in Vietnam is not a spontaneous and local rebellion against the established government.

There are elements in the Communist program of conquest directed against South Vietnam common to each of the previous areas of aggression and subversion. But there is one fundamental difference. In Vietnam a Communist government has set out deliberately to conquer a sovereign people in a neighboring state. And to achieve its end, it has used every resource of its own government to carry out its carefully planned program of concealed aggression. North Vietnam's commitment to seize control of the South is no less total than was the commitment of the regime in North Korea in 1950. But knowing the consequences of the latter's undisguised attack, the planners in Hanoi have tried desperately to conceal their hand. They have failed and their aggression is as real as that of an invading army.

This report is a summary of the massive evidence of North Vietnamese aggression obtained by the Government of South Vietnam. This evidence has been jointly analyzed by South Vietnamese and American experts.

The evidence shows that the hard core of the Communist forces attacking South Vietnam were trained in the north and ordered into the south by Hanoi. It shows that the key leadership of the Vietcong (VC), the officers and much of the cadre, many of the technicians, political organizers, and propagandists have come from the north and operate under Hanoi's direction. It shows that the training of essential military personnel and their infiltration into the south is directed by the military high command in Hanoi. (See sec. I.)

The evidence shows that many of the weapons and much of the ammunition and other supplies used by the Vietcong have been sent into South Vietnam from Hanoi. In recent months new types of weapons have been introduced in the VC army, for which all ammunition must come from outside sources. Communist China and other Communist States have been the prime suppliers of these weapons and ammunition, and they have been channeled primarily through North Vietnam. (See sec. II.)

The directing force behind the effort to conquer South Vietnam is the Communist Party in the north, the Lao Dong (Workers) Party. As in every Communist State, the party is an integral part of the regime itself. North Vietnamese officials have expressed their firm determination to absorb South Vietnam into the Communist world. (See sec. III.)

Through its central committee, which controls the government of the north, the Lao Dong Party directs the total political and military effort of the Vietcong. The military high command in the north trains the military men and sends them into South Vietnam. The Central Research Agency, North Vietnam's central intelligence organization, directs the elaborate espionage and subversion effort. The extensive political-military organization in the north which directs the Vietcong war effort is described in section IV.

Under Hanoi's overall direction the Communists have established an extensive machine for carrying on the war within South Vietnam. The focal point is the Central Office for South Vietnam with its political and military subsections and other specialized agencies. A subordinate part of this Central Office is the Liberation Front for South Vietnam. The front was formed at Hanoi's order in 1960. Its principal function is to influence opinion abroad and to create the false impression that the aggression in South Vietnam is an indigenous rebellion against the established government. (See sec. IV.)

For more than 10 years the people and the Government of South Vietnam, exercising the inherent right of self-defense, have fought back against these efforts to extend Communist power south across the 17th parallel. The United States has responded to the appeals of the Government of the Republic of Vietnam for help in this defense of the freedom and independence of its land and its people.

In 1961 the Department of State issued a report called "A Threat to the Peace." It described North Vietnam's program to seize South Vietnam. The evidence in that report had been presented by the Government of the Republic of Vietnam to the International Control Commission (ICC). A special report by the ICC in June 1962 upheld the validity of that evidence. The Commission held that there was "sufficient evidence to show beyond reasonable doubt" that North Vietnam had sent arms and men into South Vietnam to carry out subversion with the aim of overthrowing the legal government there. The ICC found the authorities in Hanoi in specific violation of four provisions of the Geneva accords of 1954.[1]

Since then, new and even more impressive evidence of Hanoi's aggression has accumulated. The Government of the United States believes that evidence should be presented to its own citizens and to the world. It is important for freemen to know what has been happening in Vietnam, and how, and why. That is the purpose of this report.

I. HANOI SUPPLIES THE KEY PERSONNEL FOR THE ARMED AGGRESSION AGAINST SOUTH VIETNAM

The hard core of the Communist forces attacking South Vietnam are men trained in North Vietnam. They are ordered into the south and remain under the military discipline of the military high command in Hanoi. Special training camps operated by the North Vietnamese Army gave political and military training to the infiltrators. Increasingly the forces sent into the south are native North Vietnamese who have never seen South Vietnam. A special infiltration unit, the 70th Transportation Group, is responsible for moving men from North Vietnam into the south via infiltration trails through Laos. Another special unit, the maritime infiltration group, sends weapons and supplies and agents by sea into the south.

The infiltration rate has been increasing. From 1959 to 1960, when Hanoi was establishing its infiltration pipeline, at least 1,800 men, and possibly 2,700 more, moved into South Vietnam from the north. The flow increased to a minimum of 3,700 in 1961 and at least 5,400 in 1962. There was a modest decrease in 1963 to 4,200 confirmed infiltrators, though later evidence is likely to raise this figure.

For 1964 the evidence is still incomplete. However, it already shows that a minimum of 4,400 infiltrators entered the south, and it is estimated more than 3,000 others were sent in.

There is usually a time lag between the entry of infiltrating troops and the discovery of clear evidence they have entered. This fact, plus collateral evidence of increased use of the infiltration routes, suggests strongly that 1964 was probably the year of greatest infiltration so far.

Thus, since 1959, nearly 20,000 VC officers, soldiers, and technicians are known to have entered South Vietnam under orders from Hanoi. Additional information indicates that an estimated 17,000 more infiltrators were dispatched to the south by the regime in Hanoi during the past 6 years. It can reasonably be assumed that still other infiltration groups have entered the south for which there is no evidence yet available.

To some the level of infiltration from the north may seem modest in comparison with the total size of the Armed Forces of the Republic of Vietnam. But one-for-one calculations are totally misleading in the kind of warfare going on in Vietnam. First, a high proportion of infiltrators from the north are well-trained officers, cadres, and specialists. Second, it has long been realized that in guerrilla combat the burdens of defense are vastly heavier than those of attack. In Malaya, the Philippines, and elsewhere a ratio of at least 10 to 1 in favor of the forces of order was required to meet successfully the threat of the guerrillas' hit-and-run tactics.

In the calculus of guerrilla warfare the scale of North Vietnamese infiltration into the south takes on a very different meaning. For the infiltration of 5,000 guerrilla fighters in a given year is the equivalent of marching perhaps 50,000 regular troops across the border, in terms of the burden placed on the defenders.

Above all, the number of proved and probable infiltrators from the north should be seen in relation to the size of the VC forces. It is now estimated that the Vietcong number approximately 35,000 so-called hard-core forces, and another 60,000 to 80,000 local forces. It is thus apparent that infiltrators from the north—allowing for casualties—make up the majority of the so-called hard-core Vietcong. Personnel from the north, in short, are now and have always been the backbone of the entire VC operation.

It is true that many of the lower level elements of the VC forces are recruited within South Vietnam. However, the thousands of reported cases of VC kidnapings and terrorism make it abundantly clear that the threats and other pressures by the Vietcong play a major part in such recruitment.

A. The infiltration process

The infiltration routes supply hard-core units with most of their officers and noncommissioned personnel. This source helps fill the gaps left by battle casualties, illness, and defection and insures continued control by Hanoi. Also, as the nature of the conflict has changed, North Vietnam has supplied the Vietcong with technical specialists via the infiltration routes. These have included men trained in armor and ordnance, antiaircraft, and communications as well as medical corpsmen and transport experts.

There is no single infiltration route from the north to South Vietnam. But by far the biggest percentage of infiltrators follow the same general course. The principal training center for North Vietnamese Army men assigned to join the Vietcong has been at Xuan Mai near Hanoi. Recently captured Vietcong have also reported an infiltration training camp at Thanh Hoa. After completion of their training course—which involves political and propaganda work as well as military subjects—infiltrating units are moved to Vinh on the east coast. Many have made stopovers at a staging area in Dong Hoi where additional training is conducted. From there they go by truck to the Laos border.

Then, usually after several days' rest, infiltrators move southward through Laos. Generally they move along the Laos-South Vietnam border. Responsibility for infiltration from North Vietnam through Laos belongs to the 70th Transportation Group of the North Vietnamese Army. After a time the infiltration groups turn eastward, entering South Vietnam in Quang Nam, Quang Tri, Thua Thien, Kontum, or another of the border provinces.

The Communists have established regular lanes for infiltration with way stations established about 1 day's march apart. The way stations are equipped to quarter and feed the Vietcong passing through. Infiltrators who suffer from malaria or other illnesses stay at the stations until they recover sufficiently to join another passing group moving south.

The map on page 4 [not shown in RECORD] shows the infiltration route from North Vietnam to the south followed by VC Sgt. Huynh Van Tay and a group of North Vietnamese Army officers and men in September 1963. Tay was captured during an engagement in Chuong Thien Province in April 1964.

Local guides lead the infiltration groups along the secret trails. Generally they direct the infiltrators from halfway between two stations, through their own base station, and on halfway to the next supply base. Thus the guides are kept in ignorance of all but their own way stations. Only group leaders are permitted to talk with the guides in order to preserve maximum security. The men are discouraged from asking where they are or where they are going.[2]

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[1] For the text of pertinent sections of the ICC report, see app. A.

[2] For additional maps of the routes taken by VC infiltrators into South Vietnam, see app. B.

The same system of trails and guides used along the Lao infiltration routes is used within South Vietnam itself. Vietcong infiltrators may report directly to a reassignment center in the highlands as soon as they enter South Vietnam. But in the past year or more some groups have moved down trails in South Vietnam to provinces along the Cambodian border and near Saigon before receiving their unit assignment. Within South Vietnam infiltration and supplies are handled by VC units such as the Nam Son Transportation Group.

At the Laos border crossing point infiltrators are reequipped. Their North Vietnamese Army uniforms must be turned in. They must give up all personal papers, letters, notebooks, and photographs that might be incriminating. Document control over the infiltrators has been tightened considerably over the past 2 years. A number of Vietnamese infiltrators have told of being fitted out with Lao neutralist uniforms for their passage through Laos.

Infiltration groups are usually issued a set of black civilian pajama-like clothes, two unmarked uniforms, rubber sandals, a sweater, a hammock, mosquito netting, and waterproof sheeting. They carry a 3- to 5-day supply of food. A packet of medicines and bandages is usually provided.

The size of infiltration groups varies widely. Prisoners have mentioned units as small as 5 men and as large as 500. Generally the groups number 40 to 50. When they arrive in South Vietnam these groups are usually split up and assigned to various VC units as replacements, although some have remained intact.

B. Military personnel

The following are individual case histories of North Vietnamese soldiers sent by the Hanoi regime into South Vietnam. They are only an illustrative group. They show that the leadership and specialized personnel for the guerrilla war in South Vietnam consists in large part of members of the North Vietnam armed forces, trained in the North and subject to the command and discipline of Hanoi.

1. Tran Quoc Dan

Dan was a VC major, commander of the 60th Battalion (sometimes known as the 34th Group of the Thon-Kim Battalion). Disillusioned with fighting his own countrymen and with communism and the lies of the Hanoi regime, he surrendered to the authorities in South Vietnam on February 11, 1963.

At the age of 15 he joined the revolutionary army (Vietminh) and fought against the French forces until 1954 when the Geneva accords ended the Indochina war. As a regular in the Vietminh forces, he was moved to North Vietnam. He became an officer in the so-called people's army.

In March 1962 Major Dan received orders to prepare to move to South Vietnam. He had been exposed to massive propaganda in the north which told of the destitution of the peasants in the south and said that the Americans had taken over the French role of colonialists. He said later that an important reason for his decision to surrender was that he discovered these propaganda themes were lies. He found the peasants more prosperous than the people in the north. And he recognized quickly that he was not fighting the Americans, but his own people.

With the 600 men of his unit, Major Dan left Hanoi on March 23, 1962. They traveled through the Laos corridor. His group joined up with the Vietcong 1st Regiment in central Vietnam.

The 35-year-old major took part in 45 actions and was wounded once in an unsuccessful VC attack on an outpost. As time passed he became increasingly discouraged by his experience as a VC troop commander. Most of all, he said, he was tired of killing other Vietnamese. After several months of soul-searching he decided to surrender to the authorities of the Republic of Vietnam. He has volunteered to do "anything to serve the national cause" of South Vietnam.

2. Vo Thoi

Sgt. Vo Thoi (Communist Party alias Vo Bien) was an assistant squad leader in the VC Tay Son 22d Battalion. On the night of October 7, 1963, his unit attacked An Tuong village in Binh Dinh Province. After overrunning the village, Vo's company was assigned to set up an ambush against Republic of Vietnam troops rushing to defend the village. In the ensuing fight Vo was seriously wounded. He was picked up by local farmers and turned over to the authorities.

Vo's life and experiences were similar to those of thousands of Vietcong. Born in Quang Ngai Province in 1932, he went through 5 years of school and then worked on his parents' small farm. During the war against the French he joined the Viet Minh forces. When the fighting ended, he was transferred to North Vietnam with his unit, the 210th Regiment. He remained in the North Vietnamese Army until 1960 when he was sent to work on a state farm in Nghe An Province. Vo said 3,000 men and women worked on the farm, of whom 400 were soldiers. In September 1962 Vo was told he must join the newly activated 22d Battalion. All members of the battalion came from provinces in South Vietnam, from Quang Tri to Phu Yen. But it was not an ordinary battalion; two-thirds of its members were cadre with ranks up to senior captain.

The group was put through an advanced training course that lasted 6 months. The training program included combat tactics for units from squad to company and the techniques of guerrilla and counterguerrilla fighting. There were heavy doses of political indoctrination.

On March 5, 1963, the 22d Battalion received orders to move south. They were transported in trucks from Nghe An Province to Dong Hoi in Quang Binh, just north of the 17th parallel. From there the unit was moved westward to the Lao border. Then the more than 300 men began walking to the south following mountain trails in Laos and the Vietnam border area. They marched by day, rested at night. Every fifth day they stopped at a way station for a full day's rest. One company dropped off at Thua Thiem Province. Vo and the remainder of the group marched on to Pleiku Province. Two fully armed companies from a neighboring province were assigned to the battalion. The assignment given to the battalion was to harass strategic hamlets in the Hoai An district of Binh Dinh, to round up cattle and rice, to kill or kidnap cadre of the Government forces, and to recruit local youth for service with the Vietcong.

3. Nguyen Thao

Nguyen Thao was a VC weapons technician. A native of Khanh Hao Province in South Vietnam, he joined the Vietminh in 1950. He worked at a secret arsenal manufacturing weapons for use by the guerrilla forces. He went to North Vietnam after the Geneva accords were signed in 1954. In North Vietnam he attended a technical school specializing in arms and manufacture. He received special training in foreign small arms and artillery.

At the end of 1962 he was ordered to Ha Dong to attend a special course of political training in preparation for infiltrating into South Vietnam. On completion of the training course he was assigned to a group of 14 men who would move to the south together. Nguyen Thao said the group was composed of four armament specialists, two chemical engineers, and eight middle-level technical cadre.

They left Ha Dong in March 1963, crossed into Laos, and reached their destination in the northern part of South Vietnam in May. Nguyen Thao went to work at a secret VC arsenal near the Quang Ngai border. Fifty men, some local workers, manned the arsenal weapons section. The group manufactured mines and grenades for the VC units in the area and repaired weapons.

Nguyen Thao said he soon realized from talking with the local workers at the arsenal that most of what he had heard in the North about conditions in South Vietnam was wrong. He said the Communists had deceived him. Two months after his arrival at the arsenal he decided to defect. He asked permission to rejoin his family and to work in a national defense factory and continue his studies.

4. Nguyen Viet Le

This VC soldier was born in Quang Nam Province in South Vietnam. He served with the 305th Division of the Viet Minh and moved to North Vietnam in 1954. In April 1961, Nguyen Viet Le and his unit, the 50th Battalion, moved into Laos. He said the unit remained in Laos for 2 months, during which it fought in four battles alongside the Pathet Lao. During these engagements one of the battalion's four companies was badly mauled and had to be returned to North Vietnam.

The other three companies were assigned to South Vietnam. They arrived in Quang Ngai Province in the summer of 1961. For a month they rested and waited for orders. They took part in a major action against an outpost of the Government of South Vietnam in September. Nguyen Viet Le was captured during a battle in Quang Ngai Province in April 1962.

5. Nguyen Truc

Corp. Nguyen Truc was born in 1933, the son of a farmer in Phu Yen Province in South Vietnam. From 1949 to 1954 he served as a courier and then as a guerrilla fighter with the Viet Minh. In early 1955 he boarded a Soviet ship and moved with his unit, the 40th Battalion, to North Vietnam. He remained in the army, but in 1959, bothered by illness, he went to work on a state farm.

In August 1962 Nguyen Truc was notified that he was back in the army and that he was being sent to South Vietnam. He reported to the Xuan Mai training center and underwent 6 months of military and political reeducation. His unit was the newly activated 22d Battalion. The training course was completed in February 1963, but departure for South Vietnam was delayed until April.

For infiltration purposes the battalion was divided into two groups. On April 27, Nguyen Truc and his group boarded trucks at Xuan Mai. They went first to Vinh, then on to Dong Hoi, and finally to the Laos-North Vietnam border. There they doffed their North Vietnamese army uniforms and put on black peasants' clothing. The march to the south began, sometimes in Lao territory, sometimes in Vietnam. They passed through Thua Thien Province, then Quang Nam, Quang Tin, and Quang Ngai, and finally to their destination, Pleiku. Each day they had a new guide, generally one of the mountain people of the area.

Nguyen said that he and most of the troops who were sent north after the Indochina war wanted to return to their homes and rejoin their families. In August 1963, Nguyen Truc was sent out on a foraging expedition to find food for his unit. He took the opportunity to defect to Government forces at An Tuc in Binh Dinh Province.

6. Nguyen Cam

Cam is the son of a farmer in Quang Tin Province. Born in 1929, he joined the Vietminh youth group in his home village in 1946. In 1 year he became a guerrilla fighter. In 1954, as the Indochina war was drawing to a close, he was serving with the Vietminh 20th Battalion. In May 1955 he went to North Vietnam with his unit.

Ill health caused his transfer to an agricultural camp in 1958. By 1960 he was back in uniform, serving in the 210th Regiment. In May of that year he was assigned to a small group that was to set up a metallurgical workshop. Early in 1961 he was sent to a metallurgical class in Nghe An Province. They were taught a simple form of cast iron production, simple blast furnace construction, and similar skills. Their instructor was an engineer from the Hanoi industrial department.

Their special course completed, Cam and his group of 35 men prepared to go to South Vietnam. They went by truck from their training center at Nghe An to the Lao border. After 19 days marching through Laos, they arrived in the vicinity of Tchepone. There they waited for 3 days until food supplies could be airdropped by a North Vietnamese plane. Nineteen days of walking took them to the Laos-South Vietnam border.

Delayed en route by illness, Cam finally reached his destination in November 1961. It was a secret VC iron foundry in Kontum Province. Several iron ore deposits were nearby, and the hill people had long used the iron to make knives and simple tools. Cam's job was building kilns to smelt the ore. The Vietcong hoped to use the iron for mines and grenades.

On August 4, 1963, Sergeant Cam went to a nearby village to buy salt for his group. On his return he found his comrades had gone to one of their cultivated fields to gather corn, and he joined them. The group was interrupted at their work by a Vietnamese ranger company. After a brief fight Cam was taken prisoner.

7. Nguyen Hong Thai

Thai, 32 years old, was born and grew up in Quang Nkai Province in South Vietnam. After service with the Vietminh he was moved to North Vietnam in 1954. After 3 years of military service he was assigned to a military farm. In December 1961 he was recalled to his former unit, the 305th Division, and went to the special training camp at Xuan Mai in preparation for fighting with the Vietcong in South Vietnam.

Training began in January 1962 and lasted for 4 months. The training group, designated the 32d Battalion, was composed of 650 men who came from various branches of the North Vietnamese Army—engineers, artillery, airborne, transport, marines, and some factory workers and students. Three-fourths of the training was military (guerrilla tactics, ambushes, sabotage, etc.) and one-fourth was political. In the latter, heavy emphasis was laid on the necessity for armed seizure of power in the south.

Group 32 was divided into sections and began infiltrating to the south on July 14, 1962. It moved in three groups. Thai said it took his group more than 55 days to travel from North Vietnam through Laos to Quang Ngai Province in the south. He reported that all the communications and liaison stations on the route to South Vietnam are now operated by the Army of North Vietnam. Soon after his arrival in South Vietnam, Thai was promoted to the rank of lieutenant. He was made a platoon leader in the 20th Vietcong Highland Battalion. In February 1963 the unit moved from Quang Nam to Kontum Province.

Combat conditions and the rigors of guerrilla life began to depress Thai. He said he wanted only to rejoin his family and live in peace. In September he asked and received permission to visit his family in Quang Ngai. When he got home, he surrendered to a South Vietnamese Army post.

8. Dao Kien Lap

Lap is a civilian radio technician. He has been a member of the Communist Party in North Vietnam since 1955. In February 1963 he was selected for assignment to South Vietnam where he was to work with the Liberation Front. He infiltrated into South Vietnam with a group of about 70 civilian specialists. They included doctors, pharmacists, union organizers, radio specialists, propagandists, and youth organizers. One of the infiltrators in Dao's group was a man named Binh, publisher of the newspaper Labor of the Lao Dong Party. Another was a member of the city soviet of Hanoi.

The specialists in Dao's group received 3 months of basic military training at Son Tay, and then departed for the south in mid-June. Their orders were to report to the central office of the Vietcong in South Vietnam where they would be assigned according to their individual specialties. Dao and Binh were to help run a radio station of the Liberation Front.

They traveled through Laos and along the Vietnam border. They had to stop for several weeks in Quang Nam Province to recuperate from their travels. On October 1 they were directed by guides to a VC station in Ban Me Thuot.

Dao said he had by then decided to defect to the government authorities in the south. He set off with one companion, but they were separated as they crossed a swiftly flowing river. Dao gave himself up at a government post in Ban Me Thuot on October 13, 1963.

9. Tran Ngoc Linh

Linh was a Vietcong senior sergeant, leader of a reconnaissance platoon. He is the son of a middle-class farm family in Tay Ninh Province. He served with the Viet Minh against the French and moved to North Vietnam in 1954. He spent the next 7 years in the North Vietnamese Army. In September 1962 Linh was assigned to the Xuan Mai training center at Ha Dong to prepare for duty in South Vietnam. His group was given a 4-month refresher course in infantry tactics with emphasis on guerrilla fighting. Then he received 6 months of special training in the use of machineguns against aircraft. Antiaircraft training has become an increasingly important part of the preparation of North Vietnamese troops assigned to the Vietcong.

Linh and about 120 others made up the 406th Infiltration Group commanded by Senior Capt. Nguyen Van Do. They were divided into four platoons. During the final 2 weeks of preparation each member of the group was issued new equipment—black pajama-like uniforms, a khaki uniform, a hammock, mosquito netting, rubber sandals, and other supplies, including two packets of medicine.

In the early morning hours of July 4, 1963, his group started its journey from the Xuan Mai training center outside Hanoi. The convey of six Molotov trucks moved south along Highway 21 to Nghe An Province and then on to Quang Binh. On July 7 they arrived at the final processing station near the Laos-North Vietnam border. There they turned in their North Vietnamese Army uniforms as well as all personal papers and anything else that might identify them as coming from the north. But their departure for the south was delayed for several weeks. In August they set off through Laos.

Twice along the way Linh had to stop at liaison stations because of illness. When the infiltrators recovered from their illnesses, they were formed into special groups to continue their penetration into South Vietnam. Linh reported being delayed once for 8 days, and the second time for 10 days.

Finally, in the first week of November 1963, Linh was sufficiently recovered to begin the final leg of his journey to a VC center where he was to be assigned to a combat unit. He and three others who had been similarly delayed by attacks of malaria and other sickness made up a group. They moved through the jungles of Quang Duc Province near the Cambodian border. On the morning of November 9 they crossed the Srepok River. There they ran into a unit of the South Vietnamese Army. One of the infiltrators was killed, Linh was taken prisoner, and the other two Vietcong escaped.

These are typical Vietcong. There are many other officers like Tran Quoc Dan, technicians like Nguyen Thao, and simple soldiers like Nguyen Truc. They were born in South Vietnam, fought against the French, and then went north and served in the army of North Vietnam. They were ordered by the Communist rulers in Hanoi to reenter South Vietnam. Violating the Geneva accords of 1954 and 1962, they used the territory of neighboring Laos to infiltrate into the South. They are the means by which Communist North Vietnam is carrying out its program of conquest in South Vietnam.[3]

C. Infiltration of native North Vietnamese

The Communist authorities in Hanoi are now assigning native North Vietnamese in increasing numbers to join the VC forces in South Vietnam. Heretofore, those in charge of the infiltration effort has sought to fill their quotas with soldiers and others born in the south. The 90,000 troops that moved from South Vietnam to the north when the Geneva accords ended the Indochina War have provided an invaluable reservoir for this purpose. Now, apparently, that source is running dry. The casualty rate has been high, and obviously many of those who were in fighting trim 10 years ago are no longer up to the rigors of guerrilla war.

In any case, reports of infiltration by native North Vietnamese in significant numbers have been received in Saigon for several months. It is estimated that as many as 75 percent of the more than 4,400 Vietcong who are known to have entered the south in the first 8 months of 1964 were natives of North Vietnam.

Vo Thanh Vinh was born in Nghe An Province in North Vietnam in 1936. He was captured by South Vietnamese forces on May 5, 1964. He described himself as a military security officer. He infiltrated into South Vietnam in April 1964 with a group of 34 police and security officers from the north.

Another native North Vietnamese captured in the south was VC Pfc. Vo Quyen. His home was in Nam Dinh Province. He was a member of the 2d Battalion of the North Vietnamese Army's 9th Regiment. He said the entire battalion had infiltrated into South Vietnam between February and May last year. He was captured in an action in Quang Tri Province on July 4. He told interrogators that the bulk of his unit was composed of young draftees from North Vietnam.

Le Pham Hung, also a private, first class, was captured on July 7 in Thua Thien Province. He is a native of Nam Dinh in North Vietnam. Drafted for military service in May 1963, he was in the 324th Division. His group, consisting solely of 90 North Vietnamese draftees, infiltrated into South Vietnam in May 1964. He reported that another company of the North Vietnamese entered the south at the same time as his unit.

A former member of the 90th VC Battalion reported that his unit had been reinforced by native North Vietnamese troops earlier this year. Le Thua Phuong, an information cadre and a native of Quang Ngai Province in the south, surrendered to Government forces on April 23, 1964. He said that the 90th Battalion had received 80 North Vietnamese replacements in February.

A medical technician named Hoang Thung was captured in Thuan Thien Province on July 4, 1964. He said he had infiltrated into the south in late 1963 with a group of 200 Vietcong, the majority of whom were ethnic northerners, 120 of them draftees.

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[3] See app. C for additional details on military infiltrators.

These reports destroy one more fiction which the authorities in Hanoi have sought so long to promote—that the fighting in the south was a matter for the South Vietnamese. They underline Hanoi's determination to press its campaign of conquest with every available resource.

D. Infiltration of Vietcong agents

No effort to subvert another nation as elaborate as that being conducted by the Ho Chi Minh regime against South Vietnam can succeed without an intelligence-gathering organization. Recognizing this, the authorities in Hanoi have developed an extensive espionage effort. An essential part of that effort is the regular assignment of secret agents from the north to South Vietnam.

The heart of the VC intelligence organization is the Central Research Agency in Hanoi. (See sec. IV, C.) Communist agents are regularly dispatched from North Vietnam, sometimes for brief assignments but often for long periods. Many of these agents move into South Vietnam along the infiltration trails through Laos; others are carried by boats along the coasts and landed at prearranged sites. A special maritime infiltration group has been developed in North Vietnam, with its operations centered in Ha Tinh and Quang Binh Provinces just north of the 17th parallel.

1. Maritime Infiltration

The following case illustrates the methods of maritime infiltration of secret agents used by the Communist regime of North Vietnam.

In July 1962 a North Vietnamese intelligence agent named Nguyen Viet Duong began training to infiltrate South Vietnam. A native southerner, he had fought against the French and had gone to North Vietnam after the war ended. Selected for intelligence work, he was assigned to the Central Research Agency in 1959.

After a period of intensive instruction in radio transmission, coding and decoding, and other skills of the intelligence trade, he was given false identity papers and other supplies and was transported to the south. His principal task was to set up a cell of agents to collect military information. He flew from Hanoi to Dong Hoi, and from there the Maritime infiltration group took him by boat to South Vietnam. That was in August 1962.

In January 1963 Duong reported to Hanoi that he had run into difficulties. His money and papers had been lost, and he had been forced to take refuge with VC contacts in another province. Another agent was selected to go to South Vietnam. One of his assignments was to contact Duong, find out details of what happened to him, and help Duong reestablish himself as a VC agent. The man selected for the task was Senor Captain Tran Van Tan of the Central Research Agency.

Tan had already been picked to go to the South to establish a clandestine VC communications center. Making contact with Duong was one of his secondary assignment. After intensive preparations Tan was ready to move to South Vietam in March. He was transferred to an embarkation base of the maritime infiltration group just north of the 17th parallel.

He was joined by three other VC agents and the captain and three crewmen of the boat that would take them south. All were given false identity papers to conform to their false names. They also were provided with fishermen's permits, South Vietnamese voting cards, and draft cards or military discharge papers. The boat captain received a boat registration book, crew lists, and several South Vietnamese permits to conduct business.

The agents and boatmen were given cover stories to tell if captured. Each man had to memorize not only the details of his own story but the names and some details about each of the others. The agents had to become familiar with simple boat procedures so they could pass as legitimate fishermen.

The expedition left the embarkation port on April 4. In addition to the four agents the boat carried six carefully sealed boxes containing a generator, several radios, some weapons, and a large supply of South Vietnamese currency. They also carried some chemicals and materials for making false identification papers. Their destination was a landing site on the coast of Phuoc Tuy Province.

Soon after leaving North Vietnam the VC boat encountered high winds and rough seas. On April 7 the storm became violent. The boat tossed and threatened to capsize. Strong northeasterly winds forced it ever closer to shore. Finally the boat captain, Nguyen Xit, ordered that the six boxes be thrown overboard. This was done, and the boat then was beached. The eight men decided to split up into pairs and try to make contact with VC forces. They buried their false papers and set out. Six of the eight were captured almost immediately by authorities in Thua Thien Province, and the other two were taken several days later.

2. Student Propaganda Agents

The student population of South Vietnam is an important target group for VC propagandists. These agents seek to win adherents for the Communist cause among young workers, students in high schools and universities, and the younger officers and enlisted men in the armed forces of the Republic of Vietnam.

Typical of the agents sent into South Vietnam for this purpose is Nguyen Van Vy, a 19-year-old VC propagandist. He is a native of the Vinh Linh District in North Vietnam, just north of the demilitarized zone. He was a member of a Communist Party youth group in his native village. He was recruited for propaganda work in the south in the fall of 1962. He was one of 40 young persons enrolled in a special political training course given by the Communist Party in his district.

The first phase of the training consisted of political indoctrination covering such subjects as the advance of communism, the North Vietnamese plan for winning control of the country, the responsibility of youth in furthering this plan, the war in the south, and the need for propaganda supporting the Liberation Front.

Those who successfully completed the first phase were selected for the second level of training, the so-called technical training phase. In this the trainees were given their mission in the south. Vy was told he should infiltrate into South Vietnam and there surrender to the authorities, describing himself as a defector who was "tired of the miserable life in the north." He was to say he wanted to complete his schooling, which was impossible in the north. He was told to ask to live with relatives in the south so he could go to school. Once his story was accepted and he was enrolled in a school, he was to begin his work of propagandizing other students. He was to wait for 3 or 4 months, however, until he was no longer the subject of local suspicion. He was assigned to work under an older agent to whom he had to report regularly.

A third member of the team was a younger man who was to assist Vy. The three were to infiltrate into South Vietnam separately and to meet there at a rendezvous point.

At first Vy was to do no more than to observe his fellow students carefully, collecting biographical data on them and studying their personalities, capabilities, and aspirations. He was then to select those he thought might be most influenced by Communist propaganda and try to make friends with them.

Once he had selected targets, he was to begin to influence them favorably toward the north and to implant Communist propaganda. He was responsible then for bringing into his organization those he had influenced effectively. These individuals were to be given their own propaganda assignments to work on other students.

Students who wanted to evade military service in the Government forces were considered prime targets. Where possible, Vy was to help them get to North Vietnam. He was also told to make contact with any students who had been picked up by the authorities for suspected Communist activities. These, too, were to be helped to escape to North Vietnam. Any useful information concerning developments in the south or military activities were to be reported through his superior, Nguyen Van Phong.

In case he became suspect, he was either to make his own way back to North Vietnam or to go into the jungle and try to contact a VC unit.

Vy entered South Vietnam on January 2, 1963, by swimming across the Ben Hai River. He encountered an elderly farmer who led him to the local authorities in Hai Gu. There he told his story but it was not believed. He then admitted his true mission.

3. Other Agents

The Communist authorities in North Vietnam send their agents into South Vietnam by a wide variety of means. A few like Nguyen Van Vy cross the demilitarized zone, more infiltrate by sea, and still more along the infiltration routes through Laos. But there are other methods for entering South Vietnam. VC espionage agent Tran Van Bui attempted one such method.

Bui was a graduate of the espionage training school in Haiphong, North Vietnam. He completed a special 6-month course in July 1962. The training included political indoctrination, but most of the time was spent on such things as use of weapons, preparing booby traps, and methods of sabotage. He was also given instruction in methods for enlisting help from hoodlums, draft dodgers, and VC sympathizers. Once in South Vietnam, he was to organize a small unit for sabotage and the collection of information. On specific assignment by his superiors he was to be ready to sabotage ships in Saigon harbor and to blow up gasoline and oil storage points and Vietnamese Army installations. He was told to be prepared to assassinate Vietnamese officials and American personnel.

In September 1962 Bui was given his mission assignment. He was to hide aboard a foreign ship. When discovered, he was to claim to be a refugee who wanted to escape to South Vietnam. He was given an automatic pistol with silencer, some explosive devices, and a small knife that could inject poison into the body of a victim.

Bui stole aboard a foreign ship in Haiphong harbor. After 3 days at sea—when he was sure the ship would not turn around—Bui surrendered to the ship's captain. When the ship arrived in Bangkok, Bui was turned over to the Thai authorities. They in turn released him to the South Vietnamese as he had requested. But in Saigon his true mission was disclosed and he made a full confession.

II. HANOI SUPPLIES WEAPONS, AMMUNITION, AND OTHER WAR MATERIEL TO ITS FORCES IN THE SOUTH

When Hanoi launched the VC campaign of terror, violence, and subversion in earnest in 1959, the Communist forces relied mainly on stocks of weapons and ammunition left over from the war against the French. Supplies sent in from North Vietnam came largely from the same source. As the military campaign progressed, the Vietcong depended heavily on weapons captured from the armed forces in South Vietnam. This remains an important source of weapons and ammunitions for the Vietcong. But as the pace of the war has quickened, requirements for up-to-date arms and special types of weapons have risen to a point where the Vietcong cannot rely on captured stocks. Hanoi has undertaken a program to reequip its forces in the south with Communist-produced weapons.

Large and increasing quantities of military supplies are entering South Vietnam from outside the country. The principal supply point is North Vietnam, which provides a convenient channel for materiel that originates in Communist China and other Communist countries.

An increasing number of weapons from external Communist sources have been seized in the south. These include such weapons as 57-millimeter and 75-millimeter recoilless rifles, dual-purpose machineguns, rocket launchers, large mortars, and antitank mines.

A new group of Chinese Communist-manufactured weapons has recently appeared in VC hands. These include the 7.62 semiautomatic carbine, 7.62 light machinegun, and the 7.62 assault rifle. These weapons and ammunition for them, manufactured in Communist China in 1962, were first captured in December 1964 in Chuong Thien Province. Similar weapons have since been seized in each of the four corps areas of South Vietnam. Also captured have been Chinese Communist antitank grenade launchers and ammunition made in China in 1963.

One captured Vietcong told his captors that his entire company had been supplied recently with modern Chinese weapons. The reequipping of VC units with a type of weapons that require ammunition and parts from outside South Vietnam indicates the growing confidence of the authorities in Hanoi in the effectiveness of their supply lines into the south.

Incontrovertible evidence of Hanoi's elaborate program to supply its forces in the south with weapons, ammunition, and other supplies has accumulated over the years. Dramatic new proof was exposed just as this report was being completed.

On February 16, 1965, an American helicopter pilot flying along the South Vietnamese coast sighted a suspicious vessel. It was a cargo ship of an estimated 100-ton capacity, carefully camouflaged and moored just offshore along the coast of Phu Yen Province. Fighter planes that approached the vessel met machinegun fire from guns on the deck of the ship and from the shore as well. A Vietnamese Air Force strike was launched against the vessel, and Vietnamese Government troops moved into the area. They seized the ship after a bitter fight with the Vietcong.

The ship, which had been sunk in shallow water, had discharged a huge cargo of arms, ammunition, and other supplies. Documents found on the ship and on the bodies of several Vietcong aboard identified the vessel as having come from North Vietnam. A newspaper in the cabin was from Haiphong and was dated January 23, 1965. The supplies delivered by the ship—thousands of weapons and more than a million rounds of ammunition—were almost all of Communist origin, largely from Communist China and Czechoslovakia, as well as North Vietnam. At least 100 tons of military supplies were discovered near the ship.

A preliminary survey of the cache near the sunken vessel from Hanoi listed the following supplies and weapons:

Approximately 1 million rounds of small-arms ammunition; more than 1,000 stick grenades; 500 pounds of TNT in prepared charges; 2,000 rounds of 82-millimeter mortar ammunition; 500 antitank grenades; 500 rounds of 57-millimeter recoilless rifle ammunition; more than 1,000 rounds of 75-millimeter recoilless rifle ammunition; one 57-millimeter recoilless rifle; 2 heavy machineguns; 2,000 7.95 Mauser rifles; more than 100 7.62 carbines; 1,000 submachineguns; 15 light machineguns; 500 rifles; 500 pounds of medical supplies (with labels from North Vietnam, Communist China, Czechoslovakia, East Germany, Soviet Union, and other sources).

The ship was fairly new and had been made in Communist China. Documents aboard the ship included three North Vietnamese nautical charts (one of the Haiphong area and one of Hong Gay, both in North Vietnam, and one of the Tra Vinh area of South Vietnam). The military health records of North Vietnamese soldiers were found. One man had a political history sheet showing he was a member of the 338th Division of the North Vietnamese Army. (See app. E.)

Also aboard the North Vietnamese ship were: an instruction book for a Chinese Communist navigational device; postcards and letters to addresses in North Vietnam; snapshots, including one of a group of men in North Vietnamese Army uniforms under a flag of the Hanoi government.

Members of the ICC and representatives of the free press visited the sunken North Vietnamese ship and viewed its cargo. The incident itself underlined in the most dramatic form that Hanoi is behind the continuing campaign of aggression aimed at conquering South Vietnam. It made unmistakably clear that what is happening in South Vietnam is not an internal affair but part of a large-scale carefully directed and supported program of armed attack on a sovereign state and a free people.

There have been previous seizures of large stocks of ammunition and weapons and other military supplies that could only have come from Communist sources outside South Vietnam. In December 1963, a Republic of Vietnam force attacked a VC stronghold in Dinh Tuong Province southwest of Saigon. A large cache of VC equipment was seized. Included in the captured stocks were the following weapons and ammunition, all of Chinese Communist manufacture:

One 90-millimeter rocket launcher; 2 carbines (type 53); 120 rounds of 75-millimeter recoilless rifle ammunition; 120 detonating fuses for recoilless rifle ammunition; 14,000 rounds of 7.62 (type P) ammunition; 160,000 rounds of 7.62 carbine ammunition; 150 fuses for mortar shells; 100,000 rounds of 7.92 Mauser-type ammunition; 110 pounds (approximate) of TNT; two 60-millimeter mortars.

These weapons and ammunition are the same as those used in the North Vietnamese Army. Some of the 7.62-millimeter ammunition was manufactured as recently as 1962.[4]

Materiel is sent into South Vietnam from the north by a variety of methods—overland, by river and canal, and by sea. In one instance Vietnamese troops discovered a cache in which the 75-millimeter ammunition alone weighed approximately 1½ tons. It has been estimated that it would require more than 150 porters to carry this quantity of ammunition over rough terrain. However, a few sampans, each manned by a few men, could transport it with little difficulty. It is worth noting, in this connection, that the delta where the cache of materiel was seized has 460 miles of seacoast as well as 2,500 miles of canals navigable by large watercraft and another 2,200 miles of canals over which sampans can move easily. Much of the transport of large stocks of ammunition is undoubtedly waterborne for at least much of its travel into South Vietnam.[5]

Large quantities of chemical components for explosives have been sent into South Vietnam for the Vietcong. During 1963 there were at least 15 incidents in which boats, junks, or sampans were seized with explosives aboard. More than 20 tons of potassium chlorate or nitrate were captured. All these cases were in the delta-area, and the majority were on or near the Mekong River. Red phosphorus made in Communist China has been among the chemicals captured from the Vietcong.

The Communists have shown extreme sensitivity to exposure of the fact that war material is going to the Vietcong from North Vietnam, Communist China, and other Communist countries. A secret document captured from a VC agent last year reflected this sensitivity. The document was sent from VC military headquarters in Bien Hoa Province to subordinate units. It ordered them to "pay special attention to the removal of all the markings and letters on weapons of all types currently employed by units and agencies and manufactured by friendly East European democratic countries or by China." It said incriminating marking should be chiseled off "so that the enemy cannot use it as a propaganda theme every time he captures these weapons."

III. NORTH VIETNAM: BASE FOR CONQUEST OF THE SOUTH

The Third Lao Dong Party Congress in Hanoi in September 1960 set forth two tasks for its members: "to carry out the socialist revolution in North Vietnam" and "to liberate South Vietnam."

The resolution of the congress described the effort to destroy the legal Government in South Vietnam as follows: "The revolution in the south is a protracted, hard, and complex process of struggle, combining many forms of struggle of great activity and flexibility, ranging from lower to higher, and taking as its basis the building consolidation, and development of the revolutionary power of the masses."

At the September meeting the Communist leaders in the north called for formation of "a broad national united front." Three months later, Hanoi announced creation of the "Front for Liberation of the South." This is the organization that Communist propaganda now credits with guiding the forces of subversion in the south; it is pictured as an organization established and run by the people in the south themselves. At the 1960 Lao Dong Party Congress the tone was different. Then, even before the front existed, the Communist leaders were issuing orders for the group that was being organized behind the scenes in Hanoi. "This front must rally"; "The aims of its struggle are"; "The front must carry out"—this is the way Hanoi and the Communist Party addressed the Liberation Front even before its founding.

The Liberation Front is Hanoi's creation; it is neither independent nor southern, and what it seeks is not liberation but subjugation of the south.

In his address to the Third Lao Dong Party Congress, party and government leader Ho Chi Minh spoke of the necessity "to step up the Socialist revolution in the north and, at the same time, to step up the national democratic people's revolution in the south."

The year before, writing for Red Flag, the Communist Party newspaper of Belgium, Ho had said much the same thing: "We are building socialism in Vietnam, but we are building it in only one part of the country, while in the other part we still have to direct and bring to a close the middle-class democratic and anti-imperialist revolution."

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[4] On Jan. 29, 1964, the Government of the Republic of Vietnam supplied the International Control Commission with a list of weapons, ammunition, and other equipment of Communist origin captured in South Vietnam since June 1962. The list is summarized in app. D.

[5] Photographs of additional Vietcong weapons and ammunition of Communist origin are contained in app. E.

In the same vein, the commander in chief of the North Vietnamese armed forces, Vo Nguyen Giap, spoke at the 1960 party congress of the need to "step up the national democratic people's revolution in the south." Earlier in the year, writing for the Communist Party journal Hoc Tap in Hanoi, General Giap described the north as "the revolutionary base for the whole country."

Le Duan, a member of the Politburo and first secretary of the Lao Dong Party, was even more explicit when he talked at the party congress about the struggle in the south and the party's role. After noting the difficulties involved in overthrowing the existing order in South Vietnam, Le Duan said: "Hence the southern people's revolutionary struggle will be long, drawn out, and arduous. It is not a simple process but a complicated one, combining many varied forms of struggle—from elementary to advanced, legal and illegal—and based on the building, consolidation, and development of the revolutionary force of the masses. In this process, we must constantly intensify our solidarity and the organization and education of the people of the south."

Another high official of the Hanoi regime, Truong Chinh, writing in the party organ Hoc Tap in April 1961, expressed confidence in the success of the struggle to remove the legal government in South Vietnam because: "North Vietnam is being rapidly consolidated and strengthened, is providing good support to the South Vietnamese revolution, and is serving as a strong base for the struggle for national reunification."

He outlined the steps by which the Communists expect to achieve control over all Vietnam as follows: The Liberation Front would destroy the present Government in the south; a coalition government would be established; this government would agree with the North Vietnamese Government in Hanoi regarding national reunification under one form or another. It takes little imagination to understand the form that is intended.

"Thus," wrote Truong Chinh, "though South Vietnam will be liberated by nonpeaceful means, the party policy of achieving peaceful national reunification is still correct."

The official government radio in Hanoi is used both overtly and covertly to support the Vietcong effort in South Vietnam. Captured agents have testified that the broadcasts are used sometimes to send instructions in veiled code to Vietcong representatives in the south.

Hoc Tap stated frankly in March 1963: "They [the authorities in South Vietnam] are well aware that North Vietnam is the firm base for the southern revolution and the point on which it leans, and that our party is the steady and experienced vanguard unit of the working class and people and is the brain and factor that decides all victories of the revolution."

In April 1964 the Central Committee of the Lao Dong Party issued a directive to all party echelons. It stated: "When the forces of the enemy and the plots of the enemy are considered, it is realized that the cadres, party members, and people in North Vietnam must * * * increase their sense of responsibility in regard to the South Vietnam revolution by giving positive and practical support to South Vietnam in every field."

Nguyen Chi Thanh, writing in a Hanoi newspaper in May 1963, underlined the importance of the role of the North Vietnamese Army in Hanoi's plans to unify Vietnam under Communist rule: "Our party set forth two strategic tasks to be carried out at the same time: to transform and build socialism in the north and to struggle to unify the country. Our army is an instrument of the class struggle in carrying out these two strategic tasks."

IV. ORGANIZATION, DIRECTION, COMMAND, AND CONTROL OF THE ATTACK ON SOUTH VIETNAM ARE CENTERED IN HANOI

The VC military and political apparatus in South Vietnam is an extension of an elaborate military and political structure in North Vietnam which directs and supplies it with the tools for conquest. The Ho Chi Minh regime has shown that it is ready to allocate every resource that can be spared—whether it be personnel, funds, or equipment—to the cause of overthrowing the legitimate Government in South Vietnam and of bringing all Vietnam under Communist rule.

A. Political organization

Political direction and control of the Vietcong is supplied by the Lao Dong Party, i.e., the Communist Party, led by Ho Chi Minh. Party agents are responsible for indoctrination, recruitment, political training, propaganda, anti-Government demonstrations, and other activities of a political nature. The considerable intelligence-gathering facilities of the party are also at the disposal of the Vietcong.

Overall direction of the VC movement is the responsibility of the Central Committee of the Lao Dong Party. Within the central committee a special reunification department has been established. This has replaced the committee for supervision of the south mentioned in intelligence reports 2 years ago. It lays down broad strategy for the movement to conquer South Vietnam.

Until March 1962 there were two principal administrative divisions in the VC structure in the south. One was the interzone of South-Central Vietnam (sometimes called interzone 5); the other was the Nambo region. In a 1962 reorganization these were merged into one, called the central office for South Vietnam. The central committee, through its reunification department, issues directives to the central office, which translates them into specific orders for the appropriate subordinate command.

Under the central office are six regional units (V through IX) plus the special zone of Saigon/Cholon/Gia Dinh. A regional committee responsible to the central office directs VC activities in each region. Each regional committee has specialized units responsible for liaison, propaganda, training, personnel, subversive activities, espionage, military bases, and the like.

Below each regional committee are similarly structured units at the province and district levels. At the base of the Communist pyramid are the individual party cells, which may be organized on a geographic base or within social or occupational groups. The elaborateness of the party unit and the extent to which it operates openly or underground is determined mainly by the extent of VC control over the area concerned.

1. The Liberation Front: The National Front for the Liberation of South Vietnam is the screen behind which the Communists carry out their program of conquest. It is the creature of the Communist Government in Hanoi. As noted above the Communist Party in the north demanded establishment of such a front 3 months before its formation was actually announced in December 1960. It was designed to create the illusion that the Vietcong campaign of subversion was truly indigenous to South Vietnam rather than an externally directed Communist plan.

The front has won support primarily from the Communist world. Its radio faithfully repeats the propaganda themes of Hanoi and Peiping. When its representatives travel abroad, they do so with North Vietnamese passports and sponsorship.[6] The front's program copies that of the Lao Dong Party in North Vietnam.

In late 1961, in still another effort to conceal the extent of Communist domination of the front, the Communists announced formation of a new Marxist political unit, the People's Revolutionary Party (PRP). This mechanism provided a way to explain the Communist presence in the front while at the same time making it appear that the Communist voice was only one of several affiliated organizations in the front. The PRP itself claimed direct descent from the original Indochinese Communist Party and from the North Vietnamese Communist Party in Hanoi.[7]

B. Military organization

Military affairs of the Vietcong are the responsibility of high command of the People's Army of North Vietnam and the Ministry of Defense, under close supervision from the Lao Dong Party. These responsibilities include operational plans, assignments of individuals and regular units, training programs, infiltration of military personnel and supplies, military communications, tactical intelligence, supplies, and the like. The six military regions are the same as those of the VC political organization.

The military structure of the Vietcong is an integral part of the political machinery that controls every facet of VC activity in South Vietnam under Hanoi's overall direction. Each political headquarters from the central office down to the village has a military component which controls day-to-day military operations. Similarly, each military headquarters has a political element, an individual or a small staff. This meshing of political and military activity is designed to insure the closest cooperation in support of the total Communist mission. It also gives assurance of political control over the military.

Associated with the central office, believed to be located in Tay Ninh Province, is a military headquarters. Through this headquarters, as well as through other channels, Hanoi maintains direct contact with its principal military units in the south.

In addition to its supervision of the general military effort of the VC, the military section of the central office is believed to have direct command of two regimental headquarters and a number of security companies.

The hard core of the VC military organization is the full-time regular unit usually based on a province or region. These are well-trained and highly disciplined guerrilla fighters. They follow a rigid training schedule that is roughly two-thirds military and one-third political in content. This compares with the 50–50 proportion for district units and the 70 percent political and 30 percent military content of the village guerrilla's training.

The size of the Vietcong regular forces has grown steadily in recent years. For example, the Vietcong have five regimental headquarters compared with two in 1961. And the main VC force is composed of 50 battalions, 50 percent more than before. There are an estimated 139 VC companies. Hardcore VC strength now is estimated at about 35,000, whereas it was less than 20,000 in 1961.

The main force battalions are well armed with a variety of effective weapons including 75-millimeter recoilless rifles and 81–82-millimeter mortars. The companies and smaller units are equally well equipped and have 57-millimeter recoilless rifles and 60-millimeter mortars in their inventory. It is estimated that the Vietcong have at least

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[6] Pictures of North Vietnamese passports and travel documents used by front officials are in app. F. [Not printed in RECORD.]

[7] For evidence that the People's Revolutionary Party in the south and the Communist Lao Dong Party in the north are one party, see app. G.

130 81-millimeter mortars and 300 60-millimeter mortars. There is no precise estimate for the number of recoilless rifles in their hands, but it is believed that most main force units are equipped with them. In at least one recent action the Vietcong employed a 75-millimeter pack howitzer. This mobile weapon, which has a range of 8,500 yards, will increase the Vietcong capabilities to launch long-range attacks against many stationary targets in the country.

Supporting the main force units of the Vietcong are an estimated 60,000–80,000 part-time guerrillas. They are generally organized at the district level where there are likely to be several companies of 50 or more men each. These troops receive only half pay, which means they must work at least part of the time to eke out a living.

Below the irregular guerrilla forces of the district are the part-time, village-based guerrillas.

They are available for assignment by higher headquarters and are used for harassment and sabotage. They are expected to warn nearby VC units of the approach of any force of the legal government. They provide a pool for recruitment into the VC district forces.

The record shows that many of the village guerrillas are dragooned into service with the Vietcong. Some are kidnapped; others are threatened; still others join to prevent their families from being harmed. Once in the Vietcong net, many are reluctant to leave for fear of punishment by the authorities or reprisal by the Communists.

Lam Van Chuoi is a typical example. He was a member of the village civil defense force in his home village in Kien Giang Province. In March 1960, he was kidnapped by the Vietcong and kept a prisoner in the highlands for 1 month. There he was subjected to intense propaganda and indoctrination. He was returned to his village but kept under close observation and steady pressure. Finally, he was convinced he must join the VC. Later, he was transferred to a Communist military unit in another province. After learning of the Government's open arms program, he decided to defect from the VC. In May 1964, he walked into a Government outpost and asked for protection.

Money to pay the regular VC units comes from a variety of sources. Funds are sent from Hanoi. "Taxes" are extorted from the local population. Landowners and plantation operators often must pay a tribute to the VC as the price for not having their lands devastated. Similarly, transportation companies have been forced to pay the VC or face the threat of having their buses or boats sabotaged. Officials and wealthy people have been kidnaped for ransom. The VC have often stopped buses and taken the money and valuables of all on board.

For the most part, the VC have concentrated their attention on individuals, isolated or poorly defended outposts, and small centers of population. They have mercilessly killed or kidnaped thousand of village chiefs and other local officials. But over the past year the VC have moved into larger unit operations. Their ability to operate on a battalion level or larger has substantially increased.

C. Intelligence organization

A key element in the Vietcong effort is an elaborate organization in Hanoi called the Central Research Agency (CRA) (Cuc Nghien-Cuu Trung-Uong). Though it handles Hanoi's intellience effort on a worldwide scale, the main focus of its operation is on South Vietnam. This agency is able to draw on the intelligence capabilities of both the Lao Dong Party and the North Vietnamese armed forces for information, personnel, and facilities.

The CRA reportedly operates under the close personal scrutiny of Ho Chi Minh himself. Some of the top officials in the Hanoi government reportedly sit on its directing committee, including Premier Pham Van Dong, Deputy Premier Truong Chinh, and Defense Minster Vo Nguyen Giap.

Considerable information on the organization of the CRA has become available from captured Vietcong agents and from the work of intelligence agents of the Republic of Vietnam. Much of this information cannot be made public for security reasons, but it is possible to describe the CRA organization and its operations in broad outline.

The headquarters of the CRA in Hanoi is divided into six main sections, not including a special code unit. The six sections are responsible for administration, cadres, communications, espionage, research, and training. Each section has units to handle the specialized activities of its particular area of responsibility. The research section, for example, has subsections that handle political, economic, and military affairs respectively.

CRA headquarters directs a number of special centers for oversea operations. One such center maintains intelligence channels to oversea areas. It operates through special units at Haiphong and at Hongay.

A second special center is responsible for VC intelligence operations in Cambodia and Laos. A third center handles activities along the "demarcation line," the border with South Vietnam. This unit, based in Vinh Linh in southeast North Vietnam, is responsible for sending agents and supplies to the south by sea. It also cooperates with the North Vietnamese army in planning and carrying out infiltration. The CRA maintains intelligence bases in Laos and other countries.

Inside South Vietnam the Vietcong have a large intelligence network. Some of its units are responsible for receiving and sending on agents arriving from the north. They feed and give instructions to groups infiltrating into South Vietnam. They take delivery of equipment and supplies received from the north and relay them to Vietcong units in the south.

Many Vietcong agents have been captured in Saigon. They have exposed the extensive effort by the CRA to penetrate all Republic of Vietnam Government agencies, foreign embassies, and other specialized organizations. Party and military intelligence units and agents work closely with the CRA.

Each of the main centers operating under CRA headquarters has its own sections and units designed to carry out its main functions. The center at Vinh Linh, responsible for the main infiltration effort of the Vietcong, has separate sections for radio communications, coding, documentation and training, and liaison. It also has specialized units for infiltration through the mountains, infiltration by sea, and "illegal action" in the mountain area.

The CRA maintains a large and expanding radio communications network. Agents also are used to carry messages, usually in secret writing or memorized.

Taken as a whole, the North Vietnamese intelligence operation in support of the Vietcong is one of the most extensive of its kind in the world.[8]

V. A BRIEF HISTORY OF HANOI'S CAMPAIGN OF AGGRESSION AGAINST SOUTH VIETNAM

While negotiating an end to the Indochina war at Geneva in 1954, the Communists were making plans to take over all former French territory in southeast Asia. When Vietnam was partitioned, thousands of carefully selected party members were ordered to remain in place in the south and keep their secret apparatus intact to help promote Hanoi's cause. Arms and ammunition were stored away for future use. Guerrilla fighters rejoined their families to await the party's call. Others withdrew to remote jungle and mountain hideouts. The majority, an estimated 90,000, were moved to North Vietnam.

Hanoi's original calculation was that all of Vietnam would fall under its control without resort to force. For this purpose, Communist cadres were ordered to penetrate official and nonofficial agencies, to propagandize and sow confusion, and generally to use all means short of open violence to aggravate war-torn conditions and to weaken South Vietnam's government and social fabric.

South Vietnam's refusal to fall in with Hanoi's scheme for peaceful takeover came as a heavy blow to the Communists. Meantime, the Government had stepped up efforts to blunt Vietcong subversion and to expose Communist agents. Morale in the Communist organization in the south dropped sharply. Defections were numerous.

Among South Vietnamese, hope rose that their nation could have a peaceful and independent future, free of Communist domination. The country went to work. The years after 1955 were a period of steady progress and growing prosperity.

Food production levels of the prewar years were reached and surpassed. While per capita food output was dropping 10 percent in the north from 1956 to 1960, it rose 20 percent in the south. By 1963 it had risen 30 percent, despite the disruption in the countryside caused by intensified Vietcong military attacks and terrorism. The authorities in the north admitted openly to continuing annual failures to achieve food production goals.

Production of textiles increased in the south more than 20 percent in 1 year (1958). In the same year, South Vietnam's sugar crop increased more than 100 percent. Despite North Vietnam's vastly larger industrial complex, South Vietnam's per capita gross national product in 1960 was estimated at $110 a person while it was only $70 in the North.

More than 900,000 refugees who had fled from Communist rule in the north were successfully settled in South Vietnam. An agrarian reform program was instituted. The elementary school population nearly quadrupled between 1956 and 1960. And so it went—a record of steady improvement in the lives of the people. It was intolerable for the rulers in Hanoi; under peaceful conditions, the south was outstripping the north. They were losing the battle of peaceful competition and decided to use violence and terror to gain their ends.

After 1956 Hanoi rebuilt, reorganized, and expanded its covert political and military machinery in the south. Defectors were replaced by trained personnel from party ranks in the north. Military units and political cells were enlarged and were given new leaders, equipment, and intensified training. Recruitment was pushed. In short, Hanoi and its forces in the south prepared to take by force and violence what they had failed to achieve by other means.

By 1958 the use of terror by the Vietcong increased appreciably. It was used both to win prestige and to back up demands for support from the people, support that political and propaganda appeals had failed to produce. It was also designed to embarrass the Government in Saigon and raise doubts about its ability to maintain internal order and to assure the personal security of its people. From 1959 through 1961, the pace of Vietcong terrorism and armed attacks accelerated substantially.

The situation at the end of 1961 was so grave that the Government of the Republic of Vietnam asked the United States for increased military assistance. That request was met. Meantime, the program of strategic hamlets, designed to improve the peasant's livelihood and give him some protection against Vietcong harassment and pressure, was pushed energetically.

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[8] Charts of the VC organizational structure are in app. H.

But the Vietcong did not stand still. To meet the changing situation, they tightened their organization and adopted new tactics, with increasing emphasis on terrorism, sabotage, and armed attacks by small groups. They also introduced from the north technicians in fields such as armor and antiaircraft. Heavier weapons were sent in to the regular guerrilla forces.

The military and insurgency situation was complicated by a quite separate internal political struggle in South Vietnam, which led in November 1963 to the removal of the Diem government and its replacement with a new one. Effective power was placed in the hands of a Military Revolutionary Council. There have been a number of changes in the leadership and composition of the Government in Saigon in the ensuing period.

These internal developments and distractions gave the Vietcong an invaluable opportunity, and they took advantage of it. Vietcong agents did what they could to encourage disaffection and to exploit demonstrations in Saigon and elsewhere. In the countryside the Communists consolidated their hold over some areas and enlarged their military and political apparatus by increased infiltration. Increasingly they struck at remote outposts and the most vulnerable of the new strategic hamlets and expanded their campaign of aggressive attacks, sabotage, and terror.

Any official, worker, or establishment that represents a service to the people by the Government in Saigon is fair game for the Vietcong. Schools have been among their favorite targets. Through harassment, the murder of teachers, and sabotage of buildings, the Vietcong succeeded in closing hundreds of schools and interrupting the education of tens of thousands of youngsters.

Hospitals and medical clinics have often been attacked as part of the anti-Government campaign and also because such attacks provide the Vietcong with needed medical supplies. The Communists have encouraged people in rural areas to oppose the Government's antimalaria teams, and some of the workers have been killed. Village and town offices, police stations, and agricultural research stations are high on the list of preferred targets for the Vietcong.

In 1964, 436 South Vietnamese hamlet chiefs and other government officials were killed outright by the Vietcong and 1,131 were kidnaped. More than 1,350 civilians were killed in bombings and other acts of sabotage. And at least 8,400 civilians were kidnaped by the Vietcong.[9]

Today the war in Vietnam has reached new levels of intensity. The elaborate effort by the Communist regime in North Vietnam to conquer the south has grown, not diminished. Military men, technicians, political organizers, propagandists, and secret agents have been infiltrating into the Republic of Vietnam from the north in growing numbers. The flow of Communist-supplied weapons, particularly those of large caliber, has increased. Communications links with Hanoi are extensive. Despite the heavy casualties of 3 years of fighting, the hardcore VC force is considerably larger now than it was at the end of 1961.

The Government in Saigon has undertaken vigorous action to meet the new threat. The United States and other free countries have increased their assistance to the Vietnamese Government and people. Secretary of State Dean Rusk visited Vietnam in 1964, and he promised the Vietnamese: "We shall remain at your side until the aggression from the north has been defeated, until it has been completely rooted out and this land enjoys the peace which it deserves."

President Johnson has repeatedly stressed that the U.S. goal is to see peace secured in southeast Asia. But he has noted that "that will come only when aggressors leave their neighbors in peace."

Though it has been apparent for years that the regime in Hanoi was conducting a campaign of conquest against South Vietnam, the Government in Saigon and the Government of the United States both hoped that the danger could be met within South Vietnam itself. The hope that any widening of the conflict might be avoided was stated frequently.

The leaders in Hanoi chose to respond with greater violence. They apparently interpreted restraint as indicating lack of will. Their efforts were pressed with greater vigor and armed attacks and incidents of terror multiplied.

Clearly the restraint of the past was not providing adequately for the defense of South Vietnam against Hanoi's open aggression. It was mutually agreed between the Governments of the Republic of Vietnam and the United States that further means for providing for South Vietnam's defense were required. Therefore, air strikes have been made against some of the military assembly points and supply bases from which North Vietnam is conducting its aggression against the south. These strikes constitute a limited response fitted to the aggression that produced them.

Until the regime in Hanoi decides to halt its intervention in the south, or until effective steps are taken to maintain peace and security in the area, the Governments of South Vietnam and the United States will continue necessary measures of defense against the Communist armed aggression coming from North Vietnam.

VI. CONCLUSION

The evidence presented in this report could be multiplied many times with similar examples of the drive of the Hanoi regime to extend its rule over South Vietnam.

The record is conclusive. It establishes beyond question that North Vietnam is carrying out a carefully conceived plan of aggression against the South. It shows that North Vietnam has intensified its efforts in the years since it was condemned by the International Control Commission. It proves that Hanoi continues to press its systematic program of armed aggression into South Vietnam. This aggression violates the United Nations Charter. It is directly contrary to the Geneva Accords of 1954 and of 1962 to which North Vietnam is a party. It shatters the peace of southeast Asia. It is a fundamental threat to the freedom and security of South Vietnam.

The people of South Vietnam have chosen to resist this threat. At their request, the United States has taken its place beside them in their defensive struggle.

The United States seeks no territory, no military bases, no favored position. But we have learned the meaning of aggression elsewhere in the postwar world, and we have met it.

If peace can be restored in South Vietnam, the United States will be ready at once to reduce its military involvement. But it will not abandon friends who want to remain free. It will do what must be done to help them. The choice now between peace and continued and increasingly destructive conflict is one for the authorities in Hanoi to make.

APPENDIX A

FINDINGS OF THE INTERNATIONAL CONTROL COMMISSION

On June 2, 1962, the International Commission for Supervision and Control in Vietnam (ICC) sent a special report to the Governments of the United Kingdom and of the Soviet Union in their role as cochairmen of the Geneva Conference on Indochina. The ICC is composed of delegates from India (chairman), Canada, and Poland.

In its report the ICC noted the following finding of the Commission's Legal Committee:

"Having examined the complaints and the supporting material sent by the South Vietnamese mission, the Committee has come to the conclusion that in specific instances there is evidence to show that armed and unarmed personnel, arms, munitions, and other supplies have been sent from the zone in the north to the zone in the south with the object of supporting, organizing, and carrying out hostile activities, including armed attacks, directed against the armed forces and administration of the zone in the south. These acts are in violation of articles 10, 19, 24, and 27 of the agreement on the cessation of hostilities in Vietnam.

"In examining the complaints and the supporting material in particular documentary material sent by the South Vietnamese mission, the Committee has come to the further conclusion that there is evidence to show that the PAVN (people's army of Vietnam) has allowed the zone in the north to be used for inciting, encouraging and supporting the hostile activities in the zone in the south, aimed at the overthrow of the administration in the south. The use of the zone in the north for such activities is in violation of articles 19, 24, and 27 of the agreement on the cessation of hostilities in Vietnam."

The ICC report then stated:

"The Commission accepts the conclusions reached by the Legal Committee that there is sufficient evidence to show beyond reasonable doubt that the PAVN has violated articles 10, 19, 24, and 27 in specific instances. The Polish delegation dissents from these conclusions. On the basis of the fuller report, that is being prepared by the Legal Committee covering all the allegations and incidents, the Commission will take action as appropriate in each individual case."

The full text of the ICC reports is contained in a publication, "Special Reports to the Cochairmen of the Geneva Conference on Indochina" issued by the Bureau of Far Eastern Affairs of the Department of State on July 2, 1962.

APPENDIX B

INFILTRATION OF MILITARY PERSONNEL FROM NORTH VIETNAM INTO SOUTH VIETNAM

(See sec. I, B.)

(Maps showing infiltration routes not printed in the RECORD.)

APPENDIX C

DETAIL ON MILITARY INFILTRATION WITH CASE STUDIES

(See sec. I, B, and C.)

The following table shows the scale of infiltration of military personnel from North Vietnam into the south since 1959. The confirmed list is based on information on infiltration groups from at least two independent sources.

Year	Confirmed	Estimated additional	Total
1959-60	1,800	2,700	4,500
1961	3,750	1,650	5,400
1962	5,400	7,000	12,400
1963	4,200	3,200	7,400
1964	4,400	3,000	7,400
Total	19,550	17,550	37,100

Brief case histories of typical Vietcong who were sent into South Vietnam by the authorities in Hanoi follow:

Name: Le Van Thanh.

Alias: Huu Tam.

Date and place of birth: July 12, 1936, Hoa Hao hamlet, Cat Tai village, Phu Cat district (Binh Dinh).

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[9] For additional details of VC terrorism, see app. I.

Rank and position in North Vietnam: Lieutenant, formerly platoon leader of signal platoon of 3d Battalion, 90th Regiment, 324th Division.

VC position in South Vietnam: Platoon leader of signal platoon of 95th Battalion, 2d Regiment, 5th Inter-Region.

Date entered South Vietnam: Departed November 27, 1961, arrived Do Xa station early February 1962.

Date, place, and circumstance of defection: Rallied to government at Nhon Loc post, Nghia Hanh district (Quang Ngai), May 24, 1962.

Name: La Thanh.

Alias: Nguyen Ba Tong—La Giau.

Date and place of birth: 1928, Can Tho city (Phong Dinh).

Rank and position in North Vietnam: Senior sergeant, formerly squad leader in charge of construction of barracks for 338th Division.

VC position in South Vietnam: Squad leader, 8th Squad, 3d Platoon, 3d Company, 218B Battalion (War Zone D).

Date entered South Vietnam: Accompanied Infiltration Group 15; departed April 4, 1962, arrived War Zone D early August 1962.

Date, place, and circumstance of defection: Rallied at Cau Song Be (bridge) post September 8, 1962, with 1 MAS 36.

Name: Le Van Quyen.

Alias: Ho Hai, Hong Thanh.

Date and place of birth: 1929, Tan Binh Than village, Cho Gao district (My Tho).

Rank and position in North Vietnam: Lieutenant, formerly assigned to 388th Brigade, as instructor on heavy weapons such as 57 mm. recoilless rifle and machinegun.

VC position in South Vietnam: Platoon leader, 2d Platoon, 2d Company, Infiltration Group 15.

Date entered South Vietnam: Accompanied Infiltration Group 15; departed April 3, 1962, arrived Suoi Da (War Zone D) September 10, 1962.

Date, place, and circumstance of defection: Rallied at Hieu Liem district (Phuoc Thanh) October 7, 1962.

Name: Nguyen Van Do.

Party name: Thanh Minh.

Infiltration alias: Nguyen Thuan.

Date and place of birth: 1923, Thuan Giao village, Lai Thieu district (Binh Duong).

Rank and position in North Vietnam: Senior captain (battalion commander) 1st Battalion, 338th Brigade.

VC position in South Vietnam: Subject was to be appointed commander of Phuoc Tuy Province Main Force Battalion.

Date entered South Vietnam: Commander of Infiltration Group H. 26; departed Xuan Mai, Ha Dong (North Vietnam) July 4, 1963; arrived Ban Me Thuot October 23, 1963.

Date, place, and circumstance of defection: Rallied at Ban Don post, Ban Me Thout, October 23, 1963, while guiding Group H. 26 to Hai Yen Zone.

Name: Nguyen Thanh Phi.

Party name: Hung Phuong.

Infiltration alias: Nguyen Tu.

Date and place of birth: November 16, 1926, Thanh Van village, Thanh Chuong district (Nghe An).

Rank and position in North Vietnam: Doctor, chief of internal disease section, Tiep Viet Hospital.

VC position in South Vietnam: Doctor, health team leader, 5th Region base construction group (Do Xa).

Date entered South Vietnam: March 1962.

Date, place, and circumstance of capture: Captured by South Vietnamese armed forces May 4, 1963, with one 12-millimeter Colt pistol and five rounds.

Name: Le Van Net.

Party name: Le Hung Tien.

Infiltration alias: Le Na.

Date and place of birth: 1924, Tan Hiep village, Go Cong, Dinh Tuong.

Rank and position in North Vietnam: Discharged lieutenant, served in Co Dinh chromite mine (Thanh Hoa) with grade of senior sergeant.

VC position in South Vietnam: Senior sergeant, 6th Squad, 2d Platoon, Infiltration Group H. 26.

Date entered South Vietnam: Late June 1963 with Infiltration Group H. 26.

Date, place, and circumstance of capture: Captured November 16, 1963, by inhabitants in strategic hamlet in Ban Me Thout (Darlac) with one Communist Chinese rifle and 70 rounds.

Name: Van Cong Khanh.

Party name: Pham Tien.

Date and place of birth: 1924, An Hoi village, Chau Thanh district (Kien Hoa).

Rank and position in North Vietnam: Discharged and reassigned to Co Dinh chromite mine (Thanh Hoa) as senior sergeant.

VC position in South Vietnam: Aspirant, leader of 7th Squad, 3d Platoon, 608th Engineer Company subordinate to Headquarters Region 7.

Date entered South Vietnam: Accompanied Group 49, infiltrated into South Vietnam, March 18, 1962.

Date, place, and circumstance of capture: Captured November 23, 1962, in Bung Dia hamlet.

Name: Nguyen Thanh Hoa.

Party name: Quoc.

Infiltration alias: Nguyen Quoc Trung.

Date and place of birth: 1917, Phong Coc village, Ha Nam canton (Quang Yen).

Rank and position in North Vietnam: Captain, discharged and reassigned to Chi Ne agricultural camp May 1957.

VC position in South Vietnam: Commander, 4th Main Force Battalion.

Date entered South Vietnam: Accompanied Infiltration Group 52; departed Xuan Mai, April 13, 1961, arrived about August 1961.

Date, place, and circumstance of capture: Captured by South Vietnamese Armed Forces with 1 PA 38 (pistol) in Quon Long (Dinh Tuong) August 1962.

Name: Tran van Khoa.

Alias: Tran Hong Hai.

Date and place of birth: 1935, Giong Gach hamlet, An Hiep village, Ba Tri district, Ben Tre Province (Kien Hoa).

Rank and position in North Vietnam: Sergeant, formerly driver of Transportation Group 3 of (Hanoi) Logistical Bureau.

VC position in South Vietnam: Member of 46th Infiltration Company; cover designation V. 2 (infiltrated unit).

Date entered South Vietnam: Accompanied the 46th Infiltration Company; departed for South Vietnam, April 17, 1962.

Date, place, and circumstance of capture: Captured by South Vietnamese Rangers in ambush (after being wounded) along with one MAS 36, July 7, 1962, in Phuoc Long Province.

APPENDIX D

LIST OF COMMUNIST WEAPONS CAPTURED IN SOUTH VIETNAM

(See sec. II.)

On January 29, 1964, the Government of Vietnam submitted to the International Control Commission a list of weapons and other military equipment which had been captured from the Vietcong. The weapons and equipment came from Communist sources outside South Vietnam and obviously had been introduced clandestinely into the country in support of the Vietcong campaign of conquest directed by Hanoi.

I. Chinese Communist origin

Type	Quantity	Date of capture	Place
75-millimeter recoilless rifle	1	Sept. 10, 1963	An Xuyen Province.
Do	1	Dec. 2-6, 1963	Do.
Do	1	Dec. 22, 1963	Dinh Tuong.
Total	3		
57-millimeter recoilless gun	1	Nov. 25, 1962	Phuoc Chau in Quang Tin (1 gun and 7 gun carriages).
Do		Dec. 5, 1962	Phu Bon (1 gun carriage).
Do	2	Aug. 31, 1963	Province of Quang Ngai.
Total	[1] 3		
Shells for 75-millimeter gun (shells bear markings in Chinese characters. On some shells markings were scratched out and replaced by "American" markings.)	8	Nov. 24, 1963	Province of An Xuyen.
Do	120	Dec. 22, 1963	Operation Duc Thang at Dinh Tuong.
Total	128		
Shells for 57-millimeter gun	49	Nov. 25, 1962	Phuoc Chau, Province of Quang Tin.
Do	8	Feb. 20, 1963	Vietcong attack on the post of Ben Heo (Tay Ninh).
Do	33	May 24, 1963	On a Vietcong vessel on the Bassac River.
Do	6	Aug. 31, 1963	Quang Ngai.
Do	1	Oct. 8, 1963	Province of Bihn Dinh.
Do	58	Dec. 22, 1963	Dinh Tuong.
Total	155		

[1] Guns plus 8 gun carriages.

I. *Chinese Communist origin*—Continued

Type	Quantity	Date of capture	Place
80-millimeter mortar	1	Mar. 25, 1963	Province of Tay Ninh.
60-millimeter mortar	1	Jan. 7, 1963	Phuoc Thanh.
Do	2	Dec. 22, 1963	Dinh Tuong.
Total	3		
Shells for 60-millimeter mortar	18	Sept. 10, 1963	Province of An Xuyen.
Do	165	Dec. 22, 1963	Dinh Tuong.
Total	183		
90-millimeter bazooka	1	Dec. 22, 1963	Do.
Caliber 27-millimeter rocket launcher	2	June 10, 1962	Provinces of Quang Ngai and Quang Duc.
Total	3		
Caliber 7.92-millimeter model 08 Maxim machinegun	2	Sept. 10, 963	Province of An Xuyen.
Do	4	Dec. 21, 1963	Chuong Thien.
Total	6		
MP-82 rocket	142	Apr. 24, 1963	Quang Ngai.
TNT explosives (charges)	365	June 13, 1962	Quang Duc.
Do	43	Nov. 25, 1962	Phuoc Chau (Quang Tin).
Do	29	May 7, 1963	Can Tho.
Do	140	Dec. 22, 1963	Dinh Tuong.
Total	577		
Red phosphorous (kilograms)	5	Apr. 19, 1963	Province of Kien Phong.
Potassium chlorate (tons)	17	September 1962	On a Vietcong vessel at Phu Quoc.
Do	2	Apr. 19, 1963	Province of Kien Phong.
Potassium chlorate (kilograms)	150	July 10–15, 1963	Phu Quoc.
Total:			
Tons	19		
Kilograms	155		
Cartridges for 7.92-millimeter machinegun	100,000	Dec. 22, 1963	Dinh Tuong.
Detonating fuses for 60-millimeter mortar shell	150	do	Do.

II. *Soviet origin*

Type	Quantity	Date of capture	Place
MP-82 rifle		May 10, 1962	Binh Dinh.
Launching cartridges		do	Do.
Mossin Nagant carbine (with automatic bayonet)	1	June 13, 1963	Kien Phong.
Do	2	July 13, 1963	Long An.
Do	5	July 20, 1963	Dinh Tuong.
Do	7	Sept. 8, 1963	Do.
Total	15		
Rifles	6	Oct. 6, 1963	Long An.
Do	1	Oct. 19, 1963	Dinh Tuong.
Do	11	Nov. 6, 1963	Vinh Binh.
Do	1	Nov. 17, 1963	Dinh Tuong.
Do	1	Nov. 25, 1963	Hau Nghia.
Do	1	Dec. 6, 1963	Dinh Tuong.
Do	8	Dec. 7, 1963	Phong Dinh.
Do	1	Dec. 12, 1963	Kien Tuong.
Do	1	Dec. 13, 1963	An Xuyen.
Do	1	Dec. 16, 1963	Kien Giang.
Do	1	do	Ba Xuyen.
Do	3	do	An Xuyen.
Do	1	Dec. 17, 1963	Phong Dinh.
Do	1	Dec. 20, 1963	Kien Hoa.
Do	6	Dec. 21, 1963	Chuong Thien.
Do	2	Dec. 22, 1963	Dinh Tuong.
Total	46		
Automatic pistol	1	Oct. 19, 1963	Phan Thiet.
Grenades	5		Long An.
Rifle cartridges	160,000	Dec. 22, 1963	Dinh Tuong.
Submachinegun (machine pistol)	2	Sept. 23, 1963	Long Xuyen.

III. *Czech origin*

Type	Quantity	Date of capture	Place
7.65-millimeter automatic pistol	1	Jan. 2, 1963	On person of Vietcong leader arrested at Phu Yen.
K-50 submachinegun	2	Nov. 25, 1962	Quang Tin.
Do	1	Nov. 29, 1962	Phuoc Long.
Do	7	Apr. 24, 1963	Quang Ngai.
Do	5	May 9, 1963	Quang Tin.
Do	2	July 11, 1963	Operation Hau Giang.
Do	3	Aug. 31, 1963	Quang Ngai.
Do	1	Sept. 8, 1963	Dinh Tuong.
Do	1	Sept. 16, 1963	Long An.
Do	1	Oct. 17, 1963	Quang Nam.
Do	2	Nov. 13, 1963	Phu Yen.
Do	1	do	At Hué.
Do	9	Oct. 8, 1963	Binh Dinh.
Do	1		Operation Phuoc Binh Thang.
Do	1	Dec. 30, 1963	Kien Hoa.
Do	1	Dec. 26, 1963	Chuong Thien.
Do	1	Dec. 17, 1963	Long Xuyen.
Total	40		

III. Czech origin—Continued

Type	Quantity	Date of capture	Place
Rifles	9	Sept. 10, 1963	An Xuyen.
Do	1	Oct. 19, 1963	Chuong Thien.
Do	1	Nov. 6, 1963	Ba Xuyen.
Do	2	Nov. 9, 1963	Chuong Thien.
Do	3	Nov. 13, 1963	Kien Giang.
Do	1	Nov. 17, 1963	Ba Xuyen
Do	2	Nov. 26, 1963	Hau Nghia.
Do	1	Dec. 2, 1963	Phong Dinh.
Do	6	Dec. 21, 1963	Chuong Thien.
Total	26		
Machinegun cartridges	14,000	Dec. 22, 1963	Dinh Tuong.
Grenade launcher	1	July 14, 1963	Long An.
3.5 antitank bazooka	1	Dec. 22, 1963	Dinh Tuong.

IV. (a) Weapons and ammunition modified by the Regular Army of North Vietnam

Type	Quantity	Date of capture	Place
Modified MAT-49	16	Nov. 25, 1962	Quang Tin.
Do	2	Dec. 5, 1963	Phu Bon.
Do	6	Nov. 13, 1963	
Total	24		
12.7-millimeter machinegun	2	Nov. 24, 1963	Operation at Duc Hoa.

IV. (b) Material and equipment of North Vietnamese manufacture

Uniform		Dec. 21, 1962	Phuoc Thanh.
Helmets	16	Oct. 8-10, 1963	Kien Hoa.
Socks	(1)	Dec. 21, 1962	Phuoc Thanh.
Sweaters (made in Ha Dong)	(1)		Do.
Belts (made in Hanoi)	(1)		Do.
Messkits (made in Haiphong)	(1)		Do.

[1] No number given.

APPENDIX E

PHOTOS OF CAPTURED VIETCONG WEAPONS AND AMMUNITION FROM EXTERNAL COMMUNIST SOURCES

(See sec. II.)

The following are photographs of some of the many weapons and the large stocks of ammunition supplied to the Vietcong in South Vietnam from external Communist sources (not printed in the RECORD).

APPENDIX F

NORTH VIETNAMESE PASSPORTS AND TRAVEL DOCUMENTS USED BY LIBERATION FRONT OFFICIALS

(See sec. IV, A, 1.)

Huynh Van Nghia and Nguyen Van Tien are officials of the "National Liberation Front of South Vietnam." Though they profess to be citizens of South Vietnam, their ties are with and their support comes from North Vietnam and the Communist regime in Hanoi. In 1963, when the two men traveled abroad on front business, they traveled as North Vietnamese with passports and other documents issued by the Hanoi regime.

Photographs of these documents follow (not printed in the RECORD).

APPENDIX G

THE PEOPLE'S REVOLUTIONARY PARTY (SOUTH) AND THE LAO DONG PARTY (NORTH) ARE ONE COMMUNIST PARTY

(See sec. IV, A.)

In May 1962 a military force of the Government of Vietnam captured a number of Vietcong documents in Ba Xuyen Province. One of these documents contained instructions from the provincial committee of the Lao Dong Party (Communist Party) in Ba Xuyen to the party's district committees concerning formation of the new People's Revolutionary Party (PRP).

Pertinent sections of the instruction, dated December 7, 1961, follow:

"To D2 and K:

"In regard to the foundation of the People's Revolutionary Party of South Vietnam, the creation of this party is only a matter of strategy; it needs to be explained within the party; and, to deceive the enemy, it is necessary that the new party be given the outward appearance corresponding to a division of the party (Lao Dong) into two and the foundation of a new party, so that the enemy cannot use it in his propaganda.

"Within the party, it is necessary to explain that the founding of the People's Revolutionary Party has the purpose of isolating the Americans and the Ngo Dinh Diem regime, and to counter their accusations of an invasion of the South by the North. It is means of supporting our sabotage of the Geneva agreement, of advancing the plan of invasion of the South, and at the same time permitting the Front for Liberation of the South to recruit new adherents, and to gain the sympathy of nonalined countries in southeast Asia.

"The People's Revolutionary Party has only the appearance of an independent existence; actually, our party is nothing but the Lao Dong Party of Vietnam (Vietminh Communist Party), unified from North to South, under the direction of the central executive committee of the party, the chief of which is President Ho. * * *

"During these explanations, take care to keep this strictly secret, especially in South Vietnam, so that the enemy does not perceive our purpose. * * *

"Do not put these explanations in party bulletins."

Another party circular of the same date said:

"The reasons for the change in the party's name must be kept strictly secret. According to instructions of the Central Committee, one must not tell the people or party sympathizers that the People's Revolutionary Party and the Lao Dong Party of Vietnam are one. One must not say that it is only a tactic, because it would not be good for the enemy to know."

A third party circular, dated December 8, 1961, said:

"Study the instructions so that you will be able to execute them. In passing them to D2V, D2, and K, be very careful that the documents do not fall into enemy hands. After D2N/C has passed to the sections, destroy the written documents immediately."

The originals and translations of the above documents were submitted to the International Control Commission by the Government of Vietnam on May 30, 1962.[1]

In 1964 new rules and regulations were promulgated for the People's Revolutionary Party. A copy of the new rules was captured from the Vietcong in Chuong Thien Province in November 1964. A photograph of the captured document appears on the next page. Key portions of the instructions said that new rules and regulations had been approved for the PRP, "but the real nature of those rules and regulations is that they still are the rules and regulations of the Vietnam Lao Dong Party (in North Vietnam)."

The instructions added: "* * * we should realize that our country is one country, that the Vietnamese People's Revolutionary Party and the Vietnam Lao Dong Party are one party. * * * There is nothing different between the two parties."

APPENDIX H

CHARTS OF THE VIETCONG ORGANIZATION, NORTH AND SOUTH

(See sec. V.)

Lines of control, political and military, from the Hanoi regime to the Vietcong in South Vietnam (charts not printed in the RECORD).

APPENDIX I

DETAIL ON VIETCONG TERRORISM

(See section V.)

The following table lists the Government officials and other civilians killed, wounded, or missing as a result of Vietcong terrorist activities during 1964. Combat casualties are not included.

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[1] For picture of captured documents and text, see the white paper "Communist Vietminh Aggressive Policy," published by the Government of the Republic of Vietnam, Saigon, July 1962.

Village, district, and other Government officials

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Killed	47	34	49	30	25	31	45	36	46	48	21	24
Wounded	14	16	24	9	8	9	14	15	13	10	22	7
Kidnaped	93	113	91	67	74	132	93	103	144	69	52	100
Total	154	163	164	106	107	172	152	154	203	127	95	131

Other civilians

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Killed	111	110	138	115	105	110	181	103	132	100	66	88
Wounded	146	174	239	218	163	173	194	122	203	90	94	154
Kidnaped	694	590	1,531	647	727	483	964	834	778	477	200	398
Total	951	874	1,908	980	995	766	1,339	1,059	1,113	667	360	740

The following table shows the number of incidents of Vietcong terrorism, sabotage, forced propaganda sessions, and armed attacks during 1964:

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Attacks	223	217	203	220	175	140	184	113	118	83	60	96
Terrorism	1,244	1,389	1,632	1,738	1,418	1,390	2,123	1,775	1,938	1,790	1,391	1,719
Sabotage	129	201	158	169	217	176	286	315	482	480	247	318
Propaganda	174	271	167	157	140	162	224	173	178	197	109	128

Some of the consequences of Vietcong terrorism are shown in the accompanying photographs [not printed in the RECORD].

ESTABLISHMENT AND MAINTENANCE OF THE THREE BRANCHES OF GOVERNMENT AS SEPARATE AND COEQUAL INSTITUTIONS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, one of the key essentials of the U.S. Constitution is the establishment and maintenance of the three branches of our Government as separate and coequal institutions, each playing its own important function.

Proper operation of the Government requires that we continually work to retain the integrity and efficiency of each branch. We are always concerned with improving the functions of Congress so that as representatives of the people we in the National Legislature may serve their interests. And we also now are rightly working to assure that our system of presidential disability and succession will always provide us with the best possible continuity and operation of the executive branch.

It is also appropriate that we concern ourselves with the judicial branch as the principal safeguard of justice for all our citizens. With that in mind I am introducing today a bill designed to assure that Supreme Court Justices would have judicial experience as a qualification.

Specifically, my bill would require that no person be appointed as a Justice of the U.S. Supreme Court unless, at the time of his appointment, he would have had at least 10 years prior service either as a judge of a Court of Appeals of the United States or as a judge of the highest court of any State.

The bill would not, of course, apply to the present Supreme Court Justices and is not intended in any way to impugn the ability of these gentlemen. It would apply only to future appointments.

The vast number of cases coming before the Supreme Court today, the long delays in consideration of these cases because of the great workload, and the immense complexity and serious nature of the issues involved, require that judicial experience be a substantial part of the background of individuals confronted by these gigantic responsibilities.

Surely the framers of the Constitution did not foresee a situation in which, of the nine Supreme Court Justices, only three would have previous judicial experience with this experience totaling only 9 years. And yet that is the situation we have today.

On the contrary, the Constitution was written with the intention of utilizing the best of the country's judicial wisdom and experience in helping to meet the country's greatest judicial needs.

Some of our most thoughtful observers have pointed out the requisites of superior Justices: A great intellectual humility, a respect for stability, for tradition, and for conventional wisdom, and a thorough understanding of how the judicial system works in our Federal courts.

The Court should not be charged with the responsibility of legislative innovation. It should operate, rather, as the check of a farseeing and stable wisdom on actions of the other two branches of Government which may reflect short-term needs or relatively temporary conditions.

Above all, as Hamilton wrote, it is essential that the Court remain "truly distinctive from both the executive and legislative branches."

These proper functions of the U.S. Supreme Court can best be performed by Justices who carry with them the unique experience of a judicial background.

For these reasons, I submit my bill and request that it be given early consideration.

A THREAT TO SOIL CONSERVATION

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the proposal to establish a revolving fund financed by farmers and ranchers replacing the traditional soil conservation services of the Department of Agriculture is a grave threat to a program which has served our country as well as individual farmers in splendid fashion for 30 years. Of all of the activities of the Department of Agriculture, this should be the last one to feel the economy axe.

In all the years I have been associated with farmers, I have yet to hear one word of criticism of the dedication and effective service of the soil conservationists of the Department of Agriculture. They provide valuable professional and technical advice to the farmers, a service that enriches the entire Nation.

In this era of colossal waste, not only in commodity farm programs but in many other activities of Government, it is so ironic and tragic that this splendid Service should be singled out for attack.

Here is an excellent summation of the situation I just received in the mail:

ADAMS COUNTY
SOIL CONSERVATION DISTRICT,
Quincy, Ill., February 26, 1965.

HON. PAUL FINDLEY,
House Office Building,
Washington, D.C.

HONORABLE SIR: The Adams County Soil and Water Conservation District is greatly concerned about the proposed cutback in Federal support for conservation programs in the 1966 budget for the Department of Agriculture. We are particularly opposed to a proposal in the budget that Congress authorize a revolving fund through which soil and water conservation districts, and individual farmers and ranchers, would make $20 million in payments to the Federal Government for scientific and technical assistance provided by the Soil Conservation Service of the Department of Agriculture.

We directors of the district believe that the conservation of soil and water is in the public interest; otherwise, we and our predecessors on the district board would not have been willing to give of our time unstintingly without pay, to promote conservation in our district. Why should a policy of 30 years' standing which has been proved successful be changed? Of all Government programs, the Soil Conservation Service has come in for the least amount of public criticism. The new proposed policy seems to be to protect the Federal lands but charge all private lands for assistance on conservation measures. We know that 73 percent or more of the land in this country is privately owned and it is to the interest of the country that this land be protected to meet the growing demands that are and will be made of it by the population explosion.

Soil erosion and sediment is the source of silt which pollutes our streams and rivers. The shortage of water in many places is another of our serious problems facing the future of the Nation. The urban and industrial shortages of water experienced in the middle and eastern part of this country and the damages sustained in the western part should alone cause our national leaders to look with alarm toward protection against a reoccurrence. Such protective measures would fall on private lands. Should owners pay all the cost in order to give protection to urban and industrial areas?

We believe that our district would have trouble in raising the thousands of dollars needed for our share in the revolving fund. The records show that we have been one of the high producing districts in the State of Illinois on applying conservation to land. However, our records show that we have been working mostly with those farmers in the problem land areas of the county and to ask these farmers to pay for our services would multiply the financial burden on those least able to afford it.

Data taken from the 1959 U.S. Census of Agriculture for Adams County show that we have 1,911 commercial farms which are divided according to gross income as follows:

Class I: $40,000 and over, 39 farms, 2 percent.

Class II: $20,000 to $40,000, 165 farms, 8.6 percent.

Class III: $10,000 to $20,000, 567 farms, 29.7 percent.

Class IV: $5,000 to $10,000, 630 farms, 33 percent.

Class V: $2,500 to $5,000, 375 farms, 19.6 percent.

Class VI: $50 to $2,500, 135 farms, 7.1 percent.

From these figures it is not hard to see what the effect of the proposed reduction in funds would do. Those in the low income brackets could not afford to pay for our services and this is where the work is needed most.

We have read with interest the CONGRESSIONAL RECORD of the Senate for January 29, 1965. At this session the Appalachian Region Development Act of 1965 was brought up. Are there not other areas throughout the country that are also so impoverished? Why such a crash program in this one particular area and not to others? As Senator ELLENDER stated, "I do not know of any program that the Commission could put in effect in cooperation with the States that could not be done today under existing law." In the Appalachian region there are some of the oldest soil conservation districts in the United States and these have been operating as in the other States. Yet there were many farmers so impoverished that they could not take advantage of the services offered them. The same is true in every State and in our own county. Why should the farmer who puts up 20 percent receive 80 percent Federal grant for improving not more than 50 acres? Yet on the other hand farmers in other parts of the country are expected to pay for our services. This is like taking money from one pocket and putting it in the other.

This proposal of the Budget Bureau would about eliminate any watersheds being organized under Public Law 566. The Hadley Creek, Big Blue, and the Hambaugh-Martin Watersheds in Adams, Pike, and Brown Counties have shown what people working together and assisted by the Federal Government can do in applying conservation to the land and solving a water shortage problem. These watersheds have upgraded the areas and protected the tax base. They have opened up areas for recreation which is part of the overall program. At the present time the McKee Creek watershed is being organized in Brown, Pike and Adams Counties and if this Budget Bureau proposal is enacted we have doubts if it ever will become a reality. Most of this watershed is in a low income area, which is being considered for rural area development. The average income of these people is below $2,500 per year.

We strongly urge you to oppose the $20 million dollar revolving fund proposal of the Budget Bureau or we will see the efforts of 30 years of soil conservation sabotaged because of the lack of understanding and shortsightedness on the part of a few individuals.

Sincerely yours,
LLOYD E. PICKINBAUGH,
Chairman, Adams County Soil and Water Conservation District.
ROBERT C. HUMMEL,
Vice Chairman.
KIETH DONLEY,
Secretary-Treasurer.
PAUL RABE.
CLAUDE BOWER.

MEDICAL CARE FOR THE ELDERLY

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, medicare is a term applied to a compulsory payroll tax plan for health insurance for the aged under social security. It is an old issue. Its supporters have introduced it in one form or another year after year, and they will not admit that its continued defeat means that it lacks general support in the country. Many bills providing some sort of medical care for the aged have been introduced in this session of the Congress, and there are indications that a compulsory payroll tax medical care for the elderly plan has a greater chance of passage this year than ever before—in spite of the continued opposition of nearly all the experts in the field. This could well be the first step toward socialized medicine.

The House Committee on Ways and Means held public hearings last year on the administration medicare bill, which provides compulsory insurance paid for by a payroll tax. This year, the committee is holding closed hearings but the same arguments are being advanced. These arguments do not appear to be valid. Is it agreed that there are other solutions to the problems of the elderly. I am completely opposed to a compulsory payroll tax health insurance scheme tied into the Social Security System, which could lead to socialized medicine. I believe strongly that the enactment of such a bill would be an error in judgment. It would only provide hospital care up to 90 days for rich and poor alike, yet both would pay the same tax. There would be some additional side provisions but these are very minor.

The compulsory socialized King-Anderson medicare bill, financed by a payroll tax, would provide hospital, nursing home, home health and outpatient diagnostic services to persons 65 or over eligible to receive, or receiving, social security or railroad retirement benefits. Hospital inpatient services would be covered for 60 days in a benefit period, provided a committee would allow you to go to the hospital, with a deductible of 1 day of care to be paid by the patient. Posthospital nursing home care would be covered for 60 days, and home health service visits would be provided.

These limited benefits would be financed by an increase in the taxes for workers and employers covered by social security.

On the face of it these limited benefits appear generous—even though we are all aware that private health plans provide much more for those with unexpected medical expenses. At first glance, however, the compulsory plan for health insurance under social security seems a good way to provide necessary protection for our elderly citizens. We owe them a pleasant, comfortable old age, and the fear of expensive illness is burdensome and casts a shadow over what should be their golden years.

We must consider the implications of the compulsory administration-sponsored King-Anderson medicare bill. It is not only an important question for the elderly, but one that will affect every one of us. We must examine the issues involved and weigh the alternatives. The costs, both in monetary and human terms, definitely must not outweigh the benefits. I have examined the King-Anderson compulsory plan and have decided that Government-financed health insurance under social security would not only be a mistake, but a dangerous precedent, and would provide only a partial solution—and no real solution—for the health problems of the elderly. We must remember here that it has been estimated that the proposed King-Anderson medicare bill would cover little more than 25 percent of the medical bill of aged people.

Proponents of the compulsory King-Anderson medicare bill argue that the elderly have higher medical expenses than do younger age groups. Many more of them have chronic illnesses. The American Medical Association disputes this contention. Chronic illness means only the duration, not the severity of a condition, and includes such common ailments as partial deafness and nearsightedness.

It is a fact that there are many elderly individuals and families in need of financial assistance. I want to help them. Some of them have never been covered by social security, others have small benefit payments, high expenses and no other resources. It is not only a duty, but an expression of gratitude to see that our aged, who have helped make America prosperous, enjoy their years of retirement.

Assistance to the elderly is presently available in every State for those aged who are without adequate financial resources. It includes payment for medical care. The Kerr-Mills Act, or medical assistance for the elderly, covers those over 65 who are not on old age assistance but who are unable to pay for heavy medical expenses. The Kerr-Mills program, as we all know, is a cooperative effort in which the Federal Government joins hands with the States toward providing medical assistance for the elderly.

The theme is that under this approach the Federal Government cooperates rather than dominates as it would under the King-Anderson medicare bill. Each year more and more States have joined the Kerr-Mills plan. The Kerr-Mills plan for our State of Nebraska went into effect in January 1964. It covers hospital costs, doctors' services, dental care, cost of medicines, nursing care and health appliances, "the whole works" as needed. It seems to me that our Nebraskans over 65 have the protection they need in case of unforeseen expenses. This is not true of the compulsory King-Anderson medicare bill financed by a payroll tax.

Under Kerr-Mills, for those in need, the income limitation is a generous one, and Nebraska's plan, as do many others, provides that when the individual—or couple—has an income over the maximum allowed, help would be provided when medical expenses bring the income below the maximum.

Private insurance plans also provide a great deal to eliminate the fear of catastrophic expenses due to illness. Twenty years ago, even 10 years ago, it was difficult for a person over 65 to have any reasonable health insurance. But here, as in many other fields, the people have made a great deal of progress. Today, more than 60 percent of the Nation's 17½ million senior citizens have private health insurance. This figure becomes truly spectacular when we consider that in 1952 only 26 percent of the aged had health insurance, and even in 1962, only 55 percent. It is certain that the percentage will rise even more as the years go by. Private insurance companies have recognized their responsibilities toward the elderly. Not only insurance companies, but many more companies and unions have realized their obligations and now include retirees in health plans. Our tradition has been one of free enterprise. Here, voluntary insurance is finding a solution to the problem of giving the aged adequate health insurance protection. We should give private enterprise, spurred on by competitive effort, a chance to finish the job. Private insurance companies are sure they will be successful, as long as such programs as Kerr-Mills provide help to those aged who cannot afford even the most reasonably priced health insurance. It is estimated that, as our experience with good retirement planning grows, our retired citizens will be able to share more and more in this country's wealth.

We are a country of people who cherish our independence. Retired Americans, I am sure, would prefer to finance their own health insurance if this is possible. The facts show that adequate health insurance is within the reach of more and more of them. If we do need a Government health insurance plan for those who cannot pay the premiums themselves, it seems more than foolish not to utilize the years of experience accumulated by the insurance companies. The supporters of the compulsory payroll tax plan of King-Anderson seem unwilling to investigate any other solution but their own, and their solution is time-worn and not suited to present-day needs; it just does not fill the bill.

Social security health insurance for the aged is expensive. Even its proponents admit that fact. They argue that the expense is justified; but if medical help is necessary and if the job can be done in a better way, then we should take action. The pending compulsory social security tax bill, which provides primarily hospital insurance for the elderly, would be financed by an ultimate tax rate of 10.4 percent on both employers and employees. The earnings base on which the tax would be based would also be increased to $5,600. This is just the beginning. The Department of Health, Education, and Welfare actuarial studies have shown that periodic tax increases will be necessary to accommodate the expanded socialized benefits that will undoubtedly be programed in the future. Not only tax increases, but an increase in the wage base would be required, to which these taxes apply as well. The burden will become increasingly heavy, and will prevent increases in benefit levels and other improvements of the general social security system. In fact, it might wreck the entire social security system, causing it to crumble under its own weight. Benefit increases should be made as the cost of living rises, or else the elderly will be forced to live on a constantly shrinking income base. How will we finance these benefit increases if the system is already weighed down by the rising costs of a program of job tax medical care? We all know how hospital costs have risen in the past few years and most authorities agree that they will keep on rising because our present health facilities are the best in the world. The social security system will not be able to absorb the inevitable increase in costs without a proportionate, and high, increase in taxes, thus wrecking the entire social security system.

Ironically, it is those who can least afford to pay high social security taxes who will bear the brunt of the cost. The very rich and the well to do only pay social security taxes on a portion of their income, while the majority of workers at the low end of the income scale pay the tax on all of their income. Such a program of benefiting the rich at the expense of the poor is a demonstration of the Robin Hood episode in reverse. We must not put an unnecessary burden on these workers when a better means of helping the elderly is available.

The philosophy behind the compulsory payroll tax King-Anderson plan is a dangerous one. We, as a country and as individuals, have always prided ourselves on our initiative and independence. We have believed that we know what is best for ourselves, and through a process of trial and error we have found success and fulfillment.

Today, we are watching the Federal Government absorb more and more of the functions which used to be performed by the State, the local community, or the family. We see the Federal Government exercising more and more control over our lives. It is commonsense that the farther away and the bigger the Government becomes, the more impersonal will become its actions. It is harder to protest administrative rulings when the official in charge no longer lives down the street, or in the next town, or knows someone you know. Washington is very far away from most of us, and no matter how well-meaning a bureaucrat is, he cannot understand all of our problems.

The King-Anderson compulsory payroll tax plan will increase the Federal Government's functions. The system will not be administered on the State level, where the needs and desires of the citizens of that State would be carefully taken into consideration. Your doctor will no longer be in charge of your illness.

This legislation could eventually lead us to socialized medicine. Make no mistake about that. It takes no more than a quick glance at a history book, and a little commonsense, to come to this conclusion. The proposed King-Anderson compulsory payroll tax plan provides very limited hospital benefits for those 65 or over. There is no special justification for that cutoff age. Many supporters of socialized medicine candidly admit that their goal is universal medical care—under control—socialized medicine.

Historically, this is a nose-under-the-tent proposition. Such Government programs gradually cover more people, until finally the whole population must belong to a compulsory Government insurance plan. At that point medicine will become a function of the Government. I hope that that day will never come. But compulsory hospital insurance for the aged will bring it closer, too close for those of us who believe in America's free enterprise system—in the traditional doctor-patient relationship which now provides us with the best medical care in the world. We do have the best medical care in the world—let's not destroy our proud record in this area.

The compulsory King-Anderson payroll tax plan seems like the easy solution, but it is not the right solution. We have seen, in our own State of Nebraska, that there are better ways of giving our senior citizens the help they need. Nebraska has a total of 174,000 citizens over 65 years of age. Approximately 7 percent of them received help under the old-age assistance plan. Others are helped through the Kerr-Mills program now in operation. The Nebraska Governor's Commission on Aging estimates that by July 1, 1965, 73.5 percent of the elderly in our State will have private hospitalization coverage. At the present time, two private insurance plans alone cover more than 50,000 of our aged. By 1970, it is estimated that over 90 percent of those over 65 will be covered by private insurance plans. Will Government health insurance be needed then? It has been estimated that the cost of the compulsory King-Anderson payroll tax plan to Nebraska taxpayers would be approximately $75 each year for each person over 65. The voluntary Kerr-Mills program costs only $21 for each senior citizens per year and the benefits are far more generous. This is because Kerr-Mills is designed simply for those who need it—not for everyone regardless of their income or resources.

There have been two other measures introduced in this Congress in an attempt to make benefits to elderly citizens more liberal in comparison to cost than those offered under the King-Anderson medicare proposal.

One alternative was offered by the gentleman from Wisconsin, Congressman JOHN BYRNES. It is modeled after the high option plan offered Government employees, modified to meet the special needs of the aged. It would have a sliding scale of payments, with those least able to pay actually paying nothing. Average payments would be $6 a month with the remainder underwritten by Federal general revenue funds. The Byrnes bill, unlike the administration's bill, is based on an "ability to pay" concept.

I think the best answer to the problem of providing medical care to people over 65 who need help in paying their hospital and physicians' bills is the eldercare bill, which was introduced by the gentleman from Florida, Congressman SYDNEY HERLONG, JR., and the gentleman from Missouri, TOM CURTIS.

The eldercare plan, which has been endorsed by the American Medical Association, would be State-administered as in the current Kerr-Mills program, financed by Federal-State matching funds, and utilize Blue Cross and Blue Shield and health insurance companies as intermediaries. The States would finance all or part of the cost of health insurance policies for the elderly depending on their income, and those with high incomes could purchase the policies. State governments would be authorized to offer the aged a wide spectrum of benefits, including physicians' care, surgical, and drug costs, diagnostic services, and X-ray and laboratory fees.

Here is a comparison of benefits under the administration's medicare plan, the Byrnes plan, and the eldercare plan:

BENEFITS UNDER MAJOR MEDICARE BILLS BEFORE 89TH CONGRESS

BYRNES' BILL	CURTIS-HERLONG & HALL "ELDERCARE" BILLS (IDENTICAL)	ADMINISTRATION BILL
	Hospital benefits	
	Room and board, ancillary services	
Pays all charges for room and board or nursing home up to $1,000, without a deductible, and 80 percent of all other charges, subject to a deductible of $25 and a lifetime maximum of $40,000.[1]	Benefits could include comprehensive hospital and nursing home services.	Pays "reasonable costs" for 60 days of hospital care and 60 days of nursing home care following hospitalization, subject to a deductible of 1 day ($40) of hospital care.
	Hospital outpatient diagnostic services	
Pays 80 percent of all charges.	No such limitation as required in administration bill.	Pays "reasonable costs" in excess of $20 each 30 days.
	Surgeons' fees, doctors' visits, specialists' fees, et cetera	
Pays 80 percent of all charges.	Extent of coverage would depend upon the type of contract between the States and private insurance carriers, but in most instances the coverage would be complete.	Nothing.
	Private nursing care	
Pays 80 percent of all charges.	Same provision as above.	Nothing.
	Drugs and incidentals	
Pays 80 percent of all charges.	Same provision as above.	Pays "reasonable costs" of drugs supplied by hospital or nursing home during 60-day confinement periods.
	Mental health services	
Pays 80 percent of all charges.	Same provision as above.	Nothing.
	Nonhospital benefits	
	Physicians' services	
Pays 80 percent of all charges.	Same provision as above.	Nothing.
	Prescribed drugs	
Pays 80 percent of all charges.	Same provision as above.	Nothing.
	Services in physicians' offices	
Pays 80 percent of all charges for diagnosis, treatment, minor surgery, X-ray, fluoroscopic, or electrocardiogram (EKG) examination and laboratory tests.	Same provision as above.	Nothing.
	Similarly, these bills would pay for rental of medical equipment, physical therapy, prosthetic devices, mental health services, and home health services to the extent called for in the contract between the State and the insurance firms. In most instances, coverage would be comprehensive.	
	Rental of medical equipment	
Pays all fees up to 80 percent for rental of iron lung, oxygen tent, hospital bed, wheelchair, etc.	See above.	Nothing.
	Physical therapy (under medical direction)	
Pays 80 percent of all charges.	See above.	Nothing.
	Prosthetic devices	
Pays 80 percent of all charges.	See above.	Nothing.
	Mental health services	
Pays 50 percent of all charges subject to a maximum payment of $250.	See above.	Nothing.
	Home health services	
Pays 80 percent of all charges.	See above.	Pays for 240 home health (visiting nurse) visits.

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[1] An insured individual must pay the first $50 of allowable expenses (exclusive of the first $1,000 of hospital and room and board expenses) in any year. Only $25 of this deductible may be charged against allowable hospital expenses.

Benefits Under Major Medicare Bills Before 89th Congress—Continued

BYRNES' BILL	CURTIS-HERLONG & HALL "ELDERCARE" BILLS (IDENTICAL)	ADMINISTRATION BILL
	Hospital benefits	
	How financed	
The Byrnes program would be financed to the extent of $2 billion from general Federal revenues. An additional $1 billion would be contributed by participants in the program at an average cost to each of about $6 per month. Participation would be voluntary.	Program would be financed by Federal general funds matched by State funds, with the Federal payment ranging between 52.5 percent and 84 percent. Persons over 65 would buy a wide range of health services through private insurance firms. They would pay all, part, or none of the premium costs, depending upon income as determined by the State plan. The cost of the program would depend upon States' utilization, but far less than the administration's plan, even if fully used. Program is voluntary.	The administration's program would cost an estimated $2 billion for the first year to be financed by an increase in the social security tax. Thus, the program would be compulsory. If new benefits were added, as they unquestionably will be by future Congresses, the social security tax would be still further increased.

We in Nebraska cherish our independence, regardless of our age. Health insurance for the aged under the compulsory social security payroll tax plan will undermine that independence which is the foundation of this, the greatest Nation on earth. I trust my doctor—he believes as I do. I will support the eldercare program in the field of medical care for the aged so that all who need medical care will get it without wrecking the excellent medical care all of us now receive—it is the best in the world so let us keep it that way.

THE INCREDIBLE PARALLEL

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YOUNGER. Mr. Speaker, Mrs. Lucile Hosmer, legislative chairman of the National Federation of Republican Women, delivered a talk recently entitled "The Incredible Parallel" comparing the legislation passed in the legislative halls of the Roman Empire, which contributed to the fall of that civilization, with the present legislation being passed by Congress. The comparison which Mrs. Hosmer makes is quite startling and is worthy of close study.

The speech follows:

THE INCREDIBLE PARALLEL

(By Lucile Hosmer, legislation chairman, National Federation of Republican Women)

Today, we are being bombarded on all sides with words which have lost much of their true meaning: such words as "progressive," "reactionary," "liberal," "conservative," and many others, have been deliberately twisted and sometimes distorted to confuse and bemuse the people in this great Nation of ours.

The New Deal and the Fair Deal and now the so-called Great Society have all claimed to be so very progressive (which does mean to go ahead). At the same time it is charged that the fundamental, basic principles upon which our great Republic was established are a return to the horse and buggy days and therefore are reactionary or go back philosophy.

Is this really true? Or, are we being led down the very same path which caused the complete dissolution of the great Roman Republic after it had arrived at its very peak of power and grandeur? The methods the Socialists have used over the past 30 years are not the methods of the horse and buggy days of just 100 or 200 years ago; they are the methods used more than 2,000 years ago—methods which culminated in the destruction and decay from within of the most powerful republic in the world at that time, the Republic of Rome.

We must remember that the concept upon which our American Constitutional Republic was established was a new and revolutionary concept of government. It was one which had never been tried before. This concept was that the government was within the individual and that the State was the servant of the individual * * * not the individual the servant of the State; that "government was fashioned for his (man's) use," to protect his life, his liberty, and his property. As it was stated in our Declaration of Independence: "Man has inalienable rights, given to him by his Creator * * * and to secure these rights, governments are instituted among men." That, "government shall be with the consent of the governed."

These basic principles, as enunciated in our Declaration of Independence and formalized in our Constitution, place man and man's value above the state (government). This was a new idea, particularly to those in Europe who knew and understood only that concept of government of "the divine right of kings" and the "divine right of the state." Man's only value under their concept was what he contributed to the state or the king, either physically or intellectually. But today, those who wish to maintain this American concept of man's inherent value for which our Founding Fathers fought and died are called reactionary.

Now, let us take a look at this so-called progressive philosophy of the last half century of the New Deals, Fair Deals, and now the Great Society. What has it meant? What does it mean for the future of our American constitutional Republic? Big centralized Federal Government, increasing Federal power, bureaus, agencies, more and more Federal employees. We are told by these Federal agencies that "there is nothing that is being done at the local level that cannot be done better by a bureaucrat in Washington, 3,000 miles away." They will take care of everything for us; we should be happy because their philosophy and their concept of government is new and progressive.

Now, let us in turn take a good hard look at the great Roman Republic of more than 2,000 years ago. Gibbon records: "The spending for nonproductive works for the bureaucracy led to excessive taxation, inflation, and the ruin of the essential middle class and its leaders." It destroyed what he called "the general staff of civilization."

In the ancient empires and civilizations are found agencies and legislation similar to the Price and Wage Control; Farm Credit Administration; Food Relief; Home Owners' Loan Corporation; Agricultural Adjustment Administration; Farm Debt Conciliatory Committee; and many others of the many famous alphabet agencies which have been sold, over the years, to the people of America as something new and progressive. In fact, nearly all of these existed in almost identical forms more than 2,000 years ago and contributed to the internal destruction of the great Roman Republic.

We should ask ourselves, What happened to that great civilization of Rome which conquered all of Europe and left its mark which is still visible today? The original pavement of her great highways can be seen by any tourist all up and down Europe. The great Roman wall remains standing in many parts of London. More than 70 miles of the Roman wall, built for defense in Britain, is still standing. Mosaic floors, comfortable Roman townhouses with heating systems of warm air which flowed through tile walls and floors—remains of these can be seen in Italy, in France, even in parts of Asia. Remnants of great palaces, stadiums, as well as their famous systems of aqueducts, can be found. The engineering marvels of the Romans during the height of their glory can be seen from one end of the continent of Europe to the other. In Rome, itself, can be found much of the remains of the amazing perfection which this civilization achieved.

Why should this marvelous, this wonderful, this remarkable civilization with all of its genius and grandeur have gone down completely to destruction and dissolution? Its external appearance was identical to ours, today: great skill, amazing intelligence, unusual and fascinating design and engineering genius. What was the internal structure of this society which caused it to decay and collapse?

One factor cited by Gibbon was the deadly efficiency of the Roman civil service which gradually spread throughout the Roman world so that it, in time, eliminated all local governments and destroyed all sense of social responsibility of the natural local leaders. Isn't that happening here, today, with our bureaucracies and with the Federal Government taking over the responsibilities of the local and State governments?

In Rome, the slaves were wretched. The submerged freemen of the lower classes barely existed through public and private relief. They were kept entertained by the brutal gladiatorial contests, by free bread and circuses provided for them at the taxpayers' expense.

The men in power were so corrupt that real estate values were sky high. Apartment houses were built so badly and with such disregard for safety that many collapsed. The senate imposed a limit of seven stories on these buildings; later this was reduced to one story because of further disasters.

When the Roman Republic was at its height of power and glory, it was famous for the self-reliance and rugged individualism of its freemen. But as the paternalism of Rome grew, it swung to the opposite extreme and became a nation of people dependent entirely on the "state" to solve all their problems for them. As Gilbert Murray, a student of Roman history, wrote concerning the pessimism of that time: "A loss of self-confidence; of hope in this life and faith in normal effort; and indifference to the welfare of the state * * * a failure of nerve." This, too, appears to be present today, and it is one of the causes of great concern in our country.

During the settling period, most of the Romans were simple farmers. They had tremendous energy which was under great control. In other words, they were self-reliant, self-disciplined, and self-governed. They were courageous and determined. These self-same ingredients were found in the Founding Father generation of our American constitutional Republic. They had self-reliance, self-government, industry, perseverance, and great independence. They expressed as our Republic grew hardheaded practicality, amazing organizing ability, and a deep sense of individual responsibility and justice.

The farmers of both these periods though separated by nearly 2,000 years would have agreed with Cicero when he said: "True law is right reason, consonant with nature, worldwide in scope, unchanging and everlasting * * * We may not oppose or alter that law. We cannot abolish it. We cannot be freed from its obligations by any legislature and we need not look outside ourselves for an expounder of it. He, who disobeys it, denies himself and his own nature." This statement of philosophy is almost paralleled by John Locke, the philosopher of the American Revolution.

However, as all of Rome became more and more prosperous, the new rich, the entrepreneurs, the money lenders, became interested in holding high elective offices in government so that it could be used as an instrument of private gain. Unscrupulous men now had the money to buy elections from the masses of the unemployed through state controlled programs. Livy, one of the great Roman poets of the time, wrote: "We can bear neither our diseases nor their remedies since luxury has brought avarice and self-indulgence."

The Roman Republic had survived for 400 years but it was finally destroyed, according to Gibbon, by abundance, the growth of selfishness, indifference and apathy, lack of morality, the refusal to accept individual responsibility, and self-government.

Fourteen years after the invasion by the Gauls, two senators proposed measures which resemble the legislation given to us as "new and progressive" under the New Deal, Fair Deal, and the present regime in Washington:

1. A moratorium on debts.
2. Interest already paid could be deducted from the principal of a debt and the balance made payable over a period of years.
3. The Small Holdings Act under which no single individual could hold more than 300 acres of public domain. (Lucinius, a senator who sponsored most of this legislation, was fined for violating his own law by carrying an extra 300 acres in the name of a member of his own family.)
4. Under a Farm Labor Act, unemployment was helped by the state requiring farmers to employ a proportion of the unemployed on their farms.

How familiar this must sound to all of you who have been listening to the news or reading the papers. Doesn't it sound similar to the elimination of the bracero program and the suggestions of Secretary Wirtz of the Labor Department?

The Romans also had the federal land bank. It worked with a state-appointed group known as the farm debt conciliation committee. We had the same under the New Deal in the thirties, using the same name for the committees and the exact methods which had been used in Rome nearly 2,000 years before. But, all the time the New Deal was telling the people how new and progressive their ideas and bureaus were.

The politicians of Rome, like those of today, found that there were important groups of voters to whom they needed to appeal if they wanted to retain their power.

First. There were the small farmers who wanted support from the state because they were not capable of running their own farms without help. These farmers also wanted more of the land which was considered public domain, in order to expand their own holdings or the holdings of their children.

Second. There were the unemployed whose conditions were deplorable and whose votes could be bought with the "free bread and circuses."

Third. There were the shopkeepers and businessmen. And, finally, of course, the ones on whom they depended the most: the bankers, the contractors, and the big businessmen.

Consequently, the politicians of Rome tailored a program which would appeal to all of these groups. They developed a program for the allotment of land for the farmer and help from the state. For the poor, they provided for the sale of wheat below the market prices. (I wonder if they used food relief stamps.) For the small businessman who wanted larger opportunities, grants for business were given in other territories which had been conquered. For the big businessman and the contractors, and the bankers, government contracts and loans were provided. Great warehouses, government buildings, waterways and roads were given to the faithful who supported those in power. At the same time their importance was recognized by giving them high government positions such as judgeships, placing them where they could pass judgment on those who opposed government schemes and contracts.

The building of the roads, government buildings and warehouses was handled in exactly the same manner as the WPA projects of the thirties (and as those programs being contemplated today under the antipoverty programs). All was designed to relieve unemployment at government expense: to stimulate business on a false and unsound basis, and at the same time, to reflect credit upon those in power and make it appear as if they were truly interested in helping the people instead of perpetuating themselves in office. We should remember that after nearly 12 years of these tactics by the New Deal, unemployment was just as high, business was just as bad, and the only way out was war.

As has occurred before and since: soon the poor demanded free grain and wheat. They wanted to make no effort on their part to work or earn their own. When Julius Caesar came into power he found more than 320,000 on the grain relief (similar to our relief rolls of today). He had plans for taking care of part of the unemployed by a resettling program.

As a dictator he no longer needed to placate the various segments of society to remain in power. He brought pressure on those who did not want to move by cutting the relief rolls in half, and sent 80,000 overseas to form new colonies. (An interesting point to remember is that there were another 80,000 for whom no provision was made and yet there are no records in the histories concerning that period which indicate that any of them starved to death. Could it be that it showed that there were many thousands taking relief that were perfectly capable of taking care of themselves if they couldn't get it?)

But, during the last days of the Republic, food relief rolls were maintained and continually expanded. This should make us pause and consider the menacing possibilities which confront our Republic in the days ahead as we continue to ignore our laws and principles, as we knuckle under to the various pressure groups in order that the bureaucrats and agencies can continue their self-perpetuating programs.

Today, we have one out of every six Americans working for the Government, which can produce nothing. How long can the American taxpayers support a nonproducing Government octopus?

The tax collectors throughout the Roman Republic were given protection from the legally constituted bodies. They were allowed to wield great power and make great profits for themselves at the expense of the Roman taxpayer. When the checks and balances of the Roman Republic began to interfere with the stupendous profits of the "self-chosen few," they instituted demands for changes in the form of government. As the basis of reform they promoted the model of the Greek democracies—by popular vote. They were sure that they could appeal to the greed and selfishness of the various groups who wanted something only for themselves. They knew that by the popular vote they could destroy the limitations placed on their power and that then they could continue to run the government for their own benefit.

From this period on the Roman Republic began slowly to lose its form and its strength. By repudiating the checks and balances and the limitations of government power, it soon became dominated by votes of the pressure groups. The parallel is, of course, that the democracy pattern soon substituted the whims and demands of the people for the sound basic principles and laws which protected everyone.

The consequences soon became evident in a continuous succession of crises within the government, both in its internal as well as its external affairs and policies. No continuous or definite policy could exist when there was no basic law or principle from which to operate. No continuity could exist because policies would have to be changed to accede to the demands of pressure groups who could threaten to vote out the leaders. And, there were those groups who would resort to violence and murder if they did not get their way. They did this on three different occasions: against Tiberius and the brothers Gracchi.

Gibbon, as well as other historians of that period, reports that most of the reforms, supposedly for the benefit of the people were, in fact, a manipulation which would ensure the ability of some Roman politician to stay in office and grow rich from the benefits which were included in the handling of that office.

We must remember, however, that in those days of ancient Rome as well as today that these men could not have remained in office unless the "people," the voters, were willing to go along, willing to accept the free handouts and thinly disguised bribes which were offered to them. In general the people had become apathetic and indifferent to politics so long as they got their share.

As Cicero said about them: "They demand nothing and they desire nothing." Then as now, apathy is fatal to self-government. In less than a century after the Roman Republic had passed into the oblivion of an empire, the people had lost all of their taste for individual responsibility and self-government and independence. When one of the emperor-dictators died, the question of reviving the Republic was debated. But the people wanted none of it, they preferred an extravagant, tyrannical ruler who would continue to direct their lives and furnish them with "free bread and circuses" without any effort on their part.

A speaker, recently, told this story to an audience. There was a stranger who came to a small town in the mountains of Tennessee. He had a broken-down old wagon, a hammer, a saw, a load of wood for building a corral, and a supply of corn. He wanted directions to the forest, where a band of wild hogs holed up. The townspeople laughed at him. They told him he would be torn to pieces if he tried to capture them. But, they gave him the directions and he went on his way. Whenever the townspeople thought of him in the next few weeks, they would laugh. Soon, they had forgotten him completely.

One day, weeks later, he came back. He asked them for help to bring the hogs in for market. The people were amazed. There wasn't a scratch on him. The whole town went with him. The hogs were all in the corral he had built, and there wasn't a scratch on any of the hogs either. They wanted to know how he had done it.

He told them: "The first day after I came here. I threw out an ear of corn. The hogs sniffed it suspiciously, then turned their backs on it and continued to root in the forest for their food. I continued to throw out an ear of corn, each day at the same time. Finally one of the younger ones took an ear of corn and ate it. Soon, some of the others started to come and take the ears of corns; then the whole band was eating the corn that I put out for them, and they no longer bothered to root for their own food in the forest. In the meantime, I had been building my corral with a trap door in it where they could get in but not out. When the hogs no longer rooted for their own food, I put the ears of corn on the inside of the corral so that they had to go through the trap door into the corral in order to get the corn. Oh, they squealed and they grunted and they complained, but finally, they went through the trap door into the corral to get the corn."

He concluded his story by saying: "I can trap any animal in the world, without a fight, if I can get him to depend on me for his food."

Another interesting parallel is the inflationary spiral and the debasing of the currency. According to Elgin Groseclose, former financial editor of Fortune magazine, in his book, entitled, "Money and Man," published in 1961:

"The Roman administration which could fling a highway from the Pillars of Hercules to the Bosphorus, and erect the Colosseum and formulate the principles of law assembled in the "Corpus Juris," could nevertheless stoop to plugging the silver denarii with iron and washing copper with gilt and palming off on its citizens the most thinly disguised counterfeits of honest coin * * *. It was this vicious practice which worked such havoc in the Empire and multiplied the misery and blight and confusion of the period. The depreciation of the coinage robbed large classes of the industrious citizens of a great part of the wealth; reduced the value of property; produced confusion in their legal contracts and anarchy in prices in the public markets."

He comments, also that: "A pathetic commentary on the times is the large quantity of Roman money that went into hoarding * * *. In these patina encrusted pieces one reads the frantic uncertainty of the age * * * frightened men clutching at bits of copper as the sole reality in a crumbling world."

In discussing current money problems, he states: "Until Government administrators can so identify the interests of Government with those of the people and refrain from defrauding the masses through the device of currency depreciation for the sake of remaining in office, the wiser ones will prefer to keep as much of their wealth in the most stable and marketable forms possible, forms which only the precious metals provide * * *. The threat of war continues and with it the uncertainties of political turmoil: and for the populations of the world who have seen the recurrent tides of war and the human flotsam of homeless refugees, a stock of the precious metal, however small, is a shield, however feeble against the shocks of fortune."

He sees the same disaster of the early thirties repeating itself with our overextended credit, our inflationary spiral and our continuing debasement of our currency. And if we bothered to look and learn from the "Decline and Fall of the Roman Empire," we might, still, even now, save ourselves. But the bureaucrats tell us that deficit spending is the way to prosperity, because we owe it to ourselves: and we can always print some greenbacks.

At the same time, the Government is calling for the people to turn in their silver coins and it has been reported that we will soon have plastic coins because of the shortage of silver. Our dollar is now worth 45 cents. Will we never learn from the lessons of history?

Remember when the checks and balances of the Roman Republic interfered with the profits of those in power, a great hue and cry went up to "change the system"—to return to the popular vote (one vote, one man) of the Greek democracies. Those who demanded the change were the self-chosen few who were reaping great financial benefit and personal power through the machinery of government. They knew that the "people would go along with them in return for the free ears of corn." This system enabled the people as pressure groups to demand more and more handouts; it relieved them of the responsibility to fend for themselves.

What is the parallel today? Consider the Supreme Court action which is depriving the 50 States of these United States of the constitutional right to have their legislatures determine the basis upon which their representation may be determined. The States are told they must conform to a formula which is dictated to them by the Supreme Court itself, by a 5-to-4 decision, by a swing vote of one Justice—a decision that is not made by a legislative body but by an oligarchy. The U.S. Constitution gives to the States the right to fix their own voting districts for the houses of the State legislatures.

No such usurpation of power by the judicial branch of Government has been so far recorded in the whole history of our country. It violates every tenet of the checks and balances of our constitutional Republic. What the Court has done by a 5-to-4 decision is to convert their own political philosophy into a constitutional rule that is directly contrary to 175 years of precedent and antecedent.

If we, as Americans sit back and let this happen without challenge, we will get the kind of mobocracy that we deserve.

At this point in our history as a republic, we still have recourse to demand of our Congress that they take steps: First, to pass a law, taking from the Supreme Court all jurisdiction in apportionment cases, and second, to insist upon the passage of a constitutional amendment which reaffirms that the States of this Union have the right to apportion legislative districts according to their own State constitutions.

Both in the old Roman Republic as well as our American constitutional Republic there are parallels of basic faith in constitutional principles. Theirs, of course, were pagan but they recognized, nevertheless, that religion was necessary if morality was to be maintained Ours was based on Judeo-Christian principles and faith in the sanctity of the individual under God. Those who destroy this basic faith did not then and do not now have anything with which to replace that faith.

Thus it becomes clear that, in truth and in fact, the real progressives, the men with the new approach and the new concept of government were the Founding Fathers of 175 years ago. The real reactionaries are the so-called liberals of the last 30 years and of today who are trying to destroy our American constitutional republic. They are the ones who would return us to the conditions which existed under the pagan Greek democracies and the tyranny of the self-chosen few who came into power after the decay and destruction of the great Roman Republic.

Are we going to let this destruction happen to us, here in America? We are well on the road.

Let me, in conclusion, summarize the five basic reasons why great civilizations wither and die:

1. The undermining of the dignity and sanctity of the home, which is the basis for all human society.

2. Higher and higher taxes, the spending of public money for free bread and entertainment for the people.

3. The mad craze for pleasure and sports becoming more exciting, more brutal; entertainment of all kinds becoming more immoral.

4. The building of greater and greater armaments when the real enemy is "within": the destruction and decay of individual responsibility.

5. The decay and destruction of religion: faith fading into mere form and ritual: losing touch with its true spirit: losing touch with life—thereby losing the truth, the inspiration, and the power to guide the people.

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FINANCIAL ASSISTANCE FOR NEW HAVEN RAILROAD

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Giaimo] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GIAIMO. Mr. Speaker, today I have introduced legislation to provide for direct financial assistance for the New Haven Railroad. It is identical to legislation sponsored in the other body by Senators Dodd and Pell.

In brief, this bill would authorize the Interstate Commerce Commission to assist passenger-transporting railroads in preserving and improving train services and facilities.

It provides a total authorization of $75 million for a 5-year period, with a limit of $20 million for any one railroad during the first year of operation.

I would like to emphasize that this is not a straight subsidy bill. It would not merely extend the pouring of money into a bottomless well. Rather, it would provide a formula for gradual deceleration as the railroad becomes more and more able to help itself. During the first year, the Federal Government's share would be 100 percent, with no requirement for State and local matching funds. But, for the next years, as the railroad becomes more independent, the Federal contribution will decrease in the second year to 80 percent, the third, 70 percent, the fourth year, 60 percent, and finally

50 percent. This contribution, however, would depend on State and local government activities in the way of direct assistance, tax relief, and so on.

Of course, the New Haven Railroad is in immediate need of such assistance. As Senator Dodd pointed out in his remarks, this bill is not a solution, even a partial one, to the New Haven's problems, however. It is a stopgap measure, to permit the railroad to continue while Congress and the States study other measures to provide long-term solutions to the railroad's problems and to the problems facing all modes of transportation in this country.

I have also written to our colleague, the gentleman from Arkansas, Chairman Harris, asking that he hold hearings on this bill as soon as possible. In the interests of the economy of southern New England and, indeed, the entire northeast corridor, the New Haven Railroad must not be allowed to collapse. It would cost our Government far more to provide a new transportation system for this area than it would to take the steps now to save the New Haven and strengthen the entire transportation system.

GOLD COVER RESERVE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Hansen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, there has been a great deal of fear expressed for the stability of the currency of the United States since Congress voted to repeal the gold cover reserve against deposits in Federal Reserve banks.

It is important to remember that gold in itself is a sterile, unproductive thing. The solvency of any nation is directly related to the productivity of its fields, factories, and the industriousness of its people. In short, solvency is dependent upon the production of economic wealth.

The position of the American dollar is firm and in an improved position and there is every indication that the balance-of-payments question may very well be on the way to a solution in the not too distant future. I feel the article by J. A. Livingston in the Sunday Washington Post of February 28 contains important information that will be of much value to my colleagues in discussing the gold cover question with the people of their districts. I insert it in the Record for that purpose:

DOLLAR ALARM MAY BE UNFOUNDED

(By J. A. Livingston)

It's useful to look back. In June 1957, at Harvard, Sir Geoffrey Crowther, then managing director of the esteemed London Economist, stood before a distinguished audience and said: "I can not see in our lifetime closing the dollar gap."

Yet, today the world wallows in dollars. The gap has become a glut.

Sir Geoffrey should not be faulted. He had plenty of company. He was speaking the economic fashion of the period.

Then, as now, the dollar's strength rested on the economic prowess of the United States—its industrial organization, manpower, machinery, and agriculture. But that strength was exaggerated by the disruption in Europe. The major industrial nations of the Western World—France, West Germany, Italy, the Benelux countries, and Great Britain—had not yet recovered psychologically from the remnants of war.

Alone, among the major world currencies, the dollar was "free." No restrictions on how much could be taken in or out of the United States. No limitations on capital export. Yet worship of the dollar was mightiest when other currencies were acquiring freedom also; that is, convertibility.

Western European currencies wobbled under suspicion long after the nations behind them were resurgent—on their feet. And we can well wonder if today's fears about the dollar are likewise at their highest when the worst has passed.

The case against the dollar rests on a faulty inference, says Prof. C. R. Whittlesey, of the University of Pennsylvania, in a scholarly, well-reasoned article in the German World Economic Review. "The dollar has been under pressure; ergo, the dollar is a weak currency," writes Whittlesey.

"To draw such a conclusion is to place the dollar in the same category as the currency of any impoverished, depressed, politically unstable country * * * Currencies break in periods of political turmoil, severe economic distress, or postwar dislocations * * * In the case of more developed countries, it has taken all these factors in conjunction."

After World War II, the citizens of most European countries distrusted their own currencies. They'd had experience with repudiation and devaluation. They sought the dollar for what it could buy and, along with gold, as a store of value. But once Europe revived, a franc was as good as a guilder or a mark or a dollar. Currencies were stabilized. The United States had achieved a major postwar aim: Europe was rehabilitated. The dollar that went into the rehabilitation of Europe, closed the dollar gap and opened the dollar glut.

Just when the dollar gap closed, the Common Market was formed. Americans, who in the early postwar years had to have Government guarantees to invest abroad, began pouring capital into Great Britain, France, West Germany, etc. Investment trusts were formed to buy shares of companies in the Common Market. Interest rates were higher, earnings were better. Not only did American money flow out of the United States into Europe, but Europeans, regaining faith in their own currencies, brought funds home.

So could it be—in reverse—with the pressure today on the dollar. The huge American investment abroad is beginning to pay off. Last year net income on foreign investments exceeded $5 billion.

True, this was more than offset by $6.5 billion of private investment abroad and government aid of $3.5 billion. But these sums may not be matched again. The General Motors $100 million investment in Belgium may be the last big American plunge in the Common Market.

In addition, Government restrictions on capital exports (voluntary and statutory) will reduce the outgo. And the Government is curtailing its expenditures overseas.

Now that the franc is strong, President Charles de Gaulle, of France, has focused world attention on gold. But it isn't an enlarged stock of gold that has invigorated the franc. It's the vigor of France.

Likewise, the diminution in the stock of America's gold has not—in the slightest—diminished the vigor of the American economy.

And the dollar, as Professor Whittlesey notes, is not weak. It's only under pressure relative to francs or West German marks. It's not in demand, but in supply. Yet this could change rapidly. Prolonged prosperity at home exerts a powerful pull.

Interest rates and corporate earnings are rising. It becomes increasingly profitable to employ dollars in the United States. Could it be that the alarums and scarums about the dollar may be at their "De Gaullest" when the trend is already the other way?

DEATH AND DETERRENCE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, I am introducing today a bill which would do away with the death penalty as a punishment for Federal crimes.

During the past century, criminologists have spoken out against the use of capital punishment with increasing force. Today, half the countries in Central and South America do not employ this extreme and outmoded penalty. All but four countries in Western Europe have abolished it. In our own country, four States outlawed it during the 19th century, and today a total of eight States have no provision for capital punishment in their penal codes.

It is now generally recognized that there are many areas in which the Federal Government of this Republic validly performs the role of exemplar. I believe, Mr. Speaker, that the very important field of penal practices is one of these and that by moving to abolish capital punishment on the Federal level, we will be providing the several States with a forceful model of 20th century humanity and good sense.

There are two primary categories into which the arguments against the death penalty fall. Arguments based on moral principle deserve first consideration, of course, but in the United States the controversy has for some time been mostly centered on the practical arguments. Of these, certainly the most important is the deterrence argument. Does fear of the death penalty keep a man from committing a capital crime? This is the question which has received most of the attention.

People in general are naturally concerned about law and order. They want to live in as safe a world as possible—without the fear that at any moment the lives of themselves or their children may be in danger. So it is not surprising that they should be so concerned with the deterrent effects of threatened punishment.

It is my impression that most of the supporters of the death penalty are not so wedded to it on moral grounds that they would not give it up could the abolitionists but demonstrate that its deterrence value is a myth.

On the other hand, the burden of proof should not be altogether on the abolitionists. For such a drastic and irrevocable step as execution—with no later opportunity to correct the always possible mistake—those who uphold it must feel the necessity to be certain of their ground. They must want to be sure that the use of the death penalty by society is truly a deterrent to would-be criminals.

Probably our foremost authority today on capital punishment is Prof. Thorsten Sellin, of the University of Pennsylvania. In the conclusions he has drawn from his studies, he has been very careful to avoid the excesses of many abolitionists in the past. A number of these have seized at random on a State or county with the death penalty and a high homicide rate to compare it unfavorably with a State or county which has neither. In a recent review of statistical information bearing on capital punishment which was made by Professor Sellin for the American Law Institute, great care was taken to draw comparisons only between areas of reasonable similarity.

Professor Sellin very cogently asserts that if the death penalty does in fact exercise a deterrent effect on prospective murderers, the following propositions would be true:

> (a) Murders should be less frequent in States that have the death penalty than in those that have abolished it, other factors being equal. Comparisons of this nature must be made among States that are as alike as possible in all other respects—character of population, social and economic conditions, etc.—in order not to introduce factors known to influence murder rates in a serious manner but present in only one of these States.
>
> (b) Murders should increase when the death penalty is abolished and should decline when it is restored.
>
> (c) The deterrent effect should be greatest and should therefore affect murder rates most powerfully in those communities where the crime occurred and its consequences are most strongly brought home to the population.
>
> (d) Law enforcement officers would be safer from murderous attacks in States that have the death penalty than in those without it.

In reviewing the statistics from 1920 to 1958 for such comparable States as Maine, which has no capital punishment, and Vermont, which does, Professor Sellin arrives at the following conclusions:

> 1. The level of the homicide death rates varies in different groups of States. It is lowest in the New England areas and in the northern States of the Middle West and lies somewhat higher in Michigan, Indiana, and Ohio.
>
> 2. Within each group of States having similar social and economic conditions and populations, it is impossible to distinguish the abolition States from the others.
>
> 3. The trends of the homicide death rates of comparable States with or without the death penalty are similar.

Professor Sellin's report also summarized studies of crime rates in various States and countries before and after abolition—or restoration—of capital punishment. In Michigan convictions for murder averaged 2.5 per year during a period before abolition—1858—and 2.3 after abolition. In Iowa the average per year was 2.6 during the 7 years before abolition—1872—8.8 during the next 6 years, and 13.1 during the 7 years after restoration of capital punishment in 1878. These studies show a varied pattern which gives no support whatever to the contention that changes in the law on capital punishment have an effect on the number of homicides. Likewise, from the results of a separate and detailed study, Sellin found that, although the differences are small, the abolition States appear to have fewer police killings than those which have retained the death penalty.

This is a complicated subject, Mr. Speaker, and it has been my purpose today to present only the barest outline of the findings of one of America's most distinguished and respected sociologists.

The essential point I wish to make is this: We cannot dig an executed man out of the grave and say to him, "We made a mistake. We know now that you were innocent." Since we cannot do this, we should demand absolutely unassailable proof of the effectiveness of the death penalty in the protection of society. In the absence of such proof, and I am convinced that we now know enough to be certain that it does not exist, we should abolish a punishment which cannot be rescinded. To summarize, therefore, the case against capital punishment rests principally on three points:

First. Capital punishment risks the killing of innocent men. The record is full of fatal mistakes. In Maine and Rhode Island, capital punishment was abolished after the execution of men widely believed to be innocent.

Second. Capital punishment contributes nothing to the prevention of crime.

Third. Capital punishment is unjust because it accomplishes nothing but retaliation.

I propose, Mr. Speaker, that the Federal Government take the initiative in this very important area of penal practice; and I urge my colleagues to give fair and unemotional consideration to the bill I have introduced today.

POVERTY IN THE SOUTHWEST

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, we have been debating the Appalachian program for 3 days on the floor of this House. Members of the Public Works Committee which considered the bill this year, as it did last year, and other Members who are experts and knowledgeable in this particular area, have argued forcefully, factually, and persuasively for this massive broadside attack on poverty and distress in Appalachia.

It would not be possible for me to add to the high-level discussion of this bill. The facts and the need for the program have been amply demonstrated. I supported the Appalachia program in the 88th Congress and I support it in the 89th Congress.

Without digressing too far from the subject matter of this debate, however, I would like to point out to my colleagues an area of poverty and distress, of low income and high unemployment, of low educational achievement and of a low standard of living—an area as depressed and in as great a need of Federal assistance as Appalachia. I refer to the Southwest in general, and to south Texas in particular.

We have all heard of the plight of the migrant farm laborer. Well, most of them live in the Southwest except for the time when they are able to get temporary employment elsewhere. Many migrant workers live in my own district. These people need help and there are provisions in the Economic Opportunity Act designed to assist them. Hopefully, the war on poverty will come to this part of the battlefield. But impoverished as this group is, they constitute merely the visible portion of the problem in the Southwest.

Here are some statistics: Of the total population in Texas, 28.7 percent of the families live on a median family income of less than $3,000—18 percent of these live on less than $2,000. Of the total population in New Mexico, 24 percent of the families' incomes are less than $3,000. In Arizona, 21 percent of the families' incomes are less than $3,000. In California the corresponding figure is 14 percent, and in Colorado the figure is 18 percent. According to the Bureau of the Census, one-fourth, 25 percent, of all Americans with a yearly income of less than $3,000 live in these five Southwestern States. Within these States live 4 million Latin-Americans, that is, Americans of Mexican descent. And they are concentrated along the United States-Mexican border, beginning in south Texas and extending to California and the Pacific coast. There are 2,500,000 Negroes in this area and 200,000 Indians.

At the recent National Conference on Poverty in the Southwest, held at Tucson, Ariz., one participant stated that the living conditions of the Mexican-American are perhaps America's best kept secret. I would not quarrel with this conclusion, but I believe the problem goes even deeper. The three ethnic groups that I have mentioned—Mexicans, Negroes, and Indians—are the forgotten peoples of the Southwest. And they are not alone, for poverty, although it may be concentrated among certain groups, cuts across the color line. Poverty is an infection which spreads across the land from group to group until, as in Appalachia, an entire region may become stricken.

The Reverend John Wagner, of San Antonio, a great thinker and a humanitarian who has long appreciated the problem in Texas and who has worked hard to find a solution, said at the conference in Tucson:

> To my mind, south Texas is one of the greatest, most distressing, and most unknown pockets of poverty anywhere in the United States, and I would like to refer to it as the 1,000 miles of poverty. This large area in the southern part of Texas almost stands apart from the rest of the Nation in the extent of its problems.

A representative of the AFL–CIO testified at the same conference that for the past 5 years the unemployment rate in Texas cities along the Rio Grande has been far in excess of both the State and national employment rates, reaching as high as 15 percent for periods as long as 15 to 20 months. The 1964 U.S. Department of Agriculture leaflet, "Rural Poverty," states that there are 24 counties in the 5 Southwestern States that have a median rural family income between $1,535 and $2,212, placing these counties in the 250 poorest rural counties in the entire Nation. Twenty-two of these 24 counties are in Texas, mostly in the southern part of the State.

Mr. Speaker, I endorse the Appalachian program as a method for attacking poverty on the regional level. But it goes without saying that Appalachia is not alone in the Nation as a distressed area. I believe that when all the facts are known the Southwest and the south Texas region will be seen as a problem of widespread, deeprooted poverty worse, in many respects, than any other. I call the attention of my colleagues to this disastrous and shameful situation.

THE CHALLENGE OF CITIZENSHIP

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Veterans of Foreign Wars conducts each year a "Voice of Democracy," contest, in which some 250,000 high school students throughout the Nation participate. The winning contestant from each State is brought to Washington, D.C., for final judging as a guest of the Veterans of Foreign Wars.

I am highly honored to announce that the winner from the State of Texas is Mr. Michael W. Stevens, of San Antonio, which I am very proud to represent.

Mr. Stevens' winning speech entitled "The Challenge of Citizenship," is beautifully composed and propounds a vital message for all Americans, both young old.

Mr. Stevens' speech follows:

THE CHALLENGE OF CITIZENSHIP, 1964–65

(By Michael W. Stevens, San Antonio, Tex.)

It is a paradox that many well-meaning Americans will actively support and contribute to organized efforts to relieve the plight of others, but fail to fulfill the duties of citizenship. No other omission could be more inimical to the welfare of all people.

Consider the block on which you live. Let one house be occupied by a man lacking food, another by someone unable to utilize his talents because he is of a minority group. Let still other houses represent the poor of other countries. Would it not be clear that by merely giving food to the first man, that only part of our duty would be fulfilled?

To follow this hypothesis, let's create two men, who for their own reasons and in opposition, have agreed to accept the responsibility of administering the affairs of your block. Would it not be important to each resident to actively participate in selecting the right man and noting his performance?

It is in that way that the challenge of citizenship in American affects not only our Nation, but our status as citizens of the planet. It is to the extent that Americans understand, value, and contribute to our citadel of freedom, that it will remain, as it began, the birthplace of man's dignity and equality, where he is measured by nothing more than his presence on the scene.

But where and how to start, one asks, and this is the challenge. Since interest is necessary to learning, find this first. Many fine publications objectively report on America's problems and the men who are attempting to solve them. Learn, as immigrants to our country must, the structure of our National Government, as well as your form of local government. Express yourself to legislators after studying issues, always holding before you that which seems best for the country or community. If you are permitted to vote do so, reaching a point of view which only considers qualifications, rather than personal characteristics.

Any library will supply books on government, and you will find American history more adventurous than most fiction. Seek out friends who have such interests, and join or begin a discussion group.

The challenge of citizenship requires the same discipline and sacrifice as one's spiritual life, and in that sense the reward is not manifest, except in the mind and heart of the individual. They are each part of that indefinable term "character," and their absence is a minus thereof.

To participate makes one a member of a team, doing his best to pass the baton of freedom from his forebears to his successors. That is the challenge—and the reward.

NARCOTICS PROBLEM IN HARLEM

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized for 60 minutes.

Mr. POWELL. Mr. Speaker, 2 weeks ago in this well I began what I started in 1960, the producing of facts concerning corruption in the police department of New York, especially those in Harlem, to which I refer as the dregs of the police department. The police department generally is the best police department in the country. However, those dregs have been sent to my district. As a result, out of all the narcotics addicts in this Nation, one-half of them live in my district.

The police commissioner, through his deputy police commissioner in charge of public relations, made no attempt to dispute anything I said at all but just said, "hogwash"—I was not speaking the truth concerning the police department corruption.

Right after that on February 21, two detectives in Harlem, first-grade detective Eugene J. Baccaglini, Jr., who has eight citations, and Elmer R. Guay, third-grade detective, who has six citations, were arrested for shaking down a couple in my district, Mr. and Mrs. George Hill, Jr., for $300 in return for not arresting them on a charge from Michigan.

Now, this is astounding—out of 48 supreme court judges in New York County and the Bronx with a population of 35 percent Negro and Puerto Rican, there was only one Negro until I was able to cooperate with our former colleague, Congressman Buckley, and get the majority votes at the judicial convention. Now we have three, with still no Puerto Rican judge, by the way. The same court that has been writing the law as it moves along, and wrote the law as reported in the Daily News on March 2, when a New York City patrolman, Leonard Grossman, in cooperation with Mike Scandi, had been arrested for stealing guns and dumdum bullets from a New York City Police Department arsenal. According to the Daily News, these were being sold to the Mafia "to be used in rubbing out police and also FBI informants."

The judge in this case, Supreme Court Justice Nathan Sobel, ruled an entirely new rule in handing down this rule and said:

> This is a trailblazing rule that has never been handed down by a court before.
>
> Now there will have to be a test case to go on its way to the highest court in the State and the Nation.

It is a sorry day when the police of my town are selling guns and dumdum bullets to wipe out police and FBI informants.

Now I shall start today and continue—even though in the past 2 weeks I have received many, many threats on my life. I have just concluded a conference with the Washington, D.C., Police Department, and also with the FBI, on these threats that have come to me in through the mail. But nevertheless I will continue.

I have before me 33 names and addresses of known dope peddlers in Harlem.

I want to just mention the fact that the biggest one in Harlem now in dope as well as in numbers is the one that I started out with in January of 1960 who operated his numbers place in front of my church, Louie the Gimp.

Louie the Gimp is now not only operating numbers as one of the three No. 1 men in Harlem, but he is now No. 1 man operating the dope ring in Harlem.

Again I quote Newsweek. Dope in New York City runs close to a half-billion dollars per year.

I want also to say that some of those I am going to mention have been turned over to the Department of Justice. Four of them are awaiting trial, so there is no point in bringing them up.

I will, however, bring up three or four additional names and their addresses.

This one is slim and brown. His nickname is "Stony." He happens to be a male Negro. He is about 41 or 42 years of age. He weighs 147 pounds. He always wears a cap and sweater. He carries a revolver. He drives a 1964 Grand Prix Pontiac, midnight blue. He operates on Seventh Avenue between 135th and 136th Streets on the West Side. He has been operating there for years. In fact, when CBS did a national telecast on dope in Harlem, he was one of the faces they captured on camera. As a result of that telecast in Harlem by CBS, lasting 1 hour, with hidden cameras, not one single thing has been accomplished. There has not been a single arrest. Even though there was the photo on camera which the Nation saw, of a policeman receiving a bribe openly in daylight from a numbers pusher, nothing has happened whatsoever.

Another one I would like to give is Al Brown, 32 years old, 5 feet 11 inches, who drives a 1963 black Cadillac. He operates out of a double basement, 115–117 West 136th Street.

Another one is known as "Bikie." Tall; he is a Negro; no address; very vicious. He operates out of the same area from which "Stony" operates. He is the controller for one of the white top three in the dope traffic of New York City, who frequents a place called Hilda's Bird Cage. It is a bar on 136th–137th Street, just a block from my church.

Another one is Leon Aiken, who owns the Purple Manor Restaurant on East 125th Street.

Another is Frank Johnson, 5 feet 11 inches, 32 years old, who weighs 200 pounds—Seventh Avenue again, between 135th and 136th Streets.

I am giving these names first, because these are the ones who operate within the shadows of my church.

Then there is the one called "Bud." I do not know his last name, but I know his car. It is a 1963 or 1964 Falcon, license No. 4N5473. He is 5 feet 9 inches, 180 pounds. Operates just around the corner from my church.

There are many more names, as I said, I will mention from time to time, every week, but I believe a detailed reply should be given to the Nation and to this Congress by the police commissioner of New York, by the mayor of New York, and by the Commissioner of Narcotics of this Nation, who has confessed that out of 1½ tons of heroin that comes into this Nation each and every year the Treasury Department, Division of Narcotics, has been able to seize only 35 pounds.

Mr. Speaker, I yield back the remainder of my time.

HOME RULE IN THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, the Republican Party has frequently enunciated the principle that government should remain as close to the people as possible. In support of this principle Republicans have resisted the growth of the Central Government and have invoked the rights of the people within the States to guide their own destinies. In doing so, we have claimed that we are in favor of the most representative and most democratic political arrangements that can be devised.

Adherence to this principle commits the Republican Party to its extension to the District of Columbia. This is the course proposed today by Republican Members of the House of Representatives who have sponsored legislation to reestablish popular government and restore suffrage in the National Capital.

In introducing a bill erecting a representative form of government in Washington, we have been motivated by the principle of self-determination, but we have been mindful of the particular considerations that affect the Federal City, such as the power and the responsibility imposed on the Congress by the Constitution, the Federal interest, and the financial relationship of the Federal Government, the local government, and the taxpayers of the District. We are urgently impelled to seek an acceptable solution to a problem that has frustrated our predecessors by reason of the patent failure of the Congress to meet the current needs of the National Capital including, for example, a revision of the criminal code, the revitalization of the urban renewal program, the formulation of education policy, and the restoration of an atmosphere of personal security in the streets and homes of Washington.

In this task we are fortified by the fact that the provisions of the Constitution give us the gift of hindsight. Since we may not escape the ultimate responsibility for the affairs of the District, we retain the power to revise and amend any scheme of government that proves incompatible with the Federal interest or uncongenial to the inhabitants of the city. We have reached a point, however, where the results of further delay will be more dangerous for the National Capital than the acceptance of something less than perfection as each individual Member of Congress may visualize perfection. It was only in mythology that Venus sprang fullblown from a seashell.

In this effort we are guided by the interpretation of the Constitution that the members of the Constitutional Convention placed upon the words of article I, section 8:

> This Congress shall have Power * * * To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and Acceptance of Congress, become the Seat of the Government of the United States, * * *.

As history has recorded, municipal government was recognized in the early days of the Republic when the authors of the Constitution had become its first administrators. It expired in the chaos that beset the Capital as a consequence of the Civil War and the extraordinary expansion of the Nation and its Capital that followed that conflict. Thus we act on the principle of self-government, on the authority of the Constitution and its historical interpretation, and with a sense of urgency dictated by the circumstances of today.

The bill provides a Governor nominated by the President and confirmed by the Senate. Under the 23d amendment the people of the District are entitled to vote for President and Vice President and so their wishes will surely be consulted by the President in making this appointment.

At the same time the appointive method of choosing the executive will assure harmony between a national administration and a city administration. In the unique situation in which the city executive will often act as the Nation's host and will constantly be acting as a liaison officer with executive agencies such harmony seems absolutely necessary. The Governor, and in some instances, the President would have the veto power over District legislation.

We have sought to prevent the accretion of monolithic politic power and the accompanying machine politics that have brought corruption, graft, and disillusionment to many large American cities. This is the purpose of that section which provides for a fixed minority representation in the assembly, be it Democratic, Republican, Liberal, Conservative, or otherwise, to help insure a continuing, vital political dialog. The scrutinizing effect of this system, hopefully, would keep the controlling majority party honest, but would, in no way, hamper the decisive voice of the majority. This provision for a fixed minority representation is not entirely novel; we find it to some degree in several of our cities—New York City, to mention one. Briefly, the assembly would be elected by wards—five members from each of five wards—but the majority would elect only four of the five, the remaining one seat to go to the minority party.

To help insure against insolvency or fiscal irresponsibility—the reason for the collapse of one former local government—this bill provides that the local budget must first be reviewed and approved by the Federal Bureau of the Budget before it can be adopted by the local body. This provision would not only help to insure the continued fiscal integrity of the District but act to reassure the Congress. The Congress should then view the Federal share of the cost of District government as it does the cost of other Federal functions.

Representation in Congress is to be provided through election of a delegate from the District as I have already proposed in a separate bill. The effective work of the Resident Commissioner of Puerto Rico and the former delegates from Alaska and Hawaii is a precedent for this step as an evolutionary step toward full membership in the Congress.

I do not suggest that this bill is perfect or is the final answer but I believe that it does meet some of the major sensitive issues involved in the question of home rule for the District of Columbia. It is my sincere hope that my colleagues on both sides of the aisle will give full and considered attention to this approach to a serious national question that should be resolved without further delay.

I am pleased to state that Mrs. DWYER and Messrs. CLEVELAND, HORTON, ELLSWORTH, LINDSAY, REID of New York, STAFFORD, TUPPER, FRELINGHUYSEN, CONTE, MORSE, HALPERN, and CAHILL join me in the introduction of this bill, and many other Republican members of the District Committee and of the House have pledged their support or indicated their willingness to give it objective consideration. I ask unanimous consent that each sponsor of the bill be granted leave to revise and extend his remarks at this point in the RECORD.

Mr. HORTON. Mr. Speaker, with both pleasure and honor, I join my colleague, the distinguished gentleman from Maryland [Mr. MATHIAS], in introducing a home rule bill for the District of Columbia.

This measure would establish for the District of Columbia a reasonable and honorable procedure for its citizens to exercise civic control over the affairs of the seat of government where they are municipal more than national.

The bill I offer today proposes an appointed Governor and Secretary, an elected 25-member legislative assembly—incorporating fixed minority party representation—and a nonvoting delegate to the House of Representatives.

Wherever the discussion of home rule for Washington goes it is followed by the debate on the constitutionality of the question. Can Congress divest itself of some of its "exclusive" legislative powers over the District of Columbia and grant them to a locally elected legislative body? I believe the question no longer is current. In fact, I think it was solved many decades ago when Congress saw fit to grant these powers to a series of locally elected governments. The precedent is there.

A more real problem, in my belief, is structuring a local government to provide deserved populace rights on the one hand without on the other hand weakening the necessary peremptory role of Congress in the Capital community. In the last analysis, the District was created first and foremost for the business of the Federal Government.

I believe when our colleagues have the opportunity to read and review the bill we have submitted they will find the Federal interest fully protected and preserved. Congress would retain ultimate legislative jurisdiction and hold veto power, as well. Similarly, the President would be vested with veto power over any act of the local government which he felt hindered the full and fair operation of the Federal Government.

Of special importance in this bill is the section specifying set minority strength on the local legislature. I think this unique requirement offers additional protection against often-expressed fears over the unbalanced potential of District home rule government.

Mr. Speaker, this bill does not—purposely—take up the selection of school officials. Later, I shall introduce a bill providing for this area. Not the least of the reasons for failing to couple the school administration measure with this overall government legislation is the worth of keeping the two as separate and distinct as possible.

I am pleased to have been able to present this information. Home rule for Washington can and should become a reality in this Congress. I think the contents of the bill I have introduced today promise it added probability.

GENERAL LEAVE TO EXTEND

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

TRIBUTE TO A GREAT LEADER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 30 minutes.

Mr. HALPERN. Mr. Speaker, Webster's Dictionary defines politics as "the art and science of government." Hence, good politics means good government. And good government means good politics.

The stanchest advocate of this philosophy whom I have known was the late chairman of the Queens County Republican Committee, the Honorable Frank Kenna.

This man epitomized the unique qualifications which make great leaders, and his talents contributed invaluably to the American political system. Frank Kenna's untimely death last November while vacationing after the grueling national election campaign, left a void on the American political scene that will be difficult to fill.

The tributes to Frank Kenna from those who knew him well are so significant and have such meaning to our two-party system that I would like to bring them to the attention of my colleagues in the Congress.

On January 20 the Republican Club of Astoria, N.Y., recently renamed the Frank Kenna Republican Club, together with the Women's Republican Club of Astoria and the First Assembly District County Committee, held a joint memorial program in honor of the late Queens leader. The tributes read at this meeting were embodied in a special memorial edition of The ARC, the monthly news and information publication of the Frank Kenna Republican Club.

Mr. Speaker, these eulogies are in recognition of a great American, outstanding Republican, courageous leader, and fine gentleman. I am privileged, as a further worthy tribute to Frank Kenna, to present these testaments to him to the Congress:

Memorial Tribute to Frank Kenna

On November 11, 1964 (Veteran's Day), Frank Kenna, our beloved leader and distinguished leader of the Queens County Republican Committee for nearly 20 years, passed away at the age of 69 in Atlantic City, N.J., while on a brief postelection holiday with his wife, Agnes

Frank's association with the Republican Club of Astoria dates back through half a century when he became a member and began his rise through every office in the club to the leadership. In the process he directed the club's growth from a nucleus of 35 members to a total of 650 in the men's club and close to 500 in the women's club.

He encouraged the expansion of club facilities. He led the club out of the cigar store where it organized, through several improved locations and was personally responsible for the acquisition and rehabilitation of the present building. Following the disastrous fire that left the club in ruin, he undertook its reconstruction, quickly completed the task while simultaneously revitalizing the club's financial posture, with the result we currently enjoy the greatest stability in the history of the club.

Frank's rise, in retrospect, seemed preordained. His compassionate concern for his fellow man was obvious from the first. Wisdom and integrity became synonomous with his name. His friends were legion. His interests embraced every facet of community life. He was an avid sports fan and interested in youth activities. He was a charter member and director of the Boys Club of Queens, held positions as trustee and director of banking institutions, charitable, religious, fraternal, civic and other groups throughout the country at one and the same time, and all benefited in full measure from his talents and boundless generosity.

Frank Kenna was honored by every one of them during his lifetime and posthumously as well. He was the most sought after guest speaker in the annals of Queens County. His fame reached far and wide through the State and Nation.

Personal reward came from the satisfaction he felt in doing everything within his means and power to be of service to his fellow man. Every man's dream was his own. He was the willing instrument through whom hundreds realized their aspirations. He walked among the great, and his presence added dignity and prestige to the company he graced.

Humble and sincere, Frank Kenna was the symbolic soloist whose arias gave vent to the emotions of those who lacked the gift of expression. He carried the tune that elevated and inspired the chorus to heights they could only hope to attain through his voice. Indeed, he led the symphony.

Now, because the Lord has called him to his reward we pause to reflect his accomplishments and contributions. We are thankful for the leadership, influence, and understanding he showered upon us. Respectfully, we suggest that perhaps the most appropriate epitaph drawn from the love and gratitude in our hearts would be best expressed by those who were touched by his goodness, as assembled, we proclaim, truly, he was his brother's keeper.

Frank Kenna, a man we will always remember.

John J. Durante,
Editor, the ARC.

Frank Kenna was elected a member of the board of trustees of St. John's Hospital on October 19, 1950. From that day until the day of his death, November 11, 1964, he was a faithful member of the board. He rarely missed a meeting and was interested in all phases of the hospital's charitable program. He was most generous in his gifts to St. John's.

He served on many committees at considerable sacrifice of time and convenience. He had the confidence of the Sisters of St. Joseph who conduct the hospital and he worked unceasingly for their benefits. He interested a large number of his good friends in the work of the hospital, particularly in the recent building fund appeal.

In Mr. Kenna's death St. John's has lost a loyal friend, a capable and devoted trustee, and true benefactor.

Rt. Rev. Msgr. Joseph F. Brophy, P.A.,
Executive Chairman,
St. John's Queens Hospital.

The Frank Kenna Legacy

Nobody meeting Frank Kenna politically or socially, for the first time, was left with the feeling that they were privileged to be speaking with one of the greatest political leaders of our time.

Frank was completely remote from the layman's idea of a powerful political leader. Nevertheless this reserved, reticent family man stood out as a leader amongst leaders.

Frank was hard to know and fully understand at the first handshake. But those of us who truly and sincerely knew him as a friend, understood that under him was the deepest sense of humility that God could bestow on any man. For with Frank's powerful position in politics, he was the least pompous of any man that I have ever known or would hope to know.

To the people, Frank was a politician; to his friends, he was Frank, the man, who would rather discuss sports, family life, or reminisce about old Long Island City, than discuss politics.

He was a wonderful friend and lived his 69 years in a rare spirit of dedication to the principles of his Republican Party and his loyalty and feelings for his friends here tonight.

I will carry with me for the rest of my life the wonderful and cherished memories of Frank as my friend.

Jack Leahy.

My relationship with Frank Kenna goes back to the year 1920, at a time when I never thought of joining a political club. Frank at that time was a young man who impressed all with his ability and determination to do the right thing. My admiration and respect for Frank through the years has been steadfast, as I believed that here was a man whose finest trait and reputation was for being honest and forthright and his word was his bond.

I am grateful that Frank was my friend and that the history of the Republican Party of our district will show that I was fortunate enough to have served with him as his coleader.

BELLE SHEEHAN,
State Committee Member,
First Assembly District.

Shocked and dismayed only could have described my feelings when I learned of the departure of our revered leader, Frank Kenna, to his reward by our Heavenly Father.

Frank was a true friend to all who knew him, a humanitarian, an executive, and a keen conversationalist, a sincere and astute political leader, admired and respected by all parties and last but not least, a father and husband to an ideal family.

As president of the Republican Club of Astoria, of which he was a devoted member, I am sure all of our members with deep veneration subscribe to the thoughts expressed above and, in their behalf, I wish to convey to the Kenna family their condolences and admiration for a man of great stature ever to be remembered as a worthwhile friend.

JOSEPH STOCKINGER,
President, Republican Club of Astoria.

My final official act, as president of the Woman's Republican Club is a very difficult and sad assignment. I must try to find the words that convey the terrible sense of loss our members feel as a result of the tragic, sudden death of our dearly beloved leader, Frank Kenna.

In the many years of patient and paternal interest in our club he helped fashion the smooth administrative framework that works so well and will serve us for all time. Frank Kenna was godfather to us, patron, and benevolent benefactor. He graciously arranged to accommodate us so as to alleviate the women of the expense and responsibility of maintaining separate quarters. These are some of the physical manifestations of his kindness and generosity.

The humanity of the man is already widely known. Those who served before me and those who will follow all have personal memories. These we will treasure and relive together in the days ahead.

As I prepare to pass the mantle of office to the President-elect Ruth Brannan, my heart is heavy, for she will not be blessed with the comforting assurance of Frank's dedicated help. It just is not enough to say, "We will miss him." It will never be the same. Now we can only thank him in our prayers.

God rest his soul.

MARIE D. LACKNER,
President, Women's Republican Club of Astoria.

It has been a richly rewarding experience for the many friends of Frank Kenna to have known him over the years.

He was a public figure of the highest order and a man whose loyalty to his family, to his friends, and to his party could be surpassed by none and equaled by very few.

He was a quiet man who both in business and politics had the happy faculty of cutting through directly to the heart of the matter and expressing his views in short, concise, easily understandable terms.

Frank's fleid was public service but in later years his banking connections, his work with his hospital, and his business dealings proved him to be a man of rare business acumen and to these fields he carried those traits of loyalty, truthfulness, and integrity which he had displayed all the years of his public service.

His public service, his charitable works, and the many fine things that he did for a host of people will long be remembered in this community and in the hearts of his friends.

C. E. FYLES.

Frank Kenna's passing was an irreparable loss to the many civic, religious, interfaith, business, and charitable groups in which he served. But it was as a political leader that he was widely recognized and acclaimed.

In an era when the term of political tenure was computed on a clock, he served as political leader for almost 20 years. He created a virile county political body out of disjointed, scattered clubs. During his leadership, and because of it, the two-party system worked, in the highest tradition of American Government.

For his home political club, the Republican Club of Astoria (renamed Frank Kenna Republican Club in his honor), he reserved the less burdensome hours. These were the evenings set aside for small talk—possibly a night to reminisce about the "oldtimers" like Plump, Grey, Sanders, and others. He spoke reverently of their work and their sacrifice without expectation or hope of material reward. Just before adjournment on meeting nights, the Chair invited him to speak. At times, he used the floor to tell a humorous story—not infrequently he told one on himself. When he chose to talk on some complex financial or social problem of public interest, or explain political party procedures or machinery, he was without peer. He reduced these abstruse questions to their simplest elements—and everyone understood. The club members revered him as their political leader and teacher; to many, he was also adviser and confidant.

Frank Kenna rarely wasted words. When he spoke, his words were clear and strong. His advice was sought in the highest political and governmental circles. He altered the political history of this county and beyond it. His power affected many lives he touched. The imprint he left for posterity is formed by the wisdom with which he exercised his power.

The spirit of good fellowship of this club, and of intense effort and high purpose in the political activity of this club, bore Frank's mark. The tribute you pay to his memory will be fitting only if you maintain that spirit.

JACOB MISHLER,
Judge, U.S. Court,
Eastern District, New York.

I knew Frank Kenna for about 40 years, and for at least 35 of them he was my friend. We consoled each other when the going was rough, and cheered when things were going good. At times we seemed to be able to communicate without speaking. Frank talked with me about some of the problems which every leader must solve and in all of the time we were close, to my knowledge, he never made a mean or unethical decision. I shall miss his warmth and concern for me all the rest of the time left to me.

JOSEPH M. CONROY,
Justice, Supreme Court.

None who knew him will ever forget him. His devotion to his family was sacred. His dedication to philanthropic deeds was legion. His dedication to the Republican Party was absolute.

His wit and humor, his down-to-earth practical mind, his understanding and kindness will be remembered by all who had the good fortune to know him.

As Agnes Kenna so beautifully said after his death—"He was a good husband and I thank God for the 48 wonderful years He gave me with him."

For the 30 years I was privileged to know Frank, I too thanked God.

JAMES A. LUNDY,
Chairman, Public Service Commission.

It is with heavy heart and with humility that one pays tribute to the memory of a dear friend.

Frank Kenna was my sponsor and supporter during my career of over 40 years. He contributed generously to my advancement in judicial service. I shall be ever grateful.

Frank Kenna has many claims to the esteem and respect that we had for him. His unswerving loyalty to his friends and supporters, his treatment of his fellow workers, his great sense of fairness, his innate integrity, his utter contempt for sham and insincerity, his love of his fellow man—these and many other attributes and virtues won for him a place in the hearts of all who knew him.

His career in public service and in the political arena was one of continuous growth both in horizon and depth. He was a deeply religious man; he had an abiding faith in God; he was a good family man. He was happiest when his courageous and understanding wife, Agnes, his children and grandchildren were at his side.

He loved people of all kinds—they were his friends and they loved him for his generosity and unselfish aid in many areas. Indeed, it can be said of him, that in his public service as a great political leader as well as in civic, communal, and charitable and humane relationships he was a tower of strength.

Lincoln once said: "If you want to test a man's character, give him power."

Through the years Frank Kenna stood the test of power with restraint and humility.

He will be remembered for his activities in the field of human rights and interfaith. His devotion to the cause of the Boys Club of Queens, of which he was a founder and a leader, is a living memorial.

The many awards received by him will be cherished by his family.

Who Frank Kenna was, what he stood for and what his record of accomplishments was, reminds us of the lines of Longfellow's "Psalm of Life":

"Lives of great men all remind us, we can
make our lives sublime—
And departing, leave behind us, footprints
on the sands of time."

In that spirit we salute Frank Kenna, a great leader, a great citizen, a great man.

May his soul rest in peace.

NICHOLAS M. PETTE,
Justice of the Supreme Court,
State of New York.

Frank Kenna was a courageous, fine American who over the years contributed greatly to the strengthening of Republican principles.

His accomplishments earned him the respect and admiration of all who knew him and rightfully brought to him the deserved title of "Mr. Republican" in Queens County.

RICHARD M. NIXON,
Vice President of the United States, 1952–60.

It is most fitting that you hold this memorial as a tribute to your feelings for the late Frank Kenna.

Frank Kenna's warm, personal qualities of sympathy and understanding never failed him throughout his colorful and active life, and earned him many abiding and unfaltering friendships.

NELSON A. ROCKEFELLER,
Governor of New York.

Because he was a highly effective chairman of the Republican Party for many years—skillfully guiding the destinies of our party in Queens during the period of rapid growth which it is still experiencing—I assume it will be in that connection that most people will think of and remember the late Frank Kenna. Since I worked with him very closely in that area of his activity during most of my 20 years in the State assembly and during all of my tenure as Lieutenant Governor until the time of his death, I will also recall him favorably in that connection.

There are literally thousands, however—in which group I am numbered—who mourn his passing not even so much for what it represents in loss of political leadership as for the deprivation of his friendship.

Frank was a kindly, gentle, sensitive, understanding man and a warm, thoughtful, considerate and generous friend. He found his greatest joy in doing things for others and truly exemplified in his life observance of the second of two great Commandments—love of neighbor. Although he has been summoned by his Maker, the example he set in terms of devotion to God, to country, to family, and to fellow man will long survive in the memory of those who knew him well.

MALCOLM WILSON,
Lieutenant Governor.

For 30 years, I have talked with many of the great names in America's political arena. I include Frank Kenna among them. Almost all politicians seek glory for themselves as they climb the political ladder, but Frank Kenna was different. He never put himself ahead of his fellow man. He always gave to others.

The late Speaker Sam Rayburn said it all quite simply at a Queens Society dinner in Washington several years ago. He leaned over and whispered to me, "He's a great guy." This whisper of four words, coming from the venerable, unfoolable Democrat from Texas, spoke more eloquently than 4 hours of testimonial speeches.

ANDREW J. VIGLIETTA,
Political Editor, Washington Correspondent, Long Island Press.

Steadfastness of conviction gained for Frank Kenna during his lifetime the admiration and respect of everyone he met.

His 40 years of service to the Republican Party in New York State is unexcelled. He was an outstanding gentleman; soft spoken, tolerant, and generous. We have all been enriched by his wisdom and good counsel which was often sought and will be sadly missed.

Frank Kenna was a political leader with few peers.

Officially, as I pay homage to him for his enormous contribution, I am thankful my position affords me the opportunity to add my personal tribute to a dear friend whose warm humor and unpretentious candor I had the good fortune to enjoy for so many years.

HON. FRED A. YOUNG,
Chairman, New York State Republican Committee.

Frank Kenna was an American first, a Queens resident second, and a Republican third. There was no diminution or degree, however, in his dedication and devotion to his country, his community, and his political philosophy.

Familiar phrases described him best. He was a man of conviction, courage, commonsense, and compassion—the last being the deep Irish sentiment in his heart.

His strength lay in his being straightforward and sincere. There never was any doubt as to where Frank Kenna stood—or why. He was never inhibited in speaking his mind—to Republicans, to Democrats, to friends, and to opponents. He was not intolerant of—in fact, he appreciated—similar candor from all with whom he associated. His word was his bond. And it was never negotiable.

He was a successful political leader. More importantly, he was a very humane human being. He was always true to this trust. And, more importantly, he was always true to himself.

I knew him, as a political associate and as a friend, for more than 25 years. I remember him with admiration and affection. So does everyone who knew him.

WILLIAM L. PFEIFFER,
Special Assistant to the Governor.

In my association with Frank Kenna in the Republican Party for more than 30 years, I know we have lost not only a great leader, but a real friend.

Mr. Kenna was a modest man, never looking for personal praise. He was also a strong man. He was a man dedicated to services to the party and its welfare.

The best memorial to his memory is that the leaders of our party remember his great leadership, his unselfish service, and his loyalty to a friend.

I think of Mr. Kenna as a tall man. There is a saying—"When God measures man, he puts a tape-measure around the heart." That is how I remember Mr. Kenna.

EDNA M. GREEN,
Vice Chairman, Queens County Republican Committee and Queens County Republican Executive Committee.

In 1944, while attending my first State committee meeting, a gentleman sat down opposite me and said, "Well, something new has been added." When he said it he had that little twinkle in his eye. That was my first meeting with Frank Kenna.

Since 1945, when I was asked to help out at headquarters, I had been closely associated with Frank. I found him to be a man of great courage, character, ability, tact, and fairmindedness, second to none.

During all my years at headquarters he never refused to see anyone who came to him with a problem and had that happy faculty which few people possess, of making a person feel better after talking with him.

I consider myself lucky, indeed, to have had the good fortune to work for a man such as he. His humor, dry wit, and good commonsense often made me see the light when I thought my own personal problems monumental.

His sudden passing was a tremendous shock to me, but I am thankful that I was in Atlantic City when his last hour approached and that I could assist Mrs. Kenna in making him as comfortable as possible. That little twinkle in his eye remained to the end.

He was like a father to me. I miss him, so very much.

CAROLYN SMITH.

His word was his bond. As we pass through this life we find few who possess this rare quality.

Yes; I knew Frank Kenna well. I was politically associated with him for almost 25 years—14 of which I had the honor of serving as his vice chairman of the Queens County Republican Committee and the executive committee.

He was a strong link in my chain of friendship.

I am now in retirement—but as I reminisce my thoughts return to his astuteness as a politician and to his ability to cope with matters, large and small. He was one in a million.

President Hoover, who was very fond of Frank, once said to me, "The Republicans of Queens County are very fortunate to have a man of Frank's capabilities to lead them." Truer words were never spoken.

"Like petals on a rose—one by one our loved ones fall."

I will remember him, always.

HAZEL B. SANDS,
Vice Chairman, 1947–61,
Queens County Republican Committee.

Frank Kenna was my friend. Our friendship covered a span of many years and was based upon our mutual respect and affection for one another.

My respect and affection for Frank were founded on the qualities of mind and spirit which he possessed and his acceptance of the responsibilities of community leadership.

I recall vividly an example of Frank's thoughtfulness. Every lawyer in Queens, regardless of political faith, religious affiliation, or race who served overseas in World War II, upon his return, received a guardianship or similar appointment from the courts as a token of the community's appreciation for the military services rendered. I know that Frank had a great deal to do with seeing to it that each lawyer was so honored. No other political leader, to my knowledge, did anything like that.

Frank was a man who recognized and accepted his responsibilities as a human being to his community. For many years he served the Boys Club of Queens as a director and gave it his financial support. His work as a trustee of St. John's Hospital was outstanding. He worked in these areas quietly but effectively. He never sought the limelight. Helping his community and its people was sufficient reward for him.

Finally, Frank was a man of warmth, charm, quiet and good humor, a good, loyal friend and a wonderful companion. Few like him come this way. I miss him.

ALFRED WOHL,
Chairman of the Board,
Boys Club of Queens.

While others looked upon Frank Kenna as an astute, remarkable political leader, I will always remember him as a man among men. He was a man possessed of a deep understanding of the needs and the problems of his fellow men and a man who could always be called upon for help and assistance. He was a soft-spoken man but a man whose word was truly his bond. When he did speak he always rooted out the heart of the matter and quickly made a decision without an embellishment or exaggeration. I always found him as a man whose primary concern was always the welfare of the community and a man who would never overestimate or misuse the political discretion at his disposal.

I like to recall the time I witnessed a newly appointed judge profess his gratitude to Frank for his support and encouragement. When this now honored judge queried how he could express his gratitude, Frank answered, "Just be a good judge." That was a fitting description of Frank himself—a good judge of people, a genuine warmhearted individual who put sincerity and devotion to people above political expediency.

MORRIS BRECHER,
Secretary to Frank Kenna.

Frank Kenna was one of the greatest citizens of Queens County and did much for the growth of the county. He was respected by both Republicans and Democrats and, in my many dealings with him, found him to be a man of great integrity and most honorable in every way.

JAMES A. ROE,
Former Chairman,
Queens County Democratic Committee.

Few have been the men I have met and cooperated with during my life who have left such a memorable and pleasant recollection with me as Frank Kenna. He, perhaps, has led them all. He, working for the Republican

Party which was his life's vocation, and I, working for the Democratic Party which has been my lifelong vocation, worked together for good government whether Republican or Democratic for our community of Long Island City and Astoria and for the promotion into public life of young people of whom we could be proud.

It can well be said that Frank has never regretted making one public appointment, for they have all turned out to be excellent public servants, devoted to their positions and to the cause of good government.

His passing was a loss for all of us, irrespective of what party we may belong to, for he was generally above party when the interests of the community were involved. Many Democrats can say that, when it was in Frank's power to have them supplanted in office, Frank remembered their standing in the community, their public service, as well as the friendships that had been built in the course of time which worked in their favor and resulted in their remaining in their positions.

Politicians will come and politicians will go, but Frank Kenna will remain in the memory of his friends for a long, long time.

ROBERT BATTIPAGLIA,
Executive Member, Part A,
First Assembly District.

I have known Frank Kenna all my life—and the greater part of his life; attended the same school; grew up in the same community—Long Island City; common interest in so many things; thought the same; spoke the same; followed so many similar lines of endeavor; only one parting—he a Republican; I, a Democrat.

Yes, Frank was a great man, kind, considerate, cooperative, honest, man of faith, and he looked upon all as having his attributes, his characteristics, and most justified his confidence, only a few failed him. However, he was forgiving too and thus he rounded out a full and useful life, his family is the answer, when God called him.

I am happy and proud to have known him—that he was part of my life and that I was part of his—and, above all, he served God and man and justified his reason for being on this earth.

JOHN T. CLANCY,
Surrogate, Queens County.

The distinguished record of public service of Frank Kenna will long be remembered by the people of Queens.

Few in our time have given more of themselves for wholesome community betterment, than this able and lovable Republican leader, stanch champion of the homeowner and friend and confidant of many, regardless of political affiliation. His word was his bond and his dedication to the welfare of his fellow man was limitless.

From early youth, he lived with his family in Long Island City and the growth and development of our borough were always his main concern.

His long years of public service, his sterling qualities of character, and his fine ideals and principles, have set high goals for us to emulate.

MARIO J. CARIELLO,
President, Borough of Queens.

Frank Kenna had been a member of the Long Island City Savings Bank Board of Trustees since May 1953. He had always been held in high esteem by his fellow trustees. Frank Kenna was active on the board and served on many important committees.

His wisdom, advice, and counsel will be missed by all. His background and knowledge of the communities in Queens, particularly the Long Island City-Astoria area, was most beneficial to the Long Island City Savings Bank in giving its best service to the people of the communities.

Personally, I have known Frank Kenna for over 40 years. Our friendship goes back through many pleasant memories and watching the Borough of Queens grow to the prominent position it now holds.

Frank Kenna played more than a small part in the growth of this borough.

To all of these, his family, his church, his community, Frank Kenna was dedicated.

JAMES J. CONWAY,
President, Long Island City Savings Bank.

To the many young people we serve, Frank was a trusted and devoted friend who always gave of himself unselfishly, so that the "kids in this neighborhood could do the things they enjoyed most."

Frank was never too busy to afford his counsel. His telephone never went unanswered and no problem was ever too big for him to help on. His contribution to our YMCA work as a campaigner did much to help our program prosper, particularly through the fund he engendered among his many friends at our annual E. Z. Mark dinners.

Not only shall we miss him, but our entire community shall miss him. All of us who knew him are much better for having had this opportunity.

FRANK J. TEMPONE,
Director, Long Island City YMCA.

My tribute to Frank Kenna is the fact that I was privileged to know him and be associated with him for many, many years. His philosophy of life and his wit and humor will be remembered by me as one of the rare qualities found in people today.

Frank reminiscing about the "girls" will be missed, as I was one of the "girls." I will miss him.

MAE WOLF.

Frank Kenna rose from humble beginnings to become a tremendous political force in local, county, State, and National politics. But he had one very strong characteristic. He never forgot the place of these humble beginnings and always enjoyed coming back. He loved our club, always vowed he would not join another political club and so he did. Writers like to tell about the eastward movement of the population on Long Island. From Brooklyn they came to Queens and from here to Nassau or Suffolk. Not Frank Kenna. Yesterday he was a guest at the executive mansion in Albany, today he was entertained at the White House, but tonight he will return to Astoria, the land of his father and mother, where he went to school, played baseball, grew up and joined our club.

But why—why do you ask? The Good Book has an answer: "For where a man's treasure is, there is his heart." Frank Kenna's heart was here in Astoria, and that is where he loved to be.

Finally, all of his friends who knew the pleasure of his companionship, now join in a public display of their affection and respect. Frank Kenna, the man, we will all forever treasure in our hearts.

FRED PROFETA,
Program Chairman.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. MCCLORY), for 30 minutes, today.

Mr. POWELL, for 1 hour, Wednesday, March 10, 1965.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROBERTS and to include a speech by Mr. SIKES.

Mr. DORN.

Mr. SAYLOR.

Mr. ROBISON.

Mr. PHILBIN.

(The following Members (at the request of Mr. MCCLORY) and to include extraneous matter:)

Mr. BERRY.

Mr. WYDLER.

Mrs. BOLTON.

(The following Members (at the request of Mr. STRATTON) and to include extraneous matter:)

Mr. OTTINGER.

Mr. CALLAN.

Mr. POWELL.

Mr. COOLEY.

Mr. HÉBERT.

ADJOURNMENT

Mr. STRATTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 4, 1965, at 11:15 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

683. A letter from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, transmitting the 25th Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, pursuant to section 201(c) of the Social Security Act, as amended (H. Doc. No. 100); to the Committee on Ways and Means and ordered to be printed.

684. A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, to authorize the promotion of qualified Reserve officers of the Air Force to the Reserve grades of brigadier general and major general"; to the Committee on Armed Services.

685. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army General Staff on December 31, 1964, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

686. A letter from the Commissioner, Office of Education, U.S. Department of Health, Education, and Welfare, transmitting a report on operations under the National Defense Education Act of 1958 for the fiscal year ending June 30, 1963, pursuant to section 1001(c) of Public Law 85-864; to the Committee on Education and Labor.

687. A letter from the Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

688. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain aliens and list of persons involved, pursuant

to section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended by Public Law 87-885; to the Committee on the Judiciary.

689. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain aliens and list of persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended by Public Law 87-885; to the Committee on the Judiciary.

690. A communication from the President of the United States, transmitting a report from the Director of the Bureau of the Budget on "The Management of Automatic Data Processing in the Federal Government," published February 1965; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Concurrent Resolution 4. Concurrent resolution to establish a Joint Committee on the Organization of the Congress; without amendment (Rept. No. 131). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H.R. 3989. A bill to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts; without amendment (Rept. No. 132). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H.R. 3992. A bill to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts; without amendment (Rept. No. 133). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 3998. A bill to increase the fees of jury commissioners in the U.S. district courts; without amendment (Rept. No. 134). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 3999. A bill to provide the same life tenure and retirement rights for judges hereafter appointed to the U.S. District Court for the District of Puerto Rico as the judges of all other U.S. district courts now have; without amendment (Rept. No. 135). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 5374. A bill relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States; without amendment (Rept. No. 136). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee of conference. H.R. 45. A bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank (Rept. No. 137). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 5719. A bill to create an independent school board in the District of Columbia; to the Committee on the District of Columbia.

By Mr. NELSEN:

H.R. 5720. A bill to create an independent school board in the District of Columbia; to the Committee on the District of Columbia.

By Mr. COOLEY:

H.R. 5721. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for acreage-poundage marketing quotas for tobacco, to amend the tobacco price support provisions of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. GIAIMO:

H.R. 5722. A bill to amend the Interstate Commerce Act, as amended, to authorize the Interstate Commerce Commission to assist common carriers of passengers by railroad in preserving and improving essential passenger train services and facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KEOGH:

H.R. 5723. A bill to amend the Internal Revenue Code of 1954 to treat income from property created by the taxpayer as earned income for certain purposes; to the Committee on Ways and Means.

By Mr. KREBS:

H.R. 5724. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. RIVERS of South Carolina:

H.R. 5725. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By. Mr. BATES:

H.R. 5726. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. PHILBIN:

H.R. 5727. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. ARENDS:

H.R. 5728. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HÉBERT:

H.R. 5729. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. O'KONSKI:

H.R. 5730. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. PRICE:

H.R. 5731. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BRAY:

H.R. 5732. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. FISHER:

H.R. 5733. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BOB WILSON:

H.R. 5734. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HARDY:

H.R. 5735. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. GUBSER:

H.R. 5736. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BENNETT:

H.R. 5737. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CHAMBERLAIN:

H.R. 5738. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BYRNE of Pennsylvania:

H.R. 5739. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. PIRNIE:

H.R. 5740. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HALL:

H.R. 5741. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CLANCY:

H.R. 5742. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. ICHORD:

H.R. 5743. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. STAFFORD:

H.R. 5744. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. SCHWEIKER:

H.R. 5745. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LENNON:

H.R. 5746. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. RANDALL:

H.R. 5747. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HAGAN of Georgia:

H.R. 5748. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CHARLES H. WILSON:

H.R. 5749. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LEGGETT:

H.R. 5750. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. IRWIN:

HR. 5751. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. JOHNSON of Oklahoma:

H.R. 5752. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. EVANS of Colorado:

H.R. 5753. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LOVE:

H.R. 5754. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HICKS:

H.R. 5755. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. MACHEN:

H.R. 5756. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LONG of Louisiana:

H.R. 5757. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. WALKER of New Mexico:

H.R. 5758. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. ABERNETHY:

H.R. 5759. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. MORRIS:

H.R. 5760. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. WAGGONNER:

H.R. 5761. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BECKWORTH:

H.R. 5762. A bill to amend section 1106 of the Social Security Act to insure that information concerning any individual in the files of the Secretary of Health, Education, and Welfare will be made available to such individual upon his request; to the Committee on Ways and Means.

By Mrs. BOLTON:

H.R. 5763. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL of Virginia:

H.R. 5764. A bill to extend coverage under the Federal old-age, survivors, and disability insurance system of the Social Security Act to temporary and intermittent service performed in the employ of the District of Columbia if such service is not covered by a retirement system established by a law of the United States; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 5765. A bill to amend title 28, United States Code, to establish a requirement of prior judicial service for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 5766. A bill to permit any wage earner to defer payment of a portion of the difference between the income tax imposed for a taxable year beginning in 1964 and the amount deducted and withheld upon his wages during 1964; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 5767. A bill to direct the Secretary of the Interior to conduct a program in five areas of the United States to increase usable precipitation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HERLONG:

H.R. 5768. A bill to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk; to the Committee on Ways and Means.

By Mr. McGRATH:

H.R. 5769. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MACDONALD:

H.R. 5770. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 5771. A bill to amend the Internal Revenue Code of 1954 to provide that the cost of maintaining a retarded child in a professionally qualified custodial institution shall be deductible as a medical expense; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 5772. A bill to provide for the establishment of the National Humanities Foundation to promote progress and scholarship in the humanities and the arts, and for other purposes; to the Committee on Education and Labor.

By Mr. QUILLEN:

H.R 5773. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 5774. A bill to amend section 4241 of the Internal Revenue Code of 1954 to reduce the club dues excise taxes from 20 percent to 10 percent; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 5775. A bill to amend the Internal Revenue Code of 1954 to allow employers to deduct an additional amount as compensation for the duties required of them in connection with the withholding of taxes and the performance of other administrative and clerical duties under such code; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 5776. A bill to amend section 2 of title IV of the District of Columbia Revenue Act of 1937 to require the Board of Commissioners of the District of Columbia to imprint on automobile license plates issued to foreign embassies the name of the country which all embassy personnel represent; to the Committee on the District of Columbia.

By Mr. SELDEN:

H.R. 5777. A bill to amend title II of the Social Security Act to provide a more equitable and efficient method for obtaining administrative and judicial review of decisions of the Secretary of Health, Education, and Welfare thereunder, and a more realistic definition of "disability" for purposes of disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. SICKLES:

H.R. 5778. A bill to repeal section 14(b) of the National Labor Relations Act; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 5779. A bill to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 5780. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. STAFFORD:

H.R. 5781. A bill to amend title II of the Social Security Act to provide a 10-percent increase in benefits (with a minimum increase of $6), to extend eligibility for child's insurance benefits to age 22 in the case of a child attending school, and to increase the amount of outside earnings permitted each year without deductions from benefits; to the Committee on Ways and Means.

By Mr. TUPPER:

H.R. 5782. A bill to repeal the excise tax on amounts paid for communication service or facilities; to the Committee on Ways and Means.

By Mr. WHITE of Idaho:

H.R. 5783. A bill to restore certain public lands in Idaho to location, entry, and purchase under the mining laws, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASHBROOK:

H.R. 5784. A bill to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war; to the Committee on Un-American Activities.

H.R. 5785. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for tuition expenses of the taxpayer or his spouse or a dependent at an institution of higher education, and an additional credit for gifts or contributions made to any institution of higher education; to the Committee on Ways and Means.

H.R. 5786. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee:

H.R. 5787. A bill to amend titles I and XVI of the Social Security Act to liberalize the Federal-State programs of health care for the aged by authorizing any State to provide medical assistance for the aged to individuals eligible therefor (and assist in providing health care for other aged individuals) under voluntary private health insurance plans, and to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage prepayment health insurance for the aged; to the Committee on Ways and Means.

By Mr. FALLON:

H.R. 5788. A bill to provide for the conveyance of certain real property of the United States to the State of Maryland; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Tennessee:

H.R. 5789. A bill to abolish the death penalty under all laws of the United States, except the Uniform Code of Military Justice, and authorize the imposition of life imprisonment in lieu thereof; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 5790. A bill to provide free postage for first-class letter mail matter sent by members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 5791. A bill to amend title II of the Social Security Act to increase from 18 to 22, in the case of a child attending school, the age until which child's insurance benefits may be paid thereunder; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 5792. A bill to amend section 5 of the Federal Alcohol Administration Act to provide a definition of the term "age" as used with respect to the labeling and advertising of whisky, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 5793. A bill to provide for the distribution of unused immigration quota numbers; to the Committee on the Judiciary.

H.R. 5794. A bill to amend titles I and XVI of the Social Security Act to enable the States to extend medical assistance for the aged to persons between 50 and 65 years of age if they are permanently and totally disabled; to the Committee on Ways and Means.

H.R. 5795. A bill to amend title II of the Social Security Act to permit the payment of widow's insurance benefits at age 50 in the case of a woman who is permanently and totally disabled; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 5796. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. VAN DEERLIN:

H.R. 5797. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. WHITE of Idaho:

H.R. 5798. A bill to extend the boundaries of the Kaniksu National Forest in the State of Idaho and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYATT:

H.R. 5799. A bill to provide for the designation of that portion of U.S. Highway No. 30 between Portland and Astoria, Oreg., as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. MATHIAS:

H.R. 5800. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25-member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives and for other purposes; to the Committee on the District of Columbia.

By Mr. CAHILL:

H.R. 5801. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25-member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives and for other purposes; to the Committee on the District of Columbia.

By Mr. CLEVELAND:

H.R. 5802. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25-member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives and for other purposes; to the Committee on the District of Columbia.

By Mr. CONTE:

H.R. 5803. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mrs. DWYER:

H.R. 5804. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. ELLSWORTH:

H.R. 5805. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. FRELINGHUYSEN:

H.R. 5806. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. HALPERN:

H.R. 5807. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. HORTON:

H.R. 5808. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. LINDSAY:

H.R. 5809. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. MORSE:

H.R. 5810. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. REID of New York.

H.R. 5811. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. STAFFORD:

H.R. 5812. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. TUPPER:

H.R. 5813. A bill to provide for the District of Columbia an appointed Governor and Secretary, and an elected 25 member legislative assembly incorporating fixed minority party representation, and a nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. BARING:

H.J. Res. 361. Joint resolution to amend the Constitution of the United States to guarantee the right of any State with the approval of its electorate to consider factors in addition to population in the apportionment of one house of its legislature; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.J. Res. 362. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. JONAS:

H.J. Res. 363. Joint resolution to authorize the President to proclaim National Volunteer Fireman's Week; to the Committee on the Judiciary.

By Mr. SELDEN:

H.J. Res. 364. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.J. Res. 365. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JONAS:

H. Con. Res. 343. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

68. By Mr. HATHAWAY: Resolutions passed by the 102d Legislature of the State of Maine to go on record in declaring its recognition to Federal, State, and local agencies which contributed and were instrumental in restoring a favorable economic climate to the town of Lisbon as recognized and defined; to the Committee on Banking and Currency.

69. By Mr. SENNER: Memorial of the Arizona State Legislature expressing, on behalf of the people of Arizona, its sincere appreciation to President Johnson for his understanding of and expressed interest in the water problems of Arizona; to the Committee on Interior and Insular Affairs.

70. Also, memorial of the Arizona State House of Representatives, urging the U.S. House of Representatives to permit the continued activity of the House Committee on Un-American Activities; to the Committee on Rules.

71. By Mr. TUPPER: Memorial of the 102d Maine Legislature submitting two joint resolutions: (1) Protesting the ordered closing of Veterans' Administration hospitals, domiciliaries and regional offices, and (2) Recognizing Federal, State, and local agencies which contributed and were instrumental in restoring a favorable economic climate to the town of Lisbon, Maine; to the Committee on Veterans' Affairs.

72. By Mr. HATHAWAY: Memorial of the 102d Legislature of the State of Maine protesting the closings of Veterans' Administration facilities at Togus and regional offices in New Hampshire and Vermont and the merging of their functions with the Boston Veterans' Administration office and requesting the Veterans' Administration to cease and desist in its efforts to close these facilities: to the Committee on Veterans' Affairs.

73. By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States, relative to the apportionment of State legislatures and governing bodies of subordinate units of government; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 5814. A bill for the relief of Chi Koo Pyan and Pong Sun Kim; to the Committee on the Judiciary.

H.R. 5815. A bill for the relief of Lt. Col. James P. Hubbard, U.S. Army; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 5816. A bill for the relief of Antonio Firetto; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 5817. A bill for the relief of Florentina S. Mallari; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 5818. A bill for the relief of Luciana Zannoni; to the Committee on the Judiciary.

By Mr. CALLAWAY:

H.R. 5819. A bill for the relief of John Henry Taylor; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee:

H.R. 5820. A bill for the relief of Donald E. Reed; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5821. A bill for the relief of Dr. Lionello Ferrari; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 5822. A bill for the relief of Roger Robert Baudry; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5823. A bill for the relief of Baingio and Sabrina Arrica; to the Committee on the Judiciary.

H.R. 5824. A bill for the relief of Valdo Santoro; to the Committee on the Judiciary.

By Mr. GILLIGAN:

H.R. 5825. A bill for the relief of Mrs. Myrle Forde and her daughters, Jenniffer Forde and Haleyon Hanoria (Charmaine) Forde; to the Committee on the Judiciary.

By Mr. GROVER:

H.R. 5826. A bill for the relief of Peter Panarites; to the Committee on the Judiciary.

H.R. 5827. A bill for the relief of James Panarites; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 5828. A bill for the relief of Constantin Vougiatzis and Dispina Vougiatzis; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 5829. A bill for the relief of Mrs. Kosara Nikolic; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 5830. A bill for the relief of CPO James J. Griffin, U.S. Navy; to the Committee on the Judiciary.

H.R. 5831. A bill to provide for the free entry of certain stained glass and cement windows for Our Lady of the Angels Seminary, of Glenmont, N.Y.; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 5832. A bill for the relief of Julio Wong; to the Committee on the Judiciary.

H.R. 5833. A bill for the relief of Hector Wong; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 5834. A bill for the relief of Mrs. Josephine DePalma and her minor children; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 5835. A bill for the relief of Vasiliki Tsitsiou; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5836. A bill for the relief of Vincenzo Abbruzzese; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5837. A bill for the relief of Rudolf Comacho; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 5838. A bill for the relief of Osmundo Cabigas; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 5839. A bill for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

118. By Mr. STRATTON: Petition of the Board of Supervisors of Seneca County, N.Y., opposing the closing of the Veterans' Administration center at Bath, N.Y.; to the Committee on Veterans' Affairs.

119. Also, petition of the Amsterdam Barracks No. 806 Veterans of World War I, United States of America protesting the closing of Veterans' Administration regional offices; to the Committee on Veterans' Affairs.

120. By the SPEAKER: Petition of the City Council, Dale City, Calif., petitioning consideration of their resolution with reference to calling a convention for the purpose of amending the Constitution to provide for any State, having a bicameral legislature, to apportion the membership of one house of its legislature on factors other than population; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Half Past a Century

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. SAYLOR. Mr. Speaker, one of the members of the first class to be ordained to the priesthood at St. Francis Seminary, Loretto, Pa., on February 19, 1915, was Edward B. Daly, a native of Thorndike, Mass.

In tribute to his 50 years in the clergy, members of St. John's Gualbert's Co-Cathedral at Johnstown, Pa., will honor their pastor at a testimonial, and Father Daly will have the thoughts and prayers on that occasion of everyone who has had the good fortune to have made his acquaintance.

Except for a brief assignment in the early part of his priesthood, Father Daly has served constantly in the Altoona diocese. He baptized babies in the years gone by who are parents and grandparents today. During two world wars and in the continuing struggle that plagues the world he blessed young men off to bear arms for their country, and he was there to welcome them when they returned. When they did not come back, he was at their home to console and grieve with their loved ones.

And by his devotion, his example, and his word, Father Daly has made better Christians and better citizens of countless thousands of men and women who were members of his parish or otherwise had the privilege of his acquaintanceship. His service to God has brought enrichment to generations.

We thank Father Daly for the 50 years he has given to us, and we look for his continued friendship and guidance long into the future.

Party and Policymaking

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. BERRY. Mr. Speaker, I am sure my colleagues, congressional committee and staff personnel, and political scientists throughout the country will be very much interested in a book recently published by Rutgers University Press entitled "Party and Policymaking."

The author of this study of the House Republican Party policy committee is Dr. Charles O. Jones, who is presently associate professor of government at the University of Arizona. In preparing the material for his book, Dr. Jones interviewed Republican Congressmen, policy committee members, and staff members of the committee.

In his well-written, carefully documented study, Dr. Jones describes the origin, development, organization, and functions of the policy committee. By case studies, he analyzes the function of the committee in two settings—its relationship to the party and to public policymaking in the House.

I heartily recommend "Party and Policymaking" to all Members of Congress and others interested in the internal workings of the House.

Authorizing the Secretary of the Army To Establish a National Cemetery in Ohio

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mrs. BOLTON. Mr. Speaker, I am introducing a bill today to authorize the Secretary of the Army to establish a national cemetery in Ohio.

Every veteran is entitled to burial in a national cemetery. Space available in the present national cemetery system is inadequate to accommodate more than a fraction of eligible veterans and their dependents, according to a recent survey by the DAV. The survey also indicated that this available space is so located as to favor certain veterans and to disfavor others and that therefore, certain veterans are much more likely to receive the benefit of national cemetery burial than others. There is no national cemetery in Ohio.

The veteran death rate in Ohio for fiscal year 1964 was 811 per month; in 1963 the State total was 770 per month;

in 1962, 700 per month. It is obvious that the monthly rate of veteran deaths increases yearly, and will continue to do so. If we are to fulfill our obligation in having space available for the burial of our veterans in a location where their loved ones may visit their gravesite, action must be taken to establish additional cemeteries. It is hoped that the Committee on Interior and Insular Affairs will give my bill favorable consideration.

Independence of Morocco

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. POWELL. Mr. Speaker, today marks the ninth anniversary of the independence of Morocco. On this momentous occasion, we would like to extend warm felicitations to His Majesty King Hassan II; and to His Excellency Ali Bengelloun, the Moroccan Ambassador to the United States.

Independence days are of great significance to new members of the world's community of nations. We should, at the same time, not forget the opportunity they afford us of recalling the past and evaluating the present. This is the ninth anniversary of Morocco—a recently independent country, yet one of the oldest independent monarchies in the world.

The first recorded inhabitants of Morocco were the Berbers, whom all the civilizations of the ancient world fought in order to establish their outposts there. The Phoenicians and the Carthaginians established trading posts along both the Mediterranean and Atlantic coasts; following them came the Romans, who built cities at Tangier, Volubilis, and many other places, the ruins of which are still visible today. When the Roman Empire declined, the Vandal tribes crossed the straits and invaded the northern coast. By the middle of the seventh century A.D., the only remnant of the glory of Rome was the city-state of Ceuta, governed in the name of the eastern Roman Empire.

In the latter half of the seventh century the Arab armies, sweeping out of the Arabian Peninsula to spread Islam to the world, entered Morocco. Nearly the entire population of the country, including the Berber tribesmen, were converted to the new faith, and the conquering armies of Islam moved in new directions—this time across the Straits of Gibraltar into Spain and southern France.

The fierce independence of the Berbers, as well as the spread of heterodox ideas within the new religion, however, soon led to a rebellion in Morocco, which had as its consequence the rise of several small Muslim principalities. The first of the great Muslim dynasties to rule Morocco, the Idrisids, arose soon thereafter, attempting to unify the many smaller units into one whole. They founded the city of Fez, which became a notable center of Muslim life and civilization. And, they can be considered the founders of the first Moroccan state, indicating it might be more accurate for us today to be celebrating the 1,200th anniversary of that country's independence.

Over the years, other dynasties rose to take the place of previous ones when their energy and ability had waned. There were the famous Al-Moravids, who established Morocco as one of the great medieval powers. They extended their power and influence across North Africa and into Muslim Spain, thus bringing Morocco into the rich milieu of Andalusian civilization, which has left its indelible print on Moroccan life and culture. The Al-Moravids were replaced by the Al-Mohades, who kept Morocco as the greatest Muslim Empire of the West and led the country through one of its golden ages. They in turn were replaced by the Merinids and the Saadian Kings until the 17th century, when the family which guides the destiny of Morocco to the present day arose. Known usually as the Alawi House, and under their able rule, Morocco was thoroughly pacified and solidly united.

We as Americans have good reason to have friendly feelings toward this family, for Morocco under their rule was one of the first powers in the world to recognize our independence; the early treaties of friendship, trade, and good relations were drafted and signed by men such as Benjamin Franklin, Thomas Jefferson, John Adams, and George Washington, who had reason to appreciate Morocco's recognition and assistance.

Were it not for the brief period of colonial rule between 1912 and 1956, we could even be celebrating the 306th anniversary of the accession of the present house, whose vigor and popularity is demonstrated by their leadership of Morocco in the 20th century in regaining independence. Under the present King, Hasan II, Morocco is making great strides in all fields of activity. Able, energetic, and democratic, he has given the country a new constitution, promoted foreign investment, and is determined to bring about the rapid economic development of his country.

On this anniversary of Morocco's independence, we salute that country's people, king, and the goals for which they strive together. We hope that together they will soon create in Morocco a new golden age for that historic country.

Need for Agricultural Legislation

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. CALLAN. Mr. Speaker, the reasons we face a continuing need for acreage and commodity diversion, price support, and other agricultural legislation can be found by looking at our own abilities as farmers, fertilizer producers, agronomists, mechanical engineers, soil scientists, and animal scientists. These abilities, developed through our programs of education and research give the American farmer the ability to produce much more from an acre of land than was possible just a few years ago.

The power of tractors on American farms has increased 40 percent in the last 10 years. Farmers now have over five times as much drawbar power as they did in the 1920's using horses.

The use of commercial fertilizer has nearly doubled in the past 10 years and the use of nitrogen has more than doubled. Expenditures for farm pesticides have increased from two to three times over in the past 10 years.

Not only do we produce more on less land but we use what we produce much more efficiently. We now produce about 20 percent more live weight of grain-fattened cattle per 100 pounds of feed than we did 10 years ago. We produce 25 percent more live weight of broilers and 15 percent more live weight of turkeys than we did per unit of feed. Dairymen get 28 percent more milk per cow than they did 10 years ago.

As I have previously pointed out, advancing technology continues to push production ahead of consumption, and is primarily responsible for the chronic economic problems of American agriculture. But more importantly, the ability of our farmers to produce abundantly is a primary reason our Nation is the strongest in the world.

Tribute to 40th Anniversary of "Rambling With Gambling" Show

EXTENSION OF REMARKS

OF

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. WYDLER. Mr. Speaker, community service, which all of us strive for, is an important and integral part of our work as Members of Congress. Those of us who are fortunate to live in and represent districts in the New York metropolitan area and the suburban areas surrounding it have been the recipients of a standard of public service seldom equaled and certainly never surpassed. I address myself to the untiring efforts of WOR radio, in New York's "Rambling With Gambling" show, which celebrates its 40th anniversary of continuous broadcasting on March 8.

During these 40 years, John B. Gambling and his son John A. Gambling have provided a high standard of excellence in public affairs reporting and community service.

Millions of WOR listeners have long been accustomed to the reliable voice of the "Rambling With Gambling" show, announcing the official word on school closings, or giving up-to-date reports on traffic conditions, or announcing civic, social, and community events.

The fabulous Fourth Congressional District of New York looks with pride on the marvelous series of accomplishments of John B. Gambling, his son John A. Gambling, and WOR radio. I am privileged to congratulate them on 40 years of progress and performance in serving their listeners, and I hope that we can look forward to many more years of "Rambling With Gambling."

Press Release by Congressman L. Mendel Rivers of South Carolina

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 3, 1965

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks, I include therein an outstanding statement by our beloved friend and colleague, the able, distinguished chairman of the House Armed Services Committee, the gentleman from South Carolina, the Honorable L. MENDEL RIVERS, on the subject of a bill he introduced today to increase the basic pay for members of the uniformed services.

Chairman RIVERS, who is extremely knowledgeable on any and every aspect of armed services matters, has long been deeply concerned about the pay scales of the members of the Armed Forces, and more than that, he has been very active over a period of time now in pressing for equitable readjustment of their basic pay.

It has been a real pleasure and honor for me to file a companion bill to the one filed by Chairman RIVERS, and I may say that 33 other members of the House Armed Services Committee also filed companion bills, thus evidencing the virtually unanimous support of the distinguished chairman of the committee in these vital matters.

I take this opportunity to compliment Chairman RIVERS upon the introduction of the bill and his splendid, comprehensive statement and analysis of the measure. Naturally, being greatly concerned as I am about the need for providing adequate, fair, just, and comparable compensation for all members of the uniformed services, I will continue to cooperate with Chairman RIVERS, and members of the committee, as well as all interested persons and groups in pressing for favorable action on this very meritorious bill.

The statement follows:

PRESS RELEASE BY CONGRESSMAN L. MENDEL RIVERS, DEMOCRAT, SOUTH CAROLINA

Congressman L. MENDEL RIVERS, Democrat, of South Carolina, chairman of the Committee on Armed Services, House of Representatives, today announced that he has introduced legislation to provide a substantial increase in basic pay for all members of the uniformed services.

Mr. RIVERS said that the "enactment of this bill will enable Congress and the American people to insure that every military family will share equitably in America's prosperity. It will enable our military families to live as first-class citizens. It is consistent with President Johnson's announced intention to 'take whatever steps both human equity and national defense require to enhance the standing and morale of those who defend us.' "

Mr. RIVERS further stated "This bill reflects the levels of compensation that I believe must be paid our uniformed personnel if we are to continue to maintain the finest military force in the world today."

RIVERS also said that, "If Congress and the American public fail to give their wholehearted support to this necessary adjustment in military compensation the results could be catastrophic since it could only be interpreted by America's fighting men as evidence of public indifference to the future of our national security."

Mr. RIVERS also pointed out that the introduction of this legislation would be helpful to the President's commission presently studying military and Federal pay since it reflected congressional recommendations on the subject, but he added "Why further study is necessary is beyond me—the justification for a military pay raise needs no study."

Mr. RIVERS said that his bill, if enacted, will provide an average increase of approximately 10.7 percent in basic pay for all members of the uniformed services with a total annual cost of approximately $1 billion.

The proposed pay increase would apply to all of the so-called uniformed services, consisting of 2,723,000 personnel on full-time active duty.

Mr. RIVERS said that present deficiencies in service pay are the "unfortunate result, in general, of inadequate adjustments in service pay during the 1950's.

"Since 1952, for example, increases in general military compensation have totaled about 34 percent, while pay increases during the same period for classified civil servants have averaged more than 46 percent—substantially higher pay increases have similarly been provided unclassified Department of Defense employees since 1952.

"As a consequence of the failure since 1952 of military pay to keep pace with the economy and pay adjustments provided other Federal workers, the comparability that formerly existed in these levels of compensation for Federal employees has now been lost."

Mr. RIVERS said, "If we fail to correct this inequitable condition in service pay we will develop a type of mediocrity in our Armed Forces that no American can accept. Second best, in this business," said Rivers, "means being last."

Mr. RIVERS further stated, "This action will reaffirm the intention of the Congress to fully discharge its responsibilities under article I section 8 of the Constitution of the United States, which provides that the Congress alone is empowered to determine the compensation to be received by members of the Armed Forces."

Congressman RIVERS added, "Unlike all other employees, the men and women of our armed services can neither bargain nor lobby for equitable adjustments in their pay scales. For practical purposes, they must stand mute on the question of military pay. It is the responsibility of the Congress to provide an equitable wage adjustment. Congress can not ignore this moral and constitutional responsibility.

"Military pay should not be based on how little we can pay, but in the American tradition of fairness and equity, on what level of compensation is just and adequate for service personnel when compared to prevailing wage scales in the civilian economy and among other Federal employees."

Under the bill, increases would be limited to basic monthly compensation; no changes or adjustments would be made in special pays and allowances.

The increases in basic pay for enlisted personnel with under 2 years of service range from 13 to 33 percent, or an average of $16 a month. For enlisted members with over 2 years of service, the average increase would be 11.2 percent, or $28 per month.

Officers with under 2 years of service would receive an average increase of 22 percent, or $55 per month. Officers with over 2 years of service would receive an average increase of 6.4 percent in basic pay, or $42 per month.

Chairman RIVERS emphasized that in developing the proposed new rates of basic pay for members of the uniformed services, he had fully taken into account and measured all other elements of service compensation, including the so-called major military fringe benefits.

The new rates of basic pay were arrived at by first attempting to develop a level of pay that would be equivalent to the total wages or salary paid a civilian Federal Government employee performing the same general type of duties and for the same general level of responsibility. Then, this level of pay was reduced to accommodate the appropriate amounts of allowances provided service personnel for quarters and subsistence; the estimated tax advantage which accrues on such allowances; and finally, the estimated contribution of 6½ percent that service personnel would have to pay toward their retirement if they were civilian Government employees.

"Thus, for the first time," said the new chairman of the House Armed Services Committee, "my bill attempts to link uniformed services pay levels to those provided Federal civilian employees and identifies in precise amounts the value of so-called major traditional military fringe benefits."

The bill makes no special provision for retired military personnel. Under existing law, adjustments in service retired pay are now geared to increases in the cost of living as reflected in the consumer price index and are effected by the Secretary of Defense without further action by the Congress.

In an unprecedented action for the committee, Mr. RIVERS stated that an overwhelming majority of the entire Committee on Armed Services had cosponsored the bill.

He concluded by saying, "Many months ago I promised the members of the uniformed services and their dependents that I would introduce what I considered to be an adequate pay bill. I have kept my promise. My conscience is clear. The fate of this bill is up to the Congress, the administration, and, above all, the attitude of the American people."

Professor Supports President in Vietnam

EXTENSION OF REMARKS
OF
HON. W. J. BRYAN DORN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 3, 1965

Mr. DORN. Mr. Speaker, some of the paid advertisements in a few of our newspapers give the impression that the academic community is highly critical of President Johnson's Vietnam policy. It is interesting to note that the professional qualifications listed in some of these paid advertisements include "psychology," "microbiology," "chemistry," and the like. But the American people should note that such paid advertisements hardly represent the majority of the academic community. This is especially true of university professors in the field of international relations.

Yesterday Prof. James A. Atkinson, of Georgetown University, a well-known analyst of military and foreign affairs, appeared on "Georgetown University Forum" in support of President Lyndon B. Johnson's foreign policy in South Vietnam.

Mr. Speaker, I am sure that a vast majority of the professors and ministers of the Gospel are supporting the President in Vietnam despite recent paid advertisements to the contrary. Incidentally, one advertisement alone in the New York Times, signed by a group of professors advocating withdrawal from South Vietnam, cost in the neighborhood of $10,000. It might be proper to ask who is supplying these fantastic sums of money advocating a policy of appeasement and retreat?

Mr. Speaker, recently Dr. Atkinson wrote a brilliant defense of President Johnson's Vietnam policy. Writing in the Washington Report of the American Security Council, Professor Atkinson pointed out that the President's wise and firm policy was based on the clear lesson that our own security as a nation is intimately related to the peace of Asia. President Johnson's position is that America dare not ignore the commitment that three Presidents have made to support our friends against Communist aggression. In doing this, says Atkinson, the President is supplying the kind of vigorous leadership for a firm policy in Vietnam today which is the best guarantee of avoiding a general war tomorrow.

Tribute to Chairman Mendel Rivers, of the House Armed Services Committee

EXTENSION OF REMARKS

OF

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. ROBERTS. Mr. Speaker, there is no item of more importance to the Nation and to the Congress than our Nation's defense; and there are no two men more dedicated to maintaining our Nation's military superiority than are our colleagues Mendel Rivers, the chairman of the House Armed Services Committee, and Bob Sikes, an extremely influential member of the House Defense Appropriations Subcommittee.

On February 26, 1965, at the midwinter conference of the Reserve Officers Association here in Washington, Chairman Rivers was named as the recipient of the "Minuteman of the Year Award." This award is the highest honor which can be conferred by the Reserve Officers Association and is annually awarded to the person most outstanding in service to the defense of America and to those who wear the uniform.

Congressman Sikes was chosen to present the Reserve Officers Association award to Chairman Rivers. Mr. Speaker, under unanimous consent, I include in the Record the speech and tribute to Chairman Rivers delivered by our colleague, Bob Sikes:

We meet in an hour of serious import. I speak not of world problems, not of threat of war in southeast Asia, nor even of domestic problems which headline the front pages of the Nation. I speak of the claim of the Pentagon of its right to inflict its will on Congress in the matter of strength and makeup of the Armed Forces despite the Constitution and despite the statutes. I speak of the danger to the Nation from a rebirth of the theory that those in the Pentagon can read the future from crystal ball computers and determine how our enemies will fight, with what weapons, and upon what ground. We have made this mistake many times before—always with serious consequences to us. I speak of the danger which accompanies a substitution of cold figures, for the judgment, experience and wisdom which are vested only in humans, never in machines. I would remind those in the high places that machines never won a war. It is the heart and spirit of the men behind the machines that make the difference. In so many battles and in so many wars fought by this country, it was reservists whose heart and spirit made the difference between defeat and victory.

We are now in a battle to preserve the historic concept of the Reserve Forces, without which no major war has been won in our time or no emergency overcome. It would be easy to be discouraged. The odds are crippling. As your distinguished executive director, Col. John T. Carlton, has stated, "Our association may not win in a power political struggle because we are neither equipped, manned, nor skilled in that field. We may not win a propaganda battle because news management and influence wielding are not within our capability." He could well have added, "The security of the Nation will suffer and our defenses will be weakened if we do not win." So, win we must.

There is much to be done. Time is running. The time of beginning is now; the place is here at this meeting. I would remind you there still is a Congress. That Congress can determine policy if it so chooses, and Congress has that responsibility. The final battle for the preservation of the reserve forces will be fought in Congress. Your Congressman will have a voice in what is done. He can decide between computers in the Pentagon or the reservists back home. We are not against change, not against progress, not against savings—but let's do it the right way.

We meet here tonight to honor a man whose voice has never been stilled by the power of the executive branch; a man whose voice reflects conscience, dedication and ability. He is the chairman of the powerful House Committee on Armed Services. That great committee reflects his leadership and is stronger because of his personality.

No one in Congress has done more to insure that the men and women of the Armed Forces and their families share in the benefits of the Nation's prosperity. He has been the leader in nearly every important aspect of improved military programs—pay and other personnel benefits, stronger reserve policies, airlift, hospital construction, and weapons procurement. He has figured in all the impressive lists of battles won in the Halls of Congress for the military in our time. He is credited with the startling pronouncement, too long delayed in recognition, that "the members of the Armed Forces are entitled to standards of living equal to the standards of living they are defending."

I came here with Mendel a long time ago. Like so many of us in Congress, I have grown accustomed to standing in his long shadow. There was a time when I, too, bucked the system, but I found it didn't pay. You don't swim upstream against this Rivers. Those were the times when I was competing for installations and facilities on which Mendel had his eye. Things are better now. If he puts anything else in Charleston, the whole place will sink completely from sight just from the sheer weight of military installations. That means some of the rest of us can get into the picture now and then.

Mendel Rivers is a leader whose leadership the Nation needs. He is a leader whose knowledge has brought and will continue to bring a strengthened defense, whose understanding will promote morale among military personnel—and the American people will benefit. I am proud to count him one of my best friends. I do not have to remind you that he is one of your best friends. He is very well chosen indeed for the honor which is paid to him tonight. There could not have been a better choice. And back of him is a lovely little lady whom we all honor and love—Margaret Rivers.

The Minuteman of the Year Award is the highest honor which can be conferred by the Reserve Officers Association of the United States. It comes to very few people, each of whom was carefully chosen for outstanding achievement. In selecting Mendel Rivers to receive the Minuteman of the Year Award, our Association designates him as the person most outstanding in service to the defense of America and to those who wear the uniform. I take great pride in the name of the Reserve Officers Association of the United States in presenting this year's Minuteman of the Year Award to one of the great figures of the U.S. Congress, to you, Mendel Rivers, the citizen who has contributed most to national security.

Reserve Officer's Association Meeting

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. HÉBERT. Mr. Speaker, last Friday evening a colleague of ours, the Honorable Robert L. F. Sikes, of Florida, was chosen to introduce the principal speaker, another colleague, at a banquet of the Reserve Officers Association here in Washington. The man he introduced so eloquently was my own chairman, L. Mendel Rivers, of South Carolina, chairman of the House Armed Services Committee.

At the organizational meeting of this committee, and again at the ROA banquet last Friday, Mendel Rivers reminded us all that Congress is not yet dead and that, indeed, it still has a lawmaking function, regardless of what others may think. That evening he received the 1965 Minuteman of the Year Award of the ROA.

It is not my intention to deal here with the masterful address delivered by my chairman on that occasion. That appears elsewhere in the Record. But the remarks made by Bob Sikes as he introduced Mendel Rivers that evening, are, I think, of such a nature that the Members of both bodies of the Congress should have the opportunity of reading them in the Record. I think all will agree that Bob Sikes knows his Mendel Rivers and is able to say so.

Under unanimous consent, I include his introduction in the CONGRESSIONAL RECORD, as follows:

We meet in an hour of serious import. I speak not of world problems, not of threat of war in southeast Asia, nor even of domestic problems which headline the front pages of the Nation. I speak of the claim of the Pentagon of its right to inflict its will on Congress in the matter of strength and makeup of the Armed Forces despite the Constitution and despite the statutes. I speak of the danger to the Nation from a rebirth of the theory that those in the Pentagon can read the future from crystal ball computers and determine how our enemies will fight, with what weapons, and upon what ground. We have made this mistake many times before—always with serious consequences to us. I speak of the danger which accompanies a substitution of cold figures, for the judgment, experience, and wisdom which are vested only in humans, never in machines. I would remind those in the high places that machines never won a war. It is the heart and spirit of the men behind the machines that make the difference. In so many battles and in so many wars fought by this country, it was reservists whose heart and spirit made the difference between defeat and victory.

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Representative Robison's Testimony Before the Committee on Veterans' Affairs on Proposals of the Johnson Administration

EXTENSION OF REMARKS

OF

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. ROBISON. Mr. Speaker, under leave to extend my remarks in the RECORD, granted to me February 11, I include the following text of my testimony before the Committee on Veterans' Affairs, Wednesday, March 3, on the plan of the Johnson administration to close many facilities of the Veterans' Administration:

Mr. Chairman and members of the committee, the announcement by the Veterans' Administration of its intent to close 11 veterans hospitals, 16 regional offices, and 4 domiciliaries throughout the country has not only brought a storm of protests from irate citizens and groups from all corners of the land, but also has raised some interesting questions which, as yet, have gone unanswered. The State of New York seems to have been singularly honored in this announcement. Some 10 percent of this Nation's veteran population resides in the State of New York, yet almost 20 percent of the facilities to be eliminated under the present plan are also in New York.

Although none of these six facilities lies within my congressional district, of particular interest and concern to me are the hospital and domiciliary at Bath, and the regional office in Syracuse, both of which are on the list to be closed.

The effect of the closing of the regional office in Syracuse has been overshadowed by the strong emotional reaction to the announced closing of the various hospitals and domiciliaries. Therefore, I should like to comment first on the closing of the Syracuse office.

In a letter to me dated January 13, 1965, Mr. Driver points out that one of the benefits of this proposed consolidation will be "increased effectiveness and efficiency that result from greater productivity * * * without impairing the quality of service * * *." He further states, "We considered especially the factors of communications and distance. In a recent analysis of regional offices, it was found that in fiscal year 1964 approximately 90 percent of contacts with regional offices were by mail and about 10 percent by personal contact or telephone."

Information available to me shows that, during calendar year 1964, the Syracuse regional office handled 16,085 personal visits, 21,318 phone interviews, and 1,020 personal visits by service officers. Using Mr. Driver's own formula then, some 380,000 total contacts of all types were seemingly processed by the Syracuse office last year. I seriously question whether the addition of this volume of business to that already handled in Buffalo will really result in "increased effectiveness and efficiency."

A county veterans' service officer from my district also points out that he can presently make a round trip to the Syracuse office in half a day and still put in a half day in his office. However, a trip to the Buffalo office for the same purpose will, at best, be an all-day proposition, perhaps even overnight. Since his annual budget, including travel, is limited to $1,000, this added time and expense will probably result in a reduction of service to the veterans in his area.

Finally, I would like to add that the Syracuse office has always afforded excellent service to me and the members of my staff; if this is an indication of the quality of the similar services rendered to the individual veteran, it is not something to be lightly tossed aside.

Now, as regards the closing of the center at Bath; the immediate adverse effect this closing will have on the local economy is obvious. There are presently over 600 people employed at the veterans' center in Bath; a figure which represents 10 percent of the entire population of the village, and 5 percent of that of the town. The dislocation of these employees will reduce the annual payroll to the community by some $3.7 million.

The side effects this closing would have on the economy are likewise evident. The parochial school in Bath, which has just completed an expensive expansion of its facilities, expects a reduction of about 25 percent in its student enrollment; a similar situation will probably exist in the public school system.

Many of the employees at the center in Bath are also homeowners. The resulting flooding of the market as these homes are put up for sale can cause the bottom to drop out of the market, and many will be forced to take considerable losses on their property—if they are able to sell at all.

I know full well that such economic considerations alone cannot and should not be advanced in support of an argument that such a Federal facility—or any Federal facility—should be continued. At the same time, however, these are appropriate matters to consider in connection with your decision as to whether or not this facility is needed from a service standpoint and whether or not its proposed closing—in the total context of the problem—represents true, as opposed to false, economy.

Returning, now, to Mr. Driver's letter, he tells me that among the reasons for closing Bath is the fact that several of the existing buildings are "in need of modernization or replacement, which would be too costly to modernize or replace." Yet, a brief glance at the VA budget for 1966 will reveal a $97 million item for construction of hospitals and domiciliaries. Included in this figure is $15,109,000 for the first phase of replacement and modernization at Northport, N.Y., and $1 million for site acquisition for a 1,000-bed hospital at Long Island, N.Y. Surely this is a contradictory policy to be pursuing.

Much has been made of the reported savings that will result from the closing of the target facilities—allegedly $23.5 million annually. While the Veterans' Administration has taken the stand that these facilities are no longer required nor necessary, not only do they see justification for the expenditure of the $97 million I mentioned before, but another look at the budget will show that the VA feels the need to maintain a staff of 500 permanent employees, at an annual cost to the taxpayer of more than $4.5 million, for "construction of hospital and domiciliary facilities." Again, a seeming contradiction.

Before the proposed closings were determined upon, every effort should have been made by the VA to find different uses for these operations which may be about to close their doors. It seems inconceivable to me that the VA would abandon the $20 million establishment at Bath completely when there is an admitted need for more psychiatric and neurological treatment facilities. Perhaps the Bath center could still be converted to this use, for surely it is more economical to modernize and utilize an existing facility than to replace it with new construction.

Mr. Driver claims, too, that because of the relatively small number of hospital beds at Bath, the wide range of clinical services required cannot be provided. This is perhaps true—the hospital may very well be too small to provide for every eventuality. However, I would like to quote from a letter received in my office from a doctor associated with the Guthrie Clinic in Sayre, Pa., who has been a consultant in internal medicine and gastroenterology to the Bath VA for approximately 16 years: "The problems of medicine are not the same in this institution (Bath) as they are in a private hospital, or clinic-hospital. * * * The age group is higher; the motivation of the patient to get back to a full occupation is not economic, and because of age, many limitations of rehabilitation are encountered. * * * Some specialized services of the Veterans' Administration are not available at the Bath Hospital, but these seem to be adequately covered in nearby institutions."

Again referring to Mr. Driver's letter, he states unequivocally: "It is no longer in the best interest of veterans for a domiciliary such as the one at Bath to be located in a rural area where the range of medical service, community, vocational, and social resources are limited." It is quite evident from the mail that has poured into my office that this decision was reached without consultation of those most affected—the veterans themselves. It has been brought to my attention time and again that the veterans in the Bath home are very happy where they are, and for the most part are not at all pleased with the prospect of leaving Bath to go to some other place, as yet unknown to most of them, but surely to be remote from their families and friends. This is the human side of the problem—the tragic side—which is also most worthy of your consideration.

Mr. Chairman, I thank you for this opportunity to express my views on this matter to this committee. I am sure you will hear far more expert testimony from both sides, and I am sure your committee will reach an equitable solution. But in doing so, please remember that our responsibility to care for the needs of our many veterans of World War II in their later years will soon be upon us. We must be prepared to meet those needs, but I doubt that the administration has taken the right road to permit us to do so.

Tribute to the Peace Corps

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. OTTINGER. Mr. Speaker, this month the Peace Corps is celebrating its fourth anniversary. I am honored to join my distinguished colleagues in paying tribute to this outstanding and dynamic agency. I feel especially close to this organization as I was privileged to help guide and develop it in its early days and served on its staff for over 3 years.

The Peace Corps has written a new chapter in the history of the United States, if not of the world. The men and women who are serving overseas are engaged in a new diplomacy—essentially a people-to-people diplomacy and the only U.S. program operating in the countryside with the peasants and in the slums of the cities. At the rate of 11 cents an hour, Peace Corps volunteers are living in areas of extreme poverty; are working 10 to 12 hours a day, 6 or 7 days a week; are living in unlighted, unheated shacks carrying water to their houses in buckets and having to boil it before use, being subject to strange tropical diseases and sure to get at least one case of dysentery; having to use primitive outside privies.

These men and women are not overseas as advisers or highly skilled and highly paid technicians. Rather, they are working side by side with their host country counterparts, sharing their goals and aspirations, working with them toward the same end; in essence, helping the peoples of the developing nations help themselves. The volunteers are participating in the formation of history.

Today there are almost 9,000 volunteers serving in 46 countries in Asia, Africa, Latin America, and the Near East. These volunteers are teachers, nurses, farmers, community development workers—men and women working in hundreds of different fields.

The Peace Corps has embarked on a program of educating, building and training the citizens of the developing nations in a multitude of ways—by teaching and demonstrating new methods, new skills which will assist them to be more productive, and better health to permit longer life, in essence—a raison d'être. The Peace Corps is helping these people to write a guarantee that their children will not have to fear poverty, ignorance, and pestilence.

Of perhaps greater importance is that the Peace Corps Volunteers are providing a real and valid demonstration of typical U.S. citizens in action, a new breed of overseas workers coming to a foreign country to work with the people, not to direct or advise the top leaders. The example of the Peace Corps Volunteer teaching and working with his counterpart is creating a positive climate of opinion. He is encouraging and inspiring the growth of understanding among people in a direct and personal way. In addition, he can be an important force in setting the pattern and laying the foundation for economic growth. The volunteer is able to provide the desperately needed guidance, skill and training which are the foundations for progress—economically and socially.

The United States, rich in natural resources and technical development, rich in human resources and ideas, rich in an inheritance of Judeo-Christian culture, has taken the leadership in man's quest for peace with his neighbor. And who is that neighbor in this world of mass media, fast transportation and affluent societies? He is the rice farmer in Thailand, the tin miner in Bolivia, the child with the belly bloated from starvation dying in the streets of India, the confused man from the bush in Africa seeking work in the city—these are the neighbors. This is one of the great missions of the Peace Corps—to help the hungry learn to feed themselves, to help the naked produce clothing, to help develop a local corps to visit and treat the sick, to help develop an educational program to teach the illiterate—to help these people help themselves in their struggle for health, prosperity, knowledge, and physical and moral well being.

This is not, however, a one-way media. By living and working with the people of other countries, by sharing their hardships, by learning their language and by understanding their institutions and cultures, the Peace Corps Volunteers are gaining an experience which will be an integral part of their lives, something which they will be able to impart to whatever they may do in the future. As Sir Francis Bacon once stated:

> And let it appear that he doth not change his country manners for those of foreign parts, but only prick in some flowers of that he hath learned abroad into the customs of his own country.

The work ahead of the Peace Corps is great and to accomplish this goal, it needs trained men and women to pick up the gauntlet which has been tossed. In its brief history, the Peace Corps has made a significant impact on the countries in which it has been operating. Every month new contingents of volunteers are departing to various countries throughout the developing areas of the free world to start or continue a job that has to be done in order to strengthen these nations and to help them take their rightful place in the world of today.

As one volunteer in Latin America said a few years ago:

> No conclusions or summaries are possible. Like the campesinos themselves, we are just beginning.

Through the Peace Corps, the United States has been able to say to the world—judge us not by what we have, but by what we do. Judge us by our greatest resource, a free people—teaching, sharing, learning, living side by side.

To paraphrase Sir Winston Churchill, this is not the beginning of the end but it is the end of the beginning in assisting these developing countries to wipe out poverty, disease, illiteracy, and social inequities.

Mr. Speaker, the Peace Corps has received virtually universal acclaim both at home and abroad for its great pioneer contributions. It is our only foreign program that sails through Congress without controversy. There are lessons to be learned from its operations which should be of value in our other overseas endeavors.

First, is the value of extensive training of our overseas personnel in the language, customs and culture of the country. Too often we have sent people overseas highly versed in their specialties but unable to communicate their skills or to understand how to fit them into a foreign environment. I think the Peace Corps has made a great contribution in demonstrating the value of this preparation to effective overseas operations and a warm reception abroad.

Second, is the value of living modestly abroad, within the host country community rather than in a U.S. ghetto, and receiving pay comparable to our foreign counterparts. Much of our difficulty last year in Panama was attributable to the fact that our people in the Canal Zone, working side by side with Panamanians, were getting paid many times the remuneration of the Panamanians and living high off the hog, conspicuously better than the Panamanians. The Peace Corps local-living approach, applied to staff and volunteers at their respective levels, has been most significant to the Peace Corps success.

Third, the Peace Corps has demonstrated that the average U.S. citizen has much to contribute to the development of an underdeveloped country. High levels of technical competency are not needed to help a primitive society—indeed they may lead to frustrations. We would do better to send less eminent people but rather those with higher motivation and better preparation for the job.

And a fourth major lesson from the Peace Corps experience is the efficacy of building from the grassroots. More can often be accomplished toward achievements of significant development programs from the bottom up than from the top down. Much more social change emanates from internal country pressures than we have ever been able to produce or can hope to produce by tying strings to our assistance endeavors. This is perhaps the most important lesson of all.

I hope these Peace Corps revelations may eventually have a profound influence on the conduct of our foreign affairs, on our foreign assistance endeavors, and in the conduct of our private endeavors overseas.

American men and women are not only accepting the challenge of oversea service but the great domestic challenge when they return as well. As Peace Corps Director Sargent Shriver stated to a group of departing volunteers:

> You will learn through firsthand experience something about the contemporary world. Your experience will update our texts, inspire our children, and invigorate our communities with a concern for the new world and the great tasks we face.

Many former volunteers are using the experience they gained overseas in the war on poverty by acting as instructors in the Job Corps and VISTA. Many are working in specialized fields of education, such as the pilot teaching project in Washington's Cardozo High School. Many are teaching who would never have taught before and are equipped to teach subjects for which we had no adequately prepared teachers. They can speak from firsthand knowledge of the customs and cultures of the lands in which they served. They multiply hundredsfold our resources of people who can teach the exotic languages like Thai or Punjabi or Swahili. They enter every conceivable field of our foreign relations, public and private, with a unique, firsthand contribution to make.

Thus, while Peace Corps volunteers are making tremendous strides in hundreds of fields in their service overseas, they also promise to make significant domestic contributions upon their return.

Later this month, a special conference is being held of returned volunteers to discuss the returned volunteer and his new and dynamic role in American society. I am certain the results of this conference will not only be of great interest but will provide some new insight into the Peace Corps and the vital part it can play in the development of the free world and the United States.

Mr. Speaker, it is thus with profound pleasure that I take this opportunity to praise the Peace Corps and the tremendous work it has been doing over the past 4 years.

The Acreage-Poundage Tobacco Bill, H.R. 5721

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1965

Mr. COOLEY. Mr. Speaker, the Tobacco Subcommittee of the House Committee on Agriculture today approved legislation providing for acreage-poundage marketing quotas for Flue-cured tobacco, beginning in 1965. The poundage quota program would supplant the present acreage allotment and marketing quota program, if two-thirds or more of the farmers vote for the change in a referendum.

I have called a meeting of the full Committee on Agriculture for next Tuesday, for the purpose of taking final committee action on the bill, H.R. 5721.

The Tobacco Subcommittee acted this morning after we received a letter from Secretary of Agriculture Freeman endorsing the bill as embracing the best plan yet presented for tobacco acreage-poundage quotas.

Mr. Speaker, this legislation reflects the determination of a substantial number of tobacco farmers to keep their production in line with their markets.

The tobacco program has been the most successful of all farm programs. In the 32 years we have been operating farm programs, the tobacco program has cost the Government only $38 million, and during that time the Federal and State Governments have collected $52 billion in taxes on tobacco and tobacco products.

In recent years, however, excessive supplies have accumulated because of substantial increases in per acre yields. Surpluses now endanger our tobacco program. Moreover, we have failed to share in the increase in the world tobacco trade.

In order to provide a more effective method of maintaining supplies in line with demand, to improve the quality of U.S. tobacco and to increase exports, many producers came forward with the suggestion that we supplement the present marketing quota program for tobacco, which is operated on an acreage basis, by the addition of farm poundage quotas.

On February 8, I introduced H.R. 4532, the acreage-poundage bill prepared by the Department at the request of a number of leading tobacco producers. Subsequently, our Tobacco Subcommittee held public hearings in Washington and in the Flue-cured tobacco producing area. We found that many farmers from the principal producing States—Virginia, North Carolina, South Carolina, Georgia, and Florida—were not satisfied with the legislation. We received their suggestions, and now we have revised the legislation to make it more equitable for farmers.

It is our intention to complete action on the legislation as expeditiously as possible, so that the tobacco producers may have the opportunity to express themselves freely in a referendum on whether they want acreage-poundage quotas in 1965.

Mr. Speaker, when this proposal for acreage-poundage quotas first was submitted I said then it would be difficult to write a simple and equitable bill, even after our committee had done the very best it could do. The bill in its present draft is complicated, involved, and far from simple. It certainly is not perfect. Copies will be made available and I hope farmers and all others interested will study carefully all of the bill's provisions. We still are open to suggestions for any improvements in this bill that can be made prior to its final enactment.

I especially want to commend Chairman WATKINS M. ABBITT and all the members of the Tobacco Subcommittee for their dedicated work in improving and refining this acreage-poundage legislation.

Mr. Speaker, many of the Members of this body are not familiar with the acreage-poundage approach to adjusting the production of a crop to its markets. Therefore, with the indulgence of the Members, I shall discuss in some detail the provisions of the bill approved this morning by our Tobacco Subcommittee.

Under the proposed legislation, in addition to the acreage allotment, a poundage quota would be established for each farm.

However, such poundage quotas would not become effective for any kind of tobacco unless they are approved by two-thirds or more of the farmers voting in a special referendum.

A preliminary farm yield, in the case of Flue-cured tobacco, would be established for each individual farm by averaging the yield per acre for that farm for the 3 highest years during the 5 years 1959–63.

A community average yield would be established for each community by averaging the yield per acre for the 3 highest years during the 5 years, 1959–1963. In counties having less than 500 acres allotted in 1964, the entire county would be considered as one community.

If the preliminary farm yield is as much as 80 percent but not more than 120 percent of the community yield, no adjustment would be made in the preliminary farm yield. This means that no adjustment will be made in the "preliminary farm yield" on more than 90 percent of the farms.

If the preliminary farm yield is less than 80 percent of the community yield, it will be adjusted upward to 80 percent of the community average yield.

If the preliminary farm yield exceeds 120 percent of the community yield, the preliminary farm yield will be adjusted downward by averaging: First, the 3-high-years' average of the farm's historical yield given a weighting of 3; second, the national average yield goal—1,854 pounds per acre—given a weighting of 1; but, third, the preliminary farm yield cannot be adjusted below 120 percent of the community yield.

Under the proposed legislation, the Secretary would set a national marketing quota at about 1,125 million pounds. A quota in this amount, plus an additional quantity that may be marketed because farms would be allowed to market 10 percent over their quotas, might result in marketings in the neighborhood of 1,200 million pounds. But to the extent farms do market over their quotas in 1965, this overage will be compensated for next year by reductions in such farms' quotas next year. The expected levels of marketings under the acreage-poundage approach would allow for an orderly reduction in loan stocks.

This bill provides that the Secretary establish a national average yield goal which he determines will improve or insure the usability of the tobacco and increase the net returns per pound to the growers. On the basis of research data now available, it is estimated that the national average yield goal for Flue-cured tobacco would be 1,854 pounds per acre for 1965.

Preliminary farm yields for all farms will be weighted by the respective allotments to derive a national average yield. This weighted national average yield will be divided by the national average yield goal. The factor thus obtained will be applied uniformly to all preliminary farm yields to meet the national average yield goal. The Department estimates that this adjustment will reduce preliminary farm yields for Flue-cured tobacco from 7 to 8 percent.

A national acreage allotment will be determined by dividing the national marketing quota by the national average yield goal. This results in a national acreage allotment of 606,800 acres for Flue-cured tobacco for 1965.

A national acreage factor will be determined by dividing the new 1965 national acreage allotment by the national acreage allotment currently in effect for the 1965 crop of Flue-cured tobacco—514,265 acres. This factor would be about 1.180 and would restore the 1965 farm acreage allotments to about 95 percent of the 1964 acreage allotments.

The farm acreage allotment multiplied by the farm yield gives the farm poundage quota.

The bill provides that a reserve not in excess of 1 percent of the national acreage allotment be made available for the correction of errors, adjusting inequities and for allotment to new farms.

For future years, the bill provides that the national marketing quota will be established at an amount that is desirable to maintain an adequate supply or to effect an orderly reduction of excessive supplies.

The bill permits each farm to market 10 percent more than the farm's poundage quota without penalty, but any excess marketings will be deducted from the farm acreage allotment and poundage quota in subsequent years.

As at present, price support would be available for all farms that do not exceed their farm acreage allotments. Price support would cease to be available, however, when marketings exceed 110 percent of the poundage quota.

Mr. Speaker, I am receiving inquiries as to the principal revisions made by the Tobacco Subcommittee in the proposed legislation as originally introduced. These revisions are as follows:

The original bill provided for a county average yield, which was the simple average yield per acre in the county for the 5 years, 1959–63, for use in establishing ranges upon which adjustments would be made in preliminary farm yields. The revised bill provides for the establishment of a community average yield, which is determined by averaging the yield per acre in the community for the 3 highest years of the 5 years, 1959–63, for this purpose.

If the preliminary farm yield is as much as 80 percent and not in excess of 120 percent of the community average yield, no adjustment will be made in the preliminary farm yield. In the original bill, these limits were 70 and 130 percent of the county average yield.

If the preliminary farm yield is less than 80 percent of the community yield, it will be increased to 80 percent of the community average yield. The original bill provided that any preliminary farm yield below 70 percent of the county average yield would be increased to 70 percent of the county average yield.

If the preliminary farm yield exceeds 120 percent of the community average yield, it will be adjusted downward by averaging: First, the 3 high years' average of the farm's historical yield given a weighting of three; second, the national average yield goal—1,854 pounds per acre—given a weighting of one; but, third, the preliminary farm yield cannot be adjusted below 120 percent of the community average yield. The original bill provided that any preliminary farm yield above 120 percent of the county average yield would be reduced to 130 percent of the county average yield.

The original bill provided that each farmer could market 5 percent more than his poundage quota without penalty the first year the acreage-poundage program was in effect. Under the revised bill, each farmer can market 110 percent of his farm poundage quota in any year without penalty, but any such excess marketings will be deducted from the farm's quota for the following year.

As provided in the original bill, the acreage-poundage program could not be in effect for any kind of tobacco unless it is approved by two-thirds or more of the farmers voting in a special referendum. The Department of Agriculture has proposed that only a majority vote be required to make the acreage-poundage program effective.

Mr. Speaker, sponsors of the acreage-poundage marketing quota program for tobacco claim for it the following advantages:

First. Acreage allotments could be larger, as the poundage quotas would provide protection against excessive marketings.

Second. Each farmer could aim at producing high quality tobacco without losing part of his share in the market to other farmers who strive for the utmost production from their allotted acreages at the expense of quality.

Third. Farmers would have a new element of flexibility since they could carry over unused quotas from one year to the next.

Fourth. Sales and exports would be increased through improved quality.

Fifth. Producer income would be increased by increased sales, improved quality and lower production costs.

Sixth. Supplies of tobacco would be kept in better balance with demand with less cost to the Government.

Mr. Speaker, I am including with these remarks a copy of the letter I received from Secretary Freeman. The letter follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 3, 1965.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives

DEAR MR. CHAIRMAN: I have been apprised of the modifications the Tobacco Subcommittee has made in the proposed legislation providing for acreage-poundage marketing quotas for tobacco as a result of its public hearings and deliberations in which officials of the Department participated.

The Department appreciates the careful consideration the subcommittee has given to the suggestions which have been made for improving the acreage-poundage approach, especially those provisions relating to the establishment of farm yields and farm poundage quotas on a fair and equitable basis. We appreciate also that officials of the Department were asked to participate in the subcommittee's deliberations.

In our letter of February 4, 1965, reporting on the proposed legislation, we advised that such legislation was in accord with the rec-

ommendation contained in the President's message on agriculture. At that time, we submitted a revised draft of the proposed legislation and advised that the Department would give you and the committee its full cooperation in obtaining legislation to provide tobacco growers the opportunity to decide for themselves the type of program they desire.

The proposed legislation may not be perfect in every respect, but it has been improved as a result of the subcommittee's hearings and deliberations. These hearings and deliberations have strengthened our convictions of the need for the enactment of legislation to provide for acreage-poundage marketing quotas for the 1965 crop of Flue-cured tobacco.

The Department concurs in the modifications made by the Tobacco Subcommittee and again urges that legislation be enacted to permit growers an opportunity to decide for themselves the type of program they desire for the 1965 crop of Flue-cured tobacco.

Sincerely,

Orville L. Freeman,
Secretary.

SENATE

Thursday, March 4, 1965

The Senate met at 11:30 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all mercy, whose goodness and loving kindness faileth never: With all our pressing needs, the one towering above all others is our need of Thee—for, having Thee, we have all. Without Thee, we are forsaken orphans in a heartless universe of blind force. With Thee, with whom 1,000 years are but as 1 day, may we live in the light of the yesterdays into whose labors we have entered. May the past warn us by its errors, inform us by its achievements, and inspire us by its sacrifices.

In our stewardship of today, we are thankful for the friends whose trust calls out the hidden best that is in us, for little children who keep us close to Thy kingdom of humility and simplicity, and for work to do that keeps faith pure and strong.

And now as we seize this day with all it may hold, in Thee may we find bread for our hunger, light for our darkness, strength for our tasks, and love that never faileth, purging all self-seeking which spoils life's music.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 1, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 1, 1965,

The Secretary of the Senate reported that on March 2, 1965, he received a message from the President of the United States, which informed the Senate that the President had approved and signed the joint resolution (H.J. Res. 234) making supplemental appropriations for the fiscal year ending June 30, 1965, for certain activities of the Department of Agriculture, and for other purposes.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 1, 1965,

The Secretary of the Senate reported that on March 4, 1965, he received a message from the House of Representatives, which announced that the House had passed, without amendment, the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of March 1, 1965, the following reports of committees were received during the adjournment of the Senate:

On March 2, 1965, Mr. McClellan, from the Committee on Government Operations, submitted a report (No. 69) entitled "Activities of the Senate Committee on Government Operations"; which was ordered to be printed.

On March 3, 1965, Mr. Church, from the Committee on Interior and Insular Affairs, reported favorably, with an amendment, the bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes, and submitted a report (No. 70) thereon; which report was printed, and the bill placed on the calendar.

CITIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 99)

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States on cities, which was received by the Secretary of the Senate on March 2, while the Senate was in adjournment, pursuant to an order adopted by the Senate on March 1. Since the message has been read in the House, without objection it will be printed in the Record without being read, and appropriately referred.

The message was referred to the Committee on Banking and Currency, as follows:

To the Congress of the United States:

Throughout man's history, the city[1] has been at the center of civilization. It is at the center of our own society.

Over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth.

Numbers alone do not make this an urban nation. Finance and culture, commerce and government make their home in the city and draw their vitality from it. Within the borders of our urban centers can be found the most impressive achievements of man's skill and the highest expressions of man's spirit, as well as the worst examples of degradation and cruelty and misery to be found in modern America.

The city is not an assembly of shops and buildings. It is not a collection of goods and services. It is a community for the enrichment of the life of man. It is a place for the satisfaction of man's most urgent needs and his highest aspirations. It is an instrument for the advance of civilization. Our task is to put the highest concerns of our people at the center of urban growth and activity. It is to create and preserve the sense of community with others which gives us significance and security, a sense of belonging and of sharing in the common life.

Aristotle said: "Men come together in cities in order to live. They remain together in order to live the good life."

The modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans. For this is truly the time of decision for the American city.

In our time, two giant and dangerous forces are converging on our cities: the forces of growth and of decay.

Between today and the year 2000, more than 80 percent of our population increase will occur in urban areas. During the next 15 years, 30 million people will be added to our cities—equivalent to the combined population of New York, Chicago, Los Angeles, Philadelphia, Detroit, and Baltimore. Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each.

Already old cities are tending to combine into huge clusters. The strip of land from southern New Hampshire to northern Virginia contains 21 percent of America's population in 1.8 percent of its areas. Along the west coast, the Great Lakes, and the Gulf of Mexico, other urban giants are merging and growing.

Our new city dwellers will need homes and schools and public services. By 1975 we will need over 2 million new homes a year. We will need schools for 10 million additional children, welfare and health facilities for 5 million more people over the age of 60, transportation facilities for the daily movement of 200 million people and more than 80 million automobiles.

In the remainder of this century—in less than 40 years—urban population will double, city land will double, and we will have to build in our cities as much as all that we have built since the first colonist arrived on these shores. It is as if we

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[1] **In this message the word "city" is used to mean the entire urban area—the central city and its suburbs.**

had 40 years to rebuild the entire urban United States.

Yet these new overwhelming pressures are being visited upon cities already in distress. We have over 9 million homes, most of them in cities, which are run down or deteriorating; over 4 million do not have running water or even plumbing. Many of our central cities are in need of major surgery to overcome decay. New suburban sprawl reaches out into the countryside, as the process of urbanization consumes a million acres a year. The old, the poor, the discriminated against are increasingly concentrated in central city ghettoes; while others move to the suburbs leaving the central city to battle against immense odds.

Physical decay, from obsolescent schools to polluted water and air, helps breed social decay. It casts a pall of ugliness and despair on the spirits of the people. And this is reflected in rising crime rates, school dropouts, delinquency, and social disorganization.

Our cities are making a valiant effort to combat the mounting dangers to the good life. Between 1954 and 1963 per capita municipal tax revenues increased by 43 percent, and local government indebtedness increased by 119 percent. City officials with inadequate resources, limited authority, too few trained people, and often with too little public support, have, in many cases, waged a heroic battle to improve the life of the people they serve.

But we must do far more as a nation if we are to deal effectively with one of the most critical domestic problems of the United States.

Let us be clear about the core of this problem. The problem is people and the quality of the lives they lead. We want to build not just housing units, but neighborhoods; not just to construct schools, but to educate children; not just to raise income but to create beauty and end the poisoning of our environment. We must extend the range of choices available to all our people so that all, and not just the fortunate, can have access to decent homes and schools, to recreation and to culture. We must work to overcome the forces which divide our people and erode the vitality which comes from the partnership of those with diverse incomes and interests and backgrounds.

The problems of the city are problems of housing and education. They involve increasing employment and ending poverty. They call for beauty and nature, recreation and an end to racial discrimination. They are, in large measure, the problems of American society itself. They call for a generosity of vision, a breadth of approach, a magnitude of effort which we have not yet brought to bear on the American city.

Whatever the scale of its programs, the Federal Government will only be able to do a small part of what is required. The vast bulk of resources and energy, of talent and toil, will have to come from State and local governments, private interests, and individual citizens. But the Federal Government does have a responsibility. It must help to meet the most urgent national needs: in housing, in education, in health, and many other areas. It must also be sure that its efforts serve as a catalyst and as a lever to help and guide State and local governments toward meeting their problems.

We must also recognize that this message, and the program it proposes, does not fully meet the problems of the city. In part, this is because many other programs, such as those for education and health, are dealt with separately. But it is also because we do not have all the answers. In the last few years there has been an enormous growth of interest and knowledge and intellectual ferment. We need more thought and wisdom and knowledge as we painfully struggle to identify the ills, the dangers, and the cures for the American city. We need to reshape, at every level of government, our approach to problems which are often different than we thought and larger than we had imagined.

I want to begin that process today.

We begin with the awareness that the city, possessed of its own inexorable vitality, has ignored the classic jurisdictions of municipalities, and counties, and States. That organic unit we call the city spreads across the countryside, enveloping towns, building vast new suburbs, destroying trees and streams. Access to suburbs has changed the character of the central city. The jobs and income of suburbanites may depend upon the opportunities for work and learning offered by the central city. Polluted air and water do not respect the jurisdictions of mayors and city councils, or even of Governors. Wealthy suburbs often form an enclave whereby the well-to-do and the talented can escape from the problems of their neighbors, thus impoverishing the ability of the city to deal with its problems.

The interests and needs of many of the communities which make up the modern city often seem to be in conflict. But they all have an overriding interest in improving the quality of life of their people. And they have an overriding interest in enriching the quality of American civilization. These interests will only be served by looking at the metroplitan area as a whole, and planning and working for its development.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

To give greater force and effectiveness to our effort in the cities I ask the Congress to establish a Department of Housing and Urban Development.

Our urban problems are of a scope and magnitude that demand representation at the highest level of government. The Housing and Home Finance Agency was created two decades ago. It has taken on many new programs. Others are proposed in this message. Much of our hopes for American progress will depend on the effectiveness with which these programs are carried forward. These problems are already in the front rank of national concern and interest. They deserve to be in the front rank of government as well.

The new Department will consist of all the present programs of HHFA. In addition, it will be primarily responsible for Federal participation in metropolitan area thinking and planning. This new Department will provide a focal point for thought and innovation and imagination about the problems of our cities. It will cooperate with other Federal agencies, including those responsible for programs providing essential education, health, employment, and social services. And it will work to strengthen the constructive relationships between Nation, State, and city—the creative federalism—which is essential to progress. This partnership will demand the leadership of mayors, Governors, and State legislatures.

INCENTIVES TO METROPOLITAN AREA COOPERATION

The Federal Government cannot, and should not, require the communities which make up a metropolitan area to cooperate against their will in the solution of their problems. But we can offer incentives to metropolitan area planning and cooperation. We can help those who want to make the effort but lack the trained personnel and other necessary resources. And the new Department should have regional representatives in our metropolitan areas to assist, where assistance is requested, in the development of metropolitan area plans.

We already have Federal programs in which assistance depends upon the completion of soundly conceived metropolitan area plans, such as the mass transportation program passed by the 88th Congress. This program strikes at the heart of one of our most critical and urgent needs—a transportation system which can relieve congestion and make it possible for people to travel with comparative ease to places of work, learning, and pleasure.

I am proposing other programs which will also require sound, long-range development programs as a condition of Federal assistance. Wherever it can be done without leaving vital needs unmet, existing programs will also be keyed to planning requirements.

Among the most vital needs of our metropolitan areas is the requirement for basic community facilities—for water and sewerage. Many existing systems are obsolete or need major rehabilitation. And population growth will require a vastly increased effort in years ahead.

These basic facilities, by their very nature, require cooperation among adjacent communities. I propose a program of matching grants to local governments for building new basic community facilities with an appropriation of $100 million for fiscal 1966. These grants will be contingent upon comprehensive, areawide planning for future growth; and will be made only for projects consistent with such planning.

One of the greatest handicaps to sound programs for future needs is the difficulty of obtaining desirable land for public buildings and other facilities. As growth is foreseen it should be possible to acquire land in advance of its actual use. Thus, when the need arises, the land will be there. I recommend a Federal program for financial assistance to help in this advance acquisition of land. Federal grants would be made available to cover the interest charges for 5 years on loans obtained by public bodies. Thus we will cover the costs during the period before the facilities are constructed.

Last year alone 1 million acres were urbanized. As our cities spread, far too often we create the ugliness and waste which we call urban sprawl. At times we find we have built new slum areas in our suburbs. Some of our programs are designed to stem this tide by helping city governments to plan their growth. But we must continue to depend upon the private developer and lender for most of our construction. And they sometimes lack the economic resources to insure high standards of development. I therefore recommend a program of federally insured private loans, backed by Federal mortgage purchases where necessary, to finance the acquisition and development of land for entire new communities and planned subdivisions.

This program should enable us to help build better suburbs. And it will also make it easier to finance the construction of brandnew communities on the rim of the city. Often such communities can help break the pattern of central city ghettos by providing low- and moderate-income housing in suburban areas.

This program will be complemented with a program of Federal financial assistance to State land development agencies. Under this program public bodies would acquire land, install basic facilities, and then resell the improved land to private builders for the construction of suburbs or new communities.

All of these programs would be dependent upon the existence of areawide planning for growth to which the aided developments must conform. They are designed to stimulate the farsighted planning for future growth which is necessary if we are to prevent sprawl and new slums, and to create standards which will guarantee a decent environment for our future city dwellers whatever their race or income. In addition, these programs should enable us to build better suburbs, since it will be possible to acquire land and improve it before the imminent approach of the city has sent costs skyrocketing upward.

RESOURCES FOR PLANNING

To plan for the growth and development of an entire metropolitan area takes a wide range of skills and a large number of trained people. These vital human resources are in short supply. They are beyond the command of many of our cities. To help meet this need I propose to establish an Institute of Urban Development as part of the new Department.

This Institute will help support training of local officials in a wide range of administrative and program skills. It will administer grants to States and cities for studies and the other basic work which are the foundation of long-term programs. And it will support research aimed especially at reducing the costs of building and home construction through the development of new technology.

TEMPORARY NATIONAL COMMISSION

Good planning for our metropolitan areas will take not only determination, the spirit of cooperation, and added resources. It will also take knowledge, more knowledge than we have now. We need to study the structure of building codes across the country: their impact on housing costs, how building codes can be simplified and made more uniform, and how housing codes might be more effectively enforced to help eliminate slums.

Zoning regulations also affect both the cost and pattern of development. We must better learn how zoning can be made consistent with sound urban development.

Few factors have greater impact on cost, on land speculation, and on the ability of private enterprise to respond to the public interest, than local and Federal tax policies. These two must be examined to determine how they can best serve the public interest.

Finally, we must begin to develop better and more realistic standards for suburban development. Even where local authorities wish to prevent sprawl and blight, to preserve natural beauty and insure decent, durable housing they find it difficult to know what standards should be expected of private builders. We must examine what kind of standards are both economically feasible and will provide livable suburbs.

To examine all these problems I recommend the establishment of a Temporary National Commission on Codes, Zoning, Taxation, and Development Standards. I predict that the body masked by such an unwieldy name may emerge with ideas and instruments for a revolutionary improvement in the quality of the American city.

This entire range of programs is designed to help us begin to think and act across historic boundaries to enrich the life of the people of our metropolitan areas. We do not believe such planning is a cure-all or a panacea. It can sometimes be a slender reed. It must be flexible and open to change. And we cannot wait for completed plans before trying to meet urgent needs in many areas. But it will teach us to think on a scale as large as the problem itself, and act to prepare for the future as well as to repair the past.

I hope that, as time goes by, more and more of our Federal programs can be brought into harmony with metropolitan area programs. For in this approach lies one of our brightest hopes for the effective use of local as well as Federal resources in improving the American city.

THE PHYSICAL ENVIRONMENT

We owe the quality of American housing to the initiative and vitality of our private housing industry. It has provided the homes which have made most of our citizens the best housed people in the world. Our Federal housing programs are designed to work in support of private effort, and to meet the critical needs which can only be met through Government action.

After World War II we worked to revitalize the housing market and provide homes for a growing number of our people. This effort has been successful far beyond our initial hopes. However, the problem now has a different shape. It is not enough simply to build more and more units of housing. We must build neighborhoods and communities. This means combining construction with social services and community facilities. It means to build so that people can live in attractive surroundings sharing a strong sense of community.

To meet new objectives we must work to redirect, modernize, and streamline our housing programs. I will ask the Congress to begin the process this year, while continuing those programs which are providing necessary assistance.

We hope to achieve a large increase of homes for low- and moderate-income families—those in greatest need of assistance—through an array of old and new instruments designed to work together toward a single goal.

To insist on stricter enforcement of housing codes by communities receiving Federal aid, thus mounting an intensified attack on slums.

But such insistence is not realistic, and often not desirable, unless we can provide realistic alternatives to slum housing. We will do this by:

Providing rent supplements for families across a wide range of lower and moderate income brackets so they can afford decent housing.

Providing rent supplement assistance to those forced out of their homes by code enforcement and all forms of federally assisted government action, from highways to urban renewal.

Using both urban renewal funds and public housing funds to rehabilitate existing housing and make it available to low- and moderate-income families. There is no reason to tear down and rebuild if existing housing can be improved and made desirable.

Emphasizing residential construction and rehabilitation on a neighborhood-wide scale in the urban renewal program.

These instruments, combined with existing public housing and direct loan programs, will greatly strengthen our existing effort. They should offer direct assistance to the housing of 1 million families over the next 4 years. Moreover, they will immensely add to our flexibility in the process of building neighborhoods.

RENT SUPPLEMENTS

The most crucial new instrument in our effort to improve the American city is the rent supplement.

Up to now Government programs for low- and moderate-income families have concentrated on either direct financing of construction; or on making below-the-market-rate loans to private builders. We now propose to add to these programs through direct payment of a portion of the rent of needy individuals and families.

The homes themselves will be built by private builders, with Federal Housing Administration insurance, and, where necessary, mortgage purchases by the Federal National Mortgage Association. The major Federal assistance will be the rent supplement payment for each eligible family.

This approach has immense potential advantages over low-interest loan programs:

First, its flexibility will allow us to help people across a much broader range of income than has hitherto been possible. And it will therefore make it possible significantly to increase the supply of housing available to those of moderate income.

Second, the payment can be keyed to the income of the family. Those with lower incomes will receive a greater supplement. Under present direct loan programs the amount of the subsidy is the same for all who live in a federally assisted development regardless of individual need.

Third, the amount of assistance can be reduced as family income rises. It can be ended completely when income reaches an adequate level. Thus we will not end up, as is sometimes the case, helping those who no longer need help.

Fourth, it will be unnecessary to evict from their homes those whose income has risen above the point of need. This will eliminate what is often a great personal hardship.

Fifth, since the supplement is flexible it will permit us to encourage housing in which families of different incomes, and in different age groups, can live together. It will make it unnecessary for the Government to assist and even require the segregation by income level which detracts from the variety and quality of urban life.

In the long run this may prove the most effective instrument of our new housing policy. In order to give it a fair chance we are limiting it to carefully designed categories of need—

In a program of rental and cooperative housing for those low- and moderate-income families displaced by Government action or now living in substandard housing. The subsidy will help them pay rent or meet payments on a federally insured mortgage.

In a program of home ownership for those displaced or living in substandard housing who display a capacity for increasing income and eventually owning their own home.

In a program to provide a broader range of housing for the elderly with inadequate incomes. The existing direct loan program for the elderly will continue at its existing level with the funds already provided by the Congress. I intend to insure a steadily increasing supply of federally assisted housing for older Americans.

On this basis our rent supplement program should finance more than 500,000 homes over the next 4 years, while improving our ability to make these homes serve the social needs of those who live in them. If it works as well as we expect, it should be possible to phase out most of our existing programs of low-interest loans.

REHABILITATION

We have concentrated almost all our past effort on building new units, when it is often possible to improve, rebuild and rehabilitate existing homes with less cost and less human dislocation. Even some areas now classed as slums can be made decent places to live with intensive rehabilitation. In this way it may often be possible to meet our housing objectives without tearing people away from their familiar neighborhoods and friends. Sometimes the same objective can be achieved by helping local authorities to lease standard homes for low-rent families.

I recommend a change in the public housing formula so that we can more readily use public housing funds to acquire and rehabilitate existing dwellings—and to permit local authorities to lease standard housing for low-rent families. This will assist particularly in providing housing for large families.

I recommend the use of urban renewal funds to permit low-income homeowners to repair their homes and nonprofit sponsors to rehabilitate and operate homes for low-income families at rents they can afford.

I have recommended the appropriation of funds for low-interest rehabilitation loans under urban renewal, designed to help rescue our existing housing from blight and decay.

EXISTING PROGRAMS

I ask Congress to continue, on a modified basis, the existing housing programs which have proven their ability to meet important needs. But I also wish to state my intention to reduce or eliminate these programs whenever new and more flexible instruments have shown they can do a better job.

The public housing program should be continued with an authorization ample enough to permit an increase in the number of new units as well as to conduct a program of rehabilitation.

I ask the continuation, at the rate of 40,000 additional units for fiscal 1966, of the program of below market interest rate mortgage purchases for housing for moderate income families. At the same time we must recognize that the benefits of this program are decreasing as the rising costs of Federal borrowing narrows the difference between the interest we ask and that demanded in the private market.

I urge continued support for our college housing program which is struggling to keep up with the needs of a rising volume of students.

I ask that our urban renewal program be increased to a level of $750 million a year by 1968. This program has done much to help our cities. But we have also learned, through hard experience, that there is more to eliminating slums and building neighborhoods than knocking down old buildings and putting up new ones.

Through using funds for rebuilding existing housing and by providing more and better assistance to families forced out by urban renewal, we can make this program better serve the people it is meant to help. We will continue to use urban renewal to help revitalize the business and industrial districts which are the economic base of the central city. But this program should be more and more concentrated on the development of residential areas so that all our tools—from the poverty program to education and construction—can be used together to create meaningful and livable communities within the city.

To accomplish this purpose cities must develop long-range programs which take into account human as well as construction needs. Therefore I recommend that every city of 50,000 or larger develop a community renewal program as a condition of Federal help for urban renewal. These programs will provide an orderly schedule and pattern for development of areas of blight and decay—combining social and educational services with the planning of physical construction.

NEIGHBORHOOD FACILITIES

A community must offer added dimensions to the possibilities of daily life. It must meet the individual's most pressing needs and provide places for recreation and for meeting with neighbors. I therefore recommend a new program of matching grants to help local governments build multipurpose neighborhood centers for health and recreation and community activity. Related to our housing programs these centers can help urban renewal and public housing meet the goal of creating a meaningful community.

At the same time these centers must not be isolated expressions of interest. They should be part of an overall program for improving the life of people in disadvantaged areas. Therefore, I am recommending that in cities participating in the war against poverty these grants be made only when they are consistent with an approved community action program.

BEAUTIFYING THE CITY

In my message on natural beauty I pointed out that much of the effort of the new conservation would be directed toward the city. I recommend changes in the open space program, broadening its authority to help local governments acquire and clear areas to create small parks and squares, malls and playgrounds. In addition I recommend special grants to cities for landscaping, the planting of trees, the improvement of city parks and other measures to bring beauty and nature to the city dweller.

But beauty is not simply a matter of trees and parks. The attractiveness of our cities depends upon the design and architecture of buildings and blocks and entire urban neighborhoods. I intend to take further steps to insure that Federal construction does not contribute to drab and ugly architecture. But in this field, as in so many others, most of our hopes rest on the concern and work of local governments and private citizens.

CONCLUSION

This message can only deal with a fragment of the effort increasingly directed toward improving the quality of life in the American city. The creation of jobs, the war against poverty, support for education and health, programs for natural beauty and antipollution are all part of an effort to build the great cities which are at the foundation of our hopes for a Great Society.

Nor can we forget that most of our programs are designed to help all the people, in every part of the country. We do not intend to forget or neglect those who live on the farms, in villages, and in small towns. Coordinated with the Department of Agriculture, the programs I have outlined above can do much to meet rural America's need for housing and the development of better communities.

Many of these programs are intended to help the poor and those stripped of opportunity. But our goal is more ambitious than that. It is nothing less than to improve the quality of life for every American. In this quest the future of the American city will play the most vital role. There are a few whose affluence enables them to move through the city guarded and masked from the realities of the life around them. But they are few indeed. For the rest of us the quality and condition of our lives is inexorably fixed by the nature of the community in which we live. Slums and ugliness, crime and congestion, growth and decay inevitably touch the life of all. Those who would like to enjoy the lovely parks of some of our great cities soon realize that neither wealth nor position fully protects them against the failures of society. Even among strangers, we are neighbors.

We are still only groping toward solution. The next decade should be a time of experimentation. Our cities will not settle into a drab uniformity directed from a single center. Each will choose its own course of development—whether it is to unite communities or build entirely new metropolitan areas. We will seek new ways to structure our suburbs and our transportation; new techniques for introducing beauty and improving homes. This is an effort which must command the most talented and trained of our people, and call upon administrators and officials to act with generosity of vision and spaciousness of imagination.

I believe today's proposals are an important start along that road. They should help us to look upon the city as it really is: a vast and myriad complex of homes and communities, people and their needs, hopes and frustrations. It can liberate the expectations of men, or it can crush them in body and spirit.

For underneath all the rest, at the very bottom of all we do, is the effort to protect, under the conditions of the modern world, values as old as this Nation and the civilization from which it comes. We work in our cities to satisfy our needs for shelter and work and the ability to command a satisfying way of life. We wish to create a city where men and women can feed the hunger of the spirit for beauty and have access to the best of man's work; where education and the richness of diversity expands our horizons and extends our expectations. But we also look for something more.

The American city should be a collection of communities where every member has a right to belong. It should be a place where every man feels safe on his streets and in the house of his friends. It should be a place where each individual's dignity and self-respect is strengthened by the respect and affection of his neighbors. It should be a place where each of us can find the satisfaction and warmth which comes only from being a member of the community of man. This is what man sought at the dawn of civilization. It is what we seek today.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 2, 1965.*

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Walter G. Carney, to be postmaster at Armagh, Pa., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 301) to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2208. An act to modify the flood control project on the Scioto River, Ohio; and

H.R. 4606. An act to modify the flood control project for Four River Basins, Fla.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region, and it was signed by the Vice President.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles, and referred to the Committee on Public Works:

H.R. 2208. An act to modify the flood control project on the Scioto River, Ohio; and

H.R. 4606. An act to modify the flood control project for Four River Basins, Fla.

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees or subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Subcommittee on Immigration and Naturalization of the Committee on the Judiciary.

The Subcommittee on Constitutional Amendments of the Committee on the Judiciary.

The Committee on Labor and Public Welfare.

The Subcommittee on the Humanities and the Arts of the Committee on Labor and Public Welfare.

RECESS TO PARTICIPATE IN OBSERVANCE OF LINCOLN CEREMONY

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is the intention of the leadership to recess the Senate from 12 o'clock to 1 o'clock this afternoon. The purpose will be to participate in the observance of the Lincoln ceremony.

COMMUNIST CHINA'S CAPACITY TO MAKE WAR

Mr. MANSFIELD. Mr. President, in view of the situation in southeast Asia, it seems to me desirable that the Senate have available as much erudite background information as may be available. I wish, therefore, to call attention to an informed estimate and analysis of Communist Chinese military capabilities which appeared in the January issue of Foreign Affairs. The article, written by Gen. Samuel B. Griffith, USMC retired, explores the land, sea, and air capabilities of the Chinese Armed Forces. He finds their 2-million-man army to be a formidable force, especially when engaged on or near home ground or in situations where tactical rather than strategic mobility is at a premium. The Chinese Air Force, for lack of training and equipment from Russia, he finds much less powerful. The Chinese Navy, he says, is composed largely of coastal patrol craft and conventional submarines, although some have a range of 9,000 miles and the capability of carrying short range sea to ground missiles.

Mr. President, General Griffith's presentation of these facts and the accompanying analysis are most helpful to a full comprehension of the obscure and delicate situation which confronts us in Asia. I ask unanimous consent, therefore, that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMMUNIST CHINA'S CAPACITY TO MAKE WAR

(By Samuel B. Griffith II)

One hundred and sixty-six years ago, a political writer on the staff of a respected journal—the Philadelphia Monthly Magazine—devoted a column to reports of a civil war then said to be raging in China. This anonymous and unpretentious commentator, unlike some who follow the trade today, admitted that his analysis was almost entirely speculative, for he wrote: "Our knowledge of that nation is very little, and that little, too obscure to be trusted."

Since 1796 this situation has not improved much, if at all, and there is small prospect that it will. Thus, any lay estimate of current Communist Chinese military capabilities, or future potential, is likely at best to be but partially correct; at worst, flagrantly inaccurate. "It is extremely important," Mao Tse-tung wrote in "On Protracted War," to keep the enemy "in the dark about where and when our forces will attack." This, he goes on, creates a basis "for misconceptions and unpreparedness on his part. * * * In order to achieve victory we must as far as possible make the enemy blind and deaf by sealing his eyes and ears, and drive his commanders to distraction by creating confusion in their minds."

Even those whose primary professional concern it is to assess Communist Chinese military capabilities have made egregious mistakes. History has qualified the late General of the Army Douglas MacArthur, commander in chief, United Nations Command in Korea, as an expert witness to the truth of this statement. At the Wake Island conference, on October 15, 1950, President Truman asked MacArthur what he thought of the Chinese capability to intervene in the Korean war. MacArthur was not perturbed. He viewed this as a remote contingency. He replied:

"Very little. Had they intervened in the first or second months it would have been decisive. We are no longer fearful of their intervention. We no longer stand with hat in hand. The Chinese have 300,000 men in Manchuria. Of these probably not more than 100,000 to 200,000 are distributed along the Yalu River. Only 50,000 to 60,000 could be gotten across the Yalu River. They have no air force. Now that we have bases for our Air Force in Korea, if the Chinese tried to get down to P'yongyang there would be the greatest slaughter."[1]

Forty-eight hours before that meeting on the peaceful mid-Pacific atoll, advance elements of Lin Piao's 4th Field Army of almost a quarter of a million men had begun to cross the Yalu, and to disappear, without a trace, in the rugged mountains of North Korea.

The secret concentration of overwhelming force in the zone of operations preceded attacks that brought the United Nations Command in Korea suddenly face to face with disaster. The episode should exert a salutary effect on all of us who in discussing the present and future capabilities of the People's Liberation Army (PLA) are inclined to make dogmatic statements and to draw subjective—and therefore unwarranted—conclusions.

II

One need not labor the obvious fact that a nation's military potential in our age is a complex amalgam of many diverse elements. Among the most important are its size, terrain, and environmental situation; its national philosophy; the number, character, standards of literacy and morale of its population; its natural resources; the capacity of its indigenous science, technology, and industry to develop these resources advantageously; the quality of its leadership at directive levels; the viability of its alliances, including material and other assistance it receives from allies; its internal communications; its strategic doctrine; and the size, nature, and quality of its armed forces, including the supporting establishments.

There is also the important question of how effectively a nation can, or will, apply its military power at various levels of violence in various areas, and under various conditions, in pursuit of policy objectives. For example, Peiping demonstrated during the border fighting with India that it could very effectively deploy and support limited but still significant conventional land power beyond the Chinese borders under particular conditions. This it had previously demonstrated, on a much larger scale, in Korea.

China has the capability to intervene directly or indirectly in different ways in areas susceptible to so-called national liberation wars. To date, it has not participated directly in such wars, even in peripheral areas, and whether it will do so will depend on a variety of circumstances, not all of which would be under its control. For instance, it is giving more than political support to the Pathet Lao, but this is principally indirect, via Hanoi.

Although China will develop an atomic-nuclear capability, it has none at the moment, and it is a very long way indeed from an indigenous capability in strategic (ballistic missile) delivery systems other than those of crude types. Still, we must remember that the Chinese may consider such refined systems as those possessed by the Soviet Union, Britain and the United States to be both uneconomical and unnecessary.

The Chinese potential for the production of atomic bombs is believed by Ralph E. Lapp, a well known nuclear physicist, to be "less than one A-bomb per month." But even with this relatively limited capacity, China will in several years have available a respectable stock of weapons. With its obsolescent aircraft, it could deliver Hiroshima-type atomic bombs on almost any target on the continent of Asia, on Japan, Taiwan or the Philippines. Hanson Baldwin has pointed out (New York Times, Oct. 26, 1964) that while this capability presents no challenge now to the continental United States it does "pose an imminent threat" to our allies in Asia, and its existence "postulates major political and psychological problems."

Several other fundamental factors are germane to any assessment of Peiping's present and future military potential. One of these is that the regime is now, and for a number of years will be faced with many hard choices. The leadership some time ago discovered that modern arms and equipment are extremely expensive and, in an economy of scarcity, demand a disproportionate share of resources required to create and operate a flexible and versatile base for heavy industry and to speed the technical revolution in agriculture, upon which the creation of this base essentially depends.

However, one of the features of a controlled economy is the ease with which it can swing resources and support into any selected field. Central control of over all production strategy in China is popularized under the slogan "The entire nation is a chessboard," or a "game of chess"—"Ch'uan kuo i p'an ch'i." Thus, during the past 2 years, the Chinese have thrown resources into enlarging the chemical fertilizer industry, as well as into synthetics, petroleum, extraction and refining. It would appear that in, say, 10 years' time, this principle could be applied to the development of short-range and even medium-range missiles, should the leadership feel the need to be paramount. But, should they make this decision, they could achieve their aims only by slighting productive sectors of an economy which in many respects will still be primitive, and at the expense of modernizing conventional forces. There is just not enough cake to go around.

In sum, although some factors in the amalgam of China's military potential can be broadly assessed with reasonable accuracy, we can make no objective assessment of others. The regime has not been remarkable for the consistency of its domestic economic policies, and this alone makes projections of future development of the defense industrial base difficult if not impossible. Otherwise, our knowledge is either sparse or nonexistent, for information and statistics directly relating to military matters are not published. Thus we can at best hope to make approximations; at worst, surmises which may be wildly inaccurate.

But it is no speculation that China is a formidable land power relative to those nations, including the Soviet Union, with which it has common borders. With presently mobilized manpower, it could, if it wished, literally saturate Nepal, the Northeast Frontier Area, Bhutan, Sikkim, Burma, Laos or Thailand, threaten South Korea, and hold a club raised in the direction of the offshore islands, Taiwan, India, and Japan.

III

China's millions, frequently cited as an element of its potential power, are in fact a serious source of weakness, and if the population increases in the next 20 years at the rate demographers believe it has in the past 10 or 15—that is, at least 12 million annually—this weakness could easily become critical. True, there are empty spaces in the hinterlands of Tibet and Central Asia which are now being peopled by Han Chinese sent from overcrowded cities and farm villages. But vast areas of these territories are inhospitable, and mere displacement of people to subsistence areas is no more than a temporary solution.

National morale depends to a great degree on the ability of the commodity and consumer goods section of the controlled economy to meet minimum demands levied against them by an exploding population. No one denies that the Chinese are ingenious and industrious, but, unless the ratio of population to resources is stringently manipulated, they are going to have to run very fast indeed to stay in the same place in terms of food, clothing, housing, public health, education, transportation and communication. Many amenities we take for granted will be scarce, if available at all. But morale is neither produced nor destroyed by gadgetry.

Unrestricted access to abundant supplies of iron ore, coal, petroleum and a variety of metals and minerals is an a priori requirement for any nation which aspires, as China does, to get into the great-power club. Lacking them, there is no possibility of creating the industrial base which in the contemporary world underlies the structure of military power. It appears now that China is well endowed with these primary resources. However, all are not found in areas which permit rapid and efficient exploitation. Sinkiang is reported rich in oil and nonferrous metals. But Sinkiang is a long, long way from anywhere. Better prospects are the fields in the Kansu "panhandle."

At present, China can by no means meet its minimum basic annual requirements in such fundamental items as machine tools, alloy steels, electronics, agricultural machinery, synthetic rubber, extracting equipment, petroleum products, chemicals, turbines, generators, motors, electrical transmission and control equipment, precision instruments, road-building machines, tractors, heavy-duty trucks, automatic switching and signaling equipment, synthetics in general, computers, diesel engines and electric locomotives. It can assemble, but it cannot make, either jet engines or airframes on a production basis. Jet engines, airframes, and the electrical and hydraulic equipment—to say nothing of the navigational, fire-control instrumentation and weaponry which modern combat aircraft require—cannot be produced by "backyard" enterprises, even if the catalyst is "the glorious thought of Comrade Mao Tse-tung."

Thus, although the Chinese have registered significant advances on a broad front embracing electrical, hydraulic, mechanical, and chemical engineering, electronics and metallurgy, their progress, when projected against fundamental requirements, is not particularly remarkable. The picture of scientific, technological and industrial development during the last 15 years is an extremely uneven one. In many areas, the Communist Party established unrealistic goals; in others, political dogmatism has interfered. Possibly the single most important lack has been trained scientists and technical personnel. Naturally the departure of the Russians accentuated this particular aspect of the great slide backward, from which the Chinese economy is only now beginning to recover.

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[1] Roy E. Appleman, "U.S. Army in the Korean War," vol. 1, "South to the Naktong, North to Yalu." Washington, OCMH, Department of the Army, 1961, p. 760.

The party is well aware of the deficiency in personnel, and is doing everything within its power to remedy it. I think it reasonable to estimate that as of 1975 China will have a respectable corps of trained scientists and qualified engineers. Scientists of international repute are today numbered in scores only. In 10 to 15 years they may be numbered in the hundreds, and engineers and other well-qualified technicians in the thousands. Major educational emphasis is being placed in these specific areas.

IV

Mao Tse-tung wrote: "Once man has eliminated capitalism he will attain the era of perpetual peace, and there will be no more need for war. Neither armies, nor warships, nor military aircraft, nor poison gas will then be needed. Thereafter and for all time, mankind will never again know war."

But this utopia can be achieved only by force of arms: the Chinese leadership believes, as an article of faith, that struggle—and they specify violent and mortal struggle—is inevitable as long as class society exists. There is a corollary: it is the sacred duty of all good Communists—and particularly Chinese Communists—to hasten the demise of the competing society by whatever means possible, including war.

A "just" war is by definition any which contributes to this end. China, then, may wage "just" wars in support of claims it unilaterally defines as "legitimate." It did so to enforce its claims along the borders of India. It has "rightful" claims, listed by Mao Tse-tung, in other peripheral areas. At one time or another he has named these as Bhutan, Sikkim, Nepal, the Ryukyu Islands, Taiwan, Outer Mongolia, Hong Kong, Macao, and the former tributary states of southeast Asia (less Thailand).

If other and less delicate means fail, the ultimate instrument available to enforce these claims is the people's liberation army, a force of 2,700,000 including the ground forces, air force, navy, and border guards. Headquarters, PLA, no longer exercises command over the people's armed police (estimated at about 500,000). This force is now controlled by the Ministry of Internal Security. The overall figure, 2.7 million, is derived from the secret "liberation army work bulletins" acquired by the U.S. Government, and may be deemed reliable.

Policy control and supreme directive authority in all important matters is vested in the military affairs committee of the central executive committee of the party, frequently designated by the term "central authorities." It appears that Marshal Lin Piao, Minister of National Defense, is concurrently chairman of the M.A.C., which reports directly to the chairman of the party, Mao Tse-tung.

The nation is divided into 13 military regions, of which three—Inner Mongolia, Sinkiang and Tibet—are "direct control" regions. The senior officer in each region commands the armed forces assigned thereto, as well as the militia. Regions which include two or more provinces are further divided into "districts," the boundaries of which coincide with provincial boundaries. There are 23 such "districts."

I do not think anyone questions either the professional competence of the superior commanders or their dedication to the party. How well versed they are in application of combined arms has not really been tested. However, they are imaginative and meticulous planners. In Korea, their response to battle situations suggested that they were less intellectually flexible than we. This, if still true, is of course a serious weakness.

The bulk of PLA manpower (2 million) is believed to be assigned to approximately 40 field armies, each basically consisting of 3 infantry divisions. A Chinese field army cannot be equated with a U.S. corps, which packs greater fire power and is equipped with extremely flexible and efficient communications. (Parenthetically, estimates of the number of 11,000 to 12,000-man infantry divisions range from 105 to 154.)

In respect to modern, standardized infantry weapons—i.e., automatic rifles, submachineguns and "burp" guns, light and heavy machineguns, light and medium (60 mm., 82 mm. and 122 mm.) mortars; 90 mm. rocket launchers; recoilless rifles (57 mm. and 75 mm.), and light and medium artillery (all of which are being produced by the Chinese)—the army is adequately equipped. Major shortages exist, however, in heavy and self-propelled artillery, trucks and other military vehicles, heavy engineer equipment and tanks, other than the obsolete T-34. Some of these shortages were indicated in work bulletins. Others are inferred from Chinese "shopping lists" made available to foreign firms and governments anxious to trade.

The rocket and short-range missile picture is confused to say the least, but one must presume that since 1961, when work bulletins reveal at least one failure to attack a Nationalist reconnaissance plane flying over Peking, the Chinese have been working energetically on air-to-air, short-range ground-to-ground and ground-to-air rockets and missile. The Russians are reported to have given the Chinese some rockets—precisely what sort was not made clear by the source, which was Mr. Khrushchev. Another critical sector, and one to which attention is also being paid, is that of strategic and tactical electronic communications, and radar. Here the Chinese are probably at the stage that Western armies, navies and air forces were in 1941–42.

A major impediment to efficient operations is the scarcity and low quality of technical personnel. One finds constant reference to this in the work bulletins. The complaints focus on poor maintenance of aircraft, trucks and ships, due both to inexperience and carelessness of personnel, and to a critical shortage of spare parts. Accident rates in all these services as of 1960–61 were high.

The Army's tactical mobility is excellent, but its strategic mobility is of a low order. Airlift capabilities, even if all civil transport planes were employed, are meager, and limited to lift of personnel with individual arms and light infantry weapons. Some estimates set the maximum airlift capability at two battalions. North to south rail communications are reasonably good but lateral lines are few. Railway bottlenecks are vulnerable to interdiction from the air or by sabotage. There is no such thing as a modern highway system, and even if one existed the PLA would be unable to make full use of it because of a most critical shortage of automotive equipment.

In 1961, Wang Shou-tao, Minister of Communications, in a frank discussion of transport problems, observed that one-half the length of Chinese highways could not be used in rainy weather. At the time—and there has been very little change since—practically all short-haul rural transport was accomplished by animal-drawn carts, human carriers, wheelbarrows, donkeys, camels, and on lakes, rivers and canals by animal and man-pulled barges, sail and motorized junks.

A word of caution is perhaps in order here. In each military region, there no doubt are one or more fully motorized élite divisions capable of fairly rapid movement, even during hours of darkness. The Chinese have on occasion deployed troops to the southeast coastal areas with considerable speed. In Korea, under extremely adverse conditions of both weather and terrain, the troops displayed an unexcelled capability for movement. Last year, emphasis in training was devoted to night marching, and the high standards set—40 miles with full equipment—indicate that major reliance for speedy tactical movement is still, as it was in Korea, placed on the soldier's legs.

Today the air force numbers about 2,600 aircraft of which some 2,000 are jets, approximately 1,600 of them Mig-15's and Mig-17's. The remainder are light and medium bombers (of which about 400 are subsonic jet types), trainers, helicopters, and a few transports. Sixty to 80 Mig-19's are reported, but no Mig-21's. A small naval air arm is included.

As of 1963, jet pilots were averaging 8 to 10 hours a month as compared to the 20 hours that the air forces of the United States, Japan and Nationalist China consider the minimum necessary to maintain all-weather pilot proficiency. In 1961 an uncertain percentage of combat aircraft were grounded at all times because of lack of fuel and shortage of spare parts. Work bulletins reveal that operational accident rates were high, and that pilots were forced to do much of their "training" on the ground. The figures on pilot hours can be misleading, because the air force can and probably does "peak" selected squadrons periodically. By reducing flying time for older, more experienced pilots, headquarters can schedule more time for younger pilots.

Rotation of units into and out of the southeastern coastal land, with "alert" squadrons getting more than average time for intercept and ground-attack training, instrument flying, gunnery and so on, could help maintain proficiency of combat pilots at a higher level than the figures suggest. (Incidentally, when the Communists tangled with the Nationalists over the Taiwan Straits in 1958, the kill ratio was 16 to 1 in favor of the latter, and the majority of Nationalists' kills were made before they were equipped with "Sidewinders.")

In order to keep their obsolete combat aircraft flying, the Chinese must resort to cannibalization—at least until they can produce high quality spare parts or procure them from outside sources. Their interest in buying machine tools and machine toolmaking plants reflects these critical shortages. Reequipment of the Air Force with modern aircraft of all types appears to be a pressing problem.

Jet fuel remains in critical short supply. Although the Chinese have recently announced basic self-sufficiency in oil requirements, we may view the claim skeptically. What they may have achieved is a basic self-sufficiency in crude petroleum at the source. This is an important first step. But there are many obstacles to be overcome before fuel in adequate quantities can be delivered to consumers. And here again they are faced with competing claims to limited resources. The design and construction of refineries and rectification plants and the creation of facilities for transportation, storage, and handling of volatile jet fuels present a variety of complicated technical and engineering problems, to say nothing of a major investment of skills, materials, and capital.

In sum, the combat capability of the air force—even in defense of the homeland—is low, and there is little chance that it will improve much in the immediate future unless massive aid from Russia were to be forthcoming. At present, the air force could not conduct sustained offensive operations in peripheral areas if there were any sort of opposition by high-performance aircraft. In fact, there is little reason to suspect that at present it could put up an effective defense against anything but small-scale, local air attacks.

The Chinese Navy consists basically of submarines and coastal patrol craft. The exact number of long-range (9,000 miles) submarines is not known, but is believed to be about 20. Some of these (W-class) could be fitted for short-range (250–400 miles) missiles. There is a possibility that some have been modified to carry one or two such missiles. With atomic or nuclear warheads for these, the submarine force could at some future date pose a substantial terror threat to cities on the west coast of the United States. The navy can lay coastal mines, and its high-speed motor torpedo boats give it a capability for attacking ships which enter coastal waters. The navy's amphibious capability, specifically against Taiwan, is primitive. The picture conjured up of thousands of junks crossing the strait is totally unrealistic, given an effective Nationalist Air Force. And today the Nationalist Air Force is effective, as the Communists are well aware.

The PLA is unique in several other respects that deserve mention. First, it assists in agricultural and industrial production, in road and railroad building, in hydraulic projects ranging all the way from construction of dams, levees, and canals to local irrigation projects. The PLA is a ready, disciplined working force that can be thrown into any emergency project. It grows a high percentage of the cereals it consumes, raises its own hogs, chickens, and ducks, and where conditions permit, augments its rations by hunting and fishing. It also manufactures its own uniforms, shoes, blankets, and bedding, builds its barracks and other facilities, and maintains all its installations.

We might wonder when the PLA finds time to train. This is apparently one of the questions which worried Marshal P'eng Teh-huai and his Chief of Staff, Gen. Huang K'o-ch-eng. Unfortunately for them, they apparently wondered out loud.

Two important adjuncts to the PLA are the militia and the people's armed police. The militia has been drastically reduced in size, purged, reorganized, and remolded during the past 3 years. Recent reports are to the effect that it is again being expanded. The "every man a soldier" movement was launched in 1958 when the great leap began, and the party found it necessary in the interest of increased production to regiment the rural population. The reason given for this radical policy was that the American imperialists, allied with the Chiang Kai-shek bandits, threatened the fatherland.

Obviously, the militia provided the party with a built-in mechanism for disciplining, controlling, and indoctrinating the masses. Considerable experience had been gained during the 1930's and 1940's, when the party organized militia to extend and deepen its control in every village and county under its jurisdiction, and a clandestine militia in areas where its administrative fiat was extralegal. The "every man a soldier" movement thus seemed to party leaders a perfect instrument in the campaign to collectivize and martialize the entire nation.

But in 1960 the party discovered to its horror that its militia system was simply not functioning. In not a few areas the organization existed only on paper. A number of peasants queried by investigators did not know whether or not they were members. Work bulletins cite several instances of militiamen who stole weapons and became bandits. Obviously, radical measures had to be taken, and as a consequence of the sorry state of affairs the party completely reorganized the militia.

At least until very recently, all youths not conscripted by the PLA automatically entered the basic militia (chi kan min ping). All demobilized servicemen are automatically fed into it. All male students in technical schools and colleges are members of local basic militia companies or battalions. In the cities, all bank employees, railway workers, members of the governmental bureaucracy, etc., under the age of 26, are members of functionally organized basic militia units. Apparently, particular attention has been paid to training and indoctrinating militiamen in the southern coastal belt.

The PLA exercises command over the militia, is responsible for its training and for custody of weapons. Supervision of the militia, while no doubt a burden, pays the PLA direct dividends in terms of the quality of conscripts, who now enter the armed forces for the required 3 years equipped with at least a basic knowledge of infantry weapons, as well as an ability to adjust rapidly to service life.

Until August 1958, public security forces were under PLA command. Since that time they have been responsible to party control. Very little information is available relative to their organization and equivalent. One would be safe to assume that their personnel are specially selected, well equipped with individual and team weapons, and entirely reliable. Estimates of strength vary from a low of 180,000 to a high of 700,000.

V

If the population at large is subjected to surveillance, close control and constant indoctrination, we might assume that even more stringent measures are taken to insure that the Chinese People's Liberation Army thinks correct thoughts and marches unswervingly under the great Red banner of Comrade Mao Tse-tung. If so, we would be entirely correct. The mystique of the army is unique. It was well summarized in the September 7, 1962, issue of China News Analysis, a weekly Hong Kong newsletter:

"A Communist army, certainly the army of China, is run in a very different way from the 'capitalist' armies, at least as they were before psychoanalysis, unfortunately, was applied to the life of soldiers. In the good old days the sergeant shouted at the top of his voice, and all obeyed; the sergeant was not much interested in knowing your Weltanschaung, or whether you had one. In the liberation army things are different; at the company level, and it is there that human beings are encountered, the real commander is not the commander of the company; he is the political guide, a comrade whose curiosity has no limits. He wants to know—it is his duty to know—not only what you do but—and primarily—what you think, whether you think the thoughts of Mao Tse-tung. It is his business to see to it that you do.

"He is not alone in his job. He is helped by men called kanpu, cadres who are, or should be, specialized in the job; but all others must give a helping hand. Indeed everybody, officer and soldier, must help everybody else to think the thoughts of Chairman Mao and report it if someone has kept a little private ownership in a corner of his mind. That would be a dangerous thing. A general of high authority declared that such things must be detected at their first appearance, before the evil is done; it is a kind of mine-detecting work, in the minds of men."

In October and November 1961, after a detailed countrywide investigation of PLA units at all levels, the General Political Department issued a series of directives designed to correct the ideological situation in the armed forces and to insure predominance of the party.

This emphasis is consistent with the party's views of the correct nature of the political-military relation. Many years ago Mao laid down the basic guidelines for these views. "The party commands the gun; the gun will never command the party," and "In war, man, not material, is decisive." We find these themes echoed constantly by members of the hierarchy.

Here, for instance, is Gen. Hsiao Hua, Deputy Director of the General Political Department, PLA, in an address to the Army's political work conference on February 14, 1963:

"Although the role of weapons and technical equipment has become more important in modern warfare, man—not materials—is the determining factor in war. In the end, victory or defeat in combat depends on the courage of man, his awareness, and his willingness to sacrifice.

"The decisions of the Military Affairs Committee pointed out that while the material atom bomb is very important, the atom bomb of the spirit is even more important.

"A revolutionary army is not afraid of the enemy, no matter how powerful he is. It is not afraid of any weapon, no matter how strong it is. What a revolutionary army is really afraid of is political backwardness, isolation from the people, and loss of determination to fight.

"Mao Tse-tung has taught us that politics is the commander and the soul. If our political and ideological work is carried out well, then other activities will fall into their proper places. Therefore, to develop a force with strong combat powers, it is first necessary for the cadres to profoundly learn the thinking of Comrade Mao on people's war—and to be guided by the thinking of Comrade Mao in all activities. The most basic tasks in political-ideological work are to raise the great red banner of Mao's thought, to use this thought to arm the combat commanders, to have everyone study his writings, work according to his directions, and become a good soldier of Mao Tse-tung."

The question is: Are the tasks summarized in the directives, and outlined by Comrade Gen. Hsiao Hua, being successfully accomplished? I venture to say they are. During the last 3 years, repeated ideological "remolding" campaigns have no doubt located and weeded out the "remnant bourgeois" and "lurking counter-revolutionary elements" of the officer and noncommissioned officer groups, together with "Russified" officers, followers of former Defense Minister Marshal P'eng Teh-huai, and other dissidents and malcontents.

The control postulated by the Military Affairs Committee is comprehensive. It is wide and deep; vertical and horizontal. Activists in platoons, squads, sections, gun crews, air crews—i.e. at the very lowest levels in the armed forces—are alert to discover signs of "wrong thoughts." Should these be discovered, or indeed imagined, to exist, remolding is in order.

A good example of how the party operates on a selected group is provided by the Hsia Lien Tang Ping ("Go down to the companies and soldiers") campaign as applied to the officer corps between 1959 and 1962. During this operation, which involved every officer from Lin Piao down to the most junior lieutenant, officers served in the ranks for stated periods and performed every menial task, including cleaning spittoons and lavatories, washing dishes, policing barracks and grounds, and so on. The purpose of this was stated by the party to be to insure the "unity" of officers and enlisted men. Possibly. But the punitive aspect of the campaign cannot be overlooked. Undoubtedly some officers objected to this sort of remolding. If they did so vocally, they are no longer officers. As one does not now hear anything of the Hsia Lien movement, it may be assumed that this rite of purification was consummated.

Several other mechanisms are used in the remolding process. Possibly the best known of them is the "criticism" meeting. Here officers and soldiers are encouraged to reveal publicly their innermost thoughts and confess their ideological shortcomings to the group. "Before I read and studied the works of Chairman Mao, I was arrogant and bureaucratic and treated the soldiers in my platoon too harshly. But now that I have studied our revered chairman's inspirational and illuminating essays, I am greatly enlightened," etc., etc.

Another favored type of mental and emotional therapy is the "recollection of past bitterness, contemplation of present sweetness" meeting. At these gatherings, which are essentially "hate-meetings," the soldiers are encouraged to work themselves into a state bordering on hysteria as older men recount the outrages perpetrated before 1949 by landlords, merchants, other bourgeois elements and imperialists. On this subject the work bulletins state that the cadres should not enforce mass weeping. The clear inference is that paroxysms of enraged grief should be encouraged, but not demanded. After the wailing sessions, the soldiers reflect (aloud of course) on "present sweetness."

A third device currently in favor in the PLA is the "emulation" campaign. Such campaigns were common enough in agriculture and industry, but were not applied to the armed forces until 1962. Here a particular individual or unit (some no doubt fictitious—their reported virtues and accomplishments are really unbelievable) is selected as a model of frugality, industry, "loving the people," "loving the party," or studying the works of Chairman Mao. When an emulation campaign is launched, all stops are pulled. One of the purposes of these various campaigns is to keep the revolutionary fervor of the soldiers at a high level. We see in press reports many references to the necessity for the PLA to maintain the revolutionary elan which distinguished the Eighth Route Army.

Still another mechanism which can be manipulated by the party to insure a high level of ideological commitment is the conscription process. Since 1959 the party has been much more selective than it was previously. To induct 750,000 young men a year (the current rate), the PLA need only choose one from every seven or eight of the approximately 6 million young men who reach the age of 18 each year. The party is thus able to insure, during the annual draft, that only ideologically reliable youngsters with untainted family backgrounds are taken. Additionally, quite rigid mental, physical and emotional standards can be applied to them, as to officer aspirants.

For these reasons, it is not realistic to assume a crisis of morale in the PLA or to entertain the hope that the armed forces, or really significant elements of them, will prove disloyal to the party. On Taiwan now it is an article of faith that the PLA is on the verge of disintegration. This I believe to be wishful thinking. There may be schisms in the command hierarchy in the future. There may be occasional defectors. But the notion that the armed forces harbor important antiparty elements is illusory. The PLA, or the People's Armed Police, might be the decisive factor should there be a split in the hierarchy after the death of Mao. But that the PLA could act independently to deprive the party of control of the state apparatus appears an extremely remote possibility indeed. If the PLA were not now considered entirely "safe" we should not have it held up, which it is at present, as a model worthy of emulation on a national scale. The Chinese people today are constantly adjured: "Learn from the PLA." Learn what? Frugality, industry, implicit obedience, love of the party, reverence for Chairman Mao.

Work bulletins reveal that the quality of leadership at lower levels has been a source of concern. Very few officers below the rank of lieutenant-colonel—that is, below battalion commander—have actually participated in combat. Hence the present emphasis on schooling and training. Politics has not taken a back seat, but has been considerably deemphasized. The PLA operates an elaborate graded school system, and there is no reason to believe that the officer corps is not rapidly gaining professional competence. The substantive question is to what degree, if any, pervasive party control affects the morale and operational flexibility of the armed forces. Certainly, in combat, situations will frequently arise in which military and political commanders find themselves deadlocked.

Theory holds that in a combat "emergency" the military commanders' view prevails. In all conditions other than "emergency," differing points of view should be presented to the next higher echelon for resolution. We know, in fact, that in Korea political officers and their military counterparts at low echelons frequently did reach just such an impasse, with the result that critical decisions were often not taken when they should have been. For instance, Gen. Mark Clark refers to this: "The system resulted in a weakness in military leadership at lower levels, and forced the Chinese to sacrifice flexibility in their operations. Individual initiative during action was rare in the Chinese Army."

This lack of flexibility at platoon, company, and battalion levels was noticed by U.S. Marine officers and documented in official reports. It is true that the Chinese apparently took steps to correct the situation, but no evidence is available to me as to what, precisely, the measures were. Nor is there the slightest evidence of lack of initiative on the part of lower commanders during the Sino-Indian fighting. Indeed, the contrary seems to be the case.

Certainly, there seems to be no doubt in the minds of the top leaders that the system is effective both in peace and war, and that it is a decisive factor in promoting and maintaining very high standards of loyalty, morale, and discipline.

VI

China's capability for sustained conventional action on a major scale outside its own borders is poor. Its present military impotence stems largely from the stoppage of Soviet aid, as a result of which for the last 5 years it has been deprived of the military hardware, technical assistance, and professional advice which was essential if a balanced defense establishment were to be created. Still, when appraising possible Communist military actions we must not, as Mao says take "a purely military viewpoint," but must relate them to the contexts of domestic and external situations. Should the party feel that national morale needs a massive injection, the leadership might tie renewed intensive bombardment of Quemoy and Matsu to a xenophobic anti-U.S. campaign, or it might so provoke the Indians that another "self-defense counterattack" would be in order.

Today, the PLA does not have even a primitive capability for operations involving combined land, sea, and air arms. In the ground forces, emphasis in training during the past few years has apparently been directed to the individual, to squads, and to companies, with special attention given to night marches, infiltration, night fighting, and techniques of close combat. One may conjecture that regimental and divisional maneuvers involving close coordination of the infantry-tank-air-artillery team are confined to elite units, if indeed they are held at all, which I doubt. A campaign to conserve fuel oil, coal, electric power, and materials of all descriptions—including ragged garments and soles of shoes—has been applied to the armed forces across the board, and it is most unlikely that the party would encourage the PLA to conduct expensive live-firing exercises on the scale required to achieve battle proficiency when so many other requirements cannot be met. However, small-unit training has distinct relevance to situations which may develop in southeast Asia.

China's geographical position is such that it can attack her avowed enemy, the United States, only indirectly in South Korea. That it would provoke conventional hostilities in this quarter is no more than a remote contingency, but cannot be dismissed completely. China might react here to pressures in other areas, or it might stir up trouble along the 38th parallel as a distraction operation. In the context of the split with Russia, unilateral action in Korea would apparently constitute an unacceptable risk. On the other hand, such an action might be a deliberate catalytic attempt designed to involve the Russians, and so precipitate a general war from which the Chinese feel they stand to gain.

Conventional forces could be used in southeast Asia, but again the risk would be great. In that area the United States and its allies enjoy incomparably more strategic and tactical flexibility, and thus many more options than would be available to the Chinese, who would additionally be faced with staggering logistic problems. Too, China's opponents, with carrier aircraft, highly mobile amphibious striking power, and a significant airlift capability, could strike targets of their choice along the southeast Chinese coast, or in other rear areas. The fear of a major Nationalist landing on the southeast coast, or on Hainan, would be a further, and perhaps decisive, deterrent to conventional adventurism to the south.

Military action to recover Mongolia—which Mao has claimed to be Chinese territory—seems unlikely in the foreseeable future. Sedition, subversion, and support of other treasonable activities would no doubt be her policy in any attempt to influence and gradually assimilate this area. The Russians are, however, quite as skilled in these forms of activity as the Chinese. The same applies to Sinkiang, where there is no well-defined natural boundary, and where until fairly recently there was a constant ebb and flow across relatively open borders.

The Chinese could take over Nepal, Bhutan, Sikkim, and Assam should they wish to do so. Troop strength in the Tibetan area amounts to five or six acclimated, well-equipped mountain divisions, plus some separate task groups of regimental size. Overall strength is possibly 160,000.

India can by no means match Chinese capabilities for action in the Himalayan states. It may be able to hold present precarious positions in Ladakh, but I doubt if it can regain territory already lost. Here the controlling factor for both sides is supply, and while the Indians are rapidly improving their capabilities for defense, the Chinese have been similarly engaged. The situation there appears to be a stalemate, which will probably persist for some years. There is no reason why the Chinese would be particularly interested in physically occupying Nepal, Bhutan and Sikkim. And, in any case, it would not be fear of India which would discourage the Chinese from committing the PLA there in furtherance of imperial ambitions.

China's capabilities for defense aginst conventional attack are of a different order entirely. In these circumstances, Mao's theories of nationwide and protracted war would be applied. The vastness of China, and, with the exception of Manchuria and the northern provinces, the nature of its terrain, rules out any attempt to conquer it by conventional means.

Chinese capabilities in the paramilitary field—the entire spectrum of insurgency, of which guerrilla warfare is but a part—are high, particularly in southeast Asia. With a relatively slight investment of resources, and at very little risk, it stands to receive a disproportionate return. China can easily exfiltrate selected young men and women for intensive political indoctrination and training as propagandists, organizers, terrorists, saboteurs and guerrillas. These agents can then be brought back as nuclei for cells. Several such training centers are said to be in Yunnan. These reports are probably correct; the procedure is a logical one, for southeast Asia provides a target area suitable in all respects for the application of Mao's theories of protracted insurgent war.

One may suspect that when Chinese troops pulled out of the northeast frontier area, they took with them a number of candidates for this schooling, and it should come as no surprise to the Indian Government if, in say 1967, it finds itself suddenly faced with this very threat in that region.

Burmese terrain is favorable to quiet insurgent organization and buildup; the northern and eastern parts of the country are remote and sparsely populated and can be supplied from China. Local takeovers in the north by puppets supported by "people's volunteers" would give the Chinese a number of bases for small-scale infiltration and attacks on Assam from the south. The area east of the Salween River is also particularly suitable. A similar type of operation can be run from Laos against susceptible eastern Thailand along the Mekong.

How many North Vietnamese units are now in Laos under Pathet Lao cover would be difficult to estimate. One figure is as high as 15 battalions of 600 men each. Possibly we are inclined to overestimate, but, in the general context, it is only prudent to assume that there are troops present and that the Pathet Lao is receiving material aid (to say nothing of vociferous moral encouragement) from Peiping. We are sure, for example, that the Chinese are building tracks for jeeps in northern Laos. There is thus a decided potential capability to "put the bite" on Thailand from two directions.

The United States, or anyone else, would find difficulty in countering directly operations of the nature and on the level described. The Chinese might calculate that we would be inhibited from a conventional response elsewhere by the spectre of escalation. However, should they commit conventional units to operations along the Mekong (a most unlikely but possible course of action) they would, of course, be inviting intervention elsewhere.

VII

Release by the U.S. Government of the captured work bulletins gave us new insights into the party-P.L.A. relationship. They substantiated the supposition that morale problems as of 1960–61 were quite serious. They validated the opinions of some analysts that the combat efficiency of the air force was steadily deteriorating, that the navy (such as it is) was practically immobilized because of lack of fuel and spare parts, and that the ground forces were suffering from shortages of automotive transport, heavy weapons, and spare parts.

Nevertheless, in many areas of interest we lack (and no doubt shall continue to lack) specific information on which reasonably accurate estimates of Communist China's military potential must be based. Consequently, our appraisals tend to swing wildly from one extreme to the other. This has been characteristic of Western (particularly American) estimates of Soviet capabilities, which periodically are unreasonably upgraded only to be downgraded later.

In the American press, the Chinese leadership is frequently represented as a group of almost superhuman Machiavellis. But these men, and the members of the authoritarian bureaucracy over which they preside, can make mistakes. They have made serious errors in the past, and they will make them in the future. Nevertheless, of one thing we may be certain: They are determined to extend their influence, at the least risk and cost to themselves, to susceptible areas. If a limited military adventure offers a handsome payoff at very low risk, they will probably embark on it. It is part of our business to narrow the field of choices open to them and thus to deny them strategic options from which they may reap large returns on small investments.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred as indicated:

Reports of Numbers of Officers on Duty With Headquarters, Department of the Army and Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army and Army General Staff, on December 31, 1964 (with accompanying reports); to the Committee on Armed Services.

Authorization for Secretary of Commerce To Undertake Research and Development in High-Speed Ground Transportation

A communication from the President of the United States, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes (with accompanying papers); to the Committee on Commerce.

National Oceanographic Program

A communication from the President of the United States, transmitting his national oceanographic program for fiscal year 1966 (with an accompanying document); to the Committee on Commerce.

Report on Management of Automatic Data Processing in the Federal Government

A communication from the President of the United States, transmitting a report to the President on the management of automatic data processing in the Federal Government, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

Report on Planned Actions in National Aeronautics and Space Administration Research and Development Program

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on planned actions in that Administration's research and development program, for the year 1965 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Amendment of Agricultural Act of 1949, Establishing the Minimum Price Support Level for Peanuts

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the provisions of the Agricultural Act of 1949, as amended, establishing the minimum price support level for peanuts (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment Purposes

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on the actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes; to the Committee on Armed Services.

Amendment of Title 10, United States Code, Relating to Promotion of Certain Officers of the Air Force

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the promotion of qualified Reserve officers of the Air Force to the Reserve grades of brigadier general and major general (with an accompanying paper); to the Committee on Armed Services.

Report on Special Pay for Duty Subject to Hostile Fire

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on special pay for duty subject to hostile fire, for the calendar year 1964 (with an accompanying report); to the Committee on Armed Services.

Proposed Transfer of Battleship "Massachusetts"

A letter from the Assistant Secretary of the Navy (Installations and Logistics), reporting, pursuant to law, on the proposed transfer of the battleship *Massachusetts* to the U.S.S. Massachusetts Memorial Committee, Inc., Boston, Mass.; to the Committee on Armed Services.

Report on Review of Outstanding Voluntary Agreements and Programs

A letter from the Attorney General, transmitting, pursuant to law, a report on the continuing review of the outstanding voluntary agreements and programs, as of February 9, 1965 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Legislation Relating to Interstate Commerce Commission

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting two drafts of proposed legislation, as follows:

A bill to amend section 22 of the Interstate Commerce Act; and

A bill to amend Sections 204a and 406a of the Interstate Commerce Act in order to provide civil liability for violations of such act by common carriers by motor vehicle and freight forwarders (with accompanying papers); to the Committee on Commerce.

Mission of Public Employment Service

A letter from the Secretary of Labor, transmitting, for the information of the Senate, a letter written by him to the Comptroller General of the United States, relating to a report submitted by the Comptroller General on unnecessary costs to the Federal Government as a result of supplanting existing employees services by federally financed services, dated November 13, 1964 (with an accompanying paper); to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on inadequate administration of centralized payroll activities, Department of Labor, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on unnecessary dollar grants to Iran under the foreign assistance program, Agency for International

Development and Department of State (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on deficiencies in contract administration resulting in additional costs for exterior concrete construction at the Brecksville, Ohio, hospital, Veterans' Administration, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unused mail-flo system equipment at the Chicago Post Office, Post Office Department, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improper application by the Hallicrafters Co., Chicago, Ill., of Government's share of vendor credits for volume discounts under contracts AF 33(600)–40992, –40994, and –42414, Department of the Air Force, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on loss of revenue resulting from the practice of requiring that surplus marine anchors be sold as scrap, Departments of Commerce, Defense, and the Navy, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excess travel time allowed military personnel using privately owned vehicles on permanent change of station travel, Department of Defense, dated February 1965 (with an accompanying report); to the Committee on Government Operations.

Report on Lead and Zinc Mining Stabilization Program

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on lead and zinc mining stabilization program for the year ended December 31, 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Arrests by Secret Agents in Certain Offenses

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report on Operations Under National Defense Education Act of 1958

A letter from the Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C., transmitting, pursuant to law, a report on operations under the National Defense Education Act of 1958, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Labor and Public Welfare.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. Johnston and Mr. Carlson members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Missouri; to the Committee on the Judiciary:

"House Concurrent Resolution 2

"Be it resolved by the house of representatives (the senate concurring), That this legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress'; be it further

"*Resolved,* That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved,* That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"Thomas D. Graham,
"Speaker of the House of Representatives.
"Agnes Moore,
"Chief Clerk.
"Thomas F. Beefehon,
"President of the Senate.
"J. A. Bauer,
"Secretary of the Senate.
"James C. Kirkpatrick,
"Secretary of State of Missouri.
"Tilgham R. Cloud,
"Deputy Secretary of State."

A concurrent resolution of the Legislature of the State of New York; to the Committee on Public Works:

"Senate Resolution 91

"Concurrent resolution of the Senate and Assembly of the State of New York, requesting the Federal Government to initiate and effectuate studies and measures to restore and preserve the scenic beauty of the American Falls of the Niagara River

"Whereas the American Falls at Niagara stands as an integral part of a majestic phenomenon which is one of the natural wonders of the world; and

"Whereas the gradual erosion of the cliff of the American Falls has, in recent years, resulted in rock slides which have produced a mounting pile of rocky debris reaching halfway up the cataract, and has partially destroyed the scenic beauty of the 182-foot-high American Falls; and

"Whereas the continued destruction of the grandeur of the American Falls may seriously deprive New York State and this Nation of one of its preeminent attractions for both residents and visitors to this State; and

"Whereas the desirability of clearing away this debris and of taking appropriate measures to arrest the further erosion of the cliff of the American Falls is a matter of deep concern to the people and the legislature of this State; and

"Whereas remedial measures have proven successful in preserving and guaranteeing the beauty of the Horseshoe Falls at Niagara Falls; and

"Whereas the national administration has urged the Federal Congress to enact measures to preserve this Nation's natural attractions: Now, therefore, be it

"*Resolved (if the assembly concur)*, That since the Federal Government, jointly with Canada, has jurisdiction over the international waters of the Niagara River, the Federal Congress and appropriate officers of the Federal Government are respectfully urged to initiate, and to follow up with such action as may be indicated thereby, relevant studies aimed at keeping the American Falls from becoming a series of rapids and to stabilize the cataract in its approximate present location; and be it further

"*Resolved (if the assembly concur)*, That copies of this resolution be transmitted to the Secretary of the Senate and the Clerk of the House of Representatives of the Congress of the United States and to the Representatives of the State of New York in the Federal Congress, as well as to the chairman of the U.S. section of the International Joint Commission.

"By order of the senate,
"George H. Van Lengen,
"Secretary.

"In assembly, February 15, 1965.
"Concurred in without amendment.
"By order of assembly.
"John T. McKennen,
"Clerk."

The petition of James E. Borden, of San Diego, Calif., relating to civil rights; to the Committee on the Judiciary.

A resolution adopted by the City Council of the City of Daly City, Calif., favoring a constitutional amendment relating to reapportionment; to the Committee on the Judiciary.

A letter in the nature of a memorial from the Italian American War Veterans of the United States, Inc., Department of New York, remonstrating against the closing of veterans' hospitals and facilities; to the Committee on Labor and Public Welfare.

JOINT RESOLUTION OF IDAHO LEGISLATURE

Mr. JORDAN of Idaho. Mr. President, the Idaho Legislature, recognizing the importance of the sugarbeet industry to Idaho and to this country, recently passed a joint memorial to the Congress of the United States.

I am in full accord with the provisions of House Joint Memorial No. 6 of our State legislature and I present it to the Senate for consideration at this time.

There being no objection, the joint resolution was referred to the Committee on Finance, as follows:

HOUSE JOINT MEMORIAL 6

A joint memorial to the honorable Senate and House of Representatives of the United States in Congress assembled

We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

Whereas, the sugarbeet industry is a vital and integral part of the economy of the State of Idaho and of the United States of America; and

Whereas the provisions of section 202(c) of the Sugar Act relating to foreign quotas are not effective after December 31, 1964; and

Whereas the U.S. domestic beet sugar growers and processors amply demonstrated their ability to produce sugar when it was needed for consumers in 1963 and 1964; and

Whereas the U.S. domestic beet sugar industry is now confronted with excessive inventories of sugar in relation to permitted marketings under the existing Sugar Act in that the industry has increased their production at the request of the Department of Agriculture; and

Whereas to avoid further increases in inventories which are now excessive it has been necessary to reduce the sugarbeet acreage to be grown in Idaho in 1965 by approximately 14 percent below 1964 acreage; and

Whereas unless the sugar industry gets relief, with present inventories and production possibilities, the industry will face additional severe production cutbacks in 1966: Now, therefore, be it

Resolved by the 38th session of the Legislature of the State of Idaho, now in session (the Senate and House of Representatives concurring), That we most respectfully urge the Congress of the United States of America, in order to avoid drastic cuts in sugar production, to proceed at the earliest possible time to enact legislation increasing the basic sugarbeet quota to a minimum of the 1965 restricted acreage production so as to allow the marketing of excess sugar produced at the request of the U.S. Department of Agriculture; be it further

Resolved, That the Sugar Act be extended so as to be effective until December 31, 1970; and be it further

Resolved, That the secretary of state of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States, and to the Secretary of Agriculture.

PETE T. CENARRUSA,
Speaker of the House of Representatives.
W. E. DREVLOW,
President of the Senate.
DRYDEN M. HILER,
Chief Clerk of the House of Representatives.

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Idaho, identical with the foregoing, which was referred to the Committee on Finance.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. THURMOND. Mr. President, on behalf of myself and my colleague from South Carolina [Mr. JOHNSTON], I send to the desk a concurrent resolution memorializing Congress to take affirmative measures to prevent the Federal Trade Commission from exercising any authority over cigarette labeling and advertising.

I ask that the text of this concurrent resolution be printed in the CONGRESSIONAL RECORD and that it be appropriately referred.

There being no objection, the concurrent resolution was referred to the Committee on Commerce, as follows:

A CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO TAKE AFFIRMATIVE MEASURES TO PREVENT THE FEDERAL TRADE COMMISSION FROM EXERCISING ANY AUTHORITY OVER CIGARETTE LABELING AND ADVERTISING

Whereas the tobacco industry is beset with a crisis fomented by the Federal Trade Commission that endangers not only the industry's productivity but the economic reward to those citizens of our land who depend upon the continued development of this industry; and

Whereas the crisis commenced with a report of the Public Health Service linking smoking to a variety of human ills; and

Whereas the report remains, 12 months after its publication, vague, indefinite, and controversial; and

Whereas the Federal Trade Commission, armed with an inconsistent and inconclusive report of the Public Health Service, threatens to harass and victimize the tobacco industry by controlling its advertising policies and the labeling of cigarettes; and

Whereas condemning the tobacco industry without conclusively demonstrating that cigarette smoking is a direct and precipitating cause of human ills does violence to the American tradition of fairplay and hazards the destruction of the tobacco industry and threatens economic destitution for thousands of our citizens who depend upon this industry for their livelihood; and

Whereas $3 billion a year are returnable from tobacco production in the form of Federal, State, and local taxes, therefore prudence would dictate that such revenue should be protected by instituting a program of research into all aspects of tobacco culture and cigarette manufacture for the purpose of isolating and eliminating proven harmful elements; and

Whereas the immediate crisis facing the industry could be alleviated by stripping the Federal Trade Commission of any authority, whether real, supposed or imagined, over cigarette labeling or advertising: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That Congress be memorialized to enact legislation removing any authority reposed in the Federal Trade Commission to regulate cigarette labeling and advertising; be it further

Resolved, That a copy of this resolution be forwarded to each U.S. Senator from South Carolina, each Member of the House of Representatives of Congress from South Carolina, and the Federal Trade Commission.

INEZ WATSON,
Clerk of the House.

RESOLUTION OF THE SENATE OF THE STATE OF WASHINGTON

Mr. MAGNUSON. Mr. President, the Senate of the Legislature of the State of Washington has sent to me Senate Resolution No. 1965–24 which was adopted by the Washington State Senate February 17, 1965.

They respectfully petition the Congress of the United States to consider, with the greatest care, the value of our great salmon fishery to the States of the North Pacific and to the Nation as a whole, and urge us to take all appropriate action necessary to preserve this industry.

I recommend that all Members of Congress read this resolution and I further recommend that the U.S. members of the International North Pacific Fisheries Commission be guided by the responsible thinking of the Washington State Senate.

I ask that Resolution No. 1965–24 of the Washington State Senate be included, at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 24

Whereas in the words of the late Cordell Hull, issued in 1937, when he was Secretary of State:

"Large bodies of American citizens are of the opinion that the salmon runs of Bristol Bay and elsewhere in Alaskan waters are an American resource; that the salmon fisheries relate to and are linked with the American continent, particularly the Northwest area; and, that for all practicel purposes, the salmon industry is in fact a part of the economic life of the Pacific Northwest coast. The fact that salmon taken from waters off the Alaskan coast are spawned and hatched in American waters, adds further to the conviction that there is in these waters a special and unmistakable American interest;" and

Whereas the North American salmon would cease to exist were it not for the continuing restrictions of the United States and Canadian conservation policies; and

Whereas the North Pacific salmon fisheries have a special importance to our coastal communities as a source of livelihood, and to the Nation as a food and industrial resource; and

Whereas it is vital to maintain these fisheries on a sustained yield basis; and

Whereas widespread Japanese fishing for salmon, using highly efficient new methods and techniques, seriously threatens the North American salmon fisheries with depletion if not destruction; and

Whereas the 1953 North Pacific Fisheries Treaty entered into between the United States, Canada, and Japan is now in process of renegotiations; and

Whereas present Japanese fishing policies urgently require establishment of additional controls west of the present treaty line: Now, therefore, be it

Resolved, by the Senate of the State of Washington, That we do respectfully petition the Congress of the United States to consider with the greatest care the value of our salmon fisheries to Alaska, to the Pacific Northwest, and to the Nation as a whole, and to take all appropriate action necessary to preserve this industry by insisting upon language in the revised treaty that will furnish adequate protection for it; and be it further

Resolved, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

WARD BOWDEN,
Secretary of the Senate.

JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 71)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, the concurrent resolution (S. Con. Res. 2) to establish a Joint Committee on the Organization of the Congress, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the minority views of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT].

The VICE PRESIDENT. The report will be received and the concurrent resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arizona.

REPORT ENTITLED "ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS"—REPORT OF A COMMITTEE—COMBINED AND ADDITIONAL VIEWS (S. REPT. NO. 72)

Mr. McCLELLAN. Mr. President, on behalf of the Senate Committee on Government Operations, I submit a report of its Permanent Subcommittee on Investigations entitled "Organized Crime and Illicit Traffic in Narcotics." The report reveals the structure and methods of operation of the Mafia, also known as Cosa Nostra, and similar criminal syndicates. These groups have a grave impact upon our economy, and their dealings in narcotics are responsible for much human misery and degradation in this country. The report makes certain constructive suggestions to meet the problems created by organized crime and by the narcotics traffic, which involves the critical situation of narcotics addiction and the treatment and rehabilitation of its victims.

Organized crime in the United States is in the hands of a large, skilled, and dedicated army of professional criminals who use sophisticated methods to conceal their control of illegal enterprises. Police efforts against them are unfortunately too often frustrated. Attorney General Katzenbach stated recently that the Department of Justice, in spite of strenuous efforts, is able to do little more than "keep our head over water" in the fight against organized crime. The enormity of the problem is illustrated by current information that indicates that 1,500 members of the Mafia are under investigation by law enforcement agencies in New York City alone.

The subcommittee's hearings have contributed a very useful new intelligence weapon for law enforcement officials across the Nation, who, for the first time, have access to comprehensive information, never before available, about the internal organization of the Mafia and its affiliates. It includes details of membership, techniques and procedures, self-protective measures, and police identifications and photographs. The revelations given by Joseph Valachi, an insider for 30 years in the Mafia, were not taken at face value, but were given specific and detailed corroboration by police officials.

The subcommittee has received requests for the printed record of the hearings in precedent-breaking volume from police departments across the Nation. Moreover, the significance of this compilation of organized crime information is reflected in police officials' statements that these volumes on organized crime and the narcotics traffic provide criminal intelligence of extraordinary value.

The results of the crime hearings, therefore, are gratifying, Mr. President, but a tremendous task lies ahead of us. These hearings were held not simply to state the problem and identify its sources. The witnesses were called to give experienced advice on methods that can severely hamper and, we hope, eventually eliminate the crime syndicates. Their expert views have contributed to the following recommendations among others contained in this report:

The subcommittee recommends that the Congress enact immunity statutes that would compel the testimony of witnesses in racketeering cases. Such witnesses now are frequently silenced by fear of violence and threats of murder from the forces of organized crime.

Legislation is proposed that would prevent the obstruction of justice through intimidation of witnesses in investigations being conducted by agencies of the United States.

The subcommittee recommends a wiretapping statute that would provide the ample protection to privacy and personal liberties that is not contained in the present law, and that would expressly prohibit all forms of wiretapping except for its legitimate and court-ordered use only by law enforcement officials.

The majority of the subcommittee proposes a national commission which would be charged with acting as an investigative agency in the field of organized crime in a status similar to that of a congressional committee. The views on this matter were not unanimous. Senators MUNDT and CURTIS have detailed their own views on the issue.

Legislation is proposed that would make it a crime to belong to a criminal organization like the Mafia.

The second major section of this report examines the criminal network of the illicit narcotics traffic that channels drugs from the Middle East, Far East, and Latin America into the hands of the addicts in the United States.

The hearings in this field demonstrate how a criminal syndicate functions in a specific area. The Middle Eastern drug traffic is shown by the evidence to be almost entirely in the hands of an organized criminal network with three major elements: Middle Eastern gangs which use crude opium to manufacture morphine base, from which heroin is made; Corsican racketeers in France who make the heroin, and who are closely allied with the Mafia, and the Mafia itself, which cooperates with the Corsicans to deliver more than 1,000 kilograms of heroin annually to the drug market in this country.

The illicit drug traffic is a source of tremendous profits to the underworld, since street sales of heroin to addicts annually total approximately $350 million. In terms of a single kilogram of heroin, the escalation of prices along the traffic route is startling. The 10 kilograms of raw opium needed to produce 1 kilogram of heroin are sold in Turkey for $350; a series of sharp increases along the route brings the total price of a kilogram sold to American narcotic addicts to more than $225,000, a price that goes up abruptly whenever drugs are in short supply.

The legislation that the subcommittee proposes for control and elimination of organized crime applies equally to the illicit drug traffic, a principal activity of the crime syndicates. Enactment of these proposals on immunity statutes, wiretapping, obstruction of justice, and others, would give law-enforcement agencies the weapons to improve substantially the control of this vicious traffic in human misery.

The subcommittee's hearings on the narcotic problem also examined the treatment and rehabilitation of narcotic addicts, of whom there are an estimated 60,000 in this country, concentrated principally in metropolitan areas such as New York City, Los Angeles, Chicago, and Detroit. This report states firmly that the national addiction problem will not be solved by allowing the situation to continue in its present unsatisfactory state of control.

A few witnesses during the hearings suggested that narcotics be made available at little or no cost to addicts through physicians and clinics, a procedure commonly called ambulatory maintenance, which its proponents claim would remove the profits from the narcotics traffic, thereby destroying the traffic. The weight of medical opinion opposes the procedure vehemently. Experts have given many sound reasons why this approach would not work. Moreover, the proponents of such plans have admitted that they believe that only a small percentage of all addicts could be treated in this fashion with any hope for success. Unfortunately, publicized reports of ambulatory maintenance proposals tend to ignore the admitted limitations of the proposals. Such reports also fail to stress the views of experts that liberal availability of narcotics spreads addiction, and that the vast majority of addicts cannot be maintained on stable dosages, because they almost invariably seek ever-increasing quantities of narcotics to satisfy their physical and psychological cravings.

In its recommendations, the subcommittee follows the expert advice of the overwhelming majority of authorities in the field of narcotic addiction, who state that civil commitment programs will give the maximum benefits in treatment and rehabilitation of addicts. Such programs will place addicts in a drug-free environment for treatment, will furnish them the facilities of halfway houses for rehabilitation and preparation for a return to society, and will provide them with supervised aftercare.

The facts are that ambulatory maintenance had failed as a policy in previous trials in the United States, in Israel, and is said to be failing presently in the United Kingdom where it is operated on a limited basis, and in Hong Kong, where addiction is widespread and increasing constantly.

The subcommittee also asks the Congress to consider the obvious need for expanded programs of research that would advance scientific knowledge in the control, treatment, and prevention of narcotic addiction, particularly in areas of research into the causes, mechanisms, and natural history of addiction, and into the important factor of relapse by addicts into drug use after they have been treated. These research programs, incidentally, would provide the opportunities needed to test and evaluate under close scientific control the various proposals for ambulatory maintenance that have generated controversy in the field of treatment for addiction.

Mr. President, there is no exact method known by which the costs to the taxpayers of organized crime and its associated evils like narcotic addiction may be assessed, either in terms of drain upon the national economy or in terms of the total costs of law enforcement. There is no doubt, however, that the severe, and mounting problems described in this report merit the early attention of the Congress.

Mr. President, this report has been approved by a majority of the Senators who participated in the hearings. However, Senator Karl E. Mundt, Republican, of South Dakota, and Senator Carl T. Curtis, Republican, of Nebraska, have approved the report with additional views which are attached. Senator Jacob K. Javits, Republican, of New York, has expressed individual views, which are attached hereto.

I ask unanimous consent that the report be printed, together with the additional and individual views, and illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (for himself and Mr. Long of Missouri):

S. 1336. A bill to amend the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN (for himself and Mr. Hayden):

S. 1337. A bill to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MUNDT (for himself, Mr. Allott, Mr. Carlson, Mr. Curtis, Mr. Dominick, Mr. Hruska, Mr. Long of Missouri, Mr. Miller, Mr. Simpson, Mr. Symington, and Mr. Young of North Dakota):

S. 1338. A bill to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program; to the Committee on Public Works.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself and Mr. McGovern):

S. 1339. A bill to provide that certain lands shall be held in trust for the Crow Creek Sioux Tribe in South Dakota; and

S. 1340. A bill to provide that certain lands shall be held in trust for the Rosebud Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of North Dakota (for himself, Mr. Mundt, Mr. Burdick, and Mr. McGovern):

S. 1341. A bill to provide that certain lands shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS (for himself and Mr. Pell):

S. 1342. A bill to repeal the manufacturers excise tax on lacrosse balls and sticks, tennis balls and equipment, and table tennis balls and equipment; to the Committee on Finance.

By Mr. SALTONSTALL:

S. 1343. A bill to amend the Internal Revenue Code of 1954 to permit an individual to claim an exemption for a dependent who is attending college even though such dependent has $600 or more gross income; to the Committee on Finance.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 1344. A bill to provide for the distribution of motor vehicle tires, and for other purposes; to the Committee on Commerce.

S. 1345. A bill to provide for certain jury trials in condemnation proceedings in district courts of the United States; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. Mansfield):

S. 1346. A bill to provide that certain lands shall be held in trust for the Assiniboine Tribe and the Sioux Tribe of the Fort Peck Reservation in Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 1347. A bill for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 1348. A bill to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes; and

S. 1349. A bill to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (for himself, Mr. Bennett, and Mr. Fannin) (by request):

S. 1350. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. Cotton) (by request):

S. 1351. A bill to amend the coastwise laws, protect the balance of payments, and to further protect the traveling public, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 1352. A bill to amend title 39, United States Code, to encourage the use by volume mailers of ZIP code through postage rate concessions; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri (for himself, Mr. Carlson, Mr. Holland, Mr. McCarthy, Mr. Nelson, Mr. Pearson, Mr. Scott, Mr. Symington, and Mr. Tower):

S. 1353. A bill to amend the antitrust laws to provide that the refusal of nonprofit blood banks and of hospitals and physicians to obtain blood and blood plasma from other blood banks shall not be deemed to be acts in restraint of trade, and for other purposes; to the Committee on the Judiciary.

By Mr. SPARKMAN (by request):

S. 1354. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 1355. A bill to permit the State of North Dakota to modify its agreement entered into under section 218 of the Social Security Act so as to exclude from social security coverage thereunder services performed by student employees of such State; to the Committee on Finance.

S. 1356. A bill to amend the Judicial Code to permit Indian tribes to maintain civil actions in Federal district courts without regard to the $10,000 limitation, and for other purposes; to the Committee on the Judiciary.

By Mr. ERVIN (for himself, Mr. Johnston, Mr. Kennedy of Massachusetts, Mr. Fong, Mr. Douglas, Mr. Stennis, Mr. Mondale, Mr. Dirksen, Mr. Bayh, Mr. Tydings, Mr. Williams of New Jersey, Mr. Hart, Mr. Scott, Mr. Dodd, Mr. Inouye, Mr. Hruska, Mr. Long of Missouri, and Mr. Burdick):

S. 1357. A bill to revise existing bail practices in courts of the United States, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 1358. A bill for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired; and

S. 1359. A bill for the relief of Panagiotis Kamboukos; to the Committee on the Judiciary.

S. 1360. A bill to authorize the Burt County Bridge Commission, a public body politic and corporate in the county of Burt and State of Nebraska, to refund the outstanding revenue bonds of said Burt County Bridge Commission heretofore issued to finance the cost of the construction of a bridge, together with the necessary approaches and appurtenances therefor, from a point located in the city of Decatur, Burt County, Nebr., across the Missouri River to a point located in Monona County, Iowa; to the Committee on Public Works.

By Mr. CURTIS:

S. 1361. A bill to amend the Internal Revenue Code of 1954 to permit individuals who are not covered under employee retirement plans to deduct up to $600 a year of the amounts paid by them for special U.S. bonds which mature when they attain age 65; to the Committee on Finance.

S. 1362. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus personal property to private nonprofit libraries for the blind; to the Committee on Government Operations.

(See the remarks of Mr. CURTIS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. PELL:

S. 1363. A bill to add a new title XII to the National Defense Education Act of 1958; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1364. A bill to amend section 4005 of title 39, United States Code, relating to fraudulent, false, or misleading and lottery mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduce the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 1365. A bill to create an independent school board in the District of Columbia; to the Committee on the District of Columbia.

S. 1366. A bill for the relief of Phebe Viola Bravo; to the Committee on the Judiciary.

(See the remarks of Mr. DOMINICK when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. FULBRIGHT:

S. 1367. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 1368. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1369. A bill for the relief of Diamando Apostolakos Marini;

S. 1370. A bill for the relief of Panagiota Konstantinos Sikaras;

S. 1371. A bill for the relief of Vincenzo Dinaro;

S. 1372. A bill for the relief of Arturo Isidoro Bernardo; and

S. 1373. A bill for the relief of Alberto, Lucia, and Mario Apuzzo; to the Committee on the Judiciary.

By Mr. MORSE (for himself and Mrs. NEUBERGER):

S. 1374. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 1375. A bill conferring jurisdiction on the Court of Claims to make findings with respect to the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them as a result of the cancellation of their grazing permits by the U.S. Air Force, and to provide for payments of amounts so determined to such individuals; to the Committee on the Judiciary.

By Mr. PELL:

S. 1376. A bill to amend the National Arts and Cultural Development Act of 1964 with respect to the authorization of appropriations therein; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself and Mr. MOSS):

S. 1377. A bill to revitalize the American gold mining industry; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS (for Mr. HARRIS, Mr. MONRONEY, Mr. CHURCH, Mr. METCALF, and Mr. CARLSON):

S. 1378. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; to the Committee on Interior and Insular Affairs.

By Mr. CASE:

S. 1379. A bill to amend the Act approved July 14, 1960, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Commerce.

S. 1380. A bill to provide for the control of obnoxious aquatic plants in navigable and allied waters; to the Committee on Public Works.

(See the remarks of Mr. CASE when he introduced the above bills, which appear under separate headings.)

By Mr. CASE (for himself and Mr. RANDOLPH):

S. 1381. A bill relating to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Public Works.

(See the remarks of Mr. CASE when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 1382. A bill to amend the Economic Opportunity Act of 1964 with respect to wages paid for certain types of work pursuant to such act;

S. 1383. A bill to amend the Economic Opportunity Act of 1964 with respect to certain political activities thereunder;

S. 1384. A bill to amend the National Labor Relations Act to provide for trial of unfair labor practice cases in the U.S. district courts, and for other purposes; and

S. 1385. A bill to amend the National Labor Relations Act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. TOWER when he introduced the first two above-mentioned bills, which appear under a separate heading.)

By Mr. KENNEDY of New York (for himself and Mr. JAVITS):

S. 1386. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KENNEDY of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. SIMPSON (for himself, Mr. FANNIN, Mr. BENNETT, Mr. JORDAN of Idaho, Mr. YOUNG of North Dakota, Mr. ALLOTT, Mr. THURMOND, Mr. SCOTT, and Mr. DIRKSEN):

S. 1387. A bill to authorize the payment to local governments of sums in lieu of taxes and other revenues lost by such governments by reason of certain actions on the part of the United States in connection with recreation; to the Committee on Government Operations.

(See the remarks of Mr. SIMPSON when he introduced the above bill, which appear under a separate heading.)

By Mr. GORE:

S. 1388. A bill for the relief of David Lee Bogue;

S. 1389. A bill for the relief of Dr. Angel Fernando Golderos; and

S. 1390. A bill for the relief of Rocky River Co. and Macy Land Corp.; to the Committee on the Judiciary.

S. 1391. A bill to authorize the Secretary of the Army to convey certain lands at the Old Hickory lock and dam, Cumberland River, Tenn., to the Tennessee Society for Crippled Children and Adults, Inc.; to the Committee on Armed Services.

By Mr. CLARK:

S. 1392. A bill to provide for the addition of certain property in Philadelphia, Pa., to Independence National Historical Park, for a park reception center; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S. 1393. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. YOUNG of Ohio when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1394. A bill to amend section 13a of the Interstate Commerce Act with respect to the discontinuance or change of certain operations or services of trains and ferries; to the Committee on Commerce.

S. 1395. A bill for the relief of Erika David; to the Committee on the Judiciary.

(See the remarks of Mr. HARTKE when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. CASE:

S.J. Res. 57. Joint resolution to designate the 8-day period beginning the 12th of October of each year as "Patriotic Education Week"; to the Committee on the Judiciary.

(See the remarks of Mr. CASE when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BAYH:

S.J. Res. 58. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. BAYH when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

ESTABLISHMENT OF SELECT COMMITTEE ON CONSUMERS

Mr. JAVITS (for himself, Mrs. NEUBERGER, Mr. BARTLETT, Mr. BURDICK, Mr. CASE, Mr. DOUGLAS, Mr. GRUENING, Mr. INOUYE, Mr. LONG of Missouri, Mr. MCINTYRE, Mr. MCGEE, Mr. METCALF, Mr. MONDALE, Mr. MORSE, Mr. MOSS, Mr. PROUTY, Mr. RANDOLPH, Mr. SCOTT, and Mr. YARBOROUGH) submitted a resolution (S. Res. 84) to establish a Select Committee on Consumers, which was referred to the Committee on Banking and Currency.

(See the above resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

OVERHAUL OF THE ADMINISTRATIVE PROCEDURE ACT

Mr. DIRKSEN. Mr. President, 2 years ago I introduced for myself and the distinguished Senator from Missouri, who is chairman of the Subcommittee on Administrative Practice and Procedure of which I have been the minority member, a bill to amend the Administrative Procedure Act.

That bill was the result of the work of many people, both in and out of the Government. It was based upon the recommendations of the Hoover Commission appointed by President Truman, a Conference on Administrative Procedures called by President Eisenhower, and an Administrative Conference called by President Kennedy, as well as on the recommendations of the American Bar Association and other legal groups. It was further the subject of careful study and comment by scholars in the field of administrative law and by those within the administrative agencies as well as by those who practice before them. All of these people have generously contributed their time and efforts.

Now, 2 years have passed during which the myriad of departments and agencies have had a chance to study the provisions of the bill and comment on it both informally and in public hearings. Their testimony and comments have been of the greatest value to the subcommittee in determining the effect of this legislation. Comments were also received from other sources. For example, in March of 1964 at a 3-day on-the-record meeting, the representatives of the American Bar Association gave their views and suggestions.

But the subcommittee did not stop there. It called to its service a group of consultants comprising some of the most highly qualified experts in administrative law and I pay them due honor. The list is an illustrious one:

Prof. Clark Byse, Harvard Law School, Cambridge, Mass.

Prof. Frank E. Cooper, University of Michigan Law School, Ann Arbor, Mich.

Dean Joe Covington, University of Missouri Law School, Columbia, Mo.

Prof. Roger C. Cramton, University of Michigan Law School, Ann Arbor, Mich.

Prof. Kenneth Culp Davis, University of Chicago Law School, Chicago, Ill.

Prof. Thomas I. Emerson, Yale University Law School, New Haven, Conn.

Prof. Winston M. Fisk, Claremont Men's College, Claremont, Calif.

Prof. John L. FitzGerald, Southern Methodist University School of Law, Dallas, Tex.

Prof. Marvin E. Frankel, Columbia University School of Law, New York, N.Y.

Prof. Ralph F. Fuchs, Indiana University Law School, Bloomington, Ind.

Prof. Walter Gellhorn, Columbia University School of Law, New York, N.Y.

Dean Leo A. Huard, University of Santa Clara Law School, Santa Clara, Calif.

Prof. Louis L. Jaffe, Harvard Law School, Cambridge, Mass.

Prof. James Kirby, Vanderbilt University Law School, Nashville, Tenn.

Dean Robert Kramer, George Washington University Law School, Washington, D.C.

Prof. Carl McFarland, University of Virginia Law School, Charlottesville, Va.

Associate Dean Robert B. McKay, New York University Law School, New York, N.Y.

Prof. Nathaniel L. Nathanson, Northwestern University Law School, Chicago, Ill.

Prof. Frank C. Newman, University of California Law School, Berkeley, Calif.

After receiving comments from all of these sources the subcommittee began the task of refashioning the provisions of the bill so as to take account of the many suggestions which it had received. Every proposal was analyzed and tested. Some were rejected; others were modified. Our purpose was to contrive a set of procedures which would meet the needs of the public as well as the needs of the agencies.

It is important that both needs be met because there is scarcely a facet of our life which is not affected by the decisions of these administrative agencies. They do not regulate just big business or little business; they determine the price of milk for babies and old-age pensions, the acreage allotments of farmers, unfair labor practices, union representation, civil rights, social security benefits and, under legislation now being considered, they would decide the benefits under aid to education and medicare. Each time we expand the functions of this pervasive Government of ours, it means either creating a new agency or expanding an old one to take care of the administration of that new activity.

These administrative agencies may be independent agencies or they may be departments or parts of departments. A list, even in rather small print, of all the administrative agencies which we now have takes up a large section of a wall. They have been called the headless fourth branch of our Government for they are a governing force in our lives. Yet they are not mentioned in the Constitution; they are neither the Congress, the President, nor the courts. But they exercise legislative, executive, and judicial functions. They establish policies which have the force of law; they administer those policies; and they act as a tribunal to decide cases involving the policies.

Fortunately, we have many good people in these agencies. The difficulty is that they are buried under an avalanche of work. Where there were 10 cases to be decided two decades ago, there are a hundred waiting to be decided in the same period of time today. Our population has exploded and our activity and our problems have equally proliferated in the past 20 years. Adding more people is not enough because there are some problems of our agencies which cannot be solved by adding more people. These are the problems arising out of the requirements of the Administrative Procedure Act which sets out the way in which these agencies must operate. It is a good act but it needs to be brought up to date. That we propose to do by this bill.

First of all, take the duties which the act imposes on those who head the various administrative agencies. They are a small and select group of men and women whom the Congress has usually required to be nominated by the President and confirmed by the Senate because of their responsibility for guiding the overall operations of these vast and powerful administrative agencies. But frequently they have little opportunity to give such guidance because they are also given the duty of deciding cases, both large and small, and the more time they spend doing that, the less time they have to consider questions of policy. The flow of cases which they must decide because people are waiting for an answer is so great that they usually find it necessary to dispose of them first and to put off making policies in the hope that some time can be found for that at a later date. But that day never seems to come. The flow of cases is continuous and it is increasing rather than diminishing.

And so the first thing which must be done is to relieve those who are responsible for making agency policy from the duty of deciding cases as well. The bill does this in two ways. First, it deletes the requirement that as a part of the rulemaking activity they "approve or prescribe" for the future "all rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or valuations, costs, or accounting, or practices bearing on any of the foregoing." Instead such cases would be decided under the adjudicative procedures of the agency. Second, the responsibility for making the decision under such adjudicative procedures would be placed on those who actually hear the evidence instead of on those at the head of the agency who have only secondhand knowledge of the evidence. Under the present law delegation of this duty has been suggested as a solution to the problem, but delegation is not the answer because it leaves the responsibility just where it was before, with the person who has delegated it his duty. Thus, the bill provides that the decision of the presiding officer shall be the decision of the agency, subject to appeal and review of the agency on particular grounds; and, to insure that the time of the agency members is not too greatly consumed by the consideration of such appeals, the bill also provides for the establishment of agency appeal boards which may be composed of agency members and hearing examiners other than the presiding officer in the case itself.

The sum of these changes from the present law is that agency members will no longer be required to decide matters involving particular persons or particular facts except where they decide to review policy questions or, on limited issues, if one of the parties appeal. This will give those responsible for agency policy the opportunity and the time to carefully consider the general principles involved in the types of cases before the agency and to formulate the agency policy for such cases; and it will leave to that highly qualified group of hearing examiners the task of applying those general policies to the facts of particular cases. This division of the task could go a long way toward the elimination of the tremendous backlogs which exist in many agencies. These are not necessarily backlogs of the agencies' own making but of the increasing volume of rates, wages and other types of cases which the agencies must decide.

Next, something needs to be done to improve the procedures for handling cases involving particular persons and particular facts. These cases will constitute the bulk of the work of the agency but not, of course, the bulk of the work of the agency members who will be more free to concentrate on the formulation of general agency policies. Since, under the bill, the decisions in these cases will be made by the persons who hear the evidence, the bill draws heavily upon all the many techniques which the courts are now applying to speed up their own procedures. Three of these techniques relate particularly to the prehearing stage of a proceeding. First of all, the bill provides for utilizing the pleadings in a case to narrow the legal issues to the greatest extent possible. In this connection there has been built up in the last 20 years in our courts a great body of law on pleadings and, so far as practicable, this would apply to pleadings in administrative proceedings as well.

The second device for speeding up the determination of cases is discovery of the facts. To the extent that all the facts of a case can be ascertained in advance, the subsequent hearing will be shortened and the parties may be more inclined to settle or dispose of the controversy on its actual merits. This saving of time is of benefit to the parties and it is clearly of benefit to the public which directly or indirectly bears the cost of administrative proceedings. Third, a specific provision has been made for prehearing conferences. These conferences usually offer the first opportunity for the parties or their attorneys or other representatives to be brought together in the presence of the presiding officer to discuss the issues and facts in the case. This is the time at which irrelevant or unimportant issues can be eliminated and undisputable facts can be agreed upon. There is no question but what such conferences, if effectively directed by the presiding officer, can be of immeasurable value in making administrative proceedings less costly and less time consuming.

Next, the bill provides a means of tailoring the procedure to fit the case. Not every case needs every step in a formal procedure—either because it is a small case or because it is a simple case, or, perhaps, because the nature of the subject requires the most expeditious procedure. In such cases the bill authorizes the use of an abridged procedure if the parties agree and the agency approves. Then too, the bill contains a provision for emergency action where the agency makes a finding that immediate action is necessary for the preservation of the public health or safety and in other situations provided by law. But unless the agency grants an immediate hearing, the bill provides for immediate judicial review of any emergency action taken by the agency.

Even the time for settlement of cases is speeded up. Under the bill the agency is given the power to establish a time in advance of the hearing at which the absolute right of a party to settle a case ends. After that time it will be in the discretion of the agency to determine whether time, the nature of the case and the public interest permit further time to be taken for the consideration of offers of settlement. Thus, a party intending to offer a settlement must do so at an early date and not put the agency, the other parties if there are any, and the taxpayers to the expense of going through a hearing in the hope that by doing so he will obtain a more favorable settlement.

Another new feature is a provision for interlocutory appeals. The purpose of such appeal is to permit the determination by the highest agency authority of material questions which may arise in the course of a proceeding if such a final determination would expedite the proceeding or prevent substantial prejudice to any party. There are strict tests to prohibit abuse of the use of such appeals. Indeed, such an appeal cannot be made without the approval of the presiding officer or, if he refuses, of the agency itself upon a showing of substantial prejudice.

We have also done many things to make the public better informed about its Government and the work of the administrative agencies. Much of this, my good friend, the Senator from Missouri and the distinguished chairman of the Subcommittee on Administrative Practice and Procedure, has already explained to you at the time that he introduced S. 1160, because that bill is the text of this proposed overhaul of section 3 of the Administrative Procedure Act. So let me just say that, except in the areas of national defense and foreign policy, the bill changes the availability of Government information from a question of agency discretion to a requirement that the information be made available unless it fall within certain exempted categories. Then too, for the first time, agencies would be required to identify the officer, or more correctly the position whose incumbent makes decisions on the public's cases. The people have a right to know who is actually deciding their cases. And, to the extent that the man is supposed to be making the decision has had his discretion removed and the rules in some staff manual substituted for it, the public should be entitled to see that staff manual.

Now I have mentioned the need for speeding up the disposition of cases before administrative agencies and I have referred to a number of techniques which have been contrived in the bill to reach that result. The bill goes further. It provides that every agency shall have a duty with reasonable dispatch to set and complete any investigation or proceeding and to make its decision. Thus, for the first time, the agencies are required to move with dispatch and the public will have its remedy under our laws of their failure to do so.

In other areas as well, the bill protects the public. In the present law a person who appears before any agency against his will is entitled to counsel but a person who appears voluntarily has no such right and that right to counsel does not extend to agency investigations which are likely to be of great consequences to the members of the public. The bill corrects those anomalies by giving all persons the right to counsel whether they appear voluntarily or involuntarily before any agency and whether it is in the course of an investigation or an agency proceeding.

The bill also takes a step forward by incorporating legislation passed by the Senate during the last Congress to permit a lawyer to practice before the Federal agencies without any further requirement if he is in good standing before the highest court of his State.

Another agency activity about which there has been no small amount of adverse comment is the use of press releases and other publicity to disparage or discredit a person before the final decision has been reached in proceedings involving him. The courts are dealing even now with this issue as it applies to court proceedings, and we must deal in stern fashion with those situations in the agencies, which I hope are rare, where the might of Government publicity is brought to bear upon a person before the case is proved against him.

Lastly, we have taken heed of the many suggestions that there be some revision of the section dealing with judicial review of administrative agency actions. There are some doubts and practices which have arisen under the language of the present act and to remove them the bill would provide for judicial review of agency discretion unless the review of such discretion is precluded by law. This will clearly permit any abuse of discretion to be reviewed. Then, too, citizens have been denied judicial review because they were not suffering any "legal wrong" regardless of how much they might be suffering. The bill changes it so that it is sufficient for a person to show that he has been adversely affected in fact by any agency action which is reviewable in order to be entitled to judicial review.

And so, Mr. President, the subcommittee has labored for 6 years in this difficult field to identify the problem areas which have caused discontent with the administrative process and to devise means of resolving them. I hope that this bill which I introduce on behalf of the distinguished Senator from Missouri and myself and which has been smoothed, polished, and refined by the comments of so many people within and

without the Government, will be given careful and speedy consideration so that the recommended improvement may be made in the Administrative Procedure Act.

Mr. President, I ask unanimous consent that in the body of the Record there appear a statement by the distinguished Senator from Missouri [Mr. Long], chairman of the Subcommittee on Administrative Practice and Procedure, in connection with the revised bill that I am introducing at this time, and that the bill in its entirety be printed in the Record.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the Record.

The bill (S. 1336) to amend the Administrative Procedure Act, and for other purposes, introduced by Mr. Dirksen (for himself and Mr. Long of Missouri), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1336

A bill to amend the Administrative Procedure Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrative Procedure Act (5 U.S.C. 1001–11) is amended to read as follows:

"SHORT TITLE

"Section 1. This Act may be cited as the Administrative Procedure Act of 1965.

"Definitions

"Sec. 2. As used in this Act—

"(a) Agency.—'Agency' means each authority (whether or not within or subject to review by another agency) of the Government of the United States other than Congress, the courts, or the governments of the possessions, Territories, Commonwealths, or the District of Columbia. Nothing in this Act shall be construed to repeal delegations of authority as provided by law. Except as to the requirements of section 3, there shall be excluded from the operation of this Act courts-martial and military commissions, and military or naval authority exercised in the field in the time of war or in occupied territory. Except as to the requirements of sections 3 and 4, there shall be excluded from the operation of this Act, agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them.

"(b) Person and Party.—'Person' includes individuals, partnerships, corporations, associations, or public or private organizations of any character other than agencies. 'Party' includes any person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any agency proceeding; but nothing herein shall be construed to prevent an agency from admitting any person or agency as a party for limited purposes. 'Private party' means any party other than an agency.

"(c) Rule and Rulemaking.—'Rule' means the whole or any part of any agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of any agency and includes any exception from a rule. 'Rulemaking' means agency process for the formulation, amendment, repeal of or exception from a rule.

"(d) Order, Opinion and Adjudication.—'Order' means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) by any agency in any proceeding, including licensing, to determine the rights, obligations and privileges of named parties. 'Opinion' means the statement of reasons, findings of fact, and conclusions of law, upon all the material issues of fact, law, or discretion presented on the record, issued in explanation or support of an order. 'Adjudication' means agency process for the formulation, amendment or repeal of an order.

"(e) Agency License and Licensing.—'License' includes the whole or any part of any agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission. 'Licensing' includes agency process respecting the grant, renewal, denial, revocation, amendment, or modification of a license, and the prescription or requirement of terms, conditions, or standards of conduct for named licensees thereunder.

"(f) Sanction and Relief.—'Sanction' includes the whole or part of any agency (1) prohibition, requirement, limitation, or other condition affecting the freedom of any person; (2) withholding of relief; (3) imposition of any form of penalty or fine; (4) destruction, taking, seizure, or withholding of property; (5) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees; (6) requirement, revocation, or suspension of a license; or (7) taking of other compulsory or restrictive action. 'Relief' includes the whole or part of any agency (1) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy; (2) recognition of any claim, right, immunity, privilege, exemption, or exception; or (3) taking of any other action upon the application or petition of, and beneficial to, any person.

"(g) Agency Proceeding and Action.—'Agency proceeding' means any agency process as defined in subsections (c), (d), and (e) of this section. 'Agency action' includes the whole or part of every agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act.

"Public information

"Sec. 3. Every agency shall make available to the public the following information—

"(a) Publication in the Federal Register.—Every agency shall separately state and currently publish in the Federal Register for the guidance of the public (A) descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions; (B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available; (C) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations; (D) substantive rules adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and (E) every amendment, revision, or repeal of the foregoing. Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to, or be adversely affected by any matter required to be published in the Federal Register and not so published. For purposes of this subsection, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

"(b) Agency Opinions and Orders.—Every agency shall, in accordance with published rules, make available for public inspection and copying (A) all final opinions (including concurring and dissenting opinions) and all orders made in the adjudication of cases, (B) those statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register, and (C) staff manuals and instructions to staff that affect any member of the public, unless such materials are promptly published and copies offered for sale. To the extent required to prevent a clearly unwarranted invasion of personal privacy, an agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction: *Provided,* That in every case the justification for the deletion must be fully explained in writing. Every agency also shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter which is issued, adopted or promulgated after the effective date of this Act and which is required by this subsection to be made available or published. No final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects any member of the public may be relied upon, used or cited as precedent by an agency against any private party unless it has been indexed and either made available or published as provided by this subsection or unless that private party shall have actual and timely notice of the terms thereof.

"(c) Agency Records.—Every agency shall, in accordance with published rules stating the time, place, and procedure to be followed, make all its records promptly available to any person. Upon complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency is situated shall have jurisdiction to enjoin the agency from the withholding of agency records and information and to order the production of any agency records or information improperly withheld from the complaint. In such cases the court shall determine the matter de novo and the burden shall be upon the agency to sustain its action. In the event of noncompliance with the court's order, the district court may punish the responsible officers for contempt. Except as to those causes which the court deems of greater importance, proceedings before the district court as authorized by this subsection shall take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

"(d) Agency Proceedings.—Every agency having more than one member shall keep a record of the final votes of each member in every agency proceeding and such record shall be available for public inspection.

"(e) Exemptions.—The provisions of this section shall not be applicable to matters that are (1) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy; (2) related solely to the internal personnel rules and practices of any agency; (3) specifically exempted from disclosure by statute; (4) trade secrets and commercial or financial information obtained from the public and customarily privileged or confidential; (5) interagency or intraagency memoranda or letters dealing solely with matters of law or policy; (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; (7) investigatory files compiled for law enforcement purposes except to the extent available by law to a private party; and (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions.

"(f) Limitation of Exemptions.—Nothing in this section authorizes withholding of information or limiting the availability of records to the public except as specifically stated in this section, nor shall this section be authority to withhold information from Congress.

"Rulemaking

"(a) Informal Consultation Prior to Notice.—Prior to notice of proposed rulemaking and either with or without public announcement, an agency may afford opportunity to interested persons to submit suggestions for rulemaking or with respect to proposed rules.

"(b) Notice.—Notice of rulemaking to be undertaken by the agency on its own motion or pursuant to petition shall (1) be published in the Federal Register, (2) give all interested persons a reasonable time in which to prepare and submit matter for consideration, and (3) state the time, place and manner in which any interested person may submit matter for consideration, the authority under which the rule is proposed, and either the terms or substance of the proposed rule or a description of the subjects and issues involved.

"(c) Procedures.—After notice required by this section—

"(1) The agency shall afford interested persons an opportunity to participate in rulemaking through the submission of written data, views, or arguments with an opportunity to present the same orally unless the agency determines that oral argument is inappropriate or unwarranted; and, after consideration of all relevant matter presented, the agency shall make its decision.

"(2) Where rules are required by the Constitution or by statute to be made on the record after opportunity for an agency hearing, the requirements of section 7 shall apply in place of the provisions of subsection (c) (1) except that the presiding officer may be any responsible officer of the agency.

"In proceedings in which the agency has not presided at the hearing, the officer who presided shall make a recommended decision. The parties may file exceptions to the recommended decision within such time and in such form as the agency shall provide by rule. After prompt consideration of the recommended decision and all exceptions thereto, the agency shall make its decision. In any proceeding, the agency may omit a recommended decision when the agency finds upon the record that due and timely execution of its functions imperatively and unavoidably so requires. When the recommended decision is omitted or when the agency has presided at the hearings, the agency, after prompt consideration of all relevant matter presented, shall make its decision.

"(3) The agency shall incorporate in any rules adopted a concise general statement of the basis and purpose of such rules.

"(d) Emergency Rules.—In any situation in which an agency finds (and incorporates the finding and a brief statement of the reasons therefor in the rule issued) that rulemaking without the notice and procedures provided by subsections (b) and (c) of this section is necessary in the public interest, an agency may issue an emergency rule which shall be effective for not more than six months from the effective date thereof. The agency may extend such emergency rule for a period not to exceed one year only by commencement, prior to the expiration of the original effective period, of a rulemaking proceeding dealing with the same subject matter as did the emergency rule and upon giving notice required by subsection (b) of this section. Such notice shall contain an express statement of the extension of such emergency rule and the period for which it is extended. Nothing herein shall preclude use of emergency rulemaking procedures as provided by other statutes.

"(e) Rulemaking Dockets.—Each agency shall maintain a rulemaking docket showing the current status of all published proposals for rulemaking.

"(f) Effective Dates.—The required publication of any rule shall be made not less than thirty days prior to the effective date thereof except as otherwise provided by the agency upon good cause found and published with the rule.

"(g) Petitions.—Every agency shall accord any interested person the right to petition for the issuance, amendment, exception from, or repeal of a rule.

"(h) Exemptions.—The provisions of this section shall not apply to (1) rulemaking required by an Executive order to be kept secret in the interest of the national defense or foreign policy; (2) rulemaking that relates solely to internal personnel rules and practices of an agency; (3) advisory interpretations and rulings of particular applicability; (4) minor exceptions from, revisions of, or refinements of rules which do not affect protected substantive rights; and (5) rules of agency organization.

"Adjudication

"Sec. 5. (a) In those cases of adjudication which are required by the Constitution or by statute to be determined on the record after opportunity for an agency hearing—

"(1) Notice.—Persons entitled to notice of an agency proceeding shall be timely informed of (A) the nature of the proceeding; (B) the legal authority and jurisdiction under which the proceeding is to be held; (C) the matters of fact and law asserted; and (D) the time and place of each hearing and, (E) if the issues or matters at the hearing are to be limited, the particular issues or matters to be considered at the hearing. In fixing the times and places for hearings, due regard shall be had for the convenience of the parties or their representatives.

"(2) Pleadings and Other Papers.—Every agency shall provide adequate rules governing its pleadings, including responsive pleadings, and other papers. To the extent practicable, such rules shall conform to the Rules of Civil Procedure or the Rules of Criminal Procedure for the United States district courts.

"(3) Prehearing Conferences.—Every agency shall by rule provide for prehearing conferences for use in such proceedings as the agency or the presiding officer may designate. Prehearing conferences shall provide for a discussion and, to the extent practicable, determination of the facts and issues involved in the proceeding. Such conferences shall be conducted by a presiding officer who may at any appropriate time require (A) the production and service of relevant matter upon all parties; (B) oral or written statements of the facts and issues; and (C) arguments in support thereof. At the conclusion of a prehearing conference, the presiding officer shall issue an order setting forth all action taken at the conference, amendments allowed to the pleadings and the agreements made by the parties as to any of the matters considered. The order shall limit the issues for hearing to those not disposed of by admissions or agreements and shall control the subsequent course of the proceedings, unless modified thereafter to prevent manifest injustice.

"(4) Regular Hearing Procedure.—Where modified procedures have not been designated or to the extent that the controversy has not been settled or adjusted, there shall be a hearing and decision upon notice and in conformity with sections 7 and 8.

"(5) Modified Hearing Procedure.—Every agency shall by rule provide for abridged procedures which shall be on the record and be reasonably calculated to promptly, adequately, and fairly inform the agency and the parties as to the issues, facts and arguments involved. The agency may designate hearing examiners or agency personnel of appropriate ability to conduct such abridged proceedings. The procedures shall be for use by consent of the parties in such proceedings as the agency may designate. Without delay after the conclusion of the abridged proceeding, the officer who conducted it shall make his decision based on the record and subject to the provisions of section 8.

"(6) Separation of Functions.—(A) No officer who presides at the reception of evidence shall be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigating, prosecuting, or advocating functions for any agency. No officer, employee, or agent, other than a member of an agency, engaged in the performance of investigating, prosecuting, or advocating functions for any agency in any case shall, in that or a factually related case, participate or advise in the decision, or in agency appeal or review pursuant to section 8, except as witness or counsel in public proceedings.

"(B) Save to the extent required for the disposition of ex parte matters as authorized by law, no presiding officer, or member of an agency appeal board, or member of an agency, shall consult with any person or agency on any fact in issue unless upon notice and opportunity for all parties to participate, except that a member of an agency appeal board may consult with other members of the appeal board, and a member of an agency may consult with other members of the agency.

"(7) Emergency Action.—Upon a finding that immediate action is necessary for the preservation of the public health or safety, or where otherwise provided by law, an agency may take action without the notice or other procedures required by this subsection. Such action shall be subject to immediate judicial review in accordance with the provisions of section 10, unless the agency provides for an immediate hearing to be conducted in accordance with this Act and takes such other action as will effectively protect the rights of the persons affected. Nothing herein shall be construed to preclude a person from obtaining injunctive relief to stay the taking of emergency action by the agency in appropriate cases.

"(b) In all other cases of adjudication except those involving inspections and tests, the agency shall by rule provide procedures which shall promptly, adequately and fairly inform the agency and the parties of the issues, facts and arguments involved. Without delay after conclusion of the proceeding, the officer who has conducted it shall make his decision. Such decision shall constitute final agency action, subject only to such appeal and review as may be provided by agency rule.

"(c) Settlement.—The agency shall afford all parties an opportunity, at such time in advance of the hearings as the agency may by rule prescribe, or, in the discretion of the agency, at any time thereafter where time, the nature of the proceeding, and the public interest permit, to submit and have considered offers for the settlement or adjustment of the questions presented.

"Ancillary matters

"Sec. 6. Except as otherwise provided in this Act—

"(a) Appearance.—Any person appearing voluntarily or involuntarily before any agency or representative thereof in the course of an investigation or in any agency proceeding shall be accorded the right to be accompanied, represented, and advised by counsel or, if permitted by the agency, by other qualified representative. Every party shall be accorded the right to appear in person or by or with counsel or other duly qualified representative in any agency proceeding or investigation. So far as the orderly conduct of public business permits, any interested person may appear before any agency or its responsible officers or employees for the presentation, adjustment, or determination of any issue, request, or controversy in any proceeding (interlocutory, summary, or otherwise) or in connection with any agency function.

"(b) PRACTICE BY ATTORNEYS.—(1) Any person who is a member in good standing of the bar of the highest court of any State, possession, Territory, Commonwealth, or the District of Columbia may represent others before any agency; and whenever such a person acting in a representative capacity appears in person or signs a paper in practice before an agency, his personal appearance or signature or any paper filed in the proceeding shall constitute a representation that he is both properly qualified and authorized to represent the particular party in whose behalf he acts.

"(2) Nothing herein shall be construed either (A) to grant or to deny to any person who is not a lawyer the right to appear for or represent others before any agency or in any agency proceeding; (B) to authorize or to limit the discipline, including disbarment, of persons who appear in a representative capacity before any agency; (C) to authorize any person who is a former officer or employee of an agency to represent others before an agency where such representation is prohibited by statute or regulation of an agency; or (D) to prevent an agency from requiring a power of attorney before the agency transfers funds to the attorney for the party whom he represents.

"(c) SERVICE BY OR UPON ATTORNEYS.—When any participant in any matter before an agency is represented by an attorney at law or other qualified representative, and that fact has been made known in writing or in person by the representative to the agency, any notice or other written communication required or permitted to be given to or by such participant shall be given to or by such representative in addition to any other service specifically required by statute. If a participant is represented by more than one attorney or other qualified representative, service by or upon any one of such representatives shall be sufficient.

"(d) INVESTIGATIONS.—No process, requirement of a report, inspection, or other investigative act or demand shall be issued, made, or enforced in any manner or for any purpose except as authorized by law. Every person who submits data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof.

"(e) SUBPENAS.—Unless otherwise provided by statute every agency shall by rule provide for the issuance of subpenas and shall issue subpenas upon request to any party to an adjudication and shall by rule designate officers, including the presiding officer, who are authorized to sign and issue such subpenas. When objection is made to the general relevance or reasonable scope of such subpena, the presiding officer or the agency may quash or modify the subpena. Agency subpenas authorized by law shall be issued to any party to a rulemaking proceeding upon request upon a showing of general relevance and reasonable scope of the evidence sought. Upon contest in the district court in the judicial district in which the appearance is required or in which the person to whom the subpena is directed is found, resides or has his principal place of business, the court shall upon request by the agency or by any party sustain any such subpena or similar process or demand to which no objection has been made or which has been sustained by the presiding officer, or the agency, to the extent that it is found to be in accordance with law. In any proceeding for enforcement, the court shall issue an order requiring the appearance of the witness or the production of the evidence of data within a reasonable time under penalty of punishment for contempt in case of contumacious failure to comply.

"(f) DENIALS.—Prompt notice shall be given of the denial in whole or in part of any written application, petition, or other request of any interested person made in connection with any agency proceeding. Except in affirming a prior denial, or where the denial is self-explanatory or of an application for agency review such notice shall be accompanied by a simple statement of reasons.

"(g) COMPUTATION OF TIME.—Any period of time prescribed or allowed by this Act, by any other statute administered under this Act, or by rule or order of an agency, shall not include the day of the act, event, or default after which the designated period of time begins to run. However, the last day of the period so computed is to be included unless it is a Saturday, Sunday, holiday or half holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, holiday nor half holiday.

"(h) DEPOSITIONS AND DISCOVERY.—Depositions and discovery shall be available to the same extent and in the same manner as in civil proceedings in the district courts of the United States except to the extent an agency deems such conformity impracticable and otherwise provides for depositions and discovery by published rule.

"(i) CONSOLIDATION.—Upon reasonable notice an agency may consolidate related proceedings or order joint hearings on common or related issues in different proceedings.

"(j) NATIONAL DEFENSE OR FOREIGN POLICY.—Every agency proceeding or action exempted by this Act because the national defense or foreign policy is involved, from the procedures otherwise required by this Act shall be governed by rules of procedure which conform to the greatest extent practicable to the procedures provided in this Act.

"(k) DECLARATORY ORDERS.—An agency shall act upon requests for declaratory orders and is authorized with like effect as in the case of other orders, to issue a declaratory order to terminate a contoversy or remove an uncertainty. Any action taken shall constitute final agency action within the meaning of section 10.

"(l) SUMMARY DECISIONS.—An agency is authorized to dispose of motions for summary decisions, motions to dismiss or motions for decision on the pleadings.

"Hearings

"SEC. 7. In hearings which section 4 or 5 requires to be conducted pursuant to this section—

"(a) PRESIDING OFFICERS.—There shall preside at the taking of evidence (1) the agency, (2) one or more members of the body which comprises the agency, or (3) one or more examiners appointed as provided in this Act; but nothing in this Act shall be deemed to supersede the conduct of specified classes of proceedings in whole or part by or before boards or other officers specially provided for by or designated pursuant to statute. The functions of all presiding officers and of officers participating in decisions in conformity with sections 4(c)(2) and 8 shall be conducted in an impartial manner. Any such officer may at any time withdraw if he deems himself disqualified; and, upon the filing in good faith of a timely and sufficient affidavit of personal bias or disqualification of any such officer, the agency shall determine the matter as part of the record and decision in the proceeding. In any proceeding in which a presiding officer is disqualified or otherwise becomes unavailable, another presiding officer may be assigned to continue with the proceeding unless substantial prejudice to any party is shown to result therefrom. In event substantial prejudice is shown, the agency may determine the manner in which and the extent to which the proceeding shall be reheard.

"(b) HEARING POWERS.—Presiding officers shall have, if within the powers of the agency, authority to (1) administer oaths and affirmations; (2) sign and issue subpenas; (3) rule upon offers of proof and receive relevant evidence; (4) take or cause depositions to be taken and require compliance with other discovery procedures as the ends of justice require; (5) regulate the course of the hearing; (b) direct the parties to appear for prehearing conferences and such other conferences as may be desirable for the settlement or simplification of the issues by consent of the parties; (7) dispose of procedural requests or similar matters; (8) dispose of motions for summary decisions, motions for decisions on the pleadings or motions to dismiss; (9) make decisions in conformity with section 4(c)(2) or 8; and (10) take any other action, including action to maintain order, authorized by agency rule consistent with this Act.

"(c) EVIDENCE.—Except as statutes otherwise provide, the proponent of a rule or order shall have the burden of proof. Any oral or documentary evidence may be received, but every agency shall provide for the exclusion of irrelevant, immaterial, or unduly cumulative or repetitious evidence. No sanction shall be imposed or rule or order be issued except upon consideration of the whole record or such portions thereof as may be cited by any party and as supported by and in accordance with the reliable, probative, and substantial evidence. Every party shall have the right to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any presiding officer may, where the interest of any party will not be prejudiced thereby, require the submission of all or part of the evidence in written form.

"(d) RECORD.—The transcript of testimony and exhibits, together with all papers and requests filed in the proceedings, shall constitute the exclusive record for decision in accordance with sections 4(c)(2) and 8 and, upon payment of lawfully prescribed costs, shall be made available to the parties. Official notice may be taken of all facts of which judicial notice could be taken and of other facts within the specialized knowledge of the agency. Where any decision rests on official notice of a material fact not appearing in the evidence in the record any party shall on timely request be afforded an opportunity to show the contrary.

"(e) INTERLOCUTORY APPEALS.—A presiding officer may certify to the agency, or allow the parties an interlocutory appeal on, any material question arising in the course of a proceeding, where he finds that to do so would prevent substantial prejudice to any party or would expedite the proceeding. No interlocutory appeal shall otherwise be allowed, except by order of the agency upon a showing of substantial prejudice and after a denial of such appeal by the presiding officer. The presiding officer or the agency may stay the proceeding during the pendency of the interlocutory appeal to protect the substantial rights of any party. The agency, or one or more of its members as it may designate, shall determine the question forthwith, and further proceedings shall be governed accordingly.

"Decisions

"SEC. 8. In all adjudications subject to section 5(a)—

"(a) GENERAL.—The same officers who preside at the reception of evidence shall make the decision except where such officers become unavailable to the agency. In the absence of either an appeal to the agency or review by the agency within time provided by statute or by rule, such decision shall without further proceedings then become the decision of the agency. In proceedings in which the agency presides at the taking of evidence, its decision shall be the final agency action in the proceeding.

"(b) SUBMITTALS AND DECISIONS.—Prior to each decision of presiding officers the parties shall be afforded a reasonable opportunity to submit for the consideration of the officers participating in such decisions (1) proposed findings and conclusions and (2) supporting reasons for such proposed findings and conclusions with the opportunity, in the discretion of the presiding officer, for oral argument thereon. The record shall show the ruling upon each such finding or conclusion presented. All decisions shall become a part of the record, shall be served by the agency on the parties, and shall include (A) the opinion, and (B) the appropriate order, sanction, relief, or denial thereof.

"(c) APPEAL AND REVIEW.—(1) Any party may appeal the decision of the presiding officer by serving upon the agency and the other parties, within the time prescribed by agency rule after being served with the decision, written exceptions and the reasons in support thereof which shall state specifically and concisely the manner in which (A) prejudicial error was committed in the conduct of the proceeding; (B) the findings or conclusions of material fact were clearly erroneous; (C) the conclusions of law were erroneous; (D) the decision was contrary to law or to the duly promulgated rules or decisions of the agency; or (E) there was a novel question brought into issue. The record for appeal shall include all matters constituting the record upon which the decision of the presiding officer was based. Any portion of the record relied upon shall be identified by detailed page references. Except for good cause shown, no exceptions by any party shall rely on any question of fact or law upon which the presiding officer had not been afforded an opportunity to pass. The appeal shall be limited to the questions raised by the exceptions.

"(2) Except to the extent that the establishment of an agency appeal board is clearly unwarranted by the number of proceedings in which exceptions are filed or that agency appellate procedures have been otherwise provided by Congress, each agency shall establish by rule one or more agency appeal boards composed of agency members, hearing examiners (other than the presiding officer), or both. Proceedings before the appeal board shall be as provided by agency rule and shall include oral argument if requested by a party. If an appeal board has been established, exceptions shall be considered and determined by the appeal board unless a private party shall promptly file an application for a determination of the exceptions by the agency. If the agency denies the application, it shall be deemed to have considered and denied each exception and affirmed the decision of the presiding officer. If the agency grants the application, it shall determine the exceptions after considering the reasons therefor.

"If no appeal board has been established, the exceptions shall be considered and determined by the agency after considering the reasons therefor.

"(3) Except where the agency simply affirms the decision of the presiding officer by denying the application for a determination of the exceptions, there shall be a ruling upon each material exception; the record shall show the ruling and the reason therefor; and the decision of the presiding officer shall be affirmed, set aside, or modified to conform with such rulings or remanded with instructions.

"(4) After entry of the decision of the presiding officer or after the action of the appeal board, the agency in its discretion may, within the time prescribed by agency rule, order the case before it for review but only upon the ground that the decision or action may be contrary to law or agency policy, that the agency wishes to reconsider its policy, or that a novel question of policy has been presented. The agency shall state in such order the specific agency policy or novel question of policy involved. On such review the agency shall have all the power it would have if it were initially deciding the proceeding, provided that if the agency raises any issue of fact it deems material, the agency shall remand the case with instructions for further proceedings before the presiding officer.

"(5) The action on review or on appeal if no review is taken shall be on the record and be the final action of the agency except when the decision is remanded or set for reconsideration or rehearing.

"Sanctions and powers

"SEC. 9. In the exercise of any power or authority—

"(a) IN GENERAL.—Every agency shall have a duty, with due regard for the rights and privileges of all interested parties or adversely affected persons and with reasonable dispatch, to set and complete any investigation or proceedings required to be conducted pursuant to this Act or other proceedings required by law and to make its decision. No sanction shall be imposed, investigation commenced, or substantive rule or order be issued except within jurisdiction delegated to the agency and as authorized by law.

"(b) PUBLICITY.—Publicity, which a reviewing court finds was issued by the agency or any officer, employee or member thereof, to discredit or disparage a person under investigation or a party to an agency proceeding, may be held to be a prejudicial prejudging of the issues in controversy, and the court may set aside any action taken by the agency against such person or party or enter such other order as it deems appropriate.

"(c) LICENSES.—Except in cases of willfulness or those in which the public health, interest, or safety requires otherwise, no withdrawal, suspension, revocation, or annulment of any license shall be lawful unless, prior to the institution of agency proceedings therefor, facts or conduct which may warrant such action shall have been called to the attention of the licensee by the agency in writing and the licensee shall have been accorded opportunity to demonstrate or achieve compliance with all lawful requirements. In any case in which the licensee has, in accordance with agency rules, made timely and sufficient application for a renewal or a new license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined by the agency.

"Judicial review

"SEC. 10. Except so far as (1) statutes preclude judicial review or (2) judicial review at agency discretion is precluded by law.

"(a) RIGHT OF REVIEW.—Any person adversely affected in fact by any reviewable agency action shall have standing and be entitled to judicial review thereof.

"(b) JURISDICTION, VENUE AND FORM OF ACTION.—The district courts of the United States shall have (1) jurisdiction to review agency action reviewable under this Act, except where a statute provides for judicial review in a specific court; and (2) jurisdiction to protect the other substantial rights of any person in an agency proceeding. Agency action shall also be subject to judicial review in civil or criminal proceedings for judicial enforcement of agency action except to the extent that prior, adequate, and exclusive opportunity for such review is provided by law. The form of the proceeding for judicial review shall be any special statutory review proceeding or, in the absence or inadequacy thereof, any applicable form of legal action (including actions for declaratory judgments, proceedings in the nature of mandamus, writs of prohibitory or mandatory injunction or habeas corpus). The proceeding for judicial review of agency action shall be commenced by the filing of a complaint in the district court in the judicial district in which the complainant resides or has his principal place of business, or in which the acts giving rise to the agency action took place, or in which any real property involved in the action is situated, except where a special judicial review procedure is otherwise provided by statute. The action for judicial review may be brought against the agency by its official title.

"(c) REVIEWABLE ACTIONS.—Every agency action made reviewable by statute and every final agency action for which there is no other adequate remedy in any court shall be subject to judicial review. Any preliminary, procedural, or intermediate agency action or ruling not directly reviewable shall be subject to review upon the review of the final agency action. Except as otherwise expressly required by statute, agency action otherwise final shall be final for the purposes of this subsection whether or not there has been presented or determined any application for a declaratory order, for any form of reconsideration, or (unless the agency otherwise requires by rule and provides that the action meanwhile shall be inoperative) for an appeal to superior agency authority.

"(d) INTERIM RELIEF.—Pending judicial review any agency is authorized, where it finds that justice so requires, to postpone the effective date of any action taken by it. Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, every reviewing court (including every court to which a case may be taken on appeal from or upon application for certiorari or other writ to a reviewing court) is authorized to issue all necessary and appropriate process to postpone the effective date of any agency action or to preserve status or rights pending conclusion of any review proceedings.

"(e) SCOPE OF REVIEW.—So far as necessary to decision, and where presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of any agency action. It shall (A) compel agency action unlawfully withheld or unreasonably delayed; and (B) hold unlawful and set aside agency action, findings, and conclusions found to be (1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (2) contrary to constitutional right, power, privilege, or immunity; (3) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; (4) without observance of procedure required by law; (5) unsupported by substantial evidence in any case subject to the requirements of sections 7 and 8 or otherwise reviewed on the record of an agency hearing provided by statute; or (6) unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court. In making the foregoing determinations the court shall review the whole record or such portions thereof as may be cited by any party, and due account shall be taken of the rule of prejudicial error.

"Examiners

"SEC. 11. Subject to the civil service and other laws to the extent not inconsistent with this Act, there shall be appointed by and for each agency as many qualified and competent examiners as may be necessary for proceedings pursuant to sections 7 and 8, who shall be assigned to cases in rotation so far as practicable and shall perform no duties inconsistent with their duties and responsibilities as examiners. Examiners shall be removable by the agency in which they are employed only for good cause established and determined by the Civil Service Commission (hereinafter called Commission) after opportunity for hearing and upon the record thereof. Examiners shall receive compensation prescribed by the Commission independently of agency recommendations or ratings and in accordance with the Classification Act of 1923, as amended, except that the provisions of paragraphs (2) and (3) of subsection (b) of section 7 of said Act, as amended, and the provisions of section 9 of said Act, as amended, shall not be applicable. Agencies occasionally or temporarily insufficiently staffed may utilize examiners selected by the Commission from and with the consent of other agencies. For the purposes of this section, the Commission is authorized to make investigations, require reports by agencies, issue reports, including an annual report to the Congress, promulgate rules, appoint such advisory committees as may be deemed necessary, recommend legislation, subpena witnesses or records, and pay witness fees as established for the United States courts.

"Construction and effect

"SEC. 12. (a) GENERAL.—Nothing in this Act shall be held to diminish the constitutional rights of any person or to limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. If any provisions of this Act or the application thereof is held invalid, the remainder of this Act or other applications of such provision shall not be affected. Every agency is granted all authority necessary to comply with the requirements of this Act through the issuance of rules or otherwise. No legislation shall be held to supersede or modify the provisions of this Act except to the extent that such legislation shall do so expressly.

"(b) EFFECTIVE DATE.—This Act shall take effect six months following the date of its enactment. No change in procedure shall be mandatory with respect to any proceeding initiated prior to the effective date of such change."

The statement by Senator LONG of Missouri is as follows:

IMPROVEMENTS IN ADMINISTRATIVE PROCEDURE

(Statement by Senator LONG of Missouri)

It is a pleasure for me to join the distinguished Senator from Illinois, a friend and member of the Subcommittee on Administrative Practice and Procedure, in introducing this bill to make a number of amendments to the Administrative Procedure Act.

In the 2 years during which I have been chairman of this subcommittee, I have become increasingly aware of the need for dealing with the constantly increasing case load of the agencies which is making it more and more difficult, and sometimes impossible, for them to keep up with their work. The result has been backlogs of discouraging size, long drawn-out, expensive proceedings, and a lack of decision on major policies to guide the agency staffs. The effect of all of this is not just on the agency and the participants in cases before the agency; it is borne by all of the people of this country. Delay in authorizing new services and new products results in loss to the country. Delay in the decision of rate refund cases, unemployment benefits, and similar matters is a loss to the pocketbook of these affected and frequently a grave hardship on them.

Procedures which worked in 1946 when the Administrative Procedure Act was first passed, and when the number of cases was smaller than it is now, are in many instances no longer adequate to deal with the increased case load of the agencies. The problem has been of sufficient importance to cause the appointment of commissions and conferences by three Presidents. They have studied the problems and have made recommendations. In addition, studies have been made by the American Bar Association and by other organizations of scholars and lawyers familiar with administrative proceedings, as well as by many individuals. The agencies themselves have made many suggestions. All of these proposals have been carefully studied by the subcommittee.

Two years ago I joined with the distinguished Senator from Illinois in introducing legislation which contained a number of these suggestions with the thought that they could be studied and commented upon by all interested parties and the subcommittee has received such comment from the agencies and from those who practice before them. In addition at my request, a group of scholars and experts in the field of administrative procedure was created as a board of consultants to contribute their knowledge to this project.

The bill which is now being introduced is the result of all this study. A major feature of this bill is the attempt to provide those who head the various agencies with the necessary time to devote to policymaking. The workload of agencies will continue to become an increasing backlog unless sufficient attention is given to policymaking. Only if they have policies to guide them can the staffs of the agencies dispose of the cases which must be decided. The alternative is for those who make agency policies to also decide every case, and that has proved to be a physical impossibility unless they are to merely rubberstamp the decisions of their subordinates. Just a look at the dockets of some of the regulatory agencies indicates all too clearly how little attention can be paid to particular cases when there are thousands of them on the docket to be decided.

Then, too, improvements must also be made in the manner in which individual cases are handled. The basic reason for the establishment of a multitude of Federal administrative agencies was the general belief that the matters coming within their jurisdiction could be dealt with more expeditiously by administrative rather than by legislative and judicial procedures. However, developments of the last few years and the complaints of the public have cast some doubt on this basic premise. Administrative procedures have become tremendously complicated, often very lengthy, and usually terribly expensive. Indeed, it has been said that the courts have made more progress in modernizing and streamlining their procedures than agencies have made. There are even suggestions made today that the administrative process be abandoned because it is so much slower than the judicial process.

Take prehearing conferences, for example. Few agencies use them at the present time and yet the courts have found them to be a most effective way of reducing the time needed for the hearing which follows. It is possible that such conferences, which are held under the supervision of the officer who will preside at the hearing, can be used to reduce the number of contested issues and to obtain agreement on facts which are not subject to dispute. Agreements can also be worked out with respect to the testimony of expert witnesses.

Then there is discovery. Most lawyers today find it an invaluable tool in preparing for a hearing because it means that the facts can be developed in advance of the hearing and the time the hearing takes can be greatly reduced. Furthermore, to the extent that a knowledge of all of the facts increases chance of settlement, discovery has still greater utility.

The bill also provides a means for speeding up the hearing itself. It provides for the use of abridged procedures and for interlocutory appeals to decide key issues where necessary. But speed is not the only consideration. The bill also provides a basic standard of fairness for cases of adjudication which are not subject to the formal hearing procedures and it requires that the decision in such cases must be made without delay after the conclusion of the proceeding. These constitute important steps forward in the interest of the public.

In one sense an administrative proceeding is like an iceberg. The time consumed in the prehearing and hearing stage is frequently far less than the time consumed before the agency decision is finally issued. This is due in some measure to the requirement in the existing statute that all decisions be finally made or approved by the head of the agency. At the present time the agencies get around this requirement by utilizing faceless opinion-writing staffs to do the work. But this is not as satisfactory as bringing the whole process into the open. Therefore, the bill provides that the officer who hears the evidence shall make the actual decision which shall be subject to appeal or review by the agency. The bill also creates an agency appeal board to hear appeals from that decision. It is to be hoped that this type of procedure will greatly speed up the final decisions in cases before the administrative agencies.

In addition, this bill incorporates the provisions of S. 1160 which I introduced a short time ago on behalf of myself and a number of other Senators. This legislation is commonly known as the freedom of information bill and it will greatly enhance the public's right to know what is being done by its Government.

The bill also includes the provisions of legislation passed by the Senate last year to permit lawyers who are in good standing before the highest court of their State to practice before administrative agencies without further qualifications. The restrictive practices of some agencies in this regard have been thought to reduce the representation to which the public is entitled and to increase the cost and complexity of administrative proceedings before those agencies.

I shall not attempt to catalog all of the other changes which the bill makes. It is my hope, however, that the bill will receive the attention of all those who are concerned with administrative reform and I can assure everyone that their comments and suggestions will be given the closest attention. The preparation of this bill has not been an easy task. I want to pay tribute to Senator DIRKSEN for taking the lead in this matter for so many years and to the members of the board of consultants who have been so helpful to the subcommittee. I also want to compliment Bud Fensterwald, Neal Kennedy, and the entire staff of the subcommittee for the job they have done on this bill. They have worked long hours on a bipartisan, or rather on a nonpartisan basis on the consideration and drafting of these provisions.

DESIGNATION OF THE PICK-SLOAN MISSOURI BASIN PROGRAM

Mr. MUNDT. Mr. President, I introduce, for appropriate reference, a bill which would designate the comprehensive program of flood control and development for the Missouri River Basin as the Pick-Sloan Missouri Basin program. Joining me in the introduction of this bill are Senators ALLOTT, CARLSON, CURTIS, DOMINICK, HRUSKA, LONG of Missouri, MILLER, SIMPSON, SYMINGTON, and YOUNG of North Dakota.

Mr. President, just 20 years ago this year, in 1944, the Congress passed what is known as the Flood Control Act of 1944. This act resulted from studies which had been made of flooding activities of the Missouri River and led up to the enaction of the needed law to carry out the massive development program which has taken place in the Missouri River Valley.

During the summer of 1943, based primarily upon the disastrous consequence of the now famous 1943 Missouri River flood, there was a tremendous upsurge of interest among Missouri Basin citizens to develop some method of preventing for all time, a recurrence of floods on the Missouri River. Under the leadership of the then Missouri River division engineer, Col. Lewis A. Pick, the Corps of Engineers had developed a program which consisted of a series of reservoirs on the upper Missouri River coupled with bank stabilization and other channel control features on the river from a point below Yankton, S. Dak., to the mouth.

This plan became known as the Pick plan, and during the summer of 1943, Colonel Pick and a number of leading Missouri Basin citizens made extensive trips throughout the valley to explain the program in detail to the citizens. These meetings were in the nature of public hearings and I particpiated in a number of them.

On February 28, 1944, the Secretary of War finally transmitted to Congress a report of the Corps of Engineers relative to controlling floods on the Missouri River. The report states:

> In addition to providing flood control benefits on the Missouri and Mississippi Rivers, the comprehensive plan would also provide for the efficient utilization of the waters of the Missouri River Basin for all purposes, including irrigation, navigation, power, domestic and sanitary purposes, wildlife and recreation.

Simultaneously with the development of the Pick plan, the Bureau of Reclamation under W. Glen Sloan, then Assistant Regional Director of the Bureau of Reclamation, was developing a water resources program for the Missouri Basin, based primarily upon the requirements of reclamation and power development. That program was submitted to Congress in April 1944 by the Secretary of the Interior.

Because of differences between the Pick plan and the Sloan plan and because neither satisfied both upstream and downstream interests, legislation to authorize the projects in the reports of the Corps of Engineers and the Bureau of Reclamation made very slow progress in the 78th Congress. It became increasingly obvious that the two plans would have to be coordinated if there was to be any hope of congressional approval.

During the Senate Commerce Committee hearings on H.R. 3961 in May 1944, Reclamation Commissioner Bayshore introduced W. Glen Sloan to explain the engineering details of the Sloan plan. As hearings proceeded on that bill and on H.R. 4485, which was to become the 1944 Rivers and Harbors and Flood Control Act, the reclamation program began more and more to be called the Sloan plan. It was thus referred to on several different occasions during those hearings.

During the same period of time, the Corps of Engineers program for dams on the Missouri River was also discussed by the Committee on Commerce of the Senate. Just as had happened with the Sloan plan when the Bureau program was under discussion, the Corps of Engineers plan began to be called the Pick plan.

For example, in the hearings, Gov. M. Q. Sharpe, of South Dakota, referred to the corps portion of the program as the Pick plan. Later in the hearings in describing tours made by then Colonel Pick and W. Glen Sloan throughout the basin, Mr. Harry Trustin, now president of the city council of Omaha, Nebr., repeatedly referred to the Pick plan and the Sloan plan.

In these hearings, my colleague, Senator ROBERTSON, referred to the Corps of Engineers' plan as the Pick plan and the Bureau of Reclamation's plan as the Sloan plan. In one place, Senator ROBERTSON asked Mr. Sloan if he was "the author of the Sloan plan."

Still later in the hearings, Col. Miles Reber, Deputy Chief, Legislative and Liaison Division, Office of the Chief of Staff of the War Department, said:

> There is an overall plan for the Missouri River today, the Pick plan and the Sloan plan.

On October 23, 1944, representatives of the Interior Department and the Corps of Engineers agreed on the combined program. The agencies agreed as to who should construct various projects involved in the two plans and upon their coordinated functions.

The legislation implementing the basic agreement between the Bureau of Reclamation and the Corps of Engineers was contained in H.R. 4485, which became the Flood Control Act of 1944 or Public Law 534, 78th Congress, 2d session, and H.R. 3961, which did not become law in 1944 but which ultimately became the Rivers and Harbors Act of 1945; Public Law 14, 79th Congress, 1st session.

By now, the combined program was being called the Pick-Sloan Missouri Basin program by citizens throughout the Missouri Basin. A reference to newspaper clippings of that day shows that the press used this term as the generic phraseology with which to describe the program.

Since that day, the phrase "Pick-Sloan Missouri Basin program" has become the most commonly used expression with which to designate the comprehensive Missouri Basin development program.

A perusal of hearing records of both the House and Senate Appropriations Committees during the intervening years discloses that more and more witnesses began to use this form as the term to designate the comprehensive basin development program. Similarly, newspaper stories from that date to this indicate that in the public mind, the comprehensive Missouri Basin program is usually known as the Pick-Sloan Missouri Basin program.

Col. Lewis A. Pick, who at the time was Missouri River division engineer, went on to become the Chief of Engineers. It was during his tenure in that office that much of the initial construction was done. General Pick is now deceased.

W. Glen Sloan, then assistant regional director of region 6 of the Bureau of Reclamation, continued to serve the Bureau well in many capacities until his retirement several years ago. During his active tenure in office much of the construction work of the Bureau's phase of the comprehensive program was begun. The high esteem in which Mr. Sloan is held by citizens of the basin is at least partially indicated by the fact that streets have been named for him, he has been the recipient of a number of academic degrees, and his name will go down in history as coauthor of the most comprehensive water resources development program ever undertaken in this Nation.

Similarly, testimony by various officers of the Corps of Engineers left no doubt as to the authorship of the Corps' plan for water resource development in the Missouri Basin. General Pick's importance in the acceptance of the basin program by the citizens of the valley is further strengthened by the fact that it was he who, in the company of leading Missouri Basin citizens and Glen Sloan, toured the valley and conducted public hearings to develop and crystallize the thinking of basin citizens as to the importance of flood control and multipurpose use of the waters of the Missouri Basin. These travels took place during the summer of 1943, a full year prior to the discussion which led ultimately to the approval by Congress of the Flood Control Act of 1944.

It is very fitting and proper, therefore, that Congress recognize the contributions of these two gentlemen by making official the words "Pick-Sloan Missouri Basin program" as the proper nomenclature for the comprehensive Missouri Basin development program. Basin leaders who were involved in the acceptance of the program by Congress during the days of its development and congressional discussion will well remember the contributions of these two gentlemen and would agree that their contributions should be memoralized in perpetuity. Now, a new generation of basin leaders is being developed. It is well to remind these younger men of the immense contributions which Lewis A. Pick and W. Glen Sloan have made to the economy and to the Missouri Basin development program, the fruits of which we are all now beginning to reap. I hope our bill to officially designate this vast development as "the Pick-Sloan Missouri Basin program," will be adopted.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1338) to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

INCOME TAX CREDIT FOR HIGHER EDUCATION

Mr. SALTONSTALL. Mr. President, I send to the desk, for appropriate reference, a bill designed to correct an inequity in our tax law that concerns couples who raise children who are not their own and would like to encourage them to extend their education beyond the secondary level.

Under existing law a taxpayer is granted an exemption, first, for each dependent whose gross income does not exceed $600; second, for each dependent child under 19 years of age whether or not he has an income in excess of $600; and third, for each dependent child regardless of age or whether he earns more than $600, provided he is a full-time student. For these purposes a child is defined as a son, stepson, daughter, or stepdaughter of the taxpayer. An adopted child is also included within the definition.

Unfortunately persons such as relatives who have dependents who are earning more than $600 while attending institutions of higher learning are not covered by the provisions of this section, even though these persons assume responsibilities equal to those which would normally have been assumed by the parents of the students involved. In fact since they are not the natural parents and yet have brought up the children they may be regarded as having made even greater sacrifices.

My bill would entitle this group of taxpayers to the exemptions provided other taxpayers who have children attending schools above the secondary level.

I think it is time Congress corrected this unfair discrimination against this particular group of taxpayers and hope that favorable action will be taken on this legislation this session.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1343) to amend the Internal Revenue Code of 1954 to permit an individual to claim an exemption for a dependent who is attending college even though such dependent has $600 or more gross income, introduced by Mr. Saltonstall, was received, read twice by its title, and referred to the Committee on Finance.

TERMS OF OFFICE FOR MEMBERS OF FEDERAL MARITIME COMMISSION

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes. I ask unanimous consent that the letter from the Chairman of the Federal Maritime Commission, requesting the proposed legislation, be printed in the Record, together with a statement of purpose of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and statement of purpose will be printed in the Record.

The bill (S. 1348) to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson, and the statement of purpose, are as follows:

Federal Maritime Commission,
Washington, D.C., February 24, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There are submitted herewith four copies of a proposed bill, together with a statement of purpose and need for the draft bill, to provide that the Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes.

The need for and purpose of the proposed bill are set forth in the accompanying statement.

The Federal Maritime Commission urges enactment of the bill at the 1st session of the 89th Congress for the reasons set forth in the accompanying statement.

The Bureau of the Budget has advised that, from the standpoint of the administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,
John Harllee,
Rear Admiral, U.S. Navy, Retired,
Chairman.

Statement of Purpose and Need for Bill Providing That Federal Maritime Commissioners Shall Hereafter Be Appointed for a Term of 5 Years

The bill would provide for a term of 5 years for Commissioners appointed to the Federal Maritime Commission and would result in the appointment of one Commissioner each year. It would also provide that Commissioners serve until their successors have been appointed and have qualified. Under the present law (Reorganization plan No. 7 of 1961, sec. 102), there are five Commissioners of the Federal Maritime Commission who are appointed by the President for fixed 4-year terms. Two of these terms necessarily expire simultaneously.

A term of 5 years, with one Commissioner being appointed each year, would avoid the possible concurrent loss of two experienced members of the Commission. It would insure the availability of sufficient seasoned personnel at all times and add continuity and stability to the Commission's decisions. In this connection, it should be noted that the affirmative vote of three Commissioners is required by law for the disposition of matters which come before the Commission. For the same reasons, it is desirable to provide, as has been done in the case of other regulatory agencies, that a Commissioner shall continue in office until his successor has been appointed and qualified.

AMENDMENT OF INLAND, GREAT LAKES, AND WESTERN RIVERS RULES CONCERNING CERTAIN VESSELS UNDER 65 FEET IN LENGTH

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length. I ask unanimous consent that the letter from the Secretary of the Treasury, together with a comparative type showing changes in existing law under the proposed bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and comparative type will be printed in the Record.

The bill (S. 1349) to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length, introduced by Mr. Magnuson by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and comparative type presented by Mr. Magnuson, are as follows:

The Secretary of the Treasury,
Washington, February 11, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is submitted herewith a draft of a proposed bill, "To amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length."

The various sets of rules of the nautical road are generally applicable to all vessels regardless of size. In most situations, this uniform applicability of the rules does not cause serious problems. Difficulties are created, however, in some cases where small vessels insist on their right-of-way over deep draft, oceangoing ships or tugs with tows. This is especially true in narrow channels where maneuvering ability is limited. In such cases, the larger vessel or the vessel with a tow is unable to maneuver as freely as the motorboat or other small vessel.

This problem is accentuated by the fact that the number of motorboats is rapidly increasing and that many operators of these small craft are unaware of the limitations on the maneuvering ability of large vessels and those with tows. As a result they frequently navigate in such a manner as to hamper the movement of the larger vessels and increase the possibility of collision.

The purpose of the proposed bill is to clarify the duties of small craft when operating in narrow channels in which large vessels are also navigating. The bill would amend the existing inland, Great Lakes, and western rivers rules of the road to provide that, in a narrow channel, a sailing vessel or a steam vessel under 65 feet in length shall not operate so as to hamper the navigation of larger vessels which can only navigate within the channel. This provision would apply to all vessels propelled by machinery since they are considered steam vessels under these rules.

The new rules proposed by this bill would be consistent with those adopted for international use by the International Conference on Safety of Life at Sea, 1960. They are also designed to promote uniformity among the three sets of domestic rules.

The Department believes that adoption of the proposed new rules would eliminate a potential source of collisions without interfering significantly with the operations of pleasure craft. Their adoption would also aid in educating the boating public to the dangers that exist in operations near larger, less maneuverable vessels.

Enactment of the proposed bill would not result in any increased costs.

There is enclosed a comparative type showing the changes in existing law that would be made by the proposed bill.

Identical legislation was submitted to the 88th Congress by this Department. It was sent to the Senate on September 29, 1964, but was not introduced prior to adjournment.

It would be appreciated if you would lay the proposed bill before the Senate.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

DOUGLAS DILLON.

COMPARATIVE TYPE SHOWING CHANGES IN EXISTING LAW MADE BY THE PROPOSED BILL

[Matter proposed to be omitted is enclosed in brackets; new matter is quoted]

ARTICLE 20 OF THE RULES OF THE ROAD FOR INLAND WATERS AS CONTAINED IN THE ACT OF JUNE 7, 1897 (33 U.S.C. 205)

Article 20. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel. "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

ARTICLE 25 OF THE RULES OF THE ROAD FOR INLAND WATERS AS CONTAINED IN THE ACT OF JUNE 7, 1897 (33 U.S.C. 210)

Article 25. In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or midchannel which lies on the starboard side of such vessel.

"In narrow channels a steam vessel of less than sixty-five feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

RULE 19 OF THE RULES OF THE ROAD FOR THE GREAT LAKES AS CONTAINED IN THE ACT OF FEBRUARY 8, 1895 (33 U.S.C. 284)

Rule 19. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision the steam vessel shall keep out of the way of the sailing vessel. "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

RULE 24 OF THE RULES OF THE ROAD FOR THE GREAT LAKES AS CONTAINED IN THE ACT OF FEBRUARY 8, 1895 (33 U.S.C. 289)

Rule 24. That in all narrow channels where there is a current, and in the rivers St. Mary, St. Clair, Detroit, Niagara, and St. Lawrence, when two steamers are meeting, the descending steamer shall have the right-of-way, and shall, before the vessels shall have arrived within the distance of one-half mile of each other, give the signal necessary to indicate which side she elects to take.

"In all narrow channels a steam vessel of less than 65 feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

RULES OF THE ROAD FOR THE WESTERN RIVERS AS CONTAINED IN SECTION 4233 OF THE REVISED STATUTES AS AMENDED (33 U.S.C. 301–351)

Rule 20. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except when the sailing vessel is overtaking the steam vessel, the steam vessel shall keep out of the way of the sailing vessel. "This rule shall not give to a sailing vessel the right to hamper the safe passage of a large steam vessel or vessel with tow that is ascending or descending a river."

RULE 23A (NEW)

"Rule 23a. A steam vessel of less than 65 feet in length which can maneuver easily shall not hamper the safe passage of a large vessel or vessel with tow that is ascending or descending a river."

REGISTER OF CERTAIN MOTOR VEHICLE DRIVERS, IN THE DEPARTMENT OF COMMERCE

Mr. MAGNUSON. Mr. President, on behalf of myself, and Senators BENNETT and FANNIN, by request, I introduce, for appropriate reference, a bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers. I ask unanimous consent that a letter from the Secretary of Commerce, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1350) to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers, introduced by Mr. MAGNUSON (for himself and other Senators), by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., February 18, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 89th Congress, 1st session, a draft of a proposed bill: "To amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers."

The driver register established in the Department of Commerce pursuant to the act approved July 14, 1960, 74 Stat. 526, as amended by the act approved October 4, 1961, 75 Stat. 779, is now well established and operating in accordance with the objectives of the Congress in enacting this legislation. At the present time, all eligible jurisdictions have agreed to participate in this service. The driver register is now receiving inquiries at the rate of a half-million a month, totaling over 8.5 million to date, and in a single day has received as many as 81,000. Overnight service is provided on all inquiries. Reports have been sent to the States relating to the identification of over 63,000 drivers.

The experience of the Department of Commerce with the newly established driver register has led us to believe that certain amendments to existing legislation would permit the Department of Commerce to furnish improved service to the States with respect to motor vehicle operators. We propose, therefore, that the basic act be amended to remove two specific restrictions on the State reporting function.

The first restriction in the existing law relates to the type of State action taken, and limits the States to reporting only their terminations or temporary withdrawals of driving privileges. It does not now authorize the reporting of the important category of denials of licenses, regardless of the gravity of the cause of such action. The proposed legislation would specifically include this necessary and uniformly used type of State action as a reportable matter.

The second restriction limits the reportable terminations and withdrawals to those occasioned by only two causes: Namely, driving while under the influence of intoxicants, and convinction of an offense resulting in a death. Other causes deemed by a State to be of comparable gravity are not authorized to be reported, whether or not they result in termination or withdrawal of driving privileges. The draft bill would meet this problem by removing the restrictive language from the basic act. The chief effect of this provision would be to permit State reporting of all important license actions, including those based on mental or physical disability and revocations mandatory under the uniform vehicle code. However, removal of the restriction also would permit reporting of point system withdrawals. Therefore, language has been added excluding withdrawals for less than 6 months for habitual violations. This would assure that point system temporary withdrawals for habitual offenses regarded as minor by the withdrawing State will not be included in the register. Our understanding is that this limitation will prevent reporting of the great majority of point system withdrawals. The proposed expansion of reportable offenses would improve the scope of the service in line with the fundamental intent of Congress.

Under the draft bill, concerning any given individual who has lost or has been denied operating privileges in one State, a sequence of three identifiable State actions would still be required before he may be denied operating privileges in another State on the basis of information furnished through the driver register. First, the State in which he lost or was denied the privilege may or may not decide that the transmission of this information to the driver register is desirable. Second, the State in which he subsequently applies for a license may or may not request information from the driver register concerning the applicant. Third, this latter State may or may not decide that the information furnished provides a valid ground, under its own law, for denying a license to the applicant. If at any point in this sequence, a State decision is negative, then the loss of driving privileges in the first State will not operate by itself to preclude the issuance of a license in the receiving State. It is thus evident that the operation of the program would continue to depend entirely upon the concurrence of both, or all, of the States concerned.

This proposal would therefore be sufficiently flexible to allow the States' administrators, the men who are in the best position to determine which drivers are problem drivers, to determine in each instance which records are to be sent to or requested from the driver register. We believe that the States making use of the driver register service, as well as other interested organizations, would be in accord with the enclosed draft legislation.

The draft bill would also amend section 2 of the 1960 act establishing the driver register to provide that Federal agencies may request of and receive from the Secretary of Commerce such information as may be contained in the register. The purpose of this amendment is to permit Federal agencies, such as those having highway safety responsibilities in connection with which data from the driver register will be extremely valuable, to obtain such information directly from the Secretary. For example, this authority would be particularly helpful to the Interstate Commerce Commission in its investigative work relating to drivers and vehicles. The draft bill would also amend section 3 of the act to include American Samoa, and to correct the former designation of the Commonwealth of Puerto Rico.

It is anticipated that enactment of this proposed legislation would require negligible, if any, additional funds for the operation of the driver register.

The Department of Commerce recommends the enactment of the proposed draft legislation.

The Bureau of the Budget advises that there would be no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce.

AMENDMENT OF COASTWISE LAWS TO PROTECT THE BALANCE OF PAYMENTS

Mr. MAGNUSON. Mr. President, I introduce for myself and the senior Senator from New Hampshire [Mr. COTTON], by request, a bill amending the coastwise laws to protect our balance of payments and the traveling public. This measure has been drafted and requested by the Labor-Management Maritime Committee.

During the past several years an increasingly large number of American citizens have embarked on distant water pleasure cruises from the United States. In numerous instances these cruises have been taken on foreign-flag ships, many of which are reported to be in extremely poor condition and lack the safety features required of U.S.-flag cruise ships by the U.S. Coast Guard. A lucrative business has been established by foreign operators transporting Americans from the United States for short stops in foreign ports and back to the United States on foreign-flag vessels that would apparently be considered unseaworthy by American-flag standards. The purpose of this legislation is to meet this problem and the corresponding balance-of-payments problem created by this transfer of U.S. dollars to foreign hands. Under the legislation the Secretary of Commerce would have authority to permit cruises by only those foreign-flag operators who meet the standard of safety and financial responsibility outlined in the act and in the rules and regulations of the Secretary.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1351) to amend the coastwise laws, protect the balance of payments, and to further protect the traveling public, and for other purposes, introduced by Mr. MAGNUSON (for himself and Mr. COTTON), was received, read twice by its title, and referred to the Committee on Commerce.

USE BY VOLUME MAILERS OF ZIP CODE THROUGH POSTAGE RATE CONCESSIONS

Mr. BREWSTER. Mr. President, I have introduced today a bill which would stay the inauguration of a mandatory ZIP coding system by the Post Office Department until the House and Senate have had a chance to study the many ramifications of the two orders proposed by the Postmaster General in the Federal Register of February 17.

There can be little doubt that a more effective method of distributing the ever-increasing volume of mail is needed but the transition to a 5-digit ZIP code system must be orderly and prudent, tailored to the needs of private business. From the complaints already received by legislators, it would appear that the requirement that bulk second- and third-class mailers ZIP code and presort their mail may involve an expenditure of $250 million by business firms. The sacking requirements of the July 1 order are particularly harsh. Unless thousands of mailing firms are granted more time to ZIP code and rearrange their lists, serious financial losses will be suffered by most. I feel confident that our very able Postmaster General, John Gronouski, will weigh these complaints carefully and act to rescind the July 1 order.

The bill I have introduced would provide incentives in the form of rate discounts for those mailers who voluntarily ZIP code and presort their mail. I feel confident that such voluntary compliance will be extensive and that after a 5-year period the great direct mail and publishing industries will then be geared up to comply with a mandatory requirement.

Because of the duties placed on Congress to establish postal policy, I feel that my bill should be the subject of early hearings. The Senate Post Office and Civil Service Committee can quickly hear both sides of the issue and submit our recommendations to the Senate. Failure to act on this complex and far-reaching issue would invite legitimate criticism from mail users who look to us for relief when disaster impends.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1352) to amend title 39, United States Code, to encourage the use by volume mailers of ZIP code through postage rate concessions, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

OMNIBUS BAIL REFORM MEASURE

Mr. ERVIN. Mr. President, for myself, and Senators INOUYE, JOHNSTON, KENNEDY of Massachusetts, FONG, BAYH, STENNIS, DOUGLAS, DIRKSEN, TYDINGS, HART, SCOTT, WILLIAMS of New Jersey, DODD, MONDALE, HRUSKA, and BURDICK, I introduce, for appropriate reference, a bill designed to modify Federal bail procedures so that they are more equitable and consistent with our goals of attaining a more just and efficient system of criminal justice.

In conjunction with its extensive study of the administration of criminal justice, the Subcommittee on Constitutional Rights, of which I am chairman, has for some time focused its attention on Federal bail practices. Early in this Congress, the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery jointly issued a report entitled "Constitutional Rights and Federal Bail Procedures," which contained the following conclusions:

> The primary purpose of bail in the United States is to assure the presence of the accused to stand trial.
>
> Thousands of citizens are confined each year not because they are guilty of the commission of a crime, but because they cannot afford to post bond.
>
> Because Federal bail procedures rely primarily upon financial considerations rather than the accused's character or community ties, such procedures inevitably disadvantage persons of limited means.
>
> The Federal bail system, as it operates today, is repugnant to the spirit of the Constitution and in direct conflict with the basic tenets that a person is presumed innocent until proven guilty by a court of law, and that justice should be equal and accessible to all.
>
> The inability to meet bail requirements severely handicaps the accused in the preparation of his defense.
>
> Persons unable to afford bail are often confined and subject to the influence of persons already convicted of crimes and serving their jail sentences.
>
> Being confined before being proven guilty by a court of law subjects the accused and his family to needless public derision.
>
> Federal bail procedures represent a vivid example of where our judicial machinery has not attained its desired degree of efficiency.
>
> When Government maintains peace and order, it must exclude irrelevant factors—such as the financial status of the accused—in determining his guilt or innocence.
>
> Proper respect for law and order is jeopardized when the disposition of justice turns upon the financial status of the accused.
>
> Federal bail procedures impose a severe financial burden upon the taxpaying public.
>
> The high cost of pretrial detention depletes public funds which could otherwise be used to provide counsel for indigent defendants or other public purposes.
>
> Our adversary system of justice is undermined because the Federal bail system handicaps the accused in preparing his defense.
>
> Our Federal bail laws demonstrate that an important phase of the administration of criminal justice has become the responsibility of professional bondsmen.

The defects in Federal bail practices stem, in large part, from the fact that bail decisions rely primarily upon financial inducements to insure the presence of the accused at trial, rather than more relevant considerations, such as his character, employment, residence, or other community ties.

The bill I am introducing today incorporates the major provisions of three bills (S. 2838, S. 2839, and S. 2840) which were the subject of joint hearings held by the Senate Subcommittee on Constitutional Rights and the Senate Subcommittee on Improvements in Judicial Machinery on August 4, 5, and 6, 1964. These bills received strong support from the Department of Justice, Federal and State law enforcement officials, law professors, and other persons and groups involved with the administration of criminal justice.

Similar bills—S. 646, S. 647, and S. 648—were introduced on January 22, 1965, and have been cosponsored by 20 Senators, including all but two members of the Judiciary Committee. When these three bills were introduced, I noted that efforts were being made to develop an omnibus bail reform measure, and that consultations were underway between the Subcommittee on Constitutional Rights and the Department of Justice.

The omnibus bill I introduce today reflects many of the decisions reached during these consultations with the Justice Department, and expands S. 646, S. 647, and S. 648 in three main directions.

First. It provides the court with additional methods of releasing persons accused of criminal offenses.

Second. It provides an appeal for persons aggrieved by the conditions of release imposed by the court.

Third. Provides credit for pretrial confinement against any fine imposed by the sentencing court.

Before discussing briefly each major provision of this measure, I should like to emphasize that although I am not wedded to each phrase in this measure, I do think it presents a sound approach for remedying the many serious inequities that have developed under the present Federal bail system.

CONDITIONS OF RELEASE

The bill provides the court, or other officer empowered to set bail, with express authority to release specified persons on one or more conditions, which are flexible enough to permit release to be tailored to the individual case.

Personal recognizance: The court is authorized to release a person on his personal recognizance, which includes a written promise to appear as required or the execution of unsecured personal appearance bond in the amount specified by the court. Release on one's personal recognizance was provided under the bill (S. 646), which I mentioned earlier.

Refundable deposit: The court is authorized to permit a person to deposit cash, or other security, with the court in an amount equal to 10 percent of the amount of the bail set. This cash or security will be refunded when the accused complies with the terms and conditions of his release. This refundable deposit provision is, of course, similar to the approach taken in S. 647.

Providing authority to accept security of less value than the amount of bail set will achieve, at least, four worthwhile objectives:

First. It assists persons who possess or can borrow a sum that approximates the premiums required for a surety bond, but who lack the collateral security required by a bondsman.

Second. Since the deposit is returnable—which is not the case of a premium paid on a surety bond—the accused will be less likely to flee the jurisdiction of the court.

Third. The returned deposit will assist the accused to cover the expenses involved with the criminal litigation.

Fourth. This deposit device will be of direct assistance in cases where a bondsman is unable or unwilling to write a bond for the accused.

Supervision by probation officer: The court is authorized to release a person under the supervision of a probation officer. This method of release is not new, as was noted in the report of the Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice:

> One of the most remarkable aspects of current bail administration is its failure to take advantage of the techniques employed and experience gained in other areas * * *. The rich fund of experience derived from decades of administration of parole and probation laws is highly relevant to the formulation of a sound policy of pretrial release in the Federal courts. Moreover, less formal procedures requiring persons to "check-in" periodically with the police and other official personnel are not unknown in many American and foreign jurisdictions.[1]

Daytime release: The court is authorized to release a person during daylight hours so he is able to retain his outside employment and return to custody at night. This system of release is now employed in 14 States for convicted offenders; surely, similar provisions ought to be available, should the judge deem it appropriate, for persons accused of an offense.

My own State of North Carolina developed such a program of daytime release in 1957, and it is applicable to all defendants except those convicted in specified serious crimes. It is estimated that supervising daytime release costs only about one-twelfth of the cost of imprisonment, and naturally this system has been a great saving to the taxpayers in North Carolina. Further, this type of release permits the accused to retain his job, social contacts, and provide for his family and thereby often avoids the need of placing the accused's family on welfare.

Custody of a third party: The court is authorized to release a person in the custody of a qualified third party, such as his attorney, minister, employer, relative, or other person or group considered by the court to be a highly responsible citizen, and in whose custody the accused is not likely to flee the jurisdiction or perpetrate another offense. This system, of course, is used frequently in juvenile courts, and harkens back to early English history where the sheriffs released defendants to acceptable third parties.

Reasonable restrictions on association or movement: The court is authorized to prohibit a person from associating with others who might cause the accused to engage in criminal activity or flee the jurisdiction of the court. Further, the court could deny the accused the right to travel beyond a specified area or distance. In this way, the court could maintain a check on the activities and associations of the accused. Such conditions might require the accused to report to specific persons or groups at periodic intervals. Failure to report could be brought to the attention of the court and could thus prevent imminent flight much sooner than possible under the surety bond system.

Other conditions: The court is also authorized to exercise discretion and inventiveness in developing other methods of release that are consistent with our goals of eliminating unnecessary pretrial detention and making criminal justice more efficient.

APPEAL FROM CONDITIONS OF RELEASE

The bill provides any person aggrieved by an order of a judge—except a judge of the U.S. district court, court of appeals, or the Supreme Court—the right to appeal the order to the U.S. district court. An appeal would be determined within 10 days after it is filed. This provision would insure that the release of the accused was carried out in accordance with the law and conforms to the goal of releasing qualified persons prior to trial.

It is also important to note in this connection, that our Federal bail system, in practice, is often used as a punitive weapon or a means of protecting the public from predicted—but as yet unconsummated—offenses. As stressed in the Attorney General's report, such "sub rosa and extra legal uses of bail-setting power are encouraged and made possible by the fact that the great bulk of bail decisions are not subjected to the supervision of appellate courts," ibidem.

These considerations have prompted many commentators on the American bail system to recommend that the present laws providing an absolute right to bail should be discarded, that release should be optional, and that procedures for a prompt review of bail decisions should be developed. It is argued that these modifications would not only be more effective in protecting society from dangerous offenders who can meet financial bail requirements or flee the jurisdiction of the court, but would also provide a more reliable bail system for releasing persons whose community ties qualify them for release. It is my understanding that the law of England permits factors, other than the probable appearance of the accused at trial, to be considered in reaching bail determinations. Yet, the detention rate for comparable crimes is lower in England than it is in the United States.

Admittedly, a temporary detention provision represents a departure from our traditional policy that accused persons should not be detained prior to trial if they can meet bail requirements. It is important at this point, however, to emphasize that the eighth amendment to the United States Constitution, although it prohibits excessive bail, does not appear to confer an absolute right to bail.

The Supreme Court has ruled that the eighth amendment does not accord a right to bail in all cases:

> The bail clause was lifted with slight changes from the English Bill of Rights Act. In England that clause has never been thought to accord a right to bail in all cases, but merely to provide that bail shall not be excessive in those cases where it is proper to grant bail. When this clause was carried over into our Bill of Rights, nothing was said that indicated any different concept. The eighth amendment has not prevented Congress from defining the classes of cases in which bail shall be allowed in this country. Thus in criminal cases bail is not compulsory where the punishment may be death. Indeed, the very language of the amendment fails to say all arrests must be bailable. We think, clearly, here, that the eighth amendment does not require that bail be allowed under the circumstances of these cases.[2]

Similarly, the eighth amendment, has not been held to confer the right to bail in the States—see *Mastrian* v. *Hedman*, 326 F. 2d 708 (8th Cir. 1964).

The historical basis for the claim that persons arrested for a noncapital offense shall be admitted to bail stems in a large part from the Judiciary Act of 1789, which provided that "upon all arrests in criminal cases, bail shall be admitted except where the punishment may be death, in which cases bail is discretionary, depending upon the nature and circumstances of the offense, the evidence, and usages of law."

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[1] Report of the Attorney General's Committee on Poverty and the Administration of Criminal Justice, pp. 78–79.

[2] *Carlson* v. *Landon*, 342 U.S. 524 545–46 (1952).

Today, this policy is reflected in rule 46(a)(1) of the Federal Rules of Criminal Procedure.

A temporary detention provision would appear to be constitutional and would enhance efforts to improve law enforcement and protect the public. Accordingly, when hearings are held in March, it would be helpful to receive the views of persons knowledgeable in the area of bail and the administration of criminal justice on the question of a temporary detention provision coupled with safeguards to protect the person detained. Such a provision would be a rational method of accommodating our goals of protecting society from dangerous persons released on bail and to prevent the accused from fleeing the jurisdiction, with our goals of insuring that qualified persons are not detained.

CREDIT FOR PRETRIAL CONFINEMENT

Another provision of the bill would assure persons convicted of offenses against the United States credit toward their sentence term for time they spent in custody prior to the imposition of sentence by the court. Further, this provision would allow persons credit for pretrial custody against any fine imposed by the court.

Under existing law, credit for pretrial confinement is provided only in cases where the law requires a mandatory minimum sentence. Thus, where the minimum sentence is discretionary, there is no assurance that credit for pretrial confinement will be provided.

POVERTY AND BAIL REFORM

Mr. President, bail reform is particularly appropriate today for another reason—the President has issued an urgent call that poverty be fought on every front. The Congress has responded, and the war on poverty is well underway. Studies by the Subcommittee on Constitutional Rights, and other groups, regarding the administration of criminal justice sharply point up some of the handicaps which the impoverished face in our society. Great strides have been made to erase some of these handicaps. The Criminal Justice Act of 1964, which provides compensated counsel in Federal courts, is one great effort and provisions for in forma pauperis proceedings are another.

In the area of pretrial release, however, the indigent still remains in jail while those whose circumstances are exactly the same—except that they have sufficient funds to post bond—are allowed to go free pending trial. It is time, Mr. President, for Congress to act on this front too.

Mr. President, I ask unanimous consent that the text of this omnibus bail reform bill be included at this point in my remarks, and that it lie on the desk for 10 days to enable other Members of the Senate to cosponsor this measure should they so desire.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and lie on the desk as requested by the Senator from North Carolina.

The bill (S. 1357) to revise existing bail practices in courts of the United States, and for other purposes, introduced by Mr. ERVIN (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Bail Reform Act of 1965".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds—

(1) Federal bail practices are repugnant to the spirit of the Constitution and dilute the basic tenets that a person is presumed innocent until proven guilty by a court of law, and that justice should be equal and accessible to all;

(2) Persons reasonably expected to appear at future proceedings should not be deprived of their liberty solely because of their financial inability to post bail;

(3) Respect for law and order is diminished when the attainment of liberty depends solely upon the financial status of an accused;

(4) Federal bail practices, which rely primarily on financial considerations, inevitably disadvantage persons and families of limited means;

(5) Family and community ties, a job, residence in the community, and the absence of a criminal record, are considerations more likely to assure the appearance of a person than the posting of bail;

(6) The high costs of unnecessary detention impose a severe financial burden on the taxpayers, and deplete public funds which could be better used for other public purposes, and

(7) Accused persons should not be unnecessarily detained and subjected to the influence of persons convicted of crimes and effects of jail life; nor should his family suffer needless public derision and loss of support.

(b) The purpose of this Act is to revise the practices relating to bail to assure that all persons, regardless of their financial status, shall not be needlessly detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

AMENDMENTS TO CHAPTER 207 OF TITLE 18, UNITED STATES CODE

SEC. 3. (a) Chapter 207 of title 18, United States Code, is amended by striking out section 3146 and inserting in lieu thereof the following new sections:

"§ 3146. Release.

"(a) Any person (1) charged with an offense against the United States or with a violation of the District of Columbia Code, (2) convicted and awaiting sentencing for such offense or violation, (3) who has petitioned for a writ of certiorari or filed an appeal, which is not frivolous or dilatory, in connection with such offense or violation, or (4) required as a material witness in connection with a trial for such offense or violation and it is impracticable to secure his appearance by subpoena, shall be released on one or more of the following conditions:

"(1) The execution of a written promise to appear as required.

"(2) The execution of an unsecured appearance bail bond in an amount specified by the judge.

"(3) The execution of an appearance bail bond in an amount specified by the judge, coupled with the deposit in the registry of the court, in cash or other security, of a sum equal to 10 per centum of the amount of bail so fixed, which shall be returned upon the performance of the conditions of release.

"(4) Supervision by a probation officer.

"(5) Return to custody after daylight hours on conditions designated by the judge.

"(6) In the custody of a third person.

"(7) Reasonable restrictions as to associations with persons or movement.

"(8) Any other condition which the judge may reasonably require to insure appearance as required.

"(b)(1) A judge authorizing the release of any person shall issue an appropriate order containing a statement of the evidence upon which his decision is made and the conditions imposed. No such order is required for the execution of a written promise to appear.

"(c) A judge shall inform a person released as provided in this section of the penalties applicable to a failure to comply with the terms of his release with intent to avoid prosecution, service of a sentence, or the giving of testimony, and shall advise him that a warrant for his arrest will be issued for such failure.

"(d) The judge ordering the release of a person on any condition specified in subsection (a) may at any time amend his order to impose additional or different conditions of release. The amended order shall contain a statement of the evidence on which the decision is made.

"(e) Evidence for any order entered pursuant to this section need not be governed by the rules pertaining to the admissibility of evidence in a court of law.

"§ 3147. Appeal from conditions of release.

"(a) Any person aggrieved by an order of a judge, other than a judge of a United States district court or court of appeals, or a Justice of the Supreme Court, imposing or amending conditions of release under section 3146, may appeal from the order to the district court of the United States for the district in which the judge sits.

"(b) The district court shall consider the order in the prior proceeding and, if that order is supported by substantial evidence, as shown by the statement of evidence contained therein, it shall be affirmed. If the order is not supported by substantial evidence, the court may receive additional evidence and order the person released on any of the conditions provided in subsection (a) of section 3146. The evidence considered by the court need not be governed by the rules pertaining to the admissibility of evidence in a court of law.

"(c) An appeal taken under this section shall be determined within ten days of the date on which it was filed.

"§ 3148. Violation of conditions of release.

"(a) Whoever, having been bailed or otherwise released as provided in this chapter, fails to comply with the terms of his release with intent to avoid prosecution, the service of his sentence, or the giving of testimony, shall incur a forfeiture of any security which was given for his bail or release, and (1) if he was bailed or released in connection with a charge of felony, or while awaiting sentencing or pending appeal or certiorari after conviction of any offense, shall be fined not more than $5,000 or imprisoned not more than five years, or both, or (2) if he was released in connection with a charge of committing a misdemeanor, shall be fined not more than the maximum fine provided for such misdemeanors or imprisoned not more than the maximum period provided for such misdemeanor, or both, or (3) if he was released for appearance as a witness, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(b) Nothing in this section shall interfere with or prevent the exercise by any court of its power to punish for contempt.

"§ 3149. Definition.

"As used in sections 3146–3147 of this chapter, the term 'judge' means any person authorized pursuant to section 3041 of this title, or the Federal Rules of Criminal Procedure, to release a person for trial or sentencing in a court of the United States, and, with respect to criminal offenses under the District of Columbia Code, such term shall include any judge of the District of Columbia court of general sessions."

(b) The analysis of chapter 207 of title 18, United States Code, is amended by striking out the last item and inserting in lieu thereof the following:

"3146. Release.

"3147. Appeal from conditions of release.

"3148. Violation of conditions of release.

"3149. Definition."

CREDIT FOR TIME SPENT IN CUSTODY

SEC. 4. The first paragraph of section 3568 of title 18, United States Code, is amended to read as follows:

"The sentence of imprisonment of any person convicted of an offense in any court of the United States shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of such sentence: *Provided*, That the Attorney General shall give any such person credit toward service of his sentence for any days spent in custody in connection with the offense for which sentence was imposed: *Provided further*, That in the case of any person convicted of an offense in any court of the United States who is required to pay a fine, there shall be deducted from the amount of such fine a sum equal to the average cost per day to the United States of detaining any person in custody multiplied by the number of days that such person spent in custody prior to his conviction, and pending certiorari or appeal with respect thereto, for the offense for which such fine was imposed."

TECHNICAL AMENDMENTS

SEC. 5. (a) The first sentence of section 3041 of title 18, United States Code, is amended by striking out "or bailed" and inserting in lieu thereof "or released as provided in chapter 207 of this title".

(b) Section 3141 of such title is amended by striking out all that follows "offenders," and inserting in lieu thereof the following: "but only a court of the United States having original jurisdiction in criminal cases, or a justice or judge thereof, may admit to bail or otherwise release a person charged with an offense punishable by death."

(c) Section 3142 of such title is amended by striking out "and admitted to bail" and inserting in lieu thereof "who is released on the execution of an appearance bail bond with one or more sureties".

(d) Section 3143 of such title is amended by striking out "admitted to bail" and inserting in lieu thereof "released on the execution of an appearance bail bond with one or more sureties".

(e) (1) The heading to chapter 207 of such title is amended by striking out "BAIL" and inserting in lieu thereof "RELEASE".

(2) The table of contents to part II of such title is amended by striking out "207. Bail." and inserting in lieu thereof "207. Release".

DISPOSAL OF SURPLUS FEDERAL PROPERTY TO CERTAIN NONPROFIT ORGANIZATIONS

Mr. CURTIS. Mr. President, I am introducing, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949, to permit disposal of surplus Federal property to nonprofit organizations providing free library services to the blind.

This bill, Mr. President, is identical to one I sponsored in the 88th Congress. It would plug a hole in existing law which provides for transfer of surplus property, free or at a reduced cost, to educational institutions. This law has much merit, because it is important that we make the highest and best use of property no longer required to meet needs of the Federal Government. No better way could be found to use this property than for educational purposes.

However, I believe the law is lacking in one respect. There is no provision for extending its benefits to nonprofit organizations who serve the blind. My bill would remedy this.

There is in Lincoln, Nebr., an organization known as the Christian Record Braille Foundation. For many years this splendid institution has published books in braille, primarily religious in nature and for individuals of all ages.

This Nebraska institution serves many people. Their braille publications go all over the world to serve the blind everywhere. There are other organizations serving the blind which support this effort and regard it eminently worthy of special treatment.

I hope this body will look with favor upon this bill, and I urge its early consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1362) to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus personal property to private nonprofit libraries for the blind, introduced by Mr. CURTIS, was received, read twice by its title, and referred to the Committee on Government Operations.

EXPANSION OF FOREIGN LANGUAGE AND AREA STUDIES IN THE UNIVERSITIES AND SECONDARY SCHOOLS

Mr. PELL. Mr. President, the preeminence of the United States in the field of international affairs is well noted and generally recognized. It is an inescapable fact which carries with it a great responsibility. To meet this responsibility we must make a greater effort in this country to promote an understanding and awareness of the problems faced by other countries. There is no simple approach to this problem, but there are substantial efforts that we can make which will greatly help to meet it. I would like to suggest today one positive step we can take.

The bill I am introducing, which is identical to one introduced by Representative RICHARD T. HANNA, of California, and myself in the past Congress, would greatly expand our programs in the teaching of foreign affairs, language, and area studies. It would authorize the Commissioner of Education, through contracts with universities, State departments of education, and other appropriate agencies, to provide for the establishment and operation of programs in international affairs, language, and area studies. The individuals selected would be trained for oversea employment, or for work in the United States, as teachers and researchers in international affairs, foreign languages, and area studies.

I would suppose that a very small percentage of the teachers in this Nation who teach languages, foreign affairs, or area studies have ever visited the nation of their specialty. But I can imagine the tremendous impact on their teaching if this were made possible. My bill provides for this opportunity.

The bill also takes into account the great need for more advanced training in these fields for our teachers in the secondary school system, and for those who are prospective teachers. And to facilitate this part of the program, the bill authorizes the hiring and travel of foreign scholars who would aid in the instruction of these teachers.

On May 24, 1963, I submitted a statement to the Senate Foreign Relations Committee regarding the establishment of a National Academy of Foreign Affairs. In outlining my concern about this proposal, I stated my belief that we can do the job of better preparing those who represent us abroad by utilizing more fully the existing facilities in our great universities and by better utilizing and expanding the facilities of the Foreign Service Institute.

My bill, which would add a new title to the National Defense Education Act, provides for $10 million for fiscal year 1965 and thereafter such moneys as Congress may deem appropriate. It would channel Federal funds, on a matching basis in some cases, into already established programs in the international studies field and would make possible new programs that are not presently being pursued.

I cannot emphasize how vitally important it is that we expand our breadth of knowledge and training in the fields of foreign languages and studies. My own experiences as a Foreign Service officer and with the International Rescue Committee were aided considerably by the training I received in these fields. But a positive effort to expand this training is important if we are to change the normally insular attitudes of this country to ones which are international in outlook. In this manner, we will both meet our responsibilities in this nuclear age, and provide the basis for continued world leadership.

I am happy to associate myself with the efforts of Representative HANNA who has shown real leadership in this field.

I ask unanimous consent that the text of the bill may be inserted at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1363) to add a new title XII to the National Defense Education Act of 1958, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on Labor and Public

Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new title be added to the National Defense Education Act of 1958 to be known as title XII:

"(a) The Congress finds and declares that the international programs and activities of the United States business community, cultural and educational institutions, and Government have attained a position of primary importance to the national security and the economic and social welfare of the United States. The Congress also finds a new need for competence in foreign languages, and area studies. Further, with the increasing responsibilities inherent to United States free world leadership, these international programs and activities will require continued expansion in scope and improvement in quality, with respect both to the personnel engaged in foreign affairs, and the need of every private citizen to be well informed.

"(b) The national need for people with knowledge in fields related to international affairs is not currently being met, and large-scale efforts will be required to meet the mounting needs of the future. A greater number of students, teachers, businessmen, professional people, and Government officials must be better prepared to deal with the growing challenges and opportunities in the international field. There is also a growing need for a better informed citizenry. It is the purpose of this Act to improve and develop the facilities in institutions of education for the training of students, teachers, and others in the field of international affairs.

"INTERNATIONAL AFFAIRS PROGRAMS

"(a) The Commissioner is authorized to arrange through contracts with institutions of higher education, State departments of education, and other appropriate agencies for the establishment and operation of programs of international affairs, language, and area studies for the training of individuals for—

"(1) oversea employment as administrative or technical personnel in business or Government work;

"(2) work in the United States in international affairs; or

"(3) teaching or research work in international affairs;

"(4) teaching or research in foreign languages and area studies.

Any such program may include necessary language training and guidance and counseling in employment opportunities. Any such arrangement will be on a matching basis with regard to the establishment and operation of the program with respect to which it is made, including the cost of grants to the staff for travel in the foreign areas, regions, or countries with which the subject matter of the field or fields in which they are or will be working is concerned and the cost of travel of foreign scholars and teachers to enable them to teach or assist in teaching in such program and the cost of their return, and shall be made on such conditions as the Commissioner finds necessary to carry out the purposes of this section.

"(b) The Commissioner is also authorized to pay stipends to individuals undergoing advanced training in all studies related to international affairs at any short-term or regular session of any institution of higher education, or of a comparable institution abroad approved for this purpose by the Commissioner, including allowances for dependents and for travel to and from their place of residence, but only upon reasonable assurances that the recipient of such stipends will, on completion of their training, be available for teaching international affairs in an educational institution or for such other service of a public nature as may be permitted in regulations of the Commissioner.

"INTERNATIONAL AFFAIRS INSTITUTES FOR SECONDARY SCHOOL TEACHERS OR PROSPECTIVE TEACHERS

"(a) The Commissioner is authorized to arrange through contracts with institutions of higher education for the establishment and operation of short-term or regular session institutes for teachers in secondary schools in order to give them a broader understanding of international affairs, and to improve their language proficiency. Any such arrangement may cover the cost of the establishment and operation of the institute with respect to which it is made, including the cost of grants to the staff of travel in the foreign areas, regions, or countries with which the subject matter of the field or fields in which they are or will be working is concerned, and the cost of travel of foreign scholars and teachers or prospective teachers to enable them to teach or assist in teaching in such institute and the cost of their return, and shall be made on such conditions as the Commissioner finds necessary to carry out the purposes of this section.

"(b) The Commissioner is authorized to pay stipends to any individual to study in a program assisted under the provisions of this section upon determining that assisting such individual in such studies will promote the purpose of this Act. Stipends under the provisions of this subsection may include allowances for dependents and for travel to and from the place of residence.

"APPROPRIATIONS AUTHORIZED

"There are authorized to be appropriated not to exceed $10,000,000 for the fiscal year ending June 30, 1965, and such amounts as the Congress may deem appropriate to carry out the program authorized by this Act in each succeeding fiscal year."

AMENDMENT TO POSTAL FRAUD STATUTE

Mr. WILLIAMS of New Jersey. Mr. President, as chairman of the subcommittee dealing with frauds against the elderly, I have listened with dismay to many witnesses describe the outrageously deceptive schemes which are perpetrated against many of our older citizens.

Preying on the fears and illnesses of the elderly, these parasites have bilked them out of many millions of dollars. And it is precisely this segment of our population—those in retirement who are living on meager incomes—which can least afford to suffer from such deception and fraud.

The schemes are as varied as the imagination can produce. I have heard about magic potions which will restore man's vitality and sexual prowess, face creams which will make women youthful and beautiful again, electric vibrator machines which will relieve all the ills of age, and hearing aids which will miraculously cure deafness.

Unfortunately, these deceptive schemes cover a wide range of subjects. Starting with the obvious quackery in health products like those I just mentioned, I have read of land sales for retirement "investments" when the land was 90 percent underwater and the seller did not even have full title. I have heard witnesses describe mail-order health insurance companies which not only gave no real benefits but succeeded in inducing the customer to cancel a contract with a legitimate and reliable insurance company.

Then there are the eyeglass companies which solicit business by advertising a fixed price for all comers, or tell the prospective customer how to prescribe and order his own glasses.

All of these schemes have one element in common: and that is that they make full use of the U.S. mails to advance their unsavory businesses. I think this is a disgrace, and the bill I am introducing today is aimed at correcting the evils in the existing legislation which have enabled these defrauders to profit from a service maintained by the U.S. Government.

First, let me make it very clear, that it is not any lack of conscientiousness or vigor on the part of the Post Office Department which has enabled such use of the mails.

On the contrary, Chief Postal Inspector H. B. Montague, in several appearances before the subcommittee, gave convincing evidence of the dedication and hard work of his office. He and his able staff have done everything possible, within the framework of the statute and budget requests, to prosecute every slick operator who uses the mails to defraud naive and unsuspecting victims.

The problem here, quite clearly, lies with the wording of the statute. Under the present statute, the Post Office Department can proceed criminally or civilly against an alleged defrauder. The criminal fraud statute, found at 18 U.S.C. 1301, and the following, provides for fine and/or imprisonment for anyone using the mails for fraudulent schemes or "for obtaining money or property by means of false or fraudulent pretenses, representations, or promises."

Any prosecution brought pursuant to the criminal fraud sections naturally requires the necessary elements of intent to defraud.

However, the Post Office Department can also act administratively against a suspected defrauder and is empowered to intercept mail addressed to persons who are engaged in conducting a "scheme or device" for obtaining money or property through the mails "by means of false or fraudulent pretenses, representations or promises." The intercepted mail is marked "fraudulent" and then returned to the sender.

Chief Postal Inspector Montague testified to the numerous and frustrating experiences which the Department has encountered in attempting to use this section of the statute.

These enforcement difficulties have stemmed from a 1949 Supreme Court case—*Reilly* v. *Pincus,* 338 U.S. 269—which interpreted the term "false or fraudulent pretenses" to mean "intent to defraud".

The Court predicated its conclusion on the common law concept requiring the showing of knowledge or intent whenever anyone is accused of a fraudulent undertaking.

Inspector Montague's direct testimony before the subcommittee succinctly presents the problems posed by Reilly against Pincus for the Department:

> Now we have always been of the view that this type of burden, this requirement, is

> incompatible with the legislative purpose behind the original postal fraud statute.
>
> The intention of the Legislature, as the legislative history would reflect, is that the statute is not of a punitive nature, that is to say not to punish the operator of a scheme, but rather to afford the public the necessary protection in preventing the operator from receiving the remittances from the public and we always felt and we are still of the position that the case of *Reilly* v. *Pincus* was not quite correct in its interpretation of the postal fraud statute, applicable to administrative fraud cases.
>
> The element of this burden of proving intent is not only incongruous with the legislative intention behind the postal fraud statute, but presents many difficulties, both for the postal inspection service as well as the General Counsel's Office.
>
> They are not able to secure for us the necessary evidence to establish this element of intent, and, in turn, that difficulty is further enhanced by the fact that the Post Office Department, strangely enough, does not have subpena power, so we are placed in a position where we have to rely on a prima facie showing. We are acting in the dark. We have no idea of what the possible defenses would be in the event of a hearing.
>
> Very often, the respondent does not testify. Without the subpena power, we can't examine his records. We can't subpena people to testify, then how in heaven's name can we meet the burden of establishing fraudulent intent, without having the proper facilities or legislation to act on?
>
> We have no problem on falsity, on misrepresentations of fact. Our problem is entirely on the element of intent.

Mr. President, I would like to now introduce S. 1364 as an amendment to the administrative section of the postal frauds statute. This amendment would eliminate the requirement of proving intent by deleting the word "fraudulent" from the statute and substituting the word "misleading." Additional precautions are taken by explicitly stating that such pretenses, representations, and promises need not be intentional.

I think that this amendment will substantially further the Post Office Department's efforts to stop the fraudulent and deceptive use of the U.S. mails.

By eliminating the necessity of proving intent to defraud, the Department will regain a powerful weapon against those who seek to prey upon the failings and weaknesses of the elderly, as well as all others in our country who are sent misleading advertising and deceptive offers of sale.

Let me just add that this amendment concerns only the administrative, and not the criminal, section of the fraud statute. So long as a determination is made by the Department that an advertisement is false and misleading as a matter of material fact, this amendment will then allow the Department to stop sending all remittances to that fraudulent advertiser and to return them to the various senders.

In the final analysis, the main point of the administrative fraud statute and this amendment is to protect the sender and the public interest, before money is lost on these shady schemes. The Department's primary concern is protection of the public before hard-earned money is thrown away. It is my belief that this amendment will greatly aid the Department in carrying out that task.

I ask unanimous consent that this bill lie on the table for cosponsors through the close of business on March 11.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 1364) to amend section 4005 of title 39, United States Code, relating to fraudulent, false, or misleading and lottery mail matter, and for other purposes, introduced by Mr. Williams of New Jersey, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

INDEPENDENT SCHOOL BOARD FOR DISTRICT OF COLUMBIA

Mr. DOMINICK. Mr. President, I introduce, for appropriate reference, a bill to create an Independent School Board for the District of Columbia.

I believe that everybody recognizes and agrees that we must upgrade the quantity and quality of education in the District of Columbia. The big question has always been, How do we do this? I see this bill as a useful vehicle in this drive.

The bill would first provide for the creation of a 10-member Independent School Board if approved by a majority of qualified District voters in a referendum. The District Election Board, if the Independent School Board plan were approved, would proceed to set up 10 school electoral districts. Elections would then be held to select the 10 Board members and the present Board of Education would be abolished. The School Board, after being elected, would then be empowered to manage and control the school system of the District and would be an independent agency of the District government.

The School Board would have the following general powers under the bill:

First. To reorganize the school system.

Second. To establish standards of academic achievement for pupils in the school system.

Third. To assign pupils to the schools in school system.

Fourth. To make rules for the use of school buildings and school grounds—subject to rules relating to public meetings adopted by referendum under section 321 of this act.

Fifth. To fix the number and location of schools.

Sixth. To fix the length and dates of the school year.

Seventh. To fill vacant memberships on the School Board in accordance with section 404(b) of this act.

Eighth. To take private property for public use in accordance with section 305 of this act.

Ninth. Subject to any referendum which has been or may be initiated in accordance with section 321, to act upon any question on which such referendum may be initiated.

Tenth. To call a referendum, according to the provisions of section 323 (a) and (b) of this act, on any subject on which it is empowered to act or which it is required to submit to referendum before acting.

The School Board would also have the authority to issue bonds if certain conditions are met.

This plan would be financed in several ways:

First. Approximately $35 million would be made available from the proceeds of the District of Columbia real property tax under the allocation set out in the bill.

Second. One-half of the District of Columbia sales tax would also be allocated to the Board under the bill. This would also amount to approximately $35 million for fiscal 1965.

Third. An allocation would also be made from revenues derived from the District of Columbia personal income tax in the amount of approximately $17 million for fiscal 1965.

In short the bill would provide a total of about $87 million for the School Board in 1965. For this year the total projected expenses for operating expenses and capital outlay for the District of Columbia schools is about $82 million.

Mr. President, I believe that the enactment of this legislation could be a real step forward for education in the District of Columbia. A substantially identical bill was introduced yesterday by Congressman Joel Broyhill of Virginia and others in the House. We are all hopeful of early and favorable consideration by our respective committees for the District of Columbia.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1365) to create an Independent School Board in the District of Columbia, introduced by Mr. Dominick, was received, read twice by its title, and referred to the Committee on the District of Columbia.

PEACE CORPS ACT AMENDMENTS

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes.

The proposed legislation has been requested by the President and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letter from the President, dated February 25, 1965, and a section-by-section analysis.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and section-by-section analysis will be printed in the Record.

The bill (S. 1368) to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 1368

A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1965" and "$115,000,000" and substituting "1966" and "$125,200,000", respectively.

SEC. 2. (a) Section 4(a) of the Peace Corps Act, as amended, which provides for the appointment of the Director and Deputy Director of the Peace Corps, is amended by striking out "and a Deputy Director of the Peace Corps" immediately after "a Director of the Peace Corps" and substituting therefor ", a Deputy Director of the Peace Corps and two Associate Directors of the Peace Corps".

(b) Section 16 of the Peace Corps Act, as amended, which relates to the appointment of persons serving under prior law, is amended by adding immediately after the end thereof a new subsection (c) as follows:

"(c) Any person serving as Associate Director of the Peace Corps for Program Development and Operations or Associate Director of the Peace Corps for Peace Corps Volunteers on the date this subsection becomes law may serve as one of the two Associate Directors of the Peace Corps for whose appointment provision is made in section 4(a) of this Act until the end of the first session of the eighty-ninth Congress, or until the President shall commission him or his successor as such an Associate Director of the Peace Corps, or until his nomination as such an Associate Director is rejected by the Senate, whichever sooner occurs."

(c) Section 303(e) of the Government Employees Salary Reform Act of 1964, which provides for the application of level V of the Federal executive salary schedule established by section 302 of that Act to certain offices and positions, is amended by striking out paragraphs (71) and (72) and inserting in lieu thereof the following new paragraph (71):

"(71) Associate Directors of the Peace Corps (2)."

SEC. 3. Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended as follows:

(a) In subsection (e):

(1) In the first sentence, strike out "and such health examinations and immunization preparatory to their service," and substitute therefor "applicants for enrollment shall receive such health examinations, immunization and dental care preparatory to their service, and former volunteers shall receive such health examinations within six months after termination of their service,".

(2) In the second sentence, strike out ", examinations, and immunization" and strike out "for volunteers".

(b) In the first proviso of subsection (g), strike out "one" and substitute therefor "two" and strike out "in the aggregate".

(c) In subsection (h), immediately after "(5 U.S.C. 73b-5)," insert "the Act of December 23, 1944, chapter 716, section 1, as amended (31 U.S.C. 492a),".

(d) In subsection (k), immediately after "under which volunteers" insert "and, for not to exceed three years following termination of their service, former volunteers".

SEC. 4. In section 6(3) of the Peace Corps Act, as amended, which relates to the provision of health care to the spouses and minor children of volunteer leaders, immediately after "accompanying them" insert ", and a married volunteer's child if born during the volunteer's service,".

SEC. 5. In section 10(a)(3) of the Peace Corps Act, as amended, which relates to acceptance, employment, and transfer of gifts, immediately after "and transfer such" insert "money or".

SEC. 6. In section 13(a) of the Peace Corps Act, as amended, which relates to the employment of experts and consultants, strike out "$75" and substitute therefor "$100".

SEC. 7. In the second sentence of section 15(c) of the Peace Corps Act, as amended, which relates to training of employees, strike out "Such training shall not be considered employment or holding of office under section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), and any" and substitute therefor "Any".

The letter and section-by-section analysis presented by Mr. FULBRIGHT are as follows:

THE WHITE HOUSE,
Washington, February 25, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: It is my pleasure to transmit legislation to authorize the appropriation of $125.2 million for the Peace Corps in fiscal year 1966.

The Peace Corps will, in a few days, reach its fourth anniversary. Since its beginning, on March 1, 1961, the Peace Corps has justified the highest hopes of those who established it. The Congress intended that this new agency would help peoples of interested countries and areas in meeting their needs for trained manpower, and to help promote a better understanding of the American people on the part of the peoples served and a better understanding of other peoples on the part of the American people.

In the early days, the Peace Corps was portrayed by many at home and abroad as an attractive ever-gallant gesture, a token of good will, and the symbol of a friendly America. But the Peace Corps' success has proven to be deeper. The Peace Corps has a fundamental role abroad above and beyond its symbolic value.

A Peace Corps, 10,000 strong, has been working in 46 countries. Volunteers are now in more than 3,000 different locations around the world. In the countryside of the developing world, the most frequently encountered American is a Peace Corps volunteer. In several nations, there are more volunteers than individuals from all other American agencies and services combined.

Our Peace Corps has become important to the worldwide process of developing human resources in building nations. It is helping nations, not by preaching, but by doing, not by words, but by work.

In Africa, the Peace Corps has made an impressive contribution to secondary education. In six African nations, our volunteers make up at least one-third of the degree-holding teachers; they represent 90 percent of the degree-holding teachers in Malawi; they reach 50,000 Nigerian students each day. In these and other Africa countries, they have contributed to a great expansion of the school system—to an increase of tens of thousands of secondary school students.

In India, Peace Corps volunteers are working with Indians to introduce modern commercial poultry production involving improved breeds, poultry care, feeding and market development. Production of eggs and poultry has increased manyfold and these new approaches, at present, are being adopted in new areas of the country.

More than 3,700 volunteers in Latin America are engaged in a continental effort in community development, helping to bring the citizens and governments of 17 nations together in self-help programs.

Community development does not produce dramatic statistics. But it does change people, and people change nations.

This essential ingredient of progress—the expansion of the will and capacity of man—is hard to achieve and more difficult to measure. It is, nonetheless, basic to development. One encouraging measurement of Peace Corps success in this field has been the emergence of responsive, effective community-development agencies in many Latin American countries. In Colombia, the Government's fledgling agency "Accion Communal," which had only a limited plan when the first volunteers arrived in 1961, is now firmly established. It is operating vigorous and effective programs in both isolated rural areas and urban slums. In Peru and Bolivia, volunteers are helping to train personnel for those countries' newly organized development agencies. In the Dominican Republic, the Peace Corps was the energizing force behind that country's "Desarrollo Comunidad." Peace Corps participation in El Salvador's "Educational Brigades" has expanded that program from three experimental areas to 18, covering most of that small but significant country.

The task is indeed vast. But in the Peace Corps, we have found a practical way in which Americans—personally, directly, effectively—can play a valuable part. And in doing so, they are encouraging other peoples to mobilize themselves. Over 1,200 university students are now working in the villages of the Andean highlands in a student Peace Corps, known as Cooperacion Popular Universitaria. In Chile, 1,500 students are using their vacations to build schools. India is planning a Development Corps of 5,000 to 10,000 organized along Peace Corps lines. In Thailand, the Voluntary Rural Development Corps awaits final Cabinet approval before beginning its work.

So the Peace Corps can no longer be viewed as just a feather in our Nation's cap. It is an essential part of our democratic program in meeting our world responsibilities and opportunities. It has become a major instrument for economic and social development. And in learning about nationbuilding, it is providing a corps of dedicated and experienced Americans who, upon their return, will help us continue to strengthen this Nation at home.

The urgent yet prudent requests from host countries for volunteers are growing. There is ample justification and great need to satisfy these requests. To meet these needs we must utilize in the Peace Corps the talents, energy, and enthusiasm of all interested and capable citizens who volunteer in such large numbers.

The requested Peace Corps authorization for fiscal year 1966 is an increase of $21.1 million over the amount appropriated by the Congress for fiscal year 1965. This increase will enable the Peace Corps to expand from a level of 15,000 by the end of August 1965, to 17,000 volunteers by the end of August 1966.

It is my belief, therefore, that a growing Peace Corps of increasing capabilities and effectiveness is essential. Our responsibilities to ourselves, to our country, and to the world require no less.

Sincerely,

LYNDON B. JOHNSON.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED ACT TO AMEND FURTHER THE PEACE CORPS ACT AND FOR OTHER PURPOSES

The proposed act (the "bill") to amend further the Peace Corps Act, as amended ("the act"), has two main purposes. First, it authorizes new appropriations under the general authority in the act for appropriations to carry out the purposes of the act. The bill would accomplish this by striking out the amount and the reference to the fiscal year in that general authorization and substituting the new amount and the new fiscal year. Deletion of the amount and date in the general authorization, of course, has no effect on funds heretofore made available to carry out the purposes or provisions of the act. Second, the bill would effect other amendments to the act. Some of these are of a substantive nature designed to promote more effective and efficient operation of the Peace Corps. Others are clarifying or technical changes.

Section 1: Amends section 3(b) of the act, which relates to authorizations, to authorize the appropriation of $125,200,000 for fiscal year 1966. In 1964, the appropriation of $115 million for fiscal year 1965 was authorized by amendment of this general authority. Subsequently, the President amended the budget of the United States to reduce the funds requested for the Peace Corps to $106,100,000. A total of $104,100,000 was actually appropriated, under the general authorization, to carry out the provisions of the act in fiscal year 1965.

Section 2: Amends section 4(a) of the act, which relates to the appointment of the Director and Deputy Director of the Peace Corps, provides for the continued service of two Associate Directors of the Peace Corps, and amends section 303(e) of the Government Employees Salary Reform Act of 1964 which relates to the compensation of certain offices and positions.

Subsection (a) amends section 4(a) of the act, which provides for the appointment by the President, by and with the advice and consent of the Senate, of the Director and Deputy Director of the Peace Corps, by providing in addition for the appointment, by and with the advice and consent of the Senate, of two Associate Directors of the Peace Corps. These offices are appropriate for Presidential appointment. Such action would be consistent with section 303(e) of the Government Employees Salary Reform Act of 1964.

Sections 303(e) (71) and (72) apply the $26,000 per annum rate of basic compensation of level V of the Federal executive salary schedule to two of the Associate Directors of the Peace Corps. This in effect restored the provision made in section 7(b) of the original act for the compensation of two Peace Corps employees at rates above the highest rate provided for grade 18 of the general schedule but below that provided for the Peace Corps Deputy Director. The Postal Service and Federal Employees Salary Act of 1962 increased the highest rate provided for grade 18 to the rate then generally provided for assistant secretaries under the Federal Executive Pay Act of 1956, as amended, and for the Director of the Peace Corps under section 4(a) of the act. But it did not increase the rates of compensation for assistant secretaries or the Director or Deputy Director of the Peace Corps. There was, therefore, no reason for section 7(b) of the act to continue to provide for the compensation of two persons under the act at rates above those provided for grade 18 but below those provided for the Peace Corps Deputy Director, and the Postal Service Act repealed this provision of section 7(b).

Subsection (b) provides that any person who is serving as the Peace Corps Associate Director for Program Development and Operations or the Peace Corps Associate Director for Peace Corps Volunteers on the date this subsection becomes law may continue so to serve as an Associate Director for whose appointment provision is made in section 4(a) of the act as amended by the bill until the end of the first session of the 89th Congress, or until the President shall commission him or his successor as such an Associate Director of the Peace Corps, or until his nomination as such an Associate Director is rejected by the Senate, whichever sooner occurs.

Subsection (c) amends sections 303(e) (71) and (72) of the Government Employees Salary Reform Act of 1964, which provide for the compensation of a Peace Corps Associate Director for Volunteers and a Peace Corps Associate Director for Program Development and Operations, respectively, to consolidate them into one paragraph (71). Also, as amended, paragraph (71) of section 303(e) would not specifically describe the functions of those two Associate Directors and thus would permit their titles and responsibilities to be changed should the future needs of the Peace Corps require.

Section 3: Amends section 5 of the act, which relates to Peace Corps volunteers, in five respects:

Subsection (a) amends section 5(e) of the act, which authorizes the provision of health care to volunteers during their service and health examinations and immunization to applicants for enrollment preparatory to service, in two respects.

Paragraph (1) amends the first sentence of section 5(e) to authorize the provision to applicants for enrollment of dental care preparatory to their service and to former volunteers of health examinations within 6 months after termination of their service. Nearly 4 years' experience indicates that during a relatively brief training program the provision of dental examinations and limited dental treatment to applicants for enrollment as Peace Corps volunteers is beyond the capacity of most training institutions, thus necessitating delay, disruption of the training program, and in some cases travel expenses. If such dental care could be provided to applicants for enrollment preparatory to their Peace Corps training, as health examinations and immunization may now be, these difficulties would be avoided.

As a matter of policy, the Peace Corps gives comprehensive health examinations overseas to all Peace Corps volunteers as their service comes to an end. It is obviously important to identify any ailments existing at that time, not only so that they may be treated but to protect both volunteers' rights to postservice medical services and benefits under the Federal Employees' Compensation Act and the Government's clear interest in minimizing expenditures for claims presented long after the end of Peace Corps service. The number of Peace Corps physicians overseas is small. The volunteers in any one country are widely dispersed. Therefore, health examinations are difficult to schedule. Facilities are often not wholly adequate. As a result, 2 percent of all volunteers cannot be examined before their service ends, and necessary procedures are omitted from the terminal examinations of another 18 percent of volunteers. Both in the interests of these 20 percent of volunteers and the United States Government, the Peace Corps needs authority to give former volunteers health examinations for a limited period after termination of their service.

Paragraph (2) amends the second sentence of section 5(e) of the act, which authorizes the provision of health care in the facilities of any agency of the U.S. Government, to make that sentence consistent with the first sentence of section 5(e), as it would be amended by the bill, and with section 25(d) of the act. This technical change is designed to make clear that U.S. Government facilities may be used to provide applicants for enrollment preparatory to their Peace Corps service and former volunteers, as well as volunteers themselves, the health care authorized by the first sentence of section 5(e) of the act, as it would be amended by the bill. It is unnecessary to specify the elements of health care inasmuch as under section 25(d) of the act, the term "health care" is defined as broadly as possible and includes examinations, immunization and dental care.

Subsection (b) amends section 5(g) of the act, which relates to the assignment of volunteers, to increase from 100 to 200 the number of volunteers who may be assigned to carry out secretarial or clerical duties on the staffs of Peace Corps representatives abroad, including those of Peace Corps contractor's oversea representatives, and to permit up to that number to be so assigned at any one time. The assignment of 100 volunteer secretaries in the aggregate was authorized on an experimental basis by the 1963 amendments to the act. This experiment in extending the voluntary service principle into the area of oversea administration has proved most successful, as evidenced by the steady increase in requests from Peace Corps representatives overseas for additional volunteer secretaries. The number of applications from persons with secretarial and clerical skills and experience also continues to grow. Increasing to 200 the number of volunteers who at any one time may be assigned overseas to Peace Corps secretarial or clerical duties should meet the needs of the foreseeable future.

Subsection (c) amends section 5(h) of the act, which relates to the laws for the purpose of which volunteers are deemed to be U.S. Government employees, to add thereto the act of December 23, 1944, chapter 716, section 1, as amended (31 U.S.C. 492a). That act authorizes U.S. disbursing officers, for official purposes and for the accommodation of among others U.S. Government civilian personnel, to cash checks and other instruments and to conduct exchange transactions involving U.S. and foreign currencies. Because the act does not now provide that volunteers shall be deemed employees for the purpose of 31 U.S.C. 492a, volunteers generally cannot use U.S. disbursing officers' accommodation exchange facilities. (By virtue of a limited authority in 31 U.S.C. 492a, they may use such facilities if they present checks drawn on the Treasurer of the United States and satisfactory banking facilities are not available.) Enactment of this amendment will make some contribution to the U.S. Government's efforts to reduce gold outflow and increase the utilization of foreign currencies owned by the United States.

Subsection (d) amends section 5(k) of the act, which relates to counseling of volunteers, to authorize the provision of such counseling to former volunteers for not to exceed 3 years after termination of their volunteer service. When section 5(k) was enacted in 1963, the Peace Corps indicated that such counseling would be made available for more than 1 year after termination of a volunteer's service only if the former volunteer had been fulfilling U.S. military service obligations. Experience indicates that more than half of all former volunteers continue their education after Peace Corps service and thus do not seek employment opportunities until some years later. If the purpose of section 5(k) is to be realized, it is important that employment opportunity counseling be available to so substantial a number of former volunteers. A 3-year limitation has been selected because virtually all volunteers who enter military service or continue their studies should have completed such service or studies within that time.

Section 4: Amends section 6(3) of the act, which relates to the provision of health care to the spouses of volunteer leaders and the minor children of volunteer leaders and/or their spouses, to authorize such health care for a married volunteer's child if born during the volunteer's service.

A volunteer, whether married to another volunteer or to a nonvolunteer, who is expecting a child can continue to serve in the Peace Corps if the Peace Corps representative determines that adequate host country medical facilities are available and that continued effective Peace Corps service can be expected from the volunteer. Thus, during the last 4 years married volunteers have become the parents of approximately 30 children. The act, however, does not now authorize the provision of health care to such infants. If the Peace Corps has determined that the continued service of a volunteer who is to become a parent is in the interest of the United States and thus does not terminate his or her Peace Corps service, the Peace Corps should be able to assume an appropriate responsibility for the infant's health care. The expenses of such care, particularly in an emergency, may well be beyond the means of the volunteer. Should a medical or other emergency develop which requires evacuation of an infant, or of an infant and its parents, the extraordinary authorities of section 15(a) or 15(d)(7) of the act could be used by the Director of the Peace Corps to pay for travel and transportation expenses not otherwise authorized.

Section 5: Amends section 10(a)(3) of the act, which relates to the acceptance and employment of gifts of money and property and the transfer of gifts of property, to authorize the transfer of gifts of money when such transfers further the general purposes of the act. From time to time persons and institutions want to give money to the Peace Corps not for expenditure or other employment by the Peace Corps but for transfer to entities with which Peace Corps volunteers are working or which volunteers have helped to create. For example, under the Peace Corps' school-to-school program, school boards and similar organizations in the United States contribute funds to entities with which volunteers are working to assist such entities in self-help school construction projects. This amendment would facilitate such people-to-people efforts. The authority provided by this amendment would be exercised only where the donor specifies that his donation is for transfer by the Peace Corps to an entity with which a volunteer is working or associated.

Section 6: Amends section 13(a) of the act, which relates to the employment of experts and consultants, to increase the maximum compensation which may be paid individuals thereunder from $75 to $100 per day. Similar authority has already been provided for 19 U.S. Government agencies, including all the major regulatory commissions, the Agency for International Development, the U.S. Arms Control and Disarmament Agency, and the Office of Economic Opportunity. This amendment is necessary to restore the historic relationship between the highest compensation which may be paid experts and consultants and the highest rate of Classification Act compensation as increased by the Government Employees Salary Reform Act of 1964 and the Postal Service and Federal Employees Salary Act of 1962.

Section 7: Amends section 15(c) of the act, which relates to training of employees, to strike out the reference to section 2 of the act of July 31, 1894, as amended (5 U.S.C. 62). This provision, which relates to the holding of two offices, was repealed by section 402(a)(7) of the Dual Compensation Act (Public Law 88-448, approved August 19, 1964).

ILLINOIS VALLEY DIVISION, ROGUE RIVER BASIN PROJECT, OREGON

Mr. MORSE. Mr. President, on behalf of my colleague from Oregon [Mrs. NEUBERGER] and myself, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division of the Rogue River Basin project, Oregon.

This project has been under study by the Bureau of Reclamation for a number of years and is based upon an exhaustive analysis by the Regional Director of the Bureau, as set forth in his report of May 1964. On January 21, 1965, the Commissioner of Reclamation reported favorably on the project with the approval of the Secretary of the Interior.

The plan for development of the Illinois Valley division includes the construction of a dam and reservoir, a diversion dam and a system of canals, laterals, drains to distribute water for the irrigation of 12,130 acres of land; 1,110 acres now have a partial supply of irrigation water in the area.

The disastrous floods of December 1964 and January 1965 caused tremendous damage in the Rouge River Basin. These floods constitute very convincing evidence of the importance of flood control projects, including flood control in connection with reclamation dams. It is estimated that the dam to be constructed on Sucker Creek in connection with the Illinois Valley division would be about 50 percent effective in flood control, depending on frequency, severity and time of the year. It would provide flood protection benefits to Cave Junction and Selma, Oreg., as well as to farmlands, roads, bridges, and other improvements. Agnes and Gold Beach, Oreg., would also gain increased flood protection under this project.

The Illinois Valley division has an estimated cost-benefit ratio of 1.95 to 1, although this may be adjusted downward slightly because of possible deletion of benefits created under the area redevelopment program. Even without such benefits, the project has an excellent cost-benefit ratio.

The dam to be constructed at the Sucker Creek site would be an earthfill structure rising to a height of approximately 230 feet above the bed of the stream. The reservoir of the dam would have a surface area of 465 acres and a capacity of 40,000 acre-feet of water. A storage pool of 1,000 acre-feet would assure fishery protection.

A concrete weir across Sucker Creek 2½ miles below the dam would provide diversions for irrigation through north and south canals. The plan for construction includes a fish ladder over the weir and rotary fish screen at the canal headworks.

Agricultural benefits to be derived from this reclamation project include production of feed and forage for livestock, enhancement of dairying, and the production of fruits, nuts, vegetables, and field crops. These agriculture benefits will provide greatly needed diversity and stability for the local economy.

The tentative allocation of construction costs of the Illinois Valley division are the following: Irrigation, $19,707,000; fish and wildlife enhancement, $2,094,000; water quality, $1,323,000; recreation, $251,000; flood control, $224,000; highway improvement, $202,000.

Costs allocated to irrigation would be reimbursable over a 50-year period and those allocated to other functions would be borne by the United States.

Because of the multiple benefits to be derived from this excellent project, the Senate sponsors of this authorization bill urge prompt and favorable action on the project in the Senate Interior Committee and in the Senate.

I ask that the bill be referred and also ask unanimous consent that it be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1374) to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division, Rogue River Basin project, Oregon, and for other purposes, introduced by Mr. MORSE (for himself and Mrs. NEUBERGER), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1374

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of providing irrigation water supplies, flood control, water quality control, highway transportation, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Illinois Valley division, Rogue River Basin project, Oregon. The principal works of the division shall consist of Sucker Creek Dam and Reservoir, diversion and distribution facilities and drainage facilities.

SEC. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of the irrigators to repay shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power from the Rogue River reclamation project to the extent available, and, in the event that such revenues prove to be insufficient, from revenues derived from the disposition of power marketed through the Bonneville Power Administration.

SEC. 3. (a) The Secretary of the Interior is authorized to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the division area such adjacent lands or interests therein as are necessary for present or future public recreation use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of division lands, facilities, and water areas in a manner coordinated with the other division functions. The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, or additional development of division lands or facilities, or to dispose of division lands or facilities to Federal agencies or State or local public bodies by lease, transfer, conveyance, or exchange upon such terms and conditions as will best promote the development and operation of such lands and facilities in the public interest for recreation purposes. The Secretary of Interior is authorized to transfer lands acquired or withdrawn for the unit within or adjacent to exterior national forest boundaries to the Secretary of Agriculture for administration as national forest, and jurisdiction of national forests lands within the unit shall remain with the Secretary of

Agriculture for recreation and other national forest system purposes: *Provided*, That the lands and waters within the flow lines of any reservoir, or otherwise needed or used for the operation of the project, shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. The costs of the division, except as otherwise provided in section 2 hereof, including joint costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation development of water resource projects or to disposition of public lands for recreation purposes.

(b) Costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriated among other division functions.

SEC. 4. Before the works are transferred to an irrigation water users' organization for care, operation, and maintenance, the organization shall have agreed to operate them in such fashion, satisfactory to the Secretary of the Interior, as to achieve the benefits to fish and wildlife and recreation on which the allocations of costs therefor are predicated, and to operate them in accordance with regulations prescribed by the Secretary of the Army to achieve the benefits to flood control on which the allocation of costs therefor is predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

SEC. 5. There is hereby authorized to be appropriated for construction of the works herein authorized the sum of $25,030,600 (January 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the costs of construction as indicated by engineering costs indexes applicable to the type of construction involved therein. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works.

AMENDMENT OF THE NATIONAL ARTS AND CULTURAL DEVELOPMENT ACT OF 1964

Mr. PELL. Mr. President, I introduce, for appropriate reference, a bill designed to amend the National Arts and Cultural Development Act of 1964 with respect to the authorization of appropriations therein.

This bill would simply correct a technical error in Public Law 88-579, which established the National Council on the Arts. The clear intent of this act was to establish the Council on an ongoing basis. In section 6(c), the Chairman of the Council was authorized to receive compensation at the rate of $21,000 per annum. Section 6(b) reads:

> The Chairman shall serve at the pleasure of the President, but not in excess of eight consecutive years, and shall not be eligible for reappointment during the four-year period following the expiration of his last period of service as Chairman.

In addition, section 5(b) states:

> Each member of the Council shall hold office for a term of six years.

These are among the passages in the public law which demonstrate the intent of ongoing activity by the Council.

Inadvertently, however, the modest appropriation section for the Council's highly important work omits the words "per annum." This bill, brief in form, is designed to correct this technical oversight and to allow for an annual appropriation for the National Council on the Arts. Annually the appropriation would not exceed $150,000, the figure the public law stipulates.

This is a companion bill to one introduced in the House of Representatives by Congressman FRANK THOMPSON, JR., from New Jersey, to correct the technical error involved.

I want to make it clear that this bill concerns only existing law and should not be confused with the much more comprehensive measures which we are presently considering before our Senate Special Subcommittee on Arts and Humanities to benefit by means of a national foundation these two broad cultural areas in our national life.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1376) to amend the National Arts and Cultural Development Act of 1964 with respect to the authorization of appropriations therein, introduced by Mr. PELL, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

REVITALIZATION OF THE GOLD MINING INDUSTRY IS ESSENTIAL

Mr. GRUENING. Mr. President, at the last session of Congress I introduced and the Senate Interior and Insular Affairs Committee reported by a unanimous vote a bill to revitalize the gold mining industry of America which received enthusiastic support of the industry and its friends but the usual baffling opposition under both Republican and Democratic administrations of the executive branch of the Government always displayed toward any measure, no matter how widely conceived, to revive a great source of economic wealth. I was joined, as cosponsors, by my colleagues Senator BARTLETT, and Senators BIBLE, KUCHEL, METCALF, and MCGOVERN.

Today, I again introduce the Gold Mine Revitalization Act for renewed consideration by the Congress.

There has been much excitement and a great deal of hand wringing around the world lately over the plight of American gold reserves. Congress enacted a measure, passed by the Senate, against my judgment, less than 2 weeks ago to remove the backing of gold reserves from Federal Reserve deposits as a means of making more gold available for our international commitments. There is one solution which the directors of our national policy seem not to have given thought to in all this discussion. It is so simple I do not know why they have not discovered it. The only way to have more gold reserves is to produce more gold.

That is the solution I propose and the one I think most logical.

It has long been clear more gold cannot be mined unless gold miners are able to earn a living from their work. They cannot do this now because the price of gold remains rigidly at $35 an ounce, the price established 30 years ago—a price not allowing profit to the producer. The only customer of the gold miners is the U.S. Government which set the price a generation ago and which despite the increase in all costs, refuses to change it.

Since there is unchanging opposition to any proposal for raising the price of gold, thus making gold mining a profitable enterprise again, my plan, as embodied in the legislation now introduced again, is to compensate gold miners for the differences between the cost of producing gold and the price. Payments would be limited by a formula providing they cannot exceed, in proportion, the difference between the Consumer Price Index of the U.S. Department of Labor for January 1940 and the cost of living index on the date of payment.

It is my hope that, this time, the executive branch of the Government, the Treasury and Interior Departments in particular, will recognize the essential equity of this proposal and will support the legislation rather than oppose it.

I ask unanimous consent that the text of the bill be included in the RECORD, at the conclusion of these remarks and that the bill lie on the table for 1 week for the addition of cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from Alaska.

The bill (S. 1377) to revitalize the American gold mining industry, introduced by Mr. GRUENING (for himself and Mr. MOSS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, This Act shall be known as the "Gold Mine Revitalization Act of 1965."

SEC. 2. PURPOSE.—(a) For the purpose of aiding and restoring to profitable operation the domestic gold mining industry of the United States the Secretary of the Interior is hereby directed to establish and administer a program to compensate domestic producers of gold for the difference between individual base average costs of production during the fourth quarter of 1939 of currently eligible mines, as determined by the Secretary, and the same or equivalent current costs, similarly determined, of individual operators qualified for assistance under this Act in the fourth quarter of 1963. Where base average costs during the fourth quarter of 1939 are shown to be abnormal because of the occurrence of events beyond the control of the operator, including, but not limited to production stoppages, natural disasters, or unavoidable accidents, such costs shall be reconstructed from the best available data.

(b) In order to assist new domestic gold mining enterprises and stimulate new production, the Secretary is authorized and directed to establish and administer a similar program for mines which have no history of production for the fourth quarter of 1939 nor for the fourth quarter of 1963 by computing a constructive cost of production taking into account production costs of mining gold in the same or adjacent mining districts under similar conditions for said named periods in order to determine the amount of subsidy payments, if any, to which the new mine operator is entitled.

SEC. 3. COSTS OF OPERATION SUBSIDIZED.—Costs of operating domestic gold mines for which differential payments will be allowed shall include—

(a) costs of all labor including clerical, supervisory, management, administrative, and technical;

(b) costs of amortization of capital investment in equipment and construction necessary to efficient operations;

(c) costs of mine rehabilitation;

(d) costs of transportation of mine products, smelter freight, treatment and deductions;

(e) costs of unemployment compensation and fringe benefits;

(f) costs of supplies, materials, and power;

(g) costs of State, county, and city property taxes;

(h) costs of such other expenses as are usual, customary, and normal according to accepted, sound, modern mining practices.

SEC. 4. ELIGIBILITY REQUIREMENTS.—To qualify for cost differential payments under this program, an applicant shall—

(a) make a showing, by application to the Secretary, that for his next fiscal year, commencing after submission of the application, costs of efficient operation are at a level in excess of an amount at which the applicant can anticipate earning a reasonable profit during the period for which application for assistance is made.

(b) demonstrate existence of financial resources and technical capability sufficient to operate profitably, under the conditions by which assistance under this Act is allowed;

(c) agree that, for the period of time for which assistance is received the principal production from the specific mineral property for which application is made shall be gold, and no applicant shall be qualified for assistance under this Act unless the dollar value of gold sold during the period for which payments are made is 50 per centum or more of the total value of all minerals and metals contained in ores and concentrates produced and sold from such specific mineral property: *Provided*, That payments shall be made only for the gold produced in the proportion the nonsubsidized value of the gold produced bears to the value of the total amount of minerals sold from said property.

SEC. 5. AMOUNT OF PAYMENTS ALLOWABLE.—Payments under this Act shall be in such amounts as may be necessary to carry out its purpose, except that—

(a) no such payment shall, in any case, exceed the difference between individual base average costs of production of gold during the fourth quarter of 1939 and the same or equivalent costs in the fourth quarter of 1963:

(b) no differential computed under (a) shall exceed, in proportion, the difference between the Consumer Price Index of the United States Department of Labor for January, 1940, and the cost of living index as of date of application for payment;

SEC. 6. DETERMINATION OF ELIGIBILITY AND NEGOTIATION OF AGREEMENTS.—(a) Producers of gold may apply to the Secretary of the Interior for gold production differential payments under this Act who shall determine (1) the eligibility of the applicant, and (2) amount of payment necessary to enable the applicant to operate at a reasonable profit during the period for which application is made.

(b) Upon determination of eligibility of a producer for payment the Secretary shall enter into a gold production differential payment agreement which shall contain such terms and conditions as the Secretary and the producer shall agree upon, including, but not limited to (1) the manner in which costs shall be ascertained for purposes of making payment; (2) terms and conditions for making payments; (3) conditions under which payments shall be withheld or reduced.

SEC. 7. BOARD OF GOLD DIFFERENTIAL PAYMENTS REVIEW.—(a) There shall be established in the office of the Secretary an independent Board of Review of three members to be appointed by the Secretary, the Chairman to be designated by the Secretary, that shall be responsible for a continuing review of the level of payments under this Act to determine if they are sufficient or in excess of amounts required to accomplish its purposes.

(b) The Secretary shall, by regulation, establish a procedure for review by the Board of Review of applications of producers whose claims are denied, disallowed in part, or reduced. Producers shall have an opportunity to submit reasons in support of their claims before final action of the Secretary.

(c) Members of the Board of Review shall be appointed by the Secretary from among individuals qualified by reason of experience in the mining industry, two of whom shall have had experience in gold mining.

(d) The Board of Review shall be required to meet quarterly. Members shall be paid at the rate of $50 per day for each day services as a Board member are required and shall be reimbursed for actual and necessary travel expenses and per diem in accordance with the Travel Expenses Act of 1949.

SEC. 8. The Secretary of the Interior shall prescribe such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 9. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act, not to exceed an annual amount of $50,000,000.

TO EXPAND THE NATIONAL DRIVER REGISTER SERVICE

Mr. CASE. Mr. President, I introduce, for appropriate reference, the bill to expand the coverage of the National Driver Register Service, which the Department of Commerce has operated since July 1, 1961.

My interest in establishing a national clearinghouse for information on traffic violators was aroused by a highway tragedy in my home State of New Jersey. In the fall of 1959, 11 New Jersey college students and their professor were killed when a tractor-trailer struck the rear of their bus at North Brunswick, N.J. Afterward it was learned that the truck driver had eight previous moving traffic violations on his record and that these offenses had occurred in three different States; none of these States, however, was aware of his total record.

As a result of this terrible accident, I introduced the first bill in the Senate to create a National Driver Register Service which would help the States in their crackdown on serious offenders. The version which the Congress finally enacted, and of which I was a cosponsor, provided more restricted coverage than my original bill intended. Nevertheless, it was a significant step forward in the cause of highway safety.

The law authorizes the Secretary of Commerce to establish a register containing the names of motor vehicle operators whose licenses have been revoked or suspended for either of two reasons—driving while intoxicated and conviction of a traffic violation involving a fatality. To establish a register, the names would be supplied by the motor vehicle agencies in each of the States. New Jersey was the first State to join the Service. Today 48 other States, plus the District of Columbia, Puerto Rico, the Virgin Islands, the Canal Zone, and Guam, participate. As of the latest count, the Driver Register Service file has grown to 614,000 records of individuals whose licenses have been revoked or suspended. The Service conducts an average of 26,000 searches a day at the request of the States. Its biggest day came on January 18 of this year when 84,000 search requests were handled. Helped by electronic computers, the names of those applying for licenses in a particular State can be quickly checked against the central file in Washington. A report goes back to the State within 24 hours.

According to the latest count, the Driver Register Service has made 72,646 identifications since it began operation. The main purpose of the Service is to assist the States in unearthing drivers who attempt to conceal their records.

The Driver Register Service, by itself, does not lift a motor vehicle license. This is up to the State motor vehicle agencies which request its help. Thus, for example, the State of Wyoming reported that in its "immediate past fiscal period, we have denied a Wyoming driver's license to 158 applicants who were under suspension in another State. We would have had no knowledge of such suspension had it not been for the information supplied by the Driver Register Service."

A valuable side feature of the Service is that it acts as a deterrent on traffic violators who would attempt to hide their previous records in applying for drivers' licenses. The story is recounted of the applicant in Arizona who was informed that his driving record would be checked with the National Driver Register Service. He became so concerned that he fled the examination room, only to collide with a plate glass window.

An estimated 54 percent of all revoked licenses are lifted for driving while intoxicated. Convictions involving highway deaths add about two-thirds of 1 percent more, leaving about 45 percent of revoked licenses presently ineligible for inclusion in the national driver register.

In 1964, traffic fatalities rose to a record 47,800. It is estimated that the figure will climb to 51,000 in 1965. Another 1.8 million people, according to the estimates, will be injured in traffic accidents this year. Property damage is expected to add about $3 billion to the mounting toll. An article in the March 1, 1965, issue of U.S. News & World Report concluded, on the basis of talking to experts, that the blame for highway carnage in nearly 98 percent of all accidents is the motorist. The article added:

> From this evidence many authorities conclude that the best hope for a better safety record lies in more driver education, stricter enforcement of traffic rules, and efforts to get the bad drivers off the road and keep them off.

With the traffic toll mounting each year, it is obvious that the need to get the bad drivers off the roads is more urgent than ever. I believe an expansion of the present Driver Register Service would go a long way toward accomplishing this objective. A principal change proposed in my bill would permit the States to send, for inclusion in the register, information on licenses which have been revoked or suspended for a period of 30 days or more, regardless of the reason for taking away the permission to drive the motor vehicle.

Under my bill, agencies of the Federal Government as well as the States could use the service of this national clearinghouse. Thus, any Federal employee, whether civil or military assigned, for example, to drive a truck, could be checked with the Driver Register Service.

The new features I propose would involve only a negligible additional cost in the operation of the Driver Register Service. The machines of the Driver Register Service can handle a substantially larger volume of traffic than has been the case heretofore. I am informed that increased automation and systems improvement have led to a reduction in the cost per search from 17 cents in 1963 to 11 cents last year. There is no charge to the States for the service.

I hope that Congress will give favorable consideration to this bill because it represents a further step forward in the interests of highway safety. We cannot permit the traffic toll to mount because each death or injury represents not only a personal tragedy but also economic loss to the Nation. I ask unanimous consent, Mr. President, to have the text of my bill printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1379) to amend the act approved July 14, 1960, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers, introduced by Mr. CASE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved July 14, 1960 (74 Stat. 526), as amended, is hereby amended to read as follows:

"That the Secretary of Commerce shall establish and maintain a register containing (1) the name of each individual reported to him by a State or political subdivision thereof as an individual with respect to whom such State or subdivision has denied a license or the privilege to operate a motor vehicle, or with respect to whom such State or subdivision has terminated, or withdrawn for a period of thirty days or more, such individual's license or privilege to operate a motor vehicle; and (2) such other information as the Secretary may deem appropriate.

"SEC. 2. The Secretary of Commerce may, at the request of any State or political subdivision thereof, or of any Federal agency, furnish to such State, subdivision, or agency such information with respect to any individual as may be contained in the register established pursuant to the first section of this Act.

"SEC. 3. As used in this Act, the term 'State' includes each of the several States, Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, or any political subdivision of any of the foregoing."

CONTROL OF OBNOXIOUS AQUATIC PLANTS IN NAVIGABLE WATERS

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to provide for the control of obnoxious aquatic plants in navigable and allied waters of the United States.

Section 104 of the Rivers and Harbors Act of 1958, as amended by section 104 of the Rivers and Harbors Act of 1962, authorized a comprehensive project to provide for control and progressive eradication of certain obnoxious aquatic plant growth from our navigable waters, tributary streams, connecting channels and other allied waters, but limited the project to only eight of our States, but not the State of New Jersey. My bill would put the project on a nationwide basis and, of course, include New Jersey.

In recent years, the problem of control and eradication of obnoxious aquatic weeds has spread to many other areas outside the eight States covered by the act. For example, in my own State a prolific growth of aquatic weeds has been occurring in recent years in the Metedeconk River which empties into the northern end of Barnegat Bay. Boat propellers, storm, wind, and tidal action break off this growth and substantial quantities float loose and eventually are deposited on the beaches. Here they decay and produce terrible odors. This is an intolerable nuisance to the residents of the area and visitors.

Although the condition has existed for many years, it has become more severe and has spread to new areas in the last 2 years. Boating interests, which contribute to a substantial degree to the economy of the area, are hampered in not being able to utilize many areas of the river because of the dense growth of weeds.

The cause of the increased growth has not been pinpointed. However, two factors have been suggested as possibly contributing to the problem. One of these is deficient rainfall over the past few years which has caused increased brackishness of the coastal rivers which in turn favors the growth of these marine algae. Another is possible seepage from septic tanks or even the dumping of effluent, treated or otherwise into the river which has increased the fertility—pollution in plain English—level of the water, thus encouraging the weed growth.

In the course of seeking a solution I have discussed the problem with representatives of the Fish and Wildlife Service, Department of the Interior, the Department of Agriculture, Rutgers University's College of Agriculture Experimental Station, and the New Jersey Department of Health, Education, and Welfare. These agencies all indicate that the broadened program which my bill would authorize, is essential to bring these acquatic weeds under permanent control.

This problem is not unique to New Jersey. Similar conditions exist not only in other coastal States but also in lakes and rivers that are in or pass through our landlocked States. All our States have an interest in bringing about a workable and economically feasible solution to this truly national problem. I hope that both the committee to which this bill will be referred, as well as the full Senate, will act favorably upon this measure at an early date.

Mr. President, I ask unanimous consent to have this bill lie on the table for 7 days so that other Senators may join in cosponsoring it, and I further ask unanimous consent that the text of my bill be inserted in the RECORD immediately following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 1380) to provide for the control of obnoxious aquatic plants in navigable and allied waters, introduced by Mr. CASE, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of the River and Harbor Act of 1958 (72 Stat. 297, 300), as amended by section 104 of the River and Harbor Act of 1962 (76 Stat. 1173, 1180), is hereby further amended to read as follows:

"SEC. 104. (a) That there is hereby authorized a comprehensive program to provide for control and progressive eradication of Water Hyacinth, Alligatorweed, Eurasian Water Milfoil, Ulva, Enteromorpha, Polysiphonia, Gracilaria, and other obnoxious aquatic plant growths, from the navigable waters, tributary streams, connecting channels, and other allied waters of the United States, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army, in cooperation with other Federal and State agencies: *Provided,* That local interests agree to hold and save the United States free from claims that may occur from control operations and participate to the extent of 30 per centum of the cost of such operations: *Provided further,* That costs for research and planning undertaken pursuant to the authorities of this section may be borne fully by the Federal Government.

"(b) There are authorized to be appropriated such amounts, not in excess of $5,000,000 annually, as may be necessary to carry out the provisions of this section: *Provided,* That any such funds employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based upon the urgency and need of each area, and the availability of local funds."

MAINTENANCE OF BUILDINGS LEASED FOR PUBLIC PURPOSES

Mr. CASE. Mr. President, I introduce, for appropriate reference, on behalf of myself and the senior Senator from West Virginia [Mr. RANDOLPH], a bill relating to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes.

I ask unanimous consent that this bill be referred to the Committee on Public Works.

I ask unanimous consent that the full text of this bill be inserted in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1381) relating to the construction, modification, alteration, repair, painting, or decorating of buildings leased for public purposes, introduced by Mr. CASE (for himself and Mr. RANDOLPH), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1381

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any executive agency enters into any lease or lease agreement under any provision of law, and such lease or agreement requires or contemplates the construction, modification, alteration, repair, painting, or decoration of any building or other improvement for use for the purposes of any executive agency, there shall be included in that agreement provisions effective to require compliance with the provisions of the Act of March 3, 1931 (46 Stat. 1494), as amended (40 U.S.C. 276 et seq.), by the party or parties entering into such agreement with that executive agency, in the performance of any work incident to such construction, modification, alteration, repair, painting, or decoration.

SEC. 2. As used in this Act, the term "executive agency" means any executive department, and independent office or establishment in the executive branch of the Government (including any wholly owned Government corporation), and the government of the District of Columbia.

SEC. 3. This Act shall be effective with respect to all lease and lease agreements entered into on or after the first day of the third month beginning after the date of enactment of this Act.

AMENDMENTS OF ECONOMIC OPPORTUNITY ACT OF 1964, WITH RESPECT TO WAGES PAID FOR CERTAIN TYPES OF WORK AND CERTAIN POLITICAL ACTIVITIES

Mr. TOWER. Mr. President, I introduce an amendment designed to remove all chance for any Federal poverty volunteers to be utilized either on purpose or by accident for partisan political activity.

And, I also offer a legislative suggestion for solving the critical minimum-wage situation which has troubled local areas during early implementation of the Federal programs.

The partisan politics amendment can be explained very quickly. It develops from an already proposed program under which VISTA volunteers would be used in voter registration efforts.

No one conceived during last year's debate that poverty workers might be used in such political activities. It was never mentioned by either proponents or opponents of the bill, and that is a little strange, because, upon second thought, it seems quite obvious that voter registration is an area in which valuable work might well be done.

But, there are obvious and serious dangers in having a federally financed program operating in a way that could influence election outcomes on both Federal, State, and local levels. And, of course, if voter registration efforts were so organized as to benefit one party or interest group to the disadvantage of another, a grave situation would develop.

Therefore, rather than have the VISTA program tied up in partisan politics and possibly discredited with a resulting total loss of funds already invested, I offer an amendment providing that:

> No workers under the antipoverty law may take part in voter registration or any other politically oriented activity unless local officials of both major political parties have approved the planned project and Members of Congress from the concerned State and its Governor have been notified.

I believe this amendment will preserve the nonpartisan, nondiscriminatory basis of the poverty program, a basis which everyone has assumed was intended. My amendment will merely serve to emphasize that this is a program open to all Americans and for the benefit of all Americans and one that will not intentionally or inadvertently favor one American over another.

There is one other area in which clarification of last year's Economic Opportunities Act is hastily needed. This involves minimum wage regulations that already have operated to curtail the number of enrollees who can benefit from the program.

This minimum wage storm blew up rather quickly because of a belated policy reversal in which the Labor Department apparently has attempted to reinterpret the intent of Congress as expressed in the law.

The law clearly states that pay for National Youth Corps enrollees will be—and I quote the law: "appropriate and reasonable in the light of such factors as the type of work performed, geographical region, and proficiency of the employee."

That, Congres' thought, was clear enough. In fact, the poverty planners subsequently published several guidelines for local groups, stating—and again I quote: "In general, enrollee wages should be a little below the prevailing entry rates for inexperienced workers in similar occupations."

Local planning went ahead on this rather reasonable basis. Temporary work for the enrollees was projected in community service enterprises, such as hospitals, libraries, and playgrounds. This is completely in line with the intent of the act that the boys and girls, largely untrained for any sort of job, were to receive token wages, since they could not qualify for regular pay rates.

But all this was reinterpreted when the Department of Labor decreed, at the urging of national labor organizations, that all poverty law workers must be paid a national minimum wage of $1.25 an hour.

Programs planned in Tennessee, Kentucky, Florida, Virginia, and other places were quickly scrapped or delayed because in most areas of this Nation full-time workers in such community services do not receive that high a wage.

A school superintendent in Paducah summed up the situation, saying:

> Since the salary of many of our custodians, cafeteria workers, and school secretaries—who would be responsible for supervising work of enrollees—is slightly less or not much more than $1.25 per hour, it would be impossible for us to accept this enrollee wage scale.
>
> The sense of values of enrollees would be distorted," the Kentuckian says, since prevailing wage rates in the area for the type of work are much lower, and this "something-for-nothing" philosophy would give the program a black eye similar to past made-work welfare schemes.

Thus, by misinterpreting congressional intent and the letter of the law, Federal poverty administrators have initiated a situation that can have very disturbing effects upon the entire employment condition of affected areas.

My amendment would operate to save many of the enrollee positions now being lost. It would provide that no enrollee wages could be at a rate greater than the prevailing rate for similar work in the affected area. Such prevailing-wage regulations are in effect for other Federal programs, and the principle certainly should apply here.

Mr. President, I ask unanimous consent that the text of my amendments be printed at this point in my remarks, and that they lie at the desk for 1 week for consideration by possible cosponsors.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD and held at the desk, as requested by the Senator from Texas.

The bills, introduced by Mr. TOWER, were received, read twice by their titles, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1382. A bill to amend the Economic Opportunity Act of 1964 with respect to wages paid for certain types of work pursuant to such Act:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Economic Opportunity Act of 1964 is amended by inserting after section 609 a new section as follows:

"WAGE LIMITATION

"SEC. 610. (a) No enrollee or part-time student employee in any youth program pursuant to title I, person receiving work training pursuant to title V or any other person receiving training in a program pursuant to or assisted under this Act, or any volunteer pursuant to section 603, shall be paid wages for work performed as part of a program pursuant to or assisted under this Act in excess of the prevailing wage, as determined by the Secretary of Labor, for such work in the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession, or in the city, town, village, or other civil subdivision of any other State, wherever such work is performed.

"(b) The provisions of the Administrative Procedure Act shall apply to determinations by the Secretary of Labor pursuant to subsection (b)."

SEC. 2. The amendment made by this Act shall apply only with respect to work performed after June 30, 1965.

S. 1383

A bill to amend the Economic Opportunity Act of 1964 with respect to certain political activities thereunder

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Economic Opportunity Act of 1964 is amended by inserting after section 616 a new section as follows:

"POLITICAL ACTIVITIES

"SEC. 617. No part of any funds appropriated or otherwise made available for expenditure under the authority of this Act shall be used to make payments to any individual for, or to assist any individual in any way with respect to, voter registration activities or any other activity with respect to the selection or election of candidates for public office unless—

"(1) at least ninety days prior to such activity notice thereof is given to—

"(A) each Member of the United States Senate and House of Representatives representing the State where such activity will occur,

"(B) the Governor of such State, and

"(C) the county chairman or other appropriate local official of the two major political parties in the area where such activity will occur; and

"(2) each such local official has, prior to such activity, given written approval of such activity to each such Member of the Senate and the House of Representatives, such Governor, and the Director."

PAYMENT IN LIEU OF LOST REVENUES

Mr. SIMPSON. Mr. President, I send to the desk for proper reference on behalf of myself, and Senators FANNIN, BENNETT, JORDAN of Idaho, YOUNG of North Dakota, ALLOTT, THURMOND, SCOTT, and DIRKSEN, a bill which would provide an equitable formula for payments to counties which lose revenues because lands within their territorial jurisdiction, both private and public, are taken for recreational purposes.

For many years Congress has been concerned about the problems created by the loss or lack of a tax base for local-county governments which depend upon real property taxes for their source of income. Even though there have been many studies made and large quantities of materials printed, no real progress has been made in solving these problems of local government except on a piecemeal basis.

Almost without exception some form of legislation is introduced in each Congress which would give to local governments a payment in lieu of the taxes lost because of Federal ownership of land within the county. For various reasons these proposals, as meritorious as they are, have never been given congressional approval.

I feel that some action needs to be taken in this field and am hopeful that the Public Land Law Review Commission, which was created by the 88th Congress, will consider this need and recommend appropriate action. In the meantime, there is an immediate need which can be met by Congress so that local governments will suffer no further damage as a result of Federal action.

Presently the Department of Interior and Congress, with some planning, some wisdom, and some just plain determination, have embarked upon a large program for the acquisition of land to be used for recreational purposes. Under the provision of the Land and Water Conservation Fund Act, the Department of Interior would like to acquire within the next 10 years 1.4 million acres to add to the Nation's recreational areas. Presently the National Park Service manages 26.1 million acres. That means that within the next 10 years the National Park Service will control and manage for recreational purposes 27.5 million acres of land.

None of this land, regardless of whether it was formerly public or private now is a source of revenue for the county governments. Once lands are designated as "recreational lands" the county loses all revenues from those lands—including the real estate taxes, "shared revenues," and the taxes on the personal property which was sustained by the land taken.

Local governments are crippled when their sources of funds are removed. When this happens, the county government must reduce its expenditures and, thus, its services. Consequently, schools, roads, and public health, as well as the other governmental activities, suffer. Those of us in the Federal Government should not tolerate the weakening or destruction of local government by eliminating its revenue-producing sources.

The people from Cape Hatteras to Point Reyes, to Sleeping Bear, and to the Redwoods are worried about their schools, roads, and other county government activities which have been, or will be, threatened by the loss to their county treasuries of revenues—lost because of the conversion of revenue-producing lands to Federal recreational lands. The Nation needs new recreational areas, but in establishing them we should not weaken local governments.

For about 2 years I have been working on a bill which would establish an equitable formula for giving financial support to counties who have their lands taken for recreational purposes. When Congress exercised its wisdom by enacting the National Wildlife Refuge Revenue Act, Public Law 88-523, which protects the county governments from loss of revenues due to Federal conversion of both private and public lands for wildlife refuge purposes, I realized that a justifiable formula and precedent had been established for giving to county governments a payment in lieu of lost revenues.

Using this formula, I have drafted a bill which authorizes the Secretary of Interior to pay to the county governments, in lieu of the payment of taxes on real property removed from the tax rolls for recreational purposes, an amount equal to three-fourths of 1 percent of the cost of the area.

In the case of publicly owned lands converted to recreational purposes, the Secretary shall pay, upon application by the local government, an amount equal to the average annual amount of such revenues received by it for the 10-year period immediately preceding the year in which such property was or is made a part of that system.

By necessity this second part must deviate from the wildlife refuge formula because in the case of recreational lands, there is no revenue, even though previously the land may have been very productive and have been a great source of income to the county.

I believe this bill meets a real need that should be dealt with by the Congress.

I urge the committee to which this bill is referred to give it early consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1387) to authorize the payment to local governments of sums in lieu of taxes and other revenues lost by such governments by reason of certain actions on the part of the United States in conection with recreation, introduced by Mr. SIMPSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

ACQUISITION OF CERTAIN PROPERTY IN PHILADELPHIA, PA., FOR PARK PURPOSES

Mr. CLARK. Mr. President, I introduce for appropriate reference a bill to provide for the purchase of certain property adjoining the Independence National Historical Park in Philadelphia, Pa., for use as a park reception center and parking lot.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1392) to provide for the addition of certain property in Philadelphia, Pa., to Independence National Historical Park, for a park reception center, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. CLARK. Mr. President, the acquisition is essential in order to handle efficiently the millions of visitors who come to the Nation's most hallowed historical site—birthplace of the Declaration of Independence and the Constitution—every year.

The tract, to be acquired at a cost of $9,750,000, is bounded by Chestnut, Walnut, and Second Streets and the proposed Delaware Expressway—Interstate 95.

This location will make it possible for park visitors to drive right off the expressway and into the park without fighting their way through city traffic. After their car or bus has parked, visitors would find most of the tourist, rest, and refreshment services they require before going out into the park.

In addition to Independence Hall, the park includes: Carpenter's Hall, first meeting place of the Continental Congress, Old City Hall, where the Supreme Court convened, the Hall of the American Philosophical Society, and the First and Second Banks of the United States. Nearby are the dozens of other historical sites of old Philadelphia.

"ELDERCARE" NO: "MEDICARE" YES

Mr. YOUNG of Ohio. Mr. President, the American Medical Association maintains the most powerful and "spendingest" lobby in Washington. Now the small clique of political doctors who control the AMA house of delegates have come forward with a program they and their high-priced public relations men term "eldercare." It could well be termed "elderscare." They are trying to foist that program on the American people, seeking to defeat the administration King-Anderson bill, which would provide hospital and nursing home insurance for our elderly under social security coverage.

The American Medical Association is now spending many thousands of dollars in television, radio and newspaper advertisements trying to defeat the most important protection offered to our Nation's 18 million elderly men and women since the time the social security insurance system was enacted into law back in 1935 and became the most beneficent legislative enactment for the welfare of the American people in all American history.

Mr. President, I am happy that 30 years ago, when I was in the other body as a Representative at Large from Ohio, I cast my vote in favor of the social security system, which the political doctors of the American Medical Association then termed "state socialism." Those doctors now term the so-called medicare program of the present administration "socialized medicine," or a step toward socialized medicine. Of course, they are as wrong in terming medicare a step toward socialized medicine as they were in terming our social security system, enacted under President Franklin D. Roosevelt in 1935, "state socialism."

Where would the American people have been without that law? Think of the distressful situation of our country during those three recession periods of the Eisenhower administration. Where would they have been except for social security and the payments that came in every month to the beneficiaries of the social security system? Those recessions would have become great, deep and sorrowful depressions. No one today seriously questions the need for our social security system or its importance in promoting economic and social stability. The charge of socialism against the administration's medicare proposal is as empty, meaningless, and vicious today, as it was against social security 30 years ago.

When the Federal Government steps in to provide insurance for the aged against catastrophic illness, it will not be moving in where private industry can do the job. To the contrary, it will be assuming responsibility in an area where private industry cannot offer the needed protection.

A marked difference between eldercare, so called, sponsored by the political doctors of the AMA, and the King-Anderson bill is that if Congress enacts the administration bill into law, as we fervently believe it will before July of the present year, it would be financed by a social security payroll tax. If the political doctors, on the other hand, were to prevail, all taxpayers in our country would pay to support eldercare, as the funds to finance it would come from general revenues.

The AMA's eldercare program, so called, would provide Federal grants to the States to be matched by State funds. Most States do not participate in the Kerr-Mills program which already exists.

My State of Ohio does not participate in that program. Not one elderly or needy person in my State has received one cent of benefit by reason of the enactment of the Kerr-Mills bill into law. I am happy that I voted against the enactment of that bill. The States that have not taken action to implement the Kerr-Mills bill can hardly be expected to appropriate the even greater sums required to finance this product of the public relations men employed by the political doctors of the AMA. Those who live in States which would not participate in the eldercare program, so called, would receive no benefits at all. Furthermore, it would exclude aged beneficiaries if their incomes were above certain specified minimums set by the States in which they live.

Also in some States elderly men and women would be required to deed real estate they may own, convey insurance policies, and hand over their meager savings—even a modest plot of ground or a modest home—to the State authority in order to receive benefits. In the State of Ohio that is what is required of our elderly men and women now if they wish to receive aid from our welfare authorities. The AMA scheme would authorize a wide range of benefits, but the actual benefits would be determined by the State and be limited by the availability of State matching funds.

The requirement of the bill that both institutional and noninstitutional care be covered could be met in some States with the provision for 1 hospital day and 1 physician visit per year.

Another "catch" and big difference between the two programs is that the AMA eldercare program, as it is called, would provide that taxpayers' money would go to the doctors, toward the payment of doctors' medical bills. The AMA political doctors are looking after the doctors. And yet those same political doctors have the effrontery at times to term the King-Anderson bill, which does not provide for the payment of doctors' bills, as a step toward socialized medicine, or socialized medicine. Of course, they would deny that their plan is a step toward socialized medicine although their plan specifically provides that taxpayers' money would go directly to the doctor.

I am certain that the administration program will be enacted into law. The wage base to support hospital and nursing home benefits for the elderly would be increased to $5,600.

Our social security system, despite what the political doctors continue to say to us, will continue to be an actuarially sound insurance system. The correct name of our social security system is the old-age and survivor's disability insurance system. Its surplus at the present time exceeds $21.5 billion. Our 18 million elderly in their final years will have the assurance of hospital care for 60 days; 60 days of nursing home care following discharge from the hospital; up to 240 home visits by nurses for a year; and outpatient diagnostic services. These provisions are included in the administration's so-called medicare bill.

In my judgment, the wage or earnings base for our social security system should be increased to $6,000 per year. Doing this would, of course, result in an increase in checks to beneficiaries who have retired or who have become disabled and to the widows and children of men and women covered by social security. I want our social security system to become universal. I want it to apply to all employed and all self-employed. Furthermore it is my hope that following a lifetime of productive work, men and women upon retirement will receive much more than a mere pittance.

Hospital costs have increased astronomically. They are the most burdensome to our elderly. Many married couples have beheld the savings set aside for educating their children swept away to provide hospital and nursing care for an elderly parent or in-law. The tragedy of necessary hospital care afflicts those over 65 five times more than for the young and middle aged. Furthermore, with the passage of the King-Anderson bill—the administration's so-called medicare bill—many of our elderly having the assurance of hospital and nursing home care protection could for the first time afford to pay premiums each month to provide insurance to cover doctors' services and drugs.

It has been estimated that millions of our elderly, not covered by social security, who are in needy circumstances and dependent upon the kindness and charity of relatives, who now need hospitalization or nursing home care or outpatient hospital treatment, are deprived of this need unless relatives seek public welfare aid and, in some States, prove that they and also the afflicted elderly relative are without financial resources to contribute to the maintenance of the elderly relative. I may add that the average age of these men and women is now in the late seventies, and in the period of but a comparatively few years all of our elderly men and women will have social security coverage for which they have paid premiums during their working years.

This 11th-hour proposal of the AMA will and should be defeated. Surely it is much easier on the pocketbook to pay payroll taxes during the productive working years of men and women for benefits they receive when incomes may be small or nonexistent because of advanced age or disability. The AMA would have doctors paid directly from the Public Treasury. They term this "eldercare." They should term it "doctorcare." Others might term it "socialized medicine." Still others may term it "a raid on the Public Treasury." Under this system, the medical profession, now the best paid of all professional men and women in the country, with a much higher per capita average than lawyers, dentists, undertakers, and other professions, would be the first to benefit. Needy men and women would receive secondary consideration under this so-called eldercare proposal now proposed by the AMA. It is noteworthy that the American Nurses Association, with a membership larger than the AMA, supports the administration medicare bill.

Furthermore, many physicians and surgeons throughout the Nation favor the administration proposal for hospital and nursing home care for the elderly and are now, as they always have been, far ahead of the reactionary leaders of the American Medical Association, that little group called the house of delegates, that runs the organization. Many physicians and surgeons have written to me and spoken with me—as they have with other Senators—urging my support for the King-Anderson bill. They have described case after case of elderly persons for whom they are unable to prescribe adequate hospital and nursing home care because of their financial circumstances or those of their families.

Mr. President, in addition to an adequate hospital and nursing home care plan for our older citizens, other vital improvements are needed in our social security system. This Nation can no longer afford to handicap its elderly with inadequate benefits while, at the same time, confining them to an unrealistic, unfair, and unnecessary earning limitation. At the present time social security recipients may not earn more than $1,350 per year without suffering equivalent deductions from their social security benefits.

The present limitation imposes a cruel financial burden on people still able to work after 65 and denies them a right which they have earned by their own contributions into the social security fund. It is reasonable to look forward to dramatic new breakthroughs in the search for cures for cancer and heart disease that will push higher and higher the life expectancy of Americans. Men and women of 65 and 70 and 75 will—and many now do—have the ability to participate in gainful employment after retirement.

It is unfair to bar these men and women from receiving social security retirement payments for which they have paid premiums during their more active years. This can be remedied at no cost whatsoever to taxpayers by increasing the earning limitations.

Therefore, Mr. President, I introduce for appropriate reference a bill which would amend the Social Security Act, increasing the earning limitation to $3,000 a year. I ask that the bill be received and appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1393) to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. YOUNG of Ohio, was received, read twice by its title, and referred to the Committee on Finance.

HEARINGS FOR TRAIN DISCONTINUANCE

Mr. HARTKE. Mr. President, I submit today a bill to amend section 13a of the Interstate Commerce Act with respect to the discontinuance or change in passenger train or ferry service.

Two years ago, on March 21, 1963, I introduced a bill, S. 1161 of the 88th Congress, to repeal outright section 13a. The bill I offer today is based on the same needs, but rather than completely repeal the section, it undertakes to modify the procedures under the Interstate Commerce Commission rather than to return jurisdiction to the States as repeal would do.

Since passage of the Interstate Commerce Act amendment of 1958, hundreds of trains have been discontinued as a result of the application of section 13a. It was enacted to provide a means by which railroads could secure discontinuance of trains for which there was no longer a need, but which, so they said, was being made impossible by denial of permission from State agencies. But in providing the 13a procedures, as time has well proved, the public has not been adequately protected from discontinuances. These have been permitted without the holding of public hearings, or if they are held, with the burden of proof falling upon the ill-prepared protesting public to prove that continuance will not be an unfair burden.

It is this burden of proof, and the fact that under present law the carriers but not the public may appeal to the courts, which has given this section its unfair slant against the public interest. My proposed bill will reverse this process and place the burden of proof upon the applicant railroad or ferry.

Under the procedures specified in this proposal, any carrier seeking discontinuance or change in interstate service must apply to the Interstate Commerce Commission for a certificate authorizing the change. The Commission may issue the certificate only after full hearing, and upon findings, first, that public convenience and necessity require the change, and second, that to continue without the change will "constitute an unjust and undue burden upon the interstate operations" involved. Governors of the affected States will be notified at least 30 days in advance of the required hearings. The Commission is authorized to attach its own stipulations as to conditions or terms which it finds needed for public convenience or necessity, while changes made without observance of the certification and hearing procedure may be enjoined and punished.

This, I believe, will remedy the conditions I sought to correct by my previous bill, but it will do so without abolishing, but only by tightening, the Interstate Commerce Commission control of train discontinuance to make much more certain that action which is taken is done in the public interest.

Let me restate the defects which I noted 2 years ago, which I hope by these means to correct. Section 13a at present permits: First, discontinuance by mere posting of a notice, unless the Commission decides on a hearing; second, denial of public appeal to the courts, while preserving it for the carriers; third, placing the burden of proof on the public for refutation, rather than on the roads for justification. These faults will be corrected by my bill, and a procedure much more careful of the public interest will be the result.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1394) to amend section 13a of the Interstate Commerce Act with respect to the discontinuance or change of certain operations or services of trains and ferries, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Commerce.

PATRIOTIC EDUCATION WEEK

Mr. CASE. Mr. President, I introduce, for appropriate reference, a joint resolution designating the 8-day period beginning on the 12th day of October of each year as "Patriotic Education Week." This resolution would authorize and request the President to issue an annual proclamation inviting the American people to observe Patriotic Education Week in schools and other suitable places, with appropriate ceremonies and activities.

The period of time designated—October 12 or Columbus Day through the anniversary of the British surrender to our Revolutionary Forces at Yorktown—seems a particularly well-chosen time in which to promote interest in the important historical events of our Nation's past, to stimulate a greater awareness of our proud past and to encourage the American people to achieve a future of which our descendants will be equally proud.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 57) to designate the 12th of October of each year as "Patriotic Education Week," introduced by Mr. CASE, was received, read twice by its title, and referred to the Committee on the Judiciary.

A PROPOSED CONSTITUTIONAL AMENDMENT TO MODERNIZE NATIONAL ELECTORAL PROCEDURES

Mr. BAYH. Mr. President, I introduce today a proposed constitutional amendment designed to modernize national electoral procedures.

This resolution embodies proposals for electoral reform which have been urged by President Johnson in a special message to the Congress. An identical measure has been introduced in the House of Representatives by House Judiciary Committee Chairman EMANUEL CELLER, Democrat, of New York.

The proposed amendment would eliminate the electoral college as it is now constituted. States would continue to cast the electoral votes to which they are entitled. But the electoral vote of a State would be required to be cast for the candidates for President and Vice President who receive the greater number of popular votes in that State. The existing system permits electors to cast their votes as they choose—although for the most part, electors vote according to the mandate of the majority in their States.

The proposal sets up a system by which the responsible State officials would simply transmit to the Congress the popular vote for each candidate for President and Vice President and the number of electoral votes cast for the candidates receiving the greatest number of popular votes.

Another innovation would be the procedure for electing a President and Vice President in the event no candidate received a majority of electoral votes. Presently, the House of Representatives would elect the President and the Senate would elect the Vice President. In the House, the votes would be cast by States—with each State having one vote.

Under the proposed amendment, the Senate and House would meet in joint session to choose from the three persons having the highest number of electoral votes for President or Vice President. Each Member of the House and Senate would have one vote. There would be no balloting by States.

Finally, the proposal would provide that if the President-elect has died between election day and the time for counting electoral votes, the Vice President-elect would be entitled to be elected President. Presently, there is no provision to protect the Nation against the possibility that a President-elect could die before the electoral votes are validated.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 58) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on the Judiciary.

SELECT COMMITTEE ON CONSUMERS

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Oregon [Mrs. NEUBERGER], and 17 other Senators I send to the desk a resolution to establish a Select Consumers Committee to give the American consumer a voice in the Congress.

Cosponsoring the resolution are Senators BARTLETT, BURDICK, CASE, DOUGLAS, GRUENING, INOUYE, LONG of Missouri, MCINTYRE, MCGEE, METCALF, MONDALE, MORSE, MOSS, PROUTY, RANDOLPH, SCOTT, and YARBOROUGH.

In February 1964, President Johnson issued his American consumer message, suggested legislation to protect the consumer, created a President's Committee on Consumer Interests, and appointed a Special Assistant for Consumer Affairs. While this was necessary action by the executive branch, it does not give the consumer a forum in the Congress analgous to the forums available to businessmen, to the farmer, to the labor leader or other groups.

I feel that only a congressional committee can adequately represent the fact that ours is a consumer economy. Legislation handled by a variety of standing committees affects the interests of consumers in, for example, consumer frauds, quality, prices, and productivity. Yet there is no single forum in which the consumers' interests in all such legislation can be adequately taken into consideration in a comprehensive way, just as the Small Business Committee represents comprehensively the problems of the small business community.

Nothing has occurred since the creation of the President's Committee to change my view that a congressional committee is vitally needed. I strongly urge the Senate to take the same view and support this measure.

The bipartisan committee would be directed to study and investigate the nature and extent of economic problems of direct concern to U.S. consumers, determine the effectiveness of existing Federal agencies in dealing with consumer problems, and recommend what, if any, additional legislation might be needed to safeguard, protect, and advance consumer interests generally. The committee, which would be patterned after the Select Committee on Small Business, would hold hearings and provide a forum for consumer interests in the Senate.

I ask unanimous consent that there may be printed in the RECORD at this point a statement by the AFL–CIO Executive Council on Consumer Legislation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON CONSUMER LEGISLATION, BAL HARBOUR, FLA., MARCH 1, 1965

The executive council of the AFL–CIO is hopeful that the 89th Congress will produce a significant advance in the enactment of needed legislation in behalf of the American consuming public. Bills dealing with a number of consumer issues have already been introduced and others will be presented in the near future. We believe the time is ripe for action on these issues, many of which are of long standing and have been thoroughly explored by the committees of the Congress.

The AFL–CIO represents its membership not only with respect to their interests as workers in the job market, but is also well aware of their problems as buyers for millions of households in consumer markets. Organized workers, like the rest of the consuming public, have a right to expect that the goods they buy will be fairly priced, safe to use, and adequately and honestly described.

In particular, we call for prompt action to:

1. Enact a "truth in lending" bill, which will require lenders to disclose to consumers the cost of the credit extended to them, both the dollar cost and the true percentage annual interest rate.

2. Enact a "truth in packaging" bill to stop deceptive labeling and packaging of consumer products and to establish ground rules on reasonable standards for weights and measures in packaged products.

3. Suppress the shameful bootleg market in "pep pills" and "goof balls" and other mind-affecting drugs that cause hazards to individuals and the general public.

4. Close the loopholes in the Food, Drug and Cosmetics Act, especially those which allow cosmetics on the market that have not been pretested for safety and which permit the sale of untested healing devices—useless or dangerous or both.

5. Require Federal inspection of all meat for safety and wholesomeness, whether or not the meat moves in interstate commerce.

6. Establish Federal safety standards for automobile tires.

7. Enable the Federal Trade Commission to put a quick stop to misleading advertising and other abuses by authorizing the Commission to issue temporary "cease and desist orders," pending the outcome of its frequently lengthy proceedings against offenders.

We reiterate our opposition to enactment of any Federal resale price maintenance law, under whatever label it may be offered, whether "fair trade," "quality stabilization," or other imaginative slogan. Such a law, which would allow manufacturers to fix the price at which their branded or trademarked products may be sold by wholesalers and retailers, would discourage or suppress price competition and result in high prices to consumers.

We ask that the issue of excessive prices for prescription drugs, largely dormant since the death of Senator Estes Kefauver, be reopened in the present Congress.

We also commend the Federal Power Commission for having made possible the reduction of more than $600 million annually in the cost of natural gas service to American consumers.

It is our view that the machinery for consumer representation in the Federal Government continues to be inadequate. We favor a statutory provision for such representation in the executive branch and the establishment of Select Committees on Consumer Affairs in the House and Senate.

We call upon both the Congress and the administration to give vigorous support to these legislative objectives in behalf of the consuming public.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 84) was referred to the Committee on Banking and Currency, as follows:

S. RES. 84

Resolved, That (a) there is hereby established a select committee of the Senate to be known as the Select Committee on Consumers (referred to hereinafter as the "committee") consisting of seventeen Members of the Senate, of whom eleven shall be members of the majority party and six shall be members of the minority party. Members and the chairman thereof shall be selected as soon as may be practicable after the date of adoption of this resolution, and at the beginning of each Congress commencing thereafter, in the same manner as members and chairmen of standing committees of the Senate are selected. Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(b) The committee shall adopt rules of procedure not inconsistent with the rules of the Senate governing standing committees of the Senate, and from time to time may establish such subcommittees thereof as it may determine to be required for the performance of its duties. A majority of the members of the committee, or any subcommittee thereof, shall constitute a quorum thereof for the transaction of business, except that such committee or subcommittee may fix a lesser number thereof as a quorum for the purpose of taking sworn testimony.

(c) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate.

SEC. 2. (a) It shall be the duty of the committee to conduct a continuing comprehensive study and investigation with respect to—

(1) the nature and extent of economic problems of consumers within the United States;

(2) the extent to which authority heretofore conferred by law upon executive, administrative, and regulatory agencies of the United States provides effective means for the solution of consumers' problems; and

(3) the nature of any additional legislative or other measures necessary or desirable for the solution of such problems.

(b) The committee shall report to the Senate from time to time the results of its studies and investigations, together with its recommendations for any additional legislative or other measures which it may determine to be necessary or desirable for the solution of economic problems of consumers.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to (1) hold such hearings; (2) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (3) require, by subpena or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (4) administer such oaths; (5) take such testimony either orally or by deposition; and (6) employ and fix the compensation of such technical, clerical, and other assistants and consultants as it deems advisable, except that the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1949, as amended, for comparable duties.

(b) With the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, the committee, or any duly authorized subcommittee thereof, may utilize the services, information, and facilities of any such department or agency, and may employ on a reimbursable basis the services of such personnel of any such department or agency, as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee determines that such action is necessary and appropriate.

SEC. 4. Until an appropriation is made for the payment of the expenses of the committee, such expenses, in an amount not to exceed $, may be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mrs. NEUBERGER. Mr. President, the role of the Government in consumer affairs was well expressed in President Kennedy's 1962 special message on protecting the consumer interest. The President suggested that consumers naturally expect the Federal Government to assume responsibility for protecting certain basic rights which are theirs: the right to safety, the right to be informed, the right to choose, and the right to be heard. Consumer issues now before the 89th Congress fall neatly into those same categories.

In the realm of safety, it is hoped that the inspection and testing authority of the Food and Drug Administration will be clarified, and perhaps extended. For example, over-the-counter drugs and cosmetics should be required to be proved safe before being marketed, and therapeutic and diagnostic devices should be proved effective before being marketed. The safety and quality standards of automobile tires are under investigation, and increased interest is being shown in automotive design, thanks to the efforts of the junior Senator from Wisconsin and the junior Senator from Connecticut. Meat and poultry inspection needs to be expanded as provided in S. 663, which I introduced earlier this year, for consumers continue to eat meat and fowl which have not been adequately inspected for disease or wholesomeness.

The right to be informed will and should receive a good deal of attention. The new truth-in-packaging bill of the junior Senator from Michigan, which I was pleased to cosponsor, has this year been referred to the Committee on Commerce, on which we both serve. If hearings are scheduled, they are sure to provide one of the more interesting sideshows in Washington. Another attempt will be made to pass credit-information proposed legislation, which unfortunately has been languishing in the Senate for several years now, thanks to the militant opposition of the businesses which profit most from the status quo. The right to be informed about the health hazards of cigarette smoking will also be tested in this Congress, the issues being warning statements on labels and advertising. The Commerce Committee, under the able leadership of the senior Senator from Washington, has just announced that public hearings will be held on S. 547 and S. 559, beginning March 22.

The American consumer is also entitled to a choice in price paid and quality selected. For this reason, the results of the investigation, now being conducted by the Food Marketing Commission, to study farm prices and consumer costs will receive close attention. The senior Senator from Wyoming deserves great credit for the leadership he demonstrated in the creation of the Commission, on which he so ably serves. Several major agricultural bills come up for review this year, and Congress will want to take a careful look at the continued expenditure of tax money for commodity price-supports and storage. Farmers must be allowed a fair return on their investment, but the consumers, particularly those on fixed incomes, have an equal right to be cost conscious.

This brings us to the right to be heard. This right received a boost with the creation of the Consumer Advisory Council and the subsequent appointment of Esther Peterson as Special Assistant to the President for Consumer Affairs. But more needs to be done. I have joined the champion of the consumer, the junior Senator from Michigan, in sponsoring a bill to establish, within the executive branch of the Government, an Office of Consumers, to present the viewpoint of the consumer in the formulation of administration policy and to represent the interests of consumers in proceedings before courts and regulatory agencies.

But nowhere has there been any systematic, coordinated, continuous legislative scrutiny of consumer needs. For every instance of the successful passage of consumer-oriented legislation, there are a dozen instances of neglect of consumers or the dominance of pressure groups inimical to the consumer. A select committee on consumers would bring the heat of informed public opinion to bear on the standing committees, stimulating them to do a better job in protecting the consumer. A consumer committee would be able to inspect proposed legislation solely from the consumer viewpoint, and would be in a position to articulate that viewpoint to the Congress and the Nation.

Today, I have been joined by the senior Senator from New York and 17 other Senators in sponsoring a resolution to establish a Select Committee on Consumers. The Senator from New York has long been in the forefront of the battle to give the consumer an even break in the marketplace, for not only has he been a consistent supporter of this proposed legislation during his congressional career, but his tenure as attorney general of the Empire State was notable for his vigorous consumer orientation. The growing list of sponsors of this resolution proudly wear the tag of "consumer spokesman," and I am grateful for their support and encouragement.

The resolution charges the Select Committee on Consumers to conduct a continuing comprehensive study and investigation of:

First. The nature and extent of economic problems of consumers within the United States.

Second. The extent to which authority heretofore conferred by law upon executive, administrative, and regulatory agencies of the United States provides effective means for the solution of consumers' problems.

Third. The nature of any additional legislative or other measures necessary or desirable for the solution of such problems.

Notwithstanding the numerous alphabetical agencies established for this purpose, none contains the word "consumer" as an aid to the public. We in the Congress are familiar with the terms ICC, FPC, FDA, FCC, SEC, and many others which are consumer agencies. The housewife who feels that she has been put upon does not know that those agencies were established for her protection.

I think it worth while that a Consumer Committee be established to educate and discuss consumer problems.

AUTHORITY FOR COMMITTEE ON FOREIGN RELATIONS TO FILE REPORT DURING ADJOURNMENT—INDIVIDUAL VIEWS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the Committee on Foreign Relations be authorized to file a report on H.R. 2998, a bill to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations. The Committee on Foreign Relations ordered this bill reported favorably to the Senate on March 3, with an amendment.

I also ask unanimous consent to file individual views to be printed with the report.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. Tydings in the chair). Pursuant to Public Law 301 of the 78th Congress, the Chair, on behalf of the Vice President, announces the appointment of the Senator from New Jersey [Mr. Williams] to the Board of Visitors to the Merchant Marine Academy.

REPORT ON MANAGEMENT OF AUTOMATIC DATA PROCESSING IN THE FEDERAL GOVERNMENT (S. DOC. NO. 15)

Mr. McCLELLAN. Mr. President, the President of the United States has submitted to the Congress a report to the President by the Director of the Bureau of the Budget on the management of automatic data processing in the Federal Government, which has been referred to the Committee on Government Operations for consideration. The report contains a number of recommendations for legislative action, along the general lines of a bill, H.R. 5171, which was approved by the House of Representatives and referred to the committee during the 88th Congress.

In view of the interest that has been manifested in this report and in the proposed legislation, I ask unanimous consent that the report be printed as a Senate document for use by the Committee on Government Operations, and other committees of the Congress which have an interest in ADP procurement, operations and management.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES, ETC., DURING ADJOURNMENT FOLLOWING TODAY'S SESSION

Mr. HARTKE. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session until March 8 the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives; that committees be authorized to file reports; and that the Vice President or President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. CASE. Mr. President, on behalf of the Senator from California [Mr. Kuchel], I ask unanimous consent that, at its next printing, the name of the Senator from Arizona [Mr. Fannin] be added as a cosponsor of the bill (S. 22) to promote a more adequate national program of water research.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that the distinguished Senator from Nevada [Mr. Cannon] and the Senator from Idaho [Mr. Jordan] be added as cosponsors of S. 602, a bill to amend the Small Reclamation Projects Act of 1956, and that the names be listed in the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that at the next printing of S. 948 and S. 1165 the name of the Senator from Maryland [Mr. Tydings] be added as cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Delaware [Mr. Boggs], I ask unanimous consent that at the next printing of the bill (S. 969) to amend title 38, United States Code, so as to require the Administrator of the Veterans' Affairs to give 6 months' advance public notice of the planned closing or relocation of any veterans facility, and to provide for at least one veterans service center in each State, and for other purposes, the names of Senators Williams of Delaware, Bartlett, Cooper, and Muskie be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the name of the junior Senator from New Jersey [Mr. Williams] may be added as a cosponsor to my bill, S. 1091, to provide a program of marine exploration and development of the resources of the Continental Shelf, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, at its next printing, I ask unanimous consent that the name of the junior Senator from Colorado [Mr. Dominick] be added as a cosponsor of the bill (S. 1098) to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 1160) to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes, the name of the junior Senator from Maryland [Mr. Tydings] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that the senior Senator from Colorado [Mr. Allott], and the junior Senator from Texas [Mr. Tower] be added as cosponsors of the bill (S. 1276) to amend the Federal Crop Insurance Act, as amended, so as to permit the Federal Crop Insurance Corporation to continue to make insurance available to farmers in high-risk counties or areas, and for other purposes, and that their names be listed in the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from Texas [Mr. Yarborough] be added as a cosponsor of the bill (S. 1140) to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I also ask unanimous consent that, at its next printing, the name of the Senator from Idaho [Mr. Jordan] be added as a cosponsor of the bill (S. 1184) to provide for judicial review of certain actions of the Secretary of Health, Education, and Welfare concerning public assistance programs established pursuant to title I, IV, X, XIV, or XVI of the Social Security Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, on February 11 I introduced a bill, S. 1124, to extend child benefits under social security from the age of 18 to the age of 22, provided the child during that period continued to be a student. I was later joined by Senator Pell as a cosponsor by unanimous consent. I now request unanimous consent that the name of the distinguished Senator from West Virginia [Mr. Randolph] may also be added, so that his name may appear as a cosponsor at the next printing of the bill. I am happy to have this further support from my esteemed colleague.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEMPORARY RELEASE OF CERTAIN COPPER FROM THE NATIONAL STOCKPILE TO DOMESTIC PRODUCERS—ADDITIONAL COSPONSOR OF BILL

Mr. PELL. Mr. President, I ask unanimous consent that at its next printing my name be added as a cosponsor of S. 296, authorizing the temporary release of 100,000 short tons of copper from the national stockpile to domestic producers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, this is a measure of great importance to the economy of my State. Many of our industries have felt the adverse effects of the short supply of copper in the commercial market and I have received many appeals for assistance in securing release of the metal from the national stockpile.

S. 296, which was introduced by the distinguished Senator from Montana would release a significant supply of copper on a temporary basis. I note with interest that the Federal stockpile inventory for December 1964, released by the Joint Committee on Reduction of Nonessential Federal Expenditures, reports that there is an excess of 320,483 short tons of copper now in the stockpile over and above our stockpile objectives. I realize that these stockpile objectives are now being reviewed to determine national needs in the event of nuclear attack and that the copper objectives may well be raised. It seems to me, however, that the temporary release of 100,000 short tons will leave us a reasonable margin of safety while relieving our domestic industries of a critical shortage.

I am delighted to note that the Senate subcommittee on the national stockpile is holding hearings on this and related measures and I congratulate the majority leader and the distinguished Senator from Missouri for their prompt attention to this critical matter.

In conclusion, Mr. President, I ask unanimous consent that a list of major industrial users of copper in my State be printed in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list, presented by Mr. Pell, is as follows:

Rhode Island Copper Wire Mills

The Cresent Co., Inc., Pawtucket, R.I.
Royal Electric Corp., Pawtucket, R.I.
Royal Electric Corp., Woonsocket, R.I.
American Insulated Wire Corp., Pawtucket, R.I.
Cable Electric Products, Inc., Providence, R.I.
Leviton Manufacturing Co., Warwick, R.I.
Collyer Insulated Wire Co., Lincoln, R.I.
The Ansonia Wire & Cable Co., Cumberland, R.I.
Miller Electric Co., Woonsocket, R.I.
Victor Electric Wire & Cable Corp., Coventry, R.I.
Kennecott Wire & Cable Co., Phillipsdale, R.I.
Narragansett Wire Co., Pawtucket, R.I.
Rhode Island Insulated Wire Co., Inc., Cranston, R.I.
Kaiser Aluminum & Chemical Corp., Bristol, R.I.
Standard Wire Co., Providence, R.I.
United Wire & Supply Corp., Providence, R.I.

ADDITIONAL COSPONSORS OF BILLS AND AMENDMENTS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and amendments:

Authority of February 24, 1965:

S. 1272. A bill to amend title 23 of the United States Code to increase to 60,000 miles the total mileage of the National System of Interstate and Defense Highways: Mr. Long of Missouri.

S. 1276. A bill to amend the Federal Crop Insurance Act, as amended, so as to permit the Federal Crop Insurance Corporation to continue to make insurance available to farmers in high-risk counties or areas, and for other purposes: Mr Long of Missouri, Mr. Montoya, and Mr. Yarborough.

Authority of February 17, 1965:

Amendment No. 28, intended to be proposed by Mr. Fong, to the bill (S. 812) to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation: Mr. Inouye.

Authority of February 18, 1965:

Amendment No. 34, intended to be proposed by Mr. Gruening, to the bill (S. 812) to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation: Mr. Bartlett, Mr. Inouye, Mr. Mondale, and Mr. Yarborough.

Amendment No. 35, intended to be proposed by Mr. Gruening, to Senate bill 812, supra: Mr. Bartlett, Mr. Clark, Mr. Inouye, Mr. Mondale, and Mr. Yarborough.

NOTICE OF HEARINGS ON PROPOSED ASSATEAGUE ISLAND NATIONAL SEASHORE

Mr. BIBLE. Mr. President, because of the intense interest shown in the proposed Assateague Island National Seashore, I am happy to announce that I have scheduled hearings before the Parks and Recreation Subcommittee for March 17, 18, and 19 on two measures.

The first bill, S. 20, introduced by Senator Brewster, for himself and 15 cosponsors, deals with the area in the State of Maryland. Senator Robertson's bill, S. 1121, would enlarge the provisions of the proposal by making provision for facilities in the State of Virginia as well as providing for the protection of the Chincoteague ponies.

Because of the large number of people interested in the bill the hearing will be held in the auditorium of the new Senate Office Building, room G–308, at 10 a.m. on the days indicated.

NOTICE OF HEARINGS ON NOMINATIONS OF EDWARD ALLEN TAMM, TO BE U.S. CIRCUIT JUDGE FOR DISTRICT OF COLUMBIA CIRCUIT; AND HOWARD F. CORCORAN, TO BE U.S. DISTRICT JUDGE FOR DISTRICT OF COLUMBIA

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Thursday, March 11, 1965, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations: Edward Allen Tamm, of the District of Columbia, to be U.S. circuit judge, District of Columbia circuit, vice Walter M. Bastian, retiring; Howard F. Corcoran, of Maryland, to be U.S. district judge for the District of Columbia, vice Charles F. McLaughlin, retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. Eastland], chairman; the Senator from South Carolina [Mr. Johnston], the Senator from Arkansas [Mr. McClellan], and the Senator from Nebraska [Mr. Hruska].

SUBCOMMITTEE ON EMPLOYMENT AND RETIREMENT INCOMES HOLDS IMPORTANT HEARINGS ON POSSIBLE EXTENSION OF PRIVATE PENSION PLAN COVERAGE

Mr. RANDOLPH. Mr. President, millions of Americans are intensely interested in the possibilities for extending private pension plan coverage. These pension plans are making an important contribution to retirement incomes of America's senior citizens. Such plans provide almost $2¾ billion a year in benefits to nearly 2½ million beneficiaries. Significant as this source of income is, it represents only a minor fraction of total incomes received by America's elderly, and recipients of these benefits constitute only a small percentage of the 18 million Americans over 65. Thus, it appears that through wise Federal statutes, administrative actions, and policies regarding private pension plans, the Government can encourage improved and expanded coverage for millions of older Americans. In this way, significant additional financial resources could be made available to sustain our Nation's elderly in retirement.

Even under present procedures, it is estimated that the next 15 years will bring a substantial increase in the number of pension recipients, in the number covered, and in the total of private pension dollars disbursed. The President's Committee on Corporate Pension Funds and Other Private Retirement and Welfare Programs, in its recent report, estimated that by 1980 the number of employees covered will increase from the present 25 million—50 percent of the nonagricultural work force—to 42 million—60 percent of the work force. That group also indicated that the number of beneficiaries will increase from 2½ million to 6½ million, while benefit payments will rise from the present $2¾ billion per annum to $9 billion per annum. Impressive as these totals are, it must be borne in mind that they indicate that at the end of the next 15 years, 40 percent of the nonagricultural work force will be without private pension coverage. Less than half of those persons over 65 in 1980 will actually be receiving private pension benefits.

In order to explore these matters more fully the Subcommittee on Employment and Retirement Incomes, of the Senate Special Committee on Aging, is currently holding hearings on "Extending Pension Plan Coverage." Hearings will be held March 4, 5, and 10. It is my responsibility and privilege to serve as chairman of this subcommittee.

In these hearings, the subcommittee hopes to identify those persons who are not now under private pension coverage and those who are not expected to be covered in 1980. We will receive recommendations from organizations of employers and workers, government departments and agencies, and others knowledgeable in this field. We solicit comments as to what Federal laws, administrative actions, and policies could result in improved coverage for the maximum number of this hard-to-cover group.

One aspect of this inquiry concerns the extent of coverage of the self-employed and their employees in the smaller business and professional units. The subcommittee will welcome testimony on the effect of the "Self-Employed Individuals Tax Retirement Act of 1962" (H.R. 10) in bringing such individuals under private pension coverage.

There were two recommendations in the report of the President's Committee which the Subcommittee on Employment and Retirement Incomes would wish to explore from the standpoint of their effect upon extending coverage. The first is the recommendation to eliminate the option which qualified retirement plans now have to cover only salaried or clerical employees, unless there is a showing of special circumstances. The second, to reduce from 5 years to 3 the maximum period for which coverage of any employee can be deferred by qualified plans.

I am hopeful that these hearings will help to create wider understanding of the needs of both the employer and employee with respect to extending private pension plan coverage. Throughout, our goal will remain the building of a better life for older Americans.

NOMINATION OF JOHN W. MACY, JR., TO BE CHAIRMAN OF U.S. CIVIL SERVICE COMMISSION

Mr. JOHNSTON. Mr. President, as in executive session, I am pleased to report to the Senate that the Committee on Post Office and Civil Service has approved unanimously by acclamation President Johnson's nomination of Mr. John W. Macy, Jr., to be Chairman of the Civil Service Commission for a 6-year term.

A public hearing on his nomination was held on March 2, 1965, at which Mr. Macy's remarkable achievements—since his appointment as Chairman of the Commission by the late President Kennedy in 1961—were publicly noted by committee members. The two distinguished Senators from Mr. Macy's home State of Connecticut appeared to add emphasis to the unanimous expressions of high esteem in which he is so widely held.

I joined in praising Mr. Macy. I heartily concur in the view expressed several times at the committee's hearing that the Federal service is fortunate in having a man of his proven ability to serve in this key position of heavy responsibility.

Members of the committee and their staffs must work closely with the Civil Service Commission. Mr. Macy, his fellow Commissioners, and employees of the Commission are unfailingly courteous, prompt and, above all, intelligent and straightforward in working with us.

One of Mr. Macy's most noteworthy attainments, I feel, was through his unstinting and effective work on the Federal Employees Salary Act of 1964. He devoted himself without reservation for long hours to assisting the Congress in whatever way possible in our efforts to enact a measure which was equitable and comprehensive. He was then, and continues to be, particularly active and effective in his efforts to advance the principle of pay comparability expressed as congressional policy in 1962.

During his 4-year tenure, Mr. Macy through his own efforts has focused much-needed attention upon the quest for quality in the Federal Service. I believe he is motivated by recognition of the fact that the Federal Government must enlist the services of men and women of the highest caliber. Federal employees, as I know through my association with them over the years, are devoted, loyal, and efficient public servants. Efforts such as Mr. Macy's to find more effective recruitment and retention procedures will help to maintain the high quality which now prevails.

I believe President Johnson recognizes Mr. Macy's achievements in this field. He has been designated by the President to assist in the selection and recruitment of key officials in the present administration. This duty is in addition to his responsibilities as Commission Chairman.

I commend John Macy to the Senate, and I trust his nomination will be speedily confirmed.

In view of the fact that his term of office has run out I ask unanimous consent that the Senate proceed immediately to the consideration of his nomination.

The PRESIDING OFFICER (Mr. McIntyre in the chair). Without objection the nomination will be stated.

The legislative clerk read the nomination of John W. Macy, Jr., to be U.S. Civil Service Commissioner.

The PRESIDING OFFICER. Without objection the nomination is confirmed.

Without objection the President will be immediately notified of the confirmation of the nomination.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 4, 1965, he presented to the President of the United States the enrolled bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

OVERPLANTING IN ACREAGE ALLOTMENT OF RICE AND COTTON

Mr. WILLIAMS of Delaware. Mr. President, it appears that the Department of Agriculture is trying to cover up a major scandal wherein there has been large scale overplanting in the acreage allotment of rice and cotton in the Arkansas area.

In making this charge I am not referring to the numerous violations involving a few acres or fractions of acres. Many of these violations could be unintentional errors.

But overplantings involving a hundred or more acres cannot be brushed aside as errors. Furthermore, it is inconceivable that such large-scale violations could have happened without involving Government officials.

In any event, large-scale violations did occur, and I am not satisfied with the refusal of the Department of Agriculture to cooperate in exposing those responsible for this racket on the flimsy excuse that the Department of Justice is examining the case.

It is the Congress which passes these laws and makes the appropriations to pay for the agriculture subsidies. Congress not only has the right but also has the responsibility to determine how these programs are being administered. We have a right to know; first, to what extent laws have been violated; second, what large planters have been violating these laws; and, third, what Government officials are responsible either through collusion or stupidity.

With cotton and rice both being supported at highly profitable levels these acreage allotments are valuable. Farmers, in order to be eligible for these high price supports, have agreed to keep their planted acreage within their allotments.

When these agreements are wilfully violated and hundreds of additional acres planted, the Government's losses can run into hundreds of thousands, or even millions, of dollars.

For the past several weeks I have been trying to get information from the Department as to the extent of this loss, but the Department of Agriculture refuses to cooperate. They insist on covering up these irregularities by saying the Department of Justice will examine their reports.

At this point I ask unanimous consent to have printed in the Congressional Record my letter of February 4, 1965, as addressed to Mr. Lester P. Condon, Inspector General of the Department of Agriculture, followed by his reply of February 18, 1965.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., February 4, 1965.

Mr. Lester P. Condon,
Inspector General, U.S. Department of Agriculture, Washington, D.C.

Dear Mr. Condon: This is in reference to your letter of January 25, 1965, concerning the investigations which the Department is conducting on the cotton and rice plantings in the Arkansas area.

In this connection there are five audit reports which I would like either to see or to have a summary thereof:

1. Report dated June 30, 1964, designated as the "Woodruff County Report." With this report I would like to have the names and positions of the various employees involved, along with notations as to the action taken and the present status.

2. Report dated December 30, 1964, designated as the "St. Francis County Report." This report deals with large overplantings.

3. Report dated January 14, 1965, designated as the "Craighead County Report." This report deals with a number of cases of substantial overplantings.

4. The "Craighead Rice Milling Co. Report." This report deals with overplanting by this company and was issued along with the "Craighead County Report."

5. Report dated January 12, 1965, designated as the "Swan Lake Plantation Co. Report." This report concerns a company in Jackson County.

Yours sincerely,
John J. Williams.

U.S. Department of Agriculture,
Washington, D.C., February 18, 1965.

Hon. John J. Williams,
U.S. Senate, New Senate Office Building, Washington, D.C.

Dear Senator Williams: This refers to your letter of February 4, 1965, in which you request information concerning the investigations which this Department is conducting on the cotton and rice planting in the Arkansas area.

As you know, all of our investigation reports in this matter either have been or will be furnished to the Department of Justice for consideration of possible criminal and/or civil action. Thus, premature release of information in these investigation reports could greatly prejudice future legal actions by the Department of Justice. Such premature release could also impair administrative action by this Department. During these and all other investigations we have a duty to protect sources of information and the innocence of those who are falsely accused. To make available these reports where they might be made public would not be in keeping with this responsibility. Therefore, I must respectfully decline to make the requested information available to you.

I appreciate your concern in this matter and can assure you that appropriate action is being taken by this Department to resolve all irregularities disclosed by the investigations. As I stated in my January 25, 1965, letter to you we would be glad to add to the scope of our review any particular items which you believe should be explored.

Sincerely yours,

LESTER P. CONDON,
Inspector General.

Mr. WILLIAMS of Delaware. This is not the first example of a coverup by the Department of Agriculture.

Only recently in New York City the president of a packing firm was indicted for selling tainted meat. In this case seven inspectors of the U.S. Department of Agriculture refused to waive immunity when asked to testify before the grand jury. Seven weeks later the men were still inspecting meat for the U.S. Department of Agriculture. Their supervisors see nothing wrong in their claiming immunity.

At this point I read into the RECORD this article as appearing in the March 1, 1965, issue of Barron's in which they comment on the meat inspectors:

> Beef export is the latest fancy of Agriculture Secretary Orville L. Freeman, but the quality of his staff may prove an obstacle to any such effort. In New York City, where the president of a defunct packing firm has been indicted for selling tainted meat, seven inspectors of the U.S. Department of Agriculture refused to waive immunity when asked to testify before the grand jury. Seven weeks later the men still were inspecting meat for the USDA, and their superior saw nothing wrong in their actions.

As another example of the Department of Agriculture's lack of concern in spending the taxpayers' money , I cite the manner in which they allowed the cotton storage program to be abused.

Producers of cotton in the arid areas of Arizona, Texas, and California discovered that by shipping their cotton to the southeastern area of the country, where it is more humid, they could make a substantial profit as the result of the increased weight. Laboratory figures show that on an average this cotton, which had been produced in the dry area, gained from 8 to 11 pounds per bale after 14 days of storage along the coast, and after 42 days of storage in a humid area the weight gains ranged from 12 to 15 pounds per bale. Likewise, the cotton in the southeastern area was eligible for higher support loans.

With the Department of Agriculture paying approximately 30 cents per pound under the support program, this gave an extra profit of from $3 to $4 per bale.

I quote from the Comptroller General's report:

> The gross weight of a bale of cotton is affected by surrounding humidity conditions. Consequently, the loan value of a bale of cotton from a relatively dry growing area will be increased if the bale is stored in a more humid location before being placed under loan. According to tests conducted by the College of Agriculture of the University of Arizona, bales of Arizona-growth cotton stored in a laboratory at a relative humidity of 65 percent and a temperature of 70° F. gained from about 8 to 11 pounds after 14 days of storage. After 42 days of storage in the laboratory, the weight gains ranged from about 12 to 15 pounds a bale.

By what line of reasoning could the Department of Agriculture justify paying 30 cents per pound for extra moisture absorbed by cotton that was deliberately moved from an arid area into a humid area? Not only did the Department pay for the extra weight, but they absorbed some of the extra transportation and storage costs.

Based on a report compiled by the Comptroller General it is estimated that on the cases examined these unnecessary movements of cotton resulted in additional expenditures by the Commodity Credit Corporation of $882,600 as of December 31, 1963.

In addition, extra storage and interest costs of $31,500 per month were being paid as the result of this cross-country transfer.

After the Comptroller General had documented this irregular movement of cotton the Department of Agriculture acknowledged the error and made its usual promise that it would try to see that it did not happen again.

In this instance around a million dollars was spent unnecessarily under the cotton support program, not 1 dime of which went to the farmers.

At this point I ask unanimous consent that the letter explaining this transaction accompanying the Comptroller General's report (No. B-114824) of September 1964, be printed in the RECORD.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., September 4, 1964.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: Herewith are three copies of our report to the Congress on an opportunity for reducing Federal expenditures and effecting savings under the cotton price-support program of the Commodity Credit Corporation, Department of Agriculture, by deterring the movement of cotton over long distances prior to its placement under price-support loan.

Pursuant to your request dated April 2, 1963, we have examined into certain aspects of movements of 1962-crop cotton by some agents of producers from areas of growth in Western States to higher price-support areas in Southeastern States where the cotton was pledged as collateral for nonrecourse loans under the Commodity Credit Corporation's cotton price-support program. On the basis of our examination, we have estimated that these movements resulted in net additional expenditures of $882,600 to the Corporation, as of December 31, 1963, of which $256,900 will not be recovered and represents increased costs to the Corporation. In addition, the Corporation was precluded from obtaining potential benefits which we estimate had a monetary value of about $309,300. Thus, as of December 31, 1963, the Corporation had incurred estimated losses totaling $566,200 as a result of these movements. Also, the salability of some of the western-growth cotton acquired in the Southeast by the Corporation may have been impaired. Pending the sale of such cotton which was unsold at December 31, 1963, the Corporation was incurring additional storage and interest expenses of about $31,500 a month. Partial dispositions of this cotton would reduce the additional storage and interest expenses.

Under the price-support program for 1962-crop cotton, 196,883 bales of cotton grown in Arizona, California, and west Texas were moved by producers or their agents to warehouses in Georgia and the Carolinas where the cotton was placed under loan at the higher loan rates prevailing in the Southeast. Of the bales thus moved, producers or their agents redeemed 22,321 bales from loan, and upon expiration of the loan period on July 31, 1963, the Commodity Credit Corporation acquired the balance of 174,562 bales. We examined into such movements of cotton made by certain producers' agents who shipped almost all the bales of western-growth cotton acquired by the Corporation.

Some of the western-growth cotton was moved to warehouses in the Southeast which were owned by or otherwise affiliated with the producers' agents who generated the movements. As a result, these warehouses benefited from the storage of Commodity Credit Corporation cotton which the Corporation normally would not have moved to the Southeast because of the additional costs involved in such movements and the limited sales potential of western-growth cotton stored in that area.

Among the purposes cited by the producers' agents for the movement of the western-growth cotton were certain claimed benefits to the producers and the agents resulting from concessions made by southeastern warehouses, such as waivers of receiving charges, cash rebates on cotton received for storage, and advance payments of compression charges to agent-affiliated gins. In addition, the producers' agents stated that producers benefited from additional price support paid by the Commodity Credit Corporation as a result of weight gains on the cotton moved from the dry western-growth areas to the humid southeastern locations.

In commenting on our proposals aimed at accomplishing reductions in Federal expenditures and effecting savings under the cotton price-support program without adversely affecting the accomplishment of the program objectives, the Department of Agriculture stated in a letter to us dated July 17, 1964, that it recognized that inventories of cotton in the southeastern part of the United States were perhaps larger than they should be, due in part to cotton which had been shipped in from other areas and placed under loan, and that it had been concerned about this situation for several months. The Department advised us that, beginning with the 1964 cotton crop, price-support loan rates were revised so that the transportation costs for moving cotton to the southeastern area would be greater than the difference in the loan rates and, therefore, the full cost of transportation would not be recovered by the producer on such movements. The Department believes that this action should tend to discourage such movement of cotton.

We question whether the Department's action to date constitutes a sufficient deterrent to effectively discourage the movement of cotton over long distances prior to placement under price-support loan to the disadvantage of the Government. It appears that such action will serve only to reduce the advantages previously realized by those involved in such movements. The additional price support received by producers as a result of weight gains averaging 9 pounds a bale in the movements to the Southeast covered by our review would more than offset the loss in transportation costs involved in the movements. Furthermore, other benefits resulting from the movements of cotton to the Southeast as set forth in this report would provide additional incentives to producers or their agents for making such movements of cotton.

As a result of the movements of cotton discussed in this report, which are permitted under the cotton price-support regulations, the Commodity Credit Corporation not only incurred additional costs in acquiring and managing its cotton but was precluded from storing the cotton at locations which it considered more advantageous from the standpoint of marketability of the cotton and economy of operations. Although the cotton movements herein involved may have been beneficial to certain producers and to the producers' agents involved, we believe that the Corporation should not be put to additional expense or suffer loss of potential monetary benefits for purposes which we believe were not among those for which the price-support program was established. Therefore, it appears that more stringent actions are required to effectively discourage or preclude such movements.

We are recommending that, in order to help reduce Federal expenditures and effect savings under the cotton price-support program without adversely affecting the accomplishment of program objectives, the Executive Vice President of the Commodity Credit Corporation take the necessary action to amend the cotton price-support regulations, as soon as practicable, to either restrict the eligibility of cotton for price-support loans to designated geographic areas adjacent to the areas of growth or make it economically infeasible for producers or their agents to transport cotton over long distances prior to placing the cotton under loan to the disadvantage of the Government.

Sincerely yours,

R. F. Keller,
Acting Comptroller General of the United States.

EDITORIAL COMMENT ON WORK OF COMMITTEE ON RULES AND ADMINISTRATION

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the body of the Record, five editorials commenting on the complete failure of the Senate Rules Committee to conduct an impartial investigation of the Bobby Baker case.

These editorials very ably express my own disgust with their obvious attempt to whitewash this case.

The first is an editorial which appeared in today's issue of the New York Herald Tribune entitled "Chicanery in the Senate."

The second is an editorial which appeared in today's issue of the New York Times entitled "The Baker Case—Continued."

The third editorial appears in today's issue of the Washington Evening Star and is entitled "Happy Democrats."

The fourth is an editorial which appeared in the February 26, 1965, issue of the Washington Evening Star entitled "Beneath the Whitewash."

The fifth editorial appeared in the February 16, 1965, issue of the St. Paul Pioneer Press entitled "Gentle Treatment for Jenkins."

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Herald Tribune, Mar. 4, 1965]

Chicanery in the Senate

In its noninvestigation of the Bobby Baker case, the Senate Rules Committee had long since seemed to reach a nadir of irresponsibility. But now it develops that the committee has gone beyond even the ordinary limits of political coverup; in its effort to discredit the embarrassing testimony of Insurance Agent Don Reynolds, the committee's Democratic majority—through Chairman Jordan—has sought to pass off as an FBI report a document actually prepared by Justice Department lawyers from raw (and unsworn) FBI files. It's getting to a point where the Senate ought to investigate its own Rules Committee.

[From the New York Times, Mar. 4, 1965]

The Baker Case Continued

The Democratic majority on the Senate Rules Committee is continuing to go to extraordinary lengths and to employ the most unusual tactics in its effort to close the lid on its inquiry into the affairs of Robert G. Baker.

Its latest move is the release of a report prepared at its request by the Federal Bureau of Investigation. This report refutes allegations made in secret testimony by Don B. Reynolds, the insurance man who once was associated with Mr. Baker. When Mr. Reynolds first testified in public, there were leaks from confidential Government files that tended to discredit his character and his claims. Now the committee can brandish a document with the authoritative seal of the FBI to support its view that Mr. Reynolds is not to be trusted.

This report is the latest in a number of elaborate smokescreens that the committee has thrown up in the Baker case. The FBI report covers a good deal of testimony that has little or no relevance to the investigation; moreover, those who refuted Mr. Reynolds in interviews with the FBI were not under oath. Mr. Reynolds may have been loose with his charges; but in the one transaction on which the committee heard testimony from both sides, he appears to have told the truth: This does not make pretty reading.

The transaction in question concerned Mr. Reynolds' charge that he had sold insurance policies on the life of Lyndon B. Johnson after agreeing to buy advertising time he did not need on the Austin television station owned and controlled by the Johnson family. This was supposed to have happened while Mr. Johnson was a Senator. When Mr. Reynolds made this charge, the White House issued a denial; but Walter W. Jenkins, the President's former special assistant—who had been accused by Mr. Reynolds of having pressured him into buying the advertising—has now contradicted an earlier statement and has conceded that he had had dealings with Mr. Reynolds.

Mr. Jenkins still denies using pressure. He asserts that he simply informed Mr. Reynolds that the television station planned to buy the insurance from a local insurance man who not only had been an advertiser on the radio and television stations for many years, but also had related the amount of his advertising to the amount of his business done with the station. Certainly I did not pressure him [Mr. Reynolds] to do so.

In the world of business, pressure is applied in a variety of ways. Mr. Reynolds could well feel that Mr. Jenkins' proposition amounted to pressure. And whether or not Mr. Reynolds bought advertising time, the fact that a local insurance agent based his advertising expenses on the amount of insurance sold, as Mr. Jenkins stated was the case, amounted to an illegal rebate. The insurance laws of every State prohibit this kind of practice because it involves discriminatory price treatment.

With the facts about this transaction finally clarified, the Senate Rules Committee seems to be engaged in trying to smother it with the FBI report that blackens one witness and whitewashes others. In doing so, it is engaged in a dubious game that casts doubt on its own integrity.

[From the Washington (D.C.) Evening Star, Mar. 4, 1965]

Happy Democrats

The Democrats who control the Senate Rules Committee have pounced upon the Department of Justice report attacking Don Reynolds with an alacrity which stands in notable contrast to their massive reluctance to really investigate the Reynolds charges.

The Democrats are happy because the report, based on an FBI inquiry, tends to get them off the hook. They can point to it and say: "See we've been trying to tell you all along that this fellow Reynolds is no good."

Well, it isn't quite so simple. Reynolds testified under oath in closed session on December 1, 1964, in connection with the so-called investigation of the Bobby Baker case. He has repeatedly stated his willingness to testify publicly and still under oath. But the committee has not been willing to call him and has refused to release the transcript of his December 1 testimony.

The Justice Department report tends to discredit some of the things which Reynolds is supposed to have said. But in the absence of access to his testimony, it is impossible to know how diligently the FBI went into this politically sensitive matter. And it is also very difficult, not having the text of the FBI findings, to evaluate the fairness or the fullness of the Justice Department report based on those findings.

It is clear, however, that the statements obtained by the FBI were not taken under oath. And few if any of the people to whom the FBI agents talked were ever called before the committee to testify under oath and to subject themselves to cross-examination. Why not? This is at least a suspicious circumstance. And it encourages us to think that Senator Williams, Republican, of Delaware, is right in saying that the Department's report and the eagerness with which the Democrats have seized upon it "are a continuation of what for months has been an organized attempt to discredit Mr. Reynolds rather than an effort to establish the truth."

The Democratic majority on the committee says it is "obvious beyond a doubt" that the Reynolds testimony "is unworthy of belief." This isn't at all obvious to us. On the contrary, had it not been for Reynolds and Senator Williams, this investigation, as far as the Democrats are concerned, would have been a total whitewash.

It was Reynolds who proved that he, a Maryland insurance broker, had paid for the hi-fi set which Bobby Baker gave to Lyndon B. Johnson. It was Reynolds who produced the documentary evidence which proved that he bought worthless advertising time on the L.B.J. network in Texas after writing a life insurance policy on the then majority leader. He said he was pressured to do this by Walter Jenkins, a topflight Johnson aid. Jenkins, in a statement to committee investigators, denied knowing anything about the arrangements for this advertising purchase. The committee never managed to hear Jenkins as a witness, but he eventually had to answer written questions, and these answers showed that he knew quite a bit about the arrangements. Finally, it was Reynolds who told Senator Williams about the "kickback" on the District of Columbia Stadium bond which he wrote for the contractor, Democratic bigwig, Matt McCloskey. The Democrats could not have cared less, and Reynolds couldn't prove his charge at the outset. But Senator WILLIAMS finally came up with a canceled check which showed that an excessive premium had indeed been paid on the bond. McCloskey then said it was just a "goof." Some goof.

On the basis of these points alone, we do not accept the Democratic verdict on the Reynolds testimony. Certainly, with regard to some of his allegations, the evidence that he was telling the truth is conclusive. And in view of this we are far from ready to think that he was lying about everything else.

[From the Washington Evening Star,
Feb. 26, 1965]

BENEATH THE WHITEWASH

The answers which Walter Jenkins now has submitted under oath to the Senate Rules Committee remove some of the whitewash which the Democrats have tried so hard to apply to the Bobby Baker affair.

Under the whitewash has been an issue of veracity between Jenkins and Don B. Reynolds, a local insurance broker who wrote a large life insurance policy on Lyndon B. Johnson after the latter's severe heart attack some 10 years ago. Upon completion of this deal, Reynolds bought $1,208 worth of advertising time on the LBJ network, now known as the Texas Broadcasting Co. This advertising time in Texas obviously was worthless to an insurance man in Maryland, and Reynolds sold it at a discount to a manufacturer of pots and pans. But Reynolds produced the cancelled check to show that he actually had purchased the time, and he also testified under oath that Jenkins had pressured him into doing this.

In his latest statement, Jenkins denies that he "pressured" Reynolds. The committee's Democratic majority, because of a recent statement by a psychiatrist as to the possible effect on Jenkins' health following his arrest on a morals charge, had refused to call him as a witness. The refusal extended even to a closed session, at which Jenkins might have been cross-examined by Republican committee members. The fact is, however, that the Democrats had refused to call him even before the morals episode. During this earlier period, Jenkins gave to committee investigators a sworn statement in which he denied any knowledge of the arrangements for the purchase of the TV time in Texas.

Well, a quibble is a quibble. Obviously, Jenkins had quite a bit to do with the arrangements for the advertising purchase. Had we been in Reynolds' spot, we might well have thought we were being pressured.

The thing which has always seemed much more important to us, however, equivocations notwithstanding, is whether a Democratic majority on a Senate committee should be permitted to get away with fastening a lid on the Jenkins case simply because he had served for so many years as the righthand man to Lyndon B. Johnson. The major question, in our opinion, was not the insigificant sum of money involved in the advertising purchase. It was, on the contrary, the brazen attempt by the Senate Rules Committee to cover up the truth. We are gratified that at least some of the whitewash has been scraped off.

And now, once again, Rules Committee Chairman JORDAN is preparing to try to close up his so-called investigation of the Baker affair. He might as well. A great deal remains to be answered about this grubby business. But the Rules Committee members clearly have no desire to dig out the answers. When they have stopped pretending, perhaps someone else can finish the job.

[From the St. Paul Pioneer Press, Feb. 16, 1965]

GENTLE TREATMENT FOR JENKINS

Surely there must be a limit to the depths of ineptness being reached by the Senate Rules Committee in its investigation of the Bobby Baker case. But don't bet on it. Its decision to question Walter Jenkins by mail, while humane on the face of it, is incredible.

Let us forget for a moment Jenkins' personal tragedy and consider his role in this investigation. It involves perjury on the part either of Don B. Reynolds, a Maryland insurance man, formerly deeply involved with Bobby Baker, or Jenkins himself.

At one point of the investigation Reynolds testified in regard to a kickback on the premium for a large life insurance policy sold to then Senate Majority Leader Lyndon Johnson. He testified, too, that Jenkins pressured him into buying useless advertising time on the LBJ network in Texas. He produced canceled checks in proof that he had bought the time. Jenkins, the alleged bagman in this deal, gave a sworn statement to committee investigators denying any knowledge of arrangements for the purchase of the time.

The Democratic-controlled committee made no effort to clear up this point at the time. And when finally it bowed to Republican demands and issued a subpena for Jenkins to appear before it and testify under oath, Jenkins' attorney and psychiatrist showed up instead and told the committee that their man's health might be endangered by such an appearance. His psychiatrist said, too, that it would be dangerous to have a committee-appointed psychiatrist examine him. They said Jenkins might have to be carried off in an ambulance if he were forced to appear and testify.

Hence the substitution of a written examination. Questions will be drafted for Jenkins to answer in the security of his home. The questions, of course, will be approved by the Democrats on the committee, gentlemen who have shown great reluctance to search and probe as they should into this nasty mess. Further, lacking the give and take of a legitimate hearing, there will be none of those followup questions that often get beneath the skin and produce the truth.

This treatment of Jenkins contrasts strongly, of course, with that given Reynolds, a self-proclaimed rascal, whose mind, morals, and veracity have been subjected to an all-out attack from an administrative level. A man who has admitted to wrongdoing in company with Mr. Baker and others most certainly should be given close scrutiny and tests of credibility, but the attempts to smear him have been crude, brutal, and in possible violation of his civil rights. So heavyhanded have been these attempts, the man has emerged as a sort of folk hero, which he most certainly is not.

We are asked, however, to believe that Jenkins, twice arrested on morals charges, is somehow owed more gentle treatment. While there is justified sympathy for the man, compassion stops short when it is said that examination by an outside, or noninvolved, psychiatrist would harm him, or that private questioning by the committee would make him a quaking ambulance case. He has, as a matter of fact, resumed some social activity in Washington, a step that seems infinitely more formidable as related to his personal background than the mere sitting before a committee and telling it the truth.

DR. ROBERT HUTCHINGS GODDARD

Mr. SALTONSTALL. Mr. President, the House has sent back to the Senate amendments to a bill, S. 301, introduced by myself, with regard to the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rocketry. The House has modified the bill and limited the observance of Goddard Day to March 16 of this year—to 1 year and 1 day rather than making provision at this time for celebrating this event indefinitely in the future.

I ask that the Senate accept the amendments of the House.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 301) to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Doctor Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics, which were, on page 2, line 6, strike out all after "shall" down through and including "providing" in line 8, and insert "provide"; on page 2, line 10, strike out "16 of each year, a" and insert "16, 1965, said", and on page 2, line 14, strike out "annually".

The PRESIDING OFFICER. The question is on concurring in the amendments of the House.

The amendments were concurred in.

PRESIDENT'S MESSAGE ON THE CITIES

Mr. DODD. Mr. President, this year we have received a succession of outstanding messages from President Johnson.

Each has been concise, well written, and excellent in the number and quality of the ideas and recommendations they contain.

Perhaps the one with the most direct impact on the daily lives of the most Americans is the message on the cities which we received on Tuesday, March 2, and which the Vice President has just referred.

The President has proposed to Congress a broad, well-conceived approach to help urban areas, cities, and States to plan for their future growth and to develop the kind of urban communities we want ourselves and our descendents to live in.

His program would provide greater aids and incentives to assure comprehensive planning and development of these newer urban areas, in advance of population increases, in order to guide development plans better than has been done in the past.

It would provide grant assistance to enable urban jurisdictions to acquire in advance land that will be needed for public facilities in growing urban areas.

It would provide financial help to enable urban areas to provide facilities not only for their immediate needs, but for the growth they know will come in the future.

The President's program would enable the FHA to insure the financing of land development, including complete planned new communities, through private developers and builders. State instrumentalities would be helped by loans to acquire land for more planned development to meet urban growth needs.

It would liberalize assistance for communities and urban bodies to acquire land to be maintained for open space use to meet recreational and conservation needs.

In short, this is a program of complementary aids to assure sound urban planning and development. It will permit development and growth in advance of population increases, so that in the future we will not wait until the people are settled in the cities, the land is used up, and the living and building patterns are definitely laid down, so that the job becomes one of undoing the past in order to keep up with the future.

In 1960 about 125 million people lived in our urban areas. By 1970 the total will be over 150 million, by 1980 more than 200 million. And by 2000 our urban population will be close to 300 million.

These figures tell us what we must provide for in the next few years and in the next generation. During this next generation we must provide as many homes, facilities, businesses, schools, and other essentials for urban life as we have built to date since the Nation began.

This is the population explosion we have been hearing about. Already we can see it in any urban area, as the traffic piles up, the freeways cut through built-up areas to handle more people, the schools become more and more inadequate, the taxes go up, the sewer and water systems fall far behind the growing needs, and the water and air become more and more polluted.

And suburban sprawl will soon become suburban chaos if we do nothing to prepare the way for the future millions that our immediate cities and suburbs will receive.

We cannot meet these urban problems by just sitting around talking about them. We have to take action without any delay.

The President's program is one that every city, every suburb, indeed every urban area and State, should welcome and support.

In my own State, many cities and towns have been in the vanguard in trying to bring some order and progress into their city life, and I am confident they will greet the President's message on cities with enthusiasm and warm support.

RETURN OF SENATOR JOHNSTON, OF SOUTH CAROLINA

Mr. COOPER obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MANSFIELD. I think this is a most auspicious occasion, because once again our beloved colleague the distinguished senior Senator from South Carolina [Mr. JOHNSTON] is back with us. [Applause, Senators rising.]

We know what he has been through. We know that he is going to recover completely. We look forward to his continued presence in the Senate. Once again we are assured that we will receive the benefit of his wise advice and counsel when we need it—and we need it often.

Mr. DIRKSEN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield.

Mr. DIRKSEN. Mr. President, I fully share the views expressed by the distinguished majority leader. For many years our distinguished friend and I have sat across the table from each other in the Committee on the Judiciary and carried on the work of that great committee.

I am more than delighted to see him back. I only hope and wish—and fervently pray—that he will regain all of his strength, and the necessary weight that goes with it, in order to give him that "good old punch" that he has always exercised, both in committee and on the floor of the Senate.

From the bottom of our hearts, we wish him well.

Mr. THURMOND. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I thank the Senator from Kentucky for yielding to me. I join Senators in welcoming back to the Senate my distinguished colleague from South Carolina [Mr. JOHNSTON].

Recently, he withstood an operation. As I understand, he will soon undergo another operation.

I wish the Senator to know that the good wishes and the prayers of all Senators go with him.

We have missed him since he has been away from the Senate, and we hope that the forthcoming operation will be as successful as the past one.

I am pleased that the Senator from South Carolina is able to return to the Senate today. We all wish him happiness and improved health in the future.

Mr. SALTONSTALL. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Massachusetts. Let me inquire of the Chair whether I have the floor?

The VICE PRESIDENT. The Senator from Kentucky does have the floor and may yield to whomever he wishes.

Mr. COOPER. I am glad to yield to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. Preisdent, the Senator from South Carolina [Mr. JOHNSTON] and I have been associated for many years. I served as Governor of Massachusetts when the Senator from South Carolina was serving as Governor of his State. Thus we were members of the conference of Governors at the same time. Then we came to the Senate together and have been colleagues in the body ever since. I join with his many other friends in congratulating him on his return to the Senate. It is good to have him back. I wish him well and I hope that the friendship between us will continue for many years to come.

Mr. LONG of Louisiana. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I am delighted to see the Senator from South Carolina [Mr. JOHNSTON] in the Chamber today.

It has been my great pleasure, during 16 years, to work with the Senator, under the Senator, and for the Senator as a member on committees and as one of his associates on the floor of the Senate.

The Senator from South Carolina has made a vast contribution to the national interest.

I know of no Member of this body who has been more dedicated to the welfare of the rank and file of the citizens of this country, who has carried out his responsibilities more diligently to see to it that our fine, Federal employees are adequately considered, than the Senator from South Carolina.

I know of no Senator who could be depended upon more completely on any pending measure which would improve the conditions of the ordinary workers of America than the Senator from South Carolina [Mr. JOHNSTON].

We are all delighted to have him back with us.

Mr. KUCHEL. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from California.

Mr. KUCHEL. Mr. President, let me say to my dear friend, the Senator from South Carolina [Mr. JOHNSTON], that the views expressed today on the floor of the Senate are echoed by all Senators on both sides of the aisle, as well as by their families and all the many friends of the Senator.

Our prayers and best wishes go out to the Senator. We are most happy to see him in the Chamber.

Mr. ELLENDER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I am delighted, of course, to see my good friend, the able and distinguished senior Senator from South Carolina [Mr. JOHNSTON], with us once again. He serves on the Committee on Agriculture and Forestry, of which I am chairman, and sits next to me.

We have missed him very much. We hope that the Senator will get well quickly, because there is much work to be done, and I know that he wishes to carry his share of the burden.

Mr. TALMADGE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. I join Senators on both sides of the aisle in welcoming back to the Senate the distinguished and able senior Senator from South Carolina [Mr. JOHNSTON]. We have been neighbors and friends for a long time. We serve on the Committee on Agriculture and Forestry together. I know of his dedication to the cause of our Federal employees and the manner in which he has worked to improve their lot.

I am happy that the Senator is back with us once more. I hope that he will return to us with strength and vigor, because he will make additional contributions to the prosperity of our country.

The VICE PRESIDENT. The time of the Senator from Kentucky has expired.

Does the Senator wish additional time? Whatever time he wishes, is granted.

Mr. COOPER. I thank the Chair.

Mr. CARLSON. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to associate myself with other Senators who have spoken in regard to the return of the distinguished chairman of the Committee on Post Office and Civil Service, the Senator from South Carolina [Mr. Johnston].

It has been my privilege to serve with him for 16 years on that committee. I am very much pleased that he is back in the Senate, to give us his wise counsel and sound judgment on pending issues, not only before the Senate, but also before the committee.

All Senators know that the Federal employees of the Nation have never had a greater friend, a stronger supporter, than the Senator from South Carolina on the committee.

I wish him well, and am delighted to see him in the Chamber.

Mr. ALLOTT. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I join other Senators in welcoming back the Senator from South Carolina [Mr. Johnston].

As the Senator from Kansas [Mr. Carlson] has just said, the Federal employees of this country, the post office and civil service workers, have never had a more consistent and constant friend than the chairman of the Committee on Post Office and Civil Service, the Senator from South Carolina.

We are happy, particularly in view of his serious illness during the past few weeks, to welcome him back and to say to him that we hope to enjoy many more years of service together in the Senate.

Mr. DODD. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Connecticut.

Mr. DODD. Mr. President, I am glad to welcome back the Senator from South Carolina [Mr. Johnston]. I have been privileged to serve with him for 6 years on the Committee on the Judiciary, and also on a number of its subcommittees.

I cherish his friendship. And I value my association with him, because he is a most distinguished and a most able Member of this body.

It means a great deal to all of us that the Senator from South Carolina is back on the job. We know that he will be on the job for many years to come.

Mr. McCLELLAN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I join other Senators in the fine sentiments of friendship, admiration, and respect which have been expressed this morning for our able friend, the Senator from South Carolina [Mr. Johnston].

I am glad to see that his health is being restored. I trust that he will soon be returned to the Senate full of vigor, good health and vitality, and will be able to resume full duties on the floor of the Senate.

For a number of years I served with him on the Committee on the Judiciary. I also served with him on a number of its subcommittees. For the record, let me say that we far more often find ourselves in complete accord on vital issues of the day than we find ourselves in disagreement with him.

I hope that the Senator will have a speedy and complete recovery, and will soon be with us again to resume his able work and service in the Senate.

Mr. GRUENING. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, when Senators make excellent speeches, we go along with them by saying that we are happy to associate ourselves with their remarks.

In this case, I am extremely happy to be among those Senators to welcome back to the Chamber the Senator from South Carolina [Mr. Johnston].

With the Senator from Arkansas [Mr. McClellan], I feel that on many controversial issues which have come before the Senate, the Senator from South Carolina [Mr. Johnston] and I find ourselves in agreement in a great majority of cases, which gives me great comfort, because, with his experience, both as Governor and with his long public service, I have confidence that when I am in accord with him, I must be right. Therefore, I am happy to see him back in the Chamber.

Mr. COOPER. Mr. President——

The VICE PRESIDENT. Before the Senator from Kentucky proceeds, may the Chair be permitted to say that he joins with all Senators in welcoming back our distinguished and beloved friend, the Senator from South Carolina.

Mr. COOPER. Mr. President, I join other Senators in welcoming back our friend the Senator from South Carolina [Mr. Johnston]. This welcome brings great joy over his recovery. It also marks our great affection for him and the recognition of his fine work in the Senate.

Mr. HOLLAND. Mr. President, I wish to add my voice to the many voices of other Senators, and congratulate warmly my dear friend of so many years, the senior Senator from South Carolina. We both served as Governors of our States at the same time.

I have watched his career with a great deal of interest, pride, and sometimes near envy.

I do not believe the Record would be complete without its showing that as a doughty warrior in the political arena, he downed two major opponents whom I consider to be two of the most formidable opponents that any public servant in South Carolina could be faced with at any time. They were the late Governor Blease and the late Senator Smith, both of whom had records as outstanding political figures in his State.

Mr. President, a man who has made that kind of record will not be easily prevailed over by any sort of bug or any disease. I am fully confident that this great Senator will return to us with his customary vigor. I am most happy to see him back in his seat today as my neighbor.

Mr. YARBOROUGH. Mr. President, I desire to add my words to those of my distinguished colleagues in the Senate who have welcomed back the able senior Senator from South Carolina [Mr. Johnston].

When I first came to the Senate, 8 years ago next month, I became a member of the Committee on Post Office and Civil Service under the very able chairmanship of the distinguished Senator from South Carolina. In that time we have adopted laws for more than 25 million Federal employees. We also adopted the comparability principle for Federal employees. Also adopted were laws affecting retired Federal employees. Many improvements have been made in the Federal employment situation under the leadership and sponsorship of this distinguished Senator. His services have been invaluable to the Government and to the people as a whole. As the distinguished Senator from Florida has said, with his vigor, he will very easily overcome any minor physical ailments. We hope that he will be with us for a long time to come.

Mr. JAVITS. Mr. President, I join my colleagues in the Senate in welcoming back to the Senate our distinguished colleague from South Carolina and to wish him complete recovery and good health.

Mr. JOHNSTON. Mr. President, I wish to thank all Senators for the remarks they have made today in regard to me. I appreciate them from the depth of my heart. They make me feel much better, and I am sure they will make me get well much sooner. I am glad to know that my colleagues have been so much interested in me.

I also thank all Senators for their calls to my office inquiring about my health and about the progress that I was making. I have also received flowers from a great many of my colleagues in the Senate. I appreciate these kindnesses very much. I thank all Senators from the bottom of my heart for all these kindnesses and courtesies that have been extended to me.

DEATH OF PETER HOWARD, LEADER OF WORLD MORAL REARMAMENT MOVEMENT

Mr. COOPER. Mr. President, it came as a shock to us who had known Peter Howard, leader of the World Moral Re-Armament movement, to learn that he had died in Lima, Peru, on February 25, after an illness of 4 days.

I believe that I first met Mr. Howard, as many of us did, upon the introduction of our former colleague, Senator Alexander Smith, whose son-in-law, Kenasten Twitchell, was Peter Howard's friend and coworker. Later, during the time I served as Ambassador to India, I met Peter Howard again, when he came there to carry on his work.

He was a remarkable man, of wide interests and experience, devoted to freedom, and believing that it could be attained and preserved by the moral and religious rebirth and devotion of the individual. He was a devoted friend of our country, and he will be greatly missed.

I ask unanimous consent to have printed in the RECORD a statement about his life and work, which has been prepared by his colleagues.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

LONDON, February 25, 1965.—Peter Howard, leader of Moral Re-Armament, died today at the age of 56 in the Anglo-American Clinic in Lima, Peru. He died of heart failure after suffering from pneumonia for 4 days.

Author, playwright, political analyst, and sportsman, Peter Howard was first and foremost a revolutionary. For the last 25 years he used every hour of his day, every ounce of his energy and his exceptional skills for one single aim—the creation of a society more satisfying than anything produced so far by the Communist or the non-Communist world.

He was born at Maidenhead, England, on December 20, 1908, and educated at Mill Hill School and Oxford University. He was rentor warden of the Worshipful Company of Wheelwrights in London. Born with a lame leg, told by doctors not to play football, he nevertheless captained England at rugby, and broke the world bobsleigh record at Cortina in 1939.

He set out in 1940 to write an article attacking Moral Re-Armament: he became its leader. He devoted himself entirely to its work without salary and turned over the royalties on his writings, estimated at over $1,250,000, to its advancement. He was the author of 12 books which have sold over 4 million copies. His 16 plays have been produced in the major cities of Europe, Africa, North and South America, India, Japan, and Australasia; 459,000 people have seen his plays in Britain alone in the last 3 years.

Mr. Howard traveled ceaselessly on every continent, planning with national leaders the application of moral rearmament in world affairs. He 10 times visited Asia. Ordinary men and statesmen all over the world will miss his friendship. Cardinal Cushing, of Boston, in his introduction to a collection of Mr. Howard's speeches in the United States (1963–64), wrote of his "extraordinary clarity about America and the world."

Mr. Howard's last 2 months were spent in Latin America. He was convinced that Latin America's destiny was to be a pattern of unity in a divided world. Thousands of Latin Americans, including Communist workers, militant students, industrial and political leaders and the Presidents of Brazil, Uruguay, and Argentina, talked with him during the past weeks. On the day he died he was to have met President Belaunde, of Peru.

The character of his life was, "Thy will be done on earth as it is in heaven"—in his words, "not as a pious drone but as a passionate commitment." In one of his last speeches, he summed up his philosophy:

"I firmly believe that moral rearmament is the revolutionary issue of our time. It is the next step for the whole world. You can call it God's weapon for the hour, and God's philosophy for the century. It is neither left nor right. It believes in sound homes, teamwork in industry, unity in the nation, and a rebuilt world as the normal commitment for every man, woman, and child in a free society. It believes in love of home, love of homeland, and love of humanity, a love strong enough to pay the price of seeing all those places become different."

Mr. Howard was in America during November and December when he was invited by the student leadership of 73 universities and colleges to speak on their campuses. Although much in demand in many countries, he gave his priority to the youth of the United States, as he said, "The way American youth go the world will go."

He will be buried near his home in Suffolk, where he has farmed for nearly 30 years. He leaves a widow, the former Doris Metaxa, Wimbledon doubles tennis champion, two sons, Philip and Anthony, and a daughter, Anne, who is married to Patrick Wolrige Gordon, Member of Parliament for East Aberdeenshire.

Mr. COOPER. Mr. President, I yield my remaining time to the distinguished Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to associate myself with Senator COOPER's remarks about Peter Howard. He was the active head of the moral rearmament movement in the world. He was an outstanding citizen who rendered great service in this field. I share the Senator's regret on Mr. Howard's passing.

ADDRESS BY SENATOR TOWER BEFORE THE NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. TOWER. Mr. President, I have introduced for appropriate reference two bills that I originally presented during the last session. I have discussed both at some length in a recent speech to the board of National Association of Manufacturers, and I ask that this speech be printed as a portion of my remarks.

There being no objection, the text of the speech was ordered to be printed in the RECORD, as follows:

SPEECH OF SENATOR JOHN G. TOWER BEFORE NATIONAL ASSOCIATION OF MANUFACTURERS, FEBRUARY 16, 1965

Actions of the NLRB over the last 5 years have not satisfied my interpretation of that Board's responsibilities. I doubt if many of you have been satisfied with NLRB action. And, as we all know, the pending Supreme Court decision in the Darlington case is vitally crucial in determining whether or not the NLRB is to vastly expand its authority or to be returned to a more restricted jurisdiction.

I plan some legislative actions in the Senate which I hope will help to call attention to the inadequacies of NLRB operations. You may remember that last year I introduced two bills on the subject. One would divest the Board of its judicial functions, transferring unfair labor practice cases to U.S. district courts. The second would forbid Board interference when an employer wants to go out of business—go out of business for any reason.

I am planning to introduce those bills again this session. The need for them has been, I think, reinforced by NLRB actions over the last 12 months.

I do not intend to either prejudge nor second-guess the Supreme Court. None of us can have any ideas of what technical grounds it will choose for its legal foundation in the Darlington decision.

But, I believe there is every reason to anticipate the need for an amendment to the National Labor Relations Act adding roughly these words:

"Nothing in this act, or in any other statute of the United States, shall be construed to prevent an employer from permanently going out of business, in whole or in part, for any reason, nor shall such permanent going out of business be, for any reason, an unfair labor practice."

My friends, I am sure that back when the National Labor Relations Act was adopted, no one—no one at all—had any idea that an employer had to continue risking his capital and his personal efforts in a business, if, for any reason, he chose to give up that business.

If we do live under a genuine free enterprise system, then certainly the most fundamental right of an employer is that he is free to quit.

The NLRB has not agreed with that principle. It apparently takes the position that a man cannot, without permission of a union, go out of business. What concerns me even more is the willingness of the U.S. Solicitor General to join in this position before the Supreme Court.

I, for one, do not relish the thought of the National Labor Relations Board becoming the ultimate arbiter of whether a man, faced with an unprofitable business, can be forced to stay in business until he goes bankrupt.

It must be remembered that very few cases arise involving NLRB interference with management unless a union is involved. When a company goes out of business, a union obviously is involved and is entitled to legitimate rights. But a union never should have the right to force continued unprofitable operation.

Such unprofitable operation under the watchful supervision of the National Labor Relations Board would be but a short step from Federal Government expropriation and operation of formerly private industry.

We cannot permit that possibility to creep up on us. And, perhaps, it is primarily up to the Congress to speak out, because recent NLRB decisions have seriously infringed upon employers' free speech rights.

And, I feel strongly, too, about my other proposed bill to place unfair labor practice cases in the more temperate atmosphere of the U.S. district courts. In fact, I am quite willing to discuss the advisability of labor courts such as Europe utilizes. Anything would be better than NLRB jurisdiction.

This second bill—similar to one I introduced last session—becomes necessary because of abuses by the NLRB in its operation under an interpretation of existing labor law.

The principle of this bill is not a new one. It first was put forward by the late Ohio Senator, Robert Taft. Senator Taft gave this court-jurisdiction idea a back seat in the hope that the National Labor Relations Act would operate satisfactorily without involving the courts.

It is my observation that the NLRB has not properly handled many unfair labor practice cases. And it is fairly obvious that most major labor decisions wind up in the courts anyway. Therefore, I propose that the second step of Senator Taft's idea be carried out. I propose that the courts be called upon to produce order from chaos in labor litigation.

I am chiefly concerned about four specific areas in which I feel decisions of the NLRB have been out of keeping with the aims of the Congress as expressed in the Taft-Hartley and Landrum-Griffin Acts. These four areas are secondary boycotting; so-called blackmail picketing; impairment of management's free speech; and inhibition of management's right to manage.

I would limit the NLRB to handling representation matters. This would include conduct of employee elections. But this agency would no longer investigate, prosecute, or adjudicate unfair labor practice cases as it does today.

I think we must move to restore to all litigants in labor cases, plaintiff and defendant alike, their right to equal justice under the law.

Complaints of bias in the NLRB's handling of unfair labor practice cases are not new. They have been made and documented repeatedly through nearly all the years of the

Board's existence. Almost from its inception with the Wagner Act in 1935, this Board has been under public and congressional fire for failure to perform its duties in an evenhanded, impartial manner.

After 12 years' experience with the Board under the Wagner Act, a long-suffering public saw Congress in 1947 pass the Taft-Hartley law, not only to redress a basic statutory imbalance, but also to undo the damage wrought by biased Board decisions. It soon became clear, however, that the Labor Board would not follow the mandate of the new law and would not respect the intent which Congress clearly expressed in passing that law.

It is worth noting that practically all the Board's excesses through the years, all its absurd decisions, have reflected one central misconception of its own role. Early in its existence this agency somehow conceived the notion that Congress had given it a policymaking function. In this view, the NLRB is 100-percent wrong.

So-called NLRB loopholes became the rule, and the very abuses grew which Congress in 1947 ordered stopped. Then after another 12 years, Congress again amended the labor laws with the Landrum-Griffin Act. And the Board's continuing refusal to follow congressional directives has been even more pronounced.

Today abuses grow and flourish, abuses Congress thought it had banned. It is apparent that major changes must be made if we ever are to have equal justice under law in the trial and adjudication of unfair labor practice cases.

Labor Board rulings in many cases—which I shall not take time to document yet again here today—have distorted the letter and spirit of the law, and have operated to legalize again many of the most flagrant abuses of prescribed policy.

Most damaging to public confidence, and most hostile to the will of Congress, have been those Board decisions that have permitted secondary boycotting, that have literally encouraged blackmail, picketing, that have trampled upon constitutional and statutory guarantees of free speech, and that have impaired the right of those who risk their capital to make the economic decisions necessary for proper management of their businesses.

The net effect of the many instances in which these abuses have occurred is that the NLRB has once more charted for itself a course far afield from the law. It now says management can no longer make its own decisions on efficiency and competitiveness.

Management may no longer make decisions on the location of its facilities, on the future prospects of the business; in fact, it may no longer decide for itself whether it will stay in or go out of business.

Now, there are some who say we should not worry too much about NLRB decisions, because those decisions can be appealed to the courts. Yes, they can. However, the worth of that appeal is refuted by the history of the Board's relationship with the courts.

As things now stand, courts invariably defer to the so-called expertise of the Board as the fact-finding agency. Because the Board's trial examiners conduct the hearings and see the witnesses first, the courts have been most reluctant to upset the Board's rulings.

It must be remembered that when an NLRB decision is appealed to the courts, the appeal does not mean a new and unbiased trial. What occurs—so history teaches us—is an appellate review of the written record made before the Board. The miscarriage of justice which has attended so many Board decisions is, therefore, often assured of perpetuation at the level of the Board's own trial examiners, who conduct the hearings at which initial records are made.

The corrective must, therefore, be applied at the trial level where the facts are recorded. That is precisely the corrective I would apply by giving district courts jurisdiction in all unfair labor practice cases.

Congress has been patient, tolerant, even helpful to the NLRB for more than a quarter century—all to no avail, however, because the NLRB by its own decisions has demonstrated that it respects neither the letter of the law nor the intent of Congress.

This NLRB has passed the point of no return. Its own history and its own defiant decisions demonstrate its lack of fitness for any judicial role.

So, I think it ought to get out of the judging business.

Particularly, I think it ought to get out of the investigation business. Facts which may someday wind up in a trial record before our very Supreme Court, ought to be collected by judicial officers, not by administrative branch bureaucrats.

I have some reason to doubt that my proposals will find majority support in the present Congress, but I shall present them anyway. I hope to do my part by encouraging a continuing public dialog on these matters. I suspect many of you will participate in this dialog, which hopefully will lead us toward an ultimate solution.

DEATH OF JOSEPH LILLY

Mr. JAVITS. Mr. President, I call the attention of the Senate to the death of Joseph Lilly, a distinguished civic leader in New York City. I ask unanimous consent that his obituary and a memorial statement by Sam Spewack be printed in the RECORD as a part of my remarks.

There being no objection, the obituary and statement were ordered to be printed in the RECORD, as follows:

JOSEPH LILLY, A LA GUARDIA AID AND FORMER TOP REPORTER, DIES

Joseph Lilly, a Pulitzer Prize-winning reporter who became a top city official, died yesterday in New York Hospital. He was 64 years old and lived at 1085 Park Avenue.

Mr. Lilly, senior partner of Joseph Lilly Associates, public relations, entered the hospital on Sunday for treatment of a chest ailment and underwent surgery.

In 1932 Mr. Lilly and five other reporters won a Pulitzer gold medal for the New York World-Telegram for "disinterested and meritorious public service." The team investigated graft in city government, veterans' relief and lottery schemes within fraternal organizations.

Mr. Lilly, who was born in Springfield, Ohio, began his newspaper career at 16 as a reporter on a local paper. He then worked for the Columbus (Ohio) Journal and the Cincinnati Enquirer, which assigned him to cover the Nation's Capital, although he was only 18 at the time. There he also represented Philadelphia, Pittsburgh and Detroit papers.

Next, moving to New York, he was assistant general sports editor for the Associated Press. He also had been with the Brooklyn Eagle and the New York Post, before joining the Telegram staff.

In 1934, Mayor Fiorello H. La Guardia appointed him secretary of the department of Finance and a year later a member of the board of taxes and assessments. In 1941, Mr. Lilly, one of Mayor La Guardia's chief political advisers, became president of the city tax commission.

During World War II he served in the Army Air Corps as a combat intelligence officer in the South Pacific, rising to the rank of major.

After the war, Mr. Lilly served briefly again as president of the city tax commission. In 1946 he was information officer for the United Nations Relief and Rehabilitation Administration, when Mr. La Guardia was Director General.

Later Mr. Lilly served as director of public information for the State rent control commission. In 1953, he became public relations counsel of the New York Real Estate Board, while maintaining his own public relations office.

Mr. Lilly had advised two Presidents, Franklin D. Roosevelt and John F. Kennedy, and Senator JACOB K. JAVITS on public relations. He had worked in many political campaigns and also served the Skouras Theater Corp.

Mr. Lilly, a tall, thin man, very active and energetic despite frequent ill health, knew many newspapermen, real estate men and politicians, and was known as "one who would do anything for anyone." As a reporter and feature writer, he reportedly would bang out three or four columns "without taking a breath."

Mr. Lilly helped Heywood Broun, the late columnist, organize the Newspaper Guild of New York in 1933. He was vice president of the Society of the Silurians, an organization of veteran New York newspapermen, and was a member of the Overseas Press Club.

Surviving are his widow, the former Mary Paull; two sons, Joseph 3d and Robert, and a daughter by a previous marriage, Mrs. Kevin Sweeney of Woodstock, N.Y.

A funeral service will be at Campbell's, Madison Avenue and 81st Street, Friday at 1 p.m.

EXCERPTS FROM A MEMORIAL BY HIS COLLEAGUE, WRITER SAM SPEWACK

Joseph Lilly was an able reporter—he won a Pulitzer gold medal—he was a dedicated public official—president of the city tax commission, under Mayor La Guardia. He advised Presidents Franklin Roosevelt and Kennedy. He served as a combat intelligence officer in the Air Force during World War II. He helped organize the Newspaper Guild. He also washed dishes in a Paris restaurant when he was young.

Joe was an original. He had rare gifts—the gift of friendship, the gift of inexhaustible affection for those close to him. His kindness was fanatical. In this age of computer charity and mechanized good works, he gave to others the most precious thing he had—himself.

It was the fashion when Joe and I were newspapermen for reporters to pose as disenchanted cynics. He didn't. The warmth of his affection for people—all people—was never chilled by their greed, their vanity, or even their treachery. He grinned wryly at these weaknesses. He was not a man to treasure wrongs.

He laughed easily at himself, rarely at others. He was, in fact, a fascinating mixture of sophistication and naivete. I remember when my wife and I first went to Hollywood, and we sent for Joe. At least, one of the studio executives did, at our suggestion. This was during Hollywood's finest hour of lunacy, and Joe wandered among the inmates, eyes wide in astonishment; but he was convinced there was something wrong with him, not with them. And having saved his money with commendable thrift, when his contract as a scenario writer was up, and he was reprieved, he promptly loaned his savings to a friend in need. Perhaps his children will treasure the memory of this impractical act more than they do the gold medal.

For that was the man.

But he was not an austere figure of goodness. Nor, for that matter, was he an impractical man. He was not only a responsible husband and father, but a happy one. The joy of living—the relish for living—these were among his many talents. In a conformist society, he was an individualist. He had his own values, and lived by them. Professionally, his integrity was neither righteous nor pompous. He just wasn't for sale. He wasn't happy, unless he enjoyed his work. And he couldn't enjoy it, unless he believed in it, or at least some phase of it, that he regarded as socially useful. He worked hard. Few men I know work as hard. He made no concession to age. Some men are old at 30. Joe was young at 64.

Which is why it is hard to believe he is no longer here. The anguish of this moment will fade in time. His memory will not, for in many places, here and abroad, many people will remember him gratefully, and with a smile. What finer monument could this rare man have?

MAJOR NEW YORK CORPORATIONS FORM AGENCY TO SPUR DEVELOPMENT OF CITY'S ECONOMY

Mr. JAVITS. Mr. President, it is with a great sense of satisfaction that I call to the attention of the Senate the decision 3 days ago of 70 major corporations resident in New York City—some of them the largest corporations in the world—to organize a private development corporation to carry out a program to improve conditions for business in the city and to maintain and increase the number of jobs available.

This action underscores once more the enormous potential of private business to act effectively in the public interest. Without the participation of public-spirited leaders of business, labor, the foundations, and nonprofit civic organizations, even a city like New York will have a hard time to survive as an effective urban unit.

This effort can succeed more surely if this new group will exercise its considerable influence in the broadest public interest and became a force for solving the many faceted problems, from air pollution and crime to traffic jams, which confront business as well as millions of New Yorkers, with the support of the Federal, State, and city governments. For my own part, I will do all I can to make the effort succeed.

I ask unanimous consent to have printed in the Record at the conclusion of my remarks two articles and an editorial about this new business initiative, which appeared in the March 2 and March 3 issues of the New York Times.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Mar. 2, 1965]

Big Business Here Forming Agency To Spur Economy: Development Corporation To Help Small Companies in Move To Halt Migration—Job Loss in City Cited—State and City Hail Plan for Nonprofit Organization—$300,000 Budget Set

(By Will Lissner)

The country's biggest corporations are going to the aid of small business—the backbone of New York City's economy.

Representatives of 70 corporations here, including most of the largest in the world, voted unanimously yesterday to organize a private development corporation to carry out the program.

Private development corporations in other areas make proposals for reducing taxes when they think they are excessive. They are authorized under their State charters to lend available Federal, State, and local government money at low interest rates for plant construction.

In addition, they help companies assemble sites at reasonable prices, set up programs for rehabilitating industrial building space, press for the solution of traffic and other harassing problems and help small plants to bid for business from the Government and large concerns.

CLOSED MEETING IS HELD

The decision to set up the development corporation was taken at a luncheon at the University Club, 1 West 54th Street. Those attending included the chief executive officers of national and international companies, and representatives of banks and utilities that operate only in the metropolitan area.

The meeting was closed and the sponsors promised participants that their names would not be made public. That was done because everyone expected a limited response. However, of 113 business leaders invited, 70 attended. All the speakers supported the proposal enthusiastically, and as none opposed it, it was agreed that the results could be made public.

The executives authorized the heads of 3 of the city's business organizations to name within a week an organizing committee of 10 or 12 leading business officials. The committee would recruit businessmen to serve as directors of the private, nonprofit development corporation that will be similar to the Greater Philadelphia Improvement Association or its counterparts in Pittsburgh, Chicago, and Minneapolis.

The corporation is conceived as an agency to carry out a program to improve conditions for business in the city and to maintain and increase the number of jobs available, especially for unskilled and semiskilled workers in manufacturing plants. The board of directors will have a free hand to determine its program.

Business concerns would provide the budget for the development agency. At the outset the budget would be about $300,000, almost twice as large as the $150,000 development budget of the city department of commerce. The budget would be increased later as needed.

POLITICS TO BE AVOIDED

The cooperation of the city, State, and Federal Governments is already assured. However, the program will be kept apart from government to avoid politics, according to the sponsors.

Keith McHugh, State commissioner of commerce, said after hearing about the meeting that "it was long overdue."

"Such an initiative by business is badly needed," Mr. McHugh said. "It's all to the good and for the best interests of the city we all love."

Mayor Wagner told H. C. Turner, Jr., president of the Commerce & Industry Association, and Ralph C. Gross, executive vice president of the association, that the city would stand aside while the agency was being organized to assure that it would be solely an initiative of business. After the agency was ready to function, he said, it should come to him to tell him what help it needed from the city.

Mr. Turner and Mr. Gross arranged the meeting with the support of business organizations. The organizing committee for the development corporation will be recruited by Mr. Turner, Walter F. Pease, president of Downtown Lower Manhattan Association.

Behind the move was a recent report by the Bureau of Labor Statistics showing that between 1958 and 1963 the city had a loss of 68,210 jobs in manufacturing. The Commerce & Industry Association estimates that the loss in 1964 increased the total almost to 100,000.

PLANTS LEAVING CITY

An investigation by Surveys for Business, Inc., made for real estate interests, showed that automation was an insignificant factor in the loss of jobs, because most of the businesses were small. Its study showed that in the 3 years from 1962 to 1964 a total of 180 manufacturing concerns moved their plants out of New York City, a trend that proceeded at an accelerating pace.

Of the 180 plants that moved out, 119 went to Nassau and Suffolk Counties and 13 to Westchester and Rockland Counties. Forty-eight companies moved to upstate counties and to New Jersey and other States.

One reason for the move was said to be that conditions here were becoming increasingly unfavorable for small business. The city is the headquarters for 25 percent of the country's corporations, particularly the largest, which have their offices here to avail themselves of the financial markets and other services. However, the city also needs small manufacturing plants to provide jobs for the hundreds of thousands of unskilled and semiskilled workers who live here.

Another major reason why plants move is that municipalities throughout the country, as well as regional areas, have development committees and commissions that woo New York's plants with tax subsidies, cheap credit, help in obtaining industrial sites, and other aid.

REVERSAL OF TREND SOUGHT

The new private development corporation is intended to reverse the trend by countering the efforts of other development corporations.

At the meeting yesterday the head of one of the country's biggest railroad systems told the other businessmen they had better concern themselves with the economic health of the city in which they have corporate headquarters the same way they do about the economies of California and Illinois.

"If you don't," he said, "the city won't be able to maintain the services you need to keep your own companies operating at peak efficiency."

Another speaker declared that it was an anomaly that New York City, where much of the best business brains of the country was domiciled, could not maintain an economy that, for small businessmen under heavy competitive pressure, was as hospitable as the economies of other localities.

Mr. Turner said that he was arranging a conference with Harry Van Arsdale, Jr., president of the New York City Labor Council, to gain the support of labor for the venture.

He said that it was made clear at the meeting that the business initiative would succeed only if the top industrial leaders of the city took an active part in the corporation.

"The job is a tremendous one and it was recognized that it could only be done by the city's best business brains," he said. "But given the right people, the group was confident the program would succeed."

The city already has a private nonprofit development corporation run by the department of commerce and industrial development. It was organized so the city could obtain aid from the State's $100 million fund for industrial development to help small businessmen build plants or enlarge present facilities. The corporation so far has made seven loans.

Business leaders say that city commerce commissioner Louis Broido had to put up from his own pocket the $50 needed to get that corporation chartered. The new corporation will consider whether it should negotiate for its acquisition.

Repeated efforts have been made here to halt the migration of industrial plants, but the migration has continued at an increasing pace. In the last 10 years research paid for by the Rockefeller and Lucius N. Littauer

Foundations, and by the city, as in last year's Arthur D. Little, Inc., study, have analyzed the problem.

"We've had enough studies," Mr. Turner said. "What we need now is action."

The schedule for the next steps runs as follows.

The organizing committee, which will serve as a steering committee, is to be named within a week if possible. It will name a finance committee.

Mr. Gross and the staffs of Commerce and Industry Association and the New York Chamber of Commerce, aided, as needed, by the other cooperating business groups, will start at once on the staff work. Then the organizing committee will recruit a board of directors and present to it the names of nominees for executive director of the corporation. It is hoped to recruit one of the country's top administrative experts in the development field.

When the board has organized the corporation it will decide the scope of its program. However, it is known that Mr. Turner and others interested in the project have visited Philadelphia and other cities where there are development corporations and studied their operations.

The venture is being kept wholly business-oriented because 3 years ago, and again 2 years ago, State Commerce Commissioner McHugh, with city support, sought to initiate a similar agency, but the efforts failed. Business leaders believe that business interests feared it would be involved in politics.

Why do the operators of small plants move out of New York? To get the answer, the New York Times asked key executives of some small concerns that moved recently.

Joseph Milan, vice president and secretary of the Weld-Built Body Co., Inc., which employs 75 workers, explained that the company was formerly at 5903 Preston Court, Brooklyn. It renovated three buildings in Wyandanch in Suffolk County and built another building of 15,000 square feet.

"The long and short of it was that we needed more space and we couldn't get it in Canarsie where we were, even though it's the least built up section in the city," Mr. Milan said. "We had 1 acre; we needed 3; now we've got 5.

"But there just isn't space anywhere in New York that a small business can afford. What you have to pay for space in New York is just totally unrealistic. So we had to move out of town.

"We had a secondary problem. Customers who made their own pickup have to pay sales tax. It made it worthwhile to buy out of town. But the big problem was space. So we moved closer to the golf course."

Samuel Sack, vice president and general manager of Perry Industries, manufacturers of packaging machinery at 121 New South Road, Hicksville, Long Island, was located until 6 months ago at 204 Third Street, Brooklyn.

MORE ATTRACTIVE AREA

Mr. Sack said his company had to build its own building to get 20,000 square feet on one floor. The site and building costs didn't appear any cheaper, he said, but the company was able to locate in much more attractive surroundings at the same price.

"No single factor determined our decision; it was a combination of factors," Mr. Sack said. "The more attractive site was a factor. Then taxes were a problem, particularly the sales tax. By moving to Nassau we escaped them.

"Unlike most other plants, we need skilled labor. In Nassau we could get workers released from defense plants, so we were able to double our labor force from 20 to 40. We sell our product all over the world, so we're just as near our market. We're happy with the move; it's working out better than we hoped."

George E. Seeba, president of the Tinplate Lithographing Co., Inc., is moving his metal lithographing plant from a 3d floor loft with 39,000 square feet of space at 3611 14th Avenue, Brooklyn. He is putting it into its own building of 45,000 square feet in the City Industrial Park in Elizabeth, N.J. The new building is on one floor with offstreet loading and parking, and provision for an addition of 12,000 square feet. The work force has grown in a year from 60 to 75.

"We're moving because we've had it," Mr. Seeba said. "You can't do business in New York. The cost of industrial sites is fantastic. On top of that you have taxes—the city sales tax, franchise taxes, gross-receipts tax.

"And the harassment—every department in the city bothers you. We have a heavy investment and we're making an even heavier one. Where we're going they want business. In Brooklyn the police give you a hard time over parking and they're always giving the truckdrivers a hard time.

[From the New York Times, Mar. 3, 1965]

Industry Leaders Here Approve Proposal for New Business Unit

(By Leonard Sloane)

New York City's business and financial community reacted with general approval yesterday to the proposed formation of a private development corporation to assist small business. However, the approval was in many cases tempered with a wait-and-see attitude.

Many leaders in the city's economic life indicated that until the corporation took on a more definite shape they would withhold any formal statements.

A decision to establish a privately sponsored industrial development corporation was made Monday at a meeting of representatives of 70 leading corporations in the city.

An organizing committee is scheduled to be formed within a week to begin the creation of such an organization.

BROAD-SCALE GOALS

As envisaged by executives at the meeting, the new corporation will carry out a broad-scale program to improve business conditions and stimulate more employment here, especially in the unskilled and semiskilled categories.

A typical comment came from Harold L. Bache, chairman of Bache & Co., Inc., who said, "We applaud the program in principle and feel that the formulation and implementation of such program for the benefit of the small businessman cannot but help to contribute to the growth of the community."

Michael Daroff, chairman and president of Botany Industries, Inc., noted, "The plan to launch a private development corporation aimed at keeping small businesses operating fruitfully in New York is one to which we can lend our full and enthusiastic support."

A DISSENT IS OFFERED

However, there were some dissenting voices. For example, Jerome Blum, executive vice president of the Cohn-Hall-Marx division of United Merchants & Manufacturers, Inc., said "The proposals sound rather impractical to me."

"I don't think that this sort of help is the answer to the problems of small business," Mr. Blum stated. "Rather it seems to me that ability and ingenuity are the key to success, rather than size of the enterprise."

A spokesman for the General Electric Co., which was represented at the Monday meeting, said, "As an employer, we obviously have an interest in the business climate of New York City."

He pointed out however, that "Our future participation in the activity in the proposed council will depend upon the plan that is developed by the principals."

Caper H. Citron, a former regional director of the Small Business Administration, termed the project "a step in the right direction." But he echoed the comments of other businessmen here who wondered whether big corporations would be willing—not to say anxious—to help small companies obtain orders that might otherwise in some cases have gone to them.

Presently there is another industrial development corporation in the city that was organized a year ago by the department of commerce and industrial development.

This corporation has already been responsible for making State mortgage loan money totaling close to $2 million available to nine corporations—including an $810,000 loan last week to Russ Togs, Inc.

However, Robert W. Watt, first deputy commissioner of the department said yesterday that the city saw no conflict between the two development corporations. Referring to the new group, he said, "We're very happy they can spare the time to do something for the city that made them rich."

Other business leaders asked for comment yesterday noted other potential values of the privately sponsored development corporation. According to Joseph L. Dubow, executive director of the New York Coat & Suit Association:

"Any effort on the part of big business in New York City to lend a hand with the problems besetting the small business firm is certainly most welcome."

A spokesman for the New York Telephone Co. said, "It is high time that big-business leadership got behind a program of this kind. A unifying force is needed to bring action."

The impetus to create a private development corporation here comes at a time when there has been a net outflow of manufacturing jobs from the city.

Almost 100,000 such jobs were lost between 1958 and 1964, the Commerce & Industry Association, one of the sponsors of the new group being formed, reports.

Yet, big business in the city is apparently thriving. More than 2,500 corporations here each have a net worth of more than $1 million; 136 of the top 500 industrial corporations have their headquarters here, as do 16 of the 50 largest merchandising companies, 12 of the 50 largest utilities, and 10 of the 50 largest commercial banks.

[From the New York Times, Mar. 3, 1965]

Big Business to the Rescue?

Big business is beating the drums in a new campaign to halt economic decline in New York City. Many of the Nation's largest corporations whose head offices are in Manhattan have volunteered to aid small businesses and promote employment within the city through formation of a private nonprofit development corporation.

Given the talent and funds that big business can deploy, it should have no trouble setting up such an organization to spur the city's economy. Its value will, however, be minimal if it should be devoted merely or mainly to lobbying for lower taxes. Nor is there any need for a new organization simply to provide financial assistance to small businesses.

New York's business community can play a more effective part than it has to date only if the new corporation is made into a cohesive public-spirited force for dealing with many of the noneconomic problems that have plagued business. Private development corporations formed by businessmen in other cities have shown the way. They have been most successful where the corporation has cooperated with the authorities in clearing slums, combatting air pollution, fighting juvenile delinquency and getting involved in other areas that have tangible and intangible effects on business.

These problems are all bigger and more complex in New York than elsewhere. Business, big and small, has a stake in solving them. The invaluable advantages that the city offers to business—in its skilled work force, its huge market, its unmatched transportation facilities—are being increasingly offset by the spiral costs resulting from traffic jams, the shortage of industrial space, the need for training and retraining. The city has to cope with these problems, as well as taxes, if business is to be attracted rather than repelled.

The development corporation being organized by the business community must provide the kind of leadership in civic responsibility that up until now businessmen have exercised individually and then only in fits and starts. A concerted and continuous effort to improve basic conditions in the city will be better for business than if business simply seeks to make things easier for itself.

CLOSING OF VETERANS HOSPITALS

Mr. JAVITS. Mr. President, ever since the Veterans' Administration announced the closing of 11 hospitals and domiciliaries for so-called economy reasons—which are less than convincing—many Senators, including myself and my colleague, Mr. KENNEDY, have stated that the VA has totally ignored human factors in its decision.

This "human factor" is brought into sharp focus in a current series of articles by Phil Santora, of the New York Daily News, concerning the three VA installations in New York scheduled for closing.

The articles show, for example, that of the 445 employees at the VA hospital at Sunmount, 109 have mortgages on their homes totaling $447,730. These men and women have little prospect of being able to sell these homes to move to VA jobs elsewhere, if the hospital, with the community's biggest payroll, shuts down. The effect of the hospital's closing on the community of Tupper Lake, in my State's beautiful Adirondack Mountain region, would be drastic. Hospital employees are 21 percent of the entire work force, and the payroll at Sunmount is 45 percent of the total income from wages in the community.

Similar circumstances surround the proposed closing of the VA domiciliary at Bath, N.Y., where 800 ill veterans—many of them blind—are spending the last years of their lives. Symbolizing what this "human factor" can mean to people is 75-year-old Charles Naffky, who was gased in the Argonne, and who delights in his role, as a helper, companion, and letterwriter for his blind comrades at Bath. Mr. Naffky says: "I'd die if I couldn't do something for someone, because I've always been so active." He is not at all sure he would be allowed to continue this work at another VA center, and feels his own infirmities would keep him from working and active if he tried to leave VA hospitals altogether.

Mr. President, I ask unanimous consent to insert in the RECORD two articles from the New York Daily News editions of March 3 and 4.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Daily News,
Mar. 3, 1965]

VA HOSPITAL AX: AWARE OF COSTS, BLIND TO VALUES?

(By Phil Santora)

(First article of a series)

The decision of the Veterans' Administration to pull in its belt to the tune of $23 million by shutting down 11 hospitals, 17 regional offices, and four domiciliaries has has been greeted with cries of "foul" in some quarters and a "well, it's about time" attitude in others.

At the moment, the protests have a higher decibel content than the murmurs of taxpayers who have taken a long, apprehensive look at the latest budget.

Senate Majority Leader MIKE MANSFIELD of Montana has bitterly assailed the VA economy move as "an outrage." He added that the VA is exercising "computer card economy" and that eliminating veterans' hospitals in sparsely populated areas "will increase urban blight and hasten rural decay."

Other lawmakers, prodded by their indignant constituents, have joined MANSFIELD in his battle to force VA Chief W. J. Driver to reconsider his January 13 edict. The American Legion and other veterans groups have joined the fray and are putting on pressure.

The veterans and their dependents are inundating the White House and Driver's office with letters ranging from tearful protests to charges of un-Americanism.

Driver has been adamant thus far. One point has been conceded by President Johnson, who suggested the VA move in the first place.

Reluctantly, he agreed to postpone the deadline for closings to May 1, giving the doomed installations a couple of extra months in which to prepare for the shutdown.

Loud as the protests have been, they may be drowned out by the economic death rattles of several communities unless there is a change of heart in Washington. In some areas, the payroll of the local VA hospital spells the difference between getting along nicely or becoming a depressed area.

Last week, a News team spot checked two such areas—Tupper Lake, deep in the Adirondacks, and Bath, which lies in upstate New York's southern tier.

Necessarily, the viewpoints of those interviewed in both Tupper Lake and Bath were somewhat biased. In a subsequent article in this series, the reasons the Veterans' Administration advances for shutting down the installations will be reported.

HOSPITAL WORKERS 21 PERCENT OF EMPLOYEE FORCE

Tupper Lake, a wildly beautiful area catering to tourists and campers during the summer and skiers during the winter, is in a peculiarly vulnerable spot from an economic standpoint. Of its 5,000 residents, 445 work at the local VA hospital, Sunmount, 1 of the 11 marked for elimination.

These hospital employees are 21 percent of the entire work force of the Tupper Lake area and the $3,075,000 payroll at Sunmount is 45 percent of the total income from wages in the community.

This does not include the money spent in town for goods, groceries, appliances, and services. A recent survey, taken by a steering committee of local merchants trying to fight economic disaster, showed that at least 109 of the Sunmount employees have mortgages totaling $477,730 on their homes.

In addition, there are loans, chattel mortgages, unpaid auto loans, etc., amounting to another quarter million dollars.

"It sounds great," said a local merchant. "They say that all of these employees will get jobs elsewhere. Well, what do they do with their homes? I paid $22,000 for a home. Right now, I couldn't sell it for $15,000. If the hospital goes, I might have trouble giving it away.

"The entire life savings of many of these people consists of their homes."

SCHOOLS AND HOSPITALS DEPEND ON PLEDGES

The steering committee, more familiarly known as the Committee To Save Sunmount, presented facts on the school problem.

"Each of our Catholic churches has built new schools," they pointed out; "these schools are being paid for by pledges. One school has a debt of $150,000. We are just completing a new community hospital operated by the Sisters of Mercy.

"Of the $475,000 pledged, almost $200,000 is still to be paid and I would estimate that 40 percent of this amount is in pledges by employees of Sunmount.

"The administration in Washington talks about a war on poverty. We were not aware that Tupper Lake was the enemy in this war on poverty.

"The VA has offered these employees jobs elsewhere—apparently disregarding the fact that their homes, their roots are here. They love this place. They don't want to move to an alien section, make new friends, start all over," the committee said.

"The Government will pay to transport them. Patients will be transported elsewhere. There will be no savings here. It costs money to transport entire families of employees. It costs roughly the same to feed the patients, give them care and medicine. The savings to the VA, even on a long-term basis, would be negligible. One needs only to look at the millions poured down the various 'ratholes' in foreign aid to find this is a mere pittance."

A member of the committee added, "Let's not create Appalachias where there were none."

PATIENTS WON'T EAT BECAUSE OF WORD

Physically, Sunmount is a gleaming-white, sprawling, gracious lady of 40. It is immaculate, the staff is excellent, the patients love it and some of them have been so affected by the news that the hospital is to be shut down that they refuse to eat.

Frank Lutz, 69, a World War I veteran who served in the Navy, said, "They criticize this place because we have more employees than patients. They don't stop to consider that there are men here who have recovered from severe disabilities because of the wonderful care they get here.

"I was paralyzed so badly I couldn't talk when I came here a year ago. But at this moment I'm talking to you—and I say I wouldn't be doing it if I didn't have these people taking such good care of me. I don't give a damn if I never eat again. I don't care if I die. It's a damned shame."

Many of the patients who once were considered almost hopeless cases when they entered Sunmount have now recovered and are either employees at the hospital or have opened up shops in town, or work in the vicinity.

Mellon F. Kittell, 70, was a pilot in World War I, mostly on the Western Front. "I was dying of tuberculosis," he said, "and after they had sent me to a series of hospitals I landed here in 1938—it was New Year's Day."

TOOK HIM 10 YEARS, BUT HE RECOVERED

"Mind you, they had just about given up hope on me. I was sent here to die, I guess. I spent the next 10 years at Sunmount and I recovered."

Several years ago, Kittell opened a little leather hobby shop at 9 Mill Street, just off Tupper Lake's main street, Park Street.

He met his wife, Doris Miller, a registered nurse, at Sunmount in 1945 but it wasn't until 5 years ago that they were married. He paints, he carves, he does leatherwork and he is happy in Tupper Lake.

"The air here is part of the cure," he said, "but I do have other ailments and I have to go to the hospital every 6 weeks or so for treatment and medicine. Now, if this hospital wasn't here, where would I go? To Albany? That's 160 miles away. To Syracuse? That's even farther.

"Let's say I had to spend time in one of those far-off places. How would my wife get there to see me? Besides which, they know me here and they know my case. I get personal treatment. These are really dedicated people here in Sunmount. I think the VA isn't paying attention to the most important thing in this entire mess—the human factors," he said.

Dr. Morris W. Lambie, chief of physical medicine and rehabilitation at Sunmount, said of the VA contention that the veterans' hospitals of the future should be near medical schools. "The philosophy at Sunmount is that you do not have to be in Mecca to do good research and perform good service.

"When I came to Sunmount in 1953, there was one general medical ward and all other wards were for tuberculosis. Today the reverse is true; there is only one ward for tuberculosis."

He added, "The conversion has been such that, while our treatment of tuberculosis continues to rank second to none, the hospital's other facilities are such that only infrequently does a general medical or surgical patient have a problem that can be better resolved elsewhere."

FINDS TREATMENT SAME AS IN CITY HOSPITALS

"Sunmount meets the major needs of the northern New York veteran population with the same quality of treatment given by the metropolitan hospitals. I speak from experience, having served in larger installations," he said.

"Add to this the advantages—therapeutic, economic, and personal—of being nearer their families and homes, plus the more individualized attentions not usually available in larger hospitals."

Frank Morrison, 42, a strapping 6-footer, came to Sunmount January 26, 1942. "It was 40 below and there had been a 5-foot snowfall," he said. "I had been with the 69th Regiment of the 27th Division and I had contracted TB. Within 2 years I was cured and discharged.

"That same year I met Sis and we were married. Four years later I came to work here to help others."

Frank is a recreation therapist at Sunmount. It is common during the summer to see him lift amputees into a boat for some fishing on the big lake, and to take them for rides into the tall pines.

He has a $5,900 mortgage on his home, a son in college, a daughter who is ready to study teaching and another boy about to go to college.

"It sounds great," he said, "to tell a guy he can have a job elsewhere, but who wants to leave this country? My salary would be the same, but chances are I couldn't live as well somewhere else.

"My family was born here. They love the area. Now, we are waiting for our little dream world to collapse."

[From the New York Daily News, Mar. 4, 1965]

FOR OLD VETS, TIME TO MOVE, TIME TO LAMENT

(By Phil Santora)

(Second of three articles)

The veterans home and hospital at Bath, N.Y., one of those marked for oblivion by the Veterans' Administration, serves a 10-State area with a total population of 9 million veterans—and both the staff and the townspeople are shocked that the 68-year-old institution may go out of business.

As in Tupper Lake, N.Y., the payroll from the VA center is a significant factor in the local economy. In Tupper Lake, credit business has fallen off 40 percent in some instances because residents are afraid they may not be able to pay for new autos, wall-to-wall carpeting, and other items when the eocnomy falters and then stops still.

The same is true in Bath, though to a lesser extent because about one-third of the total wage income—instead of 45 percent as in Tupper Lake—comes from the VA center.

It is true that three of the buildings at Bath have been condemned. However, it is also true that a recreation hall—one of the finest to be found anywhere—was built there in 1959 at a cost of $1,200,000.

PLACE OF TRADITION, OLD BUT EFFICIENT

This is an old institution, but efficiently operated. It was originally built by New York State in 1877 as the State soldiers and sailors home. It passed to the Federal Government in 1930.

The graveyard, on a sunny knoll overlooking the countryside, is the last resting place of almost 7,000 men who served their country—from the Civil War to the Korean police action.

The first to be buried there was Michael Ahern, on June 25, 1879. The last was only a few days ago. One of the ancients at the home is Pat McGuinnis, a brisk, young 96 with a grip of iron, who has two uncles, Frank and Pat McGuinnis, buried there.

So, this is a place rich in tradition—a beautiful spot in the Finger Lakes country where old warriors have gone to recuperate, to rest, to spend the remainder of their days in peace and ultimately make their way up the knoll in a hearse.

U.S. WILL BE FORCED TO PAY MORE ELSEWHERE

Ed Humphrey, a local real estate broker who lost a leg in the landings in Normandy, is heading up the fight to save the center. He pointed out that the plant has a value of about $20 million, that the venerable domiciliary—as the home is called officially—is the only one in that part of the country, that the hospital would also be forced to close if the home is abolished.

Said Humphrey: "I think one fact has been overlooked; someone somewhere in this country is going to have to take care of these men. Some of them have threatened to go on relief rather than move out of the area.

"Their pensions are so small they couldn't even buy the medicines they need, let alone live a normal life. The taxpayer is going to have to take care of the men who fought for their country, whether it is in Bath or somewhere else.

"That leads to another fact—that our cost per patient here is much lower than it would be in private or in other VA hospitals elsewhere. So, how does the Government save money by throwing away an installation of this size?"

The home houses more than 800 veterans and is filled to near capacity. The men who have spent years there are are willing and able to perform chores are paid small sums—up to 65 cents an hour—and the various buildings are mostly in charge of these members-workers.

Some of them are too shocked, too inarticulate to speak their minds. Not Charles Gernier, however. Charlie, 74, is a World War I veteran, as are most of the men in "the dom."

He is an instructor in crafts—starting the program in 1950 with a tiny shop in the basement and expanding it to the point where dozens of the men take advantage of his teaching.

"A lot of the men," said Charlie, "are so depressed over the news that they don't care whether they live or die. This is their home—the only real one many of them ever had.

HE DARES TO CALL IT TREASON IN REVERSE

"I feel like many of them—I won't leave New York State. I'll move into Bath and try to get along. But many of these men won't be able even to make a living and they certainly can't make ends meet on their little pensions.

"The Government is doing one thing in closing this place—they're making bums out of men who fought for this country. My country is going to disgrace me and others who don't deserve it. This is treason in reverse.

"The United States gives millions to foreigners who spit in Uncle Sam's face by way of thanks. We can toss money away all over the world but our country can't even take care of these men, who ask only that they be allowed to die with some dignity among people they know.

"I want to tell you something, mister. I closed up my machine shop—gave up my business—to fight in World War I. I lost my wife because she didn't think I should go. But my country came first and I would do it all over again. But I don't like playing second fiddle to foreigners."

Charles Naffky, 75, was gassed in the Argonne, fought at St. Mihiel, and came to Bath 15 years ago to become a member-employee.

He has a heart condition, is arthritic, but does chores for the blind.

"I couldn't do a thing if I left here," said Naffky, "but here I feel like someone. I write letters for the blind, run errands for them, take care of them—I'd die if I couldn't do something for someone, because I've always been active.

PULLED UP BY ROOTS LIKE UNWANTED WEEDS

"Take away this little job of mine and I'd be nothing—I'd lose what little dignity I have left. I fought in the trenches for 18 months. I was willing to die for this country—but I don't want to die this way, off among people I don't know."

Another patient said, "I couldn't make the trip to a new place—and I understand the nearest one is down in Virginia where my relatives, who are older than I, would never get to see me again.

"It is a cruel, inhuman thing to ask us to pull up roots."

The dom has an average daily member load that ranges from 733 to 944. The average patient roster at the hospital is about 229. There are 619 employees, including the part-time home workers. The budget is $4,605,644.

There are the emotional viewpoints, of course, and there are the more dispassionate ones. One elderly man said, "I have no friends or relatives around here and it makes no difference to me whether I stay here or go down South someplace. Maybe the weather down there would be nice and warm and I could get out of this blizzard belt."

Among some of the employees there is a certain fatalism about the closing. They have resigned themselves to it and many of them are already trying to obtain employment in the area. They don't want the jobs in VA centers elsewhere.

One or two admitted that maintenance of the Bath VA center "is an expensive proposition" but added quickly that the cost would not diminish appreciably if the patients were taken elsewhere. As in Tupper Lake, they pointed out the cost of moving employees and patients would be high and said they could not see why a $20 million installation should be closed when it was still serviceable.

TOWN CANNOT ABSORB UNCLE SAM'S ORPHANS

Dr. Frank Nicklaus, mayor of Bath, is understandably shaken by the prospect of seeing his community lose a good share of its income.

"We're in better shape than Tupper Lake," he said, "but there is not enough industry in this area to absorb those employees who might want to remain here. Then, too, there is little doubt that many of the men in the dom will become public charges if they choose to stay here in town instead of going to another dom."

The average age of the men in the dom at Bath is 67—an old 67. These are men who have lost their skills through illness or who never acquired any. Some of them are drifters. Some are alcoholics.

MOST NEVER GET BACK IN THE SWIM

Their average life expectancy is 4 years from date of admission at age 67. Most of them are never really rehabilitated, few of them ever go back into the community to work again and become normal citizens.

Ed Humphrey pointed out that maintaining a man in the dom costs only about $5 a day, as compared to $26 a day in a hospital bed.

There are malingerers there, as there are in every VA installation. There are bums and there are men who crumpled from their efforts to fight life.

But as veterans of several wars, they paid quite a price of admission to the grounds.

PROPOSED HOUSING LEGISLATION

Mr. SPARKMAN. Mr. President, the President has sent to the Congress his housing message. As I understand, the message proposes the introduction of at least two bills in order to implement the proposals contained in the housing message.

One of these bills which may be referred to as an omnibus housing bill and which ordinarily is referred to the Banking and Currency Committee has been presented to us for introduction. Another bill, which I understand will be forthcoming in the near future will, if we follow past precedent, be referred to the Committee on Government Operations. I propose to introduce the omnibus housing bill presently. I will not, however, introduce the second bill. I shall defer to a member of the Government Operations Committee to introduce that measure.

Mr. President, I, of course, have not had sufficient opportunity to study in detail the President's housing message, or the bill to implement the proposals contained in that message. I can say, however, that from my very hurried review of these documents, the President's housing program is a very large and ambitious one. It includes many good provisions. It includes provisions to continue, either by date extension or through the authorization of additional funds, many existing housing programs that have served our people well. I refer, of course, in particular to the mortgage insurance programs of the Federal Housing Administration, the college loan program of the Community Facilities Administration, the rural housing program of the Farmers Home Administration, the urban renewal program of the Urban Renewal Administration, and so on.

In addition, it contains proposals for new programs. In general, I believe some of the new proposals may be helpful in meeting the housing needs of our people. On the other hand, it contains proposals which must be very carefully studied and some which I do not approve.

Nevertheless, Mr. President, by request, I now introduce for proper referral the administration's omnibus housing bill, entitled the "Housing and Urban Development Act of 1965."

Mr. President, I ask unanimous consent to insert in the RECORD a section-by-section summary of the Housing and Urban Development Act of 1965.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Section 1. Short title: The bill would be cited as the "Housing and Urban Development Act of 1965."

TITLE I—SPECIAL PROVISIONS FOR DISADVANTAGED PERSONS

Section 101. Financial assistance to enable certain private housing to be available for lower income families who are elderly, handicapped, displaced, or occupants of substandard housing.

This section would authorize the Housing and Home Finance Administrator to undertake a program of rent supplements to serve people who are in need of standard housing and are in the lower income range above the level prevailing for admission to low-rent public housing and below that necessary to obtain standard private housing, including moderate-income housing financed with FHA-aided market-interest rate mortgages insured under section 221(d)(3) of the National Housing Act.

Under the proposed program, rent supplements would be available with respect to housing to be built with the assistance of FHA-insured section 221(d)(3) market-interest rate mortgages and owned by private nonprofit corporations, limited dividend corporations, or cooperatives. Lower housing costs would be achieved for eligible occupants by rent supplement payments owner made directly to the project owner. Such payments for an occupant would be in an amount sufficient to reduce the rent to the level that the occupant could afford. If the income of the occupant (other than the elderly) later increased, the amount of the rent supplement payments would be reduced until the occupant could afford to pay the full rent, at which time the payments for that occupant would cease.

In addition to the income range requirement, eligibility for the rent supplementation aid would be restricted (1) to the elderly and the physically handicapped, (2) to those displaced by urban renewal and other public improvement programs, including code enforcement and (3) to those living in substandard housing. In serving these persons the program will also increase the supply of moderate-income private housing.

The rent supplement payments that could be contracted for with respect to any project assisted under this section would be limited to a term of 40 years. The aggregate amount of such payments contracted for could not exceed amounts approved in appropriation acts nor $50 million per annum, but this limitation would be increased by $50 million on July 1 of each of the years 1966, 1967, and 1968.

The amount of rent to be paid by an occupant would be 20 percent of income, except where the occupant obtains a lease with option to purchase either sales-type housing or a unit in a cooperative, in which case the rent or charges to be paid would be 25 percent of income. Sales-type housing could be provided in a rental project where units, such as row or detached houses, are rented initially but are designed so that they could later be transferred to individual ownership. Tenants selected for participation in lease-purchase arrangements would be only those with a potential for increased incomes for homeownership. When the income of an occupant has increased to the point that 25 percent of income would enable the occupant to assume ownership, this would be done generally with the aid of an FHA-insured section 221 home mortgage or, in the case of a cooperative dwelling, by changing his status from tenant of the cooperative to cooperating member.

Income ceilings and floors would be established for each area. In each area, the rent supplement payments could not exceed the public housing contractual subsidy amount for a comparable unit in the same or a comparable area. The income floor in any area would be the maximum income limit for admission of low-income families generally to public housing in that area.

The organizations owning the private projects assisted under the program would select the occupants, subject only to certain facts relating to eligibility as determined by the Housing Administrator or his delegatee. Prospective occupants would be referred by the housing owner to appropriate offices or agencies for the purpose of obtaining the Housing Administrator's certification as to facts concerning eligibility. More specifically, the certification would relate to the tenant's age or physical handicap where this is the basis for eligibility, or displacement, or occupancy of substandard housing. Certifications would also relate to incomes at initial occupancy and every 2 years thereafter, or more frequently if the Housing Administrator deems it desirable, except that recertifications after initial occupancy would not be required in the case of the elderly.

The amount of rent supplements to be paid to the project owner with respect to any occupant would be the difference between 20 percent of income (or 25 percent in the case of leases with option to purchase) and the full rent that is required under the market interest rate FHA-insured mortgage financing. A given proportion of the units could be available for tenants or cooperative housing applicants who would not require any rent supplements, and the balance of the units would be available for tenants or cooperative housing applicants who would need rent supplements. Payment of the rent supplements would be delegated by the Administrator to the FHA.

A workable program will be required with respect to housing assisted under this section in any community where Federal assistance is being provided for code enforcement, urban renewal, or public housing, and with respect to such housing in any community for which a workable program was required and in effect at the time Federal assistance was provided for code enforcement, urban renewal, or public housing.

Administrative limitations on the per-unit mortgage amount would be applied in all areas. The per-unit mortgage limit for an area would be the same as is now used in the FHA-insured below-market interest rate program under section 221(d)(3). Under the latter program, the per-unit mortgage limit is that mortgage amount for a unit which would require a rent equal to 20 percent of the maximum income limit established for that area.

The rent supplement payments to be made under this program would help provide housing for people who are in need of standard housing and are in the income gap referred to above. In this income range are many of the 60,000 to 70,000 families displaced each year by public improvement actions and the approximately 10,000 a year whose incomes become too high for continued occupancy in public housing. Increasing code enforcement will increase public action displacements. Altogether, there are about 1.6 million elderly households (families or individuals) in this income gap, as well as about

1.8 million nonelderly nonfarm families living in substandard units.

The flexibility provided in rent supplement payments would enable people of various incomes to become occupants of the units to be provided without requiring an excessively high proportion of their income to be paid for rent. Moreover, after initial occupancy, the rent supplement payments would be adjusted at least every 2 years (except as to elderly) and paid only as needed and in the amounts needed.

The rent supplementation program would to a very great extent utilize private participation. The projects would be owned by private nonprofit, limited dividend, or cooperative groups; constructed by private builders; and financed by private lenders with FHA-insured market interest rate mortgages.

Section 102. Extension of FHA section 221 programs: This section would continue for 4 years (from September 30, 1965, to October 1, 1969) the authority of FHA to insure mortgages under its section 221 programs of housing for lower income families. This includes extension of the "(d)(3) below market" rental housing and the "(d)(2)" low downpayment sales housing programs.

Section 103. Rehabilitation grants to homeowners in urban renewal areas: This section would authorize the limited use of urban renewal capital grant funds for rehabilitation grants to certain homeowners in urban renewal areas. These grants would be used only in hardship cases where no other means of financing is available to avoid displacement of the homeowners. These would be the few but important cases involving elderly and others where low interest rate loans (under section 312 of the Housing Act of 1964) are not feasible for the purpose of financing rehabilitation necessary to make the home conform to public standards for decent, safe, and sanitary housing established by applicable codes or the urban renewal plan for the area.

In the case of an individual or family whose annual income is not more than $2,000, the amount of a grant could not exceed the lesser of (1) the actual and approved cost of the repairs and improvements, or (2) $1,000. In the case of an individual or family whose annual income is more than $2,000, the amount of a grant could not exceed the lesser of (1) the actual and approved cost of the repairs and improvements, or (2) $1,000, or (3) that portion of the cost of such repairs and improvements that could not be paid for with any available loan which could be amortized, along with such individual's or family's other monthly housing expense, without requiring their monthly housing expense to exceed 25 percent of monthly income.

In other words, in the case of an individual or family whose income exceeds $2,000 a year, no grant could be made for that portion of the actual and approved cost of required repairs and improvements which could be paid for with a loan which could be amortized, along with that individual's or family's other monthly housing expense, with 25 percent of its monthly income. This limitation would require most individuals and families with incomes over $2,000 to finance the cost of such repairs and improvements with loans. In some cases, these loans can be obtained through private financing. For those unable to obtain private financing on reasonable terms, direct 3 percent interest-rate loans will be made available under the provisions of section 312 referred to above.

Repairs and improvements for which grants authorized by this section could be made available include the repair or replacement of plumbing facilities, such as piped hot and cold running water, hot water heaters, flush toilets, or bathtubs, and such basic rehabilitation work as is necessary to bring the dwelling unit up to the standards for decent, safe, and sanitary housing established by the local housing code or the urban renewal plan.

Successful execution of an urban renewal rehabilitation project requires, in addition to upgrading property in the project area, that displacement be minimized. Even with a 3 percent rehabilitation loan, many homeowners in urban renewal areas, especially elderly homeowners, cannot afford to make the necessary repairs and improvements to their properties.

At present, if such homeowners cannot bring their property up to the required standards, the property must be acquired and either be rehabilitated or torn down by the local public agency. It is clear that the grants authorized by this section would make it possible to carry out urban renewal projects with the acquisition of fewer properties (and consequently less displacement of families) than otherwise would be possible.

The grants authorized by this section for low-income individuals and families in urban renewal areas will assist in upgrading properties, as well as help to minimize displacement and its consequent problems. Aside from the social costs involved in displacing homeowners who cannot afford to repair and improve their property to required standards, there is the dollar cost involved in providing to these displaced homeowners the relocation payments authorized by the urban renewal law.

The cost of providing the rehabilitation grants authorized by this section would not exceed $2 to $3 million annually.

Section 104. Parity of treatment for the handicapped and elderly in public housing:

This section would establish parity of treatment between the handicapped and elderly and thereby facilitate the provision of housing for handicapped families by making applicable to the handicapped certain existing provisions that are now available for housing for the elderly. It would increase by $1,000 ($500 in the case of Alaska) the maximum room cost limits applicable to public housing designed specifically for the handicapped; would authorize a special contribution of up to $120 per unit per year to dwelling units occupied by the handicapped; and would exempt the handicapped from the requirement that there be a 20-percent gap between the upper rental limits for admission to a proposed low-rent housing project and the lowest rents at which private enterprise is providing a substantial supply of standard housing.

The Housing Act of 1964 contained a number of provisions designed to facilitate the provision of housing for the handicapped, including a provision which made handicapped individuals eligible for admission to low-rent housing. However, while that act in general established parity of treatment between the handicapped and the elderly under relevant Federal housing programs, it did not fully extend this principle to the low-rent public housing program. Most significantly, the increased room cost limits applicable to housing designed specifically for the elderly and the special $120 contribution for the elderly were not extended to the handicapped. The handicapped family's need for specially designed housing, and the very low incomes of many of these families, clearly justifies the extension of these benefits.

Estimates based on a national survey conducted by the Public Health Service from mid-1957 to mid-1961, showed that 5,306,000 persons age 15 to 62 were reported to have chronic conditions which limited them in the amount and kind of major activity, such as employment or housework, which they could undertake. An additional 1,204,000 persons in this age category were further restricted since they were unable to carry on a major activity.

The Public Health Service data also showed the family incomes applicable to the persons reported on. Relating this family income data to the $3,100 median income limit for admission to PHA-assisted low-rent housing in 1960 for an average size family of 3 or 4 persons, it is estimated that 40 percent of the 5,306,000 families containing a person with chronic conditions limiting the amount and kind of major activity would be eligible for admission to low-rent housing. Twenty-six percent of these 5,306,000 families had incomes of less than $2,000. For the 1,204,000 families in which there was a person who was not just limited in capacity but who was unable to carry on a major activity, about 55 percent would be eligible for low-rent housing and 40 percent had incomes of less than $2,000.

It will be noted, however, that many of these persons who are less than age 62 would qualify as "elderly" under the present provisions of the United States Housing Act of 1937, if their condition were such as to constitute a disability as defined in section 223 of the Social Security Act. This section of the bill would extend the same status and benefits to the others whose condition would render them "handicapped" within the meaning of section 202 of the Housing Act of 1959, even though their condition does not constitute a disability as defined in section 223 of the Social Security Act.

Section 105. Relocation payments under Mass Transportation Act: This section would amend the relocation payment provisions of the Urban Mass Transportation Act of 1964 to make the payments to individuals, families, business concerns and nonprofit organizations displaced by federally aided urban mass transportation projects after the date the bill is introduced the same as those provided under the urban renewal and low-rent public housing programs.

Under these provisions, payments to families and individuals could not exceed $200 for moving costs and property loss. In addition, families and elderly individuals displaced on and after the date of introduction of the bill could receive a relocation adjustment payment of up to $500 to assist them in relocating in standard accommodations.

For businesses, the payment could not exceed $3,000 for moving expenses and loss of property, except that where actual moving expenses are greater than $3,000 the maximum relocation payment to a business concern could not exceed the total of the actual moving expenses. By regulation this would be limited to $25,000 or actual expenses, whichever is less. Independent businesses displaced after the date of introduction of the bill which have average annual net earnings of less than $10,000 could receive additional readjustment payments of $1,500.

Under the present provisions of the mass transportation law the relocation payments may not exceed $200 in the case of an individual or family, or $3,000 (or, if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. By regulation, payments are limited to $25,000 or actual moving expenses, whichever is less.

TITLE II—FHA INSURANCE OPERATIONS

Section 201. Land development: This section would authorize Federal assistance to land development.

FHA mortgage insurance for land development: Subsection (a) would add a new title X to the National Housing Act which would authorize FHA mortgage insurance to assist in financing the cost of land development for residential and related uses. The activities financed under the title would include the acquisition of land and its improvement with water and sewer facilities, roads, streets, sidewalks, storm drainage facilities, other site improvement work, including certain community buildings approved by the Federal Housing Commissioner. These activities involve substantial capital requirements which the mortgage insurance would assist in meeting. The land made available for further development could vary in size and type from land suitable for a small, but well-planned neighborhood or to a suburban subdivision or an even more extensive new development, such as a new town.

During the next 10 years, new homes will be required for 15 to 20 million families. The new title X would help assure that sites are available for these homes at more economical prices and in communities which avoid the wasteful sprawl and disorganization of much recent urban development. Through adequate planning, home buyers can receive the benefit of good design and the conveniences and economies of adequate facilities for the community. This is true for well-planned small tracts and for more extensive developments.

In addition, in the case of extensive new development, there could be additional savings resulting from the ability to select land in areas now largely undeveloped and yet provide all needed facilities. The extensive new development can also more easily provide nearby industrial, commercial, civic and recreational facilities, thereby minimizing transportation costs and efforts and may also provide a fuller range of housing both as to incomes served and as to design.

The homebuilding and mortgage-lending industries have shown sharply increasing interest in such extensive developments, and quite a few have been started throughout the Nation. The availability of FHA mortgage insurance would permit smaller land developers, and smaller local homebuilders and mortgage lenders to participate in this desirable trend on a cooperative basis, since at the present time the large capital requirements involved tend to limit the possibilities of participation to very large participants. The extension of the long tested device of FHA mortgage insurance for housing and related purposes to the land development stage would in effect bring FHA's services to private enterprise up to date in the light of contemporary trends in the homebuilding and mortgage-lending industries.

There follows a section-by-section summary of the proposed new title X of the National Housing Act:

Section 1001. Purpose: The purpose of the title is: "to provide appropriate credit assistance in order that private enterprise may better serve the needs of a rapidly expanding urban population by means of additional well-planned and adequately improved sites for the development of desirable residential neighborhoods, subdivisions, and sound communities."

Section 1002. Definitions: This section contains definitions of terms used in the title, including a definition that indicates the nature of eligible site improvements. The only buildings that would be eligible as site improvements are those needed for water supply or sewage disposal installations or such other buildings (except schools) to be jointly owned and maintained by the property owners as the Commissioner considers appropriate.

Sections 1002–1008. Basic conditions for insurance and land planning: (a) Authority to issue mortgage insurance commitments under the title would expire on October 1, 1969; (b) The insured mortgage loan could not exceed the lesser of (1) 75 percent of the Federal Housing Commissioner's estimate of the value of the property as of the completion of land development or (2) the sum of 50 percent of his estimate of the value of the land before development and 90 percent of his estimate of the cost of the site improvements. The insured mortgage amount outstanding could not exceed $25 million; (c) The improvements and the development plan would be required to comply with all applicable State and local governmental requirements and with FHA's standards. The land development schedule would in all cases contemplate development within the shortest reasonable period consistent with sound development, and the development plan for the site would be required to be consistent with a comprehensive plan which covers, or with comprehensive planning being carried on for, the area in which the land is situated.

The comprehensive plans or planning would in all cases meet criteria established by the Housing and Home Finance Administrator, and would encompass activities such as those referred to in section 701(d) of the Housing Act of 1954. The applicable criteria would differ for different types of planned developments; for example—a suburban subdivision immediately adjacent to the developed outskirts of a city or an extensive new development with large residential, commercial, and industrial areas to be situated in the countryside between two large cities. In the first case, the plan would need to demonstrate the adequacy of the community environment to provide an appropriate setting for the new subdivision, and that land uses and public facilities would be consistent with comprehensive planning for the entire urban area. In the second case, the criteria would contemplate a comprehensive plan for a larger urban area to demonstrate the interacting relationship between the new development and other communities in the urban area (including the two large cities), major employment centers, major open spaces, and intercity transportation facilities.

In all cases the criteria to be established by the Administrator will have as their purpose reasonable assurance that the process of comprehensive planning for the area where the land is situated includes, as an integral part of that process, provisions for making the planning effective so that the proposed development assisted by the mortgage insurance will in actual fact be compatible with the present and projected development of the wider area where the land is situated.

In the case of a site proposed to be prepared for an extensive new development, the Administrator would review the site development plan (including the adequacy of housing to be provided for those employed within the planned development) for consistency with the overall comprehensive plan or planning for the area. However, in all ordinary cases this review would be the responsibility of the Federal Housing Commissioner.

All land development plans would be required to be acceptable to the Commissioner as providing reasonable assurance that the land development will contribute to the establishment of growth of a well-planned neighborhood, subdivision, or community which (i) will have a sound economic base and a long economic life, (ii) will be characterized by sound land use patterns, and (iii) will include or be served by such shopping, school, recreational, transportation, and other facilities as the Commissioner deems adequate or necessary.

Section 1009. Priorities: The Commissioner would, in administering the program, encourage the maintenance of a diversified local homebuilding industry and the inclusion in land development plans of a proper balance of housing for families of moderate or low income and he may give a priority among land development undertakings assisted under the title to those undertakings that will, through open marketing of the developed land or other means, encourage broad participation by builders and that will serve families having a broad range of incomes.

Section 1010. Water and sewerage facilities: The land after development would normally be expected to be served by public systems of water supply and sewerage. These would be consistent with other existing or prospective systems within the area. If the Commissioner finds that a public system is not feasible he may, under such assurances as he may require with respect to eventual public ownership and operation, approve an adequate privately or cooperatively owned system. Such a system would be required to be regulated in a manner acceptable to the Commissioner to protect the interest of consumers as to user rates and charges and methods of operation and also as to terms of any sale or transfer of the systems.

Sections 1011–1015. Miscellaneous: These sections relate to the subordination of mortgage liens, the assessment of reasonable premiums and fees, the payment of mortgage insurance benefits, insurance contract incontestability, and the issuance of FHA rules and regulations.

Section 1016. Taxation: This section provides that real property acquired and held by the Commissioner under this title shall not be exempt from State or local real estate taxation.

Section 1017. Cost certification: This section contains a requirement for certification by the mortgagor of actual development costs to be made from time to time to assure that the outstanding balances of loans insured under the title during the course of land development will be appropriately limited to reflect both the actual costs of development and the release of improved parcels from the lien of the mortgage.

Conforming amendments

Amendments to other provisions of law appropriate for conformity with the proposed new title X are made by subsection (b) of this section.

Paragraph (1) of subsection (b) would amend the labor standards provisions of the National Housing Act to make them applicable to work performed by laborers and mechanics employed in land development receiving financial assistance under the proposed new title X program.

Paragraph (2)(A) would amend the Federal National Mortgage Association Charter Act "Special Assistance" provisions to make inapplicable, in the case of title X mortgages on extensive new developments, the present statutory dollar ceilings that are based on mortgage amounts per family residence or per dwelling unit.

Paragraph (2)(B) would amend the definition of "mortgages" in the FNMA Charter Act to make it clear that the "home mortgages" referred to in the statement of purposes and elsewhere in that act include the proposed new land development mortgages as well as all other mortgages insured under the National Housing Act.

Paragraph (3) would amend the Federal Reserve Act to permit national banking associations to make loans secured by title X mortgages.

Paragraph (4) would amend the Home Owners' Loan Act of 1933 to permit Federal savings and loan associations to invest in title X insured mortgage loans to the extent permitted under Federal Home Loan Bank Board regulations.

Paragraph (5) would include among the eligible categories of planning grants under section 701 of the Housing Act of 1954, grants for planning for areas in which there is to be established an extensive new development on land improved or to be improved with assistance under the proposed new title X or on land acquired or to be acquired with assistance under section 202(b)(1) of the housing amendments of 1955.

Paragraph (6) would make the existing population limits in the public facility loans program authorized by section 202 of the housing amendments of 1955 inapplicable to financial assistance extended to municipalities or other political subdivisions in connection with an extensive new development on land improved or to be improved with assistance under the proposed new title X, or on land acquired or to be acquired by State land development agencies with assistance under section 202(b)(1) of the housing amendments of 1955.

State land development agencies

Subsection (c) of this section would authorize the Housing and Home Finance Administrator to make loans to land development agencies (created or designated by or pursuant to State legislation) to finance the acquisition of land to be utilized in connection with development of well-planned residential neighborhoods, subdivisions, and communities. The land so acquired would be sold to private builders, and possibly after installation of basic public facilities, for the construction of well-planned developments. These may be residential neighborhoods, housing subdivisions or more extensive new developments.

The loans would be limited to an amount not exceeding the total cost as approved by the Administrator, of the acquisition of a fee simple or other interest in the land, including capitalization of interest for the term of the loan, and related expenses. The loans would be required to be reasonably secured and would be repayable within a period not exceeding 15 years at an interest rate of not more than the average annual interest rate on all interest-bearing obligations of the United States forming a part of the public debt, adjusted to the nearest one-eighth of 1 percent, plus one-half of 1 percent. For the current fiscal year this formula produces an interest rate of 4 percent.

Loans for land acquisition could not be made unless the Administrator determines that (1) private financing is not otherwise available on reasonable terms; (2) the development of a well-planned residential neighborhood, housing subdivision, or community on the land would be consistent with a comprehensive plan or with comprehensive planning, meeting criteria established by the Administrator, for the area in which the land is located; and (3) a preliminary development plan for the use of the land meets criteria which he has established.

The subsection further provides that the land acquired with Federal financial assistance under this subsection must be developed in accordance with a development plan approved by the Administrator. Sales of the land to private persons may not be for less than its fair value for uses in accord with the approved development plan. A development plan, wherever feasible in the light of current conditions, would be required to encourage the provision of sites providing a proper balance of types of housing to serve families having a broad range of incomes.

This program is designed to assist the State governments that wish to establish land development agencies in order to take advantage of the State government's unique powers to promote the planned development of future urban growth. As a governmental body with an area of jurisdiction beyond the confines of the geographical boundaries of a city, county, or special district, these State land development agencies could become focal points in the process of planning for attractive and efficient urban development. Through these public land development agencies State governments, which are responsible for the well-being of all of its citizens, would become instrumental in fostering comprehensive planning of new areas expected to be populated within the foreseeable future.

State governments are already concerned with economic planning with respect to promoting industrial development and seeking to induce business concerns to locate (or relocate) their industrial plants within their States. Many State governments are also engaged in some form of systems planning in connection with determining the location of, and standards for, water and sewer facilities, location of State highways, and the planning of other public works.

Once the public land development agencies are established, and after some experience with Federal loans indicates that this type of State activity is both practical and successful, private investor interest in the obligations issued by the State land development agencies can be expected. Such private funds are expected to be obtainable at interest rates below 4 percent.

Loans authorized by this subsection would be made from the revolving fund established by title II of the Housing Amendments of 1955 to finance the public facility loan program. No additional authorization is necessary. It is estimated that during the first full year of operations the amount of Federal funds committed for loans authorized by this subsection will not exceed $25 million.

Section 202. Extension of insurance authorizations: This section would continue for 4 years (from the present termination date of October 1, 1965 to October 1, 1969) the authority of FHA to (1) insure property improvement loans under its title I program, (2) insure housing loans and mortgages under all of its programs except those with independent termination dates, and (3) insure mortgages providing housing under its sections 809 and 810 programs for the military, NASA, and AEC. The section 221 program of mortgage insurance for housing for low- and moderate-income families would be continued for 4 years by another section in title I of the bill.

Section 203. Multifamily mortgage limits for four or more bedroom units: This section would permit an increased dollar limitation on the amount of a mortgage financing multifamily housing with dwelling units consisting of four or more bedrooms (except where the mortgage is insured under the section 810 program for the military). For example, under the regular rental housing program (sec. 207), the mortgage limit would be $21,000 per dwelling unit (an increase of $2,500) in the case of a family unit with four or more bedrooms. No change would be made in the existing limits for dwelling units containing no bedrooms, or one, two, or three bedrooms.

Prior to the Housing Act of 1964, the FHA was able to recognize additional rooms almost without limit as to number in the statutory per room multifamily mortgage limits. While the former per room limits too often led to superfluous additional rooms to the detriment of design, they did permit the recognition of the cost of additional bedrooms. The FHA has found, in working with the new family unit limitations added by the 1964 Housing Act, that they do not contain adequate provisions for financing projects with large units having four or more bedrooms. For this reason, an additional dollar limitation is being proposed for four or more bedroom units. This additional dollar limitation would enable the FHA to reflect properly the added cost of large units in the maximum mortgage amount and encourage production of accommodations for larger families where needed.

Section 204. Rehabilitation in urban renewal areas:

The principal purpose of this section is to encourage more rehabilitation of housing for rent in urban renewal areas by removing an obstacle which unduly restricts the use of the FHA section 220 urban renewal housing program as it applies to nonoccupant owners of 1- to 11-family structures. Under the amendments of section 220 of the National Housing Act provided by this section a nonoccupant mortgagor who intends to hold 1- to 11-family housing for rent would be entitled to a larger loan amount which would be more in line with that now permitted where the housing consists of larger multifamily structures. The amendments would liberalize and make section 220 more workable for financing the construction, purchase, or rehabilitation of housing in urban renewal areas.

Section 220 would be amended (1) to increase the maximum amount of a mortgage which can be insured where the mortgagor is not an occupant of the property and intends to hold it for rent, and (2) where refinancing is involved, to permit existing indebtedness for improvement of the property to be included in the computation of the amount of a mortgage whether or not the indebtedness is secured by a mortgage against the property. Under existing law only indebtedness secured by the property may be included in the insured mortgage.

Under the proposed amendment, a nonoccupant mortgagor could obtain an insured loan for rehabilitation, purchase or construction of a 1- to 11-family property for rent in an amount which is 93 percent (now 85 percent) of the amount that an owner-occupant of the property could receive. Under existing law, an owner-occupant may obtain a rehabilitation loan which does not exceed (1) 97 percent of $15,000 of the estimated value before rehabilitation, plus 90 percent of estimated value above $15,000 but not above $20,000, plus 75 percent of value above $20,000, or (2) the estimated cost of rehabilitation plus cost of refinancing. For new construction the loan can be up to 97 percent of $15,000 or estimated replacement cost, plus 90 percent of cost above $15,000 but not above $20,000, plus 75 percent of the cost above $20,000.

Since under this section a nonoccupant mortgagor could obtain 93 percent of the amount that could be obtained under either of these formulas, the amount he would obtain would in effect be approximately 90 percent of the value or replacement cost of the property, depending upon the formula applicable. In no case involving refinancing of housing to be rented could the mortgage amount exceed the estimated rehabilitation cost plus refinancing.

Under the present law, a nonoccupant mortgagor of rental housing may obtain a mortgage in an amount only up to 85 percent of that permitted for an owner-occupant. In a case of refinancing and rehabilitation he may have a substantial equity in the property, but the 85-percent limit requires him to increase his cash outlay and equity more than he is willing to do.

A nonoccupant mortgagor who intends to sell the housing would continue, as the law presently provides, to be eligible for a mortgage up to 85 percent of the amount available for an owner-occupant, except that the mortgage amount can be the same as that permitted for an owner-occupant if the mortgagor places 15 percent of the mortgage proceeds in escrow pending sale to an acceptable owner-occupant within 18 months.

Section 205. Nondwelling facilities for urban renewal rental housing: A multifamily rental housing project in an urban renewal area financed with a mortgage insured by FHA under the section 220 urban renewal housing program would be permitted, by amendments in this section, to include more nondwelling facilities financed by the mortgage than under the existing law. Under the new provisions, the Federal Housing Commissioner could permit such nondwelling facilities as he deems desirable and consistent with the urban renewal plan to be included in the project. However, the project would have to be predominantly residential, and the Commissioner would also have to find that any nondwelling facilities included in the project would contribute to the economic feasibility of the project. To assure that commercial construction under this provision will be kept at a minimum, the Commissioner intends to require that proposed projects, involving more commercial facilities than are presently permitted, must be sent to the Washington office for review.

Under existing law the mortgage on a section 220 rental housing project can finance only such nondwelling facilities as the Commissioner deems adequate to serve the needs of the occupants of the property and of other housing in the neighborhood. This provision is too limited for housing in urban renewal areas where the facilities are essential to renting the housing but are economically feasible only if they can serve a larger area.

Sponsors would be more willing to undertake the provision of rental housing in urban renewal areas, particularly in areas where there has been extensive clearance of slums, if this provision is enacted because they would be assured of more rapid renting of the units in the project. Quick renting of housing in an urban renewal area depends on the availability of shopping centers and other commercial services and facilities of this nature.

Section 206. Larger insured mortgages for servicemen: The limit on the amount of an FHA section 222 insured mortgage, financing the home of a serviceman in the Armed Forces or the Coast Guard, would be increased from $20,000 to $30,000. This larger maximum mortgage is requested by the Department of Defense in order to make the special program for servicemen under that section more useful in providing housing. The downpayments required would be the same as those required under FHA's regular section 203(b) home mortgage insurance program—that is, 3 percent of the value of the property up to $15,000, 10 percent of the value of the property over $15,000 but not over $20,000, plus 25 percent of the value above $20,000.

Under the section 222 program the Department of Defense pays the mortgage insurance premium where a home is purchased by a serviceman with a mortgage insured under the program and so long as he is in the service. Over 75,000 servicemen currently have homes purchased with these mortgages. Around 276,000 additional homes are needed for career military personnel.

Under the present provisions of section 222 a mortgage cannot exceed $20,000 in amount. Housing construction costs and related expenses of homeownership have increased. The effective incomes of many career military members have also been increased by changes in the military compensation system. In high-cost areas in particular, the $20,000 limit does not provide an adequate or appropriate home, especially in the cases of servicemen above the grade of major or lieutenant commander.

Section 207. Refinancing of insured mortgages: This section would correct an omission in existing law. It would give FHA the same authority to insure mortgages executed for the purpose of refinancing existing mortgages insured under any FHA insured mortgage program as is now available for mortgages insured under sections 220, 221, 903, 908 and certain section 608 mortgages.

The principal amount of any refinancing mortgage cannot exceed the original principal amount or the unexpired term of the existing mortgage, except that if the Commissioner determines that an additional term will inure to the benefit of FHA the refinancing mortgage may have a term of not more than 12 years in excess of the unexpired term of the existing mortgage.

This refinancing authority serves a useful purpose in assisting mortgagors who encounter financial difficulties, especially those owning multifamily housing projects. It also serves to protect the interests of the mortgagee and of the FHA in marginal cases where the alternative to refinancing may be default and foreclosure. There does not seem to be any sound basis for limiting the authority, as is done by present law, to certain specified programs under the act.

Section 208. Consolidation of insurance funds: As a means of streamlining accounting procedures, with substantial economies in operations both in Washington and the field offices, this section would provide that all FHA insurance funds be consolidated into two funds; namely, a mutual mortgage insurance fund, and a general insurance fund. The mutual mortgage insurance fund would be continued in its present coverage and form, and all other insurance funds and accounts would be consolidated under a single insurance fund—the general insurance fund. All title I property improvement loans would be registered for insurance, and mortgages under all of FHA's insurance programs would be endorsed for insurance under the general insurance fund, except those mortgages committed and insured under the regular section 203 home mortgage insurance program. The assets and liabilities of all of the current funds and accounts except the mutual mortgage insurance fund would be transferred to and become the responsibility of the general insurance fund.

Since its creation in 1934, the programs of the Federal Housing Administration have from time to time been expanded and broadened in order that it could be of increasing assistance in providing housing to meet the needs of all Americans. These goals have not yet been fully achieved and additional programs will undoubtedly be proposed and enacted into law in the future.

As new insurance programs have been authorized, new insurance funds or accounts have usually been created, thus requiring separate financing and accounting for the programs. These funds and accounts have grown from 2 in 1934 to 15 at the present time.

In the early 1950's it became apparent that, by reason of the small volume of insurance written under some of the special purpose programs, revenues would be insufficient to maintain those programs on a self-supporting basis. Because of this, and in order to strengthen FHA's over-all position and avoid the necessity of calling upon the Congress for operating funds, section 219 was added to the National Housing Act. That authorized the Commissioner to transfer moneys from any one or more insurance funds or accounts to any other fund or account, except the participating reserve account and the general surplus account of the mutual mortgage insurance fund.

The effect of section 219 was to give FHA all of the advantages and flexibility of single fund accounting but it left the agency burdened with the expense and necessity under the act for full and complete accounting for each of its present 15 funds or accounts.

While the maintenance of separate insurance funds affords complete financial information with respect to each of FHA's various insurance programs, such complete accounting and fiscal data on a continuing monthly basis are unnecessary for management purposes. Moreover, the maintenance of the separate funds complicates FHA's financial structure.

Under the proposed consolidation of funds, statements would be provided monthly for the general insurance fund and the mutual mortgage insurance fund with respect to the status of the funds. Data would also continue to be supplied which is needed to evaluate the effectiveness of individual programs.

The proposed consolidation would reduce from 15 to 2 the number of monthly entries to be accounted for and later consolidated into a combined balance sheet and statement of income and expense. It would substantially reduce field reporting of expenses. The consolidation would also result in significant savings in the Treasury Department since the recordkeeping, issuance, exchange, and redemption of debentures would relate to only 2 series of debentures rather than 22 series as at present.

After consolidation, FHA would still be able to compute with reasonable accuracy the financial experience of individual programs, as the need might arise. Special attention would continue to be given to income and loss experience under the section 213 cooperative housing program in compliance with the desire expressed in the conference report on the Housing Act of 1964. The semiannual and annual valuation of reserve requirements would continue to be prepared as in the past.

Section 209. Optional cash payment of insurance benefits:

This section would authorize the Federal Housing Commissioner, in his discretion at the time of payment, to offer payment of insurance benefits in cash on any insurance claim filed by a mortgagee on or after the date of its enactment. At present, the FHA does not have this general authority, but periodically calls in debentures for redemption to the extent deemed appropriate. The proposed new authority in no way changes the basic nature of the FHA debenture system, as the Commissioner would be given no new authority to agree in advance to make payments in cash instead of debentures.

A cash payment under this new authority would be in an amount equivalent to the face amount of the debentures that would have been issued, plus an amount equivalent to the interest which the debentures would have earned, computed to a date established by the Commissioner. In a case where a mortgagee, under his mortgage insurance contract, is entitled to receive debentures, the mortgagee would still be entitled to receive payment in debentures rather than in cash if the mortgagee does not want to accept a cash payment. Mortgagees filing insurance claims on mortgages insured under the section 220, 221, or 233 programs (urban renewal housing, low- or moderate-income housing, and experimental housing) after the Housing Act of 1961 now have in their insurance contracts the right to a cash insurance settlement. Also, lenders insuring home improvement loans under section 203 (k) after the date of enactment of the Housing Act of 1964 have the right to receive cash insurance benefits.

For various reasons, occasions may arise when it would be in the national interest to pay insurance benefits in cash rather than in debentures. For example, the sale of debentures in the private capital markets may result in losses to their holders where there is a spread in interest rates. Where adverse conditions exist in the private capital market, it would be desirable for the Commissioner to have the authority to make cash payments of insurance benefits in all programs.

In order to have funds with which to make such cash payments, the Commissioner would need the authority to borrow from the U.S. Treasury such amounts as he determines from time to time. The Treasury loans would bear interest at a rate determined by the Secretary, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the obligations evidencing the loans. Of course, this borrowing authority would be in place of the U.S. guarantee on the debentures which would otherwise be issued.

TITLE III—URBAN RENEWAL

Section 301. General neighborhood renewal plans:

This section would make more realistic the statutory requirements with respect to general neighborhood renewal plans.

It would permit a GNRP to be prepared for an urban renewal area or areas together with any adjoining area or areas having specially related problems and eliminate the present requirement that the whole area covered by the GNRP be an urban renewal area.

However, this section would not make eligible for urban renewal project activities any areas not presently eligible, and would not provide any increased grant assistance, through noncash credits or otherwise, to urban renewal projects carried out in those portions of the area covered by the GNRP in which urban renewal project activities can be undertaken.

To permit unified planning of total neighborhoods, this section would authorize a GNRP area to include subareas which are not in themselves so blighted or deteriorated as to require urban renewal treatment. Under present legislative language, all parts of a GNRP area must be slum or blighted, deteriorated, or deteriorating, to the same extent as is required before an urban renewal project can be undertaken in the area. The amendment would make possible, for example, study of the street capacities and requirements of an entire neighborhood rather than only those portions of that neighborhood already scheduled to receive urban renewal assistance through an urban renewal project or projects.

This section would also ease the present requirement that all urban renewal projects in the urban renewal area covered by the GNRP be completed in 10 years and would require only that all such projects be initiated in that time. The present law describing a GNRP states that, "urban renewal activities therein may have to be carried out in stages * * * over an estimated period of not more than 10 years." Experience with urban renewal activity in GNRP areas has proven this requirement to be unrealistic.

Section 302. Increase in authority for capital grants:

This section would increase the aggregate amount of obligational authority for urban renewal grants by $2.9 billion. Of the new $2.9 billion authority, $675 million would be authorized upon the enactment of the bill, with further increases of $725 million on July 1, 1966, and $750 million on July 1 in each of the years 1967 and 1968.

The existing figure designating total present urban renewal grant authorization ($4,725 million) would be reduced by $25 million to reflect the deletion of an obsolete proviso in that amount. This is the proviso which authorized the use of a portion of the urban renewal grant authorization for demonstration grants under the urban mass transportation program.

The new authority would permit, over a period of 4 years, an increasing level of urban renewal activity. It is geared to available local resources for the financing and carrying out of projects during this period, and takes into consideration other legislative provisions in the bill. The volume of need and demand for this program are well recognized, and extend to almost all cities in all areas of the United States.

Section 303. Community renewal program requirement:

This section would establish a new community renewal program requirement for communities of over 50,000 population which seek Federal assistance for urban renewal projects. The new requirement would apply to projects for which planning is commenced (and provided "Federal recognition") later than 6 months after the date of enactment of the bill. When a community later applies for approval of the urban renewal plan and for loan or grant assistance in its execution, the community would be required to demonstrate that the proposed project is in accord with an up-to-date "community renewal program" which it has prepared as the basis of a communitywide attack on urban renewal problems, making use of all available Federal and local resources. This requirement would be modified, during the first 3 years after enactment of this bill, in order to provide sufficient time for cities to prepare such programs. During that time the community could instead demonstrate that it is actively preparing such a program and that the proposed project can reasonably be expected to be in accord with it upon its completion.

There would also be a complete exemption from the requirement in the case of projects undertaken in disaster areas, in accord with the special urban renewal law provisions for such projects. To be of full assistance, such projects must go into execution as soon as possible, and they are therefore exempted from other regular statutory requirements.

An acceptable community renewal program would not be required to have been prepared with Federal assistance. However, such assistance, in the form of two-thirds grants, is already available under provisions which were added to the urban renewal law by the Housing Act of 1959. The basic purpose of such programs is to assess in broad terms the community's overall needs for urban renewal and to develop a staged program of action, commensurate with its resources, to meet these needs, determining, to the extent feasible, individual urban renewal areas and activities and appropriate schedules and priorities for undertaking such projects.

Activity in this field has been steadily increasing since about 1961. Sixty-nine localities of over 50,000 population are now preparing such programs with Federal grant assistance, and 7 others have completed initial preparation. Already, about one-third of all cities of this size which are undertaking urban renewal projects are also undertaking community renewal programs. Sufficient experience has now been gained with these programs, and their value, so that it is both feasible and desirable to require, rather than permit, larger communities to undertake such programs as a basis for individual urban renewal project planning.

Experience to date has shown that a community renewal program can be valuable to a locality in bringing to its attention problems and opportunities in scheduling and coordinating urban renewal projects. It can, for example, determine the effect on a proposed project of housing resources and relocation needs in other proposed projects and public undertakings. It can also focus on the social and economic needs of the residents of slum and deteriorated areas and the resources available to meet those needs—which are of direct importance in planning urban renewal activities in those areas. Whether and to what extent an area can be rehabilitated depends, for example, not only on the type and condition of its buildings but also on the age and family size of its residents, their incomes, and their willingness and ability to participate in the upgrading and maintaining of the area. Community renewal programs can help to make available information on such questions and help to assure that necessary social services and facilities are provided.

The community action programs authorized in the Economic Opportunity Act of 1964 and the new rehabilitation and code enforcement provisions of the Housing Act of 1964 have already provided important new opportunities for increased effectiveness in urban renewal. This bill would provide additional opportunities through its new grant programs for rehabilitation, for neighborhood facilities, and for the provision and beautification of open space and other public land. One of the primary purposes of the proposed community renewal program requirement is to assure that urban renewal projects are planned and scheduled to obtain maximum benefit from the facilities and activities assisted under such programs. With their help many localities should find it possible to give increased emphasis to rehabilitation, compared to clearance activities, and to gray area and other residential renewal, compared to commercial and industrial renewal.

Section 304. Amendment of section 316 of Housing Act of 1954: This section would clarify the authority of the Redevelopment Land Agency of the District of Columbia to undertake urban renewal projects in areas which are not residential or predominantly residential at the outset by amending section 316(2) of the Housing Act of 1954 (which inserted a new section 20 in the District of Columbia Redevelopment Act of 1945) to provide unmistakable authority for the Redevelopment Land Agency to undertake nonresidential projects as contemplated by title I of the Housing Act of 1949.

TITLE IV—LOW-RENT PUBLIC HOUSING

Section 401. Acceptance of local certification of equivalent elimination:

This section would permit acceptance of certifications by local governing bodies that they have complied with the equivalent elimination requirements of the U.S. Housing Act of 1937.

This amendment is essentially technical in character. It is designed to eliminate unnecessary administrative processing and attendant expenses, and is in line with administration and congressional policy to eliminate unnecessary administrative costs and vest greater local responsibility in local governmental agencies.

Under the act, where a low-rent housing project is undertaken in a locality, the local governing body must enter into an agreement providing for the elimination, within 5 years, of a number of substandard dwelling units equivalent to the new low-rent housing units included in the project. Extensions of the 5-year period for elimination can be granted where there is an acute shortage of decent, low-income housing in the community. Administration of this provision now involves direct Federal supervision over the carrying out of the equivalent elimination agreement, even though the act provides no specific penalties for noncompliance. Such supervision would be eliminated by this section.

Section 402. Greater use of existing private housing:

This section would perfect the annual contributions formula to permit local housing authorities to make greater use of the private housing supply through the purchase, purchase and rehabilitation, or lease of privately owned units, which are available on the local market and suitable for low-rent housing purposes.

The present annual contributions formula establishes a maximum contribution in terms of a specified percentage (the "going Federal rate" plus 2 percent) of the acquisition or development cost of a project. Under this formula, use can only be made of housing with an economic life extending over a sufficient period to allow the amortization of the capital cost at the statutory rate. This rate was designed to permit amortization of bonded indebtedness over a long period, and the established practice has been to contract for periods of 40 years. Such a period is too long to permit utilization of many kinds of existing housing that may be suitable for low-rent housing, or to permit the leasing of units desirable for relatively short-term use.

This section would authorize an alternative formula under which the annual contribution for an acquired or leased unit could be fixed, as a maximum, at the same dollar amount as would be established as the annual contribution under the conventional formula for a new low-rent housing project consisting of units designed for the comparable number, types, and sizes of families. Because it is not stated in terms of a specific percentage of capital cost, the formula would permit the acquisition, or acquisition and rehabilitation, of structures, over whatever period may be appropriate considering the condition and nature of the property, as well as the leasing of units for short-term use in meeting particular needs.

The new formula is intended to promote economies in the use of such housing through its requirement that the annual Federal contribution could never exceed the fixed contribution that would be established for comparable housing in a new project. Where a project or dwelling is acquired for use over a substantially shorter period than is required for units in the regular program, this would mean that the capital cost would have to be reduced according to the reduction in amortization period, since the maximum contribution available annually to amortize that cost could be no greater than in the case of a comparable conventional newly constructed project, but this annual amount would be available for substantially fewer years than in the case of the newly constructed project. The same limitation on the dollar amount of the annual contribution would apply to leased units, and would operate to preclude the excessive rentals that might otherwise result from efforts to secure housing for lease in a housing market where vacancies are low.

There has been a growing awareness in recent years that the subsidized low-rent housing program has suffered because it has not utilized the existing housing supply. Under this new authorization the PHA would be enabled to finance the leasing for any term of privately owned units in individual houses and in multifamily structures. It would be able to finance joint private-public owned or leased units. It would be able to subsidize units financed through other means such as FHA-insured conventional financing, or State or municipal financing.

An important source of existing housing is the supply of FHA and VA-acquired properties. Despite high vacancy rates, there are many low-income families in communities where vacancies exist who continue to live in slum conditions because they are unable to pay the economic rent which the vacant properties warrant.

In many cases local authorities should be able to provide units more quickly under this section, than through new construction and meet more readily the special problems presented by large numbers of low-income displacees. The new formula should also provide greater flexibility in providing housing for different kinds of families, as in obtaining units for larger families and providing conveniently located units for elderly families. A collateral advantage of broadened use of existing structures is its effect in encouraging the conservation and improvement of residential properties.

Projects involving the purchase of existing housing would, of course, be subject to the same requirements of approval and cooperation by the local governing body as in the case of new construction. As in the case of the regular program, there will be local selection of the properties and sites to be used.

Since the units which are leased will be privately owned and subject to tax, the required local contribution, normally provided through tax exemption, would have to be provided by other means. The required local contribution, when property is not tax exempt, is the amount by which the taxes paid exceed 10 percent of the shelter rents charged in the project or dwelling. Local communities can easily meet this requirement by authorizing the housing authority to retain from payments in lieu of taxes to be paid with respect to its tax exempt properties the amount required to meet this local contribution with respect to the privately owned units.

Use of existing housing will constitute a valuable supplement—but nevertheless merely a supplement—to new construction. Existing housing can be effectively used for low-income families only where a combination of certain conditions exist. There must, first, be a supply of vacant housing on the local market, and that housing must freely be made available, since eminent domain will of course not be used under the new program. Moreover, the vacant housing should be appropriately located to serve the needs of the low-income families to be housed. Its cost, design, and physical condition must be appropriate, and its use should be consistent with the community plans and urban renewal programs and in accord with the wishes of the local governing body.

Section 403. Increase in authorization for annual contributions: This section would increase the limit on the aggregate amount of annual contributions contracts for low-rent housing, so as to permit continuation of the regular program for conventional units at approximately its past average and current level, plus provision of additional units through new approaches involving purchase and leasing of existing housing, with or without rehabilitation. Contracts for approximately 240,000 units over the next 4 years would be authorized.

For conventional units, the increase contemplates a program level of 35,000 units a year. For new approaches (purchase, leasing, and rehabilitation) the increase would provide for an additional 100,000 units over the 4-year period. The law would not, however, prescribe specific levels for the different approaches.

Program levels, each of the 4 years, are estimated as follows:

	Regular program	Purchase	Leasing
1966	35,000	10,000	5,000
1967	35,000	15,000	10,000
1968	35,000	15,000	10,000
1969	35,000	20,000	15,000

To permit this level of program activity, the amendment would increase the limit on the aggregate amount of annual contributions by $47 million on the date of enactment of the Housing and Urban Development Act of 1965, and by the same amount on July 1 in each of the years 1966, 1967, and 1968, or an aggregate increase of $188 million.

Experience with the interim additional authorization which was provided in the Housing Act of 1964 has already shown that the need and the demand are great and continuing. The additional authorization in the 1964 act contemplated the provision of 37,500 units of low-rent public housing. Affecting this authorization were the applications on hand when it became available, plus subsequent applications. Applications for about 74,000 units had been received by the end of January 1965, and more than 40,000 units had been placed under program reservation. Taking into account attrition and delays, and in order to place the 37,500 units under annual contributions contracts by September 30, 1965, the PHA plans to place a total of about 50,000 units under program reservation. In view of the application for some 24,000 units above this amount, the PHA has already instituted priorities and limitations. It assumes that the 24,000 units, plus any additional units remaining from the 50,000 and included in applications received after January, will have to depend upon further congressional authorization.

The provisions of the bill which would provide more flexibility in connection with the acquisition, leasing, and rehabilitation of existing housing, and the provisions extending to the handicapped parity of treatment with the elderly, would afford new means for meeting the needs.

Without any additional authorization for annual contributions, the public housing program can also be a valuable vehicle for helping families make an easier adjustment to urban living conditions. In many cases, low-income families are not even aware of the services which are available, and such services have often been inadequate. To help develop a better range of services to meet the social needs of families in public housing, and coordinate those existing services, local housing authorities will be authorized to provide broader assistance within the framework of the public housing program. Such a program could provide special counseling in the maintenance of housing, as well as counseling to families prior to moving into or out of public housing. These are primarily the kinds of services that an enlightened manager would want to engage in for the more economical management of the housing.

At the Federal level PHA will work to the fullest extent possible with other interested agencies, such as the Department of Health, Education, and Welfare and the Office of Economic Opportunity. At the local level local housing authorities would cooperate, as appropriate, with other local public agencies and private nonprofit community service organizations. Expenditures from project revenue would be authorized only for specific planned programs which would be periodically reviewed. In approving programs, preference will be given to those in which a substantial portion of the costs are met by funds from sources other than those supplied by the PHA-aided program or by funds derived from demonstrable economies achieved by local housing authorities in their operation.

Section 404. Sale of federally owned projects to private purchasers: This section would remove the restriction that federally owned public housing projects may be sold only to public housing agencies. It would permit disposal to a nonprofit organization, but any sale would have to be for continued use as low-rent housing. There are two remaining federally owned public housing projects, both of which are located in Oklahoma. Disposal of these projects has been blocked by the restriction permitting sale only to a public housing agency, since Oklahoma law does not authorize creation of local public housing authorities. Removal of the restriction would permit consideration to be given to disposal to a purchaser, such as a nonprofit organization. The projects would continue to be subject to the requirement that they be used only for low-income families.

TITLE V—COLLEGE HOUSING

Section 501. Increase in authorization for college housing loans:

This section would increase the college housing loan authorization by $110 million upon the enactment of the bill, with further increases of $285 million on July 1 in each of the years 1966 and 1967, and $275 million on July 1, 1968. This section would also increase on July 1 in each of the years 1965 through 1968: (1) by $30 million the ceiling on loans for other educational facilities (such as dining halls, health facilities, and student unions) and (2) by $15 million the ceiling on loans to hospitals for nurses and intern housing.

The Treasury borrowing authorization for the college housing loan program now totals $2,875 million with ceilings of $295 million for college service facilities and $220 million for hospitals. Through the end of December 1964, a total of 2,328 loans for $2,502 million have been approved under this program. As of this date, there were 172 applications for $267 million for which funds had been reserved, bringing the total funds committed to $2,769 million.

Through December 1964, funds committed under the program provide assistance for about 2,360 projects, including housing accommodations for about 593,000 students and faculty (including student nurses and interns) and also 239 projects for related facilities such as student unions, dining halls, and health centers. There have been no defaults under the program in payment of principal and interest.

The Office of Education's college and university enrollment and facilities survey indicates an increase in college enrollments from 5.2 million in 1965 to 6.7 million in 1969. Assuming that about 25 percent of this increased enrollment will require college housing accommodations costing about $5,000 per student, it is estimated that total college housing needs during the next 4 years will amount to about $2 billion, exclusive of related facilities (cafeterias, dining halls, student unions, infirmaries, and other essential service facilities), and exclusive of the current backlog of unmet housing needs.

The increased authorization in this section, with amounts from repayment of loans, would give institutions of higher learning assurance that the present program would continue during the next 4 years to supplement funds available in the private market. This would permit the institutions to plan their residential and related construction programs to meet the expected tidal wave of students. The increased authorization would permit increased program levels in fiscal 1967, 1968, and 1969.

TITLE VI—GRANTS FOR BASIC PUBLIC WORKS, NEIGHBORHOOD FACILITIES, AND THE ADVANCE ACQUISITION OF LAND

Section 601. Purpose:

The rapid rise in population that has occurred in the Nation has outpaced the ability of many localities to provide necessary basic community facilities and neighborhood health and recreation facilities. There is a tremendous need for additional basic water supply and sewerage disposal facilities to provide for future population growth. Between 1960 and 1975 the urban population alone is expected to rise from 125 to 171 million and the per capita use of municipal water systems is expected to increase from 140 to 160 gallons per day. As a result, municipal water consumption (excluding large industrial users) is expected to increase from 17.5 to 27.4 billion gallons per day, a rise of 57 percent in just 15 years.

Relatively limited local resources are available for neighborhood facilities such as community centers, health stations, or other public buildings that house health and recreational facilities. Nonetheless, such facilities are essential to our communities so that they can effectively cope with such problems as the debilitating effects of idleness upon their juvenile and elderly population. Substantial Federal financial assistance will be required to enable local governments to provide adequate neighborhood facilities geared to such needs of the young and the elderly.

Great economies and other benefits can be gained by the advance acquisition of land planned to be utilized in connection with the future construction of public works and facilities. Such advance acquisition makes possible large monetary savings; savings which have ranged from $5 to $30 for every dollar invested in the advance acquisition of future highway rights-of-way.

The purpose of this title is to assist and encourage the communities of the Nation to meet the needs of their citizens by making it possible with Federal grant assistance for their governmental bodies (1) to construct adequate basic water and sewer facilities needed to promote the efficient orderly growth and development of our communities, (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services, and (3) to acquire, in a planned and orderly fashion, land to be utilized in connection with the future construction of public works and facilities.

Section 602. Grants for basic water and sewer facilities:

This section would authorize the Housing and Home Finance Administrator to make grants to local public bodies and agencies to finance a portion of the cost of certain projects for basic water and sewer facilities.

The amount of any grant made under this section could not exceed 40 percent of the cost of that portion of the project which is necessary to enable the project to adequately serve the reasonably foreseeable growth needs of the area to be served by the project.

No grant could be made for any project unless the administrator determines that the project will serve an area which is expected to experience significant population growth in the reasonably foreseeable future and that the project is (1) designed so that adequate capacity will be available to serve the reasonably foreseeable growth needs of the area, (2) consistent with the program for a unified or officially coordinated areawide water or sewer facilities system as part of the comprehensively planned development of the area, and (3) necessary to orderly community development. Prior to July 1, 1968, grants, in the discretion of the administrator, could be made if a program for an areawide water and sewer facility system is under active preparation but not yet completed, if the facility for which assistance is sought can reasonably be expected to be required as part of such program, and there is an urgent need for the facility.

The areawide system for basic water and sewer facilities would be required to be a part of the comprehensively planned development of the area. The requirement that a basic water and sewer facility assisted under this section be part of a unified or officially coordinated areawide water or sewer facility system will assure that Federal grant funds do not finance uncoordinated or fractionated water or sewer facilities. Where there are no existing areawide water or sewer systems the administrator would require as a condition to a grant for a single, independent water or sewer project, that the project be designed so that it can be linked with other independent water or sewer facilities or a proposed areawide system.

In addition, requiring that the areawide water or sewer facility be related to the comprehensively planned development of the area will assure that grant funds available under this section will be available only for facilities which help promote orderly community development and are consistent with a coordinated scheduling of other public works in the area. Such orderly development and coordination will minimize waste and unnecessary costs which are the result of the unplanned and haphazard construction of basic community facilities.

The requirement that a facility assisted with funds under this section have adequate capacity to serve the reasonably foreseeable growth needs of the area will avoid the duplication of costs often occasioned by having to rebuild undersized facilities at a later date.

The Federal grants for basic water and sewer facilities authorized by this section will stimulate an acceleration in the rate of construction of water supply and sewerage disposal facilities needed for growth and will contribute to the development of areawide systems which are consistent with comprehensive local planning.

Proper regard will be given to established standards to assure that facilities constructed with assistance under this section are adequate for the maintenance of health and control of water pollution.

Section 603. Grants for neighborhood facilities: This section would authorize the Administrator to make grants to local public bodies and agencies to finance specific projects for neighborhood facilities, including neighborhood or community centers, youth centers, health stations, and other public buildings to provide health or recreational or similar social services. The grants generally would be limited to 66⅔ percent of the development cost of the project, but could be up to 75 percent of such cost in the case of a project located in an area designated as a redevelopment area under section 5 of the Area Redevelopment Act.

Before making a grant under this section, the Administrator would be required to determine that the project would provide a neighborhood facility which is necessary for carrying out a program of health, recreational, or similar social services in the community. The project must be consistent with comprehensive planning for the development of the community. These Federal grants would thus help to stimulate a concerted effort by local public bodies, possibly in cooperation with private groups, to provide systematically for the often long-neglected local health, recreational, and social service needs of the community.

Since most of these needs are largely those of low- and moderate-income families and individuals, the neighborhood facility projects would have to be so located as to be available for use by a significant portion (or number in the case of large urban places) of the area's low- or moderate-income residents. In addition, a priority would be given to applications for projects that will primarily benefit members of low-income families or otherwise further the objectives of a community action program approved under title II of the Economic Opportunity Act of 1964.

No neighborhood facility aided by a Federal grant may be converted for a period of 20 years to other uses without the approval of the Administrator. In approving any conversion the Administrator may impose additional conditions and requirements.

It has been increasingly recognized that much of the heavy costs of ill health, dependency, juvenile delinquency, and old age could be avoided by preventive measures such as adequate local preventive health, recreational and related social services. The cost of these services are small when compared to the tremendous economic and social losses resulting from illness and deprivation and the mounting expenditures in curing sickness, making welfare payments, combating crime, and accommodating the needs of the elderly. Availability of Federal grants for neighborhood facilities (many of which can be multipurpose facilities which can serve the needs of different groups) will encourage communities to expand, and in some instances initiate, a group of community services which hitherto have been neglected.

To obtain a Federal grant a local government would have to furnish from its own resources the remaining funds needed to complete the project. In addition, it would have to allot sufficient funds to operate the facilities after they are built.

Section 604. Advance acquisition of land: This section would authorize the Administrator to make grants to assist in financing the acquisition of sites planned to be utilized in connection with the future construction of public works or facilities. The grant could not exceed the aggregate amount of reasonable interest charges on a loan or other financial obligation incurred to finance the acquisition of such land for a period not exceeding the lesser of 5 years from the date of issue of such loan or financial obligation or the time elapsing between the date of issue and the date on which construction of the public work or facility is begun.

Before making such grants the Adminstrator would be required to determine that the public work or facility for which the land is to be utilized is planned to be constructed or initiated within a reasonable period of time. He also would have to determine that construction of such public work or facility will contribute to economy, efficiency, and the comprehensively planned development of the area.

On some occasions, circumstances arising after the acquisition of land purchased with assistance under this section may make construction of the facility planned to be placed on such land no longer feasible or desirable. A community which has acquired land with assistance under this section may then wish to divert the land to other uses. In such circumstances the Administrator is authorized to require the repayment of assistance provided under this section and prescribe the terms and conditions of such repayment.

To qualify for Federal financial assistance, a community would have to be engaged in comprehensive planning appropriate to its size and location. Larger urban areas and communities experiencing rapid growth would have to be engaged in comprehensive planning for the development of the entire urban area. The public work or facility for which the advance acquisition of land is to be made would have to be consistent with a communitywide and areawide system of such facilities.

In smaller isolated communities it will not be necessary that the entire planning process be underway. For such places, it would be enough to have a clear indication that the community had examined its probable future size, public facility needs, and financial capacity and that the proposed facility would be an efficient element in its efforts to meet its future needs. In addition, to the extent that there is an overall plan for the development of the community, the public work or facility for which advance acquisition of land is to be made will have to be consistent with the existing overall plan.

The objective of this Federal assistance is to encourage communities to plan ahead, in connection with their future public works needs, with respect to land acquisition as well as preparation of construction plans. Under section 702 of the Housing Act of 1954, the Housing Administrator is authorized to make interest-free advances to finance the planning of specific works. But the advance acquisition of sites is equally important in helping to attain maximum economy and efficiency in the construction of public works. Such advance site acquisition would be assisted by the new program.

By encouraging communities to anticipate the site requirements for future public works construction and by assisting them in the timely acquisition of the land that will be used in such future construction, the new program will help produce a number of savings. Local public bodies will be assured of the availability of appropriate sites and will save by acquiring sites before the rising trend of land prices increases their cost. Advance acquisition before there is further construction on a site would avoid the costs of demolishing such construction, relocating the occupants of the buildings and disrupting businesses. Advance knowledge regarding the site location of future public works would enable private land developers and builders to make appropriate adjustments in their construction plans or schedules, which would lead to more orderly growth in the area.

Section 605. General provisions: Subsection (a) of this section would apply certain administrative provisions found in section 402 of the Housing Act of 1950 to activities carried on under the provisions of this title.

Subsection (b) authorizes the Administrator to make advance or progress payments on account of any grant made under this title and provides that no part of any such grant could be used for payment of ordinary governmental or operating expenses.

Section 606. Definitions: This section would, for the purposes of this title, define: (a) "State" to include the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States; (b) "local public bodies and agencies" to include public corporate bodies or political subdivisions; public agencies or instrumentalities of one or more States, municipalities or political subdivisions of one or more States (including public agencies and instrumentalities of one or more municipalities, or other political subdivisions or one or more States); Indian tribes; and boards or commissions established under the laws of any State to finance specific capital improvement projects; and (c) "development cost" to mean costs of the construction of the facility and the land on which it is located, including necessary site improvements to permit its use as a site for the facility.

Section 607. Labor standards: This section provides that prevailing wages determined in accordance with the provisions of the Davis-Bacon Act are to be applicable to construction work financed with assistance under sections 602 and 603 of this title, and specifies that certain authority generally available to the Secretary of Labor with respect to the enforcement of such labor standards shall also apply to these requirements of this title.

Section 608. Appropriations:

This section would authorize to be appropriated such sums as may be necessary to carry out the provisions of this title, and would provide that all funds so appropriated would remain available until expended. Funds could, of course, be made available only through appropriations.

For fiscal year 1966, it is currently estimated that appropriations will be requested in the amount of $100 million for the purpose of making grants for basic water and sewer facilities as authorized by section 602, $50 million for the purposes of making grants for neighboring facilities as authorized by section 603, and $25 million for the purposes of making grants to help finance the advance acquisition of land as authorized by section 604.

TITLE VII—SECONDARY MARKET AND SPECIAL ASSISTANCE FUNCTIONS

Section 701. Increase in FNMA special assistance authority:

This section would increase by approximately $2,345 million the amount of special assistance that the President of the United States can authorize the Federal National Mortgage Association to provide for housing and community development.

Under its special assistance program, the FNMA makes commitments to purchase and purchases FHA- and VA-backed mortgages financing housing for low- and moderate-income families, in urban renewal areas, for the elderly, and for disaster victims, and other special types of housing designated by the President as being housing that needs special assistance. Under other provisions in the bill, special assistance to FHA-insured mortgages financing certain land development would also be authorized.

The increase in special assistance authority would be provided by subsection (a) raising the present $1.7 billion authorization in section 305(c) of the Federal National Mortgage Association Charter Act by $150 million on the date of enactment of the bill, and by an additional $550 million on July 1, 1966, $700 million on July 1, 1967, and by $725 million on July 1, 1968.

Subsection (b) would provide approximately $220 million more authority, to be merged with the authority in section 305(c) of the Charter Act, by transferring to that section the balance of the amount of special assistance authorized by section 305(f) for housing for the military, AEC, and NASA financed with FHA title VIII insured mortgages. Approximately $220 million (out of the $500 million originally authorized for title VIII housing) is unused and would be made available to the President for special assistance as he may authorize.

Section 702. FNMA purchase of mortgages held by Federal instrumentalities:

This section would authorize FNMA to purchase from other Federal agencies housing mortgages they have insured or guaranteed and offered to FNMA for purchase, or housing mortgages securing loans made by the Federal agencies. A provision now in the Charter Act would be deleted which generally prohibits FNMA from purchasing any mortgage offered by or covering property held by a Federal instrumentality.

This section would permit steps to centralize the Government's ownership and management of housing mortgages to the extent determined desirable from time to time. To this extent, such centralization could promote economy in the maintenance of mortgage servicing facilities by Government agencies. In addition, FNMA through its marketing facilities (including the new pooling and trust certificate program authorized by the Housing Act of 1964) could sell the mortgages or participations therein to private investors and thus substitute private financing for Treasury financing where the present owning agencies cannot make such sales.

TITLE VIII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

Section 801. Revision of title heading and findings and purpose: This section would add reference to "urban beautification and improvement" to "open-space land" in the heading of title VII of the Housing Act of 1961, to take into account the proposed new program (described below) of grants for urban beautification and improvement. It would also amend the congressional findings and statement of purpose of the title to refer to the need both for this proposed program and for the proposed new program (also described below) to provide open-space land in built-up urban areas.

Section 802. Increased grant level for preservation of open-space land: This section would change the grant levels of the present open-space program from 20 and 30 percent to 30 and 40 percent, respectively. This program has, in the about 3½ years since its enactment in the Housing Act of 1961, increasingly demonstrated its potential for meeting the critical need for additional open-space acquisition in urban areas. The relatively low grant level has, however, substantially impeded use of the program, and this is particularly harmful in many localities where prompt local action is essential in order both to help control urban development and to conserve public funds in the face of sharply rising land costs.

It is important, also, to increase the grant percentages at this time so that the Federal assistance made available for parks and other open space in urban areas through this program may be on a par with that made available through the new recreation-area programs authorized in the Land and Water Conservation Fund Act of 1965. That act authorizes up to 50 percent grants for acquisition and development of outdoor recreation areas but such grants will, by administrative action, be limited to 40 percent, the same as the proposed higher grants under this program.

Section 803. Substitution of appropriation authority, without dollar limitation for grant contract authority: This section would remove the present $75 million contract authority for grants under title VII of the Housing Act of 1961 and substitute authority for appropriation of such amounts as may be necessary to carry out the purposes of the title, without dollar limit. This authorization would apply to the present program of grants for urban open-space preservation, as well as to the two proposed new grant programs for provision of open space in built-up urban areas and for beautification and improvement of urban public land. It would also apply to the present authorization for the Administrator to provide technical assistance, undertake studies, and publish information in connection with activities carried on under the title.

Fifty million dollars was originally authorized for the present open-space preservation program, by the Housing Act of 1961, and this amount was increased to $75 million in the Housing Act of 1964. Although this authorization has been in the form of contract authority, funding for the program has, since its inception, been in the form of advance appropriations for liquidation of this authority, with a restriction on use of any contract authority in excess of such appropriations, through earmarking of funds appropriated for administrative expenditures. This method of funding is in effect equivalent to that provided under a regular authorization for appropriations, and if the Congress intends that the program continue to be so funded, it would be desirable to amend the statute as proposed in order more clearly to express the congressional intent.

The President's budget for fiscal year 1966 proposes a level of $60 million to carry out activities under the open-space title. This would in any case require additional appropriation authority of $31.3 million, since all but $28.7 million of the presently authorized $75 million has been appropriated and is expected to be committed by June 30, 1965.

Section 804. Grants for provision of open-space land in built-up urban areas:

This section would add a new program to title VII of the Housing Act of 1961 to provide Federal grants to States and local public bodies to assist them in providing open-space land through the acquisition of title to, or other permanent interests in, developed land in built-up portions of urban areas. A grant could not exceed 40 percent of the cost of acquiring the interest in the land and the cost of demolishing and removing those improvements on the land which were inappropriate to its use as permanent open-space land. These grants could only be made where the governing body of the locality determines that adequate open-space land cannot effectively be provided through use of existing undeveloped or predominantly undeveloped land and the Administrator determines that the proposed acquisition will assist in the comprehensively planned development of the locality.

The present title VII program is limited to assisting in the acquisition of lands that are undeveloped or predominantly undeveloped. This limitation has helped to prevent acquisitions in the more densely developed, "built-up" portions of urban areas. The proposed new program would help to correct this situation and would provide additional assistance for such acquisitions, in the form of 40 percent grants, in recognition of the higher cost of acquiring and clearing developed land.

This program could assist, for example, in the acquisition of land for pedestrian malls, waterfront restoration, or neighborhood "commons" and play areas. More such areas are needed to enhance the physical environment of our urban communities and to make them more attractive places in which to live, work, and play.

Federally financed relocation payments would be authorized in connection with projects assisted under the program. This would provide for any displaced individuals, families, business concerns, and nonprofit organizations the same benefits already provided in connection with the urban renewal and public housing programs.

It is contemplated that acquisitions would be of relatively small size, and in key locations which would assist in the comprehensively planned development of the locality.

As with the present program, land acquired under this program would have to be permanently retained as open space, and it would have to be demonstrated that the locality is making maximum efforts to acquire and preserve open-space land through other means, such as the acquisition and conversion of tax delinquent lands.

Since the usefulness of such open areas would depend in large part on how they are developed, the proposed program (described below) of grants for urban beautification and improvement would be especially useful in assuring the success of this program.

Section 805. Grants for urban beautification and improvement:

Subsection (a) of this section would add a new program to title VII of the Housing Act of 1961 authorizing matching grants to assist States and local public bodies in carrying out local programs for the greater use and enjoyment of open space and other public land in urban areas. The need for such assistance was recently emphasized by the President in his message on the state of the Union, where he pointed out that "Within our cities imaginative programs are needed to landscape streets and transform open areas into places of beauty and recreation."

The proposed local programs would, under criteria established by the Administrator, be required to (1) represent significant and effective efforts, involving all available public and private resources, for the beautification and improvement of public land in the locality and (2) be important to the comprehensively planned development of the locality. Assistance could be provided for eligible work on land acquired pursuant to the acquisition programs of title VII or on other public land such as streets, but the work could only be for the beautification of the land or its improvement for recreation or other open-space uses. Assisted activities could, for example, include tree planting and other landscaping on streets, park improvements, and renovation, and other substantial upgrading of selected outdoor public areas. Generally, no assistance would be provided for buildings. Only those small structures would be eligible which are incidental to proposed park or other open-space uses. Thus, toilet facilities or rain shelters might be assisted, but an activities center, museum building, swimming pool, or recreation equipment could not be.

Assisted activities would have to be capable of providing long-term benefit to the locality. Assistance would not, for example, be provided for the increased operating costs of keeping parks better lighted or more tidy. On the other hand, assistance could be provided for the cost of the lighting fixtures. Thus, it is anticipated that many of the assisted activities would be routine improvements, but which the proposed Federal assistance would enable the localities to undertake on a broader scale.

An important aim of the legislation would also be to encourage and assist local experimentation and innovation. To facilitate this, the Administrator would be authorized to make up to $5 million of grants, without the otherwise-required matching local grants, for projects which he determines to have special value in developing and demonstrating new and improved methods and materials for use in beautification and improvement activities. Under this provision localities could, for example, receive special assistance in providing outdoor facilities for art and technological exhibits or in holding a design contest for a downtown pedestrian mall.

Because of the special nature of these demonstration projects, they would not be subject to the local program and other usual grant requirements provided in this section. However, it is expected that grants under this provision would ordinarily be for less than 100 percent of cost, since allowance would be made for the continued benefit which the project might provide the locality.

The experience gained in these special demonstration projects could, in turn, be made available to other localities through the authority of the Administrator to undertake studies and publish information to carry out the purposes of the title.

A Federal grant could not exceed 40 percent of the amount by which the cost of the activities carried on by the applicant, during its fiscal year, under a local program has exceeded its usual expenditures for comparable activities during that year. The usual expenditures of the applicant for such activities would be determined in accord with administrative regulations based on the previous expenditures of the locality but taking into account, to the extent feasible, unusual circumstances affecting those expenditures.

Approval would be given in advance for the types of activities to be carried out and the overall amounts which could be spent, but a portion of each grant would be withheld until the required accounting at the end of the year. This procedure would help to assure that the Federal assistance is, in fact, provided only for additional local efforts.

Regulations would be established to assure that assistance under this program was not provided where grants were available under other Federal programs—for example, landscaping in connection with construction of federally assisted highways.

Subsection (b) of this section would remove the present prohibition for grant assistance, under title VII, for "development costs," since the proposed beautification and improvement grants will be, in effect, for "development." Grants in the present and proposed open-space acquisition programs could still not be used for development, because of the statutory language in each program specifying the purposes for which the grants may be used.

Also, the present prohibition would remain against grant assistance, under title VII, for "ordinary State or local governmental expenses." Grants would be provided only for the direct cost of carrying out the proposed acquisition or other activities, rather than for associated administrative expenses.

Section 806. Use of funds for studies and publication: This section would permit the Housing Administrator to use open-space grant appropriations, not to exceed $100,000 per year, for undertaking and publishing open-space surveys and other studies in connection with activities under this title. Such studies and publications are already authorized under present law but must now be financed through separate appropriations. This makes it difficult, for example, to take advantage of study opportunities which arise after submission of the budget justification for that year. The undertaking of studies and the publication of information in connection with these activities is a function that should be carried out on a continuing basis as the needs and opportunities appear. Such a continuing approach is best achieved through the proposed limited authorization to utilize program grant funds.

Section 807. Conforming amendments:

This section would make necessary technical and drafting amendments in the present language of title VII of the Housing Act of 1961 to provide for inclusion of the two proposed new grant programs described above.

Under subsection (a), the section heading of the present grant program, now entitled "Federal Grants," would be changed to "grants for preservation of open-space land" in order to avoid confusion with the proposed new program of "grants for provision of open-space land in built-up urban areas."

Under subsection (b), applicants under the open-space preservation program would continue to be approved by the Administrator as capable of carrying out the provisions and purposes of that program rather than, in addition, the provisions of the other new programs in the title.

Subsection (c) would broaden the language of the present requirement, in section 702(e), under which the Secretary of the Interior furnishes the Administrator information on recreational planning. It would require such information with respect to areas receiving assistance under the new urban beautification and improvement program, as well as areas where open-space land is acquired.

Subsection (d) would restrict the application of the requirements, in section 704, under which the Administrator must approve conversion of open-space land for which a grant has been made under this title to other uses and require assurance that equivalent other open-space land is provided. Such requirements are not appropriate for open-space land which receives assistance for beautification and improvement, rather than acquisition.

TITLE IX—RURAL HOUSING

Section 901. Loans for previously occupied buildings and minimum site acquisition: This section would amend section 501 of the Housing Act of 1949 to authorize the Secretary of Agriculture to make loans to farmers and other rural residents for the purchase of previously occupied dwellings and related facilities and farm service buildings and for minimum adequate building sites.

Section 902. Interest rate on direct rural housing loans: This section would increase to 5 percent the maximum interest rate on direct loans under section 502 of the Housing Act of 1949, except for loans to elderly persons in accordance with section 501(a)(3) and loans in accordance with sections 503 and 504, which would remain at 4 percent. It would also authorize the Secretary of Agriculture to charge fees on all title V loans.

Section 903. Insured rural housing loans:

Subsection (a) of this section would add new sections 517 and 518 to the Housing Act of 1949. The new section 517 would authorize the Secretary of Agriculture to insure loans, and make loans to be sold insured, in accordance with section 502, except that—

1. Insured section 502 loans to persons of low or moderate income would bear interest not above 5 percent and be limited to adequate housing modest in size, design, and cost and to an aggregate of $300 million per fiscal year.

2. For insured section 502 loans to persons other than those with low or moderate incomes the Secretary would be authorized to charge interest and insurance or service charges at rates comparable to those charged under section 203 of the National Housing Act.

The new section 517 would authorize a new revolving fund, the "rural housing insurance fund," to finance insured section 502 loans and to be used in lieu of the agricultural credit insurance fund for section 514 domestic farm labor housing and section 515(b) elderly rental housing loans.

It would also authorize the Secretary of Agriculture—

1. To make insured section 502 loans with insured lenders' funds, or to make them out of the fund for insurance and resale, within the range of market prices for comparable loans, and to repurchase loans for servicing or liquidation. Loans made out of the fund and held unsold could not exceed $100 million at any one time.

2. To retain a borrower's mortgage to secure his indemnity and other obligations to the Secretary under the loan, while the note was held by an insured investor.

3. To retain out of payments by a borrower on an insured loan an annual charge in an amount specified in the insurance agreement. Of any such charge, an amount not exceeding 1 percent of the unpaid balance of the loan would be available for deposit in the fund. Any remainder would be available for annual appropriation to administrative expenses of the Farmers Home Administration.

4. To borrow from the Treasury, at cost-of-money interest rates, to meet loan insurance obligations and to make other authorized expenditures from the fund. Such borrowing could not be made to provide capital for making loans or to restore losses from discounted sales.

5. To utilize the fund for the purposes—in addition to meeting loan insurance obligations and making loans for insurance and resale—of paying interest accruals on borrower payments before transmittal by the Farmers Home Administration to insured holders and of paying taxes, insurance, prior liens, and other expenses and advances to protect, service, collect, and liquidate the loans and security.

It would also authorize the Secretary to use the rural housing insurance fund and authority for insuring loans, or making loans to be sold insured, to finance housing and related facilities for domestic farm labor in accordance with section 514 and for senior citizens in accordance with section 515(b), not including the inconsistent provisions in these sections.

The new section 518 would group rural housing direct loans made under sections 502, 503, 504, and 515(a) of the 1949 act, collections therefrom, and funds available from appropriations or Treasury borrowings for such loans, into a new fund, the "rural housing direct loan account," to be used for making such loans and making repayments to the Treasury. It would also establish the interest rate on borrowings from the Treasury for the rural housing direct loan account at the same rate as provided in the new section 517(h) for borrowings for the rural housing insurance fund.

Subsection (b) would extend for 4 years, to October 1, 1969, the present unused balance of $101 million of the borrowing authority under section 511, as well as remove the present partial allocation to section 502 senior citizen loans exclusively.

Section 904. FNMA secondary market operations for insured rural housing loans: This section would authorize the Federal National Mortgage Association to include loans insured under title V of the 1949 act in its secondary market operations.

Section 905. Extension of rural housing authorizations: Subsections (a), (b), and (c) of this section would extend for 4 years, to October 1, 1969, the present authority:

1. For the Secretary of Agriculture to make section 503 loan contribution commitments;

2. For appropriations to finance section 504(a) grants, section 504(b) loans, section 516 assistance, and section 506 rural housing research and study programs; and

3. For making insured section 515(b) rental housing loans for elderly persons and families.

Subsection (b) would also raise to $50 million the authority for appropriations for section 516 assistance to provide low-rent housing for domestic farm labor.

Subsection (d) would extend the construction standards and technical services provisions of section 506(a) of the 1949 act to operations under the new provisions added by this title.

Section 906. Payment of interest to the Treasury on appropriations for rural housing loans: This section would direct the Secretary of Agriculture to pay into miscellaneous receipts of the Treasury any surpluses from the rural housing insurance fund or direct loan account. Would also provide for payment to the Treasury of interest, at cost-of-money rates, on any portions of future appropriations to the fund or the account authorized for making loans, until returned to miscellaneous receipts of the Treasury.

TITLE X—MISCELLANEOUS

Section 1001. Increase in authorization for urban planning grants: This section would remove the dollar limit on the authorization for appropriation of funds for section 701 urban planning grants and authorize such additional funds to be appropriated as may be necessary to carry out the urban planning assistance program.

Under section 701 of the Housing Act of 1954, the Housing Administrator is authorized to make grants (generally not to exceed two-thirds of the estimated costs) to States and local planning agencies to assist in preparing comprehensive development plans and programs. Grants are made for comprehensive planning of small communities and counties, metropolitan areas and urban regions, States, and interstate regions.

Thus far, $86.325 million of the presently authorized $105 million have been appropriated. The program level for fiscal year 1966 is estimated at $35 million. Appropriation of $16.3 million in addition to the $18.675 million remaining in unused authorization will be required to fund the program at this level. Additional funds would still, of course, be made available only through appropriations.

Section 1002. Increase in authorization for Federal-State training programs: This section would remove the dollar limit on the authorization for appropriation of funds for grants for Federal-State training programs and would authorize such additional funds to be appropriated as may be necessary to carry out the programs. Additional funds would, of course, be made available only through appropriations.

Under part I of title VIII of the Housing Act of 1964, the Housing Administrator is authorized to make matching grants to States to assist them in developing special training programs for technical and professional people who are, or are likely to be, employed by a governmental or public body which has responsibilities for community development. These matching grants may also be used to support State and local research on housing, public improvement programs, code problems, efficient land use, urban transportation, and similar community development problems.

It is estimated that $10 million in matching grants will be made under this program in fiscal year 1966. The Housing Act of 1964 authorized the appropriation of $10 million for such grants. Of this $10 million authorization, $5 million will be requested by the Housing Agency as a supplemental appropriation for fiscal year 1965, and $5 million will remain available for appropriation. To fund an estimated program level of $10 million for fiscal year 1966, appropriation of $5 million, in addition to the $5 million in unused authorization, will be required.

Section 1003. Increase in authorization for public works planning advances:

This section would remove the existing dollar limitation on the amount that may be appropriated for the public works planning fund and authorize such additional funds to be appropriated to the fund as may be necessary to carry out the planning advance program. Additional funds would still, of course, be made available only through appropriations.

It is estimated that $25 million in planning advances will be made in fiscal year

1966. The Housing Act of 1964 authorized the appropriation of $20 million to the public works planning fund (in addition to amounts previously authorized and which had been appropriated). Of this $20 million in new authorizations provided by the Housing Act of 1964, $10 million has been appropriated and $10 million remains available for appropriation.

Repayments to the funds, during fiscal year 1966 (which are available to make planning advances) are estimated at $10 million. To fund the estimated program level of $25 million for fiscal year 1966, appropriation of $5 million, in addition to the $10 million in existing authorization and the estimated $10 million in repayments, will be required.

Under section 702 of the Housing Act of 1954, the Housing Administrator is authorized to advance interest-free funds to States, municipalitites, and other public agencies to help finance the cost of planning various public works and facilities. These advances become repayable in whole or in part when construction of the public work planned is started.

Through the end of December 1964, a total of 3,817 applications for approximately $92 million have been approved under the program. The estimated cost of the projects aided by these public works planning advances totals $5.56 billion. As of the same date, 3,360 plans involving Federal advances of $84 million have been completed and 1,186 advances for $31 million have been repaid.

Section 1004. Advisory committees—technical provision: This section would delete an obsolete provision from section 601 of the Housing Act of 1949. The provision deleted exempts a member of an advisory committee appointed by the Housing and Home Finance Administrator or the heads of any of the constituents of the Housing Agency from certain cited conflict-of-interest laws. This provision was made obsolete and no longer necessary by section 2 of Public Law 87–849. That law enacted new provisions which accomplish the same purpose.

Section 1005. Public facility loans to nonprofit corporations: This section would permit the Administrator to make loans under the public facility loans program to private nonprofit corporations to finance the construction of works for the storage, treatment, purification, or distribution of water; sewage, sewage treatment, and sewer facilities to serve small communities (with a population of less than 10,000) if he determines no existing public body is able to construct and operate such facilities.

Section 1006. FHA conforming amendments: This section would amend various sections of the National Housing Act to make their provisions conform to the provisions in title II of this bill with respect to the consolidation of FHA insurance funds.

Section 1007. Repeal of special provision in Urban Mass Transportation Act: This section would repeal a provision in the Urban Mass Transportation Act of 1964, which requires that contractors, in providing facilities or equipment which have received loan or grant assistance under the act, "shall use only such manufactured articles as have been manufactured in the United States." There is no other Federal matching grant program which contains such a requirement. The President, in approving the Urban Mass Transportation Act, expressed hope that the provision would be repealed and said that it is incompatible with the trade policy this Nation is pursuing under the Trade Expansion Act.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, there will be other morning hour business which can be conducted after 1 o'clock. But it has been agreed on both sides of the aisle that the Senate would recess at 12 o'clock until 1 o'clock in order that Senators who desire to attend the reenactment of the second inaugural address of Abraham Lincoln may attend that ceremony, which will commence immediately. Senators desiring to attend the ceremony should leave by the door on the east side, where a representative of the Sergeant at Arms will conduct them to seats reserved for them. When the Senate returns I hope that Senators will understand that we shall then seek to offer them the opportunity to conduct further morning hour business if they so desire.

RECESS

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in recess until 1 p.m.

The motion was agreed to; and (at 12 o'clock and 1 minute p.m.) the Senate took a recess until 1 p.m.

At 1 o'clock p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. WILLIAMS of New Jersey, in the chair).

EXTENSION OF THE BOUNDARIES OF THE KANIKSU NATIONAL FOREST IN THE STATE OF IDAHO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 99, Senate bill 435, and that the bill be laid down and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Interior and Insular Affairs with an amendment on page 2, at the beginning of line 23, to strike out "such funds as are needed to carry out the purposes of this act." and insert "not to exceed $500,000 to carry out the purposes of this act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to promote protection and conservation of the outstanding scenic values and natural environment of Upper Priest Lake in Idaho and lands adjacent thereto for public use and enjoyment, the boundaries of the Kaniksu National Forest are hereby extended to include those of the lands hereinafter described which are not now within such boundaries. In order that they may be managed under the principles of multiple use and sustained yield, the Secretary of Agriculture is hereby authorized to acquire the following lands at their fair market value:

Township 63 north, range 4 west, Boise meridian:

section 18, southeast quarter southeast quarter;

section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter);

section 20, southwest quarter northwest quarter;

section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

SEC. 2. There are hereby authorized to be appropriated not to exceed $500,000 to carry out the purposes of this Act.

Mr. CHURCH. Mr. President, S. 435 is a bill to preserve, in its natural environment, Upper Priest Lake in Idaho by extending the boundaries of the Kaniksu National Forest.

It authorizes the Secretary of Agriculture to acquire 417 acres of privately owned land on the lakeshore—now threatened with commercial development—and include them in the Kaniksu National Forest.

Mr. President, this is one of the most beautiful small lakes in the Nation. It is a gemlike body of water less than 4 miles long and three-fourths of a mile wide in northern Idaho not far from the Canadian border. It is encircled by evergreen forests and rugged mountains. And its beauty is unmarred by any type of commercial development. It is true wilderness, and no road or trail penetrates to the lake. It is only approachable by the Thoroughfare River, a meandering stream which connects it to Priest Lake proper.

The west side of the lake is part of the Kaniksu National Forest, and the east side is owned by the State of Idaho, with the exception of three separate and privately owned parcels.

Enactment of this legislation is urgent, because the owners of a 140-acre parcel have planned to subdivide it for cabin sites. It has been only through the intervention of a national semiscientific organization, Nature Conservancy, that this has been avoided. This organization, working closely with the Idaho Wildlife Federation which has fought off commercial development for 4 years, provided a loan to the owners to buy a year's time in which to save the lake. The owners have agreed to negotiate for the disposition of the land. However, the loan time is up this summer, emphasizing the need for early legislative authority to provide the Secretary of Agriculture with the means to acquire the property. The bill, as reported by the Interior Committee, authorizes an expenditure up to $500,000 for this purpose.

The bill, which is cosponsored by my colleague [Mr. JORDAN], is similar to one which I introduced last August. The Department of Agriculture issued a favorable report, as it has on this bill, and at my request field hearings were held in Idaho in October by the Senate Public

Lands Subcommittee under the able chairmanship of the distinguished senior Senator from Nevada [Mr. BIBLE]. Nearly all witnesses were in favor of saving Upper Priest Lake.

The Bureau of the Budget has no objection to this bill.

There is an urgency for passage of S. 435, in order that we save for future generations what has been described as "one of the most beautiful places left in the world."

Mr. President, as I have said, I am joined in the cosponsorship of the bill by my colleague from Idaho [Mr. JORDAN]. The bill was first introduced last year, and in August of last year I made an explanatory statement. I ask unanimous consent that that statement be printed in the RECORD together with a letter of endorsement and support for the proposed legislation received by the Senate Committee on Interior and Insular Affairs from Orville Freeman, Secretary of Agriculture, and a letter from Phillip S. Hughes, of the Budget Bureau, dated February 24.

There being no objection, the statement and letters were ordered to be printed in the RECORD, as follows:

LAST CHANCE TO SAVE UPPER PRIEST LAKE

(By Senator FRANK CHURCH)

[In the Senate of the United States]

Mr. CHURCH. Mr. President, recently, an American wrote me from the Punjab Club, Lahore, Pakistan, to enter into a contest of words: Is Upper Priest Lake one of the most beautiful places "in Idaho," "in the country," or "in the world"? The writer, Mrs. E. J. Peterson, declared it to be "one of the most beautiful places left in the world," and I am prepared to agree with her.

But before long it may not be, and that is why Mrs. Peterson wrote as she did.

"I hope," she said, "that this land will be * * * kept like it is. * * * It would be a shame not to keep it wild."

Nearly everyone in northern Idaho and eastern Washington would agree, and millions more would also if they knew why Upper Priest Lake is endangered.

Mr. President, I should like to tell that story to the Senate at this time.

Upper Priest is a small lake, less than 4 miles long and three-fourths of a mile wide, located near the Washington State border and within walking distance of Canada, in the panhandle of northern Idaho. The panhandle is dotted by lakes, but Upper Priest is the only left which has not felt the permanent imprint of man. It is without commercial development of any sort; it is as wild and natural as God made it.

VISITING UPPER PRIEST

The lake is surrounded on three sides by rising mountains, but the unusual thing about Upper Priest is that, unlike so many similar lakes, one need not cross the mountains to get there. Thousands come there easily each year over a gentle water route.

We can understand something about the special attraction of this route from the description given it by Art Manley, vice president of the Idaho Wildlife Federation, a man who has worked tirelessly to save the lake:

"There is neither road nor trail to the little lake but the approach is easy and scenic, via the Thoroughfare, a lazily meandering stream just deep enough for most outboard motorboats and wide enough to permit one boat to pass another. The Thoroughfare provides a study in nature itself. It is protected by tall, stately white pines, alpine fir, spruce, western redcedar, the light green larch, cottonwoods and many, many other trees, bushes, and flowering vines, the trees often casting their shadows across the entire width of the clear, blue water of the Thoroughfare."

Once inside the lake, the reason for preserving it becomes even more apparent. The air is unusually tranquil, and the lake surface, protected by the mountains, is smooth enough to see the cutthroat trout jumping at great distances. The shore is lined by plants and intermittent sandy beaches which serve as the threshold to an unbroken forest, luxuriant with such a diverse combination of evergreen and deciduous trees as to make a necklace for the lake in autumn of brilliant, splashing color.

In the Selkirk Mountains, above the lake, roam a herd of rare mountain caribou, thought by many to be the last surviving band south of Canada. Mountain goat also inhabit the high country and deer, bear, and moose can be seen occasionally at the water's edge. The giant Mackinaw trout, the landlocked Kokanee salmon, and the rainbow trout inhabit the lake's clear waters.

Two well-concealed campgrounds and an emergency fireguard station are the only permanent evidence of man's intrusion on this scene—at least as of today.

THREAT TO UPPER PRIEST

The west side of the lake is part of the Kaniksu National Forest; the east side is owned by the State of Idaho, with the exception of three separate privately owned parcels. From at least one of these parcels, the sound of bulldozers and hammers may soon disturb the calm, and the day may not be far off when the shoreline will be studded with private boat docks. For the owners of this 140-acre parcel have announced their intention to subdivide their land for cabin sites. For nearly 4 years, the Idaho Wildlife Federation has sought to avoid this kind of commercial development. Earlier this year, when it looked as if all was lost, a national semiscientific organization, Nature Conservancy, came to the rescue, just as it has done at dozens of other beauty spots throughout the United States. The organization extended a loan to the owners, without interest, in order to buy an extra 10 months' time to save the lake. After that, the land will go up for sale.

As Art Manley has written for the Idaho Wildlife Federation:

"In spite of our very best efforts, we have failed * * * to solve the problem on a local or State level. The owners cannot give us another 4 years. We believe there is no further hope except through Federal help. And so, we are asking today—urgently for that help."

SAVING THE LAKE

It is for this reason, Mr. President, that I am today introducing a bill to authorize the Secretary of Agriculture to acquire these private inholdings at their fair market value. They can then be incorporated into the Kaniksu National Forest and managed so as to protect and conserve the scenic values of Upper Priest Lake for the use of all the public.

I use the phrase "all the public" advisedly, since such a description is appropriate for this jewel of a lake.

Upper Priest is less than 2 hours' driving time from Spokane, the largest city between the Pacific coast and the Midwest. It is estimated that nearly a million tourists traverse the general area each year. Probably no wilderness proves more easily or enjoyably accessible than for those who come to Lower Priest Lake to take a pleasant boat ride through the Thoroughfare, to Upper Priest.

This fact is not lost to those who, like myself, are also concerned with stagnant economic conditions in northern Idaho. Paradoxically, excepting Upper Priest Lake from commercial development has distinct economic value.

In a report made at my request, the Bureau of Outdoor Recreation concluded that preserving Upper Priest in its natural state was important for increasing tourism. "Scenic Upper Priest Lake appears ideal as a natural wilderness-type recreation area," the report states, and keeping it that way is necessary for "continued expansion of tourism creation. So preserved, Upper Priest Lake could be one of the feature attractions of the panhandle area."

This is but another reason that the threat to Upper Priest has attracted so many to its cause. But the primary reason is that the lake means so much to the people who have been there. They have found it a place to escape from the punishing pace of daily life, free from the encroachment of cabins, docks, or automobiles. In an area where the great outdoors is everywhere, Upper Priest still is unique, an accessible touchstone with a peace no longer found in larger, commercial recreation areas.

The president of the University of Idaho, D. R. Theophilus writes:

"This is a wonderful lake, and I hope that my grandchildren can see it as I have seen it."

The Honorable Don Maynard, representative from Bonner County, says in the same spirit:

"It would be wonderful if we could keep this property just as the good Lord made it."

Judge Frances Sleep, of Sandpoint, tells what Upper Priest symoblizes for her in a manner which speaks for a great many people. She writes:

"I have lived my life in Bonner County. I have seen many changes take place in our area. As a child it was fun to walk a couple of blocks from home in Sandpoint across a meadow to a free and uncluttered lakeshore to picnic or swim. But no more. There is very little public access to our big Pend Oreille nowadays. This is the price we pay for progress. I am not objecting to the price, you understand, but I do feel we should budget some of our natural resources so they will be preserved wisely to the best advantage for the greatest number."

In 1911, the Congress passed the Weeks Act which was intended to allow for just such budgeting as Judge Sleep referred to. But for too long we have failed adequately to fund it, while the national treasury of scenery which we possess in such abundance is being surrendered to unbridled commercial development. In fiscal 1965, the Federal Government intends to spend only $500,000 in the entire United States for purchases under the Weeks Act. Thus the need for this special legislation.

The Pacific Northwest Conservation Council, which represents those interested in conservation in the Northwest, put the case well when it said:

"Small areas like [Upper Priest Lake] are often so important to the overall welfare of our resources and they are so often neglected until too late."

Mr. President, the time is short but not yet too late. The bill will allow for the preservation of Upper Priest Lake, and stand as an example, from which the entire country may profit, of the timely application of wise conservation principles.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 24, 1965.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate

DEAR MR. CHAIRMAN: This is in response to your request of January 21, 1965, for a report on S. 435, a bill, "To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes." We recommend that S. 435 be enacted.

This bill would include within the Kaniksu National Forest certain described lands to the extent that these are not now within the national forest boundaries. It also would authorize the Secretary of Agriculture to acquire the described lands at fair market value.

The particular tracts set out in S. 435 comprise three separate parcels with a combined area of approximately 417 acres. All of these parcels are located on the shorelines of Upper Priest Lake, a natural body of water in Bonner County, Idaho. One parcel of about 84 acres is within the national forest; the other two parcels are outside of, but adjoin, the national forest boundary.

Upper Priest Lake is a beautiful mountain lake approximately 3½ miles long and a mile wide. At present it is undeveloped by roads or dwellings. The lake and adjoining shorelands therefore offer a nearly natural environment. Upper Priest Lake lies some 3 miles northwesterly of Lower Priest Lake and is connected to it by the Thorofare River which is traversable by small pleasure boats. Hence, Upper Priest Lake is accessible by small boats from the developed and road-accessible Lower Priest Lake. While all of Upper Priest Lake is within the national forest, lands adjoining the east side beyond the lake itself are owned by the State of Idaho and three private owners who possess the two parcels above noted. The west side of the lake is national forest land except for the third parcel of private lands discussed above. Lands adjacent to the lake thus are publicly controlled except for the three parcels described in S. 435.

We believe it is highly desirable that Upper Priest Lake and its immediate environs be kept free of habitations and commercial developments. This lake has very substantial public recreation values of the kind that can be best realized and enjoyed in the undeveloped setting which it now offers. Owners of some of the privately owned lands on the east side of the lake, just outside the national forest, have made tentative preparations to subdivide their properties into lake front lots and sell these for private recreation homesites. The probabilities are that if this were done the remaining private lands would also be so utilized and that roads into the area would soon follow.

The described lands are forest lands characteristic of the Kaniksu National Forest and have material potentialities for multiple-use management. As part of the national forest they would be managed in conjunction with the adjacent lands in the area with recreational use oriented to boating, fishing, camping, and hunting in a near-natural environment.

In the present circumstances, acquisition of the three parcels for national forest purposes, therefore, would be highly desirable as a conservation measure and practical from the standpoint of future management in correlation with nearby national forest properties on the same lake. The tracts are within the class of lands which may be acquired with appropriations from the land and water conservation fund. Enactment of S. 435 would indicate congressional concurrence in the acquisition of these tracts and their incorporation in the national forest, and support a high priority for their purchase in the total land and water conservation fund program.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 24, 1965.
Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 435, a bill "to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes."

S. 435 would extend the boundaries of the Kaniksu National Forest to include those lands necessary for the protection and conservation of the scenic values and natural environment of Upper Priest Lake in the State of Idaho. It provides that the Secretary of Agriculture may acquire these lands at fair market value, and that these lands may be managed under the principles of multiple use and sustained yield. The acquisition of these lands would protect public values associated with the shoreline of Upper Priest Lake.

There would be no objection from the standpoint of the administration's program to enactment of this bill.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Mr. JORDAN of Idaho. Mr. President, this bill relates to 417 acres of privately owned lands which abut on the shores of Upper Priest Lake in Bonner County, Idaho. The 417 acres are included in three separate parcels which are held in five ownerships. Two parcels are outside of but adjoin the Kaniksu National Forest; one of 84 acres is just within. All of the shoreline of Upper Priest Lake is owned by either the United States or the State of Idaho except the parcels described in S. 435.

Upper Priest Lake is a highly attractive mountain lake approximately 3½ miles long and a mile wide. At the present time, its shorelines and environs are in a natural condition, undeveloped with roads or habitations. Access is by boat from Lower Priest Lake via the Thorofare River and present uses are temporary in character—boating, fishing, picnicking, camping, and general enjoyment of the beautiful scenery and the unmodified environment.

However, owners of some of the private lands have made plans to subdivide their properties and sell lakefront lots for summer home purposes. Such action would result in destruction of the near-natural environment and the undeveloped character of Upper Priest Lake and very likely would eventually result in roads being built to the developed properties. Such plans are temporarily in abeyance pending action on proposals for acquisition by public agencies of the privately owned lands.

S. 435 would include within the Kaniksu National Forest the 333 acres, as described in the bill, that are not now within the exterior boundaries of that national forest. The bill also would authorize the Secretary of Agriculture to acquire the 417 acres at their fair market value.

The Department of Agriculture believes that continuance of the shoreline of Upper Priest Lake in a natural condition, free of habitations, businesses, or industrial facilities, and the maintenance of a near natural environment at and around the lake, is in the public interest. In its present condition, Upper Priest Lake has very substantial public recreation values of the kind that can best be realized and enjoyed in the undeveloped, primeval setting it now offers. I concur with this report.

In the current circumstances, public acquisition appears to be the only practical way of assuring that the private properties will not be commercially developed. The Forest Service plans to negotiate with the owners for the properties. The tracts clearly qualify for acquisition with moneys to be appropriated from the land and water conservation fund. Enactment of S. 435 would provide congressional concurrence in the inclusion of these tracts in the national forest and their acquisition by the Department of Agriculture, and would support a high priority for use of land and water conservation funds to purchase them.

These tracts are forest lands of the same kind as nearby national forest lands and have good potentialities for multiple use management. As part of the Kaniksu National Forest, they would be so managed in conjunction with nearby lands. Recreational use would be oriented to boating, fishing, camping, and hunting in a near natural environment.

Hearings have been held in Idaho last October. These hearings were well attended and the overwhelming consensus of testimony taken was in support of this acquisition.

I urge passage of S. 435.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The bill (S. 435) was passed.

SOME OBSERVATIONS CONCERNING OCCUPATIONAL HAZARDS OF SENATORS, THE WISDOM OF THE McCARRAN–WALTER ACT, AND THE PROPOSAL TO SUBSTITUTE THE CAPRICE OF THE FEDERAL ADMINISTRATOR FOR THE RULE OF LAW IN IMMIGRATION AFFAIRS

Mr. ERVIN. Mr. President, one of the occupational hazards of a Senator is that he is sometimes charged with responsibility for words he has never spoken. This hazard is magnified many times when his official duty requires him to discuss highly controversial subjects such as existing or proposed immigration laws.

Since I know that truth cannot overtake errors of this character and repair the injury they do, I usually ignore statements attributing to me things I have never said, and devote my energy and time to the performance of my public duties.

While I am reluctant to do so, I am constrained to depart from my ordinary practice in respect to a statement attributed to me in an article which bears the name of Andrew J. Glass, a reporter for the New York Herald Tribune, and which was published in the New York Herald Tribune, the Washington Post, and other newspapers on February 25, 1965, or subsequent days.

This statement was contained in an article which purported to be an objective account of the hearing conducted on the previous day by the Senate Subcommittee on Immigration and Naturalization upon the administration's bill to relax the provisions of the McCarran-Walter Act and to repeal the national origins quota system embodied in that act.

The statement in question was as follows: "North Carolina Senator SAM J. ERVIN, JR., Democrat, said white Anglo-Saxon Protestants 'are the people who made America great'." I assert with all the emphasis possible that I never made any statement of this character during the hearing. Moreover, I assert with all the emphasis possible that I never made any similar statement at any time on any other occasion anywhere.

I strive to be intellectually honest in all my public actions and utterances. My chief lifelong hobby has been the study of history and history has taught me that the United States has been made great by the contributions of many peoples of many national origins, many races, and many religions.

As a matter of simple truth, I did not use the word "white" or the word "Protestant" at any time in the hearing which this article purported to cover. I have made references to the subject of religion in only two contexts during the entire hearings upon the bill. My first reference has been to the fact that the McCarran-Walter Act does not bar the admission of any human being as an immigrant to the United States on the basis of his religion, and any charge that it does is simply pious propaganda having no foundation in the act.

My second reference to religion consisted of allusions to Biblical quotations, such as embodied in I Timothy 5:8, which enjoins us to provide for our own. I made these allusions to emphasize my conviction that it is exceedingly unwise to relax our immigration laws and increase the immigrants coming to the United States to any extent at a time when 7 million Americans are on public welfare, 3.8 million Americans are seeking in vain for jobs in which to earn daily bread for themselves and their families, the administration is asking the Congress to appropriate billions of dollars for the abolition of poverty in Appalachia and other areas of the Nation, and the Bureau of the Census is predicting that the population of the United States will increase to a total of approximately 280 million people within 20 years.

While I made no statement to the effect that "white Anglo-Saxon Protestants 'are the people who made America great,'" I could have said that they have made great contributions to the settlement and development of America. Had I done so, I would have spoken a simple historic truth which no person can rightly deny. This is so because 12 of the 13 Colonies were originally settled in large measure by white Anglo-Saxon Protestants. The 13th Colony, Maryland, was originally settled in substantial part by Catholics, and it can be said to the glory of its proprietor, Lord Baltimore, that he extended religious liberty to all persons within Maryland's borders.

Having stated what I did not say, let us proceed to consider what I did say.

It is undoubtedly true that hundreds of millions of people living in the Eastern Hemisphere would like to immigrate to the United States. The McCarran-Walter Act recognizes the necessity for placing restrictions upon their immigration to the United States, and undertakes to assign to each nation in the Eastern Hemisphere a specific quota of immigrants in proportion to the number of Americans whose national origin is traceable to such country.

As a consequence, the national origins quota system is based on conditions existing in the United States, and for this reason, is like a mirror reflecting the United States.

Since Americans whose national origins are traceable to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries constitute the most numerous parts of the population of the United States, the immigrant quotas assigned to these nations by the national origins quota system are necessarily larger than the immigrant quotas assigned by the system to other nations in the Eastern Hemisphere. This brings me to what I did say on the hearing.

I maintained these propositions at the hearing by questions and statements:

First. Those who oppose the national origins quota system embodied in the McCarran-Walter Act charge that it discriminates against other nations in the Eastern Hemisphere because of the relatively larger quotas which the national origins quota system assigns to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries.

Second. The national origins quota system embodied in the McCarran-Walter Act affords a rational and uniform formula for governing the admission of immigrants to the United States for these reasons:

(a) The Americans whose national origins are traceable to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries constitute the most numerous groups in our population;

(b) England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries and the Americans tracing their national origins to them have made the greatest contributions to America; and

(c) Immigrants are more readily assimilated by the United States if their national origins bear a reasonable ratio to Americans tracing their national origins to the same countries.

In support of my statement concerning the contributions of the enumerated countries to the making of America, I pointed out that in addition to supplying us with most of our inhabitants, some of them, namely, the British Isles, gave us our language, our law, and much of our literature.

What I had to say on this phase of the hearing is revealed by the following colloquy which occurred between Senator JAVITS, of New York, and me. As recorded in the official transcript of the hearing, this colloquy was as follows:

> Senator JAVITS. Mr. Secretary, I would like to join with Senator FONG in everything he has said about your personal handling of this matter, and its implications to the United States and the world.
>
> As the son of immigrant parents, one of whom came from what was then the Turkish province of Palestine, and the other of whom came from Austria-Hungary, the Austrian-Hungarian Empire, I can't sit still for the proposition uttered by my colleague from North Carolina that the ethnic groups that came from northern Europe and England made America. Too much blood and toil came from the soil of Italy, for example.
>
> Senator ERVIN. The Senator from North Carolina didn't say that.
>
> Senator JAVITS. Too much blood and too much work went into the soil from Italy, from Greece, from Germany, from Poland, and from all eastern Europe, and from many other parts of the world, for us to proceed to legislate or set a standard of policy for our country on the theory that the 60 million who now survive the Anglo-Saxon and the Scandinavian immigration to this country represent the ethnic groups that made America. I don't think that those ethnic groups themselves, to their everlasting credit, would subscribe to any such idea.
>
> I now yield.
>
> Senator ERVIN. What I said was that the McCarran-Walter Act gives preference in quotas to nations which made the greatest contributions to America. I stand on that statement because it is true. There are other people, from various sections of the world, that made great contributions to America but they were the ones that made the greatest.
>
> Senator JAVITS. If the Senator will allow, I thoroughly disagree.

What I have said concerning the hearing upon the immigration bill is fully corroborated by the stenographic transcript of the hearing, and accurate and objective articles which appeared in the New York Times and the Washington Star for February 25, 1965. The length of the transcript of the hearing precludes its reproduction in the RECORD. I ask unanimous consent, however, that the articles from the New York Times and the Washington Star be printed in the body of the RECORD immediately after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ERVIN. When Congress incorporated the national origins quota system in the McCarran-Walter Act and passed that act by two-thirds majorities over a Presidential veto in 1952, its purpose was to establish a definite and uniform formula or rule of law to do four things:

First. To limit the annual number of quota immigrants who can come to the United States;

Second. To determine the nationality of those who come so as to maintain the historic population pattern of the United States;

Third. To put all quota nations on an equal footing in respect to the law; and

Fourth. To keep the immigration problem beyond the reach of politicians and pressure groups.

The national origins quota system formula or rule does simply this and nothing more.

When it adopted this definite and uniform formula or rule of law with the view to maintaining the historic population pattern of the United States, Congress did not act upon the theory that the people of one nation are superior or inferior to those of another. It recognized the obvious and natural fact that immigrants admitted under the national origins quota system are more readily assimilated into American life and ways because of the similarity of their cultural backgrounds to those of the principal components of our population. As the Christian Science Monitor editorialized at the time:

> It is no reflection on the many fine American citizens of all races, creeds, and national origins to recognize realistically that some nations are far closer to the United States in culture, customs, standards of living, respect for law, and experience in government.

Those who would supplant the McCarran-Walter Act by the administration bill—S. 500—make the following arguments:

First. That S. 500 will enable the United States to acquire persons possessing skills which are needed by the United States; and

Second. That S. 500 will abolish the national origins quota system and substitute for it a unified system applicable to all the nations in the Eastern Hemisphere which will operate solely upon a "first come-first served" basis.

When one analyzes the McCarran-Walter Act and S. 500, he finds there is no real difference between the capacity to obtain persons possessing needed skills under the act and the bill. Under the McCarran-Walter Act, a 50-percent preference is given to quota immigrants possessing skills needed urgently in the United States, and under S. 500, a 50-percent preference is given to persons possessing skills especially advantageous to "the United States." This change in phraseology is a mere exercise in semantics and creates a distinction without making a difference.

The public should not be deluded by the fact that both the act and the bill give a first preference to persons possessing skills. This is true because only a few people come into the United States as skilled persons under this preference. As a matter of fact, the total number entering the United States as skilled persons under this preference of the McCarran-Walter Act during the last fiscal year was only 2,475. All the other thousands of quota immigrants entering the United States during the last fiscal year under the McCarran-Walter Act entered under other provisions, approximately 80 percent of them entering under nonpreference provisions. There is no valid reason to anticipate that any substantial increase will be made in respect to obtaining highly skilled persons from abroad because the bill will authorize the admission of persons possessing skills "especially advantageous to" the United States rather than persons possessing skills "urgently needed in" the United States.

The only permissible inference to be drawn from the slight change of phraseology between the McCarran-Walter Act and S. 500 is that its purpose is to detract the attention of the unwary from the drastic alteration in our immigration policy which would be made by the other provisions of S. 500. If the bill were enacted, it would substitute for the definite and uniform formula or rule of law embodied in the national origins quota system the arbitrary and tyrannical will of Federal administrators subject to no limitations except the limitation that no more than 10 percent of the quota immigrants could be drawn from any one of the 89 countries in the Eastern Hemisphere, and that the act would be administered on a first-come first-served basis. Those who have had experience with laws whose administration is committed to Federal agencies know that there is no substance to any first-come first-served system. This is true because the first-come are often quite different from the first-served in such cases. The first-served are always those whose public relations apparatus can raise the most ballyhoo, and whose friends and supporters can put the tightest squeeze on the politicians who control the Federal agencies.

Besides, the 10-percent limitation affords no real assurance that there will be any equity in the administration of the law on a hemispherewide basis. This is true because the administrators of the law could assign virtually all of the quota immigrants allotted to the entire Eastern Hemisphere to 10 nations selected by them.

This is precisely what the proponents of the bill want. They wish to substitute for what they erroneously call the discriminations of the national origins quota system of the McCarran-Walter Act virtually unlimited discriminations for the countries they favor.

As Senator McCarran stated, one of the chief virtues of the national origins quota system established by the McCarran-Walter Act is the fact it places the control of quota immigration in the hands of the mathematicians rather than in the hands of the politicians. S. 500 would reverse this by casting a definite mathematical formula or rule of law upon the scrapheap and substituting for it the virtually uncontrolled will of politicians.

In addition to these objections, S. 500 is also subject to another serious objection, that is, an efficient and equitable execution of its provisions would be an absolutely impossible administrative task.

I have spoken of the Eastern Hemisphere only down to this point because immigrants from the Western Hemisphere, with the exception of Jamaica and Trinidad, are nonquota immigrants and are not subject to the provisions of the national origins quota system.

I do not claim that the McCarran-Walter Act is a perfect piece of legislation, but I shall not vote to abandon the national origins quota system formula or rule it establishes until someone devises a better rule sufficiently strong and certain to insure that immigration to the United States is controlled by the rule of law and not by the caprice of men.

For these reasons, I wish to say that I favor retaining our basic immigration law in substantially its present form. If new conditions should arise requiring us to meet emergencies, Congress can pass special legislation to deal with them as it has on many occasions in the past.

Let me mention another occupational hazard of Senators; namely, the danger of having what they actually say misunderstood or misconstrued. Sometimes a Senator contributes to such misunderstanding or misconstruction by an unfortunate choice of words. My father was a man of much experience and wisdom who argued cases before North Carolina judges and juries for more than three score years. When I entered his office as his legal partner, he gave me this advice as to how one should seek to convince others of the soundness of his position: "Draw the picture of a horse and write under the picture of the horse in large letters, 'This is a picture of a horse'."

I must confess that I may have fallen short of putting this advice into practice in the hearing on February 24. I maintained the position that the McCarran-Walter Act is wise and just in that it allots definite immigration quotas to the nations on the basis of their contributions to our population and development, and that the administration bill is unwise and unjust in that it abolishes all national immigration quotas and makes no distinction in our immigration policies between those nations which have made contributions to our population and development and those nations which have made little or no contribution to them.

I undertook to illustrate this point by calling attention to two ancient lands—Ireland, which has made great contributions to our population and development, and Abyssinia, which has made no contributions.

It now appears that I may have made an unfortunate choice of words in calling the ancient nation of Abyssinia by its modern legal and artificial name, Ethiopia, rather than by its ancient and natural name, Abyssinia. Some persons have misunderstood or misconstrued this unfortunate choice of words to be an oblique aspersion upon American Negroes, who have undoubtedly made substantial contributions to our population and development.

I certainly did not intend to do anything of this kind when I called the ancient land of Abyssinia by its modern legal and artificial name, Ethiopia. Anthropologists, historians, and lexicographers assure us that the Abyssinians belong to the Semitic race, which is a branch of the Caucasian race. Historians also inform us that the ancestors of American Negroes were not Abyssinians and did not have their habitations in that section of Africa.

A discussion of immigration laws necessarily involves a discussion of nations and peoples, and such discussion nowadays arouses great emotions, and such emotions magnify the occupational hazards of Senators which I have mentioned. Let me assure Americans in in general and North Carolinians in particular that during the Senate's consideration of the pending immigration proposals I shall do everything within my power to serve the America we love, and shall not be deterred from so doing by any misquotation, any misunderstanding, or any misconstruction of anything I may say.

EXHIBIT 1

[From the New York Times, Feb. 25, 1965]

SENATORS CLASH ON IMMIGRATION: JAVITS PROTESTS ERVIN VIEW ON NORTHERN EUROPEANS

WASHINGTON, February 24.—Senator SAM J. ERVIN, JR., contended today that revisions in the immigration law asked by President Johnson provided new discriminations in the guise of eliminating discrimination.

For example, the North Carolina Democrat said, "it discriminates against the people who have made the greatest contribution to building up our country because they have a preference under the law now."

He identified the countries as England, Scotland, Ireland, France, Germany, the Netherlands, and the Scandinavian nations.

Senator JACOB K. JAVITS, Republican, of New York, protested Mr. ERVIN's remarks and clashed with Senator EDWARD M. KENNEDY, Democrat, of Massachusetts, who was acting chairman of the Immigration Subcommittee hearing at which Secretary of State Dean Rusk was the witness.

"I know that too much blood and toil was contributed to the building of America by immigrants from Italy, from eastern Europe, and from many other places to accept the statement of the Senator from North Carolina that only immigrants from northern Europe made America," Mr. JAVITS declared.

Mr. ERVIN sought to break in, but Mr. JAVITS cut him off, asserting: "I didn't interrupt you."

But Mr. KENNEDY ruled that Mr. JAVITS was out of order in making a statement at the hearing and said he would be limited to asking questions of Mr. Rusk. He noted Mr. JAVITS was not a member of the subcommittee, but said he was welcome to ask questions.

Mr. JAVITS flared back that "this is a brand-new innovation in the conduct of subcommittees" and said he would not allow Mr. KENNEDY to forget it. He said that Mr. KENNEDY had not tried to limit Mr. ERVIN.

Mr. ERVIN said he was not contending persons from northern Europe were solely responsible for building the United States.

"I know that immigrants from other countries made great contributions," he said. "What I said was that the greatest contribution was made by those from northern Europe, and that is correct."

In his statement, Mr. Rusk stressed the provision of the administration bill that would get rid of the national origins quota system, first written into law in 1924.

He said "it is the national origins principle, rather than actual immigration, which is singled out by our critics," and which hurts the position of the United States abroad in many cases.

Several foreign ministers, he said, had told him they believed "this principle discriminates against their countries."

"They were not complaining about numbers but about the principle which they considered discriminatory," he said.

[From the Washington Star, Feb. 25, 1965]

IMMIGRATION REVISION STIRS SENATE CLASH

Senator SAM J. ERVIN, JR., Democrat of North Carolina, has contended that the immigration law revision asked by President Johnson proposes new discriminations in the guise of eliminating discrimination.

For example, he said yesterday, "it discriminates against the people who have made the greatest contribution to building up our country because they have preference under the law now."

He identified the countries as England, Scotland, Ireland, France, Germany, Holland and the Scandinavian nations.

JAVITS PROTESTS

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But KENNEDY ruled that JAVITS was out of order in making a statement at the hearing and said he would be limited to asking questions of Rusk. He noted JAVITS is not a member of the subcommittee, but said he was welcome to ask questions.

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ERVIN CLARIFIES REMARKS

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INVESTIGATION OF ROBERT G. BAKER

Mr. CURTIS. Mr. President, the New York Times for today contains an editorial which discusses the so-called Bobby Baker case. It ends with the following statement:

> The Senate Rules Committee seems to be engaged in trying to smother it with the FBI report that blackens one witness and whitewashes others. In doing so, it is engaging in a dubious game that casts doubt on its own integrity.

Mr. President, inasmuch as I had no part in the acts referred to by the editorial, and for the sake of clarification, I wish to make a statement.

The Attorney General submitted to the Senate Committee on Rules and Administration a statement concerning the Bobby Baker case. This statement dealt with the testimony on December 1, 1964, of Don Reynolds.

Many people have referred to this statement as an FBI report. I disagree. It was not a report made by the Federal Bureau of Investigation, and such an interpretation is a disservice to that great and respected organization.

The report is not an FBI report and was not issued by the Director or anyone authorized by him. The report transmitted by the Attorney General contains résumés of FBI interviews. There is no statement in the Attorney General's report even alleging that the report contains résumés of all the interviews conducted by the Federal Bureau of Investigation concerning the Reynolds testimony.

Neither is it claimed in the Attorney General's report that the FBI wrote the résumés, nor whether the report contains the full texts of the résumés.

The FBI is the investigative arm of the Attorney General. The Bureau is subject to the direction and authority of the Attorney General. The Attorney General has the power not only to request or direct an investigation but to prescribe the limitations and the bounds of the investigation. The Attorney General can direct the Bureau to interview a specified witness and the Attorney General can furnish the Bureau the questions or question to be asked and the Bureau's inquiry is limited to what the Attorney General has prescribed.

The Attorney General may not only select the witnesses he wants interviewed, but he can select the most sterile and innocuous questions to be submitted to the witnesses. Thereafter the Attorney General can write his own summary or report containing his deductions and conclusions concerning answers given to his own circumscribed questions.

Were the committee to ascertain how the Bureau conducted this investigation, they would have to obtain the memorandum of instructions from the Attorney General to the Bureau, plus a transcript of all oral directions accompanying the memorandum, and then the raw files of the Bureau, plus the opportunity to interrogate the agents as to how they were required to proceed.

The law provides that when fraud against the U.S. Government is involved the special agents of the Bureau may place the individuals that they are interrogating under oath. This report fails to indicate whether the Attorney General permitted the agents to swear certain persons interviewed in reference to those matters that involved fraud against the Government. Investigations involving the padding of accounts by a contractor which are paid by the Government and investigations involving wrongdoing in awarding defense contracts would fall in the category of fraud against the Government.

This report was obtained and released for the purpose of prejudicing the public mind against the testimony of witnesses who testify against the politically powerful. The Federal Bureau of Investigation should not be brought into such controversies.

Testimony before a senatorial committee should speak for itself, and every separate part of a witness' testimony should be scrutinized for its accuracy or inaccuracy.

Mr. President, in this morning's New York Herald Tribune, Dom Bonafede, who has been covering the Baker case for many months, states flatly that the report was not written by the FBI and that it is far from complete in reflecting the full extent of that agency's investigation into the Reynolds testimony.

Among other things, Mr. Bonafede's article had this to say:

> The "FBI report" used by the Senate Rules Committee's Democratic majority, to dispute testimony by a key witness in the Bobby Baker case, failed to include voluminous data compiled in a supporting investigation. The report was not even written by the FBI, it was learned yesterday, although the agency conducted the investigation for the study.
>
> The FBI declined comment on the report, which casts doubt on a series of allegations made by Don B. Reynolds in testimony involving many highly placed Washington officials, including President Johnson.
>
> A Justice Department spokesman, however, admitted in reply to a query by the Herald Tribune that, while FBI agents did conduct an investigation into Mr. Reynolds' charges, the report itself was written by various lawyers in the Department. He said the 30-page report was condensed from hundreds of pages of investigation gathered by FBI agents.
>
> The committee report is composed mainly of 11 allegations attributed to Mr. Reynolds, each of which is followed by witnesses' statements. In every instance, the statements contradict Mr. Reynolds' testimony.
>
> It was learned, however, that in addition to omitting much of the evidence gathered by the FBI, the report also neglects to mention statements given by several witnesses contacted by the investigators.
>
> Conceivably, the statements of witnesses left out of the report could support Mr. Reynolds' charges or dispute the testimony of other witnesses.
>
> Republican minority members on the Rules Committee have repeatedly asserted that the Democratic majority has sought to discredit Mr. Reynolds' testimony to save the administration from possible embarrassment.
>
> "This report was obviously written by someone who understood the political implications," remarked a committee source.
>
> He said that by selecting only certain portions of the raw FBI file and leaving out other parts, the majority was able to prejudice Mr. Reynolds' story.
>
> In a statement yesterday, Senator CARL CURTIS, of Nebraska, the committee's ranking minority member, said the authors of the report did a disservice to the FBI by contorting the Bureau's evidence.
>
> "This report was obtained and released for the purpose of prejudicing the public mind against the testimony of witnesses who testified against the politically powerful," Senator CURTIS declared.
>
> He said the FBI, "a great and respected organization" should not have been brought into the partisan conflict growing out of the Baker inquiry.
>
> Meanwhile, the committee's majority and minority staff members began work on drafting their final reports in the Baker case. This is a prelude to ringing the curtain down on the long and turbulent investigation into the myriad financial dealings of the former Senate majority secretary.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Danger Greater Than Baker Facts," published in the Norfolk, Nebr., Daily News of February 27, 1965, and an editorial entitled "Probe Is Closed in Jenkins' Case," published in the Scottsbluff, Nebr., Star-Herald of February 27, 1965.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Norfolk (Nebr.) Daily News, Feb. 27, 1965]

DANGER GREATER THAN BAKER FACTS

Republicans in the Senate, including Nebraska's CARL CURTIS, have been actively engaged for over a year in attempts to get the Senate Rules Committee to examine carefully the affairs of the former majority secretary of the Senate, Bobby Baker.

Their knowledge that he was at one time a protege of Lyndon Johnson, and had some sort of dealing with former White House staff man Walter Jenkins, served to whet their interest in pursuit of the facts in what has become a drawn-out, inconclusive investigation.

The latest development in the investigation was Jenkins' written response to a series of questions submitted in writing by the committee. The questions were allowed to be answered in writing because a majority of the committee believed two psychiatrists who said that the medical threat of oral questioning of Jenkins was too great to risk subjecting him to. Mr. Jenkins, admittedly, is one who has had detailed knowledge of the Johnson business affairs.

Senator CURTIS this week listed the written questions which he was not allowed to ask because the committee majority ruled them out of order. In doing so, he provided further evidence of the high-handed manner in which the entire Baker investigation has been handled.

Senator CURTIS' unasked questions dealt with aspects of the Johnson broadcasting businesses. One was a simple query, "Were Robert G. Baker and Lyndon Johnson ever associated in any business transaction together?"

An embarrassing question? Of course it is. But ruling it out altogether leaves the sort of suspicion which abounds in the whole Baker case, that the President is deeply involved and that much is being hidden.

There has been an attempt to build an immunity to inquiry for L.B.J. in matters concerning the wheeling and dealing of Bobby Baker. This attempt, in itself, tarnishes American political life at its highest level.

It is too bad that Senate Democrats do not recognize there is a danger greater than any risk of finding out further unsavory facts in the Baker case. That danger is that Americans will come to have a deep-seated cynicism about the integrity of their highest public officials.

[From the Scottsbluff (Nebr.) Star-Herald, Feb. 27, 1965]

PROBE IS CLOSED IN JENKINS CASE

Although Walter Jenkins, ex-White House aid, insisted this week he exerted no pressure on Maryland insurance man Don B. Reynolds to buy time on the Johnson family television station in Austin, Tex., one would have to be afflicted with a virulent form of naivete if he accepted the story without question.

Jenkins' account, told in written testimony to a Senate investigating committee, and released Wednesday, puts an innocent construction on an incident that his own words belie.

Just how gullible is the general public presumed to be, to swallow such a tale?

Reynolds bought $1,208 in television time on the Johnson station in Austin after Jenkins passed him the word that a Texas cousin of the President wanted to sell insurance too and, furthermore, was a longtime advertiser on the station. At stake for Reynolds was a hoped-for sale of $100,000 worth of policies.

Jenkins would have us believe that he transmitted this information so that Reynolds might know the nature of his competition, and not to pressure Reynolds into buying television time as one of the ground rules governing sales of insurance to Mr. Johnson.

It is notable that there has been absolutely no comment from the President, and we suppose that he should not remark publicly concerning the matter.

But, at the same time, it is also quite apparent that Jenkins is being sheltered from cross-examination, either public or private. His depressed mental attitude, following arrest on a morals charge is given as the reason for the sanctuary accorded him.

Whether there will ever be a sequel to his written answers to committee-devised questions appears now to be unlikely, much to the discomfiture and over the protests of Senator CARL CURTIS, of Nebraska, who has been sharply critical of the procedure followed in attempting to extract testimony from the onetime White House aid.

Senator CURTIS reports that he submitted a long list of questions he thought Jenkins should be asked, all pertaining to public business the public is entitled to know.

But, the Nebraskan adds that he "struck out" when the committee drafted a much simpler and much shorter list of queries.

The Senator viewed this procedure as permitting Jenkins and his friends and attorneys all the time needed to polish and hone his answers, without elaboration, and without fear of subsequent examination. There can't be much argument about this.

So it goes in Washington, where there must be a prevailing idea that the big whopper is more credible than the little one, and is therefore more likely to be accepted.

It is our guess that this may be the final flurry of any consequence in the Jenkins incident, and that the Baker case, from which the Jenkins affair stemmed is, as Senator CURTIS says, "about to go underground."

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield.

Mr. WILLIAMS of Delaware. Is it not true that the so-called testimony taken by the FBI was not taken under oath?

Mr. CURTIS. It appears that that was the situation, because I am sure that the group of lawyers in the Department of Justice who wrote the report would have asserted that the witnesses had been placed under oath. They did not do that, notwithstanding the fact that special agents of the Bureau of Investigation would have had authority to place witnesses under oath, because in some cases the question involved was fraud against the U.S. Government.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield for another question?

Mr. CURTIS. I yield.

Mr. WILLIAMS of Delaware. Is it not also true that the experience of the Committee on Rules and Administration in numerous instances has been that witnesses who had been interviewed by the FBI, by the Treasury Department, and by the staff of the Rules Committee reversed their testimony when they appeared before the committee and were placed under oath?

Mr. CURTIS. That has happened repeatedly. When Walter Jenkins filed his affidavit, he stated that he knew nothing about the sale of television time to Don Reynolds by the Austin, Tex., television station of which Jenkins was an official.

The committee never called Mr. Jenkins as a witness. Later, he did submit to limited questioning under oath; and when he was placed under oath, we learned that he did know about it. By his own words, he said that the sale of the television time did occur and that he knew it at the time. He denied that he exerted pressure. He put the blame on Reynolds, who, he said, volunteered, but he totally ignored the fact that it would be wrong in any event. There were many ways to apply the pressure; and this was only one instance.

I shall not disclose the name of another witness, because I do not want to quote him without having the record before me. But there have been several instances before the Committee on Rules and Administration when after the individuals had been placed under oath, their testimony differed very materially from what it purported to be when they were interviewed. That occurred in many instances, not only before the Committee on Rules and Administration but also before the McClellan committee. So we can only arrive at the conclusion that the group of lawyers in the Department of Justice, whoever they were, who wrote the report, should have had knowledge of the fact that those things occurred; that people testify differently under oath than when they are interrogated by an investigator. To fail to place them under oath in order to discredit others, to thwart an investigation, and to becloud an issue before the public is grossly wrong.

Mr. WILLIAMS of Delaware. In that connection, I have a copy of the committee hearings, part IV. I shall quote from the testimony of Myron Weiner as given to the Committee on Rules and Administration on December 3, 1964, and as appears on page 552. This testimony clearly shows difference between a witness testifying under oath and the same witness giving a statement to the FBI or to the staff of the committee. Mr. Weiner was being questioned in connection with a $5,000 payment he had made to Robert Baker in consideration for his assistance on legislation. Previously he had denied such a payment.

I quote from the interrogation by the chief counsel of the committee:

Mr. McLendon. Mr. Weiner, you have been interviewed by the FBI, haven't you?

Mr. Weiner. I sure have.

Mr. McLendon. You also have been interviewed by the Internal Revenue Service?

Mr. Weiner. Yes, sir.

Mr. McLendon. Is your testimony here today consistent with what you told those two agencies?

Mr. Weiner. No, sir.

Mr. McLendon. It is not. I have a little reluctance in asking the next question, but I will ask it.

Mr. Weiner. Please do, sir.

Mr. McLendon. In what respect is what you told here today not consistent with what you told the Internal Revenue?

Mr. Weiner. I am under oath today, sir.

Mr. McLendon. Yes; I know you are.

Mr. Weiner. And I am not going to, to the best of my recollection, say anything that is not true.

Mr. McLendon. Sir?

Mr. Weiner. To the best of my recollection, I am not going to say anything that is not true. The only thing that I omitted from telling them, anybody, before today's interview, was the fact that I gave Mr. Baker the check, and that the arrangements to retain the law firm were made with Mr. Baker.

That is a complete reversal of his previous statement. By his own statement his testimony was changed because he was under oath.

I cite another example. The hearings are replete with this course of action in committee. I refer to the testimony of Mr. William N. McLeod, Jr., who testified on December 2, 1964, at pages 241 and 242 of the transcript. Mr. McLeod was the chief counsel of the House District Committee. Mr. McLeod was being questioned in connection with a $1,500 payment which he had received from Mr. Reynolds. First Mr. McLeod had claimed this was for legal services, then later he claimed it was a gift.

I quote his testimony:

Senator Curtis. Did you talk to Mr. Drennan, of the staff?

Mr. McLeod. I talked to two people with the staff. I don't remember the name.

Senator Curtis. Did you tell them that you mailed the invoices?

Mr. McLeod. I don't think I did. I don't remember.

Senator Curtis. Did you tell them that it was for legal services?

Mr. McLeod. No; I didn't. When they asked me what it was for I said the statement speaks for itself.

(At this point Senator Clark entered the hearing room.)

Senator Curtis. What did the statement say?

Mr. McLeod. For legal services.

Senator Curtis. So it is true then, that you conveyed to them the idea that it was for legal services?

Mr. McLeod. Well, I was in an informal meeting with them. I was not under oath.

Senator Curtis. I understand.

Mr. McLeod. And I sidestepped a few things, I think.

Mr. CURTIS. That is very true. This group of lawyers in the Department of Justice who wrote this report did know that. They should know it. Notwithstanding that, here are selections from many unsworn interviews, put out by the Attorney General, printed as a committee print, before committee members even knew it had been returned, for the direct purpose of destroying the testimony of Don Reynolds. That is a most unethical practice.

It was unfair to those on the committee who have tried to get all the facts. It should not have been done. This was handled so that the impression would be given that it was an FBI report. I have been around Washington a little while. I have never seen an FBI report in print. I do not believe that the FBI makes and prints reports concerning offenses alleged to have taken place, about individuals investigated or about interrogations they haye made.

The FBI assembled this information so that it might be used in a lawful proceeding in a court of law, where witnesses are under oath. On the face of it, I think many reporters recognized that it was not an FBI report. They perhaps, too, were aware of the fact that the FBI does not issue printed reports in matters of this kind. Yet, that does not excuse those who planned it that way, those who did not want Mr. Reynolds' testimony to stand.

Mr. WILLIAMS of Delaware. There was another witness who took the fifth amendment when called before the committee. It was shown that in the establishment of the Redwood National Bank, a $5,000 check had been made payable to one Wayne Bromley, and the check had been endorsed and cashed by Robert Baker in the Senate Disbursing Office. Yet, when this was called to the attention of the Committee on Rules and Administration, they first interviewed Mr. Bromley and were apparently satisfied with his explanation. They dropped the case until the payment was disclosed on the floor of the Senate and insistence made that the matter be explored further. Mr. Bromley was then brought before the committee, but he took the fifth amendment on the basis that he could not talk about it without incriminating himself. Mr. Baker also took the fifth amendment. They refused to discuss their $5,000 payoff.

It makes a big difference if a man is called to testify under oath before a congressional committee. I think that is recognized by all Senators, and it should be very clear to the committee.

I congratulate the Senator from Nebraska, the ranking minority member of the committee, for the job he has tried to do. I join the Senator in expressing deep regret that the Democratic members of the committee did not feel that they also had a responsibility to expose the wrongdoing that had been going on in the U.S. Senate.

Mr. CURTIS. Mr. President, I thank the Senator from Delaware very much for his remarks. With respect to the testimony of Don Reynolds, no witness is infallible. No witness can have a memory that does not err. Many people are not so systematic and orderly in recording things as others are. But the fact remains that the written record, where it exists, supports Don Reynolds in this investigation. Don Reynolds said that he purchased a hi-fi set for a former Senator, Mr. Johnson. The written record and checks and invoices support this statement. There is no dispute that the hi-fi set was delivered. It is there. Likewise, the checks and the other tangible evidence supports Mr. Reynolds' statement that he purchased television time on the Austin television station. That statement is supported by the witness Mr. Young. I shall not take the time of the Senate now to repeat all the evidence. But the point is that where we have been able to put our hands on the written record, the testimony of Don Reynolds has stood up. It is quite evident that this whole performance, which culminated in the phony report transmitted by the Attorney General was for the purpose of convincing the American people that Don Reynolds was wrong in every instance, when we know that that is not true.

To use the taxpayers' money to carry on an investigation in that manner, to blacken the witnesses who come in and testify about wrongdoing, to use the taxpayers' money to so treat some witnesses that it sends a notice out to the entire world, "Don't ever come in and testify against the politically powerful," is disgraceful. That is what they have attempted to do. They may have accomplished it. I regret it. I am sure that, in engaging in such wrongful practices, they do not speak for the majority of the U.S. Senate.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield further?

Mr. CURTIS. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I concur in what the Senator said. Certainly we all proceed on the premise that all charges are inaccurate until proven true, but many of Mr. Reynolds' charges have been proven true when pursued.

There have been some vigorous denials of some of Mr. Reynolds' charges, but ofttimes when the witnesses were placed under oath or when the records were examined we found he was right.

I am not unmindful of the fact that it was nearly a year ago that Mr. Reynolds told me there was a $35,000 overpayment on the insurance premium of the stadium contract. It took about 6 or 8 months to locate the check and the proof. This check was located and the charge was proved without any help from the majority members of the committee. I feel some responsibility in this matter because when we first started this investigation Mr. Reynolds was one of the first men whom I interviewed. There seemed to be a question in his mind as to whether he should proceed to testify or whether he should take the fifth amendment.

In a meeting with Mr. Reynolds and his attorney I made it clear that we were not offering him any special consideration and if he told the story as to what he and his associates had been doing he was expressing his own guilt, as well as that of anybody else. His lawyer was there, and he was told that as a witness he could exercise his constitutional right and take the fifth amendment. After discussing the matter with him, Mr. Reynolds agreed to testify before the committee. I think he should be complimented on that decision. He made a great contribution by disclosing the financial arrangements he had with Mr. Baker and several of his friends. Mr. Reynolds has made a great contribution by giving us his cooperation. I resent this deliberate attempt to discredit him or, as the Senator has said, to lay down the threat to any American citizen that "If you speak out against the administration we will ruin you."

Mr. CURTIS. Yes.

In closing, let me say that Don Reynolds was denied the fundamental American right to have his accusers placed under oath and interrogated. We cannot blame that on Hitler. The blame rests on those who did it here.

TRIBUTE TO SENATOR ERVIN BY AMERICAN PSYCHIATRIC ASSOCIATION

Mr. HILL. Mr. President, I am happy to call to the attention of the Members of the Senate a resolution adopted by the American Psychiatric Association paying richly deserved tribute to our colleague, Senator SAM J. ERVIN, JR., the senior Senator from North Carolina.

The tribute expresses appreciation for the brilliant work of Senator ERVIN in behalf of the enactment of Public Law 88-597 for protecting the rights of the mentally ill in the District of Columbia.

This legislation has been warmly received by outstanding leaders in the fields of psychiatry and law as a guide to State legislatures in formulating legislation to protect the rights of the mentally ill.

The concluding sentence of the resolution declares:

> The mentally ill, the families of the mentally ill, and the profession of psychiatry are indebted to Senator ERVIN for his dynamic leadership in this humanitarian effort.

I know that this tribute will come as no surprise to the Members of the Senate. We recognize Senator ERVIN's great ability and we are guided constantly by his wise counsel. He is indeed an imminent lawyer, a dedicated public servant, and a great humanitarian. He is an American of whom we are all proud. As we know, Senator ERVIN serves as a distinguished member of the Judiciary Committee and as chairman of its Subcommittee on Constitutional Rights.

I ask unanimous consent that the text of the resolution of the Council of the American Psychiatric Association appear in the body of the RECORD immediately following these remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> *Be it resolved,* The Council of the American Psychiatric Association takes this occasion to recognize the signal contribution of U.S. Senator SAM J. ERVIN, JR., in championing enactment of legislation which modernizes the laws governing the hospitalization of the mentally ill in the District of Columbia. Public Law 88-597 which he sponsored and which was signed into law by President Johnson on September 15, 1964, reconciles legal procedures protecting the constitutional rights of the mentally ill with modern psychiatric concepts and treatment. The council commends Senator ERVIN for the extensive and comprehensive hearings which he conducted prior to the drafting of this act during which a vast array of expert opinion was collected and considered. The report of these hearings in itself comprises an invaluable guide for future scholars in psychiatry and the law. The mentally ill, the families of the mentally ill, and the profession of psychiatry are indebted to Senator ERVIN for his dynamic leadership in this humanitarian effort.

USED EQUIPMENT FOR FOREIGN AID

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD a letter I received from Eliot Janeway under date of February 4, 1965, an article entitled "Used Vehicles Needed Most," by Charles C. Cain, and published in the Eugene, Oreg., Register-Guard, and an article by Eliot Janeway entitled "Instead of Dollars," published in Ward's Quarterly.

There being no objection, the letter and articles were ordered to be printed in the RECORD, as follows:

JANEWAY PUBLISHING & RESEARCH CORP.,
New York, N.Y., February 24, 1965.
Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We have just received the first copies of the used-equipment story in Ward's Quarterly. I wanted you to be the first to see it.

Articles on the story have been pouring in from all over the country, and I couldn't be prouder to be associated with a greater man.

Bob Powers, who owns Ward's, is a great figure in the automobile community and has made his publication the definitive organ of the industry.

Once the magazine is in full circulation, it will make even greater news. I think the plan will become a reality soon with all the support we'll be gathering.

Sincerely yours,

ELIOT JANEWAY.

[From the Eugene (Oreg.) Register-Guard, Jan. 31, 1965]

USED VEHICLES NEEDED MOST BY UNDERDEVELOPED COUNTRIES

(By Charles C. Cain)

DETROIT.—The auto industry showed considerable interest Saturday in a suggestion that the United States should send some of its used machinery and motor vehicles to underdeveloped countries as part of the foreign aid program.

Eliot Janeway a New York economist and columnist, advanced the proposal in a copyrighted article written for the initial issue of Ward's quarterly, a new magazine aimed primarily at management interests.

Janeway wrote that exporting "depreciated capital equipment all the way from heavy presses to pickup trucks and tire jacks to underdeveloped countries is the way to free U.S. industry from the burden of accumulated obsolescence and at the same time ease the drain on the dollar caused by foreign aid."

Janeway said in an interview that the program, which would include tax writeoffs for contributing companies, could well be a billion dollar operation in its first full year.

This would include the value of goods shipped abroad, the tax depreciation and the costs of the Federal agency which would handle the program.

"I was in Detroit a year ago and found that practically every auto official I talked with was interested in this program as an adjunct to our present foreign aid," he said.

Janeway said considerable congressional and business support had developed as well. Senator WAYNE MORSE, Democrat, of Oregon, and THOMAS DODD, Democrat, of Connecticut, both supported the idea before the Senate Foreign Relations Committee.

Ray Eppert, president of Burroughs Corp., and Willard Rockwell, board chairman of Rockwell Standard Corp. of Detroit, also voiced support.

ENDORSES IDEA

Robert B. Powers, publisher of the trade publication Ward's Automotive Reports, also endorsed the idea. Ward's quarterly is his latest publication.

Janeway expressed belief that the foreign aid program "is becoming an increasing liability for the administration and, what is more important, a financial drain on America."

"As the great postwar boom ages, and as deficits in our balance-of-trade program continue to mount up, prudence suggests a serious change of emphasis in the aid program," he wrote.

Janeway suggested the present flow of cash foreign aid be supplemented with depreciated U.S. equipment.

He recalled that some U.S. surplus equipment found its way into foreign countries, notably Korea, in privately sponsored programs, and he advocated a fuller Government participation.

"Since any such program would begin by accelerating the outflow of U.S. used cars and trucks, it would offer the obvious advantage of strengthening the U.S. boom at its strongest point—the U.S. automotive economy, he said.

He added in the article:

"Today, sales of depreciated assets from trucks to turret lathes are taxed as ordinary income. These assets, still perfectly usable in lower cost economies, but no longer economical to use in the United States, can be mobilized for the use in low labor costs, less specialized economies, by the extension of a tax deduction.

"The developing countries in between the Soviets and the free world do not need advanced steel mills and computer technology to get their economies off the ground, but rather their need is for the basic economic development, above all, roads and rudimentary vehicles to run over them."

NEED USED CARS

Amplifying his program, Janeway told an interviewer, "There is really no reason why we should export big new cars to some of these foreign countries when the people in fact would get much more out of a used car or a truck."

He said under the program as he envisioned it regional agencies would be set up through the United States so that auto firms and other companies with obsolete but still usable equipment would be able to notify the Government of its availability.

INSTEAD OF DOLLARS

(By Eliot Janeway)

(Extension of the tools-for-freedom program for backward nations should include serviceable cars and trucks to bring practical aid where needed and to save exporting valuable dollars, maintains noted economist and financial authority, Eliot Janeway.)

The massive mandate awarded President Johnson this past November has opened the door for new approaches to old problems in virtually every area of Government concern. High on the list of programs that require renovation and innovation is foreign aid. And high on the list of problems that require imaginative attack is that of the accumulated inventory of depreciated equipment which raises the costs of U.S. industry and inhibits new domestic investment. Exporting depreciated capital equipment—all the way from heavy presses to pickup trucks and tire jacks—to the underdeveloped countries is the way to free U.S. industry from the burden of accumulated obsolescence, and, at the same time, to ease the drain on the dollar caused by cash foreign aid (which costs more but does less).

The developing countries in between the Soviets and the free world do not need advanced steel mills and computer technology to get their economies off the ground. Rather, their need is for the basic overhead of economic development—above all, roads and rudimentary vehicles to run over them. It is discouraging that, for example, after the input of $3.5 billion of U.S. aid, millions of people were on the point of starvation this autumn because farm surpluses in one part of India could not be transported to other parts of India where the crops had failed. Surely, this fact puts us on notice to bring our aims and our ideals into alinement with the operating realities.

Less than 20 years ago, the foreign aid program was a dramatic new departure in its own right. Now, it is becoming an increasing political liability for the administration, and, what is more important, a financial drain on America. The original promise of foreign aid for the domestic economy was that it would make today's underdeveloped countries tomorrow's customers for U.S. goods. But the only areas where this transformation has been achieved are the countries to which U.S. private investment has flowed in a big way—Venezuela, for example. It is no compliment to our planning or to our efforts that large-scale private investment would have flowed to Venezuela, because of the commercial demand for its oil and its iron ore, even if the United States had had no foreign aid program.

As the great postwar boom ages and as the deficits in our balance of payments continue to mount up, prudence suggests a serious change of emphasis in the aid program. From economic development pure and simple, it behooves us now to change the aim of the aid program. For our great need now is to keep the U.S. economy running full—without running the United States into an international financial squeeze (such as is now hampering and humiliating Britain). After all, the significance for the world economy of a depression in the United States is immeasurably greater than that resulting from a short fall in Nigeria's—or even India's—development plan, or from the cycle of "stopgo" in Italy, Japan, or Britain. If the U.S. boom goes, the stability of the entire free world goes with it.

Toward this end of sustaining and stabilizing our business boom, the Johnson administration has an opportunity to use the foreign aid program to solve the problem of domestic expansion and employment. And, turn about being fair play, it can simultaneously use the problem of domestic investment in modernization to solve the foreign aid program. The way to use each problem to solve the other is to adopt the simple device of supplementing the present flow of cash foreign aid with depreciated U.S. equipment.

Since any such program would begin by accelerating the outflow of used U.S. cars and trucks, it would offer the obvious advantage of strengthening the U.S. boom at its strongest point—the U.S. automotive economy. To lead from strength is the best way to assure continued momentum. It is good business thinking, and it is good political thinking. A successful foreign policy needs both.

Today, sales of depreciated assets—from trucks to turret lathes—are taxed as ordinary income. These assets, still perfectly usable in lower cost economics but no longer economic to operate in the United States, can be mobilized for use in low-labor-cost, less-specialized economies by the extension of a tax deduction for each piece of fully depreciated equipment contributed to the Foreign Aid Agency. This is precisely the way it worked on a smaller scale in 1954, when the American-Korean Foundation was set up to ship used assets to Korea as a contribution to her postwar reconstruction. Capital equipment imports are the prime requirement of all countries striving to industrialize. But not only is modern, specialized equipment—such as turnpike-cruising trailer trucks—too costly for the meager foreign exchange reserves of these countries; it is also uneconomic in these areas where labor is cheap and untutored and where neither the necessary overhead facilities (such as superhighways) nor the support operations (such as partsmaking and skilled repair shopping) exist.

American equipment which is no longer economic domestically will fill the bill for these developing economies. Grants of such equipment will free their foreign exchange holdings for needed spare parts, thus really turning current recipients of U.S. aid into future importers of U.S. goods. In fact, this kind of aid program provides its own measuring stick of effectiveness—the spare parts business, which the utilization of the equipment generates. This is one of the ways in which aid, when practical, literally seeds the flowering of trade.

Exporting obsolescence is also the way to remove the biggest single drag on any domestic capital equipment boom, for obsolete facilities raise costs and place a premium on the investment spending which is aimed at reducing labor requirements instead of expanding productive capacities. The result is not only to add to the Nation's unemployment problem, but, also, to build up a fear psychosis against automation. There is all the difference in the world between investment in contraction and, by contrast, expansionary commitments to new facilities. Tax incentives to turn uneconomic equipment over to countries which can use it economically can make a strategic difference in showing U.S. industry that it is worthwhile to invest in expansion, instead of retrenchment.

The fact that such a new departure in foreign aid goes to the heart of two major problem areas for public policy has already attracted a wide spectrum of able and articulate support from business and legislative leaders, alike. Willard Rockwell, board chairman of Rockwell Standard Corp., and Detroit's Ray Eppert, president of the Burroughs Corp., have endorsed this approach, as has Senator WAYNE MORSE, Democrat, of Oregon, chairman of the Latin American Subcommittee of the Senate Foreign Relations Committee. Senator THOMAS DODD, Democrat, of Connecticut, has gone to bat for it as well, sponsoring an enabling amendment to the foreign aid bill in the past session of Congress. In fact, a new nonpartisan unity not seen since the push for the Marshall plan, and earlier, for lend-lease, is promising to break the political deadlock of the last 4 years over cash foreign aid.

Against this growing ground swell, the only opposition to be voiced has come from the conflicting self-serving statements of administrative vested interests enmeshed in the current aid program. Thus, the State Department claims that we are already doing this. But it should be noted that cash foreign aid tied to U.S. exports is a long way from the mobilization, through tax incentives, of U.S. industry to tool underdeveloped economies with the equipment which they can—and we can't—use. It should also be noted that aid justified as tied to trade is coming under increasing criticism and with good reason, as the form of nationalism it is; and, as we have all been learning to our cost since the disastrous experiments in economic nationalism of the 1920's, any time a big power tries it, retaliation is invited and suffered.

The contrary defense to "We're already doing it" is also heard on the executive side of Government. Thus, AID claims this program simply isn't feasible. This goes against the remarkable and remarkably successful record of the American-Korean Foundation, as well as the views of the Senators and industrialists whose job would be to authorize and implement the program.

To face another criticism often heard, it is no doubt true that some prestige-hungry leaders of underdeveloped countries would try to turn their backs on this program, on the grounds that "what's not good enough for General Motors or its customers isn't good enough for us." But liberal and conservative critics of the current aid program have alike affirmed the United States can't buy friendship and should not try. If the aim is to bestow prestige, our British cousins have been demonstrating for years that it is a lot cheaper to maintain a royal family and ship it around the circuit. And for every demagog willing to cut his people's economic throat in order to keep his image bright, there will always be a Ramon Magsaysay or a Luiz Muñoz-Marin whose one cry is "give us the tools." It is well to remember that the most dynamic takeoff in today's world is coming not from the industrially developed nations, not from the underdeveloped nations, not from the Soviets, but from the semideveloped countries like Mexico and Greece; and these are the countries which will reach out to get what works and what can be financed economically. These are also the countries which will meet the United States halfway when and as the United States comes up with new Marshall plans for the times and the places that need our aid.

The way to implement this used-equipment program—and to put the whole aid program onto a business-like basis—is to ask two simple questions. First, do you—the leader of a developing country—want the kind of fuel for development you can use? Second, do you want the kind of fuel which we can supply, given our need to defend the dollar, given our own domestic claims on the Federal budget, given our own incentive to earn annual tax cuts as dividends on our productivity and affluence (on which the non-Soviet world must rely to bulwark its independence). The men who answer "yes" to these questions represent the countries we can and should help, for these are the countries which are ready and willing to help themselves.

One goal of the new administration can and should be to resolve any conflict between modernization in our Appalachias and aid for the world's Ecuadors. Tax incentives to get obsolescent capital equipment off U.S. industry's back and into the economies where it can still do an economic, growth-fueling job is the way to make aid for countries like Ecuador start new money flowing into Appalachia. If we get Ecuador on wheels (made in the United States in the 1950's), we'll get our various Appalachias moving again on their own momentum.

One aspect of the Johnson program is clear: top priority will go to finding ways to fulfill the U.S. Government's self-assumed obligation to keep our domestic economy running full. Tax incentives to export obsolescence is one proposal precision engineered to fill this bill.

"THE AMERICAN PARTNERSHIP: THE U.S. MERCHANT MARINE"—ADDRESS BY NICHOLAS JOHNSON, MARITIME ADMINISTRATOR, U.S. DEPARTMENT OF COMMERCE

Mr. MORSE. Mr. President, on February 9, Mr. Nicholas Johnson, Maritime Administrator of the U.S. Department of Commerce, made a speech before the conference on transportation and industrial modernization on the subject of "The American Partnership: The U.S. Merchant Marine."

Mr. Johnson was of great help to the President's panel that was involved in recent negotiations on the dock strike on the east coast. I have a high regard for his intellect, devotion, and public service.

His is an outstanding speech, and I ask unanimous consent that it be inserted in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE AMERICAN PARTNERSHIP: THE U.S. MERCHANT MARINE

(By Nicholas Johnson, Maritime Administrator, U.S. Department of Commerce)

Problems of modernization in the transportation industry are among the most exciting and potentially rewarding facing the United States today; and, of course, I think that those confronting the maritime industry present many of the most fascinating challenges of all.

The shipping industry has only recently commenced to be attuned to modernizing and mechanizing the fleet. And now, when the pace of technological advance has picked up, we discover that modernization is not alone a question of technology. It is a search for new perspectives.

This search has been an exciting one for me, for I have been seeking the ideas, experience, and judgment of those who know the shipping business and of the laboring men who serve it. It has, I think, been exciting for the industry as well. We have stumbled over a few myths and misunderstandings, and found new truths.

Some of our problems remind me of the fellow who joined the Navy and found himself on a training ship. When he lost his hat overboard one day, he was told he would have to pay for it. He protested, and said, "Suppose I had borrowed a jeep and it had been stolen, would I have to pay for that?" The supply officer patiently explained that in the service one paid for all the Government property lost. "My Lord," gasped the boot, "now I understand why captains go down with their ships."

This story has a special point for Americans, for as a nation we do have to pay for our ships, and although in doing so there is not yet any question of going down with our ships, our problems have certainly diminished our stature as a maritime nation.

These are serious problems, for the merchant marine is an essential part of our economy and of our whole national life.

We are the world's largest trading nation, supplying some 315 million tons of imports and exports each year—99 percent of which go by ship.

Nearly six out of every hundred workers in this country make their living on farms and factories providing goods for export. Last year America's 3.5 million farm families produced and sold over 1.6 billion bushels of grain for export. Most of the major cities of the United States, and scores of others, are ports. One ton of general cargo handled in a port generates between $15 and $20 for the economy of the surrounding area—close to $1 billion per year in our port communities.

The shipping industry generates about $1.5 billion of gross national product, and pays about $75 million in Federal and local taxes; its workers pay over $80 million in personal income taxes. It provides employment for about 200,000 men, including longshoremen.

The merchant ships under our control are vital elements in our power as a trading nation. We must have a strong voice in international shipping circles, and maintain an impact on world shipping rates. Our national security, in wars both hot and cold, requires the availability of U.S.-flag merchant ships for many support services. Our shipping policies affect virtually every department in our Federal Government in some way.

It is plain, therefore, that any serious diminution in our merchant seapower is a matter of grave national concern.

In part, it is a problem which can be met by American shippers simply understanding the benefits—to them and to our Nation—of shipping on American vessels. Our liner service is better than any in the world, and yet offers rates as low as on foreign ships.

Because the merchant marine is an essential part of our economy, very early in our national life there was created a uniquely American partnership of industry and Government, a partnership whose goal was to create and maintain an American merchant marine. In times of crisis that partnership has produced miracles—like the 50 million gross tons of ships built during World War II. But even in times of calm the need continues.

As one partner, it is my job to report to you the facts, problems, and alternative solutions—for solutions there are. It is our job together to make the choices that will rebuild our fleet—for rebuild we must. All my energies are presently committed to that end.

A few figures will suggest the depth and immediacy of our problem. Our foreign trade liner fleet is composed of some 315 subsidized and about 100 unsubsidized liner ships. The subsidized ships are as fast and modern as any in the world, and although there have been some alterations in the original replacement schedule, the fleet nevertheless is being renewed.

Of the 100 unsubsidized ships, however, all but 5 date from World War II. Yet no provision has been made for the replacement of this fleet. Unless we alter course, these 100 ships will disappear from the American-flag merchant marine over the next 5 to 10 years.

To grant applications for operating subsidy on these old ships would require an additional subsidy of about $50 million per year. To replace them under present programs would cost the Government on the order of an additional $600 million.

We are not faced with an easy choice. Look at the result if we do not replace these ships. In 1963 the total amount of Government-sponsored cargo moving on American liner ships was about 7.2 million tons. Without the unsubsidized liners all of this cargo will have to go on the subsidized ships, and the percentage of purely commercial cargo on these ships will then decline to at most 40 percent. What would be left of our purely commercial merchant marine?

If we look at the dry bulk segment of our fleet, the situation is even more serious. We now carry about 5 percent of our total dry bulk trade: wheat, coal, iron ore, etc. In the next 20 years the amount of dry bulk cargo in the international trade of the United States will leap from 140 to 380 million tons. Meanwhile, our capacity to carry that trade will decline from today's small 7.8 million tons to a puny 3.9 million tons—about 1 percent of the total.

The tramp fleet is composed of about 130 vessels. Only seven of these ships were built since World War II. They are inadequately maintained. An American in India recently wrote to me that some were in such dreadful condition he was ashamed to see them flying the American flag. Last month off the coast of Florida one simply sank. Over the next 5 or 10 years the rest of this fleet will be unable to meet class requirements—or will just break down forever in some foreign port.

Today we are paying $80 million a year in subsidy through cargo preference freight-rate differentials to perpetuate this fleet. There presently exists no program to replace it. To put 100 modern dry bulk carriers under operating subsidy probably would cost the taxpayers on the order of $30 to $40 million a year in operating subsidy. To build them in American yards probably would cost the Government an additional $400 to $500 million.

I will not burden you with more figures on the decline of our fleet. The same sad story could be told about our domestic fleet. But it must be plain by now that our problems are acute: our fleet is growing smaller and more expensive.

There is an almost unavoidable human tendency to act as my daughter did the other day when she and a friend were deciding who would ride the friend's new bicycle first. Finally my daughter suggested, "Let's take turns. You have it today." The friend agreed, and began to walk away with the bike. "Wait," my daughter said, "now we are playing it's yesterday."

In many ways we are playing it is yesterday: boasting of our fleet even as it sinks.

Let us for a moment play that it is tomorrow. What alternatives remain open for America?

It is appropriate to begin with our shipbuilding industry, for although little understood, many of the problems of the merchant fleet can be traced back to policies regarding the yards.

The Maritime Administration's Office of Ship Construction is the largest in the agency, administering $100 million in subsidy for shipyards each year.

The need for a shipyard subsidy derives from the statutory requirement that all subsidized ships in the U.S. merchant marine must be built in American shipyards. It costs more than twice as much to build a ship in the United States. The Government pays the excess over world market price. Without the build-American requirement, however, shipowners would be free to build where they chose and would not require $1 of construction subsidy.

The United States is the only major maritime nation in the world to require all of its subsidized commercial ships to be built at home. Under Russia's massive merchant fleet expansion program only 30 percent of the new ships are being constructed in the Soviet Union. Norwegian shipowners build over 80 percent of their ships abroad.

Nor is any other American transportation industry required to purchase its equipment in this country. Other American businessmen may purchase and operate in the United States airplanes, locomotives, automobiles, trucks, and pipeline which were manufactured abroad.

What have been the reasons for our shipbuilding policy?

Under ordinary conceptions of American free enterprise and world trade our shipyards would have gone out of the merchant ship business. Why have we prevented this happening? The experience in the First and Second World Wars was that a substantial shipbuilding capacity was required. During World War II, for example, we built over 5,600 vessels at a cost of more than $15 billion. That experience is still fresh in our minds.

But do similar needs exist today? A great deal has changed since 1945—in both war and transportation. Perhaps today's needs are centered more on a fleet in being, quickly responsive to emergency needs, and less on long-term shipbuilding capability. In any event, the magnitude of the need for shipbuilding capability ought not to be confused with the magnitude of the need for ships. They are significantly different needs. For example, it could be that both civilian and military requirements would suggest a larger fleet than we presently possess, even though the present level of shipbuilding capability were sufficient for emergency needs. The lack of relationship between ships and shipyards is further emphasized by the existence of our national defense reserve fleets, which provide for immediate expansion of the fleet without any new building at all.

In fact, the relationship between the shipping subsidy and the shipyard subsidy is no more inevitable than that between the farm subsidy and a subsidy for the farm tractor industry.

What does the maritime shipyard subsidy mean to American shipyard workers and owners?

The total Government-sponsored input into Navy and private shipyards in this country runs to about $3 billion each year—mostly new construction and repair for the Navy. Thus, subsidized commercial shipbuilding represents less than 7 percent of the total. And of the 21 American private yards capable of constructing merchant vessels, only 5 are participating in subsidized shipbuilding. For example, America's largest yard, Newport News Shipbuilding & Dry Dock Co., which employs 19,500 men and presently has $511 million of work under contract, has not built a subsidized merchant ship for 2 years, and appears to have no plans to do so. Even among the five yards which are doing subsidized commercial work, an average of 50 percent of their income is generated by the Navy.

Not only is the statutory restriction prohibiting subsidized shipowners from purchasing ships abroad doing little for the plight of the American shipyards, but it has had a devastating impact on the growth of our merchant marine.

Our total merchant fleet has decreased from 3,421 ships in 1949 to 2,529 today. Even after discounting the decrease resulting from the sale or scrapping of war-built ships, our active commercial fleet has declined by 25 percent during the same years.

Why is this so? It is in part because the build-American requirement means in practice that once the annual shipbuilding subsidy has been spent, no more ships will be built. Unless the Congress were to provide an unlimited appropriation for subsidizing American shipyards, the size of the fleet inevitably will be a function of the construction appropriation. And the cost of American construction is so high—over double world rates—that the restriction has been severe.

Few Americans realize how severe our ship replacement needs are today. The 15 subsidized companies have a contractual obligation to replace their 317 ships. If the ships had been replaced at the end of their statutory 20-year lives, the operators would have built an additional 80 to 90 ships by now. In addition, the 100 unsubsidized liners have applied for subsidy—and subsidized replacement. Our domestic fleet, 192 dry cargo and passenger ships in 1949, has dwindled to but 93 ships today (excluding tankers). Our 120 tramp ships require replacement, and applications for 9 new bulk carriers are pending before the Maritime Subsidy Board. Thus, hundreds of ships are required simply to hold our own. Expansion would require more than that.

Nor does there appear to be much prospect for the costs of ship construction being reduced. American shipyards are relatively among the least competitive, by European standards, of all U.S. industries. A study of 44 major American industries, using productivity in the United Kingdom as a base, revealed that many were 300 to 500 percent more productive than their foreign competitors—a difference fully adequate to offset higher wage costs. By this standard, our shipyards were ranked 44th—about equally as productive as the foreign competition. Today our yards charge about 220 percent of foreign ship prices, and yet reap relatively low profits. American shipyard owners are good businessmen, and shipyard workers are as efficient as any others. But shipbuilding is not readily adaptable to automation (about 750,000 man-hours may go into a ship), and with the relatively few ships each year, and the 21 yards operating at only 42 percent capacity, there is little incentive for extensive capital improvements.

These are some of the basic facts. What are our alternatives?

1. We could continue the status quo: require all subsidized merchant ships to be built in American yards and appropriate enough money to replace our fleet at the present level of 16 to 18 ships per year. We thus accept the fleet's continued decline, and at a faster rate than today because of the bloc obsolescence of the war-built ships.

2. We could continue the build-American requirement but increase the appropriation well beyond the present $100 million level.

3. Finally, we could determine our national security or other needs for shipbuilding capacity, and spend sufficient money in addition to naval construction to insure that this capacity is maintained. Beyond that the fleet could be expanded to its economic limits by permitting American shipowners to purchase ships wherever they wish.

This third alternative, of course, carries with it an impact on the American shipyard workers. While the dimensions of the impact are far from inconsequential, they must be viewed in perspective. It is a fact that there are about 100,000 shipyard workers. It is also a fact, however, that all of the subsidized merchant shipbuilding put together creates no more than 7,600 jobs. So that the dimensions of this particular problem relate to 7,600 jobs—to which serious consideration must be given. Finally, preservation of these jobs may result in the loss of an even greater number of shipboard jobs if present policies continue.

That these are difficult decisions makes them no less inevitable.

How about our bulk fleet? I spoke a few moments ago about our diminishing dry bulk capacity in contrast to the enormous growth of this element of our trade. Upon closer examination the inadequacy is even more disturbing. For example, in 1965 we will export about 45 million long tons of coal. We now possess only four aging ore carriers built in the first 4 years following World War II. By 1975 our coal exports will have jumped to 72 million long tons, and—if present policies continue unchanged—not a single ore carrier will be built to carry that coal.

There have been a number of suggestions that an extension of the cargo preference principle is the answer to the problems of the dry bulk fleet. For example, quotas for American-flag carriage of ore imports have been suggested. Yet I think the experience of the past decade raises serious questions about this conclusion.

In 1954 a serious of temporary and individual cargo preference requirements finally culminated in the adoption of Public Law 664—a permanent, general cargo preference statute requiring that 50 percent of Government-sponsored cargo be shipped in American ships. The Senate and House committee reports make it clear that the cargo preference principle was chosen as a means of implementing the objective of carrying a substantial portion of our foreign commerce in American ships.

Considerable controversy surrounded this legislation, and in 1956 the Secretary of Commerce, at the request of the President, reviewed the situation. His report supported the cargo preference principle. It pointed out that early fears the legislation would produce restrictive shipping legislation in other countries had no foundation; it countered the argument that cargo preference was undesirable as an indirect subsidy on the grounds that it was, quite plainly, a direct subsidy; and finally, the report speculated that the permanence of the Public Law 664 legislation would provide an incentive for the construction of a modern and efficient dry bulk fleet.

Unfortunately, our experience since that report has not borne out the predictions of its authors. Since 1956, 15 countries have adopted restrictive shipping legislation, and most of the maritime world points to U.S. practice as the cause. Whatever may be said regarding the futility of such laws for the countries in question, and their impact on American trade, it seems clear they are not in the best interests of American shipping. As a subsidy, direct or indirect, cargo preference has been a miserable failure: Not a single new tramp ship has been built since 1956, and the cost of keeping the old ones in existence climbs higher and higher. A converted 10,000-deadweight-ton Liberty employed in the grain trade costs the taxpayers about $700,000 in freight-rate differential payments annually. By contrast, our most modern liner ships, with 40 percent more carrying capacity and twice the speed require an average of only $500,000 per year; this means an equivalent shipping capability at 25 percent of the subsidy cost.

Here, too, the American people are faced with a number of alternatives.

1. Present programs could be continued—at least so long as there is an agricultural surplus disposal program. The result would be a steady rise in subsidy cost as these vessels become increasingly inefficient, followed by a rapid decrease in the cost as the subsidy disappears with the ships.

2. The tramp fleet could be eliminated more quickly by simply eliminating the cargo preference program.

3. Cargo preference could be continued, but supplemented with construction subsidy for replacement ships. Because the present production of 100 tramp ships easily could be matched with only 22 modern dry bulkers, however, any meaningful dry cargo fleet cannot be hitched alone to the cargo preference grain trade. The future of the dry bulk fleet, like the rest of our merchant marine, necessarily depends upon the capacity to compete for commercial cargoes. Moreover, adding construction subsidy on to the existing cargo preference system would provide subsidy without any provision for mandatory ship replacement, for reserve funds, for recapture, or for any of the other safeguards of the public interest built into the 1936 act.

4. Cargo preference could be eliminated gradually, no faster than some form of direct operating subsidy is substituted for it, making it possible for these ships to compete for commercial cargoes at world rates. Dry bulkers are more simple ships than liners, and proposals have been made to construct, for example, a 30,000-ton ship for as little as $9 million, and operate it with a small crew and only $300,000 to $400,000 in annual operating subsidy. In order to give you some idea of what these figures mean, if the present $80 million per year spent on cargo preference freight rate differentials were all paid in operating subsidy to such new ships, we could maintain about 200 modern dry bulk carriers, with a total capacity about 8 times our present dry bulk fleet. Even with reduced crews on highly mechanized ships it is obvious where the greatest long-term job opportunity is to be found.

Necessarily, in making these choices the number of competing interests is too great to satisfy everyone completely. In discussing various new ideas with members of the industry, I sometimes feel like the fellow whose wife bought him two ties for Christmas, one red and one green. He expressed delight with both, and when she appeared skeptical about the genuineness of his feelings, he put on the red one to prove it. "What's the matter," she said, "don't you like the green one?"

This kind of a reaction is especially common in discussions about our passenger ships.

American operators have 13 remaining passenger ships, staffed with crews ranging from 260 to 1,000. In 1965 these ships will absorb almost one-quarter of the total money available for operating subsidy—about $46 million. And if they are expensive to run, they are even more expensive to build. The Government's share of replacing the SS *United States* today, for example could run to about $100 million. Like any other major investment the benefits derived from these ships—to the industry and to the Government—deserve the closest examination. The arithmetic is striking.

In 1962 the then 15 passenger ships produced a loss, before subsidy, of about $44 million. The subsidy amounted to $48.7 million, or more than 10 times the after-subsidy profits for the 15 ships. In 1963, financial results were little better. The subsidy bill was nine times the companies' profits after subsidy. Eight of the fifteen ships lost money even after subsidy, and two others did little better than break even.

By contrast, comparable figures for general cargo ships show a subsidy bill only two or three times profits after subsidy. For the companies operating both passenger and general cargo ships, the gross revenue from cargo operations was three times that for passenger operations, and profits after subsidy were more than seven times as high.

It is not surprising that shipowners have shown little inclination to replace their passenger ships.

Nor do the passenger ship operators have much hope for improved profits. The productivity of cargo ships has increased in recent years. But 73 percent of the crew on a passenger ship are stewards—cooks and waiters—and mechanization can do little to increase their productivity. Indeed, it is this personal service which tends to attract those relatively few people who travel by ship rather than air.

Even if passenger ships are not a profitable business for the owners or the Government it is often argued that they are of great benefit to us as a nation. If so, they are surely worth the investment. But what are these alleged benefits?

How about their balance-of-payments contribution? In 1963, the net balance-of-payments contribution of U.S.-flag passenger ships was about $47 million. Since we spent about $46.3 million in subsidy to secure that saving, you can see that it was bought rather dearly. By contrast, in 1962, the international commercial airline industry contributed $128 million to our balance of payments from passenger fares alone—and without the necessity of any contribution from the taxpayers. Or compare the like figures for general cargo ships. In 1963 the net balance-of-payments impact of the 285 subsidized cargo ships was about $204 million—at a subsidy cost of approximately $135 million. Thus, even by standards of return on shipping subsidy, the balance-of-payments impact of $1 of subsidy spent on a cargo liner is almost double the impact of a dollar spent on a passenger ship.

Prestige is also said to be a benefit of passenger ships. Of course, prestige is an elusive thing. Our present operating subsidy expenditures for passenger ships would support close to 100 modern liner ships, which might well do more for our prestige around the world than a few passenger ships known to be highly unprofitable.

Moreover, two important reasons for having a merchant marine—trading leverage and stability of freight rates—are virtually unaffected by passenger ships.

Finally, there is national defense. Historically, passenger ships have played a major role in our defense efforts. During World War II, for example, most of our troops were transported in ships which once sailed as commercial vessels. By the time of the Korean hostilities, however, the situation had changed and only one passenger ship was removed from commercial service for troop carrying to the war zone. Three small passenger ships under construction were transferred to MSTS but were fitted primarily as passenger ships for military dependents. All other troops were carried by MSTS troop carriers or by air.

Our defense needs today still call for a passenger ship capability. But the development of new aircraft, like the C–141 and the recently announced 600-passenger plane, is eroding the justification for heavy Government investment in constructing and maintaining commercial passenger ships.

To some extent modern cargo liners could be converted to effective troopships if necessary. Even commercial passenger ships must be converted to troop-carrying conditions—increasing their troop-lift capacity sevenfold. But this takes time, and insofar as we still need conventional passenger ships it might better safeguard our national security if the conversion were done in advance, and the ships preserved in the reserve fleet in a high degree of readiness—at about one-tenth the present actual cost.

But all of this analysis really adds little to the stark economic reality that American businessmen have little desire to build and operate passenger ships at a loss. Unless some presently unforeseeable change comes about, some 5,500 jobs will disappear from these ships over the next 10 years irrespective of how the Government feels about the wisdom of this $50 million subsidy account.

The question before us is not whether the 5,500 jobs will be affected, but whether any ships and jobs will be substituted in their place.

Of the 5,500 men on passenger ships about 4,000, or 73 percent, are stewards who can find ready transferability of their skills in the hotel and restaurant trades. But what of the 1,500 deck and engine men? Their jobs are not as easily transferable. If the $42 million passenger ship subsidy were used for cargo liners—even the most highly mechanized now imaginable—we would need about 3,000 men to operate them. The road to true job opportunity seems clear.

Finally, I want to say a few words about two aspects of our present system of paying operating subsidy.

First, the trade route idea.

At the present time the Maritime Administration has designated 30 trade routes and 3 services as essential to the foreign trade of the United States. A subsidized shipping company wishing to move from one trade route to another is required by law to undergo a long and arduous public hearing, effectively eliminating its ability to respond rapidly to competitive pressures. In addition, an operator's activities on any particular trade route—the frequency of sailing and the ports at which his ships call—are all subject to the approval of the Maritime Administration.

Many questions are called to mind. Is it not strange to have this high degree of protectionism for American operators against only a small part of their competition? For U.S. trade route restrictions obviously do not affect the foreign companies carrying about 70 percent of our liner cargo. What is the impact of these restrictions on the behavior of American shipping companies? What are the supposed benefits of the system, and how real are they?

It is usually urged that the trade routes underlie the "service" concept of the 1936 act, and that they serve to prevent cutthroat competition. Each of these assertions requires close examination.

As for the first, to my knowledge there is not a single American operator serving a trade route because he was ordered to do so by the Maritime Administration. In each case the operator requested permission to serve that route because there was cargo to be carried. Look, for example, at the number of foreign companies, which may come and go much as they please, serving small ports on regular schedules because the existence of cargo makes it profitable for them to do so. Look at the American companies providing regular service to Alaska, Hawaii, and Puerto Rico for the same reason. There is no reason to expect that American companies in foreign trade would act very differently even if not bound by the strictures of the trade route concept.

And if there is not sufficient cargo to justify shipping services at all, I doubt very much whether the framers of the 1936 act intended that American companies be compelled to service ports at a loss to themselves as well as the taxpayers. For example, if it is cheaper to ship cargo by barge from a smaller to a larger port and then out by ship, that is probably the way the cargo ought to move. That is the basic principle underlying the new Lykes sea barge clipper concept.

I doubt, therefore, if a relaxation of the present rigorous trade route requirements would undermine adequate service for American shippers—quite the contrary.

Many shipowners have told me that the tortuous procedures necessary to gain permission to operate on a different trade route, even for a short time, have forced them to forgo many attractive commercial opportunities—to the benefit of the merchant fleets of other nations. This reminds me of the story about the Cape Cod garbage collector, whose weekly charge was 25 cents. One newcomer, seeking to do a little better, asked for his monthly rate. "$1.50," was the reply. When the newcomer inquired why the monthly rate should be so much higher than four times the weekly rate, the old man replied, "The extry is for bein' tied down." I rather suspect that we may be paying "extry" for tying down our shipowners, too.

We turn, then, to the question of cutthroat competition. Whenever I hear that term, I am reminded of a story an old Texan used to tell about the general store in the small town where he grew up. The store had a monopoly for many years, but as the town grew it began to attract new business, and in due course a competitor opened his doors across the street from the general store. The old proprietor began to bemoan his fate to the town at large, and one young man, recently back from a freshman economics course at the local college said, "But sir, isn't that just competition?" "Oh no," he replied, "it's worse than competition." Some shipowners have expressed similar sentiments to me, explaining that they have competition now, and that relaxing trade route restrictions would be worse.

Since trade route restrictions have no impact on the activities of foreign shipping companies, the danger arising from a relaxation of the trade routes must be seen to come from the competition of other American shipping companies. Some shipowners feel that a new American company will come on the route and take one-half of the "American" cargo, putting them both out of business.

But, by and large, an established steamship company will tend to stay on its old routes, since it is costly and time consuming to develop new trade relations. Moreover, such a company will consider carefully whether it can make a sufficient dent in the foreign market on a new trade route. With such high capital costs, few shipping companies would be foolhardy enough to enter a wholly new competitive environment solely with the idea of taking away from a preexisting American company most of its established business.

Moreover, shipping conferences will tend to act as a moderating force. For example, foreign-flag companies would seem to be in much the same position vis-a-vis each other as would American companies in the event of a relaxation of trade route restrictions. Yet there have not been a series of protracted rate wars.

There is, of course, a perfectly legitimate basis for fearing the activities of an irresponsible "raider," an operator with no interest in establishing any sort of trade relations, whose sole aim is to skim off the cream of the trade at the peak of the season with exceptionally low rates. But this problem can be solved without abandoning the whole idea of trade route flexibility. There would seem to be no reason why a procedure could not be designed to sift the serious competitor from the fly-by-night.

The present rigid system prevents companies from taking advantage of fluctuations in world trade. And to the extent that it is an effective shield against competition, it tends to insulate the companies on the trade route from the salutary effects of competition. Finally, the present system puts into the hands of the Government too much of the question whether a shipowner will change trade routes.

Finally, I would like to say a few words about what has come to be called an incentive operating subsidy. I have spoken about this issue at length in the past, and there is no reason to belabor it here. But there is one common misconception which I would like to clear up.

A number of people have told me of their impression that the incentive subsidy is an economy measure—that we will somehow end up with a lower subsidy bill. Nothing could be further from the truth. An incentive subsidy may result in increased productivity, higher profits and wages, and relatively less need for subsidy. But whatever the needs for subsidy may be they must be met if the industry is to continue. No one argues with that basic truth.

I think that $380 million is a substantial sum and, as Maritime Administrator, I feel an obligation to insure that it is spent in the most productive way possible. If it is being spent under a system which could be improved, then that standard has not been met. If it is producing one less ship than it could, and I remain silent, I am not doing my job.

In the shipping business, like most others, profits may be increased by cutting costs or increasing revenues. But operators have little incentive to reduce subsidizable costs under the present system, for the Government will simply pay them less in subsidy. This puts a responsibility on the Government alone to maximize the public's return from its subsidy bill. Often Government is forced to take positions which segments of labor and management find objectionable. But under the present system it is inevitable.

On the other side of the profit picture, one of the chief means for most businesses to increase the utilization of their capacity is by reducing rates.

The conference system, however, precludes this. It would seem obvious then that the system could be substantially improved, especially by providing some meaningful incentive to management and labor to cut costs—removing the Government from the process.

As I see it, and as I hope you do, as well, there are many alternatives open to the American merchant marine. Each of our problems has at least one solution. Some require the expenditure of much larger sums of money; others seem to spell the continued decline of the fleet. Still others seem to promise more shipping capability at a relatively lower cost—even though perhaps pointing the way to larger total expenditures.

The American merchant marine is at the crossroads. Basic decisions must be made. They must be made by you, and every American concerned about our trade and economic growth. We cannot hope to make every decision exactly right, but when the alternatives are clear before the people their record is pretty good.

The problem is worthy of our effort.

A SPECULATION ON VIETNAM—ARTICLE BY DR. HARROP A. FREEMAN, CORNELL LAW SCHOOL

Mr. MORSE. Mr. President, I ask unanimous consent to have inserted in the Record an article by Dr. Harrop A. Freeman, professor of law, Cornell Law School, Ithaca, N.Y., entitled, "A Speculation on Vietnam." I hope some of the aids at the White House will read it and at least give the President a review of the article, because it expresses the point of view that the President ought to be following, instead of the warmaking policy he is following in Vietnam.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Speculation on Vietnam

(By Dr. Harrop A. Freeman, professor ol law, Cornell Law School, Ithaca, N.Y.)

The current temper of most liberals and peace-minded persons in the United States seems compounded of shock and terror, as the U.N. General Assembly virtually dissolves and the United States steps up the war in Vietnam with no apparent readiness to negotiate. For myself, I prefer that the core of decision as to Vietnam be based on what the Vietnamese (north and south, Government and rebels) desire, and on the Vietnamese as people. (I shall later make some suggestions as to how to bring this into the political picture.) The fact still remains that Vietnam has become a political problem not left to the Vietnamese and if there is to be any solution we must so deal with the problem.

Without myself championing or advocating that view, it may just be that politics see and are working out a solution either by design or accident, more immediate than we generally concede. I propose to examine some of the relevant factors.

It is generally agreed that the United States throughout the past century has been able to operate the Pacific Ocean as an American lake and has sought, but never really had, a foothold on mainland Asia (the Dulles family has been central to this movement). The Defense Department found the network of British-French-Dutch possessions in Asia of utmost importance in World War II against Japan, and cannot tolerate the thought that they should not be available in another Asian war (e.g., against China). The entry of Hawaii into the Union, the independence of the Philippines, and the present stance of Japan have been used as further justification for this policy. France held the line in Indochina for 10 years till 1954. We tried to persuade them and/or England to continue. After the Geneva accord moved France out and created Cambodia, Laos, North and South Vietnam we took over military aid in 1955 to a South Vietnamese Government we installed. By 1955 the International Control Commission (Poland, India, and Canada) found both North Vietnam and South Vietnam with the aid of the United States to be violating articles 16–18 of the accord. It is not important to set the stage for our discussion, to trace the denial of elections, the changes of government, the degree to which we were responsible therefor, or the step-up of American military participation (from a few thousand military advisers to the present 30,000 combat troops and jet air bombers).

The first point I am making is that U.S. policy will not surrender a land base in south Asia. Not having signed the 1954 Geneva accord the United States could have no recognized or legal base there. More recently it has been deprived of any legal base in Laos (1962 accord) or Cambodia (neutralist position); other Western footholds in Malaysia-Indonesia and Burma are disappearing; even Thailand (which has always picked the winner) is less certain. This fixes American policy to show a resolve to hold some foothold, even if illegal, in South Vietnam at all cost, and to refuse any negotiation which would remove us from Vietnam.

The second point flows from this. In order to give some semblance of a right to remain in Vietnam the United States must insist, and attempt to prove that the war is like Korea. That is, that the South Vietnamese are directed and supplied by North Vietnam, that North Vietnam is actually waging war (that this is not a civil war) and violating the Geneva accord, that the United States is now there on behalf of the U.N. and world community to prevent and punish North Vietnamese violations. We have therefore seen all of these developments recently: (a) revelation of 80 tons of North Vietnamese arms shipments sunk off South Vietnam, and a new "white paper," February 27, 1965, supposed to conclusively show North Vietnam arming of the Vietcong; (b) proof of 19,000 and estimates of 15,000 infiltrations in 1964 from the north, and the assertion that half came in 1964; (c) opinions that all the original South Vietnamese had already been exhausted by 1963 and that these new recruits were North Vietnamese volunteers; (d) the story of the Ho Chi Minh trail through Laos justifying our bombing portions of Laos contrary to the 1962 agreement signed; (e) provocations in the Tonkin Gulf, at Pleiku and other sneak attacks directed by the Hanoi regime; (f) to which we could and did retaliate only against troop staging areas in North Vietnam; (g) the coming of South Korean troops to aid in South Vietnam to give some semblance of international cooperative action.

The third factor to be considered in assessing present prospects is that we were in fact losing the South Vietnamese war with our own weapons, on at least five fronts. (1) The Blue Book of the State Department (1961), Secretary Rusk's Economic Club speech (1963), and Secretary McNamara's National Security Association talk (1964) pictured South Vietnam as an economic miracle like West Germany but the new Senate Foreign Relations Committee's "Background Information" volume deletes all this—because in fact with all our aid the country is an economic shambles. (2) We can't even stage successful coups in South Vietnam or Laos—we failed in three in the last 3 months, and there have been 8 political upheavals in 14 months. Even with $1.5–2 million per day we can't bolster up and keep operating a government in Saigon. (3) With all the talk of infiltration and foreign arms, it is still officially documented that over 80 percent of the Vietcong arms are captured American weapons and no North Vietnamese troops are being captured—Pleiku was shelled by 100 Vietcong located 1,000 yards from the American airstrip, using American mortars. (4) A force of 500,000 government troops and 25,000 Americans have been gradually pushed back by 25,000 regulars and 50,000 to 75,000 irregulars. (5) The Saigon government does not now control more than one-fourth of the people and one-fifth of the territory.

The fourth aspect helpful in policy assessment is the known divergence of views between Johnson-McNamara on the one hand and the Joint Chiefs of Staff (joined by the "warhawks" of Congress) on the other. The President's position has been in the past clearly a wait and see, stay in but don't escalate position and such war method was McNamara's war. But, apparently in getting the reduction in military budget he wanted and in the difficult local situation in South Vietnam a compromise has been made with the warhawks for limited or safe escalation (I suspect in return for agreement to negotiate out the problem under appropriate circumstances—see below).

A fifth current factor was Kosygin's visit to North Vietnam. It was known in advance, and was soon confirmed, that he was going to advocate negotiation but also furnish Ho Chi Minh with antiaircraft guns and missiles. President Johnson, Vice President HUMPHREY, and Secretary McNamara have long stated the theory of negotiation: "No negotiated settlement in Vietnam is possible as long as the Communist hope to achieve victory by force * * *. Once war seems hopeless, then peace may be possible." (Johnson, Apr. 21, 1964); "Our task in Vietman is clearly to make aggression seem hopeless. Out of that new realization can come new grounds for a negotiated settlement * * *. Premature negotiations can do little more than ratify the present achievements of the aggressors and this we will not do" (HUMPHREY, Aug. 17, 1964). If America intended to make the war seem hopeless to the North Vietnamese and Vietcong (who were gradually winning) it needed to make new powerful sortees, and if possible it needed to picture these as defensive or retaliatory. Further, if these were to be successful and at little cost (in loss of lives and equipment) they had to be prosecuted before modern weaponry was furnished to the north. Therefore the retaliation strikes from the Gulf of Tonkin the end of last year and those after Pleiku this month One or two planes were lost instead of perhaps 20 to 25 if they had faced land-to-air missiles later. Now we seem to have settled back into the "oil spot" theory or Hop Tuck plan stepped up by the Americans doing the flying and bombing, to extend the Saigon control into the provinces around Saigon and thus mark a turn in the loss pattern. The air strikes against North Vietnam have occurred; right or wrong they are a fact. If they are to be used as positions of strength, then negotiation must follow almost immediately. Otherwise the war will settle down into another stalemate and perhaps another loss pattern, from which we cannot continue to rescue ourselves by cries of attack and retaliation. In fact, the present strikes seem to make no sense except as prelude to prompt negotiation.

A sixth element entering into present evaluation is the increased interest of other countries in south Asia, as Walter Lippmann has pointed out. In the 1950's the French got out of Indochina, the British refused Dulles' request to help take over, they were getting out of Malaya and Burma, the Russians and European states generally were losing interest in Laos and the whole area. America essentially decided to go it alone. Now Indonesia's U.N. withdrawal, Malaysian independence, the ideological conflict of Russia and China, the Gaulist independent line, the Cambodian neutralism, and many other factors have caused Britain, Russia, France, China, and the U.N. countries generally to take a new interest in south Asian affairs. This may mean an opportunity for the United States to accept a France-Russian negotiation bid or a larger role for the U.N., and at the same time save face.

Now, it seems to me that the recess of the U.N. General Assembly over the payment of assessments issue fits into this picture as a seventh feature. Since America is aware of the shakey legality of its position in South Vietnam, if it feels it has a dirty job to do before negotiations can take place, then the wise thing to do is to close down the world's debating forum wherein we might be called to account. The United States had the cards to either force the payment issue or to seem to be conciliatory and put the issue over. It apparently elected to play them for suspension of the Assembly—a decision which makes most sense to me when related to the Vietnam crisis.

An eighth event that surely plays its part in a variety of ways is the Chinese A-bomb. That explosion notified all south Asian countries that China intends to become the great Asian power. It tended to bring to the fore the few American policymakers who would like an excuse to bomb the Chinese atomic production facilities as a means of delaying Chinese power. It seems to have persuaded Russia to reenter the south Asian scene. It apparently has brought out from North and South Vietnam a desire to negotiate the South Vietnamese war and obtain a neutralist zone which can become consolidated before China's influences can predominate. It increasingly demonstrates the necessity for some way of bringing mainland China into the world government community.

The growing American debate on Vietnam may be viewed as a ninth relevant fact; perhaps it may even be that the President's capitulation to some escalation was to strengthen his side of the argument, for the strongest voices for negotiation and withdrawal came from the President's own liberal Democrats, and he had to recruit the Dirksens to stem the tide (Newsweek, Mar. 1, 1965). It is not merely Senators MORSE and GRUENING who are involved. Added are CHURCH, MCGOVERN, CLARK, COOPER, and others, and even men like RUSSELL, GORE, FULBRIGHT, and MANSFIELD. In January the Associated Press survey of 80 Senators showed 3 favoring getting out of Vietnam at once, 10 desiring immediate negotiation, and 31 favoring negotiation as soon as the military situation improved: only 7 advocated bombing North Vietnam or America using combat troops. Sources near the President—Joseph Alsop and Joseph Kraft—at the end of January were indicating a rejection of the domino theory, a recognition of the necessity for negotiation, a feeling that the new coups might be setting the stage, and they also evidenced opposition to this development. The debate has continued strong now for nearly a month in Government, in academic circles, in the press.

The final factor to be considered is the increasing evidence that North Vietnam and both native sides in South Vietnam desire to negotiate an end to the war, and that insofar as bases of negotiation have been stated they involve continuance of two Vietnams, independence, neutralization, nonalinement with China, and peaceful interrelations, a position which should be acceptable to the United States.

We cannot examine all the evidence, and we do not have all the evidence on this important point. We do know: (a) that U Thant reports North Vietnam's present willingness and readiness to negotiate on such basis (February 27, 1965), (b) that the South Vietnamese Buddhists have at all times favored such negotiation, (c) that the new power structure there (Ky, Vien, Thi) may embody this position, (d) that all the French news reports coming out of South Vietnam indicate that the National Liberation Front favors a neutral belt including South Vietnam, Cambodia, and Laos, (e) that ever since 1963 European diplomatic and intelligence sources have stated that North Vietnam would be willing to accept a united or separated Vietnam guaranteed neutral and without interference from Peiping, Moscow, or Washington (New York Times, Nov. 7, 1963), (f) Dr. Bernard Fall, after interviews with Ho Chi Minh and his foreign secretary, found the same attitude in 1962 (Fall, "The Two Vietnams," 199), (g) that this was still stated to be the North Vietnamese position by British Member of Parliament William Wasby as late as February 1, 1965, after his talks, (h) and that Walter Lippmann has consistently throughout 1964 seen such negotiations as feasible and with North Vietnam occupying an essentially Titoist position (e.g., May 28, 1964).

A REASONED NEGOTIATION

What may all this add up to? Could it be something like this:

1. There never has been a time when military victory in Vietnam was possible. Even if military victory were possible, it could not achieve the political settlements required. The military presence has only rendered more difficult the civil conflict and prevented the independence, economic development and community necessary. There is only one

ultimate possible course—to take the problem to the conference table.

2. But, there is no point to reconvening the Geneva Conference or trying to reinstate the 1954 Geneva accord. The proposal to so do automatically gets the U.S. reply that until China and North Vietnam fulfill the agreements no purpose will be served by such conference. The 1954 conference represented the then interest in southeast Asia and those interests are not now the same; to reinstate that arrangement would merely underline the illegality of the U.S. position in Vietnam, the fact that the United States did not sign and is not a supervisor of that arrangement; many of the then provisions (e.g., for 1956 elections) are now applicable; Vietnam now requires treatment as part of the new picture of the whole Indochina peninsula.

3. The principles of the Geneva accords (1954, 1962), however, are still sound and likely to form the basis of agreement. That is: A cease-fire; independent free nations (which may later unify if they desire); neutralist in foreign policy (perhaps extended to mean an actual neutralized area); with all foreign military personnel, arms, and bases barred; free trade and mutual support between North and South Vietnam; with these conditions guaranteed by the family of nations, and particularly the most concerned nations.

4. If the United States wants a foothold in Asia, it is better that it be given a legal one as one of the guarantors of the settlement, to be checked by the others responsible and answerable to the U.N. and world community, rather than as a unilateral supporter of a favorite. Those in the United States who urge U.S. withdrawal from its present Vietnam action should not fall backward into the pit of isolationism.

5. The negotiations should be primarily between Saigon and the National Liberation Front, with North Vietnam, the United States, and China in the background and joined in guaranty of the final agreement by the U.N. and/or Russia, France, Great Britain, and the major Asian countries. This would avoid a direct U.S. confrontation with China; it would retain the face-saving fiction that this war was not of our making; and it allows for solutions (of a type I am sure will be required) acceptable to the Vietnamese, but which we have said we cannot accept. It would also be a most effective push toward a stable, broadly representative and civilian government for South Vietnam.

6. If the agreement could then be made a U.N. document and U.N. supervision be assured, some semblance of accepting the U.S. 1955–65 activity as in place of the U.N. could be maintained, and U.N. interest in south Asia (to which the U.N. has paid little attention) might be assured.

7. A Vietnam settlement just might be a very important step in the larger picture of world peace. Two of the hardest problems relate to mainland China: (a) How can the rest of the world, and particularly the United States, deal with her, and (b), how can China's and Russia's relationship to each other be kept in a form least harmful or most helpful to the rest of the world? There are those who would never allow China to enter the U.N. and fear any negotiation with her as breaking this isolation. There are those who welcome ideological or political conflict between Moscow and Peiping as Communist weakness. I submit that bringing China into negotiations as to Laos and Vietnam is precisely the method for including her in the world community and encouraging her to keep the peace, without yet facing her admission to the U.N. I also submit that everyone knows that when the chips are down the Communist countries will stand together, and the real question is whether in an entente the ideological position will be moved toward that of Russia (more favorable to the United States) or toward China (less favorable), and that negotiations on Vietnam at the behest of Russia and France would certainly move toward the Russian position.

8. Finally, it would seem that a negotiated settlement now could shift the whole emphasis to a massive economic rehabilitation program, a great TVA for the whole Mekong Delta. I need not review how far such plans and actual operations have gone, even during the war, with the cooperation of both sides, and of the Commission report thereon, or the great increase in U.S. nonmilitary aid. Such a program would keep the interested countries committed to the area—but in a nonmilitary pattern; it would put attention back on people, the local people; it might be a demonstration of how development for emergent countries could really occur.

All this suggests the possibility that far from being a moment of despair, the present juncture of affairs may hold the key to effective negotiation, avoiding the long 5- to 20-year stalemate in southeast Asia which so many observers were predicting. Mankind must so hope.

THE WAR IN VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial from the Oregon Statesman on the same problem, which also expresses the point of view the Senator from Oregon has expressed so many times—that we ought to be proceeding with honorable negotiations instead of making war in Vietnam.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Salem (Oreg.) Statesman, Feb. 9, 1965]

IT SEEMS TO ME

(By Charles A. Sprague)

The war escalator in Vietnam is working. Under the name of retaliation U.S. Navy planes pounded North Vietnam installations Sunday. This was to avenge the Saturday attack of the Vietcong on a U.S. base in which eight Americans were killed and 108 wounded. In addition, American planes or helicopters were destroyed. Promptly President Johnson ordered the air strike. It was followed on Monday by a strike by the Vietnamese Air Force with an escort of U.S. fighter planes. And on Monday President Johnson warned the Communist nations not to miscalculate American strength or American will.

The response from Moscow and Peiping was denunciatory and threatening, but strictly verbal. Both Red centers put themselves on record, but neither made an overt move by way of re-retaliation. It is obvious though that these border raids may be built up into full scale warfare.

This news from Vietnam is very depressing. The ostensible purpose—to defend freedom—is badly blurred by the indifference of the South Vietnamese to self-defense and the antagonism of some to the presence of Americans. We are thus caught in a two-front war—with the Vietcong, aided by their Red allies, and with the hostile South Vietnamese.

As far as the raid on the American base is concerned, the success of the Vietcong is humiliating. There had been a previous sneak attack that proved costly. Why was there not proper security around this camp? In the former raid we blamed the Vietnamese forces for failure to observe the raiders. Once stung, we should have put on adequate patrols of our own. Clearly an inquiry should be initiated, if it has not been already.

This U.S. Navy plane strike was not made against the Vietcong who had staged their own attack, but against a staging area in North Vietnam. The idea was to hit back at North Vietnam as the supply source for the Vietcong. If we pursue that line we may need to drop bombs on supply lines from Red China.

Leaving aside the question as to whether we should stay in Vietnam or pull out, we may explore this question: whether these hit-run raids will be effective. In other words, can we interdict the contribution of men and supplies from North Vietnam by air strikes? It is doubtful. World War II showed that even saturation bombing was only partially successful. It will be harder to paralyze North Vietnamese supply depots and routes because guerrilla warfare doesn't rely on mountains of supplies and mass armies.

It may also be doubted that the punishment will induce Ho Chi Minh to abandon support for the Vietcong. It may have the opposite effect—instill the Vietnamese to more active support of the Vietcong and hostility to the American "imperialists."

One wonders if the President's order wasn't issued in part to kill off the rumor of a "deal" for the settlement in southeast Asia. The coincidence of the visits of McGeorge Bundy to Saigon and Premier Kosygin of the Soviet Union to Hanoi started tongues wagging that they were trying to set up some kind of deal. The Sunday air strike surely flattened that talk. Each interchange of bombs reduces the chance for peace by negotiation and increases the chance of graduation into big scale fighting.

All the Sunday air strike does is to show that we have power in the area which we can and will use, under certain provocation. It adds nothing to delineation of our long-range policy, and leaves us apparently running on a treadmill, getting nowhere, hoping that our wind and strength will hold out long enough to bring victory over the Vietcong.

This is a chapter in American history which evokes little pride and arouses fear of deeper involvement.

"FOREIGN AFFAIRS: ONE KIND OF WAR WE CAN'T FIGHT"

Mr. MORSE. Mr. President, I ask unanimous consent that there be inserted in the RECORD an article by C. L. Sulzberger, from the New York Times of March 3, 1965, entitled "Foreign Affairs: One Kind of War We Can't Fight," in which he shares the view that we are in Vietnam as a result of what has been labeled "McNamara's War."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 3, 1965]

FOREIGN AFFAIRS: ONE KIND OF WAR WE CAN'T FIGHT

(By C. L. Sulzberger)

PARIS.—Some wars become associated with the names of individuals, and thus we have the Napoleonic Wars, the Black Hawk War and the War of Jenkins' Ear. There have been those who have sought to label the Vietnamese campaign "McNamara's War," after the U.S. Secretary of Defense and, politics aside, this is not wholly unjust.

MC NAMARA'S INFLUENCE

For Secretary McNamara has clearly had more influence in our evolving Vietnam policy than his senior colleague, Secretary Rusk. McNamara has been a familiar Saigon visitor; his former military right hand, General Taylor, is now Ambassador there; and U.S. Indochina strategy is more heavily marked by the Pentagon than by the State Department.

American defense plans during the past decade have carefully and expensively prepared to fight the only kind of war we are least likely to face. And we have not in any major sense prepared to fight the kind of war both Russia and China surely intend to press.

When post-Stalinist Moscow endorsed peaceful coexistence it always reserved one vital area. It openly promised to support, wherever possible, what it calls "wars of liberation." Khrushchev tried to play a trick on us in Cuba, but he had to back down because he was patently not engaged in a liberation war—only in directly threatening our vital interests. Our strategy was prepared for such a showdown.

However, when the Communists stick to their own rules they have a demonstrated advantage. The modern elaboration of guerrilla techniques called "revolutionary warfare" by the Communists does not depend on heavy weapons or atomic arsenals. It depends upon simultaneous organization of partisan units and civilian administrators who seek to rot a selected country from within like fungus inside an apparently healthy tree.

For years we refused to face the fact that, equipped as we were for holocaust, we had neither the trained manpower nor the political apparatus to fight revolutionary warfare. To some degree, under both President Kennedy and the brilliant McNamara, this was rectified—but only in part. Even today, when we have growing special service counter-guerrilla units, some with kindergarten training in revolutionary warfare, we are abysmally behind.

It is expensive and ineffectual to blow up jungle acreage or fill it with paratroopers in search of vanishing guerrillas. And we have nothing capable of offsetting what revolutionary warfare calls "parallel hierarchies" (known in Vietnam as Dich-Van)—the secret political apparatus that undermines morale and softens up the population.

SHIFTING STRATEGY

U.S. strategy tends to shift according to availability of weapons systems. It has moved from "massive retaliation" to "flexible response" and from land bases to seaborne armadas. But, while we are engaged in blueprinting superplanes and superrockets, we risk losing the world to guerrillas.

Vietnam is "McNamara's War" because, in fighting it, we have overstressed the military and ignored the political aspect. We have, furthermore, been preoccupied with selling an American way of life and political philosophy unsuited to the people we would help.

FACING THE THREAT

The heart of the crisis is not truly in Vietnam. The quintessential problem is how to defeat revolutionary warfare. Elsewhere in Asia and Africa we will continue to face the threat of this technique no matter what happens to the Vietnamese. That is inescapable.

Not merely the aggressive Chinese but the relatively less aggressive Russians are committed to sponsor "wars of liberation." Despite this glaring truth, both in weapons and in training we are basically prepared alone for the war our adversaries don't intend to start.

VIET CHESSBOARD

Mr. MORSE. Mr. President, I ask unanimous consent that there be inserted in the Record an article entitled "Viet Chessboard," from the San Francisco Examiner of February 26, 1965.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Viet Chessboard

Both the military and diplomatic aspects of the fighting in Vietnam are stepping up.

For the first time, American jet bombers manned by American crews have been in operation against the Communist Vietcong guerrillas in South Vietnam (as distinct from strikes against North Vietnam).

Diplomacy is engaged on a wide front in exploring chances for negotiating a settlement. The activity includes the Paris-Moscow dialog, the quiet soundings of Prime Minister Wilson's government, and those of U Thant, Secretary General of the United Nations.

Of all this subsurface seething, Mr. Thant's efforts (what has come to the surface, that is), seemed to be based on realism. He is not advocating, he emphasizes, immediate withdrawal of American forces. He recognizes that "some sort of stability" must come first.

That is precisely why the Johnson administration has refused to commit itself to negotiations now. There can be no worthwhile negotiations until there is stability. There can be no stability until the Communist guerrilla aggressions cease.

ARTICLE ENTITLED "PRESIDENT CAUTIONS CRITICS OF VIET POLICY NOT TO FOMENT WAR"

Mr. MORSE. Mr. President, I ask unanimous consent to have inserted in the Record an article with the headline "President Cautions Critics of Viet Policy Not To Foment War." Here is one voice that will not be silenced by any propaganda coming out of the White House. It is not the critics of the President who are fomenting war; it is the policies of the President of the United States that are fomenting war in Vietnam. The American people ought to let him know that they do not want additional American soldiers to die and they want that war to stop.

The words of the President are the words of a frightened man, one who recognizes that his brinkmanship could easily take the country into a war the American people will not long support.

I can understand that the President is anxious that his Asian adventure not be discussed or analyzed by any but its architects and executors. But silence, and total endorsement without understanding, are not the way a free people conduct their international affairs.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post,
Mar. 2, 1965]

President Cautions Critics of Viet Policy Not To Foment War—Johnson Reported Irked by Comments Within Own Party

(By Carroll Kilpatrick)

President Johnson took note of the continuing debate on Vietnam policy yesterday with a warning that misunderstandings about America's true intentions could lead to war.

With congressional critics apparently in mind, the President said that some of his predecessors have experienced more trouble from domestic than from foreign critics.

The President spoke at a White House ceremony honoring winners of the Science Talent Search as new debate on Vietnam broke out on Capitol Hill.

IKE HITS "SECOND-GUESSING"

In Palm Desert, Calif., former President Eisenhower indirectly endorsed the President's position.

After a meeting with new Republican National Chairman Ray C. Bliss, the former President said that "if we fail to recognize the responsibility of the President we will divide the country."

General Eisenhower said that if he differed materially with the President he would communicate directly with him. He said that he and Bliss were not going to try to "second-guess" the President.

Mr. Johnson has been unusually annoyed, it has been said, by Democratic Senators who have assailed America's position in southeast Asia.

"PEACE IS FIRST PURSUIT"

The President told the high school science winners that he hoped they would never experience war. He said he prayed every day that "we won't have to call" on America's young people to fight again. "But rather than yield our liberty we will," he declared.

While "peace is our first pursuit," he emphasized, "we must defend freedom not only against enemies without but against enemies within."

"Some of the great Presidents who have lived in this house have found that misunderstanding in this country and problems that arose in this country, and leadership in this country, caused them really more troubles than leadership in the world," the President said.

"That was true of Woodrow Wilson, that was true of Franklin D. Roosevelt, that was true of Harry S. Truman."

It was even true of President Eisenhower, Mr. Johnson added, "although I did all I could to minimize any of the great differences." Mr. Johnson was Senate Democratic leader during General Eisenhower's two terms.

The President said he had "not the slightest doubt" that some wars have been brought about because of lack of understanding "among our own people, and the fact that we conveyed the impressions to others which they accepted and acted upon which were not really representative of the views of our country."

While Mr. Johnson was speaking, Senate Majority Leader Mike Mansfield, Democrat, of Montana, told the Senate that the President was "trying to keep the lid on a dangerous volcano in southeast Asia."

Mansfield praised the administration's "white paper" on Vietnam and denied charges that the administration has no policy in Vietnam.

But Senator Wayne Morse, Democrat, of Oregon, a persistent critic of administration policy, said that the white paper could "best be described as a Swiss cheese" because it is so full of holes.

The United States sent thousands of men into South Vietnam, Morse said, and "now we get excited because North Vietnam went in. Why shouldn't they?"

Senator William Proxmire, Democrat, of Wisconsin, who has often differed with Mr. Johnson on other matters, said the President's policies offer "the best chance for us to achieve an enduring peace in this complex situation."

Senator Howard W. Cannon, Democrat, of Nevada, commended Proxmire for his speech, and told the Senate:

"This is no time for negotiation. * * * Even the discussion would lead our allies to believe we are abandoning them."

Senator Hugh Scott, Republican, of Pennsylvania, likewise strongly backed the President. He praised him for his "candid" briefing to Senators and said that Mr. Johnson "made it perfectly clear we intend to stay in Vietnam until our responsibilities have been achieved."

"To negotiate from weakness," Scott went on, "would be to transfer the war to Thailand. If Thailand goes, Burma goes, and India would be under the gun. The question is where do you stop running. We would cease to be a Pacific power, forced back on Guam and the Hawaiian Islands."

Senator Ernest Gruening, Democrat, of Alaska, a frequent critic of U.S. policy, said that the white paper added "no new facts to the already muddy water" in Vietnam.

"We have been aiding South Vietnam on a scale far surpassing the aid given by North Vietnam," Gruening said.

Wyoming's Republican Senator Milward L. Simpson said the United States had the "strength and power" to conclude Vietnam war and should do so.

And in the House, Representative Melvin R. Laird, Republican, of Wisconsin, said that he expected the administration to seek some sort of negotiated settlement to get out of the "impossible situation" in Vietnam.

"There is, in my mind, little doubt that the conflict in Vietnam will end in the not-too-distant future in some sort of compromised settlement that cannot help but lead to an eventual Communist takeover," Laird said.

In New York, former Vice President Richard M. Nixon repeated his proposal for naval and air strikes against military targets in North Vietnam.

"The white paper contains 'clear and conclusive' evidence that the United States is helping South Vietnam defend itself against aggression from North Vietnam," Nixon said.

ARTICLE ENTITLED "HARMONY PREVAILS BETWEEN BUSINESS AND GOVERNMENT"

Mr. McNAMARA. Mr. President, the February 1956 issue of the publication, Washington World, contained an article entitled "Harmony Prevails Between Business and Government."

Because this article points up the confidence that business, together with other segments of our American scene, have in the Johnson administration, I ask unanimous consent that its text be printed in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Harmony Prevails Between Business and Government

The eyes of the Nation remain on Washington as U.S. businessmen continue to exhibit an attitude of fingers-crossed optimism toward the Johnson administration.

Although the President's blueprint for universal prosperity has not yet been reduced to specifics and revealed to a hopeful business community, the influx of industry representatives into the Greater District of Columbia area is accelerating already.

The climate of mutual confidence that now prevails in current Government-business relationships—the best in decades—has created greater-than-ever focus on Washington, whose residents confidently anticipate that the city is approaching a new height of political-economic influence.

As if Washington were determined to set the pace for economic expansion in the Nation, new programs are unveiled almost daily to beautify, renew, build, and rebuild, portending an expanding role for the city in the Great Society of the immediate future.

Besides massive public and private construction of office space in recent years, a sizable portion of the aggregate spending has been disbursed by people investing in the hospitality services which cater to conventions and casual visitors alike.

Lyndon B. Johnson adopted the Great Society as his slogan soon after he became President. His hopes and dreams were outlined in generalities in last month's inaugural speech and in his state of the Union address. The annual budget message contained some details on implementation of the program, and there will be other special messages to Congress which hopefully will elaborate still more.

The principal objection so far raised to the Great Society is that it tries to provide—or at least to promise—something for everybody. That objection, of course, embodies the very reason it has received such widespread public approval.

The aim of greater prosperity at all levels of American life naturally would be of vast benefit to American business—for business serves and sells to all levels of citizens. Thus far the President has done nothing to indicate that he will pursue his grandiose goals by impinging upon the domain of private enterprise to a sufficient degree to arouse protests.

The existing rapprochement, and the roseate foretokens of continued cordial relations, on the public-private front enhance the importance of Washington, the seat of the Federal Government, in the councils of business and industrial leaders in New York, Detroit, Chicago, Pittsburgh, and other financial centers.

Businessmen are watchfully waiting to see how the administration will face up to the inescapable responsibilities that accompany its elevated stature as the free world's most important economic power. They await proof of a determination to achieve a sound, strong domestic economy with stable prices and an adequate growth rate without additional crippling controls upon businesses or individuals.

If these accomplishments are forthcoming, the White House is certain to retain prompt, easy access to the inventiveness and pragmatic experience of many men whose genius has taken them to the helm of giant corporations.

Nation's Business, published monthly by the Chamber of Commerce of the United States, chose "Business and Government" for its January cover story. Corporate leaders spoke frankly on their interpretations of the proper roles of Government in the Nation's economy. The article concluded with this statement by Henry Ford II:

"When Government economic policies are wisely chosen and wisely and efficiently applied, when they work with rather than against market forces, when they are directed at the causes rather than the symptoms of economic problems, when they give due weight to unintended results as well as the direct goals of any given measure, when they expand rather than contract the opportunities of free men—when such conditions are met, then we can be sure our Government is assuming its proper economic role."

The cooperation and advice that the business sector seems willing to contribute are desperately desired and actively sought by President Johnson. In turn, corporate executives are manifesting greater confidence because they are convinced the President realizes he needs a lasting partnership of business and industry with the Federal Establishment.

Because industry and Government equally appreciate the present mutually advantageous rapport, businessmen are expected to travel to Washington in increasing numbers during the next few years, both as individual visitors and to attend meetings and conventions of their trade associations and other professional groups, insuring even greater development of the city.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

DEATH OF DR. HERBERT CARLYLE LIBBY

Mrs. SMITH. Mr. President, in the passing of Dr. Herbert Carlyle Libby, of Waterville, Maine, and Pemaquid, Maine, the State of Maine has lost one of its most illustrious sons. He was an outstanding scholar and statesman and a leader of magnificent proportions. The world in which we live was a better place because of him.

He was one of the early political liberals in Maine although in his later years he grew more conservative. He was the wise counselor and friend of innumerable Maine citizens and he molded many of the young students he taught into future leaders.

He was one of my very best friends for without him I would not now be in the U.S. Senate. In fact, he was the manager of my very first campaign back in 1940 when I first ran for the House of Representatives. To him I owed so very much.

In his passing, I extend my deepest sympathy to Mrs. Libby and the family. I ask unanimous consent that the lead editorial of the March 1, 1965, issue of the Waterville, Maine, Sentinel be placed in the Record at this point as it so capably evaluates Dr. Libby.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Waterville (Maine) Morning Sentinel, Mar. 1, 1965]

His Influence Survives Him

Colby College recently established a Herbert Carlyle Libby Prize in Public Address. It will go to the best speaker in the college and is a fitting memorial to the vigorous man for whom it is named.

Dr. Libby, who died Saturday, had as one of his many duties while on the college staff the instruction of public speaking and throughout his life he was an active participant in public affairs.

"Here he is, always a strong figure, always in a leadership position, a center of controversy frequently, always articulate, eloquent and clear, always with a deep loyalty to the college he loved. Surely, we can say, without fear of contradiction, a man for all seasons."

He was so described last October when he was honored at Colby Night.

But the words only touch upon the life of Herbert Carlyle Libby.

He taught, he wrote (his pen was almost never idle) and for many years he occupied some church pulpit in the State. There were few schools in the State of Maine he hadn't visited.

Shortly after his graduation from Harvard he was editor of the old Waterville Mail, going from that chair to his Colby career that continued until his retirement at the age of 65.

Although the editorship ended in 1908, it didn't end his interest in newspapers. Those who held editorial jobs in Waterville in the ensuing years of his life were encouraged by his advice and friendly criticism.

The facets of that life were almost endless. He was an ardent supporter of the Waterville Public Library, he was deeply involved in government and served a distinguished period as Waterville's mayor.

After he retired from Colby he gave much of his energy to development of a large tract of land at Pemaquid. There, during the latter years of his life, he had more time to sit on his front steps overlooking the rolling Pemaquid surf and discuss the state of the world with the many who sought the pleasure of his company.

Dr. Libby was both a teacher and a doer in the classroom and in life. His death Saturday at the age of 86 closes a life of extraordinary usefulness.

It does not end that usefulness, however. The influence he had upon those with whom he had contact will extend it for many years to come.

JUVENILE DELINQUENCY

Mrs. SMITH. Mr. President, we are very concerned these days about juvenile delinquency. We deplore it. We assign causes for it. We place blame for it. But too often we really do not do anything about it.

I think we fail in two basic respects.

First, we talk too much and do too little. Second, we concentrate on the problem after the fact instead of before the fact. We wait until the damage has been done. We try to repair the wreck instead of preventing the wreck.

If we thought more about juvenile delinquency before it happens instead of after it happens, we could accomplish much more.

I have received a letter from a very good friend of mine in Maine that I want to share with the other Members of this legislative body. Nowhere in the letter are the words "juvenile delinquency" mentioned. The letter does not address itself to this problem. But yet the letter demonstrates and relates a pattern of behavior and action that could well be adopted in preventing juvenile delinquency.

It shows what guidance can do for children. It shows what encouragement of initiative can do for children. It shows the good results of a combination of discipline, self-restraint, sacrifice, and encouraging a sense of achievement by children.

It is one of the most heart-warming résumés I have ever read and I commend it to the Members of this body for what I am confident they will find to be most worthwhile. I ask unanimous consent that excerpts of that letter be placed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> Of especial interest to the children David and Susan now 15, and Peter 11, was as you can imagine, in your childhood, the practical and wonderful approach to Christmas. You know, we are by no means prosperous * * * we have what we need, but as for the youngsters, if there are certain luxuries which they desire * * * and there are at times, they must earn most of the money themselves. Two summers ago they wanted a saddle horse. Shortly after I came to Maine to live, I purchased a little bay gelding. When my children were very young they went trooping along to the barn with me helping in many small ways to care for him. Before they were eight, they would be up before 6 in the morning, lugging the water, pitching the hay, making hot bran mash, breaking ice out of the water pails. Then after the joy of having Coaly-Bay with us for 17 years, he died of old age 2 years ago in March. We were all so upset. I canceled a meeting of the women's club that evening. Just couldn't face anyone. As spring wore into early summer, the horse fever struck again. I told them then that I would help a little, but the purchasing price of a horse was a big item, and they must earn most of it. We found the mare, a dappled gray, purchase price $279. The dealer raised his eyebrows when I pointed out that these three punkins would be making the purchase. The two boys lined up jobs for the summer. Cutting brush, mowing lawns, painting a small house, picking endless baskets of blueberries and wild strawberries. Susan baked and sold blueberry cakes, babysat, worked for summer people making beds and dusting. A large peanut butter jar marked "Misty Fund" sat expectantly on the mantle. Three weeks before the note was due in full they had completed paying for Saltwater Misty. That fall, though I confess I tried to discourage it, Susan entered her in a tricounty horse show. (One must be realistic, Misty was a round country girl, putting her among the high priced show-type highly trained horses, well.) They came home with two ribbons, third place. Again this year past she exhibited and has added many to the collection, including one blue and a trophy for a class called Model Pony awarded for cleanliness of the animal, of tack, and good health. You would have thought by the shining eyes, that Misty was a Lippizaner. She is treated that way in any case.
>
> Last summer David and Peter decided they would buy a boat. They ride a little, but go along to the shows to help carry water, groom, and root for their sister. Pete was given an old skiff by some neighbors; he named it the *A. and P.* (what else?). So the three went to work again, and by the latter part of the summer were proud owners of the *Independent I*; they had first decided to buy it July 3; 14-footer they proclaim proudly. I insisted the first purchase be lifejackets, so for a while they ran around with lifejackets and a pair of oars, and nothing to use them in.
>
> I wonder if this often happens. It seems so odd to me that so many parents today come under the title of permissive. Their children are ill mannered, and ungrateful, for I find so many less able financially than we passing out money foolishly. If only parents who feel as though they are "giving their children everything" would realize that they are taking one of the most precious of gifts away from them, the gift of acquiring something they desire by their own hard work, and the splendid feeling of accomplishment they derive from this. I realize this is old-fashioned thinking, but I believe through aiming high at their age and working hard to achieve what they want, could very well be a pattern for everything they do in life. Then too, busy kiddos don't have the time nor energy to be a problem.
>
> Busy we all are. In the barn with Misty is her stable-mate a 2-year-old ewe. Her first shearing last summer provided over half of the cash for Susie's first evening gown for the graduation dance. We have two old mallard drakes Donald and Fritz who run the show out there, two bantam hens and a rooster. I threaten "eggs or stew pot, girls" to no avail.
>
> Running the fields, the shore, and the house are four dogs (three setters and a scottie) thank heaven for acres for them to move about in.

SIXTY YEARS OF SERVICE

Mr. BYRD of West Virginia. Mr. President, we are now in a historic time, if we but choose to make it so.

Today, therefore, I would look back to another historic time, to the establishment 60 years ago of the Forest Service in the U.S. Department of Agriculture. As we stand on the doorstep of a new age, let us recall the vision of Theodore Roosevelt, Gifford Pinchot, the 58th Congress, and all others who made their time a time to be remembered.

A full threescore years have rolled around since February 1905, and nearly all of our conservation milestones can be measured from that time when the Forest Service became America's first conservation agency. The young Forest Service did more than assume management of the Nation's forest reserves; it acted as a focal point for the conservation movement in general.

But I need not go beyond the black and white statistics to find inspiration for the final conservation battle now before us. Within six decades the Forest Service has brought the national forests to undreamed-of heights of productivity and usefulness. It has joined with State governments and private enterprise in cooperative programs that make scientific forestry available to even the smallest parcel of cherished woodland. Forest Service research in forestry, range management, and related fields has conquered a host of problems and made multiple use management the practical land management policy that it is today.

In 1905 the timber harvest from the national forests was 68.5 million board feet; last year it was 10.9 billion board feet. Over the years, some 162 billion board feet have been cut, and a continuous supply of growing timber remains.

Every year about 6 million head of sheep and cattle, owned by 19,000 ranchers and farmers, graze on the national forests, under a system of controls and fees that promise continued wise use of the range as a supplement to an estimated 88 million acres of private lands.

Water is important everywhere, and Forest Service watershed management shows how well that resource can be made to serve our needs. More than half of the water used in the West flows from national forest lands. The Forest Service not only protects watersheds with all the tools known to science; it puts science to work to increase the flow of water in certain areas or to alter the timing of runoff for better use.

Recreation on the national forests has grown from only nominal, unrecorded use to a major use involving hunting, fishing, picnicking, camping, wilderness hiking, skiing, and other activities. Recreation visits have multiplied in number 30 times since they were first recorded back in 1924. Facilities have been provided to serve the public, with a capacity of serving approximately 1 million persons at 1 time.

Wildlife is also a managed resource, which is protected and managed by maintaining the forest conditions necessary for survival. This often means coordinating many other resource uses and development projects. Fishing waters get the same attention, which includes active cooperation with State fish and game authorities. The importance of this resource is apparent when you consider that one-third of all big game animals are found on the national forests, and that these areas contain 81,000 miles of fishing streams and 2 million acres of lakes.

Since the Forest Service undertook this important work, its wise use of the national forests has brought into the Treasury receipts totaling nearly $2 billion from the sale or use of these resources, mostly from timber. These receipts have grown from $73,000 in the first half year and $757,813 in the first full fiscal year of management to $137,196,454 in fiscal year 1964.

These accomplishments are possible because the national forests have been effectively protected from fire and destructive forest pests, and managed to increase their productivity. Development roads and trails have been built to serve both Forest Service operations and the general public that owns these lands.

Progress in State and private forestry under Forest Service leadership is also impressive. In 1905 only two or three States had any recognizable forestry program, now all but one participate in a variety of cooperative forestry activities with the Forest Service. Sixty years ago practically no State or private forest land was protected from fire; now, 95 percent is protected. Almost a million owners of small woodlands have been helped in the management of their lands by State forestry organizations—and the 49 State foresters and their 691 State-employed farm or service foresters far exceed the total number of professional foresters available in 1905. During this time private forest-based industry has also moved forward in great strides.

I could not begin to recount the part that research has played during this period. We now fight forest fires with aircraft. We have conquered numerous tree diseases, and we have learned how to breed trees that will grow to the specifications we want. Tree species that once were thought useless now help to keep our mills running. Small-sized or defective timbers find good use today in laminated wood products, as cores in different panel constructions and for other uses. Ski resorts now operate safely because the Forest Service has learned how to predict and control snow avalanches. Research has discovered how to keep birds and rodents from eating tree seed before it sprouts, thus making direct seeding a practical means of reforestation.

The list goes on. Any forester or land manager cannot help but appreciate the work of 60 dynamic years. We who love the land look forward to the next 60 with hope.

In my own State of West Virginia, I know what the Forest Service has meant. Some 40 years ago it came to the rescue of nearly a million acres of cut-over, burned-over mountain land. The Monongahela National Forest and a portion of the George Washington National Forest were established within the State, bringing forest fire protection, flood control, reforestation, and control of open range grazing in the hardwood forests. The national forests meant game management, construction of campgrounds, picnic areas, scenic roads, and other facilities.

Today the Monongahela National Forest and the West Virginia portion of the George Washington form a great reservoir of natural resources for the State. They are a veritable heartland of outdoor recreation, enhanced by the splendor of the mountains for which my State is renowned.

The future promises more than the past, and I look forward to it. A forest is still comparatively young at 60; and at 60 I detect in the Forest Service a similar youth—an eagerness for challenge. We may gladly share that youthfulness of spirit as we make plans for the future of this Nation.

CLAIR ENGLE

Mr. HART. Mr. President, I was not able to come to the Senate floor on Monday when Senators spoke in memory of the late Senator Clair Engle. Their tributes were eloquent, and left little to add.

What I say here today, I realize, likely will be of little comfort to anyone but myself, because I liked and admired this man and I would feel badly if I did not take advantage of the chance to say so.

One of the most moving moments I have ever known in this body came on the day when Clair Engle—obviously enfeebled with illness—nevertheless appeared on the floor for the cloture vote on the Civil Rights Act of 1964. No other single act could so clearly have demonstrated his devotion to duty.

In the early years of my first term, I served with Clair Engle on the Senate Select Committee on Water Resources. It was his first term in the Senate, too; but he was far more knowledgeable in regard to conservation matters than I, because of his experience and leadership in the House in this field.

He clearly had a head start over most of us in this field. And it was largely through his knowledge—and his willingness to impart it—that I became fully aware of the urgency and intricacies of our water problems.

There are many other good things for which Senator Engle will be remembered. There are two which are most memorable to me. One is his work in conserving our national resources. The other I suppose can be summed up in one word: courage. Historians, I am sure, will take note of both of them; and their words about Clair Engle will be just as admiring as those spoken by his friends on the floor of this body.

Mr. CANNON. Mr. President, as a native westerner, I rise to pay tribute to the late, beloved, and courageous Senator Clair Engle, of California.

Senator Engle was truly a man of the people. He served long and faithfully in the House, representing the people of his district, and in 1958 was elected to the Senate, to represent all the people of his State.

In the Senate, he rendered magnificent service; and all Senators knew him as one who inspired friendship and confidence, whose word was his bond, and who battled for the things in which he believed, regardless of the popularity of his cause.

He was a great champion of the emerging West, and he could look ahead to the needs and aspirations of future generations.

As a fellow member of the Armed Services Committee, I know of his dedication and hard work toward making this Nation safe and secure. His keen mind and his expertise on military matters were invaluable to the country at a time when Congress dealt with complex decisions on preparedness and defense.

His death denied the full promise of his public service which would have come to this State and the Nation.

To the people of California and to the members of his family, I extend my sincere and deep sympathy on the passing of a distinguished Senator and a warm personal friend.

PREPAREDNESS—SPEECH BY SENATOR STENNIS

Mr. ROBERTSON. Mr. President, recently the Senator from Mississippi [Mr. Stennis] spoke at the launching of the submarine tender *Canopus* at the Ingalls Shipbuilding Corp., in Pascagoula, Miss. In that speech, he very accurately outlined the role of American military might in keeping world peace. He devoted particular attention to the readiness and capability of the Navy as part of our fighting forces.

Senator Stennis is one of the ablest Members of the Senate, and is especially well qualified to speak on our defense capability, because as chairman of the Armed Services Preparedness Investigating Subcommittee, he is constantly aware of the strengths and weaknesses of our Armed Forces. He is also substituting for Senator Russell as chairman of the Department of Defense Subcommittee of the Appropriations Committee, which presently is engaged in taking testimony on a Defense budget of nearly $50 billion.

Senator Stennis' remarks are reassuring, and they are also challenging, for they emphasize the necessity for us to remain strong if we are to prevent the outbreak of a world war that might lead to our total destruction.

I ask unanimous consent that the speech by Senator Stennis be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Senator John Stennis at Launching of the U.S.S. "Canopus," at Ingalls Shipbuilding Corp., Pascagoula, Miss., on February 12, 1965

You greatly honor me today as one of your guests, with a part on your program. I warmly thank you.

I want to talk about three things: First, the U.S. Navy; second, Ingalls Shipbuilding Corp. and the men and women who make Ingalls; and, third, our own State and our people.

Our Navy is our first line of defense. Today—at this very moment—our Navy roams the seven seas, with fleets in the Mediterranean, in the Atlantic, in the Pacific, and elsewhere. Wherever there is a need for naval power to keep the peace, our Navy is there—as roaming police and protectors of our freedom and our security.

Knowing that no nation has ever regained a dominant position of world seapower, once having lost it, and mindful that 70 percent of the earth's surface is water, we have built a fleet powerful enough to demand that the oceans be used for commerce and for peace. Because we have the strongest Navy in the world, we can control the seas; this gives us strength and commands respect. Without this naval power, most of Asia would already be lost to Communist powers.

Our aircraft carriers are floating airbases. Their planes are constantly on the alert, ready to strike on land or sea with the most powerful weapons ever devised. The quick and effective response of carrier-based aircraft in the recent strikes ordered in North Vietnam is an example of the high state of readiness and capability of our naval airpower.

I have never been prouder of a Senate vote than I was when I helped take the lead in fighting for an additional carrier, and got this provided for 2 years ago in the appropriations bill.

Our submarines, both conventional and atomic powered, several of them made in this very yard, quietly extend the protecting arm of our Navy around the world. Our Polaris missile submarines are a major part of our striking force of nuclear weapons, capable of accurately hitting targets deep into the heart of the enemy's homeland from launching positions far below the sea's surface.

The officers and men of our Navy are of the highest caliber. Well trained and devoted to their duty, these men give our fleet a fighting spirit not excelled in the past or present. It is a source of great pride for Mississippi that 5,000 of her native-born sons and daughters have made the Navy their profession and are now at duty stations around the world. Indeed, we can all be proud and at the same time feel secure in the knowledge of our Navy's readiness and superior capability.

But these weapons and the men are only effective when we have ships of the very highest quality. We all take great pride in the fact that the Navy has repeatedly turned to Ingalls for high-quality ships. The Navy has never been disappointed. We take pride in the fact that Ingalls is located in Mississippi, and I especially take pride in the men and women, the workmen and craftsmen, who have made this illustrious record possible. I am looking now into the faces of a great number of those who have made and continue to maintain this record of excellence.

Ingalls is consistently able to put in a lower bid. This is possible for several reasons. One is the investment in modern machines and tools of the highest order, which makes Ingalls one of the finest shipbuilding plants in the Nation. Another reason is the unusually high capability of Ingalls management and capable staffs and assistants. The third and most important reason is the consistently high quality workmanship of the skilled and semiskilled workmen who build these ships.

At the base of all this success is your willingness to do an honest day's work that insures both quantity and quality production. This has made Ingalls "the pacemaker" of the shipbuilding industry in the Nation. It was your efficiency and capability that recently led Admiral Hyman G. Rickover to call me on the telephone in Washington immediately on his return from inspecting atomic-powered submarines built here at Ingalls, to compliment you and your company on your very high quality production. I take the greatest pride and I know I speak for all thoughtful Mississippians in commending you on this wonderful record. These words are no idle compliment, but are backed up with solid facts of proven performance. The rare combination of labor and management at Ingalls is the major reason you have recently been awarded current contracts to construct for the Navy four nuclear-powered attack submarines, two amphibious transport docks, and an amphibious assault ship. You have current contracts to construct or convert 10 merchant ships because you also excel in that type of work.

Pascagoula-built ships have participated in such international crises as those at Lebanon, the Suez, Cyprus, the Cuban quarantine, and Laos. They are now on station around the globe, keeping the watch on the waters, never for conquest, but always for peace and for our protection.

At this very moment, the landing ship dock *Thomaston* and the tanker *Yukon* are in the area of the South China Sea, where tension is mounting in South Vietnam and Indonesia; the landing ship dock *Spiegel Grove* and the Polaris submarine tender *Holland* are working for the 6th Fleet in the Mediterranean; the LST's *Vernon County* and *Washoe County*, and the destroyer *Parsons* are in Japanese waters. All were built at Ingalls.

We are especially pleased that the Ingalls team was selected to build the *Canopus*. The building of this ship in a Mississippi shipyard is an example of how business and industry in each State, including our own, depend on the business and industry of every other State. It underscores the fact that our economy is not and cannot be confined within our own State borders.

Materials and services from over 25 of the 50 States of the United States were used in building the *Canopus*. The engine turbine came from New Jersey—the electronic equipment from California. The special boat and missile crane came from Seattle, Wash.—the engine controls from Connecticut—the propellors from New York—the paint from Louisiana—the castings from Tennessee, and the steel from Alabama.

As Mississippi's largest industry, you have been a pacesetter that has inspired all Mississippians. The per capita personal income of Mississippi has increased more than six times what it was when Ingalls Shipbuilding Corp. began its operations in this State. You purchase annually $50 million worth of material from all parts of the United States. You have launched vessels valued at $1.5 billion. These facts emphasize that if our industries are to be successful, we must also be a vital, growing part of American industry. No one knows better than you—both workers and management—what it would mean to your livelihood and to the economy of your city and county, if Mississippi should attempt to isolate itself from the rest of the United States.

We cannot set ourselves apart from the Nation, without suffering unbearable consequences. The future economic welfare of every Mississippian who owns a business or works for a living depends upon whether we can maintain an environment in which business and industry can grow and expand. It may be necessary for us to adjust to some situations we dislike and disapprove, but order and respect for law must be maintained. We all have a part to play in maintaining the kind of attitude and circumstances that will promote prosperity and move us forward to a day of more and better jobs.

Others will look to you as the managers and employees of the State's largest industry, and will be influenced by your leadership. I urge you to meet this task equally well as you have met the responsibility of building great ships.

Let us all be thankful that we are a part of a nation whose flag is flown by this great ship. Of course, we have problems confronting us in the future. But so have other generations before us. Just as they faced their problems, so shall we successfully face ours.

We shall use the great weapon of faith. We shall have faith in our form of government, and faith in our ability to make it work. We shall have faith in each other. Furthermore, we shall have faith in God and depend on His promises. We shall face the future unafraid.

CITIES ARE FOR PEOPLE

THE PRESIDENT'S MESSAGE ON CITIES

Mr. DOUGLAS. Mr. President, in his magnificent program outlined in the message on the cities, sent to Congress last Tuesday, the President has charted a bold and challenging course for the Nation and this Congress to follow in the years immediately ahead. The proposed legislation to carry out this message will be among the most important to come before us at this session of Congress.

The urban and metropolitan growth of this country is so rapid that we cannot stand still. This is a message that sets forth the things we must do to catch up and keep up.

We must maintain and, indeed, increase not only the quantity, but also the quality of home construction to serve our growing population. We must find new ways of meeting the challenges of the population explosion in our towns and cities. Not only must we find techniques for combating inefficient, ugly, and wasteful suburban sprawl, but we must also develop programs with an eye to the orderly development of entire new communities around our urban population centers.

We must enlarge and coordinate the existing programs for research and training in urban affairs.

We must find techniques to harness the vast technology which already exists, but has not been applied to producing lower cost housing and creating a more efficient housing industry.

We must reexamine the traditional tools of zoning regulations and local tax policies, to see if they are consistent with a viable program for orderly urban growth in the future.

The program which the President has presented to Congress will meet these problems and many more.

First, I hope very much that Congress will create the Department of Housing and Urban Development which the President has requested. It was proper to create a Department of Agriculture when farming was the major industry of the Nation and when our population resided primarily in rural areas and small towns. It is still proper that there be a Department of Agriculture, even though farming employs only 7 or 8 percent of the Nation's work force. But now, as the President has pointed out, about 70 percent of our population lives in cities and metropolitan areas. The majority of our population residing in urban areas is entitled to an adequate administrative framework, at the Cabinet level, within which fruitful cooperation between the Federal Government and the cities and States may best be carried forward.

Furthermore, the President in his message emphasizes that we are no longer a Nation of towns and cities, each with its own set of separate problems, but that our urban areas are so interdependent and interlinked that the problems of one are the problems of all. His message calls for incentives and requirements with which to achieve coordinated planning and action in our metropolitan areas and to strengthen the capacity of the States to deal with these overall urban problems.

The President's message sets for us a new dimension of what we seek and what we can have in urban America. It is a message of vision, without being visionary. It is within our means and our talents. We can have congestion and growing chaos—or breathing space and an inspiring environment—in our cities and urban centers.

We can begin this task with relatively modest Federal investments in releasing and generating the powers of private growth, or local initiative, and of urban and State action. Under the President's proposed budget, we can move toward this goal now with a small investment, if we move soon enough. This budget involves in net cost about one-thousandth of our national income, less than one-hundredth of our total Federal budget cost. And the cost is far less than we spend now, and greatly below what we must spend later on blight, traffic, crime, delinquency, ugliness, and urban decay if we fail to meet our urban needs and responsibilities.

THE NEW PHILOSOPHY

The President has, in his message, stressed, I believe, four basic points.

First. The city is a place where people live; and all of our housing and urban development programs are merely means to the end of trying to create a good environment—the good life—for those who live in our communities.

Second. In our concern for assisting in the physical development and redevelopment of our towns and cities, we have not paid sufficient attention to the human costs involved; and we must provide programs to insure that those who suffer from discomfort and dislocation will also be adequately assisted.

Third. In order to provide a decent, safe, and sanitary home for every citizen—the goal of the 1949 Housing Act, we must redirect our efforts to preventing the existing stock of housing—some 60 million dwelling units—from sliding downhill into a state of deterioration and dilapidation. We must arrest blight and decay of our housing inventory. Moreover, we must pursue a vigorous program of upgrading, through rehabilitation, where appropriate, our existing housing stock; and we must try to preserve the character of our urban neighborhoods, by neighborhoodwide rehabilitation efforts.

Fourth. We must provide a vastly increased effort to provide better housing for the poor and the elderly. The war on poverty will not be won until we have achieved the goal Congress set forth in 1949—that of providing a decent home for every family.

Those who think of our housing and urban renewal programs as merely programs for the physical redevelopment of the community will be disappointed by this message.

Those who think that we can solve the problems of providing decent housing and arresting urban blight by merely assisting in an increased rate of new construction of dwelling units will be disappointed by this message.

Those who believe that the urban renewal program should be concerned only with the commercial and industrial redevelopment of the core city will be disappointed by this message.

The President has made crystal clear that the focus of the Federal housing and urban affairs program will be changed, and will, henceforth, be judged in terms of the effects of these new programs and existing programs on those who live in the towns and cities. We are engaged, not in building pyramids for posterity, but in making our communities a better place for people to live in. It is as simple as that.

POOR PEOPLE AND SLUM HOUSING

It is time that we spoke candidly about the plight of the poor in our towns and cities. In 1949 Congress declared it to be a matter of national policy that every citizen should have a decent, safe, and sanitary home. In 1965, we still have over 9 million homes which are dilapidated or deteriorated, and more than 4 million homes which do not have running water, or even plumbing. Almost 4 million of these substandard homes are occupied by families with incomes of less than $2,000 a year. And another 1.3 million of these dilapidated dwelling units are occupied by families having incomes between $2,000 and $3,000 a year.

In years gone past, so-called housing experts have confidently informed us that once the postwar supply of housing caught up with demand, and once it became a buyer's market, instead of a seller's market, housing units would trickle down to the poor. I am sure that this process is working today; but much of what is trickling down is already slum housing—dilapidated, deteriorated, or substandard housing. The President's message has, I believe, recognized this; and he has proposed a number of specific programs with which to meet these and other problems.

Critics ask: "How it can be that, after so many years of Federal action in the public-housing and urban-renewal field, and with so many ways to aid private enterprise to provide housing for all Americans, we still have over 9 million homes, most of them in our towns and cities, which are run down or deteriorating, and over 4 million homes which do not even have running water or plumbing?" Critics point out that many of these cities and towns, particularly the larger urban areas, have adopted housing codes that establish minimum standards for health, safety, and sanitation, covering all dwelling units in their jurisdiction.

Moreover, the 1954 Housing Act established a workable program requirement for urban renewal—the requirement that cities and towns must establish minimum housing codes.

And the critics have asked again: "But how can it be that we still have so many substandard units in towns and cities which have these housing codes, and which have been receiving urban renewal assistance?"

Frankly, I do not think that we have had an adequate answer. The simple truth of the matter is that too many of our communities have not done an adequate job of enforcing their existing housing codes covering health, safety, and sanitation. Congress recognized that last year, and, with strong bipartisan support, included in the 1964 Housing Act, amendments to require stricter enforcement of housing codes as a condition for Federal assistance for urban renewal. We shall not relieve the problems of slums if we permit hundreds of thousands of dwelling units to continue to slide into a state of deterioration and dilapidation. Therefore, I am gratified that the President has called for stricter housing code enforcement as part of the administration's program.

As I have said on other occasions, and it cannot be said often enough: We cannot win the war against poverty unless we can win the battle against the "slumlords"—those landlords who have preyed on the elderly, the ignorant, and the poor, by charging exorbitant rents for slum properties. We can no longer, in good conscience, ignore the fact that so many of our citizens live in squalor, in rat-infested tenements, in homes—in both the city and the country—without even rudimentary sanitary facilities, or in dwellings that are a menace to health and safety.

In the past, the "slum lord" has often hidden behind the plight of his tenant. The problem has been that we could not throw poor people out of their homes—however dilapidated, unsanitary, or unsafe these structures may have been—for these people have had no other place to go. We could not, in good conscience, simply evict them from the slums, to live in the streets, like the poor peasants of Hong Kong. And so, in our concern for the dilemma of the poor, we have not been able to make a frontal attack on the root of the problem—the "slum lord" who profits exorbitantly by preying on the poor and the ignorant.

We could not, and we cannot now, expect our communities to undertake more vigorous steps to enforce their housing codes unless we provide decent, safe, and sanitary homes for those displaced by code enforcement.

The President's message proposes the basic tools with which we can vitally increase our campaign to eliminate slum housing and upgrade housing in which so many of our poor now live. The President has proposed a three-step campaign:

First. Much more vigorous enforcement of local housing codes, as a condition for further financial assistance;

Second. An expanded housing program which would permit the utilization of existing housing units under the public housing program; and

Third. A vast new program of rent supplements for lower income families and individuals.

I applaud the President's goal for providing assistance through these and related programs to "offer direct assistance to 1 million families over the next 4 years." This is a bold challenge, and I hope Congress will not shirk its responsibility in helping the President to meet this goal. If we can enact this program, the "slum lord" will no longer be able to hide behind the plight of his poor tenant, and it will be possible to expect a vast program—even without Government assistance—of rehabilitation of urban housing through stricter enforcement of local ordinances relating to health and safety in housing.

CONSERVING AND REHABILITATING OUR NEIGHBORHOODS

One of the major shortcomings of the existing housing programs is that we have not paid sufficient attention to providing the tools and techniques to prevent the "grey areas" in our cities from sliding downhill into a condition of deterioration and dilapidation. We have not developed adequate programs for preventive maintenance—to prevent urban decay.

The President's message places strong emphasis on rehabilitating and conserving existing neighborhoods. This, I am sure, will prove to be much cheaper than permitting these areas to slide downhill, to be bulldozed in years to come. But, most important, it will preserve the character of many of our older neighborhoods, and will permit families that have often been living for many generations in these neighborhoods to remain in their homes and to rehabilitate their homes with the Federal aids the President is proposing. In the past, it has been the poor who have borne the brunt of our urban renewal programs. They have been uprooted from their local communities within the cities, and have been forced to relocate in other areas, far from friends and neighbors and their neighborhood institutions, such as the local school and church.

I am gratified, again, that the President has placed such strong emphasis on conserving the communities within the cities—the urban neighborhoods, through a vastly increased emphasis on Federal aids for rehabilitation. Moreover, I applaud the recommendation for a new program for matching grants to help local governments build multipurpose neighborhood structures for health, recreation, and community activities. We have, at last, rediscovered the idea of the settlement house. And we have recognized that the problems of the poor will not be corrected by providing housing alone. We must provide the types of institutions and community centers which will help the poor in a variety of ways—by providing information and assistance on the whole gamut of problems that the urban poor face today.

Mr. President, the President has proposed what I believe is a bipartisan program for urban development. Many of the ideas contained in his message were proposed last year by Representative WIDNALL and other Republicans in the House of Representatives. Last year, I supported Representative WIDNALL's proposals for a stricter housing-code-enforcement program and for a program of direct Federal loans to rehabilitate deteriorating homes in urban areas. Representative WIDNALL also proposed, last year, a new program of rent certificates; and now the President has proposed a similar program. I hope this bipartisan support will continue, and that the President's program for the cities will receive the strong bipartisan support it deserves.

In short, I believe that this program represents a consensus of the thinking of today on what needs to be done in order to meet our urban problems. In my opinion, the sums proposed for urban renewal, for the community-facilities programs, and for several other programs are not adequate to meet the challenge the President has stated. It would have been my wish that the President could have proposed larger budget figures for these programs; but, given the budget constraints which the President has imposed, I believe that this message proposes a program which will chart a new course to triumph over the problems of slums, housing for the poor, blight, congestion, and decay which infect our urban centers today.

Mr. President, this past fall I requested the Legislative Reference Service to provide me with some materials on the whole problem of rent supplements for the poor. They forwarded to me a survey on the question of rent supplements which the Legislative Reference Service undertook in late 1962. I think it might be very helpful to the Members of Congress if this study were made available. Therefore, I ask unanimous consent that this study be printed at this point in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

DIRECT SUBSIDIES TO LOW-INCOME FAMILIES

A careful investigation of recent committee hearings and bill digests has disclosed no specific proposal for a direct rent subsidy to low-income families in the form of a bill or resolution. However, there has been both legislative and administrative activity which may be considered relevant to such a proposal.

For example, the Housing Act of 1961 (Public Law 87–70), in section 207, provides the following:

"The Housing and Home Finance Administrator is authorized to enter into contracts to make grants, not exceeding $5,000,000, to public or private bodies or agencies, subject to such terms and conditions as he shall prescribe, for the purpose of developing and demonstrating new or improved means of providing housing for low-income persons and families. Advances and progress payments may be made, under any contract to make grants under this section, without regard to the provisions of section 3648 of the Revised Statutes."

It may also be noted that Senator JAVITS introduced into the 87th Congress a bill, S. 766, to establish a Federal Limited Profit Mortgage Corporation, designed "to assist in the provision of housing for moderate-income families and for elderly persons." Congressman JOHN LINDSAY introduced a companion bill in the House. This Corporation would be designed to make mortgage loans to public or private nonprofit organizations and to private corporations with dividends limited to 6 percent for the purpose of building housing projects and rental housing for "families of moderate income." Such families are defined as those who cannot purchase or rent conventionally financed new housing with total monthly housing expenditures of 20 percent of their normal stable income as defined by the Federal Housing Administration. This measure differs from a direct subsidy approach in that the accent is on new construction rather than redevelopment and rehabilitation of existing housing. This type of program has been popular in the past and represents an expansion of present concepts rather than a departure from them.

Under section 207 of the Housing Act of 1961, quoted above, the Housing and Home Finance Agency is conducting two demonstration projects that have material bearing on the direct subsidy concept; one at New Haven, Conn., and one in Washington, D.C. George B. Nesbitt, director of the low-income demonstration branch of HHFA, is conducting the programs.

The New Haven project involves three control groups of 40 families each. One group will be housed in public housing, one group will have no Federal assistance, and one group will be subsidized directly by HHFA through the local authority. Only families of seven or over will be admitted to any of the groups.

At the end of a 3-year period a study will be conducted by Yale University to analyze the results of the project and make recommendations regarding future housing policies.

The Housing Authority of the City of New Haven will be responsible for the project. They will select the families and apartments, negotiate the rents, and make regular checks on the conditions of owner maintenance.

An HHFA news release of June 23, 1962, described the details of the demonstration in this way:

"Each tenant family will rent the apartment directly from the apartment owner or his managing agent, not from the housing authority. Each tenant will pay 21.8 percent of the family income as rent. This is the same percentage payable in public housing. The housing authority will make up the difference between the negotiated rent and the rent paid by the tenant with a 'rent assistance' check. This subsidy will be financed from the Federal grant made to the housing authority by the Housing and Home Finance Agency under the demonstration program.

"The 'rent assistance' check will be made payable to the head of the tenant family, not to the landlord. To make certain that a tenant is keeping current in his rental payments, each additional 'rent assistance' check will be given to the tenant only after the housing authority has received from the tenant a copy of the landlord's receipt for the previous month's rent."

A second project which involved a direct subsidy to rents is being conducted by HHFA through the National Capital Housing Authority (NCHA) of Washington, D.C.

In this demonstration 50 large houses are to be leased by NCHA from private owners and subleased to large families at whatever rate they can afford.

All housing leased by NCHA will be brought into good condition at the expense of the owners.

Most of the $194,470 grant will go to make up the difference between the NCHA lease and the rent charged by NCHA. The project is expected to be completed within 2½ years.

Robert Weaver, in a news release of June 8, 1962, stated that the project "should prove to be a very interesting and valuable demonstration, and is expected to have application in other cities. In most large cities there are many houses which were originally built for single families but which have long since been turned into rooming houses. Active enforcement of improved housing standards is now requiring owners of such rooming houses to revert them to single-family dwellings, with the result that the supply of such housing should become increasingly available.

"This demonstration is designed to test a method for rapidly housing and rehousing large families of low income in private, subsidized housing and within a noninstitutional environment. At the same time such a program will restore large houses to their original use, thus facilitating enforcement of occupancy standards and expediting renewal activity."

Walter E. Washington, of NCHA, reports that the project is far behind schedule but should be underway within 30 days. He is hopeful that this project will prove to be a helpful addition to our present public housing programs. According to Mr. Washington the owners like this plan because it eliminates the multitude of problems associated with multirental property. He expressed a belief that many prospective owners desiring to work with the program would be quickly found.

Unfortunately these projects are too new for any evaluation to be made of their progress. The concept of direct subsidy has undergone some discussion, however, and several generalizations can be made regarding current attitudes.

Several local offices of national associations with an interest in housing were contacted in order that some consensus of opinion might be determined.

Spokesmen for all associations contacted favored direct subsidies to low-income families as either an alternative to or as an addition to present policies regarding public housing. The U.S. Chamber of Commerce (USCC), the National Association of Home Builders (NAHB), and the National Association of Real Estate Boards (NAREB), favored direct subsidy as an alternative while the National Association of Housing Redevelopment Officials (NAHRO), the National Capital Housing Authority (NCHA), and the representatives of HHFA looked upon direct subsidy as an addition to present programs; one that would add needed flexibility of administration.

Representatives of all associations, except NAREB, agreed that a small group of people might remain socially and economically unadjusted to such an extent that some public housing would have to be provided. NAREB considers public housing to be incapable of meeting the needs of these groups because of the minimum income requirements of the Public Housing Authority which prevent the really poor from being eligible for public housing. NAHRO mentioned senior citizens as being a group that could well fit into the segment of our population that will have to be housed permanently in some sort of public housing. The other associations made no comments along this line.

All those contacted indicated a need for new methods and appeared much interested in the research projects in general. A NAREB spokesman expressed regret at having opposed HHFA experimental programs. He said that they misunderstood the proposal in the beginning but now are generally favorable to experiments in new methods of housing low-income groups.

The following summary will give a more extensive elaboration of the attitudes of these organizations.

Henry J. Shine, of the National Association of Home Builders, stated that his group has held no official discussion of the concept of direct subsidies. However, in light of NAHB's traditionally strong stand against public housing, Mr. Shine assumed that any utilization of some form of rent certificate would be acceptable to NAHB as a method of housing low-income families.

NAHB favors programs that encourage ownership rather than programs that tend to perpetuate housing rental. Mr. Shine felt that NAHB would be more likely to support a lease with option to buy program than the program being tried at New Haven. Mr. Shine admitted that he didn't know what to do with the "problem families" that seem to be outside rehabilitation. He agreed that in all probability some public housing would always be necessary for this group.

S. Howard Evans, of the U.S. Chamber of Commerce, accepts the idea of governmental assistance, but takes a strong position in favor of utilizing direct subsidies in lieu of building more public projects. He admits, however, that the program must be based on local conditions. If suitable existing housing cannot be found some other alternative will be necessary.

He emphasized what he termed "finance for families—not finance for construction." Again, this assumes an oversupply of suitable rent housing, which may or may not be the case. Evans believes that a plan of subsidies would be less expensive. He also suggested that present definitions of adequate housing are too high. On the whole Mr. Evans is well pleased with Mary McGuire, head of the Public Housing Administration, and emphasized the need for further experimentation.

John C. Williamson at the National Association of Real Estate Boards said that his organization is strongly in favor of rent certificates. They feel that no public housing is necessary now or in the future. He stressed, however, that housing codes should be strictly enforced in order that slum owners will not be able to realize windfall gains at the expense of the Government. Mr. Williamson feels that the whole problem is a welfare problem rather than a housing problem and, as such, should be handled through the Department of Health, Education, and Welfare. NAREB was the only association to introduce this concept into the discussion.

Mary Nenno of NAHRO noted that there was an increasing interest in rent certificates as a means of providing low-cost housing. She feels that a flexible program incorporating new concepts with traditional ones would be very effective. She mentioned that present economic conditions indicate substantial vacancies in existing housing plus the fact that numerous structures lack little in the way of rehabilitation.

Miss Nenno related that she was presently working on proposals for NAHRO that would take the subsidy approach. She indicated concern over who would decide on eligibility and standards under a rent-subsidy program. The local housing administrator has a trained staff that could assume this function and Miss Nenno feels that such decisions should reside in that body.

The American Institute of Planners declined to comment, but suggested that Charles Abrams, 225 Broadway, New York, N.Y., one of their members, was an authority on this subject.

A representative of the Association of General Contractors stated that his group had taken no stand on the matter. His personal opinion was that AGC would favor such a move.

Two major studies have been made recently which include proposals for direct subsidies to low-income families for housing: a paper by Joseph P. McMurray for NAHB, "Ways and Means of Providing Housing for Families Unable To Afford Rentals or Mortgage Payments Necessary for Adequate Private Housing," printed in the hearings of the House Subcommittee on Housing, 87th Congress, 1st session; and recommendations of the Metropolitan Housing and Planning Council of Chicago, Ill., a study by Warren J. Vinton, Washington housing consultant and former First Assistant Commissioner of the Public Housing Administration, entitled "Housing the Economically and Socially Disadvantaged Groups in the Population."

The McMurray report calls for a broad flexible policy that would enable local communities to work out programs in keeping with their needs. McMurray proposes a statutory limitation of Federal assistance in terms of maximum dollar amounts per family rather than per housing unit and suggests $500 per family per year as an equitable amount. Variations could be made to compensate for sectional differences.

The local community would be required to match Federal expenditures with a 10-percent contribution, and would be held responsible for the management and operating costs of the project.

This analysis offers a wide variety of possible local programs including: (1) Subsidies to meet rental or mortgage payments on new housing, (2) subsidies to meet rental or mortgage payments on existing housing, (3) cash subsidies for rehabilitation, (4) subsidized downpayments for low-income home buyers, and (5) acquisition of existing housing by local authorities for rental to low-income families.

The Vinton report also suggests a direct subsidy to the family. The local housing authority or agency would certify a family as being in need, and decide on the amount of subsidy. The family would be given a certificate which they in turn would give to the landlord. The certificates would be used to reduce the principal and interest outstanding on loans made to the landlord for building or rehabilitation. The subsidy would last for 1 year at which time the family would be reviewed and their current needs established. If the family were found to be still in need of a rent subsidy the certificate could be renewed for another year.

There appears to be a great deal of interest in discovering new methods of dealing with low-income housing. HHFA desires more flexibility within its public housing program and more autonomy for local housing authorities, while traditional opponents of public housing see rent subsidies as something they could support in good conscience.

A recent history of public housing (Journal of Housing, October 15, 1962), closed with this remark:

"There are those who believe that the formulas, mechanisms, and traditions that have grown and evolved with as a part of the public housing program will have to undergo more change, more refinements, more strengthening, if public housing is to become a major working partner in the housing program of the Nation. Such change requires imagination, effort, ideas. For public housing, the time seems to be now—or perhaps never—for the evolution of a stronger spirit from which growth and changes can spring; a stronger spirit to carry it, in the next years of its history, into a position of equal partnership and leadership with all elements of a total housing program."

THE FREEDOM ACADEMY

Mr. MUNDT. Mr. President, it is my intention to address the Senate briefly each week in order to emphasize our need for legislation patterned after our Freedom Academy bill (S. 1232). I intend to present timely evidence supporting the contention behind the bill that we are yielding ground which we need not yield in our efforts to stem the expansion of aggressive communism.

To the many observers who support the Freedom Academy concept, this attitude that we are not so successful as we might be has required no argumentative support; and, naively perhaps, we have thought we needed no considerable evidential support in contending that our side of the world is not prepared to fight in the specific arena where the battle between Communist aggressors and their victims is being fought.

This arena is essentially the nonmilitary or only quasi-military arena. We Americans, who exhibit pride in our historic guerrilla-type warfare capabilities which we demonstrated so effectively during the French and Indian War, our American Revolution, and the conquest of the West, inherit from our ancestors a contempt for militarists like Braddock who refused to recognize the impotence of continental-type enemies against backwoods guerrilla bands, now find ourselves the ones who send million dollar jet aircraft armed with thousand-pound bombs against an ephemeral enemy whose operational capacities are so adroit that he may well not be there when the bomb arrives.

But the guerrilla game has gained sophistication, too, since we left it. Its political side is far more thorough now. Psychological warfare is mounted against a people by their enemies from within to soften their resistance to the more tangible guerrilla or quasi-military operation conducted in conjunction with it at the later stages of attack.

And we seem to stand by, wringing our hands, wondering what is going on as we see the will to resist among an ally's people wafting away like so much smoke.

The L. L. Sulzberger column in Wednesday's New York Times testifies to our need for the Freedom Academy. Listen to some poignant observations from this gifted observer of foreign affairs.

> American defense plans during the past decade have carefully and expensively prepared to fight the only kind of war we are least likely to face. And we have not in any major sense prepared to fight the kind of war both Russia and China surely intend to press.
>
> * * * Moscow endorsed peaceful coexistence* * * always reserved one vital area * * * to support wherever possible "wars of liberation."
>
> * * * The modern elaboration of guerrilla techniques called "revolutionary warfare" by the Communists does not depend on heavy weapons or atomic arsenals. It depends upon simultaneous organization of partisan units and civilian administrators who seek to rot a selected country from within like fungus inside an apparently healthy tree.
>
> * * * Even today, when we have growing special service counterguerrilla units, some with kindergarten training in revolutionary warfare, we are abysmally behind.
>
> * * * we have nothing capable of offsetting what revolutionary warfare calls "parallel hierarchies" * * —the secret political apparatus that undermines morale and softens up the population.
>
> * * * while we are engaged in blueprinting superplanes and superrockets, we risk losing the world to guerrillas.
>
> * * * The quintessential problem is how to defeat revolutionary warfare * * *.
>
> Not merely the aggressive Chinese but the relatively less aggressive Russians are committed to sponsor "wars of liberation." Despite this glaring truth, both in weapons and in training we are basically prepared alone for the war our adversaries don't intend to start.

Those, Mr. President, are Sulzberger's words. I ask unanimous consent that his article "Foreign Affairs: One Kind of War We Can't Fight" from the New York Times of March 3, 1965, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Mar. 3, 1965]

FOREIGN AFFAIRS: ONE KIND OF WAR WE CAN'T FIGHT

(By C. L. Sulzberger)

PARIS.—Some wars become associated with the names of individuals, and thus we have the Napoleonic Wars, the Black Hawk War and the War of Jenkins' Ear. There have been those who have sought to label the Vietnamese campaign "McNamara's war," after the U.S. Secretary of Defense and, politics aside, this is not wholly unjust.

M'NAMARA'S INFLUENCE

For Secretary McNamara has clearly had more influence in our evolving Vietnam policy than his senior colleague, Secretary Rusk. McNamara has been a familiar Saigon visitor; his former military right hand, General Taylor, is now Ambasador there; and United States-Indochina strategy is more heavily marked by the Pentagon than by the State Department.

American defense plans during the past decade have carefully and expensively prepared to fight the only kind of war we are least likely to face. And we have not in any major sense prepared to fight the kind of war both Russia and China surely intend to press.

When post-Stalinist Moscow endorsed peaceful coexistence it always reserved one vital area. It openly promised to support, wherever possible, what it calls "wars of liberation." Khrushchev tried to play a trick on us in Cuba, but he had to back down because he was patently not engaged in a liberation war—only in directly threatening our vital interests. Our strategy was prepared for such a showdown.

However, when the Communists stick to their own rules they have a demonstrated advantage. The modern elaboration of guerrilla techniques called "revolutionary warfare" by the Communists does not depend on heavy weapons, or atomic arsenals. It depends upon simultaneous organization of partisan units and civilian administrators who seek to rot a selected country from within like fungus inside an apparently healthy tree.

For years we refused to face the fact that, equipped as we were for holocaust, we had neither the trained manpower nor the political apparatus to fight revolutionary warfare. To some degree, under both President Kennedy and the brilliant McNamara, this was rectified—but only in part. Even today, when we have growing special service counterguerrilla units, some with kindergarten training in revolutionary warfare, we are abysmally behind.

It is expensive and ineffectual to blow up jungle acreage or fill it with paratroopers in search of vanishing guerrillas. And we have nothing capable of offsetting what revolutionary warfare calls parallel hierarchies (known in Vietnam as Dich-Van), the secret political apparatus that undermines morale and softens up the population.

SHIFTING STRATEGY

U.S. strategy tends to shift according to availability of weapons systems. It has moved from massive retaliation to flexible response and from land bases to seaborne armadas. But, while we are engaged in blueprinting superplanes and superrockets, we risk losing the world to guerrillas.

Vietnam is McNamara's war because, in fighting it, we have overstressed the military and ignored the political aspect. We have, furthermore, been preoccupied with selling an American way of life and political philosophy unsuited to the people we would help.

FACING THE THREAT

The heart of the crisis is not truly in Vietnam. The quintessential problem is how to defeat revolutionary warfare. Elsewhere in Asia and Africa we will continue to face the threat of this technique no matter what happens to the Vietnamese. That is inescapable.

Not merely the aggressive Chinese but the relatively less aggressive Russians are committed to sponsor wars of liberation. Despite this glaring truth, both in weapons and in training, we are basically prepared alone for the war our adversaries don't intend to start.

Mr. MUNDT. A nucleus proposal of the Freedom Academy bill (S. 1232) which I introduced in this session of the Senate together with the following sponsors: Senators CASE, DODD, DOUGLAS, FONG, HICKENLOOPER, LAUSCHE, MILLER, PROUTY, PROXMIRE, SCOTT, and SMATHERS, is that the U.S. Government should direct priority attention to providing adequate training for our own people and for our allies' people in this crucial area of nonmilitary-psychological warfare aggression.

We propose to prepare our people who face this test in the field to recognize nonmilitary aggression for what it is in all its variable forms. We propose to enable them to adopt appropriate countertechniques and counterstrategies against such aggression.

Maintaining that our people should be so prepared is not tantamount to urging our adoption of Communist tactics. But we can better meet this challenge if we know what the challenge is all about and have in hand a complete understanding of the most effective and appropriate methods which we can employ for advancing freedom's cause.

THE PRESIDENT'S WAR ON POVERTY—SPEECH BY SENATOR WILLIAMS OF NEW JERSEY

Mr. PELL. Mr. President, at a recent dinner of the New Jersey Chamber of Commerce, the Senator from New Jersey [Mr. WILLIAMS] delivered an excellent speech in support of the President's war on poverty. Senator WILLIAMS' fine work with America's migratory farmworkers has given him a great knowledge of the problem of poverty and what can be done to solve it. In his speech, the Senator from New Jersey pointed out that our attack on poverty is motivated not only by humanitarian concerns, but also by sound commonsense. The point Senator WILLIAMS made—that we must take the poor off the relief rolls, and put them on the payrolls and the tax rolls—is a good one. I think all Senators will be interested in Senator WILLIAMS' remarks, and I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Senator Williams for Chamber of Commerce Dinner, February 4, 1965

For too many of us, the phrases "Great Society" and "war on poverty" are glib campaign slogans, adman phrases without real meaning. And with the easy stoicism of the prosperous, we forget them and lull our consciences with the thought that the biblical thought that "the poor are always with us" is still as true today as it was 2,000 years ago.

To a great degree it is still true today. With growing prosperity, the percentage of families living in poverty—or with incomes of less than $3,000—declined from 32 percent in 1947 to 19 percent in 1963. The question and the challenge now before us is whether this level of poverty has reached an irreducible minimum and whether the number of poverty stricken will remain, as has the number of unemployed, an impassable barrier which even our great and expanding economy will be unable to cross.

I do not believe that this is true. As a Nation, we have made, and will make, a tangible commitment in hard cash that it is not true. This year the President will ask for one and a half billion dollars to be spent on the war on poverty. In other words, the war on poverty is not a campaign slogan—it is a billion-dollar pledge by the United States that the age-old precedents of history can be overturned. When the Congress passes this legislation—as I think it will—we will have given hard evidence of our determination as a Nation of freemen that we will not allow, through our inaction, poverty to spread its cancer within our borders.

The idea of a war on poverty is both amazing and exciting. It is amazing because we are the first nation in history to turn our great resources and wealth to a practical attempt to lift the poor and the disadvantaged from the rut of despair. And it is exciting because we have set ourselves the almost revolutionary task of proving that the sad teachings of history are wrong.

But as businessmen, as taxpayers, and as legislators we must ask ourselves some tough questions. Is the war on poverty a fool's errand, a quixotic tilting at windmills doomed to failure from the beginning by hard economic fact? I do not think so. I think that this is a war that must be fought—and can be won.

The reasons for waging this war are not only idealistic and humanitarian. If they were, I doubt that a nation as hardheaded as we are would support the President's war on poverty. Our motives involve plain, honest dollars and cents. For you and I are supporting, at a great cost, one-fifth of the Nation. Our tax dollars—whether paid to the Federal Government, the State, or to local government—are supporting these people at a subsistence level to the tune of more than $4 billion a year. And this is money spent for outright relief. It treats the symptoms, not the disease. We are doling out expensive aspirin where penicillin is needed.

Our free enterprise economy depends on rising consumption and rising demand. Already idle plant capacity has created a persistently high level of unemployment. Yet until recently we have been willing to tolerate the fact that almost 20 percent of our population are nonspenders or nonconsumers. From an economic point of view they are a useless deadweight holding back growth and expansion.

According to the Council of Economic Advisers, the median income of a poor family is $1,800 per annum. If we assume that an income of almost twice that figure is a poverty-level income, then this median income figure means that the situation is much worse than we had believed it to be.

But even if we accept the fact that it makes good economic sense to do something about the problem of poverty, what steps can we take to produce practical results for the dollars we spend? The most obvious and immediate cause of poverty is the lack of education and the skills suitable for 20th century industry. And what might be called "industrial illiteracy" is passed on from generation to generation.

The uneducated and unskilled parent will leave unemployment and the address of the welfare office as his only heritage to his children. Therefore, the main attack of the war on poverty is directed at lack of education and particularly at lack of education among young people. The Job Corps, the Neighborhood Youth Corps, and the work study programs all will invest large sums of money in training and preparing our youth to meet the demands of space-age America.

Even in our prosperous Nation poverty is widespread. Despite the fact that New Jersey's citizens have one of the highest average per capita incomes in the Nation, our State is still a major participant in the war on poverty.

In New Jersey, 17 communities have already formed community action organizations—citizen action groups which will mobilize the resources of local communities to solve effectively their own problems. Six of these community action programs have already received grants totaling more than $650,000. This is the practical cooperation between Federal and local governments which will develop the best means for eliminating poverty in New Jersey.

In addition, more than $13½ million has been granted to New Jersey for a Job Corps center, work-study program, and for Neighborhood Youth Corps programs.

Governor Hughes, John Bullitt, and community leaders have done a fine job in putting New Jersey in the forefront of the war on poverty.

There is already good evidence that a concerted attack on poverty is not only a moral necessity but also produces positive results. One aspect of poverty that I know well is the living and working conditions of the migratory farmworkers who harvest our crops.

Three years ago, the Congress passed the first major legislation in more than 30 years directed specifically at migrant farmworkers—the Migrant Health Act of 1962. With funds provided by this law, New Jersey's department of health has been able to provide the basic elementals of health care too often denied to migrant farmworkers. Three years ago a mother would deliver her child without ever having seen a doctor—and sometimes even in the field where she worked. And that child would quite likely grow up without even having been given the basic immunization against diphtheria, smallpox, and polio, which most babies receive almost automatically. Yet in 2 years we have been able to change all that. Today basic medical care is available to the migrant worker who comes to our State, and our farmworkers are no longer treated as remnants of a medieval past.

Our war on poverty is not only a moral imperative, it is an economic imperative. If we can take the poor off the relief rolls and put them on payrolls and tax rolls, we will have turned one-fifth of a nation from a financial burden into a productive asset. But more importantly we will have fulfilled the dream of the men who began this Nation, and who were the true founders of the Great Society. The Great Society is not a new and revolutionary idea—it is the modern expression of the vision of Jefferson, Hamilton, Adams, and Washington. And we can thank God that we have in our power the means and the resources to make and to build the great and happy America which they foresaw. It is not only to our economic advantage to do so—it is our solemn duty to do so.

"BONANZA IN SUGARBEETS ELUDING KANSAS FARMERS"—ARTICLE BY SENATOR PEARSON

Mr. YOUNG of North Dakota. Mr. President, the February 20 issue of the Kansas Farmer featured an excellent article by the Senator from Kansas [Mr. Pearson], in which he ably outlines the problems our present sugar policies are creating for farmers, not only in his own State, but in all areas interested in, and capable of, producing sugarbeets.

Under present policies, the U.S. consumer is dependent upon foreign producers for 40 percent of his sugar supplies. Our State Department has been insistent on maintaining this policy, even though the folly of such a course was clearly demonstrated when a world sugar shortage developed in 1963.

It makes little sense to require the American sugarbeet producer to reduce his plantings, as is being done for the 1965 crop, while continuing to seek the same high level of sugar supplies from foreign sources.

We are attempting to control the buildup of surpluses of many of our crops, chiefly wheat, feed grains, and cotton. Sugarbeets can economically be produced in many areas now devoted largely to these crops. Additional acreages of sugarbeets can increase the income capacity of farmers, help reduce the surplus problems we face with other crops, and provide the United States with a stable supply of sugar at reasonable prices.

Mr. President, the article written by Senator Pearson, one of the most knowledgeable and understanding Members of the Senate on agriculture matters, is an excellent presentation of the problems faced by the American sugarbeet industry. I ask unanimous consent that it be printed in the Record as a part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bonanza in Sugarbeets Eluding Kansas Farmers

(By James B. Pearson, U.S. Senator)

Sugarbeets can give Kansas' agricultural economy a fresh new look.

The potential that exists for increased production of sugarbeets in Kansas is substantial. However, this potential will be lost unless new programs are adopted by Congress and the Department of Agriculture.

Paradoxically, factors are at work which may prevent any expansion. In fact, current administration policy already has caused a cutback in acreage of sugarbeets grown in southwestern and northwestern Kansas from 25,000 acres in 1964 to less than 21,000 this year.

This cutback is a bitter blow for growers who 2 years ago rose to the plea of the Department of Agriculture and produced additional sugar to offset a deficit in foreign supplies.

A world shortage of sugar in 1963 forced this Nation literally to beg foreign suppliers to sell us sugar. Several nations refused because the world price was higher than the price the United States offered. Faced with the dilemma of short supply and high world prices, the Department of Agriculture asked for and obtained increased domestic production of sugarbeets.

WHAT DOES THIS MEAN TO KANSAS?

Sugarbeet plantings in 1962 amounted to approximately 14,000 acres. Because of the good farming practices and reliability of Kansas farmers, the State's production was boosted to more than 25,000 acres during the 1964 crop year.

Sugarbeet growers in Kansas and in the other 22 beet growing States not only met the demand for additional sugar production, but proved that domestic sugarbeet production could, if given a chance, supply our Nation's needs.

It became apparent by July of 1964 that domestic sugar production would be the largest in history. As world production increased, foreign supplies again became available. The question then arose as to what could be done with the competing supplies of domestic and foreign sugar acreage.

Controls established by the Sugar Act of 1934, and amended in 1962, knit a delicate framework within which foreign and domestic production is allocated. Unfortunately, because of pressure from State Department policymakers, foreign suppliers of sugar are given precedence over our domestic growers. This policy has turned the sugar program into a form of economic foreign aid largely disregarding the well-being of domestic producers.

The "Cuban sugar bowl," which in pre-Castro days supplied about a third of our annual sugar needs, has supplied none of our sugar since mid-1960. Yet, we continue to get some 40 percent of our sugar from foreign countries. About 1½ million tons of the former Cuban quota was allocated to specific foreign countries in 1962. Another 1½ million tons was given the title of "global quota" and opened to foreign suppliers on a first-come, first-served basis.

The "global quota" was not designed to aid domestic sugar producers at all, either cane or beet. Rather, it amounted to a shift of quota from one country (Cuba) to all foreign countries as a group, since none of the global quota may be filled by domestic pro- first-come, first-served basis.

The existence of the "global quota" however, may hold the answer to offsetting further damaging cutbacks to our domestic producers of sugar. It is my belief that a substantial share of this quota should be transferred from foreign sugar interests and employed to benefit domestic growers.

During the closing days of the 88th Congress, I introduced an amendment to the foreign aid authorization bill, which, if approved, would have permitted a transfer of 500,000 tons from the "global quota" to mainland beet sugar producers. This additional quota would have meant more than 200,000 acres could have been added to present U.S. sugarbeet plantings.

My amendment failed to achieve the necessary administration support and was dropped from consideration even though 20 other Senators supported my legislation.

Subsequently, I cosponsored an amendment to the Tariff Act of 1964 which called, also, for an additional one-half million tons of sugar to be marketed by U.S. sugar producers. This amendment passed the Senate by a vote of 37 to 23. When the Tariff Act failed to receive consideration in the House, because of pressures from other business, this second attempt to aid U.S. sugar growers was lost.

Because of the failure of Congress to enact new and continuing legislation in the foreign quotas section of the Sugar Act, the individual quotas on foreign sugar expired December 31, 1964. The Department of Agriculture, however, found enough general quota authority in the remaining law to establish a pattern of individual foreign country quotas, by administrative action, for 1965. The Department did not say whether it even tried to find legal authority to increase the domestic beet sugar quota.

The higher production level of our sugar beet growers achieved at the specific request of the Government has resulted in much more beet sugar than can be sold under the quota limitations in the present law. It is this situation that made the 1965 acreage cut necessary.

It will be up to the Congress to increase the beet sugar quota to avoid further acreage cuts. I hope there will be administration support for domestic quota increases in the present Congress.

Only if the quota is increased sufficiently will there be opportunity for Kansas or any other State to expand beet sugar harvests.

The significance of sugarbeets to our overall Kansas economy, now geared largely to wheat, can be explained through the comparison of investment and return. Because of high costs for harvesting machinery, sugarbeet investments exceed those required by wheat farmers. However, the percentage of return exceeds the differences between investment and return on wheat and grain sorghum crops. This comparison for the three crops is shown in an accompanying table.

We should not permit such a potential new source of agricultural income to be exhausted in foreign markets.

Again in the present Congress, I will introduce legislation to correct this situation. Hopefully, its adoption will permit our Kansas farmers to keep their present acreage and also provide possible expansion.

The advantages are many. Since beet processing facilities rely on base acreages in individual States, any increase in this acreage could mean a new processing plant in western Kansas which would mean literally millions of new dollars being channeled into the economy of western counties.

Also, not to be overlooked is the fact that sugar is of high strategic importance and during national emergencies is among the first items to be rationed and controlled.

To permit 40 percent of the 9,800,000 tons of sugar consumed annually in this country to continue to be produced in foreign areas is courting danger. We have seen what a world shortage does to our oversea supplies and we have seen a major source of foreign supply in Cuba cut off by communism.

Increased domestic sugar production would stabilize more sections of our agricultural economy and offset reliance on outside sources. Of great benefit would be the possibility for a profitable cash replacement crop for crops currently in surplus.

The problems which face us in coming months can be solved. But to achieve this goal will require full congressional support as well as policy adjustments within the Departments of State and Agriculture.

TABLE 1.—*Net returns per acre to land and management—Sugarbeets, wheat, and grain sorghum—Irrigated farms—Kansas*

Kind of farm [1]	Net returns per acre to land and management		
	Sugarbeets at $14 a ton	Wheat at $1.75 a bushel [2]	Grain sorghum at $0.91 a bushel [3]
Good	$91	$37	$39
Average	62	27	32
Poor	33	20	24

[1] Based on productivity of soil, level of technology, fertilizer use, managerial skill, etc.

[2] Estimate by adding $1.30 for 10 percent of yield+$1.55 for 45 percent+$2 for 45 percent=$1.73. Kansas wheat in recent years has averaged 2 to 3 cents above U.S. average hence $1.75.

[3] Average price received in Kansas, 1963. Support price for feed grains unchanged in 1964.

THE SUPREME COURT'S DECISION ON OIL LEASES IN ALASKA'S KENAI PENINSULA

Mr. GRUENING. Mr. President, on Monday, March 1, the Supreme Court rendered a decision of utmost importance for rapid development of mineral resources of the State of Alaska.

In deciding the case of Udall against Tallman, the Court has sustained, without leaving any question in the matter, the authority exercised by the Secretary of the Interior in the issuance of certain oil and gas leases in the Kenai National Moose Range on September 1, 1958.

The case decided is one that raised troublesome questions concerning the validity of 331 oil and gas leases on 696,680 acres in the Kenai Moose Range, thus impeding development of Alaskan resources. The issue arose over the question of whether the Moose Range was open for mineral leasing prior to promulgation in 1958 of Interior Department regulations governing conservation measures to be applied on certain fish and wildlife refuges. As a result of the litigation, there was considerable anxiety about further development of one of Alaska's most important resources—our oil and gas reserves. Now the question is closed; and the Supreme Court leaves no doubt that the leases in question are valid.

The State of Alaska must continue to develop its great natural resources, in order to become the rich and prosperous region of the United States it should and will be. We look forward to continued exploration and development of our oil and gas resources, as well as of all the other mineral reserves we know to exist in our State.

Now that the Supreme Court has disposed of the question of the status of the leases involved in the Tallman case, I take the occasion to recommend strongly to the Secretary of the Interior that the prohibition now existing in oil and gas leasing in half of the Moose Range be entirely removed. The southern part of this great productive area was closed by the 1958 order in dispute in the case decided on Monday, and it is not now possible to obtain oil and gas leases in this area. It has long since been clear that the establishment of the Kenai Moose Range in 1941 was without any valid purpose, and has served only to frustrate economic development of an important area of Alaska. The reason for closure of the south half to oil and gas development in 1958 was to protect the moose; however, it is well known that the moose in the part of the range leased have adapted themselves so well to the increased development brought about by oil exploration that their numbers have multiplied phenomenally. Their habitat has spread all over Alaska, and they have exceeded the capacity of that habitat, which no longer has sufficient browse. The knowledgeable State department of fish and game has pointed out that enough moose are not being taken by hunters. To help remedy that situation, the hunting season has been extended, and the permissible bag has been extended to cow moose, in addition to bulls.

There is no longer any justification for preventing economic development of one of the most promising areas of Alaska—the south half of the Kenai Moose Range—in the name of moose preservation.

Therefore, I hope Secretary Udall will, now that the question of existing leases has been settled, take the action required to open the rest of the Moose Range to leasing.

I ask unanimous consent the text of the Supreme Court decision in the Tallman case be included in the RECORD at the close of these remarks.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

SUPREME COURT OF THE UNITED STATES—STEWART L. UDALL, SECRETARY OF THE INTERIOR, PETITIONER, v. JAMES K. TALLMAN ET AL.—No. 34.—OCTOBER TERM, 1964

(On writ of certiorari to the U.S. Court of Appeals for the District of Columbia Circuit, March 1, 1965.)

Mr. Chief Justice Warren delivered the opinion of the Court.

At issue in this case is the effect of Executive Order No. 8979 and Public Land Order No. 487 upon the Secretary of the Interior's authority to issue oil and gas leases.

Between October 15, 1954, and January 28, 1955, D. J. Griffin and other persons—hereinafter collectively referred to as the Griffin lessees—filed applications for oil and gas leases on approximately 25,000 acres located in the Kenai National Moose Range in Alaska. On August 14, 1958, the respondents filed offers to lease the same lands. Section 17 of the Mineral Leasing Act provides, in relevant part, that "the person first making application for the lease who is qualified to hold a lease * * * shall be entitled to a lease of such lands without competitive bidding * * *." 41 Stat. 443 (1920), as amended by 60 Stat. 951 (1946), 30 U.S.C. section 226 (1958 ed.). The Bureau of Land Management of the Department of the Interior determined that the Griffin lessees were the persons who had applied first, and issued to them leases on the tracts, effective September 1, 1958. Respondents' applications were reached for processing in October 1959, and were rejected on the ground that the lands had been leased to prior applicants.[1]

From the rejection of their applications, respondents appealed to the Director of the Bureau of Land Management and then to the Secretary of the Interior, both of whom affirmed the decision. 68 Interior Dec. 256 (1961). Respondents then brought an action in the nature of mandamus, in the United States District Court for the District of Columbia, to compel the Secretary to issue oil and gas leases to them. The district court granted summary judgment in favor of the Secretary dismissing the complaint. The Court of Appeals for the District of Columbia Circuit reversed, holding that Executive Order No. 8979, the order creating the Moose Range in 1941, and Public Land Order No. 487, issued by the Secretary in 1948,[2] had withdrawn the lands in controversy from availability for leasing under the Mineral Leasing Act, and that the lands remained closed to leasing until they were reopened by a revised departmental regulation on August 14, 1958. The court therefore held that the Griffin applications, filed while the land was closed, were ineffective, rendering the leases issued on them nullities; the respondents, as the persons first making application after the promulgation of the 1958 regulation, were held to be entitled to the leases. 116 U.S. App. D.C. 379, 324 F. 2d 411 (1963). We granted certiorari, 376 U.S. 961.

We conclude that the district court correctly refused to issue a writ of mandamus, and accordingly reverse the decision of the court of appeals. Since their promulgation, the Secretary has consistently construed both orders not to bar oil and gas leases; moreover, this interpretation has been made a repeated matter of public record. While the Griffin leases and others located in the Moose Range have been developed in reliance upon the Secretary's interpretation, respondents do not claim to have relied to their detriment upon a contrary construction. The Secretary's interpretation may not be the only one permitted by the language of the orders, but it is quite clearly a reasonable interpretation; courts must therefore give it credence. *McLaren* v. *Fleischer*, 256 U.S. 477, 481; *Bowles* v. *Seminole Rock Co.*, 325 U.S. 410, 413–414.

I

The Mineral Leasing Act of 1920, 41 Stat. 437, 30 U.S.C. sec. 181 et seq. (1958 ed.), gave the Secretary of the Interior broad power to issue oil and gas leases on public lands not within any known geological structure of a producing oil and gas field. Although the act directed that if a lease is issued on such a tract, it must be issued to the first qualified applicant, it left the Secretary discretion to refuse to issue any lease at all on a given tract. *United States ex rel. McLennan* v. *Wilbur*, 283 U.S. 414. The act excluded from its application certain designated lands,[3] but did not exclude lands within wildlife refuge areas.

The Kenai National Moose Range was created in 1941 by Executive Order No. 8979, 6 Federal Register 6471, by which approximately 2 million acres of the public domain were set aside "as a refuge and breeding ground for moose." The order provided that "[n]one of the above-described lands excepting [a defined area] shall be subject to settlement, location, sale, or entry, or other disposition (except for fish trap sites) under any of the public-land laws applicable to Alaska * * *." On November 8, 1947, the Secretary promulgated the first general regulation dealing with the issuance of oil and gas leases within wildlife refuges. It provided simply that such leases had to be subjected to an approved unit plan, and contain a provision prohibiting drilling or prospecting without the advance consent of the Secretary (12 Federal Register 7334).

On June 16, 1948, the Secretary issued Public Land Order No. 487, 13 Federal Register 3462:

"[T]he public lands within the following-described areas in Alaska [including most of that portion of the Moose Range which had been excepted from Executive Order No. 8979] are hereby temporarily withdrawn from settlement, location, sale or entry, for classification and examination, and in aid of proposed legislation:

"This order shall take precedence over, but shall not modify * * * the reservation for the Kenai National Moose Range made by Executive Order No. 8979 of December 16, 1941 * * *."

Thus neither Executive Order No. 8979 nor Public Land Order No. 487 expressly withdrew the lands to which it applied from oil and gas leasing. In 1951, however, the Secretary set aside, for uses inconsistent with mineral leasing, minor portions of the lands covered by Public Land Order No. 487:

"[T]he following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws and the mineral-leasing laws * * *."[4]

Had the Secretary thought that Public Land Order No. 487 had already withdrawn the lands covered by it from appropriation under the mineral-leasing laws, his reference to such laws in the 1951 orders would have been superfluous.

By an intra-agency memorandum dated August 31, 1953, the Director of the Bureau of Land Management advised the Regional Administrators of the Bureau and managers of the local land offices that "a possible revision of policy and regulations" on leasing in wildlife refuges was being studied, and directed them that "[p]ending the completion of this study and the possible revision of existing regulations, you will suspend action on all pending oil and gas lease offers and applications for lands within such refuges." It is not disputed, and subsequent memoranda make clear, that the 1953 memorandum did not purport to prevent either the issuance of leases with the approval of the national office or the continued filing of lease offers.[5] During late 1954 and early 1955, a number of individuals filed applications for oil and gas leases in the northern half of the Moose Range; among these applications were those of the Griffin lessees. Action on them was suspended in accordance with the 1953 directive, but none was rejected on the ground that the land in question was closed to leasing.[6]

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[1] Lease offers are processed in the order of filing and a lease on a given tract is issued as soon as an acceptable offer is reached. In the instant case, the Secretary's order of Aug. 2, 1958, 23 Federal Register 5883, directed that all lease offers filed within 10 days of Aug. 14, 1958, would be treated as simultaneously filed, and that a public drawing would be held to determine the priorities among them. See 43 CFR 295.8 (1964). The drawing was held on Sept. 4, 1959, and respondents prevailed. Thus their offers were processed before all other offers filed between Aug. 14 and Aug. 24, 1964; upon processing, however, it was discovered that the land was already covered by the leases issued to the Griffin lessees.

[2] Public Land Order No. 487 encompassed the land for which respondent Coyle applied; the land for which the other nine respondents filed is covered by Executive Order No. 8979.

[3] Sec. 1 of the act excludes "lands acquired under the act known as the Appalachian Forest Act, approved Mar. 1, 1911 (36 Stat. 961), and those in incorporated cities, towns, and villages and in national parks and monuments, those acquired under other acts subsequent to Feb. 25, 1920, and lands within the naval petroleum and oil-shale reserves, except as hereinafter provided * * *," 41 Stat. 437–438 (1920), as amended by 60 Stat. 950 (1946), 30 U.S.C. 181 (1958 ed.).

[4] See Public Land Order No. 751 of Aug. 29, 1951, 16 Federal Register 9044, which withdrew 160 acres for the Civil Aeronautics Administration, and 88.86 acres for townsite purposes, and Public Land Order No. 778 of Dec. 29, 1951, 17 Federal Register 159, which withdrew a number of tracts, aggregating 4,280 acres, for the use of the Army.

[5] See memorandum, Feb. 15, 1954, Director, Bureau of Land Management, to Assistant Secretary of the Interior; memorandum Aug. 12, 1955, Director, Bureau of Land Management, to Area Administrator, Area 4 (Alaska); 102 Congressional Record A6582.

[6] In his report for the fiscal year ending June 30, 1955, the Governor of Alaska stated:

"Residents of Alaska and major oil companies have continued to file lease applications and send exploratory parties into various parts of the Territory. The Kenai Moose Reserve on the Kenai Peninsula is covered with 325 lease applications awaiting decision of the Secretary of the Interior as to what stipulations for the protection of wildlife should be inserted in leases, if they are issued."

Rep. Alaska Gov. 60–61 (1955); see also Rep. Sec'y Int. 65 (1953).

On September 9, 1955, the Secretary issued Public Land Order No. 1212, 20 Federal Register 6795, revoking in its entirety Public Land Order No. 487. After granting certain preferences, it provided:

"6. Any of the lands described in paragraphs 4(a), 4(b), or 4(d) of this order then remaining unappropriated, *shall become subject* to such application, petition, selection, or other form of appropriation by the public generally as may be authorized by the public-land laws, *including the mineral-leasing laws* * * *.

"7. Commencing at 10 a.m. on the 182d day after the date of this order, any of the unsurveyed lands described in paragraph 4(c) not settled upon by veterans or other persons entitled to credit for service *shall become subject* to settlement and other forms of appropriation by the public generally, *including leasing under the mineral-leasing laws* * * *." [Emphasis added.]

Respondents make much of the italicized language, which does appear to be inconsistent with the Department's prior interpretation of Public Land Order No. 487 and its actual leasing practices. However, on October 14, 1955—35 days after it was promulgated but before it went into effect, and years before the respondents entered the picture—Public Land Order No. 1212 was amended to delete the references to the mineral-leasing laws. 20 Federal Register 7904.

On December 8, 1955, the anticipated revision of the 1947 refuge-leasing regulation was promulgated. 20 Federal Register 9009. It was more restrictive than the old regulation, and gave increased power to the Fish and Wildlife Service to approve or disapprove oil and gas development of refuges. It listed in an appendix A a number of refuges (not including Kenai) in which, because of their importance to the preservation of rare species of plant and animal life, no leasing at all would be permitted. In appendix B it listed certain areas (including a small part of the Moose Range not involved here) "with respect to which the Fish and Wildlife Service reports that oil and gas development might seriously impair or destroy the usefulness of the lands for wildlife conservation purposes * * *." In such appendix B areas, leasing was to be permitted only upon the approval by the Director of the Fish and Wildlife Service of "a complete and detailed operating program for the area." In all other wildlife areas the regulation provided that "oil and gas leases may be issued" provided they contain specified conditions requiring approval by the Fish and Wildlife Service of the type of prospecting to be conducted, and adoption by the lessee of a unit plan approved by the Service. Respondents argue that even if it be assumed that (as is clearly the case) the 1955 regulation treated the lands in controversy as open to leasing, the regulation is not probative of the availability of the lands for leasing prior to 1955, and is therefore no evidence that the Secretary viewed the lands as open to leasing at the time the Griffin applications were filed.

We think, however, that if the Secretary had been of the opinion that he was changing the status of that part of the moose range not covered by appendix B, rather than merely imposing additional restrictions on leasing therein, he would have done so in terms more express than those used in the 1955 regulation. He did not refer to the range as a whole; the only reference by name was to those parts of the range which were specified in order to except them from the general provision that "[o]il and gas leases may be issued" in wildlife refuges. Though this specification supports the inference that the regulation was drafted on the assumption that the remainder of the range was open to leasing, such indirect implication—however clearly it confirms the preexisting availability of the range—would have been a technique inappropriate for effecting a change of the range's status. Moreover, the President's 1952 delegation to the Secretary of power to make or modify withdrawals had directed that "[a]ll orders issued by the Secretary of the Interior under the authority of this order shall be designated as public land orders and shall be submitted * * * for filing and for publication in the Federal Register." Executive Order No. 10355, 17 Federal Register 4831. It may be that a document not labeled a public land order could in legal effect constitute an exercise of that power; however, if the Secretary had meant to exercise such power, it is likely that he would have done so in the manner directed by the President's delegation.[7]

When bills were introduced in Congress early in 1956 to restrict oil and gas leasing in wildlife refuges, the House Committee on Merchant Marine and Fisheries and the Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Interstate and Foreign Commerce held extensive hearings thereon. The bills as introduced only forbade the Secretary to "dispose of" lands in wildlife refuges, and the question arose during the hearings whether that language would apply to the issuance of oil and gas leases. A representative of the Department asserted, without contradiction, that the granting of an oil and gas lease was not a "disposition" and would not be affected by the language as proposed. Hearings before the House Committee on Merchant Marine and Fisheries on H.R. 5306, etc., 84th Cong., 2d sess., p. 98. An amendment was accordingly proposed specifically restricting oil and gas leasing. Neither committee reported favorably on the bills. However, the House committee submitted a report stating that it had been decided to try, for an experimental period of time, an arrangement whereby each proposed alienation or relinquishment of any interest the Fish and Wildlife Service had in lands under its jurisdiction would be submitted to the committee, which would within 60 days approve or disapprove the action contemplated. H. Rep. No. 1941, 84th Cong., 2d sess., pp. 12–13. This resolution of the issue suggests that the committee accepted the Department's view that the Secretary had preexisting authority to grant oil and gas leases in the Moose Range, and was concerned only with the way in which he exercised his discretion.

Pursuant to the agreement, the House Committee on Merchant Marine and Fisheries held public hearings on July 20 and 25, 1956, on a proposal from the Fish and Wildlife Service for the issuance of 30 oil and gas leases on 71,680 acres in the northern half of the Moose Range—located within the area encompassed by Executive Order No. 8979—for which lease applications had been filed in 1954 by amicus curiae Richfield Oil Corporation and others. The proposal contemplated that the leases would be subject to the Swanson River Unit plan of operation, which had been approved by the Bureau of Land Management, the Geological Survey and the Fish and Wildlife Service, all branches of the Department of the Interior. At the hearing on the proposal a spokesman for the National Wildlife Federation urged that Executive Order No. 8979 precluded the issuance of the leases. Transcript of hearings before the House Committee on Merchant Marine and Fisheries, July 20 and 25, 1956, "Lease of Portions of Kenai National Moose Range," pp. 17, 19, 24–26. But see *id.*, at 35–36; letter, July 24, 1956, Deputy Solicitor, Department of the Interior, to Hon. E. L. BARTLETT, Delegate to Congress from Alaska, following *id.*, p. 30. On July 25, 1956, however, the committee's chairman advised the Director of the Fish and Wildlife Service that the committee unanimously had concluded that issuance of the leases would not be detrimental to the wildlife values of the Moose Range, and had concurred in the proposal to issue the leases.[8]

Following the committee's approval the leases were issued, an exploratory well was drilled and oil was discovered in commercial quantities in July 1957. See Rep. Alaska Gov. 88 (1957); Rep. Sec'y Int. 356 (1957); Rep. Sec'y Int. 104, 199, 258, 356 (1958). The Swanson River leases soon became again a subject of congressional concern, when the Secretary of the Interior—realizing that although he had authority to issue leases on dry land, he lacked such authority with respect to lands beneath Alaskan inland navigable waters—asked Congress for authority to issue leases on Alaskan water bottoms, and to add to the leases already issued in Alaska and to applications pending there the water bottoms within their boundaries.[9]

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[7] It appears that the Bureau regarded the amended regulation as automatically vacating the 1953 suspension order; however, upon the almost immediate introduction in Congress of bills further to restrict leasing in wildlife refuges, the field offices were directed once again to withhold final action on lease applications. See *Richard K. Todd et al.*, 68 Interior Dec. 291, 298 (1961).

In further support of the claim that the 1955 regulation is worthless as an indication of the preexisting status of the lands covered thereby, respondents urge that appendix B listed "wildlife refuges which were closed by the terms of the orders creating them." However, of the 176 refuges listed in appendix B, respondents point to only one: the Salt Plains in Oklahoma. Moreover, only a small part of the Salt Plains (543 acres out of over 30,000) was specifically withdrawn from appropriation under the mining and mineral-leasing laws. Public Land Order No. 144, 8 Federal Register 9430. It is therefore doubtful that a simple listing in appendix B of the "Salt Plains," large parts of which were admittedly open to leasing prior to 1955, was intended to open the small area closed by Public Land Order No. 144.

[8] Respondents seek to capitalize on the fact that although the Swanson River Unit was not located in any of the areas designated in appendix B of the 1955 regulation, the applicants submitted, and obtained Service approval of, a detailed operating program for the unit. There are at least two possible explanations for the submission of the plan. First, the Fish and Wildlife Service could at any time designate areas not listed in appendix B in which leasing "might seriously impair or destroy" conservation purposes and accordingly require advance approval of operating programs for them. Submission of a plan as to the Swanson River Unit might have been regarded as a means of insuring that the Service would not so designate the area. Second, the Secretary had directed his subordinates to withhold final action on lease applications pending a further revision of the regulations. The applicants may have submitted the plan in order to persuade the Department and the House committee that the proposed leasing was consistent not only with existing regulations but also with any that were likely to be adopted.

[9] In the hearings before the Senate Committee on Interior and Insular Affairs on the proposed bill, Mr. Gordon Goodwin, attorney for amicus curiae Richfield Oil Corporation, testified:

"Well, we have pending, have had for 2 or 3 more years, application for leases in the Kenai moose range, and a few leases were issued in there, and that is where the discovery was made. But, shortly after that time, the Secretary suspended all leasing in the moose range * * * and he has never lifted it yet * * *. So we have not been able to do much business up there except to a very limited extent."

The Senate committee reported favorably on the proposed bill, saying:

"In Alaska, there is at the present time only one area which is now subject to the Mineral Leasing Act where oil and gas is known to exist in paying quantities, this being on the Kenai Peninsula as previously described. If prior to the effective date of this act, the producing structure on the Kenai is defined, then the holders of upland leases in such areas might be forced to compete for areas beneath adjacent lakes and streams. The committee felt that this result would work to the disadvantage of those lessees and developers who have gone ahead and developed this area * * *." S. Rep. No. 1720, 85th Cong., 2d Sess., p. 5.

The bill was subsequently enacted into law. 72 Stat. 322 (1958), 48 U.S.C. § 456 and 30 U.S.C. § 251 (1958 ed.).

Meanwhile, the controversy over the leasing policies to be followed in wildlife refuges was resolved by the adoption, on January 8, 1958, of another complete revision of the regulation. 23 Fed. Reg. 227, 43 C.F.R. § 192.9 (1964). The revision represented a near total victory for the conservationists. It altogether prohibited oil and gas leasing, unless necessary to prevent draining, in wildlife refuges—with two exceptions: lands withdrawn for a dual purpose, and wildlife refuges located in Alaska. As to lands falling within these two excepted categories, the Bureau of Land Management and the Fish and Wildlife Service were to reach agreements specifying the lands which "shall not be subject to oil and gas leasing" and to decide on provisions to be required in leases issued on the remaining lands. The agreements were to become effective upon approval by the Secretary and publication in the Federal Register. The regulation further provided that "[a]ll pending offers or applications heretofore filed for oil and gas leases covering game ranges, coordination lands, and Alaska wildlife areas, will continue to be suspended until the agreements referred to * * * shall have been completed," and that no new lease applications would "be accepted for filing until the tenth day after the agreements * * * are noted on the land office records."

Pursuant to the regulation, there was published in the Federal Register on August 2, 1958, an order of the Secretary announcing the agreement reached with respect to the Kenai Moose Range. 23 Fed. Reg. 5883. The order decreed that certain lands within the range (essentially the southern half) "are hereby closed to oil and gas leasing because such activities would be incompatible with management thereof for wildlife purposes." It then provided:

"The balance of the lands within the Kenai National Moose Range are subject to the filing of oil and gas lease offers * * *. Offers to lease covering any of these lands which have been pending and upon which action was suspended in accordance with the regulation 43 CFR 192.9(d) will now be acted upon and adjudicated in accordance with the regulations.

"[L]ease offers for lands which have not been excluded from leasing will not be accepted for filing until the tenth day after the agreement and map are noted on the records of the land office * * *."[10]

The agreement was noted in the Anchorage land office on August 4, 1958, and 10 days later respondents filed their applications.

Soon after the issuance of the regulation and the implementing order, the pending applications were acted upon; within the next 2 months, 294 leases covering 621,234 acres were issued in the area subject to Executive Order No. 8979, in response to applications (including those of the Griffin lessees) filed in 1954 and 1955. When these figures are added to those covering leases issued prior to 1958 (primarily those in the Swanson River area), it appears that in the area subject to Executive Order No. 8979, the Secretary issued a total of 331 leases covering 696,680 acres on applications filed during the period the court of appeals held that the area was closed to leasing. Thus, prior to the commencement of the instant suit, the Secretary had leased substantially the entire area in controversy;[11] the Solicitor General further assures us that the lessees and their assignees had, in turn, expended tens of millions of dollars in the development of the leases.

II

When faced with a problem of statutory construction, this Court shows great deference to the interpretation given the statute by the officers or agency charged with its administration. "To sustain the Commission's application of this statutory term, we need not find that its construction is the only reasonable one, or even that it is the result we would have reached had the question arisen in the first instance in judicial proceedings." *Unemployment Comm'n* v. *Aragon*, 329 U.S. 143, 153. See also, *e.g.*, *Gray* v. *Powell*, 314 U.S. 402; *Universal Battery Co.* v. *United States*, 281 U.S. 580, 583. "Particularly is this respect due when the administrative practice at stake 'involves a contemporaneous construction of a statute by the men charged with the responsibility of setting its machinery in motion, of making the parts work efficiently and smoothly while they are yet untried and new.'" *Power Reactor* v. *Electricians*, 367 U.S. 396, 408. When the construction of an administrative regulation rather than a statute is in issue, deference is even more clearly in order.

"Since this involves an interpretation of an administrative regulation a court must necessarily look to the administrative construction of the regulation if the meaning of the words used is in doubt * * * [T]he ultimate criterion is the administrative interpretation, which becomes of controlling weight unless it is plainly erroneous or inconsistent with the regulation."

Bowles v. *Seminole Rock Co.*, 325 U.S. 410, 413–414. In the instant case, there is no statutory limitation involved. While Executive Order No. 8979 was issued by the President, he soon delegated to the Secretary full power to withdraw lands or to modify or revoke any existing withdrawals. See Executive Order No. 9146, 7 Fed. Reg. 3067; Executive Order No. 9337, 8 Fed. Reg. 5516; Executive Order No. 10355, 17 Fed. Reg. 4831. Public Land Order No. 487 was issued by the Secretary himself.

Moreover, as the discussion in section I of this opinion demonstrates, the Secretary has consistently construed Executive Order No. 8979 and Public Land Order No. 487 not to bar oil and gas leases.

"It may be argued that while these facts and rulings prove a usage they do not establish its validity. But government is a practical affair intended for practical men. Both officers, lawmakers and citizens naturally adjust themselves to any long-continued action of the executive department—on the presumption that unauthorized acts would not have been allowed to be so often repeated as to crystallize into a regular practice. That presumption is not reasoning in a circle but the basis of a wise and quieting rule that in determining the meaning of a statute or the existence of a power, weight shall be given to the usage itself—even when the validity of the practice is the subject of investigation."

United States v. *Midwest Oil Co.*, 236 U.S. 459, 472–473. The Secretary's interpretation had, long prior to respondents' applications, been a matter of public record and discussion. The agreement worked out with the House Committee on Merchant Marine and Fisheries in 1956, and the approval of the Swanson River leases pursuant thereto, though probably constituting no "legislative ratification" in any formal sense,[12] serve to demonstrate the notoriety of the Secretary's construction, and thereby defeat any possible claim of detrimental reliance upon another interpretation. Finally, almost the entire area covered by the orders in issue has been developed, at very great expense, in reliance upon the Secretary's interpretation. In *McLaren* v. *Fleischer*, 256 U.S. 477, 480–481, it was held:

"In the practical administration of the act the officers of the land department have adopted and given effect to the latter view. They adopted it before the present controversy arose or was thought of, and except for a departure soon reconsidered and corrected, they have adhered to it and followed it ever since. Many outstanding titles are based upon it and much can be said in support of it. If not the only reasonable construction, it is at least an admissible one. It therefore comes within the rule that the practical construction given to an act of Congress, fairly susceptible of different constructions, by those charged with the duty of executing it is entitled to great respect and, if acted upon for a number of years, will not be disturbed except for cogent reasons."

If, therefore, the Secretary's interpretation is not unreasonable, if the language of the orders bears his construction, we must reverse the decision of the court of appeals.[13]

III

Executive Order No. 8979, 6 Fed. Reg. 6471, provided:

"None of the above-described lands excepting [a described area] shall be subject to settlement, location, sale, or entry, or other

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Hearings before the Senate Committee on Interior and Insular Affairs on H.R. 8054, 85th Cong., 2d sess., p. 77.

[10] In announcing the order, the Secretary warned that there would be little land available to new applicants: "Most of these lands are now covered by applications that will be adjudicated under the Regulations of the Department." Department of the Interior press release, July 25, 1958.

Respondents point to the fact that in a press release dated Jan. 29, 1958, announcing the forthcoming (August) order, the Secretary had indicated that he was "opening" a part of the Moose Range to leasing. The choice of this term is wholly understandable in view of the facts that general instructions to local offices not to take final action on lease applications had been outstanding since 1953, and the regulations of Jan. 8, 1958, had provided that no new applications would be accepted for filing until a subsequent order was issued specifying the lands which would not be subject to leasing. Therefore, the order of Aug. 2, 1958, did, in these two senses, "open" the range to leasing.

[11] In the area excepted from Ex. Order No. 8979 but encompassed by Public Land Order No. 487, the total number of leases issued on applications filed before the revocation of the latter order was 74 covering 116,878 acres.

[12] See Ex parte Endo, 323 U.S. 283, 303 n. 24; *Boesche* v. *Udall*, 373 U.S. 472, 482–483; cf. *Peters* v. *Hobby*, 349 U.S. 331, 345; but cf. *Brooks* v. *De War*, 313 U.S. 354, 360–361.

[13] The failure of the court below to attach proper significance to the administrative practice seems to be attributable to the fact that it was misinformed concerning that practice. The respondents' brief in the court of appeals stated that "[n]o leases issued for any lands within the Kenai Range between 1941 and 1958" (p. 30), and that "[t]he discovery as well as the increased activity were in areas of the Kenai Peninsula outside the Kenai National Moose Range" (p. 40).

disposition (except for fish trap sites) under any of the public-land laws applicable to Alaska, or to classification and lease under the provisions of the act of July 3, 1926, entitled 'An act to provide for the leasing of public lands in Alaska for fur farming, and for other purposes', 44 Stat. 821, U.S.C., title 48, secs. 360–361, or the act of March 4, 1927, entitled 'An act to provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon', 44 Stat. 1452, U.S.C., title 48, secs. 471–471o * * *."

"Settlement," "location," "sale" and "entry" are all terms contemplating transfer of title to the lands in question. It was therefore reasonable for the Secretary to construe "or other disposition" to encompass only dispositions which, like the four enumerated, convey or lead to the conveyance of the title of the United States—for example, "grants" and "allotments." Cf. Opinion of the Solicitor, 48 Interior Dec. 459 (1921).[14] An oil and gas lease does not vest title to the lands in the lessee. See *Boesche* v. *Udall*, 373 U.S. 472, 477–478. Moreover, the term "public-land laws" is ordinarily used to refer to statutes governing the alienation of public land, and generally is distinguished from both "mining laws," referring to statutes governing the mining of hard minerals on public lands, and "mineral leasing laws," a term used to designate that group of statutes governing the leasing of public lands for gas and oil. Compare Title 43 U.S.C., Public Lands, with Title 30 U.S.C., Mineral Lands and Mining.[15]

The reference in Executive Order No. 8979 to the 1926 and 1927 statutes also lends support to the Secretary's interpretation. For both statutes relate to leasing rather than alienation of title; it would be reasonable to infer from their specific addition that "disposition" was not intended to encompass leasing.[16] The Secretary also might reasonably have been influenced by a belief that in view of his overriding discretionary authority to refuse to issue an oil and gas lease on a given tract whenever he thought that granting a lease would undercut the purposes of the withdrawal, inclusion of such leases in the withdrawal order would have been unnecessary. Cf. *Haley* v. *Seaton*, 108 U.S. App. D.C. 257, 281 F. 2d 620 (1960).

Respondents' reliance upon *Wilbur* v. *United States ex rel. Barton*, 60 App. D.C. 11, 46 F. 2d 217 (1930), aff'd *sub nom. United States ex rel. McLennan* v. *Wilbur*, 283 U.S. 414, is misplaced. Involved in *Wilbur* was the meaning of language contained in the Pickett Act, 36 Stat. 847 (1910), 43 U.S.C. § 141 (1958 ed.).

"[T]he President may, at any time in his discretion, temporarily withdraw from settlement, location, sale, or entry, any of the public lands of the United States including the District of Alaska * * *."

It is true that the Court of Appeals for the District of Columbia Circuit squarely held this language to be sufficient to authorize withdrawals from oil and gas leasing. Moreover, this Court affirmed, albeit on an alternative theory: that the Mineral Leasing Act merely authorized and did not compel the issuance of prospecting permits. 283 U.S., at 419. However, a word of history will place *Wilbur* in context and thereby demonstrate its irrelevance to the problem here. Prior to 1920, oil and gas rights in public lands were acquired in the same way as rights in other minerals—by a form of "location." One staked out a location and prospected for oil or other minerals; upon making a discovery, he became entitled to a patent to the land as well as the minerals. In 1909, fearing too rapid reserve depletion in certain areas, the President issued a proclamation:

"In aid of proposed legislation affecting the use and disposition of the petroleum deposits on the public domain, all public lands in [a defined area of over 3 million acres in California and Wyoming] are hereby temporarily withdrawn from all forms of location, settlement, selection, filing, entry, or disposal under the mineral or nonmineral public-land laws * * *." (Quoted, 236 U.S., at 467.)

The power of the President to make the withdrawal was upheld by this Court in 1915 in *United States* v. *Midwest Oil Co.*, 236 U.S. 459. In the meantime, however, Congress had, pursuant to the President's request, sought to remove all doubts about the legality of such orders by granting to him, in the Pickett Act, discretionary authority to withdraw public lands from "settlement, location, sale or entry."

The Mineral Leasing Act of 1920 changed the procedure for acquiring oil and gas rights in public lands: the Secretary was empowered to issue prospecting permits and required, in the event a discovery was made under the permit, to issue a lease which entitled the lessee to extract the mineral, but gave him no right in the land itself.[17]

From 1920 on, therefore, the language of the Pickett Act no longer technically encompassed leasing. Nonetheless, it was clear that the act had been specifically designed to legitimize orders like the 1909 proclamation. The court of appeals reasonably concluded that the fact that Congress had in 1920 changed the procedure—from "location" to "leasing"—for acquisition of oil and gas rights afforded no reason for concluding that they had thereby intended to cut back the power granted in 1910. 60 App. D.C., at 14–15, 46 F. 2d, at 220–221. Thus neither the holding of the court of appeals nor this Court's affirmance in any way casts doubt upon the reasonableness of the Secretary's interpretation of the orders at bar, which were drafted long after the Mineral Leasing Act had done away with location as a means of acquiring oil and gas rights.

The placement of the fish trap exception—"(except for fish trap sites)"—a phrase admittedly not relating to alienation of title to land, does tend to cut against the Secretary's interpretation of Executive Order No. 8979. However, it appears that the exception was designed to assure the Alaskans, whose livelihood is largely dependent on the salmon catch, that they could continue—despite the order—to use fish traps. Cf. *Organized Village of Kake* v. *Egan*, 369 U.S. 60. Since it was a reassurance not technically necessary and therefore not functionally related to any part of the regulation, it is no surprise to find it carelessly placed. Compare Executive Order No. 8857, 6 Fed. Reg. 4287, establishing the Kodiak National Wildlife Refuge. We do not think the position of the fish trap exception is sufficient to justify a court's overturning the Secretary's construction as unreasonable.

Public Land Order No. 487 withdrew the lands it covered from "settlement, location, sale or entry," but contained no reference to "other disposition." Nor did it contain anything analogous to the fish trap exception. The reasonableness of the Secretary's interpretation of Public Land Order No. 487 therefore follows a fortiori from the reasonableness of his construction of Executive Order No. 8979.

Reversed.

Mr. Justice Douglas and Mr. Justice Harlan took no part in the decision of this case.

TECHNICAL ASSISTANCE BY SOIL CONSERVATION SERVICE—PROPOSED REVOLVING FUND

Mr. PEARSON. Mr. President, the administration has proposed that Congress establish a revolving fund through which soil conservation districts, farmers, ranchers, and other landowners would make $20 million in payments to the Federal Government, during the next fiscal year, for technical assistance provided by the Soil Conservation Service. This in effect represents a reduction of $20 million in appropriated funds for technical assistance to landowners and operators in local soil conservation districts.

The revolving fund proposal would set up an arrangement whereby local soil conservation districts, or other non-Federal sources, would annually supply about $20 million on a nationwide basis, to replace a like sum to be cut from the usual U.S. Soil Conservation Service appropriation for conservation operations.

In Kansas, it is estimated that about $586,000 would have to be raised annually, in some manner, by the State's 105 soil conservation districts, to replace money lost to the State by the proposed cut in soil conservation funds. If the local soil conservation districts cannot furnish this amount of money annually, and it is doubtful that many can, it will be necessary to reduce the present Soil Conservation Service technical staff by 87 persons, all of whom give direct technical assistance to farm and ranch operators in Kansas.

Table I shows, by county, the amount of money that would need to be furnished annually by the local soil conservation districts in order to maintain the existing Soil Conservation Service staff at that location. Table I also shows man-years of technical assistance that would be withdrawn unless local funds were furnished. I ask that the table be printed at this point in the Record.

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[14] This view is taken in Hoffman, Oil and Gas Leasing on the Public Domain, p. 33 (1951).

[15] Reference to the language of other withdrawal orders is not very fruitful. Amici curiae list 173 Executive and public land orders issued between 1940 and 1952 which contained language expressly barring mineral leasing. Brief for Marathon Oil Co. and Union Oil Co. of California as amici curiae, pp. 6A–7A. However, respondents list 146 orders issued between 1936 and 1959 expressly permitting mineral leasing. Brief for Respondents, pp. 7a–10a.

[16] The court of appeals sought to explain the reference to the 1926 and 1927 acts by construing the phrase "any of the public-land laws applicable in Alaska" to mean laws applicable both throughout the country and in Alaska, and opined that the 1926 and 1927 acts were specifically added because they had application only in Alaska. However, the Secretary's interpretation of "any of the public-land laws applicable in Alaska" (as including, inter alia, laws relating to public lands located only in Alaska) is at least as natural as the court of appeals' interpretation (limiting the phrase to laws applicable throughout the country) and is beyond cavil a "reasonable" interpretation, which is the test the court of appeals should have been applying. Moreover, the court of appeals' conclusion that "disposition" was meant to include leasing renders the words "or to classification and lease," initiating the reference to the acts of 1926 and 1927, superfluous.

[17] In 1935, the prospecting procedures was eliminated and the present direct-leasing procedure substituted. Act of Aug. 21, 1935, 49 Stat. 676–677 (1935), 30 U.S.C. 223, 226 (1958 ed.).

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*U.S. Department of Agriculture*

SOIL CONSERVATION SERVICE

	Man-years	Amount
Allen	0.92	$6,478
Anderson	.59	3,947
Atchison	.87	5,896
Barber	.60	4,313
Barton	1.10	8,645
Bourbon	.98	6,546
Brown	1.22	7,196
Butler	1.04	6,179
Chase	.52	3,614
Chautauqua	.90	5,916
Cherokee	1.02	7,443
Cheyenne	.49	3,010
Clark	.40	2,690
Clay	1.10	6,945
Cloud	.40	2,588
Coffey	1.00	7,217
Comanche	.40	2,552
Cowley	.88	6,009
Crawford	.81	5,766
Decatur	.65	4,155
Dickinson	1.30	8,108
Doniphan	1.06	7,106
Douglas	1.15	7,397
Edwards	.50	3,250
Elk	.55	3,722
Ellis	1.27	8,599
Ellsworth	.95	6,331
Finney	1.20	7,360
Ford	.50	3,360
Franklin	.95	5,984
Geary	.70	4,720
Gove	.98	6,251
Graham	.57	3,865
Grant	.84	5,560
Gray	.60	4,040
Greeley	.65	4,188
Greenwood	.62	4,054
Hamilton	.57	3,517
Harper	.70	4,438
Harvey	.90	5,840
Haskell	.58	3,804
Hodgeman	.80	5,293
Jackson	1.20	7,055
Jefferson	1.40	9,348
Jewell	.85	5,621
Johnson	1.06	6,817
Kearny	.67	4,864
Kingman	.40	2,819
Kiowa	.50	3,551
Labette	.68	4,613
Lane	.36	2,572
Leavenworth	.84	6,421
Lincoln	.85	5,600
Linn	.86	5,966
Logan	.47	3,345
Lyon	.85	5,920
McPherson	.80	5,505
Marion	1.12	6,838
Marshall	1.00	8,853
Meade	.80	5,111
Miami	.93	6,669
Mitchell	1.00	6,852
Montgomery	1.20	8,627
Morris	.81	5,658
Morton	.35	2,686
Nemaha	1.44	9,113
Neosho	.76	5,310
Ness	.50	3,293
Norton	.82	5,454
Osage	1.09	7,795
Osborne	1.16	7,868
Ottawa	.90	5,930
Pawnee	.90	6,693
Phillips	.80	5,277
Pottawatomie	1.20	8,533
Pratt	.50	3,186
Rawlins	.90	5,143
Reno	.50	3,578
Republic	2.20	15,364
Rice	.50	3,689
Riley	.51	4,276
Rooks	.85	5,151
Rush	.90	5,207
Russell	.59	3,922
Saline	1.30	9,221
Scott	.85	5,599
Sedgwick	1.00	6,603
Seward	.66	4,688
Shawnee	.86	5,752
Sheridan	.57	3,596
Sherman	.69	4,943
Smith	1.07	7,336
Stafford	.44	3,038
Stanton	1.16	6,625
Stevens	.97	6,308
Sumner	1.10	7,210
Thomas	.47	3,314
Trego	1.03	6,189
Wabaunsee	1.00	6,458
Wallace	.60	3,791
Washington	1.15	7,365
Wichita	0.61	$4,569
Wilson	.99	6,446
Woodson	.63	4,309
Wyandotte	.34	2,484
Total	87.34	585,829

Mr. PEARSON. Mr. President, the U.S. Soil Conservation Service in Kansas normally spends about $1,673,000 in federally appropriated funds for technical assistance in the design, layout, and application of soil and water conserving practices on the farmlands of the State.

A reduction of $586,000 in the funds available for technical assistance in the application of conservation practices could have a serious effect on the excellent going conservation program in Kansas.

It does not appear that the local soil conservation districts would be able to raise an amount of money anywhere near that needed to keep the going conservation program at the present level. Even such measures as charging individual farmers, in part, for the technical services furnished by the Soil Conservation Service, through the local soil conservation districts, would not appear to be adequate or practicable.

Table II shows the anticipated reduction in the annual establishment of needed soil and water conservation practices that could result from the proposed reduction in Federal funds, coupled with an inability to make up the lost funds locally. The figures in the table were arrived at by taking the actual accomplishments for fiscal year 1964 in Kansas and applying a factor based on the proposed reduction of funds for technical assistance.

I ask unanimous consent that this table be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE II.—*How a reduction of $20,000,000 (nationwide) with estimated $586,000 reduction in Kansas funds (SCS) would affect needed soil and water conservation practices and land use changes in Kansas each year*

Practice:	*Estimated reduction*
Conservation cropping system, acres	182,000
Contour farming, acres	150,000
Crop residue use, acres	184,000
Dams, diversion	3
Multiple-purpose dams	3
Range deferred grazing, acres	26,700
Dikes and levees, feet	3,340
Ditch bank seeding, feet	5,700
Diversions, feet	517,000
Farm ponds	1,100
Farmstead and feedlot windbreaks, acres	198
Field windbreaks, feet	12,800
Floodwater retarding structures	12
Floodways, feet	10,200
Grade stabilization structures	273
Grassed waterways, acres	3,960
Pasture and hayland planting, acres	16,000
Range, proper use, acres	18,600
Range seeding on converted land, acres	6,050
Range seeding, acres	1,220
Deferred grazing, acres	500
Recreation access roads, feet	43,400
Recreation area planting, acres	216
Recreation trails and walkways, feet	4,160
Contour strip cropping, acres	1,550
Stubble mulching, acres	131,000
Wind strip cropping, acres	3,030
Terraces, miles	3,580
Wildlife habitat preservation, acres	1,780
Wildlife habitat development, acres	106
Cropland converted to wildlife and recreation, acres	454

Other losses:

Seed producers would lose $385,000 in grass seed sales.

Contractors would lose $1,150,000 in contracts to build terraces.

Contractors would lose large sums in contracts for pond and diversion construction.

Mr. PEARSON. Mr. President, any substantial cut in SCS funds would have a far-reaching effect on the economy of the State, in addition to the damage to the conservation program.

The establishment of conservation measures provides work for earthmoving contractors; a market for seed producers and suppliers of pipes of various sorts, fertilizers, cement, and so forth; sales for equipment dealers; and jobs for many people.

The loss to the State in business, as a result of a drastic curtailment of the conservation program, could mount up to millions of dollars annually.

In addition to the proposed $20 million cut in Soil Conservation Service funds for technical services, it has been proposed that the usual $220 million advance authorization for the agricultural conservation program for the program year 1966 be reduced nationwide by $100 million. This is the money that pays for Government cost sharing with farmers in the establishment of conservation practices.

Kansas' share in this cut would amount to about $3,102,000—cut down from the usual figure of about $6,843,000. Such a heavy cut in ACP funds, coupled with the cut in SCS technical funds, would deliver a damaging one-two punch to the conservation program in Kansas.

Such a sudden curtailment of Government assistance in conservation programs that benefit all citizens, rural and urban, now and in the future, would work serious hardships on all Kansas farmers, and especially on family farms with limited means.

A recently completed study indicates that Kansas Soil Conservation Districts need 34 technicians more than the SCS is now furnishing, in order to keep up with the demand for services. The workload continues to increase each year. In addition, districts and the SCS are being requested to furnish conservation information and help to individuals other than farmers and ranchers, such as agricultural workers, credit agencies, land appraisers, economists, educators, planning commissions, and other public officials. In addition, the cost of technical assistance has increased steadily. Federal funds appropriated to the SCS have been inadequate to furnish the staff needed in the past to meet the growing requirements and obligations in Kansas districts. This proposal for a reduction in future Federal financing would be a serious blow to the enhancement of one of the Nation's most valuable resources—our productive land.

TRIBUTE TO CLAIR ENGLE

Mr. McGOVERN. Mr. President, as a colleague of our late friend, Senator Clair Engle, during service both in the House and in the Senate, I wish to join in expressing admiration for his long years of service to the people of California and the Nation. I could not be present last Monday to join in other tributes and I appreciate the majority leader's obtaining consent for others of us to make subsequent statements.

When we served in the House together, Clair Engle was chairman of the Interior Committee. It was considered one of the best-organized committees in the House. It was a model of legislative efficiency and constructive action.

In addition to being an effective legislative technician, Senator Engle was a dedicated advocate of the public interest. While working for public projects in his home State of California, he devoted many strenuous hours toward national resources development.

In South Dakota, we now have a series of lakes—the Great Lakes of the Missouri—which are supplying us with electric power and unlimited recreational opportunities and potential irrigation for a half million acres of agricultural land. As chairman of the House Interior Committee, Clair Engle devoted a great deal of his time and energy to the authorization of the Bureau of Reclamation projects included in the Missouri Basin development plan. His efforts for our basin were perhaps second only to the effort he expended for his home State.

I recently introduced, with 15 cosponsors, a bill to create a Council of Resource and Conservation Advisers. The original bill, known as the Murray-Engle bill, was first proposed by Senator James E. Murray and then Congressman Clair Engle. When Clair Engle was elected to the Senate, he reintroduced this broad resources development measure with about 30 cosponsors. The proposal, which is increasingly needed, is indicative of Senator Engle's farsighted and broad approach to resources development.

We mourn his passing, with appreciation for his dedicated efforts toward the conservation and development of our resources and for his shining example of selfless service to his State, to his country and to the public good.

FARGO, N. DAK., FACILITY INVESTIGATION OF CHEMICAL CONTROL OF PLANT AND ANIMAL PESTS

Mr. YOUNG of North Dakota. Mr. President, the great advancements in the development and use of chemicals to control plant and animal pests have permitted our farmers and ranchers to reach previously unthought-of levels of production. Even so, they have not been an unmixed blessing. There are unanswered questions concerning the use and disposal of certain of these chemicals in the systems of the treated plants and animals.

While the problems created by use of these chemicals are generally slight, attention has been focused on them by a number of events in recent years, including large-scale fish kills in the Mississippi River drainage area and the publication of the book, "Silent Spring," by the late Rachel Carson. During the last session of Congress, we initiated an accelerated program to investigate these problems.

In 1959, funds were included in the Agricultural Appropriations Act for the construction of a facility at Fargo, N. Dak., which now is playing a key role in this investigation. The scientific staff of the USDA Metabolism and Radiation Research Laboratory there is presently conducting studies aimed at providing new and even safer methods of protecting the Nation's crops and livestock. These studies are an excellent example of the work agricultural research workers are doing to assure the Nation's consumers of continued supplies of high-quality, low-price food.

The Director of the Fargo installation is Dr. Raymond C. Bushland, a man of great accomplishments in his field. Many will recall his pioneering in the control of the screw-worm, which only a few years ago was causing severe losses in the livestock industry. Now, teamed with other top scientists of the Southern United States, Dr. Bushland is directing efforts which will lead to further breakthroughs in the field of pest control.

Mr. President, an Associated Press article, published on February 23 in the Jamestown, N. Dak., Sun, outlines the work being done at this facility. As I know of the great interest all of us have in this work, I ask unanimous consent that the article be reprinted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Scientists Surrounded by Bugs, Plants, Animals: New Research Lab in Fargo Fights Silent Spring

(By John Beardsley)

Fargo.—A new brick building across the street from a football stadium in Fargo is the scientific battleground in the war against a silent spring.

It is the U.S. Department of Agriculture's metabolism and radiation research lab, and is the only one of its kind in the country.

Inside, men with the highest scientific degrees are surrounded by plants, animals, and bugs. Their job is to study the biological and chemical processes that take place when living things grow.

Among these men, for example, is the director of the lab, Dr. R. C. Bushland. He sterilized the first screw-worm fly in 1950. That technique wiped out the livestock killer from Florida to New Mexico.

With the men in Fargo, the search for knowledge is the only appetite. They hunger for the secrets locked inside the cells and tissues of the plants and creatures they study.

Somewhere in the larva of an insect, hidden from the prying mind of man, is the secret of why a blind and groping slug suddenly turns into a beetle.

Deeper still is the mystery of how plants can change the chemical structure of some substances they absorb—but not others.

In a sense, the men in the laboratory are like probers in a detective story. But it's a who-dun-it with a difference. They already know the culprit.

The villain is pesticide residue, the same villain that bothered Rachel Carson in her book, "Silent Spring." It's the same villain that frightens fishermen along the lower reaches of the Mississippi.

Dr. Bushland and his men wage a quiet, but high-powered war on pesticide residue. But their battle plan is what military men would call a flanking maneuver.

"In most labs," says Dr. Bushland, "scientists try to find out what chemicals do to a plant or animal. Here, we're trying to discover what the animal or plant does to the chemical."

Dr. Bushland says it all began back in 1947 when scientists first found that DDT, discovered during World War II, was leaving a residue not only in the soil but also in the tissues of plants and animals.

So scientists, arrayed with biological knowledge and armed with sophisticated instruments, sought to discover how such chemicals were—or were not—changed during metabolism, the process whereby living things transform food into the energy of life.

Some pesticides are changed into harmless chemical substances inside an organism, says Dr. Bushland. Others are not changed at all. Why?

Only a deeper knowledge of the life process can answer that question, he says, and the prime purpose of the Fargo laboratory is to gather that knowledge.

Working in their rarefied realm of inquiry, the scientists in Fargo hope to discover information that will lead not only to better and safer pesticides, but also to expand the body of general biological knowledge.

Although problems raised in the field of agriculture spawned the lab, it has a wider scope.

"We're helping more people than just the farmer," says Dr. Claude Schmidt, project leader of the lab's entomology division, one of four sections in the $2 million facility.

Dr. Schmidt and the men in his section are searching for a method of attacking insects in a way that is harmless to other life forms.

There are two general groups of insecticides in use now. One is the DDT group, another is the family of organic phosphates.

DDT and its relatives attack the nerves of an insect. The phosphates affect enzymes which control muscle action.

Either one can have the same effect on other creatures. The nervous systems of birds, for example, are similar to those of insects, says Dr. Bushland. This is why DDT residue and indiscriminate spraying often kill birds.

So, Dr. Schmidt and his men are looking for the yet undiscovered life processes that are peculiar to insects alone. For example, the biological and chemical action that changes a worm into an insect; or the reason why some insects grow by shedding their skins, or outer skeletons.

If the hormone, or whatever it might be, that governs such changes can be found, then it can be attacked with new chemical compounds.

And since no other life forms—birds, mammals, or man—go through the same changes, they should theoretically be safe from such insecticides.

For research purposes, the lab raises its own colonies of insects, including boll weevils and giant tropical cockroaches up to 4 inches long.

Another plan for the war against insects is being studied in the genetics and radiation section of the entomology department, under the direction of Dr. Leo La Chance.

He and his team of researchers are at work on what is termed the sterile-male method of insect eradication. The tools are radioactive carbon 60 and a high-powered X-ray machine.

Radiation destroys the reproductive capacity of male insects. The sterilized males are then loosed to mate with wild females, but the young never develop and the entire insect population can be eliminated in a given area.

It was that technique Dr. Bushland developed while director of the USDA lab in Kerrville, Tex., in 1950.

Dr. C. R. Swanson is in charge of the crops research division at the lab. He is investigating the ways in which plants affect the chemicals they absorb.

His section is equipped with eight environmental-control units that can automatically reproduce the climate and sunlight conditions of any part of the globe.

Plants found anywhere in the Nation can be grown in the lab, and studied under native weather conditions.

One unit may duplicate the hot, humid climate of Mississippi so that cotton plants will feel at home. A few feet away, in another unit, the air may be parched and dry, simulating conditions on the Arizona desert.

The fourth department, animal husbandry, is under the direction of Dr. Edward J. Thacker. His job is to learn more about the effect of animal processes on chemicals. His research is carried out on all manner of animals, from rats to cattle.

Where does all this lead?

Dr. Thacker says: "Our job is to develop this body of knowledge."

When the findings are published in scientific journals, then manufacturers will have a starting point from which to work and develop new breeds of pesticides.

The lab, when fully staffed, will employ 40 scientists. Secretaries, maintenance personnel, and administrative employees will boost the total to 135. The lab also employs graduate students from North Dakota State University in a part-time capacity.

The scientists moved into their new building on the North Dakota State University campus a year ago. They have an operating budget of $2 million a year.

Shiny new instruments abound, the best available. In every office is an unabridged dictionary, another indication of the high degree of accuracy involved in this work.

All research is carried on within the lab's brick walls. The location of the facility, Dr. Bushland says, makes no difference to the work. It could just as well be located in Maine or Kansas.

But Senator Milton R. Young, Republican, of North Dakota, got the appropriation through Congress in 1959—and the lab was built in Fargo.

Now, wind-driven drifts of snow surround the building while scientists work inside. Does that affect things?

As Dr. Schmidt says: "The worst thing that can happen to us in a power failure."

AID ADMINISTRATOR AIDS COMPETITION

Mr. HART. Mr. President, within the last few days there has occurred a development of great interest to those concerned, as am I, with maintenance and promotion of our free enterprise system and our foreign trade.

The Administrator of AID, David Bell, has announced a proposed policy which, while preserving foreign markets for American business, will inject added competition into our export trade, to the benefit of the American taxpayer and cooperating countries.

It is Mr. Bell's proposal to require American firms to compete with one another, rather than to sell through Webb-Pomerene associations, where foreign firms are eliminated by AID from effective competition for AID-financed business. On the other hand, where effective foreign competition can be shown, American firms could continue to sell through associations.

This means, in essence, that where the facts no longer justify a departure from normal American competitive free-enterprise channels no such departure will be permitted by AID on sales it finances.

The Webb-Pomerene Act of 1918 exempted from antitrust prosecutions associations designed to set agreed prices and terms in export trade. The act was designed, in part, to let smaller American businesses combine to meet the competition of the large foreign cartels which dominated foreign markets.

Circumstances are now different. A little-recognized fact is that today a substantial portion of U.S. export trade consists of goods and services made possible by foreign-assistance-program financing. Indeed, the foreign-assistance program financed about 1 billion of the approximately $8 billion worth of merchandise exports to less developed countries in 1963. Furthermore, in 1963, the AID financed 45 percent of all U.S. exports of fertilizers, 37 percent of U.S. exports of railway equipment, and 30 percent of U.S. exports of iron and steel mill products.

American companies get virtually all the business generated by foreign assistance outlays. In the last few years, the AID—pursuant to congressional directives, and in response to the President's efforts to trim gold outflows—has required that, in almost all instances countries receiving U.S. aid must buy goods and services in the United States. Indeed, the latest figures indicate that of all dollar commodity purchases funded by the AID, 94 percent are now made from American companies. This percentage has been steadily rising for several years.

But Mr. Bell realized that in thus protecting our balance-of-payments position, and assuring American business of foreign markets, we have excluded the very foreign competition said to justify concerted selling by American firms in export trade. Furthermore, Mr. Bell had to take account of the fact that his agency is enjoined by section 601 of the Foreign Assistance Act—

> To encourage private initiative and competition * * * [and] * * * discourage monopolistic practices.

This directive is in keeping with our basic economic policy of encouraging free competitive enterprise—a policy which itself is an export vitally important in encouraging development of free and productive economic and social systems abroad.

The policy Mr. Bell expects to implement retains foreign markets for American firms and protects our balance-of-payments position by maintaining American-tied procurement requirements. It protects the American taxpayer by requiring American firms to compete on taxpayer-financed sales where no effective foreign competition exists. It serves the interest of the less developed countries in getting needed American goods at competitive prices. It tends to make the foreign assistance dollar go further, by using the force of competition to keep prices reasonable and service at high standards. And it is in line with our basic American tradition of keeping private enterprise both free and productive, by means of the disciplines of competitive markets.

David Bell has made a fine record in effectively tightening up and improving the administration of our foreign assistance program. This most recent action adds another plus to that excellent record as Administrator of the Agency for International Development. I am happy to bring it to the attention of the country, and I hope the AID will implement its proposed policy in the very near future.

IS AMERICA READY FOR A GREAT SOCIETY?

Mr. THURMOND. Mr. President, I have been impressed with an interview published in the March 8, 1965, issue of U.S. News & World Report, under the headline "Is America Ready for a 'Great Society'?" The person interviewed, Dr. Robert E. Fitch, is an eminent scholar, author, and philosopher. I ask unanimous consent that the interview, together with my newsletter dated March 1, 1965, and entitled "Big Government, Big Debt, and Big Power," be printed in the Record at the conclusion of these remarks.

There being no objection, the interview and the newsletter were ordered to be printed in the Record, as follows:

[From U.S. News & World Report,
Mar. 8, 1965]

Is America Ready for a Great Society?—Interview With an Eminent Scholar, Dr. Robert E. Fitch

(Note.—The U.S. goal now, as expressed by President Johnson, is to build a great society. Can it be done? What is a great society? Must it have affluence? Equality? Security? Or are other things more important—such as an air of adventure, creativity, faith? Has there ever been a great society before? The national staff of U.S. News & World Report put such questions to Dr. Robert E. Fitch, a philosopher and author who has studied and written about societies—past and present. In this exclusive interview, he discusses the strengths and weaknesses of the United States and tells what it takes to make a society "great.")

Question. Dr. Fitch, is President Johnson's goal of a great society something new in the world?

Answer. As a stated and somewhat planned goal, his concept is new, I think. But certainly the world has seen great societies in the past and, in fact, they have been milestones of the human story.

Question. What were some of the greatest ones?

Answer. There's no society that is great for everything. Every society has its particular contribution to make. I would pick Athens for one and I would pick Renaissance England for another as being great in their contribution.

For that matter, the American colonies at the time of the American Revolution were a great society.

Question. In what way?

Answer. I think the key word is creativity. A society is great when it's creating something very significant.

The American colonies at the time of the Revolution were not marked by a high standard of living or a well-distributed level of culture and civilization. But they did have extraordinary leadership. People were creating a political democracy of the first order. They seemed to be aware of what they were doing, and they were drawing upon the great traditions of England of the previous 100 years to do this thing.

Question. Was there a driving force of some kind to spur them on?

Answer. There was, indeed. Here you had a society that had faith in the essential validity of what it was doing.

In fact, if you have a great society, it seems to me there have to be three things present for greatness to be achieved:

One is an air of freedom.

A second is an air of adventure.

Third is the confidence that comes from faith. By "faith" I mean a great vision of the realities of life and of the significance of what one is doing.

Question. Did the American colonists have a view of life that made for greatness?

Answer. Certainly the Founding Fathers had their roots in the Christian religious tradition, even when they were not willing to acknowledge it.

I find something rather entertaining in the correspondence between Adams and Jefferson—how they talk about what broad-minded chaps they are, and how they've dismissed religious superstition. Yet Adams is unmistakably—in his basic assumptions about society—a pure Calvinist, whereas Jefferson is what today in religion we would call an evangelical liberal, although I think the title might horrify him.

These individuals take part in a great religious heritage. You might say from the eyebrows up they may be emancipated deists; from the neck down they are Christians sharing in the great Hebrew-Christian religious tradition. And this is a part of what makes them real men and real persons.

Question. Did the Founding Fathers have the qualities of greatness?

Answer. The dramatic example resides right there. The man among all the Founding Fathers who—I think most scholars would agree—might have had the lowest IQ if such tests were administered then, was George Washington.

One of the most brilliant of the lot, by the way, was Benedict Arnold. The only trouble with Benedict Arnold, who probably had superior ideas of military strategy, was that he couldn't command the loyalty and trust of people through thick and thin, and his ideals were selfish and narrow.

As for other people in that extraordinary connection or leaders, I suppose one of the highest IQ's would have been that of Thomas Jefferson. I think very highly of Thomas Jefferson, and his wonderful contributions to certain civil liberties and rights and aspects of American Government, but I can't imagine Thomas Jefferson as the general of the American armies in the Revolution, and I don't imagine him as the first President of our republic, giving the people a sense of the dignity of the office and the unity of the country which George Washington was able to convey in a very peculiar way.

Now, if you judge everything by reason and intelligence and IQ tests, George Washington is never going to get into the position of leadership. But the public—I'm grateful for this—often has a very good instinct in such matters. It takes a man who really is a leader, even if he doesn't measure up to these rationally calculable standards.

Question. How would one describe a great society?

Answer. Actually, that kind of society is one in which there is likely to be questioning and strife.

The important thing is this: What is it that people are striving after? What are their doubts all about? You must ask whether their suffering and agony is an experience in the tradition of a great faith that moves toward a resolution, or whether it's simply the suffering of frustrated egotists, of drunkards, or dope addicts, who suffer because they don't get what they want, or get too much of what they want.

Question. Earlier you mentioned Athens as an example of a great society. What qualities did it have?

Answer. If I were to talk about what was great in Athenian society, I would not say anything about their political institutions. I think it's a great error to talk of Athens as the home of political democracy.

There are two or three reasons why it was not so. For one thing, it rested upon a slave base, and, in the second place, there's been hardly any great society where the status of women was as low as it was in Athens. And, in the third place, they never learned how to exercise freedom under control. Freedom degenerated into license and anarchy. This was observed by Plato and also by Aristotle, both of whom were thoroughly disgusted with Athenian democracy for that reason.

The greatness of Athens lay in particular fields, namely, architecture, sculpture, philosophy, poetry, and the theater. That's doing a great deal, and you can't expect anyone to do everything. Not even in our own Great Society that the President talks about.

REAL GOAL: A JUST SOCIETY

Question. Is the President's "Great Society" different from those of the past?

Answer. First of all, what President Johnson wants mainly to create, as I see it, is not a great society. He wants to create a just society. I believe this can be done, and I believe this is a most commendable objective.

Question. What is a "just" society?

Answer. It is a society that embodies the kind of social justice, broadly, that the Hebrew prophets taught us.

The President wants to see those who are poor taken care of and given a chance to develop economic independence. He wants to see that education is really available to all people, including those who are particularly underprivileged. He wants to get rid of racial injustice, and he wants to take care of the aged and infirm who are unable to take care of themselves.

This is a just society. It's very desirable. I think it is attainable. But it certainly doesn't express the sum total of what human aspiration ought to be in a great society.

I think of one Scandinavian country I visited a year or so ago that substantially met all of the conditions of a just society. There they have everything pretty well provided for: good education, the promise of a job somewhere, social security, care for one's old age, care for sickness, and even sex.

All these things come in tidy little hygienic packages. But, while I was there, I had a horrible feeling somehow that I was living in an approximation of Aldous Huxley's "brave new world." And I said: "This is fine, but I don't want it. At least I want something more than this."

Question. What was wrong?

Answer. I come back to the word "creativity." That word must always imply agony and strife. There is no great creation, whether it's giving birth to babies, to paintings, or to a great new business venture, without some suffering and self-sacrifice.

That's what makes life significant, I think: creativity in some particular realm. A totally contented society cannot be creative. We'd all be like well-cared for cattle, with music piped in while we're being milked, and with fodder scientifically provided—until, at the appropriate moment, we're sent off to our final disposition.

Question. Do you think the President will be able to develop anything more than a just society?

Answer. The trouble here is, I think, that there are certain things in life that can be ordered—and other things that must be left to the realm of natural development.

Now, I don't want to put that too simply, because in any enterprise there is a mixture of order and of freedom. But from a socialistic point of view, for instance, you can plan a just society—and you can get a stable economy, in which we produce a great number of consumers' goods and have a sufficiently well-distributed purchasing power, so that the people can buy these goods. Now, that's a stable economy, and, if it exists, it's one in which there will be a large measure of economic justice.

But a dynamic economy is something else. A dynamic economy is one in which new factories are being built, new things are being tried. Something called an electric refrigerator first appears. You can't call it a necessity. People have ice boxes. Why do they need an electric refrigerator? It's a luxury item at the start. Somebody invents an automobile. Well, that's for cranks and crackpots and for people who like to try new things. It's luxury item at the start.

This is part of a dynamic economy, where there are new ideas. It's an economy in which what are initially capricious wants will in time become universal needs. The refrigerator, the stove, the automobile, the airplane—all of these become essential needs in a new society.

Question. Can a society be great and affluent at the same time?

Answer. Of course, people can be addicted to material gains, and even scholars can think of the quantity of their production instead of the quality. But affluence, in itself, needn't destroy a society.

I'd like to cite an example from a family instead of a society at this point—the Rockefeller family. One thing very clear about this family is its powerful religious tradition and discipline. This could be made fun of at the start, but the sense of duty and obligation to society, as it matured and developed, led to the family's having the sobriety to retain its wealth and to use it properly. Family members were given the vision that they must become public servants in some way.

EDUCATION AND GENIUS

Question. Can this sense of discipline come to a nation through education on a mass scale?

Answer. You can raise the general level of functioning intelligence among the people of the society, and I think this is very worthwhile. It raises the whole quality and tone of a culture. I find it makes a marked difference in the decency, in the humanity of people in day-by-day affairs.

But I don't think you're going to produce more and more greatness by more and more education. You can produce justice, you can produce decency, you can produce good order and propriety in a society. You do not automatically produce greatness, whether you believe with classical theologians in divine election to greatness or in its Darwinian modification called natural selection, both of which assume that some larger force is at work to bring great changes.

The real importance of education in producing a great society, I think, is this: It builds up the responsive medium in which the geniuses, the people who furnish the creative drive of a great society, can flourish.

Question. How would a great society be governed—by majority rule?

Answer. That is a troublesome question. While I am a stanch supporter of the Supreme Court and of the whole idea of the due process of law, I've had some rather serious doubts about its rulings on legislative reapportionment.

I can see a very laudable intent—that the large metropolitan areas should finally get the vote to which they're entitled in many respects. On the other hand, I'm not convinced that we can altogether surrender the idea of the region or the geographical area. But it is dangerous to say that, because the majority of the people are in the city, therefore they should run all the rest of the country—to give any one element in our society unchecked power over all others.

It seems to me this problem of equality is one we should consider very carefully in relation to a great society in America. I follow Jesus, I hope, in personal ethics, but, in political ethics, we need the Aristotlean and Confucian ideal of the mean, of the middle position, and it's a question of just how much and how far you go. We want specific equalities. We need equality in this or that area, for the Negro, for the poor—that is, more toward equality than where they now stand. But when you carry it too far you get injustice, and you simply get a new kind of inequality.

Question. How do you mean?

Answer. Here is one example: During the past year, I visited at least half a dozen college campuses talking to students and officials about sexual morality—and there is an interesting aspect here of the equality issue.

Right after World War I, the women were very eager for equality, equal rights with men. They wanted political equality, and they wanted economic equality, and equal rights to jobs and salaries, to public office, to property, inheritance, to education—and also sexual equality.

Now, the thing that I think I notice on campuses today is that, while a woman wants all the other equalities, she no longer is calling for sexual equality—because, to put it quite simply, women face the fact that, in a showdown, they are the ones who bear the babies, not the men. And no matter how much you talk about abstract equality, at this point men and women may not be unequal, but they are simply dissimilar. They have different responsibilities.

I came across two university campuses where this little question of free visiting back and forth in the men's and women's dormitories came up. In these two universities, the deans put it up to the students themselves. In both cases, the men students voted overwhelmingly for having open house and entertaining the girls in their rooms. In both cases, the women voted not to do this. They did not wish to entertain men in their rooms.

This, I think, is an indication that they are having further thoughts about so-called sexual equality, and, while they don't admit they are inferior to men, they are perceiving they are different and that the word "equality" is not helpful. They must think in some other terms.

DEFINING JUSTICE

Question. Are you saying that there is room in a great society for differences in status?

Answer. If we go back to Plato's "Republic," which is one of the early models, he is creating a just society deliberately on a basis of caste. His definition of justice is that you have it when everybody is doing the things for which he is qualified, and not when people from one area try to take over in another area. Now, to democratize Plato's vision—and I think we must do so—we should just say that, in an American society, you will always have distinctions of class and caste, because you have distinctions of function, distinctions of excellence, to some extent distinctions of income.

The important ingredient of justice is not absolute equality.

The first thing is that there should be free movement from top to bottom, and bottom to top, depending on abilities, or loss of abilities.

In the second place, there should be variation as to which class or collection of classes at the moment wields political power. You may have one kind of coalition of classes under Franklin D. Roosevelt and another kind when Gen. Dwight D. Eisenhower becomes President.

In the third place, there should be no class that is literally starving to death or going cold and homeless.

Those would represent the three conditions where you have class differences but still have justice.

POTENTIALS FOR GREATNESS

Question. Looking at today's America, do you see any thing that points ahead to a great society?

Answer. I see a potentiality for greatness in America today. But let's go back to the three things that seem to me to be irreducible: an air of freedom, an air of adventure, and a climate of faith.

I find the first two here, and we have an enormous vitality as a young people. We are still free people. We are still a people with a sense that life is an adventure in which something can be done. But we do not have a clear faith or vision concerning what it is we want to do or what ought to be done or what is worth doing.

When I go back and read the Founding Fathers of this country and the documents and the letters that go into the making of the American Republic, I am impressed by a certain wonderful serenity of vision that those men had. It gave them the power to go ahead and create this new society. They were sure it was a new society. They were doing a remarkable thing then, and they knew it.

But today we are uncertain in faith. We are wobbly about what we believe in. We have unclear edges around our vision of what the future ought to contain. There is where our big weakness lies.

Question. What has caused this?

Answer. One factor is our loss of cultural isolation, the sense of pursuing our own little goals very happily. We are suddenly thrust into the middle of everything going on in the world, much of which we can't control as we did our own affairs.

Another factor would be that some of the ideals which we once cherished have been taken away from us. We have learned that the simple fact of affluence, of wealth, does not automatically bring with it every heavenly blessing. We've learned that certain crimes, juvenile delinquency, alcoholism, divorce and the breakup of families may be accentuated by prosperity instead of deleted by it.

Question. Will crime and our other problems go away in a great society?

Answer. They can diminish in importance. You may be bothered by them less, you may care less about them, but I don't think they are certain to diminish quantitatively.

When you look at Elizabethan England, for instance, there was an appalling amount of crime and recklessness and contempt for human life, and cruelty and vulgarity in the total society. And yet, in spite of the context, people fought through to make some very extraordinary achievements, especially in the field of the theater and in the field of political expansion. And they were excited by it and challenged and thrilled by what they were doing positively.

If you're asking me if sin is going to disappear, I can't help holding to the theological view that there isn't any kind of society that won't have sin or evil of some sort attached to it. But the important thing is whether or not a person or a society has produced more that is good and creative than what is evil and disruptive.

HOW AMERICA HAS GAINED

Question. Are we any further along toward the "Great Society," actually, than we were 50 or 60 years ago? Wasn't that a good time in which to live?

Answer. I think it's very important to be specific when one answers a question like that. I would select five areas where, it seems to me, in the last 40 or 50 years the American people have made very notable progress, and one or two others where I think we show signs of going to pieces. Life is always a mixture like this.

Where have we made progress? Well, one area where ethical progress, to my mind, is unmistakable is in the field of business ethics. When you compare the large American corporations today with the corporations at the end of World War I, the differences are tremendous. There's a difference in the attitude toward labor, toward the integrity of the product, toward conservation of natural resources, and toward civic and public responsibilities. Now, that's one area where I think there's enormous progress toward a "Great Society" in some form.

A second area would be political morality. In spite of fringe movements to the "right" and to the "left," and ripe scandals here and there, it seems clear to me that there are more big cities with decent local governments today than there were 40 years ago. I took part in the old fight against Tammany Hall in New York a long time ago. Municipal government in New York and Philadelphia and Los Angeles has been greatly cleaned up since those times. And there are other ways in which the overall standard of political ethics has been improved—less bribery, less corruption and, I think, less vote buying.

A third area where we have made moral progress has to do with our attitude toward foreign countries. We used to be an isolationist people, but we have finally come to accept a responsible role with the whole family of nations. We don't know quite what to do with it, or how to handle it, but at least we are taking an adult and maturely responsible attitude toward the problem.

Now, a fourth area where I see progress has to do with painting and with music, as I have said.

The fifth area I would mention is a marked improvement in spelling among our students. I want to rejoice in the return of the three R's—"readin, 'ritin' and 'rithmetic."

WHERE AMERICA HAS LOST

Question. Where have we lost ground?

Answer. I would put this under three headings:

First, the breakdown of authority in this country—the annihilation of authority, the abdication from authority on the part of those who ought to be exercising it.

Of course, I have in mind primarily moral authority, because if you don't have moral authority—whether you're a business executive or a teacher, or a pastor of a church, or a political leader—the other authorities are no good at all. They disintegrate very rapidly. There has to be an acceptance of this moral authority.

The erosion of this authority has taken place partly under allegedly democratic and egalitarian theories that we're all equal and nobody's any better than anybody else, partly under the impact of relativistic teachings in history, anthropology and philosophy that say everything is relative to the culture and there's no objective standard of right and wrong, truth and falsehood.

This erosion has been going on quite a while. And you end up with the only authority left being "me," the isolated individual. And for a while that seems fine. I do as I feel and I do as I wish. But naturally I'm going to bump into another "me" who doesn't think and feel the way I do, and there's going to be a little clash, and then we're up against trouble.

This erosion of authority, I think, is very widespread today, and alarms me.

Linked with that would be a second problem, a phenomenon that Glenn Tinder (associate professor of government at the University of Massachusetts) mentions—the illusion of the isolated individual, that he can exist in a little vacuum all by himself.

When I talk to college students about sexual morality today, the one thing that they pretty universally believe in is something they call intimacy. This is that part of sex that is private, strictly private. The idea that sexual behavior should have public consequences in the way of babies and families and property and income taxes and buying groceries and civic responsibilities doesn't seem to enter their heads. It's just this little private intimacy.

That desire for isolation extends even to religion. To my surprise, I run again and again into a group which will say, "Well, we don't like churches. We don't like worship. After all, religion is a very private and personal matter. It's nobody else's business. It's just between me and God."

Well, of course, religion ought to be personal, but if it's nothing but personal, it's something brand new in history. There never was any purely personal religion, in the whole history of the world, except for a few isolated mystics.

Today, isolation is becoming the fashion even on the dance floor. You don't dance with a partner any more. Everyone gets off by himself to do the twist or the watusi. It doesn't matter whether anyone else is around or not.

So privacy in sex, in property, in religion, in dancing—this is part of the pathos of modern man, hugging his own little isolated ego.

This brings me to a third element of decline that I find of little help if we're going after a great society; namely, a growing caricature of liberty, because people live in this isolated way without any feeling for a moral context or a social structure. They make a fetish of liberty. It hit me with great force when I read Barry Goldwater's statement: "Extremism in defense of liberty is no vice."

And I could find the same viewpoint in still greater abundance on the existentialist left. Any number of liberals and radicals believe passionately in this same proposition, because it runs across the whole spectrum of American society—this inordinate love of liberty apart from law, apart from social structure and order, which is not the classical pattern of liberty in either England or America. So you have a kind of individualistic, egoistic liberty that destroys itself.

Question. Can you have a good society without good people?

Answer. I'm quite sure you cannot. And that's why this particular crisis, this spiritual crisis of the American people, disturbs me profoundly.

Big Government, Big Debt, and Big Power

(By Strom Thurmond, U.S. Senator from South Carolina)

There are at least three certain end results of the Great (planned) Society—bigger government, deeper debt, and increased centralization of power.

Already the size and scope of government activities in this country have grown to fantastic proportions in recent years. Of every six employees in this country, one is working for some level of government. Taxes and other government receipts at the State, local, and national levels now account for 35 percent of the total national income. Thus, $1 of every $5 expended in this country for goods and services is spent by government. In fact, total annual government spending in the United States is more than $190 billion, three to four times what it was in 1950. The impact of government spending is so terrific that $1 of every $4.50 of personal income is derived from direct government payments.

Most of all this government spending is by the National Government. In fact, the National Government now supplies State and local governments with 14 percent of their revenues in Federal aid programs, getting them more dependent on and subjecting them to more controls from Washington. This percentage will rise even more in fiscal year 1966, when Federal aid programs are estimated to reach $13.6 billion, up 260 percent since 1956.

Employment by the National Government is now so high that Federal workers outnumber State government workers in 30 of the 50 States, including the 5 largest States.

In fiscal year 1966, the National Government will spend at least $127 billion. This includes social security and other trust fund spending, which is not added into the budget presented to the Congress and the people. This amount of money in $1 bills joined end to end would circle the earth 494 times, stretching 12.3 million miles, according to U.S. News & World Report.

Much of this spending is dependent on credit or deficit financing because Uncle Sam has been unable to balance his books for 29 of the last 35 years. By June, the national debt will be $322 billion, and this does not include all the other commitments to which the National Government has obligated itself.

Civil service employees have particular reason to be concerned over another obligation of the National Government. This is the civil service retirement fund. It is now reported by its board of actuaries to be $40 billion in the red.

Social security participants likewise have cause for alarm. If that program were closed tomorrow and all those now in the program should continue to make their contributions and then receive all their benefits until the last beneficiary expires, there would be an unfunded accrued liability of approximately $330 billion. Adding more programs, such as medicare, under social security will only further endanger the solvency of the overall program.

More and more people are becoming acquainted with the strong arm of Federal control which lurks behind every Federal dollar. The President has recently decreed that State governments must follow a formula he is laying down for beautifying the highways and eliminating billboards, although the Congress specifically agreed to leave such decisions to the States when the interstate highway legislation was approved 10 years ago. Local school districts are being directed to racially integrate their facilities or lose their Federal aid dollars. Some recipients of Federal dollars were even cajoled and coerced into supporting the President in the past presidential election. In effect, the Federal dollar is being used today as never before to bring about conformity with the will of Washington bureaucrats, and unfortunately, the Federal dollar touches every facet of life in America.

All of this is where big government, big deficits, and big power stand today, before we begin to feel the effects of the Great (planned) Society. How is America going to be able to stand up under all the additional bureaucracy, indebtedness, and controls which the Great (planned) Society promises in its aim to make everything and everyone common?

Sincerely,

Strom Thurmond.

PRESIDENT'S MESSAGE ON THE CITIES

Mr. BREWSTER. Mr. President, today, America stands poised to launch the greatest program for human improvements that the world has ever known. Nothing in recent years has stirred us Americans more than President Johnson's call to action to achieve the Great Society. And nothing has received more unified acclaim than this bold, imaginative, comprehensive concept.

It means that in our lifetime we will be able to see in our Nation the abolition of illiteracy, the eradication of poverty, and the rebuilding of our cities, great and small.

The keystone of the attempt to recreate our urban environment is the federally assisted urban renewal program. Today, about 800 cities are undertaking nearly 1,800 urban renewal projects. The effects of this urban renewal effort are dramatically visible in every section of the United States—in new homes, office buildings, schools and university buildings, commercial areas, industrial buildings, hospitals, civic buildings, cultural centers, and parks and playgrounds.

And our slums, slowly but surely, are beginning to disappear.

Less visible, but just as real are the better human environments that have been created, the jobs that have been stimulated in private industry, and the new spirit of hope and accomplishment that pervades the renewed areas.

But the job has just begun. As President Johnson has pointed out, 70 percent of our people live in urban communities, and "are confronted by problems of poverty, residential blight, strained human relations, and overburdened municipal services."

It is clear that urban renewal needs not only to be continued, but that related activities also be expanded in new directions.

New concepts have arisen from the original slum clearance program. We have learned that providing decent housing for displaced families is not enough; that clearing slums and rehabilitating sound structures is only the start towards the great new societies we hope to see in every American city.

That is why President Kennedy's administration began 4 years ago to address itself to the human problems in urban renewal, particularly those of displacement and housing for low- and middle-income families. This is a concern that has become perhaps an even more significant consideration with the Johnson administration.

The human involvement in urban renewal is enormous. Even though much progress has been made in meeting human needs during the past 4 years, we have not had the weapons with which to attack the basic enemy—poverty. Now that Congress has approved antipoverty legislation, we are in an unparalleled position to mount a really effective attack upon all the ills of urban poverty—the slums, the economic deficiencies, the educational inadequacies, and the human deprivation.

In this attack, the Housing Act of 1965 can be decisive. It will doubtlessly provide for continuation of the urban renewal program; for increased help to low-income families, elderly persons, and small businesses; for housing for all income groups, particularly those least able to afford decent housing; and for allied programs of mass transportation, community facilities, urban planning, and public housing. All these will provide us with the means for a sound, sturdy, substructure upon which our cities can each build their own Great Society.

THE DELAY IN AWARDING THE FUR SEAL CONTRACT IS COSTING ALASKA $70,000 WEEKLY

Mr. GRUENING. Mr. President, the economy of Alaska needs every encouragement. Any needless delay which deprives Alaska of needed funds is debilitating both to State and Nation. Yet the State is losing $70,000 per week while the Federal Government ponders and tries to decide who shall process the sealskins taken in the Pribilof Islands. The pondering has now lasted for more than 3 years.

The State of Alaska, under the Alaska Statehood Act, receives 70 percent of the net proceeds of the sale of the skins. Translated into dollars and cents, that 70 percent of the net proceeds normally amounts from $500,000 to $750,000 a year for the State.

When Alaska became a State, the Pribilof Islands were, of course, included as a part of the State as they had been of the territory, but the Federal Government retained the responsibility for the taking and processing of sealskins. Along with this responsibility, the Government also has the responsibility for awarding the contract for the processing and sale of the fur seal and sea otter pelts. The reason why the Federal Government has retained this control is that a part of the fur seal harvest goes to Canada and Russia by treaty and because of this international aspect the control of what is wholly an Alaska resource remains in the Federal Government. But unless it is exercised with more acumen and dispatch the results both for Alaska and the Federal Government will be disastrous. Considering these facts and despite the international aspect I wonder whether this control could not be transferred to the State of Alaska with beneficial results. Certainly the management of another great natural resource, the Alaska fisheries, has improved greatly since its transfer from Federal to State control.

The annual harvest of Pribilof fur seal and sea otter pelts continues. The skins are placed in cold storage by the Department of the Interior as it puzzles over the awarding of the contract for the processing and sale of the pelts.

This sorry situation must be resolved. It has now dragged on over 3 years.

Last month, the Alaska State Senate called for action. By a vote of 19 to 0 the State senate approved a resolution respectfully and urgently requesting President Lyndon Johnson "to direct the Secretary of the Interior to proceed to renew the contract with the Fouke Fur Co. for the processing of Alaska fur seal and sea otter skins before further damage to the economy of the State of Alaska occurs."

The text of the Alaska Senate resolution points out that for more than 40 years the processing and sale of the pelts "has been done under contract with the Fouke Fur Co. which has earned world renown for the excellence of its fur processing."

Further, the resolution states:

> The excellence of the processing of fur pelts by the Fouke Fur Co. has brought premium prices for the pelts with resulting benefits to the Federal Government and the State of Alaska.

Noting that the income from the sale of pelts is of vital importance to the economy of Alaska, Alaska Senate Joint Resolution 30 charges that "the Department of the Interior has delayed in renewing the contract with the Fouke Co. and this delay is jeopardizing the economy of the State of Alaska."

Why has a delay occurred?

Some information indicates that a quarrel between management and labor is in part to blame, but only in part. This is a relatively recent development. There was long delay before this issue arose.

The delay of more than 3 years in awarding a contract for the skin processing is impairing the economy of the State.

While the skins grow colder in storage, the marketing and sale of them is impossible.

The forthcoming April skin sale scheduled by Fouke Fur Co. will be small, for the regular number of skins are not available. The projected loss to the Federal and State Governments exceed $535,000. The projected loss for the October sale will be greater for no skins will be available.

We of Alaska are deeply concerned by the delay. We urge the Secretary of the Interior to award the fur sealskin processing contract now. Nothing is gained by further delay. But much is being lost.

Mr. President, I ask unanimous consent that the full text of the Alaska State Senate Resolution 30 and news stories appearing in the February 25 and 26, 1965, issue of Women's Wear Daily relating to the meeting the Alaska congressional delegation had on March 2, 1965, with Secretary of the Interior Udall to discuss the problem of sealskin processing be printed in the RECORD at this time and an item headed "Alaska's Egan Backs Fouke."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 30

Whereas the State of Alaska receives 70 percent of the net proceeds from the sale of fur seal and sea otter pelts harvested by the Federal Government in Alaska; and

Whereas the income from the sale of pelts is of vital importance to the economy of Alaska; and

Whereas for over 40 years the processing and sale of the pelts has been done under contract with the Fouke Fur Co. which has earned world renown for the excellence of its fur processing; and

Whereas the excellence of the processing of fur pelts by the Fouke Fur Co. has brought premium prices for the pelts with resulting benefits to the Federal Government and the State of Alaska; and

Whereas the Department of the Interior has delayed in renewing the contract with the Fouke Co. and this delay is jeopardizing the economy of the State of Alaska: Be it

Resolved, That the Legislature of the State of Alaska respectfully and urgently requests the Honorable Lyndon B. Johnson, President of the United States, to direct the Secretary of the Interior to proceed to renew the contract with the Fouke Fur Co. for the processing of Alaska fur seal and sea otter skins before further damage to the economy of the State of Alaska occurs; and be it further

Resolved, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States; Hon. Stewart L. Udall, Secretary of the Interior; and the members of the Alaska delegation in Congress.

[From the Women's Wear Daily, Feb. 25, 1965]

ALASKANS, UDALL TO MEET TUESDAY ON SEAL PACT

(By Robert Barr)

WASHINGTON.—Interior Secretary Stewart Udall will confer in his office here Tuesday with the Alaska congressional delegation.

This is the conference the delegation requested to stress the concern of their State over the delay in awarding the fur sealskin processing contract.

The concern by the Alaska delegation over this delay was increased as a result of their meeting last Tuesday on Capitol Hill to review the matter, which included John T. Fouke, president of Fouke Fur Co., who presented his projections of the estimated loss in revenue to the Government and Alaska both from the April 8–9 auction and the one to be held next October.

Mr. Fouke conceded that the situation involving the fur sealskin processing could be worse than his firm envisaged, especially if the contract is awarded to a firm that is not ready to go into capacity production immediately.

His firm is ready to process the skins at capacity weekly output, if it gets the contract, he explained.

The ability to process at capacity production may be a key factor in the Fouke estimates which were provided to the Alaska delegation.

Based on Fouke's capability, if it had the contract, it should have begun capacity production Tuesday in order to have a normal supply of sealskins ready for the October auction.

So far the firm has lost 3 weeks' capacity output and, based on the average prices at auctions in recent years, this will mean a loss of $189,566. * * * This is an important figure to the Alaska lawmakers, since their State gets 75 percent of the net proceeds of each auction.

For each additional week that capacity production is missed, there will be a loss of $69,790.

For the April 8–9 auction, Fouke's estimates were that there will be 13,760 processed skins available, including about 7,000 female skins.

Based on average skin prices of about $66 for previous auctions, this offering should bring the Government about $909,811 in proceeds, or a loss of $535,975 in proceeds, when compared with the average sale of 21,867 skins in the auctions during the past 10 years, when proceeds averaged $1,445,786.

Whether the smaller offering of skins for the April 8–9 auction will mean higher prices than usual is unknown.

However, the April auction will contain a bigger percentage of female skins than in the past.

The biggest number of female skins in the past has been about 5,000 skins, or about one-fourth of the total number of skins offered for the Government.

[From the Women's Wear Daily, Feb. 26, 1965]

ALASKA'S EGAN BACKS FOUKE

WASHINGTON.—Alaskan Governor William Egan has notified Interior Secretary Stewart Udall that the Governments of Canada and Japan plan to continue using Fouke Fur Co., Greenville, S.C., to process their shares of the yearly catch of Alaskan sealskins.

The Governor, it was learned, stressed in a February 21 letter to Mr. Udall that this should be a "compelling factor" in the Department's forthcoming award of a new sealskin processing contract.

Governor Egan also told Mr. Udall, it was learned, that the best interests of Alaska would be injured if any firm other than Fouke received the award.

Under the Fur Seal Treaty, Japan and Canada each get 15 percent of the early catch of Alaskan sealskins.

MEDICAL CARE FOR THE AGED

Mr. MUNDT. Mr. President, I have cosponsored with Senator TOWER the Senate version of the eldercare bill, S. 820, because I believe it offers more appropriate benefits to elderly or retired individuals in need of medical assistance who are unable to pay for it, than does any other proposal now pending before Congress.

The main thrust of the bill would amend the Social Security Act so as to authorize a State to provide medical assistance for the aged, in the form of premium payments for health-insurance coverage under voluntary, private health-insurance plans. That is, a person over age 65 would buy his own medical and hospital insurance, through a private insurance company. If that person had a low income, the State would pay all or part of his insurance costs, with Federal grants helping the State to finance this cost.

The principal benefits provided would include physicians' care, surgical and drug costs, and hospital and nursing-home charges. Important features of the eldercare plan include a free choice of physician and hospital by the patient. To apply for the policy the elderly would submit a simple statement of income similar to the requirement of the retirement program under the Social Security Act. No means test is involved.

The eldercare program would be financed with Federal-State matching funds, thus eliminating the need to increase payroll taxes. In addition, this plan would provide medical care in a manner in keeping with the high standards of quality of our present health-care system.

Under this proposal the insurance contracts would have to: first, provide that the insurance plan would be guaranteed renewable; second, provide benefits which, together with benefits under the Kerr-Mills Act, would include both institutional and noninstitutional care; third, establish enrollment periods not less often than once a year; and fourth, contain such other provisions as the State agency would determine necessary in order to carry out the purpose of the program.

It should not be overlooked that the eldercare bill provides amendments to the Internal Revenue Code relating to medical deductions. If neither the taxpayer nor his spouse had attained age 65, they would be authorized a deduction equal to:

First. The uncompensated amount spent for medical care for any dependent who had attained age 65.

Second. The amount paid for accident or health insurance for the taxpayer or his spouse, which by its terms would become effective when either attained age 65.

Third. Uncompensated medical expenses incurred on behalf of the taxpayer, his spouse, and other dependents which exceeded 3 percent of the taxpayer's adjusted gross income.

If the taxpayer or his spouse had attained age 65, there would be no limitation on the deduction for uncompensated medical expenses incurred in behalf of the taxpayer, his spouse, or dependents over age 65. However, the deduction in behalf of the dependents under age 65 would continue to be subject to the overall 3-percent limitation.

I submit that the administration's medicare plan is a gross misnomer, because it would provide no medical care at all. It is simply a very inadequate and partial program of hospital insurance and certain other limited benefits, and would not give the aged or the needy the kind of care they require. This program requires that it be available to everybody, so it would be available to the wealthy as well as to those who could not finance their own health insurance. The eldercare plan, I think, meets this objection appropriately by requiring those who are financially able to finance their own medical insurance plan.

There is another feature of the medicare plan which I dislike. That is the fact that it would be a system of regressive taxation for health purposes, entirely violating the concepts of progressive taxation which have so long served us so well in the field of income taxes. In short, the health tax would entirely ignore and violate the ability-to-pay concept of taxation. It would, in fact, tax the very poor and the very rich at precisely the same tax rates on the first important segment of their annual income which serves as the tax base. For some Americans, for example, their entire income would be subject to this new tax grab, while for the wealthy and the well-to-do by far the larger percentage of their income would be exempt from any health tax assessments or payments. Under the proposal now before Congress, the $5,600-a-year worker would be forced to pay as large a tax as that paid by the $56,000-a-year executive.

In addition, past history assures us that social security taxes will continue to rise sharply. No one can foretell with any degree of accuracy the upper limits of that increase. Originally, the social security tax was set at 1 percent, each, on the employer and employee, on the first $3,000 of annual income. Under laws now on the statute books, this tax will rise to 4.625 percent, each, on the first $4,800 of income by 1971. The tax on the self-employed has risen, during the same period, from 2¼ percent on the first $3,000 of income to a projected 6.9 percent on the first $4,800 by 1971. The medicare bill now pending would increase the tax, by 1971, to 5.2 percent each, on the employer and employee, on the first $5,600, and to 7.8 percent on the self-employed on the same tax base of the initial $5,600 of income.

For many lower income taxpayers the social security tax already takes a bigger bite out of their income than does the Federal income tax. The tax rate must be increased enough to provide for an actuarially sound trust account. Once enacted, there is little question that pressures would be engendered to expand the scope of the program, to increase the benefits, to provide for a longer period of time, and to lower the age limit. All this would, of course, substantially increase the wage tax and the employers tax for all American workers.

I hope Congress will thoughtfully and carefully ponder the matter of providing medical assistance to our elderly. I hope that when all the evidence is in the eldercare plan will be selected as providing the most reasonable approach and providing the greatest amount of assistance to those in need of it—more than any of the other proposals now under consideration. It is clearly a far more equitable and vastly more generous and beneficial program than the so-called, misnamed, and totally inadequate medicare proposal.

BARROW BENEFITS FROM BARTLETT BILL

Mr. BARTLETT. Mr. President, Barrow, Alaska, is the most northern community on the North American Continent. Barrow is closer to the North Pole than it is to Seattle; as close to Moscow as it is to Washington.

In spite of the hardship of the climate, the great difficulties of transportation, and the burdens of extreme inflation, Barrow is growing into a modern community on the shores of the Arctic Ocean. This growth has been neither easy, simple, nor cheap; but it has proceeded, and it will continue to do so, for the people of Barrow are determined that their city will be a showplace of the North.

It has been my good fortune to have worked with these people as they strive to bring their prices down and their welfare up. In this regard no bill which I have sponsored and which has become law has brought more satisfaction to me than a small measure, S. 2020, passed by the 87th Congress. This law will benefit almost every family in Barrow in a vital and direct fashion.

We in Congress pass, each year, upon many, many pieces of proposed legislation, only a few of which can be called major. We pass this legislation, but we seldom hear whether it did what it was intended to do, and whether the people are happier for it.

For this reason, I should like to report to Congress on the progress that has been made under S. 2020, now Public Law 87-599: the people are happier for it; they are better off.

Navy Petroleum Reserve No. 4 stretches across 35,000 square miles of the Arctic Slope. On the reserve there are two known gasfields and three oilfields.

Until the passage of S. 2020, the gas was known, a gas well was in operation, but the Government was without specific authority either to sell the fuel to the Eskimo citizens of Barrow or even to use it for its own requirements. The act which I sponsored changed this.

The Government is now authorized to make this gas available to the citizens of Barrow.

However, as Senators know, it takes more than an authorization to translate an idea into reality. First, the Navy had to seek an appropriation of $400,000 to cover the cost of drilling an extra well, for the needs of the Government and the village made a second well necessary. This money was appropriated in the fiscal year 1963, and the well was successfully brought in during the spring of 1964. On October 1, 1964, I was pleased to be able to announce that President Johnson had approved the contract between the Navy Department and the Barrow Utilities, Inc., which at long last would provide for the sale of natural gas to the people of Barrow.

After receipt of this happy word the people were quick to set about installing the necessary pipelines and facilities; and, as a result, the first gas was turned on, on the 10th of December. This was a day of truly great importance for the people of Barrow, and I was deeply sorry not to be with them for the occasion.

How important this day was is made clear by the following figures: Fuel oil sells in Barrow at 60 cents a gallon, coal sells for $42 a ton, and propane sells for $46 per hundred pounds.

Before the sale of the Navy's natural gas, heating costs in Barrow were astronomically high, while the temperature is, as Congress knows, staggeringly low.

Let me give but two examples:

Paul Kignak used to heat his house with an oil-fired space heater. He used to cook his food on a propane gas range. His average winter heating costs were $125 a month. Paul Kignak now has a gas space heater and a single-oven four-burner gas cooking range. His gas costs him 98 cents a day, and his total monthly heating bill comes to $29.40. Paul Kignak saves $95.60 a month.

Arnold Brower used to heat his house with an oil-fired space heater, and cook his food with an oil-fired range. His average heating costs were $194.40 a month. Arnold Brower now has a gas space heater and a gas range. His heating costs come to $1.57 a day, or $47.10 a month. Arnold Brower saves $147.30 a month.

The Government is not losing a thing. It is selling, at above cost, natural gas which otherwise would not be sold. The community of Barrow, on the other hand, beset by economic difficulties and the challenges of a fierce climate, now finds its life a little easier, its winters a little less harsh.

This is not the end of improvements for Barrow. This is but the beginning. In due course, with the completion of the new hospital and the new high school and the reconstruction of the dam which was destroyed by the storm of October 1963, the Bureau of Indian Affairs, working with the Barrow Utilities, Inc., will begin work on the improvement of the electrical services to the community and on the building, at last—at long last—of a water supply and sewage-treatment system. Nothing makes me happier, Mr. President, than to hear that Barrow is making such progress. It is making progress with the assistance of the Bureau. It is not, I am happy to say, the mere recipient of the gift of progress from a Government agency. Barrow has come a long way in a short time. Barrow still has a long way to go. With hard work and clear thinking, the leaders of this community will make of it the model city of all the North. Of this, I am confident.

On February 16, in Juneau, the capital of the State of Alaska, Senator Eben Hopson, a member of the upper house of the State legislature, came to me, and said:

> Bob, it is almost 20 years ago since you and I started working to bring gas to the people of Barrow. Now we have succeeded. This is going to change everything for the better.

MORE ABOUT RADIOACTIVITY IN THE ARCTIC FOOD CHAIN

Mr. BARTLETT. Mr. President, as Senators know, I have a long and continuing interest in the hazards caused by the radioactive contamination in the Arctic. Levels of radioactivity found in the inland Eskimos living north of the Arctic Circle are high, and are getting higher. As the levels climb, the need for an adequate Federal program of monitoring and surveillance increases. As it looks now, levels from but one source of radioactivity—cesium 137—will continue to rise at least until 1968, and perhaps longer. This, of course, is not the only source of contamination. Levels of strontium 90 are high, but—unbelievably enough—no one knows just how high. The Chinese have joined the atomic powers and their tests are releasing more fallout into the atmosphere. No doubt the Chinese will be joined in the years ahead by more of these atomic buccaneers. Obviously, Mr. President, a substantial Federal research program into the problems caused by fallout in the Arctic is needed now—today.

I ask unanimous consent that an excellent article discussing this problem be made a part of the RECORD at this point. The article, by Dr. L. A. Viereck, appeared in the Alaska Conservation Society bulletin.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RADIOACTIVITY IN THE ARCTIC FOOD CHAIN

The problem of concentrations of radioelements in arctic people has received renewed attention this past fall. It was shown as early as 1959 that Alaskan Eskimos and Finnish Lapps accumulated more strontium 90 in their bones than did people from more southern latitudes. It was also found that lichens and some other arctic vegetation had higher levels of radioactivity than did most of the plants of more southerly regions. Further research showed that the high concentrations in humans were due to higher than normal concentrations of radioelements in caribou and reindeer which utilizes lichens for food for at least part of the year. It was thus found that even though the actual amounts of fallout from the explosion of nuclear weapons was greatest in temperate latitudes, a food chain peculiar to the arctic, linking lichens, caribou, and humans, had resulted in high concentrations of both strontium 90 and cesium 127 in the arctic people. In 1961, the Alaska Conservation Society reviewed the problem as it related to Project Chariot (Alaska Conservation Society News Bulletin, vol. II, March 1961).

A program of monitoring Alaskan villages was started in 1962 by personnel of the Hanford Laboratory in Richland, Wash. They found that in the summer of 1962 the whole body counts for cesium 137 of the people at Anaktuvuk Pass, where caribou make up a large part of the diet, averaged 421 nanocuries, or slightly more than 100 times the U.S. average at that time. Since then the amounts of cesium 137 in the Alaskan Eskimos have continued to rise each year. In the summer of 1964, levels of cesium 137 in at least one Alaskan village and in Lapps in northern Finland had exceeded limits set by the Federal Radiation Council.

The fact that the Federal Radiation Council levels had been exceeded was announced in the U.S. Senate by Senator BARTLETT on the 31st of August. At that time Senator BARTLETT presented several pertinent questions before the Senate. He asked "How much longer can we expect contamination levels to rise in the Arctic? How much higher can we expect them to go? How much contamination from all sources are Anaktuvuk natives now receiving? What work has been done on the development of countermeasures suitable for Arctic conditions? What does the Government intend to do about the mounting hazard in the Arctic?"

On September 1, Dr. Frank Hungate, of the Hanford Laboratory, spoke to the general session of the Alaska Science Conference at the University of Alaska. He presented the data which showed that in the summer of 1964 whole body counts for cesium 137 averaged 1,170 nanocuries and that individuals had whole body counts as as high as 2,200 nanocuries. The Federal Radiation Council has set 1,000 nanocuries as a population maximum whole body count for cesium 137 while the National Council of Radiation Protection and the International Commission of Radiological Protection have set 300 nanocuries as a population maximum. Dr. Hungate, however, chose to compare the Anaktuvuk people's levels with maximum levels set for atomic plant workers and showed that the Anaktuvuk levels were less than one-tenth of levels set by the atomic industry. This hardly seems a fair comparison when one realizes that workers in the atomic industry are well paid for their risk and that they can quit and work somewhere else when their levels become too high. Many other aspects of a small native population were ignored in this comparison of Anaktuvuk people with workers in the atomic industry. Dr. Hungate might have pointed out that the levels in the Anaktuvuk people were 100 times that of the U.S. average or that the population levels were nearly 4 times that set by the International Committee on Radiological Protection as maximum.

Dr. Hungate gave his answer to one of Senator BARTLETT's questions when he stated that he believed that radiation levels in the Arctic were at their highest point during the summer of 1964 and that as long as further atmospheric testing was prevented by the test ban, levels could be expected to decrease each year after 1964.

The Tundra Times reacted to the contradiction between BARTLETT's warnings and Hungate's complacency with a banner headline on the 8th of September which read, "BARTLETT Versus Scientist" and with boldly contradicting subtitles, "BARTLETT urges action against fallout hazard," and "Scientists says fallout no danger to Eskimos." This approach by Tundra Times brought out dramatically the difference in the interpretation of scientific data by different individuals, which leaves the public in a state of confusion.

In October the Greater St. Louis Committee for Nuclear Information tried to alleviate this problem by examining all of the available data and publishing their own interpretation of the present status of the situation. They also attempted to answer some of the questions posed by Senator BARTLETT. This article, titled "Radioactivity in Arctic People," is available from CNI, and a flier is attached to this bulletin so that members of the Alaska Conservation Society can send for it if they wish more information on the subject. The article, written by an anthropologist, A. W. Wolfe, and a physicist, J. A. Snow, from Washington University in St. Louis, discusses much of the pertinent data available on the subject today. The authors point out that the situation is not peculiar to a small number of natives in Alaska but that there are 161,000 Eskimos and Indians partly or totally dependent on reindeer or caribou in the arctic and subarctic regions of the world.

The answer they give to Senator BARTLETT's first question "How much longer can we expect contamination levels to rise in the Arctic" contradicts the statement made by Dr. Hungate that maximum levels have been reached. According to the "Science and Citizen" article "cesium 137 levels in the bodies of arctic people will probably continue to rise until 1968. They should begin to drop off slowly in 1969 or 1970."

In answer to BARTLETT's question of maximum levels that will be reached, Snow and Wolfe estimate that the average level for Anaktuvuk people will reach 1,500 nanocuries in 1968, an amount 1½ times that set by the Federal Radiation Council. It should be added that this estimate was made before the announcement of the Chinese tests in October. The importance of the nuclear test ban is brought out in the article. If testing had continued beyond 1962 and at an annual level equal to 1962, Wolfe and Snow calculate that the cesium 137 level in the Anaktuvuk people would have reached 9,000 nanocuries by 1970.

The article points out that information is lacking regarding the levels of strontium 90 in arctic people and in the rest of the food chain. It requires a complicated laboratory procedure and destruction of the sample to determine amounts of strontium 90 in material. Dr. Hungate, in his talk to the Alaska Science Conference, admitted that the AEC was 2 years behind in the analysis of samples for strontium 90, but dismissed strontium 90 as unimportant in the arctic food chain. He failed to mention the fact that it was high levels of strontium 90 in bones of deceased Eskimos from Alaska that led to the finding of concentration of other radioelements in the arctic food chain. Snow and Wolfe, on the other hand, extrapolating from existing data, state that values of strontium 90 in some Eskimo bones has probably reached levels of 36 to 44 strontium units (picocuries of strontium 90 per gram of calcium). The radiation protection guide sets a limit for strontium 90 in human bone at 50 strontium units, an amount closely approached by some Alaskan Eskimos, if Snow and Wolfe's calculations are correct.

Snow and Wolfe do not attempt to evaluate the total exposure of arctic people from all sources of radiation. They leave unanswered BARTLETT's question "How much contamination from all sources are Anaktuvuk natives now receiving?" Nor has the question of what the Government is doing or plans to do about the fact that a population has exceeded levels set by the Federal Radiation Council been answered.

We are fortunate in having a Senator from Alaska that is keeping these questions before the Government agencies responsible for their answers It is unfortunate that answers are not forthcoming from the agencies. We hope that future research can provide some of these answers. Even then, as "Science and the Citizen" points out, it should be remembered that science can only guide in matters such as these. The final judgment must result from our own ethical and moral code.

L. A. VIERECK.

RETIRED OFFICER SUPPORTS COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, for the last 6 years, the Department of Defense has opposed the cold war GI bill on the basis that the enactment of this readjustment assistance bill will lure men out of the military service. In other words, the Department of Defense has taken the position, in an age of educational and scientific advancement, that it is better to keep our serviceman in an "intellectual servitude," rather than to allow him to better himself.

Something is patently wrong when a Government agency turns against the people who are serving this country; and I should like to share with all Senators the testimony which was given by Lt. Col. Leslie A. Chaffin, U.S. Air Force Reserve, retired, before the Veterans' Affairs Subcommittee in the hearing on S. 9, the cold war GI bill. I think the shallowness of the position of the Department of Defense is revealed by his fine statement; and I ask unanimous consent that Colonel Chaffin's statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY LT. COL. LESLIE A. CHAFFIN, U.S. AIR FORCE RESERVE, RETIRED, BEFORE THE SUBCOMMITTEE ON VETERANS' AFFAIRS OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, MARCH 1, 1965, ON S. 9, 1ST SESSION, 89TH CONGRESS

Mr. Chairman and members of this committee, my name is Leslie A. Chaffin, Jr., lieutenant colonel, USAFR (retired). I sincerely appreciate the opportunity to express my views as a citizen-soldier and most strongly endorse S. 9, a bill "to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period." Mr. Chairman, although I am not an elected or appointed official of any organization, I feel strongly motivated to appear here today in behalf of the 2½ million active duty troops in the field who have the soldiers' faith that the leadership whom they serve is protecting their future interests upon their return to civilian life.

Before I offer my testimony I think I should offer a thumbnail sketch of myself to validate my qualifications to appear before you. I have more than 30 years service, of which 20 years are active service and the balance in the reserve components. I served 5 active duty years as an enlisted man, before being commissioned. I received my BA degree from the University of Oklahoma, graduating in 1948 with a major in political science. As you may presume, I too received education under the old GI bill, Public Law 346, and had it not been available to me, I would not have been able to finance my education at that time. While I attended the university, I also had to take part-time employment to make ends meet. That job was with the Norman, Okla., school system as on-job-training coordinator of Public Law 346 pertaining to OJT. I had a first hand knowledge of the effectiveness of this legislation and I can tell you the principles of operation were sound, and further, that I am glad to see this type of training authorized in the new bill. Since being recalled to active duty during the latter part of the Korean war, I have served as a squadron commander, but primarily as a wing/base manpower officer and wing/base inspector.

Mr. Chairman, I have followed this legislation and the testimony of previous witnesses, including the hearings on previous legislation during the 88th Congress. There are several matters which I feel have been omitted from prior testimony, and I believe should be brought before the committee for consideration:

1. Morale of the serviceman: Mr. Chairman, you have been in various parts of the world talking to servicemen and you know how they feel about this bill. Just recently I retired, finishing my career overseas. I wish to emphasize when the word gets out to the first-term soldier, airman, or sailor, that the spokesmen and policymakers at the Department of Defense level have impeded legislation designed to help him when he returns to civil life, morale in the combat units—and service units in the field, will hit a new low. Sir, I now have the opportunity to tell you, which I could have never done on active duty, the typical first-term enlisted man doesn't plan on staying in the service for a career. During the last 2½ years, while serving as an inspector and manpower officer, I talked to several hundred troops about their personal problems, their ambitions, and all sorts of personal things. I learned this about these young men. For the man who has served one enlistment, or in the process of serving it, he is going home when the enlistment expires, whether or not there is a GI bill and whether or not the military offer him all sorts of inducements. The fact is, military life is

so arduous, so dangerous, so full of frustrations and personal inconveniences, that only a fraction of the original number care to stay for a career. In my opinion, the present Department of Defense position on this bill will cause reenlistments to drop. I say this because the enlisted men will take an attitude that his highest commanders are trying to keep him in bondage—a form of economic servitude. So that is why I say the morale of the serviceman will drop—and so will his effectiveness—when he finally learns of the Department of Defense opposition to this bill. Along this line, the serviceman is also going to start wondering about the function of the Veterans' Administration in relation to him as a serviceman and as a future veteran. He is going to have serious doubt as to whether the Veterans' Administration is working for him or against him.

2. Speed: Since this bill is to be a replacement for the previous legislation which expired January 31, this year, many recently discharged veterans, and those soon to be discharged, are faced with a problem. Those who wish to enter school for fall semester terms must plan now, financially and with being accepted by a college or university. From now on, for every day of delay until final passage of this bill, speedy action is essential. I wish to mention the early release policy for airmen in the Air Force. This is a good policy, but an airman has to get an admission statement from a school before his papers are processed for him to take advantage of this program; and he has to know if this bill is going to become law so he knows how much financial support he can count on. Therefore I urge expeditious action on this bill.

3. Adverse testimony previously offered: It has been said this legislation will adversely affect the national defense posture, but the picture presented to you on February 26, by the Department of the Defense, concerning retention of personnel in the service is one I cannot agree on and I say this because it does not harmonize with the facts. Truth is that industry and the general prosperity of the country are providing the primary inducements to lure first-term airmen and soldiers away from the recruiting offices. It is as simple as that.

In concluding my remarks, I wish to again thank you for the opportunity to come here and express my views, and the views of the servicemen in the field, upon this legislation.

Mr. Chairman, permit me one final remark: Over across the river in Arlington Cemetery lies the tomb of the Unknown Soldier. When you raise your eyes upward toward the top of the edifice, you will see this inscription: "When we assume the soldier, we do not lay aside the citizen."

Thank you.

RESOLUTIONS OF MID-WEST CONSUMERS ASSOCIATION

Mr. METCALF. Mr. President, the resolutions approved at the 1964 annual meeting of the Mid-West Electric Consumers Association, Inc., November 29–December 1, in Denver, concisely state problems and needs of electric consumers in Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, and Iowa.

The Mid-West Electric Consumers Association is a nonprofit service association comprised of rural electric cooperatives, municipal utilities, and public-power districts.

I ask unanimous consent that the 1964 resolutions be printed at this point in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution 1—Basin Second Unit Supported

Whereas fossil fuels in North Dakota, Wyoming, South Dakota, Montana, and Colorado are available in huge quantities which can be utilized to produce steam-generated power at a lower cost than in any other area of the Nation; and

Whereas all of the power from the Missouri River dams, either constructed or under construction, has been allocated and is insufficient to meet the growing needs of preference customers in the Missouri River Basin; and

Whereas preference customer loads in this region will double in the next 7 to 10 years; and

Whereas to meet the requirements of these preference customers an amount of steam-generated power equal to the present capacity of the Missouri River dams will have to be provided; and

Whereas Basin Electric Power Cooperative is now completing plans for a second generating unit of at least 200,000 kilowatts which will be necessary to meet loads of present basin members in a few years after the first unit begins operation in October 1965; and

Whereas construction of additional steam-generating plants in the Missouri River Basin will make possible more efficient and economic use of both fuel and water resources of this area, maximizing revenues to the Federal Government from both its generation and transmission facilities: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association wholeheartedly support further utilization of low-cost lignite fuel resources through construction of a second steam-generating unit at the Leland Olds Power Station of ample size and greatest economy to meet the growing power requirements and thus contribute to the economic growth of the area; be it further

Resolved, That Mid-West Electric Consumers Association urge the Rural Electrification Administration to give approval to a loan for this second unit as soon as necessary studies have been completed and congressional requirements have been met.

Resolution 2—Municipal Power Supply Problems

Whereas many municipal electric systems which are members of Mid-West Electric Consumers Association have depended upon power from Missouri River dams as their sole supply of low-cost power; and

Whereas all the power from these dams, either completed or under construction, has been allocated and is inadequate to meet the requirements of these municipals in the immediate future; and

Whereas low-cost thermal power can be provided only from large, modern-sized generating plants: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association hereby direct that its president appoint a committee to survey the power supply problems of its municipal members and instruct the committee to develop recommendations which will make it possible for these municipal electric systems to receive the benefits of modern technology in both generation and transmission.

Resolution 3—Clarification of Bureau Policies

Whereas the recent allocation of power from hydropower plants now constructed or under construction in the Missouri River basin included provisions that made it the customers' responsibility to provide transformer capacity for class II power; and

Whereas Mid-West Electric Consumers Association has objected to this provision and others concerning the sale of class II power: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association respectfully request the Department of the Interior to consider the objections raised by Mid-West Electric Consumers members at the July 31, 1964, meeting of preference customers in Sioux Falls, S. Dak.; be it further

Resolved, That the Department of the Interior be requested to respond promptly to the questions raised by the members of Mid-West Electric Consumers Association at that meeting concerning details of the availability and cost of class II power, so that the preference customers can proceed to make arrangements for its use.

Resolution 4—Bonneville-Missouri Basin Intertie

Whereas the Department of the Interior over many years has made studies showing the economies and savings to consumers from federally constructed extra-high-voltage transmission lines to interconnect the Federal power facilities of the West; and

Whereas construction of an extra-high-voltage intertie between the Missouri River Basin and the Bonneville marketing area would benefit both areas by linking the fossil fuel fields of the Missouri Basin with the hydrosystem on the Columbia River; and

Whereas construction of a Bonneville-Missouri Basin intertie will provide economies for both regions through time zone and load pattern characteristics: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge the Congress of the United States in 1965 to authorize construction and to appropriate funds for such construction of a federally owned intertie between the transmission systems of the Columbia and Missouri River Basins.

Resolution 5—Elimination of the Keating Amendment

Whereas the Keating amendment is highly restrictive and purports to preclude and prevent the construction of any new Federal transmission facilities by the Bureau of Reclamation in all areas which are covered by wheeling contracts with private utilities, regardless of the burdensome provisions of such contracts, and regardless of the costs to the Federal Government and preference customers which may flow from its application;

Whereas this restrictive amendment perpetuates the monopoly by private power companies over the wholesale power supply and defeats the "yardstick" objectives of Federal power development; and

Whereas the Comptroller General of the United States has interpreted the operation and effect of the so-called Keating amendment in such a manner as to eliminate or seriously impair specific projects contained in the annual Public Works Appropriations Act: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association strongly urge the Congress of the United States to eliminate the Keating amendment from all future Public Works Appropriations Acts.

Resolution 6—Interregional EHV Transmission and the Common Carrier Principle

Whereas the United States is served by some 3,600 individual electric utilities but is without a nationwide transmission system; and

Whereas absence of adequate electrical interconnections tends to perpetuate high rates because of the inability to utilize diversities of time, load, and streamflow which represent the least expensive method of increasing effective capacity and which permit economies unobtainable through separate operation; and

Whereas establishment of an integrated, nationwide high-voltage transmission grid available to all electric utilities, private and public, would help strengthen the Nation, stimulate general economic development, increase benefits from existing generating plants, and provide savings to all consumers of electricity; and

Whereas approval of the Pacific Northwest-Pacific Southwest intertie and the plans for the Missouri River Basin-Bonneville Power Administration intertie are major steps toward interconnecting the Federal power marketing agencies in the Western States; and

Whereas all Federal power marketing agencies should be interconnected with extra-high-voltage interties to take advantage of time, load, season, and streamflow economies: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge the earliest possible conclusion of a common-carrier transmission grid for the entire Nation so that all electric consumers will benefit from these interconnections; and be it further

Resolved, That any extra-high-voltage transmission facilities interconnecting any two or more utilities, public or private, be required to operate as common carrier facilities.

RESOLUTION 7—MAPP—NOT A POWER POOL

Whereas Mid-Continent Area Power Planners (MAPP) does not accept the common carrier principle on the transmission lines for all electric utilities, public and private; and

Whereas MAPP continues to be primarily a propaganda device for the investor-owned utilities (IOU's), and not a power pool; and

Whereas MAPP has thus far refused to include the Bureau of Reclamation transmission system, the largest transmission system in the area, in its plans; and

Whereas refusal to recognize the Bureau of Reclamation's transmission facilities in this area will result in duplication of facilities that ultimately increases the cost to electric consumers: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge any consumer-owned electric utility to refrain from any association with MAPP until as a pool it recognizes the common carrier principle, the preference principle, and the Bureau of Reclamation's Missouri River basin transmission system.

RESOLUTION 8—ENDORSEMENT OF HUMPHREY BILL

Whereas the Federal Power Commission has raised the issue of its jurisdiction over electric cooperatives; and

Whereas Senator HUBERT H. HUMPHREY, in the 88th Congress, sponsored legislation which would exempt electric cooperatives from the jurisdiction of the Federal Power Commission: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association support and urge the passage of the Humphrey bill.

RESOLUTION 9—COST ALLOCATIONS

Whereas the administration has rescinded Budget Bureau Circular A-47, and has adopted new standards to measure more accurately the benefits and costs of Federal multipurpose projects, thus extending from 50 to 100 years the maximum period to be used in calculating benefit-to-cost ratios: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association express its appreciation to the administration for this action and respectfully ask similar action to revise the cost allocation and pay-out standards of all Federal projects so that the burden upon Federal power customers can be relieved, including projects already authorized and/or constructed; be it further

Resolved, That Mid-West particularly point out to the administration this fact: Project benefits other than power must be considered realistically so that power benefits will not be unfairly burdened by the cost allocation procedures.

RESOLUTION 10—LEGISLATION BY APPROPRIATION

Whereas the Appropriations Committees of the Congress have demonstrated an increasing propensity to write restrictive language on REA into reports, and these reports have the practical effect of legislation, although they are not subject to a vote of the Members of Congress and have no legal status; and

Whereas these restrictions have materially reduced the effectiveness of the G. & T. loan program as a power supply bargaining instrument, the ultimate effect of which is higher power cost for rural people, and have diminished the authority of the REA Administrator in other respects: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association express its opposition to this practice of the Appropriations Committees and urge the Congress to oppose further erosion of the rural electrics' power supply bargaining position.

RESOLUTION 11—REA LOAN FUNDS AND LOAN TERMS

Whereas rural electrification would not have been possible without the steadfast support of the Congress in providing adequate loan funds at 2 percent interest for 35 years, compensating for the high investment, low density, and other inherent disadvantages of rural service; and

Whereas rural electric cooperatives, historically and at the present time, accept the responsibility of area coverage; and

Whereas rural electric cooperatives have no method of financing available to them except through the Rural Electrification Administration; and

Whereas continued support of the Congress and its present loan terms are absolutely vital to rural electric cooperatives' ability to serve rural America, and to achieve parity between urban and rural electric rates: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association strongly object to any increase in the present 2-percent interest rate on rural electrification and telephone loans, and urge the Congress of the United States to appropriate adequate funds to meet the requirements of the Nation's rural electric and telephone cooperatives, including, most importantly, their requirements for generation and transmission loan funds.

RESOLUTION 12—SOUTHWEST MINNESOTA-IOWA TRANSMISSION FACILITIES

Whereas preference customers in southwestern Minnesota have for many years paid a premium through excessive wheeling fees on their allocations of Missouri River Basin power because of a lack of Federal transmission lines to market the power in their area; and

Whereas Federal construction of these transmission facilities in southwest Minnesota will also provide additional capacity and better service to preference customers in Iowa by interconnecting with the U.S. Bureau of Reclamation system at Spencer, Iowa: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge the Congress and the administration to approve construction of these facilities and to provide the initial appropriation for their construction.

RESOLUTION 13—IMMEDIATE APPROVAL OF IRRIGATION PROJECTS

Whereas lack of rainfall in the semiarid Upper Plains States has historically made farming a marginal operation and business; and

Whereas all phases of Missouri River basin development are well underway except development of irrigation; and

Whereas development of irrigation was one of the major benefits to be derived from this program by the residents of the Upper Missouri River Basin States: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association wholeheartedly support development of the Garrison, Oahe, Midstate, and other irrigation projects; be it further

Resolved, That Mid-West support the historical 160-acre limitation as the quantity of irrigated land which may be held by an individual because it is economically and socially desirable and serves to maintain an antimonopoly influence in the utilization of land and water resources; be it finally

Resolved, That Mid-West urge the inclusion of the 160-acre limitation in any legislation authorizing new irrigation projects.

RESOLUTION 14—PUBLIC LAND LAW REVIEW COMMISSION

Whereas a law recently enacted by the Congress and signed by the President has established a "Public Land Law Review Commission," the purpose of which is to review all laws having to do with federally owned lands; and

Whereas the President will appoint to this Commission six citizens who are not Members of Congress; and

Whereas Mid-West Electric Consumers Association represents electric consumers who have a great interest in Federal lands since many electric transmission lines traverse such Federal lands and the regulations affecting these transmission lines affect the price of power; and

Whereas various groups have met together and urged the appointment of certain individuals to the Commission, often with the aim of having Federal regulations changed to the benefit of a few: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association request that the President of the United States look carefully at all those appointed to the Commission with an eye to consumer and citizen protection; be it further

Resolved, That the rural electric and public power groups consider meeting together to recommend appointees to this Commission.

RESOLUTION 15—TRANSMISSION RIGHTS-OF-WAY OVER FEDERAL LANDS

Whereas the Secretaries of the Interior and Agriculture have jointly promulgated regulations requiring all non-Federal entities seeking transmission line rights-of-way across Federal lands to agree, as a condition of such rights-of-way, to wheel power for the United States to the extent excess capacity is available in such lines; and

Whereas fair and just application of these regulations has and will result in economies to the Federal Government and to the ultimate electric consumer; and

Whereas there has been introduced in the Congress legislation designed to repeal or suspend said regulations: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association commend and appreciate the action by the Secretary of the Interior and the Secretary of Agriculture in promulgating said regulations and urge that they be retained in full effect; be it further

Resolved, That Mid-West oppose any legislative, regulatory, or other actions which would repeal or suspend the effectiveness of said transmission line rights-of-way.

RESOLUTION 16—NATIONAL POWER SURVEY

Whereas the Federal Power Commission has initiated a power survey to develop a framework within which the long-range electric power needs of the Nation may be met through adequately interconnected systems; and

Whereas such interconnections of power systems could produce tremendous benefits to power consumers and to the continued building of an even stronger and vital Nation; and

Whereas technological breakthroughs now make possible such developments as 1 million-kilowatt thermal generating units and 750,000-volt direct current transmission facilities; and

Whereas the trend has already begun toward huge generating and transmission equipment, and toward regional and interregional transmission ties, which is resulting in the creation of giant combines of private power companies operating in several of the States without effective regulation; and

Whereas the benefits of this new technology should be passed on to all consumers and local publicly owned and consumer-owned electric utilities should share in such benefits: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge the Federal Power Commission and the Congress to take steps to secure appropriate and effective Federal regulations of and participation in such interconnected power systems, thereby assuring that power users, large and small, receive the benefits of the increased efficiencies made possible by technology and interconnecting in the utility industry; be it further

Resolved, That the staff of Mid-West Electric Consumers Association immediately advise Mid-West members of its recommendations concerning the national power survey as soon as possible after its release by the Commission.

RESOLUTION 17—WHOLESALE CONTRACT REGULATION

Whereas attempts are being made by the investor-owned utilities to overrule the decision of the U.S. Supreme Court in the City of Colton case and to take away from the Federal Power Commission effective jurisdiction over the wholesale sales of power by such companies; and

Whereas such jurisdiction over the investor-owned utilities is necessary in the public interest to protect the interest of ultimate consumers of low-cost electricity and to guard municipal and other local public power systems purchasing power and energy for resale from the companies against unreasonable rates and unfair contract conditions: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge the Congress not to take any action which would adversely affect the jurisdiction of the Federal Power Commission over sales by investor-owned utilities to municipal or other local public power systems or would in any manner impair the authority of the Commission to take action to protect the interest of the ultimate consumer.

RESOLUTION 18—ACTION ON THE HUNGRY HORSE ACT OF 1944

Whereas, the Hungry Horse Act of 1944 reserved 50 megawatts of firm load factor power from the Hungry Horse Dam for preference customers; and

Whereas this block of power has not been available to preference customers because of the unwillingness of the Montana Power Co. to wheel such Hungry Horse power east of the Continental Divide: Now, therefore, be it

Resolved, that Mid-West Electric Consumers Association urge the Federal Government to construct the necessary high voltage interties which would make this block of hydropower available to preference customers as provided by Federal law; be it further

Resolved, that Mid-West Electric Consumers Association most urgently requests the Congress to appropriate, in 1965, adequate funds to begin construction of a 230 kv line from Hungry Horse to Rainbow substation in Montana, or such alternative facilities which would prove equally beneficial to the preference customers.

RESOLUTION 19—UPPER MISSOURI RIVER DEVELOPMENT

Whereas development of High Cow Creek and Fort Benton Dams on the Upper Missouri River would provide additional hydropower of up to 1,000,000 kilowatts: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association support construction of these dams, provided that the cost allocation method is revised so that power from these dams will be competitive with low-cost thermal power and will provide revenues for other multipurposes.

RESOLUTION 20—ROSS REAPPOINTMENT

Whereas the record of Federal Power Commissioner Charles Ross reflects a definite interest and concern for the consumer: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge Mr. Ross' immediate reappointment to the Federal Power Commission.

RESOLUTION 21—STOCK OPTIONS

Whereas Senator LEE METCALF has clearly pointed out the increased power costs to electric consumers resulting from stock options available to the top executives of investor-owned utilities: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association urge the Federal Power Commission to continue to use its authority to protect electric consumers against this practice.

RESOLUTION 22—INVESTIGATION OF INVESTOR-OWNED UTILITIES

Whereas the late Montana Senator, Thomas J. Walsh, recognizing the abuses by investor-owned utilities, did in 1928 cause a resolution to be introduced in the U.S. Senate calling for an investigation of the capitalization, stock sales, and efforts of the investor-owned utilities to influence or control public opinion, which resulting investigation by the Federal Trade Commission made public the great scandal involving the Samuel Insull financial empire and national organization of investor-owned utilities, and brought about such corrective laws as the Utility Holding Company Act, the Federal Securities and Exchange Act, and the Federal Power Act; and

Whereas the recent tireless efforts of Montana's Senator LEE METCALF have disclosed additional widespread abuses by numerous investor-owned utilities involving "stock option" preferences being granted to company insiders at the expense of consumers and shareholders, expenditure of great sums of money in an attempt to destroy the good name and reputation of consumer-owned electric systems, and in propagandizing and influencing public opinion concerning contests for elective offices; and

Whereas reports of investor-owned utilities on file with the Federal Power Commission indicate not only overcharges of billions of dollars above a fair rate of return in recent years but also unnecessary and inequitable tax benefits from accelerated amortization and liberalized depreciation which constitute unwarranted windfalls: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association request the Congress to authorize a comprehensive investigation of the stock sales, stock "watering," propagandizing, and expenditures by the Nation's investor-owned utilities.

RESOLUTION 23—FEDERAL BUDGETING

Be it resolved, That Mid-West Electric Consumers Association urge the Congress of the United States to establish a budgetary procedure which would distinguish between national wealth-creating, self-liquidating capital investments such as REA loans, community facility loans, and hydroelectric power dams and, on the other hand, the current operating costs of the Federal Government.

RESOLUTION 24—HARD MONEY POLICY

Whereas the Federal Reserve Board has recently increased its discount rate from 3.5 percent to 4 percent; and

Whereas such increase will result in an increase in the interest rate which will have to be paid by farmers, small businesses, homeowners, all public agencies, and all other borrowers; and

Whereas the resulting increase in the amount of interest paid by the Federal Government would be hundreds of millions of dollars per year and the cost of all Federal power and irrigation projects would be greatly increased, as would the cost of any amounts which may have to be borrowed by the Federal Government for the REA lending program; and

Whereas history has shown that the prosperity of the farmers and wage earners of this Nation always has been adversely affected by a so-called Federal hard money policy and that the national economy has been depressed whenever such a policy has been in effect: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association protest the action of the Federal Reserve Board in increasing its rediscount rate and strongly endorse the position eloquently expressed by the Honorable WRIGHT PATMAN, Member of Congress from Texas, in opposition to the action of the Federal Reserve Board; be it further

Resolved, That the Federal Reserve Board be urged to rescind its action increasing its discount rate and that the Congress of the United States be urged to enact legislation reasserting to itself and the President their constitutional control over the fiscal policy of the United States, and that they take the necessary action to reduce interest rates to levels which are in the public interest of all of the people of the Nation.

RESOLUTION 25—COUNCIL OF RESOURCES

Whereas the natural resources of this Nation are a vital segment of our total wealth and strength; and

Whereas the natural resources of the Nation belong to all the people and the benefits of their orderly development should be available to all the people; and

Whereas long-range plans and comprehensive surveys should be made by a coordinating group to determine the needs of our growing population and future generations, rather than by piecemeal, short-term plans and projects; and

Whereas it is in the national public interest that our resource requirements and the adequacy of our resource programs be constantly before the entire Nation: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association endorse the proposal of Senator GEORGE McGOVERN, of South Dakota, to establish a Council of Resources and Conservation Advisors responsible to the President of the United States, as first proposed by the late President John F. Kennedy in his historic Billings, Mont., address to the Western States Water and Power Consumers Conference in 1960.

RESOLUTION 26—COORDINATION OF COMMUNICATIONS

Whereas the nine-State Upper Great Plains region, mainly through the efforts of the consumer-owned utilities, for the first time has the opportunity to achieve a unity of regional interests, and

Whereas the members of these consumer-owned groups have a vital interest in the affairs of the entire region: Now, therefore, be it

Resolved, That the Mid-West Electric Consumers Association asks the board of directors to establish a committee on communications selected from its member systems to formulate a plan of action for the purpose of improving and coordinating public information in the region; be it further

Resolved, That this committee seek the advice and counsel of writers and publishers both within and outside the membership in the formulation of a plan of coordination.

Resolution 27—Appreciation: Assistant Secretary Kenneth Holum, Administrator Norman Clapp

Be it resolved, That Mid-West Electric Consumers Association express its sincere appreciation for the outstanding services rendered by Kenneth Holum, Assistant Secretary of the Interior for Water and Power, and Norman Clapp, Administrator of the Rural Electrification Administration, in promoting the interests of the electric consumers of this Nation, and particularly the consumers of the Missouri Basin; be it further

Resolved, That Mid-West commend Mr. Holum and Mr. Clapp for their efficient administration of their respective agencies.

Resolution 28—Cooperation With Others

Be it resolved, That Mid-West Electric Consumers Association express its appreciation for the support of the following organizations: Organized labor, general farm organizations, American Public Power Association, National Rural Electric Cooperative Association, Electric Consumers Information Committee, statewide municipal and rural electric organizations, Federal agencies, Missouri Basin systems group; be it further

Resolved, That Mid-West direct its staff to continue working with these organizations in achieving its program of resource development.

Resolution 29—Commendation

Whereas Thomas G. Bonar assisted in the founding of the Mid-West Electric Consumers Association and has served as a member of its board of directors since that founding; and

Whereas the vision, faith, and leadership of Tom Bonar and the Union Rural Electric Association have brought the preference customers of the Platte River Basin to realize that cooperation with other preference customers in the Missouri River Basin is the only way in which the resources of the entire Missouri Basin can be brought to full development; and

Whereas Tom Bonar served as president of Mid-West from 1961 through 1963: Now, therefore, be it

Resolved, That the members of Mid-West Electric Consumers Association commend Thomas G. Bonar for his vision and faith in Mid-West and the opportunities for such an organization to lead the way in the full development of the Missouri Basin's natural resources; be it further

Resolved, That the members of Mid-West express their appreciation to Tom Bonar for his leadership, devotion, and hard work as a founder-director of Mid-West and for faithfully carrying out the duties of the office of president.

Resolution 30—Commendation

Whereas Harold R. Lee served faithfully and effectively as Executive Secretary of Mid-West Electric Consumers Association for 3 years; and

Whereas Mr. Lee gave of his time, effort, and ability in furthering the cause and fulfilling the purposes of Mid-West: Now, therefore, be it

Resolved, That the membership of Mid-West Electric Consumers Association extend its sincere appreciation and wholehearted thanks to Harold Lee for a job well done.

Resolution 31—Condolence

Be it resolved, That the members of the Mid-West Electric Consumers Association express their sorrow at the untimely death of its president, Henry T. Swenson, and extend to his family their heartfelt sympathy and gratitude for his untiring effort over the years in behalf of Mid-West and the consumers of the Missouri Basin, and for his outstanding contributions to the success of Mid-West both as a director and as its president.

Resolution 32—Condolence

Whereas we have learned with sorrow of the death of Sara Radin, the beloved wife of Alex Radin, who has contributed so greatly to the success of the Mid-West Electric Consumers Association in his capacity as general manager of the American Public Power Association: Now, therefore, be it

Resolved, That Mid-West Electric Consumers Association extend its sincerest sympathy to Mr. Radin and his family in their bereavement.

Resolution 33—Condolence

Be it resolved, That the members of the Mid-West Electric Consumers Association express their sorrow at the death of Henry Hope, and extend to his family their heartfelt sympathy.

Resolution 34—Appreciation

Be it resolved, That the Mid-West Electric Consumers Association express its appreciation to the city and county of Denver, the Denver Convention and Visitors Bureau, and to all others who have had a part in the planning and preparations for this 1964 annual meeting.

GOP MAGNIFICENT IN VIET CRISIS

Mr. HRUSKA. Mr. President, as again the United States is being challenged on a distant battlefield by a totalitarian enemy, the Republican leadership of the Senate and the House has asserted its support of President Johnson in the critical situation in Vietnam. As it has in the past, the Republican Party is today placing the national interest above all other considerations.

The significance of this endorsement was analyzed recently by the nationally syndicated columnist, William S. White. Mr. White wrote:

> Magnificent is the word for the Republican Party and its congressional leaders in the crisis of national purpose and national will and national honor that is rising in southeast Asia.
>
> Rarely in history has a minority party given such wide and generous support to an administration of the opposite party as is now being granted to President Johnson in his efforts to help halt Communist aggression in South Vietnam and thus to blunt the most recent grave challenge of international communism to peace and world order.

Mr. White went on to commend the minority leaders in each body, Senator Dirksen and Representative Gerald R. Ford:

> In their actions the phrase "responsible opposition" is taking on the dignity of fact; it is a reality, not merely an expression of what is desirable. If the President is able to bring this Nation through the trials of Vietnam without the strain of appeasement, on the one hand, or the horror of major war in Asia, on the other, these men will have played a memorably significant part.

Mr. White ended his analysis by particularly praising Senator Dirksen, stating:

> For the last 4 years, at minimum, no public man alive has more faithfully, more courageously, more wryly, and more responsibly served the higher purposes of this country. There ought to be a kind of medal for unassuming—and absolutely irreplaceable—service of this kind.

Mr. President, these are words of high praise, indeed; but they have been earned by the leadership displayed under the most difficult of circumstances by Senator Dirksen and Representative Gerald R. Ford. I ask unanimous consent that the article, entitled "GOP Magnificent in Viet Crisis," by William S. White, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 22, 1965]

Loyal Opposition: GOP Magnificent in Viet Crisis

(By William S. White)

Magnificent is the word for the Republican Party and its congressional leaders in the crisis of national purpose and national will and national honor that is rising in southeast Asia.

Rarely in history has a minority party given such wide and generous support to an administration of the opposite party as is now being granted to President Johnson in his efforts to help halt Communist aggression in South Vietnam and thus to blunt the most recent grave challenge of international communism to peace and world order.

The assistance being extended by the outs to the in President, Mr. Johnson, is if anything, even greater than that extended to a Republican President, Dwight D. Eisenhower, by Mr. Johnson and his senior Democratic colleagues when the Republicans held the White House and the Democrats held Congress.

Whatever else may or may not be done in this Congress by Senator Everett McKinley Dirksen of Illinois, the Senate Republican leader, and Representative Gerald Ford of Michigan, the House Republican leader, it will be dwarfed by the historic contribution they are making to keep this country strong and united in the face of foreign war.

Indeed, watching them at work one can almost believe that as a nation we may have actually reached here, for a time anyhow, that heretofore impossible and unattainable ideal—a politics, as to foreign affairs, of a maturity to match the complexity and gravity of these affairs in this decade. No doubt politics-as-usual will shortly descend over the scene; even so Dirksen, Ford and Co. are entitled to the most earnest of salutes for what thus far they have done and tried to do.

In their actions the phrase "responsible opposition" is taking on the dignity of fact; it is a reality and not merely an expression of what is desirable. If the President is able to bring this Nation through the trials of Vietnam without the stain of appeasement on the one hand or the horror of major war in Asia on the other these men will have played a memorably significant part.

It is a curious thing to see how, when the heat is really intense and the way ahead is hard and hazardous, some high political reputations begin to look just a bit dubious and some hitherto more or less routine and pedestrian reputations begin to develop a strength, a vitality and an intellectual candor that had been, by most people, wholly unexpected.

So it is now. Some so-called foreign policy experts on the Democratic side in Congress speak for a new and cleverly worded form of isolationism. Because things are admittedly sticky in Vietnam, because the non-Communist regime we assist is admittedly weak and scarcely "democratic" as we understand the word, these people have only a policy for surrender wrapped up in talk about the righteousness of "negotiation."

But negotiations are not possible with marauders until first they have been forced to cease their killing and looting and until first they have given some evidence that the end of any new "negotiation" will not be the same as the end of all other "negotiations" going back to 1954—that is, uninterrupted Communist aggression.

So Dirksen, Ford and Co. see the reality for what it is, describe it for what it is, and rejecting short-term partisan gain at the expense of the administration, stand with the President and the Democratic majority—and, in this case, with the vital interests also of the United States of America.

Now, Ford is a young man and no doubt has much of life and hope ahead of him. But Dirksen is an elderly man, by definition a man nearing the end of the long trail, and a far from hale and well man, too, if it comes to that. He has taken many a lump in his time, and a good many of them, in my opinion, he had coming to him. For he was not always the Dirksen of today; not any part of the Dirksen of today.

But for the last 4 years, at minimum, no public man alive has more faithfully, more courageously, more wryly and more responsibly served the higher purposes of this country. There ought to be a kind of medal for unassuming—and absolutely irreplaceable—service of this kind.

NEWARK JOB CORPS A SUCCESS

Mr. WILLIAMS of New Jersey. Mr. President, it is indeed heartening to learn of the notable success of the job corps in Newark, N.J. As a pilot project, the Newark job corps has removed all doubts about the worth of the program.

The young men and women in the corps have been in a training program sponsored by the city of Newark. Under the leadership of its very able Mayor Hugh E. Addonizio, the city has taught these young people the skills necessary for useful employment. The girls have learned to be nurses aides, librarians, and the like; the boys have been working in maintenance, communication, and so forth, with the city's various departments.

The success of the corpsmen in learning new skills has passed all expectations. These youngsters, all of whom are high school dropouts, have proved themselves so capable in their new tasks that the city is considering keeping many as full-time employees.

But an even truer indication of the success of the program is the fact that nearly 50 percent of the members of the corps have resumed their education. It is heartening to know that the job corps has met the challenge of persuading these youngsters of their error in letting their education drop, and has induced them to begin again, where they left off.

I commend Mayor Addonizio and Mr. Thomas E. Flagg, director of the program, for their outstanding efforts to help in making this pilot project the success it is.

I am pleased to bring this program to the attention of the Senate, for I think my fellow Senators will enjoy knowing that the efforts and deliberations of Congress are paying off in rich dividends for less fortunate members of our society.

Mr. President, I ask unanimous consent that two articles concerning the job corps in Newark, from the New York Times of February 15, be printed in the Record. I hope all Senators will derive the same feeling of satisfaction that I felt upon reading the articles.

There being no objection, the articles were ordered to be printed in the Record, as follows:

First Youth Corps in Newark Hailed

(By Charles Mohr)

Washington, February 14.—Secretary of Labor W. Willard Wirtz reported to President Johnson today that the Nation's first Neighborhood Youth Corps in Newark had dispelled the idea that the Corps was a make-work concept.

In a statement of reply, Mr. Johnson said the Newark experiment "has encouraged and heartened all those associated with it" and added that Mr. Wirtz' report was "an early indication that we can succeed in this best of all efforts."

The Neighborhood Youth Corps program is a major part of Mr. Johnson's antipoverty program. Full-time and summer programs are planned to give useful employment and training to school dropouts. The first Neighborhood Corps project in the Nation has been in operation in Newark since January 4.

Mr. Wirtz said today in a memorandum to the President that "its success has been so heartening and meaningful that it warrants a special report to you."

A THIRD CHANCE

Mr. Wirtz said that the Youth Corps enrollees were doing "jobs that would not ordinarily be done" and that "these are jobs that ought to be done in the public interest."

But he put even higher emphasis on a statement that "the single most important result of the program thus far is in the proof it has provided that young persons disheartened by failure at school and discouraged by failure in the labor force do respond with hope, confidence, and effort when given that important third chance."

Mr. Wirtz said that there were now 346 boys and girls at work in Youth Corps programs in Newark's schools, hospitals, library, museum, planning board, and other public agencies.

The total will eventually rise to 700. The youths work 30 hours a week. All of them were dropouts from school and were unemployed before volunteering for the program.

He said the total cost of the program was $520,000 of which the Federal Government had contributed $465,000.

THE 180 RETURN TO SCHOOL

Secretary Wirtz said that the brief experience at Newark had led to several conclusions that already seemed warranted.

One was that work with the Youth Corps "does stimulate a desire to return to school" and that already 180 of the Newark enrollees had registered at night.

He said the desire to resume an abandoned education was prompted by "the awareness that education is all important in landing a job" and by the "growing feeling of confidence, fostered by their performance at work, that they can succeed."

Mr. Wirtz said it also appeared that the counselors supervising the program had been able, through personal attention and genuine interest, to inspire the youths. He quoted one counselor as saying of the youths:

"Some of them seemingly feel that they are not important to anybody, that nobody does care about them. Well, we care."

Mr. Wirtz' brief report relied heavily on quotations from interviews with young persons enrolled in the program. He quoted one young man who said he dropped out of school because his cousin had told him it was the way to "see the world."

The young man was quoted as saying, "I dropped out and I saw it—the unemployment line."

He was asked, "Have you taken this up with your cousin?"

"Did I," said the boy. "He's got two black eyes to say that I ain't going to drop out of school no more."

A girl was quoted as saying that she now wants to return to school. She said: "A high school diploma is more important now—and a college diploma is more important than a high school diploma. You can't hardly get a job without a diploma."

Mr. Wirtz wrote to Mr. Johnson, "This birth of second-generation hope is a reward without price."

The Wirtz report said that 112 youths were working in the Newark city hospital and at the Ivy Haven Home for the Aged. Most girls are working as nurses' aides, but eight enrollees are working in the pathology department and five in the dietary department.

Twenty-seven are working in the library, museum or in other offices of Mayor Hugh J. Addonizio. Some youths are working in city offices such as city planning, finance, personnel, and treasury. Thirty boys work in the city motor department learning vehicle repair and 13 boys work as linesmen's helpers for the police and fire department communication lines.

A Second Chance for 348 Newark Dropouts

Newark, February 14.—Hundreds of young men and women, many of whom never worked a day in their lives, have recently become very useful to the city of Newark—and to themselves.

Until this year, they were merely part of a grim statistic, part of a young population that had quit school and, without skills or ambition, faced the future with little hope.

Since January 4, however, when the Neighborhood Youth Corps began its pilot project in Newark, hundreds of these young men and women have had a second chance.

WORK AND SCHOOL

They were taught how to work; they were encouraged to go back to school. Today, of the 348 16- to 21-year-olds enrolled in the program, 180 are attending evening school, if not full-time day school, and all are employed. Their jobs pay $1.25 an hour for a 30-hour week.

All work for the city of Newark. The work depends on their aptitudes. Some of the young men are tree trimmers with the Newark Park Department, or sign painters with the Newark Traffic Department, or mechanics' assistants in the city garages.

Some have learned to use jackhammers and work on city road projects, and some of the girls have been trained as typists, nurses' assistants, file clerks, library workers.

During the 6 weeks, somewhat less than 20 youths quit the project—a small percentage for a program involving dropouts.

The great majority of youths are learning quickly and proving to city employers the value of the program. For example, the director of the Newark Police Department, Dominick Spina, who has employed 25 young women, said:

"Their work has been so good that I am recommending several to be hired permanently by the city."

A high percentage of the 348 boys and girls in the program are, according to Mayor Hugh E. Adonizzio, Negroes from homes of extreme poverty. Many quit school, he said, to help earn money for their families, realizing too late that they were unqualified to work, or had never learned how to work.

Now, in addition to work habits, they are learning something else, the mayor said: "that somebody cares about them, is concerned about their future."

The director of the program is a 47-year-old educator, Thomas Flagg, who is assisted by a deputy and seven counselors. They roam from one city agency to another, wherever their young people are employed, inquiring as to their progress and with a willing ear for any problems, personal or otherwise.

"It seems to be working," the mayor said.

COUNTERING RIGHTWING TACTICS

Mr. WILLIAMS of New Jersey. Mr. President, many of us in the Senate have become increasingly aware, over the past year, of the vicious nature and undemocratic methods of the extreme right. We have seen and heard of examples of the far right's infiltrating school boards, in attempts to distort—indeed, to destroy—the educational principles that have made this country great, and to implement, instead, their own authoritarian thoughts on education.

The activities of this lunatic fringe, however, do not stop with school boards. They have attacked our national leaders; they have viciously fought dedicated attempts to strengthen our efforts to deal with mental health; and they have hampered the attainment of civil rights for all our citizens. They have intimidated the volunteers of legitimate political candidates seeking election to positions at all level of government. Worst of all, the members of these groups have started rumors and have shouted lies about anything that differs with their perverse version of what is right, good, or healthy.

What truly saddens me is the fact that in the name of democracy, these often psychotic individuals have renounced the democratic methods. In the name of democracy, they have abandoned the principles that we live by, in favor of totalitarian terror and misrepresentation.

In view of these facts, Mr. President, it is heartening to read a pamphlet, recently published by the National Congress of Parents and Teachers, that deals with directly meeting these threats to democracy.

I think this pamphlet is worthy of the consideration of the Members of the Senate, and I am sure that all Senators will find of interest the ideas stated in the leaflet. Therefore, I ask unanimous consent that this pamphlet, entitled "Extremist Groups: A Clear and Present Danger to Freedom and Democracy," be printed in the RECORD.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

EXTREMIST GROUPS: A CLEAR AND PRESENT DANGER TO FREEDOM AND DEMOCRACY

Open membership: PTA memberships, now about 12 million, represent a fair cross section of America.

Membership is open to all who want to work for children and youth. There are no barriers of color, creed, occupation, or income.

The PTA is nonsectarian and nonpartisan. No one is asked what his religious and political beliefs and affiliations are.

The PTA is an educational organization dedicated to promoting the welfare of children through home, school, church, and community. It welcomes all who want to learn more about children and act on their behalf.

Procedures: The PTA practices democracy. It welcomes dissent as well as assent. It does not impose conformity to any doctrine or dogma except democracy.

In the national organization, the State organization, and the local association, the rule is to abide by majority decisions and to respect the right of the minority to disagree and work for change.

Unity and diversity: What brings us together in the PTA—our common concern for children—is greater than anything that can divide us. Although there are bound to be differences of opinion where children and schools are concerned, PTA members are not youngsters who pick up their marbles and go home when they cannot have their way.

PTA members can tolerate diversity and act with unity and enthusiasm on majority decisions. This is the democratic way, the PTA way.

WAYS TO COMBAT UNDEMOCRATIC PRESSURES ON PTA'S, SCHOOLS, AND LIBRARIES

In the PTA: Appoint a committee to become informed on extremist groups, their "front organizations," and their tactics.

Devote a meeting to a factual report by the committee on extremist groups; their efforts to infiltrate PTA's and influence them to withdraw from the State and national organizations; and their undemocratic pressures on schools and libraries.

Establish the policy that resolutions and motions on controversial issues will not be voted on until the meeting following their introduction. This assures that the membership can be alerted and all views on an issue can be fairly represented and heard.

If someone comes up with a loaded, unanswerable question, ask him to rephrase it. Usually he can't, because it's a "canned" question.

Never mislay your sense of humor. A humorous remark has more than once pricked an inflated balloon.

Set a definite, reasonable time for adjournment. This assures that decisions will not be made by an extremist minority that outstays the moderate majority.

Look gift speakers in the mouth. Find out why they want to speak and whom they represent.

Keep the community and the press supplied with facts about PTA purposes and projects.

Schools: Urge school boards to do the following:

Have written statements of policy placing responsibility for curriculum decisions and selection of textbooks, films, pamphlets, and other teaching materials with teachers and educational administrative officials.

Have an information program to sustain community understanding of these policies.

Have clearly defined procedures for dealing with complaints on curriculum, books, and teachers. For example, require that charges and complaints be made in writing and signed by the complainant, referred to a special committee, and so on.

Libraries: Urge library boards also to have written policies on book selection; a public education program; and definite procedures for handling complaints.

Prepare in advance

Invite representatives from schools, churches, libraries, labor, industry, press, radio, and TV to a meeting to consider sound, democratic ways of dealing with extremist pressures.

Establish a joint committee for a continuing exchange of information and ideas.

Conduct a joint, vigorous education campaign to make the community aware of the importance of freedom of speech and freedom to read, to teach, and to learn.

If an attack comes

Bring it out in the open.

Insist that charges and complaints be specific, written, documented, and signed.

Ask the school board or library board to hold public hearings.

Get full press, radio, and TV coverage.

Seek advice and help from the National Congress of Parents and Teachers, your State congress, and from such groups as the State education association, the National Education Association, the American Library Association, the National Council for Civic Responsibility, the National Council of Teachers of English, the National Council of Teachers of Social Studies, and local and State colleges and universities.

EXTREMIST GROUPS: BOTH OF THE RIGHT AND OF THE LEFT

Most of us believe in the right of others to hold and to express views, even extreme ones, that differ from our own. (Extremist groups try to stifle free expression of views opposed to their own.)

Most of us believe that free access to information and a diversity of opinions are essential in a democracy. (Extremist groups try to purge school and public libraries of publications that are objectionable to them.)

Most of us believe the public schools should not indoctrinate students in the political, economic, religious, or social views of any group. (Extremist groups put pressures on schools to adopt courses and textbooks that reflect their views.)

Most of us believe that criticism of public institutions and officials is healthy, but that criticism should be informed, constructive, and based on facts. (Extremist groups make irresponsible, venomous, and near-libelous attacks on individuals, institutions, and organizations that disagree with them.)

Most of us believe that political, social, and economic change should be brought about by legal, democratic procedures. (Extremist groups use coercion, intimidation, and even violence to prevent or force change.)

Most of us believe that patience, good will, and intelligent, cooperative effort are needed to deal with complicated issues and problems. (Extremist groups are likely to believe there are easy, simple, fast solutions to complex problems and to advocate oversimplified, very often dangerous, measures.)

Most of us believe in rule by the majority, subject to criticism by a "loyal opposition." (Extremist groups believe in rule by their own minority and label any opposition as "disloyal.")

Tactics of extremist groups

Front groups: Extremist groups set up front organizations with high-sounding, patriotic names to promote their views.

Free speakers: They offer to provide free speakers in order to spread their propaganda.

Infiltration: They infiltrate democratic organizations like the PTA and try to capture key positions like the program chairmanship.

They send representatives to meetings with prepared, loaded, unanswerable questions to harass speakers whose views differ from theirs.

They prolong meetings so they can make minority decisions after the worn-out majority has gone home.

"Divide and conquer": They try to discredit State and national organizations and create distrust of their leadership in order to isolate local associations and capture control of them.

They encourage irrelevant programs and debates over organizational details to disrupt the work of an organization and divert it from its own productive activities.

Blacklisting and labeling: They probe into the personal history and political affiliations of educators, clergymen, and authors and label as "subversive," "un-American," "radical" those whose beliefs and affiliations differ from theirs.

Hysteria and fear: They create fear and insecurity by highly emotional, inflammatory charges of subversive influences in schools, government, and community organizations.

Coercion and intimidation: They threaten investigations of school administrators, teachers, librarians, and members of school and library boards who resist pressures for conformity to their views.

Some groups use social ostracism, economic pressures, and even violence to silence disagreement and impose their views on a community.

Misrepresentation: They make false charges and use quotations taken out of context. They distribute smear literature and poison-pen pamphlets, usually imported from outside the community.

PRESIDENT'S MESSAGE ON THE CITIES

Mr. HART. Mr. President, we have declared war on poverty, and we want better and more livable and attractive communities. An important contribution toward the attainment of this goal is public housing. Its extension and strengthening, called for by President Johnson, are basic to solving our problem of urban poverty. In fact, people in the public housing field have been concerned with poverty for over 26 years, since practically everyone served by the public-housing programs is in the lowest income group.

A statistical cross section of the tenant population of low-rent housing projects shows that: 52 percent are nonwhite; 47 percent are receiving assistance or benefits; 24 percent are elderly; 36 percent of the families with children are one-parent families; and 82 percent of the elderly and 25 percent of the nonelderly have no gainfully employed worker in the family.

The median total annual income for elderly individuals in public housing is $1,100, for elderly families $1,900, and for nonelderly families $2,800.

These are disadvantaged families subject to all the stresses imposed by poverty, ignorance, squalor, ill health, and the lack of skill required to participate effectively in the urban labor market.

Not only does public housing help solve the problem of providing adequate shelter for these people, including those displaced by renewal, but it also provides social services and incentives to help them become better citizens.

Poor families in public housing share with poor families everywhere the ugly byproducts of poverty, which include problems of motivation, health, education, employment, and social adjustment. The Public Housing Administration, in close cooperation with other government and welfare agencies, and national service organizations, has been attacking these problems through demonstration services task forces and community services programs. Wholesome environments are created and maintained to develop facilities, programs, and services for these low-income families that will help them help themselves.

In the new war on poverty, the Economic Opportunity Act provides numerous poverty-eliminating programs which are directly relevant to local housing authority participation.

Title I of the act provides three separate programs for youth—a Job Corps, work-training programs, and work-study programs. Who is in a better position to identify potential candidates for these programs, call the programs to the attention of these youngsters, and motivate them to participate, than the project management staff of the local housing authorities?

Also, title II of the economic opportunity legislation is intended to stimulate and provide incentives for communities to mobilize their resources to combat poverty through community action programs. Such programs would provide services and other activities to develop employment opportunities, improve human performance, motivation, and productivity, and to better the conditions under which people live, learn, and work. All local housing authorities have already been involved in such action programs, and they will work in close cooperation with the Office of Economic Opportunity in accelerating these community efforts.

Public housing is a cornerstone in the national public welfare program. Its basic philosophy is that the end result must be better living for its tenants and their neighbors, better neighborhoods and community growth, better housing and better living. It all adds up to a better city.

U.S. CIVILIAN EMPLOYEES IN VIETNAM

Mr. BREWSTER. Mr. President, in a recent article, Joseph Young, of the Washington Evening Star, paid tribute to the Government's civilian employees who are on the frontlines in battle-torn Vietnam.

These courageous and dedicated public servants deserve our most humble thanks. They symbolize the wilingness of our civil servants in this country and around the world to do their job, and do it well.

They live and work under extremely hazardous conditions, and without military escorts.

I ask unanimous consent that Mr. Young's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Feb. 16, 1965]

U.S. CIVILIAN WORKERS PRAISED FOR THEIR COURAGE IN VIETNAM

(By Joseph Young)

A firsthand report on how Government civilian employees are ably and courageously performing their duties in battle torn Vietnam has been made by the Deputy Inspector General of Foreign Assistance in the State Department.

Howard E. Haugerud had high praise for employees of the Agency for International Development and those in the Foreign Service, after returning from a month's inspection trip there.

Haugerud reports:

"Many of these men whom I visited are living under extremely hazardous conditions and are constantly subject to injury, kidnaping, or death at the hands of the Vietcong infiltrators, snipers, terrorists, and regular military units.

"They must work with and be respected by the district chiefs, village and hamlet leaders, and often remain in the hamlets overnight in the homes of these leaders who are generally 'marked men' by the Vietcong. In order to carry out their missions, they must work in areas infested with or threatened by the Vietcong. They must do so without military escort and generally unarmed because of the allegedly more severe penalties inflicted by the Vietcong in the event of capture while carrying weapons.

"My purpose in writing is to call attention to these Americans, many of whom are young and junior in grade. Because their activities are conducted mainly with the Vietnamese people and because they are away from the large population centers engaging in vital but nonspectacular work, I do not believe they are receiving the public credit that is due them."

This reporter is happy to pay credit to these courageous and dedicated public servants, and by doing so stress that Government civilian employees throughout our history—in war, peace, and emergency—have always served their country faithfully and well.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. FULBRIGHT obtained the floor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, without the Senator from Arkansas [Mr. FULBRIGHT] losing his rights to the floor, that I may suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FOREIGN AID PROGRAM

Mr. FULBRIGHT. Mr. President, I send to the desk a bill to promote the foreign policy, security, and general welfare of the United States by furnishing economic assistance to friendly countries and areas, and for other purposes. I ask unanimous consent that the bill be appropriately referred.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill (S. 1367) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, introduced by Mr. Fulbright, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, the bill which I introduce is in partial implementation of the President's foreign aid message of January 14, 1965, recommending authorization for military and economic programs aggregating $3.38 billion of appropriation requests.

This bill is concerned solely with the President's request for authorization for appropriation of $846 million for economic aid. This authorization for economic aid, plus previous authorizations for Development Loans and the Alliance for Progress, will support a total appropriation for economic assistance as requested by the President of $2.2 billion. The Foreign Assistance Act of 1961 authorized appropriations for development loans through fiscal 1966, and the Foreign Assistance Act cf 1962 provided a similar authorization for the Alliance for Progress. These authorizations are in the amounts of $1.5 billion and $600 million, respectively, but the President does not seek appropriation of the full amounts authorized.

I am not introducing a bill for authorization of appropriations for military assistance which the President requested in the amount of $1.17 billion because I believe, as I will note in further detail, that it is confusing to the Congress, to the American people, and to our friends overseas to continue to mix military and economic assistance together.

By appropriation account, the President's request for new authorizations and appropriations for fiscal year 1966 is, as follows:

[In millions of dollars]

	Authorizations	Appropriations
Development loans	----------	780
Technical cooperation	210	210
Alliance for Progress development loans and technical cooperation	----------	580
Supporting assistance	369	369
Contributions to international organizations	155	155
Contingency fund	50	50
American schools and hospitals abroad	7	7
AID administrative expenses	55	55
State administrative expenses	----------	3
Total, economic	846	2,210
Military assistance	1,170	1,170
Total, military and economic	2,016	3,380

The President is also requesting a special standby authorization for military or supporting assistance to be used only in Vietnam and only in case funds are needed to protect vital U.S. interests.

Before further elaborating my views toward foreign aid, I note at this time that I expect during consideration of the bill I am today introducing to submit a number of amendments, two of which I mention now.

First, I will propose that all economic programs be authorized for a period of at least 2 years. I will submit that amendment in order to conserve the time and energies of the President and the administration, and to enable the Congress itself to devote more of its attention to those important aspects of our relations with other nations which do not involve foreign aid programs. It is only 5 months ago that we completed consideration of the 1965 aid program and gave the President our collective advice on a wide range of foreign aid policies and programs. It would, in my opinion, be good for the President, the Congress, and the American people to give the AID Administrator, Mr. Bell, 24 months to operate the aid program without such constant and all-pervasive legislative oversight that the legislative process becomes administrative, rather than policy, in character. The Constitution provides that the President "shall take care that the laws be faithfully executed." I propose that we give him 24 months of such authority and refrain for 1 year from our annual, 6- to 8-month foreign aid debate.

The second amendment I will offer will be directed toward shifting more of our bilateral development aid into free world multilateral projects to be administered through the World Bank, the International Development Association, or some similar free world operating agency. I will offer this amendment because I have become convinced that bilateral development lending programs are hurting us more than they are helping us. But more of this later. Let me approach the subject of foreign aid in a more systematic fashion, pointing out that congressional dissatisfaction with the program is not without some background.

Mr. President, in the report of the Foreign Relations Committee on the foreign aid bill in 1963, the committee expressed the belief that "major changes remain to be made in the foreign aid program."

The report continued:

> In fact, the committee gave serious consideration to an amendment which would have terminated the program in its present form June 30, 1965, so that both Congress and the administration could consider a major reorganization and reorientation of the program prior to that date. The committee refrained from adopting this amendment in the expectation, which it hopes will not prove unjustified, that the administration will submit a fiscal year 1965 program to Congress which has been revamped in major respects. Specifically, the committee believes that countries which can take care of themselves should be eliminted from the program, that even more selectivity among countries should be introduced, and that prompt and serious consideration should be given to a greatly increased utilization of multilateral agencies, such as the International Bank for Reconstruction and Development and its subsidiaries, notably the International Development Association.

In March 1964, I introduced legislation designed to separate the military aid from economic aid and the lending program from the grant assistance. In prior years, I, along with others, had advocated multiyear authorizations of this program but without success. In any case, the traditional omnibus bill was passed late in the session after undergoing the traditional controversy and bickering, much of it about irrelevant amendments.

Thereafter, I instructed the acting chief of staff of the Committee on Foreign Relations to notify the Director of the AID that I would not care to manage the AID legislation again unless it was presented in a different form along the lines I had recommended earlier in the year and consistent with the committee's recommendations in the 1963 report.

So that there would be no misunderstanding, I then, in October, wrote to the Secretary of State in part as follows:

> Following my conversation on the phone, I merely wish to reaffirm my view that the traditional foreign aid legislation has about run its course. Speaking for myself, of course, and not for the committee or the Senate, I do not intend to support and manage for another year a catchall bill such as we have dealt with these last 2 years.
>
> Unless the military program can be separated from the economic and put in more manageable form, I intend to request that some other member of the committee handle the bill next year. I do not wish to belabor the matter in a letter, but I would suggest that at least three separate bills be considered—one dealing with the military aid, one with the grant aid, and one with the lending operations.

In December and later in January, several newspapers published articles making quite clear my position, although it was scarcely news at that late date.

On Monday, February 1, one of the columnists in the Washington Post saw fit to denounce my decision rather severely as follows:

> The chief Senate foreign policy spokesman, Senator J. W. Fulbright, of Arkansas, has refused to manage the administration's new foreign aid bill, as he had threatened earlier to do in throwing down an ultimatum to the President. This was an unexampled abdication of the traditional responsibility of a chairman of the Foreign Relations Committee.

I can only observe that I have never thrown down an ultimatum to this or any other President of the United States. I discussed this matter with the President and with officials in AID and State long before I finally made the decision not to manage an ominbus bill. It is quite wrong to describe an effort to modernize and improve the most controversial foreign program we have as an ultimatum. As for this action being "unexampled," it clearly is not. Only last year Senator Byrd of Virginia, the chairman of the Finance Committee, declined to manage the most important tax bill in many years. There are many other examples I need not mention here.

I believe it to be my duty to try to improve a foreign aid program which I believe requires revision to meet the changing needs of American foreign policy in a changing world. I should like it to be quite clear that my reservations about the present foreign aid program have to do with its character and direction and not with its management and execution. I believe that the AID is competently led by Mr. David Bell supported by a staff of able and dedicated public servants.

There is no reason to believe that there is any more waste in our foreign aid program than in any other governmental function and there may indeed be less. The issue that I raise is whether the kind of program which we are now running—omnibus in the organization of diverse parts and bilateral in execution—has not outlived its usefulness.

It is a matter on which honest men may disagree. It is also a matter regarding which those who have some responsibility have the duty to suggest and support what they judge to be a wise approach. The President and the Secretary of State and the Director of the AID have made know their position. I intend to do the same, emphasizing that it is not foreign aid which I am criticizing but a particular approach to it. I believe that American foreign aid has been useful, constructive, and humane over the past two decades. I propose in the weeks ahead to offer amendments which I believe will make it more useful, more constructive and more humane. In so doing, I would hope to stimulate the public thought and discussion out of which may come a better solution to one of the most vexing problems of American foreign policy.

I should like to digress a moment to comment upon our balance-of-payments dilemma. We may recall that about 1957 the dollar gap was closed and we began to run deficits in our balance of payments. We now recognize that we were too slow in adjusting to this change in circumstances, which is not unusual in our society.

The deficit is not a trading deficit, but arises primarily from our business investments abroad, American tourists spending too much on foreign travel, excessive military personnel abroad and, to a much lesser extent, to foreign aid.

The President has recently announced policies designed to correct the imbalance in our accounts. If these do not prove to be effective, there will be no recourse but to impose greater controls and probably to curtail the aid program as well. However, it should be remembered that more than 80 percent of the aid funds are spent within the United States and have a beneficial effect upon many of our industries and upon agriculture in contrast to the expenditures for our Armed Forces in the Far East and elsewhere.

As a matter of priority, therefore, I believe a reduction in military forces abroad, in American investments in industrialized countries, and tourism should precede a drastic cut in aid funds. It does seem to me that the American people could bring themselves to travel within the United States and spare themselves the sophisticated debauchery and artistic pocket picking of Paris, at least for a year or so. Is the patriotism and enlightened self-interest of our people so superficial that they cannot, just this year, go to Las Vegas instead of Monte Carlo, or New Orleans instead of Paris, or Colorado instead of Switzerland, or California and Florida rather than Cairo?

I can assure them of a cordial, friendly, and reasonably priced reception if they should visit the lovely lakes and rivers of the Ozarks in northern Arkansas. I am certain they will return from such a visit with greater serenity and peace of mind than they bring back from the frenzied distractions of Western Europe.

They will find they can do it for half the price, without insults or shakedowns, and perform a real service to this country.

As I have said over the years, foreign aid has been a useful, indeed indispensable, instrument of American foreign policy. I do not believe Western Europe could have been saved from collapse and communism without the Marshall plan. Foreign aid of varying types has also been crucial in bolstering Greece and Turkey, in supporting India's great experiment in democratic economic development, in sustaining Korea, Formosa, and Vietnam, and in beginning the process of social reform and economic growth in Latin America. Contrary to a common impression, economic growth in the less developed world as a whole since 1950 has been at an unprecedented rate of 4.2 percent per year according to the calculations of Dr. Isaiah Frank of Johns Hopkins University.

Despite mistakes that have been made and despite the frustrations we have endured since 1945, we have persevered and we have learned from our mistakes and have improved the administration of foreign aid in important respects. The Foreign Assistance Act of 1961 was a good law, in many respects the best foreign aid law we have ever had. Among other things, it provided multiyear authorizations for lending programs, but this provision was scarcely on the statute books before Congres began to disavow it.

One could plainly see as early as 1963 that the 1961 act, whatever its merits, was no longer politically acceptable and that public and congressional attitudes toward foreign aid had changed to such a degree that the program of 1961 needed to be recast. One of the major contributing factors is that the Congress and the administration is simply tired of the annual cycle of preparation, presentation, and hearings and interminable debates extending over the entire congressional session. The time has come to take a fresh look at foreign aid, so that we can try to adjust to changed circumstances both at home and abroad.

One thing which confuses our consideration of foreign aid is that the program is a hodge-podge of diverse activities. In fact, it is a misnomer to speak of the foreign aid program. It is not a program, it is a conglomeration of programs—to support foreign armies; to maintain American military bases in foreign lands; to build roads, dams, steel mills; to pay foreigners' import bills; to grow more food; to rent communication stations; to train foreign tax collectors; to provide emergency relief from natural disasters; and to support multifarious United Nations activities which themselves range from feeding children, to killing malarial mosquitoes, to irrigating Pakistan.

Quite clearly there is nothing inherently wrong about any of these purposes. One can conceive of circumstances in which each of them—and others, as well—may be justified. The various kinds of foreign aid do indeed provide an important part of our overall national effort to provide for our security and to keep peace.

I do not advocate the abandonment of aid as an instrument of our foreign policy. I merely assert that as the result of many changes in the world, experience gained in other international lending agencies, and especially because of the image which the omnibus bill has acquired in the Senate, the time for a change in approach has arrived.

The Foreign Assistance Act of 1961 contained 12 separate authorizations for appropriations for 12 different activities. It is no wonder that the Congress, the public, and perhaps the administration, has difficulty in understanding the measure. Almost everybody can find something in this amalgam to support; almost everybody can find something to oppose. When we call the roll on final passage, how is a Senator or anybody else to know what he is voting for or what he is voting against?

It would be a great relief to all Americans, including the President, I should think, if we could at least take up these programs only once every 2 years—preferably 4—instead of every year. Foreign aid is an annual albatross around the neck of any President. He must persuade, cajole, convene citizens' committees, meet the press, write letters, and issue public statements to persuade the Congress to do, or not to do, in March what it did or failed to do last September. Furthermore, our annual foreign aid debates usually create problems for the administration with many nations of the world. One body of Congress often insults a nation, the other tries to undo the damage, and we end up with legislative language which as often as not gives the President discretion to get himself into difficulties with either the foreign nation or the Congress, or both. I dare say the President could save considerable administrative costs and save himself much anguish and energy if he could persuade Congress—as I believe he might—to authorize foreign aid on at least a biannual basis instead of on a yearly basis.

We also need to sort out more clearly the various purposes of aid, the various kinds of aid which are used to achieve those purposes, and the various administrative arrangements available to us. We should not deny ourselves the use of aid in circumstances in which it is an appropriate and effective instrument of foreign policy. But we should remember that a kind of Gresham's law applies to aid programs and that aid dispensed too widely and too freely cheapens itself. Furthermore, the more widely and freely it is dispensed, the more resentments arise when it is withheld.

It has long seemed to me, and increasingly so, that we made a mistake when we joined military and economic assistance. Military assistance has always been administered by the Department of Defense under the foreign policy guidance of the Department of State. It is, we have been told by the administration, part and parcel of the national defense of the United States. Why, then, should it not be part and parcel of the Department of Defense budget? The costs of maintaining and operating the air and naval bases in Spain is a part of the Defense Department budget. Why should not the cost of military assistance to Spain likewise be a part of the defense budget? I do not think this would lessen the foreign policy control of the Secretary of State.

Secondly, it seems to me that our economic development lending operations need to be more sharply segregated from our economic and political grants. Furthermore, so long as our loans remain on a bilateral basis, they will tend increasingly to complicate and irritate our political relations with borrowing countries. It is rather an embarrassing thing, for both parties, to go to a friend to borrow money. If he lends it to you, you feel impelled to be grateful and under some sort of obligation beyond simple repayments; if he does not lend it to you, you are resentful. Or if a friend comes to you for a loan and you do not think he has been behaving quite properly, it is an embarrassment either to refuse the loan or to put strings on it. In any case, a possibly fatal strain is put on the friendship. "Loan oft loses both itself and friend," said Shakespeare.

But, Mr. President, the relationship is totally different when you go to a bank to borrow money. You expect the bank to ask questions and to match disbursements against performance. You feel no particular sense of gratitude or obligation or subservience if the loan is made, nor any particular sense of resentment if it is not.

In my travels, I have never seen a sign that said "World Bank go home." I have heard some rather harsh things said about the International Monetary Fund, including the statement that it was a lackey of the United States; but these came about, I think, primarily because the United States was engaged in a bilateral aid program concurrently with, and in part contingent upon, the Fund's multilateral program.

So, it seems to me, Mr. President, that the World Bank, or, more specifically, its affiliate, the International Development Association, should play an expanded and more active role in economic development. This would not only be good politics from the point of view of the United States, it would also be good economics, because the Bank would be, I believe, more successful than the United States has been in persuading the other developed nations of the world to do more than they have been doing in helping the underdeveloped nations. And finally, it would be good management, because the Bank has thoroughly and repeatedly demonstrated its competence in this field.

Why can there not be more projects such as the Indus Valley development in India and Pakistan where the bank worked out the basic agreement, organized a consortium to finance the works, and is managing the whole project with a minimum of criticism or resentment?

It seems to me, also, that the Development Assistance Committee of the Organization for Economic Cooperation and Development has a larger role to play, not simply as a study group and hortatory club but as the initiative-taker, organizer, manager, and doer. I might note parenthetically that one reason the Marshall plan proved so successful and politically palatable was that it was partly administered by the OEEC, a multilateral organization which avoided the political pitfalls inherent in a bilateral arrangement.

With respect to the Alliance for Progress, I believe we should move toward an arrangement in which the Inter-American Committee on the Alliance for Progress—or CIAP, after its Spanish initials—might assume such a role over the next few years. I approve of the enlargement of the resources of the Inter-American Development Bank, which is an example of multinational administration of economic development.

It is difficult, if not impossible, for Congress to take the initiative in working these matters out. We can suggest, we can recommend, we can authorize; but we cannot carry on the necessary discussions with the World Bank, or DAC, or CIAP. In 1961, Congress authorized the use of up to 10 percent of development loan funds through the International Development Association—and then shortly thereafter forbade it through a limitation on the appropriation. I think it is unfortunate that the authority could never be used.

There are those who will say that in multilateralizing aid, we are losing control of it and that in advocating such a course I am contradicting what I said a moment ago about aid as an instrument of foreign policy. I do not believe it is contradictory because I believe the International Bank is more likely to avoid the pitfalls and contribute to the achievement of our principal purposes than is bilateral lending.

There is yet another point to be made here. Although we hear a great deal about extending aid directly to people, the fact is that to a large degree, government-aid programs have to be carried on through governments. One result of this is that aid programs become identified with particular governments—and in many parts of the underdeveloped world, governments are on their way out and new people are on their way in. Our close identification with particular regimes, through bilateral aid programs, inhibits us from establishing the kind of relations and rapport we need with the successor government.

We have begun to overcome this handicap in Latin America where the thrust of the Alliance for Progress has been toward changing the established order. I think the Alliance for Progress has begun to take hold in Latin America, and I think this is one of the reasons, along with the contribution of the Inter-American Development Bank, why we have fewer pending crises in Latin America today than in any other part of the world. It may be that one reason we have not been able to duplicate this relatively satisfactory state of affairs elsewhere in the underdeveloped world is that our bilateral aid programs have identified us too closely with the past and too little with the future. It is also significant that the Alliance for Progress, thanks in part to CIAP—the Inter-American Committee for the Alliance for Progress—is becoming steadily more multilateral in concept and execution, though it remains true that we supply most of the money.

Even though the development loans could be shifted to the IDA, the bulk of our aid programs would still be on a bilateral basis. The bilateral program would still include surplus agricultural commodities, Export-Import Bank loans, Alliance for Progress, and a substantial amount of technical assistance. The supporting assistance and contingency fund are so closely related to short-term political objectives and military aid that they cannot be considered development aid and would properly be kept on a bilateral basis.

Technical assistance, if carried out wisely, efficiently, and imaginatively, is as important over the long run as any part of foreign aid. It is primarily an educational activity; through technical assistance, you teach and show people how to do things. Although I believe our technical assistance program has been sharpened considerably in the last few years, it is still rather too diffuse and unfocused and too small. It should, I believe, concentrate more on the training of foreigners, either abroad or in the United States, and less on the furnishing of American advisers who often achieve nothing but self-frustration. The principal limiting factor in the political and economic growth of underdeveloped countries is not capital or natural resources, but people who know how to operate a government, how to make a modern economy work, and how to provide the services, especially in the fields of health and education, which such an economy demands. In regard to this latter point, we should note that neither we nor the people we are helping have yet dealt with the problems posed by the rapidly increasing growth of population. Until we do face these problems, all our other efforts are likely to go for naught. The morning paper indicates AID is too timid in its approach to this problem.

Supporting assistance covers a wide range of activities and purposes—most of them essentially short range and political. The contingency fund likewise falls into this category. It is supporting assistance which at one and the same time finances the civilian side of the war in Vietnam and the Government in Bolivia. Although it has also financed some of the more regrettable failures of the foreign aid program over the years, many of the things which it seeks to do are clearly in the interest of the United States. This would be more apparent, however, if we stopped deluding ourselves by camouflaging supporting assistance programs by misleading talk about economic development and democratic freedoms. I see no reason why a nation with such worldwide interests as the

United States should not spend substantial sums for political purposes throughout the world so long as we recognize what we are doing and why.

Finally, Mr. President, we come to the last major type of foreign aid—contributions to international organizations. These include, incidentally, our payments to the World Bank's Indus Valley project. I would like to channel more of our development loan funds into projects of this type. The balance of the aid embraced under the general heading of contributions to international organizations goes to support a variety of U.N. activities, such as the U.N. technical assistance program, the World Health Organizations' malaria eradication program, and the Children's Fund. Taken together, these contributions may be viewed as a recognition of our responsibility to play the role of a good citizen in the world in the same way that we, as individuals, contribute to the United Givers Fund or to the March of Dimes here at home.

In conclusion, Mr. President, I do not think it is wise or efficient to consider all these diverse activities in one package. An argument that is often heard is that the single-package approach is the only way Congress can get an overall view and perhaps control the overall size of the program. This argument would have more merit if the foreign aid program in fact represented the totality of foreign aid, but it does not. Congress considers Public Law 480, the Peace Corps, and the Export-Import Bank, to name only a few activities, entirely separate and apart from the officially designated foreign aid program.

We have heard a great deal in recent years about "truth in packaging." This is a part of what I am after with respect to foreign aid. The mixture embraced in the single-package foreign aid bill has got so many ingredients that no one can any longer either read or understand the small print on the label. I want to break the contents down so that the labels may be written large for all to see.

I am well aware that this cannot be done in a year. Indeed, I have had a notable lack of success in trying to do it over a period much longer than that. I had hoped that this year the administration might begin. I still hope that Congress, on its own initiative, will begin the separation of the military and economic ingredients of the package and will put substantially more of the development lending program under multilateral management. If Congress does these things, it will, I believe, have made an important contribution toward accommodating a wise and necessary program to the changing needs of American policy in a rapidly changing world.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I am willing to yield the floor.

Mr. GRUENING. I should like to compliment the distinguished Senator from Arkansas, the chairman of the Foreign Relations Committee and comment briefly on his remarks. I applaud his views. I believe that the foreign aid program needs to be improved. I have been a supporter of foreign aid. Because I have found fault with some of its application, it has been assumed that I am opposed to foreign aid. I am not opposed. I believe that some errors have been committed and the efforts to correct them have met with the steady resistance of those managing the program to accept amendments. This has tended to endanger the whole program.

I have been depressed by the fact that frequently amendments passed by overwhelming votes in either this body or in the other body have been almost automatically removed in conference. This is a very unfortunate situation.

I believe that the clearly expressed will of one of these bodies should have proper consideration by the conferees. It is this policy which I think endangers the whole program.

Mr. FULBRIGHT. Is the Senator asking me a question or does he wish to make a speech? I would suggest that he make his speech on his own time. I do not propose to stand here all afternoon to have the Senator denounce me.

Mr. GRUENING. I was not denouncing the Senator from Arkansas.

Mr. FULBRIGHT. I do not yield for anything but a question.

Mr. GRUENING. I was trying to commend the Senator, not to denounce him. I do commend him. I am sorry if he thinks I have been trying to denounce him.

Mr. FULBRIGHT. It is very difficult to understand such commendation.

Mr. GRUENING. I commend him. I wish to make this clear. I compliment him on his suggestions that the foreign aid bill needs improvement. I believe that to be the fact. I have so stated repeatedly. I do not intend to criticize him for that. On the contrary, I commend him. I hope that point is quite clear. It is not my intention to keep him standing on the floor. I will talk on my own time. He has made a very constructive speech with some of which I agree. I hope we can work together to eliminate what seem to be some of the errors that have been committed to which he has made reference. I hope we can get a better program. That is my thought. I hope the Senator understands that. He is mistaken in his assumption that I was criticizing him.

Mr. FULBRIGHT. When the Senator says that his amendments have been taken out of the bill in conference without consideration, and automatically taken out, he is in error.

Mr. GRUENING. I was not referring to my amendments, but to other amendments that were adopted by substantial majorities.

Mr. FULBRIGHT. Some of his amendments the House of Representatives refused to accept. There was nothing automatic about the conference action at any time. The conferees always weigh the relative merits of all amendments. Many of the amendments that the Senator has in mind were never even submitted to committee. They were offered on the floor of the Senate. About 80 amendments were offered to last year's bill. This is the most chaotic piece of legislation that ever comes before the Senate.

The Senator from Alaska is entitled to his own opinion about the merits of his amendments. If it is not criticism to say that the amendments have not received consideration but thrown out automatically, I do not know what it is.

I yield the floor.

Mr. GRUENING. I thank the Senator for yielding to me. I did not say the amendments were not given consideration. I gave my view they were not given proper consideration.

Certainly the Senator is not responsible for the action of the conference committee. He is only one, though a very important, influential member of the conference committee. This has happened on a good many occasions—these eliminations by the conferees of amendments adopted by one House or the other by sizable majorities.

I point out what we did in the Senate to cease giving aid to the dictator of Indonesia, Sukarno. That amendment was adopted by the Senate by an overwhelming vote. It was not my amendment. I supported it. So did 60 Senators. It was taken out in conference. The facts prove that our policy in respect to Indonesia for years has been folly. We have sunk a billion dollars there. This man Sukarno has moved into the Communist orbit. It has long been evident that he would. He is an aggressor. He has left the United Nations. He has abolished our information agencies. He has closed our libraries. He has encouraged attacks on our Embassy. He has said "To hell with your aid." Yet we have continued to give it. Furthermore, the same thing has happened in the Middle East. Nasser is likewise an aggressor who continues to get our dollars. We continue to subsidize hostile dictators and continue to pour our dollars into their coffers while they pursue aggressive policies. Yet all these attempts have been opposed by the administration and this opposition has been reflected in the conferences between Senate and House.

It has been impossible to keep such amendments in the bill when they have been adopted by either body by overwhelming votes. This is a fact. I am hopeful that we can improve the foreign aid bill and make it a more useful piece of legislation. It has done much good in the past, but it has also done a good deal of harm in many cases. Its application, in not a few instances, has actually nullified the objectives which it was presumably trying to achieve. That is what I understand the Senator from Arkansas was also saying.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, that it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE HUDSON HIGHLANDS NATIONAL SCENIC RIVERWAY

Mr. KENNEDY of New York. Mr. President, on behalf of myself and my colleague from New York [Mr. JAVITS], I introduce, for appropriate reference, a bill to establish the Hudson Highlands National Scenic Riverway in the State of New York.

I ask unanimous consent that the bill be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed as requested by the Senator from New York.

The bill (S. 1386) to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes, introduced by Mr. KENNEDY of New York (for himself and Mr. JAVITS) was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1386

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and developing unique scenic, historic, outdoor recreation, archeological, fish, wildlife, and other natural values, and for the purpose of protecting water quality, in the portion of the Hudson River in Rockland, Orange, Putnam, and Westchester Counties, New York, and for the purpose of furthering the objects of the interstate compact entered into by the States of New York and New Jersey, which established the Palisades Interstate Park Commission and which was consented to by the Congress in the Act of August 19, 1937 (50 Stat. 719), the Hudson Highlands National Scenic Riverway (hereinafter referred to as the "Riverway") is hereby established.

SEC. 2. The boundaries of the Riverway shall include the segment of the Hudson River and related land areas within the following general limits:

(a) On the eastern shore of the river, the boundary to run from the southerly city limits of the city of Beacon on the north, to and including Yonkers on the south; on the western shore, from the southerly limits of the city of Newburgh, on the north, to the New York-New Jersey State line on the south. The eastern and western boundaries shall be approximately one mile from the east and west shorelines of the river, respectively, but may be either a longer or shorter distance from the shoreline, as determined by the Secretary of the Interior, in order to keep the view from the river as unspoiled and natural as possible, and in order to include typical examples of the Hudson River Valley, ridges, mountains, highland scenes, and vistas.

(b) The Secretary shall prepare a map delineating the boundaries of the Riverway. The map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 3. The Secretary of the Interior is authorized to encourage and assist the State of New York and the appropriate local zoning agencies in the adoption of zoning ordinances that will further the purposes of this Act.

SEC. 4. (a) The Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or otherwise, scenic or other easements, or other interests in land within the boundaries of the Riverway as in his judgment will further the purposes of this Act. If the Secretary finds that the acquisition of such interests will not adequately protect the Riverway, he may acquire by any of the above methods not more than 5,000 acres in fee for this purpose, and not more than 5,000 acres in fee for public access to recreational areas, sites, or points of public use within the Riverway. Lands and waters owned by the Palisades Interstate Park Commission, the State of New York, or any political subdivision thereof within the Riverway may be acquired only with the concurrence of such owner. Any Federal property located within the Riverway may, with the concurrence of the agency having custody thereof, be transferred, without transfer of funds, to the administrative jurisdiction of the Secretary for administration as part of the Riverway. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the Riverway, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged.

SEC. 5. The Secretary is authorized to establish such roads and trails as may be necessary to connect the Riverway with adjacent or nearby forests, reservations, lakes, historic and archelogical sites, scenic points, and recreation resources, and may acquire lands or interests therein for this purpose.

SEC. 6. In furtherance of the purposes of this Act, the Secretary of the Interior is authorized to cooperate with the State of New York, its political subdivisions, the Palisades Interstate Park Commission, and other Federal agencies and organizations in formulating comprehensive plans for the Riverway, and to enter into agreements for the implementation of such plans. Such plans may provide for use and development programs, for preservation and enhancement of the natural beauty of the landscape, for conservation of outdoor resources, and for preservation and interpretation of the historic sites, structures, and properties lying within the Riverway.

SEC. 7. The Riverway shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary of the Interior for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 8. The Secretary of the Interior shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Riverway in accordance with the laws of New York and the United States of America to the extent applicable, except that he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the Conservation Department of the State of New York.

SEC. 9. The Federal Power Commission shall not have authority under the provisions of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 791a et seq.), to license the building of any dam or other structure which the Secretary of the Interior determines would adversely affect the segment of the Hudson River included in the Riverway unless the application is referred to the Congress and the issuance of the license is expressly authorized by statute. Any application referred to the Congress shall include the views of the Secretary.

SEC. 10. The Chief of Engineers, Department of the Army, and the Secretary of the Army shall not have authority to issue permits for, or to undertake directly, the construction of any dam, dike, structure, or activity which the Secretary of the Interior determines would adversely affect the segment of the Hudson River included in the Riverway unless the proposal is referred to the Congress and is expressly authorized by statute. Any proposal submitted to the Congress shall include the views of the Secretary.

SEC. 11. The Secretary of the Interior shall cooperate with the Secretary of Health, Education, and Welfare, and with the appropriate State water pollution control agencies, for the purpose of eliminating or diminishing the pollution of waters within the Riverway.

SEC. 12. (a) The Secretary of the Interior shall coordinate and correlate such recreational developments as he may plan, construct, or permit to be constructed within the Riverway with those on lands within the respective jurisdictions of the State of New York and the Palisades Interstate Park Commission.

(b) To the extent of Federal ownership or control thereof—

(1) the Secretary of the Interior may issue where appropriate revocable licenses or permits for rights-of-way over, across, and upon Riverway lands, or for the use of Riverway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be consistent with the use of such lands for Riverway purposes; and

(2) the Secretary of the Interior may lease Federal lands, including structures or facilities thereon, in Riverway areas for such periods, upon such terms, and for such purposes as he may deem reasonable in the public interest: *Provided,* That preference shall be given to Federal, State, or local governmental agencies: *Provided further,* That the rental under any lease to a Federal, State, or local governmental agency, or to a nonprofit organization for park, recreational, or scientific purposes may be fixed after taking into account the public service to be rendered in utilizing the leased premises.

SEC. 13. (a) There is hereby established a Hudson Highlands National Scenic Riverway Advisory Commission (hereinafter referred to as the "Commission"). The Commission shall cease to exist ten years after the effective date of this Act.

(b) The Commission shall consist of nine members, each appointed for a term of two years by the Secretary of the Interior, as follows:

(1) One member to be appointed from recommendations made by the board of supervisors of Orange County;

(2) One member to be appointed from recommendations made by the board of supervisors of Rockland County;

(3) One member to be appointed from recommendations made by the board of supervisors of Putnam County;

(4) One member to be appointed from recommendations made by the board of supervisors of Westchester County;

(5) One member to be appointed from the recommendations made by the Governor of the State of New York;

(6) One member to be appointed from the recommendations made by the chairmen of the Palisades Interstate Park Commission and the Taconic State Park Commission; and

(7) Three members to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the Commission shall serve without compensation. The Secretary shall reimburse members of the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(e) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

(f) The Secretary shall consult with the members of the Commission from time to time with respect to the development of the Riverway and the performance of his functions under this Act.

SEC. 14. There is hereby authorized to be appropriated not more than $20,000,000 for the purposes of this Act.

Mr. KENNEDY of New York. Mr. President, consideration of this bill is essential because of pending encroachments on the Hudson and a heightened national awareness of the need to preserve those areas constituting our national heritage. Preservation of part of the area surrounding the lordly Hudson is of particular concern to our citizens because of the central role it has played in the history of our country, because of its unique beauty and majesty, and because of the important part it plays in the lives of such a large number of our citizens.

We have reason to be concerned with preservation of the scenic beauty and natural features of the Hudson River area. As Ronald Sullivan, of the New York Times, pointed out, "what was once called the great river of the mountains is becoming a cesspool." The shores of the river have been threatened by a plan to erect a pumped-storage hydroelectric plant at Storm King Mountain. Housing developments are located where they diminish the majesty of the Palisades. Trails, paths, and vistas that now delight the eye are threatened by the unnatural encroachment of man. We have an opportunity to act now; to save this area; we may not have another opportunity.

Our history is rich with Hudson River incidents, from Verrazano's first glimpse of the river, Henry Hudson's exploration of the full length of the river in the *Half-Moon*, and his statement that "this is a very good land to fall with, and a pleasant land to see," the establishment of the Dutch Hudson River Manors, General Washington's defense of the Hudson's Palisades in the Revolutionary War, the first voyage of Robert Fulton's steamboat *Claremont*, and the travel of boat and barge along its shores during the magnificent barge era. These episodes have become a part of the fabric of our literature, and art. "The Tales of Rip Van Winkle," "The Legend of Sleepy Hollow," and art from the Hudson River School are known by children and adults alike. George William Curtis, writing of the Hudson said:

> Its spacious and stately character, its varied and magnificent outline, from the Palisades to the Catskills, are as epical as the loveliness of the Rhine is lyrical. The Hudson implies a continent behind. For vineyards it has forests. For a belt of water, a majestic stream. For graceful and grain-golden heights it has imposing mountains. There is no littleness about the Hudson. Here everything is boldly touched. What lucid and penetrant lights, what broad and sober shadows. The river moistens the feet, and the clouds anoint the heads, of regal hills.
>
> Of all our rivers that I know, the Hudson, with this grandeur, has the most exquisite episodes. Its morning and evening reaches are like the lakes of dreams. Looking from this garden, at twilight, toward the huge hills, enameled with soft darkness, that guard the entrance of the highlands, near West Point . . . . Out of that dim portal glide the white sails of sloops, like spectres; they loiter languidly along the bases of the hills, as the evening breeze runs after them, enamored, and they fly, taking my fascinated eyes captive, far and far away, until they glimmer like ghosts and strand my sight upon the distance.

The Hudson River Valley still retains much of its original beauty. Establishment of the Palisades Interstate Park Commission in 1900, has protected part of the lower portions of the river from unwise use and has preserved the beauty of sections of the Palisades for future generations. However, we are once again faced with competing needs for land along the banks of the Hudson, needs that must be considered in parallel with our citizens' desire to preserve and enjoy this unique area of natural beauty.

Approximately one-sixth of the Nation's citizens live within a few hours distance from the Hudson River. Despoilation of the Hudson Riverway will deprive them of the beauty that can enlarge their imagination and revive their spirits. Many foreign visitors coming to the United States ride up the Hudson to get their first impressions of the American countryside. Of even more importance are the countless number of future Americans who will judge us by our actions in preserving areas such as the Hudson River Valley. They rely on us to insure that "America the Beautiful" is a fact as well as a phrase.

Immediate attention to the Hudson has focused on the plans to establish the hydroelectric plant at Storm King Mountain. It is inevitable that such a plant and other commercial ventures along the river will have a major impact upon the beauty of the region. Construction of high-power transmission lines on the flanks of the mountain would be particularly pervasive in their effect. I believe that more information is needed before decisions are made on FPC license applications in this area; my bill provides that the Federal Power Commission would not license the construction of a project if the Secretary of the Interior finds that it would adversely affect the riverway, unless the application for such license is referred to the Congress for its judgment. In my opinion, a license of this type—that would have such far-reaching effect—should be granted only after the most thorough congressional consideration of all facets of the matter.

This bill would establish a "Riverway" that would extend generally from the city of Beacon on the north to Yonkers on the south; and on the western side from Newburgh on the north, to the New York-New Jersey State line on the south. The exact boundaries would be defined subsequently by the Secretary of the Interior. The purpose of this bill is to save permanently for the public benefit the unique scenic beauty as well as the historic, archeological, recreation, and fish and wildlife values of this portion of the Hudson River, including the river valley and adjacent highlands. This will assist in the abatement of pollution and the protection of pure water in the area. Under the provisions of this bill, the Interior Department would plan and cooperatively develop the Riverway in conjunction with the State of New York, its political subdivisions and the Palisades Interstate Park Commission.

Land acquisition for the riverway would be kept to a minimum. The Secretary of the Interior would encourage and assist State and local bodies in the adoption of zoning ordinances to promote the preservation of the Riverway. The Secretary would be authorized to acquire scenic or other easements applicable to the particular area, when necessary; however, when the Secretary finds that sufficient protection to the area cannot be obtained by these procedures, he would be authorized to purchase a limited amount of not more than 5,000 acres of land. Also, in order to provide public access to the area, he would be authorized to acquire not more than 5,000 acres of land.

Public recreation use of the area generally for boating, swimming, bathing, fishing, and other recreational purposes would be authorized and would not interfere with use of the river for shipping. Hunting and fishing would be permitted in accordance with applicable Federal and State laws.

Another feature of this proposal is the establishment of the Hudson Highlands National Scenic Riverway Advisory Commission composed of nine members. The group should be of much assistance in promoting the purposes of this legislation and advising the Secretary of the Interior.

If enacted, I believe this bill will enlist the support and cooperation of local communities and agencies in preserving the Hudson. A cooperative program is needed to combat the situation that has developed along the Hudson. We must control pollution of the Hudson and restore those scenic features that have been sullied wherever practicable. This will require a vigorous action by all parties concerned, but the benefits to present and future generations will be worth it. In view of the urgency of the problem, I am hopeful that the appropriate committees will hold hearings on this proposed legislation soon and that it will be enacted during the present Congress.

I ask unanimous consent that Mr. Sullivan's excellent article, which appeared in the New York Times on Feb-

ruary 21, 1965, and also the fine and informative article entitled "What Will the Hudson Be?" written by Paul Goodman and published in the New York Times magazine of February 14, 1965, be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 21, 1965]

The Mighty, Dirty Hudson

(By Ronald Sullivan)

Albany, February 20.—The Hudson was once a magnificent river and parts of it still are. But disgruntled fishermen, driven from the river by its almost unbelievable pollution, now tell the story that a nail dropped into the river near here or near New York City won't rust—because there is no oxygen left in the water.

It's not that the Hudson was ever crystal clear or that it ever had miles of sandy shoreline. It didn't. But there was a time when it was clean, and fish, and young people loved it.

Now even the fish can't stand it. The shad run in the lower river beneath the George Washington Bridge has all but vanished. And the only fish that lives in the river near Troy is a vicious kind of eel that thrives on human waste.

The police keep young people from swimming, and piles of garbage, miles of sewer pipes, and mountains of debris have driven off the fishermen. What once was called the "great river of the mountains" is becoming a cesspool.

PEOPLE ANGRY

Slowly—so slowly that it pains the conservationists and the guardians of the public health—uncontrolled pollution is beginning to make people angry.

Water pollution has become a hot issue in the United States; hot enough to become the first item of President Johnson's legislative program to pass the Senate this year. And in Congress, in State houses and in city halls from Boston to San Diego, everyone suddenly wants to make water clean again—as long as it doesn't cost too much money. But it does.

The Federal Government says it will take at least $8 billion just to keep the country's cities from polluting water, just to catch up. It will take $20 to $30 billion more to install the necessary storm and sewer systems across the country.

A major goal of the President's Great Society is to recreate a land where a boy can jump into a river or pond without catching hepatitis or dysentery. Chemical and human pollution has befouled streams, lakes, and shorelines, making magnificent rivers like the Hudson and the Mississippi unfit even to live near.

Governor Rockefeller estimates that two out of three New Yorkers live amid pollution. The statistics are frightening and disgusting.

New York City alone produces 1.3 billion gallons of raw sewage every day. More than 500 million gallons of it are pumped each day into the Hudson and East Rivers. About 140 miles upstream, Albany and its equally drab and dingy neighbors pour more than 60 million gallons of filth into the Hudson daily. State studies show that there is now six times as much pollution in the river as there was at the turn of the century.

As more people move to the cities all over the country, their waste and that of the industries that serve them threatens to engulf metropolitan areas in a sea of defilement unless they do things they have never been willing to do—put sewage disposal on a par with schools and highways.

It is almost impossible to talk about the Hudson without talking about the Mohawk River, too, because the Mohawk pollutes the Hudson. The two rivers join just north of here, compounding the worst of both into a pollution nightmare.

It is like this in most other places. Someone pollutes a pond. The pond then pollutes a stream, which, along with hundreds of other ponds and streams, pollutes a river or a lake. Like the ripples from a rock thrown into the water, large-scale pollution is generally the culmination of countless little pollutions.

SOURCES

Governor Rockefeller has taken an impressive lead in fighting bad water by proposing a $1.7 billion antipollution program in New York State. He pointed his finger at 2,100 pollution sources and 1,167 communities that don't seem to care what they do with their waste.

"Everyone has a stake in ending the pollution of our lakes and streams," he said, "Farmers, housewives, sportsmen, workers, businessmen, children—all want pure water."

The log is clear. The State estimates that it would cost nearly $1 billion by 1970 to clean up the Mohawk and the upper and lower reaches of the Hudson. The State argues that it will eventually cost the people far more than $1 billion if action isn't taken now.

State officials believe that $1 billion spent on cleaning the Hudson and the Mohawk would pay for itself in hard cash—not just in terms of swimmers swimming and fishermen fishing. But it is almost impossible to convince the voter who sees no visible return for the money put into sewage-treatment plants. His implacable opposition has stood in the way of State action for decades.

The toughest nuts for the State to crack have been the cities of Utica on the Mohawk and Troy, which hugs the west bank of the Hudson, 10 miles north of here, at the junction of the Mohawk and the Hudson.

In 1936, the State health department sent a stiff note to Utica demanding that it stop pouring raw sewage into the Mohawk. The State gave Utica 4 years to stop. That was nearly 30 years ago and Utica is still pumping untreated sewage into the Mohawk at the rate of 15 million gallons daily.

Over the years Utica became more and more of an embarrassment to New York's efforts to clean its waters. Smaller cities told the State to do something about Utica before it moved against them. After several court battles and an implied threat to cut off State aid to the city, Utica has finally agreed to build a sewage-treatment plant.

ON THE CARPET

The health department had Troy on the carpet last month. But Troy officials contend they have been made "fall guys" by the State and point to the dozens of other Hudson communities that have no treatment facilities.

A 150-mile trip down the Hudson from Albany to New York City once was a joy. Now it begins amid unspeakable filth. As the accompanying map [not printed in the Record, shows this gross pollution persists before it begins to dissipate about 35 to 40 miles downstream. But pollution again sets in as communities farther down, almost without exception, contribute their share of raw sewage.

The map shows a 45-mile stretch midway to Manhattan that is relatively unpolluted. But a health department doctor said this did not mean the water is clean. He said he would not swim in it nor would he dare to drink it. The river is so befouled by the time it leaves Albany that it would take 10 years, even with every sewer blocked and every river factory closed, before it could recover its original state.

RELUCTANCE

And so it has gone. One city or town after another, each waiting for the other to do something and each insisting that schools and highways are more important than sewers. Local reluctance has spurred State and Federal initiative.

In his special message to Congress on natural beauty last week, the President asked for new Federal powers to clean up the country's water.

The Government has already made millions of dollars available to communities for sanitation studies and sewage-treatment plants. All told, 5,851 communities have received $500 million for treatment facilities since 1956. Under the Federal Water Pollution Control Act, a community can obtain Federal grants of up to 30 percent of the construction costs, with a $600,000 ceiling.

COMPANION BILL

The administration bill that cleared the Senate last month would raise the ceiling. The companion bill in the House raises it to $2 million a plant and provides $6 million for a joint community operation.

Governor Rockefeller urges an end of Federal ceilings. Under his plan, the State and the Federal Government would pay 40 percent each and the locality would provide the remaining 20 percent. But administration officials doubt that Congres would ever remove spending limitations, as asked by Mr. Rockefeller.

If the limitations remain, the Governor's program would be crippled.

[From the New York Times Magazine, Feb. 14, 1965]

What Will the Hudson Be?

(By Paul Goodman)

"The visible scene would enter unawares into his soul with all its solemn imagery." So Wordsworth wrote about a boy growing up in a river valley long ago. And now that the solemn imagery of the Hudson River is in the news almost daily, because of schemes to deface it or alter it or restore it, I recall how this visible scene that I experienced in my own childhood has remained with me and influenced me profoundly. It raises a question: What will the river be for today's children?

I have written dozens of poems and stories in which images of the Hudson River have spontaneously recurred to me to express how it was with me. Over the years, flashing in many moods—I suppose that they have been, as Wordsworth again put it, "the overflow of powerful feelings recollected in tranquility."

There is one master image: The Hudson River is very broad, and there is a sparkling stripe of sun across it from the west. As a child born and brought up near Fort Washington, I used to look over to Fort Lee—and there the general had stood on the cliff peering through his spyglass at our unlucky battle.

Another, more erotic image, is the river turning northward among the rounded hills, Dunderberg, High Tor, Bear Mountain, past West Point to Storm King. In this scene, the *Dayliner,* flags flying, is plowing a white furrow and the waves roll to the shore.

Later, I used to hurry home from Chicago, when I taught there at the university, and I called out (in my reverie) to the bus driver,

"Driver, what stream is it?" I asked, well knowing
It was our lordly Hudson hardly flowing.
'It is the lordly Hudson, hardly flowing,'
He said, 'under the green-grown cliffs.'
'Driver! has this a peer in Europe or the East?'
'No no!' he said. Home! home!"

But a more desperate image has also haunted me, of Henry Hudson himself, going crazy, looking for the Northwest Passage—but there was no passage. And I followed him in thought up the river to the Tappan Zee:

"Gloriously broad as the Pacific
Ocean not. The water has begun
to freshen, but the saliva in his mouth
is saltier and bitter.

"What do you want, my Captain?
what you want
Is impossible, therefore you must want nothing.
I am looking for the Northwest Passage to India.
If I had made the world,
that would exist."

In one poem I have gone as far north as you can (in fact, though I have been to the foot of the mountain, I have never made the climb):

"Clouded with love, a tear will drop
from my spirit like the tiny
Lake Tear of the Clouds on Marcy
out of which the Hudson flows.
Those raindrops are as big as eyes,
big as hearts."

Naturally, when I think or write about the Hudson it is these hours and images that I would choose to recall. But first things are first, and the first thing that must be mentioned is that at present the polluted water of this river is so stinking that you can no longer walk the shore without nausea. All this is true of many a river of America; for example, the lovely Milwaukee, near which I lived last spring.

We talk about a Great Society, but we can't keep the water clean. Do we expect that it will be better with the housing we build or the so-called education we give the young?

Here is an analogy. In his compendious study of urbanism around the world, "Man's Struggle for Shelter," Charles Abrams describes Lagos in Nigeria:

"Lagos is a city that has skyscrapers but no sewer system. The Western Regional Government put up the first skyscraper, and the Central Government, not to be overshadowed, went up higher with a rival skyscraper. Installation of a sewer system, however, could gather no official support. Human excrement in the capital of Africa's largest nation is tipped into the lagoon."

New York, too, has many skyscrapers, and human excrement is flushed into the Hudson River.

This is not a matter to be discussed in economic terms, nor to be discussed at all. Just clean it up. Let the rich tax their wealth, the labor unions moderate their rules, and collegians and high school students give their labor; and clean it up.

The Hudson was certainly not sparkling clean when I was a child—I was born in 1911—but there were still pleasant public beaches over in the Interstate Park. A launch used to cross at about 165th Street, the ferry crossed at Dyckman Street, and there were beaches up to Alpine, the turning point of a usual Boy Scout 14-mile hike. (The maps we drew never failed to show Cornwallis' headquarters just south of there.)

We came back badly sunburned. We were very poor, as many people today are very poor, but I do not think that I should have so many bright images of the river to sustain me if it were as filthy then as it is now.

A second immensely important social problem of the Hudson River is less unambiguous than the pollution: Shall we try to restrain and contain, or rather affirm and take advantage of, the works of architecture and engineering that rudely alter the riverscape? Our trouble is one of scale. When human structures were 20 or 30 feet high and nestling among the trees, they did not derange the dominant image of the river and the cliffs. But when buildings tower to 200 feet and there are mighty bridges that tower to 800 feet, they create an entirely different riverscape, though not necessarily an unbeautiful one.

For instance, when I was a boy, the dominant features at Spuyten Duyvil were the two hills, Inwood Hill and Marble Hill, and between them you could see the Harlem River crossed by the railroad bridge. But now the Henry Hudson Bridge dominates the picture, dwarfs the hills, blocks out the Harlem, makes the railroad bridge look absurd. Yet the Henry Hudson is itself a beautiful span and it makes a good picture with Fort Tryon Hill topped by the Cloisters.

Needless to say, to anybody who has grown up with the river, the right image is nostalgically what used to be. But to present youngsters, the existing structures, if they are handsome, are equally the natural image. I remember, that to me, as a child, the big gray porte-cochere of the Billings estate seemed to be very grand and romantic, and I was glad that it was preserved when Mr. Rockefeller gave the estate to the city as Fort Tryon Park. The Cloisters must seem equally romantic to some children today—God grant that they climb up there and see the Unicorn.

One of the profoundest shocks of my adolescence occurred when the engineers cut into the Palisades to make the Fort Lee approach to the George Washington Bridge. They were dynamiting the Palisades. The Boy Scout in me wept and I wrote an indignant poem in terza rima carefully modeled on Shelley's "Ode to the West Wind." Nevertheless, it was fascinating to watch the great bobbins spin the cables across the river; and by the time the bridge was officially opened I was one of those who trudged across in wonder, and I wrote a proper sonnet for the occasion. If you can't lick 'em, join 'em.

I am not reconciled, however, to the Thruway Bridge that murders the width of the Tappan Zee—especially since, in my opinion, we already have more automobiles than we need. Let some younger fellow praise the Tappan Zee Bridge, if he can.

The principles that apply to these technological changes are, in my opinion: to make sure that they are really necessary, and otherwise to be sparing, for it is a great beauty that is being deranged; and to make sure that, if inevitable, the new structures are themselves handsome and help create a new handsome riverscape. In the light of these principles, consider two proposals that are at present hotly debated.

It is proposed to build a high-rise motel at Fort Lee, towering above the tree line and diminishing the Palisades. The high rise would certainly give a lovely view to the patrons of the motel, but this cannot be allowed to weigh against the public good, and I doubt that this particular design is necessary, except for Fort Lee's tax structure. I do not mean that Fort Lee's taxes are a trivial consideration, but we must find another solution.

The other problematic proposal is the hydroelectric booster plant at Storm King. This is a public need, but whether it is the only feasible solution must be examined and reexamined by the experts, for it would be a horrendous thing to change the face of Storm King. At least all parties to the controversy do concede that the community esthetic interest is a crucial factor. We are past the time of just grabbing. The Federal Power Commission has given preliminary approval and the Governor of New York has concurred, but at least the company is willing to spend several millions for concealment and amenity.

This brings me to a third, more amiable, "social problem" of the Hudson River: its conservation and reconstruction. Here there are great opportunities.

I suppose that the main new task of conservation—after cleaning up, and preventing forest fires—is to make sure that the great green estates on the slopes of Riverdale and Westchester, as they come up for sale, are not brutally subdivided and developed helterskelter. This does not necessarily mean that they must be kept intact for institutional use or turned into public parks. A river town with plenty of green can be a beautiful thing; for instance, even Yonkers usually looks pretty good—if you don't get too close. But it does mean that the development must have a shape and an idea, related to the river. That is, river reconstruction and river conservation must be combined in a coherent plan.

Let me mention a proposal of this kind in which I have a strong personal investment. It was more than 20 years ago, when we were writing "Communitas" together, that I first excited my brother Percival's architectural invention toward using the resources of the river. Since then he has thought up a number of schemes. And now here is a beautiful program for reconstruction, "Break-Through to the Hudson River: A Plan for Yonkers to Peekskill," just published by students of the Columbia School of Architecture, led by Profs. Percival Goodman and Alexander Kouzmanoff.

(Surely this is a right use for the brains and enthusiasm of the university—to think up ideas for the community more daring than we can hope for from experts and bureaucratic professionals.)

The book starts by defining the existing condition. When in the 1840's the railroad acquired the right-of-way along the east shore, the effect was to develop and bring prosperity to the communities up the river; but on the other hand, those communities were fatally cut off from the river by the barrier of the tracks. And the shore itself, used by nobody, has become a junkyard or a bleak pile of rocks.

The idea of reconstruction simply to transcend this condition and regain the shoreline: to bridge the tracks with crossovers; to develop the shore with promenades, beaches, marinas, piers, and housing; at one place, Verplanck's Point, which is on the shoreward side of the tracks, to build a new town in a rural setting; at Ossining, to plan for the development of the point where the prison stands, if the prison is moved, as has been proposed. In these ways the shoreline is regained and the towns are suddenly again on the river.

What is impressive and touching about this project is the affectionate attention paid to each local spot, in contrast to the schematic designing in most contemporary big planning. There is a continual adaptation to the conditions of the river and the shore; indeed, one feels that the varying conditions provided the inspiration for the varying inventions. The planning was not done in a goverment or midtown office. The students and their professors, and Cornell Capa, their photographer, must have made many a journey up and down the river and shore, by boat and train and obviously by foot. Amazingly, for a book of plans, even the text is in English.

Such a proposal, to regain the shoreline, has a philosophical irony. When the Algonquin Indians inhabited this shore, with their "capital" at Dobbs Ferry, they lived with the river, its sports and fishing and moral influence. When the white men came, they first turned the river into an artery of commercial traffic turned toward far-off Europe; and then, first with the railroad and then with the automobile highway, they cut themselves off from the river altogether.

The city of New York turned inward. The towns along the Hudson did not grow like river towns, like the towns along the Rhine and the Loire. But now finally, with the maturing of our economy and technology, there is the possibility of our becoming civilized by returning to the condition of the Indians, and it occurs to us to regain the shore and live with the river again.

For a lover of the river, however, a pretty book like "Break-Through" at once poses a new social problem: how to get the pictures in a book to become the reality of the shore? I should think that reconstructing the shoreline of the Hudson would be a grand opportunity for the Office of Economic Opportunity (unfairly called the "poverty program") in its search for imaginative, useful jobs. If I may ride a hobbyhorse of my own, many a bright but unscholastic adolescent, who is now wasting his time and "underachieving" in high school and college, would come to life intellectually if he could take part in all stages of planning, drafting and building this kind of enterprise. Isn't this the kind of thing that the Ford Foundation is supposed to put into blueprints for us? What about it, Mr. Udall, Mr. Shriver, Mr. Keppel, Mr. Ylvisaker?

But as Brooks Atkinson put it in the Times, "Whatever becomes of 'Break-Through to the Hudson River,' the architects deserve the gratitude of the community for reminding us that the Hudson is mighty and magnificent, although it has modestly accepted the neglect of the people."

I trust the reader will excuse me if I conclude this article by returning to the theme I began with, what it means for a boy to grow up near the Hudson River and then become a man of letters. Writing this article has been a source of pride and boasting to me. But now I think I can demonstrate something of more general interest.

As John Dewey used to put it, the ultimate function of literature is to appreciate the world, sometimes indignantly, sometimes sorrowfully, but best of all to praise when it is luckily possible. My experience of the Hudson River, its grandeur and loveliness and degradation, its vicissitudes even during my 50 years, has given me much to be indignant about, and grieve, and praise. But it is also the case, as Dewey also pointed out, that poetic appreciation has consequences, in personal behavior and social action. It awakens, in self and others, a frame of mind in which something must be done, prevented, remedied, protected, improved. My own primary literary activity of appreciation has certainly had this effect on me, and maybe I have even influenced others.

The scenes of grandeur and beauty that work on a child's mind bring into being all the glory that our society will ever achieve. Where else is "vision" to come from? I think we all know this, but we are damned careless about it. We are intensely worried about the children passing their school examinations and getting good grades and being trained to get jobs with good salaries; yet we are astoundingly unconcerned about what music they listen to, what the streets look like and feel like, and whether the children have access to the river.

We find, on inquiry, that the average kid brought up today in a depressed neighborhood will have reached the age of 12 and 13 and never have been 10 blocks from home, never have seen anything beautiful. What do you think of that?

GREAT RIVER OF THE MOUNTAINS

The Hudson River—named for explorer Henry Hudson, although he called it the "great river of the mountains"—rises high on Mount Marcy in the Adirondacks, absorbs a number of tributaries, chiefly the Mohawk, and flows for 315 miles southward to New York Bay. Its lower half, some 150 miles from Albany to the sea, is actually an estuary of the ocean where tides ebb and flow and the water is salt or brackish.

About 50 miles above New York, the Hudson Valley is a narrow gorge flanked by step mountains—Storm King, Breakneck, Mount Taurus, Bear Mountain, Dunderberg, Anthony's Nose, High Tor, Prickly Pear Hill. Then it opens to its broadest, Haverstraw Bay, some 3½ miles across, and the Tappan Zee, almost as wide. Below this it narrows again as it flows along the New Jersey Palisades, sheer cliffs that in places rise more than 500 feet above the water.

Where it washes Manhattan, the Hudson is often called the North River, for it is the way to the north. From the earliest colonial times it has been a vital commercial waterway, made yet more so when the Erie Canal linked it with the Great Lakes. In its fast-flowing upper reaches, above tidewater, it has long been harnessed for power.

New York's first atomic powerplant stands beside the middle Hudson at Indian Point, near Peekskill. Now a hotly debated proposal is to put a powerplant on Storm King, to pump Hudson water up to a mountaintop reservoir at times of low demand and let it flow back through turbine generators to meet peak demands. The power company says the plant won't harm the great river's scenic or recreation qualities; opponents say it will.

Mr. KENNEDY of New York. I wish also to take this opportunity to thank my colleague [Mr. JAVITS], who has been so helpful in the introduction of the proposed legislation.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. JAVITS. The introduction of this bill is an example of the fact that Senators from the same State—whatever may be their party affiliation, generally—close ranks when it comes to an intrastate problem and one relating to development and beautification in that State. I believe that is an excellent practice.

I am pleased to have been able to join my colleague from New York [Mr. KENNEDY] in the introduction of the proposed legislation. I know that it represented a considerable effort and some little time on his part to meet some of my views part of the way so that we could join and get the added strength which comes from bipartisan action. I am very pleased to see it, and I express the hope that it is auspicious for similar efforts in other matters. There are many areas where such action is necessary, for almost any activity of the Federal Establishment directly affects New York.

I should like to say one added word about the measure, which was the subject of an additional statement which I issued, and which my colleague was kind enough to issue with his own.

The State of New York is deeply interested in this matter. That does not mean that our views and those of the State will necessarily be the same. For example, a difference of view has developed on the building of a powerplant along the shores of the Hudson, application for which is now pending before the Federal Power Commission. I am as concerned as my colleague, not only for ourselves, but for all America, about the fact that whatever happens, there should be no harm or damage of an irremediable character to the beauty of this superbly scenic area.

In the main, the Hudson River Valley is within the limits of the State of New York. Though we are somewhat disturbed and troubled by what has happened in connection with the Palisades, which are in New Jersey, the main part of the river which is so beautiful and its banks occur within the State of New York. Therefore, there is an opportunity, and I believe a real responsibility, for the State of New York to do a good deal about this itself. The State has indicated that it is getting ready to do this, perhaps by the designation of a permanent State commission.

But I have felt that we ought to get started. Because the Federal interest is very clear, as was shown, for example, by the Fire Island bill, which has since become law, and represented something of the same kind of effort to preserve a naturally beautiful area, I believe that we should launch a Federal effort, which looks auspicious, and that we should then say to the State—which I now do—"Come along and show us what you can or will do, so that you may fit into the pattern of the ultimate objective, which is the preservation of the beauty of this great area."

I reserve, with the entire acquiescence of my junior colleague from New York [Mr. KENNEDY], the right to seek to amend the bill if the State should desire to participate in an effort to carry out its responsibility and its functions; because I believe in the philosophy of government known as the Lincolnian belief or the Lincolnian theory, which should dominate my party. The essence of that philosophy is that when a State cannot do for itself as well or at all what needs to be done in the interest of the whole Nation, the Nation itself must do it.

In this instance, I do not favor delay. That is why I have joined, currently, in the bill introduced by the junior Senator from New York. Neither do I favor waiting on the State in an improper way. But I am for saying to the State, "By all means, you are not barred merely because we have introduced proposed legislation. We would like to see your plan and work together with you."

There is no reason why there should not be a Federal-State project. Other elements of the Government may join together in order to achieve a great objective, to preserve a national treasure, even though it may be located within a single State. We have seen such action taken in the Western States with respect to our national parks.

So I welcome the move of the junior Senator from New York, and I join in it. I merely point out that it still is possible to accommodate a concomitant State initiative within the framework of the plan. That is the main reason why I reserve the privilege—perhaps the Senator would even join me in it if the occasion were right, for I do not believe we differ as to the fundamental philosophy—to revise the bill and reshape it to suit, what I very much invite, the added action and added initiative on the part of the State of New York, which seems to be coming to fruition. For that we should, therefore, leave the door wide open.

Mr. KENNEDY of New York. I thank my senior colleague. I shall be glad to join him in these efforts. I appreciate his remarks, which have been helpful and pertinent.

EXCELLENCE OF APPOINTMENTS, HALLMARK OF L.B.J. ADMINISTRATION

Mr. PROXMIRE. Mr. President, the President of the United States has the biggest, toughest job in the world. He is the Nation's leader in national affairs and foreign policy. He has vast and complicated administrative duties. His is the heaviest responsibility in our Government for designing, proposing, and fighting for a congressional program.

Contributing to the performance of all of his duties is the nature, the strength, or the weakness of his appointments to the top positions in the Federal Government.

What about the Johnson appointments? How do we appraise them? Recently, Jerry Kluttz, the Washington Post expert on the civil service, has written of the remarkable record of President Johnson in making appointments. He writes that the President probably has given the greatest recognition of any President in history to appointing people who have a strong, solid, proven record of service in the Federal Government. This is an extraordinary tribute.

Mr. Kluttz has not written in the form of simple generalizations to praise the President, but on the basis of a careful analysis and evaluation of the appointments that have been made.

Mr. Kluttz also writes:

> Despite the great pressures on him, the President has found time to interview personally most of the candidates before their appointments are announced in public. He tries to spend at least 30 minutes with each appointee to give him an opportunity to know him and to exchange views.

I ask unanimous consent that the article in full by Mr. Kluttz be printed in this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Federal Diary: Johnson Rates His Appointees on Work in Federal Service

(By Jerry Kluttz)

An amazing 51 percent of the 120 personal appointments made by President Johnson during the 15 months he has been in office have been either career civil servants or persons with wide backgrounds of Federal service.

No other President has given such broad recognition to professional experience in the art of government. In fact, nearly all of the Johnson appointees have had some experience in the Federal service.

Despite the great pressures on him, the President has found time to interview personally most of the candidates before their appointments are announced to the public. He tries to spend at least 30 minutes with each appointee to give him an opportunity to know him and to exchange views.

"These people," an assistant explained, "are personal appointees of the President who is responsible for them. The President will be either credited or discredited for their acts. He looks to them to carry out his programs and policies. He wants to be absolutely certain of them and where they stand before he asks the Senate to confirm them."

The President has made clear that key appointments to Defense, State, and similarly sensitive agencies are to be made on the basis of merit and ability. Political considerations are secondary.

Mr. Johnson has been heard to remark that no one checks on the politics of our troops in Vietnam and that their superiors here should be equally nonpartisan and should base their decisions on what's good for the American public.

He also has told his associates to recommend to him only those persons for regulatory agencies who will be fair and firm in upholding the interest of the public. He's reluctant to appoint anyone who is a representative of a group or special interest. In fact, he prefers to have appointees who aren't labeled one way or the other and who have open minds on agency problems and policies.

Only a few of what are generally considered political appointments have been made by the President who, in effect, has told his top staff to do their jobs and leave partisan politics to him.

Only three of the nine Cabinet members—Secretaries Udall, of Interior, and Freeman, of Agriculture, and Postmaster General Gronouski—have political backgrounds. Each was appointed originally by President Kennedy.

President Johnson is widely regarded as being a master politician but he frequently refers to himself as a "career Government employee." He has 33 years of Federal service, which is nearly all of his adult life.

Vice President Hubert H. Humphrey also is considered a career Government employee by the President. He has more than 20 years of city, State, and Federal service.

Chairman John W. Macy of the Civil Service Commission, recently gave the Vice President a 20-year service pin. Three years ago he gave a 30-year pin to Mr. Johnson.

The President no doubt looks to the career service for a record number of key appointments because they are the people he knows best. He also must think that their thorough knowledge of the Federal service will result in good administration that will reflect credit on him and the Democratic Party.

STANDARDS AND QUALITIES OF BROADCASTING NEWS

Mr. MAGNUSON. Mr. President, much has been written and spoken about the standards and qualities of broadcasting news. In 1964 the Radio-Television News Directors Association conducted a conference on the problem of establishing standards for television news film reporting at a station level. As a consequence of this conference, a television newsfilm standards manual was prepared. This is a guidebook and working manual for students and professionals in the news film area. Because of the interest in this subject, I have prepared a summary of the factors leading up to the adoption of this manual:

In September of 1963, the management of Time-Life Broadcast made this suggestion to the board of directors of the Radio-Television News Directors Association:

> In the belief that a real need exists for the establishment of a set of standards for television newsfilm reporting at the station level, Time-Life Broadcast suggests to the RTNDA that a joint project, designed to satisfy that need, should be undertaken.

It was undertaken. In February–March of 1964, the RTNDA Newsfilm Standards Conference was held in the Time & Life Building, New York City, attended by 230 delegates. Represented were 94 television stations in 37 States, 7 universities, and 29 other organizations vitally interested in newsfilm technique. A faculty of 21 recognized experts made presentations and conducted discussions.

This conference was the first attempt ever made to establish standards in this all-important field of public information and communication. Never before had so many top experts in our field come together to communicate to their peers what their actual experience has taught them. The professional appraisal of practical—sometimes difficult—problems, the clash and exchange of ideas, the candid, constructive criticism of current inadequacies, all made this not just another conference but a seminal event of major importance to all who are dedicated to television newsfilm excellence. This book, which puts the results of the conferences in permanent form, is designed to help you see your chosen field in broader perspective and to be of workaday benefit to you in your particular job. It is also designed to accommodate material on future advancements in technique and execution as they are made in laboratory and studio.

Mr. Edward F. Ryan, the president of the Radio-Television News Directors Association, Time-Life Broadcast, and all those responsible for the conference and the development of the standards should be commended for their efforts and accomplishments.

THE UNITED NATIONS AND THE CONTINUING FIGHT AGAINST COMMUNIST AGGRESSION IN VIETNAM

Mr. DODD. Mr. President, having spoken at length on the subject of Vietnam last week, I have been reluctant to take the floor again. However, a number of statements have been made on the floor of the Senate and from other platforms in recent weeks which, in my opinion, call for comment.

I first wish to comment on the remarks made last week by Secretary General U Thant, because in point of time his was the first of several statements on Vietnam which, I feel, should be answered in order to set the record straight.

In his press conference of February 24, Secretary General U Thant was quoted as saying the following:

> I am sure that the great American people, if only they know the true facts and the background to the developments in South Vietnam, will agree with me that further bloodshed is unnecessary. The political and diplomatic method of discussions and negotiations alone can create conditions which will enable the United States to withdraw gracefully from that part of the world.

A statement was subsequently issued attempting to explain and soften the impact of the Secretary General's press conference of February 24. It is my belief, however, that the language used by the Secretary General on February 24 was of the kind that cannot be explained away.

I have been a strong supporter of the United Nations since its inception. In my years in Congress—now going into the 11th year—I have voted in support of every appropriation requested for the U.N. and its various agencies. Despite my opposition to the U.N. military actions in Katanga, I voted for support of U.S. participation in the U.N. bond issue in August of 1962, because it was clear that the survival of the U.N. was at stake. Indeed, I think it not improper to point out that participation in the U.N. bond issue was approved in the Committee on Foreign Relations, on which I am privileged to serve, by the perilous margin of one vote.

As a supporter of the U.N., I am concerned over its diminishing effectiveness and prestige; and I, therefore, feel impelled to speak with the utmost frankness about the unfortunate partiality the Secretary General has displayed on this issue and other issues.

U Thant's gratuitous advice to the American people and his suggestion that their Government has concealed the true facts from them would be reason for resentment coming from any source.

But coming from the Secretary General of the United Nations, his remarks showed a complete lack of the restraint and objectivity which should be the hallmarks of his position. His advice to the United States was all the more offensive because the record will demonstrate that he has failed to comment or offer advice of any kind in dealing with the repeated acts of aggression by certain Afro-Asian nations.

For example, he had no comment on the forcible annexation of Goa by India, in clear violation of the U.N. Charter. I am not finding fault with Goa's being incorporated into the nation of India; but it was clearly a violation of the United Nations Charter to accomplish that by naked aggression. Yet Mr. U Thant, who now gives us advice, never said one word about that act of naked aggression.

He has failed to urge Indonesia to cease its aggression against Malaysia. There has not been word from him on that subject.

Nor has he suggested to Prime Minister Nasser that he withdraw the 50,000 Egyptian troops which are now occupying Yemen so that the Yemeni people may decide their own future without foreign intervention.

As the representative of the National Government of Yemen has aptly pointed out, the Secretary General has kept silent about the situation in Yemen although he was responsible for a U.N. mission to Yemen set up to supervise Nasser's promised withdrawal from that country.

He has maintained his silence despite the fact that for 14 months Nasser bombed and killed Yemeni citizens befor the eyes of U Thant's observers, and that, instead of withdrawing his forces, Nasser has during this period almost doubled their strength, so that they now approximate 50,000 men. There has not been a word from Mr. U Thant on that subject.

I, as one American, wholeheartedly subscribe to the suggestion of the Yemeni representative that the Secretary General get Nasser out of Yemen and tell the great Egyptian people "the true facts and background of the situation in Yemen," which are now being concealed from them by their own government.

In their overwhelming majority, the American people believe in the U.N. and in the objectives to which it is dedicated. But they rightly expect of the U.N., and especially of the man encharged with the responsibility of Secretary General, a fair and judicious attitude.

They do not expect him to sponsor a position which completely ignores the fact of Communist aggression and which would inevitably lead to a Communist takeover in Vietnam

The American press has justly been critical of the position taken by the Secretary General. In the interest of the good name of the U.N., it is my earnest hope that the Secretary General will benefit from this experience.

In the course of the debate on Vietnam in the Senate this week and on several previous occasions, it has been suggested that we try to extricate ourselves from Vietnam by turning the entire problem over to the United Nations. As much as I would like to see the peacekeeping role of the United Nations strengthened and expanded, I believe that this proposal is completely unrealistic in view of the United Nations' present situation.

It ignores the fact that the United Nations is in such strained financial circumstances that even its Palestine refugee operation is in jeopardy.

It ignores the fact that we have thus far not been able to find any way of compelling the Soviet Union, France, and other countries to live up to their past financial obligations or to contribute to future operations of which they disapprove.

It ignores the dangerous shift within the United Nations, a shift which has now given the Afro-Asian nations and the Communist bloc nations the power, if they vote in concert, to prevent any action by the U.N., even when there has been an open violation of the U.N. Charter as in the case of India's invasion of Goa.

It ignores the condition of near paralysis that now afflicts the U.N. in consequence of the deadlock on the issue of continued voting rights for those whose arrears exceed the limits prescribed in article 19.

And, finally, even if all these difficulties did not exist, the recommendation that the problem of Vietnam be turned over to the United Nations becomes preposterous in the face of the declared attitude of the Secretary General, U Thant.

Let us have no illusions on this score: no matter how desirable such a solution might be in theory, there is absolutely no way in which we can disembarrass ourselves of Vietnam by turning it over to the United Nations now.

We must face up to this problem ourselves, acting in consort with our Vietnamese allies, with the free nations in the area, and with those Western nations who are prepared to assume their share of the responsibility for the defense of freedom.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. Is the Senator not aware that the United Nations is now acting pursuant to nothing more than unanimous consent?

Mr. DODD. That is correct.

Mr. LONG of Louisiana. So that it would take only an objection from any Communist country to paralyze it completely.

Mr. DODD. If any effort is made to take any action, I am sure that is what will happen. So it is wholly unrealistic to say, "Get out of Vietnam and let the U.N. take over." The United Nations is in such a state of paralysis that it cannot take over anywhere. That is why I said—I believe before the distinguished majority whip entered the Chamber—that the statement of U Thant makes it preposterous to suggest that the problem be turned over to that organization.

The Secretary General has made clear what he would like to see done in Vietnam, and it is certainly not in the interest of a free world.

Mr. LONG of Louisiana. I agree with the Senator.

Mr. DODD. Mr. President, one of my colleagues has asked the question whether we can possibly find a solution to the Vietnamese problem which is satisfactory from our standpoint if it turns out that the Vietnamese people themselves want communism.

The mere posing of this question flies in the face of everything we know about communism. It makes as much sense to suggest that perhaps the people of Vietnam want communism as it does to suggest that the people of Vietnam, for some perverse reason, are enamored of earthquakes, or of leprosy, or of famine.

The record is clear that communism has never been accepted by any people anywhere, no matter how primitive they may be.

Even primitive people do not like to be pushed around and terrorized, and told what to do and what not to do. They loathe the compulsory indoctrination periods and the public brainwashing spectacles to which Asiatic communism in particular is addicted.

They do not like to see their religious beliefs ridiculed and defiled. They resent having the upbringing and guidance of their children taken out of their hands by an all-powerful Communist state.

Moreover, primitive peasants are passionately attached to the land that they till.

In every land where communism has taken over, thousands of peasants have died in resisting the confiscation of their lands and the collectivization of agriculture.

And even after they have been collectivized, their sullen resentment of the regime has expressed itself in the form of a subtle but effective sabotage of production which has converted even countries like Yugoslavia and Hungry, which formerly exported food surpluses, into food deficit areas.

The people of Vietnam have manifested their hatred for communism in a thousand different ways.

Certainly the 1 million refugees who fled from North Vietnam leaving behind them their homes and everything they possessed, have given proof of their hatred of communism.

Certainly, too, the 300,000 South Vietnamese who have fled from areas under Communist control have given similar proof.

Finally, millions of South Vietnamese have given eloquent testimony to their hatred of communism by the courage with which they have fought against it in the ranks of the Vietnamese armed forces or in their own village self-defense units.

If our information services were better organized, and if our press gave the same attention to our victories as they give to our defeats, the American people would have heard thousands of stories of inspiring heroism on the part of Vietnamese people, fighting to protect themselves against the Communist terrorists.

At the conclusion of my remarks, Mr. President, I ask unanimous consent to insert into the RECORD a translation of an official Vietnamese telegram describing a recent battle fought by a Vietnamese militia unit against a Vietcong company.

I would like to pose a few basic questions to those of my colleagues who have urged that we turn the problem of Vietnam over to the United Nations despite the manifest inability of the U.N. to deal with a situation of this magnitude, or who continue to urge negotiations now when such negotiations would obviously culminate in nothing better than a diplomatic surrender.

If we abandon South Vietnam to communism, where do they propose to draw a new line against the advance of communism in the Western Pacific?

What nations do they believe should receive our assistance in defending themselves, and what nations do they believe we should not help to defend themselves.

If they propose falling back to a new defense line in southeast Asia or the Western Pacific, are they prepared to support a greater investment in aid and American manpower than we have now committed to the defense of Vietnam?

What concrete measures do they propose to prevent a massacre of anti-Communist elements in South Vietnam, on the genocidal scale that has characterized the establishment of Communist power, especially in the countries of Asia?

I believe that those who urge that we find ourselves an easy way out of our involvement in Vietnam have an obligation to weigh the consequences of withdrawal and to provide specific answers for the questions I have here posed.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a translation of a recent telegram to Saigon dealing with a successful action against the Vietcong by local militia forces in Son My village. I think this document is all the more significant because the unit involved on the Government side was made up for the most part of defectors from the Vietcong. The thousands of such actions that have been fought by village self-defense units and by units of the Vietnamese Army constitute the best answer to the suggestion that perhaps the Vietnamese people want communism.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the communication of February 24 of Mr. Bushrod Howard, representative of the National Government of Yemen, to Secretary General U Thant.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a tabulation of refugees from communism in Asia which appeared in a study of the Refugee Subcommittee of the Judiciary Committee published only several weeks ago. According to this tabulation, there has been a flow of some 7,700,000 refugees from countries and areas under Communist domination. If we add to this tabulation 1 additional item—the 300,000 South Vietnamese who have fled from areas under Vietcong control—the total number of Asian refugees from communism rises to approximately 8 million, which is the figure I gave in my speech of February 23.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. DODD. Mr. President, I yield the floor.

EXHIBIT 1

[Unofficial translation]

OFFICIAL TELEGRAM

Originator: Administrative office, Quang Ngai.

Addressee: Special commissariat for Chieu Hoi, Saigon, text No. 318–CH/QNG.

Respectfully report to your commissariat: In the event of the operation to liberate the Son My village at Son Tinh district on February 7, 8, 9, and 10, 1965, the provincial Chieu Hoi armed propaganda platoon while on duty met with a VC company at My Khe hamlet, Son My village. The platoon has shown its drastic spirit of fighting in 3 hours and has wiped out the VC company. Specially Trinh-Song, the squad leader after carrying Le-Chuong a wounded comrade out of the battlefield, returned to command the fight until the end. He alone with a submachinegun has pushed back two assaults of the enemy, killed 15 of them and died after he had fired his last bullet. VC stabbed him all over his body with daggers. Soldier Dinh Tru (a mountaineer) a light machinegunner has protected his comrades and wiped out the enemy with 20 bodies left at the battlefield. Nurse Tran Thi Dao courageously went out four times to the battlefield to take care of the wounded and died while performing her duty.

RESULTS

On the enemy's part: 35 VC bodies left behind and others being carried off.

On our part: Three died: Bui Minh, deputy platoon leader; Trinh Song, squad leader and translator; Thi Dao, nurse. Three missing: Phan Dung, squad leader, Le Tan May, and Nguyen Nuoi (all are soldiers).

At present, Son My village is completely liberated and construction works being implemented in the hamlets.

Our province remunerated each of these families 3,000 piasters and gave 10,000 piasters for funeral. We warmly complimented this platoon for its sublime fighting spirit and its righteous will of exterminating VC to give significant example to other units.

Respectfully yours,

QUANG NGAI.

FEBRUARY 12, 1965.

Forward to the province chief, deputy province chief for security.

Maj. LU BA KHIEU.

EXHIBIT 2

U THANT,
United Nations, New York:

Your intervention in American political affairs on Vietnam is in dramatic contrast to your silence to the Egyptians on their government's war on Yemen. You were responsible for a 14-month mission in Yemen under which Nasser promised you and the U.N. to withdraw from that country. For 14 months Nasser bombed and killed Yemenis before the eyes of your observers. Time and again he increased his army in Yemen and told the whole world that he would not cease his murder of the Yemeni people despite his pledge to you and to the U.N. You, Secretary General of the United Nations, were and are silent on Nasser in Yemen. We suggest you get Nasser out of Yemen and tell the great Egyptian people the true facts and background of the situation in Yemen. The Yemeni people still await you to speak in answer to the high motives you profess.

BUSHROD HOWARD, Jr.,
For the National Government of Yemen.

EXHIBIT 3

EXCERPT FROM THE INTRODUCTION TO "REFUGEES FROM COMMUNISM IN ASIA," A STUDY OF THE COMMITTEE ON THE JUDICIARY, U.S. SENATE, COMPILED BY ITS SUBCOMMITTEE TO INVESTIGATE PROBLEMS CONNECTED WITH REFUGEES AND ESCAPEES

The toll in refugees of Communist aggrandizement in Asia is the subject of this report. The refugees include the following groups:

1. Approximately 5 million Koreans who fled from North to South Korea following the Soviet occupation of North Korea in 1945, and, subsequently, during the Korean war;
2. One million Chinese who fled into Hong Kong and Macao before the advancing tide of Communist military and political conquest, plus an additional 340,000 Chinese who escaped since 1950;
3. Nearly 40,000 Europeans from mainland China, 20,000 of whom were evacuated to the Philippines during 1948–51, the remainder having found their way into Hong Kong;
4. Some 960,000 Vietnamese who fled from North to South Vietnam, and adjacent areas, in 1954, plus additional thousands displaced by the current hostilities in South Vietnam;
5. Some 60,000 Tibetans who entered India and Nepal following the bloody suppression of the Tibetan revolt by Chinese Communist forces in 1959;
6. The many victims of the India-China border war in 1962; and
7. Approximately 240,000 inhabitants of Laos who, as a result of Communist activities, have been displaced from their homes in the countryside, and have fled to secure areas under the control of the Lao Government.

WATER RESOURCES PLANNING ACT

Mr. ELLENDER. Mr. President, some time ago the Senate considered Calendar No. 65, S. 21. I did not learn about it until a few days after the bill was passed. I wish to address myself to it.

The Digest of the CONGRESSIONAL RECORD of February 24, 1965, shows under "Bill reported" the following:

> Report was made as follows: S. 21, proposed Water Resources Planning Act, with amendments (S. Rept. 68), page 3474.

Turning to page 3474, there is a simple announcement of the submission of the report by Mr. ANDERSON.

The "Program for Thursday" as reported in the Daily Digest was as follows:

> Senate met at 11 a.m. and adjourned at 5:26 p.m. until noon Thursday, February 25, when it will continue its consideration of H.R. 45, to amend the Inter-American Development Bank Act, pages 3534, 3537.

Referring to the body of the RECORD, there is no indication of anything else to be considered by the Senate on Thursday.

On Thursday, February 25, the majority leader moved that the Senate proceed to the consideration of Calendar No. 65, S. 21, and that it be made the pending business. The committee amendments were then printed in the RECORD, together with the bill as amended by the Senate committee. By unanimous consent, the committee amendments were agreed to and there was inserted in the RECORD an explanation of the bill. Then, except for a brief colloquy between Senator AIKEN and Senator ANDERSON with respect to the interpretation of the phrase, "The resolution of the States' rights issue in the field of water resource development, if it is in fact an issue, should be the subject of separate legislation," the bill was passed without objection.

Although it is recognized that a bill to accomplish the same purpose was enacted as S. 111 of the 88th Congress, good legislative procedure would dictate the desirability of having hearings and reports available for study by the Members for a reasonable length of time. In this case, it is extremely doubtful if even the reports were available 2 hours before the Senate met and took up the bill. This is particularly significant since there appears to be very little urgency for the immediate consideration of the bill. If, however, there were very cogent reasons for the immediate consideration of such a proposal, it would seem that the very least the Members could expect would be a quorum call.

The question of the establishment of river basin commissions was thoroughly considered by the Select Committee on Water Resources, headed by the late distinguished senior Senator from Oklahoma, Robert S. Kerr. Senator Kerr took the position that it would be unwise to provide blanket authorization for the creation of river basin commissions. If and when the desirability of such a commission was demonstrated, the committees could authorize the creation of such a commission tailored to meet the particular needs of the area. Pursuant to this philosophy, there was created the Delaware River Basin Commission. As a result, each year we have been appropriating funds for the salaries of the alternate Federal representative and his staff, together with a contribution toward the cost of a Commission staff located within the basin. For these purposes, the Congress appropriated $39,000 for salaries last year and has been requested to appropriate $44,000 for fiscal year 1966. For the contribution toward the Commission staff, the Congress appropriated $92,000 last year and has been requested to appropriate $96,000 this year. Notwithstanding the existence of this Commission, the demand for studies by the regular Federal agencies have, if anything, increased with a corresponding increase in the cost of each individual study because of the additional coordination and review required. It may be that at some time in the future the value of such a river basin commission will be clearly established. At the present time, its value is questionable.

I wonder if the Congress intended to convey as broad powers upon the Water Resources Council as the act apparently would confer. For instance:

> SEC. 103. The Council shall establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan for revision thereof being prepared by a river basin planning commission.

If this paragraph means what I think it does, the Congress is abrogating its authority and control over water resource development to a Council appointed by the President and the Governors of the States bordering the river basin. It has not been too long since Congress expressed its disapproval of budget circular No. A47 in such forceful terms that that directive was rescinded. New criteria has recently been issued for the evaluation of navigation projects which, in my judgment, will negate the principles embraced by the administration in adopting the recommendations of the Kerr committee in Senate Document No. 97.

With respect to the establishment of river basin commissions, it is apparent that such a commission can be established if a majority of the States in a basin desire such a commission, and such an organization would then be forced upon the other States in the basin which may oppose the creation of such a superplanning agency. This is exactly the sort of thing that Senator Kerr strove to prevent.

Under "Powers and Administrative Provisions of the Commissions," we find:

> (2) acquire, furnish, and equip such office space as is necessary.

It may be significant that the word used here is "acquire" and not "rent." Certainly, this authority would be broad enough to acquire by purchase. Do we really want to convey such authority upon innumerable river basin commissions?

When we come to the matter of compensation of Commission members, we find:

> (c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS–18 of the Classification Act of 1949, as amended—

In other words, we are providing authority to employ a Chairman of a river basin commission for $24,500 a year, which is in excess of the salaries paid the Governors of Arizona, Arkansas, Colorado, Connecticut, Delaware, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia, and Wyoming; and substantially the same as the salaries of 12 other States that pay their chief executives $25,000 a year.

Another very questionable provision of that bill would be section 207(a):

> Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine * * *. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions.

With blanket authority of this type made available to undisclosed numbers of river basin commissions that could be established, there would be little control which the Appropriations Committee could exercise after the agreements were consummated by the Federal representatives on the river basin commissions and the Council.

The bill provides for an annual appropriation of $10 million to carry out the purposes of the act. I doubt whether such appropriations will be adequate after the potentials of empire building under this authorization are fully realized.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that the conference report on the Inter-American Bank will be brought up on Monday, as will be the bill calling for the continuation of the disarmament agency, and sundry nominations.

AMERICAN POLICY IN VIETNAM

Mr. LONG of Louisiana. Mr. President, Communist aggression—and subversion—and sabotage and terrorism—these are not something new under the sun. We have seen them before. Doubtless we shall see them again.

We saw them at work nearly two decades ago in Greece. There, Communist guerrillas tried to conquer a free people. They got help in the form of weapons and equipment from their comrades abroad. They were able to use neighboring territory as a sanctuary. American assistance and military advisers helped our Greek allies to beat back the Communist rebellion. When a conflict within the Communist camp shut down the flow of supplies and eliminated the sanctuary, it sounded the death knell to this Communist attack on freedom.

In Malaya, a large-scale Communist guerrilla movement tried to win over that country. With persistence—and at great expense in lives and money—Malayan and British forces were able to isolate the Communist rebels from the majority of the population and to crush the subversive movement. But it required a dozen years and great efforts.

In the Philippines, the Huk movement threatened to conquer the country. Inspired local leadership, imagination, and determination—plus effective assistance from American friends—enabled the Filipino people to preserve their freedom.

In Korea, the massed might of the Soviet-directed North Korean Communist armies swept south across the 38th parallel in 1950 to conquer South Korea. U.S. forces and contingents from other U.N. members moved in to help the South Koreans. The aggressors were thrown back. Even though the full weight of Red China's armies entered the battle, the Communists were never able to achieve their goal—the conquest of South Korea.

The lessons of these two decades of Communist aggression are clear. The Communists will try whatever tactics they believe will succeed in conquering territory and peoples by force. In each case, they will try different tactics and methods that they believe will work for them in the local circumstances. But another lesson is just as clear—if free men are determined to stay free, and if they can rely on needed help from their friends, they can succeed in beating down the Communist efforts to conquer them and to absorb them as new colonies in the Communist world.

Today, in Vietnam, we are seeing the latest effort by the Communists to seize new lands and to capture a people who want to be independent. It has been going on for more than a decade. But in the past year or two, it has reached entirely new levels of intensity. While the war in Vietnam shares some of the characteristics of each of the previous Communist efforts at conquest, it has some elements that are entirely new.

For the first time, foreign territory is used not merely as a sanctuary for the Communist forces but as the principal base of operations. The entire effort to conquer the South was conceived in North Vietnam—it is directed from North Vietnam—it is supplied and maintained by North Vietnam. The bulk of the hard-core Communist forces were trained and supplied by the Army of North Vietnam. Increasingly, the officers and men moving into the South are North Vietnamese who have never even seen South Vietnam before.

In addition, the Communists are waging not merely a military war. They are not relying solely on armed attacks and terrorism, though these are vital to the effort. They have also developed a comprehensive political and propaganda machine to back up their efforts. They are working day in and day out to influence and cajole, to mislead and misguide the people. They seek to weaken morale and to undercut the authority of the South Vietnamese Government by every possible means. They are, in short, fighting a full-scale military and political war using every weapon in the book.

We cannot pretend that we have discovered fully effective countermeasures to meet this new kind of warfare. But the South Vietnamese have developed a much better understanding of the enemy over recent years, and their capacity to meet the threat is improving.

So long as the Communist rebels can rely on a steady supply of new men, new weapons, fresh ammunition, and supplies from the North—and this flow has increased decisively in the recent past—it will be difficult indeed for the defenders in the South to cope with both the military threat, the terrorism, and the all-out campaign of political and psychological warfare that is going on.

There are no easy and obvious answers to this new style of Communist aggression. Under the best of circumstances, it is going to take time to fully defeat this attempt at conquest. For the present, it will probably be necessary to do what is now being done—to meet the most pressing armed threat on the ground, in the jungles, and in the mountains. We hope that the new government in Saigon will be able to turn more of its attention to the need to wage more intensive and extensive war on the political, social, and economic fronts.

(At this point, Mr. KENNEDY of New York took the chair as Presiding Officer.)

Mr. LONG of Louisiana. Mr. President, in the meantime, it is urgently necessary to convince the authorities in Hanoi who are running this war that their efforts will be in vain—that they cannot succeed—that they stand in the long run to lose far more than they can hope to gain by attacking the South and ignoring the desires and the hopes and the needs of their own people.

It is generally agreed that the foreign policy of a republic such as ours should be responsive to the will of its people. It is.

A few days ago, it was suggested that our actions and our policies in Vietnam would perhaps be different if we, the people, were deciding those actions and determining that policy. I disagree most emphatically. For it is evident to me that the people have spoken—loudly and clearly—on this issue.

Whether one looks at the votes of this body or of the House, whether one looks at the opinion polls or at the votes of our people, we find a ringing endorsement for the actions of this administration—and of previous administrations—in regard to Vietnam. The people of the United States have made it unmistakably clear that they are ready and willing to help the people of South Vietnam resist the aggression which has been forced upon them from the outside.

More than 10 years ago, in 1954, President Eisenhower defined that policy. He determined that it was in our national interest to lend assistance to the new, young Republic of Vietnam—to help it make its own way and to resist the armed threat it faced even then. Writing to the President of South Vietnam, President Eisenhower said:

> The implications of the agreement concerning Vietnam have caused grave concern regarding the future of a country temporarily divided by an artificial military grouping, weakened by a long and exhausting war and faced with enemies without and by their subversive collaborators within.

President Eisenhower went on to say:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means.

We have gone forward with that program of assistance in the intervening years, increasing it as the pressures on South Vietnam increased, as the size of the aggression against her expanded.

Once again, the people spoke through their elected representatives in 1955. Then the Manila Pact, which included South Vietnam as a protocol state, was approved by this body by a vote of 82 to 1.

More recently—in August of last year—the Congress resoundingly approved a joint resolution concerning our actions in Vietnam. Among other things, that resolution stated:

> That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

And that—

> The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia.

And that—

> The United States is, therefore, prepared as the President determines, to take all necessary steps, including the use of armed forces, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

I remind you, Mr. President, that this resolution was approved by the votes of 414 Representatives in the House. In the Senate, the vote was 88 to 2.

The people of the United States have expressed themselves clearly—and unequivocably—in this combined vote of 512 to 2 in support of our President.

I remind the Senate that the President himself, all the Members of the House, and many of the Members in this body have since submitted themselves, their records, and their expressed opinions to the judgment of our sovereign people. The Senate will recall the results last November. It was the most impressive vote of confidence ever rendered by the people in a President and his administration of our foreign and domestic affairs.

Now, the two Senators who voted against the joint resolution of last August have done a good deal of talking about the situation in Vietnam. Indeed, it seems to me they have, between them, talked on this matter almost as much as the rest of the Senate put together. But there is no evidence that they have altered to any significant degree the opinions of this body—or of the great American people.

President Johnson described our policy when he signed the joint resolution of the Congress. He said then:

> To any armed attack upon our forces, we shall reply.

> To any in southeast Asia who ask our help in defending their freedom, we shall give it.
>
> In that region, there is nothing we covet, nothing we seek—no territory, no military position, no political ambition. Our one desire—our one determination—is that the people of southeast Asia be left in peace to work out their own destinies in their own way.

There are some who now say that, in the face of mounting aggression from North Vietnam, we should cut our losses and get out. They would have us abandon our friends, drop our commitments, and surrender our honor.

That, I submit, is not our way. That, we shall not do. So long as there are South Vietnamese who wish to fight for their freedom, who are willing to oppose the foreign tyranny that seeks to impose itself upon them, they will find us at their side, helping in every practical way.

The voices that say "Get out" remind me of those voices of 25 years ago who said "Stay out." But we learned then—to our sorrow and at incalculable loss—that aggression will not be appeased. We learned that tyranny feeds on its own successes. We learned that dictatorial systems are never satisfied. And we learned that it is better to halt aggression early in the game, rather than wait for it to spread its tentacles over one people after another, one nation after another, until it can be stopped only by the most massive expenditures of men and treasure.

Then there are those who say "we must negotiate."

That sounds not unreasonable. For peace is our goal—as it is that of the Vietnamese people themselves. But negotiate with whom? On what terms? To what end?

The restoration of peace is one thing. But neither we nor the Government of South Vietnam are interested in negotiations that represent merely the acceptance of foreign conquest or the confirmation of aggression.

There is a good deal more talk about neogtiation here and in other Western capitals than there is in Hanoi or in Peiping.

The Communist regimes have made it obvious that they are not very much interested. They have said—most recently in an editorial in the People's Daily in Peiping—that they believe that by negotiation we mean to try to get in the conference hall what cannot be achieved on the battlefield.

Chou En-lai, the Red Chinese Premier, has made it clear what his regime thinks about negotiation, and the price we should pay.

In a message to the so-called Indochinese people's conference in Cambodia, he said last week:

> The United States and its followers must withdraw their military forces from Indochina completely, immediately, and unconditionally.

Where have we heard that word before?

That is Peiping's formula for our surrender. It underlines what has always been—and remains—Red China's main policy objective: to get the United States out of Asia so that communism can take over.

Mr. President, the United States is not going to oblige Mr. Chou En-lai. It is not going to oblige the Communist regime in Hanoi. It is not going to cut and run. It is not going to surrender.

So long as there are men in southeast Asia who are eager to stand on their own feet and who need our help to meet attacks from the outside, they will find in us a willing partner. Our help has been going to them—and it will continue to go to them.

If the regime in Hanoi wishes peace, it can have it. All it has to do is to start leaving its neighbors alone. Then there can be peace in southeast Asia. What is needed is not talk; what is needed is an end to aggression.

But there is now no sign that the regime in Hanoi is willing to adopt this course.

The problem in Vietnam is one of outside attack—pure and simple. The fact that it is conducted in semiconcealed fashion makes it none the less real and none the less dangerous. As the white paper of the State Department has pointed out very clearly, that aggression has been growing, not diminishing. The flow of men from the north has increased. The flow of arms and ammunition has grown.

The heart of the matter is a brutal attack by the Communists against the territory, the people, and the independence of a sovereign state. That is why our forces are in Vietnam. That is why they went there in the first place. That is why they remain.

If the regime in Hanoi abandons its ambitions to conquer its neighbors, then the situation can change. But not before.

For free men can fail to recognize aggression—and to meet it squarely—only at their own peril—and at incredibly greater cost later. We have recognized the danger. We are helping to meet it. We shall continue to do so, as long as that danger persists.

CASUALTIES IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, much has been said today in the Senate regarding Vietnam and our situation there. I listened with admiration to the distinguished Senator from Louisiana [Mr. LONG], the assistant majority leader, in connection with the fine statement that he has made on our being in South Vietnam and on what has been going on there. I approve of what he has said.

However, I am somewhat disturbed by a headline which appeared in this morning's Washington Post, and probably also appeared in other newspapers throughout the country. It reads: "About 75,000 Vietcong Slain, Army Chief Says at Hearing," quoting Army Chief of Staff, Gen. Harold K. Johnson.

As a member of the Committee on Armed Services, I have been very diligent in attending the meetings of that committee—the public hearings and the executive hearings—and I have read the record. I have heard the testimony given by General Johnson, the Army Chief of Staff. I take exception to his statement being made public as apparently it was. In my view, his statement that 75,000 Vietcong troops have been killed in Vietnamese fighting is not factually correct on the basis of my information.

Statements of this nature should come from the Secretary of the Army or from the Secretary of Defense or some civilian official in the Government. The Founding Fathers very wisely provided that in the United States civilian authority must always be supreme over the military. We hold our Chiefs of Staff of the Armed Forces and we hold all the officers of our Armed Forces in the greatest respect and admiration. We know that today the United States is the most powerful nation that ever existed under the bending sky of God at any time in the history of the world, and that our Armed Forces have tremendous supremacy over all the forces of the world combined.

As we all know, the Vietcong attack in the night, as a rule. Assuming that on a certain night 10 attacks by Vietcong guerrillas are made on 10 hamlets manned by South Vietnamese forces, plus some American officers, and assuming that of these 10 attacks, 1 succeeds and 9 fail, and further assuming that dead are left on the field, the facts are that the same kind of clothing is worn by the Vietcong infiltrators and the Vietnamese villagers. Therefore, some of those killed might be villagers and some might be innocent civilian victims of gunfire. Furthermore, granting that since 1960 there has been some sort of counting of the dead, is it not natural that the leaders in those villages 250 miles from Saigon would report back to Saigon and exaggerate their successes with respect to the number of enemy dead? We do know, from what we have read and from the record that is available to any student of this subject, that it is not provable that 75,000 Vietcong have been slain, as General Johnson is quoted as having said.

I am certain that anyone in our Armed Forces, anyone in the Defense Department, and any Senator would say that there can be no definite estimate of the number of Vietcong slain, whether it is 70,000, 60,000, or any other number. There is no way to know the exact number.

The general is quoted as saying that "the Red guerrilla cause is being hurt." Of course, any cause is hurt when there is a loss of life. However, should anyone who reads the newspapers of today or of any time this month see a map of South Vietnam of a year ago, and compare it with the territory where the Vietcong predominate in South Vietnam today, he will see that a much larger area or many more areas are predominantly Vietcong than there were a year ago.

I do not wish to labor the point too long, but I feel it is unfortunate that any high Army officer should make a statement that is misleading, cannot be supported as being factually correct, and makes erroneous inferences.

AMERICAN POLICY IN VIETNAM

Mr. HARTKE. Mr. President, a few moments ago, the majority whip, the junior Senator from Louisiana [Mr.

LONG], delivered a very powerful and enlightening statement on the situation in Vietnam. All such statements coming from the leadership are very welcome in this body. As all of us know, to some extent at least, they express the opinion of those on the administrative side of the Government.

The Senator from Louisiana has brought to the attention of the Senate some of the facts which all of us know, but sometimes these facts need to be reiterated.

I believe all of us agree, as we did when the Democratic Party had a majority in the Senate and the House of Representatives, and there was a Republican in the White House, that there is only one President of the United States. We have only one President at a time. And whatever actions are taken by the administration, we want to be in a position to support them most effectively. We realize that the President is the only President we have. He is charged under the Constitution with the responsibility of conducting our foreign affairs.

The Senator from Louisiana has done a magnificent job in pointing out the fact that this is not a question of how the President should conduct himself or how foreign affairs should be conducted, but exactly how we shall meet the Communist threat of aggression, subversion, sabotage, and terrorism, all of them mixed together. They want to take us over. They want our way of life exposed. They do not want us to continue in our system in opposition to theirs.

As I said, we have only one President. I am certain that he has the wisdom, strength, and courage to carry forward the best interests of this Nation. He has the facts, and he has the availability of the full resources of the Nation, which is far beyond any power accorded to any other one individual in the United States. The President has his advisers. He must rely upon them. He has the responsibility, the wisdom, the facts, and the advisers.

I would want to be the first to try to do everything possible to enable the President to make it as easy and safe for America as possible.

In addition the President has something else, as demonstrated by the statement of the junior Senator from Louisiana. He has an overwhelming mandate from the people to continue to exercise this authority. This mandate was evidenced last November. The President has the confidence of the American people, not alone in domestic affairs, but also with regard to how he should handle things overseas. The reservoir of good will and confidence the American people have in him should be utilized to the fullest.

I believe that all of us would be willing to support him more strongly than we have at times, if we were really certain at all times which way we were going. The reluctance on the part of some of us to express ourselves more fully in this connection is occasioned because we do not want to be in a position of saying something which would make the President's position more difficult in a time of crisis or international tension.

In addition to the confidence people have in him, I think sometimes we are reluctant to take full advantage of the confidence that the United States has generated throughout the world that we will defend the idea of freedom and not only commit our manpower, but also everything we have to defend freedom throughout the world.

Nothing illustrates this more than the Cuban crisis. There was a question as to where some of the Latin American nations would line up. At that time we saw every single Latin American nation line up in support of President Kennedy in making it forcibly understood that we in no way intended to have the Communist ideology and revolutionary thought extended any further than it was.

I had occasion to go to Guinea, which at that time was thought to be leaning to the other side. There is an airport there, built completely with Russian money. When the Russians asked permission to land bombers on this runway, the President of Guinea said, "No; we do not think it ought to be used for that purpose." The first jet that landed on that runway, built with foreign funds, was a French-built, French-operated jetplane.

There is a good deal of support and confidence throughout the world in the ability of America to conduct the fight for freedom.

I think the President can rest assured that he has the confidence of the American people, and the confidence of the majority, as well as a substantial part of the minority of both the Senate and House of Representatives. I would urge my colleague and dear friend, the junior Senator from Louisiana, to continue to make these statements as often as he feels, in good judgment, they can be made, not only because they are informative, but also because in many ways they satisfy the desire of the group of people who are working so closely with the leadership on what we are trying to make effective.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. LONG of Louisiana. Mr. President, I thank the Senator for the very gracious remarks he has made with regard to the statement by the junior Senator from Louisiana. In line with what the Senator is saying, the only way that this Nation can be effective in foreign affairs is to act with a singleness of purpose.

Some of us may have ideas as to how a policy can be made more effective. Some of us may have suggestions as to how perhaps the Government of South Vietnam might act more effectively to gain more support, loyalty, and dedication from its people, if that be necessary. But, for this Nation to act more effectively, we cannot move forward with 5 or 6 or 8 or 10 different foreign policies. We must unite behind one policy and one program. The only way we can do that is for some of us who have ideas and suggestions to give them to the President and let him sift out the best ideas with which he can meet the problem that confronts us and give this Nation a purpose that is unified and which all of us can support.

Let me say to my able and distinguished friend that sometimes it is necessary for some of us to yield some of our own thoughts and accept the ideas of others, and unite behind a single thought. Sometimes we do a greater service if we inform the President or his advisers about the matter rather than give the impression on the Senate floor that we are not in agreement with the President when he makes these very difficult decisions, which he well knows may cost the lives of American boys and involve this Nation in very great danger. The point is that if he does not make the correct decisions, there will be even greater danger.

Mr. HARTKE. The Senator from Louisiana points out in the last paragraph of his statement:

> For freemen can fail to recognize aggression—and to meet it squarely—only at their own peril and at incredibly greater cost later. We have recognized the danger. We are hoping to meet it. And we shall continue to do so as long as that danger persists.

I urge the Senator to have the administration make a clear expression of how it is going to be met, to have the people convinced of his good judgment, to have the people have the feeling that they are joining in the effort—not that they are reluctant at the moment, but I do find—this is a problem so many Senators are facing—that people ask the questions, "What are we doing there? Are we winning? Are we going to win in the long run?"

They want to have reassurance by facts and material, as has been done today. They want to have a reassurance of a determination and a conviction that in the long run we will continue and in the long run ultimately we will win.

Mr. LONG of Louisiana. I thank the Senator.

ADJOURNMENT TO MONDAY

Mr. HARTKE. Mr. President, if there be no further business to come before the Senate at this time, I move that the Senate stand in adjournment, under the previous order, until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 35 minutes p.m.) the Senate adjourned, under the previous order, until Monday, March 8, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 4, 1965:

NATIONAL COUNCIL ON THE ARTS

Roger L. Stevens, of New York, to be Chairman of the National Council on the Arts.

IN THE NAVY

Rear Adm. George G. Burkley, Medical Corps, U.S. Navy, retired, for appointment to the grade of vice admiral while serving at the White House, pursuant to article II, section 2, clause 2 of the Constitution.

CONFIRMATIONS

Executive nomination confirmed by the Senate March 4, 1965:

CIVIL SERVICE COMMISSIONER

John Williams Macy, Jr., of Connecticut, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1971. (Reappointment.)

WITHDRAWAL

Executive nomination withdrawn from the Senate March 4, 1965:

The nomination sent to the Senate on January 29, 1965, of Walter G. Carney to be postmaster at Armagh, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 4, 1965

The House met at 11:15 o'clock a.m.

The Reverend Father Morris N. Dummet, St. Michael's Church, New Orleans, La., offered the following prayer:

Let us pray.

God of our fathers, in whose name this Republic was born, we pray for the Members of this body in their many and grave responsibilities.

Help them in their offices, in committees, and, above all, in legislative session. May they never forget that what is said and done here is indelibly inscribed in Your infinite knowledge and wisdom. May they feel the weight of their responsibility before You, and remember the forceful influence of good example, that all who come to this august Chamber may have a stronger faith in government of the people, by the people, for the people.

May the Representatives so speak and act and vote that all may be inspired, rather than disillusioned, by what is accomplished. Almighty God, make Yourself real to these men, that each may feel You sitting beside him, and hear Your voice and win Your approval in all things.

So help them, Almighty God. This we ask in the name of Thy divine Son. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

U.S. PARTICIPATION IN THE INTER-AMERICAN DEVELOPMENT BANK

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, can the gentleman give us some idea of the changes in the bill that were made in conference?

Mr. PATMAN. Mr. Speaker, if the gentleman will yield, the conference report was signed by all of the conferees on the part of both Houses. However, I shall ask the gentleman from Wisconsin [Mr. REUSS] to explain such changes as were made. There is no difference between the two Houses. All conferees signed the conference report, I will say to the gentleman from Iowa, and Mr. REUSS will explain the differences.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Wisconsin.

Mr. REUSS. The conference report which is now before this body would change the version passed overwhelmingly in the House of Representatives in one and only one material particular. That particular is contained in amendment No. 2 in which we accept the Senate version. That would write into the law the so-called Hickenlooper amendment with which I am sure the gentleman from Iowa [Mr. GROSS] is familiar, which would make it clear that the U.S. executive director of the Inter-American Development Bank shall vote against any dollar loan to any Latin American country which has expropriated an American industry under improper circumstances or otherwise dealt unfairly with an American industry.

I should add that we on this side had assurances from the Secretary of the Treasury that the United States would in fact so vote, but it was not put in as a policy directive in the bill itself.

The effect of the amendment which we now ask you to accept is to put that right into the legislation itself.

Mr. GROSS. There is no change in the money figure?

Mr. REUSS. There is no change in the money figure; no, sir.

Mr. GROSS. And there are no other changes as between the two bodies?

Mr. REUSS. The only other change, which is a highly technical change, removed unnecessary quotation marks from one of the paragraphs. That is the only other change which this conference report would engraft upon the House passed bill.

Mr. GROSS. Mr. Speaker, I see no point in prolonging this. I want the RECORD to show that I am opposed to the conference report as I was opposed to gouging the taxpayers for another $750 million to be ladled to foreigners.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 137)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) With respect to any dollars herein provided, the voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country, during any period for which the President has suspended assistance to the government of such country because of any action taken on or after January 1, 1962, by the government of such country or any government agency or subdivision within such country as specified in paragraph (A), (B), or (C) of subsection (e)(1) of section 620 of the Foreign Assistance Act of 1961, as amended, and the failure of such country within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."; and the Senate agree to the same.

WRIGHT PATMAN,
ABRAHAM MULTER,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM B. WIDNALL,
PAUL A. FINO,
SEYMOUR HALPERN.
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
By J. W. F.
MIKE MANSFIELD,
By J. W. F.
BOURKE B. HICKENLOOPER,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This is a technical amendment, conforming punctuation to the addition of a new subsection in amendment number 2.

Amendment No. 2: This amendment added a new subsection (c) to the section 14 which the bill as passed by both Houses adds to the Inter-American Development Bank Act. The

Senate amendment provided, "The voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country if the government of such country or any government agency or subdivision within such country, on or after January 1, 1962, has taken any action referred to in paragraph (A), (B), or (C) of subsection (e)(1) of section 620 of the Foreign Assistance Act of 1961, and has failed within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."

The actions referred to in paragraphs (A), (B), and (C) of section 620(e)(1) of the Foreign Assistance Act of 1961 are actions by any country which—

"(A) has nationalized or expropriated or seized ownership or control of property owned by any United States citizen or by any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens, or

"(B) has taken steps to repudiate or nullify existing contracts or agreements with any United States citizen or any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens, or

"(C) has imposed or enforced discriminatory taxes or other exactions, or restrictive maintenance or operational conditions, or has taken other actions, which have the effect of nationalizing, expropriating, or otherwise seizing ownership or control of property so owned,".

As agreed to in conference, the amendment to the Senate amendment provides, "With respect to any dollars herein provided, the voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country, during any period for which the President has suspended assistance to the government of such country because of any action taken on or after January 1, 1962, by the government of such country or any government agency or subdivision within such country as specified in paragraph (A), (B), or (C) of subsection (e)(1) of section 620 of the Foreign Assistance Act of 1961, as amended, and the failure of such country within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."

Amendment No. 3: This amendment would have provided that the contribution of the United States under the new section 14 should be made upon condition that at least 33⅓ per centum of the aggregate amount of loans made from such contribution should be repayable in United States dollars. The Senate receded.

WRIGHT PATMAN,
ABRAHAM MULTER,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM B. WIDNALL,
PAUL A. FINO,
SEYMOUR HALPERN,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he can inform us as to the legislative program for next week.

Mr. BOGGS. Mr. Speaker, as the Members know, in a short time there will be a ceremony reenacting the second inauguration of President Lincoln, which the Members of the House will attend. There will be no further program today, and we will have a pro forma meeting tomorrow.

The program for next week is as follows:

On Monday there will be two bills from the District of Columbia Committee: H.R. 4338, to authorize the Veterans of Foreign Wars of the United States to rent certain property; and House Joint Resolution 195, authorizing special regulations for the American Legion convention in 1966.

On Tuesday and Wednesday we will consider two unanimous-consent bills from the Committee on Education and Labor; namely, H.R. 2959, school construction under Public Law 815 in Puerto Rico; and H.R. 4717, to amend the Cultural Development Act.

For Thursday and the balance of the week, there will be House Concurrent Resolution 4 to establish a Joint Committee on the Organization of the Congress.

As the gentleman knows, conference reports may be brought up at any time, and any further program will be announced later.

Mr. ARENDS. I thank the gentleman.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMEMORATION OF THE 100TH ANNIVERSARY OF THE 2D INAUGURATION OF ABRAHAM LINCOLN

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, as the majority leader stated, at noon ceremonies will begin in commemoration of the 100th anniversary of the 2d inauguration of Abraham Lincoln. I hope all Members will have the opportunity to attend that ceremony at the east front of the Capitol. I urge the Members to encourage their office force to attend this ceremony. Not only are the Members of Congress invited to attend the ceremony, but the public as well.

PROCEEDINGS IN CONNECTION WITH the 100TH ANNIVERSARY OF THE 2D INAUGURATION OF ABRAHAM LINCOLN

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the proceedings in connection with the commemoration of the 100th anniversary of the 2d inauguration of Abraham Lincoln be printed in full in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. ARENDS. Mr. Speaker, reserving the right to object, will the membership of the House attend the ceremonies or are we going as individuals?

The SPEAKER. The Chair would say that the Members will attend individually.

Mr. ARENDS. I thank the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 151.

The Clerk read the resolution, as follows:

H. RES. 151

Resolved, That, effective from January 4, 1965, the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries relating to matters coming within the jurisdiction of such committee, including but not limited to the following:

(1) administration and operation of the Maritime Administration and Federal Maritime Commission and all laws, international arrangements, and problems relating to the American merchant marine;

(2) administration and operation of the United States Fish and Wildlife Service and all laws and problems relating to fisheries and wildlife;

(3) administration and operation of the Coast Guard, Coast and Geodetic Survey, and all laws and problems relating to functions thereunder;

(4) administration and operation of the Panama Canal and all laws and problems relating thereto, together with the necessity of providing additional transiting facilities for vessels between the Atlantic and Pacific Oceans;

(5) the natural resources and environment of the oceans.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For such purposes the said committee, or any subcommittee thereof as authorized to do so by the chairman of the committee, is hereby authorized to sit and act during the present Congress within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

With the following committee amendments:

On page 3, line 4, after "thereof" insert "designated by him".

On page 3, line 10, insert the following:

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Merchant Marine and Fisheries of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–63, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am introducing today the administration-sponsored urban development bill of 1965. The gentleman from Pennsylvania [Mr. Barrett] is also introducing it.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and that I may be permitted to insert at this point in the Record the bill and a summary and discussion of the merits of the bill, and that immediately following that the gentleman from Pennsylvania [Mr. Barrett] be permitted to extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this bill would carry out the legislative recommendations of the President with respect to the new and existing programs discussed in his March 2 message to the Congress on "The Problems and Future of the Central City and Its Suburbs."

We have all often heard repeated frightening statistics about the ever-increasing size of our cities and other urban areas and of their great and growing problems. I feel, however, that some of us may have lost sight of the nature of this challenge of our cities. The President has not, and I believe that we can all again vision an inspiration from his message. As he said:

> Let us be clear about the core of this problem. The problem is people and the quality of the lives they lead. We want to build not just housing units, but neighborhoods; not just to construct schools, but to educate children; not just to raise incomes but to create beauty and end the poisoning of our environment. We must extend the range of choices available to all our people so that all, and not just the fortunate, can have access to decent homes and schools, to recreation and to culture. We must work to overcome the forces which divide our people and erode the vitality which comes from the partnership of those with diverse incomes and interests and backgrounds.

The President's legislative proposals would carry out this approach. They would provide special assistance for many persons who specially need it—the elderly, those facing displacement in urban renewal areas, and those unable to afford decent housing. They would provide additional assistance and encouragement for the beautification of our towns and cities, and for the provision of additional parks and recreation areas. They would help to stem the wasteful and haphazard expansion of our suburbs, and encourage the establishment of subdivisions and communities which can offer more to their residents—both in utility and enjoyment.

This is an inspiring bill, and one which I am proud to sponsor. It presents both special opportunities, and special challenges to the housing industry, which will, of course, be intimately involved in the increased construction and rehabilitation efforts for which the President is asking. The bill is a realistic and workable one, and I am sure that this strong and important industry will be able to support it fully.

Mr. Speaker, I am submitting for insertion in the Record a copy and summary of the bill:

H.R. 5840

A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1965".

TITLE I—SPECIAL PROVISIONS FOR DISADVANTAGED PERSONS

Financial assistance to enable certain private housing to be available for lower income families who are elderly, handicapped, displaced, or occupants of substandard housing

Sec. 101. (a) Authority To Make Payments.—The Housing and Home Finance Administrator (hereinafter referred to as the "Administrator") is hereby authorized to make, and contract to make, annual payments to a "housing owner" on behalf of "qualified tenants," as those terms are defined herein, in such maximum amounts and under such circumstances as are prescribed in, or pursuant to, this section. In no case shall a contract provide for such payments with respect to any housing for a period exceeding forty years. The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation acts and shall not exceed $50,000,000 per annum prior to July 1, 1966, which maximum dollar amount shall be increased by $50,000,000 on July 1 in each of the years 1966, 1967, and 1968.

(b) Housing Owner.—As used herein, a "housing owner" shall mean a private nonprofit corporation or other entity, a limited dividend corporation or other entity, or a cooperative mortgagor under section 221(d)(3) of the National Housing Act which, since the enactment of this Act, has been approved for mortgage insurance thereunder and has been approved for receiving the benefits of this section: *Provided*, That no housing owner receiving payments under this section may receive the benefits of the interest rate provided for in the proviso in clause (5) of section 221(d) of that Act.

(c) Qualified Tenant.—As used in this section, a "qualified tenant" means any individual or family who has, pursuant to criteria and procedures established by the Administrator, been determined:

(1) to have an income below the amount required to obtain standard privately owned housing in the area that is conventionally financed or that is financed with a market interest rate mortgage insured under said section 221(d)(3), but above the amount which would be necessary for low-income families generally to obtain admission to public housing dwellings, in the same or a similar area, of a size comparable to the dwelling of the housing owner which is occupied, or to be occupied, by the qualified tenant; and

(2) to be one of the following—

(A) displaced by governmental action;

(B) 62 years of age or older in the case of an individual or, in the case of a family, to have a head who is, or whose spouse is, 62 years of age or over;

(C) physically handicapped; or

(D) occupying substandard housing.

(d) Amount of Payment.—The amount of the annual payment with respect to any dwelling unit shall not exceed (1) the amount by which the fair market rental for such unit exceeds one-fifth (or one-fourth in the case of a unit to be rented under a lease with an option to purchase the unit or a cooperative ownership interest therein) of the tenant's income as determined by the Administrator pursuant to procedures and regulations established by him, nor (2) the estimated amount of subsidy contracted for under the United States Housing Act of 1937 with respect to a dwelling unit of comparable size and type in the same or a comparable locality.

(e) Criteria and Procedures Relating to Tenant Eligibility, Rental Charges and Annual Payments. (1) For purposes of carrying out the provisions of this section, the Administrator shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges. The Administrator shall issue, upon the request of a housing owner, certificates as to the following facts concerning the individuals and families applying for admission to, or residing in, dwellings of such owner:

(A) the income of the individual or family; and

(B) whether the individual or family was displaced by governmental action, is elderly, is physically handicapped, or is occupying substandard housing.

(2) Procedures adopted by the Administrator hereunder shall provide for recertifications of the incomes of occupants, except the elderly, at intervals of two years (or at shorter intervals in cases where the Administrator may deem it desirable) for the purpose of adjusting rental charges and annual payments on the basis of occupants' incomes, but in no event shall rental charges adjusted under this section for any dwelling exceed the fair market rental of the dwelling.

(3) The Administrator may enter into agreements, or authorize housing owners to enter into agreements, with public or private agencies for services required in the selection of qualified tenants, including those who may be approved, on the basis of the probability of future increases in their incomes, as lessees under an option to purchase dwellings or cooperative ownership interests therein, and in the establishment of rentals. The Administrator is hereby authorized (without limiting his authority under any other provision of law) to delegate to any such public or private agency his authority to issue certificates pursuant to this subsection.

(f) Waiver of Workable Program.—Section 101(c) of the Housing Act of 1949 is amended by inserting "(i)" after the phrase "a mortgage under" in the first proviso thereof and by inserting immediately prior to the colon at the end of the first proviso: ", or (ii) section 221(d)(3) of the National Housing Act if payments with respect to the mortgaged property are paid or to be paid under section 101 of the Housing and Urban Development Act of 1965, except that no such mortgage shall be insured, and no commitment to insure such a mortgage shall be issued, with respect to property in any community for which a workable program for community improvement was required and in effect at the time a contract for a loan or capital grant was entered into under this title, or a contract for annual contributions or capital grants was entered into pursuant to the United States Housing Act of 1937, unless there is a workable program for community improvement which meets the requirements of this subsection in effect in such community at the time of such insurance or commitment".

(g) Regulations.—The Administrator is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section. Nothing contained in this section shall affect the authority of the Federal Housing Commissioner with respect to any housing assisted under this section and under section 221(d)(3) of the National Housing Act, including his authority to prescribe occupancy requirements under other provisions of law or to determine the portion of any such housing which may be occupied by qualified tenants.

(h) Appropriations.—There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including, but not limited to, such sums as may be necessary to make annual payments, pay for services provided under (or pursuant to agreements entered into under) subsection (e), and provide administrative expenses.

(i) Conforming Amendment.—Section 114 (c)(2) of the Housing Act of 1949 is amended by inserting before the colon at the end of the first proviso the following: ", or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965".

Extension of FHA section 221 programs

Sec. 102. The fifth sentence of section 221 (f) of the National Housing Act is amended by striking out "subsection (d)(2) or (d)(4) after September 30, 1965, or under subsection (d)(3) after September 30, 1965," and inserting in lieu thereof "this section after October 1, 1969,".

Rehabilitation grants to homeowners in urban renewal areas

Sec. 103. (a) Title I of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"REHABILITATION GRANTS

"Sec. 115. (a) Notwithstanding any other provision of this title, the Administrator may authorize a local public agency to make grants (and the urban renewal project may include the making of such grants) as prescribed in this section. Any such grant may be made only to an individual or family, as described in subsection (b), who owns and occupies a structure in the urban renewal area and for the purpose of covering the cost of repairs and improvements necessary to make such structure conform to public standards for decent, safe, and sanitary housing as required by applicable codes or other requirements of the urban renewal plan for the area. Any contract for financial assistance under this title shall provide that the capital grant otherwise payable for the project shall be increased by an amount equal to the total amount of such grants and that no part of the total amount of such grants shall be required to be contributed as part of the local grant-in-aid.

"(b) A grant authorized by this section may be made to an individual or family whose income does not exceed $2,000 a year, and such grant may be in an amount which does not exceed the lesser of (1) the actual (and approved) cost of the repairs and improvements, or (2) $1,000. In case the income of the individual or family exceeds $2,000 a year, a grant may be made under this section, subject to the limitations specified in clauses (1) and (2) of the preceding sentence, in an amount not to exceed that portion of the cost of such repairs and improvements as cannot be paid for with any available loan which can be amortized as part of such individual's or family's monthly housing expense without requiring such monthly housing expense to exceed 25 percentum of such individual's or family's monthly income.".

(b) Any contract with a local public agency which was executed under title I of the Housing Act of 1949 before the date of enactment of this Act may be amended to provide for grants authorized by section 115 of the Housing Act of 1949.

Parity of treatment for the handicapped and elderly in public housing

Sec. 104. Section 2(2) of the United States Housing Act of 1937 is amended to read as follows:

"(2) The term 'families of low income' means families (including elderly and displaced families) who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use. The term 'families' includes families consisting of a single person in the case of elderly families and displaced families, and includes the remaining member of a tenant family. The term 'elderly families' means families whose heads (or their spouses), or whose sole members, have attained the age at which an individual may elect to receive an old age benefit under title II of the Social Security Act, or who are under a disability as defined in section 223 of that Act, or who are handicapped within the meaning of section 202 of the Housing Act of 1959. The term 'displaced families' means families displaced by urban renewal or other governmental action.".

Relocation payments under Urban Mass Transportation Act

Sec. 105. Section 7(b) of the Urban Mass Transportation Act of 1964 is amended by striking out all that follows the second sentence and inserting in lieu thereof the following: "The term 'relocation payment' means payments by the applicant which are (1) made to an individual, family, business concern, or nonprofit organization displaced by a project on or after March 4, 1965, (2) not otherwise authorized under any Federal law, and (3) made only on such terms and conditions and subject to such limitations (as applicable, but not including the date of displacement) as are provided for relocation payments, at the time such payment is approved, by sections 114 (b) and (c) of the Housing Act of 1949. Relocation payments authorized by this subsection shall be made subject to such rules and regulations as may be prescribed by the Administrator.".

TITLE II—FHA INSURANCE OPERATIONS

Land development

Sec. 201. (a) The National Housing Act is amended by adding at the end thereof the following new title:

"TITLE X—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

"Purpose

"Sec. 1001. The purpose of this title is to provide appropriate credit assistance in order that private enterprise may better serve the needs of a rapidly expanding urban population by means of additional well-planned and adequately improved sites for the development of desirable residential neighborhoods, subdivisions, and sound communities.

"Definitions

"Sec. 1002. As used in this title—

"(a) the term 'mortgage' means a lien or liens on real estate in fee simple, or on a leasehold (1) under a lease for not less than ninety-nine years which is renewable or (2) under a lease having a period of not less than fifty years to run from the date the mortgage was executed;

"(b) the term 'first mortgage' includes such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and may be in the form of trust mortgages or mortgage indentures or deeds of trusts securing notes, bonds, or other credit instruments;

"(c) the terms 'mortgagee', 'mortgagor', and 'State' shall have the same meaning as in section 207 of this Act;

"(d) the term 'improvements' means water lines and water supply installations, sewer lines and sewage disposal installations, roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or work, whether on or off the site, which the Commissioner deems necessary or desirable to prepare land primarily for residential and related uses or to provide facilities for public or common use. These facilities shall include only such buildings as are needed in connection with water supply or sewage disposal installations and such buildings, other than schools, as the Commissioner considers appropriate, which are to be owned and maintained jointly by the property owners; and

"(e) the term 'land development' means the process of making, installing or constructing improvements.

"Basic conditions for insurance

"Sec. 1003. The Commissioner is authorized (1) to insure, upon such terms and conditions as he may prescribe, any first mortgage (including advances on such mortgage) in accordance with the provisions of this title and (2) to make a commitment for the insurance of such mortgage prior to the date of execution of such mortgage or prior to the date of disbursement of the mortgage proceeds. No mortgage shall be insured under this title after October 1, 1969, except pursuant to a commitment to insure issued before such date.

"Sec. 1004. The mortgage shall—

"(a) be executed by a mortgagor, other than a public body, approved by the Commissioner;

"(b) be made to and held by a mortgagee approved by the Commissioner;

"(c) cover the land to be developed and the improvements made with the assistance of the mortgage insurance, except facilities intended for public use and in public ownership.

"Sec. 1005. The principal obligation of the mortgage shall (1) not exceed 75 per centum of the Commissioner's estimate of the value of the property upon completion of the land development, and (2) not exceed the sum of 50 per centum of the Commissioner's estimate of the value of the land before development and 90 per centum of his estimate of the cost of such development. The outstanding principal obligations of mortgages involving a single land development undertaking, as defined by the Commissioner, shall at no time exceed $2,000,000.

"Sec. 1006. The mortgage shall—

"(a) have a maturity and contain repayment provisions satisfactory to the Commissioner;

"(b) bear interest at a rate satisfactory to to Commissioner, and such interest shall be exclusive of premium charges for mortgage insurance and such service charges and fees as may be approved by the Commissioner; and

"(c) contain such terms and provisions with respect to protection of the security, payment of taxes, delinquency charges, prepayment, additional and secondary liens, and other matters as the Commissioner may in his discretion prescribe.

"Sec. 1007. A property or project to be financed by a mortgage insured under this title shall—

"(a) represent an acceptable mortgage insurance risk, giving consideration to the expected contributions of the land development to sound economic community growth; and

"(b) involve improvements that comply with all applicable State and local governmental requirements and with minimum standards approved by the Commissioner.

"Land planning

"Sec. 1008. (a) The land development shall be undertaken pursuant to a schedule, conforming to such requirements and procedures as the Commissioner may prescribe, that will assure the use of the land for the purposes for which it is to be developed within the shortest reasonable period consistent with the objectives of sound and economic community growth or urban development.

"(b) The land development shall be undertaken in accordance with an overall development plan, appropriate to the scope and character of the undertaking, which—

"(1) has received all governmental approvals required by State or local law or by the Commissioner;

"(2) is acceptable to the Commissioner as providing reasonable assurance that the land development will contribute to the establishment or growth of a well-planned neighborhood, subdivision or community which (i) will have a sound economic base and a long economic life, (ii) will be characterized by sound land use patterns, and (iii) will include or be served by such shopping, school, recreational transportation and other facilities as the Commissioner deems adequate or necessary; and

"(3) is consistent with a comprehensive plan which covers, or with comprehensive planning being carried on for, the area in which the land is situated and which meets criteria established by the Housing and Home Finance Administrator for such plans or planning.

"(c) The Administrator may establish a category of extensive new developments for which overall development plans, including the adequacy of housing to be provided for those who would be employed within the planned development, shall be reviewed by him for consistency with such comprehensive plans or planning.

"Development priorities

"Sec. 1009. The Commissioner shall adopt such requirements as he deems necessary to encourage the maintenance of a diversified local home building industry and the inclusion of a proper balance of housing for families of moderate or low income. He may give such priority as he deems reasonable to land development undertakings that will, through open marketing of the developed land or other means, encourage broad participation by builders and that will serve families having a broad range of incomes.

"Water and sewerage facilities

"Sec. 1010. After development of the land it shall be served by public systems for water and sewerage which are consistent with other existing or prospective systems within the area. If the Commissioner determines that public ownership of such a system is not feasible, he may approve an adequate privately or cooperatively owned system which will be regulated, during the period of such ownership, in a manner acceptable to him with respect to user rates and charges, capital structure, methods of operation, and rate of return. Approval of such system shall be given only where the Commissioner receives assurances, satisfactory to him, with respect to eventual public ownership and operation of the system and with respect to the conditions and terms for any sale or transfer.

"Releases—Subordination of mortgage lien

"Sec. 1011. The Commissioner may, on such terms and conditions as he may prescribe, (1) consent to the release of a part or parts of the mortgaged property from the lien of the mortgage, and (2) consent to the subordination of the lien of an insured mortgage upon a part or parts of the mortgaged property where the subordination is necessary to obtain construction financing for a dwelling on which an application for the insurance of permanent financing has been filed under any other title of this Act.

"Premiums and fees

"Sec. 1012. The Commissioner shall collect reasonable premiums for the insurance of any mortgage under this title and make such charges as he determines are reasonable for the analysis of the land development plan and the appraisal and inspection of the property and improvements. On or before January 1, 1969, the Commissioner shall make a report to the Congress concerning the premium rates and other charges under this title that he estimates will be adequate to provide income sufficient for a self-supporting program.

"Insurance benefits

"Sec. 1013. The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of this Act shall be applicable to mortgages insured under this title, except that as applied to such mortgages (1) any reference therein to section 207 shall be deemed to refer to this title, and (2) any reference to an annual premium shall be deemed to refer to such premiums as the Commissioner may designate under this title.

"Incontestability provisions

"Sec. 1014. Any contract of insurance executed by the Commissioner under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or misrepresentation on the part of such approved mortgagee.

"Rules and regulations

"Sec. 1015. The Commissioner is authorized to make such rules and regulations and to require such agreements as he may deem necessary or desirable to carry out the provisions of this title.

"Taxation provisions

"Sec. 1016. Nothing in this title shall be construed to exempt any real property acquired and held by the Commissioner under this title from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed.

"Cost certification

"Sec. 1017. (a) The Commissioner shall adopt such requirements as he determines necessary to assure, at reasonable intervals of time during land development and upon completion of such development, that the amount of the mortgage loan outstanding at each such interval does not exceed with respect to that portion of the land remaining under the lien of the mortgage: (1) 50 per centum of the Commissioner's estimate of the value of such remaining land before development; plus (2) 90 per centum of the actual cost of the development allocated by the Commissioner to such remaining land.

"(b) From time to time during and upon completion of the development, the Commissioner shall require the mortgagor to certify as to the actual costs of development of the land.

"(c) Certifications required pursuant to this section shall be accompanied by such data and records as the Commissioner shall prescribe.

"(d) A mortgagor's certification approved by the Commissioner shall be final and incontestable except for fraud or material misrepresentation on the part of the mortgagor.

"(e) As used in this section, the term 'actual costs' means the costs (exclusive of kickbacks, rebates or trade discounts) to the mortgagor of the improvements. These costs may include amounts paid for labor, materials, construction contracts, land planning, engineers' and architects' fees, surveys, taxes and interest during development, organizational and legal expenses, such allocation of general overhead expenses as are acceptable to the Commissioner, and other items of expense incidental to development which may be approved by the Commissioner. If the Commissioner determines there is an identity of interest between the mortgagor and the contractor, there may be included an allowance for contractor's profit in an amount deemed reasonable by the Commissioner."

Conforming amendments

(b)(1) Section 212(a) of the National Housing Act is amended by inserting the following new sentence at the end thereof: "The provisions of this section shall also apply to insurance under title X with respect to laborers or mechanics employed in land development financed with the proceeds of any mortgage insured under that title.".

(2) Section 302(b) of the Federal National Mortgage Association Charter Act is amended by—

(A) inserting after "or title VIII," in the proviso the following: "or under title X with respect to land development the plans for which were approved by the Housing and Home Finance Administrator pursuant to section 1008(c), of the National Housing Act,"; and

(B) striking out "the term 'mortgages'" in the last sentence and substituting "the terms 'mortgages' and 'home mortgages'".

(3) The first paragraph of section 24 of the Federal Reserve Act is amended by inserting before the last sentence the following new sentence: "Notwithstanding the limitations and restrictions in this section, any national banking association may make loans for land development which are secured by mortgages insured under title X of the National Housing Act."

(4) Section 5(c) of the Home Owners Loan Act of 1933 is amended by adding at the end thereof the following new paragraph:

"Without regard to any other provision of this subsection, any such association may, to such extent as the Federal Home Loan Bank Board may by regulation permit, invest in loans, and interests in loans, secured by mortgages as to which the association has the benefit of insurance under title X of the National Housing Act or of a commitment or agreement for such insurance, and investments under this sentence shall not be included in any percentage of assets or other percentage referred to in this subsection."

(5) Section 701(a) of the Housing Act of 1954 is amended by inserting the following before the semicolon in paragraph (4): ", or for areas where rapid urbanization is expected to result from the establishment of an extensive new development on land acquired or to be acquired by State land development agencies with assistance under section 202(b)(1) of the Housing Amendments of 1955, or on land developed or to be developed with assistance under title X of the National Housing Act".

(6) Section 202(b) (redesignated below as section 202(c)) of the Housing Amendments of 1955 is amended by inserting "(A)" after "public works or facilities" in the second sentence of paragraph (4), and adding the following before the period at the end thereof: ", or (B) to be provided in connection with the establishment of an extensive new development on land developed or to be developed with assistance under title X of the National Housing Act".

Loans to State land development agencies

(c)(1) Section 202 of the Housing Amendments of 1955 is amended by inserting after subsection (a) the following new subsection (b) and redesignating the remaining subsections accordingly:

"(b)(1) In order to encourage and assist in the timely acquisition of open or predominantly undeveloped land to be utilized in connection with the development of well-planned residential neighborhoods, subdivisions, and communities, the Administrator is authorized to purchase the securities and obligations of, or make loans to, State land development agencies to finance the acquisition of a fee simple or other interest in such land for subsequent sale in accordance with this subsection. A loan under this subsection may be in an amount which shall not exceed the total cost, as approved by the Administrator, of acquiring such interest; shall be reasonably secured; shall be repaid in such manner and within such period, not exceeding 15 years, as may be determined by the Administrator; and shall bear interest at the rate prescribed for financial assistance extended under subsection (a) of this section. As used in this subsection, 'State land development agencies' means public corporations authorized to carry out, and created or designated by or pursuant to State law for the purpose of carrying out, the functions for which financial assistance is available under this subsection.

"(2) The Administrator shall not extend any financial assistance for the acquisition of land under this subsection unless he determines that (A) the financial assistance applied for is not otherwise available on reasonable terms, (B) the development of a well-planned residential neighborhood, subdivision, or community on such land would be consistent with a comprehensive plan or comprehensive planning, meeting criteria established by the Administrator, for the area in which the land is located, and (C) a preliminary development plan for the use of the land meets criteria established by the Administrator for such preliminary development plans.

"(3) Land acquired with financial assistance under this subsection shall be disposed of for development in accordance with a current development plan for the land which has been approved by the Administrator and shall not be sold or otherwise disposed of for less than its fair value for uses in accord with such development plan. Such plan shall, wherever feasible in the light of current conditions, encourage the provision of sites providing a proper balance of types of housing to serve families having a broad range of incomes."

(c)(2) Section 203(a) of the Housing Amendments of 1955 is amended by striking out "section 202(a)" and inserting in lieu thereof "section 202(a) and pursuant to section 202(b)".

Extension of insurance authorizations

SEC. 202. (a) Section 2(a) of the National Housing Act is amended by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

(b) Section 217 of such Act is amended by—

(1) striking out "title VIII" and inserting in lieu thereof "titles VIII or X", and

(2) striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

(c) The second sentences of sections 809(f) and 810(k) of such Act are each amended by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

Multifamily mortgage limits for four or more bedroom units

SEC. 203. (a) Section 207 of the National Housing Act is amended by—

(1) striking out "and $18,500 per family unit with three or more bedrooms" in subsection (c)(3) and inserting in lieu thereof "$18,500 per family with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(2) striking out "and $22,500 per family unit with three or more bedrooms" in subsection (c)(3) and inserting in lieu thereof $22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(b) Section 213 of the National Housing Act, is amended by—

(1) striking out "and $18,500 per family unit with three or more bedrooms" in subsection (b)(2) and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms";

(2) striking out "and $22,500 per family unit with three or more bedrooms" in subsection (b)(2) and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms";

(3) striking out "not to exceed the greater of the following amounts (1) A" in subsection (c) and inserting in lieu thereof "not to exceed a"; and

(4) striking out subsection (c)(2).

(c) Section 220 of the National Housing Act is amended by—

(1) striking out "and $18,500 per family unit with three or more bedrooms" in subsection(d)(3)(B)(iii) and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(2) striking out "and $22,500 per family unit with three or more bedrooms" in subsection (d)(3)(B)(iii) and inserting in lieu therof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(d) Section 221 of the National Housing Act is amended by—

(1) striking out "and $17,000 per family unit with three or more bedrooms" in subsections (d)(3)(ii) and (d)(4)(ii) and inserting in lieu thereof in each subsection "$17,000 per family unit with three bedrooms, and $19,250 per family unit with four or more bedrooms"; and

(2) striking out "and $20,000 per family unit with three or more bedrooms" in subsections (d)(3)(ii) and (d)(4)(ii) and inserting in lieu thereof in each subsection "$20,000 per family unit with three bedrooms, and $22,750 per family unit with four or more bedrooms".

(e) Section 231 of the National Housing Act is amended by—

(1) striking out "and $17,000 per family unit with three or more bedrooms" in subsection (c)(2) and inserting in lieu thereof $17,000 per family unit with three bedrooms, and $19,250 per family unit with four or more bedrooms"; and

(2) striking out "and $20,000 per family unit with three or more bedrooms" in subsection (c)(2) and inserting in lieu thereof "$20,000 per family unit with three bedrooms, and $22,750 per family unit with four or more bedrooms".

(f) Section 234 of the National Housing Act is amended by—

(1) striking out "and $18,500 per family unit with three or more bedrooms" in subsection (e)(3) and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(2) striking out "and $22,500 per family unit with three or more bedrooms" in subsection (e)(3) and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

Rehabilitation in urban renewal areas

SEC. 204. Section 220 of the National Housing Act is amended by—

(1) striking out the colon and the second proviso preceding the semicolon at the end of clause (i) in subsection (d)(3)(A);

(2) striking out clause (ii) in subsection (d)(3)(A) and inserting in lieu thereof the following:

"(ii) in a case where the mortgagor is not the occupant of the property and the mortgagor intends to hold the property for rental purposes, have a principal obligation in an amount not to exceed 93 per centum of the amount available to a mortgagor who is the occupant of the property computed under the provisions of clause (i);

"(iii) in a case where the mortgagor is not the occupant of the property and intends to hold the property for the purpose of sale, have a principal obligation in an amount not to exceed 85 per centum of the amount computed under the provisions of clause (i), or in the alternative, an amount computed under the provisions of clause (i) if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof, or such greater amount as may be required to meet the limitations of clause (iv), in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness; and

"(iv) in no case involving refinancing (except as provided in clause (iii)), have a principal obligation in an amount exceeding the sum of the estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project and any existing indebtedness incurred in connection with improving, repairing or rehabilitating the property; or".

Nondwelling facilities for urban renewal housing

SEC. 205. Section 220 of the National Housing Act is amended by striking out clause (iv) in subsection (d)(3)(B) and inserting in lieu thereof the following:

"(iv) include such nondwelling facilities as the Commissioner deems desirable and consistent with the urban renewal plan: *Provided,* That the project shall be predominantly residential and any nondwelling facility included in the mortgage shall be found by the Commissioner to contribute to the economic feasibility of the project.".

Larger insured mortgages for servicemen

SEC. 206. Section 222(b) of the National Housing Act is amended by—

(1) striking out "$20,000" in clause (2) and inserting in lieu thereof "$30,000";

(2) striking out in clause (3) "in an amount" and "of 95 per centum of the appraised value of the property or such higher amount as may be"; and

(3) inserting "of the amount" in clause (3) after "in excess".

Refinancing of insured mortgages

SEC. 207. Section 223 of the National Housing Act is amended by striking out in subsection (a)(7) immediately before the first proviso "section 608 of title VI prior to the effective date of the Housing Act of 1954 or under sections 220, 221, 903, or section 908" and inserting in lieu thereof "this Act".

Consolidation of FHA insurance funds

SEC. 208. Title V of the National Housing Act is amended by adding at the end thereof the following new section:

"SEC. 519. (a) There is hereby created a General Insurance Fund which shall be used by the Commissioner, on and after the date of the enactment of the Housing and Urban Development Act of 1965, as a revolving fund for carrying out all the insurance provisions of this Act with the exception of the provisions in sections 203(b), 203(h), and 203(i). All mortgages or loans insured pursuant to commitments issued on or after the date of the enactment of the Housing and Urban Development Act of 1965, except those insured under sections 203(b), 203(h), and 203(i), and all loans reported for insurance under section 2 on and after the date of the enactment of the Housing and Urban Development Act of 1965 shall be insured under the General Insurance Fund. The Commissioner shall transfer to the General Insurance Fund—

"(1) the assets and liabilities of all insurance accounts and funds, except the Mutual Mortgage Insurance Fund, existing on the date of the enactment of the Housing and Urban Development Act of 1965;

"(2) all outstanding commitments for insurance issued prior to the date of the enactment of the Housing and Urban Development Act of 1965, except commitments issued under sections 203(b), 203(h), and 203(i);

"(3) the insurance on all mortgages and loans insured prior to the date of the enactment of the Housing and Urban Development Act of 1965, except the insurance under sections 203(b), 203(h), and 203(i); and

"(4) the insurance of loans made by approved financial institutions pursuant to section 2 prior to the date of the enactment of the Housing and Urban Development Act of 1965.

"(b) The general expenses of the operations of the Federal Housing Administration relating to mortgages and loans which are the obligation of the General Insurance Fund may be charged to the General Insurance Fund.

"(c) Moneys in the General Insurance Fund not needed for the current operations of the Federal Housing Administration with respect to mortgages and loans which are the obligation of the General Insurance Fund shall be deposited with the Treasurer of the United States to the credit of such Fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Commissioner may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the Fund created by this section or issued prior to the enactment of the Housing and Urban Development Act of 1965 under the provisions of any other title and section of this Act, except debentures issued under the Mutual Mortgage Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

"(d) Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage or loan which is the obligation of the General Insurance Fund, the receipts derived from the property covered by such mortgages and loans and from the claims, debts, contracts, property, or security assigned to the Commissioner in connection therewith, and all earnings on the assets of the Fund shall be credited to the General Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such Fund, cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired in connection with mortgages and loans which are the obligation of such Fund, shall be charged to such Fund.".

Optional cash payment of insurance benefits

SEC. 209. Title V of the National Housing Act is amended by adding the following section:

"SEC. 520. (a) Notwithstanding any other provisions of this Act with respect to the payment of insurance benefits, the Commissioner is authorized, in his discretion, to pay in cash or in debentures any insurance claim or any part thereof which is paid on or after the date of enactment of the Housing and Urban Development Act of 1965 on a mortgage or a loan which was insured under any section of this Act either before or after such date. If payment is made in cash, it shall be in an amount equivalent to the face amount of the debentures that would otherwise be issued plus an amount equivalent to the interest which the debentures would have earned, computed to a date to be established pursuant to regulations issued by the Commissioner.

"(b) The Commissioner is hereby authorized to borrow from the Treasury from time to time such amounts as the Commissioner shall determine are necessary to make payments in cash (in lieu of issuing debentures, which are guaranteed by the United States, as provided in this Act) pursuant to the provisions of this section. Notes or other obligations issued by the Commissioner under this section shall be subject to such terms and conditions as the Secretary of the Treasury may prescribe. Each sum borrowed pursuant to the provisions of this subsection shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities durthe month preceding the issuance of such notes or other obligations.".

TITLE III—URBAN RENEWAL

General neighborhood renewal plans

SEC. 301. Section 102(d) of the Housing Act of 1949 is amended by—

(1) striking out the fifth sentence and inserting in lieu thereof: "In order to facilitate proper preliminary planning for the attainment of the urban renewal objectives of this title, the Administrator may also make advances of funds (in addition to those authorized above) to local public agencies for the preparation of General Neighborhood Renewal Plans (as herein defined). A General Neighborhood Renewal Plan may be prepared for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems, and which is of such size that the urban renewal activities in the urban renewal area or areas may have to be initiated in stages, consistent with the capacity and resources of the respective local public agency, over an estimated period of not more than ten years."; and

(2) striking out clause (1) of the sixth sentence and inserting in lieu thereof: "(1) in the interest of sound community planning, it is desirable that the urban renewal activities proposed for the area be planned in their entirety;".

Increase in authorization for capital grants

SEC. 302. (a) Section 103(b) of the Housing Act of 1949 is amended by striking out "$4,725,000,000" and inserting in lieu thereof "$4,700,000,000, which amount shall be increased by $675,000,000 on the date of enactment of the Housing and Urban Development Act of 1965, by $725,000,000 on July 1, 1966, and by $750,000,000 on July 1 in each of the years 1967 and 1968".

(b) The first proviso of section 103(b) of the Housing Act of 1949 and the second sentence of section 6(b) of the Urban Mass Transportation Act of 1964 are hereby repealed.

Community renewal program requirement

SEC. 303. (a) Section 103 of the Housing Act of 1949 is amended by inserting the following paragraph at the end of subsection (d):

"No loan or grant contract may be entered into by the Administrator for an urban renewal project which has received Federal recognition later than six months after the date of enactment of the Housing and Urban Development Act of 1965, in a community of over fifty thousand population according to the most recent decennial census, unless he determines that the community has prepared and kept up to date a community renewal program eligible for assistance under this subsection and that the proposed project is in accord with the program: *Provided,* That if, prior to three years after the date of enactment of such Act, a loan or grant application is received for such a project from a community which is actively preparing but has not yet completed such a community renewal program, the Administrator may instead determine that the proposed project may reasonably be expected to be in accord with the program upon its completion. The Administrator shall establish reasonable requirements regarding the scope and content of such programs (including their relationship to proposed urban renewal projects) and shall assure that such programs adequately take into consideration the needs of low- and moderate-income persons and are adequately coordinated with and contribute to related community programs and activities, including those eligible for assistance under title II, part A, of the Economic Opportunity Act of 1964."

(b) Section 111 of such Act is amended by—

(1) deleting "and" at the end of paragraph (5) and

(2) adding "; and" and a new paragraph (7), as follows, before the period at the end of paragraph (6):

"(7) The requirements in the second paragraph of section 103(d) regarding preparation of, and conformity to, a community renewal program".

Amendment of section 316 of Housing Act of 1954

SEC. 304. The first full paragraph of section 316(2) of the Housing Act of 1954 is amended by striking out the first parenthetical clause and inserting in lieu thereof the following: "(as such projects are now or may hereafter be defined in title I of the Housing Act of 1949, including but not limited to projects authorized without regard to the residential or nonresidential character or reuse of the urban renewal area)".

TITLE IV—LOW-RENT PUBLIC HOUSING

Acceptance of local certification of equivalent elimination

SEC. 401. The fourth sentence of section 10(a) of the United States Housing Act of 1937 is amended by inserting immediately before the comma after the word "elimination", where the word first appears, the following: ", as certified by the local governing body".

Greater use of existing private housing

SEC. 402. Section 10(c) of the United States Housing Act of 1937 is amended by striking out *"And provided"* and inserting in lieu thereof *"Provided"*, and by inserting a colon and the following proviso before the period at the end thereof: *"And provided further,* That the amount of the fixed annual contribution which would be established under this Act for a newly constructed project by a public housing agency designed to accomodate a number of families of a given size and kind may be established, as a maximum annual contribution in lieu of any other guaranteed contribution authorized under this section, for a project by such public housing agency which would provide housing for the comparable number, sizes, and kinds of families through the acquisition, acquisition and rehabilitation, or use under lease of existing structures which are suitable for low-rent housing use and obtainable in the local market".

Increase in authorization for annual contributions

SEC. 403. Section 10(e) of the United States Housing Act of 1937 is amended by inserting immediately following the comma after the words "per annum", the following: "which limit shall be increased by $47,000,000 on the date of enactment of the Housing and Urban Development Act of 1965, and by further amounts of $47,000,000 on July 1 in each of the years 1966, 1967, and 1968, respectively,".

Sale of federally owned projects to private purchasers

SEC. 404. The first sentence of section 12(c) of the United States Housing Act of 1937 is amended to read as follows: "The Authority may sell a Federal project only to a public housing agency or to a nonprofit body for use as low-rent housing."

TITLE V—COLLEGE HOUSING

Increase in authorization for college housing loans

SEC. 501. Section 401(d) of the Housing Act of 1950 is amended to read as follows:

"(d) To obtain funds for loans under subsection (a) of this section, the Administrator may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $2,985,000,000, which amount shall be increased by $285,000,000 on July 1 in each of the years 1966 and 1967, and by $275,000,000 on July 1, 1968: *Provided,* That the amount outstanding for other educational facilities, as defined herein, shall not exceed $295,000,000, which limit shall be increased by $30,000,000 on July 1 in each of the years 1965 through 1968: *Provided further,* That the amount outstanding for hospitals, referred to in clause (2) of section 404(b) of this title, shall not exceed $220,000,000, which limit shall be increased by $15,000,000 on July 1 in each of the years 1965 through 1968."

TITLE VI—GRANTS FOR BASIC PUBLIC WORKS, NEIGHBORHOOD FACILITIES, AND THE ADVANCE ACQUISITION OF LAND

Purpose

SEC. 601. The purpose of this title is to assist and encourage the communities of the Nation fully to meet the needs of their citizens by making it possible, with Federal grant assistance, for their governmental bodies (1) to construct adequate basic water and sewer facilities needed to promote the efficient and orderly growth and development of our communities; (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services; and (3) to acquire, in a planned and orderly fashion, land to be utilized in connection with the future construction of public works and facilities.

Grants for basic water and sewer facilities

SEC. 602. (a) The Housing and Home Finance Administrator (hereinafter referred as the "Administrator") is authorized to make grants to local public bodies and agencies to finance specific projects for basic public water and sewer facilities (including works for the storage, treatment, purification, or distribution of water).

(b) The amount of any grant made under the authority of this section shall not exceed 40 per centum of the development cost of that portion of the project necessary to enable the project to adequately serve the reasonably foreseeable growth needs of the area.

(c) No grant shall be made under this section in connection with any project unless the Administrator determines that the project will serve an area which is expected to experience significant population growth in the reasonably foreseeable future and that the project is (1) designed so that an adequate capacity will be available to serve the reasonably foreseeable growth needs of the area, (2) consistent with a program meeting criteria established by the Administrator, for a unified or officially coordinated areawide water or sewer facilities systems as part of the comprehensively planned development of the area, except that prior to July 1, 1968, grants may, in the discretion of the Administrator, be made under this section when such a program for an areawide water and sewer facilities system is under active preparation although not yet completed, if the facility for which assistance is sought can reasonably be expected to be required as a part of such program, and there is urgent need for the facility, and (3) necessary to orderly community development.

Grants for neighborhood facilities

SEC. 603. (a) The Administrator is authorized to make grants in accordance with the provisions of this section, to local public bodies and agencies to finance specific projects for neighborhood facilities.

(b) The amount of any grant made under the authority of this section shall not exceed 66⅔ per centum of the development cost of the project for which the grant is made (or 75 per centum of such cost in the case of a project located in an area which at the time the grant is made is designated as a redevelopment area under section 5 of the Area Redevelopment Act).

(c) No grant shall be made under this section for any project unless the Administrator determines that the project will provide a neighborhood facility which is (1) necessary for carrying out a program of health, recreational, social, or similar community service (including a community action program approved under title II of the Economic Opportunity Act of 1964) in the area, (2) consistent with comprehensive planning for the development of the community, and (3) so located as to be available for use by a significant portion (or number in the case of large urban places) of the area's low- or moderate-income residents.

(d) For a period of twenty years, no neighborhood facility for which a grant has been made under this section shall, without the approval of the Administrator, be converted to uses other than those proposed by the applicant in its application for a grant under this section. The Administrator shall not approve any conversion in the use of such a neighborhood facility unless he finds that such conversion is in accord with the then applicable program of health, recreational, social or similar community services in the area and consistent with comprehensive planning for the development of the community in which the facility is located. In approving any such conversion, the Administrator may impose such additional conditions and requirements as he deems necessary.

(e) The Administrator shall give priority to applications for projects designed primarily to benefit members of low-income families or otherwise substantially further the objectives of a community action program approved under title II of the Economic Opportunity Act of 1964.

Advance acquisition of land

SEC. 604. (a) In order to encourage and assist in the timely acquisition of land planned to be utilized in connection with the future construction of public works or facilities, the Administrator is authorized to make grants to local public bodies and agencies to assist in financing the acquisition of a fee simple estate or other interest in such land.

(b) The amount of any grant made under the authority of this section shall not exceed the aggregate amount of reasonable interest charges on the loan or other financial obligation incurred to finance the acquisition of such land for a period not exceeding the lesser of five years from the date of issue of such loan or financial obligation or the period of time between the date of issue of such loan or other financial obligation and the date construction is begun on the public work or facility for which the land acquired was planned to be utilized.

(c) No grant shall be made under this section for any project for the acquisition of land unless the Administrator determines that the public work or facility for which such land is to be utilized is planned to be constructed or initiated within a reasonable period of time and that construction of such public work or facility will contribute to economy, efficiency, and the comprehensively planned development of the area.

(d) As a condition to providing assistance under this section, the Administrator may require an applicant to agree to repay such assistance (and prescribe the terms and conditions of such repayment) if land purchased with such assistance is not utilized (within a reasonable period of time) in connection with the construction of the public work or facility for which such land was acquired, or if such land is diverted to other uses.

General provisions

SEC. 605. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402, except subsections (a), (c)(2), and (f), of the Housing Act of 1950.

(b) The Administrator is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advance or progress payments on account of any grant made pursuant to this title. No part of any grant authorized to be made by the provisions of this title shall be used for the payment of ordinary governmental operating expenses.

Definitions

SEC. 606. As used in this title—

(a) The term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(b) The term "local public bodies and agencies" includes public corporate bodies or political subdivisions; public agencies or instrumentalities of one or more States, municipalities or political subdivisions of one or more States (including public agencies and instrumentalities of one or more municipalities or other political subdivision of one or more States); Indian tribes; and boards or commissions established under the laws of any State to finance specific capital improvement projects.

(c) The term "development cost" means costs of the construction of the facility and the land on which it is located, including necessary site improvements to permit its use as a site for the facility.

Labor standards

SEC. 607. All laborers and mechanics employed by contractors or subcontractors on projects assisted under sections 602 and 603 of this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act as amended (40 U.S.C. 276a—276a-5). No such project shall be approved without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this provision, the authority and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276c).

Appropriations

SEC. 608. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title. All funds so appropriated shall remain available until expended.

TITLE VII—SECONDARY MARKET AND SPECIAL ASSISTANCE FUNCTIONS

Increase in FNMA special assistance authority

SEC. 701. (a) Section 305(c) of the National Housing Act is amended by inserting at the end thereof preceding the period the following: "which limit shall be increased by $150,000,000 on the date of enactment of the Housing and Urban Development Act of 1965, by $550,000,000 on July 1, 1966, by $700,000,000 on July 1, 1967, and by $725,000,000 on July 1, 1968".

(b) Section 305(f) of such Act is amended by inserting at the end thereof preceding the period the following: ": *Provided further*, That any portion of the total amount of authority as set forth in the first proviso of this subsection, which on the date of enactment of the Housing and Urban Development Act of 1965 and on each July 1 thereafter would otherwise be available for making purchases and commitments pursuant to this subsection, shall be transferred to and merged with the authority granted by subsection (a) and added to the amount of such authority as set forth in subsection (c); and the total amount of authority as set forth in the first proviso of this subsection shall progressively be reduced by the amount of each such transfer".

FNMA purchase of mortgages held by Federal instrumentalities

SEC. 702. (a) Section 302(b) of the National Housing Act is amended by striking out in clause (2) "Federal,".

(b) Section 306(e) of the National Housing Act is amended to read as follows:

"(e) Notwithstanding any of the provisions of this Act or of any other law, the Association is authorized, under the aforesaid separate accountability, to make commitments to purchase and to purchase, service, or sell any mortgages offered to it by any Federal instrumentality, or the head thereof. There shall be excluded from the total amounts set forth in subsection (c) hereof the amounts of any mortgages purchased by the Association pursuant to this subsection."

TITLE VIII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

Revision of title heading and findings and purpose

SEC. 801. (a) The heading of title VII of the Housing Act of 1961 is amended to read as follows:

"TITLE VII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT"

(b) Section 701 of such Act is amended by redesignating subsection (b) as subsection "(c)" and inserting a new subsection (b) as follows:

"(b) The Congress further finds that there is an urgent need both for the additional provision of parks and other open-space areas in the developed portions of the Nation's urban areas, and for greater and better coordinated local efforts to beautify and improve open-space and other public land throughout urban areas, to facilitate their increased use and enjoyment by our Nation's urban population."

(c) Redesignated section 701(c) of such Act is amended by—

(1) inserting "(1) provide and" before "preserve open-space land", and

(2) inserting the following before the period at the end thereof: ", and (2) beautify and improve open-space and other public urban land, in accordance with programs to encourage and coordinate local public and private efforts toward this end".

Increased grant level for preservation of open-space land

SEC. 802. (a) Section 702 (a) of such Act is amended by striking out "20 per centum", and "30 per centum" and inserting in lieu thereof "30 per centum" and "40 per centum", respectively.

Substitution of apporpriation authority, without dollar limitation, for grant contract authority

SEC. 803. (a) Section 702(a) of the Housing Act of 1961 is amended by striking out—

(1) "to enter into contracts" in the first sentence, and

(2) all of the third sentence.

(b) Section 702(b) of such Act is amended by striking out the first two sentences and inserting in lieu thereof the following: "There are hereby authorized to be appropriated such amounts as may be necessary to carry out the purposes of this title."

(c) Section 703(a) of such Act is amended by striking out "enter into contracts to".

Grants for provision of open-space land in built-up urban areas

SEC. 804. Title VII of the Housing Act of 1961 is amended by redesignating sections 705 and 706 as "Sec. 708" and "Sec. 709", respectively, and inserting a new section 705 as follows:

"GRANTS FOR PROVISION OF OPEN-SPACE LAND IN BUILT-UP URBAN AREAS

"SEC. 705. (a) The Administrator is further authorized to make grants to States and local public bodies to help finance the acquisition of title to, or other permanent interests in, developed land in built-up portions of urban areas to be cleared and used as permanent open-space land, as defined herein. The Administrator shall make such grants only where the local governing body determines that adequate open-space land cannot effectively be provided through the use of existing undeveloped or predominantly undeveloped land and the Administrator determines that the proposed acquisition is important to the comprehensively planned development of the locality. Grants under this section shall not exceed 40 per centum of the cost of acquiring such interests and of necessary demolition and removal of improvements.

"(b) Financial assistance extended to any project under this section may include grants for relocation payments, as herein defined. Such grants may be in addition to other financial assistance under this section, and no part of the amount of such relocation payments shall be required to be contributed as a local grant. The term 'relocation payments' means payments by the applicant which are (1) made to an individual, family, business concern, or nonprofit organization displaced by a project on or after
--------------------------, (2) not otherwise
(date of introduction)
authorized under any Federal law, and (3) made only on such terms and conditions and subject to such limitations (as applicable, but not including the date of displacement) as are provided for relocation payments, at the time such payment is approved, by sections 114 (b) and (c) of the Housing Act of 1949. Relocation payments authorized by this subsection shall be made subject to such rules and regulations as may be prescribed by the Administrator.".

Grants for urban beautification and improvement

SEC. 805. (a) Title VII of the Housing Act of 1961 is further amended by inserting a new section 706 as follows:

"GRANTS FOR URBAN BEAUTIFICATION AND IMPROVEMENT

"SEC. 706. The Administrator is authorized to make grants, as herein provided, to States and local public bodies to assist in carrying out local programs for the greater use and enjoyment of open-space and other public land in urban areas. The Administrator shall establish criteria for such programs to assure that each (1) represents significant and effective efforts, involving all available public and private resources, for the beautification of such land and its improvement for open-space uses, and (2) is important to the comprehensively planned development of the locality. Grants made under this section shall not exceed 40 per centum of the amount by which the cost of the activities carried on by an applicant during a fiscal year under an approved program exceeds its usual expenditures for comparable activities: *Provided*, That, notwithstanding any other provision of this section, the Administrator may use not to exceed $5,000,000 of the funds available for grants under his section to make grants in amounts up to the cost of activities which he determines to have special value in developing and demonstrating new and improved methods and materials for use in carrying out the purposes of this section.".

(b) Section 702(c) of such Act is amended by striking out "development costs or".

Use of funds for studies and publication

Sec. 806. The second sentence of redesignated section 708 of the Housing Act of 1961 is amended to read as follows: "The Administrator is authorized to use during any fiscal year not to exceed $100,000 of the funds available for grants under this title to undertake such studies and publish such information.".

Conforming amendments

Sec. 807. (a) The heading of section 702 of the Housing Act of 1961 is amended to read as follows:

"GRANTS FOR PRESERVATION OF OPEN-SPACE LAND"

(b) Section 702(a) of such Act is amended by striking out "provisions of this title" and "purposes of this title" and inserting in lieu thereof "provisions of this section" and "purposes of this section", respectively.

(c) Section 702(e) of such Act is amended by striking out in the second sentence "served by the open-space land acquired" and inserting in lieu thereof "assisted".

(d) Section 704 of such Act is amended by striking out in the first sentence "for which" and inserting in lieu thereof "for the acquisition of which".

TITLE IX—RURAL HOUSING LOANS FOR PREVIOUSLY OCCUPIED BUILDINGS AND MINIMUM SITE ACQUISITION

Sec. 901 (a) Section 501(a) of the Housing Act of 1949 is amended by—

(1) inserting the following after "their farms" in clause (1): "and to purchase previously occupied buildings and land constituting a minimum adequate site, in order"; and

(2) inserting the following after "rural areas" in clause (2): "for the construction, improvement, alteration, or repair of dwellings, related facilities, and farm buildings and to rural residents for such purposes and for the purchase of previously occupied buildings and the purchase of land constituting a minimum adequate site, in order".

(b) Section 501(c) of such Act is amended by inserting the following after "or a rural resident" in clause (1): "or that he is the owner of other real estate in a rural area".

Interest rate on direct rural housing loans

Sec. 902. Section 502(a) of the Housing Act of 1949 is amended by striking out "with interest at a rate not to exceed 4 per centum per annum on the unpaid balance of principal." and inserting in lieu thereof the following: "with interest for loans under this section pursuant to clauses (1) and (2) of section 501(a) at a rate not to exceed 5 per centum per annum and for loans under this section pursuant to clause (3) of section 501(a) and under sections 503 and 504 at a rate not to exceed 4 per centum per annum. Borrowers with loans made or insured under this title shall pay such fees and other charges as the Secretary may require."

Insured rural housing loans

Sec. 903(a) Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new sections:

"Sec. 517. (a) The Secretary is authorized to insure and make loans to be sold and insured in accordance with the provisions of sections 501, 502, 514, 515, and this section, exclusive of 514(a) (3) and (5) and (b) and 515 (a) and (b)(4), and except that such loans in accordance with sections 501 and 502—

"(1) To persons of low or moderate income as defined by the Secretary shall not exceed amounts necessary to provide adequate housing, modest in size, design, and cost, as determined by the Secretary, and shall bear interest at a rate not to exceed 5 per centum per annum; and the aggregate of such loans made and insured in any one fiscal year shall not exceed $300,000,000; and

"(2) To others than persons of low or moderate income shall bear interest and provide for insurance or service charges at rates determined by the Secretary, comparable to the combined rate of interest and premium charges in effect under section 203 of the National Housing Act.

"(b) The Secretary may use the Rural Housing Insurance Fund created by this section for the purpose of making loans to be sold and insured under this section, provided that the aggregate of such loans made and not disposed of at any one time shall not exceed $100,000,000.

"(c) The Secretary may insure loans advanced by lenders other than the United States, and may sell and insure loans made from or held in the fund by the Secretary, for the payment of principal and interest thereon as the same becomes due. Any contract of insurance executed by the Secretary shall be an obligation supported by the full faith and credit of the United States and incontestable except for fraud or misrepresentation of which the holder has actual knowledge. In connection with loans insured under this section the Secretary may take liens running to the United States notwithstanding the fact that the notes evidencing such loans may be held by lenders other than the United States. Notes evidencing such loans shall be freely assignable but the Secretary shall not be bound by any assignment until notice thereof is given to and acknowledged by the Secretary.

"(d) After 90 days after the original capitalization of the fund created by this section, no loans, other than loans then held or insured by the Secretary pursuant to section 514 or 515(b), shall be made or insured under section 514 or 515(b) except in accordance with this section.

"(e) There is hereby created the Rural Housing Insurance Fund (hereinafter referred to as the 'fund') which shall be used by the Secretary as a revolving fund for carrying out the provisions of this section. There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for the purposes of the fund.

"(f) Money in the fund not needed for current operations shall be invested in direct obligations of the United States or obligations guaranteed by the United States.

"(g) All funds, claims, notes, mortgages, contracts, and property acquired by the Secretary under this section, and all collections and proceeds therefrom, shall constitute assets of the fund; and all liabilities and obligations of such assets shall be liabilities and obligations of the fund. Loans may be held in the fund and collected in accordance with their terms or may be sold by the Secretary with or without agreements for insurance thereof. The Secretary is authorized to make agreements with respect to servicing loans held or insured by him under this section and, when necessary for liquidation or servicing, purchasing such insured loans on such terms and conditions as he may prescribe. Loans may be sold by the Secretary at prices within the range of market prices for the particular classes of loans, as determined by the Secretary from time to time. The aggregate of (1) any amount by which the balance outstanding on loans at the time of sale exceeds the price at which the loans are sold and (2) the amount of any fees and charges paid in connection with any sales shall be reimbursed to the fund by annual appropriations.

"(h) The Secretary is authorized to issue notes to the Secretary of the Treasury to obtain funds necessary for discharging obligations under this section and for authorized expenditures out of the fund, but, except as may be authorized in an appropriation act, not for the original or any additional capital of the fund or to reimburse the fund for losses from any sales of loans at less than par value. Such notes shall be in such form and denominations and have such maturities and be subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Each note shall bear interest at such rate as may be determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States with remaining periods to maturities comparable to the average maturities of the loans held by the Secretary in the fund, adjusted to the nearest one-eighth of 1 per centum, during the month of June preceding the fiscal year in which the loans were made. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and for that purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act, as amended, are extended to include purchases of notes issued by the Secretary. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States. The notes issued by the Secretary to the Secretary of the Treasury shall constitute obligations of the fund.

"(i) The Secretary may retain out of interest payments by the borrower an annual charge in an amount specified in the insurance or sale agreement applicable to the loan. Of the charges retained by the Secretary, if any, not to exceed 1 per centum per annum of the unpaid balance of the loan shall be deposited in the fund. Any retained charges not deposited in the fund shall be available for administrative expenses in carrying out the provisions of this title, to be transferred annually and become merged with any appropriation for administrative expenses of the Farmers Home Administration, when and in such amounts as may be authorized in appropriation acts.

"(j) The Secretary may also utilize the fund—

"(1) to pay amounts to which the holder of the note is entitled in accordance with an insurance or sale agreement under this section accruing between the date of any prepayment by the borrower to the Secretary and the date of transmittal of any such prepayments to the holder of the note; and in the discretion of the Secretary, prepayments other than final payments need not be remitted to the holder until due;

"(2) to pay the holder of any note insured under this section any defaulted installment or, upon assignment of the note to the Secretary at the Secretary's request, the entire balance outstanding on the note;

"(3) to pay taxes, insurance, prior liens, expenses necessary to make fiscal adjustments in connection with the application and transmittal of collections, and other expenses and advances to protect the security for loans which are insured under this section or held in the fund, and to acquire such security property at foreclosure sale or otherwise; and

"(4) to pay fees and charges in connection with sales by the Secretary of loans insured under this section."

"SEC. 518. (a) There is hereby created the Rural Housing Direct Loan Account (hereinafter referred to as the 'Account') which shall be used by the Secretary for carrying out the provisions of this section. There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for the purposes of the account.

"(b) There are hereby transferred to the Account (1) all funds, claims, notes, mortgages, contracts, and property, and all collections and proceeds therefrom, held by the Secretary under the direct loan provisions of this title, including those securing notes issued by the Secretary to the Secretary of the Treasury under section 511 and any unexpended balance of amounts borrowed upon such notes, and (2) all unexpended balances of appropriations for direct loans under this title, including the fund authorized by section 515(a). All amounts hereafter borrowed by the Secretary from the Secretary of the Treasury under section 511 shall be deposited in the Account. All collections and proceeds from assets acquired by the Account shall be deposited in the Account.

"(c) When and in such amounts as may be authorized in appropriation acts, the Secretary may issue notes to the Secretary of the Treasury to obtain funds to be deposited in the Account. The form, denominations, maturities, and other terms and conditions of such notes shall be prescribed by the Secretary with the approval of the Secretary of the Treasury. Each note shall bear interest at such rate as may be determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States with remaining periods to maturities comparable to the average maturities of the loans held by the Secretary in the Account, adjusted to the nearest one-eighth of one percent, during the month of June preceding the fiscal year in which the loans were made. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and for that purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act, as amended, are extended to include the purchase of notes issued by the Secretary. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States.

"(d) The Account shall remain available to the Secretary for the payment of interest and principal on notes issued by the Secretary to the Secretary of the Treasury under section 511 or this section, and for direct loans and related advances under this title in such amounts as are now authorized by law and in such further amounts as shall be authorized in appropriation acts. Amounts so authorized for such loans and advances shall remain available until expended."

(b) Section 511 of the Housing Act of 1949 is amended by—

(1) in the first sentence (i) inserting "direct" after "making" and (ii) striking out "(other than loans under section 504(b) or 515(a))";

(2) in the second sentence (i) striking out ", of which $50,000,000 shall be available exclusively for assistance to elderly persons as provided in clause (3) of section 501(a)" and (ii) striking out "September 30, 1965" and inserting in lieu thereof "October 1, 1969"; and

(3) in the fifth sentence striking out "rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the notes or obligations by the Secretary" and inserting in lieu thereof the following: "yields on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of the loans held by the Secretary in the Rural Housing Direct Loan Account, adjusted to the nearest one-eighth of one percent, during the month of June preceding the fiscal year in which the loans were made."

FNMA secondary market operations for insured rural housing loans

SEC. 904. (a) Section 320(b) of the Federal National Mortgage Association Charter Act, as amended by section 702(a) of this Act, is further amended by—

(1) inserting after "which are insured under the National Housing Act" and before the comma the following: "or title V of the Housing Act of 1949";

(2) inserting the following after "any mortgage" in clause (2) of the proviso: ", except a mortgage insured under title V of the Housing Act of 1949"; and

(3) inserting the following in the last sentence before the period: "or title V of the Housing Act of 1949".

(b) Section 303(b) of such Act is amended by inserting "and other" in the first sentence, after "private".

Extension of rural housing authorizations

SEC. 905. (a) Section 512 of the Housing Act of 1949 is amended by striking out "September 30, 1965" and inserting in lieu thereof "October 1, 1969".

(b) Section 513 of such Act is amended by—

(1) striking out "September 30, 1965" in clause (b) and inserting in lieu thereof "October 1, 1969";

(2) striking out "$10,000,000" in clause (c) and inserting in lieu thereof "$50,000,000" and striking out "September 30, 1965" in the same clause and inserting in lieu thereof "October 1, 1969"; and

(3) striking out "September 30, 1965" in clause (d) and inserting in lieu thereof "October 1, 1969".

(c) Section 515(b) of such Act is amended by striking out "September 30, 1965" in clause (5) and inserting in lieu thereof "October 1, 1969".

(d) Section 506(a) of such Act is amended by striking out "sections 501 to 504, inclusive, and sections 514–516", each place it occurs, and inserting in lieu thereof "this title".

Payments of interest to the Treasury on appropriations for rural housing loans

SEC. 906. Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"SEC. 519. (a) the Secretary shall pay to the Secretary of the Treasury interest at a rate determined under the formulas contained in sections 517(h) and 518(c) on any portion of any future appropriation deposited in the Rural Housing Insurance Fund or the Rural Housing Direct Loan Account for the purpose of making loans as distinguished from appropriations for the purpose of restoring losses or expenditures from said Fund or Account. Said interest shall be payable annually upon any sum so deposited until an amount equal to such sum is paid from the Fund or Account to which it was deposited and returned to miscellaneous receipts of the Treasury.

"(b) Any sums in the Rural Housing Insurance Fund or the Rural Housing Direct Loan Account which the Secretary determines are in excess of amounts needed to meet the obligations and carry out the purposes of said Fund or Account shall be returned to miscellaneous receipts of the Treasury."

TITLE X—MISCELLANEOUS

Increase in authorization for urban planning grants

SEC. 1001. Section 701(b) of the Housing Act of 1954 is amended by striking out "not exceeding $150,000,000" in the fifth sentence and inserting in lieu thereof "such amounts as may be necessary".

Increase in authorization for Federal-State training programs

SEC. 1002. (a) Section 802(d) of the Housing Act of 1964 is amended by (1) striking out the phrase "for grants under this part", and (2) striking out the phrase "not to exceed $10,000,000" and inserting in lieu thereof "such amounts as may be necessary to carry out the purposes of this part".

(b) Section 803 of such Act is amended by (1) striking out the phrase "authorized to be, and (2) striking out the phrase "by section 802(d)" and inserting in lieu thereof "for the purposes of this part".

Increase in authorization for public works planning advances

SEC. 1003. The second sentence of section 702(e) of the Housing Act of 1954 is amended by (1) striking out "Housing Act of 1964" and inserting in lieu thereof "Housing and Urban Development Act of 1965", and (2) striking out ", not to exceed $20,000,000,".

Advisory committees—Technical provision

SEC. 1004. Section 601 of the Housing Act of 1949 is amended by striking out the second sentence.

Public facility loans to nonprofit corporations

SEC. 1005. Section 202(c) (as redesignated by section 201(c)(1) of this Act) of the Housing Amendments of 1955 is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of this title, the Administrator may extend financial assistance, as otherwise authorized by clause (1) of subsection (a) of this section, to private nonprofit corporations to finance the construction of works for the storage, treatment, purification, or distribution of water; sewage, sewage treatment, and sewer facilities needed to serve such smaller municipalities if he determines that no existing public body is able to construct and operate such facilities.".

FHA conforming amendments

SEC. 1006. (a) Section 2(f) of the National Housing Act is amended by striking out all that follows the first sentence.

(b) Section 8 of such Act is amended by—

(1) striking out in subsection (g) "Title I Housing Insurance Fund" and inserting in lieu thereof "General Insurance Fund"; and

(2) repealing subsections (h) and (i).

(c) Section 203(k) of such Act is amended by—

(1) striking out in designated clause (3) in the first sentence "a separate section 203 Home Improvement Account to be maintained as hereinafter provided under the Mutual Mortgage Insurance Fund" and inserting in lieu thereof "the General Insurance Fund";

(2) striking out in designated clause (4) in the first sentence "the section 203 Home Improvement Account or in debentures executed in the name of such Account" and inserting in lieu thereof "the General Insurance Fund or in debentures executed in the name of such Fund";

(3) striking out in the third sentence immediately after "refer to this section 203 (k)" the comma and all that precedes the period; and

(4) striking out the fourth and fifth sentences.

(d) Section 204 of such Act is amended by—

(1) striking out in the first sentence of subsection (a) "or section 210";

(2) striking out in the second sentence of subsection (c) after "the mortgagee" all that follows preceding the period and inserting in lieu thereof "from the Mutual Mortgage Insurance Fund";

(3) striking out in the first sentence of subsection (d) after "shall be negotiable" the first place it appears all that follows preceding the period;

(4) striking out in subsection (d) "the Fund" each place it appears and inserting in lieu thereof "the Mutual Mortgage Insurance Fund";

(5) striking out in the fifth sentence of subsection (d) "or the Housing Fund, as the case may be,";

(6) striking out in the sixth sentence of subsection (d) "or the Housing Fund"; and

(7) striking out in subsection (f) (1) (i) after "section 203" all that follows preceding the colon.

(e) Section 207 of such Act is amended by—

(1) striking out in the first sentence of subsection (d) "and section 210";

(2) striking out in the first sentence of subsection (d) "of the Housing Insurance Fund issued by the Commissioner under this title" and inserting in lieu thereof the following: "issued by the Commissioner under any title and section of this Act, except debentures of the Mutual Mortgage Insurance Fund";

(3) repealing subsections (f), (m) and (p); and

(4) striking out "the Housing Insurance Fund" and "the Housing Fund" each place they appear in subsections (b), (h), (i), (j), (k) and (l) and inserting in lieu thereof "the General Insurance Fund".

(f) Section 209 of such Act is amended by striking out in the second sentence "or account or accounts,".

(g) Section 213 of such Act is amended by—

(1) striking out in subsection (a) (3) "the Housing Fund" and inserting in lieu thereof "the General Insurance Fund"; and

(2) striking out "(l), (m), (n), and (p)" in subsection (e) and inserting in lieu thereof "(l), and (n)".

(h) Section 220 of such Act is amended by—

(1) striking out "the Section 220 Housing Insurance Fund" each place it appears in subsections (d) (2) and (f) and inserting in lieu thereof "the General Insurance Fund";

(2) inserting "and" immediately before clause (B) in subsection (f) (3), striking out the comma at the end of clause (B) and all that follows preceding the period;

(3) repealing subsections (g) and (h) (4); and

(4) striking out "the Section 220 Home Improvement Account" each place it appears in subsections (h) (5) and (h) (7) and inserting in lieu thereof "the General Insurance Fund".

(i) Section 221 of such Act is amended by—

(1) striking out in subsections (d) (4), (f), (g) (1) and (g) (3) "the Section 221 Housing Insurance Fund" each place it appears and inserting in lieu thereof "the General Insurance Fund";

(2) striking out in subsection (g) (2) after "mortgages insured under this section" the comma and all that precedes the semicolon;

(3) inserting "and" immediately before clause (B) in subsection (g) (3), striking out the comma at the end of clause (B) and all that follows preceding the period; and

(4) repealing subsection (h).

(j) Section 222 of such Act is amended by—

(1) striking out in subsection (e) "Servicemen's Mortgage Insurance Fund" and inserting in lieu thereof "General Insurance Fund"; and

(2) repealing subsection (f).

(k) Section 229 of such Act is amended by striking out in the first sentence "and Accounts".

(l) Section 231 of such Act is amended by—

(1) striking out in subsection (c) (4) "the Section 207 Housing Insurance Fund" and inserting in lieu thereof "the General Insurance Fund"; and

(2) striking out "(f), (g), (h), (i), (j), (k), (l), (m), (n), and (p)" in subsection (e) and inserting in lieu thereof "(g), (h), (i), (j), (k), (l), and (n)".

(m) Section 232 of such Act is amended by—

(1) striking out in subsection (d) (1) "the Section 207 Housing Insurance Fund" and inserting in lieu thereof "the General Insurance Fund"; and

(2) striking out "(f), (g), (h), (i), (j), (k), (l), (m), (n), and (p)" in subsection (f) and inserting in lieu thereof "(g), (h), (i), (j), (k), (l), and (n)".

(n) Section 233 of such Act is amended by—

(1) striking out "the Experimental Housing Insurance Fund" in designated clause (1) in the third sentence of subsection (f) and inserting in lieu thereof "the General Insurance Fund";

(2) inserting "and" immediately before designated clause (2) in the third sentence of subsection (f), striking out the comma at the end of designated clause (2) and all that follows preceding the period; and

(3) repealing subsection (g).

(o) Section 234 of such Act is amended by—

(1) striking out in subsections (d) (2) and (g) "the Apartment Unit Insurance Fund" and inserting in lieu thereof "the General Insurance Fund";

(2) amending subsection (h) to read as follows: "(h) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall be applicable to mortgages insured under subsection (d) of this section."; and

(3) repealing subsection (i), and redesignating subsection (j) as (i).

(p) Section 604 of such Act is amended by striking out "the War Housing Insurance Fund" each place it appears in subsections (c), (d), and (f) (1) (i) and inserting in lieu thereof "the General Insurance Fund".

(q) Section 608 of such Act is amended by—

(1) striking out "the War Housing Insurance Fund" each place it appears in subsections (b) (1) and (d) and inserting in lieu thereof "the General Insurance Fund"; and

(2) amending subsection (f) to read as follows:

"(f) The provisions of section 207(k) of this Act shall be applicable to mortgages insured under this section, except that as applied to such mortgages, the reference therein to subsection (g) shall be construed to refer to subsection (c) of this section.".

(r) Section 609 of such Act is amended by striking out designated clause (1) in subsection (f) and renumbering designated clauses (2), (3) and (4) as (1), (2) and (3), respectively.

(s) Section 707 of such Act is amended by striking out "the Housing Investment Insurance Fund" and inserting in lieu thereof "the General Insurance Fund".

(t) Section 708 of such Act is amended by striking out in subsections (c), (e), (g) and (h) "the Housing Investment Insurance Fund" each place it appears and inserting in lieu thereof "the General Insurance Fund".

(u) Section 803 of such Act is amended by—

(1) striking out in subsections (b) (1), (b) (2), (e), (f) and (g) "the Armed Services Housing Mortgage Insurance Fund" each place it appears and inserting in lieu thereof "the General Insurance Fund"; and

(2) amending subsection (h) to read as follows:

(h) The provisions in section 207(k) and section 207(l) of this Act shall be applicable to mortgages insured under this title and to property acquired by the Commissioner hereunder, except that as applied to such mortgages and property, the reference in section 207(k) to subsection (g) shall be construed to refer to subsection (d) of this section.".

(v) Section 809 of such Act is amended by striking out in subsections (b), (e) and (g) "the Armed Services Housing Mortgage Insurance Fund" each place it appears and inserting in lieu thereof "the General Insurance Fund".

(w) Section 810 of such Act is amended by—

(1) striking out "the Armed Services Housing Mortgage Insurance Fund" in subsection (e) and inserting in lieu thereof "General Insurance Fund";

(2) striking out "(l), (m), (n), and (p)" in subsection (j) and inserting in lieu thereof "(l), and (n)"; and

(3) striking out the proviso in subsection (j) and inserting in lieu thereof the following: "*Provided,* That wherever the words Fund or Mutual Mortgage Insurance Fund appear in section 204, such reference shall refer to the General Insurance Fund with respect to mortgages insured under this section.".

(x) Section 903 of such Act is amended by striking out in subsection (a) "the National Defense Housing Insurance Fund" each place it appears and inserting in lieu thereof "the General Insurance Fund".

(y) Section 904 of such Act is amended by—

(1) striking out in subsections (c) and (d) "the National Defense Housing Insurance Fund" each place it appears and inserting in lieu thereof "the General Insurance Fund"; and

(2) striking out in subsection (e) after "of this Act" all that follows preceding the period.

(z) Section 908 of such Act is amended by—

(1) striking out in subsection (b) (1) "the National Defense Housing Insurance Fund" and inserting in lieu thereof "the General Insurance Fund";

(2) striking out in subsection (d) after "of this Act" the comma and all that follows preceding the period; and

(3) amending subsection (f) to read as follows:

"(f) The provisions of section 207(k) and section 207(l) of this Act shall be applicable to mortgages insured under this section and to property acquired by the Commissioner hereunder, except that as applied to such mortgages and property, the reference therein to subsection (g) shall be construed to refer to subsection (c) of this section."

(aa) Sections 219, 602, 605, 710, 802, 804, 902, and 905 of such Act are hereby repealed.

Repeal of special provision in Urban Mass Transportation Act

SEC. 1007. Section 9 of the Urban Mass Transportation Act of 1964 is amended by striking out subsection (c) and redesignating subsections (d), (e), and (f) as subsections "(c)", "(d)", and "(e)", respectively.

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Section 304: Amendment of section 316 of Housing Act of 1954.

TITLE IV—LOW-RENT PUBLIC HOUSING

Section 401: Acceptance of local certification of equivalent elimination.

Section 402: Greater use of existing private housing.

Section 403: Increase in authorization for annual contributions.

Section 404: Sale of federally owned projects to private purchasers.

TITLE V—COLLEGE HOUSING

Section 501: Increase in authorization for college housing loans.

TITLE VI—GRANTS FOR BASIC PUBLIC WORKS, NEIGHBORHOOD FACILITIES, AND THE ADVANCE ACQUISITION OF LAND

Section 601: Purpose.

Section 602: Grants for basic water and sewer facilities.

Section 603: Grants for neighborhood facilities.

Section 604: Advance acquisition of land.

Section 605: General provisions.

Section 606: Definitions.

Section 607: Labor standards.

Section 608: Appropriations.

TITLE VII—SECONDARY MARKET AND SPECIAL ASSISTANCE FUNCTIONS

Section 701: Increase in FNMA special assistance authority.

Section 702: FNMA purchase of mortgages held by Federal instrumentalities.

TITLE VIII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

Section 801: Revision of title heading and findings and purpose.

Section 802: Increased grant level for preservation of open-space land.

Section 803: Substitution of appropriation authority, without dollar limitation, for grant contract authority.

Section 804: Grants for provision of open-space land in built-up urban areas.

Section 805: Grants for urban beautification and improvement.

Section 806: Use of funds for studies and publication.

Section 807: Conforming amendments.

TITLE IX—RURAL HOUSING

Section 901: Loans for previously occupied buildings and minimum site acquisition.

Section 902: Interest rate on direct rural housing loans.

Section 903: Insured rural housing loans.

Section 904: FNMA secondary market operations for insured rural housing loans.

Section 905: Extension of rural housing authorizations.

Section 906: Payment of interest to the Treasury on appropriations for rural housing loans.

TITLE X—MISCELLANEOUS

Section 1001: Increase in authorization for urban planning grants.

Section 1002: Increase in authorization for Federal-State training programs.

Section 1003: Increase in authorization for public works planning advances.

Section 1004: Advisory committees—technical provision.

Section 1005: Public facility loans to nonprofit corporations.

Section 1006: FHA conforming amendments.

Section 1007: Repeal of special provision in Urban Mass Transportation Act of 1964.

SECTION-BY-SECTION ANALYSIS OF HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Section 1. Short title: The bill would be cited as the "Housing and Urban Development Act of 1965."

TITLE I—SPECIAL PROVISIONS FOR DISADVANTAGED PERSONS

Section 101. Financial assistance to enable certain private housing to be available for lower income families who are elderly, handicapped, displaced, or occupants of substandard housing: This section would authorize the Housing and Home Finance Administrator to undertake a program of rent supplements to serve people who are in need of standard housing and are in the lower income range above the level prevailing for admission to low-rent public housing and below that necessary to obtain standard private housing, including moderate-income housing financed with FHA-aided market-interest rate mortgages insured under section 221(d)(3) of the National Housing Act.

Under the proposed program, rent supplements would be available with respect to housing to be built with the assistance of FHA-insured section 221(d)(3) market-interest rate mortgages and owned by private nonprofit corporations, limited dividend corporations, or cooperatives. Lower housing costs would be achieved for eligible occupants by rent supplement payments owner made directly to the project owner. Such payments for an occupant would be in an amount sufficient to reduce the rent to the level that the occupant could afford. If the income of the occupant (other than the elderly) later increased, the amount of the rent supplement payments would be reduced until the occupant could afford to pay the full rent, at which time the payments for that occupant would cease.

In addition to the income range requirement, eligibility for the rent supplementation aid would be restricted (1) to the elderly and the physically handicapped, (2) to those displaced by urban renewal and other public improvement programs, including code enforcement and (3) to those living in substandard housing. In serving these persons the program will also increase the supply of moderate-income private housing.

The rent supplement payments that could be contracted for with respect to any project assisted under this section would be limited to a term of 40 years. The aggregate amount of such payments contracted for could not exceed amounts approved in appropriation acts nor $50 million per annum, but this limitation would be increased by $50 million on July 1 of each of the years 1966, 1967, and 1968.

The amount of rent to be paid by an occupant would be 20 percent of income, except where the occupant obtains a lease with option to purchase either sales-type housing or a unit in a cooperative, in which case the rent or charges to be paid would be 25 percent of income. Sales-type housing could be provided in a rental project where units, such as row or detached houses, are rented initially but are designed so that they could later be transferred to individual ownership. Tenants selected for participation in lease-purchase arrangements would be only those with a potential for increased incomes for homeownership. When the income of an occupant has increased to the point that 25 percent of income would enable the occupant to assume ownership, this would be done generally with the aid of an FHA-insured section 221 home mortgage or, in the case of a cooperative dwelling, by changing his status from tenant of the cooperative to cooperating member.

Income ceilings and floors would be established for each area. In each area, the rent supplement payments could not exceed the public housing contractual subsidy amount for a comparable unit in the same or a comparable area. The income floor in any area would be the maximum income limit for admission of low-income families generally to public housing in that area.

The organizations owning the private projects assisted under the program would select the occupants, subject only to certain facts relating to eligibility as determined by the Housing Administrator or his delegatee. Prospective occupants would be referred by the housing owner to appropriate offices or agencies for the purpose of obtaining the Housing Administrator's certification as to facts concerning eligibility. More specifically, the certification would relate to the tenant's age or physical handicap where this is the basis for eligibility, or displacement, or occupancy of substandard housing. Certifications would also relate to incomes at initial occupancy and every 2 years thereafter, or more frequently if the Housing Administrator deems it desirable, except that recertifications after initial occupancy would not be required in the case of the elderly.

The amount of rent supplements to be paid to the project owner with respect to any occupant would be the difference between 20 percent of income (or 25 percent in the case of leases with option to purchase) and the full rent that is required under the market-interest rate FHA-insured mortgage financing. A given proportion of the units could be available for tenants or cooperative housing applicants who would not require any rent supplements, and the balance of the units would be available for tenants or cooperative housing applicants who would need rent supplements. Payment of the rent supplements would be delegated by the Administrator to the FHA.

A workable program will be required with respect to housing assisted under this section in any community where Federal assistance is being provided for code enforcement, urban renewal, or public housing, and with respect to such housing in any community for which a workable program was required and in effect at the time Federal assistance was provided for code enforcement, urban renewal, or public housing.

Administrative limitations on the per-unit mortgage amount would be applied in all areas. The per-unit mortgage limit for an area would be the same as is now used in the FHA-insured below-market interest rate program under section 221(d)(3). Under the latter program, the per-unit mortgage limit is that mortgage amount for a unit which would require a rent equal to 20 percent of the maximum income limit established for that area.

The rent supplement payments to be made under this program would help provide housing for people who are in need of standard housing and are in the income gap referred to above. In this income range are many of the 60,000 to 70,000 families displaced each year by public improvement actions and the approximately 10,000 a year whose incomes become too high for continued occupancy in public housing. Increasing code enforcement will increase public action displacements. Altogether, there are about 1.6 million elderly households (families or individuals) in this income gap, as well as about 1.8 million nonelderly nonfarm families living in substandard units.

The flexibility provided in rent supplement payments would enable people of various incomes to become occupants of the units to be provided without requiring an excessively high proportion of their income to be paid for rent. Moreover, after initial occupancy, the rent supplement payments would be adjusted at least every 2 years (except as to elderly) and paid only as needed and in the amounts needed.

The rent supplementation program would to a very great extent utilize private participation. The projects would be owned by private, nonprofit, limited dividend, or cooperative groups; constructed by private builders; and financed by private lenders with FHA-insured market interest rate mortgages.

Section 102. Extension of FHA section 221 programs: This section would continue for 4 years (from September 30, 1965, to October 1, 1969) the authority of FHA to insure mortgages under its section 221 programs of housing for lower income families. This includes extension of the "(d)(3) below market" rental housing and the "(d)(2)" low downpayment sales housing programs.

Section 103. Rehabilitation grants to homeowners in urban renewal areas: This section would authorize the limited use of urban renewal capital grant funds for rehabilitation grants to certain homeowners in urban renewal areas. These grants would be used only in hardship cases where no other means of financing is available to avoid displacement of the homeowners. These would be the few but important cases involving elderly and others where low interest rate loans (under section 312 of the Housing Act of 1964) are not feasible for the purpose of financing rehabilitation necessary to make the home conform to public standards for decent, safe, and sanitary housing established by applicable codes or the urban renewal plan for the area.

In the case of an individual or family whose annual income is not more than $2,000, the amount of a grant could not exceed the lesser of (1) the actual and approved cost of the repairs and improvements, or (2) $1,000, or (3) that portion of the cost of such repairs and improvements that could not be paid for with any available loan which could be amortized, along with such individual's or family's other monthly housing expense, without requiring their monthly housing expense to exceed 25 percent of monthly income.

In other words, in the case of an individual or family whose income exceeds $2,000 a year, no grant could be made for that portion of the actual and approved cost of required repairs and improvements which could be paid for with a loan which could be amortized, along with that individual's or family's other monthly housing expense, with 25 percent of its monthly income. This limitation would require most individuals and families with incomes over $2,000 to finance the cost of such repairs and improvements with loans. In some cases, these loans can be obtained through private financing. For those unable to obtain private financing on reasonable terms, direct 3 percent interest rate loans will be made available under the provisions of section 312 referred to above.

Repairs and improvements for which grants authorized by this section could be made available include the repair or replacement of plumbing facilities, such as piped hot and cold running water, hot-water heaters, flush toilets, or bathtubs, and such basic rehabilitation work as is necessary to bring the dwelling unit up to the standards for decent, safe, and sanitary housing established by the local housing code or the urban renewal plan.

Successful execution of an urban renewal rehabilitation project requires, in addition to upgrading property in the project area, that displacement be minimized. Even with a 3-percent rehabilitation loan, many homeowners in urban renewal areas, especially elderly homeowners, cannot afford to make the necessary repairs and improvements to their properties.

At present, if such homeowners cannot bring their property up to the required standards, the property must be acquired and either be rehabilitated or torn down by the local public agency. It is clear that the grants authorized by this section would make it possible to carry out urban renewal projects with the acquisition of fewer properties (and consequently less displacement of families) than otherwise would be possible.

The grants authorized by this section for low-income individuals and families in urban renewal areas will assist in upgrading properties, as well as help to minimize displacement and its consequent problems. Aside from the social costs involved in displacing homeowners who cannot afford to repair and improve their property to required standards, there is the dollar cost involved in providing to these displaced homeowners the relocation payments authorized by the urban renewal law.

The cost of providing the rehabilitation grants authorized by this section would not exceed $2 to $3 million annually.

Section 104. Parity of treatment for the handicapped and elderly in public housing: This section would establish parity of treatment between the handicapped and elderly and thereby facilitate the provision of housing for handicapped families by making applicable to the handicapped certain existing provisions that are now available for housing for the elderly. It would increase by $1,000 ($500 in the case of Alaska) the maximum room cost limits applicable to public housing designed specifically for the handicapped; would authorize a special contribution of up to $120 per unit per year to dwelling units occupied by the handicapped; and would exempt the handicapped from the requirement that there be a 20-percent gap between the upper rental limits for admission to a proposed low-rent housing project and the lowest rents at which private enterprise is providing a substantial supply of standard housing.

The Housing Act of 1964 contained a number of provisions designed to facilitate the provision of housing for the handicapped, including a provision which made handicapped individuals eligible for admission to low-rent housing. However, while that act in general established parity of treatment between the handicapped and the elderly under relevant Federal housing programs, it did not fully extend this principle to the low-rent public housing program. Most significantly, the increased room cost limits applicable to housing designed specifically for the elderly and the special $120 contribution for the elderly were not extended to the handicapped. The handicapped family's need for specially designed housing and the very low incomes of many of these families, clearly justifies the extension of these benefits.

Estimates based on a national survey conducted by the Public Health Service from mid-1957 to mid-1961, showed that 5,306,000 persons age 15 to 62 were reported to have chronic conditions which limited them in the amount and kind of major activity, such as employment or housework, which they could undertake. An additional 1,204,000 persons in this age category were further restricted since they were unable to carry on a major activity.

The Public Health Service data also showed the family incomes applicable to the persons reported on. Relating this family income data to the $3,100 median income limit for admission to PHA-assisted low-rent housing in 1960 for an average-size family of 3 to 4 persons, it is estimated that 40 percent of the 5,306,000 families containing a person with chronic conditions limiting the amount and kind of major activity would be eligible for admission to low-rent housing. Twenty-six percent of these 5,306,000 families had incomes of less than $2,000. For the 1,204,000 families in which there was a person who was not just limited in capacity but who was unable to carry on a major activity about 55 percent would be eligible for low-rent housing and 40 percent had incomes of less than $2,000.

It will be noted, however, that many of these persons who are less than age 62 would qualify as "elderly" under the present provisions of the Housing Act of 1937, if their condition were such as to constitute a disability as defined in section 223 of the Social Security Act. This section of the bill would extend the same status and benefits to the others whose condition would render them "handicapped" within the meaning of section 202 of the Housing Act of 1959, even though their condition does not constitute a disability as defined in section 223 of the Social Security Act.

Section 105. Relocation payments under Mass Transportation Act: This section would amend the relocation payment provisions of the Urban Mass Transportation Act of 1964 to make the payments to individuals, families, business concerns, and nonprofit organizations displaced by federally aided urban mass transportation projects after the date the bill is introduced the same as those provided under the urban renewal and low-rent public housing programs.

Under these provisions, payments to families and individuals could not exceed $200 for moving costs and property loss. In addition, families and elderly individuals displaced on and after the date of introduction of the bill could receive a relocation adjustment payment of up to $500 to assist them in relocating in standard accommodations.

For businesses, the payment could not exceed $3,000 for moving expenses and loss of property, except that where actual moving expenses are greater than $3,000 the maximum relocation payment to a business concern could not exceed the total of the actual moving expenses. By regulation this would be limited to $25,000 or actual expenses, whichever is less. Independent businesses displaced after the date of introduction of the bill which have average annual net earnings of less than $10,000 could receive additional readjustment payments of $1,500.

Under the present provisions of the mass transportation law the relocation payments may not exceed $200 in the case of an individual or family, or $3,000 (or, if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. By regulation, payments are limited to $25,000 or actual moving expenses, whichever is less.

TITLE II—FHA INSURANCE OPERATIONS

Section 201. Land development: This section would authorize Federal assistance to land development.

FHA mortgage insurance for land development: Subsection (a) would add a new title X to the National Housing Act which would authorize FHA mortgage insurance to assist in financing the cost of land development for residential and related uses. The activities financed under the title would include the acquisition of land and its improvement with water and sewer facilities, roads, streets, sidewalks, storm drainage facilities, other site improvement work, including certain community buildings approved by the Federal Housing Commissioner. These activities involve substantial capital requirements which the mortgage insurance would assist in meeting. The land made available for further development could vary in size and type from land suitable for a small, but well-planned neighborhood or to a suburban subdivision or an even more extensive new development, such as a new town.

During the next 10 years, new homes will be required for 15 to 20 million families. The new title X would help assure that sites are available for these homes at more economical prices and in communities which avoid the wasteful sprawl and disorganization of much recent urban development. Through adequate planning, home buyers can receive the benefit of good design and the conveniences and economies of adequate facilities for the community. This is true for well-planned small tracts and for more extensive developments.

In addition, in the case of extensive new development, there could be additional savings resulting from the ability to select land in areas now largely undeveloped and yet provide all needed facilities. The extensive new development can also more easily provide nearby industrial, commercial, civic, and recreational facilities, thereby minimizing transportation costs and efforts and, may also provide a full range of housing both as to incomes served and as to design.

The homebuilding and mortgage lending industries have shown sharply increasing interest in such extensive developments, and quite a few have been started throughout the Nation. The availability of FHA mortgage insurance would permit smaller land developers, and smaller local homebuilders and mortgage lenders to participate in this desirable trend on a cooperative basis, since at the present time the large capital requirements involved tend to limit the possibilities of participation to very large participants. The extension of the long tested device of FHA mortgage insurance for housing and related purposes to the land development stage would in effect bring FHA's services to private enterprise up to date in the light of contemporary trends in the homebuilding and mortgage lending industries.

Section-by-section summary of the proposed new title X of the National Housing Act

Section 1001. Purpose: The purpose of the title is: "to provide appropriate credit assistance in order that private enterprise may better serve the needs of a rapidly expanding urban population by means of additional well planned and adequately improved sites for the development of desirable residential neighborhoods, subdivisions, and sound communities."

Section 1002. Definitions: This section contains definitions of terms used in the title, including a definition that indicates the nature of eligible site improvements. The only buildings that would be eligible as site improvements are those needed for water supply or sewage disposal installations or such other buildings (except schools) to be jointly owned and maintained by the property owners as the Commissioner considers appropriate.

Sections 1002–1008. Basic conditions for insurance and land planning:

(a) Authority to issue mortgage insurance commitments under the title would expire on October 1, 1969.

(b) The insured mortgage loan could not exceed the lesser of (1) 75 percent of the Federal Housing Commissioner' estimate of the value of the property as of the completion of land development or (2) the sum of 50 percent of his estimate of the value of the land before development and 90 percent of his estimate of the cost of the site improvements. The insured mortgage amount outstanding could not exceed $25 million.

(c) The improvements and the development plan would be required to comply with all applicable State and local governmental requirements and with FHA's standards. The land development schedule would in all cases contemplate development within the shortest reasonable period consistent with sound development, and the development plan for the site would be required to be consistent with a comprehensive plan which covers, or with comprehensive planning being carried on for, the area in which the land is situated.

The comprehensive plans or planning would in all cases meet criteria established by the Housing and Home Finance Administrator, and would encompass activities such as those referred to in section 701(d) of the Housing Act of 1954. The applicable criteria would differ for different types of planned developments, for example—a suburban subdivision immediately adjacent to the developed outskirts of a city or an extensive new development with large residential, commercial and industrial areas to be situated in the countryside between two large cities. In the first case, the plan would need to demonstrate the adequacy of the community environment to provide an appropriate setting for the new subdivision, and that land uses and public facilities would be consistent with comprehensive planning for the entire urban area. In the second case, the criteria would contemplate a comprehensive plan for a larger urban area to demonstrate the interacting relationship between the new development and other communities in the urban area (including the two large cities), major employment centers, major open spaces and intercity transportation facilities.

In all cases the criteria to be established by the Administrator will have as their purpose reasonable assurance that the process of comprehensive planning for the area where the land is situated includes, as an integral part of that process, provisions for making the planning effective so that the proposed development assisted by the mortgage insurance will in actual fact be compatible with the present and projected development of the wider area where the land is situated.

In the case of a site proposed to be prepared for an extensive new development, the Administrator would review the site development plan (including the adequacy of housing to be provided for those employed within the planned development) for consistency with the overall comprehensive plan or planning for the area. However, in all ordinary cases this review would be the responsibility of the Federal Housing Commissioner.

All land development plans would be required to be acceptable to the Commissioner as providing reasonable assurance that the land development will contribute to the establishment or growth of a well-planned neighborhood, subdivision, or community which (i) will have a sound economic base and a long economic life, (ii) will be characterized by sound land use patterns, and (iii) will include or be served by such shopping, school, recreational, transportation and other facilities as the Commissioner deems adequate or necessary.

Section 1009. Priorities: The Commissioner would, in administering the program, encourage the maintenance of a diversified local home building industry and the inclusion in land development plans of a proper balance of housing for families of moderate or low income and he may give a priority among land development undertakings assisted under the title to those undertakings that will, through open marketing of the developed land or other means, encourage broad participation by builders and that will serve families having a broad range of incomes.

Section 1010. Water and sewerage facilities: The land after development would normally be expected to be served by public systems of water supply and sewerage. These would be consistent with other existing or prospective systems within the area. If the Commissioner finds that a public system is not feasible he may, under such assurances as he may require with respect to eventual public ownership and operation, approve an adequate privately or cooperatively owned system. Such a system would be required to be regulated in a manner acceptable to the Commissioner to protect the interest of consumers as to user rates and charges and methods of operation and also as to terms of any sale or transfer of the systems.

Sections 1011–1015. Miscellaneous: These sections relate to the subordination of mortgage liens, the assessment of reasonable premiums and fees, the payment of mortgage insurance benefits, insurance contract incontestability, and the issuance of FHA rules and regulations.

Section 1016. Taxation: This section provides that real property acquired and held by the Commissioner under this title shall not be exempt from State or local real estate taxation.

Section 1017. Cost certification: This section contains a requirement for certification by the mortgagor of actual development costs to be made from time to time to assure that the outstanding balances of loans insured under the title during the course of land development will be appropriately limited to reflect both the actual costs of development and the release of improved parcels from the lien of the mortgage.

Conforming amendments

Amendments to other provisions of law appropriate for conformity with the proposed new title X are made by subsection (b) of this section.

Paragraph (1) of subsection (b) would amend the labor standards provisions of the National Housing Act to make them applicable to work performed by laborers and mechanics employed in land development receiving financial assistance under the proposed new title X program.

Paragraph (2)(A) would amend the Federal National Mortgage Association Charter Act "Special Assistance" provisions to make inapplicable, in the case of title X mortgages on extensive new developments, the present statutory dollar ceilings that are based on mortgage amounts per family residence or per dwelling unit.

Paragraph (2)(B) would amend the definition of "mortgages" in the FNMA Charter Act to make it clear that the "home mortgages" referred to in the statement of purposes and elsewhere in that act include the proposed new land development mortgages as well as all other mortgages insured under the National Housing Act.

Paragraph (3) would amend the Federal Reserve Act to permit national banking associations to make loans secured by title X mortgages.

Paragraph (4) would amend the Home Owners' Loan Act of 1933 to permit Federal savings and loan associations to invest in title X insured mortgage loans to the extent permitted under Federal Home Loan Bank Board regulations.

Paragraph (5) would include among the eligible categories of planning grants under section 701 of the Housing Act of 1954, grants for planning for areas in which there is to be established an extensive new development on land improved or to be improved with assistance under the proposed new title X or on land acquired or to be acquired with assistance under section 202(b)(1) of the Housing Amendments of 1955.

Paragraph (6) would make the existing population limits in the public facility loans program authorized by section 202 of the Housing Amendments of 1955 inapplicable to financial assistance extended to municipalities or other political subdivisions in connection with an extensive new development on land improved or to be improved with assistance under the proposed new title X, or on land acquired or to be acquired by State land development agencies with assistance under section 202(b)(1) of the Housing Amendments of 1955.

State land development agencies

Subsection (c) of this section would authorize the Housing and Home Finance Administrator to make loans to land development agencies (created or designated by or pursuant to State legislation) to finance the acquisition of land to be utilized in connection with development of well-planned residential neighborhoods, subdivisions, and communities. The land so acquired would be sold to private builders, and possibly after installation of basic public facilities, for the construction of well-planned developments. These may be residential neighborhoods, housing subdivisions or more extensive new developments.

The loans would be limited to an amount not exceeding the total cost as approved by the Administrator, of the acquisition of a fee simple or other interest in the land, including capitalization of interest for the term of the loan, and related expenses. The loans would be required to be reasonably secured and would be repayable within a period not exceeding 15 years at an interest rate of not more than the average annual interest rate on all interst-bearing obligations of the United States forming a part of the public debt, adjusted to the nearest one-eighth of 1 percent, plus one-half of 1 percent. For the current fiscal year this formula produces an interest rate of 4 percent.

Loans for land acquisition could not be made unless the Administrator determines that (1) private financing is not otherwise available on reasonable terms, (2) the development of a well-planned residential neighborhood, housing subdivision, or community on the land would be consistent with a comprehensive plan or with comprehensive planning, meeting criteria established by the Administrator, for the area in which the land is located, and (3) a preliminary development plan for the use of the land meets criteria which he has established.

The subsection further provides that the land acquired with Federal financial assistance under this subsection must be developed in accordance with a development plan approved by the Administrator. Sales of the land to private persons may not be for less than its fair value for uses in accord with the approved development plan. A development plan, wherever feasible in the light of current conditions, would be required to encourage the provision of sites providing a proper balance of types of housing to serve families having a broad range of incomes.

This program is designed to assist the State governments that wish to establish land development agencies in order to take advantage of the State government's unique powers to promote the planned development of future urban growth. As a governmental body with an area of jurisdiction beyond the confines of the geographical boundaries of a city, county, or special district, these State land development agencies could become focal points in the process of planning for attractive and efficient land development. Through these public land development agencies State governments, which are responsible for the well-being of all of its citizens, would become instrumental in fostering comprehensive planning of new areas expected to be populated within the foreseeable future.

State governments are already concerned with economic planning with respect to promoting industrial development and seeking to induce business concerns to locate (or relocate) their industrial plants within their States. Many State governments are also engaged in some form of "systems" planning in connection with determining the location of, and standards for, water and sewer facilities, location of State highways and the planning of other public works.

Once the public land development agencies are established, and after some experience with Federal loans indicates that this type of State activity is both practical and successful, private investor interest in the obligations issued by the State land development agencies can be expected. Such private funds are expected to be obtainable at interest rates below 4 percent.

Loans authorized by this subsection would be made from the revolving fund established by title II of the Housing Amendments of 1955 to finance the public facility loan program. No additional authorization is necessary. It is estimated that during the first full year of operations the amount of Federal funds committed for loans authorized by this subsection will not exceed $25 million.

Section 202. Extension of insurance authorizations: This section would continue for 4 years (from the present termination date of October 1, 1965, to October 1, 1969), the authority of FHA to (1) insure property improvement loans under its title I program, (2) insure housing loans and mortgages under all of its programs except those with independent termination dates, and (3) insure mortgages providing housing under its sections 809 and 810 programs for the military, NASA, and AEC. The section 221 program of mortgage insurance for housing for low- and moderate-income families would be continued for 4 years by another section in title I of the bill.

Section 203. Multifamily mortgage limits for four or more bedroom units: This section would permit an increased dollar limitation on the amount of a mortgage financing multifamily housing with dwelling units consisting of four or more bedrooms (except where the mortgage is insured under the section 810 program for the military). For example, under the regular rental housing program (section 207), the mortgage limit would be $21,000 per dwelling unit (an increase of $2,500) in the case of a family unit with four or more bedrooms. No change would be made in the existing limits for dwelling units containing no bedrooms, or one, two, or three bedrooms.

Prior to the Housing Act of 1964, the FHA was able to recognize additional rooms almost without limit as to number in the statutory per room multifamily mortgage limits. While the former per room limits too often led to superfluous additional rooms to the detriment of design, they did permit the recognition of the cost of additional bedrooms. The FHA has found, in working with the new family unit limitations added by the 1964 Housing Act, that they do not contain adequate provisions for financing projects with large units having four or more bedrooms. For this reason, an additional dollar limitation is being proposed for four or more bedroom units. This additional dollar limitation would enable the FHA to reflect properly the added cost of large units in the maximum mortgage amount and encourage production of accommodations for larger families where needed.

Section 204. Rehabilitation in urban renewal areas: The principal purpose of this section is to encourage more rehabilitation of housing for rent in urban renewal areas by removing an obstacle which unduly restricts the use of the FHA section 220 urban renewal housing program as it applies to nonoccupant owners of 1- to 11-family structures. Under the amendments of section 220 of the National Housing Act provided by this section a nonoccupant mortgagor who intends to hold 1- to 11-family housing for rent would be entitled to a larger loan amount which would be more in line with that now permitted where the housing consists of larger multifamily structures. The amendments would liberalize and make section 220 more workable for financing the construction, purchase, or rehabilitation of housing in urban renewal areas.

Section 220 would be amended (1) to increase the maximum amount of a mortgage which can be insured where the mortgagor is not an occupant of the property and intends to hold it for rent, and (2) where refinancing is involved, to permit existing indebtedness for improvement of the property to be included in the computation of the amount of a mortgage whether or not the indebtedness is secured by a mortgage against the property. Under existing law only indebtedness secured by the property may be included in the insured mortgage.

Under the proposed amendment, a nonoccupant mortgagor could obtain an insured loan for rehabilitation, purchase, or construction of a 1- to 11-family property for rent in an amount which is 93 percent (now 85 percent) of the amount that an owner-occupant of the property could receive. Under existing law, an owner-occupant may obtain a rehabilitation loan which does not exceed (1) 97 percent of $15,000 of the estimated value before rehabilitation, plus 90 percent of estimated value above $15,000 but not above $20,000, plus 75 percent of value above $20,000, or (2) the estimated cost of rehabilitation plus cost of refinancing. For new construction the loan can be up to 97 percent of $15,000 or estimated replacement cost, plus 90 percent of cost above $15,000 but not above $20,000, plus 75 percent of the cost above $20,000.

Since under this section a nonoccupant mortgagor could obtain 93 percent of the amount that could be obtained under either of these formulas, the amount he would obtain would in effect be approximately 90 percent of the value or replacement cost of the property, depending upon the formula applicable. In no case involving refinancing of housing to be rented could the mortgage amount exceed the estimated rehabilitation cost plus refinancing.

Under the present law, a nonoccupant mortgagor of rental housing may obtain a mortgage in an amount only up to 85 percent of that permitted for an owner-occupant. In a case of refinancing and rehabilitation he may have a substantial equity in the property, but the 85-percent limit requires him to increase his cash outlay and equity more than he is willing to do.

A nonoccupant mortgagor who intends to sell the housing would continue, as the law presently provides, to be eligible for a mortgage up to 85 percent of the amount available for an owner-occupant, except that the mortgage amount can be the same as that permitted for an owner-occupant if the mortgagor places 15 percent of the mortgage proceeds in escrow pending sale to an acceptable owner-occupant within 18 months.

Section 205. Nondwelling facilities for urban renewal rental housing: A multifamily rental housing project in an urban renewal area financed with a mortgage insured by FHA under the section 220 urban renewal housing program would be permitted, by amendments in this section, to include more nondwelling facilities financed by the mortgage than under the existing law. Under the new provisions, the Federal Housing Commissioner could permit such nondwelling facilities as he deems desirable and consistent with the urban renewal plan to be included in the project. However, the project would have to be predominantly residential, and the Commissioner would also have to find that any nondwelling facilities included in the project would contribute to the economic feasibility of the project. To assure that commercial construction under this provision will be kept at a minimum, the Commissioner intends to require that proposed projects, involving more commercial facilities than are presently permitted, must be sent to the Washington office for review.

Under existing law the mortgage on a section 220 rental housing project can finance only such nondwelling facilities as the Commissioner deems adequate to serve the needs of the occupants of the property and of other housing in the neighborhood. This provision is too limited for housing in urban renewal areas where the facilities are essential to renting the housing but are economically feasible only if they can serve a larger area.

Sponsors would be more willing to undertake the provision of rental housing in urban renewal areas, particularly in areas where there has been extensive clearance of slums, if this provision is enacted because they would be assured of more rapid renting of the units in the project. Quick renting of housing in an urban renewal area depends on the availability of shopping centers and other commercial services and facilities of this nature.

Section 206. Larger insured mortgages for servicemen: The limit on the amount of an FHA section 222 insured mortgage, financing the home of a serviceman in the Armed Forces or the Coast Guard, would be increased from $20,000 to $30,000. This larger maximum mortgage is requested by the Department of Defense in order to make the special program for servicemen under that section more useful in providing housing. The downpayments required would be the same as those required under FHA's regular section 203(b) home mortgage insurance program—that is, 3 percent of the value of the property up to $15,000, 10 percent of the value of the property over $15,000 but not over $20,000, plus 25 percent of the value above $20,000.

Under the section 222 program the Department of Defense pays the mortgage insurance premium where a home is purchased by a serviceman with a mortgage insured under the program and so long as he is in the service. Over 75,000 servicemen currently have homes purchased with these mortgages. Around 276,000 additional homes are needed for career military personnel.

Under the present provisions of section 222 a mortgage cannot exceed $20,000 in amount. Housing construction costs and related expenses of homeownership have increased. The effective incomes of many career military members have also been increased by changes in the military compensation system. In high-cost areas in particular, the $20,000 limit does not provide an adequate or appropriate home, especially in the cases of servicemen above the grade of major or lieutenant commander.

Section 207. Refinancing of insured mortgages: This section would correct an omission in existing law. It would give FHA the same authority to insure mortgages executed for the purpose of refinancing existing mortgages insured under any FHA insured mortgage program as is now available for mortgages insured under sections 220, 221, 903, 908 and certain section 608 mortgages.

The principal amount of any refinancing mortgage cannot exceed the original principal amount or the unexpired term of the existing mortgage, except that if the Commissioner determines that an additional term will inure to the benefit of FHA the refinancing mortgage may have a term of not more than 12 years in excess of the unexpired term of the existing mortgage.

This refinancing authority serves a useful purpose in assisting mortgagors who encounter financial difficulties, especially those owning multifamily housing projects. It also serves to protect the interests of the mortgagee and of the FHA in marginal cases where the alternative to refinancing may be default and foreclosure. There does not seem to be any sound basis for limiting the authority, as is done by present law, to certain specified programs under the act.

Section 208. Consolidation of insurance funds: As a means of streamlining accounting procedures, with substantial economies in operations both in Washington and the field offices, this section would provide that all FHA insurance funds be consolidated into two funds: namely, a mutual mortgage insurance fund, and a general insurance fund. The mutual mortgage insurance fund would be continued in its present coverage and form, and all other insurance funds and accounts would be consolidated under a single insurance fund—the general insurance fund. All title I property improvement loans would be registered for insurance, and mortgages under all of FHA's insurance programs would be endorsed for insurance under the general insurance fund, except those mortgages committed and insured under the regular section 203 home mortgage insurance program. The assets and liabilities of all of the current funds and accounts except the mutual mortgage insurance fund would be transferred to and become the responsibility of the general insurance fund.

Since its creation in 1934, the programs of the Federal Housing Administration have from time to time been expanded and broadened in order that it could be of increasing assistance in providing housing to meet the needs of all Americans. These goals have not yet been fully achieved and additional programs will undoubtedly be proposed and enacted into law in the future.

As new insurance programs have been authorized, new insurance funds or accounts have usually been created, thus requiring separate financing and accounting for the programs. These funds and accounts have grown from 2 in 1934 to 15 at the present time.

In the early 1950's it became apparent that, by reason of the small volume of insurance written under some of the special purpose programs, revenues would be insufficient to maintain those programs on a self-supporting basis. Because of this, and in order to strengthen FHA's overall position and avoid the necessity of calling upon the Congress for operating funds, section 219 was added to the National Housing Act. That authorized the Commissioner to transfer moneys from any one or more insurance funds or accounts to any other fund or account, except the participating reserve account and the general surplus account of the mutual mortgage insurance fund.

The effect of section 219 was to give FHA all of the advantages and flexibility of single-fund accounting but it left the agency burdened with the expense and necessity under the act for full and complete accounting for each of its present 15 funds or accounts.

While the maintenance of separate insurance funds affords complete financial information with respect to each of FHA's various insurance programs, such complete accounting and fiscal data on a continuing monthly basis are unnecessary for management purposes. Moreover, the maintenance of the separate funds complicates FHA's financial structure.

Under the proposed consolidation of funds, statements would be provided monthly for the general insurance fund and the mutual mortgage insurance fund with respect to the status of the funds. Data would also continue to be supplied which is needed to evaluate the effectiveness of individual programs.

The proposed consolidation would reduce from 15 to 2 the number of monthly entries to be accounted for and later consolidated into a combined balance sheet and statement of income and expense. It would substantially reduce field reporting of expenses. The consolidation would also result in significant savings in the Treasury Department since the recordkeeping, issuance, exchange, and redemption of debentures would relate to only 2 series of debentures rather than 22 series as at present.

After consolidation, FHA would still be able to compute with reasonable accuracy the financial experience of individual programs, as the need might arise. Special attention would continue to be given to income and loss experience under the section 213 cooperative housing program in compliance with the desire expressed in the conference report on the Housing Act of 1964. The semiannual and annual valuation of reserve requirements would continue to be prepared as in the past.

Section 209. Optional cash payment of insurance benefits: This section would authorize the Federal Housing Commissioner, in his discretion at the time of payment, to offer payment of insurance benefits in cash on any insurance claim filed by a mortgagee on or after the date of its enactment. At present, the FHA does not have this general authority, but periodically calls in debentures for redemption to the extent deemed appropriate. The proposed new authority in no way changes the basic nature of the FHA debenture system, as the Commissioner would be given no new authority to agree in advance to make payments in cash instead of debentures.

A cash payment under this new authority would be in an amount equivalent to the face amount of the debentures that would have been issued, plus an amount equivalent to the interest which the debentures would have earned, computed to a date established by the Commissioner. In a case where a mortgagee, under his mortgage insurance contract, is entitled to receive debentures, the mortgagee would still be entitled to receive payment in debentures rather than in cash if the mortgagee does not want to accept a cash payment. Mortgagees filing insurance claims on mortgages insured under the section 220, 221, or 233 programs (urban renewal housing, low- or moderate-income housing, and experimental housing) after the Housing Act of 1961 now have in their insurance contracts the right to a cash insurance settlement. Also, lenders insuring home improvement loans under section 203(k) after the date of enactment of the Housing Act of 1964 have the right to receive cash insurance benefits.

For various reasons, occasions may arise when it would be in the national interest to pay insurance benefits in cash rather than in debentures. For example, the sale of debentures in the private capital markets may result in losses to their holders where there is a spread in interest rates. Where adverse conditions exist in the private capital market, it would be desirable for the Commissioner to have the authority to make cash payments of insurance benefits in all programs.

In order to have funds with which to make such cash payments, the Commissioner would need the authority to borrow from the U.S. Treasury such amounts as he determines from time to time. The Treasury loans would bear interest at a rate determined by the Secretary, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the obligations evidencing the loans. Of course, this borrowing authority would be in place of the U.S. guarantee on the debentures which would otherwise be issued.

TITLE III—URBAN RENEWAL

Section 301. General neighborhood renewal plans: This section would make more realistic the statutory requirements with respect to general neighborhood renewal plans.

It would permit a GNRP to be prepared for an urban renewal area or areas together with any adjoining area or areas having specially related problems and eliminate the present requirement that the whole area covered by the GNRP be an urban renewal area.

However, this section would not make eligible for urban renewal project activities any areas not presently eligible, and would not provide any increased grant assistance, through noncash credits or otherwise, to urban renewal projects carried out in those portions of the area covered by the GNRP in which urban renewal project activities can be undertaken.

To permit unified planning of total neighborhoods, this section would authorize a GNRP area to include subareas which are not in themselves so blighted or deteriorated as to require urban renewal treatment. Under present legislative language, all parts of a GNRP area must be slum or blighted, deteriorated, or deteriorating, to the same extent as is required before an urban renewal project can be undertaken in the area. The amendment would make possible, for example, study of the street capacities and requirements of an entire neighborhood rather than only those portions of that neighborhood already scheduled to receive urban renewal assistance through an urban renewal project or projects.

This section would also ease the present requirement that all urban renewal projects in the urban renewal area covered by the GNRP be completed in 10 years and would require only that all such projects be initiated in that time. The present law describing a GNRP states that, "urban renewal activities therein may have to be carried out in stages * * * over an estimated period of not more than 10 years." Experience with urban renewal activity in GNRP areas has proven this requirement to be unrealistic.

Section 302. Increase in authorization for capital grants: This section would increase the aggregate amount of obligational authority for urban renewal grants by $2.9 billion. Of the new $2.9 billion authority, $675 million would be authorized upon the enactment of the bill, with further increases of $725 million on July 1, 1966, and $750 million on July 1 in each of the years 1967 and 1968.

The existing figure designating total present urban renewal grant authorization ($4,725,000,000) would be reduced by $25 million to reflect the deletion of an obsolete proviso in that amount. This is the proviso which authorized the use of a portion of the urban renewal grant authorization for demonstration grants under the urban mass transportation program.

The new authority would permit, over a period of 4 years, an increasing level of urban renewal activity. It is geared to available local resources for the financing and carrying out of projects during this period, and takes into consideration other legislative provisions in the bill. The volume of need and demand for this program are well recognized, and extend to almost all cities in all areas of the United States.

Section 303. Community renewal program requirement: This section would establish a new community renewal program requirement for communities of over 50,000 population which seek Federal assistance for urban renewal projects. The new requirement would apply to projects for which planning is commenced (and provided "Federal recognition") later than 6 months after the date of enactment of the bill. When a community later applies for approval of the urban renewal plan and for loan or grant assistance in its execution, the community would be required to demonstrate that the proposed project is in accord with an up-to-date "community renewal program" which it has prepared as the basis of a community-wide attack on urban renewal problems, making use of all available Federal and local resources. This requirement would be modified, during the first 3 years after enactment of this bill, in order to provide sufficient time for cities to prepare such programs. During that time the community could instead demonstrate that it is actively preparing such a program and that the proposed project can reasonably be expected to be in accord with it upon its completion.

There would also be a complete exemption from the requirement in the case of projects undertaken in disaster areas, in accord with the special urban renewal law provisions for such projects. To be of full assistance, such projects must go into execution as soon as possible, and they are therefore exempted from other regular statutory requirements.

An acceptable community renewal program would not be required to have been prepared with Federal assistance. However, such assistance, in the form of two-thirds grants, is already available under provisions which were added to the urban renewal law by the Housing Act of 1959. The basic purpose of such programs is to assess in broad terms the community's overall needs for urban renewal and to develop a staged program of action, commensurate with its resources, to meet these needs, determining, to the extent feasible, individual urban renewal areas and activities and appropriate schedules and priorities for undertaking such projects.

Activity in this field has been steadily increasing since about 1961. Sixty-nine localities of over 50,000 population are now preparing such programs with Federal grant assistance, and seven others have completed initial preparation. Already, about one-third of all cities of this size which are undertaking urban renewal projects are also undertaking community renewal programs. Sufficient experience has now been gained with these programs, and their value, so that it is both feasible and desirable to require, rather than permit, larger communities to undertake such programs as a basis for individual urban renewal project planning.

Experience to date has shown that a community renewal program can be valuable to a locality in bringing to its attention problems and opportunities in scheduling and coordinating urban renewal projects. It can, for example, determine the effect on a proposed project of housing resources and relocation needs in other proposed projects and public undertakings. It can also focus on the social and economic needs of the residents of slum and deteriorated areas and the resources available to meet those needs—which are of direct importance in planning urban renewal activities in those areas. Whether and to what extent an area can be rehabilitated depends, for example, not only on the type and condition of its buildings but also on the age and family size of its residents, their incomes, and their willingness and ability to participate in the upgrading and maintaining of the area. Community renewal programs can help to make available information on such questions and help to assure that necessary social services and facilities are provided.

The community action programs authorized in the Economic Opportunity Act of 1964 and the new rehabilitation and code enforcement provisions of the Housing Act of 1964 have already provided important new opportunities for increased effectiveness in urban renewal. This bill would provide additional opportunities through its new grant programs for rehabilitation, for neighborhood facilities, and for the provision and beautification of open space and other public land. One of the primary purposes of the proposed community renewal program requirement is to assure that urban renewal projects are planned and scheduled to obtain maximum benefit from the facilities and activities assisted under such programs. With their help many localities should find it possible to give increased emphasis to rehabilitation, compared to clearance activities, and to gray-area and other residential renewal, compared to commercial and industrial renewal.

Section 304. Amendment of section 316 of Housing Act of 1954: This section would clarify the authority of the Redevelopment Land Agency of the District of Columbia to undertake urban renewal projects in areas which are not residential or predominantly residential at the outset by amending section 316(2) of the Housing Act of 1954 (which inserted a new section 20 in the District of Columbia Redevelopment Act of 1945) to provide unmistakable authority for the Redevelopment Land Agency to undertake nonresidential projects as contemplated by title I of the Housing Act of 1949.

TITLE IV—LOW RENT PUBLIC HOUSING

Section 401. Acceptance of local certification of equivalent elimination: This section would permit acceptance of certifications by local governing bodies that they have complied with the equivalent elimination requirements of the U.S. Housing Act of 1937.

This amendment is essentially technical in character. It is designed to eliminate unnecessary administrative processing and attendant expenses, and is in line with administration and congressional policy to eliminate unnecessary administrative costs and vest greater local responsibility in local governmental agencies.

Under the act, where a low-rent housing project is undertaken in a locality, the local governing body must enter into an agreement providing for the elimination, within 5 years, of a number of substandard dwelling units equivalent to the new low-rent housing units included in the project. Extensions of the 5-year period for elimination can be granted where there is an acute shortage of decent low-income housing in the community. Administration of this provision now involves direct Federal supervision over the carrying out of the equivalent elimination agreement, even though the act provides no specific penalties for noncompliance. Such supervision would be eliminated by this section.

Section 402. Greater use of existing private housing: This section would perfect the annual contributions formula to permit local housing authorities to make greater use of the private housing supply through the purchase, purchase and rehabilitation, or lease of privately owned units, which are available on the local market and suitable for low-rent housing purposes.

The present annual contributions formula establishes a maximum contribution in terms of a specified percentage (the "going Federal rate" plus 2 percent) of the acquisition or development cost of a project. Under this formula, use can only be made of housing with an economic life extending over a sufficient period to allow the amortization of the capital cost at the statutory rate. This rate was designed to permit amortization of bonded indebtedness over a long period, and the established practice has been to contract for periods of 40 years. Such a period is too long to permit utilization of many kinds of existing housing that may be suitable for low-rent housing, or to permit the leasing of units desirable for relatively short-term use.

This section would authorize an alternative formula under which the annual contribution for an acquired or leased unit could be fixed, as a maximum, at the same dollar amount as would be established as the annual contribution under the conventional formula for a new low-rent housing project consisting of units designed for the comparable number, types and sizes of families. Because it is not stated in terms of a specific percentage of capital cost, the formula would permit the acquisition, or acquisition and rehabilitation, of structures, over whatever period may be appropriate considering the condition and nature of the property, as well as the leasing of units for short-term use in meeting particular needs.

The new formula is intended to promote economies in the use of such housing through its requirement that the annual Federal contribution could never exceed the fixed contribution that would be established for comparable housing in a new project. Where a project or dwelling is acquired for use over a substantially shorter period than is required for units in the regular program, this would mean that the capital cost would have to be reduced according to the reduction in amortization period, since the maximum contribution available annually to amortize that cost could be no greater than in the case of a comparable conventional newly constructed project, but this annual amount would be available for substantially fewer years than in the case of the newly constructed project. The same limitation on the dollar amount of the annual contribution would apply to leased units, and would operate to preclude the excessive rentals that might otherwise result from efforts to secure housing for lease in a housing market where vacancies are low.

There has been a growing awareness in recent years that the subsidized low-rent housing program has suffered because it has not utilized the existing housing supply. Under this new authorization the PHA would be enabled to finance the leasing for any term of privately owned units in individual houses and in multifamily structures. It would be able to finance joint private-public owned or leased units. It would be able to subsidize units financed through other means such as FHA-insured, conventional financing, or State or municipal financing.

An important source of existing housing is the supply of FHA- and VA-acquired properties. Despite high vacancy rates, there are many low-income families in communities where vacancies exist who continue to live in slum conditions because they are unable to pay the economic rent which the vacant properties warrant.

In many cases local authorities should be able to provide units more quickly under this section, than through new construction and meet more readily the special problems presented by large numbers of low-income displacees. The new formula should also provide greater flexibility in providing housing for different kinds of families, as in obtaining units for larger families and providing conveniently located units for elderly families. A collateral advantage of broadened use of existing structures is its effect in encouraging the conservation and improvement of residential properties.

Projects involving the purchase of existing housing would, of course, be subject to the same requirements of approval and cooperation by the local governing body as in the case of new construction. As in the case of the regular program, there will be local selection of the properties and sites to be used.

Since the units which are leased will be privately owned and subject to tax, the required local contribution, normally provided through tax exemption, would have to be provided by other means. The required local contribution, when property is not tax exempt, is the amount by which the taxes paid exceed 10 percent of the shelter rents charged in the project or dwelling. Local communities can easily meet this requirement by authorizing the housing authority to retain from payments-in-lieu-of-taxes to be paid with respect to its tax-exempt properties the amount required to meet this local contribution with respect to the privately owned units.

Use of existing housing will constitute a valuable supplement—but nevertheless merely a supplement—to new construction. Existing housing can be effectively used for low-income families only where a combination of certain conditions exist. There must, first, be a supply of vacant housing on the local market, and that housing must freely be made available, since eminent domain will of course not be used under the new program. Moreover, the vacant housing should be appropriately located to serve the needs of the low-income families to be housed. Its cost, design, and physical condition must be appropriate, and its use should be consistent with the community plans and urban renewal programs and in accord with the wishes of the local governing body.

Section 403. Increase in authorization for annual contributions: This section would increase the limit on the aggregate amount of annual contributions contracts for low-rent housing, so as to permit continuation of the regular program for conventional units at approximately its past average and current level, plus provision of additional units through new approaches involving purchase and leasing of existing housing, with or without rehabilitation. Contracts for approximately 240,000 units over the next 4 years would be authorized.

For conventional units, the increase contemplates a program level of 35,000 units a year. For new approaches (purchase, leasing, and rehabilitation) the increase would provide for an additional 100,000 units over the 4-year period. The law would not, however, prescribe specific levels for the different approaches.

Program levels, each of the 4 years, are estimated as follows:

	Regular program	Purchase	Leasing
1966	35,000	10,000	5,000
1967	35,000	15,000	10,000
1968	35,000	15,000	10,000
1969	35,000	20,000	15,000

To permit this level of program activity, the amendment would increase the limit on the aggregate amount of annual contributions by $47 million on the date of enactment of the Housing and Urban Development Act of 1965, and by the same amount on July 1 in each of the years 1966, 1967, and 1968, or an aggregate increase of $188 million.

Experience with the interim additional authorization which was provided in the Housing Act of 1964 has already shown that the need and the demand are great and continuing. The additional authorization in the 1964 act contemplated the provision of 37,500 units of low-rent public housing. Affecting this authorization were the applications on hand when it became available, plus subsequent applications. Applications for about 74,000 units had been received by the end of January 1965, and more than 40,000 units had been placed under program reservation. Taking into account attrition and delays, and in order to place the 37,500 units under annual contributions contracts by September 30, 1965, the PHA plans to place a total of about 50,000 units under program reservation. In view of the application for some 24,000 units above this amount, the PHA has already instituted priorities and limitations. It assumes that the 24,000 units, plus any additional units remaining from the 50,000 and included in applications received after January, will have to depend upon further congressional authorization.

The provisions of the bill which would provide more flexibility in connection with the acquisition, leasing, and rehabilitation of existing housing, and the provisions extending to the handicapped parity of treatment with the elderly, would afford new means for meeting the needs.

Without any additional authorization for annual contributions, the public housing program can also be a valuable vehicle for helping families make an easier adjustment to urban living conditions. In many cases, low-income families are not even aware of the services which are available, and such services have often been inadequate. To help develop a better range of services to meet the social needs of families in public housing, and coordinate those existing services, local housing authorities will be authorized to provide broader assistance within the framework of the public housing program. Such a program could provide special counseling in the maintenance of housing, as well as counseling to families prior to moving into or out of public housing. These are primarily the kinds of services that an enlightened manager would want to engage in for the more economical management of the housing.

At the Federal level PHA will work to the fullest extent possible with other interested agencies, such as the Department of Health, Education, and Welfare, and the Office of Economic Opportunity. At the local level local housing authorities would cooperate, as appropriate, with other local public agencies and private nonprofit community service organizations. Expenditures from project revenue would be authorized only for specific planned programs which would be periodically reviewed. In approving programs, preference will be given to those in which a substantial portion of the costs are met by funds from sources other than those supplied by the PHA-aided program or by funds derived from demonstrable economies achieved by local housing authorities in their operation.

Section 404. Sale of federally owned projects to private purchasers: This section would remove the restriction that federally owned public housing projects may be sold only to public housing agencies. It would permit disposal to a nonprofit organization, but any sale would have to be for continued use as low-rent housing. There are two remaining federally owned public housing projects, both of which are located in Oklahoma. Disposal of these projects has been blocked by the restriction permitting sale only to a public housing agency, since Oklahoma law does not authorize creation of local public housing authorities. Removal of the restriction would permit consideration to be given to disposal to a purchaser, such as a nonprofit organization. The projects would continue to be subject to the requirement that they be used only for low-income families.

TITLE V—COLLEGE HOUSING

Section 501. Increase in authorization for college housing loans: This section would increase the college housing loan authorization by $110 million upon the enactment of the bill, with further increases of $285 million on July 1 in each of the years 1966 and 1967, and $275 million on July 1, 1968. This section would also increase on July 1 in each of the years 1965 through 1968: (1) By $30 million the ceiling on loans for other educational facilities (such as dining halls, health facilities, and student unions) and (2) by $15 million the ceiling on loans to hospitals for nurses and intern housing.

The Treasury borrowing authorization for the college housing loan program now totals $2,875 million with ceilings of $295 million for college service facilities and $220 million for hospitals. Through the end of December 1964, a total of 2,328 loans for $2,502 million have been approved under this program. As of this date, there were 172 applications for $267 million for which funds had been reserved, bringing the total funds committed to $2,769 million.

Through December 1964, funds committed under the program provide assistance for about 2,360 projects, including housing accommodations for about 593,000 students and faculty (including student nurses and interns) and also 239 projects for related facilities such as student unions, dining halls, and health centers. There have been no defaults under the program in payment of principal and interest.

The Office of Education's college and university enrollment and facilities survey indicates an increase in college enrollments from 5.2 million in 1965 to 6.7 million in 1969. Assuming that about 25 percent of this increased enrollment will require college housing accommodations costing about $5,000 per student, it is estimated that total college housing needs during the next 4 years will amount to about $2 billion, exclusive of related facilities (cafeterias, dining halls, student unions, infirmaries, and other essential service facilities), and exclusive of the current backlog of unmet housing needs.

The increased authorization in this section, with amounts from repayment of loans, would give institutions of higher learning assurance that the present program would continue during the next 4 years to supplement funds available in the private market. This would permit the institutions to plan their residential and related construction programs to meet the expected tidal wave of students. The increased authorization would permit increased program levels in fiscal 1967, 1968, and 1969.

TITLE VI—GRANTS FOR BASIC PUBLIC WORKS, NEIGHBORHOOD FACILITIES, AND THE ADVANCE ACQUISITION OF LAND

Section 601. Purpose: The rapid rise in population that has occurred in the Nation has outpaced the ability of many localities to provide necessary basic community facilities and neighborhood health and recreation facilities. There is a tremendous need for additional basic water supply and sewage disposal facilities to provide for future population growth. Between 1960 and 1975 the urban population alone is expected to rise from 125 to 171 million and the per capita use of municipal water systems is expected to increase from 140 to 160 gallons per day. As a result, municipal water consumption (excluding large industrial users) is expected to increase from 17.5 to 27.4 billion gallons per day, a rise of 57 percent in just 15 years.

Relatively limited local resources are available for neighborhood facilities such as community centers, health stations, or other public buildings that house health and recreational facilities. Nonetheless, such facilities are essential to our communities so that they can effectively cope with such problems as the debilitating effects of idleness upon their juvenile and elderly population. Substantial Federal financial assistance will be required to enable local governments to provide adequate neighborhood facilities geared to such needs of the young and the elderly.

Great economies and other benefits can be gained by the advance acquisition of land planned to be utilized in connection with the future construction of public works and facilities. Such advance acquisition makes possible large monetary savings; savings which have ranged from $5 to $30 for every dollar invested in the advance acquisition of future highway rights-of-way.

The purpose of this title is to assist and encourage the communities of the Nation to meet the needs of their citizens by making it possible with Federal grant assistance for their governmental bodies (1) to construct adequate basic water and sewer facilities needed to promote the efficient orderly growth and development of our communities, (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services, and (3) to acquire, in a planned and orderly fashion, land to be utilized in connection with the future construction of public works and facilities.

Section 602. Grants for basic water and sewer facilities: This section would authorize the Housing and Home Finance Administrator to make grants to local public bodies and agencies to finance a portion of the cost of certain projects for basic water and sewer facilities. The amount of any grant made under this section could not exceed 40 percent of the cost of that portion of the project which is necessary to enable the project to adequately serve the reasonably foreseeable growth needs of the area to be served by the project.

No grant could be made for any project unless the Administrator determines that the project will serve an area which is expected to experience significant population growth in the reasonably foreseeable future and that the project is (1) designed so that adequate capacity will be available to serve the reasonably foreseeable growth needs of the area, (2) consistent with the program for a unified or officially coordinated areawide water or sewer facilities system as part of the comprehensively planned development of the area, and (3) necessary to orderly community development. Prior to July 1, 1968, grants, in the discretion of the Administrator, could be made if a program for an areawide water and sewer facility system is under active preparation but not yet completed, if the facility for which assistance is sought can reasonably be expected to be required as part of such program, and there is an urgent need for the facility.

The areawide system for basic water and sewer facilities would be required to be a part of the comprehensively planned development of the area. The requirement that a basic water and sewer facility assisted under this section be part of a unified or officially coordinated areawide water or sewer facility system will assure that Federal grant funds do not finance uncoordinated or fractionated water or sewer facilities. Where there are no existing areawide water or sewer systems the Administrator would require as a condition to a grant for a single, independent water or sewer project, that the project be designed so that it can be linked with other independent water or sewer facilities or a proposed areawide system.

In addition, requiring that the areawide water or sewer facility be related to the comprehensive planned development of the area will assure that grant funds available under this section will be available only for facilities which help promote orderly community development and are consistent with a coordinated scheduling of other public works in the area. Such orderly development and coordination will minimize waste and unnecessary costs which are the result of the unplanned and haphazard construction of basic community facilities.

The requirement that a facility assisted with funds under this section have adequate capacity to serve the reasonably foreseeable growth needs of the area will avoid the duplication of costs often occasioned by having to rebuild undersized facilities at a later date.

The Federal grants for basic water and sewer facilities authorized by this section will stimulate an acceleration in the rate of construction of water supply and sewerage disposal facilities needed for growth and will contribute to the development of areawide systems which are consistent with comprehensive local planning.

Proper regard will be given to established standards to assure that facilities constructed with assistance under this section are adequate for the maintenance of health and control of water pollution.

Section 603. Grants for neighborhood facilities: This section would authorize the Administrator to make grants to local public bodies and agencies to finance specific projects for neighborhood facilities, including neighborhood or community centers, youth centers, health stations, and other public buildings to provide health or recreational or similar social services. The grants generally would be limited to 66⅔ percent of the development cost of the project, but could be up to 75 percent of such cost in the case of a project located in an area designated as a redevelopment area under section 5 of the Area Redevelopment Act.

Before making a grant under this section, the Administrator would be required to determine that the project would provide a neighborhood facility which is necessary for carrying out a program of health, recreational, or similar social services in the community. The project must be consistent with comprehensive planning for the development of the community. These Federal grants would thus help to stimulate a concerted effort by local public bodies, possibly in cooperation with private groups, to provide systematically for the often long-neglected local health, recreational, and social service needs of the community.

Since most of these needs are largely those of low- and moderate-income families and individuals, the neighborhood facility projects would have to be so located as to be available for use by a significant portion (or number in the case of large urban places) of the area's low- or moderate-income residents. In addition, a priority would be given to applications for projects that will primarily benefit members of low-income families or otherwise further the objectives of a community action program approved under title II of the Economic Opportunity Act of 1964.

No neighborhood facility aided by a Federal grant may be converted for a period of 20 years to other uses without the approval of the Administrator. In approving any conversion the Administrator may impose additional conditions and requirements.

It has been increasingly recognized that much of the heavy costs of ill health, dependency, juvenile delinquency, and old age could be avoided by preventive measures such as adequate local preventive health, recreational, and related social services. The cost of these services are small when compared to the tremendous economic and social losses resulting from illness and deprivation and the mounting expenditures in curing sickness, making welfare payments, combating crime, and accommodating the needs of the elderly. Availability of Federal grants for neighborhood facilities (many of which can be multipurpose facilities which can serve the needs of different groups) will encourage communities to expand, and in some instances initiate, a group of community services which hitherto have been neglected.

To obtain a Federal grant a local government would have to furnish from its own resources the remaining funds needed to complete the project. In addition, it would have to allot sufficient funds to operate the facilities after they are built.

Section 604. Advance acquisition of land: This section would authorize the Administrator to make grants to local public bodies and agencies to assist in financing the acquisition of sites planned to be utilized in connection with the future construction of public works or facilities. The grant could not exceed the aggregate amount of reasonable interest charges on a loan or other financial obligation incurred to finance the acquisition of such land for a period not exceeding the lesser of 5 years from the date of issue of such loan or financial obligation or the time elapsing between the date of issue and the date on which construction of the public work or facility is begun.

Before making such grants the Administrator would be required to determine that the public work or facility for which the land is to be utilized is planned to be constructed or initiated within a reasonable period of time. He also would have to determine that construction of such public work or facility will contribute to economy, efficiency, and the comprehensively planned development of the area.

On some occasions, circumstances arising after the acquisition of land purchased with assistance under this section may make construction of the facility planned to be placed on such land no longer feasible or desirable. A community which has acquired land with assistance under this section may then wish to divert the land to other uses. In such circumstances the Administrator is authorized to require the repayment of assistance provided under this section and prescribe the terms and conditions of such repayment.

To qualify for Federal financial assistance, a community would have to be engaged in comprehensive planning appropriate to its size and location. Larger urban areas and communities experiencing rapid growth would have to be engaged in comprehensive planning for the development of the entire urban area. The public work or facility for which the advance acquisition of land is to be made would have to be consistent with a community-wide and areawide system of such facilities.

In smaller isolated communities it will not be necessary that the entire planning process be underway. For such places, it would be enough to have a clear indication that the community had examined its probable future size, public facility needs, and financial capacity and that the proposed facility would be an efficient element in its efforts to meet its future needs. In addition, to the extent that there is an overall plan for the development of the community, the public work or facility for which advance acquisition of land is to be made will have to be consistent with the existing overall plan.

The objective of this Federal assistance is to encourage communities to plan ahead, in connection with their future public works needs, with respect to land acquisition as well as preparation of construction plans. Under section 702 of the Housing Act of 1954, the Housing Administrator is authorized to make interest-free advances to finance the planning of specific works. But the advance acquisition of sites is equally important in helping to attain maximum economy and efficiency in the construction of public works. Such advance site acquisition would be assisted by the new program.

By encouraging communities to anticipate the site requirements for future public works construction and by assisting them in the timely acquisition of the land that will be used in such future construction, the new program will help produce a number of savings. Local public bodies will be assured of the availability of appropriate sites and will save by acquiring sites before the rising trend of land prices increases their cost. Advance acquisition before there is further construction on a site would avoid the costs of demolishing such construction, relocating the occupants of the buildings and disrupting businesses. Advance knowledge regarding the site location of future public works would enable private land developers and builders to make appropriate adjustments in their construction plans or schedules, which would lead to more orderly growth in the area.

Section 605. General provisions: Subsection (a) of this section would apply certain administrative provisions found in section 402 of the Housing Act of 1950 to activities carried on under the provisions of this title.

Subsection (b) authorizes the Administrator to make advance or progress payments on account of any grant made under this title and provides that no part of any such grant could be used for payment of ordinary governmental or operating expenses.

Section 606. Definitions: This section would, for the purposes of this title, define: (a) "State" to include the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States; (b) "Local public bodies and agencies" to include public corporate bodies or political subdivisons; public agencies or instrumentalities of one or more States, municipalities, or political subdivisions of one or more States (including public agencies and instrumentalities of one or more municipalities, or other political subdivisions of one or more States); Indian tribes; and boards or commissions established under the laws of any State to finance specific capital improvement projects; and (c) "Development cost" to mean costs of the construction of the facility and the land on which it is located, including necessary site improvements to permit its use as a site for the facility.

Section 607. Labor standards: This section provides that prevailing wages determined in accordance with the provisions of the Davis-Bacon Act are to be applicable to construction work financed with assistance under sections 602 and 603 of this title, and specifies that certain authority generally available to the Secretary of Labor with respect to the enforcement of such labor standards shall also apply to these requirements of this title.

Section 608. Appropriations: This section would authorize to be appropriated such sums as may be necessary to carry out the provisions of this title, and would provide that all funds so appropriated would remain available until expended. Funds could, of course, be made available only through appropriations.

For fiscal year 1966, it is currently estimated that appropriations will be requested in the amount of $100 million for the purpose of making grants for basic water and sewer facilities as authorized by section 602, $50 million for the purposes of making grants for neighborhood facilities as authorized by section 603, and $25 million for the purposes of making grants to help finance the advance acquisition of land as authorized by section 604.

TITLE VII—SECONDARY MARKET AND SPECIAL ASSISTANCE FUNCTIONS

Section 701. Increase in FNMA special assistance authority: This section would increase by approximately $2,345,000,000 the amount of special assistance that the President of the United States can authorize the Federal National Mortgage Association to provide for housing and community development.

Under its special assistance program, the FNMA makes commitments to purchase and purchases FHA- and VA-backed mortgages financing housing for low- and moderate-income families, in urban renewal areas, for the elderly, and for disaster victims, and other special types of housing designated by the President as being housing that needs special assistance. Under other provisions in the bill, special assistance to FHA-insured mortgages financing certain land development would also be authorized.

The increase in special assistance authority would be provided by subsection (a) raising the present $1.7 billion authorization in section 305(c) of the Federal National Mortgage Association Charter Act by $150 million on the date of enactment of the bill, and by an additional $550 million on July 1, 1966, $700 million on July 1, 1967, and by $725 million on July 1, 1968.

Subsection (b) would provide approximately $220 million more authority, to be merged with the authority in section 305(c) of the Charter Act, by transferring to that section the balance of the amount of special assistance authorized by section 305(f) for housing for the military, AEC and NASA financed with FHA title VIII insured mortgages. Approximately $220 million (out of the $500 million originally authorized for title VIII housing) is unused and would be made available to the President for special assistance as he may authorize.

Section 702. FNMA purchase of mortgages held by Federal instrumentalities: This section would authorize FNMA to purchase from other Federal agencies housing mortgages they have insured or guaranteed and offered to FNMA for purchase, or housing mortgages securing loans made by the Federal agencies. A provision now in the Charter Act would be deleted which generally prohibits FNMA from purchasing any mortgage offered by or covering property held by a Federal instrumentality.

This section would permit steps to centralize the Government's ownership and management of housing mortgages to the extent determined desirable from time to time. To this extent, such centralization could promote economy in the maintenance of mortgage servicing facilities by Government agencies. In addition, FNMA through its marketing facilities (including the new pooling and trust certificate program authorized by the Housing Act of 1964) could sell the mortgages or participations therein to private investors and thus substitute private financing for Treasury financing where the present owning agencies cannot make such sales.

TITLE VIII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

Section 801. Revision of title heading and findings and purpose: This section would add reference to "Urban Beautification and Improvement" to "Open-Space Land" in the heading of title VII of the Housing Act of 1961, to take into account the proposed new program (described below) of grants for urban beautification and improvement. It would also amend the congressional findings and statement of purpose of the title to refer to the need both for this proposed program and for the proposed new program (also described below) to provide open-space land in built-up urban areas.

Section 802. Increased grant level for preservation of open-space land: This section would change the grant levels of the present open-space program from 20 and 30 percent to 30 and 40 percent, respectively.

This program has, in the about 3½ years since its enactment in the Housing Act of 1961, increasingly demonstrated its potential for meeting the critical need for additional open-space acquisition in urban areas. The relatively low grant level has, however, substantially impeded use of the program, and this is particularly harmful in many localities where prompt local action is essential in order both to help control urban development and to conserve public funds in the face of sharply rising land costs.

It is important, also, to increase the grant percentages at this time so that the Federal assistance made available for parks and other open space in urban areas through this porgram may be on a par with that made available through the new recreation area programs authorized in the Land and Water Conservation Fund Act of 1965. That act authorizes up to 50-percent grants for acquisition and development of outdoor recreation areas but such grants will, by administrative action, be limited to 40 percent, the same as the proposed higher grants under this program.

Section 803. Substitution of appropriation authority, without dollar limitation for grant contract authority: This section would remove the present $75 million contract authority for grants under title VII of the Housing Act of 1961 and substitute authority for appropriation of such amounts as may be necessary to carry out the purposes of the title, without dollar limit. This authorization would apply to the present program of grants for urban open-space preservation, as well as to the two proposed new grant programs for provision of open space in built-up urban areas and for beautification and improvement of urban public land. It would also apply to the present authorization for the Administrator to provide technical assistance, undertake studies, and publish information in connection with activities carried on under the title.

Fifty million dollars was originally authorized for the present open-space preservation program, by the Housing Act of 1961, and this amount was increased to $75 million in the Housing Act of 1964. Although this authorization has been in the form of contract authority, funding for the program has, since its inception, been in the form of advance appropriations for liquidation of this authority, with a restriction on use of any contract authority in excess of such appropriations, through earmarking of funds appropriated for administrative expenditures. This method of funding is in effect equivalent to that provided under a regular authorization for appropriations, and if the Congress intends that the program continue to be so funded, it would be desirable to amend the statute as proposed in order more clearly to express the congressional intent.

The President's budget for fiscal year 1966 proposes a level of $60 million to carry out activities under the open-space title. This would in any case require additional appropriation authority of $31.3 million, since all but $28.7 million of the presently authorized $75 million has been appropriated and is expected to be committed by June 30, 1965.

Section 804—Grants for provision of open-space land in built-up urban areas: This section would add a new program to title VII of the Housing Act of 1961 to provide Federal grants to States and local public bodies to assist them in providing open-space land through the acquisition of title to, or other permanent interests in, developed land in built-up portions of urban areas. A grant could not exceed 40 percent of the cost of acquiring the interest in the land and the cost of demolishing and removing those improvements on the land which were inappropriate to its use as permanent open-space land. These grants could only be made where the governing body of the locality determines that adequate open-space land cannot effectively be provided through use of existing undeveloped or predominantly undeveloped land and the Administrator determines that the proposed acquisition will assist in the comprehensively planned development of the locality.

The present title VII program is limited to assisting in the acquisition of lands that are undeveloped or predominantly undeveloped. This limitation has helped to prevent acquisitions in the more densely developed, "built-up" portions of urban areas. The proposed new program would help to correct this situation and would provide additional assistance for such acquisitions, in the form of 40-percent grants, in recognition of the higher cost of acquiring and clearing developed land.

This program could assist, for example, in the acquisition of land for pedestrian malls, waterfront restoration, or neighborhood "commons" and play areas. More such areas are needed to enhance the physical environment of our urban communities and to make them more attractive places in which to live, work, and play.

Federally financed relocation payments would be authorized in connection with projects assisted under the program. This would provide for any displaced individuals, families, business concerns, and nonprofit organizations the same benefits already provided in connection with the urban renewal and public housing programs.

It is contemplated that acquisitions would be of relatively small size, and in key locations which would assist in the comprehensively planned development of the locality.

As with the present program, land acquired under this program would have to be permanently retained as open space, and it would have to be demonstrated that the locality is making maximum efforts to acquire and preserve open-space land through other means, such as the acquisition and conversion of tax delinquent lands.

Since the usefulness of such open areas would depend in large part on how they are developed, the proposed program (described below) of grants for urban beautification and improvement would be especially useful in assuring the success of this program.

Section 805. Grants for urban beautification and improvement: Subsection (a) of this section would add a new program to title VII of the Housing Act of 1961 authorizing matching grants to assist States and local public bodies in carrying out local programs for the greater use and enjoyment of open space and other public land in urban areas. The need for such assistance was recently emphasized by the President in his message on the state of the Union, where he pointed out that "Within our cities imaginative programs are needed to landscape streets and transform open areas into places of beauty and recreation."

The proposed local programs would, under criteria established by the Administrator, be required to (1) represent significant and effective efforts, involving all available public and private resources, for the beautification and improvement of public land in the locality and (2) be important to the comprehensively planned development of the locality. Assistance could be provided for eligible work on land acquired pursuant to the acquisition programs of title VII or on other public land such as streets, but the work could only be for the beautification of the land or its improvement for recreation or other open-space uses. Assisted activities could, for example, include tree planting and other landscaping on streets, park improvements and renovation, and other substantial upgrading of selected outdoor public areas. Generally, no assistance would be provided for buildings. Only those small structures would be eligible which are incidental to proposed park or other open-space uses. Thus, toilet facilities or rain shelters might be assisted, but an activities center, museum building, swimming pool, or recreation equipment could not be.

Assisted activities would have to be capable of providing long-term benefit to the locality. Assistance would not, for example, be provided for the increasing operating costs of keeping parks better lighted or more tidy. On the other hand, assistance could be provided for the cost of the lighting fixtures. Thus, it is anticipated that many of the assisted activities would be "routine" improvements, but which the proposed Federal assistance would enable the localities to undertake on a broader scale.

An important aim of the legislation would also to be to encourage and assist local experimentation and innovation. To facilitate this, the administrator would be authorized to make up to $5 million of grants, without the otherwise required matching local grants, for projects which he determines to have special value in developing and demonstrating new and improved methods and materials for use in beautification and improvement activities. Under this provision localities could, for example, receive special assistance in providing outdoor facilities for art and technological exhibits or in holding a design contest for a downtown pedestrian mall.

Because of the special nature of these demonstration projects, they would not be subject to the "local program" and other usual grant requirements provided in this section. However, it is expected that grants under this provision would ordinarily be for less than 100 percent of cost, since allowance would be made for the continued benefit which the project might provide the locality.

The experience gained in these special demonstration projects could, in turn, be made available to other localities through the authority of the administrator to undertake studies and publish information to carry out the purposes of the title.

A Federal grant could not exceed 40 percent of the amount by which the cost of the activities carried on by the applicant, during its fiscal year, under a local program has exceeded its usual expenditures for comparable activities during that year. The usual expenditures of the applicant for such activities would be determined in accord with administrative regulations based on the previous expenditures of the locality but taking into account, to the extent feasible, unusual circumstances affecting those expenditures.

Approval would be given in advance for the types of activities to be carried out and the overall amounts which could be spent, but a portion of each grant would be withheld until the required accounting at the end of year. This procedure would help to assure that the Federal assistance is in fact provided only for additional local efforts.

Regulations would be established to assure that assistance under this program was not provided where grants were available under Federal programs; for example, landscaping in connection with construction of federally assisted highways.

Subsection (b) of this section would remove the present prohibition for grant assistance, under title VII, for "development costs," since the proposed beautification and improvement grants will be, in effect, for "development." Grants in the present and proposed open-space acquisition programs could still not be used for development, because of the statutory language in each program specifying the purposes for which the grants may be used.

Also, the present prohibition would remain against grant assistance, under title VII, for "ordinary State or local governmental expenses." Grants would be provided only for the direct cost of carrying out the proposed acquisition or other activities, rather than for associated administrative expenses.

Section 806. Use of funds for studies and publications: This section would permit the Housing Administrator to use open-space grant appropriations, not to exceed $100,000 per year, for undertaking and publishing open-space surveys and other studies in connection with activities under this title. Such studies and publications are already authorized under present law but must now be financed through separate appropriations. This makes it difficult, for example, to take advantage of study opportunities which arise after submission of the budget justification for that year. The undertaking of studies and the publication of information in connection with these activities is a function that should be carried out on a continuing basis as the needs and opportunities appear. Such a continuing approach is best achieved through the proposed limited authorization to utilize program grant funds.

Section 807. Conforming amendments: This section would make necessary technical and drafting amendments in the present language of title VII of the Housing Act of 1961 to provide for inclusion of the two proposed new grant programs described above.

Under subsection (a), the section heading of the present grant program, now entitled "Federal Grants," would be changed to "Grants for Preservation of Open-Space Land" in order to avoid confusion with the proposed new program of "Grants for Provision of Open-Space Land in Built-Up Urban Areas."

Under subsection (b), applicants under the open-space preservation program would continue to be approved by the Administrator as capable of carrying out the provisions and purposes of that program rather than, in addition, the provisions of the other new programs in the title.

Subsection (c) would broaden the language of the present requirement, in section 702(e), under which the Secretary of the Interior furnishes the Administrator information on recreational planning. It would require such information with respect to areas receiving assistance under the new urban beautification and improvement program, as well as areas where open-space land is acquired.

Subsection (d) would restrict the application of the requirements, in section 704, under which the Administrator must approve conversion of open-space land for which a grant has been made under this title to other uses and require assurance that equivalent other open-space land is provided. Such requirements are not appropriate for open-space land which receives assistance for beautification and improvement, rather than acquisition.

TITLE IX—RURAL HOUSING

Section 901. Loans for previously occupied buildings and minimum site acquisition: This section would amend section 501 of the Housing Act of 1949 to authorize the Secretary of Agriculture to make loans to farmers and other rural residents for the purchase of previously occupied dwellings and related facilities and farm service buildings and for minimum adequate building sites.

Section 902. Interest rate on direct rural housing loans: This section would increase to 5 percent the maximum interest rate on direct loans under section 502 of the Housing Act of 1949, except for loans to elderly persons in accordance with section 501(a)(3) and loans in accordance with sections 503 and 504, which would remain at 4 percent. It would also authorize the Secretary of Agriculture to charge fees on all title V loans.

Section 903. Insured rural housing loans: Subsection (a) of this section would add new sections 517 and 518 to the Housing Act of 1949. The new section 517 would authorize the Secretary of Agriculture to insure loans, and make loans to be sold insured, in accordance with section 502, except that—

1. Insured section 502 loans to persons of low or moderate income would bear interest not above 5 percent and be limited to adequate housing modest in size, design, and cost and to an aggregate of $300 million per fiscal year.

2. For insured section 502 loans to persons other than those with low or moderate incomes the Secretary would be authorized to charge interest and insurance or service charges at rates comparable to those charged under section 203 of the National Housing Act.

The new section 517 would authorize a new revolving fund, the rural housing insurance fund, to finance insured section 502 loans and to be used in lieu of the agricultural credit insurance fund for section 514 domestic farm labor housing and section 515(b) elderly rental housing loans.

It would also authorize the Secretary of Agriculture—

1. To make insured section 502 loans with insured lenders' funds, or to make them out of the fund for insurance and resale, within the range of market prices for comparable loans, and to repurchase loans for servicing or liquidation. Loans made out of the fund and held unsold could not exceed $100 million at any one time.

2. To retain a borrower's mortgage to secure his indemnity and other obligations to the Secretary under the loan, while the note was held by an insured investor.

3. To retain out of payments by a borrower on an insured loan an annual charge in an amount specified in the insurance agreement. Of any such charge, an amount not exceeding 1 percent of the unpaid balance of the loan would be available for deposit in the fund. Any remainder would be available for annual appropriation to administrative expenses of the Farmers Home Administration.

4. To borrow from the Treasury, at cost-of-money interest rates, to meet loan insurance obligations and to make other authorized expenditures from the fund. Such borrowing could not be made to provide capital for making loans or to restore losses from discounted sales.

5. To utilize the fund for the purposes—in addition to meeting loan insurance obligations and making loans for insurance and resale—of paying interest accruals on borrower payments before transmittal by the Farmers Home Administration to insured holders and of paying taxes, insurance, prior liens, and other expenses and advances to protect, service, collect, and liquidate the loans and security.

It would also authorize the Secretary to use the Rural Housing Insurance Fund and authority for insuring loans, or making loans to be sold insured, to finance housing and related facilities for domestic farm labor in accordance with section 514 and for senior citizens in accordance with section 515(b), not including the inconsistent provisions in these sections.

The new section 518 would group rural housing direct loans made under sections 502, 503, 504, and 515(a) of the 1949 act, collections therefrom, and funds available from appropriations or Treasury borrowings for such loans, into a new fund, the "Rural Housing Direct Loan Account," to be used for making such loans and making repayments to the Treasury. It would also establish the interest rate on borrowings from the Treasury for the Rural Housing Direct Loan Account at the same rate as provided in the new section 517(h) for borrowings for the Rural Housing Insurance Fund.

Subsection (b) would extend for 4 years, to October 1, 1969, the present unused balance of $101 million of the borrowing authority under section 511, as well as remove the present partial allocation to section 502 senior citizen loans exclusively.

Section 904. FNMA secondary market operations for insured rural housing loans: This section would authorize the Federal National Mortgage Association to include loans insured under title V of the 1949 act in its secondary market operations.

Section 905. Extension of rural housing authorizations: Subsections (a), (b), and (c) of this section would extend for 4 years, to October 1, 1969, the present authority—

1. For the Secretary of Agricuture to make section 503 loan contribution commitments;

2. For appropriations to finance section 504(a) grants, section 504(b) loans, section 516 assistance, and section 506 rural housing research and study programs; and

3. For making insured section 515(b) rental housing loans for elderly persons and families.

Subsection (b) would also raise to $50 million the authority for appropriations for section 516 assistance to provide low-rent housing for domestic farm labor.

Subsection (d) would extend the construction standards and technical services provisions of section 506(a) of the 1949 act to operations under the new provisions added by this title.

Section 906. Payment of interest to the Treasury on appropriations for rural housing loans: This section would direct the Secretary of Agriculture to pay into miscellaneous receipts of the Treasury any surpluses from the Rural Housing Insurance Fund or Direct Loan Account. Would also provide for payment to the Treasury of interest, at cost-of-money rates, on any portions of future appropriations to the fund or the account authorized for making loans, until returned to miscellaneous receipts of the Treasury.

TITLE X—MISCELLANEOUS

Section 1001. Increase in authorization for urban planning grants: This section would remove the dollar limit on the authorization for appropriation of funds for section 701 urban planning grants and authorize such additional funds to be appropriated as may be necessary to carry out the urban planning assistance program.

Under section 701 of the Housing Act of 1954, the Housing Administrator is authorized to make grants (generally not to exceed two-thirds of the estimated costs) to States and local planning agencies to assist in preparing comprehensive development plans and programs. Grants are made for comprehensive planning of small communities and counties, metropolitan areas and urban regions, States, and interstate regions.

Thus far $86.325 million of the presently authorized $105 million have been appropriated. The program level for fiscal year 1966 is estimated at $35 million. Appropriation of $16.3 million in addition to the $18.675 million remaining in unused authorization will be required to fund the program at this level. Additional funds would still, of course, be made available only through appropriations.

Section 1002. Increase in authorization for Federal-State training programs: This section would remove the dollar limit on the authorization for appropriation of funds for grants for Federal-State training programs and would authorize such additional funds to be appropriated as may be necessary to carry out the programs. Additional funds would, of course, be made available only through appropriations.

Under part I of title VIII of the Housing Act of 1964, the Housing Administrator is authorized to make matching grants to States to assist them in developing special training programs for technical and professional people who are, or are likely to be, employed by a governmental or public body which has responsibilities for community development. These matching grants may also be used to support State and local research on housing, public improvement programs, code problems, efficient land use, urban transportation, and similar community development problems.

It is estimated that $10 million in matching grants will be made under this program in fiscal year 1966. The Housing Act of 1964 authorized the appropriation of $10 million for such grants. Of this $10 million authorization, $5 million will be requested by the Housing Agency as a supplemental appropriation for fiscal year 1965, and $5 million will remain available for appropriation. To fund an estimated program level of $10 million for fiscal year 1966, appropriation of $5 million, in addition to the $5 million in unused authorization, will be required.

Section 1003. Increase in authorization for public works planning advances: This section would remove the existing dollar limitation on the amount that may be appropriated for the public works planning fund and authorize such additional funds to be appropriated to the fund as may be necessary to carry out the planning advance program. Additional funds would still, of course, be made available only through appropriations.

It is estimated that $25 million in planning advances will be made in fiscal year 1966. The Housing Act of 1964 authorized the appropriation of $20 million to the public works planning fund (in addition to amounts previously authorized and which had been appropriated). Of this $20 million in new authorizations provided by the Housing Act of 1964, $10 million has been appropriated and $10 million remains available for appropriation.

Repayments to the fund, during fiscal year 1966 (which are available to make planning advances) are estimated at $10 million. To fund the estimated program level of $25 million for fiscal year 1966, appropriation of $5 million, in addition to the $10 million in existing authorization and the estimated $10 million in repayments, will be required.

Under section 702 of the Housing Act of 1954, the Housing Administrator is authorized to advance interest-free funds to States, municipalities, and other public agencies to help finance the cost of planning various public works and facilities. These advances become repayable in whole or in part when construction of the public work planned is started.

Through the end of December 1964, a total of 3,817 applications for approximately $92 million have been approved under the program. The estimated cost of the projects aided by these public works planning advances totals $5.56 billion. As of the same date, 3,360 plans involving Federal advances of $84 million have been completed and 1,186 advances for $31 million have been repaid.

Section 1004. Advisory committees—technical provision: This section would delete an obsolete provision from section 601 of the Housing Act of 1949. The provision deleted exempts a member of an advisory committee appointed by the Housing and Home Finance Administrator or the heads of any of the constituents of the Housing Agency from certain cited conflict of interest laws. This provision was made obsolete and no longer necessary by section 2 of Public Law 87-849. That law enacted new provisions which accomplish the same purpose.

Section 1005. Public facility loans to nonprofit corporations: This section would permit the Administrator to make loans under the public facility loans program to private nonprofit corporations to finance the construction of works for the storage, treatment, purification, or distribution of water; sewage, sewage treatment and sewer facilities needed to serve small communities (with a population of less than 10,000) if he determines no existing public body is able to construct and operate such facilities.

Section 1006. FHA conforming amendments: This section would amend various sections of the National Housing Act to make their provisions conform to the provisions in title II of this bill with respect to the consolidation of FHA insurance funds.

Section 1007. Repeal of special provision in Urban Mass Transportation Act: This section would repeal a provision in the Urban Mass Transportation Act of 1964 which requires that contractors, in providing facilities or equipment which have received loan or grant assistance under the act, "shall use only such manufactured articles as have been manufactured in the United States." There is no other Federal matching grant program which contains such a requirement. The President, in approving the Urban Mass Transportation Act, expressed hope that the provision would be repealed and said that it is incompatible with the trade policy this Nation is pursuing under the Trade Expansion Act.

Mr. BARRETT. Mr. Speaker, I join the gentleman from Texas, Congressman PATMAN, in commending President Johnson for the very fine housing and urban development legislation he has submitted to the Congress. I too pledge my support for the administration's program introduced here today and recommend to the Members of this body its enactment into law.

This Nation will prosper and remain great only if the 70 percent of our population which live in the urban areas of our country can make for themselves a good life in the city. Almost all of the great growth in population which we know for a certainty we will experience in the next 40 years will be concentrated in the Nation's urban areas. The next 15 years, 30 million additional people will be added to our cities.

Mr. Speaker, I know—and the people I represent know—only too well the truth of President Johnson's words:

> The modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans. For this is truly the time of decision for the American city.

We must face up to the truly great needs that must be met in our cities—housing for low- and moderate-income people; more and better schools; fresh water and an end to pollution of our air, rivers, and streams—and at least a taste of the natural beauty of trees and parks and open space.

We must help the cities plan to meet the needs of today and plan for the great increase in population they must accommodate.

The legislation presented to the Congress by the Johnson administration offers new strength and opportunity to the cities. If we make the effort, we can make of our cities a place where men can come together to live the good life. "A place where every man feels safe on his streets and in the house of his friends—where each individual's dignity and self-respect is strengthened by the respect and affection of his neighbors—where each of us can find the satisfaction and warmth which comes only from being a member of the community of man."

VFW CONGRESSIONAL AWARD TO THE HONORABLE JOHN W. McCORMACK

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, one of the year's most notable occasions in this Capital City is the annual congressional dinner of the Veterans of Foreign Wars of the United States. This has become a traditional event at which the VFW honors the Members of Congress.

Each year, on the occasion of this banquet, the VFW presents the VFW Congressional Award to a Member of Congress. This VFW Congressional Award has become recognized as one of the most meaningful and coveted awards for public service which it is within the power of any of our national organizations to make.

The announcement that this year's recipient would be the Honorable JOHN W. McCORMACK, Speaker of the House of Representatives, was made recently by VFW Commander in Chief John A. Jenkins.

I am confident, Mr. Speaker, that the Members of this House will join with me in extending to our respected Speaker our warmest congratulations upon his selection to receive this honor which he so thoroughly deserves.

Congratulations, too, should go to the Veterans of Foreign Wars of the United States for the wisdom, understanding, and insight they have demonstrated in selecting the Honorable JOHN W. McCORMACK for this Congressional Award.

Reflecting the affection which all Members of Congress have for our Speaker, and indicative of the respect in which the VFW is held by Members of Congress, I am informed that there will be an unusually large number of Members of both the Senate and this House at the VFW congressional dinner the evening of Tuesday, March 9, at the Sheraton Park Hotel, at which time the beautifully sculptured bronze plaque, symbolizing the VFW Congressional Award, will be presented to the Honorable JOHN W. McCORMACK. The presentation will be made by the national commander in chief of the Veterans of Foreign Wars, Mr. John A. Jenkins, of Birmingham, Ala., who is well known to the Members of this House.

Because of the importance of this VFW award, I include, under leave to extend my remarks, the VFW's official descriptive data, together with the criteria for making the award.

The VFW Congressional Award

The Veterans of Foreign Wars Congressional Award, conferred annually at the midwinter congressional dinner, is one of the several given by the VFW in recognition of meritorious achievement in various fields. It is unique in that it is the top award given to a Member of Congress by the organization. For this reason, it carries the simple inscription, "for outstanding service to the Nation."

By the awarding of this honor to one of our national legislators, the VFW seeks to dramatize the importance of the role of a freely elected legislature in serving the great ends of the Republic, maintaining true allegiance to the United States of America and fidelity to its Constitution and laws, the fostering of true patriotism, maintaining and extending the institutions of American freedom, and preserving and defending our country from all her enemies, at home or abroad.

The special committee on awards and citations, in establishing the award in 1963, decided that it should be given to a sitting Member of Congress; i.e., a Member who, at the time the award is conferred, is on active legislative service. The recipient may be a Member either of the House of Representatives or of the Senate. By custom, the granting of the award alternates between the two Houses. It is completely nonpartisan in nature.

In deciding who should receive this honor, the committee takes into account the Member's own attitude toward his legislative duties and responsibilities, the degree of respect held toward him by his fellow legislators, his efforts to harmonize civil-military relations and the success of those efforts, the balance he has been able to achieve between the national interests of his own constituency and State, his diligence and hard work, the contribution made to the effectiveness of the House of which he is a part and the work of the committees to which he has been assigned, and above all, his devotion to American principles. The recipient, in short, should be an outstanding Congressman or Senator.

There are many ways in which distinguished service in the Halls of Congress can be performed for the people of our great country. In granting this award, the Veterans of Foreign Wars wishes to recognize such service, whether carried out in public view with deserved acclaim or performed in ways which gain little public recognition but which may be of equal or even greater value to the country.

The VFW Congressional Award endeavors to pay homage to that single legislator among the 535 Members of Congress who seems most nearly to meet the following criteria:

1. Contribution to the preservation and perpetuation of the ideals upon which the U.S. system of government is based;

2. Recognition by his colleagues of his service, whether that service be one of quiet dedication and hard work or one of achieving wide publicity, to the best and highest interests of the Nation;

3. Exemplification of the principles of civic duty shared by the VFW, which emphasize the individual, the community, the State and the Nation;

4. Unswerving loyalty to, and active performance in, the defense and security of the Nation against its foes whoever and wherever they may be;

5. Compassionate, practical attention to the needs of those men and women who have selflessly given of themselves to the service of America, not only in its wars, but in peaceful pursuits as well; and

6. Dedication to his legislative responsibilities over a period of years and continuous growth in legislative responsibility and experience, not only in fields of special interest to any particular group in American life but in his overall stewardship.

The Veterans of Foreign Wars knows and appreciates that there may be many Members of both Houses of Congress who meet these rigorous standards. It is the organization's hope that by granting this distinguished award it will call attention not only to the dedicated service of the recipient, in whichever House he may be serving, but to the other deserving Members who share the attributes and accomplishments for which the VFW Congressional Award is made each year.

The first award, bestowed on March 10, 1964, went to U.S. Senator Carl Hayden, of Arizona.

ARMY PROCUREMENT

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I have taken this time simply to submit for the Record a statement regarding procurement procedures in the Army and comments on various General Accounting Office reports which I believe are significant and which I believe should be brought to the attention of the House.

I also might say that in addition to some critical comments, I intend to make some complimentary remarks about the Army and action they are taking today which I believe should go a long way toward improving procurement proceedings and reducing the cost of military procurement.

I would like to place before the House and the public today some details on Army procurement procedures, which, I believe, should be eye openers to Members of Congress who are engaged in our annual battle to hold down the Federal budget by eliminating waste from areas such as defense procurement.

These comments will take note of personnel policies that directly contribute to waste, the Army's apparent refusal to take meaningful action against employees found responsible for the waste, their failure to make public the names of employees against whom they do act, and the apparent coddling of higher Army officials whom the General Accounting Office—GAO—has said share the responsibility for the incredible snafu that I shall describe.

Briefly, the first case concerns six civilian electronics engineers against whom dismissal action was initiated by the Army Electronics Command, headquartered at Fort Monmouth, N.J., for their role in the repeated purchase of millions of dollars of electronics equipment that would not operate properly. The Army took the action only after it was goaded into moving by GAO.

When the Army announced in July that it was initiating the dismissal actions, the men involved—plus another who retired rather than waiting to be fired—protested that they were mere "scapegoats."

They claimed—correctly—that the GAO had found that higher ranking Army officials, both at Fort Monmouth and in Washington, had also been involved in the decisions that led to the waste.

In November, when the Army made the dismissal actions against five of the men final—charges against the sixth man were dropped—the ousted men announced that they would appeal, exposing the higher-ups also responsible and establishing their own alleged innocence.

So effective was that threat, apparently, that within 3 months, the Army announced that after negotiating with the dismissed men's attorney, four of the five men were being reinstated in their old jobs. The fifth was offered another job at a lower level of responsibility, but refused it.

And what was the Army's explanation for its action?

Maj. Gen. Frank W. Moorman, who heads the Electronics Command, said that the five men—who were fired for "gross negligence"—had refused, in November, to admit any responsibility in the snafu.

However, Moorman announced that they have now decided to acknowledge responsibility so they were being restored to duty.

And what was their penalty? Three of the men were fined 20 days' pay and one will forfeit 10 days' pay. For the remainder of the time since their dismissal in November, they will receive substantial back pay.

As frosting on this cake, the Army—which I am advised, had said last summer that it would identify the men involved after they were dismissed—has continued to refuse to identify the offenders to the press.

The Army also refuses, I am told, to discuss details of the case, or to answer questions from the press as to why the higher-ups mentioned in the GAO report also were not disciplined.

The details of this case are extraordinary. The procurement involved is covered by GAO Report No. B–146834 dated December 17, 1963, copies of which are available to the public. This fascinating report examines the Army purchase of a radiacmeter identified by the official nomenclature M–108( )/PD. This piece of electronic equipment is what the layman would call a portable geiger counter. It is intended for use by the Army to measure nuclear radiation on a battlefield after an atomic blast.

The GAO report outlines the fact that the Army paid for the development of this radiacmeter, which, in field tests after development, failed to function in a manner that was suitable for operational needs—it did not measure radiation with the required accuracy.

In other words, a soldier carrying this equipment to measure radiation on an atomic battlefield—the intended use—might jeopardize his life because the equipment would not supply sufficiently accurate readings. The testers said the equipment needed further refinement. After these tests, field reports were forwarded to Army officials recommending that this equipment not be purchaser in quantity. Army officials, however, proceeded to award contracts for production of the very equipment which had been demonstrated unsatisfactory. During the period from March 1958 through January 1962, Fort Monmouth officials entered into 5 separate contracts, ordering 59,776 units of this inadequate radiacmeter at a total cost of $2.9 million, even though it was known prior to the first production contract and prior to each succeeding contract that these radiacmeters were not yet acceptable for Army use. The 10,800 units under the first contract were scrapped and the Army paid an additional $663,000 to "modify" the 15,000 radiacmeters produced under the second and third contracts, plus approximately $200,000 to reimburse two companies which had started on the fourth and fifth production contracts—contracts which the Army later cancelled after GAO exposed the foulup and blew the whistle.

After careful study, GAO recommended that disciplinary action be taken against the personnel responsible for this incredible set of circumstances. In response, the Army Electronics Command, last summer, initiated action against seven high-ranking electronics engineers. One of the men retired before the charges could be formally filed.

On November 10, 1964, after taking written and oral arguments from the seven men—including the retiree—the Army Electronics Command sustained its dismissal action against five of the six men still on the job and reaffirmed criticism of the man who had retired. The seventh man—a department head—was reinstated on grounds that his arguments had established that he had been wrongfully accused.

Examination of GAO Report B–146834 makes it clear, indeed it stresses, that the decisions which led to this procurement of worthless equipment were not confined to personnel at Fort Monmouth. Higher officials, some of whom are in Washington, participated in these decisions to purchase unusable electronic equipment with U.S. tax dollars. In fact, higher officials overruled the field inspector's recommendation against quantity procurement of this inadequate equipment. Yet these higher officials still draw their Federal salaries, or have been allowed to retire. Why have these top officials not been disciplined? Why was it that only the lower level employees were put in the fire? These are questions that demand answers—answers which I believe the Congress and the public are entitled to have. Further, I believe the public is entitled to know the identity of the men the Army took action against—after it was prompted to do so by the GAO—but whom the Army sees fit to continue to protect by refusing to disclose their names.

Fortunately, for the public, suppression of information does not always deter an enterprising press from exposing the truth. And it did not deter at least one newspaper in this case. I place in the Record at this point a story from the Chicago Daily News, a newspaper that has played a major role in exposing waste and corruption at Fort Monmouth and in the Electronics Command's procurement office in Philadelphia, Pa.:

(By Charles Nicodemus)

Fort Monmouth, N.J., February 8, 1965.—Four high-ranking electronics engineers fired for their role in the repeated procurement of faulty equipment were restored to duty today because they admitted gross negligence.

The four, dismissed in November from an Army Electronics Command Agency here, will get nearly full back pay; three will be penalized 20 days' pay and one will forfeit 10 days' pay.

A fifth engineer also fired will not be restored. But he will be rehired in a lesser paying job if he wishes, the Army said.

The five had been dismissed for gross negligence by Maj. Gen. Frank W. Moorman, head of the command. He said they failed to halt the repeated purchase of about $1,900 in faulty meters designed to tell troops when a battlefield is free of deadly nuclear radiation. The equipment, called "radiacmeters," was inaccurate.

In announcing the leniency, Moorman now says the men had been fired only because "they denied and could not recognize any degree of responsibility in the procurement."

At the time of the firings the five men had contended they were scapegoats. They vowed they would appeal Moorman's action, and expose higher ranking officials also held responsible in an audit that led to the dismissals.

Moorman said the men were dropping their appeals.

"The decision to modify the original (dismissal) action was made," he said, because the men "reversed their original stand and did, in fact, recognize and acknowledge their roles" in the snafu.

Although procurements of the faulty equipment ran from 1958 through 1963, the Army took no action against the men involved until the General Accounting Office detected the situation and recommended disciplinary action in a strongly worded audit report.

An ensuing Army probe centered on seven men. One of them resigned, and Moorman announced in July that he was firing the other six. In November, he dropped charges against one of the six—a department head—and fired the remaining five.

No action was taken against the higher-ranking officials at Fort Monmouth or in Washington whom the GAO auditors said were all involved in the procurements.

The six originally slated for firing were, or had been, employees of their agency's production engineering department, headed until July 1962 by Engineer William Laverick.

Laverick was sentenced to 2 years in Federal prison last year as one of three men found guilty of conspiring in 1962 to rig an Army electronics contract for a cash bribe.

The convictions are being appealed.

The engineer who retired last July in the face of impending dismissal was Sal Finkelstein, head of Surveillance and Air Defense Equipment Branch.

The engineer fired and not reinstated was B. R. Barrett, Chief of Logistics Engineering.

The three penalized 20 days' pay are Max Singer, Assistant Chief of Production Engineering, William Ely, who worked with Singer, and Charles Ingalls, head of the Physical Sciences and Equipment Branch, under Finkelstein.

Penalized 10 days' pay was Fred McCall, an Ingalls aid.

I want to emphasize the fact that all of the men involved here are, or had been, connected with the Production Engineering Department of their U.S. Army Electronics Command agency. As noted in the Daily News story, the man who previously headed that department, William Leverick, was convicted of bribery, conspiracy, and conflict of interest in January 1964 in a case involving an attempt to rig an Army electronics contract. Also convicted was his former administrative assistant, Malcolm Schaefer, and a third man who had headed tha agency's Logistics and Engineering Division, named Harrison Tryon. I might also point out that testimony at the trial indicated that there were more than three men involved in this contract-bribery ring—and, indeed, at the direction of one of the defendants, two additional payoff envelopes had been prepared by the would-be contractor who cooperated with the FBI in breaking this case. However, only three of the payoff envelopes were passed before it became necessary to make the arrests. The Department of Justice may know—from its investigations and from evidence given at the trial—where the rest of the money was supposed to go. But since that phase of the case was not believed to be strong enough to win a conviction, it was dropped.

I mention this not to imply or suggest in any way that any of the men named above were involved in the bribery case. There is absolutely no evidence to that effect. I make the point merely to stress that there remains a sizable cleanup job the Army should be doing at Fort Monmouth and elsewhere in the Electronic Command, a job that the Army is not doing or is doing only halfway, and then reluctantly when some other agency forces the issue. That conclusion is not drawn from the above two cases alone. There appears to be a pattern of questionable procurement practices emerging in the Electronics Command.

Another case, similar to the radiacmeter case, involves a portable radar set identified by the nomenclature AN/PPS–4( ), and covered by GAO Report No. B–146906 dated October 26, 1964. Here, the Army refused to take action against personnel involved in a wasteful procurement in an apparent attempt to avoid a series of precedents that could decimate the rank and file of Army procurement experts. This case involved the procurement abuse of purchasing equipment that had not been completely developed. The Electronics Command purchased radar sets that would not work, despite advance warnings, and made the purchase sole-source—noncompetitive—with questionable justification, thereby wasting—in the estimate of GAO—an additional $2.2 million.

What happened was this. The Army awarded a contract to a major electronics company to produce a quantity of these sets, finally fixed at 402 units. Tests of two preliminary models revealed some 29 deficiencies, 20 of them "so serious that corrective action was deemed mandatory prior to acceptance and issuance to the troops," according to GAO. Specifically, the radar sets could not measure range accurately, nor spot the target properly, nor stand correctly on their tripods. Despite these shortcomings, the contract was awarded. Eventually, another 502 units were added to the total production without the force of competition being introduced into the procurement. Although the deficiencies were known at the time the second quantity—502—was placed under contract, and although one lower level group of officials had recommended that the deficiencies be corrected in any new purchase, no such correction was ordered. Indeed, when seeking justification to proceed with the second production quantity, higher authorities in the Army were not informed of the deficiencies. As a result of this failure, production of this radar set was later suspended for 15 months while the long-needed corrections were finally made. GAO said the shutdown cost taxpayers an additional $356,220. In the next procurement, the third, the Army introduced the force of competition for the first time. As a result they purchased quality equipment at a price 55 percent below that price paid in the earlier sole-source, noncompetitive purchases—sole-source awards which the GAO made clear had not been prudent or justified. This resulted in waste of $2.2 million, GAO reports.

So flagrant was this case that the GAO recommended, as with the radiacmeter, that the responsible individuals be disciplined. But the Army refused, claiming that at that time it had been the Army policy to "develop and produce" equipment simultaneously, a policy even a layman could assume could not be implemented economically, if at all. This "develop and produce" argument seems totally preposterous, and the Army's own action in the radiacmeter case seems to prove it. Therefore, it appears that the radar case might warrant further study by the proper congressional committee to determine who the responsible officials were and why no action was taken by the Army to discipline them.

Still, there is more.

Under Fort Monmouth Invitation AMC(E)-28-65-500 which was publicly opened on November 23, 1964, a requirement for a large quantity of airborne radio sets identified by the nomenclature AN/ARC-54( ) was exposed to open competitive bidding. The low bid was from Admiral Corp. at $1,538 for each of 1,833 units, and an optional price of $1,621 per unit for an additional quantity of 1,170 units. The interesting point is that the Army, under previous, noncompetitive bidding restricted to a single company, Collins Radio, Cedar Rapids, Iowa, purchased a total of 1,753 units of these radio sets for a total cost of $9,239,494, making an average unit cost of $5,270. That is three times the price the Army paid for identical equipment after the force of competition was introduced. Further, the Army had previously paid Collins Radio an additional $2.7 million to develop this radio. The worst part about this transaction is the fact that if it had not been for earlier congressional interest which forced the AN/ARC-54( ) radio into open competition, Admiral Corp. might never have been given a chance to bid for this current requirement. An intriguing aspect of the earlier sole-source Collins Radio awards for the AN/ARC-54 is that the Army justified the lack of competition because of the alleged urgency that existed for delivery. However, upon congressional inquiry, it was learned that the airframes themselves had not then been ordered. In other words, the Army was buying radio sets for aircraft they had not even ordered.

Still, there is more.

Earlier this year, under Fort Monmouth Invitation AMC(E)-28-043-65-511, procurement of 40 systems of an airborne radar surveillance set, identified by the nomenclature AN/APS-94( ), was subjected to open competition for the first time. Barker & Williamson, Bristol, Pa., bid $35,995 for the AN/APS-94( ), with the second low bid of $36,890 from Frequency Engineering Labs, and the third low bid from Admiral Corp. at $44,486, with other bids higher. What is noteworthy is the fact that the previous, noncompetitive sole-source price paid by the Army for this equipment was a remarkable $86,624.85 under a contract for more than $7 million. The Army has pointed with pride to this saving, while ignoring the previous waste.

Mr. Speaker, that is the sad record of some recent activities of the Army Electronics Command. It is particularly unfortunate because the man under whom these incidents have occurred, I understand, was sent to the Electronics Command to clean up the installation after the FBI had uncovered waste and wrongdoing. Now, however, there appears to be a question as to whether the current operation at Fort Monmouth is a cleanup or a coverup.

The man who ordered the cleanup was Gen. Frank S. Besson, head of the Army Materiel Command, which has overall jurisdiction over the Electronics Command. He has the reputation of being one of the outstanding officers in the field of Defense procurement.

I am hopeful that the situation at Fort Monmouth is one that he will reexamine carefully.

I am hopeful that he will provide an explanation, heretofore denied the public, of—

Specific details of how the "fired" men figured in the radiacmeter procurement?

Why men fired for gross negligence at one point are rehired with substantial back pay a few months later, allegedly because they admit the very errors which the Army originally had said was the reason for their firing?

Does this establish a precedent under which any civil or military servant who is caught in waste or malfeasance can save his job merely by admitting he was guilty as charged?

The role played in the radiacmeter procurement by the higher up Army officials described by the GAO, and an explanation of why no action was taken against these men.

In stating my hope that General Besson will order a cleanup of this situation, I do not believe I am being unrealistic. As evidence, I would cite a recent—and, in fact, revolutionary—action taken by the Materiel Command, at General Besson's order, to further the cause of honesty and moneysaving competitive bidding in Army procurement. General Besson is announcing, today, a new, unprecedented program, under which the Army Materiel Command will—

Disclose in advance, whenever possible, all equipment and materiel to be procured in coming months or years by the AMC's many installations; and

Provide all interested would-be contractors with complete backup information concerning the equipment to be bought.

This directive could prove to be one of the most significant moves made in military procurement since passage of the law requiring competitive bidding on Government contracts, whenever possible, a law which is bent and abused too often.

Exceptions to the present law are made in some 80 percent of all procurement contracts—particularly the big-dollar contracts—making competitive bidding the exception rather than the rule, and making a mockery of the law.

General Besson's new plan should go a long way toward correcting that situation—at least in the Army—by getting upcoming procurements out in the open. It would open the Army's files so that all manufacturers—and not just the favored few who may wine, dine, or bribe procurement officials as in the case cited above—will know what procurements are upcoming. It will—for the first time—provide sufficient information so that contractors may formulate accurate competitive bids—competitive bids that will save the Army and the taxpayers hundreds of millions of dollars in procurement costs.

The backup information to be given under the new program will include such vital data as the past price of an item, the previous producer, the quantity bought and the complete bill of materials necessary to produce the item.

Unfortunately, this is the type of information that the other services too often continue to keep buried in their files.

General Besson's decision to launch his program aimed at curbing such abuses should be applauded by all taxpayers. As a member of the House Committee on Government Operations, deeply concerned with the question of the availability of Government information, I am hopeful that he will take equally forthright action involving one of the key commands under his jurisdiction—the Electronic Command—and that he will investigate, take action, and report before it becomes necessary for the Congress to intervene.

Mr. Speaker, I insert at this point in the Record an editorial from the Chicago Daily News of February 15, 1965, which takes note of the situation I have described above:

Gross Negligence Rewarded

Charles Nicodemus, of our Washington bureau, has turned up more hanky-panky in the Army electronics command agency at Fort Monmouth, N.J. Four civilian engineers who admitted gross negligence in purchasing faulty material have been restored to their jobs after what amounts to a long vacation with pay.

In 1962, Nicodemus helped uncover a bribery scandal at Fort Monmouth. One result was that three men were sentenced to prison last year for their part in conspiring

> to rig an electronics contract for pay. Another result was an investigation of procurement practices which led to the firing of five high-ranking engineers. The Army said they failed to stop repeated purchases of faulty meters for detecting battlefield radiation—purchases that added up to a waste of $1,900,000.
>
> That was in November. The engineers contended they were merely scapegoats. They threatened to appeal and to name higher-ups they said were responsible.
>
> Suddenly, the appeal has been dropped and 4 of the 5 are back on the payroll. Three were penalized 20 days' pay, and one 10 days' pay. The fifth engineer was offered a different job at slightly lower pay.
>
> The circumstances warrant further investigation by Congress. Why, after admitting gross negligence, were the engineers restored to their jobs with back pay minus only a slight penalty? Why did they change their minds about exposing higher-ranking officials in the course of an appeal? Is there a connection between their change of mind and the generous treatment they received?
>
> Millions of dollars are involved here, in electronics purchasing. But more than that, the possible survival of American troops is also involved in the acceptance or rejection of faulty material.
>
> Nicodemus has brought the matter into the open. Congress and the Army should take it from there.

Following is the statement issued by the U.S. Army Materiel Command, this date, announcing the praiseworthy new program of providing industry with market information on the Army's future procurement needs:

> A far-reaching new program to provide industry with market information on the Army's future procurement needs was announced today by Gen. Frank S. Besson, Jr., Commander of the U.S. Army Materiel Command (AMC).
>
> Designed to broaden industry competition for the Army's procurement dollar and thus reduce acquisition costs, a pilot test of the program was started this week at nine Army industry materiel information liaison offices throughout the country. The pilot test will be under the direction of Brig. Gen. R. C. Conroy, AMC's deputy commanding general for western operations, Fort Mason, San Francisco, Calif.
>
> General Besson's announcement was made to an industry audience assembled in Los Angeles under the auspices of the Defense Department and the National Security Industrial Association to provide advance information of Defense requirements during upcoming years. Conferees were told that the Army is trying to find out whether of not this type of future marketing information will assist in making management decisions to bid on more kinds of Army materiel.
>
> The program is built around an Advanced Planning Procurement Information (APPI) form which will be prepared on each end item to be procured by the expenditure of PEMA (Procurement Equipment and Missiles, Army) funds in the annual budget.
>
> APPI data will include pertinent historical facts about the end item; current fiscal year procurement action; and the Army's planned procurements through the following 6 years. Included also will be statistics pertaining to quantities, monthly production rates and anticipated methods of procurement.
>
> The APPI will be released to current bidders and sources cleared to receive it by the procuring agency's Army/industry materiel information liaison office (AIMILO); concurrently, the APPI will be synopsized for public media in order to advertise its availability to all industries. Those interested may obtan identical APPI at any one of the nine AIMILO's established for this purpose by presenting proof of security clearance required; or, lacking proof, by initiating actions that will enable them to receive APPI in the future.
>
> For test purposes, AIMILO's have been established at the following U.S. Army Materiel Command organizational elements: U.S. Army Electronics Command, Fort Monmouth, N.J.; U.S. Army Missile Command, Huntsville, Ala.; U.S. Army Weapons Command, Rock Island, Ill.; U.S. Army Munitions Command, Dover, N.J.; U.S. Army Tank Automotive Center, Warren, Mich.; U.S. Army Mobility Equipment Center, St. Louis, Mo.; U.S. Army Aviation Materiel Command, St. Louis, Mo.; U.S. Army Los Angeles Procurement District, Pasadena, Calif.; U.S. Army San Francisco Procurement District, Oakland, Calif.

A MAN FOR THE AGES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONTE. Mr. Speaker, it is my privilege to bring to the attention of this House the passing of an Englishman, well known and much loved in my State of Massachusetts. I refer to Mr. Peter Howard, who on February 25 died in Lima, Peru. As a newspaperman he set out in 1940 to write an article attacking Moral Re-Armament: he became its leader.

He had the respect, trust, and friendship of men at the storm centers of the world. For the last 25 years he used every hour of his day, every ounce of his energy, and his exceptional skills for one single aim—the creation of a society more satisfying than anything produced so far by the Communist or the non-Communist world.

In March of last year Mr. Howard was invited to address the Senate of the Commonwealth of Massachusetts by the then president, John E. Powers. In introducing him, Mr. Powers called him "one of the most remarkable men of this or any other era." On that occasion Mr. Howard said:

> Where America goes, the world goes. If America fails, the world fails. If America succeeds in creating the new type of man and the new type of society that the pace and pressure of the hour demand, she will lead humanity onward in the next stage of human evolution.

While in Boston Howard visited Cardinal Cushing, who subsequently wrote the foreword to the current collection of his speeches entitled, "Design for Dedication." In it His Eminence said, "To Americans, carrying a larger load of world responsibility than ever before in history, they point a leadership that could preserve faith and freedom for millions."

Mr. Howard's address in the Massachusetts Senate was part of a speaking tour he undertook in this country during the spring of last year. Again this fall he crisscrossed the States addressing 17 of the 73 universities and colleges which had invited him to speak. Among them, I am proud to say, were Williams College and Amherst.

Without stint he gave himself to the youth of America, urging them to take on a giant purpose for their lives. In fact he challenged them to create the Great Society on their own campuses. For, he said, the Great Society can only be built out of great men and women, "free from the selfishness, the fears, the hates, and the greeds that have made so many nations small in the midst of prosperity and power." The students listened intently, fired hundreds of questions, and broke into standing ovations. He had the ear of the up and coming generation in America as few men have ever had.

Tributes to this great and unique man have come to Mrs. Howard from the Prime Ministers of Japan and New Zealand, the Presidents of Germany, Argentina, Nigeria, Kenya, Cyprus, the Republic of China, and the Lebanon, and the Chancellor of Austria, as well as messages from men in every walk of life from the four corners of the earth. I would like to quote a few.

In his cable, President Heinrich Luebke of Germany says:

> Howard was one of those men of faith who dedicatedly and sacrificially put their lives at the service of reconciliation and of peace and in countless people kept alive the hope of a better future. Their grateful memory of Peter Howard will be the commitment to go on working in his spirit.

Cardinal Agnelo Rossi, archbishop of Sao Paulo, who received Howard 2 weeks before he died, states:

> He left a profound impression. When he visited me I gave him, with my whole heart, my benediction. I thank God for his marvelous spirit.

Cardinal Bea of Rome cabled his profound sympathy:

> I shall recommend his soul to God in my prayers.

Howard's burning conviction that a great uniting theme is the normal privilege of every man and nation won him the undying admiration and gratitude of the American Indian. Leaders of the New Mexico pueblos and Navajo nations expressed this in their message:

> Thank God this great statesman took the time and effort to come and speak to us. He is the first man to unite the Indian people across America with a great purpose.

It is with profound regret, Mr. Speaker, that I heard the news of Peter Howard's death, for we in America owe him a great debt of gratitude for the battle he has waged not only in this country, but on every continent, for good against evil. Indeed for the last 25 years he has fought tirelessly and fearlessly that "Thy will be done on earth as it is in heaven," be not a pious drone but a living reality in our day and in our society.

May we of this House honor him and the work of Moral Re-Armament to which he gave his life.

THE HONORABLE PETER HOWARD

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, since the days when Lafayette and Von Steuben gave our infant Republic decisive help in the revolutionary struggle for survival, few if any citizens of other lands have rendered the American people services comparable to those of Mr. Peter Howard.

Peter Howard, world leader of Moral Re-Armament, died in Lima, Peru, last week in the midst of a 2-month tour of Latin America. He met and conferred with the Presidents of Brazil, Uruguay, and Argentina, and was to have conferred with the President of Peru on the day he died. Howard believed that the destiny of the great continent of Latin America was to be a pattern of unity for a divided world.

Perhaps the most eloquent evidence of the quality of Howard's life and leadership came from the revolutionary students of Peru. When after his death he was accorded by President Belaunde the unique honor of a formal lying in state in the city hall of Lima, his escort consisted of students from San Marcos University, where Vice President Nixon had once been stoned and Adlai Stevenson rebuffed. These youth of San Marcos in their message to his family said:

> Peter Howard gave his blood for Latin America. Also, his passion was as strong as his integrity, his love as wide as the world for which he fought. Complete men like that never die. The whole history of humanity will be upturned because we of the young generation have decided to take on the work of Peter Howard and make it our own.

Peter Howard last year was described by a Boston television commentator as "America's best friend abroad."

Though urgently in demand all over the world, he gave his priority to America because as he said, "The way American youth go, the world will go." He was in America during November and December, when he was invited by the student leadership of 73 universities and colleges to speak on their campuses. The latest of his 12 books, "Design for Dedication," which contains addresses made during an American speaking tour last year, carried a foreword by Cardinal Cushing of Boston, who wrote of Howard's "extraordinary clarity about America and the world." Through his inspiration and conviction, 10,000 youth will be trained in Moral Re-Armament at Mackinac Island, Mich., this summer.

In one of his last speeches Howard summed up his own philosophy:

> I firmly believe that Moral Re-Armament is the revolutionary issue of our time. It is the next step for the whole world. You can call it God's weapon for the hour, and God's philosophy for the century. It is neither left nor right. It believes in sound homes, teamwork in industry, unity in the nation, and a rebuilt world as the normal commitment for every man, woman, and child in a free society. It believes in love of home, love of homeland, and love of humanity; a love strong enough to pay the price of seeing all those places become different.

I extend to Mrs. Howard and to his colleagues of Moral Re-Armament my heartfelt gratitude for his lifetime of constructive effort to do God's work on earth, and my deep sympathy in the passing on of not only this great man, but more, this good man.

THE DEATH OF A GREAT AND GOOD MAN, JOHN N. ALBERTI

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONTE. Mr. Speaker, it is difficult for me to speak of John N. Alberti without first thinking of that deeply profound first line of John Donne's famous devotion, "death be not proud."

For death has taken from our midst a man of superb qualities, a man of distinction, and a close and dear friend.

His life was one of continued accomplishment and contribution. He could not be deterred from his belief in the high tenets of our democratic way of life and their relationship to the noble practice of jurisprudence.

And now that he is no longer with us there is a void that is inexplicable. There is a sudden stillness in the air that cannot be described. A giant is no longer with us.

Mr. Speaker, I could recall to this Congress and to my colleagues countless memories of John Alberti, and his early life and times. This would amount to a stirring chapter in the history of our country, and one individual in it who toiled so that others would have the advantages of a free and open society.

In his profession and in his bearing, he was a man among men. He would have been "one of the Nation's famous lawyers" if he had "located in a big city." This testimony—accurate and precise—was given recently by two of his close friends, Attorney Bernard Lenhoff and Attorney Julius M. Calvi. It is testimony that I would not only subscribe to, but extend upon. For John was, in any situation, one of the Nation's great lawyers—in any city, big or small.

This was a man, Mr. Speaker, who was a master in the arts of jurisprudence. Few lawyers that I have seen anywhere could match his ability at cross-examination, and his determination to arrive at facts in any given case or legal situation.

It was my great personal privilege to break into law under his sure and steady hand.

It was an experience I shall never forget. Shortly after I passed the bar examination in 1949, I had my first tour of duty in the law under his tutelage. Earning $25 a week, less than the cost of commuting between Pittsfield and North Adams where Mr. Alberti had his office, I also had to support my family. Yet these early trials were well worth my efforts, for not only was I able to receive a sound background in legal matters, but also one rich in the principles of our way of life.

There is always supreme difficulty in determining the genuine influences one receives, and their ultimate benefit in forming a solid basis for the future. One exists and is nourished by his parents, and is tempered and strengthened by his early friends and companions. His early religious training is essential, and then his own family and later friends bring him to certain realizations about his role in the unending process of give and take and the drama of change and continuity.

And so is one made full by the presence of great men, and John Alberti was one of those men.

As Grier Horner said in his exceptionally fine portrait of John Alberti in the North Adams Transcript:

> This warm, dignified, forceful man encased in a voluminous fur collared greatcoat will never again walk the streets of the city he loved. But his legend will.

Yes, Mr. Speaker, the legend that now lies buried in a quiet resting spot in Pittsfield's St. Joseph Cemetery will remain alive as long as men, women, and children who knew and loved him remain on this earth.

My deepest sympathies are extended to all of these wonderful people who share this sadness with the relatives he left behind.

Mr. Speaker, I would also like at this time to include with my remarks an article by Grier Horner which appeared in the North Adams Transcript on February 25, 1965. This article is but one of the many tributes paid to this warm and great man:

> JOHN N. ALBERTI WAS "LAWYERS' LAWYER"
>
> (By Grier Horner)
>
> John N. Alberti walked the streets of Berkshire County law like a giant.
>
> "If he had located in a big city he would have been one of the Nation's famous lawyers," said Attorney Bernard Lenhoff and Attorney Julius M. Calvi as they talked today with fondness and admiration about the dynamic man who died yesterday.
>
> A master of the art of cross-examination, Mr. Alberti would verbally circle a witness until he found a weakness in his testimony. Then he would strike for the jugular.
>
> He found it more often than not and the percentage of cases he won in district, superior, and State supreme courts was unusually high.
>
> A Sicilian immigrant, he grew up in poverty in Pittsfield, selling papers on the streets before and after school, hunting railroad yards to scavenge coal for his family.
>
> He worked his way through Williams College selling candy, ice cream, and used furniture to students and then went to Harvard Law School.
>
> "Law is a jealous mistress," Mr. Alberti often said, and he was thoroughly and happily in the law's clutches.
>
> He was the only lawyer in town who customarily had evening office hours.
>
> His only concession to a heart attack that hit him 6 years ago was moving his office to the New Kimbell Building because it had an elevator.
>
> Even then, each night at 9 when the elevator man went off duty he had to remind Mr. Alberti it was time to leave.
>
> A man who believed in hard work, he considered vacations a waste of time and human effort.

Mr. Alberti was the man the younger lawyers were attracted to when he himself was young and he never lost his following.

As the "lawyers' lawyer," he helped other lawyers, had the biggest law library in the county, appealed cases he believed in to the supreme court at his own expense when his client lost faith, would work for peanuts or for nothing for the poor, and would usually win.

Among his well-known apprentices who started in his office were Congressman Silvio O. Conte whom he steered into politics, Judge Ernest H. Rosasco, Mr. Lenhoff, Attorney Morton Freedman, Public Defender Andrew T. Compoli, and State Senator Andrea F. Nuciforo.

Every night for years the young lawyers joined him at the old Richmond Hotel where he was the leader, the teacher, the advocate of causes, the speaker.

"The law is like quicksand," he would tell them.

"Preparation, preparation, preparation—make sure you go into court with a double-barreled shotgun with both barrels loaded," he told them.

When he went into court, both barrels of his own gun were loaded.

One of his strongest weapons was the English language. He loved rhetoric, full-blown phrases, extravagant language, and people hung on his words even when they didn't understand them.

In the old days he wore pants with slash front pockets like blue jeans have. He'd jam his hands in those pockets, lean back and let go, and there wasn't anyone in the court who didn't hear him.

In later years he took to wearing vests over his considerable girth and hooked his thumbs in the vest pockets.

His friends considered him a nonconformist—especially in his manner of talking—and people who didn't know him often considered him aloof because of his grand language.

It may have been his manner of speech that was his undoing in politics. And he loved politics almost as much as the law.

There were other things, of course, that estranged him from the mass of the voters. He had stepped on many toes in court. His advocacy of causes was so strong his motives were sometimes suspect.

But where he was unsuccessful as a candidate, he was powerful as a political adviser.

He initiated, financed, and lead the campaign that defeated the city manager form of government here by five votes. He played a big part in the victories of Mayors Archie Pratt and Faxon Bowen. He was connected with the campaigns for Al Smith and Governor Curley who made him a special justice of the Adams District Court.

An astute student of politics for others, his astuteness dwindled when he campaigned for himself.

Once when he was running for mayor he led a torchlight parade down Main Street to the Richmond Theater which he packed.

"I think you're in this time," said his young lieutenant, Mr. Lenhoff.

"You know, I think you're right," said Mr. Alberti as they crossed the street.

But the lawyer went down to defeat.

Mr. Alberti and his wife, who died 2 years ago, lived on North Street. They had no children.

They had two huge German shepherds and theirs was the only house on North Street with a rural mailbox—the mailman refused to enter the yard.

"Dogs appreciate men. They're loyal and they have compassion." Mr. Alberti said.

And Mr. Alberti appreciated dogs. The two animals lived in a gas-heated doghouse one friend said must have cost $2,500 to build.

He bought hamburger for stray dogs that followed him into Liggett's where he often held court and in the years after his wife's death he fed the pigeons on Main Street at 7:30 a.m.

This warm, dignified, forceful man encased in a voluminous, fur-collared greatcoat will never again walk the streets of the city he loved. But his legend will.

LINCOLN DAY ADDRESS BY HON. DURWARD HALL AT LINCOLN DAY CELEBRATION IN NEWARK, OHIO

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, my colleague, the gentleman from Missouri, Congressman Durward G. Hall, recently made a very fine speech at a Lincoln Day celebration in Newark, Ohio. His cogent appraisal of our current political situation represents some very thought-provoking ideas. I am including his remarks in the Record in the thought that they would be enlightening and well worth the time of all Members to read them:

Lincoln Day Speech by Congressman Hall

Republicans are meeting across the land this week to rededicate themselves to the historic principles of our party and our Nation. We need make no apology for the past nor do I intend to do so today. Indeed, the record of the Johnson administration since last November is clear evidence that many of the things we warned about are now coming home to roost. Only a few months ago, for example, Barry Goldwater was labeled a "warmonger" and "trigger happy" for suggesting air strikes against North Vietnam.

How much more tenable our position in southeast Asia would be today, if we had acted with firmness and resolve while we still dealt from a position of strength. Now, with our backs against the wall of civil government failure in the "host" nation, and with a steadily deteriorating military position, we are almost in the position of doing too little too late.

But, we're not here tonight to vindicate the past. We're here because we believe that the very future of our country depends on the maintenance of a strong two-party system. We know in our hearts (as well as in our heads), that the Republican Party and the basic principles, that bring us together in common purpose and resolve, must be the rallying point for victory in 1966. These principles are eternal.

We know we owe it to the Nation, to ourselves and to our children to do a better job of telling our story to the American people.

To effectively analyze the problem that lies before us, I'd like to go back 185 years in history. We are still a nation of rich tradition and heritage, and one of the things I see happening today is that we are so immersed in something called social action, that some have lost sight of our traditions and heritage and the very concept of the American Revolution.

Two marvelous documents emerged from that epic of our history. One was the Declaration of Independence, and the other was the Constitution of the United States. I'm still old fashioned enough to believe that both were divinely inspired documents—documents which still stand today as the most marvelous concept ever devised to explain the proper relation between man and his government.

Today, there are undoubtedly millions of people in these United States, who assume that the function of government is to furnish man with all his material needs. But students of history will recall that the ideal of the American Revolution was to protect man against the abuse of government. In all of man's history before the American Revolution, the problem in civilization after civilization was not the failure of government to provide man with a better way of life; but, rather, the failure of man to protect his freedom against the encroachment of government. Until the historic date of 1776, man had never been able to devise a system of government which would not ultimately revert to tyranny and despotism.

The genius of the Declaration of Independence is contained in the second paragraph of that document. It says: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

That one sentence contains the real purpose of government, as it was revealed to those who spawned the American Revolution. They said nothing about the government having any divine right or responsibility to guarantee security, food, shelter, clothing, or any other basic necessity to its citizens. They said only that government's purpose is to create a climate and an environment in which the individual could secure life, liberty, and the pursuit of happiness, by sweat and risk.

For that kind of government this Nation fought a war of independence. Once victorious, they established a constitution to nail down the freedoms they had won, to protect Americans from the abuse of power by government, then and forever after.

The Founding Fathers of this Nation, smarting under King George's tyranny, recognized that the greatest danger in any government is man's potential inhumanity to his fellow man. As mortal human beings, the Jeffersons, the Franklins, and the Washingtons knew that the catalyst, which had destroyed civilization after civilization, could be summed up in one word—"power." The greater the concentration of power in the hands of the few, the greater the probability that such power eventually would be abused.

Lord Byron stated it best. "Power corrupts," he said, "and absolute power corrupts absolutely." And so, our Founding Fathers set out to establish a system of government so contrived that the power of governing would be diffused among the people, so that no one person and no one group would ever be powerful enough to gain mastery of the people. This diffusion of power resulted in the peculiarly American system of checks and balances. Basically, power was divided among the three branches of Government: The executive, the legislative, and the judicial branches. But, that was not enough, and our Founding Fathers knew it. They also devised a federal system, in which the identity of the separate States was maintained under the larger tent of the Federal Government. The Constitution stated that powers not specifically granted to the Federal Government were reserved for the States.

In all the revolutions that have occurred throughout the world since that time, none, not the French Revolution, nor the more recent Communist Revolution, have offered any such hope to man. And, under the guidelines set down in the Constitution, we have made America the strongest, the freest, and the most powerful nation on the face of the earth.

But, however unique the American Revolution was, no document, no constitution, can forever insulate man from the temptations that are a part of his human nature. In recent years, we have seen the proof of that statement.

Lord MacCauley, British statesman of a century and a half ago, predicted our newborn republic would "last only until such time as the people learn they could vote themselves unlimited largess from the Public Treasury."

Today the precious diffusion of power, so carefully nurtured throughout our history, is in the process of being decimated. Over the past 4 years that I have served in the Congress, I have seen a steady whittling away of the powers of the legislative branch of Government. It started in 1946; today, many news commenators, many columnists think there is something wrong if the Congress doesn't automatically rubberstamp a message from the White House.

If the President is able to obtain quick compliance from the Congress on any request for legislation, he is usually praised for his keen sense of politics, for his ability to bend the Legislature to his own desires, for his ability to twist arms and minds of those whose own conscience might dictate a negative vote.

What the press does not usually report are the methods of persuasion now available to the President to influence Members of the Congress to rubberstamp every Great Society proposal.

A few weeks ago, in the House of Representatives, 204 Members decided that their constituents were tired of giving foreign aid to an Egyptian dictator who was converting our aid into currencies that are being used to buy Russian arms, Russian ammunition, and Russian equipment. These Members, and I'm proud to say that I was one of them, decided the time had come to halt the use of your tax dollars to furnish arms and ammunition for Communist rebels in the Congo, and for subversion against Israel. By a majority of 27 votes, the House of Representatives decided that when a dictator tells us to go jump in the sea, the time has come for the American people to tell him to go fly a kite, and not to expect to buy it with our money.

On that day, the House of Representatives was still an independent branch of Government. On that day, January 27, 1965, the Congress assumed its rightful power under the Constitution to appropriate funds for some purposes and to refuse to appropriate funds, when good and sufficient reason exists not to do so.

There is nothing in the Constitution which says the President shall use the powers of his office to force Members of Congress to vote against their own consciences. There is nothing in the Constitution which says that Members will be reminded that the President has the final power to say what public works projects are approved, and which are denied, what's put in the budget, and what's left out, which towns will get new post offices, and which will not, which areas will get antipoverty funds, and which will not.

Nowhere in the Constitution will you find any of these powers of gentle persuasion listed, nor will you find that the executive branch has exclusive jurisdiction over foreign policy. But, over the weekend, the executive branch went about the business of convincing 41 members of the Democrat Party that we really should give aid to Nasser, we really should close our eyes to the shipment of Egyptian arms to Communist rebels in the Congo, we really should forget about Egyptian efforts to destroy the nation of Israel. And, on the following Monday, 41 members of the Democrat Party had their "moment of truth." They resigned themselves to the passive role which the Johnson administration envisions for the Congress under the Great Society. That one vote, perhaps more than any other single vote in the past 4 years, indicates the shift in power from the legislative branch to the executive branch, that has and is taking place under a Democrat administration.

Today, the Public Treasury is a $100 billion blackjack, which can be used to pressure, to cajole, and to force Members of Congress into compliance lest their districts be "passed by," in the dispensation of Federal funds. And let me hasten to assure you that the President has achieved this power.

In the State of Massachusetts, a candidate ran for, and was elected to the high office of U.S. Senator on a campaign slogan that he could do more for Massachusetts—a not too subtle suggestion that he carried the kind of influence with the President that would assure a front row at the "public trough." Across this great land, in 1964, Democrat candidates running against Republican incumbents in Congress, implied that their districts would get juicier plums and bigger handouts by electing Democrats.

A Democrat candidate for the U.S. Senate in California dropped hints throughout his campaign that, because he knew a lot of administration bigwigs, on a first-name basis, he stood a better chance of forestalling the closing of some major defense installations. I'm glad to tell you that, in the State of California, the voters repudiated the idea that influence was preferred over principles.

In the 1964 election, the Republican Party, its candidates and its leaders, made one great mistake. It assumed that the American people knew and understood and condemned the practice of power politics in the conduct of their Government. We were wrong—dead wrong. Unless we accept this fact of life, and then proceed to do something about it, we will be lucky to hold our own in 1966, let alone regain some of our lost strength. As Lord Braughan said: "The informed are easy to lead, difficult to drive, easy to govern, and impossible to enslave."

We must, first of all, recognize that many opinion influencers today, not only tolerate this abuse of Presidential power, but condone it, praise it, support it, in fact, even suggest it and recommend it. All too often today, when the President forces bad legislation down the throats of the Congress, instead of being slapped on the wrists for the abuse of Presidential power, he is praised for being so clever and adept at its use.

The first thing the Republican Party must do, therefore, is to alert the American people to the fact, the very fact, that there has been a radical shift in the division of power and that this increase in the power of the Executive poses a clear threat to their freedom—collectively and individually. It matters not how benign or benevolent or well meaning any President may be. Presidents come and go. But, the power of the Presidency remains, and the legislative branch of Government cannot abandon the power rightfully preserved to it under the Constitution, on the premise that we will always have Presidents who will not abuse such power. Authority once delegated, can be impossible to regain.

Furthermore, even though I was one of the Members of Congress who voted against that $7,500 pay raise last year, I think that, if a man is drawing $30,000 a year to represent his constituents, he's getting paid enough to make his own decisions. If the White House has so much expertise on every complex legislative issue that it automatically deserves the support of 435 Congressmen, then we're really wasting an awful lot of money spending all that time in Washington.

Republicans have an obligation to their fellow countrymen to study every issue on its own merits, and to oppose Democrat proposals that conflict with their own set of principles and standards. Demagogs will call this obstructionism, but the extreme opposite of obstructionism is subservience, and this Republic will survive far longer in a climate of sound constructive loyal opposition, than from blind Pollyanna attitudes of obedience and unwavering compliance.

The Declaration of Independence that was forged on July 4, 1776, was strengthened, not weakened, by many days of bitter debate and controversy. It was the result of conflict and clash of will which in the end made it an eternal document of freedom.

The same can be said of legislation enacted in the Congress on every major issue. Legislatures, like corporations, can ill afford the luxury of "yes men" in high places who are afraid to say "no" when, in their judgment, the occasion demands it.

If the Republican Party, and those of you who serve it, can bring home to the American people the danger of this shift in power, we can recover much of the ground we lost in 1964, for many other things are working in our favor.

Most people, for example, recognize the Great Society for what it is—a slogan rather than a program.

Most people recognize the war on poverty for what it is—a package of old, disproven ideas covered in fancy new wrapping paper.

Most people know that, in spite of smooth, sirupy words, this administration is the biggest of the bigtime spenders, and that, for every light turned out at the White House, four more are turned on somewhere else in this vast bureaucracy.

Most people realize now that this administration has allowed the Atlantic Alliance to drift, to float, to become dismembered to the point where we're on better speaking terms with our sworn Communist enemies in the Kremlin, than with our former trusted friends in Paris.

Most Americans are tired of an administration foreign policy that caters to every new dictator in every new emerging nation. We're now dispensing foreign aid, vending machine style, to three-fourths of the nations on earth, friend, foe, neutral, nonalined, and misalined.

Most Americans would like to see some semblance of balance restored to labor-management relations, so that never again will one man, at the head of one union, the Longshoremen's, be able to defy the national interest, and, in general, take an attitude of "the public be damned." It's time to curtail the power of a single boss to tie up every port city from Maine to Texas, even though most of the ports had reached agreement weeks ago. Should one man have the power to defy the public interest, the President of the United States, and even the president of the AFL–CIO? I say "No."

Most Americans would like to see the decline in the value of their dollar brought to a halt by a return to sound fiscal policy, by reversing our balance-of-payments deficit, and by understanding the gold-flow problem for what it is—the failure of the Johnson administration to treat the causes, rather than the symptoms.

Republicans in the Congress have offered sound programs to meet the Nation's needs, and it's our job and your job to see that the public recognizes the difference between a proposal tailored to get votes, and one tailored to get the job done. In the field of medical care for the aged, for example, Republicans are sponsoring legislation designed to meet the problem by offering total care on a voluntary basis for those who need help.

The Johnson administration, on the other hand, has offered a bill, which covers less than 25 percent of their costs, is compulsory in nature, and would have the end effect of giving a little bit to everybody, rich and poor alike, leaving the basic problem unmet and unanswered. Let the opposition party resort to demagogery on this crucial issue, but let us stand on principle, and history will record that we were right, and they were wrong.

For Republicans, for independents, for right-thinking Democrats, let us spend these next 2 years making sure the general public understands the issues before the American people. Let's make certain that, when Americans go to the polls in 1966, they at least have a clear understanding of the issues that could affect the course of history for themselves and their posterity. Let us not be dismayed by the vast array of political weaponry in the hands of our opponents, patronage, the Public Treasury, hordes of press agents in every executive agency, special interest pressure groups parroting the line of "big brother" government.

Instead, let us take courage in the words of the Great Emancipator, whose birthday we observe tonight. "Let us have faith that right makes might, and in that faith let us, to the end, dare to do our duty as we understand it." No political party could have a greater standard to guide it and, as Republicans, let us accept the challenge, knowing that, if we never try, we shall never succeed.

AID WHERE LEAST NEEDED

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, my distinguished colleague, the gentleman from the State of Ohio, Congressman William Ayres, has made some very significant observations regarding the current aid to education proposal which has been voted out of the Education and Labor Committee. His perception of the shortcomings of this bill is well demonstrated by remarks he has made on the floor of the House. In particular, he has exposed the shallowness of the claims that this bill is designed to assist poor districts. As he has pointed out, the rich get richer and the poor get poorer under the politically devised formula for the distribution of this aid.

Representative Ayres is the ranking minority member of the House Committee on Education and Labor. He ably represents the Akron, Ohio, area. That area is served by one of Ohio's outstanding newspapers, the Akron Beacon Journal. I was very pleased to note that this fine newspaper favorably commented on Representative Ayres' recent speeches in an editorial carried in their March 1, 1965, edition. I am including this editorial following these remarks and I hope it will be read by all who still believe that this educational package is an answer to the problems facing us as we strive to provide better opportunities for our youth throughout this Nation:

Aid Where Least Needed

"The rich get richer and the poor get very little."

That observation last week by Representative William H. Ayres, of Akron aptly summarized what's wrong with the administration's aid to education bill.

Realization of the truth of this criticism is growing in Washington and throughout the Nation. It was responsible for the House Education Committee's failure on Saturday to recommend the bill for passage after Chairman Adam Clayton Powell had confidently predicted approval.

Even though the measure may get rammed through the committee this week, its wastefulness is becoming so apparent that revision on the floor of the House or, later, in the Senate, must certainly be inevitable.

The catch is simply this:

The billion-dollar spending proposal calls for giving each school district an allotment amounting to 50 percent of last year's per pupil cost for each enrolled child from a family having an annual income less than $2,000.

However, the fact of the matter is that many districts which have ample taxable resources of their own also have quite a lot of poor kids. Because they already are spending a sizable amount for education, these districts would get very generous additional sums from the Federal Government—as much as $300 to $350 for each youngster from the slums.

Meanwhile, down in West Virginia, Kentucky, and Mississippi, where whole counties are impoverished and school expenditures are niggardly, they'd get money for more children but on a far smaller per capita basis.

Congressman Ayres spelled this out to the House last week with the astonishing figures that are presented with this editorial.

In summary, Ayres' research shows that the 10 wealthiest counties have 32,563 children in families with less than $2,000 annual income and, on the basis of present school expenditures, these 10 counties would get $8,918,087 from the Federal Government.

Coincidentally, almost the same number of children from poor families—32,452—are in the 10 poorest counties. The schools there, in far greater need of help and needing it for all their pupils, would get scarcely half that much—only $4,507,149.

The Beacon Journal pointed to this basic weakness when the President's education bill was first presented. We said on January 13:

"The President's plan involves much duplication of effort with superfluous support in the well-to-do States along with sometimes inadequate support in the poor States."

If there must be Federal aid to education, would it not be better to pattern the distribution formula after the Ohio School Foundation program which considers the taxable resources per pupil in each district and allots money more generously in areas where the tax base is smaller?

Whether the administration bill was hastily drawn or politically motivated, it uses a shotgun rather than a rifle to aim at educational improvements. In so doing, a large part of the expenditure would be used where needed the least.

We agree with Representative Ayres that the bill needs more than tinkering—it needs a complete overhauling.

THE POOR GET VERY LITTLE

Here are comparative figures presented by Representative William H. Ayres to show how the 10 wealthiest counties in the United States and the 10 poorest counties would benefit from the administration's school aid bill:

10 wealthiest counties

County and State	Family income data			School-age children		1st year funds under administration bill
	Median income	Under $3,000	$10,000 and over	Number in families with less than $2,000 income	Percent of all school-age children	
Montgomery, Md	$9,317	5.5	44.6	2,343	2	$572,864
Arlington, Va	8,670	6.0	38.6	1,347	4	235,725
Fairfax, Va	8,607	5.8	37.8	1,994	3	348,950
Du Page, Ill	8,570	5.9	36.0	1,853	2	443,794
Marin, Calif	8,110	8.8	33.4	1,278	4	338,670
Westchester, N.Y	8,052	8.0	36.3	6,210	3	2,189,026
Bergen, N.J	7,978	6.4	32.1	4,631	2	1,315,204
Union, N.J	7,746	7.8	30.5	3,743	3	1,063,012
Montgomery, Pa	7,632	7.4	30.7	3,535	3	857,238
Fairfield, Conn	7,371	9.3	29.1	5,629	4	1,553,604
Total				[1] 32,563		8,918,087

[1] Total eligible children.

10 poor counties

County and State	Family income data			School-age children		1st year funds under administration bill
	Median income	Under $3,000	$10,000 and over	Number in families with less than $2,000 income	Percent of all school-age children	
Grant, W. Va	$2,437	64.0	3.0	833	35	$124,950
Falls, Tex	2,287	60.6	4.0	2,233	41	432,086
Sunflower, Miss	1,790	68.1	3.9	6,184	42	745,173
Knox, Ky	1,722	70.5	1.7	3,137	39	470,550
Tensas, La	1,683	70.9	3.3	1,651	41	329,375
Williamsburg, S.C	1,631	68.3	2.5	6,118	41	810,000
Sumter, Ala	1,564	72.3	2.7	2,790	43	390,600
Holmes, Miss	1,453	72.0	2.8	4,543	52	547,432
Breathitt, Ky	1,432	76.0	2.0	1,998	39	299,700
Tunica, Miss	1,260	77.8	3.7	2,965	54	357,283
Total				[1] 32,452		4,507,149

[1] Total eligible children.

Note.—A study by the Ohio Education Association shows that Summit County has 5,784 children, ages 5 to 17, in families with less than $2,000 income and that the Federal-aid allotment would be $1,289,832.

A TESTIMONIAL TO PETER HOWARD

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. DWYER. Mr. Speaker, the death last week of Peter Howard who, in effect, gave himself to the people of the world through his leadership of moral rearmament, has brought from the world expressions of the most profound grief and loss.

Young, dynamic, and persuasive, he was an apostle of peace and freedom and unity, firmly grounded in the brotherhood of man and the fatherhood of God. His tireless energy and deep devotion to his cause brought him to every corner of the globe where the sincerity and truth of his message swept aside the accidents of place and position and penetrated to the human core of all who heard him.

He saw in the Western Hemisphere, and especially in the United States, much of what he considered most hopeful for the future. But he was a man who shunned the limitations of nationalism and ideology to focus on the human considerations that unite man wherever he may be.

The tributes to his life and work and personal goodness which have poured in to Mrs. Howard since his death on February 25 in Lima, Peru, speak eloquently of the universal love and admiration Peter Howard was able to evoke. From Presidents and Prime Ministers and from the people to whom he spoke, of all races and religions, have come the proof that his words and his writings have taken root and will live and grow and flourish.

This was the purpose of his life, and as we grieve at his loss we give thanks that he lived among us and did the work of God.

EDUCATIONAL NEEDS OF HANDICAPPED CHILDREN

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FOGARTY. Mr. Speaker, in the past few weeks I have had the opportunity, as chairman of the House Appropriations Subcommittee dealing with education, to review the activities and accomplishments made on behalf of handicapped children and youth as a result of a recently enacted piece of legislation. The law that I am referring to is Public Law 88-164 and more specifically title III of the act. This program has focused the attention of the Nation on the educational needs of handicapped children.

The provisions of title III authorize the training of professional personnel in the different areas of the handicapped and the support of research and demonstration projects associated with educational programs for the handicapped. Responsibility for the legislation was assigned to the U.S. Office of Education, specifically to the newly formed Division of Handicapped Children and Youth. I might add that this unit was recently awarded a Presidential Citation in recognition of its outstanding efforts in implementing and administering the new act.

Supplemental appropriations for title III were made available in February 1964 increasing total support to $12.5 million. This action generated an overwhelming national response to the program. In a period of less than 12 weeks, 221 institutions of higher learning and 50 State education agencies submitted over 700 applications for teacher training grants. Funds requested exceeded $32 million. The research and demonstration program received a total of 155 proposals requiring nearly $15 million to fund.

Obviously, the requests far exceeded the funds authorized and appropriated; however, the legislation is supporting programs in 154 institutions and in all 50 State education agencies. More than 5,000 individuals are receiving or will receive training in the education of handicapped children. Approximately 2,400 are full-time students and 2,600 are persons who are either partly trained and who will attend summer sessions to complete their training or individuals who are fully trained but who need instruction in new phases of special education. It is important to note that on the average there were at least four qualified applicants for every available fellowship, traineeship, and short-term traineeship.

This legislation is also assisting in the support of 42 new teacher training programs located in geographic areas of the country where needs for such programs exist. An excellent example of the need for program development is in the area of the emotionally disturbed. There are only 15 institutions of higher learning that have the staff and necessary facilities to train teachers for this group of children. In an effort to alleviate the shortage, the Office of Education awarded 13 program development grants in this area of the handicapped.

Under the research and demonstration program authorized by title III, 34 projects, or approximately 22 percent of those submitted, are presently being supported. An example of problems under investigation are those that deal with the relationship of cultural deprivation to mental retardation and the preventive aspects of early identification and training of potentially mentally retarded children. Also under investigation are techniques in training of lipreaders, techniques in teaching reading skills to the mentally retarded, the development of nonverbal hearing tests for deaf children, programs for the reeducation of the emotionally disturbed child, and methods to diagnose at an early age children with major learning disabilities.

National interest and enthusiasm have increased substantially as evidenced by the activities taking place in the Office of Education. At the present time, requests for grants are being processed for programs to be initiated this coming academic year. Under the program for training teachers of handicapped children over 850 applications have been received from 257 institutions of higher learning. All 50 State education agencies have again submitted plans to participate in the program. The total amount of funds requested has exceeded $36 million and, I might add, these requests do not reflect the true demand for assistance. I have been informed that many institutions were encouraged to keep their requests to a minimum, keeping in mind the $14.5 million appropriated for this program. In addition, the States were limited by formula in what they could request.

The second year response with respect to the research and demonstration program has also been overwhelming. A total of 174 research and demonstration proposals was submitted to the Office of Education. The total funds requested exceed $21 million. Considering continuation costs for projects now being supported, the funds actually available to support new research projects this year total $1,125,000, and there is every indication that the need and availability of excellent research and demonstration proposals will increase above this amazing response in the coming year.

Mr. Speaker, all that I have said thus far is intended to point out the interest and concern of the Nation for the improvement and expansion of educational opportunities for the handicapped. The achievements to date, impressive though they may be, are only a feeble effort when we examine the unmet needs that still exist in this field of education that affects 10 percent of our Nation's schoolchildren.

Evidence indicates that no more than one-fourth of the school-aged handicapped boys and girls in the Nation are receiving the necessary special education services required to assist them in becoming contributing members of their communities, their States, and their Nation. There is overwhelming research evidence which indicates that without such services many will become dependent upon society for their care at a minimum of 10 times the cost of providing an effective special education program in their school communities.

Until recently, the fact that only 25 percent of all handicapped children were receiving special educational services was best explained by a lack of community understanding of the problem and what special education could contribute to its solution. This is no longer true. Local communities across the country have responded to this tremendous need with great enthusiasm and positive action in attempting to initiate and expand special educational services to handicapped children as rapidly as possible.

We are now faced with an even more serious problem; namely, a tremendous shortage of trained teachers and other specialists to serve the children in these rapidly expanding programs. It is estimated that if we were to meet the special educational needs of the handicapped boys and girls in this Nation, approximately 300,000 special education teachers would be needed this current school year. In 1970 it will require 320,000 teachers to educate handicapped children. Currently, there are approximately 60,000 teachers of handicapped children employed by the public schools in this country. To provide the additional teachers required to meet this demand by 1970, it would be necessary to train a minimum of 52,000 of them for each of the next 5 years. These figures are conservative estimates since they do not account for: First, the attrition rate of such personnel, and second, the fact that of the 60,000 teachers currently available, from 30 to 60 percent are essentially untrained and are in the process of acquiring training on a part-time, "crash program" basis. The total program effort under existing legislation is geared to produce a total of 8,600 new teachers which is far below the national need.

I have expressed the critical state of affairs we face due to the shortage of trained special education personnel. While this has been emphasized as the most serious problem at the moment, there are several other areas of concern which approach the same degree of urgency. These deal primarily with the qualitative and efficiency aspects of educational programs for handicapped children. Several directly affect the need for personnel over and above the need for classroom teachers.

Additional needs include:

First. Staff to provide supervisory or consultant leadership at the State and local level.

Second. Staff to carry on comprehensive planning on the part of State departments of education, institutions of higher learning, and local school districts. Such staff is necessary to assure the coordinated development of training facilities for the preparation of professional personnel, the development of adequate facilities for children, and the coordination of research activities.

Third. The development of adequate practicum facilities which are so essential to the training of teachers for handicapped children. At the present time many of our colleges find it difficult to place student teachers in a classroom where they will have adequate supervision and the latest equipment with which to work. Many institutions of higher learning are not participating in the existing program due to the lack of adequate student teaching facilities.

Fourth. Along with training facilities there is a need to construct comprehensive centers for research in the education of handicapped children. Effective educational research cannot take place within existing educational facilities. Present day classrooms are inadequate for such simple research operations as the unobtrusive observation of a child. Operations such as the tape recording of classroom sessions are impractical because of the acoustical properties of normal classrooms. More sophisticated research, such as wireless electroencephalography with brain injured children or studies of student reaction to automated instruction are impossible.

In order to conduct research on the processes of educating handicapped children, it is necessary to design and build facilities which are compatible with the goals of sound research, superior teacher training, and effective classroom instruction for the children involved.

Fifth. State education agencies need to further expand their inservice training programs for professional personnel already in the field.

In reviewing all of these unmet needs it becomes abundantly apparent that if we are to discharge our responsibilities to the handicapped children of this Nation we will have to make a greater effort than we have thus far.

Therefore, I am introducing a bill to further amend Public Law 85-926 and to amend section 302 of Public Law 88-164. The provisions of this bill will make it possible for the Office of Education to see that all handicapped children have a chance for education before they are too old to profit from it. I strongly urge the same bipartisan support for these amendments that the existing legislation received in the past.

A SALUTE TO THE DEPARTMENT OF LABOR

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, this Thursday, we commemorate the 52d anniversary of the Department of Labor. On his last day in office, March 4, 1913, President William Howard Taft affixed his signature to Public Law 426 creating "an executive department in the Government to be called the Department of Labor." This was a giant step, achieving the status of cabinet rank, for a Government agency that had been created 29 years before, in June 1884, as the Bureau of Labor in the Department of Interior. It was then primarily a bureau of labor statistics.

The Bureau underwent reorganizational planning in 1888, when it was given independent status as the Department of Labor without cabinet rank, and again in 1903, when it was returned as a bureau in the Department of Commerce and Labor.

> The purpose of the Department of Labor—

The act of 1913 states—

> shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

The principles that have guided the administration of this ever-increasingly important executive Department were evident in the first annual report of the first Secretary of Labor, William B. Wilson. The intent of the act, as he interpreted it, was that the Department should serve equally the unorganized as well as the organized, the employer as well as the employee, and that the promotion of the welfare of the wage earners should be advanced "in harmony with the welfare of all industrial classes and all legitimate interests."

The course of history during the past half century has brought many changes in the development and growth of our country. It has also brought many changes in the development and structure of the Department of Labor. Two world conflicts and an economic depression of major proportions within the span of 35 years created challenges that were met by the expansion of the Department's functions to include services for the mobilization of workers to the advantage of war efforts and services to aid the unemployed and economically distressed.

During the Second World War, the Department made its most useful contribution to wartime activities by cooperating with war production agencies. Toward the end of the war, however, increasing thought was being given to the problems of postwar reconversion. Various organizational changes were recommended involving the reabsorption of the labor functions of various war agencies. The postwar period, 1946-48, witnessed considerable organizational activity, but it was in the following years through Secretary Maurice J. Tobin's determined efforts "to rebuild the Department to a strength commensurate with its assignment from Congress" that the Department gradually gained many of the labor functions rightfully belonging to it.

It was during part of this period, 1949-52, that I had the privilege of serving as the director of the Illinois State Department of Labor under the leadership of Gov. Adlai Stevenson. As in the Federal Department, steps were taken in the State labor department to bring the cluster of autonomous offices into a closely coordinated whole. The results of the reorganization were increased efficiency and economy in the administration of that agency's functions and better service in the interest of workers, employers, and the public.

In the past decade the Department of Labor has continued to develop its services and operations to meet and anticipate the problems engendered by economic, social, political, and geographic changes. The spectre of unemployment and attendant poverty must be dealt with wisely and constructively. To this end the Department of Labor is earnestly and successfully proceeding to develop and train our manpower to meet the challenge of technological changes. Other programs and policies are geared to end discrimination, to improve educational and employment opportunity, to better the status of women, to convince young people to stay in school, to upgrade the Employment Service with its job-matching capability, to promote industrial peace, to aid our veterans and the handicapped, and to improve the living and labor standards at home and abroad.

These are no mean tasks, but in the future as in the past, the Department will meet the problems and issues with the sense of dedication that has contributed to the achievement of a better life for the American worker, and the promotion of the welfare of the individual and the Nation.

REGIONAL TRANSIT COMPACT

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FRASER. Mr. Speaker, many of us were pleased at the emphasis President Johnson placed on the construction of rapid rail transit facilities in the Washington metropolitan area. His letter to Congress on this problem also expressed the hope that continued construction and operation of such a system would eventually rest in the hands of a suitable regional compact agency.

On February 26, 1965, the Joint Transportation Commission, a group of Maryland, Virginia, and District of Columbia representatives responsible for negotiation of an interstate compact creating a regional transit agency, made public the proposed compact. Our colleague, the gentleman from Maryland, Congressman CARLTON R. SICKLES, is Chairman of the Joint Transportation Commission. I would like to insert Mr. SICKLES' statement on the proposed compact into the RECORD.

The text of his statement follows:

STATEMENT BY CONGRESSMAN CARLTON R. SICKLES, DEMOCRAT, OF MARYLAND, CHAIRMAN, JOINT TRANSPORTATION COMMISSION, ON BEHALF OF THE JOINT TRANSPORTATION COMMISSION, FEBRUARY 26, 1965

After three years of work, the Joint Transportation Commission has concluded its deliberations on a transit compact to be entered into by Maryland, Virginia, and the District of Columbia. This compact, which will be an amendment to the Washington Metropolitan Area Transit Regulation Compact, creates a regional organization to provide and administer subway and rail facilities for the metropolitan Washington area.

There is presently pending before the Congress legislation (H.R. 4822 and S. 1117) which would authorize the National Capital Transportation Agency to begin construction of subway facilities in the District of Columbia. That legislation and this compact have been designed as complementary legislation. The NCTA proposal would permit the earliest possible start on construction of the subway. As pointed out by President Johnson in his letter transmitting the NCTA legislation to Congress, the $150 million of grants requested would finance construction until near the end of the fiscal year 1968. The President expressed the hope that by that time there would be a suitable regional compact agency to go forward with the project. We are moving now to make the President's hope a reality.

The proposed compact will be introduced in the Maryland General Assembly today. The compact will be presented to the Virginia General Assembly at its 1966 session. If both States act favorably on the compact, it will be presented to Congress for the necessary consent legislation in the late spring of 1966.

The compact creates the Washington Metropolitan Area Transit Zone, which embraces the District of Columbia, the cities of Alexandria, Falls Church, and Fairfax, and the counties of Arlington and Fairfax in Virginia and the counties of Montgomery and Prince Georges in Maryland. The Washington Metropolitan Area Transit Authority, which will be governed by a board of six directors, is created as an instrumentality and agency of Maryland, Virginia, and the District of Columbia. Provision is made for the enlargement by the board of directors of the zone as adjoining areas require transit facilities.

One of the cardinal premises underlying the compact is that the provision of transit facilities and service primarily is a function of local government. Accordingly, the compact provides that the six directors of the authority shall be selected from the governing bodies of the political jurisdictions embraced within the zone. Maryland, Virginia, and the District of Columbia shall appoint two members each to the board of directors. The members for the District of Columbia shall be appointed by the Board of Commissioners from among its members. The Virginia representatives will be appointed from among its members by the Northern Virginia Transportation Commission, which is composed of the Boards of Supervisors of Fairfax and Arlington Counties, and of the City Councils of Alexandria, Falls Church, and Fairfax City. The members from Maryland will be appointed from among its members by the proposed Washington Suburban Transit Commission, which will be composed of members of the Montgomery County Council and the Prince Georges Board of Commissioners. The law provides for the appointment of an alternate for each director, and such alternates need not be members of the appointing agencies.

In this manner, provision has been made for the control of the affairs of the authority by representatives of the local governments which are to be served by the authority's facilities and which are to participate in the financing of the regional system. This arrangement also assures to the maximum extent possible that the authority will be politically responsible and publicly responsive. This arrangement, which is supported by cooperative planning procedures and processes, also affords maximum assurance that plans for transit will be coordinated with the general transportation plan and the general development plans for the zone and the development plans of each of the counties and cities embraced within the zone.

The compact contemplates that the several private transit companies presently operating in the zone will continue to render bus service and provision is made, through cooperative action with the Washington Metropolitan Area Transit Commission (WMATC), to coordinate the operations of the publicly and privately owned facilities without unnecessary duplicating services. WMATC will retain jurisdiction to regulate the private carriers and coordinate their operations with the services performed by the facilities owned by the authority. The authority necessarily will exercise exclusive control over the rates and service rendered with its facilities.

The authority will not itself operate facilities owned by it, but shall arrange for the operation of such facilities with a private contractor under an operating contract. The authority is required to negotiate for such an operating contract with all interested parties, including the privately owned transit companies presently operating in the zone. This arrangement, coupled with the fact that the private carriers will continue to operate all bus service, assures the maximum feasible utilization of private enterprise, in accordance with the congressional policy set forth in the National Capital Transportation Act of 1960. The compact also preserves any rights the private transit companies may have in the event a court determines that any of such companies have suffered legally cognizable damages by the acts or actions of the authority.

The compact also provides for the protection of employees engaged in the operation of facilities owned by the authority. These provisions are comparable to similar protections outlined in the NCTA legislation.

The authority is to be financed through a combination of Government grants, revenue bonds, and equipment trust certificates, or other evidences of debt for rolling stock. The grants are to be provided by the Federal Government, the District of Columbia, the Northern Virginia Transportation District or its component governments, and by the Washington Surburban Transit District. The compact, as the pending NCTA legislation, does not provide the definitive financing plan. The board of directors of the authority are authorized and empowered to negotiate the terms of financing with the Federal Government, the District of Columbia, and the Virginia and Maryland agencies.

The financial participation by Virginia and Maryland will be supplied by the counties and cities embraced in the zone. At its 1964 session, the Virginia General Assembly created the Northern Virginia Transportation District. That district, through contractual arrangements with the counties and cities, is authorized to provide the authority with the required financial support from Virginia. There is presently pending in the Maryland General Assembly a bill (house of delegates No. 300) to create a tax district encompassing Montgomery and Prince Georges Counties. This district would have powers to certify to the counties the moneys required to meet the Maryland participation and each of the counties would levy, collect, and turn over to the Washington Suburban Transit District the tax revenues.

The Joint Transportation Commission believes that the compact is sound, protects and fosters the interests of the public and the participating governments, and is in all respects adequate for the complex task assigned to it. We trust that the compact will merit and enjoy the support of the public, the governments concerned, the private transit companies, and the interested labor unions.

EDITORIAL OPPOSING VA HOSPITAL CLOSINGS QUOTES VFW COMMANDER

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, there is a growing doubt and increasing opposition among our citizens over the proposal to close very usable and necessary veterans' facilities.

Mr. John A. "Buck" Jenkins, commander in chief of the Veterans of Foreign Wars—who is well known to Members of this House—is widely recognized as a leading spokesman for the veterans in this vital issue. He is telling the American people why it is neither economy nor justice to go ahead with the proposed closings.

Indicative of the manner in which the public and the press are responding to Commander Jenkins' tireless efforts, I bring to the attention of this House an editorial, "Economy at the Expense of Veterans," from the San Diego Union of Sunday, February 21, 1965.

Mr. Speaker, I believe that Members of this House will concur that this very fine editorial pointedly and effectively sets forth some basic fallacies in the proposal to close veterans' facilities. I believe it is noteworthy, too, that this editorial pointedly quotes the distinguished commander in chief of the Veterans of Foreign Wars, Mr. John A.

Jenkins, who is doing such a truly magnificent job in helping bring to the American people the reasons why the proposed closings must not take place.

Under leave to extend my remarks, I include a copy of the editorial, "Economy at the Expense of Veterans," from the San Diego Union, Sunday, February 21, 1965:

ECONOMY AT EXPENSE OF VETERANS

The decision to close 11 veterans hospitals leaves an impression that former servicemen who have made great sacrifices for their nation are among the first to feel its ingratitude.

John A. Jenkins, national commander of the Veterans of Foreign Wars, puts the facts into focus when he says:

"Veterans who in a real sense made possible the kind of country in which we can strive for a Great Society are now becoming the first victims of it."

He suggests if the goal is to save $23 million a year, a more logical way to do it is to cut foreign aid to hostile nations that have told us to "go to --------" or to "jump in the lake."

The decision to close the hospitals comes at a time when a majority of World War II veterans are approaching the age in which they will need such services most. It shifts the medical care burden to overtaxed local communities and is doubtful economy in every respect.

Furthermore, it comes at a time when the Congress is being asked to spend additional billions on other persons in the society for welfare and medical care.

Not the least of the considerations is what effect the order will have on attracting and keeping highly qualified people in military service.

No veterans hospitals should be closed until Congress has an opportunity to hear from all the people concerned and takes the time to evaluate their testimony thoroughly. It is doubtful that this can be done in the short time before May 1, the temporary delay set by Congress.

The criterion for the evaluation must be the best care possible for veterans, consistent with dictates of economy. Consideration also must be given to the medical facilities and economies of communities. Such sound consideration proved the need for a new San Diego hospital.

The decision by Congress to postpone closing of veterans hospitals until May 1 offers the administration a bridge to accomplish the further studies and reevaluate findings.

Economies in all branches of the Federal Government are a laudable goal, but they must not be accomplished at expense of the national interest.

ANNOUNCEMENT

The SPEAKER. As the Members of the House know, shortly the ceremony in commemoration of the 100th anniversary of the 2d inauguration of Abraham Lincoln will take place on the east front steps of the Capitol. As the House is about to adjourn, Members may attend the exercises individually and, of course, all Members are invited to attend.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. HUTCHINSON), for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FINO.

(The following Members (at the request of Mr. LONG of Louisiana) and to include extraneous matter:)

Mr. MOORHEAD.

Mr. ANNUNZIO.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3. An act to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 33 minutes a.m.), the House adjourned until tomorrow, Friday, March 5, 1965, at 12 o'clock noon.

COMMEMORATION CEREMONY OF THE 100TH ANNIVERSARY OF THE 2D INAUGURATION OF ABRAHAM LINCOLN, 1865–1965, MARCH 4, 1965, ON THE EAST FRONT OF THE CAPITOL, CITY OF WASHINGTON, HON. MELVIN PRICE, CHAIRMAN

Mr. PRICE. Ladies and gentlemen, that was, as always, an excellent and an appropriate performance by the U.S. Marine Band, under the conductorship of Lt. Col. Albert F. Schoepper. We will now open this part of the program commemorating the second inauguration of President Abraham Lincoln, 100 years ago, with the invocation by the Reverend Bernard Braskamp, Chaplain of the House of Representatives.

INVOCATION BY DR. BERNARD BRASKAMP, CHAPLAIN OF THE HOUSE OF REPRESENTATIVES

Psalm 112: 6: *The righteous shall be in everlasting remembrance.*

Almighty God, we invoke Thy blessing as we call to mind the grandeur and splendor of the life of Abraham Lincoln, of whose fame there shall be no end.

He made such an indelible impression upon his own and succeeding generations because he was just, merciful, magnanimous, humble, and had that calm, inner trust in Thy divine will, greater than his own, which he sought to know, to follow, and to work with.

Above all he belonged to that great "aristocracy of believing souls" who daily struggle with the hard facts of life but firmly believe that the truth of God will prevail, whatever may be the posture and temper of the times, its days or its hours.

Help us to hasten the dawning of that glorious day of prediction for which Lincoln prayed and labored when all brokenhearted humanity shall be drawn together and healed and live in peace "with malice toward none, with charity for all, with firmness in the right as God gives us to see the right."

Hear us in the name of the Prince of Peace. Amen.

Mr. PRICE. Mr. Vice President, Mr. Speaker, Governor Kerner, Ambassador Stevenson, the diplomatic corps, my fellow Americans, it is in this spirit of prayer, this prayer we have just heard and which I find so moving, this spirit of rededication to the greatest principles of righteousness since the dawn of religion and government, that I welcome you to the ceremonies here today.

We are commemorating the 100th anniversary of the 2d inauguration of Abraham Lincoln.

We are bearing witness to the realization of a profound prophecy in free government made on this spot and now hallowed by a century of the reaffirmation of the democratic ideal.

Our program today like the Government under which we live—a government of laws—is invoked by authority of Public Law 88–427.

We cannot hope to achieve in all their brooding sincerity, their humble and compassionate spirit of victory, their moderating and healing influence, the immortal moments of a century ago. We cannot do this anymore than we can produce in duplicate the true and natural voice of Abraham Lincoln himself.

But there are people here who, out of a boundless love of country and the deepest respect for the Lincoln legacy, will reenact for us the scene on these very steps before this noble edifice, that occurred at that time and that has since done so much to shape the destiny of freemen everywhere. Thus we are grateful for the services of the distinguished producer-playwright, Dore Schary, his star Robert Ryan, and his own staff, contributed gratis to this event. We are indebted to the several Federal agencies—such as the Marine Band and the Army Signal Corps, the USIA, the National Park Service, and to all branches of our Government from the White House and President Johnson on, through to especially assigned experts, for their wholehearted and enthusiastic efforts.

The Library of Congress has been a mainstay, through research directed by Mr. William A. Coblenz.

And we make our acknowledgements thankfully to the Civil War Centennial Commission and Lincoln groups and organizations, to the District of Columbia and the board of trade, and especially to the National Park Service and the Architect of the Capitol for their contributions. Most of the performers in costume, whom we shall soon see, come to us from Father Gilbert V. Hartke's University Players of Catholic University—a brilliant and a devoted company.

I think I should pause here for a moment to present to this large assemblage an unexpected guest, one whom we are very happy to have with us on this commemoration day, the Honorable Otto Kerner, Governor of the State of Illinois. [Applause.]

The joint committee of the Congress and I, as its chairman, thank all these individuals and groups, and those you will see mentioned in your programs, for the goals they have set to make this event today—the reenactment proper—a work of dramatic perfection worthy to be shown in every classroom and schoolhouse in the United States.

To all this we welcome you today.

And now for the contemporary portion of this commemoration I have the great honor to present to you the eminent Speaker of the House of Representatives, the Honorable JOHN W. MCCORMACK, of Massachusetts.

Speaker McCORMACK. Representative PRICE, Mr. Vice President, reverend clergy, my distinguished colleagues in both branches of the Congress, Governor Kerner, of Illinois, Ambassador Adlai Stevenson, Mr. Bruce Catton, members of the diplomatic corps, ladies and gentlemen, and my fellow Americans, there is no event in our time that can get so close to the heart and the history of our country as this commemoration today reenacting a century later the second inauguration of Abraham Lincoln. This commemoration is a tribute to Abraham Lincoln for the immense services he performed for our country in preserving it against disintegration.

But it is more than that.

For what we are doing in this hour thrusts the Lincoln influence into the present moment of our Nation's existence and promises to project it far into the future. For, of all men, down through the corridors of time since the invention of the word "freedom," few heroes in the long chronicle of man have done so much in so brief a span as our Civil War President.

Those words of his, on about this very spot 10 decades ago, compress within a matter of minutes, in a few paragraphs of the spoken word, the total meaning of civilization. I, for one, having heard for a half century and more, an endless procession of speeches, some of them the noblest utterances in the literature of our country, know nothing that quite surpasses those words mostly in the last paragraph of the second inaugural we are to hear reenacted today. I cannot recall anything in the better language of politics that is at once so rich in beauty, so vigorous in action, and so full of the promise of a policy of conciliation, as that ever so simple and so humble phrase: "with malice toward none; with charity for all."

I venture to suggest, as one having had a little something to do with the legislative decisions of these crises-ridden decades, that the Lincoln philosophy invested the thinking and the action of our time in the Chambers of this great Capitol. Words like "emancipation" and "freedom," words like "conceived in liberty and dedicated to the proposition that all men are created equal," can be shown profoundly to have touched with resolution and to have shaped into law much of the history of the last 30 or 40 years. They shine in our enlightened postwar legislative history when we rehabilitated with our own treasure the very nations who had been brought to book as our enemies after a fierce and savage world war. And of course our domestic legislative history is an object lesson in wise and effective compassion and thoughtfulness for all the American people.

Lincoln gave us his enduring restatement of our title deeds of freedom, created not a few of his own, and left us with a heritage that will benefit free men to the end of time. It is for this reason that I, as Speaker of the House of Representatives, congratulate the members of the joint committee, and the brilliant producers and directors and the staff, that have brought all this into this dramatic moment of reverence and commemoration.

As you and I are gathered here today we can see the spirit of Abraham Lincoln is with us. If he could send a message to us from the Great Beyond he would say to you and to me as Americans, "Carry on and preserve and strengthen the spirit of this great country of ours."

Mr. PRICE. Mr. Speaker, I believe you have given us the essence of the meaning of these ceremonies.

It is now my high honor to present to you the distinguished Vice President of the United States and President of the Senate, the Honorable HUBERT H. HUMPHREY.

Vice President HUMPHREY. Thank you, Representative PRICE.

Mr. Speaker, Governor Kerner, Ambassador Stevenson, Members of the Congress of the United States, and my fellow Americans, personally I commend this joint committee for these ceremonies and may I just say a word of commendation to the distinguished former Representative from the State of Iowa, Mr. Schwengel, for his dedication to this great occasion.

As the President of the Senate I bring you greetings today from that body on this historic occasion.

It was 100 years ago today that Abraham Lincoln stood outside this Capitol to receive the oath of office for his second term and to deliver a memorable and unforgettable inaugural address. Just 4 years before at Lincoln's first inauguration the setting had been an unhappy one. Sharpshooters with rifles stood on watch then at these very Capitol windows and General Scott was ready on Capitol Hill with troops and cannon. The unfitted sections of this very Capitol dome which you see today reminding us of our American form of government, those unfitted sections lay scattered near the inaugural stands.

In 1865 at the second inaugural which we commemorate today the end of a horrible war was in sight. Some 60 years later, Representative Sherwood, of Ohio, rose in the House of Representatives to tell how he came from a battle as a weary Union soldier to witness that inaugural.

This is Congressman Sherwood's account:

> There was no general platform. There were no reserved seats for Congressmen or anybody else. We were all standing up. There must have been 20,000 people in front of the Capitol. Lincoln stood there on the east front, on a little platform with a little stand and a glass of water. He had a white pocket handkerchief around his neck. A tall, spare man with deep lines of care furrowing his cheeks; a sad face, a strong face, the face of a man of many sorrows; a face lit up with the inspiration of a great soul as he voiced in prophecy the ultimate destiny of this Nation.

Congressman Sherwood told us in these graphic and telling words of that occasion. Actually, there are possibly more people today here than on that second inauguration. It was from these very steps in front of this Capitol that Abraham Lincoln took that oath of office under such circumstances as I have recounted.

Abraham Lincoln stood on that inaugural platform as the leader of the most powerful military force in the world. His theme that day was not military victory; it was not revenge, wrath or bitterness. Abraham Lincoln prayed for the passing of war. He asked for malice toward none, with charity for all. He asked for binding of the Nation's wounds. He called for a just and lasting peace among ourselves and with all nations.

Yes, he was a strong man; yet he was a forgiving man. Yes, he was a strong man; yet he was a compassionate man.

We of this generation and indeed of generations yet to come owe this Nation's life to Abraham Lincoln. To repay that we can do no less than to be guided by his greatness and his compassion. It is the strong who can afford to be peaceful, it is the free who can be generous, and we will not be diverted from the wise course set for us by that wise and good man 100 years ago today. We are all living witnesses to Abraham Lincoln's pledge, and that pledge continues to be our commitment to a suffering humanity on this day.

With malice toward none in this year of 1965 and with charity for all but with firmness in the right now as then as God gives us the knowledge to see the right this is our commitment, ever humbly remembering in our wealth and strength and gratefully in our riches now as then that America is indeed the last best hope on earth. [Applause.]

Mr. PRICE. Thank you Mr. Vice President.

There is at this point a place of particular honor that the joint committee and I have reserved for the Honorable FRED SCHWENGEL. The former Representative from the First District of Iowa is the father and the chief inspiration of this commemoration today. Indeed, it was he, who, in the first instance, introduced the joint resolution in the 88th Congress that is now public law and constitutes the congressional authority for these proceedings. He will present the historian on our program.

Ladies and gentlemen, the Honorable FRED SCHWENGEL.

Mr. SCHWENGEL. Mr. Chairman, Mr. Vice President, Mr. Speaker, my fellow countrymen, first I want to thank very sincerely my successor as chairman of the joint committee, the Honorable MELVIN PRICE, for his and the committee's gracious gesture inviting me to introduce the historian-speaker of the day.

My heart, of course, is altogether in the Lincoln story and in the glorious chronicle and tradition of our country.

It happens also that my association has been close and more or less constant over the years with the remarkable author and memorialist whom I am about to present.

It is not unusual for the Congress of the United States to invite the outstanding contemporary historians and poets to participate in events of this nature.

We have had Carl Sandburg in the recent past.

Further back we had the great historian, George Bancroft.

Today we have a noted Lincoln authority and a distinguished man of letters. His reputation and fame I believe will live through the centuries.

Ladies and gentlemen for today's major commentary on the significance of Abraham Lincoln's second inaugural address, I have the honor to present to you my friend and one of the foremost historians of our time, Mr. Bruce Catton.

Mr. BRUCE CATTON. One hundred years ago today Abraham Lincoln, in this place, delivered one of the greatest of all his speeches—his second inaugural. A few days later a friend complimented him on this address, and Lincoln said that he did not think the speech would be immediately popular; because, he said:

> Men are not flattered by being shown that there has been a difference of purpose between the Almighty and them. To deny it, however, in this case, is to deny that there is a God governing the world.

The second inaugural was in fact a brooding, mystic attempt to explore that difference of purpose as it applied to the American Civil War; it was a reminder that in times of great crisis men somehow do more than they mean to do and serve an end larger than they are able to see.

Americans of 1865, both in the North and in the South, greatly needed such a reminder. They had been through the most terrible 4 years in their history, years that had tried them to the utmost. In those 4 years, the lives of more than 630,000 young Americans had been lost; a higher number, by the way, than has been recorded by all of our other wars put together, from the Revolution down through Korea. Out of long agony and great bewilderment, people desperately needed to know what all of this had accomplished. Had they done something that would finally be worth all that it had cost—worth it to those who had won, and also to those who had lost—or was it simply an empty tragedy, meaningless save that it testified to the mighty reserves of courage and endurance which the human spirit can display in time of trial?

Abraham Lincoln did not try to give them a soft, easy answer. Instead he reminded them that in 1861, trying to make peace, they had instead made a war, and that it was not the kind of war they had supposed it was going to be. When the war came men on both sides fought to the utmost to preserve a cherished past. They saw that past in different ways, to be sure, one side fighting for union and the other side fighting for separation; but in North and South alike they had really fought to keep the quiet, uncomplicated national life they were used to. They wanted to get back to something that seemed to be in danger of slipping away from them. Yet in 1865 the one thing that was clear to everyone was that instead of preserving the past they had destroyed it. America could never again be what it had been before 1861. Its people had opened a door to the future, and although no one knew what the future was going to be like they had to go on into it because there was no other place for them to go. In Lincoln's unforgettable words: "Each looked for an easier triumph and a result less fundamental and astounding." Here was the most poignant of human tragedies. Each side, as he pointed out, read the same Bible and prayed to the same God: "the prayers of both could not be answered—that of neither has been answered fully." Then he added the moving conclusion: "The Almighty has His own purposes."

This speech, then, was first of all a reminder that we are moving on a tide more powerful than we are. History is not simply a meaningless record of unrelated events, of accidents without cause and tragedies without recompense; it follows, in some way that goes beyond our immediate understanding a moral imperative, and it is up to us to adjust ourselves to it. A couple of years earlier Abraham Lincoln had cried out: "My fellow citizens, we cannot escape history," and he had pleaded: "We must disenthrall ourselves." Now, with the war at last coming to a close, he called for an end to malice—an end, that is, to the fears and hatreds and suspicions that cause war and poison peace—and a return to the charity and understanding that enable men to move with the great tide of history instead of trying to swim against it.

One of the notable things about the second inaugural is that it is not exultant. It contains no talk of victory. Here was a speech made at the very moment of triumph, but the triumph is not mentioned. The mood is like that of the Gettysburg Address, in which Lincoln took the position that victory by itself was not enough. At Gettysburg he put the emphasis on liberty and equality, and instead of dedicating the ground where the soldiers had been buried he called on his listeners to dedicate themselves—to something that might in the end justify the agony Gettysburg had cost. So it was here. Lincoln wanted to look to the future—to a reunited nation which, at fearful cost to both sides, had at last rid itself of the crippling blight of slavery and could go on now to realize the magnificent ideals that had inspired it from the beginning.

This had been in his mind all along. In the winter of 1861, when he was on his way to Washington to begin his first term as President, he had stopped at Trenton, N.J., to address the State senate, and in that speech he said that he had always felt that George Washington's army at Trenton had been fighting—as he put it—"for something more than common—something that held out a great promise to all the people of the world, to all time to come." He said then that he hoped that he himself might become an instrument, in the hands of the Almighty "and of this, His almost chosen people, for perpetuating the object of that great struggle." Running all through the second inaugural is the deep conviction that the "something more than common" which might bring hope to everyone, everywhere, had somehow been brought a little nearer to realization in the 4 terrible years of the Civil War.

Yet even though he emphasized this point, President Lincoln said nothing whatever about specific plans for the difficult time of reconstruction that lay ahead. Inviting his countrymen to look to the future, he did not give them a blueprint to show what the future ought to be like or how it might be constructed. In the second inaugural there is not a hint of the concrete things he might be preparing to ask people to do. Instead of recommending a course of action he simply called for a new mental and emotional attitude. In no sense did he lay out anything resembling a program.

Perhaps that is the strangest thing about this great speech. It almost seems as if Lincoln were saying that if men's hearts were right their heads could be trusted. What he wanted most of all, as he began his second term in the White House, was nationwide understanding of the inner meaning of the terrible experience that was then coming to an end. Somehow, suffering much at their own hands, the American people had pushed their national horizon outward to infinity. Abraham Lincoln obviously believed that if that fact could be fully grasped the people would do what had to be done.

So he offered no suggestions, even though a definite program for action was greatly needed. The country has to be put back together again and the sections could not be nailed together with bayonets. Reunion had to be accepted in such a way that it would endure forever by common consent. Lincoln did not say how this ought to be done; he simply called on everyone to shed the crippling emotions born of war and build on a basis of good will and understanding. In the same way he said nothing at all about the way in which four million former slaves should be brought forward into full freedom. Instead—devoting nearly half of his brief speech to the subject of slavery—he defined slavery as an immense evil, pointed out that both sides shared in the responsibility for its existence, and remarked that both sides had paid an awful price for its removal. For the moment, that was all he had to say. What he apparently wanted more than anything else, on March 4, 1865, was for people to read the lesson of the past prayerfully and earnestly before they began to build the future.

And that, of course, is why this centennial of the second inaugural is so much worth commemoration today. That speech was nothing less than a challenge to all men to recognize the divine purpose that had been served, to put themselves in tune with it, and then to get on with the job. And that is a challenge to us, today, as well as to the people who stood here a century ago to listen to it.

For what Lincoln was saying then remains true. The Civil War was not an end but a beginning. One great obstacle to the advance of human freedom and brotherhood had been destroyed—and therefore an inescapable responsibility rested on the shoulders of this, "His almost chosen people," to build anew on the progress that had been made.

Today we are compelled to realize that during the last century poor progress was made. Only now are we beginning to insist that the broader freedom that was won in the Civil War must be made good all across the board in the realities of day-to-day life. Only now are we beginning to see that in our land there can be no room for a second-class citizenship, and that the freedom of the most fortunate of us is limited by the freedom that can be enjoyed by the least fortunate.

The Civil War ended a century ago, and the grief and pain it caused no longer have any place in the memories of living men; but the cause that was served then still lives, and the responsibility which the war created still exists. It rests upon our shoulders, here and now, today. As Abraham Lincoln said, we cannot escape history.

Nor can we escape the sobering knowledge that what we do can serve ends that we ourselves do not always see. You may, if you choose, deny that a hidden purpose runs through history, but it is impossible to deny that history is inexorable, bringing far-reaching results out of innumerable small actions. Whether we mean it or not, we are always moving—in one direction or another. If for instance we accept the notion that our classless American society really does contain classes which must be kept on their separate levels, we open the way to a denial of all freedoms. If we accept a racist doctrine for one group, we accept it for all. Freedom is a seamless robe—cut it anywhere and you destroy all of it. There is no use trying to find an easy ground halfway between Abraham Lincoln and Adolf Hitler. There simply is not any such place.

What we do with our responsibility today is of terrible importance.

We live in a time of great trouble and perplexity, when no man can see more than a few feet along the road ahead. In the last two generations we have seen the past destroyed for all the world. Immense new forces are in action, profound changes are being made, all of the old certainties seem to be disappearing. To see us through this time of trial we have no better reliance than the ancient faith that lighted our way in the past. Now as never before we need to remember that what we are struggling for is, as Lincoln said, "something more than common—something that holds out a great promise to all the people of the world, to all time to come." That "something more than common" is of course the thing we have always been dedicated to—human freedom, complete, unabridged and eternal, here and everywhere, based on the belief in the dignity and worth of the individual human being. It still moves with power, and it is above everything else important for us to continue our dedication to it.

On the last day of his life—Good Friday, April 14, 1865—Lincoln told his Cabinet about a haunting dream he had had the night before: a dream that had often come to him in the past, always on the eve of some great event. As Gideon Welles remembered it, Lincoln said he dreamed that he was in an indescribable ship, that was "moving with great rapidity toward a dark and indefinite shore." We usually take it for granted that in that eerie dream Lincoln simply had a fey moment of second sight, in which he saw his own death approaching but failed to recognize it. But he spoke also for his people, North and South, of that generation and of this. We are all moving on the tide toward a dark and indefinite shore. We have no chart, and the lights are dim. We only know that we are on our way toward something incalculable. What we eventually find there, like the progress we make, will depend in the last analysis on what we carry in our own hearts.

When he stood here a century ago Abraham Lincoln was talking to us, and his urging is still good: That we go forward without malice, with charity for all the struggling peoples of the earth, standing firmly for the right as God permits us to see it—to the end that we may do all in our power "to achieve and cherish a just and a lasting peace, among ourselves and with all nations."

Mr. PRICE. We have just had an impressive and penetrating insight from a great and a sympathetic historian to the immortal words spoken here a century ago.

In a moment or two, after the necessary rearrangement of the setting, bringing us back through a whole century of time, we will all be witness to the great scene that, for the opening of a second term, reestablished Abraham Lincoln as the President of the United States. We will see recreated on this spot the image of the agonizing action, when, at the moment of impending victory, Abraham Lincoln bound up the open wounds of the Nation with the bandage of reconciliation and compassion.

For the high drama of this priceless instant in man's march to freedom, this committee of the Congress, has, I must repeat, entrusted the art and the sincerity, the authenticity and the emotion, to Dore Schary, who is among the greatest executive and writing talents in the American theater; to his assistant, Mr. Joel Freeman, and their staff; to the players from Catholic University, all of whom, now, in emphasis for the second time, I am pleased to accord the acknowledgements of the Congress of the United States, expressed through this joint committee.

But today there is an element unique in a pageant even of this dimension.

This new ingredient, this totally original touch, this dynamic and hitherto unexampled feature, is the presence among us—as the narrator of no less a distinguished American than the U.S. Ambassador to the United Nations. Twice a candidate for the Presidency of the United States, a former Governor of Illinois, and, above all, a devout and recognized Lincoln scholar, his role today is the key in many ways to the reenactment we are about to witness.

Thus, in another moment or so, Ambassador Stevenson, one of the foremost figures of our time, will take his place as chronicler and narrator, and fill us in on the color and the atmosphere of this place a hundred years ago, explaining much of the reenactment as it proceeds.

And now I turn the program over to this brilliant and internationally famous American—Adlai Stevenson—who will take his place as soon as the stage has been reset.

Ambassador STEVENSON. We are met here, March 4, 1965, to mark the centennial of Abraham Lincoln's second inaugural. Washington, a hundred years ago, had a very different look. A writer for the Evening Star in this city, reported:

> This 4th of March 1865 opened rather disagreeably, especially in the eyes of those designing to take part in the procession and who do not relish having their fancy fixin's spotted by drenching rain and mudbath combined. The night had been drizzling and this morning, about 6 o'clock, a heavy gale sprang up from the south lasting but for a few minutes and doing considerable damage, uprooting shade trees. It was followed by brighter skies through the morning, but as the day wore on, it became pretty certain that the manhood of the processionists was to be tried by a march of considerable discomfort.

It was further reported that the Engineer Corps had made a survey for the purpose of determining the practicability of laying pontoons from the Capitol to the White House, but it was found that the mud bottom was too soft to hold the anchors of the boats and the project was abandoned.

Wryly the reporter commented:

> The police were careful to confine all to the sidewalks who could not swim. At some of the shallow crossings, a steady stream of people were passing throughout the day, some of whom dashed out into the avenue in the most reckless manner, but fortunately no one is believed to have been lost.

The Nation was still at war and the ceremonies had a military look due to the presence of many generals and their aides.

There was some anticipation that secessionists would make an effort to prevent the President-elect from taking his oath of office and according to our reporter, this possibility caused an extraordinary rush to the city some days in advance of the inauguration. All roads leading to Washington were heavily picketed and all the bridges were guarded with extra vigilance. Cavalry units were assigned to a continual search for suspicious looking characters. The dark rumors faded as the day drew on and the visitors became more interested in the approaching ceremonies and less concerned with the possibility of violence.

Enterprising pickpockets who had made their way from other cities were carefully watched or corralled by detectives.

Needless to say, the hotels were crowded and firehouses provided extra sleeping spaces. No mention is made if there was a charge for these accommodations.

With Grant's victories in the West, the war was soon to be won, but at this point in 1865, the Nation was tired. Determined, but tired. The agony of the war and its horrible casualties had created a festering anger that supported the Union's resolve and tempered the weariness.

It was a Saturday and the Senate had continued in session all Friday night until 7 o'clock in the morning. But it reconvened 3 hours later at 10 o'clock. The Senate Chambers were crowded and noisy and several Senators complained that there was so much confusion that they did not know which bills the Senate was considering.

Apparently the Sergeant at Arms achieved some semblance of order and one amendment to a bill under discussion declared that—

> No citizen of the United States shall be excluded from any railroad car, steamboat or other conveyance on account of any State or municipal law * * * the penalty being $500 fine or imprisonment from 3 months to 5 years.

The amendment was passed—yeas 21, nays 14.

While debate on that matter had been going on, Cabinet members and Justices of the Supreme Court had entered the Chamber. They were followed by members of the diplomatic corps in their ornate and elegant official dress. Soon Members of the House arrived and the floor was filled. The hour of 12 was approaching. Vice President Hamlin delivered his valedictory and introduced the Vice-President-elect, the Honorable Andrew Johnson, who was ready to take the oath of office. Mr. Johnson first delivered a speech identifying himself as a plebian and maintained to everyone crowding the Chamber that the power of the United States came from the people. He took the opportunity to mention that Tennessee—even though it had seceded—was a State of this Union and he thanked God that it was. After offering these verbal credentials, Mr. Johnson was sworn in and the Senate again adjourned—for a moment.

Then Vice President Johnson assumed the chair and called the new Senate to order. The newly elected Senators then took office and proceedings were terminated until 12 o'clock on Monday, March 6.

At the White House a large crowd had gathered waiting to see President Lincoln start the procession to the Capitol. It was not until 11 o'clock that everyone, including a number of U.S. marshals, learned that the President was working at the Capitol. Mrs. Lincoln entered her carriage in the company of Senators Harlan and Anthony and under escort of the Union Light Guard, drove in advance of the procession to the Capitol.

It was a fine procession. It included police, squadrons of the New York Cavalry, fire brigades, floats, companies of marines, mounted and marching bands, and all manners of marshals, officials, and military units.

As the hour of 12 approached, the black clouds which had threatened rain dispersed and the sun came through, lighting up the parade.

Crowds were massed in front of the Capitol and as the Marine Band struck up appropriate tunes, the favored dignitaries and officials came to take their places on the platform.

[The officials appear]

Ambassador STEVENSON. The marshal of the District of Columbia, Ward Hill Lamon, escorting Mrs. Lincoln.

The ex-Vice President, Hannibal Hamlin.

Members of the Supreme Court of the United States headed by the Chief Justice Salmon P. Chase.

The Sergeant at Arms of the Senate, George T. Brown.

The Vice President, Andrew Johnson.

The Secretary of the Senate, John W. Forney.

Members of the Senate, diplomatic corps, heads of departments, Governors of States and Territories, and escorts and guests.

[As the last official is seated]

Ambassador STEVENSON. There was a moment of quiet and then the crowd heard the drum ruffles and the first sounds of "Hail to the Chief" as President Lincoln appeared and made his way to the podium.

[President Lincoln appears and the Marine Band plays "Hail to the Chief"]

Ambassador STEVENSON. It was a short address, less than 700 words. The second half of the speech contains 332 words. It is in this latter part where again we see the evidence of Lincoln's incredible gift with words. Of those 332 words, 265 are of one syllable. It is a superb lesson of style for writers and speakers.

[Lincoln goes to podium]

LINCOLN'S SECOND INAUGURAL ADDRESS

[Mr. LINCOLN]. Fellow countrymen, at this second appearing to take the oath of the Presidential Office there is less occasion for an extended address than there was at the first. Then a statement somewhat in detail of a course to be pursued seemed fitting and proper. Now, at the expiration of 4 years, during which public declarations had not been constantly called forth on every point and phase of the great contest which still absorbs the attention and engrosses the energies of the Nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself, and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured. On the occasion corresponding to this 4 years ago all thoughts were anxiously directed to an impending civil war. All dreaded it, all sought to avert it. While the inaugural address was being delivered from this place, devoted altogether to saving the Union without war insurgent agents were in the city seeking to destroy it without war—seeking to dissolve the Union and divide effects by negotiation. Both parties deprecated war, but one of them would make war rather than let the Nation survive, and the other would accept war rather than let it perish, and the war came.

One-eighth of the whole population was colored slaves, not distributed generally over the Union, but localized in the southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union even by war, while the Government claimed no right to do more than to restrict the territorial enlargement of it. Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease with or even before the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding. Both read the same Bible and pray to the same God, and each invokes his aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. "Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh." If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time. He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourage of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, so still it must be said, "The judgments of the Lord are true and righteous altogether."

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

Ambassador STEVENSON. Some time after President Lincoln made his address, he was asked of his views concerning it. He said:

> I expect it to wear as well as, perhaps better than anything I have produced; but I believe it is not immediately popular. Men are not flattered by being shown that there has been a difference of purpose between the Almighty and them. To deny it however, in this case, is to deny that there is a God gov-

> erning the world. It is a truth which I thought needed to be told, and, as whatever of humiliation there is in it falls most directly on myself, I thought others might afford for me to tell it.

Neither the President nor the audience to whom he spoke knew that some of those words were to become immortal.

[Lincoln goes to the podium to be joined by Chief Justice Salmon P. Chase]

PRESIDENT'S OATH OF OFFICE

Chief Justice CHASE and the PRESIDENT (the oath of office). I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States. (Article II of Constitution.)

Ambassador STEVENSON. And now the day began anew for the President. There were dispatches to be read. Field orders to be discussed. Plans, bills, dreams to be considered for the days of peace to come. There was left the drive back to the White House. A drive to take the soon to be martyred President on his way to his destiny. The words he spoke are meaningful today as they were then. They are meaningful not only to Americans but to citizens of all nations of the world in these troubled and tormented days. Let us pray that what he said then will act as a beacon for good and just men today and in years to come.

Mr. PRICE. It must be apparent to all of us—as it certainly is to the joint committee—that this reenactment surpassed, in its detail and perfection, the fondest expectations of those who helped to bring it to pass.

We congratulate them all. I salute the Honorable Fred Schwengel for his brilliant efforts, and Mr. William Coblenz, of the Library of Congress, as director of research.

Again I want to thank Speaker JOHN W. MCCORMACK, whose cooperation was so wholehearted, to Vice President HUBERT H. HUMPHREY to whom we owe so much, and to our distinguished historian, Bruce Catton. We are thankful also to the presence here of members of the U.S. Supreme Court and the diplomatic corps, and to our guests here on the Capitol plaza, and the viewers on television and the auditors on radio.

Now once more we invoke the blessing of Almighty God by returning to our contemporary program, and closing the 100th anniversary commemoration of the second inauguration of Abraham Lincoln, with the benediction from our old friend, the Reverend Frederick Brown Harris, Chaplain of the U.S. Senate.

Chaplain HARRIS. And now let us go forth to serve the present age, whose standards and acts are being weighed in the scales of justice by that one of whom a historic voice at this spot a century ago this day declared the judgments of the Lord are true and righteous altogether. Send us forth into this divided world vowing here as did Thy servant, Abraham Lincoln, 100 years ago to bind up the wounds that hate has made, and with malice toward none, with charity for all, and with firmness in the right as Thou dost give us to see the right to strive on to finish the work we are in and to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations. Amen.

Mr. PRICE. Ladies and gentlemen, the commemoration is ended.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

691. A communication from the President of the United States, transmitting a draft of proposed legislation entitled, "A bill to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation and for other purposes" (H. Doc. No. 101); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

692. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 18, 1965, submitting a compilation of preliminary examination, survey, and review reports on river and harbor, and flood control improvements, authorized by section 107 of the River and Harbor Act approved October 23, 1962 (H. Doc. No. 102); to the Committee on Public Works and ordered to be printed.

693. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled, "A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide uniform provisions for crop liens, interest on unpaid marketing quota penalties, and the persons liable for such penalties for all commodities for which a marketing quota program is in effect"; to the Committee on Agriculture.

694. A letter from the Associate Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title 1, Public Law 480 agreement with the Government of Tunisia signed during February 1965 pursuant to Public Law 85–128, and copies of agreements with various other countries previously reported; to the Committee on Agriculture.

695. A letter from the secretary, the Foundation of the Federal Bar Association, transmitting a report of the audit of the financial transactions of the association for the fiscal year ended September 30, 1964, pursuant to section 14(b) of Public Law 83–662; to the Committee on the District of Columbia.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 5840. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities; to the Committee on Banking and Currency.

By Mr. BARRETT:

H.R. 5841. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities; to the Committee on Banking and Currency.

By Mr. EDMONDSON:

H.R. 5842. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; to the Committee on Interior and Insular Affairs.

By Mr. KING of Utah:

H.R. 5843. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN of Montana:

H.R. 5844. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; to the Committee on Interior and Insular Affairs.

By Mr. SKUBITZ:

H.R. 5845. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; to the Committee on Interior and Insular Affairs.

By Mr. WHITE of Idaho:

H.R. 5846. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 5847. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CHAMBERLAIN:

H.R. 5848. A bill to amend the Internal Revenue Code of 1954 to provide that certain tuition payments be treated as charitable contributions; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 5849. A bill to amend the Annual and Sick Leave Act of 1951 to provide lump-sum payment for the unused sick leave to the credit of an officer or employee immediately prior to his separation from the service on retirement; to the Committee on Post Office and Civil Service.

By Mr. FOGARTY:

H.R. 5850. A bill to extend and expand title III of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88–164); to the Committee on Interstate and Foreign Commerce.

By Mr. HANNA:

H.R. 5851. A bill to add a new title XII to the National Defense Education Act of 1958; to the Committee on Education and Labor.

By Mr. TALCOTT:

H.R. 5852. A bill to amend title 38 of the United States Code with respect to the basis on which certain dependency and indemnity compensation will be computed; to the Committee on Veterans' Affairs.

H.R. 5853. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of advanced education (including certain limited travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAREY:

H.R. 5854. A bill for the relief of Giuseppe Caruso; to the Committee on the Judiciary.

H.R. 5855. A bill for the relief of Francisco Genova; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 5856. A bill for the relief of Joao Carlos Senra Ferreira, Jose Jorge Senra Ferreira, and Maria Goretti Senra Ferreira; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 5857. A bill for the relief of Mrs. Stojanka Frankovich; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The 217th Anniversary of the Birth of Brig. Gen. Casimir Pulaski

EXTENSION OF REMARKS
OF
HON. FRANK ANNUNZIO
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 4, 1965

Mr. ANNUNZIO. Mr. Speaker, today, March 4, is the 217th anniversary of the birth of Brig. Gen. Casimir Pulaski, a lifelong fighter against tyranny and a great hero of the American Revolution.

During the American war for independence, brave men from European nations inspired by our ideals of justice and liberty ventured forth to our continent and fought with dedication and bravery by our side. This day commemorates the anniversary of the birth of one such individual, Casimir Pulaski. General Pulaski stands as an example of the brave people of Poland who have inspired the world with their undying zeal for justice and liberty for all people.

After leading a heroic but unsuccessful effort to win Polish freedom against the coalition of Prussia, Russia, and Austria, General Pulaski was forced to flee Poland. He made his escape to France where he met Benjamin Franklin and offered his services to the cause of American independence.

In 1777, General Pulaski joined the main Army at Valley Forge and provided a struggling new Nation with brilliant military leadership during the remainder of the Revolutionary War. He distinguished himself in various engagements with the enemy and was rewarded by the Continental Congress with the rank of brigadier general. The American people feel deep gratitude to General Pulaski, to his countrymen, and to the many foreign patriots who fought and died for the cause of our freedom.

Today we face a world where tyranny and injustice still exist. Casimir Pulaski will always serve as an inspiration to these people who must continue their fight for freedom.

Greater Pittsburgh Career Exposition

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 4, 1965

Mr. MOORHEAD. Mr. Speaker, KQV Radio in Pittsburgh has performed a great public service to my home city with its sponsorship of the Greater Pittsburgh Career Exposition. More than 36,000 persons attended the 3-day program at our beautiful Civic Arena—a program designed to showcase the many career and training opportunities available in the Pittsburgh area and to emphasize to citizens of that area the importance of continuing education and training.

The program was aimed not only at youths of the Pittsburgh area but to unemployed persons interested in retraining programs and to adults interested in self-improvement or further education. The Career Exposition, incidentally, broke a 3-year attendance record for a public exposition at our $22 million Civic Arena. Already several other cities are planning similar programs based on the success of this one. KQV Radio is to be highly commended for its sponsorship of this exposition as a major contribution to a healthy economy in the Pittsburgh area and as a pattern for other communities with similar problems.

I recommend to my colleagues in the House who represent such communities that they study this successful pattern.

A Bill To Amend the Annual and Sick Leave Act of 1951

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 4, 1965

Mr. FINO. Mr. Speaker, today I have reintroduced my bill to amend the Annual and Sick Leave Act of 1951 to provide lump-sum payment for the unused sick leave to the credit of an officer or employee immediately prior to his separation from the service on retirement.

This bill is intended to straighten out a system that encourages unnecessary absence and deprives other employees of the fruits of their dedication.

This bill is intended to reward all employees—the sick and the healthy. Further, this bill would be an added incentive for many employees to use their sick leave more prudently because they would know that payments would be made for unused sick leave.

I urge this bill as one which would do a great deal to strengthen and develop our civil service system and treat all employees equally, fairly, and justly.